

**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 95-07059

Date Received 6-19-09

Receipt No: N020969 E

Received By: AK

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

RECEIVED

JUN 19 2009

IDWR / NORTH

Please type or print clearly

1. Name of Claimant (s) State of Idaho, Dept. of Parks & Recreation Phone (208) 334-4199
Mailing Address Statehouse Mail, PO Box 83720, Boise ID Zip 83720-0065
2. Date of Priority (Only one (1) per claim) April 29, 1969
3. Source of water supply (Check one) Groundwater ☒ or Other () (a) _____
which is tributary to (b) _____
4. a. Location of point of diversion is: Township 46N, Range 03W, Section 11,
NE, ¼ of SW, ¼ Govt. Lot _____, BM., County of BENEWAH
Parcel (PIN) no. WITHIN HEYBURN STATE PARK BOUNDARY
Additional points of diversion if any: L3(NENW) & SENW & NESW, S01, T46N, R04W
If available, GPC coordinates: _____
- b. If instream flow, beginning point of claimed instream flow is:
Township _____, Range _____, Section _____, _____, ¼ of _____, ¼
Govt. Lot _____, BM., County of _____
ending point of claimed instream flow is:
Township _____, Range _____, Section _____, _____, ¼ of _____, ¼
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. Wells, Submersible Pumps, pipelines to Municipal use areas.

6. Water is claimed for the following purposes:

For MUNICIPAL purposes from 01/01 to 12/31 amount 0.07 (cfs) or 10.0 (acre feet)
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
7. Total quantity claimed (a) 0.07 (cfs) and/or (b) 10.0 (acre feet)

8. Non-irrigation uses. Describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) MUNICIPAL

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. See attached pages 1-4

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Parcel (PIN) no(s). Heyburn State Park Boundary Total number of acres irrigated _____

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

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 purposes as described above. _____
95-07056, 95-07057, 95-07058, 95-07059, 95-07449 & 95-07562 or None ()

13. Remarks APPROVED TRANSFER 74813.

Last Name PARKS & REC Identification No. 95-07059

RightID618400

Place(s) of use:

Place of Use Legal Description: MUNICIPAL BENEWAH County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
46N	03W	2		SWNE			SWNE		10	SWNE		10	SWNE	
				SWNW			SWNW		13	SWNW		13	SWNW	
				SENE			SENE		10	SENE		10	SENE	
				NESW			NESW		15	NESW		15	NESW	
				NWSW			NWSW		13	NWSW		13	NWSW	
				SWSW			SWSW			SWSW			SWSW	
			20	SWSW		20	SWSW			SESW			SESW	
			19	SESW		19	SESW							
				NWSE			NWSE		15	NWSE		15	NWSE	
				SWSE			SWSE		18	SWSE		18	SWSE	
		3								SWNE			SWNE	
			10	SWNE		10	SWNE			SENE			SENE	
			10	SENE		10	SENE							
				SWSW			SWSW		18	SWSW		18	SWSW	
				SESW			SESW		18	SESW		18	SESW	
				NESE			NESE			NWSE			NWSE	
			14	NWSE		14	NWSE			SWSE			SWSE	
			16	SWSE		16	SWSE		15	SESE		15	SESE	
		4		NESW			NESW		10	NESW		10	NESW	
				NWSW			NWSW			NWSW			NWSW	
			10	NWSW		10	NWSW			SWSW			SWSW	
			16	SWSW		16	SWSW			SESW			SESW	
			16	SESW		16	SESW							
				SWSE			SWSE		12	SWSE		12	SWSE	
				SESE			SESE		12	SESE		12	SESE	
				NENE			NENE		4	NENE		4	NENE	
				NWNE			NWNE			NWNE			NWNE	
				NWNE			NWNE		1	NWNE		1	NWNE	
		5	2	NWNE		2	NWNE		4	NWNE		4	NWNE	
				SWNE			SWNE		7	SWNE		7	SWNE	
			7	SWNE		7	SWNE			SENE			SENE	
				SENE			SENE		6	SENE		6	SENE	
			7	SENE		7	SENE							
			2	NENW		2	NENW		3	NENW		3	NENW	
			8	SESW		8	SESW							
				NESE			NESE		7	NESE		7	NESE	
			8	SWSE		8	SWSE							
		6	1	SWNE		1	SWNE							

