

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 95-11392

Priority: October 16, 2009

Maximum Diversion Rate: 0.20 CFS

This is to certify, that SUMMERFIELD WELL ASSN
17235 W SUMMERFIELD RD
POST FALLS ID 83854
(208) 773-1766

has applied for a permit to appropriate water from:

Source: GROUND WATER

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	0.11 CFS
IRRIGATION	03/15 to 11/15	0.14 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER, SE1/4NW1/4, Sec. 17, Twp 50N, Rge 05W, B.M., KOOTENAI County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
50N 05W 17					X	X	X	X									

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
50N 05W 17					.5	3.5	.5										4.5

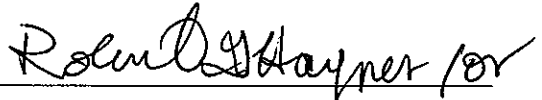
Total Acres: 4.5

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 95-11392

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **April 01, 2015**.
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. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. Domestic use is for 6 homes.
7. 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.

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 29th day of March, 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 1, 2010

SUMMERFIELD WELL ASSN
17235 W SUMMERFIELD RD
POST FALLS ID 83854

RE: Permit No.95-11392

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.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 762-2800.

Sincerely,

A handwritten signature in black ink, appearing to read "Keith E. Franklin". The signature is stylized with a large, prominent "K" and "F".

Keith E. Franklin

Sr. Water Resources Agent

Enclosure(s)

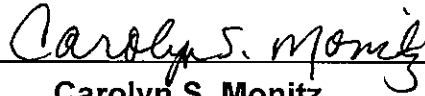
CERTIFICATE OF SERVICE

I hereby certify that on April 1, 2010 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

95-11392

**SUMMERFIELD WELL ASSN
17235 W SUMMERFIELD RD
POST FALLS ID 83854**



Carolyn S. Monitz
Technical Records Clerk

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. # 95-11392

APPLICATION ID # 76055

ENT. 10/21 BCA 11/28/10 OK to Publish 1/28/10

APPLICANT: Summer Field Well Assn. INITIAL REVIEW BY: KJ DATE: 10/21/2009

ITEM REQUIRED INFORMATION

PROCESSING

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

(Yes)(No) PRIORITY DATE: 10/16/2009

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

ADVERTISE IN: Chelan Kootenai County

Newspaper: Chelan

Dates scheduled for publication 2/4 & 11/10

Affidavit of Publication received: 3/12/10

Dates actually published: 2/4 & 11/10

Application published correctly. Yes ☒ No ☐

If not, action taken: _____

Final Date for Protest: 2/22/10

Protests Received: Yes ☐ No ☒

LETTERS SENT REQUESTING:

() Dam Information () Fish Information

() Power Information () Other: _____

INFORMATION RECEIVED:

() Dam Information () Fish Information

() Power Information () Other: _____

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

ADDITIONAL INFORMATION

(Yes)(No)
☐ Shape File Created Date 10/21 By: KJ
☐ Field check: by _____
☐ Field report attached
☐ Analysis Supp. attached(>5cfs/500af)
☐ Water delivered by water master? Water District # _____

GROUNDWATER SECTION

WD Permit No.'s:	Tag #	Type:	Fees	Receipt No.	Upgrade Needed?
<u>95-23-N-4-000</u>		Dom. ☒ Non-Dom. ☐	Paid \$ <u>35</u>		Y () N ()
		Dom. ☐ Non-Dom. ☐	Paid \$ <u>165</u>	<u>N022500</u> Paid	Y (x) N () Paid
		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: Kurtis Franklin Date: 3/10/2010 Sr. Agent initial KJ

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

95-11390

MONICA DIETRICH
MANFORD DIETRICH
5444 E WAVERLY LOOP
HAYDEN LAKE, ID 83835
Point of Diversion L3(SENW) S16 T51N R03W KOOTENAI CO
Source HAYDEN LAKE Tributary SINKS
Use: DOMESTIC 01/01 to 12/31 0.02 CFS
Total Diversion: 0.02 CFS

Date Filed: 10/20/2009

Place Of Use: DOMESTIC T51N R03W S16 L3(SENW)

Domestic use is for 1 home.

95-11392

SUMMERFIELD WELL ASSN
17235 W SUMMERFIELD RD
POST FALLS, ID 83854
Point of Diversion SENW S17 T50N R05W KOOTENAI CO
Source GROUND WATER
Use: IRRIGATION 03/15 to 11/15 0.14 CFS
Use: DOMESTIC 01/01 to 12/31 0.11 CFS
Total Diversion: 0.2 CFS

Date Filed: 10/16/2009

Place Of Use: DOMESTIC T50N R05W S17 NW

Place Of Use: IRRIGATION T50N R05W S17 N1/2NW SWNW

Total Acres: 4.5

Domestic use is for 6 homes

95-11394

BRAD STOFFER
SHERRI STOFFER
PO BOX 2970
COEUR D'ALENE, ID 83816
Point of Diversion NESENE S32 T50N R04W KOOTENAI CO
Point of Diversion SENENE S32 T50N R04W KOOTENAI CO
Source Both Points of Diversion are SPRINGS Tributary SINKS
Use: IRRIGATION STORAGE 01/01 to 12/31 5.9 AF
Use: IRRIGATION FROM STORAGE 03/15 to 11/15 3 AF
Use: STOCKWATER STORAGE 01/01 to 12/31 3 AF
Use: STOCKWATER FROM STORAGE 01/01 to 12/31 0.1 AF
Use: WILDLIFE STORAGE 01/01 to 12/31 2.9 AF
Use: FIRE PROTECTION STORAGE 01/01 to 12/31 2.9 AF
Total Diversion: 6 AF

Date Filed: 10/16/2009

Place Of Use: STOCKWATER STORAGE

T50N R04W S32 NENE SENE

Place Of Uses: All other uses same as STOCKWATER STORAGE

Total Acres: 1

Stockwater use is for 4 head of mixed stock.

