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IDWR/North

Form No.42-1409-1 (Internet 12/08)

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 95-16534

Date Received: 3-11-10

Receipt No: 1023807

Received By: can

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Robert A. Bonuccelli Phone (509) 220-8522 cellMailing Address 4904 S. St. Andrews Lane Spokane Wa ZIP 99223
Street or Box City State2. Date of Priority (Only one (1) per claim) January 3, 1961
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 51N, Range 5W, Section 30,
SW, 1/4 of NW, 1/4 Govt. Lot 2, BM., County of KootenaiParcel (PIN) no. 51N05W305920

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. _____10 inch well approx 175 feet deep. Irrigation automated pivot and hand lines.

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For Irrigation purposes from March to November amount 3.02 or 3 acre ft per ac

For purposes from to amount or

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) 3.02 (cfs) and/or (b) 439.2 (acre feet)

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

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	5W	30						16.6	19.1										35.7
51N	5W	30							20.7	34	6	25							85.7
51N	5W	30									15	10							25

Parcel (PIN) no(s) 51N05W30-3520, 3600, 5920, 4700

Total number of acres irrigated 146.4

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 (✓)

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 ()

13. Remarks: Bonuccelli owns approx 85.7 acres (PIN 51N05W305929) which is leased to C & L Farms.

C & L Farms leases two adjacent parcels 35.7 acres owned by Richard Waldo (PIN 51N05W30-3600 & 3520) and

approx 25 acres owned by Poe Asphalt (PIN 51N05W304700). The well on the Bonuccelli property is used to

irrigate the total 146.4 acres. Lynn Humphries, owner of C & L Farms, and can be contacted @208-661-1848.

Bonuccelli water right #95-2137

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

Court _____ Decree Date _____ Plaintiff v. Defendant _____

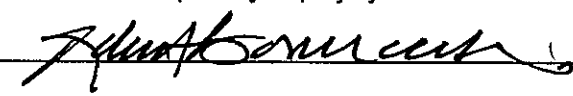
If applicable provide IDWR Water Right Number 95-2137

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 (X) wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 3 MAPS + COPY WATER RIGHT 95-2137 (A-29263)

