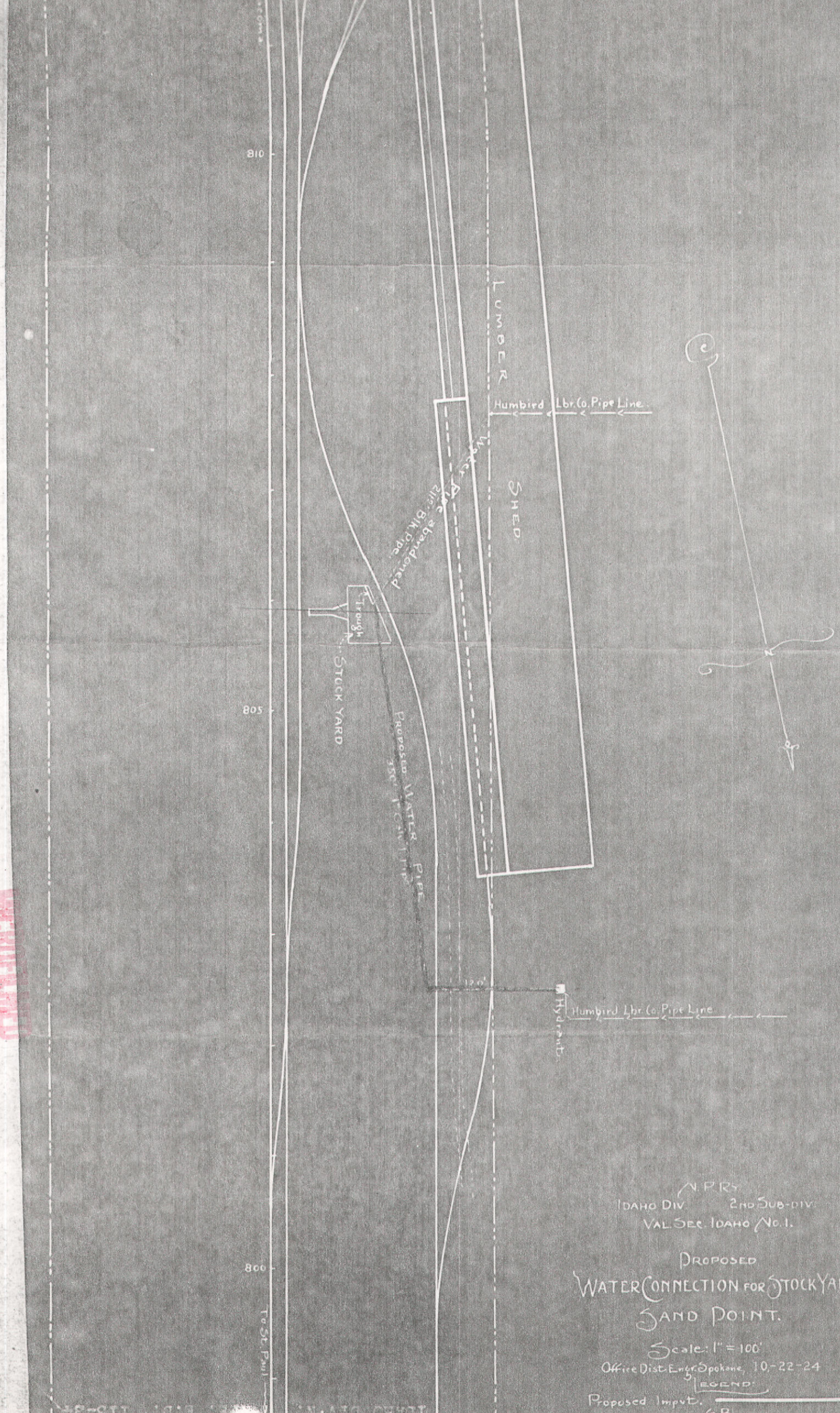

LUMBER
SHED
Humbird Lbr. Co. Pipe Line
Wooden Pipe abandoned 2½" Blk Pipe
Trough
STOCK YARD
Proposed Water Pipe 3/4" Galv. Iron Pipe
120'
Hydrant
Humbird Lbr. Co. Pipe Line
N
810
805
800
Track
N P Ry.
IDAHO DIV. 2ND SUB-DIV.
VAL. SEC. IDAHO No. 1.
PROPOSED
WATER CONNECTION FOR STOCK YARD,
SAND POINT.
Scale: 1" = 100'
Office Dist. Engr. Spokane, 10-22-24
LEGEND:
Proposed Input.
G.B.