95-11403

GUYMON LIVING TRUST
1150 BRIDLE DR
RICHLAND, WA 99352
Point of Diversion L1(NWNE) S16 T51N R03W KOOTENAI CO
Source HAYDEN LAKE Tributary SINKS
Use: DOMESTIC 01/01 to 12/31 0.04 CFS
Total Diversion: 0.04 CFS

Date Filed: 10/22/2009

Place Of Use: DOMESTIC T51N R03W S16 L1(NWNE)

Domestic use is for 1 home

95-11404

GIAO ESTATES
6099 E GIAO WOODS CT
HAYDEN LAKE, ID 83835
Point of Diversion L1(NENE) S4 T51N R03W KOOTENAI CO
Source GROUND WATER
Use: IRRIGATION 03/15 to 11/15 0.06 CFS
Use: DOMESTIC 01/01 to 12/31 0.08 CFS
Total Diversion: 0.14 CFS

Date Filed: 10/21/2009

Place Of Use: DOMESTIC T51N R03W S4 L1(NENE)

Place Of Use: IRRIGATION same as DOMESTIC

Total Acres: 2

Domestic use is for 3 homes.

95-11405

FRANK HETTMANN
16735 VISTA DEL VALLE CT
MORGAN HILL, CA 95037
Point of Diversion L3(NESW) S29 T50N 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: 10/23/2009

Place Of Use: DOMESTIC T50N R03W S29 L3(NESW)

Domestic use is for 1 home.

95-11411

LEON HARDY
LINDA HARDY
5419 S STATELINE RD
POST FALLS, ID 83854
Point of Diversion SESW S25 T50N R06W KOOTENAI CO
Source CABLE CREEK Tributary SPOKANE RIVER
Use: IRRIGATION 03/15 to 11/15 0.2 CFS
Use: STOCKWATER 01/01 to 12/31 0.02 CFS
Total Diversion: 0.2 CFS

Date Filed: 10/21/2009

Place Of Use: IRRIGATION T50N R06W S25 SESW

Place Of Use: STOCKWATER T50N R06W S25 E1/2SW

Total Acres: 10

Stockwater use is for 15 head of mixed stock

95-11421

CHARLES M MORRIS
5683 E HAYDEN LN RD
HAYDEN, ID 83835
Point of Diversion L4(SENE) S20 T51N R03W KOOTENAI CO
Source HAYDEN LAKE Tributary SINKS
Use: IRRIGATION 03/15 to 11/15 0.02 CFS
Total Diversion: 0.02 CFS

Date Filed: 10/27/2009

Place Of Use: IRRIGATION T51N R03W S20 L4(SENE)

Total Acres: .5

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 2/22/2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal 8921

February 4, 11, 2010

RECEIVED

FEB 12 2010

~~IDWR AFFIDAVIT~~ 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

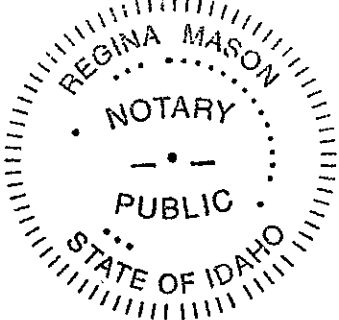
of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 2 consecutive weeks commencing on the 4 day of February, 2010, and ending on the 11 day of February, 2010, and such publication was made as often during said period as said Daily newspaper was regularly 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 February 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



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

95-11390

MONICA DIETRICH

MANFORD DIETRICH

5444 E WAVERLY LOOP

HAYDEN LAKE, ID 83835

Point of Diversion L3(SENW) S16 T51N R03W KOOTENAI CO

Source HAYDEN LAKE Tributary SINKS

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

Total Diversion: 0.02 CFS

Date Filed: 10/20/2009

Place Of Use: DOMESTIC T51N R03W S16 L3(SENW)

Domestic use is for 1 home.

95-11392

SUMMERFIELD WELL ASSN

17235 W SUMMERFIELD RD

POST FALLS, ID 83854

Point of Diversion SENW S17 T50N R05W KOOTENAI CO

Source GROUND WATER

Use: IRRIGATION 03/15 to 11/15 0.14 CFS

Use: DOMESTIC 01/01 to 12/31 0.11 CFS

Total Diversion: 0.2 CFS

Date Filed: 10/16/2009

Place Of Use: DOMESTIC T50N R05W S17 NW

Place Of Use: IRRIGATION T50N R05W S17 N1/2NW SWNW

Total Acres: 4.5

Domestic use is for 6 homes

95-11394

BRAD STOUFFER

SHERRI STOUFFER

PO BOX 2970

COEUR D ALENE, ID 83816

Point of Diversion NESENE S32 T50N R04W KOOTENAI CO

Point of Diversion SENENE S32 T50N R04W KOOTENAI CO

Source Both Points of Diversion are SPRINGS Tributary SINKS

Use: IRRIGATION STORAGE 01/01 to 12/31 5.9 AF

Use: IRRIGATION FROM STORAGE 03/15 to 11/15 3 AF

Use: STOCKWATER STORAGE 01/01 to 12/31 3 AF

Use: STOCKWATER FROM STORAGE 01/01 to 12/31 0.1 AF

Use: WILDLIFE STORAGE 01/01 to 12/31 2.9 AF

Use: FIRE PROTECTION STORAGE 01/01 to 12/31 2.9 AF

Total Diversion: 6 AF

Date Filed: 10/16/2009

Place Of Use: STOCKWATER STORAGE

T50N R04W S32 NENE SENE

Place Of Uses: All other uses same as STOCKWATER STORAGE

Total Acres: 1

Stockwater use is for 4 head of mixed stock.

95-11403

GUYMON LIVING TRUST

1150 BRIDLE DR

RICHLAND, WA 99352

Point of Diversion L1(NWNE) S16 T51N R03W KOOTENAI CO

Source HAYDEN LAKE Tributary SINKS

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

Total Diversion: 0.04 CFS

Date Filed: 10/22/2009

Place Of Use: DOMESTIC T51N R03W S16 L1(NWNE)

Domestic use is for 1 home

95-11404

GIAO ESTATES

6099 E GIAO WOODS CT

HAYDEN LAKE, ID 83835

Point of Diversion L1(NENE) S4 T51N R03W KOOTENAI CO

Source GROUND WATER

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

Use: DOMESTIC 01/01 to 12/31 0.08 CFS

Total Diversion: 0.14 CFS

Date Filed: 10/21/2009

Place Of Use: DOMESTIC T51N R03W S4 L1(NENE)

Place Of Use: IRRIGATION same as DOMESTIC

Total Acres: 2

Domestic use is for 3 homes.

