

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 95-2122

Date Received: 1/21/10

Receipt No: 1023-195

Received By: [Signature]

NOTICE OF CLAIM  
TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Coeur d'Alene Memorial Gardens Phone (208) 772-4015

Mailing Address 7315 N. Government Way Cl'g, Id ZIP 83815  
Street or Box City State

2. Date of Priority (Only one (1) per claim) Sept 10, 1956  
Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water (X) or Other ( ) (a) \_\_\_\_\_

which is tributary to (b) \_\_\_\_\_

4. a. Location of Point of Diversion is: Township 51 North, Range 4 W, Section 26,  
S.E., 1/4 of N.E., 1/4 Govt. Lot \_\_\_\_\_, BM., County of KOOTENAI

Parcel (PIN) no. - 2200

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. Well & 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 Mar 15 to Nov 15 amount 0.3 or \_\_\_\_\_

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

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

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

7. Total quantity claimed (a) 0.3 (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.) \_\_\_\_\_

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 |           |
| <u>S1N</u> | <u>4W</u> | <u>26</u> |    |    |    | <u>15</u> |    |    |    |    |    |    |    |    |    |    |    |    | <u>15</u> |
|            |           |           |    |    |    |           |    |    |    |    |    |    |    |    |    |    |    |    |           |
|            |           |           |    |    |    |           |    |    |    |    |    |    |    |    |    |    |    |    |           |
|            |           |           |    |    |    |           |    |    |    |    |    |    |    |    |    |    |    |    |           |
|            |           |           |    |    |    |           |    |    |    |    |    |    |    |    |    |    |    |    |           |
|            |           |           |    |    |    |           |    |    |    |    |    |    |    |    |    |    |    |    |           |
|            |           |           |    |    |    |           |    |    |    |    |    |    |    |    |    |    |    |    |           |
|            |           |           |    |    |    |           |    |    |    |    |    |    |    |    |    |    |    |    |           |

Parcel (PIN) no(s). \_\_\_\_\_

Total number of acres irrigated 15

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 (X) 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 (X)

13. Remarks: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Last Name \_\_\_\_\_ Identification No. \_\_\_\_\_

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14. Basis of Claim (Check One) Beneficial Use ( ) Posted Notice ( ) License (X) Permit ( ) Decree ( )

Court \_\_\_\_\_ Decree Date \_\_\_\_\_ Plaintiff v. Defendant \_\_\_\_\_

If applicable provide IDWR Water Right Number 95-2122

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: NONE

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) Dustin Yates (President) Date: Jan 21, 2010  
\_\_\_\_\_  
Date: \_\_\_\_\_

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

\_\_\_\_\_  
Title of \_\_\_\_\_ Organization

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

\_\_\_\_\_  
Title of \_\_\_\_\_ 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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JAN 21 2010