

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 95-13216

Date Received: 2/3/10

Receipt No: NP28501

Received By: [Signature]

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) DAVID AND SAMANTHA JARVIS Phone (208) 651-6958

Mailing Address 3382 S. OUSTY LN CDA 10 Zip 83814
Street or Box City State

2. Date of Priority: (Only one per claim) 6-1-1996
Month/Day/Year (YYYY)

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

4. Location of Point of Diversion is: Township 50N, Range 5W, Section 35,
NW 1/4 of NE 1/4, or Govt. Lot _____ BM. County of KOOTENAI;

Parcel (PIN) no. 0-2785-001-002-0

Additional points of diversion if any: NONE

If available, GPS coordinates: NO

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 WELL

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

For DOMESTIC purposes from 1-1 to 12-31 amount 0.04 cfs () or AFY ()

For Stock Water purposes from 1-1 to 12-31 amount 0.02

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) 4 HEAD MIXED

SCANNED

FEB - 3 2010

9. Location of Place of Use is: Township 50N, Range 5W, Section 35,
NW 1/4 of NE 1/4, Govt. Lot _____ BM. Parcel (PIN) no. 0-2785-001-002-0

for (Check One) Domestic () Stock () Domestic and Stock (☒) If different than shown in Item 4

Additional places of use, if any NONE

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 _____

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: 2

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: 17-DEC-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 _____

