

# IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE COEUR D'ALENE-SPOKANE RIVER  
BASIN WATER SYSTEM

CIVIL CASE NUMBER: 49576

ID Number: 95-17344Date Received: 7-28-17Receipt No: N032831Amount: \$25.00 By: en

RECEIVED  
JUL 28 2017  
IDWR/NORTHERN

## NOTICE OF CLAIM TO A WATER RIGHT

### ACQUIRED UNDER STATE LAW

For domestic and/or stockwater purposes where  
daily use is less than 13,000 gallons per day

Please type or print clearly

- Name of claimant(s) Thomas F &/or Barbara A Mildner Phone 503 780-6403  
Mailing address 30487 S Hwy 97, Harrison ID ZIP 83833  
Street or Box City State
- Date of priority (only one (1) per claim) 7/12/1972  
Month/Day/Year (yyyy)
- Source of water supply (check one) Ground Water (x) or Other ( ) (a) \_\_\_\_\_  
which is tributary to (b) \_\_\_\_\_
- Location of point of diversion is: Township 49N, Range 3W, Section 30,  
NW 1/4 of SW 1/4, or Govt. Lot \_\_\_\_\_, B.M., County of Kootenai  
Parcel (PIN) no. 49N03W305890  
Additional points of diversion, if any: \_\_\_\_\_  
If available, GPS coordinates Lat 47.558990 degrees; Long -116.784707 degrees
- Description of diverting works (wells, pumps, spring boxes, pipelines, etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.  
Well & Pump See attached additional description of water system
- Water is claimed for the following: (Limited to domestic and/or stockwater uses. See page 1 of the instructions.)  
For Domestic purposes from 1-1 to 12-31 amount 0.04 cfs (x) AFY ( )  
For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_
- Total quantity claimed 0.04 cfs (x) or AFY ( )
- Non-irrigation uses; describe fully (e.g. Domestic: give number of households served if single ownership; Stockwater: type and number of livestock, etc.): 1 Home for interior use only

9. Location of place of use is: Township 49N, Range 3W, Section 30, NW 1/4 of SW 1/4, or Govt. Lot \_\_\_\_\_, B.M., Parcel (PIN) no. (if different than shown in Item 4) \_\_\_\_\_

For (check one) **Domestic** (x) **Stock** ( ) **Domestic and Stock** ( )

Additional places of use, if any: \_\_\_\_\_

10. In which county(ies) are lands listed above as place of use located? Kootenai

11. Do you own the property listed above as place of use? Yes (x) No ( )

If your answer is no, describe in remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

\_\_\_\_\_ or None (x)

13. Remarks:

This well was drilled to replace a system that pumped water from Lake Coeur d'Alene to provide water for in house use. Priority date based on completion date of this well with IDWR Well ID No. 95-72-N-38

14. Basis of claim (check one) **Beneficial Use** (x) **Posted Notice** ( ) **License** ( ) **Permit** ( ) **Decree** ( )

Court \_\_\_\_\_ Decree Date \_\_\_\_\_ Plaintiff v. Defendant \_\_\_\_\_

If applicable, provide IDWR water right number 95-4217

15. Signature(s)

a. By signing below, I/we acknowledge that I/we have received, read and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication".

b. I/We do ( ) do not (x) wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 4

For individuals:

I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of claimant(s)  Date: 07-22-17

Bahren C. Mue Date: 7-22-17

For organizations:

I do solemnly swear or affirm under penalty of perjury that I am

\_\_\_\_\_ of \_\_\_\_\_  
Title Organization

that I have signed the foregoing document in the space below as

\_\_\_\_\_ of \_\_\_\_\_  
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of authorized agent \_\_\_\_\_ Date \_\_\_\_\_

Title and organization \_\_\_\_\_

16. Notice of appearance:

Notice is hereby given that I, \_\_\_\_\_, will be acting as attorney at law of behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature \_\_\_\_\_ Date \_\_\_\_\_

