

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 95-13863Date Received: 9-11-09Receipt No: 1022052Received By: mw

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

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DWR/North

1. Name of Claimant(s) Brett &/or Shawneq Wilkes Phone 208 687-1701Mailing Address 20451 N. Hope Valley Rd. Reothdram ID Zip 83858
Street or Box City State2. Date of Priority: (Only one per claim) June 22, 1993
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 52 N, Range 4 W, Section 14,
SE 1/4 of NE 1/4, or Govt. Lot _____ BM. County of Kootenai;
Parcel (PIN) no. #52N04W-14-0400

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.

Well & Pump

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

For Domestic purposes from Jan 1 to Dec 31 amount .04 cfs () or AFY ()

For _____ purposes from _____ to _____ amount _____

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

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

Stockwater and Number of livestock) 1 Home

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9. Location of Place of Use is: Township 52N, Range 4W, Section 14,
SE 1/4 of NE 1/4, Govt. Lot _____ BM. Parcel (PIN) no. _____

for (Check One) Domestic ☒ Stock () Domestic and Stock () If different than shown in Item 4

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 ☒ 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: #5

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) Sharon K. Wilkes Date: 9-10-09
Paul Wilkes Date: 9-10-09

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 _____

Address _____

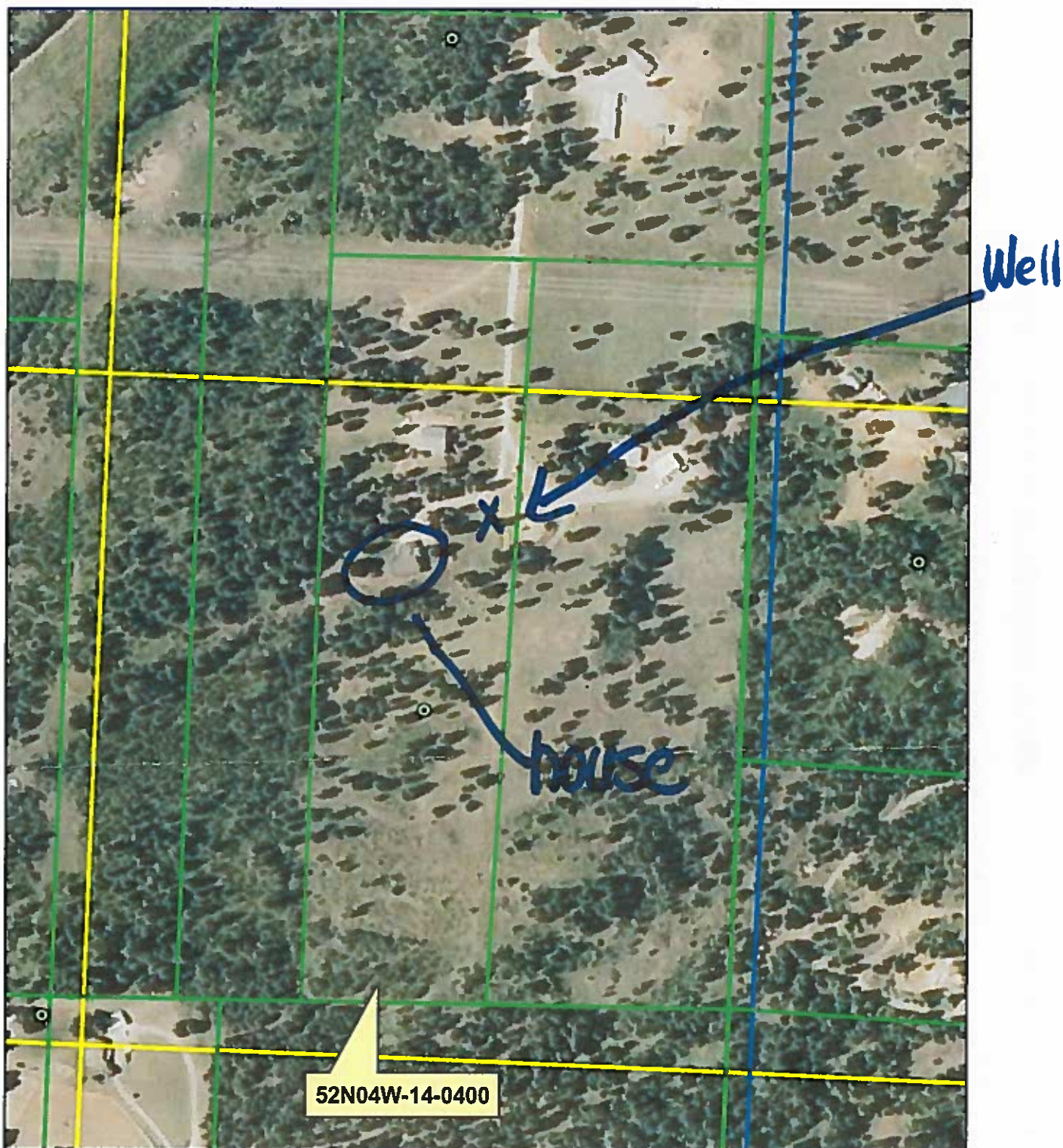
Date _____

Last Name _____ Identification No. 95-13863

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WILKES PIN 52N04W-14-0400



95-13863

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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 <u>Terry Feldrick - Jeff Lehmiller</u> Address <u>W. Chilea Rd</u> Drilling Permit No. <u>95-92-C-15</u> Water Right Permit No. _____	7. WATER LEVEL Static water level <u>200</u> 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 ☐ Baller ☐ Air ☐ Other _____																																																																						
