

TERRITORY OF IDAHO, }
COUNTY OF KOOTENAI, } ss.

On the

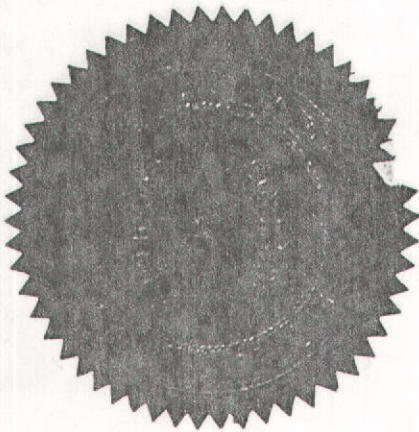
24th day of October

in the year of A. D. Eighteen Hundred and Eighty-Eight, before me
Robt. Bagan, a County Recorder in and for
Kootenai County, Idaho Territory, personally appeared L. G. Jackson
known to me to be the person whose name is subscribed to the within instrument, and
acknowledged to me that he executed the same.

GIVEN under my hand and official seal, the

24th day of October, in the year 1888.

Robt. Bagan
County Recorder



MICROFILMED

Kootenai Co
Water Right #33 + Hope Station
QUIT CLAIM DEED.

L. G. Jackson
TO
The Northern Pacific R.R. Co.

TERRITORY OF IDAHO, }
COUNTY OF KOOTENAI, } ss.

I hereby certify that the within instru-
ment was filed for record in the office of the
Recorder of Kootenai County, at request of

L. G. Jackson

on the 24th day of
October A. D. 1888,

at 10 minutes past 4 o'clock P. M.,
and recorded in Book 6 of Deeds.

Page 576. of the Records of
said County.

Robt. Bagan
Recorder of Kootenai County, Idaho.

By _____
DEPUTY.

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 15 1983

DEPARTMENT OF WATER RESOURCES

JUN 23 1983

CLAIM TO A WATER RIGHT

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

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

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

(Name of Claimant)

350 Central Building, Seattle, WA 98104

(Mailing Address)

(Zip Code)

Telephone No. (206) 625-6446

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) OCT. 24, 1888

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)

PEND OREILLE LAKE tributary to PEND OREILLE 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:

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>1 cfs</u>		Use <u>RAILROAD PURPOSES</u>		Period of Use From <u>OCT 24, 1888</u>	To <u>JUNE 15, 1983</u>
Quantity		Use		Period of Use From <u>(Jan 1)</u>	To <u>(Jan 1)</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) Est. .47 cfs Ave./yr. TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

SW 1/4 NW 1/4, Sec. 35 Twp. 57N Rge. 1E 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. PIPE LINE

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

T	R	SEC.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
57N	1E	35						X											

No. of acres

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

Rail Road Purposes. Watering facilities, depot, sanitary ect.

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

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

This Indenture, Made the 17th day of October,
 in the year of our Lord, One Thousand Eight Hundred and Eighty Eight
 between L. J. Jackson party of the first part,
 and The Northern Pacific Railroad Company party of the second part:
 WITNESSETH, That the said party of the first part, for and in consideration of the
 sum of One DOLLARS,
 lawful money of the United States of America, to him in hand paid by the said
 party of the second part, the receipt whereof is hereby acknowledged, do hereby
 these presents grant, bargain, sell, convey, remise, release and forever quit claim
 unto the said party of the second part, and to his heirs and assigns, all the
 right, title, interest, estate, claim and demand, both at law and in equity, and as
 well in possession as in expectancy of the said party of the first part, of, in, and
 to all that certain lot and parcel of land situate in Neoloma
 County, ^{Southern} State of Idaho, and bounded and described as follows,
 to wit:

All my right title and interest in and to a cer-
 tain Water Right situated at Hope Station
 in the County of Neoloma Territory of Ida-
 ho and to which has a more particular de-
 scription referred is hereby made to the No-
 tice of Location of said Water Right recorded
 in Book P. of Miscellaneous Records on page
 159 of the records of said County and
 Territory.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the costs issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the said part of the second part and heirs and assigns forever.

