

RECEIVED

AUG 18 2023

DEPARTMENT OF
WATER RESOURCES

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: 95-18452
Date Received:
Receipt No:
Claim Fee: \$2500
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day

1. Name of Claimant(s)

ANNA HUELMAN HERTZBERG
PO BOX 430
SPIRIT LAKE ID 83869

Phone: (208) 265-4801

2. Date of Priority: 2/9/1982

3. Source:

GROUND WATER
GROUND WATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
54N	05W	13	NE NE	1	BONNER	
54N	05W	13	NE NE	1	BONNER	

5. Description of diverting works:

2 WELLS WITH PIPELINE TO HOLDING TANK, AND THEN PIPED TO HOME. SHARED WATER SYSTEM
WITH PARCEL NO. RP54N05W130050A (WATER RIGHT CLAIM 95-18453)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
DOMESTIC	01/01	12/31	0.01		

7. Total Quantity Appropriated is:

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

8. Non-irrigation uses:

DOMESTIC USE FOR ONE HOME

9. Place of use:

DOMESTIC within BONNER County

Township	Range	Section	¼	of	¼	Lot	Acres
54N	05W	13	NE		NE	1	

10. Do you own the property listed above as place of use? Yes

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:

DATE WELL COMPLETED AND FIRST PUT TO BENEFICIAL USE. LIVED IN BOBILE HOME UNTIL PRIMARY HOUSE WAS COMPLETED.

13. Basis of Claim: Beneficial Use

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 X 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): Anna Huelman Hertzberg Date: 5-4-23

Date: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORTUSE TYPEWRITER OR
BALLPOINT PENState law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

1. WELL OWNER Name <u>Bill & Ann Bauder</u> Address <u>St Rt Box 4528 Spritlake 83869</u> Owner's Permit No. <u>96-82-N-1</u> <u>Idaho</u>	7. WATER LEVEL Static water level <u>50</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☒ Cap ☐ Plug Temperature <u>Cold</u> °F. Quality <u>Good</u>																																																																						
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____	8. WELL TEST DATA ☐ Pump ☐ Bailer ☐ Air ☐ Other _____ <table border="1"><thead><tr><th>Discharge G.P.M.</th><th>Pumping Level</th><th>Hours Pumped</th></tr></thead><tbody><tr><td><u>2.5</u></td><td><u>-</u></td><td><u>1/2 hr.</u></td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></tbody></table>	Discharge G.P.M.	Pumping Level	Hours Pumped	<u>2.5</u>	<u>-</u>	<u>1/2 hr.</u>																																																																
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3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)	9. LITHOLOGIC LOG <table border="1"><thead><tr><th rowspan="2">Hole Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th colspan="2">Water</th></tr><tr><th>From</th><th>To</th><th>Yes</th><th>No</th></tr></thead><tbody><tr><td><u>8</u></td><td><u>0</u></td><td><u>3</u></td><td><u>Topsoil</u></td><td></td><td><u>X</u></td></tr><tr><td></td><td><u>3</u></td><td><u>58</u></td><td><u>Decomposed Granite</u></td><td></td><td><u>X</u></td></tr><tr><td></td><td><u>58</u></td><td><u>62</u></td><td><u>Granite</u></td><td></td><td><u>X</u></td></tr><tr><td><u>6</u></td><td><u>62</u></td><td><u>90</u></td><td><u>Granite</u></td><td></td><td><u>X</u></td></tr><tr><td></td><td><u>90</u></td><td><u>86</u></td><td><u>Granite (Soft)</u></td><td><u>X</u></td><td></td></tr><tr><td></td><td><u>86</u></td><td><u>193</u></td><td><u>Granite</u></td><td></td><td><u>X</u></td></tr><tr><td></td><td><u>193</u></td><td><u>208</u></td><td><u>Granite (Med)</u></td><td><u>X</u></td><td></td></tr><tr><td></td><td><u>208</u></td><td><u>300</u></td><td><u>Granite</u></td><td></td><td><u>X</u></td></tr><tr><td colspan="6">1 GPM @ 90</td></tr><tr><td colspan="6">1.5 GPM @ 208</td></tr></tbody></table>	Hole Diam.	Depth		Material	Water		From	To	Yes	No	<u>8</u>	<u>0</u>	<u>3</u>	<u>Topsoil</u>		<u>X</u>		<u>3</u>	<u>58</u>	<u>Decomposed Granite</u>		<u>X</u>		<u>58</u>	<u>62</u>	<u>Granite</u>		<u>X</u>	<u>6</u>	<u>62</u>	<u>90</u>	<u>Granite</u>		<u>X</u>		<u>90</u>	<u>86</u>	<u>Granite (Soft)</u>	<u>X</u>			<u>86</u>	<u>193</u>	<u>Granite</u>		<u>X</u>		<u>193</u>	<u>208</u>	<u>Granite (Med)</u>	<u>X</u>			<u>208</u>	<u>300</u>	<u>Granite</u>		<u>X</u>	1 GPM @ 90						1.5 GPM @ 208					
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4. METHOD DRILLED ☒ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☐ Cable ☐ Dug ☐ Other _____	RECEIVED APR 9 1982 Department of Water Resources COMM. 1982 RECEIVED MAR 31 1982 Department of Water Resources Northern District Office																																																																						
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ <table border="1"><thead><tr><th>Thickness</th><th>Diameter</th><th>From</th><th>To</th></tr></thead><tbody><tr><td><u>.250</u> inches</td><td><u>6</u> inches</td><td><u>2</u> feet</td><td><u>62</u> feet</td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr></tbody></table> Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches <table border="1"><thead><tr><th>Number</th><th>From</th><th>To</th></tr></thead><tbody><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></tbody></table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>20</u> Material used in seal: ☐ Cement grout ☒ Puddling clay ☒ Well cuttings Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Overbore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld _____ ☐ Cemented between strata Describe access port _____		Thickness	Diameter	From	To	<u>.250</u> inches	<u>6</u> inches	<u>2</u> feet	<u>62</u> feet													Number	From	To																																															
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6. LOCATION OF WELL Sketch map location must agree with written location. Microfilmed <table border="1"><tr><td>N</td><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td>X</td><td></td></tr><tr><td></td><td></td><td></td><td></td><td></td></tr><tr><td>E</td><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td><td></td></tr><tr><td>S</td><td></td><td></td><td></td><td></td></tr></table> County <u>Bonner</u> <u>NE 1/4 NE 1/4 Sec. 13, T. 54N, R. 5E</u> Subdivision Name _____ Lot No. _____ Block No. _____	N								X							E															S					10. Work started <u>2/8/82</u> finished <u>2/9/82</u>																																			
N																																																																							
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S																																																																							
11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. <u>Associated Well</u> Firm Name <u>Drillers Inc</u> Firm No. <u>245</u> Address <u>Box 723</u> Date <u>2/10/82</u> <u>C.D.A.</u> Signed by (Firm Official) <u>[Signature]</u> and (Operator) <u>Robert F. Degitz</u>																																																																							

