

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 95-9304

Date Received: 7-17-09

Receipt No: NO2/391

Received By: cm

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

RECEIVED

JUL 17 2009

IDWR/North

Please type or print clearly

1. Name of Claimant (s) William & Teresa Carter Phone (509) 495-4442

Mailing Address S.11310 Starr Rd, Rockford WA ZIP 99030
Street or Box City State

2. Date of Priority (Only one (1) per claim) September 15, 2005
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) _____

4. a. Location of Point of Diversion is: Township 49N, Range 03W, Section 02,
_____, 1/4 of _____, 1/4 Govt. Lot 7, BM., County of Kootenai

Parcel (PIN) no. 08880000016A

Additional points of diversion if any: _____

If available, GPS Coordinates _____

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

Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

ending point is: Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

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. _____

3/4 HP water pump and 1 1/2" poly pipe water intake line.

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6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD) (cfs) (acre feet)
 For domestic purposes from 01/01 to 12/31 amount .04 or 1.8
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .04 (cfs) and/or (b) 1.8 (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) Domestic use for 2 households

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	
<u>49N</u>	<u>03W</u>	<u>2</u>			<u>(LT)</u>														

Parcel (PIN) no(s) 08880000016A

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: See location and project maps in ^{first} 5 attachment pages.
See license copy in #6 attachment page.

Last Name Carter

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 95-09304

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: 6

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 Carter Date: 7/8/09

[Signature] Date: 7/8/09

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 Carter Identification No. _____

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VICINITY MAP

BILL AND TERESA CARTER PROPERTY
WOLF POINT / LAKE COEUR D'ALENE

MT. COEUR
IDAHO
7.5 MINUTES
SV



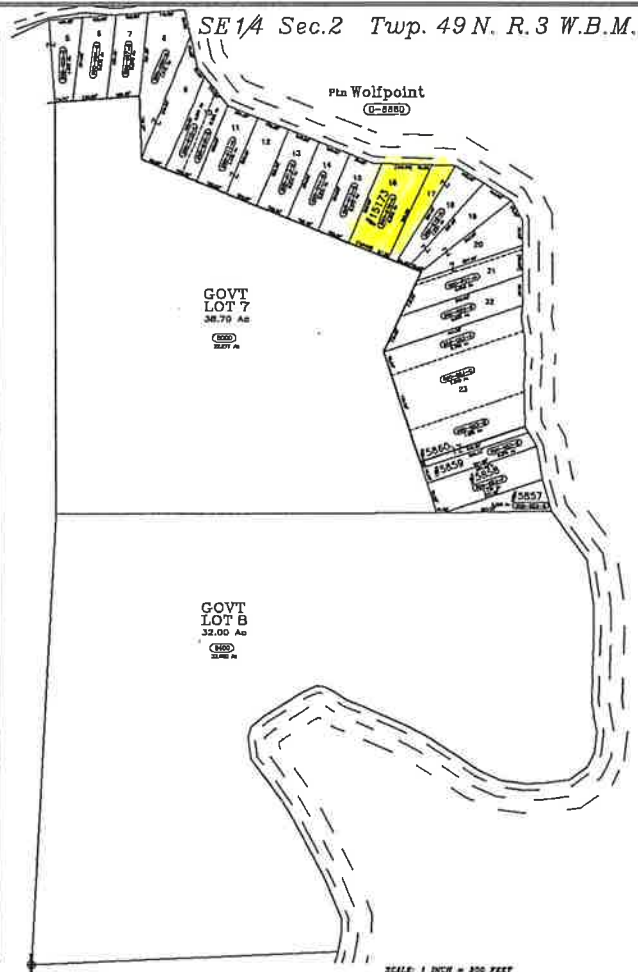
The revision dates below represent the file save dates for the posting of the listed revisions. The archive dates for these revisions are posted within the ARCHIVE REVISIONS box in the growing this block.

09/05/02 - VMC
D-8880-000-018-A & 018-A corrected descriptions (02)
08/26/04 - VMC
Minor revision to D-8880-000-021-A (04)
03/17/05 - ET
D-8880-000-023-B combined w/ 023-C (06)
01/19/08 - VMC
44N0378-02-8400 out of 8200 (08)



NOTES:

Number of Survey sent:	
<u>50/75</u>	<u>5/10/2014</u>



Beauty Bay

Illustrative depiction for illustrative purposes only, property does not appear to extend to ordinary mass high value work for commercial purposes unless otherwise noted.