95-11405

FRANK HETTMANN

16735 VISTA DEL VALLE CT

MORGAN HILL, CA 95037

Point of Diversion L3(NESW) S29 T50N 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: 10/23/2009

Place Of Use: DOMESTIC T50N R03W S29 L3(NESW)

Domestic use is for 1 home.

95-11411

LEON HARDY

LINDA HARDY

5419 S STATELINE RD

POST FALLS, ID 83854

Point of Diversion SESW S25 T50N R06W KOOTENAI CO

Source CABLE CREEK Tributary SPOKANE RIVER

Use: IRRIGATION 03/15 to 11/15 0.2 CFS

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

Total Diversion: 0.2 CFS

Date Filed: 10/21/2009

Place Of Use: IRRIGATION T50N R06W S25 SESW

Place Of Use: STOCKWATER T50N R06W S25 E1/2SW

Total Acres: 10

Stockwater use is for 15 head of mixed stock

95-11421

CHARLES M MORRIS

5683 E HAYDEN LN RD

HAYDEN, ID 83835

Point of Diversion L4(SENE) S20 T51N R03W KOOTENAI CO

Source HAYDEN LAKE Tributary SINKS

Use: IRRIGATION 03/15 to 11/15 0.02 CFS

Total Diversion: 0.02 CFS

Date Filed: 10/27/2009

Place Of Use: IRRIGATION T51N R03W S20 L4(SENE)

Total Acres .5

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 2/22/2010. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Legal #

Published on 2/4/2010 and 2/11/2010

Ball, Dianne

From: Ball, Dianne
Sent: Friday, January 29, 2010 1:47 PM
To: Legal Notices-CdA Press; Legal Notices-CdAPress - Kelli Buley
Subject: Application for Permit No. 95-11390, 95-11392, 95-11394, 95-11403, 95-11404, 95-11405, 95-11411, 95-11421

Attachments: LegalNotice 01-29-10 CDA e-mail 95-11390,92,94,403,04,05,411,421.doc

Good afternoon, Kelli,

This is a **second legal notice** being submitted for publication to start next week on February 4th.

Please publish the enclosed legal notice on the dates indicated, **February 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.



LegalNotice
1-29-10 CDA e-mai.

Please send a proof/preview copy for my review to double check layout. With columns being a little narrower, I'm not always sure I have the set-up quite right.

If you have ANY questions, please call me at number below or reply to this e-mail.

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 2/22/2010. Your cooperation is appreciated.

Thanks for all your wonderful help.

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

January 29, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

SUMMERFIELD WELL ASSN
17235 W SUMMERFIELD RD
POST FALLS, ID 83854

Application For Permit No. 95-11392

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 2/4/2010 and 2/11/2010. 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,

Keith Franklin
Sr. Water Resource Agent

Enc. Receipt No. N022400

**WELL SERVICE, INC.**

582 W. Hayden Avenue
Hayden Lake, Idaho 83835
(208) 772-4004

Invoice

Invoice No.: 3207
Invoice Date: 03/08/93
Page: 1

KT1334
WELBURN, ROSS
12345 GEM SHORES
HAYDEN LAKE, ID 83835

PUMP INSTALL #12

TERMS: DUE ON RECEIPT

Quantity	Item Number	Item Description	Unit Price		Extension	T X
1.00	35LD50412	GOULDS 5HP 35 GPM	2061.15		2061.15	N
1.00	SUB SURANCE 2-5	GOULDS 5YR WAR 2-5 HP	42.00		42.00	N
	DATE CODE 2-92	SN# AA24696				
	MOTOR M-91 06-3235					
105.00	GP. 1.4	GALV. 1 1/2"	2.18		228.90	N
1.00	NP2.X6.	NIPPLE 2x6	11.87		11.87	N
1.00	BR2.X1.4	BELL REDUCER 2x11/2	6.57		6.57	N
1.00	BR1.4X1.2	BELL REDUCER 11/2x11/4	4.57		4.57	N
1.00	SPLICE KIT-4	4 WIRE SPLICE KIT	7.04		7.04	N
1.00	WC-150	1-1/2" WELL CHECK	22.66		22.66	N
115.00	SW 12-4	SUB WIRE 12-3 W/GR	0.43		49.45	N
1.50	TAPE	PLYMOUTH TAPE	4.73		7.10	N
	ON LOAN WELL SEAL					
	PARTIAL BILLING					
4.00	01	SERV. TRUCK & OPER.	35.00		140.00	N
2.50	02	PUMP HOIST & OPER.	55.00		137.50	N

Remit Payment To:

H₂O WELL SERVICE, INC.
582 W. Hayden Avenue
Hayden Lake, Idaho 83835

(208) 772-4004

THANK YOU!!

Sub Total: 2718.81

Net Total: 2718.81

Sales Tax:

Invoice Total: 2718.81

Received:

Balance: 2718.81

*original tank
put in when system went in*

Invoice No:
Invoice Date:
Page:

3

WELBURN, ROSS
STORAGE TANK ETC.

*Transformer Hum - may have to
cover for noise*

TERMS: DUE ON RECEIPT

ty	Item Number	Item Description	Unit Price		Extension	T X
.00	THHN 12	THHN #12 WIRE				
.00	E2C10	#10 STAKON BUTT SPL				
.50	PVC 40 4.0	PVC 40 4"				
.00	PVCCA4.	CAP 4.				
.00	BU2.X1.2	BUSHING 2x1-1/4				
.00	WC-125	1-1/4" WELL CHECK				
.00	ST451.2	ST EL 45 1 1/4				
.00	CO1.2	COUPLING 1 1/4				
.00	PVC80CON1.	SCH 80 PVC COND 1"				
.00	PVCTE1.	TEE 1"				
.00	156	3000 GALLON TANK - <i>dimensions</i>				
50	SPLICE KIT-4	4 WIRE SPLICE KIT				
.00	TAPE	PLYMOUTH TAPE				
.00	RISER RING	CONCRETE RISER RING				
.00	MSTRP.6X24.	MASTYC ROPE 3/4" X 24				
.00	MS-15-JSD	S.J. ELECTRO M/S				
		Continued		Next Page.		

