



State of Idaho

DEPARTMENT OF WATER RESOURCES

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

October 10, 2019

ROBERT G MICK
SIMONE S MICK
5926 E SLEEPY LN
COEUR D ALENE ID 83814-7522

RE: Coeur d'Alene-Spokane River Basin Adjudication recommendation 95-8628

Dear Mr. Pistorius,

The Idaho Department of Water Resources (IDWR) is contacting you to correct an error on your water right recommendation. Your water right (95-8628) shares a well with three other water rights. When identifying the water rights that divert from the shared well, IDWR overlooked one of those overlapping water rights. To correct this error IDWR is proposing an amendment to all four water rights to include updated combined use language.

On August 13, 2018, Edward & Joyce Lider filed an objection to the IDWR's recommendation of 95-8832. Mr. and Mrs. Lider explained that IDWR had incorrectly described the location of the point of diversion for 95-8832. They informed IDWR that their water right was diverted from a shared well used by 4 other users:

95-8153: Lyle G. Pistorius
95-8628: Robert & Simone Mick
95-8832: Edward & Joyce Lider
95-13573: Kenneth & Barbara Howard

Prior to Mr. and Mrs. Lider's claim, your water right recommendation along with two other water right recommendations that divert from the shared well already included a combined use condition explaining that all the water rights diverted from that well are limited by the capacity of the system: 0.04 cfs. or 18 gallons per minute. However, IDWR did not include Mr. and Mrs. Lider's right in that combined use condition.

IDWR proposes updating the combined use language on the water right recommendations that use the shared well to include the additional water right claimed by Mr. and Mrs. Lider. For your water right, the change would look like this (change in bold):

The rights listed below are limited to a total combined diversion rate of 0.04 cfs. Combined Right Nos.: 95-8153, **95-8832**, 95-8628 and 95-13573

For your convenience, with this letter I am including a copy of the updated recommendation. If you do not have any questions, then no action needs to be taken.

There will be a status conference held by telephone with the Special Master on November 6th at 9:30 a.m. (Pacific Time). You should have already received a notification of the conference in the mail. The notification includes information on how to dial in to the call. After the status conference, IDWR will

issue an Amended Director's Report with the updated combined use language for your water right claim and the two other water right claims that use the shared well.

Please do not hesitate to contact me if you have any questions.

Respectufully,



Craig L. Saxton
Adjudication Technical Analyst
craig.saxton@idwr.idaho.gov
(208) 287-4916

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 95-8628

NAME AND ADDRESS: ROBERT G MICK
5926 E SLEEPY LN
COEUR D ALENE ID 83814-7522

SIMONE S MICK
5926 E SLEEPY LN
COEUR D ALENE ID 83814-7522

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS
1.20 AFY

The quantity of water under this right shall not exceed 13,000 gallons per day.

~~Right Nos. 95-8153, 95-8628 and 95-13573 are limited to a total combined diversion rate of 0.04 cfs.~~

The rights listed below are limited to a total combined diversion rate of 0.04 cfs. Combined Right Nos.: 95-8153, 95-8832, 95-8628 and 95-13573

PRIORITY DATE: 08/11/1989

POINT OF DIVERSION: T50N R03W S9 SWSE Within KOOTENAI County

PURPOSE AND

PERIOD OF USE:	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	DOMESTIC	1/01 12/31	0.040 CFS
			1.20 AFY

Domestic use is for 1 home.

PLACE OF USE:

DOMESTIC in KOOTENAI County
T50N R03W S09 SWSE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right Nos. 95-8153 and 95-13573 are also diverted through point of diversion described above.

Parcel No. 50N03W098950