



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815-7763
Phone: (208) 762-2800 • Fax: (208) 762-2819 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER

Governor

March 29, 2016

GARY SPACKMAN

Director

JD HEIN FAMILY LLC
C/O DIANE BAYE
47215 DETOUR RD E
EDWALL WA 99008

SUBJECT: Coeur d'Alene-Spokane River Basin Adjudication (CSRBA) Claim No. 95-13630

RESPONSE DUE DATE: MAY 2, 2016

Dear Ms. Baye:

We are in the process of reviewing the above claim for recommendation in the CSRBA. This is the claim filed for domestic usage for three homes with the water source of a well. However, before I can complete the recommendation, we need more information from you.

1. The Notice of Claim to a Water Right identified with the number shown above has been filed in the CSRBA. The claim indicates your water usage is based on "Beneficial Use" or "Statutory Claim". Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose claimed, and are termed beneficial use rights. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. Since the priority date and historic use of a beneficial use right cannot be confirmed by field examination, proof must be provided by the claimant supporting the priority date claimed and the historic use of the water. Enclosed you will find the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.
2. I've enclosed a copy of a map which I believe shows your parcel. Please note on this map where the well is located and where the water usage occurs for the three homes.
3. The definition of domestic use for purposes of both the adjudication statute and the exception to the ground water appropriation permit requirement is set forth in Section 42-111, Idaho Code. Consequently, we are limited to what can be recommended for the water usage described on your Notice of Claim. We can: a. Recommend one claim for one home with a maximum of 13,000 gallons per day and up to one half acre of irrigation or b. Multiple homes can be recommended on one claim under Section 42-111(1) (b). The prerequisite for a claim filed under this option is that the amount of water claimed cannot exceed a diversion rate of 0.04 cubic feet per second and a diversion volume of 2500 gallons per day.

Another option would be to complete an Application for Permit. The priority date for the water usage would be the date of filing the application with IDWR.

Also, it appears that the ownership and/or address may have changed since the Claim was filed in October of 2010.

Enclosed is a Change of Ownership form, with instructions, which may be completed for the ownership and address change.

Please return this information, to my attention, by the date shown above. This will allow me to complete your claim recommendation in a timely manner. Be sure to contact me if you have any questions. I can be reached at (208) 762-2800 or by email at linda.werner@idwr.idaho.gov.

Sincerely,



Linda A. Werner

Water Resource Agent, Sr.

Enclosure: Map
 Copy of Notice of Claim Number 95-13630
 Evidence of Priority Pamphlet
 Application for Permit w/Instructions
 Change of Ownership Form w/Instructions