

**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 _____
Date Received: 11/12/2009
Receipt No: 2022803
Received By: dm

**NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

Please type or print clearly

1. Name of Claimant (s) Schloss Homeowners' Association Incorporated Phone (208) 765-6077
Mailing Address PO Box 2232 Hayden ID 83835
Street or Box City State ZIP
2. Date of Priority (Only one (1) per claim) 4/13/1964
Month Day Year (YYYY)
3. Source of water supply (Check one) Ground Water (✓) or Other () (a) _____
which is tributary to (b) _____
4. a. Location of Point of Diversion is: Township 51N, Range 04W, Section 25,
_____, 1/4 of _____, 1/4 Govt. Lot _____, BM., County of Kootenai
Parcel (PIN) no. D9800007000A
Additional points of diversion if any: _____
If available, GPS Coordinates _____
- b. If instream flow, beginning point of claimed instream flow is:
Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4
Govt. Lot _____, BM., County of _____
ending point is: Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4
Govt. Lot _____, BM., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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. Well, 298 feet deep, no change; Well pump, 50 h.p. submerged
pump at 450 gpm, change in April, 1993 from 30 h.p. line shaft pump at 250 gpm; Reservoir, underground,
10,000 gal., no change; Booster pumps, 3 h.p., 10 h.p. (2); change from 3 h.p., 7.5 h.p., 10 h.p. in 1993;
distribution lines, 4-inch, no change; No enlargements in use.

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For Irrigation purposes from March 15 to Nov 15 amount 1.00 or

For purposes from to amount or

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) (cfs) and/or (b) 287 (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.)

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 use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
51N	04W	25					22	12	15	32									81

Parcel (PIN) no(s) See remarks, below.

Total number of acres irrigated 81

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 your 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.

This Notice of Claim is being filed for both 95-2152A and 95-2152B. or None ()

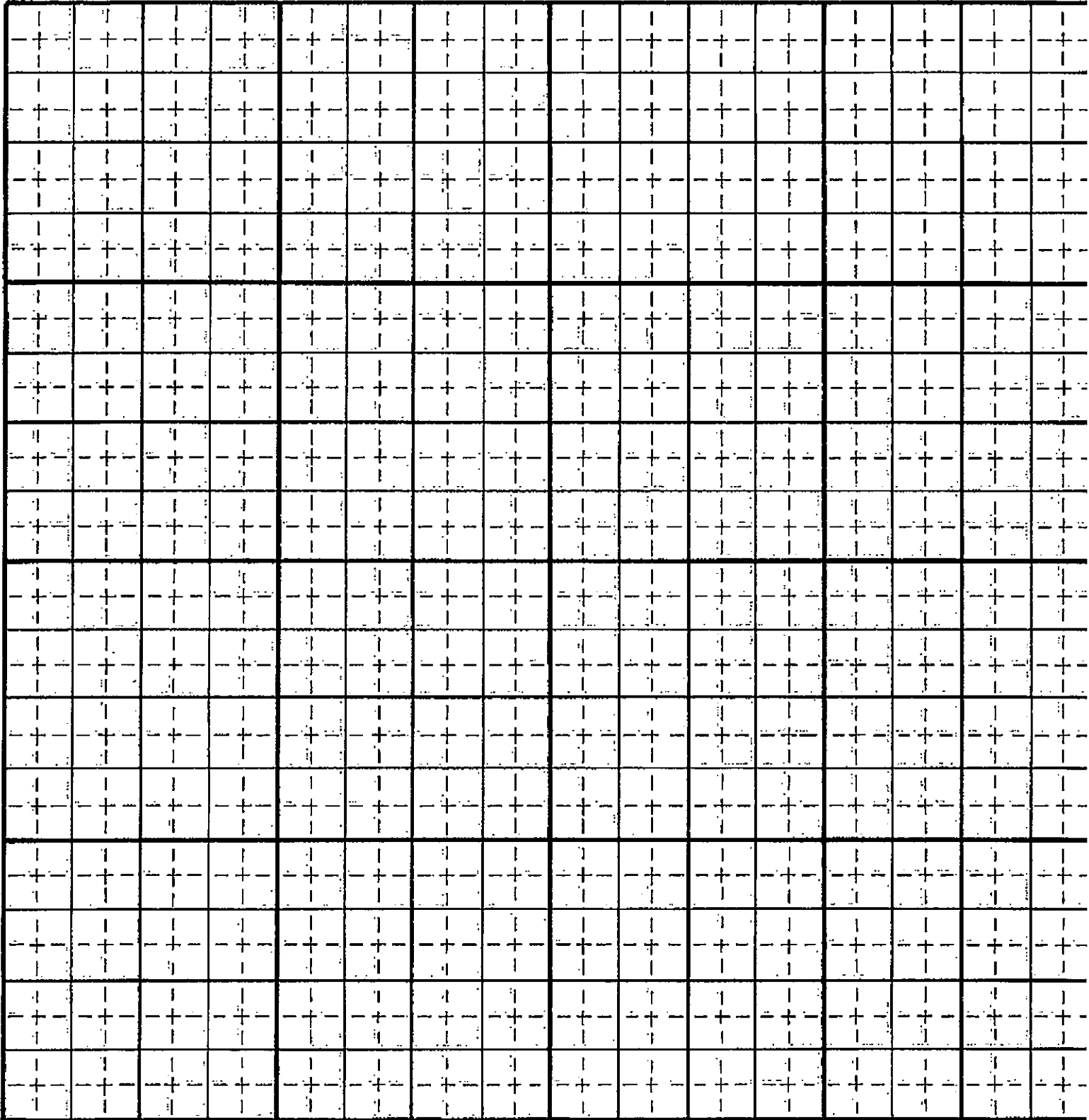
13. Remarks: Parcel Nos.D-0000-025- 001-001-0 to 018-0; 002-001-0 to 018-0; 003-001-0 to 014-0; 004-001-0 to 006-0; 006-001-0 to 006-0; 007-001-0 to 014-0; 008-001-0 to 015-0; and 009-001-0 to 008-0.

