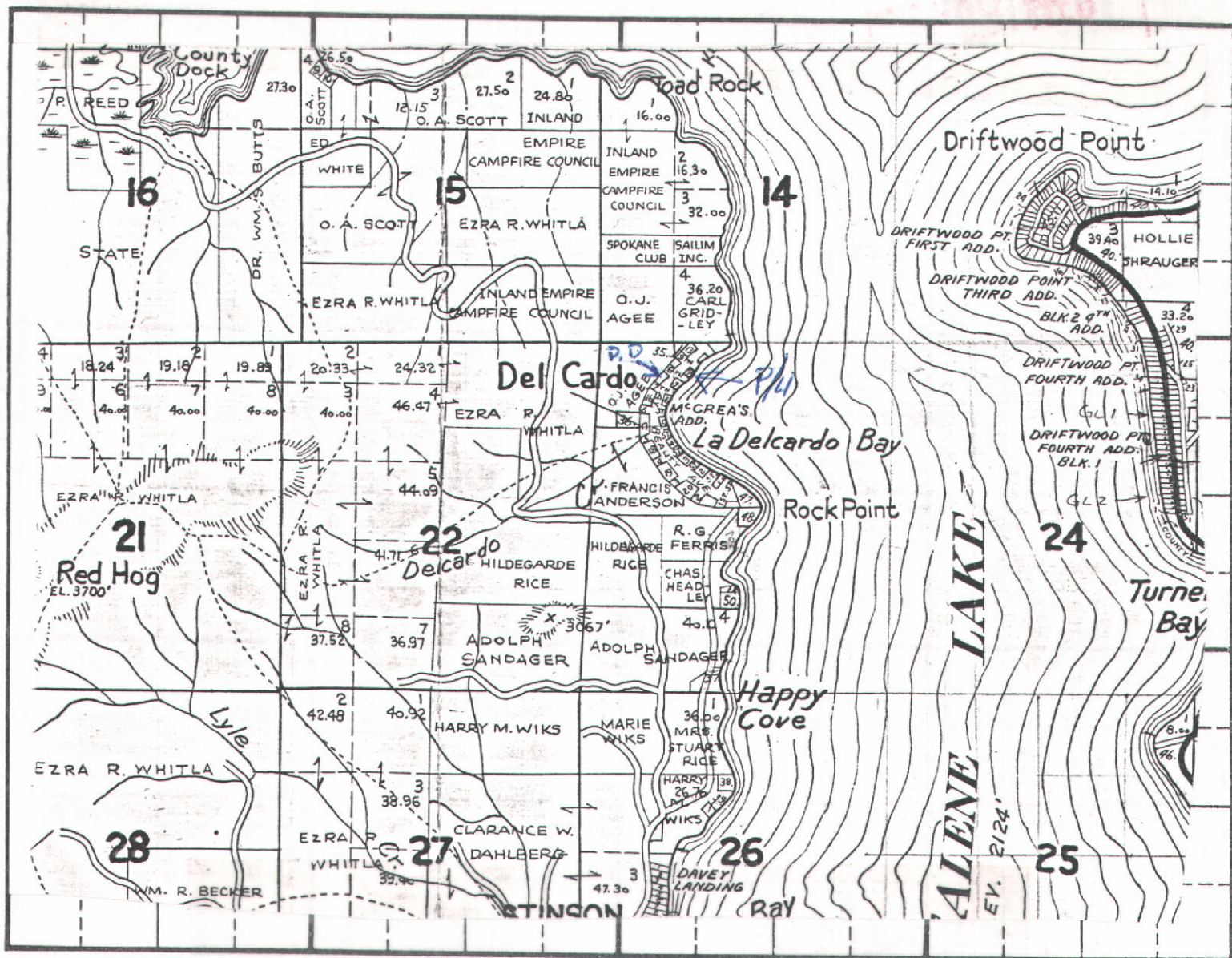


(8) Remarks _____



Scale: 2 inches equal 1 mile.

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

State of Idaho)
County of Kootenai) ss.

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

Sworn to before me this 20 day of August, 19 87.

Clair D. Roberts
(Claimant)

Robert J. Haynes
Notary Public
Residing at Caldwell

My commission expires 11/10/12

MICROFILMED
MAR 17 1988

FOR DEPARTMENT USE ONLY

Received by ChH Date 8/20/87
Prelim. check by RyH Date 8/20/87
\$30.00 fee received by ChH Date 8/20/87
Published in Crowd's Alene News
Dates 9/3-16/87

Exception filed by: _____ Forwarded to claimant by: _____ Date: _____

15 14
22 23

5-4514 LLOYD M. GEORGE

MARGUERITE M. CATHY
JIM

3500

PD
95-4707

POINT OF DIVERSION
95-7944
95-4514
95-4659

PD 95-4633

Lot 1

NINTH ST

ST

EIGHTH ST

95-4514

95-4659

LA DELCARDO BAY

MC CREAS ADD TO

LA DELCARDO

95-4696

UNKNOWN DIVERSION POINT

COEUR

11

21954

WARRANTY DEED.

Ida McGree,

To

B. M. George.

1106-1116 Ave
Newman, Ida

State of Idaho } ss
County of Teton

Filed for record at the request of

Mrs. A. M. McGree

on the 3rd day of May 1913.

at 1:15 P. M., and recorded

in Book 79 of Deeds

Page 117.

[Signature]
County Recorder

By _____

Fee \$1.25

Mail to B. M. George

MICROFILMED

AFFIDAVIT OF PUBLICATION

NOTICE OF CLAIMS TO WATER RIGHTS

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

94-4236

HOILAND, THOMAS R. &/or ROBERTA
RT. 1 BOX 210, CATALDO, ID 83810

Source: CLARK CREEK trib. to MEDICINE LAKE

Priority Date: 05/15/1956

Diversion Pt: SWNE Sec 27 T 48N R 02W

Use: IRRIGATION (0.02 CFS); STOCKWATER (0.0050 CFS)

In: SWNE Sec 27 T 48N R 02W FOR 1 ACRES

95-4656

JOHNSON, CLARENCE
100 MEADOWBROOK RD., COEUR D ALENE, ID 83814

Source: SPRING trib. to COEUR D ALENE LAKE

Priority Date: 01/01/1900

Diversion Pt: SWNE Sec 21 T 50N R 04W

Use: DOMESTIC (0.02 CFS)

In: SWNE Sec 21 T 50N R 04W

95-4657

BUNTON, WILLIAM
P. O. BOX 293, HARRISON, ID 83833

Source: GROUNDWATER

Priority Date: 01/01/1972

Diversion Pt: NESW Sec 19 T 48N R 03W

Use: STOCKWATER (0.02 CFS); DOMESTIC (0.04 CFS)

In: NESW Sec 19 T 48N R 03W

95-4658

1030 WATER SYSTEM OF SILVER BEACH, INC.
RT. 3 SILVER BEACH PARK ADDN., COEUR D ALENE, ID 83814

Source: COEUR D ALENE LAKE trib. to SPOKANE RIVER

Priority date: 01/01/1968

Diversion Pt: LOT 02 Sec 29 T 50N R 03W

Use: DOMESTIC (0.32 CFS)

In: LOT 01 LOT 02 Sec 29 T 50N R 03W

95-4659

ROBERTS, ANISE CLAIRE
P. O. BOX 2271, MISSION VIEJO, CA 92690

Source: SPRING trib. to SINKS

Priority Date: 05/03/1923

Diversion Pt: NWNW Sec 23 T 48N R 04W

Use: DOMESTIC (0.04 CFS)

In: NWNW Sec 23 T 48N R 04W

95-4660

YOST, RICHARD &/or MONIKA
RT. 2 BOX 184 ENGLISH PT. RD., HAYDEN LAKE, ID 83835

Source: SPRING trib. to SINKS

Priority Date: 01/01/1965

Diversion Pt: NESW Sec 09 T 51N R 03W

Use: IRRIGATION (0.03 CFS)

In: NWSE Sec 09 T 51N R 03W FOR 1 ACRES

95-4661

HOFF, W. J.
E. 8424 BRIDGEPORT AVE., SPOKANE, WA 99212

Source: SPRING trib. to COEUR D ALENE LAKE; COEUR D ALENE LAKE trib. to SPOKANE RIVER

Priority Date: 01/01/1962

Diversion Pt: LOT 04 Sec 04 T 47N R 04W

Use: DOMESTIC (0.12 CFS)

In: LOT 04 Sec 04 T 47N R 04W

95-4662

JOHNSON, CLARENCE
100 MEADOWBROOK RD., COEUR D ALENE, ID 83814

Source: SPRING trib. to COEUR D ALENE LAKE

Priority Date: 01/01/1940

Diversion Pt: SWNE NESW SENW Sec 21 T 50N R 04W

Use: STOCKWATER (0.01 CFS)

In: SWNE SENW NESW Sec 21 T 50N R 04W

STATE OF IDAHO,
County of Kootenai,

} ss.

