

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 95-08665

Date Received: 10-1-09

Receipt No: A022305 B

Received By: cm

RECEIVED

OCT - 1 2009

NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

IDWR/North

Please type or print clearly

1. Name of Claimant (s) Donald E. & Paulette Labian Phone 208 255-5907

Mailing Address 9792 E Coeur d'Alene Lake Dr City Coeur d'Alene State ID ZIP 83814

2. Date of Priority (Only one (1) per claim) 07/16/1990
Month Day Year (YYYY)

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

4. a. Location of Point of Diversion is: Township 49N, Range 3W, Section 3
NE, 1/4 of NE, 1/4 Govt. Lot 1, BM., County of Kootenai

Parcel (PIN) no. 49N03W-03-0225

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.

electric sprinkler box w. numerous zones - 1 zone
operates waterfall

SCANNED
OCT - 2 2009

*preferred phone #

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD) (cfs) (acre feet)
For irrigation purposes from 03-15 to 10-15 amount .06 or .9
For aesthetic purposes from 03-15 to 10-15 amount .06 or 12.7
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .06 (cfs) and/or (b) 13.6 (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) aesthetic / water fall - recirculates

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	
49N	3W	3	.3																.3
49N	3W	3	A																

Parcel (PIN) no(s) 49N03W-03-0005

Total number of acres irrigated .3

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 ☒ 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.

NONE

or None ()

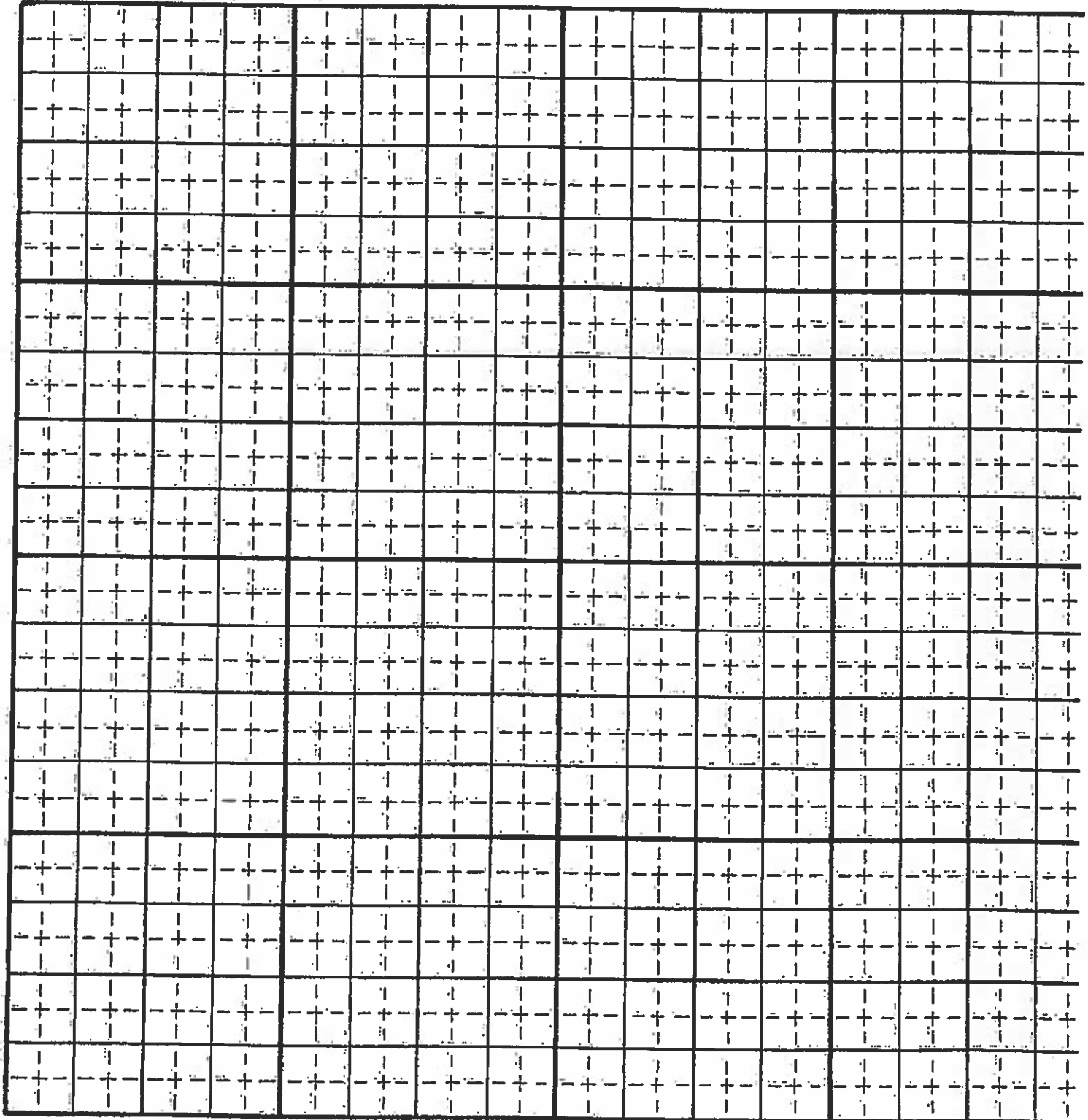
13. Remarks: claim submitted for well completed
05-30-85-permit # 95-85-N-27

Last Name _____ Identification No. _____

SCANNED
OCT - 2 2009

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. _____

SCANNED

OCT - 2 2009

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 95-08665

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: 2 (License + Map)

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) Paullette Fabray Date: _____

Dorothy Fabray Date: _____

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 _____

Address _____

Date _____

Last Name _____ Identification No. _____

COPIED

OCT - 2 2009