

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 95-15948Date Received: 05/20/2010Receipt No: N024410Received By: fm

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) J MICHAEL AND OR PATRICK D, ELFSTEN Phone (208) 762-0443Mailing Address 615 E. Dalton Ave. Dalton Gardens ID Zip 83815
Street or Box City State2. Date of Priority: (Only one per claim) 07-01-1953
Month/Day/Year (YYYY)3. Source of water supply (Check one) Ground Water () or Other (x) (a) LAKE COEUR D'ALENE
which is tributary to (b) SPOKANE RIVER4. Location of Point of Diversion is: Township 49N, Range 4W, Section 17,
SW 1/4 of NE 1/4, or Govt. Lot 3 BM. County of KOOTENAI;Parcel (PIN) no. 0-5800-000-008-0Additional 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:

Foot valve with water line to electric pump
line connected to house & hose bibs6. 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 cfs
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 Home

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9. Location of Place of Use is: Township 49N, Range 4W, Section 17,

SW 1/4 of NE 1/4, Govt. Lot 3 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 N.A.

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:

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.

X Number of attachments: 6 PAGES PLUS 1 MAP

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) Michael Elfsen

Date: 5/20/10

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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5/10/10

Mike Elfsten
615 E. Dalton Ave
Dalton Gardens, ID 83815

RE: Water Rights for Parcel # 058000000080

To Whom It May Concern:

My family has owned lot 18 in Park Addition to Rockford Bay Summer Homes since 1951. I grew up spending my summers in Rockford Bay and from my earliest recollection the family of Don Elfsten has owned lot 8 on the waterfront adjacent to our community park. The Elfstens' have always had a dock and pumped water from Lake Coeur d'Alene. They have an electric pump that draws water through a pipe with a foot valve attached for both domestic and irrigation purposes. The Elfstens have been our neighbors and our friends for the last 59 years.

Sincerely,



Barbara A. (Boutwell) Swanson
518 N. Willow Rd.
Spokane Valley, WA 99206
509-926-4332
208-664-6118

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WARRANTY DEED

The Grantors, ROY T. SMYTHE AND THELMA M. SMYTHE, husband and wife,

of Spokane, County of Spokane, State of Washington
for and in consideration of One Dollar (\$1.00) and Other Valuable Considerations ~~Of Mts.~~
in hand paid, convey and warrant to

DON ELFSTEN AND ANN LEE ELFSTEN, husband and wife, also known as
Donald E. Elfsten and Ann Lee Elfsten, husband and wife, Idaho
the following described real estate, situated in the County of Kootenai State of ~~Washington~~

addition
Lot Eight (8), Park ~~Front~~ to Rockford Bay Summer Homes, according to
the recorded plat.

3³⁰ P.M.



Subject to

Dated this 7th day of

November 19 50.
Roy T. Smythe [Seal]
Thelma M. Smythe [Seal]
[Seal]
[Seal]

STATE OF WASHINGTON,
County of Spokane ss.

I, the undersigned, a Notary Public in and for the above named County and State, do hereby
certify that on this 8th day of November 19 50 personally appeared before me

ROY T. SMYTHE AND THELMA M. SMYTHE

to me known to be the individuals described in and who executed the within instrument, and
acknowledged that they signed and sealed the same as their free and voluntary act and deed,
for the uses and purposes therein mentioned.

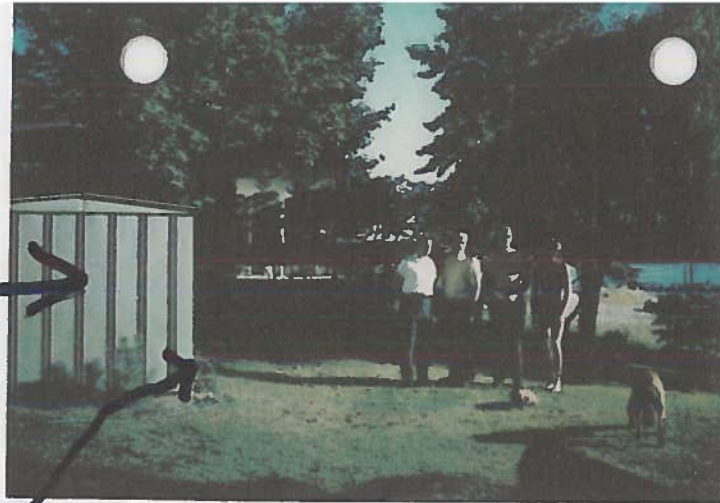
Given under my hand and official seal the day and year last above written.

William A. Stradley
Notary Public for State of Washington.
Residing at _____

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10

Hose Attached
Pump House



I AM SECOND FOR
LEAF MICHAEL ELLIOT

House



House from Dock &
Pump House
CORNER OF

Summer '67

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PICTURES AND
DATES PROVIDED
BY
BARBARA SWANSON



CIRCA 1954

PICTURES AND
DATES PROVIDED
BY
BARBARA SWANSON



1958

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MAY 20 2010



STATE OF IDAHO

DEPARTMENT OF LANDS

P. O. BOX 670, COEUR d'ALENE, IDAHO 83814

STATE BOARD OF LAND COMMISSIONERS

CECIL D. ANDRUS
GOVERNOR AND PRESIDENT
PETE T. CENARRUSA
SECRETARY OF STATE
WAYNE L. KIDWELL
ATTORNEY GENERAL
JOE R. WILLIAMS
STATE AUDITOR
ROY TRUBY
SUP'T OF PUBLIC INSTRUCTION

21 January 1977

Mr. Donald E. Elfsten
6 W. Mission
Kellogg, ID 83837

Dear Mr. Elfsten:

Enclosed is encroachment permit number ERL-95-S-1121 for your boat docks and piling as per the encroachment report you filed on December 28, 1974.

