



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N MINERAL DR STE 100 • COEUR D ALENE, ID 83815-7763

Phone: (208)762-2800 • Fax: (208)769-2819 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

April 16, 2021

ANDREW RENSHAW
24060 GIFFORD REUBENS RD
CULDESAC ID 83524-6127

RE: Water Right Change in Ownership No(s): 85-4382

Dear Interested Parties:

During our review of the documentation you submitted we found discrepancies between that documentation and the legal description of the place of use for the water right(s) indicated in your notice that will require a transfer in order to complete the ownership change.

On January 6, 2021 the Department contacted you regarding the necessary transfer and emailed you the required documents. On February 22, 2021 the Department sent a follow up email regarding the documents. As of the date of this letter, we have not received a response.

Because the Department cannot process the Notice without the completed transfer in place, we will hold any action on your notice pending receipt of the necessary transfer. **If we do not receive the completed transfer within 30 days of the date of this letter we will return your notice and all attachments and your notice will not be processed.**

Also, please note that permit holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions regarding this matter, please contact me at (208) 762-2813.

Sincerely,


Natalie Steading
Tech Records Specialist 1

Enclosure(s)

Steading, Natalie

From: Bates, Luke
Sent: Friday, April 16, 2021 9:00 AM
To: Steading, Natalie
Subject: FW: IDWR Transfer WR No. 85-4382
Attachments: 1. Renshaw application-for-transfer-of-a-water-right.pdf; 2. Renshaw Transfer MAP - Historic use POU.PDF; 3. Renshaw Transfer MAP - Inaccurate POU legal description.pdf; 4. 85-4382 License, Claim, Adjudication_ProofReports.rtf; Letter Correspondence from IDWR and incorrect POU owner.pdf

From: Bates, Luke
Sent: Monday, February 22, 2021 1:34 PM
To: Andrew Renshaw <renshaw.andrew1@gmail.com>
Cc: Steading, Natalie <Natalie.Steading@idwr.idaho.gov>; Frederick, Adam <Adam.Frederick@idwr.idaho.gov>
Subject: FW: IDWR Transfer WR No. 85-4382

Good afternoon Andrew and/or Marika,

I am following up on past correspondence concerning water right 85-4382, with regard to your change of ownership form. As discussed in the email sent to you (see below), a transfer application is required to correct the inaccuracy of the Place of Use (POU) assigned to right 85-4382.

Please do give me a call at your earliest convenience to discuss the process. Several forms are attached, and we can discuss those more in-depth when you call in.

Thank you,
Luke Bates
Water Resource Agent - IDWR
P: (208) 762-2800
Luke.bates@idwr.idaho.gov

From: Bates, Luke
Sent: Wednesday, January 6, 2021 7:30 AM
To: 'Andrew Renshaw' <renshaw.andrew1@gmail.com>; 'renshaw.marika1@gmail.com' <renshaw.marika1@gmail.com>
Subject: IDWR Transfer WR No. 85-4382

Good morning Andrew and Marika.

With regard to the inaccurate Place of Use (POU) designated for right 85-4382, the water right owner – you both in this case as we work toward ownership change, need to submit an Application for Transfer of Water Right. This action will change the POU from where it was decreed for to the correct location on your property.

The form is cumbersome, and I have worked through most of it adding data as required. The fillable PDF doc is attached (1. Renshaw.....). Please do contact me at your earliest completion to walk through line by line the form in its entirety. There are multiple portions that you will need to add information.

I've also attached the associated maps that need to be included with the transfer when you submit the form.

Once we take care of this transfer form, and you both and Natalie Steading (Tech Records Specialist – IDWR) finalize the Change of Ownership documentation as required, we will process both together and get your water rights taken care of.

Please contact me at the information listed below.

v/r,

Luke Bates
Water Resource Agent - IDWR
P: (208) 762-2800
Luke.bates@idwr.idaho.gov

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at idwr.idaho.gov.

Name of Applicant(s) ANDREW J RENSHAW and MARIKA L RENSHAW

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-10.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☒ ☐ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).**
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☒ ☐ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at idwr.idaho.gov/water-rights/transfers/resources.html.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☐ ☒ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. If some or all of any right is leased to the Water Supply Bank, you must also show the the specific location and/or acres to be idled at the new, proposed place of use to satisfy lease requirements.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☒ #9 Water Supply Bank information for all rights proposed for transfer and currently leased to the Bank. (Attachment WSB)
- ☒ ☐ #10 Other. Please describe: application to change only the legal description for the place of use (POU). There will be no physical change to the historical use location of the POU, rather the POU is inconsistent with the decree.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1

Name of Applicant(s) ANDREW J RENSHAW and MARIKA L RENSHAW Phone _____

Mailing address _____ Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative _____ Phone _____

Mailing address _____ Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Signature of Applicant or Authorized Representative _____ Print Name and Title if applicable _____ Date _____

Signature of Applicant or Authorized Representative _____ Print Name and Title if applicable _____ Date _____

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Is this a transfer for changes pursuant to Idaho Code § 42-221.O.8?
If yes, ☒ attach an explanation and any supporting documentation labeled as **Part 1 A.2**.

3. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1 A.3**.

Purpose of transfer is to correct the legal description for right 85-4382. When claimed by prior property owner and subsequent adjudication process, the Place of Use was described as Twp 36N, Rng 02W, Sec 12, NENE & NWNE.
The historic use of water is on our property, located at Twp 36N, Rng 03W, Sec 12, NENE & NWNE.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	85-4382	0.02 CFS	STOCKWATER	1/1 to 12/31	Source: Magpie Creek
☐ ☐				to	Tributar: Cottonwood Creek
☐ ☐				to	&
☐ ☐				to	Source: Spring
☐ ☐				to	Tributar: Cottonwood Creek
☒ ☐	85-4382	0.08 CFS	DOMESTIC	1/1 to 12/31	Source: Magpie Creek
☐ ☐				to	Tributar: Cottonwood Creek
☐ ☐				to	Source: Spring
☐ ☐				to	Tributar: Cottonwood Creek

Total authorized under rights 0.10 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed N/A cubic feet per second and/or N/A acre-feet per year.

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
36N	03W	12	D/S	D/S															
Total Acres (for irrigation use)																			

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

- b. Who owns the property at the point(s) of diversion? _____
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? **If yes**, ☐ attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Are any of the water rights proposed for transfer currently leased to the Water Supply Bank?
If yes, ☐ complete Attachment WSB.
- e. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
N/A

- f. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:

- g. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☐ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**.

If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

If any part of the irrigation water right is leased to the Water Supply Bank, you must also specify the location and number of acres that will remain idled for the duration of the lease contract at the new, proposed place of use.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☐ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

N/A

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

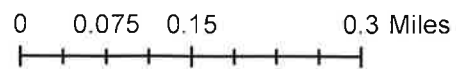
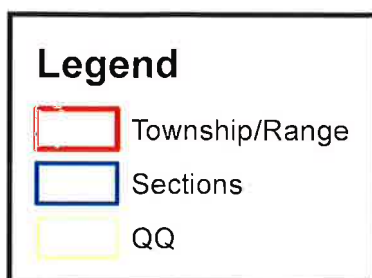
Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid _____ Date _____ Received by _____ Receipt # _____

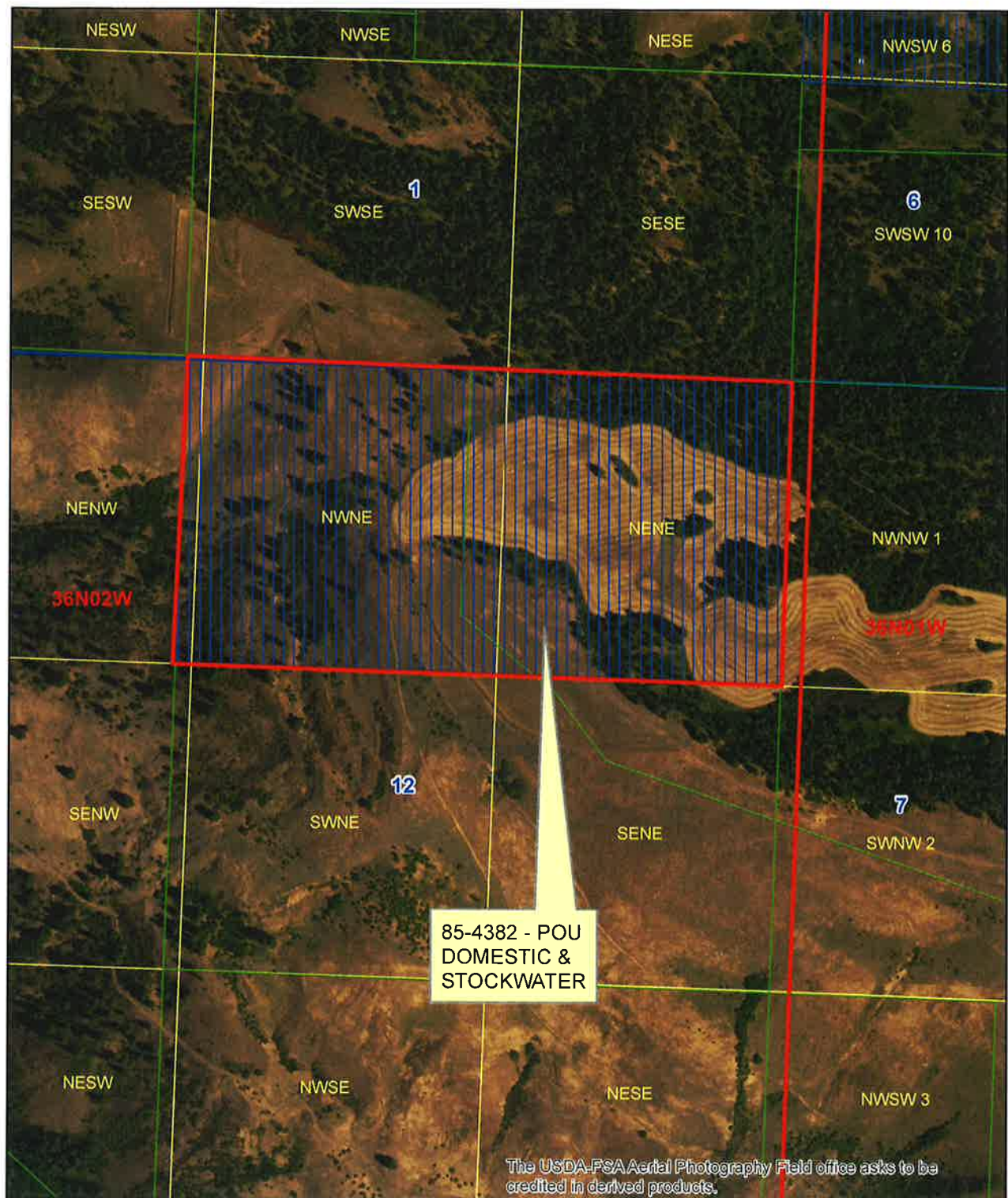
Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

