

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 95-10250Date Received: 3-25-09Receipt No: 1020128Received By: cm

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

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

RECEIVED

MAR 25 2009

IDWR/North

1. Name of Claimant(s) KELT OR LAUBACH R & T Phone (208) 209-3294Mailing Address 7450 E Glenridge Rd 44301 ID Zip 83401
Street or Box City State2. Date of Priority: (Only one per claim) 6-1-2006
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 S3, Range 3, Section 22S1/4 1/4 of S5E 1/4, or Govt. Lot _____ BM. County of _____Parcel (PIN) no. 009670010300

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.

Shaded well 11 Retention 3-culvert uses
using 3 of 4 Available Discharge HBR valves

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

For Domestic purposes from 1-01 to 12-31 amount 1.04 cfs (x) or AFY ()

For _____ purposes from _____ to _____ amount _____

7. Total Quantity claimed 1.04 cfs (x) or AFY ()

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

Stockwater and Number of livestock) Domestic 1-Household

SCANNED

MAR 25 2009

9. Location of Place of Use is: Township 53, Range 13, Section 22

_____ 1/4 of _____ 1/4, Govt. Lot _____ BM. Parcel (PIN) no. 009670010230 Brick Star
for (Check One) Domestic ☒ Stock () Domestic and Stock () If different than shown in Item 4 Lot 23 BIK 1

Additional places of use, if any _____

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

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

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

Number of attachments: 2

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) Kent R. Bette Date: 3-24-09

James M. Bell Date: 3-24-59

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 forgoing 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 _____

Address _____

Date _____

Last Name _____ Identification No. _____

SCANNED

MAR 25 2009

JUN 17 1997



WELL DRILLER'S REPORT 097218

Use Typewriter or Ballpoint Pen

Office Use Only

Inspected by _____

Twp. _____ Age _____ Sec. _____

1/4 1/4 1/4

Lat. _____ Long. _____

10. DRILLING PERMIT NO. 96-96-N-149

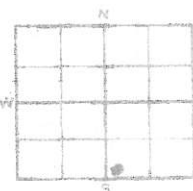
Other ID# _____

2. OWNER:

Name J Hank HesterAddress Rt. 1 Box 142City Priest River State IL Zip 83856

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.



Twp. 53 North ☒ or South ☐
 Rgs. 3 East ☐ or West ☒
 Sec. 22 SW 1/4 SW 1/4 SE 1/4
 Gov't Lot _____ County BO KOSTENAI
 Lat. _____ Long. _____

Address of Well Site Hwy 95 E PARKS Rd.

City _____

(Give nearest name of town - reference to Road or Landmark)

LL. 6 Blk. _____ Sub. Name Bright Star

4. USE:

☒ Domestic ☐ Municipal ☐ Monorail ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement, etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT		METHOD
Material	From	To	Caps or Pounds		
Bentonite	0	20	6		3 Overbored

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 139Was drive shoe seal tested? ☒ Y ☐ N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
6 1/2	139	250	250	Steel	☒	☐	☐	☐
4 1/2	845	-9	140	PVC	☐	☒	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

☒ Perforations Method SAW CUT
☐ Screens Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
845	745	1/8x6	50	4	PVC	☐	☒
360	380	1/8x6	20	4	PVC	☐	☒

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

400 ft. below ground Artesian pressure _____ lb

Depth flow encountered _____ ft. Describe access port or

control devices: _____

11. WELL TESTS:

☐ Pump ☐ Bailer

☒ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Pumping Lower	Time
150+			4 Hours

Water Temp _____ Bottom hole temp. _____

Water Quality test or comments: _____

Depth first Water Encountered 350

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Water
8	0	32	SAND and GRAVEL	
8	32	37	Bolder	
8	37	110	SAND and GRAVEL	
8	110	113	Bolder	
8	113	121	SAND and GRAVEL	
8	121	130	Bolder	
8	130	139	Decomposed GRANITE	
6	139	350	GRANITE	
6	350	351	Fractured GRANITE	1.5
6	351	510	GRANITE	
6	510	511	Fractured GRANITE	
6	511	841	GRANITE	
6	841	843	Large Fracture	150+
6	843	845	GRANITE	

Completed Depth 845 (Measurable)Date: Started 6-2-97 Completed 6-6-97

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Hester well drilling Inc. Firm No 528Firm Official [Signature] Date 6-13-97

and _____

Supervisor or Operator C. Mark Hardy Jr. Date 6-9-97

(Sign once if Firm Official & Operator)

SWSWSE 22 53N3W

(LOT 20)

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Va...o

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JOINT USE AGREEMENT FOR WATER
AND GRANT OF EASEMENT

THIS AGREEMENT made this 24th day of March, 2009,
by and between _____,
hereinafter referred to as "FIRST PARTY"; and _____,
_____, hereinafter referred to as "SECOND PARTY";
_____, hereinafter referred to as
as "THIRD PARTY"; Kentor Laureen Batts,
hereinafter referred to as "FOURTH PARTY"; and PARK RIDGE NORTH
HOMEOWNERS ASSOCIATION, hereinafter referred to as "HOA" or "FIFTH
PARTY",

