

# 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 95-16202Date Received: 6/15/2010Receipt No: N034939Received By: KS

RECEIVED

JUN 15 2010

IDWR/North

## 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

- Name of Claimant(s) Joseph H. DeKaney Phone 248 522-3966  
Mailing Address 5736 63<sup>rd</sup> AVE N.E Seattle WA 98105  
Street or Box City State Zip
- Date of Priority: (Only one per claim) 1955; year the structure was built  
Month/Day/Year (YYYY)
- Source of water supply (Check one) Ground Water ( ) or Other (X) (a) Lake Coeur d'Alene  
which is tributary to (b) Spokane River
- Location of Point of Diversion is: Township 48N, Range 05W, Section 25  
NE 1/4 of ~~1/4~~ 1/4, or Govt. Lot 1 BM. County of Kootenai  
Parcel (PIN) no. 0-8640-000-003-0  
Additional points of diversion if any: None  
If available, GPS coordinates: 47°28'45.44"N 116°55'09.34"W
- 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 and intake line. Replaced in the 80's.
- Water is claimed for the following: (limited to Domestic and/or Stockwater uses. See page 1 of the instructions.)  
For Domestic purposes from 1/1 to 12/31 amount .04 cfs ~~(X)~~ or AFY ( )  
For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_
- Total Quantity claimed .04 cfs ~~(X)~~ or AFY ( ) 18 gallons per minute.
- Non-irrigation uses. Describe fully. (eg. Domestic: give number of households served if single ownership; Stockwater and Number of livestock) \_\_\_\_\_

SCANNED  
JUN 15 2010

9. Location of Place of Use is: Township 48N, Range 05W, Section 25,  
NE 1/4 of 1/4, Govt. Lot 1 BM. Parcel (PIN) no. 0-8640-000-003-0  
If different than shown in Item 4  
for (Check One) **Domestic** (X) **Stock** ( ) **Domestic and Stock** ( )

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.

\_\_\_\_\_ or None (X)

13. Remarks:

NIA

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 ( ) 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) X Joseph Delaney Date: 6/4/2010  
5 attachments

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. \_\_\_\_\_

SCANNED  
JUN 15 2009

PHYSICAL CHARACTERISTICS

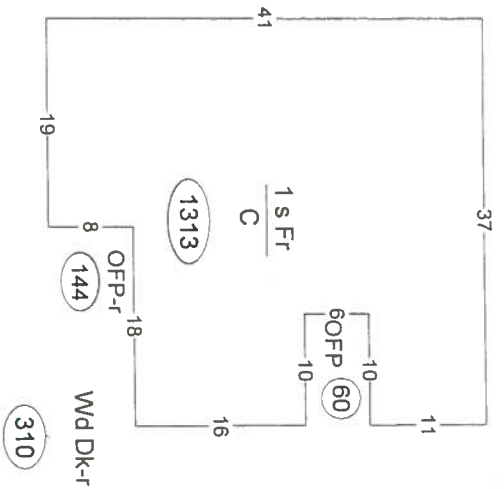
Style: 11 Low/Fair 1 Story <1989  
 Occupancy: Single family - Owner  
 Story Height: 1.0  
 Finished Area: 1313  
 Attic: None  
 Basement: None  
 ROOFING  
 Material: Enamel steel  
 Type: Gable  
 Framing: Std for class  
 Pitch: Low 4/12 or less  
 FLOORING  
 Sub and joists 1.0  
 Base Allowance 1.0  
 EXTERIOR COVER  
 Wood board & batten 1.0  
 INTERIOR FINISH  
 Drywall 1.0  
 ACCOMMODATIONS  
 Finished Rooms 5  
 Bedrooms 3  
 Fireplaces: 2

HEATING AND AIR CONDITIONING  
 Primary Heat: Electric Baseboard  
 Lower Full Part  
 /Bsmt 1 Upper Upper

