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SEP 12 2019

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IDWR / NORTH

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Ident. No. 91-8039

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

IDWR / NORTH

1. Name of applicant(s) Jack McCalmant Ramona McCalmant Phone 509-725-8308
 Name connector (check one): ☐ and ☐ or ☒ and/or
 Mailing address 38576 Fitness Lane E City Davenport
 State WA ZIP 99122 Email monamac57@gmail.com
2. Name of representative, if any _____ Phone _____
 Mailing address _____ City _____
 State _____ ZIP _____ Email _____
- a. ☐ Send all correspondence for this application to the representative and not to the applicant OR
☐ Send original correspondence to the applicant and copies to the representative.
- b. ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant OR
☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation.
3. Source of water supply Ground Water which is a tributary of 8
4. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
46N	2W	6	8		NE	NE	Benewah	Ground Water	D 79901

5. Water will be used for the following purposes:
- Amount 0.04 for Domestic purposes from 01-01 to 12-31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount 0.02 for Stock water purposes from 01-01 to 12-31 (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)
6. Total quantity to be appropriated is (a) .06 cubic feet per second (cfs) and/or (b) _____ acre-feet per year (af).
7. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. Drilled well D79901
completed September 2019th connected to 1 home & stock facilities.
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 12. For dams 10 feet or more in height AND having a storage capacity of 50 acre-feet or more, submit a separate [Application for Construction or Enlargement of a New or Existing Dam](#). Application required? ☐ Yes ☐ No
- c. Proposed well diameter is 6 inches; proposed depth of well is 448 feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No
- e. If well is already drilled, when? 9-3-2019 drilling firm Interstate Drilling LLC
 well was drilled for (well owner) Jack McCalmant; Drilling Permit No. _____

For Department Use

Received by _____ Date _____ Time _____ Preliminary check by _____
 Fee \$ 100.00 Received by NS Receipt No. N1635605 Date 9-12-19

8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in kW. _____
 - Stockwatering; list number and kind of livestock. _____
 - Municipal; must complete and attach the Municipal Water Right Application Checklist.
 - Domestic; show number of households 1 Includes lawn & garden irrigation up to .5 Ac.
 - Other; describe fully. _____

9. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
46N	2W	6	D																
46N	2W	6	S																
			GLS																

Total number of acres to be irrigated: _____

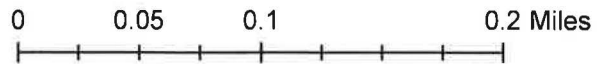
10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? _____
11. a. Who owns the property at the point of diversion? Applicants
- b. Who owns the land to be irrigated or place of use? Applicants
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____
12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. We need to obtain water right to protect future use of recently completed domestic well.
13. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year).
14. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map or maps clearly identifying the proposed point of diversion, place of use, section #, township & range. The map scale shall not be less than two (2) inches equal to one (1) mile.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Jack M. McCalmant
 Signature of Applicant
Jack M. McCalmant
 Print Name (and title, if applicable)

Ramona J. McCalmant
 Signature of Applicant
Ramona J. McCalmant
 Print Name (and title, if applicable)

State of Idaho
Department of Water Resources
Application For Permit



- PLS Sections
- Quarter Quarters
- Taxlots

Tax parcel information provided by Benewah County.

X point of diversion - well

○ Domestic Place of use

○ stock water Place of use

N

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Jack M. McCalmant & Ramona J. McCalmant
38576 Fitness Land East
Davenport, WA 99122

RECEIVED
2019 Jun 06 PM 12 26
BENEWAH COUNTY
DEANNA BRAMBLETT, CLERK
283770
FIRST AMERICAN TITLE - SAINT MARIES
FEES:\$ 15.00

733302
#19335001

(Space Above For Recorder's Use)

DEED

For value received, the receipt of which is hereby acknowledged, **JAMESTOWN FORESTLANDS, LLC**, a Virginia limited liability company ("Grantor"), does hereby convey and forever grant unto **JACK M. McCALMANT and RAMONA J. McCALMANT**, husband and wife ("Grantee"), whose current address is 38576 Fitness Lane East, Davenport, WA 99122 and its successors and assigns forever, their interest in the following described premises, to-wit:

Legal description of "Tract 10" attached hereto as EXHIBIT "A".

SUBJECT TO AND TOGETHER WITH the Main Road Access & Utility Easement described in EXHIBIT "B";

the County Line Road Access & Utility Easement described in EXHIBIT "C";

the Utility Easement described in EXHIBIT "D"; also

SUBJECT TO any other easements, right-of-ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record; and

SUBJECT TO taxes and assessments for the year 2019 and all subsequent years, together with any and all existing easements, rights-of-way, reservations, restrictions and encumbrances of record, (including those set forth on EXHIBIT "E"), to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

EXCLUDING AND EXCEPTING THEREFROM ANY AND ALL PRIOR MINERAL RIGHTS CONVEYANCES OR RESERVATIONS NOT PREVIOUSLY ACQUIRED BY GRANTOR OR A SUBSIDIARY OR A PARENT COMPANY OF GRANTOR.

