

**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: 95-8268
Date Received: 3/31/2009
Receipt No: N020199
Claim Fee: \$25.00
Received By: _____

RECEIVED

AUG 19 2020

IDWR / NORTH

AMENDED

**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)

LLOYD B CRAINE FAMILY LLC
PO BOX 945
VASHON WA 98070-0945

Phone: (206) 321-0469

2. Date of Priority: Our use started 7/8/57 when our family acquired the property; domestic use started in the 1920's when Joe Faska acquired the property.

3. Source:

COEUR D ALENE LAKE

Trib. to:

SPOKANE RIVER

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
49N	04W	23	NE NW	1	KOOTENAI	

5. Description of diverting works:

Diversion was originally by dipping a bucket into the lake; we installed electric pumping into a storage tank.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
DOMESTIC	1/01	12/31	0.04		

7. Total Quantity Appropriated is:

0.04 C.F.S.

8. Non-irrigation uses:
Domestic use for 1 home.

9. Place of use:

DOMESTIC within KOOTENAI County

Township	Range	Section	¼	of	¼	Lot	Acres
49N	04W	23	NE		NW	1	

10. Do you own the property listed above as place of use? **No, not personally**

If your answer is no, describe in remarks below the authority you have to claim this water right.

I am the managing member of the LLC that owns the property and the right would be held by the LLC, so perhaps the correct answer is yes.

11. Other Water Rights Used:

None

12. Remarks:

Priority Date Explanation:

Our use is supported by the attached Exhibit C.

As to the earlier use, the pages of the record books for the time period when Joe Faska acquired the property are missing from Kootenai county's microfiche system. Exhibit A is the conveyance from his estate after he died.

In the absence of county records from the time the bay was platted, and the initial sales of property that happened, the best evidence I could find were old photos from the Idaho State Historical Society. Early Del Cardo Bay 1 shows the smattering of early cabins on the bay. Early Del Cardo Bay 2 shows the Endiang cabin that was built by Patricia Roberts Sands' family. It is close to our property.

When I was a kid growing up on the bay, Pat and the other then adults who were the kids of the founding families would tell stories about their time as kids on the bay. Among the stories were ones about Old Joe Faska who worked on the steamships that plied the lake.

There was a steamship dock in the bay. Early Del Cardo Bay 3 shows the dock and the RPPC Steamer Milwaukee on January 14, 1910. Old Joe would walk from his cabin past Endiang on his way to and from work.

Early Del Cardo Bay 4 is an annotated version of Early Del Cardo Bay1. The arrow on the left points to the steamship dock. The arrow on the right points to the northern point start of the bay. The circled buildings are where you would expect to find either Endiang, or perhaps the McCarthy's, up high and Old Joe's smaller one down close to the water.

Pat Roberts Sands was one of the last of the founding family children to pass on, so there are no living witnesses to Old Joe occupying the cabin. It was in pretty good shape when we acquired it,

considering that it was lightly built and sat vacant while Old Joe's estate went through probate and for the time it took the heirs to sell it. Hopefully, that will be enough documentation to support the earlier date. Also hopefully, the probate gap won't be considered abandonment.

13. Basis of Claim: Beneficial Use

14. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice 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: 7

For Organizations:

I do solemnly swear or affirm under penalty of perjury that I am

Managing Member of the Lloyd B. Craine Family LLC

Title Organization

that I have signed the foregoing document in the space below as

Managing Member of the Lloyd B. Craine Family LLC

Title Organization

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

Signature of Authorized Agent  Date 7-19-20

Title and Organization: Managing Member of the Lloyd B. Craine Family LLC

Exhibit A

409

(Notarial Seal)

William G. Ennis
NOTARY PUBLIC in and for the State of
Washington residing at Spokane

State of Idaho }
County of Kootenai } ss

Filed for record at the request of Wm. G. Ennis on FEB 11 1944 at 1:30 o'clock
P. M. and recorded in book 123 of Deeds Page 408.

