

# 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 95-11988Date Received: 7/9/19Receipt No: 021218Received By: Ker

## 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) STANLEY R DAVIS Phone (xxx) 771-0843  
+ R HOWDA DAYLS

Mailing Address PO Box 331 KATHOL ID Zip 83801  
Street or Box City State

2. Date of Priority: (Only one per claim) Dec-31-2007  
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 53<sup>N</sup>, Range 3<sup>West</sup>, Section 23,  
NW 1/4 of NW 1/4, or Govt. Lot \_\_\_\_\_ BM. County of KOOTENAI County  
Parcel (PIN) no. -3050

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.

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

For Domestic purposes from JAN 5<sup>th</sup> to Dec 30<sup>th</sup> amount 1.04 cfs  
For Stock Water purposes from JAN 1<sup>st</sup> to Dec 31<sup>st</sup> amount .02 cfs

7. Total Quantity claimed 1.04 cfs ( ) or AFY ( )

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

Stockwater and Number of livestock) 1- House

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9. Location of Place of Use is: Township 53W, Range 3W, Section 23

NW 1/4 of NW 1/4, Govt. Lot \_\_\_\_\_ BM. Parcel (PIN) no. \_\_\_\_\_

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.

\_\_\_\_\_ 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) Mark R. Deen Date: 7-9-09

\_\_\_\_\_ Date: \_\_\_\_\_

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

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**GRANT OF EASEMENT**

Comes now: Neil N. Meyer and Mary M. Meyer, Grantors, a married couple, of 28792 Linzy Lane, Athol, Idaho, 83801, owners of the real property described as:

A parcel of land located in the County of Kootenai, State of Idaho, more particularly described as "The West Half of the Northeast Quarter of the Northwest Quarter of the Northwest Quarter of Section 23, Township 53 North, Range 3 West, Boise Meridian, Kootenai County, Idaho. (also known as "28792 Linzy Lane, Athol, Idaho." hereafter referred to as "Servient Tenement",

to convey to Brent Condle and Peggy J. Condle, Grantees, a married couple, of 18442 Finebolt Rd., Worley, Id. 83876 owners of that real property described as:

"The East Half of the Northeast Quarter of the Northwest Quarter of the Northwest Quarter of Section 23, Township 53 North, Range 3 West, Boise Meridian, Kootenai County, State of Idaho. Hereafter referred to as Dominant Tenement",

Said Neil N. Meyer and Mary M. Meyer, convey to said Brent and Peggy Condle an easement over said "Servient Tenement" in favor of said "Dominant Tenement" an easement for the LIMITED PURPOSE OF: DRAWING WATER FROM THAT CERTAIN WATER WELL KNOWN TO THE IDAHO DEPARTMENT OF WATER RESOURCES AS: ("WELL TAG NO. D 0033681; AND DRILLING PERMIT NO. 814107"); LAYING UNDERGROUND WATER PIPELINE AND MAINTAINING, IMPROVING AND REPAIRING SAID WELL AND WATER LINE; AND INGRESS AND EGRESS FROM WELL AND PUMPHOUSE; AND FOR THE LAYING OF ELECTRICAL LINES TO WELL PUMP AND PUMPHOUSE. ALL FOR THE BENEFIT OF SAID DOMINANT TENEMENT.

Said easement is the North Eighty (80) feet of said "Servient Tenement" only as to those portions actually and practically necessary to deliver water to said Dominant Tenement.