

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 95-14919Date Received: 08/05/2010Receipt No: N025361Received By: JM

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) CADY D'ALENE FRAME Phone 208 762-4114Mailing Address 2876 E. SPYGLASS CT, CHA, ID Zip 83815
Street or Box City State2. Date of Priority: (Only one per claim) APR 1, 1969
Month/Day/Year (YYYY)3. Source of water supply (Check one) Ground Water () or Other (☒) (a) CHA LAKE
which is tributary to (b) SPOKANE RIVER4. Location of Point of Diversion is: Township 49N, Range 4W, Section 24
NE 1/4 of NE 1/4, or Govt. Lot 1 BM. County of KOOTENAIParcel (PIN) no. 018800010200

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.

2" SAND POINT WITH PUMP & PRESSURE TANK

6. Water is claimed for the following: (limited to Domestic and/or Stockwater uses. See page 1 of the instructions.)

For _____ purposes from _____ Month/Day to _____ Month/Day amount _____ cfs () or AFY ()

For DOMESTIC purposes from JAN 1 to DEC 31 amount 0.047. Total Quantity claimed 0.04 cfs (☒) or AFY ()

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

Stockwater and Number of livestock) ONE HOMEFOR TWO PLATTED RESIDENTIAL LOTS. SEE REMARKS #13

SCANNED

AUG - 5 2010

9. Location of Place of Use is: Township 49N, Range 4W, Section 24,
NE 1/4 of NE 1/4, Govt. Lot 1 BM. Parcel (PIN) no. _____
If different than shown in Item 4

for (Check One) Domestic (☒) Stock (☐) Domestic and Stock (☐)

Additional places of use, if any 019000000200

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.

_____ or None (☒)

13. Remarks:

POINT OF DIVERSION: USE IS LOT 20, BL. 1, 4TH ADDN. DEERWOOD PT
POINT OF ADDITIONAL USE IS LOT 20, 5TH ADDN. DEERWOOD PT

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: 3

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) Carlene & Frank Date: 8-5-10
Jay & Anne Date: 8/5/10

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. _____

SCANNED
AUG - 5 2010

WARRANTY DEED

For Value Received James C. Ashton and Agnes A. Ashton,
husband and wife

the grantors , do hereby grant, bargain, sell and convey unto

Gary A. Frame and Carlene K. Frame,
husband and wife

the grantee^s , the following described premises, in Kootenai County Idaho, to-wit:

Lot #20, Block #1, Fourth Addition, Driftwood Point,
Kootenai County, Idaho according to the plat thereof
filed in the office of the county recorder of plats,
Book D, Page 106.

Lot #20, Fifth Addition, Driftwood Point, Kootenai
County, Idaho according to the plat thereof filed
in the office of the county recorder of plats, Book D,
page 115.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees ,
their heirs and assigns forever. And the said Grantor^s do hereby covenant to and
with the said Grantee^s , that they are the owner^s in fee simple of said premises; that they are free
from all incumbrances except subject to taxes for 1969 which the party of the second part
assumes and subject to any easements or conditions or restrictions of record.

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: February 20, 1969

James C. Ashton
Agnes A. Ashton

STATE OF IDAHO, COUNTY OF Kootenai

On this 20th day of February , 1969 ,
before me, a notary public in and for said State, personally
appeared James C. Ashton and Agnes A.
Ashton, husband and wife

known to me to be the person^s whose name^s are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

[Signature]

Notary Public
, Idaho

Residing at Coeur d'Alene
Comm. Expires 4-18-69

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at
the request of

at minutes past o'clock m.,
this day of
19 , in my office, and duly recorded in Book
of Deeds at page

Ex-Officio Recorder

By _____ Deputy.

Fees \$
Mail to:

August 2, 2010

Mr. Shawn Maxey
Idaho Department of Water Resources, Northern Region
7600 Mineral Drive, Suite 100
Coeur d'Alene, Id. 83815

RECEIVED

AUG - 3 2010

IDWR/NORTHERN

Dear Shawn:

As a follow up to our meeting in your office last week, I've been digging out any pertinent data for the water right as we discussed. With this letter I'm enclosing a copy of our February 20th, 1969 Warranty Deed for Lot 20, Block #1, Fourth Addition to Driftwood Point and Lot 20, Fifth Addition to Driftwood Point, Kootenai County, Idaho. I also contacted the Kootenai County Building Department and told them that you had some erroneous information (the cabin was actually completed in 1975 rather than 1985) and they checked their records and said that their appraisal record did indeed show that our cabin was completed in 1975. She (Cathy) recognized your name and said that she would email you the correct information to you. They were quite helpful.

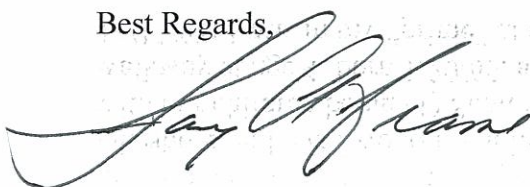
Included is a photo taken at the lake lot showing my family working on and enjoying the initial improvements on the property. Such that the photo can be dated, the picture at our lakeshore with Driftwood Point in the background was taken during the summer of 1969 with our children being (1) Scott in the lake at age 7, born 8/4/62, (2) Kevin on the dock walkway at age 4, born 1/20/65, and (3) Christie at 8 months with her pacifier, born 11/11/68; I was in my "prime" at age 30, born 6/15/39.

In addition to constructing the rock pier and dock that first summer we were also in the process of clearing beach, brushing and constructing a trail from Highway 97 through the lake lot to the beach, and brushing and constructing a roadway and parking area on our secondary lot on the upper side of the highway. The roadway and parking area were used for our boat, cars, motorcycles and trailer; we used the lake during the summers for bathing, washing, drinking and fire control in addition to our recreational activities.

As noted above we had Architects West draw up plans for a small cabin on the lake lot in 1974 which was completed in 1975 along with the infrastructure of a septic tank and pump sewer system and permanent water lines and a pressure tank and water pump from a 2 inch sand point driven through the beach sands and gravels. These systems are still in use to date and if I can find any original purchase data on the water pump I'll forward it. A copy of the original architect's cover sheet for the cabin will also be included.

My business partner, Jim LePard, owned both Lots 18 just once removed from us and had already constructed a cabin on the lake lot when we purchased our lots. I'll see if I can secure an affidavit from him testifying to the validity of the data herein.

Best Regards,



Gary A. Frame

FRAME PIN 0-1880-001-020-0

