

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: 95-12703

Date Received: 6/2/2010

Receipt No: T091024

Received By:

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED
UNDER STATE LAW

1. Name of Claimant(s)

LANGSTON LAKE CABIN LLC Phone: (208) 765-1103
3959 N JONQUIL CT
COEUR D ALENE ID 83815

2. Date of Priority: ~~7/1/1984~~ 7/1/1965

3. Source: COEUR D ALENE LAKE Tributary to: SPOKANE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County	Type
50N	04W	36		4	KOOTENAI	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From To	C.F.S.	(or) A.F.A
DOMESTIC	1 / 1 12/31	0.01	0

7. Total Quantity Appropriated is: 0.01 C.F.S. and/or 0 A.F.A

8. Non-irrigation uses:

Number of Homes: 1	Water Use	Type Of Stock	Number Of Stock
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9. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
49N	03W	6	NE NE	1	DOMESTIC	

Section Acres

Total Acres

10. Place of use in counties: KOOTENAI

11. Do you own the property listed above as place of use? Yes

12. Other Water Rights Used:

13. Remarks:

Priority date description: This is the year we purchased the property

The year the property was developed and residence built

RECEIVED
MAY 23 2019
DEPARTMENT OF
WATER RESOURCES

Description of use: Water Use

Description

DOMESTIC

Seasonal Domestic Water Use

14. Basis of Claim: Beneficial Use

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 notice in the Coeur d'Alene-Spokane River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

For Individuals: I/We do solemnly swear or affirm under penalty or perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s):

Sandy Langdon

Date: 5.20.19

Date: _____

For Organizations: I do solemnly swear or affirm under penalty or 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 _____

Please print name

Historical Record of Water Use from Coeur d'Alene Lake

Arrow Point 1st Addition Lot 4

Langston Lake Cabin
5261 S. Freedom Lane
Harrison, ID 83833

Information to establish the time line for utilizing water from Coeur d'Alene Lake were obtained from the records of the Recorders, Assessors and Community Development offices of Kootenai County for Parcel No. 0-018-000-004-0, AIN 118479. We also spoke to the Panhandle Health District (PHD) to determine if any historical records of septic system use existed.

The First Addition of the Arrow Point subdivision was platted in 1960. The Langston Lake Cabin is located in lot 4, First Addition to Arrow Point, Government Lot 1, Section 6, Township 49 N, Range 3, W.B.M., Kootenai County, Idaho. The first deed of record is between Arrow Point, Inc. and John and Ruth Shaw dated 7 September 1962. That deed has eight exceptions and states that "There shall be no outdoor toilets" (no. 2), "Sewage and garbage disposal shall be handled according to the standards of the State of Idaho, Department of Public Health" (no. 3), and "The Vendors reserve the perpetual right to install and maintain a water pipe or line along the northerly and southerly boundary lines of the property hereby conveyed of sufficient width to install and maintain the same for the purpose of access to the waters of Lake Coeur d'Alene that water may be make available to other lands lying easterly of the lands conveyed" (no. 8). Water from Coeur d'Alene Lake was clearly intended for domestic, irrigation and septic system use once a residence was established.

Appraisal records for real property prior to the 1980s (when computer records were established) are incomplete because not all paper records were scanned. The earliest residential building appraisal record for Lot 4 is dated 12/6/1972 for Raymond Simmons (second deed holder as of 1967). That record states that the residence was built in 1965 and shows a "trailer house under roof", "living room extension", deck and porch. Because no outdoor toilets were allowed in the original deed, one would assume the septic system was installed for this original residence established in 1965. There is an appraisal record that shows "lake water" and "septic system" for this lot during appraisals in 1979, 1983 and 1985. There is an 8/2/89 appraisal that also indicates "lake" water system and a "septic" sewer system.

We contacted the PHD to see if they had a record of when the septic system was installed. PHD did not exist prior to 1973, so there are no records of when the septic system on Lot 4 was installed. If the septic system were modified after 1973, a permit would have been required, but there is no record of the original septic system being modified. The original septic tank was located beneath the cabin residence and the original drain field was located on the bench to the west of the lake cabin residence. Although the exact date of septic system installation (and use of lake water) is not known, it is likely that it occurred shortly after the original residence (trailer with bathroom) was established in 1965. Reference material cited above (plat map, original deed and appraisal records) are in our possession and attached.

