

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 CLARK FORK-PEND OREILLE RIVER
BASIN WATER SYSTEM

CIVIL CASE NUMBER: 69576

Claim ID: 97-4233Date Received: 6-24-22Receipt No: N040212Claim Fee: \$250 By: NS

RECEIVED

JUN 24 2022

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

IDWR / NORTH

Please type or print clearly CHRISTINE LOIS HAYNES1. Name of claimant(s) RANDALL K. HAYNES AND/OR Phone (208) 437-0102Mailing address 19 LEE RD OLDTOWN ID Zip 83822
Street or Box City StateEmail address (optional) NONE2. Date of priority: (Only one per claim) SEPTEMBER 10 2009 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)3. Source of water supply (Check one) Ground Water () or Other (☒) (a) SPRING
which is tributary to (b) SINKS4. Location of point of diversion is: Township 56 N., Range 5 W, Section 18,
NE 1/4 of NE 1/4, or Govt. Lot ? BM, County of BONNER CO.
Parcel no. RP 56 N 05 W 18 003 AAdditional points of diversion, if any: NONEIf available, GPS coordinates: ?

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.

SPRING BOX AT SOURCE, PIPED TO HOME UNDER GROUND
2 WELLS #1 370 FT DEEP DRY #2 78 FT DEEP 38 FT OF WATER NOT USED.

6. Water is claimed for the following: (limited to domestic and/or stockwater uses - see page 1 of the instructions)

For DOMESTIC purposes from JAN 1 to DEC 31 amount 0.01
Month/Day Month/Day cfs () or AFY ()

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.01 cfs () or AFY ()

8. Non-irrigation uses. Describe fully. (Domestic: give number of homes; Stockwater: list number and kind)

FOR DOMESTIC USE 1 HOME 1/2 ACRE IRRIGATION

9. Location of place of use is: Township 56, Range 5 WEST, Section 18,
NORTHALL 1/4 of NE 1/4, Govt. Lot _____ BM, Parcel no. RP 56N05W181001A
If different than shown in Item 4
for (check one) ☒ Domestic ☐ Stock ☐ Domestic and Stock ☐

Additional places of use, if any NONE

10. In which county(ies) are lands listed above as place of use located? BOHNER COUNTY

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):

THE PRIORITY DATE IS THE DATE WE BOUGHT THIS PROPERTY
ALONG WITH WATER RIGHTS # 97-4233

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 # 97-4233

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 Clark Fork-Pend Oreille 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) Randall K. Haynes Date: 6/22/2022
Christine K. Haynes Date: 6/22/2022

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 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Richard &/or Irene Lee (Name of Claimant)
Rt 4 Box 200 oldtown ID 83822 (Mailing Address) Telephone No. 437-3289 (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows: 1968

- follows:
- (1) Date of priority: (When was the water first applied to a beneficial use) 1968
- A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
unnamed spring tributary to sinks
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: _____
- (Both dates inclusive)

claimed:		(Both dates inclusive)	
(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Mo., Day)
Quantity <u>.01 cfs</u>	Use <u>Domestic</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
TOTAL QUANTITY USED.			

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 18 Twp. 56N Rge. 5W B.M., County of Bonner
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 20' of perforated pipe with 1700' of 2" plastic pipe to place of use

