

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Morris & Wolff, P.A.
722 Main Avenue
St. Maries, Idaho 83861

Instrument # 269173
BENEWAH COUNTY
7-30-2014 04:36:15 No. of Pages: 5
Recorded for: MORRIS AND WOLFF PA
DEANNA BRAMBLETT Fee: 22.00
Ex-Officio Recorder Deputy
Index to: DEEDS, OTHER

91-7102
Lot 4

RECEIVED

MAY 19 2016

DEPARTMENT OF
(Space Available for Use)
WATER RESOURCES

DEED OF DISTRIBUTION
SUBJECT TO A LIFE ESTATE

THIS DEED is made and executed by Deanne Hawks, as Personal Representative of the ESTATE OF JILL LORENE PERKINS, hereinafter referred to as the ("Grantor"), to BRANDON PERKINS, a married man dealing in his sole and separate property, with an address of 155 NW Woodbrook Drive, Grants Pass, Oregon 97526, hereinafter referred to as the ("Grantee").

WHEREAS, Grantor is the qualified Personal Representative of said Estate, filed as Probate Case Number CV 2013-311 in Benewah County, Idaho;

WHEREAS, Grantee is entitled to distribution of the hereafter described real property:

THEREFORE, Grantor quitclaims, transfers, and conveys to Grantee the following described real property in Benewah County, Idaho:

Lot 4, Block 2, Sylvia's Haven, according to the recorded plat thereof, Benewah County, Idaho.

TOGETHER WITH any water rights that may be conveyed by that certain Water Agreement and Easement dated April 29, 1982 and recorded July 8, 1982 as Instrument No. 156175 records of Benewah County, Idaho.

And

Lot 5, Block 2, Sylvia's Haven, according to the recorded plat thereof, Benewah County, Idaho.

TOGETHER WITH any water rights that may be conveyed by that certain Water Agreement and Easement dated April 29, 1982 and recorded July 8, 1982 as Instrument No. 156175 records of Benewah County, Idaho.

And

Lot 6, Block 2, Sylvia's Haven, according to the recorded plat thereof, Benewah County, Idaho.

TOGETHER WITH any water rights that may be conveyed by that certain Water Agreement and Easement dated April 29, 1982 and recorded July 8, 1982 as Instrument No. 156175 records of Benewah County, Idaho.

And

That part of LOT 9, BLOCK 1, SYLVIA'S HAVEN, according to the plat on file, as Instrument No. 144646, recorded December 9, 1968, records of Benewah County, Idaho; situated in the SE1/4, section 7, Township 46 North, Range 2 West, Boise Meridian, Benewah County, Idaho; more particularly described as follows:

COMMENCING at the Northwest corner of LOT 9, BLOCK 1 of said Plat, monumented with a drill steel;

thence South 1°14'51" East, 40.32 feet (of record as South 1°12'00" East and South 1°12'00" West) along the West line of said LOT 9 to an iron rod, 1/2 inch diameter, with a plastic cap marked PLS 703;

thence leaving said West line, South 84°47'53" East, 162.15 feet (of record as South 85°14'00" East, 162.01 feet) to an iron rod, 1/2 inch diameter, with a plastic cap marked PLS 703;

thence South 0°49'26" East, 46.96 feet (of record as South 1°12'00" East, 47.00 feet) to an iron rod, 1/2 inch diameter, with a plastic cap marked PLS 703;

thence South 85°45'10" East, 123.93 feet (of record as South 86°11'15" East, 124.00 feet) to an iron rod, 1/2 inch diameter, with a plastic cap marked PLS 703, the POINT OF BEGINNING;

thence South 0°47'17" East, 96.11 feet (of record as South 0°12'00" East, 96.00 feet) to a point on the northerly right-of-way line of STATE HIGHWAY No. 3, said point monumented with an iron rod, 5/8 inch diameter, with a plastic cap marked PLS 703;

thence South 84°03'16" East, 161.53 feet (of record as 161.88 feet) along said northerly right-of-way line to a drill steel;

thence South 82°00'39" East, 40.26 feet (of record as South 82°53'00" East) along said northerly right-of-way line, to a point on the centerline of that certain roadway vacated by an ORDER OF VACATION, recorded as Instrument No. 129197, on April 9, 1974, records of said County, said point monumented with an iron rod, 30 inches long, 5/8 inch diameter, with a plastic cap marked PLS 6766;

thence North 45°38'42" West, 160.12 feet (of record as North 46°18' West) along said centerline, and leaving said northerly right-of-way line, to an iron rod, 30 inches long, 5/8 inch diameter, with a plastic cap marked PLS 6766;

thence North 85°45'10" West, 87.60 feet, and leaving said centerline, to the POINT OF BEGINNING.

And

Those parts of LOTS 5, 8 and 9, all in BLOCK 1, SYLVIA'S HAVEN, according to the plat on file, as Instrument No. 144646, recorded December 9, 1968, records of Benewah County, Idaho and that part of that certain roadway vacated by an ORDER OF VACATION, recorded as Instrument No. 129197, on April 9, 1974, records of said County; all situated in the E1/2, section 7, Township 46 North, Range 2 West, Boise Meridian, Benewah County, Idaho; more particularly described as follows:

COMMENCING at the Southeast corner of said LOT 8, monumented with a drill steel;

thence North 0°03'18" West, 187.29 feet (of record as North 1°06' West, 187.29 feet and North 1°06'00" West) along the East line of said LOT 8, to an iron rod, 30 inches long, 5/8 inch diameter, with a plastic cap marked PLS 6766, the POINT OF BEGINNING;

thence North 88°57'18" West, 90.95 feet (of record as West, 90.95 feet), and leaving said East line to an iron rod, 30 inches long, 5/8 inch diameter, with a plastic cap marked PLS 6766;

thence South 0°03'18" East, 99.96 feet (of record as South 1°06' East, 98.76 feet) to a point on the northeasterly right-of-way line of that certain roadway vacated by an ORDER OF VACATION, recorded as Instrument No. 129197, on April 9, 1974, records of said County, said point monumented with an iron rod, 30 inches long, 5/8 inch diameter, with a plastic cap marked PLS 6766;

thence South 44°21'18" West, 20.00 feet, and leaving said northeasterly line, to an iron rod, 30 inches long, 5/8 inch diameter, with an aluminum cap, 2 inches diameter, marked WITNESS CORNER - PLS 6766;

thence continuing South 44°21'18" West, 5.00 feet to a point on the centerline of said vacated roadway, which is witnessed by the aforementioned monument;

thence traversing said centerline, as follows:

North 45°38'42" West, 66.78 feet (of record as North 46°18' West) to an iron rod, 5/8 inch diameter, with a plastic cap marked PLS 6766;

thence North 85°45'10" West, 87.60 feet, and leaving said centerline, to an iron rod, 1/2 inch diameter, with a plastic cap marked PLS 703;

thence continuing North 85°45'10" West, 123.93 feet (of record as North 86°11'15" West, 124.00 feet) to an iron rod, 1/2 inch diameter, with a plastic cap marked PLS 703;

thence North 0°49'26" West, 46.96 feet (of record as North 1°12'00" West, 47.00 feet) to an iron rod, 1/2 inch diameter, with a plastic cap marked PLS 703;

thence North 84°47'53" West, 162.15 feet (of record as North 85°14'00" West, 162.01 feet) to a point on the West line of said LOT 9, said point monumented with an iron rod, 1/2 inch diameter, with a plastic cap marked PLS 703;

thence North 1°14'51" West, 40.32 feet (of record as North 1°12'00" West and North 1°12'00" East) along said West line to the Northwest corner of said LOT 9, said corner monumented with a drill steel;

thence North 88°08'45" East, 54.77 feet (of record as North 87°55' East, 54.77 feet) along the North line of said LOT 9 and an easterly extension of said North line, and leaving said West line, to a point on the centerline of said vacated roadway, said point monumented with an iron rod, 5/8 inch diameter, with a plastic cap marked PLS 6766;

thence traversing said centerline, as follows:

North 70°29'35" East, 107.75 feet (of record as North 70°04' East, 107.65 feet), and leaving said North line extended, to an iron rod, 30 inches long, 5/8 inch diameter, with a plastic cap marked PLS 6766;

thence North 40°33'35" East, 130.58 feet (of record as North 40°08' East, 130.45 feet) to an iron rod, 30 inches long, 5/8 inch diameter, with a plastic cap marked PLS 6766;

thence North 74°12'43" East, 180.90 feet (of record as North 73°23' East, 180.44 feet) to a point on the westerly extension of the North line of said LOT 8, said point monumented with an iron rod, 30 inches long, 5/8 inch diameter, with a plastic cap marked PLS 6766;

thence South 86°24'28" East, 12.00 feet (of record as South 87°35' East) along said westerly extension, and leaving said centerline, to an iron rod, 30 inches long, 5/8 inch diameter, with a plastic cap marked PLS 6766;

thence North 7°00'00" West, 14.50 feet, and leaving said westerly extension, to an iron rod, 30 inches long, 5/8 inch diameter, with a plastic cap marked PLS 6766;

thence North 83°00'00" East, 28.00 feet to an iron rod, 30 inches long, 5/8 inch diameter, with a plastic cap marked PLS 6766;

thence South 7°00'00" East, 19.74 feet to a point on the North line of said LOT 8, said point monumented with an iron rod, 30 inches long, 5/8 inch diameter, with a plastic cap marked PLS 6766;

thence South 86°24'28" East, 71.97 feet (of record as South 87°35' East) along said North line to the Northeast corner of said LOT 8, said corner monumented with a drill steel;

thence South 0°55'51" East, 150.49 feet (of record as South 1°06' East and South 1°06'00" East) along the East line of said LOT 8, and leaving said North line, to an iron pipe, 1 inch diameter;

thence South 0°03'18" East, 76.81 feet (of record as South 1°06' East and South 1°06'00" East) continuing along said East line, to the POINT OF BEGINNING.

SUBJECT TO A LIFE ESTATE GRANTED TO DEANNE HAWKS AND STEVE HAWKS, HUSBAND AND WIFE, WHOSE ADDRESS IS 89231 HWY 3 N, ST. MARIES, BENEWAH COUNTY, IDAHO 83861, AS JOINT TENANTS WITH RIGHT OF SURVIVORSHIP.

This conveyance shall include any and all appurtenances, estate, right, title, interest, tenements, hereditaments, reversions, remainders, easements, rents, issues, profits, rights-of-way and water rights in anywise appertaining to the property herein described, as well in law as in equity.

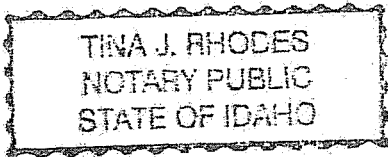
DATED this 30th day of July, 2014.

ESTATE OF JILL LORENE PERKINS

Deanne Hawks, P.R.
Deanne Hawks, Personal Representative

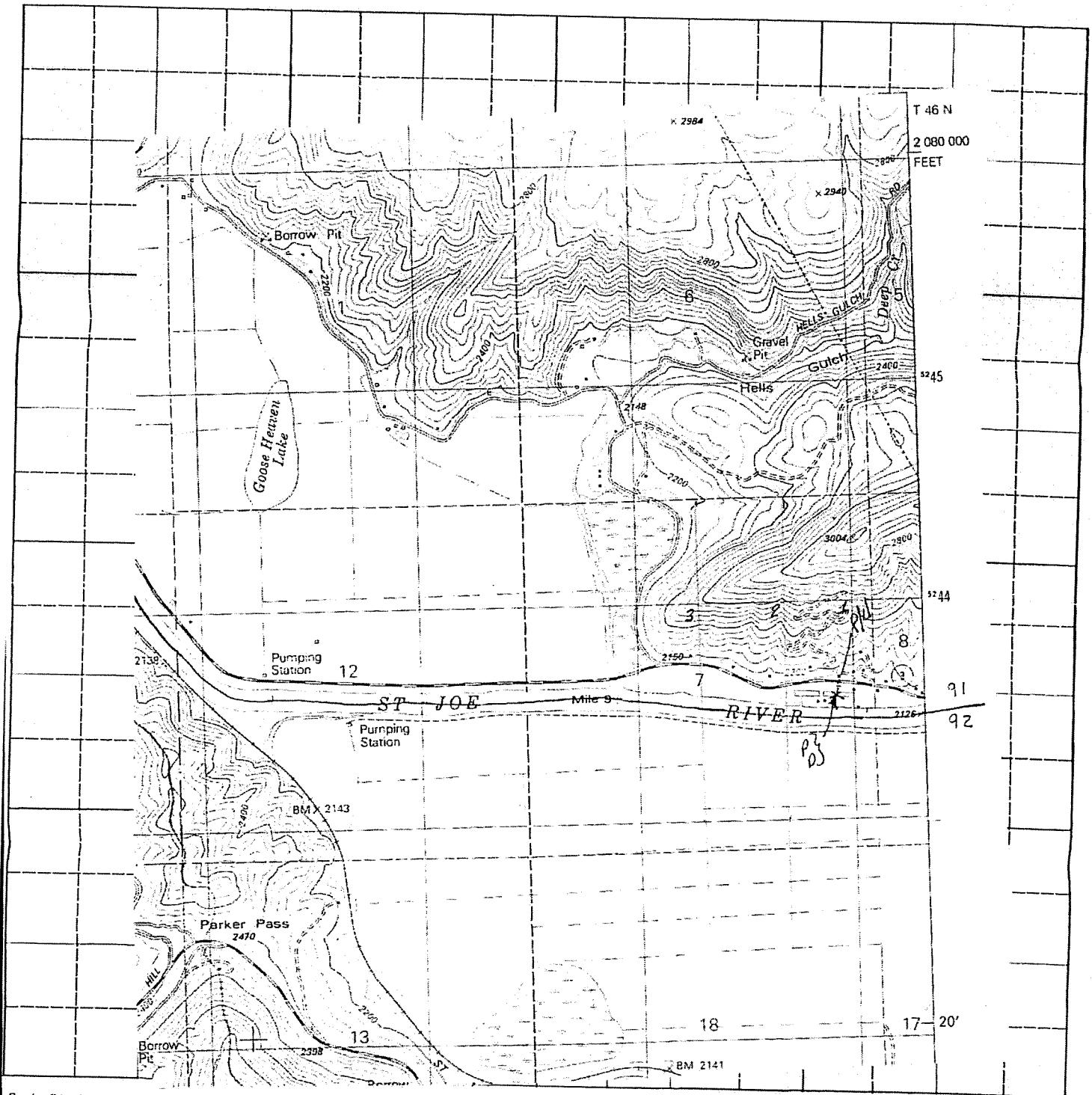
STATE OF IDAHO)
) ss.
County of Benewah)

On this, 30th day of July, 2014, before me, a notary public, personally appeared Deanne Hawks, known to me to be the person whose name is subscribed to the within instrument as Personal Representative of the ESTATE OF JILL LORENE PERKINS, and acknowledged to me that she executed the same as such personal representative.



NOTARY PUBLIC FOR IDAHO
Residing at St. Marcus
My Commission Expires 11/8/2016

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

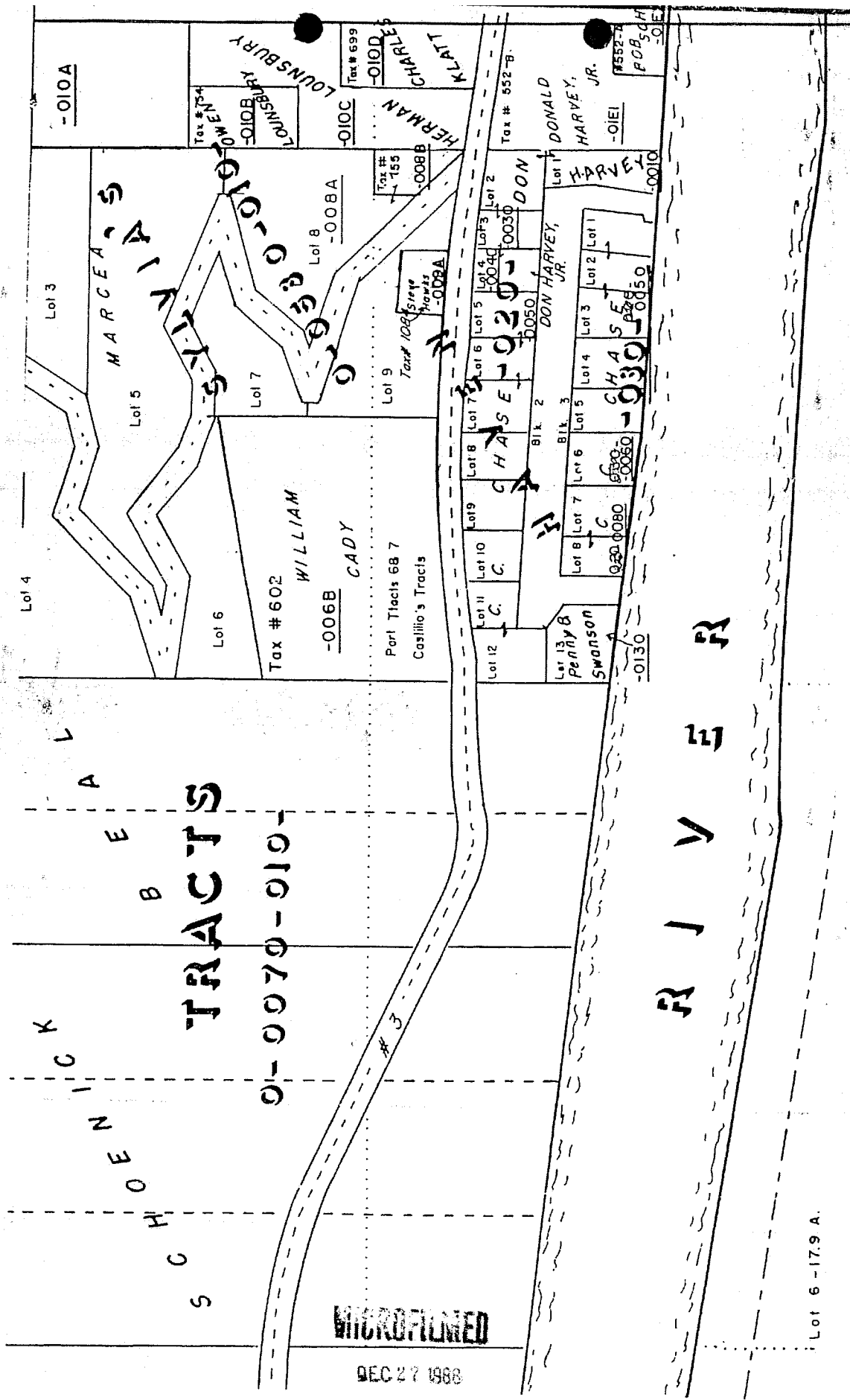


Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

DEC 27 1988

Steve Hawks
(Applicant)



TRACTS

0-0070-010-

MICROFILMED

DEC 27 1988

R I V E R

Lot 6-17.9 A.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT SUPPLEMENT
C O N T E N T S

() B/U Acknowledgment Letter Sent

This Examination Report Contains the Following Documents.

(☒) Field Report (☒) Quad Sheet (☒) Gov. Lot Plat (☒) Rules Check list
() Aerial Photo () Photo PD/PU () Well Log

Number of Diagrams Attached _____ Number of Calculation Sheets Attached _____

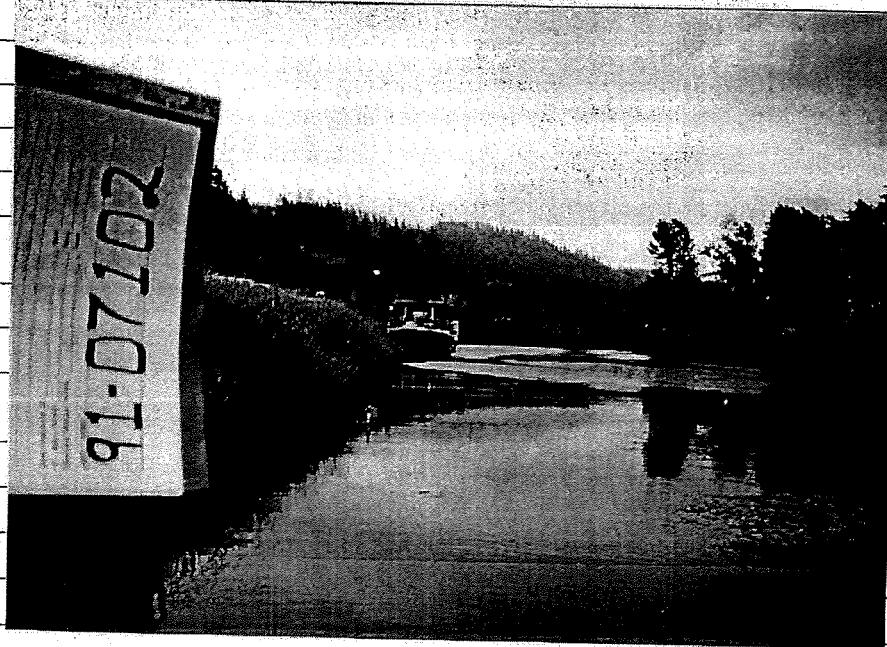
() Correspondence (Date) _____

() Other (List) _____

Contacts: _____

Remarks: _____

The PD



Exam Completed By *Louis [illegible]*

Sr. Agent Review _____

Regional Manager Review _____

Date 8/8/89

Date _____

Date _____

MICROFILMED

JUL 30 1990

PERMIT NUMBER

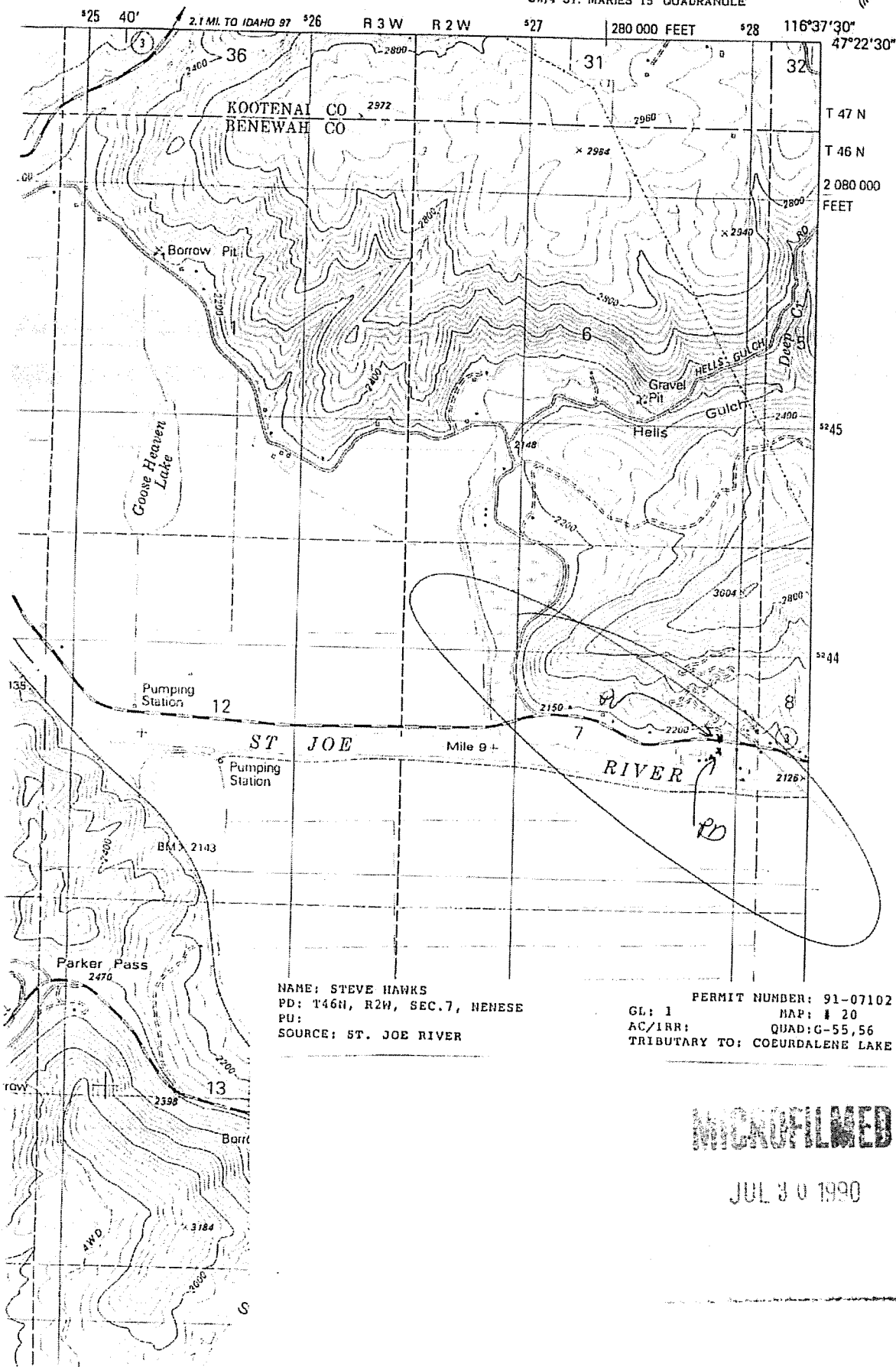
91-07102

BENEWAH LAKE QUADRANGLE IDAHO

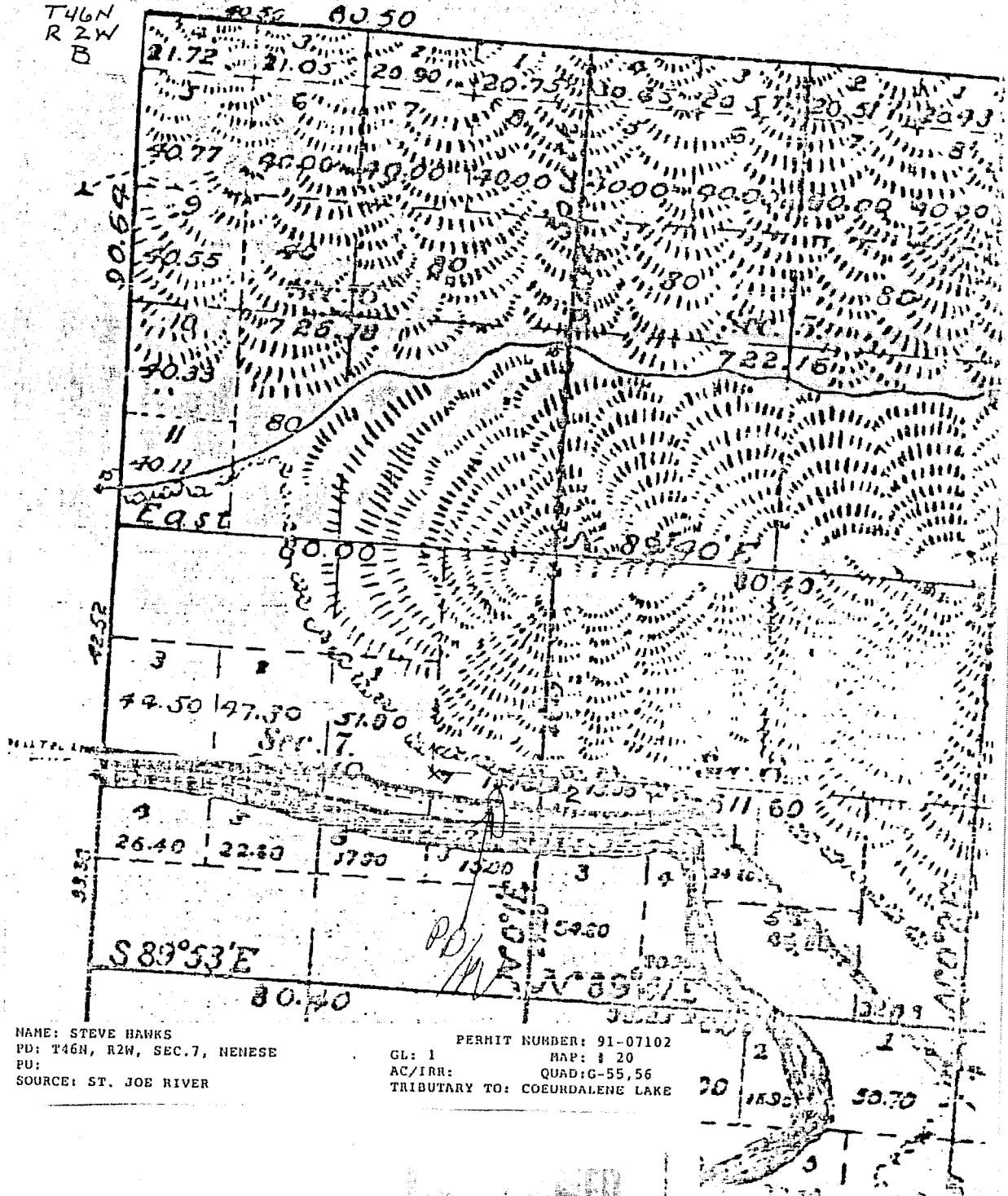
7.5 MINUTE SERIES (TOPOGRAPHIC)

SW/4 ST. MARIES 15' QUADRANGLE

2581 NE
(MEDMONT)



T46N
R2W
B



NAME: STEVE HANKS
PD: T46N, R2W, SEC. 7, NENESE
PU:
SOURCE: ST. JOE RIVER

PERMIT NUMBER: 91-07102
GL: 1 MAP: 20
AC/IRR: QUAD: G-55,56
TRIBUTARY TO: COEUR D'ALENE LAKE

RECORDED

JUL 30 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 91-07102

Priority: July 22, 1988

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.02 CFS
0.6 AF

This is to certify, that STEVE HAWKS
RT 2 BOX 86

ST. MARIES, ID 83861 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated July 22, 1988; and
has submitted Proof of Beneficial Use on October 19, 1988. An examination indicates
that the works have a diversion capacity of .020 cfs of water from:

ST. JOE RIVER tributary to COEUR D ALENE LAKE

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	03/15 to 11/15	0.02 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION: LOT 7(NESE), Sec. 7, Township 46N, Range 02W
BENEWAH County

PLACE OF USE: DOMESTIC

TWN RGE SEC

46N 02W 7 LOT 7(NESE)

CONDITIONS/REMARKS:

1. 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 more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
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 irriagation of lawn & garden.

RECORDED

JUL 30 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 91-07102

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 20TH
day of July, 1990.

Acting for *R. Keith Higginson*, Director

RECEIVED

JUL 30 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Steve Hawks Phone 245-2403
Post office address Rt. 2 Box 86 St. maries, Id. 83861
2. Source of water supply ST JOE RIVER which is a tributary of DEVEDALENE LAKE
3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot 1
Sec. 7 Township 46N Range 2W B.M. Benewah County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
DOMESTIC
Amount 0.02 for garden watering purposes from 1 MAR to 1 Dec (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.02 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. 1 1/4" pipe through
culvert to canal
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year).

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DEC 27 1988

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
46N	2W	7													D				.35

Total number of acres to be irrigated .35

10. Describe any other water rights used for the same purposes as described above. Drinking water from well I am ¼ partner

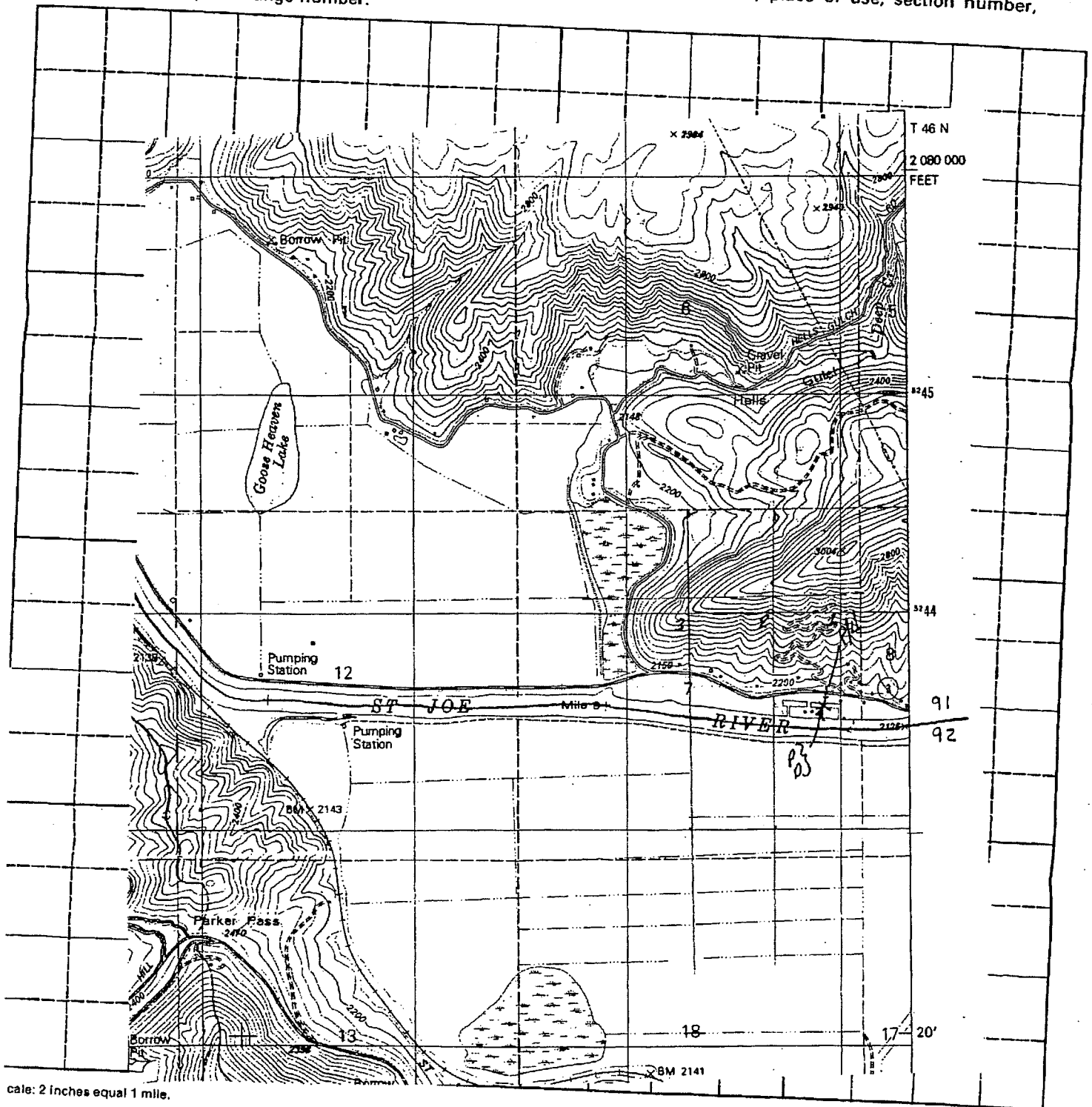
- Who owns the property at the point of diversion? Cyril Chase
- Who owns the land to be irrigated or place of use? Steve Hawks
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

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DEC 21 1988

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



BE IT KNOWN that the undersigned hereby certifies that the application for permit to appropriate the public waters of the State of Idaho as herein set forth.

