

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 95-11651-1Date Received: 12-31-09Receipt No: NO23201

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant(s) JOHN W. MALLOY / SUSAN L. MALLOY Phone (208) 773-0809Mailing Address 1221 S. OLD CREEK RD POST FALLS ID ZIP 83854

Street or Box

City

State

2. Date of Priority (Only one (1) per claim) 09-23-1979

Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water ☒ or Other () (a) _____

which is tributary to (b) _____

4. a. Location of Point of Diversion is: Township 50N, Range 05W, Section 8,
SW 1/4 of SE 1/4 Govt. Lot _____, BM., County of KOOTENAIParcel (PIN) no. 50N05W08 8650Additional points of diversion if any: SEE ATTACHED

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 - 165 feet deep

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①

(cfs)

(acre feet)

#1
#2

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount or

29g/m

scribe fully (eg, Domestic: Give
ONE HOUSEHOLD)

in the corresponding place of use below. See instructions for standard symbols.

#1
#2

Total number of acres irrigated _____

Kootenai

If your answer is No, describe in Remarks below the authority you have to claim this water right.

or None (X)

13. Remarks:

MALLOY

Identification No. 95-11651

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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: 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) _____

Date: 12/27/09

Date: 12/27/09

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 MARLOY Identification No. 95-11651

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Water Resources

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Claim ID: 95-11651

☒ [Getting Started](#)☒ [Claimant Information](#)☐ [Source & Point of Diversion](#)☒ [Purpose of Use](#)☒ [Place of Use](#)☒ [Priority Date](#)☒ [Quantity](#)☒ [Season of Use](#)☐ [Finalize and Submit](#)[Source & Point of Diversion Help](#)

Source & Point of Diversion (POD)

Where is the water diverted from the natural source?

If you are claiming more than one point of diversion, complete steps 1 AND 2 for the first POD, then complete steps 1 and 2 for each additional POD.

Step 1. Source: Enter the source of water for this point of diversion. Water from a well is generally described as GROUND WATER. Water from a SURFACE WATER source needs the TRIBUTARY that receives the surface water flow.If you are claiming [Instream stock](#) or [Instream flow](#), make sure to record a beginning and ending point of diversion. See: [Type of Diversion](#).

Source(s) for your claim:

		POD Label	Source	Tributary to:	Type
Delete	Select	1	GROUND WATER	TRIBUTARY NOT NEEDED	
Delete	Select	2	GROUND WATER	TRIBUTARY NOT NEEDED	
Delete	Select	3	GROUND WATER	TRIBUTARY NOT NEEDED	

Enter Source:

Enter Tributary:

[Type of Diversion \(Optional\):](#)

which flows into:

Step 2. Point of Diversion:

There are three ways to record your Point of Diversion (POD): Please select the way you wish to record your POD.

- ☒ 1) Use an interactive map by clicking on the pencil and then clicking on the POD.
- ☐ 2) Enter in a known GPS coordinate.
- ☐ 3) Directly enter the Legal Description.

[Map Help](#)

Option 1 Regular POD Locate your point of diversion on the map. click on the Edit marker, then click on the photo where the point of diversion is located.

Your claimed Point(s) of Diversion are shown below:

To make a change, click edit next to the row you wish to edit.

Legal Description of Point(s) of Diversion (POD)

	Label	Township	Range	Section	Gov Lot	1/4 of 1/4 of the Section	1/4 of the section	Type	Source	Tributary	County
Edit Delete	1	50N	05W	8		SW of the	SE		GROUND WATER	TRIBUTARY NOT NEEDED	KOOTENAI
Edit Delete	2	50N	05W	8		SW of the	SE		GROUND WATER	TRIBUTARY NOT NEEDED	KOOTENAI
Edit Delete	3	50N	05W	8		NW of the	SE		GROUND WATER	TRIBUTARY NOT	KOOTENAI

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 95-11651-2

Date Received: _____

Receipt No: _____

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) JOHN W. MALLOY/SUSAN L. MALLOY Phone (208) 773-0809Mailing Address 1221 S. OLD CREEK RD. POST FALLS, ID ZIP 83854
Street or Box City State2. Date of Priority (Only one (1) per claim) 07-22-1992
Month Day Year (YYY)3. Source of water supply (Check one) Ground Water ☒ or Other () (a) _____

which is tributary to (b) _____

4. a. Location of Point of Diversion is: Township 50N, Range 05W, Section 8,
SW, 1/4 of SE, 1/4 Govt. Lot _____, BM., County of KOOTENAIParcel (PIN) no. 50N05W08 8650Additional points of diversion if any: SEE ATTACHED

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 - 630 feet deep

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6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

#1 For DOMESTIC purposes from 01/01 to 12/31 amount 0.04 or 16 g/m
#2 For DOMESTIC purposes from 01/01 to 12/31 amount 0.03 or 13 g/m

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.07 (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 HOUSEHOLD

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	
#1 50N	05W	8			~~SW~~								~~SW~~						D
#2 50N	05W	8			~~SW~~								~~SW~~						D

Parcel (PIN) no(s). 50N05W08 8650

Total number of acres irrigated _____

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

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 MALLOY Identification No. 95-11651

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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: 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) [Signature] Date: 12/27/09
[Signature] Date: 12/27/09

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 MALLOY Identification No. 95-11651

(2)

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Logged in as: johnmalloy

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Claim ID: 95-11651

☒ Getting Started☒ Claimant Information☐ Source & Point of Diversion☒ Purpose of Use☒ Place of Use☒ Priority Date☒ Quantity☒ Season of Use☐ Finalize and Submit[Source & Point of Diversion Help](#)

Source & Point of Diversion (POD)

Where is the water diverted from the natural source?

