

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

RECEIVED

OCT 12 2010

IDWR/North

CIVIL CASE NUMBER: 49576

Ident. Number 95-15622

Date Received: 10-12-10

Receipt No: N026125

Received By: LM

NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Sherry Saffels Phone 208-255-4773
Mailing Address Box 3481 Rathburn Id ZIP 83858
Street or Box City State
2. Date of Priority (Only one (1) per claim) AUGUST 1995
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 _____, Range _____, Section _____,
_____, 1/4 of _____, 1/4 Govt. Lot _____, BM., County of _____
Parcel (PIN) no. _____

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. Well - see attached

well log

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6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For Home consumption purposes from 01/01 to 12/31 amount .08 or 1/2 acre

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.08 (cfs) and/or (b) 1/2 acre (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) Domestic - family of 2

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	

Parcel (PIN) no(s). See attached legal

Total number of acres irrigated 1/2 acre

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 Saffeele

Identification No. 49576

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~~see attached exhibit~~
see attached ell

See attached ell

A large grid of 16 columns and 20 rows of small squares, each containing a crosshair pattern. A red stamp in the bottom right corner reads "SCANNED OCT 17 2010".

FILED
OCT 17 2010

Last Name Saffels Identification No. 49576

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) *Perry Saffels* Date: 10-5-10

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 _____

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Last Name Saffels Identification No. 49576



100 Wallace Avenue/ Coeur d Alene, Idaho

Order No. 131858

READ AND APPROVED

WARRANTY DEED

For Value Received

Marilyn Buroker and Kelly Buroker, wife and husband

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Sherry Saffeels, an unmarried person

hereinafter referred to as Grantee, whose current address is

the following described premises, to-wit:



Lot 2, Block 1, BUROKER ESTATES, according to the plat recorded in Book "J" of Plats at Pages 403 and 403A, records of Kootenai County, Idaho.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that 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.

Dated: March 6, 2009

Marilyn Buroker

Kelly Buroker

STATE OF

ss.

COUNTY OF

On this day of , in the year of 2009, before me, the undersigned, a Notary Public, personally appeared Marilyn Buroker and Kelly Buroker known or identified to me to be the person/persons whose name is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Notary Public of

(state)

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**COMMITMENT FOR TITLE INSURANCE
SCHEDULE B
PART II**

SPECIAL EXCEPTIONS

Order Number: 131858

Schedule B of the policy or policies to be insured will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. General taxes for the year 2008, which are a lien, in the original sum of \$860.18, of which the first half has been paid. The second half of which will not become delinquent until June 20th.

Parcel No.: 0-J403-001-002-0 A.I.N. #: 305363

2. General taxes for the year 2009, which are liens, are not yet due and payable.

Tax Parcel No.: 0-J403-001-002-0 A.I.N. #: 305363

3. The taxes showing in the title report and closing documents reflect the current information available from the Kootenai County Treasurer. Any discrepancy with the taxes will be the responsibility of the seller/borrower.

4. Covenants, Conditions, Restrictions, Reservations and/or Easements contained in Instrument disclosed by Deed in Book 330, Page 453, as follows:

A 30.00 foot road right of way easement along the North and Western boundary line of the herein described parcel.

5. Terms and provisions set forth in agreement between the parties herein named.

Between: Marilyn Buroker

And: Kelly Buroker

Recorded: March 28, 2003

Instrument No.: 1789872

Providing: Road Maintenance Agreement

6. An easement containing certain terms, conditions and provisions affecting a portion of said premises and for the purposes stated herein

For: To locate, construct, use, control, maintain, improve, relocate and repair a public road and to allow location of utilities.

In Favor of: Post Falls Highway District

Recorded: July 19, 2005

Instrument No.: 1965364

7. Covenants, conditions, restrictions and easements as set forth on the face of the hereinafter named plat.

Filed/Recorded: Book J of Plats, Page 403 and 403A

Name of Plat: Buroker Estates

File No.: 131858

ALTA Commitment (6/17/06) – Schedule B II

Page 1 of 2 page(s)



Ident. No.

95-95-N-0130-000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR DRILLING PERMIT

1. Name: **KELLY BUROKER**
Address: P O BOX 539
RATHDRUM ID 83858

O

2. Proposed Well Location: Township 51N, Range 05W, Sec. 3, NWNE
KOOTENAI County

Street Address of Well Site: NORTH IDAHO ROAD
RATHDRUM

ID

3. Proposed Use of Well: Domestic

The use of water for homes, organization camps, livestock and for any other purpose in connection therewith, including irrigation for up to .5 acres of land, if the total use is not in excess of 13,000 gpd; or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

4. Well Construction Information:

A. NEW WELL

B. Proposed Surface Diameter 6 In. Proposed Maximum Depth 300 Ft.

C. Anticipated Bottom Hole Temperature: 85 F or less (Cold water well)

(NOTE: Construction diagrams and/or other information may be requested for monitor, low temperature geothermal, municipal and artesian wells.)

5. Construction Start Date: 8/ 1/1995

6. Anticipated Well Driller: BRONSON WATER WELLS (No. 0360)

NOTE: The actual well driller must be identified prior to drilling.

7. Applicant's Signature _____ Date _____

Title _____
(Owner, Firm Representative, Other)

Fee \$ 35⁰⁰ Received by db No. N009286 Date 8/1/95

(Continued)

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Ident. No.

95-95-N-0130-000

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This permit is **APPROVED**

Date: 8/ 1/1995

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. **READ CAREFULLY!**

CONDITIONS OF APPROVAL:

1. This drilling permit is valid for two (2) months from the approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
2. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required prior to construction of this well. The local Health Department should be contacted for septic tank/drainfield locations. Domestic wells must not be drilled closer than 100' from any drainfield and 50' from any septic tank.
3. The well shall be constructed by a driller currently licensed in the state of Idaho who must maintain a copy of the drilling permit at the drilling site.
4. Approval of this drilling permit does not authorize trespass on the land of another party.
5. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
6. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
7. If the bottom hole temperature of 85 Degrees F (29.44 oC) or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
8. Idaho Code, S 55-2201 - 55-2210 requires the applicant and/or his contractors to contact "Digline" (Dig Line is a locator service) not less than 3 working days prior to the start of any excavation for this project. The "Dig Line " Number for your area is 1-800-428-4950.

Robert D. Haynes

REGIONAL MANAGER

Signature of Authorized Dept. Representative

Title

EXTENSION OF DRILLING PERMIT

Extension Approved by: _____

Approval Date: _____

Expires On: _____

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1. DRILLING PERMIT NO. 95 - 95 - N - 0130 -
Other IDWR No. _____

2. OWNER:

Name Kelly Buroker
Address P.O.Box 539
City Rathdrum State IN Zip 43855

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

Twp. 51 North ☒ or South ☐
 Rge. 5 East ☐ or West ☒
 Sec. 3 1/4 NW 1/4 NE 1/4
 Gov't Lot _____ County Rootenai

Address of Well Site N Idaho Rd
City Rathdrum

(Give at least name of road + Distance to Road or Landmark)

Lt. _____ Blk. _____ Sub. Name _____

4. PROPOSED USE:

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

5. TYPE OF WORK

☒ New Well ☐ Modify or Repair ☐ Replacement ☐ Abandonment

6. DRILL METHOD

☐ Mud Rotary ☒ Air Rotary ☐ Cable ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
bentonite	0	18	6	overbore

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

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
6	+2	221	250	steel	☒	☐	☒	☐
4	-20	505	160	pvc	☐	☒	☐	☐
					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

☒ Perforations Method saw

☐ Screens Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
465	505	1/8"	4 24			☐	☒
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

Depth flow encountered _____ ft. Describe access port or control devices: cap

11. WELL TESTS:

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Flow, gal./min.	Drawdown	Pumping Level	Time
10		500	1hr

Water Temp. _____ Bottom hole temp. _____

Water Quality test or comments: _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

[illegible]

Completed Depth 505 (Measurable)

Date: Started 2-8 Completed 2-9-95

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 Bronson Water Wells Firm No. 360

Firm Official A.D. R... Date 8-7-75

and

Supervisor or Operator Chick Brown Date 10/2/74

(Sign once if Firm Official & Operator)