Form No. 243
9/81

Claim No. 96-4526

RECEIVED
JUN 23 1983

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

RECEIVED
APR 15 1987
Department of Water Resources

Department of Water Resources
Northern District Office

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

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

Notice is hereby given that Burlington Northern Railroad Company (successor in interest to Northern Pacific Railway Company)
(Name of Claimant)

350 Central Building, Seattle, Washington 98104 Telephone No. (206) 625-6446
(Mailing Address) (Zip Code)

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

(1) Date of priority: (When was the water first applied to a beneficial use) Sept. 13, 1886

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
[redacted] Rear Creek tributary to Clark Fork River

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

	(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive) Period of Use From (Mo., Day)	To (Mo., Day)
Quantity	.2 CFS	Use STOCK, Outfit Cars	Feb. 3, 1925	June 15, 1983
Quantity		Use	(Jan 1)	(Jan 1)
Quantity		Use		
Quantity		Use		
Quantity		Use		

(4) .2 CFS Ave/yr. (cfs, af) TOTAL QUANTITY USED.

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ SE ¼, Sec. 15 Twp. 57N Rge. 2W B.M., County of BONNER
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. PIPELINE

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
57N	2W	15													X				

No. of acres

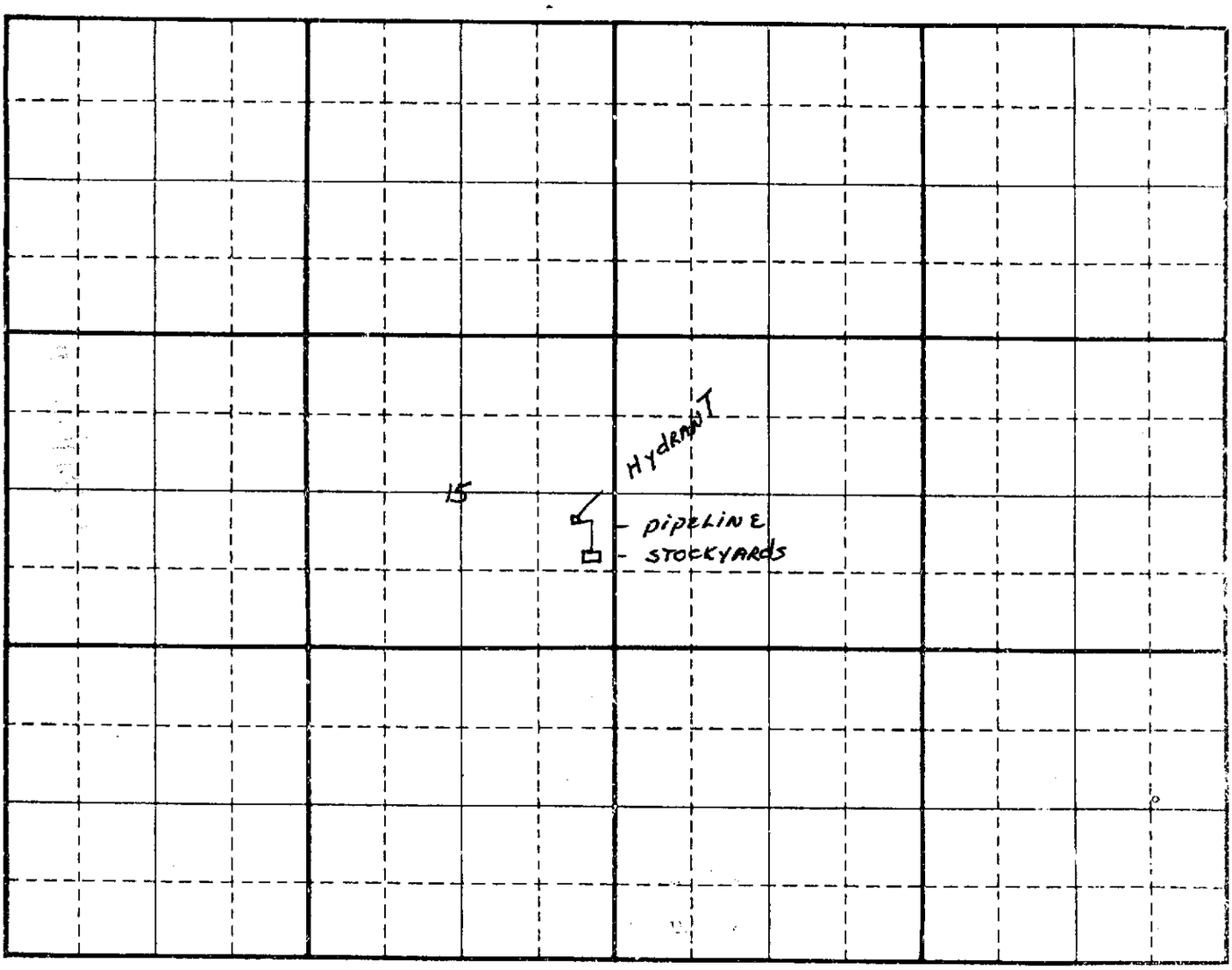
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
CONVEYING WATER FROM HYDRANT TO RAILWAY COMPANYS STOCK YARDS; WATER FOR OUTFIT CARS.

