

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-11550

Priority: November 20, 2009

Maximum Diversion Rate: 0.13 CFS

This is to certify, that LENORA J SIMON
S 5793 WENIGER HILL RD
COEUR D ALENE ID 83814
(208) 664-8400

has applied for a permit to appropriate water from:

Source: SPRING

Tributary: COEUR D ALENE LAKE

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.04 CFS
IRRIGATION	03/15 to 11/15	0.09 CFS

LOCATION OF POINT(S) OF DIVERSION:

SPRING, NW1/4SE1/4NE1/4, Sec. 3, Twp 49N, Rge 04W, B.M., KOOTENAI County

PLACE OF USE: IRRIGATION same as DOMESTIC

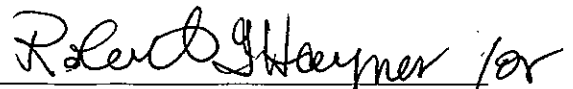
Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
49N	04W	3	3.0																3.0
			L 1																

Total Acres: 3

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **May 01, 2011**.
2. Subject to all prior water rights.
3. This right does not grant any right-of-way or easement across the land of another.
4. Domestic use is for 1 homes. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.
5. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands above.
6. A fish screen of 0.25 inch or smaller mesh shall be installed and maintained at the point of diversion.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Coeur d'Alene, this 26th day of April, 20 10.


GARY SPACKMAN, Interim Director



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

April 27, 2010

LENORA J SIMON
S 5793 WENIGER HILL RD
COEUR D ALENE ID 83814

RE: Permit No.95-11550

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

Statement of Available Procedures and Applicable Time Limits

RESPONDING TO PRELIMINARY ORDERS ISSUED BY THE IDAHO DEPARTMENT OF WATER RESOURCES (To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

**IDaho DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET**

W.R. # 95-11550

APPLICATION ID # 76138

ENT. 11/20

BCA 2/26

OK to Publish

2/26/10

APPLICANT: Lenora J. Simon

INITIAL REVIEW

BY: KJ

DATE: 11/20/2009

ITEM REQUIRED INFORMATION

1. ☒ Name and Address
2. ☒ Source
3. ☒ Point of Diversion & County
4. ☒ Quantity
☒ Nature of Proposed Use
☒ Period of Use
5. ☒ Total Quantity
6. ☒ Description of diverting works
7. ☒ Time required for b/u
8. ☒ Proposed use
9. ☒ Place of use or acres irrigated
10. ☒ Other water Rights
11. ☒ Ownership
12. ☒ Map
☒ Signature
☒ Fee (Amt, receipt, acknowledgement)

*** Send info sheet Y() N()

ADDITIONAL INFORMATION

(Yes)(No)

- ☒ Shape File Created Date 11/20 By: KJ
- ☐ Field check: by _____
- ☐ Field report attached
- ☐ Analysis Supp. attached(>5cfs/500af)
- ☐ Water delivered by water master? Water District # _____

PROCESSING

(Yes)(No)

PRIORITY DATE: 11/20/2009

☐ ☒

(Include Moratorium Remark)

Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).

ADVERTISE IN:

Newspaper: Kootenai County
ada
Dates scheduled for publication 3/4 & 11/10
Affidavit of Publication received: 3/12/10
Dates actually published: 3/4 & 11/10
Application published correctly. Yes ☒ No ☐
If not, action taken: _____

Final Date for Protest: 3/22

Protests Received: Yes _____ No ☒

LETTERS SENT REQUESTING:

- ☐ Dam Information ☐ Fish Information
☐ Power Information ☐ Other: _____

INFORMATION RECEIVED:

- ☐ Dam Information ☐ Fish Information
☐ Power Information ☐ Other: _____

GROUNDWATER SECTION

WD Permit No.'s:	Tag #	Type:	Fees	Receipt No.	Upgrade Needed?
_____	_____	Dom.____ Non-Dom.____	Paid \$ _____	_____	Y() N()
_____	_____	Dom.____ Non-Dom.____	Paid \$ _____	_____	Y() N()
_____	_____	Dom.____ Non-Dom.____	Paid \$ _____	_____	Y() N()

- ☐ Groundwater management area
- ☐ Critical ground water area
- ☐ Well Drilling Permit required
- ☐ Well Drilling Application and Fees received
- ☐ Well Drilling Application approved?

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)

- ☒ Notice of pending void order issued. Final order response date: ____/____/____
- ☐ Further information required from applicant _____

- ☒ Measuring device required
- ☒ Measuring port required
- ☒ Special conditions: _____
- ☒ Special conditions of approval supplement and/or cover letter attached: _____

Approval Recommended by:

Kelly L. Sullivan

Date: 4/20/2010 Sr. Agent initial

KJ

RECEIVED
MAR 12 2010
IDWR / NORTH

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Kootenai, } ss.

Kelli Buley being first duly sworn
upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

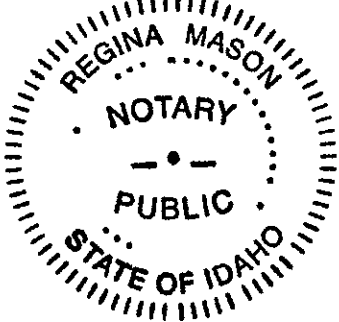
3. The Legal Notice

of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 2 consecutive weeks commencing on the 4 day of March 20 10, and ending on the 11 day of March 20 10, and such publication was made as often during said period as said Daily newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice. Kelli Buley
On this 11 day of March in the year of 2010, before me, a Notary Public, personally appeared Kelli Buley, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Regina Mason
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

MY COMMISSION EXPIRES 6/18/15



RECEIVED
MAR 12 2010
IDWR/NORTHERN

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

95-11507

LISA MACK

4161 FOOTHILL DR

COEUR D'ALENE, ID 83814

Point of Diversion (2) L7 (SENW) S9 T50N R04W KOOTENAI CO

Source SPOKANE RIVER Tributary COLUMBIA RIVER

Use: IRRIGATION	03/15 to 11/15	0.15 CFS
Total Diversion:		0.15 CFS

Date Filed: 11/10/2009

Place Of Use: IRRIGATION T50N R04W S9 L7 (SENW)

Total Acres: 5

95-11549

THOMAS RENDER

JANE RENDER

10498 LAKE VIEW DR

HAYDEN LAKE, ID 83835

Point of Diversion L7 (SWNE) S18 T51N R03W KOOTENAI CO

Source HAYDEN LAKE Tributary SINKS

Use: IRRIGATION	01/01 to 12/31	0.02 CFS
Total Diversion:		0.02 CFS

Date Filed: 11/19/2009

Place Of Use: IRRIGATION T51N R03W S18 L7 (SWNE) SENW

Total Acres: 0.5

95-11550

LENORA J SIMON

S 5793 WENIGER HILL RD

COEUR D'ALENE, ID 83814

Point of Diversion NWSNE S3 T49N R04W KOOTENAI CO

Source SPRING Tributary COEUR D'ALENE LAKE

Use: IRRIGATION	03/15 to 11/15	0.09 CFS
Use: DOMESTIC	01/01 to 12/31	0.04 CFS
Total Diversion:		0.13 CFS

Date Filed: 11/20/2009

Place Of Use: DOMESTIC T49N R04W S3 L1 (NENE)

Place Of Use: IRRIGATION same as DOMESTIC

Total Acres: 3

Domestic use is for 1 home.