1960 Plat

TO

ARROW POINT

SURVEYOR'S CERTIFICATE

I, Ray H. Kindler, a licensed land surveyor under the laws of the State of Idaho, hereby certify that in March 1960, I surveyed the land herein described under the direction of the owners, to be known as FIRST ADDITION to ARROW POINT, Kootenai County, Idaho, that iron pipe markers were placed in the ground as shown on this plat and that this plat is a true representation of said survey; that the land is located in Govt. Lot 1 of Section 6, T.49N, R.3W, B.M., Kootenai County, Idaho, and is described as follows: beginning at the Northeast corner of Lot 1 of Block 1 of ARROW POINT, which corner is marked by a concrete monument, thence along the North line of said Lot 1 N 80°11'W, 18.59 ft. to the true point of beginning, marked by a 1 inch iron pipe, thence N 11°40'E, 352.95 ft., thence N 66°25'W, 188.33 ft. to a point on the shore of Lake Coeur d'Alene, thence along the shore of Lake Coeur d'Alene S 5°26'W, 398.95 ft. to a point on the North line of said Lot 1, thence along the North line of said Lot 1 S 80°11'E, 144.03 ft. to the true point of beginning.

Ray H. Kindler

STATE OF IDAHO
COUNTY OF KOOTENAI ss.

On this 8th day of August, 1960, before me personally appeared Ray H. Kindler, known to me to be the person who executed the above SURVEYOR'S CERTIFICATE and acknowledged to me that he signed the same.

Notary Public in and for the State of Idaho, residing in Coeur d'Alene
My commission expires 12/1/61

OWNERS' CERTIFICATE

BE IT KNOWN that we, Elmer E. Jordan and his wife Virginia L. Jordan are the owners of the land described in the above SURVEYOR'S CERTIFICATE and have caused the same to be subdivided into lots as herein platted and do designate the same as FIRST ADDITION to ARROW POINT, Kootenai County, Idaho, and we reserve such easements as may be necessary over or along each lot for public utilities. In witness whereof we hereby affix our signatures this 5th day of August, 1960.

Elmer E. Jordan

Virginia L. Jordan

STATE OF IDAHO
COUNTY OF KOOTENAI ss.

On this 5th day of August, 1960, before me personally appeared Elmer E. Jordan and his wife Virginia L. Jordan, known to me to be the persons who executed the above OWNERS' CERTIFICATE and acknowledged to me that they signed the same.

Notary Public in and for the State of Idaho, residing in Coeur d'Alene
My commission expires 1-1-62

COUNTY SURVEYOR'S APPROVAL

I hereby certify this 8th day of August, 1960, that I have examined this plat and approve same for filing.

Ray H. Kindler
Kootenai County Surveyor

COUNTY TREASURER

I hereby certify this 8th day of August, 1960, that the required taxes on the herein platted land have been paid.

Metta Schmiedt
Kootenai County Treasurer

COUNTY COMMISSIONERS' APPROVAL

This plat approved and accepted by the Board of County Commissioners of Kootenai County, Idaho, this 8th day of August, 1960.

Attest:

Clerk

Chairman

COUNTY RECORDER

I hereby certify that this plat was filed for record in the office of the Recorder of Kootenai County, Idaho, at the request of Elmer E. Jordan, this 8th day of August, 1960, at 3:12 p.m., and duly recorded in Plat Book D, page 174.

375240

Kootenai County Recorder

• Indicates 1/2 in. Iron Pipe

FINAL PLAT OF
FIRST ADDITION TO ARROW POINT
GOVT. LOT 1, SEC. 6, T.49N, R.3W, B.M.
KOOTENAI COUNTY, IDAHO

SCALE 1"=50 FT.
DATE 7-27-60

RAY H. KINDLER
LICENSED LAND SURVEYOR
COEUR D'ALENE, IDAHO

DRAWN: FM
CHECKED: RR

1965 record of property developed

Raymond E. Simmons

Box 7

Greenacres, Wash.

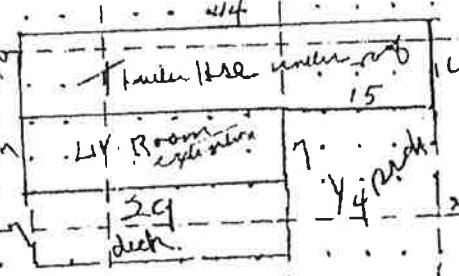
31-12

ARROW POINT 1st Addition

Lot 4

RESIDENTIAL BUILDING APPRAISAL RECORD

Acct. #		Map #		Photo #	
APPRAISED VALUE SUMMARY CLASS DWELLING - Depr Repl Cost \$ <u>2729</u> R1- GARAGE - Depr Repl Cost \$ <u>2104</u> R2- OTHER IMPROVEMENTS D.R.C. \$ <u>632</u> CURVE TOTAL DEPR. REPL COST \$ <u>3361</u> A B C D VALUE BY MGRM \$ <u>3350</u> STORIES CORRELATED VALUE \$ <u>3350</u>					
1 1 1/2 2 2 1/2 SL		Land value ff \$			
Built 1965		Cost \$		Mo Rent \$	
Remodeled 1971		\$		Sold 19 \$	
Listed		to \$		Offrd \$	
Int Inspected		Yes No		Owner Tenant Other	
Appraised 12-6-71		By <u>WJF</u>		Computed 11-30-72 By <u>WJF</u>	
Appraised		By		Computed By	
Square Feet		Sq Ft Items			
Bsmt	1st	2nd	Base	+	-
	203		Cost	11.39	
FOUNDATION		Coar BIV Rock Masy Pies Wd			
ROOF		(Gob) Low (Avg) Sleep SHGS Comp (Wf) AI Asb Slate (SHKS) Lt. (flvy) Blup w/Gr Flat RRfg AI CGI Masy Tile			
		(643 sq ft Total) 4405' @ 1.58 = (extra roof) + 695.			



