

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 95-15619Date Received: 6/1/10Receipt No: NO24601BReceived By: LC

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) JIM THORPE Phone 208 765 9015Mailing Address Box 2167 COEUR D'ALENE 10. Zip 83816
Street or Box City State2. Date of Priority: (Only one per claim) 12/31/1956
Month/Day/Year (YYYY)3. Source of water supply (Check one) Ground Water () or Other ☒ (a) SPOKANE RIVER
which is tributary to (b) COLUMBIA4. Location of Point of Diversion is: Township 50N, Range 4W, Section 7,
NB 1/4 of SW 1/4, or Govt. Lot 9 BM. County of KOOTENAI;
Parcel (PIN) no. -4925

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 & PIPELINE

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

For DOMESTIC purposes from 3/15 to 11/15 amount .03 cfs
Month/Day Month/Day cfs () or AFY ()

For _____ purposes from _____ to _____ amount _____

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

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

Stockwater and Number of livestock) LAWN & GARDEN

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9. Location of Place of Use is: Township 50N, Range 4W, Section 7,
N1/4 1/4 of SW 1/4, Govt Lot 9 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: _____

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) [Signature] Date: 6/1/10

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 _____

Address _____

Date _____

Last Name _____ Identification No. _____

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UNIFORM RESIDENTIAL APPRAISAL REPORT

