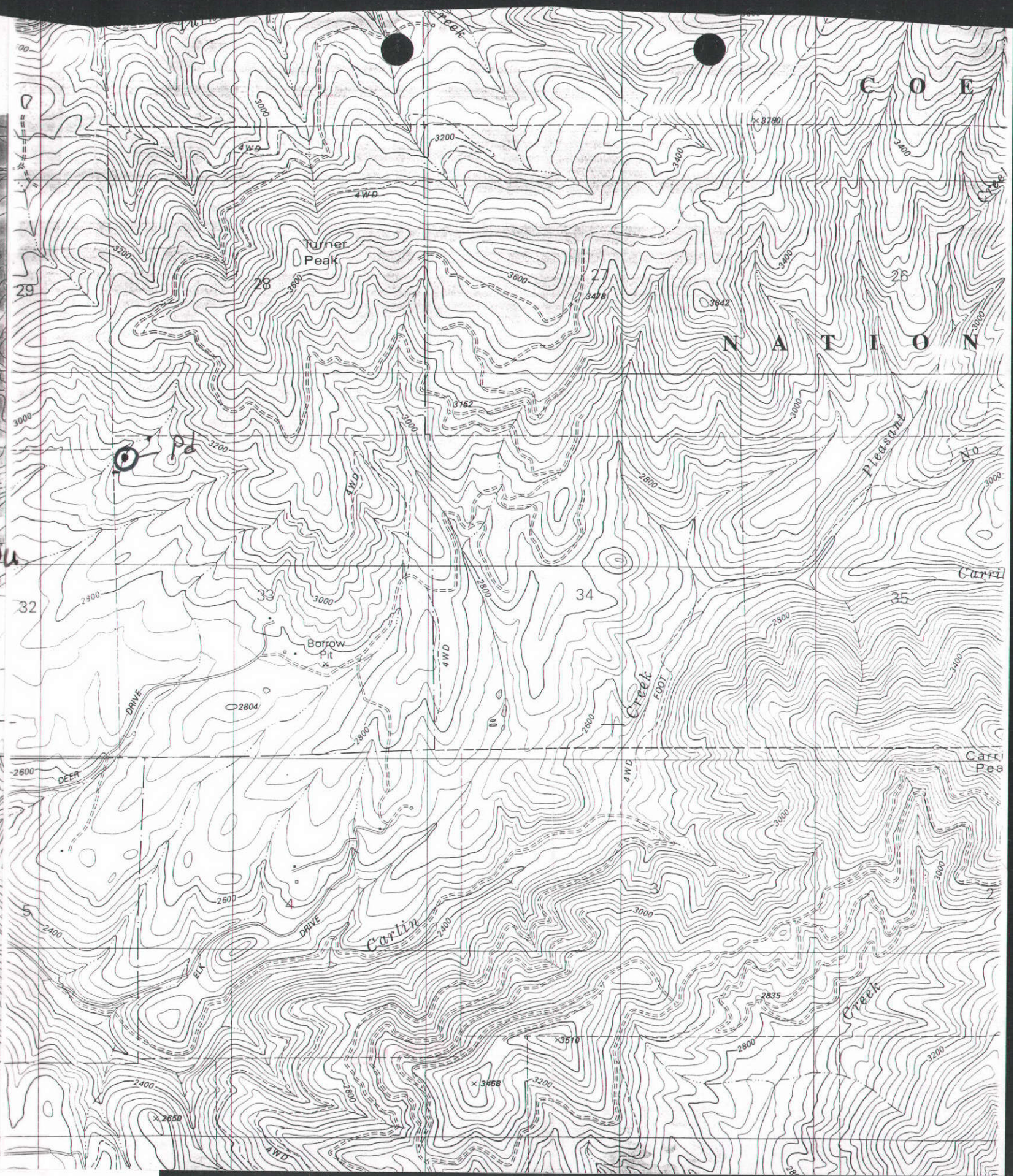
