

DISTRICT COURT - CSRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JUL 15 2019

By _____ Clerk
_____ Clerk

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re CSRBA)

A.)

Subcase

95-4360

(Insert water right number)

Case No. 49576)

STANDARD FORM 1
OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name:

Erin M. Kingsburg

Address:

17116 N. Reservoir Rd

Rathdrum, ID 83858

Daytime Phone:

208-305-3548

Name & Address of Attorney, if any:

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name:

Robert and Sandra Jones

Address:

P. O. Box 258

Rathdrum, ID 83858

D. I object to the following elements or general provision as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: 0.01 C.F.S.
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____

10. ☒ **General Provision** ☐ Individual Water Right ☐ All Water Rights
☐ Should not be recommended.
- ☐ This general provision was not recommended but should be recommended as described below.
- Should be: _____

- ☒ General provision was recommended but should be modified as described below.

Should be: Split per Instrument 1182401 ^{Emk} specifically pertaining to my predecessors 1/2 interest Share in Spring Branch Creek water for irrigation. Gravity fed diversion works to my property

11. ☒ I object because the recommendation contains an accomplished transfer under Idaho Code § 42-1425 resulting in injury to my water right(s) and/or enlargement of the original right.

12. ☒ I object because:
☐ This water right should not exist.

☒ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): Instrument # 1183795 by warranty deed entitles Jones to all water rights, well, and easement to well on my property, however said instrument number does not include a 7,000 gallon underground storage tank possibly located on my property. At one time my property was irrigated as indicated by evidence in Exhibit A.

Sam Kinburg
(Signature of person filing objection)

(Attorney signing in representative capacity)

INSTRUCTIONS FOR MAILING

You must mail the Objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

F. CERTIFICATE OF MAILING

I certify that on July 12, 2019, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to: Clerk of the District Court
Coeur d'Alene-Spokane River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Robert and Sandra Jones
Address: P.O. Box 258
Butte, ID 83858

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
State of Idaho
PO Box 83720
Boise, ID 83720-0010

Signature of Objector or attorney
mailing on Objector's behalf

To the Court,

I am presenting this CBSR case *Pro Se* so please bear with me if my presentation of information/evidence is not pleasing to the Court. I have invested a valuable amount of time and resources to course correct some important benefits to my property that have been lost to us by the failure of previous parties to pass along pertinent information through change of ownership. Among those parties that failed to relay information and maintain continuity in a paperwork trail there are professionals who failed to do their job either by neglect or intent.

After extensive research on our behalf my working theory is that in 1969/70 Oscar Earl Hansen build his house (now owned by Jones) with his son and they both installed the 7,000 gallon cistern. I know this because I had a phone conversation with Mr. Jan Hansen in Fall of 2018. I believe that Mr. Oscar Earl Hansen use Spring water located at the Northern boundary of his property which now is located on my property because the priority date of 95-0949 is 1970. Jan Hansen bought or was given what is my property now in 1977 and built his/my house in 1978. The well that we are currently using on Petersen's property across Reservoir was dug on 1979 and Jan Hansen purchased that well, its from Lynn Purcell. It supplied domestic water to 17716 N Reservoir since then. In 1982 Mr O. Earl Hansen had a well dug on what is now my property and that is when diversion works where created to fill the 7,000 gallon cistern that I believe is on my side of the property line; this cistern pumps water to Jones house for domestic usage. I interviewed Mr. Conrad Renburg and he visited my property 7-11-19 and confirmed what I have researched and understand now. Mr. Renburg used gravity fed water from Spring Branch Creek to irrigated his orchard trees and that line has since been cut on my Southern property line I believe after Mr. Renburg sold this property in 1999. Subsequent owners did not use gravity fed water from 95-4360 because they didn't know that it existed.

Furthermore, due to time constraints and prioritization of water right issues I was unable to file paperwork with the Court to correct documents filed with IDWR showing that the well that is currently providing domestic water to my place of residence exists in a forty (40) page field examination of Water License 95-08624 dated 4-2-92 and claims that said well provides water to Bob and Sandy Jones rental property to the South of my property which is completely incorrect and creates a great amount of confusion and complications in the area of understanding water rights; who uses/owns what water right, well, share, etc.

This is a detail-intense case but I am confident that I can answer any questions that you might have during your review of information and evidence regarding my objections to water claim 95-4360 and 95-0949 because of the commitment that I have made to uncover the real events in the past. We have spent an incredible amount of time and money to uncover this information including talking with several neighbors since mid September 2018 to gain understanding; all of which should have been made known and available to us during the process of purchasing this house.

