

DISTRICT COURT - CSRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

FEB 27 2023

By _____ Clerk
CIVIL CASE NUMBER: 49576 _____ Deputy Clerk

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

Ident. Number: 95-18426
Date Received: 2/23/2023
Receipt No: C116313
Claim Fee: \$25.00
Received By: Ku

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

1. Name of Claimant(s)

RICHARD MC LANDRESS
315 N FOREST DR
COEUR D ALENE ID 83814

Phone: (208) 651-3495

AND/OR

CATHERINE S MC LANDRESS
315 N FOREST DR
COEUR D ALENE ID 83814

Phone: (208) 651-3495

2. Date of Priority: 12/31/1960

3. Source:
SPIRIT LAKE

Trib. to:
SPIRIT CREEK

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
53N	05W	14	SE NE		KOOTENAI	

5. Description of diverting works:

JET PUMP PLACED IN LAKE SEASONALLY

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.04		

7. Total Quantity Appropriated is:

0.04 C.F.S. and/or A.F.A.

8. Non-irrigation uses:

DOMESTIC USE FOR ONE HOME.

9. Place of use:

DOMESTIC within KOOTENAI County

Township	Range	Section	¼	of	¼	Lot	Acres
53N	05W	14	SE		NE		
53N	05W	14	SE		NE	1	

10. Do you own the property listed above as place of use? Yes

If your answer is no, describe in remarks below the authority you have to claim this water right.

11. Other Water Rights Used:

SPRING FOR DOMESTIC USE 95-10767

12. Remarks:

Priority Date Explanation:

YEAR HOME WAS BUILT PER KOOTENAI COUNTY RECORDS.

13. Basis of Claim: Beneficial Use

14. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice 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: 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 A M Landon

Date:

2/23/2023

Date:

Identify

Identify from: Tax Parcels

☐ Tax Parcels
.....MCLANDRESS, RICHARD A

Location: 2,282,275.168 1,864,426.838 Meters

Field	Value
ID	14116501
UPDATED	3/15/2022
PIN	53N05W140500
OWNER	MCLANDRESS, RICHARD A
ADDRESS1	315 N FOREST DR
ADDRESS2	
CITY	COEUR D ALENE
STATE	ID
ZIPCODE	83814
P_ADDRESS	30210 N INDIGO LOOP
P_ZIPCODE	
SUB_NAME	
LEGAL1	TX #16591 [IN GOVT LT 1] 1453N05W
LEGAL2	<null>
LEGAL3	<null>
LEGAL4	<null>
LEGAL5	<null>
LEGAL6	<null>
ACRES	4.1
COUNTY	Kootenai
SOURCE	<null>
YEAR_BUILT	1960

RECEIVED

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DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re CSRBA

Case No. 49576

Subcase 95-18426
(Insert water right number)

STANDARD FORM 4

MOTION TO FILE A LATE NOTICE OF
CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the CSRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form.

The water right number for your late Notice of Claim must be indicated above in the blank space following "Subcase." To obtain your water right number, contact the Idaho Department of Water Resources. You must use a **separate form for each** late Notice of Claim.

By filing a Motion to File a Late Notice Claim, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

☐ I have read *CSRBA Administrative Order 1*, Rules of Procedure.

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My name is Richard A McLandress

My address is 315 W Forest Drive
Coeur d Alene Idaho 83814

My phone number is: work _____ Home 208-651-3495

☐ I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

☒ I did not file a Notice of Claim to the use of water in the CSRBA because:

In 2009 I understood I was filing
for both spring & lake permits

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☐ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you must attach a copy of your Notice of Claim.)

A Motion to File Late Notice of Claim will require a hearing before the Presiding Judge.

Follow these instructions regarding the hearing on the motion.

1. Contact the Clerk of the CSRBA Court at (208) 736-3011 to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on May 16, 2023 1:30 pm
(insert date and time)
at the CSRBA Courthouse, 253 Third Avenue North, Twin Falls, Idaho.

I have attached:

- ☒ A fully completed Notice of Claim (available from IDWR).
- ☒ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. §42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ 25.00.
- ☐ A claim filing fee and a late claim fee for those claims other than domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.

Richard A. McLanahan
(Signature of person filing motion)

(Attorney signing in representative capacity)

INSTRUCTIONS FOR MAILING

You must mail the Motion, to the Clerk of the court. **FAX filings will not be accepted.**
You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on Feb 23, 2023 I mailed the original and copies of this Motion, including all attachments, to the following persons:

1. Original to:

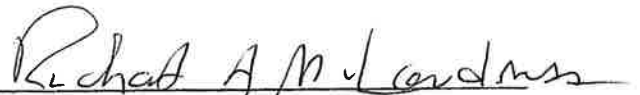
Clerk of the District Court
Coeur d'Alene-Spokane River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
State of Idaho
PO Box 83720
Boise, ID 83720-0010


Signature of Movant or attorney
mailing on Movant's behalf

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IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
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Date: _____

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✕

Identify from:  Tax Parcels☐ Tax Parcels

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LEGAL2	<null>
LEGAL3	<null>
LEGAL4	<null>
LEGAL5	<null>
LEGAL6	<null>
ACRES	4.1
COUNTY	Kootenai
SOURCE	<null>
YEAR_BUILT	1960

Idaho Department of Water Resources Receipt

Receipt ID: C116313

Payment Amount	\$25.00	Date Received	5/22/2023	Region	STATE
Payment Type	Check	Check Number	6590		
Payer	MCLANDRESS, RICHARD A				

Comments NOTICE OF CLAIM TO A WATER RIGHT
CIVIL CASE NUMBER #49576
FOR: RICHARD MC LANDRESS AND/OR CATHERINE S MC LANDRESS
WR CLAIM OR PARCEL # 95-18426
FOR: CSRBA
THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$25.00	NORTHERN ID ADJUDICATION FILING FEE	75503	0337	1		1155



Signature Line (Department Representative)