

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 95-73979

Date Received: 8/14/9

Receipt No: NO 22087

Received By: 666

NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Marina Dochios Plastino Phone (208) 687-5321

Mailing Address PO Box 1050 Rathdrum ID 83858

Street or Box

City

State

2. Date of Priority (Only one (1) per claim) June 10, 1931 JAN 31, 1995

Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water (✓) or Other () (a) _____

which is tributary to (b) note: use was from unnamed spring until well was installed 8/3/1990

4. a. Location of Point of Diversion is: Township 51N, Range 5WBM, Section 2,
NW, 1/4 of NE, 1/4 Govt. Lot _____, BM., County of Kootenai

Parcel (PIN) no. 51N05W020660

Additional points of diversion if any: original source was from 9 springs in hillside behind house

If available, GPS Coordinates well: N47.80273, W116.92259,

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. The house withdraws water from a well complete to 300 feet (attach A

The well was installed in January 1995 to replace the surface water diversions from springs in the hillside behind
house (see attach B). These springs were located in Sec 35, and were used since June 1931. Water has been
used continuously in the house since that date. Permit No. 95-95-N-0015-000 was issued for the GW well in
February 1995 for 0.04 cfs, not to exceed 13,000 gallons per day. The new well is plumbed directly to the house.

SCANNED

SEP 14 2009

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD) (cfs) (acre feet)

For Domestic purposes from January 1 to Dec 31 amount 0.04 or 14.56

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.04 (cfs) and/or (b) 14.56 (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) 1 home

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	
51N	05W	02		D															

Parcel (PIN) no(s) 51N05W020660 Total number of acres irrigated 0.5

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.

Another claim is submitted for irrigation and stockwatering or None ()

13. Remarks: Attachments include: A) well log, B) Map showing well location and springs, C) Parcel Map, D) Aerial Photograph, E) Application for Drilling Permit, F) Affidavit

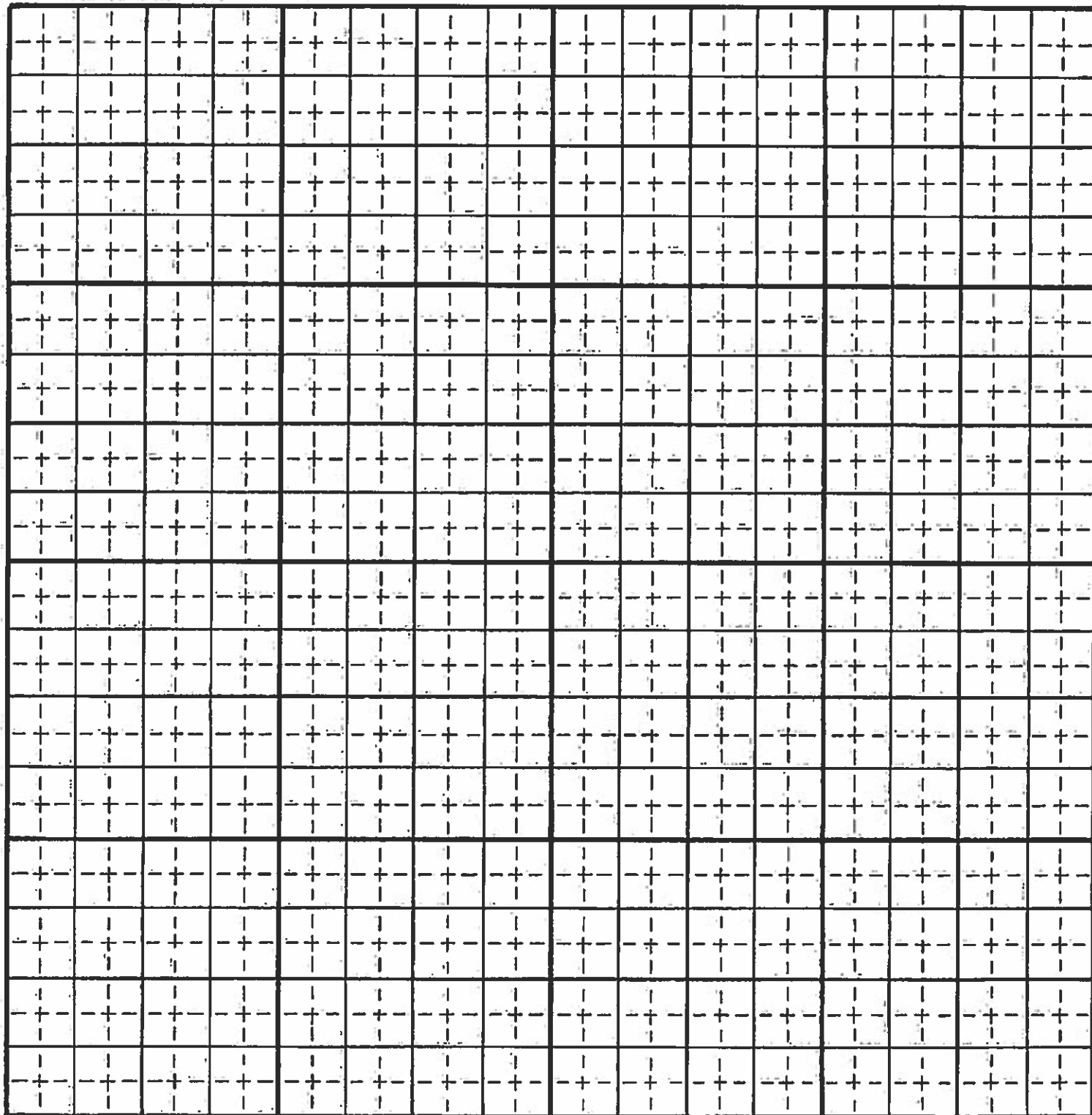
Address of this claim is: Highway 41, 1 mile west of Rathdrum, ID

