

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 95-14050Date Received: 9-18-09Receipt No: ND 22197Received By: RECEIVED

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

SEP 18 2009

IDWR/North

Please type or print clearly

1. Name of Claimant (s) Scott & Stacy Whitesitt Phone (208) 687-2815Mailing Address 6195 W. Sturgeon Road Rathdrum ID 83858
Street or Box City State ZIP2. Date of Priority (Only one (1) per claim) May 15, 1993
Month Day Year (YYYY)3. Source of water supply (Check one) Ground Water (☒) or Other () (a) _____
which is tributary to (b) _____4. a. Location of Point of Diversion is: Township 52N, Range 4W, Section 20,
SE, 1/4 of SE, 1/4 Govt. Lot _____, BM., County of KootenaiParcel (PIN) no. 1300

Additional points of diversion if any: _____

If available, GPS Coordinates _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____, Range _____, Section _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

ending point is: Township _____, Range _____, Section _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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. 8" steel cased well with a 5hp and a 20hp pump. Schedule 40 PVC
pipe 6", 5", 4", 2" diameter. West run from pump house approx. 4500'. East run from pump house approx. 2500'.Depths and more information on attached well log. The east run was hooked up on Dec. 1992, the west run was
hooked up on June 1993 to the Chet Park residence and the Scott Whitesitt residence. The Dan Park residence
was hooked up in October 2002.

6007 R 1 JCS

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6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD) (cfs) (acre feet)

For Domestic purposes from Jan. 1 to Dec. 31 amount .02 or

For purposes from to amount or

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) .02 (cfs) and/or (b) (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) Domestic

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 use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
52	4W	20					D												

Parcel (PIN) no(s). 2850

Total number of acres irrigated

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

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

If your 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 (✓)

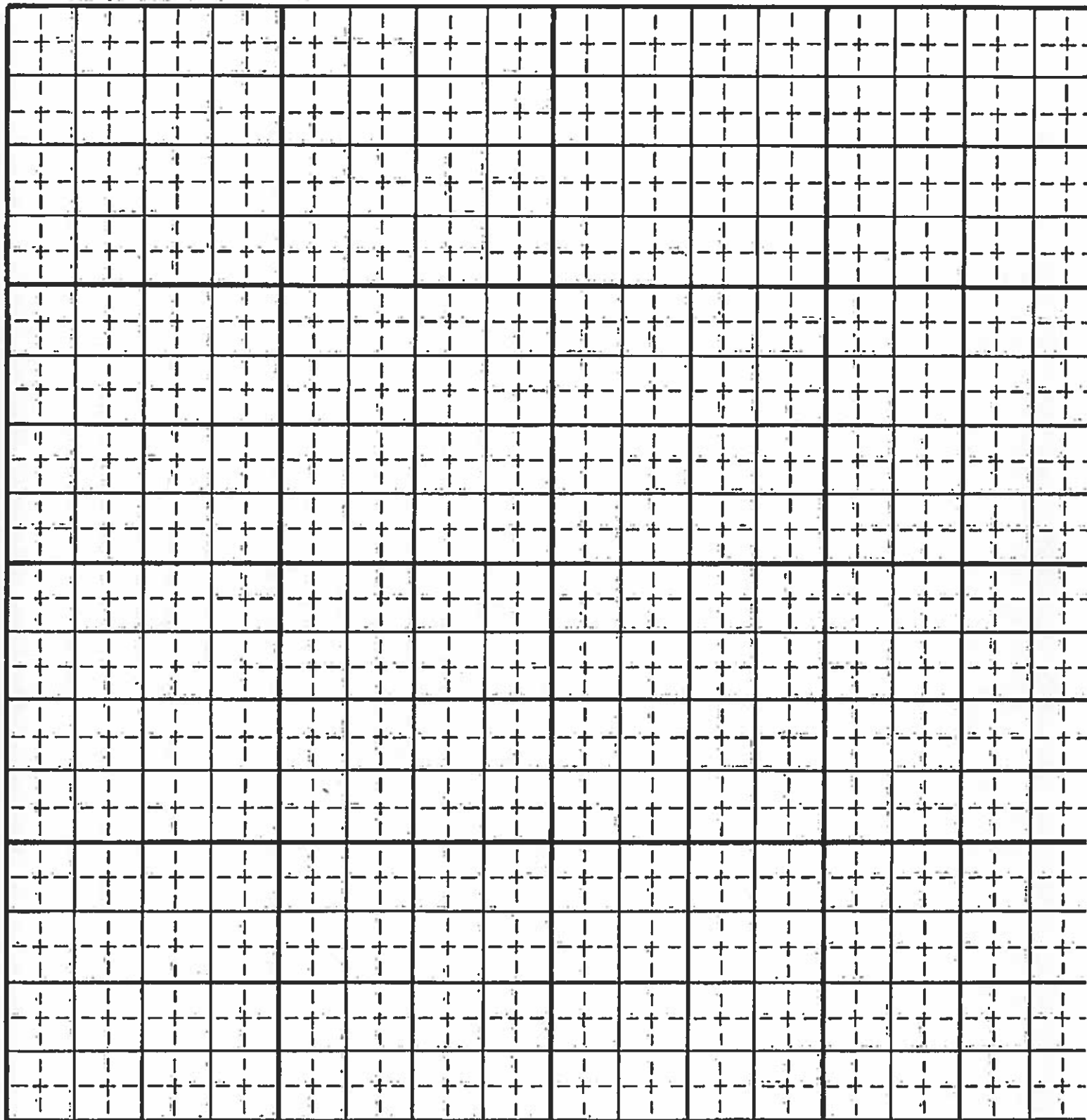
13. Remarks:

Last Name Whitesitt

Identification No. 6007 01 130

Map of Project: Attach aerial photograph or topographic map showing clearly the point of diversion, place of use, section number, township, and range number, unless unavailable. Otherwise sketch the elements above on the grid below.

Scale: 2 Inches equals 1 mile



Last Name Whitesitt

Identification No. _____

SEP 18 2009

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: 4 _____

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

Signature of Claimant (s) _____

Date: 9/18/09

Date: 9/18/09

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 _____

SCANNED

SEP 18 2009

Last Name Whitesitt

Identification No. _____

AT8.1 185148 52N04W-20-2850
 20 52N 04W
 WHITESITT, WILLIAM S
 E 1800 STURGEON RD
 RATHDRUM, ID 83858
 N2-S2-N2-NW W OF HWY 41
 Code Area 055-000
 REAL REGULAR ROLL for 1993 10 JUN 1993 12:56:58
 B L O G P R M T 01/29/93
 Total

NOTICE DATE: 05-21-93 PARENT: 52N04W-20-2850

Category	Note	Acres	Front Ft	Market Blt	Apprd	Init Factor
12 RURAL LAND		12.333		36,629	0186	

- END -

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

USE TYPEWRITER OR
BALLPOINT PEN

State law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name Scott Whitesitt
Address 2215 N Oak Spokane, Wa 99216
Drilling Permit No. 95-92-N-170
Water Right Permit No. _____

7. WATER LEVEL

Static water level 300 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ °F. Quality _____
Describe artesian or temperature zones below.

