

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 95-8414

Date Received: 9-14-09

Receipt No: NO22071

Received By: cm

NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

SEP 14 2009

IDWR/North

Please type or print clearly

1. Name of Claimant (s) John Steven Wood & Jeane Plastino Wood Phone (208) 687-2551

Mailing Address W. 10952 Hidden Valley Rd Rathdrum ID 83858

Street or Box

City

State

2. Date of Priority (Only one (1) per claim) August 2, 1983
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 51N, Range 5WBM, Section 2,
NE, 1/4 of NW, 1/4 Govt. Lot 3, BM., County of Kootenai

Parcel (PIN) no. 51N05W022770

Additional points of diversion if any: 2nd well located in NE1/4NW1/4 Sec.2 (see attached map 1 & 2)

If available, GPS Coordinates Well #1: N47.80280, W116.93130; Well #2: N47.80222, W116.92944

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 two wells (#1 & #2), water is pumped from each well and piped together to the house and irrigation system. Water is used in the house for domestic purposes. Water is also used to irrigate approximately 3 acres of pasture, which is used to graze llamas and cattle. Stockwatering is conducted with the water withdrawn from the wells. The domestic use is licensed under water right No. 95-08414. A schematic is shown in Attachment 5.

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 Stockwatering purposes from January 1 to Dec 31 amount 0.02 or _____

For Irrigation of 3 acres purposes from March 15 to Nov 15 amount 0.09 or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.15 (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.) 1 home served; 10 to 15 head of llama's and cattle grazed on 3 irrigated acres.

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	2					D,S												
51N	05W	2					3												

Parcel (PIN) no(s) 51N05W022770

Total number of acres irrigated 3.0

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.

_____ or None (✓)

13. Remarks: Uses of water have been completed since construction of the home in 1983.

Attachments include: 1) Location map of well locations and irrigated acres, 2) Aerial photo showing wells and irrigated acres, 3) Affidavit of water use on property, 4) Aerial photo of section 2, 5) Schematic of water supply system, 6a-d) water right paper work, 7a-b) well logs, and 8) parcel map

