



## State of Idaho

### DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • FAX: (208) 287-6700 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

March 15, 2018

Rahel Elisabeth Moore  
PO Box 2013  
Post Falls, ID 83877

RE: Coeur d'Alene-Spokane River Basin Adjudication (CSRBA) Claim nos. 95-11609 and 95-13114

Dear Ms. Moore:

This letter is in response to meeting with you last week at the Basin 95 Part 1 Preliminary Director's Report Meeting in Coeur d'Alene. At the meeting you indicated that you would like to amend claim 95-11609 to add stockwater for 10 horses.

I have attached a draft amended claim that adds stockwater as a purpose of use, and describes the stockwater use is for 10 horses.

Please review the enclosed claim for accuracy. If something is not correct, please let me know. If all is correct, please return the signed claim in the postage paid envelope by March 30, 2018.

If you have any questions or need further clarification, please contact me at (208) 287-4917 or by an email to:  
[Carter.Fritschle@idwr.idaho.gov](mailto:Carter.Fritschle@idwr.idaho.gov)

Also, if you happen to talk to the person that purchased the home described on claim 95-13114, we would appreciate it if you told that person about the claim, and that a change of ownership form will need to be filed. If the change of ownership form is not filed, you will continue to get all of the correspondence associated with claim 95-13114. While the change of ownership form can be found on Idaho Department of Water Resources' (IDWR) web site, I have enclosed a partially completed copy with instructions you may give to the new owner to complete and return to IDWR.

Sincerely,

Carter Fritschle  
Adjudication Section Manager  
Idaho Department of Water Resources

Enclosures: Amended Notice of Claim 95-11609 and Change of Ownership form for 95-13114

**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

Ident. Number: 95-11609  
Date Received:  
Receipt No: T089716  
Amount Paid: \$25.00  
Received By: \_\_\_\_\_

**AMENDED**

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW  
For Domestic and/or Stockwater Purposes  
Where Daily Use is less than 13,000 gallons per day**

**1. Name of Claimant(s)**

RAHEL ELISABETH MOORE  
PO BOX 2013  
POST FALLS ID 83877

Phone: (208) 687-1509

**2. Date of Priority:** 6/27/1979

**3. Source:**

GROUND WATER

Trib. to:

**4. Point of Diversion:**

| Township | Range | Section | ¼ of ¼ of ¼ | Lot | County   | Type |
|----------|-------|---------|-------------|-----|----------|------|
| 51N      | 05W   | 5       | NW NE       | 2   | KOOTENAI |      |

**5. Description of diverting works:**

**6. Water is used for the following purposes:**

| Purpose    | From | To    | C.F.S. | (or) | A.F.A. |
|------------|------|-------|--------|------|--------|
| DOMESTIC   | 1/1  | 12/31 | 0.03   |      |        |
| STOCKWATER | 1/1  | 12/31 | 0.02   |      |        |

**7. Total Quantity Appropriated is:**

0.03 C.F.S. and/or A.F.A.

**8. Non-irrigation uses:**

Domestic for 1 home and stockwater for 10 horses

9. Place of use:

DOMESTIC within KOOTENAI County

| Township | Range | Section | ¼  | of | ¼  | Lot | Acres |
|----------|-------|---------|----|----|----|-----|-------|
| 51N      | 05W   | 1       | SW |    | NE | 2   |       |

10. Do you own the property listed above as place of use? Yes

If your answer is no, describe in remarks below the authority you have to claim this water right.

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11. Other Water Rights Used:

12. Remarks:

Priority Date Explanation:

Owner's Original Claim 95-79-N-17

13. Basis of Claim: Beneficial Use

14. Signature(s)

**(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the COEUR D'ALENE-SPOKANE River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not \_\_\_\_\_ wish to receive and pay a small annual fee for monthly copies of the docket sheet.**

Number of attachments: \_\_\_\_\_

**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: \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

## Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

| Water Right/Claim No. | Split?                       | Water Right/Claim No. | Split?                       | Water Right/Claim No. | Split?                       |
|-----------------------|------------------------------|-----------------------|------------------------------|-----------------------|------------------------------|
| 95-13114              | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Rahel Elisabeth Moore  
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): \_\_\_\_\_  
New owner(s) as listed on the conveyance document      Name connector    ☐ and    ☐ or    ☐ and/or

Mailing address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Telephone \_\_\_\_\_ Email \_\_\_\_\_

4. If the water rights and/or adjudication claims were split, how did the division occur?
- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
  - ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: \_\_\_\_\_.
6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
  - If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
  - New lessor(s) of record will receive payment after the following rental season.
7. This form must be signed and submitted with the following **REQUIRED** items:
- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
  - Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
  - Filing fee (see instructions for further explanation):
    - \$25 per *undivided* water right.
    - \$100 per *split* water right.
    - No fee is required for pending adjudication claims.

8. Signature: \_\_\_\_\_  
Signature of new owner/claimant      Title, if applicable      Date

Signature: \_\_\_\_\_  
Signature of new owner/claimant      Title, if applicable      Date

*For IDWR Office Use Only:*

Received by \_\_\_\_\_ Date \_\_\_\_\_ Receipt No. \_\_\_\_\_ Receipt Amt. \_\_\_\_\_

Approved by \_\_\_\_\_ Processed by \_\_\_\_\_ Date \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**INSTRUCTIONS FOR FILING A  
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All persons owning or claiming ownership of a water right or claim are required to provide notice to the Department of Water Resources (IDWR) of any change in ownership of any part of the water right or claim or of any change in the owner's mailing address within 120 days of the change. Forms to report ownership changes and/or to update an address are available on IDWR's website at [www.idwr.idaho.gov](http://www.idwr.idaho.gov). In addition, all new owners of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

A notice is required for changes in ownership from one individual to another, from an individual to a business entity (even if the business is owned by the individual), or from one business entity to another (even if both businesses are owned by the same individual). Adding or removing a name is considered an ownership change which requires the submission of evidence to support the change and the filing fee.