Respectfully submitted,

Erin Kingsbury

1
In Re CSBR Case No. 49576

Subcase-95-4360

Document: addendum

² In Re CSBR Case No. 49576

Subcase 95-0949

Document: addendum

Exhibit

A



Stink bugs

Oasis Lawn and Pest <oasislawnandpest@gmail.com>
To: Erin Kingsbury <nonameavailable9@gmail.com>

Wed, Apr 17, 2019 at 8:58 PM

Hi Erin,

Regarding the 11 fruit trees in the orchard they are in dire need of recuperation with fertilizer and insect treatments but most importantly they are needing between 15 to 30 gallons of water per tree per day. I have attached the several links that discuss that we used to find this information. Your orchard is salvageable but we have to act quickly to help it recover. Please let me know if you have any questions and we hope this helps.

<http://cesonoma.ucanr.edu/files/27167.pdf>

<https://homeguides.sfgate.com/much-water-should-one-give-fruit-tree-48911.html>

<https://www.mrt.com/lifestyles/article/Formula-calculates-how-much-water-each-tree-needs-7432435.php>

Peach

<https://homeguides.sfgate.com/much-water-should-one-give-fruit-tree-48911.html>

<https://njaes.rutgers.edu/drought/pdfs/BMP-Irrigating-Peaches.pdf>

<https://homeguides.sfgate.com/overwatering-peach-trees-22791.html>

Pear

<https://www.gardeningknowhow.com/edible/fruits/pear/watering-a-pear-tree.htm>

<https://www.starkbros.com/growing-guide/how-to-grow/fruit-trees/pear-trees/watering>

<https://wikifarmer.com/pear-tree-water-requirements/>

Apple

<https://homeguides.sfgate.com/water-required-gala-apple-tree-59180.html>

<https://www.starkbros.com/growing-guide/how-to-grow/fruit-trees/apple-trees/watering>

<https://www.gardeningknowhow.com/edible/fruits/apples/apple-tree-watering.htm>

<https://wikifarmer.com/irrigating-apple-trees/>

Cherry

<https://www.gardeningknowhow.com/edible/fruits/cherry/how-to-water-a-cherry-tree.htm>

<https://www.starkbros.com/growing-guide/how-to-grow/fruit-trees/cherry-trees/watering>

