

Ownership of Property

We as claimant(s) own the well and the land it is located on together with the pumping system and distribution line. We own other adjoining lands that will in the future be serviced by this system. The households described now using said water have been permitted to use the water. Carl Nagel and Violet Nagel are deceased and Henry J. Nagel is the representative of their Estates.

The names, addresses and PIN No. of the users are listed on the attachment.

SCANNED

MAY 26 2009

Nagel

I.D.# 95-07779

EXHIBIT NO. 1

Water Right License No. 95-07779

OWNER/CLAIMANT

Carl Nagel

List of property owners/households using water under said permit
(3 houses-domestic/livestock)

S.1 TWP.51 N. R.05 WBM

1. LeRoy & Lois Free
9499 W. Nagel Lane
Rathdrum, ID 83858

PIN No. 3800
Tax No. 15236

2. Brian Wallace
9474 Nagel Lane
Rathdrum, ID 83858

PIN No. 3995
Tax No. 15229

3. Don Fletschinger
13660 N. Greensferry Road
Rathdrum, ID 83858

PIN No. 3990
Tax No. 7890

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MAY 26 2009

Nagel

1. D. #95-07779

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 95-07779

Priority: September 1, 1977

Maximum Diversion Rate: 0.66 CFS
Maximum Diversion Volume:¹ 244.7 AF

This is to certify, that CARL NAGEL
RT. 3 BOX 206A

RATHDRUM, ID 838580000

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 1, 1977; and has submitted Proof of Beneficial Use on October 4, 1982. An examination indicates that the works have a diversion capacity of .660 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	04/01 to 11/01	0.66 CFS	241.5 AF
STOCKWATER	01/01 to 12/31	0.02 CFS	1.4 AF
DOMESTIC	01/01 to 12/31	0.08 CFS	1.8 AF
Totals		0.66 CFS	244.7 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 1, Township 51N, Range 05W
KOOTENAI County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
51N	05W	1	NWNW 30	SWNW 39		69

PLACE OF USE: STOCKWATER

TWN	RGE	SEC
51N	05W	1

SWNW

PLACE OF USE: DOMESTIC

TWN	RGE	SEC
51N	05W	1

SWNW

CONDITIONS/REMARKS:

- The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.

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N2921

I.D. #95-07779

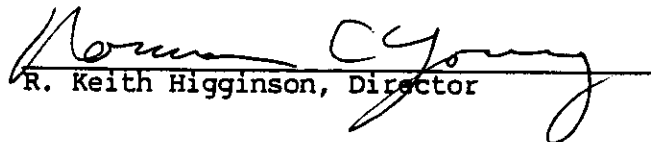
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 95-07779

CONDITIONS/REMARKS:

2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 3 homes.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 22ND day of AUGUST, 1989.


R. Keith Higginson, Director

SCANNED

MAY 26 2009

N2901

I. D. #95-07779