Address of this claim is: 10952 West Hidden Valley Road

Last Name Wood

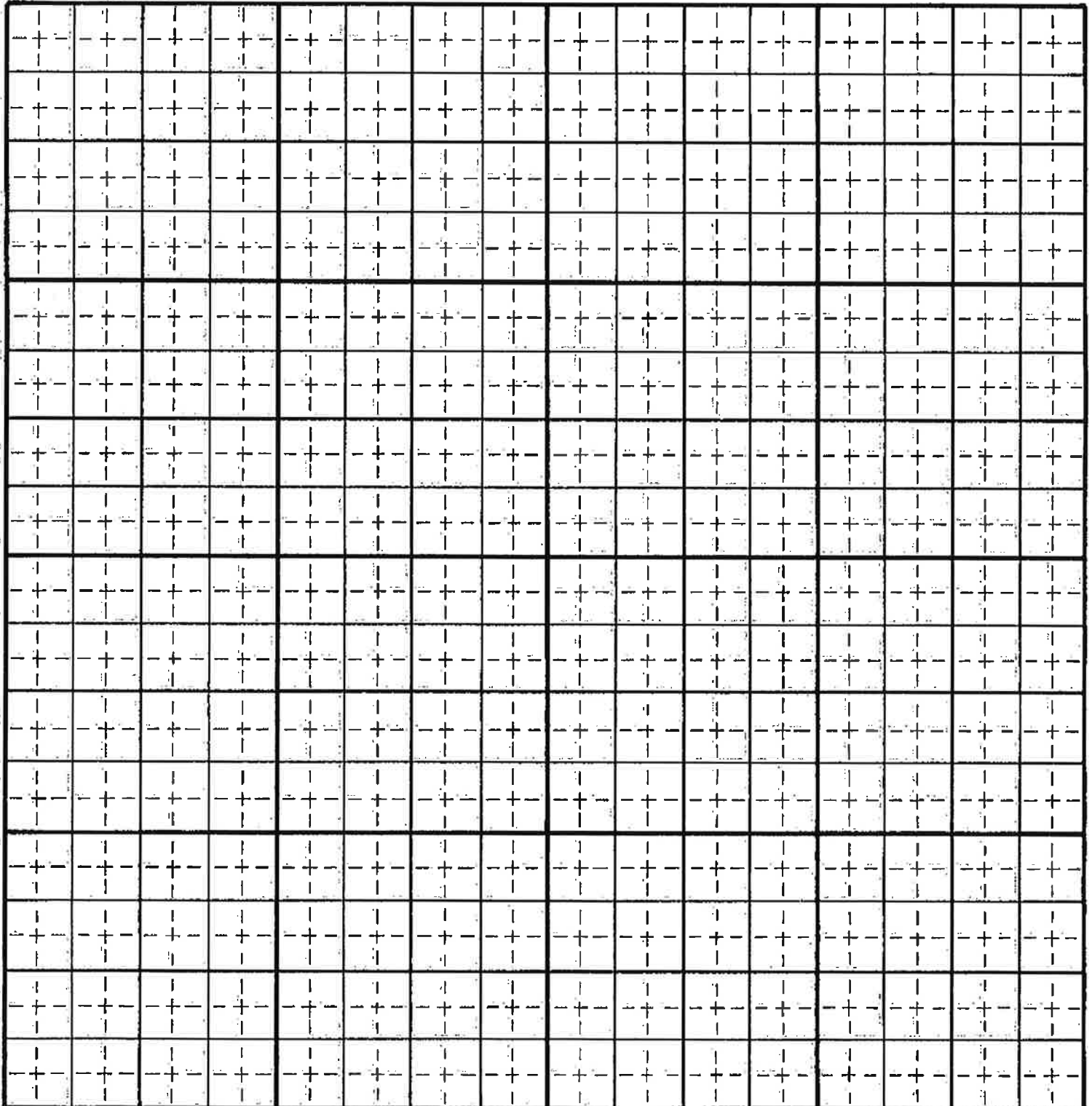
Identification No. _____

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 Wood 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 95-08414

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: 8

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)

Jeanne Plastene Wood
John Steven Wood

Date: 9/13/09

Date: 9/13/09

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, _____, 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 _____

