

COPY



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

May 11, 2017

HAUSER MMM, LLC
2730 PERALTA ST
OAKLAND, CA 94607

RE: Evidence of priority date for Claim 95-14211

Dear Claimant(s),

The Department of Water Resources has received your Coeur d'Alene-Spokane River Basin Adjudication (CSRBA) water right claim. 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 was submitted for the use of groundwater for domestic, fire protection, and industrial uses with a claimed priority date of January 01, 1957. There was no evidence provided to support this priority date and prove the beneficial use of that water for the purposes claimed within the claimed place of use. An easement to access and use a well located in the neighboring parcel (51N05W198850) was submitted as evidence by the original claimant, Stimson Lumber Company, but that document was dated August 10, 2009. If the water use began after March 25, 1963, then it is in violation of the mandatory permit statute for groundwater. We will move forward with the recommendation of your CSRBA Water Right claim once provided sufficient evidence to verify the beneficial use of this water source for domestic, fire protection, and industrial purposes within the claimed place of use beginning on or before the priority date claimed. Evidence must also be submitted to verify the water diversion capacity of the system and quantity of water utilized at the time of priority. Please submit the required evidence within 30 days, referencing all documents with the corresponding claim number.

PLEASE NOTE: IDWR will recommend the Court decree this claim disallowed if no further evidence is submitted. Water right claim No. 95-14212 represents an enlargement of this right, and will therefore also be disallowed. It will be to your advantage to provide clear and convincing evidence.

If you have any questions or concerns, please contact our office and we will be happy to help. I can be reached by phone during business hours at 208-762-2800 or by email at evan.roda@idwr.idaho.gov.

Regards,

A handwritten signature in black ink, appearing to read 'Evan W. Roda', is written over a horizontal line.

Evan W. Roda
Senior Water Resource Agent
Northern Region

cc: Michael P. Lawrence, Attorney at Law

SCANNED
MAY 11 2017