IN WITNESS WHEREOF, The said part of the first part has hereunto set his hand and seal, the day and year first above written.

Signed, Sealed and Delivered in Presence of

G. R. Kleinfelt

H. W. Wymore

L. Jackson

Seal

Seal

TERRITORY OF IDAHO, }
COUNTY OF KOOTENAI, } ss.

On the

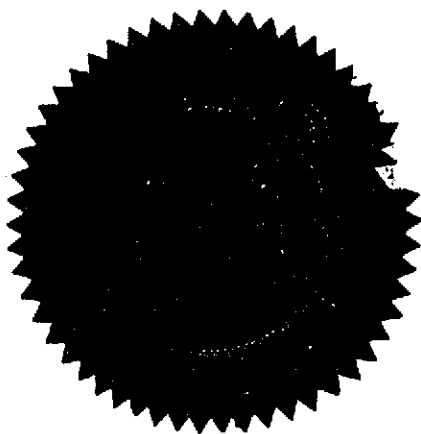
24th day of October

in the year of A. D. Eighteen Hundred and Eighty-Eight, before me
Nobbe Magaw, a County Recorder in and for
Kootenai County, Idaho Territory, personally appeared L. G. Jackson
known to me to be the person whose name is subscribed to the within instrument, and
acknowledged to me that he executed the same.

GIVEN under my hand and official seal, the

24th day of October, in the year 1888.

Nobbe Magaw
County Recorder



RECORDED

Kootenai Co.
Water Right at Hope Station
QUIT CLAIM DEED.

L. G. Jackson

TO

The Northern Lumber Co.

TERRITORY OF IDAHO, }
COUNTY OF KOOTENAI, } ss.

I hereby certify that the within instru-
ment was filed for record in the office of the
Recorder of Kootenai County, at request of

L. G. Jackson

on the 24th day of
October A. D. 1888

at 10 minutes past 4 o'clock P. M.,
and recorded in Book 8 of deeds

Page 576 of the Records of
said County.

Nobbe Magaw
Recorder of Kootenai County, Idaho.

By _____ DEPUTY.

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 Thompson

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

Dee M Thompson

Notary Public for Idaho,

Residing at Sandpoint, Idaho

NOTICE OF CLAIMS
TO WATER RIGHTS

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

96-4524

BURLINGTON NOR-
THERN 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 NOR-
THERN 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 NOR-
THERN 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 NOR-
THERN 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, SAND-
POINT, 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.

RECEIVED

Department of Water Resources
Northern District Office

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JK

Right Number 96-4524 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.
- ☒ Exceptions processed.

By JK Date 10/1/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 10/25/83

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

RECEIVED
MFD

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. 96-4524

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

Kenneth Dunn
Director

4005 Central Express Way
Central Valley, Idaho 83411
(208) 967-6484

*File with
Bureau for
Hollander*

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 notarized 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

APR 15 1947

CLAIM TO A WATER RIGHT

JUN 23 1963

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.
Burlington Northern Railroad Company (successor in
interest to Northern Pacific Railway Company)
Notice is hereby given that _____
(Name of Claimant)

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:

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) _____ 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: _____ (Each date inclusive)

(4) Est. 47 cfs Aved. / yd. TOTAL QUANTITY USED.
(cfs, sf)

