

AFFIDAVIT OF PUBLICATION

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Hayden Pines Water Co. P.O. Box 883, Coeur d'Alene, Idaho, has on March 29, 1978 submitted Application No. 95-7827 for a permit to appropriate 0.20 cubic feet per second of water from a groundwater source by means of a well, pump and pipeline within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 6, T52N, R3W, B.M., Kootenai County to be used from Jan. 1 to Dec. 31 for domestic purposes for 50 households in the Chilco Area within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 6, T52N, R3W, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before April 24, 1978.

C. STEPHEN ALLRED
Director

Legal No. 256
April 6, 13, 1978

OK
SPW
4-21-78

STATE OF IDAHO,
County of Kootenai,

ss.

Cecil Hedge 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 Nature

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 6 day of April, 1978, and ending on the 13 day of April, 1978, 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.

Subscribed and sworn to before me this 13 day of April

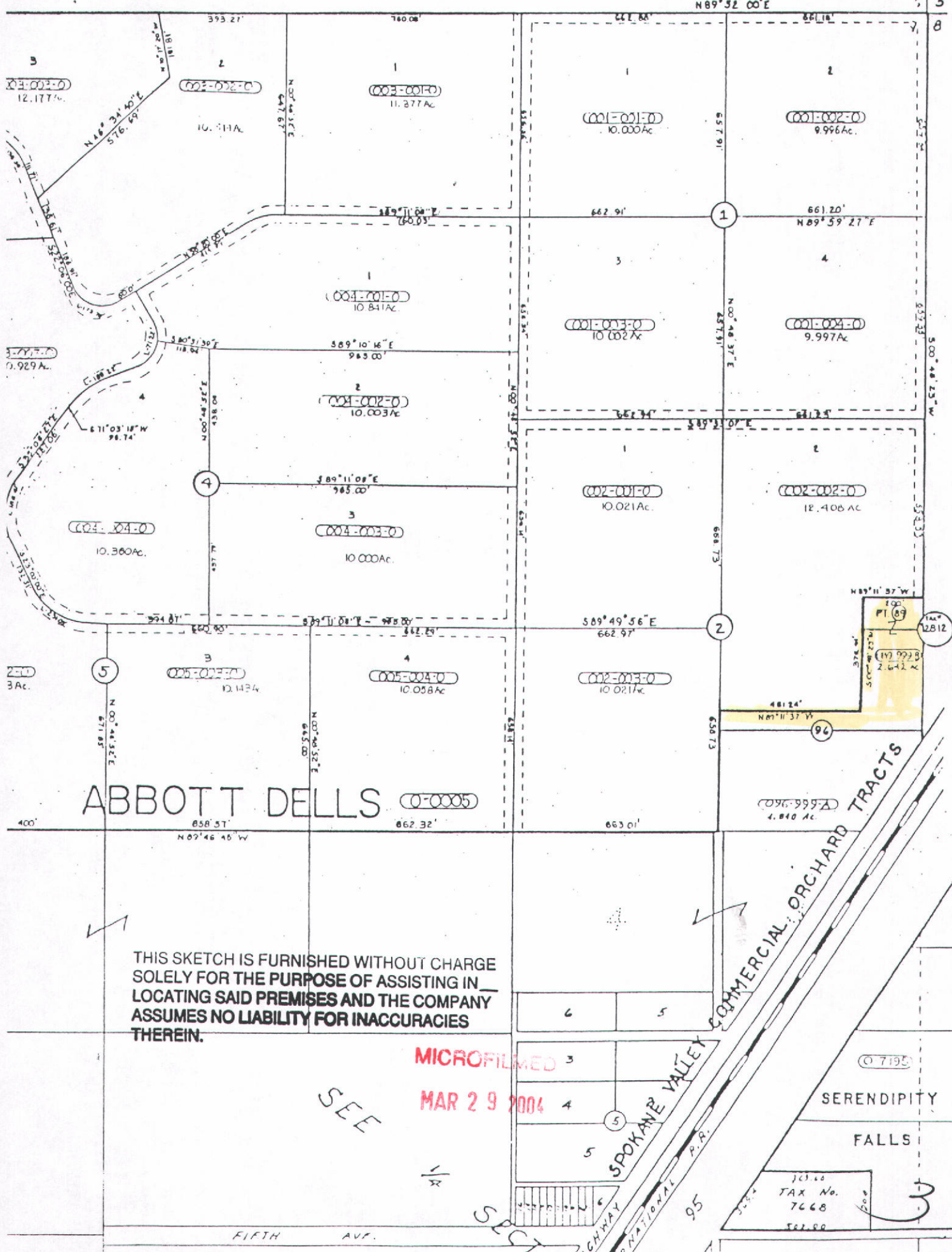
19 78

Cecil Hedge
Roberta Zankley
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

LEADER

MICROFILMED

Twp. 52 N.R. 3 W.B.M.



