

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 95-16012

Date Received: 5/25/10

Receipt No: N024492

Received By: Kell

NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) *and/or* Kyle/Susan Helmhout Phone (208) 660-6948 (208) 755-6

Mailing Address 2615 E. Dalton Ave. Dalton Gdns. ID ZIP 83815
Street or Box City State

2. Date of Priority (Only one (1) per claim) Dec. 31, 1991
Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water (X) or Other () (a) _____

which is tributary to (b) _____

4. a. Location of Point of Diversion is: Township 51N, Range 3W, Section 31,
SW, 1/4 of NE 1/4 Govt. Lot _____, BM., County of Kootenai

Parcel (PIN) no. D-1400-31-008-AA

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. Purchased this property in 2004.

Put new pump in 10/23/2006 well is 362 ft. deep.
Pump is 1 1/2 HP, pumps 10 gal/min. per RC Worst
Company.

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD) (cfs) (acre feet)

For domestic purposes from 1/31 5/04/21 to 12/31 amount .04 or _____

For foragation purposes from 5/04/21 to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

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

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) water use less than 2500 gal/day

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	
<u>57N</u>	<u>30W</u>	<u>31</u>			X														

Parcel (PIN) no(s) _____

Total number of acres irrigated /

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

11. Do you own the property listed above as place of use? Yes (X) 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.

_____ or None ()

13. Remarks: _____

Last Name Helmhout Identification No. _____

14. Basis of Claim (Check One) Beneficial Use (X) 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: 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) [Signature] Date: 5/25/10

Date: _____

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

Title of _____ Organization

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

Title of _____ 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 _____ Date _____

Address _____

Last Name Helmhout Identification No. _____

CENTURY 21

DATE TIME TO/FROM MODE MIN/SEC PGS JOB# STATUS
18 07/28 10:47 6673498 EC-S 00'55" 001 178 OK

Coeur d'Alene Multiple Listing Service

Residential/Farm & Ranch Data Form - Main Listing Fields

Book Sections (Listing Type): RS-Residential, RA-Residential w/Acreage, TC-Townhouse/Condo, WF-Residential Waterfront, WS-Residential Waterfront, MH-Mobile on rented lot, ML-Mobile w/Lot, MA-Mobile on Acreage, F1-Farm <20 ac, F2-Farm >20 ac

Address Information
House # St Dir Street Name St Type Unit # City State Zip Code County
2615 E Dalton Ave Dalton Gdns. ID 83815 Kootenai

Contract Information
Begin Date Expire Date List Price
4/29/05 10/1/05 995,000
Type of Contract - select one:
☒ Exclusive Right to Sell, Full Service
☐ Exclusive Right to Sell, Limited Service
☐ Exclusive Agency, Full Service
☐ Exclusive Agency, Limited Service

Non-Agent Fee 3 Buyer-Broker Fee 3 Office Ad#

General Property Description: 1 entry required for each bonded item

Bldg Style: ☐ Rancher/Sgl Lev ☐ Daylight Rancher ☐ Multi-Level ☐ Split Entry ☒ Multi Story ☐ Sgl Wide Mob ☐ Obl Wide Mob	Basement ☒ Yes ☐ No #/Stories in House: 3	Approx Total Sq Ft: 3922 Below Grade Sq Ft Total 919 1st Level Sq Ft Total 1777 2nd Level Sq Ft Total 1226 3rd Level Sq Ft Total Sq Ft Source: ☐ Agent Measure ☒ Assessor/Tax Roll ☐ Other ☐ Appraisal ☐ Builder Plans ☐ Owner ☒ Estimated Yr Built: 1991 New Construction: ☒ No ☐ Yes Lot Dimensions: irregular Lot Acreage: 4.142	Total Bedrms: 3 Total Bathrms: 3 1/2 Lot Type 1 ☐ Duplex/Multi-family ☐ Mobile Home Lot ☐ PUD ☐ Common Ground ☒ Residential ☐ Commercial ☐ Agricultural ☐ Timberland ☐ Recreation ☐ Golf Course Lot ☐ Leasehold Lot type 2: ☐ Community Waterfront ☐ Creek ☐ Lakefront ☐ Pond ☐ Riverfront ☐ Secondary Wterfrnt ☐ Wetlands ☐ Lake/River View ☐ Lake/River Name:
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Garage Type:
☐ Att. Garage ☐ Det. Garage
☐ Det Carport ☒ Att Carport
☐ None
Garage #/Stalls
☐ 1 car ☐ 2 car
☒ 3 or more car ☐ None
Garage Remarks:

Legal & Taxes
Legal Description: DALTON GARDENS, TR R EX TX #
Sec# 31 Twn# 51N Rng# 3W
Tax Bill/Serial# 126322 Tax Parcel# P-1400-31-008-AA
School District Name Cda or School Dist# 71 Zoning RA
Directions: E. Dalton to property
Taxes: 3684
Yr/Taxes: 2004
Taxes Reflect: up to 2
☐ No Exmp ☐ Solid Waste Fee
☒ No Exmp ☐ Ag Ex ☐ Timber Ex
☐ Lot Only ☐ Circuit Breaker
☐ Estimate

Public Remarks:
Amazing house and view property close to everything yet completely private. Main floor Mastersuite and laundry. Beautiful landscaping with waterfall & pond. Fantastic views to view from private deck over 100' - 30x30 shop
Private Remarks:
Seller to verify square footage. Owner/Agent has cleared Radon mitigation system installed in 2004. Radon cleared & preserved in 2004. Future possible home site on property.

1. Seller(s) have read the foregoing listing form & accompanying Details/Room Input Form and agrees to hold the Coeur d'Alene Association of REALTORS®, Inc., and the Coeur d'Alene Multiple Listing Service, Inc. harmless from any and all claims and/or liability for damages arising from incorrect or undisclosed information provided by the Seller(s) to the Broker(s). Seller(s) agree(s) to indemnify the above individuals and organizations from any and all costs and/or liability, including attorney's fees in defending any such action, in regards to the information provided by Seller(s) concerning the subject property.

2. Execution of this data form & accompanying details/room input form confirms that the undersigned seller(s) have executed concurrently a listing agreement as identified above with the undersigned REALTOR®. Seller(s) grant consent to inclusion of the information thereon into the Coeur d'Alene Multiple Listing Service, Inc. database for dissemination to MLS participants/subscribers and to advertising in an electronic advertising medium. Seller(s) understand that the information provided thereon may be included in statistical data which is made available to MLS participants/subscribers for use in market analyses or valuations.

Seller Signature Date 7/28/05
Seller Signature Date 7/28/05
Agent Signature Date 7/28/05
List Agent Name Susan Edmunds
Co-List Agent Name
Office Coeur d'Alene Assoc.
Residential Data Input Pg 1 of 3