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Form No. 42-1409-2 (Internet 12/08)

IDWR / NORTH

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE COEUR D'ALENE-SPOKANE RIVER
BASIN WATER SYSTEM

CIVIL CASE NUMBER: 49576

Ident. Number 95-16278Date Received: 11-4-11Receipt No: N038492Received By: KJ

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day

1. Name of Claimant(s) ByRON M (OR) Kathy A. RUIET Phone (208) 661-3859

Mailing Address 77 Rocky mtn. Ranch Rd. SPIRITLAKE ID Zip 83869
Street or Box City State

2. Date of Priority: (Only one per claim) 06-04-2004
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other () (a) _____
which is tributary to (b) _____

4. Location of Point of Diversion is: Township 54 North, Range 4 West, Section 8,
SE 1/4 of SW 1/4, or Govt. Lot _____ BM. County of BONNER.
Parcel (PIN) no. RP014050000030A

Additional points of diversion if any: _____

If available, GPS coordinates: _____

5. Description of diverting works (Wells, Pumps, Spring boxes, Pipelines, Etc.) including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.

Submersible Pump in well

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

For domestic purposes from 1-1 to 12-1 amount .04 cfs () or AFY ()

For _____ purposes from _____ to _____ amount _____

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

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

Stockwater and Number of livestock) 1-Home

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9. Location of Place of Use is: Township 54N, Range 04W, Section 8,
SE 1/4 of SW 1/4, Govt. Lot _____ BM. Parcel (PIN) no. RP014050000030A
If different than shown in Item 4

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

Additional places of use, if any None

10. In which county (ies) are lands listed above as place of use located? Bonner County

11. Do you own the property listed above as place of use? Yes (☒) No ()

If the answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

_____ or None (☒)

13. Remarks:

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

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number _____

15. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication." (b.) I/We do () do not (☒) wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 6

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Byron M. Powell Date: 11-2-11

Katherine A. Powell Date: 12-2-11

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

_____ of _____,
Title Organization

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

_____ of _____,
Title Organization

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

Signature of Authorized Agent _____ Date _____

Title and Organization _____

16. Notice of Appearance:

Notice is hereby given that I, _____, will be acting as attorney at law of behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____ Date _____

Address _____

Last Name _____ Identification No. _____

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Office of the
Bonner County Assessor
127 N First Ave
Sandpoint, ID 83864
Phone 208-265-1440 Fax 208-265-1451
E-mail assessor@co.bonner.id.us

OWNERS COPY
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MAR 21 2007

ASSESSOR'S OFFICE

RP 014050000030 A 54 0000
PRUETT, BYRON M & KATHERINE A
32919 BENBOW DR E 118
GRAHAM WA 98338 9089

Please choose the option that best describes the status of construction and its current stage of completion:

1. _____ Home is complete and occupied. Date occupied: 9-20-04

Note: If choosing the following options, you are still responsible for notifying us upon completion and occupancy.

2. _____ Home is incomplete and occupied. Estimate percent complete: 40% (Remodeling)

3. _____ Home is complete but not occupied. Estimate date of occupancy: _____

4. _____ Home is incomplete and not occupied. Estimate percent complete: _____

5. ☒ Decided not to build home.

6. _____ Other, Explain: _____

We have enclosed a pre-addressed envelope for your convenience. We are happy to assist you in any way we can and look forward to hearing from you. Thank you for your anticipated cooperation.

78 Concord 40 x 24 MANUFACTURED HOME -

Panhandle Health District I
ON-SITE SEWAGE SYSTEM PERMIT

Septic Permit # SP 04-09-11040

Issue Date 06/03/2004

This permit is valid for one year from issue date for an individual subsurface sewage disposal system for:

Parcel # RP014050000030A, Township 54N, Range 04W, Section 8, Boise Meridian, Lot 8 ; a 0.00 acre plot currently belonging to BYRON & KATHY A. PRUIETT. The system has been sized for a 1600 square foot single family residence with 3 bedrooms and 2 baths. Located on subdivision: RAMBLING RANCH.

The following conditions are placed upon the permit:

SEPTIC TANK-

- Tank Capacity will be at least 1,000 gallons (concrete only) .

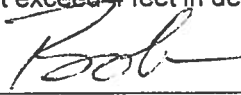
DRAINFIELD (& replacement area)-

- Minimum field size will be 300 square feet.

CONDITIONS-

SEPARATION DISTANCES-

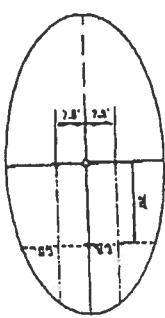
- Distance of tank from dwelling foundataion - 5 feet minimum
- Distance of tank from private well - 50 feet minimum
- Distance of tank from public well - 100 feet minimum
- Distance of tank from private water lines - 10 feet minimum
- Distance of tank from public water lines - 25 feet minimum
- Distance of field from property line - 5 feet minimum
- Distance of field from dwelling foundation - 20 feet minimum
- Distance of field from well - 100 feet minimum
- Distance of field from surface water - 300 feet minimum
- Distance of field from septic tank - 6 feet minimum
- Distance of field from water lines - 25 feet minimum
- Drainfield must not exceed 4 feet in depth unless specified alternative system

Permit Issued by , Environmental Health Specialist
Robert Camp

Final approval of this permit requires inspection of the system in the ground, uncovered, and submittal of a plot plan distinguishing system construction specifications and final layout including location on the plot with respect to other permanent structures. To schedule a final inspection call the number listed below.

