

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 CLARK FORK-PEND OREILLE RIVER  
BASIN WATER SYSTEM

CIVIL CASE NUMBER: 69576

Claim ID: 910-9037  
Date Received: 9-28-21  
Receipt No: N0375.33  
Claim Fee: 25.00 By: [Signature]

RECEIVED

NOV 08 2021

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

IDWR / NORTH

Please type or print clearly

1. Name of claimant(s) Mark D. Mayhew Phone ( 206 ) 230-5648  
Mailing address PO BOX 2102 Sandpoint Idaho Zip 83864  
Street or Box City State  
Email address (optional) ml2db3@earthlink.net
2. Date of priority: (Only one per claim) November/10/1999 (Explain priority date selected in Remarks)  
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water ( ) or Other ( ☒ ) (a) Spring  
which is tributary to (b) Sinks
4. a. Location of point of diversion is: Township 58N, Range 02E, Section 18,  
SW 1/4 of SE 1/4, Govt. Lot \_\_\_\_\_, BM, County of Bonner  
Parcel no. Spring is on BLM land. I hold a Right-of-Way assignment: IDI 33035  
Additional points of diversion, if any: None  
If available, GPS Coordinates \_\_\_\_\_  
b. If instream flow, beginning point of claimed instream flow is:  
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.  
Spring Box (18" x 18" x 24") with 3/4" screened intake and 1-1/2" overflow.

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD) (cfs) (acre-feet)

For Domestic purposes from 01/01 to 12/31 amount 0.01 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 0.01 (cfs) and/or (b) \_\_\_\_\_ (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) One single family dwelling. No Stock at this time.

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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.

| TWP | RGE | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 58N | 02E | 18  |    |    |    |    |    |    |    |    |    |    | D  |    |    |    |    | D  | 0.01   |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |        |

Parcel no(s). RP58N02E187950A Total number of acres irrigated Zero

10. In which county(ies) are lands listed above as place of use located? Bonner

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 (Include an explanation of the priority date selected):

The Priority Date was selected/obtained from the original Permit to Appropriate Water number: 96-09037. I have attached aerial and topographic maps. Additionally, a copy of the property Warranty Deed in my name a copy of a Receipt for payment of \$25.00 which may be applied to this claim and a copy of the Right-of-Way assignment from BLM.

Name of claimant(s) Mark D. Mayhew Claim ID \_\_\_\_\_

Scale: 2 inches equals 1 mile

[illegible]

Name of claimant(s) Mark D. Mayhew Claim ID

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 96-09037

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 Clark Fork-Pend Oreille River Basin Water System 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: Five documents

**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)  Date: November 4, 2021  
\_\_\_\_\_  
Date: \_\_\_\_\_

**For Organizations:** I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

\_\_\_\_\_  
Agent's title (Please print) of \_\_\_\_\_  
Name of organization (Please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent \_\_\_\_\_ Date \_\_\_\_\_

Printed Name of Authorized Agent \_\_\_\_\_

16. **Notice of Appearance:**

Notice is hereby given that I, (please print) \_\_\_\_\_, will be acting as attorney at law on 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 \_\_\_\_\_

Name of claimant(s) \_\_\_\_\_ Claim ID \_\_\_\_\_



# United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Coeur d'Alene Field Office

3232 W. Nursery Rd.

Coeur d'Alene, Idaho 83815



OCT - 4 2021

In Reply Refer To:  
2870 (IDC0100)  
IDI 33035

CERTIFIED MAIL – 7016 0910 0001 1077 0242  
RETURN RECEIPT REQUESTED

## DECISION

Mark Mayhew  
Post Office Box 2102  
Sandpoint, ID 83864

: Right-of-Way Assignment  
: IDI 33035  
:

## Assignment Approved

Assignment of an existing authorization, IDI 33035, is approved. The authorized area granted herein is for an existing spring box and water pipeline located on public lands described as follows:

Boise Meridian, Idaho  
T. 58 N., R. 2 E.,  
Sec. 18, SW $\frac{1}{4}$ SE $\frac{1}{4}$ .

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition (request) pursuant to regulation 43 CFR 2801.10 or 43 CFR 2881.10 for a stay (suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

# Idaho Department of Water Resources Receipt

Receipt ID: N037533

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|                |                                                                               |               |           |        |          |
|----------------|-------------------------------------------------------------------------------|---------------|-----------|--------|----------|
| Payment Amount | \$25.00                                                                       | Date Received | 9/28/2021 | Region | NORTHERN |
| Payment Type   | Check                                                                         | Check Number  | 3865      |        |          |
| Payer          | MAYHEW, MARK                                                                  |               |           |        |          |
| Comments       | NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP 96-9037<br>DOCUMENT NUMBER: R220310 |               |           |        |          |

## Fee Details

| Amount  | Description                          | PCA   | Fund | Fund Detail | Subsidiary | Object |
|---------|--------------------------------------|-------|------|-------------|------------|--------|
| \$25.00 | OWNERSHIP CHANGES/SECURITY INTERESTS | 65140 | 0229 | 21          |            | 1155   |

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Signature Line (Department Representative)



Order Number: 21417964

### **Warranty Deed**

For value received,

**Mary J. Merrill and Lincoln J. Shadley, who acquired title as Link J. Shadley, wife and husband**

the grantor, does hereby grant, bargain, sell, and convey unto

**Mark D. Mayhew, a single man**

whose current address is 4535 Flume Creek Rd Sandpoint, ID 83864

the grantee, the following described premises, in Bonner County, Idaho, to wit:

**See Exhibit A, attached hereto and incorporated herein.**

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Remainder of page intentionally left blank.

