

Form No.42-1409-1 (Internet 3/12)

**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

ID Number: 95-8895

Date Received: 11/09/2016

Receipt No: N032277

Amount: 51.00 By: cm

**AMENDED
NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

Please type or print clearly

1. Name of claimant(s) GREGORY T AND/OR DENISE M WELTON Phone (208)772-4817
- Mailing address 11790 E MOKINS BAY RD HAYDEN ID ZIP 83835
Street or Box City State
2. Date of priority (only one (1) per claim) NOVEMBER 9, 1994
Month Day Year (yyyy)
3. Source of water supply (check one) Ground Water () or Other (x) (a) NILSON CREEK
which is tributary to (b) HAYDEN LAKE
4. a. Location of point of diversion is: Township 51N, Range 03W, Section 1,
SE 1/4 of NE 1/4, or Govt. Lot _____, B.M., County of KOOTENAI
Parcel (PIN) no. 51N03W010450
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, or Govt. Lot _____, B.M., County of _____
ending point is: Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4 or
Govt. Lot _____, B.M., 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.
EXISTING 3" PIPE INTO STORAGE POND WITH A HEADWELL TO CONTROL FLOW, RESTRICTED DOWN
TO 2" CURRENTLY. 3 HP PUMP TO IRRIGATE 1 ACRE OF PASTURE IS IN THE STORAGE POND. POND
HAS UPPER OUTLET TO RETURN WATER BACK TO NILSON CREEK.

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6. Water is claimed for the following purposes:

(both dates are inclusive mm-dd) (cfs) (acre-feet)

For IRRIGATION purposes from 3/15 to 11/15 amount 0.03 or 3.0

For IRRIGATION STORAGE purposes from 01/01 to 12/31 amount or 1.3

For IRRIGATION FROM STOR. purposes from 3/15 to 11/15 amount or 1.3

For WILDLIFE purposes from 01/0 to 12/31 amount 0.04 or 28.9

7. Total quantity claimed (a) 0.04 (cfs) and/or (b) 33.2 (acre-feet)

8. Non-irrigation uses; describe fully (e.g. Domestic: give number of households served; Stockwater: type and number of livestock, etc.): WILDLIFE, FIRE PROTECTION, AESTHETIC, STORAGE FOR ALL

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 (e.g. 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	
51N	03W	1				1.0													1.0
51N	03W	1				W													
51N	03W	1				J													
51N	03W	1				F													

Parcel (PIN) no(s). 51N03W010450

Total number of acres irrigated 1.0

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.

95-209, 95-14646

or None ()

