

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 95-9745

Date Received: 6/17/2009

Receipt No: N020941

Received By: Jm

NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) BAYVIEW HEIGHTS COMMUNITY WATER SYSTEM Phone () 683-2218

Mailing Address PO BOX 311 BAYVIEW ID ZIP 83803

2. Date of Priority (Only one (1) per claim) 09/10/1959 City State
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 54N, Range 02W, Section 34
SW, 1/4 of SW, 1/4 Govt. Lot _____, BM., County of Kootenai

Parcel (PIN) no. B-0999-008-009B

Additional points of diversion if any: N/A

If available, GPS Coordinates N/A

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.

Well drilled 1959 Pump installed APR 1960
7.5 hp 4 120 GAL BLADDER TANKS
Depth 138' Pump Set 135' Static WTR 114'
PWS # 1280012

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6. Water is claimed for the following purposes:

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

For MUNICIPAL purposes from 1/1 to 12/31 amount 0.110 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.110 (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.) NONE

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	
54N	2W	34											M						

Parcel (PIN) no(s). B0999008009B

Total number of acres irrigated _____

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.

_____ or None (✓)

13. Remarks:

These lots ARE ALL PART OF THE SYSTEM

B-0999-007-01-0
-007-007-A
B-1422-001-001-0
B-1422-001-002-0
B-0999-008-004-A
B-0999-008-005-B
B-0999-008-006-0
B-0999-009-001-A
B-0999-009-003-0
B-0999-009-004-A

B-0999-009-009-0
B-0999-009-010-0
B-0999-009-011-0
B-0999-009-012-0
B-0999-008-007-0
B-0999-008-008-0
B-0999-008-009-A
B-0999-008-010-A

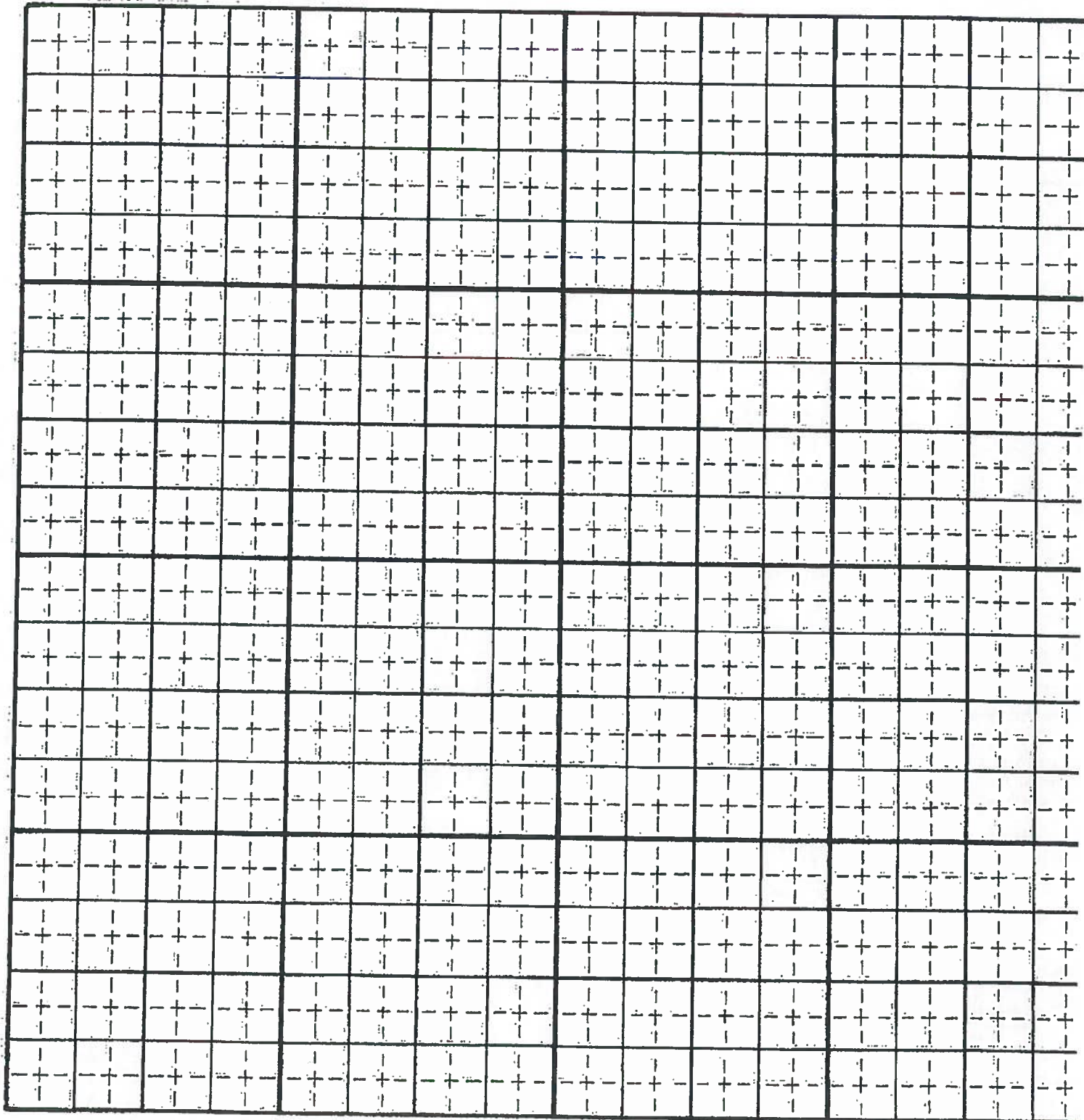
Last Name _____ Identification No. _____

