



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

322 E Front Street, Suite 648 • PO Box 83720 • Boise ID 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700

Website: [idwr.idaho.gov](http://idwr.idaho.gov) • Email: [idwrinfo@idwr.idaho.gov](mailto:idwrinfo@idwr.idaho.gov)

BRAD LITTLE  
Governor

GARY SPACKMAN  
Director

November 26, 2019

JERRY GUYNN  
PO BOX 113  
BAYVIEW ID 83803

RE: Coeur d'Alene-Spokane River Basin Adjudication claim 95-10386  
Amended Director's Report

Dear Mr. Guynn,

This letter is a follow-up to a voice message I left for you at (425) 344-6184 on October 31, 2019.

On 10/24/2019, Special Master Booth granted a motion to amend 95-10386. The purpose of the amendment was to change the claimed priority date to 6/16/1994 which matches the "Completed" date on the well log submitted with the motion to amend.

As I reviewed the submitted information, I discovered that the well log submitted with the amended claim indicates that the well was drilled on the adjacent property owned by LAZY BEAR FAMILY TRUST<sup>1</sup>. Your parcel number is 54N02W320500, but the well log lists the parcel as 54N02W320350. See **ATTACHMENT A**.

With that said, further research into the Kootenai County parcel records found that a manufactured home was put on the property in 1998:



KOOTENAI COUNTY

IDAHO



Improvements

Parcel Number

54N02W320500

AIN

121376

Situs Address

35220 N COLLINS RD, ATHOL

Improvements

View

Use Code

Description

Building #

ID #

Constructed Yr.

[View Details /](#)

[Print View](#)

MHOME

Manufactured Home

R01

M

1998

UTLSHED

Residential Shed - Small Util

R01

01

2000

MHOOKUP

MH Site w/Util - Noncommercial

R01

02

1998

POLEBLDG

General Purpose Bldg Wood Pole

R01

03

2010

Without further information, I feel that I can currently support recommending a priority date of 12/31/1998, consistent with the Kootenai County Assessor records.

<sup>1</sup> The water use for the neighboring property is represented by 95-10828 and was recommended with a priority date of 6/15/1994.

For your convenience, I am enclosing a copy of the proposed Amended Director's Report (ADR). If you agree with the proposed ADR, then no further action is needed at this time. IDWR will submit the ADR to the CSRBA court and you will be sent a copy. Once the ADR is submitted to the court, you will have another opportunity to file an objection if you disagree with the recommendation.

If you disagree with my analysis, please contact me by **December 12, 2019**, so we can further discuss the available evidence supporting the claimed priority date.

Respectfully submitted,



Craig L. Saxton  
Adjudication Technical Analyst  
208.287.4916  
[craig.saxton@idwr.idaho.gov](mailto:craig.saxton@idwr.idaho.gov)

[illegible]

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

**RIGHT NUMBER:** 95-10386

**NAME AND ADDRESS:** JERRY GYNN  
PO BOX 113  
BAYVIEW ID 83803

**SOURCE:** GROUND WATER

**TRIBUTARY:**

**QUANTITY:** 0.040 CFS

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

**PRIORITY DATE:** 09/12/2007 12/31/1998

**POINT OF DIVERSION:** T54N R02W S32 NENE Within KOOTENAI County

**PURPOSE AND**

| PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE | QUANTITY  |
|----------------|----------------|---------------|-----------|
|                | DOMESTIC       | 01/01 12/31   | 0.040 CFS |

Domestic use is for 1 home.

**PLACE OF USE:**

DOMESTIC in KOOTENAI County  
T54N R02W S32 NENE

**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. 54N02W320500.