

RECEIVED

MAR 11 2008

DEPARTMENT OF
WATER RESOURCES

BIG SKY ESTATES OWNER'S ASSOCIATION, INC.

P.O. Box 2184
Post Falls, Idaho 83877-2184
E-mail - lvrenz@adelphia.net
Phone 208-769-9343

MARCH 7, 2008

Emalee Rushing
Office Services Supervisor
State of Idaho
Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, Idaho 83720-0098

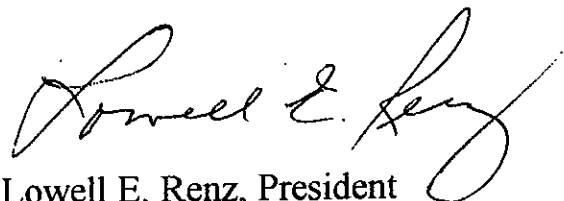
Dear Ms. Rushing,

The enclosed documents include the Deed to the land being watered and a Survey Map on file with Kootenai County. I have included other supportive documents.

The well is located close to the center of Big Sky Development. I have circled that site.

Please contact me if you have any questions.

Thank You,



Lowell E. Renz, President
Big Sky Estates Owners Association, Inc.
P.O. BOX 2184
Post Falls, ID 83877-2162
Phone (208) 769-9343
Cell (208) 662-7699



STATE OF IDAHO
DIVISION OF
ENVIRONMENTAL QUALITY

2110 Ironwood Parkway • Coeur d'Alene, Idaho 83814-2648 • (208) 769-1422

Dirk Kempthorne, Governor
C. Stephen Allred, Administrator

February 11, 2002

Mr. John Beutler
1836 Northwest Blvd. Suite 100
Coeur d'Alene, ID 83814

RE: As-built Water Plans for Big Sky Estates, Ross Point Water District

Dear Mr. Beutler:

As-built plans were submitted on January 11, 2002 as certified by John A. Smetana, P.E. of Frame and Smetana, P.A. for completion of extension of the Ross Point Water District's water distribution system. The extension serves the thirty-one (31) residential lots in the Big Sky Estates subdivision in Kootenai County. This subdivision was formerly called Brickert Prairie Estates. The certified as-built plans have been compared to the construction plans and specifications approved by DEQ on March 29, 2000 and are hereby approved per Section 39-118 of Idaho Code as the record drawings for this project.

The project included installation of a 10-inch diameter C-900 PVC water main for the following segments:

- starting at the Poleline and Meyer intersection, then north about 2600 feet on Meyer Road and including a check valve in a vault station along Meyer Road to separate the reservoir and booster station supplied pressure sections;
- starting at Reisdig and Poleline Roads, then on Poleline and Cranston Court for 1600 feet to the subdivision boundary;
- through the subdivision on Big Sky Drive and Century Drive between Heutter Road and Meyer Road for about 6200 feet; and
- installation of about 700 feet of 8-inch diameter water main north from Big Sky Drive to serve a future area.

The five contingencies to the DEQ construction approval of March 30, 2000 have been addressed as follows:

1. Fire hydrants or blow-off valves have been installed on all deadend lines.
2. The vertical clearance between the 10-inch diameter water main and the Yellowstone Pipeline's gasoline pipeline at the Cranston Court crossing was 18.5-inches and is acceptable.
3. The well shown along Big Sky Estates is noted as being used only for non-drinking water (irrigation) purposes.
4. A will serve letter from the Ross Point Water District was submitted and noted that the booster pumping system installed with Brickert Country Estates would supply adequate domestic and fire flows to this new subdivision.
5. The well shown on Sheet 3 of 10 is noted as being owned by Bill Cranston and supplying drinking water to nine or fewer services. Since this is not a public drinking water system, the 50-foot radius well lot requirement of public wells does not apply.

2

RE: **As-built Water Plans for Big Sky Estates, Ross Point Water District**

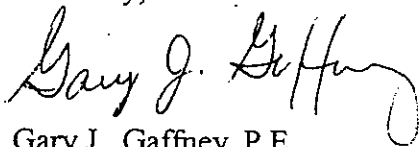
February 11, 2002

Page 2

Responsibility for ownership, operation, and maintenance of the completed water mains shown on these plans needs to be transferred to the Ross Point Water District now that these mains are completed and functional. A copy of these as-built plans should also be provided to Ross Point Water District for their records.

We understand the 31 5-acre lots in this subdivision will be served by individual on-site sewage systems permitted by the Panhandle Health District (PHD). By copy of this letter to the PHD, we are notifying them that drinking water as-built plans for this subdivision are approved and we have no objection to the plat being finalized and sanitary restrictions released.

Sincerely,



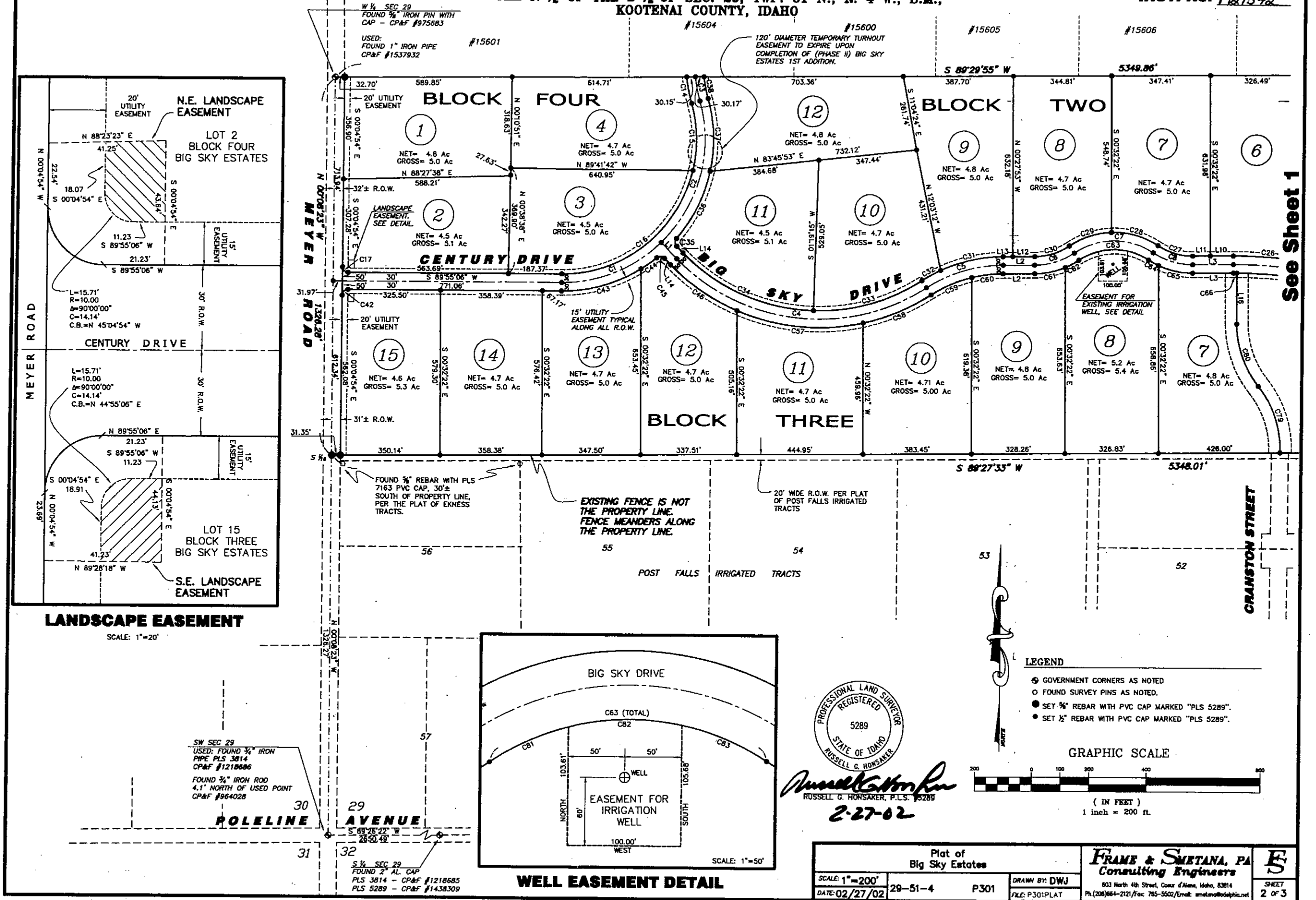
Gary J. Gaffney, P.E.

c: John A. Smetana, Frame & Smetana, P.A., 603 N Fourth St., Coeur d'Alene, ID 83814
Dan Selden, Ross Point Water District, PO Box 70, Post Falls, ID 83854
Sandy Meehan, Kootenai County Planning and Building, P.O. Box 9000, Coeur d'Alene, ID 83814
Rob Eachon, Panhandle Health District, 2195 Ironwood Court, Coeur d'Alene, ID 83814