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Jack M. McCalmant & Ramona J. McCalmant
38576 Fitness Land East
Davenport, WA 99122

ELECTRONICALLY RECORDED - DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT.

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EXCLUDING AND EXCEPTING THEREFROM ANY AND ALL PRIOR MINERAL RIGHTS CONVEYANCES OR RESERVATIONS NOT PREVIOUSLY ACQUIRED BY GRANTOR OR A SUBSIDIARY OR A PARENT COMPANY OF GRANTOR.

This conveyance shall include any and all estate, right, title, interest, appurtenances, tenements, hereditaments, reversions, remainders, easements, rents, issues, profits, rights-of-way, timber and water rights in anywise appertaining to the property herein described as well in law as in equity.

The Grantor covenants to the Grantee that Grantor is the owner in fee simple of said premises; that the premises are free from encumbrances created or suffered by the Grantor, excepting those as may be herein set forth, and excepting those of record or in view, and that Grantor will warrant and defend the same from all lawful claims of or through Grantor, but none other.

IN WITNESS WHEREOF, the Grantor has hereunto subscribed its name to this instrument this 4th day of June, 2019.

JAMESTOWN FORESTLANDS LLC

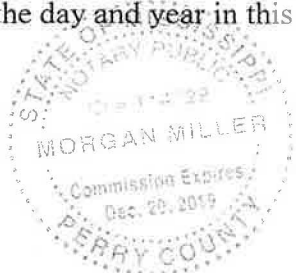
By: The Molpus Woodlands Group, LLC
Its authorized agent and property manager

By: [Signature]
Name: Ken Sewell
Title: Chief Operating Officer

STATE OF MISSISSIPPI)
County of Forrest) ss.

On this 4th day of June, 2019, before me Morgan Miller, personally appeared Ken Sewell, known or identified to me (or proved to me on the oath of [Signature]) to be the COO of The Molpus Woodlands Group, LLC the authorized agent and property manager for Jamestown Forestlands 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 company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Morgan Miller
NOTARY PUBLIC FOR MISSISSIPPI
Residing at Perry Co., MS
My Commission Expires 12/20/19

EXHIBIT "A"

Tract 10

A part of the NE1/4, section 6, Township 46 North, Range 2 West, Boise Meridian, Benewah County, Idaho; more particularly described as follows:

COMMENCING at the North 1/4 section corner, said section (the Northwest corner of Government Lot 2, said section), monumented with an iron pipe, 2 inches diameter, with a brass cap, 2-1/2 inches diameter, marked RLS 703, from which the Northwest section corner of said section 6, monumented with an iron pipe, 2 inches diameter, with a brass cap, 2-1/2 inches diameter, marked RLS 703, bears North 89°26'19" West, 2672.19 feet (of record as South 89°55'58" West, 2672.35 feet and West, 2673.00 feet) distant;

thence South 0°50'43" East, 288.13 feet to a point on the northerly right-of-way line of a proposed access and utility easement, being 25.00 feet distant, as measured at right angles or radially to the as-constructed centerline, said point monumented with an iron rod, 30 inches long, 5/8 inch diameter, with a plastic cap marked PLS 6766;

thence traversing said proposed northerly right-of-way line, as follows:

South 68°00'00" East, 116.71 feet to an iron rod, 30 inches long, 5/8 inch diameter, with a plastic cap marked PLS 6766;

thence South 65°25'00" East, 287.12 feet to an iron rod, 30 inches long, 5/8 inch diameter, with a plastic cap marked PLS 6766;

thence South 70°45'00" East, 183.84 feet to an iron rod, 30 inches long, 5/8 inch diameter, with a plastic cap marked PLS 6766;

thence continuing South 70°45'00" East, 110.84 feet to an iron rod, 30 inches long, 5/8 inch diameter, with a plastic cap marked PLS 6766;

thence 132.62 feet along the arc of a 235.00 foot radius curve left, through a central angle of 32°20'00", said curve having a chord bearing South 86°55'00" East, 130.86 feet to an iron rod, 30 inches long, 5/8 inch diameter, with a plastic cap marked PLS 6766;

thence North 76°55'00" East, 78.84 feet to an iron rod, 30 inches long, 5/8 inch diameter, with a plastic cap marked PLS 6766;

thence 127.38 feet along the arc of a 145.00 foot radius curve right, through a central angle of 50°20'00", said curve having a chord bearing South 77°55'00"