Carole Nedge

being first duly sworn

upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The

Notice

of which the annexed is a printed copy, was published in the regular issue of said newspaper for *2* consecutive *weeks* commencing on the *28* day of *July*, 19*83*, and ending on the *28* day of *August*, 19*83*, and such publication was made as often during said period as said *daily* newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Carole Nedge

Subscribed and sworn to before me this *4* day of *August*, 19*83*.

Roberta D. Dangle

Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

95-4664

DAVIS, RAYMOND C. &/or MARYBEL
P. O. BOX 069, POST FALLS, ID 83854

Source: SPOKANE RIVER trib. to COLUMBIA RIVER

Priority Date: 01/01/1890

Diversion Pt: LOT 05 Sec 02 T 50N R 05W

Use: IRRIGATION (0.09 CFS)

In: LOT 05 Sec 02 T 50N R 05W FOR 3 ACRES

95-4666

BAUER, RONALD G.
STAR RT., COEUR D ALENE, ID 83814

Source: GROUNDWATER

Priority Date: 01/01/1945

Diversion Pt: SWSE Sec 05 T 48N R 04W

Use: STOCKWATER (0.0132 CFS); DOMESTIC (0.04 CFS)

In: NENE Sec 05 T 48N R 04W

95-4667

BAUER, RONALD G.
STAR RT., COEUR D ALENE, ID 83814

Source: GROUNDWATER

Priority Date: 01/01/1934

Diversion Pt: LOT 02 Sec 03 T 48N R 04W

Use: STOCKWATER (0.0132 CFS); DOMESTIC (0.04 CFS)

In: NENE Sec 03 T 48N R 04W

95-4668

HALLSTROM, MICHAEL E.
HAGLUND, EDWIN R.
LAFFERTY TRANSPORTATION CO.
W. 1790 BLACKWELL RD., COEUR D ALENE, ID 83814

Source: SPRING trib. to COEUR D ALENE LAKE; COEUR D ALENE LAKE trib. to SPOKANE RIVER

Priority Date: 01/01/1900

Diversion Pt: SENE Sec 15 T 50N R 04W

Use: DOMESTIC (0.10 CFS)

In: LOT 01 Sec 14 T 50N R 04W NESE LOT 01 Sec 15 T 50N R 04W

95-4669

LIVINGSTON, RALPH L.
E. 3815, OHIO MATCH AVE., POST FALLS, ID 83854

Source: GROUNDWATER

Priority Date: 10/01/1962

Diversion Pt: SWSW Sec 05 T 50N R 04W

Use: IRRIGATION (0.40 CFS); STOCKWATER (0.02 CFS); DOMESTIC (0.10 CFS)

In: SWSW Sec 05 T 50N R 04W FOR 20 ACRES

95-4670

STOWASSER, CLARENCE
N. 55 HWY. 25, COEUR D ALENE, ID 83814

Source: SPRING trib. to COEUR D ALENE LAKE

Priority Date: 01/01/1967

Diversion Pt: NESE NWSE Sec 16 T 50N R 04W

Use: STOCKWATER (0.02 CFS); DOMESTIC (0.04 CFS)

In: NWSE SESE Sec 16 T 50N R 04W

95-4671

SIGMOND, MARLENE E.
BRAUN
P. O. BOX 387, COEUR D ALENE, ID 83814

Source: SPRINGS trib. to SINKS

Priority Date: 01/01/1970

Diversion Pt: NWSW Sec 03 T 48N R 04W

Use: STOCKWATER STORAGE (20.0 AF)

In: NWSW Sec 03 T 48N R 04W

95-4672

JOY, EDWARD M.
STAR RT., COEUR D ALENE, ID 83814

Source: BELLGRAVE CREEK trib. to COEUR D ALENE LAKE

Priority Date: 01/01/1925

Diversion Pt: NWSW SWSW SESW SWSE Sec 25 T 48N R 05W

Use: STOCKWATER (0.03 CFS)

In: NWSW SWSW SESW SWSE Sec 25 T 48N R 05W

95-4673

JOY, EDWARD M.
STAR RT., COEUR D ALENE, ID 83814

Source: GROUNDWATER

Priority Date: 01/01/1930

Diversion Pt: SWSE Sec 36 T 48N R 05W

Use: DOMESTIC (0.04 CFS)

In: SWSE Sec 36 T 48N R 05W

95-4674

LUNCEFORD, CHARLES
RT. 7 BOX 262, COEUR D ALENE, ID 83814

Source: GROUNDWATER

Priority Date: 01/01/1910

Diversion Pt: SESE Sec 04 T 50N R 04W

Use: IRRIGATION (0.10 CFS); STOCKWATER (0.07 CFS); DOMESTIC (0.04 CFS)

In: NESE SESE Sec 04 T 50N R 04W FOR 8 ACRES

95-4675

MILLER, WILLIAM H. C.
N. 8901 HAYDEN PINES WAY, HAYDEN LAKE, ID 83835

Source: GROUNDWATER

Priority Date: 05/20/1978

Diversion Pt: NENW Sec 11 T 51N R 03W

Use: DOMESTIC (0.04 CFS)

In: NENW Sec 11 T 51N R 03W

95-4676

BOHN, CARL R.
P. O. BOX 121, ATHOL, ID 83601

Source: SAGE CREEK trib. to SINKS

Priority Date: 08/23/1898

Diversion Pt: NWNW Sec 26 T 53N R 03W

Use: IRRIGATION (1.50 CFS); STOCKWATER (0.06 CFS); DOMESTIC (0.04 CFS)

In: SWSW Sec 25 T 53N R 03W NENE SESE Sec 26 T 53N R 03W SWSW Sec 25 T 53N R 03W NWSW NESE SESE Sec 26 T 53N R 03W FOR 80 ACRES

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 4055 Gov't. Way, Coeur d'Alene, ID 83814. Legal 201 KEN DUNN, Dir. July 28, Aug. 4, 1983

RECEIVED

OK

WARRANTY DEED.

THIS INDENTURE, Made this 2nd day of May, A. D., 1923, between IDA McCREA, unmarried since prior to August 24th, 1922, of Kootenai County, State of Idaho, party of the first part, and B. M. GEORGE of Lewiston, Nez Perce County, State of Idaho, party of the second part,

WITNESSETH: That the said party of the first part, for and in consideration of the sum of One (\$1.00) Dollar and other good and valuable considerations to her in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, and the said party of the second part forever released and discharged therefrom, has granted, bargained and sold, and by these presents does grant, bargain, sell and convey unto the said party of the second part, and to his heirs and assigns forever, all the following described real estate situated in Kootenai County, State of Idaho, to-wit:

Lot Four (4) of Block Eight (8), La Del Cardo Bay, Idaho, according to the Plat thereof on file and of record in the office of the County Recorder of Kootenai County, together with the perpetual right to use a sufficient amount of water for one residence on said property from the spring belonging to the party of the first part situated on Lots Two (2) and Three (3) of McCrea Addition to La Del Cardo Bay, Idaho, and a perpetual right-of-way over, under and across the last described lots and any other property belonging to the party of the first part, for the purpose of conveying and transporting the water from said spring to the property hereby conveyed.

The party of the first part further gives and grants to the party of the second part, his heirs and assigns, the perpetual right to use sufficient water for one residence on the land above described, from that certain spring belonging to the party of the first part, and located on the Northwest quarter of the Northwest quarter (NW $\frac{1}{4}$ -NW $\frac{1}{4}$) of Section Twenty-three (23), Township Forty-nine (49) North, Range Four (4), W. B. M., Kootenai County, Idaho, and a perpetual right-of-way over, under and across said lands last above described, and any other lands belonging to the party of the first part, for the purpose of conveying and transporting said water from the spring to the property hereby conveyed.

This is the
Spring for which I
filed A claim to A
WATER Right

95-4659

RECORDED

MAR 17 1988

I have never DRAWN water
from the Above!

Together with all and singular the hereditaments and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the above granted lands and premises, with the appurtenances, unto the said party of the second part, his heirs and assigns forever.

And the said party of the first part, for herself and her heirs, executors, and administrators, does hereby covenant with the said party of the second part, his heirs and assigns, that she is lawfully seized in fee of the above granted premises; that they are free and clear of all liens and incumbrances, and that she has good right to sell and convey the same as aforesaid.

And the above bargained premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against all persons lawfully claiming the same or any part thereof, the said party of the first part shall warrant and forever defend.

