

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

ID Number: 95-17328Date Received: 6-12-17Receipt No: NO 32706Amount: \$25.00 By: cm

RECEIVED
JUN 12 2017
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

- Name of claimant(s) Rock Island LLC Phone 509 998-7138
Mailing address 2760 W Everwell Bay Ln, Coeur d'Alene ID ZIP 83814
Street or Box City State
- Date of priority (only one (1) per claim) August 24, 1901
Month/Day/Year (yyyy)
- Source of water supply (check one) Ground Water () or Other (x) (a) Unnamed Springs
which is tributary to (b) Sinks
- Location of point of diversion is: Township 49N, Range 4W, Section 2,
NW 1/4 of SE 1/4, or Govt. Lot _____, B.M., County of Kootenai
Parcel (PIN) no. 49N04W027450
Additional points of diversion, if any: _____
If available, GPS coordinates _____
- 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 Springs with pipeline to place of use
- 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) AFY ()
For _____ purposes from _____ to _____ amount _____
- Total quantity claimed 0.04 cfs () or AFY ()
- Non-irrigation uses; describe fully (e.g. Domestic: give number of households served if single ownership; Stockwater: type and number of livestock, etc.): 1 home & out buildings

9. Location of place of use is: Township 49N, Range 4W, Section 2, SE 1/4 of SE 1/4, or Govt. Lot _____, B.M., Parcel (PIN) no. (if different than shown in Item 4) 49N04W027250

For (check one) Domestic (x) 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 (x) No ()

If your 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.

95-15953 This system is a backup for water system that pumps from Lake Coeur d'Alene or None ()

13. Remarks:

Priority date based on a patent issued to John L Nelson. Copy attached.

14. Basis of claim (check one) Beneficial Use (x) 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 Adjudication".

b. I/We do () do not (x) wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 6

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

_____ of _____,
Title Organization

that I have signed the foregoing document in the space below as

_____ of _____,
Title Organization

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

Signature of authorized agent Mary Hewton Date 6/12/17

Title and organization Registered Agent, Rock Island LLC

16. Notice of appearance:

Notice is hereby given that I, _____, will be acting as attorney at law of behalf of 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 _____

- Legend**
- ESPA
 - GCDB Township/Range
 - GCDB Section
 - GCDB Quarter-Quarter
 - Counties





The United States of America,

To all to whom these Presents shall come, Greeting:

Homestead Certificate No. 701

Application 946

Whereas, There has been deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at *Boeur d'Alene, Idaho*

whereby it appears that, pursuant to the act of Congress approved 20th May, 1862, "To secure Homesteads to actual Settlers on the Public Domain," and the act supplemental thereto, the claim of *John L. Nelson*

has been established and duly consummated, in conformity to law, for the *South East* quarter of *Section two* in *Township forty nine North*, of *Range four West*, of *Boise Meridian* in *Idaho*, containing *one hundred and sixty acres*

according to the Official Plat of the Survey of said Land, returned to the General Land Office by the Surveyor General.

Now know ye that there is, therefore, granted by the United States unto the said *John L. Nelson*

the tract of Land above described: TO HAVE AND TO HOLD the said tract of Land with the appurtenances thereof, unto the said *John L. Nelson* and to his heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law, and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

In testimony whereof, *William McKinley*, PRESIDENT OF THE UNITED STATES OF AMERICA, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the *twenty fourth* day of *August*, in the year of our Lord one thousand *nine hundred and 02*, and of the Independence of the United States three hundred *& twenty sixth*.

(REAL)

By the President, *William McKinley*
By *F. M. McLean*, Secretary.
G. N. Brush, Recorder of the General Land Office.

