

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 95-2078

Date Received: 11/17/09

Receipt No: N022882

Received By: [Signature]

NOTICE OF CLAIM  
TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Black Hawk Ranch Owners Association, Inc. Phone (801) 438-3500

Mailing Address 5469 Walker Estates Circle Holladay Utah ZIP 84117  
Street or Box City State

2. Date of Priority (Only one (1) per claim) April 14, 1945  
Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water ( ) or Other (✓) (a) Spokane River  
which is tributary to (b) Columbia River

4. a. Location of Point of Diversion is: Township 50N, Range 06W, Section 12,  
N.W., 1/4 of S.E., 1/4 Govt. Lot \_\_\_\_\_, BM., County of Kootenai County, Idaho

Parcel (PIN) no. 0K0110010050

Additional points of diversion if any: N/A

If available, GPS Coordinates N/A

b. If instream flow, beginning point of claimed instream flow is:

Township N/A, Range N/A, Section N/A, N/A, 1/4 of N/A, 1/4

Govt. Lot N/A, BM., County of N/A

ending point is: Township N/A, Range N/A, Section N/A, N/A, 1/4 of N/A, 1/4

Govt. Lot N/A, BM., County of N/A

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. The water is diverted by electric pump.

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6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD) (cfs) (acre feet)

For Irrigation purposes from 01/01 to 12/31 amount .73 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) .73 (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.) N/A

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 |        |
| 50N | 06W | 12  |    |    |    |    |    |    |    |    |    |    |    |    | 27 | 10 |    | 3  | 40     |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
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|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

Parcel (PIN) no(s) 0K0110010010 thru 0K0110010080

Total number of acres irrigated 40

10. In which county (ies) are lands listed above as place of use located? Kootenai County, Idaho

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 (✓)

