



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

November 20, 2018

COPY

ASPEN CREEK WATER ASSN INC
5801 W QUAKING ASPEN DR
COEUR D'ALENE, ID 83814

RE: Notice of Error Reply for Coeur d'Alene-Spokane River Basin Adjudication (CSRBA) Claim No. 95-9356

Dear Claimant(s):

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 on the basis of a previously issued water right license. When filing a water right claim based 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 an increase in the diversion rate from 0.03 CFS to 0.11 CFS. The diversion rate of 0.03 CFS recommended for this claim is consistent with the license it was based upon and cannot be increased. If you would like to increase your diversion rate beyond what is allowed under Water Right License 95-9356, an application for a new water use permit must 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 95-9356, Application for Permit with instructions

SCANNED
NOV 20 2018