

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 49576

Claim ID: 95-17639

Date Received: 8/27/2018

Receipt No: N033120

Claim Fee: \$2500 By: JA

RECEIVED

AUG 27 2018

IDWR/NORTHERN

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day

Please type or print clearly

1. Name of claimant(s) HONEY POT TRUST Phone (208) 661-5677

Mailing address PO BOX 3762 COEUR D'ALENE ID Zip 83816
Street or Box City State

Email address (optional) dborjessan@gmail.com

2. Date of priority: (Only one per claim) 1/25/1939 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other (x) (a) SPRING
which is tributary to (b) COEUR D'ALENE LAKE

4. Location of point of diversion is: Township 50N, Range 04W, Section 15
NE 1/4 of SE 1/4, or Govt. Lot BM, County of KOOTENAI

Parcel no. 04760001006A

Additional points of diversion, if any:

If available, GPS coordinates:

5. Description of diverting works (wells, pumps, spring boxes, pipelines, etc.) including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.
DEVELOPED SPRING BOX WITH PIPELINE TO HOME

6. Water is claimed for the following: (limited to domestic and/or stockwater uses - see page 1 of the instructions)

For DOMESTIC purposes from 1/1 to 12/31 amount 0.04
Month/Day Month/Day cfs (x) or AFY ()

For purposes from to amount

7. Total quantity claimed 0.04 cfs (x) or AFY ()

8. Non-irrigation uses. Describe fully. (Domestic: give number of homes; Stockwater: list number and kind)
DOMESTIC USE FOR 1 HOME

9. Location of place of use is: Township 50N, Range 04W, Section 15,
NE 1/4 of SE 1/4, Govt. Lot _____ BM, Parcel no. 50N04W157750

If different than shown in Item 4

for (check one) **Domestic** () **Stock** () **Domestic and Stock** ()

Additional places of use, if any _____

10. In which county(ies) are lands listed above as place of use located? KOOTENAI

11. Do you own the property listed above as place of use? Yes () No ()
If the answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.
95-16047 PROVIDES DOMESTIC WATER FROM LAKE or None ()

13. Remarks (include an explanation of the priority date selected):
SPRING USE AGREEMENT DATED JANUARY 25, 1939 TO PROVIDE WATER TO HOME (BUILT IN 1905)

14. Basis of claim (check one) **Beneficial Use** () **Posted Notice** () **License** () **Permit** () **Decree** ()
Court _____ Decree Date _____ Plaintiff v. Defendant _____
If applicable provide IDWR Water Right Number _____

15. **Signature(s)**
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Water System Adjudication."
(b.) I/We do () do not () wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 3

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date: _____
_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

TRUSTEE of HONEY POT TRUST,
Agent's title (Please print) Name of organization (Please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Edwin R Haglund Date 8/27/18