Reference: *Rules & Regulations for indivisual and Subsurface Sewage Disposal Systems*

RAMBLING RANCH ESTATES
A PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 8,
TOWNSHIP 34 NORTH, RANGE
5 EAST, SIOUX COUNTY OF IOWA.
STATE OF IOWA.



RANGLING RANCH ESTATES

A PART OF THE ESTATE 1/4 OF THE SEQUOIA 1/4 A 2 ACRES & TRACTED IN 1890, PART
PART OF 1890.

SHEET 1

1

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**PERPETUAL EASEMENT
AND MAINTENANCE AGREEMENT**

For and in consideration of value received, benefits derived, and to be derived by the Grantors herein, and other valuable consideration, receipt and sufficiency of which are hereby acknowledged, I Joseph L. and Cynthia L. Dobson and Lonnie J. and Laura L. Jordahl who's address is 19510 N. Rimrock Rd., Hayden, ID, 83858 all as Grantors, hereby reserve, grant and convey a perpetual and irrevocable easement as provided in this Agreement. The Grantor agrees as follows:

1. The Grantors are the current partial Owners and developers of the following described real estate, situated in the County of Kootenai, State of Idaho, referred to as the "Benefited Properties":

Lot 1, 2, 3, & 4 Rambling Ranch Estates Recorded in Book 6 of Plat, at page 16 record of Bonner County, State of Idaho.

2. The easement is reserved and granted on, over, under, and across those portions of the Benefited Properties shown in Exhibit "A" attached hereto which are designed as "Well Site" and "Water Line Easement". The designated areas are referred to as the "Encumbered Properties".

3. The Easement is given and reserved for the purpose of placing, constructing, reconstructing and maintaining a well house, service lines and related equipment and apparatus for the benefited Properties, provided that the well house with in which the well is currently located is and shall remain the property of the Owners of said Lots who shall be responsible at all times for maintained the well house I reasonable repair and condition.

4. The owners of the Benefited Properties, or their successors, shall have the right at all reasonable times to enter all portions of the encumbered property, including the well house, for the purpose of inspecting, maintaining, improving, repairing and reconstruction any portion of the well, service lines or related equipment and apparatus. Provided, the Owner of the Benefited Properties shall perform and such actions with due diligence and shall use reasonable care not to damage or destroy any improvements of the Owners of the Encumbered Properties. No owner of any part of the Encumbered Properties shall construct a permanent building of structure over any service lines running to another Lot with the Encumbered or Benefited Properties. Other improvements damaged or destroyed by any person performing work pursuant to this easement grant shall, upon completion of work restore such improvements as nearly as practicable to there condition immediately prior to the commencement of such work.

5. The Owners of each Lot within the Benefited Properties shall have the right to

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use water from the well provided in the Easement for water for a single family dwelling, drinking water for stock and irrigation for no more than one-half acre of non-commercial gardening. Should any Owner of any Lot within the Benefited Properties desire to irrigate crops or pasture beyond that permitted in the proceeding sentence, such owner shall do so from water source other than the well and system provided for the Easement Agreement. If required, such irrigation water source shall conform to all local, state and federal regulations and requirements, including State of Idaho, Department of Water Resource regulations and guidelines. In any case, no irrigation well shall be drilled within 75 feet of any Lot property line within Rambling Ranch Estates.

6. No person, including any Owner of a Lot within Rambling Ranch Estates and specifically any Owner of a Lot within the Benefited Properties shall construct, maintain or suffer to be constructed or maintained within one hundred (100) feet of any domestic water well within Rambling Ranch Estates, including the Benefited and Encumbered Properties, and potential source of contamination, such as cesspools, sewers, privies, septic tanks drain fields, manure piles, garbage of any kind or description, barns, chicken house, rabbit hutch, pig pens or other enclosed or structured for the keeping of or maintenance of fowls or animals, or storage of liquid or dry chemicals, herbicides or insecticides.

7. None of the Grantors, nor their successors shall have the right to increase or add to the Benefited Properties to serve under this Easement without the unanimous consent of all the Owners of the Benefited and Encumbered Properties.

8. The Owner of each of the four lots within the Benefited Properties shall be responsible for the equally sharing of all the cost and obligation with respect to inspecting, maintaining, improving, repairing and reconstructing any and all portions of the well related equipment and apparatus up to the connections to any service line. The Owners of the lots within the benefited areas shall be solely responsible for all such costs with respect to the connected to delivery side of such owner's connection to the pump; All portions of the water delivery system shall be maintained in good operating condition at all times and in conformity with all local, state and federal regulations and requirements.

9. In the event any owner fails to fulfill their obligation to maintain and repair, or to pay their proportionate share of such cost, the remaining owner(s) may perform and/or pay for such obligation or performance and recover all cost thereof, together with any additional amount of five percent (5%) of the cost thereof, and together with interest on any such expenditures at the rate of twelve percent (12%) per annum from any such payment, and together with any costs and reasonable attorneys' fee incurred in enforcing this obligation. Any unpaid obligation owed by an owner by such owner shall constitute a lien on the portion of the Benefited and Encumbered Properties owned by such owner from and after the date recording, by the Owner(s) who has/have paid default owner's obligations. The obligation shall be a lien from the date of filing such notice, enforceable through foreclosure, in like fashion as a mortgage.

X
well

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