6'9" x 12' long x 6'5" tall

Remit Payment To:

H₂O WELL SERVICE, INC.
582 W. Hayden Avenue
Hayden Lake, Idaho 83835

(208) 772-4004

THANK YOU!

Sub Total:

Net Total:
Sales Tax:
Invoice Total:
Received:
Balance:

A restocking charge will be charged on returned goods. Interest will be charged on all past due accounts.

WELL #12 WELL & PUMP INSTALL
STORAGE TANK

RECEIVED

MAR 24 1993 DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO

**USE TYPEWRITER OR
BALLPOINT PEN**

MAR 24 1999

WELL DRILLER'S REPORT

WELL DRILLER'S REPORT
 Department of Water Resources
 State law requires that this report be filed with the Director, Department of Water Resources
 within 30 days after the completion or abandonment of the well.

[illegible]

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

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

Permit # 753437 Well # 273655

1296603

WELL USERS AGREEMENT

THIS INSTRUMENT made and entered into by the WELBURN FAMILY TRUST who is the owner of the following described tracts of property located within the County of Kootenai, State of Idaho:

TRACT 1 - See Exhibit "A" attached hereto and by reference fully incorporated herein.

TRACT 2 - See Exhibit "B" attached hereto and by reference fully incorporated herein.

TRACT 3 - See Exhibit "C" attached hereto and by reference fully incorporated herein.

TRACT 4 - See Exhibit "D" attached hereto and by reference fully incorporated herein.

TRACT 5 - See Exhibit "E" attached hereto and by reference fully incorporated herein.

TRACT 6 - See Exhibit "F" attached hereto and by reference fully incorporated herein.

There is presently a well (see schematic marked Exhibit "G" attached hereto and by reference fully incorporated herein) which is located on certain real property described as follows:

TRACT 20 - See Exhibit "H" attached hereto and by reference fully incorporated herein.

It is necessary a water distribution line be placed to provide transmission of the water from the well to the parcels described as Tracts 1 through 6 as generally shown on Exhibit "G". It is necessary this instrument be made a matter of record to establish the rights, interests, and further responsibilities as it concerns the maintenance, repair and use of the well and water distribution line to each owner of property described in Exhibits "A" through "F".

NOW, THEREFORE, it is hereby established as follows:

1. Well. The well shown in Exhibit "G" shall be used for the exclusive use of Tracts 1 through 6 (to the exclusion

STATE OF IDAHO }
COUNTY OF KOOTENAI } SS
IN THE EAST WEST OF }
PIONEER TITLE ()
MAR 9 9 44 AM '93
E. Berg
DEPUTY
FEES 57.00

1296603

of Tract 20). The water system cannot be expanded to other properties or other uses as limited by this agreement without the written consent of all owners. Each tract shall be entitled to an undivided one-sixth (1/6th) interest in the well. In the event there is any shortage of water which requires any rationing and/or limitations to be placed on the well, the same shall be proportionate to said ownership.

2. Well and Water Transmission Easement. An easement is hereby established fifty feet (50') around the well for the placement, maintenance and repair of the well on Tract 20. An easement is also established and reserved for the installation, maintenance and repair of the water transmission line over Tracts 20 and 6. Said easement shall be as generally depicted in the schematic marked as Exhibit "G" and shall be five feet (5') of either side of the water line. An easement is also reserved to provide access to said easement for the necessary repairs and maintenance.

3. Costs. All costs for the construction, maintenance and repair of the well and water transmission line shall be the responsibility of the users of the system. "User" shall be defined as any party who constructs a permanent and/or temporary residence or other facilities for the use of water on an individual parcel. Once use of the water has started, the responsibility for payment of costs will continue. Use shall be limited to one (1) household and guest house.

4. Electricity. All electricity for the well and water distribution line shall be shared evenly and the responsibility of all of the users.

5. Hookup Costs: All costs to hook onto the system shall be borne by the individual users. Any costs for the continued maintenance and repair of the water distribution line from the main line as is constructed shall be the responsibility of the individual owners.

6. Use: Use of the water shall not be disproportionate to the other users. In the event there is any disproportionate

1296603

users, meters may be installed to determine the amount of water usage. In that event, the costs for the maintenance, repair and electricity shall be paid based upon usage. Cost of the meter shall be paid by each owner.

7. Limitations as to Use. The water shall only be used for domestic use and not for any agricultural (small gardens excluded) and commercial livestock operations.

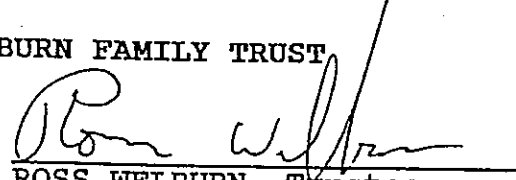
8. Default. In the event any user fails to pay their share of the costs for the repair and maintenance of the well, then in that event, their right to use the well can be terminated until such time as all costs and expenses have been reimbursed, plus interest at a rate of eighteen percent (18%) per annum to be calculated thirty (30) days after the first written demand for contribution has been made. Furthermore, in the event the nonpayment should continue, a lien is hereby established and the other owners have the right to foreclose the lien on the individual tract as a mortgage foreclosure under the laws of the State of Idaho. Any and all costs and attorney's fees incurred resulting from said default shall be paid by the defaulting party.

8. Attorney's Fees. In the event any legal action is necessitated for the enforcement of the terms of this agreement, the attorney's fees shall be allowed to the prevailing party.

9. Majority Rule. In the event any decision is necessary to determine if there is any necessary maintenance, repair and costs to be incurred by the water system, a majority of the users shall control. Each tract is given one (1) vote in any determination once use has commenced.

D A T E D this 5 day of March, 1993.

WELBURN FAMILY TRUST

By: 

ROSS WELBURN, Trustee

1296603

STATE OF IDAHO)

ss.

County of Kootenai)

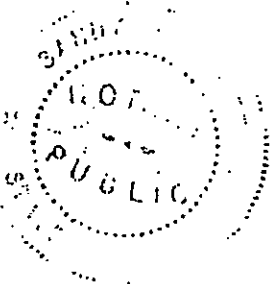
On this 5 day of March, 1993, before me,
Sandy Napier, a Notary Public for the State of
Idaho, personally appeared ROSS WELBURN, Trustee of the Welburn
Family Trust, known or identified to me to be the person whose
name is subscribed to the foregoing instrument and acknowledged
to me that he executed the same on behalf of the Trust.