95-11562

WESLEY L POGUE

PO BOX 1061

POST FALLS, ID 83877

Point of Diversion SENWSE S30 T52N R05W KOOTENAI CO

Source SPRING Tributary HAUSER CREEK

Use: DOMESTIC	01/01 to 12/31	0.04 CFS
Total Diversion:		0.04 CFS

Date Filed: 11/23/2009

Place Of Use: DOMESTIC T52N R05W S30 NWSE

Domestic use is for 1 home.

95-11565

ANGELA QUINN

725 S GREENSFERRY

POST FALLS, ID 83854

Point of Diversion L4 (SWNW) S12 T50N R05W KOOTENAI CO

Source SPOKANE RIVER Tributary COLUMBIA RIVER

Use: DOMESTIC	01/01 to 12/31	0.04 CFS
Total Diversion:		0.04 CFS

Date Filed: 11/23/2009

Place Of Use: DOMESTIC T50N R05W S12 L4 (NWNW) L4 (SWNW)

Domestic use is for 1 home.

95-11572

R. RANDEL HENNEBERG

5757 EVERNADE RD

HAYDEN LAKE, ID 83835

Point of Diversion L4 (SWSE) S9 T51N R03W KOOTENAI CO

Source HAYDEN LAKE Tributary SINKS

Use: STOCKWATER	01/01 to 12/31	0.02 CFS
Use: DOMESTIC	01/01 to 12/31	0.06 CFS
Total Diversion:		0.06 CFS

Date Filed: 11/13/2009

Place Of Use: DOMESTIC T51N R03W S9 L4 (SWSE)

Place Of Use: STOCKWATER same as DOMESTIC

Domestic use is for 1 home.

Stockwater use is for 5 head of mixed stock.

95-11573

MITCHELL SWENSON

LIANN SWENSON

PO BOX 3502

HAYDEN, ID 83835

Point of Diversion L4 (SENE) S7 T49N R03W KOOTENAI CO

Source COEUR D'ALENE LAKE Tributary SPOKANE RIVER

Use: DOMESTIC	01/01 to 12/31	0.04 CFS
Total Diversion:		0.04 CFS

Date Filed: 11/23/2009

Place Of Use: DOMESTIC T49N R03W S7 L4 (SENE)

Domestic use is for 1 home.

95-11574

HOLLAND FAMILY TRUST

18637 W HOLLAND RD

POST FALLS, ID 83854

Point of Diversion L8 (NESW) S12 T50N R06W KOOTENAI CO

Source GROUNDWATER

Use: IRRIGATION	03/15 to 11/15	0.06 CFS
Use: DOMESTIC	01/01 to 12/31	0.18 CFS
Total Diversion:		0.18 CFS

Date Filed: 11/23/2009

Place Of Use: DOMESTIC T50N R06W S12 L8 (NESW) SESW

Place Of Use: IRRIGATION same as DOMESTIC

Total Acres: 2.5

Domestic use is for 12 homes.

Permits will be subject to all prior water rights. 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 Mineral Drive, Suite 100, Coeur D'Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 3/22/2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal 9167

March 4, 11, 2010

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

95-11507

LISA MACK

4161 FOOTHILL DR

COEUR D ALENE, ID 83814

Point of Diversion(2) L7(SENW) S9 T50N R04W KOOTENAI CO

Source SPOKANE RIVER Tributary COLUMBIA RIVER

Use: IRRIGATION 03/15 to 11/15 0.15 CFS

Total Diversion: 0.15 CFS

Date Filed: 11/10/2009

Place Of Use: IRRIGATION T50N R04W S9 L7(SENW)

Total Acres: 5

95-11549

THOMAS RENDER

JANE RENDER

10498 LAKE VIEW DR

HAYDEN LAKE, ID 83835

Point of Diversion L7(SWNE) S18 T51N R03W KOOTENAI CO

Source HAYDEN LAKE Tributary SINKS

Use: IRRIGATION 01/01 to 12/31 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 11/19/2009

Place Of Use: IRRIGATION T51N R03W S18 L7(SWNE) SENW

Total Acres: 0.5

95-11550

LENORA J SIMON

S 5793 WENIGER HILL RD

COEUR D ALENE, ID 83814

Point of Diversion NWSENE S3 T49N R04W KOOTENAI CO

Source SPRING Tributary COEUR D ALENE LAKE

Use: IRRIGATION 03/15 to 11/15 0.09 CFS

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.13 CFS

Date Filed: 11/20/2009

Place Of Use: DOMESTIC T49N R04W S3 L1(NENE)

Place Of Use: IRRIGATION same as DOMESTIC

Total Acres: 3

Domestic use is for 1 home.

95-11562

WESLEY L POGUE

PO BOX 1061

POST FALLS, ID 83877

Point of Diversion SENWSE S30 T52N R05W KOOTENAI CO

Source SPRING Tributary HAUSER CREEK

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 11/23/2009

Place Of Use: DOMESTIC T52N R05W S30 NWSE

Domestic use is for 1 home.

95-11565

ANGELA QUINN

725 S GREENSFERRY

POST FALLS, ID 83854

Point of Diversion L4(SWNW) S12 T50N R05W KOOTENAI CO

Source SPOKANE RIVER Tributary COLUMBIA RIVER

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 11/23/2009

Place of Use: DOMESTIC T50N R05W S12 L4(NWNW) L4(SWNW)

Domestic use is for 1 home.

95-11572

R. RANDEL HENNEBERG

5757 EVERNADE RD

HAYDEN LAKE, ID 83835

Point of Diversion L4(SWSE) S9 T51N R03W KOOTENAI CO

Source HAYDEN LAKE Tributary SINKS

Use: STOCKWATER 01/01 to 12/31 0.02 CFS

Use: DOMESTIC 01/01 to 12/31 0.06 CFS

Total Diversion: 0.06 CFS

Date Filed: 11/13/2009

Place Of Use: DOMESTIC T51N R03W S9 L4(SWSE)

Place Of Use: STOCKWATER same as DOMESTIC

Domestic use is for 1 home.

Stockwater use is for 5 head of mixed stock.

95-11573

MITCHELL SWENSON

LIANN SWENSON

PO BOX 3502

HAYDEN, ID 83835

Point of Diversion L4(SENE) S7 T49N R03W KOOTENAI CO

Source COEUR D ALENE LAKE Tributary SPOKANE RIVER

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 11/23/2009

Place Of Use: DOMESTIC T49N R03W S7 L4(SENE)

Domestic use is for 1 home.

95-11574

HOLLAND FAMILY TRUST

18637 W HOLLAND RD

POST FALLS, ID 83854

Point of Diversion L8(NESW) S12 T50N R06W KOOTENAI CO

Source GROUNDWATER

Use: IRRIGATION 03/15 to 11/15 0.06 CFS

Use: DOMESTIC 01/01 to 12/31 0.18 CFS

Total Diversion: 0.18 CFS

Date Filed: 11/23/2009

Place Of Use: DOMESTIC T50N R06W S12 L8(NESW) SESW

Place Of Use: IRRIGATION

Total Acres: 2.5

Domestic use is for 12 homes.

Permits will be subject to all prior water rights. 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 Mineral Drive, Suite 100, Coeur D' Alene ID 83815 together with a protest fee of \$25.00 for each application on or before 3/22/2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal #

Published on 3/4/2010 and 3/11/2010

Ball, Dianne

From: Ball, Dianne
Sent: Friday, February 26, 2010 12:27 PM
To: Legal Notices-CdA Press; Legal Notices-CdAPress - Kelli Buley
Subject: Another Application for Permit No. 95-11507, 95-11549, 95-11550, 95-11562, 95-11565, 95-11572, 95-11573, 95-11574 to publish March 4 and 11, 2010.

