

Cooksey, Greg

From: Cooksey, Greg
Sent: Tuesday, January 9, 2024 10:59 AM
To: JULIA72183@GMAIL.COM; JDOUG83821@GMAIL.COM
Subject: IDWR Claim 97-7938
Attachments: 97-7938 AMENDED CLAIM.pdf

Good morning Mr. and Mrs. Heiskell,

As per my phone conversation with Julie this morning, I have prepared a partially completed Amended Notice of Claim to a Water Right for you to sign based on the details we discussed. To recap the conversation for Mr. Heiskell, Idaho state law requires any **claim** to surface water (i.e. Priest Lake) that did not begin before 1971 to obtain a water right through the permit/licensure process rather than the claim process. The date on a claim that determines this is the priority date. You submitted claim # 97-7938 to us with a priority date in 2012 which would not satisfy the requirements in the mandatory permit statute. Rather than simply recommending your claim as disallowed, I did a little bit of digging in to the property. While reviewing these details, I discovered that Bonner County lists the year built date for the residence as 1950. As Mrs. Heiskell confirmed this morning, that is the year that a residence was first built on the property. This new priority date in 1950 does satisfy the mandatory permit statute date requirement, and benefits you directly by adding an additional 62 years of priority on to your claim.

Please review the amended claim I have attached. All changes I have made to the claim are highlighted in yellow. Once you are certain that the claim reflects what you intended, please sign and date the amended claim with both signatures and return it to our office at the address below. If you would, add "ATTN: Greg Cooksey" to the address so that I can complete my recommendation to the court as soon as possible. There are no additional fees required for this amended claim.

Please don't hesitate to reach out if you have any questions.

Regards,

Greg Cooksey

Senior Water Resource Agent

Idaho Department of Water Resources, Northern Region

7600 N Mineral Drive, Suite 100

Coeur d'Alene, ID 83815-7763

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IDAHO DEPARTMENT OF
WATER RESOURCES

**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 CLARK FORK-PEND OREILLE RIVER
BASIN WATER SYSTEM

CIVIL CASE NUMBER: 69576

Ident. Number: 97-7938

Date Received:

Receipt No: T111162

Claim Fee: \$25.00

Received By: _____

AMENDED

**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)

JULIE HEISKELL
1316 N RIVER VISTA ST
SPOKANE WA 99224-5669

Phone: (509) 448-5903

DOUG HEISKELL
1316 N RIVER VISTA ST
SPOKANE WA 99224

Phone: (509) 448-5903

2. Date of Priority: 12/31/1950

3. Source:

PRIEST LAKE

Trib. to:

PRIEST RIVER

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
59N	04W	3	SE NW		BONNER	

5. Description of diverting works:

Submersible pump and water line to residence

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	1/1	12/31	0.04		

7. Total Quantity Appropriated is:

0.04 C.F.S. and/or A.F.A.

8. Non-irrigation uses:

Domestic

9. Place of use:

DOMESTIC within BONNER County

Township	Range	Section	¼	of	¼	Lot	Acres
59N	04W	3	SE		NW		
59N	04W	3	SE		NW	3	

10. Do you own the property listed above as place of use? Yes

If your answer is no, describe in remarks below the authority you have to claim this water right.

11. Other Water Rights Used:

12. Remarks:

Priority Date Explanation: YEAR BUILT PER BONNER COUNTY RECORDS

13. Basis of Claim: Beneficial Use

14. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the CLARK FORK-PEND OREILLE 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): _____ Date: _____

Date: _____