



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815-7763

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

November 4, 2019

JOHN OR BETTY BIEKER
2276 BLAIN RD
MOSCOW ID 83843

RE: Palouse River Basin Adjudication (PRBA) Notice of Claim (Claim) to a Water Right

Dear Mr. or Ms. Bieker:

I'm in the process of reviewing the water right claims you submitted in the Palouse River Basin Adjudication. During the review I came across several items which need to be addressed. They are as follows:

87-7213

This claim is based on a licensed water right for domestic usage at two homes from a well. Taxlot information shows that these homes are on two separate parcels – parcel number 39N05W300206 with address of 2860 Hwy 95 S appears to be owned by the Idaho Transportation Department (ITD) and parcel number 39N05W300416 at 2880 Hwy 95 S listed under Mr. Cabinet Manufacturing.

Please advise me who is the legal owner of this property as you may need to complete an ownership change and/or split the water right. Water rights ARE appurtenant to property but we should have the claim listed under the name of the legal owner. I've enclosed a map for your review.

87-10912

This is the claim from the well with the 1905 priority date and appears to be for the home at 2860 Hwy 95 S, which property is also listed under the name of the ITD, the same property mentioned above. Does this claim need a name change? Please show on the attached map where the well and home are located. I've enclosed a copy of a well report in the name of Arnold Geffre. Is this the well report for the well which replaced the hand dug well?

87-10957

This is the claim for the property located at 1170 Eid Rd, parcel number 38N05W057674, which is for domestic usage going back to 1923 and has four wells. Please plot the well locations on the enclosed map and circle the usage for the home and stockwater. In regard to the four wells – I have enclosed a copy of a well report. Is this report for one of your wells and with the exception of the hand dug well, do you know what year the other wells were drilled?

87-10955

A review of the claim point of diversion and place of use shows that this water usage is in basin 86 rather than basin 87. The difference is that water in basin 87 is tributary to the Palouse River rather than the Clearwater River which is in basin 86. Water rights in basin 86 were adjudicated during the Snake River Basin Adjudication (SRBA). Because of this there is a special procedure for the filing of claims for water uses in basin 86. The following is a brief description of what is needed to file:

1. Complete and submit a Motion for Determination of Deferred DeMinimis Domestic or Stock Water Use form.
2. Complete and submit a Notice of Claim to a Water Right form with filing fee of \$25.00
 - a. Contact the Adjudication staff to obtain a claim number for this form.
3. You will need to publish a Notice of Pendency and Purpose of the Motion (advertisement of the water usage) once per week for three weeks in the local newspaper.
4. Submit an Affidavit of Publication (the ad) to the SRBA court.

I have included copies of each claim, for your review, along with a map for each claim. Please show on each map where the respective wells are with their places of use (the homes). In regard to the parcels listed in the names of the Idaho Transportation Department and Mr. Cabinet Manufacturing please send along a copy of ownership documents and/or any agreements you have with the parcel owners relating to the water rights.

If you would like to review the information relative to the claim for the water usage in basin 86, that information can be found on our web site at www.idwr.idaho.gov, than go to water rights, file an NIA claim, SRBA (under Adjudication), than Stockwater and/or Domestic Claims.

In regard to other correspondence that you have received from us – I found copies of an email in water right files 87-10952 and 87-10953 (for 2246 50 Blaine Rd). The email is requesting address information and the location of the wells. Is this the correspondence you were referring to?

I have enclosed a lot of information so be sure to contact me if you have any questions or concerns. I can be reached at (208) 762-2800 or by email at linda.werner@idwr.idaho.gov. Please return the requested information by **December 6, 2019.**

Sincerely,



Linda A. Werner
Senior Water Resource Agent

Enclosures

87-7213 & 87-10912

