

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 **805C**
Ident. Number 94-2075 **194**
Date Received: 09/30/2010
Receipt No: N 025841 **20**
Received By: Ann

amended

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Poul C. Smith and or Ellen Scriven Phone (208) 661 1719
Mailing Address 16114 E Killarney Lake Rd Cataldo, Id. ZIP 83810
Street or Box City State

2. Date of Priority (Only one (1) per claim) 01-01-1990
Month Day Year (YYYY)

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

4. a. Location of Point of Diversion is: Township 48N, Range 2W, Section 4,
NE, 1/4 of SE, 1/4 Govt. Lot 8, BM., County of Kootenai

Parcel (PIN) no. 48N - 02W - 04 - 7300

Additional points of diversion if any: T 48N R2W S.4 NE SE (Springs)
T 48N R02W S3 NW SW (Spring)
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. 3 Developed Springs (one with buried plastic holding tank) (one with clay lining) (with buried pipe line worker cabin and Irrigation use)

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OCT - 4 2010

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For domestic purposes from Jun 1 to Dec 31 amount .04 or _____
 For Stock water purposes from Jun 1 to Dec 31 amount .02 or _____
 For Irrigation purposes from 3/15 to 10/31 amount .04 or 22.5
 For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (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.) one worker cabin 50 head stock (mixed)

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	
48N	2W	3													D				
48N	2W	3																	
48N	2W	3																	4.8
48N	2W	4																	
48N	2W	4													S				
48N	2W	4													27				2.7

Parcel (PIN) no(s). 48N-02W-03-5800
48N-02W-04-7300

Total number of acres irrigated 7.5

10. In which county (ies) are lands listed above as place of use located? _____

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: _____

Last Name _____ Identification No. _____

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 JUN - 4 2010

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: 1

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) Paul A Smith Paul A Smith Date: 9/30/2010
10/19/2010

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 _____

Address _____

Date _____

Last Name _____ Identification No. _____

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P-T-4 2010