

**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 49576
NUMBER:
Ident. 95-8262
Number:
Date 2-22-2019
Received: NO34062
Receipt No.: \$129.00**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s):

Name	Address	City	State	Country	Postal Code
CITY OF COEUR D'ALENE	C/O MCHUGH BROMLEY 380 S 4TH ST., STE, 103,	BOISE	ID	USA	83702

2. Date of Priority:

Date	Explanation
2/14/1983	This is the licensed priority date. The City acquired the property and the appurtenant license in 2018

3. Source:

Source	Tributary	Type
SPOKANE RIVER	COLUMBIA RIVER	

4. Point Of Diversion:

Township	Range	Section	Gov Lot	QQ	Q	County
50N	04W	10		NW	NW	KOOTENAI

5. Water is used for the following purpose(s):

Water Use	Number Of Homes	Stock	Description
FIRE PROTECTION	-		
INDUSTRIAL	-		

6. Season(s) of Use:

Water Use	From Month/Day	To Month/Day
INDUSTRIAL	1 / 1	12 / 31
FIRE PROTECTION	1 / 1	12 / 31

7. Quantity:

Water Use	CFS	AF	KW
FIRE PROTECTION	3.310	0.00	0.0
INDUSTRIAL	0.790	503.00	0.0

Totals:

CFS	AF	KW

4/2/10 503 AF 2/22/2019

8. Place of Use:

Water Use	Township	Range	Section	QQ	Q	County	Gov Lot	Acreage
FIRE PROTECTION	50N	04W	10	NE	NW	KOOTENAI	-	-
FIRE PROTECTION	50N	04W	10	NW	NW	KOOTENAI	-	-
INDUSTRIAL	50N	04W	10	NE	NW	KOOTENAI	-	-
INDUSTRIAL	50N	04W	10	NW	NW	KOOTENAI	-	-

9. Basis of Claim:

Basis Water Right
License 95-8262

10. Signature(s):

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice 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: 7 pages

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: _____
 _____ Date: _____

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

Water Superintendent of City of Coeur d'Alene
 Title Organization

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

Water Superintendent of City of Coeur d'Alene
 Title Organization

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

Signature of Authorized Agent Terry W. Pickett Date 2/22/2019
 Title and Organization Terry W. Pickett, Superintendent, City of Coeur d'Alene
 Please print name

Escrow No.: N-41052-JAH

WARRANTY DEED

FOR VALUE RECEIVED, **Bad Axe, LLC, a Nevada Limited Liability Company,**
Hereinafter called Grantor, does hereby grant, bargain, sell and convey unto **the City of Coeur
d'Alene, a municipal corporation of the State of Idaho,** Grantee, whose address is:

710 E. Mullan Avenue
Coeur d'Alene, ID 83814

the following described premises, County of Kootenai, State of Idaho to-wit:

Parcel 1:

**That portion of Government Lots 1 and 2 of Section 10, Township 50 North, Range 4
West, Boise Meridian, City of Coeur d'Alene, Kootenai County, Idaho, lying South of
Seltice Way.**

EXCEPT the West 230.00 feet thereof.

**ALSO EXCEPT that portion of Government Lots 1 and 2 of Section 10, Township 50
North, Range 4 West, Boise Meridian, City of Coeur d'Alene, Kootenai County, Idaho,
described as follows:**

Commencing at the North quarter corner of said Section 10;

**thence South 81°10'43" West, 1091.76 feet, to the South right of way line of Seltice
Way and the Point of Beginning of this description;**

thence North 89°23'05" West, along said right of way line, 666.00 feet;

thence South 00°36'55" West, 92.77 feet;

thence South 75°07'40" East, 110.00 feet;

thence South 69°55'42" East, 120.00 feet;

thence South 54°38'41" East, 543.04 feet;

thence North 00°36'55" East, 469.29 feet, to the Point of Beginning.