Chelsea Clark

Oasis Lawn And Pest

4838 W Palmwood Ln

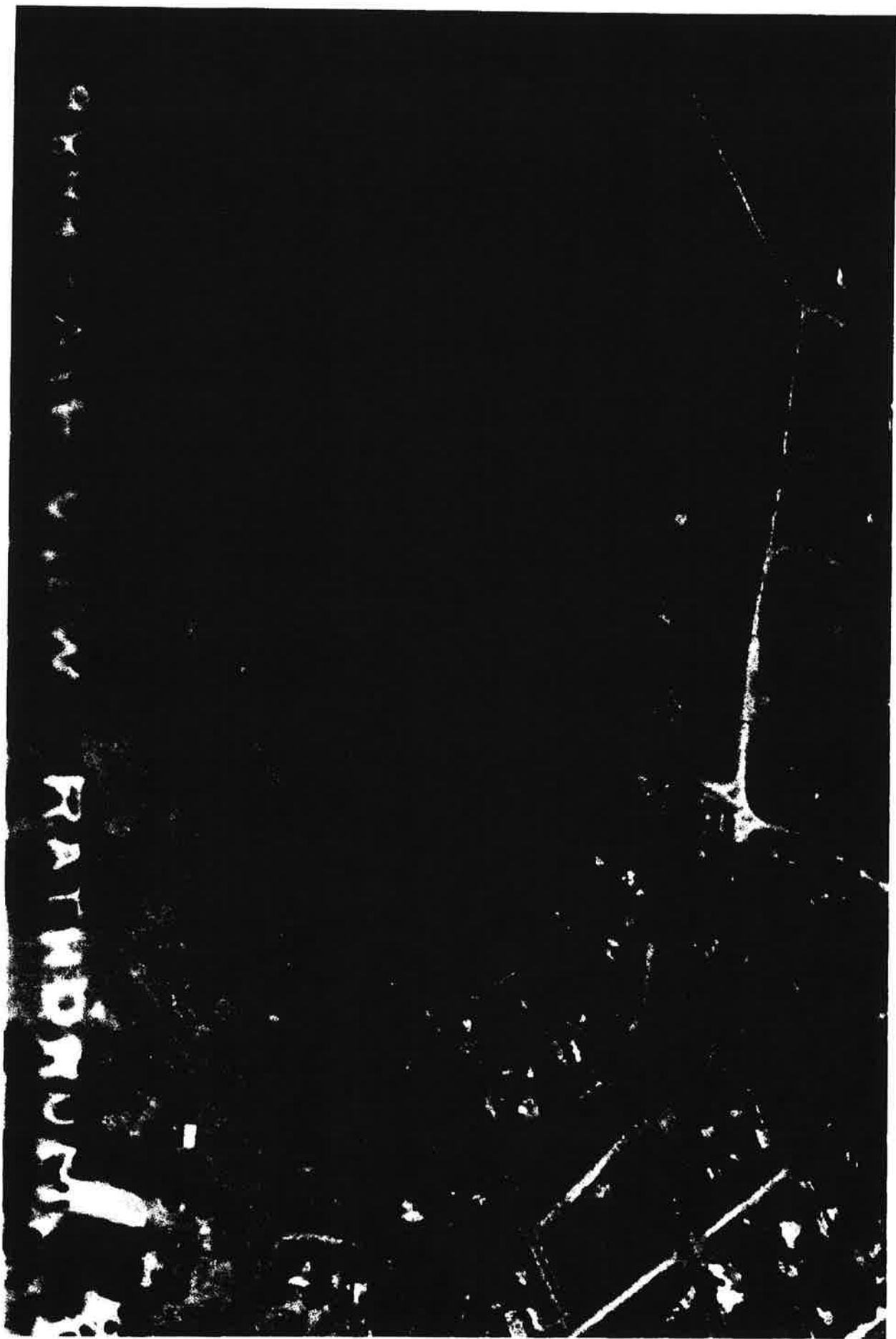
Post Falls, ID 83854

208-921-3686

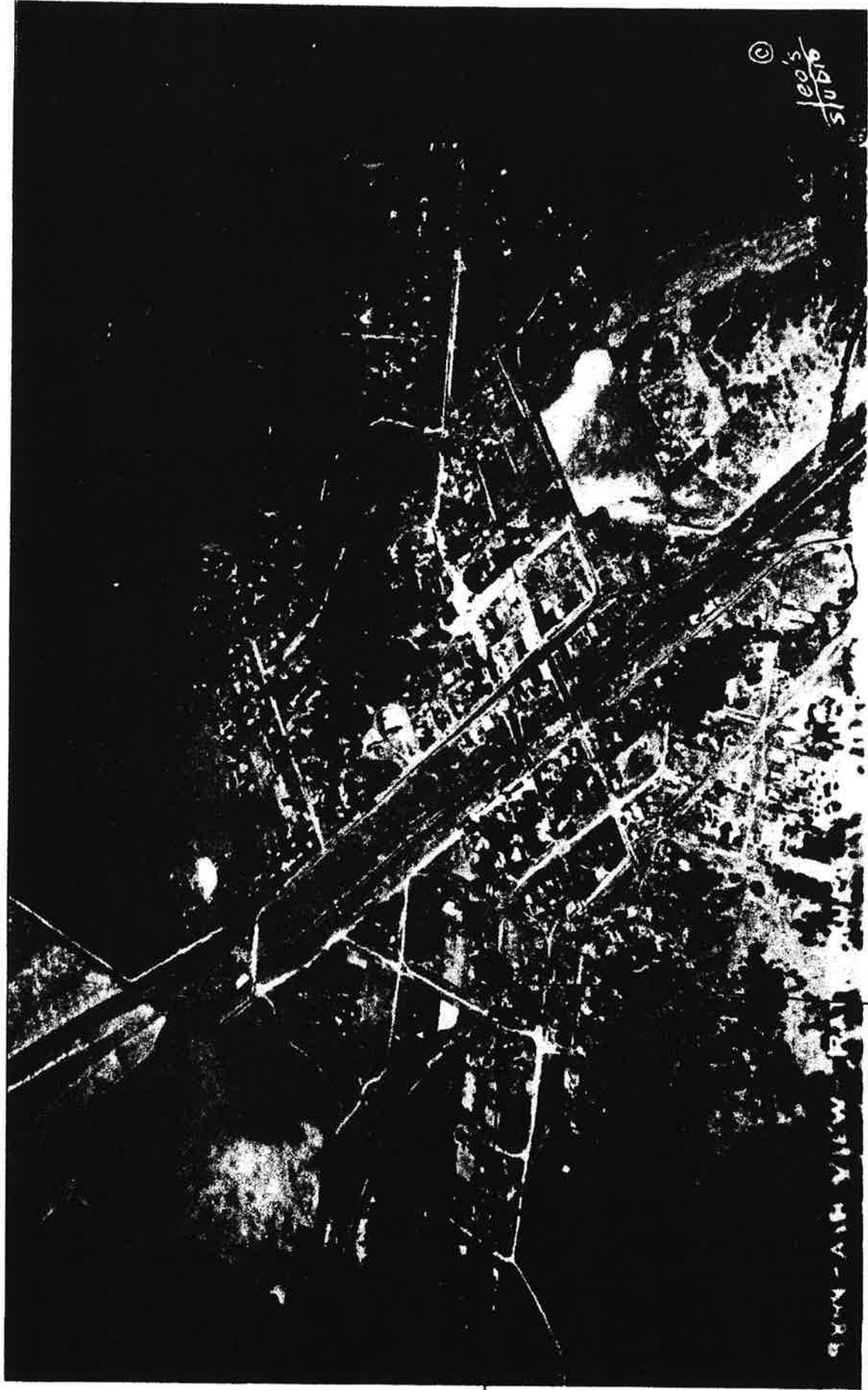
Email | Website

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Where my property
is 2.900 acres

Picture taken in approx
1950's. Shows my property was irrigated -



Stink bugs

Oasis Lawn and Pest <oasislawnandpest@gmail.com>
To: Erin Kingsbury <nonameavailable9@gmail.com>

Wed, Apr 17, 2019 at 8:58 PM

Hi Erin,

Regarding the 11 fruit trees in the orchard they are in dire need of recuperation with fertilizer and insect treatments but most importantly they are needing between 15 to 30 gallons of water per tree per day. I have attached the several links that discuss that we used to find this information. Your orchard is salvageable but we have to act quickly to help it recover. Please let me know if you have any questions and we hope this helps.

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<https://www.mrt.com/lifestyles/article/Formula-calculates-how-much-water-each-tree-needs-7432435.php>

Peach

<https://homeguides.sfgate.com/much-water-should-one-give-fruit-tree-48911.html>

<https://njaes.rutgers.edu/drought/pdfs/BMP-Irrigating-Peaches.pdf>

<https://homeguides.sfgate.com/overwatering-peach-trees-22791.html>

Pear

<https://www.gardeningknowhow.com/edible/fruits/pear/watering-a-pear-tree.htm>

<https://www.starkbros.com/growing-guide/how-to-grow/fruit-trees/pear-trees/watering>

<https://wikifarmer.com/pear-tree-water-requirements/>

Apple

<https://homeguides.sfgate.com/water-required-gala-apple-tree-59180.html>

<https://www.starkbros.com/growing-guide/how-to-grow/fruit-trees/apple-trees/watering>

