

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 45-14604Date Received: 11/9/19Receipt No: N022722BReceived By: K

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) DEANIS W. OR MARJORIE J. JOHNSON Phone (208) 772-2903Mailing Address 19254 N. RIMROCK RD. HAYDEN LAKE, IDAHO Zip 83835
Street or Box City State2. Date of Priority: (Only one per claim) JAN. 1, 1904 - SEE ATTACHMENT #1
Month/Day/Year (YYYY)3. Source of water supply (Check one) Ground Water () or Other (X) (a) SPRING
which is tributary to (b) SINKS4. Location of Point of Diversion is: Township 52 No., Range 3 W, Section 20,
SE 1/4 of 1/4 NW 1/4, or Govt. Lot _____ BM. County of KOOTENAIParcel (PIN) no. 52 NO 3 W 20 - 4400

Additional points of diversion if any: _____

If available, GPS coordinates: W 116° 44.270' — N 47° 50.427' EL. 2477

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.

CONCRETE CASING 4' X 8' DEEP. 3 HP SUBMERSIBLE
PUMP - 80 GAL. HOLDING TANK - PLASTIC UNDERGROUND PIPE - SEE ATTACHMENT #1

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

For Domestic & stock purposes from 1/1 to 12/31 amount .08
Month/Day Month/Day cfs () or AFY ()

For _____ purposes from _____ to _____ amount _____

7. Total Quantity claimed .08 cfs (X) or AFY ()

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

Stockwater and Number of livestock) DOMESTIC - (TWO HOUSEHOLDS)stock 8 to 12 HORSES - YEAR AROUND

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9. Location of Place of Use is: Township 52 No, Range 3 W, Section 20
SE 1/4 of 92 W 1/4, Govt. Lot _____ BM. Parcel (PIN) no. 52 No 3 W 20-4400
for (Check One) Domestic () Stock () Domestic and Stock (X) 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 (X) 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.

DEVELOPED SPRING ON 52 NO 3 W 20-4400 or None ()

13. Remarks:

SEE CLAIM NO. 2 - ENCLOSED IN THIS PACKET.

USED FOR CATTLE, HORSES AND EMERGENCY HOUSE HOLD.

14. Basis of Claim (Check One) Beneficial Use (X) 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: 6

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) Donna Johnson Date: Nov 6, 2009

Marjorie Johnson Date: Nov 6, 2009

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 _____

Address _____

Date _____

Last Name JOHNSON Identification No. _____

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(ATTACHMENT # 1)

Date of Priority:

This date is approximate and was given to me by the owner, Genevieve Alice (Peterson) Warner, when we purchased the property in 1974. She was born in the old homestead on this property and lived on the property for several years. She also stated that two neighbors, including her brother Clyde Peterson, who owned the adjoining property to the West, (see attachment # 2) had permission to use the Spring for their domestic use.

In 1974 we purchased the property and moved a mobile home onto it. I hired a contractor to rework the Spring and run plastic pipe to the mobile home (see attachment # 3.

In 1981 we built a new home on the property and extended the water line from the mobile home to the new house. (See attachment # 4)

This Spring now supplies water to two households and has since 1981.

Also see (attachment #5). VA Certificate Of Reasonable Value dated 12/6/1986 (Spring Water).