ALSO EXCEPT an irregular parcel of land lying situate on the Southeasterly side of the East bound or Southerly center line of highway survey as shown on the official plat of the Coeur d'Alene-Yellowstone Trail FI53(8) Highway Survey on file in the office of the Dept. of Highways of the State of Idaho, and lying in a portion of the Northeast quarter of the Northwest quarter of Section 10, Township 50 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, described as follows:

Beginning at the intersection of the Northwesterly boundary of the Atlas Tie Company road and the Southerly right of way line of the Coeur d'Alene-Yellowstone Trail FI53(8) Highway, which point bears South 29°45' West, 115.8 feet from Highway Survey Station 562+50.4 and which point of beginning is approximately 2265 feet East and 185 feet South from the Northwest corner of Section 10, Township 50 North, Range 4 West, Boise Meridian;

thence South 29°45' West a distance of 521.15 feet, more or less, to a point on the Northerly right of way line of the Northern Pacific Railway (Coeur d'Alene branch);

thence Westerly and Northwesterly along said railway right of way line on a curve having a radius of 1096 feet, more or less, a distance of 440 feet, more or less, to a point;

thence North 0°33' West a distance of 365.8 feet, more or less, to a point on the Southerly right of way line of said highway, which point bears South 0°33' East, 100 feet from the East bound or Southerly center line of Highway Station 555-00'

thence North 89°27' East along a line 100 feet Southerly from and parallel to said center line of said highway a distance of 692.00 feet, more or less, to the point of beginning.

ALSO EXCEPT any portion lying within the Burlington Northern Railroad right of way.

Parcel 2:

An irregular parcel of land lying situate on the Southeasterly side of the East bound or Southerly center line of highway survey as shown on the official plat of the Coeur d'Alene-Yellowstone Trail FI53(8) Highway Survey on file in the office of the Dept. of Highways of the State of Idaho, and lying in a portion of the Northeast quarter of the Northwest quarter of Section 10, Township 50 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, described as follows:

Beginning at the intersection of the Northwesterly boundary of the Atlas Tie Company road and the Southerly right of way line of the Coeur d'Alene-Yellowstone Trail FI53(8) Highway, which point bears South 29°45' West, 115.8 feet from Highway Survey Station 562+50.4 and which point of beginning is approximately 2265 feet East and 185 feet South from the Northwest corner of Section 10, Township 50 North, Range 4 West, Boise Meridian;

thence South 29°45' West a distance of 521.15 feet, more or less, to a point on the Northerly right of way line of the Northern Pacific Railway (Coeur d'Alene branch);

thence Westerly and Northwesterly along said railway right of way line on a curve having a radius of 1096 feet, more or less, a distance of 440 feet, more or less, to a point;

thence North 0°33' West a distance of 365.8 feet, more or less, to a point on the Southerly right of way line of said highway, which point bears South 0°33' East, 100 feet from the East bound or Southerly center line of Highway Station 555-00'

thence North 89°27' East along a line 100 feet Southerly from and parallel to said center line of said highway a distance of 692.00 feet, more or less, to the point of beginning.

Parcel 3:

All that part of the Northwest quarter of the Northeast quarter of Section 10, Township 50 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, situated South of the present South right of way line of U.S. Highway #10, as shown on the official plat of the Coeur d'Alene-Yellowstone Trail, FI 53(8) Highway Survey on file in the office of the Department of Public Works of the State of Idaho, and Northwesternly of the West right of way line of the Spokane International Railway (Coeur d'Alene branch) and North of the North right of way line of the Northern Pacific Railway (Coeur d'Alene branch), and East of the West line of said Northwest quarter of the Northeast quarter of said Section 10.

Parcel 4:

Lots 1, 2, 3, and 4, Block 18, Riverside Park Addition, according to the plat recorded in Book "B" of Plats at page 138, records of Kootenai County, Idaho.

TOGETHER WITH that portion of vacated 4th Avenue, 5th Avenue, Elmwood Street and alley which attaches by operation of law.