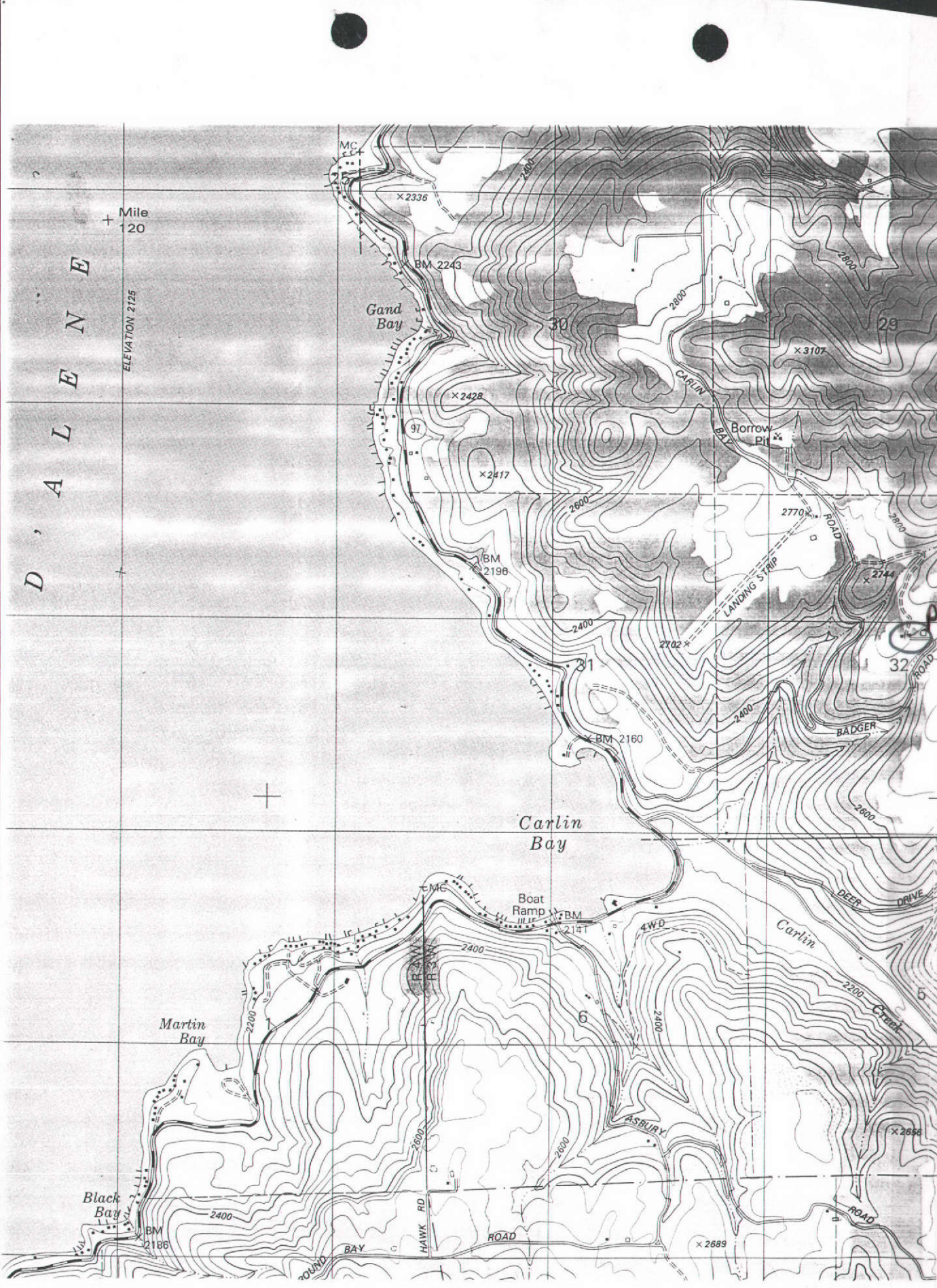




