

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 CIVIL
OF RIGHTS TO THE USE OF WATER FROM
THE COEUR D' ALENE-SPOKANE RIVER
BASIN WATER SYSTEM

CASE NUMBER: 49576
Ident. Number 95-8057
Date Received: 1/24/11
Receipt No: 9999994
Received By: [Signature]

RECEIVED

JAN 24 2011

IDWR/NORTHERN

NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) United States of America Bureau of Reclamation Phone (208) 378-5306
Mailing Address 1150 North Curtis Road Boise, Idaho ZIP 83706-1234
Street or Box City State
2. Date of Priority (Only one (1) per claim) October 09, 1980
Month Day Year (YYYY)
3. Source of water supply (Check one) Ground Water (X) or Other ()
(a) _____
which is tributary to (b) _____

4. a. Location of Point of Diversion is: See table below.
Township _____, Range _____, Section _____,
_____, 1/4 of _____, 1/4 Govt. Lot _____, BM., County of _____

Township	Range	Section	1/4 of	1/4	BM., County of
51N	5W	28	NE1/4	SE1/4	Kootenai
51N	5W	22	NW1/4	NW1/4	Kootenai
51N	5W	28	NE1/4	SE1/4	Kootenai
51N	5W	22	NW1/4	NW1/4	Kootenai
51N	5W	22	NW1/4	NW1/4	Kootenai
51N	5W	22	NW1/4	NW1/4	Kootenai
51N	5W	22	NW1/4	NW1/4	Kootenai
51N	5W	28	SW1/4	SW1/4	Kootenai
51N	5W	28	SW1/4	SW1/4	Kootenai
51N	5W	28	SW1/4	SW1/4	Kootenai
51N	5W	28	SW1/4	SW1/4	Kootenai
51N	5W	28	SW1/4	SW1/4	Kootenai
51N	5W	28	SW1/4	SW1/4	Kootenai
51N	5W	28	SW1/4	SW1/4	Kootenai
51N	5W	28	NE1/4	SE1/4	Kootenai

Parcel (PIN)

no. _____

United States of America (95-08057)

SCANNED
JAN 24 2011

Additional points of diversion if any: See table above.

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.

Pipelines and 14 wells: Six well points of diversion are located in SWSW, S28, T51N, R5W; five are located in NWNW, S22, T51N; and three are located in NESE S28, T51N, R5W.

6. Water is claimed for the following purposes: (both dates are inclusive MM-DD)

For Municipal purposes from 1/01 to 12/31

7. Total quantity claimed (a) 3 cfs and/or (b) 2171.9 acre-ft per annum.

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

9. Description of place of use: Place of Use is 5,369 acres within the boundary of the East Greenacres Irrigation District. A map depicting the place of use boundary is attached to this document with the corresponding digital boundary on file at the Idaho Department of Water Resources.

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.

Parcel (PIN) no(s). _____ Total number of acres irrigated _____

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

Kootenai

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SW	NE	NW	SW	SW	

11. Do you own the property listed above as place of use? Yes () No (X)

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. 95-07055, permit No 95-08881* or None (☐)

13. Remarks: Water is delivered pursuant to contract between the Bureau of Reclamation and the East Greenacres Irrigation District.

The name of the United States of America acting through the Bureau of Reclamation appears in the Name and Address sections of this partial decree. However, as a matter of Idaho constitutional and statutory law title to the use of the water is held by the consumers or users of the water. The irrigation organizations act on behalf of the consumers or users to administer the use of the water for the landowners in the quantities and/or percentages as specified in the contracts between the Bureau of Reclamation and the irrigation organizations for the benefit of the landowners entitled to receive distribution of its water from the respective irrigation organizations. The interest of the consumers or users of the water is appurtenant to the lands within the boundaries of or served by such irrigation organizations, and that interest is derived from law and is not based exclusively on the contracts between the Bureau of Reclamation and the irrigation organizations.

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

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number: License No. 95-08057.

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: One document is attached, which is map of district.

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the forgoing document are true and correct.

Signature of Claimant (s) _____ Date: _____

_____ 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

ATTORNEY of U.S. BUREAU OF RECLAMATION
Title Organization

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

Signature of Authorized Agent [Signature] Date 1/19/2011

Title and Organization ATTORNEY, U.S. DEPT. OF JUSTICE

United States of America (95-08057)

RECORDED
JAN 24 2011

16. Notice of Appearance:

Notice is hereby given that I, DAVID GENCERT, 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 [Signature] Date 1/19/11
Address 999 18th ST, SOUTH TERRACE SUITE 370
DENVER, CO 80207