Check all that apply: Attachment WSB ☐ (copy sent to state office) Lessor Designation form ☐ &/or W-9 ☐ (originals to state office)

RENSHAW TRANSFER - HISTORIC USE POU



RENSHAW TRANSFER - INACCURATE POU LEGAL DESCRIPTION



Legend

- Township/Range
- Sections
- QQ

0 0.05 0.1 0.2 Miles



IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/22/2020

Water Right 85-4382

Owner Type **Name and Address**
Current Owner LEO O MESSINGER JR
RT 1 BOX 100
CULDESAC, ID 83524
(208) 836-5543

Current Owner JEAN A MESSINGER
RT 1 BOX 100
CULDESAC, ID 83526
(208) 836-5543

Priority Date: 1/1/1952

Basis: Decreed

Status: Active

Source
MAGPIE CREEK
SPRING

Tributary
COTTONWOOD CREEK
COTTONWOOD CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01	12/31	0.020 CFS	
DOMESTIC	1/01	12/31	0.080 CFS	
	<u>Total Diversion</u>		0.100 CFS	

Source and Point(s) of Diversion

MAGPIE CREEK	SWSW	Sec. 6, Twp 36N, Rge 02W,	NEZ PERCE County
SPRING	SWSW	Sec. 6, Twp 36N, Rge 02W,	NEZ PERCE County

Place Of Use

STOCKWATER within NEZ PERCE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
36N	02W	12	X	X															

DOMESTIC Same as STOCKWATER

Conditions of Approval:

1. C18 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.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4. PARCEL NO. 36N03W120001 STOCKWATER, 50 RANGE

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/22/2020

Comments:

Dates and Other Information

Decreed Date: 12/29/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: OR
Water District Number: NWD
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/22/2020

Adjudication Claim 85-4382

Owner Type **Name and Address**
Current Owner JEAN A MESSINGER
 RT 1 BOX 100
 CULDESAC, ID 83526
 (208) 836-5543

Current Owner LEO O MESSINGER JR
 RT 1 BOX 100
 CULDESAC, ID 83524
 (208) 836-5543

Priority Date: 1/1/1952

Basis: Statutory Claim

Status: Closed

Source
MAGPIE CREEK
SPRING

Tributary
COTTONWOOD CREEK
COTTONWOOD CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01	12/31	0.020 CFS	
DOMESTIC	1/01	12/31	0.080 CFS	
	<u>Total Diversion</u>		0.100 CFS	

Source and Point(s) of Diversion

MAGPIE CREEK	SWSW	Sec. 6, Twp 36N, Rge 02W, NEZ PERCE County
SPRING	SWSW	Sec. 6, Twp 36N, Rge 02W, NEZ PERCE County