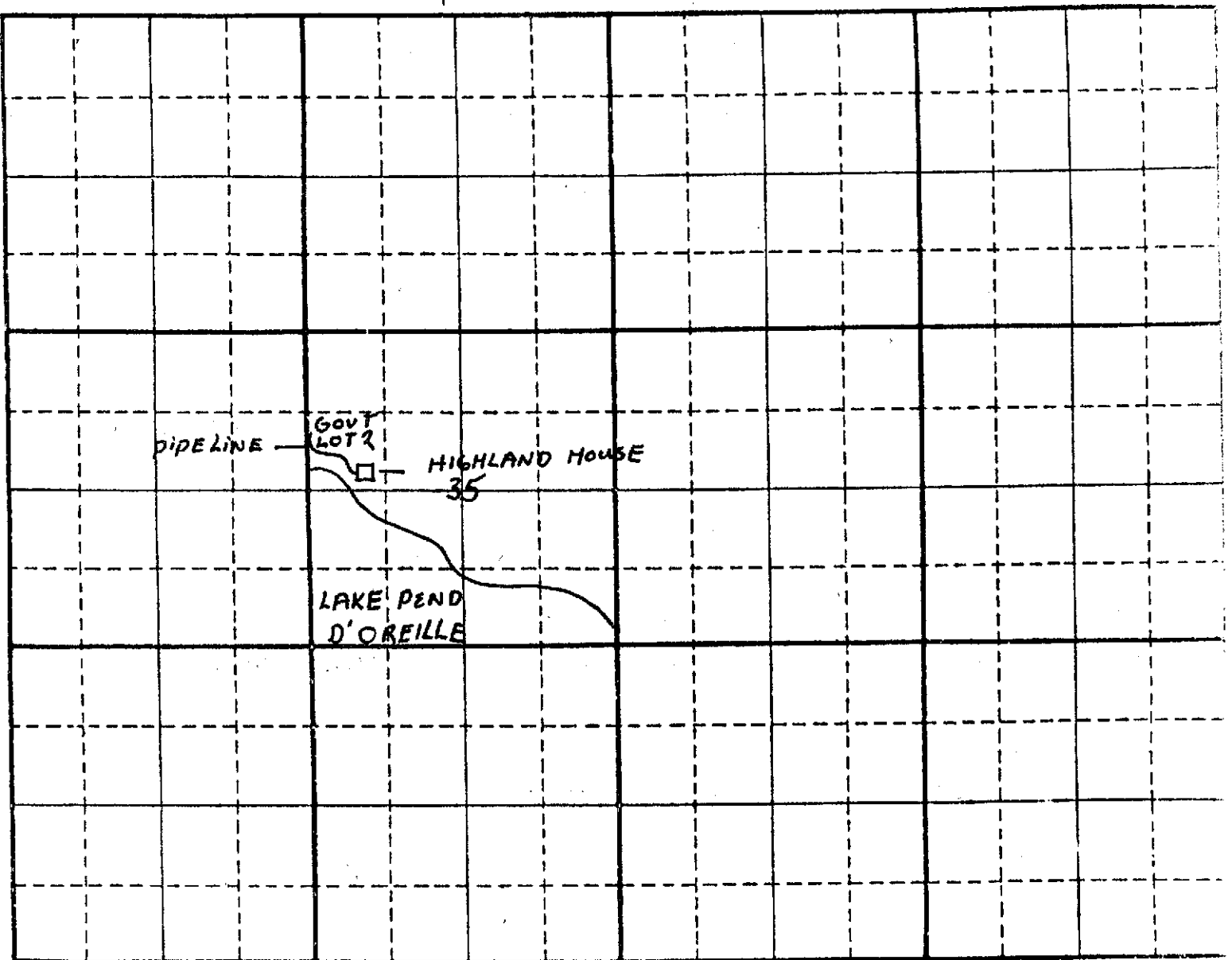
B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. PIPE LINE

[illegible]

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Rail Road Purposes. Watering facilities, depot, sanitary ect.

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

(8) Remarks



Scale: 2 inches equal 1 mile.

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

State of ~~MAX~~ WASHINGTON)

) ss.

County of KING)

Michael Holland

is attorney for claimant who

Be it known that the undersigned, being duly sworn, deposes and says that he ~~has~~ 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 11 th day of April, 19 83.

Notary Public

Residing at Seattle, Washington

My commission expires March 1, 1985

Received by LB Date 6/23/83 Exception filed by: Forwarded to Date
SEC Date 4/15/83 claimant by:
\$30.00 fee received by [signature] Date 7/5/83 (2866)