DEC 27 1988

Shirley Hawks
(Applicant)

Received by KK Date 7/22/88 Time 1:00 PM Proposed Priority 7/22/88
Preliminary check by JK
Fee \$ 30⁰⁰ Received by JK # N 741 Date 7/26/88
Publication prepared by [Signature] Date 8/16/88 Published in St. Paul Register
Date 8/17-24/88
Publication approved [Signature] Date 8/29/88

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 91-7102, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

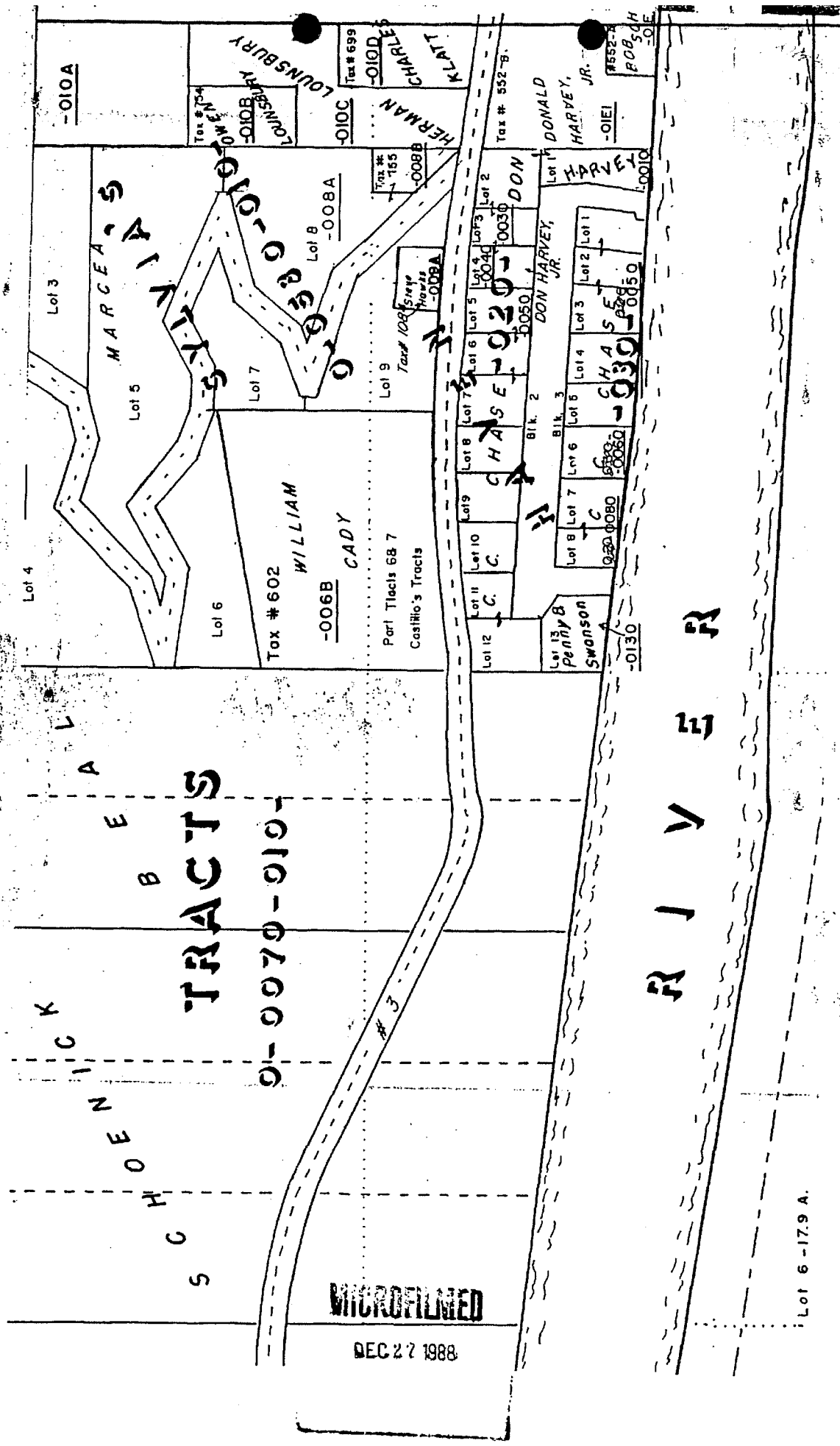
- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 19 89.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other: The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 6th day of October, 1988.

[Signature]
for Director

MICROFILMED

DEC 27 1988



MICROFILMED

DEC 27 1988

R I V E R

Lot 6 - 17.9 A.

Affidavit of Publication

STATE OF IDAHO
County of Benewah, ss.

Cynthia Ann Hammes, being first duly sworn on oath, deposes and says that she is vice president of The Corporation, owner of the St. Maries Gazette Record, a weekly newspaper printed and published at St. Maries, Benewah County, State of Idaho; the St. Maries Gazette Record is a newspaper having general circulation in Benewah county, State of Idaho, and has been continuously and uninterruptedly published in Benewah County, State of Idaho, during a period of more than seventy-eight consecutive weeks prior to the first publication of the notice of advertisement hereon.

That the notice, of which the one hereto attached is a true copy, was published in said newspaper for a period of 2 issues, the first publication being on the 17th day of Aug., 19 88 and the last on the 21st day of Aug., 19 88.

That said newspaper was regularly distributed to its subscribers during the time of the same period; that said notice was published in the regular and entire issue of said paper.

Dated this 26th day of Aug., 19 88

Cynthia Ann Hammes

STATE OF IDAHO }
COUNTY OF BENEWAH }

On this 26th day of Aug. in the year 19 88
before me, a Notary Public, personally appeared Cynthia Ann Hammes known or identified to me to be the person whose name subscribed to the within instrument, and acknowledged to me that she executed the same.

Sharon D. Blackburn

Notary Public
Residing at St. Maries, Idaho

**Application for water
right filed by Hawks**

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The Following application(s)
have been filed to appropriate the
public waters of the State of Idaho:
91-07102

Hawks, Steve
Rt 2 Box 86
St. Maries, ID 83861
Source: St. Joe River
Tributary: Coeur d'Alene Lake
Diversion Pt: Lot 1 (NENESE) Sec
7 T 46N R 02W
Use: Domestic (.020 CFS)
Date Filed: 7/22/1988
In: T46N R02W S07 Lot 1 (NESE)
The permit(s) will be subject to
all prior water rights. Protests
must be filed with the Director,
Dept. of Water Resources, North-
ern Region, Government Way Suite
9, Coeur d'Alene, Idaho 83814 on
or before September 6, 1988.
R. Keith Higginson, Director
No. 549 — Aug. 17-24.

OK
10/29/88

July 20, 1990

STEVE HAWKS
RT 2 BOX 86
ST. MARIES, ID 83861

RE: PERMIT NO. 91-07102

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECEIVED
JUL 20 1990

RECEIVED
JUN 27 1900

JUN 27 1990

Check List
for
Beneficial Use Field Report

Permit 91-07102

1. Name and address are most current available. (Check BU statement)

2. Exam Date

3. Source (Check Permit)

 1. & 2. (Rule 5,1,4)

1. Diversion System Diagram (Rule 5,1,3 / 5,1,4)
2. USGS (Rule 5,1,7 / 5,1,9) Aerial (Rule 5,1,17)
3. Word Picture (Rule 5,1,3 / 5,1,4)
4. Diversion (Rule 5,1,3)
5. Compare with USGS Map, Land Survey Maps, Aerial Photos and Permit.
6. Irrigation (Rule 5,1,8)

✓ E. FLOW CALCULATIONS Check math (Rule 5,1,13 / 5,1,14)

[illegible]

Three significant figures and no more than 1/10's (Rule 6,1,2)
Fish (Rule 5,1,11) number stock, homes, etc... (Rule 5,1,12)

✓ All actual uses listed; all permitted uses not used, also listed; (Rule 5,1,2):
 ✓ Overlaps (Rule 5,1,4):
 ✓ Return flows (Rule 5,1,5):
 ✓ Conditions (Rule 5,1,6).

1. Municipal (Rule 5,1,10): Compare with items E & G, permit, fee, capacity (Rule 5,1,15): Measured flows for each use listed separately (Rule 5,1,14). Period of year (Rule 5,1,13)
2. Compare permit to exam for amendments (Rule 5,1,16)

Name, Signature, Certification Date, Exam Date.

 Check with permit and well log for discrepancies

Signature

Date _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT SUPPLEMENT
C O N T E N T S

() B/U Acknowledgment Letter Sent

This Examination Report Contains the Following Documents.

(☒) Field Report (☒) Quad Sheet (☒) Gov. Lot Plat (☒) Rules Check list
() Aerial Photo () Photo PD/PU () Well Log

Number of Diagrams Attached _____ Number of Calculation Sheets Attached _____

() Correspondence (Date) _____

() Other (List) _____

Contacts: _____

Remarks: _____

The PD



Exam Completed By *Louis Johnson*

Date 8/8/89

Sr. Agent Review _____

Date _____

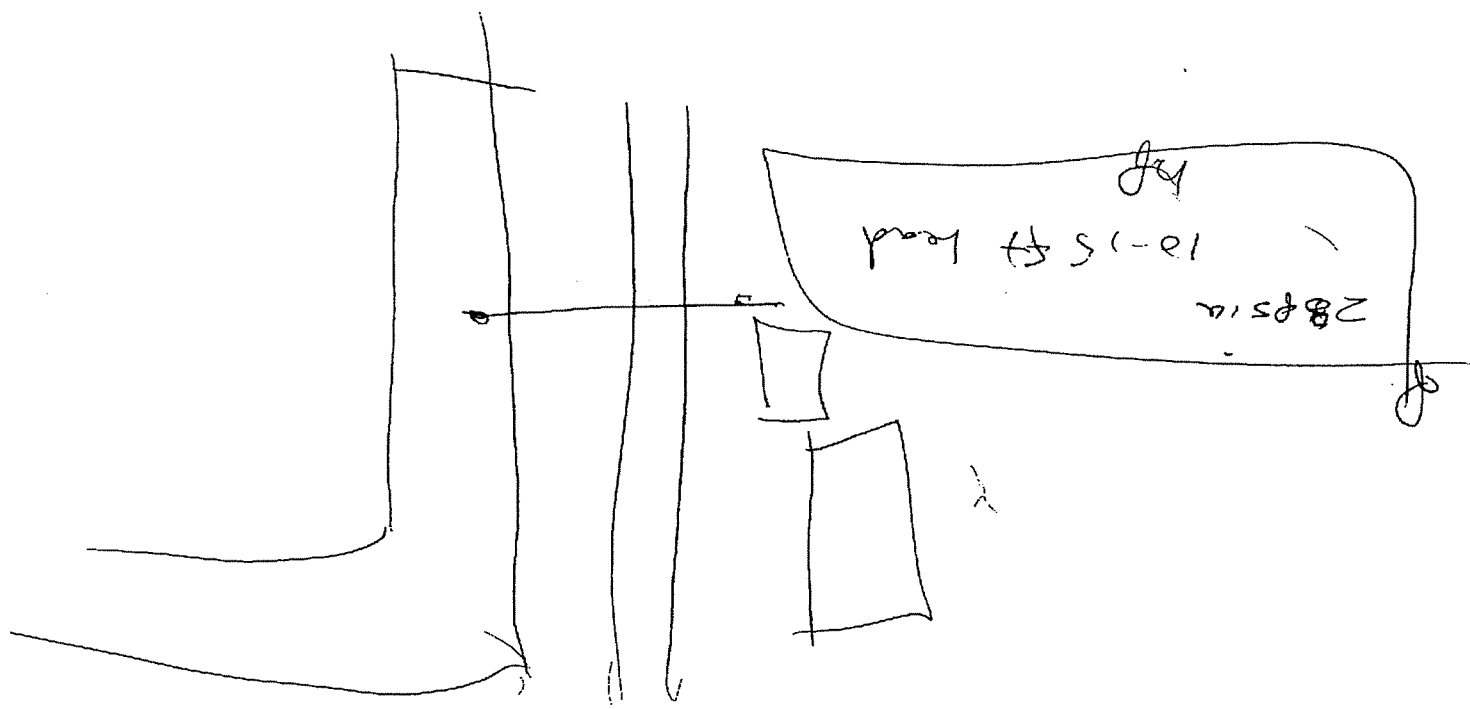
Regional Manager Review _____

Date _____

PERMIT NUMBER

91-07102

Unit 3370



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 27 1990

Department of Water Resources

A. GENERAL INFORMATION

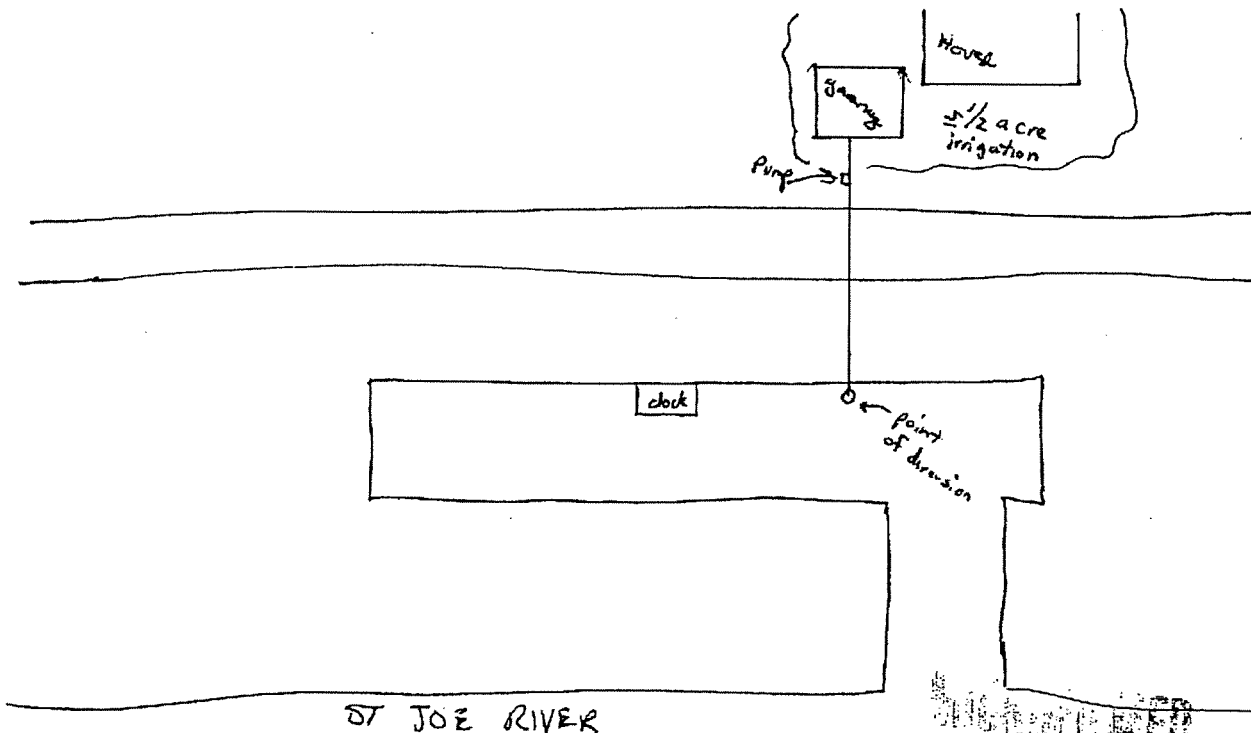
Permit No. 91-7109
1. Owner: Steve Hawks Phone No. 245-2403
Current Address: Rt 2 Box 86 St. Maries, Id 83861
2. Accompanied by: Mrs. Hawks EXAM. DATE: 7/26/89
Address: Same Phone No. Same
Relationship to Permit Holder: wife
3. Source: St. Joe River tributary to Coeur d'Alene Lk.

B. OVERLAP REVIEW

1. Other water rights with same place of use: NONE ☐ Copies Attached
2. Other water rights with same point of diversion: NONE ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = NTS

2. ☐ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required). ☐ Aerial Photo Attached (required for irrigation of 10 acres or more).
☐ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

pick up in pirate bay with 1 1/2" black PVC pipe across under road to Vesp pump. Water is then distributed through hoses and sprinklers.

☐ See Remarks on page 4 for continuation

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	TEEL	3 1/2	7	7	3" 1"

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

[illegible]

6. Place(s) of Use:

Indicate Method of Determination

[illegible]

Do not use this space

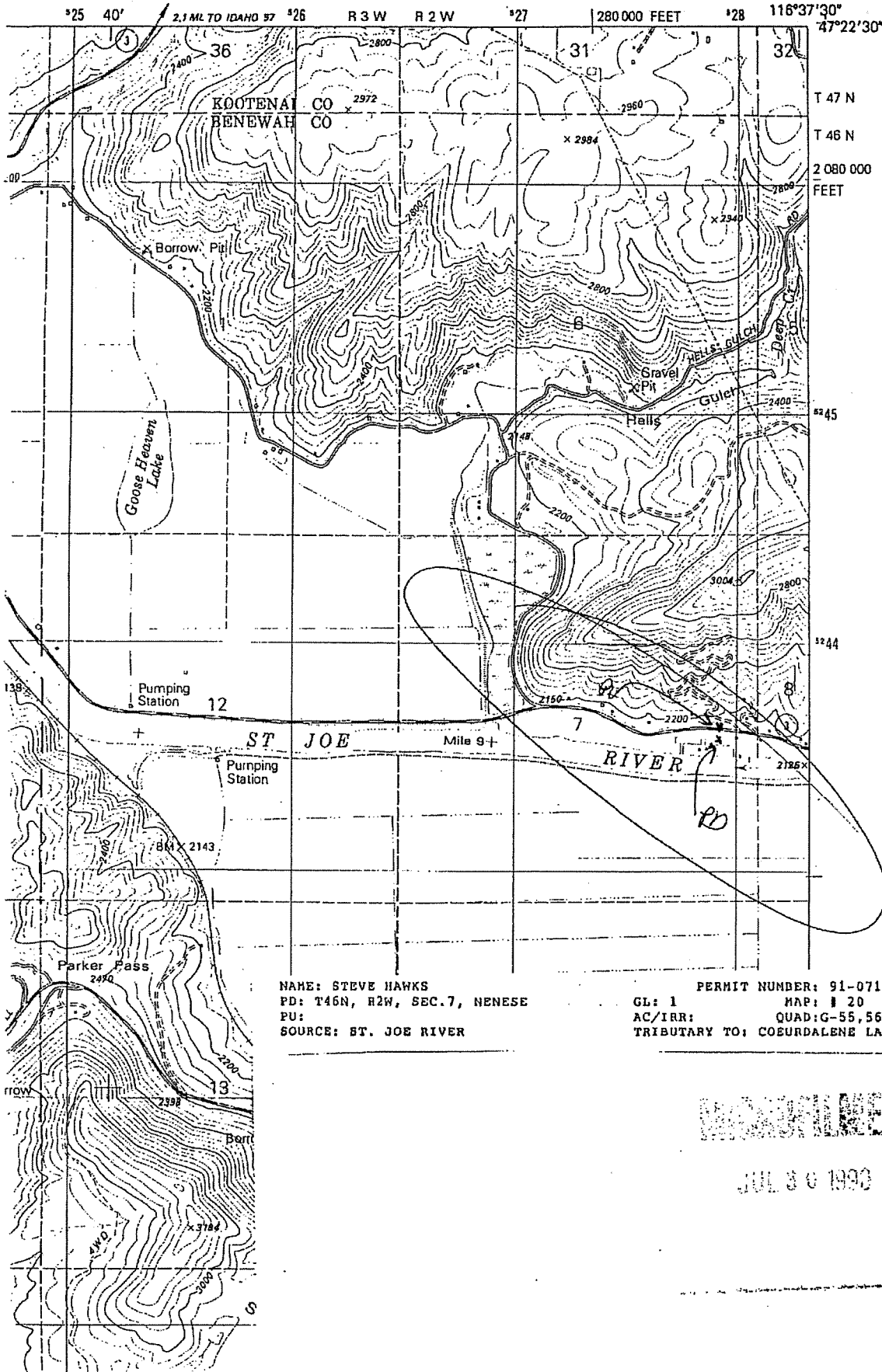
BENEWAH LAKE QUADRANGLE

IDAHO

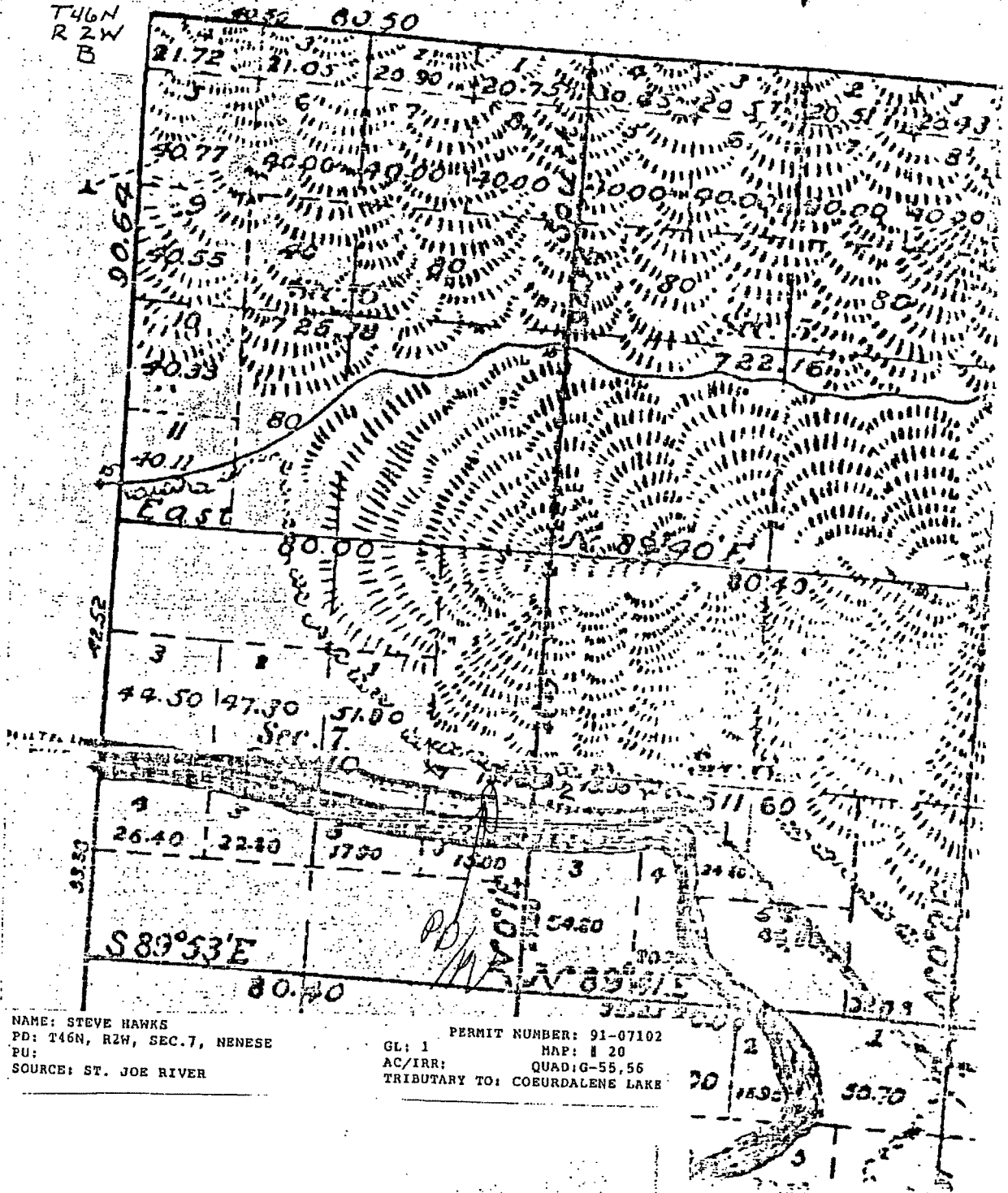
7.5 MINUTE SERIES (TOPOGRAPHIC)

SW/4 ST. MARIES 15' QUADRANGLE

2578 1 NE
(MEDMONT)



T46N
R2W
B



NAME: STEVE HAWKS
PD: T46N, R2W, SEC.7, NENESE
PU:
SOURCE: ST. JOE RIVER

PERMIT NUMBER: 91-07102
GL: 1 MAP: 8 20
AC/IRR: QUAD: G-55,56
TRIBUTARY TO: COEURDALENE LAKE

Do not use this space

D. FLOW MEASUREMENTS

NONE

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

$$Q = \frac{8.1 (.7) (\frac{1}{2})}{2.3(28) + 30} = .033 \text{ cfs} \quad \begin{matrix} 28 \text{ psi} \\ 30 \end{matrix}$$

2. Alternate Method for Checking Purposes:

limited to .02
by application

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

Domestic (1.2 cfs) 1 Home

JUL 10 1990

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Domestic Irrigation was all that was found.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (af)
Domestic	3/5 10/15	0.02 cfs	0.5 af

Totals: 0.02 cfs 0.6 af

2. Recommended Amendments

- ☐ Change P.D. as reflected above
☐ Change P.U. as reflected above
☐ Add P.D. as reflected above
☐ Add P.U. as reflected above
☒ None
☐ Other

J. AUTHENTICATION

Field Examiner's Name: Louis Sukarya
 Signature: *[Signature]*
 Certification Date: 2/17/89
 Field Report Preparation Date: 2/26/89

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.





State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 9 • 4055 Government Way • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

November 4, 1988

Mr. Steve Hawks
Rt. 2 Box 86
St. Maries, Id. 83861

Re: 91-7102

Dear Permitholder:

We acknowledge receipt of your statement of completion of water development use for the above-referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We do not know at this time when he will be able to conduct the examination; however, the examiner will try to contact you at the time he makes the examination so that you may show him the system. If you will not be available to show the system, please provide this office with the name and address of someone who will be able to do so. Your permit will remain valid until the examination is made.

If you have any questions concerning the field examination, please contact this office. Please be sure to use the above-referenced permit number in all future correspondence concerning this examination.

Sincerely,

/s/
TOM D. KING
Senior Water Resource Agent

TDK/pms



CDAT OBJ-7102 0029

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 91-7102

Date: 10/21/88

General Considerations:

Y Name same as permit
Y Signature the same as permit holder
N Address change _____ If yes, prepare a data entry
Y Proof received timely _____
_____ Reinstated

Source of Water:

Y Surface water
_____ Groundwater
_____ 1. well log in file
_____ 2. drilling permit
_____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

Y Rate of diversion appropriate for uses
Y Is rate or volume and fee appropriate?
Y Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

_____ Is a measuring device or access port required?
N/A Has one been installed?
_____ Waiver or modification of measuring device requested

Remarks:

Proof acceptable

N/A Priority Calculation:

Date proof received	_____	_____
Date proof due	_____	_____
No. of days late	_____	_____
Priority date	_____	+
NEW PRIORITY DATE	_____	_____

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

03/86

RECEIVED

OCT 19 1988

No Fee

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only

Fee Received _____

Date _____

Receipt # _____

Receipt by _____

Reviewed by SD

Sent to region _____

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 91-07102Name(s) of Permit Holder: Steve HawksPost Office Address: Rt. 2 Box 816 St. maries, Idaho 83861Telephone No. 245-2403Source of Water: ST. Joe River

Extent of Use:

Domestic 1 (number of households)

Stockwater _____ (number and type of stock)

Irrigation _____ (acres)

Other/Remark _____

Total rate and/or volume for which proof is submitted 0.02 cfs _____ acre-feetShow the date water was first diverted and beneficially used under this permit: 7-26-88Measuring Device: Required? ☐ Yes ☒ NoInstalled? ☐ Yes ☐ No

Fee enclosed \$ _____

(See License Examination Fee Schedule)

Flow Measurement Port: Required? ☐ Yes ☒ NoInstalled? ☐ Yes ☐ No

Person to contact to accompany the Department representative during the field examination:

(Name)

(Telephone Number)

(Address)

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

10-15-88

Date

Signature of Permit Holder (and title, if appropriate)

Steve Hawks MCM

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 334-7900
October 11, 1988

STEVE HAWKS
RT 2 BOX 86
ST. MARIES, ID 83861

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 91-07102

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed.

Sincerely,

Gary Spackman
Supervisor, Water Allocation Section

GS: SC
Enclosures

Form No. 202a.
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: JK DATE: 7/26/98 APPLICATION: 91-7102

REQUIRED INFORMATION

- ☒ Name: (If applicant is a corporation or partnership, names must be provided for the director, officers, and other partners.)
- ☒ Address:
- ☒ Source: (See USGS Quad for names of water sources)
- ☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☒ County:
- ☒ Quantity: (flow and/or volume)
- ☒ Period of use:
- ☒ Nature of proposed use: (Include description of use)
- ☒ Description of diverting works:
- ☒ Time required for beneficial use of water:
- ☒ Place of use or acres irrigated:
- ☒ Map:
- ☒ Signature: (If applicant is corp., partnership, or municipality title of signator is required)
- ☒ Fee:
- ☒ yes ☐ No* In form to receipt:

ADDITIONAL INFORMATION

YES NO

- ☐ ☐ Overlapping place of use: (Describe source & relationship to present application on the back.)
- ☒ ☐ Overlapping point of diversion:
- ☐ ☒ Field check required:
- ☐ ☒ Field check by: _____
- ☐ ☒ Field report attached: _____
- ☐ ☐ Critical groundwater area:
- ☐ ☐ Groundwater management area:
- ☐ ☐ Send dam safety information:
- ☐ ☐ Send power requirement letter:
- ☐ ☐ Send fish farm requirement letter:
- ☐ ☐ Power residency affidavit:
- ☐ ☐ Power efficiency form:
- ☐ ☐ Within trust water boundry: (If yes, attach Trust Water Supplementary Analysis Sheet.)
- ☐ ☐ Diversion greater than 5 cfs or 500 af: (If yes, attach Large Diversion supplementary analysis sheet.)
- ☐ ☐ Additional information on reverse side:

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

DATE REQUESTED: _____

SEP 23 1998

Department of Water Resources

PROCESSING

YES ☒ NO

In form for advertising:

Statewide advertising:

Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES NO

I.D. Health and Welfare

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

FINAL REGIONAL PROCESSING REVIEW

YES ☒ NO

Affidavit of publication received:

Application published correctly: If not, record action taken.

Publication dates and paper recorded on application:

Protests received, final date for protest

Protests, dates, resolution of protest recorded on application:

Recommendations attached:

Measuring device required:

Measuring port required:

Water delivered by water master? District #

Special conditions of approval or cover letter: (see additional info. below)

See Below For Additional Information

Recommended Date of Priority

Recommended by:

STATE OFFICE REVIEW

P/O 04

See below for additional information. By

Date

9/29/88

ADDITIONAL INFORMATION

91-07032 & 91-07184 - ALL SAME SAME P.O.



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 9 • 4055 Government Way • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

September 8, 1988

Dept. of Lands
Statehouse
Boise, Id. 83720

Re: 91-7102

Gentlemen:

Enclosed is a recent filing with this Department that may be of interest to your Agency.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager

RGH/pms

Enclosure





State of Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION, Suite No. 9 • 4055 Government Way • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Dear Claimant:

The Department of Water Resources acknowledges receipt of your water right application for permit.

This office is currently in the process of advertising the application in the local county newspaper. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to the final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Enclosed please find your receipt for the fee involved in filing this application.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager

RGH/pms
Enc. -- Receipt

RECEIVED
NORTHERN REGION

DEC 2 1988



91-07102

91-07102

HAWKS, STEVE
RT 2 BOX 86
ST. MARIES, ID 83861

Source: ST. JOE RIVER

Tributary: COEUR D ALENE LAKE

Diversion Pt: LOT 1 (NENESE) Sec 7 T 46N R 02W

Use: DOMESTIC (.020 CFS)

Date Filed: 7/22/1988

In: T46N R02W S07 Lot 1 (NESE)



PERKINS, JILL LRP005300100080A

BARNEY, SHARON R005300100080A

PERKINS, JILL LRP005300100080A

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HAWKS, STEVEN R005300100080A

THE MANNERS LIVING TRUST, LLC 00200090A

SCHMITZ, DELAN R005300100080A

PERKINS, JILL LRP005300100080A

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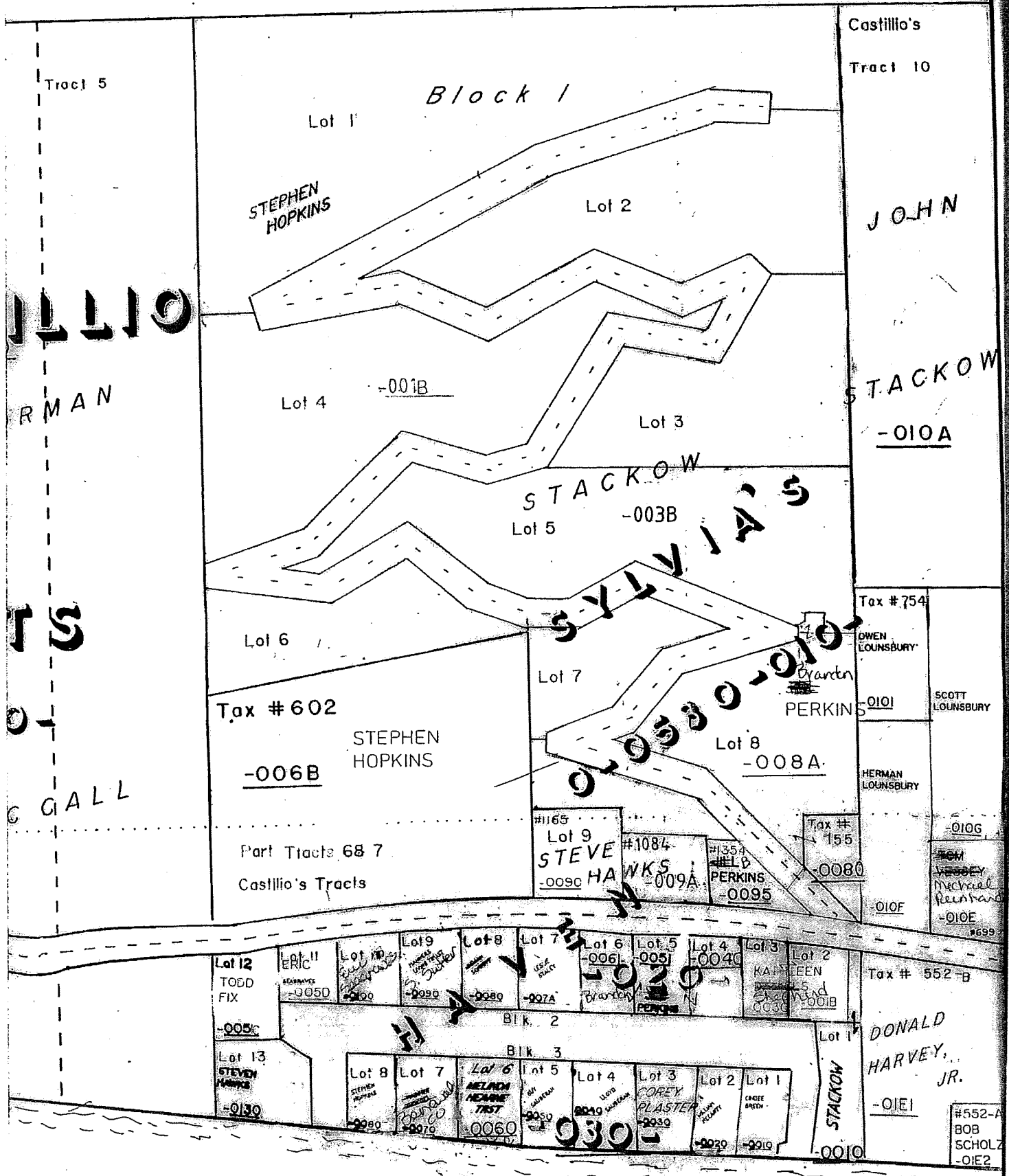
PERKINS, JILL LRP005300100080A

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PERKINS, JILL LRP005300100080A







1/19/16

PAO410 - PARCEL MASTER INQUIRY

11:17:37

PARCEL: RP 005300200130 A

F9=MS

F17=DD F19=SP

LEGAL DESCRIPTION

HAWKS, STEVEN W
HAWKS, DEANNE A

SYLVIA'S HAVEN

BLOCK 2

LOT 13

ProVal Area Number 1

89231 HWY 3 NORTH

CODE AREA 26-0000 OWNER CD

ST MARIES ID 83861

PARC TYPE LOC CODE 1

100 FRONTAGE LANE

EFFDATE 12231982 EXPDATE

83861

PREV PARCEL

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
15	2011			83250				
32	2011			6360				

TOTALS

89610

ENTER NEXT PARCEL NUMBER RP A

FKeys:

F3=Exit

F6=NM

F7=LG

F8=CT

F13=TM

F18=HS

F20=SrcH

1. CORRECTION DEED

TO HAVE AND TO HOLD, all and singular the above-mentioned and described premises together with the appurtenances unto the Parties of the Second Part, and to their heirs, devisees and assigns forever.

