

DEPARTMENT OF
WATER RESOURCES

OBJECTOR'S THIRD REQUESTS
FOR DISCOVERY TO CLAIMANTS - 1

GENERAL INSTRUCTIONS AND DEFINITIONS

Please refer to the General Instructions and Definitions contained in *Objector's First Request for Discovery to Claimants* and *Objector's Amended Second Requests for Discovery to Claimants*, such instructions and definitions are hereby incorporated herein to control these requests and interrogatories as if expressly set forth herein.

REQUESTS FOR ADMISSION

REQUEST FOR ADMISSION NO. 35: Please admit that the verdict and judgment in the *Appel, et al. v. Washington Water Power Co.*, Case 24822 in the District Court for the First Judicial District in and for the County of Shoshone were vacated pursuant to a settlement of the parties in that case. The case referenced in this request for admission shall be the case which documents were produced, bates Hawks 1001-2879, with *Claimants' Answers and Responses to Objector's Second Requests for Discovery*.

ANSWER:

REQUEST FOR ADMISSION NO. 36: Pursuant to I.R.C.P. 36, please admit that the documents attached hereto as Attachment "1," bates numbers CDAT OBJ-7102 0158 to CDAT OBJ-7102 0163, are admissible, true, accurate, and correct copies of documents (or in other words are "authentic" and/or "genuine" within the meaning of I.R.E. 901) which reflect the vacated judgment and verdict noted in request for admission No. 35 above.

ANSWER:

REQUEST FOR ADMISSION NO. 37: Please admit that Claimants did not file any objection to the issuance of their water right license for water right claim No. 91-7102, or seek administrative or judicial review of the license once issued.

ANSWER:

REQUEST FOR ADMISSION NO. 38: Please admit that the level of water depicted on Exhibit 13 to the depositions of Mr. and Mrs. Hawks, such depositions taken on May 2, 2016, was 2126.65 mean feet above sea level according to National Oceanic and Atmospheric Administration, U.S. Department of Commerce data for the date of April 21, 2016 at 1:15pm (Pacific).

ANSWER:

OBJECTOR'S THIRD REQUESTS
FOR DISCOVERY TO CLAIMANTS - 2

REQUEST FOR ADMISSION NO. 39: Please admit that neither Steve or Deanne Hawks had visited or seen Blocks 1, 2, or 3 of the Sylvia's Haven subdivision, St. Maries, Idaho prior to the year 1978.

ANSWER:

REQUEST FOR ADMISSION NO. 40: Please admit that Claimants trace the chain of their title to their properties in blocks 1, 2, and 3 of Sylvia's Haven, Benewah County, Idaho to the patent found at bates CDAT OBJ-7102 0130.

ANSWER:

REQUEST FOR ADMISSION NO. 41: Please admit that prior to the issuance of the patent referenced in Request for Admission No. 41, any land conveyed in that patent was owned by the United States in trust for the Coeur d'Alene Tribe.

ANSWER:

REQUEST FOR ADMISSION NO. 42: Please admit that chapter 11 of title 42 of the Idaho Code is not applicable to lands owned by the United States in trust for the benefit of an Indian Tribe.

ANSWER:

REQUEST FOR ADMISSION NO. 43: Pursuant to I.R.C.P. 36, please admit that the documents attached hereto as Attachment "2," bates numbers CDAT OBJ-7102 0643 to CDAT OBJ-7102 0654, are admissible, true, accurate, and correct copies of documents (or in other words are "authentic" and/or "genuine" within the meaning of I.R.E. 901) which reflect IDWR's *Instructions for Filing Notice of Claim to a Water Right Acquired under State Law in the General Adjudication of Rights to the Use of Water from the Coeur d'Alene-Spokane River Basin Water System.*

ANSWER:

REQUEST FOR ADMISSION NO. 44: Pursuant to I.R.C.P. 36, please admit that the documents attached hereto as Attachment "3," bates numbers CDAT OBJ-7102 0655 – CDAT OBJ-7102 0662, are admissible, true, accurate, and correct copies of documents (or in other words are

OBJECTOR'S THIRD REQUESTS
FOR DISCOVERY TO CLAIMANTS - 3

“authentic” and/or “genuine” within the meaning of I.R.E. 901) which reflect IDWR’s *Instructions for Filing 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 in the General Adjudication of Rights to the Use of Water from the Coeur d’Alene-Spokane River Basin Water System.*

ANSWER:

REQUEST FOR ADMISSION NO. 45: Please admit that Claimants’ point of diversion for water right claim No. 91-7102 is not physically located within the exterior boundaries of Parcel No. RP005300200061A.

ANSWER:

REQUEST FOR ADMISSION NO. 46: Please admit that prior to the Coeur d’Alene Allotment Act of June 21, 1906 all lands within the current boundary of the Coeur d’Alene Indian Reservation were owned by the United States in trust for the Coeur d’Alene Tribe.

ANSWER:

INTERROGATORIES

INTERROGATORY NO. 30: If your answer to any Request for Admission is anything other than an unqualified “admit,” identify the Request for Admission and describe in detail the facts upon which you rely in making your answers and/or responses, name all individuals with knowledge regarding such facts, and state the documents supporting your answers and/or responses.

ANSWER:

INTERROGATORY NO. 31: Please state the circumstances which led to the “man-made, artificially built lagoon off the St. Joe River[’s]” alleged creation. In explaining said factual circumstances, please include dates events are asserted to have occurred, whether any witnesses, documents, or photos exist that can corroborate Claimants’ assertions. Please state whether authorization was sought or received from the State of Idaho, the United States, or the Coeur d’Alene Tribe for its alleged creation. The term “man-made, artificially built lagoon off the St. Joe River,” as used in this interrogatory shall have the same meaning as that term used in Claimants’ response to request for admission No. 34 in *Claimants’ Answers and Responses to Objector’s Second Requests for Discovery.*

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FOR DISCOVERY TO CLAIMANTS - 4

ANSWER:

INTERROGATORY NO. 32: Please state the factual basis for which Claimants allege the elevation of the ordinary high water mark of the St. Joe River is 2120 feet.

ANSWER:

INTERROGATORY NO. 33: Please identify which map(s) Claimants reference in their answer to Interrogatory No. 16 in *Claimants' Answer and Responses to Objector's Second Requests for Discovery*.

ANSWER:

INTERROGATORY NO. 34: For water right claim No. 91-7102, please identify the method and instruments used by Claimants in measuring their property boundary.

ANSWER:

INTERROGATORY NO. 35: Please state the date on which the photos attached to *Claimants Steve and Deanne Hawks' Second Supplemental Responses to Objector's First Requests for Discovery*, Exhibit C attached thereto, were taken. If the photos were taken on multiple dates, please identify the photo and state the date upon which it was taken.

ANSWER:

INTERROGATORY NO. 36: Please state the individual's name whose handwriting appears on the photos attached to *Claimants Steve and Deanne Hawks' Second Supplemental Responses to Objector's First Requests for Discovery* as Exhibit C thereto.

ANSWER:

INTERROGATORY NO. 37: Please state the approximate elevation of the St. Joe River, as measured by the USGS gage for Coeur d'Alene Lake (No. 12415500) when the lagoon becomes dry.