East, 123.32 feet to an iron rod, 30 inches long, 5/8 inch diameter, with a plastic cap marked PLS 6766;

thence South 52°45'00" East, 56.57 feet;

thence 14.66 feet along the arc of a 40.00 foot radius curve left, through a central angle of 21°00'00", said curve having a chord bearing South 63°15'00" East, 14.58 feet to an iron rod, 30 inches long, 5/8 inch diameter, with a plastic cap marked PLS 6766;

thence South 73°45'00" East, 121.51 feet to an iron rod, 30 inches long, 5/8 inch diameter, with a plastic cap marked PLS 6766, the POINT OF BEGINNING;

thence continuing South 73°45'00" East, 76.93 feet to an iron rod, 30 inches long, 5/8 inch diameter, with a plastic cap marked PLS 6766;

thence 43.37 feet along the arc of a 140.00 foot radius curve left, through a central angle of 17°45'00", said curve having a chord bearing South 82°37'30" East, 43.20 feet to an iron rod, 30 inches long, 5/8 inch diameter, with a plastic cap marked PLS 6766;

thence North 88°30'00" East, 130.88 feet to an iron rod, 30 inches long, 5/8 inch diameter, with a plastic cap marked PLS 6766;

thence 65.71 feet along the arc of a 90.00 foot radius curve left, through a central angle of 41°50'00", said curve having a chord bearing North 67°35'00" East, 64.26 feet to an iron rod, 30 inches long, 5/8 inch diameter, with a plastic cap marked PLS 6766;

thence North 46°40'00" East, 81.72 feet to an iron rod, 30 inches long, 5/8 inch diameter, with a plastic cap marked PLS 6766;

thence 140.11 feet along the arc of a 285.00 foot radius curve right, through a central angle of 28°10'00", said curve having a chord bearing North 60°45'00" East, 138.70 feet to an iron rod, 30 inches long, 5/8 inch diameter, with a plastic cap marked PLS 6766;

thence North 74°50'00" East, 132.72 feet to an iron rod, 30 inches long, 5/8 inch diameter, with a plastic cap marked PLS 6766;

thence South 0°55'00" West, 1549.42 feet, and leaving said northerly proposed right-of-way line, to a point on the South line of Government Lot 8, said section, said point monumented with an iron rod, 30 inches long, 5/8 inch diameter, with a plastic cap marked PLS 6766;

thence North 89°34'56" West, 612.88 feet along said South line, and the South line of Government Lot 7, said section, to an iron rod, 30 inches long, 5/8 inch diameter, with a plastic cap marked PLS 6766;

thence North 0°55'00" East, 1385.50 feet, and leaving said South line, to the POINT OF BEGINNING.

This parcel contains 20.1 acres, more or less.

EXHIBIT "B"

Main Road Access & Utility Easement

An easement for ingress, egress and utility purposes, lying over, under and across a part of the S1/2 of the SW1/4, section 31, Township 47 North, Range 2 West, Boise Meridian, Kootenai County, Idaho and the NW1/4, section 6, Township 46 North, Range 2 West, Boise Meridian, Benewah County, Idaho; said easement being 50.00 feet in width, lying 25.00 feet on each side of the following described centerline:

COMMENCING at the South 1/16 section corner common to section 36, Township 47 North, Range 3 West, Boise Meridian, and said section 31 (the Northwest corner of Government Lot 4, said section 31), monumented with an iron rod, 30 inches long, 5/8 inch diameter, with an aluminum cap, 2-1/2 inches diameter, marked PLS 6766, from which the Southwest section corner of said section 31, monumented with an iron pipe, 2 inches diameter, with a brass cap, 2-1/2 inches diameter, marked RLS 703, bears South 0°38'51" West, 1318.62 feet (of record as South, and 1318.89 feet), distant;

thence South 89°28'38" East, 1241.98 feet along the North line of said S1/2, of said SW1/4, of said section 31, to an iron rod, 30 inches long, 1/2 inch diameter, with a plastic cap marked PLS 6766;

thence continuing South 89°28'38" East, 72.34 feet along said North line to a point on the southerly prescriptive right-of-way line of HELLS GULCH ROAD, being 25.00 feet distant, as measured at right angles or radially to the as-constructed centerline, said point monumented with an iron rod, 30 inches long, 5/8 inch diameter, with a plastic cap marked PLS 6766;

thence continuing South 89°28'38" East, 1029.65 feet along said North line to a point on the northerly projected line of the as-constructed centerline of an existing road, and leaving said southerly prescriptive right-of-way line;

thence South 1°30'00" West, 26.60 feet, and leaving said North line, to a point on the as-constructed centerline of HELLS GULCH ROAD and said as-constructed centerline of said existing road, the POINT OF BEGINNING;

thence leaving said centerline of said HELLS GULCH ROAD, and traversing said herein described as-constructed centerline, as follows:

South 1°30'00" West, 387.83 feet to an angle point;

thence South 5°15'00" East, 172.18 feet to a point of curvature;

thence 140.09 feet along the arc of a 320.00 foot radius curve right, through a central angle of $25^{\circ}05'00''$, said curve having a chord bearing South $7^{\circ}17'30''$ West, 138.98 feet distant to a point of tangency;

thence South $19^{\circ}50'00''$ West, 132.42 feet to a point of curvature;

thence 93.08 feet along the arc of a 250.00 foot radius curve left, through a central angle of $21^{\circ}20'00''$, said curve having a chord bearing South $9^{\circ}10'00''$ West, 92.55 feet distant to a point of tangency;

thence South $1^{\circ}30'00''$ East, 19.07 feet to a point of curvature;

thence 94.25 feet along the arc of a 300.00 foot radius curve right, through a central angle of $18^{\circ}00'00''$, said curve having a chord bearing South $7^{\circ}30'00''$ West, 93.86 feet distant to a point of tangency;

thence South $16^{\circ}30'00''$ West, 117.73 feet to an angle point;

thence South $18^{\circ}50'00''$ West, 195.74 feet to a point of intersection with the as-constructed centerline of an existing East-West road, said point being the POINT OF TERMINATION, from which the South 1/4 section corner, of said section 31, monumented with an iron pipe, 2 inches diameter, with a brass cap, 2-1/2 inches diameter, marked RLS 703 and 906, bears North $86^{\circ}56'04''$ East, 494.77 feet distant.

The sidelines of this easement are to lengthen or shorten; so as to terminate at the respective property lines.

EXHIBIT "C"

County Line Road Access & Utility Easement

An easement for ingress, egress and utility purposes, lying over, under and across a part of the S1/2 of section 31, Township 47 North, Range 2 West, Boise Meridian, Kootenai County, Idaho; and the N1/2 of section 6, Township 46 North, Range 2 West, Boise Meridian, Benewah County, Idaho; and the NW1/4 of section 5, Township 46 North, Range 2 West, Boise Meridian, Benewah County, Idaho; said easement being 50.00 feet in width, lying 25.00 feet on each side of the following described centerline:

COMMENCING at the South 1/16 section corner common to section 36, Township 47 North, Range 3 West, Boise Meridian, and said section 31 (the Northwest corner of Government Lot 4, said section 31), monumented with an iron rod, 30 inches long, 5/8 inch diameter, with an aluminum cap, 2-1/2 inches diameter, marked PLS 6766, from which the Southwest section corner of said section 31, monumented with an iron pipe, 2 inches diameter, with a brass cap, 2-1/2 inches diameter, marked RLS 703, bears South 0°38'51" West, 1318.62 feet (of record as South, and 1318.89 feet), distant;

thence South 89°28'38" East, 1241.98 feet along the North line of said S1/2, of said SW1/4, of said section 31, to an iron rod, 30 inches long, 1/2 inch diameter, with a plastic cap marked PLS 6766;

thence continuing South 89°28'38" East, 72.34 feet along said North line to a point on the southerly prescriptive right-of-way line of HELLS GULCH ROAD, being 25.00 feet distant, as measured at right angles or radially to the as-constructed centerline, said point monumented with an iron rod, 30 inches long, 5/8 inch diameter, with a plastic cap marked PLS 6766;

thence continuing South 89°28'38" East, 54.30 feet along said North line to a point on the northerly projected line of the as-constructed centerline of an existing road, and leaving said southerly prescriptive right-of-way line;

thence South 42°45'00" West, 2.71 feet, and leaving said North line, to a point on the as-constructed centerline of HELLS GULCH ROAD and said as-constructed centerline of said existing road;

thence leaving said centerline of said HELLS GULCH ROAD, and traversing said existing road centerline, as follows:

South 42°45'00" West, 101.44 feet to a point of curvature;

thence 72.61 feet along the arc of a 120.00 foot radius curve left, through a central angle of $34^{\circ}40'00''$, said curve having a chord bearing South $25^{\circ}25'00''$ West, 71.50 feet distant to a point of tangency;

thence South $8^{\circ}05'00''$ West, 170.29 feet to an angle point;

thence South $19^{\circ}50'00''$ West, 96.29 feet to a point of curvature;

thence 71.99 feet along the arc of a 45.00 foot radius curve right, through a central angle of $91^{\circ}40'00''$, said curve having a chord bearing South $65^{\circ}40'00''$ West, 64.56 feet distant to a point of tangency;

thence North $68^{\circ}30'00''$ West, 30.52 feet to a point of curvature;

thence 246.51 feet along the arc of a 170.00 foot radius curve left, through a central angle of $83^{\circ}05'00''$, said curve having a chord bearing South $69^{\circ}57'30''$ West, 225.48 feet distant to a point of tangency;

thence South $28^{\circ}25'00''$ West, 51.42 feet to a point of curvature;