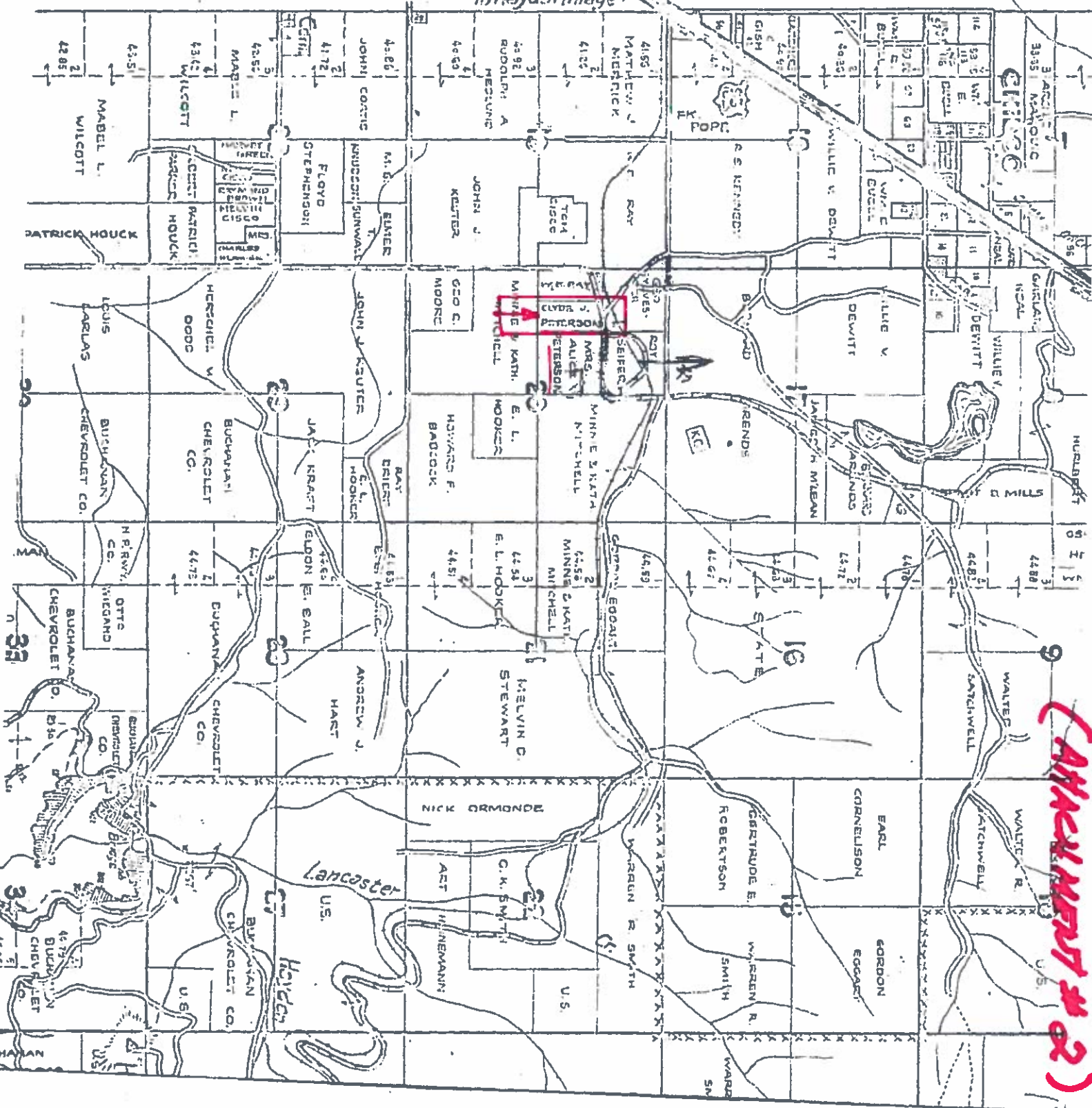
Also (see attachment #6) Water Sample test dated 12/20/1984.

Dennis Johnson

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To Hayden Village

63



(Attachment #2)

(ATTACHMENT # 3)

To Whom It May Concern:

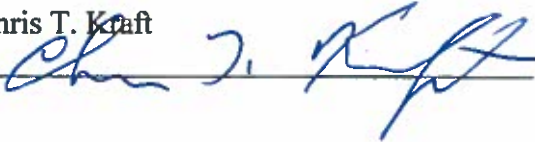
In July of 1974, my father, Jack Kraft and myself, Chris T. Kraft, were contracted by Dennis W. and Marjorie J. Johnson, to rework an existing Water Spring and run a water line to a Mobil home located approximately 450 feet from the spring, on a farm originally known as the "Peterson Ranch", later referred to as the Warner Ranch.

The specific description of the parcel is: The Westerly 860 feet of the Northerly 820 feet of the Southeast Quarter of the Northwest Quarter of Section 20, Township 52 North, Range 3 West, Boise Meridian, Kootenai County, State of Idaho.

