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OCT 23 2007
DEPARTMENT OF
WATER RESOURCES

October 19, 2007

Idaho Department of Water Resources
Attention: Michelle Edl or Craig Thaxton
P.O. Box 83720
Boise, Id 83720-0098

Re: Water Rights Adjudication, Claim 92-4024

Dear Ms. Edl or Mr. Thaxton:

Enclosed you will find copies of three documents which describe the history of the water rights/use associated with Claim No. 92-4024 for your files. The "shallow well" described in the claim was wood framed. We have owned the two parcels in Government Lot 10 of Section 17, Township 46 N., R 2 W.B.M. since 1995. In 2005 the decayed wooden structure was replaced with concrete well rings. We use this site for drinking water for four head of stock. We plan to pump water from the well rings to a 2,500 gallon holding tank to irrigate our garden and yard and for fire protection.

If you have any questions, please feel free to contact us at:
15391 Highway 5
St. Maries, ID 83861
e-mail: dbestway@smgazette.com
hone: 208-245-3960

Sincerely,

Denise + David Best

Denise and David Best

Annette E. Erickson
706 Rachel Street, Troy ID 83871-9668
208-835-3652

September 28, 2007

Denise & David Best
15391 Hwy 5
St. Maries ID 83861

SUBJECT: Water Rights Adjudication on Property Formerly Owned by Elie D. & Anna C. Jacot

At your request I am providing information about my parents previous ownership of property approximately three miles west of St. Maries on State Highway 5.

I am enclosing a copy of a portion of an old Metsker map showing "E. D. Jacot" on portions of property in Sections 17, 18, 19, & 20, Twp. 46 N, R 2 WBM. I believe the property on which your home is located is within the Section 19 parcel previously owned by my parents.

17 db

My parents were married March 21, 1929. I have a portion of a copy of a deed from my paternal grandparents, Jules Alfred & Marie Lina Jacot to my parents, Elie Daniel & Anna Clara Jacot dated January 2, 1931 for a portion of the property shown on the map. My parents first built a home along the river (in Section 17) before the dikes were built along the St. Joe River. After surviving several floods, they decided to build a home on their hillside property on the south side of Highway 5. To the best recollection of my oldest brother, J. Alfred Jacot, the home was built in 1939. Sometime later they sold the riverfront property to Fulton Cook, but kept the riverfront property known as Sweeny's Landing that they later sold to the Potlatch Corporation for a log landing.

My parents had a well drilled for domestic consumption on the east side of the tiny creek that ran through the field below their home. On this small farm they also grew a few head of cattle and at one point a few hogs, chickens, and a couple of horses, so the water was used for the livestock also. Usually during the summer our well water would run low and we had to haul water from the St. Joe for the livestock and get drinking water from St. Maries for use in our home.

I believe the property you now own was sold by my parents to George & Betty Duvall in May of 1966. This area of the farm was used for grazing the cattle and horses and hay was harvested for the animal's winter-feeding. At no point was there ever irrigation of the land.

After my father's death my mother continued to live on the property for several years, then due to health problems moved into St. Maries. She sold the remainder of the property in October 1986.

If you need the family history, the names and dates are as follows:

Elie Daniel Jacot	7/1902 - (deceased) 12/1974
Anna Clara Jacot	4/1911 - (deceased) 8/1992
Married	3/1929
John Alfred Jacot	10/1930
Stanley Everett Jacot	5/1932
Kenneth Ernest Jacot	2/1935 (deceased)
Alex Elie Jacot	1/1938 - (deceased) 1/1959
Nancy Ann Jacot	8/1939 (deceased)
Owen Dale Jacot	5/1941
Annette Elaine Jacot Erickson	5/1946

I hope this provides all the detail you need for your water rights application. Please contact me if there is further information you require.

