



State of Idaho

DEPARTMENT OF WATER RESOURCES

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

March 3, 2021

AARON SCHLUETER
WOODLAND HEIGHTS MOBILE HOME PARK, LLC
524 EAST D STREET
MOSCOW ID 83843

RE: Palouse River Basin Adjudication (PRBA) Notice of Claim 87-7022

Dear Mr. Schlueter,

The Idaho Department of Water Resources (IDWR) is currently in the process of reviewing claims filed in the PRBA. You filed claim 87-7022 which is based on license 87-7022 issued on April 10, 1978.

When reviewing the claim, I noticed you didn't claim the full diversion volume authorized under the original license. The license authorizes a total diversion volume of 36.4 acre-feet, but the claim is for 34.8 acre-feet. Although you should claim what you feel is appropriate, I wanted to contact you to give you the opportunity to amend your claim to the full 36.4 acre-feet licensed if you feel that is appropriate. IDWR cannot recommend a greater diversion volume than what was claimed.

In addition, the claimed place of use for the domestic use does not include the NWSE of Section 30 which is also described on the license as part of the place of use.

For your convenience, I am enclosing an amended claim where I have increased the maximum diversion volume claimed and added the NWSE to the place of use description. If you wish to amend your claim include these changes, please sign the claim, initialing any additional changes you wish to make, and return it to this office by **March 19, 2021**. There are no additional filing fees.

Do not hesitate to contact me if you have any questions.

Respectfully submitted,

Craig L. Saxton
Adjudication Section Manager
Craig.saxton@idwr.idaho.gov
208.287.4916

**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

Ident. Number: 87-7022
Date Received: 8/28/2019
Receipt No: T107614
Claim Fee:
Received By: _____

**AMENDED NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

AARON SCHLUETER
524 EAST D STREET
MOSCOW ID 83843

Phone: (208) 310-1788

WOODLAND HEIGHTS MOBILE HOME PARK, LLC
524 EAST D STREET
MOSCOW ID 83843

Phone: (208) 310-1788

2. Date of Priority: 5/8/1975

3. Source:
GROUND WATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
39N	05W	30	NE SW		LATAH	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
DOMESTIC	1 /1	12/31	0.2		34.8
STOCKWATER	1 /1	12/31	0.04		1.6

7. Total Quantity Appropriated is:

0.2 C.F.S. and/or ~~34.8~~ 36.4 A.F.A.

8. Non-irrigation uses:

Household use for 29 dwellings.
Cattle

9. Place of use:

DOMESTIC within LATAH County

Township	Range	Section	¼	of	¼	Lot	Acres
39N	05W	30	NE		SW		
<u>39N</u>	<u>05W</u>	<u>30</u>	<u>NW</u>		<u>SE</u>		

STOCKWATER within LATAH County

Township	Range	Section	¼	of	¼	Lot	Acres
39N	05W	30	NE		SW		
39N	05W	30	NW		SE		

10. Do you own the property listed above as place of use? Yes

If your answer is no, describe in remarks below the authority you have to claim this water right.

11. Other Water Rights Used:

12. Remarks:

Priority Date Explanation:

Copied from original water right license 87-7022, James R. Lucas.

13. Basis of Claim: License

14. Signature(s)

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

_____ of _____,
Title Organization

that I have signed the foregoing document in the space below as

_____ of _____,
Title Organization

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

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 87-7022 Priority May 8, 1975 Amount 0.20 cfs

THIS IS TO CERTIFY, that JAMES R. LUCAS
of Moscow, Idaho, has complied with the terms and conditions of Permit
No. 87-7022 issued pursuant to Application for Permit dated May 8, 1975,
and has submitted proof to the Department of Water Resources on July 1, 1976,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.20 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u>	from <u>January 1</u> to <u>December 31</u> at <u>0.20</u> cfs and	<u>34.8</u> acre feet	
<u>Stockwater</u>	from <u>January 1</u> to <u>December 31</u> at <u>0.04</u> cfs and	<u>1.6</u> acre feet	
	from _____ to _____ at _____ cfs and		

(both dates inclusive)

Subject, however, to the condition that no more than 0.20 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
36.4 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 30, Twp. 39N,
Rge. 5W, B. M. in the County of Latah

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
39N	5W	30									X							X	

Total number of acres irrigated _____

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 10 day of
April, 19 78.

Director