

RECEIVED

MAR 30 2018

02/09/2018

NOTICE OF ERROR
REPLY

IDWR / NORTH

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: March 30, 2018

Water right number: 95-10556

GEORGE E THAYER

PO BOX 190

RATHDRUM ID 83858

Telephone Number: 2086870484

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

 I AGREE with this proposed recommendation: no changes need to be made.

DATE: 3/28/18 SIGNATURE: George E Thayer
Please print your name: George E Thayer

IDWR Regional Office, 7600 N MINERAL DR STE 100, COEUR D ALENE, ID 83815-7763, (208) 762-2800

(see attached letters)

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IDWR / NORTH

KENNETH T. JACOBSEN

ATTORNEY AT LAW

P.O. BOX 1116

COEUR D'ALENE, IDAHO 83816-1116

Email: kjacoblaw@cda.twcbc.com

(208) 664-8258 Phone (208) 667-9631 Facsimile

March 28, 2018

Idaho Department of Water Resources
Northern Regional Office
7600 N. Mineral Drive., Ste. 100
Coeur d'Alene, ID 83815-7763

Re: Water Right #95-10556

Dear Sir/Madam:

Enclosed please find a copy of the IDWR Preliminary Recommendation for Water Right 95-10556, together with the aerial map of the Adjudication Recommendation.

This map and the Recommendation is for 27 acres as shown on the map with four (4) points of diversion.

Please be advised that two of the points of diversion marked on the map (wells) have been conveyed to the City of Rathdrum, Idaho, over the past several years and are no longer being used for the irrigation of the 27 acres shown as Lot 7 in Section 6, SW of SW, Township 51N, Range 4 West, Kootenai County, Idaho.

We have directed of copy of this letter with enclosures to the City of Rathdrum.

The remaining points of diversion are still being utilized for agricultural purposes on remaining property I own.

Very truly yours,



Kenneth T. Jacobsen

KTJ:mc

Cc: George Thayer

Enclosures

02/09/2018

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 95-10556

NAME AND ADDRESS: GEORGE E THAYER
PO BOX 190
RATHDRUM ID 83858

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.540 CFS
81.00 AFY

PRIORITY DATE: 06/28/1979

POINT OF DIVERSION:

T51N R04W S5 NWNW Lot 4 Within KOOTENAI County
T51N R04W S5 NWSW Lot 6 Within KOOTENAI County
T51N R04W S6 SWNE Within KOOTENAI County
T51N R04W S6 SENE Within KOOTENAI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.540 CFS
81.00 AFY

PLACE OF USE: IRRIGATION in KOOTENAI County

T51N R04W S06 Lot 7 SWSW 22.00 T51N R04W S06 SESW 5.00
27 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 95-7949.