And the Parties of the First Part, and their heirs, shall and will WARRANT and by these presents forever DEFEND the premises

That the parties of the first part, for and in consideration of the sum of one and no/100 Dollars (\$1.00) to them in hand paid by the said parties of the second part, the receipt thereof is hereby acknowledged, does hereby grant, sell and convey to the parties of the second part and their heirs, devisees and assigns forever the following described real property situated in the County of Benewah, State of Idaho, to-wit:

WILSON J. L.

THIS INDENTURE, made and entered into this 27th day of JULY, 1993, by and between EUPHIMIA PENNY and RAY A. SWANSON and MINA I. SWANSON, the parties of the first part and STEVE W. HAWKS and DEANNE A. HAWKS, the parties of the second part, whose address is HC-02 Box 86, St. Maries, ID 83861.

CORRECTION DEBIT

0193977

2. CORRECTION DEED

On this 29th day of July, 1993, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared, KAY A. SWANSON and MINA L. SWANSON, to me known to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same as their free and voluntary act and deed for the purposes therein specified.

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

NOTARY PUBLIC
STATE OF IDAHO

[Signature]
Notary Public in and for Idaho
Residing at: *[Signature]*, therein
Commission expires: 07/08/99

On this 29th day of July, 1993, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared, EUPHEMIA PENNEY, to me known to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same as her free and voluntary act and deed for the purposes therein specified.

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

NOTARY PUBLIC
STATE OF IDAHO

[Signature]
Notary Public in and for Idaho
Residing at: *[Signature]*, therein
Commission expires: 07/08/99

STATE OF IDAHO)
County of Shoshone)
ss:)

MINA L. SWANSON
[Signature]

EUPHEMIA PENNEY
[Signature]

KAY A. SWANSON
[Signature]

IN WITNESS WHEREOF, the Parties of the First Part have hereunto set their hands the day and year first above written.

in the quiet and peaceable possession of the Parties of the Second Part, their heirs, devisees and assigns against all and every person or persons whomsoever lawfully claiming the same.

1/19/16

PAO410 - PARCEL MASTER INQUIRY

11:16:53

PARCEL: RP 005300300080 A

F9=MS

F17=DD F19=SP

LEGAL DESCRIPTION

HOPKINS, STEPHEN G
HOPKINS, EDITH M

SYLVIA'S HAVEN
BLOCK 3
LOT 8

ProVal Area Number 1

CODE AREA 26-0000 OWNER CD

PARC TYPE LOC CODE 1

EFFDATE 4132005 EXPDATE

PREV PARCEL RP005300200070T

3114 EDSON TERRACE

BOISE ID 83705

88 LAGOON LANE 83861

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
15	2011			90768				
32	2011			3900				

TOTALS

94668

ENTER NEXT PARCEL NUMBER RP A

FKeys:

F3=Exit

F6=Nm

F7=LG

F8=CT

F13=TM

F18=HS

F20=SrcH

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
831 Main Avenue
St. Maries, ID 83861

242463

RECEIVED

2006 MAY 2 PM 3 52

BENEWAH COUNTY

KAY SATHER, CLERK

Shirley Schmitz Deputy
TOLSON

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **157566-SM (ps)**

Date: **April 17, 2006**

For Value Received, **Dean A. Anderson, an unmarried man**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Stephen G. Hopkins and Edith M. Hopkins, husband and wife**, hereinafter called the Grantee, whose current address is **3114 Edson Terrace, Boise, ID 83705**, the following described premises, situated in **Benewah County, Idaho**, to-wit:

Lot 8, Block 3, Sylvia's Haven, according to the plat recorded in Benewah County, Idaho.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

242463

Date: 04/17/2006

Warranty Deed
- continued

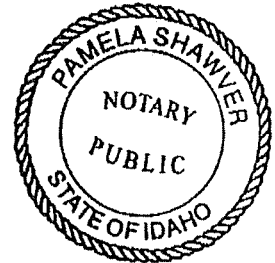
File No.: 157566-SM (ps)

Dean A. Anderson
Dean A. Anderson

STATE OF Idaho)
SS.
COUNTY OF Benewah)

On this 27th day of May, 2006, before me, a Notary Public in and for said State, personally appeared **Dean A. Anderson**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Pamela Shawver
Notary Public for the State of Idaho
Residing at: St. Maries
My Commission Expires: 1-20-10



1/20/16

PA0410 - PARCEL MASTER INQUIRY

12:27:06

PARCEL: RP 004500200810 A

F9=MS

F14=HO

F17=DD F19=SP

LEGAL DESCRIPTION

RATHBUN LIVING TRUST
RATHBUN, GORDON G-TRUSTEE
RATHBUN, RUTH B-TRUSTEE

SHADOWY ST JOE LAGOON 1ST ADD
LOT 81
S16 T46N R2W

PO BOX 727

ProVal Area Number 1

CODE AREA 26-0000 OWNER CD

PARC TYPE 8 LOC CODE 1

ST MARIES ID 83861

EFFDATE 1011994 EXPDATE

1710 SHEPHERD ROAD 83861

PREV PARCEL RP004500200810A

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
15	2011			110000	110000	37080		
32	2011			21990				
37	2011			155747	155747	52500		

TOTALS

287737 265747 89580

ENTER NEXT PARCEL NUMBER RP A

FKeys:

F3=Exit

F6=Nm

F7=LG

F8=CT

F13=TM

F18=HS

F20=SRch

SURVEYOR'S CERTIFICATE

I, Darrell C. Meyer, a Registered Land Surveyor in and for the State of Idaho, do hereby certify that I do, during the months of July - October, 1983, survey and establish the described tracts and set monuments as shown.

Darrell C. Meyer
12/3/83

1ST ADDITION TO SHADOWY ST JOE LAAGOON

A Subdivision of Portions of

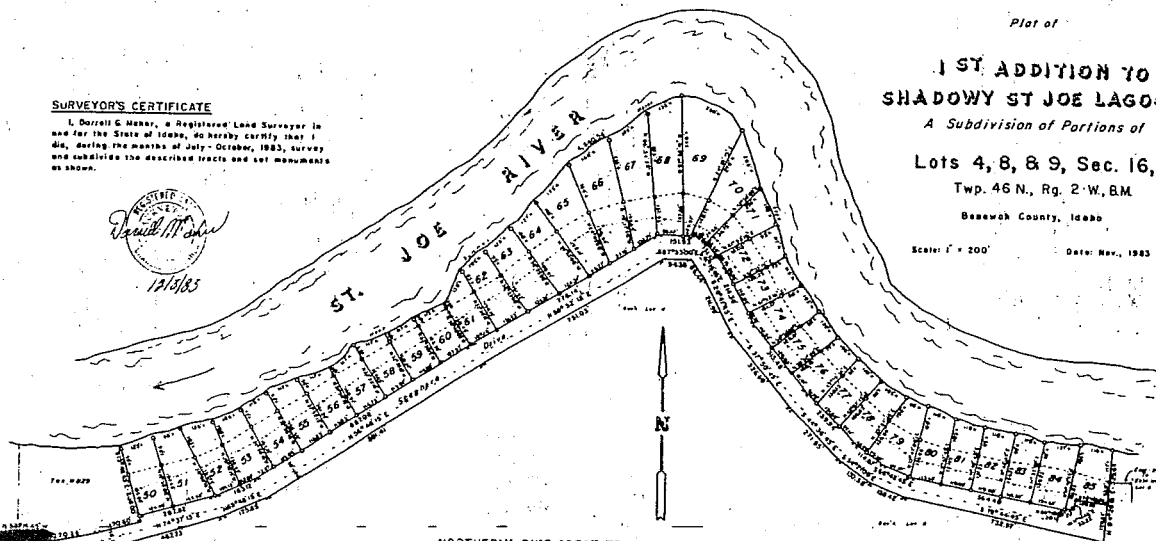
Lots 4, 8, & 9, Sec. 16,

Twp. 46 N., Rg. 2 W., B.M.

Bannock County, Idaho

Scale: 1" = 200'

Date: Nov., 1983



NORTHERLY DIKE CREST TRAVERSE

Traverse Lot No.	Bearing	Distance
30	N 73° 41' 45" E	124.00
31	N 70° 12' 45" E	123.38
32	N 68° 21' 15" E	123.38
33	N 64° 08' 30" E	123.38
34	N 58° 04' 15" E	123.38
35	N 52° 32' 30" E	123.38
36	N 46° 54' 15" E	123.38
37	N 41° 15' 45" E	123.38
38	N 35° 42' 15" E	123.38
39	N 30° 15' 45" E	123.38
40	N 24° 45' 15" E	123.38
41	N 19° 15' 45" E	123.38
42	N 13° 45' 15" E	123.38
43	N 8° 15' 45" E	123.38
44	N 2° 45' 15" E	123.38
45	N 0° 15' 45" E	123.38
46	N 359° 45' 15" E	123.38
47	N 354° 15' 45" E	123.38
48	N 348° 45' 15" E	123.38
49	N 343° 15' 45" E	123.38
50	N 337° 45' 15" E	123.38
51	N 332° 15' 45" E	123.38
52	N 326° 45' 15" E	123.38
53	N 321° 15' 45" E	123.38
54	N 315° 45' 15" E	123.38
55	N 310° 15' 45" E	123.38
56	N 304° 45' 15" E	123.38
57	N 299° 15' 45" E	123.38
58	N 293° 45' 15" E	123.38
59	N 288° 15' 45" E	123.38
60	N 282° 45' 15" E	123.38
61	N 277° 15' 45" E	123.38
62	N 271° 45' 15" E	123.38
63	N 266° 15' 45" E	123.38
64	N 260° 45' 15" E	123.38
65	N 255° 15' 45" E	123.38
66	N 249° 45' 15" E	123.38
67	N 244° 15' 45" E	123.38
68	N 238° 45' 15" E	123.38
69	N 233° 15' 45" E	123.38

DESCRIPTION

A portion of Government Lots 4, 8, and 9 of Section 16, Township 46 North, Range 2 West, B.M. Also being a portion of the tract described in a deed recorded as Instrument Number 14872 in Book 100, Page 379. The boundary of said portion is described as follows:

Beginning at the intersection of the west line of said Section 16 with the southerly boundary of said tract, said point being N 00° 15' E - 743.47 feet from the southwest corner of said Section. Said point also being the southeast corner of Shadowy St Joe Lagoon, a recorded Subdivision in Bannock County. Running thence

S 88° 19' 45" E a distance of 17.30 feet, N 78° 40' 15" E a distance of 279.22 feet, S 88° 19' 45" E a distance of 467.23 feet, N 63° 45' 15" E a distance of 172.48 feet, N 74° 37' 15" E a distance of 881.41 feet, N 58° 46' 15" E a distance of 751.03 feet, S 87° 33' 00" E a distance of 84.35 feet, S 41° 15' 45" E a distance of 96.44 feet, S 28° 40' 15" E a distance of 211.69 feet, S 37° 50' 45" E a distance of 318.80 feet, S 44° 36' 45" E a distance of 271.55 feet, S 54° 21' 00" E a distance of 130.38 feet, S 86° 42' 45" E a distance of 128.42 feet, S 78° 44' 45" E a distance of 732.97 feet, N 04° 22' 15" E a distance of 318.64 feet to a point on the mean summer water line of the Left bank of the St. Joe River, thence northerly and southwesterly along said river bank a distance of 4,540.54 feet to the northeast corner of Bannock County Assessor's Tax No. 819 as recorded in Book 100, Page 858.0, Bannock County Record, thence S 15° 48' 45" E, along the east line of said Tax No., a distance of 208.00 feet to the north edge of a 60-foot wide roadway, thence S 74° 37' 15" W, along said roadway edge, a distance of 170.60 feet, thence S 78° 40' 15" W, a distance of 270.26 feet, thence N 88° 18' 45" W a distance of 12.32 feet to a point on said west line of Section 16, thence S 00° 15' E a distance of 60.00 feet to the point of beginning. Enclosing an area of 33.42 acres.

NOTE: The shown bearings are based on the adjusted bearings of St. Joe River Government Township. To correlate prior deed bearings to this base, rotate them 00° 03' 45" counterclockwise.

1. The right of citizens to participate in public affairs and to elect their representatives to public office.
2. The right of citizens to elect their representatives to public office.
3. The right of citizens to elect their representatives to public office.
4. The right of citizens to elect their representatives to public office.
5. The right of citizens to elect their representatives to public office.
6. The right of citizens to elect their representatives to public office.
7. The right of citizens to elect their representatives to public office.
8. The right of citizens to elect their representatives to public office.
9. The right of citizens to elect their representatives to public office.
10. The right of citizens to elect their representatives to public office.

COUNTY COMMISSIONERS APPROVAL

This plan approved and accepted by the Board of Commissioners
of Buchanan County, Oregon, this _____ day of September,
1968.

Attest:

County Clerk

Notary Public

SAINTARY RESTRICTION REMOVAL

THE ABOVE SANITARY RESTRICTION IS HEREBY REMOVED IN THE

DATE 12th day of 09th month 1941

BY THE HEALTH OFFICER

Signature

Sanitary Restriction Removal

263238

AFTER RECORDING MAIL TO:

RECEIVED

Gordon Rathbun and Ruth Rathbun
1710 Shephard Rd
St. Maries, ID 83861

2012 AUG 1 AM 10 38

BENEWAH COUNTY
MICHELE MCDANIEL, CLERK

Gordon Rathbun - Sept 5
TO FATHO.

QUITCLAIM DEED

File No.: 425883-SM (ps)

Date: July 05, 2012

For Value Received, **Gordon G. Rathbun and Ruth B. Rathbun**, do(es) hereby convey, release, remise, and forever quit claim unto **Rathbun Living Trust**, whose address is **1710 Shephard Road St. Maries ID 83861**, herein after called the Grantee, the following described premises situated in **Benewah County, Idaho**, to-wit:

Lot 81, Shadowy St. Joe Lagoon First Addition, according to the recorded plat thereof, Benewah County, Idaho.

together with its appurtenances.

Dated: 7/27/12

By: *Gordon G. Rathbun*
Gordon G. Rathbun

By: *Ruth B. Rathbun*
Ruth B. Rathbun

STATE OF Idaho)
SS.
COUNTY OF Benewah)

On this 27th day of July, 2012, before me, a Notary Public in and for said State, personally appeared **Gordon G. Rathbun and Ruth B. Rathbun**, known or identified to me to be the person(s) whose name(s) ARE subscribed to the within instrument, and acknowledged to me that THEY executed the same.

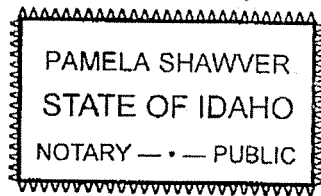
263238

APN:

Quitclaim Deed - continued

File No.: 425883-SM (ps)

Date: 07/05/2012

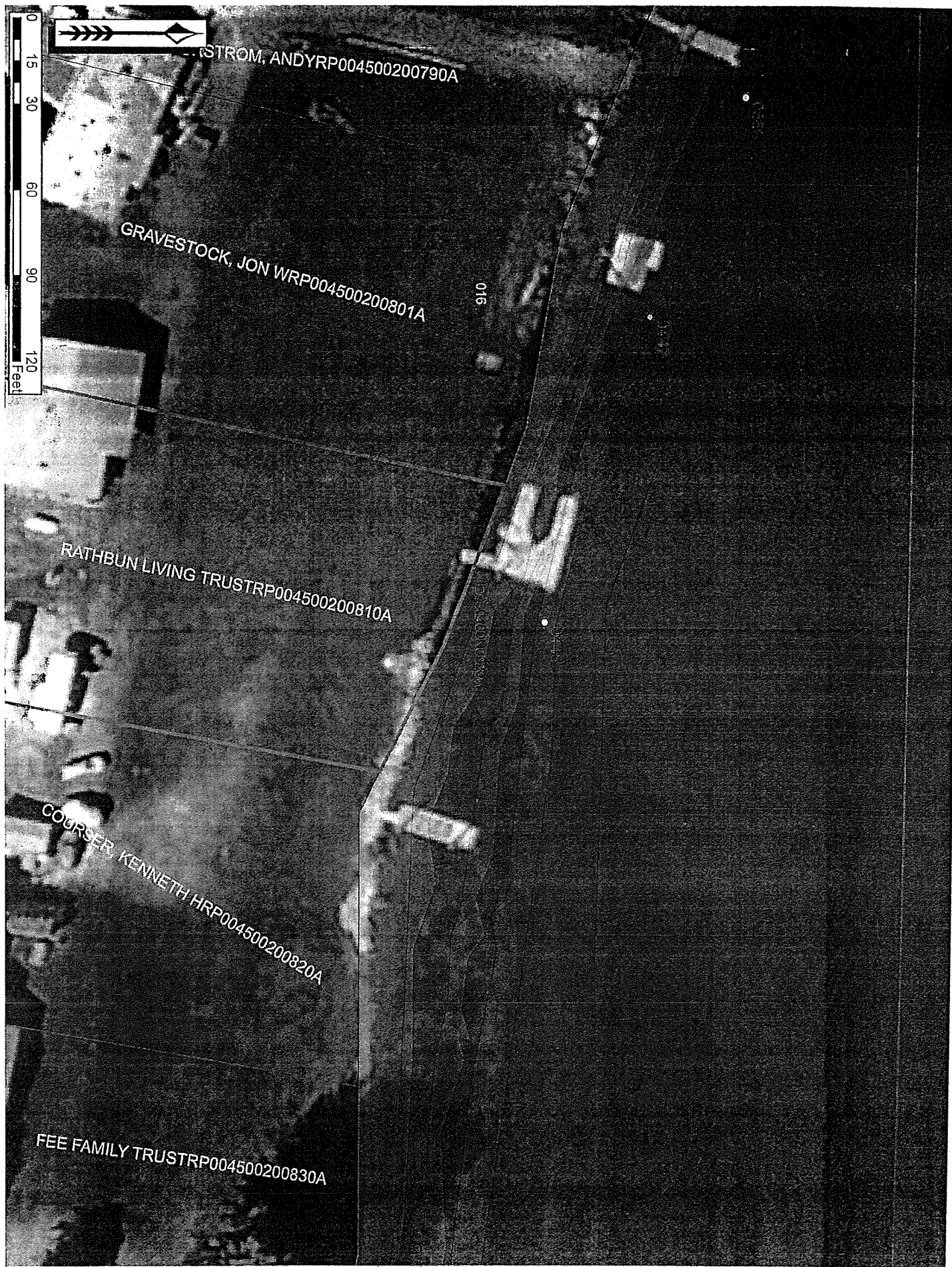


Pamela Shawver

Notary Public of Idaho

Residing at: St. Maries

Commission Expires: 1-20-2016



Chadwell Ct. 1st 1/2 Sec 15 Add 1st 91 S16T46N R2W



A Pioneer Company
PIONEER TITLE COMPANY
OF KOOTENAI COUNTY

100 Wallace Avenue/ Coeur d Alene, Idaho 83814 / (208) 664-8254

L-95-5-4339

Encroachment/Dock Permit Inquiry

Department of Lands

ATTN: Carl Washburn

FAX: 769-1597

Current Owner: L. Eric Christen

Property address: NWA St. Maries Id.

Lot 12 Block 2

Subdivision Sylvia's Haven

Legal Description: Same

Tax No. RP00330020005CA B/N: _____

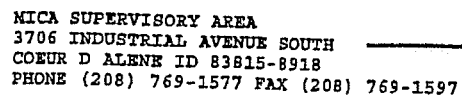
To be completed by IDL:

PERMIT NO. L-95-5-4339

No dock permit found ☐

PLEASE RETURN BY FAX TO 208-664-9479

Heidi Simon



FAX TRANSMITTAL COVER SHEET

Remarks:

NOTICE: This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this notice is not the intended recipient or the agent responsible for delivery of the message to the intended recipient, you are hereby notified that dissemination, distribution, or copying of this communication is strictly prohibited. If you received this communication in error, please notify us immediately by phone and return these papers to us.

CDAT OBJ-7102 0056

IDAHO DEPARTMENT OF LANDS

1910 NW Blvd., Suite 201
Coeur d'Alene, Idaho 83814-2615
Phone: (208) 769-1535 FAX (208) 769-1557

STANLEY F. HAMILTON - DIRECTOR

BOARD OF LAND
COMMISSIONERS

PHILIP E. BATT
Governor

PETE T. CENARRUSA
Secretary of State

ALAN G. LANCE
Attorney General

J.D. WILLIAMS
State Controller

ANNE C. FOX
Sup't of Public
Instruction

August 15, 1997

Steve Hawks
HCR 2 Box 86
St. Maries, ID 83861

Dear Mr. Hawks:

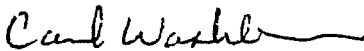
Re: Encroachment Permit L-95-S-4339

Enclosed is subject permit in accordance with the application you filed with this office. Please comply with all special terms and conditions.

You are required to record this original notarized permit with Benewah County. Encroachment permit number 4339 must be displayed upon the most waterward area of your encroachment with metal, plastic or vinyl numerals at least three inches in size.

Thank you for your cooperation.

Sincerely,



CARL WASHBURN
Navigable Waters Specialist

mc

enclosures

c: COE-CDA
Harrison Dock Builders

COPY

KEEP IDAHO GREEN
PREVENT WILDFIRE

EQUAL OPPORTUNITY EMPLOYER

CDAT OBJ-7102 0058

IDAHO DEPARTMENT OF LANDS

1910 NW Blvd., Suite 201
Coeur d'Alene, Idaho 83814-2615
Phone: (208) 769-1535 FAX (208) 769-1557

STANLEY F. HAMILTON - DIRECTOR

BOARD OF LAND
COMMISSIONERS

PHILIP E. BATT
Governor

PETE T. CENARRUSA
Secretary of State

ALAN G. LANCE
Attorney General

J.D. WILLIAMS
State Controller

ANNE C. FOX
Sup't of Public
Instruction

ENCROACHMENT PERMIT NO. L-95-S-4339

Permission is hereby granted to STEVE HAWKS
of HCR 2 Box 86 St. Maries, ID 83861 to install and maintain
2.5' x 20' ramp & 8' x 30' float dock w/ 4 piling
located: St. Joe River, Sylvia's Haven, Block 2, Lot 12, Section 7,
Township 46 North, Range 2 West, Boise Meridian, Benewah County.

1. All applicable provisions of the Rules for Regulation of Beds, Waters, and Airspace over Navigable Lakes and Streams in the State of Idaho are incorporated herein by reference and made a part hereof.
2. Construction will follow details and specifications shown on the approved drawings and data provided by the applicant. Should such information and data prove to be materially false, incomplete and/or inaccurate, this authorization may be modified, suspended, or revoked in accordance with the Administrative Procedures Act, Idaho Code title 67, chapter 52.
3. This permit does not convey the State's title to or jurisdiction or management of lands lying below the natural or ordinary high water mark.
4. Acceptance of this permit constitutes permission by the Permittee for representatives of the Department of Lands to come upon Permittee's lands at all reasonable times to inspect the encroachment authorized by this permit.
5. The Permittee assumes all liability for damages which may result from the exercise of this permit.
6. This permit does not relieve the Permittee from obtaining additional local or federal permits as required.
7. This permit is not valid until the identification number is displayed on the outermost area of the encroachment.
8. If the activity authorized herein is not completed on or before the 15th day of August, 2000 (three years from the date of issuance), this permit shall automatically expire unless it was previously revoked or otherwise extended.

KEEP IDAHO GREEN
PREVENT WILDFIRE

EQUAL OPPORTUNITY EMPLOYER

CDAT OBJ-7102 0059

9. White bead foam flotation shall be completely encased in a manner that will maintain the structural integrity of the foam. The encasement shall be resistant to the entry of rodents.
10. Removal of any pre-existing facilities is a condition of this permit.
11. This permit supersedes and voids any permit previously issued for this property unless otherwise noted.
12. Construction materials shall be natural or pressure treated utilizing only those preservative chemicals registered for the specific uses, such as CCA (Chromated Copper Arsenate), by the U.S. Environmental Protection Agency (EPA). All treated wood materials shall be produced in compliance with "Best Management Practices (BMPs) For the Use of Treated Wood in Aquatic Environments" issued by the Western Wood Preservers Institute (WWPI), July 1996. Treated materials not in contact with the water shall be completely dry before use near navigable waters. Contact Idaho Department of Health and Welfare, Division of Environmental Quality, at (208)769-1422 with questions regarding treated materials.
13. All construction material must be stockpiled landward of the ordinary high water mark.
14. Regardless of dock dimensions, the dock may only extend waterward to a water depth of six feet when measured at full pool (elevation 2,128 WWP datum).
15. This permit is issued subject to the established commercial navigational servitude. The permittee places this encroachment at his own peril and specifically waives any claim against commercial log tow operators who may accidentally damage this encroachment.
16. The permittee shall maintain the structure or work authorized herein in a good and safe condition and in accordance with the plans and drawings attached hereto.
17. All construction shall be completed in accordance with descriptions and methods provided unless otherwise specified. Any changes shall be approved in writing by the department prior to construction.

ENCROACHMENT PERMIT NO. L-95-S-4339
August 15, 1997
Page three

ENCROACHMENT PERMIT NO. L-95-S-4339

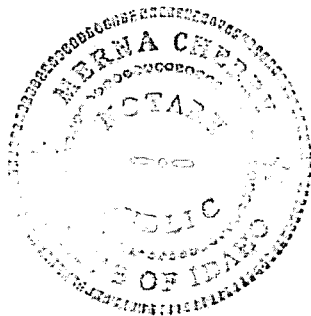
UPON TRANSFER OF THIS REAL PROPERTY, YOU ARE REQUIRED TO NOTIFY THIS
OFFICE OF THE SUBSEQUENT NAME CHANGE (SEE ENCLOSURE).

FOR THE DIRECTOR

By: Carl Washburn
CARL WASHBURN
Navigable Waters Specialist

STATE OF IDAHO)
) ss
COUNTY OF KOOTENAI)

Subscribed and sworn to before me this 15th day of
August, 1997.



Merna Cherry
Notary Public for Idaho
Residing at Post Falls, Idaho
Commission expires: 1/24/98

ID. Dept. of Lands
1910 NW Blvd. Ste. #201
Coeur D'Alene ID. 83814

JOINT APPLICATION FOR PERMIT
U.S. ARMY CORPS OF ENGINEERS
IDAHO DEPARTMENT OF WATER RESOURCES
IDAHO DEPARTMENT OF LANDS

**SEPARATE PERMIT DECISIONS, MUST BE
RECEIVED FROM BOTH THE STATE OF
IDAHO AND THE CORPS OF ENGINEERS
PRIOR TO START OF WORK**

The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. These laws require permits authorizing structures and work in or affecting navigable waters of the United States and the discharge of dredged or fill material into waters of the United States, including their adjacent wetlands. State permits are required under the State of Idaho. Stream Channel Protection Act (Title 42, Chapter 38, Idaho Code) and the Idaho Lake Protection Act, Section 58-142 et. seq, Idaho Code. This application will meet the requirements of the above agencies.

1. Corps of Engineers # _____ Date Received _____	2. State of Idaho # <u>2-75-3-4339</u> Date Received _____ \$20 Rec'd By: _____ Receipt # _____
--	---

PLEASE TYPE OR PRINT

3. Applicant STEVE HAWKS
Mailing Address HCE 2 BOX 86
ST. MARIES ID 83861
Work Phone ^{Area} (208) 2452403 Home ^{Area} () SAME
Fax Number _____

4. Authorized Agent ^{Planned installer of pilings} HARRISON DOCK BUILDERS
Mailing Address HWY 97
HARRISON, ID
Work Phone ^{Area} (208) 699 3036 Home ^{Area} ()

5. Location where proposed activity exists or will occur.

Waterway ST. JOE RIVER
ST. MARIES BENEWAH ID
In/near city or town _____ County _____ State _____
Zip Code 83861 Local jurisdiction (city or county) COUNTY

Tributary of: RP 005300200130 A
Assessor's Desc. (Tax No. or Subdivision, Lot & Block No.)
* Lot 12, Bk 2, Sylvia's Haven * (See instructions)
7 46N 2W or
1/4 1/4 Section Township Range
UTM Coordinate Grid
Zone _____ Northing _____ Easting _____

6. Describe the proposed activity. Provide a general description of the proposed work including all discharges of fill material and any structures such as piers, floats, boat lifts, bulkheads, and cofferdams.

- INSTALL FOUR PILINGS NEXT TO EXISTING PILINGS 1997
- REPLACE EXISTING DOCK 1998

Describe construction methods and equipment:

- PILINGS = PILE DRIVER & BARGE

- DOCK = LOG FLOATS / TREATED TIMBER

List all soil series located at project site, and indicate if any are on the county's hydric soils list:

N/A

Length of project along the stream or extension into lake or reservoir: 30'

Will material be placed waterward of ordinary high water mark? NO If yes, volume: _____ (cubic yards)
(BOTH TEMPORARY AND PERMANENT)

Will material be placed in wetlands? NO If yes, total area: _____ (acres)

Type and composition of fill material: N/A (i.e. sand, etc.) Material Source: _____

Will excavation or dredging be required? NO If yes, volume: _____ (cubic yards) Composition: _____

Disposal site for excavated material: N/A Method of excavation: _____

Stream gradient: N/A

Method of controlling turbidity and/or sedimentation: N/A

7. Size and flow capacity of proposed bridge or culvert and area of drainage served (sq. miles): (Idaho Department of Water Resources requirement.)

8. Preparation of drawings. One set of original or good quality reproducible drawings must be attached to this application. NOTE: DRAWINGS NO LARGER THAN 8-1/2 X 11 INCHES IN SIZE. See the instruction pamphlet for instructions and a checklist for completing the drawings. Include photographs of the project site mounted on 8-1/2 x 11 sheets.

9. Purpose and intended use: Commercial _____ Public _____ Private X Other _____ Describe _____

Necessity and justification for project REINFORCE EXISTING PILING / Dock Not Safe

10. Proposed Starting Date AUG 97 = PILING Estimated Duration 1 DAY

11. If any portion of the activity is complete, indicate month and year of completion SPRING 98 = DOCK / 2 WKS.
Indicate the existing work on the drawings. N/A

12. Names, addresses, and telephone numbers of adjoining property owners, lessees, etc., whose property also adjoins the waterway
Bud McCall Fernwood, ID 83830 208-245-2026 Both signed
Cy Chase 305 Lincoln St. Maries ID 83861 208-245-2057 County map to
OK project

☐ Check here if the alteration is located on endowment lands administered by the Idaho Department of Lands

13. LEGAL OWNER IF OTHER THAN APPLICANT N/A

Mailing Address _____ City, State, Zip Code _____
Area _____ Area _____
Phone _____ Work(_____) _____ Home(_____) _____

14. List other applications, approvals, or certifications from other Federal, interstate, state, or local agencies for any structures, constructions, discharges, deposits, or other activities described in the application.

Issuing Agency	Type of Approval	Identification No.	Date of Application	Date of Approval
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

15. Has any agency denied approval for the activity described herein or for any activity directly related to the activity described herein? Yes _____ No ✓
(If "Yes" explain) _____

16. Remarks or additional information: _____

17. Application is hereby made for a permit or permits to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief, such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agencies to which this application is made, the right to come upon the above-described location to inspect the proposed or completed work.

28 June 97
Date

Steve Hawks
Signature of Applicant (ORIGINAL SIGNATURE REQUIRED)

19. If an authorized agent is to be designated, Item 4 and the following information should be completed.

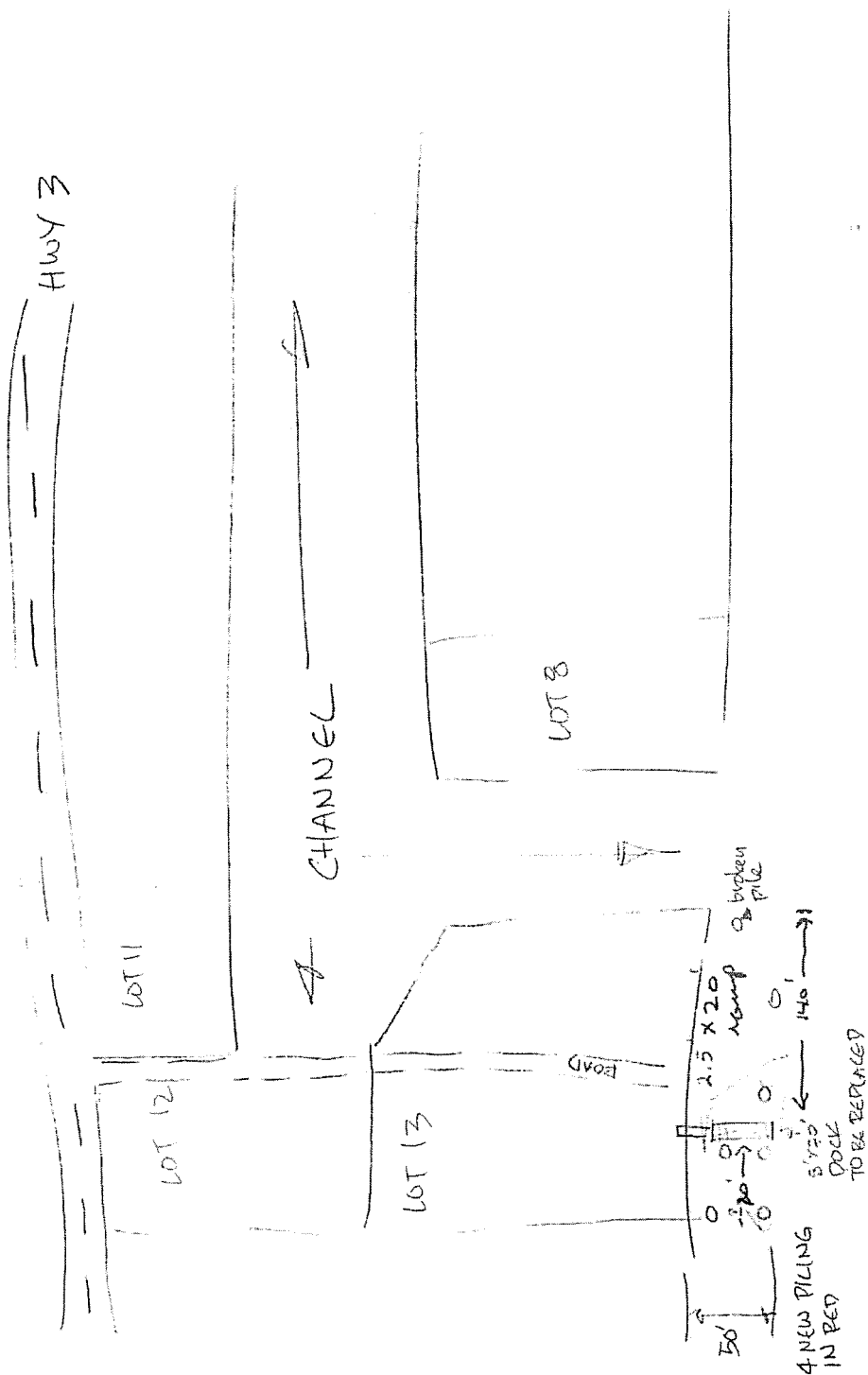
I hereby designate _____ to act as my agent in matters related to this permit application. I understand that if a Federal permit is issued, I must sign the permit.