1121635

WARRANTY DEED

For Value Received WILFRED I. MALLET AND BETTY J. MALLET, husband and wife

the grantors, do hereby grant, bargain, sell and convey unto DAW Forest Products Company, L.P.
Address: P.O. Box 1119, Coeur d'Alene, Id 83814

the grantee, the following described premises, in Kootenai County Idaho, to wit:

All that portion of Government Lot 1, Section 33, Township 49 North, Range 3 West, Boise Meridian, Kootenai County, Idaho, described as follows:

BEGINNING at the Northwest corner of Section 33; thence, East 330 feet along the North line of said Section 33; thence, South 396 feet; thence, West 330 feet; thence, North 396 feet to the POINT OF BEGINNING.

The Grantors reserve the right to access, maintain, repair and extract water from the existing spring as it presently exists situated on the above described property. It is agreed and understood that trees within a fifty (50) foot radius of existing spring structures will not be harvested. It is further agreed and understood that the "Grantees" do not warrant nor guarantee the quality nor quantity of said water now or at anytime in the future.

This deed is subject to "Reservation of Easement" dated 12th May 1977 number 816913 Book 102 Page 234; records Kootenai County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all incumbrances EXCEPT current taxes and easements of record or in view.

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

Dated: June 8, 1988

Wilfred I. Mallet
Wilfred I. Mallet

Betty J. Mallet
Betty J. Mallet

STATE OF Idaho } ss.
County of Kootenai }

On this 27th day of June, 1988, before me, the undersigned, a Notary Public in and for said State, personally appeared Wilfred I. Mallet and Betty J. Mallet known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that they executed the same.

Karen S. Shultz
Notary Public for: Idaho
Residing at: C.D.
Commission Exp: 1/15/1994



STATE OF IDAHO, COUNTY OF Kootenai
I hereby certify that this instrument was filed for record at the request of DAW Forest Products
at 30 minutes past 2 o'clock p.m.,
this 5 day of JUL 5 1988
in my office, and duly recorded in Book
of Deeds at page

SHIRLEY DETTZ

Ex-Officio Recorder

By Shirley Dettz Deputy.
Fees \$ 300
Mail to: De Hord

INSTRUMENT NO

DEC 29 1999

WARRANTY DEED

1162973

FOR VALUE RECEIVED

WILFRED L. MALLET and BETTY J. MALLET, husband and wife

the Grantee(s) do hereby grant, bargain, sell and convey unto

WILFRED R. MALLET and JOLENE MALLET, husband and wife

the Grantee(s) whose address is 4121 S. Pioneer Way, Harrison, ID 83833

the following described premises, to wit:

See attached Exhibit "A", which by this reference becomes a part hereof, and which is comprised of one (1) page.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s) their heirs and assigns forever. And the said Grantee(s) do hereby covenant to and with the said Grantee(s) that they are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances except reservations of record, easements of record, and general taxes

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

Dated: October 5, 1989


 WILFRED L. MALLET


 BETTY J. MALLET

ACKNOWLEDGMENT Individual

STATE OF IDAHO, County of Kootenai

On this 5th day of October the year of 1989, Edith H. Gratton

personally appeared Wilfred L. Mallet and Betty J. Mallet

identified to me as the persons whose names are subscribed to the within instrument, and

Signed before me at Coeur d'Alene, Idaho

STATE OF IDAHO, COUNTY OF Kootenai

I hereby certify that this instrument was filed for record

in the office of PIONEER TITLE COMPANY

on OCT 6 1989 at 2 o'clock PM

Shirley Deitz

Notary Public and Notary for the State of Idaho

My Commission Expires 10/1/91

SHIRLEY DEITZ

Notary Public

Coeur d'Alene, Idaho

My Commission Expires 10/1/91



PIONEER TITLE COMPANY

AN IDAHO CORPORATION

618 N. 4th Street P.O. Box 486 Coeur d'Alene, Idaho 83814 (208) 764-4254

DEC 29 1999

RECEIVED

NOV 12 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, *Idaho Code*, any person claiming a water right established by diversion and application of water to beneficial use must file a claim with the Department of Water Resources. **The filing of this claim does not confirm the water right claimed.** Water rights represented by a valid permit, license, decree, or previous claim are exempt from this requirement, as are uses of water for domestic purposes as defined in Section 42-111, *Idaho Code*. A filing fee must be submitted with this claim. See the instruction sheet to determine the appropriate fee.

Notice is hereby given that George P. and/or Lynda L. L. Murphy
(Name of Claimant)
2651 E. Badger Rd, Harrison, ID 83833 Telephone No: 208-689-3354
(Mailing Address) (Zip Code)

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

1. Date of Priority: (When the water was first applied to beneficial use) 9/3/69
A claim is not acceptable for the use of surface water with a priority later than May 20, 1971. A claim is not acceptable for the use of ground water with a priority date later than March 25, 1963, unless the water is used for domestic purposes as defined in Section 42-111, Idaho Code.

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

Spring tributary to Lake Coeur d'Alene

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 or af)

(Irrigation, Domestic, Stock, Etc.)

(Both dates inclusive)
(MM/DD) (MM/DD)

Quantity <u>0.04 cfs</u>	Use <u>Domestic</u>	Period of Use From <u>1/1</u> to <u>12/31</u>
Quantity _____	Use _____	Period of Use From _____ to _____
Quantity _____	Use _____	Period of Use From _____ to _____
Quantity _____	Use _____	Period of Use From _____ to _____

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

5. A) Location of point of diversion is NW 1/4 of NW 1/4 of NW 1/4, Govt. Lot 1
Sec. 33 Township 49N Range 3W B.M., Kootenai County; additional points of diversion, if any: _____

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

Spring box and pipeline to the house.