REAL PROPERTY VALUATION SUMMARY

Date 6-35-71
 Br. 248 Pg. 147 Rev. Stamps

Photo No.

Raymond E. Simmons, Jr. & 31-12
 Kathleen Simmons McKee
 Box 7 - Greenacres, Wash.

ARROW POINT 1st Addition

Lot 4

Date Checked

REMARKS

11-12-70 *ok*
 10-13-70 *ok*
 8-24-70 *ok*
Check land on this closely for finish of value in 1973.
See new Storage & Paving

DISTRICTS:

Water

Sch. 271

Hwy

City

Fire

BUILDING & OR TYPE

1966

INDEX (X)

1971

FULL CASH VALUE

1972

1973

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1962 Sale of property

ASSIGNED
COMPARED

STATE OF <u>California</u> COUNTY OF <u>Sacramento</u> On this <u>27th</u> day of <u>July</u>, 19<u>61</u>, before me, a notary public in and for said State, personally appeared <u>Cecil P. Benedict & Helen P. Benedict</u> known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same. <u>JOHN M. EARNER</u> Notary Public Residing at <u>State of California</u> Comm. Expires <u>27th Day of July, 1962</u>	STATE OF IDAHO, COUNTY OF <u>Kootenai</u> I hereby certify that this instrument was filed for record at the request of <u>Sueane Lyle</u> at <u>40</u> minutes past <u>9</u> o'clock <u>a.m.</u>, this <u>1st</u> day of <u>Dec.</u>, 19<u>61</u> in my office, and duly recorded in Book of Deeds at page <u>E. W. Larsen</u> Ex-Officio Recorder By <u>James Larsen</u> Deputy Fees \$ <u>1.00</u> Mail to: <u>Mr. & Mrs. Lyle, Ida.</u>
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INSTRUMENT NO.

100

114060

CORPORATION WARRANTY DEED

THIS INDENTURE, Made this 7 day of September,
1962, between ARROW POINT, INC., a corporation duly
organized and existing under the laws of the State of
Idaho and having its principal office in Idaho at Coeur -
d'Alene in the County of Kootenai, party of the first part,
and JOHN A. SHAW and RUTH N. SHAW, husband and wife, parties
of the second part,



WITNESSETH, That the said party of the first part,
having been hereunto duly authorized by resolution of its
Board of Directors, for and in consideration of the sum
of \$1.00 and other good and valuable consideration, lawful
money of the United States of America, to it in hand paid
by the said parties of the second part, the receipt
whereof is hereby acknowledged, has granted, bargained
and sold, and by these presents does grant, bargain, sell,
convey and confirm unto the said parties of the second
part, and to their heirs and assigns forever, all the fol-
lowing described real estate situated in Kootenai County,
State of Idaho, to-wit:

Lot 4, First Addition to Arrow Point,
Government Lot 1, Section 6, Township
49 N. Range 3, W.B.M., Kootenai County,
Idaho,

EXCEPT:

1. Only one cabin or house shall be constructed upon said premises.
2. There shall be no outdoor toilets.

3. Sewage and garbage disposal shall be handled according to the standards of the State of Idaho, Department of Public Health.
4. Any dock maintained by the Vendees shall be so as to not unreasonably interfere with the use and enjoyment of adjoining owners or his docks.
5. All property, including docks shall be non-commercial, and used only for residential and personal purposes.
6. All permanent residential structures shall be of sound construction.
7. The Vendors warrant that there shall be reserved, out of other lands belonging to the Vendors, a strip of ground 12 feet in width, lying easterly and along and adjacent to all lots in said First Addition to Arrow Point for private road right of way purposes for the use and benefit of all lot owners in said addition, but the Vendors do not assume the obligation of maintenance thereof. Said roadway shall at all times be a private road right of way for the benefit of land owners in said First Addition and those in "Arrow Point" plat and those of any other areas platted subsequent and adjacent thereto belonging to the Vendors herein.
8. The Vendors reserve the perpetual right to install and maintain a water pipe or line along the northerly and southerly boundary lines of the property hereby conveyed of sufficient width to install and maintain the same for the purpose of access to the waters of Lake Coeur d'Alene that water may be made available to other lands lying easterly of the lands conveyed. Said pipe line to be installed and maintained so as not to interfere with the otherwise useful and peaceable occupation of said premises by the Vendees herein.