PLUMBING  
 #  
 3 Fixt. Baths 1 3  
 Kit Sink 1 1  
 Water Heat 1 1  
 TOTAL 5

REMODELING AND MODERNIZATION  
 Amount Date

01 24X28 Det Garage



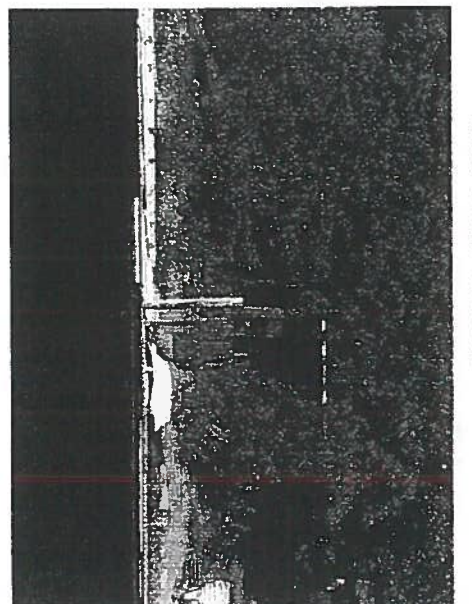
02 Boat Dock

SPECIAL FEATURES

| Description | Value |
|-------------|-------|
| D :1STFLUE  | 260   |
| BASIC       | 1825  |
| WDSOVE      | 950   |
| 02 :PILINGS | 0     |

SUMMARY OF IMPROVEMENTS

| ID | Use    | Sty  | Const | Year Eff | Const | Year Cond | Base Rate | Feat- ures | Adj Rate | Size or Area | Computed Value | Phys Obsl | Market % | Value     |
|----|--------|------|-------|----------|-------|-----------|-----------|------------|----------|--------------|----------------|-----------|----------|-----------|
| D  | DWELL  | 0.00 | 1     | Fair     | 1955  | 1965      | AV        | 0.00       | Y        | 0.00         | 1313           | 90110     | 57       | 0 100 0   |
| 01 | DETGAR | 8.00 | 1     | Low      | 1955  | 1955      | FA        | 19.65      | N        | 16.70        | 24x 28         | 11220     | 63       | 0 100 100 |
| 02 | BOATD  | 0.00 |       | Avg      | 1980  | 1980      | FA        | 26.00      | Y        | 26.00        | 715            | 18590     | 35       | 0 100 100 |
|    |        |      |       |          |       |           |           |            |          |              |                |           |          | 38750     |
|    |        |      |       |          |       |           |           |            |          |              |                |           |          | 4150      |
|    |        |      |       |          |       |           |           |            |          |              |                |           |          | 12080     |



Data Collector/Date  
 DMB 09/26/2007

Appraiser/Date  
 DMB 11/19/2007

Neighborhood  
 Neigh 5057 AV

Supplemental Cards  
 TOTAL IMPROVEMENT VALUE

54980

The revision dates below represent the file save dates or the posting of the listed revisions.  
The archive dates, or these revisions are posted within the ARCHIVE REVISIONS box in the drawing file block.

|                |                                                                                                 |                                             |
|----------------|-------------------------------------------------------------------------------------------------|---------------------------------------------|
| 12/16/02 - VMC | 0-590-003-004-B                                                                                 | resubmitted as T <sub>0</sub> , #19515 (03) |
| 08/40/02 - WNV | 0-590-004-004-B                                                                                 | resubmitted as T <sub>0</sub> , #19515 (03) |
| 11/02/04 - RE  | 0-590-004-004-B combined w/ C33-0 (na-a) (05)                                                   |                                             |
| 07/11/05 - ET  | 0-590-003-004-B combined w/ C33-0 (na-a) (06)                                                   |                                             |
| 11/11/07 - ET  | 480W25-25-1550 and 1530 out of 1450 on T <sub>0</sub> , #21351 and T <sub>0</sub> , #21362 (07) |                                             |
| 03/29/07 - ET  | 480W25-25-1530 out of 1450 on T <sub>0</sub> , #21444 (07)                                      |                                             |
| 12/23/08 - VMM | 0-590-002-000-B combined w/ C39-0 (na-a) (09)                                                   |                                             |

| INITIALS | ACTIVITY                      | DATE                 |
|----------|-------------------------------|----------------------|
| M<br>R   | SOFT CONCRETE<br>CONSTRUCTION | 01-28-87<br>02-04-87 |

