

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 95-1484

Date Received: 12/15/2009

Receipt No: N023104 A

Received By: lm

NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Willial Daniel Miller Phone (208) 659-5375
Mailing Address 6646 S. Miller Road Coeur d'Alene, ID ZIP 83814
Street or Box City State
2. Date of Priority (Only one (1) per claim) 03-25-1921
Month Day Year (YYYY)
3. Source of water supply (Check one) Ground Water () or Other (☒) (a) UNNAMED STREAM
which is tributary to (b) ROCK CREEK
4. a. Location of Point of Diversion is: Township 49 N, Range 5-W, Section 1,
NW, 1/4 of SE, 1/4 Govt. Lot _____, BM., County of Kootenai
Parcel (PIN) no. 49 N 05 W - 01 - 7050
Additional points of diversion if any: NA
If available, GPS Coordinates NA

b. If instream flow, beginning point of claimed instream flow is:

Township 49 N, Range 5-W, Section 1, NW, 1/4 of SE, 1/4
Govt. Lot _____, BM., County of Kootenai
ending point is: Township 49 N, Range 5-W, Section 1, NW, 1/4 of SE, 1/4
Govt. Lot 2050, BM., County of Kootenai

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.

INTERMITTENT STREAM (UNNAMED)
CROSSES west PROPERTY LINE
DRIANS EAST INTEL CROSSING
EAST PROPERTY BOUNDARY. STOCK
DRINK DIRECTLY from STREAM.

SCANNED

DEC 15 2009

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

WDM

(cfs)

(acre feet)

For Stock WATER purposes from 01-01 to 12-31 amount: 0.04 or 0.6

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) 6 (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) 50 HEAD Mixed Stock