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres _____

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

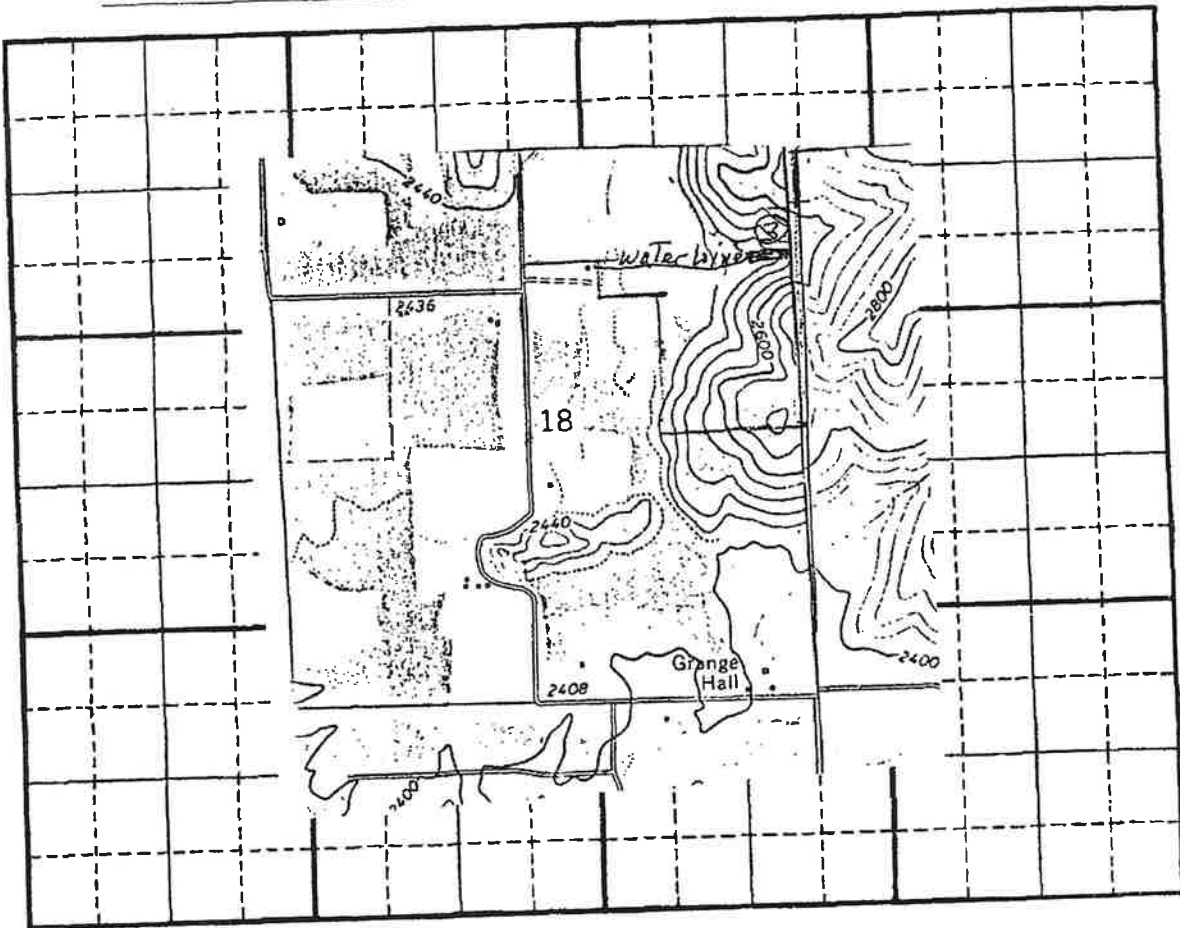
B) If water is used to
1 house

MICROFILMED

AUG 25 1987

- NOTE: Include here the type and number of stock watered: _____
- (7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)

County of Kootenai) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 2 day of July

Richard W Lee
(Claimant)

19 87

Robert D Haynes

Notary Public
Residing at

cd's

My commission expires 11/10/92

AUG 25 1987

FOR DEPARTMENT USE ONLY

Received by RVA

Date

7/2/87

Exception filed by:

Forwarded to
claimant by:

Date

Prelim. check by RVA

Date

7/2/87

\$30.00 fee received by RVA

Date

7/2/87

Published in Spokane Falls

Date

7/15/87

Dates

#38360

Affidavit of Publication

STATE OF IDAHO
County of Bonner,

ss.

Bill Bratschew
being duly sworn, says that he is the editor
of the PRIEST RIVER TIMES, a weekly newspaper printed and
published at Priest River, Bonner County, Idaho, and has been con-
tinuously and uninterruptedly published in said County during a period
of 78 consecutive weeks prior to the first publication of the annexed
notice for publication, is a newspaper of general circulation made up of
at least eight pages of at least six columns each, printed from typemat-
ter or stereotyped forms of at least nineteen and three-fourths inches
depth, has at least 1250 bona fide subscribers living within said Bonner
County, and is published at regular weekly intervals. That the annexed
is a true copy of the notice for publication in the case of

469 Richard Lee

as it was published in the regular and entire issue of said paper for a
period of two consecutive weeks, commencing on
the 15 day of July, 19 87,
and

ending on the 23 day of July, 19 87,
and that said notice was published in said newspaper proper, and not in
supplement form.

Bill Bratschew

Subscribed and sworn to before me this

22 day of July, 19 87.