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: 3/8/2010

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 _____

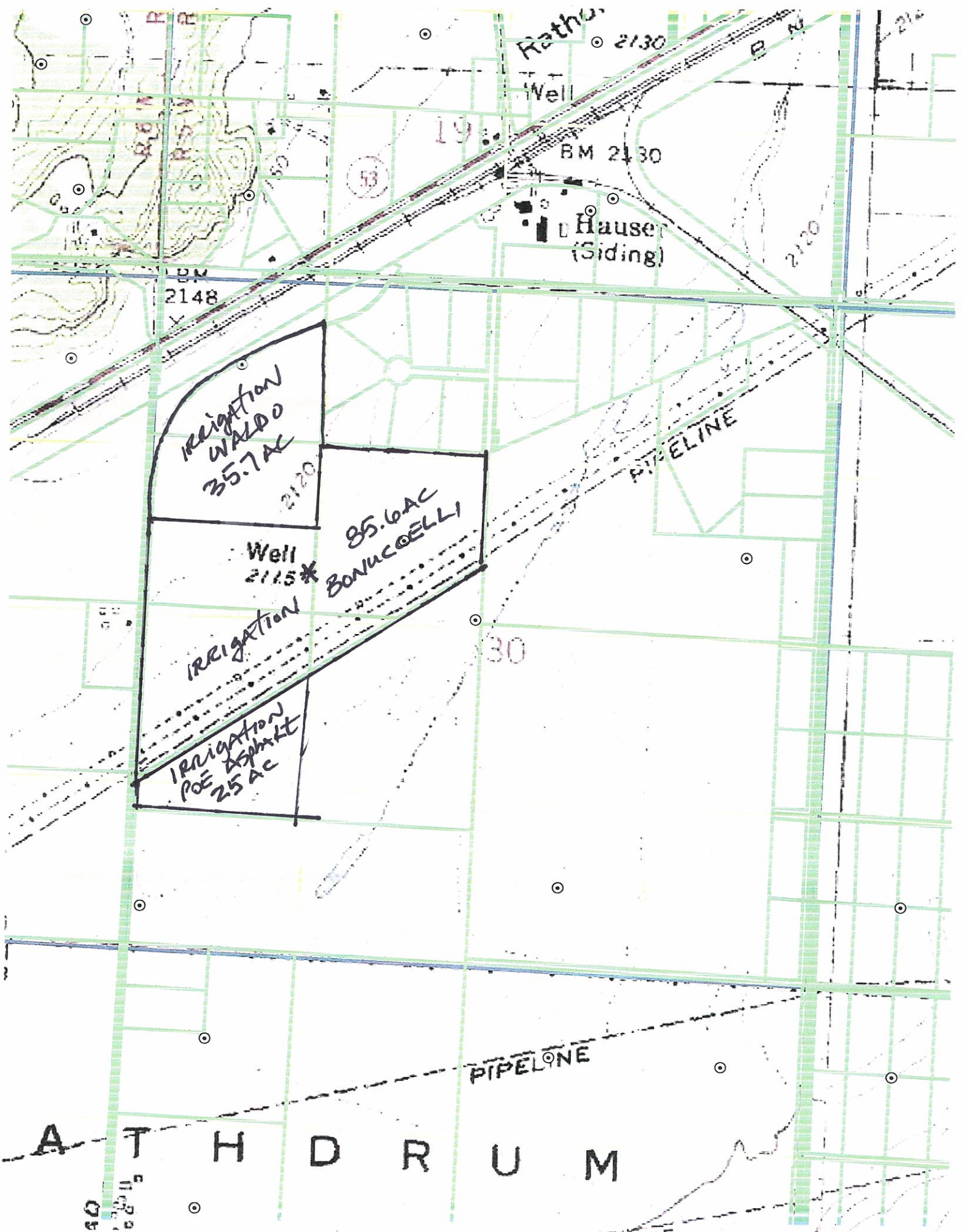
Title and Organization _____

16. Notice of Appearance:

Notice is hereby given that I, _____, 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 _____ Date _____

Address _____



Rathdrum

Well

BM 2130

Hauser
(Siding)

BM
2148

irrigation
WALDO
35.7 AC

Well
2115*

85.6 AC
BONUCCELLI

irrigation

irrigation
POE
25 AC

PIPELINE

PIPELINE

A T H D R U M

Hauser
(Siding)

2148

51N05W-30-5920

WALDO
35.7 AC

Well?

85.6 ACRES

BONVUCELLI
IRRIGATION

POE
ASPHALT
TRACT

WATER RIGHT 95-2137

51N05W-30-5920

PIPELINE

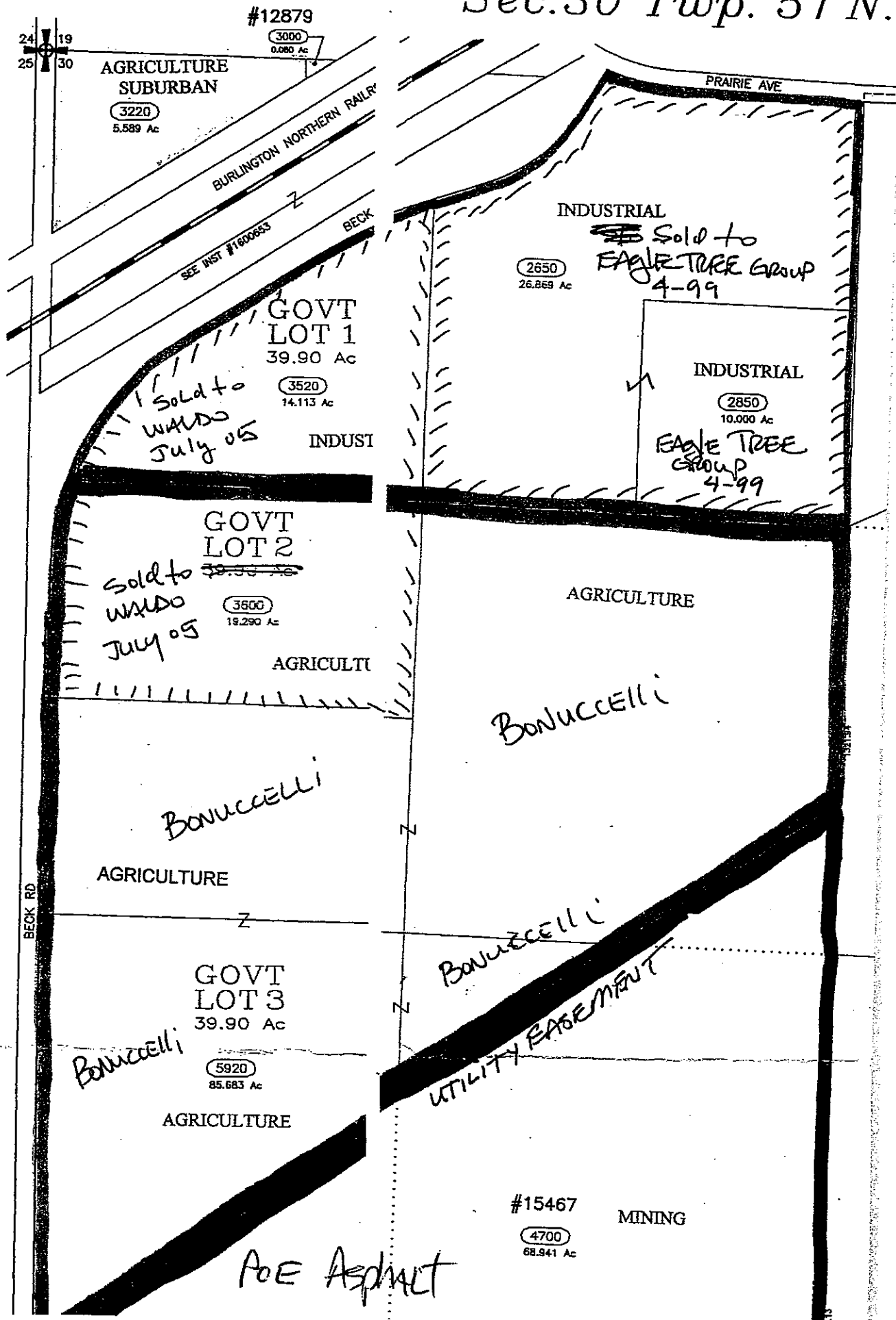
30

PIPELINE

BONUCCELLI 95-2137 2004 PIN 51N05W305920



Sec. 30 Twp. 51 N.



