



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

October 4, 2017

BOB AND JAN STUPPY TRUST
2263 E GARWOOD RD
HAYDEN ID 83835

RE: Evidence of Priority Date for Notice of Claim to a Water Right Number 95-4264

RESPONSE DEADLINE
DATE: October 26, 2017

To Whom It May Concern:

The Notice of Claim to a Water Right identified with the number shown above has been filed in the Coeur D'Alene-Spokane River Basin Adjudication, also known as Phase 1 of the Northern Idaho Adjudication (NIA). The claim indicates 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:

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 will recommend the NIA Court decree the claim disallowed if no evidence of the priority date and of the historic use is submitted.

Please return this information, to my attention, by the date shown above. If you have any questions, I can be reached at (208) 762-2802/2800 or by email at linda.werner@idwr.idaho.gov.

Sincerely,

Linda A. Werner
Water Resource Agent, Sr.

Enclosures: Copy of Notice of Claim Number 95-4264