Please publish the enclosed legal notice on the dates indicated, March 4 and 11, 2010, (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/preview copy for my review before this goes to press. I'm learning a new program as of a couple days ago – and some things are coming off a little differently in this program than in the old one. I've tried to make any necessary adjustments.

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 3/22/2010. Your cooperation is as always, *greatly* appreciated.



LegalNotice
2-26-10 CDA e-mai.

Thanks once again for all your marvelous help. It is truly a pleasure to work with you on these legal notices.

I'm so thankful that you don't have to do a lot of re-working on them.

Too blessed to be stressed!

Dianne Ball

Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815
208-762-2800 Fax 208-762-2819



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

February 26, 2010

LENORA J SIMON
S 5793 WENIGER HILL RD
COEUR D ALENE, ID 83814

Application For Permit No. 95-11550

Dear Applicant(s):

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 COEUR D ALENE PRESS on 3/4/2010 and 3/11/2010. 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 black ink, appearing to read 'Keith C. Franklin', is written over a horizontal line.

Keith Franklin
Sr. Water Resource Agent

Ball, Dianne

From: Ball, Dianne
Sent: Friday, February 26, 2010 2:58 PM
To: mary.terra-berns@idfg.idaho.gov; cwashburn@idl.idaho.gov
Subject: RE: Application for Permit No. 95-11507 Mack, 95-11549 Render, 95-11550 Simon, 95-11562 Pogue, 95-11565 Quinn, 95-11572 Henneberg, 95-11573 Swenson

Dear Mary and Carl:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right applications. A copy of each of the applications is enclosed for your reference.



95-11507 Mack.pdf



95-11549
RENDER.pdf



95-11550
Simon.pdf



95-11562
Pogue.pdf



95-11565
Quinn.pdf



95-11572
Henneberg.pdf



95-11573
Swenson.pdf

Carl you may not be interested in Simon [spring tributary to Coeur d Alene Lake] or Pogue [spring tributary to Hauser Creek].

These are expected to publish in the CDA Press on March 4 and 11, 2010, which would make final date for protests to be received in our office March 22, 2010.

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

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

Sincerely,

Dianne Ball

Administrative Assistant
Idaho Department of Water Resources
7600 N Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815
208-762-2800 Fax 208-762-2819

QUITCLAIM DEED

For Value Received RUTH T. WALRAVEN, an unmarried person

do hereby convey, release, remise and forever quitclaim unto CORNELIUS J. WALRAVEN AND RUTH T. WALRAVEN, TRUSTEES OF THE WALRAVEN TRUST

whose current address is 3815 West Kidd Island Bay Road
Coeur d' Alene, Idaho 83814

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART OF THIS QUIT CLAIM DEED

STATE OF IDAHO
COUNTY OF KOOTENAI } ss
AT THE RECORDERS
Office
JAN 13 11:40 AM '95
TOH J. ART
DEPUTY
FEE \$ 12.00
P.O. Box 307
Coeur d'Alene 83814

together with their appurtenances.

Dated: December 20, 1994

Ruth T. Walraven by Linda J. Groug as her attorney in fact
RUTH T. WALRAVEN

STATE OF IDAHO COUNTY OF

ALIZONA
STATE OF IDAHO
COUNTY OF KOOTENAI } ss.

On this 20 day of December in the year 1994, before me, a Notary Public, personally appeared:

LINDA J. GROUTAGE

known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of RUTH T. WALRAVEN

that She subscribed the name of RUTH T. WALRAVEN thereto as principal, and his (her) own name as attorney in fact.

Notary Public
Residing at _____ Idaho

STATE OF IDAHO COUNTY OF

hereby certify that this instrument was filed for record at _____ o'clock _____ minutes past _____ day of _____

in my office and duly recorded in Book _____ at Page _____

Ex-Officio Recorder

OFFICIAL SEAL
CARRI FERRIS
Notary Public - State of Arizona
MOHAVE COUNTY
My Comm. Expires March 6, 1997

Deputy

1384655

INSTRUMENT NO.

EXHIBIT "A"

PARCEL 1:

A parcel of land in the South half of the Northeast quarter of Section 3, Township 49 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho, more particularly described as:

BEGINNING at an iron pin that is North 47°24' West, 1,643.26 feet from the East quarter corner of said Section 3; thence

South 76°43' East, 75 feet to a point; thence

South 13°17' West, 20 feet to a point; thence

North 76°43' West, 101.54 feet to a point; thence

South 66°17' West, 175.47 feet to a point; thence

North 23°43' West, 200.70 feet to a point; thence

North 66°17' East, 200.70 feet to a point; thence

South 23°43' East, 200.70 feet to the POINT OF BEGINNING.

PARCEL 2:

All that portion of the South half of the Northeast quarter of Section 3, Township 49 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho, lying North of Kidd Island Road;

EXCEPTING the Easterly 692 feet thereof and

EXCEPTING the Westerly 760 feet thereof.

ALSO EXCEPTING a parcel of land in the South half of the Northeast quarter of Section 3, Township 49 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho, more particularly described as:

BEGINNING at an iron pin that is North 47°24' West, 1,643.26 feet from the East quarter corner of said Section 3; thence

South 76°43' East, 75 feet to a point; thence

South 13°17' West, 20 feet to a point; thence

North 76°43' West, 101.54 feet to a point; thence

South 66°17' West, 175.47 feet to a point; thence

North 23°43' West, 200.70 feet to a point; thence

North 66°17' East, 200.70 feet to a point; thence

South 23°43' East, 200.70 feet to the POINT OF BEGINNING.

1384655

WARRANTY DEED

For Value Received LORI WEBER WALKER, an unmarried person, and DIANE M. WEBER, a single woman

The grantor, do hereby grant, bargain, sell and convey unto RUTH T. WALRAVEN, an unmarried person

the grantee, whose current address is 3815 West Kidd Island Bay Road
Coeur d'Alene, ID 83814

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

Continued -- see exhibit "A" attached hereto and made a part of this warranty deed

STATE OF IDAHO
COUNTY OF KOOTENAI
SECURITY TITLE CO. OF IDAHO

DEC 8 10 47 AM '94

10:47 AM
FEE \$ 6.00

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee that he the owner in fee simple of said premises; that they are free from all incumbrances EXCEPT: current year taxes; conditions; covenants; restrictions, reservations, easements, rights and rights of way, apparent or of record

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: November 30, 1994

Lori Weber Walker
Lori Weber Walker

Diane M. Weber
Diane M. Weber

STATE OF IDAHO, COUNTY OF Kootenai
On this 30th day of November 1994
before me, a notary public in and for the said State, personally appeared
Lori Weber Walker
Diane M. Weber

known or identified to me to be the person whose name
subscribed to the within instrument, and acknowledged to me
that they executed the same.

JULIE HJELVIK
NOTARY PUBLIC
Residing at 1111 1st St.
Coeur d'Alene, Idaho
Comm. Expires 08/20/98
Notary Public
Idaho

STATE OF IDAHO, COUNTY OF Kootenai
I hereby certify that this instrument was filed for record at the
request of

at _____ minutes past _____ o'clock M.
this _____ day of _____
19 _____ in my office, and duly recorded in Book
of Deeds at Page _____

Ex-Officio Recorder

By _____ Deputy
Fees \$ _____
Mail to: _____

INSTRUMENT NO.

