



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

July 22, 2016

ALLAN D KYLE
25249 N HATCH RD
ATHOL ID 83801

RE: Evidence of Priority Date for Notice of Claim to a Water Right Number 95-9793
Request to Schedule Field Exam

RESPONSE DEADLINE
DATE: August 15, 2016

Dear Mr. Kyle:

The Notice of Claim to a Water Right identified with the number shown above has been filed in the Coeur D'Alene-Spokane River Basin Adjudication, also known as Phase 1 of the Northern Idaho Adjudication (NIA). 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.

PLEASE NOTE: IDWR may recommend the NIA Court decree the claim disallowed if no evidence of the priority date and of the historic use is submitted.

Also, Idaho Department of Water Resources (IDWR) is planning to conduct water right field examinations in the vicinity of your CSRBA claim(s) during August, 2016. The examination is required for the Department to verify the elements of your claim(s) and prepare an accurate recommendation to the CSRBA Court concerning your claim.

Please contact me by the date shown above to schedule a field exam at your property to include the water system point of diversion, domestic/stock water use area, and pipes, storage tanks, equipment, etc., that deliver water to your property. Please be advised that a person who is familiar with your water system must be available to operate the system under normal conditions during the field examination.

The evidence of priority should also be submitted by this date.

If you have any questions, I can be reached at (208) 762-2802 or by email at linda.werner@idwr.idaho.gov.

Sincerely,

Linda A. Werner
Water Resource Agent, Sr.

Enclosures: Evidence of Priority Pamphlet
Copy of Notice of Claim Number 95-9793