

STATE OF IDAHO  
COUNTY OF KOO  
FILED:

1973 MAR 23 PM 12:44

CLERK, DISTRICT COURT  
ELLEN L. SCHIRMER

DEPUTY

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE STATE  
OF IDAHO, IN AND FOR THE COUNTY OF KOOTENAI

AVONDALE IRRIGATION DISTRICT, et al., )

Plaintiffs, )

vs )

NORTH IDAHO PROPERTIES, INC., et al., )

Defendants, )

and )

ROBERT J. ADAMSON, et al., )

Intervenors. )

DECREE

CIVIL CASE NOS.

22418

22419

22420

The proposed Findings of Fact and Recommendation of Water Rights entered on April 15, 1971 was previously filed with this Court by the Special Master, including amendments dated July 20, 1971 and filed July 21, 1971, and amendments dated August 23, 1971 and filed August 30, 1971. This matter came on regularly for hearing on objections to the Findings of the Special Master on February 7, 1973. Following testimony and argument at said hearing and based upon the briefs filed herein, the Court issued its memorandum opinion dated March 7, 1973. Based upon said memorandum of opinion, which is fully incorporated herein as if fully set forth, the Court makes the following Findings of Fact and Conclusions of Law:

NOT RECORDED

JUL 31 1996

The Special Master is awarded costs in the amount of \$13,274.84 which should be and are assessed against and are ordered to be paid by the following claimants, in the amounts shown:

|                                                             |              |
|-------------------------------------------------------------|--------------|
| Avondale Irrigation District                                | \$ 2,871.56  |
| Avondale on Hayden Lake                                     | 224.54       |
| The Coeur d'Alene Country Club                              | 540.32       |
| Dalton Gardens Irrigation District                          | 3,074.87     |
| Dalton Water Association                                    | 284.38       |
| Hayden Haven Water Company                                  | 21.70        |
| Hayden Lake Irrigation District                             | 5,598.34     |
| Heinemann, Czenzi and Nick Ormonde                          | 101.08       |
| Honeysuckle Hills Owners Association                        | 59.66        |
| Hundhausen, Robert J.                                       | 16.31        |
| Jessick, John E.                                            | 98.03        |
| Kirking, Orville P.                                         | 39.66        |
| North Idaho Properties, Inc.                                | 48.88        |
| Revilli, Robert J.                                          | 261.34       |
| Shrum, Paul W., M.D.                                        | 22.36        |
| Upper Columbia Mission Society of<br>Seventh Day Adventists | <u>11.81</u> |

TOTAL \$13,274.84

The Special Master shall also be allowed such further and accruing costs as may be allowed by the Court.

The Court shall retain, and does hereby retain jurisdiction of this adjudication, for the purpose of amending this decree, pending receipt of further information from the Department of Water Administration of its experience with systems for operation of the lake.

IT IS SO ORDERED.

DATED AND DONE this 23rd day of March, 1973.

WATT E. PRATHER

WATT E. PRATHER  
District Judge

STATE OF IDAHO }  
COUNTY OF KOOTENAI } ss.

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE COPY  
OF THE ORIGINAL NOW ON FILE OR RECORD IN THIS OFFICE.

CLERK OF DISTRICT COURT

By Green L. Schirmer  
Deputy

JUL 31 1996

MC DAVIS,--Donald E. ( continued )

Place of Use: Lot 69 & 70, Hayden Lake Cottage Tract, Govt. Lot 5, Sec. 15,  
T. 3 W.B.M.

MC GOGNEY, Norma Jean et al, E. 17811 - 32nd, Greenacres, Washington

State Engineer File No.: 95-0236

Priority: 7/1/44

Source: Hayden Lake

Purpose: Domestic ( 1 house )

Period of Use: From 4/1 To 10/31

Quantity per Year: 0.40 acre feet

Maximum rate of diversion: 0.02 c.f.s.

Type and Point of Diversion: Pump, Lot 7, Powell Tract, Govt. Lot 7, Sec. 22,  
T. 51 N., R. 3 W.B.M.

Place of Use: Lot 7, Powell Tracts, Govt. Lot 7, Sec. 22, T. 51 N., R. 3 W.B.M.

MC MAHON, Terence G., Route 2, Box 37-1, Hayden Lake, Idaho

State Engineer File No.: 95-0461

Priority: 6/1/47

Source: Hayden Lake

| Purpose                | Period of Use                |
|------------------------|------------------------------|
| Domestic ( 10 houses ) | From 1/1 To 12/31            |
| Domestic ( 4 houses )  | From 4/1 To 10/31            |
| Quantity per Year:     | 5.70 acre feet for 10 houses |
|                        | 1.60 acre feet for 4 houses  |

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|       |                |
|-------|----------------|
| Total | 7.30 acre feet |
|-------|----------------|

Maximum rate of diversion: 0.28 c.f.s.

Type and Point of Diversion: Pump, Govt. Lot 3, Sec. 9, T. 51 N., R. 3 W.B.M.

Place of Use: Govt. Lot 3, Sec. 9, T. 51 N., R. 3 W.B.M.

MERKLIN, George L., 927 E. Mission, Spokane, Washington

State Engineer File No.: 95-0253

Priority: 8/1/35

Source: Hayden Lake

Purpose: Domestic ( 1 house )

JUL 31 1996