WARRANTY DEED

1470102

For Value Received **MARIE P. MECKEL**, a widow, GRANTOR, does hereby grant, bargain, sell and convey unto **MARCIA E. MECKEL**, a widow, GRANTEE, the following described premises, in Kootenai County, Idaho, to-wit:

A portion of the Southeast Quarter of Section 2, Township 49 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, described as follows:

COMMENCING at the South Quarter corner of said Section 2; thence South $89^{\circ}50'41''$ East, 1125.04 feet (of record as South $89^{\circ}50'40''$ East, 1125.0 feet) along the South line of Section 2 to the Southwest corner of that tract described in Warranty Deed as Instrument Number 692077, being also the Southeast corner of that tract described in Quitclaim Deed as Instrument Number 1261597, records of Kootenai County; thence North $0^{\circ}50'35''$ East, 982.79 feet along the West line of said tract described in Instrument Number 692077 to the Northwest corner thereof, the Point of Beginning; thence along the northerly line of said tract described in Instrument Number 1261597, South $76^{\circ}13'15''$ West, 100.00 feet; thence continuing along said northerly line South $62^{\circ}47'25''$ West, 121.05 feet to the Southeast corner of that tract described in Warranty Deed as Instrument Number 1390580, records of Kootenai County; thence along the easterly line of said tract described in Instrument Number 1390580 as follows: North $12^{\circ}45'40''$ East, 75.57 feet; thence North $2^{\circ}39'08''$ East, 92.74 feet; thence North $7^{\circ}44'47''$ West, 105.99 feet; thence North $16^{\circ}29'31''$ West, 82.26 feet; thence North $19^{\circ}21'35''$ West, 71.24 feet; thence North $16^{\circ}32'50''$ West, 52.68 feet; thence North $9^{\circ}58'46''$ West, 600.49 feet to the Northeast corner of said tract described in Instrument Number 1390580; thence along the southerly line of that tract described in Warranty Deed as Instrument Number 1390581, records of Kootenai County, as follows: North $87^{\circ}00'38''$ East, 154.51 feet; thence North $77^{\circ}37'53''$ East, 105.90 feet; thence North $66^{\circ}12'33''$ East, 464.72 feet to the centerline of an existing private access road and the westerly line of that tract described in Warranty Deed as Instrument Number 1342348, records of Kootenai County; thence along said centerline and westerly line as follows: South $20^{\circ}51'43''$ East, 285.92 feet; thence South $30^{\circ}58'03''$ East, 186.90 feet; thence leaving said centerline and westerly line and following along the toe of a slope as follows: South $73^{\circ}05'54''$ West, 22.38 feet; thence South $50^{\circ}30'23''$ West, 91.40 feet; thence South $31^{\circ}48'04''$ West, 102.30 feet; thence South $19^{\circ}02'37''$ West, 100.79 feet; thence South $0^{\circ}04'41''$ East, 97.97 feet; thence South $17^{\circ}55'50''$ East, 97.42 feet; thence South $22^{\circ}11'10''$ East, 104.82 feet; thence South $39^{\circ}32'32''$ East, 104.18 feet; thence South $47^{\circ}55'15''$ East, 132.44 feet to the northerly line of the aforesaid tract described in Instrument Number 692077; thence along said northerly line as follows: North $70^{\circ}37'45''$ West, 116.54 feet; thence South $87^{\circ}16'55''$ West, 261.95 feet (of record as 261.91 feet); thence South $50^{\circ}39'20''$ West, 99.65 feet; thence South $76^{\circ}13'15''$ West, 127.45 feet to the Point of Beginning, containing 16.34 acres, more or less.

SUBJECT TO AND TOGETHER WITH existing easements as referred to in said Instrument Number 629077.

1470102

GRANTOR reserves unto herself the use and maintenance of the existing spring and pipeline located within the above described tract.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said GRANTEE, her heirs and assigns forever. And the said GRANTOR does hereby covenant to and with the said GRANTEE that she is the owner in fee simple of said premises, that she is free from all encumbrances and that she will warrant and defend the same from all lawful claims whatsoever.

