

**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 95-14658

Date Received: 11/12/2009

Receipt No: NO22800

Received By: JMM

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day

1. Name of Claimant(s) Timothy G and/or Irene Schwehr Phone (208) 762-7857

Mailing Address 7035 N. Chalef Rd. Hayden ID Zip 83835
Street or Box City State

2. Date of Priority: (Only one per claim) UNK/UNK/1950 (remarks attached)
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water (☒ or Other () (a) NA
which is tributary to (b) NA

4. Location of Point of Diversion is: Township 51 N, Range 3 W, Section 19,
SW 1/4 of NW 1/4, or Govt. Lot 2 BM. County of Kootenai;

Parcel (PIN) no. H-0000-019-4430

Additional points of diversion if any: NA

If available, GPS coordinates: NA

5. Description of diverting works (Wells, Pumps, Spring boxes, Pipelines, Etc.) including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.

1 well with pump, 200' deep, with pipelines to house

6. Water is claimed for the following: (limited to Domestic and/or Stockwater uses. See page 1 of the instructions.)

For domestic purposes from 01-01 to 12-31 amount .04 cfs (☒ or AFY ()

For _____ purposes from _____ to _____ amount _____

7. Total Quantity claimed .04 cfs (☒ or AFY ()

8. Non-irrigation uses. Describe fully. (eg. Domestic: give number of households served if single ownership;

Stockwater and Number of livestock) 1 home

9. Location of Place of Use is: Township 51 N, Range 3W, Section 19,
SW 1/4 of NW 1/4, Govt. Lot 2 BM. Parcel (PIN) no. _____
for (Check One) Domestic (☒) Stock () Domestic and Stock () If different than shown in Item 4

Additional places of use, if any NA

10. In which county (ies) are lands listed above as place of use located? Kootenai

11. Do you own the property listed above as place of use? Yes (☒) No ()

If the answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

_____ or None (☒)

13. Remarks:

North Kootenai Water District
or other municipal provider may operate in area.

14. Basis of Claim (Check One) Beneficial Use (☒) Posted Notice () License () Permit () Decree ()

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number _____

15. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices 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: _____

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) Trishy A. Schwehr Date: 10 Nov '09

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

_____ of _____
Title Organization

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

_____ of _____
Title Organization

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

Signature of Authorized Agent _____ Date _____

Title and Organization _____

16. Notice of Appearance:

Notice is hereby given that I, _____, will be acting as attorney at law of behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Identification No. _____

Schwehr

Addendum to Notice of Claim to a Water Right

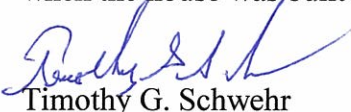
November 10, 2009

To Whom It May Concern,

The "date of priority" shown in this claim is based on records filed in the Kootenai County Assessor's Office. The records show the house listed on the claim was built in 1950, but no specific month or day is mentioned. The Assessor's Office has no record of when the well was drilled because there was no requirement for a drilling license or permit back then.

However, county records also reflect the original house had plumbing, so water was coming from somewhere. Furthermore, the North Kootenai Water District, the district which would provide public water to the house if requested, states they have never provided water service to the property and they still don't today. Their statement is attached. There aren't even any public water lines to the property so the well has always been the only water source.

Therefore, it is logical to conclude that the well and associated pipelines were installed when the house was built in 1950 or the house wouldn't have plumbing, either then or now.



Timothy G. Schwehr
9035 N. Chalet Rd.
Hayden, ID 83835



North Kootenai Water District

P.O. Box 2290; 1841 W. Hayden Ave • Hayden, Idaho 83835-2290

Phone: (208) 772-3619 • Fax: (208) 762-0355

Contact Us: www.nkwsd.com

October 8, 2009

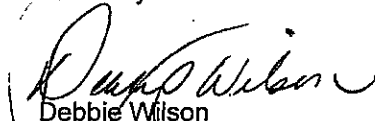
To Whom It May Concern:

RE: Parcel Number H00000194430
AIN 191187
Site Address 9035 N Chalet Rd., Hayden ID 83835
Legal Desc. Tax #15804

Owner Name Timothy G Schwehr

North Kootenai Water District does not currently provide water service to the above property, nor do we have any record of ever providing service to said property.

Sincerely,


Debbie Wilson
Office Manager

Kootenai County, Idaho

generated on 10/8/2009 1:44:08 PM CDT

Parcel

Parcel Number	AIN	Situs Address
H00000194430	191187	9035 N CHALET RD, HAYDEN

Owner Information

Owner Name	SCHWEHR TIMOTHY G
Owner Address	9035 N CHALET RD HAYDEN ID 83835
Transfer Date	01/01/2009

Location / Description

Tax Authority Group	004001	Legal Desc.	TAX #15804 EX R/W [IN S2-NW] 19 51N 03W
Situs Address	9035 N CHALET RD, HAYDEN		
Acreage	.5720		

Parcel Type

Property Class Code	541- Imp res lot/tract in city
Neighborhood Code	3740 HAYDEN VILLAGE

Assessment Information

Appraisal Date	01-01- 2009	Current Year - 2009	0	Prior Year - 2008	0
Market Value Land	\$94,595	Homeowners Eligible Amt Land	\$94,595	Homeowners Eligible Amt Land	\$135,135
Market Value Improvement	\$118,700	Homeowners Eligible Amt Imp	\$118,700	Homeowners Eligible Amt Imp	\$134,874
Total Market Value	\$213,295	Sum Homeowners Eligible Amt	\$213,295	Sum Homeowners Eligible Amt	\$270,009
		Homeowners Exemption Allowed	\$104,471	Homeowners Exemption Allowed	\$100,938
Acreage	0.5720	Total Market Value	\$213,295	Total Market Value	\$270,009
		Homeowners Exemption Allowed	\$104,471	Homeowners Exemption Allowed	\$100,938
		Ag/Timber Exemption	\$0	Ag/Timber Exemption	\$0
		Net Taxable Value	\$108,824	Net Taxable Value	\$169,071

SCHWEHR PIN H-0000-019-4430

