

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

Ident. Number 95-11244

Date Received: 9-14-09

Receipt No: 2022077

Received By: am

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

RECEIVED

SEP 14 2009

IDWR/North

1. Name of Claimant(s) Richard/Traci Wurdeman, Trste. of The Wurdeman Living Trust Phone (425) 771-8230

Mailing Address 8919 - 188th St. S.W. Edmonds WA Zip 98026
Street or Box City State

2. Date of Priority: (Only one per claim) 08/31/1954
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other (✓) (a) Lake Coeur d'Alene
which is tributary to (b) the Spokane River

4. Location of Point of Diversion is: Township 48N, Range 4W, Section 1,
1/4 of 1/4, or Govt. Lot 2 BM. County of Kootenai;

Parcel (PIN) no. 48N04W012950 - legal descrip. attached

Additional points of diversion if any: None

If available, GPS coordinates: N/A

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.

Pump system drawing water from the lake through a 2 inch line. The same basic type of system has been in place since 1954.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater uses. See page 1 of the instructions.)

For Domestic purposes from 01/01 to 12/31 amount .04 cfs(✓) or AFY()

For _____ purposes from _____ to _____ amount _____

7. Total Quantity claimed .04 cfs (✓) or AFY ()

8. Non-irrigation uses. Describe fully. (eg. Domestic: give number of households served if single ownership;

Stockwater and Number of livestock) Domestic - One main household and one guest cabin.

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9. Location of Place of Use is: Township 48N, Range 4W, Section 1
1/4 of 1/4, Govt. Lot 2 BM. Parcel (PIN) no. 48N04W012950
If different than shown in Item 4

for (Check One) Domestic (☒) Stock () Domestic and Stock ()

Additional places of use, if any None

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.

_____ or None (☒)

13. Remarks:

Deeds w/ full legal description are attached.

*** Note: This claim will be supplemented with statements from previous owners w/in two weeks.

14. Basis of Claim (Check One) Beneficial Use (☒) Posted Notice () License () Permit () Decree ()

Court N/A Decree Date N/A Plaintiff v. Defendant N/A

If applicable provide IDWR Water Right Number N/A

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 (☒) wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: Four at this time

Statements from one of the previous owners and his daughter will be provided to supplement this claim w/in two weeks.

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: 9/11/09

Traci Wurdeman

Date: 9-11-09

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

Trustee

of Wurdeman Living Trust

Title

Organization

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

Trustee

of Wurdeman Living Trust

Title

Organization

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

Signature of Authorized Agent

Date

9/11/09

Title and Organization Richard Wurdeman, Trustee of the Wurdeman Living Trust

16. Notice of Appearance:

Notice is hereby given that I, N/A, 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

N/A

Last Name N/A

Identification No.

SCANNED

SEP 14 2009

STATE OF WASHINGTON)
)ss.
COUNTY OF SNOHOMISH)

This affidavit is made regarding the water rights claim for Parcel Number 48N04W012950, on Lake Coeur d'Alene, in Kootenai County, Idaho. (Deeds attached.)

Although the cabins have both been re-plumbed and virtually every component of the pump system has been replaced over the years, we have continuously drawn water from the lake for domestic use in the two cabins and for landscape irrigation. Based on all available information, I am certain that the beneficial use began no later than August 31, 1954.


RICHARD D. WURDEMAN

A circular notary seal for Stacy D. Jones, a Notary Public in the State of Washington. The seal features the text "STACY D. JONES" at the top, "COMMISSION EXPIRES" on the right, "NOTARY PUBLIC" in the center, and "STATE OF WASHINGTON" at the bottom. The expiration date "3-21-13" is printed at the bottom center. A small notary symbol is located between "NOTARY" and "PUBLIC".

