

Roda, Evan

From: Karl Craine <kcraine@lawseminars.com>
Sent: Monday, July 20, 2020 2:22 PM
To: Roda, Evan; kclsi@mac.com
Cc: Saxton, Craig; Wendel, Jennifer
Subject: Re: Amended Notice of Claim for CSRBA Claim No. 95-8268
Attachments: 1944-02-04 Conveyance from Faska.pdf; 1951-07-03 Conveyance to Weaver.pdf; 1957-07-08 Conveyance to mom and dad.pdf; 95-8268 Amended Notice of Claim 2020-07-19.pdf

Hi Evan,

Here's the amended notice and six supporting documents. Three are county records that we previously submitted, but I included them so you wouldn't have to go looking for them. The other three were the closest I could get to dated photos from early in the last century. One is dated Jan. 14, 1910. You can tell by comparing it to the other two they are from approximately the same time period. Together, they show early cabins being built in the early 20's.

The resolution I could obtain from the Historical Society isn't great. However, I think what looks like buildings inside the circle in #4 would be in the general location of our property. I hope the photos plus the narrative in the amended claim will be sufficient.

Let me know if you need anything else. Thanks for your patience while I tried to find dated photos to make up for the lost county records. kc

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AUG 20 2020



Del Cardo Bay, Lake Coeur d'Alene,
Idaho (1)



© 2020



Del Cardo Bay, Lake Coeur d'Alene,
Idaho (2)

♡ ⬇️ 🔗 🖼️

♡ 0 likes

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 Pinterest



RPPC Steamer Milwaukee Delcario Bay Lake
Coeur D'Alene posted 1910 ...

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HistoryofIdaho.com - From the Mike Fritz Collection

Del Cardo Bay, Lake Coeur d'Alene, Idaho (1)



Karl Craine
Executive Director

Law Seminars International
800 Fifth Avenue, Suite 101
Seattle, WA 98104
Direct Dial: (206) 567-4535
Main Line: (206) 567-4490
Cell: (206) 321-0469
kcraine@lawseminars.com

"The Power of Information"

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AUG 20 2020

From: "Roda, Evan" <Evan.Roda@idwr.idaho.gov>

Date: Monday, July 13, 2020 at 12:44 PM

To: "kcraine@lawseminars.com" <kcraine@lawseminars.com>, "kclsi@mac.com" <kclsi@mac.com>

Cc: "Saxton, Craig" <Craig.Saxton@idwr.idaho.gov>, "Wendel, Jennifer" <Jennifer.Wendel@idwr.idaho.gov>

Subject: FW: Amended Notice of Claim for CSRBA Claim No. 95-8268

Mr. Craine,

Per our phone conversation this afternoon, I am sending you another copy of the Amended Notice of Claim to a Water Right form. Please complete the highlighted portions of the form and return the signed original along with supporting evidence to our Northern Regional Office at the address listed below. Feel free to contact our office if you have any additional questions or concerns.

Best Regards,

Evan

Evan W. Roda

Water Rights Supervisor
Idaho Department of Water Resources, Northern Region
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763
Phone (208) 762-2815 / 2800
Fax (208) 762-2819
evan.roda@idwr.idaho.gov
<https://idwr.idaho.gov>

From: Roda, Evan

Sent: Tuesday, May 19, 2020 9:45 AM

To: 'kcraine@lawseminars.com' <kcraine@lawseminars.com>; 'kclsi@mac.com' <kclsi@mac.com>

Cc: Saxton, Craig <Craig.Saxton@idwr.idaho.gov>; Wendel, Jennifer <Jennifer.Wendel@idwr.idaho.gov>

Subject: Amended Notice of Claim for CSRBA Claim No. 95-8268

Mr. Karl Craine,

As per our phone conversation this morning, I am sending you a partially completed Amended Notice Of Claim to a Water Right form for CSRBA Water Right Claim No. 95-8268. Your oral motion to amend the claim was granted by the Court during the status conference on 5/12/20 so no additional motion will need to accompany this amended claim. As we discussed, please complete the highlighted sections of the claim form (2,12,14), then return the signed claim along with supporting evidence to our Northern Regional Office at the address listed below. No additional filing fees will be required. Feel free to contact me if you have any further questions or concerns and I will be happy to help.

Best Regards,

Evan

Evan W. Roda

Water Rights Supervisor
Idaho Department of Water Resources, Northern Region
7600 N Mineral Drive, Suite 100
Coeur d'Alene, ID 83815-7763
Phone (208) 762-2815 / 2800
Fax (208) 762-2819
evan.roda@idwr.idaho.gov
<https://idwr.idaho.gov>

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AUG 20 2020

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

COPY

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

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	% of	% of	%	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.

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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

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AUG 20 2020

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.

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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

COPY

SCANNED
AUG 20 2020

(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

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 Haydeh 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 408.

Jas. A. Foster County Recorder

By Ardath Bakke Deputy

Fee \$1.00

164263

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 Records 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 } ss

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 PRUECHTL and THERESA PRUECHTL, 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

(IRStamps \$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 122 & 10

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 s 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 enrolling 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 hands and seals, 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 IDAHO,
County of Kootenai,
BEXAR

ss. On this 3rd day of July in the year 1951, before me,
Wm. J. Schnabel personally appeared

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

known to me to be the person s whose name s are subscribed to the within instrument, and acknowledged to me that t he y 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, } ss. Filed for record at the request of Panhandle Abstract Company
County of Kootenai,

on the 12th day of July, 19 51, 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, \$1.60

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 20th 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.

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



Filed and recorded at the request of James W. Sigalla
LO 45 JUL 1957
E. W. Hanson
Return to James W. Sigalla

329185

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



ATTED
C. W. REIDES
ASSESSOR

CANNED
JG 20 2020

BOOK 169 PAGE 181

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, 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.

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.

E. W. Larson
Notary Public
Coeur d'Alene, Idaho
Comm. Expires 7-29-58

STATE OF IDAHO, COUNTY OF Kootenai
I hereby certify that this instrument was filed for record at
the request of *R. 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 *Marguerite Tomblin*
Deputy.
Fees \$1.00
Mail to: *Lloyd B. Braine*
606 Kenneth, Moscow, Ida.

INSTRUMENT NO.

325137

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 25 day of JUL 25 1957
E. W. LARSON
Ex-Officio Auditor-Recorder
Kootenai County, Idaho
Return to *B. 2804 Wall Spokane Wash.*

CANNED
AUG 20 2020