

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: 91-7153

Date Received: 2/15/2011

Receipt No: N026576

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Received By:

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

1. Name of Claimant(s)

JILL PERKINS Phone:208-245-3156
89177 HWY 3N
ST. MARIES ID 83861

STEVE HAWKS Phone:(208) 245-2403
89231 HWY 3N
ST. MARIES ID 83861

2. Date of Priority: 5/31/1971

3. Source: GROUND WATER Tributary to:

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>
46N	02W	7	SE NE		BENEWAH	

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	0.02	1.8

7. Total Quantity Appropriated is: 0.02 C.F.S. and/or 1.8 A.F.A

8. Non-irrigation uses:

Number of Homes: 2

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>
46N	02W	7	NE SE	7	DOMESTIC	

Section Acres

Total Acres

10. Place of use in counties: BENEWAH

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

91-7153

3/9/2011

12. Other Water Rights Used:

13. Remarks:

Priority date description: Although we believe water was provided to Lot 9, Block 1, Sylvia's Haven prior to this date, this is the date for the first groundwater use that we can locate. That license is 91 4126. Three other licenses for the same IDWR mapped POD are 91 4125 dated 1971, 91 4122 dated 1954, and 91 4123 dated 1949. The last two are sourced as springs. The POD mapped for these licenses is not the in the same exact location as the POD mapped for this claim, but it is in the vicinity. The POD mapped for this claim is the only one that has ever provided water to any part of Block 1, Sylvia's Haven, so it appears that these licenses were actually meant for the POD in this claim. The Hawks house on Lot 9 is on the tax records for Benewah County as far back as 1917, so it may have been using water from this POD since then. The first reference to the well at the POD described in this claim is dated 1973, Benewah County Record 159665. Another reference is dated 1975, Benewah County Record 159661. Hawks moved in the home on Lot 9 in 1978. At that time water from a well at the POD described in this claim was providing water to two homes on Lot 9. In 1986, the Hawks bought the home and an interest in the well at the POD described in this claim, Benewah County Record 175012. In 2002, Jill Perkins bought the remaining portion of Lot 9, along with the waterlines and a functioning outdoor spigot that got water from the POD described in this claim. In 2004, Jill built a new home on her property and hooked up to the existing waterlines. In 2008, Jill bought the property where the POD described in this claim is located along with all of the easement property to get the water to the two homes on Lot 9. Later in 2008, Hawks and Perkins entered in to a Well Water Usage agreement as co owners of the well located at the POD described in this claim, Benewah County Record 0251052.

Description of use: Water Use
DOMESTIC

Description
Water usage statement is recorded in Benewah County (0251052) between co-owners of the well, Hawks and Perkins, for two homes on Lot 9, Block 1 of Sylvia's Haven. This program would not always allow me to save 2 as the number of homes, but the domestic use is for 2 homes.

14. Basis of Claim: License

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