BOOK 150 PAGE 511

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said party of the first part.

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever. And the said party of the first part, and its successors, the said premises in the quiet and peaceable possession of the said parties of the second part their heirs and assigns, against the said party of the first part, and its successors, and

against all and every person and persons whomsoever,
lawfully claiming or to claim the same, shall and will
warrant and by these presents forever defend.

IN WITNESS WHEREOF, The party of the first part has
caused its corporate name to be hereunto subscribed by
its President and its corporate seal to be affixed by
its Secretary in pursuance to said resolution the day
and year first above written.

ARROW POINT, INC.

Elmer E. Jordan
President

ATTEST:



-3-

STATE OF IDAHO)
County of Kootenai) SS.

On this 7th day of September, 1962, before me
the undersigned Notary Public in and for the said State,
personally appeared ELMER E. JORDAN and VIRGINIA L.
JORDAN, known to me to be the President and Secretary of
the corporation that executed this instrument or the
person who executed the instrument on behalf of said
corporation, and acknowledged to me that such corporation
executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal, the day and year in this certi-
ficate first above written.

Ruby Nelson
Notary Public for the State of
Idaho, residing at Coeur d'-
Alene. Comm. expires: 8-25-66



Filed and recorded at the request of John L. Shaw
at 12:45 o'clock P.M., this 1st day of October, 1962
E. W. LARSON
Ex-Officio Auditor-Recorder
Kootenai County, Idaho
Return to 431 1st Ave., Spokane, Idaho

Confirmation of water source & septic

SITE DATA

Year of Valuation:

1989
1985
1985

Land Use: _____ Zoning: _____

Size: _____ Area: _____

FR 80 ON CDA Lotte

Location PAGE
Amenities PAGE
Landscaping PAGE

Neighborhood	
Improving	
Static	✓
Declining	
Blighted Area	
Rural	

Street or Road	
Paved	
Gravel	
Dirt	✓
Sidewalks	
Curb & Gutter	
Driveway	

INFLUENCES	PLUS	MINUS
Depth		
Topography		
Irregular		
View		
Drainage		
Physical Barriers		
Access		
Corner		
Water		
Sewer		
Sidewalk		
Paving		
Alley		
Curb & Gutter		
Other:		
TOTAL		
NET (+) (-)		

Topography	
Level	
Sloping	✓
Above Grade	
Below Grade	
Rolling	
Hilly	
Waterfront	✓

Utilities			
Water -	System	Well	Lake
Gas -	Natural	Liquified	
Electrical -	Overhead	Underground	
Sewer -	System	Septic	Storm

Land Category	Productivity	Acres/Lots	Unit Value	Net Value
~~15~~	~~20033~~	~~1.001~~	~~200~~	~~80~~
~~15~~	~~20033~~	~~1.001~~	~~250/ft x 80'~~	~~20000~~
15	1W133	001	550/ft	80
				44000

UNIT PRICE	
BASIC LAND VALUE	
(+) (-) FACTORS	

LAND VALUE
\$44000

REMARKS: WOODED

Place Picture Here

~~15 20033 1.001 200 80 20000~~

Confirmation of water source & septic

Parcel No.

0-0180-000-004-2

Year of Valuation 1990

SITE DATA

LAND USE MH HERE ZONING Res. R-3

Size _____ Area: 11788⁷/₁₀ 271A

FF 80' ON LAKE CDA

Calculated by: TRAVERSE

Date 8-2-89 Initials Folsom

Location	PAGE
Amenities	PAGE
Landscaping	PAGE

NEIGHBORHOOD	
Improving	
Static	
Declining	
Blighted Area	
Rural	✓

STREET OR ROAD	
Paved	
Gravel	✓
Dirt	
Sidewalks	
Curb & Gutter	
Driveway	

TOPOGRAPHY	
Level	
Sloping ~~Steady~~	✓
Above Grade	
Below Grade	
Rolling	
Hilly	
Waterfront	✓

UTILITIES		
Water -	System	Well <u>Lake</u>
Gas -	Natural	Liquified
Elec. -	<u>Overhead</u>	Underground
Sewer -	System	<u>Septic</u> Storm

INFLUENCES	PLUS	MINUS
Depth		
Topography		
Irregular		
View		
Drainage		
Phy. Barriers		
Access		
Corner		
Water		
Sewer		
Sidewalk		
Paving		
Alley		
Curb & Gutter		
Other:		
TOTAL		
NET (+) (-)		

[illegible]

UNIT PRICE	
BASIC LAND VALUE	
(+) (-) FACTORS	

Remarks: 29 Sep 89 Remc Book 29 V.L. 12. C/M