

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: 95-17640

Date Received: 8/27/2018

Receipt No: N033720

Claim Fee: 825 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 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. 50N04W157675

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.
95-16067 PROVIDES DOMESTIC WATER FROM LAKE or None ()

13. Remarks (include an explanation of the priority date selected):

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: 1

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 Dianne R. Borjesson Date 8/27/18

Printed Name of Authorized Agent DIANNE R. BORJESSAN

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



The USDA-FSA Aerial Photography Field Office asks to be credited in derived products. [SITE](#)

RECEIVED
AUG 30 2018
IDWR/NORTHERN

Instrument Number

1878871

Escrow No.: 60-7318-EP

WARRANTY DEED

FOR VALUE RECEIVED, **MICHAEL E. HALLSTROM, A SINGLE MAN**, Hereinafter called Grantor, does hereby grant, bargain, sell and convey unto **DIANNE R. BORJESSAN, A MARRIED WOMAN, AS HER SOLE AND SEPARATE PROPERTY** Grantee, whose address is: 1820 W BLACKWELL MILL RD, CDA ID 83814, the following described premises, County of KOOTENAI, State of Idaho to-wit:

ALL THAT PORTION OF SECTIONS 14 AND 15, TOWNSHIP 50 NORTH, RANGE 4 WEST, BOISE MERIDIAN, KOOTENAI COUNTY, STATE OF IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIPE ON THE EXTENDED FENCE LINE NORTH 0 DEGREES 55' WEST, 90.3 FEET AND NORTH 89 DEGREES 07' WEST, 109.8 FEET FROM THE MEANDER CORNER COMMON TO SAID SECTIONS 14 AND 15 (THE MEANDER CORNER IF MARKED BY A STAKE IN CONCRETE AND IS UNDER WATER), AND WHICH IRON PIPE IS NORTH 0 DEGREES 55' WEST, 65.9 FEET AND NORTH 89 DEGREES 07' WEST, 109.8 FEET FROM THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 15, (THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER IS MARKED BY AN IRON PIN IN CONCRETE AND IS ALSO UNDER WATER);

THENCE NORTH 14 DEGREES 31' EAST, 76.6 FEET ALONG THE FENCE LINE TO THE BEGINNING OF A PRIVATE ROAD RIGHT OF WAY;

THENCE NORTH 14 DEGREES 31' EAST, 236.03 FEET TO THE SOUTHWEST CORNER OF THE PARCEL DESCRIBED IN THE DEED TO THE STATE OF IDAHO, RECORDED JULY 14, 1967 AS INSTRUMENT NO. 514676, RECORDS OF KOOTENAI COUNTY, IDAHO;

THENCE NORTH 57 DEGREES 42' 36" EAST, ALONG THE SOUTH LINE OF SAID STATE OF IDAHO PARCEL, 95.49 FEET TO THE SOUTHWEST CORNER OF THE PARCEL DESCRIBED IN THE DEED TO THE STATE OF IDAHO, RECORDED FEBRUARY 28, 1967 AS INSTRUMENT NO. 505943, RECORDS OF KOOTENAI COUNTY, IDAHO;

THENCE NORTH 49 DEGREES 44' 45" EAST, ALONG THE SOUTH LINE OF SAID STATE RIGHT OF WAY, 24.49 FEET TO AN IRON PIN (NW FENCE POINT);

THENCE SOUTH 5 DEGREES 12' 45" WEST, 360.17 FEET TO AN IRON PIN;

THENCE CONTINUING SOUTH 5 DEGREES 12' 45" WEST, 112 FEET, MORE OR LESS, TO THE SHORE OF COEUR D'ALENE LAKE;

THENCE WESTERLY ALONG THE SHORE OF COEUR D'ALENE LAKE, 161 FEET, MORE OR LESS, TO A POINT WHICH BEARS SOUTH 14 DEGREES 31' WEST, FROM THE POINT OF BEGINNING;

THENCE NORTH 14 DEGREES 31' EAST, 90 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

TOGETHER WITH A 1/12TH INTEREST IN A SPRING DESIGNATED AS SPRING NO. 1, MARKED BY A PIPE 1 INCH IN DIAMETER AND 36 INCHES LONG, WITH A 4 INCH COPPER BAND ON WHICH IS STAMPED NO. 1 SPRING, WHICH SAID SPRING IS LOCATED AS FOLLOWS: FROM A POINT 300 FEET SOUTH OF THE QUARTER CORNER BETWEEN SAID SECTION 14 AND 15; THENCE SOUTH 71 DEGREES 45' WEST A DISTANCE OF 122 FEET TO SAID PIPE, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS TO SAID SPRING, THE WATER TO BE USED FOR DOMESTIC PURPOSES, ALL OF WHICH HAD BEEN RESERVED IN THE DEED TO R.B. MOONEY AND WIFE, BOOK 119 OF DEEDS, PAGE 55.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), their heirs and assigns forever, and the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances EXCEPT CURRENT TAXES AND EASEMENTS OF RECORD OR IN VIEW.

