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# 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 95-13172Date Received: 07/07/2010Receipt No: AN025150BReceived 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

- Name of Claimant(s) POWDERHORN LAND & CATTLE CORP. Phone (208) 689 3265  
Mailing Address P.O. Box 299 HARRISON ID Zip 83853  
Street or Box City State
- Date of Priority: (Only one per claim) 8/19/35 11/1/1960 AFF  
Month/Day/Year (YYYY)
- Source of water supply (Check one) Ground Water AFF or Other (✓) (a) STREAMS, SPRINGS PRECIPITATION  
which is tributary to (b) WATER THEN SINKS INTO GROUND AFF
- Location of Point of Diversion is: Township 48N, Range 4W, Section 24,  
NW 1/4 of NE 1/4, or Govt. Lot \_\_\_\_\_ BM. County of \_\_\_\_\_  
Parcel (PIN) no. 48N04W 24E 300 25-2600 AFF  
Additional points of diversion if any: NONE  
If available, GPS coordinates: \_\_\_\_\_
- 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.  
TROUGH Fed BY STREAM SPRINGS PRECIPITATION AFF  
DEVELOPED SPRINGS FEEDS INTO WATER TROUGH, REMAINING WATER SINKS INTO GROUND.
- Water is claimed for the following: (limited to Domestic and/or Stockwater uses. See page 1 of the instructions.)  
For STOCK WATER purposes from JAN 1 Month/Day to DEC 31 Month/Day amount 0.2 cfs ( ) or AFY ( ) AFF  
For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_
- Total Quantity claimed 0.2 cfs ( ) or AFY ( )
- Non-irrigation uses. Describe fully. (eg. Domestic: give number of households served if single ownership;  
Stockwater and Number of livestock) STOCK WATER 9 HORSES plus 40 head  
Mixed STOCK AFF

SCANNED

JUL - 7 2010

9. Location of Place of Use is: Township 48N, Range 4W, Section 25.

NE 1/4 of NE 1/4, Govt. Lot \_\_\_\_\_ BM. Parcel (PIN) no. \_\_\_\_\_  
If different than shown in Item 4

for (Check One) Domestic ( ) Stock (X) 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 (X) 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:

IN GROUND OPEN HORSE TROUGH  
Witness can verify that water trough in use in 1960

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

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: 1

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) Richard H. Harker, President Date: 7/2/2010

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

PRESIDENT - OWNER of POWDERHORN LAND + CATTLE CORP.  
Title Organization

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

PRESIDENT + OWNER of POWDERHORN LAND + CATTLE CORP.  
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 \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_

Last Name \_\_\_\_\_ Identification No. \_\_\_\_\_

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July 6, 2010

State of Idaho  
Department of Water Resource  
7600 N. Mineral Drive  
Coeur d'Alene ID

To Shaun Maxey,

Dear Sir:

My name is DALE DAMIANO and I have been a resident of Harrison Idaho since 1948. During this time I have had the opportunity to work in the woods and hunt extensively in the area surrounding Harrison Idaho. I am aware of the property owned by Powderhorn Land and Cattle Corp. I am also aware of three stock ponds located on that property including:

One located north of the main log house.

A second pond located north of their barns and south west of the main log house.

A third located east of the main log house on property formerly owned by Wilson and before him Mr. Fisher.

Those stock ponds all were in existence in the <sup>11/1/1960</sup> 1960's and still exist to this date.

I do solemnly swear or affirm under penalty of perjury that the statements contained in the forgoing document are true and correct.

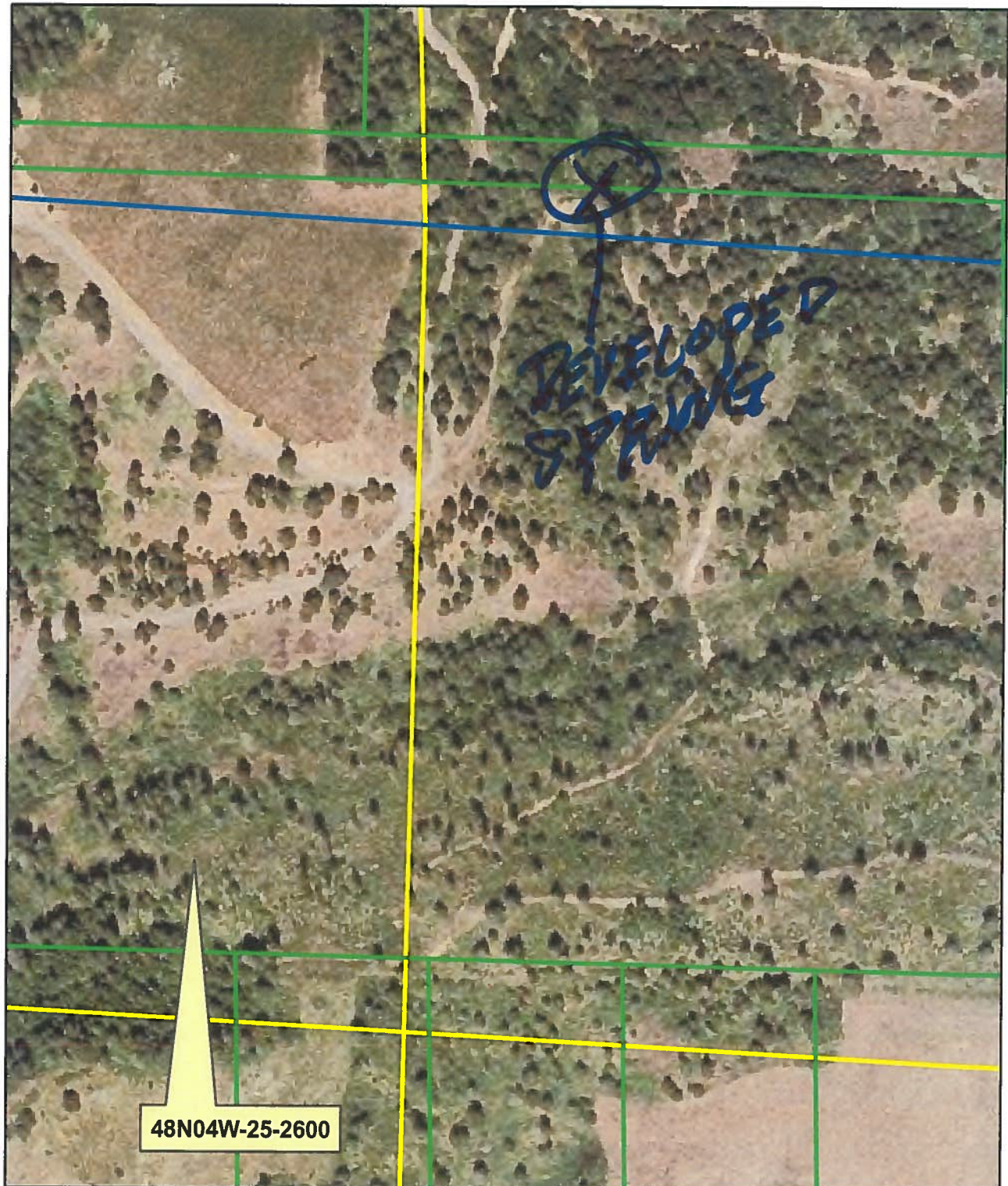
Signature Dale Damiano  
Date

7-6-10

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# POWDERHORN LAND AND CATTLE PIN 48N04W-25-2600



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