NOTARY PUBLIC in and for the State
of Washington, residing at Arlington.
My commission expires: 03/21/13

1219552

WARRANTY DEED

GRANTORS, CLARENCE M. and JUNE H. OLSEN, husband and wife, for a good and valuable consideration; the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto RICHARD D. WURDEMAN, a married man, acquiring property as his sole and separate property, of 320 Dayton, Suite 101, Edmonds, Washington, 98020, as GRANTEE, and to Grantee's heirs and assigns forever, all of the following described real estate located in the County of Kootenai, State of Idaho, to-wit:

("Shorelands" Parcel 3) described as follows:
A portion of Lot 2, Sec. 1, T 48 N, R 4 W, B.M., beginning at an iron pipe or rod driven into the ground on the bank of Lake Coeur d'Alene, 13.9 feet south and 615.0 feet west of a monument on the bank of said lake between Lots 1 and 2, Sec. 1, T. 48 N, R 4 W, B.M. and bearing S 88° 45' W, 615.1 feet therefrom, which pipe or rod is on the eastern boundary of said parcel, common to both Parcels 2 and 3, extending north to the legal low waterline of said lake; thence, south 314.4 feet from the first mentioned iron rod or pipe marking the southeast corner of the parcel; thence west 99.8 feet to an iron pipe or rod marking the southwest corner of the parcel; thence north 306.3 feet to an iron pipe or rod on the bank of said lake and continuing to the legal low waterline of said lake; thence easterly along the said waterline to the first mentioned boundary line; thence south to the point of beginning; and containing within lines connecting the said pipes or rods .679 acres, more or less, and to the waterline of September 19, 1952, about .800 acres.

Together with all easement rights in the access road or roads extending across the property to the above described parcel and all other rights of access held by Grantors.

Excepting a right of way not exceeding 12.5 feet in width along the southern boundary of the above described parcel.

GRANTORS, for themselves, their heirs and assigns do hereby covenant, warranty and shall defend the quiet and peaceable

1219552

possession of said premises by the Grantee, his heirs and assigns forever against the lawful claims of all persons.

IN CONSTRUING THIS DEED, and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, GRANTORS have hereunto subscribed their names to this instrument this 30 day of MAY, 1991.

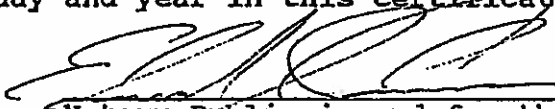
Clarence M. Olsen
CLARENCE M. OLSEN

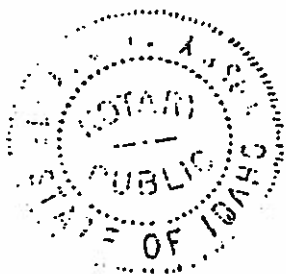
June H. Olsen
JUNE H. OLSEN

STATE OF IDAHO)
) ss.
County of Kootenai)

On this 30 day of MAY, 1991, before me, the undersigned, a Notary Public for Idaho, personally appeared CLARENCE M. OLSEN and JUNE H. OLSEN, known to me to be the persons whose names are subscribed to the within instrument and acknowledged and swore to me that they executed the same.

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


Notary Public in and for the State of
Idaho.
Residing at: PINEHURST
Commission expires: 9/9/92



STATE OF IDAHO
COUNTY OF KOOTENAI } ss

AT THE REQUEST OF
KOOTENAI COUNTY TITLE CO.

At 45 minutes past 5 o'clock P M
MAY 30 1991
Tom Taggart

By C. R. D.
Deputy

Fee \$ 6.00

#2 - 2003

WHEN RECORDED RETURN TO:

* Richard D. Wurdeman
8919 - 188th Street S.W.
Edmonds, WA 98026

CONFORM
COPY

STATE OF IDAHO
COUNTY OF KOOTENAI
AT THE REQUEST OF
* Richard D. Wurdeman

2003 JUN -9 A 10: 55

DANIEL J. ENGLISH ^{CP}
DEPUTY
FEES 3.00

1805651

QUIT CLAIM DEED

THE GRANTOR

RICHARD D. WURDEMAN

for and in consideration of love and affection, and merely for the purpose of transferring the subject property to the Grantor's Living Trust;

conveys and quit claims to

RICHARD D. WURDEMAN and/or TRACI F. WURDEMAN,
Trustees, or their successors in trust, under the WURDEMAN
LIVING TRUST, dated September 12, 2002, and any
amendments thereto.

the following described real estate, situated in the County of KOOTENAI, State of Idaho,
together with all after acquired title of the grantor(s) therein:

