

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

Ident. Number: 97-4082
Date Received: NO 40166
Receipt No: 6/22/22
Claim Fee: \$6200
Received By: JR

RECEIVED

JUN 22 2022

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

IDWR / NORTH

1. Name of Claimant(s)

~~EDWARD FREDERICK MILLER~~ KOKANIE PARK H.O.A.
~~RT 5 BOX 111~~ 25831 HWY 57 RH
PRIEST LAKE ID 83856

Phone: H.O.A. PRESIDENT
RICK HOREY 509-710-8938
RH

2. Date of Priority: 1/1/1963

3. Source:
PRIEST LAKE

Trib. to:
PRIEST RIVER

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
59N	04W	6		7	BONNER	

5. Description of diverting works:

WATER IS PUMPED FROM THE LAKE RH
TO IRRIGATE ALL 12 ACRES THROUGH OUT
ALL 36 LOTS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S. (or)	A.F.A.
IRRIGATION	5/01	10/01	~~0.02~~ 0.24	

7. Total Quantity Appropriated is:

~~0.02~~ C.F.S. and/or A.F.A.
0.24 RH

8. Non-irrigation uses: AFO

9. Place of use:

IRRIGATION within BONNER County

Township	Range	Section	1/4	of	1/4	Lot	Acres
59N	04W	6				7	~~18~~

~~Total Acres = 18~~

APPROX. 12 ACRES

RH

10. Do you own the property listed above as place of use? (No)

If your answer is no, describe in remarks below the authority you have to claim this water right.

I AM THE CURRENT KOKANEE PARK H.O.A PRESIDENT
I OWN 2 OF THE 36 HOMES IN THE DEVELOPMENT

RH

11. Other Water Rights Used:

97-4083 RH

12. Remarks:

Priority Date Explanation:

AS OF AFFIDAVIT SUBMITTED IT SHOWS USR
FROM 1958 RH

13. Basis of Claim: Statutory Claim

14. 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 CLARK FORK-PEND OREILLE River Basin Adjudication." (b.) I/We do X do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 4

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: _____

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

PRESIDENT of KOKANEE PARK H.O.A.

Agent's title (Please print)

Name of organization (Please print)

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

Signature of Authorized Agent  Date 6-20-2022

Printed Name of Authorized Agent RICK HOREY

Affidavit of Continuous use of water right # 97-4082

Name of witness: Kenny Gibson

Contact information: 509-808-0312

I Kenny Gibson served on the board of directors for Kokanee Park from June of 1997 until June of 2013 as the director of water.

We have two water systems in Kokanee Park. The first system is the irrigation system that pumps out of the lake and services all of Kokanee Park by spigots painted red throughout all of Kokanees 36 lots for the purpose of irrigation. Our second system is for household domestic use that is supplied from our well located in the center of Kokanee Park. The two systems are not connected in any way.

This is a history of people and dates that served as water directors for Kokanee Park HOA:

Gary Mandick 2013-present

Ken Gibson-1997-2013

Herman Sigumara-1990-1997

Jerry Morasch 1985-1990

Howard Rice -1975-1985

Hank Ricard mid 1960's -1975

My wife and I started coming to Kokanee Park in 1969 visiting her parents. They purchased a lot from Ed Miller. In 1983 and my wife and I bought the lot it from them in 1991. We have since sold the property to our son but we still continue to visit regularly.

To the best of my knowledge and recollection these statements are true.

Sincerely

K. A. Gibson

Ken Gibson



Notary Signature Valerie A. Horey Date: June 22, 2022
Printed Name: Valerie A. Horey

Affidavit of Continuous use of water right # 97-4082

Name of witness: Gary Mandick

Contact information: 509-710-8074

I Gary Mandick took over the position of Director of the water systems from Kenny Gibson in June of 2013 and hold the position to the present time.

I maintain both our irrigation system which comes out of the lake and our domestic system that comes from our well.

I do all the required testing every year. Our systems are totally separate. The irrigation system is used on all 36 lots within Kokanee Park totaling approximately 12 acres. The domestic well water services all 36 homes for household use.

Our irrigation system is water right # 97-4082 and our domestic system is water right # 97-4083.