ANSWER:

INTERROGATORY NO. 38: For water right claim No. 91-7102, please state the depth of the lowest part of the diversionary works below the surface of the water (in feet and inches). Please state the depth of the submerged lands underlying the lowest part of the diversionary works (in feet and inches). Please state the date and time measured.

ANSWER:

REQUEST FOR PRODUCTION OF DOCUMENTS

REQUEST FOR PRODUCTION NO. 20: Please produce documents you assert support your factual and/or legal bases in answering the requests for admission and interrogatories above.

RESPONSE:

REQUEST FOR PRODUCTION NO. 21: Please produce the documents in Claimants' possession, custody, and control which support Claimants' allegation that the ordinary high water mark is 2120 as noted in Claimants' answer to Interrogatory No. 20 in *Claimants' Answer and Responses to Objector's Second Requests for Discovery*.

RESPONSE:

REQUEST FOR PRODUCTION NO. 22: Please produce a copy of the map(s) which Claimants refer to in their answer to interrogatory No. 16 in *Claimants' Answer and Responses to Objector's Second Requests for Discovery*.

RESPONSE:

REQUEST FOR PRODUCTION NO. 23: Please produce true, accurate, and correct copies of real property tax documents from or to Benewah County, Idaho for Lot 6, Block 2, Sylvia's Haven subdivision, Benewah County, Idaho from the dates Claimants acquired ownership of said property to the present date.

RESPONSE:

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FOR DISCOVERY TO CLAIMANTS - 6

REQUEST FOR PRODUCTION NO. 24: Please produce color photos attached to *Claimants Steve and Deanne Hawks' Second Supplemental Responses to Objector's First Requests for Discovery*, as Exhibit C thereto.

RESPONSE:

REQUEST FOR PRODUCTION NO. 25: Please produce any photos (in color) in Claimants' possession that purport to show the dry lagoon. Please provide the date(s) photos were taken.

RESPONSE:

Respectfully submitted this 7th day of June, 2016.

HOWARD FUNKE & ASSOCIATES, P.C.

By: Howard Funke

Howard A. Funke, Of the Firm
Attorneys for the Coeur d'Alene Tribe

Certificate of Service

I hereby certify that on the 7th day of June, 2016, a copy of the foregoing Objector's Third Requests for Discovery to Claimant(s) was served on the following counsel of record and other entities via the method indicated below:

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Moffatt, Thomas, Barrett, Rock & Fields, Chtd.

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Idaho Department of Water Resources

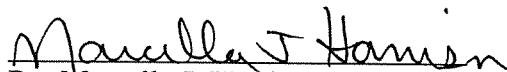
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By: Marcella J. Harrison

ATTACHMENT “1”

STATE OF IDAHO
COUNTY OF SHOSHONE | SS
FILED

'89 FEB 27 PM 2 43

MANUEL W. WINGFIELD
CLERK DIST. COURT
BY *Sellie O. Kirkell*
DEPUTY

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF SHOSHONE

GARY APPEL, et al.,	)	
	)	Case No. 24822
Plaintiffs,	)	
	)	ORDER APPROVING SETTLEMENT
vs.	)	AND VACATING INTERLOCUTORY
	)	JUDGMENT; ORDER OF DISMISSAL;
WASHINGTON WATER POWER	)	AND JUDGMENT
COMPANY, a Washington corp.,	)	
	)	
Defendant.	)	

The above-entitled Court having made and entered its Findings of Fact and Conclusions of Law, now hereby enters the following order and judgment:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the settlement between the parties is approved.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Amended Interlocutory Judgment entered on April 11, 1988, is vacated in all respects and said judgment shall have no res judicata or collateral estoppel effect.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that since the Amended Interlocutory Judgment has been vacated, there is no judicial determination concerning the location of the ordinary high

ORDER APPROVING SETTLEMENT,
VACATING INTERLOCUTORY JUDGMENT,
ORDER OF DISMISSAL AND JUDGMENT - 1

water mark of Coeur d'Alene Lake, Coeur d'Alene River, the St. Joe River, and the St. Maries River.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that The Washington Water Power Company shall be granted a perpetual overflow easement by each of the non-drainage district plaintiffs, with the exception of plaintiffs Rauch, listed in Findings of Fact No. XXXVI. The easements will be granted by separate judgments entered by the Court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that The Washington Water Power Company shall pay or provide the consideration set forth in the settlement agreements, and the parties shall comply with all the terms, obligations and conditions of the settlement agreements, Findings of Fact, Conclusions of Law and Judgments.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Release of All Claims as set forth in Findings of Fact No. XLIX is in full force and effect.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Release of All Claims as set forth in Findings of Fact No. L is in full force and effect.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Release of All Claims as set forth in Findings of Fact No. LVIX is in full force and effect.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a judgment is granted in favor of The Washington Water Power Company against all plaintiffs dismissing the claims for punitive damages and is

ORDER APPROVING SETTLEMENT,
VACATING INTERLOCUTORY JUDGMENT,
ORDER OF DISMISSAL AND JUDGMENT - 2

granted in favor of The Washington Water Power Company dismissing with prejudice all claims of the following plaintiffs: Charles Epler and Lola Epler; Rudolph Larson; Allison Norton, Jr. and Verna Norton; John E. Pugh and Marjorie Pugh; Lawrence Mietzner and Lou Ann Mietzner; Henry Porret; Leonard Robinson; Floyd Runge and Edna Runge; Ralph Storey; Charles Wilson and Shirdean Wilson; Claire Warehime. The above-listed plaintiffs have waived their right of appeal.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the claims and cause of action of the following plaintiffs are dismissed with prejudice: Benewah County Drainage District No. 3; Benewah County Drainage District No. 7; Kootenai County Drainage District No. 1; Gary Appel and Linda Appel; Grace Barden; Albert Best and Ludie Best; Robert W. Fitzgerald and Donna G. Fitzgerald; Frank Frutchey and Rose Frutchey; C. J. Hanan and Velma Hanan; James O. Hansen and Ida Patricia Hansen; Charles Harpole and Darlene Harpole; Reese Hubbard and Pauline Hubbard; Lynn P. Kerns; Robert R. Kingsley and Betty J. Kingsley; Buford McDaniel and Ruby R. McDaniel; Lester A. Nelson and Lucille Nelson; Peter Nemeth and Mary Nemeth; Daniel A. Porret, individually and as the sole survivor of the partnership composed of Daniel A. Porret and George H. Porret; Dennis W. Powell and Mina L. Powell; Jack A. (Rocky) Rauch and E. Elizabeth Rauch; Paul Reimann and Martha "Marty" Reimann; Aaron C. Robinson and Jeanne M. Robinson; Jacob Schlepp, Michael R. Schlepp, and Paul Schlepp; Ray R. Schoenick and Bernice

ORDER APPROVING SETTLEMENT,
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ORDER OF DISMISSAL AND JUDGMENT - 3

Schoenick, individually and as co-trustees of the Schoenick Family Trust of 1987; John W. Sines and Shirley Sines; Edward M. Sullivan and Bernice L. Sullivan; Halvor O. Thorhaug; W. D. Thurston and Barbara "Bobbie" Thurston.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the cause of action by Gary Bader and Leta K. Bader is dismissed without prejudice. However, the Amended Interlocutory Judgment of April 11, 1988 and all of the rulings made by the Court during the pendency of this action, shall have no res judicata or collateral estoppel effect in favor of, or against, Baders, or The Washington Water Power Company, inasmuch as the same are vacated.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all discovery material in the Court files shall be delivered to The Washington Water Power Company.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all rulings by the Court on motions brought by the parties are vacated and they shall have no res judicata or collateral estoppel effect.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the arbitration procedure set forth in Findings of Fact No. LVI shall be in full force and effect.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the overflow easements and permits as described in paragraph XXXIX of the Findings of Fact are valid and are in full force and effect.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the agreement entered into between The Washington Water Power Company and

ORDER APPROVING SETTLEMENT,
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ORDER OF DISMISSAL AND JUDGMENT - 4

Kootenai County Drainage District No. 1 on February 5, 1959 is rescinded and is null and void.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the amount and/or terms of the settlement agreements will be kept confidential and secret to the parties and will not be disclosed to third parties unless required by order of a court, or agency of competent jurisdiction, or unless necessary to do so in the enforcement of this settlement.

