

**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 95-9609

Date Received: 7-17-09

Receipt No: N021406

Received By: hhl

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

RECEIVED

JUL 17 2009

Please type or print clearly

IDWR / NORTH

1. Name of Claimant (s) State of Idaho - Department of Parks & Recreation Phone (208) 334-4199

Mailing Address Statehouse Mail P.O. Box 83720 Boise, ID 83720-0065
Street or Box City State ZIP

2. Date of Priority (Only one (1) per claim) September 25, 1973
Month Day Year (YYYY)

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

4. a. Location of Point of Diversion is: Township 53N, Range 02W, Section 09,
NE, 1/4 of NE, 1/4 Govt. Lot _____, BM., County of Kootenai

Parcel (PIN) no. _____

Additional points of diversion if any: 53N 32W 05 SE of NE; 53N 02W 03 NE of SW; 53N 32W 04 SE of SW

If available, GPS Coordinates _____

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

Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

ending point is: Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

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. _____

Well #2, drilled in 1942 by Dept. of Defense (DOD), (53N 02W 09 NENE) - Started being used as a POD in 2005
when 15 HP pump was installed. Is not listed as a POD on Water Right. Well #3, drilled in 1942 by DOD, (53N
32W 05 SENE) - this well was brought back as a POD in 1967. A 50 HP pump is installed in well. A well log is
not available. Well #8, drilled in 1942 by DOD, (53N 02W 3 NESW) - turbine pump 750 gpm. Well #9, drilled in
1969 by State of Idaho, (53N 02W 4 SESW) - unknown pump info, replacement is being planned.

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD) (cfs) (acre feet)

For Municipal purposes from 1/1 to 12/31 amount .42 or 63

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .42 (cfs) and/or (b) 63 (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) Municipal use within Farragut State Park.

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	
						See Attached Place of Use Chart - Attachment #2													
						See Attached Place of Use Map - Attachment #3													

Parcel (PIN) no(s) See Attachment #4 Total number of acres irrigated _____

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

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.

Water Right No. 95-9575 (Attachment #1) or None ()

13. Remarks: IDPR & IDFG have a memorandum of understanding (MOU) documenting the cooperative management of both ownerships as one unit. IDPR manages and provides water to the facilities that are on IDFG property. Ownership boundaries are shown on Ownership map, Attachment #5

Scale: 2 Inches equals 1 mile

[illegible]

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 ~~95-9575 (formerly 96-7035)~~

95-9609

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: 6

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

Deputy Attorney General _____ of Idaho Department of Parks and Recreation _____,
Title Organization

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

Deputy Attorney General _____ of Idaho Department of Parks and Recreation _____,
Title Organization

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

Signature of Authorized Agent [Signature] Date 7/14/2009

Title and Organization Deputy Attorney General, Idaho Department of Parks and Recreation

16. Notice of Appearance:

Notice is hereby given that I, David I. Stanish, 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 [Signature] Date 7/14/2009

Address Natural Resources Division, Office of Attorney General

P.O. Box 83720, Boise, Idaho 83720

Last Name _____ State of ID Dept. of Parks & Rec. Identification No. 95-9575