Schloss Homeowners' Association Incorporated owns an easement on the parcel where the pump house, well, and reservoir are located. It owns the distribution system, and provides irrigation water to the property owners who are the members of the Association. Idaho Forest Industries was the developer of the subdivision and transferred operation of the Association, which included ownership of water right 95-2152B, and ownership and operation of the irrigation system, in 1990. The Association also acquired ownership of 95-2152A from John and Marie Schloss, the co-developers of the subdivision, in 1990. The Association filed a Notice of Change in Water Right Ownership with IDWR for 95-2152A and 95-2152B on or about June 12, 2008.

Last Name Schloss Homeowners Assoc. Identification No.

Map of Project: Attach aerial photograph or topographic map showing clearly the point of diversion, place of use, section number, township, and range number, unless unavailable. Otherwise sketch the elements above on the grid below.

Scale: 2 Inches equals 1 mile



Last Name Schloss Homeowners Assoc. Identification No. _____

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 95-2152A and 95-2152B

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: 1

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

President _____ of Schloss Homeowners Association, Inc. _____,
Title Organization

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

President _____ of Schloss Homeowners Association, Inc. _____,
Title Organization

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

Signature of Authorized Agent [Signature] Date 11/11/09

Title and Organization Malcolm Dymkoski, President, Schloss Homeowners Association, Inc.

16. Notice of Appearance:

Notice is hereby given that I, Malcolm Dymkoski, 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.

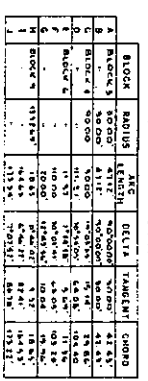
Signature [Signature] Date 11/11/09

Address W. 4110 Park Place, Suite 210

Coeur d'Alene, ID 83814

Last Name Schloss Homeowners Assoc. Identification No. _____

7-47



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