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

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

32

(8) Remarks



Scale: 2 inches equal 1 mile.

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

State of ~~Idaho~~ WASHINGTON)
) ss.
County of KING)

Michael Holland is attorney for claimant which

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

(Claimant)

Sworn to before me this 11th day of April, 1983.

Notary Public
Residing at Seattle, Washington

My commission expires March 1, 1985

FOR DEPARTMENT USE ONLY

Received by SRC	Date 4/15/83	Exception filed by:	Fowarded to claimant by:	Date
Prelim. check by	Date 4/11/83			
$30.00 fee received by	Date 7/5/83 (28616)			
Published in				
Dates	8/14-21/83			

8/30/83
6/23/83

Hope to Ellensburg #913

The HUMBIRD LUMBER COMPANY, hereinafter called Lumber Company, in consideration of the sum of One and no/100 ($1.00) Dollars to it in hand paid, receipt of which is acknowledged, hereby permits the Northern Pacific Railway Company, hereinafter called Railway Company, to construct a pipe line between the Lumber Company's hydrant and the Railway Company's right of way at Sand Point, Idaho, for the purpose of conveying water from said hydrant to the Railway Company's stockyards.

The location of the hydrant and the pipe line are shown on the plat hereto attached and made a part of this permit.

The Railway Company is permitted to take from the hydrant such water as it requires for use at its stockyards.

This permit maybe terminated at the option of the Lumber Company on sixty (60) days notice.

Dated this 3 day of July 1925.

HUMBIRD LUMBER COMPANY,

By _____

Office Dist. Engr. Spokane 10-22-24
Proposed Impt.
G.H.
34

Form 175 10-14-24 10M RP

Northern Pacific Railway Co.

OFFICE OF ENGINEER OF WATER SERVICE

FILE NO. 1071-1

SUBJECT:

Cabinet:

Water Supply.

Water Right

other purposes to be conveyed through such flume, water ditch, or other mode of conducting water together with all and singular, the hereditame-
nts and appurtenances thereunto belonging or in anywise appertaining.

Cabinet Water Station

February 25, 1928

This station is used but very little at the present time and the old steam pump has been removed. The tank is in very poor condition.

#41

~~Cabinet (Mosquito Water Claim)~~

Maps.

Carrier ~~N.P.Ry.~~, State ~~Idaho~~, Val. Sec. 1, Maps 1

Location of Water Right; ~~On Bear Creek near Cabinet(cannot locate with exactness from office records)~~

Lands of location owned by ?