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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 _____ Identification No. **SCANNED**

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BAYVIEW HGHTS COM WATER SYSTEM B-0999-008-009-B



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14. Basis of Claim (Check One) Beneficial Use () Posted Notice () License (X) 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: (3) attachments (5) PAGES

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) Riffon Date: 6-7-09

BAYVIEW Heights Comm Water Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am President of BAYVIEW Heights Community Water Sys,
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 Riffon Date 6-7-09

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 _____

Address _____

Date _____

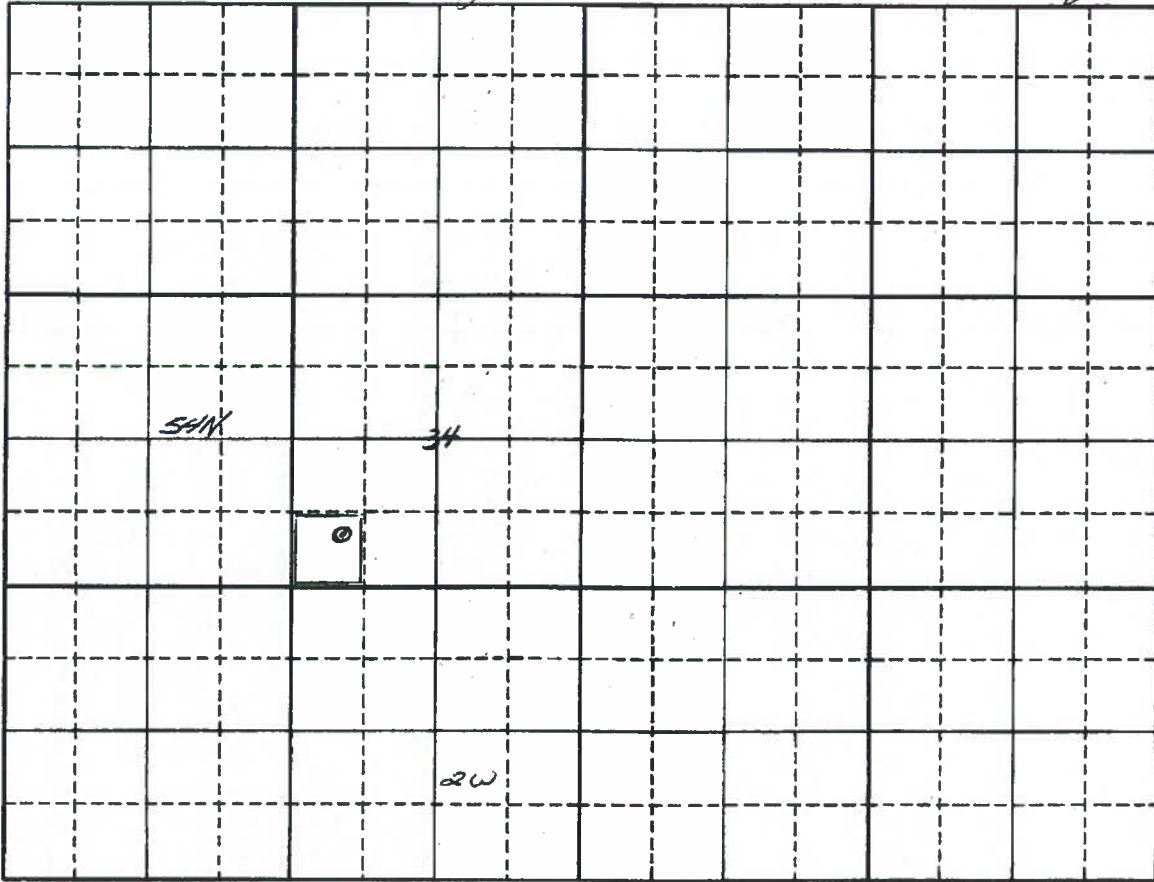
Last Name _____ Identification No. _____ COANNED

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96 4068

(8) Remarks

From our records as near as I can find
 out, water was first used from the well the fore
 part of Sept 1959
 J.W. Mosher see Treasure Manager



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

ss.

County of KROTENDI

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 3rd day of

J.W. Mosher manager
 (Claimant)

19 73

Notary Public

Residing at COEUR D'ALENE, IDMy commission expires SEPT. 11, 1976

For Department Use Only

Received by <u>CL</u>	Date <u>7-6-73</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>FE</u>	Date <u>7-8-73</u>		claimant by:	
\$10.00 fee received by <u>FE</u>	Date <u>7-8-73 #10756</u>			
Approved for publication by <u>FE</u>				
Published in <u>COEUR D'ALENE PRESS</u>				
Dates <u>7-19 & 7-26-73</u>				

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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 95-9745

WATER RIGHT NUMBER: 95-9745

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BAYVIEW HEIGHTS COMMUNITY WATER SYSTEM PO BOX 127 BAYVIEW, ID 83803

Priority Date: 09/10/1959
Basis: Statutory Claim
Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.110 CFS	
	<u>Total Diversion:</u>	0.110 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4	Sec. 34, Twp 54N, Rge 02W, B.M.
KOOTENAI County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
54N	02W	34																	

Conditions of Approval:Remarks:Comments:

1. Renumber 12/20/2008 6:57:16 PM Renumber WR 95-9745
Comment: This has been renumbered from 96-4069

Dates and Other Information:

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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 95-9745

Licensed Date:
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

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