

**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 95-7041

Date Received: 11-17-11

Receipt No: N028595

Received By: um

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

RECEIVED

NOV 17 2011

IDWR/NORTHERN

Please type or print clearly

1. Name of Claimant (s) Avista Corporation Phone (509) 495-2571

Mailing Address PO Box 3727 Spokane WA ZIP 99220-3727

Street or Box

City

State

2. Date of Priority (Only one (1) per claim) Jan. 3, 1969

Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other () (a) _____

which is tributary to (b) _____

4. a. Location of Point of Diversion is: Township 52N, Range 4W, Section 32,
SE, 1/4 of SW, 1/4 Govt. Lot ----, BM., County of Kootenai

Parcel (PIN) no. R-0000-032-5020

Additional points of diversion if any: -----

If available, GPS Coordinates 47° 48' 22.795" N 116° 51' 51.201" W

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. _____

IRRIGATION WELL: Well was completed in 3/13/1969 (see attached well log). Depth: 300'. Casing size: 16".

INSTALLED PUMP SIZE: Hershey Sparling, Ser. #81547, with 480/3 phase, Hollow-shaft motor, 250 Hsp.,

Ser. #1388921, Vert. -line Pump, Ser. #D23545 with 10" discharge,

IRRIGATION SYSTEM from well: pumps into mainline for sprinkler operation, with Gifford-Hill

Irrigation Circle and spans.

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6. Water is claimed for the following purposes:

below, as follows:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For Irrigation purposes from April 1 to Oct 15 amount 3.49 or 623 AF/YR

For March 15 to Nov 15 amount or

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) 3.49 cfs (cfs) and/or (b) 623 AF/YR (acre feet)

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

9. Description of place of use:

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.

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
52N	4W	32									36	39	12	19	--	37	35	--	178

Parcel (PIN) no(s) R-000-032-6220, 5020, & 8770.135843

Total number of acres irrigated 178

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 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.

Irrigation water rights under Water Right License No. 95-7041. or None ()

13. Remarks: Avista Corporation (Avista), formerly known as The Washington Water Power (WWP) purchased 225 acres of irrigated property along with the irrigation well and associated water rights (95-7041) in 1993,

from several landowners, including Walter and Grace Singer, S. Lukins for Peringer Estate, and WP Funding.

When these properties were purchased by Avista, the land was under a farm lease dating back to 1987 (Lukins/

Peringer Estate) for the 225 acres. Avista continued the irrigation lease with William A. Dole, of Dole Farms, Inc.

from 1993 date of purchase, on the 178 irrigated acres remaining (see attached farm service map) after facilities

were built on a portion of the property. The amount of water pumped for the 178 acres is still the same as what

was pumped on the 225 acres, as pumping system was not changed from original installation in 1971. Flow rate

stayed the same, and was applied on fewer acres (per review by Idaho Water Engineering, LLC.)

Last Name Avista Corporation

Identification No.

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 _____ No. 95-7041

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: 3 sets

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) _____ Date: _____

_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

Linda M. Kiefer of Avista Corporation,

Title Organization

that I have signed the foregoing document in the space below as

Environmental Resource Specialist of Avista Corporation,

Title Organization

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

Signature of Authorized Agent [Signature] Date 11/16/11

Title and Organization Environmental Resource Specialist, Avista Corporation.

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 _____ Date _____

Address _____

Last Name _____ Identification No. _____

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