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



STATE OF IDAHO,)
County of Kootenai.) ss

Ida McCrea (SEAL)

On this 2nd day of May, A. D., 1923, before me, W. W. W. W. a Notary Public in and for the County and State aforesaid, personally appeared Ida McCrea, unmarried since prior to August 24th, 1922, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Given under my hand and official seal the day and year in this certificate first above written.

W. W. W. W.
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

MICROFILMED

MAR 17 1988

MICROFILMED
MAR 17 1988

WARRANTY DEED.

Ida McGree,

To

B. M. George.

Book - 116
Section 1 da

State of Idaho)
County of Teton) ss

Witness my hand and the seal of
the County of Teton this

11th day of May 1913,
at Pocatello, Idaho.

In Book 79 of Records

Page 117.

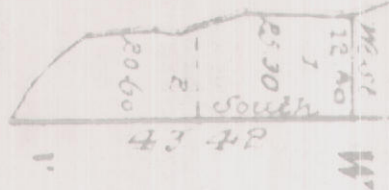
Ida McGree
Ida McGree

By

1913

B. M. George
B. M. George

MAR 17 1988



St. B. 1370
150.403
29.40

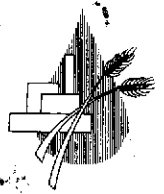
Spec. 14.

Monilichrysis



Ac

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
AMENDED
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 ANISE CLAIRE ROBERTS
(Name of Claimant)

POB 2271 MISSION VIEJO, CA. 92690-0271 Telephone No. 714-586-8324
(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) MAY 3, 1923

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)
SPRING tributary to SINKS

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

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>0.04 cfs</u>		Use <u>DOMESTIC</u>		Period of Use From <u>6-1</u>	To <u>9-15</u>
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____

- (4) 0.04 cfs TOTAL QUANTITY USED.
(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
NW NW Sec. 23 Twp. 49N Rge. 4W B.M., County of KOOTENAI
Additional points of diversion: AKA BLK 15 LT 23 MERCHAS ADDITION TO LADEL CARDO BAY

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. GRAVITY FLOW PIPELINE FROM SPRING TO 45 CUFT RESERVOIR WITH AN ACTIVE CAPACITY 36 CUFT.

- (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.

AKA LOTS 344 BLOCK 8

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
49N	4W	23					X												
							G												
							L												
							I												

No. of acres _____

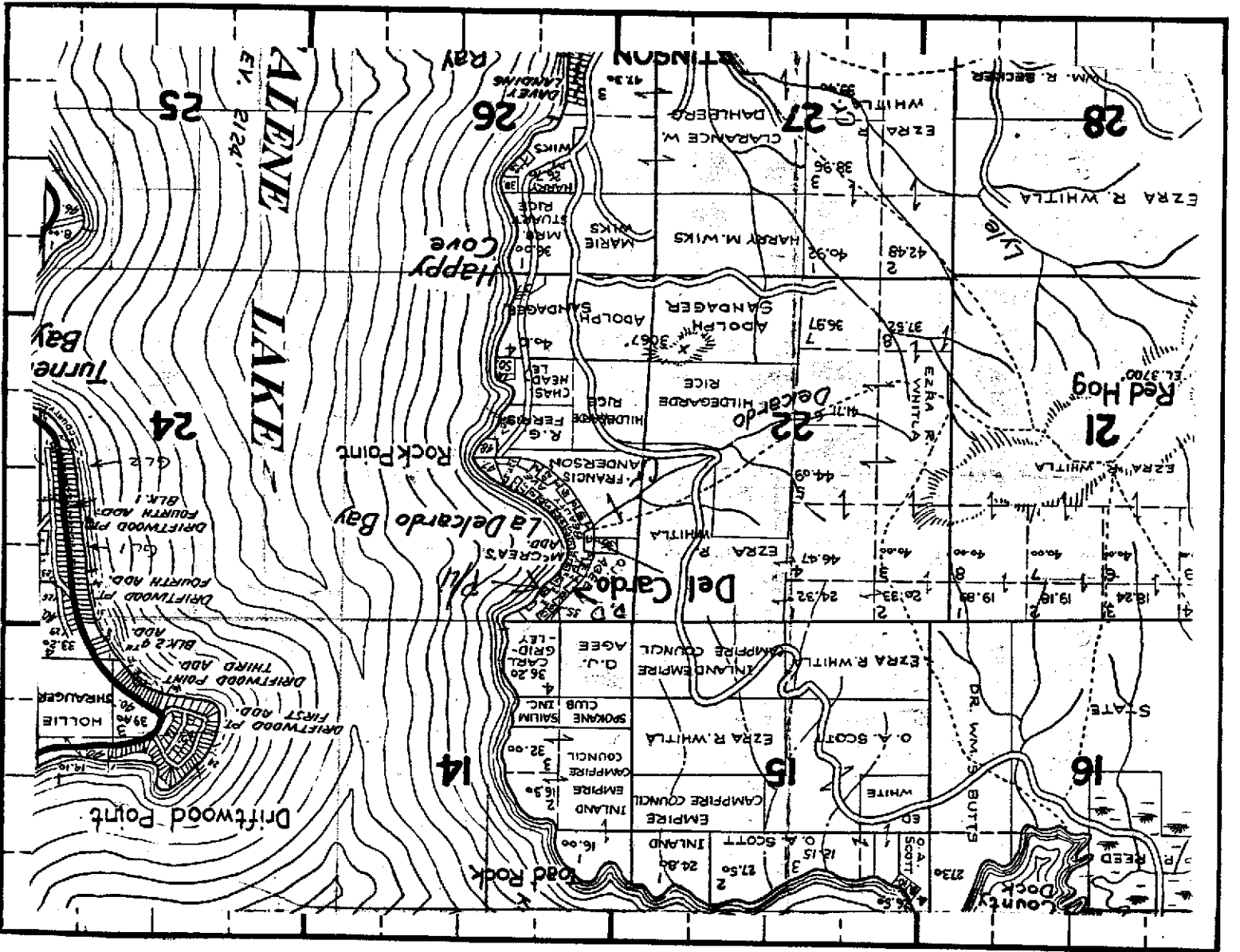
- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: ONE HOME.

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FILMED

MAR 17 1988

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: _____



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

State of Idaho

County of *Cookman*

) ss.
)

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

Sworn to before me this

20 day of

August

(Claimant)

Notary Public
Residing at

Robert J. Higgins

UNRECORDED

MAR 17 1988

FOR DEPARTMENT USE ONLY

Exception filed by:

Forwarded to

Date

Received by

Prelim. check by

Published in

Dates

Date

Date

Date

8/20/87
8/20/87
8/20/87

9/3-18/87

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai,

} ss.

Wilma Parsons being first duly sworn
upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The Notice

of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 2 consecutive Weeks commencing on the 1 day of October, 1987, and ending on the 8 day of October, 1987, and such publication was made as often during said period as said daily newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Wilma Parsons
Subscribed and sworn to before me this 8 day of October, 1987.

Roberta Stanley
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

NOTICE OF AMENDED

CLAIM TO A WATER RIGHT
On August 20, 1987, Anlice Claire Roberts filed with the Department of Water Resources Amended Claim No. 95-4659. The original claim shows water is taken from a spring with 0.04 CFS of water for Domestic purposes from 6/1 to 9/15. The point of diversion is in GL 1 (NWNW) Sec. 23 T49N R4W, Boise Meridian. The place of use is in the NWNW Sec. 23, T49N, R4W, Boise Meridian. The date of priority is May 3, 1923. Claimant now wishes to amend said original claim to show the point of diversion as the NWNW Sec. 23 T49N R4W; and the place of use as GL 1 (NENW) Sec. 23, T49N, R4W, also known as Lots 3 & 4, Blk. 8.

Any exception to any claim of water right may be filed with the director of the Idaho Dept. of Water Resources, 4055 Gov't. Way, Coeur d'Alene, Id. 83814.

R. KEITH HIGGINSON, Dir.
Legal 343
Oct. 1, 8, 1987

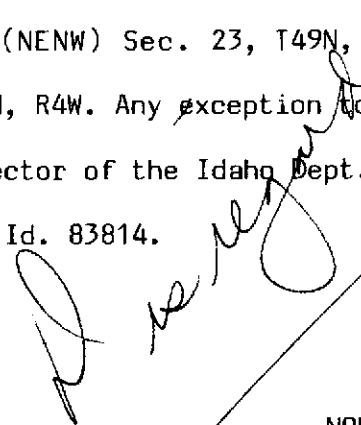
MICROFILMED

MAR 17 1988

NOTICE OF AMENDED CLAIM TO A WATER RIGHT

On August 20, 1987, Anice Claire Roberts filed with the Department of Water Resources Amended Claim No. 95-4659 . The original claim shows water is taken a spring with 0.04 CFS of water for Domestic purposes from 6/1 to 9/15. The point of diversion is in GL 1 (NWNW) Sec. 23 T49N R4W, Boise Meridian. The place of use is in the NWNW Sec. 23, T49N, R4W, Boise Meridian. The date of priority is May 3, 1923.

