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**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 95-9464

Date Received: 6/1/09

Receipt No: N20779

Received By: lm

**NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

Please type or print clearly

1. Name of Claimant (s) UEBERROTH FAMILY TRUST Phone 808 792-5426

Mailing Address C/O DICK BLAKELY 16284 RIMROCK RD ZIP 83835
Street or Box City HAYDEN State ID.

2. Date of Priority (Only one (1) per claim) 05 22 2007
Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other () (a) Unnamed Stream
which is tributary to (b) SAGE CREEK

4. a. Location of Point of Diversion is: Township 53N, Range 3W, Section 36
NE, 1/4 of NW, 1/4 Govt. Lot _____, BM., County of Kootenai

Parcel (PIN) no. 53N 03W 364000

Additional points of diversion if any: NONE

If available, GPS Coordinates NA

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.

OFF stream POND WITH CAPACITY OF 1.2 AF is used
FOR STORAGE POND overflow RETURNS to unnamed stream
1 HP electric PUMP USED FOR IRRIGATION WITH 2"
PVC TO HANDLINES FIRE HOSE ON STANDBY

SCANNED

JUN - 1 2009

6. Water is claimed for the following purposes:

		(both dates are inclusive MM-DD)		(cfs)	(acre feet)
For	IRRIGATION STORAGE	04-01	10-31	.05	15.0
	purposes from	04-01	to 12-31	amount	or 2.0
For	IRRIGATION FROM STORAGE	04-01	10-31		2.0
	purposes from	01-01	to 12-31	amount .01	or 2.0
For	STOCKWATER STORAGE	01-01	12-31		2.0
	purposes from	01-01	to 12-31	amount	or 2.0
For	FIRE PROT. STORAGE	01-01	12-31		2.0
	purposes from	01-01	to 12-31	amount	or 2.0

7. Total quantity claimed (a) .06 (cfs) and/or (b) 17.0 (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) 10 head mixed stock

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	
53N	3W	36	2.5	2.5															5
			IS																
			IFS																
			DTS																
			SS																
			SFS																
			FPS																

Parcel (PIN) no(s) 53N03W364000

Total number of acres irrigated 5.0

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:

MICK BLAKELY IS PROPERTY MGR.
FOR WEBERROTH FAMILY TRUST

Last Name

Identification No.

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JUN - 1 2009

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 95-9464

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: 4

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) Heberroth Family Trust Date: 5/18/09

By Mich Blahely mgr. Date: _____

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

PROPERTY MGR Title of HEBERROTH FAMILY TRUST 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**

JUN - 1 2009