<https://www.gardeningknowhow.com/edible/fruits/apples/apple-tree-watering.htm>

<https://wikifarmer.com/irrigating-apple-trees/>

Cherry

<https://www.gardeningknowhow.com/edible/fruits/cherry/how-to-water-a-cherry-tree.htm>

<https://www.starkbros.com/growing-guide/how-to-grow/fruit-trees/cherry-trees/watering>

Chelsea Clark

Oasis Lawn And Pest

4838 W Palmwood Ln

Post Falls, ID 83854

208-921-3686

Email | Website

[Quoted text hidden]

1182402

DEED TO WELL AND GRANT OF EASEMENT

THIS Deed and Grant of Easement is made and executed this 11th day of May, 1990, by and between JAN M. HANSEN and SYDNIE JO HANSEN, husband and wife, GRANTOR, and O. EARL HANSEN and VIOLET L. HANSEN, Trustees and Successor Trustees of THE HANSEN FAMILY TRUST.

WHEREAS GRANTOR and GRANTEE have developed a well, casings, pump, water lines and electrical circuits over, under and across the property of GRANTOR, being more particularly described as that well situate approximately 90 feet west of the easternmost boundary and approximately 150 feet south of the northernmost boundary of GRANTOR'S property, being more particularly described as follows:

Attached hereto as Description #3 and incorporated herein by reference as if set forth in full.

That said well services and supplies water to the adjoining property of GRANTEE which lies in the Southeast Quarter of the Northeast Quarter of Section 25, T.52 N., R.5 W., Boise Meridian, State of Idaho;

For valuable consideration, receipt of which is hereby acknowledged, GRANTOR does hereby grant and convey unto GRANTEE, their successors and assigns, that certain well and appurtenances hereinbefore described.

