

# 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: 95-17367Date Received: 9-5-17Receipt No: N032917Amount: 25.00 By: NS

RECEIVED

SEP 05 2017

## 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

IDWR / NORTH

Please type or print clearly

- Name of claimant(s) ASHLEY FOUNDATION INC Phone 818-903-2230  
Mailing address 5300 WHITMAN RD HIDDEN HILLS CA ZIP 91302  
Street or Box City State
- Date of priority (only one (1) per claim) 12/31/1949  
Month/Day/Year (yyyy)
- Source of water supply (check one) Ground Water ( ) or Other (x) (a) SPRINGS  
which is tributary to (b) SINKS
- Location of point of diversion is: Township 49N, Range 03W, Section 10,  
SE 1/4 of NE 1/4, or Govt. Lot 6, B.M., County of KOOTENAI  
Parcel (PIN) no. 49N03W101800 & 49N03W100100  
Additional points of diversion, if any: NWNE LOT 1, NWNE 5  
If available, GPS coordinates \_\_\_\_\_
- 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.  
3 SPRINGS FORMING SMALL STOCK PONDS THAT THE CATTLE DRINK FROM
- Water is claimed for the following: (Limited to domestic and/or stockwater uses. See page 1 of the instructions.)  
For STOCKWATER purposes from 1/1 to 12/31 amount 0.02  
Month/Day Month/Day cfs (x) AFY ( )  
For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_
- Total quantity claimed 0.02 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.):  
STOCKWATER USE FOR UP TO 5 HEAD OF MIXED STOCK

9. Location of place of use is: Township 49N, Range 03W, Section 10, SE 1/4 of NE 1/4,  
or Govt. Lot 6, B.M., Parcel (PIN) no. (if different than shown in Item 4) \_\_\_\_\_

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

Additional places of use, if any: NWNE LOT 1, NWNE 5

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.

IN STREAM STOCK WATER or None ( )

13. Remarks:

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 \_\_\_\_\_

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: 3

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) Ashley Foundation & Co. Date: 9/5/17

For organizations:

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

Director of Ashley Foundation Inc.

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

Director of Ashley Foundation Inc.

