



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815-7763
Phone: (208) 762-2800 • Fax: (208) 762-2819 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 9, 2017

STEWART AND KELLY POULSEN
PO BOX 2455
POST FALLS ID 83877

RE: Ownership of Notice of Claim to a Water Right 95-8116

Dear Mr. or Ms. Poulsen:

Enclosed is a change of ownership form we received from Daniel Schoenberg in August of 2015. This was to be used to begin the ownership change process for a portion of the above water right thought to be appurtenant to the property you purchased from the Schoenberg estate in November of 2003. We needed your signature on the form so on May 13, 2016, I mailed it to you at 3630 Riverbend Avenue in Post Falls. The letter came back as "undeliverable" and as a result I called and talked to Mr. Poulsen on May 25, 2016. He advised me of your correct address but also mentioned that there is no spring on your property and consequently, no irrigation.

Since that time, I have reviewed the water right file relative to that claim and have determined that, in fact, the water usage does **not** appear to be appurtenant to the portion of the property you purchased from the Schoenberg estate. As a result, I am sending the change of ownership form back to you, and advising you that there is nothing more that needs to be done with this claim or the ownership change. I am also enclosing a copy of the letter and documents I sent with the original letter, for your information.

If you would like to review the file relating to the above claim, it can be accessed at www.idwr.idaho.gov. I've enclosed an instruction sheet on using the website. If you have questions regarding this matter, please feel free to contact me at (208) 762-2802.

Sincerely,

Linda A. Werner
Water Resource Agent, Sr.

Enclosures: Copy of Notice of Claim Number 95-8116
Map
Copy Warranty Deed
Change of Ownership Form
Copy of Letter Dated May 13, 2016
Water Right Research Instruction Sheet

COPY

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: 95-8116

Date Received: 12/8/2009

Receipt No: N023111

Received By:

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ESTATE OF DORIS MAE
SCHOENBERG

Phone: (509) 336-1220

C/O DANIEL SCHOENBERG, MICHAEL SCHOENBERG, TIMOTHY SCHOENBERG
PO BOX 9781

MOSCOW ID 83843

2. Date of Priority: 7/13/1981

3. Source: SPRINGS

Tributary to: SINKS

4. Point of Diversion:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>	<u>Type</u>
50N	05W	17	NW SW SW		KOOTENAI	
50N	05W	18	NE NE SE		KOOTENAI	
50N	05W	18	SW NE SE		KOOTENAI	
50N	05W	18	SE SE SE		KOOTENAI	

5. Description of diverting works:

6. Water is used for the following purposes:

<u>Purpose</u>	<u>From To</u>	<u>C.F.S.</u>	<u>(or) A.F.A</u>
IRRIGATION	03/15 11/15	0.2	45.5
IRRIGATION FROM STORAGE	03/15 11/15		0.1
IRRIGATION STORAGE	01/01 12/31		0.1

7. Total Quantity Appropriated is: 0.2 C.F.S. and/or 45.5 A.F.A

8. Non-irrigation uses:

9. Place of use:

COPY

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4</u>	<u>Lot</u>	<u>Use</u>	<u>Acres</u>
50N	05W	18	NE SE		IRRIGATION	8
			NW SE		IRRIGATION	3
			SW SE		IRRIGATION	1
			SE SE		IRRIGATION	1
					Section Acres	13

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4</u>	<u>Lot</u>	<u>Use</u>	<u>Acres</u>
50N	05W	18	NE SE		IRRIGATION FROM STORAGE	8
			NW SE		IRRIGATION FROM STORAGE	3
			SW SE		IRRIGATION FROM STORAGE	1
			SE SE		IRRIGATION FROM STORAGE	1
					Section Acres	13

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4</u>	<u>Lot</u>	<u>Use</u>	<u>Acres</u>
50N	05W	18	NE SE		IRRIGATION STORAGE	
			NW SE		IRRIGATION STORAGE	
			SW SE		IRRIGATION STORAGE	
			SE SE		IRRIGATION STORAGE	
					Section Acres	

Total Acres 13

10. Place of use in counties: KOOTENAI

11. Do you own the property listed above as place of use?

12. Other Water Rights Used:

13. Remarks:

Priority date description:

Description of use:	<u>Water Use</u>	<u>Description</u>
	IRRIGATION	
	IRRIGATION FROM STORAGE	
	IRRIGATION STORAGE	

The maximum combined rate of diversion under this right & Right No. 95-8118 shall not exceed 0.21 cfs.

5 points of diversion located in NWSWSW, S17, T50N, R5W.

14. Basis of Claim: License

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 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.

For Individuals: I/We do solemnly swear or affirm under penalty or 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 or perjury that I am

_____ of _____
Title Organization

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

Please print name

5/13/2016

Rec 1-16-04

Instrument Number

1843765

Escrow No.: 60-4288-GKG

1848966

RECEIVED

AUG 17 2015

IDWR / NORTH
WARRANTY DEED

STATE OF IDAHO
COUNTY OF KOOTENAI
AT THE REQUEST OF
NORTH IDAHO TITLE INS
2003 DEC 17 P 3 56
DANIEL J. ENGLISH
DEPUTY 3.00
FEES

FOR VALUE RECEIVED, **DORIS M. SCHOENBERG, AN UNMARRIED PERSON,**
Hereinafter called Grantor, does hereby grant, bargain, sell and convey unto **STEWART D. PAULSEN AND
KELLY SUE PAULSEN, HUSBAND AND WIFE,** Grantee, whose address is: 3630 W. RIVERBEND DRIVE, ,
POST FALLS, ID 83854, the following described premises, County of KOOTENAI
to-wit:

THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST
QUARTER, SECTION 18, TOWNSHIP 50 NORTH, RANGE 5 WEST, BOISE MERIDIAN, KOOTENAI COUNTY,
IDAHO.