Last Name Plastino Identification No.

SCANNED
SEP 14 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 Plastino

Identification No. SCANNED

SEP 14 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 _____

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: 6

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) Marina Dochins Plastino Date: 9-11-09

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 _____

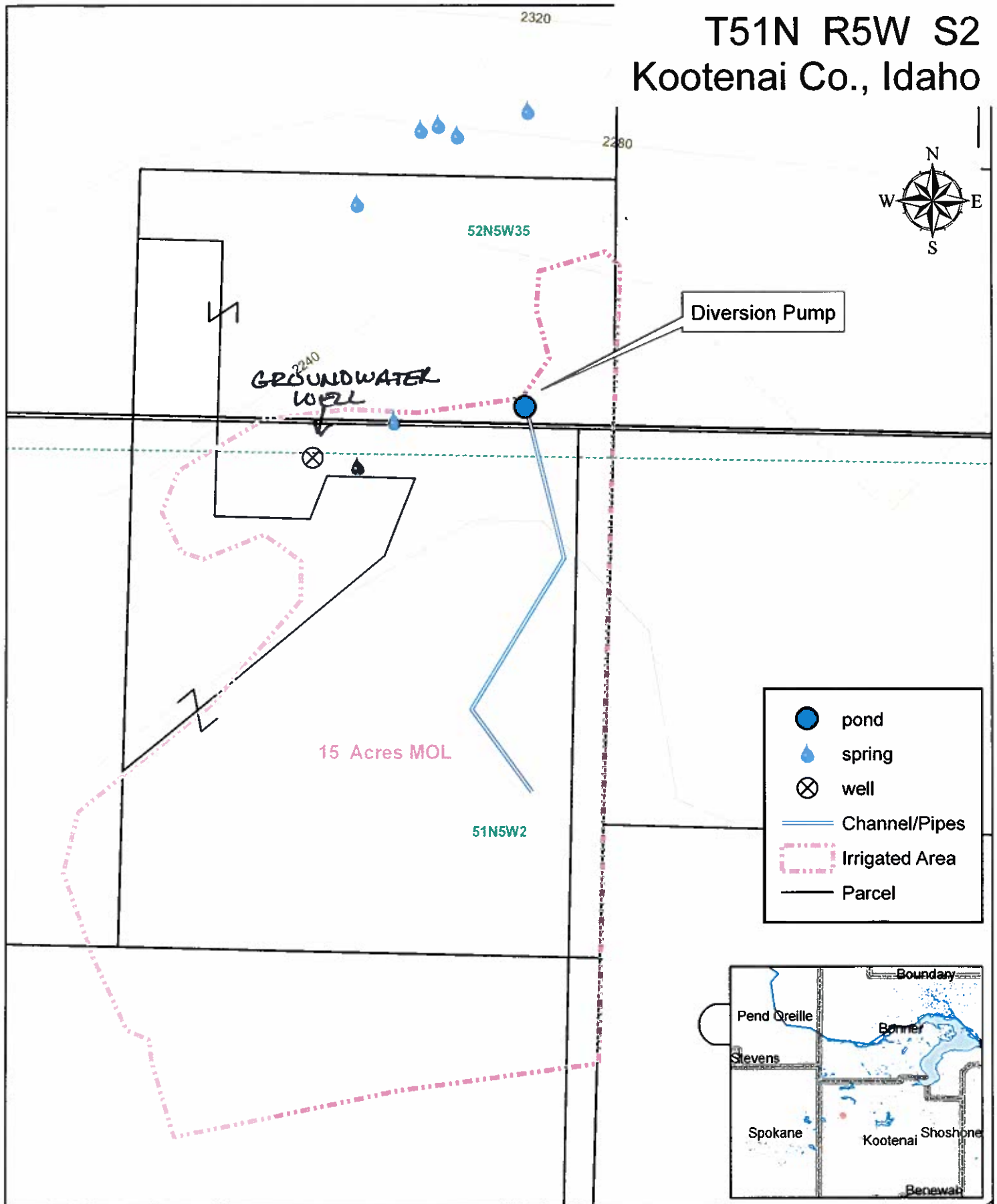
Address _____

Last Name Plastino Identification No. _____

SCANNED
SEP 14 2009

PLASTINO ATCH B

T51N R5W S2
Kootenai Co., Idaho



This is not a survey. Actual relationships & distances between features may be different from those depicted on this map. Accurate measurements are required in order to verify these relationships and distances.

