

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: 95-4510

Date Received: 7/6/2010

Receipt No: N025132

Received By:

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

1. Name of Claimant(s)

LEANING PINE INC.
1400 SW DAVENPORT ST
PORTLAND OR 97201

LEANING PINE INC.
31393 SW MARSH HAWK MEADOW LANE
WILSONVILLE OR 97070

2. Date of Priority: 1/1/1951

3. Source: COEUR D ALENE LAKE Tributary to: SPOKANE RIVER

4. Point of Diversion:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>	<u>Type</u>
48N	04W	11	NW SE	2	KOOTENAI	

5. Description of diverting works:

6: Water is used for the following purposes:

<u>Purpose</u>	<u>From To</u>	<u>C.F.S.</u>	<u>(or) A.F.A</u>
DOMESTIC	1 /1 12/31	0.11	0
FIRE PROTECTION	1 /1 12/31	0.11	0

7. Total Quantity Appropriated is: 0.11 C.F.S. and/or 0 A.F.A

8. Non-irrigation uses:

Number of Homes: 1

9. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4</u>	<u>Lot</u>	<u>Use</u>	<u>Acres</u>
48N	04W	11	NE SE		DOMESTIC	
			NW SE	2	DOMESTIC	
			SW NE	1	DOMESTIC	

Section Acres

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4</u>	<u>Lot</u>	<u>Use</u>	<u>Acres</u>
48N	04W	11	SW NE	1	FIRE PROTECTION	
			NE SE		FIRE PROTECTION	
			NW SE	2	FIRE PROTECTION	

Section Acres

10. Place of use in counties: KOOTENAI

11. Do you own the property listed above as place of use? Yes

12. Other Water Rights Used:

13. Remarks:

Priority date description: Leaning Pine Associates filed a claim for water right 95-4510 on 1-1-51. Notice of claim was published under Legal 964, Sept. 16,23, 1982. These rights have been used annually for the same purpose since 1951 and are being used today as well. Documentation in the form of corporate minutes and financial statements from this time period is being sent to the Idaho Dept. of Water Resources by mail. This information includes Leaning Pine Point Treasurer's Report produced and signed in 1957 regarding the installation of a pump and piping for the withdrawal of water from Coeur d'Alene lake. Also included is the affidavit of publication for the claim of water right and a copy of the claim of water right application

It should be noted that there is one point of diversion (POD) for this system, however, this pump supplies water to six homes, as it did when it was constructed and as it does now. The use of water by six homes the the reason the expectation of more than 13,000 gallons per day has been noted on this application and a request for 0.11 cfs has been applied for. This flow rate is the amount originally applied for in the Claim to a Water Right (see supporting documents). The use of the water at the property includes irrigation of lawns and gardens around the six homes. The water use will also be used for fire suppression for both the developed and undeveloped property as needed.

<u>Description of use:</u>	<u>Water Use</u>	<u>Description</u>
	DOMESTIC	Water is drawn from the lake through a polyethylene hose with a foot valve. The water is then pumped to the top of a small hill where it is stored in a 400 gallon tank. A distribution line connects this tank to six homes. Each home uses the water as they wish which includes watering lawns and gardens. There is no commercial irrigation use for the water, it is all considered domestic use.
	FIRE PROTECTION	Water is pumped from the lake up to the top of a small hill where the water is stored in an above-ground storage tank (approx 400 gallon cap). This stored water is gravity fed to six homes and is considered to be a source of water for fire suppression at the six homes as well as on the surrounding undeveloped land.

14. Basis of Claim: Statutory Claim

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 notice 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.

For Individuals: I/We do solemnly swear or affirm under penalty or 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 or perjury that I am

_____ of _____,
Title Organization

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

_____ of _____,
Title Organization

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

Signature of Authorized Agent _____ Date: _____

Title and Organization _____

Please print name