

16. (a) Is reservoir to be used? No If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho as herein set forth.

J. O. HOLLINGSWORTH

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. November 16, 1951

Returned to applicant for correction: November 17, 1951

Corrected application received: November 28, 1951

Approval of State Reclamation Engineer

The number of this permit is 22479

Recorded in Book 80

Page 22479

Approved December 3, 1951

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before February 3, 1952

and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before June 3, 1954

The whole of said work to be completed on or before December 3, 1956

Beneficial use of water appropriated in accordance herewith, to be made on or before December 3, 1961.

WITNESS My hand this 3rd day of December, 1951

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, LEN JORDAN

... Governor of the State of Idaho,

and IRA H. MASTERS

Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 3rd.....

day of December 19 51

STATE OF IDAHO

Countersigned:

(SEAL)

By LEN JORDAN

By IRA H. MASTERS

Governor.

Secretary of State.

REMARKS: This water is to be taken from Cocolalla Creek above Cocolalla Lake to irrigate hay and pasture land.

14.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
54 N.	3 W.	12													25 5 20				50
			Permit No. 22479 CERTIFICATE OF COMPLETION OF WORKS																
			TO ALL WHOM IT MAY CONCERN:																
			This is to certify that J. O. HOLLINGSWORTH of Careywood, County of Bonner, and State of Idaho, the holder of No. 22479, issued upon Application No. 30214 bearing date of priority of November 16, 1951, authorizing the diversion of second foot of the waters of Cocolalla Creek, a tributary of Pend Oreille River, County of Bonner, State of Idaho, purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to of intended use 0.32 second foot of the waters of Cocolalla Creek; that the point of diversion of said waters is in Section 12, Township 54 North, Range 3 West, B. M. and that the lands proposed to be irrigated by the use of said waters described as follows, to-wit: NE ¹ / ₄ SE ¹ / ₂ and S ¹ / ₂ SE ¹ / ₂ Section 12, Township 54 North, Range 3 West, B. M.																
			Witness my hand this 7th day of October, A. D. 1954.																
			/s/ MARK R. KULP State Reclamation Engineer																
			Proof of Completion of Works made September 14, 1954. Certificate of Completion of Works issued October 7, 1954.																
			COPIES ISSUED FOR 0.32 SEC. FT. P. 5493																
			See duplicate stamps to F. H. A. in file																

405820

appurtenances thereunto belonging.

In construing this Deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, Grantor has subscribed this instrument on May 12, 1992.

Joseph R. Moran D.D.S.
Joseph R. Moran, D.D.S.

Rita Curtis Moran
Rita Curtis Moran

STATE OF IDAHO)
County of Bonner)
On this 12th day of May, 1992, before me the undersigned, a Notary Public in and for said State, personally appeared JOSEPH R. MORAN, D.D.S. and RITA CURTIS MORAN, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.
IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

Stephen F. Smith
Notary Public, State of Idaho
Residing at Salida, California
My commission expires 12/31/94

GRANT DEED TO TRUST
Page 3

COOKE, LAMARNA
SMITH & COGSWELL
ATTORNEYS AT LAW
P.O. BOX 6
SANDPOINT, IDAHO 83864
TELEPHONE NO. 262-3119

MAY 31 1995

45

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006778

along said Section line 194 feet; thence North 22 feet; thence in a Northwesterly direction 180 feet to the East line of the said County Road; thence in a Southwesterly direction along the East line of said County Road to the Point of Beginning.

That portion of the Southwest quarter of the Southeast Quarter of said Section 12, described as follows: from a point on the South line of said Section 12, 2200 feet West of the Southeast corner of said Section 12; thence North 7 degrees 22' West, 327 feet to the Place of Beginning which is a point on the East boundary line of the Old State Highway; thence North 17 degrees 36' East along said Highway line 500 feet; thence South 62 degrees 24' East, 171.5 feet; thence South 17 degrees 36' West, 500 feet; thence North 62 degrees 24' West, 171.5 feet to the Place of Beginning.

The portion of the South Half of the Southeast Quarter of Section 12, described as follows: From a point on the South line of Section 12, 2200 feet West of the Southeast corner of said Section 12; thence North 7 degrees 22' West, 327 feet to a point, which point is on the East boundary line of the Old State Highway; thence in an Easterly direction 47 feet, 10 inches to the Point of Beginning; thence 165 feet in an Easterly direction following what is known as the South boundary line of the Weisell property boundary line; thence in a Southerly direction 205 feet; thence in a Westerly direction 165 feet; thence North 7 degrees 22' West, a distance of 224 feet; thence in an Easterly direction following the South boundary of the Weisell property to the Point of Beginning.

TOGETHER WITH that certain water right and water license No. 22479 issued by the State of Idaho, on the 23rd day of May, 1955.

TOGETHER, with all tenements, hereditaments, and

GRANT DEED TO TRUST
Page 2

COOKE, LAMANA,
SMITH & COGSWELL
CHARTERED
ATTORNEYS AT LAW
P. O. BOX 6
SANDPOINT, IDAHO 83864
TELEPHONE NO. 883-3118

MAY 31 1995

46

AFTER RECORDING, RETURN TO
Dr. and Mrs. Joseph R. Moran
602 Blacktail Road
Careywood, Idaho 83809-9704

FILED BY *S. Smith*

'92 MAY 15 AM 11 16

900
MARIE SCOTT
RECORDER OF BONNER
COUNTY BY *SR* DEP.

405820

GRANT DEED TO TRUST

GRANTOR: JOSEPH R. MORAN, D.D.S. and RITA CURTIS
MORAN, of 602 Blacktail Road, Careywood,
Idaho 83809-9704.

GRANTEE: *(C)* JOSEPH R. MORAN, D.D.S. and RITA CURTIS
MORAN, not individually, but as Co-Trustees
of The Dr. Joseph Moran and Rita Moran 1992
Trust, ~~created by~~ Joseph R. Moran, D.D.S. and
Rita Curtis Moran, as Settlers, and with
Joseph R. Moran, D.D.S. and Rita Curtis Moran
as Co-Trustees, dated *May 12* 1992,
the address of which is 602 Blacktail Road,
Careywood, Idaho 83809-9704.

(C) For value received, Grantor GIVES, GRANTS and CONVEYS to
Grantee, and to Grantee's legal representatives, successors and
assigns, all of Grantor's interest in and to the following
described real property in Bonner County, Idaho:

The Southwest Quarter of Section 7,
in Township 54 North, Range 2 West
of the Boise Meridian, Bonner County,
Idaho; AND

The Southeast Quarter of Section 12
in Township 54 North, Range 3 West
of the Boise Meridian, Bonner County,
Idaho, LESS THE FOLLOWING TRACTS, to-wit:

A portion of the Southeast Quarter
of Section 12 described as beginning at
the point of intersection of the East
line of the County Road with the South
line of said Section 12; thence East

GRANT DEED TO TRUST
Page 1

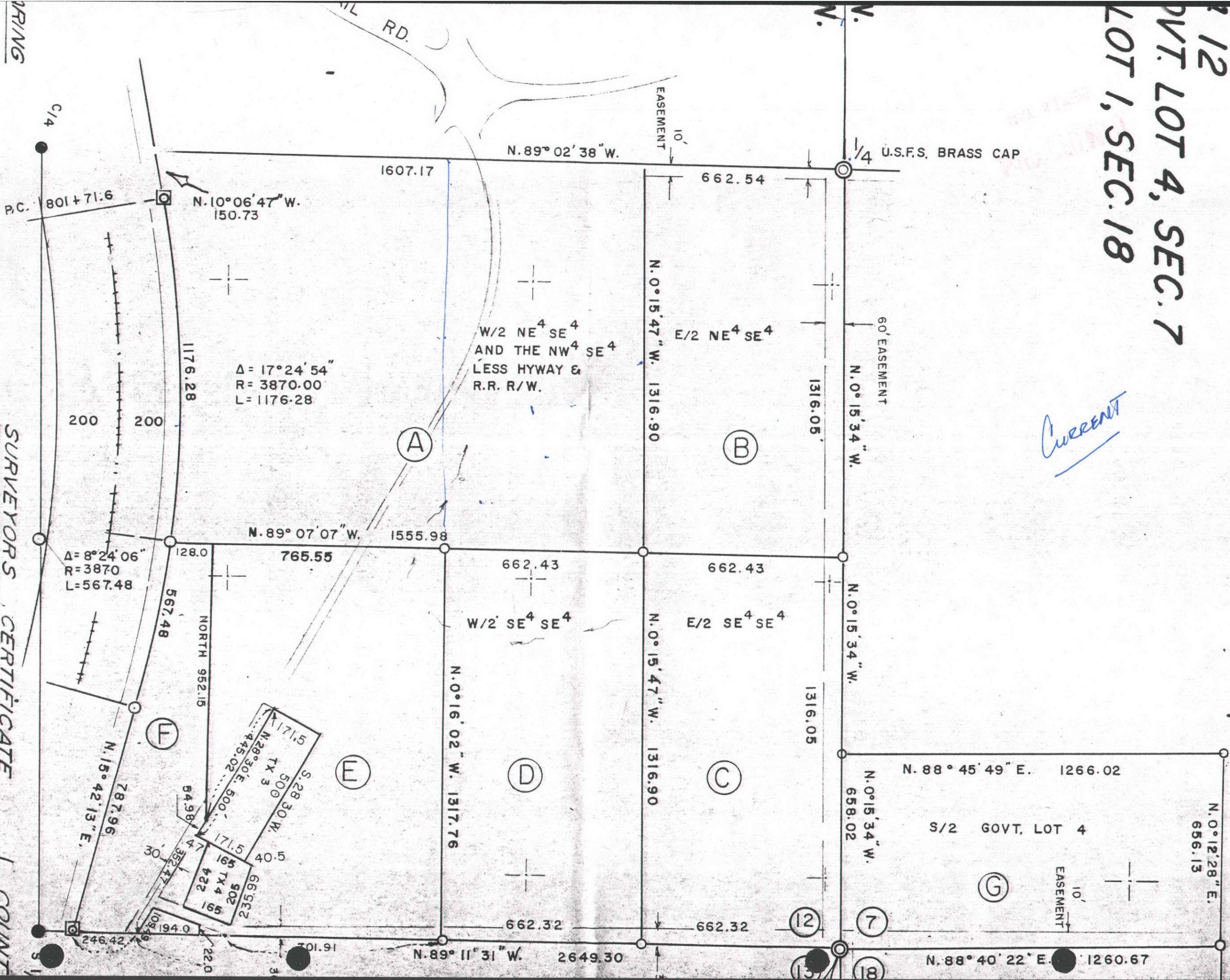
COOKE LAMANNA
SMITH & COGSWELL
CHARTERED
ATTORNEYS AT LAW
P.O. BOX C
SANDPOINT, IDAHO 83864
TELEPHONE NO. 283-3118

MAY 31 1995

(7)

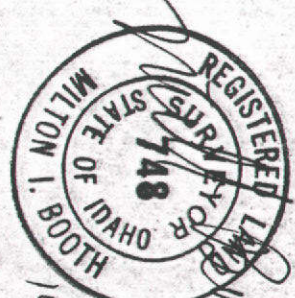
T. 54 N., R. 3/2 W., B.M., BONNER COUNTY
 DVT. LOT 4, SEC. 7
 LOT 1, SEC. 18

Current



ATHOL, IDAHO

Registration No. 748



FILED AT THE REGISTRY
 10/27/94
 RE

43560

900

135000 Rft.

3" x 1/2"

1" = 300'

T54N. R.3W.

