



IDAHO DEPARTMENT OF
WATER RESOURCES

Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur D'Alene, ID 83815-7763
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Governor Brad Little

Director Mathew Weaver

October 18, 2024

STEVEN M & SUSAN K STENBERG
3630 88TH AVE SE
MERCER ISLAND, WA 98040

RE: Notice of Claim to a Water Right No. 97-4037, Violation of Mandatory Permit Statute

Dear Claimants,

The Department of Water Resources has reviewed your Clark Fork-Pend Oreille River Basin Adjudication (CFPRBA) water right claim. Through our initial review, it was found that the priority date and use claimed is in violation of the Mandatory Permit Statute for that water source.

The Notice of Claim to a Water Right identified with the number shown above was submitted for the use of groundwater for domestic purposes with a claimed priority date of December 4, 1973. Through our investigation of the claim, it has been determined that the claimed water source is best described as a spring, tributary to Priest Lake. As this is a surface water source, and the water use claimed began after a permit was required, an Application for Permit should be submitted rather than a claim. The permit system for establishing a water right became mandatory for uses developed from surface water sources after May 20, 1971 (with exception of in-stream stock watering). As your claimed use of water from the spring began after that date, it currently reflects an unlawful use, and an Application for Permit must be submitted. For your convenience, I have enclosed an Application for Permit form along with instructions. I have also included a Request for Withdrawal of Claim form, which will allow you to withdraw the water right claim and apply the previously submitted filing fee towards your new permit application. If you believe that the domestic use of the spring began on the claimed property (tax parcel no. RP00087000023DA) prior to May 20, 1971, then an Amended Notice of Claim should be submitted along with supporting evidence.

PLEASE NOTE: If the Withdraw of Claim is not returned to us in 30 days, IDWR must recommend the claim to the court as disallowed. Any continued use of surface water on site without a valid water use permit may be subject to future regulatory action.

If you have any questions or concerns, please feel free to contact our office and we will be happy to help. We can be reached by phone during business hours at 208-762-2800.

Best Regards,

Evan W. Roda
Water Rights Supervisor
Northern Region

Enclosures: Application for Permit, Instructions, Request for Withdrawal of Claim