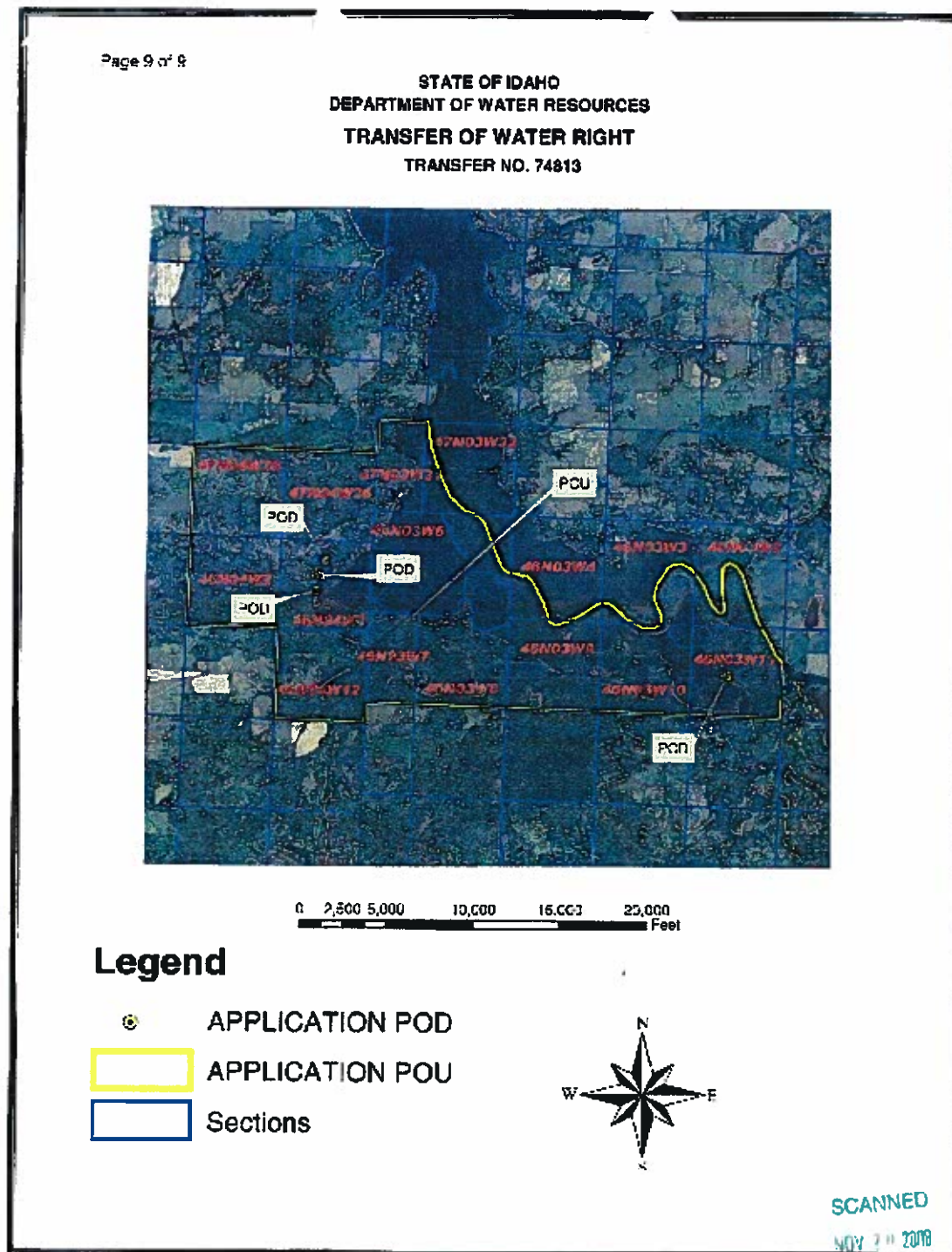
7	2	NESW	2	NESW	4	SESW	4	SESW
	3	SESE	3	SESE				
		NENE		NENE		NENE		NENE
	1	NENE	1	NENE		NWNE		NWNE
	2	NWNE	2	NWNE	3	SWNE	3	SWNE
		SENE		SENE				
	4	NESW	4	NESW	5	SESW	5	SESW
		NESE		NESE		SESE		SESE
	8	1	1	NENE	2	NWNE	2	NWNE
		SWNE		SWNE		SENE		SENE
9		NENW		NENW	3	NENW	3	NENW
		NWNW		NWNW	4	NWNW	4	NWNW
		SWNW		SWNW		SENW		SENW
		NESW		NESW		NWSW		NWSW
		SWSW		SWSW		SESW		SESW
		NESE		NESE		NWSE		NWSE
		SWSE		SWSE		SESE		SESE
		NENE		NENE		NWNE		NWNE
	1	NWNE	1	NWNE		SWNE		SWNE
		SENE		SENE				
10		NENW		NENW	3	NENW	3	NENW
		NWNW		NWNW	4	NWNW	4	NWNW
		SWNW		SWNW		SENW		SENW
		NESW		NESW		NWSW		NWSW
		SWSW		SWSW		SESW		SESW
		NESE		NESE		NWSE		NWSE
		SWSE		SWSE		SESE		SESE
	1	NENE	1	NENE	1	NENE	1	NENE
		NWNE		NWNE		NWNE		NWNE
	1	NWNE	1	NWNE		SWNE		SWNE
11		SENE		SENE	4	SENE	4	SENE
	3	NENW	3	NENW		NWNW		NWNW
		SWNW		SWNW		SENW		SENW
		NESW		NESW		NWSW		NWSW
		SWSW		SWSW		SESW		SESW
		NESE		NESE		NWSE		NWSE
		SWSE		SWSE		SESE		SESE
		NENE		NENE	2	NENE	2	NENE
		NWNE		NWNE	2	NWNE	2	NWNE
		SWNE		SWNE		SENE		SENE
	5	SENE	5	SENE				
		NENW		NENW		NWNW		NWNW
	3	NWNW	3	NWNW		SWNW		SWNW
	4	SWNW	4	SWNW		SENW		SENW

