

DAVID B. SHAW

95-B

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)

FINDINGS
OF
THE SPECIAL MASTER

CIVIL CASE NOS.

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STATE OF IDAHO
COUNTY OF KOOTENAI
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CLERK OF 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

NORTH IDAHO PROPERTIES, INC., et al.,

Defendants,

and

ROBERT J. ADAMSON, et al.,

Intervenors.

DECREE

CIVIL CASE NOS.

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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:

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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

By Steven L. Schimmer
Deputy

JUL 31 1973

SHELTON, William T. & Vivian W. (continued)

Priority: 8/2/54

Source: Hayden Lake

Purpose: Domestic (1 house)

Period of use: From 1/1 to 12/31

Quantity per year: 0.57 acre foot

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

Type and point of diversion: Pump, Lot 1, Blk. B, English Pt. Bldg. Sites,
Govt. Lot 1, Sec. 16, T. 51 N., R. 3 W.B.M.

Place of use: Lot 1, Blk. B, English Pt. Bldg. Sites, Govt. Lot 1,
Sec. 16, T. 51 N., R. 3 W.B.M.

SHOEMAKER, George W., 1327 O.N.B. Bldg., Spokane, Washington

File No.: 95-0343

Priority: 10/15/09

Source: Hayden Lake

Purpose: Domestic (1 house)

Period of use: From 3/1 to 10/31

Quantity per year: 0.44 acre foot

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

Type and point of diversion: Pump, 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. 7

SHORER, Cecil M., 1905 East 16th, Spokane, Washington

File No.: 95-0344

Priority: 7/1/65

Source: Hayden Lake

Purpose: Domestic (1 house)

Period of use: From 1/1 to 12/31

Quantity per year: 0.57 acre foot

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

Type and point of diversion: Pump, Lot 21, Lakewood on Hayden, Govt.
Lot 2, Sec. 11, T. 51 N., R. 3 W.B.M.

Place of use: Lot 21, Lakewood on Hayden, Govt. Lot 2, Sec. 11, T. 51 N.,
R. 3 W.B.M.

SIMPSON, Joseph A. & Sarah A., 11013 East 21st Avenue, Spokane, Washington

File No.: 95-0347

Priority: 8/9/56

Source: Hayden Lake

Purpose: Domestic (1 house)

Period of use: From 1/1 to 12/31

Quantity per year: 0.57 acre foot

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

Type and point of diversion: Pump, Lot 52, Hayden Lake Cottage Tract,
Govt. Lot 4, Sec. 15, T. 51 N., R. 3 W.B.M.

Place of use: ½ of lot 52, Hayden Lake Cottage Tract, Govt. Lot 4,
Sec. 15, T. 51 N., R. 3 W.B.M.

* SKIPWORTH, Don K. & Melba L., 13005 E. 22nd, Spokane, Washington

File No.: 95-0349

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SKIPWORTH, Don K. & Melba L. (continued)

Priority: 10/1/61
Source: Hayden Lake
Purpose: Domestic (1 house)
Period of use: From 1/1 to 12/31
Quantity per year: 0.57 acre foot
Maximum rate of diversion: 0.02 c.f.s.
Type and point of diversion: Pump, Lot 84, Hayden Lake Cottage Tract,
Govt. Lot 5, Sec. 15, T. 51 N., R. 3 W.B.M.
Place of use: Lot 84, Hayden Lake Cottage Tract, Govt. Lot 5, Sec. 15,
T. 51 N., R. 3 W.B.M.

SKIPWORTH, Margaret J., Box 548, Conrad, Montana

File no.: 95-0350
Priority: 8/1/44
Source: Hayden Lake
Purpose: Domestic (1 house)
Period of use: From 4/1 to 10/31
Quantity per year: 0.40 acre foot
Maximum rate of diversion: 0.02 c.f.s.
Type and point of diversion: Pumps, Lots 3 thru 9, Shaw's Hayden Highlands,
Blk. A, Govt. Lot 1, Sec. 21, T. 51 N.,
R. 3 W.B.M.
Place of use: Lots 3 thru 9, Blk. A, Shaw's Hayden Highlands, Govt. Lot 1,
Sec. 21, T. 51 N., R. 3 W.B.M.

SMITH, Calvin D., West 3425 Olympic Place, Spokane, Washington

File No.: 95-0598
Priority: 5/1/61
Source: Hayden Lake
Purpose: Domestic (1 house)
Period of use: From 1/1 to 12/31
Quantity per year: 0.57 acre foot
Maximum rate of diversion: 0.02 c.f.s.
Type and point of diversion: Pump, Lot 136, Honeysuckle Hills, Govt.
Lot 5, Sec. 10, T. 51 N., R. 3 W.B.M.
Place of use: Lot 136, Honeysuckle Hills, Govt. Lot 5, Sec. 19, T. 51 N.,
R. 3 W.B.M.

SMITH, Del Cary, 1218 West 19th, Spokane, Washington

File No.: 95-0352
Priority: 9/25/50
Source: Hayden Lake
Purpose: Domestic (1 house)
Period of use: From 4/1 to 10/31
Quantity per year: 0.40 acre foot
Maximum rate of diversion: 0.02 c.f.s.
Type and point of diversion: Pump, portion Govt. Lot 3, Sec. 21,
T. 51 N., R. 3 W.B.M.
Place of use: Located E½ Govt. Lot 3, Sec. 21, T. 51 N., R. 3 W.B.M.

JUL 31 1986