

## MEMORANDUM

**Date:** January 31, 2008  
**To:** Water Right File 95-9266  
**From:** smaxey  
**Re:** Overlap Water Rights

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Water permits/rights reviewed for possible overlaps on 95-9266 include 95-4082, 95-7189 and 95-7182. 95-7182 has been relinquished to the State Of Idaho. Water Rights 95-4082 and 95-7189 allow use of water on the Duns n Roses equestrian center property covered by 95-9266. Water from 95-4082 and 95-7189 was not being used on the 95-9266 property during the Field Exam.

Water right claim 95-4082 allows water to be diverted for domestic and livestock use from a 31 foot deep well located in a hayfield/pasture immediately to the West of the property owned by Duns and Roses. The site of the well lies within a 37 acre area licensed for irrigation under 95-7189 and within a six acre area leased by Duns and Roses for horse grazing.

A small well house located within the six acre area is the 95-4082 Point of Diversion. 95-4082 provides for .05 Cubic Feet Per Second (CFS) to provide water for 70 cows, 5 horses, 25 sheep, 12 pigs and 100 chickens. Mr. Ken Loper indicated that the well has not been used for approximately six months and that a trailer house South of the well and adjacent to Hardison Road had been removed. The trailer has relied upon this well for domestic water.

The Duns and Roses property lies within the Cable Creek watershed. Cable Creek originates in Idaho, crosses the Idaho-Washington boundary near Liberty Lake, and returns to Idaho near the Equestrian Center before re-entering Washington to join the Spokane River. License 95-7189 provides for 37 acres to be irrigated using water from Cable Creek. The six acre parcel rented by the equestrian center for horse grazing falls within this 37 acre area. This lies to the West of, and adjacent to, the equestrian center property.

95-9266