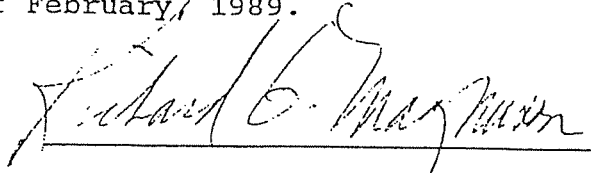
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the settlement agreements reviewed, initialed and dated by the Court shall be delivered to The Washington Water Power Company in order to preserve the confidentiality which is desired by the parties.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all exhibits lodged with the Clerk pursuant to pre-trial order, and all exhibits offered, marked or admitted in the trial of this action be delivered by the Court Clerk to The Washington Water Power Company. Provided, however, that selected personal photographs agreed upon by the parties, shall be delivered to the parties sponsoring the same for delivery to the person to whom they belong. Exhibits delivered to The Washington Water Power Company may be disposed of by the company.

ORDER APPROVING SETTLEMENT,
VACATING INTERLOCUTORY JUDGMENT,
ORDER OF DISMISSAL AND JUDGMENT - 5

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all requests for costs and attorney fees have been withdrawn and dismissed by the parties by stipulation.

DATED this 27th day of February, 1989.


DISTRICT COURT JUDGE

ORDER APPROVING SETTLEMENT,
VACATING INTERLOCUTORY JUDGMENT,
ORDER OF DISMISSAL AND JUDGMENT - 6

ATTACHMENT “2”

**INSTRUCTIONS FOR FILING
NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW
IN THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF
WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN
WATER SYSTEM**

PLEASE TYPE OR PRINT CLEARLY

WATER RIGHT

A water right allows the private use of Idaho's public water. When properly recorded, a water right gives you the right to divert a specific amount of water from its source for a beneficial purpose. (Some examples are: irrigation, domestic, stockwater, industry, and power production). There are many other beneficial uses of water also recognized by Idaho law.

CLAIMANT

A claimant is any person or organization that diverts water for beneficial use from a location within the adjudication boundaries of the Coeur d'Alene-Spokane River Basin. This includes streams, springs, lakes, ground water, developed water, wastewater, or any other source of water within the boundaries of the Coeur d'Alene-Spokane River Basin in Idaho.

PERMIT REQUIREMENTS

The permit system for establishing a water right became mandatory for uses developed from ground water after March 25, 1963 (except for single family domestic or stockwater uses that do not exceed 13,000 gallons per day) and for uses developed from surface water after May 20, 1971 (except for watering stock directly from streams). If your water use began after March 25, 1963 for ground water or after May 20, 1971 for surface water, and it is not one of the exceptions noted above, and a water right was not perfected under the permit system, an "Application for Permit" form should be filed instead of this claim.

COMPLETE THE CLAIM FORM

Please complete all applicable items on the claim form. A claim that is incomplete will not be accepted and will be returned to you for the missing information.

CLAIMANT'S NAME ON EACH PAGE

A space is provided at the bottom of the second and the remaining pages of the claim form for the last name of the claimant. If the claimant is an organization, the organization name is entered in this space. Please be sure that the name is entered on each page of the claim form, and on any additional attached sheets. This will prevent part of the claim form from being lost if it becomes separated during processing. Do not enter an Identification Number. If more space is required for any item, enter the information in Remarks (Item 13) or attach additional sheets. Be sure to identify all of the attachments to the claim form in Remarks (Item 13).

THIS CLAIM IS FOR YOUR WATER RIGHT

The claim you submit is your statement of what you believe is your water right. The instructions are supplied to help you detail your water right.

NAME AND ADDRESS

Item 1: Enter full name, mailing address and telephone number of the claimant(s). If more space is required for additional names, addresses, and telephone numbers, write these on another sheet of paper and attach it to the claim form. If the names on the claim have an "and" between them, all of the named parties must sign the claim. If the names on the claim have an "or" or an "and/or" between them, all of the parties may sign the claim, but only one of the named parties must sign the claim. If the claimant is in the process of selling the property on which this water right is claimed, enter the new owner's name and address in Remarks (Item 13).

DATE OF PRIORITY

Item 2: Enter the priority date by month, day, and year. Spell out the month. If the basis of your claim is a decree, permit, or license the priority date is the date shown on the decree, permit, or license. If the basis of your claim is beneficial use, enter the date the water was first applied to that use. If the exact date is not known, indicate your best estimate of that date since this is an important part of the claim to a water right. If the basis of your claim is a posted notice, the priority date is the date of posting, if the water right was diligently developed after the posting of the notice, and has been used continuously. Include with your claim, a certified copy of the posted notice from the county recorder's office where the posted notice is recorded. **ONLY ONE PRIORITY DATE CAN BE SHOWN ON A CLAIM.** Water rights with different priority dates must be filed on separate claim forms because each is a separate water right.

SOURCE OF WATER SUPPLY

Item 3: If your source of water is a well, place a "check" in the space to the left of "Ground Water" and go to Item 4. If your source of water is not ground water, place a "check" in the space next to "Other", and enter the name of the stream, lake, drain ditch, or spring you use as your source of water on line (a). Use the name shown on the U.S. Geological Survey quadrangle map. If unnamed, enter as unnamed stream, unnamed lake, or unnamed drain. If the source is an unnamed spring, enter "spring" for the source. Enter the first named stream or lake downstream to which the source is a tributary to on line (b). If the source sinks before entering another stream or lake, enter "sinks" for tributary to. Water from a well does not require an entry for tributary to. Only one source is allowed per claim, except when more than one source is being used for a single delivery system.

Examples of water sources and tributaries:

Source of water supply (a) Spokane River
which is tributary to (b) Columbia River

Source of water supply (a) unnamed drain
which is tributary to (b) Sand Creek

Source of water supply (a) spring
which is tributary to (b) sinks

Source of water supply (a) ground water
which is tributary to (b)

LOCATION OF POINT OF DIVERSION

Item 4: The point of diversion is the location at which the water is diverted from a natural water source (this includes drain ditches and wells). Enter the township, range and section in which the point of diversion is located. Also, describe the location of the point of diversion to the 40-acre tract (quarter-quarter section) or government lot within a section. Enter the county in which the point of diversion is located in the appropriate space. List the Parcel Number or Parcel Identification Number (PIN) as assigned by the county assessor for the parcel where the water is diverted unless no Parcel Number or PIN is recorded for the property at the point of diversion. You may also enter GPS coordinates for the point of diversion if they are available. Only one point of diversion may be entered per claim unless the claim is for a single delivery system with more than one point of diversion, or the claim is for a single licensed or decreed water right that covers more than one water delivery system. If your system has more than one point of diversion, enter the additional point(s) of diversion in the appropriate space. If the point of diversion is in a platted subdivision, and the plat has been recorded in the county recorder's office for the county in which the subdivision is located, include the name of the subdivision, the lot, and the block number in Remarks (Item 13).