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

Sandy M. Napier
Notary Public for Idaho

Residing in: Haydenlake

Commission Expires: 4-7-98



March 2, 2010

95-11397

Department of Water Resources
Coeur d'Alene, Idaho

RECEIVED

MAR 04 2010

Attn: Keith Franklin

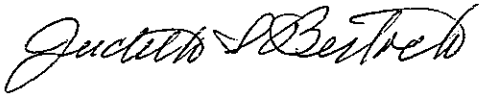
IDWR / NORTH

This is to inform you that Judith S. Bertoch will no longer be the contact person for the Summerfield Well Association, Receipt No. N022500.

The new contact person is Julie Anderson, 19439 First Ave. South, Unit F3, Normandy Park, WA 98148. Phone: (208) 660-4687 or (452) 242-8535.

If you have any questions regarding this change, call me at (208) 773-1766 or (208) 699-0462.

Thank you,

A handwritten signature in cursive script, appearing to read "Judith S. Bertoch".

Judith S. Bertoch

WELBURN
TRACT 1

A tract of land located in the west half of the northwest quarter of Section 17 and the east half of the northeast quarter of Section 18, Township 50 North, Range 5 West, Boise Meridian, Kootenai County, Idaho and being described by metes and bounds as follows:

COMMENCING at a found iron pipe marking the common quarter corner between Sections 17 and 18;

THENCE, along the common line between Section 17 and 18; North $01^{\circ}06'05''$ East, a distance of 483.49 feet to a set iron rod and PLS 4194 cap on the easterly right-of-way line of Carpenter Loop Road marking the POINT OF BEGINNING;

THENCE, along the easterly right-of-way line of Carpenter Loop Road the following five (5) courses:

1. Along the arc of a curve right concave to the northeast, having a radius of 204.08 feet, through a central angle of $02^{\circ}55'55''$, an arc distance of 10.44 feet, whose chord bears North $14^{\circ}47'20''$ West, 10.44 feet; thence
2. North $13^{\circ}19'22''$ West, a distance of 494.77 feet; thence
3. Along the arc of a curve right, concave to the east, having a radius of 92.94 feet, through a central angle of $88^{\circ}56'19''$, an arc distance of 144.27 feet, whose chord bears North $31^{\circ}08'47''$ East, 130.21 feet; thence
4. North $75^{\circ}36'57''$ East, a distance of 8.62 feet; thence
5. Along the arc of a curve left, concave to the northwest, having a radius of 91.51 feet, through a central angle of $54^{\circ}06'34''$, an arc distance of 86.42 feet, whose chord bears North $48^{\circ}33'40''$ East, 83.24 feet to a set iron rod and PLS 4194 cap;

THENCE, leaving said easterly right-of-way line, South $77^{\circ}11'34''$ East, a distance of 124.60 feet to a set iron rod and PLS 4194 cap;

THENCE, North $01^{\circ}06'05''$ East, a distance of 240.00 feet to a set iron rod and PLS 4194 cap;

THENCE, South $87^{\circ}11'54''$ East, a distance of 340.00 feet to a set iron rod and PLS 4194 cap on the centerline of a 60-foot wide private access and utility easement;

THENCE, along the centerline of said 60-foot wide private access and utility easement the following three (3) centerline courses:

1. Along the arc of a curve left, concave to the northeast, having a radius of 308.49 feet, through a central angle of $39^{\circ}17'53''$, an arc distance of 211.59 feet, whose chord bears South $25^{\circ}22'01''$ East, 207.46 feet; thence
2. South $45^{\circ}00'57''$ East, a distance of 53.13 feet; thence
3. Along the arc of a curve right, concave to the west, having a radius of 59.03 feet, through a central angle of $65^{\circ}05'42''$, an arc distance of 67.07 feet, whose chord bears South $12^{\circ}28'06''$ East, 63.52 feet to a set iron rod and PLS 4194 cap;

THENCE, leaving said centerline, South $01^{\circ}06'05''$ West, a distance of 192.25 feet to a set iron rod and PLS 4194 cap;

THENCE, North $87^{\circ}11'54''$ West, a distance of 616.53 feet to a set iron rod and PLS 4194 cap on the common line between Sections 17 and 18;

THENCE, along the common line between Sections 17 and 18, South $01^{\circ}06'05''$ West, a distance of 406.90 feet to the POINT OF BEGINNING and containing 6.52 acres of land, more or less.

695-9201
1/12/93
18-50-5W
695-4.1g1

WELBURN
TRACT 2

A tract of land located in the west half of the northwest quarter of Section 17 and the east half of the northeast quarter of Section 18, Township 50 North, Range 5 West, Boise Meridian, Kootenai County, Idaho and being described by metes and bounds as follows:

COMMENCING at a found original stone with iron pipe and brass cap marking the northwest corner of Section 17 and the northeast corner of Section 18;

THENCE, along the common line between Section 17 and 18, South $01^{\circ}06'05''$ West, a distance of 770.31 feet to a set iron rod and PLS 4194 cap marking the POINT OF BEGINNING;

THENCE, South $69^{\circ}12'06''$ East, a distance of 484.17 feet to a set iron rod and PLS 4194 cap on the centerline of a 60-foot wide private access and utility easement;

THENCE, along the centerline of said 60-foot wide private access and utility easement the following five (5) centerline courses:

1. South $14^{\circ}17'32''$ West, a distance of 82.08 feet; thence
2. Along the arc of a curve left, concave to the east, having a radius of 224.94 feet, through a central angle of $32^{\circ}14'06''$, an arc distance of 126.55 feet, whose chord bears South $01^{\circ}49'31''$ East, 124.89 feet; thence
3. South $17^{\circ}56'34''$ East, a distance of 23.70 feet; thence
4. Along the arc of a curve right, concave to the west, having a radius of 186.76 feet, through a central angle of $12^{\circ}13'30''$, an arc distance of 39.85 feet, whose chord bears South $11^{\circ}49'49''$ East, 39.77 feet; thence
5. South $05^{\circ}43'04''$ East, a distance of 88.17 feet to a set iron rod and PLS 4194 cap;