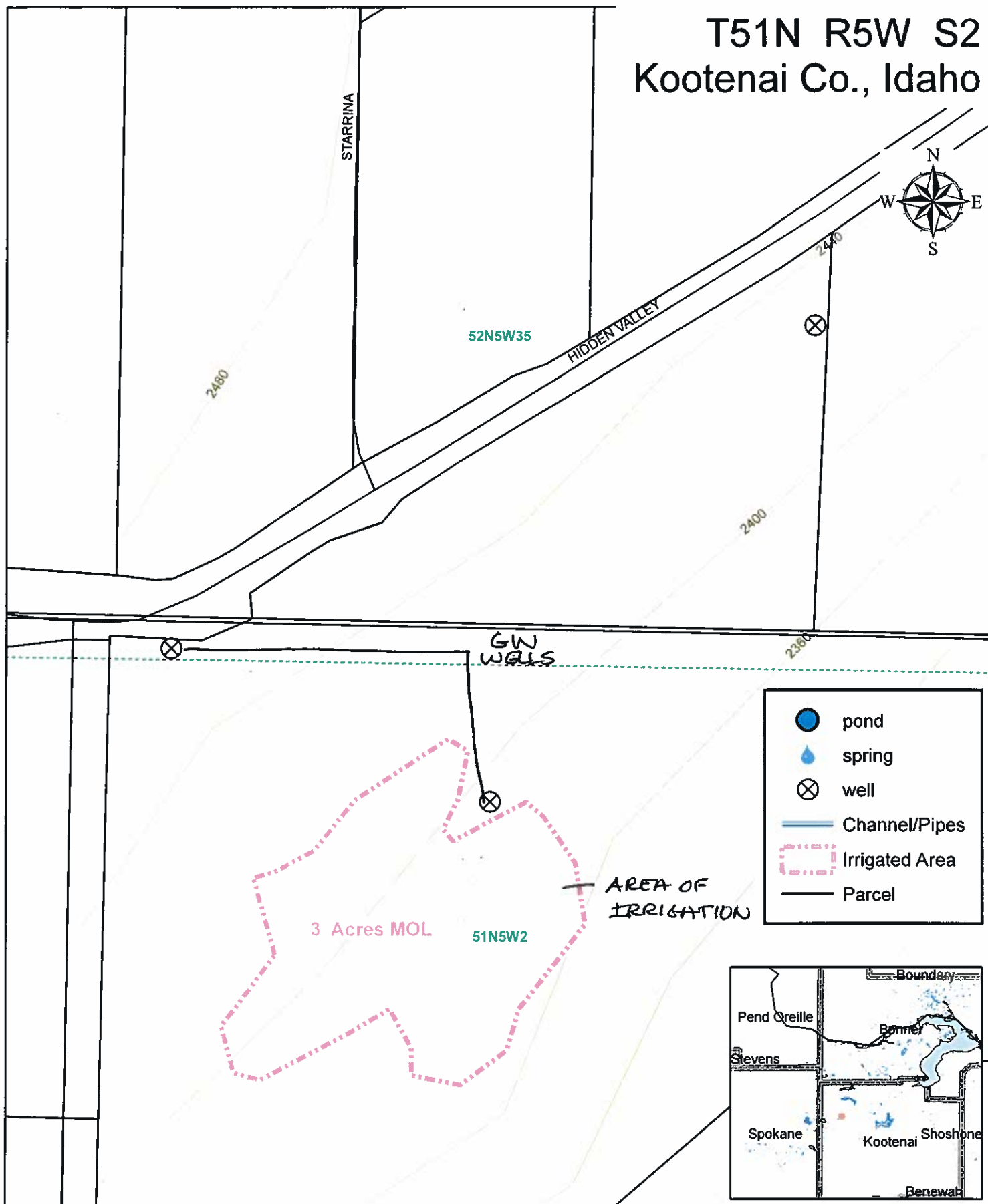
Address _____

Last Name Wood Identification No. _____

COANNED
SEP 14 2009

WOOD - ATTCH. 1

T51N R5W S2 Kootenai Co., Idaho



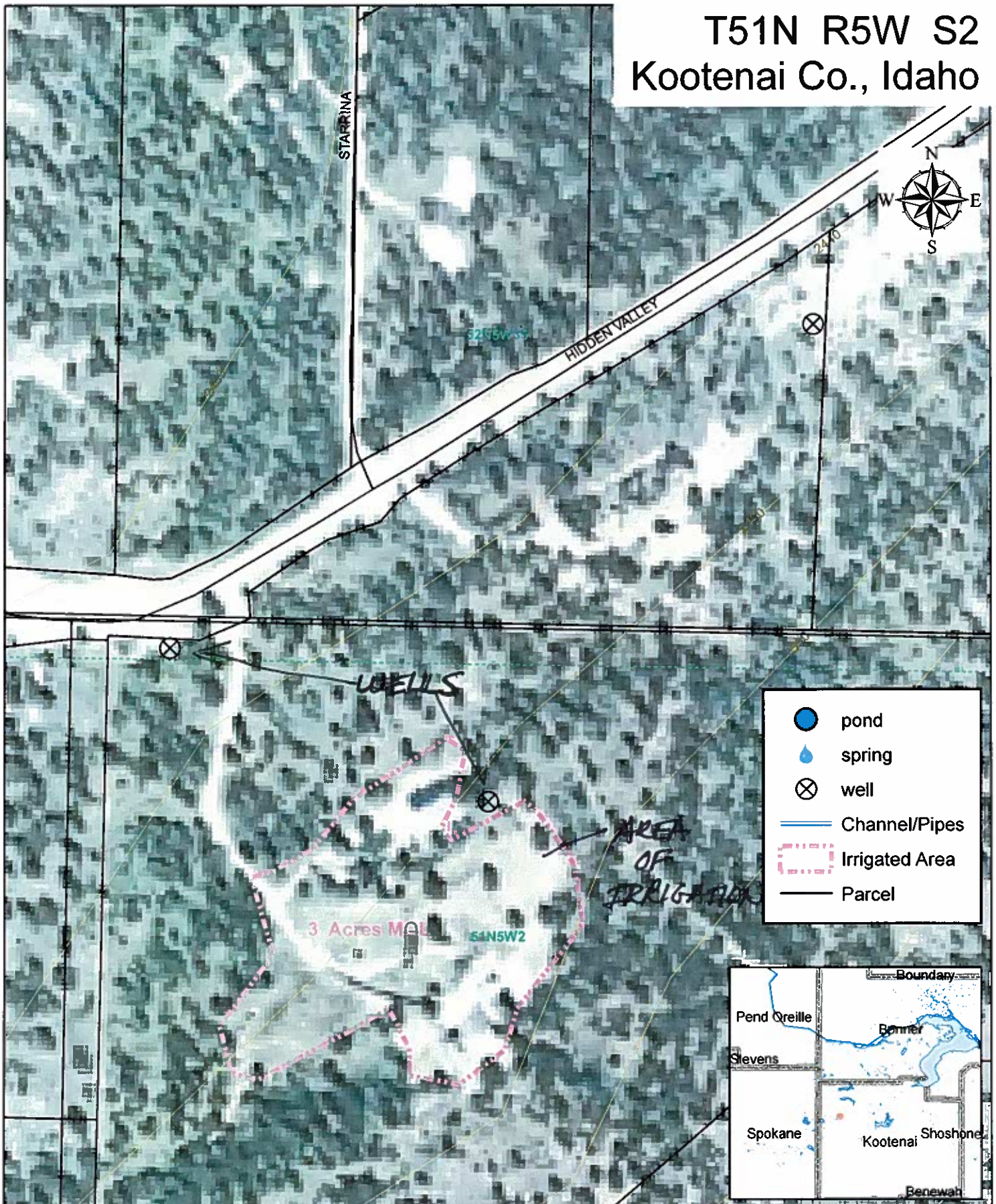
This is not a survey. Actual relationships & distances between features may be different from those depicted on this map. Accurate measurements are required in order to verify these relationships and distances.