2. NATURE OF WORK

- ☒ New well ☐ Deepened ☐ Replacement
☐ Well diameter increase
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

8. WELL TEST DATA

☐ Pump ☐ Bailer ☒ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped
45	340	4

3. PROPOSED USE

- ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

- ☒ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☐ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
25.0 inches	8 inches	+ 2 feet	339 feet
32.2 inches	8 inches	339 feet	359 feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☒ Yes ☐ No

Was a packer or seal used? ☐ Yes ☒ No

Perforated? ☐ Yes ☒ No

How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun

Size of perforation _____ inches by _____ inches

Number	From	To
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☒ Yes ☐ No

Manufacturer's name Houston

Type stainless steel Model No. Tel

Diameter 8 Slot size 80 Set from 359 feet to 364 feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal depth 20 Material used in seal: ☐ Cement grout

☒ Bentonite ☐ Puddling clay ☐ _____

Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing

☒ Overbore to seal depth

Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent

Weld

☐ Cemented between strata

Describe access port well cap

9. LITHOLOGIC LOG

081884

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
10	1	3	top soil		
8	3	45	sand, gravel & clay		
	45	52	large gravel		
	52	180	cemented gravel		
	180	220	large gravel		
	220	280	cemented gravel		
	280	300	large gravel		
	300	355	sand, gravel & a lot of brown clay	X	
	355	365	sand & pea gravel with clay	X	

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OCT 30 1992

NORTHERN REGION

IDWR

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NOV 20 1992

Department of Water Resources

DEC 04 1992

10.

Work started 8-31-92 finished 8-4-92

11. DRILLERS CERTIFICATION

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

Firm Name Bronson Water Wells Firm No. 360

Address Spirit Lk, Id Date 9-10-92

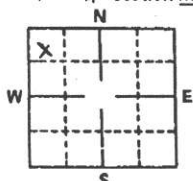
Signed by (Firm Official) APB

and

(Operator) _____

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County Kootenai

NW ¼ NW ¼ Sec. 20, T. 52 N ☒ S ☐ R. 4 E ☐ W ☒

Property Description & Analysis

UNIFORM RESIDENTIAL APPRAISAL REPORT

File No. WMB743J

Property Address: 1800 East Sturgeon Road		Census Tract: 055 0003.00	LENDER DISCRETIONARY USE	
City: Rathdrum	County: Kootenai	State: Id.	Zip Code: 83850	Sale Price: \$
Legal Description: *** See Attached Legal ***				Date: \$
Owner-Occupant: William & Stacy Whitesitt		Map Reference: N/A		Mortgage Amount: \$
Sale Price: N/A	Date of Sale: N/A	PROPERTY RIGHTS APPRAISED		Mortgage Type: \$
Loan charge/advance to be paid by seller: N/A		X Fee Simple		Discount Points and Other Concessions
R.E. Taxes: N/A	Tax Year: N/A	Leasehold		Paid by Seller: \$
Lender/Client: Washington Mutual Savings Bank		Consent/Consent (H/D/V/A)		Source
Borrower: William & Stacy Whitesitt				

LOCATION		Urban	X Suburban	Rural	NEIGHBORHOOD ANALYSIS	Good	Avg.	Fair	Poor
BUILTUP		Over 75%	X 25-75%	Under 25%	Employment Stability		X		
GROWTH RATE		Rapid	X Stable	Slow	Convenience to Employment		X		
PROPERTY VALUES		X Increasing	Stable	Declining	Convenience to Shopping		X		
DEMAND/SUPPLY		Shortage	X In Balance	Over Supply	Convenience to Schools		X		
MARKETING TIME		Under 3 Mos.	X 3-6 Mos.	Over 6 Mos.	Adequacy of Public Transportation		X		
PRESENT LAND USE		%	LAND USE CHANGE	PREDOMINANT	Recreation Facilities		X		
Single Family		55	Not Likely	X	Adequacy of Utilities		X		
2-4 Family		0	Likely		Property Competitibility		X		
Multi-family		0	In process		Protection from Deterioration Cond.		X		
Commercial		0	To		Police & Fire Protection		X		
Industrial		0			General Appearance of Properties		X		
Vacant		45			Appeal to Market		X		

Note: Race or the racial composition of the neighborhood are not considered reliable appraisal factors.