THENCE, leaving said centerline, North $87^{\circ}11'54''$ West, a distance of 340.00 feet to a set iron rod and PLS 4194 cap;

THENCE, South $01^{\circ}06'05''$ West, a distance of 240.00 feet to a set iron rod and PLS 4194 cap;

THENCE, North $77^{\circ}11'34''$ West, a distance of 124.60 feet to a set iron rod and PLS 4194 cap on the easterly right-of-way line of Carpenter Loop Road;

THENCE, along said easterly right-of-way line, along the arc of a curve right, concave to the west, having a radius of 91.51 feet, through a central angle of $54^{\circ}06'34''$, an arc distance of 86.42 feet, whose chord bears North $05^{\circ}32'54''$ West, 83.24 feet;

THENCE, continuing along said easterly right-of-way line, North $32^{\circ}36'11''$ West, a distance of 109.48 feet to a set iron rod and PLS 4194 cap;

THENCE, leaving said easterly right-of-way line, South $88^{\circ}52'30''$ East, a distance of 61.66 feet to a set iron rod and PLS 4194 cap on the common line between Section 17 and 18 marking the north 1/16 corner;

THENCE, along the common line between Sections 17 and 18, North $01^{\circ}06'05''$ East, a distance of 547.44 feet to the POINT OF BEGINNING and containing 5.14 acres of land, more or less.

695-9201
1/12/93
18-50-5W
695-5.1g1

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WELBURN
TRACT 3

A tract of land located in the northwest quarter of the northwest quarter of Section 17, Township 50 North, Range 5 West, Boise Meridian, Kootenai County, Idaho and being described by metes and bounds as follows:

BEGINNING at a found original stone with iron pipe and brass cap marking the northwest corner of Section 17;

THENCE, along the north line of Section 17, South $87^{\circ}23'19''$ East, a distance of 499.60 feet to a set iron rod and PLS 4194 cap;

THENCE, South $00^{\circ}45'04''$ East, a distance of 847.90 feet to a set iron rod and PLS 4194 cap on the centerline of a 60-foot wide private access and utility easement;

THENCE, along the centerline of said 60-foot wide private access and utility easement, along the arc of a curve left concave to the south, having a radius of 98.59 feet, through a central angle of $62^{\circ}07'03''$, an arc distance of 106.89 feet, whose chord bears South $45^{\circ}21'03''$ West, 101.73 feet to a set iron rod and PLS 4194 cap;

THENCE, leaving said centerline, North $69^{\circ}12'06''$ West, a distance of 484.17 feet to a set iron rod and PLS 4194 cap on the west line of Section 17;

THENCE, along the west line of Section 17, North $01^{\circ}06'05''$ East, a distance of 770.31 feet to the POINT OF BEGINNING and containing 10.00 acres of land, more or less.

695-9201
1/12/93
17-50-5W
695-6.lgl

WELBURN
TRACT 4

A tract of land located in the northwest quarter of the northwest quarter of Section 17, Township 50 North, Range 5 West, Boise Meridian, Kootenai County, Idaho and being described by metes and bounds as follows:

COMMENCING at a found original stone with iron pipe and brass cap marking the northwest corner of Section 17;

THENCE, along the north line of Section 17, South $87^{\circ}23'19''$ East, a distance of 499.60 feet to a set iron rod and PLS 4194 cap marking the POINT OF BEGINNING;

THENCE, continuing along the north line of Section 17, South $87^{\circ}23'19''$ East, a distance of 484.86 feet to a set iron rod and PLS 4194 cap;

THENCE, South $01^{\circ}06'14''$ West, a distance of 937.15 feet to a set iron rod and PLS 4194 cap;

THENCE, South $83^{\circ}06'22''$ West, a distance of 303.73 feet to a set iron rod and PLS 4194 cap on the centerline of a 60-foot wide private access and utility easement;

THENCE, along the centerline of said 60-foot wide private access and utility easement, the following three (3) centerline courses:

1. Along the arc of a curve left, concave to the southwest, having a radius of 181.71 feet, through a central angle of $36^{\circ}14'59''$, an arc distance of 114.96 feet, whose chord bears North $23^{\circ}20'54''$ West, 113.05 feet; thence
2. North $41^{\circ}28'23''$ West, a distance of 17.83 feet; thence
3. Along the arc of a curve left, concave to the south, having a radius of 98.59 feet, through a central angle of $62^{\circ}07'03''$, an arc distance of 106.89 feet, whose chord bears North $72^{\circ}31'54''$ West, 101.73 feet to a set iron rod and PLS 4194 cap;

THENCE, leaving said centerline, North $00^{\circ}45'04''$ West, a distance of 847.90 feet to the POINT OF BEGINNING and containing 10.05 acres of land, more or less.

695-9201
1/12/93
17-50-5W
695-7.1g1

WELBURN
TRACT 5

A tract of land located in the northwest quarter of Section 17, Township 50 North, Range 5 West, Boise Meridian, Kootenai County, Idaho and being described by metes and bounds as follows:

COMMENCING at the west one-quarter corner of Section 17;

THENCE, along the west line of Section 17, North $01^{\circ}06'05''$ East, a distance of 890.39 feet to a set iron rod and PLS 4194 cap;

THENCE, South $87^{\circ}11'54''$ East, a distance of 616.53 feet to a set iron rod and PLS 4194 cap marking the POINT OF BEGINNING;

THENCE, North $01^{\circ}06'05''$ East, a distance of 192.25 feet to a set iron rod and PLS 4194 cap on the centerline of a 60.00-foot wide private access and utility easement;

THENCE, along the centerline of said 60-foot wide private access and utility easement the following eleven (11) courses:

1. Along the arc of curve concave to the west, having a radius of 59.03 feet, through a central angle of $65^{\circ}05'42''$, an arc distance of 67.07 feet, whose chord bears North $12^{\circ}28'06''$ West, 63.52 feet to its point of tangency; thence
2. North $45^{\circ}00'57''$ West, a distance of 53.13 feet to a point of curvature; thence
3. Along the arc of a curve concave to the northeast, having a radius of 308.49 feet, through a central angle of $39^{\circ}17'53''$, an arc distance of 211.59 feet, whose chord bears North $25^{\circ}22'01''$ West, 207.46 feet, to its point of tangency; thence
4. North $05^{\circ}43'04''$ West, a distance of 88.17 feet to a point of curvature; thence
5. Along the arc of a curve concave to the southwest, having a radius of 186.76 feet, through a central angle of $12^{\circ}13'30''$, an arc distance of 39.85 feet, whose chord bears North $11^{\circ}49'49''$ West, 39.77 feet, to its point of tangency; thence
6. North $17^{\circ}56'34''$ West, a distance of 23.70 feet to a point of curvature; thence

