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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

FEB 20 2001 NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

file # 101414k

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	84-10168			84-10173	
	84-10169				
	84-10170				
	84-10171				
	84-10172				

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts. *Paid \$150.00*

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

DANIEL AND JACQUELYN CATHCART
234 S. BEVERLY GLEN BLVD.
LOS ANGELES, CA 90024

4. New Owner/Claimant(s)

DAVID JAMES ERIKSEN AND SHARON MCKIBBEN ERIKSEN
As Trustees For the: DAVID JAMES ERIKSEN & SHARON MCKIBBEN ERIKSEN
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or ☐ Family Trust

New Mailing Address

AC 11 Box 73-F

City, State and ZIP Code

KAMIAH, ID. 83536

New Telephone Number

208 935-2353

5. Date you acquired the property

Aug. 10, 1992

See file 84-10168 for support documentation

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Sharon M. Emberson
(include title if applicable)

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

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For Office Use Only

Received by <u>df</u>	Date <u>2/15/01</u>	Fee <u>605 x 6 = 7150. total</u>	
Received by <u>df</u>	Date <u>2/15/01</u>	Receipt No. <u>NC14146</u>	
Processed by _____	AJ Date _____	WR _____	Date _____

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DISTRICT COURT-SRBA
IDAHO FALLS CO., IDAHO

PAGE 1
Jan-29-2002

MEMORANDUM

Dated: December 10, 2001

To: 84-10168, 84-10169, 84-10170, 84-10171, 84-10172, and 84-10173

From: Roxanne Brown

Re: Change of Ownership

David and Sharon Eriksen submitted a change of ownership form for these rights on February 20 2001, with an associated warranty deed. The legal description contained on the deed did not match the legal descriptions for rights 84-10168, 84-10169, 84-10171 and 84-10173.

Jeff Peppersack wrote a letter to the Eriksens on March 30 2001 summarizing our difficulty processing the change of ownership. The Eriksens subsequently spoke with IDWR adjudication staff and sought to have the partial decrees of these rights set aside so as to correct the descriptions of the points of diversion and places of use.

Standard Form 5 (SF5) documents were prepared for the Eriksens and the request of the SRBA Court and sent to them on December 10, 2001. These documents corrected the points of diversion and places of use on 84-10168, 84-10169, 84-10171 and 84-10173. The documents also change the name of the water right owner to the "David James Eriksen & Sharon McKibben Eriksen Family Trust" as shown on the February 20 2001 ownership change form.

The database records were also changed for 84-10170 and 84-10172 to represent the new ownership. A copy of the corrected information was sent to the Eriksens with the SF5s.

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APR 14 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 10, 2001

David and Sharon Eriksen
Hc11 Box 73-F
Kamiah, ID 83536

Re: Snake River Basin Adjudication (SRBA)
Subcase Nos. 84-10168, 84-10169, 84-10171, 84-10173

Dear Mr. And Mrs. Eriksen:

Please find enclosed a Standard Form 5/Amended Claim form for each of your water rights captioned above. These documents are the standard settlement agreement forms used by the SRBA Court to both amend water right claims and resolve objections. Attached to each of the forms is the description (recommendation) of your water right showing the changes made based upon our discussions and the map you submitted.

Please review these documents carefully. If the information contained on each of the Standard Form 5/Amended Claim forms meets with your approval, please sign the first page where indicated, initial the recommendation print-out (the second page) and follow the instructions on the Certificate of Mailing page for filing the documents with the SRBA Court. Be sure to keep a copy of the signed documents for your records.

Should you have any questions, please don't hesitate to contact me at 208-327-7925. Thank you for your cooperation.

Sincerely yours,

Roxanne Brown
Sr. Water Resource Agent
Idaho Dept. of Water Resources

Enclosures (4)

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APR 14 2005

December 10, 2001

IDAHO DEPARTMENT OF WATER RESOURCES 12/10/2001
AMENDED RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

WATER RIGHT NO. 84-10173

NAME AND ADDRESS: DAVID JAMES ERIKSEN & SHARON MCKIBBEN ERIKSEN FAMILY TRUST
HC 11 BOX 73-F
KAMIAH ID 83536

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/01/1986

POINT OF DIVERSION:

T34N R05E S28 SWSWNE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.04 CFS

PLACE OF USE: STOCKWATER Within IDAHO County

T34N R05E S28 SWNE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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APR 14 2003

CERTIFICATE OF MAILING

I certify that on _____, 2001, I delivered the original and copies of this form to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court	☐ overnight mail
Snake River Basin Adjudication	☐ regular mail
P.O. Box 2707	☐ hand-delivered
Twin Falls, ID 83303-2707	☐ facsimile

2. Copies to:

Clive Strong	☐ overnight mail
Office of the Attorney General	☐ regular mail
P.O. Box 44449	☐ hand-delivered
Boise, ID 83711-4449	☐ facsimile

IDWR Document Repository	☐ overnight mail
P.O. Box 83720	☐ regular mail
Boise, ID 83720-0098	☐ hand-delivered
	☐ facsimile

3. Copies to all parties to the subcase:

David James Eriksen & Sharon McKibben	☐ overnight mail
Eriksen Family Trust	☐ regular mail
HC 11 Box 73-F	☐ hand-delivered
Kamiah, ID 83536	☐ facsimile

Signature of person mailing this document

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SEP 14 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

March 30, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DAVID ERIKSEN
HC 11 BOX 73-F
KAMIAH ID 83536

RE: Change in Ownership of Water Right Nos. 84-10168, 84-10169, 84-10170, 84-10171,
84-10172 and 84-10173

Dear Mr. Eriksen:

This letter is a follow-up to our recent phone conversation regarding the ownership change for the water rights referenced above to the David James Eriksen & Sharon McKibben Eriksen Family Trust. I have completed a review of the place of use for each of the water rights.

The results of my review indicate that there is insufficient documentation to process an ownership change for water right nos. 84-10168, 84-10169, 84-10171 and 84-10173. I have prepared a map of the locations of the water rights as decreed and the locations indicated on the warranty deed submitted with your ownership change notice. I have also included a computer-generated report for each of those water rights. Because the Department cannot process the ownership change without proper documentation, we will hold any action on those water rights pending receipt of the necessary documentation.

Regarding water right nos. 84-10170 and 84-10172, the documentation you have submitted is sufficient to process the ownership change. You will be advised when the database records have been changed to reflect the new ownership.

Please note that water right owners are required to report any change in water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

Please feel free to contact this office if you have any questions.

Sincerely,

Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

March 19, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DAVID JAMES ERIKSEN & SHARON MC KIBBEN ERIKSEN
TRUSTEES FOR THE DAVID JAMES ERIKSEN &
SHARON MC KIBBEN ERIKSEN FAMILY TRUST
HC 11 BOX 73-F
KAMIAH ID 83536

RE: Change in Ownership of Water Rights **84-10168, 69, 71 & 73**

Dear Mr. & Mrs. Eriksen:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

✓ **Legal Description of Property**

During our review of the documentation you submitted we found some discrepancies between that documentation and the legal description of the place of use for the water right(s) indicated in your notice. I have enclosed a copy of the water right decrees for your reference. Also enclosed is a copy of the deed you furnished.

Please note that water right owners are required to report any change in water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage (<http://www.idwr.state.id.us>) on the Internet to obtain the proper forms and instructions.

Please feel free to contact the Department if you have any questions.

Sincerely,

Kari Lynn Townsend
Secretary

KLT:k

Enclosures