R E C I T A L S

- A. The FIRST PARTY is the owner of Lot 20, Block 1, Bright Star Subdivision, Kootenai County, Idaho.
- B. The SECOND PARTY is the owner of Lot 22, Block 1, Bright Star Subdivision, Kootenai County, Idaho.
- C. The THIRD PARTY is the owner of Lot 23, Block 1, Bright Star Subdivision, Kootenai County, Idaho.
- D. The FOURTH PARTY is the owner of Lot 24, Block 1, Bright Star Subdivision, Kootenai County, Idaho.
- E. The FIFTH PARTY is the Homeowner Association of all parties owning lots in Park Ridge North Subdivision.
- F. That FIRST, SECOND, THIRD and FOURTH parties jointly and equally share one water well pump, one electric meter, and a pumping and water distribution system to be used for domestic water consumption upon the above described four (4) lots.

JOINT USE AGREEMENT FOR WATER AND GRANT OF EASEMENT - 1 -

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H. The water well and pump are located on Lot 20.

I. That FIRST, SECOND, THIRD and FOURTH parties have already entered into an agreement whereby each of said parties has the right to receive domestic water from the water system and to share the maintenance and repair costs and electrical expenses.

J. There is a 10,000 gallon underground water tank filled with non-potable water to be used for fire protection and which reservoir is fed by the wells located on Lot 20. This reservoir is buried and located on Lot 20, Block 1, Bright Star Subdivision, and each well has an easement for access for maintenance and repair.

NOW, THEREFORE, in consideration of their mutual covenants, and other good and valuable consideration, the parties agree as follows:

1. The reservoir and water wells located on Lot 20 shall provide water for fire protection services for the Park Ridge North Subdivision (formerly Bright Star Subdivision).

2. That FIRST, SECOND, THIRD and FOURTH parties grant to the HOA an easement for maintenance of said water system for fire protection.

3. That each party shall pay one-fifth (1/5) of the charges for maintenance and repair of said water system and structures contained thereon, except for the 10,000 gallon reservoir which shall be wholly maintained and repaired by the HOA and all costs of said maintenance and repair of said reservoir shall be borne by the HOA.

4. The parties shall install their own water flow meters at their own cost within 30 days of connecting to the water system and each party shall pay their own usage cost based upon meter readings.

JOINT USE AGREEMENT FOR WATER AND GRANT OF EASEMENT

1st Party int:

2nd Party int:

3rd Party int:

4th Party int:

5th Party int:

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This Agreement is binding upon the parties hereto, their heirs, personal representatives, successors and assigns, and runs with the land.

FIRST PARTY:

DATE: 8/18/05

SECOND PARTY:

DATE: _____

THIRD PARTY:

DATE: 8-24-2009

FOURTH PARTY:

DATE: Aug. 24, 2005

FIFTH PARTY:

PARK RIDGE NORTH
HOMEOWNERS ASSOCIATION
DATE: _____

STATE OF IDAHO)
) ss.
County of Kootenai)

On this 18th day of August, 2005, before me, Terri L. Smith, a Notary Public, personally appeared Garrett Vairo, 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.



Terri L. Smith
Notary Public in and for the
State of Idaho
Residing at: 2900 N. Government Way
My Commission Expires: 8-11-2011

JOINT USE AGREEMENT FOR WATER AND GRANT OF EASEMENT - 3 -

* See attached notarization

INDIVIDUAL ACKNOWLEDGMENT

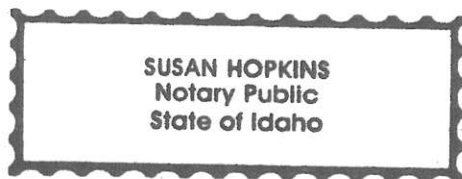
State/Commonwealth of Idaho }
County of Bonner } ss.

On this the 24 day of March, 2009, before
me, Susan Hopkins, the undersigned Notary
Name of Notary Public
Public, personally appeared Kent & Laureen Betts,
Name(s) of Signer(s)

☒ personally known to me – OR –

☐ proved to me on the basis of satisfactory
evidence

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 for the purposes therein
stated.



WITNESS my hand and official seal.

Susan Hopkins
Signature of Notary Public
Susan Hopkins
Other Required Information (Printed Name of Notary, Residence, etc.)
One Coldwater Creek Dr.
Sandpoint, ID 83864

Place Notary Seal and/or Any Stamp Above

OPTIONAL

Although the information in this section is not required by law, it may prove valuable to
persons relying on the document and could prevent fraudulent removal and reattachment
of this form to another document.

Description of Attached Document

Title or Type of Document: Notice Claim of Water Right
Document Date: 3/24/2009 Number of Pages: 6
Signer(s) Other Than Named Above: n/a

Right Thumbprint
of Signer

Top of thumb here