1380763

exhibit 'A'

WARRANTY DEED

Legal Description (Continued)

PARCEL 1:

A parcel of land in the South half of the Northeast quarter of Section 3, Township 49 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho, more particularly described as:

BEGINNING at an iron pin that is North 47°24' West, 1,643.26 feet from the East quarter corner of said Section 3; thence

South 76°43' East, 75 feet to a point; thence

South 13°17' West, 20 feet to a point; thence

North 76°43' West, 101.54 feet to a point; thence

South 66°17' West, 175.47 feet to a point; thence

North 23°43' West, 208.70 feet to a point; thence

North 66°17' East, 208.70 feet to a point; thence

South 23°43' East, 208.70 feet to the POINT OF BEGINNING.

PARCEL 2:

All that portion of the South half of the Northeast quarter of Section 3, Township 49 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho, lying North of Kidd Island Road;

EXCEPTING the Easterly 692 feet thereof and

EXCEPTING the Westerly 760 feet thereof.

ALSO EXCEPTING a parcel of land in the South half of the Northeast quarter of Section 3, Township 49 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho, more particularly described as:

BEGINNING at an iron pin that is North 47°24' West, 1,643.26 feet from the East quarter corner of said Section 3; thence

South 76°43' East, 75 feet to a point; thence

South 13°17' West, 20 feet to a point; thence

North 76°43' West, 101.54 feet to a point; thence

South 66°17' West, 175.47 feet to a point; thence

North 23°43' West, 208.70 feet to a point; thence

North 66°17' East, 208.70 feet to a point; thence

South 23°43' East, 208.70 feet to the POINT OF BEGINNING.

1380762

LORI WEBER WALKER, an unmarried person

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART OF THIS QUIT CLAIM DEED

DEC 8 10 47 AM '94

TOYOTA PART
FEE\$ 6.00 DEPUTY

Dated: November 30, 1994

Lori Weber Walker

Reading at Hayden
Comm. Expires 9-27-2000

at _____ minutes past _____ o'clock M.,
 this _____ day of _____,
 19____, in my office, and duly recorded in Book
 of Deeds at Page _____

Deputy.

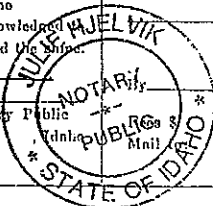


EXHIBIT "A"

PARCEL 1:

A parcel of land in the South half of the Northeast quarter of Section 3, Township 49 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho, more particularly described as:

BEGINNING at an iron pin that is North 47°24' West, 1,643.26 feet from the East quarter corner of said Section 3; thence

South 76°43' East, 75 feet to a point; thence

South 13°17' West, 20 feet to a point; thence

North 76°43' West, 101.54 feet to a point; thence

South 66°17' West, 175.47 feet to a point; thence

North 23°43' West, 200.70 feet to a point; thence

North 66°17' East, 200.70 feet to a point; thence

South 23°43' East, 200.70 feet to the POINT OF BEGINNING.

PARCEL 2:

All that portion of the South half of the Northeast quarter of Section 3, Township 49 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho, lying North of Kidd Island Road;

EXCEPTING the Easterly 692 feet thereof and

EXCEPTING the Westerly 760 feet thereof.

ALSO EXCEPTING a parcel of land in the South half of the Northeast quarter of Section 3, Township 49 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho, more particularly described as:

BEGINNING at an iron pin that is North 47°24' West, 1,643.26 feet from the East quarter corner of said Section 3; thence

South 76°43' East, 75 feet to a point; thence

South 13°17' West, 20 feet to a point; thence

North 76°43' West, 101.54 feet to a point; thence

South 66°17' West, 175.47 feet to a point; thence

North 23°43' West, 200.70 feet to a point; thence

North 66°17' East, 200.70 feet to a point; thence

South 23°43' East, 200.70 feet to the POINT OF BEGINNING.

1380762

94820

WARRANTY DEED

For Value Received Marquette Alice Frazier, an unmarried person
who aquired title as Marquette A. Smith, an Unmarried person

The grantor ,do es hereby grant, bargain, sell and convey unto
Lori Weber Walker, an unmarried person

the grantee ,whose current address is 3815 W. Kidd Island Bay Rd.
Coeur d'Alene, Idaho 83814
the following described premises, in Kootenai

County Idaho, to-wit:

ATTACHED

STATE OF IDAHO }
COUNTY OF KOOTENAI } SS
AT THE REQUEST OF
SECURITY TITLE COMPANY

OCT 18 4 46 PM '93

THOMAS HESLER
Notary Public
FEE \$ 9.00

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee
HER heirs and assigns forever. And the said Grantor do ES hereby covenant to and
with the said Grantee ,that She IS the owner in fee simple of said premises; that they are free
from all incumbrances EXCEPT Current year taxes, conditions, covenants, restrictions,
reservations, easements, rights and rights of way, apparent or of record.
Subject to a Deed of Trust (recorded 10/1/67 as Instrument No 1094932, which
buyer assumes and agrees to pay.
and that s he will warrant and defend the same from all lawful claims whatsoever.

Dated: October 15, 1993

Marquette Alice Frazier
Marquette Alice Frazier

STATE OF IDAHO, COUNTY OF Kootenai
On this 15th day of October, 19 93,
before me, a notary public in and for the said State, personally
appeared

Marquette Alice Frazier

known or identified to me to be the person whose name
subscribed to the instrument, and acknowledged to me
that she executed the same.

Thomas Hesler
Notary Public

Residing at Coeur d'Alene, Idaho, Idaho
Comm. Expires 11/29/95

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the
request of

at _____ minutes past _____ o'clock M.,
this _____ day of _____
19 _____, in my office, and duly recorded in Book
of Deeds at Page _____

Ex-Officio Recorder

By _____ Deputy.

Fees \$
Mail to:

INSTRUMENT NO.

File No.: 94820

1325260

COMMITMENT FOR TITLE INSURANCE

SCHEDULE A (Continued)

Legal Description (continued)

PARCEL 1

A parcel of land in the South half of the Northeast quarter of Section 3, Township 49 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho, more particularly described as:

BEGINNING at ar. iron pin that is North 47°24' West, 1,643.26 feet from the East quarter corner of said Section 3; thence

South 76°43' East, 75 feet to a point; thence

South 13°17' West, 20 feet to a point; thence

North 76°43' West, 101.54 feet to a point; thence

South 66°17' West, 175.47 feet to a point; thence

North 23°43' West, 208.70 feet to a point; thence

North 66°17' East, 208.70 feet to a point; thence

South 23°43' East, 208.70 feet to the Point of Beginning.

(Continued)

file No.: 94820

COMMITMENT FOR TITLE INSURANCE

SCHEDULE A (Continued)

1325260

Legal Description (continued)

PARCEL 2

ALL that portion of the South half of the Northeast quarter of Section 3, Township 49 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho, lying North of Kidd Island Road;

EXCEPTING the Easterly 692 feet thereof and

EXCEPTING the Westerly 760 feet thereof.

ALSO EXCEPTING a parcel of land in the South half of the Northeast quarter of Section 3, Township 49 North, Range 4 West, Boise Meridian, Kootenai County, State of Idaho, more particularly described as:

BEGINNING at an iron pin that is North 47°24' West, 1,643.26 feet from the East quarter corner of said Section 3; thence

South 76°43' East, 75 feet to a point; thence

South 13°17' West, 20 feet to a point; thence

North 76°43' West, 101.54 feet to a point; thence

South 66°17' West, 175.47 feet to a point; thence

North 23°43' West, 208.70 feet to a point; thence

North 66°17' East, 208.70 feet to a point; thence

South 23°43' East, 208.70 feet to the Point of Beginning.