Big Sky Estates

IN THE N ½ OF THE S ¼ OF SEC. 29, TWP. 51 N., R. 4 W., B.M.,
KOOTENAI COUNTY, IDAHO

BOOK I, PAGE 324A
INST. No. 1721542

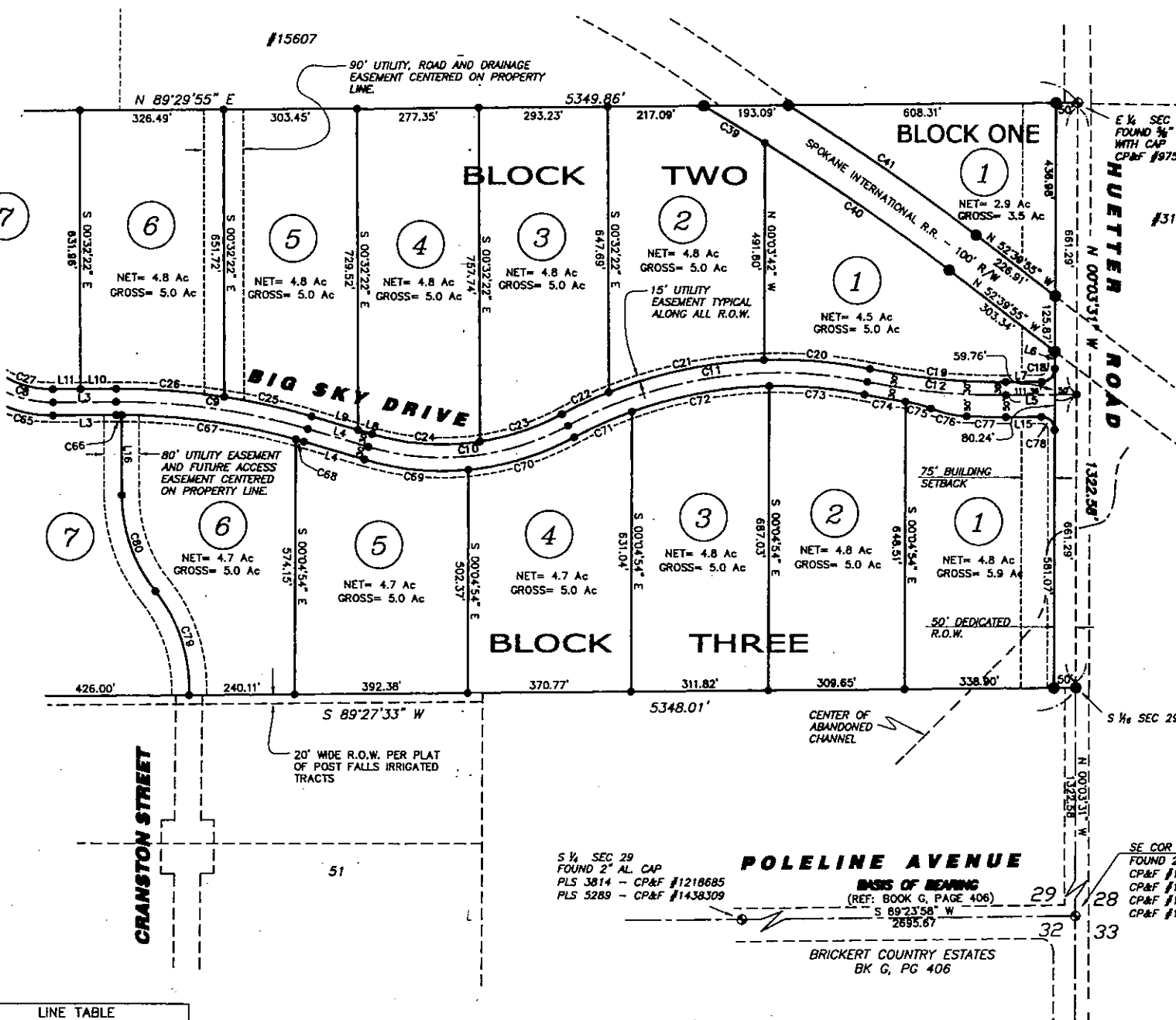


Big Sky Estates

IN THE N ½ OF THE S ½ OF SEC. 29, TWP. 51 N., R. 4 W., B.M.,
KOOTENAI COUNTY, IDAHO

CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	500.00	44°22'50"	387.29	377.68
C2	500.00	61°45'16"	538.91	513.20
C3	500.00	9°51'24"	86.01	85.91
C4	700.00	78°37'51"	980.66	887.03
C5	500.00	32°34'28"	284.27	280.45
C6	250.00	33°34'59"	146.53	144.44
C7	250.00	67°09'58"	293.07	276.57
C8	250.00	33°34'59"	146.53	144.44
C9	1500.00	18°52'21"	441.72	440.12
C10	800.00	44°52'35"	469.95	458.02
C11	1000.00	40°06'21"	699.98	685.78
C12	1500.00	12°06'07"	316.83	316.24
C14	530.00	10°11'21"	94.25	94.13
C15	470.00	28°58'33"	237.69	235.17
C16	470.00	77°09'33"	632.94	586.19
C17	20.00	90°00'00"	31.42	28.28
C18	30.00	89°32'24"	46.88	42.26
C19	1470.00	12°06'07"	310.49	308.91
C20	1030.00	13°29'39"	242.58	242.02
C21	1030.00	20°06'19"	361.43	359.58
C22	1030.00	6°30'24"	116.97	116.91
C23	570.00	19°52'27"	197.72	195.73
C24	570.00	25°00'08"	248.73	246.76
C25	1530.00	7°37'50"	203.76	203.61
C26	1530.00	9°14'31"	246.79	246.52
C27	220.00	33°34'59"	128.95	127.11
C28	280.00	35°17'46"	172.49	169.77
C29	280.00	31°52'12"	155.75	153.75
C30	220.00	33°34'59"	128.95	127.11
C31	530.00	24°25'54"	226.15	224.44
C32	530.00	8°07'34"	75.17	75.11
C33	670.00	34°28'22"	403.11	397.06
C34	670.00	44°09'29"	516.37	503.69
C35	20.00	84°47'03"	29.80	28.97
C36	530.00	28°46'32"	266.18	263.38
C37	530.00	27°45'47"	256.81	254.31
C38	470.00	9°28'52"	77.77	77.69
C39	5097.82	1°49'59"	163.10	163.09
C40	5097.82	5°44'06"	510.24	510.03
C41	5197.82	5°43'46"	519.75	519.53
C42	20.00	90°00'00"	31.42	28.28
C43	530.00	31°51'11"	294.65	290.87
C44	530.00	7°18'42"	67.64	67.59
C45	20.00	84°47'03"	29.80	28.97
C46	730.00	22°26'23"	285.90	284.08
C47	730.00	35°40'35"	454.55	447.24
C48	730.00	20°30'53"	261.38	259.88
C49	470.00	19°01'09"	156.01	155.30
C50	470.00	13°33'19"	111.20	110.94
C51	280.00	22°29'21"	109.90	109.20
C52	280.00	11°05'38"	54.21	54.13
C53	220.00	67°09'58"	257.90	243.38
C54	280.00	8°23'02"	40.97	40.93
C55	280.00	25°11'57"	123.15	122.16
C56	1470.00	0°28'11"	12.05	12.05
C57	1470.00	15°39'14"	401.82	400.37
C58	1470.00	0°44'58"	19.21	19.21
C59	630.00	21°48'02"	239.71	238.27
C60	630.00	23°04'33"	253.73	252.02
C61	970.00	8°24'16"	142.28	142.16
C62	970.00	18°49'25"	318.68	317.25
C63	970.00	12°52'40"	218.02	217.56
C64	1530.00	3°32'07"	94.41	94.39
C65	250.00	13°49'46"	60.34	60.20
C66	250.00	19°06'16"	83.36	82.87
C67	1550.00	3°17'29"	89.04	89.03
C68	30.00	90°27'36"	47.36	42.80
C69	350.00	41°05'25"	251.01	245.66
C70	350.00	38°27'20"	234.91	230.53
C71	220.00	19°46'51"	75.95	75.58
C72	220.00	26°16'44"	100.90	100.02
C73	220.00	21°06'23"	81.04	80.59

See Sheet 2

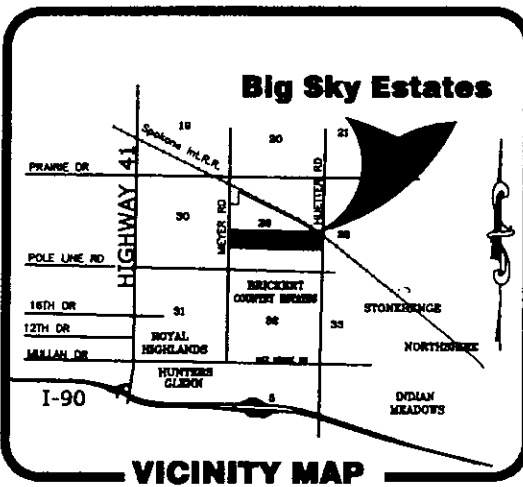


REFERENCES

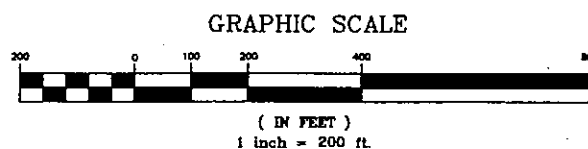
- PLAT OF POST FALLS IRRIGATED TRACTS - BOOK C, PAGE 79.
- PLAT OF BRICKERT COUNTRY ESTATES - BOOK G, PAGE 406.
- PLAT OF BRICKERT COUNTRY ESTATES FIRST ADDITION - BOOK G, PAGE 443.
- PLAT OF EKNESS TRACTS - BOOK I, PAGE 259.
- RECORD OF SURVEY - BOOK 11, PAGE 99.