Donna L. Ramey

Notary Public for Idaho,
Residing at Priest River, Idaho

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been
filed on water right(s) created by
diversion and beneficial use:

97-4232

LEE, RICHARD &/or IRENE
RT. 4 BOX 200, OLDTOWN, ID 83822
Source: UNNAMED SPRINGS trib.
to SINKS

Diversion Pt: NWSW SWSW Sec 08 T
56N R 05W

Use: STOCKWATER (0.010 CFS)
DOMESTIC (0.010 CFS)

Priority Date: 06/01/1963

In: NESE Sec 07 T 56N R 05W

97-4233

LEE, RICHARD &/or IRENE
RT. 4 BOX 200, OLDTOWN, ID 83822
Source: UNNAMED SPRING trib.
to SINKS

Diversion Pt: NENE Sec 18 T 56N R
05W

Use: DOMESTIC (0.010 CFS)
Priority Date: 06/01/1968

In: NWNE Sec 18 T 56N R 05W

Exceptions to a claim may be filed
with the Director, Dept. of Water
Resources, Northern Region, 4055
Government Way, Suite 9, Coeur
d'Alene, Idaho, 83814.

Ken Dunn, Dir.

489 July 15, 22, 1987

18
6/7/87

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: *l*

Right Number 97-4233 Applicant *Lee*

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☒ Exceptions processed.

By *[Signature]* Date 8/7/87

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By *SC* Date 8/11/87

RECEIVED
AUG 11 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 765-4639

AUGUST 3, 1987

RICHARD LEE
IRENE LEE
RT. 4 BOX 200
OLDTOWN

ID 83822

RE: Claim No. 97-4233

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

Robert G. Haynes, P.E.
Regional Supervisor

Enclosure

MAILED

AUG 25 1987

97-4233

LEE, RICHARD &/or IRENE

RT. 4 BOX 200, OLDTOWN, ID 83822

Source: UNNAMED SPRING trib. to SINKS

Diversion Pt: NENE Sec 18 T 56N R 05W

Use: DOMESTIC (0.010 CFS)

Priority Date: 06/01/1968

In: NENE Sec 18 T 56N R 05W

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AUG 25 1987

(8) Remarks



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of Kootenai

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 2 day of July

[Signature]
(Claimant)

1987

Robert G. Haynes
Notary Public

Residing at Cal A

My commission expires 11/10/92

FOR DEPARTMENT USE ONLY

Received by [Signature]
Prelim. check by [Signature]
\$30.00 fee received by [Signature]
Published in
Dates

Date 11/10/87
Date 11/10/87
Date 11/10/87

Exception filed by

Forwarded to
claimant by

Date

426190

ORIGINAL

Quitclaim Deed

Grantors, **Richard W. Lee and Irene H. Lee, husband and wife**, for a good and valuable consideration, the receipt whereof is hereby acknowledged, does Remise, Release and forever Quitclaim unto Grantee, **Dorothea Fouquette, a widow**, of Rt 4 Box 201, Oldtown, Idaho 83822, and to Grantee's successors and assigns, forever, including all after-acquired title, all the following described real estate, to-wit:

A tract of approximately five (5) acres situate in the Southwest (SW) corner of the North Half (N $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of said Section 18; thence East (E) 740 feet more or less ~~to~~ ^{Public Creek running across said property} thence North ~~300 feet~~ ^{824' (N)} West (W) 740 feet more or less; thence South (S) 300 feet more or less to the place of beginning.

Together with water right under Idaho Department of Water Resources Claim #97-4233.

Together with all tenements, hereditaments and appurtenances thereunto belonging.

In witness whereof, the said Grantors have set their hands this 3rd day of June, 1993.

Richard W. Lee
Richard W. Lee

Irene H. Lee
Irene H. Lee

QUITCLAIM DEED 1



WARRANTY DEED

For Value Received

DOROTHEA ARLENE FOUQUETTE, TRUSTEE OF THE DOROTHEA ARLENE FOUQUETTE LIVING TRUST
The grantor , does hereby grant, bargain, sell and convey unto

RANDALL K. HAYNES AND CHRISTINA L. HSYNES, husband and wife
the grantees , whose current address is

3842 Almond Grove Ct, Antelope, CA 95843
the following described premises,

BONNER

County Idaho, to-wit:

A tract of land situated in the Southwest corner of the North Half of the Northeast quarter of said Section 18, Township 56 North, Range 5 West, Boise Meridian, Bonner County, Idaho, more particularly described as follows:

Beginning at the Southwest corner if the North Half of the Northeast Quarter of said Section 18; thence, East 740 feet more or less; thence, North a distance of 300 feet; thence, West 740 feet more or less; thence, South 300 feet more or less to the place of beginning.

TOGETHER with water right under Idaho Department of Water Resources Claim #97-4233.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s
their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee s, that s/he is the owner in fee simple of said premises; that they are free from all incumbrances

and that she will warrant and defend the same from all lawful claims whatsoever.