Examples describing the point of diversion:

Location of point of diversion is:

Township 51N , Range 3W , Section 12 , SE $\frac{1}{4}$ of SW $\frac{1}{4}$, or Govt. Lot B.M., County of Kootenai

Location of point of diversion is:

Township 49N , Range 6W , Section 36 , $\frac{1}{4}$ of $\frac{1}{4}$, or Govt. Lot 3 , B.M., County of Kootenai

DESCRIPTION OF DIVERSION WORKS

Item 5: Describe as completely as possible using information reasonably available to you, the means used to divert the water. Include the major components of the water delivery system such as dams, reservoirs, ditches, wells, pumps, pipelines, headgates, or any feature that is essential to your diversion system. Include the dimensions of the components as originally constructed, and if the system has been altered or enlarged since it was originally constructed, include the new dimensions. If changes or enlargements have occurred, indicate the date(s) the changes were made.

PURPOSE AND USE

Item 6: Enter the purpose(s) for which the water is being used. Enter the day of the year the use begins and the day of the year the use ends each year. If the water is used all year, the dates would be from January 1 to December 31. The length of the irrigation season varies with location within the state. Use the map labeled "Suggested Irrigation Seasons" located on the last page of the instructions to determine the suggested length of the irrigation season for your area. For diversion from a surface water source or a well, the amount of water entered is in cubic feet per second (cfs). For water rights that include storage, the amount of water for the storage portion of the right is entered in acre feet. This amount is usually the amount of water that can be removed from the reservoir, or the active storage capacity of the reservoir.

CALCULATION OF THE AMOUNT DIVERTED

If you know the number of gallons per minute (gpm) your system produces, you can calculate the cubic feet per second (cfs) it produces by dividing the gpm by 448.8 ($\text{gpm} / 448.8 = \text{cfs}$). Or, if you know the number of Idaho miner's inches of water you divert, you can calculate the cfs amount by dividing the number of miner's inches by 50 ($\text{miner's inches} / 50 = \text{cfs}$). Round the amount you calculate to the nearest 0.01 cfs. Most water rights have the following cfs amounts: Irrigation use, 0.02 cfs (1 miner's inch) for each irrigated acre. Systems irrigating 5 acres or less may have 0.03 cfs per acre. Domestic use, 0.04 cfs for one household with up to 1/2 acre of lawn or garden irrigation. One household with in-house use only may be less. Stockwater use, see TABLE 1.

Some systems may be capable of producing more water than the amounts shown for the

preceding uses. You may claim the amount of water that your system actually produces, provided the water is put to beneficial use. If your irrigation requirements are greater than the amounts shown, an "Excessive Irrigation Flow" form should be completed and submitted with your claim. To obtain this form, contact one of the Department offices.

Examples of purposes, dates, and amounts of water use:

		(dates are inclusive)			(cfs)		(acre feet)
For <u>Irrigation</u>	Purposes from	<u>3-15</u>	to	<u>11-15</u>	amount	<u>6.54</u>	or
For <u>Irrigation Storage</u>	Purposes from	<u>11-16</u>	to	<u>3-14</u>	amount	—	or
For <u>Irr. From Storage</u>	Purposes from	<u>3-15</u>	to	<u>11-15</u>	amount	—	or
For <u>Industrial</u>	Purposes from	<u>1-1</u>	to	<u>12-31</u>	amount	<u>1.72</u>	or
For <u>Stockwater</u>	Purposes from	<u>1-1</u>	to	<u>12-31</u>	amount	<u>0.05</u>	or

TABLE 1, RECOMMENDED DIVERSION RATES FOR STOCKWATER

No. of head	In cubic feet per second (cfs)			
	Dairy cows	Other cattle, horses & mules	Hogs	Sheep & goats
0 - 25	0.02	0.02	0.02	0.02
26 - 50	0.04	0.02	0.02	0.02
51 - 100	0.07	0.03	0.02	0.02
101 - 200	0.13	0.05	0.02	0.02
201 - 300	0.20	0.07	0.02	0.02
301 - 400	0.26	0.09	0.03	0.02
401 - 500	0.33	0.12	0.04	0.02
501 - 600	0.39	0.14	0.05	0.03
601 - 700	0.46	0.16	0.05	0.03
701 - 800	0.52	0.19	0.06	0.03
801 - 900	0.58	0.20	0.07	0.04
901 - 1000	0.65	0.23	0.08	0.04

For chickens, round to the next highest 100 and multiply this number by 0.0000018.

For turkeys, round to the next highest 100 and multiply this number by 0.0000033.

If you have more than 1000 head of stock (other than poultry), round the number of head to the next highest 100, and multiply this number by one of the following factors:

For dairy cows, multiply by 0.00065

For other cattle, horses, or mules, multiply by 0.00022

For hogs, multiply by 0.000074

For sheep or goats, multiply by 0.000037

Round the amount you calculate to the nearest 0.01 cfs and enter this amount in the appropriate space on your claim. You may claim 0.01 cfs even if your calculated amount is less than 0.01 cfs.

TOTAL QUANTITY CLAIMED

Item 7: Enter the total amount of water diverted for all the uses shown in Item 6. The total quantity claimed should not exceed the diversion capacity of the system, nor the total of all the uses.

NON-IRRIGATION USES

Item 8: Describe uses other than irrigation as fully as possible. For power generation, include the total head in feet and the nameplate generating capacity in kilowatts (KW). For fish propagation, include the number of raceways and their dimensions. For domestic, include the number of households connected to the system. For commercial or industrial, include the name of the product that is manufactured or processed. For stockwater, include the maximum number of each type of stock watered annually pursuant to the water right claimed.

Examples of non-irrigation uses:

Hydropower generation, 200' head, 100 KW generator.

Fish hatchery with 5 raceways, raceways are 50' x 100' x 3' deep.

Domestic use in a subdivision with 75 lots.

Potato processing plant and feedlot with 5000 head cattle.

DESCRIPTION OF PLACE OF USE

Item 9: Enter the legal description of the place where the water is being used. The township is entered in the box below "TWN"; the range is entered in the box below "RNG"; and the section number is entered in the box below "SEC". The other boxes represent 40-acre tracts or government lots within each section. If the use is irrigation, enter the number of acres irrigated in each 40-acre tract or government lot. If the use is other than irrigation, place the letter symbol (see Table 2) for the use in the appropriate box(es) to show the location of the place of use. If the place of use is a government lot, the lot number should be included in the box (see example). If the Parcel Number or PIN for the place of use is different from the one entered for the point of diversion, enter the Parcel Number(s) or PIN(s) for the place of use.

