

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 95-08508

Date Received: 4/26/19

Receipt No: ND20629620701

Received By: Hu

NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Herbert Nagel & The Estates
of Carl & Violet Nagel, Dec Phone (208) 687-0262

Mailing Address Box 65 Rethrum Id. ZIP 83858
Street or Box City State

2. Date of Priority (Only one (1) per claim) May 29, 1986
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 51 N, Range 05 W, Section 1
SE 1/4 of NW 1/4 Govt. Lot _____, BM., County of Kootenai

Parcel (PIN) no. 3500 (51 Twp 51; R 5W BM)

Additional points of diversion if any: _____

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.

12" well - 2 pumping systems - 15 HP
Motor + 5 HP Motor - Depth 197' -
6" Distribution Line

see Exh. C Attached

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For DOMESTIC purposes from 01 to 12/31 amount 0.51 or 6.0

For Stockwater purposes from 01 to 12/31 amount 0.01 or 0.7

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.12 (cfs) and/or (b) 6.7 (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) FIVE HOUSES - 1.5 ANIMALS (VARIOUS KINDS)

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	
51N	05W	1					D	D											
51N	05W	1					S	S											
52N	5W	36									D	D							
52N	5W	36									S	S							

Parcel (PIN) no(s). SEE ATTACHED EXH "A" 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 () SEE below
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 (X)

13. Remarks: THE EST. OF Carl & Violet Nagel
USE THE WATER ON THEIR PROPERTY AS SET
FORTH IN THE ATTACHED MAP.

OTHER PROPERTY OWNERS NAMED IN
ATTACHED EXH. "A" USE WATER FROM THE
SYSTEM WITH OUR CONSENT. THEIR PROPERTY
WAS LISTED AS A "PLACE OF USE" IN
THE WELL APPLICATION & PERMIT.

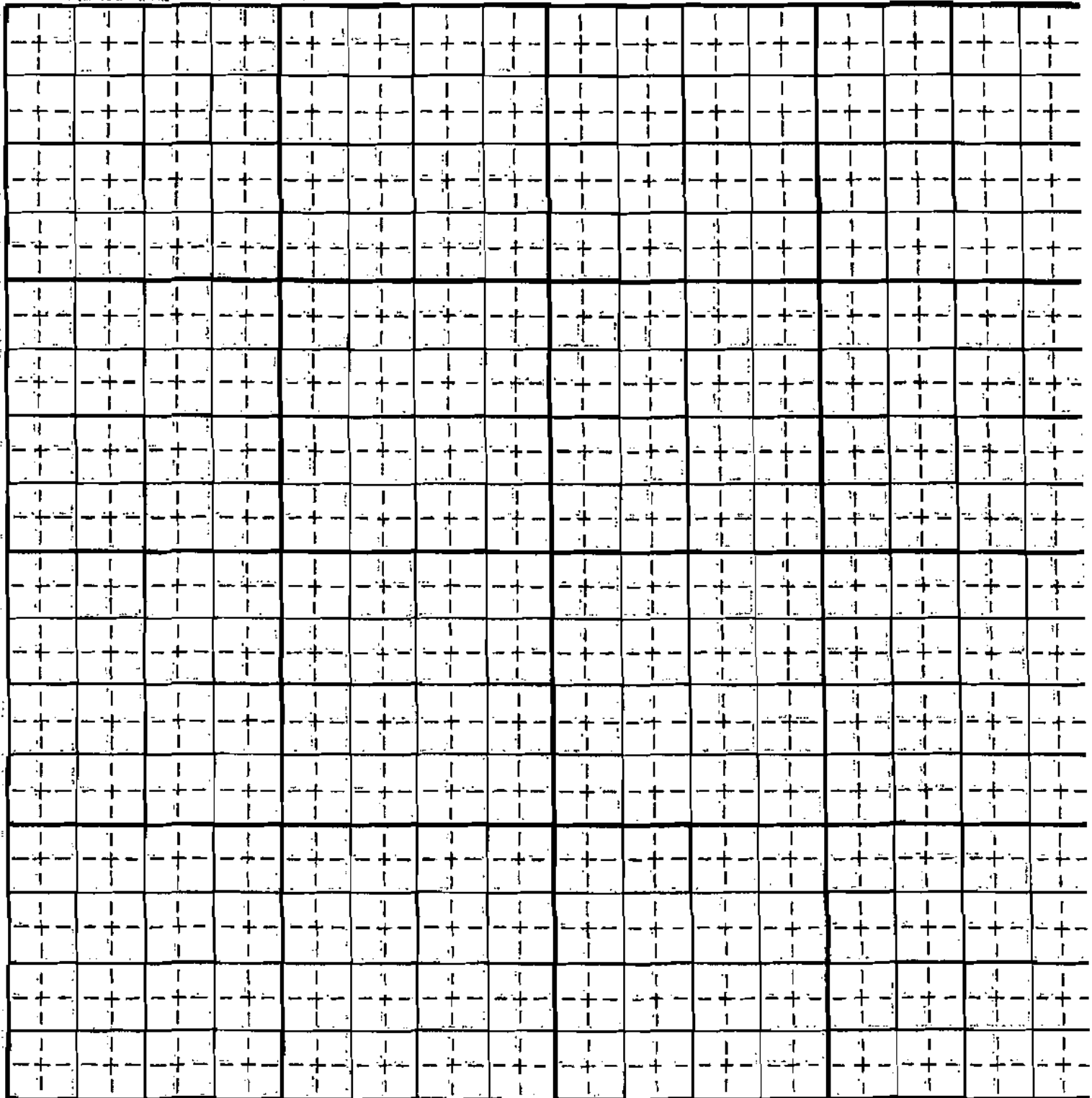
FILED HERewith IS (1) EXH. "A" A LIST OF SAID USE
& THEIR PROPERTY (2) EXH. B - MAP OF AREA & (3) WELL PERMIT
AS EXH. "C".

