

From: [Roda, Evan](#)
To: [Nancy Gerth](#)
Subject: RE: FW: IDWR's online adjudication claim application
Date: Monday, June 26, 2023 7:45:00 AM
Attachments: [Claim Filing Fees.JPG](#)

Good morning Nancy,

I believe the "lot" you are referring to is the segment of the claim form that asks for the government lot of the property for either the point of diversion or place of use. Government lots are just enhancements of the quarter quarter (QQ) descriptions found in legal descriptions for land where the QQ is not a full 40 acres, typically near water bodies. Your property may not include a government lot in its legal description and may only have a QQ.

If you have a well that has been beneficially used for your household since 2001, you can certainly file an adjudication claim for it. This would likely not have been done by the driller as that is something the property owner/water user would typically do. If you need help filing a claim for your well usage, our adjudication staff will be happy to assist you.

Lastly, while it may have been written on the claim form I previously emailed you, I apologize for not noting the filing fee for claim no. 96-9438 in the email itself. As that claim is for power generation, the filing fee differs from that of a small domestic or stockwater claim (the fee for small domestic and stockwater claims is \$25.00). The correct filing fee for water right claim no. 96-9438 is **\$51.00**. If you have already mailed the claim to our office with a check for \$25.00, you can just send the remaining balance of \$26.00 to our office separately. Please ensure that you include a notation that the payment is for the balance due for water right claim 96-9438. For reference, I have attached a copy of the claim filing fee schedule to this email.

Feel free to contact me if you have any additional questions.

Best Regards,

~Evan

From: Nancy Gerth <docnangee@nancygerth.com>
Sent: Friday, June 23, 2023 12:12 PM
To: Roda, Evan <Evan.Roda@idwr.idaho.gov>
Subject: Re: FW: IDWR's online adjudication claim application

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Hi Evan,

Left you this phone message:

Thank you for your stunning help with our claim form.

I have two minor questions: I find no lot number, perhaps because we don't have lot numbers our here?

There is a reference somewhere to "wells". We have a beneficial domestic use well for one household that was dug around 2001. I don't remember filing a water rights claim for it? Perhaps the driller did?

I will mail the application today to meet the deadline. I will enclose a check for the \$25 fee. If there is something I left out, please advise, and I will resend.

I can also scan and send it to you in email if that would help to check?

Enormous thanks to you again,
Nancy
208-304-9066

On 6/21/23 1:49 PM, Roda, Evan wrote:

Nancy,

Per your email request, I am forwarding my previous email. Please let me know if you have any problems receiving this one.

~Evan

From: Roda, Evan

Sent: Tuesday, June 20, 2023 12:07 PM

To: Nancy Gerth <nancy@350sandpoint.org>

Subject: RE: IDWR's online adjudication claim application

Good morning Nancy,

I was able to locate the record of the water right license established previously on your property in the name of James Akers for power generation use of the stream. That water right license number is 96-9438, and for your convenience, I have attached a copy of that license with its supporting documents. As water right license 96-9438 was issued prior to the commencement of the Clark Fork-Pend Oreille River Basin Adjudication (CFPRBA), an adjudication claim is required for that right if it is still in use. Failure to file a claim for that right may result in the determination by the Court that the water right no longer exists. Since this water right was issued fairly recently, I generated a Notice of Claim to a Water Right for you based on the license and also attached that to this email. The form is in Word format which will allow you to make edits to the contact information as needed. Please review all the information before signing, then return the signed claim form along with the required to our office.

As for the use of your well, while a claim is not yet required for small domestic and

stockwater uses (less than 13,000 gallons per day and ½ acre irrigation around home), it is highly recommended that you do so. Now is going to be the least costly (\$25) and easiest time to get those small domestic claims filed. If you decide to file a claim for your well use, I've attached an additional blank Notice of Claim form with instructions to claim that use also.

Feel free to reach out to us if you have any additional questions or concerns and we will be happy to help.

Best Regards,

Evan

Evan W. Roda

Water Rights Supervisor

Idaho Department of Water Resources, Northern Region

7600 N Mineral Drive, Suite 100

Coeur d'Alene, ID 83815-7763

Phone (208) 762-2815 / 2800

<https://idwr.idaho.gov>



From: Nancy Gerth <nancy@350sandpoint.org>

Sent: Monday, June 19, 2023 10:01 AM

To: Roda, Evan <Evan.Roda@idwr.idaho.gov>

Subject: Re: IDWR's online adjudication claim application

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Good morning Evan,

I have another couple of questions about the adjudication application:

We filed for water rights many years ago (maybe a decade) for a dam we built to catch water running down the side of our mountain. We use it to power a pelton wheel, part of our microhydro system. The state sent out an inspector who helped us bring our dam into compliance and helped us fill out the paper work.

Questions:

1. Since the water passes through our system and continues to run down the mountain onto the lands below us which are owned by others, do we even have to file at all? Is it a good idea to do it even if it's not required?

2. If so, can you help me get a copy of the original filing? I've looked everywhere, but my records got jumbled the past years, not just from COVID but I was treated (and cleared of!) ovarian cancer in 2021 and am still recovering some of my mental capacity from the chemo!

I assume that no one files for their well water. Just checking.

Thank you for your invaluable and timely help,

warmly,
Nancy Gerth
Bonner County

On 6/13/23 3:40 PM, Nancy Gerth wrote:

Dear Evan,

Thank you, Even, for the helpful reply. We are going to try and file, but it is good to know that it isn't required. It would be helpful if you could send us an example of how to do the maps?

Nancy

On 6/13/23 11:37 AM, Roda, Evan wrote:

Mrs. Gerth,

First, the June 23 filing deadline does not apply to small domestic and stockwater uses (less than 13,000 gallons per day and ½ acre of irrigation around home). Those uses are deferrable and are not required to be claimed at this time, although it is highly recommended that they are. If you wish to file a claim for domestic and/or stockwater use on your property, the correct claim form to use is Form No. 42-1409-2. For your convenience, I have attached that form to this email along with instructions.

Please feel free to call our office if you have any further questions or if you would like some assistance completing the claim form, and we will be happy to help.

Best Regards,

Evan

Evan W. Roda

Water Rights Supervisor

Idaho Department of Water Resources, Northern Region

7600 N Mineral Drive, Suite 100

Coeur d'Alene, ID 83815-7763

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<https://idwr.idaho.gov>



From: Nancy Gerth <nancy@350sandpoint.org>

Sent: Saturday, June 10, 2023 9:27 AM

To: Northern Info <northerninfo@idwr.idaho.gov>

Subject: IDWR's online adjudication claim application

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Dear Ma'ams/Sirs,

I am an old gal trying to understand the on-line application form for the Northern Idaho Adjudication form due June 23. I had some confusion about which claim I should use on your website and want to confirm that this is the correct one for Bonner County:

<https://idwr.idaho.gov/wp-content/uploads/sites/2/forms/42-1409-1-CFPRBA-Irrigation-and-Other-Claim-Form-06-21.pdf>

If it is not, could you please send me a link to the correct form?

Please reply or let me know that you received this message.

best wishes and thanks for the work you do to protect my water rights,

Nancy Gerth
Sagle ID