MICROFILMED

DEC 29 1999

Received by	_____	Date	9/2/99
Prelim check by	_____	Date	9/2/99
Fee	\$100		
Receipt #	N13245		
Receipt prepared by	_____	Date	9/2/99

860 62 330

MICROFILMED

Residing at:

Notary Public

Sworn to before me this 11 day of _____

Claimant's Signature (and title if claim is for an organization)

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.

John P. [Signature]

State of Idaho)
County of Kootenai) ss.)

8. **Map** -- Attach an 8½"x11" map clearly identifying the point of diversion and the place of use by 40-acre subdivisions, section, township and range of the public land survey system. (A photocopy of a USGS 7½ minute topographic quadrangle map is preferred.) Attach an **aerial photograph** of the place of use if available.

7. Remarks:

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

B) If water is used for purposes other than irrigation, fully describe the use. Be specific.

TOTAL ACRES.

[illegible]

6. A) Describe the place of use within each 40-acre tract in the appropriate box using the symbols listed below. If the use is for irrigation, describe the location by listing the number of irrigated acres within each 40-acre tract.

D - domestic, S - stockwater, M - municipal, C - Commercial, I - Industrial, X - other

State of Idaho
Department of Water Resources

RECEIVED

NOV 12 1999

CLAIM ANALYSIS SHEET

Department of Water Resources

INITIAL REVIEW BY: AB

Right Number 95-04739 Applicant MURPHY

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.

CA/shuro)ok

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.

10/25/99

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By ds Date 10/19/99

AB 10/28/99

STATE OFFICE PROCESSING:

- ☐ Claim review complete.

By _____ Date _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615

(208) 769-1450

Fax (208) 769-1454

Dirk Kempthorne
Governor

KARL J. DREHER
Director

OCTOBER 27, 1999

GEORGE MURPHY
LYNDA L L MURPHY
2651 E BADGER RD
HARRISON, ID 83833

Re: Claim No. 95-04739

Dear Claimants(s):

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 the information or evidence added at any time. Please refer to the claim identification number when corresponding with the 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.

Sincerely,

ROBERT G. HAYNES, P. E.
Manager, Northern Regional Office

RGH:db

Enclosure

MICROFILMED

OCT 29 1999

AFFIDAVIT OF PUBLICATION

OCT 19 1999

DWR/North

STATE OF IDAHO,
County of Kootenai,

ss.

Stacie Walker

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

Legal 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 *7* day of *October*, 19*99*, and ending on the *14* day of *October*, 19*99*, 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.

Stacie Walker

Subscribed and sworn to before me this *14* day of *October*, 19*99*.

Regina Moxon

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

MY COMMISSION EXPIRES 6/18/03

NOTICE OF CLAIMS TO WATER RIGHT

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

95-04738

MALLERY, TRESIA R
MALLERY, DAVID L
S 2184 SIGNAL POINT RD
POST FALLS, ID 83854
Source: SPRING
Diversion Pt: NESE
Use: STOCKWATER
DOMESTIC

Tributary: SINKS
Sec 17 T 50N R 05W in KOOTENAI County.
(0.010 CFS)
(0.010 CFS)
(0.010 CFS)

Total Diversion:

Claimed Priority: 8/1/1957
In: KOOTENAI County
T50N R05W S17

NESE

95-04739

MURPHY, GEORGE
MURPHY, LYNDAL L
2651 E BADGER RD
HARRISON, ID 83833
Source: SPRING
Diversion Pt: LOT 1 (NWNWNW)
Use: STOCKWATER
DOMESTIC

Tributary: COEUR D ALENE LAKE
Sec 33 T 49N R 03W in KOOTENAI County.
(0.040 CFS)
(0.040 CFS)
(0.040 CFS)

Total Diversion:

Claimed Priority: 9/3/1969
In: KOOTENAI County
T49N R03W S32

(SWNE)

For additional information concerning the property location, call the Northern Regional Office at (208) 769-1450.

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814.
KARL J. DREHER, Director

Legal 948
October 7, 14, 1999

MICROFILMED

DEC 29 1999

95-04739

MURPHY, GEORGE
MURPHY, LYNDAL L
2651 E BADGER RD
HARRISON, ID 83833

Source: SPRING

Tributary: COEUR D ALENE LAKE

Diversion Pt: LOT 1 (NWNWNW) Sec 33 T 49N R 03W in KOOTENAI County.

