

May 28, 2026

RECEIVED

JUN 04 2026

IDWR/NORTH

Mr. Harry N. Russell
PO Box 1311
Orting WA 98360

Dear Mr. Russell,

We have received your Notice of Protest dated 5/18/26 regarding our rights to the spring on our property. Bob has reached out to you via phone twice and had a discussion with you, but we see no resolution to this matter until the government map is corrected which has the property lines wrong. The incorrect map places the point of diversion on your property, but both the origin of the spring and the point of diversion lie on our property. Our solution to this dispute would be to have Department of Water Resources correct the map which will then determine where the point of diversion lies.

We hold the original water rights dating back to **8/15/1994** (see attachment). It is noted on page 2 that "the government map ^{lots have} has shifted" and as we know a map should not change, so we will ask that the Department of Water Resources correct their map so that we can resolve this matter.

Sincerely,



Robert A. Rogers



Nicole Rogers

Enclosures

State of Idaho
Dept. of Water
Resources
Copy of letter
sent certified mail
to Mr. Harry Russell.
- Nicole

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 81-7168

1/6/2021

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROBERT A ROGERS 1026 6TH ST CLARKSTON, WA 99403-2608 (509) 552-3277
Current Owner	NICOLE ROGERS 1026 6TH ST CLARKSTON, WA 99403-2608 (509) 552-3277
Original Owner	SONDRA MC GEE HC 75 BOX 370 KOOSKIA, ID 83539
Original Owner	JACK MC GEE HC 75 BOX 370 KOOSKIA, ID 83539
Previous Owner	STEVEN CARLTON 1103 BRYDEN AVE LEWISTON, ID 83501-5350
Previous Owner	LORI CARLTON 936 CEDAR AVE LEWISTON, ID 83501

Priority Date: 8/15/1994

Basis: License

Status: Active

Source
UNNAMED STREAM

Tributary
SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01	12/31	0.020 CFS	0.1 AF
DOMESTIC	1/01	12/31	0.020 CFS	0.6 AF
FIRE PROTECTION	1/01	12/31	0.030 CFS	
<u>Total Diversion</u>			0.030 CFS	0.7 AF

Source and Point(s) of Diversion

UNNAMED STREAM L4(SWSW) Sec. 12, Twp 32N, Rge 05E, IDAHO County

Place Of Use

STOCKWATER within IDAHO County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
32N	05E	12											X L4						

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DOMESTIC Same as STOCKWATER

FIRE PROTECTION Same as STOCKWATER

Conditions of Approval:

1. 077 Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
2. Domestic use is for external use only.

Comments:

1. RCHILDER 8/22/1994 DIVERSION DESCRIPTION
Water diverted by 2" pipe to storage tank, overflow returns to creek.- Direct flow to stock tank from culvert with overflow back to creek. 300 gal. tanks.
2. VAULT 10/15/1996 Extension of Time Received
Extension of Time Received
3. mciscell 6/10/2013 POD
Bulk Generate Shape From PLS
4. jhersley 9/8/2020 POU
Updated Shape
5. jhersley 9/17/2020 POU
Updated Shape
6. jhersley 1/6/2021 POU
Updated Shape
7. jhersley 1/6/2021 ownership
updated the ownership to Robert & Nicole Rogers based on property description and the map in the adjudication claim backfile. The government lots appear to have shifted over the years.

Dates and Other Information

Licensed Date: 6/8/1998
Owner Name Connector: AND
Water District Number: NWD
Mitigation Plan: False

Combined Use Limits

N/A

SubCase:

N/A

Water Supply Bank:

N/A