thence 91.27 feet along the arc of a 50.00 foot radius curve right, through a central angle of $104^{\circ}35'00''$, said curve having a chord bearing South $80^{\circ}42'30''$ West, 79.11 feet distant to a point of tangency;

thence North $47^{\circ}00'00''$ West, 28.16 feet to a point of curvature;

thence 144.16 feet along the arc of a 70.00 foot radius curve left, through a central angle of $118^{\circ}00'00''$, said curve having a chord bearing South $74^{\circ}00'00''$ West, 120.00 feet distant to a point of tangency;

thence South $15^{\circ}00'00''$ West, 193.51 feet to an angle point;

thence South $22^{\circ}15'00''$ West, 229.20 feet to a point of curvature;

thence 214.10 feet along the arc of a 210.00 foot radius curve left, through a central angle of $58^{\circ}24'57''$, said curve having a chord bearing South $6^{\circ}57'28''$ East, 204.95 feet distant to a point on curve, also being a point of intersection with the as-constructed centerline of an existing road to the southwest;

thence continuing 163.72 feet along the arc of a 210.00 foot radius curve left, through a central angle of $44^{\circ}40'03''$, said curve having a chord bearing South $58^{\circ}29'58''$ East, 159.60 feet distant to a point of tangency;

thence South 80°50'00" East, 30.27 feet to a point of curvature;

thence 88.98 feet along the arc of a 190.00 foot radius curve right, through a central angle of 26°50'00", said curve having a chord bearing South 67°25'00" East, 88.17 feet distant to a point of tangency;

thence South 54°00'00" East, 7.62 feet to a point of curvature, also being a point of intersection with the as-constructed centerline of an existing road to the South, said point being the POINT OF BEGINNING;

thence traversing said herein described as-constructed easement centerline, as follows:

122.70 feet along the arc of a 190.00 foot radius curve left, through a central angle of 37°00'00", said curve having a chord bearing South 72°30'00" East, 120.58 feet distant to a point of tangency;

thence North 89°00'00" East, 273.54 feet to an angle point;

thence North 87°50'00" East, 383.58 feet to an angle point;

thence South 84°30'00" East, 384.49 feet to an angle point;

thence South 86°45'00" East, 194.35 feet to a point on tangent, also being a point of intersection with the as-constructed centerline of an existing road to the North;

thence continuing South 86°45'00" East, 196.44 feet to a point of curvature;

thence 152.93 feet along the arc of a 150.00 foot radius curve right, through a central angle of 58°25'00", said curve having a chord bearing South 57°32'30" East, 146.40 feet distant to a point of tangency;

thence South 28°20'00" East, 95.70 feet to a point of curvature;

thence 169.62 feet along the arc of a 245.00 foot radius curve left, through a central angle of 39°40'00", said curve having a chord bearing South 48°10'00" East, 166.25 feet distant to a point of tangency;

thence South 68°00'00" East, 116.15 feet to an angle point;

thence South 65°25'00" East, 287.72 feet to an angle point;

thence South 70°45'00" East, 295.85 feet to a point of curvature;

thence 146.72 feet along the arc of a 260.00 foot radius curve left, through a central angle of $32^{\circ}20'00''$, said curve having a chord bearing South $86^{\circ}55'00''$ East, 144.78 feet distant to a point of tangency;

thence North $76^{\circ}55'00''$ East, 78.84 feet to a point of curvature;

thence 105.42 feet along the arc of a 120.00 foot radius curve right, through a central angle of $50^{\circ}20'00''$, said curve having a chord bearing South $77^{\circ}55'00''$ East, 102.06 feet distant to a point of tangency;

thence South $52^{\circ}45'00''$ East, 56.57 feet to a point of curvature;

thence 23.82 feet along the arc of a 65.00 foot radius curve left, through a central angle of $21^{\circ}00'00''$, said curve having a chord bearing South $63^{\circ}15'00''$ East, 23.69 feet distant to a point of tangency;

thence South $73^{\circ}45'00''$ East, 198.44 feet to a point of curvature;

thence 51.12 feet along the arc of a 165.00 foot radius curve left, through a central angle of $17^{\circ}45'00''$, said curve having a chord bearing South $82^{\circ}37'30''$ East, 50.91 feet distant to a point of tangency;

thence North $88^{\circ}30'00''$ East, 130.88 feet to a point of curvature;

thence 83.96 feet along the arc of a 115.00 foot radius curve left, through a central angle of $41^{\circ}50'00''$, said curve having a chord bearing North $67^{\circ}35'00''$ East, 82.11 feet distant to a point of tangency;

thence North $46^{\circ}40'00''$ East, 81.72 feet to a point of curvature;

thence 127.82 feet along the arc of a 260.00 foot radius curve right, through a central angle of $28^{\circ}10'00''$, said curve having a chord bearing North $60^{\circ}45'00''$ East, 126.53 feet distant to a point of tangency;