The Spring was located at the West edge of the property.
We removed the original plank walls of the spring, cleaned it out, installed a new gravel base, new concrete casings and a submersible pump. We also ran plastic pipe and electrical wire to the Mobil home.

The job was completed and approved.

Signed: Chris T. Kraft
Signature



STATE OF IDAHO, COUNTY OF KOOTENAI

On this 20th day of October 2009, before me, a notary public in and for the said State, personally appeared Chris T. Kraft

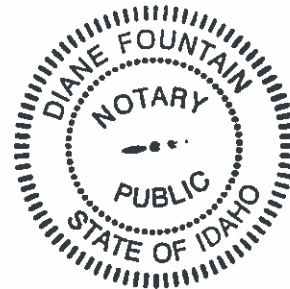
Known to me to be the person whose name subscribed within instrument, and acknowledged to me that Chris T. Kraft executed the same.

Diane Fountain

Notary public

Residing at Coeur d'Alene Idaho.

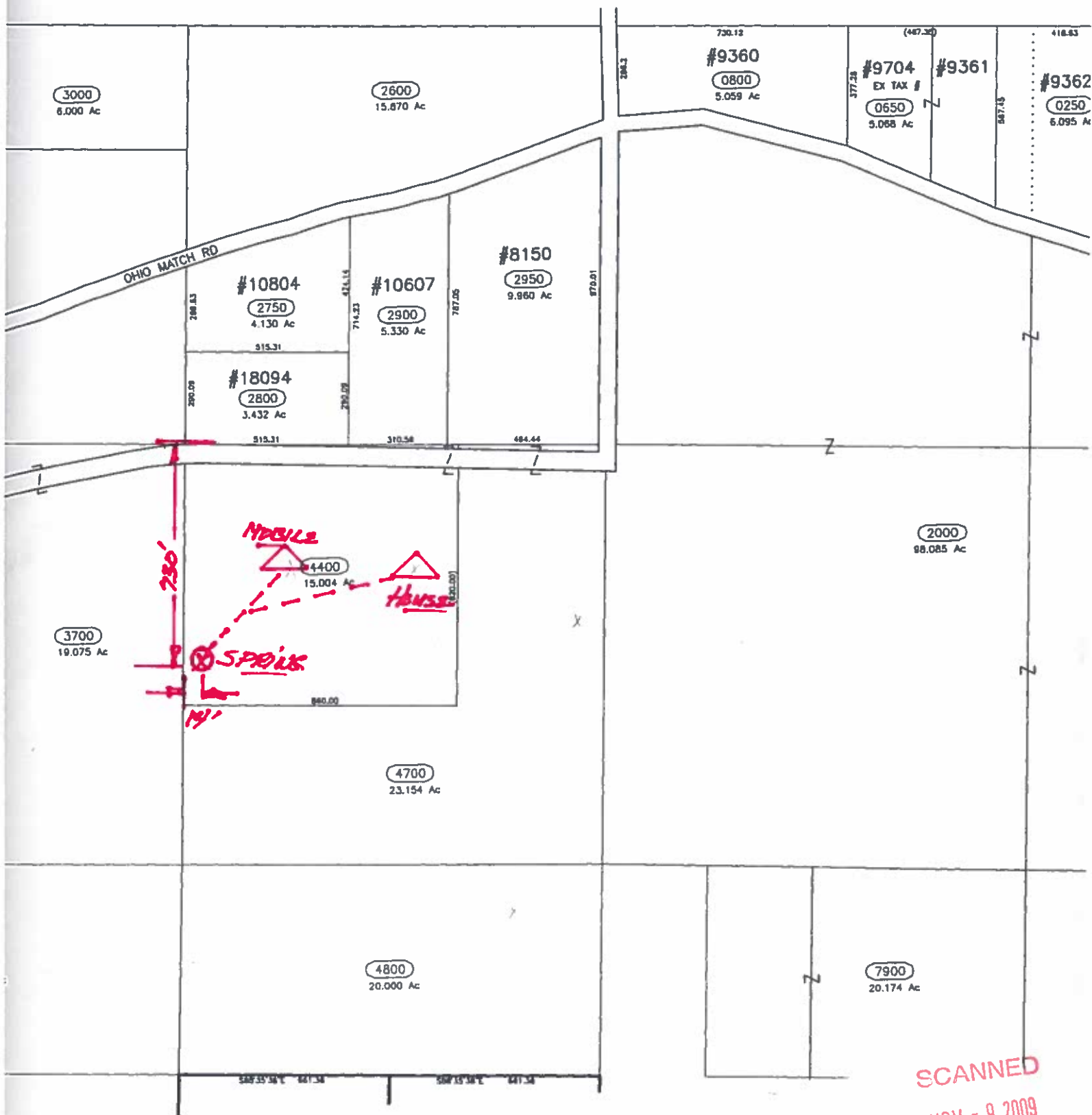
Comm. Expires 10/28/10



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(ATTACHMENT # 4)

Sec. 20 Twp. 52 N. R. 3 W.B.M.



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PURCHASER'S COPY 4



Veterans Administration

**GENERAL AND SPECIFIC CONDITIONS FOR VA CERTIFICATE
OF REASONABLE VALUE (VA Form 26-1843)**

GENERAL CONDITIONS

PAGE NUMBER
84690

(NOTE: THE VETERANS ADMINISTRATION DOES NOT ASSUME ANY RESPONSIBILITY FOR THE CONDITION OF THE PROPERTY. THE CORRECTION OF ANY DEFECTS NOW EXISTING OR THAT MAY DEVELOP WILL BE THE RESPONSIBILITY OF THE PURCHASER.)

1. This certificate will remain effective as to any written contract of sale entered into by an eligible veteran within the validity period indicated.
2. This dwelling conforms with the Minimum Property Requirements prescribed by the Administrator of Veterans Affairs.