TABLE 2, USE SYMBOLS

Stockwater - S	Domestic - D	Fish Propagation - H	Industrial - I
Cooling - L	Wildlife - W	Recreation - R	Heating - G
Aesthetic - J	Commercial - C	Power - P	Fire Protection - F
Municipal - M	Mining - X	Ground Water Recharge - E	

Example : (From Map of Project on page 8)

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10S	23E	24												20			40	28	88
		25	40			Lt 5 43													83
	24E	30					7	Lt 3 32	Lt 4 45	Lt 5 42									126
		30					S	Lt 3 D&C		Lt 5 S									

Parcel (PIN) no(s) 12N34W-56-7890 Total number of acres irrigated 297**LOCATION OF PLACE OF USE****Item 10:** Enter the county (or counties, if more than one) in which the place of use is located.**OWNERSHIP OF PROPERTY****Item 11:** If you own the property listed as the place of use put a "check" in the space after the "Yes". If you do not own the property listed as the place of use put a "check" after "No", and describe in Remarks (Item 13) the authority you have to claim this water right.

Examples: Power of attorney, lessee (renter), trustee, estate administrator, or the land is within the service area of an irrigation district or company. Also, a claimant that does not own the property listed as the place of use (except for a municipality, water utility, irrigation district, or ditch company) must list the name(s) and address(es) of the owner(s) in Remarks (Item 13).

DESCRIBE OTHER WATER RIGHTS**Item 12:** If other water rights owned by you or others are used at the same place and for the same purposes, the other rights overlap this right, and they must be described. If the other water right has a water right number assigned by the Idaho Department of Water Resources (IDWR), this number is a sufficient description. If the other water right does not have a number assigned by the IDWR, this other right should be described completely on an attached sheet of paper. If no other water rights are used at the same place and for the same purpose as the right you are claiming, place a "check" after "None".

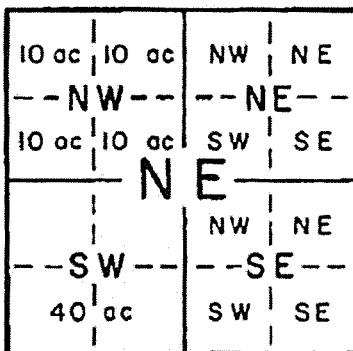
REMARKS

Item 13: Use this space to enter information that requires more space than is provided on the claim form. This would include additional names and addresses (Item 1), names and addresses of new owners (Item 1), subdivision plat information (Item 4), points of injection and redirection (Item 4), and if the claimant is not the owner, the authority for claiming this water right and the owner's name and address (Item 12). Also, include any relevant information that was not specifically requested on the claim form that would further define or describe this water right. If additional space is needed a separate sheet of paper may be used and attached to the claim.

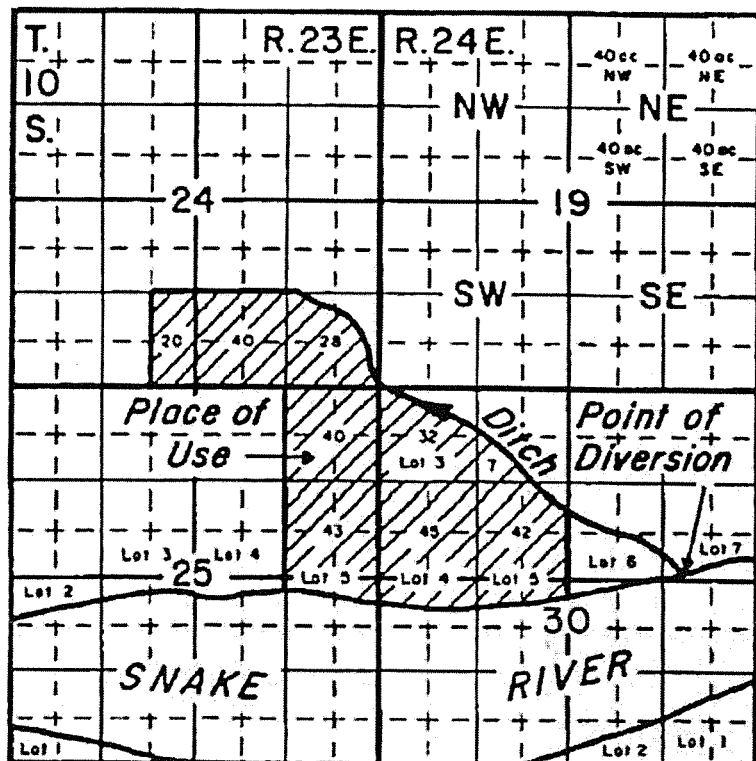
Be sure to identify all documents submitted with the claim form in this Remarks section. This is essential so additional information submitted by you does not become separated from the claim form.

MAP OF PROJECT

Attach an 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. At the scale of 2 inches equaling one mile, each small square represents a 10-acre tract. If you have used a different scale for your sketch, please indicate the scale that you used.



The NE 1/4 of Section 19 (160 acres) has been enlarged to show the quarter-quarter-quarter sections (10-acre tracts).



BASIS OF CLAIM

Item 14: Indicate by placing a "check" in the appropriate space the basis on which you are filing your claim. If no record of your water use is in the Department's files, you probably have a Beneficial Use right (see Permit Requirements) and no Idaho Department of Water Resources (IDWR) Water Right Number can be entered. If the basis of your claim is a "Claim to a Water Right" form (Statutory Claim) you filed with the Department, you have a Beneficial Use claim, and you should enter the IDWR Water Right Number assigned to that claim. If the basis of your claim is a Posted Notice, provide a certified copy of the posted notice as described in Item 2. If the basis of your claim is a water right License issued by the Department, enter the IDWR Water Right Number assigned to that license. If the basis of your claim is an approved Permit, enter the IDWR Water Right Number assigned to that permit. If the basis of your claim is a Decree, and the decreed right was assigned a water right number by the Department, enter the water right number in the space after IDWR Water Right Number. This is NOT the order of priority number that was assigned by the decree. If an IDWR Water Right Number was not assigned to your decreed water right, enter the Court, the Case Number, the Decree Date, and the Plaintiff vs. Defendant or the name of the decree as it is commonly known.

SIGNATURE(S)

Item 15: Before signing your claim, read the document "How You Will Receive Notices in the Coeur d'Alene-Spokane River Basin Adjudication" which can be obtained at any IDWR office, or it can be viewed and printed with the Domestic and/or Stockwater claim form on IDWR's web page.

After you have read and understood the document, place a "check" in the appropriate space indicating that you do or do not wish to pay a small annual fee for a subscription to receive monthly copies of the docket sheet.

Enter the number of attachments in the space provided.

NOTICE OF APPEARANCE

Item 16: If you want the notices required by law that are associated with this claim to be mailed to your attorney instead of you, have your attorney complete Item 16.

FILING FEES

Each claim submitted must include the filing fee. The filing fee for domestic and/or stockwater use claims diverting less than 13,000 gallons of water per day is \$25.00. The flat fee for filing all other claims filed is \$50.00 per claim. An additional variable filing fee based upon acreage, power generating nameplate capacity, cubic feet per second (cfs) amount, or an equivalent volume of storage water is required for claims for water uses other than domestic and/or stockwater uses diverting less than 13,000 gallons of water per day. Use Table 3 to calculate the variable fee. Add the calculated variable fee to the \$50.00 flat fee to determine the total fee for the claim. The exceptions are fire protection or ground water recharge which have a \$50.00 flat fee, and no variable fee.

