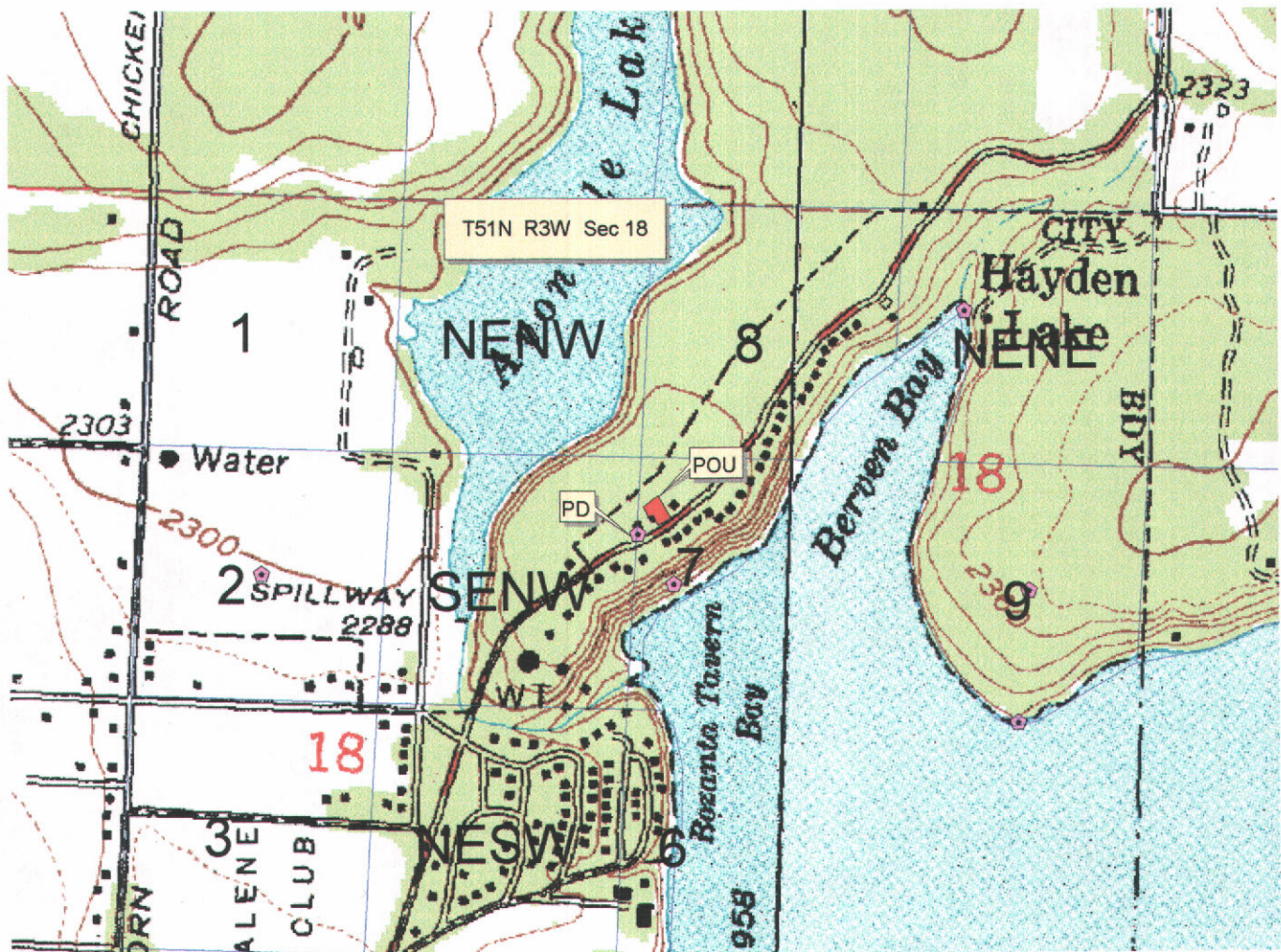


95-9151



0.2 0 0.2 0.4 Miles



GCDB51N03W GCDB
POD PermitPermit POD

MICROFILMED

DEC 03 2003

View1



Unknown Units: View1

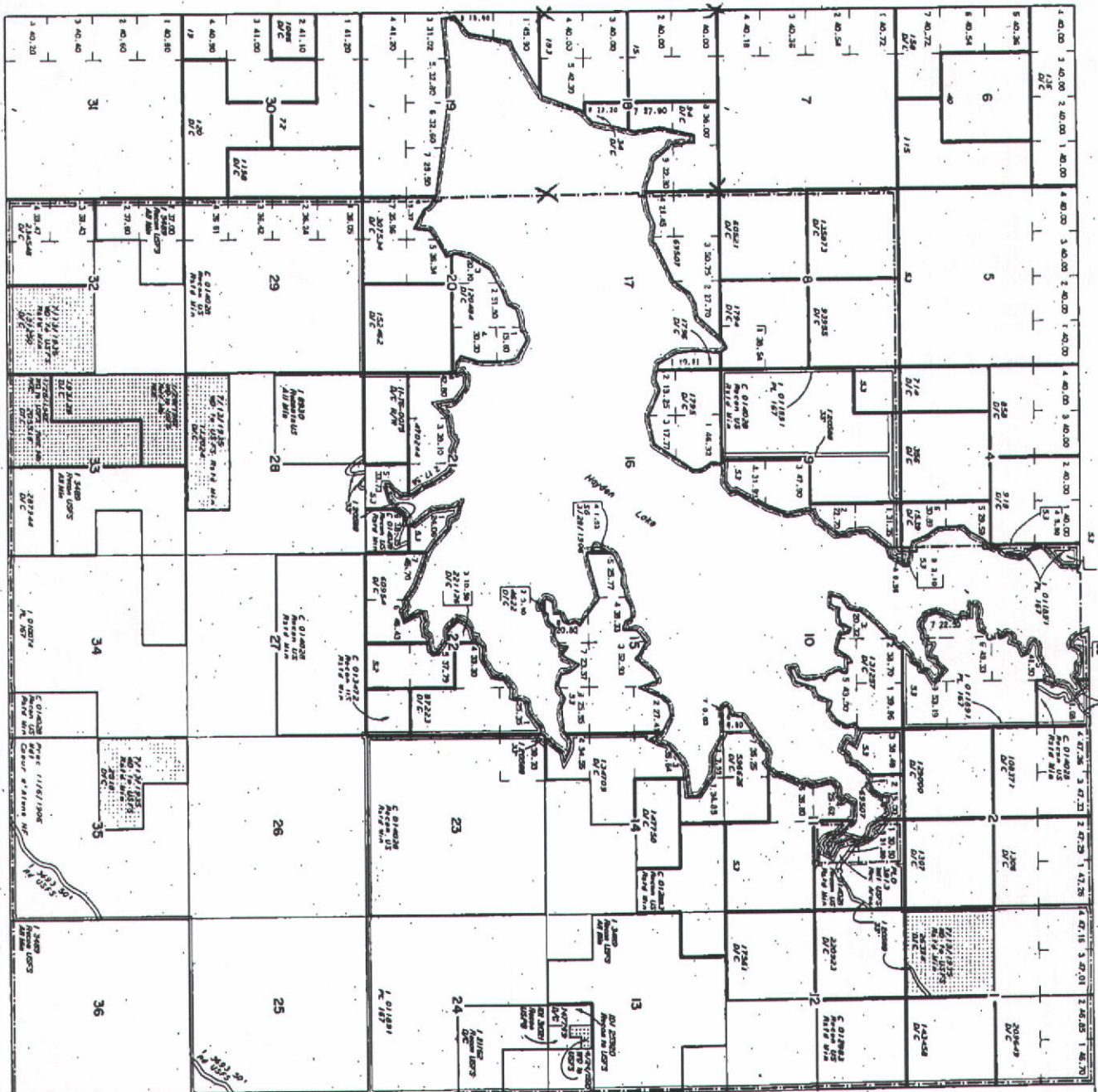
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MICROFILMED
DEC 03 2003



TOWNSHIP 51 NORTH RANGE 3 WEST OF THE BOISE MERIDIAN, IDAHO

KOOTENAI COUNTY 055
CREW PLAT DISTRICT



MT PLAT

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

INDEX TO GENERATED TRACTS			
TRACT NO.	1	2	3
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

