

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 PALOUSE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 59576

Claim ID: 87-10843

Date Received: 5-15-2019

Receipt No: 1034454

Claim Fee: 25.00 By: LW

RECEIVED
MAY 15 2019
DEPT. OF WATER RESOURCES

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

Please type or print clearly

- Name of claimant(s) Leland C & Roxanne Carrick Phone (208) 875-0278
Mailing address 4424 Hwy 6 Harvard ID Zip 83834
Street or Box City State
Email address (optional) lcarrick@potlatch.com
- Date of priority: (Only one per claim) 6-6-1994 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
- Source of water supply (Check one) Ground Water (X) or Other () (a) _____
which is tributary to (b) _____
- Location of point of diversion is: Township 41N, Range 3W, Section 3,
SE 1/4 of NW 1/4, or Govt. Lot _____ BM, County of _____
Parcel no. RP 41N03W033753A
Additional points of diversion, if any: _____
If available, GPS coordinates: _____
- 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 is in front yard ~ 100' from house.
Original wells(2) were hand dug then replaced in 1994.
- Water is claimed for the following: (limited to domestic and/or stockwater uses - see page 1 of the instructions)
For Domestic purposes from 1-1 Month/Day to 12-31 Month/Day cfs (X) or AFY () amount 0.03
For _____ purposes from _____ to _____ amount _____
- Total quantity claimed 0.03 cfs (X) or AFY ()
- Non-irrigation uses. Describe fully. (Domestic: give number of homes; Stockwater: list number and kind)
D- 1 home

9. Location of place of use is: Township 41N, Range 3W, Section 3

SE 1/4 of NW 1/4, Govt. Lot _____ BM, Parcel no. _____

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? Zatah

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 (include an explanation of the priority date selected):

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 Palouse River Basin Water System 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: _____

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) Roxanne E Carriack Date 05-15-2019

Roxanne E Carriack Date: 05-15-2019

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

_____ of _____
Agent's title (Please print) Name of organization (Please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Printed Name of Authorized Agent _____

16. **Notice of Appearance:**

Notice is hereby given that I, (please print) _____, will be acting as attorney at law of behalf on 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 _____ Date _____

Address _____

Name of claimant(s) _____

Claim ID _____

Lewiston, Idaho 83501



cPherson & right Drilling

Ray McPherson
(509) 878-1761
PALOUSE, WA 99161

Ted Wright
(208) 743-7295
LEWISTON, ID 83501

0/1	Soil
1/8	CLAY
3/12	GRAVEL & CLAY
13/75	ArgiLITE
73/81	ArgiLITE-Soft
81/110	ArgiLITE
110/156	ArgiLITE-Soft
156/189	ArgiLITE
189/205	ArgiLITE-Soft
205/205	ArgiLITE

WELL NO.

OWNER OF WELL

LOCATION OF WELL

NEAREST POST OFFICE

STATE

COUNTY

DRILLING BEGUN

WELL FINISHED

WELL RECORD

CASING SIZE

CASING DEPTH

HOLE SIZE

HOLE DEPTH

CAPACITY OF WELL

PUMP SETTINGS

CASING PERFORATIONS

INVOICE

DATE _____

ITEM	UNIT PRICE	AMOUNT
18' OF 8" CASING	8 ⁰⁰	144. ⁰⁰
18' OF 8" HOLE	16. ⁰⁰	288. ⁰⁰
187' OF 6" HOLE	13. ⁰⁰	2431. ⁰⁰
SURFACE SEAL	75. ⁰⁰	75. ⁰⁰
P.O. # 5282 7/15/94 - LOW		10.95

TOTAL AMOUNT DUE

MEMO:



A diagram showing a stack of three layers. The top layer is a solid black rectangle. The middle layer is a rectangle with a grid pattern. The bottom layer is a rectangle with a dotted pattern. An upward-pointing arrow is positioned above the stack, pointing towards a large 'N' label at the top of the page.

Cartographer: Debbie Jacobs

306231

WARRANTY DEED

KNOW ALL BY THESE PRESENTS:

That VLADY KINMAN and KATHLEEN KINMAN, husband and wife, in consideration of the sum of TEN DOLLARS (\$10.00) and other things of value, do hereby grant, bargain, sell and convey unto HENRY E. VOWELS, a single man, and RODNEY C. VOWELS, a single man, whose address is Princeton, Idaho, ^{Box 8} the following described real property situated in Latah County, State of Idaho, to-wit:

SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, Township 41 North, Range 3 W.B.M.

