

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 95-13233Date Received: 2/08/2010Receipt No: N023517-BReceived By: dm

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) Mike Fitzgerald, Sr. Phone (208) 755-2667

Mailing Address 7600 N Government Way, Ste 1 Dalton Gardens ID 83815
Street or Box City State Zip

2. Date of Priority: (Only one per claim) 06/08/1992
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 51N, Range 3W, Section 30,
NE 1/4 of SE SW 1/4, or Govt. Lot _____ BM. County of Kootenai;Parcel (PIN) no. 51N03W304875

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 and pump

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

For Domestic purposes from 1/01 to 12/31 amount .04 cfs(✓) or AFY()

For _____ purposes from _____ to _____ amount _____

7. Total Quantity claimed .04 cfs (✓) or AFY ()

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

Stockwater and Number of livestock) Domestic- 1 household

SCANNED
FEB 18 2010

9. Location of Place of Use is: Township 51N, Range 3W, Section 30,
NE 1/4 of SE SW 1/4, Govt. Lot _____ BM. Parcel (PIN) no. _____
If different than shown in Item 4
for (Check One) Domestic (☒) Stock () Domestic and Stock ()

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:

Claim based upon Well Driller's Report Permit No. 95-92-N-84 as filed with IDWR

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 _____

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: 1-Well Driller's Report

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) Mike Fitzgerald 12-1-09 Date: _____

_____ 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, Kevin P. Holt of Wetzel, Wetzel & Holt, PLLC, 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.

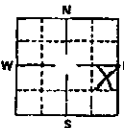
Signature [Signature] Date 2-1-10

Address 618 N 4th Street, Ste 2, Coeur d'Alene, ID 83814

Last Name Fitzgerald Identification No. _____

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FEB 18 2010

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORTUSE TYPEWRITER OR
BALLPOINT PENState law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