All that portion of Government Lot 2, Section 1, Township 48 North, Range 4 West, Boise
Meridian, Kootenai County, Idaho, described as follows:

BEGINNING at an iron pipe or rod driven into the ground on the bank of Lake Coeur d'Alene,
13.9 feet South and 615.0 feet West of a monument on the bank of said lake between Lots 1 and
2, Section 1, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, and
bearing South 88°45' West 615.1 feet therefrom, which pipe or rod is on the eastern boundary of
said parcel, common to both Parcels 2 and 3, extending North to the legal low waterline of said
lake; thence, South 314.4 feet from the first mentioned iron rod or pipe marking the Southeast
corner of the parcel; thence, West 99.8 feet to an iron pipe or rod marking the Southwest corner
of the parcel; thence, North 306.3 feet to an iron pipe or rod on the bank of said lake and
continuing to the legal low waterline of said lake; thence, Easterly along the said waterline to the
first mentioned boundary line; thence, South to the POINT OF BEGINNING

TOGETHER with the right to use the access road or roads.

Situate in the County of Kootenai, State of Idaho.

DATED this 4th day of June, 2003


RICHARD D. WURDEMAN

STATE OF WASHINGTON)

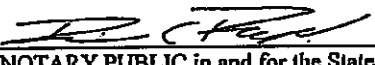
)ss.

COUNTY OF SNOHOMISH)

I certify that I know or have satisfactory evidence that RICHARD D. WURDEMAN is
the person who appeared before me, and said person acknowledged that he signed this
instrument and acknowledged it to be his free and voluntary act for the uses and purposes
mentioned in the instrument.

SUBSCRIBED AND SWORN to before me this 4th day of June, 2003.




NOTARY PUBLIC in and for the State of
Washington, residing at Snohomish, WA
My commission expires: 11/1/04



915 Sherman Avenue
Coeur d'Alene, ID 83814
(208) 667-9561

Hoagland & Associates, Inc.

Real Estate Appraisers & Consultants

VALUE ESTIMATE LETTER

March 7, 1991

Richard D. Wurdeman
Wurdeman & Tesch, P.C.
320 Dayton, Suite 101
Edmonds, WA 98020

Re: Letter of Opinion on Lakeshore property near Carlin Bay,
Kootenai County, Idaho
H&A File No.: 91028

Dear Mr. Wurdeman:

Pursuant to your request, I have undertaken and completed a Letter of Opinion regarding value of the lakeshore property owned by Clarence M. Olsen and June H. Olsen and located near Carlin Bay on Lake Coeur d'Alene.

This property is legally described as:

Shorelands; Parcel 3, Lot 2, Sec. 1, T48N, R4W, B.M.

The purpose of this opinion was to estimate the limited value of the property, as of March 6, 1991. It is my understanding that this estimate is to be used to establish value for acquisition purposes.

For the purpose of this appraisal, the term "limited value" was defined as:

"The most probable price in terms of money which a property will bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus.

Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- (1) Buyer and seller are typically motivated;
- (2) Both parties are well informed or well advised, and each acting in what he considers his own best interest;
- (3) A reasonable time is allowed for exposure in the open market;
- (4) Payment is made in cash or its equivalent;
- (5) Financing, if any, is on terms generally available in the community at the specified date and typical for the property type in its locale;
- (6) The price represents a normal consideration for the property sold unaffected by special financing amounts and/or terms, services, fees, costs, or credits incurred in the transaction."

The appraisal was conducted in accordance with the Appraisal Institute. I inspected the property, estimated its highest and best use, made a search for and analysis of sales and offerings of similar properties, and considered all available pertinent information in formulating my opinion of value.

In accordance with your request, I am reporting my conclusion via this letter. While it does not constitute, is not intended to be, and should not be construed as an "appraisal report", a rough draft of one has been prepared and is contained in my file for this assignment.

It is incorporated into this letter by reference and is considered an integral part thereof. Should a formal report prepared in accordance with the Appraisal Institute be desired, please advise.