thence North $74^{\circ}50'00''$ East, 132.72 feet to a point of curvature;

thence 99.37 feet along the arc of a 75.00 foot radius curve left, through a central angle of $75^{\circ}55'00''$, said curve having a chord bearing North $36^{\circ}52'30''$ East, 92.26 feet distant to a point of tangency;

thence North $1^{\circ}05'00''$ West, 318.86 feet to a point of curvature;

thence 115.58 feet along the arc of a 115.00 foot radius curve right, through a central angle of $57^{\circ}35'00''$, said curve having a chord bearing North $27^{\circ}42'30''$ East, 110.77 feet distant to a point of tangency;

thence North $56^{\circ}30'00''$ East, 137.92 feet to a point of curvature;

thence 123.63 feet along the arc of a 250.00 foot radius curve right, through a central angle of $28^{\circ}20'00''$, said curve having a chord bearing North $70^{\circ}40'00''$ East, 122.37 feet distant to a point of tangency;

thence North $84^{\circ}50'00''$ East, 91.05 feet to a point of curvature;

thence 101.84 feet along the arc of a 90.00 foot radius curve left, through a central angle of $64^{\circ}50'00''$, said curve having a chord bearing North $52^{\circ}25'00''$ East, 96.49 feet distant to a point of tangency;

thence North $20^{\circ}00'00''$ East, 51.14 feet to a point of curvature;

thence 198.86 feet along the arc of a 76.00 foot radius curve right, through a central angle of $149^{\circ}55'00''$, said curve having a chord bearing South $85^{\circ}02'30''$ East, 146.79 feet distant to a point of tangency;

thence South $10^{\circ}05'00''$ East, 48.85 feet to a point of curvature;

thence 89.26 feet along the arc of a 170.00 foot radius curve left, through a central angle of $30^{\circ}05'00''$, said curve having a chord bearing South $25^{\circ}07'30''$ East, 88.24 feet distant to a point of tangency;

thence South $40^{\circ}10'00''$ East, 44.42 feet to a point of curvature;

thence 79.91 feet along the arc of a 165.00 foot radius curve right, through a central angle of $27^{\circ}45'00''$, said curve having a chord bearing South $26^{\circ}17'30''$ East, 79.14 feet distant to a point of tangency;

thence South $12^{\circ}25'00''$ East, 24.41 feet to a point of curvature;

thence 96.09 feet along the arc of a 365.00 foot radius curve left, through a central angle of $15^{\circ}05'00''$, said curve having a chord bearing South $19^{\circ}57'30''$ East, 95.81 feet distant to a point of tangency;

thence South $27^{\circ}30'00''$ East, 50.55 feet to a point of curvature;

thence 102.83 feet along the arc of a 350.00 foot radius curve right, through a central angle of $16^{\circ}50'00''$, said curve having a chord bearing South $19^{\circ}05'00''$ East, 102.46 feet distant to a point of tangency;

thence South $10^{\circ}40'00''$ East, 109.23 feet to an angle point;

thence South $4^{\circ}20'00''$ East, 92.85 feet to a point of curvature;

thence 92.15 feet along the arc of a 180.00 foot radius curve left, through a central angle of $29^{\circ}20'00''$, said curve having a chord bearing South $19^{\circ}00'00''$ East, 91.15 feet distant to a point of tangency;

thence South $33^{\circ}40'00''$ East, 94.93 feet to a point of intersection with the as-constructed centerline of an existing East-West road, said point being the POINT OF TERMINATION, from which the Southeast section corner, of said section 31, monumented with an iron pipe, 2 inches diameter, with a brass cap, 2-1/2 inches diameter, marked RLS 703 and 906, bears North $10^{\circ}22'15''$ West, 631.21 feet distant.

The sidelines of this easement are to lengthen or shorten; so as to terminate at the respective property lines.

EXHIBIT "D"

Utility Easement

An easement for utility purposes, lying over, under and across a part of the SW1/4 of section 31, Township 47 North, Range 2 West, Boise Meridian, Kootenai County, Idaho; said easement being 50.00 feet in width, lying 25.00 feet on each side of the following described centerline:

COMMENCING at the South 1/16 section corner common to section 36, Township 47 North, Range 3 West, Boise Meridian, and said section 31 (the Northwest corner of Government Lot 4, said section 31), monumented with an iron rod, 30 inches long, 5/8 inch diameter, with an aluminum cap, 2-1/2 inches diameter, marked PLS 6766, from which the Southwest section corner of said section 31, monumented with an iron pipe, 2 inches diameter, with a brass cap, 2-1/2 inches diameter, marked RLS 703, bears South 0°38'51" West, 1318.62 feet (of record as South, and 1318.89 feet), distant;

thence South 89°28'38" East, 1241.98 feet along the North line of the S1/2, of said SW1/4, of said section 31, to an iron rod, 30 inches long, 1/2 inch diameter, with a plastic cap marked PLS 6766;

thence continuing South 89°28'38" East, 72.34 feet along said North line to a point on the southerly prescriptive right-of-way line of HELLS GULCH ROAD, being 25.00 feet distant, as measured at right angles or radially to the as-constructed centerline, said point monumented with an iron rod, 30 inches long, 5/8 inch diameter, with a plastic cap marked PLS 6766;

thence continuing South 89°28'38" East, 54.30 feet along said North line to a point on the northerly projected line of the as-constructed centerline of an existing road, and leaving said southerly prescriptive right-of-way line;

thence South 42°45'00" West, 2.71 feet, and leaving said North line, to a point on the as-constructed centerline of HELLS GULCH ROAD and said as-constructed centerline of said existing road, the POINT OF BEGINNING;

thence leaving said centerline of said HELLS GULCH ROAD, and traversing said herein described as-constructed centerline and easement, as follows:

South 42°45'00" West, 101.44 feet to a point of curvature;

thence 72.61 feet along the arc of a 120.00 foot radius curve left, through a central angle of 34°40'00", said curve having a chord bearing South 25°25'00" West, 71.50 feet distant to a point of tangency;

thence South 8°05'00" West, 170.29 feet to an angle point;

thence South 19°50'00" West, 96.29 feet to a point of curvature;

thence 71.99 feet along the arc of a 45.00 foot radius curve right, through a central angle of 91°40'00", said curve having a chord bearing South 65°40'00" West, 64.56 feet distant to a point of tangency;

thence North 68°30'00" West, 30.52 feet to a point of curvature;

thence 246.51 feet along the arc of a 170.00 foot radius curve left, through a central angle of 83°05'00", said curve having a chord bearing South 69°57'30" West, 225.48 feet distant to a point of tangency;

thence South 28°25'00" West, 51.42 feet to a point of curvature;

thence 91.27 feet along the arc of a 50.00 foot radius curve right, through a central angle of 104°35'00", said curve having a chord bearing South 80°42'30" West, 79.11 feet distant to a point of tangency;

thence North 47°00'00" West, 28.16 feet to a point of curvature;

thence 144.16 feet along the arc of a 70.00 foot radius curve left, through a central angle of 118°00'00", said curve having a chord bearing South 74°00'00" West, 120.00 feet distant to a point of tangency;

thence South 15°00'00" West, 193.51 feet to an angle point;

thence South 22°15'00" West, 229.20 feet to a point of curvature;

thence 214.10 feet along the arc of a 210.00 foot radius curve left, through a central angle of 58°24'57", said curve having a chord bearing South 6°57'28" East, 204.95 feet distant to a point on curve, also being a point of intersection with the as-constructed centerline of an existing road to the southwest;

thence continuing 163.72 feet along the arc of a 210.00 foot radius curve left, through a central angle of 44°40'03", said curve having a chord bearing South 58°29'58" East, 159.60 feet distant to a point of tangency;

thence South 80°50'00" East, 30.27 feet to a point of curvature;

thence 88.98 feet along the arc of a 190.00 foot radius curve right, through a central angle of $26^{\circ}50'00''$, said curve having a chord bearing South $67^{\circ}25'00''$ East, 88.17 feet distant to a point of tangency;

thence South $54^{\circ}00'00''$ East, 7.62 feet to a point of intersection with an as-constructed centerline of an existing road to the South, said point being the POINT OF TERMINATION.

The sidelines of this easement are to lengthen or shorten; so as to terminate at the respective property lines.

EXHIBIT "E"