Use: STOCKWATER	(	0.040 CFS)
DOMESTIC	(	0.040 CFS)
Total Diversion:	(	0.040 CFS)

Claimed Priority: 9/ 3/1969

In: KOOTENAI County
T49N R03W S32 SWNE

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DEC 29 1999

Dodson & Raeon

ASSOCIATES IN THE PRACTICE OF LAW

EASTLAKE PROFESSIONAL SUITES
1424 SHERMAN AVENUE, #300
COEUR D'ALENE, IDAHO 83814
FAX (208) 666-9211

CHARLES M. DODSON
(208) 664-1577

JAMES A. RAEON
(208) 765-5875

January 8, 1998

Lynda Murphy
2651 E. Badger Road
Harrison, ID 83833

Dear Lynda:

Pursuant to our conference of December 31, 1997, and the materials discussed, please be advised that I have had an opportunity to go over to the County Recorder's Office and do a historical perspective on the portion of Government Lot #1 currently owned by Crown Pacific as the same pertains to the spring and the use of the same. That particular portion of Government Lot #1 most recently was owned by the Caples who deeded it to the Pitners who then deeded to the Patlovichs and the Patlovichs deeded to Mallets and as exemplified by the enclosed Warranty Deed, the Mallets then deeded it to DAW Forest Products Company also known as Diamond. A review of that Warranty Deed does reserve unto the Grantor, i.e. the Mallets, the right to access and extract water from the existing spring. A copy of said Warranty Deed is enclosed herein and noted as Instrument No. 1121635.

The reservation of water rights which Wilfred I. Mallet received was subsequently assigned to Wilfred R. Mallet via a Warranty Deed, a copy of which is enclosed herein and noted as Instrument No. 1162973. Exhibit A to said Warranty Deed memorializes the assignment of the water right along with the legal description of the affected property. Ironically, that particular Warranty Deed was recorded just prior to the recording of the Wilfred R. to George Murphy Warranty Deed.

Thus, from the attached documents it appears that we have a clear chain of title and a chain of assignment of water rights from the original Grantor, Wilfred I. Mallet, through Wilfred R. Mallet unto yourself.

These documents should be retained by you for future reference. I believe the same are self explanatory and, most importantly, provide notice to Diamond and it's successor in interest, Crown Pacific, as to your right to "access, maintain, repair and extract water from the existing spring situated on Government Lot 1, the specific legal which is identified in your

DEC 29 1999

1121635

WARRANTY DEED

For Value Received WILFRED I. MALLET AND BETTY J. MALLET, husband and wife

the grantor s , do hereby grant, bargain, sell and convey unto DAW Forest Products Company, L.P.
Address: P.O. Box 1119, Coeur d'Alene, Id 83814

the grantee s , the following described premises, in Kootenai County Idaho, to wit:

All that portion of Government Lot 1, Section 33, Township 49 North, Range 3 West, Boise Meridian, Kootenai County, Idaho, described as follows:

BEGINNING at the Northwest corner of Section 33; thence, East 330 feet along the North line of said Section 33; thence, South 396 feet; thence, West 330 feet; thence, North 396 feet to the POINT OF BEGINNING.

The Grantors reserve the right to access, maintain, repair and extract water from the existing spring as it presently exists situated on the above described property. It is agreed and understood that trees within a fifty (50) foot radius of existing spring structures will not be harvested. It is further agreed and understood that the "Grantees" do not warrant nor guarantee the quality nor quantity of said water now or at anytime in the future.

This deed is subject to "Reservation of Easement" dated 12th May 1977 number 816913 Book 102 Page 234; records Kootenai County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee s, that they are the owner s in fee simple of said premises; that they are free from all incumbrances EXCEPT current taxes and easements of record or in view.

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

Dated: June 8, 1988

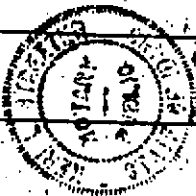
Wilfred I. Mallet
Wilfred I. Mallet

Betty J. Mallet
Betty J. Mallet

STATE OF Idaho }
County of Kootenai }

On this 27th day of June, 1988, before me, the undersigned, a Notary Public in and for said State, personally appeared Wilfred I. Mallet and Betty J. Mallet known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that they executed the same.