Co. 1000 ft. cr.

Farmstead.

12

22

P.D.

3

24

1050'

North and South

Subdivisions = Three
Area = 49 acres.
Q = 16 inches.

State of Idaho
License and Certificate of Water Right

Water License No. 22479

Amount 0.32 second foot

Water District No. _____

Priority November 16, 1951

THIS IS TO CERTIFY that J. O. HOLLINGSWORTH
of Careywood, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated November 16, 19 51; that Permit No. 22479
was issued under said application, that Certificate of Completion of works, with a carrying capacity of
0.32 second foot, was issued thereunder on October 7, 19 54, showing that said works
were completed on the 11th day of September, 19 54; and that on the 9th
day of November, 19 54,

J. O. HOLLINGSWORTH
of Careywood, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Cocolalla
Creek, a tributary of Pend Oreille River, for the purpose of sprinkler irrigation
, under Use Permit No. 22479 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
9 of Licenses at page 5493, on the 23rd day of May, 19 55;

The right hereby confirmed dates from November 16, 19 51;

The Point of Diversion is located

in the SE 1/4 SE 1/4, Sec. 12, Tp. 54 N., R. 3 W., B. M. Bonner County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 0.32 cubic ~~foot~~ per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
54 N	3 W	12	NE 1/4 SE 1/4	25	22
			SW 1/4 SE 1/4	5	3
			SE 1/4 SE 1/4	20	24
			Number of Acres Actually Irrigated -	-	49

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

23rd day of May, 19 55.

MARK B. KULP

State Reclamation Engineer.

(SEAL)

96 2456

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho 96-2196

APPLICATION No. 30214
 PERMIT No. 22479
 DISTRICT No.

1. Name of Applicant: J. O. HOLLINGSWORTH

Postoffice address: Careywood

County: Bonner

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (b) Treasury stock:
- (d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: One (1)

cubic feet per second.

3. Source of water supply: Cocolalla Creek

which is a tributary of Pend Oreille River

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B.M., and is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$

of Section 12 , T. 54 N., R. 3 W., B.M., County of Bonner

5. Water is to be used for Irrigation

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T. , R. , B.M., in the of Section , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B.M., in the
 of Section , T. , R. , B.M.

7. Estimated cost of works: \$ 4,000.00

8. Kind of works: Pump and sprinkler system

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is Five (5) years.

13. The time required for the complete application of the water to the proposed use is Five (5) additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: Not known

16. (a) Is reservoir to be used? No If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho as herein set forth.

J. O. HOLLINGSWORTH

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. November 16, 1951

Returned to applicant for correction: November 17, 1951

Corrected application received: November 28, 1951

Approval of State Reclamation Engineer

The number of this permit is 22479

Recorded in Book 80 Page 22479 Approved December 3, 1951

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before February 3, 1952 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before June 3, 1954

The whole of said work to be completed on or before December 3, 1956

Beneficial use of water appropriated in accordance herewith, to be made on or before December 3, 1961

WITNESS My hand this 3rd day of December, 1951

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, LEN JORDAN

Governor of the State of Idaho,

and IRA H. MASTERS

Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 3rd.....

day of December, 19 51

STATE OF IDAHO

Countersigned:

(SEAL)

By **LEN JORDAN**

Governor.

Bv. IRA H. MASTERS

Secretary of State.

REMARKS: This water is to be taken from Cocolalla Creek above Cocolalla Lake to irrigate hay and pasture land.

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals
			NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	
54 N.	3 W.	12	Permit No. 22479 CERTIFICATE OF COMPLETION OF WORKS				25 5 20 50
TO ALL WHOM IT MAY CONCERN: This is to certify that J. O. HOLLINGSWORTH of Careywood, County of Bonner, and State of Idaho, the holder of No. 22479, issued upon Application No. 30214 bearing date of priority of November 16, 1951, authorizing the diversion of second foot of the waters of Cocolalla Creek, a tributary of Pend Oreille River, County of Bonner, State of Idaho, purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying of intended use 0.32 second foot of the waters of Cocolalla Creek; that the point of diversion of said waters is in Section 12, Township 54 North, Range 3 West, B. M. and that the lands proposed to be irrigated by the use of said waters described as follows, to-wit: NE $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 12, Township 54 North, Range 3 West, B. M. Witness my hand this 7th day of October, A. D. 1954. /s/ MARK R. KUIP State Reclamation Engineer							
Proof of Completion of Works made September 14, 1954. Certificate of Completion of Works issued October 7, 1954. LICENSE ISSUED FOR 0.32 SEC. FT. 5493							



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

May 9, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

TED R JORDAN
BEVERLY M JORDAN
602 BLACKTAIL RD
CAREYWOOD ID 83809

RE: Water Right No. 96-02196

Dear Mr. & Mrs. Jordan:

I recently received a 'New Property Owner Notice of Change of Water Right Ownership' form on the above referenced licensed water right.

In Idaho, decreed, licensed, and claimed water rights are considered real property; therefore, proof of owning the land is proof of owning the water right unless extenuating circumstances exist. Water right statute does not provide a means for changing owner of record for licensed water rights; although, I have placed your correspondence in the water right file.

If you have any questions, please feel free to contact me directly at (208) 327-7944.

Sincerely,

Cindy Zimmerman
Water Resource Agent

RECEIVED

MAY 31 1995

Form 42-1409(7)



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

MAY 05 1995

Department of Water Resources

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 34N Range 3W
Section 12, SE 1/4 of SE 1/4 of Govt. Lot, BM.
Lot 1, Block , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: 96-02196
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): TOM AND CONNIE CLARY
613 BLACKTAIL RD.
CAREYWOOD, ID. 83809
- ☐ New Owner/Claimant (Purchaser): TED R. AND BEVERLY M. JORDAN
- ☐ New Mailing Address: 602 BLACKTAIL ROAD
CAREYWOOD, ID. 83809
- ☐ New Telephone Number: (208) 683-1905
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s): Ted R. Jordan Date 4/25/95
Beverly M. Jordan Date 4-25-95
- ☐ Signature of Former Owner/Claimant(s): Tom Clary Date 4-25-95

Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:
Further Action Taken
Date: _____ By: _____
Final Review and Data-Entry
Date: _____ By: _____
Claim Numbers of Split, if any:

RECEIVED
MAY 31 1995

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.



REAL ESTATE PURCHASE AND SALE AGREEMENT AND RECEIPT FOR EARNEST MONEY



THIS IS A LEGALLY BINDING CONTRACT, READ THE ENTIRE DOCUMENT, INCLUDING THE GENERAL PRINTED PROVISIONS ON THE REVERSE SIDE AND ANY ATTACHMENTS, CAREFULLY, BEFORE SIGNING. IF YOU HAVE ANY QUESTIONS, CONSULT YOUR ATTORNEY BEFORE SIGNING.

1. **IMPORTANT - AGENCY DISCLOSURE.** At the time of signing this agreement the agent working with the buyer represented DUAL AGENT and the agent working with the seller represented DUAL AGENT. Each party signing this document confirms that prior written disclosure of agency was provided to him/her in this transaction. Each party to this transaction has read and understands the contents of the agency disclosure brochure previously received.

ID# 245743 TED R E BEVERLY M. SANDPOINT, Idaho AUG 17 1994
(hereinafter called "Buyer") agrees to purchase, and the undersigned Seller agrees to sell the following described real estate hereinafter referred to as "premises" commonly known as 602 BLACKTAIL RD BEING TO AG. E AND ALL STRUCTURES
City of BONNER County of BONNER, Idaho, legally described as: SEE ATTACHED LEGAL

(A FULL AND COMPLETE LEGAL DESCRIPTION MUST BE INSERTED OR ATTACHED PRIOR TO EXECUTION BY SELLER. Buyer hereby authorizes broker to insert over his signature the correct legal description of the premises if unavailable at the time of signing, or to correct the legal description previously entered if erroneous or incomplete.)

2. EARNEST MONEY.

- (a) Buyer hereby deposits as earnest money and a receipt is hereby acknowledged of TWENTY FIVE HUNDRED dollars (\$ 2,500.00) evidenced by: ☐ Cash ☒ Personal Check ☐ Cashiers Check ☐ Note Due ☐ or
(b) Earnest Money to be deposited in trust account upon acceptance by all parties and shall be held by: ☒ Listing Broker ☐ Selling Broker ☐ Other LISTING BROKER (Broker)

shall hold the completely executed broker's copy of this agreement and is responsible for the closing.

(c) If all conditions have been met by Buyer, Buyer and Seller agree that the earnest money (less credit report fees, and any other Buyer's costs) shall be refunded to Buyer in the event Buyer or Seller cannot consummate the sale due to circumstances beyond their control.

(d) The parties agree that SANDPOINT Title Company shall provide title policy and preliminary report of commitment and the "closing agency" for this transaction shall be SANDPOINT TITLE. If a long-term escrow / collection is involved, then the escrow holder shall be BONNER ESCROW.

3. TOTAL PURCHASE PRICE IS 200 HUNDRED SEVENTY FIVE THOUSAND DOLLARS (\$ 275,000.00)

Payable as follows:

- (a) \$ 137,500.00 Cash down, including above Earnest Money (Closing costs are additional).
(b) \$ 137,500 OWNER WILL CARRY Balance of the purchase price (M.I.P. not included).