Jas. A. Foster County Recorder

By Alberta E. Platt Deputy

Fee \$1.25

154263

QUIT CLAIM DEED

THIS INDENTURE Made this 11th day of February in the year of our Lord, One Thousand Nine Hundred and forty-four between Ross Dunham and Florence Dunham husband and wife since previous to 1938 resident of Coeur d' Alene County of Kootenai State of Idaho parties of the first part and Warren W. McHenry, whose wife is Christina McHenry, residents of Coeur d' Alene County of Kootenai State of Idaho party of the second part.

WITNESSETH, That the said parties of the first part for and in consideration of the sum of one dollar and other valuable consideration DOLLARS in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged do by these presents demise, release and forever quit-claim unto the said part of the second part and to his heirs and assigns all the certain lot piece or parcel of land, situated in the said County of Kootenai and bounded and particularly described as follows, to-wit:

The north 135 feet of the east three acres of tract 131

of Dalton Gardens Addition to Hayden Lake Irrigated Lands

Together with all and singular the hereditaments and appurtenances, thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD all and singular the said premises, together with the appurtenances, unto said party of the second part and to his heirs and assigns forever.

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

consideration under \$100.

Signed, Sealed and delivered in presence of

Ross Dunham (Seal)

Florence Dunham (Seal)

STATE OF IDAHO }
County of Kootenai } ss:

THIS IS TO CERTIFY, That on this 11th day of February A. D. 1944 before me W. K. Stacy a Notary Public in and for the State of Idaho, duly commissioned and sworn, personally came Ross Dunham and Florence Dunham husband and wife to me known to be the individuals described in the within instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

WITNESS my hand and official seal, the day and year in this certificate first above written.

(Notarial Seal)

W. K. Stacy
Notary Public

STATE OF IDAHO }
County of Kootenai } ss

Filed for record at the request of Warren W. McHenry on the 11 day of Feb 1944 at 3:15 o'clock P. M. and recorded in Book 123 of Deeds on page 409.

Jas. A. Foster County Recorder

By Ardath Bakke Deputy

Fee \$1.00

154263

THE STATE OF TEXAS }
County of KOOTENAI }

KNOW ALL MEN BY THESE PRESENTS;

That, I, Joseph Faska, a single man, of the County of Bexar and the State of Texas for and in consideration of the sum of Ten and No Hundredths (\$10.00) Dollars and other valuable consideration to me cash in hand paid by the Grantee hereinafter named, the receipt of which is hereby fully acknowledged and confessed:

SCANNED

AUG 20 2020

have GRANTED, SOLD and CONVEYED, and by these presents, do GRANT, SELL and CONVEY, unto Dorothy E. Gosnell as her separate property and estate and to and for her sole and separate use, of the County of Bexar State of Texas the following described real estate together with all improvements thereon, situated in the County of Kootenai State of Idaho being more particularly described as follows, to-wit:-

Lot number Two (2) in Block Number Nine (9) in La Delcorder Bay, and situated in Lot Number One (1), of Section Twenty-three (23) Township Forty-nine (49) North of Range Four (4) West of Boise Meridian according to the map or plat of said La Delcorder Bay now on file in the Recorder's office of Kootenai County, Idaho.

TO HAVE AND TO HOLD the above described real estate and premises together with all and singular the rights and appurtenances thereunto, in anywise belonging unto the said Grantee Dorothy E. Gosnell as a part of her separate property and estate and to and for her sole and separate use and benefit, her heirs or assigns forever. And I do hereby bind myself, my heirs, executors administrators and assigns, TO WARRANT AND FOREVER DEFEND all and singular the said real estate and premises unto the said grantee herein, her heirs and assigns against every person whosoever lawfully claiming or to claim the same, or any part thereof.

WITNESS THE SIGNATURE of the Grantor at San Antonio Texas, on this the 4th day of February A. D. 1944.

Joseph Faska
Joseph Faska

STATE OF TEXAS }

COUNTY OF BEXAR } BEFORE ME, the undersigned authority on this day personally appeared Joseph Faska, a single man, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND and seal of office, on this the 4th day of February, A. D. 1944.

(Notarial Seal)

Bert Slater
Notary Public in and for Bexar County Texas

State of Idaho }

County of Kootenai }

Filed for record at the request of Dorothy E. Gosnell on FEB 12 1944 at 9 o'clock A. M. and recorded in book 123 of Deeds page 409.