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

Signature of authorized agent [Signature] Date: 9/5/17

Title and organization Director, Ashley Foundation Inc., Jeffery Scotty

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 \_\_\_\_\_

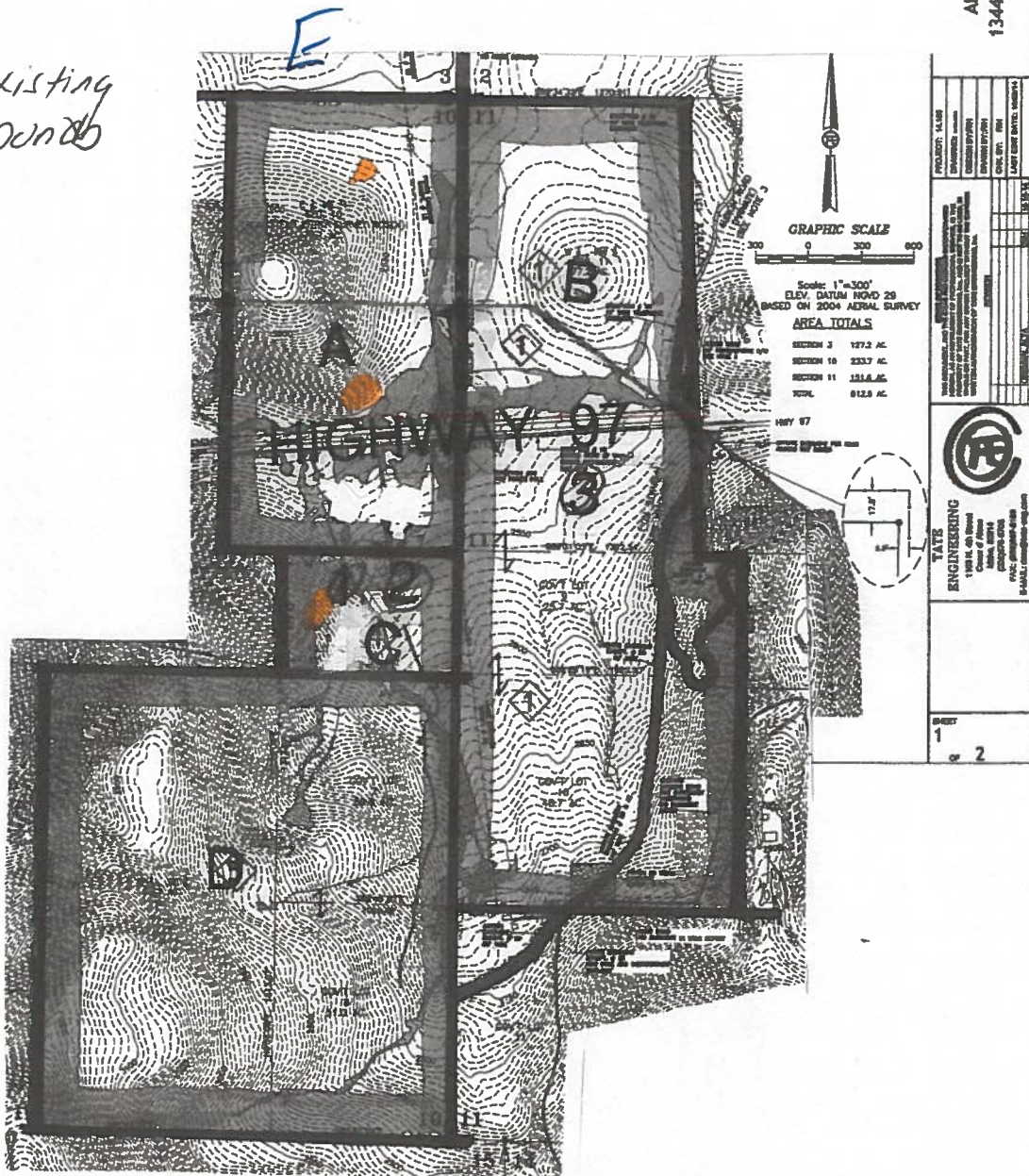
Address \_\_\_\_\_

3/2017

	<u>PARCEL NUMBER</u>	<u>AIN</u>	<u>SIZE</u>	
<b>A</b>	49N03W-10-0100 ✓	231772	78.49	Acres
<b>B</b>	49N03W-11-3200	109484	152.7018	Acres
<b>C</b>	49N03W-10-1800	231773	16.08	Acres
<b>D</b>	49N03W-10-8000	103283	142.31	Acres

- ③
- 1 Old Barn
  - 2 Barn in progress
  - 3 Caretaker residence in progress

● = existing ponds



November 3, 2016

To Whom It May Concern

RE: Mike Ashley  
Flying Arrow Ranch  
Harrison, Id

I, Verland Woempner, am making this statement of what I know about the history of the Flying Arrow Ranch on HWY 97 at the top of Beauty Bay Hill. The names and dates are as accurate as memory allows. I have lived near the Flying Arrow my entire life. I was well acquainted with the Peterson Family who previously owned this property. My family and the Peterson's often worked together over many years.

Odean Peterson came to the area in the late 1940's. He purchased his first piece of property on the south side of Hwy 97 from the Johnson's. After a period of time he purchased the piece of property on the north side of the highway from a family named Borchard. (sp?) And later he bought the piece of property, that joins the east side of my family property, from the Hoagland's bringing the total land owned by the Peterson's to about 600 acres. Twenty six acres of this last piece were sold to a radio station for part of the Emergency Broad Cast System and now houses four large radio towers.

Odean worked in the Silver Valley to help pay for the property now known as the "Flying Arrow Ranch". While he worked to pay for the property his family began clearing the land, raising a small amount of grain to sell & help feed their hogs. All of the properties he had purchased had belonged to families who used the land to provide for their families, either by raising grain and livestock or by logging & milling lumber.

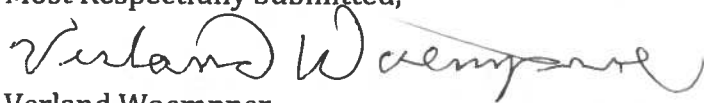
My father, Arny Woempner, helped log & mill the lumber on the Flying Arrow for Odean's use. Howard Tangen (sp) and Bud Howard pushed the stumps out. After the ground was cleared on most of the property the Peterson's began raising hay and Black Angus cattle. In addition the Peterson's used part of the property for grazing cattle, Forest Service ground was also grazed. Peteron's ran about 100 head of cattle on the ranch. At that time they built several stock ponds on the property south of HWY 97.

In 1976 the Peterson's sold their cattle and began leasing the ground to others for cattle grazing. Petersons built more stock ponds, at this time, in the area north of the highway to water cattle. There were approximately 100 head of cattle grazing these fields and ceased to be farmed for hay and grain.

This lease grazing went on until the "Chateau" people bought the property. Over the years, from the time Petersons sold their cattle, trees and brush started returning to the formerly farmed ground. This property has long been a farm & ranch, not a natural forest area.

As a youth, I hauled hay on the Flying Arrow and tilled Hannah Petersons' garden for her each year. The Petersons were never opposed to the changing uses of the property.

Most Respectfully Submitted,



Verland Woempner  
Diamond W Ranch  
6351 S Arny's Road  
Harrison, Id 83833



October 18, 2016

To Whom It May Concern:

I, Donald McCaw, reside at 7210 Canadian Way, Harrison, Id and have been asked by the current owner of the Flying Arrow Ranch, Mike Ashley, which borders my property, to state any information I might have regarding wells, springs etc on the Ranch.

Shortly after moving here in 1976 I was asked by the then owner, Odeen Peterson, to dig up a frozen water line with my backhoe that connected his well to his house. I also know that he watered stock from two different springs across Hwy 97 for many years.

Sincerely, Donald McCaw