

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 RECEIVED

Name of applicant North Kootenai Water District SEP 29 2003 Phone 208-772-3619Mailing address P.O. Box 2290; Hayden, ID 83835
Department of Water Resources**A. PURPOSE OF TRANSFER**

1. ☒ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☒ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes

The wells associated with these existing water rights are now owned and operated by North Kootenai Water District, a non-profit public water utility, to supply water to commercial and residential customers.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period	Of	Use
<u>95-7827</u>	<u>3/29/1978</u>	<u>0.2 cfs</u>	<u>Municipal</u>	<u>1-Jan</u>	<u>to</u>	<u>31-Dec</u>
<u>95-7107</u>	<u>4/28/1970</u>	<u>1.31 cfs</u>	<u>Municipal</u>	<u>1-Jan</u>	<u>to</u>	<u>31-Dec</u>
<u>95-8522</u>	<u>8/20/1986</u>	<u>0.61 cfs</u>	<u>Municipal</u>	<u>1-Jan</u>	<u>to</u>	<u>31-Dec</u>
<u>95-4027</u>	<u>9/1/1963</u>	<u>1.2 cfs</u>	<u>Municipal</u>	<u>1-Jan</u>	<u>to</u>	<u>31-Dec</u>
<u>95-7713</u>	<u>3/30/1977</u>	<u>0.04 cfs</u>	<u>Municipal</u>	<u>1-Jan</u>	<u>to</u>	<u>31-Dec</u>
<u>95-7138</u>	<u>3/25/1971</u>	<u>0.14 cfs</u>	<u>Municipal</u>	<u>1-Jan</u>	<u>to</u>	<u>31-Dec</u>

2. Total amount of water being transferred 3.5 Cubic feet per second and/or _____ Acre-feet per annum.3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

Well	Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
Ohio Match			NW	SE	18	52N	3W	Kootenai	Rathdrum Aquifer
Finucane			NW	SW	24	51N	4W	Kootenai	Rathdrum Aquifer
Hayden Well			NE	SE	23	51N	4W	Kootenai	Rathdrum Aquifer
Hayden Pines			NE	SE	23	51N	4W	Kootenai	Rathdrum Aquifer
GTE 1			SE	SW	23	51N	4W	Kootenai	Rathdrum Aquifer
GTE 2			SW	SE	23	51N	4W	Kootenai	Rathdrum Aquifer
Tree Farm			SE	SE	17	52N	4W	Kootenai	Rathdrum Aquifer
Tree Farm			SE	SE	17	52N	4W	Kootenai	Rathdrum Aquifer
Echo Beach	1		SE	NE	6	52N	4W	Kootenai	Rathdrum Aquifer
Rimrock		NW	NW	NE	11	51N	4W	Kootenai	Rathdrum Aquifer
Rimrock			NW	NE	11	51N	4W	Kootenai	Rathdrum Aquifer
Rimrock		SE	SW	SW	2	51N	4W	Kootenai	Rathdrum Aquifer
Hayden Orchard			NW	NE	14	51N	4W	Kootenai	Rathdrum Aquifer
Chilco			SE	NE	7	52N	3W	Kootenai	Rathdrum Aquifer
Chilco			SW	NW	8	52N	3W	Kootenai	Rathdrum Aquifer
Atlas			NE	SE	28	52N	4W	Kootenai	Rathdrum Aquifer
Mt View			NE	SW	32	51N	5W	Kootenai	Rathdrum Aquifer

Mt View		SE	SW	32	51N	5W	Kootenai	Rathdrum Aquifer
Meadowland Acres		SE	SE	23	51	5W	Kootenai	Rathdrum Aquifer
Valley Green	7	SW	SE	15	51N	4W	Kootenai	Rathdrum Aquifer

5. Lands irrigated or place of use:

TWP	RANGE	SEC.	NE ¼				NW ¼				SW ¼				SE ¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
51N	3W	5									M	M	M	M	M	M	M	M	
		6			M	M			M	M	M	M	M	M	M	M	M	M	
		7	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	
		8	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	
		17		M	M		M	M	M	M									
		18	M	M	M	M	M	M	M	M									
		19						M	M	M	M	M	M	M	M	M	M	M	
		20										M	M	M					
		30	M				M	M											
51N	4W	1						M	M		M	M	M	M	M	M	M	M	
		2	M		M						M	M	M	M	M	M	M	M	
		11	M	M	M	M	M	M	M	M									
		12	M	M	M	M	M	M	M	M					M			M	
		14				M													
		15									M			M		M	M		
		23									M	M	M	M	M	M	M	M	
		24	M	M	M	M					M			M	M	M	M	M	
		26	M	M															
51N	5W	32	M	M	M	M									M	M	M	M	
52N	3W	4						M	M			M							
		5	M		M	M					M			M	M	M	M	M	
		6					M	M	M	M	M	M	M	M	M	M	M	M	
		7	M	M	M	M	M		M	M	M	M							
		8	M			M	M	M	M	M									
		17							M		M	M	M	M					
		18							M	M					M	M	M	M	
		19	M	M	M														
		20						M											
52N	4W	5	M	M	M		M	M	M	M	M	M		M		M	M	M	
		6	M	M	M	M	M	M							M				
		8	M	M	M	M					M	M		M	M	M	M	M	
		9	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	
		16	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	M	
		17	M	M	M	M	M	M	M	M	M	M		M	M	M	M	M	
		28													M				
		35				M									M			M	
		36							M			M	M						
53N	3W	32																M	
		33												M					
53N	4W	31				M			M	M	M	M	M	M	M	M	M	M	
		32							M			M	M						
53N	5W	36																M	

Total number of acres to
 be irrigated N/A
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FEB 15 2004



SCHEDULE A

1. Commitment Date: October 9, 1998
at 8:00 a.m. Commitment No. 35816-B
2. Policy or Policies to be issued:

	<u>Policy Amount</u>	<u>Premium</u>
(X) Owners Policy (Form 1402.92, 10-17-92) <u>Proposed Insured:</u> TO BE DETERMINED	<u>\$TBD</u>	<u>\$TBD</u>
() Extended Coverage Loan Policy (Form 1056.92, 10-17-92) <u>Proposed Insured:</u>	<u>\$</u>	<u>\$</u>
() Endorsements:	<u>\$</u>	
() Recordings:	<u>\$</u>	
() Extra Chains:	<u>\$</u>	
3. FREE SIMPLE ESTATE in the land described in this Commitment is owned, at the Commitment Date, by:

CHARLES A. FORD
4. The Land referred to in this Commitment is located in Kootenai County, State of Idaho, and described as follows:

SEE ATTACHED EXHIBIT "A"

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EXHIBIT "A"

All that property encompassed by a 55 foot radius circle whose radius point lies South $0^{\circ}33'51''$ West 1,999.54 feet; thence

South $89^{\circ}26'9''$ East, 31.32 feet from the Northwest corner of Section 8, Township 52 North, Range 3 West, Boise Meridian, all lying within the Northeast quarter of Section 7, Township 52 North, Range 3 West, Boise Meridian, and the Northwest quarter, Section 8, Township 52 North, Range 3 West, Boise Meridian, records of Kootenai County, Idaho.

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Form No. 1344-B 1 (1982)
ALTA Plain Language Commitment
ORDER NO. 35816

SCHEDULE B - SECTION 1
Requirements

The following requirements must be met:

- (a) Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
- (b) Pay us the premiums, fees and charges for the policy.
- (c) Documents satisfactory to us creating the interest in the land and/or the mortgage to be insured must be signed, delivered and recorded.
- (d) You must tell us in writing the name of anyone not referred to in this Commitment who has an interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions.

For further information regarding this report please contact:

FIRST AMERICAN TITLE COMPANY
1044 NORTHWEST BOULEVARD
P.O. BOX 816
COEUR D'ALENE, IDAHO 83814

PHONE: (208) 667-0567
ESCROW DEPT. FAX: (208) 765-2050
TITLE DEPT. FAX: (208) 765-1376

TITLE OFFICER: Beverly Spencer

ESCROW OFFICER:

PLEASE ACCEPT OUR SINCERE THANKS FOR ALLOWING US TO BE OF SERVICE TO YOU. WE GREATLY APPRECIATE THE FACT THAT YOU HAVE CHOSEN TO DO BUSINESS WITH US; AND IN RETURN, WE PLEDGE OUR CONTINUING EFFORTS TO OFFER YOU THE BEST SERVICE POSSIBLE.

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SCHEDULE B - SECTION 2
Exceptions

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction.

PART 1:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. Unpatented mining claims: reservations or exceptions in patents or in acts authorizing the issuance thereof: water rights, claims, or title to water.
6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.

7. General taxes for the year 1998, a lien in the process of assessment not yet due or payable.

8. Order creating Herd District recorded April 15, 1976 as Instrument No. 697223.

9. Easement:

Granted to: Delbert V. Abbott, a single man
Recorded: June 19, 1978
Instrument No.: 771051

Amendment to said Covenants:

Instrument No.: 776354

but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).

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SCHEDULE B - SECTION 2
EXCEPTIONS - continued

Paragraph No. 9 - Continued

Amendment to said Covenants:

Instrument No.: 776355

but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).

Amendment to said Covenants:

Instrument No.: 776356

but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).

Assignment of Easement:

Assigned to Port Blakely Tree Farms (Limited Partnership), by instrument:

Recorded: November 21, 1988

Instrument No.: 1134678

10. Electric Line - Right of Way Easement:

Granted to: Kootenai Electric Cooperative, Inc.:

Recorded: May 4, 1979

Instrument No.: 804354

11. Easement:

Granted to: General Telephone company of the Northwest

Recorded: February 15, 1980

Instrument No.: 833686

12. The Effect of Quitclaim Deed:

Recorded: June 11, 1997

Instrument No.: 1493563

13. The Effect of Deed of Trust to secure an indebtedness in the principal sum of \$2,216,703.54, and any other amounts and/or obligations secured thereby:

Dated: May 19, 1997

Recorded: June 11, 1997

Instrument No.: 1493564

Grantor: Allied Water, Inc., an Idaho corporation

Trustee: Kootenai County Title Company, Inc.

Beneficiary: Hayden Pines Water Company, an Idaho corporation

14. The Effect of Financing Statement:

Recorded: June 16, 1997

Instrument No.: 1494043

Debtor: Allied Water, Inc., an Idaho Corporation

Secured Party: Hayden Pines Water Company, an Idaho corporation

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SCHEDULE B - SECTION 2
EXCEPTIONS - continued

15. Title to vest in the name of a person or persons to be submitted and when so vested will be subject to matters which may be disclosed by a search of the Records against the name of said person or persons.

16. Question of marital status of party herein named on date of acquiring title. If then joining in execution of forthcoming Instrument, recital therein of the fact will be sufficient; otherwise, present ownership of the community interest of spouse on said date must be determined:

Party: Charles A. Ford

17. Lack of a right of access to and from said land.

18. Effect of Term, Covenants, Conditions and provisions contained in the By-Laws and/or Articles of Incorporation of the hereafter named association:

Association: Chilco Estates Road Owners Association, Inc.

Recorded: June 4, 1978

Instrument No.: 807662

Amendment to said Covenants:

Instrument No.: 1482720

but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).

END OF SCHEDULE "B" EXCEPTIONS

NOTES SECTION

1. There is no notice of record and therefore no search has been made for any unpaid assessments, charges or fees for sewer, water, garbage, irrigation, waste disposal fees, and other possible utility services.

2. If the proposed insured under the Policy to issue has any questions concerning the coverage or exclusions from coverage, the Company will be pleased to provide an explanation.

3. In the event that this transaction fails to close, a minimum fee of \$100.00 will be charged to comply with the State Insurance Code.

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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
 In case of _____ vs. _____
 dated _____ in _____ county of _____

b. License No. 95-7827 issued by the Idaho Department of Water Resources.
 c. Claim No. _____ on file with the Idaho Department of Water Resources.
 d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as Attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other: _____

3. Source of water Groundwater tributary to _____

4. Date of priority 3/29/1978

5. Water is used for the following purpose:

amount 0.2 cfs For Domestic purposes from 01/01 to 12/31
 (cfs/ac-ft)
 amount _____ For _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ For _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ For _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 0.2 cubic feet per second and/or _____ acre-feet per annum

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		SW	NW	8	52N	3W	Kootenai	Rathdrum Acquirer

8. Lands irrigated or place of use:

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
52N	3W	5													M	M	M	M	
		6					M	M	M	M	M	M	M	M			M		
		7				M													
		8					M		M										

Total acres N/A

9. Describe any other water rights used for the same purpose as described above **A second well is located**

on this system. A water right for the second well has not yet been established. An application for new water right has been submitted to IDWR for this well for 1.23 cfs. The total combined diversion capacity for both wells shall not exceed 1.43 cfs for the service area described in Part 1 of this application.

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PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No _____ If yes, describe: _____

B. DESCRIPTION OF PORTION OF WATER RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

TWP	RANGE	SEC.	NE ¼				NW ¼				SW ¼				SE ¼				TOT/
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

TWP	RANGE	SEC.	NE ¼				NW ¼				SW ¼				SE ¼				TOT/
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

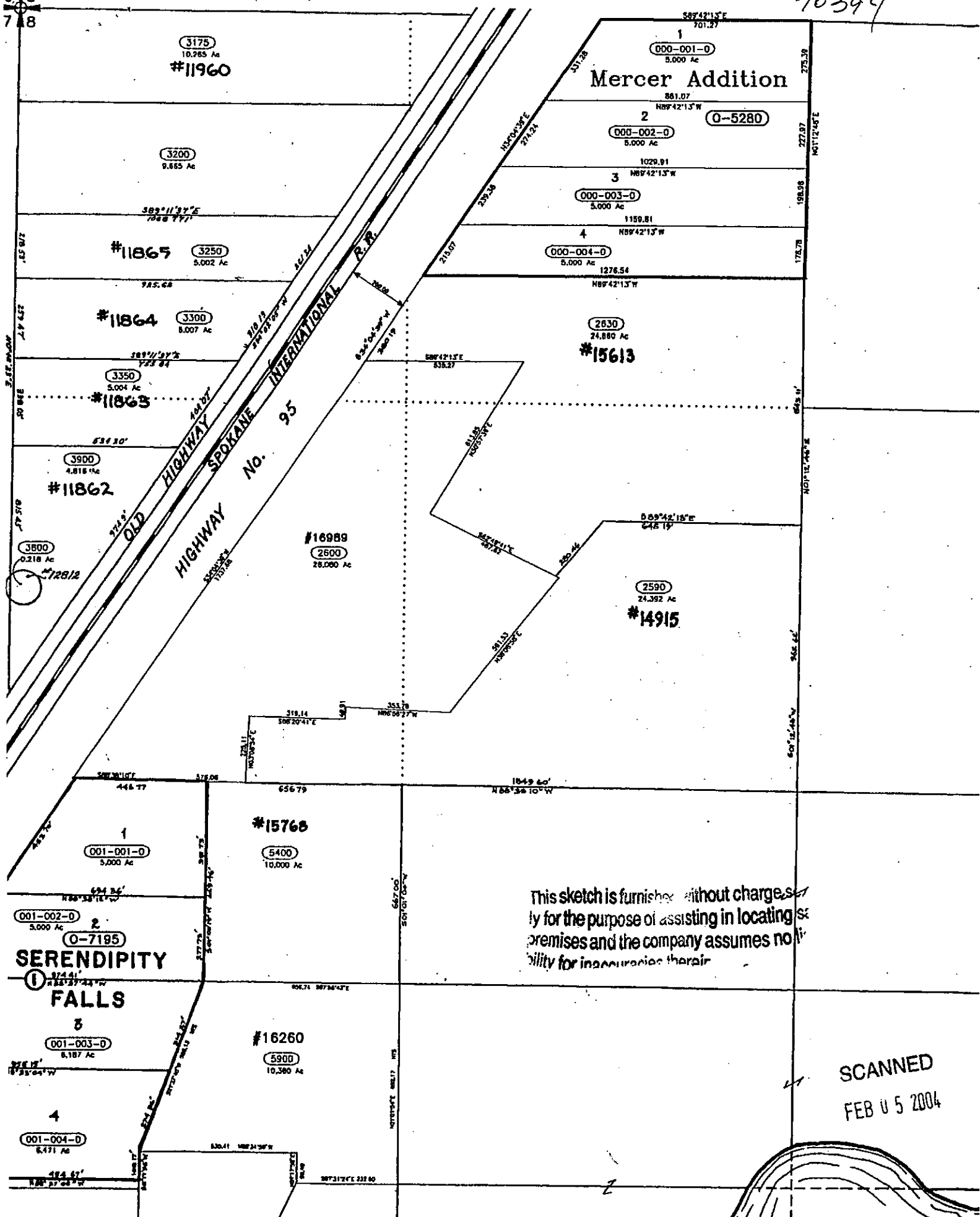
Total acres _____

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6 5
7 8

10394



This sketch is furnished without charge solely for the purpose of assisting in locating premises and the company assumes no liability for inaccuracies therein

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**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3**

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

See Attached Figures. First Figure shows general place of use, defined as all areas located within the defined North Kootenai Water District Service Areas. Second Figure shows close up of the point(s) of diversion.

[illegible]

SCALE: 2 inches equal 1 mile. Draw plan in ink.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
 a. Decree No. _____ Decreed to _____
 In case of _____ vs. _____
 dated _____ in _____ county of _____
 b. License No. 95-7713 issued by the Idaho Department of Water Resources.
 c. Claim No. _____ on file with the Idaho Department of Water Resources.
 d. Transfer No. _____ which produced this right.
2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as Attachment A. Check appropriate box below:
☐ Tax Notice ☒ Warranty Deed ☐ Other: _____
3. Source of water Groundwater tributary to _____
4. Date of priority 03/30/1977
5. Water is used for the following purpose:
 amount 0.04 cfs For Domestic purposes from 01/01 to 12/31
 (cfs/ac-ft) _____
 amount _____ For _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ For _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ For _____ purposes from _____ to _____
 (cfs/ac-ft) _____
6. Total amount of water under right .04 cubic feet per second and/or 29 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		NW	SE	18	52N	3W	Kootenai	Rathdrum Aquifer

8. Lands irrigated or place of use:

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
52N	3W	18							M	M					M	M	M	M	
		19		M	M														
		20						M											

Total acres N/A

9. Describe any other water rights used for the same purpose as described above
- N/A

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PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 No _____ If yes, describe: _____

B. DESCRIPTION OF PORTION OF WATER RIGHT BEING TRANSFERRED*(If the entire right is to be changed by the applicant, omit part B and C.)*

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

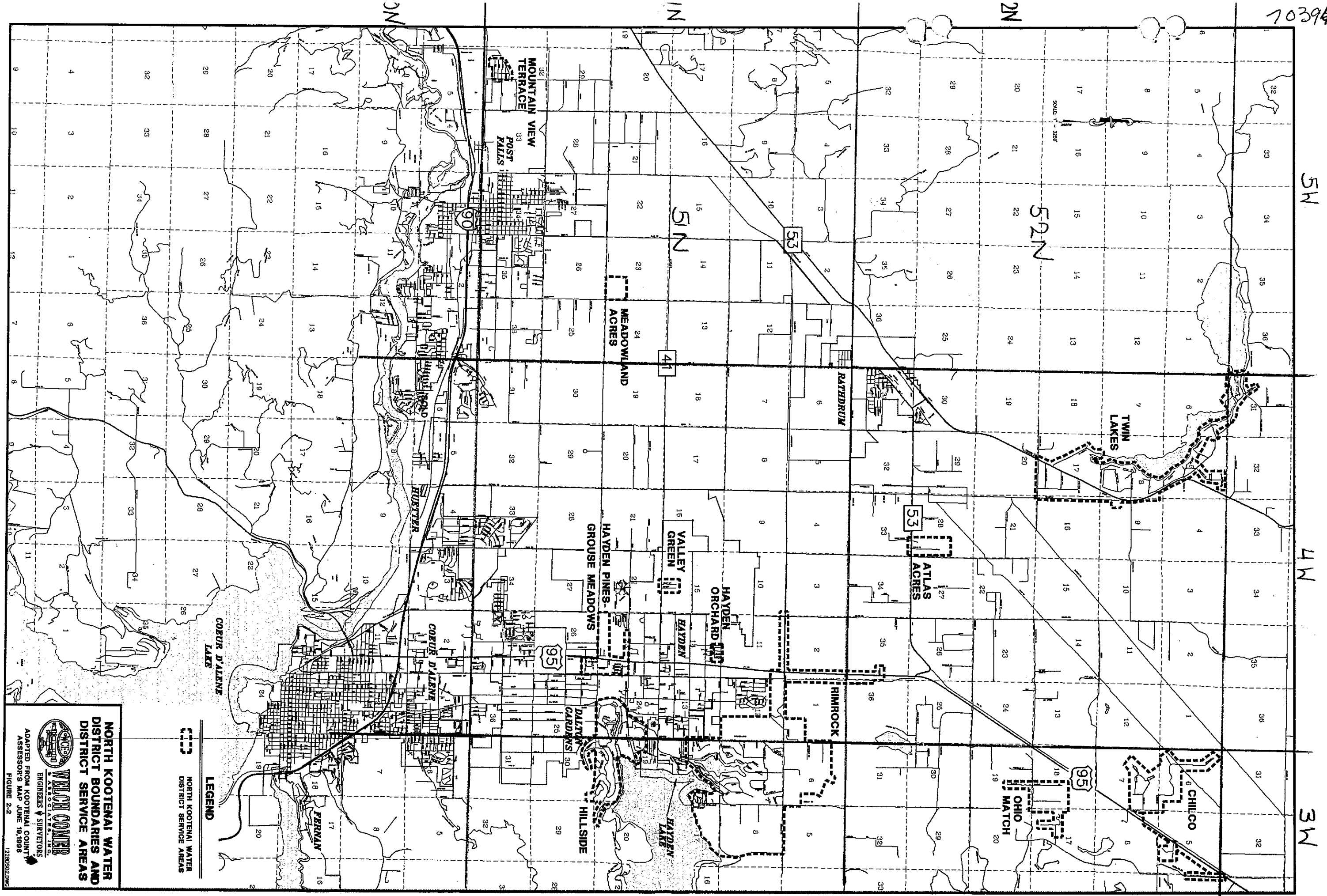
TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

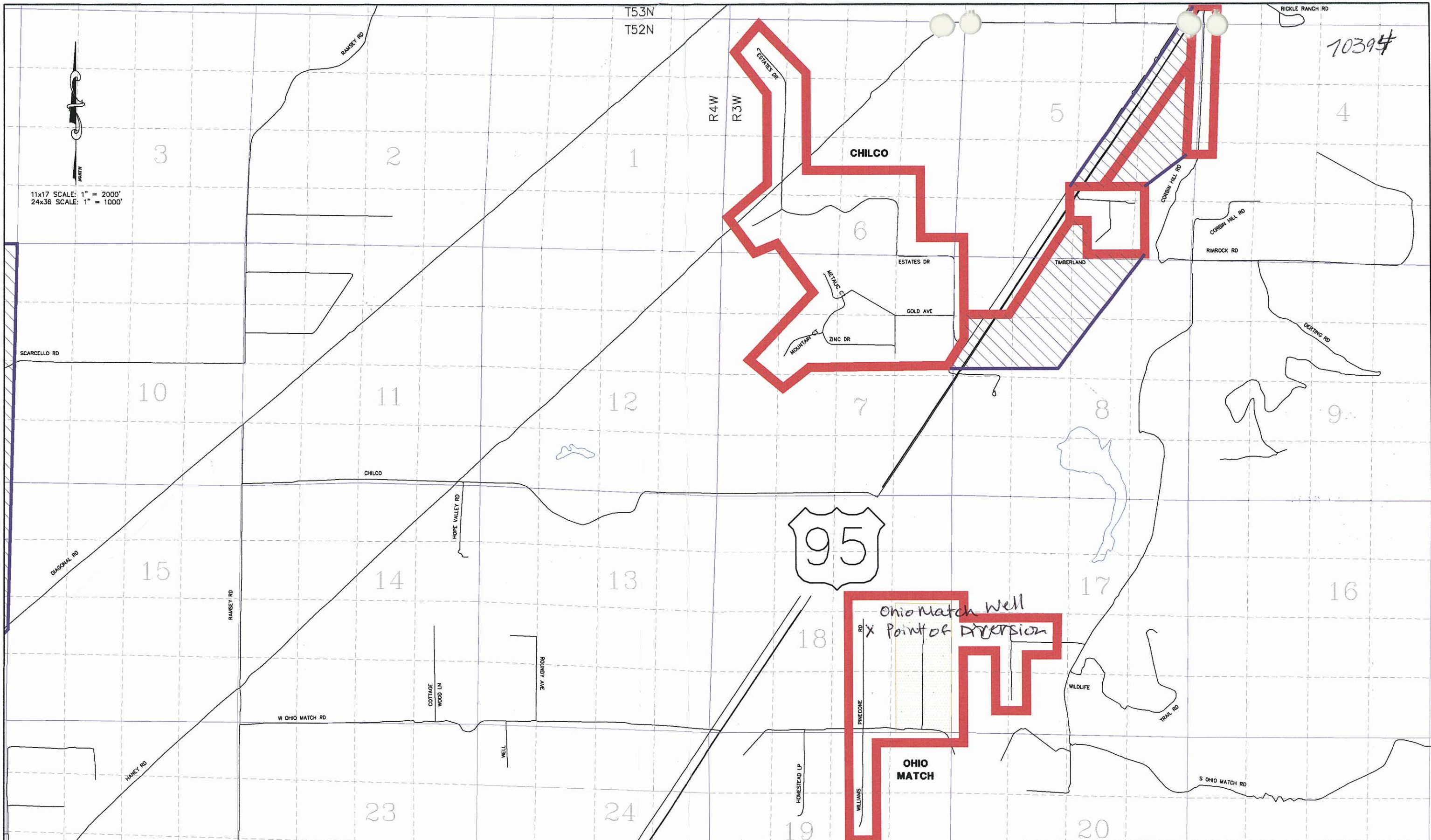
Total acres _____

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WELCH COMER
& ASSOCIATES, INC.
ENGINEERS & SURVEYORS
1626 Lincoln Way, Coeur d'Alene, Idaho 83814
Phone (208) 664-9382 Fax (208) 664-5946