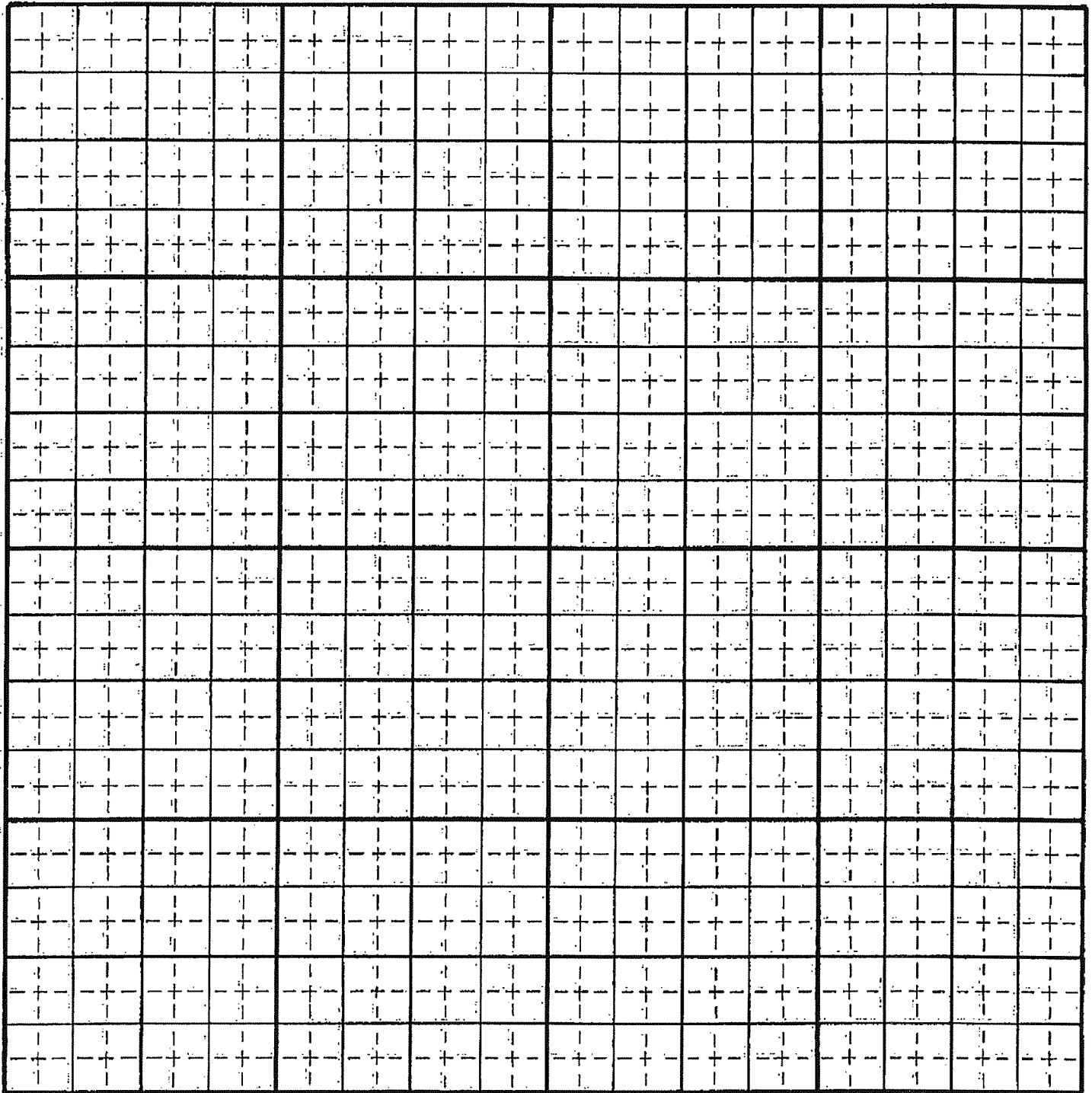
13. Remarks: The eight above-mentioned parcels of real property, 0K0110010010 thru 0K0110010080, are located in the Black Hawk Ranch Subdivision. Five of the eight parcels, specifically 0K0110010030, 0K0110010050, 0K0110010060, 0K0110010070, and 0K0110010080, are owned by TP Development, Inc. TP Development, Inc. has transferred that portion of Water Right No. 95-2078 applicable to said parcels to the Claimant, Black Hawk Ranch Owners Association, Inc., for administrating and maintaining the irrigation system. The other three parcels, specifically 0K0110010010, 0K0110010020, and 0K0110010040 are owned by Blaine Geough, Darrin Pelton, and James Goodwin respectively. Goeugh, Pelton, and Goodwin have transferred that portion of Water Right No. 95-2078 applicable to said parcels to the Claimant for administrating and maintaining the irrigation system. Copies of the relevant documents are attached. Claimant is responsible for administrating and maintaining the irrigation system pursuant to the CC&Rs of the Black Hawk Ranch Subdivision.

Last Name Black Hawk Ranch HOA 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.

Scale: 2 Inches equals 1 mile



Last Name Black Hawk Ranch HOA 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 95-2078

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: <sup>Seven 7</sup> ~~Three (3)~~ 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) \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_

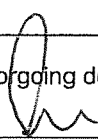
For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

President \_\_\_\_\_ of Black Hawk Ranch Owners Association, Inc.,  
Title \_\_\_\_\_ Organization \_\_\_\_\_

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

President \_\_\_\_\_ of Black Hawk Ranch Owners Association, Inc.,  
Title \_\_\_\_\_ Organization \_\_\_\_\_

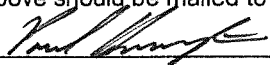
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent  Date 11/12/09

Title and Organization Black Hawk Ranch Owners Association, Inc.

16. Notice of Appearance:

Notice is hereby given that I, PAUL R. HARRINGTON / LUKINS & ANNIS, P.S., 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 11/17/2009

Address 250 Northwest Blvd., Suite 102

Coeur d'Alene, Idaho 83814

Last Name Black Hawk Ranch HOA Identification No. \_\_\_\_\_

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