SCALE: 1 INCH = 300 FEET

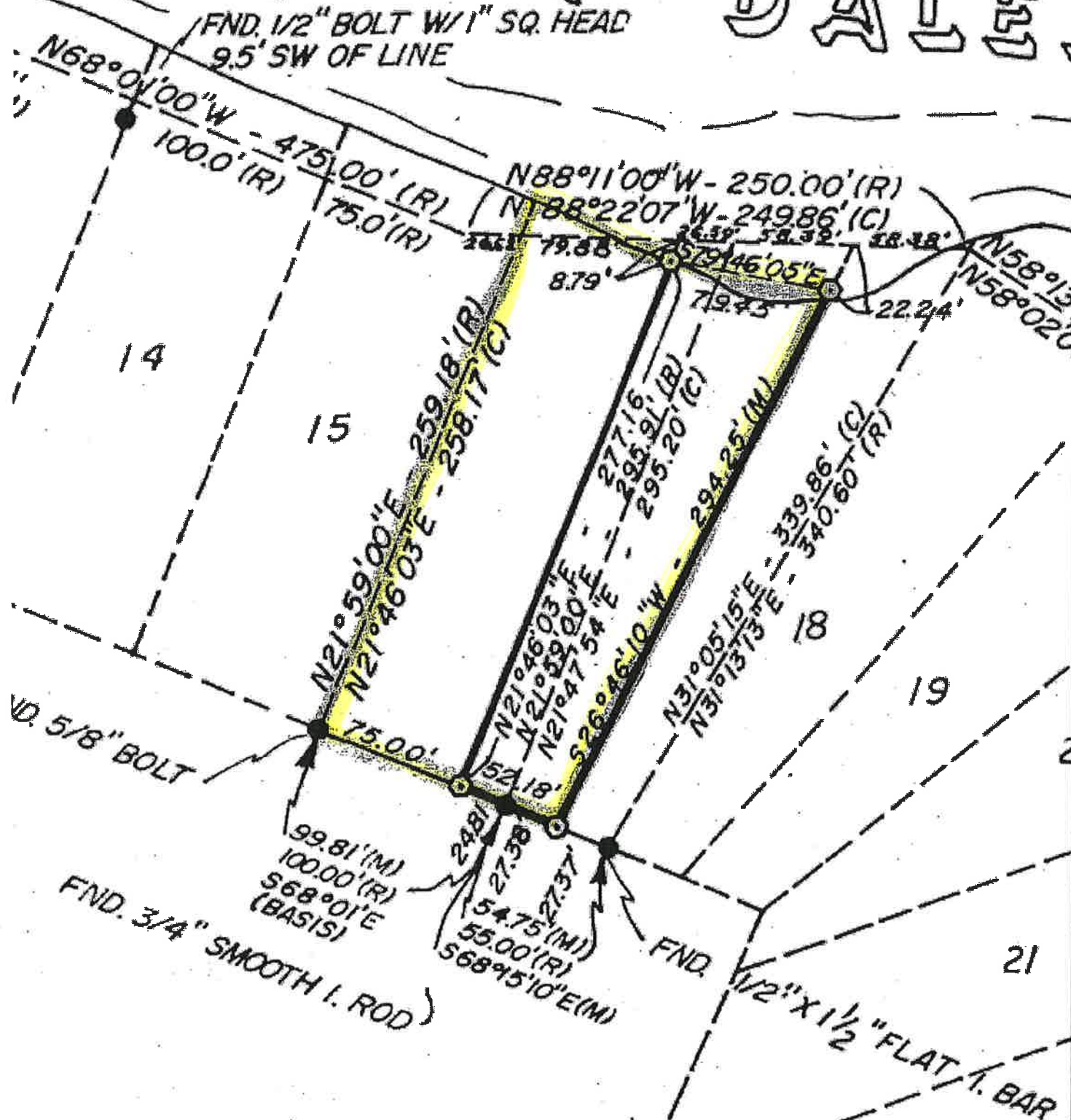
FILENAME: 45342230(Extension)

SE 1/4 Sec.2 Twp.49N. R.3W.B.M.

