



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

December 28, 2018

COPY

BEHM FAMILY TRUST
5469 MOONLIGHT LN
LA JOLLA, CA 92037-7726

RE: Notice of Error Reply for Coeur d'Alene-Spokane River Basin Adjudication (CSRBA) Claim No. 95-12388

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 revisions to your claim recommendation at this time for the following reason.

The Notice of Claim to a Water Right identified with the number shown above was filed for the use of groundwater for domestic purposes in one home with a claimed priority date of April 1, 1985. In your Notice of Error Reply, you requested that water be allocated to you for three additional homes, including one that has yet to be built. This water is to be utilized by the newly formed Lightning Tree Water Association. This change cannot be made to the recommendation of your claim as the described use is in violation of the Mandatory Permit Statute for groundwater. 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 § 42-111, Idaho Code). The current recommendation of your claim includes domestic water use in one home (Parcel No. 49N04W101685) and lawn/garden irrigation of up to ½ acre. If additional water is needed beyond what is currently recommended, an Application for Permit should be filed. For your convenience, I have enclosed an Application for Permit form with instructions.

If you have any further questions or concerns, do not hesitate to contact our office and we will be happy to help. We can be reached by phone during business hours at 208-762-2800.

Sincerely,

Evan W. Roda
Water Rights Supervisor
Northern Region

SCANNED
DEC 28 2018

Enclosure(s): Application for Permit with Instructions