

RECEIVED

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IDWR/NORTH

STATE OF IDAHO,

County of Kootenai,) ss:

the day and year (his certificate first above written) affixed my official Seal

(Notarial Seal)

R. B. Danby
Notary Public residing at
Cosur d'Alene

My Commission expires Idaho
My Commission expires February 26, 1940

Filed for record at the request of Bert R. Jones on the 20 day of Feb. 1941
at 10:30 o'clock A M., and recorded in Book 116 of Deeds on page 80.

Fee \$1.00

Jas. A. Foster, County Recorder

COMPARED
BY J & W.

132504

EASEMENT AND RIGHT OF WAY.

For and in consideration of One Dollar and other valuable considerations, I, KATIE KETTLESON, of near Post Falls, Kootenai County, State of Idaho, do hereby grant to Andrew F. Mason and Emma R. Mason Spokane County, State of Washington, the right and privilege to the use of a strip of land I am purchasing from S. C. Garten sufficient for a right of way Twelve (12) feet in width joining and north of what is known as the Hays Place, in order that said Mason and wife can drive to and from the main highway to the back of Lot One (1), Block "A", Cliff House Resort, Kootenai County, State of Idaho. It being understood and agreed, however, that said right of way is for the private use of said Mason and wife or their heirs and assigns and is not to be used as a public right of way or for the use of any persons other than the owners of said real property above described.

Also for and in consideration of the sum of One Dollar and other valuable considerations, I do hereby give to said Mason and wife the right and privilege of obtaining water for domestic use at the spring near the property above described, situated on property which I am purchasing from S. C. Garten and I give them the right to use water from said spring over and across my property to the property above described for domestic purposes only. This right and privilege shall not be assigned or sold to any other persons whomsoever, except the purchasers or heirs or assigns of Mason and Wife in and to said Lot One (1), Block "A" and for the use of the owners of the said property and none other.

It is understood and agreed that this easement and right of way as well as the privilege to carry water from the said spring on said land is subj to contract between the undersigned and one S. C. Garten and is in full force and effect so long as the undersigned holds her interest under said contract, but in event she should not be able to carry out the terms of said Garten contract then there shall be no obligation upon her part to insure said Mason and wife of their rights under this easement and right of way and privilege for domestic water.

Spring Mining Co.
 Postal Savings in the Cosurd' Alene, Idaho, Post Office, be-
 ing Account No. 6757, the certificates being as follows:
 Serial No. 18029, in the amount of \$500.00
 Serial No. 12063 in the amount of \$500.00
 Serial No. D10383 in the amount of \$10.00
 Dividends of Sherman Lead Company in the amount of \$40.00
 Dividends of Tamarack and Custer Consolidated Mining Company
 in the amount of \$180.00.
 Dividends of Texas Company, royalty revenues, in the amount
 of \$204.34.
 Royalty Income from International Refineries, in the amount
 of \$61.96.
 Miscellaneous cash collection in the amount of \$161.65.
 Dated this 10th day of August, 1943.

(Probate Court Seal)

M. U. Whitney
 Probate Judge

Probate Certificate
 STATE OF IDAHO

County of Kootenai

IN THE PROBATE COURT OF SAID COUNTY

I, M. U. WHITNEY, Probate Judge and Ex-Officio Clerk of the Probate Court in and
 for the County and State aforesaid, do hereby certify the within and foregoing to be a
 full, true and correct copy of the whole thereof, of Decrees Settling Final Account of Ad-
 ministrator and Final Distribution, in the Matter of the Estate of JAMES V. HAWKINS, de-
 ceased as the same appears of record and the files in my office in Book.....on page.....

In TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal
 this 10th day of August 1943.

(Probate Court Seal)

M. U. Whitney
 Probate Judge and Ex-Officio Clerk of the Probate
 Court.

State of Idaho

County of Kootenai

Filed for record at the request of Wm. S. Hawkins on AUG 10 1943 at 12 o'clock
 ..M. and recorded in book 20 of Miscellaneous Records page 145.

Jas. A. Foster County Recorder

Fee \$2.00

160574

AGREEMENT

THIS AGREEMENT, Made this 10th day of July, 1943, by and between CLAUDE W. HODGE
 and AGNES I. HODGE, husband and wife, Kootenai County, Idaho, parties of the first part
 and ANDREW F. MASON and EMMA R. MASON, husband and wife, Spokane County, Washington parties
 of the second part.

