



State of Idaho

DEPARTMENT OF WATER RESOURCES

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BRAD LITTLE
Governor

GARY SPACKMAN
Director

May 24, 2021

PATRICK TOLBERT
401 GATECOMBE LN
BRYN MAWR PA 19010

RE: Coeur d'Alene-Spokane River Basin Adjudication (CSRBA)
Director's Report for 95-8795

Dear Mr. Tolbert,

The Idaho Department of Water Resources (IDWR) recent submitted its Director's Report for 95-8795 to the CSRBA court. You were mailed a copy of the recommendation along with instructions describing the next steps in the process.

It has come to our attention that there is a potential error in the place of use description on the recommendation for 95-8795. The place of use description for the SWNE of Section 10 is missing a reference to government lot 5. The place of use should be described as:

T51N R03W S10 Lot 5 SWNE 2.00

I am enclosing a copy of the recommendation with the proposed changes underlined, along with a map for a visual reference.

Unfortunately, now that the Director's Report has been submitted to the CSRBA court, even if you agree this is an error, IDWR cannot just make the change to add the reference to lot 5. In order for IDWR to make the change, you will need to file an objection to IDWR's recommendation (form enclosed). Once you file an objection, IDWR can make the change and with your agreement, send the updated recommendation to the CSRBA court.

Please look over the enclosed information and if you agree that a change should be made to the recommendation, you will want to file an objection.

Please don't hesitate to call me and I will be happy to talk through the process.

I apologize for the inconvenience,

Respectfully,

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

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

RIGHT NUMBER: 95-8795

NAME AND ADDRESS: PATRICK TOLBERT
401 GATCOMBE LN
BRYN MAWR PA 19010

SOURCE: HAYDEN LAKE

TRIBUTARY: SINKS

QUANTITY: 0.100 CFS
12.00 AFY

PRIORITY DATE: 12/22/1992

POINT OF DIVERSION: T51N R03W S10 SWNE Lot 5 Within KOOTENAI County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	3/15 11/15	0.100 CFS 12.00 AFY

PLACE OF USE:

IRRIGATION in KOOTENAI County

T51N R03W S10 Lot 2 NWNE 2.00 T51N R03W S10 Lot 5 SWNE 2.00

4 ACRES TOTAL

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. Idaho Code § 42-1412(6).

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Parcel No. 02840001003A.

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the place of use.

Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. As of November 12, 2008, this water right was within State Water District No. 95A.

A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

Property is also known as Lot 3, Block 1, Gem Shores Subdivision Unit No 2.

State of Idaho
Department of Water Resources
Adjudication Recommendation
95-8795