Sincerely,



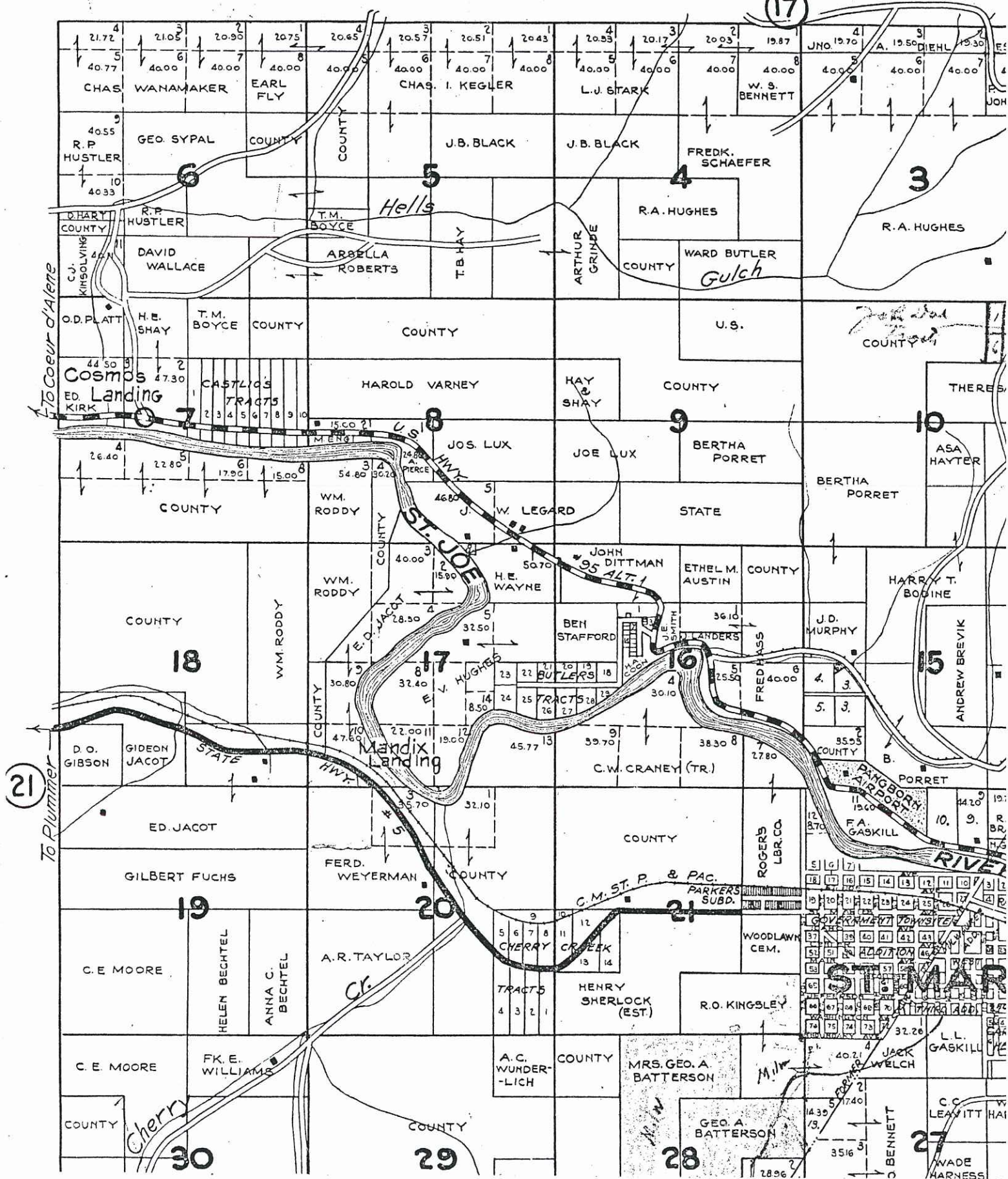
Annette E. Erickson

Enclosure

FOR SALE BY

514 S. W. OAK STREET, PORTLAND, OREGON
111 SOUTH 10TH ST., TACOMA, WASHINGTON
1020 THIRD AVE., SEATTLE, WASHINGTON

17



March 30, 1995

David M. Best
1213 Powell Road
St. Maries, Idaho 83861

Dear Dave,

I am enclosing a copy of the letter I sent to Louise Mann at the escrow company. She said she would begin working on the title insurance today.

At the risk of sounding overly cautious, we want to make sure it is understood that we are selling the property "as is". For example, we can't make any guarantees as to the quality or amount of water. When the well was drilled, it tested at least 15 gallons per minute. We don't if it is more or less now since we have never used the system ourselves. The spring the Jacots used was inadequate in late summer. We don't know if it was inadequate due to poor construction or simply lack of water. In any case, that's why we drilled the well. The stream that flows through the draw should be considered seasonal.

We think the trailer was placed on the property around 1964. We did some work on the skirting, septic system, electrical, and plumbing in 1986 but we are not sure of the condition now. The barn is old, in poor repair, with sub-standard wiring.

The renter will be notified of the ownership change which will be effective May 1. We do not have a written rental agreement with him, but it is on a month-to-month basis at \$200 per month. Enclosed is our letter to him.

As far as the \$5000 earnest money/down payment, you can send the check and we will mail or fax a receipt or you can prepare the standard form you have.

Call us if you have any questions.

Sincerely,

Mary Lau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN W. EVANS
Governor
C. STEPHEN ALLRED
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

NOVEMBER 5, 1979

ANNA C. JACOT
RT. 1 BOX 35B
ST. MARIES

ID 83861

RE: Claim No. 92-4024

Dear Claimant:

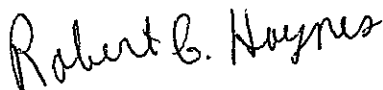
The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

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 Anna C. Jacot (Name of Claimant)
Rt 1, Box 25 B, St. Maries, Id. 83861 (Mailing Address) Telephone No. _____
(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:

(1) Date of priority: (When was the water first applied to a beneficial use) 1929

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)
Groundwater tributary to _____

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)	Use	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
Quantity <u>0.04</u>	Use <u>Domestic</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity <u>0.02</u>	Use <u>Stock</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 _____

(4) 0.06 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
GL 10 1/4 Sec. 17 Twp. 46N Rge. 2W B.M., County of Benewah
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. Shallow well pump & pipe line

(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.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
46N	2W	17						X	(GL. 10)										

No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Stock - 50 hd - one home

NOTE: Include here the type and number of stock watered: 50

(7) If you are claiming water as a member of an organization, list name of organization: _____

+ 90° Place face

Soc 17
T40N R2W

Received by JK Date 10-5-79 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by MLC Date 10/5/79 #15065 claimant by: _____
\$20.00 fee received by KE Date 10/5/79
Published in St. Louis Post-Dispatch _____
Dates 10/18 & 25/79 _____

Denise & Dave Best
15391 Hwy. 5
St. Maries, ID 83861-9394

CERTIFIED MAIL™



7005 3110 0004 5227 1202



0000



83720

U.S. POSTAGE
PAID
ST MARIES, ID
83861
OCT 19 107
AMOUNT

\$5.28
00012422-02

Id. Dept of Water Resources
Attn: Michelle Edl on Craig Thaxton
P.O. Box 83720
Boise, ID 83720-0098