TOGETHER WITH a non-exclusive easement fourteen feet (14') in width for ingress and egress, and for the
installation and maintenance of utilities over, under and upon said easement. Said easement runs due West
from the Northwest corner of said property to Carpenter Loop Road, a public roadway.

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: November 17, 2003

BY Doris M. Schoenberg
DORIS M. SCHOENBERG

STATE OF IDAHO
COUNTY OF KOOTENAI
AT THE REQUEST OF

NORTH IDAHO TITLE INS.
(00) NOV 18 A 11:26

DANIEL J. ENGLISH
DEPUTY 3-
FEES

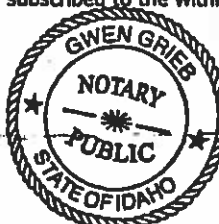
State of
County of

Idaho
Kootenai

On this 17th day of NOV 2003, before me, a Notary Public in and for said State, personally
appeared Doris M. Schoenberg

known or identified to me to be the person(s) whose name is/are subscribed to the within instrument and
acknowledged to me that he/she/they executed the same.

Notary Public in and for County and State
Residing at Hayden Idaho
My commission expires 9-10-2006



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
AUG 14 2015
IDWR / NORTH

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
95-8116	Yes ☒		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Estate of Doris Schoenberg
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Stewart and Kelly Poulsen
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- | | | | |
|---|---|---|----------------------|
| Mailing address
<u>208-640-0951</u>
Telephone | <u>Post Falls</u>
City
<u>SPWoodsman@yahoo.com</u>
Email | <u>ID</u>
State
<u>83854</u>
ZIP | <u>and/or</u>
ZIP |
|---|---|---|----------------------|
4. If the water rights and/or adjudication claims were split, how did the division occur?
- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☒ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: 11/18/2003
6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
 - If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
 - New lessor(s) of record will receive payment after the following rental season.
7. This form must be signed and submitted with the following **REQUIRED** items:
- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
 - Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
 - Filing fee (see instructions for further explanation):
 - \$25 per *undivided* water right.
 - \$100 per *split* water right.
 - No fee is required for pending adjudication claims.

8. Signature: _____
Signature of new owner/claimant Title, if applicable Date

Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by _____ Date _____ Receipt No. _____ Receipt Amt. _____

Approved by _____ Processed by _____ Date _____



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Director

May 13, 2016

STEWART OR KELLY POULSEN
3630 W RIVERBEND AVE
POST FALLS ID 83854

RE: Ownership of Water Right 95-8116

Dear Mr. or Ms. Poulsen:

We have been advised that there may be an ownership change on Kootenai County Parcel Number 50N05W187250 and water right referenced above.

When a change of ownership involving a water right occurs, a Notice of Change in Water Right Ownership form is required. I have enclosed a copy of this form for your convenience. Note: these forms were received in this office from Mr. Dan Schoenberg on August 14, 2015. At that time I was advised that I would be receiving the signed copies of this form from you; however, to date we have not received them.

Also enclosed is a map of the property. Please show on this map the spring(s) location and place of use for your portion of the irrigation usage. This claim also shows that there is irrigation storage occurring; please show where the storage ponds are located.

Please return the completed form along with the required support documentation to my attention. Note: Mr. Schoenberg also supplied us with a copy of the warranty deed showing transfer of ownership from the Schoenberg estate to you. If this deed is correct, I will not need another copy as I have a copy on file. Please advise.

I'm currently in the process of recommending the claim for court decree so would appreciate it if you would return them by May 27, 2016. If you have any questions regarding this matter, please call me at 208-762-2800 or email at linda.werner@idwr.idaho.gov.

Sincerely,

Linda A. Werner
Water Resource Agent, Sr.

Enclosures: Copy of Notice of Claim Number 95-8116
Change of Ownership Form w/Instructions
Map
Copy of Deed

SCANNED
MAY 25 2016



Water Right Research Using IDWR Internet Tools

The IDWR Home Page www.idwr.idaho.gov

From Home Page
Go To:
Water Rights
Search W.R.
Agree to Terms of Use
Choose One or more search items

- Water Rights
- Streams, Dams & Flooding
- Forms
- Water Data
- Maps & Spatial Data
- About IDWR

For example, **Maps & Spatial Data** expands to show a list of **Interactive Maps** available for different data.

- **What's New, Most Visited Pages & FAQs** are in the middle of the Home Page.
- **Quick Links** are the colored tabs on the right side of the Home Page. Click on a link to take you directly to the Item, Like the Search Water Rights link for text based research.



Searching Water Right Records and Adjudication Claim Records (text-based)

Click on



OR Find water rights by TEXT searching at
www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx.

This tool allows the public to search the water rights database and view the following information, when available for each water right:

- Scanned documents
- GIS Map representations
- Pedigree history
- Water Supply Bank details
- General Provisions from court decree



- Click the **Search** button to select criteria
- Enter information to direct your search for one or more search items
- Click **Save Search Parameter** for each search item with data
- When all entry is complete click **Start Search**
- **Search Results** will be found at the bottom
- Click the green balloons for more detailed information & search tips

Tips on Successful Water Right Searches

- In general, text searches respond more quickly than map searches.
- Define your search for water rights by at least two (2) search items, such as Last Name and Source.
- Spelling can be an issue. The more you enter, the less chance of an exact match. Enter a portion of a Last Name or Organization for a broader "wild card" search. For example, "Joh" may return Johns, Johansen, Johnson, etc.
- The application defaults to "All" six types, with a maximum of 1,000 records per type. The search will stop at 1,000 records per type even when more records may fit the search criteria. To avoid missing records, choose more search items to refine your search, and/or choose to search one type of water right at a time.