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AUG 27 2010

Form No. 42-1409-2 (Internet 12/08)

IDWR/NORTHERN

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 95-14961

Date Received: 7-31-09

Receipt No: 11021590 11021590

Received By: CM

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

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IDWR/North

1. Name of Claimant(s) Cary D. Ferguson Phone (509) 457-2440

Mailing Address 4700 Tieton Drive B Yakima WA Zip 98908
Street or Box City State

2. Date of Priority: (Only one per claim) March 31, 1958
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water (✓) or Other () (a) _____
which is tributary to (b) _____

4. Location of Point of Diversion is: Township 51N North, Range 3W West, Section 3
_____ 1/4 of _____ 1/4, or Govt. Lot 2 BM. County of Kootenai
Parcel (PIN) no. 056200000040

Additional points of diversion if any: _____

If available, GPS coordinates: _____

5. 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.
Domestic Well on Property. Depth unknown. Well has been on property since appx 1958.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater uses. See page 1 of the instructions.)
For Domestic purposes from 01/01 to 12/31 amount 0.04 cfs (cfs) or AFY ()

For _____ purposes from _____ to _____ amount _____

7. Total Quantity claimed _____ cfs () or AFY ()

8. Non-irrigation uses. Describe fully. (eg. Domestic: give number of households served if single ownership;

Stockwater and Number of livestock) Domestic - 1 house

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9. Location of Place of Use is: Township 51N, Range 3W, Section 3,
_____ 1/4 of _____ 1/4, Govt. Lot 2 BM. Parcel (PIN) no. 056200000040

for (Check One) **Domestic** (☒) **Stock** () **Domestic and Stock** () If different than shown in Item 4

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 (☒) 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.

Domestic well also used for irrigation for lawn - 1 hose bib. or None ()

13. Remarks:

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 _____

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: 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) [Signature] Date: 7/30/09

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 _____ Identification No. _____

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Kootenai County, Idaho

generated on 7/30/2009 10:22:24 AM CDT

Parcel

Parcel Number	AIN	Situs Address
056200000040	112908	14338 N WATERS EDGE CT, HAYDEN

Owner Name	Owner Information
Owner Address	FERGUSON CARY D
	910 RIDGEVIEW AVE
	SELAH WA 98942
Transfer Date	01/01/2007

Tax Authority Group	118000	Location / Description	
Situs Address	14338 N WATERS EDGE CT, HAYDEN	Legal Desc.	NORTH SHORE TR, LT 4 03 51N 03W
Acreage	.3120		

Property Class Code	Parcel Type
Neighborhood Code	537- Imp res rural sub
	3505 HAYDEN FRONTAGE-EAST SIDE

Appraisal Date	01-01-2009	Assessment Information			
		Current Year - 2009	0	Prior Year - 2008	0
Market Value Land	\$306,000	Homeowners Eligible Amt Land	\$0	Homeowners Eligible Amt Land	\$0
Market Value Improvement	\$116,930	Homeowners Eligible Amt Imp	\$0	Homeowners Eligible Amt Imp	\$0
Total Market Value	\$422,930	Sum Homeowners Eligible Amt	\$0	Sum Homeowners Eligible Amt	\$0
		Homeowners Exemption Allowed	\$0	Homeowners Exemption Allowed	\$0
Acreage	0.3120	Total Market Value	\$422,930	Total Market Value	\$494,075
Front Feet	75.0000	Homeowners Exemption Allowed	\$0	Homeowners Exemption	\$0
		Ag/Timber Exemption	\$0	Ag/Timber Exemption	\$0
		Net Taxable Value	\$422,930	Net Taxable Value	\$494,075

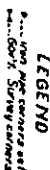
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JUL 30 2009

Birds of Prey 113

0686C To Wanda Patrick King
ASBMENT To Louis B. King, Jr.
3-28-60 9017752Y

-EAST-1349.6-

[illegible]

It's really a shame," stressed lead investigator de la Cruz early this morning, revealing a "burn record" of 25 empty shells as he "checked" one of the front of load by a driver, and the 24 rounds disappeared in a flash. "It was a very fast operation and that's the way pipe corners have been set at stations."