Date _____ Original Signature of Authorized Agent _____ Original Signature of Applicant _____

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years or both. Do not send a Federal permit processing fee with this application. The appropriate fee will be assessed when a permit is issued.

DO NOT SEND FEDERAL PROCESSING FEE WITH APPLICATION

ST. JOE RIVER



ST. JOE RIVER

ACGALL

J Q H N

JOHN

STACKO
-OIOA

STACKOW
Lot 5
SYLVIA'S

Tax #602
COLIN
-006B
CAMPBELL

Lot 9
STEVE
HAWKS

Tax # 754
 OWEN
 -OIOB
 LOUNSBURY
 LOUNSBURY
 -OIOC
 Tax # 6
 -OIOI
 HERMAN
 PHIL
 MANA

[illegible]

Tax # 552-8
DONALD
HARVEY,
JR.

R.O.K. & Chase

Lot 8 - 15.0 A.

Legal Description

County of Benewah, State of Idaho, to-wit:
Lot Thirteen (13), Block Two (2), Sylvia's
Haven Subdivision, together with an easement
for purposes of moorage in and upon the
riparian rights in the dockage lagoon as shown
on said plat adjacent and appurtenant to the
southerly forty (40) feet of the shore line of
Lot Twelve (12), Block Two (2), Sylvia's Haven
Subdivision, County of Benewah.

Section 7, Township 46 North, Range 2 West, B.M.
Benewah County, Idaho

(Car)

I hope I didn't
forget anything.

I'm usually in the
shop during the day
at 245 2403

Thanks
Cwe

92-372 399
1231

STEVE HAWKS
DEANNE HAWKS
RT 2 BOX 86
ST. MARIES, ID 83861

1792

7-30 19 97

Pay To
The Order Of ID Dept. of Lands

Fifty and 00/100 Dollars

\$50.00

For Billing/dock permit

U.S. BANK OF IDAHO
ST. MARIES BRANCH
138 N. EIGHT STREET
ST. MARIES, IDAHO 83861

Deanne Hawks

11231037291 399 1816 32711 1792

17

Carl
✓ me
8-1-97

STANLEY F. HAMILTON
DIRECTOR

BOARD OF LAND
COMMISSIONERS
CECIL D. ANDRUS
Governor
PETE T. CENARRUSA
Secretary of State
JIM JONES
Attorney General
JOE R. WILLIAMS
State Auditor
JERRY L. EVANS
Sup't of Public
Instruction

November 30, 1988

Steve Hawks
Route 2, Box 86
St. Maries, ID 83861

Re: 91-07102

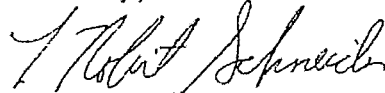
~~Dear Mr. Woodhull:~~

Recently the Department of Lands received a copy of the above-referenced diversion application which you submitted to the Department of Water Resources. Since the St. Joe River is a navigable river, a temporary permit and an encroachment permit will be required from the Department of Lands for the pump and waterline.

If the application to Water Resources is for a system installed prior to 1974, please furnish drawings and the \$10 temporary permit fee.

If the application is for a new system, please complete the enclosed application as per the instructions on the back of the form. Mail along with your payment in the amount of \$60 to this office. The temporary permit fee is \$10, runs for five years, and is renewable. There is an encroachment application fee of \$25 and an advertising deposit of \$25. Please submit a plat and property description showing location of the waterline.

Sincerely,



L. ROBERT SCHNEIDER
Navigable Waters Specialist

LRS/mc
Enclosures

COPY



State of Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION, Suite No. 9 • 4055 Government Way • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

September 8, 1988

Dept. of Lands
Statehouse
Boise, Id. 83720

Re: 91-7102

Gentlemen:

Enclosed is a recent filing with this Department that may be of interest to your Agency.

Sincerely,

A handwritten signature in dark ink, appearing to read 'R. Haynes'.

ROBERT G. HAYNES, P.E.
Regional Manager

RGH/pms

Enclosure



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Steve Hawks Phone 245-2403
Post office address Rt. 2 Box 86 St. maries, Id. 83861
2. Source of water supply ST JOE RIVER which is a tributary of COEUR D'ALENE LAKE
3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot 1
Sec. 7 Township 46N Range 2W B.M. Benewah County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
DOMESTIC
Amount 0.02 for garden watering purposes from 1 MAR to 1 Dec (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.02 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. 1 1/4" pipe through
culvert to canal
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 years (minimum 1 year).

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
46	2W	7													D				.35

Total number of acres to be irrigated. .35

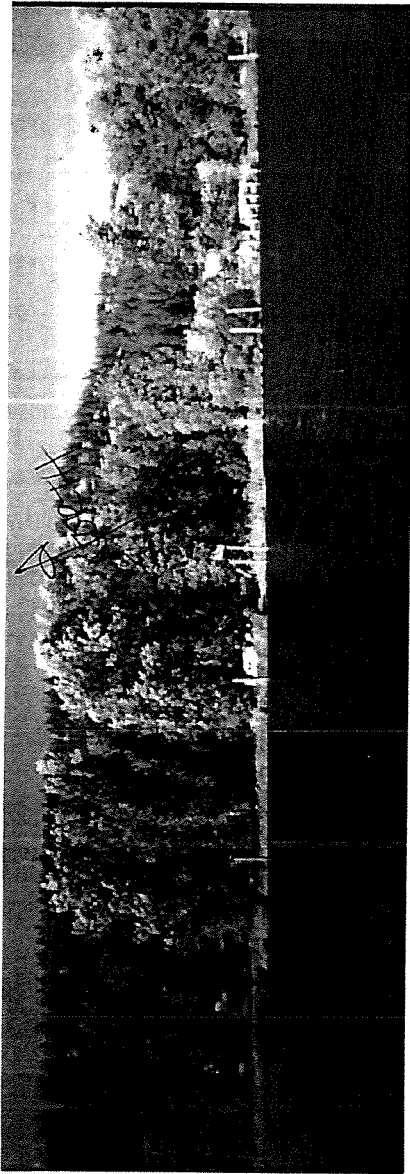
10. Describe any other water rights used for the same purposes as described above. Drinking water from well I am 1/4 partner

11. a. Who owns the property at the point of diversion? Cyril Chase

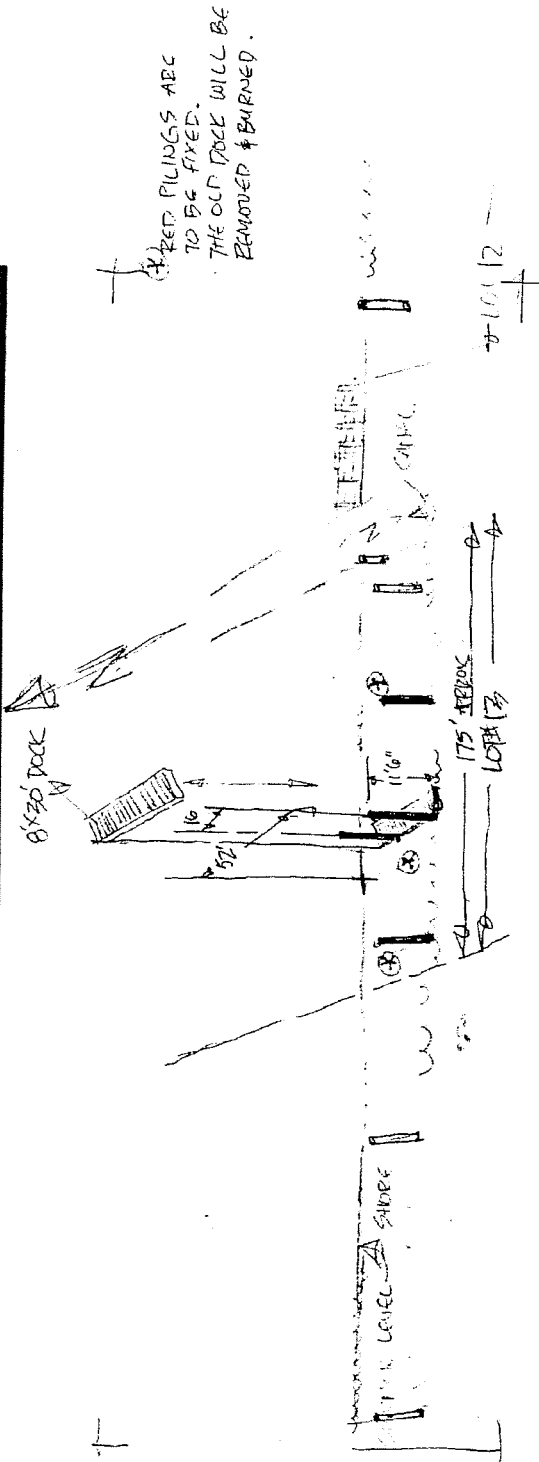
b. Who owns the land to be irrigated or place of use? Steve Hawks

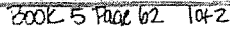
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____



SECTION 7, TOWNSHIP 46 NORTH,
RANGE 2 WEST, BM
BENEFATH COUNTY, ID.





RECORD OF SURVEY
LOTS 1-12, BLOCK 2 AND LOTS 1-8,
BLOCK 3, SYLVIA'S HAVEN, IN THE
SE1/4, SEC. 7, T.46N., R.2W., B.M.,
BENEWAH COUNTY, IDAHO

SURVEYS OF RECORD

	NAME	PLS	YR	DATE	INITIAL	DATE
1)	D. WARD	PLS 792	DEC. 1948	ST. PAUL	1948-12	1948-12
2)	D. WARD	PLS 793	MAY 1949	ST. PAUL	1949-05	1949-05
3)	D. WARD	PLS 794	APR. 1951	ST. PAUL	1951-04	1951-04
4)	J. WARD	PLS 832	JULY 1946	ST. PAUL	1946-07	1946-07
5)	C. WARD	PLS 870	MAY 1950	ST. PAUL	1950-05	1950-05
6)	C. WARD	PLS 871	MAY 1950	ST. PAUL	1950-05	1950-05

SURVEYOR'S CERTIFICATE

I, CHRISTOPHER J. RENALDE, PROFESSIONAL LAND SURVEYOR No. 5754 in the State of Idaho, do hereby certify that this survey was made by me or UNDER MY SUPERVISION IN COMPLIANCE WITH IDAHO CODE FOR ALL PURPOSES AND FOR SOUTHERN PINE HOMES, LLC, at the REQUEST of SOUTHERN PINE HOMES, LLC.



[Handwritten signature]
9 January 2000

247 : 12

RECORD OF SURVEY
 LOTS 1-12, BLOCK 2 AND LOTS 1-2, BLOCK 3
 IN THE SE 1/4, SEC. 7, T. 46N., R. 24W.,
 NEBRASKA

Book 5 Page 62 2 of 2

SURVEYOR'S NOTES

- [illegible]

LINE DATA			
LINE NO.	WAVELENGTH	IDENTIFICATION	WAVELENGTH
1	4047.78	Fe I	4047.78
2	4047.78	Fe I	4047.78
3	4047.78	Fe I	4047.78
4	4047.78	Fe I	4047.78
5	4047.78	Fe I	4047.78
6	4047.78	Fe I	4047.78
7	4047.78	Fe I	4047.78
8	4047.78	Fe I	4047.78
9	4047.78	Fe I	4047.78
10	4047.78	Fe I	4047.78
11	4047.78	Fe I	4047.78
12	4047.78	Fe I	4047.78
13	4047.78	Fe I	4047.78
14	4047.78	Fe I	4047.78
15	4047.78	Fe I	4047.78
16	4047.78	Fe I	4047.78
17	4047.78	Fe I	4047.78
18	4047.78	Fe I	4047.78
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71	4047.78	Fe I	4047.78
72	4047.78	Fe I	4047.78
73	4047.78	Fe I	4047.78
74	4047.78	Fe I	4047.78
75	4047.78	Fe I	4047.78
76	4047.78	Fe I	4047.78
77	4047.78	Fe I	4047.78
78	4047.78	Fe I	4047.78
79	4047.78	Fe I	4047.78
80	4047.78	Fe I	4047.78
81	4047.78	Fe I	4047.78
82	4047.78	Fe I	4047.78
83			

ISSUE NAME	DATE: 4/7/2008
JOB NO: CASSELL	DURATION: 24 WEEKS

RENALDO LAND SURVEYING
SURVEYING AND PLANNING

RECORD OF SURVEY
 LOTS 1-12, BLOCK 2 AND LOTS 1-2, BLOCK 1
 STATE'S SHARE IN THE SE1/4, SEC. 7, T46N, R20E, 34M,
 NEBRASKA, COUNTY OF NEBRASKA

Book 5 Page 62 2 of 2

**IDAHO DEPARTMENT OF LANDS
NAVIGABLE WATERS/MINERAL RESOURCES
1910 NW BLVD., STE 201, COEUR D'ALENE, ID 83814**

MEMORANDUM

DATE: March 3, 1997

TO: Will Pitman, PE, Administrator
Idaho Lake Protection Act

FROM: Jim Brady, Specialist 
Navigable Waters/Mineral Resources

SUBJECT: ENCROACHMENT PERMIT L-95-S-4172, CHASE - ST. JOE RIVER

An inspection was performed on February 24, 1997, at approximately 11:00 AM. The inspection revealed that the permittee did not comply with at least five and possibly 8 stipulations of the permit issued to Cyril Chase on September 1, 1995.

The permitted application indicated a trench would be excavated outside of wetlands. The dredged materials would be stored in this trench and not be deposited in wetlands between the boat basin and State Highway 3. These wetlands were identified in a site visit that was attended by Cyril Chase; Mike Doherty, COE; Bart North, P.E.; Sam Badgett, contractor; and myself.

A visual inspection could not identify the storage trench and considerable fill was deposited in the above-mentioned wetlands. Nor was the 18-foot CMP observed that was to drain spoils and allow water transfer between the river and the wetlands.

The agent for the project, Bart North, P.E., Welch Comer & Associates, advised the Corps of Engineers and the department, the bridge would not be replaced by a 60-inch CMP, by letter dated August 11, 1995. I observed that the bridge in fact had been replaced by CMP. I did not measure the CMP, but it did not appear to be 60-inch CMP as originally called for in the application.

The application indicates that a temporary cofferdam of straw bales and native clays would be placed across the entrance to the basin. As well, silt curtains--two rows--would be placed riverward of the cofferdam. The plans called for the cofferdam to be one of the last things out before the silt curtains. I did not observe any evidence, on the site, that a cofferdam or silt curtains were utilized.

The turbidity in the basin was somewhat elevated compared to the clarity of the free flowing river, suggesting not much water exchange is taking place between the basin and the river.

Conversation with local personnel puts the dredging activity within the last 30 days.

The specific terms that this project is in noncompliance are as follows:

2. Construction will follow details and specifications shown on the approved drawings and data provided by the applicant. Should such information and data prove to be materially false, incomplete and/or inaccurate, this authorization may be modified, suspended, or revoked in accordance with the Administrative Procedures Act, Idaho Code, title 67, chapter 52.
7. This permit is not valid until the identification number is displayed on the outermost area of the encroachment.
11. No material shall be placed within a wetland area.
12. All construction will be done according to the specifications detailed in the attached design plan.
15. All construction shall be completed in accordance with descriptions and methods provided unless otherwise specified. Any changes shall be approved in writing by the department prior to construction.

And the three possible are:

16. A silt curtain, fence, or straw bales shall be installed waterward of the project site. It will remain in place and functional until the turbidity level inside the curtain or fence equals the turbidity outside the curtain or fence.
17. An adequate supply of petroleum-absorbing products shall be on site in the event of a spill.
18. State water quality standards will be maintained at all times during the life of the operation. Should a violation of water quality standards occur, operations on the site will cease immediately and corrective action will be taken, and the Department of Health and Welfare's Division of Environmental Quality be notified.

mc

attachments (photos)

c: Mike Doherty, COE-CDA

INSPECTION 2/24/97 OF
L-95-S-4172 - CHASE



WETLAND FILL.



ENTRANCE TO BASIN. WAS
DEEPEMED & DEVEGETATED.
NO EVIDENCE OF TURBIDITY
CONTAINMENT.

INSPECTION 2/24/97 OF
L-95-S-4172 - CHASE



WETLANDS FILLED, NOTE STANDING
WATER.



WETLAND FILL. NO EVIDENCE OF
BERMS ADJACENT TO FILL STORAGE
TRENCHES.

INSPECTION 2/24/97 OF
L-95-S-4172 - CHASE



SPOILS ON LAWN & ADJACENT
TO ENTRANCE TO BASIN. AT
TIME OF INSPECTION SPOILS
WERE FROZEN.

IDAHO DEPARTMENT OF LANDS

1910 NW Blvd., Ste. 201
Coeur d'Alene, Idaho 83814-2615
Phone (208) 769-1535 Fax (208) 769-1536

STANLEY F. HAMILTON - DIRECTOR

BOARD OF LAND
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Secretary of State

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Attorney General

J.D. WILLIAMS
State Controller

ANNE C. FOX
Sup't of Public
Instruction

September 1, 1995

Cyril C. Chase
305 Lincoln Avenue
St. Maries, ID 83861

Dear Mr. Chase:

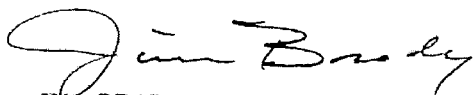
Re: Encroachment Permit L-95-S-4172

Enclosed is your permit in accordance with the application you filed with this office. Please comply with all special terms and conditions.

You are required to record this original notarized permit with Benewah County. The assigned number must be displayed upon the most waterward area of your encroachment with plastic or metal numerals at least three inches in size.

Thank you for your cooperation.

Sincerely,



JIM BRADY, Specialist
Navigable Waters/Minerals

mc

enclosures

c: US Coast Guard - Seattle, WA
US Army Corps of Engineers

KEEP IDAHO GREEN
PREVENT WILDFIRE

EQUAL OPPORTUNITY EMPLOYER

CDAT OBJ-7102 0080

BOARD OF LAND
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Governor

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Secretary of State

ALAN G. LANCE
Attorney General

J.D. WILLIAMS
State Controller

ANNE C. FOX
Sup't of Public
Instruction

ENCROACHMENT PERMIT NO. L-95-S-4172

Permission is hereby granted to Cyril C. Chase
of 305 Lincoln Avenue St. Maries, ID 83861 to install and maintain
excavate and dredge approx. 4000 cubic yards material from existing
constructed side channel located: St. Joe River, Sylvia's Haven, SENE
Section 7, Township 46N, Range 2W, Boise Meridian, Benewah County.

1. All applicable provisions of the Rules for Regulation of Beds, Waters, and Airspace over Navigable Lakes and Streams in the State of Idaho are incorporated herein by reference and made a part hereof.
2. Construction will follow details and specifications shown on the approved drawings and data provided by the applicant. Should such information and data prove to be materially false, incomplete and/or inaccurate, this authorization may be modified, suspended, or revoked in accordance with the Administrative Procedures Act, Idaho Code title 67, chapter 52.
3. This permit does not convey the State's title to or jurisdiction or management of lands lying below the natural or ordinary high water mark.
4. Acceptance of this permit constitutes permission by the Permittee for representatives of the Department of Lands to come upon Permittee's lands at all reasonable times to inspect the encroachment authorized by this permit.
5. The Permittee assumes all liability for damages which may result from the exercise of this permit.
6. This permit does not relieve the Permittee from obtaining additional local or federal permits as required.
7. This permit is not valid until the identification number is displayed on the outermost area of the encroachment.
8. If the activity authorized herein is not completed on or before the 1st day of September, 1998 (three years from the date of issuance), this permit shall automatically expire unless it was previously revoked or otherwise extended.

September 1, 1995

Page two

9. Approximately 4000 cubic yards of material may be excavated below the ordinary high water mark.
10. Operation of excavation equipment will be held to a minimum below the ordinary high water mark. Equipment shall be operated only on dry ground above the 2121 WWP Datum. Construction machinery may not be operated in the water.
11. No material shall be placed within a wetland area.
12. All construction will be done according to the specifications detailed in the attached design plan.
13. The Department of Lands reserves the right to inspect the dredging operation and stop work if, in the state's opinion, unacceptable turbidity levels are produced.
14. Excavated material shall be removed to an area above the ordinary high water mark and in a position such that it will not reenter the lake.
15. All construction shall be completed in accordance with descriptions and methods provided unless otherwise specified. Any changes shall be approved in writing by the department prior to construction.
16. A silt curtain, fence, or straw bales shall be installed waterward of the project site. It will remain in place and functional until the turbidity level inside the curtain or fence equals the turbidity outside the curtain or fence.
17. An adequate supply of petroleum-absorbing products shall be on site in the event of a spill.
18. State water quality standards will be maintained at all times during the life of the operation. Should a violation of water quality standards occur, operations on the site will cease immediately and corrective action will be taken, and the Department of Health and Welfare, Division of Environmental Quality, notified.
19. Project will be conducted during the low-water time of the year.
20. Upon transfer of this real property, you are required to inform this office of the subsequent name change.

FOR THE DIRECTOR

By:

Jim Brady
JIM BRADY, Specialist
Navigable Waters/Minerals

STATE OF IDAHO)
) ss
COUNTY OF KOOTENAI)

Subscribed and sworn to before me this 1st day of
September, 1995.

Merna Cherry
Notary Public for Idaho
Residing at Post Falls, Idaho
Commission expires: 1/24/98

Only 10% of the respondents were female.

PLEASE TYPE OR PRINT

3. Applicant	CYRIL C. CHASE		4. Authorized Agent	Welch, Comer & Assoc.			
Mailing Address	305 Lincoln Avenue St. Maries, Idaho 83861		Mailing Address	1626 Lincoln Way Coeur d'Alene, Id 83814			
Work Ph.	245-2571	Home	245-2057	Work Ph.	664-9382	Home	
Date of Application	May 12, 1995		Contact	Bart North, P.E.			

- | | | | | | |
|-------------------------|---------------|----------|--|---------|----------------|
| Waterway | St. Joe River | | Tributary of: Lake Coeur d'Alene | | |
| St. Maries | | | Assessor's Desc. (Tax No. or Subdivision, Lot & Block No.) | | |
| In or near city or town | | | * (See instruct.) | | |
| Benewah | Idaho | 83861 | SE NE | 7 | 46N 2E |
| County | State | Zip Code | 1/4 1/4 | Section | Township Range |

- Describe construction methods and equipment: Silt fence to be installed at Point #1. Temporary cofferdam of straw bales and in-situ clay to be constructed at Pts 1 & 2 (See Sheet #). Water to be pumped prior excavation. Storage to be created by excavating trench adjacent to side channel out of wetland 18" CMP installation. Excavated material into spoil storage to completion. 60" CMP installation. Backfill water into side channel. Let turbidity return to ambient. Remove cofferdams, remove silt fences in channel. Stabilize spoils storage pile by seeding. List all soil series located at project site, and indicate if any are on the county's hydric soils list:

Length of project along the stream or extension into lake or reservoir:			Not Applicable	
Will material be placed waterward of ordinary high water mark?		No	If yes, volume:	
Will material be placed in adjacent wetlands?		No	If yes, area:	(acres)
Type & composition of fill material:		(i.e. sand, etc)	Material Source:	
Will excavation be required	Yes	If yes, volume	+/- 4000 CY (cubic yards)	Composition
Disposal site for excavated material:		Adj. to OHWM, out of wetland	Method of dredging:	Clay
				Excavation

Stream gradient: 1-2

Method of controlling turbidity: Temporary cofferdam silt fencing, decant prior to excavation, backfill with water and decant prior to cofferdam and silt fence removal.

7. Size and flow capacity of proposed bridge or culvert and area of drainage served (sq. miles): (2 Req'd)
(Idaho Department of Water Resources requirement) 18" CMP @ 2%, 8 CFS < 0.25 Acre
60" CMP @ 1% 150 CFS Circulation

8. Preparation of drawings. One set of original or good quality reproducible drawings must be attached to this application. NOTE: DRAWINGS NO LARGER THAN 8-1/2 X 11 INCHES IN SIZE. See the instruction pamphlet for instructions and checklist for completing the drawings.

9. Purpose and intended use:

Commercial _____ Public _____ Private X Other _____

Describe _____

Necessity and justification for project: To maintain existing use of side channel

- 10 Proposed Starting Date ASAP Estimated Duration 2 Weeks

- 11 If any portion of the activity is complete, indicate month and year of completion

Indicate the existing work on the drawings. _____

- 12 Names, addresses, and telephone numbers of adjoining property owners, lessees, etc., whose property also adjoins the waterway.

☐ Check here if the alteration is located on endowment lands administered by the Idaho Department of Lands.

- 13 LEGAL OWNER IF

OTHER THAN APPLICANT

MAILING ADDRESS _____ CITY, STATE, _____
_____ ZIP CODE _____
AREA _____ AREA _____
PHONE _____ WORK _____ HOME _____

- 14 List other applications, approvals, or certifications from other Federal, interstate, state, or local agencies for any structures, constructions, discharges, deposits, or other activities described in the application.

Issuing Agency	Type of Approval	Identification No.	Date of Application	Date of Approval
NOT APPLICABLE				

- 15 Has any agency denied approval for the activity described herein or for any activity directly related to the activity described herein? Yes _____ No X If "Yes", explain) _____

16 Remarks or additional information:

Conceptual approval for project as presented was gained at on-site project
review with Corps of Engineers and Department of Lands on May 4, 1995.

- 17 Application is hereby made for a permit or permits to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief, such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agencies to which this application is made, the right to come upon the above-described location to inspect the proposed or completed work.

5-15-95
Date

C. E. Chase
Signature of Applicant (REQUIRED)

The application must be signed by the applicant. If an authorized agent is to be designated, Item 4 and the following information should be completed.

I hereby designate _____ to act as my agent in matters related to this permit application. I understand that if a Federal permit is issued, I must sign the permit.

5-15-95
Date

C. E. Chase
Signature of Authorized Agent (if applicable)

C. E. Chase
Signature of Applicant (if applicable)

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years or both. Do not send a permit processing fee with this application. The appropriate fee will be assessed when a permits is issued.

DO NOT SEND PROCESSING FEE WITH APPLICATION

IDAHO DEPARTMENT OF LANDS
ATTACHMENT FOR ENCROACHMENTS

Required when applying for an Idaho
Department of Lands Lake Encroachment Permit

"Joint Applications" for encroachments must be submitted and signed by the riparian landowner or his lessee. The application must include the exact legal description of the upland property. A riparian owner is the person whose upland property extends to the ordinary high water mark of the waterway. The application must be accompanied by a vicinity map showing the precise location of the proposal, design drawings showing distances to adjacent property boundaries, names of adjacent landowners, exact encroachment dimensions, water depth and lakebed profile, all related to the ordinary high water marks. A sample of acceptable drawings is shown on page 9 of the pamphlet.

Docks should be installed at right angles to the general shoreline, should not extend beyond a depth necessary for customary navigation, cannot exceed 700 square feet in size or 10 feet in width (excepting the overall width of a dock with a slip cutout), and may not be closer than 10 feet to adjacent boundaries as extended into the water perpendicularly from the general shoreline. If the proposal is closer than 10 feet from adjacent property lines, written consent of the adjacent riparian landowner must be obtained below:

I, DON HARVEY, am the owner of
riparian or littoral property adjacent to the property
listed in this application. I am familiar with the scope
and location of the proposed encroachment as evidenced by
accompanying plans which I have initialed. I offer no
objection to the encroachment.

Date

5/11/95

Name

Address

Hwy 2 Box 82

I, STEVE HAWKS, am the owner of
riparian or littoral property adjacent to the property
listed in this application. I am familiar with the scope
and location of the proposed encroachment as evidenced by
accompanying plans which I have initialed. I offer no
objection to the encroachment.

Date

5-12-95

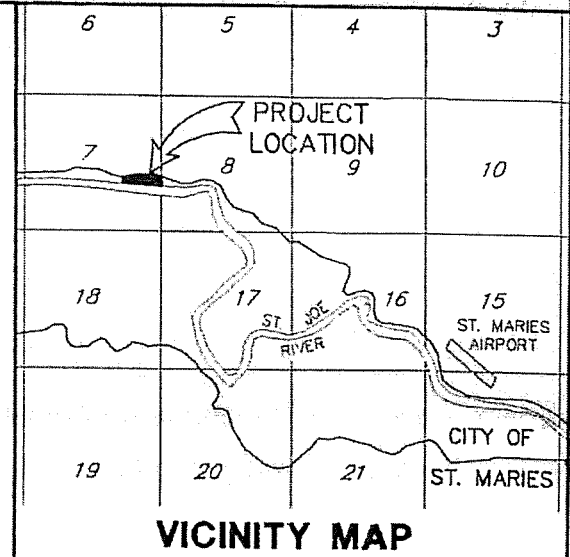
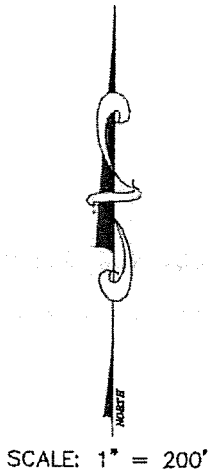
Name

Address

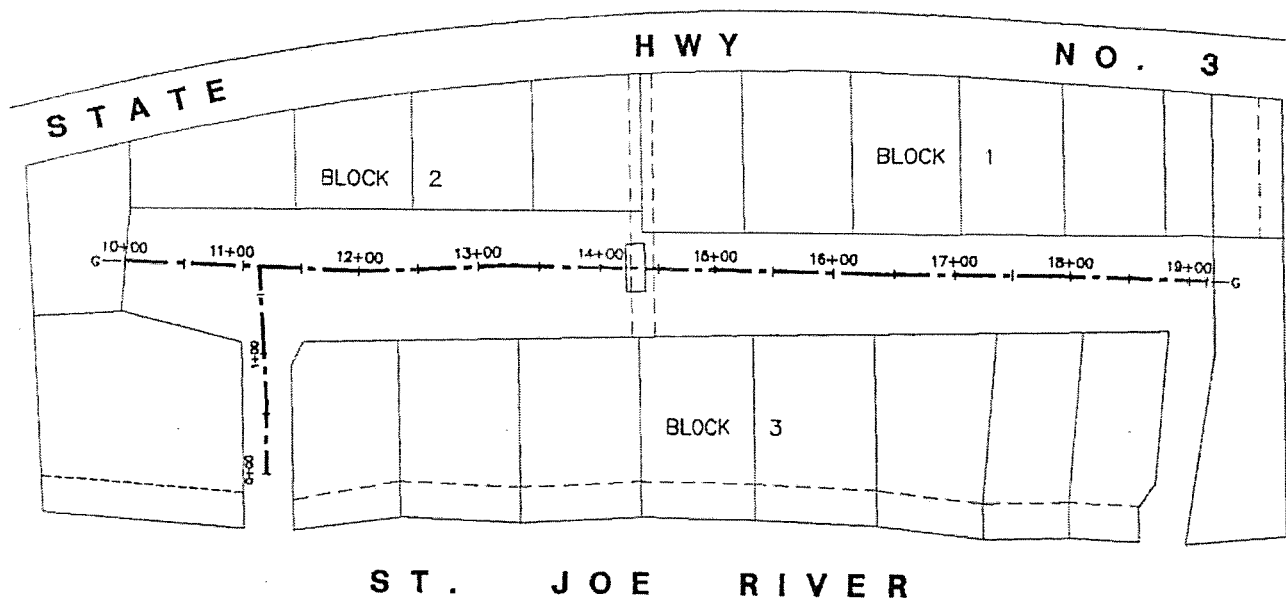
Steve Hawks

PT 2 BOX 86

SYLVIA'S HAVEN SUB. RIVER INLET MAINTENANCE PROJECT



SECTION 7, TOWNSHIP 46 NORTH, RANGE 2 WEST
BOISE MERIDIAN



DATUM PLANE: (IF NOT NGVD 1929, SPECIFY)
A. HIGH WATER: EL. 2128 O.H.W.M.
B. LOW WATER: EL. 2121

DRWG: 3008PL01 DWG VIEW: V1

SYLVIA'S HAVEN SUBDIVISION RIVER INLET MAINTENANCE PROJECT

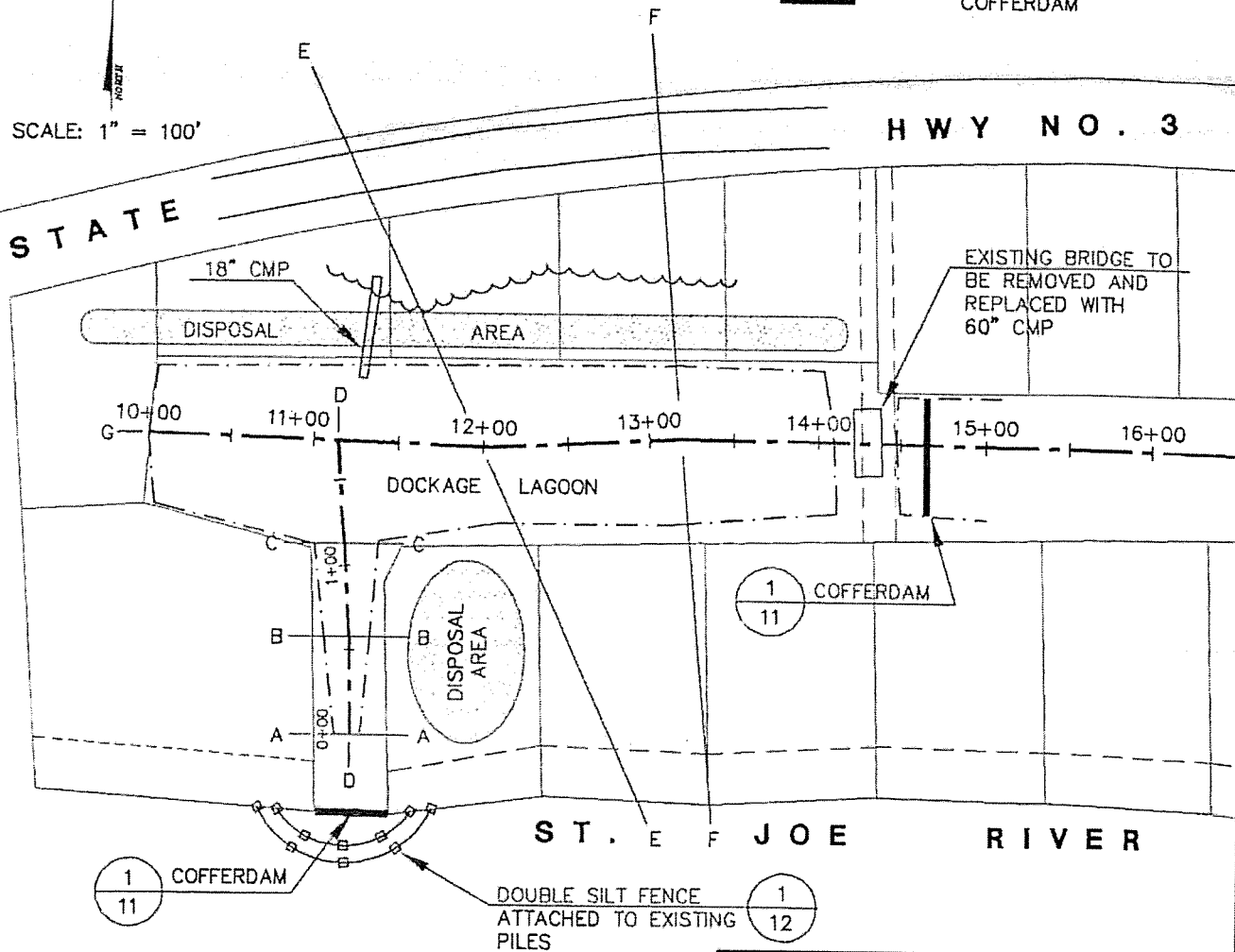
IN: (ADJACENT TO) ST. JOE RIVER
IN/NEAR: ST. MARIES
COUNTY: BENEWAH STATE: IDAHO
DATE: 05-10-95 SHEET: 1 of 12
APPLICATION BY: CYRIL C. CHASE
PREPARED BY: WELCH, COMER ENGRS, INC.

