

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

**IN RE THE GENERAL
ADJUDICATION OF RIGHTS TO
THE USE OF WATER FROM THE
COEUR D'ALENE-SPOKANE RIVER
BASIN WATER SYSTEM**

CIVIL CASE NUMBER: 49576
Ident. Number: 95-12459
Date Received: 5-18-10
Receipt No.: X999999
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**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s):

Name	Address	City	State	Country	Postal Code
UNITED STATES OF AMERICA ACTING ON BEHALF OF THE USDA FOREST SERVICE	550 W FORT STREET MSC 033	BOISE	ID	USA	83724

2. Date of Priority:

Date	Explanation
5/8/1913	This residence is on land Sarah S. Arendt, formerly Sarah S. Johnson, received May 8, 1913 from the United States of America in Homestead Entry Patent 332079. The patent, for 160 acres, is specific 'To Secure Homesteads to Actual Settlers on the Public Domain,'. This would indicate that she was already living on the land at the time of the patent in 1913. It would also indicate that a source of water was already established and being used at this time. It is interesting to note that three previous attempts to homestead the same land beginning May 29, 1894 and ending March 18, 1907 were futile, each ending with the respective applications being cancelled. This history seems to indicate that development and use of water by unsuccessful homesteaders and occupancy and use of the land began as early as May 29, 1894 and that it finally culminated with a successful homesteader receiving a patent May 8, 1913. The Forest Service purchased 136.75 acres from Elton B. Smith May 10, 1960 for the Coeur d'Alene Nursery. This residence is on the purchased for the nursery. Forest Service real property records identify the residence as Building Identification Number 1014, constructed in 1914. This coincides favorably with the first successful 'Actual Settler' making a substantial investment and significant commitment in a home on 'their property' the year after receiving the patent.

3. Source:

Source	Tributary	Type
GROUND WATER	TRIBUTARY NOT NEEDED	

4. Point Of Diversion:

Township	Range	Section	Gov Lot	QQ	Q	County
51N	04W	34		SW	SE	KOOTENAI

5. Water is used for the following purpose(s):

Water Use	Number Of Homes	Stock	Description
DOMESTIC	1	-	Domestic use at the old farm house at the Coeur d'Alene Nursery.

6. Season(s) of Use:

Water Use	From Month/Day	To Month/Day
DOMESTIC	1 / 1	12 / 31

7. Quantity:

Water Use	CFS	AF	KW
DOMESTIC	0.040	0.00	0.0

Totals:

CFS	AF	KW
0.040	0.00	

8. Place of Use:

Water Use	Township	Range	Section	QQ	Q	County	Gov Lot	Acreage
DOMESTIC	51N	04W	34	SE	SW	KOOTENAI	-	-
DOMESTIC	51N	04W	34	SW	SE	KOOTENAI	-	-

9. Basis of Claim:

Basis
Beneficial Use

10. Signature(s):

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Coeur d'Alene-Spokane River Basin Adjudication." (b.) I/We ~~do~~ ___ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
 _____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

Idaho Water Right Coordinator of USDA Forest Service
 Title Organization

that I have signed the foregoing document in the space below as

Idaho Water Right Coordinator of USDA Forest Service
 Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Steven M. Spencer Date 5/14/10

Title and Organization Idaho Water Right Coordinator - USDA Forest Service

Please print name

Steven M. Spencer

The United States of America,

To all in whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office at **Coeur d'Alene, Idaho,**
has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862,
"To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of
Sarah S. Arendt, formerly Sarah S. Johnson,
has been established and duly consummated, in conformity to law, for the **north half of the southeast quarter and the north half of the southwest quarter of Section thirty-four in Township fifty-one north of Range four west of the Boise Meridian, Idaho,**
containing one hundred sixty acres,

according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of Land above described;
TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of
the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and
rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws,
and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the
authority of the United States.

IN TESTIMONY WHEREOF, I, **Woodrow Wilson**

President of the United States of America, have caused these letters to be made
Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the **EIGHTH**

(SEAL)

day of **MAY** In the year of our Lord one thousand

nine hundred and **THIRTEEN** and of the Independence of the

United States the one hundred and **THIRTY-SEVENTH**

By the President:

By

Woodrow Wilson

M. P. LeRoy

Secretary,

H. W. Sanford
Recorder of the General Land Office.

RECORD OF PATENTS: Patent Number

332079

*Building ID: 1014 CARETAKER'S DWELLING

Details | Address | Operation/Energy | Acquisition | Accessibility

*Building ID/Name: 1014 CARETAKER'S DWELLING

*Property Type: USDA OWNED

*Category/Subcat: FAMILY HOUSING

*Admin Org: 010410 Coeur d'Alene Nursery

*Managing Org: 010410 Coeur d'Alene Nursery

*Security ID: 010410

*Gross SqFt: 2,760

*Ownership: WORKING CAPITAL FUND

*Status: EXISTING - ACTIVE

*Estimated Travel Time: 1 HOUR

*Internal Space: 2,780

*ARRA: ☐ Basic ☒ Complex

*Remarks: Purpose: ADMINISTRATIVE USE, O and M Plant; NO, Construction type FRAME

*Last Condition Survey: 08/25/2009

*Maintenance Level: 3 - KEEP OPERATIONAL

*Historical Status: NOT EVALUATED

*Year Constructed: 1914

*Maintenance Responsibility: BUILDINGS AND OTHER S

*Hazards: ☐ Non-Contributing Asset

Heritage: ☐ Multi-Use Asset ☐ Contributing Asset ☐ Non-Contributing Asset

Building on Land Units

Type	ID	Name	Link Type
ADMINISTRATIVE_SITE	2750	COEUR D ALENE NURSERY	ON

Facilities Condition

DM\$	27,767.56	CRV\$	556,283.52	FC(%)	95	FOR	GOOD
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