Examples for a single claim to a water right with single source and same priority date:

Single family domestic and stockwater use, less than 13,000 gallons per day in total	\$25
100 acres irrigation, domestic and stockwater as above . . .	\$150
Fish propagation, 4.2 cfs	\$92
Multiple family domestic, 1.6 cfs, irrigation of yards and gardens, 14 acres	\$224

TABLE 3, VARIABLE FEE SCHEDULE

Irrigation:	\$1.00 per acre
each acre is charged only once.	
Power generation:	\$3.50 per kilowatt of capacity
(manufacturer's nameplate rating), or \$250,000.00, whichever is less.	
Aquaculture:	\$10.00 per cfs
Domestic, stockwater in excess of 13,000 gallons per day:	\$100.00 per cfs
Municipal, industrial, commercial, mining, heating, cooling:	\$100.00 per cfs
Public instream flow, public lake level maintenance, wildlife:	\$100.00 per cfs
Exceptions: No variable fee is charged for fire protection or ground water recharge.	

For a public entity claiming water for more than one public purpose, the variable fee per cfs is charged once per cfs claimed. The fee is charged on the largest of the amounts claimed. Public purposes include instream flows, lake levels, wildlife, aesthetic beauty, and recreation uses claimed by a public entity.

The filing fee must accompany this claim. Make checks payable to the Idaho Department of Water Resources. You should keep the yellow copy of the claim form for your records. Send the fee along with the white copy of the claim form to one of the following offices:

Northern Region

Idaho Dep of Water Resources
7600 Mineral Dr. Ste. 100
Coeur d'Alene, ID 83815-7763
Phone (208) 762-2800
FAX (208) 762-2819

Eastern Region

Idaho Dep of Water Resources
900 N. Skyline Dr. Ste. A
Idaho Falls, ID 83402-1718
Phone (208) 525-7161
FAX (208) 525-7177

Southern Region

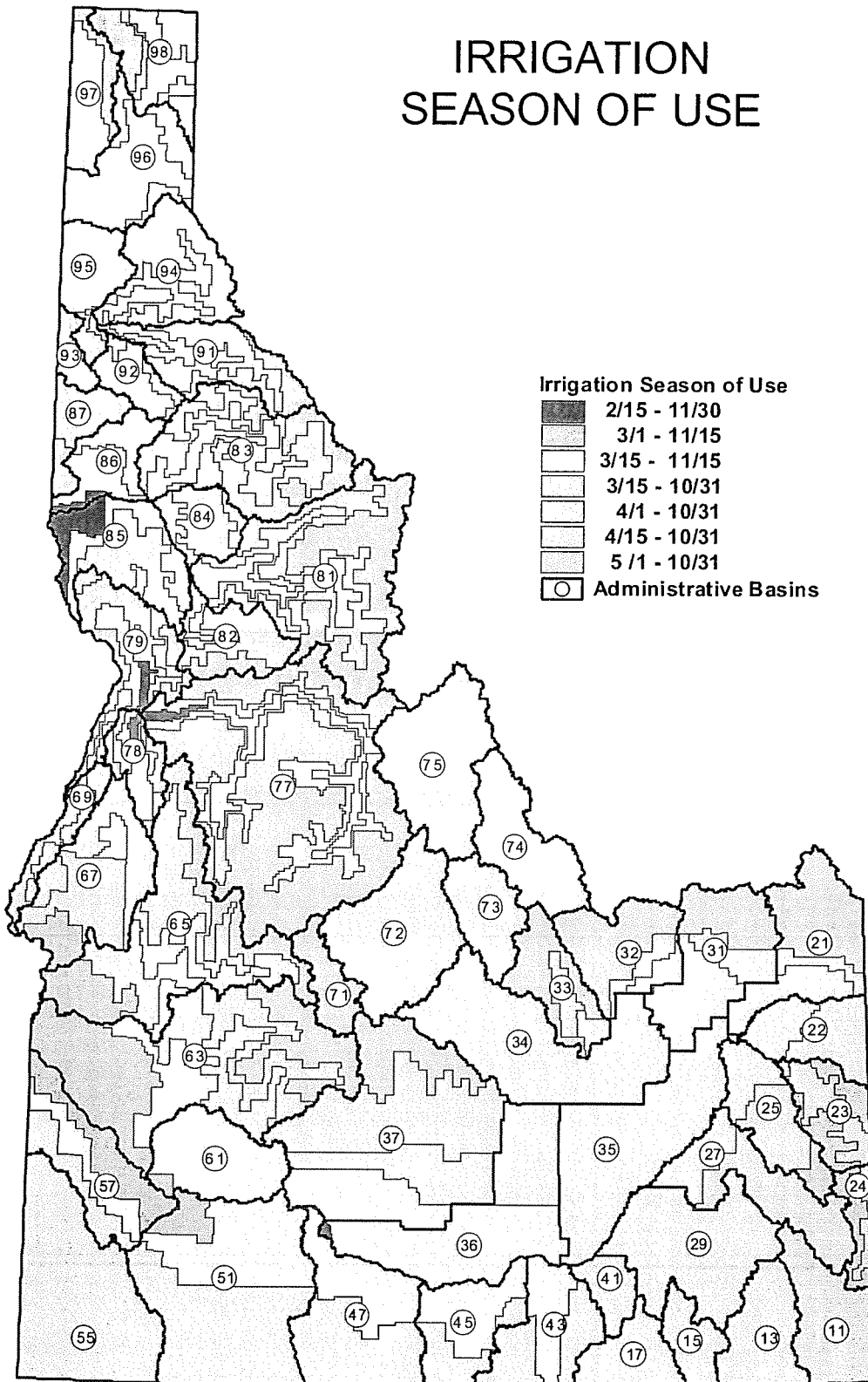
Idaho Dep of Water Resources
Ste. 00
Twin Falls, ID 83301-
Phone (208) 736-3033
FAX (208) 736-3037

Western Region

Idaho Dep of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Phone (208) 334-2190
FAX (208) 334-2348

If you need additional information or assistance in completing the claim form, you may visit one of the Department's offices.

IRRIGATION SEASON OF USE



ATTACHMENT “3”

**INSTRUCTIONS FOR FILING
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**

**IN THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF
WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN
WATER SYSTEM**

PLEASE TYPE OR PRINT CLEARLY

WATER RIGHT

A water right allows the private use of Idaho's public water. When properly recorded, a water right gives you the right to divert a specific amount of water from its source for a beneficial purpose. (There are many beneficial uses of water recognized by Idaho law; however, only domestic and/or stockwater uses may be claimed on this form.)

CLAIMANT

A claimant is any person or organization that diverts water for beneficial use from a location within the adjudication boundaries of the Coeur d'Alene-Spokane River Basin. This includes streams, springs, lakes, ground water, developed water, wastewater, or any other source of water within the boundaries of the Coeur d'Alene-Spokane River Basin in Idaho.