Marie P. Meckel
MARIE P. MECKEL, GRANTOR

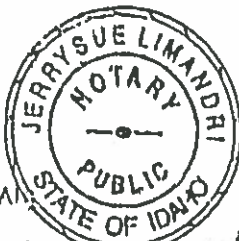
Dated: 11-14-96

STATE OF IDAHO
) ss.
County of Kootenai)

ON THIS 14th day of November, 1996, before me a Notary Public in and for said State, personally appeared MARIE P. MECKEL, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Jerry Sue Limandri

Notary Public for the State of Idaho
Residing at: Liberty
My Commission Expires: 11-30-2000



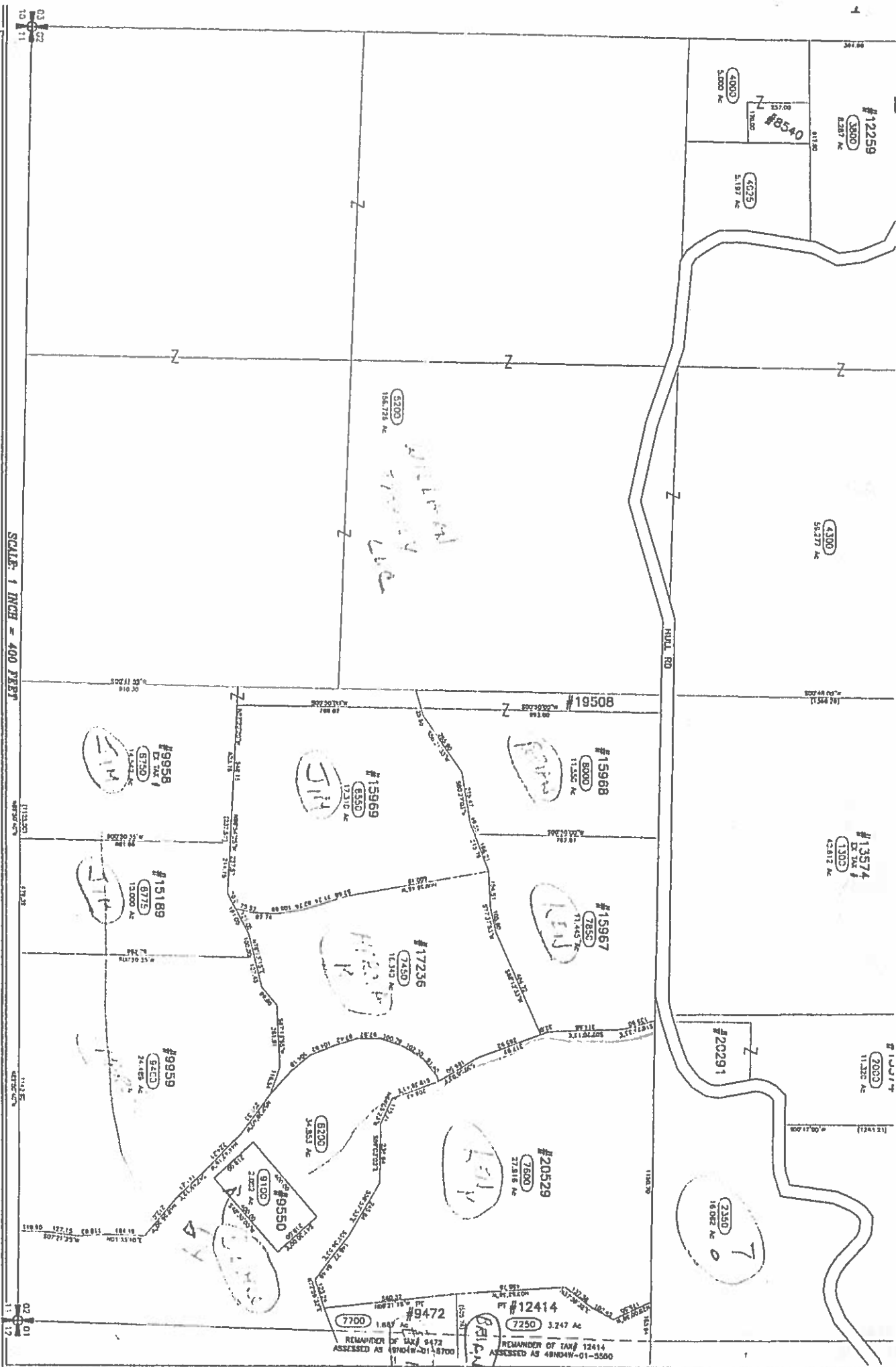
(SEAL)