Jas. A. Foster County Recorder

Fee \$1.50

164264

WARRANTY DEED

THIS INDENTURE, made this first day of April, A. D. 1937, between FRANK FRUECHTL and THERESA FRUECHTL, husband and wife, of Coeur d' Alene, Kootenai County, State of Idaho, parties of the first part, and ANNA E. ANDERSON, wife of Marcus Anderson, of Coeur d' Alene, Kootenai County, State of Idaho, party of the second part;

WITNESSETH, that the said parties of the first part, for and in consideration of the sum of One (\$1.00) Dollar, lawful money of the United States of America, and other valuable considerations to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged and the party of the second part forever released and discharged therefrom, do by these presents grant, bargain, sell, convey and confirm unto the said party of the second part and to her heirs and assigns forever, as and for her separate property, and for her sole use and benefit, all the following described real estate situated in the County of Kootenai and State of Idaho, to-wit:

Lot Two (2) Block "N" of the Town of Coeur d' Alene and King's Addition thereto, according to the corrected plat thereof on file and of record in the office of the County Recorder of Kootenai County, Idaho

(18 Stamps \$3.85 FF FEB 11 1944)

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD all and singular the said premises, together with the appurtenances, unto the said party of the second part and to her heirs and assigns forever, for her own sole and separate use, benefit and behoof forever.

To hold and enjoy all and singular the same and every part and parcel thereof, and the rents and profits therefrom as and for her separate property and estate and not in any respect as community property; all rents and profits thereof to be applied to her sole and separate use.

And the said parties of the first part, for themselves and their heirs, do hereby

SCANNED

AUG 20 2020

WARRANTY DEED

COMPARED

BY J. H. 210

247898

This Indenture, Made this day of in the year of our Lord One Thousand

Nine Hundred and Fifty one , between Dorothy E. Gosnell and H. E. Gosnell, her husband
resident of San Antonio , County of Bexar , State of Texas parties of the first part,
and James F. Weaver and Marie Weaver, husband and wife
resident of Coeur d'Alene , County of Kootenai , State of Idaho parties of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of
One Dollar and other valuable consideration
In hand paid by the said parties 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, remised, released, alienated and confirmed, and by these presents do grant, bargain, sell, remise, release, alien and confirm unto the said parties of the second part and 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 Two (2), Block Nine (9), LaDel Cardo Bay 704 East Grayson Street
(I. R. Stamps 55¢) San Antonio, Texas
July 3, 1951.

TO WHOM IT MAY CONCERN: This is to certify that my Uncle Joseph Faska, was a single man between the dates of October 27, 1903 to February 4, 1944 during which time he owned the lot described on Warranty Deed to which this is attached. Since Joseph Faska was never married no widow or children survive him.

Dorothy E. Gosnell
Dorothy E. Gosnell

STATE OF TEXAS)
COUNTY OF BEXAR)

Before me, the undersigned, A Notary Public, Wm. J. Schnabel, in and for said County, Texas, on this day personally appeared Dorothy E. Gosnell known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This 3rd day of July, A. D. 1951.

(Notarial Seal)

Wm. J. Schnabel
Wm. J. Schnabel - Notary Public
Bexar County Texas.

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 parties 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 parties of the second part, their heirs and assigns forever.

And that the said parties of the first part, for themselves and their heirs, executors and administrators, do covenant, grant, bargain and agree to and with the said parties of the second part, their heirs and assigns, that at the time of sealing 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, liens, taxes, assessments and incumbrances of every kind or nature whatsoever, except 1951 taxes

and the above bargained premises in the quiet and peaceable possession of said parties 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 parties of the first part shall and will warrant and defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hand and seal, the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Wm. J. Schnabel

Mrs. Gertrude Schnabel

Dorothy E. Gosnell (Seal)

H. E. Gosnell (Seal)

(Seal)

(Seal)

STATE OF TEXAS

County of BEXAR

County of Kootenai

ss.

On this 3rd

day of

July

In the year 1951, before me,

personally appeared

Dorothy E. Gosnell and H. E. Gosnell, her husband

known to me to be the person whose name is 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 Official seal, the day and year in this certificate first above written.