7. Along the arc of a curve concave to the east, having a radius of 224.94 feet, through a central angle of $32^{\circ}14'06''$, an arc distance of 126.55 feet, whose chord bears North $01^{\circ}49'31''$ West, 124.89 feet, to its point of tangency; thence
8. North $14^{\circ}17'32''$ East, a distance of 82.08 feet to a point of curvature; thence
9. Along the arc of a curve concave to the south, having a radius of 98.59 feet, through a central angle of $124^{\circ}14'05''$, an arc distance of 213.78 feet, whose chord bears North $76^{\circ}24'34''$ East, 174.30 feet, to its point of tangency; thence
10. South $41^{\circ}28'23''$ East, a distance of 17.83 feet to a point of curvature; thence
11. Along the arc of a curve concave to the west, having a radius of 181.71 feet, through a central angle of $36^{\circ}14'59''$, an arc distance of 114.96 feet, whose chord bears South $23^{\circ}20'54''$ East, 113.06 feet, to a set iron rod and PLS 4194 cap;

THENCE, North $83^{\circ}06'22''$ East, a distance of 542.03 feet to a set iron rod and PLS 4194 cap on the centerline of the aforementioned 60-foot wide private access and utility easement;

THENCE, along the centerline of said 60-foot wide private access and utility easement the following thirteen (13) courses:

1. Along the arc of a curve concave to the southeast, having a radius of 163.60 feet, through a central angle of $24^{\circ}09'05''$, an arc distance of 68.96 feet, whose chord bears South $19^{\circ}44'00''$ West, 68.45 feet, to its point of tangency; thence
2. South $07^{\circ}39'28''$ West, a distance of 44.56 feet to a point of curvature; thence
3. Along the arc of a curve concave to the east, having a radius of 322.87 feet, through a central angle of $13^{\circ}04'29''$, an arc distance of 73.68 feet, whose chord bears South $01^{\circ}07'13''$ West, 73.52 feet, to its point of tangency; thence
4. South $05^{\circ}25'01''$ East, a distance of 133.63 feet to a point of curvature; thence
5. Along the arc of a curve concave to the west, having a radius of 676.57 feet, through a central angle of $06^{\circ}46'01''$,

1296603

- an arc distance of 79.91 feet, whose chord bears South
02° 02' 01" East, 79.86 feet, to its point of tangency; thence
6. South 01° 21' 00" West, a distance of 95.23 feet to a point of curvature; thence
 7. Along the arc of a curve concave to the northeast, having a radius of 120.72 feet, through a central angle of 44° 14' 20", an arc distance of 93.21 feet, whose chord bears South 20° 46' 10" East, 90.91 feet, to its point of tangency; thence
 8. South 42° 53' 21" East, a distance of 64.61 feet to a point of curvature; thence
 9. Along the arc of a curve concave to the northwest, having a radius of 40.01 feet, through a central angle of 172° 48' 40", an arc distance of 120.66 feet, whose chord bears South 43° 30' 59" West, 79.85 feet, to its point of tangency; thence
 10. North 50° 04' 40" West, a distance of 83.02 feet to a point of curvature; thence
 11. Along the arc of a curve concave to the southwest, having a radius of 445.82 feet, through a central angle of 16° 35' 25", an arc distance of 129.09 feet, whose chord bears North 58° 22' 23" West, 128.64 feet, to its point of tangency; thence
 12. North 66° 40' 05" West, a distance of 215.17 feet to a point of curvature; thence
 13. Along the arc of a curve concave to the northeast, having a radius of 262.34 feet, through a central angle of 14° 51' 38", an arc distance of 68.04 feet, whose chord bears North 59° 14' 16" West, 67.85 feet, to a set iron rod and PLS 4194 cap;
- THENCE, South 03° 48' 32" West, a distance of 391.08 feet to a set iron rod and PLS 4194 cap;
- THENCE, North 87° 11' 54" West, a distance of 168.79 feet to the POINT OF BEGINNING and containing 10.37 acres of land, more or less.

695-9201
1/5/93
17-50-5W
695-3.1g1

WELBURN
TRACT 6

A tract of land located in the northwest quarter of Section 17, Township 50 North, Range 5 West, Boise Meridian, Kootenai County, State of Idaho, and being more particularly described by metes and bounds as follows, to wit:

COMMENCING at the West one-quarter corner of said Section 17;

THENCE, along the west line of Section 17, North $01^{\circ}06'05''$ East, a distance of 890.39 feet to a set iron rod with P.L.S. 4194 plastic cap;

THENCE, South $87^{\circ}11'54''$ East, a distance of 785.32 feet, to a set iron rod with P.L.S. 4194 cap marking the POINT OF BEGINNING;

THENCE, North $03^{\circ}48'32''$ East, a distance of 391.08 feet to a set iron rod with P.L.S. 4194 cap on the centerline of a 60.00-foot wide private access and utility easement;

THENCE, along the centerline of said 60-foot wide private access and utility easement the following thirteen (13) courses:

- 1) Along the arc of a curve left which is concave to the Northeast, having a radius of 262.34 feet, through a central angle of $14^{\circ}51'38''$, an arc distance of 68.04 feet, whose chord bears, South $59^{\circ}14'16''$ East, 67.85 feet, to it's point of tangency; thence
- 2) South $66^{\circ}40'05''$ East, a distance of 215.17 feet to a point of curvature; thence
- 3) Along the arc of a curve right which is concave to the Southwest, having a radius of 445.82 feet, through a central angle of $16^{\circ}35'25''$, an arc distance of 129.09 feet, whose chord bears, South $58^{\circ}22'23''$ East, 128.64 feet, to it's point of tangency; thence
- 4) South $50^{\circ}04'40''$ East, a distance of 83.02 feet to a set iron rod with P.L.S. 4194 cap at a point of curvature; thence
- 5) Along the arc of a curve left which is concave to the Northwest, having a radius of 40.01 feet, through a central angle of $172^{\circ}48'40''$, an arc distance of 120.66 feet, whose chord bears North $43^{\circ}30'59''$ East, 79.85 feet, to a set iron rod with P.L.S. 4194 cap at it's point of tangency; thence