4. FINANCING.

- This agreement is contingent upon the Buyer securing the following financing: ☐ FHA, ☐ VA, ☐ Conv, ☐ IHA, ☐ FmHA, ☐ Assumption of existing loan(s), ☐ Other.
(a) ☐ **NEW FINANCING.** Purchase loan balance as noted above for a period of years at % per annum. (If FHA or VA loan is sought, read the applicable provisions on the reverse side hereof.) Buyer shall pay no more than points plus origination fee if any. Seller to pay only the discount points necessary in order to obtain above described financing but not to exceed points. Any reduction in points shall first accrue to the benefit of the: ☐ Buyer ☐ Seller ☐ Divided Equally.
(b) ☐ **ASSUMPTION.** Buyer to ASSUME and ☐ will or ☐ will not be required to qualify for an EXISTING LOAN(S) of approximately \$ at no more than % with monthly payments of approximately \$ Including ☐ P ☐ I ☐ T ☐ I.

This agreement ☐ does ☐ does not require Lender to release Seller's liability. Type of loan

Buyer shall apply for such loan or assumption within three (3) banking days after Seller's acceptance of this agreement.

If an appraisal is required under Buyer's financing contingency, premises must appraise at no less than purchase price.

5. OTHER FINANCING, TERMS AND/OR CONDITIONS: OWNER TO CARRY BALANCE OF \$137,500 FOR A TERM OF 30 YR AT 8.0% WITH INTEREST PAYMENT MONTHLY. CONTINGENT ON BUYER MAINTAIN DE WATER & SEWER SYSTEMS. TO BE SELLER BY FIRST DEED OF TRUST. SELLER TO PROVIDE DEEDED HOUSE BACK ACCESS TO NATIONAL FOREST. BUYER TO HAVE ANTIOPE EXTERIOR LIGHT FIXTURES.

6. SELLER'S RIGHT TO CONTINUE TO MARKET THE PREMISES AND ACCEPT OTHER OFFERS.

This agreement provides for the Seller to continue to market the premises and accept other offers subject to Buyer's right to waive or remove the following contingencies. Any waiver or removal of any contingency as set forth in Paragraph 15 will be a waiver or removal of all contingencies in Paragraph #5.

- (a) ☐ Closing of on or before listed with

Upon waiver or removal of this contingency Buyer warrants that adequate funds needed to close will be available and that Buyer's ability to obtain financing is not conditioned upon sale and/or closing of any property.

- (b) ☒ Other (specify) SELLER TO ACCEPT BACK-UP OFFERS ONLY

IF THIS AGREEMENT IS SUBJECT TO Seller's right to continue to market the premises and accept other offers as specified in Paragraph #5, Seller shall have the right to continue to offer the herein premises for sale and to accept offers until such time as said contingencies have been waived or removed by Buyer. Should Seller receive another acceptable offer to purchase, Seller shall give Buyer calendar days written notice of such offer. In the event the Buyer does not waive or remove the contingencies in writing within the set calendar days noted above, then this Agreement shall be terminated and all deposits returned to Buyer less expenses incurred to date of termination. In the event the Buyer does waive or remove the contingencies, the Buyer shall proceed to purchase the premises under the remaining terms and conditions of this agreement notwithstanding that the terms of the new offer may be more or less favorable. Notice shall be considered given on the earlier of either personal delivery of notice to the Buyer or their representative or two calendar days following the date of mailing evidenced by certification of the postmark on the envelope containing such notice. All notices shall be sent to the addresses shown on this agreement.

7. ITEMS SPECIFICALLY INCLUDED IN THIS SALE

(If FHA / VA financing is sought see item # 17 on reverse side) 1000' 1000' STONE, UNASAPED 3' DRAIN IN MAIN & GUEST HOUSE, 1000' STONE IN GUEST, BARN & 1000' SHOP

8. ITEMS SPECIFICALLY EXCLUDED IN THIS SALE: PERSONAL PROPERTY

9. COSTS PAID BY:

Costs in addition to those listed below may be incurred by Buyer and Seller. Unless otherwise agreed herein, or provided by law or required by lender. Buyer shall purchase Seller's reserve account if loan assumption.

☐ Yes ☒ No Purchaser's Extended Coverage Title Policy requested. Additional premium paid by . See item # 20 on reverse side.

If requested by lender or otherwise stated herein, the below costs will be paid as indicated.

Costs Paid By	Appraisal	Loan Assumpt.	Well Inspect.	Pump/Inspect. Septic	Code Inspect. If Required	Lender or Code Repairs	Contract and/or Document Prep	Tax Service	Closing Agent's Fee	Long Term Escrow Fees	TITLE INSURANCE
BUYER											
N/A	X	X	X	X	X	X		X			
SELLER											X
SHARE EQUALLY							X		X	X	

Cost of lender or code repairs not to exceed \$ NA.

10. CLOSING.

On or before the closing date, Buyer and Seller shall deposit with the closing agency all funds and instruments necessary to complete the sale. The closing date shall be no later than OCTOBER 15, 1994.

11. POSSESSION.

Buyer shall be entitled to possession on ☒ closing ☐ other .
"Closing" means the date on which all documents are either recorded or accepted by an escrow agent and the sale proceeds are available to Seller. Taxes and water assessments (using the last available assessment as a basis), rents, interest and reserves, liens, encumbrances or obligations assumed and utilities shall be pro-rated as of . Buyer shall pay for fuel in tank, amount determined by the supplier at Seller's expense.

12. ACCEPTANCE.

Buyer's offer is made subject to the acceptance of Seller on or before 4:00 o'clock midnight of AUG 18, 1994.

If Seller does not accept this agreement within the time specified, the entire Earnest Money shall be refunded to Buyer on demand.

13. TIME IS OF THE ESSENCE OF THIS AGREEMENT.

Listing Agency: KAN - MISTIE MLS# Selling Agency: KAN - WHEELER MLS#

By: MLS# By: MLS#

Buyer's Address: 37140 Wadsworth Dr Madras, OR

Buyer's Phone: Residence 209-445-3046 Business

☐ See attached Addendum(s). ☒ See attached Counter Offer(s)

On this date, I/We hereby approve and accept the sale set forth in the above agreement and agree to carry out all the terms thereof on the part of the Seller.

I/We further acknowledge receipt of a true copy of this agreement signed by both parties.

Seller: Seller's Address: Phone: Res: Work:

(PRINTED)

Seller: Date City State Zip

(SIGNATURE)

Seller: Seller's Address:

(PRINTED)

Seller: Date City State Zip

(SIGNATURE)

A true copy of the foregoing agreement, signed by the Seller and containing the full and complete legal description of the premises, is hereby received on this

day of , 19 .

Buyer: Buyer:

THE PROVISIONS CONTAINED ON THE REVERSE SIDE OF THIS PAGE SHALL ALSO CONSTITUTE PART OF THE AGREEMENT OF THE PARTIES. EACH OF THE

PARTIES ACKNOWLEDGES READING THIS AGREEMENT IN FULL.

Buyer's Initial TS Seller's Initial IC RE21 REV. 6/93

TS IC BROKER'S COPY



COUNTER OFFER # 1



THIS IS A LEGALLY BINDING CONTRACT. READ THE ENTIRE DOCUMENT, INCLUDING ANY ATTACHMENTS, CAREFULLY, BEFORE SIGNING. IF YOU HAVE ANY QUESTIONS, CONSULT YOUR ATTORNEY BEFORE SIGNING.

This is a COUNTER OFFER to the Real Estate Purchase and Sale Agreement and Receipt for

Earnest Money Dated: Aug. 17, 19 94 ID # 245743

ADDRESS: 602 Blacktail Rd.

BUYER(S): Jordan

SELLER(S): UC & H Investments

Seller accepts all of the terms and conditions in the above designated agreement with the following changes or amendments:

1. purchase price shall be either: \$310,000 with 50 m/c acres, or \$350,000 with 70 m/c acres. Down payment shall be \$200,000. Balance to be secured by a Note & Mortgage by buyer in favor of seller. Term 20 yr, interest rate 9.0%.
 2. Septic tank pumped / paid by seller.
 3. water purity test & spill test provided by seller, if required, by buyer.
 4. Buyer to provide credit report to seller for review / approval.
 5. Deed restrictions are as follows: no mobiles, modulars, unregistered vehicles. Animals to be pastured away from Creek.
 6. Water rights included in sale.
 5. 50% late fee assessed if monthly payment is 10 days or more late.
 6. All contingencies removed / satisfied / including items in paragraphs 2, 3, 4
 6. by 9/18/94. At that time, buyer to deposit an additional \$7,500. E. Money which will be released to the seller, become non-refundable: (\$10,000)
- The herein agreement, upon its execution by both parties, is made an integral part of the aforementioned Agreement.

OTHER TERMS: All other terms and conditions to remain the same.

RIGHT TO ACCEPT OTHER OFFERS: Seller reserves the right to accept any other offer prior to Buyer's written acceptance of this counter offer. Acceptance shall not be effective until a copy of this Counter Offer, dated and signed by Buyer, is personally received by the Seller or Seller's agent.

EXPIRATION: This counter offer shall expire unless a copy hereof with Buyers written acceptance is delivered to Seller or Seller's agent on or before 12:00 o'clock ☐ A.M. ☒ P.M., on

Aug. 19, 19 94

Dated 8-18-94 19 Seller Tom C.

Time 1:30 AM/PM Seller

The undersigned Buyer(s) accepts the above counter offer.

Dated 8/19/94 19 Buyer Red H.

Time 1:30 AM/PM Buyer Beverly M. Jordan

SEE NEXT PAGE COUNTER OFFER # TWO

1. PURCHASE PRICE SHALL BE EITHER \$289,000 WITH 50 AC. M/C OR \$300,000 WITH 70 AC. M/C. DOWN PAYMENT TO BE 200,000 AND BALANCE TO BE SECURED BY NOTE & MORTGAGE WITH A TERM OF 20 YR AT 9.0% INTEREST.
 2. SELLER TO FUND & INSPECT SEPTIC TANK
 3. SELLER TO TEST POTABLE WATER FOR PURITY AND CAPACITY
- ALL OTHER TERMS AND CONDITIONS REMAIN THE SAME.

The herein agreement, upon its execution by both parties, is made an integral part of the aforementioned Agreement.

OTHER TERMS: All other terms and conditions to remain the same.

Unless the above Counter Offer # _____ is accepted on or before _____ 19 ____ at _____ AM/PM, it shall be deemed revoked. Receipt of a copy hereof is hereby acknowledged.

Dated 8/19 19 94 Buyer Red H.

Time _____ AM/PM Buyer Beverly M. Jordan

Seller accepts Buyer's changes or amendments to Seller's Counter Offer and agrees to sell on the above terms and conditions.

Dated _____ 19 _____ Seller _____

Time _____ AM/PM Seller _____

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COUNTER OFFER # Two



THIS IS A LEGALLY BINDING CONTRACT. READ THE ENTIRE DOCUMENT, INCLUDING ANY ATTACHMENTS, CAREFULLY, BEFORE SIGNING. IF YOU HAVE ANY QUESTIONS, CONSULT YOUR ATTORNEY BEFORE SIGNING.