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LINE IS ONE INCH
ON ORIGINAL DRAWING
IF NOT ONE INCH ON THIS SHEET,
ADJUST SCALES ACCORDINGLY

PROJECT NO.: 11228
DESIGNED BY: N.M.
DRAWN BY: J.A.L.
CHECKED BY:

NO.	DATE	REVISION DESCRIPTION	BY

NKWD

T52N, R3W

OHIO MATCH AND CHILCO

SERVICE AREAS

DWG NAME:
11228DS13.DWG
DATE:
08-13-02
SHEET NO:



Parcel 18

70394

Ohio
match

FIRST AMERICAN TITLE COMPANY
1044 NORTHWEST BOULEVARD
COEUR D'ALENE, IDAHO 83814
(208) 667-0567

NOVEMBER 23, 1998

WELCH COMER & ASSOCIATES
1626 LINCOLN WAY
COEUR D'ALENE, IDAHO 83814

ATTN: DOUGLAS BLACK

ORDER NO. 35818-B

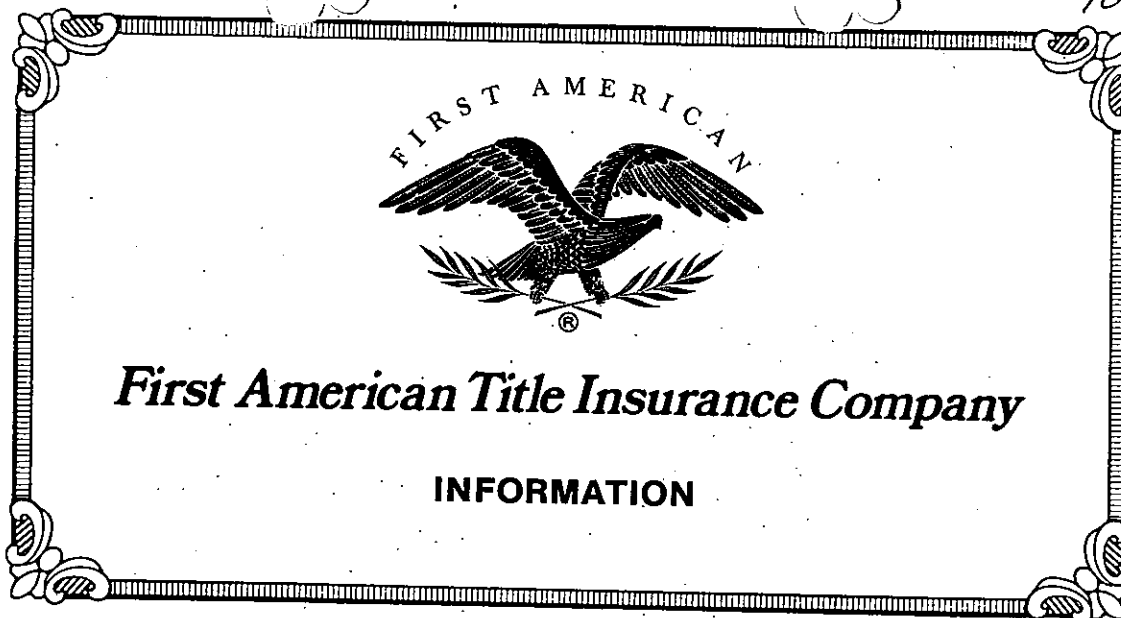
RE: NORTH KOOTENAI WATER
DISTRICT

COMMITMENT ENCLOSED.

THANK YOU FOR CHOOSING
FIRST AMERICAN TITLE!

SCANNED
FEB 05 2004

70394



The Title Insurance Commitment is a legal contract between you and the company. It is issued to show the basis on which we will issue a Title Insurance Policy to you. The Policy will insure you against certain risks to the land title, subject to the limitations shown in the Policy.

The Company will give you a sample of the Policy form, if you ask.

The Commitment is based on the land title as of the Commitment Date. Any changes in the land title or the transaction may affect the Commitment and the Policy.

The Commitment is subject to its Requirements, Exceptions and Conditions.

THIS INFORMATION IS NOT PART OF THE TITLE INSURANCE COMMITMENT.

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CONDITIONS	other side of 1

YOU SHOULD READ THE COMMITMENT VERY CAREFULLY.

If you have any questions about the Commitment, please contact the issuing office.

SCANNED
FEB 05 2004

COMMITMENT FOR TITLE INSURANCE

ISSUED BY

First American Title Insurance Company

AGREEMENT TO ISSUE POLICY

We agree to issue a policy to you according to the terms of this Commitment. When we show the policy amount and your name as the proposed insured in Schedule A, this Commitment becomes effective as of the Commitment Date shown in Schedule A.

If the Requirements shown in this Commitment have not been met within six months after the Commitment Date, our obligation under this Commitment will end. Also, our obligation under this Commitment will end when the Policy is issued and then our obligation to you will be under the Policy.

Our obligation under this Commitment is limited by the following:

- The Provisions in Schedule A.
- The Requirements in Schedule B-1.
- The Exceptions in Schedule B-2.
- The Conditions on the other side of this page 1.

This Commitment is not valid without SCHEDULE A and Sections 1 and 2 of SCHEDULE B.



First American Title Insurance Company

BY *Parker S. Kennedy* PRESIDENT

ATTEST *Mark R. Amerson* SECRETARY

BY *Rebecca Spencer* COUNTERSIGNED

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FEB 05 2004



SCHEDULE A

1. Commitment Date: October 9, 1998
at 8:00 a.m.

Commitment No. 35818-B

2. Policy or Policies to be issued:

Policy Amount Premium

(X) **Owners Policy**
(Form 1402.92, 10-17-92)
Proposed Insured:

\$TBD \$TBD

TO BE DETERMINED

() **Extended Coverage Loan Policy**
(Form 1056.92, 10-17-92)
Proposed Insured:

\$ \$

() **Endorsements:**

\$

() **Recordings:**

\$

() **Extra Chains:**

\$

3. FEE SIMPLE ESTATE in the land described in this Commitment is owned, at the Commitment Date, by:

CHARLES A. FORD AND JUNE FORD, HUSBAND AND WIFE

4. The Land referred to in this Commitment is located in Kootenai County, State of Idaho, and described as follows:

North 150 feet of the West 150 feet of the Northeast quarter of the Northwest quarter of the Southeast quarter, Section 18, Township 52 North, Range 3 West, B.M., Kootenai County, Idaho.

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FEB 05 2004



SCHEDULE A

1. Commitment Date: October 9, 1998
at 8:00 a.m. Commitment No. 35818-B
2. Policy or Policies to be issued:
- | | <u>Policy Amount</u> | <u>Premium</u> |
|---|----------------------|----------------|
| (X) Owners Policy
(Form 1402.92, 10-17-92)
<u>Proposed Insured:</u>

TO BE DETERMINED | <u>\$TBD</u> | <u>\$TBD</u> |
| () Extended Coverage Loan Policy
(Form 1056.92, 10-17-92)
<u>Proposed Insured:</u> | <u>\$</u> | <u>\$</u> |
| () Endorsements: | <u>\$</u> | |
| () Recordings: | <u>\$</u> | |
| () Extra Chains: | <u>\$</u> | |
3. FEE SIMPLE ESTATE in the land described in this Commitment is owned, at the Commitment Date, by:
- CHARLES A. FORD AND JUNE FORD, HUSBAND AND WIFE
4. The Land referred to in this Commitment is located in Kootenai County, State of Idaho, and described as follows:
- North 150 feet of the West 150 feet of the Northeast quarter of the Northwest quarter of the Southeast quarter, Section 18, Township 52 North, Range 3 West, B.M., Kootenai County, Idaho.



Form No. 1344 (1982)
ALTA Plain Language Commitment
ORDER NO. 35818

70394

SCHEDULE B - SECTION 1
Requirements

The following requirements must be met:

- (a) Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
- (b) Pay us the premiums, fees and charges for the policy.
- (c) Documents satisfactory to us creating the interest in the land and/or the mortgage to be insured must be signed, delivered and recorded.
- (d) You must tell us in writing the name of anyone not referred to in this Commitment who has an interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions.

For further information regarding this report please contact:

FIRST AMERICAN TITLE COMPANY
1044 NORTHWEST BOULEVARD
P.O. BOX 816
COEUR D'ALENE, IDAHO 83814

PHONE: (208) 667-0567
ESCROW DEPT. FAX: (208) 765-2050
TITLE DEPT. FAX: (208) 765-1376

TITLE OFFICER: Beverly Spencer

ESCROW OFFICER:

PLEASE ACCEPT OUR SINCERE THANKS FOR ALLOWING US TO BE OF SERVICE TO YOU. WE GREATLY APPRECIATE THE FACT THAT YOU HAVE CHOSEN TO DO BUSINESS WITH US; AND IN RETURN, WE PLEDGE OUR CONTINUING EFFORTS TO OFFER YOU THE BEST SERVICE POSSIBLE.

eh

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FEB 05 2004



SCHEDULE B - SECTION 2
Exceptions

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction.

PART 1:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. Unpatented mining claims: reservations or exceptions in patents or in acts authorizing the issuance thereof: water rights, claims, or title to water.
6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.

7. General taxes for the year 1998, a lien in the process of assessment not yet due or payable.

8. Reservations contained in Memorandum of Contract:

Recorded: July 22, 197

Instrument No.: 737576

9. Reservations contained in Memorandum of Contract:

Recorded: July 22, 1977

Instrument No.: 737577

10. Covenants, Conditions and Restrictions and Easements contained in Memorandum of Contract:

Instrument No.: 738087

but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).

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70394

SCHEDULE B - SECTION 2
EXCEPTIONS - continued

11. Reservations and Easements contained in Warranty Deed:

Recorded: May 23, 1978
Instrument No.: 768289

12. Easement:

Recorded: May 23, 1978
Instrument No.: 768290

13. Mortgage to secure an indebtedness in the principal sum of \$100,000.00, and any other amounts and/or obligations secured thereby:

Recorded: March 28, 1990
Instrument No.: 1177797
Mortgagor: Hayden Pines Water Co., Inc. an Idaho Corporation
Mortgagee: Market Investments, Inc., a Wyoming corporation

14. Covenants, Conditions and Restrictions and Easement:

Instrument No.: 741184
but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).

15. Electric Line - Right of Way Easement:

Granted to: Kootenai Electric Cooperative, Inc.:
Recorded: September 14, 1979
Instrument No.: 819226

16. The Effect of Quitclaim Deed:

Recorded: June 11, 1997
Instrument No.: 1493563

17. The Effect of Deed of Trust to secure an indebtedness in the principal sum of \$2,216,703.54, and any other amounts and/or obligations secured thereby:

Dated: May 19, 1997
Recorded: June 11, 1997
Instrument No.: 1493564
Grantor: Allied Water, Inc., an Idaho corporation
Trustee: Kootenai County Title Company, Inc.
Beneficiary: Hayden Pines Water Company, an Idaho corporation

18. The Effect of Financing Statement:

Recorded: June 16, 1997
Instrument No.: 1494043
Debtor: Allied Water, Inc., an Idaho Corporation
Secured Party: Hayden Pines Water Company, an Idaho corporation

19. Title to vest in the name of a person or persons to be submitted and when so vested will be subject to matters which may be disclosed by a search of the Records against the name of said person or persons.

END OF SCHEDULE "B" EXCEPTIONS

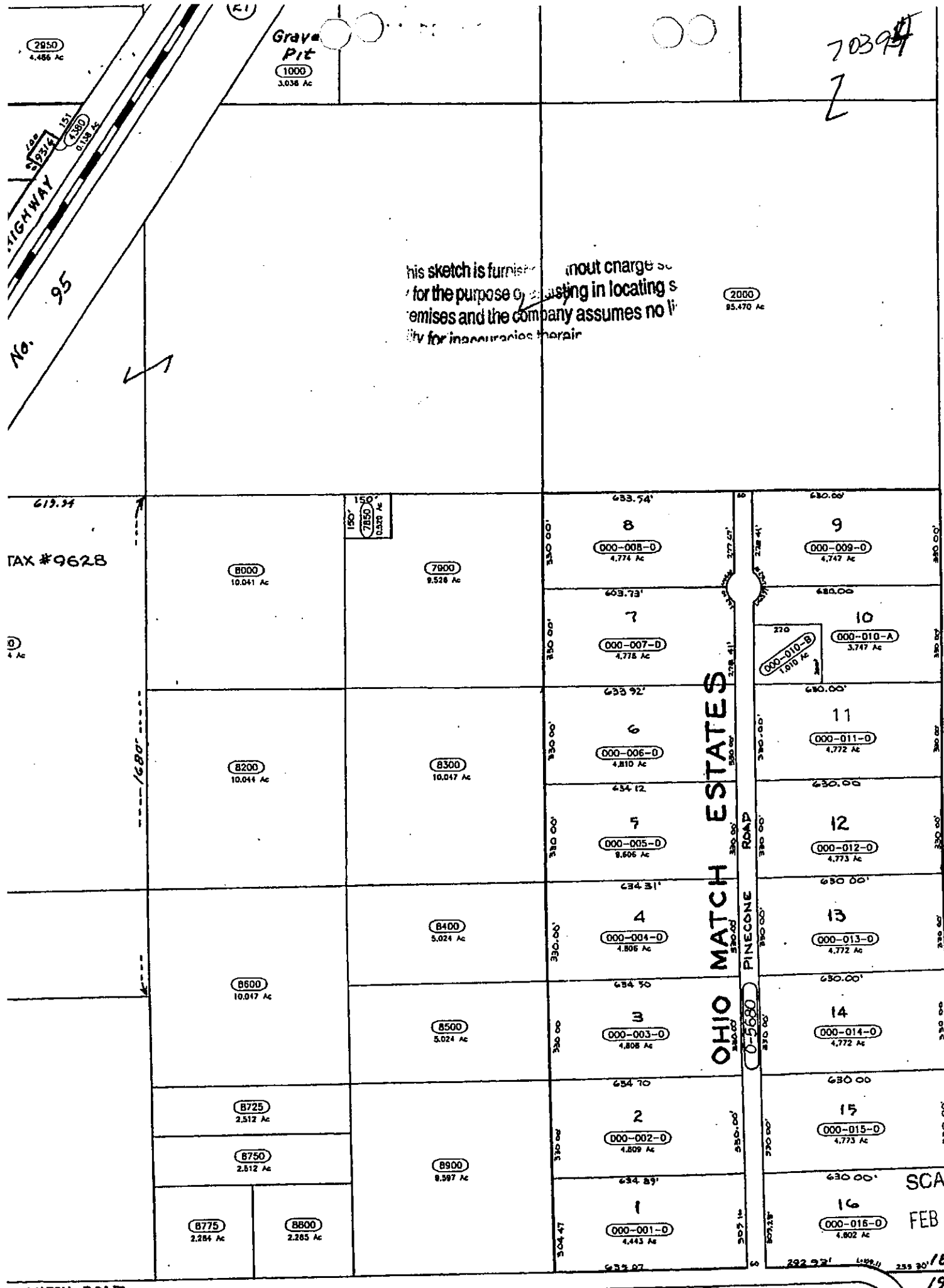
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FEB 05 2004



NOTES SECTION

1. There is no notice of record and therefore no search has been made for any unpaid assessments, charges or fees for sewer, water, garbage, irrigation, waste disposal fees, and other possible utility services.
2. If the proposed insured under the Policy to issue has any questions concerning the coverage or exclusions from coverage, the Company will be pleased to provide an explanation.
3. In the event that this transaction fails to close, a minimum fee of \$100.00 will be charged to comply with the State Insurance Code.
4. Liens and assessments of the following district and the rights and powers thereof as provided by law, for which we find no delinquencies of record:
District: Ohio Match Road Water District

SCANNED
FEB 05 2004



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his sketch is furnished without charge for the purpose of assisting in locating premises and the company assumes no liability for inaccuracies therein

TAX #9628

OHIO MATCH ESTATES

SCANNET
FEB 5 2017
18 17
19 20

RECORD OF REAL ESTATE OWNERSHIP - STATE OF IDAHO

70394

Company Hayden Pines Water Company
(Name)

Seller _____
(Name)

County Kootenai
(Name)

Date of Purchase _____

Tax Code Area Number _____ Company Map Number _____

Company Reference Name _____

Statement of Intended Use _____

FOR TAX COMMISSION USE	
T.C. Ref. No. <u>900</u>	
T.C. Ref. No. <u>28-04-115-6</u>	
CLASSIFICATION OF PROPERTY	
☒ Operating	☐ Non-operating

LEGAL DESCRIPTION OF PROPERTY: (Limit to single section per page where practical)

- 1) The North 208 feet of West 208' of that part of the NE $\frac{1}{4}$ of Section 11, Township 51 North. Range 4, WBM. Lying west of Highway 95. Kootenai County, Idaho. *LANCASTER*
- 2) Lot 3 Block 6; Point Hayden Sub-Division, Kootenai County, Idaho.
- 3) E 15' of lot 9, West 15' of lot 10, block 1; Hayden Orchards Sub-Division, Kootenai County, Idaho.
- 4) The N 150' of West 150' of that part of the W $\frac{1}{4}$ section 23; Township 51 N *Prairie commr.* Range 4; WBN, Kootenai County, Idaho.
- 5) Greenacres, Plat #10, Tax # 3320, Kootenai County, Idaho.
- 6) ~~Lots 1 & 2; Block 3; Mountain View Terrace, Kootenai County, Idaho. - Delete~~
- 7) North 150' of West 150' of NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 18; Kootenai *Ohio match* County; Idaho. Township 52 N; Range 3 WBN.
- 8) Lot 1 Block 1; West Hayden Estates; Kootenai County, Idaho.

REVISED
5-13-88

SCANNED
FEB 05 2004

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
 - a. Decree No. _____ Decreed to _____
 In case of _____ vs. _____
 dated _____ in _____ county of _____
 - b. License No. 95-8522 issued by the Idaho Department of Water Resources.
 - c. Claim No. _____ on file with the Idaho Department of Water Resources.
 - d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as Attachment A. Check appropriate box below:

☐ Tax Notice
 ☒ Warranty Deed
 ☐ Other: _____

3. Source of water Groundwater tributary to _____

4. Date of priority 8/20/1986

5. Water is used for the following purpose:

amount	.61 cfs	For	Irrigation	purposes from	3/15	to	11/15
(cfs/ac-ft)							
amount	.04	For	Commercial	purposes from	1/01	to	12/31
(cfs/ac-ft)							
amount	.61	For	Domestic	purposes from	1/01	to	12/31
(cfs/ac-ft)							
amount		For		purposes from		to	
(cfs/ac-ft)							

6. Total amount of water under right 0.610 cubic feet per second and/or 441.60 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		SE	SE	17	52N	4W	Kootenai	Rathdrum Aquifer

8. Lands irrigated or place of use:

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
52N	4W	5			M	M			M		M	M			M	M	M	M	
		6	M	M	M	M	M	M							M				
		8	M	M	M	M				M	M			M	M	M	M	M	
		17	M	M	M	M	M							M	M	M	M	M	
53N	5W	31									M	M	M	M			M	M	
		36																M	

Total acres N/A

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FEB 11 5 2004

Total acres N/A

9. Describe any other water rights used for the same purpose as described above The existing water right, No. 95-

8522, allows a diversion of 0.61 cfs. An application for new water right has been submitted to IDWR, to increase the existing water right to 0.80 cfs. A third well is located on this system in the SE1/4NE1/4 of section 6 T52N R4W.

An application for new water right has been submitted to IDWR for this well for 0.56 cfs.

The total proposed diversion capacity for the service area described above for these three wells shall not exceed 1.36 cfs.

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No _____ If yes, describe: _____

B. DESCRIPTION OF PORTION OF WATER RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

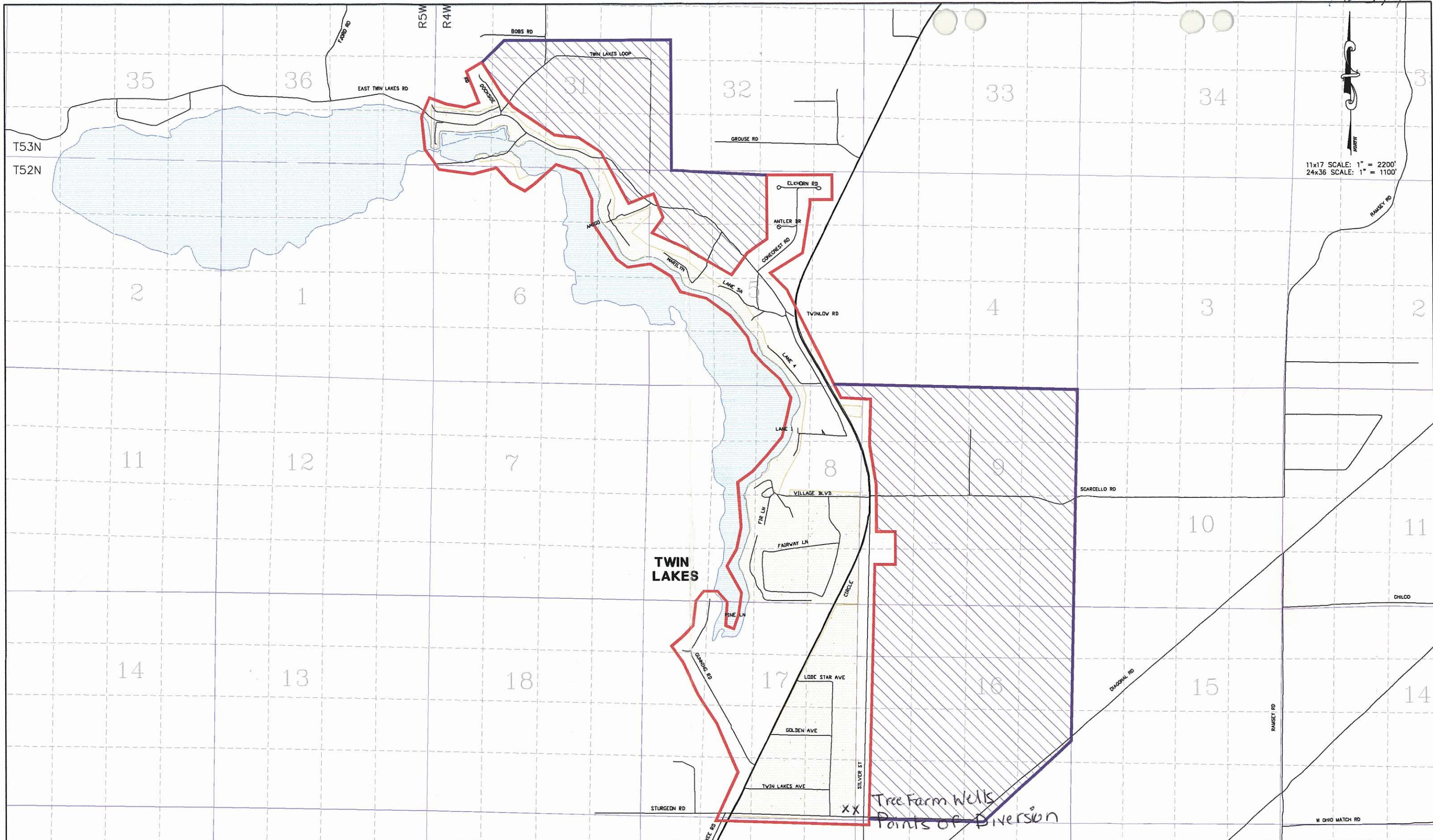
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FEB 5 2004

3. Lands irrigated or place of use:

TWP	RANGE	SEC.	NE ¼				NW ¼				SW ¼				SE ¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total acres _____

