



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 9, 2018

KEVIN SHANLEY
17252 N SMITH AVE
HAUSER LAKE ID 83854

SUBJECT: Notice of Error Reply on Notice of Claim to a Water Right Number 95-11790

Dear Mr. Shanley:

The Idaho Department of Water Resources has reviewed the Notice of Error Reply for the above referenced water right claim. This letter is an addendum to our phone conversation today where we discussed the irrigation and domestic water uses from the wells/surface water sources used for irrigation and domestic purposes and their respective first usage dates.

We are unable to make the requested changes to the water right for the following reasons:

The information you supplied on the Notice of Error reply form refers to a first usage date of 2008 for irrigation from a surface 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).

You mentioned that you drilled a second well in 2016. The permit system for establishing a water right became mandatory for uses developed from ground water after March 25, 1963 (except for domestic purposes as defined by Section 42-111, Idaho Code). Consequently, if this well is also being used for domestic purposes, as mentioned above, you may wish to file a Notice of Claim to a Water Right representing the additional quantity of water with a priority date of 2016.

I have enclosed an application for permit, with instructions, which may be used to appropriate a water right for the water uses not covered under the domestic definition defined above. I'm also enclosing an informational sheet explaining Idaho water rights and the Northern Idaho Adjudications.

Feel free to contact me if you have any questions.

Sincerely,

Linda A. Werner
Water Resource Agent, Sr.

Enclosures: Information Sheet(s): Northern ID Adjudications, Idaho Water Rights-A Primer
Application for Permit w/Instructions