[illegible]

0728 187715 MOY NO GIVE LIT NEEDS BRNLS TO MO1520

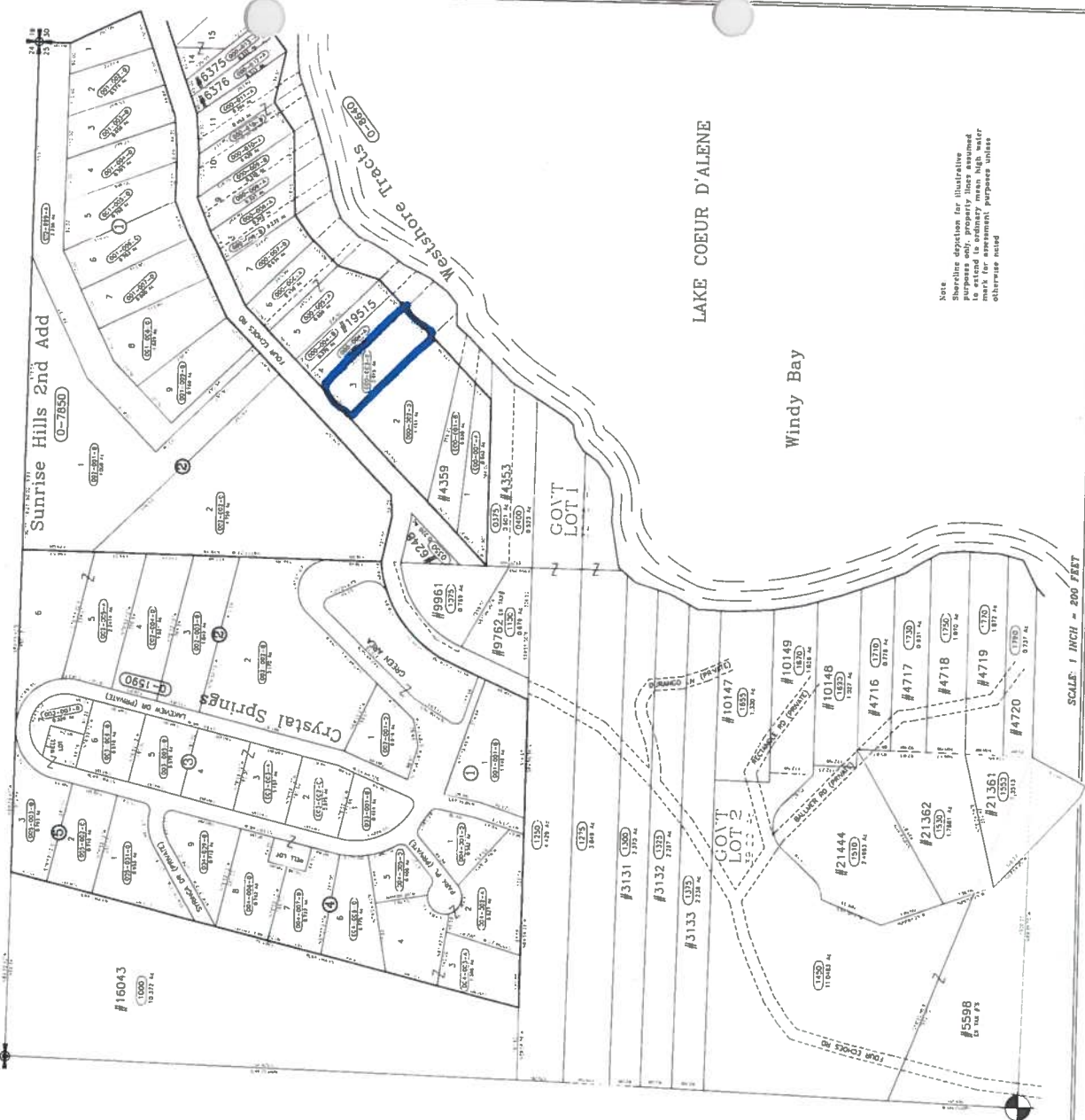
| DESCRIPTION | RECORDS OF SURVEY USED | DATE/PG |
|-------------|------------------------|---------|
|             |                        |         |



