

COPY



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

GARY SPACKMAN
Director

May 26, 2016

DAVID L MALLERY
TRESIA R MALLERY
1845 S SIGNAL POINT RD
POST FALLS, ID 83854

RE: Evidence of priority date for Claim 95-4738

Dear Claimant,

The Department of Water Resources has received your Coeur d'Alene-Spokane River Basin Adjudication (CSRBA) water right claim. We are unable to recommend your adjudication claim at this time for the following reason:

The Notice of Claim to a Water Right identified with the number shown above was submitted for the domestic and stockwater use of spring water with a claimed priority date of August 01, 1957. There was no evidence provided to support this priority date and prove the beneficial use of that water for domestic and stockwater purposes within the claimed place of use. Tax lot records for the claimed parcel (50N05W171850) indicate that a home was first built on the property in 1975. If the water use began after May 20, 1971, then it is in violation of the mandatory permit statute for surface water. We will move forward with the recommendation of your CSRBA Water Right claim once provided sufficient evidence to verify the beneficial use of this water source for domestic and stockwater purposes within the claimed place of use beginning on or before the priority date claimed. To ensure the accuracy of our claim recommendation, I have enclosed a parcel map of your property so you can mark the location of your point of diversion (spring). Please submit the required evidence along with the marked parcel map within 30 days, referencing all documents with the corresponding claim number.

PLEASE NOTE: IDWR will recommend the Court decree this claim disallowed if no further evidence is submitted. It will be to your advantage to provide clear and convincing evidence.

If you have any questions or concerns, please contact our office and we will be happy to help. I can be reached by phone during business hours at 208-762-2800 or by email at evan.roda@idwr.idaho.gov.

Best Regards,

A handwritten signature in black ink, appearing to read 'Evan W. Roda', is written over a horizontal line.

Evan W. Roda
Senior Water Resource Agent
Northern Region

Enclosure: Parcel Location Map of CSRBA Claim 95-4738

SCANNED
MAY 26 2016