3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>Discharge G.P.M.</th> <th>Pumping Level</th> <th>Hours Pumped</th> </tr> <tr> <td><u>10 to 20</u></td> <td></td> <td></td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	Discharge G.P.M.	Pumping Level	Hours Pumped	<u>10 to 20</u>																																																																		
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4. METHOD DRILLED ☒ Rotary ☒ Air ☐ Hydraulic ☐ Reverse rotary ☐ Cable ☐ Dug ☐ Other _____	9. LITHOLOGIC LOG 84981 <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">Bore Diam.</th> <th colspan="2">Depth</th> <th rowspan="2">Material</th> <th colspan="2">Water</th> </tr> <tr> <th>From</th> <th>To</th> <th>Yes</th> <th>No</th> </tr> </thead> <tbody> <tr> <td>8</td> <td>0</td> <td>14</td> <td>Top Soil Gravel</td> <td></td> <td>X</td> </tr> <tr> <td>8</td> <td>14</td> <td>23</td> <td>Sand & Gravel 7/8" Cobble</td> <td></td> <td>X</td> </tr> <tr> <td>8</td> <td>23</td> <td>85</td> <td>Sand & Gravel 7/8" Boulders</td> <td></td> <td>X</td> </tr> <tr> <td>8</td> <td>85</td> <td>88</td> <td>Basalt Dark Gray Hard</td> <td></td> <td>X</td> </tr> <tr> <td>8</td> <td>88</td> <td>145</td> <td>Basalt Broken 7/8" Clay Brown</td> <td></td> <td>X</td> </tr> <tr> <td>8</td> <td>145</td> <td>190</td> <td>Clay Light Gray Med</td> <td></td> <td>X</td> </tr> <tr> <td>8</td> <td>190</td> <td>200</td> <td>Clay Brown 7/8" Basalt Gravel</td> <td></td> <td>X</td> </tr> <tr> <td>6</td> <td>200</td> <td>360</td> <td>Clay Yellowish Brown Med</td> <td></td> <td>X</td> </tr> <tr> <td>6</td> <td>360</td> <td>385</td> <td>Sand White Coarse 7/8" 10 to 12" grain</td> <td></td> <td>X</td> </tr> <tr> <td>6</td> <td>385</td> <td>396</td> <td>Silty Clay Gray Soft</td> <td></td> <td></td> </tr> </tbody> </table>	Bore Diam.	Depth		Material	Water		From	To	Yes	No	8	0	14	Top Soil Gravel		X	8	14	23	Sand & Gravel 7/8" Cobble		X	8	23	85	Sand & Gravel 7/8" Boulders		X	8	85	88	Basalt Dark Gray Hard		X	8	88	145	Basalt Broken 7/8" Clay Brown		X	8	145	190	Clay Light Gray Med		X	8	190	200	Clay Brown 7/8" Basalt Gravel		X	6	200	360	Clay Yellowish Brown Med		X	6	360	385	Sand White Coarse 7/8" 10 to 12" grain		X	6	385	396	Silty Clay Gray Soft		