2006 USDA/NAIP (Aerial Photo)

0 70 140 280
Feet



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



WOOD Attach 3

September 7, 2009

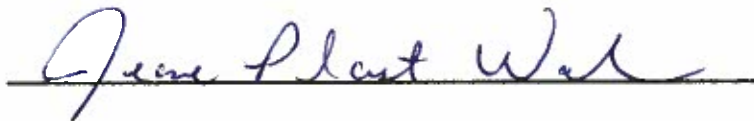
In 1984 my parents Charles and Marina Plastino built a log home for me on a portion of my mother's share of her families 200+ acres property which I lived on since that time.

There were 2 wells put on the property to provide water for the house and yard, garden and fruit trees and pasture fields

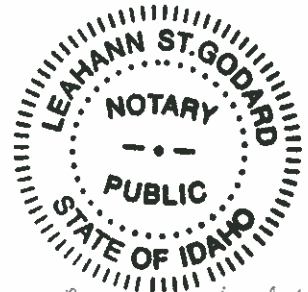
(approximately 3 acres). I have raised Llamas, horses, chickens, rabbits, goats and other livestock since then.

In 1998 my mother deeded approximately 25 acres to me. We have also taken our livestock to the lower fields by the ponds. We have sprinkler irrigated from the overflow from the ponds, pastured, planted and harvested grass hay from those fields.

We plan to continue this type of use of our property.