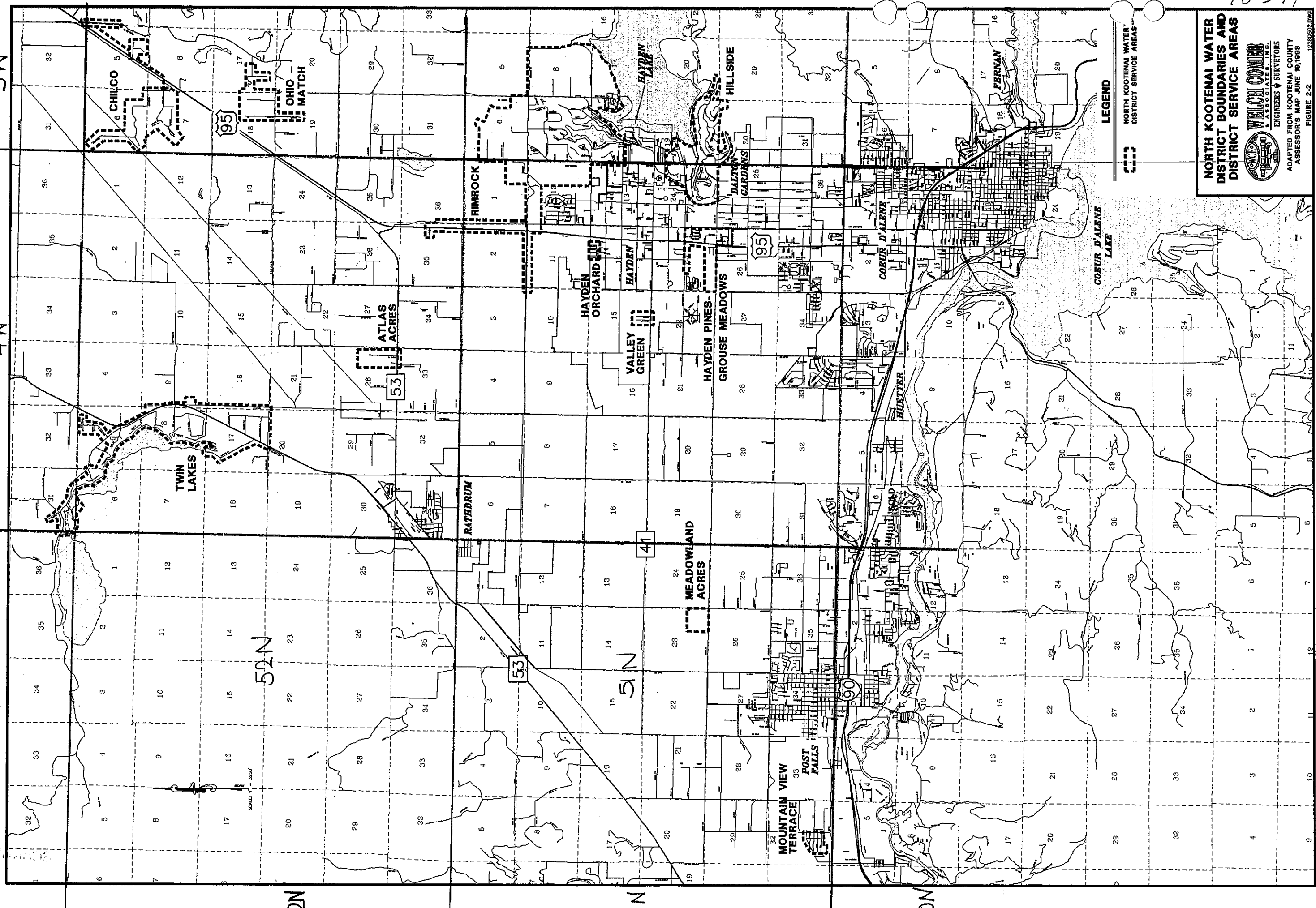


WELCH COMER & ASSOCIATES, INC. ENGINEERS & SURVEYORS 1826 Lincoln Way, Coeur d'Alene, Idaho 83814 Phone (208) 664-9382 Fax (208) 664-5946	THIS DOCUMENT, AND IDEAS AND DESIGNS INCORPORATED HEREIN, AS AN INSTRUMENT OF PROFESSIONAL SERVICE, IS THE PROPERTY OF WELCH, COMER & ASSOCIATES, INC., AND IS NOT TO BE USED IN WHOLE OR IN PART, FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF WELCH, COMER & ASSOCIATES. © 2002 WELCH, COMER & ASSOCIATES, INC.	LINE IS ONE INCH ON ORIGINAL DRAWING IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY PROJECT NO.: 11228 DESIGNED BY: N.M. DRAWN BY: J.A.L. CHECKED BY:	<table border="1"><thead><tr><th>NO.</th><th>DATE</th><th>REVISION DESCRIPTION</th><th>BY</th></tr></thead><tbody><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr></tbody></table>	NO.	DATE	REVISION DESCRIPTION	BY																	NKWD	TWIN LAKES SERVICE AREA	DWG NAME: 11228DS13.DWG
				NO.	DATE	REVISION DESCRIPTION	BY																			
T53N, R5W, 4W T52N, R4W	DATE: 08-13-02 SHEET NO:																									

5W

4W

3W





PARCEL 10

20394

Tree Farm

FIRST AMERICAN TITLE COMPANY
1044 NORTHWEST BOULEVARD
COEUR D'ALENE, IDAHO 83814
(208) 667-0567

NOVEMBER 12, 1998

WELCH COMER & ASSOCIATES
1626 LINCOLN WAY
COEUR D'ALENE, IDAHO 83814

ATTN: DOUGLAS BLACK

ORDER NO. 35810-B

RE: NORTH KOOTENAI WATER
DISTRICT

COMMITMENT ENCLOSED.

THANK YOU FOR CHOOSING
FIRST AMERICAN TITLE!

SCANNED
FEB 05 2004



70394

First American Title Insurance Company

INFORMATION

The Title Insurance Commitment is a legal contract between you and the company. It is issued to show the basis on which we will issue a Title Insurance Policy to you. The Policy will insure you against certain risks to the land title, subject to the limitations shown in the Policy.

The Company will give you a sample of the Policy form, if you ask.

The Commitment is based on the land title as of the Commitment Date. Any changes in the land title or the transaction may affect the Commitment and the Policy.

The Commitment is subject to its Requirements, Exceptions and Conditions.

THIS INFORMATION IS NOT PART OF THE TITLE INSURANCE COMMITMENT.

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CONDITIONS	other side of 1

YOU SHOULD READ THE COMMITMENT VERY CAREFULLY.

If you have any questions about the Commitment, please contact the issuing office.

SCANNED
FEB 05 2004

COMMITMENT FOR TITLE INSURANCE

ISSUED BY

First American Title Insurance Company

AGREEMENT TO ISSUE POLICY

We agree to issue a policy to you according to the terms of this Commitment. When we show the policy amount and your name as the proposed insured in Schedule A, this Commitment becomes effective as of the Commitment Date shown in Schedule A.

If the Requirements shown in this Commitment have not been met within six months after the Commitment Date, our obligation under this Commitment will end. Also, our obligation under this Commitment will end when the Policy is issued and then our obligation to you will be under the Policy.

Our obligation under this Commitment is limited by the following:

- The Provisions in Schedule A.
- The Requirements in Schedule B-1.
- The Exceptions in Schedule B-2.
- The Conditions on the other side of this page 1.

This Commitment is not valid without SCHEDULE A and Sections 1 and 2 of SCHEDULE B.

First American Title Insurance Company

BY *Parker S. Kennedy* PRESIDENT

ATTEST *Mark L. Amerson* SECRETARY

BY *Beverly Spencer* COUNTERSIGNED



SCANNED
FEB 05 2004



SCHEDULE A

1. Commitment Date: October 9, 1998
at 8:00 a.m.

Commitment No. 35810-B

2. Policy or Policies to be issued:

Policy Amount

Premium

(X) Owners Policy
(Form 1402.92, 10-17-92)
Proposed Insured:

\$TBD

\$TBD

TO BE DETERMINED

() Extended Coverage Loan Policy
(Form 1056.92, 10-17-92)
Proposed Insured:

\$

\$

() Endorsements:

\$

() Recordings:

\$

() Extra Chains:

\$

3. FEE SIMPLE ESTATE in the land described in this Commitment is owned, at the Commitment Date, by:

CHARLES A. FORD

4. The Land referred to in this Commitment is located in Kootenai County, State of Idaho, and described as follows:

Lot 6, Block 6, TWIN LAKES ESTATES, according to the Plat recorded in the office of the County Recorder in Book "F" of Plats at page 107, records of Kootenai County, State of Idaho,

SCANNED

FEB 05 2004



Form No. 1344-1 (1982)
ALTA Plain Language Commitment
ORDER NO. 35810

SCHEDULE B - SECTION 1
Requirements

The following requirements must be met:

- (a) Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
- (b) Pay us the premiums, fees and charges for the policy.
- (c) Documents satisfactory to us creating the interest in the land and/or the mortgage to be insured must be signed, delivered and recorded.
- (d) You must tell us in writing the name of anyone not referred to in this Commitment who has an interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions.

For further information regarding this report please contact:

FIRST AMERICAN TITLE COMPANY
1044 NORTHWEST BOULEVARD
P.O. BOX 816
COEUR D'ALENE, IDAHO 83814

PHONE: (208) 667-0567
ESCROW DEPT. FAX: (208) 765-2050
TITLE DEPT. FAX: (208) 765-1376

TITLE OFFICER: Beverly Spencer

ESCROW OFFICER:

PLEASE ACCEPT OUR SINCERE THANKS FOR ALLOWING US TO BE OF SERVICE TO YOU. WE GREATLY APPRECIATE THE FACT THAT YOU HAVE CHOSEN TO DO BUSINESS WITH US; AND IN RETURN, WE PLEDGE OUR CONTINUING EFFORTS TO OFFER YOU THE BEST SERVICE POSSIBLE.

eh

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FEB 05 2004



SCHEDULE B - SECTION 2
Exceptions

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction.

PART 1:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. Unpatented mining claims: reservations or exceptions in patents or in acts authorizing the issuance thereof: water rights, claims, or title to water.
6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.

7. General taxes for the year 1998, a lien in the process of assessment not yet due or payable.

8. Liens and assessments of the following district and the rights and powers thereof as provided by law, for which we find no delinquencies of record:

District: Lakes Highway District

9. Covenants, Conditions and Restrictions and Easements:

Instrument No.: 641545

but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).

10. Covenants, conditions, restrictions and easements contained in the recorded Plat of said subdivision, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).

SCANNED
FEB 05 2004



SCHEDULE B - SECTION 2
EXCEPTIONS - continued

11. Covenants, Conditions and Restrictions and Easements contained in Deed:

Recorded: May 3, 1976

Instrument No.: 698640

Book/page: Book 276 of Deeds, page 344

but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).

12. Mortgage to secure an indebtedness in the principal sum of \$100,000.00:

Dated: November 9, 1989

Recorded: November 27, 1989

Instrument No.: 1167743

Mortgagor: Hayden Pines Water Co., Inc., an Idaho Corporation

Mortgagee: Market Investments, Inc., a Wyoming corporation

13. The Effect of Quitclaim Deed:

Recorded: June 11, 1997

Instrument No.: 1493563

SCANNED
FEB 05 2004



SCHEDULE B - SECTION 2
EXCEPTIONS - continued

14. The Effect of Deed of Trust to secure an indebtedness in the principal sum of \$2,216,703.54, and any other amounts and/or obligations secured thereby:

Dated: May 19, 1997
Recorded: June 11, 1997
Instrument No.: 1493564
Grantor: Allied Water, Inc., an Idaho corporation
Trustee: Kootenai County Title Company, Inc.
Beneficiary: Hayden Pines Water Company, an Idaho corporation

15. The Effect of Financing Statement:

Recorded: June 16, 1997
Instrument No.: 1494043
Debtor: Allied Water, Inc., an Idaho Corporation
Secured Party: Hayden Pines Water Company, an Idaho corporation

16. Title to vest in the name of a person or persons to be submitted and when so vested will be subject to matters which may be disclosed by a search of the Records against the name of said person or persons.

17. Question of marital status of party herein named on date of acquiring title. If then joining in execution of forthcoming Instrument, recital therein of the fact will be sufficient; otherwise, present ownership of the community interest of spouse on said date must be determined:

Party: Charles A. Ford

END OF SCHEDULE "B" EXCEPTIONS

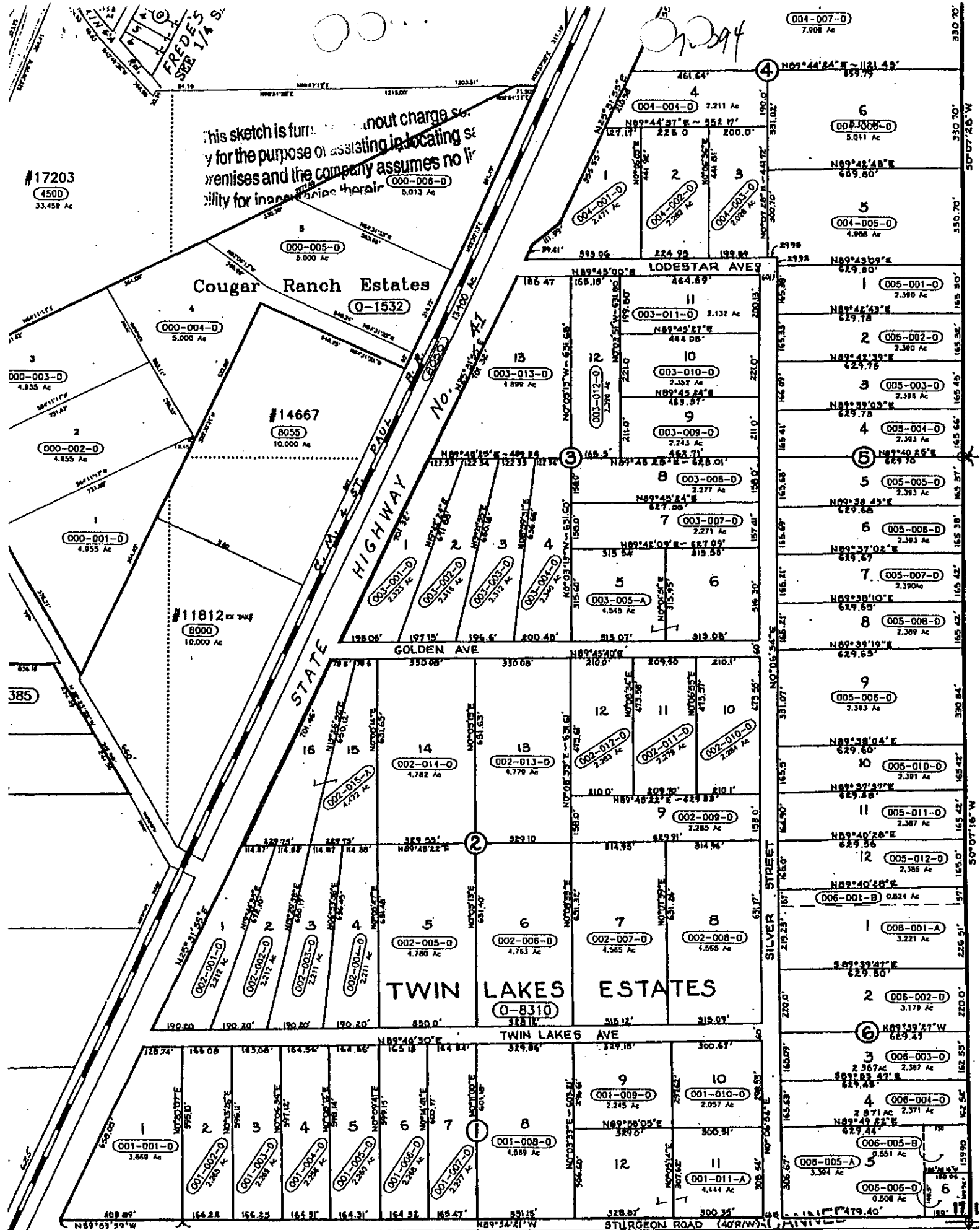
NOTES SECTION

1. There is no notice of record and therefore no search has been made for any unpaid assessments, charges or fees for sewer, water, garbage, irrigation, waste disposal fees, and other possible utility services.

2. If the proposed insured under the Policy to issue has any questions concerning the coverage or exclusions from coverage, the Company will be pleased to provide an explanation.

3. In the event that this transaction fails to close, a minimum fee of \$100.00 will be charged to comply with the State Insurance Code.

SCANNED
FEB 05 2004



This sketch is furnished without charge solely for the purpose of assisting in locating premises and the company assumes no liability for inaccuracies therein.

Cougar Ranch Estates

0-1532

STATE HIGHWAY

PAUL

GOLDEN AVE

TWIN LAKES ESTATES

TWIN LAKES AVE

STURGEON ROAD

SILVER STREET

001-001-D

001-002-D

001-003-D

001-004-D

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RECORD OF REAL ESTATE OWNERSHIP — STATE OF IDAHO

70394

Buyer/Owner Hayden Pines Water Co.
(Name)

Seller John Fairchild III
(Name)

County Kootenai County
(Name)

Section 17 Township 52 Range 4 WBM

Date of Purchase July 6, 1987

Company Reference Name _____

Statement of Intended Use Well Site - Twin Lakes
☐ Operating ☐ Non-operating

What Balance Sheet Account is this Property Placed in or Transferred to? _____

FOR TAX COMMISSION USE

T.C. Ref. No. TC-28-04-115-12

CLASSIFICATION OF PROPERTY

☒ Operating ☐ Non-operating

LEGAL DESCRIPTION OF PROPERTY: (Limit to single parcel per page where practical)

See Attached Description

RECEIVED

DEC 11 1987

STATE TAX COMMISSIONED
OPERATING PROPERTY
BUREAU FEB 05 2004

1091403

70394

QUITCLAIM DEED

FOR VALUE RECEIVED, JOHN DOUGLAS FAIRCHILD, III.,
does hereby convey, release, remise and QuitClaim unto
HAYDEN PINES WATER COMPANY, a division of IDAHO CONTRACTORS,
INC., whose address is 8601 W. Hayden Pines, Hayden Lake, ID
83835, the following described premises, to wit:

A portion of Lot 5, Block 6 of Twin Lakes
Estates located in the SE 1/4 SE 1/4
Section 17, T52N, R4W B.M., as recorded
in Book F, Pages 107 and 107A, Kootenai
County, Idaho and further described as
being the East 150 feet of said Lot 5,
laying North of and adjoining Lot 6,
Block 6 of said Twin Lakes Estates.

Contains 0.55 Acres more or less.

together with their appurtenances.

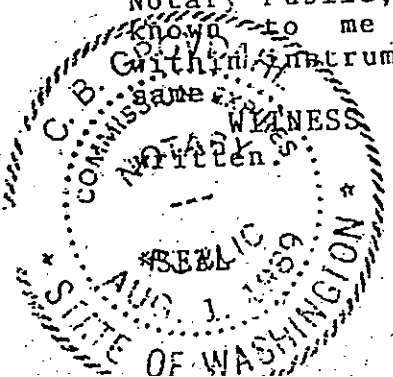
DATED this 6 day of ^{July} ~~June~~, 1987.

John Douglas Fairchild III
JOHN DOUGLAS FAIRCHILD, III

STATE OF WASHINGTON)
County of ISLAND) ss.
~~Kootenai~~

On this 6th day of July, 1987, before me, the undersigned
Notary Public, personally appeared JOHN DOUGLAS FAIRCHILD, III,
known to me to be the person whose name is subscribed to the
within instrument, and acknowledged to me that he executed the
same.

my hand and seal the day and year first above



RECEIVED

JUL 11 1987

STATE TAX COMMISSION

STATE OF IDAHO
COUNTY OF KOOTENAI
AT THE REQUEST OF Norman
Gravel
By Norman Gravel
Notary
JUL 28 1987
Fee \$ 3.00
P.O. # 588
C. B. Grandade

C. B. Grandade
NOTARY PUBLIC FOR IDAHO WASH.
Residing Oak Harbor
Commission expires 8-1-89

quitclaim deed
FEB 05 2004



PARCEL 15

70394

FIRST AMERICAN TITLE COMPANY
1044 NORTHWEST BOULEVARD
COEUR D'ALENE, IDAHO 83814
(208) 667-0567

NOVEMBER 25, 1998

WELCH COMER & ASSOCIATES
1626 LINCOLN WAY
COEUR D'ALENE, IDAHO 83814

ATTN: DOUGLAS BLACK

ORDER NO. 35815-B

RE: NORTH KOOTENAI WATER
DISTRICT

COMMITMENT ENCLOSED.

THANK YOU FOR CHOOSING
FIRST AMERICAN TITLE!

SCANNED
FEB 05 2004



First American Title Insurance Company

INFORMATION

The Title Insurance Commitment is a legal contract between you and the company. It is issued to show the basis on which we will issue a Title Insurance Policy to you. The Policy will insure you against certain risks to the land title, subject to the limitations shown in the Policy.

The Company will give you a sample of the Policy form, if you ask.

The Commitment is based on the land title as of the Commitment Date. Any changes in the land title or the transaction may affect the Commitment and the Policy.

The Commitment is subject to its Requirements, Exceptions and Conditions.

THIS INFORMATION IS NOT PART OF THE TITLE INSURANCE COMMITMENT.

TABLE OF CONTENTS

	Page
AGREEMENT TO ISSUE POLICY	1
SCHEDULE A	
1. Commitment Date	2
2. Policies to be Issued, Amounts and Proposed Insureds	2
3. Interest in the Land and Owner	2
4. Description of the Land	2
SCHEDULE B-1 — Requirements	3
SCHEDULE B-2 — Exceptions	4
CONDITIONS	other side of 1

YOU SHOULD READ THE COMMITMENT VERY CAREFULLY.

If you have any questions about the Commitment, please contact the issuing office.

SCANNED
FEB 05 2004

70394

COMMITMENT FOR TITLE INSURANCE

ISSUED BY

First American Title Insurance Company

AGREEMENT TO ISSUE POLICY

We agree to issue a policy to you according to the terms of this Commitment. When we show the policy amount and your name as the proposed insured in Schedule A, this Commitment becomes effective as of the Commitment Date shown in Schedule A.

If the Requirements shown in this Commitment have not been met within six months after the Commitment Date, our obligation under this Commitment will end. Also, our obligation under this Commitment will end when the Policy is issued and then our obligation to you will be under the Policy.

Our obligation under this Commitment is limited by the following:

The Provisions in Schedule A.

The Requirements in Schedule B-1.

The Exceptions in Schedule B-2.

The Conditions on the other side of this page 1.

This Commitment is not valid without SCHEDULE A and Sections 1 and 2 of SCHEDULE B.



First American Title Insurance Company

BY *Parker S. Kennedy* PRESIDENT

ATTEST *Mark R. Amerson* SECRETARY

BY *Revelly Spencer* COUNTERSIGNED

SCANNED
FEB 15 2004



SCHEDULE A

1. Commitment Date: October 9, 1998
at 8:00 a.m.

Commitment No. 35815-B

2. Policy or Policies to be issued:

Policy Amount

Premium

(X) **Owners Policy**
(Form 1402.92, 10-17-92)
Proposed Insured:

\$TBD

\$TBD

TO BE DETERMINED

() **Extended Coverage Loan Policy**
(Form 1056.92, 10-17-92)
Proposed Insured:

\$

\$

() **Endorsements:**

\$

() **Recordings:**

\$

() **Extra Chains:**

\$

3. FEE SIMPLE ESTATE in the land described in this Commitment is owned, at the Commitment Date, by:

HAYDEN PINES WATER COMPANY

4. The Land referred to in this Commitment is located in Kootenai County, State of Idaho, and described as follows:

SEE ATTACHED EXHIBIT "A"

SCANNED
FEB 11 5 2004



70394
ORDER NO. 35815

EXHIBIT "A"

That portion of Tract 89 and the North half of Tract 96, SPOKANE VALLEY COMMERCIAL ORCHARD TRACTS, according to the plat recorded in Book "C" at Plats at pages 120 and 121.

LESS AND EXCEPT any portion lying within the plat of ABBOTT DELLS, according to the plat recorded in Book "F" of Plats at pages 246 and 246A, records of Kootenai County, State of Idaho.

LESS AND EXCEPT All that property encompassed by a 55 foot radius circle whose radius point lies South $0^{\circ}33'51''$ West 1,999.54 feet; thence

South $89^{\circ}26'9''$ East, 31.32 feet from the Northwest corner of Section 8, Township 52 North, Range 3 West, Boise Meridian, all lying within the Northeast quarter of Section 7, Township 52 North, Range 3 West, Boise Meridian, and the Northwest quarter, Section 8, Township 52 North, Range 3 West, Boise Meridian, records of Kootenai County, Idaho.

