

**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 95-15728

Date Received: 6-2-10

Receipt No: N024665

Received By: WJ

R E C E I V E D

JUN - 2 2010

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

IDWR / NORTH

1. Name of Claimant(s) John F. Magnuson Phone ²⁰⁸ 467-0100

Mailing Address P.O. Box 2350 Coeur d'Alene, Idaho Zip 83816
Street or Box City State

2. Date of Priority: (Only one per claim) 7/1/1955
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other (X) (a) Lake Coeur d'Alene
which is tributary to (b) —

4. Location of Point of Diversion is: Township 50 N, Range 4 W, Section 26,
— 1/4 of — 1/4, or Govt. Lot 3 BM. County of Kootenai;
Parcel (PIN) no. 50N04W266250 (AIN No. : 114130)

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.

Please see attached narrative.

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

For domestic purposes from ^{Month/Day} 1/1 to ^{Month/Day} 12/31 amount .04 cfs(X) or AFY()

For _____ purposes from _____ to _____ amount _____

7. Total Quantity claimed .04 cfs (X) or AFY ()

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

Stockwater and Number of livestock) Domestic use for home (one residence), misc. ancillary outbuildings, and use for landscaped areas totalling 3.2 acres.

9. Location of Place of Use is: Township 50 N, Range 4 W, Section 26,
____ 1/4 of ____ 1/4, Govt. Lot 3 BM. Parcel (PIN) no. 50N04W266250 (same)
If different than shown in Item 4
for (Check One) **Domestic** (K) Stock () Domestic and Stock ()
Additional places of use, if any N/A

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 (X) 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.

N/A or None (K)

13. Remarks:

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

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number _____

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 (X) do not () wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 3 (three)

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) John F. Magnum Date: 6/2/10

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 Identification No. _____

ADDENDUM TO “NOTICE OF CLAIM TO A WATER RIGHT”

FILED ON BEHALF OF JOHN F. MAGNUSON

PARCEL NO. 50N04W266250

<u>ADDENDUM NO.</u>	<u>DESCRIPTION</u>
1	Narrative Response to Question #5.
2	Area map (with pump location identified).
3	Legal description from Kootenai County Assessor.

MAGNUSON-JFM-WATER.ADD.wpd

NARRATIVE RESPONSE TO ITEM #5

“NOTICE OF CLAIM TO A WATER RIGHT”

FILED ON BEHALF OF JOHN F. MAGNUSON

PARCEL 50N04W266250

Question No. 5 asks for a description of the diverting works. Attached on Addendum #2 is an area map showing the approximate location of two submersible pumps. One pump has 1.5 horsepower with a seventeen (17) gallon per minute capacity. The second pump, also with a 1.5 horsepower, has a twenty-five (25) gallon per minute capacity. The first pump (with the seventeen (17) gallon per minute capacity) is a submersible pump with underwater and underground piping that leads to a pump house adjacent to the home. The pump house then distributes the water to the main home and ancillary outbuildings (all under singular ownership). The second pump, with the twenty-five (25) gallon per minute capacity, is used for irrigation purposes for 3.2 acres (approximately) under landscaping.

MAGNUSON-JFM-WATER.NARR.wpd

The revision dates below represent the file save dates for the posting of the listed revisions. The archive dates for these revisions are posted within the ARCHIVE REVISIONS box in the drawing title block.

12/08/00 - SLW
Pltn of G-7720-00A-999-D combined w/ 999-C (01)
G-7720-00A-999-D redescribed as Tax #18832 (01)

06/16/04 - SLW
G-8480-000-007-0 out of 006-A (new - 0) (05)

12/12/08 - SLW
Pltn of G-8480-000-001-0 combined w/ G-7720-000-005-0
(both now -A) (07)

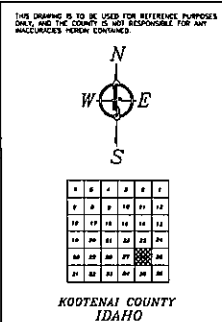
10/18/07 - ET
Pltn of 50ND4W-35-079 combined w/ 26-B610 missed in 2001;
50ND4W-26-B610 redescribed as Tax #21635 (08)

10/29/07 - ET
50ND4W-26-B950 out of 8950 (08)

08/03/09 - ET
Pltn of G-7720-000-005-A combined w/ G-8480-000-001-A (10)

