

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 95-15028

Date Received: 08/30/2010

Receipt No: N025524

Received By: Am

NOTICE OF CLAIM  
TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) David and Arlene Sperry Phone (509) 448-6642

Mailing Address 2502 E. 59th Lane Spokane WA ZIP 99223  
Street or Box City State

2. Date of Priority (Only one (1) per claim) 9/17/1968  
Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water ( ) or Other (✓) (a) Lake Coeur d'Alene  
which is tributary to (b) Spokane River

4. a. Location of Point of Diversion is: Township 49 N, Range 3 W, Section 31,  
NE, 1/4 of SW, 1/4 Govt. Lot 3, BM., County of Kootenai

Parcel (PIN) no. 05420000010A

Additional points of diversion if any: \_\_\_\_\_

If available, GPS Coordinates \_\_\_\_\_

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. Pump and pipeline

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AUG 30 2010

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD) 04/01/01 to 10/31/12 (cfs) 0.04 (acre feet)

For Domestic purposes from 04/01/01 to 10/31/12 amount 0.04 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 0.04 (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.) One home

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 |        |
| 49N | 3W  | 31  |    |    | D  |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
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|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

Parcel (PIN) no(s) 0540000010A

Total number of acres irrigated 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: CABIN BUILT IN 1973 WHICH REPLACED  
A 10 X 50 FOOT MOBILE HOME THAT HAD BEEN  
ON THE PROPERTY PRIOR TO SPERRY FAMILY  
PURCHASE IN 1968

Last Name SPERRY

Identification No. \_\_\_\_\_

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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 (X) wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2 ONE CONTRACT AND ONE MAP

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: 8/30/10

Andrew M. Spun Date: 8/30/10

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 30 2010

*Grant Co*

## CONTRACT

THIS AGREEMENT, made and entered into this 17 day of September, 1968, by and between R. T. MORROW and LEITH MORROW, husband and wife, hereinafter referred to as the Vendors, and ROBERT W. GRANT and M. DORRITT GRANT, husband and wife, and DONALD R. SPERRY AND LILLIAN L. SPERRY, husband and wife, hereinafter referred to as the Purchasers,

WITNESSETH: That the Vendors do hereby agree to sell and the Purchasers do hereby agree to purchase the following described real and personal property situate in Kootenai County, Idaho, to-wit:

### REAL PROPERTY:

Lots 9 and 10 of MORROW'S SUBDIVISION, according to the plat filed in Book E of Plats at Page 44, records of Kootenai County, Idaho,

(together with riparian rights, which will be conveyed by Quitclaim Deed).

### PERSONAL PROPERTY:

One 50-foot Huntington House Trailer, 1964 model, Identification No. 3,577,393, Certificate of Title No. A-43459,

for a total consideration of EIGHTEEN THOUSAND SEVEN HUNDRED DOLLARS (\$18,700.00) -- represented by \$15,000.00 for the real property and \$3,700.00 for the above-described house trailer -- payable as hereinafter provided and upon the terms and conditions hereinafter specified, to-wit:

### PAYMENTS:

The principal consideration of \$18,700.00 shall be payable as follows:

September 15, 1968.

RELEASE OF HOUSE TRAILER:

It is specifically understood and agreed that the house trailer herein described shall not be removed from the described real estate until such time as full payment has been made therefor.

To determine full payment of the purchase price of the house trailer, the Purchasers shall be entitled to apply  $22\frac{1}{2}\%$  of all monthly payments made by them pursuant to the terms of this Contract and applied to the principal balance due hereunder. The Purchasers may, at their option, direct that any principal payments made on the contract, in addition to the monthly installments, be applied on the house trailer balance. When such percentage of the monthly payments and such additional payments so directed totals \$3,700, the title and bill of sale shall be delivered to the Purchasers and the escrowholder herein designated is hereby so authorized and directed.

TAXES AND ASSESSMENTS:

The Purchasers agree that they will pay or cause to be paid all taxes and assessments which may hereafter be levied or assessed against said property during the life of this Contract, and that they will pay the same as and when the same shall become due and payable and will not suffer or permit any such taxes or assessments to become delinquent. The taxes and assessments shall be pro rated as of September 15, 1968.

FIRE INSURANCE:

The Purchasers agree that they will, at their own expense, keep and maintain insurance against loss by fire on the house trailer located upon the above-described premises in the amount of its insurable value or an amount equalling the total principal balance due on said personal property (house

IN WITNESS WHEREOF, the parties have hereunto set their hands  
the day and year in this Contract first above written.

R. T. Morrow  
R. T. Morrow

Leith Morrow  
Leith Morrow

VENDORS

Robert W. Grant  
Robert W. Grant

M. Dorritt Grant  
M. Dorritt Grant

Donald R. Sperry  
Donald R. Sperry

Lillian L. Sperry  
Lillian L. Sperry

PURCHASERS

STATE OF Idaho )  
County of Boone ) ss.  
Boone

On this 28<sup>th</sup> day of September, 1968, before me, the undersigned  
Notary Public in and for said State, personally appeared R. T. MORROW  
and LEITH MORROW, husband and wife, known to me to be the persons  
whose names are subscribed to the within instrument, and acknowledged to  
me that they executed the same.

WITNESS my hand and official seal.

Edw. H. Anderson  
Notary Public for the State of Idaho  
Residing at Coeur d'Alene

# SPERRY PIN 0-5420-000-010-A

PUMP

