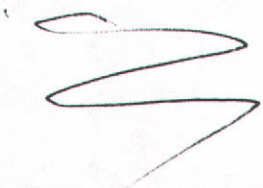


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Documents
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MAY 1 1998

MAY 11 1998

NORTHERN REGION
IDWR

Department of Water Resources

Form 42-248/42-1409(6) 1/9/97

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): #9504423
Adjudication Claim No(s): _____
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant: SYBLIE A. POWELL TO
RICK W. CARRE & JAN L. COTTON-CARR
4. New Owner/Claimant(s): OTIS D. HOWE III & DIANE R. HOWE
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address: S. 10175 HWY 97
City, State and ZIP Code: HARRISON, ID 83833
New Telephone Number: () _____
5. Date you acquired the property: 3-17-98
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages. LAKE WATER DOMESTIC USE
Number of acres you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes 1 Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s): Otis D. Howe III
Diane R. Howe
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

MICROFILMED
JUN 25 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

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

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

Notice is hereby given that JAMES T. OR SYBLE A. POWELL
(Name of Claimant)
RT 2 Box 86, HARRISON, ID 83833 Telephone No. _____
(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) 1958

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)
LAKE COEUR D'ALENE 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:

Quantity (cfs, gpd, AFA)	Use (Domestic, Irrigation, Stock, Etc.)	Period of Use From To	
		(Mo., Day)	(Mo., Day)
<u>0.02</u>	<u>IRRIGATION LAWN & GARDEN</u>	<u>MAY 1</u>	<u>OCT 31</u>
Quantity _____	Use <u>(DOMESTIC)</u>	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) 0.02 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
Lot 2 1/4, Sec. 24 Twp. 49N Rge. 4W B.M., County of KOOTENAI
Additional points of diversion: PUMP & PIPELINE

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. PUMP & 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.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>49N</u>	<u>4W</u>	<u>24</u>																	

No. of acres _____

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

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: _____

MICROFILMED

AFFIDAVIT OF PUBLICATION

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

95-4422

CLARY, PHYLLIS

RT. 2 BOX 93, HARRISON, ID
83333

Source: COEUR D'ALENE
LAKE

Priority Date: 05/01/1958

Amount: 0.02 CFS

Diversion Point: LOT 02 Sec 24 T
49N R 04W, KOOTENAI Co.

Use: DOMESTIC (0.02 CFS) from
01/01 to 12/31

Place of Use: LOT 02 (SENE) Sec
24 T 49N R 04W

Diversion Means: PUMP

95-4423

POWELL, JAMES T. &/or
SYBLE A.

RT. 2 BOX 86, HARRISON ID
83333

Source: LAKE COEUR
D'ALENE

Priority Date: 01/01/1958

Amount: 0.02 CFS

Diversion Point: LOT 02 Sec 24 T
49N R 04W, KOOTENAI Co.

Use: DOMESTIC (0.02 CFS) from
05/01 to 10/31

Place of Use: LOT 02 Sec 24 T 49N
R 04W

Diversion Means: PUMP &
PIPELINE

95-4424

HALL, FLORENCE T.

RT. 1 BOX 89, HARRISON, ID
83333

Source: LAKE COEUR
D'ALENE

Priority Date: 07/01/1959

Amount: 0.02 CFS

Diversion Point: LOT 02 Sec 24 T
49N R 04W, KOOTENAI Co.

Use: DOMESTIC (0.02 CFS) from
05/01 to 10/31

Place of Use: LOT 02 Sec 24 T 49N
R 04W

Diversion Means: PUMP &
PIPELINE

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

C. STEPHEN ALLRED
Director

Legal 926

July 5, 12, 1979

STATE OF IDAHO,

County of Kootenai,

} ss.

_____ 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 _____

of which the annexed is a printed copy, was published in the regular issue of said newspaper for _____ consecutive _____ commencing on the _____ day of _____, 19____, and ending on the _____ day of _____, 19____, 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.

Subscribed and sworn to before me this _____ day of _____, 19____.

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

LEADER

23.04

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 13, 1998

OTIS D HOWE III
DIANE R HOWE
S 10175 HWY 97
HARRISON ID 83833

RE: OWNERSHIP OF WATER RIGHT CLAIM 95-04423

Dear Mr. & Mrs. Howe:

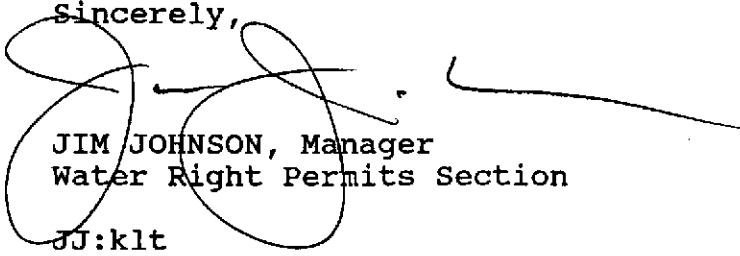
I have modified our computer records and filed the ownership change document in the above referenced water right claim file to reflect the ownership change of the water right to you. A computer generated report is enclosed for your information.

