



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

August 18, 2016

MICHAEL J VERBILLIS
PO BOX 519
COEUR D ALENE ID 83816

RE: Evidence of Priority Date for Notice of Claim to a Water Right Number 95-17193 - Eileen Hawley,
Location of Point of Diversion and Place of Use

Dear Mr. Verbillis:

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.

Some examples of documents which may be used as evidence of the priority date include affidavits from someone who has a personal knowledge of when the water usage began, sales receipts for equipment used in the water system, records of the person or business that sold, installed or constructed the diversion works, etc.

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, I've enclosed a map of the property. Please verify on this map where the diversion is located and where the water usage is occurring.

Please return this information, to my attention, by **September 9, 2016**. 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: Copy of Notice of Claim Number 95-17193
Map

COPY

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE COEUR D'ALENE-SPOKANE RIVER
BASIN WATER SYSTEM

CIVIL CASE NUMBER: 49576

ID Number: 95-17193

Date Received: 4-3-15

Receipt No: 1031503

Amount: 825.00 By: cm

RECEIVED
SEP 3 2015
IDWR/NORTHERN

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

For domestic and/or stockwater purposes where
daily use is less than 13,000 gallons per day

RECEIVED

JUL 30 2015

IDWR/NORTHERN

Please type or print clearly

- Name of claimant(s) EILEEN E. HAWLEY Phone 208-772-9663
Mailing address 22769 N. CORBIN HILL RD. HAYDEN, ID ZIP 83835
Street or Box City State
- Date of priority (only one (1) per claim) JANUARY 1, 1947
Month/Day/Year (yyyy)
- Source of water supply (check one) Ground Water () or Other (x) (a) SPRING
which is tributary to (b) SINKS
- Location of point of diversion is: Township 52N, Range 3 WBM, Section 9,
1/4 of 1/4, or Govt. Lot 1, B.M., County of KOOTENAI
Parcel (PIN) no. 51N03W-09-3100
Additional points of diversion, if any: _____
If available, GPS coordinates _____
- Description of diverting works (wells, pumps, spring boxes, pipelines, etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.
SPRING - BOX 6.5' x 7' CONCRETE CISTERN AND PIPES
- Water is claimed for the following: (Limited to domestic and/or stockwater uses. See page 1 of the instructions.)
For DOMESTIC purposes from 1-01 to 12-31 amount 0.04 CFS / day
Month/Day Month/Day cfs (x) AFY ()
For _____ purposes from _____ to _____ amount _____
- Total quantity claimed 0.04 cfs (x) or AFY ()
- Non-irrigation uses; describe fully (e.g. Domestic: give number of households served if single ownership; Stockwater: type and number of livestock, etc.): DOMESTIC: SINGLE HOUSEHOLD

SCANNED

AUG 18 2016

9. Location of place of use is: Township 52 N, Range 3 WBM, Section 9, _____ 1/4 of _____ 1/4,
or Govt. Lot _____, B.M., Parcel (PIN) no. (if different than shown in Item 4) 51N03W-09-3100

For (check one) Domestic (x) Stock () Domestic and Stock ()

Additional places of use, if any:

10. In which county(ies) are lands listed above as place of use located? KOOTENAI

11. Do you own the property listed above as place of use? Yes (x) No ()

If your answer is no, describe in remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

_____ or None (x)

13. Remarks:

14. Basis of claim (check one) Beneficial Use (x) Posted Notice () License () Permit () Decree ()

Court _____ Decree Date _____ Plaintiff v. Defendant

If applicable, provide IDWR water right number

15. Signature(s)

a. By signing below, I/we acknowledge that I/we have received, read and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication".

b. I/We do () do not () wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

For individuals:

_____ I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of claimant(s) X Edward P. Wilson, Jr. Date: _____

Date:

For organizations:

I do solemnly swear or affirm under penalty of perjury that I am

_____ of _____,
Title Organization

that I have signed the foregoing document in the space below as

_____ of _____,
Title Organization

and that the statements contained in the forgoing document are true and correct.

Signature of authorized agent _____ Date _____

Title and organization

16. Notice of appearance:

Notice is hereby given that I, MICHAEL J. VERBILLIS, will be acting as attorney at law of behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Michael Kelly Date 7/27/2015

Address P.O. Box 519
COENA D'ALENGE, IA 53816

SCANNED
AUG 18 2016

PARCEL NUMBER 52N03W093100, E. HAWLEY

