

AFFIDAVIT OF PUBLICATION

RECEIVED

STATE OF IDAHO, }
County of Kootenai, } ss.

APR 27 1983

Department of Water Resources
North being first duly sworn

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

94-4177

CHETNIK, MRS. JOYCE E.
1218 203RD PL. S.W., LYN-
WOOD, WA 98036
Source: SPRING trib. to COEUR
D ALENE LAKE
Priority Date: 08/15/1955
Diversion Pt: LOT 02 (SENW)
Sec 17 T 47N R 03W
Use: DOMESTIC (0.04 CFS)
In: SENW Sec 17 T 47N R 03W
95-4506

SPOKANE YACHT CLUB
P. O. BOX 805, SPOKANE, WA
Source: GROUNDWATER
Priority Date: 07/01/1961
Diversion Pt: SESE Sec 10 T 50N
R 04W
Use: DOMESTIC (0.12 CFS)
In: SESE Sec 10 T 50N R 04W
95-4600

SPOKANE YACHT CLUB
P. O. BOX 805, SPOKANE, WA
Source: SPOKANE RIVER trib.
to COLUMBIA RIVER
Priority Date: 07/01/1961
Diversion Pt: SESE Sec 10 T 50N
R 04W
Use: IRRIGATION (0.10 CFS)
In: SESE Sec 10 T 50N R 04W
NENE Sec 15 T 50N R 04W FOR
5 ACRES
95-4601

PETERSON, WILBUR G.
N. 13175 THREE FORKS RD.,
POST FALLS, ID 83854
Source: SPRING trib. to SINKS
Priority Date: 01/01/1943
Diversion Pt: SESE Sec 30 T 52N
R 05W
Use: DOMESTIC (0.02 CFS)
In: SESE Sec 30 T 52N R 05 W
95-4802

VANCE, DONNA J.
E. 3645 FRENCH GULCH RD.,
COEUR D ALENE, ID 83814
Source: GROUNDWATER
Priority Date: 10/30/1973
Diversion Pt: SESE Sec 08 T 50N
R 03W
Use: DOMESTIC (0.01 CFS)
In: SESE Sec 08 T 50N R 03W
95-4603

KUGLER, DOUGLAS P.
RT. 3 BOX 40K, HAYDEN LAKE,
ID 83835
Source: SPRING trib. to SINKS;
CHILCO CREEK trib. to SINKS
Priority Date: 01/01/1919
Diversion Pt: SESE sec 08 T 52N
R 03W
Use: IRRIGATION (0.04 CFS);
STOCKWATER (0.02 CFS);
DOMESTIC (0.04 CFS)
In: SESE Sec 08 T 52N R 03W
FOR 2 ACRES

Exceptions to a claim may be
filed with the Director, Dept. of
Water Resources, 4055 Gov't.
Way, Coeur d'Alene, Id. 83814.
KEN DUNN, Dir.

Legal 786
Apr. 7, 14, 1983

upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The 77th

of which the annexed is a printed copy, was published in the regular Monday issue of said newspaper for 2 consecutive months commencing on the 7 day of April, 1983 and ending on the 14 day of April, 1983, and such publication was made as often during said period as said Monday newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Subscribed and sworn to before me this 14 day of April, 1983.

Roberta Marley
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

LEADER

[Handwritten signature]

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Donna J. Vance

E 3645 French Gulch RD. Coeur d'Alene (Mailing Address) (Name of Claimant) 53814 Telephone No. 667-0075 (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) October 30, 1973

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Groundwater tributary to

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>.01 cfs</u>		Use <u>Domestic</u>		Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) TOTAL QUANTITY USED.

(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

SE 1/4 SW 1/4, Sec. 8 Twp. 50N Rge. 3W B.M., County of Kootenai

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Well & pump

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>50N</u>	<u>3W</u>	<u>8</u>												<u>X</u>					

No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

1 home

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

Remarks

Well is not on property now owned by claimant.	Remarks
however the claimant's property has been continually served by this well since 1973. The property of the claimant and the property where the well is located were part of the same ownership at the time of development.	

