

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

MAR 20 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

RECEIVED

AUG 18 2023
 DEPARTMENT OF
 WATER RESOURCES

Ident. Number: 95-18435
 Date Received: 8.18.23
 Receipt No: C116917
 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)

KELLY GASTON
 PO BOX 2980
 POST FALLS ID 83877

Phone: (619) 726-9981

AND/OR

WILLIAM GASTON
 PO BOX 2980
 POST FALLS ID 83877

Phone: (619) 654-3359

2. Date of Priority: 7/19/2021

3. Source:

GROUND WATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
50N	05W	25	SW NW		KOOTENAI	

5. Description of diverting works:

WELL WITH PUMP

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		
STOCKWATER	01/01	12/31	0.02		

7. Total Quantity Appropriated is:

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

8. Non-irrigation uses:

9. Place of use:

DOMESTIC within KOOTENAI County

Township	Range	Section	¼	of	¼	Lot	Acres
50N	05W	25	SW		NW		
50N	05W	25	SE		NW		
50N	05W	26	SE		NE		

STOCKWATER within KOOTENAI County

Township	Range	Section	¼	of	¼	Lot	Acres
50N	05W	25	SW		NW		
50N	05W	25	SE		NW		
50N	05W	26	SE		NE		

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:

12. Remarks:

Priority Date Explanation:

DATE WELL WAS PLACED INTO SERVICE

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):

Kelly Guston

Date:

3/14/23

Date:

3/14/23

IDAHO DEPARTMENT OF WATER RESOURCES

WELL DRILLER'S REPORT

1. WELL TAG NO. D 0088571

Drilling Permit No. 900918
Water right or injection well # _____

2. OWNER:

Name Billy Gaston
Address PO Box 2980
City Post Falls State ID Zip 83877

3. WELL LOCATION:

Twp. 50 North ☒ or South ☐ Rge. 05 East ☐ or West ☒
Sec. 25 1/4 SW 1/4 NW 1/4

Gov't Lot _____ County Kootenai
Lat. 47 ° 39.2651 N (Deg. and Decimal minutes)
Long. 116 ° 54.7040 W (Deg. and Decimal minutes)

Address of Well Site 6259 South Greensferry Road
City Coeur d'Alene

(Give at least name of road + distance to road or landmark)

Lot _____ Blk. _____ Sub. Name _____

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation ☐ Thermal ☐ Injection
☐ Other _____

5. TYPE OF WORK:

☒ New well ☐ Replacement well ☐ Modify existing well
☐ Abandonment ☐ Other _____

6. DRILL METHOD:

☒ Air Rotary ☐ Mud Rotary ☐ Cable ☐ Other _____

7. SEALING PROCEDURES:

Seal material	From (ft)	To (ft)	Quantity (lbs or ft ³)	Placement method/procedure
Bentonite Chips	0	38	900 lbs	Dry Pour

8. CASING/LINER:

Diameter (nominal)	From (ft)	To (ft)	Gauge/Schedule	Material	Casing	Liner	Threaded	Welded
6"	+2	94	.250	Steel	☒	☐	☐	☒
4"	20	600	40	PVC	☐	☒	☐	☐

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 94'

9. PERFORATIONS/SCREENS:

Perforations ☒ Y ☐ N Method Saw Cut

Manufactured screen ☐ Y ☒ N Type _____

Method of installation _____

From (ft)	To (ft)	Slot size	Number/ft	Diameter (nominal)	Material	Gauge or Schedule
500	600	1/8x6	2	4"	PVC	40

Length of Headpipe _____ Length of Tailpipe _____

Packer ☐ Y ☒ N Type _____

10. FILTER PACK:

Filter Material	From (ft)	To (ft)	Quantity (lbs or ft ³)	Placement method
N/A				

11. FLOWING ARTESIAN:

Flowing Artesian? ☐ Y ☒ N Artesian Pressure (PSIG) _____

Describe control device _____

12. STATIC WATER LEVEL and WELL TESTS:

Depth first water encountered (ft) 215 Static water level (ft) 110

Water temp. (°F) Cold Bottom hole temp. (°F) Cold

Describe access port Welded Steel Cap

Well test:

Drawdown (feet)	Discharge or yield (gpm)	Test duration (minutes)
N/A	75+ gpm	240

Test method:

Pump	Bailer	Air	Flowing artesian
☐	☐	☒	☐

Water quality test or comments: _____

13. LITHOLOGIC LOG and/or repairs or abandonment:

Bore Dia. (In)	From (ft)	To (ft)	Remarks, lithology or description of repairs or abandonment, water temp.	Water	
				Y	N
10	0	40	Decomposed Granite		X
8	40	85	Decomposed Granite		X
8	85	94	Soft Black & White Granite		X
6	94	215	Soft Black & White Granite		X
6	215	216	Soft Fractured Black & White Granite	X	
			2 gpm		
6	216	285	Soft Granite		X
6	285	483	Medium Granite		X
6	483	485	Fractured Granite	3 gpm	X
6	485	565	Medium Granite		X
6	565	570	Broken Granite		X
6	570	574	Medium Black & White Granite		X
6	574	577	Broken Black & White Granite	X	
			70 gpm		
6	577	600	Medium Black & White Granite		X

RECEIVED

JUL 21 2021

IDWR/NORTH

Completed Depth (Measurable): 600'

Date Started: 07/15/2021 Date Completed: 07/19/2021

14. DRILLER'S CERTIFICATION:

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Horsley Drilling, Inc. Co. No. 632

*Principal Driller C. Mark Horsley Date 07/19/2021

*Driller [Signature] Date 07/19/2021

*Operator II _____ Date _____

Operator I Josh Roberge Date 07/19/2021

* Signature of Principal Driller and rig operator are required.

