



**State of Idaho**

**DEPARTMENT OF WATER RESOURCES**

Northern Region • 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815-7763  
Phone: (208) 762-2800 • Fax: (208) 762-2819 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

**BRAD LITTLE**  
Governor

**GARY SPACKMAN**  
Director

June 5, 2020

GLEN UTZMAN  
WINDY FARMS LLC  
PO BOX 8477  
MOSCOW ID 83843

SUBJECT: Palouse River Basin Adjudication (PRBA) Notice of Claim to a Water Right Number 87-11445

Dear Mr. Utzman:

In regard to our phone conversation of Friday, April 17, 2020, relating to the well and place of use locations for the water usage beginning August 13, 2002. Enclosed is the following:

Amended Claim 87-11445

The claim has been amended to show the point of diversion and place of use in the SW1/4SW1/4, Section 31, T40N, R5W, parcel number RP40N05W314041. (Items 4 and 9)

Also, please complete items five and eight by describing in detail the diversion works, type of usage, i.e. apartment, number of units, lawn irrigation and how much lawn. One more item - we need evidence supporting the priority date of August 13, 2002. This could include property records showing an occupancy date, receipts for material purchased, a statement from someone with first-hand knowledge of the usage, etc.

Map

Please label the well and place of use location(s).

Please return this information, to my attention, by June 30, 2020. Be sure to contact me if you have any questions. I can be reached at (208) 762-2802 or by email at [linda.werner@idwr.idaho.gov](mailto:linda.werner@idwr.idaho.gov).

Sincerely,

Linda A. Werner  
Senior Water Resource Agent

Enclosures: Amended Claim 87-11445, Map

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE PALOUSE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 59576

Claim ID: 87-11445

Date Received: \_\_\_\_\_

Receipt No: \_\_\_\_\_

Claim Fee: \_\_\_\_\_ By: \_\_\_\_\_

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day

Please type or print clearly

1. Name of claimant(s) WINDY FARMS LLC Phone (208) 882-5534

Mailing address PO BOX 8477 MOSCOW ID Zip 83843  
Street or Box City State

Email address (optional) \_\_\_\_\_

2. Date of priority: (Only one per claim) AUGUST 13, 2002 (Explain priority date selected in Remarks)  
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water (✓) or Other ( ) (a) \_\_\_\_\_

which is tributary to (b) \_\_\_\_\_

4. Location of point of diversion is: Township 40N, Range 05W, Section 31,  
SW 1/4 of SW 1/4, or Govt. Lot \_\_\_\_\_, BM, County of \_\_\_\_\_;

Parcel no. RP40N05W314041

Additional points of diversion, if any: \_\_\_\_\_

If available, GPS coordinates: \_\_\_\_\_

5. Description of diverting works (wells, pumps, spring boxes, pipelines, etc.) including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.

\_\_\_\_\_  
\_\_\_\_\_

6. Water is claimed for the following: (limited to domestic and/or stockwater uses - see page 1 of the instructions)

For Domestic purposes from Month/Day 1/1 to Month/Day 12/31 cfs (✓) or AFY ( ) amount 0.03

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_

7. Total quantity claimed 0.03 cfs (✓) or AFY ( )

8. Non-irrigation uses. Describe fully. (Domestic: give number of homes; Stockwater: list number and kind)

\_\_\_\_\_

9. Location of place of use is: Township 40N, Range 05W, Section 31,  
SW 1/4 of SW 1/4, Govt. Lot \_\_\_\_\_ BM, Parcel no. \_\_\_\_\_  
If different than shown in Item 4

for (check one) **Domestic** (✓) **Stock** ( ) **Domestic and Stock** ( )

Additional places of use, if any \_\_\_\_\_

10. In which county(ies) are lands listed above as place of use located? \_\_\_\_\_

11. Do you own the property listed above as place of use? Yes (✓) No ( )

If the answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

\_\_\_\_\_ or None (✓)

13. Remarks (include an explanation of the priority date selected):

\_\_\_\_\_  
\_\_\_\_\_

14. Basis of claim (check one) **Beneficial Use** (✓) **Posted Notice** ( ) **License** ( ) **Permit** ( ) **Decree** ( )

Court \_\_\_\_\_ Decree Date \_\_\_\_\_ Plaintiff v. Defendant \_\_\_\_\_

If applicable provide IDWR Water Right Number \_\_\_\_\_

**15. Signature(s)**

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Palouse River Basin Water System Adjudication."

(b.) I/We do ( ) do not ( ) wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: \_\_\_\_\_

**For Individuals:** I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_

**For Organizations:** I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

\_\_\_\_\_ of \_\_\_\_\_,  
Agent's title (Please print) Name of organization (Please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent \_\_\_\_\_ Date \_\_\_\_\_

Printed Name of Authorized Agent \_\_\_\_\_

**16. Notice of Appearance:**

Notice is hereby given that I, (please print) \_\_\_\_\_, will be acting as attorney at law of behalf on the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_

Name of claimant(s) WINDY FARMS LLC Claim ID \_\_\_\_\_

Parcel Number: RP40N05W314041

