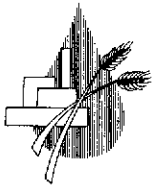


No Color
Documents
In File

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
***** AMENDED *****
CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that D. Gale Cuff
Rt. 2 Box 727 Hayden Lake, Id. 83835 (Name of Claimant)
(Mailing Address) (Zip Code) Telephone No. _____

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 1966

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Unnamed Stream tributary to Sage Creek

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>1.2 AF</u>	Use	<u>Storage for</u>	Period of Use From	<u>1/1</u> To <u>12/31</u>
Quantity	<u>1.2 AF</u>	Use	<u>Fish Propagation</u>	Period of Use From	<u>1/1</u> To <u>12/31</u>
Quantity		Use	<u>Storage for</u>	Period of Use From	
Quantity		Use	<u>Recreation</u>	Period of Use From	
Quantity		Use		Period of Use From	
Quantity		Use		Period of Use From	

(4) 1.2 AF TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE ¼ NE ¼, Sec. 36 Twp. 53N Rge. 3W B.M., County of Kootenai
Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities; be as specific as possible. Describe any changes in the system and give the date of the change. In-stream storage by developed pond.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
53N	3W	36				X													

No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Fish Propagation and Recreation.

NOTE: Include here the type and number of stock watered: _____

(7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai,

} ss.

NOTICE OF AMENDED CLAIM TO A WATER RIGHT

On June 15, 1983, D. Gale Cuff
filed with the Department of Water
Resources Amended Claim
No. 46-4184 to change the source
of water.

The original claim shows the
source as an unnamed spring. The
claimant now wishes the claim to
show the source as an unnamed
stream tributary to Sage Creek.
Any exception to any claim of
water right may be filed with the
Director of the Idaho Department
of Water Resources, 4055 Govern-
ment Way, Coeur d'Alene, Id.
83814.

KEN DUNN, Dir.

Legal 158

June 30, July 7, 1983

Carol Hedge being first duly sworn
upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The

of which the annexed is a printed copy, was published in the regular
issue of said newspaper for 2 consecutive weeks
commencing on the 30 day of June, 1983, and
ending on the 7 day of July, 1983, and such
publication was made as often during said period as said
newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Subscribed and sworn to before me this

1983.

Roberta Manly
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

RECEIVED

JUL 12 1983

Department of Water Resources
Northern District Office

Spec 36
T 63 N
R 3 W

P.D. Pond
& Place of use

Received by JK Date 4-1-77 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by _____ Date _____ claimant by: _____
\$10.00 fee received by JK Date 4-1-77 (4995)
Approved for publication by _____
Published in Coeur d'Alene Press _____
Dates 4-14 & 4-21-77 _____
4-28-77 p. 104

AFFIDAVIT OF PUBLICATION

**NOTICE OF CLAIM
TO A WATER RIGHT
NO. 96-4184**

Notice is hereby given that D. Gale Cuff, Route 2, Box 727, Hayden Lake, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 1.2 acre feet per annum to beneficial use of 1.2 acre feet per annum of water from an Unnamed Spring with point of diversion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, T. 53N, R. 3W, B.M., Kootenai County.

The water is claimed to be used from Jan. 1 to Dec. 31 for storage for fish propagation and recreation with a priority of 1966; the place of use is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, T. 53N, R. 3W, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho, 83814.

C. STEPHEN ALLRED
Director

Legal 50
Apr. 14, 21, 1977

STATE OF IDAHO,
County of Kootenai,

} ss.

Caral Hedge being first duly sworn upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The

Notice
of which the annexed is a printed copy, was published in the regular Times issue of said newspaper for 2 consecutive Weeks commencing on the 14 day of April, 1977, and ending on the 21 day of April, 1977, and such publication was made as often during said period as said Daily newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Subscribed and sworn to before me this 21 day of April, 1977.

Roberta Drankley
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

July 10, 1990

RE: Claims Nos. 96-4184, 96-4185 & 96-4186

D. Gale Cuff
Rt. 2, Box 727
Hayden Lake, ID 83835

Dear Mr. Cuff:

We are in receipt of the correspondence concerning ownership of the above referenced water rights claims.

In Idaho, a claimed water right is considered real property and is acquired when the property to which it is appurtenant is purchased. Proof of owning the land is proof of owning the water right claim, if the previous land owner did not exclude the water right from the sale. Therefore, we will place your correspondence in the files for future reference only and no further action will be taken.

