

STATE OF IDAHO)
County of Kootenai) ss.

On this 10th day of September, 1985, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared, SUSAN BAUMAN, an unmarried woman, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

Gwen Mink
Notary Public for Idaho

Residing at: Hayden Lake

My commission expires: 4-10-88

STATE OF IDAHO)
County of Kootenai) ss.

On this 10th day of September, 1985, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared, JAMES CARL KNUDSEN and CHERIE M. KNUDSEN, husband and wife, known to me to be the persons whose name are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

Gwen Mink
Notary Public for Idaho

Residing at: Hayden Lake

My commission expires: 4-10-88

WATER DEED AND GRANT OF EASEMENT 4

STATE OF IDAHO,
County of Kootenai ss.

On this 10th day of September, 1985, before me, the undersigned, a Notary Public in and for the State of Idaho, duly commissioned and sworn, personally appeared Cherie M. Knudsen to me known to be the individual described in, and who executed the within instrument for her self and also for the Attorney in Fact for James Carl Knudsen and acknowledged to me that he signed and sealed the same as his own free and voluntary act and deed for her self, and also as the her free and voluntary act and deed as Attorney in Fact for said in the capacity and for the uses and purposes therein mentioned, and that said principal is not deceased nor insane.

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

ACKNOWLEDGEMENT — SELF AND ATTORNEY IN FACT
Pioneer Title Co.

U-38

Gwen Mink
Notary Public in and for the State of Idaho,
residing at Hayden Lake

4-10-88

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DEC 03 2003

STATE OF IDAHO)
) ss.
County of)

On this 10th day of September, 1985, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared, BERNICE ALTMAN, an unmarried woman, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

Gwen Mitz
Notary Public for Idaho
Residing at: Hayden, Idaho
My commission expires: 4-10-88

STATE OF IDAHO }
COUNTY OF KOOTENAI } ss

AT THE REQUEST OF
PIONEER TITLE COMPANY

At 30 minutes past 4 o'clock PM

Leah Phelps

SEP 10 1985

By Sharon Bliss Deputy

Fee \$ 18⁰⁰
Return to

WATER DEED AND GRANT OF EASEMENT 6

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DEC 03 2003

Along the North line of Lot 69 North 63°11' East, 27.81 feet to the Northeast corner of Lot 69; thence

Along the North line of Lot 68, North 51°31' East 12.67 feet; thence

South 27°16' East, 59.04 feet; thence

North 78°07' East, 27.71 feet; thence

South 22°27' East, 53.33 feet; thence

South 31°36' East, 6.0 feet to a point on the South line of Lot 69; thence

Along the South line of Lot 69, South 63°11' West, 63.55 feet; thence

North 26°49' West, 122.56 feet to the Point of Beginning

AND INCLUDING

The Easterly 3 feet of that portion of Lots 69 and 70, WRIGHTS PARK, Hayden Lake, Kootenai County, State of Idaho, according to the plat recorded in Book C of Plats, page 71, described as follows:

Beginning at a point on the North line of Lot 70, said point being marked by a 1 inch iron stake and being North 69°04' East 71.15 feet from the most Westerly corner of Lot 70; thence

Along the North line of Lot 70, North 69°04' East 11.68 feet to the Northeast corner of Lot 70; thence

Along the North line of Lot 69 North, 63°11' East 51.62 feet; thence

South 26°49' East 122.56 feet to a point on the South line of Lot 69; thence

Along the South line of Lot 69 South 63°11' West 8.53 feet to the Southwest corner of Lot 69; thence

Along the South line of Lot 70 South 69°04' West, 53.15 feet; thence

North 27°34' West 118.50 feet to the Point of Beginning

Amt. of Fee \$ 50.00
Receipt No. 2069334
Receipt By: [Signature]
Date Received: 6-2-03

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED

JUN - 2 2003

Department of Water Resources

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 95-09151 Telephone No. 208-772-9076

2. Name of Permit Holder(s): JAMES KNUDSEN + CHERIE KNUDSEN

3. Mailing Address: PO Box 386

City HAYDEN LAKE State ID Zip 83835

4. Source of Water: Well If **GROUNDWATER** (well), Date Drilled: mo. JAN / yr. 72

Well Driller: CD-A DRILLING, INC #219 Drilling Permit Number: 95-72-N-17

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 1 Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 0.04 cfs OR _____ acre-feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is **not optional**. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?

Yes _____ or No X

Has the measuring device been installed?

Yes _____ or No X

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: CHERIE KNUDSEN Telephone Number: 208-772-9076

Address: PO Box 386 HAYDEN LAKE, ID 83835

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder Cherie Knudsen Date: 2-4-03
(include your title, if on behalf of company or organization)

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DEC 6 3 2003

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 95-09151

Priority: July 17, 2002

Maximum Diversion Rate: 0.04 CFS

This is to certify, that JAMES KNUDSEN
PO BOX 386
HAYDEN LAKE ID 83835

And

CHERIE KNUDSEN
PO BOX 386
HAYDEN LAKE ID 83835

has applied for a permit to appropriate water from:

Source: GROUND WATER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L7 (SW $\frac{1}{4}$ NE $\frac{1}{4}$) Sec. 18, Twp 51N, Rge 03W, 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 03W 18			X														
			L7														

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **January 1, 2004**.
2. Subject to all prior water rights.
3. This right does not grant any right-of-way or easement across the land of another.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
6. Domestic use is for 1 home.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 17th day of December, 2002

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DEC 6 3 2003


for KARL J DREHER, Director

FORM 202
12/99

70116

Ident. No.

95-9151

RECEIVED

DEC 17 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant James + Cherie Frederick Phone 208-772-9076Mailing address P.O. Box 386 Hayden Lake ID 838352. Source of water supply Well which is a tributary of _____3. Location of point of diversion is Township 51 N Range 3 W Sec. 18, in the SW $\frac{1}{4}$,
NE $\frac{1}{4}$, $\frac{1}{4}$, Govt. Lot _____, B.M., Kootenai County;

additional points of diversion if any:

4. Water will be used for the following purposes:

Amount 0.04 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)5. Total quantity to be appropriated is (a) 0.04 cubic feet per second and/or (b) _____ acre feet per annum6. Proposed diverting works: Existing Well

a. Describe type and size of devices used to divert water from the source _____

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feetc. Proposed well diameter is 6 inches; proposed depth of well is 260 feet

d. Is ground water with a temperature of greater than 85°F being sought? _____

e. If well is already drilled, when? 1-11-72; Drilling firm Coen d'Almeida Drilling, Inc
Well was drilled for (well owner) Leon C Buller; Drilling Permit No. 95-72-N-177. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)

8. Description of proposed uses (if irrigation only, go to item 9):

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. 1

e. Other; describe fully. _____

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DEC 13 2003

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
51N	3W	18			D														

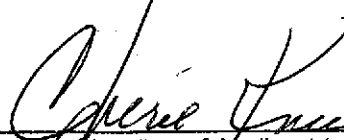
Total number of acres to be irrigated ~~133~~ ~~1225~~10. Describe any other water rights used for the same purposes as described above. NONE11. a. Who owns the property at the point of diversion? David Finley current owner Susan Braumanb. Who owns the land to be irrigated or place of use? JAMES + Cherie Knudsen

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Remarks: _____

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.



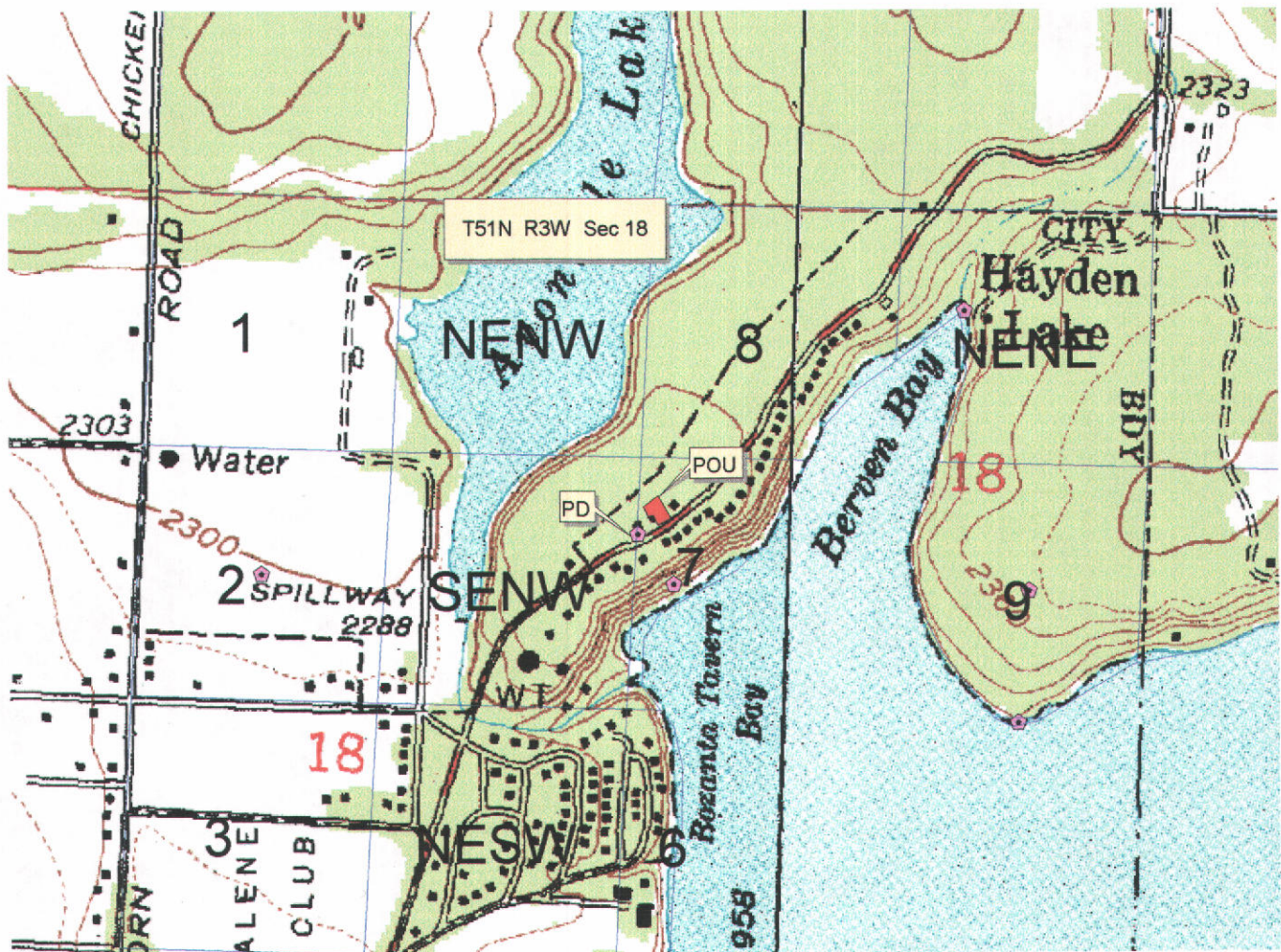
Signature of Applicant (and title, if applicable)

Received by SE Date 7/17/02 Time 3:55 PM Preliminary check by _____
 Fee \$ 100 Receipted by SE # N015142 Date 7/17/02
 Publication prepared by SE Date 8/28/02 Published in Ida Press 9/5+12/02
 Publication approved SE Date 9/13/02

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DEC 9 3 2003

95-9151



0.2 0 0.2 0.4 Miles

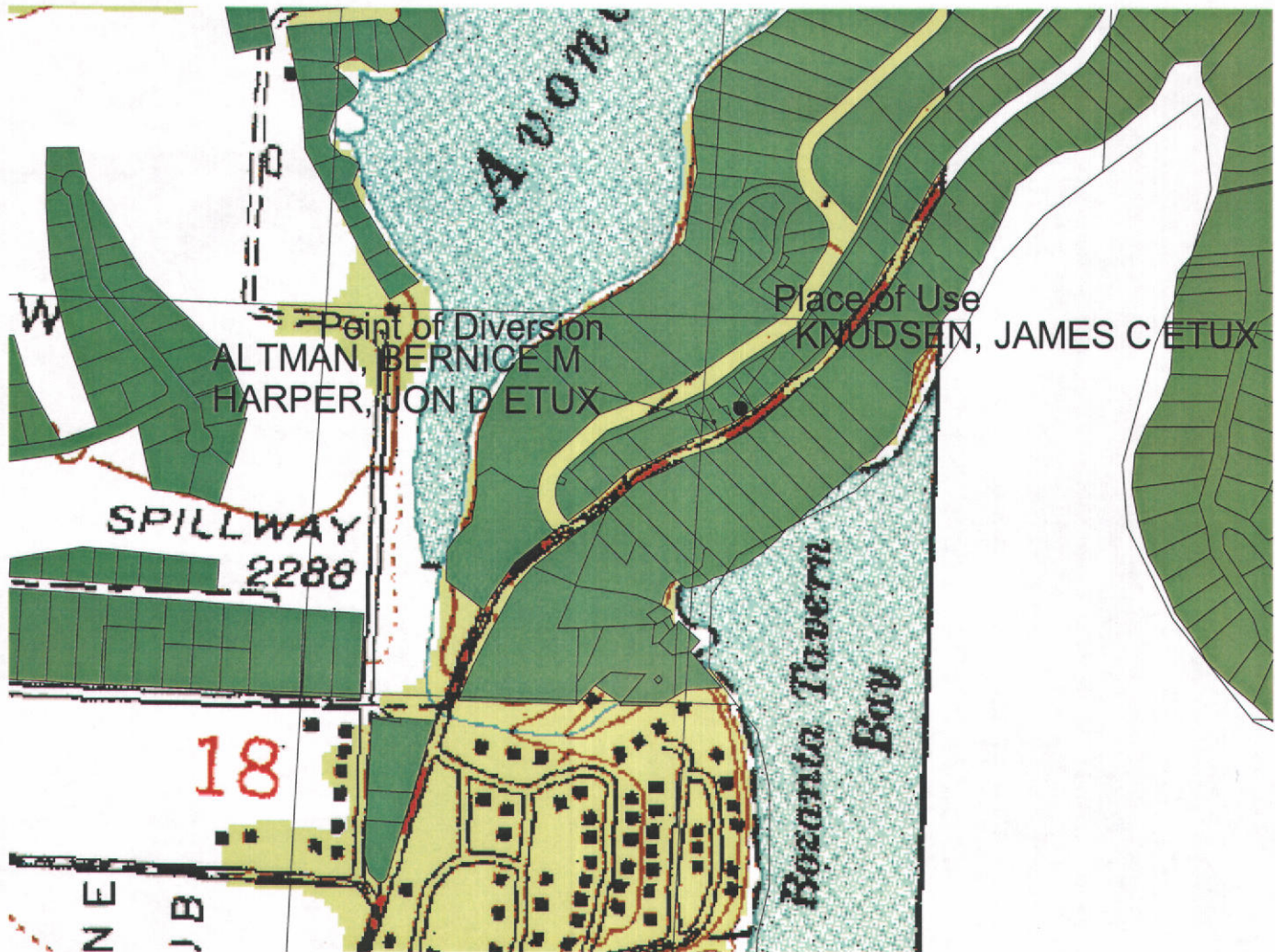


GCDB51N03W GCDB
POD PermitPermit POD

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View1



Unknown Units: View1

Qq51n03w.shp
Parcels011001.shp

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DEC 03 2003



ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 95-9151

Reviewed By: dgibson

Date: June 16, 2003

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?	X	
License examination fee required?		X	Drilling permit No.:	95-72-N-17	
Appropriate fee submitted?		X	Drilling permit upgrade needed?		
Receipt No.:	N015142, C069334		Well driller's report filed?		X
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		X
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		06/02/2003
Date proof due	-	01/01/2004
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	07/17/2002
New priority date	=	07/17/2002

Deficiencies of Actions Items

Acknowledge proof.

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

W.R. # 95-9151

APPLICATION ID # 70116
INITIAL REVIEW

ENT. 8/27/02 BCA 9/23 OK to Publish 8/27/02

APPLICANT: Knudsen BY: RWT DATE: 8/26/2002

ITEM REQUIRED INFORMATION

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

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

ADDITIONAL INFORMATION

(Yes)(No)

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

PROCESSING

(Yes)(No)

PRIORITY DATE: 7/17/2002

(Include Moratorium Remark)

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

RECEIVED

DEC 17 2002

Department of Water Resources

ADVERTISE IN: Kootenai Count: _____

LETTERS SENT REQUESTING:

() Dam Information () Fish Information
() Power Information () Other: _____

INFORMATION RECEIVED:

() Dam Information () Fish Information
() Power Information () Other: _____

GROUNDWATER SECTION

WD Permit No.'s:	Tag #	Type:	Fees	Receipt No.	Upgrade Needed?
<u>750631</u>		Dom. ___ Non-Dom. ___	Paid \$ _____		Y() N()
<u>ID# 277040</u>		Dom. ___ Non-Dom. ___	Paid \$ _____		Y() N()
		Dom. ___ Non-Dom. ___	Paid \$ _____		Y() N()

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

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes)(No)

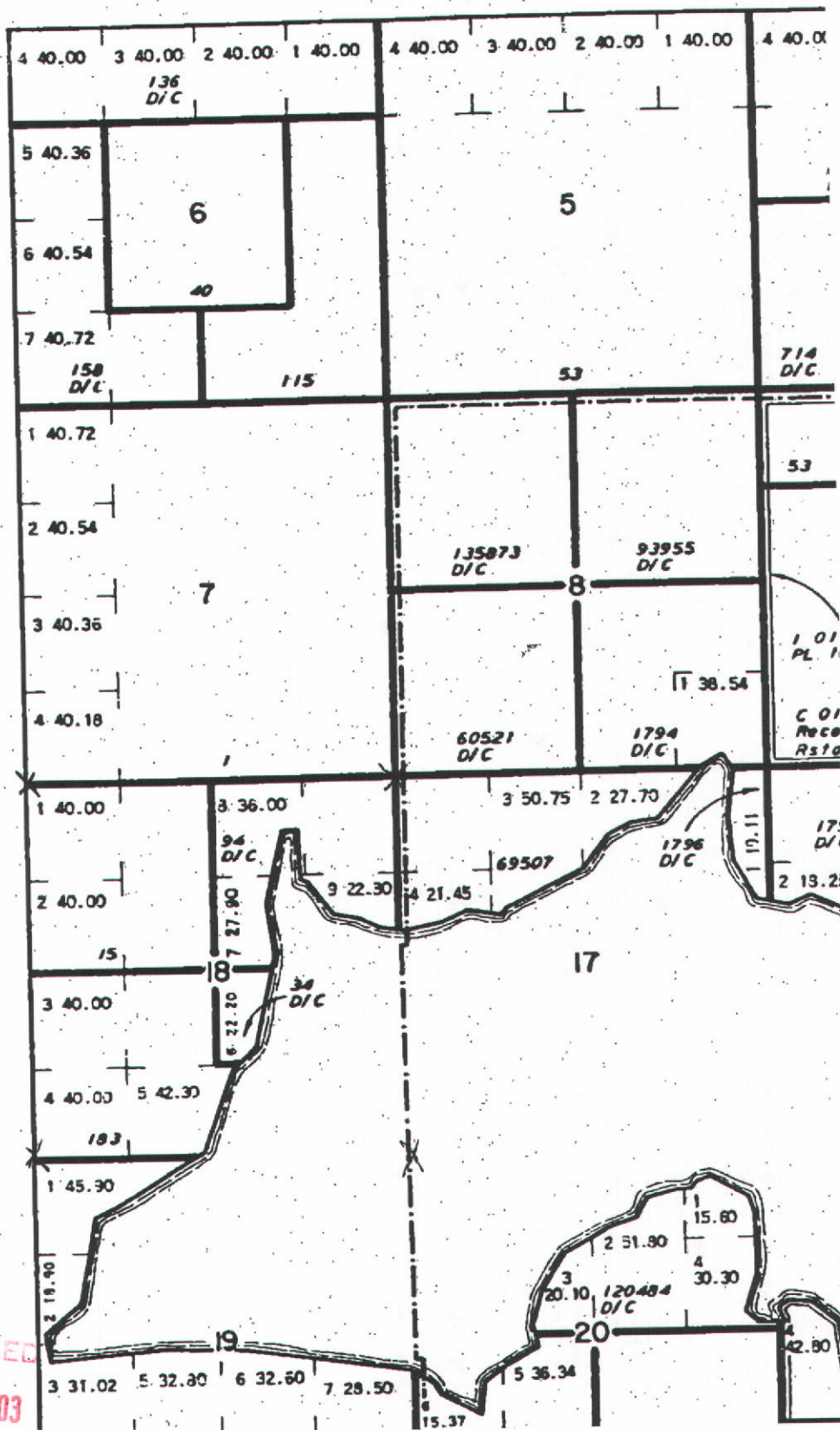
- ___ ☒ Notice of pending void order issued. Final order response date: 1/1
___ ☒ Further information required from applicant
___ ☒ Affidavit of publication received
___ ☒ Application published correctly. If not, record action taken: _____
___ ☒ Publication dates and paper recorded on application
___ ☒ Protests received, Final protest date: 9/23/02 | Sr. Agent initial _____
___ ☒ Measuring device required
___ ☒ Measuring port required
___ ☒ Special conditions: _____
___ ☒ Special conditions of approval supplement and/or cover letter attached: _____

Approval Recommended by: RWT

Date: 12/10/2002

TOWNSHIP 51

T51W
R03W
S18



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DEC 03 2003

WATER DEED
AND
GRANT OF EASEMENT

BOOK 339 PAGE 335

1021473

THIS WATER DEED AND GRANT OF EASEMENT is made this 10th day of September, 1985, by and between SUSAN BAUMAN, an unmarried woman of 10523 Lakeview Drive, Hayden Lake, Idaho, hereinafter individually referred to as "Bauman"; JAMES CARL KNUDSEN and CHERIE M. KNUDSEN, husband and wife of 10511 Lakeview Drive, Hayden Lake, Idaho, hereinafter individually referred to as "Knudsen"; CHARLES LESTER SUTTON, a married man dealing in his sole and separate property of 1128 Lynandra Drive, Moscow, Idaho, hereinafter individually referred to as "Sutton"; CHERIE CARMAN, a married woman dealing in her sole and separate property of P.O. Box 386, Hayden Lake, Idaho, hereinafter individually referred to as "Carman"; and BERNICE M. ALTMAN, a widow of 10535 Lakeview Drive, Hayden Lake, Idaho, hereinafter individually referred to as "Altman". The above-mentioned parties are collectively hereinafter referred to as "Grantor."

WHEREAS the above mentioned parties are owners of their respective parcels of real property as more fully described in Exhibit "A" attached hereto and incorporated by this reference herein, and;

WHEREAS the parties jointly maintain and operate a well, together with a casing, pump, wellhouse, pressure tanks, engine, and delivery pipe system which is located on and provides domestic water to the real property described in Exhibit "A";

NOW THEREFORE the Grantor hereby grants an undivided one-sixth (1/6) interest in the above mentioned well, and the water from the well, the casing, pump, wellhouse, pressure tanks, engine and delivery pipe system to each of the following named parties: Bauman; Knudsen; Sutton; Carman; and Altman for each

WATER DEED AND GRANT OF EASEMENT 1

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DEC 6 3 2003

EXHIBIT I

PARCEL 1:

The Easterly 3 feet of that portion of Lots 69 and 70, WRIGHTS PARK, Hayden Lake, Kootenai County, State of Idaho, according to the plat recorded in Book C of Plats, page 71, described as follows:

Beginning at a point on the North line of Lot 70, said point being marked by a 1 inch iron stake and being North $69^{\circ}04'$ East, 71.15 feet from the most Westerly corner of Lot 70; thence

along the North line of Lot 70, North $69^{\circ}04'$ East, 11.68 feet to the Northeast corner of Lot 70; thence

along the North line of Lot 69 North, $63^{\circ}11'$ East, 51.62 feet; thence

South $26^{\circ}49'$ East, 122.56 feet to a point on the South line of Lot 69; thence

along the South line of Lot 69 South $63^{\circ}11'$ West, 6.53 feet to the Southwest corner of Lot 69; thence

along the South line of Lot 70 South $69^{\circ}04'$ West, 53.15 feet; thence

North $27^{\circ}34'$ West, 118.50 feet to the point of beginning.

PARCEL 2:

A portion of Lots 68 and 69 of WRIGHTS PARK, Hayden Lake, Kootenai County, State of Idaho, according to the plat recorded in Book C of Plats, page 71, described as follows:

Beginning at a point on the North line of Lot 69, said point being marked by a 1 inch rod and being North $63^{\circ}11'$ East, 51.62 feet from the most Westerly corner of Lot 69; thence

along the North line of Lot 69 North $63^{\circ}11'$ East, 27.81 feet to the Northeast corner of Lot 69; thence

along the North line of Lot 68, North $51^{\circ}31'$ East, 12.67 feet; thence

South $27^{\circ}16'$ East, 59.04 feet; thence

North $78^{\circ}07'$ East, 27.71 feet; thence

South $22^{\circ}27'$ East, 53.33 feet; thence

South $31^{\circ}36'$ East, 6.0 feet to a point on the South line of Lot 69; thence

along the South line of Lot 69, South $63^{\circ}11'$ West, 63.55 feet; thence

North $26^{\circ}49'$ West, 122.56 feet to the point of beginning.

MILWAUKEE
REC'D 10 1903

right-of-way line of the County Road South 69°04' West
29.68 feet to the most Southerly corner of Lot 70; thence

Along the Westerly line of Lot 70 North 46°03' West,
130.10 feet to the Point of Beginning.

Real Property owned by CHARLES LESTER SUTTON, one parcel,
Wrights Park, Tax Lot #72, as more fully described as:

Lot 72, WRIGHTS PARK, Hayden Lake, Kootenai County, State
of Idaho, according to the corrected plat recorded in
Book C of Plats at Page 71.

Real Property owned by CHERIE CARMAN, one parcel, Tax Lot
#6268, as more fully described as follows:

That part of Lots 68 and 69 of WRIGHTS PARK lying
Northeasterly of the following described line: Beginning
at a point North 51°31' East 12.67 feet from the
Northeast corner of Lot 68, thence;

South 27°16' East 59.04 feet, thence;

North 78°07' East 27.71 feet, thence;

South 22°27' East 53.33 feet, thence;

South 31°36' East 6.0 feet to a point on the south line
of Lot 69, said line being the East boundary of Tax No.
6165, AND ALSO, that part of Lot 67 lying Southwesterly
of the following described line:

Beginning at the Southwesterly corner of said lot 67;

thence North 32°06' West 133.56 feet to the Northerly
line of said Lot 67, said line being the Southwesterly
line of Tax No. 5036, KOOTENAI COUNTY, IDAHO,

SUBJECT to easements of sight and record

Real Property owned by BERNICE M. ALTMAN, one parcel, Tax
No. 6165, as more fully described as:

A portion of Lots 68 and 69 of WRIGHTS PARK, Hayden Lake,
Kootenai County, State of Idaho, according to the plat
recorded in Book C of Plats, page 71, described as
follows:

Beginning at a point on the North line of Lot 69, said
point being marked by a 1 inch rod and being North 63°11'
East, 51.62 feet from the most Westerly corner of Lot 69;
thence

Along the North line of Lot 69 North 63°11' East, 27.81 feet to the Northeast corner of Lot 69; thence

Along the North line of Lot 68, North 51°31' East 12.67 feet; thence

South 27°16' East, 59.04 feet; thence

North 78°07' East, 27.71 feet; thence

South 22°27' East, 53.33 feet; thence

South 31°36' East, 6.0 feet to a point on the South line of Lot 69; thence

Along the South line of Lot 69, South 63°11' West, 63.55 feet; thence

North 26°49' West, 122.56 feet to the Point of Beginning

AND INCLUDING

The Easterly 3 feet of that portion of Lots 69 and 70, WRIGHTS PARK, Hayden Lake, Kootenai County, State of Idaho, according to the plat recorded in Book C of Plats, page 71, described as follows:

Beginning at a point on the North line of Lot 70, said point being marked by a 1 inch iron stake and being North 69°04' East 71.15 feet from the most Westerly corner of Lot 70; thence

Along the North line of Lot 70, North 69°04' East 11.68 feet to the Northeast corner of Lot 70; thence

Along the North line of Lot 69 North, 63°11' East 51.62 feet; thence

South 26°49' East 122.56 feet to a point on the South line of Lot 69; thence

Along the South line of Lot 69 South 63°11' West 8.53 feet to the Southwest corner of Lot 69; thence

Along the South line of Lot 70 South 69°04' West, 53.15 feet; thence

North 27°34' West 118.50 feet to the Point of Beginning

MICROFILMED
DEC 03 2003

COPY

WATER DEED
AND
GRANT OF EASEMENT

THIS WATER DEED AND GRANT OF EASEMENT is made this 10th day of September, 1985, by and between SUSAN BAUMAN, an unmarried woman of 10523 Lakeview Drive, Hayden Lake, Idaho, hereinafter individually referred to as "Bauman"; JAMES CARL KNUDSEN and CHERIE M. KNUDSEN, husband and wife of 10511 Lakeview Drive, Hayden Lake, Idaho, hereinafter individually referred to as "Knudsen"; CHARLES LESTER SUTTON, a married man dealing in his sole and separate property of 1128 Lynandra Drive, Moscow, Idaho, hereinafter individually referred to as "Sutton"; CHERIE CARMAN, a married woman dealing in her sole and separate property of P.O. Box 386, Hayden Lake, Idaho, hereinafter individually referred to as "Carman"; and BERNICE M. ALTMAN, a widow of 10535 Lakeview Drive, Hayden Lake, Idaho, hereinafter individually referred to as "Altman". The above-mentioned parties are collectively hereinafter referred to as "Grantor."

WHEREAS the above mentioned parties are owners of their respective parcels of real property as more fully described in Exhibit "A" attached hereto and incorporated by this reference herein, and;

WHEREAS the parties jointly maintain and operate a well, together with a casing, pump, wellhouse, pressure tanks, engine, and delivery pipe system which is located on and provides domestic water to the real property described in Exhibit "A";

NOW THEREFORE the Grantor hereby grants an undivided DEC 03 2003 one-sixth (1/6) interest, in the above mentioned well, and the water from the well, the casing, pump, wellhouse, pressure tanks, engine and delivery pipe system to each of the following named parties: Bauman; Knudsen; Sutton; Carman; and Altman for each

B-4

parcel of real property owned by them as more fully described on Exhibit "A".

Grantor hereby grants to: Bauman; Knudsen; Sutton; Carman; and Altman for the use and purpose of storing and conveying water from the above mentioned well to their parcels of real property as more fully described on Exhibit "A", an easement five feet (5') in width in, on, over and across Grantor's property, the center line of such strip of land, beginning at the well and extending over the route of the presently existing pipe system, or any additions thereto as are necessary to furnish domestic water to each parcel of real property described in Exhibit "A".

This Water Deed and Grant of Easement is made on the condition that Bauman, Knudsen, Sutton, Carman and Altman, their heirs and assigns, for each parcel of real property that they own as more fully described on Exhibit "A", shall bear one-sixth ($1/6$) of all expenses incurred in the operation of the above-mentioned well, pump and engine, and one-sixth ($1/6$) of all the expenses connected with the maintenance of the well, and all accessories thereto, and that Bauman, Knudsen, Sutton, Carman and Altman, their heirs and assigns, covenant and agree to keep and maintain the tanks, pipes and water system in good order so that there will be no leakage so seepage therefrom or any defects that may cause injury to the land and premises of the Grantor or interruption of the domestic water supply to any parcel of real property described in Exhibit "A".

To have and to hold such right and easement and take water and to store, and to conduct the same over, on, through and across, the land of the Grantor subject, however, to the above conditions to Bauman, Knudsen, Sutton, Carman and Altman, their heirs and assigns forever.

IN WITNESS WHEREOF, the Grantor has hereunto set their hand on the date first above written.

MICHAEL

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EXHIBIT "A"

Real Property owned by SUSAN BAUMAN, one parcel, Tax Lot # 6164 as more fully described as:

A portion of Lots 69 and 70, WRIGHTS PARK, Hayden Lake, Kootenai County, State of Idaho, described as follows:

Beginning at a point on the North line of Lot 70; said point being marked by a one inch iron stake and being North 69°04' East, 71.15 feet from the most Westerly corner of Lot 70; thence

Along the North line of Lot 70 North 69°04' East, 11.68 feet to the Northeast corner of Lot 70, thence;

Along the North line of Lot 69 North 63°11' East, 51.62 feet; thence

South 26°49' East, 122.56 feet to a point on the South line of Lot 69; thence

Along the South line of Lot 69 South 63°11' West 8.53 feet to the Southwest corner of Lot 69; thence;

Along the South line of Lot 70 South 69°04' West, 53.15 feet, thence;

North 27°34' West, 118.50 feet to the Point of Beginning.

LESS the Easterly 3 feet thereof.

Real Property owned by JAMES CARL KNUDSEN and CHERIE M. KNUDSEN, 2 parcels, Tax Lot #5778 and Wrights Park Lot #71, more fully described as follows:

Lot 71, and that portion of Lot 70, WRIGHTS PARK, Hayden Lake, Kootenai County, State of Idaho, according to the corrected plat recorded in Book C of Plats, page 71, described as follows:

Beginning at the most Westerly corner of Lot 70 and marked by a one-ince drill steel; thence

Along the Northerly line of Lot 70 North 69°04' East, 71.15 feet; thence

South 27°34' East, 118.5 feet to a point on the Southerly line of Lot 70 and the North right-of-way line of the County Road; thence

Along the Southerly line of Lot 70 and the North

right-of-way line of the County Road South 69°04' West
29.68 feet to the most Southerly corner of Lot 70; thence

Along the Westerly line of Lot 70 North 46°03' West,
130.10 feet to the Point of Beginning.

Real Property owned by CHARLES LESTER SUTTON, one parcel,
Wrights Park, Tax Lot #72, as more fully described as:

Lot 72, WRIGHTS PARK, Hayden Lake, Kootenai County, State
of Idaho, according to the corrected plat recorded in
Book C of Plats at Page 71.

Real Property owned by CHERIE CARMAN, one parcel, Tax Lot
#6268, as more fully described as follows:

That part of Lots 68 and 69 of WRIGHTS PARK lying
Northeasterly of the following described line: Beginning
at a point North 51°31' East 12.67 feet from the
Northeast corner of Lot 68, thence;

South 27°16' East 59.04 feet, thence;

North 78°07' East 27.71 feet, thence;

South 22°27' East 53.33 feet, thence;

South 31°36' East 6.0 feet to a point on the south line
of Lot 69, said line being the East boundary of Tax No.
6165, AND ALSO, that part of Lot 67 lying Southwesterly
of the following described line:

Beginning at the Southwesterly corner of said lot 67;

thence North 32°06' West 133.56 feet to the Northerly
line of said Lot 67, said line being the Southwesterly
line of Tax No. 5036, KOOTENAI COUNTY, IDAHO,

SUBJECT to easements of sight and record

Real Property owned by BERNICE M. ALTMAN, one parcel, Tax
No. 6165, as more fully described as:

A portion of Lots 68 and 69 of WRIGHTS PARK, Hayden Lake,
Kootenai County, State of Idaho, according to the plat
recorded in Book C of Plats, page 71, described as
follows:

Beginning at a point on the North line of Lot 69, said
point being marked by a 1 inch rod and being North 63°11'
East, 51.62 feet from the most Westerly corner of Lot 69;
thence

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Along the North line of Lot 69 North $63^{\circ}11'$ East, 27.81 feet to the Northeast corner of Lot 69; thence

Along the North line of Lot 68, North $51^{\circ}31'$ East 12.67 feet; thence

South $27^{\circ}16'$ East, 59.04 feet; thence

North $78^{\circ}07'$ East, 27.71 feet; thence

South $22^{\circ}27'$ East, 53.33 feet; thence

South $31^{\circ}36'$ East, 6.0 feet to a point on the South line of Lot 69; thence

Along the South line of Lot 69, South $63^{\circ}11'$ West, 63.55 feet; thence

North $26^{\circ}49'$ West, 122.56 feet to the Point of Beginning

AND INCLUDING

The Easterly 3 feet of that portion of Lots 69 and 70, WRIGHTS PARK, Hayden Lake, Kootenai County, State of Idaho, according to the plat recorded in Book C of Plats, page 71, described as follows:

Beginning at a point on the North line of Lot 70, said point being marked by a 1 inch iron stake and being North $69^{\circ}04'$ East 71.15 feet from the most Westerly corner of Lot 70; thence

Along the North line of Lot 70, North $69^{\circ}04'$ East 11.68 feet to the Northeast corner of Lot 70; thence

Along the North line of Lot 69 North, $63^{\circ}11'$ East 51.62 feet; thence

South $26^{\circ}49'$ East 122.56 feet to a point on the South line of Lot 69; thence

Along the South line of Lot 69 South $63^{\circ}11'$ West 8.53 feet to the Southwest corner of Lot 69; thence

Along the South line of Lot 70 South $69^{\circ}04'$ West, 53.15 feet; thence

North $27^{\circ}34'$ West 118.50 feet to the Point of Beginning

MICHAEL