

STATE OF IDAHO
COUNTY OF KIDG
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CLERK, DISTRICT COURT
ELLEN L. SCHIRMER

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)

DECREE

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

Defendants,)

CIVIL CASE NOS.

and)

22418

22419

22420

ROBERT J. ADAMSON, et al.,)

Intervenors.)

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^y 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:

RECORDED

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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 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

Deputy

QUIGLEY, James F. (continued)

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

Type and Point of Diversion: Pump, Lot 47, Hayden Lake Cottage Tract, Govt.
Lot 6, Sec. 15, T. 51 N., R. 3 W.B.M.

Place of Use: Lot 47, Hayden Lake Cottage Tr., Govt. Lot 6, T. 51 N., R. 3 W.B.M.

REBILLARD, Aaron L., E. 3322 - 16th, Spokane, Washington

State Engineer File No.: 95-0316

Priority: 9/10/55

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 63, Hayden Lake Cottage Tract, Govt.
Lot 5, Sec. 15, T. 51 N., R. 3 W.B.M.

Place of Use: Lot 63, Hayden Lake Cottage Tract, Govt. Lot 5, Sec. 3, T. 51 N.,
R. 3 W.B.M.

REVELLI, Robert J., P.O. Box 589, Wallace, Idaho 83873

State Engineer File No.: 95-0318

Priority: 1/22/19

Source: Hayden Creek

Purpose: Irrigation (20 acres)

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

Quantity per Year: 70.00 acre feet

Maximum rate of diversion: 0.40 c.f.s.

Type and Point of Diversion: Portable dam, SW $\frac{1}{4}$ Sec. 27, T. 51 N., R. 3 W.B.M.

Place of Use: SW $\frac{1}{4}$ Sec. 27, T. 51 N., R. 3 W.B.M.

X ROBINS, Dorothy E., 12413 E. Main, Spokane, Washington

State Engineer File No.: 95-0322

Priority: 6/11/48

Source: Hayden Lake

Purpose: Domestic (1 house)

Period of Use: From 1/1 To 12/31

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X ROBINS, Dorothy E. (continued)

Quantity per Year: 0.57 acre feet

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

Type and Point of Diversion: Pump, Lot 85, Hayden Lake Cottage Tracts, Govt.
Lot 5, Sec. 15, T. 51 N., R. 3 W.B.M.

Place of Use: Lot 85, Hayden Lake Cottage Tracts, Govt. Lot 5, Sec. 15,
T. 51 N., R. 3 W.B.M.

ROWE, Winston J., 2515 S. Jefferson, Spokane, Washington

State Engineer File No.: 95-0325

Priority: 8/1/67

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 16, Hayden Lake Cottage Tracts, Govt.
Lot 7, Sec. 15, T. 51 N., R. 3 W.B.M.

Place of Use: Lot 16, Hayden Lake Cottage Tracts, Govt. Lot 7, Sec. 15,
T. 51 N., R. 3 W.B.M.

RUTTEN, Leo H., Route 2, Box 49-2, Hayden Lake, Idaho

State Engineer File No.: 95-0326

Priority: 6/1/46

Source: Hayden Lake

Purpose: Domestic (1 house)

Period of Use: From 1/1 To 12/31

Quantity per Year: 0.57 acre feet

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

Type and Point of Diversion: Pump, Portion Govt. Lot 5, Sec. 10, T. 51 N.,
R. 3 W.B.M.

Place of Use: Portion Govt. Lot 5, Sec. 10, T. 51 N., R. 3 W.B.M.

SANDBERG, Betty and Jack, W. 17 Central, Apt. 6, Spokane, Washington

State Engineer File No.: 95-0328

Priority: 6/1/55

Source: Hayden Lake

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