

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 92-10871
Date Received: 8/2/12
Receipt No: PO29-124
Received By: Her

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

1. Name of Claimant(s) James D & Jane M. Thornes Phone (208) 245-2758

Mailing Address 791 Pettis Peak Rd. St. Maries Id. Zip 83861
Street or Box City State

2. Date of Priority: (Only one per claim) Jan. 15, 1948
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other (☒) (a) spring
which is tributary to (b) Thorn Creek

4. Location of Point of Diversion is: Township 45N, Range 1W, Section 21,
NE 1/4 of NE 1/4, or Govt. Lot _____ BM. County of Benewah;

Parcel (PIN) no. _____

Additional points of diversion if any: _____

If available, GPS coordinates: _____

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.

Collection box

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

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

For _____ purposes from _____ to _____ amount _____

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

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

Stockwater and Number of livestock) one home

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9. Location of Place of Use is: Township 45N, Range 1W, Section 21,
NE 1/4 of NE 1/4, Govt. Lot _____ BM. Parcel (PIN) no. _____
If different than shown in Item 4
for (Check One) Domestic (☒) Stock () Domestic and Stock ()

Additional places of use, if any _____

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 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.

_____ or None ()

13. Remarks:

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: _____

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) James D. Thornes Date: 8-2-12
Jane M. Thornes Date: 8-2-12

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 _____ Date _____

Address _____

Last Name _____ Identification No. _____

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(9)

RIGHT-OF-WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that we,

Walt A. Whipple
and Myrtle Whipple, husband + wife

for a good and valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant unto CLEARWATER VALLEY LIGHT AND POWER ASSOCIATION, INCORPORATED, a cooperative corporation, whose postoffice address is Lewiston, Idaho, and to its successors or assigns, the right to enter

upon all that certain real property, situate in the County of Benevol, State of Idaho and more particularly described as follows:

NE 1/4 NE 1/4, Section 21, Twn. 45 N Range 1 W B. M.

and to construct, operate and maintain on the above-described lands and/or in or upon all streets, roads or highways abutting said lands, an electric transmission or distribution line or system, and to cut and trim trees and shrubbery to the extent necessary to keep them clear of said electric line or system and to cut down from time to time all dead, weak, leaning or dangerous trees that are tall enough to strike the wires in falling.

The plural as herein stated shall be deemed to include the singular according to the context hereof.

The undersigned covenant that they are the owners of the above-described lands and that the said lands are free and clear of encumbrances and liens of whatsoever character except those held by the following persons:

L. A. Bell

IN WITNESS WHEREOF, the undersigned have set their hands and seals this 15 day of

January, 191988

Walt A Whipple (L. S.)

Myrtle Whipple (L. S.)

STATE OF IDAHO,

County of Benevol } ss.

On this 15 day of January in the year of 1988, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Walt A. Whipple
And Myrtle, husband + wife

known to me to be the persons whose names ^{is} are subscribed to the within instrument, and acknowledged to me that They executed the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

John J. Phillips
Notary Public in and for the State of Idaho, residing
at Lewiston therein.

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(SEAL)

Map Reference
Number 76B

76B.36