JUL 17 2009

Carter

D'ALE



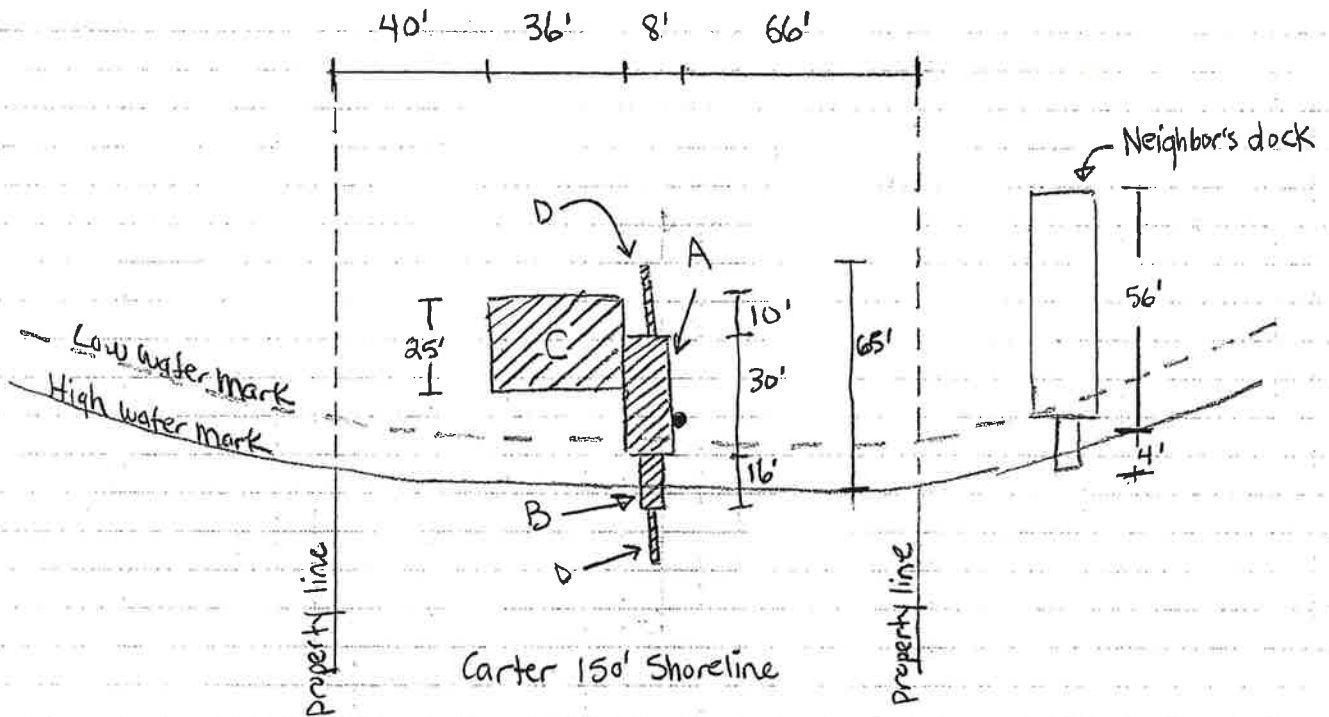
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Carser

(copied
from)

Carter Floathouse Encroachment

Top View



Square Footage:

A	Existing dock	8' x 30'	= 240 ft ²
B	Existing ramp	3' x 16'	= 48 ft ²
C	Existing float house	25' x 36'	= 900 ft ²
			<u>1188 ft²</u>

D Existing water intake
Line (1 1/2" poly pipe)