1.01001 But. 1st (Act. of Cong. 7/22/1951)
Completed 4/19/1952. All of surface land to
1.01001 But. 1st (Act. of Cong. 7/22/1951)
Completed 7/21/1952. All of surface land to
1.01001 But. 1st (Act. of Cong. 7/22/1951)
Completed 7/21/1952. All of surface land to
1.01001 But. 1st (Act. of Cong. 7/22/1951)
Completed 7/21/1952. All of surface land to

MICROFILMED
DEC 03 2003

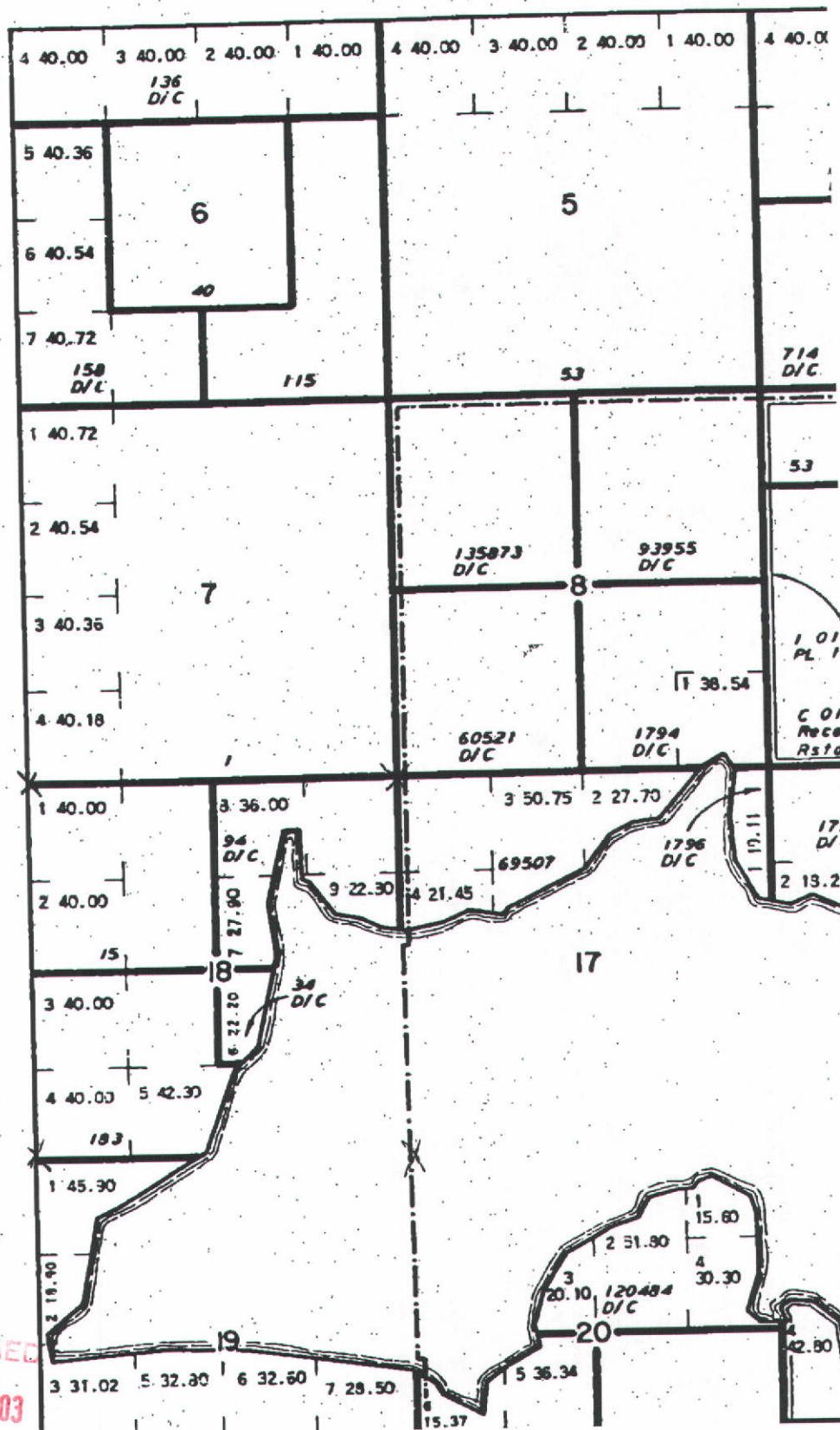
FOR OWNERS EFFECTING DISPOSAL OR USE OF
UNDEVELOPED LANDS REFER TO INDEX OF
INTELLIGIBLE DOCUMENTS

