

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 95-15990Date Received: 5/24/2010Receipt No: N024465BReceived By: Am

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 R. MCKINNEY JR. AND/OR LAUREL A. MCKINNEY Phone () 535-5155

Mailing Address E. 1204 18th Ave Spokane WA Zip 99203
Street or Box City State

2. Date of Priority: (Only one per claim) 7-1-1948
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other (☒) (a) LAKE COEUR D'ALENE
which is tributary to (b) SPOKANE RIVER

4. Location of Point of Diversion is: Township 50 N, Range 3 W, Section 29,
SE 1/4 of NW 1/4, or Govt. Lot 2 BM. County of Kootenai;

Parcel (PIN) no. 0-7320-000-027-A (Lot continues to shoreline)

Additional points of diversion if any: N/A

If available, GPS coordinates: N/A

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.

Pump installed 1948 to serve 3 homes, rebuilt 2008
LINE Splits @ Vault to serve 1 other properties.

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

For Domestic purposes from 01-01 to 12-31 amount .04
Month/Day Month/Day cfs () or AFY ()

For _____ purposes from _____ to _____ amount _____

7. Total Quantity claimed .04 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 MAIN RESIDENCE AND 1 GUEST HOUSE

SCANNED
MAY 24 2010

9. Location of Place of Use is: Township 50 N, Range 3 W, Section 29,
SE 1/4 of NW 1/4, Govt. Lot 2 BM. Parcel (PIN) no. _____
If different than shown in Item 4

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

Additional places of use, if any N4

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 ☒ 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:

WATER SYSTEM ALSO SERVES 2478 SILVER BEACH RD.
(PARCEL # 0-7320-000-030-B)

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: 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) Jan L. McInnes Date: 5/24/10

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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MAY 24 2010

COPIED
7-21WARRANTY DEED RECORD No. 155, KOOTENAI COUNTY, IDAHO
205018

WARRANTY DEED

This Indenture, Made this 20th day of November in the year of our Lord One Thousand Nine Hundred and Fifty-Two between Einar N. Magnuson and Havis Magnuson, husband and wife, residents of County of Kootenai, State of Idaho part 1st of the first part, and RALPH M. FREUNINGER and KATIE M. FREUNINGER, husband and wife, residents of County of Kootenai, State of Idaho part 1st of the second part.

WITNESSETH That the said part 1st of the first part, for and in consideration of the sum of

One Dollar and Other Valuable Considerations DOLLARS, in hand paid by the said part 1st of the second part, the receipt whereof is hereby acknowledged, and the said parties of the second part forever released and discharged therefrom have granted, bargained, sold, aliened, released, alienated and confirmed, and by these presents do grant, bargain, sell, remise, release, alien and confirm unto the said part 1st of the second part to their heirs and assigns, forever, all the following described lot, piece or parcel of land, situated in the County of Kootenai and State of Idaho, and known and described as follows, to-wit:

Lot 30, except the 244 feet thereof, and Lot 31, except the 244 feet thereof, Silver Beach Park, according to the recorded plat. Subject to a right of way easement to Washington Water Power Company dated August 15, 1941, Book 119 of Deeds, Page 15, and also subject to a right of way easement to the State of Idaho dated May 17, 1939 for right of way and easement adjacent to right of way for re-location of ditches and structures and such surface drain ditches as may be necessary to the proper construction of the highway. Together with the interest of the parties of the first part in the domestic water system now supplying water to the above described premises.

(I. R. Stamps \$15.40.)

together with all and singular the hereditaments and appurtenances hereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim or demand whatsoever of the said part 1st of the first part, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances, to have and to hold the said premises above bargained and described, with the appurtenances unto the said part 1st of the second part, their heirs and assigns forever.

And that the said part 1st of the first part, their heirs, executors and administrators, do covenant, grant, bargain and agree to and with the said part 1st of the second part, their heirs and assigns, that at the time of executing and delivery of these presents they are well seized of the premises above conveyed as of a good, sure, perfect, absolute and indefeasible estate of inheritance in law and fee simple, and have good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form aforesaid, and that the same are free and clear of all former or other grants, bargains, sales, leases, taxes, assessments and incumbrances of every kind or nature whatsoever, except subject to above rights of way and easements.

and the above bargained premises in the quiet and peaceable possession of said part 1st of the second part, their heirs and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said part 1st of the first part shall and will warrant and defend.