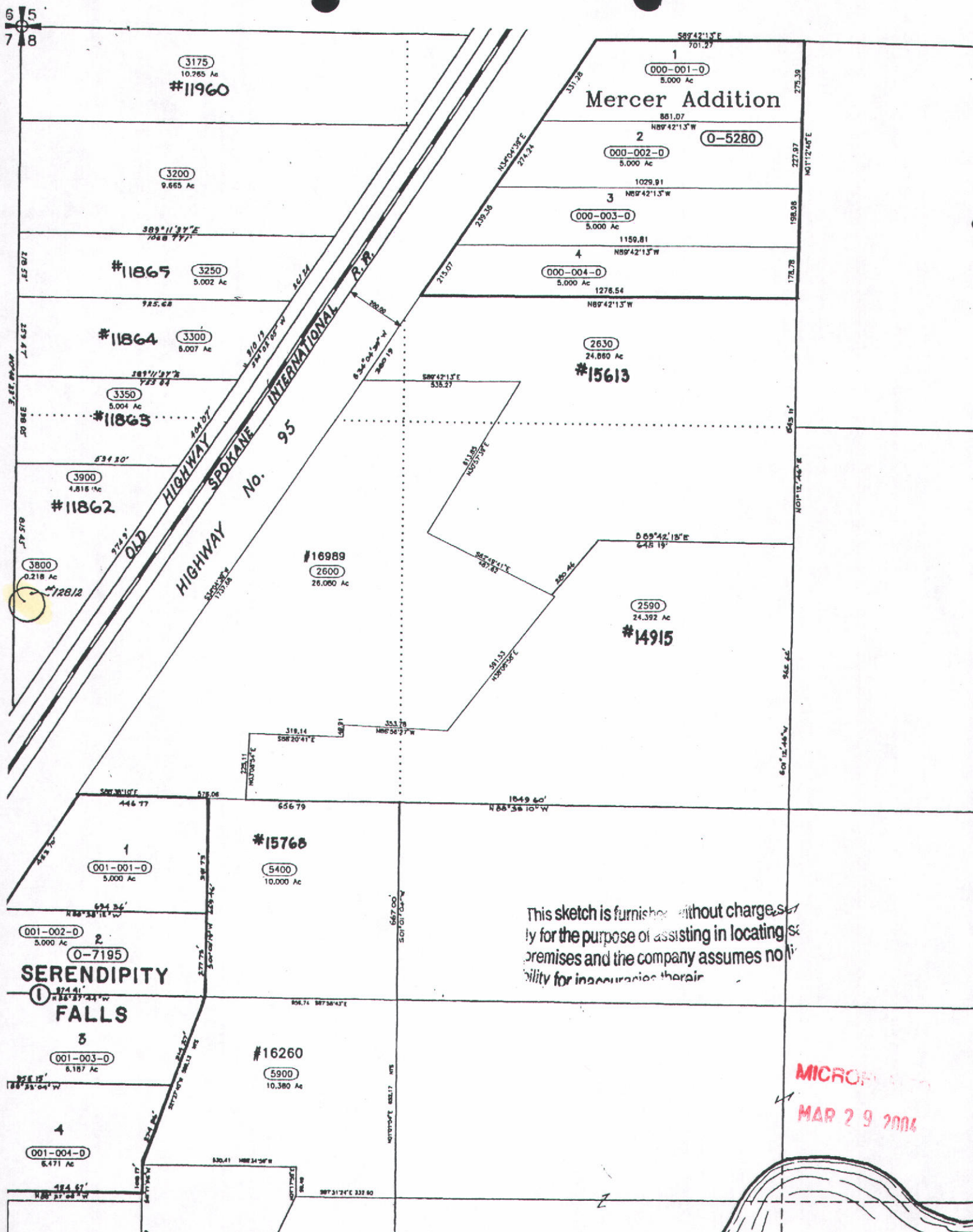
THIS SKETCH IS FURNISHED WITHOUT CHARGE
SOLELY FOR THE PURPOSE OF ASSISTING IN
LOCATING SAID PREMISES AND THE COMPANY
ASSUMES NO LIABILITY FOR INACCURACIES
THEREIN.

MICROFILMED
MAR 29 2004

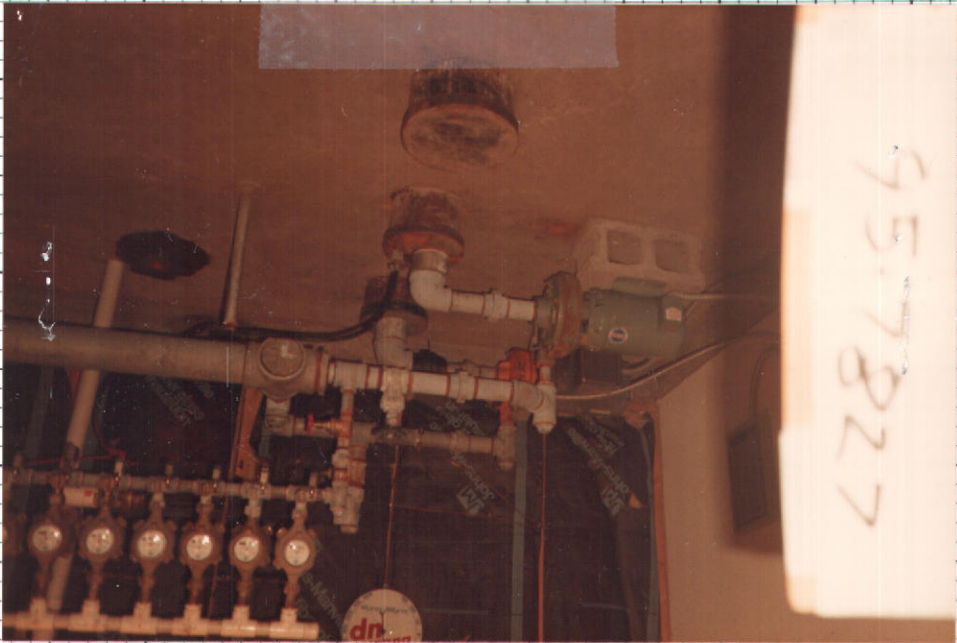
SEE

SERENDIPITY
FALLS

TAX No.
7668



10. Other water rights on these lands None
11. Other water right diverted from same p.d. None
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



- ☒ Aerial Photo of Place of Use Attached
- ☒ or Map of Irrigated Acreage Attached

13. ☒ Photo of Diversion & System Attached

14. Remarks

15. Recommended Amendments
- ☒ Change P.D. as reflected above
- ☒ Change P.U. as reflected above
16. Examiners/Consultant's Signature [Signature] Date 11/8/84
- Consultant's License Number _____
- IDWR Director's Authorization to Conduct _____
- Beneficial Use Examination _____

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APR 06 1988

CONSULTANT SEAL

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 95-7827

Priority: March 29, 1978 Amount: .20 CFS 55.2 AFA

This is to certify, that HAYDEN PINES WATER CO.

8601 N. HAYDEN PINES WAY

HAYDEN LAKE, ID 83835

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated March 29, 1978, and has submitted proof to the Department of Water Resources on March 9, 1983, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .87 cfs of water from a GROUNDWATER source and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Domestic	01/01 to 12/31	.20 cfs	55.2 afa

LOCATION OF POINT OF DIVERSION(S): SWNW , Sec. 8, Township 52N, Range 3W
Kootenai County

PLACE OF USE: Domestic

TWN RGE SEC

52N	3W	5	NESE	NWSE	SWSE	SESE
		6	LOT 3(NENW)	LOT 4(NWNW)	LOT 5(SWNW)	SESW
			NESW	LOT 6(NWSW)	LOT 7(SWSW)	LOT 8(SESSE)
			LOT10(SWSE)			
		7	SENE			
		8	NWNW	SWNW		

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Domestic use is for 46 homes within Chilco Estates.

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 29th day of March, 1988.