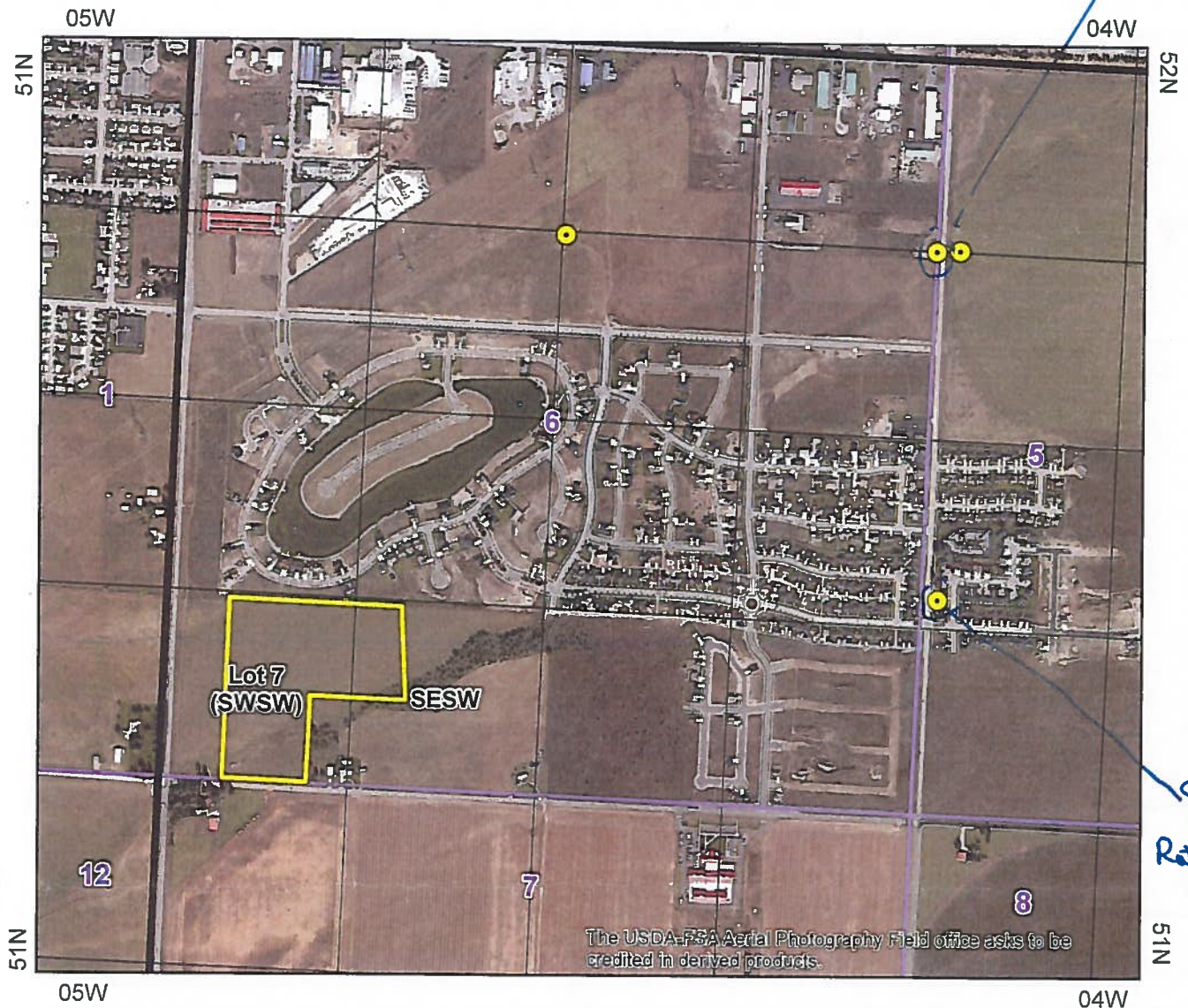
Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Parcel Nos. 053000010020 & 053000010030.

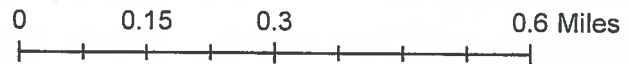
State of Idaho
Department of Water Resources

Adjudication Recommendation
95-10556
Irrigation

City
of Rathdrum



City
of Rathdrum



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections



Prepared By: Steve Clelland
November 17, 2015
Aerial photo: 2013

KENNETH T. JACOBSEN
ATTORNEY AT LAW
P.O. BOX 1116
COEUR D'ALENE, IDAHO 83816-1116
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(208) 664-8258 Phone (208) 667-9631 Facsimile

March 28, 2018

Mr. Leon Duce
City Administration
City of Rathdrum
8047 W. Main St.
Rathdrum, ID 83858

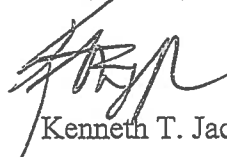
Re: Water Right #95-10556

Dear Leon:

Enclosed is correspondence I have sent to the Idaho Department of Water Resources concerning two (2) of the wells transferred by Mr. Thayer to the City of Rathdrum.

You need to do whatever is necessary to acquire or otherwise confirm the transfers and obtain whatever municipal rights from those two points of diversion you feel is appropriate.

Very truly yours,



Kenneth T. Jacobsen

KTJ:mc
Cc: George Thayer
Enclosures