LEGEND

- GOVERNMENT CORNERS AS NOTED
- FOUND SURVEY PINS AS NOTED.
- SET ¾" REBAR WITH PVC CAP MARKED "PLS 5289".
- SET ½" REBAR WITH PVC CAP MARKED "PLS 5289".



LINE TABLE		
LINE	LENGTH	BEARING
L1	79.68'	N 44°27'44" W
L2	110.99'	S 89°28'52" W
L3	143.28'	S 89°28'52" W
L4	142.58'	N 73°38'47" W
L5	161.36'	S 89°28'52" W
L6	38.70'	N 00°03'31" W
L7	81.84'	N 89°28'52" E
L8	32.72'	S 73°38'47" E
L9	109.86'	S 73°38'47" E
L10	80.78'	N 89°28'52" E
L11	62.50'	N 89°28'52" E
L12	77.40'	N 89°28'52" E
L13	33.58'	N 89°28'52" E
L14	31.94'	N 44°27'44" W
L15	80.72'	N 89°28'52" E
L16	180.63'	N 00°32'22" W



Russell G. Honsaker, P.L.S. #5289
2-20-02

Big Sky Estates

IN THE N ½ OF THE S ½ OF SEC. 29, TWP. 51 N., R. 4 W., B.M.,
KOOTENAI COUNTY, IDAHO

BOOK I, PAGE 3368
INST. No. 1721542

OWNER'S CERTIFICATE

BE IT KNOWN THAT JOHN A. BEUTLER AND ANN J. BEUTLER LIVING TRUST DATED JUNE 8, 1999, THE RECORD OWNER OF THE REAL PROPERTY DESCRIBED IN THIS CERTIFICATE HAS CAUSED THE SAME TO BE SURVEYED AND DIVIDED INTO LOTS AND BLOCKS AS SHOWN HEREON TO BE KNOWN AS BIG SKY ESTATES, BEING A PORTION OF THE NORTH HALF OF THE SOUTH HALF OF SECTION 29, TOWNSHIP 51 NORTH, RANGE 4 WEST, B.M., KOOTENAI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 29; THENCE ALONG THE NORTH LINE OF THE SOUTH HALF OF SAID SECTION 29, N 89°29'55" E, 32.70 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF MEYER ROAD AND THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE CONTINUING N 89°29'55" E, 5267.17 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF HUETTER ROAD; THENCE LEAVING THE SAID NORTH LINE OF THE SOUTH HALF OF SECTION 29 ALONG THE SAID WESTERLY RIGHT-OF-WAY LINE OF HUETTER ROAD, S 0°03'31" E, 1322.62 FEET TO THE SOUTH LINE OF THE NORTH HALF OF THE SAID SOUTH HALF OF SECTION 29; THENCE LEAVING THE SAID WESTERLY RIGHT-OF-WAY LINE OF HUETTER ROAD ALONG THE SAID SOUTH LINE OF THE NORTH HALF OF THE SOUTH HALF OF SECTION 29, S 89°27'33" W, 5266.65 FEET TO THE SAID EASTERLY RIGHT-OF-WAY LINE OF MEYER ROAD; THENCE LEAVING THE SAID SOUTH LINE OF THE NORTH HALF OF THE SOUTH HALF OF SECTION 29 ALONG THE SAID EASTERLY RIGHT-OF-WAY LINE OF MEYER ROAD, N 0°04'54" W, 1326.26 FEET TO THE TRUE POINT OF BEGINNING; CONTAINING APPROXIMATELY 160.1 ACRES, MORE OR LESS. EXCEPTING THE RAILROAD RIGHT-OF-WAY DEDICATING TO THE PUBLIC FOREVER THE RIGHTS-OF-WAY OF MEYER ROAD, HUETTER ROAD, CENTURY DRIVE, AND BIG SKY DRIVE AS SHOWN HEREON. GRANTING THE EASEMENTS AS SHOWN HEREON AND ALL OTHER EASEMENTS THAT MAY BE IN VIEW OR OF RECORD.

WATER SERVICE TO EACH LOT PLATTED HEREIN SHALL BE PROVIDED BY ROSS POINT WATER DISTRICT.

SEWER SERVICE TO EACH LOT PLATTED HEREIN SHALL BE PROVIDED BY INDIVIDUAL SEPTIC TANK AND DRAINFIELD.

IN WITNESS WHEREOF WE DO HEREBY AFFIX OUR SIGNATURES THIS 19TH DAY OF FEBRUARY, 2002.

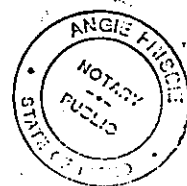
John A. Beutler Trustee
JOHN A. BEUTLER, TRUSTEE OF JOHN A. BEUTLER AND
ANN J. BEUTLER LIVING TRUST DATED JUNE 8, 1999,

Ann J. Beutler Trustee
ANN J. BEUTLER, TRUSTEE OF JOHN A. BEUTLER AND
ANN J. BEUTLER LIVING TRUST DATED JUNE 8, 1999,

STATE OF IDAHO ss KOOTENAI COUNTY

ON THIS 19th DAY OF February, 2002, BEFORE ME PERSONALLY APPEARED JOHN A. BEUTLER, TRUSTEE AND ANN J. BEUTLER, TRUSTEE, KNOWN TO ME TO BE THE OFFICERS WHO EXECUTED THE ABOVE OWNER'S CERTIFICATE AND ACKNOWLEDGED TO ME THAT THEY SIGNED THE SAME.

Angie Fung
NOTARY PUBLIC IN AND FOR THE STATE OF IDAHO
RESIDING IN Hailey
MY COMMISSION EXPIRES 1-27-2006



SURVEYOR'S CERTIFICATE

I, RUSSELL G. HONSAKER, P.L.S. NO. 5289, STATE OF IDAHO, DO HEREBY CERTIFY THAT THE PLAT AS SHOWN HEREON IS BASED UPON ACTUAL FIELD SURVEY OF THE LAND DESCRIBED AND THAT ALL ANGLES, DISTANCES, AND CORNERS ARE STAKED AS SHOWN ON THE PLAT.

Russell G. Honsaker
RUSSELL G. HONSAKER, P.L.S. NO. 5289
2-20-02



POST FALLS HIGHWAY DISTRICT

THIS PLAT APPROVED BY THE POST FALLS HIGHWAY DISTRICT, KOOTENAI COUNTY, IDAHO
THIS 21ST DAY OF Feb, 2002.

John Hunsaker
CHAIRMAN - POST FALLS HIGHWAY DISTRICT

PANHANDLE HEALTH DISTRICT I

A SANITARY RESTRICTION ACCORDING TO IDAHO CODE 50-1326 TO 50-1329 IS IMPOSED ON THIS PLAT. NO BUILDING, DWELLING OR SHELTER SHALL BE ERRECTED UNTIL SANITARY RESTRICTION REQUIREMENTS ARE SATISFIED AND LIFTED.

THIS PLAT APPROVED THIS 20th
DAY OF February, 2002.

SANITARY RESTRICTION SATISFIED
AND LIFTED THIS 21st DAY
OF February, 2002.

Archie McQuinn
PANHANDLE HEALTH DISTRICT I
Archie McQuinn
PANHANDLE HEALTH DISTRICT I

KOOTENAI COUNTY COMMISSIONERS

THIS PLAT APPROVED AND ACCEPTED BY THE BOARD OF COUNTY COMMISSIONERS OF KOOTENAI COUNTY, IDAHO THIS 19th DAY OF March, 2002.

Richard Ransbaker
CHAIRMAN - BOARD OF KOOTENAI COUNTY COMMISSIONERS

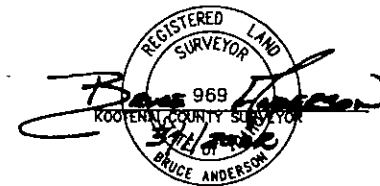
KOOTENAI COUNTY TREASURER

I HEREBY CERTIFY THIS 20th DAY OF February, 2002, THAT THE REQUIRED TAXES ON THE HEREIN PLATTED LAND HAVE BEEN PAID THRU December 31, 2001.