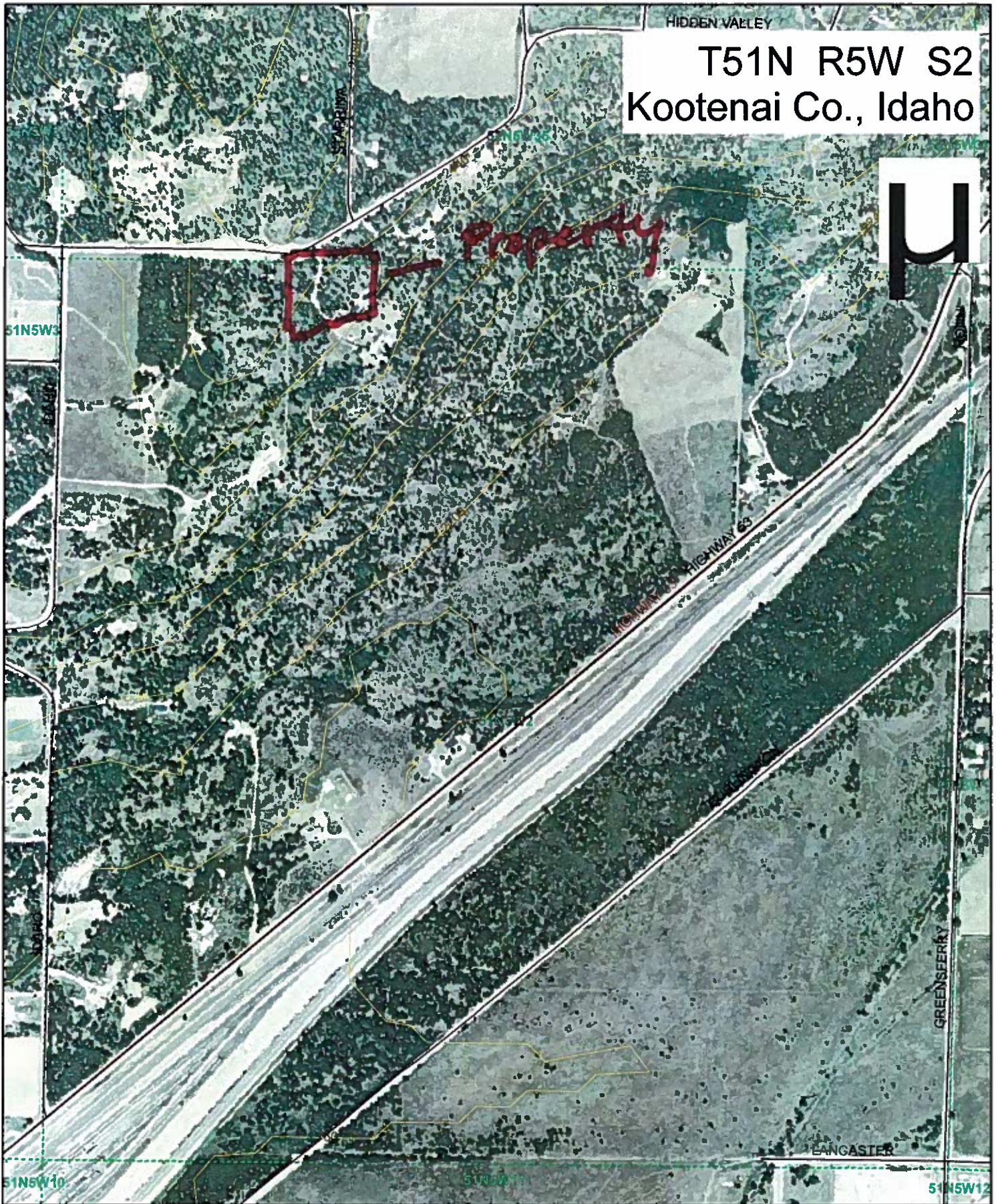


Jeane Plastino-Wood



Leahann St. Godard
September 7, 2009

WOOD ACH 4



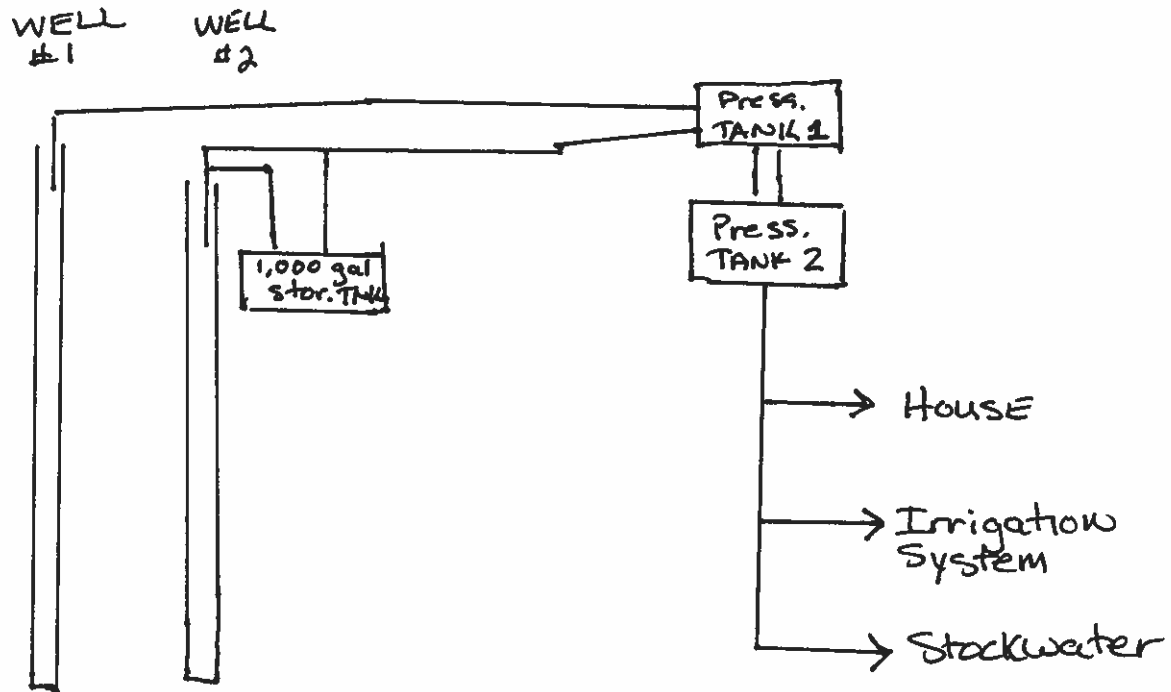
This is not a survey. Actual relationships & distances between features may be different from those depicted on this map. Accurate measurements are required in order to verify these relationships and distances.