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

Signed, Sealed and Delivered by the Parties of

Einar N. Magnuson (Seal)

Havis Magnuson (Seal)

(Seal)

(Seal)

STATE OF IDAHO, ss. On this 20th day of November in the year 1952, before me, William B. McFarland, a Notary Public in and for the State of Idaho, personally appeared

EINAR N. MAGNUSON and HAVIS MAGNUSON, 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.

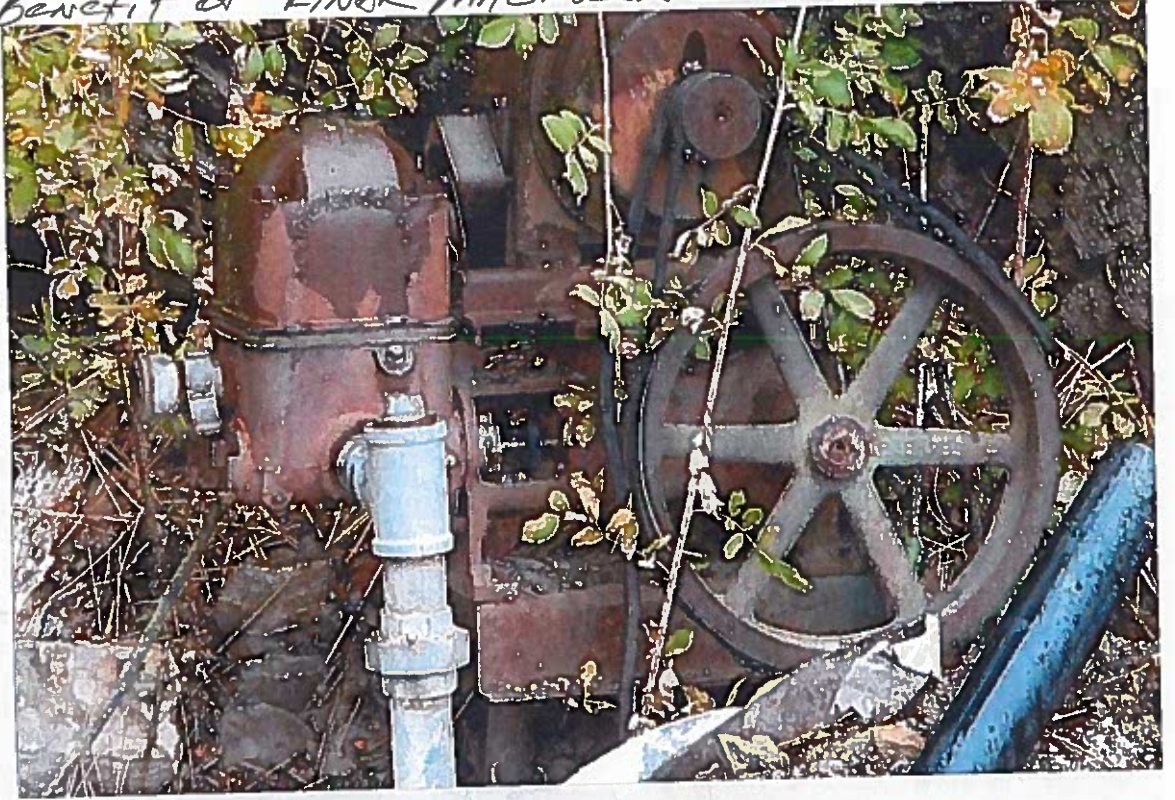
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial seal, the day and year in this certificate first above written.

(Notarial Seal)

William B. McFarland
Notary Public in and for the State of
Idaho, residing at Coeur d'Alene.
My Commission expires 7-29-54.

COPIED
7-21
2008

Worthington pump - installed on shore of Lake Cocod'Azule
1948 for benefit of FINOR MAGNUSON Co 2416 Silver Beach Rd.

