



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

COPY

June 20, 2018

MIKE DAVIS
PO BOX 173
BLANCHARD, ID 83804

RE: Notice of Error Reply for Coeur d'Alene-Spokane River Basin Adjudication (CSRBA) Claim No. 95-9945

Dear Claimant:

The Idaho Department of Water Resources has reviewed the Notice of Error Reply for the above referenced water right claim. We are unable to make the requested changes to the water right claim recommendation for the following reasons.

The Notice of Claim to a Water Right identified with the number shown above was filed for the use of spring water for domestic purposes in 2 homes, and was based upon a previously issued water right license. When filing a water right claim on a previously issued license, all aspects of the originally licensed water right must be carried over to the new claim, with exception to a reduction of use or changes accomplished through a water right transfer (Idaho Code § 42-222). In your Notice of Error Reply, you requested to add an additional home to the recommendation of your claim. The recommendation of domestic use for 1 home is consistent with the water right license your claim was based upon and cannot be increased.

The use of diverted surface water (springs) for the additional home is in violation of the mandatory permit statute for that water source. The permit system for establishing a water right became mandatory for uses developed from surface water after May 20, 1971 (except for watering stock directly from streams). Because a water right for domestic use in the 2nd home was not previously established under the permit system, an "Application for Permit" should be filed. For your convenience, I have enclosed an Application for Permit form with instructions.

If you have any questions or concerns, feel free to contact our adjudication staff at the Northern Regional Office during business hours at 208-762-2800.

Sincerely,

Evan W. Roda
Water Rights Supervisor
Northern Region

Enclosure: Copy of Water Right License 95-9945, Application for Permit with instructions

SCANNED
JUN 20 2018