This is a COUNTER OFFER to the Real Estate Purchase and Sale Agreement and Receipt for Earnest Money:

Earnest Money Dated: Aug 17, 19 94 ID# 245743

ADDRESS: 1602 BLAISTAIL RD.

BUYER(S): JORDANS

SELLER(S): C & H INVESTMENTS

Seller accepts all of the terms and conditions in the above designated agreement with the following changes or amendments:

- 1.) PURCHASE PRICE SHALL BE ⁶⁵299,500 WITH 50 AC M/L.
DOWN PAYMENT TO BE 200,000 AND BALANCE TO BE
SECURED BY NOTE & MORTGAGE WITH A TERM OF 20 YR. AT
9.0% INTEREST.
2. SELLER TO PUMP & INSPECT SEPTIC TANK
3. SELLER TO TEST POTABLE WATER FOR PURITY AND CAPACITY
ADDITIONAL TERM
4. BUYER TO MOVE THE IRRIGATION PUMP & ELECTRICAL & PIPING
AT BUYER'S EXPENSE. MOVE TO BE COMPLETE BY MAY 1, 1995
THIS COUNTER OFFER REPLACES COUNTER ON PREVIOUS PAGE AND
MARKED OUT

The herein agreement, upon its execution by both parties, is made an integral part of the aforementioned Agreement.

OTHER TERMS: All other terms and conditions to remain the same.

RIGHT TO ACCEPT OTHER OFFERS: Seller reserves the right to accept any other offer prior to Buyer's written acceptance of this counter offer. Acceptance shall not be effective until a copy of this Counter Offer, dated and signed by Buyer, is personally received by the Seller or Seller's agent.

EXPIRATION: This Counter Offer shall expire unless a copy hereof with Buyers' written acceptance is delivered to Seller or Seller's agent on or before 5:00 o'clock ☐ A.M. ☒ P.M., on 8/19, 19 94

Dated 8-19, 19 94 Seller Tom Ch
Time 1:30 AM/PM Seller

The undersigned Buyer(s) accept(s) the above Counter Offer.

Dated 8/19/94, 19 Buyer Beverly Jordan
Time 1:30 AM/PM Buyer Bob Jordan

I/we acknowledge receipt of a true signed copy of Buyer's acceptance.

Seller _____ Seller _____

COUNTER OFFER # _____

The herein agreement, upon its execution by both parties, is made an integral part of the aforementioned Agreement.

OTHER TERMS: All other terms and conditions to remain the same.

Unless the above Counter Offer # _____ is accepted on or before _____, 19 _____ at _____ AM/PM, it shall be deemed revoked. Receipt of a copy hereof is hereby acknowledged.

Dated _____, 19 _____ Buyer _____
Time _____ AM/PM Buyer _____

Seller accepts Buyer's changes or amendments to Seller's Counter Offer and agrees to sell on the above terms and conditions.

Dated _____, 19 _____ Seller _____
Time _____ AM/PM Seller _____

I/we acknowledge receipt of a true signed copy of Seller's acceptance.

Buyer _____ Buyer _____

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Rev. 6/94

BROKER'S COPY

8/22 phone conv with Al Beardsley
Dept. of Water Resources...

Deeded water rights / license run with the land unless they're specifically excluded in the sale or they've expired. To expire there had to be 5 continuous years of non-use.

They don't "police" use. However, when water becomes scarce, then subject of expired rights will then surface, as the person / property with the oldest current (valid) right takes priority. Power use is a great source of proof of use.

The original number was 22479 filed by Hollingsworth 11/16/51. Since then they've started a new numbering system, identifying different drainages. The new number is 96-021094.

This particular license is for 40 acres & he) will fax me info. regarding actual area.

In 1972 Joseph Moran applied for a second water license # 96-07083. The Dept. mailed him a letter 6/14/82 stating ~~they~~ the license had lapsed because he didn't finish developing ~~the~~ system
8/1/95

per his perm. Moran responded with a letter trying to reverse their decision. Remained lapsed/invalid.

Dept. inspects system just once, after the system is in place to verify and grant use.

To move existing pump/power, the "user" must file a transfer. The new location must be within the area the license was originally granted.

MAY 31 1995

405820

appurtenances thereunto belonging.

In construing this Deed, and where the context so requires, the singular includes the plural and the masculine the feminine and the neuter.

IN WITNESS WHEREOF, Grantor has subscribed this instrument on May 12, 1992.

Joseph R. Moran D.D.S.
Joseph R. Moran, D.D.S.

Rita Curtis Moran
Rita Curtis Moran

STATE OF IDAHO)
County of Bonner)
On this 12 day of May, 1992, before me the undersigned, a Notary Public in and for said State, personally appeared JOSEPH R. MORAN, D.D.S. and RITA CURTIS MORAN, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

Stephen F. Smith
Notary Public, State of Idaho
Residing at 251 S. 1st St. Nampa, Idaho
My commission expires 12/31/94

GRANT DEED TO TRUST
Page 3

COOKE, LAMANA,
SMITH & COGSWELL
ATTORNEYS AT LAW
P.O. BOX 6
NAMPART, IDAHO 83854
TELEPHONE NO. 222-2112

MAY 31 1995

(45)

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0053778

along said Section line 194 feet; thence North 22 feet; thence in a Northwesterly direction 180 feet to the East line of the said County Road; thence in a Southwesterly direction along the East line of said County Road to the Point of Beginning.

That portion of the Southwest quarter of the Southeast Quarter of said Section 12, described as follows: From a point on the South line of said Section 12, 2200 feet West of the Southeast corner of said Section 12; thence North 7 degrees 22' West, 327 feet to the Place of Beginning which is a point on the East boundary line of the Old State Highway; thence North 17 degrees 36' East along said Highway line 500 feet; thence South 62 degrees 24' East, 171.5 feet; thence South 17 degrees 36' West, 500 feet; thence North 62 degrees 24' West, 171.5 feet to the Place of Beginning.

The portion of the South Half of the Southeast Quarter of Section 12, described as follows: From a point on the South line of Section 12, 2200 feet West of the Southeast corner of said Section 12; thence North 7 degrees 22' West, 327 feet to a point, which point is on the East boundary line of the Old State Highway; thence in an Easterly direction 47 feet 10 inches to the Point of Beginning; thence 165 feet in an Easterly direction following what is known as the South boundary line of the Waiwai property boundary line; thence in a southerly direction 205 feet; thence in a westerly direction 165 feet; thence North 7 degrees 22' West, a distance of 224 feet; thence in an Easterly direction following the South boundary of the Waiwai property to the Point of Beginning.

TOGETHER WITH that certain water right and water license No. 22479 issued by the State of Idaho, on the 23rd day of May, 1955.

TOGETHER, with all tenements, hereditaments and

COOKE, LAMANN,
SMITH & COGSWELL
CHARTERED
ATTORNEYS AT LAW
P. O. BOX 6
SANDPOINT, IDAHO 83864
TELEPHONE NO. 262-3119

GRANT DEED TO TRUST
Page 2

MAY 31 1995

46

AFTER RECORDING, RETURN TO
Dr. and Mrs. Joseph R. Moran
602 Blacktail Road
Careywood, Idaho 83809-9704

FILED BY S. Smith
'92 MAY 15 AM 11 16
MARIE SCOTT
RECORDER OF BONNER
COUNTY BY SR DEP.

405820

GRANT DEED TO TRUST

GRANTOR: JOSEPH R. MORAN, D.D.S. and RITA CURTIS
MORAN, of 602 Blacktail Road, Careywood,
Idaho 83809-9704.

GRANTEE: Q JOSEPH R. MORAN, D.D.S. and RITA CURTIS
MORAN, not individually, but as Co-Trustees
of The Dr. Joseph Moran and Rita Moran 1992
Trust, created by Joseph R. Moran, D.D.S. and
Rita Curtis Moran, as Settlers, and with
Joseph R. Moran, D.D.S. and Rita Curtis Moran
as Co-Trustees, dated May 12, 1992,
the address of which is 602 Blacktail Road,
Careywood, Idaho 83809-9704.

For value received, Grantor GIVES, GRANTS and CONVEYS to
Grantee, and to Grantee's legal representatives, successors and
assigns, all of Grantor's interest in and to the following
described real property in Bonner County, Idaho:

The Southwest Quarter of Section 7,
in Township 54 North, Range 2 West
of the Boise Meridian, Bonner County,
Idaho; AND

The Southeast Quarter of Section 12
in Township 54 North, Range 3 West
of the Boise Meridian, Bonner County,
Idaho, LESS THE FOLLOWING TRACTS, to-wit:

A portion of the Southeast Quarter
of Section 12 described as beginning at
the point of intersection of the East
line of the County Road with the South
line of said Section 12) thence East

GRANT DEED TO TRUST
Page 1

COOKE LAMANA,
SMITH & COGSWELL
CHARTERED
ATTORNEYS AT LAW
P.O. BOX C
SANDPOINT, IDAHO 83864
TELEPHONE NO. 283-2118

MAY 31 1995

(47)



MAIN OFFICE: 121 N. FIRST AVE. • SANDPOINT, ID 83861 • (208) 263-5101 • FAX: (208) 263-3888

April 21, 1994

Tom & Connie Clary
C&H Investments
613 Blacktail Rd
Careywood, ID 83809

Al Beard

Dear Tom & Connie,

RE: Water rights/license, Moran property.

As per my phone conversation with the Department of Water Resources today... "water rights/licenses become part of the real property and automatically transfer to the new owner, unless otherwise stated on the Deed. The new license number is 96-2196. Upon the close of sale write us a letter stating that you are the new owners, along with your address, phone number, etc, and that all future correspondence be directed to you".

Talk to you soon!

Mistie

Mistie

*11/16/51
priority date*

MAY 31 1995

JNS , T 54 N, R 3/2 W, B.M., BONNER COUN

12
VT LOT 4, SEC. 7
LOT 1, SEC. 18

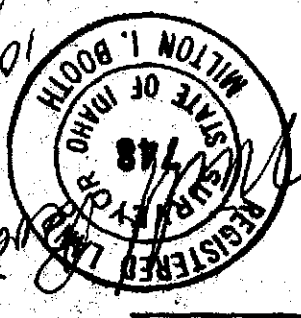
Current



SURVEYORS CERTIFICATE

COUNT

I, MILTON I. BOOTH, a registered land surveyor
in and for the State of IDAHO
do hereby certify that this map correctly
represents a survey performed by me or under
my direction and conforms to the laws of the
State of IDAHO
Registration No. 748



FILED AT THE REG
10/27/94

ATHOL, IDAHO

WARRANTY DEED

For Value Received C & H INVESTMENTS, INC., an Idaho Corporation, as to
 Parcels 1, 2, and 4, and THOMAS B. CLARY and CONNIE M. CLARY, husband and wife, as
 to Parcel 3
 The grantor(s), do(es) hereby grant, bargain, sell and convey unto TED R. JORDAN and BEVERLY M. JORDAN,
 husband and wife

the grantee(s), whose current address is 602 BLACKTAIL ROAD, CAREYWOOD, ID 83809

the following described premises, in BONNER

County Idaho, to-wit:

See Exhibit A Attached hereto and made a part hereof.