47N	04W	1	NESW	NESW	NWSW	NWSW
			SWSW	SWSW	SESW	SESW
			NESE	NESE	NWSE	NWSE
			SWSE	SWSE	SESE	SESE
			NENE	NENE	1 NENE	1 NENE
			2 NENE	2 NENE	SWNE	SWNE
			5 SWNE	5 SWNE	5 SENE	5 SENE
			6 SENE	6 SENE	4	4
			3 NENW	3 NENW		
			SWNW	SWNW		
			NESW	NESW	NWSW	NWSW
			SWSW	SWSW	SESW	SESW
			6 NESE	6 NESE	NWSE	NWSE
			SWSE	SWSE	SESE	SESE
			2 1 NENE	2 1 NENE	2 NWNE	2 NWNE
			SWNE	SWNE	SENE	SENE
			3 NENW	3 NENW	4 NWNW	4 NWNW
			SWNW	SWNW	SENE	SENE
			NESW	NESW	NWSW	NWSW
			SWSW	SWSW	SESW	SESW
			NESE	NESE	NWSE	NWSE
			SWSE	SWSE	SESE	SESE
			3 1 NENE	3 1 NENE	SENE	SENE
			NESE	NESE	SESE	SESE
			11 NENE	11 NENE	SENE	SENE
			NESE	NESE	SESE	SESE
			12 NENE	12 NENE	NWNE	NWNE
			SWNE	SWNE	SENE	SENE
			NENW	NENW	NWNW	NWNW
			SWNW	SWNW	SENE	SENE
			NESW	NESW	NWSW	NWSW
			SWSW	SWSW	SESW	SESW
			NESE	NESE	NWSE	NWSE
			SWSE	SWSE	SESE	SESE
47N	03W	31	NENE	NENE	1 NENE	1 NENE
			2 NENE	2 NENE	NWNE	NWNE
			SWNE	SWNE	SENE	SENE
			1 SENE	1 SENE	4 SENE	4 SENE
			2 NENW	2 NENW	3 SENW	3 SENW
			7 SESW	7 SESW	5	5
			NESE	NESE		
			6 NWSE	6 NWSE		
			SESE	SESE	7 SESE	7 SESE
			NWNW	NWNW	3 NWNW	3 NWNW
			32			

04W	25		SWNW		SWNW		SWNW		SWNW	
			SWNW		SWNW	4	SWNW	4	SWNW	
		10		SWNW	10	SWNW				
				NESW			NWSW		NWSW	
			NWSW		NWSW	4	NWSW	4	NWSW	
		10		NWSW	10	NWSW		SWSW		SWSW
				SWSW			SWSW	11	SWSW	11
			SESW		SESW	11	SESW	11	SESW	
			SWSE		SWSE					
			SWSW		SWSW		SESW		SESW	
		26		SWSE		SWSE		SESE		SESE
				SWSW		SWSW		SESW		SESW
		34		SWSE		SWSE		SESE		SESE
				NENE		NENE		SENE		SENE
		35		NESE		NESE		SESE		SESE
				NENE		NENE		NWNE		NWNE
			SWNE		SWNE		SENE		SENE	
			NENW		NENW		NWNW		NWNW	
			SWNW		SWNW		SENE		SENE	
			NESW		NESW		NWNW		NWNW	
			SWSW		SWSW		SENE		SENE	
			NESE		NESE		NWNE		NWNE	
		36		SWSE		SWSE		SESE		SESE
				NENE		NENE		NWNE		NWNE
				SWNE		SWNE		SENE		SENE
	NENW			NENW		NWNW		NWNW		
	SWNW			SWNW		SENE		SENE		
	NESW			NESW		NWNW		NWNW		
	SWSW			SWSW		SENE		SENE		
	NESE		NESE		NWNE		NWNE			
	SWSE		SWSE		SESE		SESE			

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



14. Basis of Claim (Circle One) Beneficial use () Posted Notice () License ☒ Permit () Decree ()
Court _____ Decree Date _____ Plaintiff vs Defendant _____
If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a) By signing below, I/We acknowledge that I/We have received, read and understood 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 = _____

a. 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 _____

b. 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 6/16/2009

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 on behalf of the claimant signing above, and that all notices required by law to be mailed by the director of the claimant signing above should be mailed at the address listed below.

Signature [Signature] Date 6/16/2009

Address Natural Resources Division, Office of Attorney General
P.O. Box 83720, Boise, Idaho 83720

Last Name PARKS & REC Identification No. 95-07059