|    |    |    |    |    |    |
|----|----|----|----|----|----|
| 0  | 2  | 0  | 2  | 0  | 0  |
| 10 | 0  | 0  | 10 | 0  | 10 |
| 20 | 10 | 10 | 10 | 10 | 10 |
| 30 | 20 | 20 | 20 | 20 | 20 |
| 40 | 30 | 30 | 30 | 30 | 30 |

FOOTENAI COUNTY  
IDAHO

THIS DRAWING IS TO BE USED FOR REFERENCE PURPOSES ONLY, AND THE COUNTY IS NOT RESPONSIBLE FOR ANY ACCIDENTS HEREIN CONTAINED.



**Note.** Shoreline depiction for illustrative purposes only. Property lines assumed to extend to ordinary mean high water mark for assessment purposes unless otherwise noted.

SCALE: 1 INCH = 200 FEET

NE 1/4 Sec. 25 Twp. 48N. R. 5W. B.M.

When the county started tracking assessments although it was constructed in 1955.

Photo No.

REAL PROPERTY VALUATION SUMMARY

Date

Bk. Pg. Rev. Stamps

Dr. J. H. Delaney  
S. 2129 Rookwood Blvd  
Spokane 35, Wash.  
Westshore Tracts  
Tract 3

11  
49-1103

Date Checked  
10-31-72  
18-15-74  
9-24-74  
Same

REMARKS

DISTRICTS:

Water

Sch. 275

Hwy. C-3

City

Fire

BUILDING &  
OR TYPE

Ass'd

INDEX

1971

1972

1973

1974

C-3

6495

10

6200

6209

6485

6495

Storage Shed 1965 1467

1097

1097

1467

1467

Dock 1967 899

140

150

899

899

| NUMBER<br>&<br>CLASS     | ACRES | FULL<br>CASH<br>VALUE | ASSESSED VALUES, RATIO & YEAR |         |      |         |      |
|--------------------------|-------|-----------------------|-------------------------------|---------|------|---------|------|
|                          |       |                       | 14%                           | 14 1/2% | 15%  | 15 1/2% | 1975 |
| 1 - 3 - 32 I. A.         |       |                       |                               |         |      |         |      |
| 3 - 4 - 33 S. I. A.      |       |                       |                               |         |      |         |      |
| 4 - 5 - 34 I. G.         |       |                       |                               |         |      |         |      |
| 5 - 6 - 35 NIA (DA)      |       |                       |                               |         |      |         |      |
| 6 - 7 - 36 D. G.         |       |                       |                               |         |      |         |      |
| 7 - 8 - 37 S. I. G.      |       |                       |                               |         |      |         |      |
| 8 - 9 - 38 T. Id.        |       |                       |                               |         |      |         |      |
| 10 - 10 - 39 Min L.      |       |                       |                               |         |      |         |      |
| 11 - 11 - 40 Sub Tr.     |       |                       |                               |         |      |         |      |
| 11 - 12 - 41 Sub Lots    |       | 4435                  |                               |         |      |         |      |
| 13 - 13 - 42 S. Timb.    |       | 3580                  | 4974                          | 545     | 6051 | 687     | 710  |
| 14 - 14 - 43 Res. & Ess. |       |                       |                               |         |      |         |      |
| Waste                    |       |                       |                               |         |      |         |      |
| TOTAL                    |       |                       |                               |         |      |         |      |

