

August 2, 2017

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AUG - 4 2017
IDWR/NORTHERN

Idaho Department of Water Resources
Attn: Linda Werner
7600 Mineral Dr. Suite 100
Coeur d'Alene, ID 83815

Re: Water Right Claim 95-15391

Ms. Werner:

On November 7, 2009, I filed a notice of claim for water right claim 95-15391 behalf of TP Post Falls, LLC. The claim was filed in my capacity as an attorney with the law firm of Lukins & Annis, P.S.

Please be advised that I no longer work in the capacity as an attorney for Lukins & Annis, P.S., and do not represent the claimant in any capacity.

The Department's online file for this claim contains a letter from Lukins & Annis, P.S. dated August 31, 2016, stating that the firm does not represent the claimant. A copy of that letter is enclosed.

Additionally, the Department's online file contains correspondence from the manager of TP Post Falls, LLC, Greg Haeer, dated August 15, 2016, stating that the claimant is no longer represented by an attorney. A copy of that correspondence is enclosed.

Please update your records regarding this claim to reflect this information. If you have any questions please contact me at (208) 736-3011. Thank you.

Sincerely,



Paul Harrington

Enclosures

Cc: TP Post Falls, LLC, 5469 Walker Estates Cir., Holladay Utah, 84117

August 31, 2016

R. WAYNE SWENEY
Admitted In: Idaho

Evan W. Roda
State of Idaho
Department of Water Resources
7600 North Mineral Drive, Suite 100
Coeur d'Alene, ID 8381-7763

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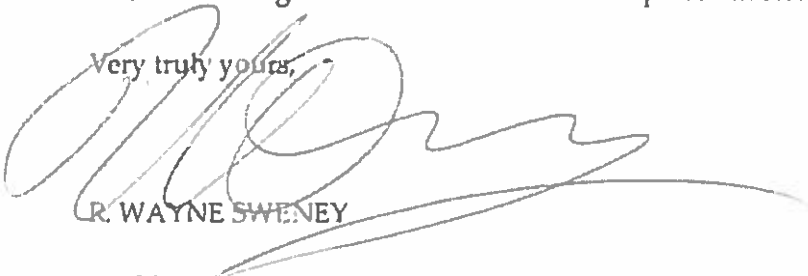
Re: TP Post Falls, LLC
Subcase Nos. 95-14700 and 95-15391

Dear Mr. Roda:

I am in receipt of your letter dated August 18, 2016, regarding TP Post Falls, LLC.

Our firm, Lukins & Annis, P.S. does not represent TP Post Falls, LLC, nor do we represent Mr. Greg Haerr, manager of TP Post Falls, LLC. Our records indicate that all files for TP Post Falls, LLC or Mr. Greg Haerr have been closed and placed in storage.

Very truly yours,



R. WAYNE SWENEY

RWS:ks

cc: Greg Haerr

SCANNED

SEP 01 2016

Roda, Evan

From: Roda, Evan
Sent: Tuesday, August 16, 2016 1:47 PM
To: 'Greg Haerr'
Subject: RE: Adjudication Claims
Attachments: 95-15391 TP Post Falls Layout.pdf

Mr. Haerr,

Thank you for the notification that you are no longer represented by an attorney. We have updated our records accordingly.

Water use permit No. 95-14515 is still active and allows for the storage of 111.8 AF annually, and the irrigation of 34.5 total acres. You can continue the use allowed under this permit as long as it is active and has not lapsed. Adjudication Claim No. 95-15391 has been recommended for the irrigation of 34.2 total acres with a maximum diversion rate of 0.51 CFS. The place of use for the irrigation allowed under the adjudication claim and the permit overlap and will likely include combined usage limits once the licensing process is completed. As these two water rights overlap, I want to be clear that the total allowable irrigated acreage is NOT combined. For your reference, I have attached a map of the irrigation layout for your adjudication claim recommendation. Please contact me if you have any further questions.

Regards,

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

-----Original Message-----

From: Greg Haerr [<mailto:greg.haerr@censoft.com>]
Sent: Monday, August 15, 2016 12:02 PM
To: Roda, Evan
Cc: Greg Haerr
Subject: Adjudication Claims

Evan,

Thanks for calling today. Please use this email to serve notice that there is not an attorney representing TP Post Falls, LLC for the following (or any IDWR) claims:

95-15391
95-14700
95-2092
95-14515

SCANNED

AUG 16 2016

I am very interested in your looking at the evidence for the pond back to the 1950's, please let me know what you find. As I mentioned, I prepared a new claim 95-14515 for the pond as at the time I bought the property in 2006 the adjudication was in process and we didn't know the process well nor what might be approved with available evidence.

In reviewing the approved irrigation on 95-15391 for 46 acres, I'm not sure where that is shown, but it is only the acreage closest to the Spokane River, not upper (south) acreage, that is irrigated. The total acreage is 72 acres.

I don't have a map that shows where the irrigation claim is approved.

Should I be concerned with allowing for all 72 acres to be irrigated, possibly using the new -14515 claim for the additional 26 acres?

Feel free to call my cell at 801-634-8000 or email me with any issues, questions or a revised claim for my review.

Thanks,

Regards,

Gregory Haerr
Manager, TP Post Falls LLC

SCANNED

AUG 16 2016