Dated:

DOROTHEA ARLENE FOUQUETTE,
TRUSTEE

STATE OF IDAHO, COUNTY OF
On this day of , 19 ,
before me, a notary public in and for the said State, personally
appeared

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

Residing at
Comm. Expires

Notary Public
, 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

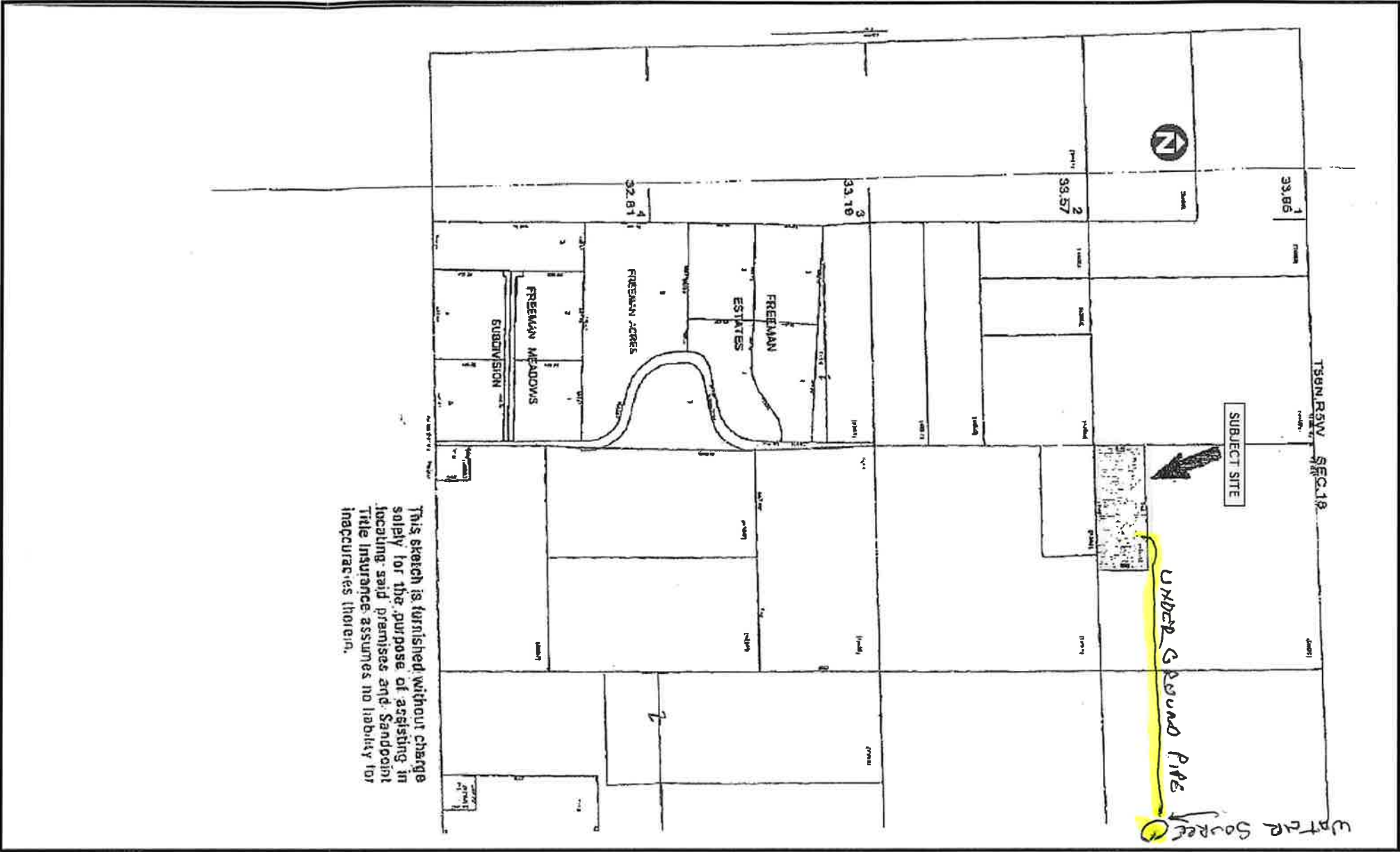
Ex-Officio Recorder

By
Fees \$
Mail to: Deputy.

Plat Map

Borrower/Client Randall & Christine Haynes			
Property Address 19 Lee Rd			
City Oldtown	County Bonner	State Idaho	Zip Code 83822-8500
Lender Old Republic Mortgage			

The attached plat map is for general reference only and should not be used in place of a survey or Title profile.



This sketch is furnished without charge solely for the purpose of assisting in locating said premises and Sandpoint title insurance assumes no liability for inaccuracies therein.