Please note all water right owners are required to report any change in water right ownership and any change of mailing address to the department. If you sell the water right or change your mailing address you should report the change with the department within 120 days of the change.

Failure to report these changes in a timely manner could result in a \$100 late filing fee.

You can contact any office of the department for more information. If you have any questions concerning your water right listed above you can contact me at (208)327-7947.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosure

MICROFILMED

AUG 25 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 16, 1992

JAN COTTON-CARR
RT 2 BOX 86
HARRISON ID 83833

RE: Water Right No. 95-04423

Dear Water Right Holder(s):

We are in receipt of the correspondence concerning ownership of the above referenced water right.

In Idaho, a licensed water right is considered real property; therefore, proof of owning the land is proof of owning the water right unless specifically excluded in the sale. We have placed your correspondence in the file for future reference.

If you have any questions, please let us know.

Sincerely,

A handwritten signature in cursive script that reads "Brenda L. Miller".

BRENDA L. MILLER
Water Resource Agent

BLM:cz

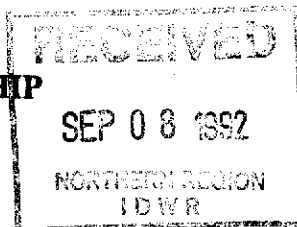
RECEIVED

DEC 15 1992



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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



DATE OF CLOSING: 6/11/92

LEGAL DESCRIPTION OF PROPERTY: Township 49N Range 4W
Section 24, 1/4 of 1/4 of 1/4, Govt. Lot , BM.
Lot 4, Block, 1, Subdivision/Townsite Driftwood Point 4th addition
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s) 95-04423
Assigned by IDWR: ~~L-95-S-2677A~~

☐ Name and Address of Former Owner/Claimant(s)(Seller): Syble A. Powell

☐ New Owner/Claimant (Purchaser): Jan Cotton-Carr

☐ New Mailing Address: Route 2, Box 86 (HWY 97)
Harrison, Idaho 83833

☐ New Telephone Number: (208) 664 - 0960

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: _____

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

☐ Signature of New Owner/Claimant(s) Jan L. Cotton Carr Date 6/10/92

☐ Signature of Former Owner/Claimant(s) Syble A. Powell Date 6/10/92

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

DEC 15 1992

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

INSTRUCTIONS

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

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

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

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

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

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

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

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

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

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



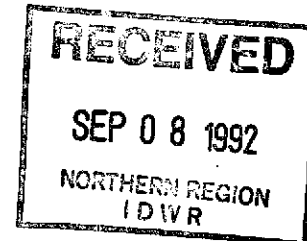
State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 765-4639 • Fax (208) 765-2088

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

July 9, 1992



95-04423

Mrs. Jan Cotton-Carr
Rt 2 Box 86 Hwy 97
Harrison ID 83833

RE: Change of Water Right Ownership.

Dear Mrs. Cotton-Carr:

We are returning your Change of Water Right Ownership form. The number listed on the form is an Idaho State Department of Lands Encroachment Permit Number which is not acceptable on this form.

Our records indicate that the Powells have Water Right Number 95-04423. I have enclosed a listing of this Water Right. Please review the information on this Water Right to determine if you are the current owner of the property associated with this filing. If you are the current owner of this property, and the water rights were purchased with the land, please list the correct Water Right Number on the Change of Water Right Ownership form and return it to this office.

If I can be of further assistance, please feel free to contact me at this office.

Thank you,

ALLEN BEARDSLEE
SR. WATER RESOURCE AGENT

*Allen, Attached is the correction to
the form per your letter.*

Thank you

Jan Cotton-Carr

DEC 15 1992

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: K/C

Right Number 95-4423

Applicant Powell

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 ms Date 7/17/79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jeni Date 7/31/79

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95-4423

POWELL, JAMES T. &/or SYBLE A.

RT. 2 BOX 86, HARRISON, ID 83833

Source: LAKE COEUR D'ALENE

Priority Date: 01/01/1958

Amount: 0.02 CFS

Diversion Point: LOT 02 Sec 24 T 49N R 04W, KOOTENAI Co.

Use: DOMESTIC (0.02 CFS) from 05/01 to 10/31

Place of Use: LOT 02 Sec 24 T 49N R 04W

Diversion Means: PUMP & PIPELINE

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

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

JULY 23, 1979

JAMES T. POWELL
SYBLE A. POWELL
RT. 2 BOX 86
HARRISON

ID 83833

RE: Claim No. 95-4423

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

MICROFILMED