



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

Governor Brad Little

Director Gary Spackman

July 26, 2023

MICHAEL PROVOST
1325 E SETTLEMENT RD
PRIEST RIVER, ID 83856

RE: Recommendation & Ownership of Clark Fork-Pend Oreille River Basin Adjudication (CFPRBA) Water Right Claim No. 97-8745

Dear Claimant,

The Idaho Department of Water Resources (IDWR) is currently in the process of reviewing adjudication claims for water rights in your area. We have completed the preliminary recommendation for your claim, but there are some things you should be made aware of.

First, through our review of the claim, we discovered that the ownership of the place of use claimed (Bonner County parcel RP56N04W293020A) differs from that listed on the claim form. Tax parcel data indicates that water right claim 97-8745 is appurtenant to property currently owned by the Michael C Provost Living Trust, of which you are trustee. To ensure a smooth transfer of ownership for the claim or water right in the future, it is typically best for the owner of the claim to match that of the place of use. If there is a discrepancy in the ownership of your claim verses that of the property, it can be corrected through the submission of an Amended Notice of Claim or a Notice of Change in Water Right Ownership. For your convenience, I have enclosed an Amended Notice of Claim that has been partially completed using the information from tax parcel records and your original claim. If you wish to amend the ownership of your claim to the trust, please review/complete the claimant contact information in Section 1, then sign and return the form to the address listed above. Initial any changes made.

Second, the Notice of claim you submitted listed the total quantity of water used as 2 acre feet per year (AFY). The purpose of use claimed requires an instantaneous diversion rate, so your claim will be recommended with the closest equivalent to 2 AFY, which is 0.01 CFS (approximately 4.5 gallons per minute). If this is an inaccurate representation of your water use, you may also amend the claimed quantity on the enclosed Amended Notice of Claim form. Just be sure to initial any changes made on the document.

Lastly, the claimed priority date of January 1, 1980, is not supported by available evidence. Aerial photos taken of the claimed property in 1981 show no structures or domestic development on the land. Tax parcel data for that parcel indicates a year built of 1987. If no additional evidence is submitted in support of the earlier priority date claimed, we will be recommending the claim with a priority date of December 31, 1987.

PLEASE NOTE: If the enclosed Amended Notice of Claim is not completed and returned, then the water right claim affecting your property may be decreed by the Court in a name that differs from the property's listed ownership. If the ownership listed on the original claim form is accurate, and you are in agreement with all the elements currently being recommended, then no additional action on your part is needed.

If you have any questions regarding this matter, please contact our adjudication staff at 208-762-2800, and we will be happy to help.

Best Regards,

A handwritten signature in blue ink, appearing to read 'Evan W. Roda', with a stylized flourish at the end.

Evan W. Roda
Water Rights Supervisor
Northern Region

Enclosures: Amended Notice of Claim form for CFPRBA claim no. 97-8745