

From: Roda, Evan
Sent: Tuesday, April 04, 2017 2:15 PM
To: 'Chris Bromley'
Cc: Goodwin, Chad; Fritschle, Carter; Courtney, Andrea; Cooley-Denney, Suzy
Subject: RE: 95-8572 Amended Claim

Chris,

Thank you for getting back to me in regards to CSRBA Claim No. 95-8572. I read through your questions and hopefully these answers provide some clarity from our side.

- Line 4
 - o The point of diversion (POD) described in Line 4 of the prepared Amended Notice of Claim is located in the NWSW, Sec. 8 reflecting the use of the Majestic View well system. The claim first filed by the city for this license listed the PODs in the SWSE, Sec. 6, as was originally licensed. Although these two described wells differ from all the other known wells utilized by the City of Post Falls, the claim also stated in Line 5 that the "wells serve the City of Post Falls". This led to some confusion and required further clarification from the city, which was explained in the email I sent March 16, 2017. In that email, I explained the issue and asked if the wells serving this license were independent of the primary city wells, or if an amended claim was needed to correct the claimed PODs. In your emailed response letter, sent March 20, you stated "The connection was made in 2002, and the City became owner of Riverbend in 2004. If you would please prepare the amended claim, we'd appreciate it." I was under the impression that only the Majestic View wells were serving the west side of the city and the Riverbend wells were no longer being used. This is why the amended claim was prepared for you listing the use of the Majestic View wells, which were not connected to the main system until 2008. If the originally claimed PODs within Sec. 6 are correct, then no amended claim is needed and the license will be recommended as claimed. If the two Riverbend wells were being used (after the city took ownership of Riverbend in 2004) in conjunction with the main well system on the east side, then the originally claimed PODs can remain and only the list of main system wells is needed with the amendment.
- City of Post Falls Points of Diversion
 - o The complete list of PODs utilized by the city was included with the claim to allow more flexibility in the claim recommendation as clarification of all the intricacies and interconnectivity of the well systems and timeline are better understood. Only the wells pertaining to this water right will be included in the final claim recommendation. Through the recommendation process, a reduction of PODs can be made, but additional PODs cannot be added to a recommendation without the filing of an Amended Notice of Claim.
- Claim form Line 12
 - o The water rights listed in Line 12 are reflective of only the other municipal rights believed to be sharing PODs with water right No. 95-8572. These are the rights that are also diverted from the three Majestic View wells. Water rights pertaining to only the primary well system on the east side of the city were not included in the list due to limited space. If you wish to list all the city's municipal rights, that is fine too. The completeness of the listed water rights on Line 12 will have no effect on the final recommendation of the water right license.

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So water right license 95-8572 is the only right with ties to the two Riverbend wells. If those wells were the only ones utilized for this water right as of December 31, 2005, then the amended notice of claim is not needed. If the Riverbend wells were used in conjunction with the main well system on the east side, then the amended claim needs only a list of the additional PODs. I hope this helps to clear things up a little. Please let me know if any further questions or concerns arise.

Regards,

Evan

Evan W. Roda
Senior Water Resource Agent
Idaho Department of Water Resources, Northern Region
7600 N Mineral Dr Suite 100
Coeur d'Alene, ID 83815-7763
Phone (208) 762-2810 / 2800
Fax (208) 762-2819
evan.roda@idwr.idaho.gov
www.idwr.idaho.gov

From: Chris Bromley [mailto:cbromley@mchughbromley.com]
Sent: Monday, April 03, 2017 2:17 PM
To: Roda, Evan <Evan.Roda@idwr.idaho.gov>
Cc: Courtney, Andrea <Andrea.Courtney@idwr.idaho.gov>; Fritschle, Carter <Carter.Fritschle@idwr.idaho.gov>; Goodwin, Chad <Chad.Goodwin@idwr.idaho.gov>; Cooley-Denney, Suzy <Suzy.Cooley-Denney@idwr.idaho.gov>; 'John Beacham' <jbeacham@postfallsidaho.org>; 'Russ Connoles' <rconnoles@postfallsidaho.org>
Subject: RE: 95-8572 Amended Claim

Evan,

Thanks for preparing the amended claim form for the Riverbend water right. After looking at it, and discussing it with the city, there are a few questions about POD.

- Line 4
 - The amended claim lists the POD in NWNW, Sec 8. The right, as licensed, is located in SWSE, Sec. 6 and SESE, Sec. 6. The amended claim POD puts the diversion in the location of the Majestic View wells. As of 12/31/2005, the Majestic View wells in Sec. 8 weren't connected with the city's main system, but the Riverbend wells in Sec. 6 were. Maybe you're looking at something different on a map?
- "City of Post Falls Points of Diversion"
 - Based on John's understanding, this list was prepared some time ago before we all had the benefit of the timeline that the city prepared. Should this list be comprehensive of all city municipal wells, or should it reflect what was interconnected as of 12/31/2005? I'm not sure that the list really needs to be part of the claim, but am happy to discuss how to work on the list to reflect the intention.
- Claim form Line 12
 - This goes to the question raised above. Whether you'd like to see a list of all municipal water rights, or only those that were interconnected as of the cut-off date, the list would need to be worked on. How would you like to see this described in Line 12?

Other than POD, the amended claim form looks good. If you can provide some guidance on the POD questions, then we can get the amended claim finalized.

Thanks,

Chris

From: Chris Bromley [<mailto:cbromley@mchughbromley.com>]
Sent: Tuesday, March 28, 2017 8:06 AM
To: 'Roda, Evan' <Evan.Roda@idwr.idaho.gov>
Cc: 'Courtney, Andrea' <Andrea.Courtney@idwr.idaho.gov>; 'Fritschle, Carter' <Carter.Fritschle@idwr.idaho.gov>; 'Goodwin, Chad' <Chad.Goodwin@idwr.idaho.gov>; 'Cooley-Denney, Suzy' <Suzy.Cooley-Denney@idwr.idaho.gov>
Subject: RE: 95-8572 Amended Claim

Evan,

I'm out on spring break this week, but will get in touch with you next week about this. The City has a few items for me to ask questions about.

Thanks,

Chris

From: Roda, Evan [<mailto:Evan.Roda@idwr.idaho.gov>]
Sent: Wednesday, March 22, 2017 3:34 PM
To: Chris Bromley <cbromley@mchughbromley.com>
Cc: Courtney, Andrea <Andrea.Courtney@idwr.idaho.gov>; Fritschle, Carter <Carter.Fritschle@idwr.idaho.gov>; Goodwin, Chad <Chad.Goodwin@idwr.idaho.gov>; Cooley-Denney, Suzy <Suzy.Cooley-Denney@idwr.idaho.gov>
Subject: 95-8572 Amended Claim

I prepared and attached an amended Notice of Claim to a Water Right form for City of Post Falls Claim No. 95-8572. As previously discussed, the points of diversion have been corrected to reflect the use of the city wells for this water right. Please sign and return the claim to us at your earliest convenience. Feel free to give me a call if you have any questions.

Regards,

Evan

Evan W. Roda
Senior Water Resource Agent
Idaho Department of Water Resources, Northern Region
7600 N Mineral Dr Suite 100
Coeur d'Alene, ID 83815-7763
Phone (208) 762-2810 / 2800
Fax (208) 762-2819
evan.roda@idwr.idaho.gov
www.idwr.idaho.gov

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