Louise Thomas
KOOTENAI COUNTY TREASURER Chief Deputy

KOOTENAI COUNTY SURVEYOR

I HEREBY CERTIFY THAT I HAVE EXAMINED THIS PLAT AND APPROVE THE SAME FOR FILING THIS 19th DAY OF February, 2002.



KOOTENAI COUNTY RECORDER

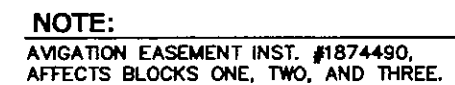
I HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF KOOTENAI COUNTY, IDAHO, AT THE REQUEST OF John A. Beutler and Ann J. Beutler Living Trust THIS 19th DAY OF March, 2002, AT 3:18 PM AND DULY RECORDED IN PLAT BOOK I, PAGE 336, 336A & 336B Instrument # 1721542

Daniel J. English by Debbie Sala
KOOTENAI COUNTY RECORDER
Daniel J. English
County Clerk
Fee \$11.00

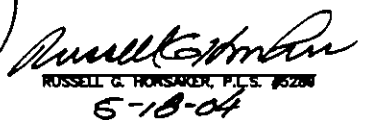
Plat of Big Sky Estates			FRAME & SMETANA, PA Consulting Engineers		E SHEET 3 of 3
SCALE:	29-51-4	P301	DRAWN BY: DWJ	603 North 4th Street, Coeur d'Alene, Idaho, 83814	
DATE: 02/19/02			FILE: P301PLAT	Ph: (208) 664-2121 / Fax: 765-3502 / Email: smetana@coeuridaho.net	

A PORTION OF THE N¹/₂ OF SEC. 29, TWP. 51 N., R. 4 W., B.M.,
KOOTENAI COUNTY, IDAHO

INST. No. 1878038



DETAIL "C"

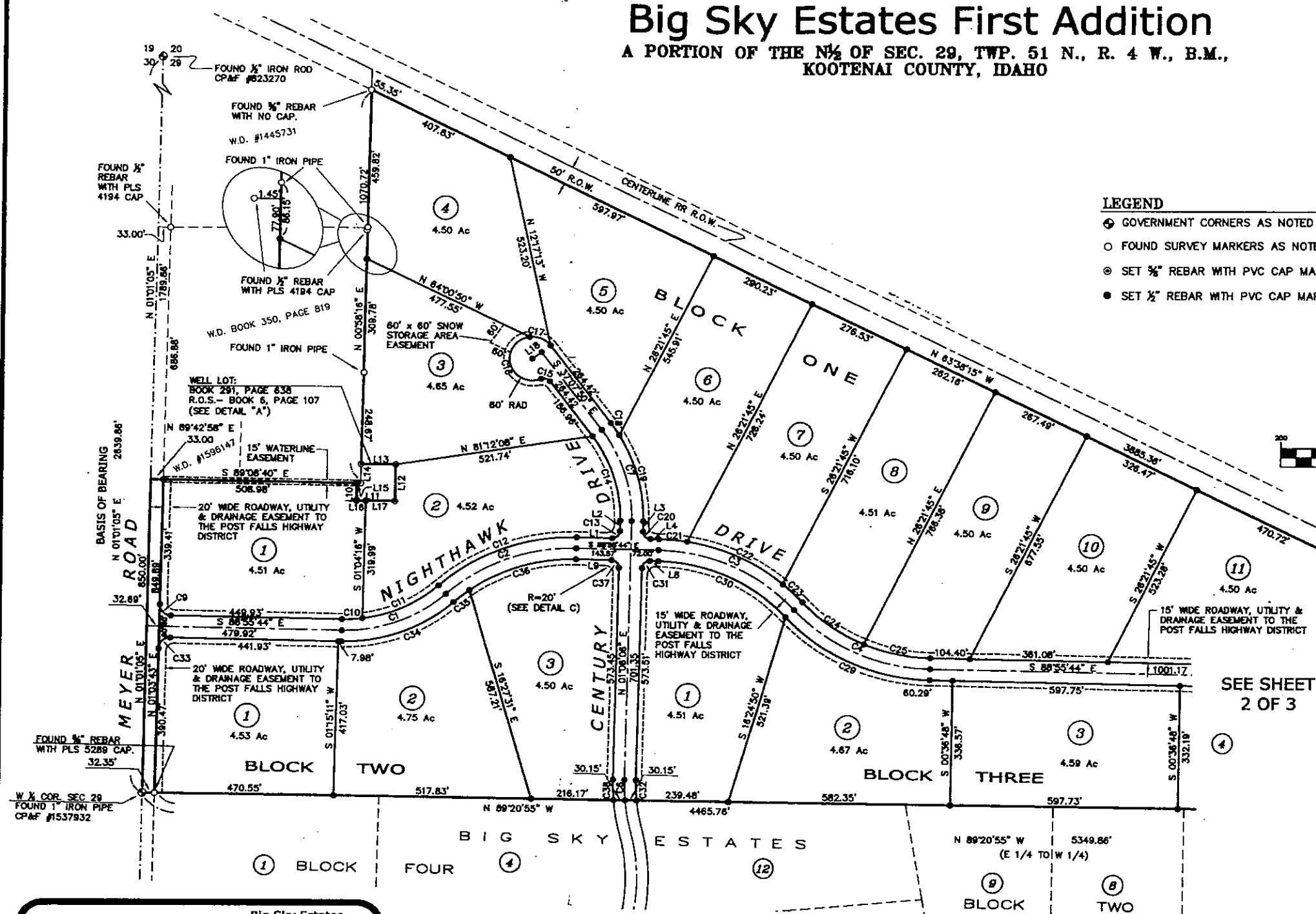


Plat of Big Sky Estates First Addition			FRAME & SMETANA, PA Consulting Engineers		
SCALE: 1"=200' DATE: 05/07/04	29-51-4	P301	DRAWN BY: DWJ FILE: P301PLT2	663 North 4th Street, Coeur d'Alene, Idaho, 83814 Ph: (208) 664-2121 / Fax: 765-3502 / Email: smetana@bigskyplains.net	
					SHEET 2 of 3

Big Sky Estates First Addition

A PORTION OF THE NW 1/4 OF SEC. 29, TWP. 51 N., R. 4 W., B.M.,
KOOTENAI COUNTY, IDAHO

BOOK J, PAGE 40
INST. No. 1878038



CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD	BEARING
C1	400.00	42°33'08"	297.07	290.29	N 89°47'43" E
C2	500.00	42°33'08"	371.33	362.06	S 89°47'43" W
C3	500.00	48°01'23"	401.63	390.92	N 85°55'02" E
C4	500.00	48°01'23"	401.63	390.92	S 85°55'02" W
C5	348.65	88°32'32"	548.43	492.50	N 44°08'28" E
C6	500.00	8°18'34"	55.06	55.03	S 02°03'11" E
C7	400.00	38°15'58"	266.91	261.99	N 18°00'52" E
C8	5602.79	5°02'28"	492.97	492.81	N 81°07'00" W
C9	30.00	88°58'28"	47.12	42.42	S 43°56'00" E
C10	370.00	8°21'40"	53.99	53.95	N 88°53'28" E
C11	370.00	34°11'26"	220.78	217.53	S 65°38'53" E
C12	530.00	42°33'08"	393.61	384.83	S 89°47'43" W
C13	20.00	88°58'10"	31.41	28.28	N 44°08'11" E
C14	370.00	38°15'58"	246.89	242.34	N 18°00'52" E
C15	20.00	75°31'21"	28.38	24.49	N 74°53'30" E
C16	80.00	195°31'21"	204.75	118.90	S 14°53'30" E
C17	80.00	80°00'00"	82.83	60.00	N 87°07'50" W
C18	430.00	51°38'38"	39.81	39.59	N 34°28'31" W
C19	430.00	32°57'18"	247.32	243.93	N 15°22'35" E
C20	20.00	80°01'50"	31.43	28.29	S 43°54'49" E
C21	530.00	8°03'38"	74.58	74.50	N 84°53'58" W
C22	530.00	30°15'54"	279.98	276.72	N 65°44'10" W
C23	530.00	7°41'53"	71.21	71.18	N 48°45'17" W
C24	470.00	24°08'38"	197.77	196.32	S 54°57'38" E
C25	470.00	21°54'48"	179.78	178.66	S 77°58'20" E
C26	379.65	71°03'57"	470.89	441.28	N 53°23'45" W
C27	379.65	18°28'35"	122.43	121.90	N 08°37'28" W
C28	319.65	88°32'32"	489.55	450.24	N 44°08'28" E
C29	530.00	48°01'23"	425.73	414.37	S 65°55'02" E
C30	470.00	48°01'23"	377.53	367.46	N 85°55'02" W
C31	20.00	88°58'10"	31.41	28.28	S 46°08'11" W
C32	470.00	8°41'08"	54.84	54.81	S 02°14'27" E
C33	30.00	80°00'34"	47.13	42.43	S 48°04'00" W
C34	430.00	42°33'08"	319.35	312.08	N 89°47'43" E
C35	470.00	8°28'30"	52.84	52.81	S 51°44'25" W
C36	470.00	38°08'37"	296.21	291.34	S 73°00'58" W
C37	20.00	80°01'50"	31.43	28.29	N 43°54'49" E
C38	530.00	5°58'37"	55.29	55.26	S 01°53'12" E