1265041

QUITCLAIM DEED

FOR VALUE RECEIVED

STAN R. SMITH, former husband of Marquette Smith

KOOTENAI COUNTY

JUL 7 12 56 PM '92

do hereby convey, release, remise and forever qui. claim

unto MARQUETTE A. SMITH, his former wife

whose address is W. 3815 Kidd Island Bay Rd., Coeur d' Alene

the following described premises; to-wit:

Parcel 1

A parcel of land in the South half of the Northeast quarter of Section 3, Township 49 North, Range 4 W.B.M., Kootenai County, State of Idaho, more particularly described as beginning at an iron pin that is North 47°24' West, 1,643.26 feet from the East quarter corner of said Section 3; thence South 76°43' East, 75 feet to a point; thence South 13°17' West, 20 feet to a point; thence North 76°43' West, 101.54 feet to a point; thence South 66°17' West, 175.47 feet to a point; thence North 23°43' West, 208.70 feet to a point; thence North 66°17' East, 208.70 feet to a point; thence South 23°43' East, 208.70 feet to the Point of Beginning.

Parcel 2

All that portion of the South half of the Northeast quarter of Section 3, Township 49 North, Range 4 W.B.M., Kootenai County, State of Idaho, lying North of Kidd Island Road;

EXCEPTING the Easterly 692 feet thereof and

EXCEPTING the Westerly 760 feet thereof.

ALSO EXCEPTING a parcel of land in the South half of the Northeast quarter of Section 3, Township 49 North, Range 4 W.B.M., Kootenai County, State of Idaho, more particularly described as beginning at an iron pin that is North 47°24' West, 1,643.26 feet from the East quarter corner of said Section 3; thence South 76°43' East, 75 feet to a point; thence South 13°17' West, 20 feet to a point; thence North 76°43' West, 101.54 feet to a point; thence South 66°17' West, 175.47 feet to a point; thence North 23°43' West, 208.70 feet to a point; thence North 66°17' East, 208.70 feet to a point; thence South 23°43' East, 208.70 feet to the Point of Beginning.

together with their appurtenances, together with any after acquired title.

dated: June 26, 1992

Stan R. Smith
Stan R. Smith

ACKNOWLEDGMENT-Individual

STATE OF IDAHO, County of KOOTENAI, ss.,

On this 26th day of JUNE, in the year of 1992, before me, MERRY D. NOORDAM, a notary public, personally appeared STAN R. SMITH, known or identified to me to be the person whose name subscribed to the within instrument, and acknowledged to me that he executed the same.

Notary Public: *Merry D. Noordam*
Residing at: HAYDEN, IDAHO

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the request of

at _____ minutes past _____ o'clock, m.,
this _____ day of _____,
19____, in my office, and duly recorded in Book _____
of Deeds at page _____.

EX-Officio Recorder:

By _____ Deputy.

Fees \$

Mail to:

Pioneer Title Company of Kootenai County

100 Wallace Ave. • P.O. Box 486
Coeur d'Alene, Idaho 83814-0486
(208) 664-8254 • FAX (208) 664-9479

1161975

WARRANTY DEED

PIONEER TITLE COMPANY

May 7 2 56 PM '90

FOR VALUE RECEIVED

ELGENE L. CLABOUGH, an unmarried woman

SHIRLEY DEITZ
Deputy
Fees \$ 600.00 DEPUTY

the Grantor, does hereby grant, bargain, sell and convey unto
SPAN R. SMITH and MARQUETTE A. SMITH, husband and wife

the Grantee s, whose address is R. 1 BOX 96, PLUMMER, ID 83851

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR LEGAL DESCRIPTION

Subject to that certain deed of trust form Elgene L. Clabough, grantor, Title and Trust Company, trustee and Vilfred R. Vedder and Liesel B. Ved'er, beneficiaries. Dated August 31, 1987. Recorded September 1, 1987 as Instrument No. 1094932 which obligation grantees assume and agree to pay.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee s, that she is the owner in fee simple of said premises; that said premises are free from all encumbrances except covenants, conditions, restrictions and reservations of record, easements of record and in view and general taxes (and irrigation assessments if applicable) for the year 1990 and subsequent years, which are not yet due and payable and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: May 03, 1990

Elgene L. Clabough
ELGENE L. CLABOUGH

ACKNOWLEDGMENT - Individual

STATE OF Florida, County of Duval, ss.

On this 4th day of May, in the year of 1990, before me the undersigned, a notary public, personally appeared Elgene L. Clabough

known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Notary Public: *Linda G. Jones*
Residing at: 1705 W. 1st St, Miami, FL 33135
My Commission Expires Oct. 29, 1990

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the request of _____ at _____ minutes past _____ o'clock m., this _____ day of _____ 19____, in my office, and duly recorded in Book _____ of Deeds at page _____

Ex-Officio Recorder

By _____ Deputy.

Fees \$ _____

Filed to:

PIONEER TITLE COMPANY
OF KOOTENAI COUNTY

618 N. 4th Street / P.O. Box 486 Coeur d'Alene, Idaho 83814 / (208) 664-8254

EXHIBIT "A"

1181975

Order No. 36449 SECOND

Parcel 1

A parcel of land in the South half of the Northeast quarter of Section 3, Township 49 North, Range 4 W.B.M., Kootenai County, State of Idaho, more particularly described as beginning at an iron pin that is North 47°24' West, 1,643.26 feet from the East quarter corner of said Section 3; thence South 76°43' East, 75 feet to a point; thence South 13°17' West, 20 feet to a point; thence North 76°43' West, 101.54 feet to a point; thence South 66°17' West, 175.47 feet to a point; thence North 23°43' West, 208.70 feet to a point; thence North 66°17' East, 208.70 feet to a point; thence South 23°43' East, 208.70 feet to the Point of Beginning.

Parcel 2

All that portion of the South half of the Northeast quarter of Section 3, Township 49 North, Range 4 W.B.M., Kootenai County, State of Idaho, lying North of Kidd Island Road;

EXCEPTING the Easterly 692 feet thereof and

EXCEPTING the Westerly 760 feet thereof.

ALSO EXCEPTING a parcel of land in the South half of the Northeast quarter of Section 3, Township 49 North, Range 4 W.B.M., Kootenai County, State of Idaho, more particularly described as beginning at an iron pin that is North 47°24' West, 1,643.26 feet from the East quarter corner of said Section 3; thence South 76°43' East, 75 feet to a point; thence South 13°17' West, 20 feet to a point; thence North 76°43' West, 101.54 feet to a point; thence South 66°17' West, 175.47 feet to a point; thence North 23°43' West, 208.70 feet to a point; thence North 66°17' East, 208.70 feet to a point; thence South 23°43' East, 208.70 feet to the Point of Beginning.

THIS DEED OF TRUST, Made this 31st day of August, 1987,
BETWEEN EUGENE L. CLABOUGH, an unmarried woman, hereinafter called GRANTOR,

whose address is HC 12 Box 156, Coeur d'Alene, Idaho 83814

TITLE AND TRUST COMPANY, an Idaho corporation, hereinafter called TRUSTEE, and
WILFRED R. VEDDER AND LIESEL B. VEDDER, husband and wife, hereinafter called BENEFICIARY,
WITNESSETH: That Grantor does hereby irrevocably GRANT, BARGAIN, SELL AND CONVEY TO
TRUSTEE IN TRUST, WITH POWER OF SALE, that property in the County of Kootenai,
State of Idaho, described as follows, either located within an incorporated city or village at the date hereof, or
containing not more than twenty acres:

FOR LEGAL DESCRIPTION SEE EXHIBIT "I" ATTACHED HERETO.