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	SW	1														S			

Parcel (PIN) no(s) 49N 05W-01-7050

Total number of acres irrigated _____

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: _____

Last Name MILLER

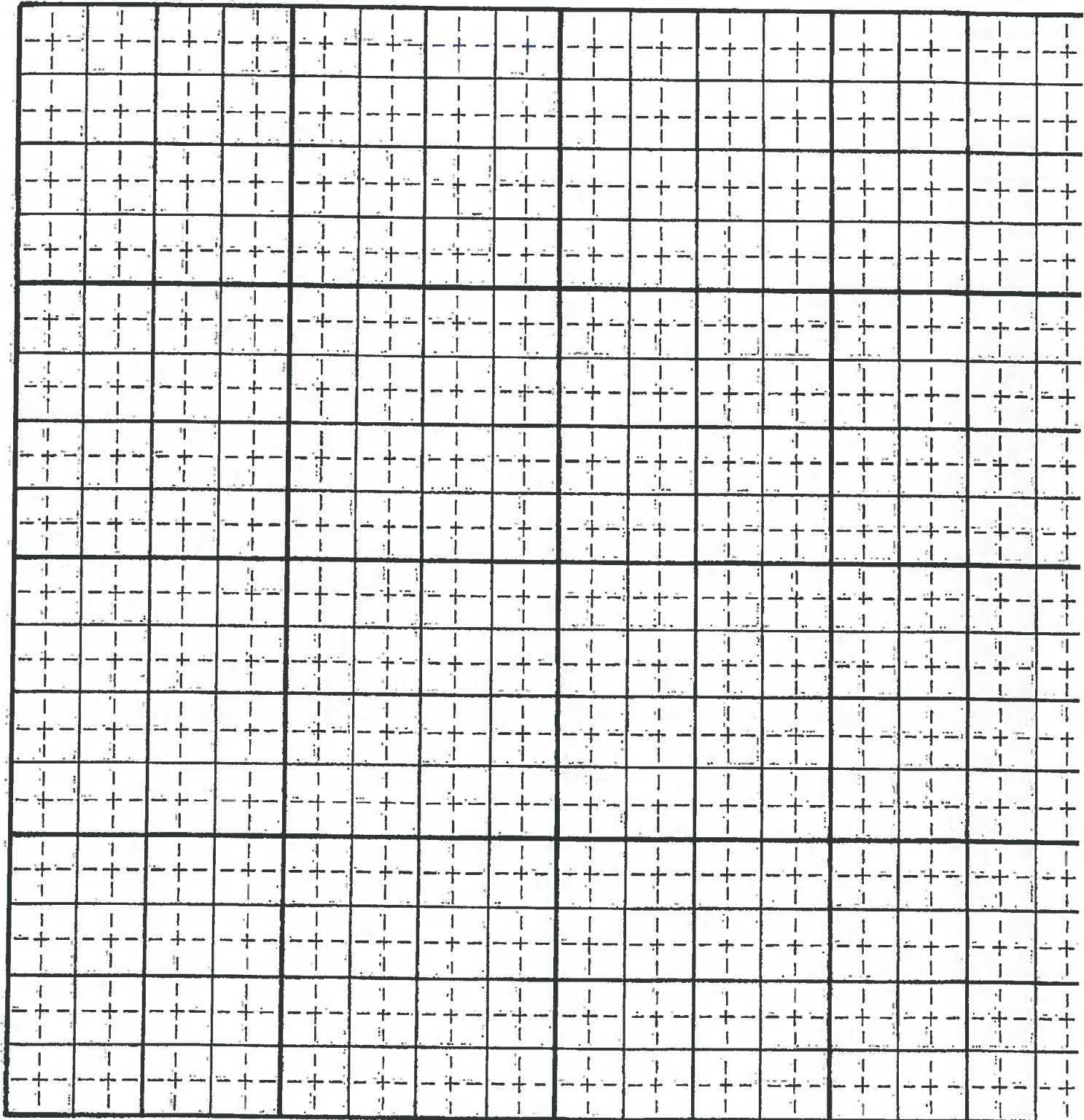
Identification No. _____

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Map of Project: Attach aerial photograph or topographic map showing clearly the point of diversion, place of use, section number, township, and range number, unless unavailable. Otherwise sketch the elements above on the grid below.

Scale: 2 Inches equals 1 mile



Last Name _____ 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 (☒) 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 Daniel Miller Date: 12-15-09

_____ 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 MILLER Identification No. _____

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DEC 15 2009

This Indenture, Made this 25th day of March in the year of our Lord One Thousand Nine Hundred and Twenty-One, between S. A. Johnson and Edla Johnson, husband and wife of Kootenai County, State of Idaho part ies of the first part, and Frank Costin of Kootenai County, State of Idaho part y of the second part,

WITNESSETH, That the said part ies of the first part, for and in consideration of the sum of

One and No/100 (\$1.00) and other valuable consideration DOLLARS, in hand paid by the said part y of the second part, the receipt whereof is hereby acknowledged, and the said part y of the second part forever released and discharged therefrom ha granted, bargained, sold, remised, released, alienated and confirmed, and by these presents do grant, bargain, sell, remise, release, alien and confirm unto the said part y of the second part and to His heirs and assigns, forever, all the following described lot s, piece s or parcel s of land situated in the County of Kootenai and State of Idaho, and known and described as follows, to-wit:

The West 26 rods of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ pf Section 1 Township 49 North Range 5 West of the Boise Meridian, being described as follows, towit: Beginning at the Southwest corner of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section, Township and Range; thence East 26 Rods; thence North 80 rods to the North line of said Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$; thence West 26 rods to the Northwest corner of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section; thence South 80 rods to the Place of beginning.

Reserving and excepting unto the said S. A. Johnson and wife Edla Johnson, a one-half interest in and to a certain spring and creek situated upon said above described land. Also except right of way for road deeded to Kootenai County, Idaho Oct. 25, 1915.

Together with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim or demand whatsoever of the said part ies of the first part, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances, to have and to hold the said premises above bargained and described, with the appurtenances unto the said part y of the second part, his heirs and assigns forever.

And the said part ies of the first part, for them selves and their heirs, executors and administrators, do covenant, grant, bargain and agree to and with the said part y of the second part, his heirs and assigns, that at the time of enrolling and delivery of these presents they are well seized of the premises above conveyed as of a good, sure, perfect, absolute and indefeasible estate of inheritance in law and fee simple, and ha ve good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form aforesaid, and that the same are free and clear of all former or other grants, bargains, sales, liens, taxes, assessments, and incumbrances of what kind or nature soever, except second half of 1920 taxes which second party assumes and agrees to pay

and above bargained premises in the quiet and peaceable possession of said part y of the second part, his heirs and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said part ies of the first part shall and will warrant and defend.

IN WITNESS WHEREOF, The said part ies of the first part Have hereunto set their hand s and seal s, the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Joe Petersen

S. A. Johnson (SEAL.)

Edla Johnson (SEAL.)

(SEAL.)

(SEAL.)

(I. R. Stamps 50 cents)

STATE OF IDAHO, } ss. On this 1st day of April in the year 19 21, before me,

Josua Petersen a Notary Public

personally appeared

S. A. Johnson and Edla Johnson his 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.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal, the day and year in this certificate first above written.

Josua Petersen

Notary Public Residing in Coeur d'Alene, Idaho.

(Notarial Seal)

Filed for record at the request of Panhandle Abstract Co. on the 16 day of Sept A. D. 19 21, at 4.05 o'clock P. M.

Fec, \$1.25.

C. O. Sowder
County Recorder.
By L. L. Hills Deputy

STATE OF IDAHO
COUNTY OF KOOTENAI

FEB 16 2007

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE COPY OF THE ORIGINAL NOW ON FILE OR RECORD IN THIS OFFICE IN

DANIEL J. ENGLISH

Clerk/Recorder

Book 75 Page 304
Deeds
By S. A. Johnson Deputy

MILLER PIN 49N05W-01-7050