CONVEY TO	CONVEY TO
1.01001	1.01001
1.01002	1.01002
1.01003	1.01003
1.01004	1.01004
1.01005	1.01005
1.01006	1.01006
1.01007	1.01007
1.01008	1.01008
1.01009	1.01009
1.01010	1.01010

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST
ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE
THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITH-

TOWNSHIP 51

T51N
R03W
S18



MICROFILMED
DEC 03 2003

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

MICROFILMED
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

MICROFILMED
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

EXHIBIT "A" 3

MICROFILMED
DEC 03 2003

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: CDIA 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 Ji Knudsen Date: 2-4-03
(include your title, if on behalf of company or organization)

MICROFILMED

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

MICROFILMED

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 Coenig & Ahern 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. _____

MICROFILMED

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														

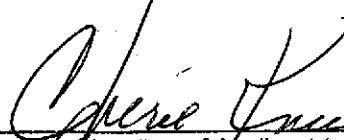
Total number of acres to be irrigated ~~133~~ ~~1225~~10. Describe any other water rights used for the same purposes as described above. NONE11. a. Who owns the property at the point of diversion? David Finley current owner Susan Braumanb. Who owns the land to be irrigated or place of use? JAMES + Cherie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



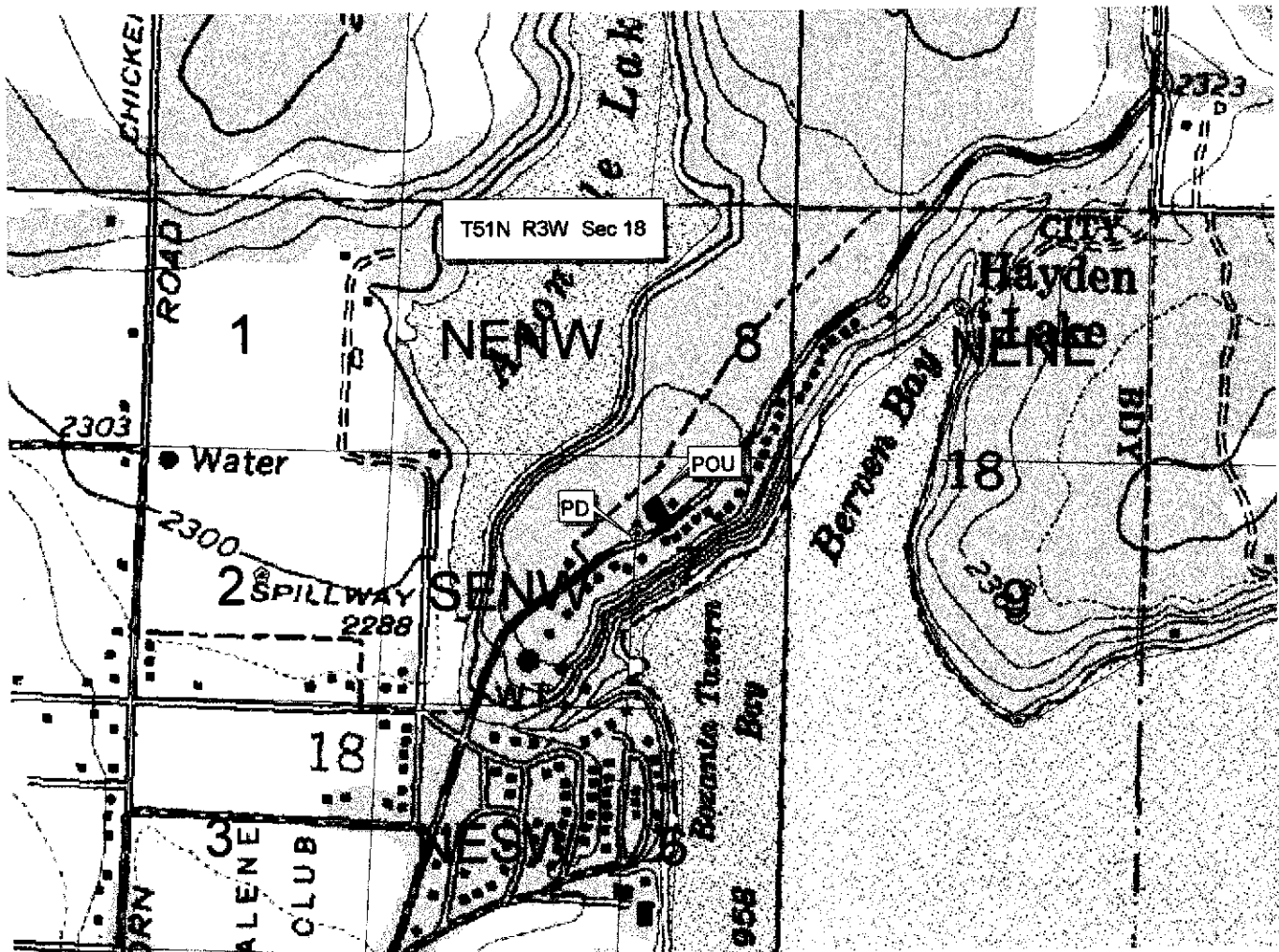
Signature of Applicant (and title, if applicable)