MICROFILMED

Director

State of Idaho
Department of Water Resources

MAR 16 1988

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 95-7827

Department of Water Resources

Date of Priority: March 29, 1978

Comes now HAYDEN PINES WATER CO.
8601 N. HAYDEN PINES WAY
HAYDEN LAKE, ID 83835

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 95-7827 , and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Domestic	01/01 to 12/31	.20 cfs	55.2 afa

LOCATION OF POINT OF DIVERSION(S): SWNW , Sec. 8, Township 52N, Range 3W
Kootenai County

PLACE OF USE: Domestic

TWN RGE SEC

52N	3W	5	NESE	NWSE	SWSE	SESE
		6	LOT 3(NENW)	LOT 4(NWNW)	LOT 5(SWNW)	SESW
			NESW	LOT 6(NWSW)	LOT 7(SWSW)	LOT 8(SESW)
			LOT10(SWSE)			
		7	SENE			
		8	NWNW	SWNW		

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Hayden, ID , this 11 day of Mar , 19 88.

MICROFILMED

APR 06 1988

Charles A. Fenzl
(Signature) President

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 95-7827

FOR DEPARTMENT USE ONLY

Preliminary check by kw Fee = \$20.00 Received by rg Date 3/16/88
ACTION OF THE DEPARTMENT OF WATER RESOURCES #C000159

I, R. Keith Higginson, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 95-7827 with the following;

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Domestic use is for 46 homes within Chilco Estates.

Witness my hand this 29th day of March, 1988.

R. Keith Higginson
(Director)

RECORDED

APR 06 1988

Application No. 95-7827

APPLICATION FOR PERMIT **APPROVED**

Hayden Pines ~~Water~~ Co a Div of
Idaho Contractors Inc

1. Name of applicant Idaho Contractors Inc Phone: 7723619
post office address P.O. Box 883, Coeur d' Alene, Idaho

2. Source of water supply Ground Water which is a tributary of _____

3. a. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 6 Township 52 N Range 3 W B.M. Kootenia County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ 1/4 of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount .20FS for Domestic purpose from 1 Jan to 31 Dec (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum) (cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)

5. Total quantity to be appropriated:

a. .2 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. _____
Well, pump & pipeline to place of use _____

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____

Period of year during which storage will occur 1 Jan to 31 Dec inclusive.
(Mo. Day) (Mo. Day)

c. Proposed well diameter is 10 inches; proposed depth of well is 160 feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.

b. Estimated construction cost is \$ 25,000.00.

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 6 Township 52 N
Range 3W B.M.

(2) Amount of power to be generated: _____ hp under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

Pines Waber Co

(4) Name of municipality to be served Chilco Service Area Hayden, or number of families to be supplied with domestic water 50.

(5) If water is to be used for other purposes describe: _____

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10. Remarks -

Total number of acres to be irrigated—

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

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

• PD# Place
of use

5666
T52N
R3W

Scale: 2 inches equal 1 mile

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.

Charles A. Fung
(Applicant)
President

Proposed Priority 3/29/78

Received by B Date 3.29.78 Time 10:15 AM

Preliminary check by W Fee \$ 10.00

Received by B Date 8.29.78 (10812)

Publication prepared by B Date 3.29.78

Published in Comm. & Admin. Review

Publication dates 4.6 & 13.78

Publication approved SDU Date 4-21-78

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____

Date _____

Recommended for approval OK denial by W

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. 95-7827, and said application is hereby APPROVED.

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 May 1, 19 83.

c. Other: The issuance of this permit in no way grants any right-or-way or easement across the land of another.

2. Denial of said application is for the following reasons: _____

Witness my hand this 25th day of May, 19 78.

Administrator

[Signature]

AFFIDAVIT OF PUBLICATION

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Hayden Pines Water Co. P.O. Box 883, Coeur d'Alene, Idaho, has on March 29, 1978 submitted Application No. 95-7827 for a permit to appropriate 0.20 cubic feet per second of water from a groundwater source by means of a well, pump and pipeline within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 6, T52N, R3W, B.M., Kootenai County to be used from Jan. 1 to Dec. 31 for domestic purposes for 50 households in the Chilco Area within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 6, T52N, R3W, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before April 24, 1978.

C. STEPHEN ALLRED
Director

Legal No. 256
April 6, 13, 1978

*OK
SAW
4-21-78*

STATE OF IDAHO,
County of Kootenai,

} ss.

Carol J. Hedge 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 *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 *6* day of *April*, 1978, and ending on the *13* day of *April*, 1978, 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.

Carol J. Hedge
Subscribed and sworn to before me this *13* day of *April*, 19*78*.

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

MEMORANDUM

To: Files 95-2151/2182/7949/7107/7138/7713/7827/8522/8639

From: Sharla

Date: October 11, 2002

Re: Ownership Change Requests

In response to my letter of October 4, I spoke with Nechia at Welch Comer & Associates. The ownership changes were filed to reflect that North Kootenai Water District (NKWD) has purchased the wells identified in these rights (with the exception of 95-2151, 95-2182 and 95-7949, which were purchased by the City of Rathdrum). The problem with the documentation that was submitted is that it is not readily evident that now as part of the city's or district's public water supply, these wells continue to serve the areas described in the rights as part of the city's/district's municipal supply.

Knowing what I know now, based on the above, I told Nechia that the City of Rathdrum and NKWD need to file transfer applications for these rights to change the nature of use to municipal. I further told her that whatever fees had been applied to the ownership changes could be applied to the transfer application(s) because the ownership changes will be processed via the transfer(s). Nechia stated she would download the forms from the web and start the process; Welch Comer & Associates is handling these changes for both the City of Rathdrum and NKWD.

The ownership documentation will be placed in the files and the files will be returned to the vault shelves while waiting for transfer applications to be filed.

cc: Northern Region

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MAR 29 2004



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

October 4, 2002

NORTH KOOTENAI WATER DISTRICT
PO BOX 2290
HAYDEN ID 83835

Re: Ownership Change Requests for Water Rights 95-7713, 95-7138, 95-7107,
95-7827, 95-8522 and 95-8639

Dear Interested Parties:

We have received Notices of Change of Water Right Ownership for the above referenced water rights. In reading through all of the documentation submitted with the change requests, it appears that you have obtained ownership of some well lots and that acres served by the water district will receive water from these wells. These water rights are for domestic and irrigation uses upon hundreds of acres in various subdivisions, mobile home parks, etc. Your maps showing your service areas do not match the places of use described by the rights.

