



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 2, 2018

ROBERT AND JAN STUPPY FAMILY TRUST
C/O ROBERT STUPPY & JAN STUPPY
2263 E GARWOOD RD
HAYDEN ID 83835

RE: Response to Notice of Error to Preliminary Recommendation for Coeur d'Alene-Spokane River Basin Adjudication (CSRBA) claim 95-17352

Dear Robert & Jan Stuppy,

The Idaho Department of Water Resources (IDWR) has reviewed the Notice of Error Reply (NOE) you submitted in connection with the preliminary recommendation for claim 95-17352.

The NOE stated that the recommended source name of "unnamed stream" is inaccurate and that the source should be described as "spring".

The reason IDWR recommended the source as "unnamed stream" is because the claimed water right describes the stockwater use as an instream use where the stock drink from the stream fed, or created by, the spring. IDWR would describe the source as a "spring" if there was some sort of diverting works around the spring, like a box, that captured the water at the spring and diverted it away from its natural channel.

It was recommended as instream stock because your claim defines a beginning and ending point of a stretch of water that the cattle drink from. The description on the claim reads, "CATTLE DRINK DIRECTLY FROM SPRING CHANNEL".

The recommendation isn't intended to change the source of your water use, rather it is to describe it consistent with how the water is being used.

I hope this helps clarify the preliminary recommendation. If you have further questions, please feel free to contact myself, or staff at the Northern Regional office of IDWR at 208.762.2800.

If you still disagree with the recommendation, you will have the opportunity to file an objection to your recommendation and be heard by the CSRBA court.

Respectfully,

Craig L. Saxton
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