This image shows a blank ledger page with a grid of 10 columns and 10 rows. The first column is wider than the others. Each cell contains a dashed horizontal line. There is a small, dark, illegible mark in the bottom right corner.

Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Kootenai) ss.)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

attendant's knowledge.

Sworn to before me this 29 day of

Notary Public
Residing at _____

CD 7

My commission expires _____

FOR DEPARTMENT USE ONLY

Forwarded to
claimant by:
Date

Received by	3/29/83	Date	3/29/83	Exception
Prelim. check by	3/29/83	Date	3/29/83	
\$2000 fee received by	3/29/83	Date	3/29/83	
Published in	3/29/83	Date	3/29/83	
Dates	3/29/83	Date	3/29/83	

3.8/14/83

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County of Kootenai, } ss.

APR 17 1983

Department of Water Resources

North being first duly sworn

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NWOOD, WA 98038
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Priority Date: 08/15/1955
Diversion Pt: LOT 02 (SENW)
Sec 17 T 47N R 03W
Use: DOMESTIC (0.04 CFS)
In: SENW Sec 17 T 47N R 03W

95-4590

SPOKANE YACHT CLUB
P. O. BOX 805, SPOKANE, WA
Source: GROUNDWATER
Priority Date: 07/01/1961
Diversion Pt: SESE Sec 10 T 50N
R 04W

Use: DOMESTIC (0.12 CFS)
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Priority Date: 07/01/1961
Diversion Pt: SESE Sec 10 T 50N
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Use: IRRIGATION (0.10 CFS)
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NENE Sec 15 T 50N R 04W FOR
5 ACRES

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PETERSON, WILBUR O.
N. 13175 THREE FORKS RD.,
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Source: SPRING trib. to SINKS
Priority Date: 01/01/1943
Diversion Pt: SENE Sec 30 T 52N
R 05W

Use: DOMESTIC (0.02 CFS)
In: SENE Sec 30 T 52N R 05 W

95-4602

VANCE, DONNA J.
E. 3645 FRENCH GULCH RD.,
COEUR D ALENE, ID 83814
Source: GROUNDWATER
Priority Date: 10/20/1973
Diversion Pt: SESW Sec 08 T 50N
R 03W

Use: DOMESTIC (0.01 CFS)
In: SESW Sec 08 T 50N R 03W

95-4803

RUGLER, DOUGLAS P.
T. 3 BOX 40K, HAYDEN LAKE,
ID 83835
Source: SPRING trib. to SINKS;
HILCO CREEK trib. to SINKS
Priority Date: 01/01/1919
Diversion Pt: SESE sec 08 T 52N
R 03W

Use: IRRIGATION (0.04 CFS);
STOCKWATER (0.02 CFS);
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FOR 2 ACRES

Exceptions to a claim may be
filed with the Director, Dept. of
Water Resources, 4065 Gov'l
Way, Coeur d'Alene, Id. 83814.

KEN DUNN, Dir.

Legal 788

Apr. 7, 14, 1983

upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The

of which the annexed is a printed copy, was published in the regular issue of said newspaper for consecutive commencing on the day of 19 and ending on the day of 19 and such publication was made as often during said period as said newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Subscribed and sworn to before me this day of 1983.

LEADER

Roberta Marley
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

July 21, 1983

Ms. Donna J. Vance
E. 3645 French Gulch Rd.
Coeur d'Alene, Id. 83814

RE: 95-4602

Dear Mr. Vance:

Enclosed is a copy of an exception filed in connection with your above-referenced claim. This exception is filed in accordance with the provisions of Section 42-244, IDAHO CODE, which states the following in part:

"At any time after filing a claim under the provisions of the previous section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the department of water resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the department of water resources. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required."

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for confirmation or final censorship the described rights.

If we may be of any further assistance, feel free to contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH: fms

Enclosure

RECEIVED
JUL 21 1983

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

July 21, 1983

Mr. J. T. Knudson
Miller, Knudson and Miller
P. O. Box E
Coeur d'Alene, Id. 83814

RE: 95-4602

Dear Mr. Knudson:

We have received your correspondence concerning the above-referenced Claim to a Water Right. The following is a quote from the provisions under which this Claim has been filed (Section 42-244, IDAHO CODE):

"At any time after filing a claim under the provisions of the previous section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the department of water resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the department of water resources. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required."