GRANTOR further grants unto GRANTEE, their successors and assigns, an easement of twenty (20') feet in radius around the well site, and an easement of ten (10') feet in width, lying five (5') feet to the left and right of the centerline of the existing

1183795 -
Hansen Transfer their
w. well v. grantor

1182402

pipeline which extends from said well site in a southerly direction approximately 80 feet; thence in a southwesterly direction approximately 150 feet to the southwestern boundary of GRANTOR's property, with the right, privilege and authority vested in GRANTEE, their successors and assigns, to pass and re-pass over said easement to maintain, repair or replace pumps, pipes, wires and other appurtenances. GRANTEE may cut and remove brush, trees and other obstructions which in the opinion of GRANTEE interfere with exercising the rights herein contained.

The covenants herein contained shall run with the land and are binding upon all subsequent owners thereof.

IN WITNESS WHEREOF, the GRANTORS have set their hands and seals hereunto this 11th day of May, 1990.

GRANTORS:

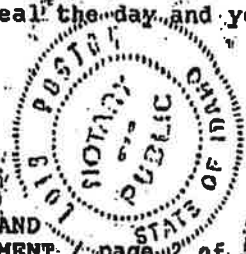
JAN M. HANSEN
JAN M. HANSEN

SYDNE JO HANSEN
SYDNE JO HANSEN

STATE OF IDAHO)
) ss
KOOTENAI COUNTY)

On this 11th day of May, 1990, personally appeared before me, a Notary Public in and for said State, JAN M. HANSEN and SYDNE JO HANSEN, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and they acknowledged to me that they executed the same.

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



[Signature]
Notary Public for Idaho
Residing at: Rathdrum
Comm. Expires: 12-21-92

DEED TO WELL AND
GRANT OF EASEMENT / page 2 of 3

1182402

DESCRIPTION #3

A parcel of land in the Southeast Quarter of the Northeast Quarter of Section 25, Township 52 North, Range 5 W.B.M., Kootenai County, State of Idaho, described as follows:

Beginning at the Southwest corner of the Southeast Quarter of the Northeast Quarter; thence

Along the West line of said Southeast Quarter of the Northeast Quarter, North 0 29'20" East, 807.09 feet to an iron rod on the West side of the County Road; thence

South 89 16'40" East 273.89 feet to an iron rod, which is the True Point of Beginning; thence continuing

South 89 16'40" East 201.40 feet to an iron rod; thence

South 0 39'25" East 289.50 feet to a R/R spike in the center of a driveway; thence along the center line of said driveway

South 82 45'45" West 110.35 feet to an R/R spike; thence along said center line of driveway

South 51 56'20" West 120.95 feet to a R/R spike; thence

North 380.49 feet to an iron rod, which was the True Point of Beginning.

STATE OF IDAHO
COUNTY OF KOOTENAI SS
AT THE REQUEST OF
Jan Hansen
MAY 11 1 06 PM '90
SHIRLEY DEITZ
Shirley Deitz
FEE \$ 7.00 DEPUTY

1183795

WARRANTY DEED

FOR VALUE RECEIVED

O. EARL HANSEN and VIOLET L. HANSEN, TRUSTEES & SUCCESSOR TRUSTEES OF
THE HANSEN FAMILY TRUSTthe Grantor s , do hereby grant, bargain, sell, and convey unto
ROBERT F. JONES and SANDRA JONES husband and wifethe Grantee s , whose address is PO Box 258, Rathdrum, Id 83858

the following described premises, to-wit:

See Exhibit "A" attached hereto and made a part hereof for legal description

** OSCAR EARL HANSEN and VIOLET LORENE HANSEN, husband and wife in favor of NORTHERN
STATE BANK, records of Kootenai County, Idaho, which Deed of Trust the Grantees
herein hereby assume and agree to pay according to its terms.

ALL WATER, WELL AND SPRING RIGHTS TO BE TRANSFERRED TO THE BUYERS.

GRANTOR TRANSFERS TO BUYERS DEED TO WELL AND GRANT OF EASEMENT RECORDED MAY
11, 1990 UNDER INSTRUMENT #1182402.

SHIRLEY D. GUTZ
DEPUTY
MAY 29 12 06 PM 1990
COUNTY OF KOOTENAI, IDAHO
PIONEER TITLE COMPANY

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee ,
their heirs and assigns forever. And the said Grantor do hereby covenant to and with the
said Grantees , that they are the owner in fee simple of said premises; that said premises are free from all
encumbrances except covenants, conditions, restrictions and reservations of record,
easements of record and in view and general taxes (and irrigation assessments, if
applicable) for the year 1990 and subsequent years, which are not yet due and payable,
also subject to that certain Deed of Trust dated September 10, 1987 executed by **
and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: May 16, 1990

O. Earl Hansen Trustee Violet L. Hansen
O. EARL HANSEN, TRUSTEE VIOLET L. HANSEN, TRUSTEE

Oscar Earl Hansen Violet Lorene Hansen

ACKNOWLEDGMENT - Individual

STATE OF Utah County of WashingtonOn this 18th day of May, in
the year of 1990, before me,

Ethel Mae Heese, a notary public,
personally appeared O. Earl Hansen, known or

identified to me to be the person s whose name NAME S
subscribed to the within instrument and acknowledged to
me that he executed the same.