SYLVIA'S HAVEN SUB. RIVER INLET MAINTENANCE PROJECT

LEGEND

A ——— A	XSECTION LINE
— · — · —	SHORE LINE
— - - —	LAGOON CENTER LINE
—————	LOT LINE
—————	EDGE OF ASPHALT
~~~~~	TREE LINE
—————	COFFERDAM

SCALE: 1" = 100'

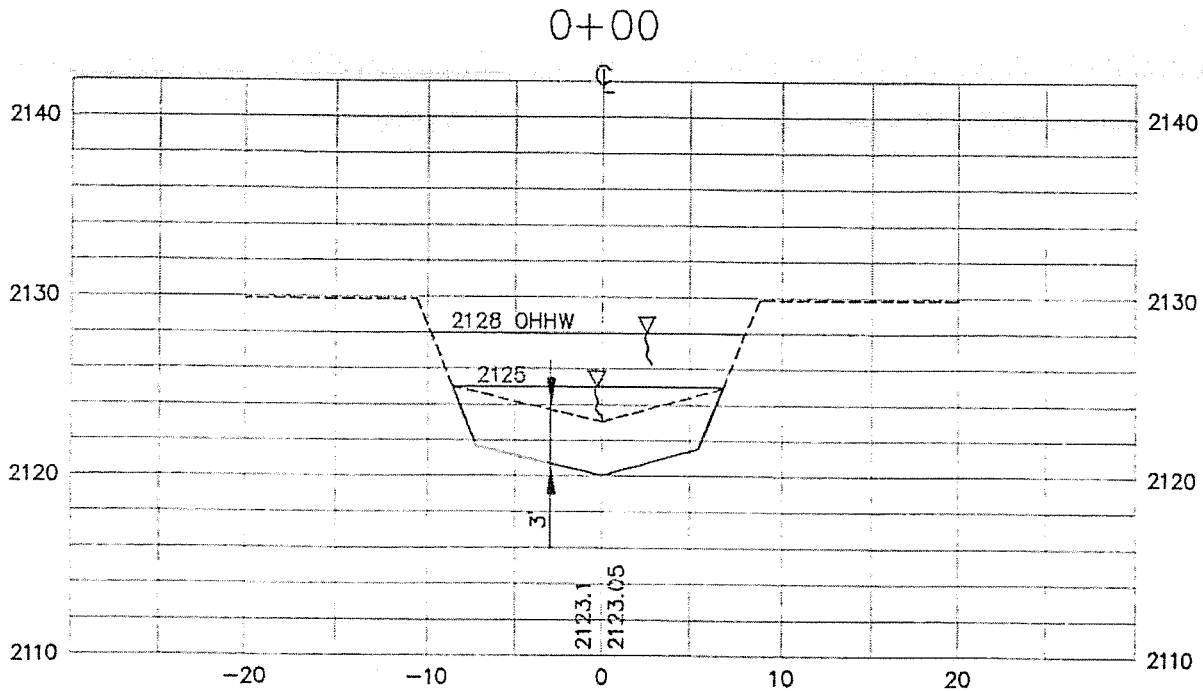


## SYLVIA'S HAVEN SUBDIVISION RIVER INLET MAINTENANCE PROJECT

IN: (ADJACENT TO) ST. JOE RIVER  
 IN/NEAR: ST. MARIES  
 COUNTY: BENEWAH STATE: IDAHO  
 DATE: 05-10-95 SHEET: 2 of 12  
 APPLICATION BY: CYRIL C. CHASE  
 PREPARED BY: WELCH, COMER ENGRS, INC.

DRWG: 3008PL01.DWG VIEW: V2

# SYLVIA'S HAVEN SUB. RIVER INLET MAINTENANCE PROJECT



## SECTION A-A

SCALE: 1" = 10' HORIZ.  
1" = 10' VERT.

### SYLVIA'S HAVEN SUBDIVISION RIVER INLET MAINTENANCE PROJECT

IN: (ADJACENT TO) ST. JOE RIVER

IN/NEAR: ST. MARIES

COUNTY: BENEWAH STATE: IDAHO

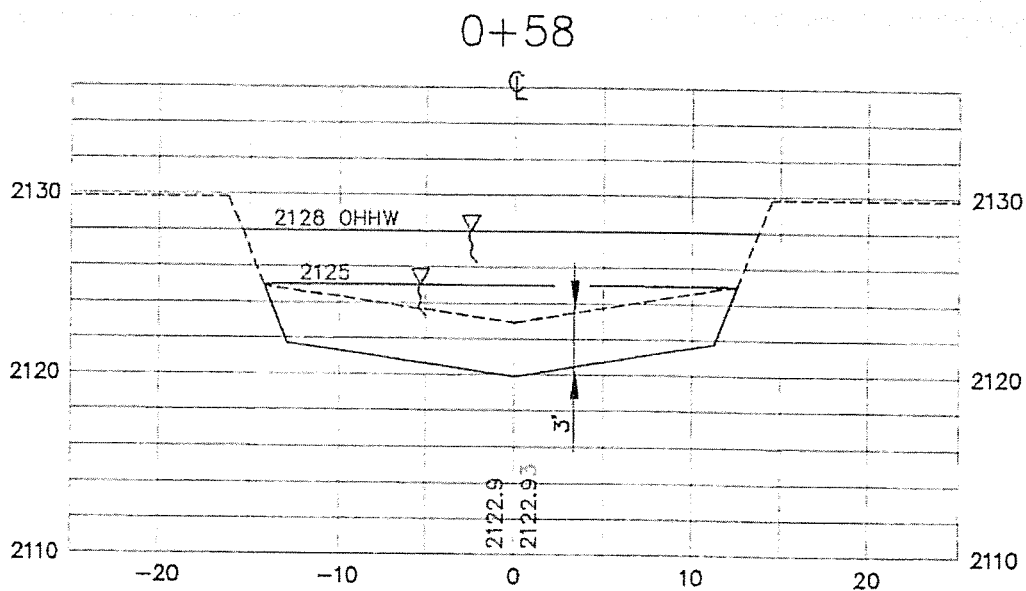
DATE: 05-10-95 SHEET: 3 of 12

APPLICATION BY: CYRIL C. CHASE

PREPARED BY: WELCH, COMER ENGRS, INC.

DRWG: 3008PRO3.DWG VIEW: V1

# SYLVIA'S HAVEN SUB. RIVER INLET MAINTENANCE PROJECT



## SECTION B-B

SCALE: 1" = 10' HORIZ.  
1" = 10' VERT.

### SYLVIA'S HAVEN SUBDIVISION RIVER INLET MAINTENANCE PROJECT

IN: (ADJACENT TO) ST. JOE RIVER

IN/NEAR: ST. MARIES

COUNTY: BENEWAH STATE: IDAHO

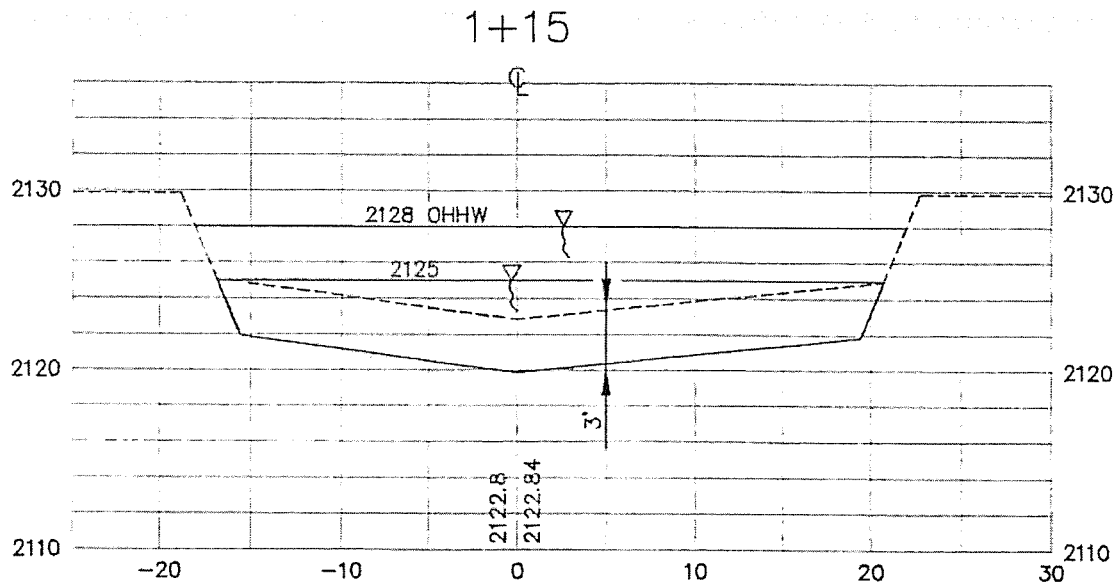
DATE: 05-10-95 SHEET: 4 of 12

APPLICATION BY: CYRIL C. CHASE

PREPARED BY: WELCH, COMER ENGRS, INC.

DRWG: 300BPRO3.DWG VIEW: V2

# SYLVIA'S HAVEN SUB. RIVER INLET MAINTENANCE PROJECT



## SECTION C-C

SCALE: 1" = 10' HORIZ.

1" = 10' VERT.

### SYLVIA'S HAVEN SUBDIVISION RIVER INLET MAINTENANCE PROJECT

IN: (ADJACENT TO) ST. JOE RIVER

IN/NEAR: ST. MARIES

COUNTY: BENEWAH STATE: IDAHO

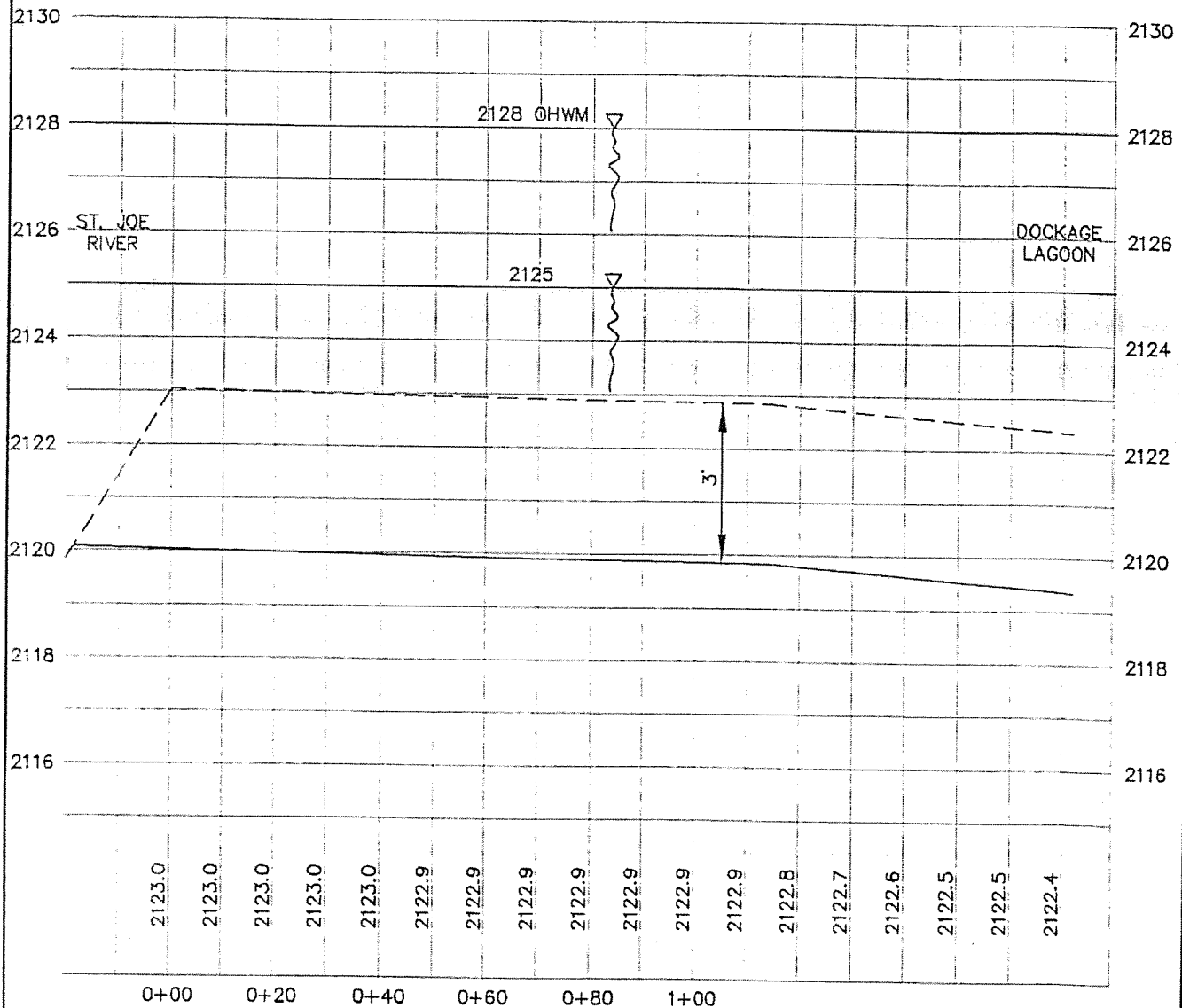
DATE: 05-10-95 SHEET: 5 of 12

APPLICATION BY: CYRIL C. CHASE

PREPARED BY: WELCH, COMER ENGRS, INC.

DRWG: 3008PRO3.DWG VIEW: V3

# SYLVIA'S HAVEN SUB. RIVER INLET MAINTENANCE PROJECT



## SECTION D-D

SCALE: 1" = 30' HORIZ.  
1" = 3' HORIZ.

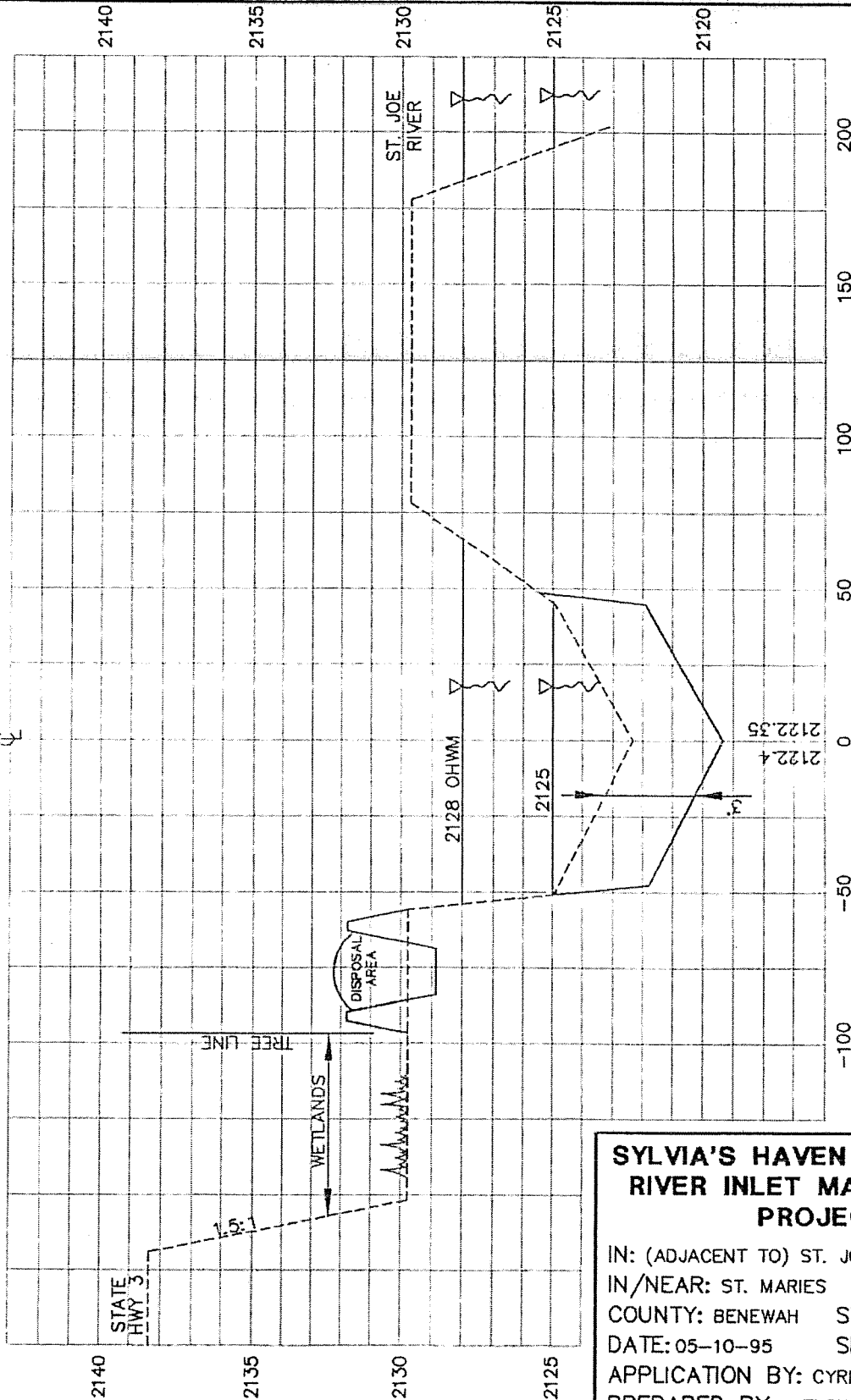
### SYLVIA'S HAVEN SUBDIVISION RIVER INLET MAINTENANCE PROJECT

IN: (ADJACENT TO) ST. JOE RIVER  
IN/NEAR: ST. MARIES  
COUNTY: BENEWAH STATE: IDAHO  
DATE: 05-10-95 SHEET: 6 of 12  
APPLICATION BY: CYRIL C. CHASE  
PREPARED BY: WELCH, COMER ENGRS, INC.

DRWG: 3008PR04.DWG VIEW: V1

# SYLVIA'S HAVEN SUB. RIVER INLET MAINTENANCE PROJECT

12+06



## SECTION E-E

SCALE: 1" = 50' HORIZ.  
1" = 5' VERT.

### SYLVIA'S HAVEN SUBDIVISION RIVER INLET MAINTENANCE PROJECT

IN: (ADJACENT TO) ST. JOE RIVER

IN/NEAR: ST. MARIES

COUNTY: BENEWAH STATE: IDAHO

DATE: 05-10-95 SHEET: 7 of 12

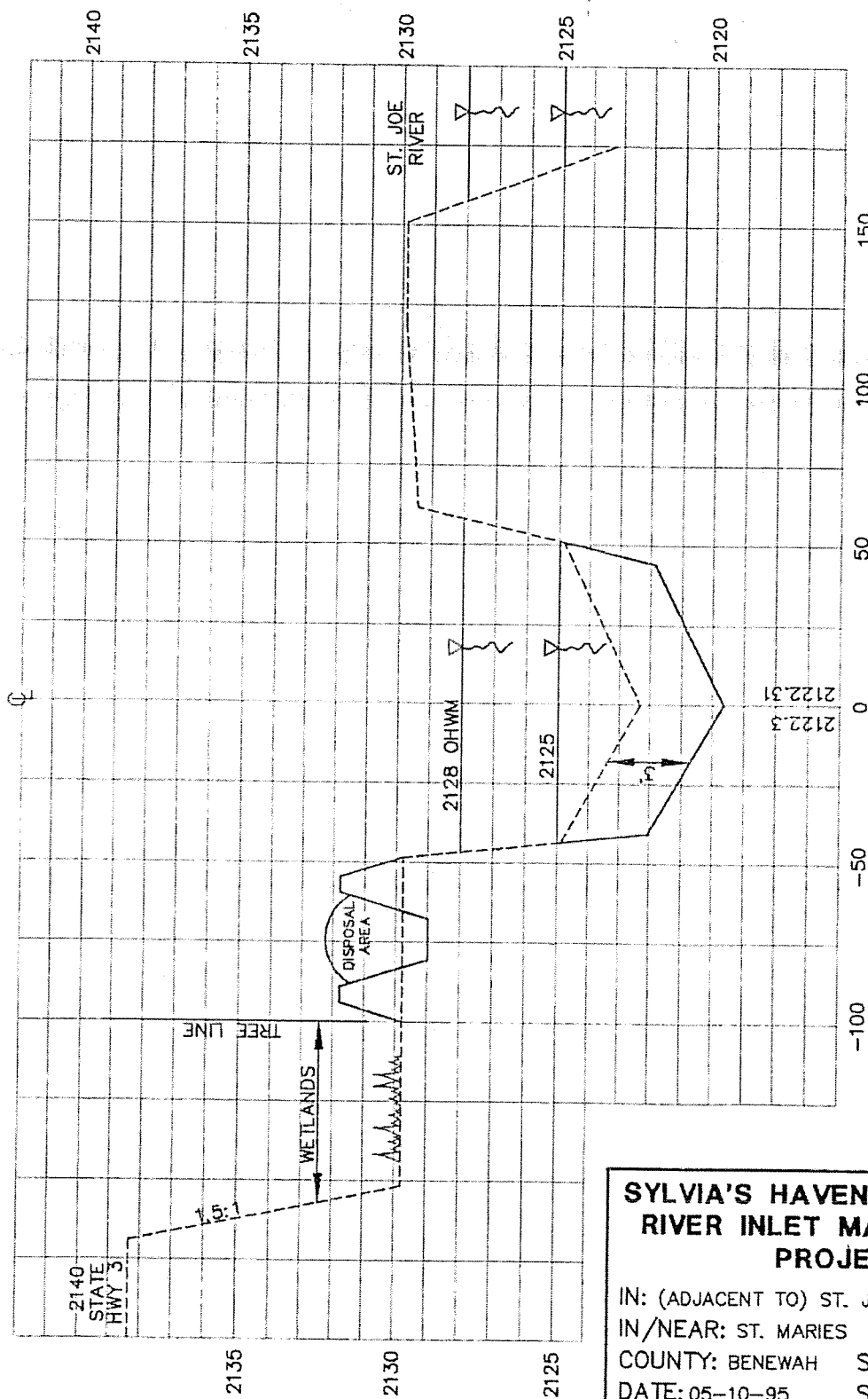
APPLICATION BY: CYRIL C. CHASE

PREPARED BY: WELCH, COMER ENGRS, INC.

DRWG: 3008PR02.DWG VIEW: V1

# SYLVIA'S HAVEN SUB. RIVER INLET MAINTENANCE PROJECT

13+89



## SECTION F-F

SCALE: 1" = 50' HORIZ.  
1" = 5' VERT.

### SYLVIA'S HAVEN SUBDIVISION RIVER INLET MAINTENANCE PROJECT

IN: (ADJACENT TO) ST. JOE RIVER

IN/NEAR: ST. MARIES

COUNTY: BENEWAH STATE: IDAHO

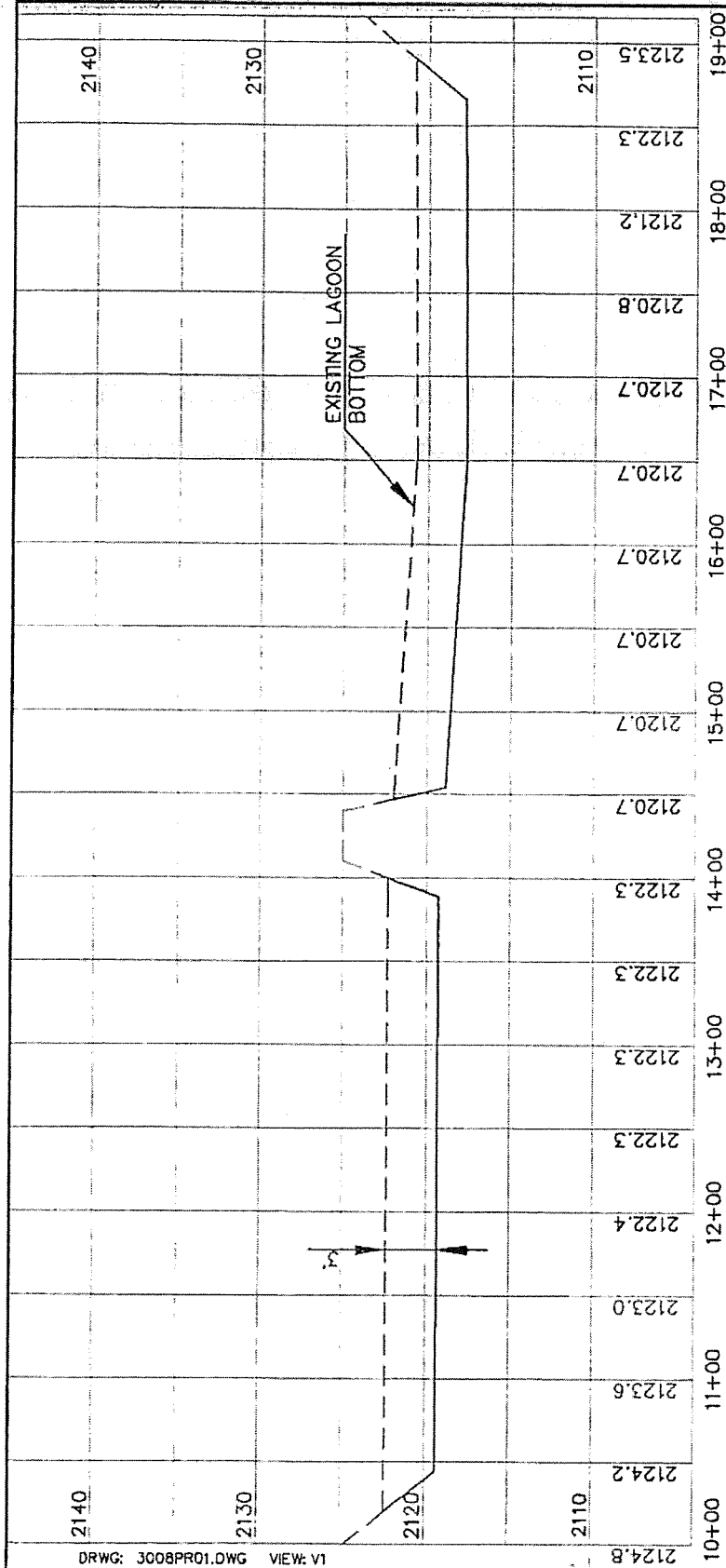
DATE: 05-10-95 SHEET: 8 of 12

APPLICATION BY: CYRIL C. CHASE

PREPARED BY: WELCH, COMER ENGRS, INC.

DRWG: 3008PR02.DWG VIEW: V2

# SYLVIA'S HAVEN SUB. RIVER INLET MAINTENANCE PROJECT



## SECTION G-G

SCALE: 1" = 100' HORIZ.  
1" = 10' VERT.

### SYLVIA'S HAVEN SUBDIVISION RIVER INLET MAINTENANCE PROJECT

IN: (ADJACENT TO) ST. JOE RIVER

IN/NEAR: ST. MARIES

COUNTY: BENEWAH STATE: IDAHO

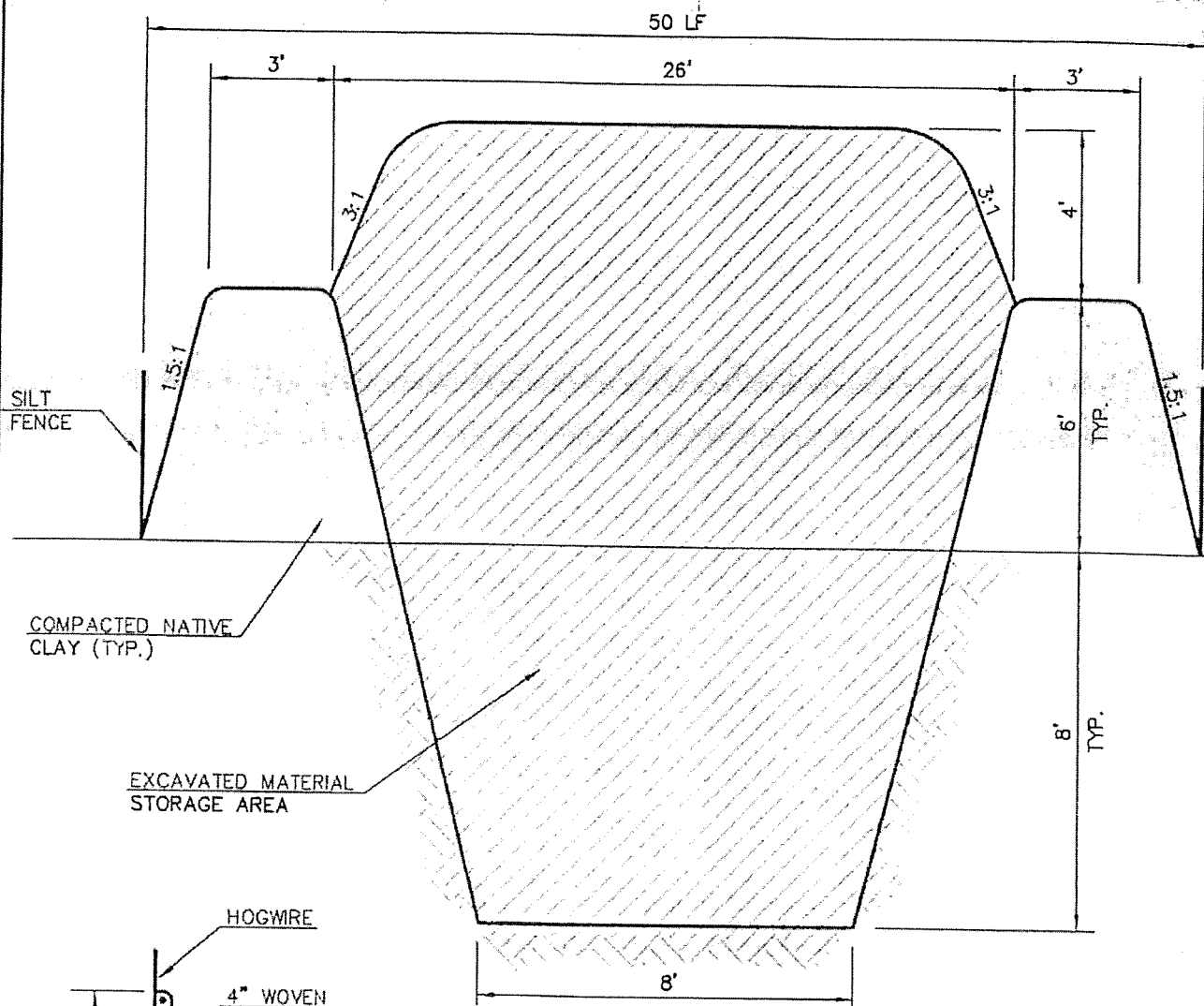
DATE: 05-10-95 SHEET: 6 of 12

APPLICATION BY: CYRIL C. CHASE

PREPARED BY: WELCH, COMER ENGRS, INC.

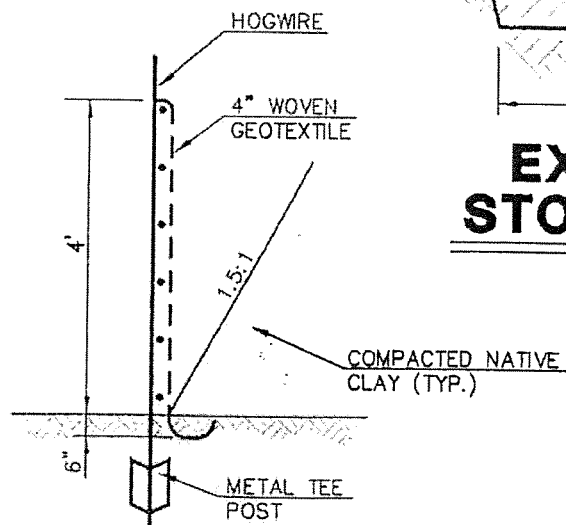
DRWG: 3008PRO1.DWG VIEW: V1

# SYLVIA'S HAVEN SUB. RIVER INLET MAINTENANCE PROJECT



## EXCAVATED MATERIAL STORAGE TRENCH DETAIL

$\pm 10.5 \text{ CY/LF} \times 400 \text{ LF} = 4200 \text{ CY}$   
NO SCALE



## ABOVE GRADE SILT FENCE DETAIL

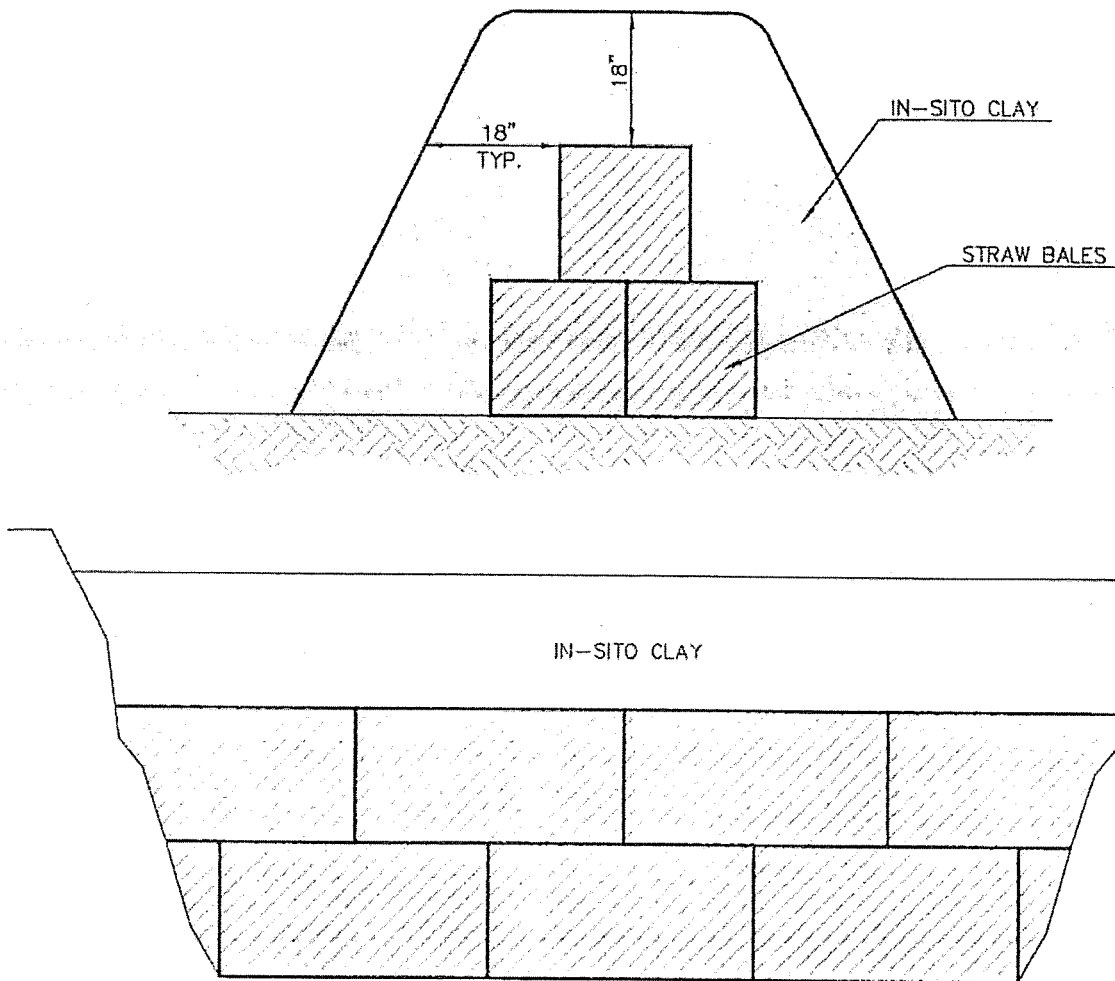
900 LF REQUIRED  
NO SCALE

DRWG: 3008DT01.DWG VIEW: V2

## SYLVIA'S HAVEN SUBDIVISION RIVER INLET MAINTENANCE PROJECT

IN: (ADJACENT TO) ST. JOE RIVER  
IN/NEAR: ST. MARIES  
COUNTY: BENEWAH STATE: IDAHO  
DATE: 05-15-95 SHEET: 10 of 12  
APPLICATION BY: CYRIL C. CHASE  
PREPARED BY: WELCH, COMER ENGRS, INC.

# SYLVIA'S HAVEN SUB. RIVER INLET MAINTENANCE PROJECT



## COFFERDAM DETAIL

NO SCALE

### SYLVIA'S HAVEN SUBDIVISION RIVER INLET MAINTENANCE PROJECT

IN: (ADJACENT TO) ST. JOE RIVER

IN/NEAR: ST. MARIES

COUNTY: BENEWAH STATE: IDAHO

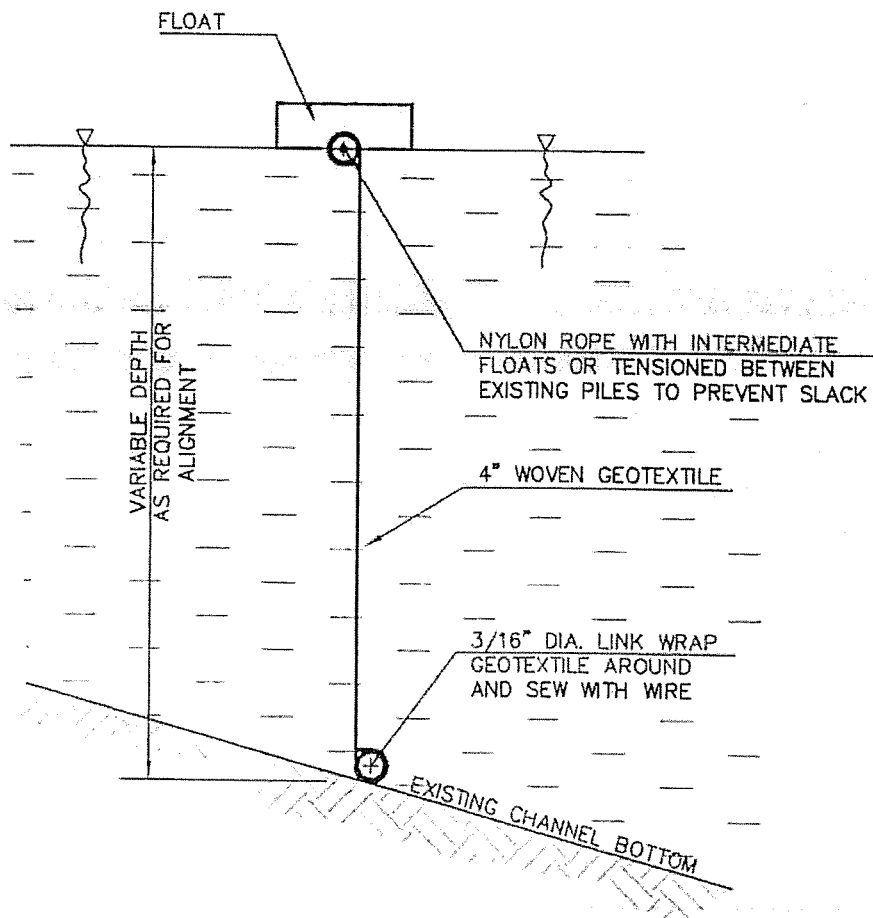
DATE: 05-12-95 SHEET: 11 of 12

APPLICATION BY: CYRIL C. CHASE

PREPARED BY: WELCH, COMER ENGRS, INC.

DRWG: 3008DT01.DWG VIEW: V1

# SYLVIA'S HAVEN SUB. RIVER INLET MAINTENANCE PROJECT



## FLOATING SILT FENCE DETAIL

2 RUNS x 160 LF REQUIRED  
NO SCALE

### SYLVIA'S HAVEN SUBDIVISION RIVER INLET MAINTENANCE PROJECT

IN: (ADJACENT TO) ST. JOE RIVER  
IN/NEAR: ST. MARIES  
COUNTY: BENEWAH STATE: IDAHO  
DATE: 05-15-95 SHEET: 12 of 12  
APPLICATION BY: CYRIL C. CHASE  
PREPARED BY: WELCH, COMER ENGRS, INC.

DRWG: 3008DT01.DWG VIEW: V3

IDAHO DEPARTMENT OF LANDS  
ATTACHMENT FOR ENCROACHMENTS

Required when applying for an Idaho  
Department of Lands Lake Encroachment Permit

"Joint Applications" for encroachments must be submitted and signed by the riparian landowner or his lessee. The application must include the exact legal description of the upland property. A riparian owner is the person whose upland property extends to the ordinary high water mark of the waterway. The application must be accompanied by a vicinity map showing the precise location of the proposal, design drawings showing distances to adjacent property boundaries, names of adjacent landowners, exact encroachment dimensions, water depth and lakebed profile, all related to the ordinary high water marks. A sample of acceptable drawings is shown on page 9 of the pamphlet.

Docks should be installed at right angles to the general shoreline, should not extend beyond a depth necessary for customary navigation, cannot exceed 700 square feet in size or 10 feet in width (excepting the overall width of a dock with a slip cutout), and may not be closer than 10 feet to adjacent boundaries as extended into the water perpendicularly from the general shoreline. If the proposal is closer than 10 feet from adjacent property lines, written consent of the adjacent riparian landowner must be obtained below:

I, DON HARVEY, am the owner of riparian or littoral property adjacent to the property listed in this application. I am familiar with the scope and location of the proposed encroachment as evidenced by accompanying plans which I have initialed. I offer no objection to the encroachment.

Date

5/11/95

Name

Address

Box 2 Box 82

I, STEVE HAWKS, am the owner of riparian or littoral property adjacent to the property listed in this application. I am familiar with the scope and location of the proposed encroachment as evidenced by accompanying plans which I have initialed. I offer no objection to the encroachment.

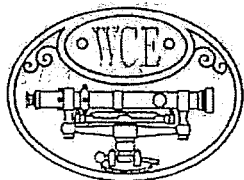
Date

5-12-95

Name

Address

Steve Hawks  
Box 2 Box 86



**WELCH COMER**  
& ASSOCIATES, INC.  
ENGINEERS & SURVEYORS

August 11, 1995

Mr. Mike Doherty  
Corps of Engineers  
1201 Ironwood Drive  
Coeur d'Alene, Idaho 83814

Re: Permit #95 1100 630 - Cy Chase  
Channel Restoration Project

Dear Mike:

As a follow up to our discussion on July 14, 1995, I have discussed the above referenced project with the owner and sponsor, Cy Chase, and would like to provide the following clarification/revision:

1. There will be no culvert installation at this time at the bridge crossing.
2. No material will be removed east of the existing bridge between 14+50 and 19+00 (reference Sheet 1 of 12 of permit application)
3. The Owner does not wish to modify or revise the plan for placement of material excavated as part of the project.

Please contact me if you have any questions or require more information.

Sincerely,  
Welch, Comer & Associates, Inc.

Bart D. North, P.E.

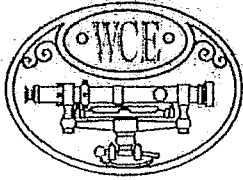
BDN:spm

cc: Cy Chase  
Mike Brady  
Jim

1626 Lincoln Way, Coeur d'Alene, Idaho 83814 208-664-9382 FAX 208-664-5946

F:\B3-95\MD0811.DOC - spm

CDAT OBJ-7102 0100



**WELCH COMER**  
 & ASSOCIATES, INC.  
ENGINEERS & SURVEYORS

**FAXED**  
7-14

July 14, 1995

Mr. Jim Brady  
Idaho Department of Lands  
1910 Northwest Boulevard, #210  
Coeur d'Alene, ID 83814

Re: Joint Permit Application Submittal

Dear Jim:

Per our conversation today with Mike Doherty, our office will submit clarification and revisions to IDOL Permit #L-95-5-4172, (Corps Permit #95 1100 630). With this letter, we request an extension to the permit revisions approval period to allow us to prepare the submittal.

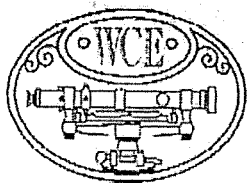
Should you have questions or this is not possible, please feel free to contact me.

Sincerely,  
Welch, Comer & Associates, Inc.

Bart D. North, P.E.

BDN:cld

cc: Cy Chase  
Mike Doherty



**WELCH COMER**  
& ASSOCIATES, INC.  
ENGINEERS & SURVEYORS

July 14, 1995

Mr. Jim Brady  
Idaho Department of Lands  
1910 Northwest Boulevard, #210  
Coeur d'Alene, ID 83814

Re: Joint Permit Application Submittal

Dear Jim:

Per our conversation today with Mike Doherty, our office will submit clarification and revisions to IDOL Permit #L-95-5-4172, (Corps Permit #95 1100 630). With this letter, we request an extension to the permit revisions approval period to allow us to prepare the submittal.

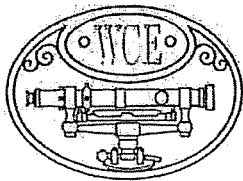
Should you have questions or this is not possible, please feel free to contact me.

Sincerely,  
Welch, Comer & Associates, Inc.

Bart D. North, P.E.

BDN:cld  
cc: Cy Chase  
Mike Doherty

Post-It [®] Fax Note	7671	Date	7/14	# of pages	1
To	J. Brady	From	B. North		
Cu./Dept.		Co.			
Phone #		Phone #			
Fax #	769-1536	Fax #			



**WELCH COMER**  
& ASSOCIATES, INC.  
ENGINEERS & SURVEYORS

WELCH COMER &  
ASSOCIATES, INC.

June 16, 1995

Mr. Mike Dougherty  
Corp. of Engineers  
12101 Ironwood Drive  
Coeur d'Alene, ID 83814

Re: Cy Chase Corp. Permit - Benewah County, Idaho

Dear Mike:

As a follow up to our phone conversation of June 9, 1995, I would like to provide the following comments:

1. The quantity of clay fill in the temporary coffer dams will be less than 10 cubic yards at each location.
2. The invert of the five foot diameter culvert proposed to replace the existing bridge will be 2123.5 thus providing six inches of air space at normal summer pool. The length of the culvert will be determined in the field to provide a ten foot wide driving surface with an angle of repose of 1.5:1.
3. The extent of material removal will end at the existing bridge crossing at approximate Station 14+00. There will be no sediment removal from Station 14+50 to Station 19+00 as indicated on Section GG.

If you have any further questions or need additional information, please feel free to contact our office.

Sincerely,  
Welch, Comer & Associates, Inc.

*Bart D. North*  
Bart D. North, P.E. *ce*

BDN:cld

cc: Jim Brady, Idaho Department of Lands  
Cy Chase

1626 Lincoln Way, Coeur d'Alene, Idaho 83814 208-664-9382 FAX 208-664-5946

F:\B3-95\3008\MD0616.DOC

CDAT OBJ-7102 0103



IDAHO DEPARTMENT OF LANDS

1215 W. State St., 2nd Fl., PO Box 83720  
Boise, Idaho 83720-0050  
Phone (208) 334-0200 Fax (208) 334-2339

STANLEY F. HAMILTON - DIRECTOR

BOARD OF LAND  
COMMISSIONERS

PHILIP E. BATT  
Governor

PETE T. CENARRUSA  
Secretary of State

ALAN G. LANCE  
Attorney General

J.D. WILLIAMS  
State Controller

ANNE C. FOX  
Sup't of Public  
Instruction

June 16, 1995

Cy Chase  
305 Lincoln Avenue  
St. Maries, ID 83861

Dear Mr. Chase:

I met with Mr. Will Pitman, Lake Protection Act Administrator, on June 5, 1995, concerning your application for dredging permit. Your permit is being processed through the two-week agency review by Mr. Jim Brady, Navigable Waters Specialist, under Will Pitman's direction.

Review of the application with Will and Jim shows that the application is presented in excellent form with no deficiencies. In fact, more information and detail is presented than required or expected. The department concludes this is a very approvable project. The Department of Fish and Game has already voiced its concurrence via telephone. The due date for comment was June 6.

The question of the 18-inch culvert was discussed. Jim pointed out that the culvert is located above the ordinary high water mark and therefore is beyond the scope of the department's authority. Jim recalls that the location of the culvert was included in the design because of a concurrence in recommendations by the Corps of Engineers and Welch Comer Engineering.

I did enjoy the opportunity to visit with you on this project. Site visits help keep me in touch with work being done by the department. If there is any assistance I, or the department, can provide, do not hesitate to call.

Sincerely,



STANLEY F. HAMILTON  
Director

SFH/WRP/mc

c: Lake Protection Act Administrator ✓  
J.D. Williams  
Pete Cenarrusa

KEEP IDAHO GREEN  
PREVENT WILDFIRE

EQUAL OPPORTUNITY EMPLOYER

CDAT OBJ-7102 0104

*Draft  
comment?*

June 6, 1995

Cy Chase

St. Maries, ID 83861

Dear Mr. Chase:

I met with Mr. Will Pitman, Lake Protection Act Administrator, at the Idaho Department of Lands office in Coeur d'Alene on June 5, 1995, concerning your application for dredging permit. The permit is being processed through the two-week agency review by Mr. Jim Brady, Navigable Waters Specialist, who works directly under Will Pitman.

Review of the application with Will and Jim shows that the application is presented in excellent form with no deficiencies. In fact, more information and detail is presented than required or expected. The department concludes this is a very approvable project. The Department of Fish and Game has already voiced its concurrence via telephone. The due date for comment is June 6.

The question of the 18-inch culvert was discussed. Jim pointed out that the culvert is located above the ordinary high water mark and therefore is beyond the scope of the department's authority. Jim best recalls this was a concurrence of recommendations by the Corps of Engineers and Welch Comer Engineering.

I do enjoy field visits, they bring reality to the work being done by the department. If there is any assistance I or the department can provide, do not hesitate to call.

Sincerely,

STANLEY F. HAMILTON  
Director

SFH/WRP/mc

c: Lake Protection Act Administrator



IDAHO DEPARTMENT  
OF HEALTH AND WELFARE

DIVISION OF  
ENVIRONMENTAL QUALITY

ENVIRONMENTAL QUALITY

2110 Ironwood Parkway, Coeur d'Alene, ID 83814-2648, (208) 769-1422

Philip E. Batt, Governor

June 6, 1995

Mr. Jim Brady  
Idaho Department of Lands  
1910 Northwest Boulevard, Suite 201  
Coeur d'Alene, ID 83814-2615

Re: Lake Encroachment Permit  
CY CHASE, L-95-S-4172

Dear Mr. Brady:

We have reviewed the subject application to deepen an existing side channel to the St. Joe River near St. Maries. Our comments are:

1. Construction activities should occur during periods of low water levels to increase the effectiveness of the coffer dam and decrease the potential for large volumes of decant water.