Kerri L. Steele
Notary Public for: Idaho
Residing at: C.D.
Commission Exp: 1/18/1994



STATE OF IDAHO, COUNTY OF Kootenai
I hereby certify that this instrument was filed for record at the request of Daw Forest Products

at 30 minutes past 2 o'clock p.m.,
this day of JUL 5 1988
in my office, and duly recorded in Book of Deeds at page

SHIRLEY DEITZ

Ex-Officio Recorder

By Marion Sheffler Deputy.
Fees \$ 300
Mail to: In Hand

INSTRUMENT NO

DEC 29 1989

WARRANTY DEED

1162973

FOR VALUE RECEIVED

WILFRED L. HALLET and BETTY J. HALLET, husband and wife

do hereby grant, bargain, sell and convey unto

WILFRED R. HALLET and JOLENE HALLET, husband and wife

the Grantee, whose address is 1000 1/2 1st Ave. N. Harrison, ID 83833

the following described premises, to wit:

See attached Exhibit "A", which by this reference becomes a part hereof, and which is comprised of one (1) page.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantee do hereby covenant to and with the said Grantees, that they are the owner for simple of said premises; that said premises are free from all encumbrances except reservations of record, easements of record, and general taxes

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

Dated: October 5, 1989

Wilfred L. Hallet
WILFRED L. HALLET

Betty J. Hallet
BETTY J. HALLET

ACKNOWLEDGMENT Individual

STATE OF IDAHO, County of Kootenai

On the 5th day of October
the year of 1989, before me, Edith H. Gratton

personally appeared Wilfred L. Hallet and Betty J. Hallet

identified to me as the persons whose names are subscribed to the within instrument, and they acknowledged to me that they executed the same for the purposes and consideration therein expressed.

Notary Public
Cour d'Alto, Idaho

STATE OF IDAHO, COUNTY OF Kootenai

I hereby certify that this instrument was filed for record in the County of Kootenai and State of Idaho on the 5th day of October 1989.

45 OCT 6 1989

Notary Public, and duly qualified in the State of Idaho.

Shirley Deitz
SHIRLEY DEITZ

Shirley Deitz
Notary Public



PIONEER TITLE COMPANY

618 N. 4th Street, P.O. Box 480, Coeur d'Alene, Idaho 83814 (208) 765-8251

DEC 29 1989

1162973

EXHIBIT "A"

Order No. 34384

The Northwest quarter of the Southwest quarter of the Northeast quarter and the Northeast quarter of the Southwest quarter of the Northeast quarter of Section 32, Township 49 North, Range 3 W.B.M., Kootenai County, State of Idaho.

TOGETHER WITH rights to use the water from existing spring, and the right to access, maintain, repair and extract water from the existing spring as it presently exists situated on the following described property:

All that portion of Government Lot 1, Section 33, Township 49 North, Range 3 W.B.M., Kootenai County, Idaho, described as follows:

Beginning at the Northwest corner of Section 33; thence, East 330 feet along the North line of said Section 33; thence, South 396 feet; thence, West 330 feet; thence, North 396 feet to the Point of Beginning.

ALSO TOGETHER WITH a 25 foot easement across the following described property:

West 660 feet of the South 660 feet of the Southwest quarter of the Northeast quarter and North 330 feet of the Northwest quarter of the Southeast quarter of Section 32, Township 49 North, Range 3 W.B.M.

Across existing road.

MICROFILMED

DEC 29 1999

WR0749NP
No. 95-04739

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/28/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GEORGE MURPHY	09/03/1969	STOCKWATER	01/01 12/31	0.040 CFS	
C	LYNDA L L MURPHY		DOMESTIC	01/01 12/31	0.040 CFS	
	2651 E BADGER RD					
	HARRISON ID 83833					
	(208) 689-3354					
				TOTAL DIVERSION:	0.040 CFS	

Water Source: SPRING

Tributary to: COEUR D ALENE LAKE

Stage: STATUTORY CLAIM

Point(s) of Diversion: T49N R03W S33 Lot 01(NWNWNW)

KOOTENAI County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE																			
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE	
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	---	:	---	---	---	---	---	---	---	:	---	---	---	---	---	---	:	---	---	---	---	---	---	:
49N	03W	32	:						:								:							:							:
			:		S		:		:								:							:							:

Place of use location for DOMESTIC is the same location as described for: STOCKWATER

Pou County: KOOTENAI

Remarks: GEN Stockwater use is for 5 horses.
Domestic use is for 1 home.

Dates: App. Received: 09/21/1999 Priority Date: 09/03/1969
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 09/28/1999 User-ID: DBALL Subject: Diversion works.
Spring box and pipeline to house.

Audit: 09/28/99 DBALL 09/28/99 JYARBROU