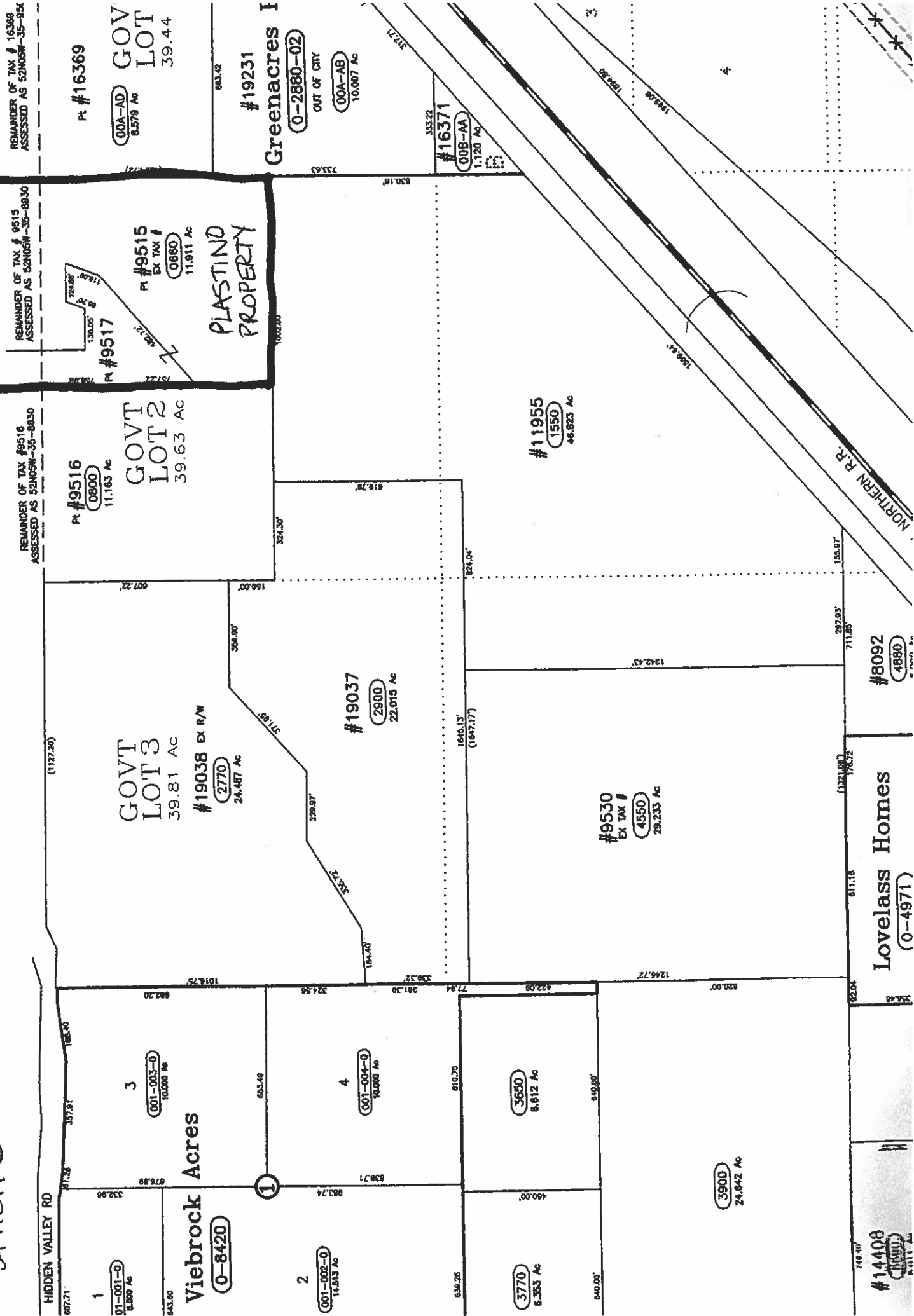
2006 USDA/NAIP (Aerial Photo)