File No. 14504680

Property Address 7399 W. Otter Bay Road		City Coeur d'Alene		State ID		Zip Code 83814	
Legal Description Tax #6067, 6260, 16626 in Sec 07, T50N, R04W				County Kootenai			
Assessor's Parcel No. 50N04W-07-4925				Tax Year 2004		R.E. Taxes \$ 4,908.40	
Borrower JAMES THORPE				Current Owner William L. McGraw, ETUX.		Special Assessments \$ 0.00	
Property rights appraised		☒ Fee Simple ☐ Leasehold		Project Type ☐ PUD ☐ Condominium (HUD/VA only)		HOA\$ 0.00 /Mo.	
Neighborhood or Project Name None Known				Map Reference N/A		Census Tract 0020.00	
Sale Price \$ 975,000		Date of Sale 09/28/2005		Description and \$ amount of loan charges/concessions to be paid by seller 0.00			
Lender/Client Wells Fargo Bank, N.A. - PMB036182				Address 320 A STREET, IDAHO FALLS, ID 83405			
Appraiser Cami Petersen				Address 2500 Government Way, CDA, ID 83814			
Location ☐ Urban ☒ Suburban ☐ Rural		Predominant occupancy ☒ Owner ☐ Tenant ☐ Vacant (over 90)		Single family housing PRICE \$ (per) 400 Low New 3000 High 95 Predominant 750 25 Vacant 35%		Present land use % One family 60% 2-4 family 0% Multi-family 0% Commercial 5%	
Built up ☒ Over 75% ☐ 25-75% ☐ Under 25%		Growth rate ☒ Rapid ☐ Stable ☐ Slow		Land use change ☒ Not likely ☐ Likely		In process	
Property values ☒ Increasing ☐ Stable ☐ Declining		Demand/supply ☒ Shortage ☐ Inbalance ☐ Oversupply		Marketing time ☒ Under 3 mos. ☐ 3-6 mos. ☐ Over 6 mos.		To:	
Note: Race and the racial composition of the neighborhood are not appraisal factors.							
Neighborhood boundaries and characteristics: Market area includes Waterfront Properties on Spokane River, Lake Coeur d'Alene, and Hayden Lakes.							
Factors that affect the marketability of the properties in the neighborhood (proximity to employment and amenities, employment stability, appeal to market, etc.): Subject neighborhood is located in Post Falls and is comprised of typical Subdivisions along with some acreage homesites lending itself to a country atmosphere. Public Schools and Commercial Districts are located within the neighborhood. Recreational facilities are considered to be excellent with access to Lake Coeur d'Alene through the Spokane River. There are no adverse conditions affecting marketability of Subject property known to appraiser.							
Market conditions in the subject neighborhood (including support for the above conclusions related to the trend of property values, demand/supply, and marketing time -- such as data on competitive properties for sale in the neighborhood, description of the prevalence of sales and financing concessions, etc.): General market conditions are showing a very strong increase in demand from the past few years. The entry level housing market is very strong with the homes in the higher value ranges showing much shorter marketing times & overall increases in value. Loan Discounts, Interest Buydowns, and Concessions will be considered, but only those items judged to be atypical in the market place will be adjusted for.							
Project Information for PUDs (If applicable) -- Is the developer/builder in control of the Home Owners' Association (HOA)? ☐ YES ☐ NO							
Approximate total number of units in the subject project N/A				Approximate total number of units for sale in the subject project N/A			
Describe common elements and recreational facilities: N/A							
Dimensions Irregular-See Attached Plat Map							
Site area 150FF/1.18Acres +/-				Comer Lot ☐ Yes ☒ No			
Specific zoning classification and description Suburban Agriculture Zone							
Zoning compliance ☒ Legal ☐ Legal nonconforming (Grandfathered use) ☐ Illegal ☐ No zoning							
Highest & best use as improved: ☒ Present use ☐ Other use (explain)							
Utilities Public ☒ Other		Off-site Improvements Type Public Private		Topography Most Level/Typical		Size 150FF/1.18Acres +/- Typical	
Electricity ☒		Street Gravel		Shape Irregular/Accept		Drainage Appears Adequate/Typical	
Gas ☒		Curb/gutter None		View Neighborhood/Typical		Landscaping Grass To Wtr Gd Quality/Typ	
Water ☐ 2Party Well/Typ		Sidewalk None		Driveway Surface Asphalt/Typical		Apparent easements Norm Utility/Typical	
Sanitary sewer ☐ Septic Sys/Typ		Street lights None		FEMA Special Flood Hazard Area ☐ Yes ☒ No		FEMA Zone Undetermine Map Date 03/01/1982	
Storm sewer ☐ None		Alley None		FEMA Map No. 160076 0160 C			
Comments (apparent adverse easements, encroachments, special assessments, slide areas, illegal or legal nonconforming zoning, use, etc.): Appraiser is unable to determine Subject FEMA flood location. No Apparent Adverse Easements, Encroachments, or Special Assessments noted.							
Appraiser was not supplied a copy of the Preliminary Title Report or performed a survey & makes no warranties.							
GENERAL DESCRIPTION		EXTERIOR DESCRIPTION		FOUNDATION		BASEMENT	
No. of Units One		Foundation Pour Concrete		Slab In Basement		Area Sq. Ft. 936	
No. of Stories One		Exterior Walls Wood Shingle		Crawl Space Partial		% Finished 50	
Type (Det/Alt.) Detached		Roof Surface Metal		Basement Partial		Ceiling Drywall	
Design (Style) Ranch		Gutters & Dwnspnts Aluminum		Sump Pump None		Walls Drywall/Conc	
Existing/Proposed Existing		Window Type Alum/Wd Cse		Dampness None Apparent		Floor Carpet/Conc	
Age (Yrs.) 1956		Storm Screens Dual Pn/Yes		Settlement None Apparent		Outside Entry None	
Effective Age (Yrs.) 8-10		Manufactured House No		Infestation None Apparent		Unknown ☒	
ROOMS		Foyer Living Dining Kitchen Den Family Rm. Rec. Rm. Bedrooms # Baths Laundry Other Area Sq. Ft.					
Basement							
Level 1		1 1 1 1 1		2 2 In Bath 3 936			
Level 2				0 0 0 0 0 0 0 0 0 0 0			
Finished area above grade contains:		6 Rooms: 2 Bedroom(s): 2 Bath(s): 1,518 Square Feet of Gross Living Area					
INTERIOR		HEATING		KITCHEN EQUIP.		ATTIC	
Materials/Condition		Type F.A.U.		Refrigerator ☐ None ☐		Fireplace(s) #1 ☒	
Floors Wd/Crpt/Avg+		Fuel Gas		Range/Oven ☒ Stairs ☐		Patio None ☐	
Walls Wd/Drywall/Avg+		Condition Average		Disposal ☐ Dishwasher ☒ Scuttle ☒		Deck Wrap/Wood ☒	
Trim/Finish Wd/Stain/paint/Av+		COOLING		Fan/Hood ☒ Floor ☐		Porch Covered ☒	
Bath Floor Vinyl/Avg+		Central None		Microwave ☐ Heated ☐		Fence None ☐	
Bath Wainscot Wood Paint/Avg+		Other N/A		Washer/Dryer ☐ Finished ☐		Pool None ☐	
Doors Wood Paint/Avg+		Condition N/A				Dock/Out Bldg ☒	
Additional features (special energy efficient items, etc.): Subject includes Crown Mouldings, Deep Sink in Laundry, Water Softener, Walk-In Closet, Double Ovens, Fireplace, Wrap Around Wood Deck, Boat Dock, and 40' X 60' Detached Garage/Outbuilding.							
Condition of the improvements, depreciation (physical, functional, and external), repairs needed, quality of construction remodeling/additions, etc.: OWNERS APPEAR TO USE THE SHOP FOR STORAGE & NOT INCOME PRODUCING REASONS. The home has been remodeled over past years and is in above average condition. No Physical, Functional, or External Inadequacies noted. Physical Depreciation was calculated by the Age-Life Method on a straightline basis.							
Adverse environmental conditions (such as, but not limited to, hazardous wastes, toxic substances, etc.) present in the improvements, on the site, or in the immediate vicinity of the subject property: Many North Idaho homes reportedly have radon. Homes built before 1979 have the potential of lead based paint. No other obvious or easily recognized existence of potentially hazardous materials noted or observed.							

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