

8

Form No.42-1409-1 (Internet 3/12)

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

ID Number: 92-10933Date Received: 5-29-14Receipt No: N030478Amount: 249.00 By: cm

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

RECEIVED

MAY 29 2014

IDWR/NORTHERN

Please type or print clearly

- Name of claimant(s) Benewah County Phone (208) 245-2234
Mailing address 701 W. College Avenue, St. Maries, ID ZIP 83861
Street or Box City State
- Date of priority (only one (1) per claim) 01/23/1915
Month Day Year (yyyy)
- Source of water supply (check one) Ground Water () or Other (x) (a) Santa Creek
which is tributary to (b) St. Maries River
- a. Location of point of diversion is: Township 43N, Range 02W, Section 5,
____ 1/4 of ____ 1/4, or Govt. Lot 3, B.M., County of Benewah
Parcel (PIN) no. _____
Additional points of diversion if any: Refer to Point of Diversion List, Attachment #4
If available, GPS coordinates: _____
b. If instream flow, beginning point of claimed instream flow is: Township _____, Range _____,
Section _____, ____ 1/4 of ____ 1/4, or Govt. Lot _____, B.M., County of _____
ending point is: Township _____, Range _____, Section _____, ____ 1/4 of ____ 1/4 or
Govt. Lot _____, B.M., County of _____
- 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.
District 3 utilizes two water trucks (8,000 gallons each), to pull water from the POD. These trucks are then
utilized to apply the water to the place of use.

6. Water is claimed for the following purposes:

(both dates are inclusive mm-dd)

(cfs)

(acre-feet)

For Municipal purposes from 4/1 to 10/31 amount 1.49 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.49 (cfs) and/or (b) _____ (acre-feet)

8. Non-irrigation uses; describe fully (e.g. Domestic: give number of households served; Stockwater: type and number of livestock, etc.): Water is used for dust control, as well as preparation for road maintenance, grading and application of mag chloride.

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 (e.g. 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	
			Refer to Place of Use Map, Attachment #1																
			Refer to Place of Use List, Attachment #2																

Parcel (PIN) no(s). _____

Total number of acres irrigated _____

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 (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:

The priority date was established based on the following:

-Idaho State Code gave County Commissioners the power to construct and maintain roads within the county in 1913. (Idaho Code 31-805)

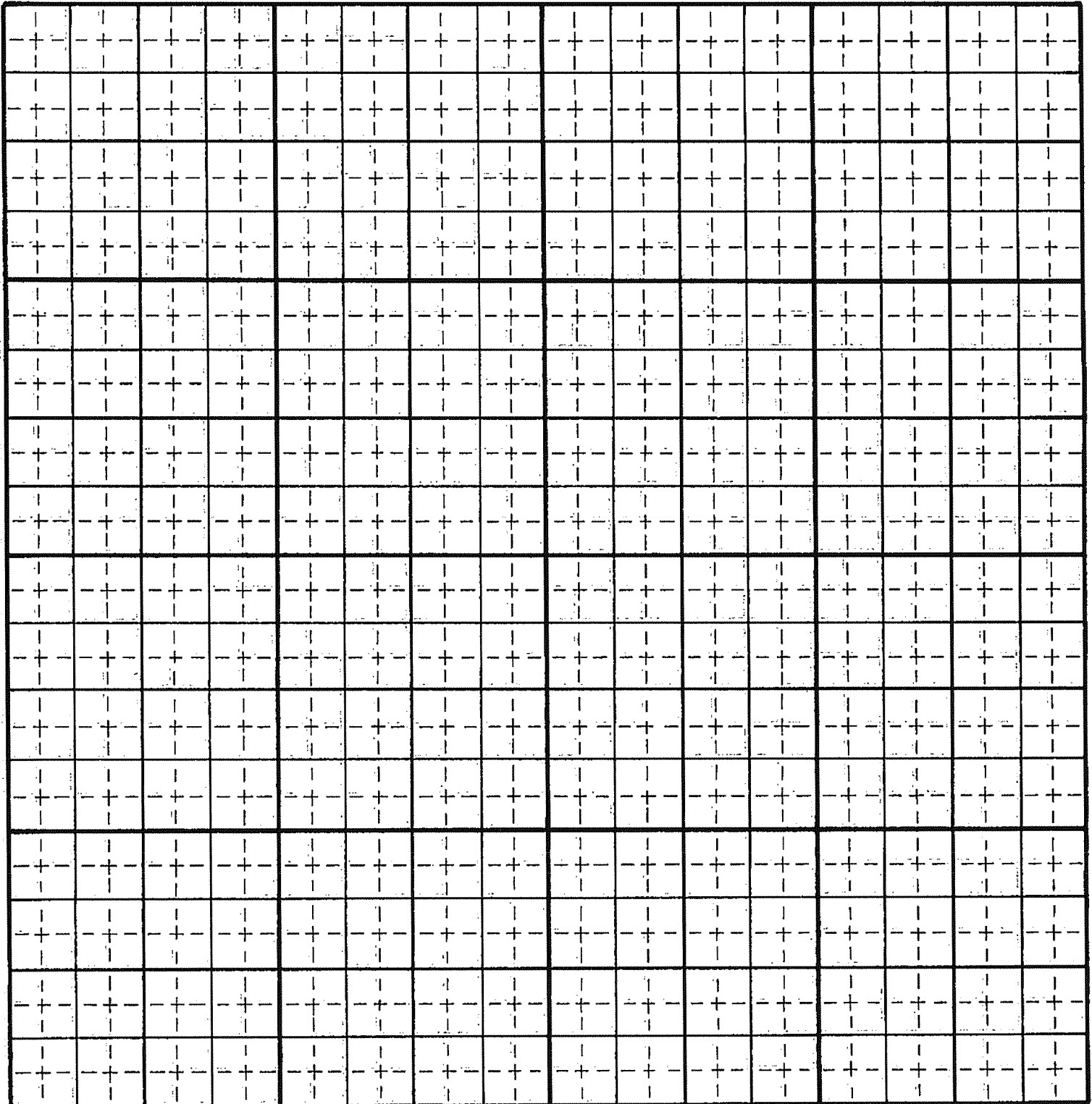
-Idaho State Code established Benewah County on January 23, 1915 (Idaho Code 31-107).

Last name Benewah County Identification no. _____

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

Refer to Map of Project. Attachment #3



Last name Benewah County Identification no. _____

14. Basis of claim (check one) Beneficial Use (X) 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: 6

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

_____ 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 Jack A. Buell Date 5-26-14

Title and organization Jack A. Buell, Chair Benewah County 5/27/2014

16. Notice of appearance:

Notice is hereby given that I, Nancy A. Wolff, 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 Nancy Wolff Date 5/29/2014

Address Morris + Wolff, P.A.

722 Main Avenue St. Maries, Idaho 83861

Last name Benewah County Identification no. _____