

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

7391

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 43-7316

Date Received: 5-31-11

Receipt No: NO27337C

Received By: RECEIVED

NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

MAY 31 2011

IDWR/NORTHERN

Please type or print clearly

1. Name of Claimant (s) Kendra Denny Maurer Phone (59) 869.5345

Mailing Address 214 S. Coeur d'Alene St. Spokane ZIP 99201
Street or Box City State

2. Date of Priority (Only one (1) per claim) May 20 2011
Month Day Year (YYYY)

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

4. a. Location of Point of Diversion is: Township 45 N, Range 5 W, Section 10,
SE, 1/4 of SE, 1/4 Govt. Lot _____, BM., County of Benedict

Parcel (PIN) no. RP45N05W108000A

Additional points of diversion if any: _____

If available, GPS Coordinates _____

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. Pond developed with U.S.

Department of Agriculture assistance measuring
.51 acres surface area with average depth of 3 feet.

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6. Water is claimed for the following purposes: (SEE Attachment)
(both dates are inclusive MM-DD) (cfs) (acre feet)
(ALL uses same period)

For _____ purposes from 01-01 to 12-31 amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) _____ (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) 200 head mixed stock

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	
																		FPS	
																		RS	
																		WS	
																		S	
																		SS	
																		SPS	

Parcel (PIN) no(s) RP45N03W108000A

Total number of acres irrigated NA

10. In which county (ies) are lands listed above as place of use located? Benewah

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.

or None (✓)

13. Remarks:

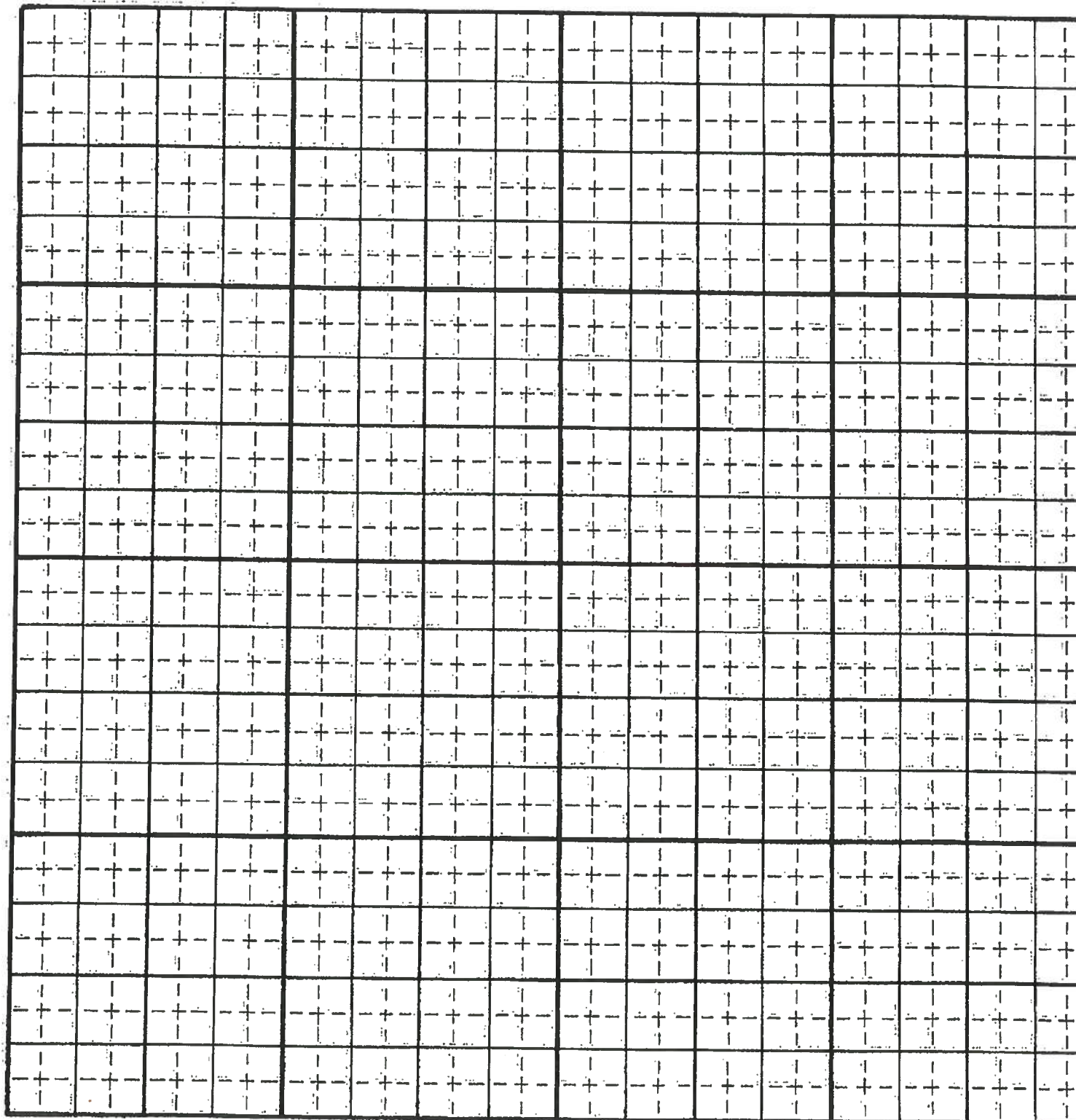
Last Name _____ Identification No. _____

