

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 95-15391

Date Received: 11/17/09

Receipt No: 0020881

Received By: Kid

NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) TP Post Falls LLC Phone (801) 438-3500

Mailing Address 5469 Walker Estates Circle Holladay Utah ZIP 84117

2. Date of Priority (Only one (1) per claim) September 10, 1951
Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other (✓) (a) Spokane River
which is tributary to (b) Columbia River

4. a. Location of Point of Diversion is: Township 50N, Range 05W, Section 07,
S.W., 1/4 of N.W., 1/4 Govt. Lot _____, BM., County of Kootenai County, Idaho

Parcel (PIN) no. 50N05W074950

Additional points of diversion if any: N/A

If available, GPS Coordinates N/A

b. If instream flow, beginning point of claimed instream flow is:

Township N/A, Range N/A, Section N/A, N/A, 1/4 of N/A, 1/4

Govt. Lot N/A, BM., County of N/A

ending point is: Township N/A, Range N/A, Section N/A, N/A, 1/4 of N/A, 1/4

Govt. Lot N/A, BM., County of N/A

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. The water is diverted by electric pump.

SCANNED

NOV 17 2009

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD) (cfs) (acre feet)
For Irrigation purposes from 01/01 to 12/31 amount 1.06 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.06 (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.) N/A

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	
50N	05W	07							12	7	5	22							46

Parcel (PIN) no(s), 50N05W074950, 50N05W075000 Total number of acres irrigated 46

10. In which county (ies) are lands listed above as place of use located? Kootenai County, Idaho

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: Claimant claims a portion of that water right, recorded as water right No. 95-2092, which water right is for 1.06 cfs for irrigation purposes of 72.3 irrigated acres, and which water right denotes the places of use, all located in Township 50N, Range 5 West, Section 7, as follows:

Lot 7 - No. Acres Irrigated = 7.0

Lot 8 - No. Acres Irrigated = 25.3

Lot 9 - No. Acres Irrigated = 35.0

NE 1/4 SW 1/4 - No. Acres Irrigated = 5.0

Claimant is the present owner of Parcel Nos. 50N05W074950 & 50N05W075000, both of which were originally owned by Carnegie, the original water right holder, and to which said water right attaches.

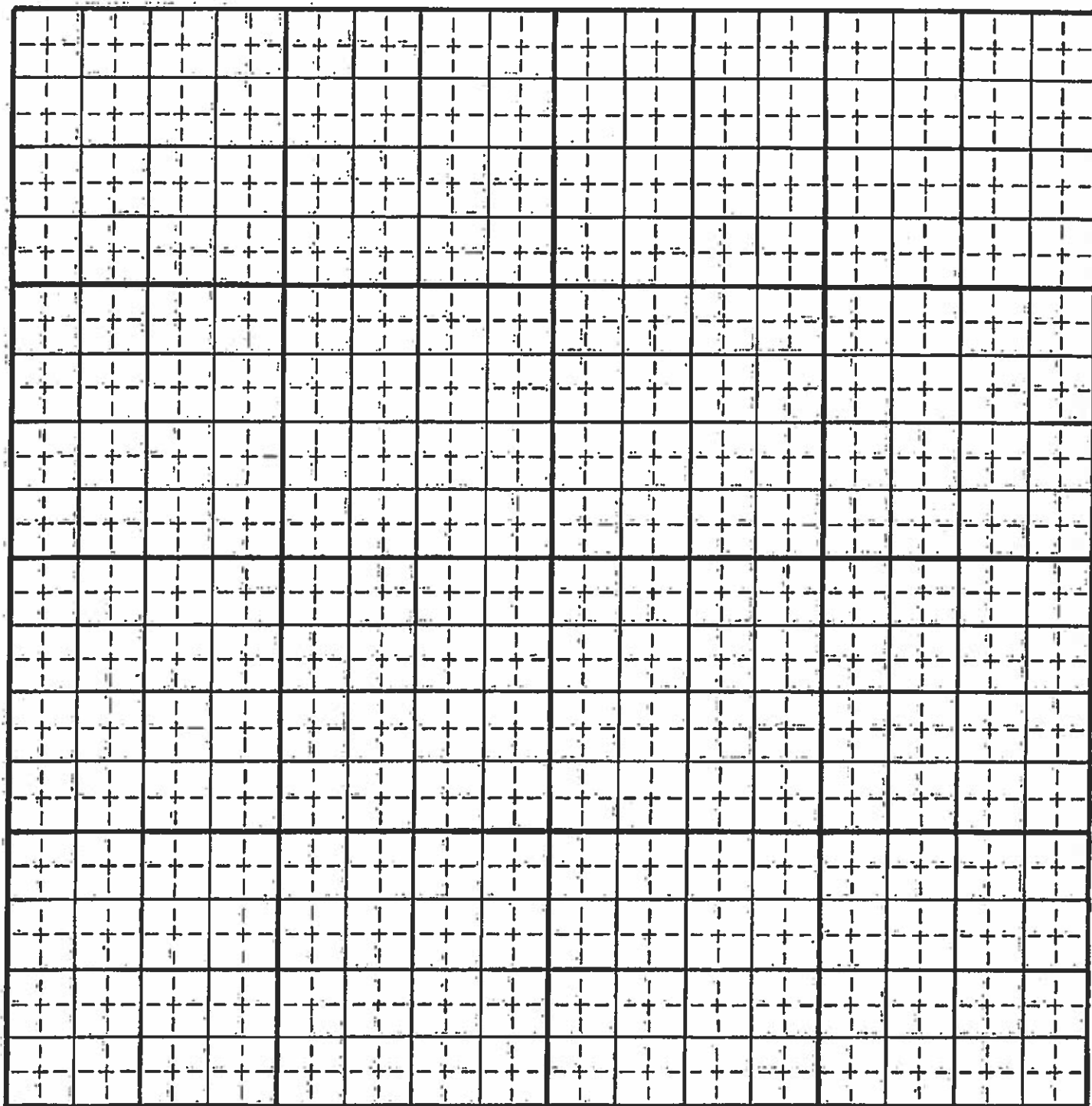
Last Name TP Post Falls LLC Identification No. _____

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Map of Project: Attach 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.

Scale: 2 Inches equals 1 mile



Last Name TP Post Falls LLC Identification No. _____

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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 95-2092

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: Three (3) 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) [Signature] Date: 11/11/09

Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

Manager _____ of TP Post Falls LLC,
Title Organization

that I have signed the foregoing document in the space below as

Manager _____ of TP Post Falls LLC,
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature] Date 11/11/09

Title and Organization TP Post Falls LLC

16. Notice of Appearance:

Notice is hereby given that I, PAUL R. HARRINGTON / LUKINS & ANNIS, P.S., 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 [Signature] Date 11/17/2009

Address 250 Northwest Blvd., Suite 102
Coeur d'Alene, Idaho 83814

Last Name TP Post Falls LLC Identification No. _____

SCANNED

11/17/2009