Place Of Use

STOCKWATER within NEZ PERCE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
36N	02W	12	X	X															

DOMESTIC Same as STOCKWATER

Conditions of Approval:

Comments:

Dates and Other Information

Claim Received Date: 8/24/1988

State or Federal: S

Owner Name Connector: OR

Water District Number: TBD

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/22/2020

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/22/2020

Adjudication Recommendation 85-4382 V1

Owner Type **Name and Address**
Current Owner LEO O MESSINGER JR
RT 1 BOX 100
CULDESAC, ID 83524
(208) 836-5543

Current Owner JEAN A MESSINGER
RT 1 BOX 100
CULDESAC, ID 83526
(208) 836-5543

Priority Date: 1/1/1952

Basis: Beneficial Use

Status: Closed

Source
MAGPIE CREEK
SPRING

Tributary
COTTONWOOD CREEK
COTTONWOOD CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01	12/31	0.020 CFS	
DOMESTIC	1/01	12/31	0.080 CFS	
	<u>Total Diversion</u>		0.100 CFS	

Source and Point(s) of Diversion

MAGPIE CREEK	SWSW	Sec. 6, Twp 36N, Rge 02W,	NEZ PERCE County
SPRING	SWSW	Sec. 6, Twp 36N, Rge 02W,	NEZ PERCE County

Place Of Use

STOCKWATER within NEZ PERCE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
36N	02W	12	X	X															

DOMESTIC Same as STOCKWATER

Conditions of Approval:

- | | | | |
|----|-----|----------|---|
| 1. | C18 | General | 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. |
| 2. | N13 | Quantity | THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY. |
| 3. | N11 | General | THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE. |

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/22/2020

4. Explanatory PARCEL NO. 36N03W120001 STOCKWATER, 50 RANGE

Comments:

Dates and Other Information

Civil Case Number: 39576

Judicial District: FIFTH

Notice of Error Flag: NONE RECEIVED

State or Federal: S

Owner Name Connector: OR

Water District Number: NWD

Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A



Cornelia S Faur SPK
713 Cottonwood Butte Rd
Cottonwood ID 83522-5169
30 DEC 2

WPA 2500

PM 3 L

HAPPY
HOL



Duke Bates
Water Resource Agent
Id. Dept. of Water Resources
7600 W. Mineral Dr.
Suite 100
Coeur d'Alene, Id
83815-7763

115-776325



RECEIVED

JAN 04 2021

Dec. 28, 2020

To: DWR / NORTH

Dept. Water Resources,

I do not own or
use water associated
with right 85-4382.

The water right should
go to the rightful owner
rights 85-4382 is not on my
property as incorrectly filed.
Hope this helps - Call if
there is still a problem -

Cornelia S. Faur
713 Cotti Butte Rd.
Cottonwood, ID 83522



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur D'Alene ID 83815-7763

Phone: (208) 762-2800 • Fax: (208) 762-2819

Website: idwr.idaho.gov • Email: northerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

December 23, 2020

CORNELIA SEUBERT FAUR
713 COTTONWOOD BUTTE RD
COTTONWOOD ID 83522

RE: Water Right 85-4382

To Whom It May Concern,

The Idaho Department of Water Resources has identified a discrepancy regarding a water right that has incorrectly identified your property as the place of use for domestic and stockwater uses. The intent of this correspondence is to create a dialogue between you and the department as we work to correct the error.

Currently mapping software identifies FAUR CORELIA SEUBERT as the current owner of two parcels of land located in Township 36 North, Range 02 West, Section 12, NWNE and NENE, designated as parcel No.(s) RP36N02W120600 & RP36N02W120002.

When water right 85-4382 was decreed, the legal description for the place of use associated with the right was erroneously data entered. The result is that right 85-4382 identifies your property instead of the applicant's actual property (6 miles East). IDWR is working to correct this error, and I am reaching out to you to validate you are not using water for stockwater use or domestic purposes associated with right 85-4382. Please contact me **within 14 days** of receipt of this letter to discuss this letter, **or no later than 15 January 2021**. If you do not reply, IDWR will presume you do not have any concerns regarding IDWR correcting and removing the place of use designation covered under right 85-4382 and associated with your two parcels.

If you have any questions, please contact me at 208-762-2800 or luke.bates@idwr.idaho.gov

Sincerely,

Luke Bates

Water Resource Agent
Idaho Dept. of Water Resources
P: (208) 762-2800
Luke.bates@idwr.idaho.gov

Attachments: 85-4382 Proof Report
Water Right Map

*Cornelia Faur contacted Department on
28 December 2020. She stated she did
not have issue with correcting the Plu.
Stated she would write a letter.*

208- 790 - 8723