TOGETHER WITH the rents, issues and profits thereof, SUBJECT, HOWEVER, to the right, power and authority hereinafter
given to and conferred upon Beneficiary to collect and apply such rents, issues and profits, for the purpose of securing payment
of the indebtedness evidenced by a promissory note, of even date herewith, executed by Grantor in the sum of FIFTY EIGHT
THOUSAND AND NO/100----- Dollars (\$58,000.00)

final payment due August 31, 2017 and to secure payment of all such further sums as may hereafter be
loaned or advanced by the Beneficiary herein to the Grantor herein, or any or either of them, while record owner of present in-
terest, for any purpose, and of any notes, drafts or other instruments representing such further loans, advances or expenditures
together with interest on all such sums at the rate therein provided. Provided, however, that the making of such further loans,
advances or expenditures shall be optional with the Beneficiary, and provided further, that it is the express intention of the
parties to this Deed of Trust that it shall stand as continuing security until paid for all such advances together with interest
thereon.

To protect the security of this Deed of Trust, Grantor agrees:

By the execution of this Deed of Trust and the Note hereby secured that provisions 1 to 6 inclusive of Part A and provisions
1 to 9 inclusive of Part B of the Master Form Deed of Trust, which was recorded December 29, 1976, as Instrument No. 680634,
Kootenai County, Idaho Mortgage Records shall be and they are hereby incorporated and made an integral part hereof for all
purposes as though set forth herein at length.

Request is hereby made that a copy of any Notice of Default and a copy of any Notice of Sale hereunder be mailed to the
Grantor at his address hereinbefore set forth.

Eugene L. Clabough
Eugene L. Clabough

STATE OF IDAHO, COUNTY OF Kootenai

On this 31st day of August, 1987,
before me, a Notary Public in and for said State, personally
appeared

Eugene L. Clabough

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that he executed the same.

Rose Hall
Notary Public,
Residing at Post Falls Idaho.

My commission expires 9/21/88

STATE OF IDAHO, COUNTY OF Kootenai

I Hereby Certify that this instrument was filed for record
at the request of SAFECO TITLE COMPANY
at 10 minutes past 3 o'clock P.M.
this SEP 1 1987 day of
19 in my office and duly recorded in Book
of Mortgages at page

SHIRLEY DENIZ

Ex. Officer/Recorder

By *Deedie Beard*
Deputy

Fees: \$ 6.00
Mail to Safeco - Long Term Escrow

(Use for Real Estate in Kootenai County, Idaho, ONLY)

INSTRUMENT NO.

Order No. 87131

EXHIBIT I

PARCEL NO. 1:

A parcel of land in the South half of the Northeast quarter of Section 1, Township 49 North, Range 4 W.B.M., Kootenai County, State of Idaho, more particularly described as beginning at an iron pin that is North 47°24' West, 1,643.26 feet from the East quarter corner of said Section 1; thence

South 76°43' East, 75 feet to a point; thence

North 13°17' West, 20 feet to a point; thence

North 76°43' West, 101.54 feet to a point; thence

South 66°17' West, 175.47 feet to a point; thence

North 23°43' West, 208.70 feet to a point; thence

North 66°17' East, 208.70 feet to a point; thence

South 23°43' East, 208.70 feet to the POINT OF BEGINNING.

PARCEL NO. 2:

All that portion of the South half of the Northeast quarter of Section 3, Township 49 North, Range 4 W.B.M., Kootenai County, State of Idaho, lying North of Kidd Island Road EXCEPTING the Easterly 692 feet thereof and EXCEPTING the Westerly 760 feet thereof. ALSO EXCEPTING:

A parcel of land in the South half of the Northeast quarter of Section 3, Township 49 North, Range 4 W.B.M., Kootenai County, State of Idaho, more particularly described as beginning at an iron pin that is North 47°24' West, 1,643.26 feet from the East quarter corner of said Section 3; thence

South 76°43' East, 75 feet to a point; thence

South 13°17' West, 20 feet to a point; thence

North 76°43' West, 101.54 feet to a point; thence

South 66°17' West, 175.47 feet to a point; thence

North 23°43' West, 208.70 feet to a point; thence

North 66°17' East, 208.70 feet to a point; thence

South 23°43' East, 208.70 feet to the POINT OF BEGINNING.

1094931 **WARRANTY DEED**

BOOK 0353 PAGE 333

For Value Received

WILFRED R. VEDDER and LIESEL B. VEDDER, husband and wife

The grantor^s, do hereby grant, bargain, sell and convey unto
 EUGENE L. CLABOUGH, an unmarried woman

the grantee, whose current address is HC 12 Box 156, Coeur d'Alene, Idaho 83814

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

FOR LEGAL DESCRIPTION SEE EXHIBIT "I" ATTACHED HERETO

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee
 her heirs and assigns forever. And the said Grantor^s do hereby covenant to and
 with the said Grantee, that they are the owners in fee simple of said premises; that they are free
 from all incumbrances except all current and future taxes, restrictions, covenants,
 agreements and easements of record and in view.

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: August 31, 1987

Wilfred R. Vedder
 Wilfred R. Vedder

Liesel B. Vedder
 Liesel B. Vedder

STATE OF IDAHO, COUNTY OF Kootenai
 On this 31st day of August, 1987,
 before me, a Notary Public in and for the said State, personally
 appeared

Wilfred R. Vedder and Liesel B. Vedder

I know or identified to me to be the person^s whose name^s
 subscribed on the within instrument, and acknowledged to me
 that they executed the same.

Rose Hall

Residing at Post Falls
 Comm. Expires 9/21/88

Notary Public
 Idaho

STATE OF IDAHO, COUNTY OF Kootenai
 I hereby certify that this instrument was filed for record at the
 request of **SAFECO TITLE COMPANY**

at 10 minutes past 3 o'clock P.M.
 this SEP 1 1987 day of
 19, in my office, and duly recorded in Book
 of Deeds at Page

SHIRLEY DEITZ

Ex-Officio Recorder

By *Deedie Brand* Deputy

Fees \$ 6.00
 Mail to *Post Falls*

INSTRUMENT NO.

Order No. 87151

EXHIBIT 1

PARCEL NO. 1:

A parcel of land in the South half of the Northeast quarter of Section 3, Township 49 North, Range 4 W.B.M., Kootenai County, State of Idaho, more particularly described as beginning at an iron pin that is North 47°24' West, 1,643.26 feet from the East quarter corner of said Section 3; thence

South 76°43' East, 75 feet to a point; thence

South 13°17' West, 20 feet to a point; thence

North 76°43' West, 101.54 feet to a point; thence

South 66°17' West, 175.47 feet to a point; thence

North 23°43' East, 208.70 feet to a point; thence

North 66°17' East, 208.70 feet to a point; thence

South 23°43' East, 208.70 feet to the POINT OF BEGINNING.

