

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 95-843216522

Date Received: 11/17/11

Receipt No: N0285896N028600

Received By: [Signature]

AMENDED

**NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

RECEIVED

NOV 17 2011

IDWR/NORTHERN

Please type or print clearly

1. Name of Claimant (s) Avista Corporation Phone (509) 495-2571

Mailing Address PO Box 3727 Spokane WA ZIP 99220-3727
Street or Box City State

2. Date of Priority (Only one (1) per claim) 1922
Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water (☒) or Other () (a) _____
which is tributary to (b) _____

4. a. Location of Point of Diversion is: Township 50N, Range 5W, Section 4,
SW, 1/4 of NE, 1/4 Govt. Lot _____, BM., County of Kootenai

Parcel (PIN) no. 50N05W - 042300

Additional points of diversion if any: _____

If available, GPS Coordinates N47°42.586 W116° 57.895

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 1922 domestic water system for the Post Falls Hydro Electric

Development (HED) that provided water supply to the operators' homes and power house consisted of a well, water storage tank and flume (see attached Post Falls Power Sta. - Domestic Water Tank Plan dated 10/12/1922).

A replacement well was drilled in May 1984, to a depth of 203' (see attached 1984 well log and 10/24/1984 Water Supply Plan). The 1922 water storage and well, which is still visible was taken out of service once the new well system was completed. In 2008, a replacement pump was installed (see attached 6/2/2008 specifications)

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6. Water is claimed for the following purposes:

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

For Domestic purposes from 01/01 to 12/31 amount 0.08 or 3.8

For Fire Protection purposes from 01/01 to 12/31 amount or

For Irrigation purposes from 03/15 to 11/15 amount 0.03 or 2.4

For purposes from to amount or

7. Total quantity claimed (a) 0.08 cfs (cfs) and/or (b) 3.8 AF (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) Domestic use is for the power house and two homes, incl. irrigation of lawns & gardens.

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	
50N	5W	4			I	D													1

Parcel (PIN) no(s) 50N05W - 042300

Total number of acres irrigated up to 1

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.

Water Right License No. 95-08432 with priority date of 1/30/1984, subject to beneficial use of 1922. or None ()

13. Remarks: Water Right License No. 95-08432 was applied for and obtained in 1984 when the replacement domestic well was drilled. The domestic water supply records of use date back to 1922. The Post Falls HED has a priority date of 1907. The historical beneficial use right for the domestic supply were established before 1963, which also includes domestic irrigation of lawns/gardens of up to 1/2 acre for each of the two homes, and fire suppression as needed. NOTE: The historic and current place of use for the domestic supply includes the SW1/4NE1/4 of Sect. 4 (location of homes) and the SE1/4NE1/4 of Sect.4 (location of power house).

ATTACHMENTS TO CLAIM:

- 10/12/1922 Post Falls Power Sta. - Domestic Water Tank plan;
- 10/24/1984 Post Falls HED Domestic Water Supply Plan, incl. 1984 well log for 203' replacement well;
- Water Right License No. 95-0843 (Priority date 1/30/1984); 4. Site Maps; and 5. Claim 95-4518 - priority 1907.

Last Name Avista Corporation Identification No.

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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 95-08432

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: five (5)

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) _____ Date: _____

_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

Linda M. Kiefer of Avista Corporation,
Title Organization

that I have signed the foregoing document in the space below as

Environmental Resource Specialist of Avista Corporation,
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature] Date Nov. 16, 2011

Title and Organization Environmental Resource Specialist for Avista Corporation

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 Avista Corporation Identification No. _____

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