If the district's use of the wells is to supply water to other water users, an application for transfer would be required to move the water rights to the new place(s) of use. If the places of use currently described by the water rights will continue to be served from the wells in addition to new uses by the district, then you need to file an application(s) for permit to cover the new uses. Either way, the ownership change forms you submitted do not appear to be the appropriate action for your intentions.

Please provide a written explanation of what was intended by the ownership changes within 30 days. If the appropriate filing is a transfer or a new application for permit, the fees paid on the ownership changes could be applied to the new filing(s).

Thank you for your attention to this matter.

Sincerely,

Sharla Curtis
Sr. Water Resource Agent

SRC:klt

cc: Idaho Contractors, Inc.
Charles C. Finucane
Charles &/or June Ford
Hayden Pines Water Co.

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MAR 29 2004

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

ORIGINAL

RECEIVED

MAY 20 2002

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

Department of Water Resources

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
95-7827					

2. The following **REQUIRED** information must be submitted with this form:

- The appropriate **FILING FEE**. See instructions for fee amounts.
- A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question. **WITH ATTACHED LEGAL DESCRIPTION.**
- Either of the following (if necessary to clarify division of water rights or other complex property descriptions): **PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Hayden Pines Water Company
8601 W. Hayden Pines Way
Hayden Lake, Idaho 83835

4. New Owner/Claimant(s)

North Kootenai Water District

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

P.O. Box 2290

City, State and ZIP Code

Hayden, Idaho 83835

New Telephone Number

(208) 772-3619

5. Date you acquired the property

1996

MICROFILMED

MAY 29 2004

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate space in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT		
(If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre- feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT		
(If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre- feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(S) or Claimants(s)
(include title if applicable)

E. C. Smith
President

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by JB
 Receipted by JB
 Processed by _____ AJ

Date 5/16/02
 Date 5/16/02
 Date _____

Fee \$25⁰⁰
 Receipt No. 10015013
 WR _____ Date _____

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 MAR 29 2004



PARCEL 15

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

NOVEMBER 25, 1998

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

ATTN: DOUGLAS BLACK

ORDER NO. 35815-B

RE: NORTH KOOTENAI WATER
DISTRICT

COMMITMENT ENCLOSED.

THANK YOU FOR CHOOSING
FIRST AMERICAN TITLE!

MICROFILMED

MAR 29 2004



First American Title Insurance Company

INFORMATION

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

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

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

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

THIS INFORMATION IS NOT PART OF THE TITLE INSURANCE COMMITMENT.

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4. Description of the Land	2
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SCHEDULE B-2 — Exceptions	4
CONDITIONS	other side of 1

YOU SHOULD READ THE COMMITMENT VERY CAREFULLY.

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

MICROFILMED

MAR 29 2004

COMMITMENT FOR TITLE INSURANCE

ISSUED BY

First American Title Insurance Company

AGREEMENT TO ISSUE POLICY

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

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

Our obligation under this Commitment is limited by the following:

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

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



First American Title Insurance Company

BY *Parker S. Kennedy* PRESIDENT

ATTEST *Mark R. Arneson* SECRETARY

BY *Reverly Spencer* COUNTERSIGNED

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MAR 29 2004



SCHEDULE A

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

Commitment No. 35815-B

2. Policy or Policies to be issued:

Policy Amount

Premium

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

\$TBD

\$TBD

TO BE DETERMINED

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

\$

\$

() **Endorsements:**

\$

() **Recordings:**

\$

() **Extra Chains:**

\$

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

HAYDEN PINES WATER COMPANY

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

SEE ATTACHED EXHIBIT "A"

MICROFILM

MAR 29 2004



EXHIBIT "A"

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

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

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

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

MICROFILMED
MAR 29 2004



Form No. 1344-B 1(1982)
ALTA Plain Language Commitment
ORDER NO. 35815

SCHEDULE B - SECTION 1
Requirements

The following requirements must be met:

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

For further information regarding this report please contact:

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

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

TITLE OFFICER: Beverly Spencer

ESCROW OFFICER:

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

eh

MICROFILMED
MAR 29 2004



SCHEDULE B - SECTION 2
Exceptions

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

PART 1:

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

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

8. Easement:

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

Amendment to said Easement:

Recorded: August 7, 1979
Instrument No.: 776355

9. Easement:

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

Amendment to said Easement:

