

Memo

Date: 6-22-12

To: Jean

From: Craig

Re: Review of 92-10530

This permit appears to be for the same property claimed under NIA claim 92-10562 which claims domestic use from Ground Water. Just looking at the dates, I think the permit 92-10530 and the claim 92-10562 were filed at essentially the same time.

I think we have a couple of questions that we need to contact the permit holder and try to clarify.

- 1) Is the domestic use permitted under 92-10530 (surface water) for internal and external use?
- 2) If the surface water is used internally, what is the internal use? Drinking? Is there a filtration system? Washing?
- 3) Is the surface water and the well water used for the same purposes (internal and/or external)? On the same ground (does the surface water irrigate a different part of the lawn than the ground water does – do they overlap)?
- 4) Is the well water claimed under 92-10562 used for external use at all.

We run into a dilemma when we have a situation in which a permit and a recommendation (not verified) overlap. Generally, we won't license the permit until the SRBA recommendation has gone through the SRBA court. However, this is NIA and the recommendations for B92 won't be reported for some time. I don't know if we are waiting. I haven't run into this situation yet but new it was coming.

If we confirm that the surface water use is for internal, and the GW use is for external, then perhaps we can issue a license for 92-10530 since they wouldn't overlap.

We need to ask about how the two systems are used before we can move forward. We can send a letter or if you want to call and just document the conversation, that is fine too.

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 COEUR D'ALENE-SPOKANE RIVER
BASIN WATER SYSTEM

CIVIL CASE NUMBER: 49576

Ident. Number _____

Date Received: 6/2/11

Receipt No: JD27410

Received By: Ku

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

1. Name of Claimant(s) DIANE ECKARD Phone (208) 345-5454

Mailing Address P.O. Box 128 SANTA ID Zip 83866
Street or Box City State

2. Date of Priority: (Only one per claim) 10-5-1996
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 44N, Range 1W, Section 14,
NE 1/4 of NE 1/4, or Govt. Lot _____ BM. County of BENEWAH;

Parcel (PIN) no. -06-0700A

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.

Well + pump

6. Water is claimed for the following: (limited to Domestic and/or Stockwater uses. See page 1 of the instructions.)

For DOMESTIC purposes from 1-1 ^{Month/Day} to 12-1 ^{Month/Day} amount .04 cfs () or AFY ()

For _____ purposes from _____ to _____ amount _____

7. Total Quantity claimed .04 cfs () or AFY ()

8. Non-irrigation uses. Describe fully. (eg. Domestic: give number of households served if single ownership;

Stockwater and Number of livestock) 1 HORSE

9. Location of Place of Use is: Township 44N, Range 1W, Section 14,
NE 1/4 of NE 1/4, Govt. Lot _____ BM. Parcel (PIN) 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? BENEFIT

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.

POND _____ or None ()

13. Remarks:

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 748808

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 Coeur d'Alene-Spokane 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) Diane Eckard Date: 6-2-11

Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

Title of _____ Organization

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

Title of _____ Organization

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

Signature of Authorized Agent _____ Date _____

Title and Organization _____

16. Notice of Appearance:

Notice is hereby given that I, _____, will be acting as attorney at law of behalf of 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 _____

Last Name _____ Identification No. _____