TOGETHER WITH that portion of the following described parcel lying in the Northwest quarter of the Northeast quarter of Section 10, Township 50 North, Range 4 West, Boise Meridian, Kootenai County, Idaho;

A strip of land 100.00 feet in width, said strip being 50.0 feet on each side of the existing track centerline as found on the ground. Beginning at the North quarter corner of Section 10, Township 50 North, Range 4 West, Boise Meridian, Kootenai County, Idaho;

thence South $11^{\circ}20'52''$ East, 690.12 feet to a point which is the intersection of the abandoned centerline of the former Northern Pacific Railroad and the Westerly right of way line of the Union Pacific Railroad, said point being the True Point of Beginning of this description;

thence Westerly along a circular curve to the left with a central angle of $15^{\circ}42'14''$, a radius of 1432.39 feet, for an arc length of 392.60 feet;

thence South $85^{\circ}57'40''$ West 361.40 feet;

thence along a circular curve to the right with a central angle of $39^{\circ}00'35''$, a radius of 1102.53 feet, for an arc length of 750.65 feet;

thence North $55^{\circ}01'45''$ West, 210.90 feet;

thence along a circular curve to the left with a central angle of $36^{\circ}05'28''$, a radius of 726.54 feet, for an arc length of 457.65 feet;

thence South $88^{\circ}52'47''$ West, 816.99 feet;

thence along a circular curve to the right with a central angle of $15^{\circ}17'07''$, a radius of 2864.79 feet, for an arc length of 764 feet, more or less, to a terminus point that lies 200.0 feet Westerly of the East half of Government Lot 4 of Section 9, Township 50 North, Range 4 West, Boise Meridian, Kootenai County, Idaho.

Parcel 5:

A parcel of land being all of Lot 6 and a portion of Lots 7, 8, and 9, Block 36, Riverside Park Addition to the City of Coeur d'Alene, according to the plat recorded in Book "B" of Plats at page 138, records of Kootenai County, Idaho, bounded and described as follows:

Beginning at the most Southerly corner of Lot 9 of said Block 36;

thence along the Easterly line of said Lot 9, north $30^{\circ}50'$ East, a distance of 20.61 feet, more or less, to a point 50.0 feet distant Southwesterly measured radially, from the centerline of the main track of the Coeur d'Alene branch of the Spokane International Railway Company as now constructed and operated, said point also being the beginning of a non-tangent curve concave Northeasterly, the center of the circle of which the arc is a part bears North $65^{\circ}00'37''$ East, a distance of 623.69 feet;

thence Northwesterly along said curve and concentric with said centerline through a central angle of $13^{\circ}54'51''$, an arc distance of 151.46 feet to a point in the Northeasterly line of Lot 7 of said Block 36;

thence along the Northeasterly line of Lots 7 and 6, North 59°10' West, a distance of 129.0 feet, more or less, to the most Northerly corner of Lot 6;

thence along the Westerly line of Lot 6, South 1°14'09" West, a distance of 138.0 feet to the Southwest corner of said Lot 6;

thence along the Southwesterly line of said Block 36, South 59°10' East, a distance of 174.63 feet, more or less, to the Point of Beginning.

TOGETHER WITH that portion of vacated Riverside Avenue, Abbington street and alley which attaches by operation of law.

Parcel 6:

All of Block 37, Riverside Park Addition to Coeur d'Alene, according to the plat recorded in Book "B" of Plats at page 138, record of Kootenai County, Idaho.

TOGETHER WITH that portion of vacated 5th Avenue and Elmwood Street which attaches by operation of law.

Parcel 7:

lot 5, Block 36 and Lots 1 to 22, inclusive, Block 38, Riverside Park Addition, according to the plat recorded in Book "B" of Plats at page 138, records of Kootenai County, Idaho.

TOGETHER WITH those portions of vacated 5th Avenue, Elmwood Street, Glenwood Street, alley and Park Strip which attaches by operation of law.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), that he/she/they is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject to those made, suffered or done by the Grantee(s); current taxes, levies, assessments, easements, reservations and rights of way of view and covenants, conditions, restrictions, easements, reservations, dedications, rights of way and agreements of record and that he/she/they will warrant and defend the same from all lawful claims whatsoever.

DATED. May 9, 2018

Bad Axe, LLC

By: 

Holly Milani, Manager

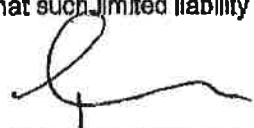
STATE OF CALIFORNIA

COUNTY OF

San Diego

} ss.

On this 11th day of May, 2018, before me, the undersigned Notary Public in and for the State of California, personally appeared Holly Milani, known or identified to me to be the Member/Manager of Bad Axe, LLC, the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company executed the same.


Notary in and for said County and State

Residing at: San Diego, CA

Commission Exp.: 6-23-2020