Recorded: August 2, 1979
Instrument No.: 776354

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MAR 29 2004



SCHEDULE B - SECTION 2
EXCEPTIONS - continued

10. Easement:

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

11. Electric Line - Right of Way Easement:

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

12. Easement:

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

13. Matters as shown on survey:

Recorded: June 29, 1972
Instrument No.: 810651

14. Matters as shown on survey:

Recorded: September 13, 1979
Instrument No.: 818993

15. Easement:

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

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

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

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

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

17. Electric Line - Right of Way Easement:

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

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

Association: Hayden Pines Water Company

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MAR 29 2004



SCHEDULE B - SECTION 2
EXCEPTIONS - continued

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

20. The Effect of Quitclaim Deed:

Recorded: June 11, 1997
Instrument No.: 1493563

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

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

22. The Effect of Financing Statement:

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

23. The effect of Quitclaim Deed:

Recorded: November 20, 1997
Instrument No.: 1514259

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

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

Party: Charles A. Ford

END OF SCHEDULE "B" EXCEPTIONS

NOTES SECTION

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

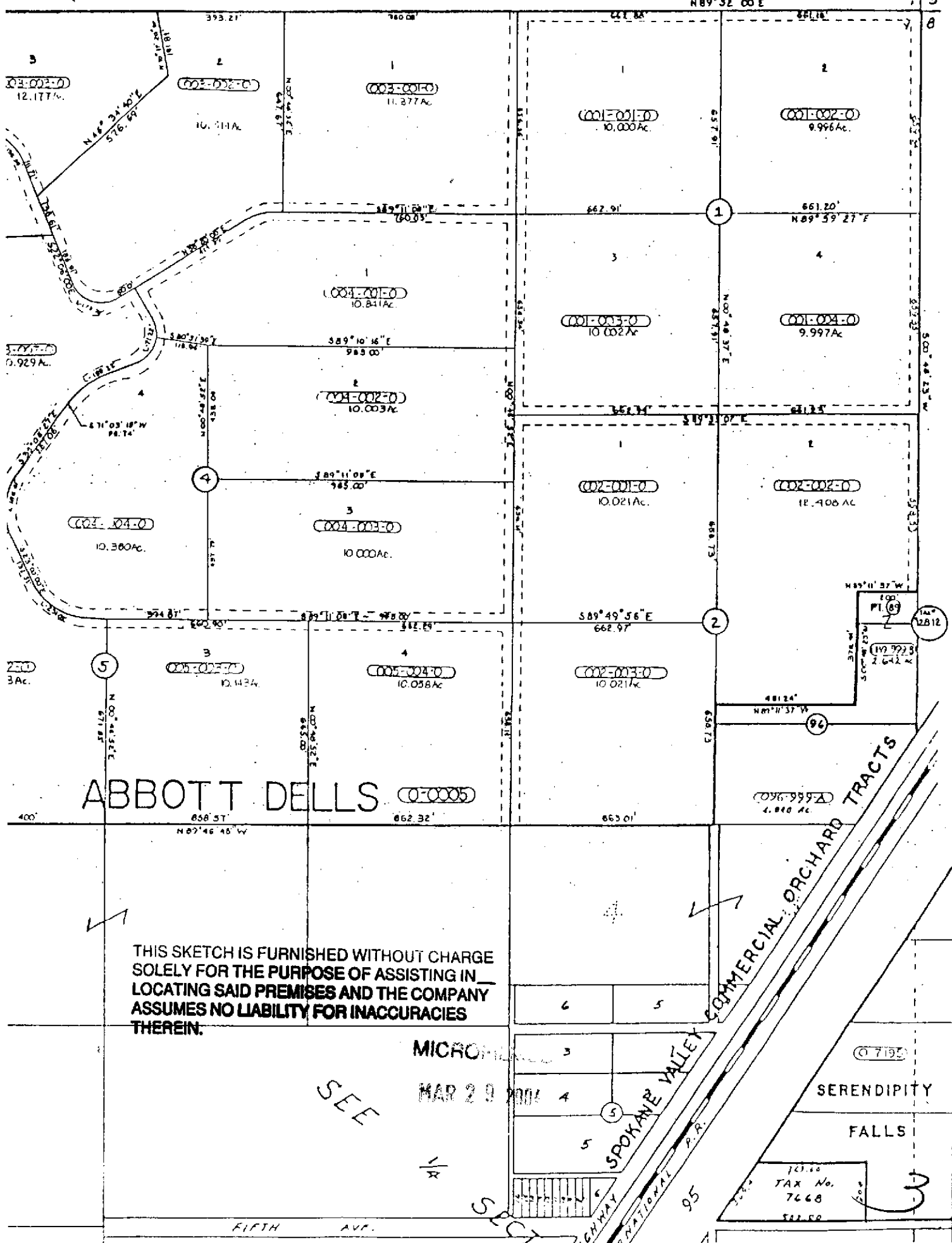
2. If the proposed insured under the Policy to issue has any questions concerning the coverage or exclusions from coverage, the Company will be pleased to provide an explanation.

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

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MAR 29 2004

Twp. 52 N.R. 3 W.B.M.



THIS SKETCH IS FURNISHED WITHOUT CHARGE
SOLELY FOR THE PURPOSE OF ASSISTING IN
LOCATING SAID PREMISES AND THE COMPANY
ASSUMES NO LIABILITY FOR INACCURACIES
THEREIN.

MICROFILMED

MAR 20 1981

SEE

1/2

SPECT

SPOKANE VALLEY COMMERCIAL ORCHARD TRACTS

SERENDIPITY
FALLS

TAX No.
7448

FIFTH AVE.



PARCEL 16

*Child
well
#2*

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

NOVEMBER 17, 1998

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

ATTN: DOUGLAS BLACK

ORDER NO. 35816-B

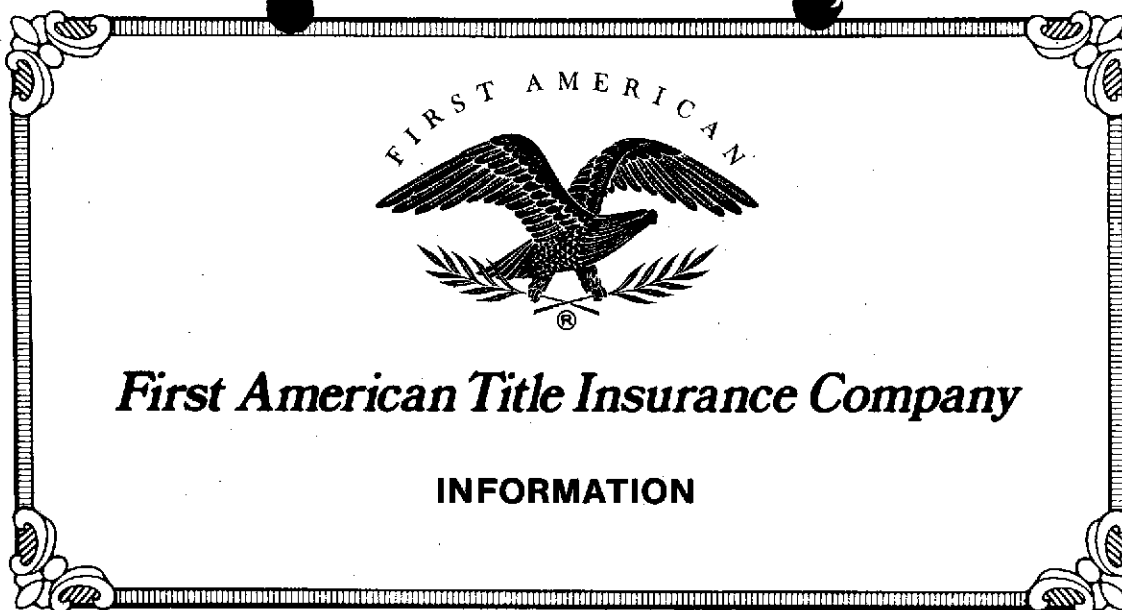
RE: NORTH KOOTENAI WATER
DISTRICT

COMMITMENT ENCLOSED.

THANK YOU FOR CHOOSING
FIRST AMERICAN TITLE!

MICROFILMED

MAR 29 2004



First American Title Insurance Company

INFORMATION

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

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

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

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

THIS INFORMATION IS NOT PART OF THE TITLE INSURANCE COMMITMENT.

TABLE OF CONTENTS

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

YOU SHOULD READ THE COMMITMENT VERY CAREFULLY.

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

MICROFILMED

MAR 29 2004

COMMITMENT FOR TITLE INSURANCE

ISSUED BY

First American Title Insurance Company

AGREEMENT TO ISSUE POLICY

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

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

Our obligation under this Commitment is limited by the following:

The Provisions in Schedule A.

The Requirements in Schedule B-1.

The Exceptions in Schedule B-2.

The Conditions on the other side of this page 1.

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

First American Title Insurance Company

BY *Parker S. Kennedy* PRESIDENT

ATTEST *Mark A. Ameson* SECRETARY

BY *Beverly Spencer* COUNTERSIGNED **MICROFILMED**



MAR 29 2004



SCHEDULE A

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

Commitment No. 35816-B

2. Policy or Policies to be issued:

Policy Amount

Premium

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

\$TBD

\$TBD

TO BE DETERMINED

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

\$

\$

() **Endorsements:**

\$

() **Recordings:**

\$

() **Extra Chains:**

\$

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

CHARLES A. FORD

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

SEE ATTACHED EXHIBIT "A"

MICROFILMED
MAR 29 2004



EXHIBIT "A"

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

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

MICROFILMED
MAR 29 2004



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

SCHEDULE B - SECTION 1
Requirements

The following requirements must be met:

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

For further information regarding this report please contact:

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

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

TITLE OFFICER: Beverly Spencer

ESCROW OFFICER:

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

eh

MICROFILMED
MAR 29 2004



SCHEDULE B - SECTION 2
Exceptions

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

PART 1:

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

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

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

9. Easement:

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

Amendment to said Covenants:

Instrument No.: 776354

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

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MAR 29 2004



SCHEDULE B - SECTION 2
EXCEPTIONS - continued

Paragraph No. 9 - Continued

Amendment to said Covenants:

Instrument No.: 776355

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

Amendment to said Covenants:

Instrument No.: 776356

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

Assignment of Easement:

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

Recorded: November 21, 1988

Instrument No.: 1134678

10. Electric Line - Right of Way Easement:

Granted to: Kootenai Electric Cooperative, Inc.:

Recorded: May 4, 1979

Instrument No.: 804354

11. Easement:

Granted to: General Telephone company of the Northwest

Recorded: February 15, 1980

Instrument No.: 833686

12. The Effect of Quitclaim Deed:

Recorded: June 11, 1997

Instrument No.: 1493563

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

Dated: May 19, 1997

Recorded: June 11, 1997

Instrument No.: 1493564

Grantor: Allied Water, Inc., an Idaho corporation

Trustee: Kootenai County Title Company, Inc.

Beneficiary: Hayden Pines Water Company, an Idaho corporation

14. The Effect of Financing Statement:

Recorded: June 16, 1997

Instrument No.: 1494043

Debtor: Allied Water, Inc., an Idaho Corporation

Secured Party: Hayden Pines Water Company, an Idaho corporation

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MAR 29 2004



SCHEDULE B - SECTION 2
EXCEPTIONS - continued

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

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

Party: Charles A. Ford

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

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

Association: Chilco Estates Road Owners Association, Inc.

Recorded: June 4, 1978

Instrument No.: 807662

Amendment to said Covenants:

Instrument No.: 1482720

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

END OF SCHEDULE "B" EXCEPTIONS

NOTES SECTION

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

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

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

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MAR 29 2004

6 5
7 8

3175
10.265 Ac
#11960

3200
9.665 Ac

3250
5.002 Ac
#11865

3300
5.007 Ac
#11864

3350
5.004 Ac
#11863

3900
4.818 Ac
#11862

3800
0.218 Ac
#12812

16989
2600
26.000 Ac

Mercer Addition

000-001-0
5.000 Ac

000-002-0
5.000 Ac

000-003-0
5.000 Ac

000-004-0
5.000 Ac

2630
24.840 Ac
#15613

2500
24.392 Ac
#14915

#15766

5400
10.000 Ac

SERENDIPITY
FALLS

#16260

5900
10.380 Ac

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

MICROFILM
MAD 7 0 2004



March 30, 1988

HAYDEN PINES WATER CO.
8601 N. HAYDEN PINES WAY
HAYDEN LAKE, ID 83835

RE: Permit No. 95-7827

Dear Permit Holder(s):

Enclosed herewith is a copy of your Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

APR 06 1988

HAYDEN PINES WATER

P. O. BOX 992/1841 W. HAYDEN AVE.
HAYDEN LAKE, ID 83835
772-3619

RECEIVED

MAR 16 1988

Department of Water Resources

March 11, 1988

STATE OF IDAHO
Department of Water Resources
State Office
1301 N. Orchard St.
Boise, ID 83706-2237
Attn: Jim Johnson

Dear Mr. Johnson:

Please find enclosed Check #1365 in the amount of \$20.00
for the Application for Amendment for Permit No. 95-7827.
The amendment to the application for water rights is
acceptable.

Yours truly,



Charles A. Ford
President

Enclosure

MAILED

APR 06 1988

March 4, 1988

HAYDEN PINES WATER CO.
8601 N. HAYDEN PINES WAY
HAYDEN LAKE, ID 83835

RE: Permit No. 95-7827

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

APR 06 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED

95-7827
Permit No.

MAY 2 1985

1. **Measurement Calculations**

Department of Water Resources

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

SEE 219A #7

- b) Volume Calculations for Irrigation:

$$\begin{aligned} V_{I.R.} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}} \\ V_{D.R.} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}} \\ V &= \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}} \end{aligned}$$

- c) Volume Calculations for Other Uses:

$$\begin{aligned} (1.9835)(365)(0.2) &= 144.8 \text{ AF} \\ (46)(1.2) &= 55.2 \text{ AF} \end{aligned}$$

2. **Overlap Review**

- a) Other water rights with same place of use: _____

- b) Other water rights with same point of diversion: _____

- c) Analysis:

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APR 06 1988

RECOMMENDED AMOUNTS

Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
					0.87

- | 6. Beneficial Use | Period of Use
From To | Rate of Diversion
Q (cfs) | Annual Volume
V (afa) |
|-------------------|--------------------------|------------------------------|--------------------------|
| Domestic | 1-1 | 0.30 | 55.2 |
| | 12-31 | | |
5. Source: tributary to _____
- Address: _____
4. Permit Holder: _____

Allowable Maximums:	0.20	55.2

- [illegible]

[illegible]

9. Recommended Conditions/Remarks:

APR 06 1988

10. Recommended Amendments
- ☒ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
- ☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other
11. Examiner's Signature Mr. [Signature]
- Checked in Regional Office by Mr. [Signature]
- Approved in State Office by _____
- Date 11/8/84 Date 4/20/85 Date _____

