

Roda, Evan

From: Roda, Evan
Sent: Monday, September 22, 2025 1:35 PM
To: 'Chris Bromley'
Subject: RE: Notice of Error, water right nos. 97-7576, -8869, -8870, -8889

Good afternoon Chris,

We've received your Notice of Error reply for CFPRBA claim nos. 97-7576, 97-8869, 97-8870, and 97-8889. As your letter included concerns for each individual claim, I will address them separately below.

Name & Address, Water Right Nos. 97-7576, 97-8869, 97-8870, 97-8889

Please update ownership and mailing address consistent with filings in August of this year:

CL3 Property Trust
875 Iron Horse Drive, Ste A PMB 176
Park City, UT 84060

- The ownership of these claims was updated to CL3 Property Trust on 8/19/2025 per submitted Notice of Change in Water Right Ownership received by IDWR on 8/18/2025. It looks like the Notice of Error mailing was printed and mailed prior to receiving the notice of the ownership change for those claims.

Quantity / Purpose and Period of Use, Water Right No. 97-8869

As claimed, should be 0.04 cfs. The *Preliminary Recommendation* lists the quantity as 0.03 cfs, leading to the possibility that there is a typographical error, please confirm.

- The claimed diversion rate of 0.04 CFS is not supported by evidence. The well drillers report for the claimed well reflects a maximum yield of 8 GPM. After allowing for 2 GPM of potential measurement error or seasonal well fluctuation, IDWR recommended a diversion rate of 0.03 CFS (~13.5 GPM).

Priority Date, Water Right No. 97-8870

As claimed, 1/1/1955. The *Preliminary Recommendation* lists the priority date as 12/31/1955. The priority date that is identified in the *Preliminary Recommendation* for water right no. 97-8889 is 1/1/1955. Please make the priority date consistent between both rights, 1/1/1955.

- The reason these two claims were recommended with different priority dates is because they are for two separate properties, and the supporting evidence varied between the two claims. For 97-8870, the earliest year-built date found for the claimed property (RP059620010250A) when reviewing the claim was 1985, which contradicted the claimed priority date of 1/1/1955. Therefore, the priority date recommended is supported only by the affidavit submitted as evidence. That affidavit describes domestic water use on the claimed property "since the mid-1950s". As a specific day was not identified in the affidavit, the priority date was recommended as 12/31/1955 per department policy.
- For 97-8889, the year-built date from Bonner County records for the claimed property (RP059620010240A) is 1955. As this built date was not contradictory to the date claimed as priority (1/1/1955), and was further supported by the affidavit, the priority date was recommended as claimed.

If you have any additional evidence you would like to submit in support of these claims, please do so within the next 30 days, and we will revise our recommendations accordingly. Please let me know if you have any additional questions or concerns, and I will be happy to help wherever I can.

Best Regards,

~ Evan



Evan Roda | Adjudication Section Manager
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208-762-2815

From: Chris Bromley <cbromley@mchughbromley.com>
Sent: Monday, September 22, 2025 8:51 AM
To: Roda, Evan <Evan.Roda@idwr.idaho.gov>; IDWR File <file@idwr.idaho.gov>
Cc: Lenon, Dawn <Dawn.Lenon@idwr.idaho.gov>
Subject: Notice of Error, water right nos. 97-7576, -8869, -8870, -8889

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Evan,

Please find attached a response to the *Notice of Error* associated with IDWR's preliminary recommendations for water right nos. 97-7576, -8869, -8870, -8889 in the name of CL3 Property Trust. Please let me know if you have any questions.

Thanks,

Chris M. Bromley
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