

**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 95-8177

Date Received: 3/10/10

Receipt No: WJ23759

Received By: [Signature]

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

Please type or print clearly

1. Name of Claimant (s) Equity Trust Co. Custodian FBO Wayne K. Burton IRA Phone (208) 661-9787

Mailing Address P.O. Box 2901, Hayden, Idaho ZIP 83835

2. Date of Priority (Only one (1) per claim) May 4, 1982 City State
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 52N, Range 04W, Section 27,
SW, 1/4 of SW, 1/4 Govt. Lot , BM., County of Kootenai

Parcel (PIN) no. 057600000300

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. 8" x 277' well, pump, and 2" pipe to place of use.

6. Water is claimed for the following purposes:

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

For Domestic purposes from 01-01 to 12-31 amount 0.15 or 6.0

For Irrigation purposes from 03-15 to 11-15 amount 0.03 or 7.0

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.18 (cfs) and/or (b) 13.0 (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) Domestic - 10 households.

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	
52N	04W	27											D, I						2.0

Parcel (PIN) no(s). 057600000300

Total number of acres irrigated 2.0

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. 95-7716 or None ()

13. Remarks: Plat - Panhandle Village, Recorded in Book "E" of Plats, Page 87, Records of Kootenai County, ID.

Attachment "A" - Well Driller's Report

Attachment "B" - Warranty Deed

Attachment "C" - Panhandle Village Plat

Attachment "D" - Location Map

Last Name Equity Trust Co. FBO W. Burton Identification No. _____

Scale: 2 inches equals 1 mile

A 20x20 grid of graph paper. Handwritten notes and a diagram are present in the upper right quadrant:

- Row 10, Column 10: "P.D. + Place of use"
- Row 10, Column 11: A diagonal arrow pointing down and to the right towards a circled "1" in Row 12, Column 13.
- Row 12, Column 13: "1" (circled)
- Row 12, Column 14: "S 27"
- Row 12, Column 16: "T-52 N"
- Row 13, Column 14: "R-4 W"

Last Name Equity Trust Co. FBO W. Burton Identification No. _____

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 95-7740 8171

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: 04

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) Wayne K. Burton Date: 3-8-2010

(Wayne K. Burton) Date: _____

For Organizations: I do solemnly swear or affirm under penalty of 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 _____

16. Notice of Appearance:

Notice is hereby given that I, Jonathan A. Burky, 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 J. A. Burky Date 3-8-2010

Address Macomber Law, PLLC

408 E. Sherman Ave., Ste. 215, Coeur d'Alene, Idaho, 83814

Last Name Equity Trust Co. FBO W. Burton Identification No. _____