SCANNED
FEB 11 5 2004



Form No. 1342B (1982) 70394
ALTA Plain Language Commitment
ORDER NO. 35815

**SCHEDULE B - SECTION 1
Requirements**

The following requirements must be met:

- (a) Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
- (b) Pay us the premiums, fees and charges for the policy.
- (c) Documents satisfactory to us creating the interest in the land and/or the mortgage to be insured must be signed, delivered and recorded.
- (d) You must tell us in writing the name of anyone not referred to in this Commitment who has an interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions.
- (e) We require proof that Hayden Pines Water Company is a legal entity capable of holding title.

For further information regarding this report please contact:

FIRST AMERICAN TITLE COMPANY
1044 NORTHWEST BOULEVARD
P.O. BOX 816
COEUR D'ALENE, IDAHO 83814

PHONE: (208) 667-0567
ESCROW DEPT. FAX: (208) 765-2050
TITLE DEPT. FAX: (208) 765-1376

TITLE OFFICER: Beverly Spencer

ESCROW OFFICER:

PLEASE ACCEPT OUR SINCERE THANKS FOR ALLOWING US TO BE OF SERVICE TO YOU. WE GREATLY APPRECIATE THE FACT THAT YOU HAVE CHOSEN TO DO BUSINESS WITH US; AND IN RETURN, WE PLEDGE OUR CONTINUING EFFORTS TO OFFER YOU THE BEST SERVICE POSSIBLE.

eh

SCANNED
FEB 05 2004



SCHEDULE B - SECTION 2
Exceptions

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction.

PART 1:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. Unpatented mining claims: reservations or exceptions in patents or in acts authorizing the issuance thereof: water rights, claims, or title to water.
6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.

7. General taxes for the year 1998, a lien in the process of assessment not yet due or payable.

8. Easement:

Granted to: Hunt Brothers Construction, Inc., an Idaho Corporation
Recorded: June 19, 1978
Instrument No.: 771051

Amendment to said Easement:

Recorded: August 7, 1979
Instrument No.: 776355

9. Easement:

Granted to: Delbert V. Abbott, a single man
Recorded: June 19, 1978
Instrument No.: 771052

Amendment to said Easement:

Recorded: August 2, 1979
Instrument No.: 776354

SCANNED
FEB 11 5 2004



SCHEDULE B - SECTION 2
EXCEPTIONS - continued

10. Easement:

Granted to: Hunt Brothers Construction, Inc., an Idaho Corporation
Recorded: August 2, 1979
Instrument No.: 776357

11. Electric Line - Right of Way Easement:

Granted to: Kootenai Electric Cooperative, Inc.:
Recorded: May 4, 1979
Instrument No.: 804354

12. Easement:

Granted to: Lakes Highway District
Recorded: December 7, 1979
Instrument No.: 827988

13. Matters as shown on survey:

Recorded: June 29, 1972
Instrument No.: 810651

14. Matters as shown on survey:

Recorded: September 13, 1979
Instrument No.: 818993

15. Easement:

Granted to: The Port Blakely Hill Company, a Washington corporation
Recorded: August 2, 1979
Instrument No.: 776356

Said easement was assigned to The Port Blakely Mill Company Land Partnership, December 20, 1985 as Instrument No. 1030951.

Said easement was assigned to Port Blakely Tree Farms, a limited partnership, recorded November 21, 1988 as Instrument No. 1134678.

16. Effect of terms, covenants, conditions and provisions contained in the By-Laws and/or Articles of Incorporation of the hereafter named association

Association: Chilco Estates Road Owners Association, Inc.
Recorded: June 4, 1978
Instrument No.: 807662

17. Electric Line - Right of Way Easement:

Granted to: Kootenai Electric Cooperative, Inc.:
Recorded: June 9, 1980
Instrument No.: 843889

18. Liens and assessments of the following association and the rights and powers thereof as provided by law, for which we find no delinquencies of record:

Association: Hayden Pines Water Company



SCHEDULE B - SECTION 2
EXCEPTIONS - continued

19. Lack of a right of access to and from said land.

20. The Effect of Quitclaim Deed:

Recorded: June 11, 1997
Instrument No.: 1493563

21. The Effect of Deed of Trust to secure an indebtedness in the principal sum of \$2,216,703.54, and any other amounts and/or obligations secured thereby:

Dated: May 19, 1997
Recorded: June 11, 1997
Instrument No.: 1493564
Grantor: Allied Water, Inc., an Idaho corporation
Trustee: Kootenai County Title Company, Inc.
Beneficiary: Hayden Pines Water Company, an Idaho corporation

22. The Effect of Financing Statement:

Recorded: June 16, 1997
Instrument No.: 1494043
Debtor: Allied Water, Inc., an Idaho Corporation
Secured Party: Hayden Pines Water Company, an Idaho corporation

23. The effect of Quitclaim Deed:

Recorded: November 20, 1997
Instrument No.: 1514259

24. Title to vest in the name of a person or persons to be submitted and when so vested will be subject to matters which may be disclosed by a search of the Records against the name of said person or persons.

25. Question of marital status of party herein named on date of acquiring title. If then joining in execution of forthcoming Instrument, recital therein of the fact will be sufficient; otherwise, present ownership of the community interest of spouse on said date must be determined:

Party: Charles A. Ford

END OF SCHEDULE "B" EXCEPTIONS

NOTES SECTION

1. There is no notice of record and therefore no search has been made for any unpaid assessments, charges or fees for sewer, water, garbage, irrigation, waste disposal fees, and other possible utility services.

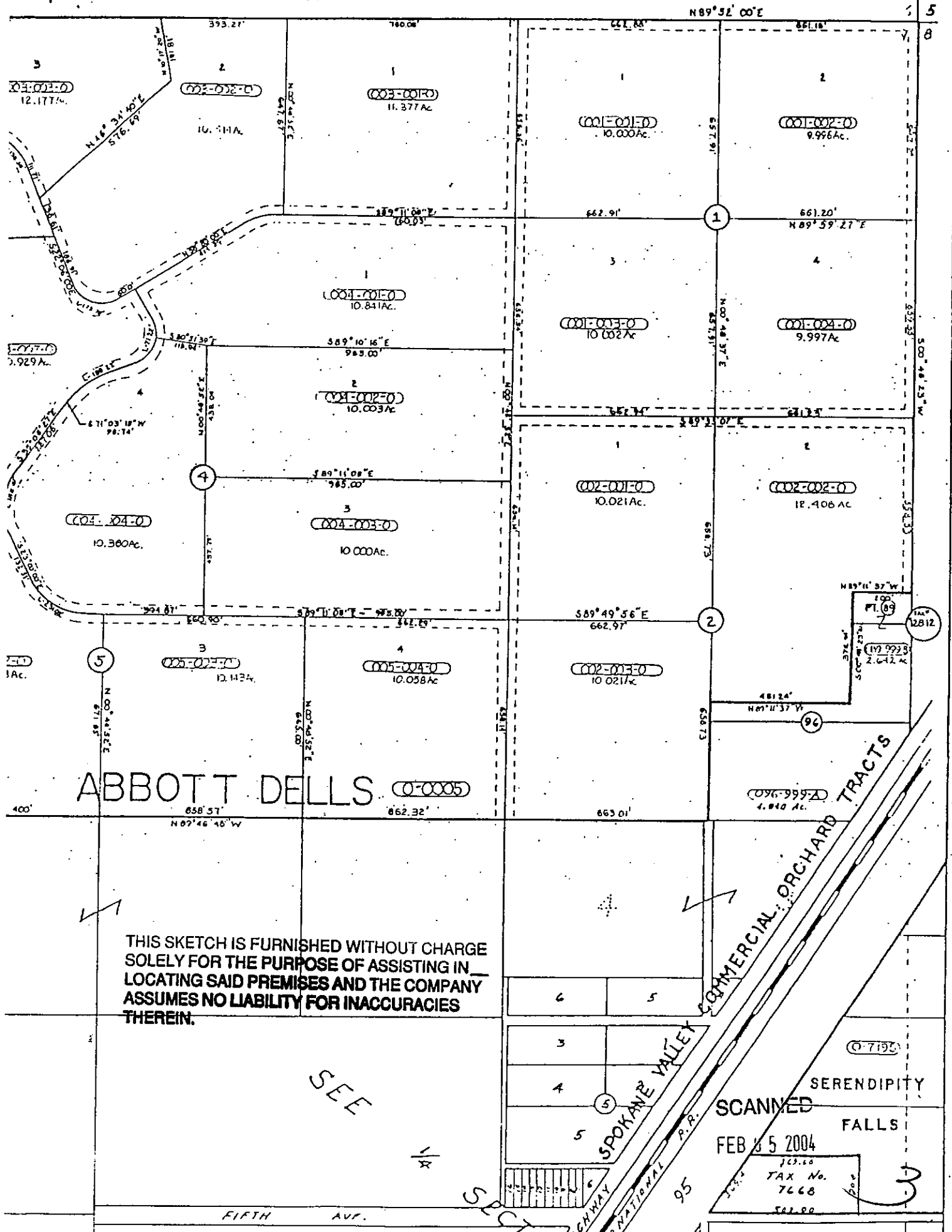
2. If the proposed insured under the Policy to issue has any questions concerning the coverage or exclusions from coverage, the Company will be pleased to provide an explanation.

3. In the event that this transaction fails to close, a minimum fee of \$100.00 will be charged to comply with the State Insurance Code.

SCANNED

FEB 05 2004

2039C





PARCEL 16

70394
Child
well
#2

FIRST AMERICAN TITLE COMPANY
1044 NORTHWEST BOULEVARD
COEUR D'ALENE, IDAHO 83814
(208) 667-0567

NOVEMBER 17, 1998

WELCH COMER & ASSOC
1626 LINCOLN WAY
COEUR D'ALENE, IDAHO 83814

ATTN: DOUGLAS BLACK

ORDER NO. 35816-B

RE: NORTH KOOTENAI WATER
DISTRICT

COMMITMENT ENCLOSED.

THANK YOU FOR CHOOSING
FIRST AMERICAN TITLE!

SCANNED
FEB 05 2004

COMMITMENT FOR TITLE INSURANCE

ISSUED BY

First American Title Insurance Company

AGREEMENT TO ISSUE POLICY

We agree to issue a policy to you according to the terms of this Commitment. When we show the policy amount and your name as the proposed insured in Schedule A, this Commitment becomes effective as of the Commitment Date shown in Schedule A.

If the Requirements shown in this Commitment have not been met within six months after the Commitment Date, our obligation under this Commitment will end. Also, our obligation under this Commitment will end when the Policy is issued and then our obligation to you will be under the Policy.

Our obligation under this Commitment is limited by the following:

The Provisions in Schedule A.

The Requirements in Schedule B-1.

The Exceptions in Schedule B-2.

The Conditions on the other side of this page 1.

This Commitment is not valid without SCHEDULE A and Sections 1 and 2 of SCHEDULE B.



First American Title Insurance Company

BY *Parker S. Kennedy* PRESIDENT

ATTEST *Mark A. Amerson* SECRETARY

BY *Beverly Spencer* COUNTERSIGNED

SCANNED
FEB 05 2004

PART 1

6. General Information:

- a. Description of diversion system Refer to Tables 1 and 2
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ☐ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
This change will not affect existing water uses. The water users on this system are primarily classified as rural residential users.
- d. Remarks:
The amount of groundwater withdrawn shall never exceed the pumps' capacity. The water system utilizes storage tanks to reduce and control the operation time of the wells.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 2002.

SCANNED
FEB 05 2004

North Kootenai Water District
Applications for New Water Rights

RECEIVED

MAR 12 2003

IDWR/North

Table 1:

North Kootenai Water District Points of Diversion and Description of Diversion Works

Well	Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion	Description of Diversion Works
Ohio Match			NW	SE	18	52N	3W	Kootenai	Rathdrum Aquifer	6" Well with 52 gpm Submersible Pump and Motor
Finucane			NW	SW	24	51N	4W	Kootenai	Rathdrum Aquifer	16" Well with 460 gpm Deep Well Turbine Pump and 75 HP Motor
Hayden Well ¹			NE	SE	23	51N	4W	Kootenai	Rathdrum Aquifer	16" Well with 1100 gpm Deep Well Turbine Pump and 200 HP Motor
Hayden Pines			NE	SE	23	51N	4W	Kootenai	Rathdrum Aquifer	8" Well with 40 gpm Submersible Pump and 30HP Motor
GTE 1			SE	SW	23	51N	4W	Kootenai	Rathdrum Aquifer	16" Well with 500 gpm Submersible Pump and 50HP Motor
GTE 2			SW	SE	23	51N	4W	Kootenai	Rathdrum Aquifer	10" Well with 250 gpm Submersible Pump and 30HP Motor
Tree Farm			SE	SE	17	52N	4W	Kootenai	Rathdrum Aquifer	8" Well with 170 gpm Submersible Well Pump and Motor
Tree Farm			SE	SE	17	52N	4W	Kootenai	Rathdrum Aquifer	10" Well with 170 gpm Submersible Well Pump and Motor
Echo Beach	1		SE	NE	6	52N	4W	Kootenai	Rathdrum Aquifer	8" Well with 230 gpm Submersible Well Pump and Motor
Rimrock		NW	NW	NE	11	51N	4W	Kootenai	Rathdrum Aquifer	16" Well with 1100 gpm Well and 200 HP Motor
Rimrock			NW	NE	11	51N	4W	Kootenai	Rathdrum Aquifer	10" Well with 400 gpm Pump and Motor
Rimrock		SE	SW	SW	2	51N	4W	Kootenai	Rathdrum Aquifer	16" Well with 980 gpm Pump and 200 HP Motor
Hayden Orchard			NW	NE	14	51N	4W	Kootenai	Rathdrum Aquifer	8" Well with Pump and 15 HP Motor
Chilco			SE	NE	7	52N	3W	Kootenai	Rathdrum Aquifer	12" well with 250 gpm Pump and 10 HP Motor
Chilco			SW	NW	8	52N	3W	Kootenai	Rathdrum Aquifer	10" well with 300 gpm Submersible Pump and 10 HP Motor
Atlas			NE	SE	28	52N	4W	Kootenai	Rathdrum Aquifer	8" Well with 58 gpm Pump and 10 HP Motor
Mt View			NE	SW	32	51N	5W	Kootenai	Rathdrum Aquifer	6" Well with 92 gpm Submersible Pump and 7.5 HP Motor.
Mt View			SE	SW	32	51N	5W	Kootenai	Rathdrum Aquifer	10" Well with 425 gpm Deep Well Turbine Pump and 50 HP Motor.
Meadowland Acres			SE	SE	23	51N	5W	Kootenai	Rathdrum Aquifer	260 gpm Submersible Pump and Motor
Valley Green	7		SW	SE	15	51N	4W	Kootenai	Rathdrum Aquifer	8" Well with 75 gpm Pump and 10 HP Motor

1. This well is owned by Honeysuckle Hills. Honeysuckle Hills and NKWD have an agreement allowing NKWD to utilize 60% of the current pumping capacity for municipal use to serve its customers.

SCANNED

FEB 15 2004

3/12/2003

North Kootenai Water District
Applications for New Water Rights

RECEIVED

MAR 12 2003

IDWR/North

Table 2

North Kootenai Water District Points of Diversion and Description of Diversion Works

Well	Description of Diversion Works	Date Drilled	Drilling Firm	Drilling Permit
Ohio Match	6" Well with 52 gpm Submersible Pump and Motor	Jul-76	Associated Well Drillers	95-76-N-91
Finucane	16" Well with 460 gpm Deep Well Turbine Pump and 75 HP Motor	No Well Log		
Hayden Well ¹	16" Well with 1100 gpm Deep Well Turbine Pump and 200 HP Motor	Oct-77	EA Holman Drilling Co.	95-77-N-112
Hayden Pines	8" Well with 40 gpm Submersible Pump and 30HP Motor	Jul-71	EA Holman Drilling Co.	95-71-N-62
GTE 1	16" Well with 500 gpm Submersible Pump and 50HP Motor	Dec-77	EA Holman Drilling Co.	95-77-N-111
GTE 2	10" Well with 250 gpm Submersible Pump and 30HP Motor	No Well Log		
Tree Farm	8" Well with 170 gpm Submersible Well Pump and Motor	Feb-75	Carmon Development	95-75-N-80
Tree Farm	10" Well with 170 gpm Submersible Well Pump and Motor	Dec-85	EA Holman Drilling Co.	95-85-N-78
Echo Beach	8" Well with 230 gpm Submersible Well Pump and Motor	Not Dated	EA Holman Drilling Co.	95-64-N-3
Rimrock	16" Well with 1150 gpm Well and 200 HP Motor	Jun-80	Holmak Drilling Company	95-80-N-29
Rimrock	10" Well with 400 gpm Pump and Motor	Jun-90	H2O Well Service	95-90-N-17
Rimrock	16" Well with 980 gpm Pump and 200 HP Motor	Jun-02	Holt Drilling Inc.	7-76-57-8
Hayden Orchard	8" Well with Pump and 15 HP Motor	Jul-77	EA Holman Drilling Co.	95-77-N-77
Chilco	12" well with 250 gpm Pump and 10 HP Motor	Apr-78	EA Holman Drilling Co.	95-78-N-31
Chilco	10" well with 300 gpm Submersible Pump and 10 HP Motor	Nov-94	H2O Well Service	95-94-N-0257
Atlas	8" Well with 58 gpm Pump and 10 HP Motor	Jun-78	EA Holman Drilling Co.	95-78-N-46
Mt View	6" Well with 92 gpm Submersible Pump and 7.5 HP Motor.	Pre 1936 (No Well Log)		
Mt View	10" Well with 425 gpm Deep Well Turbine Pump and 50 HP Motor.	Pre 1963 (No Well Log)		
Meadowland Acres	260 gpm Submersible Pump and Motor	No Well Log	River City Construction	
Valley Green	8" Well with 75 gpm Pump and 10 HP Motor	Jan-77	Associated Well Drillers	95-77-N-157

SCANNED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
 In case of _____ vs. _____
 dated _____ in _____ county of _____

b. License No. 95-7107 issued by the Idaho Department of Water Resources.
 c. Claim No. _____ on file with the Idaho Department of Water Resources.
 d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as Attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other: _____

3. Source of water Groundwater tributary to _____

4. Date of priority _____

5. Water is used for the following purpose:

amount 1.31 cfs For Irrigation purposes from 4/01 to 10/15
 (cfs/ac-ft) _____
 amount _____ For _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ For _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ For _____ purposes from _____ to _____
 (cfs/ac-ft) _____

6. Total amount of water under right 1.31 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		NW	SW	24	51N	4W	Kootenai	Rathdrum Aquifer

8. Lands irrigated or place of use:

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
51N	4W	24										M	M	M					

Total acres _____

9. Describe any other water rights used for the same purpose as described above Water right no. 95-7763 was

Established for a second well, which is also used as a municipal water source for this water system.

SCANNED
FEB 05 2004

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 No _____ If yes, describe: _____

B. DESCRIPTION OF PORTION OF WATER RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

SCANNED

FEB 11 5 2004

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3**

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

See Attached Figures. First Figure shows general place of use, defined as all areas located within the defined North Kootenai Water District Service Areas. Second Figure shows close up of the point(s) of diversion.

[illegible]

SCALE: 2 inches equal 1 mile. Draw plan in ink.

SCANNED

FEB 11 5 2004



70394
Finucane
Well

FIRST AMERICAN TITLE COMPANY
1044 NORTHWEST BOULEVARD
COEUR D'ALENE, IDAHO 83814
(208) 667-0567

NOVEMBER 12, 1998

WELCH COMER & ASSOCIATES
1626 LINCOLN WAY
COEUR D'ALENE, IDAHO 83814

ATTN: DOUGLAS BLACK

ORDER NO. 35804-B

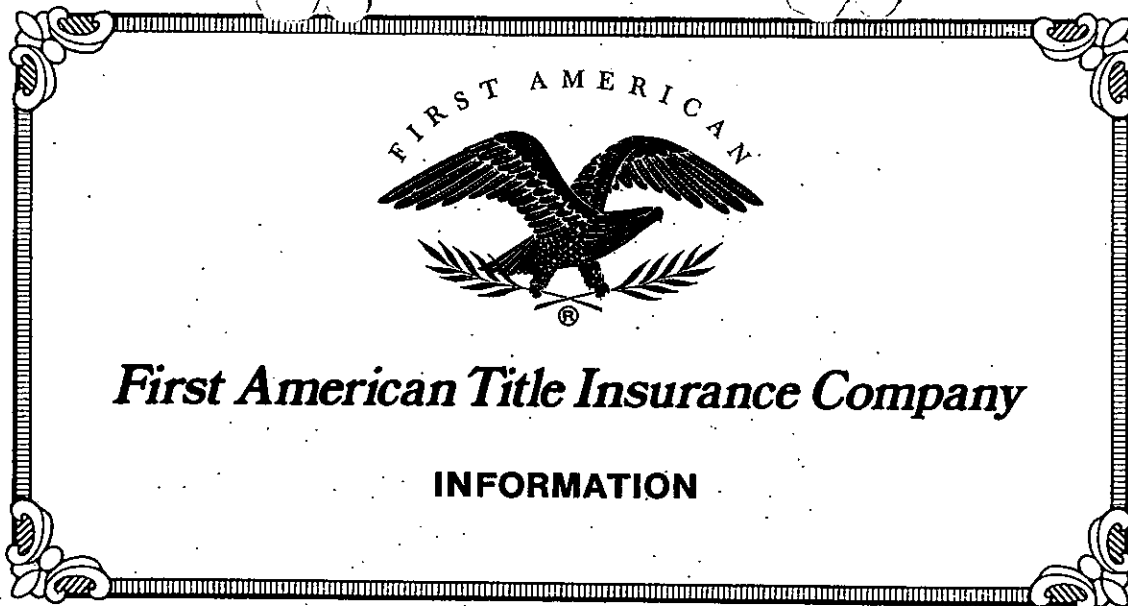
RE: NORTH KOOTENAI WATER
DISTRICT

COMMITMENT ENCLOSED.

THANK YOU FOR CHOOSING
FIRST AMERICAN TITLE!

SCANNED

FEB 05 2004



First American Title Insurance Company

INFORMATION

The Title Insurance Commitment is a legal contract between you and the company. It is issued to show the basis on which we will issue a Title Insurance Policy to you. The Policy will insure you against certain risks to the land title, subject to the limitations shown in the Policy.

The Company will give you a sample of the Policy form, if you ask.

The Commitment is based on the land title as of the Commitment Date. Any changes in the land title or the transaction may affect the Commitment and the Policy.

The Commitment is subject to its Requirements, Exceptions and Conditions.

THIS INFORMATION IS NOT PART OF THE TITLE INSURANCE COMMITMENT.

TABLE OF CONTENTS

	Page
AGREEMENT TO ISSUE POLICY	1
SCHEDULE A	
1. Commitment Date	2
2. Policies to be Issued, Amounts and Proposed Insureds	2
3. Interest in the Land and Owner	2
4. Description of the Land	2
SCHEDULE B-1 — Requirements	3
SCHEDULE B-2 — Exceptions	4
CONDITIONS	other side of 1

YOU SHOULD READ THE COMMITMENT VERY CAREFULLY.

If you have any questions about the Commitment, please contact the issuing office.

SCANNED

FEB 11 5 2004

COMMITMENT FOR TITLE INSURANCE

ISSUED BY

First American Title Insurance Company

AGREEMENT TO ISSUE POLICY

We agree to issue a policy to you according to the terms of this Commitment. When we show the policy amount and your name as the proposed insured in Schedule A, this Commitment becomes effective as of the Commitment Date shown in Schedule A.

If the Requirements shown in this Commitment have not been met within six months after the Commitment Date, our obligation under this Commitment will end. Also, our obligation under this Commitment will end when the Policy is issued and then our obligation to you will be under the Policy.

Our obligation under this Commitment is limited by the following:

The Provisions in Schedule A.

The Requirements in Schedule B-1.

The Exceptions in Schedule B-2.

The Conditions on the other side of this page 1.

This Commitment is not valid without SCHEDULE A and Sections 1 and 2 of SCHEDULE B.



First American Title Insurance Company

BY *Parker S. Kennedy* PRESIDENT

ATTEST *Mark A. Ameson* SECRETARY

BY *Beverly Spencer* COUNTERSIGNED

SCANNED

FEB 11 5 2004



SCHEDULE A

1. Commitment Date: October 9, 1998
at 8:00 a.m.

Commitment No. 35804-B

2. Policy or Policies to be issued:

Policy Amount

Premium

(X) Owners Policy
(Form 1402.92, 10-17-92)
Proposed Insured:

\$TBD

\$TBD

TO BE DETERMINED

() Extended Coverage Loan Policy
(Form 1056.92, 10-17-92)
Proposed Insured:

\$

\$

() Endorsements:

\$

() Recordings:

\$

() Extra Chains:

\$

3. FEE SIMPLE ESTATE in the land described in this Commitment is owned, at the Commitment Date, by:

CHARLES A. FORD

4. The Land referred to in this Commitment is located in Kootenai County, State of Idaho, and described as follows:

Lot 6, Block 7, WOODLAND MEADOWS FIRST ADDITION, according to the Plat recorded in the office of the County Recorder in Book "G" of Plats, at pages 116, Records of Kootenai County, State of Idaho.

