

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 95-8356
Date Received: 1-14-2010
Receipt No: NO23383
Received By: ED

NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) JANICE BYER Phone 208 773-3770
Mailing Address 770 S. SIGNAL POINT RD ^{POST} FALLS ^{ZIP} 83854
Street or Box City State
2. Date of Priority (Only one (1) per claim) 06/21/1983
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 5W, Section 9,
NW, 1/4 of SW, 1/4 Govt. Lot _____, BM., County of Kootenai

Parcel (PIN) no. 50N05W09S800

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. _____

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6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For COMMERCIAL purposes from 1-1 to 12-31 amount 0.02 or 0.3 AF

For Domestic purposes from 1-1 to 12-31 amount 0.04 or 1.2 AF

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.04 (cfs) and/or (b) 1.5 AF (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.

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>SW</u>	<u>SW</u>	<u>9</u>										<u>X</u>							
												<u>D</u>							

Parcel (PIN) no(s). _____

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: _____

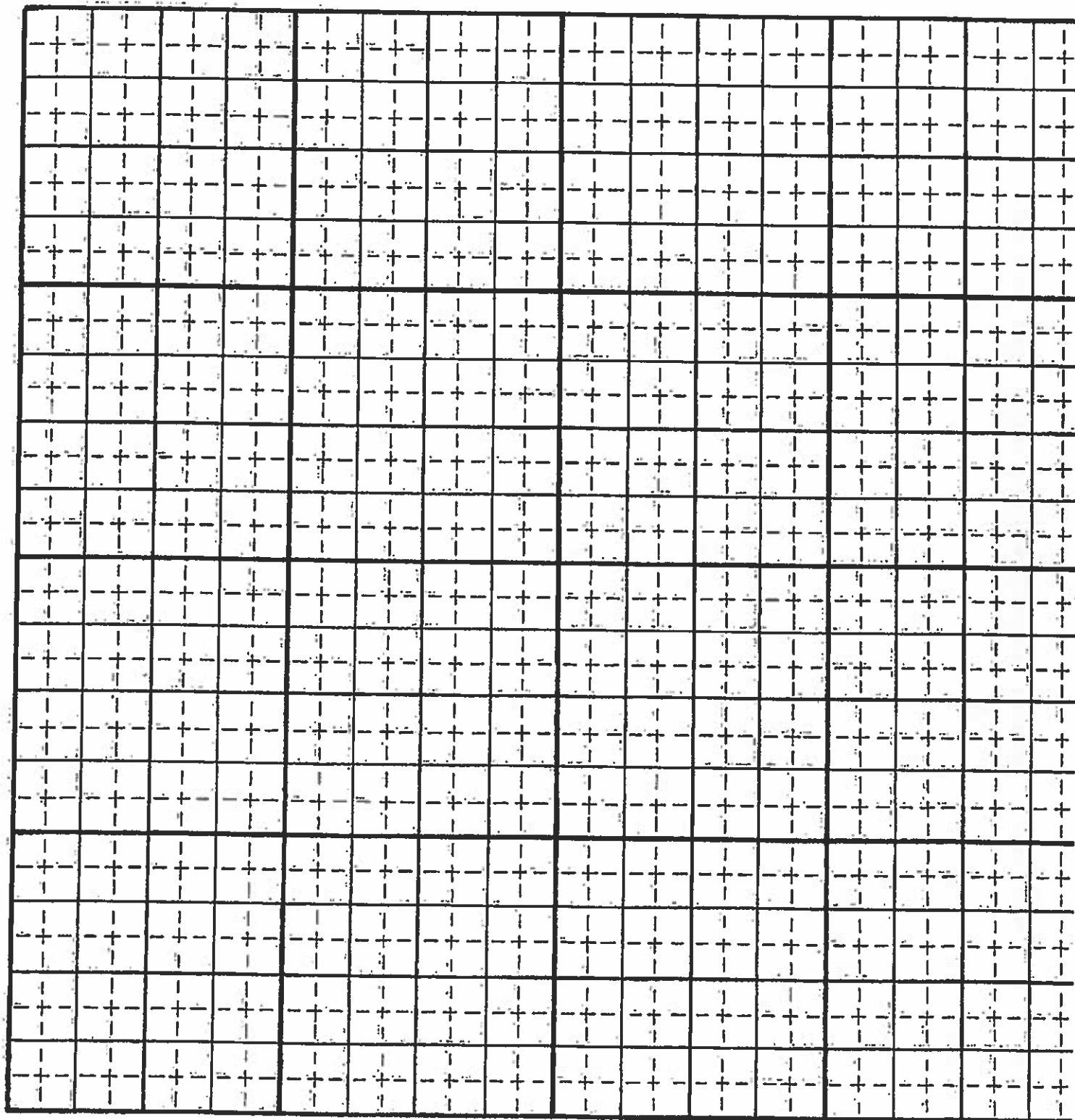
Last Name _____ Identification No. _____

SCANNED

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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 _____ Identification No. _____

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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 95-8356

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) Janice Byr Date: 1/14/10

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 Janice Byr

Address 4770 S. Signal Point Rd Post Falls Id 83854

Date 1/14/10

Last Name _____ Identification No. SCANNED

JAN 14 2010

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

1/14/2010

WATER RIGHT NO. 95-8356

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JANICE BYER 768 S SIGNAL POINT RD POST FALLS, ID 83854-5792
Current Owner	DAVID BYER S 1250 SIGNAL POINT RD POST FALLS, ID 83854

Priority Date: 06/21/1983

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	1/01	12/31	0.02 CFS	0.3 AFA
DOMESTIC	1/01	12/31	0.04 CFS	1.2 AFA
Total Diversion			0.04 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWSW	Sec. 09	Township 50N	Range 05W	KOOTENAI County
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Licensed Diversion Capacity: 0.04

Place(s) of use:

Place of Use Legal Description: COMMERCIAL KOOTENAI County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
50N	05W	9		NWSW										

Place of Use Legal Description: DOMESTIC same as COMMERCIAL

Conditions of Approval:

1.	Commercial use is for dog kennels; domestic use is for 1 home.
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Dates:

Licensed Date: 03/13/1991

Decreed Date:

Permit Proof Due Date: 8/1/1988

Permit Proof Made Date: 6/24/1988

Permit Approved Date: 8/12/1983

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 06/21/1983

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False