Last Name NAGEL Identification No. 95-08508

See ATTACHED MAP EXH. "B"

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.

Scale: 2 Inches equals 1 mile



Last Name Niogo Identification No. 95-08508

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

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 95-08508

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 (X) do not () wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: - 4 -

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)

Benny J Nagel

Date: 5-23-09

Herbert Nagel

Date: 5-23-09

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

Personal Rep. of EST. OF Carl & Violet Nagel

Title

Organization

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

Pers. Rep of ESTATES

Title

Organization

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

Signature of Authorized Agent

Benny J Nagel

Date 5-23-09

Title and Organization _____

16. Notice of Appearance:

Notice is hereby given that I, Fred Loatis & Herbert Nagel, 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

Herbert Nagel individ ually AND For Fred Loatis

Address

Box 65 - Rathdrum, Id 83858

Date

5-23-09

Last Name

Nagel

Identification No.

95-08508

Exh. "A"

Ownership of Property

We as claimant(s) own the well and the land it is located on together with the pumping system and distribution line. We own other adjoining lands that will in the future be serviced by this system. The households described now using said water have been permitted to use the water. Carl Nagel and Violet Nagel are deceased and Henry J. Nagel is the representative of their Estates. *and Herbert Nagel*

The names, addresses and PIN No. of the users are listed on the attachment.

N 2901

I. D. # 95-08508

EXHIBIT NO. 17

Water Right License No. 95-08508

OWNER/CLAIMANTS

Carl Nagel
Herbert Nagel

See Attached Map

List of property owners/household using water under said permit
(five houses-domestic/livestock)

All within S1 TWP 51N R5WBM

1. John & Tanya Kirsch
14362 N. Honu Ct.
Rathdrum, ID 83858

PIN R-0000-001-3220

2. Carl Nagel & Violet Nagel Estates
9415 W. Nagel Lane
Rathdrum, ID 83858

PIN 51N05W01 3500

3. Carl Ernest Nagel
9311 W. Nagel Lane
Rathdrum, ID 83858

PIN 51N05W01-3540 Tax No. 15707

4. Peter & Paula Bauer
9318 W. Nagel Lane
Rathdrum, ID 83858

PIN 4100 Tax No. 13983

S 36 TWP52NR5WBM

1. Charles & Tamara Cramer
PO Box 568
Rathdrum ID 83858

PIN R-0000-03605340 Tax No. 13410

N 2901

I. D. # 95-08508

CEIMANTS'
HERBERT N 7901
d
d 211 + violet N 794
ESTATES

EXH. B

PL 5020
m #1627

00-00-00	USED S15W01.DWG
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ROADS SHOWN ARE BASED ON ADDRESSABLE ROAD
AND MAY OR MAY NOT BE PUBLIC.