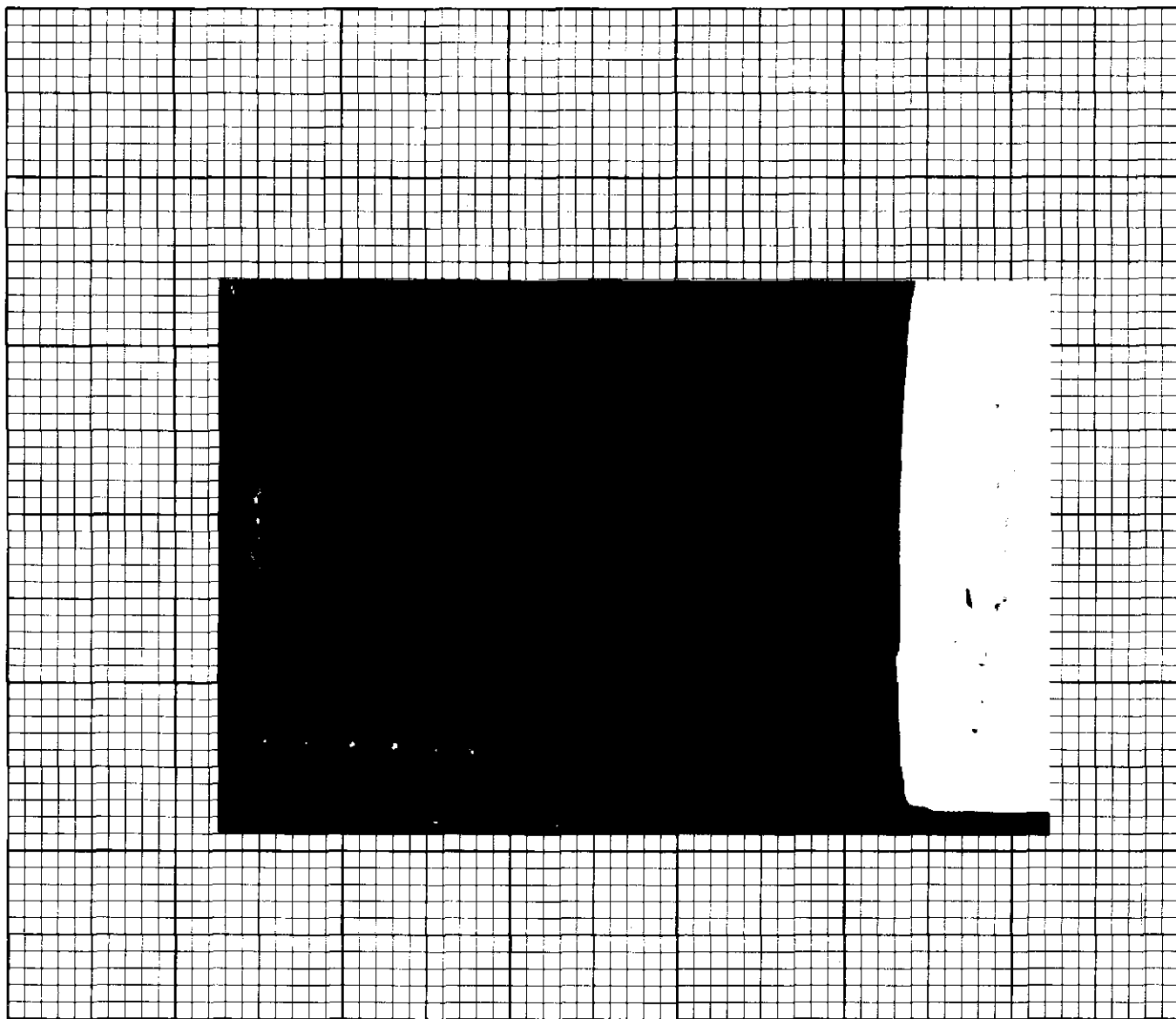
Phone No. 772-3619

Source: GW tributary to _____

*Code with points of diversion, system diagram & photos on reverse side. Disregard if only one.

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
52N	3W	5													X	X	X	X	
52N	3W	6					X	X	X	X	X	X	X	X			X		
							GL3	GL4	GL5				GL6	GL7			GL10		
52N	3W	7				X													
62N	3W	8					X	X											
Total Acres _____																			

10. Other water rights on these lands _____
11. Other water right diverted from same p.d. _____
12. Diversion and Delivery System Diagram: Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☒ Photo of Diversion & System Attached
14. Remarks _____
Aerial Photo of Place of Use Attached ☒
of Map of Irrigated Acreage Attached ☒
PLANS

15. Recommended Amendments
☒ Change P.D. as reflected above
☒ Change P.U. as reflected above
16. Examiner's/Consultant's Signature _____ Date 11/8/84
Consultant's License Number _____
IDWR Director's Authorization to Conduct _____
Beneficial Use Examination _____
Date _____
CONSULTANT SEAL

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Hayden Pines

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) SR 3-29-78

In form to receipt

(2) RJA 4-25-78

Send Copies to:

☒ Idaho State Health Department
☐ Idaho Fish and Game Department
☐ Bureau of Land Management

(3) _____

☐ Request Special Use Permit from U.S.F.S.
☐ Request Easement from B.L.M.
☐ Request Information from Applicant
☐ Request Dam Safety Information

(4) SR 3-29-78

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no ☒

(8) _____

Groundwater levels:

_____ Declining, ☒ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) SW 4-21-78

Affidavit of Publication received(date) 4-21-78

(12) _____

Final date for protests 4-24-78

Protests received: yes _____ no ☒

(13) _____

All requested information received from agencies or applicant: yes ☒ no _____

(14) _____

Action recommended:

☒ Approve _____ Deny

3-29-78 Proposed Priority

_____ Reason for Reduction _____

_____ Measuring device required

_____ See attached sheet for other conditions of approval

☒ No special conditions for approval

(15) District Northern

By Bob Haynes Date 4-25-78

RECEIVED

APR 27 1978

Department of Water Resources

MICROFILM

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

APRIL 13, 1983

HAYDEN PINES WATER CO.
8601 N. HAYDEN PINES WAY
HAYDEN LAKE ID 83835

RE: Permit No. 95-7827

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 667-6484 or in person at our office.

Sincerely,

TOM D. KING
Senior Water Resource Agent

cc: IDWR - State Office

MICROFILMED

APR 06 1988

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 95-7827.