Dated: <sup>mjm</sup> 7-29-2021

Mary J. Merrill  
Mary J. Merrill

Lincoln J. Shadley  
Lincoln J. Shadley

State of Idaho, County of Bonner, ss.

On this 29 day of July in the year of 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared Mary J. Merrill and Lincoln J. Shadley, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Jennifer Stevens  
Notary Public  
Residing In: Sandpoint  
My Commission Expires: 1-30-24  
(seal)



**EXHIBIT A**  
**LEGAL DESCRIPTION OF THE PREMISES**

The West Half of the Northwest Quarter of the Southeast Quarter of Section 18, Township 58 North, Range 2 East,  
Boise Meridian, Bonner County, Idaho

Find structure or access



Parcels (1 of 1)

Parcel #: RP58N02E187950A  
Owner: Merrill, Mary J  
Owner2: Shadley, Link J  
Acres: 20  
Tax Code Area: 0080000  
Last Assessed Value: \$115005  
Deed1: 471923 WD  
Deed2: 447097 WD  
Description: 131-Land-ag/timb w/resid Imp  
Legal Description: 18-58N-2E W2NWSE

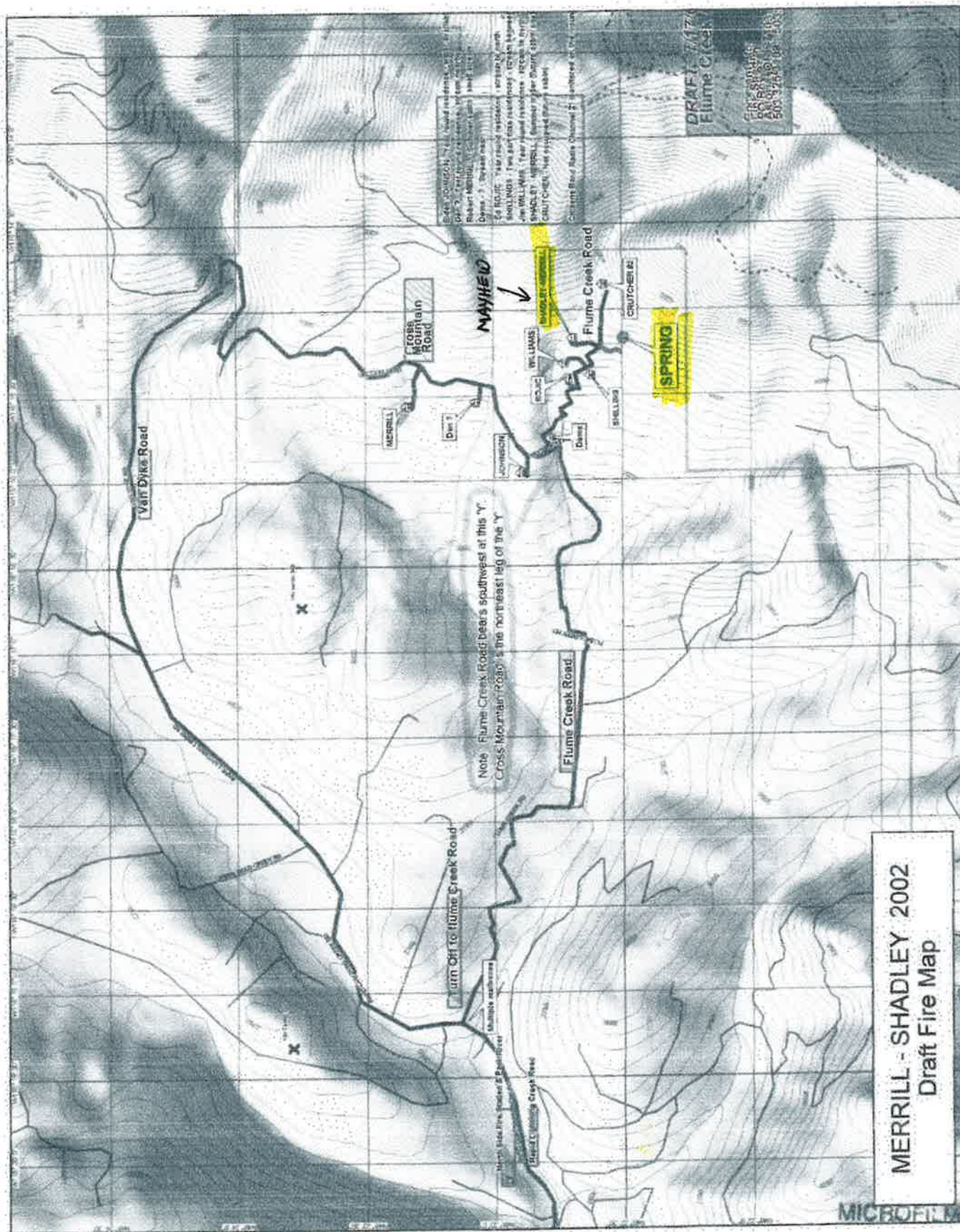
NO W  
MARK MAYHEW



1:18055



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Scale: 1 : 37,500 Zoom Level: 13-0 Datum: WGS84 Map Rotation: 0° Magnetic Declination: 17.3°E

MAR 27 2002