COMMENTS:

*** SEE ATTACHED ADDENDUM ***

Dimensions: Irregular - See Attached Plat Map		Topography: Gent. Sloping/Hilly-Typ.	
Site Area: 12.3 Acres +/-		Size: 12.3 +/- Acres-Typical	
Zoning Classification: Suburban Agriculture		Shape: Mostly Rectangular-Typ.	
HIGHEST & BEST USE: Present Use: Yes		Drainage: Appears Adequate-Typical	
Other Use: N/A		View: Rathdrum Creek-Typical	
UTILITIES		Landscaping: Average-Typical	
Electricity: X	Public	Driveway: Gravel-Typical	
Gas: X	Other	Apparent Easements: Ingress-Egress-Typ.	
Water: X	Shared Well	FEMA Flood Hazard: Yes* No X	
Sanitary Sewer: X	Septic Sys.	FEMA Map Zone: 160076 0100D/Zone C	
Storm Sewer: X			

COMMENTS (Apparent adverse easements, encroachments, special assessments, slide areas, etc.):

*** SEE ATTACHED ADDENDUM ***

GENERAL DESCRIPTION		EXTERIOR DESCRIPTION		FOUNDATION		BASEMENT		INSULATION	
Units: One	Foundation: P.Conc./New	Slab: None	Area Sq.Ft.: None	Roof: X	Stories: 1-1/2 Story	Exterior Walls: Cedar/New	Crawl Space: Full	% Finished: N/A	Ceiling *R-38+: X
Type (Det/Att): Detached	Roof Surface: Comp.Shng/New	Basement: None	Ceiling: N/A	Walls *R-19+: X	Design (Style): 1-1/2 Story	Gutters & Downspouts: None	Sump Pump: None Noted	Walls: N/A	Floor: X
Existing: Yes	Windows Type: Wood-HS/New	Dampness: None Noted	Floor: N/A	None	Proposed: Yes	Storm Sash: Dual Pane/New	Settlement: None Noted	Outside Entry: N/A	Adequacy *Avg.: X
Under Construction: Yes	Screens: Yes/New	Infestation: None Noted		Energy Efficient Items: * Owner	Age (Yrs.): New	Manufactured House: No			Supplied Info
Effective Age (Yrs.): New									

ROOMS	Foyer	Living	Dining	Kitchen	Den	Family Rm.	Rec. Rm.	Bedroom	# Baths	Laundry	Other	Area Sq. Ft.
Basement												None
Level 1	.X.	1	.X.	1				1	1	.X.		811
Level 2								1	1			426

Finished area above grade contains: 4 Rooms, 2 Bedrooms, 2 Baths, 1,237 Square Feet of Gross Living Area.

SURFACES		HEATING		KITCHEN EQUIP.		ATTIC		IMPROVEMENT ANALYSIS		Good	Avg.	Fair	Poor
Floors: Hdw/ld/New	Type Base Bd.	Refrigerator: P.	None	X	Quality of Construction		X	X					
Walls: Drywall/New	Fuel Electric	Range/Oven: X	Stairs		Condition of Improvements		X						
Trim/Finish: Wd-Stained/New	Condition: New	Disposal: X	Drop Stair		Room Sizes/Layout		X						
Bath Floor: Hdw/ld/New	Adequacy: Avg.	Dishwasher: X	Scuttle		Closets and Storage		X						
Bath/Walnut: CertiTile-Fbg1/New	COOLING: None	Fan/Hood: X	Floor		Energy Efficiency		X						
Doors: Wd. Hol. Core/New	Central: None	Compressor: X	Hanted		Plumbing Adequacy & Condition		X						
	Other: None	Washer/Dryer: P	Finished		Electrical Adequacy & Condition		X						
	Condition: N/A	Microwave			Kitchen Cabinets Adequacy & Cond.		X						
Fireplace(s): None	Adequacy: N/A	Intercom			Compatibility to Neighborhood		X	X					
CAR STORAGE: Garage	Attached	Adequate	House Entry		Appeal & Marketability		X	X					
No. Cars: None	Detached	Inadequate	Outside Entry		Estimated Remaining Economic Life					60	Yrs.		
Condition: N/A	Built-In	Electric Door	Basement Entry		Estimated Remaining Physical Life					N/A	Yrs.		