ADDENDUM #2

50N04W-26



ARCHIVE REVISIONS

INITIALS	ACTIVITY	DATE
TW	CONVERSION	08-08-81
TW	CS CONVERSION	04-12-81

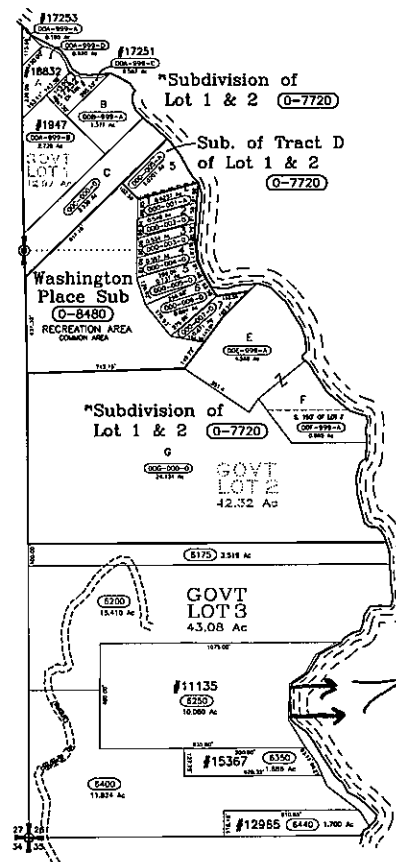
IMAGE FILE: \NOT USED
DRAWING FILE: \S04W29.DWG 00-00-1

NOTES:

All lots or parcels with given bearings and distances were calculated by traverse closure. As other parcels were calculated by the most accurate means possible with the given information (i.e. tapes measured by water triangulation, perimeter, staking from existing map, and coordinate geometry). All areas shown are net unimproved; right-of-way, where applicable, has been returned. Distances and acreage less than 50' may not be shown due to space limitations. Dimensions in parentheses denote record width or plotted lot line dimensions.

LOCATION OF ROADS SHOWN ARE BASED ON ADDRESSABLE ROAD INFORMATION AND MAY OR MAY NOT BE PUBLIC.

Records of Survey used:	
BK/PG	DESCRIPTION



location (approx)
of submersible
pumps (2)

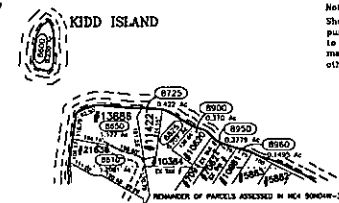
KIDD ISLAND BAY

SCALE: 1 INCH = 400 FEET

LAKE COEUR D'ALENE

 KIDD ISLAND

Note:
Shoreline depiction for illustrative purposes only. Property lines assumed to extend to ordinary mean high water mark for assessment purposes unless otherwise noted.



FILENAME: 504W26(extension)

Sec.26 Twp.50N. R.4W.B.M.

Kootenai County, Idaho

generated on 6/1/2010 9:40:57 PM CDT

Parcel

Parcel Number	AIN	Situs Address
50N04W266250	114130	2922 S CHADWICK DR, COEUR D ALENE

Owner Information	
Owner Name	MAGNUSON JOHN F
Owner Address	PO BOX 2350 COEUR D ALENE ID 83816
Transfer Date	

Location / Description	
Tax Authority Group	249000
Legal Desc.	TAX #11135 26 50N 04W
Situs Address	2922 S CHADWICK DR, COEUR D ALENE
Acreage	10.0600

Parcel Type	
Property Class Code	534- Imp res rural tract
Neighborhood Code	5004 SUB-DIV LT 1&2

Assessment Information					
Appraisal Date	01-01- 2010	Current Year - 2010	0	Prior Year - 2009	0
Market Value Land	\$3,296,535	Homeowners Eligible Amt Land	\$0	Homeowners Eligible Amt Land	\$3,123,750
Market Value Improvement	\$199,590	Homeowners Eligible Amt Imp	\$0	Homeowners Eligible Amt Imp	\$181,590
Total Market Value	\$3,496,125	Sum Homeowners Eligible Amt	\$0	Sum Homeowners Eligible Amt	\$3,305,340
		Homeowners Exemption Allowed	\$0	Homeowners Exemption Allowed	\$104,471
Acreage	10.0600	Total Market Value	\$3,496,125	Total Market Value	\$3,860,965
Front Feet	608.0000	Homeowners Exemption Allowed	\$0	Homeowners Exemption	\$104,471
		Ag/Timber Exemption	\$480,477	Ag/Timber Exemption	\$533,918
		Net Taxable Value	\$3,015,648	Net Taxable Value	\$3,222,576

ADDENDUM #3