

AFFIDAVIT OF PUBLICATION

RECEIVED
JUL 27 1981

STATE OF IDAHO, } ss.
County of Kootenai,

NOTICE OF CLAIMS
TO WATER RIGHTS
Notice is hereby given that the
following claim(s) to water
right(s) have been established by
diversion and application to bene-
ficial use:

95-4473
MILLER, JR., PAUL R.
RT. 1 BOX 78, COEUR
D'ALENE, ID 83814
Source: SPRINGS tributary to
SINKS
Priority Date: 01/01/1907
Amount: 0.01 CFS
Diversion Point: NWSW Sec 09 T
50N R 04W, KOOTENAI Co.
Use: DOMESTIC (0.01 CFS) from
01/01 to 12/31
Place of Use: LOT 08 Sec 09 T 50N
R 04W

Any exception to any claim of
water right may be filed with the
Director of the Idaho Department
of Water Resources, 4055 Gov't
Way, Coeur d'Alene, ID. 83814.
A. KENNETH DUNN
Director

Legal 296
July 9, 16, 1981

Cheryl Hollingsworth being first duly sworn
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 *Notice of Claims to Water Rights*

of which the annexed is a printed copy, was published in the regular *Tues* issue of said newspaper for *2* consecutive *weeks* commencing on the *7* day of *July*, 19*81*, and ending on the *16* day of *July*, 19*81*, and such publication was made as often during said period as said *daily* 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.

Cheryl Hollingsworth
Subscribed and sworn to before me this *16* day of *July*, 19*81*.

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

RECEIVED
JUL 31 1981
Department of Water Resources
LEADER
30 lines
14.10

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 Paul R. Miller, Jr.

RT 1 Box 78 Coeur d'Alene ID 83814 664-8904

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) 1907

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)

scribe the source of water: (Name of stream, lake, spring, etc., or ground water)
Unnamed Springs (3) tributary to **sinks**

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

		(Both dates inclusive)		
	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(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) 01 TOTAL QUANTITY USED.
(cfs. gpd. AFA)

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

NW ¼ SW ¼, Sec. 9 Twp. 50N Rge. 4 W 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. **3 metal sprays boxes with 1200 gal reservoir**

3 metal drums boxes with 1200 gal reservoir
and pipeline to place of use

(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.

[illegible]

No. of acres

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

2 households

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

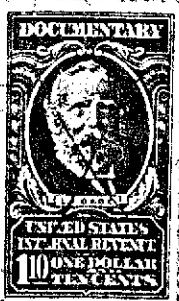
(7) If you are claiming water as a member of an organization, list name of organization: _____

BOOK 197 PAGE 50

WARRANTY DEED

142212

ESTHER HAZEL MILLER a widow, "Grantor", in consideration of the receipt of One (\$1.00) Dollar and other valuable considerations from JAMES W. DONALD and ELIZABETH DONALD, husband and wife, "Grantees", hereby grants, bargains, sells, conveys and confirms unto the Grantees:



The West 198 feet of the Northeast 1/4 of the Southwest 1/4 and the East 313 feet of Government Lot 8, and the East 313 feet of the Northwest 1/4 of the Southwest 1/4 of Section 9, Township 50 North, Range 4, W.B.M., Kootenai County, Idaho, ✓

Together with a right of way for road purposes across the land of the Grantor in Lot 8, Section 9, Township 50 North, Range 4, W.B.M., for the use of the Grantees and the owner and subsequent owners of Lot 7, Section 9, Township 50 North, Range 4, W.B.M., as a means of ingress and egress to the granted premises and the owner of said Lot 7, this easement to be perpetual and to run with the land and in service to the property hereby conveyed and the said Government Lot 7,

TO HAVE AND TO HOLD unto the Grantees forever, the Grantor covenanting to have and to hereby convey absolute, unencumbered fee simple title to the whole and every part of the granted premises except taxes for 1964 and subsequent years, which the Grantees assume and agree to pay, and to forever warrant and defend the Grantees in the quiet and peaceful possession of the whole and every part of the granted premises against any lawful claims whatsoever.

The Grantor hereby reserves unto herself, her successors, heirs and assigns, the right to take water from the springs on the Northwest 1/4 of the Southwest 1/4 of Section 9, and the West 198 feet of the Northeast 1/4 of the Southwest 1/4 of Section 9, Township 50 North, Range 4, W.B.M., to the premises retained by the Grantor, which lands are more particularly described as Lots 7 and 8, except the property herein granted, the Northwest 1/4 of the Southwest 1/4 all in Section 9, Township 50 North, Range 4, W. B. M., and shall have the right to maintain across the said

property a water line for the purpose of taking water, said easement to be perpetual and in service to the property of the Grantor and her successors and assigns.

The rights and obligations hereunder shall extend to the heirs, successors and/or assigns of the respective parties hereto.

WITNESS the hand and seal of the Grantor at the time and place mentioned in the acknowledgment hereto.

Esther Hazel Miller (L.S.)

STATE OF IDAHO)
) ss.
County of Kootenai)

On this 22nd day of May, 1964, before me, the undersigned Notary Public, personally appeared ESTHER HAZEL MILLER, a widow, known to me to be the Grantor named in the foregoing instrument, and acknowledged to me that she executed the same.

James H. Donald
Notary Public for Idaho, residing at
Coeur d'Alene. My Com. Exp. 8/8/65

Filed and recorded at the request of Paul R. Miller Jr.
at 2:21 o'clock P.M., this 22 day of MAY 22 1964, 1964

HAROLD E. PETERSON
Ex-Officio Auditor-Recorder
Kootenai County, Idaho

By: Carolyn Kormanig
Deputy

Fee \$ 1.75

Return to James H. Donald
Paul R. Miller Jr. R1 Box 78 Cda

RECORDED

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commencing on the 7 day of July, 1981, and
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Robert M. Mankie
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

OK
[Signature]

7/27/81

RECEIVED

JUL 31 1981

Department of Water Resources

LEADER

30 lines
14.10

FROM

Lynne Krogh-Hampse

DATE

8/28/89

TO

File # 95-4473

SUBJECT

~~the spring cluster~~

John Rosholt of Twin Falls says this is a different spring cluster than the ones claimed in 95-4386 & 95-4387. Evidently the SW 1/4 NW 1/4 was once ~~was~~ owned by one fellow, who left it to his two daughters, who divided so that they each had springs, one of whom is now Mrs. Donald. ~~He~~ has eastern springs, the other has the western springs under ~~his~~ claim. The rights reserved in the deed ~~was~~ attached to this claim.

SIGNATURE

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JB

Right Number 15-4473 Applicant Miller

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 Mr Date 7/27/81

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jim Date 8/11/81



95-4473

MILLER, JR., PAUL R.

RT. 1 BOX 78, COEUR D'ALENE, ID 83814

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Use: DOMESTIC (0.01 CFS) from 01/01 to 12/31

Place of Use: LOT 08 Sec 09 T 50N R 04W

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

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

JULY 27, 1981

PAUL R. MILLER, JR.
RT. 1 BOX 78
COEUR D'ALENE ID 83814

RE: Claim No. 95-4473

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