GRANTEE ADDRESS: North 486 4th Street
Cheney, WA 99004

STATE OF IDAHO } ss
COUNTY OF KOOTENAI }
AT THE REQUEST OF
MECKEL

Nov 18 11 30 AM '96

DANIEL J. ENGLISH
DEPUTY
EES 6.3



Sec. 2 Twp. 49 N.R. 4 W.B.M.

1549105

After Recording, Return to:
Jeffrey J. Crandall
1620 Northwest Blvd., Building B
Coeur d'Alene, ID 83814

STATE OF IDAHO } ss
COUNTY OF KOOTENAI } ss
AS THE REQUEST OF }
Marie P. Meckel
Aug 5 12 21 PM '98
DANIEL J. ENGLISH }
DEPUTY }
FEB 12 98

~~EXHIBIT~~
PAGE 174

WARRANTY DEED

FOR VALUE RECEIVED, MARIE P. MECKEL, a widow, hereinafter the "GRANTOR", does hereby convey, grant and warrant unto JACKIE R. DUBOSE and TERESA M. DUBOSE, husband and wife, whose address is 5850 S. Meckel Lane, Coeur d'Alene, Idaho 83814, hereinafter the "GRANTEES", the following described real property in the County of Kootenai, State of Idaho, to wit:

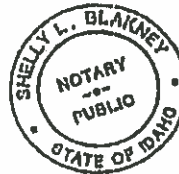
SEE EXHIBIT "A" ATTACHED HERETO.

GRANTOR hereby reserves a life estate for the duration of her life in the parcel of real property described on EXHIBIT "B" ATTACHED HERETO.

TOGETHER with their appurtenances and any hereafter acquired title. GRANTOR does hereby covenant to and with GRANTEE, that she is the owner in fee simple of the real property described on EXHIBIT "A"; that she is free from all encumbrances and that she will warrant and defend the same from all lawful claims whatsoever.

DATED this 4 day of August, 1998.

Marie P. Meckel
MARIE P. MECKEL



STATE OF IDAHO)
COUNTY OF KOOTENAI) ss.

On Aug 4th, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared MARIE P. MECKEL, a widow, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

WITNESS my hand and official seal.

Shelly L. Blakney
Notary Public for Idaho
Residing in Coeur d'Alene, Idaho
Commission Expires: 2-27-03

NO. 1415 P. 3

PIONEER TITLE CO AUG. 2. 2005 10:34AM

1549105

EXHIBIT
A

EXHIBIT B
PAGE 2 of 4

A portion of the Southeast Quarter of Section 2, Township 49 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, described as follows:

Beginning at the Southeast corner of said Section 2;

thence along the South line of said Section 2, North 89°50'40" West, 379.74 feet to the Southeast corner of that certain tract of land described in Warranty Deed on file under Instrument Number 692077, records of Kootenai County;

thence along the East and Northeast boundary lines of said tract as described in document on file under Instrument Number 692077, the following eight (8) courses:

1. North 01°31'50" East, 119.90 feet;
2. thence North 07°21'25" East, 127.15 feet;
3. thence North 03°23'00" West, 118.93 feet;
4. thence North 01°13'10" East, 164.19 feet;
5. thence North 48°56'50" West, 212.01 feet;
6. thence North 42°49'15" West, 141.21 feet;
7. thence North 44°42'15" West, 224.21 feet;
8. thence North 52°39'40" West, 201.33 feet;

thence leaving said northeasterly line and following along the easterly line of that certain tract of land described in Warranty Deed on file under Instrument Number 1470102, records of Kootenai County, the following nine (9) courses:

1. North 47°55'16" West, 132.44 feet;
2. thence North 39°32'32" West, 104.18 feet;
3. thence North 22°11'10" West, 104.82 feet;

NO. 1415 P. 4

PIONEER TITLE CO

AUG. 2. 2005 10:34AM

1549105

EXHIBIT B
PAGE 3 of 4

4. thence North $17^{\circ}55'50''$ West, 97.42 feet;
5. thence North $00^{\circ}04'41''$ West, 97.97 feet;
6. thence North $19^{\circ}02'37''$ East, 100.79 feet;
7. thence North $31^{\circ}48'04''$ East, 102.30 feet;
8. thence North $50^{\circ}30'23''$ East, 91.40 feet;
9. thence North $73^{\circ}05'54''$ East, 22.38 feet, to the centerline of an existing private road;

thence along the centerline of said existing private road, the following seven (7) courses as follows:

1. South $19^{\circ}38'43''$ East, 206.43 feet;
2. thence South $64^{\circ}05'23''$ East, 115.74 feet;
3. thence South $89^{\circ}03'03''$ East, 236.64 feet;
4. thence South $58^{\circ}57'53''$ East, 245.84 feet;
5. thence South $51^{\circ}34'53''$ East, 148.77 feet;
6. thence South $54^{\circ}06'43''$ East, 84.48 feet;
7. thence North $72^{\circ}59'32''$ East, 123.24 feet to the Southwest corner of that certain tract of land as described in Warranty Deed on file under Instrument Number 677979, records of Kootenai County;

thence along the southerly line of said tract as described in document on file under Instrument Number 677979, North $68^{\circ}22'00''$ East (of record as North $68^{\circ}22'52''$ East) 107.59 feet to the East line of the Southeast Quarter of said Section 2;

thence along said East line, South $01^{\circ}22'25''$ West, 1326.26 feet to the Point of Beginning.

The herein described tract contains that certain tract as described in Deed of Trust on file under Instrument Number 666891, records of Kootenai County.

SUBJECT TO
any existing easements, covenants, conditions, rights, reservations or restrictions of record or in view.

NO. 1415 P. 5

AUG. 2. 2005 10:34AM PIONEER TITLE CO

1549105

Exhibit
B

EXHIBIT B
PAGE 4 of 7

A tract of land in SE 1/4 of the SE 1/4 of Section 2, Township 49 North, Range 4 West, B.M., Kootenai County, Idaho, described as follows:
beginning at a point which is S. 19°58'50"W, 1484.0 feet from the East 1/4 corner of Section 2, thence, S. 41°30' E, 218.0 feet; thence S. 48°30' E, 400.0 feet; thence N. 41°30' W, 218.0 feet; thence N. 48°30' E, 400.0 feet to the point of beginning containing 2.0 acres, including use of spring and existing water line thereto, said spring being located approximately N. 60° W., 700 feet from the most Westerly corner of the above described tract, and also including use of the existing access road which extends Northwesterly from the above described tract to the public road (Hull Road), the centerlines of said roads intersecting at a point on the East-West centerline of Section 2 N. 89°16' W., 1312.0 feet from the East 1/4 corner.

NO. 1415 P. 6

PIONEER TITLE CO

AUG. 2, 2005 10:34AM

357758

WARRANTY DEED

BOOK

178 PAGE 498

THIS INDENTURE, made and entered into this 8th day of July, A. D., 1950, by and between SOPHIE E. BERGQUIST, a widow, party of the first part, and FREDRICK A. MECKEL, and MARIE A. MECKEL, husband and wife, parties 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 consideration to her in hand paid, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell and convey to the parties of the second part, the following described property situate in Kootenai County, State of Idaho, to-wit:



Southeast Quarter (SE $\frac{1}{4}$) of Section 2 Township 49 North Range 4 W.B.M.