PARCEL NO. 2:

All that portion of the South half of the Northeast quarter of Section 3, Township 49 North, Range 4 W.B.M., Kootenai County, State of Idaho, lying North of Kidd Island Road EXCEPTING the Easterly 692 feet thereof and EXCEPTING the Westerly 760 feet thereof. ALSO EXCEPTING:

A parcel of land in the South half of the Northeast quarter of Section 3, Township 49 North, Range 4 W.B.M., Kootenai County, State of Idaho, more particularly described as beginning at an iron pin that is North 47°24' West, 1,643.26 feet from the East quarter corner of said Section 3; thence

South 76°43' East, 75 feet to a point; thence

South 13°17' West, 20 feet to a point; thence

North 76°43' West, 101.54 feet to a point; thence

South 66°17' West, 175.47 feet to a point; thence

North 23°43' East, 208.70 feet to a point; thence

North 66°17' East, 208.70 feet to a point; thence

South 23°43' East, 208.70 feet to the POINT OF BEGINNING.

COMPARED

BOOK 237 PAGE 301

Warranty Deed
(IDAHO)

563181

KNOW ALL MEN BY THESE PRESENTS, That

BERT DAVID YOUNG a/k/a
BERT D. YOUNG

and

OLIVE GLENDORA YOUNG a/k/a
OLIVE G. YOUNG his wife,

of the County of Kootenai, State of Idaho,

parties of the first part, for and in consideration of the sum of, EIGHT THOUSAND FIVE HUNDRED
& NO/100 - - - - - Dollars (\$ 8,500.00),

in lawful money of the United States of America, and other valuable consideration, to them

in hand paid by WILFRED R. VEDDER and LIESEL B. VEDDER,

of Priest River, Kootenai County, Idaho,
his wife/hereinafter called party of the second part, do hereby GRANT, BARGAIN, SELL and CON-
VEY unto the party of the second part, as a community property estate, and to the heirs and assigns of the second

party, all of the following-described property situate, lying and being in the County of Kootenai,
State of Idaho,-to wit:

A parcel of land in the South $\frac{1}{2}$ NE $\frac{1}{4}$ Section 3, Township 49 North,
Range 4 W.B.M., more particularly described as beginning at an iron
pin that is North 47°24' West, 1643.26 feet from the East $\frac{1}{4}$ corner of
said Section 3; thence South 76°43' East, 75 feet to a point; thence
South 13°17' West, 20 feet to a point; thence North 76°43' West, 101.54
feet to a point; thence South 66°17' West, 175.47 feet to a point;
thence North 23°43' West, 208.70 feet to a point; thence North 66°17'
East, 208.70 feet to a point; thence South 23°43' East, 208.7 feet to
the point of beginning.

Together with all water and water rights, ditches and ditch rights,
used thereon or appurtenant thereto.

Subject to exceptions and reservations contained in patents from the
United States.

Subject to existing easements for roads, highways, ditches, canals,
laterals and power and transmission lines.

Subject to right of way 25 feet wide on each side of and parallel with the
center line of a road as surveyed over the herein described land, in favor
of Kootenai County, Idaho, as disclosed by instrument filed for record in
Book 100, Deeds, page 525, records of Kootenai County, Idaho.



6887 W. Kidd Island Rd
Coeur d' Alene, ID 83814

BOARD OF COMMISSIONERS
JAMES MANGAN, CHAIRMAN
TOM A. FEELY, COMMISSIONER
GEORGE MILLER, COMMISSIONER

KEVIN HOWARD, SUPERVISOR
KEN ZEHEM, ASST. SUPERVISOR
BARBARA WHITAKER, IS. MNGR
CAROL RICHEL, CLERK/TREAS.

November 30, 2009

Jane Atwood
C/O Lenora Simon
5397 S. Weniger Hill Road
Coeur d'Alene, Idaho 83814

Re: Cooperative Culvert and Waterline Replacement.

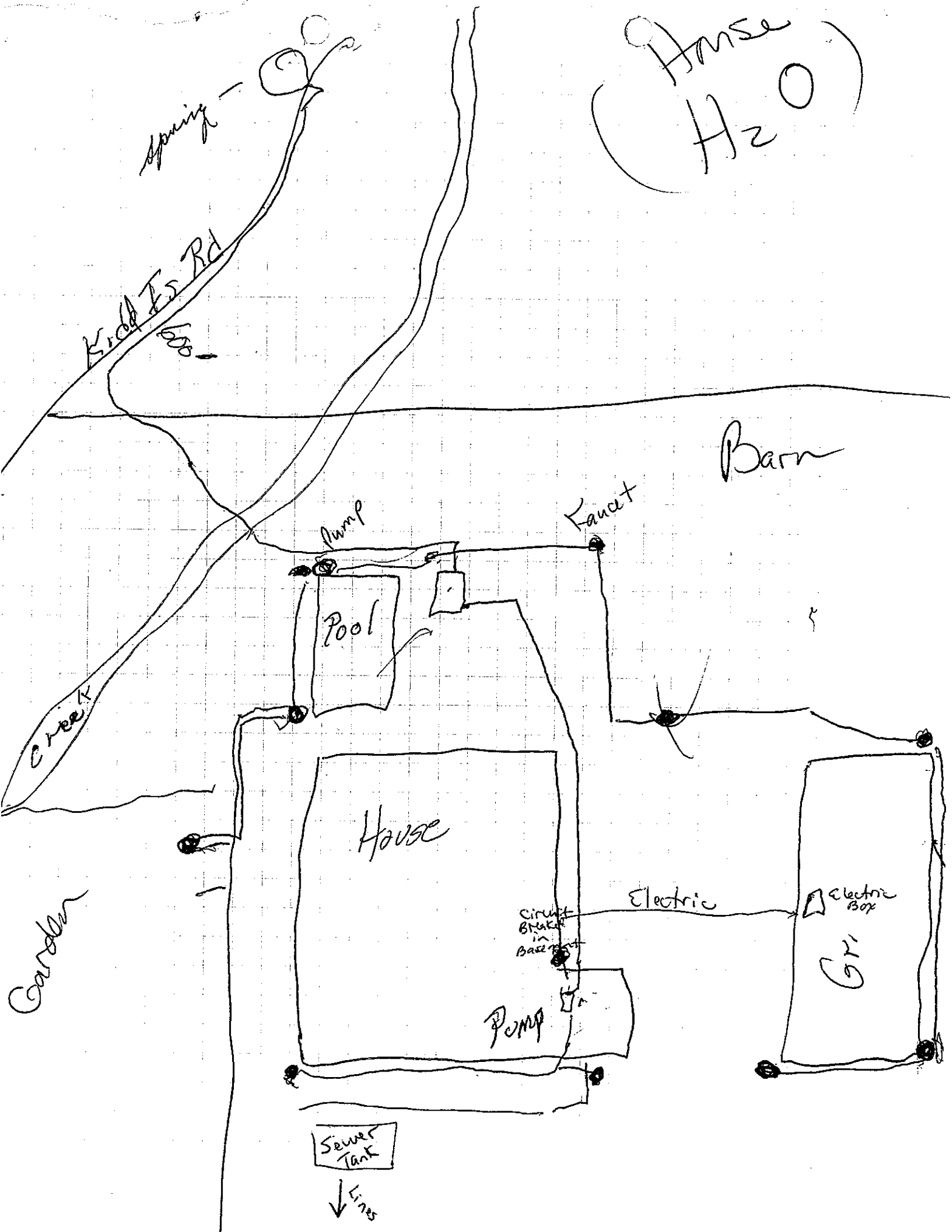
Dear Mrs. Atwood;

I find in the district records that the culvert replacement adjacent to the spring water supply to your parent's home (Leo and Lenora Simon) took place September 14 & 15, 2005. At that time the district assisted your father in the replacement of his waterline as it crossed Kidd Island Road. Your father supplied the waterline and fittings, the district's crew dug open the road for both the culvert and the waterline, placed the culvert, and then your dad and district crew installing the water line. This joint project benefited both parties involved.