SCANNED

FEB 11 5 2004



Form No. 1344-1 (1982)
ALTA Plain Language Commitment
ORDER NO. 35804

SCHEDULE B - SECTION 1
Requirements

The following requirements must be met:

- (a) Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
- (b) Pay us the premiums, fees and charges for the policy.
- (c) Documents satisfactory to us creating the interest in the land and/or the mortgage to be insured must be signed, delivered and recorded.
- (d) You must tell us in writing the name of anyone not referred to in this Commitment who has an interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions.

For further information regarding this report please contact:

FIRST AMERICAN TITLE COMPANY
1044 NORTHWEST BOULEVARD
P.O. BOX 816
COEUR D'ALENE, IDAHO 83814

PHONE: (208) 667-0567
ESCROW DEPT. FAX: (208) 765-2050
TITLE DEPT. FAX: (208) 765-1376

TITLE OFFICER: Beverly Spencer

ESCROW OFFICER:

PLEASE ACCEPT OUR SINCERE THANKS FOR ALLOWING US TO BE OF SERVICE TO YOU. WE GREATLY APPRECIATE THE FACT THAT YOU HAVE CHOSEN TO DO BUSINESS WITH US; AND IN RETURN, WE PLEDGE OUR CONTINUING EFFORTS TO OFFER YOU THE BEST SERVICE POSSIBLE.

wb

SCANNED

FEB 11 5 2004



SCHEDULE B - SECTION 2
Exceptions

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction.

PART 1:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, and which are not shown by the public records.

5. Unpatented mining claims: reservations or exceptions in patents or in acts authorizing the issuance thereof: water rights, claims, or title to water.

6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.

7. General taxes for the year 1998, a lien in the process of assessment not yet due or payable.

8. Liens and assessments of the following district and the rights and powers thereof as provided by law, for which we find no delinquencies of record:
District: Avondale Irrigation District

9. Assessments, if any, levied by the City of Hayden Lake, for which we find no delinquencies of record.

10. Liens and assessments of the following district and the rights and powers thereof as provided by law, for which we find no delinquencies of record:
District: Hayden Lake Recreational Water and Sewer District

11. Easement:
For: Pole line and appurtenances
Granted to: Interstate Utilities Company, an Idaho corporation
Recorded: July 8, 1927
Book/Page: Book 91 at page 222

SCANNED
FEB 15 2004



SCHEDULE B - SECTION 2
EXCEPTIONS - continued

12. Easement:

For: Water pipeline
Granted to: Post Falls Irrigation District, a corporation
Recorded: April 23, 1937
Book/Page: Book 106 of Deeds at page 392

13. Covenants, conditions, restrictions and easements contained in the recorded Plat of said subdivision, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).

14. Covenants, Conditions, Restrictions and Easements:

Instrument No.: 1275175
but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).

Amendment to said Covenants:

Recorded: February 2, 1994
Instrument No.: 1339960
but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).

15. Covenants, Conditions and Restrictions:

Instrument No.: 1380570
but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).

16. The Effect of Quitclaim Deed:

Dated: May 19, 1997
Recorded: June 11, 1997
Instrument No.: 1493565

17. The Effect of Deed of Trust to secure an indebtedness in the principal sum of \$2,216,703.54, and any other amounts and/or obligations secured thereby:

Dated: May 19, 1997
Recorded: June 11, 1997
Instrument No.: 1493564
Grantor: Allied Water, Inc., an Idaho corporation
Trustee: Kootenai County Title Company, Inc.
Beneficiary: Hayden Pines Water Company, an Idaho corporation

SCANNED
FEB 11 5 2004



SCHEDULE B - SECTION 2
EXCEPTIONS - continued

18. The Effect of Financing Statement covering Land:

Recorded: June 16, 1997
Instrument No.: 1494043
Debtor: Allied Water, Inc., an Idaho corporation
Secured Party: Hayden Pines Water Company, an Idaho corporation

19. Title to vest in the name of a person or persons to be submitted and when so vested will be subject to matters which may be disclosed by a search of the Records against the name of said person or persons.

20. Question of marital status of party herein named on date of acquiring title. If then joining in execution of forthcoming Instrument, recital therein of the fact will be sufficient; otherwise, present ownership of the community interest of spouse on said date must be determined:

Party: Charles A. Ford

END OF SCHEDULE "B" EXCEPTIONS

NOTES SECTION

1. We have made a judgment search of the Kootenai County records against North Kootenai Water District, and find none.

2. There is no notice of record and therefore no search has been made for any unpaid assessments, charges or fees for sewer, water, garbage, irrigation, waste disposal fees, and other possible utility services.

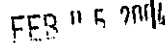
3. If the proposed insured under the Policy to issue has any questions concerning the coverage or exclusions from coverage, the Company will be pleased to provide an explanation.

4. In the event that this transaction fails to close, a minimum fee of \$100.00 will be charged to comply with the State Insurance Code.

5. General taxes for the year 1997 which are liens, in the original sum of \$167.96 are paid:

Billing No.: 193391
Parcel No.: H-9302-007-006-0
Affects: Property in question

SCANNED
FEB 11 5 2004



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
 In case of _____ vs. _____
 dated _____ in _____ county of _____

b. License No. 95-7138 issued by the Idaho Department of Water Resources.
 c. Claim No. _____ on file with the Idaho Department of Water Resources.
 d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as Attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other: _____

3. Source of water Groundwater tributary to _____

4. Date of priority 3/25/1971

5. Water is used for the following purpose:

amount .14 cfs For Domestic purposes from 1/01 to 12/31
 (cfs/ac-ft) _____
 amount _____ For _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ For _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ For _____ purposes from _____ to _____
 (cfs/ac-ft) _____

6. Total amount of water under right .14 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		NE	SE	23	51N	4W	Kootenai	Rathdrum Aquifer

8. Lands irrigated or place of use:

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
51N	4W	23													M				

Total acres _____

9. Describe any other water rights used for the same purpose as described above

Two other wells serve this water system. One is a 16 inch well with a 500 gpm pump and one is a 90 inch well with a 250 gpm pump. Applications for new water rights have been filed for these wells for 1.03 and .56 cfs, respectively. The total water right for this water system shall not exceed 1.73 cfs.

FEB 05 2004

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 No _____ If yes, describe: _____

B. DESCRIPTION OF PORTION OF WATER RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

TWP	RANGE	SEC.	NE ¼				NW ¼				SW ¼				SE ¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

TWP	RANGE	SEC.	NE ¼				NW ¼				SW ¼				SE ¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total acres _____

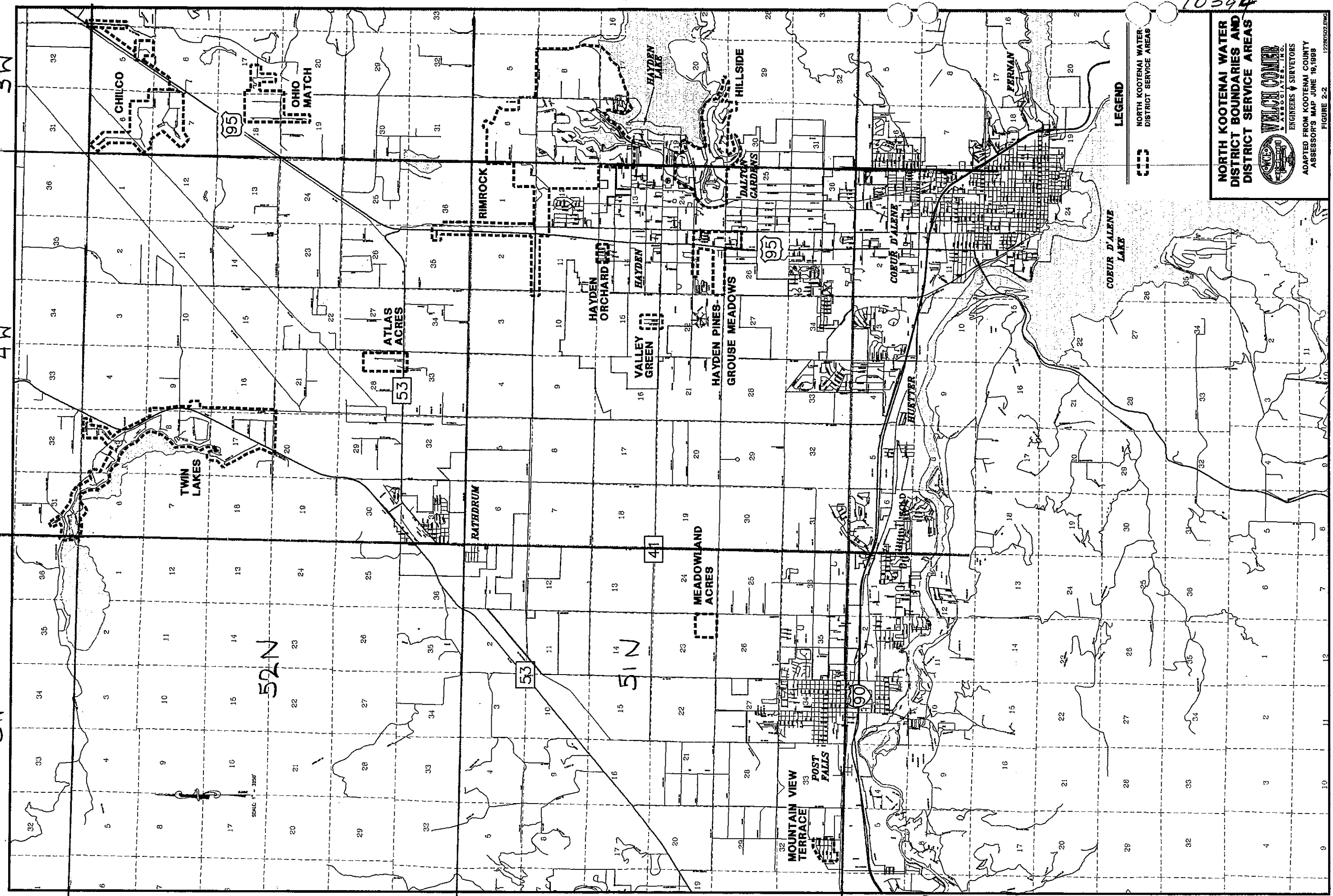
SCANNED

FEB 05 2004

5W

4W

3W



70394

NORTH KOOTENAI WATER DISTRICT BOUNDARIES AND DISTRICT SERVICE AREAS

WELCH COMER
ENGINEERS & SURVEYORS
ASSOCIATES, INC.

ADAPTED FROM KOOTENAI COUNTY ASSESSOR'S MAP JUNE 1918

FIGURE 2-2



A Pioneer Company

PIONEER TITLE COMPANY

OF KOOTENAI COUNTY

100 Wallace Avenue/ Coeur d'Alene, Idaho 83814 / (208) 664-8254

70394

TO: Welch Comer & Associates, Inc.
Attn: Sherry
1626 Lincoln Way
Coeur d'Alene, ID 83814

DATE: May 9, 2002
ORDER NO.: 101646

RE: North Kootenai Water District

Enclosed:
Report
FAX# 664-5946

Thank you for giving us the opportunity to serve you. We appreciate your business and will strive to merit the confidence you have shown in us.

If you have any questions, please contact the following:

TITLE OFFICER
Liz Nelson

SCANNED
FEB 05 2004



OLD REPUBLIC
National Title Insurance Company

Schedule A
COMMITMENT

Pioneer Title Company of Kootenai County
100 Wallace Avenue
Coeur d'Alene, ID 83814
(208) 664-8254/Fax (208) 664-9479
Title Officer: Liz Nelson

70394

Order No. 101646

1. Effective Date: **April 23, 2002 at 8:00 A.M.**

2. Policy or Policies to be issued:	Policy Amount	Amount
(a) ☒ Owner's Policy Proposed Insured: North Kootenai Water District		\$200.00
Endorsements:		
	Total Premium:	\$ 200.00
(b) ☐ Loan Policy Proposed Insured: NONE	- 0 -	-0-
Endorsements:		
	Total Premium:	\$ 0.00

3. The estate or interest in the land described or referred to in this Commitment and Covered herein is:

Fee Simple

4. Title to the Fee Simple estate or interest in said land is at the effective date hereof vested in:

North Kootenai Water District, an Idaho Municipal Corporation, and Financial Securities Inc., a Wyoming Corporation, as their interests appear of record

5. The land referred to in this Commitment is described as follows:

SEE ATTACHED EXHIBIT A

SCANNED
FEB 05 2004

Schedule A
COMMITMENT

Pioneer Title Company of Kootenai County
100 Wallace Avenue
Coeur d'Alene, ID 83814
(208) 664-8254/Fax (208) 664-9479
Title Officer: Liz Nelson

703 94

Order No. 101646

EXHIBIT A

A 50.00 foot radius circle whose center is described as follows:

COMMENCING at the Southeast corner of the Northwest Quarter Northeast Quarter Southeast Quarter, Section 23, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, which bears South 00°18'31" West, a distance of 665.27 feet from the Northeast corner of the Northwest Quarter Northeast Quarter Southeast Quarter, Section 23; thence

North 54°45'00" West, a distance of 122.61 feet to the center of said circle.

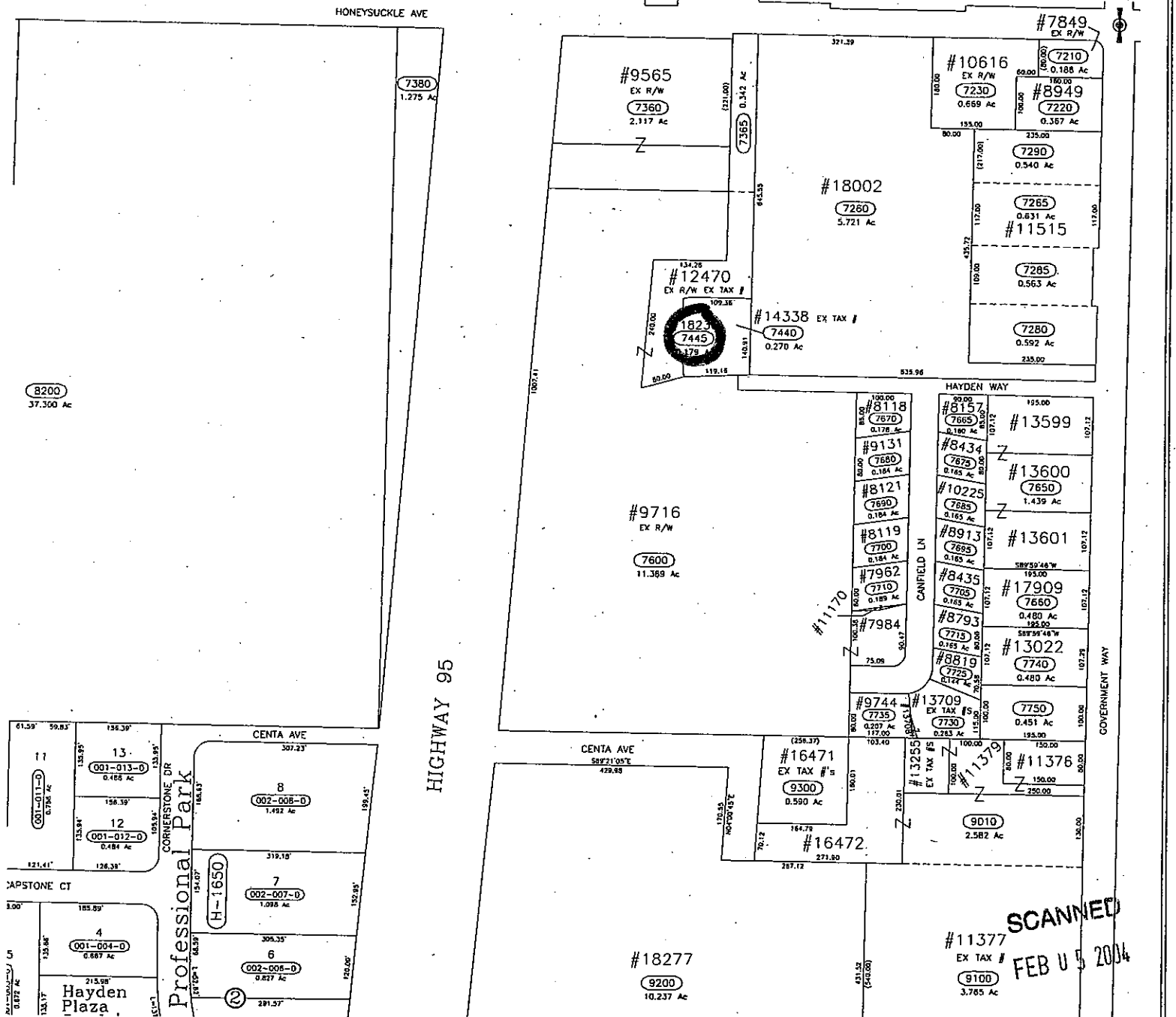
SCANNED
FEB 11 5 2004

70394

THIS IS NOT A SURVEY. THIS MAP IS FOR INFORMATIONAL PURPOSES ONLY. PIONEER TITLE COMPANY MAKES NO REPRESENTATIONS AS TO THE ACCURACY OF THE MAP AND ASSUMES NO LIABILITY FOR IT.

Sec. 23 Twp. 51 N. R. 4 W.B.M.

H-0000-023



IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 95-7138

WATER RIGHT NUMBER: 95-7138

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	IDAHO CONTRACTORS INC PO BOX 883 COEUR D ALENE, ID 83814
Original Owner	HAYDEN PINES INC , ZZ

Priority Date: 03/25/1971

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
---------------	------------------

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.140 CFS	60.60 AF
	<u>Total Diversion:</u>	0.140 CFS	60.60 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4	Sec. 23, Twp 51N, Rge 04W, B.M.
KOOTENAI County		

Place of Use

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	
51N	04W	23													X				

Conditions of Approval:Remarks:

- General P/U MOBILE HOME PARK, 101 UNITS.

Comments:Dates and Other Information:

SCANNED
FEB 05 2004

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 95-7138

Dates and Other Information:

Licensed Date: 3/8/1976
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

SCANNED
FEB 05 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
 In case of _____ vs. _____
 dated _____ in _____ county of _____

b. License No. 95-4027 issued by the Idaho Department of Water Resources.
 c. Claim No. _____ on file with the Idaho Department of Water Resources.
 d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as Attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other: _____

3. Source of water Groundwater tributary to Rathdrum Aquifer

4. Date of priority 9/01/1963

5. Water is used for the following purpose:

amount 1.2 cfs For Domestic purposes from 1/01 to 12/31
 (cfs/ac-ft)
 amount _____ For _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 1.2 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
		NE	SW	32	51N	5W	Kootenai	Rathdrum Aquifer

8. Lands irrigated or place of use:

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
51N	5W	32	M	M	M	M									M	M	M	M	

Total acres N/A

9. Describe any other water rights used for the same purpose as described above No other water rights have been established for these wells.

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FEB 05 2004

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 No _____ If yes, describe: _____

B. DESCRIPTION OF PORTION OF WATER RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total acres _____

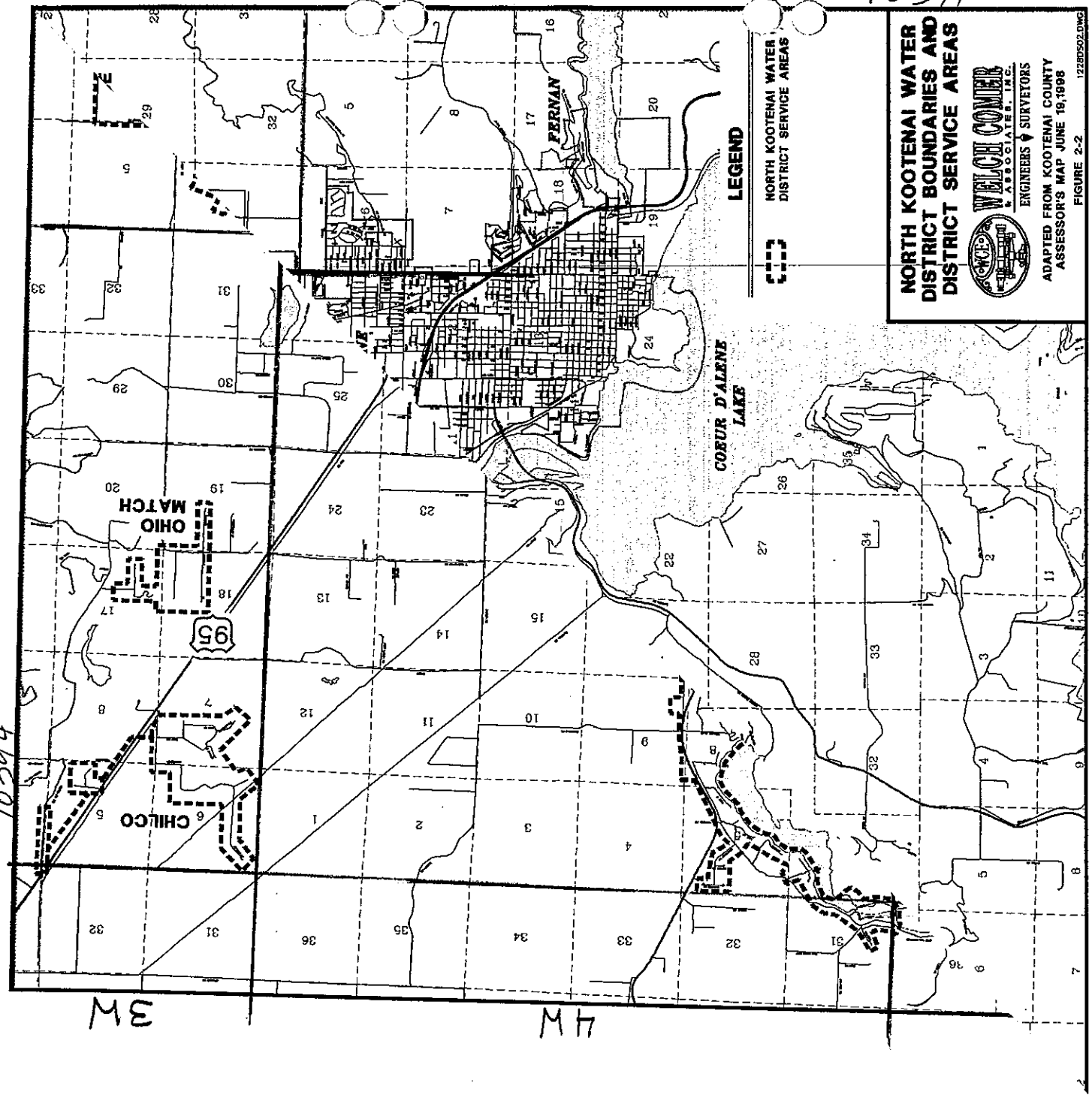
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 FEB 05 2004

10394

10394

3M

4M



NORTH KOOTENAI WATER DISTRICT SERVICE AREAS



WELCH COMER
ENGINEERS & SURVEYORS

ADAPTED FROM KOOTENAI COUNTY
ASSESSOR'S MAP JUNE 19, 1998

FIGURE 2-2

122R0502.DWG

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FEB 05 2004



PARCEL 2

70394

FIRST AMERICAN TITLE COMPANY
1044 NORTHWEST BOULEVARD
COEUR D'ALENE, IDAHO 83814
(208) 667-0567

Mtn
View
Well #2

NOVEMBER 17, 1998

WELCH COMER & ASSOC
1626 LINCOLN WAY
COEUR D'ALENE, IDAHO 83814

ATTN: DOUGLAS BLACK

ORDER NO. 35823-B
RE: NORTH KOOTENAI WATER
DISTRICT

COMMITMENT ENCLOSED.

THANK YOU FOR CHOOSING
FIRST AMERICAN TITLE!

SCANNED
FEB 05 2004

10394



The Title Insurance Commitment is a legal contract between you and the company. It is issued to show the basis on which we will issue a Title Insurance Policy to you. The Policy will insure you against certain risks to the land title, subject to the limitations shown in the Policy.

The Company will give you a sample of the Policy form, if you ask.

The Commitment is based on the land title as of the Commitment Date. Any changes in the land title or the transaction may affect the Commitment and the Policy.

The Commitment is subject to its Requirements, Exceptions and Conditions.

THIS INFORMATION IS NOT PART OF THE TITLE INSURANCE COMMITMENT.

TABLE OF CONTENTS

	Page
AGREEMENT TO ISSUE POLICY	1
SCHEDULE A	
1. Commitment Date	2
2. Policies to be Issued, Amounts and Proposed Insureds	2
3. Interest in the Land and Owner	2
4. Description of the Land	2
SCHEDULE B-1 — Requirements	3
SCHEDULE B-2 — Exceptions	4
CONDITIONS	other side of 1

YOU SHOULD READ THE COMMITMENT VERY CAREFULLY.
If you have any questions about the Commitment, please contact the Issuing office.

