

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: 95-18369
Date Received: 9/28/2022
Receipt No: C115146
Claim Fee:
Received By: _____

AMENDED

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)

~~DANIEL OWLSLEY~~ BATES FAMILY TRUST
PO BOX 174
COEUR D ALENE ID 83816

Phone: (208) 818-8181

~~ELSA OWLSLEY~~

~~PO BOX 174
COEUR D ALENE ID 83816~~

Phone: (208) 818-8181

2. Date of Priority: 6/16/2017

3. Source:
GROUND WATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
51N	03W	4	SE NE		KOOTENAI	

5. Description of diverting works:

WELL WITH PUMP AND PIPE TO HOME.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S. (or)	A.F.A
DOMESTIC	01/01	12/31	0.04	
STOCKWATER	01/01	12/31	0.02	

7. Total Quantity Appropriated is:

95-18369

1

SCANNED

1 2023

0.04 C.F.S. and/or A.F.A.

8. Non-irrigation uses:

DOMESTIC USE FOR ONE HOME
STOCKWATER USE FOR 9 SHEEP

9. Place of use:

DOMESTIC within KOOTENAI County

Township	Range	Section	¼	of	¼	Lot	Acres
51N	03W	4	SE		NE		

STOCKWATER same as DOMESTIC

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

If your answer is no, describe in remarks below the authority you have to claim this water right.

11. Other Water Rights Used:

12. Remarks:

Priority Date Explanation:

DATE WELL WAS COMPLETE AND WATER FIRST PUT TO BENEFICIAL USE.

13. Basis of Claim: Beneficial Use

14. 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.

Number of attachments: _____

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): *Joey, Trustee* Date: 1/24/2023
DANIEL COWLEY Date: _____

Signature of Claimant(s): *Elsa Cowley, TRUSTEE* Date: 01/24/2023
ELSA COWLEY Date: _____

RECORDING FEE: \$13.00 DD
Electronically Recorded

RECORDING REQUESTED BY AND MAIL TO:
Callahan & Associates, Chtd.
PO Box 2226
Coeur d'Alene ID 83816-2226

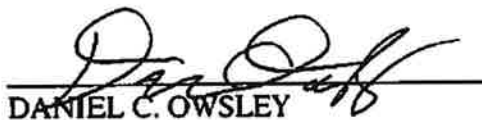
WARRANTY DEED

DANIEL C. OWSLEY, a married man dealing with his separate property, does hereby grant, convey and transfer to DANIEL C. OWSLEY and ELSA OWSLEY, as TRUSTEES, or their successors, BATES FAMILY TRUST, all of their REAL PROPERTY interest now held or hereafter acquired in the following described real property:

See Exhibit "A" attached hereto and incorporated herein by reference.

To have and hold the said REAL PROPERTY as TRUSTEE as the sole and separate property of DANIEL C. OWSLEY. Grantor will warrant and defend the above-described real property against all claims and demands whatsoever, except such rights, easements, covenants, restrictions, health or zoning regulations and assessments as appear of record or use upon the premises. The Grantor of this deed is also the beneficiary of the BATES FAMILY TRUST. The address of the grantee is PO Box 174, Coeur d'Alene, ID 83816.

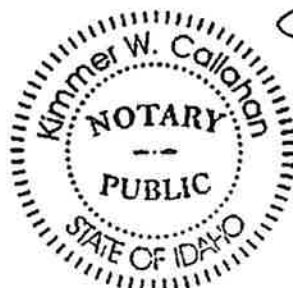
Dated this 20 day of January in the year 2015.


DANIEL C. OWSLEY

STATE OF IDAHO
COUNTY OF KOOTENAI

On this 20 day of January in the year 2015, before me the undersigned Notary Public in and for the State of Idaho, personally appeared DANIEL C. OWSLEY, known or identified to me to be the person whose name is subscribed herein, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year written above.




Notary Public for Idaho
Comm. Exp.: 1/17/21

DSE: 10/09/2014

Warranty Deed
- continued

File No.: 520659-C (ms)

EXHIBIT A

A part of the Southeast quarter of the Northeast quarter of Section 4, Township 51 North, Range 3 West, Boise Meridian, Kootenai County, Idaho, more particularly described as follows:

BEGINNING at the Southwest corner of the THIRD ADDITION TO TAYLOR'S TERRACE according to the plat thereof, recorded in Book "E" of Plats, Page 40, records of Kootenai County, Idaho; thence

Along the Westerly side of said THIRD ADDITION TO TAYLOR'S TERRACE, North $14^{\circ} 30'$ East, 120 feet; thence

North $27^{\circ} 57'$ East, 60 feet; thence

North $13^{\circ} 47'$ East, 18.26 feet; thence

Leaving said Westerly side, North $88^{\circ} 44' 42''$ West, 659.43 feet to the TRUE POINT OF BEGINNING for this description; thence

North $88^{\circ} 44' 42''$ West, 642 feet to the East line of the existing County Road; thence

South $2^{\circ} 28'$ West along the East line, 339.35 feet; thence

South $88^{\circ} 44' 42''$ East, 656.60 feet; thence

North 339.20 feet to the TRUE POINT OF BEGINNING.

