



State of Idaho

DEPARTMENT OF WATER RESOURCES

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

May 10, 2019

STANLEY M MILLER
PATRICIA MILLER
2950 DARBY RD
MOSCOW ID 83843

RE: Palouse River Basin Adjudication (PRBA) Notice of Claim to a Water Right No. 87-10250

Dear Claimants:

Thank you for using the online claim filing process for submitting claim no. 87-10250 in the PRBA. An initial review of your claim indicates you may be claiming multiple water systems on one claim, and the priority date claimed for one of the water systems appears to be in violation of the Mandatory Permit Statute for the water source claimed. Idaho Department of Water Resources (IDWR) will not be able to recommend the PRBA Court decree a claim to a water right if that claim describes more than one water system.

Additionally, 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), and for ground water after March 25, 1963 (except for single family domestic and/or stockwater uses that do not exceed 13,000 gallons per day). While your claim as filed indicates you are diverting water from a surface water source (Paradise Creek) with a priority date of June 1, 1998, the claim also implies that ground water from your well is being diverted for the same purposes.

You may wish to file a separate claim for the domestic and stockwater use from your well with the June 1, 1998 priority date. Also, you stated that the prior owner was using water from Paradise Creek for livestock. If the prior owner allowed the livestock to drink directly from the creek, then the prior owner would have established an instream water right for watering the livestock. If you would like to amend claim 87-10250 to an earlier priority date for instream stockwater use, please let me know. I can draft an amended claim that I will send you to review, and if the claim meets your approval, you may sign the claim and return it to my attention. If you do amend claim 87-10250 to instream stockwater, \$25.00 of filing fees already paid can be applied to a new claim for domestic and stockwater use from your well.

As for the irrigation from Paradise Creek, you may wish to file an Application for Permit for that use if you intend to install a pump in the creek for diverting water to irrigate the trees and landscaping.

If you would like more information on filing an application for permit, or assistance in amending your claim, or if have any questions that need further clarification, please contact me by phone at (208) 287-4917 or by email at Carter.Fritschle@idwr.idaho.gov.

Sincerely,

Carter Fritschle
Adjudication Section Manager
Idaho Department of Water Resources