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for confirmation or final censorship the described rights.

If we may be of any further assistance, feel free to contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH: PMS

MILLER, KNUDSON & MILLER

ATTORNEYS AT LAW
COEUR D'ALENE PROFESSIONAL CENTER
816 SHERMAN AVENUE - P. O. BOX E
COEUR D'ALENE, IDAHO 83814
PHONE 208/664-8115

E. L. MILLER
J. T. KNUDSON
PATRICK E. MILLER

June 30, 1983

RECEIVED

JUL 5 1983

Department of Water Resources
Northern District Office

Department of Water Resources
Northern District
4055 Government Way
Coeur d'Alene, Idaho 83814
Attn: Bob Haynes

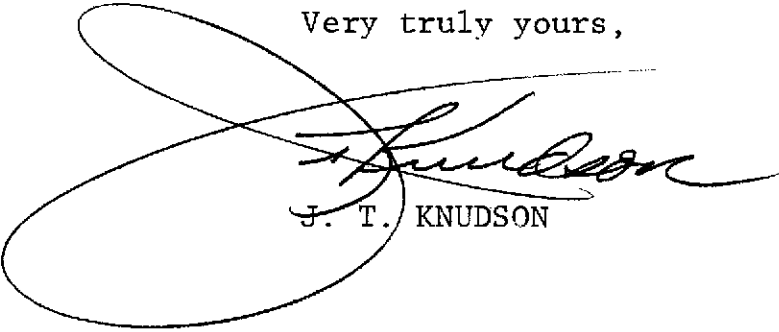
RE: WATER RIGHT CLAIM #95-4602 - DONNA VANCE

Dear Sir:

Pursuant to instructions received by your office, I herewith enclose the Affidavit of Olive G. Miller to be filed as an objection to the allowance of the above claim by Donna Vance.

Thank you for your attention to this matter.

Very truly yours,


J. T. KNUDSON

JTK:ggm
Enclosure

RECEIVED

JUL 25 1983

Department of Water Resources

AFFIDAVIT OF OLIVE G. MILLER

Reference #95-4602

OBJECTION TO CLAIM FOR WATER RIGHT OF
DONNA VANCE

STATE OF IDAHO)
 ss.
County of Kootenai)

OLIVE G. MILLER, being first duly sworn on oath,
deposes and says as follows:

That she is the wife of RAYMOND S. MILLER, and that
she and her husband are the owners of the following described
property situate in Kootenai County, State of Idaho, to-wit:

The Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$
lying South of the county road,
Section 8, Township 50 North, Range
3, W.B.M., Kootenai County, Idaho,
EXCEPTING therefrom the following
described property:

BEGINNING at the Southwest corner of
Section 8; thence along the South
line of Section 8, South $89^{\circ}59'$ East
to the South quarter corner of said
section; thence leaving the South
line of Section 8 North $77^{\circ}15'26''$
West 1197.53 feet to a point on the
Southeasterly right-of-way line of
an existing county road being the
true point of beginning; thence
along said road in a Northeasterly
direction 181.25 feet to a point
that lies North $20^{\circ}15'25''$ East,
176.56 feet from aforesaid point;
thence leaving said road as follows:

South $69^{\circ}06'$ East, 247.72
feet; thence South $20^{\circ}54'$
West, 176.55 feet; thence
North $69^{\circ}06'$ West, 245.74
feet; to the true point of
beginning containing 1.0
acres more or less;

as their community property.

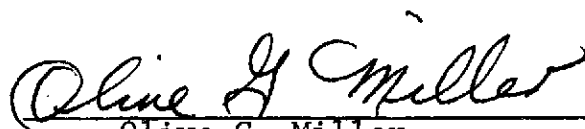
That said property was reacquired from SAMUEL J. VANCE, JR. and DONNA J. VANCE, in December, 1982, by virtue of a "Quitclaim Deed" a true and correct copy of which is attached hereto and by reference incorporated herein as Exhibit "A".