Assessor's Parcel No:

THIS WARRANTY DEED IS BEING RECORDED TO CORRECT AND AMEND THE LEGAL
 DESCRIPTION CONTAINED IN WARRANTY DEED RECORDED AS INSTRUMENT NO.
 453846, ON OCTOBER 13, 1994, RECORDS OF BONNER COUNTY, IDAHO.

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(s) do(es) hereby covenant to and with the said Grantee(s), that
 he/she/they is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances except
 specific matters of record as shown above,

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

Dated: November 2nd, 1994

C & H INVESTMENTS, INC.

By: Thomas B. Clary Pres
 THOMAS B. CLARY, PRESIDENT

Connie M. Clary
 CONNIE M. CLARY

STATE OF Idaho)
 COUNTY OF Bonner) ss.

On this 28th day of December 1994, before me, the
 undersigned, a Notary Public in and for said State, personally
 appeared Thomas B. Clary

known or identified to me to be the President
 of the corporation that executed this
 instrument or the persons who executed the instrument on behalf of
 said corporation executed the same.

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

Olivia L. Wright
 Notary Public in and for said County and State

Residing at: Sandpoint
 Commission Exp: 2/20/99

RECORDING DATA:

Sandpoint Title Insurance
 FILED BY
 1994 DEC 29 PM 3 51
 RECORDER OF BONNER
 COUNTY BY
 DEP.

MAY 31 1995

457933

EASEMENT AND CONDITIONS CONTAINED THEREIN:

RECORDED: SEPTEMBER 29, 1965
BOOK/PAGE: 34 OF MISCELLANEOUS/PAGE 348
IN FAVOR OF: BERLIN FERGUSON, HIS HEIRS, SUCCESSORS
AND ASSIGNS
FOR: INGRESS AND EGRESS EASEMENT
AFFECTS: PARCEL 2 AND INCLUDES OTHER PROPERTY

EASEMENT AND CONDITIONS CONTAINED THEREIN:

RECORDED: JUNE 7, 1971
INSTRUMENT NO.: 133617
IN FAVOR OF: NORTHERN LIGHTS, INC.
FOR: AN ELECTRIC DISTRIBUTION LINE WITH
APPURTENANCES AND INCIDENTAL PURPOSES INCLUDING RIGHT OF
INSPECTION
AFFECTS: PARCEL 1

EASEMENT AND CONDITIONS CONTAINED THEREIN:

RECORDED: MAY 11, 1981
INSTRUMENT NO.: 241943
IN FAVOR OF: NORTHERN LIGHTS, INC.
FOR: AN ELECTRIC DISTRIBUTION LINE WITH
APPURTENANCES AND INCIDENTAL PURPOSES INCLUDING RIGHT OF
INSPECTION
AFFECTS: PARCEL 1 AND INCLUDES OTHER PROPERTY

STATE OF Idaho)
COUNTY OF Bonner) ss.

On this 28th day of December, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Connie M. Clary & Thomas B. Clary known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Lisa St. Wright

Residing at: Shoshone
Commission expires: 2/20/99

MAY 31 1995

COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS AND/OR
EXCEPTIONS CONTAINED IN INSTRUMENT:

DISCLOSED BY: DEED
RECORDED: DECEMBER 30, 1942
BOOK/PAGE: 67 OF DEEDS/PAGE 69

EASEMENT AND CONDITIONS CONTAINED THEREIN:

RECORDED: MAY 14, 1958
BOOK/PAGE: 98 OF DEEDS/PAGE 464
IN FAVOR OF: BONNER COUNTY
FOR: THE PURPOSE OF TRANSPORTING ITS ROAD
MAINTENANCE EQUIPMENT ACROSS SAID PROPERTIES, SUBJECT
TO REASONABLE RESTRICTIONS OF CLOSING SUCH GATES AS TO
THE GRANTEES MAY PLACE AT EITHER END OF SAID VACATED
ROAD AND IN CLOSING THE SAME IN THEIR FIELD.
AFFECTS: VACATED COUNTY ROAD IN SECTION 12

COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS AND/OR
EXCEPTIONS CONTAINED IN INSTRUMENT:

DISCLOSED BY: DEED
RECORDED: DECEMBER 18, 1958
BOOK/PAGE: 100 OF DEEDS/PAGE 165
AS FOLLOWS: "EXCEPT ONE HALF OF ALL MINERAL RIGHTS."
AFFECTS: PARCEL 3 AND OTHER PROPERTY

EASEMENT AND CONDITIONS CONTAINED THEREIN:

RECORDED: JANUARY 17, 1960
INSTRUMENT NO.: 27 OF MISCELLANEOUS/PAGE 31
IN FAVOR OF: PACIFIC GAS TRANSMISSION COMPANY
FOR: THE RIGHT TO EXCAVATE FOR, INSTALL,
REPLACE, MAINTAIN, USE AND REMOVE GAS PIPELINE.
AFFECTS: PARCELS 1 AND 2 AND OTHER PROPERTY

NOTICE OF LOCATION RECORDED FEBRUARY 9, 1962 IN BOOK 29 OF
MISCELLANEOUS, PAGE 434, RECORDS OF BONNER COUNTY, IDAHO.

NOTICE OF LOCATION AMENDING DESCRIPTION OF EXISTING RIGHT OF
WAY, RECORDED OCTOBER 25, 1978, UNDER INSTRUMENT NO. 207013,
RECORDS OF BONNER COUNTY, IDAHO.

NOTICE OF LOCATION AMENDING DESCRIPTION OF EXISTING RIGHT OF
WAY, RECORDED JULY 25, 1979, UNDER INSTRUMENT NO. 217082,
RECORDS OF BONNER COUNTY, IDAHO.

PGT-PG&E PIPELINE EXPANSION PROJECT PLANT RESTORATION AND
MAINTENANCE AGREEMENT BY AND BETWEEN JOSEPH R. MORAN AND
RITA MORAN; AND PACIFIC GAS TRANSMISSION COMPANY, RECORDED
OCTOBER 19, 1992 UNDER INSTRUMENT NO. 414108, RECORDS OF
BONNER COUNTY, IDAHO.

WARRANTY DEED
11880EXA/PAGE 4

RECORDED
MAY 31 1995

PARCEL 3:

A non-exclusive easement for ingress, egress and utilities 30.00 feet in width from the Southerly line of Blacktail Road along the Old Highway to the South line of the Northeast quarter of Section 12 and being a part of the Northeast quarter of Section 12, Township 54 North, Range 3 West, Boise Meridian, Bonner County, Idaho.

PARCEL 4:

An easement for access, placement, operation and maintenance of a water pump and appurtenances over, across and upon the East 100 feet of that portion of the West one-half of the Southeast Quarter of the Southeast Quarter of Section 12, Township 54 North, Range 3 West, Boise Meridian, Bonner County, Idaho, lying North of the centerline of Cocolalla Creek.

SUBJECT TO:

GENERAL TAXES FOR THE YEAR 1994.

EASEMENT AND CONDITIONS CONTAINED THEREIN:

RECORDED: MAY 16, 1914
 BOOK/PAGE: 5 OF MISCELLANEOUS/PAGE 83
 IN FAVOR OF: INTERSTATE TELEPHONE COMPANY, LTD.
 FOR: CONSTRUCTION, OPERATION AND MAINTENANCE
 OF TELEPHONE AND TELEGRAPH LINES.
 AFFECTS: SECTION 12

RIGHT OF WAY DEED IN FAVOR OF HIGHWAY DISTRICT NO. 1, COUNTY OF BONNER, RECORDED MARCH 28, 1926 IN BOOK 44 OF DEEDS, PAGE 608, RECORDS OF BONNER COUNTY, IDAHO.
 (AFFECTS SECTION 12)

EASEMENT AND CONDITIONS CONTAINED THEREIN:

RECORDED: APRIL 29, 1939
 BOOK/PAGE: 61 OF DEEDS/PAGE 45
 IN FAVOR OF: NORTHERN IDAHO RURAL ELECTRICAL
 REHABILITATION ASSOCIATION, INC.
 FOR: AN ELECTRIC TRANSMISSION OR DISTRIBUTION
 LINE OR SYSTEM
 AFFECTS: SECTION 12

COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS AND/OR EXCEPTIONS CONTAINED IN INSTRUMENT:

DISCLOSED BY: STATE HIGHWAY RIGHT OF WAY DEED
 RECORDED: JULY 13, 1940
 INSTRUMENT NO.: 62 OF DEEDS/PAGE 628

WARRANTY DEED
 11880EXA/PAGE 3

MAY 31 1995

457933

EXHIBIT "A"

IN THE STATE OF IDAHO, COUNTY OF BONNER

PARCEL 1:

A parcel of land being a part of the North half of the Southeast quarter of Section 12, Township 54 North, Range 3 West, Boise Meridian, Bonner County, Idaho.

Beginning at the East quarter corner of Section 12, marked by a 3 inch pipe with a 3 1/2 inch brass cap;

thence South 0 degrees 15' 34" East, 1316.05 feet along the East boundary of Section 12 to the Southeast corner of the Northeast quarter of the Southeast quarter;

thence North 89 degrees 07' 05" West, 616.43 feet to the True Point of Beginning;

thence continuing North 89 degrees 07' 07" West, 1601.98 feet to a point on the Easterly right of way of the existing highway;

thence along the arc of a 3870.00 radius curve to the left a distance of 1176.28 feet, through a delta angle of 17 degrees 24' 54";

thence North 10 degrees 06' 47" West, 150.73 feet;

thence South 89 degrees 02' 38" East, 1653.17 feet;

thence South 0 degrees 15' 47" East, 1316.90 feet to the True Point of Beginning.