Together with any and all rights as defined in the recorded Water Association Agreement recorded March 11, 2014 as Instrument No. 2448865000 are hereby granted, bargain, sold and conveys to grantee herein.

OCT 03 2022

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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

By _____ Clerk
CIVIL CASE NUMBER: 49576 Deputy Clerk

Ident. Number: 95-18369
Date Received: 9/28/2022
Receipt No: C115146
Claim Fee: \$25.00
Received By: Ku

RECEIVED

JAN 23 2023

DEPARTMENT OF
WATER RESOURCES

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)

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PO BOX 174
COEUR D ALENE ID 83816

Phone: (208) 818-8181

AND/OR

ELSA OWSLEY
PO BOX 174
COEUR D ALENE ID 83816

Phone: (208) 818-8181

2. Date of Priority: 6/16/2017

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STOCKWATER	01/01	12/31	0.02		

7. Total Quantity Appropriated is:

0.04 C.F.S. and/or A.F.A.

8. Non-irrigation uses:

DOMESTIC USE FOR ONE HOME
STOCKWATER USE FOR 9 SHEEP

9. Place of use:

DOMESTIC within KOOTENAI County

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STOCKWATER same as DOMESTIC

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

If your answer is no, describe in remarks below the authority you have to claim this water right.

11. Other Water Rights Used:

12. Remarks:

Priority Date Explanation:

DATE WELL WAS COMPLETE AND WATER FIRST PUT TO BENEFICIAL USE.

13. Basis of Claim: Beneficial Use

14. 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 X 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):

Dea Rusley

Date:

09/28/2022

Date:

RECEIVED

OCT 03 2022

DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re CSRBA

Case No. 49576

Subcase 95-18369
(Insert water right number)

STANDARD FORM 4

MOTION TO FILE A LATE NOTICE OF
CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the CSRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form.

The water right number for your late Notice of Claim must be indicated above in the blank space following "Subcase." To obtain your water right number, contact the Idaho Department of Water Resources. You must use a **separate form for each** late Notice of Claim.

By filing a Motion to File a Late Notice Claim, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

☒ I have read *CSRBA Administrative Order 1*, Rules of Procedure.

My name is Daniel + Elsa Owsley

My address is 37593 E. Hayden Lake Rd.
Hayden, ID 83835

My phone number is: work _____ Home (208) 818-8181

☐ I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

☒ I did not file a Notice of Claim to the use of water in the CSRBA because:

We were not aware that the adjudication process was
happening. We did not receive notice of any kind.

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☒ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you must attach a copy of your Notice of Claim.)

- Notice to claim a water right
- Well Driller's Report

A Motion to File Late Notice of Claim will require a hearing before the Presiding Judge.

Follow these instructions regarding the hearing on the motion.

1. Contact the Clerk of the CSRBA Court at (208) 736-3011 to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on February 19th 2023
(insert date and time)
at the CSRBA Courthouse, 253 Third Avenue North, Twin Falls, Idaho.

I have attached:

- ☒ A fully completed Notice of Claim (available from IDWR).
- ☒ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. §42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ 25.00.
- ☐ A claim filing fee and a late claim fee for those claims other than domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.


(Signature of person filing motion)

(Attorney signing in representative capacity)

INSTRUCTIONS FOR MAILING

You must mail the Motion, to the Clerk of the court. **FAX filings will not be accepted.**
You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on September 29th, 2022 I mailed the original and copies of this Motion, including all attachments, to the following persons:

1. Original to:

✓ Clerk of the District Court
Coeur d'Alene-Spokane River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

✓ IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

✓ United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

✓ Chief, Natural Resources Division
Office of Attorney General
State of Idaho
PO Box 83720
Boise, ID 83720-0010



Signature of Movant or attorney
mailing on Movant's behalf

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For Individuals:

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Signature of Claimant(s):

Dea Pinsky

Date: 09/28/2022

Date:

Idaho Department of Water Resources Receipt
Receipt ID: C115146

Payment Amount	\$25.00	Date Received	1/23/2023	Region	STATE
Payment Type	Check	Check Number	3178		
Payer	OWSLEY, DANIEL C				
Comments	NOTICE OF CLAIM TO A WATER RIGHT CIVIL CASE NUMBER #49576 FOR: DANIEL & ELSA OWSLEY WR CLAIM OR PARCEL # 95-18369 FOR: CSRBA THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM				

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$25.00	NORTHERN ID ADJUDICATION FILING FEE	75503	0337	1		1155



Signature Line (Department Representative)