



State of Idaho

DEPARTMENT OF WATER RESOURCES

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

October 10, 2019

BARBARA A HOWARD
KENNETH HOWARD
6902 E SLEEPY LN
COEUR D ALENE ID 83814

RE: Coeur d'Alene-Spokane River Basin Adjudication recommendation 95-13573

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 (95-13573) 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 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, water right recommendations 95-8153 and 95-8832 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 and mistakenly didn't include any combined use language on your water right recommendation 95-13573.

IDWR proposes updating the combined use language on the water right recommendations that use the shared well to include the water right claimed by Mr. and Mrs. Lider. For your water right, the added condition would look like this:

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
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(208) 287-4916

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

RIGHT NUMBER: 95-13573

NAME AND ADDRESS: BARBARA A HOWARD
6902 E SLEEPY LN
COEUR D ALENE ID 83814

KENNETH HOWARD
6902 E SLEEPY LANE
COEUR D ALENE ID 83814

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.020 CFS

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

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: 12/31/1976

POINT OF DIVERSION: T50N R03W S9 SWSE Within KOOTENAI County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC	01/01 12/31	0.020 CFS
	STOCKWATER	01/01 12/31	0.010 CFS

Domestic use is for 1 home.

PLACE OF USE:

STOCKWATER in KOOTENAI County			
T50N R03W S09	NESE	T50N R03W S09	SESE
DOMESTIC in KOOTENAI County			
T50N R03W S09	NESE	T50N R03W S09	SESE

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Parcel No. for POU 50N03W-09-9200 and 50N03W-09-7600.

Parcel No. for POD 50N03W-09-8950.