REFERENCES:

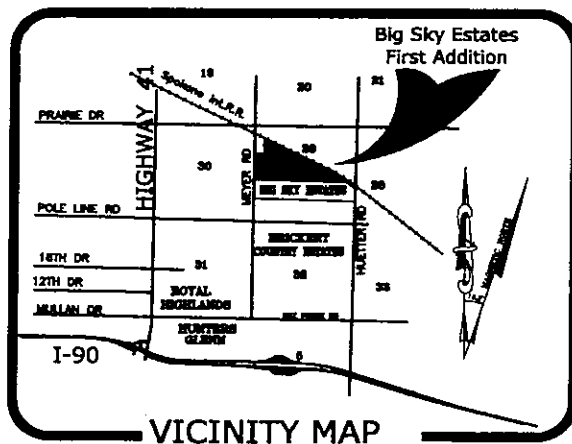
PLAT OF BIG SKY ESTATES - BK 1, PG 336
RECORD DESCRIPTION - BK 291, PG 638
RECORD OF SURVEY - BK 6, PG 107
- BK 4, PG 77

BASIS OF BEARING:

THE WEST LINE OF THE NORTHWEST QUARTER OF
SECTION 29, KOOTENAI COUNTY
N.A.D. 83 DATUM, GRID BEARING:
W. 1/4 COR SEC 29
C.A.F. AT ELEV. 2235 IS 0.9999135
CONVERGENCE ANGLE = -0°49'52"

NOTE:

AVIGATION EASEMENT INST. #1874490,
AFFECTS BLOCKS ONE, TWO, AND THREE.



LINE TABLE		
LINE	LENGTH	BEARING
L1	93.55'	S 88°55'44" E
L2	27.90'	N 01°08'08" E
L3	27.84'	N 01°08'08" E
L4	22.01'	S 88°55'44" E
L5	10.28'	S 00°36'48" W
L6	10.22'	S 00°36'48" W
L7	10.25'	S 00°36'48" W
L8	22.07'	S 88°55'44" E
L9	93.50'	S 88°55'44" E
L10	47.58'	S 01°01'05" W
L11	100.00'	S 88°21'02" E
L12	100.00'	N 01°01'05" E
L13	90.19'	N 88°21'02" W
L14	52.45'	N 00°36'16" E
L15	8.85'	S 88°08'40" E
L16	24.77'	S 88°21'02" E
L17	75.23'	S 88°21'02" E
L18	30.00'	N 52°32'10" E



Russell G. Honsaker
RUSSELL G. HONSAKER, P.L.S. 5289
6-18-04

Plat of Big Sky Estates First Addition		FRAME & SUTANA, PA Consulting Engineers	
SCALE: 1"=200'	29-51-4	P301	DRAWN BY: DWJ
DATE: 5/07/04			FILE: P301PLT2

803 North 4th Street, Coeur d'Alene, Idaho, 83814
PH: (208) 664-2121 FAX: 785-5822/Email: russell@framesutana.com

5289
1 of 3

Big Sky Estates First Addition

A PORTION OF THE N½ OF SEC. 29, TWP. 51 N., R. 4 W., B.M.,
KOOTENAI COUNTY, IDAHO

BOOK J, PAGE 40B
INST. No. 1878038

OWNER'S CERTIFICATE

BE IT KNOWN THAT JOHN A. BEUTLER AND ANN J. BEUTLER LIVING TRUST DATED JUNE 8, 1999, THE RECORD OWNER OF THE REAL PROPERTY DESCRIBED IN THIS CERTIFICATE, HAS CAUSED THE SAME TO BE SURVEYED AND DIVIDED INTO LOTS AND BLOCKS AS SHOWN HEREON TO BE KNOWN AS BIG SKY ESTATES FIRST ADDITION BEING A PORTION OF THE NORTH HALF OF SECTION 29, TOWNSHIP 51 NORTH, RANGE 4 WEST, B.M., KOOTENAI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 29; THENCE ALONG THE QUARTER SECTION LINE OF SAID SECTION 29, S 89°20'55" E, 32.35 FEET TO THE NORTHWEST CORNER OF BLOCK FOUR OF THE PLAT OF BIG SKY ESTATES, BOOK I, PAGE 336, RECORDS OF KOOTENAI COUNTY AND THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE LEAVING THE SAID QUARTER SECTION LINE ALONG THE EASTERLY RIGHT-OF-WAY LINE OF MEYER ROAD, N 1°03'43" E, 849.89 FEET TO THE SOUTHERLY BOUNDARY LINE OF WARRANTY DEED #1596147, RECORDS OF KOOTENAI COUNTY; THENCE ALONG THE SAID SOUTHERLY BOUNDARY LINE AND THE SOUTHERLY BOUNDARY LINE OF BOOK 350, PAGE 819, RECORDS OF KOOTENAI COUNTY, S 89°08'40" E, 508.98 FEET TO THE BOUNDARY LINE OF BOOK 291, PAGE 638, RECORDS OF KOOTENAI COUNTY; THENCE ALONG THE SAID BOUNDARY LINE OF BOOK 291, PAGE 638 THE FOLLOWING COURSES: S 1°01'05" W, 47.58 FEET; THENCE S 89°21'02" E, 100.00 FEET; THENCE N 1°01'05" E, 100.00 FEET; THENCE N 89°21'02" W, 90.19 FEET TO THE BOUNDARY LINE OF SAID BOOK 350, PAGE 819; THENCE ALONG THE BOUNDARY LINES OF SAID BOOK 350, PAGE 819 AND WARRANTY DEED #1445731, RECORDS OF KOOTENAI COUNTY; N 0°58'16" E, 1018.27 FEET TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF THE SPOKANE INTERNATIONAL RAILROAD; THENCE ALONG THE SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, S 63°38'15" E, 3885.35 FEET TO THE POINT OF CURVATURE OF A TANGENT CURVE TO THE RIGHT; THENCE 492.98 FEET ALONG SAID CURVE, HAVING A RADIUS OF 5602.79 FEET, A CENTRAL ANGLE OF 5°02'29", A CHORD BEARING OF S 61°07'00" E AND A CHORD DISTANCE OF 492.82 FEET TO THE SAID BOUNDARY LINE OF THE PLAT OF BIG SKY ESTATES; THENCE ALONG THE SAID BOUNDARY LINE OF THE PLAT OF BIG SKY ESTATES, N 89°20'55" W, 4465.76 FEET TO THE TRUE POINT OF BEGINNING.

HEREBY DEDICATING THE RIGHTS-OF-WAY OF MEYER ROAD, NIGHTHAWK DRIVE AND CENTURY DRIVE AS SHOWN HEREON TO THE PUBLIC FOREVER. GRANTING THE EASEMENTS AS SHOWN HEREON TO THE RESPECTIVE LOTS AND RESERVING ANY OTHER SUCH EASEMENT AS MAY BE OF RECORD OR IN VIEW. AN AVIGATION EASEMENT INST. #1874490, AFFECTS BLOCKS ONE, TWO, AND THREE.

WATER SERVICE TO EACH LOT PLATTED HEREIN SHALL BE PROVIDED BY THE ROSS POINT WATER DISTRICT.

SEWER SERVICE TO EACH LOT PLATTED HEREIN SHALL BE PROVIDED BY INDIVIDUAL SEPTIC TANK AND DRAINFIELD.

NO LOT SHALL BE SOLD UNTIL SUBDIVISION INFRASTRUCTURE IS COMPLETE.

IN WITNESS WHEREOF WE DO HEREBY AFFIX OUR SIGNATURES THIS 7th DAY OF May, 2004.

John A. Beutler Trustee
JOHN A. BEUTLER, TRUSTEE OF JOHN A. BEUTLER AND
ANN J. BEUTLER LIVING TRUST DATED JUNE 8, 1999

Ann J. Beutler Trustee
ANN J. BEUTLER, TRUSTEE OF JOHN A. BEUTLER AND
ANN J. BEUTLER LIVING TRUST DATED JUNE 8, 1999

STATE OF IDAHO ss KOOTENAI COUNTY

ON THIS 7th DAY OF May, 2004, BEFORE ME PERSONALLY APPEARED JOHN A. BEUTLER, TRUSTEE AND ANN J. BEUTLER, TRUSTEE, KNOWN TO ME TO BE THE PERSONS WHO EXECUTED THE ABOVE OWNER'S CERTIFICATE AND ACKNOWLEDGED TO ME THAT THEY SIGNED THE SAME.