Nature of Right; Springs, Wells, Streams, Ponds, Lakes, or Subterranean? ~~Bear Creek tributary to Clarks Fork River~~

Title

Manner in which Carrier secured Right. (By purchase, condemnation, filing orappropriation, lease, agreement, or other title?)

~~Assignment on Sept. 13,1886 to Ry. Co. of appropriation made on July 28,1886.~~

~~Appropriation Filed 7-28-1886 Book P.Misc'l. Page 59~~

~~Assignment Filed 9-15-1886 Book P. Misc'l. Page 66~~ Kootenai County Records.

Priority of Water Right secured as above set out:

Is this right prior to all other rights? yes

If not prior information respecting all filings prior to those of Carrier:

use of the water from said stream for agricultural, manufacturing and other purposes to be conveyed through such flume, water ditch, or other mode of conducting water together with all and singular, the appurtenances and appurtenances thereunto belonging or in any wise appertaining

Costs.

Statement of purchase price and all attendant costs of Right.
Shown on Order 7.(
Sheet--Parcel (

			Amount	Costs
____	____	Nothing to report	$____	$____
____	____	____	$____	$____
____	____	____	$____	$____

Improvements.

Full description of all improvements constructed on or attached to land or covered by the right when acquired ____

Is water secured by gravity flow or by pumping system? ~~Gravity~~

Uses

Actual quantities of water used by the Carrier for its purposes as a Common Carrier: ~~25,000 gals.daily for 8 months; balance of time pumped from river.~~

Quantity of Water diverted to other uses none

If water sold terms of sale or (and) consideration received by the Carrier: ____

[illegible] other purposes to be conveyed through [illegible] ditches, flumes, water gates, or other modes of conducting water together with [illegible]

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Pete Thompson being first duly sworn on oath deposes and says that he is publisher of the Sandpoint Daily Bee, and News Bulletin, newspapers printed and published at Sandpoint, in Bonner County, Idaho; that the said newspapers have been continuously and uninterruptedly published in said Bonner County during a period of 12 months prior to the first publication of the hereto attached notice of publication in the case of _____

legal Notice

as it was published in the regular and entire issue of the said paper for a period of 2 consecutive weeks, commencing on 14 day of 9, 1983 and ending on the 21 day of 9, 1983 and that said notice was published in said newspaper.

Pete Thomp

Subscribed and sworn to before me this 3 day of 10, 1983.

Notary Public for Idaho,

Residing at Sandpoint, Idaho

NOTICE OF CLAIMS TO WATER RIGHTS

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

96-4524
BURLINGTON NORTHERN RAILROAD CO.
350 CENTRAL BLDG., SEATTLE, WA 98104
Source: PEND OREILLE LAKE trib. to PEND OREILLE RIVER
Priority Date: 10/24/1888
Diversion Pt: SWNW Sec 35 T 57N R 01E
Use: INDUSTRIAL (1.00 CFS)
In: SWNW Sec 35 T 57N R 01E

96-4525
BURLINGTON NORTHERN RAILROAD CO.
350 CENTRAL BLDG., SEATTLE, WA 98104
Source: SPRING trib. to PEND OREILLE RIVER
Priority Date: 11/1/1898
Diversion Pt: SWSW Sec 25 T 57N R 02W
Use: INDUSTRIAL (1.00 CFS)
In: SWSW SESW SWSE SESE Sec 25 T 57N R 02W

96-4526
BURLINGTON NORTHERN RAILROAD CO.
350 CENTRAL BLDG., SEATTLE, WA 98104
Source: BEAR CREEK trib. to CLARK FORK RIVER
Priority Date: 9/13/1886
Diversion Pt: NESE Sec 15 T 57N R 02W
Use: STOCKWATER (0.20 CFS)
INDUSTRIAL (0.20 CFS)
In: NESE Sec 15 T 57N R 02W

96-4527
BURLINGTON NORTHERN RAILROAD CO.
350 CENTRAL BLDG., SEATTLE, WA 98104
Source: GROUNDWATER
Priority Date: 02/02/1911
Diversion Pt: LOT 01 (NENE) Sec 34 T 57N R 01E
Use: INDUSTRIAL (1.10 CFS)
In: LOT 01 (NENE) Sec 34 T 57N R 01E