Claimant now wishes to amend said original claim to show the point of diversion as GL 1 (NENW) Sec. 23, T49N, R4W and the place of use as GL 1 (NENW) Sec. 23, T49N, R4W. Any exception to any claim of water right may be filed with the Director of the Idaho Dept. of Water Resources, 4055 Gov't. Way, Coeur d'Alene, Id. 83814.


NORMAN C. YOUNG, Director

Advertised in the Coeur d'Alene Press, Coeur d'Alene, Id., on 9/3 and 9/10/87.

MICROFILMED

MAR 17 1988

NOTICE OF AMENDED CLAIM TO A WATER RIGHT

On August 20, 1987, Anice Claire Roberts filed with the Department of Water Resources Amended Claim No. 95-4659. The original claim shows water is taken from a spring with 0.04 CFS of water for Domestic purposes from 6/1 to 9/15. The point of diversion is in GL 1 (NWNW) Sec. 23 T49N R4W, Boise Meridian. The place of use is in the NWNW Sec. 23, T49N, R4W, Boise Meridian. The date of priority is May 3, 1923.

Claimant now wishes to amend said original claim to show the point of diversion as the NWNW Sec. 23 T49N R4W; and the place of use as GL 1 (NENW) Sec. 23, T49N, R4W, also known as Lots 3 & 4, Blk. 8.

Any exception to any claim of water right may be filed with the Director of the Idaho Dept. of Water Resources, 4055 Gov't. Way, Coeur d'Alene, Id.
83814

R. KEITH HIGGINSON, Dir.

Advertised in the Coeur d'Alene Press, on 10/1 and 10/8/87.

RECORDED
MAR 1 1988

Form No. 243
9/81

RECEIVED
JUN 29 1983

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by provision 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 Anise Claire Roberts

P.O. Box 2271 Mission Viejo, Ca. 92690
(Mailing Address) (Zip Code)

Telephone No (714) 586-8324

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) MAY 3, 1923

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)

12) Spring (NO NAME) tributary to does NOT Apply

(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	0.04 cfs	Use	Domestic	Period of Use From	June 1 To Sept 15
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) 0.04 cfs TOTAL QUANTITY USED.
(cfs. af)

(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source) Located in Government Lot #1
N.W. ¼ NW ¼, Sec. 28 Twp. 49N Rge. 4W, B.M., County of Kootenai, Idaho
Additional points of diversion: None as
pertaining to above claimant. Lots 2+3 McCrea Addition to
La Delgado Bay, Kootenai Co., Ida.

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. gravity flow pipeline from Spring Reservoir. Total Capa

change. GRAVITY FLOW PIPE LINE FROM SPRING RESERVOIR. TOTAL CAPACITY
OF RESERVOIR: 45 C.F.T. ACTIVE CAPACITY: 36 CUBIC FEET.
PIPE LINE FROM POINT OF DIVERSION TO CLAIMANT'S PROPERTY IS APPROXIMATELY 200 FEET

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

[illegible]

No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: WATER used for Domestic, single family household only. Original deed from Ida McCrea to B.M. George (Claimant's father) specified a perpetual right to use a sufficient amount of water for one residence (from above mentioned Spring) on Lot 4 of Block 8, La Del Cardo Bay, Idaho, at the time said Lot 4, Block 8, La Del Cardo Bay was purchased from Ida McCrea's
NOTE: Include here the type and number of stock watered: by B.M. George May 2, 1923

~~NOTE: Include here the type and number of stock watered:~~ by B.M. Keene May 2, 1923

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

the ORIGINAL Reservoir At Spring Site + ORIGINAL pipeline from Spring to CLAIMANTS property was CONSTRUCTED by B.M. George in May 1923 + the May 3, 1923 date for priority is nearest date available to CLAIMANT, + is obtained from ATTACHED WARRANTY Deed from Ida McCrea to B.M. George.

The single family dwelling, where water is put to beneficial use, is used for a summer vacation home only, & dates of use may from year to year. Property is presently owned by Mrs. Frances Ismael Thayer & herself, Anne Claire (George) Roberts. However, owners of record will be changed shortly to: Albert J. + Claire G. Roberts and Charles D. + Patricia C. Sands

WARRANTY DEED.

THIS INDENTURE, Made this 2nd day of May, A. D., 1923, between IDA McCREA, unmarried since prior to August 24th, 1922, of Kootenai County, State of Idaho, party of the first part, and B. M. GEORGE of Lewiston, Nez Perce County, State of Idaho, party of the second part,

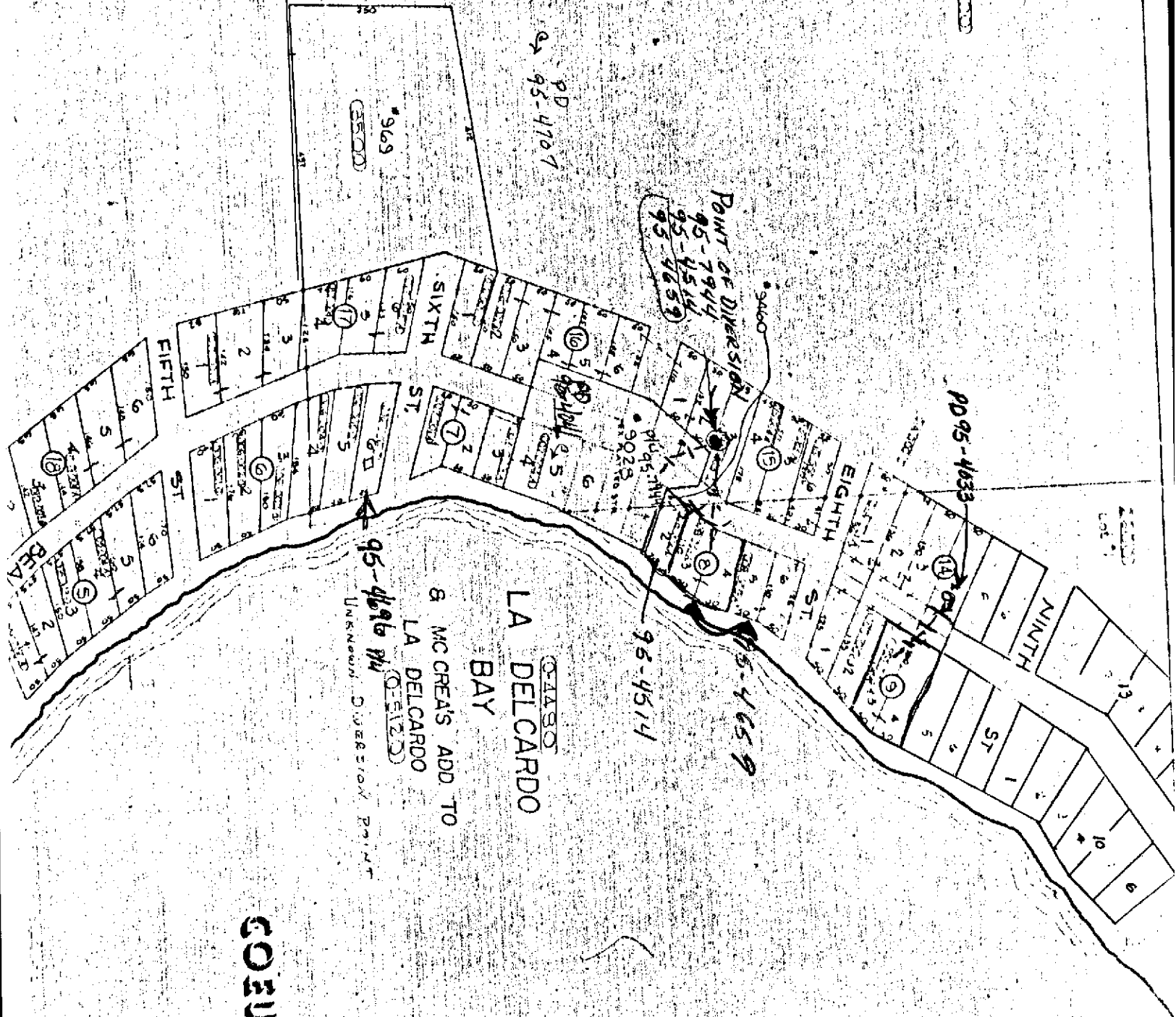
WITNESSETH: That the said party of the first part, for and in consideration of the sum of One (\$1.00) Dollar and other good and valuable considerations to her in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, and the said party of the second part forever released and discharged therefrom, has granted, bargained and sold, and by these presents does grant, bargain, sell and convey unto the said party of the second part, and to his heirs and assigns forever, all the following described real estate situated in Kootenai County, State of Idaho, to-wit:

Lot Four (4) of Block Eight (8), La Del Cardo Bay, Idaho, according to the Plat thereof on file and of record in the office of the County Recorder of Kootenai County, together with the perpetual right to use a sufficient amount of water for one residence on said property from the spring belonging to the party of the first part situated on Lots Two (2) and Three (3) of McCrea Addition to La Del Cardo Bay, Idaho, and a perpetual right-of-way over, under and across the last described lots and any other property belonging to the party of the first part, for the purpose of conveying and transporting the water from said spring to the property hereby conveyed.