Please attach the enclosed metal tag to the outermost end of your dock. Thank you for your cooperation.

Sincerely,

BUREAU OF NAVIGABLE WATERS

A handwritten signature in black ink that reads "Keith J. Kiler".

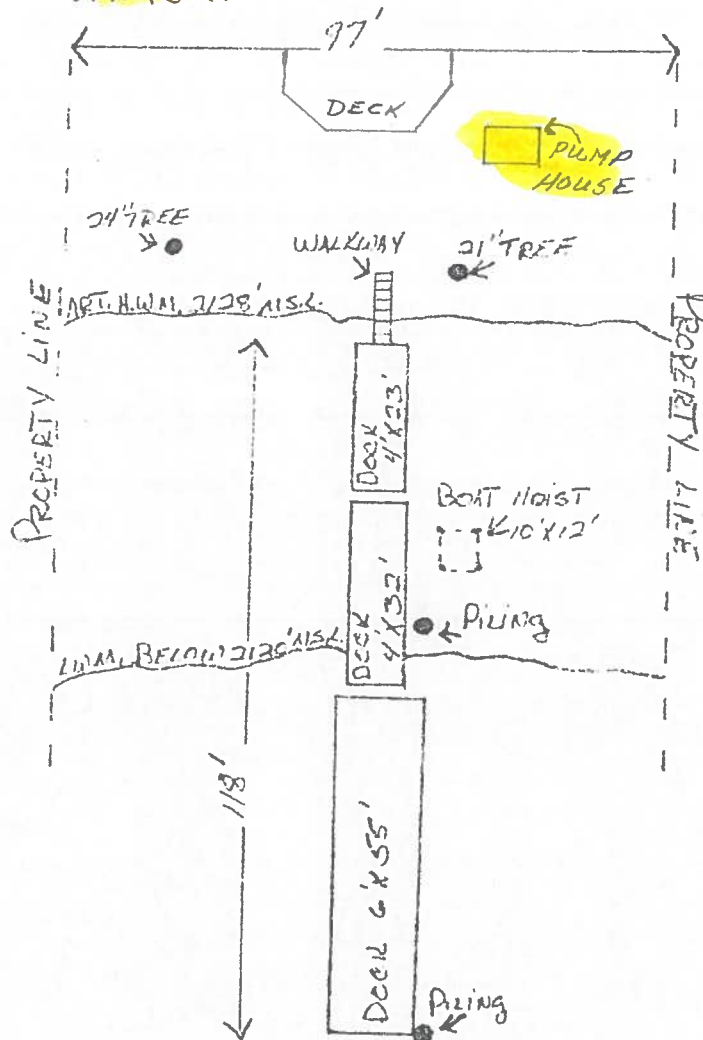
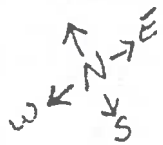
KEITH J. KILER,
Stream & Lakebed Specialist

KJK:nh
Enc. (2)
cc: C-BNW

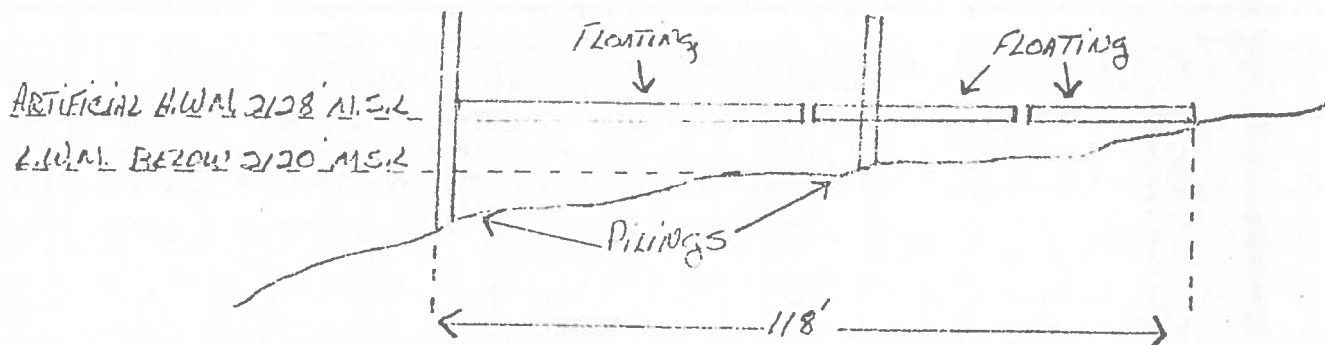
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10 West Mullan Avenue
KELLOGG, IDAHO 83837

Attachment for Dock ENCROACHMENT Perm



SCALE 1"=30'
- - - - -



1. PURPOSE: Private boat moorage & swimming docks
2. DATUM: Artificial High Water Mark-2128' M.S.L.
3. SOUNDINGS: In feet
4. There are NO Federal Harbor Lines
5. ADJACENT PROPERTY OWNERS: To South Alex Solinsky 3 4134 Stone
To North Benjamin Moore 2 2000

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ELFSTEN PIN 0-5800-000-008-0



COPIED
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