STATE OF IOWA }
COUNTY OF HOWARD } ss
Subscribed and sworn to before me this 21st day of APRIL, 1936
My commission expires June 2nd 1936

100

Gay A. Miller
Gay A. Miller

STATE OF ILLINOIS } ss.
COUNTY OF KANE

Thomas A. McCall
 Attorney Public in and for the County of
 Hamilton, State of Idaho.
 My commission expires Jan. 30, 1928

COUNTY SURVEYOR
and approved this 14th day of April, 1888
Henry A. Leonard
County Surveyor

U.S. Fish and Wildlife Service
Chairman of the Board

Margaret A. Hoffman

STATE OF MONTANA

County of Petroleum

On this 14th day of April, 1944, before me, the undersigned Notary Public, personally appeared WILLIAM T. HOFFMAN, known and as Troy Hoffman, and MARGARET A. HOFFMAN, husband and wife, known to me to be the persons whose names are subscribed to the foregoing and acknowledged to be that they executed the same.

Margaret A. Hoffman
Notary Public for Montana,
Residing at Great Falls.



REV

10-10-10

WARRANTY DEED

48842
201-99

For Value Received JAY A. MILLER and GEORGIA MILLER,
husband and wife,

The grantors, do hereby grant, bargain, sell and convey unto
JAMES BRUCE PALMER and DELPHINE MARIE PALMER, his wife,

the grantee, the following described premises, in Petroleum County, Montana, to wit:

Lot Four (4) of North Shore Tracts, being in Lot Two (2),
Section Three (3), Township Fifty-one (51) North, Range
Three (3), W.B.M.

201 | 99

7 Pgs

Accounting Offices, PC

Yakima Offices
4700 Tieton Drive, Suite B
Yakima, WA 98908
(509) 457-2440
Fax (509) 457-2443

Phoenix Offices
1136 E. Campbell Ave
Phoenix, AZ 85014
(602) 277-6278
Fax (602) 277-6925

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IDWR/NORTHERN

August 26, 2010

Kenneth Knoblock
Department of Water Resources
7600 N. Mineral Drive, Suite 100
Coeur d'Alene, ID 83815

Dear Ken,

Received your letter regarding the Claim to a Water Right.

Attached is the revised application for item #9.

As for the date of priority, I got this date from the initial plat map dated April 1, 1958. From talking with the neighbors and people in the know around Hayden, there was an old farmhouse on this property when it was platted. In fact the house sits on top of the lot line as it was grandfathered from the original plat. The Millers sold the house and lot to the Palmers In 1965. Somewhere in the early 80's the old farmhouse burned down and the existing home was rebuilt on the original foundation. It is attached to the original well and septic system.

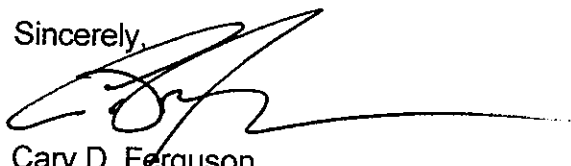
I researched the original dock for an updated dock permit and determined that the initial dock was installed prior to 1965. I also had an attorney in Coeur d'Alene determine that the well predates 1965. There is no well tag identifying when it was drilled or the depth which indicates it is older than 1997. It is also not on the IDWR site, which means it predates 1987. It only supplies my home for domestic water and for irrigation hoses for the lawn.

I have attached the original plat and the deed transfer between Miller and Palmer.

I guessed at the date of the well. But the water rights should have been determined by the plat from 1958 or the construction of the original farmhouse which was over 50 years ago.

Let me know if you have any other questions.

Sincerely,



Cary D. Ferguson
Certified Public Accountant