(Notarial Seal)

Wm J Schnabel
Notary Public, Bexar County Texas

STATE OF IDAHO,

County of Kootenai,

ss.

Filed for record at the request of Panhandle Abstract Company

on the 12th day of July,

1951, at 2:56 o'clock P. M., and recorded in Book 148 of Deeds,

on Page 640.

James D. Riggs

County Recorder.

\$2.00
Fees, \$2.50

By Ora E Swan, Deputy

SCANNED
AUG 20 2020

Exhibit C

BOOK 169 PAGE 180

The rights and obligations hereunder extend to the heirs, representatives, successors, and/or assigns of the respective parties.

WITNESS the hands and seals of the grantors at the time and place mentioned in the acknowledgment hereto.

Sam C. Theis (L.S.)
Husband

Hazel Belle Theis (L.S.)
Wife, Grantors

COUNTY OF KOOTENAI
STATE OF IDAHO

ss.

On this 10th day of July, 1957, before the undersigned Notary Public, personally appeared SAM C. THEIS and HAZEL BELLE THEIS, husband and wife, known to me to be the grantors named in the foregoing instrument and acknowledged to me that they executed the same.

Notary Public for Idaho, residing at
Coeur d'Alene; My com. exp. 8-6-60



Subscribed and sworn to at the request of James W. Fitzgerald
10-45 10 July 1957
E. W. Ransom
Return to James W. Fitzgerald

328185

WARRANTY DEED

BOOK 169 PAGE 180

For Value Received

MARIE WEAVER, widow

The grantor does hereby grant, bargain, sell and convey unto
LLOYD B. CRAINE and JANET CRAINE, husband and wife,

the grantees, the following described premises, in Kootenai County Idaho, to wit:

Lot Two (2), Block Nine (9), LaDelcardo Bay, Kootenai
County, Idaho, according to the plat thereof recorded in
Book A of plats on Page 81



NOTED
C. W. REIDER
ASSESSOR

CANNED
JG 20 2020

COMPARED

PLATTED
C. W. GRIDER
4888808

BOOK 169 PAGE 181

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that she is the owner in fee simple of said premises; that they are free from all incumbrances except easements of record and reservations in Plat and Dedication, Book A of Plats, Page 81, reserving to the owner the reversions in streets and avenues should they ever be vacated, and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: July 8, 1957

Marie Weaver

STATE OF IDAHO, COUNTY OF KOOTENAI
On this 8th day of July, 1957;
before me, a notary public in and for said State, personally
appeared MARIE WEAVER, widow

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that she executed the same.

Marie Weaver
Notary Public
Coeur d'Alene
7-29-58
Idaho

STATE OF IDAHO, COUNTY OF Kootenai
I hereby certify that this instrument was filed for record at
the request of *P. Owens*

at 35 minutes past 11 o'clock a.m.
this 26 day of July
1957, in my office, and duly recorded in Book
of Deeds at page

E. W. LARSON

Ex-Officio Recorder

By *Marquette Tomblin*
Deputy.
Fees \$1.00
Mail to: *Floyd B. Raine*
606 Kenneth, Moscow, Ida.

INSTRUMENT NO.

3888137

QUIT-CLAIM DEED
Statutory Form

BOOK 169 PAGE 181

THE GRANTOR S. Joseph P. Wieber and Phyllis D. Wieber, husband and wife
and Philip N. Clifford and Patricia A. Clifford, husband and wife
of Spokane in the County of Spokane and State of

Washington, for the consideration of Ten Dollars (\$10.00) and other valuable
consideration

in hand paid, convey and quit-claim to Edward C. Tatt and Greta F. Tatt,
husband and wife

of the County of Spokane in the State of Washington all

interest in the following described Real Estate

Lot Eleven (11), Block Four (4) of Hayden
Lake Honeysuckle Hills Building Sites
according to the Plat thereof recorded in
Book D of Plats on page 55, records of
Kootenai County, Idaho

Filed and recorded at the request of *Edward C. Tatt*
at 9:30 o'clock A.M. this 26 day of July 1957
E. W. LARSON
Ex-Officio Recorder
Kootenai County, Idaho
Return to *82804 Wall Spokane Wash*

CANNED
AUG 20 2020