

Memo to File for CSRBA Claim No. 95-15637

By: Evan Roda
2/8/2019

A letter was sent to claimant requesting evidence in support of claim on January 23, 2018, with no response received. A second letter requesting evidence was sent to the claimant on January 14, 2019. Again, no response was received.

Review of available evidence:

The residential appraisal summary submitted with the claim is evidence only that a small cabin was once on the property, and does not indicate if that home was served water from the lake or a well. Records for Water Right No. 95-8465 reflect that the claimed parcel containing the marina (47N03W199130) was previously served water by the Conkling Park Water Association. The Conkling Park Water Association's first water right, 95-7165, has a priority date of 11/30/1971 and was based upon the use of a well completed 7/22/1971.

The well log attached as evidence for claim no. 95-15637 refers to a well completed for Nebel's Addition to Conkling Park Water and Sewer Association on 6/25/1986. This well was drilled as a replacement for the association's first recorded well (completed 7/22/1971), which later dried up. A Drinking Water Supply Report by Panhandle Health for Conkling Marina & Resort, dated 7/21/2015, describes the marina's use of a well completed 6/25/1986 which previously served Nebel's Addition to Conkling Park Water and Sewer Association. In the Application for Permit for Water Right No. 95-8976 (dated 10/14/97), Nebel's Addition to Conkling Park stated that they had previously been utilizing water from the Conkling Park Water Association system.

I spoke with Jamie Barton of Panhandle Health District on 2/1/19, and she stated that to the best of her knowledge, the marina disconnected from the Conkling Park Water Association system some time in 1999. The marina was left as the only site still served by the association's older well (drilled 7/25/1986). That information is supported by the completion date of a newly drilled well for Nebel's Addition to Conkling Park on 9/16/98. Additionally, there is a record of a new well drilled for the Coeur d Alene Marina Project, LLC (D0057241) on 10/25/09. Jamie stated that she did not believe the marina was using the 2009 well due to unknown reasons, and was only utilizing the 1986 well.

Conclusions:

All available records indicate that the marina was previously supplied water from either Nebel's Addition to Conkling Park Water and Sewer Association and/or from Conkling Park Water Association (Water Right Nos. 95-7165 & 95-8465). The marina was disconnected from the community water systems some time in 1999 and no documentation has been provided to indicate that any portion of those water rights were conveyed to Conkling Marina and Resort. Based upon the evidence submitted with the claim and available information obtained by the department, CSRBA Claim No. 95-15637 will be recommended for domestic use of groundwater, with a priority date of 12/31/1999, and limited to 2,500 gallons per day (Idaho Code § 42-111 (1)(b)).

SCANNED
FEB 08 2019