0 70 140 280
Feet

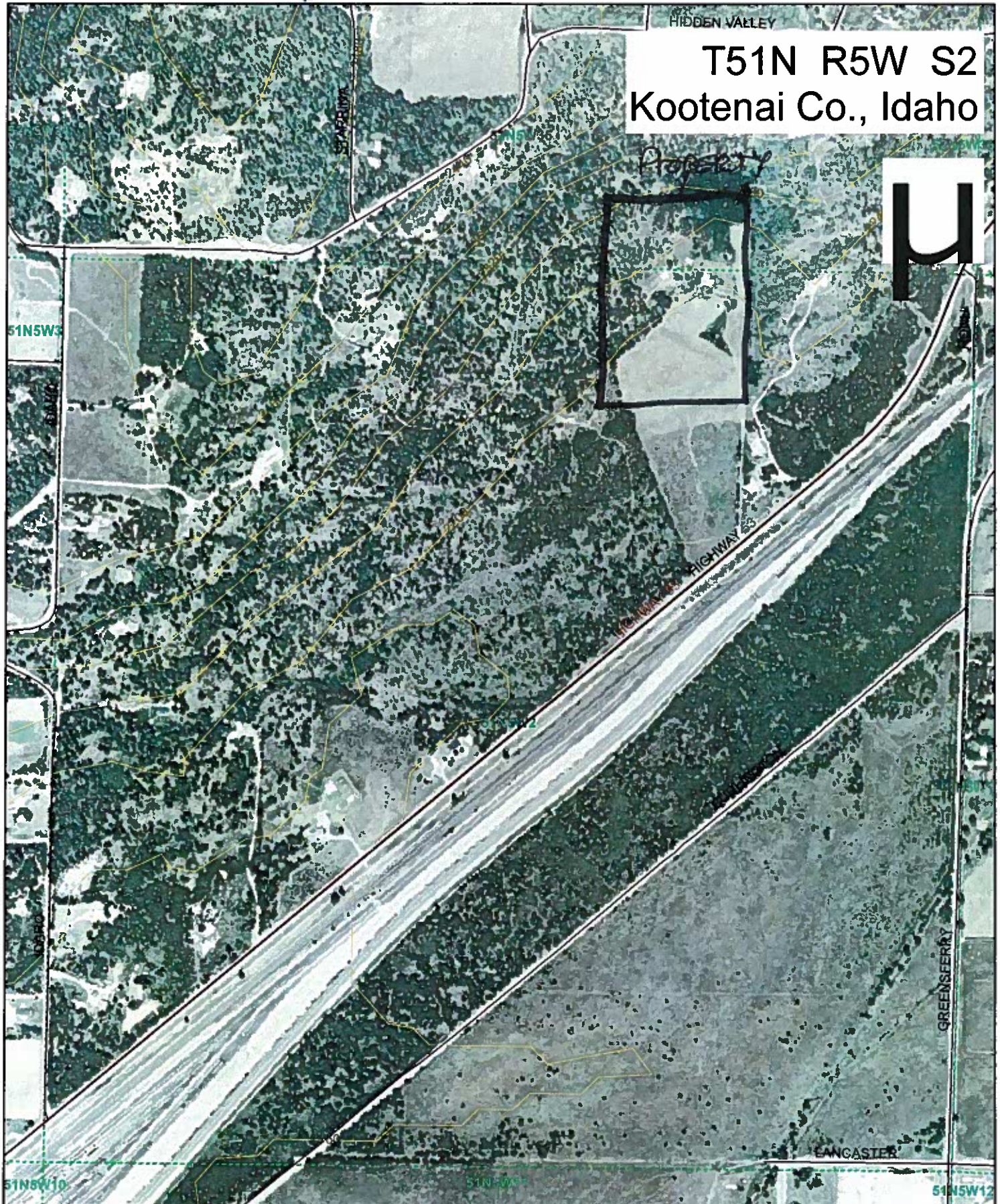


Sec.2 Twp. 51 N. R. 5 W.B.M.

PLASTINO
Aitch C



PLASTINO: Attach D



This is not a survey. Actual relationships & distances between features may be different from those depicted on this map. Accurate measurements are required in order to verify these relationships and distances.

2006 USDA/NAIP (Aerial Photo)

0 320 640 1,280
Feet



PLASTION ATTCH E-1



Ident. No.

95-95-N-0015-000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR DRILLING PERMIT

1. Name: MARINA PLASTINO

Address: PO BOX 1050

RATHDRUM ID 83858

O 208-687-5321

2. Proposed Well Location: Township 51N, Range 05W, Sec. 2, NWNE
KOOTENAI County

Street Address of Well Site: HWY 41 1 MI. W OF
RATHDRUM ID

3. Proposed Use of Well: Domestic

The use of water for homes, organization camps, livestock and for any other purpose in connection therewith, including irrigation for up to .5 acres of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

4. Well Construction Information:

A. New Well

B. Proposed Surface Diameter 6 In. Proposed Maximum Depth 300 Ft.

C. Anticipated Bottom Hole Temperature: 85 F or less (Cold water well)

(NOTE: Construction diagrams and/or other information may be requested for monitor, low temperature geothermal, municipal and artesian wells.)