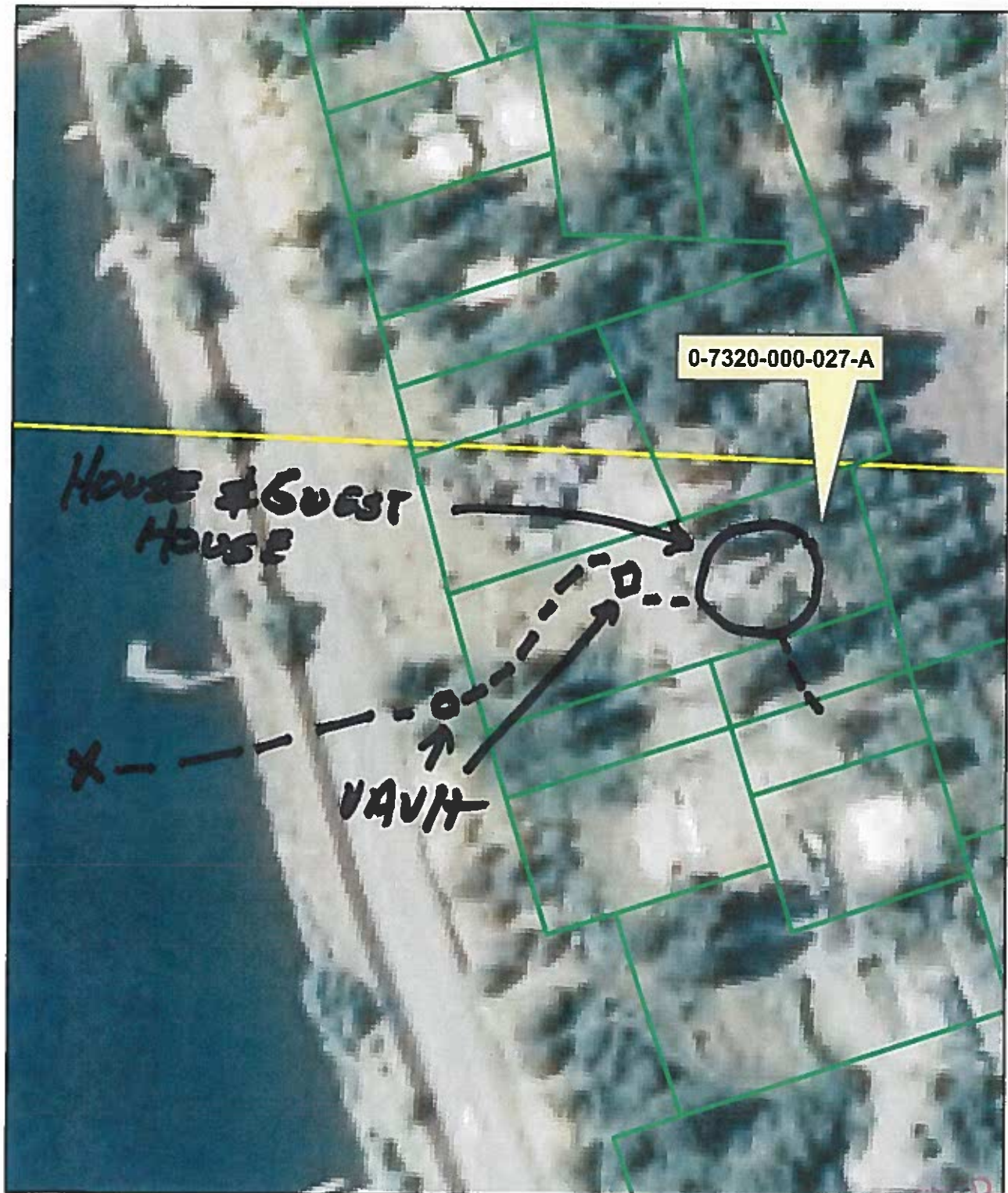


Worthington Pump & Water Line 9/1/08



SCANNED
MAY 24 2010

McKINNEY PIN 0-7320-000-027-A



RECEIVED
MAY 24 2010