2006 USDA/NAIP (Aerial Photo)

0 320 640 1,280
Feet



WOOD
ATTACHMENT 5: SCHEMATIC OF WATER SYSTEM



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 95-08414

Priority: August 2, 1983

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.04 CFS
1.2 AF

This is to certify, that CHARLES R. PLASTINO
537 WESTWOOD CT.
VACAVILLE, CA 95688

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 2, 1983; and has submitted Proof of Beneficial Use on September 9, 1988. An examination indicates that the works have a diversion capacity of .040 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NENW, Sec. 2, Township 51N, Range 05W
KOOTENAI County

PLACE OF USE: DOMESTIC
TWN RGE SEC

51N 05W 2

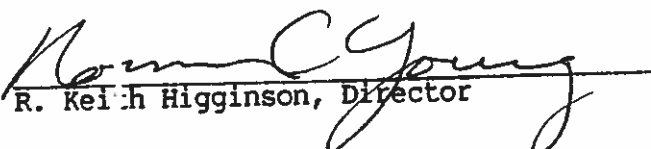
NENW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code, Witness the seal and signature of the Director, affixed at Boise, this 22nd day of FEBRUARY, 1991.

Acting for


R. Keith Higginson, Director



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

WOOD ATTCH 6B

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 28, 1991

CHARLES R. PLASTINO
537 WESTWOOD CT.
VACAVILLE, CA 95688

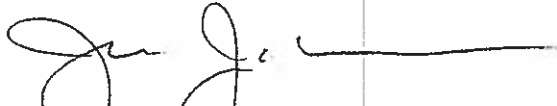
RE: WATER RIGHT NO. 95-08414

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,



JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

PAGE 2

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 95-08414

FOR DEPARTMENT USE ONLY

Preliminary check by ☒ Fee \$20.00 Received by 1-2 Date 1/7/91 #C019333

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 95-08414 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home.

Witness my hand this 27TH day of FEBRUARY, 1991.

Acting for

Norman C. Young
R. Keith Higginson, Director

WOOD Atch 6D

State of Idaho
Department of Water Resources

RECEIVED
JAN 07 1991

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 95-08414

APPROVED
Department of Water Resources

Date of Priority: August 2, 1983

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume:¹ 1.2 AF

Comes now
C/O DAVE ROBSON
W. 2510 HIDDEN VALLEY RD.
RATHDRUM, ID 83858

CHARLES R. PLASTINO

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 95-08414, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION: NENW, Sec. 2, Township 51N, Range 05W
KOOTENAI County

PLACE OF USE: DOMESTIC

TWN RGE SEC

51N 05W 2

NENW

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at vacaville, CA, this 3rd day of January, 1991.

Charles R. Plastino
(Signature)

State 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.

[illegible]

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

USE ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT

WOOD ACRES & Sec. 2 Twp. 51 N. R. 5 W. B.M.