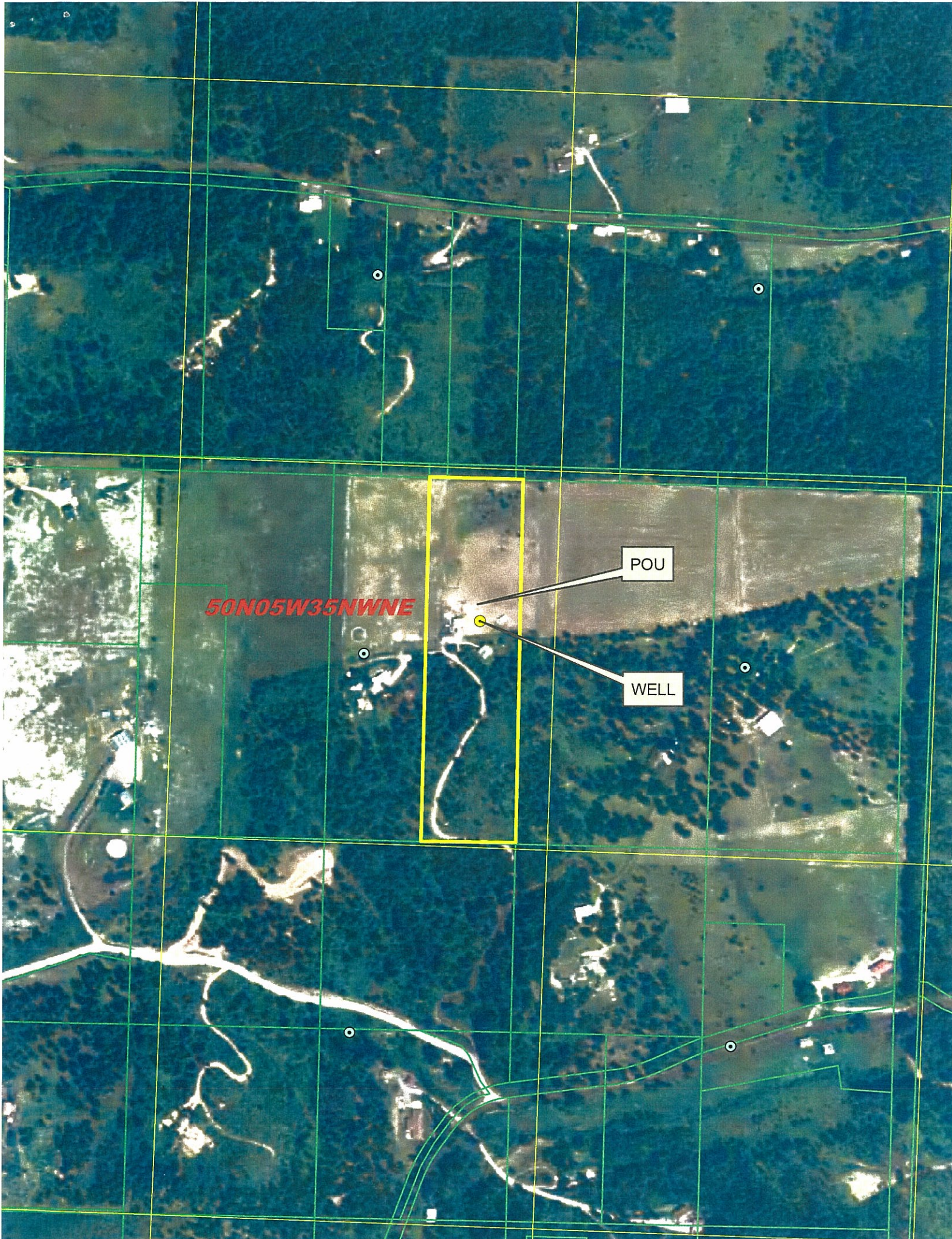
Address _____

Date _____

Last Name _____ Identification No. _____

SCANNED

FEB - 3 2010



50N05W35NWNE

POU

WELL

MEMORANDUM OF CONTRACT

On the 2nd day of April, 1979, RICHARD W. MOLLETTE, a single person, (Seller), and RONNY EARL JESSICK and KATHERINE M. JESSICK, husband and wife, (Purchaser), entered into a real estate contract which is held in escrow at Gridley Investment Company, 108 North Fourth Street, Coeur d'Alene, Idaho 83814, whereby Seller has agreed to convey by deed to Purchaser, whose address is 1207 North Ninth Street, Coeur d'Alene, Idaho 83814, the following described property:

The Northeast quarter of the Southwest quarter of the Northeast quarter of Section 35, Township 50 North, Range 5 West, Boise Meridian, Kootenai County, Idaho.

RESERVING to Grantors herein and their successors and assigns, a 60-foot wide right of way along the East side of the above described property and along the existing driveway located thereon; AND ALSO RESERVING a right of way easement for utility purposes across the above described property, both reservations being for the benefit of and appurtenant to the following described property:

The East half of the Northwest quarter of the Northeast quarter of Section 35, Township 50 North, Range 5 West, Boise Meridian, Kootenai County, Idaho.

Grantee herein will be responsible for their proportionate share of maintenance of the roadways used by Grantee.

The above property is subject to the restrictive covenant that the above property will not be divided into smaller acreages but will be transferred only as one ten-acre parcel for the dwelling for one single family residence. This covenant is for the benefit of the owners of that land and of the East one-half of the Northwest quarter of the Northeast quarter of Section 35, Township 50 North, Range 5 West, Boise Meridian, Kootenai County, Idaho, and shall run with the land and shall be binding on all parties and persons claiming under Grantee or their successors or assigns. This covenant will expire and terminate automatically twenty years from the date of this deed. This property is also subject to the restrictive covenant that a trailer or mobile home will be permitted only during the construction of a house on the property and the construction period will not exceed two (2) years.

Richard W. Mollette
Richard W. Mollette

Ronny Earl Jessick
Ronny Earl Jessick

Katherine M. Jessick
Katherine M. Jessick

STATE OF IDAHO)

) ss.

County of Kootenai)

On this 2nd day of April, 1979, for me, the undersigned, personally appeared RICHARD W. MOLLETTE, known to me to be the person whose name is subscribed to the foregoing, and acknowledged to me that he executed the same.

Notary Public for Idaho
Residing at _____
Commission expires _____

STATE OF IDAHO)

) ss.

County of Kootenai)

On the 2nd day of April, 1979, before me, the undersigned, personally appeared RONNY EARL JESSICK and KATHERINE M. JESSICK, known to me to be the persons whose names are subscribed to the foregoing, and acknowledged to me that they executed the same.

Notary Public for Idaho
Residing at _____
Commission expires _____

NOTARY PUBLIC
STATE OF IDAHO
COUNTY OF KOOTENAI

My commission expires on the 10th day of October 1961.

Witness my hand and seal of office this 2nd day of July 1959.

STATE OF Idaho
COUNTY OF Kootenai

On this 2nd day of July 1959
before me a Notary Public
for the State of Idaho
personally appeared
Katherine M. Jessick
known to me to be the person
whose name is subscribed to the
within instrument as the attorney
in fact of

Ronny Earl Jessick
and acknowledged to me that
she subscribed the name of
Ronny Earl Jessick
thereto as principal, and
own name as attorney in fact

NOTARY PUBLIC
RESIDING AT Hayden Lake, Id.
COMMISSION EXPIRES: 10-19-61

10:05

Bob Johnson
Sue Jellison

Frank Brown
Ed S. C.
Wm. L. ...