MAY 08 2023

DEPARTMENT OF
WATER RESOURCES

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

In Re CSRBA

Case No. 49576

Subcase

95-18452

(Insert water right number)

STANDARD FORM 4

**MOTION TO FILE A LATE NOTICE OF
CLAIM**

INSTRUCTIONS

This form is used to file a late Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the CSRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form.

The water right number for your late Notice of Claim must be indicated above in the blank space following "Subcase." To obtain your water right number, contact the Idaho Department of Water Resources. You must use a **separate form for each** late Notice of Claim.

By filing a Motion to File a Late Notice Claim, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.



I have read *CSRBA Administrative Order 1*, Rules of Procedure.

SCANNED
MAY 08 2023

My name is Anna Huelman Hertzberg

My address is PO Box 430 Spirit Lake, ID 83869

My phone number is: work _____ Home 208-265-4801

☐ I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

☒ I did not file a Notice of Claim to the use of water in the CSRBA because:

I did not know I needed to.

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☐ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you must attach a copy of your Notice of Claim.)

A Motion to File Late Notice of Claim will require a hearing before the Presiding Judge.

Follow these instructions regarding the hearing on the motion.

1. Contact the Clerk of the CSRBA Court at (208) 736-3011 to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on August 15⁽²⁰²³⁾ 1:30 PM (PT)
(insert date and time)
at the CSRBA Courthouse, 253 Third Avenue North, Twin Falls, Idaho.

I have attached:

- ☒ A fully completed Notice of Claim (available from IDWR).
- ☒ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. §42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ 2500.
- ☐ A claim filing fee and a late claim fee for those claims other than domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.

Anna Huelman Hertzberg
(Signature of person filing motion)

(Attorney signing in representative capacity)

INSTRUCTIONS FOR MAILING

You must mail the Motion, to the Clerk of the court. **FAX filings will not be accepted.**
You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on MAY 4, 2023, I mailed the original and copies of this Motion, including all attachments, to the following persons:

1. Original to:

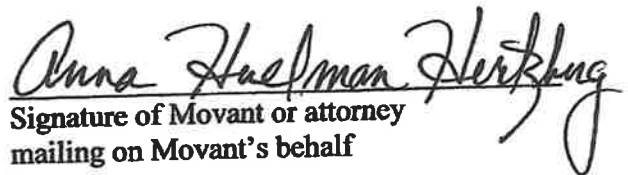
Clerk of the District Court
Coeur d'Alene-Spokane River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
State of Idaho
PO Box 83720
Boise, ID 83720-0010


Signature of Movant or attorney
mailing on Movant's behalf