URBAN LAND

| NUMBER<br>&<br>CLASS     | NO. | FULL<br>CASH<br>VALUE | ASSESSED VALUES, RATIO & YEAR |   |   |   |   |
|--------------------------|-----|-----------------------|-------------------------------|---|---|---|---|
|                          |     |                       | %                             | % | % | % | % |
| 15 - 16 - 44 Bus. Lot    |     |                       |                               |   |   |   |   |
| 15 - 16 - 45 Acreage     |     |                       |                               |   |   |   |   |
| 16 - 17 - 40 Res. Lot    |     |                       |                               |   |   |   |   |
| 16 - 18 - 47 Acreage     |     |                       |                               |   |   |   |   |
| 16A - 19 - 48 Rec. Lands |     |                       |                               |   |   |   |   |
| TOTAL                    |     |                       |                               |   |   |   |   |

TOTAL FULL CASH VALUE 8861

RATIO .16

7447 4447 5861 8861

14% 14 1/2% 15% 15 1/2%

1418 1080 1329 1373

Dr. J. H. Delaney  
S. 2129 Rockwood Blvd  
Spokane 35, Wash.

49-11103

Westshore Tracts

Tract 3

RESIDENTIAL  
BUILDING  
APPRAISAL  
RECORD

Acct. # \_\_\_\_\_ Map # \_\_\_\_\_ Photo # \_\_\_\_\_

| CLASS        |                           | APPRaised VALUE SUMMARY |                 |
|--------------|---------------------------|-------------------------|-----------------|
| R1- <u>5</u> | DWELLING                  | Depr Repl Cost          | \$ <u>1200</u>  |
| R2-          | GARAGE                    | Depr Repl Cost          |                 |
| CURVE        | OTHER IMPROVEMENTS D.R.C. |                         | <u>114</u>      |
| A B C D      | TOTAL DEPR. REPL COST     |                         | <u>1314</u>     |
| STORIES      | VALUE BY MGRM             |                         | <u>618-9350</u> |

CORRELATED VALUE \$ 618-9350

Land value ff. \_\_\_\_\_

Built 19-55 Cost \$ \_\_\_\_\_ Mo Rent \$ \_\_\_\_\_

Remodeled 19 \$ \_\_\_\_\_ Sold 19 \$ \_\_\_\_\_

Listed \_\_\_\_\_ to \_\_\_\_\_ \$ \_\_\_\_\_ Offrd \_\_\_\_\_

Int Inspected Yes No Owner 19 Tenant \_\_\_\_\_ Other \_\_\_\_\_

Appraised 19-77-71 By 100 Computed \_\_\_\_\_ By \_\_\_\_\_

Appraised \_\_\_\_\_ By \_\_\_\_\_ Computed 1-13-73 By 10

| Square Feet |             |     |      | Sq Ft Items |   |
|-------------|-------------|-----|------|-------------|---|
| Bsmt        | 1st         | 2nd | Base | +           | - |
|             | <u>1314</u> |     | Cost | <u>6.63</u> |   |

FOUNDATION

| Conc | Blk   | Rock |
|------|-------|------|
| Mary | Piers | Wd   |

ROOF

| Gab  | Low  | Avg   | Steep         |
|------|------|-------|---------------|
|      | SHGS | Comp  | Wd Al         |
| Hip  | Asb  | Slate | SHKS          |
| Flat | Lt.  | Hvy   | Blup w/Gr     |
|      | RRG  | Al    | CGI Msry Tile |