The district's diary tells only of the culvert replacement, but as I was the Crew Foreman at that time, I remember very well the upgrading of your father's waterline.

Sincerely,

Kevin J. Howard
District Supervisor



(Optional)					
Recorded	☐	Platted	☐	Key Punched	☐
Microfilmed	☐	Deed Card	☐	Master File	☐
Indexed	☐	Compared	☐	Abstracted	☐
				To Treasurer	☐

(DO NOT WRITE ABOVE THIS LINE)

1076390**WARRANTY DEED**

of _____ County of Kootenai
 hereby CONVEYS, GRANTS and WARRANTS TO

GRANTOR(S)
 State of Idaho

Leo R. Simon and Lenora J. Simon

GRANTEE(S)

whose current address is S. 5325 Weniger Hill Road, Coeur d'Alene, Idaho 83814
 for the sum of

Dollars (\$ 1,000.00)

the following described tract(s) of land in Kootenai

County, State of Idaho:

Beginning at a point on the N. line of the S.E. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$ of Section 3, Township 49 North, Range 4 W.B.M., lying 600' West of the N.E. corner of the S.E. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$ of said Section 3, thence West 92', thence South 330' more or less to the center line of Kidd Island Road, thence Easterly 92' more or less along the center of said road to a point lying 600' West of the East line of said Section 3, thence North 330' more or less to the point of beginning. Comprising approximately 7/10 of acres.

STATE OF IDAHO }
 COUNTY OF KOOTENAI } SS

AT THE REQUEST OF

Leo Simon
 At 20 minutes past 10 o'clock AM

Shirley Deitz

FEB 27 1987

By Dorothy Kaestner Deputy

Fee \$ 2.00

Return to

Location of above described property _____

House No. _____

Street _____

WITNESS the hand of said Grantors this

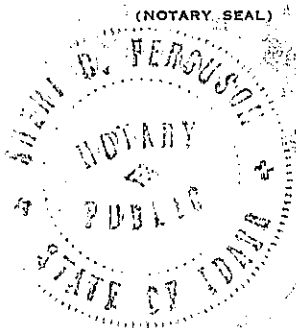
day of

A.D. 19

Wilfred R. Vedder

Liesel B. Vedder

(NOTARY SEAL)



State of Idaho
 County of Kootenai

} ss.

On the 26TH day of FEB.

A.D. 1987

personally appeared before me

WILFRED R. VEDDER & LIESEL B. VEDDER

the signer(s) of the within instrument, who duly acknowledged to me that they executed the same.

Residing at:

My Commission expires: 7/15/91

Sheryl R. Ferguson
 (NOTARY PUBLIC)

MAIL DEED TO:

In hand

MAIL TAX NOTICE TO:

Name

Leo R. Simon

Address

S. 5325 Weniger Hill Rd.

City & State

Coeur d'Alene Zip 83814

Id.

COMPARED
By W & L

85208

ROAD NO. 689

RIGHT OF WAY DEED

THIS INDENTURE, Made the 6th day of October 1933 between John W. Boothe and Gertrude Boothe, his wife of Coeur d' Alene County of Kootenai, State of Idaho, parties of the first part, and the County of Kootenai, State Of Idaho, party of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Sixty DOLLAR\$ to them in hand paid, the receipt whereof is hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell and convey unto the said party of the second part, and to its successors and assigns, the following described piece or parcel of land, situated in the County of Kootenai, State of Idaho, to-wit:

A strip of land 25 feet wide on each side of and parallel with center line of road survey as surveyed, over and across the following described lands, to-wit: Beginning at the SE. Cor. of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 2, thence running westerly, Northerly and Westerly in the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 2 and S $\frac{1}{2}$ of NE $\frac{1}{4}$ of Sec. 3 of Section in Township Forty nine North, Range 4 West B. M.

TO HAVE AND TO HOLD all and singular the strip of land unto the said County of Kootenai, its successors and assigns, for the purpose of a public highway forever.

IN WITNESS WHEREOF, The parties of the first part have hereunto set their hands and seal the day and year above written.

John W. Boothe (Seal)

Gertrude Boothe (Seal)

STATE OF IDAHO,)
County of Kootenai,) ss.

On this 6th day of October in the year 1933, before me C. O. Sowder a Notary Public in and for said County and State, appeared John W. Boothe and Gertrude Boothe known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they 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.

(Notarial Seal)

C. O. Sowder
Notary Public
Residing at Coeur d' Alene, Idaho

State of Idaho)
County of Kootenai) ss

Filed for record at the request of County Commissioners on Oct 10-1933 at 10:25 o'clock A. M. and recorded in book 100 of Deeds Page 525.

W. C. Quarles, County Recorder

Fee, \$ -

COMPARED
By L & W

85210

QUIT-CLAIM DEED

THIS INDENTURE, made this 19th day of September, 1933 in the year of our Lord, One Thousand Nine Hundred and Thirty-three between Edna K. Brose (nee Edna K. Bangs) and Otto Brose (her husband) residents of Sherwood County of Washington State of Oregon parties of the first part, and Mrs. Cora Bangs resident of Tacoma County of Pierce State of Washington party of the second part.

695534

CORRECTION

TRACTEY TRAC

INDEXED

WARRANTY DEED

For Value Received

BOOK 275 PAGE 758

Wilford R. Vedder and Liesel B. Vedder

BOOK 275 PAGE 758

the grantor s, do hereby grant, bargain, sell and convey unto

Leo R. Simon and Lenora J. Simon Star Route Coeur d'Alene, Id ho

the grantee s, the following described premises, in Kootenai County, Idaho, to wit:

Section 3, township 49 North
Range 4 W.B.M.

Commencing at the N.E. Corner of SE $\frac{1}{4}$ - NE $\frac{1}{4}$ of Section 3, Township 49 North, Range 4 West, extending Westerly 600 ft., thence Southerly 1120 ft., thence Easterly 600 ft., thence Northerly 1120 ft., to point of origin, comprising approximately 15 acres.

Filed and recorded at the request of

10:35 o'clock A.M., this

day of MAR 23 1976

By: Deputy

Fee \$

Carol Deitz
Ex-Officio Auditor-Recorder
Kootenai County, Idaho
Return to

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantee s, that they the owners in fee simple of said premises; that they are free from all encumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: February 17, 1976

Wilfred R. Vedder

Liesel B. Vedder

STATE OF IDAHO, COUNTY OF Kootenai
On this 17 day of February, 1976.
before me, a notary public in and for said State, personally appeared

Wilford R. Vedder
Liesel B. Vedder

known to me to be the person s whose name s
subscribed to the within instrument, and acknowledged to me
that they executed the same.

Notary Public
Residing at Coeur d'Alene, Idaho
Comm. Expires 4-17-76

STATE OF IDAHO, COUNTY OF Kootenai
I hereby certify that this instrument was filed for record at the
request of Wilford Vedder
at 40 minutes past eleven o'clock A.M.,
this FEB 17 1976 day of
19, in my office, and duly recorded in Book
of Deeds at page

CAROL DEITZ

Ex-Officio Recorder

By: Arleida Jakopson Deputy

Fees \$

Mail to:

W. R. Vedder

Star Rt. C & D

ASSESSOR & TREASURER, TAX NOTICES TO BE MAILED TO: