

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

Claim ID: 95-7483

Date Received: 3/29/18

Receipt No: NO19798

Claim Fee: _____ By: _____

RECEIVED

MAR 29 2018

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

IDWR/NORTHERN

Please type or print clearly

1. Name of claimant(s) DARWIN SCHULTZ AND/OR LYNDA SCHULTZ Phone (208) 687-1806

Mailing address 8646 W ZION ST RATHDRUM ID Zip 83858
Street or Box City State

Email address (optional) darschultz@juno.com

2. Date of priority: (Only one per claim) 8/28/1974 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other (✓) (a) TWIN LAKES
which is tributary to (b) RATHDRUM CREEK

4. a. Location of point of diversion is: Township 53N, Range 05W, Section 35,
SW 1/4 of SE 1/4, Govt. Lot 1, BM, County of KOOTENAI

Parcel no. 0452000C0080

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.

PUMP IN LAKE WITH PIPELINE TO PLACE OF USE

6. Water is claimed for the following purposes:

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

For IRRIGATION purposes from 3/15 to 11/15 amount 0.03 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.03 (cfs) and/or (b) _____ (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) N/A

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
53N	05W	35															0.5		0.5
																	Lot1		

Parcel no(s) 53N05W355480 Total number of acres irrigated 0.5

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.

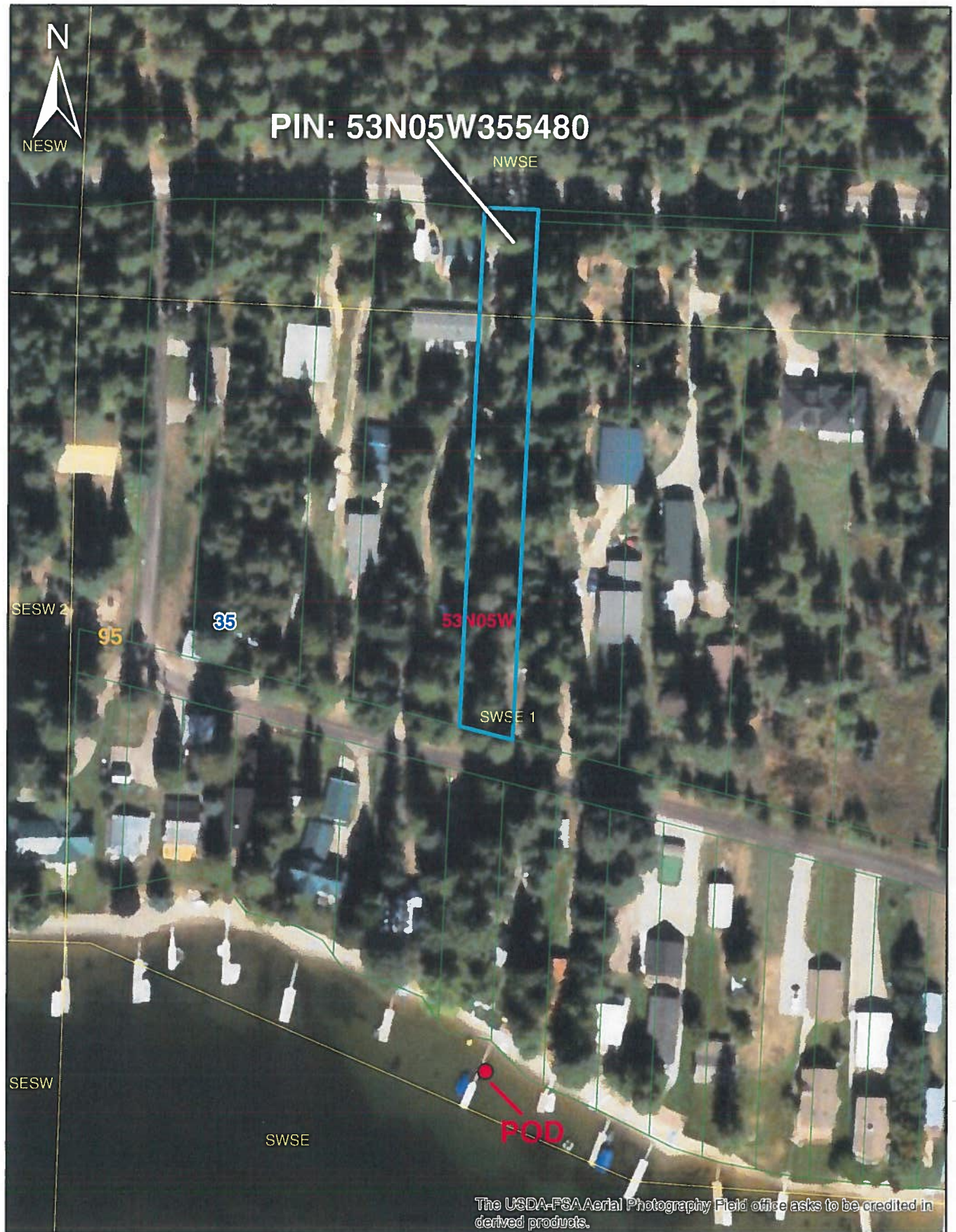
12. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (✓)

13. Remarks (Include an explanation of the priority date selected):

DATE DECREED. THIS PARCEL OWNED BY FAMILY AT SAME TIME AS LOTS 1-3, BLOCK 1, ASPENS AT
THE LAKE. IRRIGATION USE UNDER 95-7483 OCCURRED ON THIS PARCEL ALSO AT TIME OF
DECREE. WHEN LOTS 1-3 WERE SOLD, PIPE TO LOTS 1-3 WAS REMOVED AND WATER USE
CONTINUED ON PARCEL 53N05W355480.