OK
Mark J. Miller
1-30-07

Section 02 T49N R03W
In Lake Cd'A
In Kootenai County, Idaho

Date: 1/30/07 n/a

Application by: Wm/T. Carter

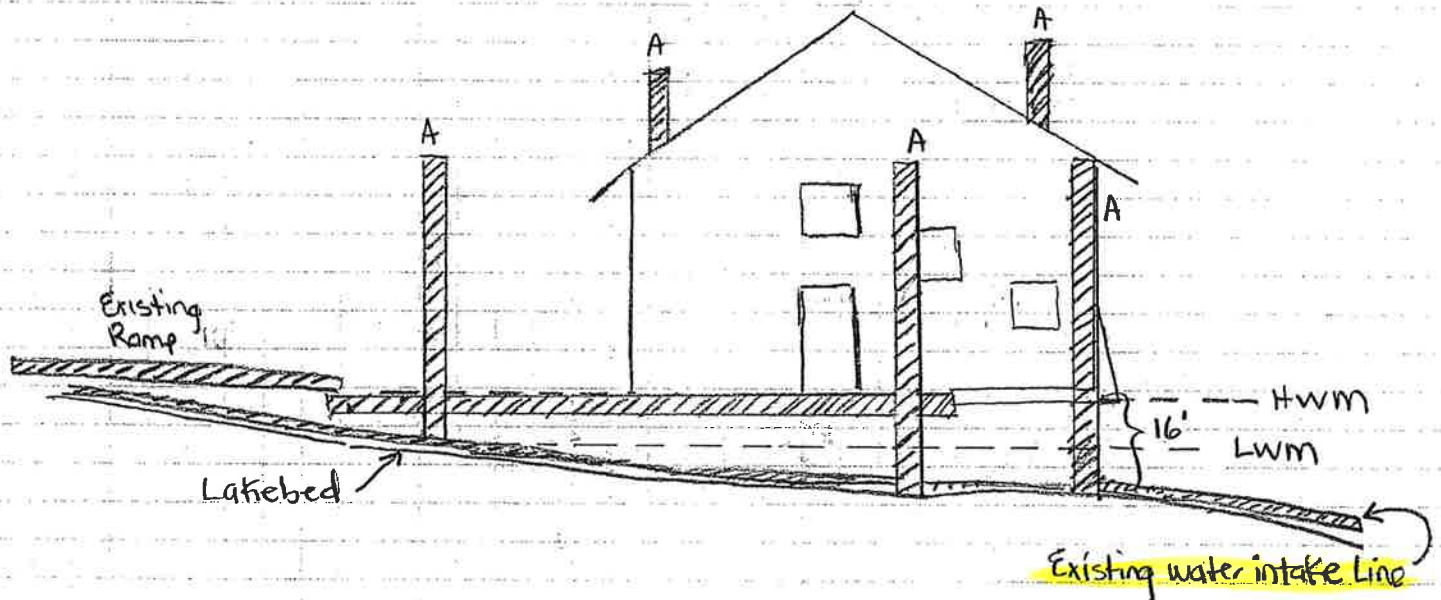
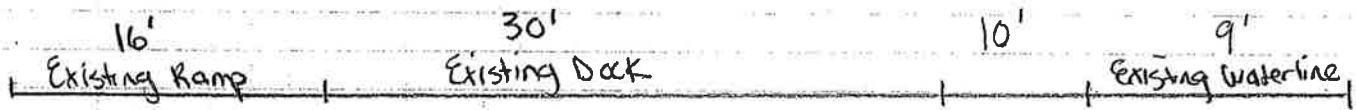
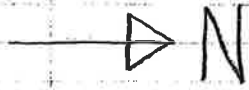
Sheet 1 of 4

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(copied from)

Carter Floathouse Encroachment

Side View



A = Existing Pilings

Section 02 T49N R03W
In Lake Cd'A
In Kootenai County, Idaho

Date: 1/30/07

Application by: Wm/T. Carter

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Sheet 2 of JUL 17 2009

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 95-09304

Priority: September 15, 2005

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 1.8 AF

It is hereby certified that WILLIAM CARTER Or
TERESA CARTER
S 11310 STARR RD
ROCKFORD WA 99030

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 15, 2005; and has submitted Proof of Beneficial Use on October 16, 2006. An examination indicates that the works have a diversion capacity of 0.04 cfs of water from:

SOURCE

COEUR D ALENE LAKE

Tributary: SPOKANE RIVER

and a water right has been established as follows:

BENEFICIAL USE

DOMESTIC

PERIOD OF USE

01/01 to 12/31

DIVERSION RATE

0.04 CFS

**ANNUAL
DIVERSION VOLUME**

1.8 AF

LOCATION OF POINT(S) OF DIVERSION:

COEUR D ALENE LAKE L7 (SW1/4NE1/4), Sec. 2, Twp 49N, Rge 03W, B.M. KOOTENAI County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
49N 03W 2			X														
			L7														

CONDITIONS OF APPROVAL

1. Domestic use is for 2 homes.
2. The irrigation occurring under this domestic use shall not exceed 1/2 acre within each platted lot upon which a home has been constructed.
3. Water shall not be diverted under this right when flows in the Spokane River are below established minimum flow amounts.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 11th day of Sept., 2007.


DAVID R. TUTHILL, JR.
Director

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JUL 17 2009

Carter