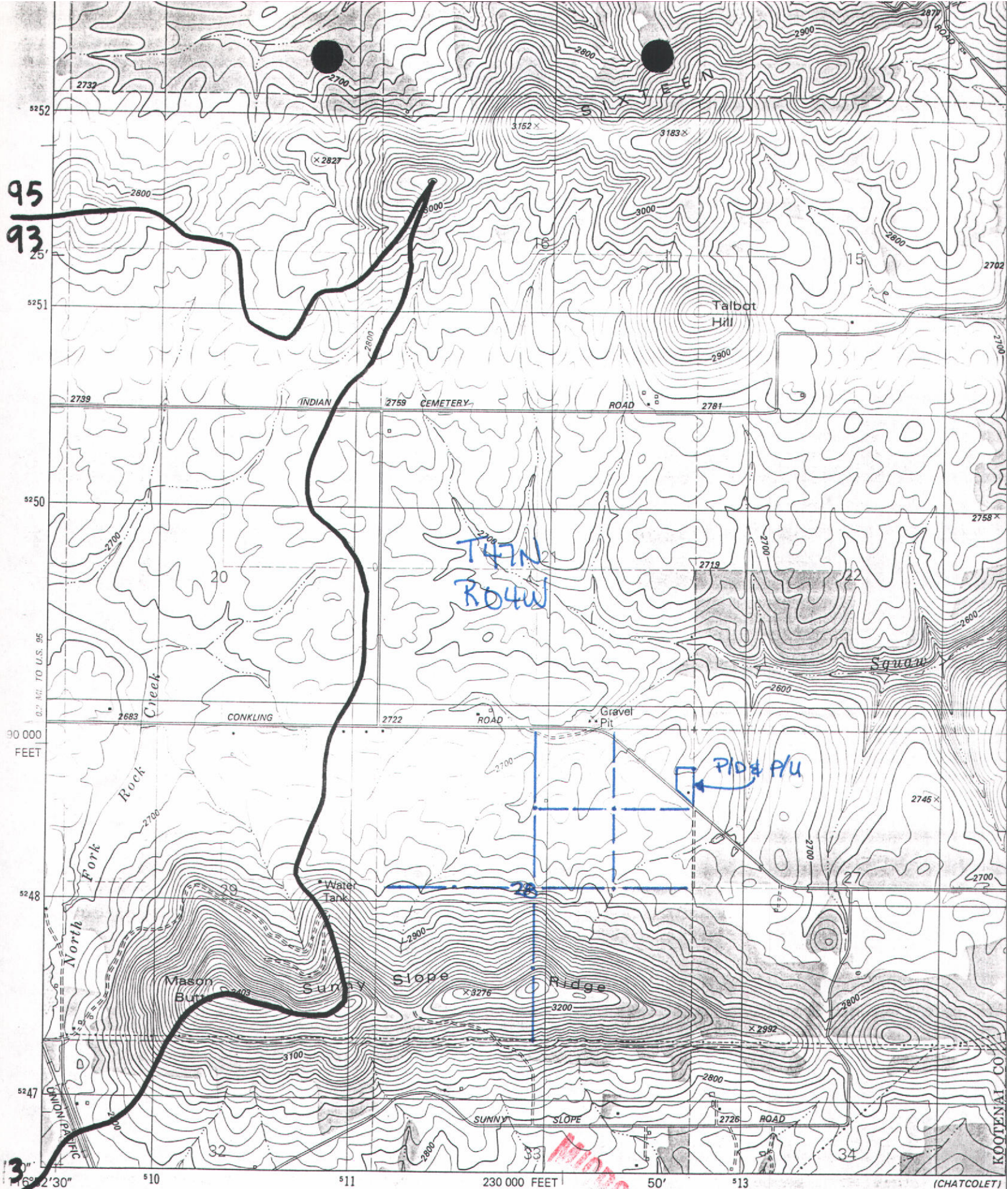




Mapped, edited, and published by the Geological Survey

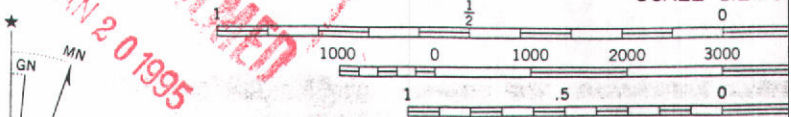
Control by USGS and NOS/NOAA

Topography by photogrammetric methods from aerial photographs taken 1975. Field checked 1976. Map edited 1981

Projection and 10,000-foot grid ticks: Idaho coordinate system, west zone (transverse Mercator)

1000-meter Universal Transverse Mercator grid, zone 11

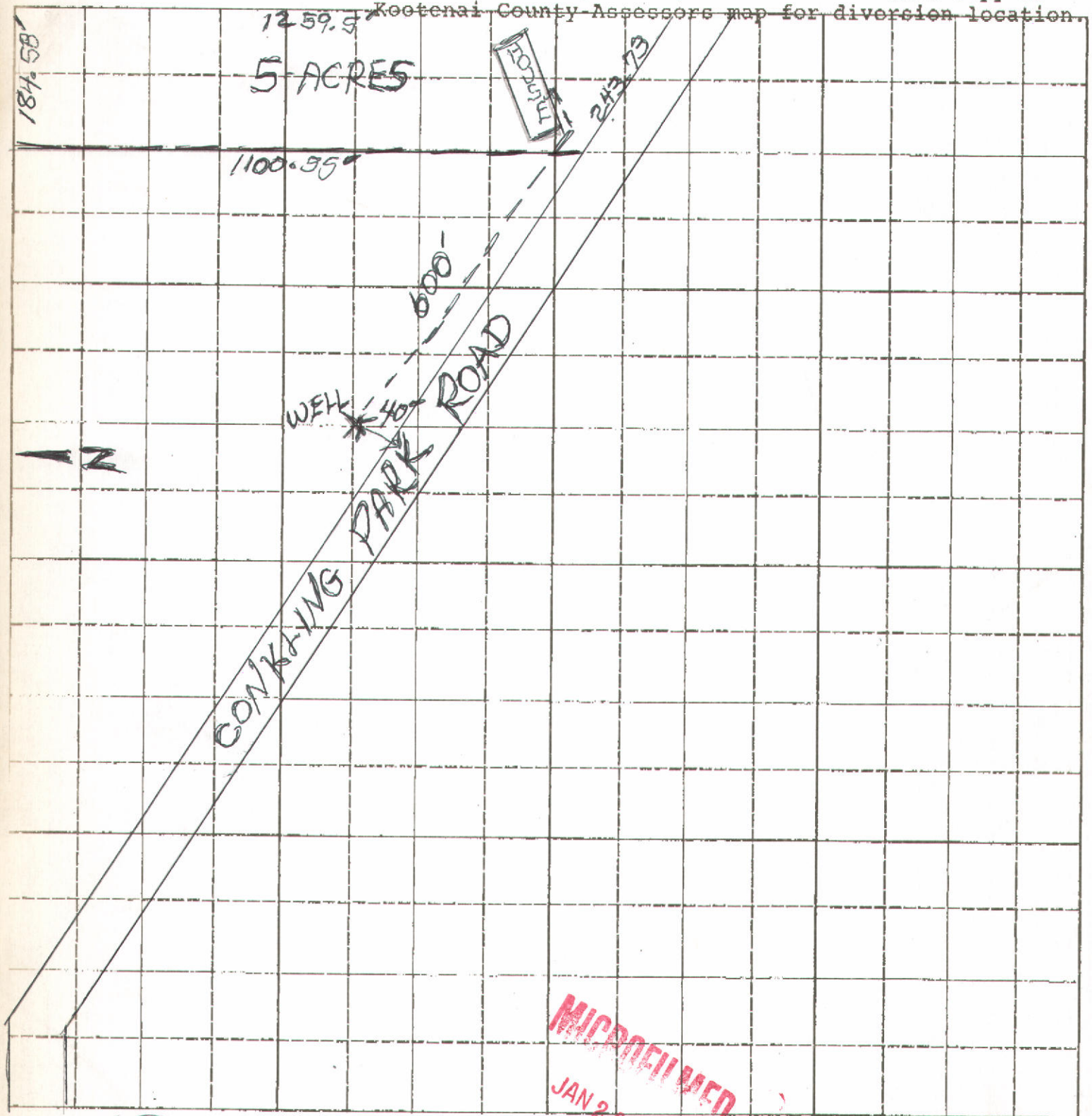
SCALE 1:24 000



CONTOUR INTERVAL

NATIONAL GEODETIC VERTICAL

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number. NE1/4, Sect. 28, TW47N, R4W. See attached copy of Kootenai County Assessors map for diversion location.



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

Herbert W. Brune
(Applicant)

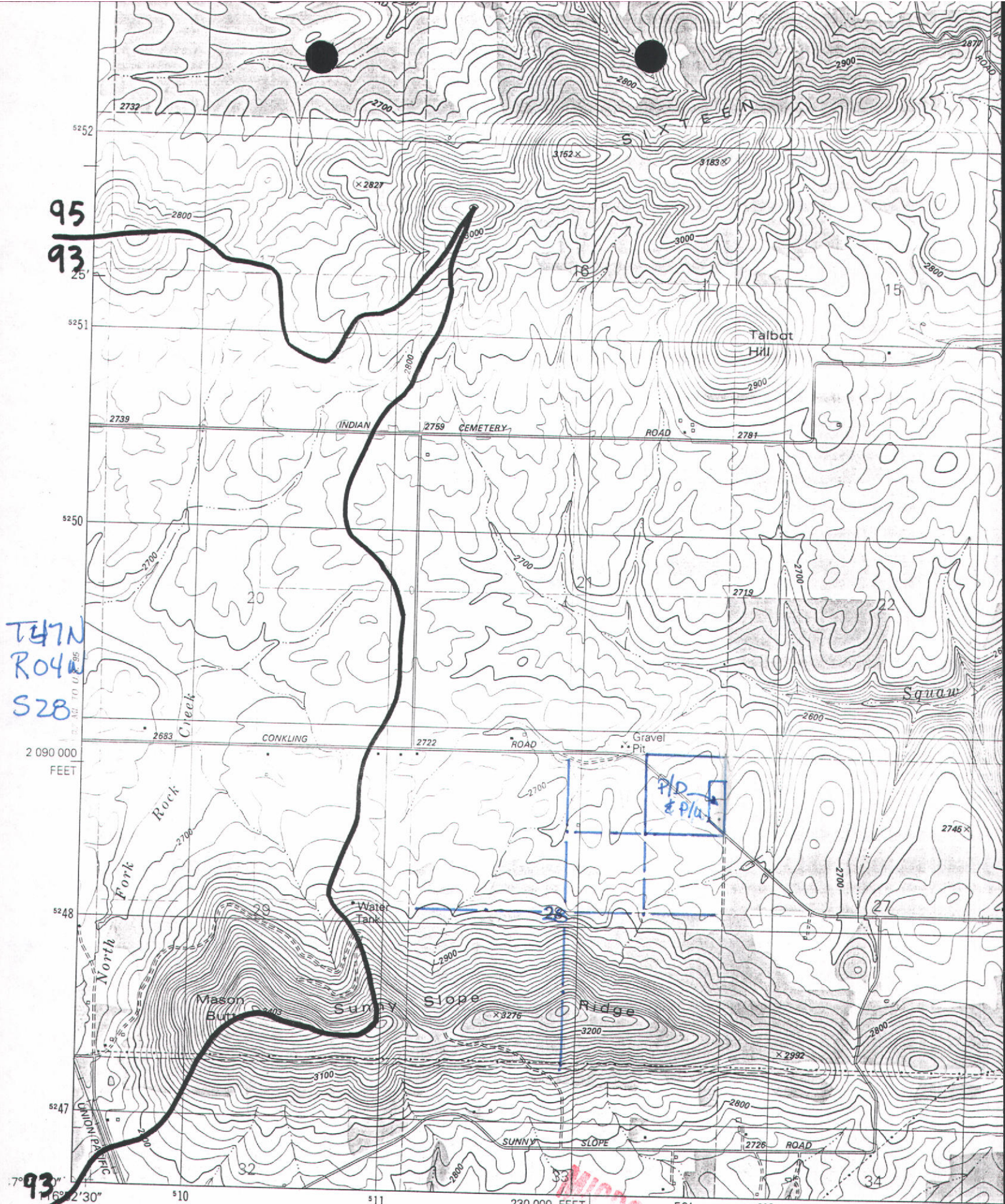
KOOTENAI COUNTY
IDAHO

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T47N
R04W
S28

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93
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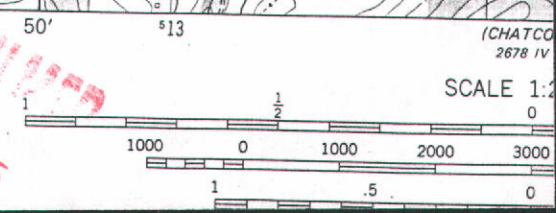
Mapped, edited, and published by the Geological Survey
Control by USGS and NOS/NOAA

Topography by photogrammetric methods from aerial photographs
taken 1975. Field checked 1976. Map edited 1981

Projection and 10,000-foot grid ticks: Idaho coordinate
system, west

230 000 FEET

JAN 20 1995



CHATCO
2678 IV

SCALE 1:2

2. Measurements:

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

D. FLOW MEASUREMENTS

*Code to correspond with No. on map and aerial photo

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Submersible	1	M91-13-1189	600/ds	aa-25702

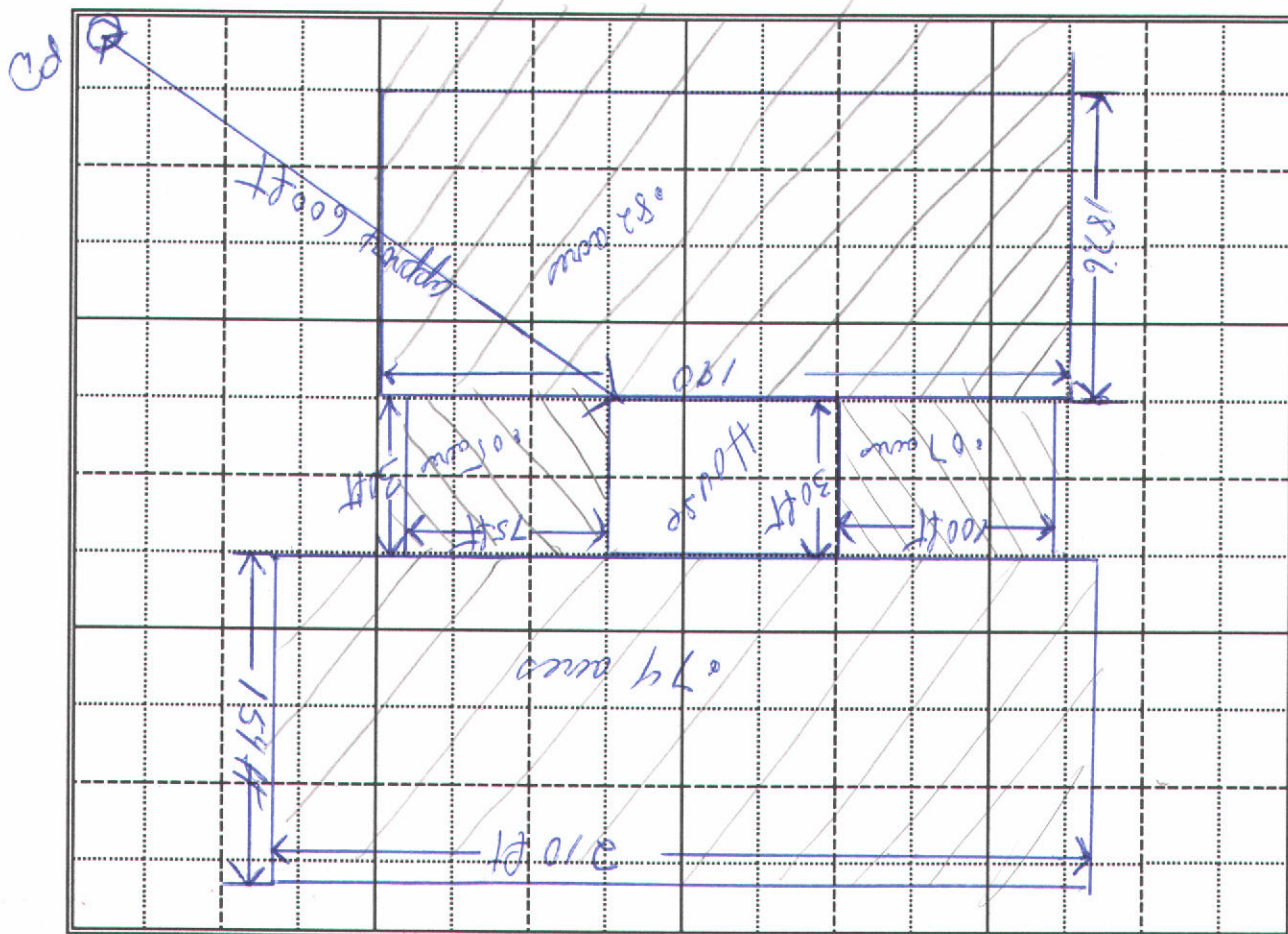
4.

Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

Aerial Photo Attached
(required for irrigation)

(required for irrigation of 10+ acres)

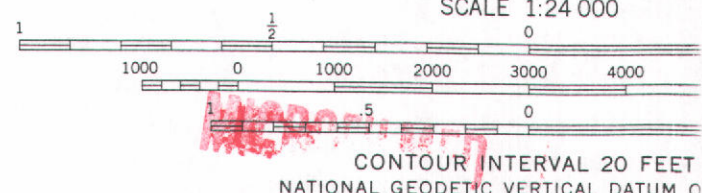
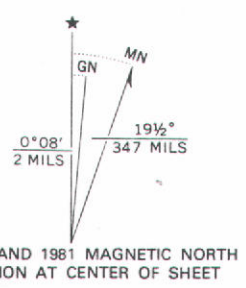
Photo of Diversion and System Attached

Scale: t^* =

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



ed, edited, and published by the Geological Survey
 by USGS and NOS/NOAA
 aphy by photogrammetric methods from aerial photographs
 975. Field checked 1976. Map edited 1981
 on and 10,000-foot grid ticks: Idaho coordinate
 west zone (transverse Mercator)
 eter Universal Transverse Mercator grid, zone 11
 orth American Datum
 e on the predicted North American Datum 1983
 re projection lines 14 meters north and
 ers east as shown by dashed corner ticks
 i dashed lines indicate selected fence and field lines
 generally visible on aerial photographs
 ormation is unchecked



SEP 18 1995

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY
 FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 802
 A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS



PD



PV



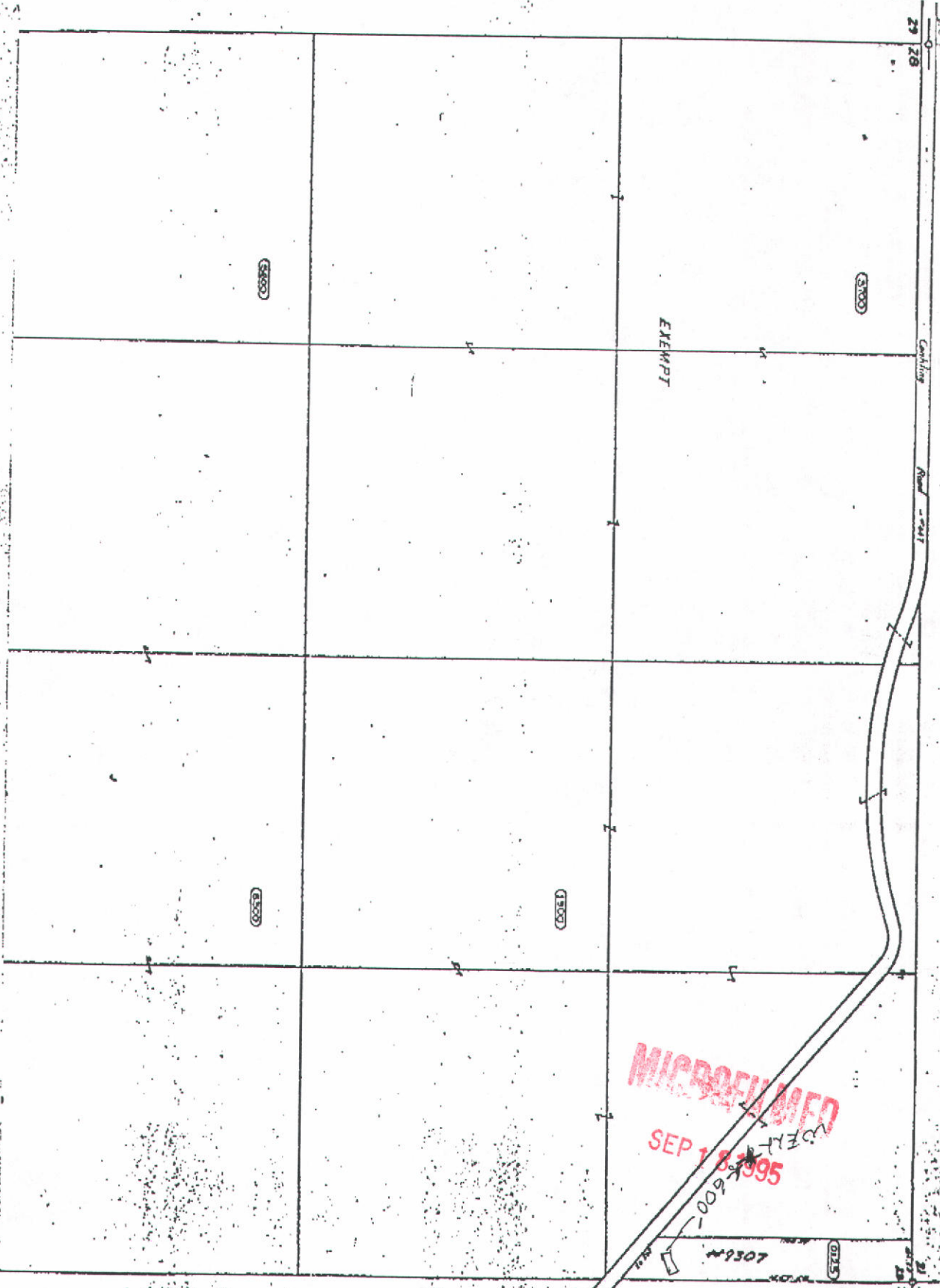
PV

MICROFILMED
SEP 18 1995



1	2	3	4	5	6	7	8	9	10	11	12
13	14	15	16	17	18	19	20	21	22	23	24
25	26	27	28	29	30	31	32	33	34	35	36
37	38	39	40	41	42	43	44	45	46	47	48
49	50	51	52	53	54	55	56	57	58	59	60
61	62	63	64	65	66	67	68	69	70	71	72
73	74	75	76	77	78	79	80	81	82	83	84
85	86	87	88	89	90	91	92	93	94	95	96
97	98	99	100	101	102	103	104	105	106	107	108
109	110	111	112	113	114	115	116	117	118	119	120

KOOTENAI COUNTY
IDAHO



654697

AUG 8 1974

EASEMENT FOR WATER

PAGE 208 PAGE 31

Grantor corporation, GREENACRES DEVELOPEMNT. COMPANY,
a Washington corporation authorized to do business in Idaho, as owner
of the following described land situated in Kootenai County, State of Idaho,
described as follows:

That portion of the Northeast Quarter of Section 28,
Township 47 North, Range 4 West of the Boise Merid-
ian, lying North and East of County paved road,
Kootenai County, Idaho,

does hereby grant unto KENNETH A BROUSE and DOROTHIEA P. BROUSE,
husband and wife, of Route 1, Worley, Idaho, the right and privilege to take
and use a minimum of five gallons of water per minute (5 GPM) from a well
and an existing pipeline, which well and pipeline are situated on grantor's
property above described, with said pipeline running from the well, located
approximately 600' NW from grantees' property, to grantees' property
along the south boundary line of grantor corporation's property.

The legal description of the grantees' property, to which water is
being provided, is as follows:

Part of the NE $\frac{1}{4}$ of Section 28, Township 47 North,
Range 4 W. B. M., in the County of Kootenai and
State of Idaho, described as follows:

Beginning at the NE Corner of said Section 28,
thence N. 89°55'49" W. along the North line of
said Section 28, a distance of 184.58 feet; thence
South a distance of 1100.55 feet to the northerly
R/W line of Conkling Park Road; thence S. 49°13'26"E.
along the northerly R/W line of Conkling Park Road
a distance of 243.73 feet to a point on the east line of
said Section 28; thence North along the east line of
said Section 28 a distance of 1259.50 feet to the
place of beginning.

SEP 18 1995

37

NOW, THEREFORE, the grantor corporation for and in consideration of One (\$1.00) Dollar and other valuable consideration, does hereby give, grant and convey to grantees, their heirs, representatives and assigns, an easement and right for the use and privilege to draw and use from said well a minimum of five gallons per minute (5 GPM) of water to be used for the beneficial use of grantees' property as above described, with said easement to terminate should grantees, their heirs, representatives or assigns, drill a well of their own on their own property.

Grantees, their heirs and assigns, shall have the right of egress over and upon the lands of grantor corporation for the purpose of keeping in repair the pipeline above referred to for the period of time as set forth in this easement.

DATED this 22nd day of July, 1974.

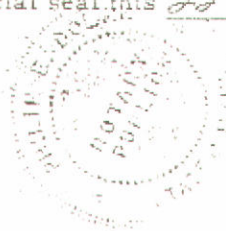
GREENACRES DEVELOPMENT COMPANY

[Signature]
President

STATE OF IDAHO)
) ss.
County of Kootenai)

VIRGIL CARROLL, being duly sworn, deposes and says that he is President of GREENACRES DEVELOPMENT COMPANY, the grantor corporation, and acknowledges to me that such corporation executed the Easement for Water.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 22nd day of July, 1974.



[Signature]
Notary Public for Idaho
Residing at Coeur d'Alene, Idaho
Commission expires 3/2/76

SEP 18 1995

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, } ss.
County of Kootenai,

DEC 09 1994

NOTARY PUBLIC REGION
being first duly sworn

Ken Alexander

upon oath deposes and says:

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

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

3. The

Legal Notice

of which the annexed is a printed copy, was published in the regular THURS. issue of said newspaper for 2 consecutive weeks, commencing on the 1st day of December, 1994, and ending on the 8th day of December, 1994, and such publication was made as often during said period as said daily newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Ken Alexander

Subscribed and sworn to before me this 8th day of December, 1994.

Roberta Manley

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

ROBERTA MANLEY

My commission expires 2-5-99

NOTICE OF APPLICATION
FOR WATER RIGHT
The Following application(s) have been
filed to appropriate the public waters of
the State of Idaho:

95-08890 OK
SYRINGA PROPERTIES
PO BOX 1242
COEUR D ALENE, ID 83814
Source: COEUR D ALENE LAKE
Tributary: SPOKANE RIVER
Diversion Pt: SSWNW Sec 29 T 50N R
03W in KOOTENAI County.
Use: IRRIGATION (1,500 CFS)
COMMERICAL (1,000 CFS)
DOMESTIC (.170 CFS)
FIRE PROTECTION (2,000 CFS)
Total Diversion: (2,000 CFS)

Date Filed: 11/16/1994
In: KOOTENAI County
T50N R03W S20 SWSW SESE
S29 NE1/4 N1/2NW
SENW NESW N1/2SE
75.0 ACRES TOTAL
95-08894 OK

FIRST UNITED METHODIST CHURCH
416 N 6TH
COEUR D ALENE, ID 83814
Source: GROUNDWATER
Diversion Pt: NWNWNW Sec 35T 51N R
04W in KOOTENAI County.
Use: IRRIGATION (200 CFS)
Total Diversion: (200 CFS)

Date Filed: 11/22/1994
In: KOOTENAI County
T51N R04W S35 NWNW
8.0 ACRES TOTAL
95-08891 OK

COEUR D ALENE PUBLIC GOLF CLUB
INC.
PO BOX 5098
COEUR D ALENE, ID 83814
Source: GROUNDWATER
Diversion Pt: NWNWSE Sec 3T 50N R
04W in KOOTENAI County.
Use: IRRIGATION (900 CFS)
Total Diversion: (900 CFS)

Date Filed: 11/18/1994
In: KOOTENAI County
T50N R04W S03 NESW SESW NWSE
SWSE
75.0 ACRES TOTAL
95-08892 OK

DUTIOT, FRISH
5551 PRESLEY RD
COEUR D ALENE, ID 83814
Source: UNNAMED STREAM
Tributary: MIC A CREEK
Diversion Pt: SENW Sec 32T 50N R 04W
in KOOTENAI County.
Use: IRRIGATION (.020 CFS)
IRRIGATION STORAGE (4.00 AF)
STORAGE (4.00 AF)
WILDLIFE (0.20 CFS)
WILDLIFE STORAGE (4.00 AF)
WILDLIFE FROM
STORAGE (4.00 AF)
Total Diversion: (.200 CFS) (200 CFS)

Date Filed: 11/10/1994
In: KOOTENAI County
T50N R04W S32 SWNE SENW
1.0 ACRES TOTAL
95-08893 OK

BROUSE, KENNETH W.
RT 1 BOX 64
WORLEY, ID 83876
Source: GROUNDWATER
Diversion Pt: NENE Sec 28T 47N R 04W
in KOOTENAI County.
Use: IRRIGATION (.045 CFS)
DOMESTIC (.045 CFS)
Total Diversion: (.045 CFS)

Date Filed: 11/2/1994
In: KOOTENAI County
T47N R04W S28 NENE
5.0 ACRES TOTAL

For additional information concerning
the property location, call the Northern
Regional Office at (208) 769-1450.
The permit(s) will be subject to all prior
water rights. Protests must be filed with
the applicant and with the Director, Dept.
of Water Resources, Northern Region,
1910 Northwest Blvd., Suite 210, Coeur
d'Alene, Idaho 83814, together with a
protest fee of \$25.00 on or before
DECEMBER 19, 1994.

R. KEITH HIGGINSON, Director

Legal 89
Dec. 1, 8, 1994

RECORDED

JAN 20 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 95-08893

Priority: November 2, 1994

Maximum Diversion Rate:

0.03 CFS

Maximum Diversion Volume:

3.6 AF

This is to certify, that KENNETH W BROUSE

RT 1 BOX 64

WORLEY ID 83876

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 2, 1994; and has submitted Proof of Beneficial Use on January 26, 1995. An examination indicates that the works have a diversion capacity of 0.030 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	01/01 to 12/31	0.03 CFS	3.6 AF

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 28, Township 47N, Range 04W
KOOTENAI County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
47N	04W	28	NENE	1.2		1.2

Total number of acres irrigated: 1.2

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.0 afa per acre for the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 30th day of AUGUST, 1995.

Acting for KARL J. DREHER, Director

SEP 18 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 26 1995

PROOF OF BENEFICIAL USE 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 who has been appointed by the department.

1. Permit No. 95-08893 Telephone No. c/o: Ed Holmes 664-1561

2. Name(s) of Permit Holder(s): Kenneth W. Brouse

3. Mailing Address: Route 1, Box 64, Worley, Idaho 83876

4. Source of Water: Groundwater If **GROUNDWATER** (well), Date Drilled: mo. 09 / yr. 85

a. Well Driller: Coeur d'Alene Drilling Drilling Permit Number: 95 - 74 - N13 - 1

b. **OPTIONAL:**

Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

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

Domestic (No. of households): One Stockwater (No. and type of stock): N/A

Irrigation (No. of acres): N/A Other: N/A

6. Total rate of diversion and/or volume for which proof is submitted: .5 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

Flow Measurement Port: Is a flow measurement port required? Yes _____ or No X
Has the measurement port 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: Kenneth W. Brouse Telephone Number c/o: Ed Holmes 664-1561

Address: Rt. 1, Box 64, Worley, Idaho 83876

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

Signature of permit holder: Kenneth W. Brouse By: Edwin B. Holmes Date: Jan 23 1995
(include your title, if on behalf of company or organization)
EDWIN B. HOLMES, Attorney for Permit Holder

MAR 30 1995

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 95-08893

Proposed Priority: November 2, 1994 Maximum Diversion Rate: 0.05 CFS

This is to certify, that **KENNETH W BROUSE**
RT 1 BOX 64
WORLEY ID 83876

has applied for a permit to appropriate water from: **GROUNDWATER**

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>
IRRIGATION	01/01 to 12/31	0.05 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.05 CFS

LOCATION OF POINT(S) OF DIVERSION: NENE , Sec. 28, Township 47N, Range 04W
KOOTENAI County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
47N	04W	28	NENE	5		5

Total number of acres irrigated: 5

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **January 1, 1996.**
2. Subject to all prior water rights.
3. The issuance of this right in no way grants any right-of-way or easement across the land of another.
4. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
5. 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

3rd day of January, 1995.

[Signature]
for R. Keith Higginson, Director

JAN 20 1995

RECEIVED
DEC 23 1994

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 95-08893

To appropriate the public waters of the State of Idaho

1. Name of applicant Kenneth W. Brouse Phone 208-686-1201

Post office address Rt. 1 Box 64, Worley ID 83876

2. Source of water supply Groundwater which is a tributary of N/A

3. Location of point of diversion is ** $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____

Sec. 28 Township 47 N Range 4 W B.M. KOSTENWA County, ADAMS

~~XXXXXX~~ if any: **See attached legal description, Attachment A.

4. Water will be used for the following purposes:

* 0.04
Amount 0.045 for Domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

0.05 IRRIGATION
Amount 0.045 for N/A purposes from N/A to N/A (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) 0.05 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Could's Submersible Pump with a
1hp motor. *Pumping rate will be 20gpm.

Pipeline: diameter 1" length: approx. 600'

b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total
reservoir capacity N/A acre-feet; period of year when water will be diverted to storage:

N/A to N/A inclusive.
6"- 1'-90' cased 6" down.

c. Proposed well diameter is 4"- 90'-319' inches; proposed depth of well is 319 feet.

d. Is ground water with a temperature of greater than 85°F being sought? No.

e. If well is already drilled, when? 9/5/85; Drilling firm Coeur d'Alene Drilling

Well was drilled for (well owner) Virgil Carrole and Applicant.

7. Time required for the completion of the works and application of the water to be proposed beneficial use is

1 year years (minimum 1 year).

* rounded to nearest $\frac{1}{100}$ th per IDWR standards

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

- a. Hydropower; show total feet of head and proposed capacity in KW. N/A
- b. Stockwatering; list number and kind of livestock. N/A
- c. Municipal; show name of municipality. N/A
- d. Domestic; show number of households. One Household
- e. Other; describe fully. N/A

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	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
47N	4W	28	5 D																5

Total number of acres to be irrigated 5 acres

10. Describe any other water rights used for the same purposes as described above. None.

11. a. Who owns the property at the point of diversion? Greenacres Development Co., Inc.

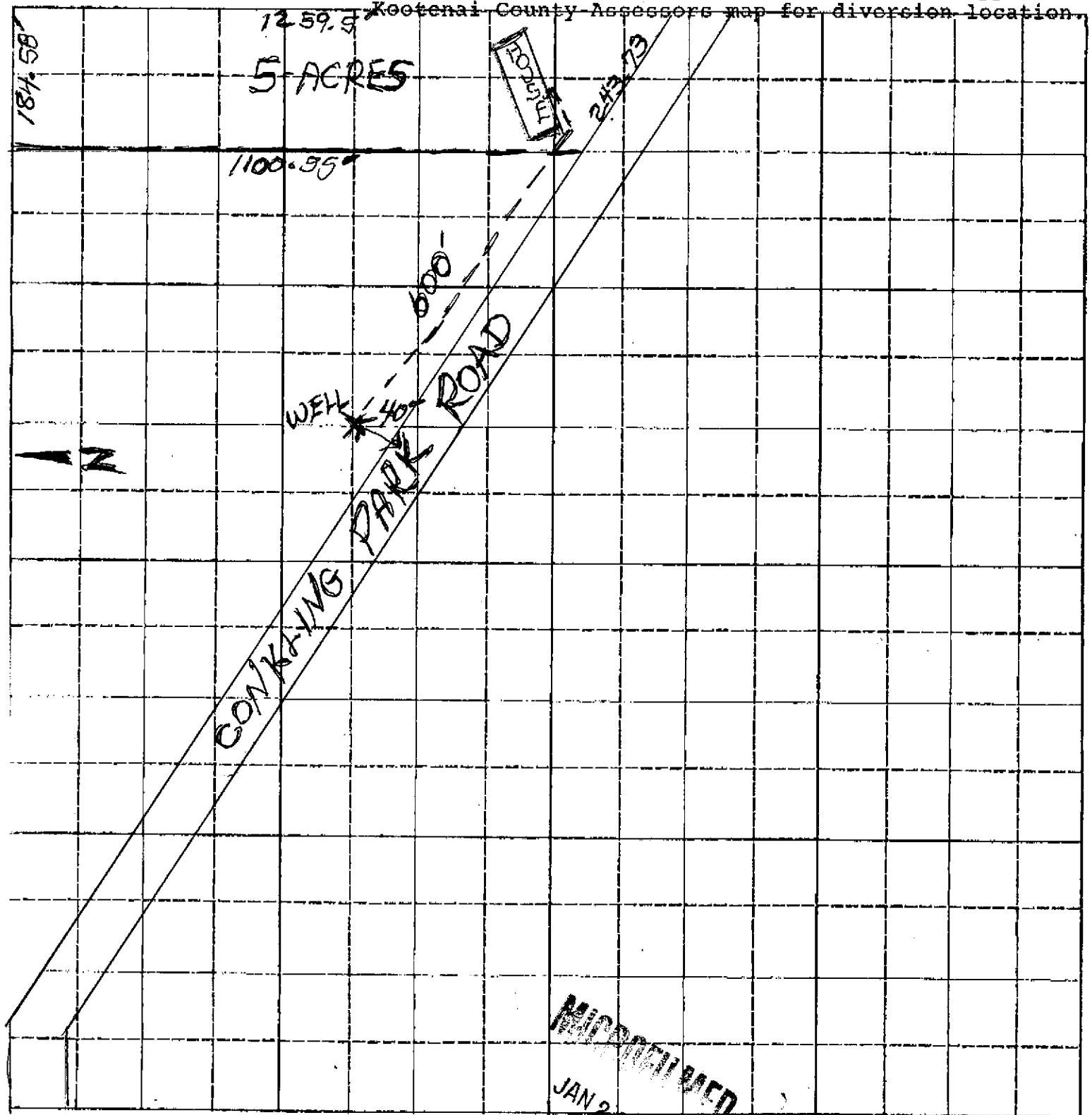
b. Who owns the land to be irrigated or place of use? Kenneth W. Brouse

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Water easement dated July 22, 1974, recorded at Book 268, Page 37, Records of Kootenai County, Idaho.

12. Remarks: A copy of the easement described in paragraph 11 above is attached hereto.

RECEIVED
JAN 20 1995

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number. NE1/4, Sect. 28, TW47N, R4W. See attached copy of Kootenai County Assessors map for diversion location.



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

James H. Brune
(Applicant)

THE UNIVERSITY OF CHICAGO PRESS

KOOTENAI COUNTY
IDAHO

天	地	人	王	公	侯	伯	子	男	女
正	副	主	客	主	客	主	客	主	客
姓	名	姓	名	姓	名	姓	名	姓	名
父	子	父	子	父	子	父	子	父	子
母	女	母	女	母	女	母	女	母	女
兄	弟	兄	弟	兄	弟	兄	弟	兄	弟
姊	妹	姊	妹	姊	妹	姊	妹	姊	妹
夫	妻	夫	妻	夫	妻	夫	妻	夫	妻
子	女	子	女	子	女	子	女	子	女
父	母	父	母	父	母	父	母	父	母

DEC. 20 1972 9 11 AM 9 17 PM

67-140414-28

2012

Confidence

Form

21 22

5100

EXEMPLO



1967

6408

RECEIVED
JAN 20 1995

49507

WFLA-TV 600

654697

Filed and recorded at the request of HANHANDLE TITLE CO COMPARED
 at 9 o'clock 4 M., this day of AUG 8 1974 INDEXED
HAROLD C. HANSON By Heidi Lee Jettin TRACTED
 Fee \$200
 Return to grantee

EASEMENT FOR WATER

BOOK 208 PAGE 37

Grantor corporation, GREENACRES DEVELOPEMNT COMPANY,
 a Washington corporation authorized to do business in Idaho, as owner
 of the following described land situated in Kootenai County, State of Idaho,
 described as follows:

That portion of the Northeast Quarter of Section 28,
 Township 47 North, Range 4 West of the Boise Merid-
 ian, lying North and East of County paved road,
 Kootenai County, Idaho,

does hereby grant unto KENNETH A BROUSE and DOROTHIEA P. BROUSE,
 husband and wife, of Route 1, Worley, Idaho, the right and privilege to take
 and use a minimum of five gallons of water per minute (5 GPM) from a well
 and an existing pipeline, which well and pipeline are situated on grantor's
 property above described, with said pipeline running from the well, located
 approximately 600 ' NW from grantees' property, to grantees' property
 along the south boundary line of grantor corporation's property.

The legal description of the grantees' property, to which water is
 being provided, is as follows:

Part of the NE $\frac{1}{4}$ of Section 28, Township 47 North,
 Range 4 W.B.M., in the County of Kootenai and
 State of Idaho, described as follows:

Beginning at the NE Corner of said Section 28,
 thence N. 89°55'49" W. along the North line of
 said Section 28, a distance of 184.58 feet; thence
 South a distance of 1100.55 feet to the northerly
 R/W line of Conkling Park Road; thence S. 49°13'36"E.
 along the northerly R/W line of Conkling Park Road
 a distance of 243.73 feet to a point on the east line of
 said Section 28; thence North along the east line of
 said Section 28 a distance of 1259.50 feet to the
 place of beginning.

JAN 20 1975

NOW, THEREFORE, the grantor corporation for and in consideration of One (\$1.00) Dollar and other valuable consideration, does hereby give, grant and convey to grantees, their heirs, representatives and assigns, an easement and right for the use and privilege to draw and use from said well a minimum of five gallons per minute (5 GPM) of water to be used for the beneficial use of grantees' property as above described, with said easement to terminate should grantees, their heirs, representatives or assigns, drill a well of their own on their own property.

Grantees, their heirs and assigns, shall have the right of egress over and upon the lands of grantor corporation for the purpose of keeping in repair the pipeline above referred to for the period of time as set forth in this easement.

DATED this 22nd day of July, 1974.

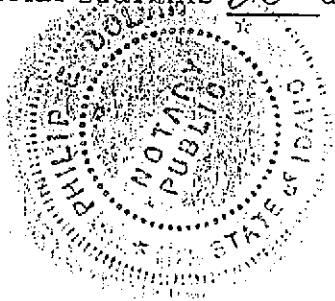
GREENACRES DEVELOPMENT COMPANY.

Virgil Carroll
President

STATE OF IDAHO)
) ss.
County of Kootenai)

VIRGIL CARROLL, being duly sworn, deposes and says that he is President of GREENACRES DEVELOPMENT COMPANY, the grantor corporation, and acknowledges to me that such corporation executed the Easement for Water.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 22nd day of July, 1974.



Philip E. Dolan
Notary Public for Idaho

Residing at Boeur d'Alene Idaho

Commission expires 3/21/76

JAN 20 1995

Received by db Date 11/2/94 Time 3:30 p Preliminary check by [Signature]
Fee \$ 50⁰⁰ Receipted by db # N008421 Date 11/2/94
Publication prepared by db Date 11/22/94 Published in IDA Press 12/1 & 8/94
Publication approved db Date 12/9/94

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

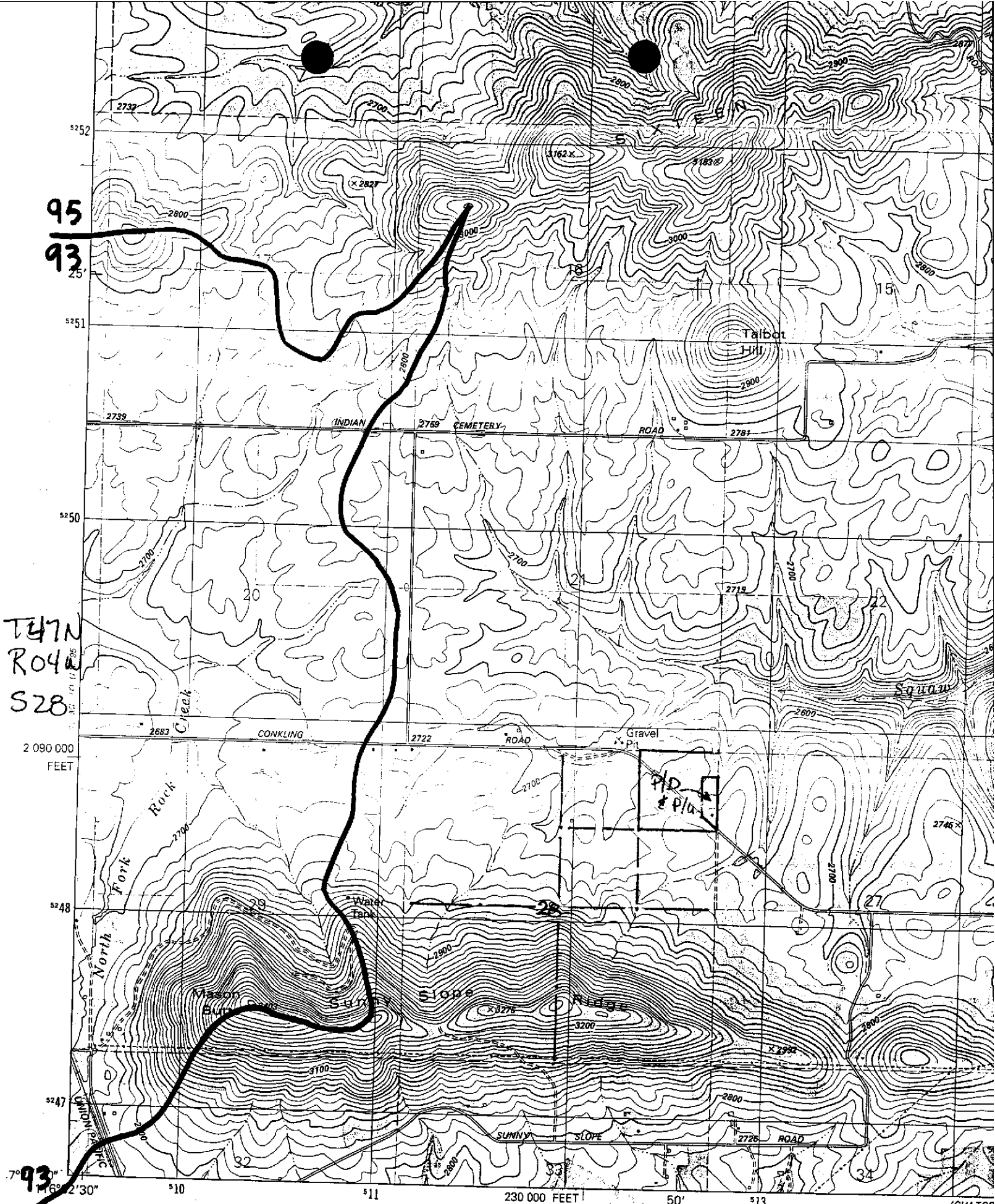
b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

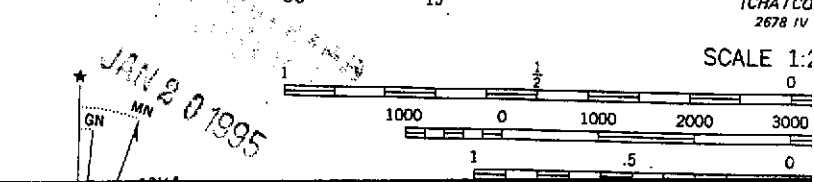
RECEIVED
JAN 20 1995



Mapped, edited, and published by the Geological Survey
 Control by USGS and NOS/NOAA

Topography by photogrammetric methods from aerial photographs
 taken 1975. Field checked 1976. Map edited 1981

Projection and 10,000-foot grid ticks: Idaho coordinate
 system, west zone





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

September 18, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

VIRGIL CARROLL
PO BOX 20042
SPOKANE WA 99204-0042

RE: Water Right Licenses 95-08380 & 95-08893

Dear Mr. Carroll:

As you requested, I have enclosed photocopies of the above water right files, as well as 42-106, Idaho Code.

The department is required to charge 5¢ per copy for more than 10 copies. I have enclosed a billing for 63 copies which total \$3.15. Please remit \$3.15 to the department at the above address.

If you have any questions or require further assistance, you may contact me directly at (208) 327-7944.

Sincerely,

Cindy Zimmerman
Water Resource Agent

Enclosures



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

September 6, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ED HOLMES
PO BOX 2127
COEUR D ALENE ID 83816-2127

RE: Water Right Nos. 95-08380 & 95-08893

Dear Mr. Holmes:

Per your request, enclosed you will find a copy of the licenses and Beneficial Use Field Reports on the above referenced water rights.

If you have any further questions, please feel free to contact me directly at (208) 327-7944.

Sincerely,

CINDY ZIMMERMAN
Water Resource Agent

Enclosures

RECORDED
SEP 18 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 31, 1995

KENNETH W BROUSE
RT 1 BOX 64
WORLEY ID 83876

RE: WATER RIGHT NO. 95-08893

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

SEP 18 1995

LICENSE REVIEW
Cindy Zimmerman

Permit #: 95-8893 Name: Brouse Date: 8/8/95
App Rcd 11/2/94 Priority 11/2/94 Examined 6/6/95 ✓ Lots ✓

NAME Chng OK ✓ Or Address Change?
SOURCE — ✓ Clarify source —
— Prelim. Order to Void - Source change.
P/D — ✓ Amendment Needed? — -P39, P38
Overlap(s) 95-8380
P/U — ✓ Amendment Needed? — -P41, P38
Overlap(s) 95-8380
*P/D & P/U Amend? P37, P38
(See paragraph list for governmental agencies)

RATE ✓ — Permit/fee limits: 0.05/0.20
✓ — Measured Q= — cfs Theoretical Q= 0.03 cfs
irr 1.2A x 0.03 cfs/A = 0.036 cfs ≈ 0.04 cfs
(HP) 8.8 x 0.70 x 1
80 + (2.31 x 45) = 0.03 cfs
Recommended capacity 0.03 cfs
Recommended rate 0.03 cfs

VOLUME ✓ — Season of Use: (D) 3/15 - 11/15 = 246 days
Calculations: irr of 1.2A x 3.0 AF/A = 3.6 AF/A
Flow limit: 0.03 x 246 x 1.9835 = 14.6 AF
Recommended volume 3.6 AF

USES — ✓ Same Nature of Use? — -P46
— Amendment Needed? —

REMARKS — Multiple p/d's in 1/4? —
—

CONDITIONS — Measuring (R01)/Locking (R02) Devices
— Watermaster Control (R04) - WD # —
R49 Irrigation rate/volume overlap
— Irrigation water overlap (065) (If gw use sw)
— Water Quality/Other —

PRIORITY Due 1/1/96 Rc'd 1/26/95 Receipt# 0032054 Fee OK? (Yes) No
Order to Reinstate Needed? Yes/No Done? —
If Yes, Advanced? Yes/No to: —

COMMENTS: Domestic (int & ext) licensed under 95-8380; limited by capacity

USE	CFS	DIV VOL	Adjustment Memo
<u>irr / 1.2A</u>	<u>0.03</u>	<u>3.6</u>	<u>✓</u>
<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>TOTAL</u>	<u>0.03</u>	<u>3.6</u>	<u>—</u>

LICENSE: (P49)
#1 AMEND LTR: P46 or P39/P41/P37 & P38
#2 AMEND LTR: P42/P47

MEMORANDUM

DATE: August 8, 1995
TO: File No. 95-08893
FROM: Cindy Zimmerman S.
SUBJECT: Review of Beneficial Use Field Report

=====

The following adjustments were made on the field report:

1. Place of use.
 - a. Irrigation Use within NENE, S28, T47N, R04W of 1.2 acres.
2. Recommendations.
 - a. Delete Domestic use; already licensed for internal and external use under 95-08380.
 - b. Irrigation use from 3/15 to 11/15 with a rate of diversion of 0.03 cfs and annual volume of 3.6 AFA.
 - c. Total rate of diversion of 0.03 cfs and total annual volume of 3.6 AFA.

8/23/95 S.

In a telephone conversation today, Mrs. Brouse confirmed this was the same house as licensed under 95-08380.

Mrs. Brouse explained that when the first right was being examined, "the lady" advised them that they were irrigating more than an 1/2 acre covered by domestic use under right 95-08380, and that they needed to file an additional right to cover the added irrigation. They filed 95-08893 to cover all uses including the already licensed domestic use.

I explained that because the domestic use was already licensed for maximum allowable rate and volume for 1 home with 1/2 acre of irrigation, that the license issued on 95-08893 will be reduced to the remaining 1.2 acres of irrigation not previously licensed.

APPROVED

SEP 18 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JUL 13 1995

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 95-8893

1. Owner: Kenneth W. Brouse Phone No. 208-686-1201

Current Address: RT 1 Box 64 Worley Rd 83876

2. Accompanied by: MRS Brouse EXAM DATE: 6-6-95

Address: SAME AS ABOVE Phone No. _____

Relationship to Permit Holder: wife

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: 95-08380

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NE	NE	28	47N	04W	Kootenai	

2. Place(s) of Use:

Indicate Method of Determination _____

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
47N	04W	28	D																0

SEP 18 1995

size/ditch size/pipe i.d. as applicable.

D. FLOW MEASUREMENTS

1

2. Measurements:

SEP 18 1985

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

*Code to correspond with No. on map and aerial photo

Well or Diversion Identification No.*	Submersible	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size	
		1	m91-13-1189	Goulds	00-25702	

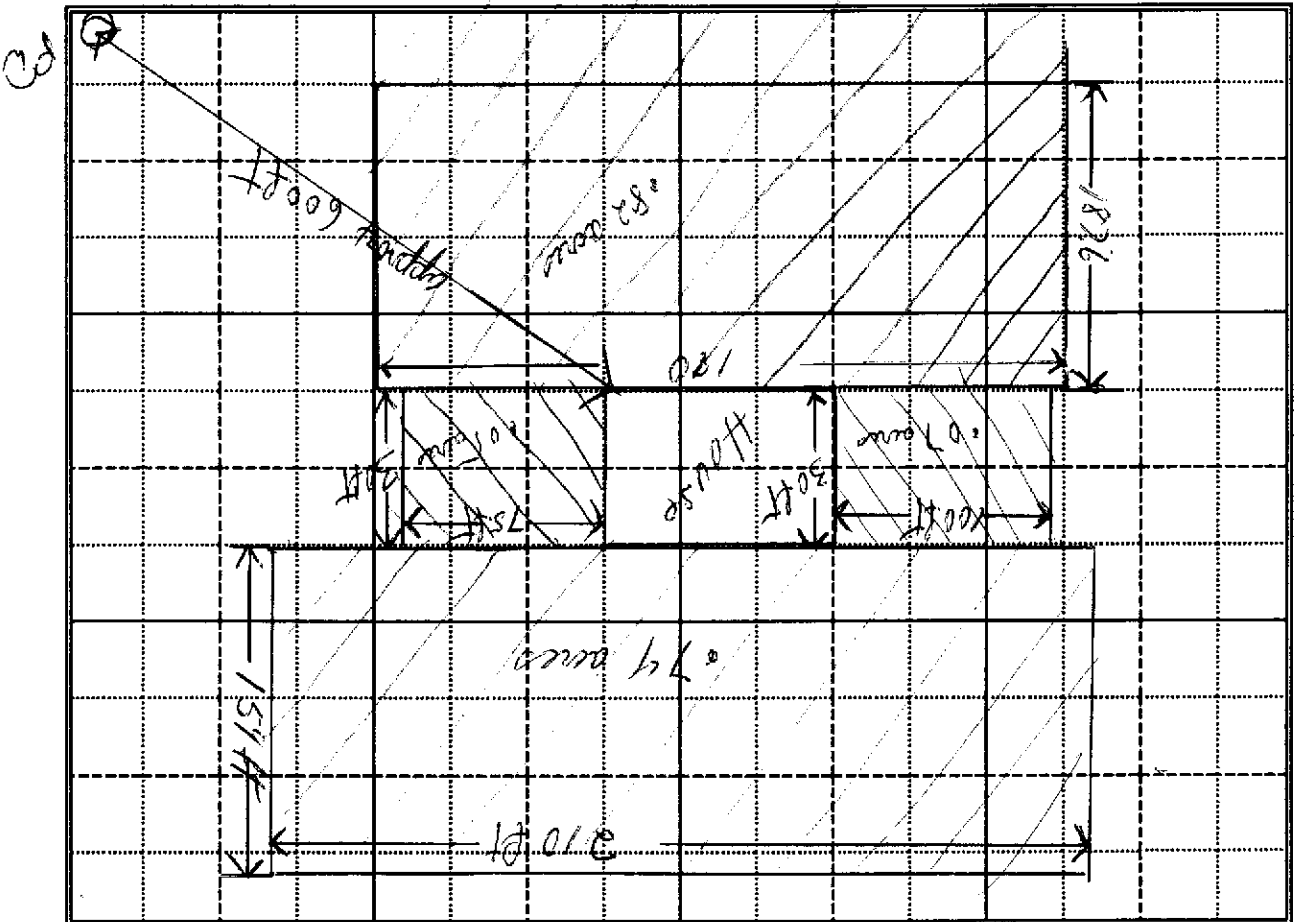
4

Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

Aerial Photo Attached
(required for irrigation of 10+ acres)

Photo of Diversion and System Attached

Scale: 1 -



3. Delivery System Diagram: Indicate a size/ditch size/pipe i.d. as applicable.

E. NARRATIVE/REMARKS/COMMENTS

Permit, Reads 365 days/yr for irrigation
Should be 245 days

Have conditions of permit approval been met? ☐ yes ☐ no

SEP 18 1995

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1.7 \times 3.51$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .038245 \times 19835 = 1458$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 5.1$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Domestic
Navigation

From

01-01

3-15

Period of Use
To

11-31

11-15

Rate of Diversion

Q (cfs)

.03

.03

Annual Volume

V (ata)

1.2

5.1

2. Recommended Amendments

Change P.D. as reflected above
Change P.U. as reflected above

Add P.D. as reflected above
Add P.U. as reflected above

None
Other

I. AUTHENTICATION

Field Examiner's Name

Date

Reviewer

Date

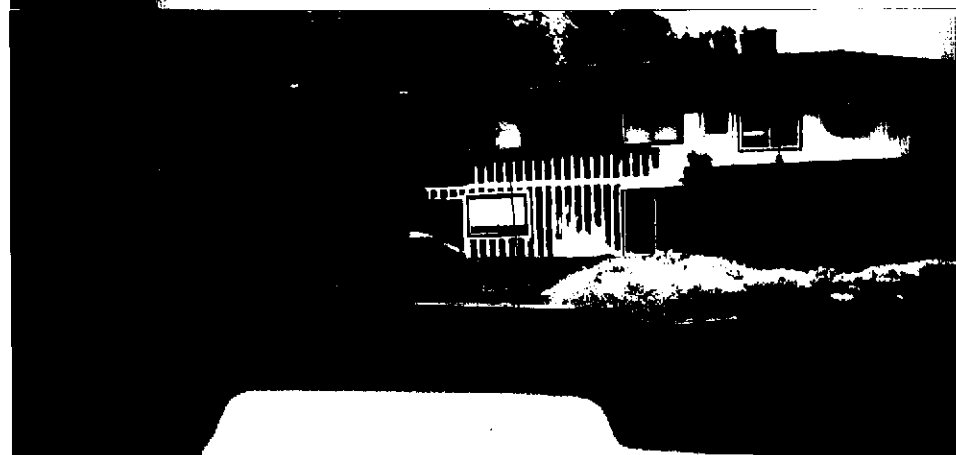
6-13-95

Wayne S. Baker

SEP 18 1995
SEAL



PD



PU



PU

SEP 18 1995

THEORETICAL PUMP EFFICIENCY CALCULATIONS

FILE: 95-8893

DATE: 13-JUN-95

COMPLETE BY: WAYNE BALDWIN

HORSEPOWER = 1

PUMP EFFICIENCY = 65%

DYNAMIC LIFT = 80 FEET

SYSTEM PRESSURE = 45 PSI

QUANTITY = 0.03 CFS

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SEP 18 1995

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Administration within 30 days after the completion or abandonment of the well.

RECEIVED
MAR 18 1974
Department of Water Administration

1. WELL OWNER

Name VIRGIL CARROLL
Address WORLEY IDAHO
Owner's Permit No. 95-74-N-13

7. WATER LEVEL

Static water level 75 feet below land surface
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Temperature 52 ° F. Quality GOOD
Artesian closed-in pressure _____ p.s.i.
Controlled by ☐ Valve ☐ Cap ☐ Plug

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning)

8. WELL TEST DATA

☐ Pump ☒ Bailor ☐ Other

Discharge G.P.M.	Draw Down	Hours Pumped
<u>15</u>	<u>80</u>	<u>30 MIN</u>

3. PROPOSED USE

☒ Domestic ☐ Irrigation ☐ Test ☐ Other (specify type) _____
☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection

4. METHOD DRILLED

☒ Cable ☐ Rotary ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Diameter of hole 6 inches Total depth 175 feet
Casing schedule: ☒ Steel ☐ Concrete

Thickness	Diameter	From	To
<u>2.50</u> inches	<u>6</u> inches	<u>+18 IN ABOVE</u> feet	<u>32</u> feet

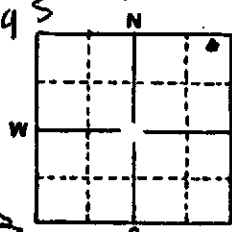
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☐ Yes ☒ No
How perforated? ☐ Factory ☐ Knife ☐ Torch
Size of perforation _____ inches by _____ inches

Number	From	To

Well screen installed? ☐ Yes ☒ NoManufacturer's name _____
Type _____ Model No. _____
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feetGravel packed? ☐ Yes ☒ No Size of gravel _____
Placed from _____ feet to _____ feetSurface seal depth 20 Material used in seal ☒ Cement grout
☐ Pudding clay ☒ Well cuttingsSealing procedure used ☐ Slurry pit ☐ Temporary surface casing
☒ Overbore to seal depth

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County KOOTENAINE 1/4 NE 1/4 Sec. 28, T. 47 N, R. 4 E

10.

Work started NOV 19-73 finished FEB 26 74

11. DRILLERS CERTIFICATION

Firm Name FREDERICK WELL-DRILLING Firm No. 71Address SPIRIT LAKE IDAHO Date MARCH 14

Signed by (Firm Official) _____

and
(Operator) Frederick

Post-it	Note	7671	Date	01/26/95	# of pages
To	AL		From	John M. Mowse	
Co. Des.	State Resources		Co.	MJB Realty	
Phone #			Phone #	208-686-1058	
Fax #			Fax #		

THIS INSTRUMENT is made and entered into this ____ day of _____, 1995 by KENNETH W. BROUSE and DOROTHEA P. BROUSE, husband and wife (hereinafter referred to collectively as BROUSE) and DRU WILSON and BOBBIE WILSON, husband and wife (hereinafter referred to collectively as WILSON).

RECITALS

WHEREAS BROUSE is the owner in fee simple of the following described tract of real property located within Kootenai County Idaho:

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE. This parcel of real property is identified by the Kootenai County Assessor as Kootenai County Parcel No. 47N04W-28-0125 (hereinafter referred to as the BROUSE PROPERTY).

AND, WHEREAS WILSON is the owner in fee simple of the following described tract of real property located within Kootenai County, Idaho:

SEE EXHIBIT "B" ATTACHED HERETO AND BY REFERENCE FULLY INCORPORATED HEREIN (hereinafter referred to as the WILSON PROPERTY).

AND, WHEREAS BROUSE currently has an express grant of easement to access and use a well located on the WILSON PROPERTY. Said grant of easement was recorded on August 4, 1974 as Instrument No. 654697 in the records of the County Recorder for the County of Kootenai, State of Idaho. This easement conveyed to BROUSE the right and privilege to take and use a minimum of five gallons of water per minute (5 gpm) from the well located on the WILSON PROPERTY.

AND, WHEREAS BROUSE has applied for and has been approved for a permit to appropriate water from the subject well by the Idaho Department of Water Resources. Said permit, Permit No. 908893, is for domestic purposes for the use on five (5) acres of property. Said permit has a priority date of November 2, 1994 and has an approved diversion rate of five one-hundredths cubic

BROUSE/WILSON WELL AGREEMENT PAGE - 1

APPROVED
SEP 18 1995

feet of water per second (.05 cfs) and an approved pumping rate of twenty gallons per minute (20 gpm).

AND, WHEREAS until the date of this agreement, only BROUSE has used the subject well and WILSON now wishes to use said well for the supply of water to the WILSON PROPERTY.

AND, WHEREAS the parties to this agreement desire to make a matter of public record the rights, interests and further responsibilities of the parties to this Agreement as it concerns the maintenance, repair and use of the well and the water distribution lines to each of the parties' respective parcels of real property described in Exhibits "A" and "B."

NOW THEREFORE, it is hereby established as follows:

1) The well easement that was recorded on August 4, 1974 as Instrument No. 654697 in the records of the County Recorder for the County of Kootenai, State of Idaho remains in full effect and is unchanged by this agreement.

2) The water well located on the WILSON PROPERTY shall be for the exclusive domestic use on the parcels of real property described in Exhibits A and B. The water system shall only be used for domestic purposes serving one residential dwelling on each of said parcels of real property. Neither the well or water supply system can be expanded to other properties or other uses without prior written consent of BROUSE and WILSON, their heirs, assigns or successors.

BROUSE shall be entitled to exercise their full right of diversion as provided for by Permit No. 95-08893 prior to any diversion or use of any water produced by the subject well by WILSON. In the event that BROUSE'S historical pumping capacity, water production, water flow rate, or water pressure is diminished in any way by WILSON'S diversion or use, WILSON shall immediately limit and/or cease their diversion until the water supply to BROUSE'S PROPERTY is returned to its historical full water diversion, flow and pressure rates.

In the event any naturally occurring shortage of water, such as drought or seismic activity, reduces the well output, BROUSE

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SEP 18 1995

shall be entitled to their full diversion rate, amount and historical water pressure prior to any water diversion by WILSON.

Each party shall, at their own cost, install a water meter to monitor their respective diversion rates and use.

3) Except as otherwise provided for in this agreement, all costs for the maintenance and repair of the well, pump and shared water supply components shall be borne equally by the parties.

BROUSE shall not be responsible in any way for the construction or maintenance costs of any water transmission lines installed by WILSON for use on WILSON'S PROPERTY.

Except as provided for in this agreement, WILSON shall not be responsible for the construction or maintenance of any water transmission lines installed by BROUSE for use on BROUSE'S PROPERTY.

In the event that WILSON'S water diversion or use affects the pumping capacity of the pump currently in place in the well, or otherwise affects the historical water flow or water pressure of the water servicing BROUSE PROPERTY, WILSON shall be responsible for all material and labor costs and fees associated with increasing the pump capacity and/or maintaining BROUSE'S historical water flow and water pressure. Said costs and fees include, but are not limited to, increasing the well depth, replacing the current pump with a pump having a higher greater pumping capacity, installing pressure tanks or increasing the flow capacity of BROUSE'S water transmissions lines.

In the event that WILSON'S water diversion or use affects the pumping capacity of the pump currently in place in the well, or otherwise affects BROUSE'S historical water diversion, water flow or water pressure, BROUSE shall give written notice to WILSON specifying the infringement or injury to BROUSE'S water rights and/or water supply system. WILSON shall, within TEN (10) days of his receipt of this notice, take all necessary steps to correct the problems cited by BROUSE. In the event WILSON fails to restore BROUSE'S full water diversion, flow and water pressure within this TEN (10) day period, BROUSE may perform the necessary

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SEP 18 1995

work to restore BROUSE'S water rights. Any fees or costs incurred by BROUSE in performing this work shall be paid for by WILSON within TEN (10) days of WILSON'S receipt of an itemized list of the fees and costs incurred by BROUSE in restoring BROUSE'S water rights.

4) All electricity for the well and water distribution line shall be shared equally by the parties to this agreement. Electrical power is currently supplied by BROUSE and there is no separate meter to monitor the electrical usage of the pump. WILSON shall, therefore, pay BROUSE _____ dollars per month for WILSON'S share of the electrical costs associated with operating the pump. This amount may be increased by BROUSE proportionately to compensate for any electrical base rate increase charged by BROUSE'S electrical provider.

WILSON will not be responsible for any electrical charges until such time as WILSON begins diverting water from the well.

WILSON may, at their sole expense, install a separate electrical meter on the electrical line running from BROUSE'S residence to monitor the pump's actual electrical usage. In the event a separate electrical meter is installed, the parties shall each bear a share of the electrical costs in proportion to their actual water diversion and use. By way of example only, if BROUSE diverts sixty percent (60%) of the water produced by the well in a month, BROUSE shall be responsible for sixty (60%) percent of that month's electrical charges actually incurred through the operation of well's water pump. WILSON shall then pay BROUSE forty percent (40%) of the electrical charges for that month.

5) All of WILSON'S costs to hook onto the system shall be borne by WILSON.

6) The water shall only be used for domestic uses.

7) In the event either party to this agreement fails to pay their respective costs for the repair, operation or maintenance of the well, then in that event, their right to use the well can be terminated until such time as all costs and

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SEP 18 1995

expenses have been reimbursed, plus interest at a rate of eighteen percent (18%) per annum to be calculated thirty (30) days after the first written demand for contribution or payment has been made. Furthermore, in the event the nonpayment should continue, a lien is hereby established and the other owners shall have the right to foreclose the lien on the individual tract as a mortgage under the laws of the State of Idaho. Any and all costs and attorney's fees incurred resulting from said default shall be paid by the defaulting party. The defaulting party shall also be responsible for the payment of all costs and fees incurred through the collection of any delinquent amounts.

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

9) Should any provision of this agreement be declared invalid or in conflict with any applicable law, statute, regulation, or ordinance, the validity of all the other provisions of this agreement shall remain unaffected and in full force and effect.

10) The terms and conditions of this agreement shall constitute covenants and encumbrances and shall run with the land and shall be perpetually binding upon the parties hereto, their heirs and assigns, and any party acquiring any right, title or interest in or to any portion of the real property described in Exhibits A or B

Entered into on the first date written above.

KENNETH W. BROUSE

DOROTHEA P. BROUSE

DRU WILSON

BOBBIE WILSON

SEP 18 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 3, 1995

KENNETH W. BROUSE
RT 1 BOX 64
WORLEY ID 83876

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 95-08893

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

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

Sincerely,

A handwritten signature in black ink, appearing to be 'Jim Johnson', written over a horizontal line.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosures

RECEIVED 9577

JAN 20 1995

January 27, 1995

KENNETH W BROUSE
RT 1 BOX 64
WORLEY ID 83876

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 95-08893

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the NORTHERN Regional Office in Coeur D' Alene at (208) 769-1450.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED
MAR 8 0 1995

654697

AUG 8 1974

EASEMENT FOR WATER

PT 208 AM 37

Grantor corporation, GREENACRES DEVELOPEMNT COMPANY,
a Washington corporation authorized to do business in Idaho, as owner
of the following described land situated in Kootenai County, State of Idaho,
described as follows:

That portion of the Northeast Quarter of Section 28,
Township 47 North, Range 4 West of the Boise Merid-
ian, lying North and East of County paved road,
Kootenai County, Idaho,

Does hereby grant unto KENNETH A BROUSE and DOROTHIEA P. BROUSE,
husband and wife, of Route 1, Worley, Idaho, the right and privilege to take
and use a minimum of five gallons of water per minute (5 GPM) from a well
and an existing pipeline, which well and pipeline are situated on grantor's
property above described, with said pipeline running from the well, located
approximately 600' NW from grantees' property, to grantees' property
along the south boundary line of grantor corporation's property.

The legal description of the grantees' property, to which water is
being provided, is as follows:

Part of the NE $\frac{1}{4}$ of Section 28, Township 47 North,
Range 4 W.B.M., in the County of Kootenai and
State of Idaho, described as follows:

Beginning at the NE Corner of said Section 28,
thence N. 89°55'40" W. along the North line of
said Section 28, a distance of 184.58 feet; thence
South a distance of 1100.55 feet to the northerly
R/W line of Cookling Park Road; thence S. 48°13'28"E.
along the northerly R/W line of Cookling Park Road
a distance of 243.73 feet to a point on the east line of
said Section 28; thence North along the east line of
said Section 28 a distance of 1250.50 feet to the
place of beginning.

SEP 18 1995

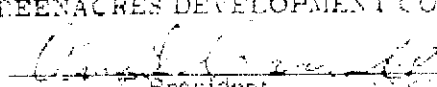
37

NOW, THEREFORE, the grantor corporation for and in consideration of One (\$1.00) Dollar and other valuable consideration, does hereby give, grant and convey to grantees, their heirs, representatives and assigns, an easement and right for the use and privilege to draw and use from said well a minimum of five gallons per minute (5 GPM) of water to be used for the beneficial use of grantees' property as above described, with said easement to terminate should grantees, their heirs, representatives or assigns, drill a well of their own on their own property.

Grantees, their heirs and assigns, shall have the right of egress over and upon the lands of grantor corporation for the purpose of keeping in repair the pipeline above referred to for the period of time as set forth in this easement.

DATED this 22nd day of July, 1974.

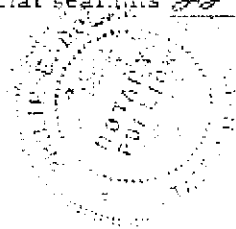
GREENACRES DEVELOPMENT COMPANY

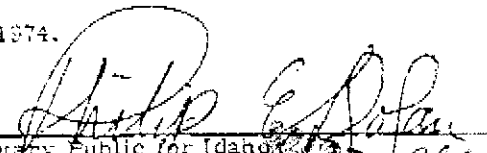

President

STATE OF IDAHO)
) ss.
County of Kootenai)

VIRGIL CARROLL, being duly sworn, deposes and says that he is President of GREENACRES DEVELOPMENT COMPANY, the grantor corporation, and acknowledges to me that such corporation executed the Easement for Water.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 22nd day of July, 1974.




Notary Public for Idaho
Residing at Bozeman, Montana
Commission expires 3/21/76

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, } ss.
County of Kootenai,

DEC 09 1994

being first duly sworn

Ken Alexander

upon oath deposes and says:

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

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

3. The Legal Notice

of which the annexed is a printed copy, was published in the regular THURS. issue of said newspaper for 2 consecutive weeks commencing on the 1st day of December, 1994, and ending on the 8th day of December, 1994, and such publication was made as often during said period as said daily newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Ken Alexander

Subscribed and sworn to before me this 8th day of December, 1994.

Roberta Manley

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

ROBERTA MANLEY

My commission expires 2-5-99

NOTICE OF APPLICATION FOR WATER RIGHT

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

95-08890 OK
SYRINGA PROPERTIES
PO BOX 1242
COEUR D ALENE, ID 83814
Source: COEUR D ALENE LAKE
Tributary: SPOKANE RIVER
Diversion Pt: 8SWNW Sec 29 T 50N R 03W in KOOTENAI County.
Use: IRRIGATION (1.500 CFS)
COMMERICAL (1.000 CFS)
DOMESTIC (.170 CFS)
FIRE PROTECTION (2.000 CFS)
Total Diversion: (2.000 CFS)

Date Filed: 11/16/1994
In: KOOTENAI County
T50N R03W S20 SWSW SESE
S29 NE1/4 N1/2NW
SENW NESW N1/2SE
75.0 ACRES TOTAL
95-08894 OK

FIRST UNITED METHODIST CHURCH
416 N 6TH
COEUR D ALENE, ID 83814
Source: GROUNDWATER
Diversion Pt: NWNWNW Sec 35T 51N R 04W in KOOTENAI County.
Use: IRRIGATION (200 CFS)
Total Diversion: (200 CFS)

Date Filed: 11/22/1994
In: KOOTENAI County
T51N R04W S35 NWNW
8.0 ACRES TOTAL
95-08891 OK

COEUR D ALENE PUBLIC GOLF CLUB
INC.
PO BOX 5098
COEUR D ALENE, ID 83814
Source: GROUNDWATER
Diversion Pt: NWNWSE Sec 3T 50N R 04W in KOOTENAI County.
Use: IRRIGATION (900 CFS)
Total Diversion: (900 CFS)

Date Filed: 11/18/1994
In: KOOTENAI County
T50N R04W S03 NESW SESW NWSE
SWSE
75.0 ACRES TOTAL
95-08892 OK

DUTTON, FRISH
5551 PRESLEY RD
COEUR D ALENE, ID 83814
Source: UNNAMED STREAM
Tributary: MIC A CREEK
Diversion Pt: SENW Sec 32T 50N R 04W in KOOTENAI County.
Use: IRRIGATION (620 CFS)
IRRIGATION STORAGE (4.00 AF)
STORAGE FROM (4.00 AF)
WILDLIFE (0.20 CFS)
WILDLIFE STORAGE (4.00 AF)
WILDLIFE FROM (4.00 AF)
STORAGE (4.00 AF)
Total Diversion: (200 CFS) (200 CFS)

Date Filed: 11/10/1994
In: KOOTENAI County
T50N R04W S32 SWNE SENW
1.0 ACRES TOTAL
95-08893 OK

BROUSE, KENNETH W.
RT 1 BOX 64
WORLEY, ID 83876
Source: GROUNDWATER
Diversion Pt: NENE Sec 28T 47N R 04W in KOOTENAI County.
Use: IRRIGATION (045 CFS)
DOMESTIC (045 CFS)
Total Diversion: (045 CFS)

Date Filed: 11/2/1994
In: KOOTENAI County
T47N R04W S28 NENE
5.0 ACRES TOTAL

For additional information concerning the property location, call the Northern Regional Office at (208) 769-1450.

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, together with a protest fee of \$25.00 on or before DECEMBER 19, 1994.

R. KEITH HIGGINSON, Director

Legal 89
Dec. 1, 8, 1994

RECEIVED

JAN 20 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

Fax (208) 769-1454

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

November 22, 1994

Kenneth W. Brouse
Rt.1 Box 64
Worley, ID 83876

Re: Water Appropriation Application No. 95-08893

Dear Mr. Brouse:

The Idaho Department of Water Resources hereby acknowledges receipt of the above referenced Application for Permit to appropriate the Public Waters of the State of Idaho. To assist us in providing you with prompt, accurate service, please refer to the above referenced number in all future matters concerning this water right application.

Your appropriation application is currently being prepared for advertising in the county newspaper. This advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for the submittal of protests. Normal processing time is approximately 3 to 4 months, if the application is not protested.

If the application is not protested, it will be forwarded to Boise to be considered for approval by the Director. However, if the application is protested during this waiting period, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. However all protests must be resolved before approval of the application can be made, so if the protestant does not voluntarily withdraw the protest, this department will conduct a conference and/or hearing on the matter.

If your application is for groundwater and unless you are using a well that was constructed prior to July 1, 1987, it will be necessary for you to apply for a well drilling permit upon approval of the appropriation application. Well drilling permits can be issued by this office only to holders of approved appropriation permits.

If you have any questions or if I can be of any assistance please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE
Senior Water Resources Agent

AB:db

copy to Ed Holmes, Atty

JAN 20 1995

95-08893

BROUSE, KENNETH W.
RT 1 BOX 64
WORLEY, ID 83876

Source: GROUNDWATER

Diversion Pt: NENE Sec 28 T 47N R 04W in KOOTENAI County.

Use: IRRIGATION (.045 CFS)
DOMESTIC (.045 CFS)
Total Diversion: (.045 CFS)

Date Filed: 11/ 2/1994

In: KOOTENAI County
T47N R04W S28 NENE

5.0 ACRES TOTAL

RECORDED
JAN 20 1995

Sims
Liesche
Newell
Reagan
Wallace
Wallace, P.A.

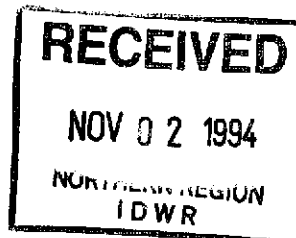
William F. Sims
Ramona R. Liesche
Michael J. Newell
Michael E. Reagan

*Practicing in: Idaho and Washington

Marc E. Wallace *
Richard P. Wallace
Lisa A. Jones *
Edwin B. Holmes

November 2, 1994

State of Idaho
Department of Water Resources
Coeur d'Alene ID 83814



RE: Application of Kenneth Brouse

Dear Reader:

Enclosed please find the water application of Kenneth Brouse. If you have any questions concerning this application I would appreciate your contacting me at the above address. Thank you.

Sincerely,

SIMS, LIESCHE, NEWELL, REAGAN,
WALLACE & WALLACE, P.A.

A handwritten signature in cursive script, appearing to read "Edwin B. Holmes".

EDWIN B. HOLMES
Attorney at Law

A faint, circular stamp, possibly a library or archival mark, located at the bottom center of the page.

JAN 3 6 1995