96-4528
MORROW, CHARLES EUGENE
RT. 1 BOX 363D, SANDPOINT, ID 83864
Source: UNNAMED STREAM trib. to SHILOH CREEK
Priority Date: 06/02/1938
Diversion Pt: SESW Sec 09 T 59N R 01W
Use: STOCKWATER (0.02 CFS)
In: SESW Sec 09 T 59N R 01W

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 4055 Gov't. Way, Coeur d'Alene, Id. 83814.

KEN DUNN, Dir.

Published 9/14 & 9/21/83.

10/11/83

RECEIVED
OCT 13 1983
Dept. of Water Resources
Northern District Office

Form 243a
11/78

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JR

Right Number 96-4526 Applicant BN

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

CHECK:

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

FINAL REGIONAL PROCESSING REVIEW:

- ☑ Affidavit of publication received.
- ☑ Claim published correctly.
- ☑ N/A Exceptions processed.

By _____ Date 10/11/83

STATE OFFICE PROCESSING:

- ☑ Claim review complete.

By DC Date 10-25-83

96-4526

BURLINGTON NORTHERN RAILROAD CO.

350 CENTRAL BLDG., SEATTLE, WA 98104

Source: BEAR CREEK trib. to CLARK FORK RIVER

Priority Date: 09/13/1886

Diversion Pt: NESE Sec 15 T 57N R 02W

Use: STOCKWATER (0.20 CFS)
INDUSTRIAL (0.20 CFS)

In: NESE Sec 15 T 57N R 02W

MICROFILMED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

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

OCTOBER 3, 1983

BURLINGTON NORTHERN RAILROAD CO.
350 CENTRAL BLDG.
SEATTLE WA 98104

RE: Claim No. 96-4526

Dear Claimant:

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

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

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

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

Yours truly,

Robert G. Haynes, P.E.
Regional Supervisor

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

W. Kenneth Dunn
Director

July 12, 1983

Mr. Holland
350 Central Building
Seattle, WA. 98104

Dear Mr. Holland:

I am returning the 14 claims as we discussed on the telephone and the copy of your license #3841.

Most of the problems I could fix in this office, but the claims are notorized statements, so I am not at liberty to add or detract from them.

I have attached a note to each to identify the problem. The claims have been receipted so please complete them and return them to this office by August 31, 1983.

If you have any questions, please feel free to contact me at this office.

Sincerely,

Tom D. King
Senior Water Resource Agent

TDK/paa

MICROFILMED

Claim No. 96

RECEIVED
JUN 23 1983
Department of Water Resources
Northern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
APR 15 1983
Department of Water Resources

CLAIM TO A WATER RIGHT

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(Name of Claimant)

350 Central Building, Seattle, Washington 98104 Telephone No. (206) 625-6446
(Mailing Address) (Zip Code)

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(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
HYDRANT tributary to _____

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

	(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive) (Mo., Day)	(Mo., Day)
Quantity	.2 CFS	Use STOCK, Outfit Cars	Period of Use From Feb. 3, 1925	To June 15, 1983
Quantity		Use	Period of Use From (Jan 1)	To (Jan 1)
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

(4) .2 CFS Ave/yr. TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ SE ¼, Sec. 15 Twp. 57N Rge. 2W B.M., County of BONNER
Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. PIPELINE