Additional features: Vaulted ceiling, Pella wood windows, cedar siding, ceiling fan, Super Good Cents weatherization, view of Rathdrum Creek (Rathdrum Creek traverses property).

Depreciation (Physical, functional and external inadequacies, repairs needed, modernization, etc.):

*** SEE ATTACHED ADDENDUM ***

General market conditions and prevalence and impact in subject/market area regarding loan discounts, interest buydowns and concessions:

General market conditions indicate improving sales. Special financing, loan discounts, interest buydowns or concessions will be considered, but only those items determined not typical in the Subject/Market Area will be adjusted.

Purpose of Appraisal is to estimate Market Value as defined in Certification & Statement of Limiting Conditions.

BUILDING SKETCH (SHOW GROSS LIVING AREA ABOVE GRADE)
If for Freddie Mac/Fannie Mae, show only square foot calculations & cost approach comments.

*** SEE ATTACHED BUILDING SKETCH ***

Reproduction Cost figures were developed by data extracted from Marshall & Swift Cost Service, verbal interviews with local builders and the Appraisers daily exposure to the market. Physical depreciation was calculated by the Economic Age-Life Method. Estimated Site Value was derived from a comparative analysis of vacant land sales. Cost Approach figures are rounded to the nearest \$100.00.

ESTIMATED REPRODUCTION COST-NEW OF IMPROVEMENTS:

Dwelling 1,237 Sq. Ft. @ \$ 58.00 = \$ 71,700
 Extras Appliances incl. above =
 Special Energy Efficient Items Included =
 Porches, Patios, etc. =
 Garage/Carport None Sq. Ft. @ \$ = 0
 Total Estimated Cost New = \$ 71,700

Physical Functional External
 Less See Addendum
 Depreciation New 10,000 = \$ 10,000
 Depreciated Value of Improvements = \$ 61,700
 Site Imp. "as is" (driveway, landscaping, etc.) = \$ 6,200
 ESTIMATED SITE VALUE = \$ 46,000
 (If leasehold, show only leasehold value.)

INDICATED VALUE BY COST APPROACH = \$ 113,900

(Not Required by Freddie Mac and Fannie Mae)

Does property conform to applicable HUD VA property standards?

If No, explain: N/A

Yes

No

Construction Warranty Yes X No

Name of Warranty Program N/A

Warranty Coverage Expires N/A

The undersigned has visited three recent sales of properties most similar and proximate to subject and has considered them in the market analysis. The description includes a dollar adjustment, reflecting market reaction to those items of significant variation between the subject and comparable properties. If a significant item in the comparable property is superior to, or more favorable than, the subject property, a minus (-) adjustment is made, thus reducing the indicated value of subject if a significant item in the comparable is inferior to, or less favorable than, the subject property, a plus (+) adjustment is made, thus increasing the indicated value of the subject.

