

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 95-15020
Date Received: 8/30/10
Receipt No: 1025518
Received By: RECEIVED

NOTICE OF CLAIM TO A WATER RIGHT

AUG 30 2010

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day

IDWR/NORTHERN

208-689-3798

1. Name of Claimant(s) Howard D. & Marvel L. Kimball Phone (208) 334-1045

Mailing Address 640 S.E. Edge Knoll Dr. Pullman, WA Zip 99163
Street or Box City State

2. Date of Priority: (Only one per claim) 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. Location of Point of Diversion is: Township 47N, Range 4WBM, Section 2,
SE 1/4 of SW 1/4, or Govt. Lot 2 BM. County of Kootenai

Parcel (PIN) no. 0712000R000A

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.

Pump

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

For Domestic purposes from 3-1 to 10-31 amount .04 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 - 1 household

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9. Location of Place of Use is: Township 47 N, Range 4 WBM, Section 2,
SE 1/4 of SW 1/4, Govt. Lot 2 BM. Parcel (PIN) no. 0712 000 R 000 A
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: _____

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) Howard R. Kimball Date: 8-30-2010
Marcel Kimball Date: 8-30-2010

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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527651

WARRANTY DEED

RECEIVED

SEP - 1 2010

BOOK

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IDWR/NORTHERN

KNOW ALL MEN BY THESE PRESENTS:

That Donald D. Berry and Areline J. Berry, husband and wife, for and in consideration of ONE DOLLAR (\$1.00) and other good and valuable considerations to them in hand paid, the receipt of which is hereby acknowledged, do by these presents grant, bargain, sell, convey, and warrant unto Howard D. Kimball and Marvel L. Kimball, husband and wife, and L. Phillip Kimball, a single man, and to their heirs and assigns forever, the following described real property situated in Kootenai County, State of Idaho, to wit:

Sold → Lots One (1), Two (2), and Three (3), and the North one hundred three feet (103') of the Reserved Section, all in Sandy Beach, according to the plat recorded in Book D of Plats, page 12. The North one hundred three (103) feet of the Reserved section is more particularly described as follows:

That portion of Government Lot 4, Section 2, Township 47 North, Range 4 W.B.M., Kootenai County, State of Idaho described as beginning at the Southwest corner of Lot 1, Block 1, Sandy Beach, Kootenai County, State of Idaho, according to the plat recorded in Book D of Plats, page 12, thence Southerly, along the Easterly side of a road, to a point, lying parallel with and 103 feet southerly from, measured at right angles to the Southerly line of said Lot 1, Block 1, Sandy Beach, thence Easterly, parallel with the said Southerly line of Lot 1, Block 1, Sandy Beach to the mean high water line of Coeur d'Alene Lake, thence Northerly, along said mean high water line to the Southerly line of said Lot 1, Block 1, Sandy Beach, thence, Westerly, along the Southerly line of said Lot 1, Block 1, Sandy Beach to the place of beginning.

together with all the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and together with the riparian rights thereunto belonging or in anywise appertaining, and the above named grantors

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thence Northerly, along said mean high water line to the Southerly line of said Lot 1, Block 1, Sandy Beach, thence, Westerly, along the Southerly line of said Lot 1, Block 1, Sandy Beach to the place of beginning.

together with all the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and together with the riparian rights thereunto belonging or in anywise appertaining, and the above named grantors do covenant and warrant the above-described premises are free from liens and encumbrances except taxes for the year 1963 and thereafter and except

9- a 10th April 68
Nancy Street.
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