Gail C. Guyer
NOTARY PUBLIC IN AND FOR THE STATE OF IDAHO
RESIDING IN Boise, Idaho
MY COMMISSION EXPIRES January 16, 2008



SURVEYOR'S CERTIFICATE

I, RUSSELL G. HONSAKER, P.L.S. No. 5289, STATE OF IDAHO, DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED BY ME OR UNDER MY SUPERVISION IN ACCORDANCE WITH THE LAWS OF THE STATE OF IDAHO AS PERTAINING TO PLATS AND SURVEYS. ALL ANGLES, DISTANCES, AND CORNERS ARE STAKED AS SHOWN ON THE PLAT.

Russell G. Honaker
RUSSELL G. HONSAKER, P.L.S. No. 5289
5-18-04



POST FALLS HIGHWAY DISTRICT

THIS PLAT APPROVED BY THE POST FALLS HIGHWAY DISTRICT, KOOTENAI COUNTY, IDAHO THIS 12th DAY OF May, 2004.

John H. Hargrave
CHAIRMAN - POST FALLS HIGHWAY DISTRICT

PANHANDLE HEALTH DISTRICT I

A SANITARY RESTRICTION ACCORDING TO IDAHO CODE 50-1326 TO 50-1328 IS IMPOSED ON THIS PLAT. NO BUILDING, DWELLING OR SHELTER SHALL BE ERRECTED UNTIL SANITARY RESTRICTION REQUIREMENTS ARE SATISFIED AND LIFTED.

THIS PLAT APPROVED THIS 14th DAY OF May, 2004.

Robert E. Scharf
PANHANDLE HEALTH DISTRICT I

SANITARY RESTRICTION SATISFIED AND LIFTED THIS 14th DAY OF May, 2004.

Robert E. Scharf
PANHANDLE HEALTH DISTRICT I

KOOTENAI COUNTY COMMISSIONERS

THIS PLAT APPROVED AND ACCEPTED BY THE BOARD OF COUNTY COMMISSIONERS OF KOOTENAI COUNTY, IDAHO THIS 22nd DAY OF May, 2004.

Charles A. Boush
CHAIRMAN - BOARD OF KOOTENAI COUNTY COMMISSIONERS

KOOTENAI COUNTY TREASURER

I HEREBY CERTIFY THIS 14th DAY OF May, 2004, THAT THE REQUIRED TAXES ON THIS HEREIN PLATTED LAND HAVE BEEN PAID THRU 31 December 2003.

John Mahoney
KOOTENAI COUNTY TREASURER

KOOTENAI COUNTY SURVEYOR

I HEREBY CERTIFY THAT I HAVE EXAMINED THIS PLAT AND APPROVE THE SAME FOR FILING THIS 21st DAY OF May, 2004.



STATE OF IDAHO, KOOTENAI COUNTY RECORDER

I HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF KOOTENAI COUNTY, IDAHO, AT THE REQUEST OF John A. & Ann J. Beutler Living Trust THIS 25th DAY OF May, 2004, AT 2:15 P.M. AND DULY RECORDED IN PLAT BOOK 3, PAGE 40, 40A, & 40B Fee \$ 11.00

Dan Smith
KOOTENAI COUNTY RECORDER

Plot of Big Sky Estates First Addition		FRANK & SMITH, PA Consulting Engineers 883 North 4th Street, Coeur d'Alene, Idaho, 83814 Ph: (208) 664-2121/Fax: 705-8582/E-mail: frank@franksmith.com		E SHEET 3 of 3
SCALE: DATE: 05/07/04	29-51-4 P301	DRAWN BY: DWJ FILE: P301-1ST		

1701118



A Pioneer Company

Order No. 83582TGW

PIONEER TITLE COMPANY
OF KOOTENAI COUNTY

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

STATE OF IDAHO
COUNTY OF KOOTENAI } SS
AT THE REQUEST OF

PIONEER TITLE CO.

OCT 19 12 44 PM '01

DANIEL J. ENGLISH

FEE\$ DEPUTY 18.00

WARRANTY DEED

For Value Received

RICHARD N. WALLER, PRESIDENT AND SOLE PROPRIETOR OF WALLER AGRICULTURE ENTERPRISES, INC., A DEFUNCT CORPORATION AS TO PARCELS 1,2,3, 4, 5; AND RICHARD N. WALLER AND MARJORIE WALLER, HUSBAND AND WIFE, AS TO PARCEL 5, 6, 7 AND 8.

hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto

JOHN A. BEUTLER AND ANN J. BEUTLER TRUSTEES OF THE JOHN A. BEUTLER AND ANN J. BEUTLER LIVING TRUST DATED JUNE 8, 1999.

hereinafter referred to as Grantee, whose current address is **1836 NW BLVD #100
COEUR D'ALENE ID 83814**

the following described premises, to-wit:

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

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: October 17, 2001.

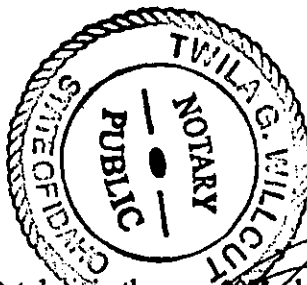
WALLER AGRICULTURE ENTERPRISES, INC.

BY: Richard N. Waller
RICHARD N. WALLER, PRESIDENT/ SOLE PROPRIETOR

Richard N. Waller
RICHARD N. WALLER

Marjorie A. Waller
MARJORIE WALLER

STATE OF Idaho)
COUNTY OF KOOTENAI)



On This 10-19-01 day of October, in the year 2001, before me, a Notary Public in and for said State, personally appeared RICHARD N. WALLER, known or identified to me to be the PRESIDENT/SOLE PROPRIETOR of the Corporation that executed the instrument or the person who executed the instrument on behalf of said Corporation, and acknowledged to me that such Corporation executed the same.

Twila G. Willcutt
Notary Public in and for said State
Residing at DALTON GARDENS
Commission expires: 11-2-2006

17011118

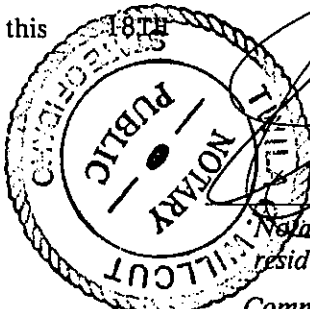
12

STATE OF IDAHO
County of KOOTENAI

On this day, before me, TWILA G. WILLCUT the undersigned, a Notary Public,
personally appeared RICHARD N. WALLER AND MARJORIE WALLER to me known
to be the individual described in and who executed the within and foregoing instrument, and acknowledged that
THEY signed the same as THEIR free and voluntary act and deed, for the uses and purposes
therein mentioned.

GIVEN under my hand and official seal this 18TH day of OCTOBER, 2001

ACKNOWLEDGEMENT — INDIVIDUAL
Pioneer Title Co.
U-37


Notary Public in and for the State of ID
residing at DEO
Commission Expires 11-2-2006

This Notary Certificate is prepared on a separate page and is attached to the document entitled
containing pages(s) and is attached to that document by means of . If this certificate is detached from the specified
document, this certificate is VOID.

PARCEL 1:

Beginning at the West ¼ corner of Section 29, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho; thence,

North 00° 07' 21" West, along the West line of said Section 29, 850.00 feet; thence,

North 89° 52' 39" East, 1028.22 feet; thence,

South 00° 07' 21" East, 844.58 feet to a point on the East/West centerline of said Section 29; thence,

South 89° 34' 31" West, along said East/West centerline, 1028.24 feet to the POINT OF BEGINNING.

EXCEPT that portion of said land lying within the following:

Beginning at the Southwest corner of the Tract described above; thence,

North along the West line of said Section 29, a distance of 850 feet; thence,

East parallel with the South line of the Northwest ¼ of Section 29, a distance of 550 feet, to the TRUE POINT OF BEGINNING for this description; thence,

North 50 feet; thence,

East 100 feet; thence,

South 100 feet; thence,

West 100 feet; thence,

North 50 feet to the POINT OF BEGINNING.

PARCEL 2:

Beginning at the West ¼ corner of Section 29, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho; thence,

North 00° 07' 21" West, along the West line of said Section 29, 850.00 feet; thence,

North 89° 52' 39" East, 550.00 feet; to the TRUE POINT OF BEGINNING; thence,

North 00° 07' 21" West, 1070.76 feet to a point on the South right-of-way line of Spokane International R.R.; thence,

South 64° 43' 45" East, along said South right-of-way line, 760.89 feet; thence,

South 00° 07' 21" East, 891.03 feet; thence,

222.45 feet along a curve to the right with a radius of 368.74 feet, a central angle of 34° 33' 51", and whose chord bears South 72° 35' 44" West, 219.09 feet; thence,

North 00° 07' 21" West, 211.82 feet; thence,

CONTINUED

SCHEDULE A
Commitment



ORT Form 3120

South 89° 52'39" West, 478.22 feet to the TRUE POINT OF BEGINNING.