Ethel Mae Heese
Notary Public
My Commission Expires 1990
Rathdrum, Idaho

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record
at the request of _____
at _____ minutes past _____ o'clock m.,
this _____ day of _____
19____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

By _____ Deputy.

Fees \$
Mail to:PIONEER TITLE COMPANY
OF KOOTENAI COUNTY

618 N. 4th Street / P.O. Box 486 Coeur d'Alene, Idaho 83814 / (208) 664-8254

Parcel 2

EXHIBIT "A"

1183795

A parcel of land in the Southeast quarter of the Northeast quarter of Section 25, Township 52 North, Range 5 W.B.M., Kootenai County, Idaho, more particularly described as follows:

Beginning at a point that is North 159.90 feet from the Southwest corner of said Southeast quarter of the Northeast quarter; thence, continuing North along the West boundary of said Southeast quarter of the Northeast quarter, 416.10 feet to a point; thence, East parallel to the South boundary of the said Southeast quarter of the Northeast quarter, 415.00 to a point; thence, South 260.00 feet to a point; thence, West 271.90 feet to a point; thence South $40^{\circ}41'$ West, 219.52 feet to the Point of Beginning.

EXCEPTING THEREFROM a parcel of land in the Southeast quarter of the Northeast quarter of Section 25, Township 52 North, Range 5 W.B.M., Kootenai County, Idaho, more particularly described as follows:

Beginning at a point that is North 796 feet from the Southwest corner of said Southeast quarter of the Northeast quarter; thence, East parallel to the South boundary of said Southeast quarter of the Northeast quarter 259 feet to the True Point of Beginning for this description; thence, continuing East a distance of 156 feet to a point; thence, South 260 feet to the North line of an existing roadway; thence, Southwesterly along the North line of said roadway 150 feet, more or less, to a point due South from the True Point of Beginning; thence North a distance of 293 feet, more or less, to the True Point of Beginning.

ALSO EXCEPTING THEREFROM a parcel of land in the Southeast quarter of the Northeast quarter of Section 25, Township 52 North, Range 5 W.B.M., Kootenai County, Idaho, described as follows:

Beginning at the Southwest corner of the Southeast quarter of the Northeast quarter; thence, along the West line of said Southeast quarter of the Northeast quarter North $0^{\circ}29'20''$ East, 807.09 feet to an iron rod; thence, crossing the county road South $89^{\circ}16'40''$ East, 53.25 feet to an iron rod on the East side right of way line of the county road, which is the True Point of Beginning; thence, continuing South $89^{\circ}16'40''$ East, 220.64 feet to an iron rod; thence, South 280.00 feet to an iron rod; thence, North $89^{\circ}16'40''$ West, 220.52 feet to an iron rod on the East side right of way line of the county road; thence, along said right of way line North $0^{\circ}01'20''$ West, 260.00 feet to an iron rod, which was the True Point of Beginning.

1162401

GRANT OF SHARE IN WATER SYSTEM AND GRANT OF EASEMENT

THIS Grant is made and executed this 7th day of September, 1988, by and between O. EARL HANSEN and VIOLET L. HANSEN, husband and wife, GRANTOR, and JAN M. HANSEN and SYDNIE J. HANSEN, husband and wife, GRANTEE.

WHEREAS GRANTOR is the developer and 1/3 (one third) owner of a water distribution system, consisting of a diversion box and gravity flow pipeline of approximately 40' of 4" pipe, 20' of 3" pipe and 1,000' of 2" pipe, and;

WHEREAS GRANTOR is also the owner of a large concrete water storage tank and other water lines appurtenant to the above water distribution system and located on GRANTOR'S property in the SE 1/4 of the NE 1/4 of Section 25, T.52 N., R.5 W. Boise Meridian, State of Idaho, and;

(Complete description attached hereto as Exhibit A) *ESH*
UPH

WHEREAS GRANTOR has since May 14, 1971 continuously diverted water from the north fork of Spring Branch Creek for irrigation of GRANTOR'S property, and;