Name of claimant(s) DARWIN SCHULTZ AND/OR LYNDIA SCHULTZ Claim ID _____

PARCEL LOCATION FOR CSRBA WATER RIGHT CLAIM 95-7483



14. Basis of claim (Check one) Beneficial Use () Posted Notice () License () Permit () Decree (✓)

Court _____ Decree Date 4/19/1989 Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 95-7483

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 Water System 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) Darwin R. Schultz Date: 3/29/18

Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

Agent's title (Please print) of _____
Name of organization (Please print)

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

Signature of Authorized Agent _____ Date _____

Printed Name of Authorized Agent _____

16. Notice of Appearance:

Notice is hereby given that I, (please print) _____, will be acting as attorney at law on 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 _____

Name of claimant(s) DARWIN SCHULTZ AND/OR LYNDIA SCHULTZ Claim ID _____

For Value Received James R. Shively. A Married Man his sole & separate property.

COMPARED
INDEXED

the grantor, does hereby grant, bargain, sell and convey unto
Ray G. Schultz &/or Erna H. Schultz. Husband & Wife &/or Darwin R. Schultz &/or
Lynda L. Schultz. Husband & Wife.
Current Address: c/o Ray G. Schultz, Rt. #1, Box 430, Rathdrum, Idaho. 83858
the grantees, the following described premises, in Kootenai County Idaho, to-wit:
Parcel 1

Lot 8, Block "C" First Addition to Lake Forest Home Sites; according to the plat recorded in Book "D" of Plats at page 87, records of Kootenai County, Idaho.

Parcel 11

A tract of land located in Government Lot 1 of Section 35, Township 53 North, Range 5 West, B.M., Kootenai County, Idaho, and being more particularly described as follows:

Beginning at a point located South 78° 42' 10" West, a distance of 2,236.94 feet from the East meander corner of said Section 35; thence North 78° 20' 00" West, 51.00 feet; thence North 484.44 feet, more or less, to a point on the South right of way line of the existing County Road; thence Southeasterly along said right of way to the intersection of a line extended North from the Point of Beginning; thence South 494.20 feet, more or less, to the Point of Beginning. EXCEPT for a road right of way as delineated on the Plat of First Addition to Lake Forest Home Sites.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that they are free from all incumbrances

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

Dated: June 26th, 1976

James R. Shively

STATE OF IDAHO, COUNTY OF Kootenai

On this 26th, day of June, 1976, before me, a notary public in and for said State, personally appeared James R. Shively. A Married Man his sole & separate property

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Kenneth E. Hess
Notary Public
Residing at Rathdrum, Idaho, Idaho
Comm. Expires My Commission Expires Jan. 25, 1979

STATE OF IDAHO, COUNTY OF Kootenai

I hereby certify that this instrument was filed for record at the request of *Ray G. Schultz*

at 25 minutes past 4 o'clock p.m.,
this JUL 12 1976 day of
19, in my office, and duly recorded in Book
of Deeds at page

Nancy Shesl
Ex-Officio Recorder

By *Nancy Shesl* Deputy.

Fees \$
Mail to: *Grantor*

1149071

QUITCLAIM DEED

For Value Received

Ray G. Schultz &/ or Erna H. Schultz, Husband & Wife, 50% owner's of the properties listed.

do hereby convey, release, remise and forever quitclaim unto

Darwin R. Schultz &/ or Lynda L. Schultz, Husband & Wife, owners of the other 50% of these listed properties.

whose current address is

15106N Columbus, Spokane Wash. , 99208

the following described premises, to-wit:

Parcel # 11

A tract of land located in Government Lot 1 of Section 35, Township 53 North, Range 5 West, B.M., Kootenai County, Idaho, and being more particularly described as follows:

Beginning at a point located South 78° 42' 10" West, a distance of 2,236.94 feet from the East meander corner of said section 35; Thence North 78° 20' 00" West, 51.00 feet; Thence North 484.44 feet, more or less, to a point on the South right of way line of the existing County Road; Thence Southeasterly along said right of way to the Intersection of a line extending North from the point of beginning; Thence South 494.20 feet, more or less, to the point of beginning. Except for a road right of way as delineated on the plat of First Addition to the Lake Forest Home Sites.

Parcel 1

Lot 8, Block "C" First Addition to the Lake Forest Home Sites; According to the plat Recorded in book "D" of Plats at page 87, Records of Kootenai County, Idaho.

together with their appurtenances.

Dated: May 22nd, 1989

Ray G. Schultz
Erna H. Schultz

STATE OF IDAHO, COUNTY OF Kootenai
On this 22nd day of May, 1989,
before me, a Notary Public in and for the said State, personally
appeared Ray G. Schultz
Erna H. Schultz
Husband & Wife

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

Residing at Rathburn
Comm. Expires *life*

Deborah Woodruff
Notary Public,
Idaho

STATE OF IDAHO, COUNTY OF Kootenai
I hereby certify that this instrument was filed for record at the
request of *Ray G. Schultz*
at 40 minutes past 10 o'clock A.M.,
this MAY 22 1989 day of
19 , in my office, and duly recorded in Book
of Deeds at page

SHIRLEY DEITZ

Ex-Officio Recorder

By *Deborah Woodruff*

Deputy.

Fees \$ 3.00
Mail to:

INSTRUMENT No.