1. WELL OWNER Name <u>MIKE FITZGERALD</u> Address <u>7560 Bow't Way Hayden Lk. Id</u> Drilling Permit No. <u>95-92-N-84</u> Water Right Permit No. _____		7. WATER LEVEL Static water level <u>148</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature <u>60</u> °F. Quality <u>Good No Smell</u> Describe artesian or temperature zones below.																																																																																			
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Well diameter increase ☐ Modification ☐ Abandoned (describe abandonment or modification procedures such as liners, screen, materials, plug depths, etc. in lithologic log, section 9.)		8. WELL TEST DATA ☐ Pump ☐ Baller ☒ Air ☐ Other _____ <table border="1"><thead><tr><th>Discharge G.P.M.</th><th>Pumping Level</th><th>Hours Pumped</th></tr></thead><tbody><tr><td><u>Est 12-14</u></td><td></td><td></td></tr><tr><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td></tr></tbody></table>		Discharge G.P.M.	Pumping Level	Hours Pumped	<u>Est 12-14</u>																																																																														
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3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Monitor ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)		9. LITHOLOGIC LOG <u>081862</u> <table border="1"><thead><tr><th rowspan="2">Bore Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th colspan="2">Water</th></tr><tr><th>From</th><th>To</th><th>Yes</th><th>No</th></tr></thead><tbody><tr><td>8</td><td>0</td><td>19</td><td></td><td></td><td></td></tr><tr><td>6</td><td>19</td><td>725</td><td></td><td></td><td></td></tr><tr><td></td><td>0</td><td>8</td><td>Top Soil & Clay</td><td></td><td>X</td></tr><tr><td></td><td>8</td><td>16</td><td>Brown SHALE</td><td></td><td>X</td></tr><tr><td></td><td>16</td><td>65</td><td>Blue shale streaks of soft quirts</td><td></td><td>X</td></tr><tr><td></td><td>65</td><td>80</td><td>Light Brown Granite & quirts</td><td></td><td>X</td></tr><tr><td></td><td>80</td><td>110</td><td>Granite</td><td></td><td>X</td></tr><tr><td></td><td>110</td><td>250</td><td>Blue shale</td><td></td><td>X</td></tr><tr><td></td><td>250</td><td>725</td><td>Hard Blue ish Granite</td><td></td><td>X</td></tr><tr><td colspan="6">First water approx 150 lpm</td></tr><tr><td colspan="6">Second water 585' 11 gpm</td></tr><tr><td colspan="6">Third water 670' 1 gpm</td></tr></tbody></table>		Bore Diam.	Depth		Material	Water		From	To	Yes	No	8	0	19				6	19	725					0	8	Top Soil & Clay		X		8	16	Brown SHALE		X		16	65	Blue shale streaks of soft quirts		X		65	80	Light Brown Granite & quirts		X		80	110	Granite		X		110	250	Blue shale		X		250	725	Hard Blue ish Granite		X	First water approx 150 lpm						Second water 585' 11 gpm						Third water 670' 1 gpm					
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4. METHOD DRILLED ☒ Rotary ☒ Air ☐ Auger ☐ Reverse rotary ☐ Cable ☐ Mud ☐ Other _____ (backhoe, hydraulic, etc.)																																																																																					
5. WELL CONSTRUCTION <u>715'</u> Casing schedule: ☒ Steel ☐ Concrete ☐ Other <u>PVC</u> <table border="1"><thead><tr><th>Thickness</th><th>Diameter</th><th>From</th><th>To</th></tr></thead><tbody><tr><td><u>250</u> inches</td><td><u>6</u> inches</td><td><u>1</u> feet</td><td><u>19</u> feet</td></tr><tr><td><u>160</u> inches</td><td><u>4</u> inches</td><td><u>10</u> feet</td><td><u>725</u> feet</td></tr><tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr></tbody></table> Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☒ Yes ☐ No Perforated? ☒ Yes ☐ No <u>SAWcut</u> How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun Size of perforation? <u>1/8</u> inches by <u>1/4</u> inches <table border="1"><thead><tr><th>Number</th><th>From</th><th>To</th></tr></thead><tbody><tr><td><u>60</u> perforations</td><td><u>205</u> feet</td><td><u>265</u> feet</td></tr><tr><td><u>100</u> perforations</td><td><u>585</u> feet</td><td><u>605</u> feet</td></tr><tr><td><u>40</u> perforations</td><td><u>685</u> feet</td><td><u>725</u> feet</td></tr></tbody></table> Well screen installed? ☐ Yes ☒ No Manufacturer _____ Type _____ Top Packer or Headpipe _____ Bottom of Tailpipe _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>1'</u> Material used in seal: ☐ Cement grout ☒ Bentonite ☐ Puddling clay ☐ _____ Sealing procedure used: ☐ Slurry pit ☒ Overbore to seal depth ☐ Temp. surface casing ☒ Threaded ☐ Welded Method of joining casing: ☒ Solvent Weld ☐ Cemented between strata Describe access port <u>Well SEAL</u>		Thickness	Diameter	From	To	<u>250</u> inches	<u>6</u> inches	<u>1</u> feet	<u>19</u> feet	<u>160</u> inches	<u>4</u> inches	<u>10</u> feet	<u>725</u> feet	_____ inches	_____ inches	_____ feet	_____ feet	Number	From	To	<u>60</u> perforations	<u>205</u> feet	<u>265</u> feet	<u>100</u> perforations	<u>585</u> feet	<u>605</u> feet	<u>40</u> perforations	<u>685</u> feet	<u>725</u> feet																																																								
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6. LOCATION OF WELL Sketch map location must agree with written location.  Subdivision Name _____ Lot No. _____ Block No. _____ County <u>Kootenai</u> <u>NE 1/4 SE 1/4</u> Sec. <u>30</u> , T. <u>51</u> S. ☒ R. <u>3</u> W. ☒		10. Work started <u>6-3-92</u> finished <u>6-8-92</u>																																																																																			
11. DRILLER'S CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. AQUA DRILLING Firm Name <u>EXPLORATION INC.</u> Firm No. <u>163</u> P.O. Box 225 CDA, IDAHO Address <u>83814</u> Date <u>6-10-92</u> Signed by Drilling Supervisor <u>Scott M. Braun</u> and (Operator) <u>Wayne Miller</u> (If different than the Drilling Supervisor)		10. Work started <u>6-3-92</u> finished <u>6-8-92</u>																																																																																			