The party of the first part further gives and grants to the party of the second part, his heirs and assigns, the perpetual right to use sufficient water for one residence on the land above described, from that certain spring belonging to the party of the first part, and located on the Northwest quarter of the Northwest quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Twenty-three (23), Township Forty-nine (49) North, Range Four (4), W. B. M., Kootenai County, Idaho, and a perpetual right-of-way over, under and across said lands last above described, and any other lands belonging to the party of the first part, for the purpose of conveying and transporting said water from the spring to the property hereby conveyed.

15.14
22.23

4514 LLOYD M. GEORGE
MARGUERITE M. GEORGE
JIM



Together with all and singular the hereditaments and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the above granted lands and premises, with the appurtenances, unto the said party of the second part, his heirs and assigns forever.

And the said party of the first part, for herself and her heirs, executors, and administrators, does hereby covenant with the said party of the second part, his heirs and assigns, that she is lawfully seized in fee of the above granted premises; that they are free and clear of all liens and incumbrances, and that she has good right to sell and convey the same as aforesaid.

And the above bargained premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against all persons lawfully claiming the same or any part thereof, the said party of the first part shall warrant and forever defend.

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



STATE OF IDAHO,)
County of Kootenai.) ss

Ida McCrea (SEAL)

On this 2nd day of May, A. D., 1923, before me, W. D. Vermette, a Notary Public in and for the County and State aforesaid, personally appeared Ida McCrea, unmarried since prior to August 24th, 1922, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Given under my hand and official seal the day and year in this certificate first above written.

W. D. Vermette
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

WARRANTY DEED.

Ida McCrea,

To

B. M. George.

Here - Nick Chase
Residence - Ida

State of Idaho) ss
County of Teton

then for record at the request of

MURRAY J. M. McCrea

on the 3^d day of May 1913.

at 1:45 P. M., and recorded

in Book 79 of Deeds

Page 119.

Ida McCrea
County Recorder

By

Fee \$1.25

W. M. George

MICROFILMED

AFFIDAVIT OF PUBLICATION

NOTICE OF CLAIMS TO WATER RIGHTS

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

94-4236

HOLLAND, THOMAS R. &/or ROBERTA
RT. 1 BOX 210, CATALDO, ID 83810

Source: CLARK CREEK trib. to MEDICINE LAKE

Priority Date: 05/15/1956

Diversion Pt: SWNE Sec 27 T 48N R 02W

Use: IRRIGATION (0.02 CFS); STOCKWATER (0.0050 CFS)

In: SWNE Sec 27 T 48N R 02W FOR 1 ACRES

95-4666

JOHNSON, CLARENCE
100 MEADOWBROOK RD., COEUR D ALENE, ID 83814

Source: SPRING trib. to COEUR D ALENE LAKE

Priority Date: 01/01/1900

Diversion Pt: SWNE Sec 21 T 50N R 04W

Use: DOMESTIC (0.02 CFS)

In: SWNE Sec 21 T 50N R 04W

95-4667

BUNTON, WILLIAM
P. O. BOX 293, HARRISON, ID 83833

Source: GROUNDWATER

Priority Date: 01/01/1972

Diversion Pt: NESW Sec 19 T 48N R 03W

Use: STOCKWATER (0.02 CFS); DOMESTIC (0.04 CFS)

In: NESW Sec 19 T 48N R 03W

95-4658

1030 WATER SYSTEM OF SILVER BEACH, INC.

RT. 3 SILVER BEACH PARK ADDN., COEUR D ALENE, ID 83814

Source: COEUR D ALENE LAKE trib. to SPOKANE RIVER

Priority date: 01/01/1908

Diversion Pt: LOT 02 Sec 28 T 50N R 03W

Use: DOMESTIC (0.32 CFS)

In: LOT 01 LOT 02 Sec 28 T 50N R 03W

95-4659

ROBERTS, ANISE CLAIRE
P. O. BOX 2271, MISSION YIEJO, CA 92090

Source: SPRING trib. to SINKS

Priority Date: 05/03/1923

Diversion Pt: NWNW Sec 23 T 49N R 04W

Use: DOMESTIC (0.04 CFS)

In: NWNW Sec 23 T 49N R 04W

95-4660

YOST, RICHARD &/or MONIKA
RT. 2 BOX 184 ENGLISH PT. RD., HAYDEN LAKE, ID 83835

Source: SPRING trib. to SINKS

Priority Date: 01/01/1905

Diversion Pt: NESW Sec 09 T 51N R 03W

Use: IRRIGATION (0.03 CFS)

In: NWSE Sec 09 T 51N R 03W FOR 1 ACRES

95-4661

HOFF, W. J.
E. 9424 BRIDGEPORT AVE., SPOKANE, WA 99212

Source: SPRING trib. to COEUR D ALENE LAKE; COEUR D ALENE LAKE trib. to SPOKANE RIVER

Priority Date: 01/01/1902

Diversion Pt: LOT 04 Sec 04 T 47N R 04W

Use: DOMESTIC (0.12 CFS)

In: LOT 04 Sec 04 T 47N R 04W

95-4662

JOHNSON, CLARENCE
100 MEADOWBROOK RD., COEUR D ALENE, ID 83814

Source: SPRING trib. to COEUR D ALENE LAKE

Priority Date: 01/01/1940

Diversion Pt: SWNE NESW SENW Sec 21 T 50N R 04W

Use: STOCKWATER (0.01 CFS)

In: SWNE SENW NESW Sec 21 T 50N R 04W

STATE OF IDAHO,
County of Kootenai,

} ss.

Carole Wedge

upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The

Notice

of which the annexed is a printed copy, was published in the regular issue of said newspaper for *2* consecutive *weeks* commencing on the *28* day of *July*, 19*83* and ending on the *19* day of *August*, 19*83* and such publication was made as often during said period as said newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Carole Wedge

Subscribed and sworn to before me this *4* day of *August*, 19*83*

Robert J. ...
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

95-4664

DAVIS, RAYMOND C. &/or MARYBEL
P. O. BOX 999, POST FALLS, ID 83854

Source: SPOKANE RIVER trib. to COLUMBIA RIVER

Priority Date: 01/01/1800

Diversion Pt: LOT 05 Sec 02 T 50N R 05W

Use: IRRIGATION (0.09 CFS)

In: LOT 05 Sec 02 T 50N R 05W FOR 3 ACRES

95-4666

BAUER, RONALD G.
STAR RT., COEUR D ALENE, ID 83814

Source: GROUNDWATER

Priority Date: 01/01/1945

Diversion Pt: SWSE Sec 05 T 48N R 04W

Use: STOCKWATER (0.0132 CFS); DOMESTIC (0.04 CFS)

In: NENE Sec 05 T 48N R 04W

95-4667

BAUER, RONALD G.
STAR RT., COEUR D ALENE, ID 83814

Source: GROUNDWATER

Priority Date: 01/01/1934

Diversion Pt: LOT 02 Sec 05 T 48N R 04W

Use: STOCKWATER (0.0132 CFS); DOMESTIC (0.04 CFS)

In: NENE Sec 05 T 48N R 04W

95-4668

HALLSTROM, MICHAEL E.
HAGLUND, EDWIN R.
LAFFERTY TRANSPORTATION CO.