Northwest Quarter of the Southwest Quarter of Section 1 Township 49 North Range 4 W.B.M., EXCEPT that part of the Northeast quarter of the Northwest Quarter of the Southwest Quarter of Section 1 Township 49 North, Range 4, W.B.M., lying Easterly of the fence constructed along the westerly side of road as constructed across said land.



All that part of Lot 7 Section 1 Township 49 North Range 4 W.B.M., lying North and West of the following line: Beginning at a point 300 feet West of the Northeast corner of said Lot 7; thence South 44°23' West to a point on the West line of said Lot 7 Section 1 Township 49 North, Range 4 W.B.M.



And a strip of land 50 feet wide in Lot 1 Section 12 Township 49 North, Range 4 W.B.M., described as follows: Bounded on the Southwest by a line beginning at the Northwest corner of Section 12 and going directly to Coeur d'Alene Lake and bounded on the Northeast by a line parallel to and 50 feet from said line and extending from Coeur d'Alene Lake to the Section line between Section 1 and 2 all in Township 49 North, Range 4 W.B.M.

Together with all and singular the tenements, hereditaments

BOOK 178 PAGE 499

and appurtenances thereto appertaining.

TO HAVE AND TO HOLD the same unto the said parties of the second part, their successors and assigns forever.

The party of the first part warrants the title to said property and that the same is free and clear of all encumbrances whatsoever except the taxes and assessments for the year 1950.

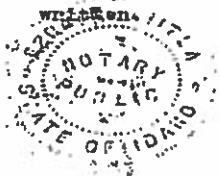
IN WITNESS WHEREOF, the party of the first part has hereunto set her hand and seal the day and year in this instrument first above written.

Sophie E. Bergquist

STATE OF IDAHO }
County of Kootenai } ss

On this 8 day of July, A. D., 1950, before me, the undersigned Notary Public, personally appeared SOPHIE E. BERGQUIST, a widow, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she 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



Ernest M. [Signature]
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.
My Commission Expires Jan 13 1952

Filed and recorded at the request of J. A. Meeker
at 2:55 on the 9 day of July, 1950
by J. A. Meeker Recorder
County, Idaho
Return to Meeker - Wier

357765

WARRANTY DEED

BOOK 178 PAGE 499

This indenture, Made this 5th day of January, in the year of our Lord One Thousand Nine Hundred and Fifty-Five, between Joseph P. Wieber and Phyllis D. Wieber, husband and wife, and Philip M. Clifford and Patricia A. Clifford, husband and wife resident of Spokane, County of Spokane, State of Washington part 1st of the first part, and Stewart S. Russell and Sophia M. Russell, husband and wife resident of Spokane, County of Spokane, State of Washington part 1st of the second part.

Witnesseth, That the said parties of the first part, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration in hand paid by the part 1st of the second part, the receipt whereof is hereby acknowledged, and the said part 1st 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 part 1st of the second part, and to their heirs and assigns forever all the following described lot of land situated in the County of Kootenai and State of Idaho, and known and described as follows, to-wit:

Lot Eighty-two of Hayden Lake Honeyuckle Hills Building Sites according to the plat thereof recorded in Book C of Plats on Page 239, records of Kootenai County, Idaho

Coeur d' Alene, ID
Feb. 28, 2017

To: The Record

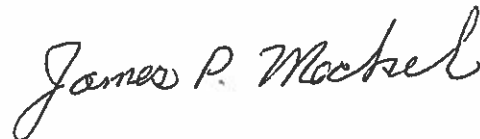
From: James P. Meckel

Re: Water Use

In June 1950 my parents and I moved into the house now currently addressed as " 6193 South Meckel Lane, Coeur d' Alene, ID ". At that time the water supply for the house and livestock was furnished by a spring located approximately 1,000 feet northwest of the house.

The spring appeared to have been in use for several decades prior to 1950.

Respectfully, James p. Meckel
6876 South Meckel Lane
Coeur d' Alene, ID 83814

A handwritten signature in cursive script that reads "James P. Meckel". The signature is written in dark ink and is positioned to the right of the typed name and address.