EXCEPTING THEREFROM a strip of land across the North end of the said SE $\frac{1}{4}$ NW $\frac{1}{4}$ AND SW $\frac{1}{4}$ NE $\frac{1}{4}$, more particularly described as follows; to-wit: Beginning at the Northeast corner of the said SW $\frac{1}{4}$ NE $\frac{1}{4}$ and running thence South 205 feet; running thence West 160 rods, more or less to the West line of the said SE $\frac{1}{4}$ NW $\frac{1}{4}$; running thence North 205 feet; running thence East 160 rods, more or less, to point of beginning.

ALSO INCLUDING all that portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3, Township 41 North, Range 3 W.B.M. lying East of the public highway as now located, and more particularly described as follows; to-wit: Commencing at the Southeast corner of said SW $\frac{1}{4}$ NW $\frac{1}{4}$, running thence West 27 rods to center of said highway; thence Northerly along the center of said highway to a point on the North line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ 19 rods West of the Northeast corner thereof; thence East 19 rods to said corner; thence South 80 rods to place of beginning.

EXCEPTING THEREFROM a tract of land in said SW $\frac{1}{4}$ NW $\frac{1}{4}$, more particularly described as follows: Beginning at the Northeast corner of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ and running thence West 19 rods, running thence South 205 feet; running thence East 19 rods; running thence North 205 feet, more or less to the point of beginning.

SUBJECT TO Right of Way easement to Latah County as more fully set out in instruments recorded in Book 33 of Deeds at page 340 and in Book 67 of Deeds at page 307, records of Latah County, Idaho.

TOGETHER WITH ALL AND SINGULAR, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

The above named grantors hereby covenant that the above described premises are free from all encumbrances and they will and their heirs, executors and administrators shall warrant and defend the above premises against all lawful claims and demands.

DATED this 21st day of May, 1975.

Witness the hand and seal of said first party in execution hereof this 10th day of March 1906.

Witnesses
HERMAN UTSCH.
AUG. CHRISTENSEN.

POTLATCH LUMBER CO-
By
CHARLES A. WEYERHAEUSER,
President.

Attest
F. J. BELL,
Secretary.

S-----E
: Potlatch Lumber Company, :
: Corporate Seal. :
: Maine 1908. :
A-----L

State of Minnesota)
County of Morrison)ss.

This certifies that on this 10th day of March 1906, before me the undersigned a Notary Public in and for said County and State, personally appeared Charles A. Weyerhaeuser, personally

known to me to be the President of the Corporation that executed the within and foregoing instrument, and he acknowledged to me that said Corporation executed the same freely and voluntarily for the uses and purposes therein mentioned, and in pursuance of legal authority previously granted by the Board of Directors of said Corporation.

Witness my hand and official seal the day and year in this certificate above written.

S-----E
: Notarial Seal, :
: Morrison County, Minn. :
A-----L

HERMAN UTSCH,
Notary Public residing at
Little Falls, Minn

My commission expires April 14th 1906.

Filed for record April 12, 1906, at 9:30 o'clock A M.
Request of C. L. Kinnman. Fee \$1.55.

W. H. Kinnman
Recorder.

Instrument Number 39826.

TIMBER DEED

THIS INDENTURE, Made this 9th day of April in the year of Our Lord, One Thousand Nine Hundred and six, between Engebright O. Jesme a single man of Latah County, State of Idaho, of the first part, and POTLATCH LUMBER COMPANY, a Corporation organized and existing under and by virtue of the laws of the State of Maine, and authorized to do business in the State of Idaho, of the second part,

WITNESSETH: That the said party of the first part, for and in consideration of the sum of Fifteen Hundred and Fifty Dollars (\$1550.00) in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, and the said party of the second part forever released and discharged therefrom, have granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said party of the second part, its successors and assigns, all the TIMBER of every description Except timber now dead, lying, standing or being upon that certain tract, parcel or piece of land lying and being in Latah County, State of Idaho, described as follows, to wit:

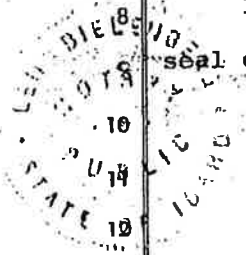
The southwest quarter of the northeast quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) and the south half of the northwest quarter (S $\frac{1}{2}$ NW $\frac{1}{4}$) of section thirty five (35) and the Southeast quarter of the northeast quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) of section thirty four (34) Except five (5) acres in a square form in the northwest corner of the last described land (in section 34). All of above land being in township (40) forty north, of Range two (2) W.B.M.

TOGETHER WITH THE RIGHT to enter upon said lands and cut and remove therefrom at any time within Ten (10) years from the date of this instrument, the timber herein

1 STATE OF IDAHO)
2 County of Latah) ss.

3 On this 2nd day of May, 1975, before me, the undersigned, a
4 Notary Public in and for said State, personally appeared VLADY
5 KINMAN and KATHLEEN KINMAN, husband and wife, known to me to be the
6 persons whose names are subscribed to the foregoing instrument and
7 acknowledged to me that they executed the same.