W. 1700 BLACKWELL RD., COEUR D ALENE, ID 83814

Source: SPRING trib. to COEUR D ALENE LAKE; COEUR D ALENE LAKE trib. to SPOKANE RIVER

Priority Date: 01/01/1900

Diversion Pt: SENE Sec 15 T 50N R 04W

Use: DOMESTIC (0.10 CFS)

In: LOT 01 Sec 14 T 50N R 04W

NESE LOT 01 Sec 15 T 50N R 04W

95-4669

LIVINGSTON, RALPH L.
E. 3818, OHIO MATCH AVE., POST FALLS, ID 83854

Source: GROUNDWATER

Priority Date: 10/01/1982

Diversion Pt: SWSW Sec 05 T 50N R 04W

Use: IRRIGATION (0.40 CFS); STOCKWATER (0.03 CFS); DOMESTIC (0.10 CFS)

In: SWSW Sec 05 T 50N R 04W FOR 12 ACRES

95-4670

STOWASSER, CLARENCE
N. 55 HWY. 24, COEUR D ALENE, ID 83814

Source: SPRING trib. to COEUR D ALENE LAKE

Priority Date: 01/01/1907

Diversion Pt: NENE NWSE Sec 14 T 49N R 05W

Use: STOCKWATER (0.02 CFS); DOMESTIC (0.04 CFS)

In: NWSE NESE Sec 14 T 49N R 04W

95-4671

STIGMOND, MARLENE E.
BRAUN
P. O. BOX 107, COEUR D ALENE, ID 83814

Source: SPRING trib. to SINKS

Priority Date: 01/01/1970

Diversion Pt: NWSW Sec 03 T 48N R 04W

Use: STOCKWATER STORAGE (20.0 AF)

In: NWSW Sec 03 T 48N R 04W

95-4673

JOY, EDWARD M.
STAR RT., COEUR D ALENE, ID 83814

Source: BELLGRAVE CREEK trib. to COEUR D ALENE LAKE

Priority Date: 01/01/1923

Diversion Pt: NWSW SWSE SENW SWSE Sec 10 T 49N R 05W

Use: STOCKWATER (0.05 CFS)

In: NWSW SWSE SENW SWSE Sec 10 T 49N R 05W

95-4675

JOY, EDWARD M.
STAR RT., COEUR D ALENE, ID 83814

Source: GROUNDWATER

Priority Date: 01/01/1930

Diversion Pt: SWSE Sec 10 T 49N R 05W

Use: DOMESTIC (0.04 CFS)

In: SWSE Sec 10 T 49N R 05W

95-4674

LUNCEFORD, CHARLES
RT. 7 BOX 123, COEUR D ALENE, ID 83814

Source: GROUNDWATER

Priority Date: 01/01/1910

Diversion Pt: SESE Sec 04 T 50N R 04W

Use: IRRIGATION (0.10 CFS); STOCKWATER (0.07 CFS); DOMESTIC (0.04 CFS)

In: NESE SESE Sec 04 T 50N R 04W FOR 1 ACRES

95-4676

MILLER, WILLIAM B. C.
N. 800 HAYDEN PINES WAY, HAYDEN LAKE, ID 83835

Source: GROUNDWATER

Priority Date: 05/25/1975

Diversion Pt: NWNW Sec 11 T 51N R 03W

Use: DOMESTIC (0.04 CFS)

In: NWNW Sec 11 T 51N R 03W

95-4678

BOHN, CARL R.
P. O. BOX 121, ATHOL, ID 83801

Source: SAGE CREEK trib. to SINKS

Priority Date: 05/22/1908

Diversion Pt: NWNW Sec 10 T 50N R 03W

Use: IRRIGATION (1.00 CFS); STOCKWATER (0.05 CFS); DOMESTIC (0.04 CFS)

In: SWSE Sec 10 T 50N R 03W

NESE SESE Sec 10 T 50N R 03W

SWSE Sec 10 T 50N R 03W

NESE SESE Sec 10 T 50N R 03W

FOR 12 ACRES

NESE SESE Sec 10 T 50N R 03W

FOR 12 ACRES

NESE SESE Sec 10 T 50N R 03W

FOR 12 ACRES

NESE SESE Sec 10 T 50N R 03W

FOR 12 ACRES

NESE SESE Sec 10 T 50N R 03W

FOR 12 ACRES

NESE SESE Sec 10 T 50N R 03W

FOR 12 ACRES

NESE SESE Sec 10 T 50N R 03W

FOR 12 ACRES

NESE SESE Sec 10 T 50N R 03W

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: KK

Right Number

Amended 95-4659

Applicant

Roberts

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. - amended claims takes care of protest by Mr. Agee.

By

[Signature]

Date

10/21/87

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

SE

Date

10-29-87

RECEIVED
OCT 29 1987

Department of Water Resources

CONVERSATION MEMORANDUM

Date 10-14-87 File # 95-4659

NAME OF PARTY ANISE ROBERTS

EMPLOYEE TOM KING

RE 95-7944, 95-4514, 95-4659

I explained the legal
descriptions to Ms. Roberts.
She no longer wishes to
file an amendment to
the amended claim

MS. ROBERTS PHONE # 714-536-8324

RECORDED & INDEXED

MAR 17 1988

Tom King
Idaho Department of Water Resources
4055 Government Way,
Coeur d'Alene, Idaho 83814

RECEIVED
OCT 15 1987

Department of Water Resources
Northern District Office

October 8, 1987

Dear Tom,

Enclosed find copy of protest by Mr. Oren Agee et al to my amended claim to water right # 95-4659.

In my opinion there are two errors in the amended claim, which you published in the Coeur d'Alene Press on October 1, 1987. They are:

1. The point of diversion should include the lot numbers and should read "lots two(2) and three(3), block 15, McCrea Addition to La DelCardo Bay, Kootenai County, Idaho (NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 23, T.49N, R4 W.B.M., which is located in Government lot #1." *

2. Location of use should read:
" Lot four(4), block eight(8), La DelCardo Bay Plat, which is located in Government lot #1, N.E. $\frac{1}{4}$ of N.W. $\frac{1}{4}$ Section 23, T 49N, R4 W.B.M, Kootenai County, Idaho. **

After your kindness in filling out the amended form of claim to a water right # 95-4659, I am sorry to ask you for more help in this regard, but would appreciate it if you would send me two more forms of same so that I can give it another try in filling it out myself. Thank you for all you have done to date.

Sincerely,

Claire G. Roberts

Claire G. Roberts
(a.k.a. Anise Claire Roberts)

RECEIVED

MAR 17 1988

*It is necessary to give the lot numbers of the diversion point for the purpose of specificity in the description. Without the lot numbers in the spring location, from which the claimant has drawn water since 1923, one cannot distinguish it from a second spring to which claimant holds a deeded water right, but from which she has never drawn water, namely that spring which is located in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 23, T.49N, R4 W.B.M. Kootenai County, Idaho. (see enclosed deed)

**Our cottage is built on two lots(3 & 4) La DelCardo Bay, Kootenai County, Idaho); However, the water right was deeded for lot 4 only. I am accepting yours and Oren Agee's description regards "the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23 etc." part of this description.

WARRANTY DEED.

THIS INDENTURE, Made this 2nd day of May, A. D., 1923, between IDA McCREA, unmarried since prior to August 24th, 1922, of Kootenai County, State of Idaho, party of the first part, and B. M. GEORGE of Lewiston, Nez Perce County, State of Idaho, party of the second part,

WITNESSETH: That the said party of the first part, for and in consideration of the sum of One (\$1.00) Dollar and other good and valuable considerations to her in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, and the said party of the second part forever released and discharged therefrom, has granted, bargained and sold, and by these presents does grant, bargain, sell and convey unto the said party of the second part, and to his heirs and assigns forever, all the following described real estate situated in Kootenai County, State of Idaho, to-wit:

Lot Four (4) of Block Eight (8), La Del Cardo Bay, Idaho, according to the Plat thereof on file and of record in the office of the County Recorder of Kootenai County, together with the perpetual right to use a sufficient amount of water for one residence on said property from the spring belonging to the party of the first part situated on Lots Two (2) and Three (3) of McCreas Addition to La Del Cardo Bay, Idaho, and a perpetual right-of-way over, under and across the last described lots and any other property belonging to the party of the first part, for the purpose of conveying and transporting the water from said spring to the property hereby conveyed.

The party of the first part further gives and grants to the party of the second part, his heirs and assigns, the perpetual right to use sufficient water for one residence on the land above described, from that certain spring belonging to the party of the first part, and located on the Northwest quarter of the Northwest quarter (NW1/4) of Section Twenty-three (23), Township Forty-nine (49) North, Range Four (4), W. B. M., Kootenai County, Idaho, and a perpetual right-of-way over, under and across said lands last above described, and any other lands belonging to the party of the first part, for the purpose of conveying and transporting said water from the spring to the property hereby conveyed.

RECORDED

MAR 17 1988

I have never DRAWN water from the Above!

Together with all and singular the hereditaments and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the above granted lands and premises, with the appurtenances, unto the said party of the second part, his heirs and assigns forever.

And the said party of the first part, for herself and her heirs, executors, and administrators, does hereby covenant with the said party of the second part, his heirs and assigns, that she is lawfully seized in fee of the above granted premises; that they are free and clear of all liens and incumbrances, and that she has good right to sell and convey the same as aforesaid.