3. The aggregate of any loan secured by this property plus the amount of any assessment consequent on any special improvements as to which a lien or right to a lien shall exist against the property, except as provided in Item 12 below, may not exceed the reasonable value in Item 14 on VA Form 26-1843.
4. Proposed construction shall be completed in accordance with the plans and specifications identified below, relating to both on-site and off-site improvements upon which this valuation is based and shall otherwise conform fully to the VA Minimum Property Requirements. Satisfactory completion must be evidenced by either:
 - A. VA Final Compliance Inspection Report (VA Form 26-1839), or
 - B. VA Acceptance of FHA Compliance Inspection Reports or other evidence of completion under FHA supervision applicable to proposed construction.
5. By contracting to sell property, as proposed construction or existing construction not previously occupied, to a veteran purchaser who is to be assisted in the purchase by a loan made, guaranteed, or insured by VA, the builder or other seller agrees to place any down payment received by the seller or agent of the seller in a special trust account as required by section 1806 of Title 38, U.S. Code.
6. The VA guaranty is subject to and conditioned upon the lending institution's compliance at the time of the making, increasing, extending or renewing of the proposed loan, with section 102 of P.L. 93-234, "Flood Disaster Protection Act of 1973."

SPECIFIC CONDITIONS (Applicable when checked or completed)