PARCEL 2:

A non-exclusive easement for equestrian purposes over and across the following described tract:

The North 10 feet of that portion of the Southeast quarter of Section 12, Township 54 North, Range 3 West, Boise Meridian, Bonner County, Idaho, lying East of parcel 1 herein described;

The North 10 feet, the South 10 feet, the East 10 feet and the West 10 feet of the Southwest quarter of Section 7, Township 54 North, Range 2 West, Boise Meridian, Bonner County, Idaho;

RECORDED
MAY 31 1995

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 22479

REPORT ON PROOF OF Beneficial use

J. O. HOLLINGSWORTH, Careywood, Idaho

app. one c/s
C/N 0.32

32 c/s
SWEET

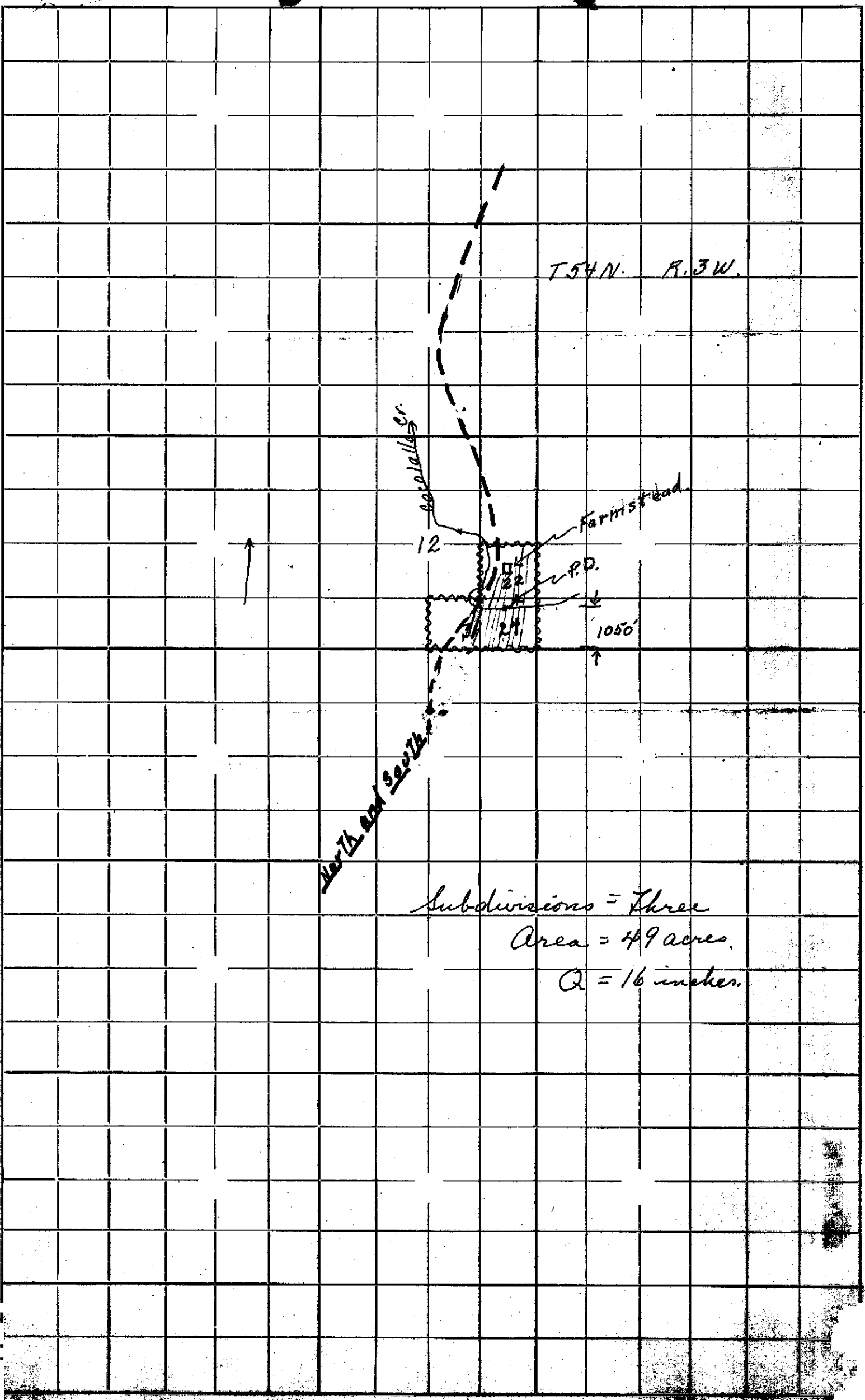
49 acres
3-40's

43560

900
135000 sq. ft.

3" x 1/2"

1" = 300'



Subdivisions = Three
Area = 49 acres.
Q = 16 inches.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 22479

This proof is for Beneficial use

In Water District No. _____

1. Name of applicant J. O. Hollingsworth, Careywood, Idaho
2. Source of water supply: Cocolalla Creek, a tributary of Pand Oreille River.
3. Location of point of diversion: Is in the SE¹/₄ SE¹/₄ of Section 12
T. 54 N. R. 3 W. County of Bonner

4. Describe works as they exist, giving dimensions and capacities of same: Seven and one half
h.p. motor, Fleming centrifugal pump, 2 1/2" in. x 2" out, 1420' x 4" al. main (portable)
Two laterals each 3" x 480' al. 24 Rain bird #40 sprinklers
Size 1 1/64" x 3/32. Wood pump house - shed type - 4' x 20' section (steel)
Average lift = 10' to 12'. Max lift = 38'

5. Water is used for: Sprinkler irrigation All pipes portable.
6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

^{25a.} NE¹/₄ SE¹/₄. ^{5a.} SW¹/₄ SE¹/₄. ^{20a.} SE¹/₄ SE¹/₄ Section 12, Twp. 54 North, Range 3 West, B. M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Cocolalla Lake.

Remarks: To Priest River.

Crops are hay and pasture.

Raisers registered Hereford cattle.

This examination was made on the

9th

day of

May19 53

(Signed)

E. N. Humphrey

Examiner.

22479

G. L. 240 V. meters
on W. side of house
outside #30734771

4" x 20' suction pipe
irrigates approx 50 acres

80 x 32
550

110 x 32
550

.32
50
1600

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
MAY 16 1955
Department of Reclamation

J. O. Hollingsworth
Careywood, Idaho
Permit No. 22479

Examination for Beneficial use

County Bonner
12 54 N. 3 W.

Q = 1 cfs fr. Covalalla Cr.

Drainage

P.D. = SE SE. 1/2, 54 N. 3 W

Proofs = 32 cfs

Rainbird

11" x 3" 24 hrs
64 x 32

10' to 12' = one lift

24
6 1/2

124
9) 146
-16"

Nov 16-51
C/W made 1954 Sept 14.
E/W done Dec 3-61

38' max. lift
1420' of 4" al. main
2 laterals 480' x 3"
24 sprinklers

Wagner Motor
7.5 hp. 3500 rpm
220V. 19.2 amp.
#A 7H 657

Denning Pump
Size 265-T-H
Serial 2131-5
Fig 4303, (2 1/2" x 2")

Henry Phase
Connecter, C-200B
□ & Cutler Hammer
Switches

Pump house 6' x 4' x 6 1/2' h,
wood and wood floor

June 7, 1963

RE: License No. 22479

J. O. Hollingsworth
Careywood, Idaho

Dear Mr. Hollingsworth:

Water License No. 22479 was issued to you as a permanent right for diversion of 0.32 cubic feet per second, or approximately 144 gallons per minute, from Cocolalla Creek in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12, Twp. 54 N., Rge. 3 W., B.M. for irrigation of 49 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ of said Sec. 12, with a priority of November 16, 1951.

You have the right to demand upper users of the waters of Cocolalla Creek, or its tributaries, with later priorities to allow sufficient water to go down to your diversion to fill your water right, however when the water will not reach your diversion, the upper user has the right to use the water at his diversion.

Our records show you have an earlier right than anyone upstream from your point of diversion. Use rights obtained by diversion and beneficial use of water are legal in this state, though they are not of record.

Very truly yours,

RALPH W. THOMAS
Deputy State Reclamation Engineer

RWT:mr

22479

Careywood, Ida
June 5, 1963

Department of Reclamation
State House
Boise Idaho

Dear Sirs:

I made proof of Satisfaction on
my water right on Coosalla Creek
Nov. 9, 1954. the permit no. 22479

During the dry season I have been
using all the water available, that is
all but the seepage that goes under
the dam. I have used my systems
every year since I got the permit
issued me. And if I remember
correctly all but ~~two~~ of those
years. During the driest part of
the season I have had to reduce
the number of sprinklers used
as the creek got lower, in fact most
years I have finished the season
with about 50% of my sprinklers
working

22479

Only last week I learned that Spencer and Kellogg had been issued a permit no. 30051 on the South Fork of Cocalalla creek above me.

Yesterday I visited the manager of the F. H. A. office in Sandpoint and discussed the matter with him.

My right calls for 0.32. I was told his permit is much larger. I was also told that the South Fork sinks and doesn't run into the main creek when it gets low during the dry season, but is running now.

At present there is plenty of water in the creek but I don't see how it will be possible for me to operate this summer with him using water above me.

I am asking your advice as to what I should do to protect my rights, they could give me no advise at the F. H. A. office.

I would appreciate your prompt.

22474

attention on this matter as this
man will start using water shortly.

Very Truly Yours
J. O. Hollingsworth
Carewood, Ida

22479

✓
May 23, 1955

RE: Permit No. 22479

Mr. J. O. Hollingsworth
Careywood
Idaho

Dear Mr. Hollingsworth:

We enclose License and Certificate of Water Right issued under Permit No. 22479 confirming your right to the use of .32 second foot (or 16 inches) of water from Cocolalla Creek with priority of November 16, 1951, and point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 12, Township 54 North, Range 3 West, B. M., sprinkler irrigation in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section.

We also enclose departmental receipt No. 27357 for the \$6.00 License fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cu
Enc.

22479

Carlswood, Idaho
May 20, 1955

Mr. Mark R. Kulp
State Reclamation Engineer

Dear Sir:

Inclosed please find check for
\$6⁰⁰ to cover statutory fee on
permit No 22479

Very Truly Yours
J.C. Hollingsworth

RECEIVED
MAY 23 1955
Department of Reclamation

22479

May 18, 1955

RE: Permit No. 22479

Mr. J. O. Hollingsworth
Careywood
Idaho

Dear Mr. Hollingsworth:

The report of our field engineer on examination for beneficial use on Permit No. 22479 shows that you have irrigated 49 acres in the NE¹/₄SE¹/₄ and S¹/₂SE¹/₄ Section 12, Township 54 North, Range 3 West B.M. from Cocolalla Creek.

