

**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 COEUR D' ALENE-SPOKANE RIVER
BASIN WATER SYSTEM**

CIVIL CASE NUMBER: 49576

Ident. Number 95-8838

Date Received: _____

Receipt No: N/9803

Received By: _____

**NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

Please type or print clearly

1. Name of Claimant (s) MICA BAY LAND COMPANY Phone (208) 661-2867

Mailing Address PO BOX 959 HAYDEN ID ZIP 83835
Street or Box City State

2. Date of Priority (Only one (1) per claim) JUNE 10, 1983
Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other (✓) (a) SOUTH FORK MICA CR.
which is tributary to (b) MICA CR.

4. a. Location of Point of Diversion is: Township 49N, Range 5W, Section 23,
NE, 1/4 of SW, 1/4 Govt. Lot _____, BM., County of KOOTENAI

Parcel (PIN) no. 49N05W-23-8200

Additional points of diversion if any: _____

If available, GPS Coordinates _____

b. If instream flow, beginning point of claimed instream flow is:

Township 49N, Range 5W, Section 22, SW, 1/4 of SW, 1/4

Govt. Lot _____, BM., County of KOOTENAI

ending point is: Township 49N, Range 4W, Section 16, NE, 1/4 of NW, 1/4

Govt. Lot _____, BM., County of KOOTENAI

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. _____

Concrete dam, 13-ft wide x 42-in tall, reservoir pond 2 ft deep holding approx 500 gal. diverting to 4-in PVC
pipeline approx. 4000 ft. to generator.

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For POWER GENERATION purposes from 01-01 to 12-31 amount 0.22 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.22 (cfs) and/or (b) _____ (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) Power generation, 150' head, 12 KW generator serving fish hatchery (separate claim).

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
49N	5W	23				P													

Parcel (PIN) no(s) 49N05W-23-8200

Total number of acres irrigated _____

10. In which county (ies) are lands listed above as place of use located? KOOTENAI

11. Do you own the property listed above as place of use? Yes (✓) No ()

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

12. Describe any other water rights used at the same place and for the same purposes as described above.

_____ or None (✓)

13. Remarks: Water right 95-08330 used at same place but for fish propagation.

Water right 95-08338, which is the right associated with this claim, incorrectly shows the place of use as the SW of the NE, should be the SE of the NE.

Attached: Map of project

Attached: Letter requesting address change to: MICA BAY LAND COMPANY, PO BOX 959, HAYDEN, ID 83835

Last Name MICA BAY LAND COMPANY Identification No. _____

14. Basis of Claim (Check One) Beneficial Use () Posted Notice (✓) License () Permit () Decree ()

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 95-08338

15. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane 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: 2

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: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

Asst. Sec. _____ of MICA BAY LAND COMPANY,
Title _____ Organization _____

that I have signed the foregoing document in the space below as

Asst. Sec. _____ of MICA BAY LAND COMPANY,
Title _____ Organization _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Brian Kroetch BRIAN KROETCH Date 1-14-09

Title and Organization Asst. Sec., MICA BAY LAND COMPANY

16. Notice of Appearance:

Notice is hereby given that I, _____, will be acting as attorney at law of behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____ Date _____

Address _____

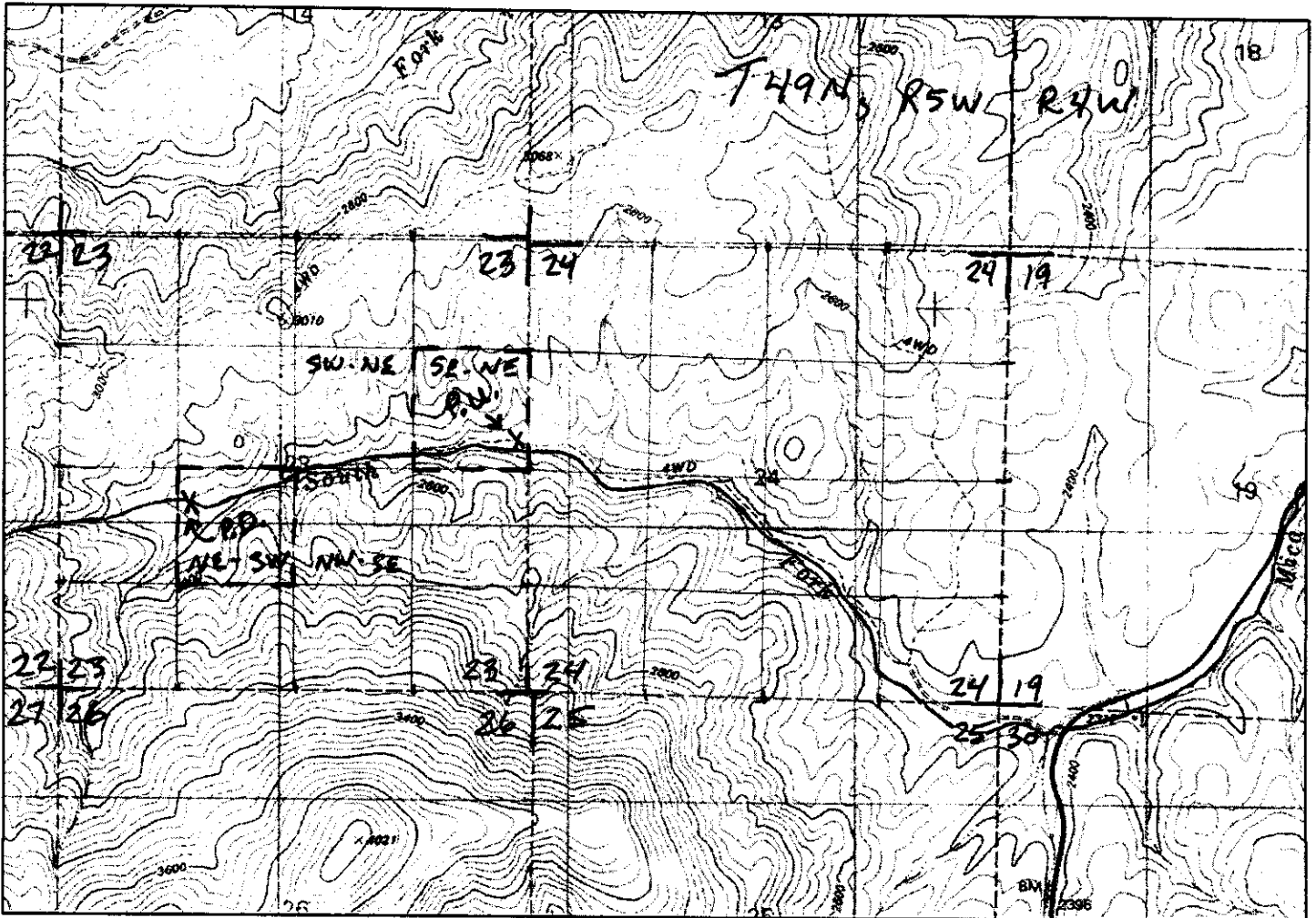
Last Name MICA BAY LAND COMPANY Identification No. _____