2. The use of in-situ clay and straw bales as coffer dam construction materials may become a substantial sediment source in and of itself. In-situ clay is probably inadequate for the proposed purpose and could become a difficult sediment source to control. We suggest an alternative coffer dam design. As mentioned above, construction during low water should reduce the height of a proposed coffer dam as well as hydrostatic pressures on the face of the structure. Alternatives for coffer dam design such as water structures or sheet piling should create an adequate impermeability barrier as well as minimize sediment sources.
3. The Idaho water quality standards IDAPA 16 Title 01 Chapter 02 designate the following beneficial uses in the St. Joe River under Section 16.01.2110,01.ii: "domestic water supply; agricultural water supply; cold water biota; salmonid spawning; primary contact recreation; secondary contact recreation; and special resource water." The proposed project poses a potential to exceed turbidity criteria applicable to this reach of the river (50 NTU instantaneously, 25 NTU for 10 days or more, IDAPA 16.01.02.250.c.iv). Any increase in ambient turbidity levels in the St. Joe River beyond those mentioned above could represent a violation of applicable water quality standards. We suggest the applicant monitor in-stream turbidity levels to determine the effectiveness of the containment structure(s) and augment controls if necessary. Turbidity levels inside the silt

Post-It® Fax Note 7671		Date 6/9/95	# of pages 2
To MIKE D.		From JIM B.	
Co./Dept. COE		Co. IDL	
Phone #		Phone #	
Fax #		Fax #	

Mr. Jim Brady  
June 6, 1995  
Page Two

curtain should be within five percent of those outside the curtain before removal occurs.

4. Pump-out water containing suspended sediment in excess of applicable turbidity criteria should not be discharged to the River. Alternatives, such as level spreading, should be used.
5. Disposal areas should be adequately stabilized so that prolonged erosion of those areas is prevented. Given the highly erosive nature of the dredge spoils, we suggest the use of erosion control blanket materials to promote stabilization. Maintenance of silt fences should occur until spoils are adequately stabilized.

Thank you for the opportunity to comment on this proposed action.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mike Hartz".

Mike Hartz  
Water Quality Science Officer

MH/as



IDAHO DEPARTMENT OF LANDS

1910 NW Blvd., Ste. 201  
Coeur d'Alene, Idaho 83814-2615  
Phone (208) 769-1535 Fax (208) 769-1536

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Instruction

MEMORANDUM

DATE: May 23, 1995

TO: Idaho Department of Fish and Game  
Idaho Department of Health and Welfare, DEQ  
Idaho Department of Water Resources  
US Army Corps of Engineers, CDA  
Panhandle Health District 1  
Clean Lake Coordinating Council  
Benewah County Commissioners (Planning/Building)

FROM: Jim Brady, Specialist   
Navigable Waters/Mineral Resources

RE: NOTICE OF APPLICATION - L-95-S-4172 - CY CHASE

Enclosed is an application and plats requesting permission to deepen existing basin on St. Joe River.

Please submit your recommendations to me by June 6, 1995, regarding the likely effect of the proposed encroachment upon adjacent property, lake, and streambed value factors of navigation, fish and wildlife habitat, aquatic life, recreation, aesthetic beauty, or water quality. If you have concerns or are opposed to the project as proposed, please list your specific reasons for concern or opposition and any facts or documentation to support your position.

You should recommend alternate plans if they are economically feasible to accomplish the purpose of the proposed encroachment. You should also recommend any mitigation measures or special restrictions/provisions you would like included as part of the permit if one is issued.

If you do not submit a comment, I will assume you have no objections to the application. If you have questions concerning the application, I suggest you contact the applicant. If the applicant cannot answer your questions, please call us.

mc

enclosures

c: Real Estate Specialist, Boise  
St. Joe Area - FYI

KEEP IDAHO GREEN  
PREVENT WILDFIRE

EQUAL OPPORTUNITY EMPLOYER

CDAT OBJ-7102 0109

WELCH, COMER & ASSOCIATES, INC.

CONSULTING ENGINEERS  
220 HARBOR PLAZA  
610 W. HUBBARD 208-664-9382  
COEUR D'ALENE, ID 83814

IDAHO INDEPENDENT BANK

92-373  
1231

011879

Pay: Fifty dollars and no cents*****

DATE

May 22, 1995

CHECK NO.

11879

AMOUNT

***50.00***

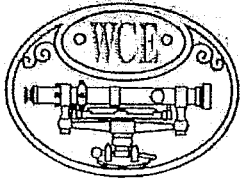
PAY

TO THE  
ORDER  
OF

DEPARTMENT OF LANDS

⑈011879⑈ ⑆123103732⑆0100002377⑈

L-95-5-4172



**WELCH COMER**  
& ASSOCIATES, INC.  
ENGINEERS & SURVEYORS

May 16, 1995

Mr. Jim Brady  
Idaho Department of Lands  
1910 Northwest Blvd, Suite 201  
Coeur d'Alene, Idaho 83814

Re: Joint Agency Permit Application -  
Benewah County, Idaho

Dear Jim:

Attached hereto please find the Corps of Engineers Permit Application for your review and approval, as reviewed on-site on May 4, 1995.

Should you have any questions, please do not hesitate to contact our office.

Sincerely,  
Welch, Comer & Associates, Inc.

Bart D. North, P.E.

BDN:spm

Enclosure

cc: Mike Doherty, COE  
Sam Badgett  
Cy Chase

L-95-5-4172

1626 Lincoln Way, Coeur d'Alene, Idaho 83814 208-664-9382 FAX 208-664-5946

F:\B3-95\747\JB0516.DOC - spm

CDAT OBJ-7102 0111



A Pioneer Company  
**PIONEER TITLE COMPANY**  
OF KOOTENAI COUNTY

100 Wallace Avenue/ Coeur d Alene, Idaho 83814 / (208) 664-8254

L-95-S-4339

## Encroachment/Dock Permit Inquiry

Department of Lands

ATTN: Carl Washburn

FAX: 769-1597

Current Owner: L. Eric Christen

Property address: _____

NWA St. Maries Id.

Lot 12 Block 2

Subdivision Sylvia's Haven

Legal Description: Same

Tax No. RP06B30020005CA B/N: _____

To be completed by IDL:

PERMIT NO. L-95-S-4339

No dock permit found ☐

PLEASE RETURN BY FAX TO 208-664-9479

Heidi Simon



TRANSMISSION VERIFICATION REPORT

TIME : 10/03/2008 14:23  
NAME : IDAHO DEPT OF LANDS  
FAX : 2087691597  
TEL : 2087691577  
SER.# : 000D5J886428

DATE, TIME	10/03 14:18
FAX NO./NAME	912086649479
DURATION	00:04:29
PAGE(S)	09
RESULT	OK
MODE	STANDARD ECM

IDAHO DEPARTMENT OF LANDS

1910 NW Blvd., Suite 201  
Coeur d'Alene, Idaho 83814-2615  
Phone: (208) 769-1535 FAX (208) 769-1557

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State Controller

ANNE C. FOX  
Sup't of Public  
Instruction

August 15, 1997

Steve Hawks  
HCR 2 Box 86  
St. Maries, ID 83861

Dear Mr. Hawks:

Re: Encroachment Permit L-95-S-4339

Enclosed is subject permit in accordance with the application you filed with this office. Please comply with all special terms and conditions.

You are required to record this original notarized permit with Benewah County. Encroachment permit number 4339 must be displayed upon the most waterward area of your encroachment with metal, plastic or vinyl numerals at least three inches in size.

Thank you for your cooperation.

Sincerely,

*Carl Washburn*

CARL WASHBURN  
Navigable Waters Specialist

mc

enclosures

c: COE-CDA  
Harrison Dock Builders

KEEP IDAHO GREEN  
PREVENT WILDFIRE

CALL OFFICERS WHEN OVER

CDAT OBJ-7102 0115



IDAHO DEPARTMENT OF LANDS

1910 NW Blvd., Suite 201  
Coeur d'Alene, Idaho 83814-2615  
Phone: (208) 769-1535 FAX (208) 769-1557

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Attorney General

J.D. WILLIAMS  
State Controller

ANNE C. FOX  
Sup't of Public  
Instruction

ENCROACHMENT PERMIT NO. L-95-S-4339

Permission is hereby granted to STEVE HAWKS  
of HCR 2 Box 86 St. Maries, ID 83861 to install and maintain  
2.5' x 20' ramp & 8' x 30' float dock w/ 4 piling  
located: St. Joe River, Sylvia's Haven, Block 2, Lot 12, Section 7,  
Township 46 North, Range 2 West, Boise Meridian, Benewah County.

1. All applicable provisions of the Rules for Regulation of Beds, Waters, and Airspace over Navigable Lakes and Streams in the State of Idaho are incorporated herein by reference and made a part hereof.
2. Construction will follow details and specifications shown on the approved drawings and data provided by the applicant. Should such information and data prove to be materially false, incomplete and/or inaccurate, this authorization may be modified, suspended, or revoked in accordance with the Administrative Procedures Act, Idaho Code title 67, chapter 52.
3. This permit does not convey the State's title to or jurisdiction or management of lands lying below the natural or ordinary high water mark.
4. Acceptance of this permit constitutes permission by the Permittee for representatives of the Department of Lands to come upon Permittee's lands at all reasonable times to inspect the encroachment authorized by this permit.
5. The Permittee assumes all liability for damages which may result from the exercise of this permit.
6. This permit does not relieve the Permittee from obtaining additional local or federal permits as required.
7. This permit is not valid until the identification number is displayed on the outermost area of the encroachment.
8. If the activity authorized herein is not completed on or before the 15th day of August, 2000 (three years from the date of issuance), this permit shall automatically expire unless it was previously revoked or otherwise extended.

KEEP IDAHO GREEN  
PREVENT WILDFIRE

EQUAL OPPORTUNITY EMPLOYER

CDAT OBJ-7102 0116

9. White bead foam flotation shall be completely encased in a manner that will maintain the structural integrity of the foam. The encasement shall be resistant to the entry of rodents.
10. Removal of any pre-existing facilities is a condition of this permit.
11. This permit supersedes and voids any permit previously issued for this property unless otherwise noted.
12. Construction materials shall be natural or pressure treated utilizing only those preservative chemicals registered for the specific uses, such as CCA (Chromated Copper Arsenate), by the U.S. Environmental Protection Agency (EPA). All treated wood materials shall be produced in compliance with "Best Management Practices (BMPs) For the Use of Treated Wood in Aquatic Environments" issued by the Western Wood Preservers Institute (WWPI), July 1996. Treated materials not in contact with the water shall be completely dry before use near navigable waters. Contact Idaho Department of Health and Welfare, Division of Environmental Quality, at (208)769-1422 with questions regarding treated materials.
13. All construction material must be stockpiled landward of the ordinary high water mark.
14. Regardless of dock dimensions, the dock may only extend waterward to a water depth of six feet when measured at full pool (elevation 2,128 WWP datum).
15. This permit is issued subject to the established commercial navigational servitude. The permittee places this encroachment at his own peril and specifically waives any claim against commercial log tow operators who may accidentally damage this encroachment.
16. The permittee shall maintain the structure or work authorized herein in a good and safe condition and in accordance with the plans and drawings attached hereto.
17. All construction shall be completed in accordance with descriptions and methods provided unless otherwise specified. Any changes shall be approved in writing by the department prior to construction.

ENCROACHMENT PERMIT NO. L-95-S-4339  
August 15, 1997  
Page three

ENCROACHMENT PERMIT NO. L-95-S-4339

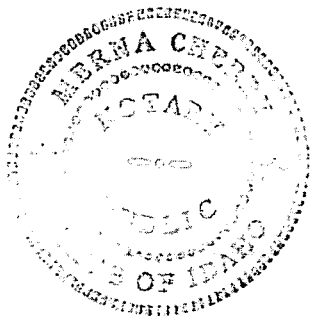
UPON TRANSFER OF THIS REAL PROPERTY, YOU ARE REQUIRED TO NOTIFY THIS  
OFFICE OF THE SUBSEQUENT NAME CHANGE (SEE ENCLOSURE).

FOR THE DIRECTOR

By: Carl Washburn  
CARL WASHBURN  
Navigable Waters Specialist

STATE OF IDAHO                    )  
                                          ) ss  
COUNTY OF KOOTENAI        )

Subscribed and sworn to before me this 15th day of  
August, 1997.



Merna Cherry  
Notary Public for Idaho  
Residing at Post Falls, Idaho  
Commission expires: 1/24/98

ID. Dept. of Lands  
1910 NW Blvd. Ste. #201  
Coeur D'Alene ID. 83814

JOINT APPLICATION FOR PERMIT  
U.S. ARMY CORPS OF ENGINEERS  
IDAHO DEPARTMENT OF WATER RESOURCES  
IDAHO DEPARTMENT OF LANDS

SEPARATE PERMIT DECISIONS MUST BE  
RECEIVED FROM BOTH THE STATE OF  
IDAHO AND THE CORPS OF ENGINEERS  
PRIOR TO START OF WORK

The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. These laws require permits authorizing structures and work in or affecting navigable waters of the United States and the discharge of dredged or fill material into waters of the United States, including their adjacent wetlands. State permits are required under the State of Idaho, Stream Channel Protection Act (Title 42, Chapter 38, Idaho Code) and the Idaho Lake Protection Act, Section 58-142 et. seq, Idaho Code. This application will meet the requirements of the above agencies.

1. Corps of Engineers # _____ Date Received _____	2. State of Idaho # <u>2-75-3-4339</u> Date Received _____ \$20 Rec'd By: _____ Receipt # _____
------------------------------------------------------	-------------------------------------------------------------------------------------------------------

PLEASE TYPE OR PRINT

3. Applicant <u>STEVE HAWKS</u> Mailing Address <u>HCE 2 BOX 86</u> <u>ST. MARIES ID 83861</u> Work Phone (Area) <u>208 245 2403</u> Home (Area) <u>SAME</u> Fax Number _____	4. Authorized Agent <u>HARRISON DOCK BUILDERS</u> Mailing Address <u>HWY 97</u> <u>HARRISON, ID</u> Work Phone (Area) <u>208 699 3636</u> Home (Area) _____
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------

5. Location where proposed activity exists or will occur. Waterway <u>ST. JOE RIVER</u> <u>ST. MARIES</u> <u>BENEWAH</u> <u>ID</u> In/near city or town County State <u>83861</u> <u>COUNTY</u> Zip Code Local jurisdiction (city or county)	Tributary of: <u>RP 005300200130 A</u> Assessor's Desc. (Tax No. or Subdivision, Lot & Block No.) <u>* Lot 12, Bk 2, Sylvan's Haven *</u> (See instructions) <u>7</u> <u>46 N</u> <u>2 W</u> or 1/4 1/4 Section Township Range UTM Coordinate Grid Zone Northing Easting
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

6. Describe the proposed activity. Provide a general description of the proposed work including all discharges of fill material and any structures such as piers, floats, boat lifts, bulkheads, and cofferdams.

- INSTALL FOUR PILING NEXT TO EXISTING PILING 1997  
- REPLACE EXISTING DOCK 1998

Describe construction methods and equipment:

- PILING = PILE DRIVER & BARGE

- DOCK = LOG FLOATS / TREATED TIMBER

List all soil series located at project site, and indicate if any are on the county's hydric soils list:

N/A

Length of project along the stream or extension into lake or reservoir: 30'

Will material be placed waterward of ordinary high water mark? NO If yes, volume: _____ (cubic yards)  
(BOTH TEMPORARY AND PERMANENT)

Will material be placed in wetlands? NO If yes, total area: _____ (acres)

Type and composition of fill material: N/A (i.e. sand, etc.) Material Source: _____

Will excavation or dredging be required? NO If yes, volume: _____ (cubic yards) Composition: _____

Disposal site for excavated material: N/A Method of excavation: _____

Stream gradient: N/A

Method of controlling turbidity and/or sedimentation: N/A

7. Size and flow capacity of proposed bridge or culvert and area of drainage served (sq. miles): (Idaho Department of Water Resources requirement)

8. Preparation of drawings. One set of original or good quality reproducible drawings must be attached to this application. NOTE: DRAWINGS NO LARGER THAN 8-1/2 X 11 INCHES IN SIZE. See the instruction pamphlet for instructions and a checklist for completing the drawings. Include photographs of the project site mounted on 8-1/2 x 11 sheets.

9. Purpose and intended use: Commercial _____ Public _____ Private X Other _____ Describe _____

Necessity and justification for project REINFORCE EXISTING PILING / DOCK NOT SAFE

10. Proposed Starting Date AUG 97 = PILING Estimated Duration 1 DAY

11. If any portion of the activity is complete, indicate month and year of completion SPRING 98 = DOCK / 2 WKS.  
Indicate the existing work on the drawings. N/A

12. Names, addresses, and telephone numbers of adjoining property owners, lessees, etc., whose property also adjoins the waterway

Bud McCall Fernwood, ID 83830 208-245-2026 Both signed  
Cy Chase 305 Lincoln St. Murietta ID 83861 208-245-2057 County map to  
OK project

☐ Check here if the alteration is located on endowment lands administered by the Idaho Department of Lands

13. LEGAL OWNER IF  
OTHER THAN APPLICANT N/A

Mailing Address _____ City, State, _____  
Area _____ Zip Code _____  
Area _____  
Phone _____ Work(_____) _____ Home(_____) _____

14. List other applications, approvals, or certifications from other Federal, interstate, state, or local agencies for any structures, constructions, discharges, deposits, or other activities described in the application.

Issuing Agency	Type of Approval	Identification No.	Date of Application	Date of Approval
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

15. Has any agency denied approval for the activity described herein or for any activity directly related to the activity described herein? Yes _____ No ✓  
(If "Yes" explain) _____

16. Remarks or additional information: _____  
_____  
_____  
_____

17. Application is hereby made for a permit or permits to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief, such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agencies to which this application is made, the right to come upon the above-described location to inspect the proposed or completed work.

28 June 97  
Date

Steve Hawks  
Signature of Applicant (ORIGINAL SIGNATURE REQUIRED)

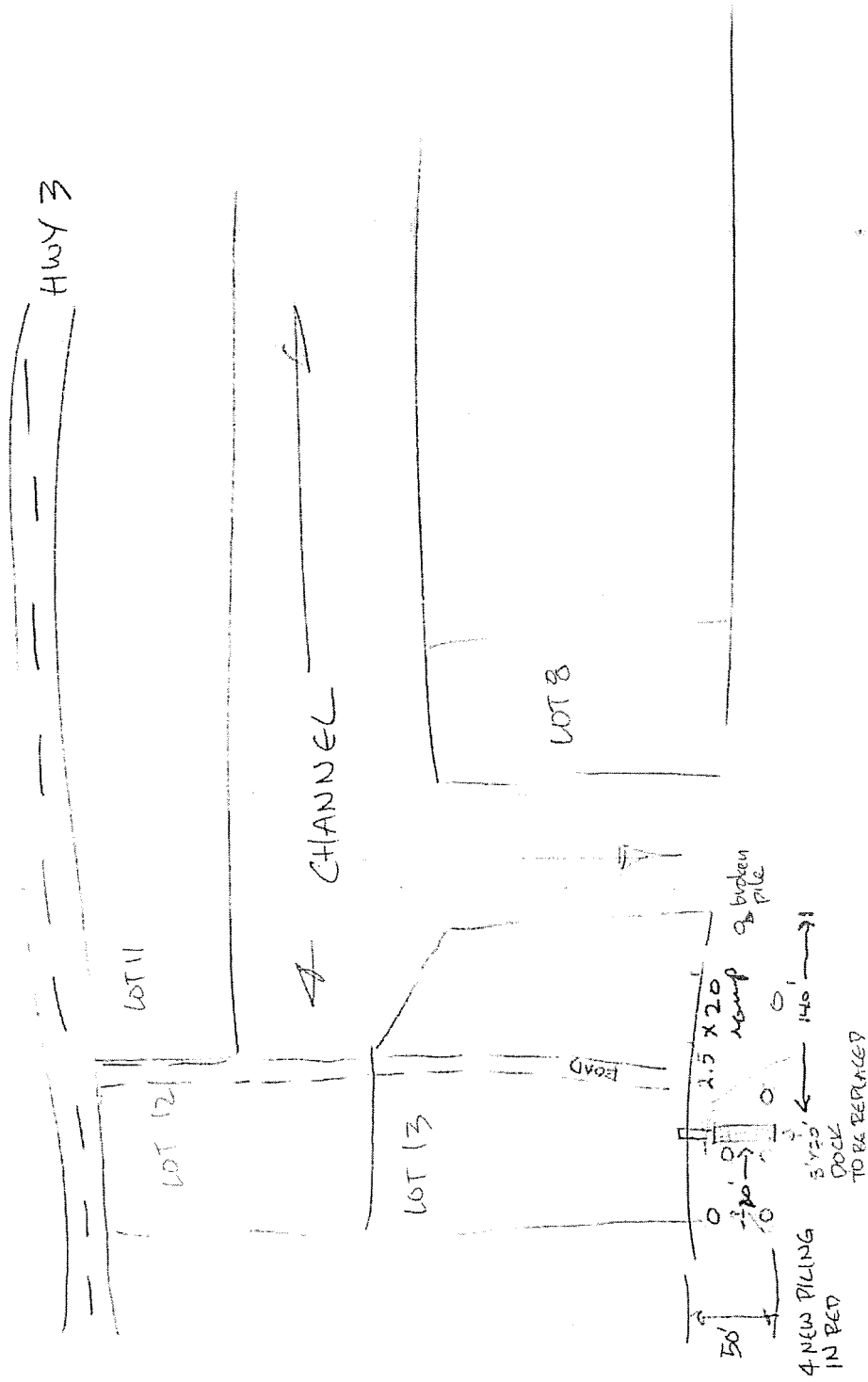
19. If an authorized agent is to be designated, Item 4 and the following information should be completed.

I hereby designate _____ to act as my agent in matters related to this permit application. I understand that if a Federal permit is issued, I must sign the permit.

Date _____ Original Signature of Authorized Agent _____ Original Signature of Applicant _____

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years or both. Do not send a Federal permit processing fee with this application. The appropriate fee will be assessed when a permit is issued.

DO NOT SEND FEDERAL PROCESSING FEE WITH APPLICATION



ST. JOE RIVER



## Legal Description

County of Benewah, State of Idaho, to-wit:  
Lot Thirteen (13), Block Two (2), Sylvia's  
Haven Subdivision, together with an easement  
for purposes of moorage in and upon the  
riparian rights in the dockage lagoon as shown  
on said plat adjacent and appurtenant to the  
southerly forty (40) feet of the shore line of  
Lot Twelve (12), Block Two (2), Sylvia's Haven  
Subdivision, County of Benewah.

Section 7, Township 46 North, Range 2 West, B.M.  
Benewah County, Idaho

(Ar/

I hope I didn't  
forget anything.

I'm usually in the  
shop during the day  
at 245 2403

Thanks  
Steve

92-372 399 1231 1792

STEVE HAWKS  
DEANNE HAWKS  
RT 2 BOX 86  
ST. MARIES, ID 83861

Pay To The Order Of ID Dept. of Lands \$ 50.00 Dollars

Fifty and 00/100

U.S. BANK OF IDAHO  
ST. MARIES BRANCH  
138 N. EIGHT STREET  
ST. MARIES, IDAHO 83861

For Billings/drk permit Deanne Hawks

⑆123103729⑆ 399 1816 327⑈ 1792

CDAT OBJ-7102 0124

Carl  
✓ me  
8-1-97

STANLEY F. HAMILTON  
DIRECTOR

November 30, 1988

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Attorney General  
JOE R. WILLIAMS  
State Auditor  
JERRY L. EVANS  
Sup't of Public  
Instruction

Steve Hawks  
Route 2, Box 86  
St. Maries, ID 83861

Re: 91-07102

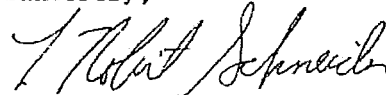
~~Dear Mr. Hawks:~~

Recently the Department of Lands received a copy of the above-referenced diversion application which you submitted to the Department of Water Resources. Since the St. Joe River is a navigable river, a temporary permit and an encroachment permit will be required from the Department of Lands for the pump and waterline.

If the application to Water Resources is for a system installed prior to 1974, please furnish drawings and the \$10 temporary permit fee.

If the application is for a new system, please complete the enclosed application as per the instructions on the back of the form. Mail along with your payment in the amount of \$60 to this office. The temporary permit fee is \$10, runs for five years, and is renewable. There is an encroachment application fee of \$25 and an advertising deposit of \$25. Please submit a plat and property description showing location of the waterline.

Sincerely,



L. ROBERT SCHNEIDER  
Navigable Waters Specialist

LRS/mc  
Enclosures

COPY



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
NORTHERN REGION, Suite No. 9 • 4055 Government Way • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

September 8, 1988

Dept. of Lands  
Statehouse  
Boise, Id. 83720

Re: 91-7102

Gentlemen:

Enclosed is a recent filing with this Department that may be of interest to your Agency.

Sincerely,

A handwritten signature in dark ink, appearing to read 'R. Haynes'.

ROBERT G. HAYNES, P.E.  
Regional Manager

RGH/pms

Enclosure



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Steve Hawks Phone 245-2403  
Post office address Rt. 2 Box 86 St. Maries, Id. 83861
2. Source of water supply ST JOE RIVER which is a tributary of COSECOWE LAKES
3. Location of point of diversion is NE  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of SE  $\frac{1}{4}$ , Govt. Lot 1  
Sec. 7 Township 46N Range 2W B.M. Benewah County; additional  
points of diversion if any: _____
4. Water will be used for the following purposes:  
DOMESTIC  
Amount 0.02 for garden watering purposes from 1 MAR to 1 Dec (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)  
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.02 and/or (b) _____  
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. 1 1/4" pipe through  
culvert to canal
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total  
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:  
_____ to _____ inclusive.
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is  
1 years (minimum 1 year).

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
46	2W	7													D				.35

Total number of acres to be irrigated .35

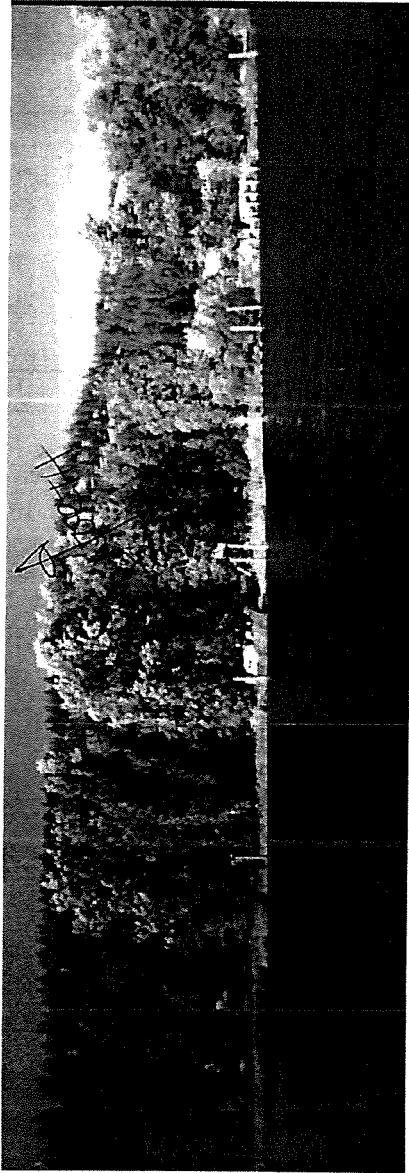
10. Describe any other water rights used for the same purposes as described above. Drinking water from well I am 1/4 partner

11. a. Who owns the property at the point of diversion? Cyril Chase

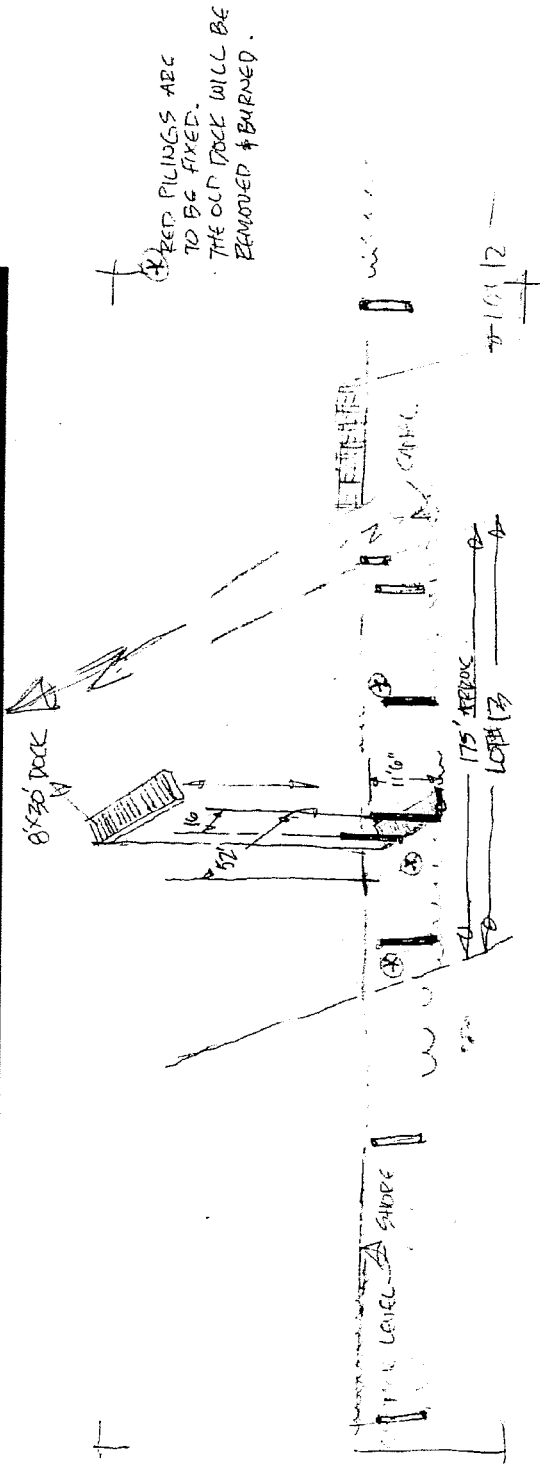
b. Who owns the land to be irrigated or place of use? Steve Hawks

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____



SECTION 7, TOWNSHIP 46 NORTH,  
RANGE 2 WEST, BM  
BENEFIT COUNTY, ID.



# The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, A CERTIFICATE OF THE REGISTER OF THE LAND OFFICE AT COEUR D'ALENE, IDAHO, HAS BEEN DEPOSITED IN THE GENERAL LAND OFFICE, WHEREBY IT APPEARS THAT FULL PAYMENT HAS BEEN MADE BY THE CLAIMANT UNCAS M. CASTLIO, ACCORDING TO THE PROVISIONS OF THE ACT OF CONGRESS OF APRIL 24, 1820, ENTITLED, "AN ACT MAKING FURTHER PROVISION FOR THE SALE OF THE PUBLIC LANDS," AND THE ACTS SUPPLEMENTAL THERETO, FOR THE LOTS ONE AND TWO OF SECTION EIGHT AND THE LOTS ONE AND SEVEN AND THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION SEVEN IN TOWNSHIP FORTY-SIX NORTH OF RANGE TWO WEST OF THE BOISE MERIDIAN, IDAHO, CONTAINING ONE HUNDRED FORTY-SEVEN AND THIRTY-HUNDREDTHS ACRES, ACCORDING TO THE OFFICIAL PLAT OF THE SURVEY OF THE SAID LAND, RETURNED TO THE GENERAL LAND OFFICE BY THE SURVEYOR-GENERAL;

NOW KNOW YE, THAT THE UNITED STATES OF AMERICA, IN CONSIDERATION OF THE PREMISES, AND IN CONFORMITY WITH THE SEVERAL ACTS OF CONGRESS IN SUCH CASE MADE AND PROVIDED, HAS GIVEN AND GRANTED, AND BY THESE PRESENTS DOES GIVE AND GRANT, UNTO THE SAID CLAIMANT AND TO THE HEIRS OF THE SAID CLAIMANT THE TRACT ABOVE DESCRIBED; TO HAVE AND TO HOLD THE SAME, TOGETHER WITH ALL THE RIGHTS, PRIVILEGES, IMMUNITIES, AND APPURTENANCES, OF WHATSOEVER NATURE, THEREUNTO BELONGING, UNTO THE SAID CLAIMANT AND TO THE HEIRS AND ASSIGNS OF THE SAID CLAIMANT 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 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, AND ALL THE COAL OR OIL THEREIN OR THEREUNDER.

-SEAL-

IN TESTIMONY WHEREOF, I, WILLIAM H. TAFT, 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 NINETEENTH DAY OF NOVEMBER IN THE YEAR OF OUR LORD ONE THOUSAND NINE HUNDRED AND TWELVE AND OF THE INDEPENDENCE OF THE UNITED STATES THE ONE HUNDRED AND THIRTY-SEVENTH.

RECORD OF PATENTS. 301011  
PATENT NUMBER.

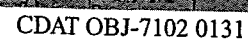
BY THE PRESIDENT; WM H. TAFT

BY M. P. LE ROY: SECRETARY,  
H. W. SANFORD  
RECORDER OF THE GENERAL LAND OFFICE.

THE LANDS ABOVE DESCRIBED ARE SUBJECT TO ALL RIGHTS UNDER AN APPLICATION BY THE WASHINGTON WATER POWER COMPANY, APPROVED FEBRUARY 2, 1909, UNDER THE ACT OF FEBRUARY 15, 1901 --31 STAT., 790-- BEING AN APPLICATION FOR A PERMIT FOR THE CONSTRUCTION OF A RESERVOIR FOR WATER POWER PURPOSES.

RECORD OF PATENTS- Patent Number _____

4-1043



**Sylvia's Haven**  
A Subdivision of  
**Castillo's Tracts Nos 6, 7, 8, 9**  
Sec. 7, Twp. 46N, Rq. 2W, B.M.  
**Benewah County, Idaho**

**DESCRIPTION**

A further description of Tracts 6, 7, 8 & 9 of Castillo's Tracts, a platted subdivision of the NW 1/4 of the NE 1/4 of Section 7, Twp. 46N, Rq. 2W, B.M. Benewah County, Idaho. Except a portion of Tract 6, and the boundary of which is described as follows: Beginning at the NW corner of Tract 8, 1000 feet being 8 1/2 T.E. a distance of 1500 feet from the NW corner of Tract 6, thence S 1/2 E along the westerly line of Tract 6 a distance of 337.23 feet to a point on the North NW boundary of Tract 6, thence westerly along said North NW boundary a distance of 500.10 feet to the point of intersection of said NW boundary and the East line of Tract 7, thence N 1/2 W along said East line of Tract 7 a distance of 318.32 feet to a fence corner thence S 34° 50' W along a fence a distance of 535.88 feet to the point of beginning.

**OWNER'S CERTIFICATE**

Be it known that we Cyril C. Chase and Verdis J. Chase husband and wife are the owners of the land described in the above Declaration and have caused this Declaration to be subdivided into Lots and Blocks as herein set forth in Benewah County, Idaho.

It is the intent of the undersigned owners to include said land in this plat submitted.

1. All roads as shown in this plat are dedicated in public use.
2. A 20 foot wide estate and utility easement, along the westerly portion of Block 5, along the easterly portion of Lot 2, along the line common to Lots 1 and 2, along the northerly line of Lots 8, 9, 10, 11, 12, and along the westerly line of Lot 12, all in Block 2, as herein platted with vested lines.
3. A 5 foot wide access and utility easement, as may be necessary, along each lot boundary not included in exception No. 2, for public utilities.
4. The reserved right of jurisdiction over the waterways and franchises herein platted as Cocksfoot, Lanesport and Monahan Lots.
5. All existing rights and easements, by use or by documents, specifically those rights pertaining to use of ground water from Lots 5, 6, 7, 8, and 9, Block 1.

Cyril C. Chase  
Owner

Verdis J. Chase  
Owner

**STATE OF IDAHO S.S.**  
**COUNTY OF BENEWAH**

On the 9th day of December, 1968, before me appeared Cyril C. Chase and his wife, Verdis J. Chase, known to me to be the persons who executed the above Owner's Certificate and acknowledged to me that they signed the same.

John B. Park  
Notary Public in and for the State of Idaho

Residing in St. Maries, Idaho

My Commission expires 5-25-69

**COUNTY RECORDER** Mar. Filing

I hereby certify that this plat was filed for record in the office of the Recorder of Benewah County, Idaho, on the 14th day of December, 1968, at 2:00 p.m. and said recording is for 1 page.

**COUNTY COMMISSIONER'S APPROVAL**

The plat submitted and accepted by the Board of Commissioners of Benewah County, Idaho, this 9th day of December, 1968.

Harold H. Mahon  
Chairman

**COUNTY RECORDER** Covenants Filing

I hereby certify that Restrictive Covenants for Sylvia's Haven were filed for record in the 9th day of December, 1968, and said recording is for 1 page.

**COUNTY TREASURER**

I hereby certify that all taxes of record have been paid to date 20th day of January, 1968, signed this 9th day of December, 1968.

May T. Low  
Benewah County Treasurer

**SURVEYOR'S CERTIFICATE**

I, Darrell G. Maher, a Registered Land Surveyor in and for the State of Idaho, do hereby certify that I did during the month of June, 1968, survey the above described Tract and set Iron Pins as shown on the above plat.

Signed Darrell G. Maher

**STATE OF IDAHO S.S.**  
**COUNTY OF BENEWAH**

On the 11th day of December, 1968, before me personally appeared Darrell G. Maher, known to me to be the person who executed the above certificate and acknowledge to me that he signed the same.

Edwin J. Mueller, Jr.  
Notary Public in and for the State of Idaho

Residing in St. Maries, Idaho

My commission expires February 12, 1972

STATE OF IDAHO  
County of Benewah  
Filed for record of this map -  
C. C. Chase  
At Ben. Co. Sec. 7, Twp. 46N, Rq. 2W, B.M. 4-15  
v. block P. M. sec. 7, Twp. 46N, Rq. 2W, B.M. 4-15  
at St. Maries on page 1  
John B. Park  
Notary Public  
By John B. Park Deputy  
For John B. Park

02/24/2015

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 91-7102

NAME AND ADDRESS: DEANNE HAWKS  
89231 HWY 3 N  
ST MARIES ID 83861

STEVE HAWKS  
89231 HWY 3 N  
ST MARIES ID 83861

SOURCE: ST JOE RIVER

TRIBUTARY: COEUR D'ALENE LAKE

QUANTITY: 0.020 CFS  
0.60 APY

PRIORITY DATE: 07/22/1988

POINT OF

DIVERSION: T46N R02W S7 NESE Lot 7 Within BENEWAH County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

03/15 11/15

0.020 CFS

0.60 APY

Domestic use is for irrigation of lawn and garden.

PLACE OF USE: DOMESTIC in BENEWAH County

T46N R02W S07 Lot 7 NESE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Parcel No. RP005300200061A for point of diversion.

Parcel No. RP005300100099AA and RP005300100099SA for place of use.

# CSRBA

## DIRECTORS REPORT 91-07102

[Return to CSRBA Home Page](#)