That the well which is the source of water involved in the above-mentioned claim is located upon the above described property, and not on property owned and occupied by the said DONNA J. VANCE.

That the undersigned and her husband therefore do hereby register objection to the allowance of any such claimed water right or permit therefore by the said DONNA J. VANCE or parties acting by, through or under her authority.

That said well, distribution system, pump house and appurtenances were caused to be done and constructed and paid for by Affiant and her husband.

DATED this 30 day of June, 1983.


Olive G. Miller

Subscribed and sworn to before me this 30 day of June, 1983.

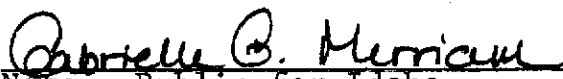

Notary Public for Idaho
Residing at: Coeur d'Alene
My Commission Expires: life

EXHIBIT "A"
QUITCLAIM DEED

TRACTED

INDEXED

925766

For Value Received, SAMUEL J. VANCE, JR. and DONNA J. VANCE,
husband and wife,

BOOK 321 PAGE 451

do hereby convey, release, remise and forever quit claim unto, RAYMOND S. MILLER
and OLIVE G. MILLER, husband and wife,

the following described premises, to-wit:

The SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ lying South of the county
road, Section 8, Township 50 North, Range 3
W.B.M., Kootenai County, Idaho, EXCEPTING
therefrom the following described property:

BEGINNING at the SW corner of Section 8; thence
along the South line of Section 8, South 89°59'
East to the South quarter corner of said section;
thence leaving the South line of Section 8 North
77°15'26" West 1197.53 feet to a point on the
Southeasterly right-of-way line of an existing
county road being the true point of beginning;
thence

Along said road in a Northeasterly direction 181.25
feet to a point that lies North 20°15'25" East,
176.56 feet from aforesaid point; thence leaving
said road as follows:

South 69°06' East, 247.72 feet; thence
South 20°54' West, 176.55 feet; thence
North 69°06' West, 245.74 feet; to the

true point of beginning containing 1.0 acres
more or less.

together with their appurtenances, including after-acquired title.

Dated: Dec. 6, 1976, 1976.

Samuel J. Vance Jr.
Samuel J. Vance Jr.

Donna J. Vance
Donna J. Vance

STATE OF IDAHO, COUNTY OF Kootenai

On this _____ day of _____, 1976,
before me, a notary public in and for said State, personally
appeared

Samuel J. Vance Jr. and
Donna J. Vance, husband and
wife

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Carlberg
Notary Public
Residing at Coeur d'Alene, Idaho
Comm. Expires 6-24-78

STATE OF IDAHO, COUNTY OF Kootenai

I hereby certify that this instrument was filed for record at
the request of J. I. Knudsen

at 25 minutes past 1 o'clock p m.,
this JAN 11 1983 day of
19 _____, in my office, and duly recorded in Book
of Deeds at page

CAROL DEITZ

Ex-Officio Recorder

By Kathy Taylor Deputy.

Fees \$ 2.00

Mail to: J. I. Knudsen P.O. Box C,
CDA Idaho 83814

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: LB

Right Number 95-4602 Applicant Vance

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By RMA Date 4/21/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By KW Date 5/3/83

RECEIVED
MAY 02 1983

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
R. KENNETH DUNN
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

APRIL 25, 1987

DONNA J. VANCE
53645 FRENCH GULCH RD.
COEUR D'ALENE ID 83814

RE: Claim No. 95-4602

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

Robert G. Haynes, P.E.
Regional Supervisor

Enclosure

95-4602-

VANCE, DONNA J.

E. 3645 FRENCH GULCH RD., COEUR D ALENE, ID 83814

Source: GROUNDWATER

Priority Date: 10/30/1973

Diversion Pt: SESW Sec 08 T 50N R 03W

Use: DOMESTIC (0.01 CFS)

In: SESW Sec 08 T 50N R 03W