If you are claiming more than one point of diversion, complete steps 1 AND 2 for the first POD, then complete steps 1 and 2 for each additional POD.

Step 1. Source: Enter the source of water for this point of diversion. Water from a well is generally described as GROUND WATER. Water from a SURFACE WATER source needs the TRIBUTARY that receives the surface water flow.If you are claiming [instream stock](#) or [instream flow](#), make sure to record a beginning and ending point of diversion. See: Type of Diversion.

Source(s) for your claim:

		POD Label	Source	Tributary to:	Type
Delete	Select	1	GROUND WATER	TRIBUTARY NOT NEEDED	
Delete	Select	2	GROUND WATER	TRIBUTARY NOT NEEDED	
Delete	Select	3	GROUND WATER	TRIBUTARY NOT NEEDED	

Enter Source:

Enter Tributary:

Type of Diversion
(Optional):which flows
into:[Save Source](#)

Step 2. Point of Diversion:



There are three ways to record your Point of Diversion (POD): Please select the way you wish to record your POD.

- ☒ 1) Use an interactive map by clicking on the pencil and then clicking on the POD.
- ☐ 2) Enter in a known GPS coordinate.
- ☐ 3) Directly enter the Legal Description.

[Map Help](#)

Option 1 Regular POD Locate your point of diversion on the map. Click on the Edit marker, then click on the photo where the point of diversion is located.

Your claimed Point(s) of Diversion are shown below:

To make a change, click edit next to the row you wish to edit.

Legal Description of Point(s) of Diversion (POD)

	Label	Township	Range	Section	Gov Lot	1/4 of 1/4 of the Section	1/4 of the section	Type	Source	Tributary	County
Edit Delete	2	50N	05W	8		SW of the	SE		GROUND WATER	TRIBUTARY NOT NEEDED	KOOTENAI

#2

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 95-11651-3
Date Received: _____
Receipt No: _____
Received By: _____

NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) JOHN W. MALLOY / SUSAN L. MALLOY Phone (208)-773-0809
Mailing Address 1221 S. OLD CREEK RD POST FALLS, ID ZIP 83854
Street or Box City State
2. Date of Priority (Only one (1) per claim) 01-01-1950 (?)
Month Day Year (YYY)

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

4. a. Location of Point of Diversion is: Township 50N, Range 05W, Section 8,
NW 1/4 of SE 1/4 Govt. Lot _____, BM., County of KOOTENAI

Parcel (PIN) no. 50N05W08 8050

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 - Depth unknown, but expected to be
recorded in Kootenai County Book of Records

6. Water is claimed for the following purposes:

For DOMESTIC purposes from 01/01 to 12/31 amount .11 (cfs) or 50/gal/min (acre feet) (?)
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .11 (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.

#3

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
50N	05W	8								D									D

Parcel (PIN) no(s) 50N05W08 8050 Total number of acres irrigated _____

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: The well was on the property when we
bought it June 30, 2000.
While the well will undoubtedly show up in
your records as being drilled much earlier, it is
mentioned in a "Covenant" recorded December 28, 1977,
Book 91, Page 255, Miscellaneous Records, Kootenai
County, Idaho

Last Name MALLOY Identification No. 95-11651

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: 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) _____

Date: 12/27/09

Date: 12/27/09

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

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Signature of Authorized Agent _____ Date _____

Title and Organization _____

16. Notice of Appearance:

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Signature _____ Date _____

Address _____

Last Name

MALLOY

Identification No.

95-11651

CONTINUED

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Department of
Water Resources

Logged in as: johnmalloy

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Claim ID: 95-11651

☒ Getting Started☒ Claimant Information☒ Source & Point of Diversion☒ Purpose of Use☒ Place of Use☒ Priority Date☒ Quantity☒ Season of Use☐ Finalize and Submit[Source & Point of Diversion Help](#)

Source & Point of Diversion (POD)

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If you are claiming [instream stock](#) or [instream flow](#), make sure to record a beginning and ending point of diversion. See: Type of Diversion.

Source(s) for your claim:

		POD Label	Source	Tributary to:	Type
Delete	Select	1	GROUND WATER	TRIBUTARY NOT NEEDED	
Delete	Select	2	GROUND WATER	TRIBUTARY NOT NEEDED	
Delete	Select	3	GROUND WATER	TRIBUTARY NOT NEEDED	

Enter Source:

Enter Tributary:

Type of Diversion
(Optional):which flows
into:

Save Source

Step 2. Point of Diversion:



Your claimed Point(s) of Diversion are shown below:

To make a change, click edit next to the row you wish to edit.

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- 1) Use an interactive map by clicking on the pencil and then clicking on the POD.
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- 3) Directly enter the Legal Description.

Map Help

Option 1 Regular POD Locate your point of diversion on the map. click on the Edit marker, then click on the photo where the point of diversion is located.

Legal Description of Point(s) of Diversion (POD)