State of Idaho
License and Certificate of Water Right

Water License No. G-29263

Amount 3.02 c.f.s.

Water District No. _____

Priority January 3, 1961

THIS IS TO CERTIFY that **CHARLES W. BECK**
of **Post Falls, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **January 3**, 19 **61**; that Permit No. G-29263
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.02 second feet, was issued thereunder on **October 12**, 19 **65**, showing that said works
were completed on the **15th** day of **May**, 19 **65**; and that on the **15th**
day of **May**, 19 **65**,

CHARLES W. BECK

of **Post Falls**, State of **Idaho**, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
a tributary of subterranean flow, for the purpose of irrigation
under Use Permit No. **G-29263** of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
13 of Licenses at page **8312**, on the **12** day of **October**, 19 **65**;
The right hereby confirmed dates from **January 3**, 19 **61**;
The Point of Diversion is located

in the **SW 1/4 NW 1/4 Sec. 30**, T₁p. **51 N R. 5 W**, **B. M. Kootena** County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed **3.02** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
51 N	5 W	30	NE 1/4 NW 1/4	40	40
			S 1/2 NW 1/4	80	80
			SW 1/4	160	160
			Total number of acres to be irrigated: 280		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
12th day of **October**, 19 **65**.

/s/ **RALPH W. THOMAS**
Deputy State Reclamation Engineer.

(SEAL)

Remarks:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

s/ Charles W. Beck Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 8:00 A.M. January 3, 1961

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G- 29263

Recorded in Book 103 Page 29263 Approved January 9, 1961

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before July 9, 1963

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before January 9, 1966

Witness my hand this 9th day of January, 1961

s/ GEO. N. CARTER
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 9th day of January, 1961.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

Secretary of State.

By s/ ROBERT E. SMYLIE

Governor

12.

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
51 N	5 W	30					40		40	40	40	40	40	40					280
51 N	6 W	25													40	40	40	40	230
		36	40	40	40	40													160
																			670

Application for Amendment
POINT OF DIVERSION
Permit No. G-29263

Comes now Charles W. Beck and represents to the State Reclamation Engineer of the State of Idaho: That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-29263. That the point of diversion is described in said Permit as being located: NE 1/4, Section 25, Township 51 North, Range 6 W.B.M.

That he now requests that the point of diversion be changed to 2 points located: SW 1/4, Section 30, Township 51 North, Range 5 W.B.M.

That the reason for desiring to make such change is as follows: I have rented this land to grass seed growers and sold 130 acres in Sec 30 Twp 51 Range 6, and is divided into 3 parts of the original permit. That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at this 1 day of Feb. 1962

s/ Charles W. Beck
Post Falls, Idaho R 1.

Date of Receipt at Department of Reclamation: February 9, 1962

APPROVAL OF STATE RECLAMATION ENGINEER

I, Ralph W. Thomas, Deputy State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G29263. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

s/ RALPH W. THOMAS, Deputy State Reclamation Engineer

Recorded in Book 103 of Permits, at Page 29263
February 13, 1962

Permit No. G-29263
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that CHARLES W. BECK of Post Falls, County of Kootenai, and State of Idaho the holder of Permit No. G-29263, issued upon Application No. G-37260 bearing date of priority of January 3, 1961, authorizing the diversion of 13.4 second feet of waters of a well County of Kootenai, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 3.02 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 30, T. 51 N., R. 5 W., .M. and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit:

NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 30, T. 51 N., R. 5 W., B.M.

Witness my hand this 12th day of October, A.D. 1965

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Proof of Completion of Works Made: May 15, 1965

IF USE ISSUED FOR 3.02 SEC. FT.
LICENSE PAGE NO. 8312

1. 5. 4

R 6 W R 5 W

ORIGINAL LAND LIST SHADED IN BLUE

Well

NW1/4	NE1/4
SW1/4	SE1/4
NW1/4	NE1/4
SW1/4	SE1/4

THIS IS THE NW1/4 - IS IN THE 1/2 BUT NOT ON ORIGINAL LAND LIST. SEE ABOVE.

THIS IS THE SW1/4 AND IS IN THE 1/2 OF SECTION 30

THE AREA SHADED GREEN IS THE 1/2

LAND LIST AS STATED ON PUBLICATION NOTICE.

EACH SECTION IS MARKED LIKE THIS TO IDENTIFY EACH 40 ACRE TRACT.