And that he/she/they will warrant and defend the same from all lawful claims whatsoever.

DATED. May 28, 2004

By: Michael E. Hallstrom
MICHAEL E. HALLSTROM

1878871

State of IDAHO)
County of KOOTENAI)

On this 18 day of MAY 2004, before me, ELSIE PATRICK, a Notary Public in and for said State, personally appeared MICHAEL E. HALLSTROM known or identified to me to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Elsie Patrick
Notary Public in and for County and State
Residing at PF
My commission expires 11.21.2009



STATE OF IDAHO
COUNTY OF KOOTENAI
AT THE REQUEST OF _____
NORTH IDAHO TITLE INS.

2004 MAY 28 A 11: 55

DANIEL J. ENGLISH

DEPUTY

FEES 6.00

142827

WARRANTY DEED

THIS INDENTURE, Made this 22 day of January, 1941, by and between FRANK J. BROWN and ELMA BROWN, husband and wife, parties of the first part, and CLAY V. SPEAR, a bachelor, party of the second part, WITNESSETH:

That said parties of the first part, for and in consideration of One (\$1.00) Dollar, and other good and valuable consideration, in hand paid by said party of the second part, receipt whereof is hereby acknowledged, and the said party of the second part forever released and discharged therefrom, has granted, bargained, sold, remised, released, alienated and confirmed, and by these presents do grant, bargain, sell, remise, release, alienate and confirm, unto the said party of the second part, and to his heirs and assigns forever, all the following described lot, piece or parcel of land situated in Kootenai County, State of Idaho, and known and described as follows, to-wit:

Lot 2, Block 14, Simm's Addition to Coeur d'Alene Kootenai County, Idaho;

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

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Frank J. Brown
Elma Brown

STATE OF IDAHO)
) ss
County of Kootenai)

On this 22 day of January, 1941, before me, the undersigned Notary Public, personally appeared FRANK J. BROWN and ELMA BROWN, husband and wife, known to me to be the persons who executed the foregoing instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year in this certificate first above written.

(Notarial Seal)

Sam Dehnert
Notary Public for Idaho;
Residing at Coeur d'Alene

State of Idaho)
) ss.
County of Kootenai)

Filed for record at the request of Elder & Elder on FEB 6 1942 at 11:50 o'clock A. M and recorded in book 119 of Deeds Page 55.

Jas. A. Foster, County Recorder
By Jos. C. White, Deputy

Fee \$1.00

142836
WARRANTY DEED

THIS INDENTURE, made this 29th day of May, A. D., 1941, between CARL E. CARLSON and LYDIA R. CARLSON, his wife, residents of Pilot Rock, Oregon, parties of the first part, and R. B. MOONEY and MARIE A. MOONEY, husband and wife, residents of Coeur d'Alene, Kootenai County, State of Idaho, parties of the second part, WITNESSETH:

That the said parties of the first part, for and in consideration of the sum of One Dollar (\$1.00), and other valuable considerations in hand paid by the parties of the second part, the receipt whereof is hereby acknowledged, and the said parties of the second part forever released and discharged therefrom have granted, bargained, sold, remised, released, alienated and confirmed and by these presents do grant, bargain, sell, remise, release, alienate and confirm unto the said parties of the second part, and to their

heirs and assigns forever all the following described lot, piece or parcel of land situate in the County of Kootenai, State of Idaho, and known and described as follows, to-wit:

Beginning at the quarter corner between Sections 14 and 15, Township 50 North, Range 4 W. B. M., which corner is marked by a stone and established as a Government Corner; thence South on the section line between said Sections 14 and 15 a distance of 675 feet to the right of way of Highway No. 95, which point is 13 feet southwesterly from Station No. 42/99.7 on Highway No. 95 as now located; thence southwesterly along the north side of said Highway No. 95 right of way to the south line of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ in said Section 15; thence West on said south line of said NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ to the southwest corner thereof; thence North to the northwest corner of said NE $\frac{1}{4}$ of the SE $\frac{1}{4}$; thence East on quarter line to the place of beginning. Said area being all that portion of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 15, Township 50 North, Range 4 W.B.M., which is north and west of the present Highway No. 95 and contains about 34 acres.