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Map of Project: Attach aerial photograph or topographic map showing clearly the point of diversion, place of use, section number, township, and range number, unless unavailable. Otherwise sketch the elements above on the grid below.

(See map attachment)

Scale: 2 Inches equals 1 mile



Last Name _____ Identification No. _____

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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 _____

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

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) [Signature] Date: 4/22/11

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. _____

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DENNY-MAURER POND WORK SHEET

POND SIZE POND SURFACE AREA .51 ACRES (PER USDA) = 22,215.6 SQ FT X 3'
AVERAGE DEPTH = **66,646.8 CU FT** = $66,646.8 / 43,560 = 1.53 = 1.5 \text{ AF}$

SURFACE AREA POND SURFACE AREA .51 ACRES (PER USDA) = 22,215.6 SQ FT
 $22,215.6 \text{ SQ FT} / 43,560 \text{ SQ FT} = .51 \text{ AC} = .51 \text{ AC}$

EVAPORATION: BASED ON SURFACE AREA OF 22,215.6 SQ FT
 $4293 \text{ GALLONS PER DAY} \times 365 \text{ DAYS} / 325,850 \text{ GALLONS/AF}$
 $= 4.8 \text{ AF} = 4.8 \text{ AF}$

SEEPAGE: NO SEEPAGE (UNNAMED STREAM FLOWS THROUGH POND).

CFS AF (TOTAL CFS & STORAGE AF CANNOT EXCEED LARGEST SUBTOTAL & STOCKWATER)

6.3 FIRE PROTECTION STORAGE	a.) POND SIZE	1.5 AF
	b.) EVAPORATION	4.8 AF
	c.) SEEPAGE	0.0 AF
	SUB TOTAL	= 6.3 AF

6.3 RECREATION STORAGE	a.) POND SIZE	1.5 AF
	b.) EVAPORATION	4.8 AF
	c.) SEEPAGE	0.0 AF
	SUB TOTAL	6.3 AF

6.3 WIDLIFE STORAGE	a.) POND SIZE	1.5 AF
	b.) EVAPORATION	4.8 AF
	c.) SEEPAGE	0.0 AF
	SUB TOTAL	= 6.3 AF

.05 2.7 STOCKWATER	(200 head @12 GPD X 365 =/325,850 GALLONS = 2.69 AF
	SUB TOTAL 2.69 AF = 2.7 AF

9.0 STOCKWATER STORAGE	a.) POND SIZE	1.5 AF
	b.) EVAPORATION	4.8 AF
	c.) SEEPAGE	0.0 AF
	d.) STOCKWATER	2.7 AF
	SUB TOTAL	= 9.0 AF

2.7 STOCKWATER FROM STORAGE	(200 head @12 GPD X 365 =/325,850 GALLONS = 2.69 AF
	SUB TOTAL 2.69 AF = 2.7 AF

.05 11.7	TOTAL
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January 20, 2011

To Whom It May Concern:

In regards to the three ponds on Denny Land LLC property our records do not go back far enough to document when the ponds were constructed. We have located aerial photography that was taken August 31, 1958 that we have provided to Mr. Denny and the ponds were on the property at that time. The ponds have been on the property in excess of 50 years.