[Return to CSRBA IWATRS Reports](#)

IWT072

IDAHO DEPARTMENT OF WATER RESOURCES  
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

Right Number: 91-07102

Name and Address: STEVE HAWKS  
DEANNE HAWKS  
89231 HWY 3 N  
ST MARIES, ID 83861

Source: ST JOE RIVER Tributary: COEUR D ALENE LAKE

Quantity: .02 CFS  
.60 AFY

Priority Date: 07-22-1988

Diversion Point: T46N R02W S07 LOT 7 (NESE ) Within Benewah County

Purpose and

Period of Use:	Purpose of Use	Period of Use	Quantity
	Domestic	03-15 TO 11-15	.02 CFS
			.60 AFY

Domestic use is for irrigation of lawn and garden.

Place of Use: Domestic Within Benewah County  
T46N R02W S07 LOT 7 (NESE)

Other Provisions Necessary for Definition / Administration of this Water Right:

Explanatory Material: Basis of Claim - License

Parcel No. RP00530010009AA and RP005300100095A for place of use.  
Parcel No. RP005300200061A for point of diversion.

[Return to CSRBA IWATRS Reports](#)

[Return to CSRBA Home Page](#)



CDAT OBJ-7102 0135



CDAT OBJ-7102 0136



CDAT OBJ-7102 0137



CDAT OBJ-7102 0138

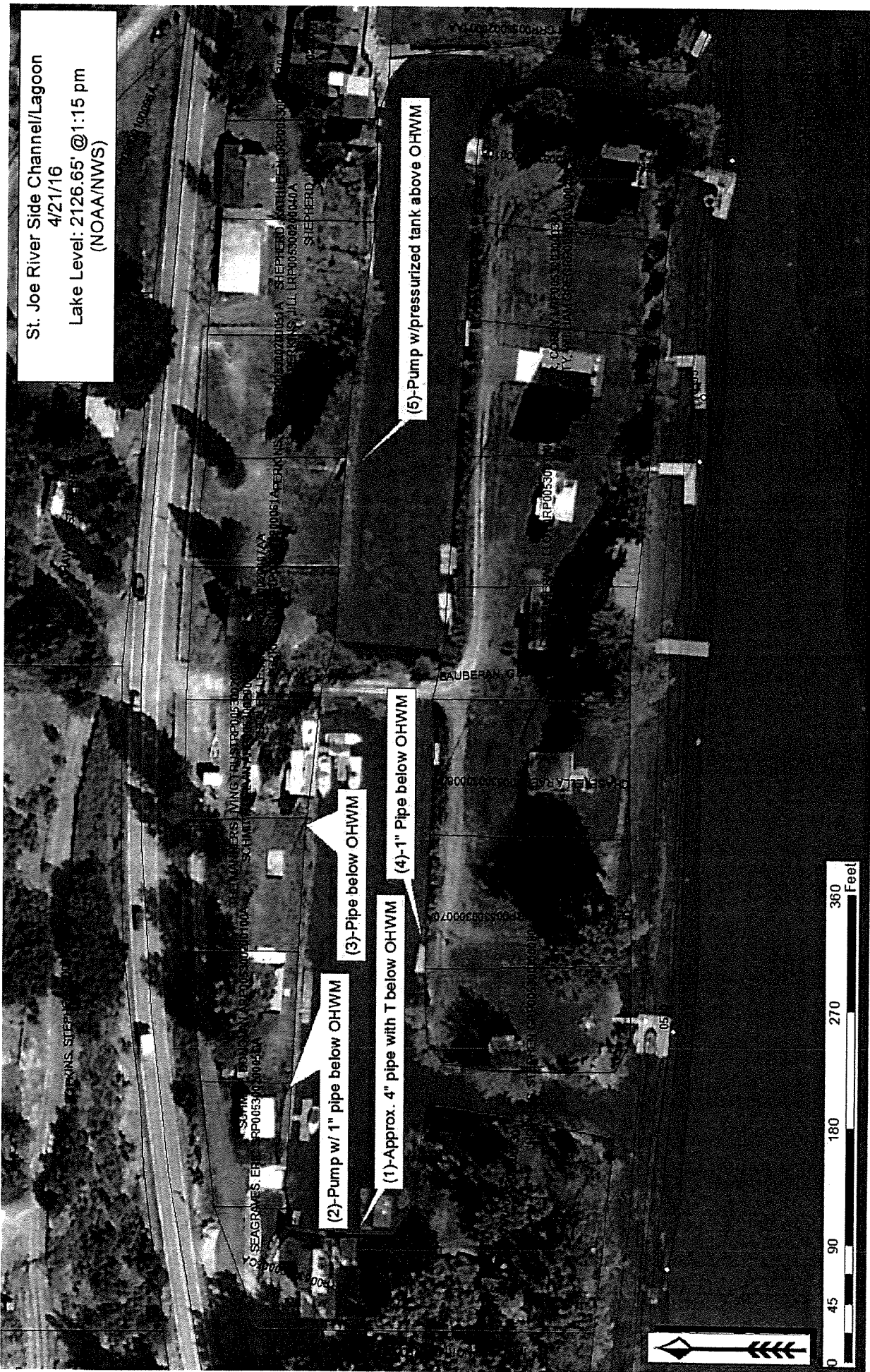


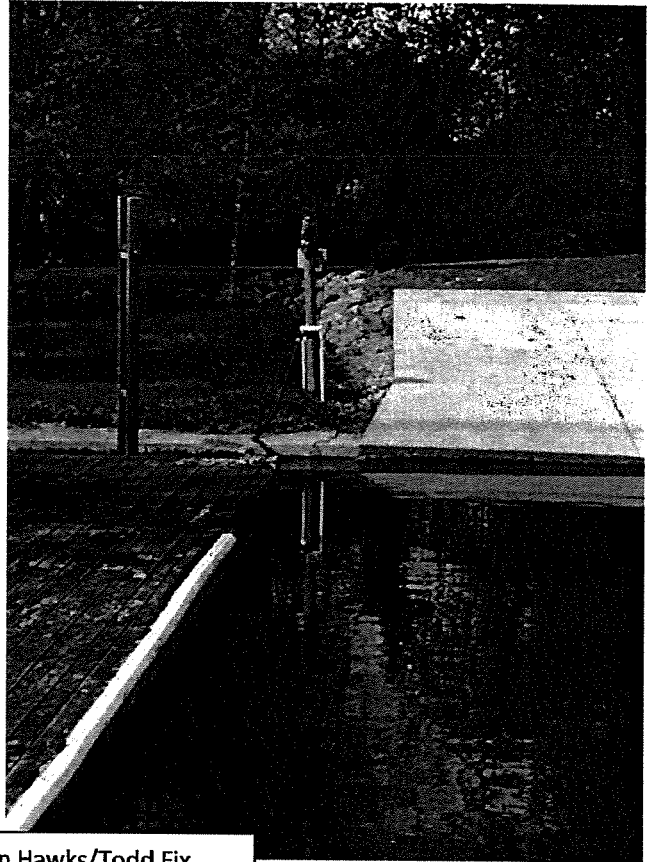
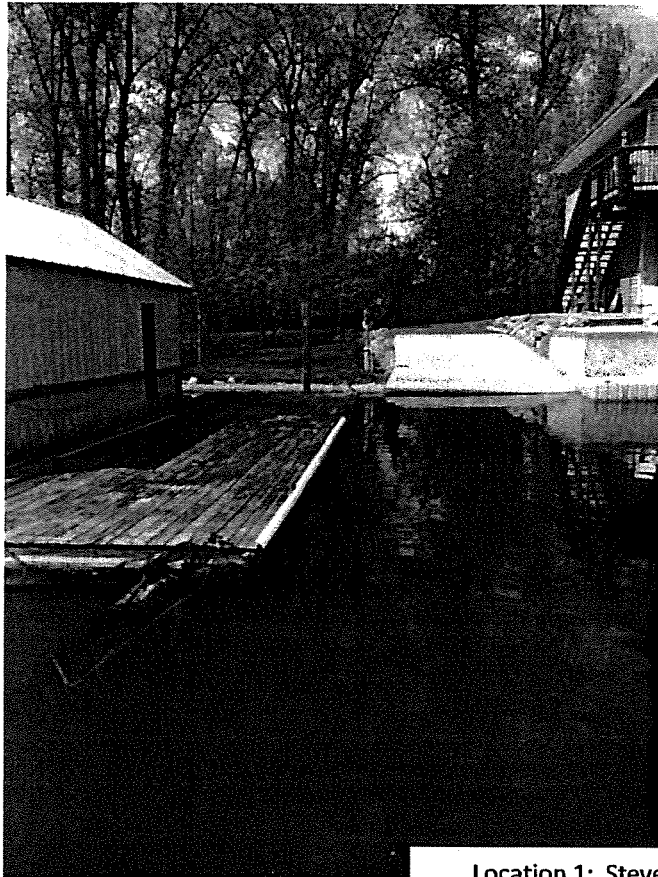
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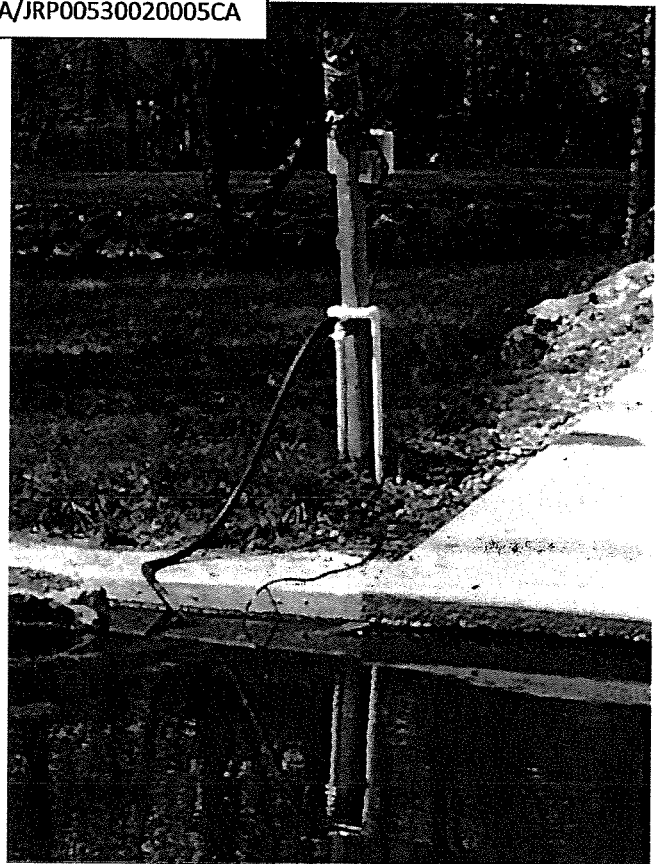
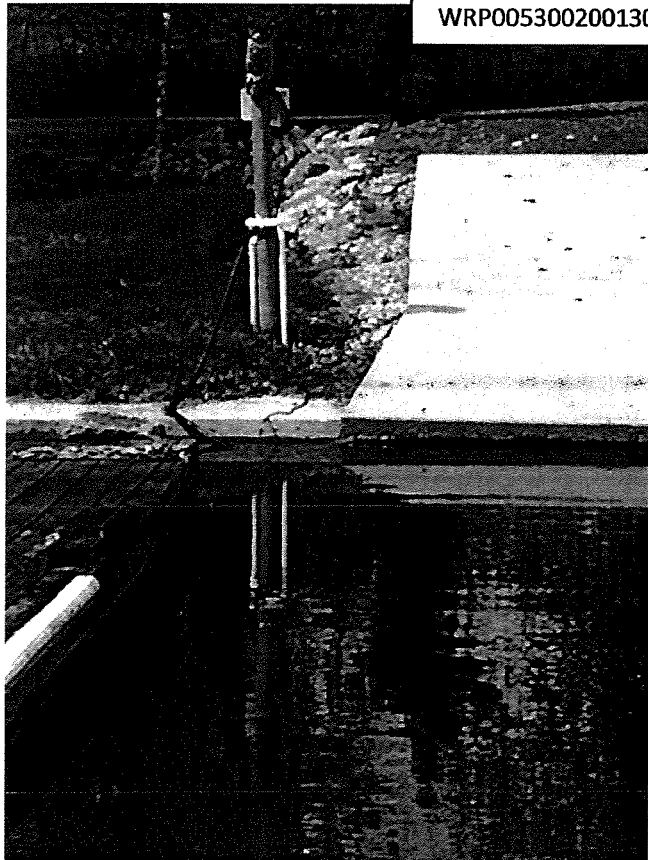
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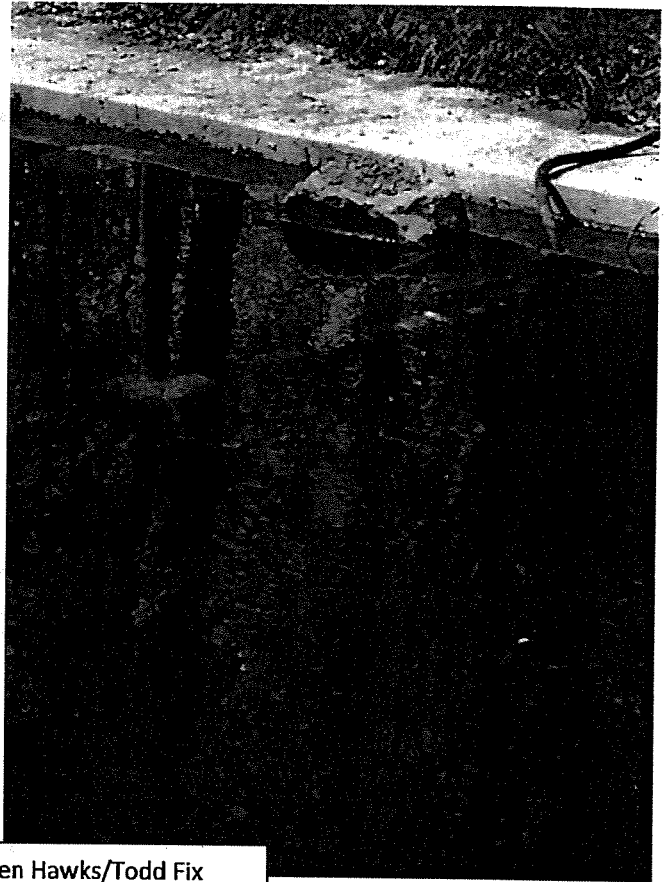
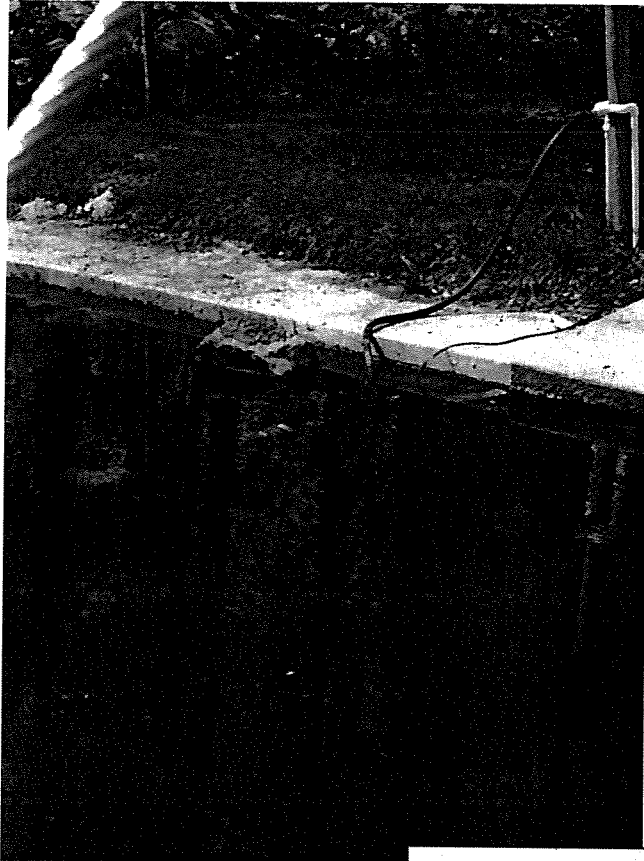
St. Joe River Side Channel/Lagoon  
4/21/16  
Lake Level: 2126.65' @ 1:15 pm  
(NOAA/NWS)



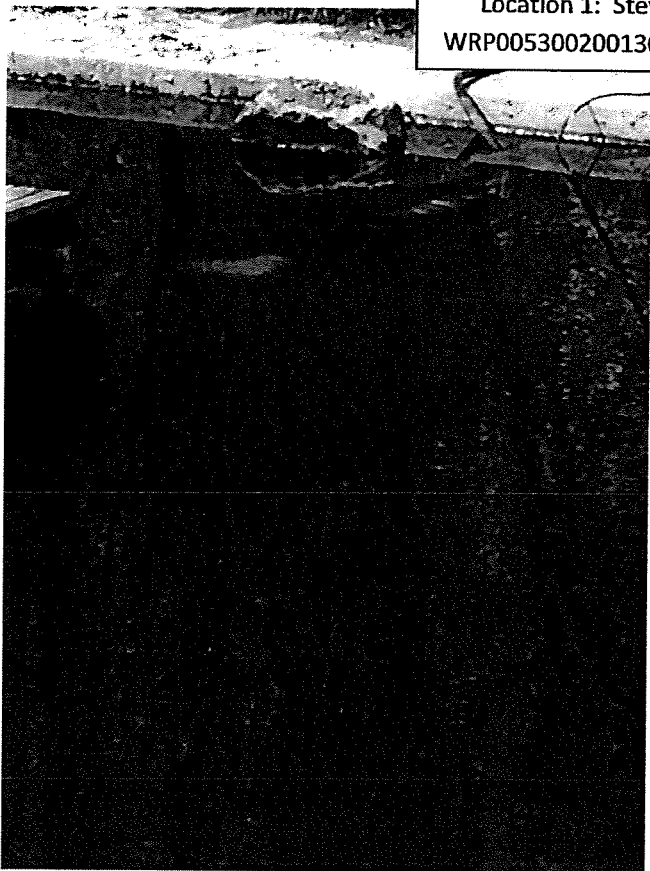


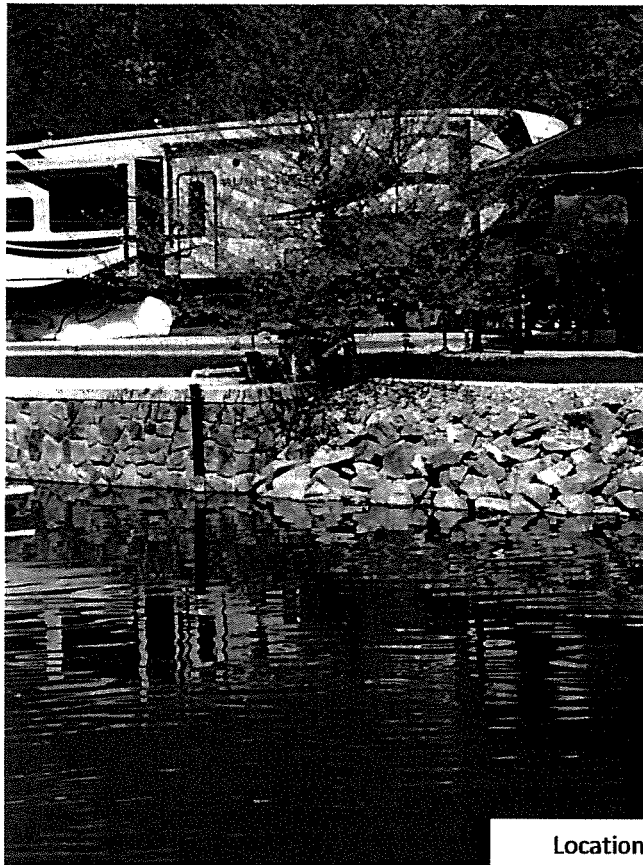
Location 1: Steven Hawks/Todd Fix  
WRP005300200130A/JRP00530020005CA



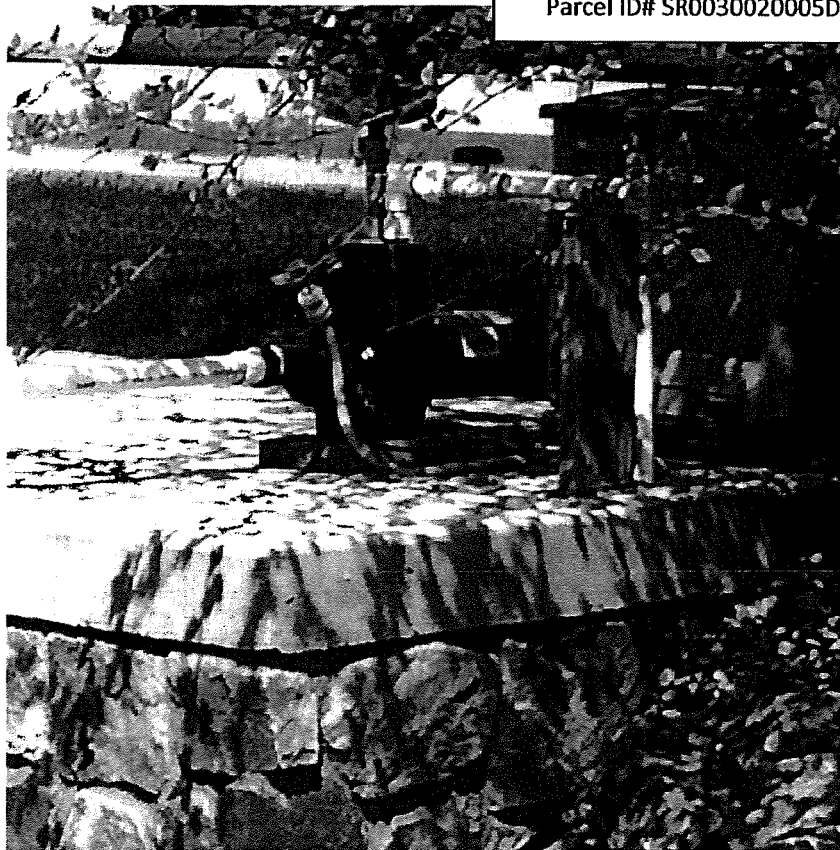


Location 1: Steven Hawks/Todd Fix  
WRP005300200130A/JRP00530020005CA



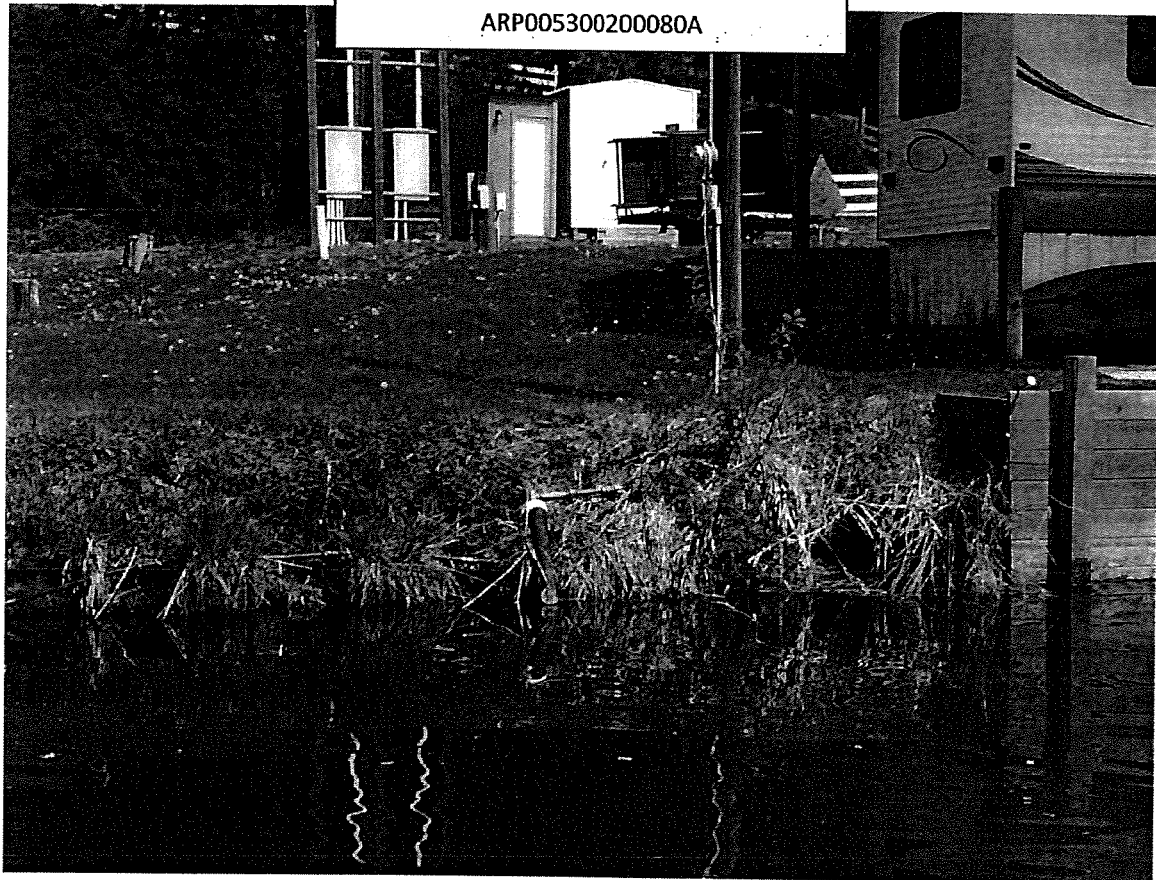


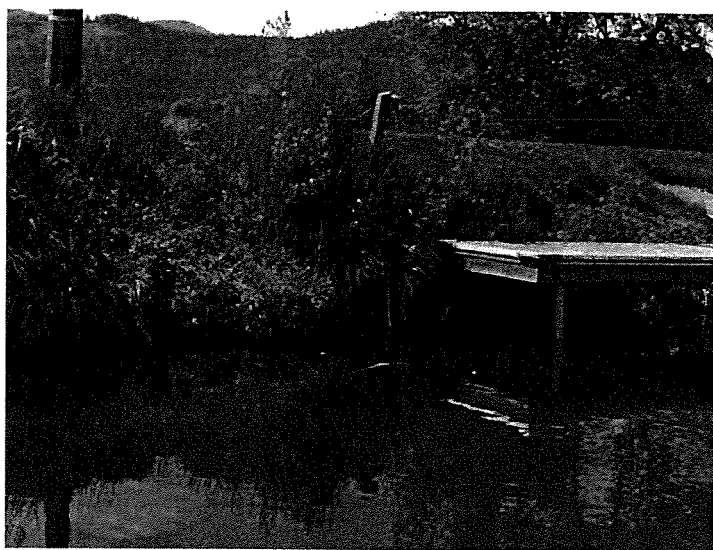
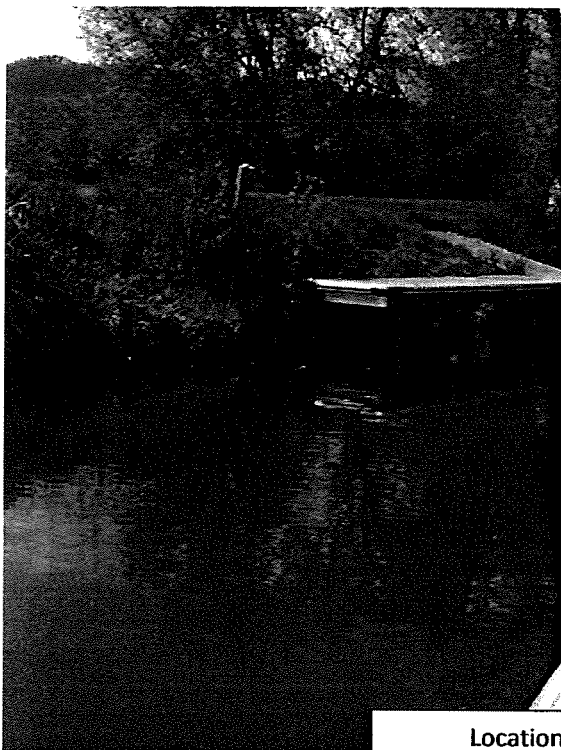
Location 2: Eric Seagraves  
Parcel ID# SR0030020005DA



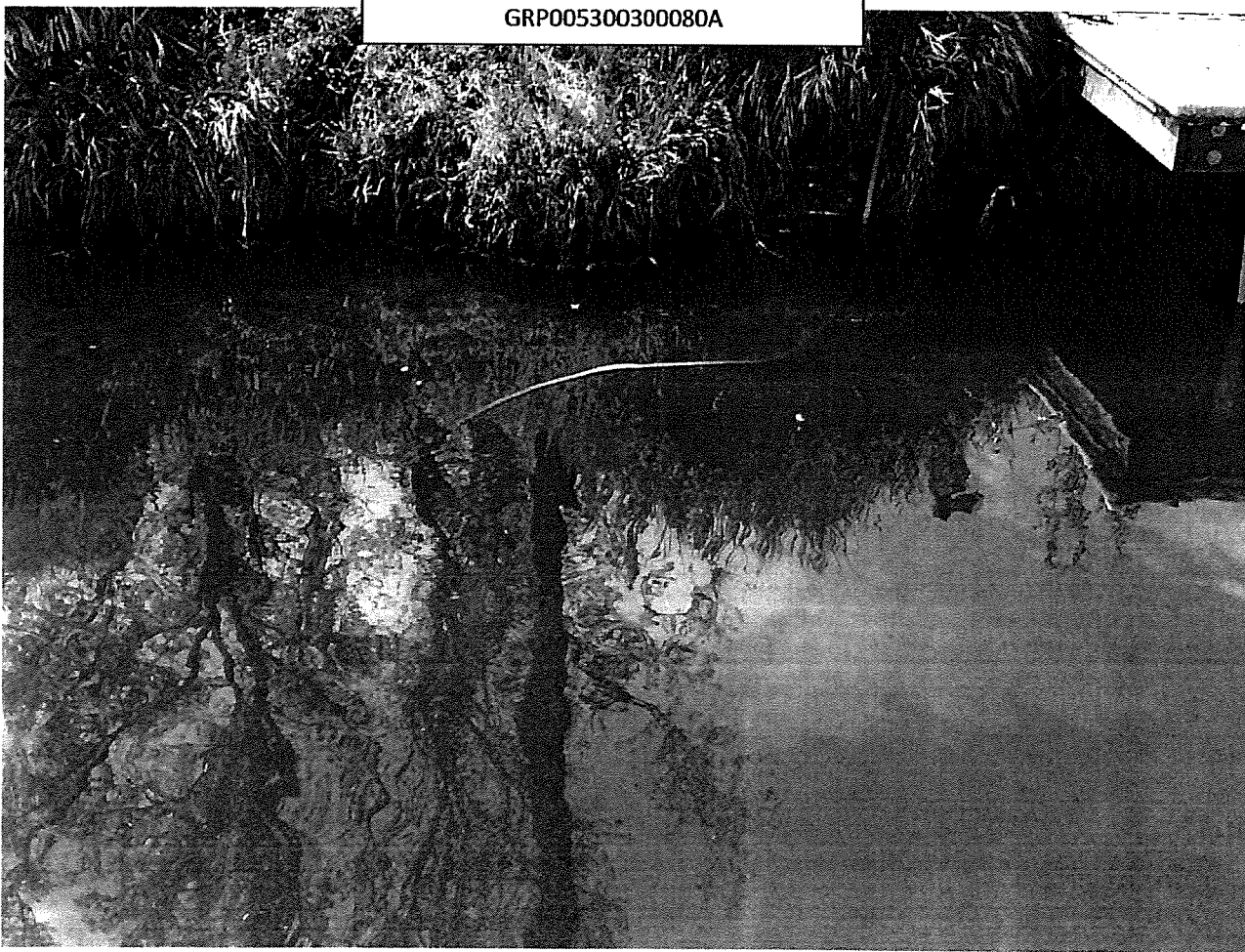


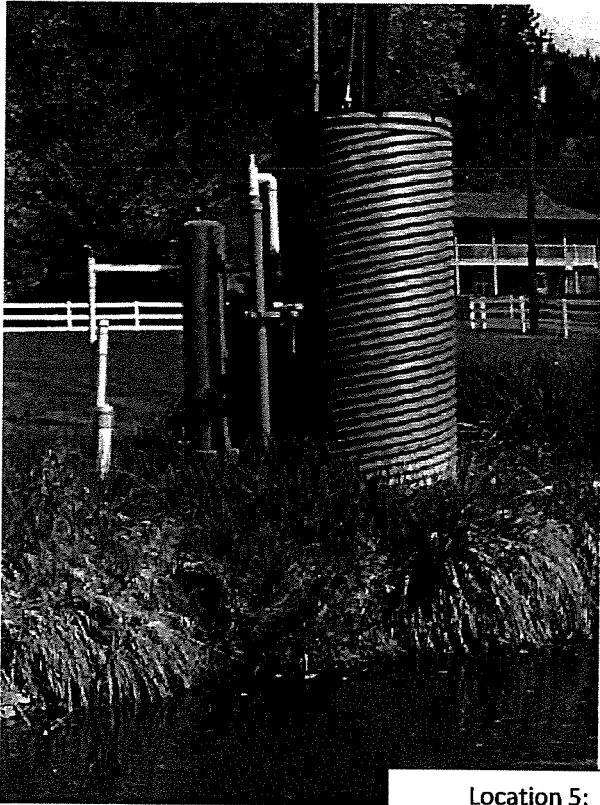
Location 3: Delvin Schmitt  
ARP005300200080A



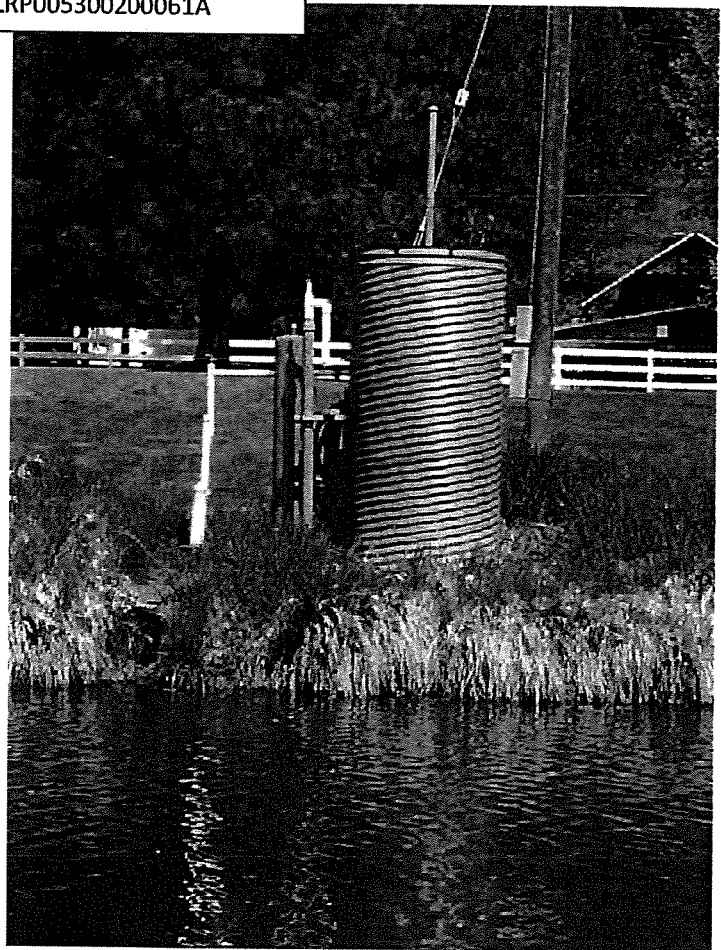


Location 4: Stephen Hopkins  
GRP005300300080A





Location 5: Jill Perkins  
LRP005300200061A



# RECORD OF SURVEY

of a portion of  
 Lot 9 of Sylvia's Haven  
 Sec. 7, Twp. 46 N., Rg. 2 W., B.M.  
 Beaver Creek County, Idaho

Date: April, 1941

Scale: 1" = 100'

## LEGEND

- Left Corner and Prior Survey  
 (Dashed line)
- Property Corner and This Survey  
 (Dashed line)
- Existing Fence

## SURVEYOR'S CERTIFICATE

I, [Name], a duly Licensed and Registered Land Surveyor, do hereby certify that the above described land is the same as shown on the plat of the same filed for record in the office of the County Clerk of Beaver Creek County, Idaho, and that the same is the same as shown on the plat of the same filed for record in the office of the County Clerk of Beaver Creek County, Idaho, and that the same is the same as shown on the plat of the same filed for record in the office of the County Clerk of Beaver Creek County, Idaho.

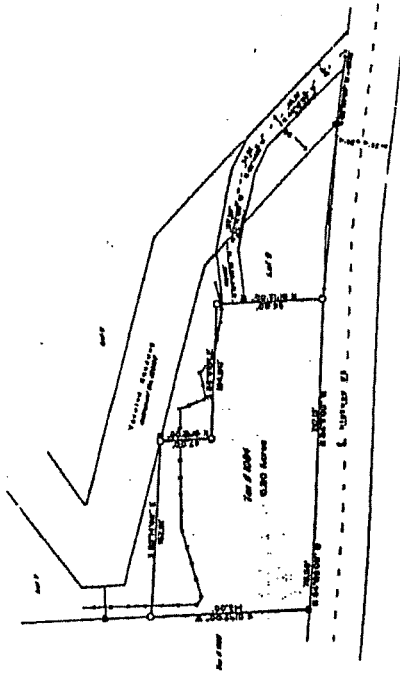


Beaver Creek  
 4/24/41

## RECORDING CERTIFICATE

Surveyed by: [Name]  
 Date: 4/24/41  
 Recorder of Beaver Creek County, Idaho

[Signature]  
 [Signature]



PLAT OF RECORD  
 Before Observation

WATER AGREEMENT AND EASEMENT

THIS AGREEMENT made and entered into this 29th day of April, 1982, by and between DANIEL L. DAVENPORT and

PATRICIA A. DAVENPORT, husband and wife, of P.O. Box 190, City of St. Maries, County of Benewah, State of Idaho, hereinafter referred to as Grantors, and DONALD J. HARVEY, JR. and SONJA G. HARVEY, husband and wife, of Route 2, Box 82, City of St. Maries, County of Benewah, State of Idaho, and C.C. CHASE and VERDIE CHASE, husband and wife, of 305 Lincoln Avenue, City of St. Maries, County of Benewah, State of Idaho, hereinafter referred to as Grantees.

WHEREAS, Grantors are the owners, or beneficial owners under escrow sale agreement, of a tract of land situated in Benewah County, State of Idaho, described as follows, to-wit:

A portion of Lot Eight (8), Block One (1), Sylvia's Haven, a record subdivision in Benewah County, Idaho; the boundary of said portion is described as follows:

Beginning at the southeast corner of said Lot Eight (8), said corner also being the intersect of the northerly right-of-way boundary of Highway 95A, the northeasterly edge of a dedicated roadway and the east boundary of Lot Eight (8), running thence North 1.06' West, along said east boundary of Lot Eight (8), a distance of 187.29 feet; thence West a distance of 90.95 feet; thence South 1.06' East and parallel to said east boundary, a distance of 98.76 feet; thence South 46.18' East along the northeasterly edge of said dedicated roadway, a distance of 128.12 feet to the point of beginning, enclosing an area of 0.30 acres;

WHEREAS, Grantees are the owners of the following tracts of land situated in Benewah County, State of Idaho, described as follows, to-wit:

-2-

WHEREAS, there is on the above-described tract of Grants a water well, together with a pump, casing, water lines and fittings, which were installed at the expense of Grants and Grantees; and

WHEREAS, Grants, their heirs and assigns, and Grantees, their heirs and assigns desire to use water from such well for domestic purposes on the said tract of Grants and the above-described tracts of Grantees;

NOW, THEREFORE, in consideration of Ten and no/100 Dollars (\$10.00) and the mutual covenants herein contained, Grants do hereby grant, bargain, sell and convey unto Grantees and their heirs and assigns forever, the right to use water from said well as Grantees shall reasonably require for domestic purposes for those residences, houses, mobile homes, cabins and outbuildings in existence on the said tracts of Grantees as of the date hereof, or replacements thereof; SUBJECT, HOWEVER, to the right of Grants, their heirs and assigns to use so much water from such well as Grants shall reasonably require for domestic purposes for those residences, houses, mobile homes, cabins and outbuildings in existence on the said tract of Grants as of the date hereof, or replacements thereof, or replacements thereof. Neither Grants nor

# HARVEYS' TRACT:

Lots One (1), Two (2), Three (3) and Four (4), Block Two (2), Sylvia's Haven, a record subdivision of Benewah County, Idaho.

# CHASES' TRACT:

Lots Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11) and Twelve (12), Block Two (2), and Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7) and Eight (8), Block Three (3), Sylvia's Haven, a record subdivision of Benewah County, Idaho;

-3-

Grantees, as between Grantors and Grantees or as between themselves, shall have any prior or superior right to use the water from such well.

For the same consideration, Grantors do hereby grant, bargain, sell and convey unto Grantees and their heirs and assigns forever, a perpetual, non-exclusive easement for the purpose of conveyance of water, maintenance, repair and replacement of the said well, pump, casing, water lines and fittings, on, in, over and across the above-described tract of Grantors, said easement being ten (10) feet in width, the centerline of which is described as: Beginning at a point on the East line of said tract, from which point the Northeast corner bears N 01°06' W a distance of 10.00 feet; running thence N 84°35' W a distance of 57.15 feet to the center of said well. Said easement shall also include, to the extent not already included above, a radius of five (5) feet measured from the center of said well and running around the same.

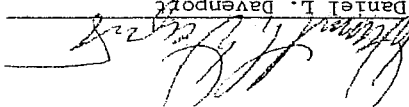
Grantors hereby agree to pay for the cost of the electricity to operate the pump for said well; however, Grantees, Harveys and Chases, shall reimburse Grantors in the sum of Twenty-four and no/100 Dollars (\$24.00) and Twelve and no/100 Dollars (\$12.00) respectively each year therefor.

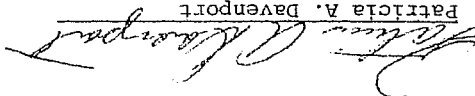
Each party shall be responsible for maintenance, repair and replacement of their own lines running from said well, and each party agrees to perform such maintenance, repair and replacement of their lines as shall be reasonably necessary and in a good and workmanlike manner, with minimum interference with the water rights of the other party and minimum disturbance of the said tract of Grantors, returning the same as closely as reasonably possible to its condition immediately prior to such disturbance. The parties shall bear all other costs and expenses of maintenance, repair and replacement of said

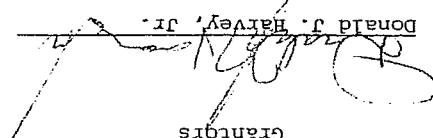
well, pump, water lines and fittings pro rata according to the amount of water used by each up to the time of such maintenance, repair and replacement. Meters shall be utilized by each party for such purpose, which meters shall also be maintained, repaired and replaced as reasonably necessary with costs and expenses of such maintenance, repair and replacement to be borne by the parties pro rata according to their water usage.

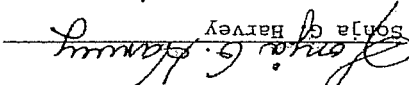
This agreement and the rights granted and conveyed hereunder shall run with and serve the Grantees' said tracts and shall bind and inure to the benefit of Grantors and Grantees and their respective heirs, personal representatives and assigns, forever.

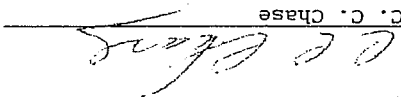
IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the date first above written.

  
Daniel L. Davenport

  
Patricia A. Davenport

  
Donald J. Harvey, Jr.  
 Grantors

  
Sonja G. Harvey

  
C. C. Chase

edged

-5-

Notary Public, State of Idaho  
Residing at: *Harmon, NM*  
Commission Expires: *8/2/82*



On this 26th day of April, 1982, before me,  
the undersigned, a Notary Public in and for the said State,  
personally appeared DANIEL L. DAVENPORT and PATRICIA A.  
DAVENPORT, husband and wife, known to me to be the persons  
whose names are subscribed to the above and foregoing instrument,  
and acknowledged to me that they executed the same.  
IN WITNESS WHEREOF, I have hereunto set my hand and  
affixed my official seal the date last above written.

STATE OF IDAHO )  
County of Benewah )  
ss. )

Grantees

Verdie Chase

*Verdie Chase*  
*12/8/82*

156175  
Notary Public, State of Idaho  
Residing at: 4959  
Commission expires: 12/31/82  
12 JAN 8 10:07  
VERBLY VA  
12/31/82  
Notary Public, State of Idaho

On this 29th day of April, 1982, before me,  
the undersigned, a Notary Public in and for the said State,  
personally appeared C. C. CHASE and VERDIE CHASE, husband  
and wife, known to me to be the persons whose names are  
subscribed to the above and foregoing instrument, and acknowledged  
to me that they executed the same.  
IN WITNESS WHEREOF, I have hereunto set my hand and  
affixed my official seal the date last above written.

STATE OF IDAHO )  
County of Benewah )  
ss. )

Notary Public, State of Idaho  
Residing at: 4959  
Commission expires: 12/31/82  
12 JAN 8 10:07  
VERBLY VA  
12/31/82  
Notary Public, State of Idaho

On this 26th day of April, 1982, before me,  
the undersigned, a Notary Public in and for the said State,  
personally appeared DONALD J. HARVEY, JR. and SONJA G.  
HARVEY, husband and wife, known to me to be the persons  
whose names are subscribed to the above and foregoing instrument,  
and acknowledged to me that they executed the same.  
IN WITNESS WHEREOF, I have hereunto set my hand and  
affixed my official seal the date last above written.

STATE OF IDAHO )  
County of Benewah )  
ss. )

CORRECTION DEED

THIS INDENTURE, Made and entered into this 22nd day of November, 1990, by and between EUPHEMIA PENNEY, a widow, and RAY A. SWANSON and MINA L. SWANSON, husband and wife, Parties of the First Part and STEVE W. HAWKS and DEANNE A. HAWKS, husband and wife, whose address is HC-02, Box 86, St. Maries, ID 83861, the Parties of the Second Part.

## W I T N E S S E T H:

That the Parties of the First Part, for and in consideration of the sum of ONE AND NO/100 DOLLARS (\$1.00) to them in hand paid by the said Parties of the Second Part, the receipt thereof is hereby acknowledged, does hereby grant, sell and convey to the Parties of the Second Part and their heirs, devisees and assigns forever the following described real property situated in the County of Benewah, State of Idaho to-wit:

An undivided one-half interest in and to Lot Thirteen (13), Block Two (2), Sylvia's Haven Subdivision, together with an easement for purposes of moorage in and upon the riparian rights in the dockage lagoon as shown on said plat adjacent and appurtenant to the southerly forty (40) feet of the shore line of Lot Twelve (12), Block Two (2), Sylvia's Haven Subdivision, County of Benewah.

THIS INSTRUMENT is intended as a Correction Warranty Deed to correct an error in the description in that certain Warranty Deed between the parties hereto recorded in the office of the Benewah County Recorder on the 3rd day of August, 1990 as Instrument No. 184009.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, title, right and interest in and to the property, as well in law as in equity, of the Parties of the First Part.

TO HAVE AND TO HOLD, all and singular the above-mentioned and described premises together with the appurtenances unto the Parties of the Second Part, and to their heirs, devisees and assigns forever.

And the Parties of the First Part, and their heirs, shall

## 1. CORRECTION DEED

and will WARRANT and by these presents forever DEFEND the premises in the quiet and peaceable possession of the Parties of the Second Part, their heirs, devisees and assigns against all and every person or persons whomsoever lawfully claiming the same.

IN WITNESS WHEREOF, the Parties of the First Part have hereunto set their hands the day and year first above written.

Euphemia Penney  
EUPHEMIA PENNEY

Ray A. Swanson  
RAY A. SWANSON

Mina L. Swanson  
MINA L. SWANSON  
Parties of the First Part

*****

STATE OF IDAHO )  
County of Shoshone ) SS.

On this 28th day of November, 1990, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared EUPHEMIA PENNEY, a widow, to me known to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that she executed the same as her free and voluntary act and deed for the purposes therein specified.

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

Marilyn J. Barrett  
Notary Public, State of Idaho  
Residing at Idaho  
My commission expires: 1-1-93

2. CORRECTION DEED

STATE OF IDAHO )  
County of Shoshone ) SS.

On this 28th day of November, 1990, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared RAY A. SWANSON and MINA L. SWANSON, husband and wife, to me known to be the persons whose names are subscribed to the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the purposes therein specified.

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

Mauling R. Ricketts  
Notary Public, State of Idaho  
Residing at 256 W. 1st  
My commission expires: 1-1-93

184524

3:10 PM 4:56  
Connie Larson deputy

3. CORRECTION DEED

Deanne Hawks  
HCO2 B06 B6  
St Marks, Id 83861 \$7.00