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5. WELL CONSTRUCTION <u>380' PVC</u> Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Thickness</th> <th>Diameter</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td><u>250</u> inches</td> <td><u>6"</u> inches</td> <td><u>3</u> feet</td> <td><u>192</u> feet</td> </tr> <tr> <td>_____ inches</td> <td>_____ inches</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ inches</td> <td>_____ inches</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ inches</td> <td>_____ inches</td> <td>_____ feet</td> <td>_____ feet</td> </tr> </tbody> </table> Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☒ Yes ☐ No Perforated? ☒ Yes ☐ No <u>SKILL SAW</u> How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun Size of perforation <u>1/8</u> inches by <u>9"</u> inches <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Number</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td><u>60</u> perforations</td> <td><u>360</u> feet</td> <td><u>380</u> feet</td> </tr> <tr> <td>_____ perforations</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ perforations</td> <td>_____ feet</td> <td>_____ feet</td> </tr> </tbody> </table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>20</u> 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 ☐ Cemented between strata Describe access port _____	Thickness	Diameter	From	To	<u>250</u> inches	<u>6"</u> inches	<u>3</u> feet	<u>192</u> feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	Number	From	To	<u>60</u> perforations	<u>360</u> feet	<u>380</u> feet	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet	RECEIVED SEP 18 1992 Department of Water Resources DEC 04 1992 NONE 10-11-92																																						
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6. LOCATION OF WELL Sketch map location must agree with written location. Subdivision Name _____ Lot No. _____ Block No. _____ County <u>Kootenai</u> SE ☒ NE ☒ Sec. <u>14</u> , T. <u>52</u> N ☒ S ☐ R. <u>4</u> E ☐ W ☐	10. Work started <u>8-11-92</u> finished <u>8-14-92</u> 11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>H2O Well Serv.</u> Firm No. <u>448</u> Address <u>Hayden 16 Rd</u> Date <u>8-17-92</u> Signed by (Firm Official) <u>Bud G. Galt</u> and <u>L.E.A.</u> (Operator)																																																																						