SCANNED
FEB 05 2004

70394

COMMITMENT FOR TITLE INSURANCE

ISSUED BY

First American Title Insurance Company

AGREEMENT TO ISSUE POLICY

We agree to issue a policy to you according to the terms of this Commitment. When we show the policy amount and your name as the proposed insured in Schedule A, this Commitment becomes effective as of the Commitment Date shown in Schedule A.

If the Requirements shown in this Commitment have not been met within six months after the Commitment Date, our obligation under this Commitment will end. Also, our obligation under this Commitment will end when the Policy is issued and then our obligation to you will be under the Policy.

Our obligation under this Commitment is limited by the following:

The Provisions in Schedule A.

The Requirements in Schedule B-1.

The Exceptions in Schedule B-2.

The Conditions on the other side of this page 1.

This Commitment is not valid without SCHEDULE A and Sections 1 and 2 of SCHEDULE B.



First American Title Insurance Company

BY

Parker S. Kennedy

PRESIDENT

ATTEST

Mark D. Amerson

SECRETARY

BY

Beverly Spencer

COUNTERSIGNED

SCANNED
FEB 05 2004



70394

SCHEDULE A

1. Commitment Date: October 9, 1998
at 8:00 a.m.

Commitment No. 35823-B

2. Policy or Policies to be issued:

Policy Amount

Premium

(X) Owners Policy
(Form 1402.92, 10-17-92)
Proposed Insured:

\$TBD

\$TBD

TO BE DETERMINED

() Extended Coverage Loan Policy
(Form 1056.92, 10-17-92)
Proposed Insured:

\$

\$

() Endorsements:

\$

() Recordings:

\$

() Extra Chains:

\$

3. FEE SIMPLE ESTATE in the land described in this Commitment is owned, at the Commitment Date, by:

CHARLES A. FORD

4. The Land referred to in this Commitment is located in Kootenai County, State of Idaho, and described as follows:

SEE ATTACHED EXHIBIT "A"

SCANNED
FEB 05 2004



70394
ORDER NO. 35823

EXHIBIT "A"

COMMENCING at the Northwest corner of Tract 29 of Plat 10 of the East Greenacres Irrigation District of Kootenai County, Idaho, thence

South and along the West line of said Tract 29, a distance of 60 feet; thence
East 60 feet; thence

North 40 feet; thence

East to the East line of said Tract 29; thence

North and along the East line of said Tract to the North line of said Tract 29 a distance of 20 feet to the Northeast corner of said Tract 29; thence

West and along the North boundary of Tract 29 to the POINT OF BEGINNING.

SCANNED
FEB 05 2004



70394
Form No. 1344-B 1 (1982)
ALTA Plain Language Commitment
ORDER NO. 35823

SCHEDULE B - SECTION 1
Requirements

The following requirements must be met:

- (a) Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
- (b) Pay us the premiums, fees and charges for the policy.
- (c) Documents satisfactory to us creating the interest in the land and/or the mortgage to be insured must be signed, delivered and recorded.
- (d) You must tell us in writing the name of anyone not referred to in this Commitment who has an interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions.

For further information regarding this report please contact:

FIRST AMERICAN TITLE COMPANY
1044 NORTHWEST BOULEVARD
P.O. BOX 816
COEUR D'ALENE, IDAHO 83814

PHONE: (208) 667-0567
ESCROW DEPT. FAX: (208) 765-2050
TITLE DEPT. FAX: (208) 765-1376

TITLE OFFICER: Beverly Spencer

ESCROW OFFICER:

PLEASE ACCEPT OUR SINCERE THANKS FOR ALLOWING US TO BE OF SERVICE TO YOU. WE GREATLY APPRECIATE THE FACT THAT YOU HAVE CHOSEN TO DO BUSINESS WITH US; AND IN RETURN, WE PLEDGE OUR CONTINUING EFFORTS TO OFFER YOU THE BEST SERVICE POSSIBLE.

eh

SCANNED
FEB 05 2004



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SCHEDULE B - SECTION 2
Exceptions

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction.

PART 1:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. Unpatented mining claims: reservations or exceptions in patents or in acts authorizing the issuance thereof: water rights, claims, or title to water.
6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.

7. General taxes for the year 1998, a lien in the process of assessment not yet due or payable.

8. Easement:

Granted to: Spokane Valley Land & Water Company
Recorded: February 10, 1912
Book/Page: Book 47, page 195

9. Conditions regarding Water Usage and Payment therefore as set forth in deed recorded February 10, 1912 in Book 47, page 195.

10. Easement:

Granted to: The United States of America
Recorded: July 7, 1973
Instrument No.: 641165

SCANNED
FEB 05 2004



70394

SCHEDULE B - SECTION 2
EXCEPTIONS - continued

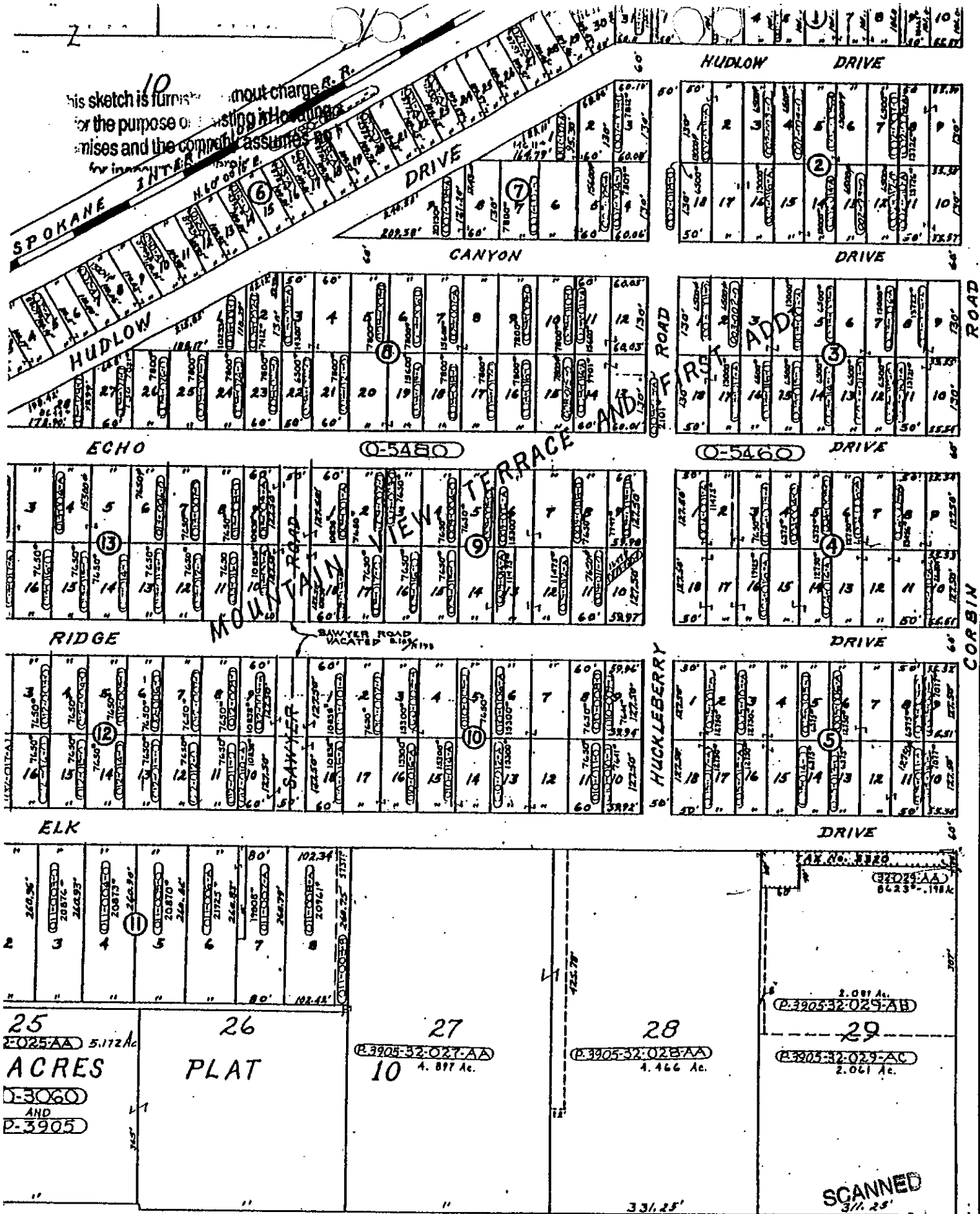
11. Mortgage to secure an indebtedness in the principal sum of \$100,000.00, and any other amounts and/or obligations secured thereby:
Recorded: March 28, 1990
Instrument No.: 1177797
Mortgagor: Hayden Pines Water Co., Inc., an Idaho Corporation
Mortgagee: Market Investments, Inc., a Wyoming corporation
12. The Effect of Quitclaim Deed:
Recorded: June 11, 1997
Instrument No.: 1493563
13. The Effect of Deed of Trust to secure an indebtedness in the principal sum of \$2,216,703.54, and any other amounts and/or obligations secured thereby:
Dated: May 19, 1997
Recorded: June 11, 1997
Instrument No.: 1493564
Grantor: Allied Water, Inc., an Idaho corporation
Trustee: Kootenai County Title Company, Inc.
Beneficiary: Hayden Pines Water Company, an Idaho corporation
14. The Effect of Financing Statement:
Recorded: June 16, 1997
Instrument No.: 1494043
Debtor: Allied Water, Inc., an Idaho Corporation
Secured Party: Hayden Pines Water Company, an Idaho corporation
15. Title to vest in the name of a person or persons to be submitted and when so vested will be subject to matters which may be disclosed by a search of the Records against the name of said person or persons.
16. Question of marital status of party herein named on date of acquiring title. If then joining in execution of forthcoming Instrument, recital therein of the fact will be sufficient; otherwise, present ownership of the community interest of spouse on said date must be determined:
Party: Charles A. Ford

END OF SCHEDULE "B" EXCEPTIONS

NOTES SECTION

1. There is no notice of record and therefore no search has been made for any unpaid assessments, charges or fees for sewer, water, garbage, irrigation, waste disposal fees, and other possible utility services.
2. If the proposed insured under the Policy to issue has any questions concerning the coverage or exclusions from coverage, the Company will be pleased to provide an explanation.
3. In the event that this transaction fails to close, a minimum fee of \$100.00 will be charged to comply with the State Insurance Code.

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FEB 05 2004



70394

Highway No. 10



PARCEL 22

70394

Mtn
View Well
No. 1

FIRST AMERICAN TITLE COMPANY
1044 NORTHWEST BOULEVARD
COEUR D'ALENE, IDAHO 83814
(208) 667-0567

NOVEMBER 19, 1998

WELCH COMER & ASSOC
1626 LINCOLN WAY
COEUR D'ALENE, IDAHO 83814

ATTN: DOUGLAS BLACK

ORDER NO. 35822-B

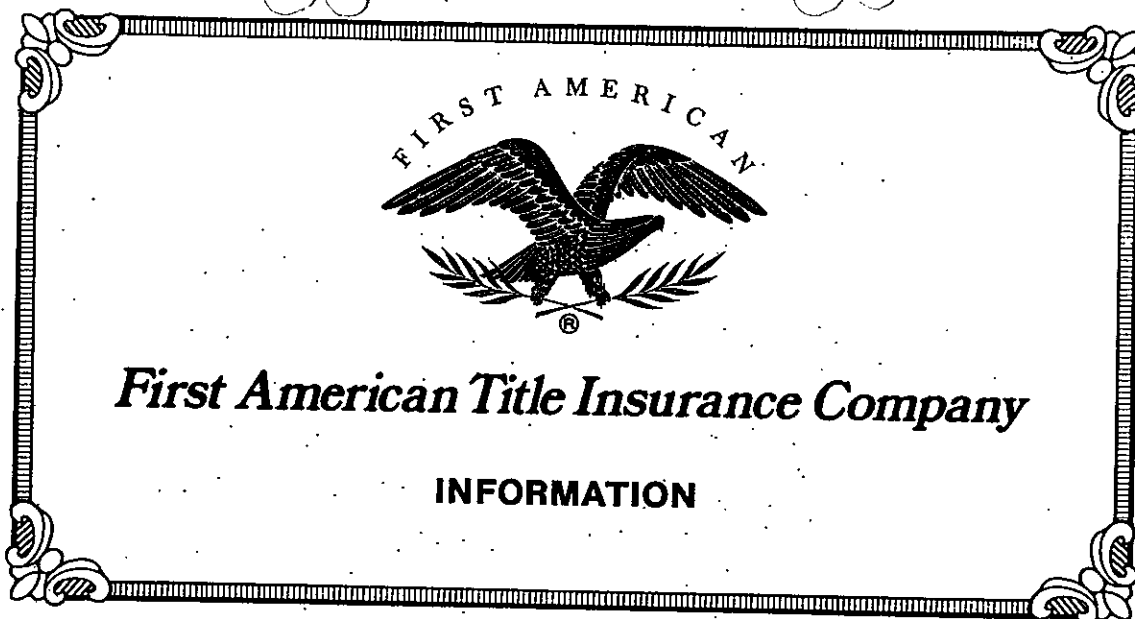
RE: NORTH KOOTENAI WATER
DISTRICT

COMMITMENT ENCLOSED.

THANK YOU FOR CHOOSING
FIRST AMERICAN TITLE!

SCANNED
FEB 05 2004

70394



The Title Insurance Commitment is a legal contract between you and the company. It is issued to show the basis on which we will issue a Title Insurance Policy to you. The Policy will insure you against certain risks to the land title, subject to the limitations shown in the Policy.

The Company will give you a sample of the Policy form, if you ask.

The Commitment is based on the land title as of the Commitment Date. Any changes in the land title or the transaction may affect the Commitment and the Policy.

The Commitment is subject to its Requirements, Exceptions and Conditions.

THIS INFORMATION IS NOT PART OF THE TITLE INSURANCE COMMITMENT.

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3. Interest in the Land and Owner	2
4. Description of the Land	2
SCHEDULE B-1 — Requirements	3
SCHEDULE B-2 — Exceptions	4
CONDITIONS	other side of 1

YOU SHOULD READ THE COMMITMENT VERY CAREFULLY.

If you have any questions about the Commitment, please contact the issuing office.

SCANNED
FEB 05 2004

70394

COMMITMENT FOR TITLE INSURANCE

ISSUED BY

First American Title Insurance Company

AGREEMENT TO ISSUE POLICY

We agree to issue a policy to you according to the terms of this Commitment. When we show the policy amount and your name as the proposed insured in Schedule A, this Commitment becomes effective as of the Commitment Date shown in Schedule A.

If the Requirements shown in this Commitment have not been met within six months after the Commitment Date, our obligation under this Commitment will end. Also, our obligation under this Commitment will end when the Policy is issued and then our obligation to you will be under the Policy.

Our obligation under this Commitment is limited by the following:

The Provisions in Schedule A.

The Requirements in Schedule B-1.

The Exceptions in Schedule B-2.

The Conditions on the other side of this page 1.

This Commitment is not valid without SCHEDULE A and Sections 1 and 2 of SCHEDULE B.



First American Title Insurance Company

BY *Parker S. Kennedy* PRESIDENT

ATTEST *Mark R. Arneson* SECRETARY

BY *Rebecca Spencer* COUNTERSIGNED

SCANNED

FEB 05 2004



70394

SCHEDULE A

1. Commitment Date: October 9, 1998
at 8:00 a.m.

Commitment No. 35822-B

2. Policy or Policies to be issued:

Policy Amount Premium

(X) Owners Policy
(Form 1402.92, 10-17-92)
Proposed Insured:

\$TBD \$TBD

TO BE DETERMINED

() Extended Coverage Loan Policy
(Form 1056.92, 10-17-92)
Proposed Insured:

\$ \$

() Endorsements:

\$

() Recordings:

\$

() Extra Chains:

\$

3. FREE SIMPLE ESTATE in the land described in this Commitment is owned, at the Commitment Date, by:

HAYDEN PINES WATER COMPANY, A DIVISION OF IDAHO CONTRACTORS, INC.

4. The Land referred to in this Commitment is located in Kootenai County, State of Idaho, and described as follows:

Lot 13, LESS the North 35 feet, Block 8, FIRST ADDITION TO MOUNTAIN VIEW TERRACE, according to the plat recorded in Book "D" of Plats, page 178, records of Kootenai County, Idaho.

SCANNED

FEB 05 2004



70394

SCHEDULE B - SECTION 1
Requirements

The following requirements must be met:

- (a) Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
- (b) Pay us the premiums, fees and charges for the policy.
- (c) Documents satisfactory to us creating the interest in the land and/or the mortgage to be insured must be signed, delivered and recorded.
- (d) You must tell us in writing the name of anyone not referred to in this Commitment who has an interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions.
- (e) We require proof of the corporate existence of the Vestee and its right to do business in Idaho.

For further information regarding this report please contact:

FIRST AMERICAN TITLE COMPANY
1044 NORTHWEST BOULEVARD
P.O. BOX 816
COEUR D'ALENE, IDAHO 83814

PHONE: (208) 667-0567
- ESCROW DEPT. FAX: (208) 765-2050
TITLE DEPT. FAX: (208) 765-1376

TITLE OFFICER: Beverly Spencer

ESCROW OFFICER:

PLEASE ACCEPT OUR SINCERE THANKS FOR ALLOWING US TO BE OF SERVICE TO YOU. WE GREATLY APPRECIATE THE FACT THAT YOU HAVE CHOSEN TO DO BUSINESS WITH US; AND IN RETURN, WE PLEDGE OUR CONTINUING EFFORTS TO OFFER YOU THE BEST SERVICE POSSIBLE.

eh

SCANNED
FEB 05 2004



SCHEDULE B - SECTION 2
Exceptions

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction.

PART 1:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
 2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
 3. Easements, claims of easement or encumbrances which are not shown by the public records.
 4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, and which are not shown by the public records.
 5. Unpatented mining claims: reservations or exceptions in patents or in acts authorizing the issuance thereof: water rights, claims, or title to water.
 6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.
- *****
7. General taxes for the year 1998, a lien in the process of assessment not yet due or payable.
 8. Covenants, conditions, restrictions and easements contained in the recorded Plat of said subdivision, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
 9. Electric Line - Right of Way Easement:
Granted to: Kootenai Electric Cooperative, Inc.:
Recorded: February 5, 1963
Book/Page: Book 191, Page 655
 10. Easement:
Granted to: The Washington Water Power Company
Recorded: March 12, 1965
Book/Page: Book 200 of Deeds, Page 256

SCANNED
FEB 05 2004



10394

SCHEDULE B - SECTION 2
EXCEPTIONS - continued

11. The Effect of Quitclaim Deed:

Recorded: November 20, 1997
Instrument No.: 1514259

12. The Effect of Quitclaim Deed:

Recorded: June 11, 1997
Instrument No.: 1493563

13. The Effect of Deed of Trust to secure an indebtedness in the principal sum of \$2,216,703.54, and any other amounts and/or obligations secured thereby:

Dated: May 19, 1997
Recorded: June 11, 1997
Instrument No.: 1493564
Grantor: Allied Water, Inc., an Idaho corporation
Trustee: Kootenai County Title Company, Inc.
Beneficiary: Hayden Pines Water Company, an Idaho corporation

14. The Effect of Financing Statement:

Recorded: June 16, 1997
Instrument No.: 1494043
Debtor: Allied Water, Inc., an Idaho Corporation
Secured Party: Hayden Pines Water Company, an Idaho corporation

15. Title to vest in the name of a person or persons to be submitted and when so vested will be subject to matters which may be disclosed by a search of the Records against the name of said person or persons.

16. Question of marital status of party herein named on date of acquiring title. If then joining in execution of forthcoming Instrument, recital therein of the fact will be sufficient; otherwise, present ownership of the community interest of spouse on said date must be determined:

Party: Charles A. Ford

17. Matters as shown on survey:

Instrument No.: 1407271, Book 17, page 168

END OF SCHEDULE "B" EXCEPTIONS

SCANNED
FEB 05 2004



70344

NOTES SECTION

1. There is no notice of record and therefore no search has been made for any unpaid assessments, charges or fees for sewer, water, garbage, irrigation, waste disposal fees, and other possible utility services.
2. If the proposed insured under the Policy to issue has any questions concerning the coverage or exclusions from coverage, the Company will be pleased to provide an explanation.
3. In the event that this transaction fails to close, a minimum fee of \$100.00 will be charged to comply with the State Insurance Code.
4. Liens and assessments of the following district and the rights and powers thereof as provided by law, for which we find no delinquencies of record:
District: Greenacres Irrigation District

SCANNED
FEB 05 2004

70344
WATER

RECORD OF REAL ESTATE OWNERSHIP - STATE OF IDAHO

Company Hayden Pines Water Company
(Name)
Seller The Washington Water Power Company
(Name)
County Kootenai
(Name)
Date of Purchase March 29, 1979
Tax Code Area Number 56 Company Map Number C-20766
Company Reference Name Mountain View Terrace Water System
Statement of Intended Use Same as above.

FOR TAX COMMISSION USE	
T.C. Ref. No. <u>TCO 28-04-115-1</u>	
CLASSIFICATION OF PROPERTY	
☒ Operating	☐ Non-operating

LEGAL DESCRIPTION OF PROPERTY: (Limit to single section per page where practical)

	Sec.	Twp.	Rge.
Lot 13, Block 8, less N 35', Mountain View Terrace, 1st Addition.	32	51	5 W

~~Cancel TCO 28-04-225-1~~

COPY

SCANNED
FEB 05 2004

7039-1

WATER

RECORD OF REAL ESTATE OWNERSHIP - STATE OF IDAHO

Company Hayden Pines Water Company
(Name)
Seller The Washington Water Power Company
(Name)
County Kootenai
(Name)
Date of Purchase March 29, 1979
Tax Code Area Number 56 Company Map Number C-20766
Company Reference Name Mountain View Terrace Water System
Statement of Intended Use Same as above.

FOR TAX COMMISSION USE

T.C. Ref. No. TCO-28-04-115-1

CLASSIFICATION OF PROPERTY

☒ Operating ☐ Non-operating

LEGAL DESCRIPTION OF PROPERTY: (Limit to single section per page where practical)

	<u>Sec.</u>	<u>Twp.</u>	<u>Rge.</u>
Lot 13, Block 8, less N 35', Mountain View Terrace, 1st Addition.	32	51	5 W

~~Cancel TCO-28-04-225-1~~

COPY

SCANNED
FEB 05 2004

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 95-4027

WATER RIGHT NUMBER: 95-4027

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WASHINGTON WATER POWER CO E 1411 MISSION AVE PO BOX 3727 SPOKANE, WA 99220

Priority Date: 09/01/1963

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	1.200 CFS	
	<u>Total Diversion:</u>	1.200 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4SW1/4	Sec. 32, Twp 51N, Rge 05W, B.M.
KOOTENAI County		

Place of UseConditions of Approval:Remarks:

1. General PRIORITIES ARE 9-1-1963 OF .1 CFS, 9-1-1967 OF .1CFS & 8-1-1970 OF 1. CFS.
P/U FIRST ADDN. TO MT. VIEW TERRACE.

