



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

July 9, 2021

IAN VON LINDERN
1075 SNOW RD
MOSCOW ID 83843

SUBJECT: Palouse River Basin Adjudication Claim (PRBA) No. 87-10524

Dear Mr. von Lindern,

The Idaho Department of Water Resources (IDWR) has received your Notice of Error Reply. After reviewing the portions of the proposed recommendation with which you disagree, below are comments to address your disagreements and changes that can be made.

You state that the priority date for the domestic and stockwater portion of the water right should be 1/1/1890 and 12/31/1939 for the irrigation portion. However, IDWR must recommend a water right with only one priority date. Because the irrigation use is claimed on the same form as the domestic and stockwater uses, IDWR must recommend 12/31/1939 as the priority date because this is the date when all claimed uses were being used conjunctively. If you want the domestic and stockwater portion to receive their own priority date, a new claim must be submitted to separate those uses from the irrigation component.

On the Notice of Error Reply, you also wish to change the domestic use for 2 homes. You state that the well served two homes from 1900-1980. While the well may have served two homes, only one of those homes is located on your property and has continuously been using the well. Also, more than 40 years have passed since the well may have supplied the second home. With this significant length of non-use and only one home on your property, IDWR can only recommended one home. The second home that will be added to the property in the future will begin a new domestic use from the well, and can either be claimed in the adjudication or a permit can be filed to document the water right.

Also, the Notice of Error Reply states that you wish to have a total of 3.4 acres of irrigation. As your recommendation currently stands, it is recommended for a total of 2.2 acres. Domestic use includes .5 acres of irrigation, and based on the calculations for the rest of the property IDWR recommended 1.7 acres of additional irrigation, with 1 acre of original orchard and .7 acres of it being an accomplished transfer. I attached a map to this letter outlining the acreage. Note, the .5 acres directly encompassing the house are not outlined, but the domestic portion of the recommendation does cover that irrigation use. IDWR did not recommend the 3 acre portion on the eastern edge of the property. On the Amended Claim, you state that the 3+ acres of pasture has been irrigated since 2012. Also, in our email correspondence dated January 15, 2021 you state that the 2012 date refers to the initiation of irrigation of a 3 acre portion of pasture on the east side of our property. Because the use began in 2012, IDWR is not able to recommend the pasture irrigation because it occurred after the accomplished transfer deadline of 1/01/2006. This irrigation use requires a permit to be filed.

If you have any questions regarding the Application for Permit form, please contact Luke Bates. His telephone number is (208) 762-2817 and his email is luke.bates@idwr.idaho.gov. If you have any questions regarding your adjudication claim, feel free to contact me. My telephone number is (208) 762-2810 and my email is christopher.holmes@idwr.idaho.gov.

Sincerely,



Christopher Holmes
Water Resource Agent

State of Idaho
Department of Water Resources
Adjudication Recommendation
87-10524



- 06W Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Taxlots

0 0.035 0.07 0.14 Miles

