

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

Ident. Number 95-14162Date Received: 9/28/09Receipt No: N-022261Received By: [Signature]

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

1. Name of Claimant(s) John L. REED And/or DARLITA V. REED Phone (208) 773-3351Mailing Address 3850 S. Schilling Loop Post Falls ID Zip 83854
Street or Box City State2. Date of Priority: (Only one per claim) 7/31/1989
Month/Day/Year (YYYY)3. Source of water supply (Check one) Ground Water (☒) or Other (☐) (a) _____
which is tributary to (b) _____4. Location of Point of Diversion is: Township 50 N, Range 5 W, Section 10,
SW 1/4 of SW 1/4, or Govt. Lot 10 BM. County of Kootenai;Parcel (PIN) no. -6800

Additional points of diversion if any: _____

If available, GPS coordinates: _____

5. 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

6. Water is claimed for the following: (limited to Domestic and/or Stockwater uses. See page 1 of the instructions.)

For Domestic purposes from JAN 1 to DEC 31 amount .02 cfs () or AFY ()

For _____ purposes from _____ to _____ amount _____

7. Total Quantity claimed .02 cfs (☒) or AFY (☐)

8. Non-irrigation uses. Describe fully. (eg. Domestic: give number of households served if single ownership;

Stockwater and Number of livestock) 1 Home

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9. Location of Place of Use is: Township 50N, Range 5W, Section 10,

5W 1/4 of 5W 1/4, Govt. Lot — BM. Parcel (PIN) no. +6900

If different than shown in Item 4

for (Check One) Domestic (☒) Stock () Domestic and Stock ()

Additional places of use, if any _____

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

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

If the 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 (☒)

13. Remarks:

14. Basis of Claim (Check One) Beneficial Use (☒) 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 () wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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) John L. Reed Date: 9/28/09

Date: _____

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 _____

Address _____

Date _____

Last Name _____ Identification No. _____

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WARRANTY DEED WITH EASEMENT

HENRY CARLTON FRETWELL, a widower, "Grantor", in receipt of One Dollar (\$1.00) and other valuable considerations from JOHN L. REED and DARLITA V. REED, husband and wife, "Grantee", hereby grant, bargain, sell and convey unto the grantees the following described property and which is hereinafter referred to as Parcel 1: 1307 South Pierce Spokane 79206

A parcel of land in the South 1/2 of the SW1/4SW1/4 of Section 10, T. 50 N., R. 5, WBM, Kootenai County Idaho.

Beginning at a point on the South boundary of Section 10 that is N. 89°, 42 Minutes, 18 Seconds E. 291.46 feet from the SW corner of Section 10,

Thence, continuing N. 89° 42 Minutes, 18 Seconds E. along the South boundary of Section 10 a distance of 1045.00 feet to the SE corner of the South half of the SW1/4SW1/4,

Thence, N. 0°, 08 Minutes, 08 Seconds E. 195.00 feet along the East boundary of the SW1/4SW1/4,

Thence, S. 89°, 42 Minutes, 18 Seconds W. 1045.00 feet,

Thence, S. 0°, 08 Minutes, 08 Seconds W. 195.00 feet to the point of beginning,

also all of the South 195 feet of the NE1/4SW1/4 of Section 10 West of the County road,

Containing 5.0 acres more or less

together with an easement for the maintenance, repair, and use of the existing well on the following described property, which shall be hereinafter described as Parcel 2:

A parcel of land in the South 1/2 SW1/4SW1/4 of Section 10, T. 50 N., R. 5 WBM, Kootenai County Idaho.

Beginning at a Point on the South boundary of Section 10 that is N. 89°, 42 Minutes, 18 Seconds E. 291.46 feet from the SW Corner of Section 10,

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Thence, N. 0°, 08 Minutes, 08 . seconds E. 195.00 feet,

Thence, N. 89°, 42 Minutes, 18 Seconds E. 205 feet to the TRUE POINT OF BEGINNING,

Thence, continuing N. 89°, 42 Minutes, 18 Seconds E. 840.00 feet,

Thence, N. 0°, 08 Minutes, 08 Seconds E. 264.00 feet,

Thence, S. 89°, 42 Minutes, 18 Seconds W. 817.19 feet,

Thence, S. 05°, 04 Minutes, 04 Seconds W. 265.14 feet to the TRUE POINT OF BEGINNING

Containing 5.0 acres more or less.

and the right to construct, maintain and repair a water line from the said well across the Parcel 2 for the purpose of conveying water to and for said use of water upon the Parcel 1 and the right to take one-half ($\frac{1}{2}$) of the water available from the well. The remaining one-half ($\frac{1}{2}$) of the water available from the well is reserved by the owner for his use or the use of his heirs, successors or assigns.