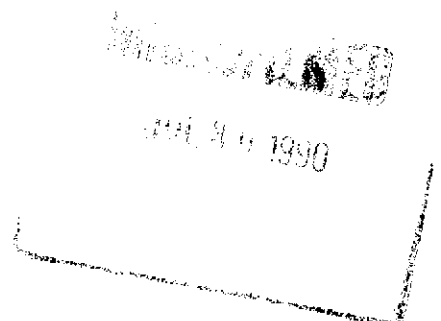
If you have any questions, please let us know.

Sincerely,

Sharla Curtis

SHARLA CURTIS
Clerical Specialist

SC:js





William R. Robinette, GRI, CCIM—President

May 29, 1990

Dept. of Water Resources
Water Rights
1910 Northwest Blvd. #210
Coeur d'Alene, ID 83814

RECEIVED
JUN 1 1990

Department of Water Resources

This letter is to advise you of change of ownership to the following water claims.

#96-4184
#96-4185
#96-4186

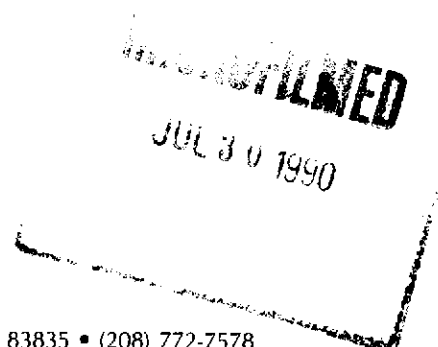
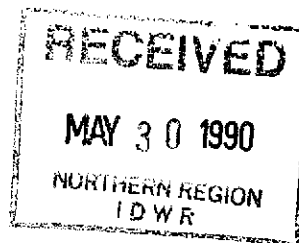
Irrigation, Domestic and Fishpond

These should be changed from D. Gale Cuff to Martin & Dolores Hernandez, 1021 Concourse Street, La Habra, CA 90631.

Sincerely,

Bill Robinette
Select Properties Co.

BR/kdr



NOTICE OF AMENDED CLAIM TO A WATER RIGHT

On June 15, 1983, D. Gale Cuff filed with the Department of Water Resources Amended Claim No. 96-4184 to change the source of water.

The original claim shows the source as an unnamed spring. The claimant now wishes the claim to show the source as an unnamed stream tributary to Sage Creek.

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Id. 83814.

KEN DUNN, Dir.

Published in the Coeur d'Alene Press on 6/30 and 7/7/83.

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

August 2, 1983

Mr. D. Gale Cuff
Rt. 2 Box 727
Hayden Lake, Id. 83835

Re: 96-4184

Dear Claimant:

The Department of Water Resources has completed the advertising of your Amended Claim to a Water Right and no further action is authorized under Section 42-243 and 42-244, Idaho Code. Your amended claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the amended claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your amended claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the amended claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your amended claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

Enclosure

RECEIVED
FBI
AUG 10 1983



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

Route 5, Box 203 - Suite #1
4055 N. Government Way

COEUR D'ALENE, IDAHO 83814

(208) 667-6484

April 29, 1977

RE: Claim No. 96-4184

D. Gale Cuff
Rt 2 Box 727
Hayden Lake, Id 83835

Dear Mr Cuff,

The Department of Water Resources has completed the processing of your claim to a water right, and no further action is authorized under Section 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of a claim does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with our office.

We are enclosing, for your records, a copy of your claim. If you have any questions, or if we may be of any further assistance, please contact us.

Very truly yours,

ROBERT G. HAYNES
District Supervisor

RGH:CP

Enclosure

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

April 8, 1977

Re: Attached Legal Notices

Coeur d'Alene Press
Second & Lakeside
Coeur d'Alene, ID 83814

Gentlemen:

Enclosed is a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:cp

Enc: Legal Notice(s)

MICROFILMED

Bill Received
4-29-77
B

NOTICE OF CLAIM TO A WATER RIGHT

NO. 96-4184

Notice is hereby given that D. Gale Cuff,
Route 2, Box 727, Hayden Lake, Idaho
has filed a claim to a water right established by diversion and application
to beneficial use of 1.2 ~~acres~~ acre feet per annum
~~gallons per minute~~
of water from an Unnamed Spring
with point of diversion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, T. 53N, R. 3W, B.M.,
Kootenai County

The water is claimed to be used from Jan. 1 to Dec. 31 for storage
for fish propagation and recreation
with a priority of 1966;
the place of use is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, T. 53N, R. 3W, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho,
83814.

C. STEPHEN ALLRED
Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho
on April 14 and April 21, 1977

MICROFILMED