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

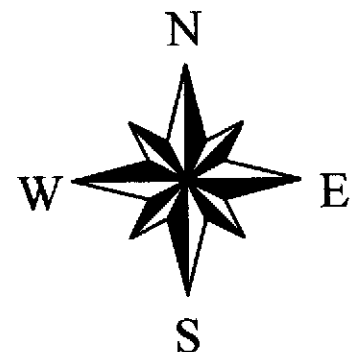
MICROFILMED

DEC 9 3 2003

95-9151



0.2 0 0.2 0.4 Miles

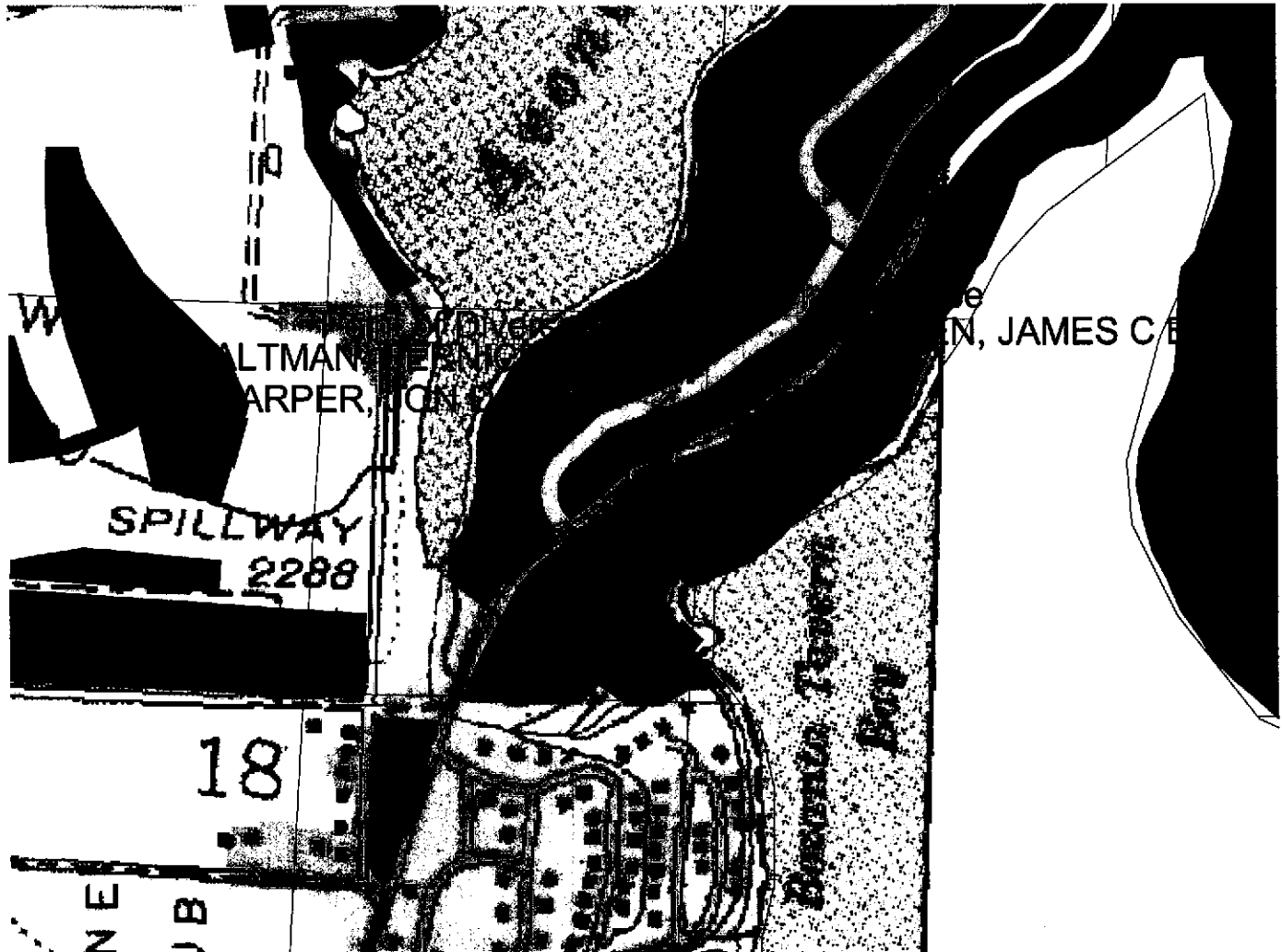


GCDB51N03W GCDB
POD PermitPermit POD

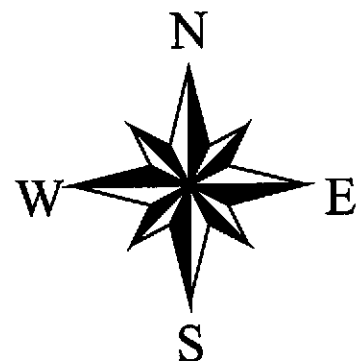
1/10/2003

DEC 3 2003

View1



Unknown Units: View1



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Parcels011001.shp

MICROFILMED
DEC 9 3 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 17, 2003