| EXTERIOR WALL               | SDG SHGS | Bevel Asb  | Drop Comp | Wd       | Vert BRK        | Horiz Ven  | HdBd Solid       | PlyWd BLK      | AL SHKS      |
|-----------------------------|----------|------------|-----------|----------|-----------------|------------|------------------|----------------|--------------|
| FIRST FLOOR                 | SWd DR   | HWD Ktr    | Wd        | 21       | Tip             | Lino       | Carpet Den       | Conc w/ATile   |              |
| ELECTRICAL                  | CL       | 110        | 220       | LowVolt  | Intercom        | Vac System |                  |                |              |
| HEATING & COOLING           | CL       | Fao HWtr   | Fag Conv  | Fae Rad  | Gas             | Oil HtPump | 4dFuel Chim only | Sikr ACondg    | Fa Gravity   |
| INTERIOR & PARTITIONS       | CL       | DW Trim    | Plas SWd  | Comp HWD | Sld&Pa Paneling | T&G        | PlyWd            |                |              |
| PLUMBING                    | CL       | Lav WC     | Tub w/S   | 180      | Enc WH          | SSK DSK    | Shower           | Dr LF          | Laundry Tray |
| OTHER INTERIOR CONSTRUCTION | CL       | BLTINS APP | Gas       | HWd Elec | Mit Oven        | TOP Range  | Plc Surf         | CerTile Sldcin | Dropin       |
| FIREPLACE                   | CL       | Ext        | Int       | 1Sty     | 2Sty            | Sgl        | Bkd              | Sikd           | ClgHI        |
| BASEMENT                    | CL       | x          | or        | %        | WLS             | Conc       | Blk              | Rock           | Dirt         |
| ATTIC or UPPER STORIES      | CL       | FIN        | Plas      | Comp     | BR              | Bath       | Ldry             | Kit            | Den          |
| SPECIAL                     |          |            |           |          |                 |            |                  |                |              |

| Ratings                                                                 | Phys Cond | F A G | Func Utility | F A G | Appearance | Res F A G | Nbrhd F A G |
|-------------------------------------------------------------------------|-----------|-------|--------------|-------|------------|-----------|-------------|
| SUMMARY OF DWELLING COMPUTATION                                         |           |       |              |       |            |           |             |
| Dwelling _____ sf x _____ R2 units = _____                              |           |       |              |       |            |           |             |
| 19 _____ LCM _____ % x Qual Adjustment _____ % = <u>1.54</u> % Modifier |           |       |              |       |            |           |             |
| Depreciation: Physical, Functional and Economic <u>14-247</u> %         |           |       |              |       |            |           |             |
| Depreciated Replacement Cost (transfer to Value Summary) \$ _____       |           |       |              |       |            |           |             |

9261

# RESIDENTIAL APPRAISAL SUMMARY

|                                   |                                                                    |
|-----------------------------------|--------------------------------------------------------------------|
| CLASS<br>R1- <u>(3) OK</u><br>R2- | INCOME APPROACH:<br>Est. Rent X GRM<br>\$ _____ X _____ = \$ _____ |
| STORIES<br>1 1 1/2 2 2 1/2 SL SE  | MARKET APPROACH:<br>Comps: \$ _____ = \$ _____                     |
| BUILT <u>19 55</u>                |                                                                    |
| REMODELED 19 _____                |                                                                    |

|                                     |                          |
|-------------------------------------|--------------------------|
| Interior Inspected: <u>(YES)</u> NO | OWNER TENANT OTHER:      |
| Date Inspected: <u>9-14-78</u>      | Computed: <u>9-28-78</u> |
| BY <u>CKM</u>                       | BY <u>68</u>             |

| Square Feet |                                                                                      | ADJUSTMENTS (+) (-) |              |
|-------------|--------------------------------------------------------------------------------------|---------------------|--------------|
| Bent        | 1st 2nd                                                                              | Square Feet         | Lump Sums    |
|             | <u>1313</u>                                                                          |                     |              |
| BASE COST:  |                                                                                      | <u>11.62</u>        |              |
| FOUNDATION  | Conc Blk <u>Rock</u><br><u>Masonry</u> Piers Wood                                    | ✓                   |              |
| ROOF        | <u>Gab</u><br><u>Mnsd</u><br><u>Hip</u><br><u>Flat</u><br><u>Gmbri</u>               |                     |              |
|             | SHGS Comp Wd Asb<br>SHKS Lt Hvy<br>Builtup - grvl<br>Metal Tile<br><u>Comp. Roll</u> |                     | <u>-1.15</u> |