13. Remarks:

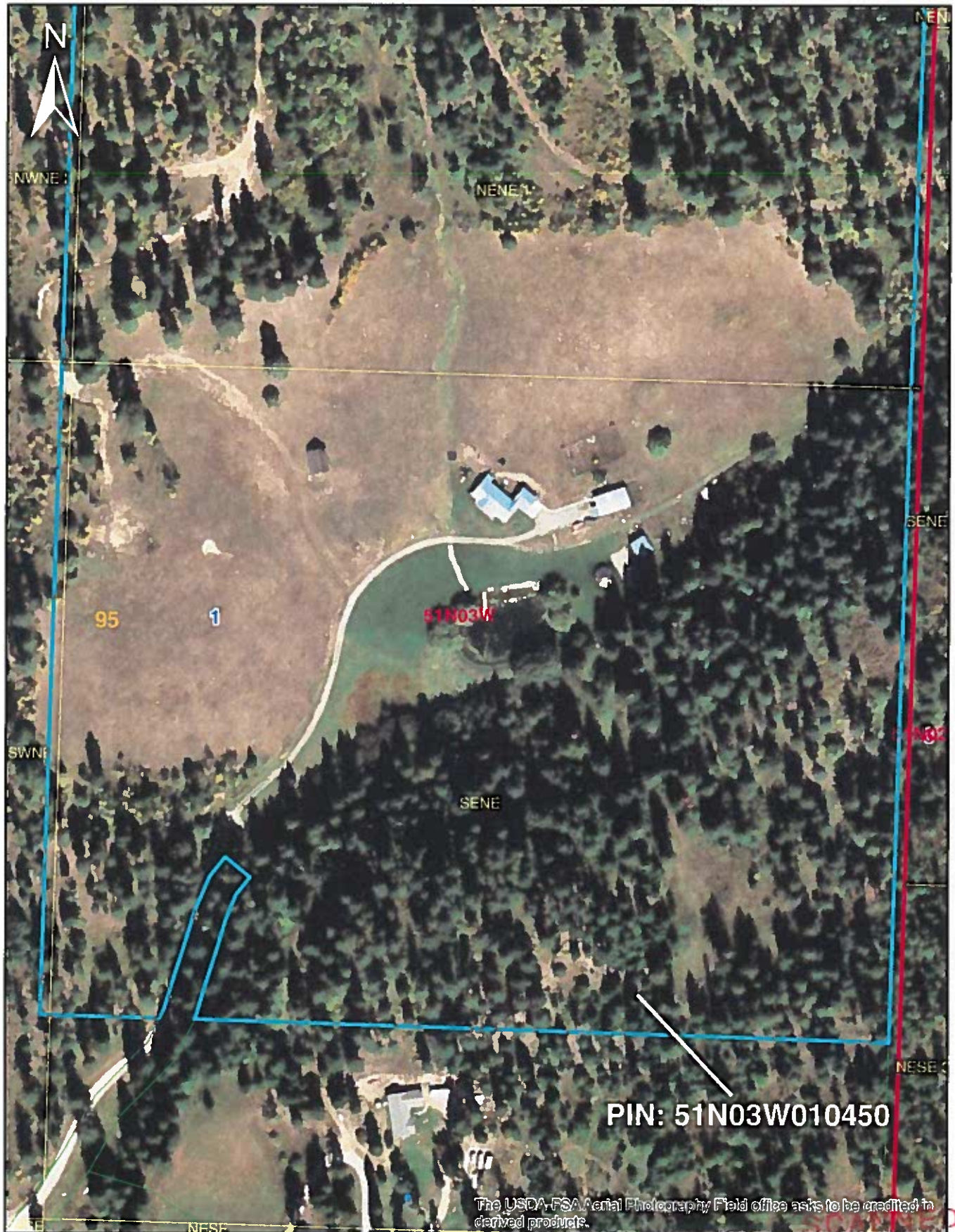
Last name WELTON

Identification no.

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PARCEL LOCATION FOR CSRBA WATER RIGHT CLAIM 95-8895



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14. Basis of claim (check one) Beneficial Use () Posted Notice () License (x) Permit () Decree ()

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable, provide IDWR water right number 95-8895

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 (x) wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

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) Rory T. Welton Date: 11/9/16

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 _____

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Last name WELTON Identification no. _____

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 95-08895

Priority: November 9, 1994

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

33.2 AF

This is to certify, that DEXIL C ROLD

E 10820 MOKINS DR

HAYDEN LAKE ID 83835

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 9, 1994; and has submitted Proof of Beneficial Use on April 10, 1995. An examination indicates that the works have a diversion capacity of 0.040 cfs of water from:

NILSON CREEK

tributary to HAYDEN LAKE

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.03 CFS	3.0 AF
IRRIGATION STORAGE	01/01 to 12/31		1.3 AF
IRRIGATION FROM STORAGE	03/15 to 11/15		1.3 AF
WILDLIFE	01/01 to 12/31	0.04 CFS	28.9 AF
WILDLIFE STORAGE	01/01 to 12/31		1.3 AF
FIRE PROTECTION	01/01 to 12/31	0.04 CFS	
FIRE PROTECTION STORAGE	01/01 to 12/31		1.3 AF
AESTHETIC	01/01 to 12/31	0.04 CFS	28.9 AF
AESTHETIC STORAGE	01/01 to 12/31		1.3 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.04 CFS	
Totals		0.04 CFS	33.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 1, Township 51N, Range 03W
KOOTENAI County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
51N	03W	1	SENE	1		1

Total number of acres irrigated: 1

PLACE OF USE:

IRRIGATION FROM STORAGE, same as IRRIGATION use

PLACE OF USE:

WILDLIFE, same as IRRIGATION use

PLACE OF USE:

FIRE PROTECTION, same as IRRIGATION use

PLACE OF USE:

AESTHETIC, same as IRRIGATION use

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APR 03 1998

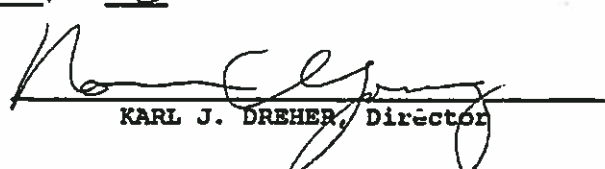
State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 95-08895

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license shall be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 95A.
6. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
7. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
8. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
9. Wildlife storage is for nesting waterfowl habitat.
10. Aesthetic storage is for a pond.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 3rd
day of April, 1998.


KARL J. DREHER, DirectorSCANNED
NOV 14 2016

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APR 03 1998