JAMES KNUDSEN
CHERIE KNUDSEN
PO BOX 386
HAYDEN LAKE ID 83835

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 95-9151

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 contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions, please contact the **Northern** Regional Office of the department in Coeur d'Alene (208)769-1450.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)

MICROFILMED
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.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 18, 2002

JAMES KNUDSEN
CHERIE KNUDSEN
PO BOX 386
HAYDEN LAKE ID 83835

RE: Permit No. 95-9151

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

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 into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

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

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

MICROFILMED
DEC 9 3 2003

If you have any questions, please contact me at 208-327-5452.

Sincerely,



Sharla R. Curtis

Sr. Water Resource Agent

SRC:klt

Enclosure(s)

MICROFILMED

DEC 03 2003

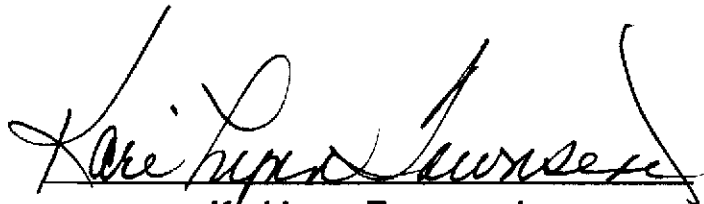
CERTIFICATE OF SERVICE

I hereby certify that on December 18, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

95-9151

**JAMES KNUDSEN
CHERIE KNUDSEN
PO BOX 386
HAYDEN LAKE ID 83835**

A handwritten signature in black ink, reading "Kari Lynn Townsend", written over a horizontal line.

**Kari Lynn Townsend
Secretary**

MICROFILMED

DEC 03 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

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

W.R. # 95-9151

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 County

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

AFFIDAVIT OF PUBLICATION

RECEIVED

STATE OF IDAHO,
County of Kootenai,

SS.

SEP 13 2002

IDWR/North

misti flood

being first duly sworn

upon oath deposes and says:

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

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

3. The

legal notice

of which the annexed is a printed copy, was published in the regular *Thursday* issue of said newspaper for *2* consecutive *weeks* commencing on the *5* day of *September* 20*02* and ending on the *12* day of *September* 20*02* 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

misti flood

Personally appeared before me this *12* day of *September* 20*02*

Regina Mason

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

MY COMMISSION EXPIRES 6/18/03

MICROFILMED

SEP 13 2002

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

95-9149

WALTER SINGER
11463 W RIVERVIEW DR
POST FALLS ID 83854
Point(s) of Diversion: NWNW S32 T51N R05W KOOTENAI County
Source GROUND WATER
Use: IRRIGATION 03/15 To 11/15 2 CFS
Total Diversion: 2 CFS

Date Filed: 08/13/2002
Place Of Use: IRRIGATION
T51N R05W S32 NENW NWNW SWNW SENW
Number of Acres 100

95-9150

TRACEY RAGAN
LANCE RAGAN
PO BOX 505
RATHDRUM ID 83858
Point(s) of Diversion SESE S3 T51N R05W KOOTENAI County
Source GROUND WATER
Use: IRRIGATION 03/15 To 11/15 0.04 CFS
Use: STOCKWATER 01/01 To 12/31 0.02 CFS
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion: 0.04 CFS

Date Filed: 08/13/2002
Place Of Use: IRRIGATION
T51N R05W S3 SESE
Number of Acres 5
Place Of Use: DOMESTIC and STOCKWATER same as IRRIGATION
Remark: Domestic use is for 1 home.
Stockwater use is for 3-5 head of mixed stock

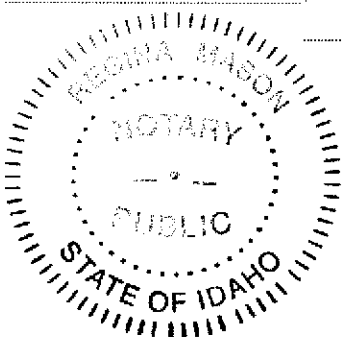
95-9151

JAMES KNUDSEN
CHERIE KNUDSEN
PO BOX 386
HAYDEN LAKE ID 83835
Point(s) of Diversion SWNE S18 T51N R03W KOOTENAI County
Source GROUND WATER
Use: DOMESTIC 01/01 To 12/31 0.04 CFS
Total Diversion: 0.04 CFS

Date Filed: 07/17/2002
Place Of Use: DOMESTIC
T51N R03W S18 SWNE
Remark: Domestic use is for 1 home.
Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.
Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur d'Alene ID 83814 together with a protest fee of \$25.00 for each application on or before 09/23/2002 The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Legal 1704
September 5, 12, 2002



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

95-9149

WALTER SINGER
11463 W RIVERVIEW DR
POST FALLS ID 83854

Point(s) of Diversion NWNW S32 T51N R05W KOOTENAI County

Source GROUND WATER

Use: IRRIGATION 03/15 To 11/15 2 CFS

Total Diversion: 2 CFS

Date Filed: 08/13/2002

Place Of Use: IRRIGATION

T51N R05W S32 NENW NWNW SWNW SENW

Number of Acres 100

95-9150

TRACEY RAGAN
LANCE RAGAN
PO BOX 505
RATHDRUM ID 83858

Point(s) of Diversion SESE S3 T51N R05W KOOTENAI County

Source GROUND WATER

Use: IRRIGATION 03/15 To 11/15 0.04 CFS

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

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

Total Diversion: 0.04 CFS

Date Filed: 08/13/2002

Place Of Use: IRRIGATION

T51N R05W S3 SESE

Number of Acres 5

Place Of Use: DOMESTIC and STOCKWATER same as IRRIGATION

Remark: Domestic use is for 1 home.

