



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

July 10, 2017

STATE OF IDAHO DEPT OF LANDS
PO BOX 83720
BOISE ID 83720-0050

RE: Evidence of Priority Date and Location of Points of Diversion for the Following Notices of Claim to a Water Right: 95-17012, 95-17018, 95-17019, 95-17020, 95-17021, 95-17022, 95-17026, 95-17027, 95-17028, 95-17030, 95-17032, 95-17033 and 95-17035

RESPONSE DEADLINE
DATE: July 31, 2017

To Whom It May Concern:

The Notices of Claim to a Water Right identified with the numbers shown above have been filed in the Coeur D'Alene-Spokane River Basin Adjudication, also known as Phase 1 of the Northern Idaho Adjudication (NIA). The claims indicate 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 for evidence of the priority date include:

The copies of digital records as listed on your claims under remarks, item 13; OR,

Affidavits – a statement from someone with personal knowledge of when beneficial use was first made, such as a neighbor or a previous owner of the property. Personal knowledge means someone who observed the use, not someone who was told of the use by someone else. The affidavit should include the month and year when the water usage began.

Or: (a) sales receipts for equipment or materials used in the water system or (b) records of the person or business who sold, installed or constructed the diversion works.

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, we need copies of maps showing where each diversion point is located.

Please return this information, to my attention, by the date shown above as I am currently reviewing the claims for recommendation in the CSRBA. 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: Copies of the Notices of Claim Referenced Above