EXCEPT that portion of said land lying within the following:

Beginning at the West ¼ corner of said Section 29; thence,

North along the West line of said Section 29, a distance of 850 feet; thence,

East parallel with the South line of the Northwest ¼ of Section 29, a distance of 550 feet, to the TRUE POINT OF BEGINNING for this description; thence,

North 50 feet; thence,

East 100 feet; thence,

South 100 feet; thence,

West 100 feet; thence,

North 50 feet to the POINT OF BEGINNING.

PARCEL 3:

Beginning at the West ¼ corner of Section 29, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho; thence,

North 00° 07'21" West, along the West line of said Section 29, 850.00 feet; thence,

North 89° 52'39" East, 550.00 feet; thence,

North 00° 07'21" West, 1070.76 feet to a point on the South right-of-way line of Spokane International R.R.; thence,

South 64° 43'45" East, along said South right-of-way line, 760.89 feet; to the TRUE POINT OF BEGINNING; thence,

South 64° 43'45" East, along said South right-of-way line, 1665.88 feet; thence,

South 89° 52'39" West, 1133.56 feet; thence,

222.45 feet along a curve to the left with a radius of 368.74 feet, and a central angle of 34° 33'51", and whose chord bears South 72° 35'44" West, 219.09 feet; thence,

South 55° 18'48" West, 196.23 feet; thence,

North 00° 07'21" West, 891.03 feet to the TRUE POINT OF BEGINNING.

PARCEL 4:

Beginning at the West ¼ corner of Section 29, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho; thence,

North 89° 34'31" East, along the East/West centerline of said Section 29, 1028.24 feet to the TRUE POINT OF BEGINNING; thence,

North 00° 07'21" West, 632.76 feet; thence,

CONTINUED



ORT Form 3120

5

222.45 feet along a curve to the left with a radius of 368.74 feet, a central angle of $34^{\circ} 33' 51''$, and whose chord bears North $72^{\circ} 35' 44''$ East, 219.09 feet; thence,

North $55^{\circ} 18' 48''$ East, 196.23 feet; thence,

222.45 feet along a curve to the right with a radius of 368.74 feet, a central angle of $34^{\circ} 33' 51''$, and whose chord bears North $72^{\circ} 35' 44''$ East, 219.09 feet; thence,

South $00^{\circ} 07' 21''$ East, 871.52 feet to a point on said East/West centerline; thence,

South $89^{\circ} 34' 31''$ West, along said East/West centerline, 580.50 feet to the TRUE POINT OF BEGINNING.

PARCEL 5:

Beginning at the West $\frac{1}{4}$ corner of Section 29, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho; thence,

North $89^{\circ} 34' 31''$ East, along the East/West centerline of said Section 29, 1608.74 feet to the TRUE POINT OF BEGINNING; thence,

North $00^{\circ} 07' 21''$ West, 871.52 feet; thence,

North $89^{\circ} 52' 39''$ East, 501.00 feet; thence,

South $00^{\circ} 07' 21''$ East, 868.87 feet to a point on said East/West centerline; thence,

South $89^{\circ} 34' 31''$ West, along said East/West centerline, 501.03 feet to the TRUE POINT OF BEGINNING.

PARCEL 6:

Beginning at the West $\frac{1}{4}$ corner of Section 29, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho; thence,

North $89^{\circ} 34' 31''$ East, along the East/West centerline of said Section 29, 2109.77 feet to the TRUE POINT OF BEGINNING; thence,

North $00^{\circ} 07' 21''$ West, 868.87 feet; thence,

North $89^{\circ} 52' 39''$ East, 503.00 feet; thence,

South $00^{\circ} 07' 21''$ East, 866.21 feet to a point on said East/West centerline; thence,

South $89^{\circ} 34' 31''$ West, along said East/West centerline, 503.01 feet to the TRUE POINT OF BEGINNING.

PARCEL 7:

Beginning at the West $\frac{1}{4}$ corner of Section 29, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho; thence,

North $89^{\circ} 34' 31''$ East, along the East/West centerline of said Section 29, 2612.78 feet to the TRUE POINT OF BEGINNING; thence,

North $00^{\circ} 07' 21''$ West, 866.21 feet; thence,

North $89^{\circ} 52' 39''$ East, 129.56 feet; to a point on the South right-of-way line of Spokane International R.R.; thence,

CONTINUED



OLD REPUBLIC
National Title Insurance Company

1701118

South 64° 43' 45" East, along said right-of-way, 469.37 feet; thence,

South 00° 07' 21" East, 662.01 feet to a point on said East/West centerline thence,

South 89° 34' 31" West, along said East/West centerline 553.59 feet to the TRUE POINT OF BEGINNING.

PARCEL 8:

Beginning at the West ¼ corner of Section 29, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho; thence,

North 89° 34' 31" East, along the East/West centerline of said Section 29, 3166.37 feet to the TRUE POINT OF BEGINNING; thence,

North 00° 07' 21" West, 662.01 feet to a point on South right-of-way line of Spokane International R.R.; thence,

South 64° 43' 45" East, along said South right-of-way line, 988.97 feet; thence,

493.88 feet along a curve to the right with a radius of 5679.65 feet, a central angle of 04° 58' 56", and whose chord bears South 62° 14' 17" East, 493.72 feet; thence,

South 89° 34' 31" West, along the East/West centerline of said Section 29, 1329.81 feet to the TRUE POINT OF BEGINNING.



ORT Form 3120

TRANS TYPE	SI IND	INF END	CODE	CODE	CODE	CODE	CODE	CODE	CODE	REISSUE AMOUNT	ST	CTY	PROP TYPE
6	7 X	8	9	10	11	12	13	14	15	16	17	18	

OWNERS

SCHEDULE A

OFFICE FILE NUMBER	POLICY NUMBER	DATE OF POLICY	AMOUNT OF INSURANCE	PREMIUM AMOUNT
1 83582	2 SV 3507339	3 October 19, 2001 12:46PM	4 \$366,353.00	5 \$1,355.75

1. Name of Insured:

Waller Purchase
110 Acres
JOHN A. BEUTLER and ANN J. BEUTLER Trustees of THE JOHN A. BEUTLER and ANN J. BEUTLER LIVING TRUST DATED JUNE 8, 1999

2. The estate or interest in the land which is covered by this Policy is:

FEE SIMPLE

3. Title to the estate or interest in the land is vested in:

JOHN A. BEUTLER and ANN J. BEUTLER Trustees of THE JOHN A. BEUTLER and ANN J. BEUTLER LIVING TRUST DATED JUNE 8, 1999

4. The land referred to in this Policy is described as follows:

PARCEL 1:

Beginning at the West ¼ corner of Section 29, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho; thence,

North 00° 07' 21" West, along the West line of said Section 29, 850.00 feet; thence,

North 89° 52' 39" East, 1028.22 feet; thence,

South 00° 07' 21" East, 844.58 feet to a point on the East/West centerline of said Section 29; thence,

South 89° 34' 31" West, along said East/West centerline, 1028.24 feet to the POINT OF BEGINNING.

EXCEPT that portion of said land lying within the following:

Beginning at the Southwest corner of the Tract described above; thence,

North along the West line of said Section 29, a distance of 850 feet; thence,

CONTINUED

12

East parallel with the South line of the Northwest $\frac{1}{4}$ of Section 29, a distance of 550 feet, to the TRUE POINT OF BEGINNING for this description; thence,

North 50 feet; thence,

East 100 feet; thence,

South 100 feet; thence,

West 100 feet; thence,

North 50 feet to the POINT OF BEGINNING.

PARCEL 2:

Beginning at the West $\frac{1}{4}$ corner of Section 29, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho; thence,

North $00^{\circ} 07' 21''$ West, along the West line of said Section 29, 850.00 feet; thence,

North $89^{\circ} 52' 39''$ East, 550.00 feet; to the TRUE POINT OF BEGINNING; thence,

North $00^{\circ} 07' 21''$ West, 1070.76 feet to a point on the South right-of-way line of Spokane International R.R.; thence,

South $64^{\circ} 43' 45''$ East, along said South right-of-way line, 760.89 feet; thence,

South $00^{\circ} 07' 21''$ East, 891.03 feet; thence,

222.45 feet along a curve to the right with a radius of 368.74 feet, a central angle of $34^{\circ} 33' 51''$, and whose chord bears South $72^{\circ} 35' 44''$ West, 219.09 feet; thence,

North $00^{\circ} 07' 21''$ West, 211.82 feet; thence,

South $89^{\circ} 52' 39''$ West, 478.22 feet to the TRUE POINT OF BEGINNING.

EXCEPT that portion of said land lying within the following:

Beginning at the West $\frac{1}{4}$ corner of said Section 29; thence,

North along the West line of said Section 29, a distance of 850 feet; thence,

East parallel with the South line of the Northwest $\frac{1}{4}$ of Section 29, a distance of 550 feet, to the TRUE POINT OF BEGINNING for this description; thence,

North 50 feet; thence,

East 100 feet; thence,

CONTINUED

South 100 feet; thence,

West 100 feet; thence,

North 50 feet to the POINT OF BEGINNING.