If the grantee install a pump in the said well the pump shall be of such capacity and cost as may be agreed upon by the grantee and the grantor or the owner of the property subject to the easement at the time of such installation and shall be available to use by them at their option, upon such terms as may be agreed upon for sharing the cost of the pump, its installation, its operation, its repair, and its maintenance for which share the grantee shall not charge in excess of one-half ($\frac{1}{2}$) of these costs. This easement shall terminate and be extinguished at such time as the use of the well is discontinued or abandoned by the grantee.

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Reserving unto the grantee, his heirs, successors and assigns of the whole or any part of the land hereinafter referred to. An easement for maintaining the ranch road presently situated in the northwest part of the Parcel No. 1 for use of the grantor, his heirs, successors and assigns of the land which the grantor will own after this conveyance in the:

SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 9 and the S $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 10 T. 50 N, R. 5, W.B.M. Kootenai County, Idaho.

This deed is upon and is accepted with the condition that the grantee shall not place, suffer or permit to be placed on the demised premises a mobile, modular, or manufactured home which is not constructed in accordance with the building and zoning codes applicable to the demised premises and/or which is less than 1200 square feet in area and shall not suffer or permit any motor homes, mobile homes or structures to be used for human occupancy to be placed upon and/or used for such purposes on the property. Should any of these conditions be breached or violated this deed shall be null and void, and the grantee shall forfeit all rights, title, and interest acquired in said property without notice to the grantor.

TO HAVE AND TO HOLD unto the Grantee forever, the Grantor covenanting to have and hereby convey absolute, unencumbered fee simple title to the whole and every part of the said premises except taxes and assessments for 1988 and subsequent years which the grantees assume and agree to pay and the covenants hereinbefore set forth and an easement for the

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use, maintenance and enjoyment of the existing roadway which is on the East portion of the property to the following described property owned by PAUL ZIEGELE and JANET C. ZIEGELE, to which it is appurtenant to:

The W½ of the NW¼, and NE¼ of the NW¼ West of the County Road all in Section 15 Twp 50 N, Range 5, W.B.M., excepting the following tract of land described as follows:

Beginning at a post on section line between Sections Ten and Fifteen, Twp. 50, North Range 5 W.B.M., 1513 feet E. of Section corner common to Sections Nine, Ten, Fifteen, and Sixteen, in said township and range;

Thence, due East 578 feet to a post;

Thence, along public road South 29° 45' West 4" feet to a post;

Thence, along a public road South 55° 30' West 110 feet to a post;

Thence along a public road North 63° 45' West 65 feet to a post;

Thence, along a public road North 1° 30' East 326 feet to a post;

Thence, along public road North 67° 30' West 231 feet to the place of beginning, being the parcel deeded to Ralph J. Lutz.

and forever warrant and defend the grantees in the quiet and peaceful possession of the whole and every part of the devised premises against all claims whatever; the right and obligations hereunder extending to the heirs, representatives, successors and/or assigns of the respective parties.

WITNESS the hand and seal of the Grantor at the

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SEP 28 2009

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time and place mentioned in the acknowledgement hereto.

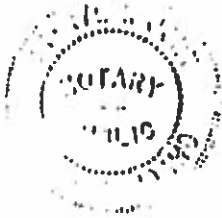
Henry C. Fretwell
HENRY CARLTON FRETWELL

Henry Carlton Fretwell

STATE OF IDAHO
County of Kootenai

)
) ss
)

On this 11th day of April, 1988, before the under-
signed Notary Public, personally appeared HENRY CARLTON FRETWELL
known to me to be the Grantor named herein, and acknowledged
to me that he executed the foregoing WARRANTY DEED WITH EASEMENT.



Cheryl Wright
Notary Public for Idaho
Residing in Rathfrum
My commission expires 12-31-91

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PIONEER TITLE COMPANY
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APR 26 1988
Sharon Weiss
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