

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 95-7567

Date Received: 11/3/2009

Receipt No: N022695A

Received By: Am

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day

1. Name of Claimant(s) ROBERT A. FINKENHAGEN Phone (208) 457-9368  
AND OR HAZEL J. MARTIN

Mailing Address 17462 N. RIGHT FORK RD. HAUSE LAKE, ID Zip 83854-5582  
Street or Box City State

2. Date of Priority: (Only one per claim) 10/17/1975  
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water ( ) or Other (☒) (a) SPRING  
which is tributary to (b) SIXS

4. Location of Point of Diversion is: Township S2N, Range 5W, Section 30,  
SE 1/4 of NE 1/4, or Govt. Lot \_\_\_\_\_ BM. County of KOOTENAI;  
Parcel (PIN) no. S2N65W-30-1900

Additional points of diversion if any: N/A

If available, GPS coordinates: N/A

5. Description of diverting works (Wells, Pumps, Spring boxes, Pipelines, 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.

DEVELOPED SPRING UNDER GROUND STORAGE  
PIPE LINE TO HOME

6. Water is claimed for the following: (limited to Domestic and/or Stockwater uses. See page 1 of the instructions.)

For DOMESTIC purposes from 01-01 to 12-31 amount 1.04 cfs (or AFY ( ))

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_

7. Total Quantity claimed 1.04 cfs (☒) or AFY ( ) 1.2 AF

8. Non-irrigation uses. Describe fully. (eg. Domestic: give number of households served if single ownership;

Stockwater and Number of livestock) ONE HOME

9. Location of Place of Use is: Township 52 N, Range 5 W, Section 30,

SE 1/4 of NE 1/4, Govt. Lot \_\_\_\_\_ BM. Parcel (PIN) no. \_\_\_\_\_

If different than shown in Item 4

for (Check One) **Domestic** ( ) **Stock** ( ) **Domestic and Stock** ( )

Additional places of use, if any \_\_\_\_\_

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 the 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.

SEPARATE CLAIM FILLED FOR WELL or None ( ☒ )  
ON SAME PROPERTY

13. Remarks:

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 ~~95-75-67~~ 95-7567

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: 2

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) Not a Person Date: 11/3/09

Hazel J. Martin Date: 11/3/09

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 \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_

Last Name FINKENHAGEN

AND OR MARTIN

Identification No. \_\_\_\_\_

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 95-7567

WATER RIGHT NUMBER: 95-7567

| <u>Owner Type</u> | <u>Name and Address</u>                                                                           |
|-------------------|---------------------------------------------------------------------------------------------------|
| Previous Owner    | DIANE MC KINNEY<br>RT 1 BOX 260<br>POST FALLS, ID 83854                                           |
| Current Owner     | ROBERT A FINKENHAGEN<br>619 S PACIFIC COAST HWY<br>REDONDO BEACH, CA 90277-4222<br>(310) 540-6649 |
| Current Owner     | HAZEL J MARTIN<br>619 S PACIFIC COAST HWY<br>REDONDO BEACH, CA 90277-4222<br>(310) 540-6649       |
| Previous Owner    | WARREN L MC KINNEY<br>RT 1 BOX 260<br>POST FALLS, ID 83854                                        |

Priority Date: 10/17/1975

Basis: License

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| SPRING        |                  |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| DOMESTIC              | 1/01 to 12/31           | 0.040 CFS             | 1.20 AF              |
|                       | <u>Total Diversion:</u> | 0.040 CFS             | 1.20 AF              |

Location of Point(s) of Diversion

|                 |            |                                 |
|-----------------|------------|---------------------------------|
| SPRING          | SE1/4NE1/4 | Sec. 30, Twp 52N, Rge 05W, B.M. |
| KOOTENAI County |            |                                 |

Place of Use

DOMESTIC

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 52N | 05W | 30  |    |    |    | X  |    |    |    |    |    |    |    |    |    |    |    |    |        |

Conditions of Approval:Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 95-7567

Comments:

Dates and Other Information:

Licensed Date: 7/22/1981  
Decreed Date:  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
State or Federal:  
Owner Name Connector: AND  
Water District Number:  
Generic Max Rate Per Acre:  
Generic Max Volume Per Acre:  
Decree Defendant:  
Decree Plaintiff:  
Civil Case Number:  
Judicial District:  
Swan Falls Trust or Nontrust:  
Swan Falls Dismissed:  
DLE Act Number:  
Carey Act Number:  
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

# FINKENHAGEN PIN 52N05W-30-1900

95-7567