And the above bargained premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against all persons lawfully claiming the same or any part thereof, the said party of the first part shall warrant and forever defend.

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



STATE OF IDAHO.

County of Kootenai.

} ss

Ida McBrea (SEAL)

On this 1st day of May, A. D., 1923, before me,

W. J. [Signature] a Notary Public in and for the County and State aforesaid, personally appeared Ida McBrea, unmarried since prior to August 24th, 1922, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Given under my hand and official seal the day and year in this certificate first above written.

W. J. [Signature]
Notary Public for the State of Idaho,
residing at [Address], Idaho.

MAR 17 1988

RECORDED
MAR 17 1988

WARRANTY DEED.

Ida McGee,

To

B. M. George.

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Page 117.

Ida McGee

Book 117 of Deeds

STATE OF IDAHO)
KOOTENAI COUNTY)

ss.

AFFIDAVIT

95-4659
ROBERTS, ANISE CLAIRE
P. O. BOX 2271, MISSION VIEJO,
CA 92690
Source: SPRING trib. to SINKS
Priority Date: 06/03/1923
Diversion Pt: NWNW Sec 23 T
49N R 04W
Use: DOMESTIC (0.04 CFS)
In: NWNW Sec 23 T 49N R 04W
95-4660

Protest of October 1987

Oren Agee

Exceptions to a claim may be
filed with the Director, Dept. of
Water Resources, 405 Gov't
Way, Coeur d'Alene, ID 83814.
Legal 271 KEN DUNN, Dir.
July 28, Aug. 4, 1983

G. GAIL KINLOCK, ROSE LUISE PARK, ELOISE AGEE and

OREN AGEE, being first duly sworn, on their oaths depose and say:

1. That G. Gail Kinloch, Rose Luise Park and Eloise Agee are the owners of Lot 3, Block 7, McCrea Addition to LaDelcardo Bay, Kootenai County, Idaho.

2. That Oren Agee and Eloise Agee are the owners of Lot 2, Block 15, McCrea Addition to LaDelcardo Bay, Kootenai County, Idaho (NW $\frac{1}{4}$, NW $\frac{1}{4}$, S. 23, T. 49 N. R. 4, W.B.M.).

3. That the spring for which Anise Claire Roberts has made Claim to a Water Right is located on the property line between Lots 2 and 3, Block 15, McCrea Addition to LaDelcardo Bay, Kootenai County, Idaho.

4. The water sinks within the property listed in paragraph 3 above.

5. Said spring has a flow of 3.75 to 4.00 gallon per MINUTE. In June of 1982, the spring was tested for its water production and it has been determined that each claimant is entitled to one gallon per minute.

6. The Claim to a Water Right of Anise Claire Roberts, Number 95-4659, is erroneous in the location of use; the correct location is Government Lot 1 (NE $\frac{1}{4}$, NW $\frac{1}{4}$).

7. A conference between Tom King of the Idaho Department of Water Resources (local office) and affiant Oren Agee on June 17, 1983, produced the information that water that exists and does not flow off the owners property is PRIVATE WATER and the State of Idaho has no jurisdiction over such water.

8. Anise Claire Roberts has a constitutional right, through previous use, to only 1/4 of the spring's supply, namely, approximately one gallon per minute.

DATED this 1st day of August, 1983.

MICROFILMED

MAR 17 1988

G. Gail Kinloch
G. GAIL KINLOCK

Oren Agee
OREN AGEE

Rose Luise Park
ROSE LUISE PARK

Eloise R. Agee
ELOISE AGEE

SUBSCRIBED AND SWORN TO before me this 1st day of August, 1983.

NOTICE OF AMENDED CLAIM TO A WATER RIGHT
On August 20, 1987, Anice Claire Roberts filed with the Department of Water Resources Amended Claim No. 95-4559. The original claim shows water is taken from a spring with 0.04 CFS of water for Domestic purposes from 6/1 to 9/15. The point of diversion is in GL 1 (NWNW) Sec. 23 T49N R4W, Boise Meridian. The place of use is in the NWNW Sec. 23, T49N, R4W, Boise Meridian. The date of priority is May 3, 1923. Claimant now wishes to amend said original claim to show the point of diversion as the NWNW Sec. 23 T49N R4W; and the place of use as GL 1 (NENW) Sec. 23, T49N, R4W, also known as Lots 3 & 4, Blk. 8.

Any exception to any claim of water right may be filed with the director of the Idaho Dept. of Water Resources, 4055 Gov't. Way, Coeur d'Alene, Id. 83814.

R. KEITH HIGGINSON, Dir.
Legal 343
Oct. 1, 8, 1987

Book A of plats
at page 81

Myrna Paul Anderson
NOTARY PUBLIC for Idaho
Residing at: *Coeur d'Alene*
Commission Expires: *Life*

NOTICE OF APPLICATION
Pursuant to Section 58-142, et seq., Idaho Code (The Late Protection Act) and rules of the State Board of Land Commissioners, notice is hereby given that James R. & Marguerita McCarthy, Rt. 3, Box 199B, Vashon, WA 98070 has made application to construct or install 1 1/2" domestic waterline in Lake Coeur d'Alene adjacent to La De Cando Bay Section 23, Township 49 North, Range 4 West B.M., in Kootenai County. Written objections to or requests for hearing in this matter must be on file with the Director, Department of Lands, Statehouse, Boise, ID 83720 within thirty (30) days after the first appearance of this notice. Specific information regarding this application may be obtained from the Director, Department of Lands.
STANLEY F. HAMILTON
Legal 314
Director
Sept. 24, Oct. 1, 1987

1st October 1987

Amended claim to water right: 95-4659

Ref. this is PRIVATE WATER of which the state has no jurisdiction. Evidently no reference was made to affidavit of 1 August 1983. Furthermore the amount of water available at this date is 21 Gal. per minute, last August it would not support one family needs. Their house contained no FLUSH Toilet, No Shower, and no tub.

This person is entitled to 1/4 of the springs output.

OREN J. AGEE
P.O. Box 240
COEUR d'Alene, Id.
83814

The neighbor of this claimant who is on the same Spring has resorted to taking water from Coeur d'Alene Lake - see Application above.

