

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 95-8853Date Received: 10/13/2009Receipt No: N022444Received By: am

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) CLIFF AND RONNI TVEDTEN Phone (509) 443-8171
ex

Mailing Address 7015 S. BROOKSHIRE CT. SPOKANE, WA Zip 99223
Street or Box City State

2. Date of Priority: (Only one per claim) 2-10-1994
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other (X) (a) HAYDEN LAKE
which is tributary to (b) SINKS

4. Location of Point of Diversion is: Township 51N, Range 03W, Section 22,
S/W 1/4 of N/E 1/4, or Govt. Lot 4 BM. County of KOOKEHAI;

Parcel (PIN) no. 51N03W-22-1600

Additional points of diversion if any: N/A

If available, GPS coordinates: N/A

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.

SUBMERSIBLE PUMP IN LAKE 300' TO 400'
(WATER LINE IN HOME W/ ONE PRESSURE TANK)

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 (X) or AFY ()

For _____ purposes from _____ to _____ amount _____

7. Total Quantity claimed .04 cfs (X) or AFY () 1.2 AF

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

Stockwater and Number of livestock) ONE HOME

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9. Location of Place of Use is: Township 51 N, Range R 3 W, Section 22,

S/W 1/4 of N/E 1/4, Govt. Lot 4 BM. Parcel (PIN) no. _____

If different than shown in item 4

for (Check One) **Domestic** (☒) **Stock** () **Domestic and Stock** ()

Additional places of use, if any N/A

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:

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 95-08853

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: (3) 6 PAGES

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) [Signature]

Date: 10-13-09

Date: _____

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. 95-8853

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TVEDTEN PIN 51N03W-22-1600



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95-8853
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WARRANTY DEED

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FOR VALUE RECEIVED:

E. Mac ARTHUR BURKE and LYNN M. BURKE, husband and wife, the grantor(s) do(es) hereby grant, bargain sell and convey unto CLIFF TVEDTEN AND RONNI TVEDTEN, husband and wife, the grantee(s), whose current address is : 7015 S. BROOKSHIRE CT., SPOKANE, WA. 99223

the following described premises, in the, County of KOOTENAI, State of Idaho to wit::

"SEE LEGAL DESCRIPTION ATTACHED, MARKED "EXHIBIT A", AND MADE A PART HEREOF:

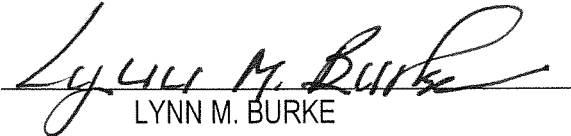
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), their heirs and assigns forever, and the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances EXCEPT CURRENT TAXES AND EASEMENTS OF RECORD OR IN VIEW.

and that he/she/they will warrant and defend the same from all lawful claims whatsoever.

Dated: JUNE 5, 2002



E. Mac ARTHUR BURKE



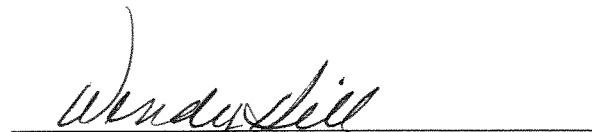
LYNN M. BURKE

STATE OF IDAHO }
COUNTY OF Kootenai }

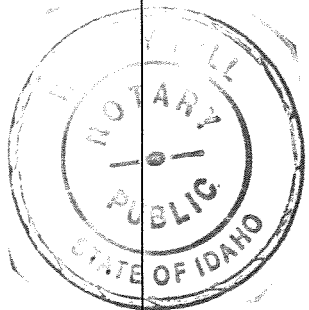
On this 7th day of June, 2002, before me, the undersigned, a Notary Public in and for said County and State, personally appeared

E. MacArthur Burke & Lynn M. Burke

known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.


Notary Public in and for County and State

Residing at: Coeur d'Alene
Commission Exp: 8/25/04



RECORDING DATA:

STATE OF IDAHO } SS
COUNTY OF KOOTENAI }
AT THE REQUEST OF
NORTH IDAHO TITLE INS.
JUN 7 11 41 AM '02
DANIEL E. ENGLISH
DEPUTY
FEE\$

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95-8853

OCT 13 2009

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Order No. 15168

EXHIBIT "A"

IN THE STATE OF IDAHO, COUNTY OF KOOTENAI

A tract of land in Government Lot 4, Section 22, Township 51 North, Range 3 West, Boise Meridian, Kootenai County, Idaho and being described by metes and bounds as follows:

COMMENCING at a found 2-inch iron pipe marking the established center of Section 22;

thence along the established North-South centerline of Section 22 and the West line of Government Lot 4, North $00^{\circ} 34' 35''$ West, a distance of 347.93 feet to a set iron rod and cap for the Point of Beginning;

thence continuing along the West line of Government Lot 4, North $00^{\circ} 34' 35''$ West, a distance of 419.44 feet to a set iron rod and cap on the shore of Hayden Lake;

thence along the shoreline of Hayden Lake the following three (3) courses:

1. North $46^{\circ} 45' 55''$ East, a distance of 60.74 feet;
thence
2. North $61^{\circ} 54' 34''$ East, a distance of 123.58 feet;
thence
3. North $84^{\circ} 21' 23''$ East, a distance of 115.69 feet;

thence leaving the shoreline of Hayden Lake, South $25^{\circ} 28' 01''$ East, a distance of 979.61 feet to a set iron rod and cap on the South line of Government Lot 4;

thence along the South line of Government Lot 4, North $89^{\circ} 30' 10''$ West, a distance of 303.46 feet to a set iron rod and cap on the Westerly right-of-way line of Hayden Lake Road;

thence along the Westerly right-of-way line of Hayden Lake Road the following six (6) courses:

1. Along the arc of a curve concave to the Southwest, having a radius of 341.10 feet, through a central angle of $07^{\circ} 39' 49''$, an arc distance of 45.62 feet, whose chord bears North $37^{\circ} 35' 22''$ West, 45.59 feet; thence

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2. Along the arc of a curve concave to the Northeast, having a radius of 304.83 feet, through a central angle of $28^{\circ} 05' 20''$, an arc distance of 149.44 feet; thence
3. North $13^{\circ} 19' 57''$ West, a distance of 38.47 feet; thence
4. Along the arc of a curve concave to the Southwest, having a radius of 126.12 feet, through a central angle of $33^{\circ} 30' 47''$, an arc distance of 73.77 feet; thence
5. North $46^{\circ} 50' 43''$ West, a distance of 84.71 feet; thence
6. Along the arc of a curve concave to the East, having a radius of 124.18 feet, through a central angle of $13^{\circ} 52' 56''$, an arc distance of 30.09 feet to the South line of a 60.00 foot wide access easement;

thence along the South line of said easement, North $89^{\circ} 08' 54''$ West, a distance of 159.75 feet to the Point of Beginning.

SAVE AND EXCEPT Hayden Lake Road right-of-way.

AND EXCEPT additional right-of-way conveyed by Deed recorded October 31, 2001 as Instrument No. 1702814.