USE ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT

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201. 10/15/93
Shirley H. H. H.

OWNERS STATEMENT OF SPECIAL PROVISIONS, CONDITIONS AND TERMS
 PERTAINING TO THE REAL PROPERTIES DESCRIBED AS FOLLOWS:

JUN 22 4 35 PM '93

A portion of the East half of the Northeast Quarter, less the West 495 feet,
 of Section 14, Township 52 North, Range 4 West, B.M., Kootenai County, Idaho
 and further described as follows:

COMMENCING at the East Quarter corner of said Section 14; thence South 89°43'49"
 West along the East-West centerline of said Section 14, a distance of 477.70 feet
 to the TRUE POINT OF BEGINNING for this description; thence
 Continuing South 89°43'49" West, a distance of 363.84 feet to a point; thence
 North 00°51'41" East, a distance of 1469.65 feet to a point; thence
 South 89°59'30" East, a distance of 400.03 feet to the centerline of a 20.00 foot
 wide easement; thence
 South 02°16'26" West along said easement centerline, a distance of 1468.88 feet
 to the POINT OF BEGINNING.

Hereafter referred to as Parcel A;

AND

A portion of the east half of the northeast quarter, less the west 495 feet,
 of Section 14, Township 52 North, Range 4 West, B.M., Kootenai County, Idaho
 and further described as follows:

COMMENCING at the Northeast corner of said Section 14; thence
 South 00°52'18" West along the East line of said Section 14, a distance of
 1190.96 feet to the TRUE POINT OF BEGINNING for this description; thence
 continuing South 00°52'18" West, a distance of 1465.60 feet to the East
 Quarter corner of said Section 14; thence
 South 89°43'49" West along the East-West centerline of said Section 14, a
 distance of 477.70 feet to the centerline of a 20.00 foot wide easement; thence
 North 02°16'26" East along said easement centerline, a distance of 1468.88 feet; thence
 Leaving said easement south 89°59'30" East, a distance of 441.71 feet to the
 POINT OF BEGINNING.

Hereafter referred to as Parcel B.

The undersigned Owners do hereby declare, for the purpose of recording in the land
 records of Kootenai County, Idaho the following:

1. That the Owners of Parcel A and Parcel B share all interests equally in a well located approx-
 imately 250 feet South of the Northeast corner of Parcel A and approximately 20 feet West
 of said 20 foot easement centerline.
2. That a permanent easement with unlimited access to the well location is hereby granted to
 well Owners of Parcel B.
3. Presently well is operating on electricity provided by Owners of Parcel B.
 At which time said Owners of Parcel A desire access of well, it is understood
 Owners of Parcel A and Parcel B will provide separate water meters to
 record water usage to each parcel so electrical expenses incurred in the operation
 and heating of the well can be apportioned accordingly. Method of apportioning
 shall be based on percentage of water used by each Parcel. That same percentage
 will determine the costs of electricity. Water meter reading shall be on the same day as
 as electrical meter reading and apportioned according to the following example:

Parcel A uses 100 gallons and Parcel B uses 200 gallons.

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100 + 200 = 300 total gallons used.

Parcel A 100 divided by 300 = 33. This becomes percentage of electrical expense.

Parcel B 200 divided by 300 = 67. This becomes percentage of electrical expense.

4. Owners of Parcel A will share with Owners of Parcel B equally all expenses incurred in the maintenance and service of said well to keep the well operating at a water output sufficient to supply 2 separate households and keep the water at Purdue Health standards.
5. If well becomes inoperable due to absence or contamination of water, then either party has the option to abandon the well and all rights and obligations thereafter by giving 30 days written notice by return receipt mail to the other well Owner.
6. If an Owner does not pay their percentage of expenses and costs then due and the other Owner has to obtain an attorney for collection or if suit is instituted to collect the same or any portion thereof, the Owner in default agrees to pay reasonable attorneys fees, which shall be determined by the Judge of the Court in which suit is brought.

The undersigned Owners hereby accept and agree to the above Provisions, Conditions and Terms. Dated this 22 day of June 1993.

Lucinda J. Lohmiller
Lucinda J. Lohmiller

Rhonda D. Foldvik
Rhonda D. Foldvik

Jeffery Lohmiller
Jeffery Lohmiller

Terry L. Foldvik
Terry L. Foldvik

STATE OF IDAHO)
 : ss
COUNTY OF KOOTENAI)

On this 22 day of June, in the year of 1993, before me, a Notary public in and for the said State, personally appeared Jeffery Lohmiller and Lucinda Lohmiller, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

WITNESS my hand and official seal, the day and year in the certificate first above written.

[Signature]
Notary Public in and for the State of Idaho,
residing at 2841 E. 1st St.

95-13863

NED

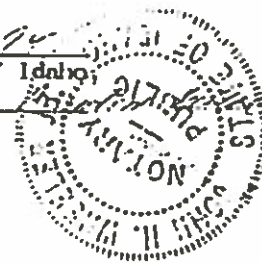
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On this 22 day of June, in the year of 1993, before me, a Notary public in and for the said State, personally appeared Terry Foldvik and Rhonda Foldvik, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

WITNESS my hand and official seal, the day and year in the certificate first above written.

Notary Public in and for the State of Idaho
residing at 2800 Canyon Dr. Boise



95-13863

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