

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 ~~95-9649~~ 95-9649

Date Received: 7/13/2009

Receipt No: N021253

Received By: lm

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

1. Name of Claimant(s) Frank or Marilyn Koot Phone () 208-683-2401Mailing Address 12661 E Parks Rd Arden ID 83801
Street or Box City State Zip2. Date of Priority: (Only one per claim) 6/25/1970
Month/Day/Year (YYYY)3. Source of water supply (Check one) Ground Water ☒ or Other () (a) _____
which is tributary to (b) _____4. Location of Point of Diversion is: Township 53N, Range 02W, Section 19,
SE 1/4 of NE 1/4, or Govt. Lot _____ BM. County of Kootenai;
Parcel (PIN) no. 53N02W192000

Additional points of diversion if any: _____

If available, GPS coordinates: _____

5. Description of diverting works (Wells, Pumps, Spring boxes, Pipelines, 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.

Well drilled 1970 connected to
pressure tank & 2 hydrants Depth 401'

6. Water is claimed for the following: (limited to Domestic and/or Stockwater uses. See page 1 of the instructions.)

For Stockwater purposes from 1/01 to 12/31 amount 0.020 cfs () or AFY ()For Domestic purposes from 1/01 to 12/31 amount 0.040 cfs () or AFY ()7. Total Quantity claimed 0.040 cfs ☒ or AFY () 1.4 acre Feet

8. Non-irrigation uses. Describe fully. (eg. Domestic: give number of households served if single ownership;

Stockwater and Number of livestock) 1 house

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9. Location of Place of Use is: Township 53N, Range 02W, Section 19

SE 1/4 of NE 1/4, Govt. Lot _____ BM. Parcel (PIN) no. _____

for (Check One) Domestic ☒ Stock () Domestic and Stock ☒ If different than shown in Item 4

Additional places of use, if any _____

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 the 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:

14. Basis of Claim (Check One) Beneficial Use () Posted Notice () License () Permit () Decree ☒

Court Kootenai Co Decree Date 06/26/05 Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 95-9649

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: 3 well log, decree, 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) Frank Pickett Date: 7/13/09

