



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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AUG 01 2016

IDWR/NORTH

C.L. "BUTCH" OTTER

Governor

July 26, 2016

GARY SPACKMAN

Director

UEBERROTH FAMILY TRUST
C/O MICK BLAKELY
16284 RIMROCK RD
HAYDEN ID 83835

RE: Evidence of Priority Date for Notice of Claim to a Water Right Numbers 95-9722, 95-9780 & 95-9781
Request to Schedule Field Exam

RESPONSE DEADLINE

DATE: August 29, 2016

Dear Mr. Blakely:

The Notice of Claim to a Water Right identified with the number(s) shown above has been filed in the Coeur D'Alene-Spokane River Basin Adjudication, also known as Phase 1 of the Northern Idaho Adjudication (NIA). The claim(s) indicate your water usage is based on "Beneficial Use" or "Statutory Claim". Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose claimed, and are termed beneficial use rights. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. Since the priority date and historic use of a beneficial use right cannot be confirmed by field examination, proof must be provided by the claimant supporting the priority date claimed and the historic use of the water.

Enclosed you will find the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: IDWR may recommend the NIA Court decree the claim(s) disallowed if no evidence of the priority date and of the historic use is submitted.

Plus, claim numbers 95-9602 and 95-9679 show a change in source, point of diversion and/or place of use. We will need to have documentation of the dates of those changes.

Also, Idaho Department of Water Resources (IDWR) is planning to conduct water right field examinations in the vicinity of your CSRBA claim(s) during August/September, 2016. The examination is required for the Department to verify the elements of your claim(s) and prepare an accurate recommendation to the CSRBA Court concerning your claim(s).

Please contact me by the date shown above to schedule a field exam at your property to include the water system point of diversion, domestic/stock/irrigation water use area, and pipes, storage tanks, equipment, etc., that deliver water to your property.

The evidence of priority and documents showing dates of source, diversion and place of use changes should also be submitted by this date.

If you have any questions, I can be reached at (208) 762-2802 or by email at linda.werner@idwr.idaho.gov.

Sincerely,

Linda A. Werner
Water Resource Agent, Sr.

Enclosures: Evidence of Priority Pamphlet

Copy of Claim Number(s): 95-9464, 95-9780, 95-9602, 95-9679, 95-9722, 95-9781, 95-9875

DEPT OF WATER RESOURCES
7600 N MINERAL DR - STE 100
COEUR D'ALENE ID 83815-7768

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C/O MICK BLAKELY
16284 RIMROCK RD
HAYDEN ID 83835



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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 4, 2016

UEBERROTH FAMILY TRUST
C/O PETER UEBERROTH
PO BOX 100
LAGUNA BEACH CA 92652

RE: Evidence of Priority Date for Notice of Claim to a Water Right Numbers 95-9722, 95-9780 & 95-9781
Request to Schedule Field Exam, Change of Address

RESPONSE DEADLINE

DATE: September 5, 2016

Dear Mr. Ueberroth:

The Notice of Claim to a Water Right identified with the number(s) shown above has been filed in the Coeur D'Alene-Spokane River Basin Adjudication (CSRBA). The claim(s) indicate your water usage is based on "Beneficial Use" or "Statutory Claim". Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose claimed, and are termed beneficial use rights. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. Since the priority date and historic use of a beneficial use right cannot be confirmed by field examination, proof must be provided by the claimant supporting the priority date claimed and the historic use of the water.

Types of evidence may include affidavits from individuals who have personal knowledge of the usage, crop reports, sales receipts for equipment or materials used in the water system, electric bills, aerial photography, etc.

PLEASE NOTE: IDWR may recommend the NIA Court decree the claim(s) disallowed if no evidence of the priority date and of the historic use is submitted.

Plus, claim numbers 95-9602 and 95-9679 show a change in source, point of diversion and/or place of use. We will need to have documentation of the dates of those changes.

Also, Idaho Department of Water Resources (IDWR) is planning to conduct water right field examinations in the vicinity of your CSRBA claim(s) during September, 2016. The examination is required for the Department to verify the elements of your claim(s) and prepare an accurate recommendation to the CSRBA Court concerning your claim(s).

Please contact me by the date shown above to schedule a field exam at your property to include the water system point of diversion, domestic/stock/irrigation water use area, and pipes, storage tanks, equipment, etc., that deliver water to your property. A person who is familiar with your water system must be available to operate the system under normal conditions during the field examination.

The evidence of priority and documents showing dates of source, diversion and place of use changes should also be submitted by this date.

Finally, it appears that the property appurtenant to the above claims may need an address change as our correspondence of July 26, 2016, to Mick Blakely of Hayden, ID was returned as "not deliverable as addressed". Consequently, I've enclosed a change of address form and ask that you complete this form. If you are trustee of the estate, please include any supporting documentation.

Please return this information, to my attention, to the address shown above. If you have any questions, I can be reached at (208) 762-2802 or by email at linda.werner@idwr.idaho.gov.

Sincerely,



Linda A. Werner
Water Resource Agent, Sr.

Enclosures: Change of Address Form

Copy of Claim Number(s): 95-9464, 95-9780, 95-9602, 95-9679, 95-9722, 95-9781, 95-9875