The Opinion of Value regarding this property and the resulting estimate of value were predicated upon the following assumptions:

1. The legal description of the appraised property being correct.
2. The property being free of encumbrances, easements, etc., except as noted herein. As no survey of the property was made for the appraisal, no responsibility is assumed in connection with any matter that might be disclosed by a proper survey.
3. The title to the interest appraised being good and marketable. As I am not qualified to render an "opinion of title", no responsibility is assumed or accepted for matters of a legal nature affecting the property being appraised.

4. All existing liens and/or encumbrances have been disregarded, and the property appraised as though free and clear, under responsible ownership and competent management. Typical financing as may be customarily secured for the purchase of properties such as the one appraised has been considered.
5. Information, estimates and opinions upon which my opinions and conclusions are based were obtained from sources considered reliable and are believed to be true and correct. They are, however, not warranted. Should information upon which the conclusions were based in total or in part be proven false, I reserve the right to amend my conclusions accordingly.
6. All maps, plat, building diagrams, and pictures attached hereto are for illustrative purposes only, to assist the reader in visualizing the property. They are believed to accurately represent the property but are not guaranteed to be exact.
7. It is assumed that there are no hidden or unapparent soil conditions which would render the property's title more or less valuable. No responsibility is assumed for such conditions, or for engineering which might be required to discover such factors.
8. The interior of the buildings are in reasonably good condition without devaluing defects.

The subject property consists of a .711 acre (per County Assessor's data) recreational site improved with a 1,600 sf cottage, a 600 sf cabin and a boat house located on Lake Coeur d'Alene between Martin Bay and Carlin Bay. According to County records, the improvements were built in 1953 and 1954. No

inspection was conducted on the interior of the improvements. Frontage on the lake, according to County records, is 100.020'. Access to the property is relatively steep and is characterized as seasonal. A new septic system was reportedly installed within the last year. Water is obtained from the lake and purified before consumption.

Four recreational lake sales were selected and compared to the subject to arrive at the estimated limited value. All of them were within 5 miles of the subject with the nearest one within 1/2 of a mile. The adjusted range of value for these sales ranged between \$108,750 and \$119,000.

As a result of the work regarding this property, I have reached the conclusions that a value between \$109,000 and \$119,000 is representative of the price a knowledgeable purchaser would be willing to pay for the property in today's market. No consideration was made for any personal property and any inclusion of such should be added to the sales price.

The limited value range of its fee title on March 7, 1991, subject to the assumptions and limiting conditions previously noted, is therefore estimated to be:

ONE HUNDRED NINE THOUSAND DOLLARS
to
ONE HUNDRED NINETEEN THOUSAND DOLLARS
(\$109,000 - 119,000)

Disclosure of the contents of this letter is governed by the bylaws of the Appraisal Institute. All information contained within is submitted strictly for the sole use of the client and may not be used for any purpose by another party without the written consent of the appraiser. Possession of this letter, or

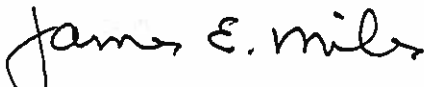
any copy thereof, does not carry with it the right of publication nor may any portion of this letter be reproduced.

Neither all nor any part of this letter (especially any conclusions as to value, my identity or that of the firm with which I am connected, or any reference to the Appraisal Institute or any designation awarded by the organization) may be disseminated to the public through advertising, public relations, news, or sales media, or any other public means of communication without my prior written consent.

I hereby certify that I have no present nor contemplated future interest in the real estate that is the subject of this analysis; I have no personal interest nor bias with respect to any parties with interests in the real estate; I have inspected the subject property; to the best of my knowledge and belief, the statements of fact contained herein, upon which the analyses, opinions and conclusions expressed were based, are true and correct; all limiting conditions affecting the analyses, opinions, and conclusions are set forth herein; the analyses have been performed in conformity with and are subject to the requirements of the Code of Ethics and Appraisal Institute; that no one other than James Miles prepared the analyses, opinions and conclusions herein. My employment and compensation for making this appraisal were in no way contingent upon the value reported.

Thank you for allowing me to be of service in this matter. If I may be of further assistance or if you have any questions, please do not hesitate to call.

Respectfully submitted,

A handwritten signature in cursive script that reads "James E. Miles".

James E. Miles

aam