Marilyn Pickett Date: 7/13/09

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 _____

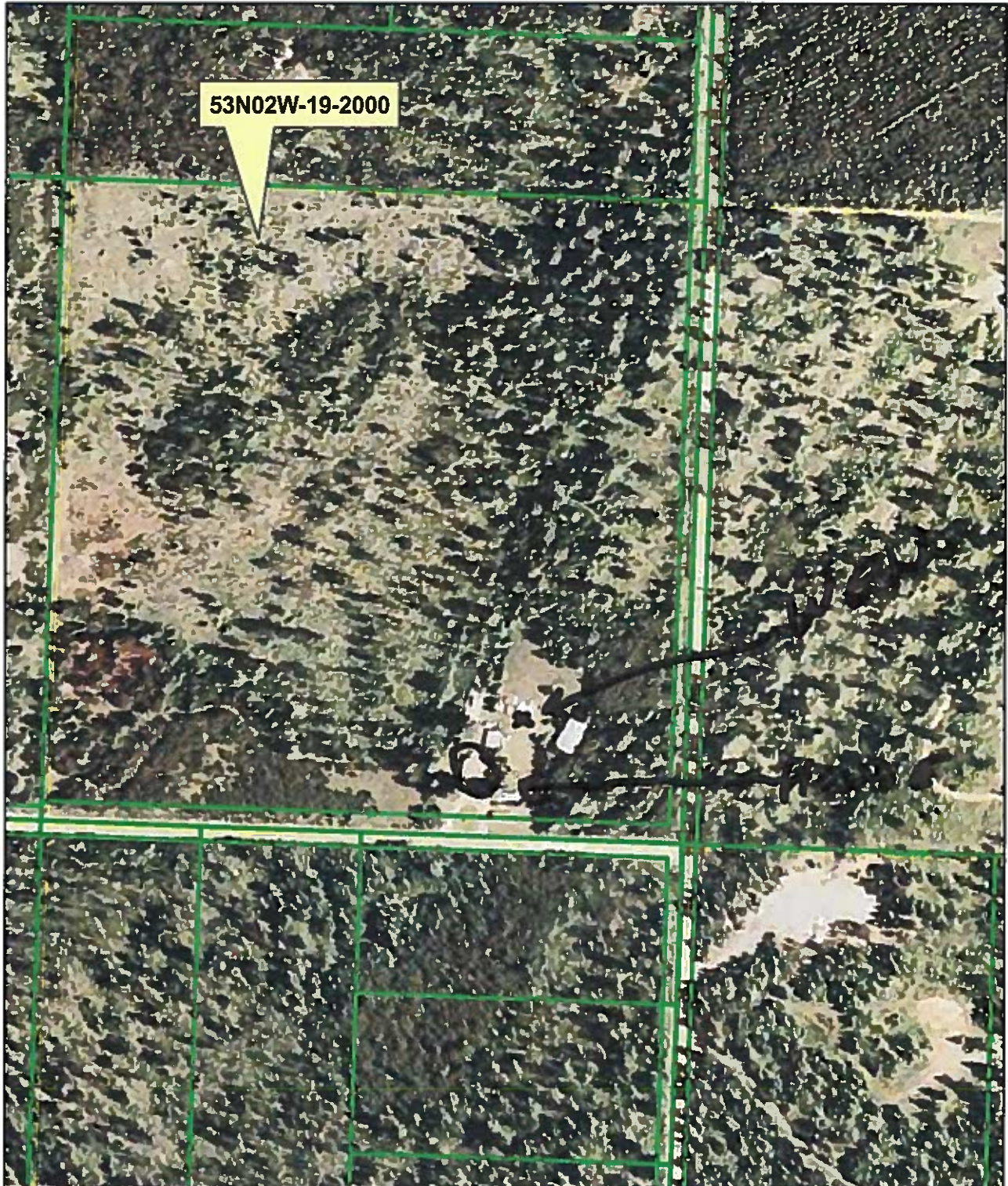
Address _____

Date _____

Last Name _____ Identification No. _____

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KOKOT PIN 53N02W-19-2000



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1035313

1980 FEB 24 11

RECEIVED

FEB 5 1986

Department of Water Resource

Leah Phelps

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

IN THE MATTER OF THE GENERAL)	
DETERMINATION OF THE RIGHTS TO THE)	Civil No. 39405
USE OF THE SURFACE AND GROUND-)	
WATERS OF LEWELLEN CREEK, ROUSH)	D E C R E E
CREEK, TRAPPER CREEK, AND THEIR)	
TRIBUTARIES ALL COMMONLY KNOWN)	
AS LEWELLEN CREEK DRAINAGE BASIN.)	

The report of the Department of Water Resource entitled PROPOSED FINDING OF WATER RIGHTS IN THE LEWELLEN CREEK DRAINAGE BASIN, was filed with this Court on May 27, 1980. The report contains FINDINGS OF FACT, CONCLUSIONS OF LAW, and a Listing of Rights. No objections were filed with the Court to the Department's report as allowed for by Section 42-1410, Idaho Code.

THEREFORE, there being no objections to the report as filed by the Department of Water Resources, and said report constituting prima facie evidence of the water rights of the persons made party to this action, the Court finds as a matter of fact and law that the rights of the parties are as set forth in the above-described report and hereby adopts said report as the Court's Findings of Fact and Conclusions of Law.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED That the water rights of the persons made party to this action are as found in the Proposed Finding of Water Rights in the Lewellen Creek Drainage Basin filed with this Court on May 27, 1980, and those water rights are hereby decreed as listed therein.

DATED this 24th day of Dec, 1980.

COUNTY OF IDAHO
COUNTY OF KOOTENAI) SS

IN THE DISTRICT COURT OF

Dept. of Water Resources

At _____ o'clock _____

Leah Phelps

FEB 12 1986

By *Leah Phelps* Deputy

For \$ MC

Return to

450 West State Street

JUL 31 1986

W. E. Prather
WATT E. PRATHER
District Judge
STATE OF IDAHO
County of Kootenai

I, Leah Phelps Clark of the District Court of the First Judicial District of the State of Idaho, in and for the County of Kootenai, do hereby certify that the foregoing instrument is a true and correct copy of the original thereof now on file in this office. Witness my hand and the seal of said Court on this, the 24th day of Dec, 1980.
LEAH PHELPS, CLERK OF THE DISTRICT COURT
By *(Signature)* Deputy

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JUL 13 2009