PARCEL 3:

Beginning at the West ¼ corner of Section 29, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho; thence,

North 00° 07' 21" West, along the West line of said Section 29, 850.00 feet; thence,

North 89° 52' 39" East, 550.00 feet; thence,

North 00° 07' 21" West, 1070.76 feet to a point on the South right-of-way line of Spokane International R.R.; thence,

South 64° 43' 45" East, along said South right-of-way line, 760.89 feet; to the TRUE POINT OF BEGINNING; thence,

South 64° 43' 45" East, along said South right-of-way line, 1665.88 feet; thence,

South 89° 52' 39" West, 1133.56 feet; thence,

222.45 feet along a curve to the left with a radius of 368.74 feet, and a central angle of 34° 33' 51", and whose chord bears South 72° 35' 44" West, 219.09 feet; thence,

South 55° 18' 48" West, 196.23 feet; thence,

North 00° 07' 21" West, 891.03 feet to the TRUE POINT OF BEGINNING.

PARCEL 4:

Beginning at the West ¼ corner of Section 29, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho; thence,

North 89° 34' 31" East, along the East/West centerline of said Section 29, 1028.24 feet to the TRUE POINT OF BEGINNING; thence,

North 00° 07' 21" West, 632.76 feet; thence,

222.45 feet along a curve to the left with a radius of 368.74 feet, a central angle of 34° 33' 51", and whose chord bears North 72° 35' 44" East, 219.09 feet; thence,

North 55° 18' 48" East, 196.23 feet; thence,

CONTINUED

222.45 feet along a curve to the right with a radius of 368.74 feet, a central angle of $34^{\circ}33'51''$, and whose chord bears North $72^{\circ}35'44''$ East, 219.09 feet; thence,

South $00^{\circ}07'21''$ East, 871.52 feet to a point on said East/West centerline; thence,

South $89^{\circ}34'31''$ West, along said East/West centerline, 580.50 feet to the TRUE POINT OF BEGINNING.

PARCEL 5:

Beginning at the West $\frac{1}{4}$ corner of Section 29, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho; thence,

North $89^{\circ}34'31''$ East, along the East/West centerline of said Section 29, 1608.74 feet to the TRUE POINT OF BEGINNING; thence,

North $00^{\circ}07'21''$ West, 871.52 feet; thence,

North $89^{\circ}52'39''$ East, 501.00 feet; thence,

South $00^{\circ}07'21''$ East, 868.87 feet to a point on said East/West centerline; thence,

South $89^{\circ}34'31''$ West, along said East/West centerline, 501.03 feet to the TRUE POINT OF BEGINNING.

PARCEL 6:

Beginning at the West $\frac{1}{4}$ corner of Section 29, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho; thence,

North $89^{\circ}34'31''$ East, along the East/West centerline of said Section 29, 2109.77 feet to the TRUE POINT OF BEGINNING; thence,

North $00^{\circ}07'21''$ West, 868.87 feet; thence,

North $89^{\circ}52'39''$ East, 503.00 feet; thence,

South $00^{\circ}07'21''$ East, 866.21 feet to a point on said East/West centerline; thence,

South $89^{\circ}34'31''$ West, along said East/West centerline, 503.01 feet to the TRUE POINT OF BEGINNING.

CONTINUED

5

PARCEL 7:

Beginning at the West $\frac{1}{4}$ corner of Section 29, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho; thence,

North $89^{\circ} 34' 31''$ East, along the East/West centerline of said Section 29, 2612.78 feet to the TRUE POINT OF BEGINNING; thence,

North $00^{\circ} 07' 21''$ West, 866.21 feet; thence,

North $89^{\circ} 52' 39''$ East, 129.56 feet; to a point on the South right-of-way line of Spokane International R.R.; thence,

South $64^{\circ} 43' 45''$ East, along said right-of-way, 469.37 feet; thence,

South $00^{\circ} 07' 21''$ East, 662.01 feet to a point on said East/West centerline thence,

South $89^{\circ} 34' 31''$ West, along said East/West centerline 553.59 feet to the TRUE POINT OF BEGINNING.

PARCEL 8:

Beginning at the West $\frac{1}{4}$ corner of Section 29, Township 51 North, Range 4 West, Boise Meridian, Kootenai County, Idaho; thence,

North $89^{\circ} 34' 31''$ East, along the East/West centerline of said Section 29, 3166.37 feet to the TRUE POINT OF BEGINNING; thence,

North $00^{\circ} 07' 21''$ West, 662.01 feet to a point on South right-of-way line of Spokane International R.R.; thence,

South $64^{\circ} 43' 45''$ East, along said South right-of-way line, 988.97 feet; thence,

493.88 feet along a curve to the right with a radius of 5679.65 feet, a central angle of $04^{\circ} 58' 56''$, and whose chord bears South $62^{\circ} 14' 17''$ East, 493.72 feet; thence,

South $89^{\circ} 34' 31''$ West, along the East/West centerline of said Section 29, 1329.81 feet to the TRUE POINT OF BEGINNING.

OWNERS

SCHEDULE B

Policy Number: SV 3507339
Owners

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

General Exceptions:

- (1) Rights or claims of parties in possession not shown by the public records.
- (2) Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey or inspections of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.
- (3) Easements, or claims of easements, not shown by the public records.
- (4) Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
- (5) (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
- (6) Taxes or special 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. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

Special Exceptions:

1. General taxes for the year 2001, which are liens not yet due and payable.
2. An easement containing certain terms, conditions and provisions affecting a portion of said premises and for the purposes stated herein.
For: Pole line and appurtenances, plus clearing rights
In Favor of: Washington Water Power Company
Recorded: August 2, 1940
Instrument No.: Book 115 at Page 185

CONTINUED

3. An easement containing certain terms, conditions and provisions affecting a portion of said premises and for the purposes stated herein.

For: Pole line and appurtenances, plus clearing rights
In Favor of : Washington Water Power Company
Recorded: March 17, 1941
Instrument No.: Book 116 of Deeds at Page 287

4. The effect of reservations contained in Quit Claim Deed recorded March 25, 1949 in Book 141 at Page 407 as follows:

"Reserving unto the grantor and assigns the following:

a) Necessary easement and rights of way for constructing, repairing, maintaining and patrolling irrigation canals, ditches, pipe lines and flumes heretofore constructed or to be constructed for the purpose of supplying irrigation water.

5. The effect of reservations contained in Quit Claim Deed recorded December 1, 1949 in Book 143 at Page 380 as follows:

"Reserving unto the grantor and assigns the following:

a) Necessary easement and rights of way for constructing, repairing, maintaining and patrolling irrigation canals, ditches, pipe lines and flumes heretofore constructed or to be constructed for the purpose of supplying irrigation water.

6. An easement containing certain terms, conditions and provisions affecting a portion of said premises and for the purposes stated herein.

For: The right to erect, construct, install, and lay, and thereafter use, operate, inspect, repaired, maintain, replace and remove water pipes, pipelines, connections, and other accessories and appurtenances over and across a 15 foot wide strip of land
In Favor of : Van-Wall Water Association, Inc., an Idaho Corporation
Recorded: May 30, 1978
Instrument No.: 768947
Affects: Parcel 1

7. We note a record of survey for the subject property. Reference to the record is made for full particulars.

Recorded: March 15, 1984
Instrument No.: 966138
Book/Page: 3/488

8. An easement containing certain terms, conditions and provisions affecting a portion of said premises and for the purposes stated herein.

For: Road right-of-way, 60 feet wide
Recorded: October 18, 1984
Instrument No.: 989013

CONTINUED

9. We note a record of survey for the subject property. Reference to the record is made for full particulars.

Recorded: October 18, 1984

Instrument No.: 989015

Book/Page: 4/77

10. We note a record of survey for the subject property. Reference to the record is made for full particulars.

Recorded: August 10, 1987

Instrument No.: 1092648

Book/Page: 6/107

11. An easement containing certain terms, conditions and provisions affecting a portion of said premises and for the purposes stated herein.

For: Ingress and egress and utilities

In Favor of : R.N. Waller

Recorded: July 12, 1993

Instrument No.: 1311887

Affects: The easement shall be appurtenant to each of the four easterly 10+ acre tracts which are depicted and described on that certain survey dated March 15, 1984 and recorded in Book 3, Page 488, Record of Surveys in Section 29, Township 51 North, Range 4 W.B.M., Kootenai County, Idaho and shall pass with any conveyance of any of said tracts.

12. A Mortgage to secure an indebtedness of \$306,353.00, and any other amounts as therein provided, payable under the terms, conditions, provisions and stipulations thereof.

Dated: October 18, 2001

Mortgagor: John A. Beutler and Ann J. Beutler, Trustees of The John A. Beutler and Ann J. Beutler Living Trust dated June 8, 1999

Mortgagee: Richard N. Waller and Marjorie Waller, husband and wife

Recorded: October 19, 2001

Instrument No.: 1701119

END OF POLICY

6

51N04W-2