Sincerely,

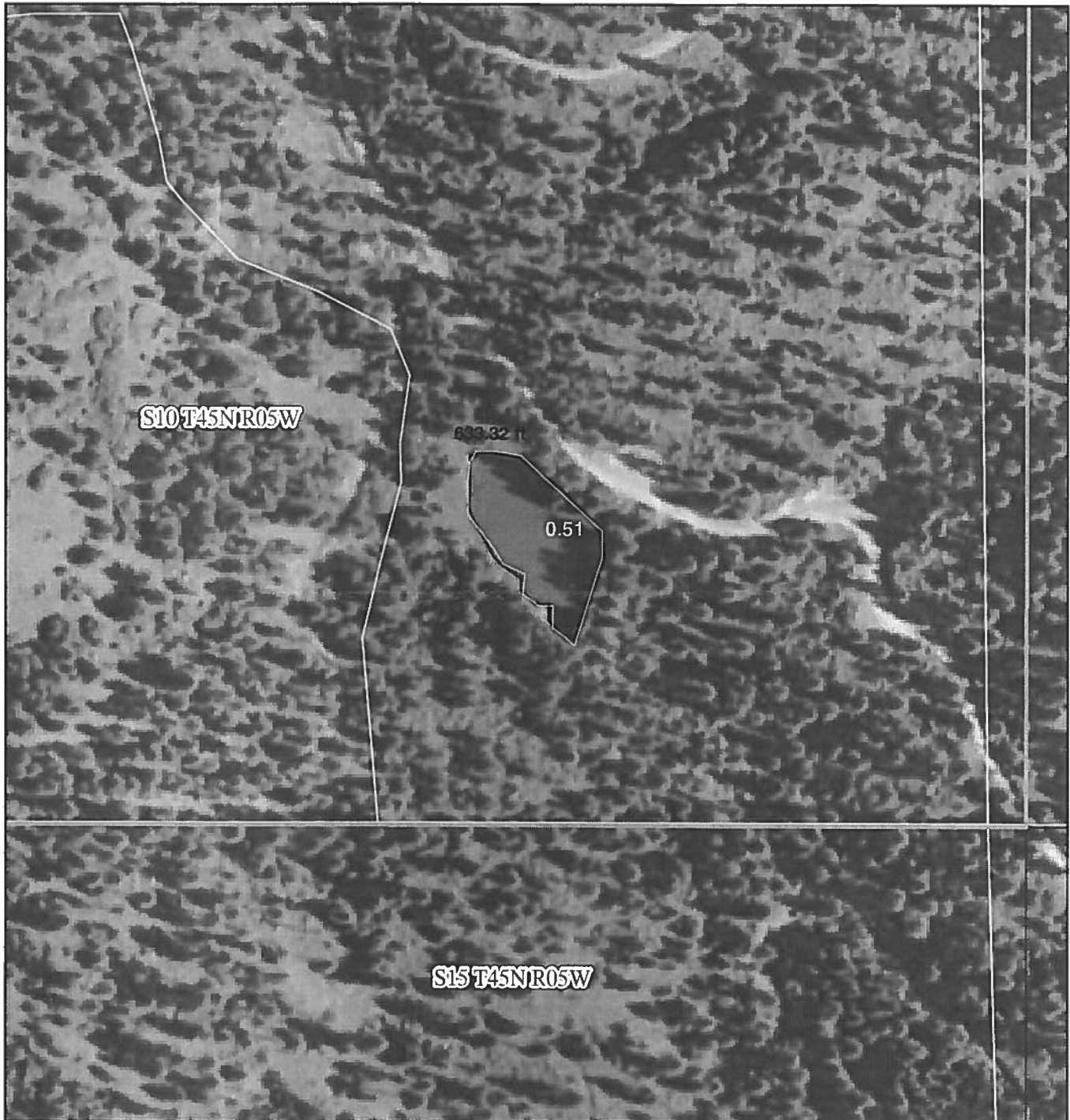


Tami Gauthier
Program Technician



UNITED STATES DEPARTMENT OF
AGRICULTURE
Farm Service Agency

average depth of 3 ft. V.E.D.



Digital Orthophotography
Not to Scale

January 03, 2011



Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and determinations, or contact NRCS.

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NR