Separate brochures describing the adjudication of water rights and the ownership change notice requirement are available from IDWR. Please contact your nearest IDWR office if you would like more information or need help completing this form. A list of IDWR offices is on page 2 of these instructions, or you can call 1-800-451-4129. Water right information can be found on the department's website using the "Search Tools" and "Water Right & Adjudication Search" links at [www.idwr.idaho.gov](http://www.idwr.idaho.gov).

**Please note:**

- Unlike licensed or decreed water rights, which are real property, water right permits, applications for new water rights, and applications to transfer existing water rights are considered the personal property of the permit holders/applicants. Permit holders and applicants must assign their interest in a permit and/or application to the new owner. Assignment forms are available on the department's website at [www.idwr.idaho.gov](http://www.idwr.idaho.gov), or from any IDWR office. The fee for an assignment of permit is \$25. There is no charge for an assignment of application for permit or application for transfer.
- If you want to change or add a point of diversion, place of use, season of use, or purpose of use of a water right, you must file an Application for Transfer. The ownership of a water right can also be updated through the transfer process.
- The combined portions of a divided ("split") water right cannot exceed the total flow rate, volume, or period of use of the original right.
- IDWR has no jurisdiction concerning easements, rights-of-way, and zoning matters. The buyer and seller must make these provisions where necessary.

**LINE INSTRUCTIONS:**

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be divided ("split") to provide you your share of each right. Mark the box "Yes" if a division of the water right is required.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, and the water rights are held by the organization, please do not use this form to record a change. Please contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but you do not know the numbers, you may contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. Fill in the name of the current water right holder/claimant.
3. Fill in each name as listed on the conveyance document and complete the current contact information. For water rights, IDWR will update the ownership to the individual(s)/entities listed on the conveyance document. For active adjudication claims, IDWR will update the claimant information to match the conveyance document unless the new claimant provides good cause for the variance.
4. You may have acquired only a portion of the water right(s) held by the seller. If you did not acquire the entire water right/property, please check the appropriate box. Water rights are often conveyed as an appurtenance to the land where they are used, and the conveyance document for the land often does not have specific language regarding the water right. Please read your deed or other conveyance document carefully to be sure. When the conveyance document does not specifically address water rights, it will be assumed that the water rights are to be split proportionate to the amount of land acquired.

5. Indicate the date the water rights and/or adjudication claims were conveyed to you. This may be the date of closing in the case of a real estate transaction, the date a contract was signed, or the date of a court order.
6. If you are unsure about the status of your water right in the Water Supply Bank, go to:  
[www.idwr.idaho.gov/apps/ExtSearch/WSBSearch/WSBSearch.aspx](http://www.idwr.idaho.gov/apps/ExtSearch/WSBSearch/WSBSearch.aspx), input your water right number and click "Search." If you find your water right is in the Water Supply Bank and you want to release it so you can use it, you can download the Request to Release form from the forms portion of our website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov). Your water right may not be available for immediate release if rented by another water user.
7. **ATTACHMENTS:**

IDWR cannot process this change without **documentation of ownership**. The documentation may be in the form of a deed, court decree or other conveyance document. If you are submitting a quitclaim deed and the grantor's name does not match the water right holder of record, you will need to provide a chain of title that goes back to the water right holder/claimant of record. You may obtain this information from the assessor's office in the county where the property is located. Items that are **not** conveyance documents are deeds of trust, mortgages, purchase and sales agreements, and property tax notices.

Submit a **plat map, survey map, or aerial photograph** of the place of use for each water right or claim listed in item #1 (if necessary to clarify division of water rights or complex property descriptions). If your right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent aerial photograph with the irrigated acres outlined and point(s) of diversion clearly marked. You also have the option of printing a map using the Create a Map tool on IDWR's website at: [maps.idwr.idaho.gov](http://maps.idwr.idaho.gov). It is not necessary to obtain a new survey for purposes of this form before contacting IDWR.

The Idaho Legislature has waived the fee to file a Notice of Change in Water Right Ownership for any water right pending in a general water right adjudication such as the Snake River Basin Adjudication or the Northern Idaho Adjudication. This waiver ends when a partial decree is issued for the water right that has been claimed. For water rights not pending in a general adjudication, the **filing fee** is \$25 per water right, except for those water rights that will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right.

8. One of the new owner(s) must sign the form in the space(s) provided. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.

When you have completed the Notice of Change in Water Right Ownership, retain a copy and **file the original form, necessary attachments, and filing fee with the IDWR office nearest you.**

IDWR Northern Region  
7600 N Mineral Dr, Ste 100  
Coeur d'Alene, ID 83815-7763  
(208) 762-2800

IDWR Western Region  
2735 Airport Way  
Boise, ID 83705-5082  
(208) 334-2190

IDWR Eastern Region  
900 N Skyline Dr, Ste A  
Idaho Falls, ID 83402-1718  
(208) 525-7161

IDWR Southern Region  
650 Addison Ave W, Ste 500  
Twin Falls, ID 83301-5858  
(208) 736-3033

~ OR ~

IDWR State Office  
322 East Front St, 6<sup>th</sup> Floor  
P.O. Box 83720  
Boise, ID 83720-0098  
(208) 287-4800