Therefore, upon receipt of the statutory fee of \$6.00, a License will be issued for 16 inches of water for use on the above described land.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

22479

April 29, 1955

RE: Permit No. 22479

Mr. J. O. Hollingsworth
Careywood
Idaho

Dear Mr. Hollingsworth:

Weather and roads permitting, I intend to make inspection
in connection with your Permit No. 22479, as required by law, on
Tuesday, May 10.

Please be prepared to accompany me on this inspection.

Yours truly,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:hll

P. S. If for any reason I am unable to be there on Tuesday, I will
be there on Wednesday.

22479

✓
November 29, 1954

RE: Permit No. 22479

Mr. J. O. Hollingsworth
Careywood,
Idaho

Dear Mr. Hollingsworth:

We acknowledge receipt of the affidavit of publication in the Sandpoint News-Bulletin which completes your proof of Beneficial Use on Permit No. 22479.

Before final action is taken the law requires that a field examination be made by an engineer from this Department.

We cannot say just when this examination will be made, but our field engineer will contact you at the time he makes the examination in order that you may arrange to show him over the ground.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:br

22479

Mr. Mark R. Kulp
Briss, Ida.

Carlewood, Ida
Nov. 17, 1954

RECEIVED
NOV 20 1954
Department of Reclamation

Dear Mr. Kulp:

Enclosed please find Affidavit of
Publication of water to beneficial
use, permit no 22479.

Very Truly Yours
J. O. Hollingsworth

22479

Affidavit of Publication

STATE OF IDAHO, }
County of Bonner, } SS.

L. E. Pietsch being first duly sworn on
oath deposes and says that he is Publisher
of The Sandpoint News-Bulletin, a weekly
newspaper printed and published at Sandpoint,
Bonner County, Idaho; that the said Sandpoint
News-Bulletin has been continuously and unin-
terruptedly published in said Bonner County
during a period of 18 months or 78 weeks
prior to the first publication of the hereto
attached notice for publication in the case of
Notice for Publication of Notice of
Proof Application of Water to Beneficial
Use; J. O. Hollingsworth, Careywood.

as it was published in the regular and entire issue
of the said paper for a period of Four
consecutive weeks, commencing on the 11th
day of October, 1954, and end-
ing on the 4th day of November,
1954, and that said notice was published in said
newspaper, and not in supplemental form.

L. E. Pietsch

Subscribed and sworn to before me this

17th day of November, 1954

John L. Lesson
Notary Public for Idaho,
Residing at Sandpoint, Idaho.

NOTICE FOR PUBLICATION NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00
A. M. on the 9th day of November,
1954, at Sandpoint, County of Bonner,
State of Idaho, before L. J. McArthur,
Notary Public, proof will be submitted
of the application to beneficial use of
0.32 cubic feet per second of the waters

of Cocolalla Creek in accordance with
the terms and conditions of Permit No
22479 heretofore issued by the Depart-
ment of Reclamation of the State of
Idaho.

The name and postoffice address of
the person or corporation holding said
permit are J. O. Hollingsworth, Carey-
wood, Idaho.

The use to which said water has been
applied is Sprinkler Irrigation.
The amount applied to beneficial use
is 0.32 second feet of water.

The place where said water is used
25 acres of NE $\frac{1}{4}$ of SE $\frac{1}{4}$; 5 acres of
SW $\frac{1}{4}$ of SE $\frac{1}{4}$; 20 acres of SE $\frac{1}{4}$ of SE $\frac{1}{4}$
all in Section 12, Township 54N, Range
3 W. B. M., Bonner County, Idaho.

The name of the canal or ditch or
other works by which said water is
conducted to such place of use is _____

The right to take water from such
works is based upon Permit No. 22479.

The source of supply from which such
water is diverted is Cocolalla Creek.

The date of priority which said user
is prepared to establish is November
16, 1951.

MARK R. KULP,
State Reclamation Engineer.
014-21-28-04.

Phone your news to 25.

22479

November 12, 1954

RE: Permit No. 22479

Mr. J. O. Hollingsworth
Careywood
Idaho

Dear Mr. Hollingsworth:

We acknowledge receipt of the depositions of yourself and two witnesses in proof of beneficial use on Permit No. 22479.

However, you failed to enclose the affidavit of publication which is a necessary part of this proof.

The Sandpoint News-Bulletin was instructed to send this affidavit to you and if you have not received it we suggest that you get in touch with them at once.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

22479

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
NOV 12 1954
Department of Reclamation

Permit No. 22479

Proof of Application of Water to Beneficial Use

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. J. O. Hollingsworth Occupation, farmer
Careywood, Idaho

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. _____

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. No. 22479, Issued upon Application No. 30214 bearing date of priority of 11/16/51

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Cocolalla Creek, a tributary of Pend Oreille River
SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 12, Township 54 North Range 3 West, B.M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Diversion is by 2 inch centrifugal pump powered by 7 $\frac{1}{2}$ hp electric motor.
Main line of sprinkler system is 4 inch main line pipe of about 1500 feet in length.
Lateral line of sprinkler system is 3 inch pipe of about 940 feet in length.
There are 24 11/64" x 3/32" nozzles operating at 35 pounds per square inch pressure.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. System is used to irrigate the following:

25 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ in Section 12, Township 54 North Range 3 West B. M.

20 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ in Section 12, Township 54 North Range 3 West B. M.

5 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ in Section 12, Township 54 North Range 3 West B. M.

The above is under cultivation, part hay and part permanent pasture.

22479

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. _____

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. 0.32 cubic feet per second

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. _____

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. Water was used in July and August 1954. It was sprinkler irrigated on hay and pasture. It was applied at the rate of 0.32 cubic feet per second.

The hayland was irrigated twice and the pasture four times during the 1954 season.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. No other water diverted.

(Sign) *J. D. Hollingsworth*

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Sandpoint, County of Bonner,

State of Idaho, on this 9th day of October, A. D. 1954.

L. J. M. Arthur

My commission expires April 15, 1956.

22479

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 22479

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Luther A. Felts, Age 48, Occupation - Farmer, Address: Careywood, Idaho.

Ques. 2. Are you acquainted with J. O. Hollingsworth, the holder of Permit No. 22479? How long have you known him and where does he reside?

Ans. I have known him for about 5 years and he resides at Careywood, Idaho.

Ques. 3. Have you read or heard read said Permit No. 22479, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Cocolalla Creek, SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 12, T.54N., Range 3 W.B.M. uses 2" centrifugal pump, 7 $\frac{1}{2}$ H.P. electric motor; 1500 feet of 4" main line pipe; 920 feet of 3" lateral pipe and 24 sprinkler heads.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. system will convey 1/3 second feet and I have seen it convey the 1/3 second feet.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. 25 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, Township 54 North, Range 3 West B.M.; 20 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, Township 54 North, Range 3 West B.M., and 5 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, Township 54 North, Range 3 West B.M. all above land being cultivated hay and permanent pasture land.

22479

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Character of the land is deep loam soil and low bench land that requires about 24 inches of water for profitable cultivation.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. In July and August of 1954, I witnessed the system being used at various times and it was taking about 1/3 second feet of water. To the best of my knowledge the system was operated continuously for about 6 weeks.

(Signed) _____

Luther A. Felt

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Sandpoint,
County of Bonner, State of Idaho, on this 9th day of November,
A. D. 1954.

L. J. McArthur

Notary Public.

My commission expires April 15, 1956.

22479

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 22479

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Merle J. Jewett, Age 65, Farmer, PostOffice, Careywood, Idaho

Ques. 2. Are you acquainted with J. O. Hollingsworth, the holder of Permit No. 22479? How long have you known him and where does he reside?

Ans. I have known him for 8 years and he resides at Careywood, Idaho.

Ques. 3. Have you read or heard read said Permit No. 22479, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Cocolalla Creek, SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 12, T. 54N., Range 3 W, B.M. uses 2" centrifual pump, 7 $\frac{1}{2}$ H.P. electric motor, 1500 feet of 4" main line pipe, 920 feet of 3" lateral pipe and 24 sprinkler heads.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. will convey 1/3 second feet and have seen about 1/3 second feet being conveyed.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. 25 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, Township 54 North, Range 3 West B. M.; 20 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, Township 54 North, Range 3 West B.M., and 5 acres of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, Township 54 North, Range 3 West B. M. all above being cultivated hay and permanet pasture land .

22479

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Character of Land is deep loam soil and low bench land that requires about
24 inches of water for profitable cultivation.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. no

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. In July and August of 1954, I witnesses the system using about 1/3 second
feet of water. The system was used continuously for about 6 weeks.

(Signed) M. E. Jewett

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Sandpoint,
County of Bonner, State of Idaho, on this 9th day of November,
A. D. 19 54.

E. J. McArthur
Notary Public.

My commission expires April 15, 1956.

52479

Sandpoint, Idaho
November 4, 1954

Gentlemen:

We received your notice of publication in connection with Proof of Beneficial Use on Permit No. 22479 of J. O. Hollingworth and publication began on Oct. 14 and concluded this week, Nov. 4. We are mailing the Nov. 4 issue under separate cover.

Yours very truly,

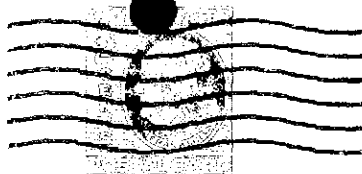
SANDPOINT NEWS-BULLETIN

22479

RECEIVED

NOV 6 1954

Department of Reclamation



THE BACK OF CARD IS FOR ADDRESS

State of Idaho
Department of Reclamation
Mark R. Kulp, State Reclamation Eng.
Boise, Idaho

52479

November 2, 1954

RE: Permit No. 22479

Sandpoint News-Bulletin
Sandpoint
Idaho

Gentlemen:

On October 7 we sent you notice for publication in connection with Proof of beneficial use on Permit No. 22479 of J. O. Hollingsworth.

We have received no acknowledgment of this notice nor have we received a copy of your paper containing same.

Please advise if the notice is being published and if so, send us a copy.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

22479

October 8, 1954

RE: Permit No. 22479

Mr. J. O. Hollingsworth
Careywood
Idaho

Dear Mr. Hollingsworth:

We enclose Certificate of Completion of Works issued on Permit No. 22479 for the diversion of .32 second foot of water from Cocolalla Creek with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 12, Township 54 North, Range 3 West B. . for irrigation of land in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$ of said Section.

We also enclose departmental receipt No. 26969 for the \$5.00 paid in connection with completion of works proof.

We have sent to the Sandpoint News-Bulletin, notice of beneficial use proof to be made on this Permit November 9, 1954, with instructions to publish once a week for four weeks prior to that date and to send you the affidavit of publication together with statement of costs.