Also a portion of Section 14, Township 50 North, Range 4 W.B.M., described as follows: Beginning at the quarter corner between Sections 14 and 15, Township 50 North, Range 4 W.B.M., which corner is marked by a stone and is an established Government corner; thence East on the quarter line a distance of 378 feet to a point in the slough marked by a two inch pipe; thence South 5°45' West along said slough a distance of 471 feet to a point 50 feet South of the Blackwell pipe line, said point being marked by an iron pipe thirty-six inches long and one inch in diameter with a copper band on which is stamped "S.W. Cor." and from which corner a three fork cotton wood tree bears south 12 feet; thence West a distance of 126 feet to the West side of the present right of way of Highway No. 95; thence southwesterly and along the north boundary of said right of way of Highway No. 95 to the section line between said Sections 14 and 15 to a point which is 13 feet southwesterly from

Highway Station No. 42/99.7 as now located; thence North on section line a distance of 675 feet to the place of beginning. Said area being a part of Government Lot 1 in Section 14 and contains about 4.51 acres less highway right of way and county road right of way.

The first parties reserve and except herefrom an undivided one-half interest in the nine-twelfth right to the water from a spring which is now designated as Spring No. 1, and is marked by a pipe one inch in diameter and thirty-six inches long with a four inch copper band on which is stamped "No. 1 Spring", which said spring is located as follows: From a point 300 feet South of the quarter corner between Sections 14 and 15 and thence South 71°45' West a distance of 122 feet to said marked pipe; also the right of egress and ingress to said spring.

Said first parties also reserve and except herefrom the right of way as it now exists leading from Highway No. 95 to the property now owned by the first parties adjoining the hereinbefore described property on the south, which said roadway has existed for some time and is commonly known and referred to as the "Old County Road". (I.R. Stamps \$1.10 C. E. C.)

Together with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof and all the estate, right, title, interest, claim or demand whatsoever of the said parties of the first part, either in law or equity, of, in and to the above bargained premises with the hereditaments and appurtenances to have and to hold the said premises above bargained and described, with the appurtenances unto the said parties of the second part, their heirs and assigns, forever.

And that the said parties of the first part, for themselves, their heirs, executors and administrators do covenant, grant, bargain and agree to and with the said parties of the second part, their heirs and assigns that at the time of ensealing and delivery of these presents that they are well seized of the premises above conveyed as of good, sure, perfect, absolute and indefeasible estate of inheritance in law and fee simple, and have good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form aforesaid; and that the same are free and clear of all former or other grants, bargains, sales, liens, taxes, assessments and incumbrances of every kind or nature whatsoever excepting 1941 State and County taxes which the purchaser assumes and agrees to pay, and the above bargained premises in the quiet and peaceable possession of said parties of the second part, their heirs and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said parties of the first part shall and will warrant ... defend.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their

hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of: Carl E. Carlson
Lydia R. Carlson
J. M. Gilbert
Maud Gilbert

STATE OF Oregon)
County of Umatilla) ss

On this 29 day of May, A. D., 1941, before me, the undersigned Notary Public, personally appeared CARL E. CARLSON and LYDIA R. CARLSON, 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 hands and affixed my Notarial Seal the day and year in this certificate first above written.

Notarial Seal) J. M. Gilbert
Notary Public for the State of
Oregon, residing at Pilot Rock.
My Commission expires Jan. 16 - 1942

State of Idaho)
County of Kootenai) ss.

Filed for record at the request of R. B. Mooney on FEB 6 - 1942 at 2:15 o'clock P M and recorded in book 119 of Deeds Page 55.

Fee \$2.50 Jas. A. Foster, County Recorder
By Ardath Bakke, Deputy

WARRANTY DEED 142844

THIS INDENTURE, Made this 23rd day of September in the year of our Lord one thousand nine hundred and forty-one between Oscar M. Larson, a bachelor of Worley County of Kootenai State of Idaho the party of the first part, and W. H. Parsons of Worley County of Kootenai State of Idaho the party of the second part,

WITNESSETH, That the said party of the first part, for and in consideration of the sum of Seventeen thousand DOLLARS, lawful money of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm 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:

The northeast quarter (NE $\frac{1}{4}$) of Section twenty one (21),
the northwest quarter (NW $\frac{1}{4}$), and the (SE $\frac{1}{4}$) of section
twenty two (22), all in Township forty seven (47) North
Range four (4) WBM.

(I. R. Stamps \$18.70, W H P)

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said party of the first part;

TO HAVE AND TO HOLD, All and singular, the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever. And the said party of the first part, and his heirs, the