5. Construction Start Date: 1/27/1995

6. Anticipated Well Driller: UNITED DRILLING INC (No. 0414)

NOTE: The actual well driller must be identified prior to drilling.

7. Applicant's Signature A. Brown Date 1/07/95

Title Sec.

(Owner, Firm Representative, Other)

Fee \$ 175.00 Received by _____ No. N008611 Date 2/ 8/1995

(Continued)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This permit is APPROVED

Date: 2/13/1995

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY!

CONDITIONS OF APPROVAL:

1. This drilling permit is valid for two (2) months from the approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
2. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required prior to construction of this well. The local Health Department should be contacted for septic tank/drainfield locations. Domestic wells must not be drilled closer than 100' from any drainfield and 50' from any septic tank.
3. The well shall be constructed by a driller currently licensed in the state of Idaho who must maintain a copy of the drilling permit at the drilling site.
4. Approval of this drilling permit does not authorize trespass on the land of another party.
5. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
6. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
7. If the bottom hole temperature of 85 Degrees F (29.44 oC) or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
8. Idaho Code, S 55-2201 - 55-2210 requires the applicant and/or his contractors to contact "Digline" (Dig Line is a locator service) not less than 3 working days prior to the start of any excavation for this project. The "Dig Line " Number for your area is 1-800-428-4950.

Robert S. Haynes

REGIONAL MANAGER

Signature of Authorized Dept. Representative

Title

EXTENSION OF DRILLING PERMIT

Extension Approved by: _____

Approval Date: _____
Expires On: _____

PLASTINO: ATTCH F

September 1, 2009

Our family moved to the property around 1931. At that time there were several springs flowing from the north. I remember one spring that flowed from the northeast of the house, down hill and wound around to the east onto Nagel's property. We used to follow that spring on our way to school.

From the many smaller springs in the back of the house, my father directed the flow of the water into what I'll call the main spring which we used in the house. Our father built a wooden enclosure to collect the water from the main spring and installed pipes from this structure to bring it down to the house by gravity. In later years this wooden container was replaced by one made of cement.

The overflow from this container was collected and flowed down towards the house using wooden troughs that were hand-cut from logs. This overflow water was used in irrigating our vegetable and flower gardens around the house, as well as the orchard near the barn (apple, pear and cherry trees).

The livestock we had (cows and horses) would walk up to the spring and use the overflow trough to get their water. Our pigs would use the other spring to the east of the house (the one we followed to school) and our chickens would use a third spring that flowed near the chicken coop.

I remember that in the 1930's my father irrigated the field to the northeast of the house, one year even getting a third crop of alfalfa, which pleased and surprised him.

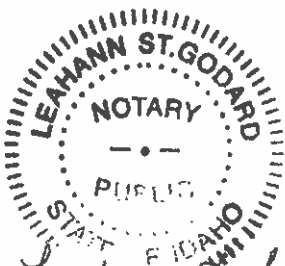
In 1978 we had a reservoir built behind the house to collect the spring water for crop irrigation and the overflow from the reservoir was directed to a stream, flowing south to the front field to water the livestock (cattle) that we had there.

Around 1992, when I moved back into the house, we found that the spring water used for drinking water was contaminated so we had a well put in. The old spring water now is used exclusively for irrigation of crops and livestock. My daughter (Jeane Wood) occasionally brings her llamas down from her house on the hill to our front field or in the back field. We hope to develop the front field to graze a few cattle there.

My son-in-law Bob Schumacher installed an irrigation pump in the back of the house that comes from the reservoir and we use that to water the garden areas as well our lawns.

We continue to water our orchards, vegetable and flower gardens using the water from the main spring.

Marina Dochios Plastino
Marina Dochios Plastino



Leahann St. Godard
My commission Expires July 27, 2013
Today's date is Sept 1 2009