

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 94-8979

Date Received: 12-12-11

Receipt No: W028796

Received By: am

RECEIVED

DEC 12 2011

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

IDWR/NORTHERN

1. Name of Claimant(s) Mick & Brenda Pendergast Phone (208) 682-3003

Mailing Address 11216 Old River Road Kingston, ID Zip 83839
Street or Box City State

2. Date of Priority: (Only one per claim) June 21, 2004
Month/Day/Year (YYYY)

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

4. Location of Point of Diversion is: Township 50, Range 3E, Section 30,
NE 1/4 of NW 1/4, or Govt. Lot ? BM. County of Shoshone;
Parcel (PIN) no. RP 50 N 03E 3008 00A

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.

well - depth 108' 20 GPM 6" casing
12" pipe runs 50 ft from well to house

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

For Domestic purposes from Jan 1 to Dec 31 amount .08 cfs or AFY ()

For _____ purposes from _____ to _____ amount _____

7. Total Quantity claimed .08 cfs (☒) or AFY ()

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

Stockwater and Number of livestock)

Domestic cabin (1)
(1) future 10 room bed+breakfast

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9. Location of Place of Use is: Township 50, Range 3E, Section 30,
NE 1/4 of NW 1/4, Govt. Lot ? BM. Parcel (PIN) no. RP50 N03E 300800A
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? Shoshone

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.

on back - detailed or None ()

13. Remarks: Brenda Pendergast is Trustee of Walt
+ Grace Myers Family Trust (parents previous owners)

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 00033378/00033738

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) Brenda Pendergast Date: 12/4/11
Mick Pendergast Date: 12/4/11

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 _____ Date _____

Address _____

Last Name Pendergast Identification No. _____
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ANSWER TO:
quest. #12

The original water source for this property - ~~which~~ was for ~~the~~ ~~homestead~~ built in 1930 circa. The water source is still operational but since the homestead burnt down it has been used continuous for irrigation & other H_2O needs. There is plans ~~next~~ year (2012) to rebuild same location of original homestead & use same water source which is a spring located on U.S.F.S Lot 15 Section 30 T 50N, R. SE. Spring does not go to river but sinks underground. Equipment used is 1000 gal. cistern with $1\frac{1}{2}$ " pipe running underground approx. 2000 ft. to the original homestead.

The H_2O claim for this house, the original homestead is grandfathered in with the purchase of the home by my parents in 1972. That is what we used for our water use in the home for the family of 4.

SCANNED

DEC 22 2011