DAILY USE IS LIMITED TO 13,000 GALLONS PER DAY OR LESS

This claim form is to be used by claimants of domestic and/or stockwater uses where the daily use is less than 13,000 gallons per day. Generally, this includes the water used by a single family residence with up to 1/2 acre of lawn and/or garden irrigation, or the water used by up to: 370 head of dairy cows, 1000 head of other cattle and/or horses and mules, 3250 head of hogs, or 6500 head of sheep and/or goats. Any combination of stockwater and single family or multiple-family use with single-ownership that does not exceed 13,000 gallons per day may also use this claim form.

PERMIT REQUIREMENTS

The permit system for establishing a water right became mandatory for water use developed from ground water after March 25, 1963 (except for single family domestic or stockwater uses that do not exceed 13,000 gallons per day) and for uses developed from surface water after May 20, 1971 (except for watering stock directly from streams). If your water use began after March 25, 1963 for ground water or after May 20, 1971 for surface water, and it is not one of the exceptions noted above, and a water right was not perfected under the permit system, an "Application for Permit" form should be filed instead of this claim. If the system is for domestic use for more than one household, and the houses are not under single ownership, you have the following options: Each

owner may file a separate claim for their own water right on Form No. 42-1409-2. Or one water right may be claimed that shows all of the uses on Form No. 42-1409-1. If you want to claim a water right for watering stock directly from a stream, or if your claim includes a storage amount, such as a stock pond, you must file a claim on Form No. 42-1409-1.

COMPLETE THE CLAIM FORM

Please complete all applicable items on the claim form. A claim that is incomplete will not be accepted and will be returned to you for the missing information.

CLAIMANT'S NAME ON EACH PAGE

A space is provided at the bottom of the second page of the claim form for the last name of the claimant. If the claimant is an organization, the organization name is entered in this space. Please be sure the name is entered on each page of the claim form, and on any additional attached sheets. This will prevent part of the claim form from being lost if it becomes separated during processing. Do not enter an Identification Number. If more space is required for any item, enter the information in Remarks (Item 13) or attach additional sheets. Be sure to identify all of the attachments to the claim form in Remarks (Item 13).

THIS CLAIM IS FOR YOUR WATER RIGHT

The claim you submit is your statement of what you believe is your water right. The instructions are supplied to help you detail your water right.

NAME AND ADDRESS

Item 1: Enter full name, mailing address and telephone number of the claimant(s). If more space is required for additional names, addresses, and telephone numbers, write these on another sheet of paper and attach it to the claim form. If the names on the claim have an "and" between them, all of the named parties must sign the claim. If the names on the claim have an "or" or an "and/or" between them, all of the named parties may sign the claim, but only one of the named parties must sign the claim. If the claimant is in the process of selling the property on which this water right is claimed, enter the new owner's name and address in Remarks (Item 13).

DATE OF PRIORITY

Item 2: Enter the priority date by month, day, and year. Spell out the month. If the basis of your claim is a decree, permit, or license the priority date is the date shown on the decree, permit, or license. If the basis of your claim is beneficial use, enter the date the water was first applied to that use. If the exact date is not known, indicate your best estimate of that date since this is an important part of the claim to a water right. If the basis of your claim is a posted notice, the priority date is the date of posting, if the right was diligently developed after the posting of the notice, and has been used continuously. Include with your claim, a copy of the posted notice from the county recorder's office where the posted notice is recorded. **ONLY ONE PRIORITY DATE CAN BE SHOWN ON A CLAIM.** Water rights with different priority dates must be filed on separate claim forms because each is a separate water right.

SOURCE OF WATER SUPPLY

Item 3: If your source of water is a well, place a "check" in the space to the left of "Ground Water" and go to Item 4. If your source of water is not ground water, place a "check" in the space next to "Other", and enter the name of the stream, lake, drain ditch, or spring you use as your source of water on line (a). Use the name shown on the U.S. Geological Survey quadrangle map. If unnamed, enter as, unnamed stream, unnamed lake, or unnamed drain. If the source is a spring without a name, enter "spring" for the source. Enter the first named stream or lake downstream to which the source is a tributary to on line (b). If the source sinks before entering another stream or lake, enter "sinks" for tributary to. Only one source is allowed per claim, except when more than one source is being used for a single delivery system.

Examples of water sources and tributaries:

Source of water supply (a) Cougar Creek
which is tributary to (b) Coeur d'Alene Lake

Source of water supply (a) spring
which is tributary to (b) sinks

LOCATION OF POINT OF DIVERSION

Item 4: The point of diversion is the location at which the water is diverted from a natural water source (this includes drain ditches and wells). Enter the township, range and section in which the point of diversion is located. Also, describe the location of the point of diversion to the 40-acre tract (quarter-quarter section) or government lot within a section. Enter the county in which the point of diversion is located in the appropriate space. List the Parcel Number or Parcel Identification Number (PIN) as assigned by the county assessor for the parcel where the water is diverted unless no Parcel Number or PIN is recorded for the property at the point of diversion. You may also enter GPS coordinates for the point of diversion if they are available. Only one point of diversion may be entered per claim unless the claim is for a single delivery system with more than one point of diversion, or the claim is for a single licensed or decreed water right that covers more than one water delivery system. If your system has more than one point of diversion, enter the additional point(s) of diversion in the appropriate space. If the point of diversion is in a platted subdivision, and the plat has been recorded in the county recorder's office for the county in which the subdivision is located, include the name of the subdivision, the lot, and the block number in Remarks (Item 13).

Examples describing the point of diversion:

Location of point of diversion is:

Township 51N , Range 3W , Section 12 , SE ¼ of SW ¼, or Govt. Lot __ B.M., County of Kootenai

Location of point of diversion is:

Township 49N , Range 6W , Section 36 , __ ¼ of __ ¼, or Govt. Lot 3 , B.M., County of Kootenai

DESCRIPTION OF DIVERSION WORKS

Item 5: Describe as completely as possible the means used to divert the water. Include the major components of the water delivery system such as wells, pumps, pipelines, headgates, ditches, collection boxes, troughs, or any other feature that is essential to your diversion system. Include the dimensions of the components as originally constructed, and if the system has been altered or enlarged since it was originally constructed, include the new dimensions. If changes or enlargements have occurred, describe the changes or enlargements and indicate the date(s) that the changes were made.

PURPOSE AND USE

Item 6: The purpose(s) for which the water is being used is limited to domestic and/or stockwater for claims filed on this claim form. Enter the day of the year the use begins and the day of the year the use ends each year. If the water is used all year, the dates would be from January 1 to December 31. The amount of water should be entered in cubic feet per second (cfs). For a reference, 0.02 cfs is approximately equal to 9 gallons per minute. Most water rights have the following amounts: Domestic use, 0.04 cfs for one household with up to 1/2 acre of lawn or garden irrigation (one household with in-house use only may be less). Stockwater use, see TABLE 1. Some systems may be capable of producing more water than the amounts shown for the preceding uses. You may claim the amount of water (in cfs) that your system actually produces provided the water is put to beneficial use.

Example of purposes, dates, and amounts of water use:

	Month/Day	Month/Day		(cfs)
For <u>Domestic</u> purposes from	<u>1-1</u>	to <u>12-31</u>	amount	<u>0.04</u>
For <u>Stockwater</u> purposes from	<u>1-1</u>	to <u>12-31</u>	amount	<u>0.02</u>
(both dates are inclusive)				

TABLE 1. RECOMMENDED DIVERSION RATES FOR STOCKWATER

In cubic feet per second (cfs).

