

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

Claim ID: 95-9793

Date Received: 9-25-2019

Receipt No: N035648

Claim Fee: 41.00 By: SL

RECEIVED

SEP 25 2019

IDWR/NORTHERN

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

Please type or print clearly

- Name of claimant(s) HATCH FAMILY HERITAGE LLC, C/O ALLAN D KYLE Phone (208) 683-0572
Mailing address 25249 N HATCH RD ATHOL ID 83801
Street or Box City State Zip
Email address (optional) info@cedarmountainfarm.com
- Date of priority: (Only one per claim) 3/15/1952 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
- Source of water supply (Check one) Ground Water () or Other (✓) (a) Sage Creek
which is tributary to (b) Sinks
- a. Location of point of diversion is: Township 53N, Range 03W, Section 35,
SE 1/4 of NE 1/4, Govt. Lot _____, BM, County of KOOTENAI
Parcel no. 53N03W352000
Additional points of diversion, if any: SW1/4NE1/4 SECTION 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 _____
- 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 with 3" handlines with 35 sprinklers rated at 6 gpm.

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD) (cfs) (acre-feet)

For IRRIGATION purposes from 4/1 to 10/31 amount 1.8 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) 243.0 (acre-feet)

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

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
53N	03W	35	40		18	23													81

Parcel no(s). _____ Total number of acres irrigated 81

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 (☒)

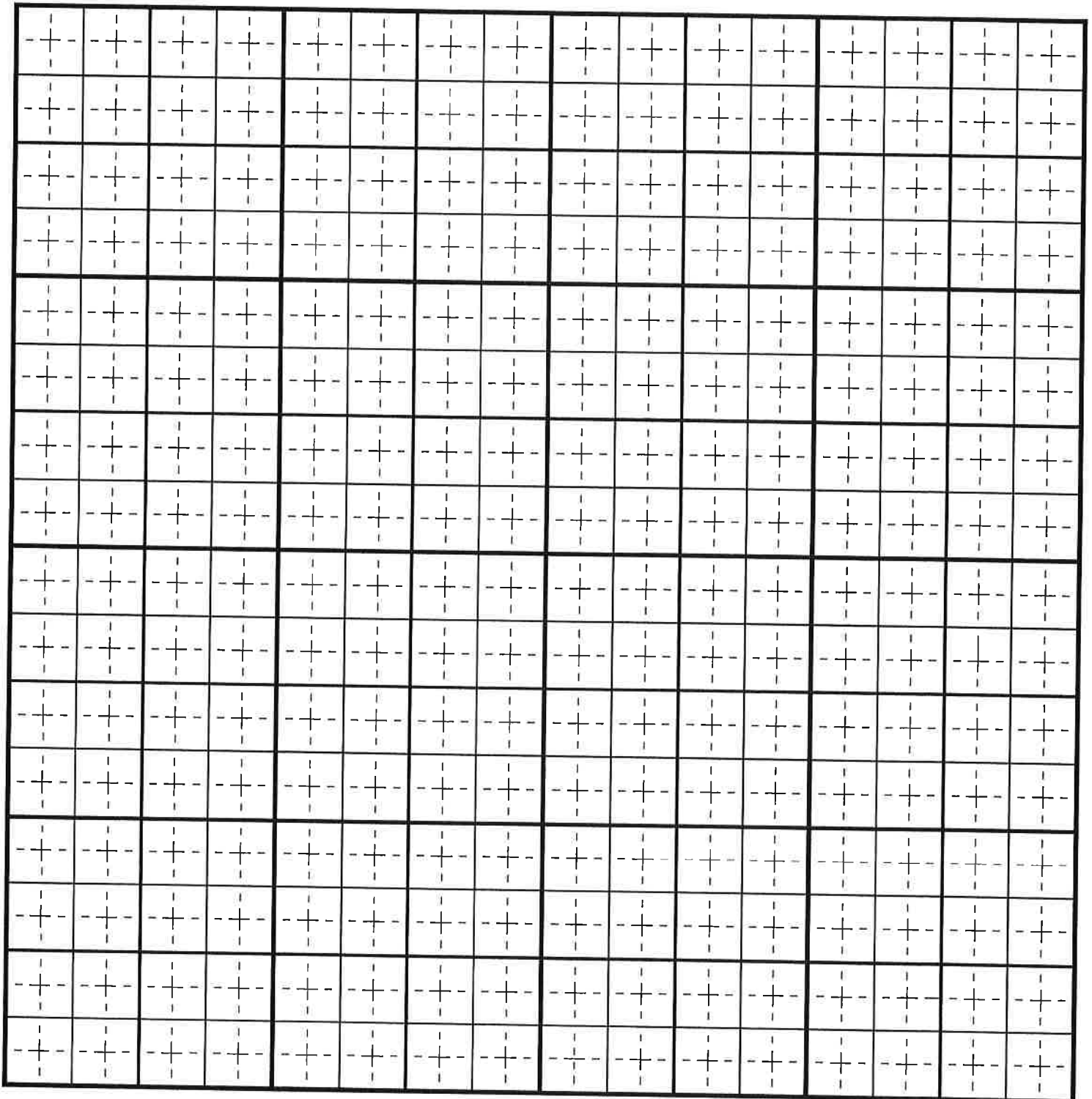
13. Remarks (Include an explanation of the priority date selected):

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 1950's, 60's, 70's and 80's, water was pumped from Sage Creek as available to irrigate the hayland. Lightning burned up a phase converter, motor & Kootenai Electric Cooperative transformers in early 90's 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.

Name of claimant(s) HATCH FAMILY HERITAGE LLC, C/O ALLAN D KYLE Claim ID _____

Map of Project: Attach aerial photograph or topographic map showing clearly the point of diversion, place of use, section number, township, and range number, unless unavailable. Otherwise sketch the elements above on the grid below.

Scale: 2 inches equals 1 mile



Name of claimant(s) HATCH FAMILY HERITAGE LLC, C/O ALLAN D KYLE Claim ID _____

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 Water System 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: 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) _____ Date: _____

_____ Date: _____

X **For Organizations:** I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

PARTNER of HATCH FAMILY HERITAGE, LLC
Agent's title (Please print) Name of organization (Please print)

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

Signature of Authorized Agent [Signature] Date 25 SEPT, 2019

Printed Name of Authorized Agent ALLAN D. KYLE

16. **Notice of Appearance:**

Notice is hereby given that I, (please print) _____, will be acting as attorney at law on 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 _____ Date _____

Address _____

Name of claimant(s) HATCH FAMILY HERITAGE LLC, C/O ALLAN D KYLE Claim ID _____

