



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

COPY

May 5, 2017

ELKHORN RANCH HOMEOWNERS ASSN. INC
C/O DANA WETZEL; WETZEL WETZEL & HOLT P.L.L.C.
618 N 4TH ST
COEUR D'ALENE, ID 83814

RE: Coeur d'Alene-Spokane River Basin Adjudication (CSRBA) Claim No. 95-9012

Dear Claimant(s),

The Idaho Department of Water Resources has received your Coeur d'Alene-Spokane River Basin Adjudication (CSRBA) Notice of Claim to a Water Right. 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 has been filed for the municipal use of water from the Spokane River based on a previously issued water right license. When filing a water right claim based on a previously issued license, all aspects of the original license must be carried over to the new claim form including the purpose of use, priority date, diversion rate, diversion volume, place of use, and point of diversion. The water right license your claim form references is appurtenant to the claimed place of use, but was licensed for the use of groundwater, not surface water. Additionally, the priority date claimed did not match that of the original water right license. Before this water right claim can be recommended to the Court, an amended claim form with the correct water source and priority date must be submitted. For your convenience, I am sending you an Amended CSRBA Notice of Claim to a Water Right for Claim No. 95-9012 which includes all pertinent information from the originally licensed water right. Please review the claim form, and if you wish to make any further changes, initial those changes before signing the claim. After your review, return the signed claim form to our office at the address listed above within 30 days of receiving this letter.

PLEASE NOTE: If an amended notice of claim is not received for this water right, IDWR will recommend this claim as disallowed to the Court and the license it is based upon will no longer be recognized when the adjudication concludes.

Please do not hesitate to contact me if you have any questions. I can be reached by phone during business hours at 208-762-2800 or by email at evan.roda@idwr.idaho.gov.

Best Regards,

Evan W. Roda
Senior Water Resource Agent
Northern Region

Enclosure: Amended Notice of Claim to a Water Right for CSRBA Claim No. 95-9012

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Form No.42-1409-1 (Internet 3/12)

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: _____

Date Received: _____

Receipt No: _____

Amount: _____ By: _____

AMENDED
NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of claimant(s) ELKHORN RANCH HOMEOWNERS ASSN. INC Phone (208) 819-4175
Mailing address P.O. BOX 918 RATHDRUM ID ZIP 83858
Street or Box City State
2. Date of priority (only one (1) per claim) MARCH 22, 1999
Month Day Year (yyyy)
3. Source of water supply (check one) Ground Water (x) or Other () (a) _____
which is tributary to (b) _____
4. a. Location of point of diversion is: Township 52N, Range 04W, Section 10,
SE 1/4 of NW 1/4, or Govt. Lot _____, B.M., County of KOOTENAI
Parcel (PIN) no. 020870010010 (WILBERT GRASMICK REVOCABLE TRUST)
Additional points of diversion if any: SE1/4 NW1/4 SEC. 10, TWP 52N, RGE 04W, B.M.
If available, GPS coordinates: _____
- b. If instream flow, beginning point of claimed instream flow is: Township _____, Range _____,
Section _____, _____ 1/4 of _____ 1/4, or Govt. Lot _____, B.M., County of _____
ending point is: Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4 or
Govt. Lot _____, B.M., County of _____
5. Description of existing diversion works (dams, reservoirs, ditches, wells, pumps, pipelines, headgates, 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.
TWO WELLS AND TWO RESERVOIRS

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6. Water is claimed for the following purposes:

(both dates are inclusive mm-dd) (cfs) (acre-feet)
For MUNICIPAL purposes from 1/01 to 12/31 amount 1.00 or 148.8
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.00 (cfs) and/or (b) 148.8 (acre-feet)

8. Non-irrigation uses; describe fully (e.g. Domestic: give number of households served; Stockwater: type and number of livestock, etc.): MUNICIPAL SERVING PARCELS IN ELKHORN RANCH HOMEOWNERS ASSN.

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (e.g. D for domestic) in the corresponding place of use below. See instructions for standard symbols.

Twn	Rng	Sec	NE				NW				SW				SE				Total's
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Parcel (PIN) no(s). SEE ATTACHED MAP

Total number of acres irrigated _____

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 () No (x)

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:

PLACE OF USE IS WITHIN THE AREA SERVED BY THE PUBLIC WATER SUPPLY SYSTEM NUMBER

1280222293, AS SHOWN ON ATTACHED MAP. POINT OF DIVERSION IS OWNED BY WILBERT GRASMICK

TRUST AND PLACE OF USE IS A GROUP OF SUBDIVISIONS.

Last name _____ Identification no. _____

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

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable, provide IDWR water right number 95-9012

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 (x) wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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) _____ 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 foregoing document are true and correct.

Signature of authorized agent _____ Date _____

Title and organization _____

16. Notice of appearance:

Notice is hereby given that I, _____, 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 _____ Date _____

Address _____

Last name _____ Identification no. _____

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The image is a black and white aerial photograph of a rural landscape, overlaid with a grid system. The grid is labeled with compass directions (e.g., N, NE, E, SE, S, SW, W, NW) and numbers (1-11). A white arrow points to a specific location labeled "PLACE OF USE". A winding road or path is visible, and a small body of water is in the bottom left corner.

The USDA-EPA Aerial Photography Field office asks to be credited in derived products. E-3 SWSE SESE

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