

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: 95-13526

Date Received: 9/28/2010

Receipt No: N025806

Received By:

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

1. Name of Claimant(s)

DENNIS SMITH Phone:(208) 664-9983
2850 E BENT TREE LN
HARRISON ID 83833

TERESE SMITH Phone:(208) 664-9983
2850 E BENT TREE LN
HARRISON ID 83833

2. Date of Priority: 1/1/1970

3. Source: SPRING Tributary to: SINKS

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>
49N	03W	8	NE SE		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	0.04	0

7. Total Quantity Appropriated is: 0.04 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>
49N	03W	8	SE NE		DOMESTIC	

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:

95-13526

10/15/2010

Priority date description: We purchased this property from Mr. Garrett in 1997 and 1998 (different parcels). At the time of negotiating, Mr. Garrett explained to us that he and his wife had moved here, and, with the permission of the property owners, John and Peter Gozzer, and under contract to purchase, diverted the water from the spring to supply the cabin they were intending to build. We believe that the Garrets began their dwelling in a tent, built the cabin and diverted the water, prior to completing the purchase of the property from the Gozzers. We believe the cabin was built and completed around 1971.
Mr. Garrett was divorced (many years prior to our purchasing the property)and is now deceased. Mr. Peter Gozzer and Mr. John Gozzer are also deceased.
We believe our selected priority date is the best estimate possible.

Description of use:	<u>Water Use</u>	<u>Description</u>
	DOMESTIC	Domestic and stock.

14. Basis of Claim: Beneficial Use

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