



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N. Mineral Drive, Suite 100 • Coeur d'Alene, Idaho 83815-7763
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BRAD LITTLE
Governor

GARY SPACKMAN
Director

January 18, 2019

UEBERROTH FAMILY TRUST
PO BOX 100
LAGUNA BEACH CA 92652-0100

SUBJECT: Notice of Error Reply Response for Notice of Claim to a Water Right Numbers 95-9722 and 95-9780; Amended Claim 95-9679

Dear Mr. or Ms. Ueberroth:

In regard to the Notice of Error that you filed on the above water rights:

95-9722 – This claim has been recommended for 10 acres of irrigation with source of water being Sage Creek. I obtained aerial photos dated 1965 from the Hayden Public Library showing irrigation and these will suffice for evidence of irrigation with priority date of 1967.

95-9780 – We were unable to recommend this claim, filed for the irrigation of 3 acres north of Sage Creek, as I was not shown a diversion from an unnamed stream or irrigation at this site during the field exam dated August 23, 2016.

Following the submission of the Director's Report for Part 2 of Basin 95, if you locate additional evidence and wish to further pursue this water right, a Standard Form 1 (Objection) should be filed with the Court.

95-9679 – I am returning amended claim 95-9679 with the receipt for \$5.00 for the additional acreage. The recommendation for this claim has been submitted to the Adjudication Court and; consequently, additional forms will need to be filed with the Court before the amended claim can be accepted. This form is entitled "Motion to File Amended Notice of Claim", of which a copy is enclosed. If you decide against filing the Motion and would like a refund, please let us know.

Please feel free to contact me if you have any questions. I can be reached at (208) 762-2800. Also, information relative to this claim file may be viewed at www.idwr.idaho.gov.

Sincerely,

Linda A. Werner
Water Resource Agent, Sr.

Enclosures: Preliminary Recommendation for 95-9722
Copy of Aerial Photo Dated 1965
Amended Claim 95-9679 with Receipt Number N033994
Motion to File Amended Notice of Claim

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

RECEIVED
JAN 11 2019
IDWR / NORTH

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: 95-9679
Date Received: 4/29/2013
Receipt No: N029805 N033994
Claim Fee: \$55.00 \$5.00
Received By: *SK*

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

1. Name of Claimant(s)

UEBERROTH FAMILY TRUST
C/O MR AND MRS PETER UEBERROTH
PO BOX 100
LAGUNA BEACH CA 92652-0100

Phone:

2. Date of Priority: 6/15/1918

3. Source:

UNNAMED STREAM

Trib. to:
SINKS

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
53N	03W	36	SW NW NE		KOOTENAI	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
IRRIGATION	3 /15	11/15	0.3		0
STOCKWATER	1 /1	12/31	0.02		0

7. Total Quantity Appropriated is:

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

8. Non-irrigation uses:

SCANNED

95-9679

JAN 11 2019

MIXED STOCK CATTLE HORSES ETC.

9. Place of use:

IRRIGATION within KOOTENAI County

Township	Range	Section	¼	of	¼	Lot	Acres
53N	03W	36	NW		NW		5
53N	03W	36	SW		NW		5

Total Acres = 10

STOCKWATER within KOOTENAI County

Township	Range	Section	¼	of	¼	Lot	Acres
53N	03W	36	NW		NW		
53N	03W	36	SW		NW		

10. Do you own the property listed above as place of use? No

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:

WE BELIEVE LISC. 95-9679 WAS ISSUED WITH ERRORS FOR THE POINT OF DIVERSION AND PLACE OF USE. PAGES 11 AND 49 OF THE DEPARTMENT FILE FOR THIS WATER RIGHT SHOW A STREAM RUNNING SE TO NW WITH THE CORRECT ROUTE OF THE STREAM AND QUARTER QUARTERS AND SECTION NUMBERS THAT ARE CORRECT. WE BELIEVE THE UNNAMED STREAM WE ARE CLAIMING IS THE SAME STREAM AS SHOWN ON PAGES 11 AND 49 OF THE BACKFILE. REMNAINS OF VERY OLD DITCHES ARE IN THE AREA THAT IS IRRIGATED FROM THE UNNAMED STREAM WE ARE CLAIMING AS PART OF LISC. 95-9679.

13. Basis of Claim: License

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 Organizations:

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

Trustee of Ueberroth Family Trust
Title Organization

that I have signed the foregoing document in the space below as

Trustee of Ueberroth Family Trust
Title Organization

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

Signature of Authorized Agent Virginia Ueberroth Date 1-11-2019

Title and Organization Ueberroth Family Trust, Trustee

Idaho Department of Water Resources Receipt

Receipt ID: N033994

Payment Amount \$5.00 Date Received 1/11/2019 11:31 AM Region NORTHERN

Payment Type Cash

Payer UEBERROTH, PETER

Comments NOTICE OF CLAIM TO A WATER RIGHT 95-9679 FOR 5 ACRES OF IRRIGATION

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$5.00	NORTHERN ID ADJUDICATION FILING FEE	75503	0337	1		1155

Water Rights

Basin	Sequence	Split Suffix
95	9679	

Signature Line (Department Representative)