

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: 95-13899

Date Received: 12/28/2010

Receipt No: N026397

Received By:

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

1. Name of Claimant(s)

MARINA YACHT CLUB, L.L.C. Phone:(208) 664-8115
C/O JANET D. ROBNETT, PAINE HAMBLIN LLP, P.O. BOX
COEUR D ALENE ID 83816

2. Date of Priority: 1/1/1967

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>
50N	04W	14	NE SW	1	KOOTENAI	

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>
COMMERCIAL	1 /1 12/31	0.1	0

7. Total Quantity Appropriated is: 0.1 C.F.S. and/or 0 A.F.A

8. Non-irrigation uses:

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>
50N	04W	14	SW NW		COMMERCIAL	
			SE NW		COMMERCIAL	
			NE SW	1	COMMERCIAL	
					Section Acres	
					Total Acres	

10. Place of use in counties: KOOTENAI

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

12. Other Water Rights Used:

13. Remarks:

Priority date description: The use of ground water at this site dates back to at least 1967, and more likely much earlier. Photos have been provided which show the existing pump house at the marina, both of which were in existence prior to the construction of the current Highway 95 Bridge in 1967 (a date confirmed by newspaper reports, a copy of which has also been provided). The lumber mill at this site actually dates back much earlier than that, although we have not yet confirmed the use of ground water in connection with that operation. Additional information may be offered by amendment to this claim in that regard, establishing a priority date even earlier than 1967.

Description of use: Water Use

COMMERCIAL

Description

Water is used for commercial purposes for The Cedars restaurant, Blackwell Island Marina and Yacht Club Sales and Service boat shop operations.

14. Basis of Claim: Beneficial Use

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