Stockwater use is for 3-5 head of mixed stock

95-9151

JAMES KNUDSEN
CHERIE KNUDSEN
PO BOX 386
HAYDEN LAKE ID 83835

Point(s) of Diversion SWNE S18 T51N R03W KOOTENAI County

Source GROUND WATER

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

Total Diversion: 0.04 CFS

Date Filed: 07/17/2002

Place Of Use: DOMESTIC

T51N R03W S18 SWNE

Remark: Domestic use is for 1 home.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur D' Alene ID 83814 together with a protest fee of \$25.00 for each application on or before 09/23/2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in Coeur d'Alene Press on 9/5 and 9/12/2002.

MICROFILMED

DEC 03 2003



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 28, 2002

LEGAL NOTICE DEPARTMENT
COEUR D ALENE PRESS
201 N 2ND
COEUR D ALENE ID 83814

FAXED TO MISTI SAYLOR at 664-0212

8/28/02

(Two (2) pages

Please call to confirm receipt of this FAX

RE: Application for Permit No. 95-9149, 95-9150 and 95-9151

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 09/23/2002. Your cooperation is greatly appreciated.

Thanks D.J.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

MICROFILMED

DEC 03 2003



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

August 28, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CHERIE KNUDSEN
JAMES KNUDSEN
PO BOX 386
HAYDEN LAKE ID 83835

RE: Application for Permit No 95-9151

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Coeur d'Alene Press on September 5 and 12, 2002. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved. A typical processing time for an unprotested application is about eight to twelve weeks.

Please feel free to contact this office if you have any questions.

Sincerely,

Allen Beardslee
Senior Water Resource Agent

MICROFILMED

DEC 03 2003

FAX

September 23, 2002

To: Dianne Ball - IDWR - Northern Regional Office
Fax # (208) 769-1454

From: Lin Buck - BLM - Idaho State Office
Fax # (208) 373-3887

Re: Application for Permit No. 95-09151 for Cherie Knudsen and James Knudsen

Hi Dianne:

Our office reviewed the above water right application for permit from the IDWR New Water Rights filing report dated September 3, 2002 (copy attached).

Our MTP (copy attached) shows: POD: T51N R03W S18 SWNE and POU: T51N R03W S18 SWNE may be missing lot #.

BLM does not have a problem with this claim; we are just providing this for your information.

Thank you.

Have a nice day!



Pages 4 (includes cover sheet)

cc: Craig Johnson - Cottonwood FO
FAX: (208) 962-3275

MICROFILMED

DEC 03 2003

IDAHO DEPARTMENT OF WATER RESOURCES
NEW WATER RIGHT FILINGS

DATE: 09/3/02

Application for Permit No. 95-9151

Name: CHERIE KNUDSEN

JAMES KNUDSEN

Diversion Pt SWNE

Sec 18 T 51N R 03W KOOTENAI County

Source GROUND WATER

Use: DOMESTIC

01/01 To 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Date Filed: 07/17/2002

Place Of Use: DOMESTIC

T51N R03W S18

SWNE

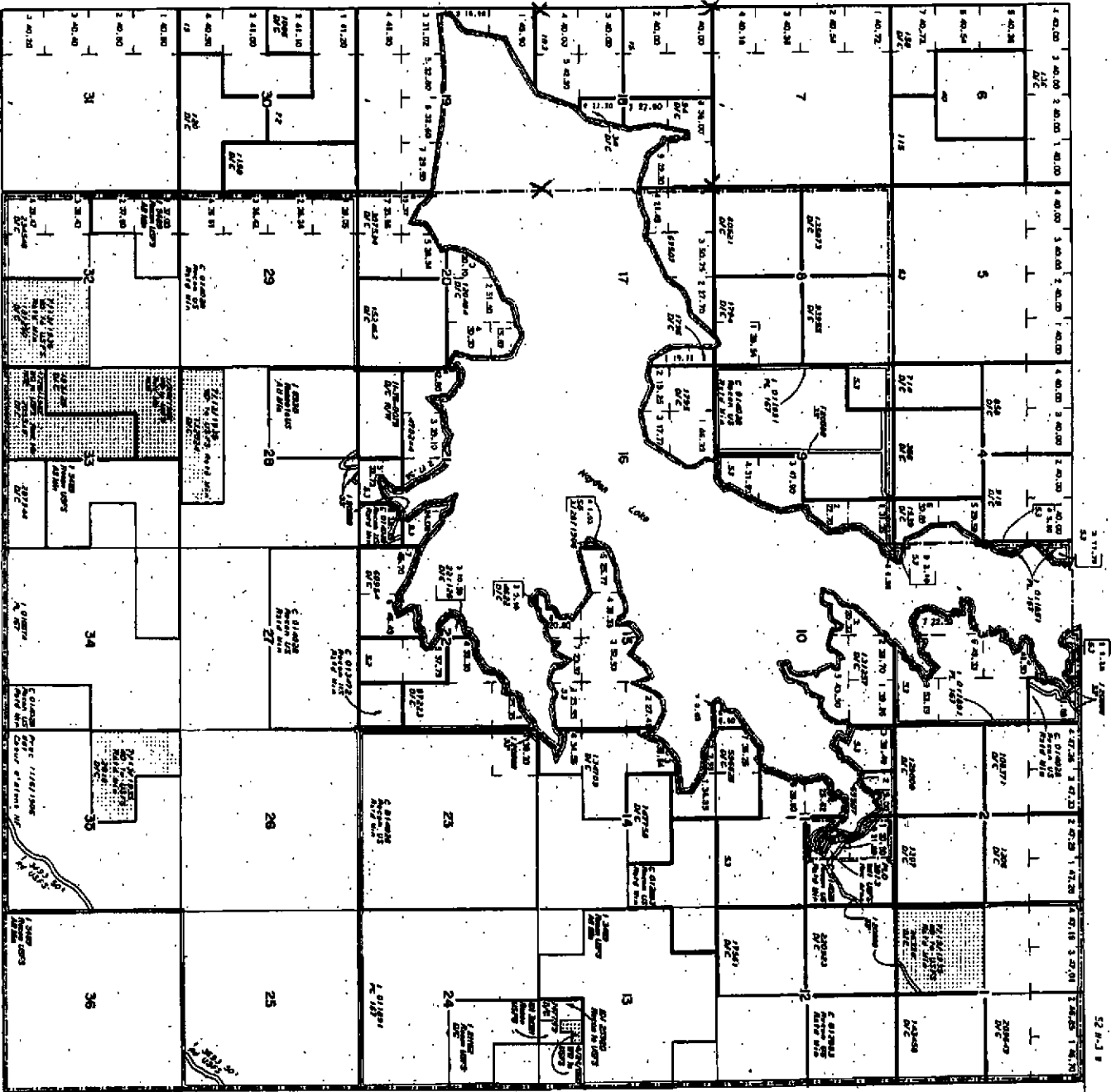
Remarks: Domestic use is for 1 home.

