

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 95-16104Date Received: 11-4-10Receipt No: 2026234Received By: mm

RECEIVED

NOV - 4 2010

IDWR/NORTHERN

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

1. Name of Claimant(s) DAVE SPENCER OR ESMERALDA SPENCER Phone (208) 665-1329

Mailing Address P.O. Box 414 WORLEY ID. Zip 83876
Street or Box City State

2. Date of Priority: (Only one per claim) 9/31/04
Month/Day/Year (YYYY)

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

4. Location of Point of Diversion is: Township 48N, Range 05W, Section 10
NW 1/4 of NW 1/4, or Govt. Lot _____ BM. County of KOOTENAI

Parcel (PIN) no. 3900

Additional points of diversion if any: - 0 -

If available, GPS coordinates: - 0 -

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 #1 440', 6" drilled, 4" casing, 1 1/2 gal min, 1 hp pump, FEEDING to 3000 gal tank
WELL #2 560', 6" drilled, no casing, 1/4 gal min, 1 1/2 hp pump

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

For Domestic purposes from 1-1 to 12-31 amount .01 less than
Month/Day Month/Day cfs () or AFY ()

For idol <not using> purposes from 1-1 to 12-31 amount .01 less than
less than

7. Total Quantity claimed .01 cfs () or AFY ()

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

Stockwater and Number of livestock) Only one household in single ownership
no stockwater

SCANNED
NOV - 4 2010

9. Location of Place of Use is: Township 48 N, Range 05 W, Section 10,

NW 1/4 of NW 1/4, Govt. Lot 5 BM. Parcel (PIN) no. 3900

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? Kootenai Co.

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.

#1 well to house Well TAG No # D0039656 #2 well TAG # D0053727 or None ()

13. Remarks:

#1 well to house pumped to a 3000 gal storage vault and #2 well occasionally used to water grass, which can only pump 500 gal every 4th day

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 well #1 # D0039656
well #2 # D0053727

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) David A. Spencer Date: 10/10/10

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 _____ Date _____

Address _____

Last Name _____ Identification No. _____

SCANNED
NOV - 4 2010