WHEREAS GRANTOR has a claim to a water right since May 14, 1971, filed with the State of Idaho as Claim No. 95-4360, and also filed as I.D. No. 95-4360 with the District Court of the First Judicial District of the State of Idaho, and;

WHEREAS GRANTOR has been granted, by way of Judgement through the District Court, State of Idaho, in Hansen vs Rust et al, the amount of water which flows through a one inch (1") tap on the above referenced water distribution system, and;

1182401

WHEREAS GRANTEE, being a successor in title to a portion of GRANTOR'S property, is also entitled to the use of water from said Creek;

NOW THEREFORE, GRANTOR, for and in consideration of one and no/100 (\$1.00) dollar and other good and valuable consideration, does hereby grant, bargain and sell unto GRANTEE a share of ownership in the aforesaid water distribution system equal to one ^{half 1/2} ~~third~~ ^{DEH VLN} of GRANTOR's interest in same; with the restriction that GRANTEE, or GRANTEE's successors or assigns, shall not draw more than one ^{half 1/2} ~~third~~ ^{DEH VLN} of the total amount of water GRANTOR and GRANTEE are collectively entitled to.

TOGETHER WITH an EASEMENT for ingress and egress, over, under and accross GRANTOR'S property, to maintain, repair, install or replace pipelines, valves, wires, pumps, tanks or other appurtenances to the water distribution system. This EASEMENT shall be ^{ten 10'} ~~twenty feet~~ ^{DEH VLN} in width, lying ^{five 5'} ~~ten feet~~ to the left and right of the centerline of all existing pipelines; including an area within a ^{twenty 20'} ~~fifty foot~~ ^{DEH VLN} radius from the center of existing storage tank. GRANTEE shall have the right to remove brush, trees, buildings or any other obstruction, which, in the opinion of GRANTEE, interferes with the exercise of this EASEMENT.

THIS GRANT and EASEMENT shall be perpetual and shall inure to the benefit of GRANTOR and GRANTEE, their successors or assigns, and shall run with the property of GRANTOR and GRANTEE and shall be binding upon the subsequent owners thereof.

O. EARL HANSEN

VIOLET L. HANSEN

EXHIBIT A

1182401

A parcel of land in the Southeast Quarter of the Northeast Quarter of Section 25, Township 52 North, Range 5 West, Boise Meridian, Kootenai County, Idaho, more particularly described as:

BEGINNING at a point that is North 169.90 feet from the Southwest corner of said Southeast Quarter of the Northeast Quarter; thence, continuing North along the West boundary of said Southeast Quarter of the Northeast Quarter, 416.10 feet to a point; thence, East parallel to the South boundary of the said Southeast Quarter of the Northeast Quarter, 415.00 to a point; thence, South 260.00 feet to a point; thence, West 271.90 feet to a point; thence, South 40°41' West, 219.52 feet to the POINT OF BEGINNING,

EXCEPTING THEREFROM a parcel of land in the Southeast Quarter of the Northeast Quarter of Section 25, Township 52 North, Range 5 West, Boise Meridian, Kootenai County, Idaho, more particularly described as follows:

BEGINNING at a point that is North 796 feet from the Southwest corner of said Southeast Quarter of the Northeast Quarter; thence, East parallel to the South boundary of said Southeast Quarter of the Northeast Quarter 259 feet to the TRUE POINT OF BEGINNING for this description; thence, continuing East a distance of 156 feet to a point; thence, South 260 feet to the North line of an existing roadway; thence, southwesterly along the North line of said roadway 160 feet, more or less, to a point due South from the TRUE POINT OF BEGINNING; thence, North a distance of 293 feet, more or less, to the TRUE POINT OF BEGINNING,

ALSO EXCEPTING THEREFROM a parcel of land in the Southeast Quarter of the Northeast Quarter of Section 25, Township 52 North, Range 5 West, Boise Meridian, Kootenai County, Idaho, described as follows:

BEGINNING at the Southwest corner of the Southeast Quarter of the Northeast Quarter; thence, along the West line of said Southeast Quarter of the Northeast Quarter North 0°29'20" East, 807.09 feet to an iron rod; thence, crossing the county road South 89°16'40" East, 53.25 feet to an iron rod on the East side right of way line of the county road, which is the TRUE POINT OF BEGINNING; thence, continuing South 89°16'40" East, 220.64 feet to an iron rod; thence, South 280.00 feet to an iron rod; thence, North 89°16'40" West, 220.53 feet to an iron rod on the East side right of way line of the county road; thence, along said right of way line North 0°01'20" West, 280.00 feet to an iron rod, which was the TRUE POINT OF BEGINNING.