ITEM	SUBJECT	COMPARABLE NO 1	COMPARABLE NO 2	COMPARABLE NO 3
Address	1800 E. Sturgeon Rathdrum	2600 East Rice Road Rathdrum	1650 Diagonal Road Rathdrum	655 W. Brunner Road Rathdrum
Proximity to Subject		Approx. 1/2 Mile N.	Approx. 1.5 Miles SE	Approx. 6 Miles NE
Sales Price	N/A	\$ 135,000	\$ 100,000	\$ 129,900
Price/Gross Liv. Area	N/A	\$ 74.67	\$ 67.20	\$ 108.25
Data Source	Inspection	MLS-Appraiser	MLS-Realtor	MLS-Realtor
VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION + (-) \$ Adjustment	DESCRIPTION + (-) \$ Adjustment	DESCRIPTION + (-) \$ Adjustment
Sales or Financing		Conventional	Conventional	Conventional
Concessions				
Date of Sale/Time	N/A	5/93	3/93	10/92
Location	Suburban	Suburban	Suburban	Suburban
Site/View	12.3Ac/Creek	5+/-Ac/Ter. +17,000	2.5+/-Ac/Ter. +27,000	10+/-Ac/Ter. +12,000
Design and Appeal	1&1/2 S/A-F.	Ranch/Good -10,000	Ranch/A-G. -7,000	Spl't Ent/Good -10,000
Quality of Construction	Avg./Good	Avg./Good	Average +3,000	Avg./Good
Age	New	10 Eff. (24) +4,000	5 Eff. (8) +2,000	New
Condition	New	Avg./Good +6,000	Avg./Good +6,000	New
Above Grade	Total Bdrms, Baths	Total Bdrms, Baths	Total Bdrms, Baths	Total Bdrms, Baths
Room Count	4, 2, 2	5, 3, 1.5	5, 3, 2	4, 2, 1
Gross Living Area	1,237 Sq. Ft.	1,808 Sq. Ft. -11,400	1,488 Sq. Ft. -5,000	1,200 Sq. Ft. +700
Basement & Finished	None	None	None	1150SF 95%Fm
Rooms Below Grade	(0-0-0)	(0-0-0)	(0-0-0)	(3-2-1) -17,900
Functional Utility	Average	Average	Average	Average
Heating/Cooling	Elec BB/None	Elec BB/None	Elec BB/None	Elec BB/None
Garage/Carport	None	None	2 Car Garage -5,000	2 Car Garage -5,000
Porches, Patio,	None	CDK, Pat, Fnc. -3,000	Patio, Fence -1,500	Deck -1,000
Pool, etc.	None	LgRm, Shop -17,500	2 Med. Shops -10,000	None
Special Energy	Included	Included	Included	Included
Efficient Items				
Fireplace(s)	None	1 Wood Stove -1,000	1 Fireplace -1,000	None
Other (e.g. kitchen	Average	Average	Average	Average
equip., remodeling)				
Net Adj. (total)		+ X - \$ -15,400	X + \$ +8,500	X - \$ -20,200
Indicated Value		\$ 119,500	\$ 108,500	\$ 109,700
of Subject				

Comments on Sales Comparison:

*** SEE ATTACHED ADDENDUM ***

INDICATED VALUE BY SALES COMPARISON APPROACH.....

INDICATED VALUE BY INCOME APPROACH (If Applicable) Estimated Market Rent \$ N/A (Mo. x Gross Rent Multiplier N/A = \$ 112,000

This appraisal is made "as is" subject to the repairs, alterations, inspections or conditions listed below X completion per plans and specifications.

Comments and Conditions of Appraisal:

*** SEE ATTACHED ADDENDUM ***

Final Reconciliation: Most weight is given to the value estimate derived from the Sales Comparison Approach as it best reflects market activity and is well supported by the Cost Approach. The Income Approach is not used due to few single family home rentals and insufficient data.

This appraisal is based upon the above requirements, the certification, contingent and limiting conditions, and Market Value definition that are stated in

☐

FmHA, HUD &/or VA instructions.

☒

Freddie Mac Form 439 (Rev.7/86); Fannie Mae Form 1004B (Rev.7/86); filed with client

N/A

19

Value is \$103,000

(We) estimate the market value, as defined, of the subject property as of

June 25,

19 93

to be \$

112,000

I (We) certify: that to the best of my (our) knowledge and belief the facts and data used herein are true and correct; that I (we) personally inspected the subject property, both inside and out, and have made an exterior inspection of all comparable sales cited in this report; and that I (we) have no undisclosed interest, present or prospective therein.

APPRAISE(S)

Signature

Name John A. Swallow, WAM#1125

REVIEW APPRAISER

(If applicable) Signature

Name Steven M. Handlen, Lev. #2

Did X Did Not