At the time set, you should appear before Mr. L. J. McArthur, Notary Public together with two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder for the purpose of executing the enclosed depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

22479

22479

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date: October 7, 1954

Sandpoint News-Bulletin
Sandpoint
Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to November 9, 1954 the date set for proof, the expense of the publication to be paid by the applicant, J. O. Hollingsworth of Careywood, Idaho, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

CH. CEK.

22479

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 9th day of November, 19 51,
at Sandpoint, County of Bonner, State of Idaho, before
L. J. McArthur, Notary Public, proof will be submitted of the
application to beneficial use of 0.32 cubic feet per second of the waters of Cocolalla Creek
in accordance with the terms and conditions of Permit No. 22479
heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are
J. O. Hollingsworth, Careywood, Idaho

The use to which said water has been applied is Sprinkler Irrigation

The amount applied to beneficial use is 0.32 second feet of water

The place where said water is used (~~the location is given full and accurate description of the land irrigated~~)
25 acres of NE $\frac{1}{4}$ of SE $\frac{1}{4}$; 5 acres of SW $\frac{1}{4}$ of SE $\frac{1}{4}$; 20 acres of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ all in
Section 12, Township 54N., Range 3 W.B.M., Bonner County, Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is
-- -- -- --

The right to take water from such works is based upon Permit No. 22479

The source of supply from which such water is diverted is Cocolalla Creek

The date of priority which said user is prepared to establish is November 18, 1951
~~January 12, 1951~~

MARK R. KULP

State Reclamation Engineer.

22479

Permit No. 22479STATE OF IDAHO
Department of ReclamationRECORDED
SEP 27 1954
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Bonner

ss.

J. O. Hollingsworth, being first duly sworn, upon his oath deposes and says:First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 22479, and that his postoffice address is CareywoodState of Idaho

Second: That the name of the stream from which said water is to be diverted is

Cocolalla CreekThird: That the point of diversion of said water is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 12, Township 54N., Range 3 WBM., Bonner County, Idaho.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by December 3, 19 56.Fifth: That the use for which said water is intended is Sprinkler IrrigationSixth: That on the date above mentioned, the works constructed under said permit were (~~complete~~) fully completed and consisted of the following:I. Kind of works: Pump and sprinkler irrigation system

(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam _____ feet, length of dam at top _____ feet, length of dam at bottom _____ feet. Material used in construction _____

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir _____ acre feet.

(c) Size of headgate: Width _____ feet, height _____ feet.

(d) Conduit _____ width at bottom _____ feet, width at water line _____

(State whether ditch, flume or pipe)

feet, depth of water _____ feet; diameter of pipe _____ inches, average grade per mile is _____ feet. Length of conduit is _____ miles.

Seventh: That said works are capable of conducting to the place of intended use _____
0.32 second feet of water.Eighth: That water appropriated under said permit is available for 50 acres of land described as follows: 25 acres of NE $\frac{1}{4}$ of SE $\frac{1}{4}$; 5 acres of SW $\frac{1}{4}$ of SE $\frac{1}{4}$; 20 acres of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ all in Section 12, Township 54N., Range 3 WBM., Bonner County, Idaho.Ninth: Remarks: That sprinkler system was installed June 29, 1954.
We are using electric power furnished by R. E. A. The pump unit is 7 $\frac{1}{2}$ H.P. and we have 1500 ft. of 4 inch main line in 30ft sections and 920 ft. of 3in. lateral line in 40 ft. sections. We run 24 sprinkler Heads.J. O. Hollingsworth
(Sign Here)Subscribed and sworn to before me this 14th day of September, 19 54My commission expires April 15, 1956L. J. M. Archer
Notary Public.

22479

✓
September 29, 1954

RE: Permit No. 22479

Mr. J. O. Hollingsworth
Careywood
Idaho

Dear Mr. Hollingsworth:

We acknowledge receipt of your affidavit in proof of completion of works on Permit No. 22479, accompanied by your check for the \$5.00 fee in connection therewith, also notice for beneficial use proof to be made on this Permit November 9, 1954, and authorization to publish same in the Sandpoint News-Bulletin.

We return your affidavit with the request that you give a little more detail in regard to your works by stating the kind and power of your pump and the number and size of the pipes in your sprinkler system.

This information may be given under Question 9 of the affidavit.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

22479

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) September 14, 1954

(P. O.) Careywood, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

Sandpoint News-Bulletin of Sandpoint, Idaho published in

the county in which the works are situated.

J. O. Hollingsworth
J. O. Hollingsworth

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well-known and competent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.

22479

August 20, 1954

RE: Permit No. 22479

Mr. J. O. Hollingsworth
Careywood
Idaho

Dear Mr. Hollingsworth:

We have your letter of August 16th stating that you are prepared to make proof of Completion of Works and Beneficial Use on your Permit No. 22479.

Proof of Completion of Works can be made on form 6 enclosed to be executed before a Notary Public and returned to this Department with the statutory fee of \$5.00.

Before making proof of Beneficial Use the law requires publication of a notice once a week for four weeks in a county newspaper. This notice should be made in duplicate on form 10 enclosed setting the time and place and naming the Notary Public before whom the proof is to be made.

Both copies of form 10 to be returned to this Department together with form 11 which is your authorization for us to have the notice published at your expense in the designated county newspaper.

We shall then send a copy of the notice to the newspaper with instructions in regard to publishing and shall send you the necessary form of deposition to be used in making the proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:br
Encls.

22479

Careywood, Ida
August 16, 1954

Mr. Mark R. Kulp
Boise, Idaho
Dear Sir:

We have water permit no 22479
for sprinkler irrigation.

We installed our system and had
it in operation on June 29th of this
year.

We have had beneficial use of
the water as we have sprinkled
pasture producing at present, and
also we have produced a hay crop.

We would like to prove up on
the water and get our water right.

Sincerely Yours
J. O. Hollingsworth
Careywood, Ida.

Enclaves

RECEIVED
AUG 19 1954
Department of Reclamation

92479

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

Sandpoint, Idaho
August 5, 1954

RECEIVED
AUG 7 1954
Department of Reclamation

Mr. Mark Kulp, Reclamation Engineer
Department of Reclamation
State House
Boise, Idaho

Dear Mr. Kulp:

Subject: Hollingsworth, Joseph O.
Permit No.: 22479

This is to advise that under date of June 28, 1954, Mr. & Mrs. Hollingsworth assigned Water Permit No. 22479 to the United States, acting through Farmers Home Administration, as collateral security for a loan.

We understand that you will make a notation on your records of this assignment so that the Farmers Home Administration will be notified in the event of any other assignment.

Sincerely yours,


Dale R. Sanner
County Supervisor

This letter has been filed in this Department and a notation made on the office record of Permit No. 24479 so that you will be notified in the event of any action in connection with the above numbered permit.

MARK R. KULP
State Reclamation Engineer

22479

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

Permit No. 22479

Date December 7, 1951

We enclose herewith the above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SALE as given under approval of the
State Reclamation Engineer, on the fourth page.

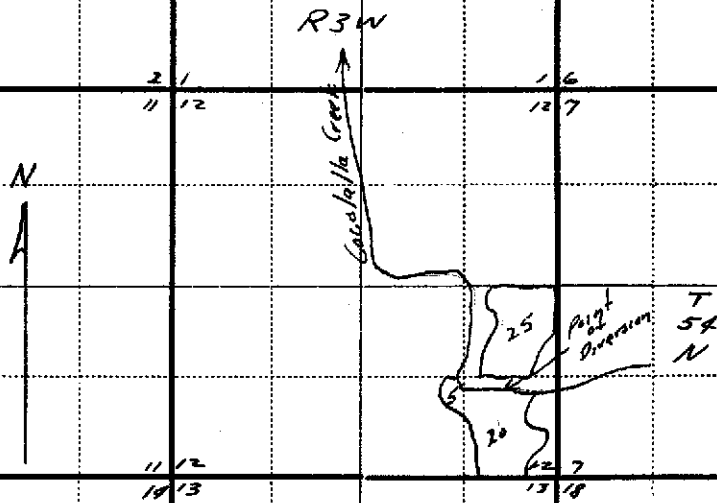
Mr. J. O. Hollingsworth
Careywood
Idaho

MARK R. KULP
State Reclamation Engineer

Enc. Departmental receipt No. 23949 for \$5.00.

22479

J. O. Hollingsworth



Permit Map No. 22479
As Approved
DEC 3 1951
MARK R. KULP
State Reclamation Engineer

November 17, 1951

RE: Application No. 30214

Mr. J. O. Hollingsworth
Careywood
Idaho

Dear Mr. Hollingsworth:

We return your application for permit to appropriate 1 second foot of water from Cocolalla Creek, for the reason that your descriptions in Questions 4 and 14 do not agree with the sketch map.

These descriptions give the point of diversion in the $SW\frac{1}{4}$ $SW\frac{1}{4}$, and the place of use in the $NE\frac{1}{4}$ $SW\frac{1}{4}$ and $S\frac{1}{2}$ $SW\frac{1}{4}$ of Section 12, whereas your sketch map shows all of these lands in the $SE\frac{1}{4}$ of said section. Please correct one or the other to reconcile these descriptions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

22479

November 9, 1951

Mr. J. O. Hollingsworth
Careywood
Idaho

Dear Mr. Hollingsworth:

In reply to your letter of November 5, 1951, we enclose a form of application for permit to appropriate the public waters of the State of Idaho, together with the pamphlet giving regulations and instructions in regard to filing same.

When this application is approved, it will be signed by the proper State Officials and sent you as a use permit under which you may proceed with the construction of the work described in the application. In order to complete your water right, two proofs are required as follows:

First, proof of completion of works which is made by affidavit before a Notary Public. The time required for making this proof should be stated under Question 12 in the application.

The final proof is made when the water has been completely applied for irrigation or whatever purpose it is intended. Notice of such proof must be published for four consecutive weeks in a county newspaper at your expense, and at the time set for proof, depositions are to be executed by yourself and two witnesses in proof of such beneficial use. The additional time required for making this proof should be stated under Question 13 of the application.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

22479

Careywood, Idaho
Nov. 5, 1951

Mr. Mark Kulp
Reclamation Engineer
State of Idaho.

RECEIVED
NOV 9 1951
Department of Reclamation

Dear Sir:

Will you please send me
water right applications forms.

I would like to use water from
Cocolalla Creek to irrigate some pasture
and hay land.

Mr. Murrell tells me my first
step is to secure the application
blanks and I will appreciate it
very much if you will send them
to me.

Thanking you very kindly
I remain

Yours Truly
J. O. Hollingsworth
Careywood, Idaho

22479