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DEPARTMENT OF
WATER RESOURCES

Form No.42-1409-1 (Intermet 11/08)

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 95-9793

Date Received: 4/18/19

Receipt No: NO20823B

Received By: Jan

NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) ALAN D. KYLE Phone (208) 683-2663 ⁰⁵⁷²

Mailing Address 25249 N. HATCH RD ATHOL ID ZIP 83801
Street or Box City State

2. Date of Priority (Only one (1) per claim) 03/15/1952
Month Day Year (YYYY)

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

4. a. Location of Point of Diversion is: Township 53N, Range 3W, Section 35,
SE, 1/4 of NE, 1/4 Govt. Lot _____, BM., County of KOOTENAI

Parcel (PIN) no. _____

Additional points of diversion if any: SW 1/4 OF NE 1/4 SEC 35, T53N, R3W

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. PORTABLE PUMP AND PIPELINE

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6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs) 1.8 (acre feet)

For IRRIGATION purposes from MAR 15 to NOV 15 amount 1.8 cfs or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.8 (cfs) and/or (b) _____ (acre feet)

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

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	35	8		10	15										10			40
			40		20	18										5			83
			OK		OK	OK										OK			OK

Parcel (PIN) no(s). _____

Total number of acres irrigated 40.83 OK

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 (X)

13. Remarks: THIS PROPERTY ORIGINALLY HAD A WATER RIGHT FROM A DIVERSION DITCH FROM SAGE CREEK THAT USED ANOTHER DITCH TO GET THE WATER BACK TO THIS PROPERTY. IN THE 1950s & 60s, WATER WAS PUMPED FROM SAGE CREEK AS AVAILABLE TO IRRIGATE THE HAYLAND. LIGHTPIPE BURNED UP A PHASE CONVERTER, MOTOR & KEE TRANSFORMERS IN EARLY 90s AND BECAUSE OF COST WAS NOT REPAIRED. CURRENTLY THE AG. LAND IS LEASED TO A LOCAL FARMER, AND BOTH OF US WOULD LIKE TO IRRIGATE AGAIN PARTLY BECAUSE OF ECONOMIC MARKETS IMPROVING AND BECAUSE OF CHANGING WEATHER PATTERNS MAKING CROP PRODUCTION MORE DIFFICULT WITHOUT IRRIGATION. WE ARE BOTH RELUCTANT TO INVEST IN SUCH IRRIGATION EQUIPMENT, THOUGH, WITHOUT A WATER RIGHT. WE ARE THE LARGEST AG PARCEL ON SAGE CREEK.

Last Name KYLE

Identification No. _____

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14. Basis of Claim (Check One) Beneficial Use (☒) Posted Notice () License () Permit () Decree ()

Court _____ Decree Date _____ Plaintiff v. Defendant _____

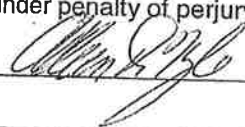
If applicable provide IDWR Water Right Number 95-9793

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: _____

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)  Date: 4/15/2009

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

_____ of _____
Title 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. _____

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