STATE OF IDAHO
COUNTY OF KOOTENAI } SS

AT THE REQUEST OF

John Harrison

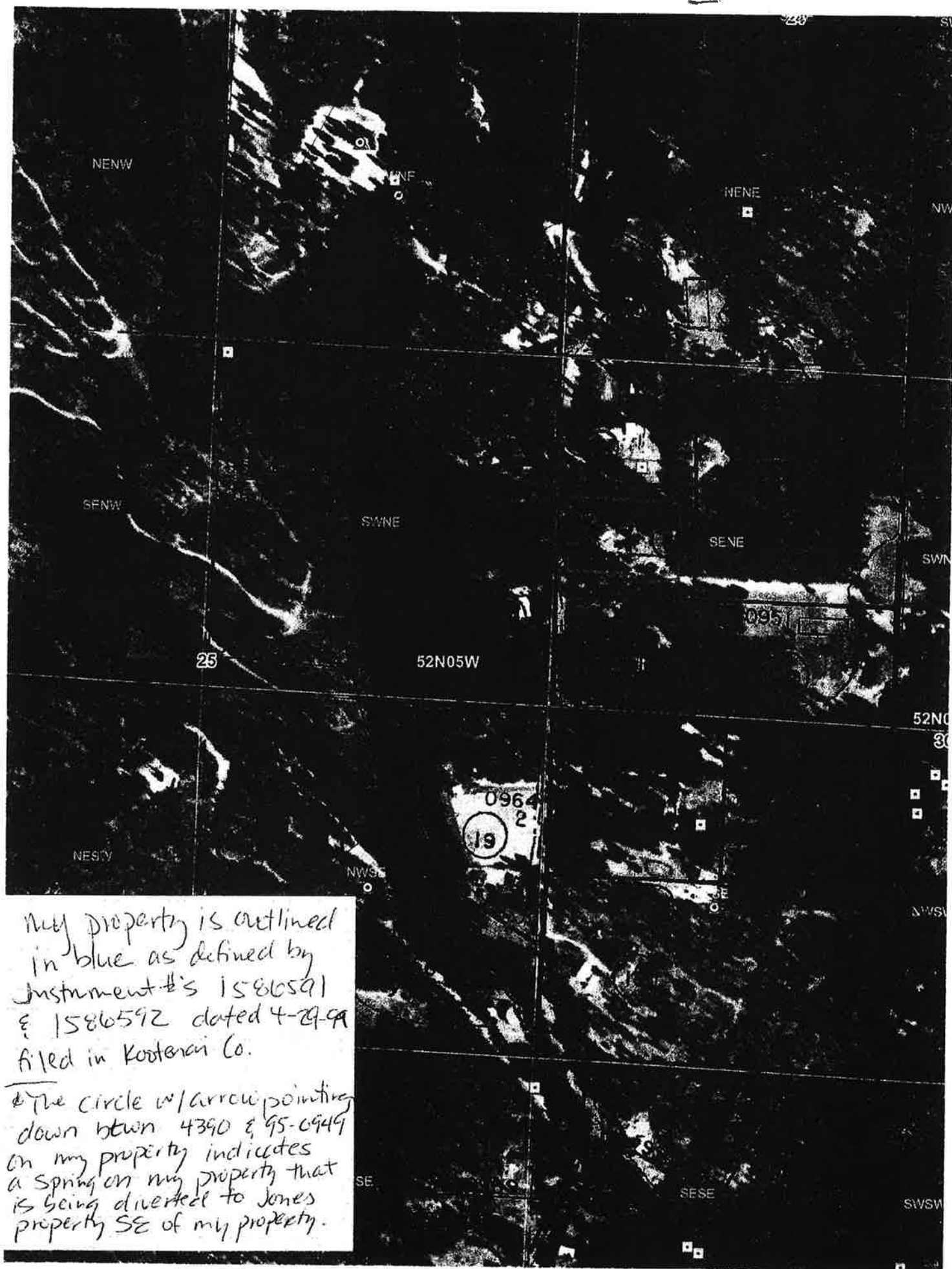
MAY 11 1 05 PM '90

SHIRLEY DEITZ

D. Harrison

DEPUTY

FEES \$12.00



my property is outlined
in blue as defined by
instrument #'s 1586591
& 1586592 dated 4-29-99
filed in Kootenai Co.

The circle w/arrow pointing
down btwn 4390 & 95-6949
on my property indicates
a spring on my property that
is being diverted to Jones
property SE of my property.