WITNESSETH, That the parties of the second part are the owners of Lot One (1) Block
 A, Cliff House Resort, Kootenai County, Idaho. That the parties of the first part are the
 owners of a portion of Section Seven (7) Township Fifty-one (51) North, Range Five (5) W.
 B. M. Kootenai County, Idaho, which has been recently purchased by them from one Katie
 Kettelson.

That on July 19, 1928, the said Katie Kettelson granted to the parties of the
 second part herein, an easement and right-of-way for road purposes, and the right and
 privilege of obtaining water from a spring, which easement was recorded on February 20, 1941
 in the Office of the County Recorder of Kootenai County, Idaho, in Book 118 of Deeds at
 Page 1.

IT IS MUTUALLY AGREED that, with respect to the right and privilege of obtaining
 water from said spring, the said easement and right-of-way of July 19, 1928, is abrogated
 and canceled but the provisions thereof with respect to the right-of-way to enable the
 parties of the second part to drive from the main highway to the back of Lot One (1) Block
 A, Cliff House Resort, shall remain in full force and effect.

The parties of the first part hereby grant to the parties of the second part the
 right to install and maintain a one-half inch (1/2") pipe from their property hereinabove
 described for a distance of approximately two hundred (200) feet over and across the property
 of the parties of the second part to tap the pipe line of the parties of the second part
 conveying water from said spring; it being understood, however, that the water so obtained
 by the parties of the second part shall be used for drinking purposes for cooking purposes

misc 20/146

8-11-43

← Evidence of installation of
 diversion works. Presumably,
 prior to diversion works, water
 was carried by hand.

← Evidence of priority
 date claimed.
 (7/19/1925)

8

and to flush toilets, and for no other purpose. It shall not be used for bathing or washing or for irrigation.

IT IS FURTHER AGREED AND UNDERSTOOD that the right of the parties of the second part to maintain said pipe line and use said water shall not be assigned, and shall be limited to such time as the parties of the second part or their children own the said lot One (1), Block A, Cliff House Resort, Kootenai County, Idaho.

IN WITNESS WHEREOF, said parties have hereunto set their hands and seals the day and year first above written.

Claude W. Hodge
Agnes I. Hodge
Parties of the First Part
Andrew F. Mason
Emma R. Mason
Parties of the Second Part

State of Idaho }
County of Kootenai } ss

On this 10th day of July, 1943, before me, William B. McFarland, a Notary Public in and for the State of Idaho, personally appeared Claude W. Hodge and Agnes I. Hodge, 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.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.

William B. McFarland
Notary Public in and for the State of Idaho,
residing at Coeur d'Alene. My commission expires 7/29/46

(Notarial Seal)

State of Washington }
County of Spokane } ss

On this 20 day of July, 1943, before me, the undersigned a Notary Public in and for the State of Washington, personally appeared Andrew F. Mason and Emma R. Mason, 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.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.

Glen D. Creighton
Notary Public in and for the State of Washington
residing at Spokane. My Commission expires:....

(Notarial Seal)

State of Idaho }
County of Kootenai } ss

Filed for record at the request of Andrew F. Mason on AUG 11 1943 at 9:30 o'clock A. M. and recorded in book 20 of Miscellaneous Records Page 146.

Jas. A. Foster County Recorder

Fee \$1.75

160580

80303

STATE OF IDAHO }
County of Kootenai } ss

David R. Calvert being first duly sworn deposes and says that Dave Calvert died upon December 24th, 1934. That he died intestate. That at the date of his death he had no estate within the State of Idaho. That prior to the date of his death he had upon September 1st, 1932, transferred all the remaining portion of his estate then within the State of Idaho to his son David R. Calvert, by Warranty Deed.

That at the time of his death the names of his heirs were as follows:-

David R. Calvert, age 43, Albert S. Calvert, age 41, and George A. Calvert, age 34, sons of Dave Calvert.

That upon March 14th 1931 Dave Calvert was unmarried.

That the total value of his estate at the time of his death was \$6500.

That no part of said estate was within the State of Idaho. That at the time of his death he had no debts outstanding.

Dave R. Calvert

Subscribed and sworn to before me this 25th. day of June, 1943.

(Notarial Seal)

L. W. Butler
Notary Public

For proper David Calvert
Association Kootenai Co.
Sent for Record JUL 1 '43
Number A72709

State of Idaho }
County of Kootenai } ss