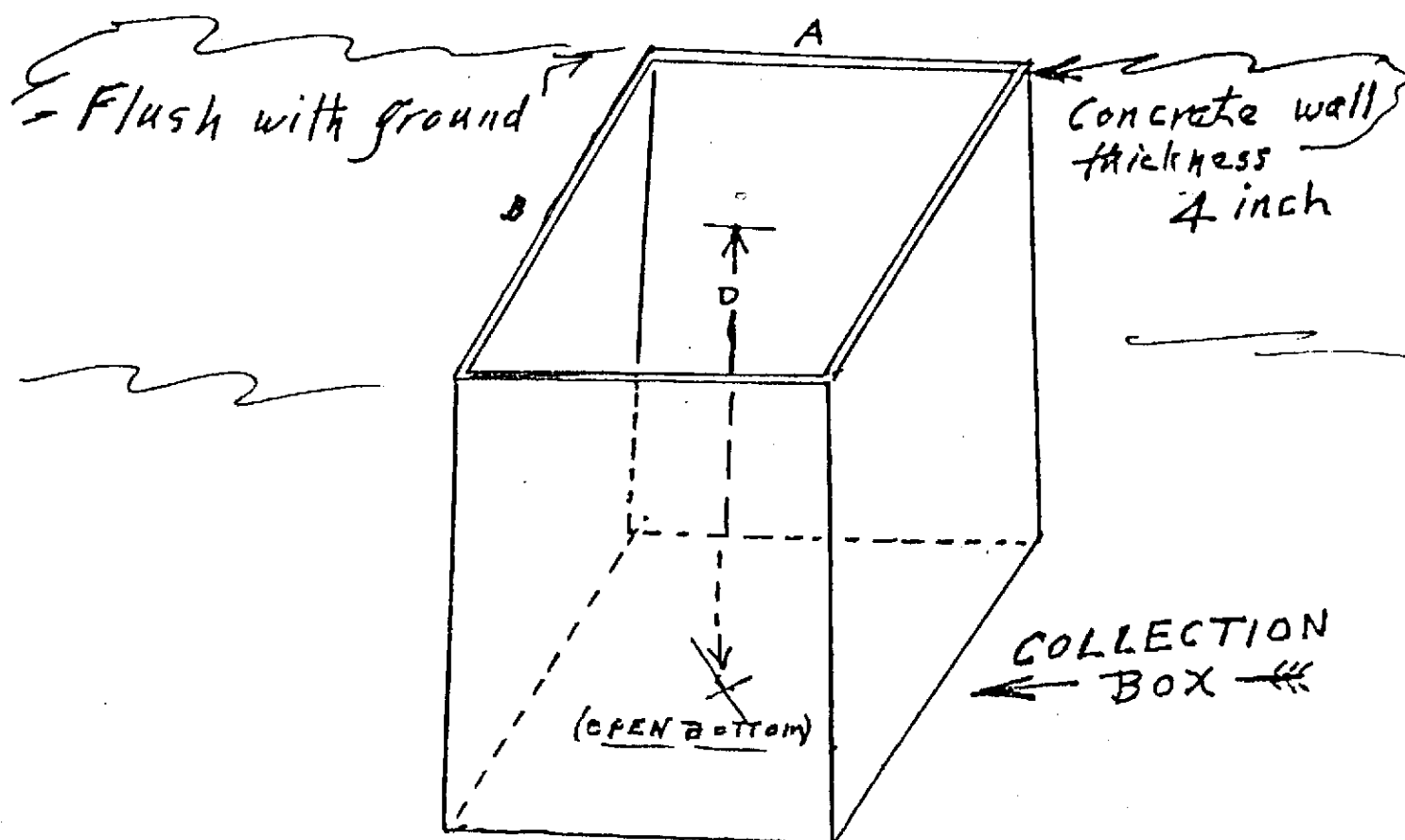
AFFIDAVIT: Page Two

Sincerely

MICROFILMED

MAR 17 1988

P.S.: 0.04 CFS = 18 Gal. per minute.
Present output from spring is less than 1 qt. per minute.



SIDE "A" 3.166 ft
 SIDE "B" 3.166 ft.
 Depth "D" 5.00 ft.

$A \times B \times D = \text{Volume}$
 $A \times B \times D = 50 \text{ cu. ft.}$

STORAGE CAPACITY 374 Gal.

INPUT FLOW - 5 gal. in 80 sec.

" " " 3.75 Gal. per Min.

This is the facility located on Lot 2 & 3 Block 15 of McCrea Addition to La Delcardo Bay - This property is owned by Leon Agee, Eloise Agee, and Oren Agee.

Leon Agee has PERMIT No. 95-7944 dated 31 July 1979 which supplies water to area of use by our family.

MICROFILMED

MAR 17 1988

September 21, 1987

Ms. Anise C. Roberts
P.O. Box 2271
Mission Viejo, Ca. 92690-0271

Re: AMENDED 95-4659

Dear Ms. Roberts:

The Department of Water resources has completed the advertising of your Amended Claim to a Water Right and no further action is authorized under Section 42-243 and 42-244, Idaho Code. Your amended 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 amended 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 amended 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 amended 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 amended claim for your records. If you have any questions, or if this office may be of further assistance, please feel free to contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH/pms
Enclosure

MICROFILMED

MAR 17 1988

COPY

MICROFILMED

MAR 17 1988

NOTICE OF AMENDED CLAIM TO A WATER RIGHT

On August 20, 1987, Anice Claire Roberts filed with the Department of Water Resources Amended Claim No. 95-4659 . The original claim shows water is taken a spring with 0.04 CFS of water for Domestic purposes from 6/1 to 9/15. The point of diversion is in GL 1 (NWNW) Sec. 23 T49N R4W, Boise Meridian. The place of use is in the NWNW Sec. 23, T49N, R4W, Boise Meridian. The date of priority is May 3, 1923.

Claimant now wishes to amend said original claim to show the point of diversion as ^{NW NW} ~~GL 1 (NENW)~~ Sec. 23, T49N, R4W and the place of use as GL 1 (NENW) Sec. 23, T49N, R4W. Any exception to any claim of water right may be filed with the Director of the Idaho Dept. of Water Resources, 4055 Gov't. Way, Coeur d'Alene, Id. 83814.

NORMAN C. YOUNG, Director

Advertised in the Coeur d'Alene Press, Coeur d'Alene, Id., on 9/3 and 9/10/87.

MICROFILMED
MAR 17 1988

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JK

Right Number _____ Applicant _____

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 KK Date 9/8/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By pc Date 11-8-83

RECEIVED

RECEIVED

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

August 8, 1983

Ms. Anise Claire Roberts
P. O. Box 2271
Mission Viejo, Ca. 92690

RE: 95-4659

Dear Ms. Roberts:

Enclosed is a copy of an exception filed in connection with your above-referenced claim. This exception is filed in accordance with the provisions of Section 42-244, IDAHO CODE, which states the following in part:

"At any time after filing a claim under the provisions of the previous section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the department of water resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the department of water resources. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required."

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for confirmation or final censorship the described rights.

If we may be of any further assistance, feel free to contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH: PMS

Enclosure

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

August 8, 1983

Mr. Oren Agee et al
P. O. Box 240
Coeur d'Alene, Id. 83814

RE: 95-4659

Dear Mr. Agee et al:

We have received your correspondence concerning the above-referenced Claim to a Water Right. The following is a quote from the provisions under which this Claim has been filed (Section 42-244, IDAHO CODE):

"At any time after filing a claim under the provisions of the previous section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the department of water resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the department of water resources. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required."

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Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH:ems

STATE OF IDAHO)
)
KOOTENAI COUNTY)

ss.

AFFIDAVIT

RECEIVED

AUG 2 1983

Department of Water Resources
Northern District Office

G. GAIL KINLOCK, ROSE LUISE PARK, ELOISE AGEE and
OREN AGEE, being first duly sworn, on their oaths depose and say:

1. That G. Gail Kinloch, Rose Luise Park and Eloise Agee are the owners of Lot 3, Block 7, McCrea Addition to LaDelcardo Bay, Kootenai County, Idaho.

2. That Oren Agee and Eloise Agee are the owners of Lot 2, Block 15, McCrea Addition to LaDelcardo Bay, Kootenai County, Idaho (NW $\frac{1}{4}$, NW $\frac{1}{4}$, S. 23, T. 49 N. R. 4, W.B.M.).

3. That the spring for which Anise Claire Roberts has made Claim to a Water Right is located on the property line between Lots 2 and 3, Block 15, McCrea Addition to LaDelcardo Bay, Kootenai County, Idaho.

4. The water sinks within the property listed in paragraph 3 above.

5. Said spring has a flow of 3.75 to 4.00 gallon per MINUTE. In June of 1982, the spring was tested for its water production and it has been determined that each claimant is entitled to one gallon per minute.

6. The Claim to a Water Right of Anise Claire Roberts, Number 95-4659, is erroneous in the location of use; the correct location is Government Lot 1 (NE $\frac{1}{4}$, NW $\frac{1}{4}$).

7. A conference between Tom King of the Idaho Department of Water Resourves (local office) and affiant Oren Agee on June 17, 1983, produced the information that water that exists and does not flow off the owners property is PRIVATE WATER and the State of Idaho has no jurisdiction over such water.

8. Anise Claire Roberts has a constitutional right, through previous use, to only 1/4 of the spring's supply, namely, approximately one gallon per minute.

DATED this 1st day of August, 1983.

G. Gail Kinlock
G. GAIL KINLOCK

Rose Luise Park
ROSE LUISE PARK

Oren Agee
OREN AGEE

Eloise R. Agee
ELOISE AGEE

SUBSCRIBED AND SWORN TO before me this 1st day of August, 1983.

Merna Mae Vanderheyden
NOTARY PUBLIC for Idaho
Residing at: *Coeur d'Alene*
Commission Expires: *Life*

OREN J. AGEE
P.O. Box 240
COEUR D'ALENE ID
83814

STATE OF IDAHO)
)
KOOTENAI COUNTY)

ss.

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DATED this 1st day of August, 1983.

G. Gail Kinloch
G. GAIL KINLOCK

Rose Luise Park
ROSE LUISE PARK

Oren Agee
OREN AGEE

Eloise R. Agee
ELOISE AGEE

SUBSCRIBED AND SWORN TO before me this 1st day of August, 1983.

Bernard Max Vanderheyden
NOTARY PUBLIC for Idaho
Residing at: *Coeur d'Alene*
Commission Expires: *Life*

OREN J. AGEE
P.O. BOX 240
COEUR D'ALENE, ID.
83814

95-4659-

ROBERTS, ANISE CLAIRE

P.O. BOX 2271, MISSION YIEJO, CA 92690

Source: SPRING trib. to SINKS

Priority Date: 05/03/1923

Diversion Pt: NWNW Sec 23 T 49N R 04W

Use: DOMESTIC (0.04 CFS)

In: NWNW Sec 23 T 49N R 04W

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

AUGUST 15, 1983

ANISE CLAIRE ROBERTS
P.O. BOX 2271
MISSION YIEJO CA 92690

RE: Claim No. 95-4659

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