



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

June 7, 2018

DANIEL JENSEN
3472 S NORTH CAPE RD
COEUR D ALENE ID 83814

SUBJECT: Notice of Error Reply to Notice of Claim (Claim) to a Water Right Number 95-14346

Dear Mr. Jensen:

Enclosed is a copy of a letter written to Mark Debolt regarding Notice of Claim to a Water Right number 95-14346. The claim was filed by Arthur Elliott and David Baboll on May 3, 2010, for water usage from Coeur d'Alene Lake for 3 homes and 5 acres of irrigation. You are receiving this letter because 1 of the 3 homes, located at 3472 S North Cape Drive, is for a water usage on your property. This letter will explain how the water right for your property was recommended for decree in the Coeur d'Alene-Spokane River Basin Adjudication (CSRBA) and what steps, if any, need to be taken before this right is decreed.

I am enclosing a copy of the preliminary recommendation for 95-14346C, the portion of the water right appurtenant to your property. Please note that we are unable to recommend this water right for decree because we do not have evidence to support a first usage date of 1969 from the lake diversion on your property. Information that we do have, in the form of taxlot data, shows that a dwelling was first built on your property in 1991. Water uses from surface water sources for which usage began after May 20, 1971, need to apply for a water right to appropriate a license. Consequently, an application for permit is enclosed, along with a water users guide explaining Idaho water rights and the appropriation doctrine.

Please feel free to contact me if you have any questions. I can be reached at (208) 762-2800 or by email at linda.werner@idwr.idaho.gov.

Sincerely,

Linda A. Werner
Water Resource Agent, Sr.

Enclosure: Copy Letter Dated June 7, 2018, to Mark Debolt
Copy of Notice of Claim Number 95-14346
Copy Notice of Error
Preliminary Recommendation Notice of Claim Number 95-14346C
Application for Permit w/Instructions
Information Sheet on Idaho Water Rights



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C.L. "BUTCH" OTTER

Governor

June 8, 2018

GARY SPACKMAN

Director

MARK DEBOLT
3431 S NORTH CAPE RD
COEUR D ALENE ID 83814

SUBJECT: Notice of Error Reply to Notice of Claim (Claim) to a Water Right Number 95-14346

Dear Mr. DeBolt:

I'm writing in regard to the Notice of Error reply you submitted for beneficial use claim 95-14346. This is the claim filed for domestic usage of 3 homes and 5 acres of irrigation from Coeur D'Alene Lake; for which usage was disallowed for lack of evidence of beneficial use.

We have examined the information submitted relating to the water use and have recommended the claim as follows:

Due to the ownership changes from Arthur Elliott to Ms. Humphrey and yourself; along with the ownership change from David Daboll to Daniel Jensen; the claim has been split to each owner's separate parcel and renumbered from 95-14346 to 95-14346A, 95-14346B and 95-14346C, representing the water usage at each individual parcel.

- a. 95-14346A is recommended to 3431 S North Cape Rd, Ms. Humphrey and yourself, for domestic use for 1 home with $\frac{1}{2}$ acre or less lawn/garden irrigation at a rate of 0.04 cfs (cubic feet per second) [18 gallons per minute], with a priority date of December 31, 1969.
- b. 95-14346B is recommended to Lot 2, Blk 1, Daboll Estates, under the name of David Daboll for domestic use at 1 home including $\frac{1}{2}$ acre or less lawn/garden irrigation. We understand this property is owned by Graydon Stanley, however, we must have an ownership change from Mr. Stanley before we can change the name on the claim. A separate letter will be sent to him requesting such.
- c. 95-14346C is for Mr. Jensen's parcel at Lot 1, Blk 1, Daboll Estates. We were not able to recommend the claim as the dwelling on this parcel was not built until 1991; thereby falling outside of the mandatory permitting dates for water uses from surface water sources, which is May 20, 1971. An application for permit will be sent to Mr. Jensen.
- d. The property owned by Alicia Gangi has an approved water permit, 95-16960, making any further action regarding the claim unnecessary. She may want to contact our appropriations agent, Shaun Maxey, for information regarding a change of ownership for that property.

Enclosed is a copy of our preliminary recommendation for your water right claim, number 95-14346A, for your review. You can expect to receive your decreed water right in about one year. A copy of this letter, along with their claim recommendations, will be sent to each of the claimant's mentioned above for their review. You can also find this information on our website at www.idwr.idaho.gov. Feel free to contact me if you have any questions.

Sincerely,

Linda A. Werner

Water Resource Agent, Sr.

Enclosure: Preliminary Recommendation Notice of Claim Number 95-14346A
C: Daniel Jensen, Graydon Stanley, Alicia Ganji