Printed Name of Authorized Agent EDWIN R. HAGLUND

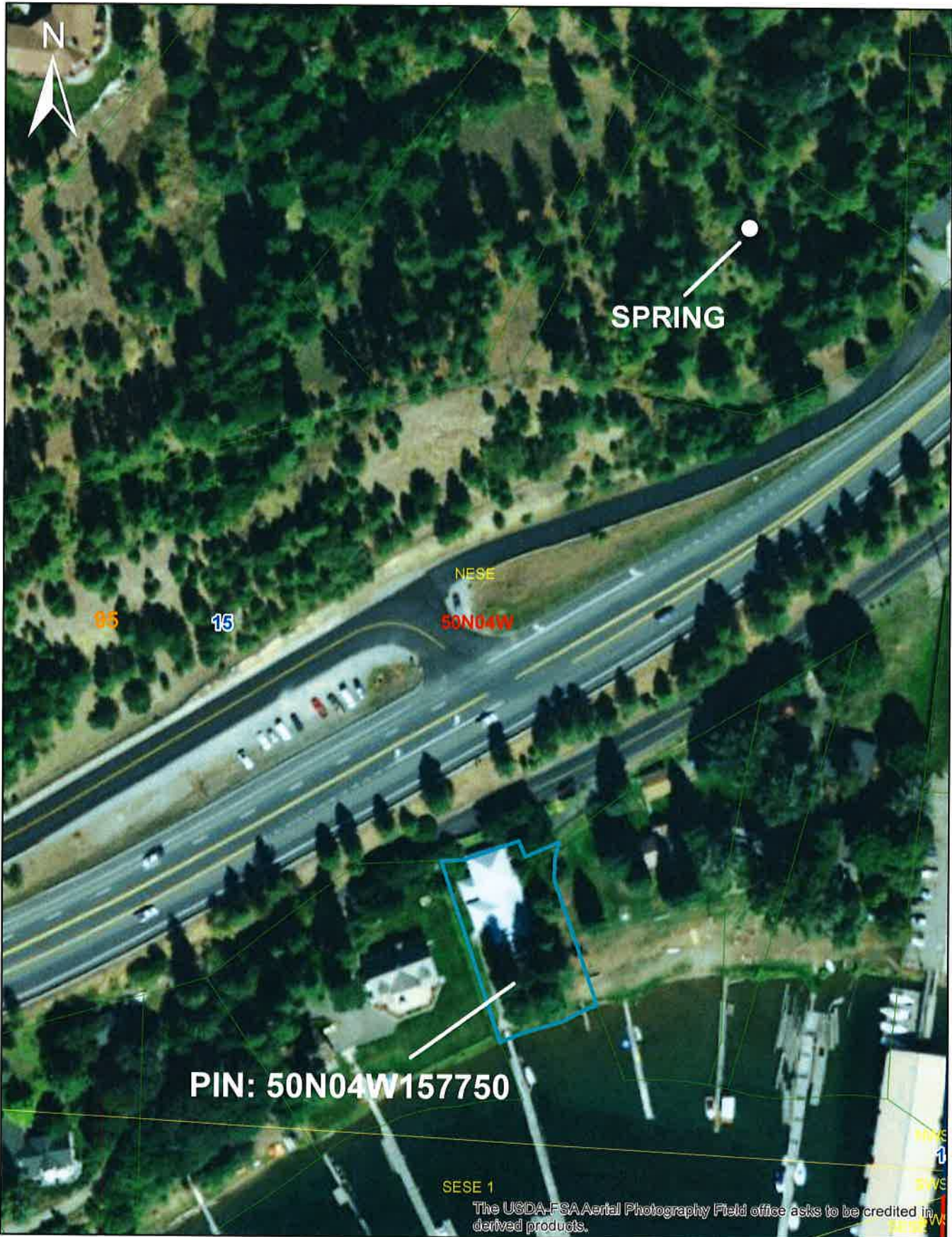
16. **Notice of Appearance:**
Notice is hereby given that I, (please print) _____, will be acting as attorney at law of behalf on the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____ Date _____

Address _____

Name of claimant(s) HONEY POT TRUST Claim ID _____

POD/POU LOCATIONS FOR CSRBA WATER RIGHT CLAIM



X
COMPARED
INDEXED
TRACTED

597794

AGREEMENT

WHEREAS, Carl E. Carlson and Lydia R. Carlson, his wife, are the owners of a spring situated on the Northeast quarter of the Southeast quarter of Section 15 Township 50 North Range 4 W. B. M., in Kootenai County, Idaho, and

Whereas, Henry W. Heyn and Angeline E. Heyn, husband and wife, are owners of a parcel of land in the land above described, on which there is a dwelling house which has been supplied with water from said spring for household use through a pipe maintained by the users of said spring and leading from said spring, and

Whereas, the parties hereto as owners of the parcels of land upon which said houses are located respectively desire to maintain their respective rights to said household use of said water upon the said parcels of land upon which said houses are located in such manner that each of said houses and the lots upon which they are situated shall share and have the proper portion of water of said spring without priority of right one over the other,

NOW, THEREFORE, IT IS MUTUALLY AGREED that said Henry W. Heyn and Angeline E. Heyn, his wife, their heirs and assigns, are entitled to one-twelfth, and Carl E. Carlson and Lydia R. Carlson, and those to whom they may heretofore have assigned or will in the future assign, are entitled to the balance of said spring water, and said parties are entitled to maintain their respective pipe lines from said spring with outlets to each user not larger than 5/8 inches in diameter. That the term "household use" as herein used shall include water for not to exceed two cows to each household, and said spring shall be maintained by said users mutually in the ratio of such right of use, and any repairs or improvements made upon said spring shall be done by mutual consent and according to respective interests.

The spring referred to is the one from which pipes in place

are laid to said houses, and has no connection with the storage tank which has been used by the Blackwell Lumber Company for storing water for fire protection.

Dated this 25th day of January, 1939.

Carl E. Carlson
Lydia R. Carlson
Parties of the First Part
Angeline E. Heyn
Henry W. Heyn
Parties of the Second Part.

State of Idaho, }
County of Kootenai. } ss.

On this 25th day of January, 1939, before me, William B. McFarland, a Notary Public in and for said county and state aforesaid, personally appeared Carl E. Carlson and Lydia R. Carlson, his wife, and Henry W. Heyn and Angeline E. Heyn, his wife, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.

William B. McFarland
Notary Public in and for the State of Idaho, residing at Coeur d'Alene.

Filed and recorded at the request of Henry W. Heyn
at 9:42 o'clock A.M., this 27 day of March, 1939
By: Marquette Tomblin
Deputy
HAROLD E. PETERSON
Ex-Officio Auditor-Recorder
Kootenai County, Idaho
Fee \$ 1.50
Return to Box 1 - Box 8 Cda