

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: 93-7162

Date Received: 3/25/2011

Receipt No: T092738

Received By:

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

1. Name of Claimant(s)

DAMAN LAND & TIMBER LLC Phone:(201) 274-5333
1828 SHEEP CREEK ROAD
DESMET ID 83824

2. Date of Priority: 12/10/1912

3. Source: SMITH CREEK Tributary to: HANGMAN CREEK
SPRING SMITH CREEK

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>
43N	04W	16	SE SE		BENEWAH	Beginning Point
43N	04W	15	NE SW		BENEWAH	Ending Point
43N	04W	16	SE SE		BENEWAH	Ending Point
43N	04W	21	NE NE		BENEWAH	Beginning Point
43N	04W	22	NW NW		BENEWAH	Ending Point

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	0.04	0
STOCKWATER	1 /1 12/31	0.04	0

7. Total Quantity Appropriated is: 0.04 C.F.S. and/or 0 A.F.A

8. Non-irrigation uses:

Number of Homes: 1	<u>Water Use</u>	<u>Type Of Stock</u>	<u>Number Of Stock</u>
	STOCKWATER	Sheep	200
	STOCKWATER	Cattle	100

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>
43N	04W	15	NE SW		DOMESTIC	
			NW SW		DOMESTIC	
			SE SW		DOMESTIC	
			SW SW		DOMESTIC	
Section Acres						
<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>
43N	04W	15	SW SW		STOCKWATER	
			NE SW		STOCKWATER	
			NW SW		STOCKWATER	
			SE SW		STOCKWATER	
Section Acres						
<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>
43N	04W	16	SE SE		DOMESTIC	
			NE SE		DOMESTIC	
Section Acres						
<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>
43N	04W	16	NE SE		STOCKWATER	
			SE SE		STOCKWATER	
Section Acres						
<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>
43N	04W	21	NE NE		DOMESTIC	
Section Acres						
<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>
43N	04W	21	NE NE		STOCKWATER	
Section Acres						
<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>
43N	04W	22	NW NW		DOMESTIC	
Section Acres						
<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>
43N	04W	22	NW NW		STOCKWATER	
Section Acres						
Total Acres						

10. Place of use in counties: BENEWAH

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

12. Other Water Rights Used:

13. Remarks:

Priority date description: US Patents 288025 and 294293 were issued on this property in the summer of 1912 to William Marsh and Guy Butler. The water was used by homesteaders for stock and households at that time.

Description of use: Water Use

Description

DOMESTIC

There currently is no houses on this property, however the area is a popular hunting area and the developed spring is operational and may be used for RV and camping.

STOCKWATER

This property is leased from time to time to pasture sheep and or cattle and water is used from instream and springs for the stock.

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