Sincerely,


Gary Mandick



Notary Signature Valerie A. Horey Date: June 20, 2022
Printed Name Valerie A. Horey

Affidavit of Continuous use of water right # 97-4082

Name of Witness: Denny Rainey

Contact information: 208-290-4558

Statement of Denny Rainey:

Our family moved into Kokanee Park in July of 1958. The home we rented was from Opal Weaver and was located about where the Mielke residence is today. Opals house was near the old Outlet Dam. There were 2 trapper cabins along Lamb Creek. The two men that lived in them worked for Opal helping water and do other chores to trade for their rent.

The irrigation pump was on the edge of the river down in front of our house. They were watering the entire area of Kokanee trying to grow grass and keep things damp during the hot time of the year to keep things from getting to dry and reduce the fire danger.

There were water spigots all throughout the park and they had hoses and sprinklers they moved around a lot. To the best of my recollection it went from Opal Weaver to Rube Bacher then to Hank Ricard in the 1960's. Then to Howard Rice who was my father in law, then to Ed Miller who was the owner that did the subdivision of Kokanee and sold the lots. At the time we lived in Kokanee our house water came from a spring on the other side of Highway 57 to a storage tank and then to the homes. I know at some point later a well was drilled in Kokanee but I do not recall the year.

Our family moved about one mile north on highway 57 in 1961. I was still in and out of Kokanee regularly fishing off the banks and visiting friends as I still do till this day. I also was a lineman for Northern Lights from 1978 until 1999 in Priest Lake. As a lineman I was in and out of Kokanee doing line work the entire time I worked for Northern Lights. I can attest to the fact that Kokanee Park has been irrigated continuously from July of 1958 till today.

Sincerely,

Denny Rainey

Denny Rainey



Notary Signature

Valerie A. Horey

Date: *June 20, 2022*

Printed Name:

Valerie A. Horey

Affidavit of continuous use of water right # 97-4082

Name of claimant: Kokanee Park HOA

25831 Hwy 57

Priest Lake, Idaho 83856

Current Representative:

President of Kokanee Park HOA

Board of directors:

Rick Horey

226 N Kokanee Park Loop

Priest Lake, Idaho 83856

509-710-8938

This section is a time line showing continuous use from before the current priority date of 1-1-1963 till the present.

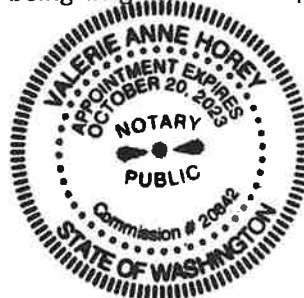
The first affidavit will be from Denny Rainey who moved into Kokanee Park in July of 1958 and lived there till 1961. When Denny's family moved just down the road about one mile. Denny regularly came into Kokanee Park to fish and visit friends and still does today. Denny was also a lineman for Northern Lights at Priest Lake from 1978 till 1999 and had a hand in most of the electrical infrastructure in Kokanee between those years. Denny Rainey, on his own, can attest to Kokanee Parks continuous use of the irrigation pump to irrigate the entire area of Kokanee Park from July of 1958 to the present day. When Denny lived in Kokanee a single lady managed it named Opal Weaver. There were two small trapper cabins along Lamb Creek that two men lived in and helped her with any work and watering to pay off their rent. At that time Denny stated there were two homes and two trapper cabins. After Opal Weaver a man named Rube Bacher took care of the water systems. Then a man named Hank Ricard took care of the water systems in Kokanee in approximately the mid 1960's until his father in law ,Howard Rice took over but is unsure of the dates.

Kenny Gibson states that Howard Rice was the water director from 1975 till 1985 then Jerry Morasch from 1985 till 1990 then Herman Sigumaura maintained the water systems from 1990 till 1997 then Kenny Gibson from 1997 till 2013, then Gary Mandick from 2013 till today. I am the current president of Kokanee Park HOA and I purchased my lot and home in 1996. Both water systems were being operated and maintained when I purchased till now. All 36 lots were being irrigated when I purchased in 1996. I personally don't have any history before 1996.

Sincerely,



Rick Horey



Notary Signature Valerie A Horey Date: June 20, 2022

Printed Name Valerie A. Horey