|                             |                                                                                                                                                                                                                                           |                     |                              |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|------------------------------|
| EXTERIOR WALL               | Sol <u>OK</u><br>SDG: Wood Masonite <u>8 1/2</u> T-111 Plywd Alum Asb. Comp.<br>BRICK: Veneer Solid BLOCK STUCCO SHKS                                                                                                                     |                     |                              |
| FIRST FLOOR                 | SWD HND Plywd Tile Lino Carpet Conc/wi. Cover<br>LN DR KIT UTIL HALL BATH BR DEN FAM                                                                                                                                                      |                     |                              |
| ELECTRICAL Class            | <u>110 220</u> Intercom VacSys (Inlets) Fixtures: P G E<br>Other:                                                                                                                                                                         | ✓                   |                              |
| HEATING COOLING Class       | FUEL: <u>Electric</u> Gas Oil Wood Coal Other:<br>TYPE: FA Grav. FLR WL BB HMBB HtPump ClgCable<br>AirCond.: Ton Central Wall <u>1313</u> <u>62</u>                                                                                       | ✓                   |                              |
| PARTITIONS                  | WLS: DW Plas Comp <u>Wood</u> Plywd Paneling Wallpaper<br>TRIM: P G E                                                                                                                                                                     |                     | <u>+814.</u>                 |
| PLUMBING Class              | LAV WC TUB W/S ENC WH Shower Sink Hookups Laundry Tray<br>T M FG Sgl Db W D Sgl Db                                                                                                                                                        |                     |                              |
| INTERIOR CONSTRUCTION Class | BUILTINS: SWD HND MTL TOP: Formica Lino Certile...<br>APPL: Gas <u>Electric</u> Oven Range Surf Dropin<br>ExFan P/H GD DW TC Infra-Rd HtLap (1 2 3 F)                                                                                     | <u>No Cabinets.</u> |                              |
| FIREPLACE Class             | SGL DBL BKD STKD EXT. CHIM. FIN: 1 sty 2 sty<br>ClgHl HtLtr Mantle Hearth <u>2x15</u><br>New Brick Used Brick Nat. Stone                                                                                                                  | ✓                   | <u>-592.</u><br><u>+575.</u> |
| BASEMENT                    | Full X or WLS: Conc Blk Rock Dirt FLR: Conc Wd Dirt<br>FIN X or WLS: Plas Fnd DW Comp Plywd Pnl WF<br>CLG: DW Plas Comp Acctile Plywd Wd FLR Tile Lino Carpet Cork<br>AREA BR BATH FAM LDYR DEN GARAGE<br>sf FIN sf HEAT sf Comp. LowCost | ✓                   |                              |
| UPPER STORY                 | Heat X or WLS: DW Plas Comp WF Pnl FLR: Swd Hwd<br>BR BATH FAM DEN KIT LV Tile Lino Carpet<br>AREA sf FIN sf HEAT sf Comp. LowCost                                                                                                        | ✓                   |                              |

|                                         |                   |                      |                        |               |
|-----------------------------------------|-------------------|----------------------|------------------------|---------------|
| RATINGS:                                | Phys Cond P A G E | Func Utility P A G E | Appearance Res P A G E | Nbrhd P A G E |
| CARPORT/GARAGE Class                    | Fdtn              | Floor                | Roof                   | Walls         |
| Year Built                              |                   |                      |                        |               |
| Att Det                                 |                   |                      |                        |               |
| X = sf X \$ /sf = GAR/CPT COST NEW = \$ |                   |                      |                        |               |

Steps 4x11

46x8 UTP 150

Depreciation: Physical, Functional, & Economic = 17 %

Net Condition: 100% less Depreciation = 83 % Good

Depreciated Replacement Cost = 14,478

Contributory Value = 549

Contributory Value = 400

Contributory Value = 1488

Depreciated Improvement Value = 11,695

Land Value = \$

TOTAL BY COST APPROACH \$

Total Cost New of Dwelling: \$ 13.28 p/sf

COPIED  
JUL 15 2009



48N05W25NENE

LOT 1

POU

POD

c