Exceptions

1. (a) the lien for ad valorem taxes not yet due and payable and roll back taxes, if any; (b) all oil, gas and other minerals as may have been previously reserved by or conveyed to others and any mineral leases or other documents concerning the mineral estate; (c) all rights, easements and servitudes incident to and a part of the mineral estate underlying the Premises and all oil, gas, salt water or disposal wells sites and related agreements; (d) all public and private unrecorded and recorded rights-of-way, public roads, utility easements, utility rights-of-way and pipeline rights-of-way now in existence in, on, under, over and across the surface of the Premises and all reservations of such rights whether or not in existence; (e) all rights of the state in which the Premises are located and the United States, if any, in and to any navigable waterways situated on or about the Premises and all navigational servitudes arising from any navigable waterways situated on or about the Premises, all existing easements relating to flowage rights, locks, dams, canals or other improvements pertaining to waterways on the Premises; (f) riparian and other rights created by the fact that the Premises is bounded by or traversed by a river; (g) the right, if any, of neighboring riparian owners and the public or others to use the waters of a river or the rights of the public to use the beaches or shores for recreational purposes; (h) land formerly or presently comprising the shores or bottom of navigable waters or to artificial accretions or fill or rights or claims of parties to such land; (i) sovereignty lands and other land which may lie beneath the ordinary high water mark as established as of the date the State of Idaho was admitted to the Union; (j) [Intentionally Deleted]; (k) [Intentionally Deleted]; (l) boundary line disputes, overlaps, encroachments, graveyards, the names of roads, rivers, or other monuments in legal descriptions, the precise location of property having an indefinite description and any other similar matters not of record which will be disclosed by an accurate survey and inspection of the Premises; (m) unrecorded and recorded easements and rights-of-way for existing roads (public or private), railroads and public utility lines running through, over or across the Premises; (n) all land use (including environmental and wetlands), building and zoning laws, regulations, codes and ordinances affecting the Property; and (o) any other defect in title to the Premises, or any portion thereof, that does not materially adversely affect the use of the Premises as commercial timber property; provided, however, that no defect in title shall be deemed to have an adverse effect on the use of the Premises; and provided further, however, that the exceptions set forth hereinabove in clauses (a) through (n) shall not be deemed to have any adverse effect on the use of the Premises. Furthermore, no objection shall be made as to whether or not there has been a reversion to Grantor and/or its predecessors in title of the rights or obligations otherwise granted to a third party under any instrument.

2. Subject to liens for any taxes deferred by virtue of the designation of the subject property as Forest Lands, as provided in Section 63-1701, et seq., Idaho Code.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur D'Alene ID 83815-7763

Phone: (208) 762-2800 • Fax: (208) 762-2819

Website: idwr.idaho.gov • Email: northerninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

September 24, 2019

JACK MC CALMANT
RAMONA MC CALMANT
38576 FITNESS LN E
DAVENPORT, WA 99122-8564

Application For Permit No. 91-8039

Dear Applicants:

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the ST MARIES GAZETTE RECORD on 10/2/2019 and 10/9/2019. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in blue ink that reads "Tammy Alleman". The signature is written in a cursive, flowing style.

Tammy Alleman
Administrative Assistant

Alleman, Tammy

From: Alleman, Tammy
Sent: Tuesday, September 24, 2019 2:22 PM
To: 'Jamie'
Subject: Legal Notice for St. Maries Gazette Record
Attachments: Legal Notice for 91-8039, 91-8040, & 92-11097.doc

Please publish the enclosed legal notice in the **St. Maries Gazette Record** on the dates indicated **October 2nd and October 9th, 2019** (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately. Please send a proof once you have the article ready for print for our review.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before **October 21, 2019**. Your cooperation is appreciated.

Thank you,

Tammy

*Tammy Alleman
Administrative Assistant
Idaho Department of Water Resources
Email: Tammy.Alleman@idwr.idaho.gov
Phone: (208) 762-2800
Fax (208) 762-2819*

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

91-8039

JACK MC CALMANT
RAMONA MC CALMANT
38576 FITNESS LN E
DAVENPORT, WA 99122-8564
Point of Diversion L8(NENE)
S6 T46N R02W
BENEWAH County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Date Filed: 9/12/2019
Place Of Use: DOMESTIC
T46N R02W S6 L8(NENE)
Place Of Use: STOCKWATER
T46N R02W S6 L8(NENE)

91-8040

DEBORAH L SUSEDIK
FRANK I SUSEDIK
PO BOX 1244
HAYDEN, ID 83835-1244
Point of Diversion L6(NENW)
S6 T46N R02W
BENEWAH County
Source GROUND WATER
Use: DOMESTIC
01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS
Date Filed: 9/23/2019
Place Of Use: DOMESTIC
T46N R02W S6 L6(NENW)

92-11097

JUSTIN MURPHY
CRISSA MURPHY
807 N FORK SANTA CREEK RD
SAINT MARIES, ID 83861-9541
Point of Diversion SWNW
S25 T44N R03W
BENEWAH County
Source UNNAMED STREAM
Tributary SANTA CREEK
Point of Diversion SWNW
S25 T44N R03W
BENEWAH County
Source UNNAMED STREAM
Tributary SANTA CREEK
Use: DOMESTIC
01/01 to 12/31 0.06 CFS
Use: IRRIGATION
04/01 to 10/31 0.03 CFS
Use: STOCKWATER
01/01 to 12/31 0.02 CFS
Total Diversion: 0.11 CFS
Date Filed: 9/11/2019
Place Of Use: IRRIGATION
T44N R03W S25 SWNW
Place Of Use: STOCKWATER
T44N R03W S25 SWNW
Place Of Use: DOMESTIC
T44N R03W S25 SWNW
Total Acres: 1

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Northern Region office at (208) 762-2800. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Northern Region, 7600 N MINERAL DR STE 100, COEUR D'ALENE ID 83815-7763 together with a protest fee of \$25.00 for each application on or before 10/21/2019. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 10/2/2019 and 10/9/2019