



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

April 28, 2017

NE 1040 LAKE ST LLC
22890 OREGON CITY LOOP
WEST LINN OR 97068

RE: Coeur d'Alene-Spokane River Basin Adjudication (CSRBA) claim 95-11919

Dear Claimants,

The Idaho Department of Water Resources (IDWR) is currently in the process of reviewing claims filed in the CSRBA. After conducting a preliminary review of the above mentioned claim, additional information is required.

Claim 95-11919 was filed in 2010 using IDWR's online claim filing application. When filing, you identified the elements of the water right you were claiming. Three of those elements are the source of water, the point of diversion¹ location, and the priority date.

Source and Point of Diversion:

The claimed source was identified as Coeur d'Alene Lake, but the point of diversion location was placed on the parcel which is several hundred feet away from the lake. See the map below:



¹ The point of diversion is that point where the water leaves its natural channel. So if the source is a lake, the POD would most likely be the intake line of the pump in the lake. A well would be the location of the well head.

Please review the map. If the point of diversion is on the lake, then please draw/located the point of diversion on this map, or a similar map, and return it to me. If, perhaps, the point of diversion location is accurate, but the source is not the lake, then please contact me so we can discuss amending your claim.

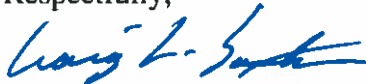
Priority Date:

Item 13 on claim 95-11919 (enclosed) indicates that the basis of the claimed priority date was taken from a recorded survey: "*Earliest date of recorded surveyed use in legal description of property.*"

I have been unable to locate that survey in the Kootenai County records. When you send the map with the updated point of diversion location, please include a copy to the referenced survey as evidence of the claimed priority date.

Please submit the requested information within the next 30 days. I know this letter is coming to you out of the blue so please do not hesitate to contact me with questions.

Respectfully,



Craig L. Saxton
Adjudication Technical Analyst
craig.saxton@idwr.idaho.gov
208.287.4916

Cc: christhompsonlaw@juno.com

Enclosure(s): Copy of Notice of Claim to a Water Right 95-11919

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

Ident. Number: 95-11919

Date Received: 2/11/2010

Receipt No: T090039

Received By:

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED
UNDER STATE LAW

1. Name of Claimant(s)

NE 1040 LAKE ST LLC
22890 OREGON CITY LOOP
WEST LINN OR 97068

2. Date of Priority: 8/1/1945

3. Source: COEUR D ALENE LAKE Tributary to: SPOKANE RIVER

4. Point of Diversion:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>	<u>Type</u>
50N	03W	33	SE NW	2	KOOTENAI	

5. Description of diverting works:

6. Water is used for the following purposes:

<u>Purpose</u>	<u>From To</u>	<u>C.F.S.</u>	<u>(or) A.F.A</u>
DOMESTIC	1/1 12/31	0.03	0

7. Total Quantity Appropriated is: 0.03 C.F.S. and/or 0 A.F.A

8. Non-irrigation uses:

Number of Homes: 1

9. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4</u>	<u>Lot</u>	<u>Use</u>	<u>Acres</u>
50N	03W	33	SE NW	2	DOMESTIC	

Section Acres

10. Place of use in counties: KOOTENAI

11. Do you own the property listed above as place of use? Yes

12. Other Water Rights Used:

13. Remarks:

Priority date description: Earliest date of recorded surveyed use in legal description of property.

95-11919

2/18/2010

Description of use: Water Use
DOMESTIC

Description
Household plumbing and landscape watering

14. Basis of Claim: Beneficial Use

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 notice 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.

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty or 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 foregoing document are true and correct.

Signature of Authorized Agent _____ Date: _____

Title and Organization _____

Please print name