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
57N	2W	15													X				

No. of acres _____

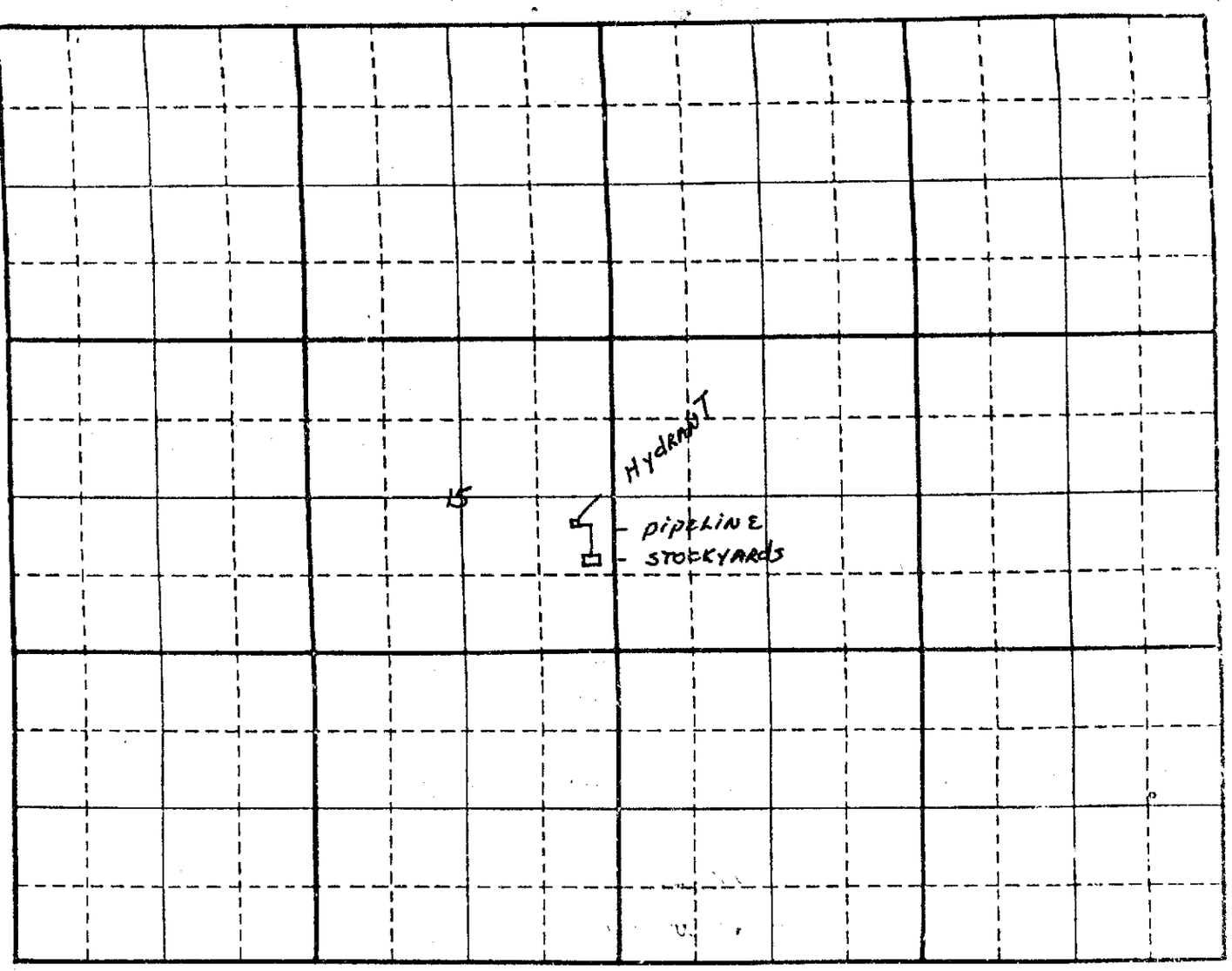
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: CONVEYING WATER FROM HYDRANT TO RAILWAY COMPANYS STOCK YARDS; WATER FOR OUTFIT CARS.

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

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

32

(8) Remarks _____



Scale: 2 inches equal 1 mile.

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

State of ~~Xxxxxx~~ WASHINGTON)
) ss.
County of KING)

Michael Holland is attorney for claimant whi

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(Claimant)

Sworn to before me this 11th day of April, 1983.

Esther S. Tolnes
Notary Public
Residing at Seattle, Washington

My commission expires March 1, 1985

DB 6/23/83 FOR DEPARTMENT USE ONLY

Received by SRC Date 4/15/83 Exception filed by: Fowarded to claimant by: Date

Prelim. check by _____ Date _____

$0.00 fee received by _____ Date 7/5/83 (28646)