Name(s) of Permit Holder: Hayden Pines Water Co.

Post Office Address: 8601 N. Hayden Pines Way
Hayden Lake ID Tel. No. 772-3619

Source of Water: Groundwater

Extent of Use: ☒ Domestic (number of households)
☐ Stockwater (number and type of stock)
☐ Irrigation (acres)
☐ Other

RECEIVED
APR 06 1988

Measuring Device:	Required?	☒ Yes ☐ No	Installed?	☒ Yes ☐ No
Access Port:	Required?	☐ Yes ☐ No	Installed?	☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

3/9/83
 Date

Charles G. Ford
 Signature of Permit Holder

PLACE
TEN CENT
STAMP
HERE

RECEIVED

MICROFILMED

MAR 9 1983

APR 06 1988

Department of Water Resources
Northern District Office



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 95-7827.

Name(s) of Permit Holder: Hayden Pines Water Co.

Post Office Address: 8601 N. Hayden Pines Way
Hayden Lake ID Tel. No. 772-3614

Source of Water: Groundwater

Extent of Use: ☒ Domestic 25 (number of households)
☐ Stockwater _____ (number and type of stock)
☐ Irrigation _____ (acres)
☐ Other _____

Measuring Device: Required? ☐ Yes ☒ No Installed? ☒ Yes ☐ No
 Access Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

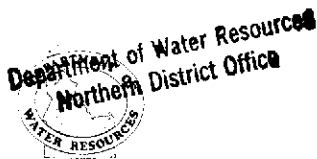
3/9/83
 Date

Charles E. Fend
 Signature of Permit Holder
PRESIDENT

RECEIVED

MAR 9 1983

PLACE
TEN CENT
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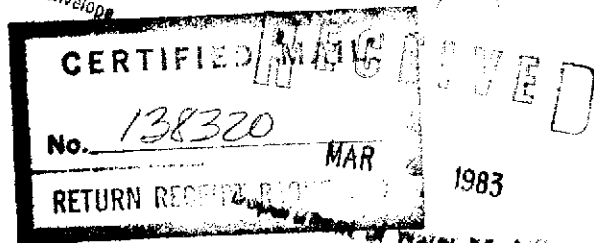


IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720

RETURN TO SENDER
ATTEMPTED NOT KNOWN
DATE CARRIER

RETURN TO SENDER
REASON CHECKED
Unclaimed _____ Refused _____
Addressee unknown _____
Insufficient Address _____
No such street _____ number _____
No such office in state _____
or not mail in this envelope



INTER-DEPARTMENT MEMO — 1

DATE 3/9/83

FROM Rita Fleck

TO File 95-7827

SUBJECT B/U Notice

I'm sending the B/U notice to the following a second time.

Charles A. Ford, President
Hayden Pines Water Co.
Hayden Pines Lane
Hayden Lake, ID 83835

(signed the application)

(address per telephone book)

This time the notice did not go certified mail.


SIGNATURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138320

HAYDEN PINES WATER CO.
P.O. BOX 883
COEUR D'ALENE, ID 83814

PROOF DUE NOTICE

FEBRUARY 28, 1983

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 95-7827 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MAY 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES



IDENT. NO. 95-7827

WATER RIGHT
DATA ENTRY LOG

[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

June 1, 1978

Re: Permit No. 95-7827

Hayden Pines Water Co. a Division of Idaho Contractors Inc.
P. O. Box 883
Coeur d' Alene, ID

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 95-7827 We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

RECEIVED

1. ☒ Name vs. Signature (*Pers.*)
2. ☒ Source
3. ☒ Point of Diversion
4. ☒ Amnt. & Period of Use
5. ☒ Descrip. of Diverting Wrks.
6. ☒ Time req. for Proof of B/U
7. ☒ Place of Use for other than irrig.
8. ☐ Place of Use for irrigation (add acres)
9. ☒ Property Owner at Pt. of Div. & Pl. of Use
10. ☒ Map
11. ☒ Fee & Rec't. No.

Copies Sent To:

☒ Idaho Health Department ☐ U.S.F.S.
☐ Idaho Fish & Game Dept. ☐ Dept. of Lands
☐ Bureau of Land Management ☐ Other

Dam Safety Information _____ (Goes to Permit Section)

Check:

Critical G.W. Area _____ yes ☒ no

Other rights on same land None - Don

Withdrawals of all protests received _____ yes _____ no

Conditions:

ID Power Co. Letter - Snake R. _____

Meas. Dev. or Sc. Meas. no

ID Power Co. Letter - G.W. & Tribs. _____

Totalizing meter _____

Snake River Condition _____

Supplemental _____

Payette River Letter _____

Right-of-Way Cond. ☒

Priority Date 3-29-78

Watermaster Cond. _____
Wtr. Dist No. _____

Water Quality #16 _____

Meas. Dev. Cond. for apps within a Water Dist. _____

Jan Grover
Reviewer
5-23-78
Date



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

March 30, 1978

RE: Applications for Permit No. 95-7828 & 95-7827.

Coeur d'Alene Press
Second & lakeside
Coeur d'Alene, Id 83814

Gentlemen:

Enclosed is a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:ab

Enc: Legal Notice(s)

*Bill
received
4-21-78
OK -
SADW*

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Hayden Pines Water Co
PO Box 883, Coeur d'Alene, Id
has on March 29, 1978 submitted Application No. 95-7827
for a permit to appropriate 0.20 cubic feet per second ~~agxxxxfeetxpxxxxxxxxm~~
of water from a groundwater source
by means of a well, pump & pipeline
within the NW1/4 NW1/4 Sec 6, T52N, R3W, B.M., Kootenai County

to be used from Jan 1 to Dec 31
for domestic purposes for 50 households in the Chilco Area

within the NW1/4 NW1/4 Sec 6, T52N, R3W, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before April 24, 1978.

C. STEPHEN ALLRED
Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Id
on April 6 and April 13, 1978

March 23, 1978

RE: Applications No. 95-7827 & 95-7828

David Johann
Dept of Health & Welfare
PO Box 608
Coeur d'Alene, Id 83814

Dear Mr Johann,

We are enclosing a copy of an application that may be of interest to your agency. Please review the application and if you have any comments, please submit them to our Department as soon as possible.

If we may be of any further assistance, please do not hesitate to contact us.

Sincerely,

ROBERT E. HAYNES, P.E.
Regional Supervisor

RGH:ab

Enclosures