MICA BAY LAND COMPANY

MAP OF PROJECT

1/16/2009

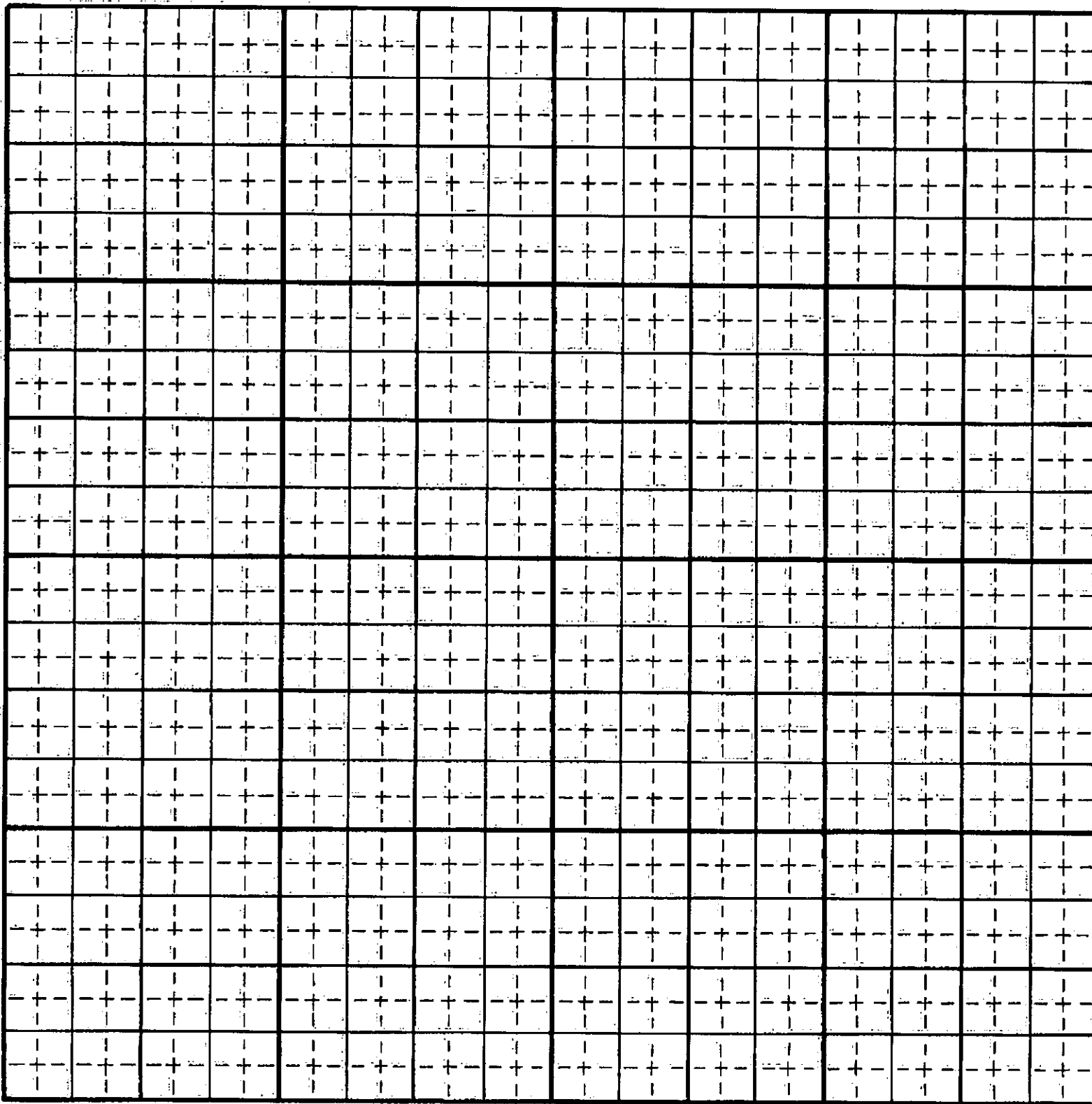
Current Water Right License no. 95-08338 (Power)



Map of Project: Attach aerial photograph or topographic map showing clearly the point of diversion, place of use, section number, township, and range number, unless unavailable. Otherwise sketch the elements above on the grid below.

SEE ATTACHED

Scale: 2 Inches equals 1 mile



Last Name MICA BAY LAND COMPANY Identification No. _____