2. THE REASONABLE VALUE ESTABLISHED HEREIN FOR THE RELATED PROPERTY IS ☒ BASED UPON OBSERVATION OF THE PROPERTY IN ITS "AS IS" CONDITION ☐ PREDICATED UPON COMPLETION OF REPAIRS LISTED IN ITEM 5	3. PROPOSED CONSTRUCTION TO BE COMPLETED (Always plan, specification, and estimate)
4. INSPECTIONS REQUIRED ☐ FHA COMPLIANCE INSPECTIONS FOR PROPOSED CONSTRUCTION ☐ VA COMPLIANCE INSPECTIONS ☐ LENDER TO CERTIFY	5. REPAIRS TO BE COMPLETED
6. NAME OF COMPLIANCE INSPECTOR	
7. HEALTH AUTHORITY APPROVAL. Execution of VA Form 26-6395 by Health Authority indicating approval of the water supply and sewerage system. This document is subject to approval by letter or Health Authority Form may be used.	8. This document is subject to the provisions of Executive Orders 11750 and 11735, and the Rules and Regulations of the Secretary of Labor in effect this date and VA Regulations 4390 through 4393, and also the provisions of the certification executed by the seller, sponsor or developer named herein which is on file in this office.
9. WOOD DESTROYING INSECT INFORMATION. Reporting wood destroying insect information using VA Form 26-8850. The seller shall, at no cost to the veteran-purchaser, prior to settlement, obtain a written statement from a qualified pest control inspector reporting wood destroying insect information using VA Form 26-8850. The veteran-purchaser will acknowledge receipt of a copy of the statement in the final VA Form 26-8850. PROPOSED CONSTRUCTION - VA Form 26-8375. Termite Soil Treatment Guarantee, is required.	12. EXCEPTIONS TO GENERAL CONDITION NO. 3 ABOVE ☐ ENERGY CONSERVATION IMPROVEMENTS (See 11 Form 26-1843a attached) ☐ OTHER (If and explain in Item 13 below)
10. WARRANTY ☐ If checked, complete Item 11	11. NAME OF WARRANTOR <i>WGA</i>
13. OTHER REQUIREMENTS	

(ATTACHMENT # 6)

Laboratories
Boise
Caldwell
Coeur d'Alene
Idaho Falls
Lewiston
Pocatello
Twin Falls

4643

State of Idaho
DEPARTMENT OF HEALTH AND WELFARE
Water Sample For
BACTERIOLOGICAL QUALITY TEST
(Purity Test)

HWH-0261
Rev. 1976

paid \$50 cash

See Back of Form for Collection Instructions

PLEASE PRINT PLAINLY

SOURCE	Type of Well, Spring, Stream, Etc. SPRING					
LOCATION OF SOURCE	Address if City - Distance and Direction from Town if Farm Rt 3 Box 48 HAYDEN LAKE - (9 MILES N.E.)					
REPORT RESULT TO			IF WELL, GIVE DEPTH			
Name DENNIS W. JOHNSON			Feet 7 FT. DEEP			
Street Address Rt 3 Box 48			SAMPLE COLLECTED			
City, State, Zip Code HAYDEN LAKE, Idaho 83835			Hour 7:30 A.M.	Date 12/20/84		
RESULT OF WATER TEST						
Intestinal Bacteria ☐ were ☒ were not found in the water sample.						
Membrane Filter <1 Coliforms/100 ml.						
Date Received 12/20/84			Microbiologist cl M. Brodwater			
EXPLANATION: Intestinal bacteria should not be present in your water supply. The presence of these organisms indicates that your water is contaminated. This may be due either to poor quality of water at its source or improper construction and maintenance of the system. Because the quality of water may vary from time to time, it is recommended that repeat samples be submitted. For Department of Health & Welfare recommendations or approval of your water supply, please contact your environmentalist or public health engineer.						
PRESUMPTIVE TEST					CONFIRMATORY TEST	
Date	10cc	10cc	10cc	10cc	10cc	Date
						Result

DO NOT FILL BOTTLE MORE THAN TWO-THIRDS (2/3) FULL
Allow an Air Space at the Top

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Accession/Serial #: IDIDAA 027916 **BLM Serial #:** IDIDAA 027916

Note: This record has not been checked against the Legal Land Patent. We don't have an electronic image for this document.

Names

Patentee: GRANT SHEFFIELD

Survey

State: IDAHO

Acres: 160

Metes/Bounds: No

Title Transfer

Issue Date: 11/22/1897

Land Office: Idaho

Cancelled: No

U.S. Reservations: Yes

Mineral Reservations: No

Authority: May 20, 1862: Homestead Entry Original (12 Stat. 392)

Document Numbers

Document Nr.: 269

Accession/Serial Nr.: IDIDAA 027916

BLM Serial Nr.: IDIDAA 027916

Aliquot Parts	Sec./ Block	Township	Range	Fract. Section	Meridian	State	Counties	Survey Nr.
NW	20/	52-N	3-W	No	Boise	ID	Kootenai	

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