MICROFILMED
DEC 03 2003

TOWNSHIP 51 NORTH RANGE 3 WEST OF THE BOISE MERIDIAN, IDAHO

KOOTENAI COUNTY 055

DEER PLATE DISTRICT



52-1-1
52-1-2

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

MT PLAT

INDEX TO SEGMENTED TRACTS			
TRACT NO.	SECTION	SUBSECTION	REMARKS
1	1	1	
2	1	2	
3	1	3	
4	1	4	
5	1	5	
6	1	6	
7	1	7	
8	1	8	
9	1	9	
10	1	10	
11	1	11	
12	1	12	
13	1	13	
14	1	14	
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30	1	30	
31	1	31	
32	1	32	
33	1	33	
34	1	34	
35	1	35	
36	1	36	

1. QUOTE BUT N. 1/2 SEC. 12 AT CORN 1222/1223
TERMINAL 4/12/1982. ALL N. 1/2 SEC. 12 AT CORN 1222/1223
1. QUOTE BUT N. 1/2 SEC. 12 AT CORN 1222/1223
TERMINAL 4/12/1982. ALL N. 1/2 SEC. 12 AT CORN 1222/1223

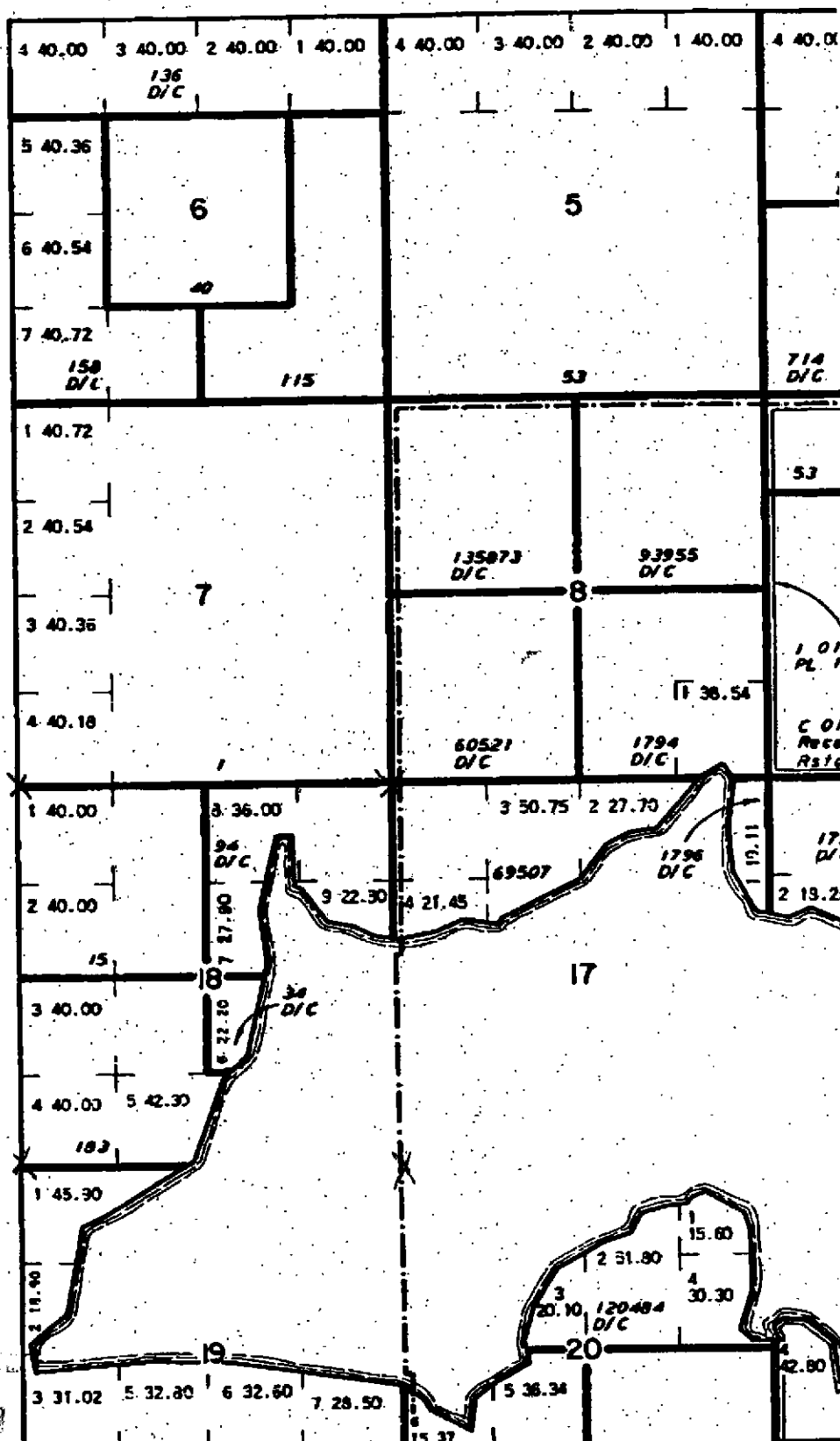
DEC 03 2003

THE NOTATION SHOWS ON APPROXIMATELY INTEREST THE LAST
ACTION TAKEN BY THE BUREAU OF LAND MANAGEMENT, U.S. DEPARTMENT OF THE INTERIOR, FOR THE DATE OF THE ORIGINAL ENTRY.

SCALE IN CHAINS
0 10 20 30 40

TOWNSHIP 51

T51W
R03W
S18



MICROFILMED
DEC 03 2003

FULLWILER & HARRISON, P.L.L.C.

**250 NORTHWEST BOULEVARD, SUITE 105
COEUR D' ALENE, IDAHO 83814**

**ATTORNEYS:
RUTH J. FULLWILER
PAULA R. HARRISON**

July 17, 2002

Cherie Knudsen
10547 Lakeview Drive
Hayden Lake, ID 83835

Dear Cherie:

Enclosed please find the information and application from the Department of Water Resources. Please complete the Application and return to my office.

Sincerely,

PAULA R. HARRISON
Attorney at Law

PHONE: 208-676-0390
208-676-1394
FAX: 208-676-0861

MICROFILMED
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

MICROFILMED
DEC 6 3 2003

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.

WATER DEED AND GRANT OF EASEMENT 2

MICROFILMED
DEC 8 3 2003

EXHIBIT "A"

BOOK 339 PAGE 337

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-inch 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

EXHIBIT "A" 1

MICROFILMED

DEC 9 3 2005

"Bauman"

Susan Bauman
Susan Bauman

"Knudsen"

James Carl Knudsen by
James Carl Knudsen *attorney in fact*

Cherie M. Knudsen
Cherie M. Knudsen

"Sutton"

Charles Sutton
Charles Lester Sutton

"Carman"

Cherie Carman
Cherie Carman

"Altman"

Bernice M. Altman
Bernice M. Altman

WATER DEED AND GRANT OF EASEMENT 3

MICROFILMED
DEC 03 2003

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, IdahoMy 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, IdahoMy 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 her 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, Idaho
4-10-88

MICROFILMED
DEC 03 2013

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, CHARLES LESTER SUTTON, a married man, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.

Steven M. Mix