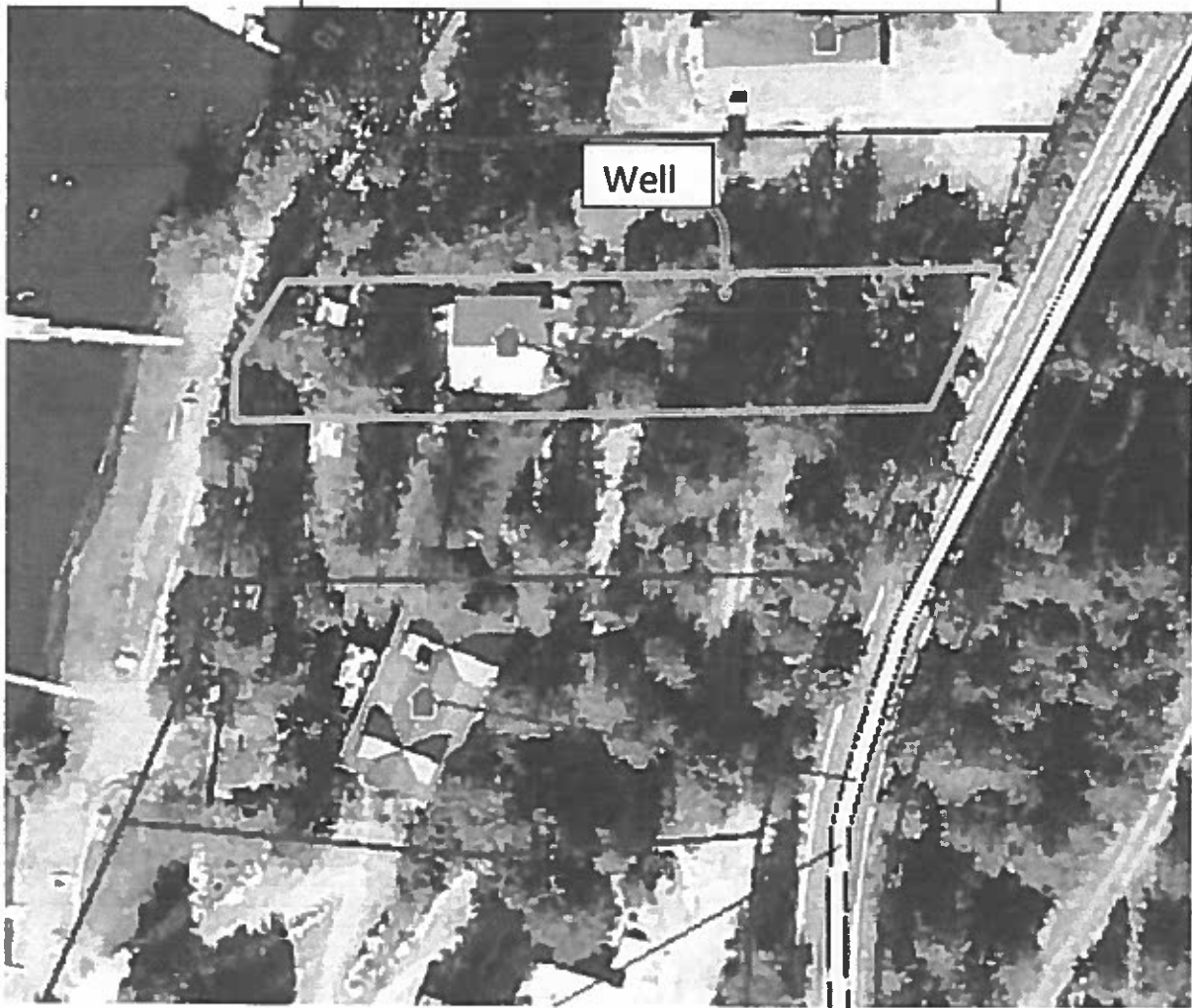
Address \_\_\_\_\_

\_\_\_\_\_

Thomas & Barbara Mildner Claim 95-4217

Kootenai County Parcel 49N03W305890

T49N R3W Sec 30 SW1/4 NW1/4



### **Water Use History for well 95-72-N-38**

**Well 95-72-N-38 was drilled by Darrel Brown in 1972 for in house use on a parcel (49N03W305890) to replace a water system that pumped water from Lake Coeur d'Alene. In January of 1974 Mr. Brown memorialized the drilling of that well by filing a Statutory Claim to a Water Right No. 95-4217 with a predecessor of the Idaho Department of Water Resources. At the time of filing Adjudication Claim 95-13483 we were unaware the statutory claim or the actual construction date of this well. In 2002 a second home located on parcel 49N03W305930 hooked up to this well. A shared well agreement (copy attached) will be executed upon the sale of one of the properties.**

## WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Administration within 30 days after the completion or abandonment of the well.

[illegible]

**USE ADDITIONAL SHEETS IF NECESSARY**

**FORWARD THE WHITE, BLUE, AND PINK COPIES TO THE DEPARTMENT**