8 IN WITNESS WHEREOF, I have hereunto set my hand and notarial
9 seal on the date last above written.

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Lewis Bieleberg
Notary Public for Idaho,
Residing in Latah County.

No. 306231
At the request of:
Mrs. Vowels
Date & hour:
April 10, 1980 2:43 P.M.
JOAN BAUER
Latah County Recorder
fee \$4 paid by Latah County deputy

*m/ Boy B,
Pineeton, Idaho*

Address
CARRICK, LELAND C
4424 HIGHWAY 6

HARVARD ID,83834

Legal
S 2.81 AC SWNE;
S 29.04 AC SENW
3 41 3
STATEMENT OF INTENT

10 Deeds for Parcel: RP41N03W033753A

Wednesday, May 15, 2019 12:35 PM

Deed Number	Deed Type	Deed Date	Deed Description
35/505			
46/617			
106/266			
306231	WD	05/21/1975	Vlady & Kathleen Kinman to Henry E Vowels and Rodney C Vowels, both single
405315	WD	04/22/1994	Rodney C Vowels and Mickey Jo Vowels h/w and Henry E Vowels and Linda A Vowels to Dennis L Drake and Kathryn M Drake h/w (rerecorded 404045 to correct legal)
405316	QC	04/22/1994	Rodney C Vowels and Mickey Jo Vowels h/w and Henry E Vowels and Linda A Vowels h/w to Dennis L Drake and Kathryn M Drake h/w (correcting 405315)
409987	Correction Deed	12/29/1994	Rodney C Vowels and Mickey Jo Vowels h/w and Henry E Vowels and Linda A Vowels h/w to Dennis L Drake and Kathryn M Drake h/w.
416546	Statement of Intent	11/21/1995	Dennis I & Kathryn Drake
460028	WD	09/19/2001	Dennis L Drake and Kathryn M Drake to Leland C Carrick and Roxanne E Carrick h/w
566810	Community Property Agreement	07/08/2014	between Leland C Carrick and Roxanne E Carrick h/w

It is hereby understood and agreed that if the within described road is established, the same shall be located at least fifty feet from Albert Mielke's barn as said barn is now situated.

Dated at Moscow, Idaho, this 17th day of January A. D. 1906.

GEORGE W. ANDERSON Chairman,
REES PICKERING
JAMES E. LAMB
Commissioners, Latah County,
Idaho.

Filed for record April 12, 1906, at 9 o'clock A.M.
Request of Axel P. Ramstedt, Clerk. Fee D.H.


Recorder.

Instrument Number 39818.

WARRANTY DEED.

THIS INDENTURE made and executed this 6th day of January 1906, by and between Potlatch Lumber Company, a Corporation organized under the laws of the State of Maine and authorized to do business in the State of Idaho, party of the first part, and C. L. Kinman of Latah County Idaho, party of the second part: WITNESSETH; That the party of the first part, for and in consideration of the granting to first party by second party and wife, of a railroad right of way over and across the lands of second party situated in Latah County Idaho and described as follows:

The S.W. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$ and the S.E. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ and the N.E. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ all of Sec 3, Twp 41, N. R. 3 W.B.M.,

(Said right of way being granted for the use and purpose of locating, constructing, maintaining and operation thereon and thereover a logging Railroad for the period of One year from the First day of January 1906), has granted, bargained, sold and conveyed, and by these presents, does grant, bargain, sell convey and confirm unto said second party, and to his heirs and assigns forever, all of the following described lands and premises situated in Latah County Idaho to wit:-

The North-west quarter of the North-west quarter of Section Three (3), in Township Forty-one (41), North of Range Three (3) W.B.M. containing 40 acres more or less according to Government survey.

Save and except that the said party of the first part expressly reserves all merchantable saw timber not less than Nine (9) inches in diameter at the top of the highest out from the base of the tree, and the right to cut and remove from said lands all such timber at any time within One year from January 1st 1906: And for the purpose of removing said timber, the right to locate, construct, maintain and operate on and over said lands a logging railroad and logging roads during the said term of one year from January 1st 1906.

TOGETHER WITH ALL and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining.

TO HAVE AND TO HOLD the same unto said second party, his heirs and assigns forever.

And the said party of the first part does covenant with the said party of the second part, his heirs and assigns, that the said party of the first part is lawfully seized in fee of the above described lands and premises and has good right and power to sell and convey the same in the manner and form aforesaid, and that the said real Estate and every part thereof is free of all encumbrances except as hereinbefore set forth or mentioned.

The party of the first part further covenants that said first party shall and will warrant the quiet and peaceable possession of said lands and premises to the grantee, his heirs and assigns, and will defend the title thereto, against all lawful claims and demands of whatsoever nature of all persons whomsoever.