

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 95-13661Date Received: 9-16-10Receipt No: N 025668Received By: am

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

RECEIVED

SEP 10 2010

IDWR/NORTHERN

1. Name of Claimant(s) William F. and Sandra G. McMillan Phone (509) 922-0659

Mailing Address 12927 E Blossy Ave. Spokane WA Zip 99216
Street or Box City State

2. Date of Priority: (Only one per claim) April, 1985
Month/Day/Year (YYYY)

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

4. Location of Point of Diversion is: Township 47N, Range 04W, Section 03,
SE 1/4 of NW 1/4, or Govt. Lot 4 BM. County of Kootenai

Parcel (PIN) no. 0-0780-002-018-0Additional points of diversion if any: None

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.

Spring box with tank

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 1 to Dec 31 amount .04cfs cfs(✓) or AFY()

For _____ purposes from _____ to _____ amount _____

7. Total Quantity claimed .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) Domestic; one cabin

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9. Location of Place of Use is: Township 47N, Range 04W, Section 03,
SE 1/4 of NW 1/4, Govt. Lot 4 BM. Parcel (PIN) no. 0-0780-002-017-0
If different than shown in Item 4

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

Additional places of use, if any None

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.

Water right #958557 has same point of diversion or None (☐)

13. Remarks:

I have enclosed copies of previous water right for this property and easement for water line from spring to my property. We purchased property and easement from Ledbetters in 1995.

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: 2

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) William R. McMillan Date: 9/5/10

Sandra S. McMillan Date: 9/5/10

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. _____

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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 95-8506

Priority: May 2, 1986 Amount: .04 CFS 1.2 AFA

This is to certify, that BILL LEDBETTER
SHARON LEDBETTER
MICHAEL STALLCOP
PHYLLIS STALLCOP

P.O. BOX 618

COLFAX, WA 99111

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated May 2, 1986, and has submitted proof to the Department of Water Resources on January 8, 1987, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .04 cfs of water from;

SPRING

tributary to COEUR D'ALENE LAKE

and that a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	VOLUME
Domestic	01/01 to 12/31	.04 cfs	1.2 afa

LOCATION OF POINT OF DIVERSION(S): LOT 4(NESW), Sec. 3, Township 47N, Range 4W
Kootenai County

PLACE OF USE: Domestic

TWN RGE SEC

47N 4W 3 LOT 4(NESW)

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Domestic use is for 2 homes.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 12th day of May, 19 88.

Director

MAR-29-95 WED 13:27 COLDWELL BANKER

FAX NO. 208 664 4816

P. 05/06

Filed for Record at Request of

095-4495

AFTER RECORDING MAIL TO:

NEWBY, NEWBY & LANGSDORF
1010 ESTHER STREET
VANCOUVER, WASHINGTON 98660

974101

STATE OF IDAHO
COUNTY OF KOOTENAI
RECORDED
KOOTENAI COUNTY TITLE CO
MAY 29 1984
CASH DEPT
By [Signature] Deputy
For [Signature]

BOOK 330 PAGE 566

FORM L58

Statutory Warranty Deed

THE GRANTOR PAUL G. PAVLOS and PEARL L. PAVLOS,
husband and wife

for and in consideration of Ten Dollars and other valuable consideration

in hand paid, conveys and warrants to BILL LEDBETTER and SHARON LEDBETTER,
husband and wife, 811 Valleyview, Colfax, Washington 99111
the following described real estate, situated in the County of Kootenai, State of
Washington IDAHO:

Lot 17, Block 2, BLACK'S HOMESITES, Kootenai County, State of Idaho,
according to the plat recorded in Book "D" of Plats, page 107.

Together with the right to one-half the water from the spring on Lot 18,
in said Block 2 of Black's Homesites, and an easement over, and across
said Lot 18 for the benefit of Lot 17 to lay and maintain a water pipe
from the spring on Lot 18 to the property line of Lot 17. Said easement
shall be a perpetual easement running with the land for the benefit of
said Lot 17 only.

Subject to: Easements, exception, restrictions and reservations of record;
Right of Way Easement to Kootenai Rural Electrification Association;
Release of Damages and Deed to Right of Way for road purposes to the
County of Kootenai; Conditions as set forth in Affidavit Executed by the
Idaho Panhandle Public Health District #1; Any claim arising from the
difference in mean high water line of Lake Cocur D'Alenc.

Dated this 9th day of MAY, 1984

[Signature] (SEAL)
Paul G. Pavlos
[Signature] (SEAL)
Pearl L. Pavlos

STATE OF WASHINGTON,
County of Clark } ss.

On this day personally appeared before me Paul G. Pavlos and Pearl L. Pavlos
to me known to be the individual s described in and who executed the within and foregoing instrument, and
acknowledged that they signed the same as their free and voluntary act and deed for the
uses and purposes therein mentioned.

GIVEN under my hand and official seal this

[Signature] May, 1984

COANNED
SEP 10 2010