RECEIVED

MAR 20 2023

CLERK OF DISTRICT COURT
TWIN FALLS, IDAHO

**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

95-18435

(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.

SCANNED

MAR 21 2023

My name is Kelly and William Gaston

My address is 9057 W. Benton Way :
Coeur d'Alene Id 83814

My phone number is: work 6197269981 Home _____

☐ 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:

We bought property currently have
shop & horse barn. Starting to build
home spring 2023

☐ 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 JUN 20, 2023 1:30 PM PT
(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 \$ _____.

Kelly Guston 
(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 March 15, 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

IDAHO DEPARTMENT OF WATER RESOURCES WELL DRILLER'S REPORT

1. WELL TAG NO. D 0088571

Drilling Permit No. 900918
Water right or injection well # _____

2. OWNER:

Name Billy Gaston
Address PO Box 2980
City Post Falls State ID Zip 83877

3. WELL LOCATION:

Twp. 50 North ☒ or South ☐ Rge. 05 East ☐ or West ☒
Sec. 25 1/4 SW 1/4 NW 1/4

Gov't Lot _____ County Kootenai
Lat. 47 39.2651N (Deg. and Decimal minutes)
Long. 116 54.7040W (Deg. and Decimal minutes)

✓ Address of Well Site 6259 South Greensferry Road
City Coeur d'Alene

(Give at least name of road + distance to road or landmark)

Lot. _____ Blk. _____ Sub. Name _____

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation ☐ Thermal ☐ Injection
☐ Other _____

5. TYPE OF WORK:

☒ New well ☐ Replacement well ☐ Modify existing well
☐ Abandonment ☐ Other _____

6. DRILL METHOD:

☒ Air Rotary ☐ Mud Rotary ☐ Cable ☐ Other _____

7. SEALING PROCEDURES:

Seal material	From (ft)	To (ft)	Quantity (lbs or ft ³)	Placement method/procedure
Bentonite Chips	0	38	900 lbs	Dry Pour

8. CASING/LINER:

Diameter (nominal)	From (ft)	To (ft)	Gauge/Schedule	Material	Casing Liner	Threaded	Welded
6"	+2	94	.250	Steel	☒	☐	☒
4"	20	600	40	PVC	☐	☒	☐

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 94'

9. PERFORATIONS/SCREENS:

Perforations ☒ Y ☐ N Method Saw Cut

Manufactured screen ☐ Y ☒ N Type _____

Method of installation _____

From (ft)	To (ft)	Slot size	Number/ft	Diameter (nominal)	Material	Gauge or Schedule
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Length of Headpipe _____ Length of Tailpipe _____

Packer ☐ Y ☒ N Type _____

10. FILTER PACK:

Filter Material	From (ft)	To (ft)	Quantity (lbs or ft ³)	Placement method
N/A				

11. FLOWING ARTESIAN:

Flowing Artesian? ☐ Y ☒ N Artesian Pressure (PSIG) _____

Describe control device _____

12. STATIC WATER LEVEL and WELL TESTS:

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Water temp. (°F) Cold Bottom hole temp. (°F) Cold

Describe access port Welded Steel Cap

Well test:	Discharge or yield (gpm)	Test duration (minutes)	Pump	Bailer	Air	Flowing artesian
Drawdown (feet)			☐	☐	☒	☐
N/A	75+ gpm	240	☐	☐	☐	☐

Water quality test or comments: _____

13. LITHOLOGIC LOG and/or repairs or abandonment:

Bore Dia. (in)	From (ft)	To (ft)	Remarks, lithology or description of repairs or abandonment, water temp.	Water	
				Y	N
10	0	40	Decomposed Granite		X
8	40	85	Decomposed Granite		X
8	85	94	Soft Black & White Granite		X
6	94	215	Soft Black & White Granite		X
6	215	216	Soft Fractured Black & White Granite	X	
			2 gpm		
6	216	285	Soft Granite		X
6	285	483	Medium Granite		X
6	483	485	Fractured Granite	3 gpm	X
6	485	565	Medium Granite		X
6	565	570	Broken Granite	X	
6	570	574	Medium Black & White Granite		X
6	574	577	Broken Black & White Granite	X	
			70 gpm		
6	577	600	Medium Black & White Granite		X

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JUL 21 2021

IDWR/NORTH

Completed Depth (Measurable): 600'

Date Started: 07/15/2021 Date Completed: 07/19/2021

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(We certify that all minimum well construction standards were complied with at the time the rig was removed.)

Company Name Horsley Drilling, Inc. Co. No. 632

*Principal Driller C. Mark Horsley Date 07/19/2021

*Driller [Signature] Date 07/19/2021

*Operator II _____ Date _____

Operator I Josh Roberge Date 07/19/2021

* Signature of Principal Driller and rig operator are required.

Idaho Department of Water Resources Receipt

Receipt ID: C116917

Payment Amount	\$25.00	Date Received	8/18/2023	Region	STATE
Payment Type	Check	Check Number	1162		
Payer	GASTON, KELLY				

Comments NOTICE OF CLAIM TO A WATER RIGHT
CIVIL CASE NUMBER #49576
FOR: KELLY GASTON AND/OR WILLIAM GASTON
WR CLAIM OR PARCEL # 95-18435
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 LATE FEE	75503	0337	1		1155



Signature Line (Department Representative)