

ND20344A

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

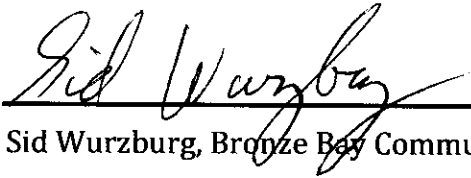
IN RE THE GENERAL ADJUDICATION OF
RIGHTS TO USE THE WATER FROM THE
COEUR D'ALENE-SPOKANE RIVER BASIN

CIVIL CASE NO. 49576

Ident # 95-9782

EVIDENCE IN SUPPORT OF PRIORITY DATE

Attached are two affidavits of second generation property owners establishing that the Bronze Bay Community was appropriating and making beneficial use of this water right in 1958.

A handwritten signature in cursive script, reading "Sid Wurzburg", is written over a horizontal line.

Sid Wurzburg, Bronze Bay Community Assoc. member,
Property owner and water user

State of Washington)

) ss

Spokane County)

TIM CARLBERG -----, being first duly sworn on oath, deposes and says:

1. I am the current owner of lot 3, Block 4 in Carroll's Home Sites, at Bronze Bay, Spirit Lake, Idaho. That lot is next to that owned by my first cousin, Judy Olson.

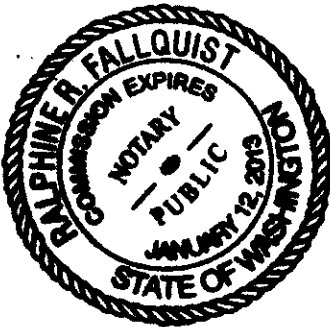
2. I have been coming to Bronze Bay regularly since 1958 when Judy's dad, my uncle, Tom Howe, bought his property. At first we would visit my uncle, but after a few years my parents bought a lot of their own.

3. I have very clear memories of the summer of 1958 because that was the summer I had two eye surgeries. The first was in June, just after school was out. Our family was coming to Spirit Lake to visit the Howe's new lake place almost every weekend. All the other kids were swimming and enjoying the lake, but I wasn't allowed in the water because of my eyes and the concern about getting an infection. I was only allowed to row the fishing boat.

4. This started after my first operation in June. I remember that at the same time my uncle was adding the indoor plumbing to the cabin and connecting to the community water system. I know that the deed shows that the sale didn't close until the end of August, but there must have been an early possession agreement with the developer/seller because my uncle was using and working on the property in June and July of 1958 and connected to the water system at that time.

Tim Carlberg

Subscribed and sworn to before me this day of May 6, 2009



Ralphine R. Fallquist
RALPHINE R. FALLQUIST
Notary Public
State of Washington
My commission expires January 12, 2013

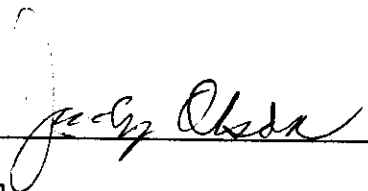
State of Washington)

) ss

Spokane County)

JUDY OLSON, being first duly sworn on oath, deposes and says:

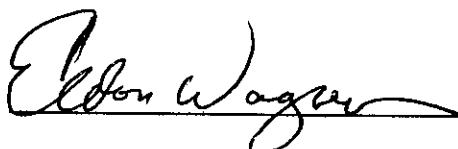
1. She is the owner of Lot 4, Block 4 of Carroll's Homesites in Bronze Bay, Spirit Lake, Idaho
2. She inherited that property from her parents, who purchased the property in 1958
3. She recalls that the rustic cabin on the property had neither running water nor an indoor toilet. Her mother insisted that she be provided those amenities and her father's first project after purchasing the property in 1958 was to connect to the existing community water system which drew water from Spirit Lake and install an indoor toilet and a hot water tank.
4. That cabin has been replaced, but it and the replacement have used water from the community system ever since that initial connection.



Judy Olson

Subscribed and sworn to before me this ~~3~~ day of *April*, 2009





Eldon Wagner

Notary Public

My commission expires

7-15-2012