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parcel 6, con't.

sheet 2 of 3

- 6) North $42^{\circ}53'21''$ West, a distance of 64.61 feet to a set iron rod with P.L.S. 4194 cap at a point of curvature; thence
- 7) Along the arc of a curve right which is concave to the northeast, having a radius of 120.72 feet, through a central angle of $44^{\circ}14'20''$, an arc distance of 93.21 feet, whose chord bears North $20^{\circ}46'10''$ West, 90.91 feet, to a set iron rod with P.L.S. 4194 cap at it's point of tangency; thence
- 8) North $01^{\circ}21'00''$ East, a distance of 95.23 feet to a point of curvature; thence
- 9) Along the arc of a curve left which is concave to the west, having a radius of 676.57 feet, through a central angle of $06^{\circ}46'01''$, an arc distance of 79.91 feet, whose chord bears North $02^{\circ}02'01''$ West, 79.86 feet, to it's point of tangency; thence
- 10) North $05^{\circ}25'01''$ West. a distance of 133.63 feet to a set iron rod with P.L.S. 4194 cap at a point of curvature; thence
- 11) Along the arc of a curve right which is concave to the east, having a radius of 322.87 feet, through a central angle of $13^{\circ}04'29''$, an arc distance of 73.68 feet, whose chord bears North $01^{\circ}07'13''$ East, 73.52 feet to a point of tangency; thence
- 12) North $07^{\circ}39'28''$ East, a distance of 44.56 feet to a set iron rod with P.L.S. 4194 cap at a point of curvature; thence
- 13) Along the arc of a curve right which is concave to the Southeast, having a radius of 163.60 feet, through a central angle of $24^{\circ}09'05''$, an arc distance of 68.96 feet, whose chord bears North $19^{\circ}44'00''$ East, 68.45 feet, to a set iron rod with P.L.S. 4194 cap;

THENCE, South $69^{\circ}32'08''$ East, distance of 440.34 feet, to a set 5/8 inch iron rod with P.L.S. 4194 cap;

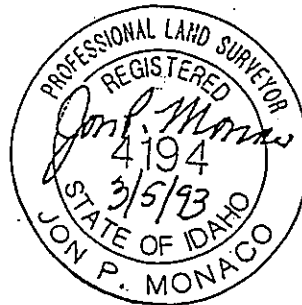
THENCE, South $00^{\circ}31'17''$ West, a distance of 577.68 feet, to a set 5/8 inch iron rod with P.L.S. 4194 cap;

THENCE, South $67^{\circ}18'11''$ West, a distance of 325.60 feet to a set 5/8 inch iron rod with P.L.S. 4194 cap;

1296603

parcel 6, con't.
sheet 3 of 3

THENCE, North 87°11'54" West, a distance of 558.69 feet to the
POINT OF BEGINNING and containing 10.01 acres of land more or less.



695-9201
3/4/93
17-50-5W
695-8.1g1

WELBURN
TRACT 20

A tract of land in the southeast one-quarter of the northwest one-quarter of Section 17, Township 50 North, Range 5 West, Boise Meridian, Kootenai County, Idaho and being described by metes and bounds as follows:

COMMENCING at a found 3/4" iron pipe marking the west one-quarter corner of Section 17;

THENCE, along the east-west centerline of Section 17, South 87°11'54" East, a distance of 1338.52 feet to a set iron rod and cap marking the center-west 1/16 corner;

THENCE, along the west line of the SE $\frac{1}{4}$ - NW $\frac{1}{4}$, North 01°27'17" East, a distance of 834.59 feet to a set iron rod and cap for the POINT OF BEGINNING;

THENCE, continuing along said west line, North 01°27'17" East, a distance of 55.66 feet to a set iron rod and cap;

THENCE, North 67°18'11" East, a distance of 1025.60 feet to a set iron rod and cap;

THENCE, South 89°45'00" East, a distance of 300.00 feet to a set iron rod and cap in the centerline of a 60.00 foot wide private road easement at a point on curve;

THENCE, along the centerline of said 60.00 foot wide private road easement the following seven (7) courses:

1. Along the arc of a curve concave to the west, having a radius of 56.47 feet, through a central angle of 55°07'05", an arc distance of 54.32 feet, whose chord bears South 05°51'26" West, 52.25 feet, to a point of tangency; thence
2. South 33°24'59" West, a distance of 102.48 feet to a point of curvature; thence
3. Along the arc of a curve concave to the southeast, having a radius of 235.73 feet, through a central angle of 18°18'52", an arc distance of 75.35 feet, whose chord bears South 24°15'33" West, 75.03 feet, to a point of tangency; thence

WELBURN
TRACT 20
CONTINUED

Page 2

4. South $15^{\circ}06'07''$ West, a distance of 39.62 feet to a point of curvature; thence
5. Along the arc of a curve concave to the northwest, having a radius of 532.63 feet, through a central angle of $07^{\circ}31'09''$, an arc distance of 69.90 feet, whose chord bears South $18^{\circ}51'41''$ West, 69.85 feet, to a point of tangency; thence
6. South $22^{\circ}37'16''$ West, a distance of 88.20 feet to a point of curvature; thence
7. Along the arc of a curve concave to the east, having a radius of 376.83 feet, through a central angle of $22^{\circ}37'29''$, an arc distance of 148.80 feet, whose chord bears South $11^{\circ}18'31''$ West, 147.83 feet to a set iron rod and cap;

THENCE, leaving said centerline South $84^{\circ}28'18''$ West, a distance of 587.97 feet to a set iron rod and cap;

THENCE, North $73^{\circ}11'05''$ West, a distance of 495.11 feet to the POINT OF BEGINNING and containing 10.00 acres of land, more or less.

695-9201
11/6/92
17-50N-5W
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AS SHOWN ON MAP, IT
FINDS A 10.00 ACRES
FOR A.D. 1, FIELD WORK
MAY BE 11.125 AC.

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