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, CHERIE CARMAN a married 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.

Steven M. Mix
Notary Public for Idaho

Residing at: Hayden Lake

My commission expires: 4-10-88

WATER DEED AND GRANT OF EASEMENT 5

MICROFILMED

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 M. [Signature]
Notary Public for Idaho

Residing at: Hayden, Idaho

My commission expires: 4-20-88

STATE OF IDAHO }
COUNTY OF MOOTWAI } ss.

AT THE REQUEST OF

PIONEER TITLE COMPANY

At 30 minutes past 7 o'clock PM

Leah Phelps

SEP 10 1985

By Sharon [Signature] Deputy

Fee \$ 18
Return to

WATER DEED AND GRANT OF EASEMENT 6

MICHAEL
SEP 03 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°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, 6.53 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.

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°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.

MILWAUKEE
REC'D 10 1 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

EXHIBIT "A" 2

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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

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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

DEC 03 2003

"Bauman"

Susan Bauman

"Knudsen"

James Carl Knudsen

Cherie M. Knudsen

"Sutton"

Charles Lester Sutton

"Carman"

Cherie Carman

"Altman"

Bernice M. Altman

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DEC 03 2003

STATE OF IDAHO)
) ss.
County of)

On this ____ 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.

Notary Public for Idaho

Residing at: _____

My commission expires: _____

STATE OF IDAHO)
) ss.
County of)

On this ____ 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.

Notary Public for Idaho

Residing at: _____

My commission expires: _____

MICROFILMED
DEC 03 2009

STATE OF IDAHO

)

) ss.

County of

)

On this ____ day of September, 1985, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared, CHARLES LESTER SUTTON, a married man, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.

Notary Public for Idaho

Residing at: _____

My commission expires: _____

STATE OF IDAHO

)

) ss.

County of

)

On this ____ day of September, 1985, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared, CHERIE CARMAN a married 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.

Notary Public for Idaho

Residing at: _____

My commission expires: _____

MICROFILMED

DEC 03 2003

STATE OF IDAHO

)

) ss.

County of

)

On this ____ 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.

Notary Public for Idaho

Residing at: _____

My commission expires: _____

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