Comments:Dates and Other Information:

SCANNED
FEB 05 2004

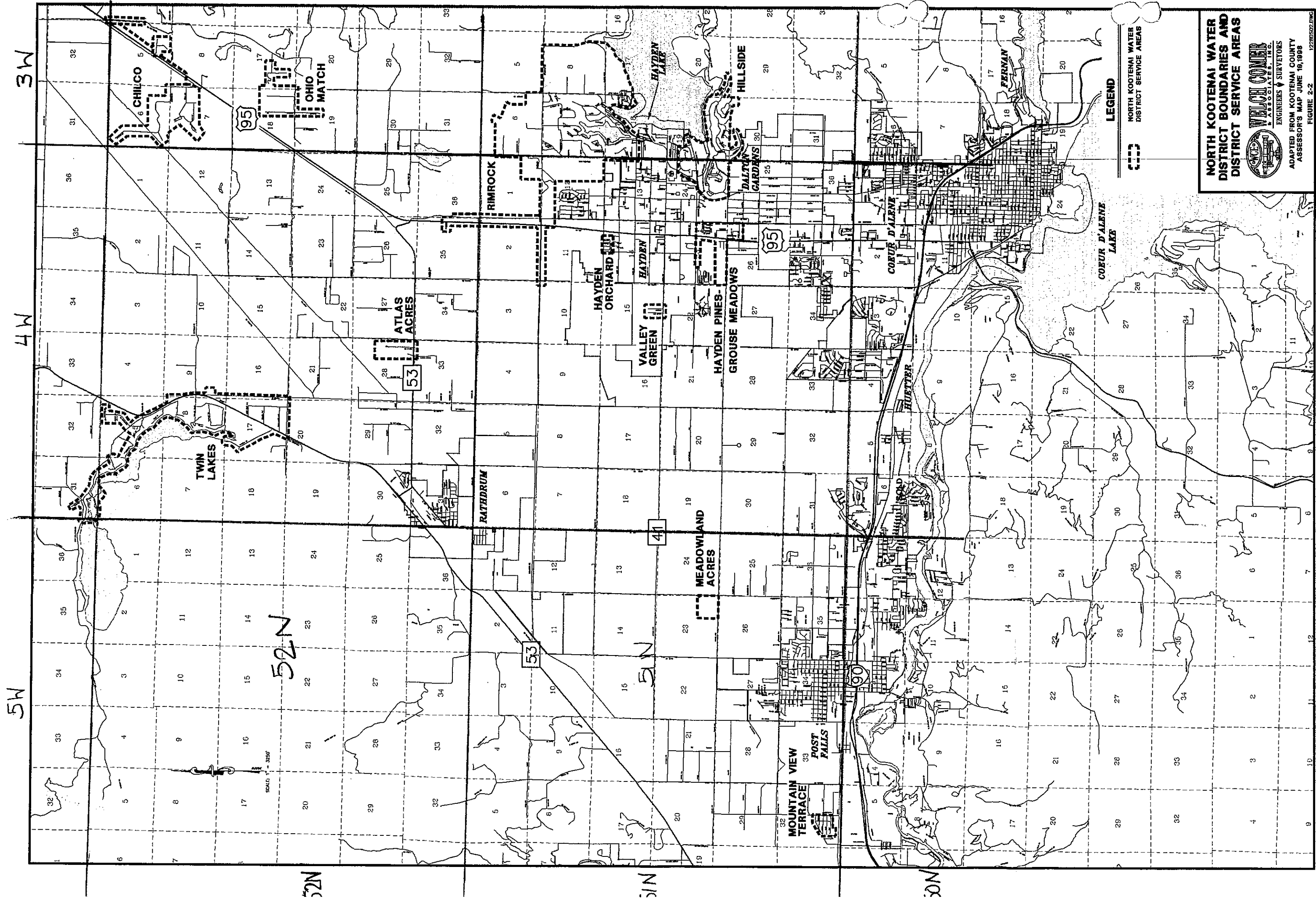
IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 95-4027

Dates and Other Information:

Licensed Date:
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

SCANNED
FEB 11 5 2004

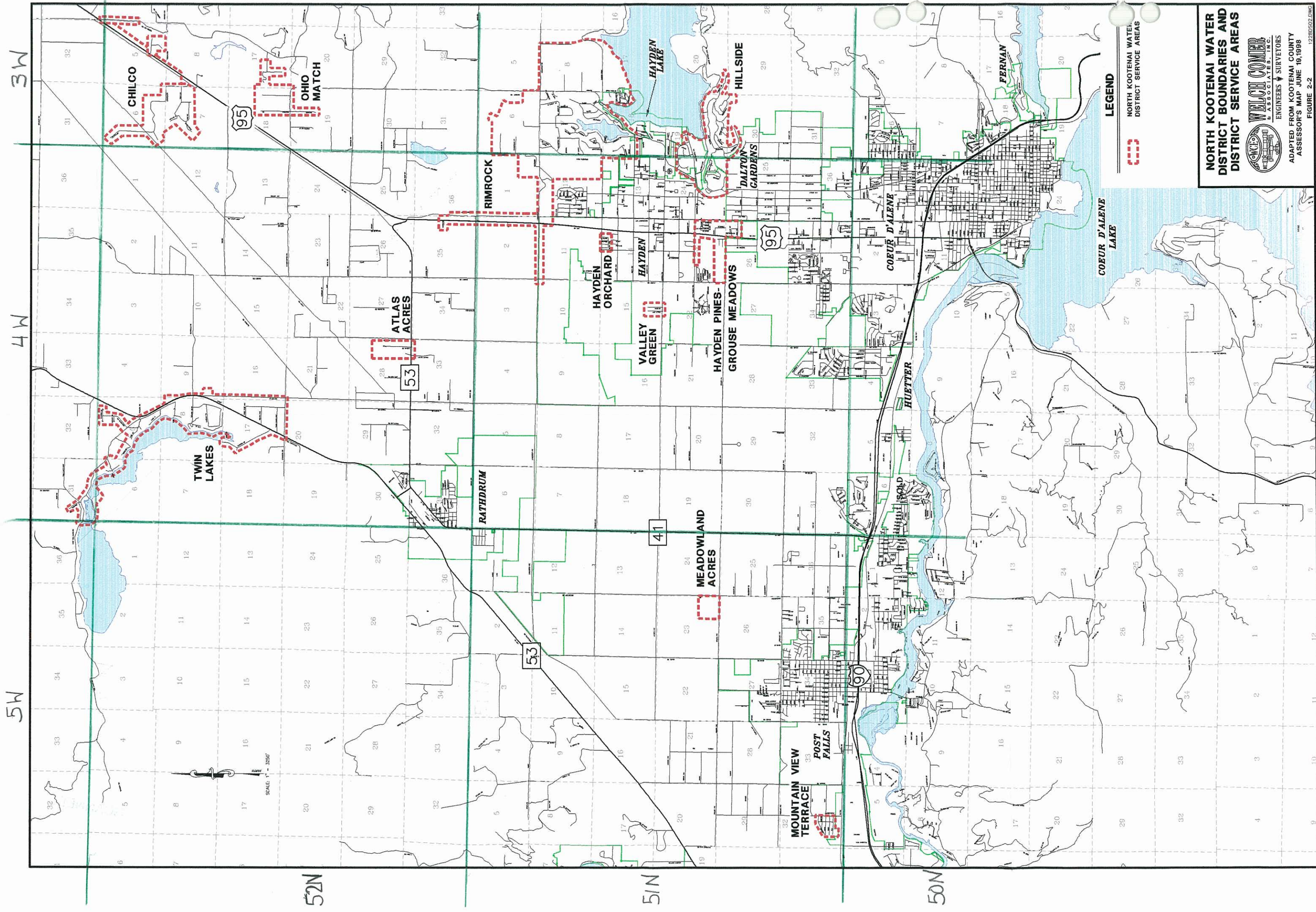


NORTH KOOTENAI WATER DISTRICT BOUNDARIES AND DISTRICT SERVICE AREAS

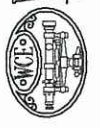
WELCH CORP.
ENGINEERS & SURVEYORS
ASSOCIATES, INC.

ADAPTED FROM KOOTENAI COUNTY
ASSESSOR'S MAP JUNE 16, 1998

FIGURE 2-2



**NORTH KOOTENAI WATER
DISTRICT BOUNDARIES AND
DISTRICT SERVICE AREAS**

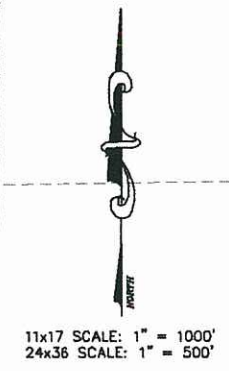


ENGINEERS & SURVEYORS
ADAPTED FROM KOOTENAI COUNTY
ASSESSOR'S MAP JUNE 19, 1998

FIGURE 2-2

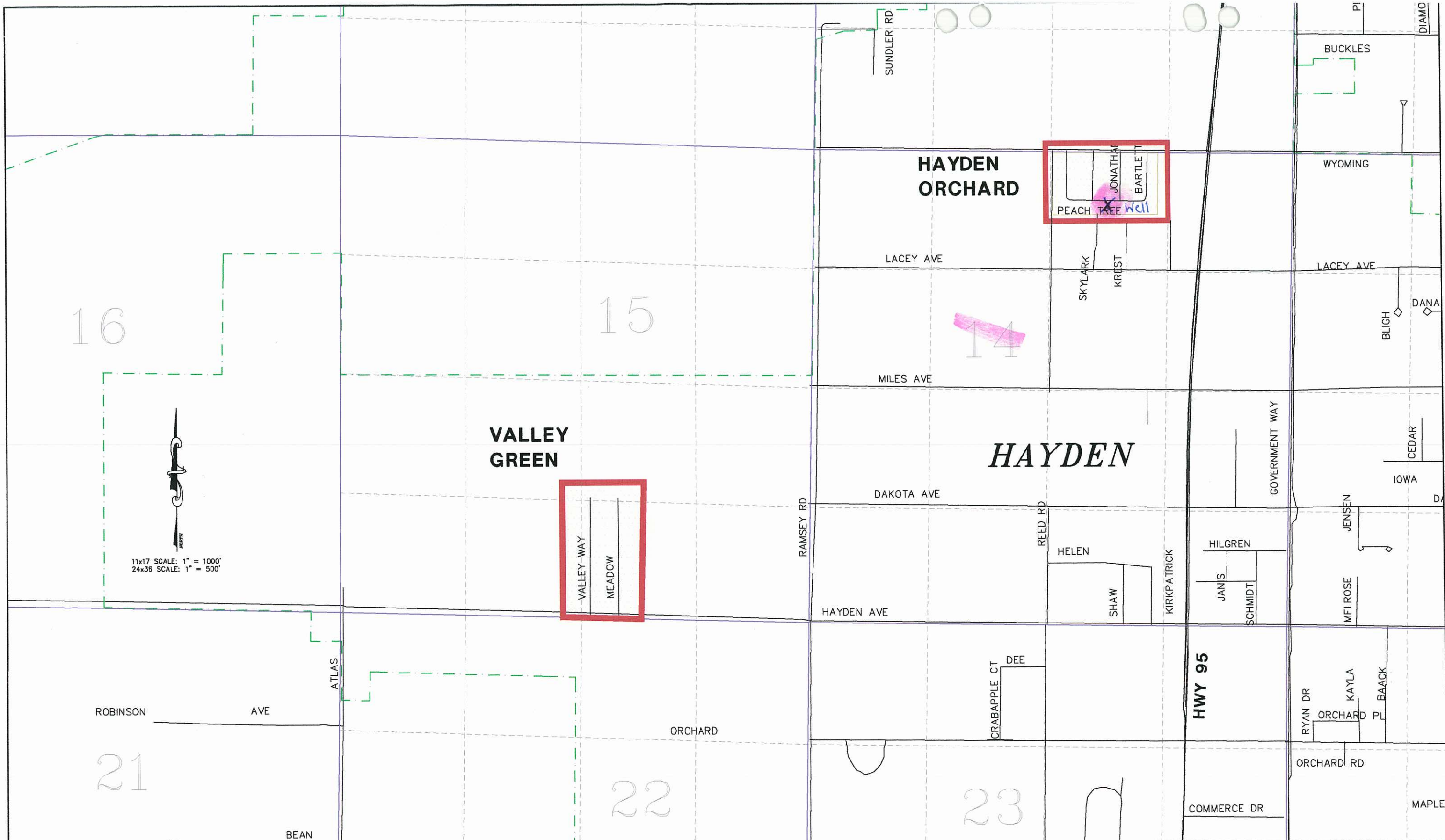
12280502.DWG

*HAYDEN
LAKE*



DWG NAME:	11228DS13.DWG
DATE:	08-13-02
SHEET NO:	

151N



WELCH COMER
& ASSOCIATES, INC.
ENGINEERS & SURVEYORS

1826 Lincoln Way, Coeur d'Alene, Idaho 83814
Phone (208) 664-9382 Fax (208) 664-5946

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DESIGNED BY:	N.M.
DRAWN BY:	J.A.L.
CHECKED BY:	

NO.	DATE	REVISION DESCRIPTION	BY

NKWD

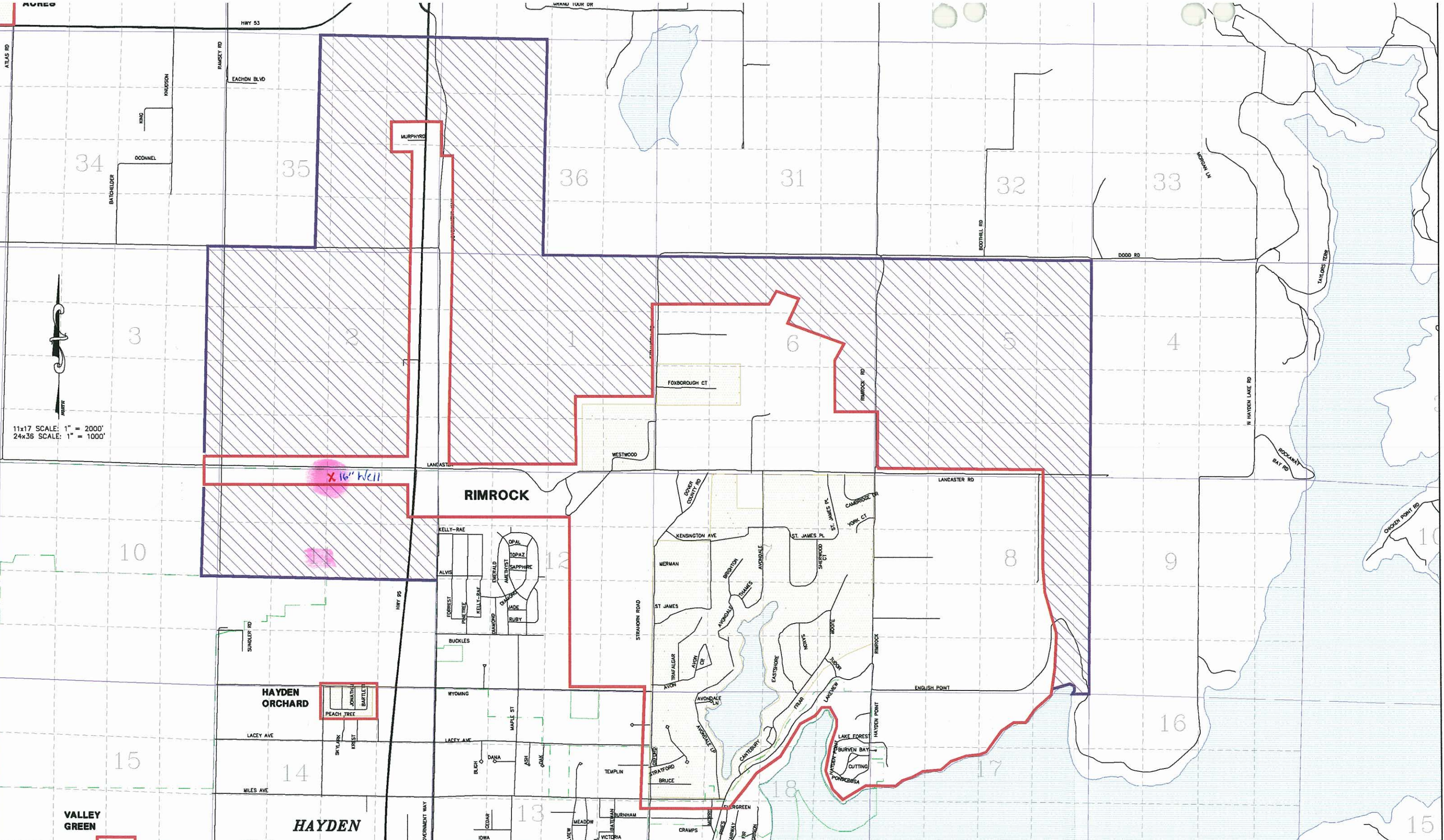
151N RAW

**VALLEY GREEN AND
HAYDEN ORCHARD**

SERVICE AREAS

DWG NAME:
11228DS13.DWG
DATE:
08-13-02
SHEET NO:

52N
51N



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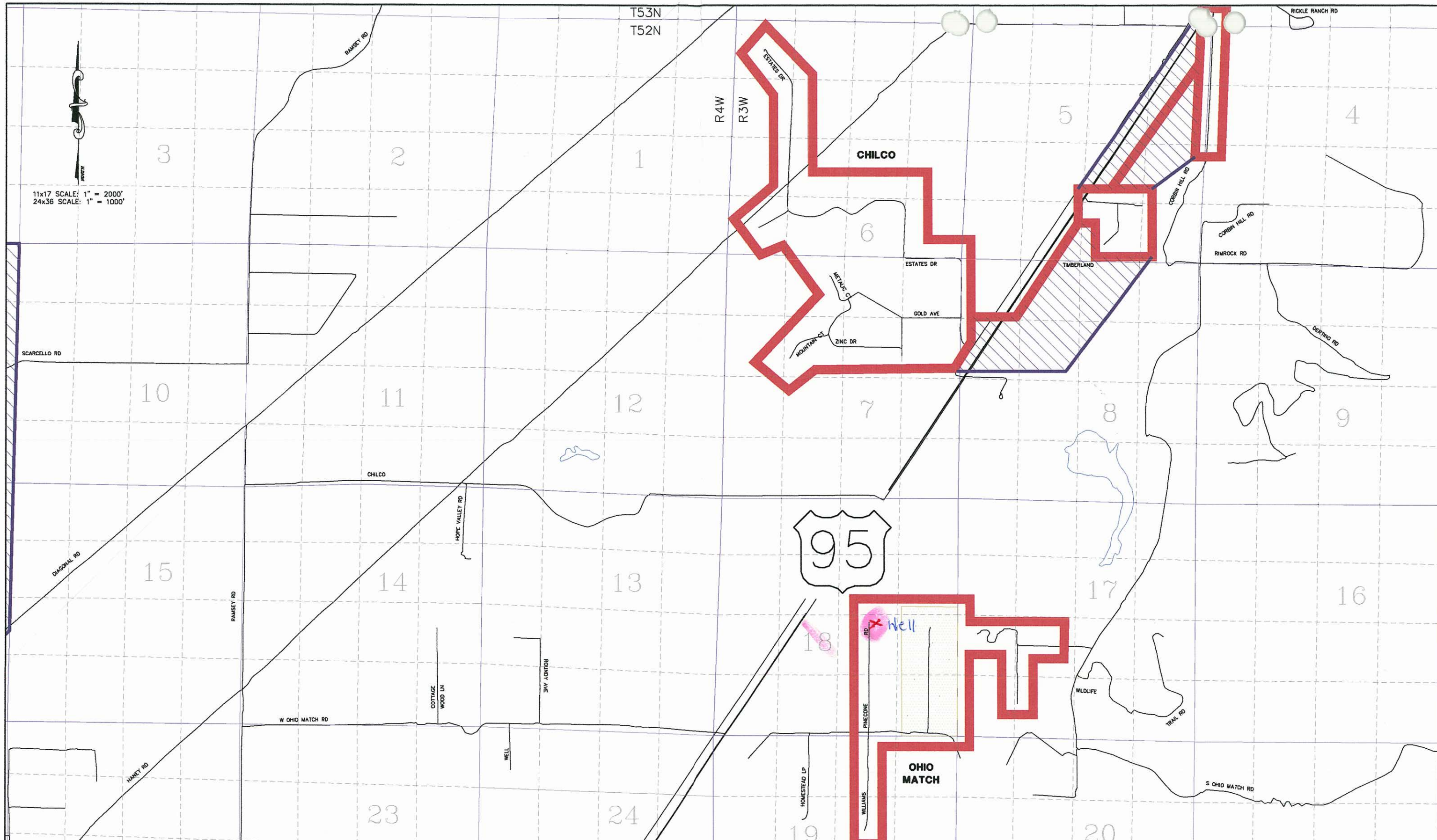
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NKWD
T52 N. R4W
T51N R4W, R3W

RIMROCK
SERVICE AREA

DWG NAME:
11228DS13.DWG
DATE:
08-13-02
SHEET NO:



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NKWD
T52N, R3W

OHIO MATCH AND CHILCO
SERVICE AREAS

DWG NAME:
11228DS13.DWG
DATE:
08-13-02
SHEET NO:

51N



11x17 SCALE: 1" = 1000'
24x36 SCALE: 1" = 500'

50N

31

**MOUNTAIN VIEW
TERRACE**

POLELINE AVE

~~32~~

33

16TH

12TH

HUCKLEBERRY

MCGUIRE RD

CHASE RD

CHASE RD

HEMLOCK RD

*POST
FALLS*

MULLAN AVE

SELTICE

ELM

PLEASANT VIEW

5

I-90

4

CANNON

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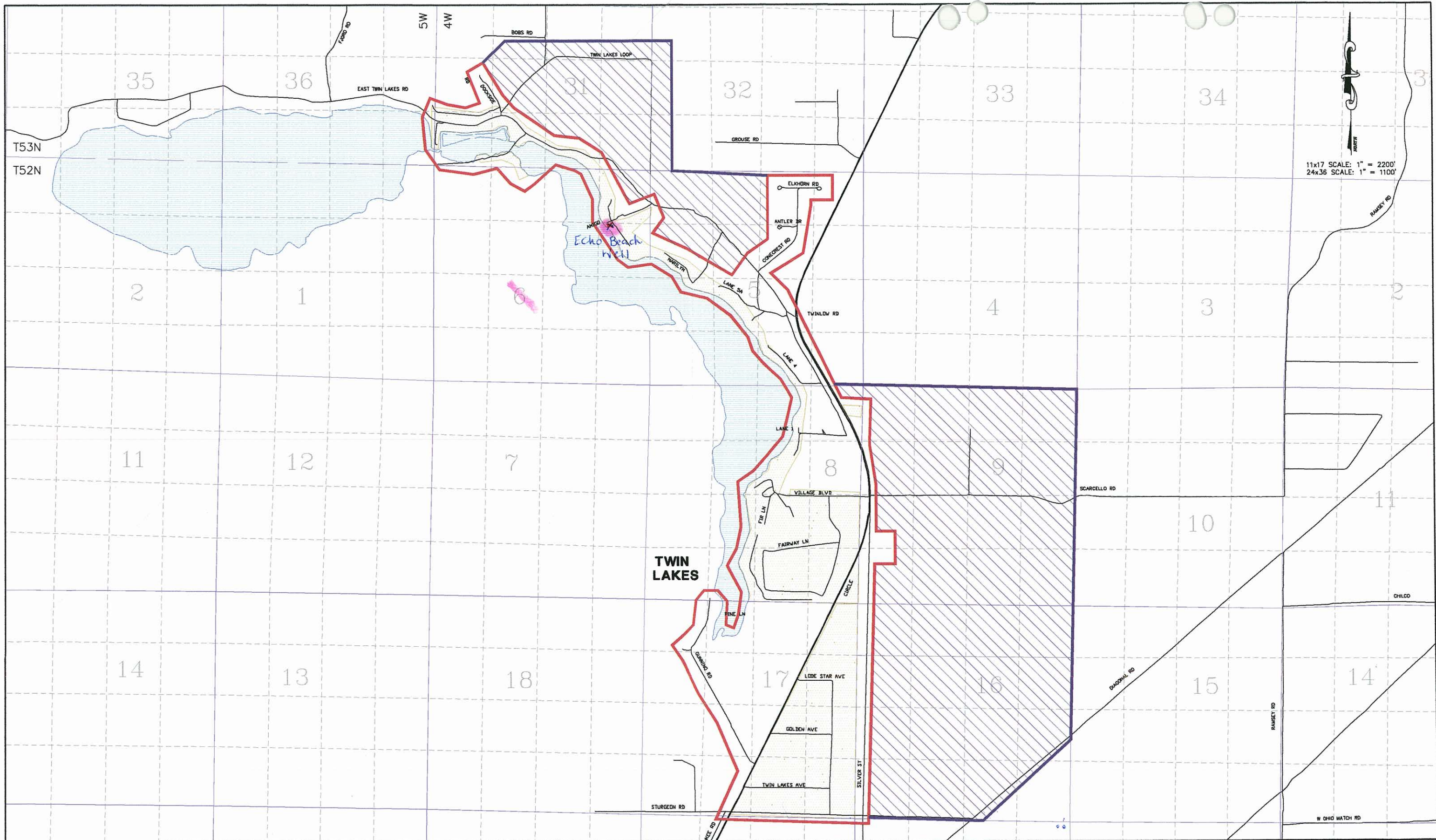
NKWD

T51N R5W

**MOUNTAIN VIEW
TERRACE**

SERVICE AREA

DWG NAME:
11228DS13.DWG
DATE:
08-13-02
SHEET NO:



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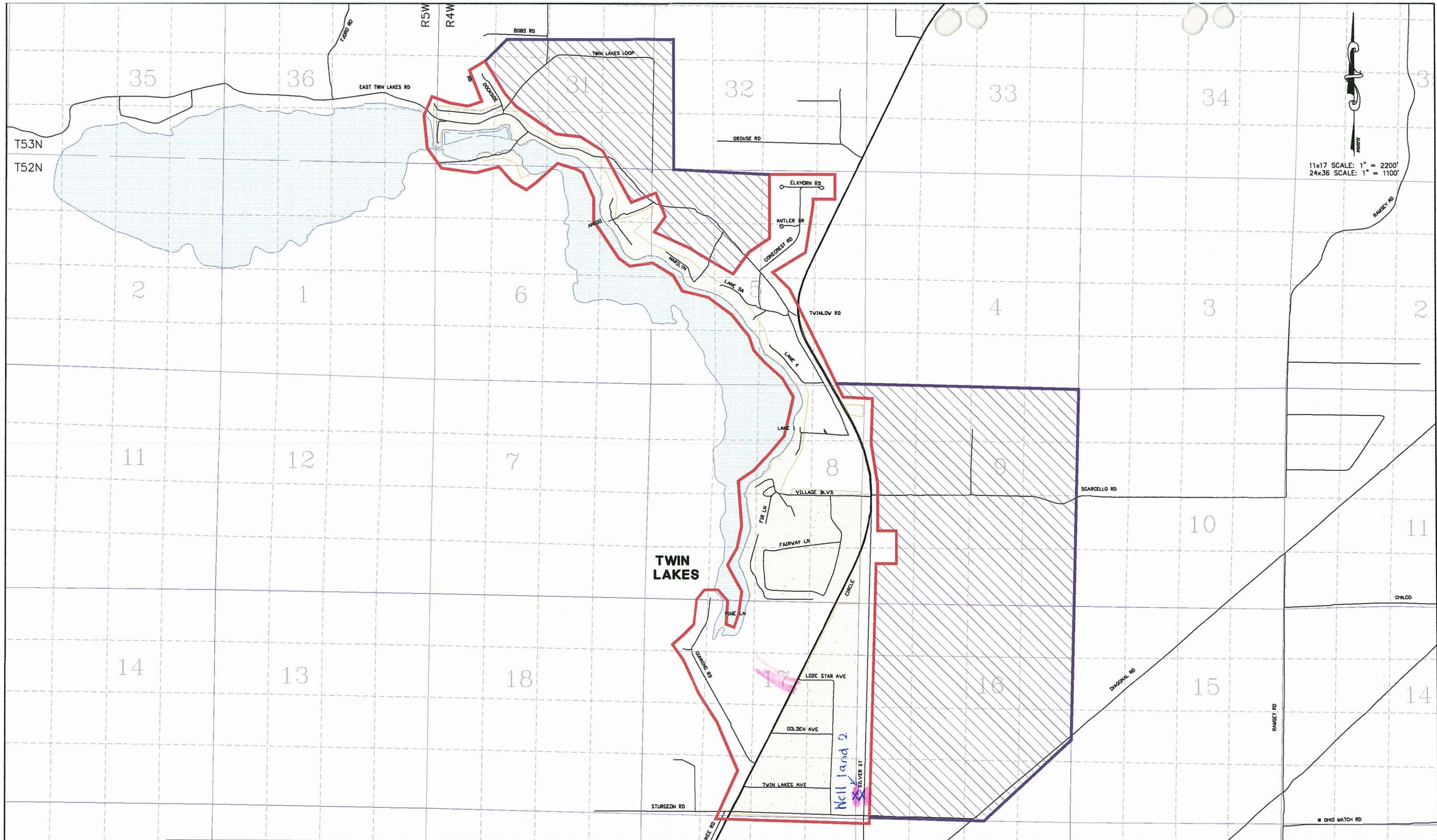
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NO.	DATE	REVISION DESCRIPTION	BY

NKWD
T53N, R5W, 4W
T52N, R4W

TWIN LAKES
SERVICE AREA

DWG NAME: 11228DS13.DWG
DATE: 08-13-02
SHEET NO:



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DESIGNED BY: N.M.
DRAWN BY: J.A.L.
CHECKED BY:

NO.	DATE	REVISION DESCRIPTION	BY

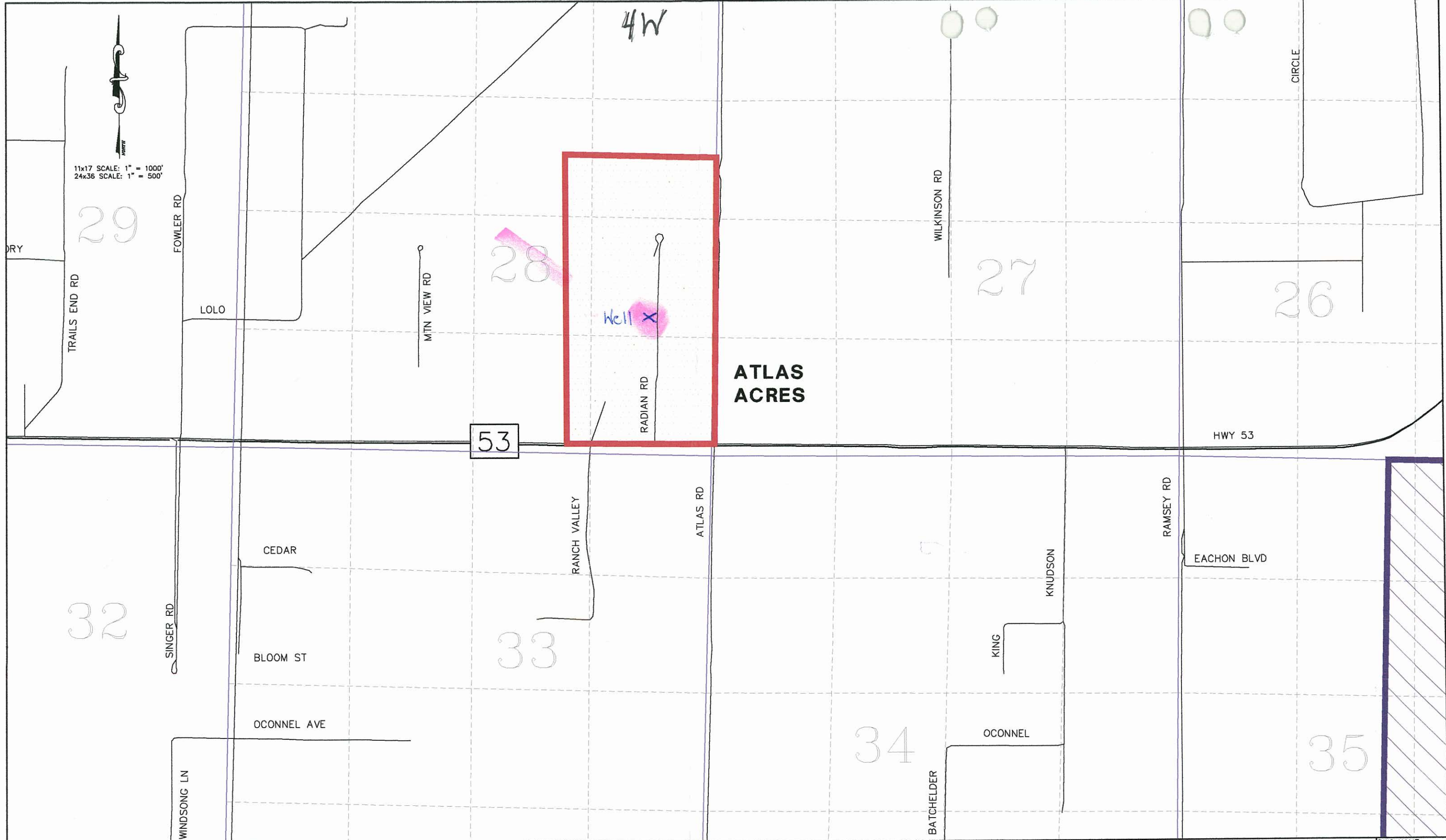
NKWD

T53N, R5W, 4W
T52N, R4W

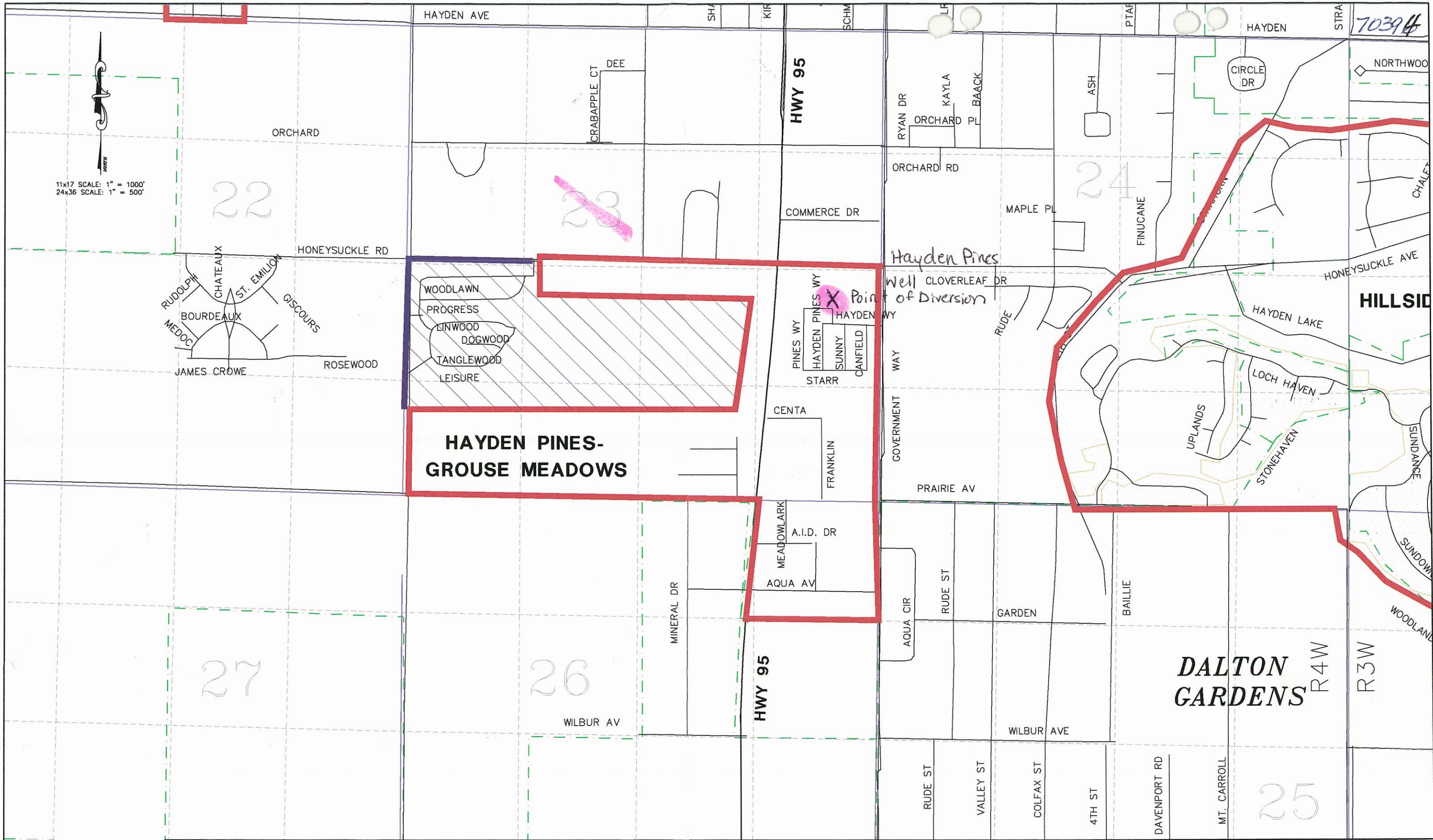
TWIN LAKES
SERVICE AREA

DWG NAME:
1122BDS13.DWG
DATE:
08-13-02
SHEET NO:

52N



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		DESIGNED BY: N.M.					
		DRAWN BY: J.A.L.					
CHECKED BY:							
NKWD		T52N R4W		ATLAS ACRES SERVICE AREA			
DWG NAME: 11228DS13.DWG DATE: 08-13-02 SHEET NO:							



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CHECKED BY:	

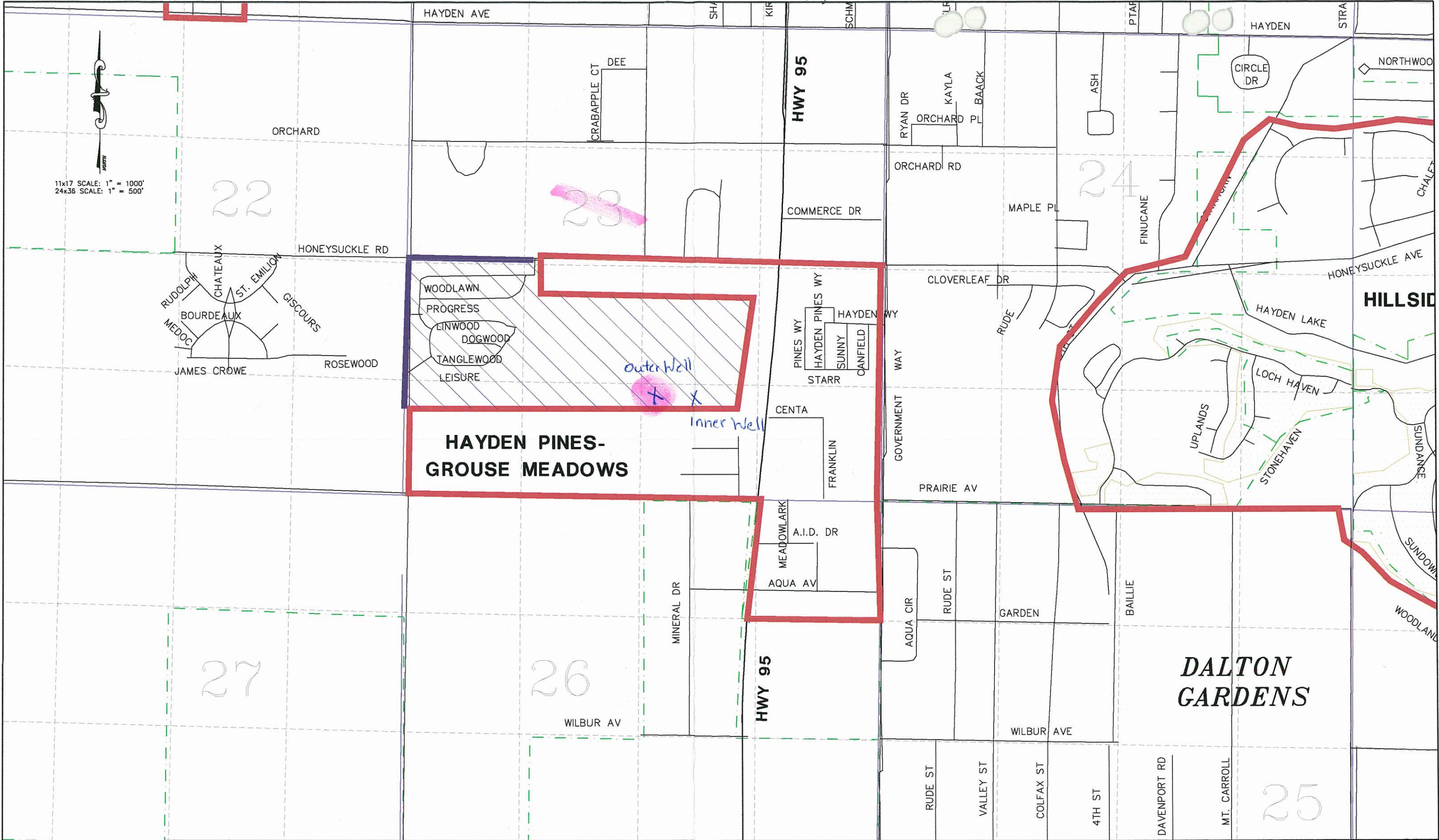
NO.	DATE	REVISION DESCRIPTION	BY

NKWD
T51N, R4W

HAYDEN PINES GROUSE MEADOWS
SERVICE AREAS

DWG NAME:
11228DS13.DWG
DATE:
08-13-02
SHEET NO:

51N



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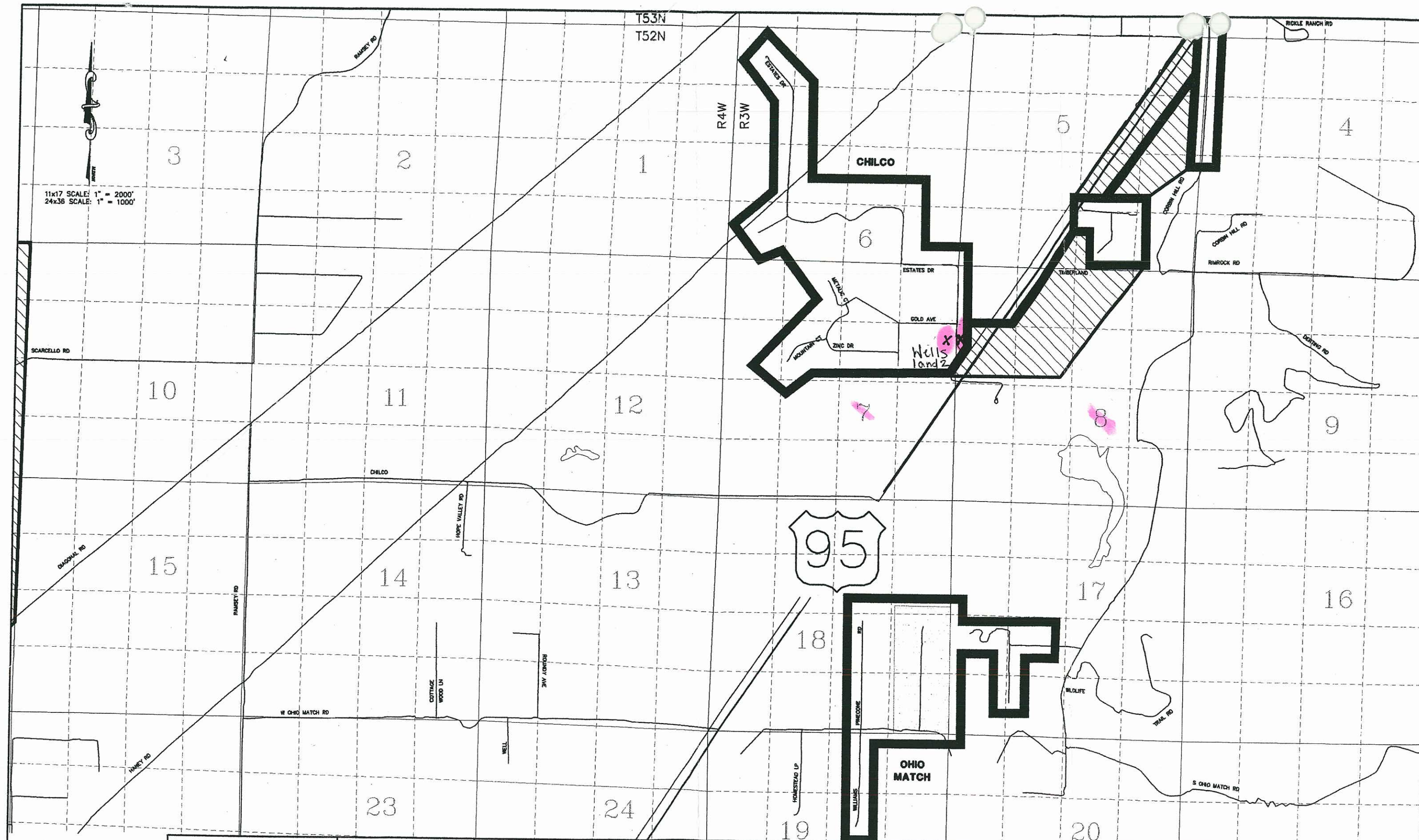
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PROJECT NO.: 11228					
DESIGNED BY: N.M.					
DRAWN BY: J.A.L.					
CHECKED BY:					

NKWD
T51N R4W

HAYDEN PINES
GROUSE MEADOWS
SERVICE AREAS

DWG NAME:	11228DS13.DWG
DATE:	08-13-02
SHEET NO:	



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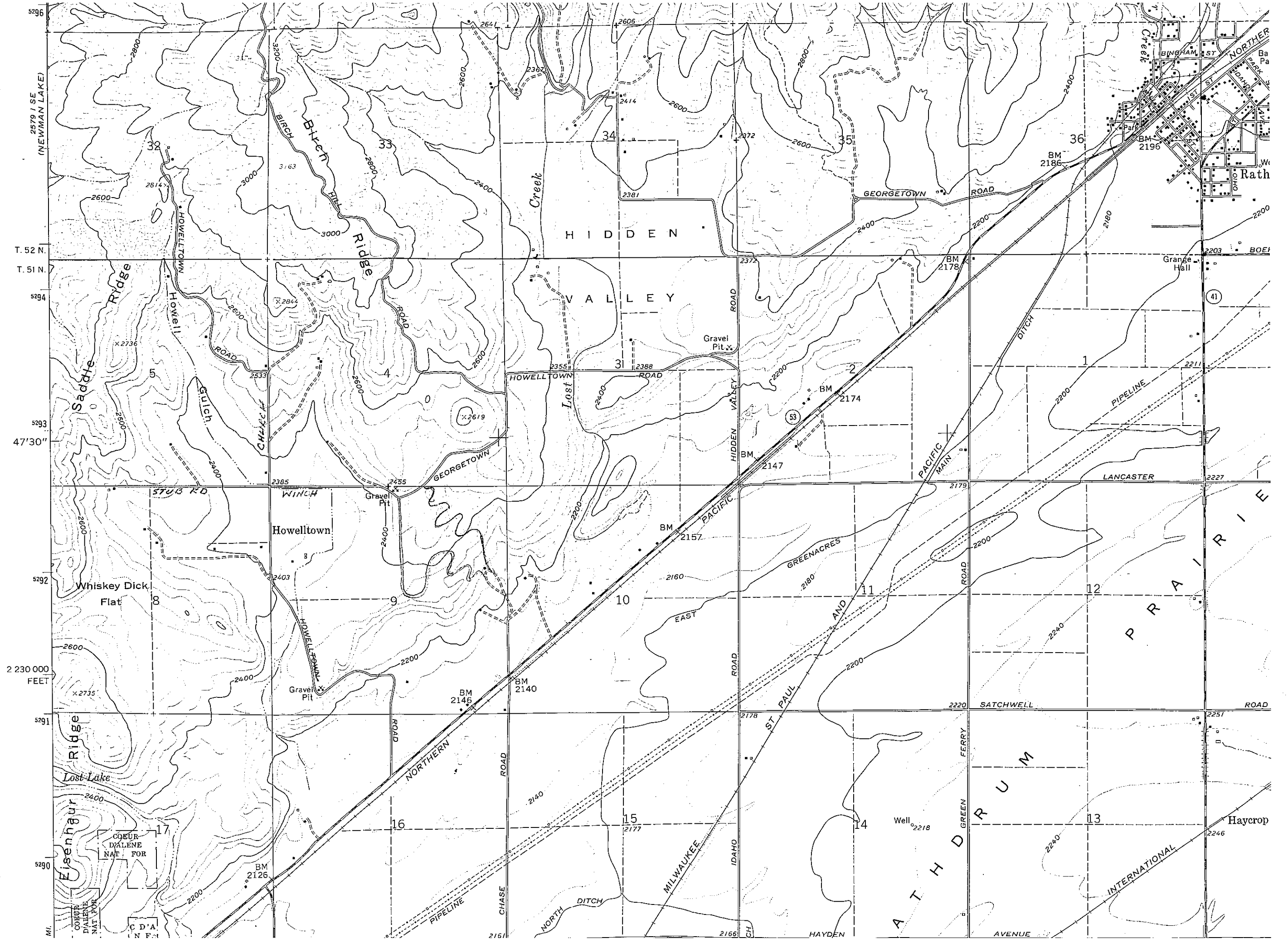
PROJECT NO.:	11228
DESIGNED BY:	N.M.
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CHECKED BY:	

NO.	DATE	REVISION DESCRIPTION	BY

NKWD
T52N, R3W

OHIO MATCH AND CHILCO
SERVICE AREAS

DWG NAME:	11228DS13.DWG
DATE:	08-13-02
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PART 3

B. CHANGES IN NATURE OF USE

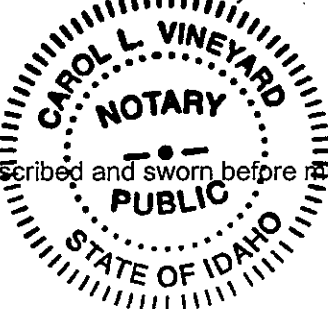
1.

<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
<u>Municipal</u>	<u>3.5 cfs</u>	<u>24 hours 365 days</u>	<u>01/01</u> to <u>01/31</u> to _____

2. Quantity and quality of return flows and location of discharge:
This change will not affect the existing quantity and quality of return flows.

3. Describe effects on other water uses resulting from the proposed change:
Refer to Part 1, Item 6c

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.
 I understand that any willful misrepresentations made in this application may result in voiding its approval.



Subscribed and sworn before me this 6th day of February, 2003

Bainhurst Dist. Mgr.
(Signature of Applicant)

Carol Vineyard
(Notary Public)

My commission expires 7/23/05

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.	
Received by _____	Date <u>2/6/03</u> Protest filed by _____
Prelim. Check by _____	Fee <u>\$370.00</u>
Received by <u>am</u>	Date <u>1/16/03</u>
Published in _____	# <u>NO15429</u>
Pub. Dates _____	Copies of protest forwarded by _____
Watermaster recommendation requested on _____	Hearing held _____ Date _____
_____ Rec'd. _____	Recommended for ☐ approval ☐ denial
Copy of transfer sent to lien holder _____	by _____

SCANNED
FEB 11 5 2004