

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 95-14475Date Received: 5-12-10Receipt No: ND24311Received By: mm

RECEIVED

MAY 12 2010

IDWH/North

208-301-3058 Cell
208-882-8112 Home

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Gail A. Byers Phone (208) 882-8112Mailing Address 1116 Pinecrest Road Moscow ID ZIP 83843
Street or Box City State2. Date of Priority (Only one (1) per claim) July 1, 1964
Month Day Year (mm)3. Source of water supply (Check one) Ground Water () or Other (X) (a) Spokane River
which is tributary to (b) Columbia River4. a. Location of Point of Diversion is: Township T50N Range R4W Section 8
NW 1/4 of _____, 1/4 Govt. Lot _____, BM., County of KootenaiParcel (PIN) no. 033200000380

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. one horse power pump is used to provideirrigation water for approximately 1/2 acre UAD.
Pump is situated on the southern bank of the Spokane
River at 5979 Harbor DR, legally described as Lot 38
Harbor Island Addition.

SCANNED

MAY 12 2010

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For irrigation purposes from march 1 to November 15 amount 0.02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.02 (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.) _____

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	
50	4	8						1/2											1/2

Parcel (PIN) no(s). 033200000380

Total number of acres irrigated 1/2 acre

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.

Domestic Well serving two Households or None ()

13. Remarks: Lot 38, Harbor Island Addition

Last Name Byers

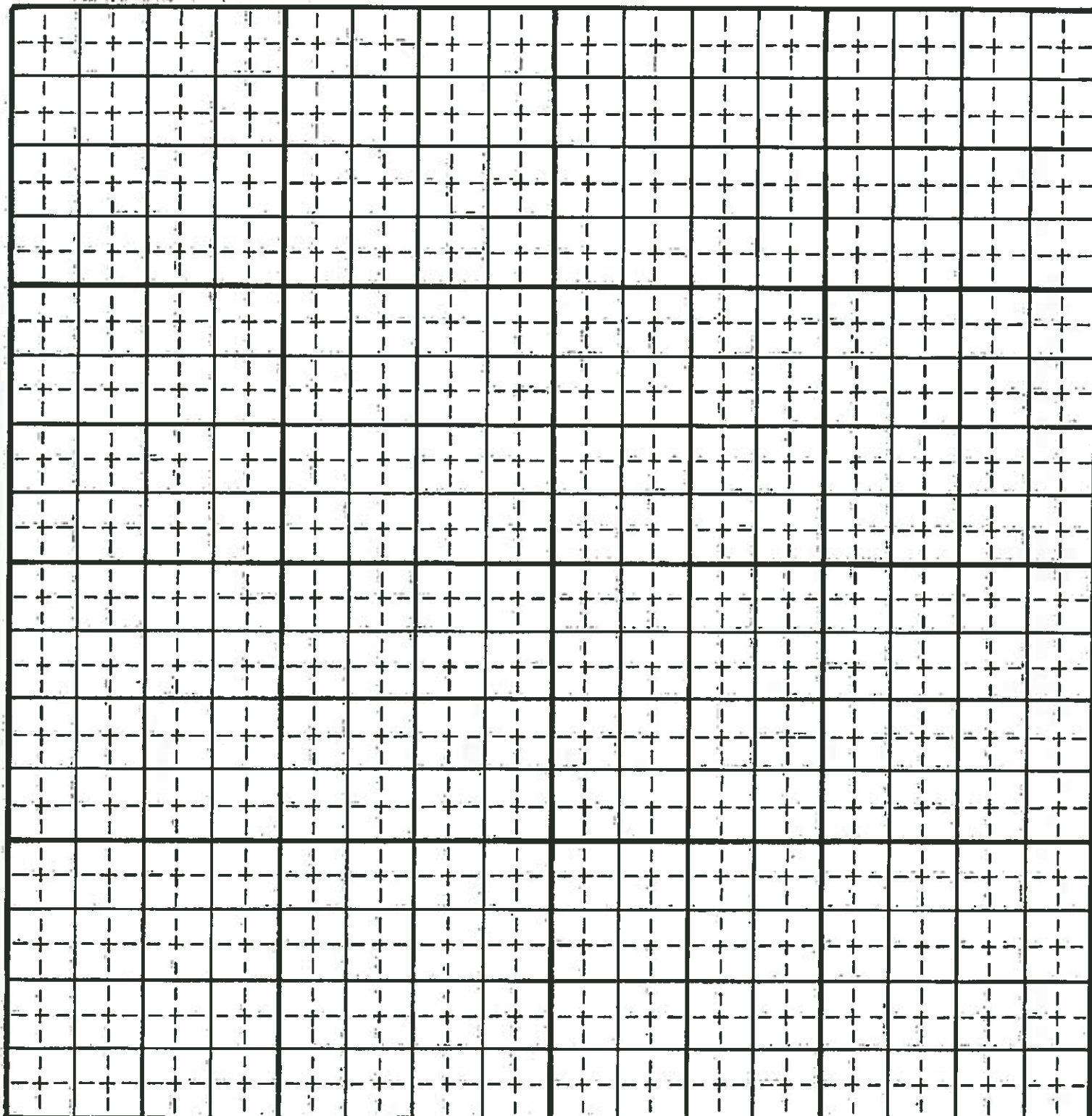
Identification No. _____

SCANNED

MAY 12 2010

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

Byers

Identification No.

SCANNED

MAY 12 2010

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

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number _____

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: one

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) Neil Byers Date: 5-11-10

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 _____

Last Name Byers Identification No. _____

SCANNED
MAY 12 2010

SPOKANE RIVER

BOULDER RETAINING WALL

OLD CONC. RETAINING WALL

River Pump

WOOD DECK
ENCROACHES 0.8'

25' TO HIGH WATER LINE

CONC WALK
ENCROACHES 1.0'

DECK

ONE STORY
FRAME
HOUSE

(N54°13'W 70' SR1)
N 54°05'04" W 70.03'

+/- 25'

6.8'

20.2'

16.9'

18.4'

18.7'

28°10'01" W
176.34'
76.18' SR1)

3°11'W 166.92' SR1)

28°10'01" W 166.92'

NW OF LINE

RB6

2047E 11-80

SCANNED
MAY 12 2010