

From: [Roda, Evan](#)
To: [Laura Aschenbrener](#)
Cc: [Mike Dodge](#)
Subject: RE: questions re: notices of claim
Date: Tuesday, September 19, 2023 2:18:00 PM
Attachments: [image001.png](#)
[image002.png](#)

Good afternoon Laura,

The additional quarter section is often included on licenses, but not in the adjudication claims and recommendations, so you are correct that it is not material and can be left blank. As for 97-7504, the claimed source was mistakenly listed as Pend Oreille Lake, likely due to the listing of the lake as a tributary on the original permit. As the claim is based on a previously issued license, we were able to recommend the claim as licensed with the source of the Priest River, tributary to the Pend Oreille River. No amended claim will be needed for that one.

I reviewed the changes made on the amended claim for 97-7341 and everything looks good from our end. Once the signed amended claim is received by our office, I will complete the recommendation with the included corrections.

Thanks,

~Evan

From: Laura Aschenbrener <laschenbrener@lclattorneys.com>
Sent: Thursday, September 14, 2023 2:23 PM
To: Roda, Evan <Evan.Roda@idwr.idaho.gov>
Cc: Mike Dodge <mdodge52@gmail.com>
Subject: RE: questions re: notices of claim

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Evan,

Thank you for your clarifications below. Re: #1, the additional quarter section I was referencing is blank based on the form, so I am assuming that is not material.

The draft Notice of Claim form that I saw from Mr. Dodge from earlier this year for the domestic right no. 97-7504 references Pend Oreille Lake as the Source – I have attached that document here – although I understand that the license from 2012 (which you sent me) lists Priest River as the Source; so, I just wanted to confirm whether they need to submit an amended notice of claim for the domestic water right or if it is not necessary since the license lists the correct source.

Re #5: description of diverting system: I don't believe there has been a change, but I will confirm with the Dodges.

I just want to make sure the Dodges are in compliance with submitting their notices of claim for both irrigation and domestic.

I have also attached a draft amended notice of claim for irrigation under claim id no. 97-7341 with the township changed to 57N, added the cross reference to domestic water right no. 97-7504, and forwarded to the for their review and signature.

Let me know if we captured what needed to be changed I the Amended Notice of Claim, and whether their claim

for the domestic water rights was sufficient for the applicable time period.

Thank you,
Laura

Laura L. Aschenbrener | Partner



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From: Roda, Evan <Evan.Roda@idwr.idaho.gov>
Sent: Thursday, September 14, 2023 12:08 PM
To: Laura Aschenbrener <laschenbrener@lclattorneys.com>
Cc: Mike Dodge <mdodge52@gmail.com>
Subject: RE: questions re: notices of claim

Good afternoon Laura,

I was asked by your father to address your questions regarding your parents' water right claims for their cabin property on the Priest River (claim nos. 97-7341 & 97-7504). The answers to your questions are as follows:

1. I am unsure which quarter section you believe is extraneous. The PLSS description for the location of their pump intake (point of diversion) on tax parcel no. RP0011400B0090A is:

Township	Range	Section	¼ of ¼	of	¼	County
57N	04W	29	SE	NW		BONNER

This is an accurate representation of that location. However, in my review I did see that the amended claim I sent lists the previously licensed Township (56N) when it should be 57N. This change can be made on the document sent before signing and sending it in.
2. You are welcome to provide a description of the diversion works, especially if it has changed. However, if there has been no change in that pumping system, the diversion works is already documented in the water right backfile and a description here is not required.
3. This question actually pertains to other water rights used for the same purpose at the same location, but is worded differently on the internally generated claim form versus the fillable PDF form. If there is another water source being used at that same property for irrigation purposes, you would list that here. In this case, you are welcome to make note of the shared point of diversion with the domestic water right, 97-7504. That shared diversion point could also be noted at Section #5 (description of diversion works).
4. Yes, a Notice of Claim was received by IDWR for water right no. 97-7504 on February 3, 2022 in the