No. of head	Dairy cows	Other cattle, horses & mules	Hogs	Sheep & goats
0 - 25	0.02	0.02	0.02	0.02
26 - 50	0.04	0.02	0.02	0.02
51 - 100	0.07	0.03	0.02	0.02
101 - 200	0.13	0.05	0.02	0.02
201 - 300	0.20	0.07	0.02	0.02
301 - 400	0.24 *	0.09	0.03	0.02
401 - 500		0.12	0.04	0.02
501 - 600		0.14	0.05	0.03
601 - 700		0.16	0.05	0.03
701 - 800		0.19	0.06	0.03
801 - 900		0.20	0.07	0.04
901 - 1000		0.23 *	0.08	0.04

For chickens, round to the next highest 100 and multiply this number by 0.0000018.
For turkeys, round to the next highest 100 and multiply this number by 0.0000033.

If you have more than 1000 head of hogs, sheep, or goats, round the number to the next highest 100, and multiply this number by one of the following factors:

For hogs, multiply by 0.000074

For sheep or goats, multiply by 0.000037

Round the amount you calculate to the nearest 0.01 cfs and enter this amount in the appropriate space on your claim. You may claim 0.01 cfs even if your calculated amount is less than 0.01 cfs.

* If you have more than; 370 head of dairy cows, or 1000 head of other cattle, horses, or mules, or 3250 head of hogs, or 6500 head of sheep and/or goats, or 130,000 chickens, or 72,200 turkeys you probably use more than 13,000 gallons of water per day. Form No. 42-1409(2)a is used for claims when the amount of water diverted exceeds 13,000 gallons per day.

TOTAL QUANTITY CLAIMED

Item 7: Enter the total amount of water diverted for all the uses shown in Item 6. The total quantity claimed cannot exceed the diversion capacity of the system, or the total of the individual uses.

DESCRIPTION OF USES

Item 8: Describe the uses of the water as fully as possible. Examples: Domestic, enter the number of households connected to the system. Stockwater, enter the number and kind of livestock. If you are claiming domestic use for more than one home, each house must be owned by the same individual or organization.

EXAMPLES:

Domestic, 1 home; Stockwater, 100 head cattle.

Domestic, 1 home; Stockwater, 85 head cattle, 10 head horses.

DESCRIPTION OF PLACE OF USE

Item 9: The place of use is the location in which the water is used. Enter township, range, and section of the place of use. Also, describe the place of use to 40-acre tract (quarter-quarter section) or government lot within a section. If the water is used at the same location that it is diverted, the legal description of the place of use would be the same as the legal description of the point of diversion described in Item 4. "Check" one of the uses (Domestic, Stock, Domestic and Stock) which best describes your water use. The use "checked" should be the same as the use(s) entered in Item 6. A space is provided if your place of use is in two 40 acre tracts. However, if your water is used in more than two 40-acre tracts, it might be easier to file your claim on Form No. 42-1409-1. If the Parcel Number or PIN for the place of use is different from the one entered for the point of diversion, enter the Parcel Number(s) or PIN(s) for the place of use.

PLACE OF USE COUNTY

Item 10: Enter the county (or counties, if more than one) in which the place of use is located.

OWNERSHIP OF PROPERTY

Item 11: If you own the property listed as the place of use put a "check" in the space after the "Yes". If you do not own the property listed as the place of use put a "check" after "No", and describe in Remarks (Item 13) the authority you have to claim this water right. Examples: Power of attorney, lessee (renter), trustee, or estate administrator. Also, if you do not own the place of use, list the name(s) and address(es) of the owner(s) in Remarks (Item 13).

DESCRIBE OTHER WATER RIGHTS

Item 12: If other water rights owned by you or others are used at the same place and for the same purposes, the other rights overlap this right, and they must be described. If the other water right has a water right number assigned by the Idaho Department of Water Resources (IDWR), this number is a sufficient description. If the other water right does not have a number assigned by the IDWR, this other right should be described completely on an attached sheet of paper. If no other water rights are used at the same place and for the same purpose as the right you are claiming, place a "check" after "None".

REMARKS

Item 13: Use this space to enter information that requires more space than is provided on the claim form. This would include additional names and addresses (Item 1), names and addresses of new owners (Item 1), subdivision plat information (Item 4), and the authority for claiming this water right (Item 11). Also, include any relevant information that was not specifically requested on the claim form that would further define or describe this water right. If additional space is needed a separate sheet of paper may be used and attached to the form.

Be sure to identify all documents submitted with the claim form in this Remarks section. This is essential so additional information submitted by you does not become separated from the claim form.

BASIS OF CLAIM

Item 14: Indicate by placing a "check" in the appropriate space the basis on which you are filing your claim. If no record of your water use is in the Department's files, you probably have a **Beneficial Use** claim (see PERMIT REQUIREMENTS), and no Idaho Department of Water Resources (IDWR) Water Right Number can be entered. If the basis of your claim is a "Claim to a Water Right" form you filed with the Department, you have a Beneficial Use claim, and you should enter the **IDWR Water Right Number** assigned to that claim. If the basis of your claim is a Posted Notice, provide a copy of the **posted notice** as described in Item 2. If the basis of your claim is a water right **License** issued by the Department, enter the IDWR Water Right Number assigned to that license. If the basis of your claim is an approved **Permit**, enter the IDWR Water Right Number assigned to that permit. If the basis of your claim is a **Decree**, and the decreed right was assigned a water right number by the Department, enter the water right number in the space after IDWR Water Right Number. This is NOT the order of priority number that was assigned by the decree. If an IDWR Water Right Number was not assigned to your decreed water right, enter the Court, the Decree Date, and the Plaintiff vs. Defendant or the name of the decree, as it is commonly known.

SIGNATURE(S)

Item 15: Before signing your claim, read the document "How You Will Receive Notices in the Coeur d'Alene-Spokane River Basin Adjudication" which can be obtained at any IDWR office, or it can be viewed and printed with the Domestic and/or Stockwater claim form on IDWR's web page.

After you have read and understood the document, place a "check" in the appropriate space indicating that you do or do not wish to pay a small annual fee for a subscription to receive monthly copies of the docket sheet.

Enter the number of attachments in the space provided.

Item 16: If you want the notices required by law that are associated with this claim to be mailed to your attorney instead of you, have your attorney complete Item 16.

FILING FEE

Each claim submitted must include the filing fee. The filing fee for domestic and/or stockwater use claims diverting less than 13,000 gallons of water per day is \$25.00. If you are claiming a water use based on a water right permit, license, decree or statutory claim, including a copy of the document will expedite the processing of your claim.

Make checks payable to the Idaho Department of Water Resources.

Send the fee along with the original claim form to one of the following offices:

Eastern Region
Idaho Dep of Water Resources
900 N. Skyline Dr. Ste. A
Idaho Falls, ID 83402-1718

Southern Region
Idaho Dep of Water Resources
Ste. 00
Twin Falls, ID 83301-

Northern Region
Idaho Dep of Water Resources
7600 Mineral Dr. Ste. 100
Coeur d'Alene, ID 83815-7763

Western Region
Idaho Dep of Water Resources
2735 Airport Way
Boise, ID 83705-5082

If you need additional information or assistance in completing the claim form, you may visit one of the Department's offices.