

RECEIVED

NOV 14 2017

IDWR / NORTH

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: 95-8731
Date Received: 11-14-2017
Receipt No: NO 33040
Amount Paid: \$ 103.00
Received By: SK

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ROSS WELBURN
12181 STRAHORN RD
HAYDEN LAKE ID 83835

S. CURT LABARRE
Cheryl LABARRE
7806 E. Gem Shores Rd.
Hayden Lake ID 83835

Phone: (208) 772-8271
949-244-3272 Cell
949-244-3271 Cell

2. Date of Priority: 12/5/1991

3. Source:
HAYDEN LAKE

Trib. to:
SINKS

4. Point of Diversion:

Township	Range	Section	% of % of %			Lot	County	Type
51N	03W	10	SE	SW	NE	5	KOOTENAI	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	3/15	11/15	0.05		9

7. Total Quantity Appropriated is:

0.05 C.F.S. and/or 9 A.F.A.

8. Non-irrigation uses:

9. Place of use:

IRRIGATION within KOOTENAI County

Township	Range	Section	¼	of	¼	Lot	Acres
51N	03W	10	SW		NE	5	1.5
51N	03W	10	SE		NE	5	1.5

Total Acres = 3

10. Do you own the property listed above as place of use? Yes AS of 11-3-17

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:

Use of water under this water right will be regulated by the watermaster of State Water District No. & DISTRICT.

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for irrigation of the lands above.

A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

13. Basis of Claim: License

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 ✓ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 5

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):

J. (m) A. Baum

Date: 11-7-17

Cheryl LaBarre

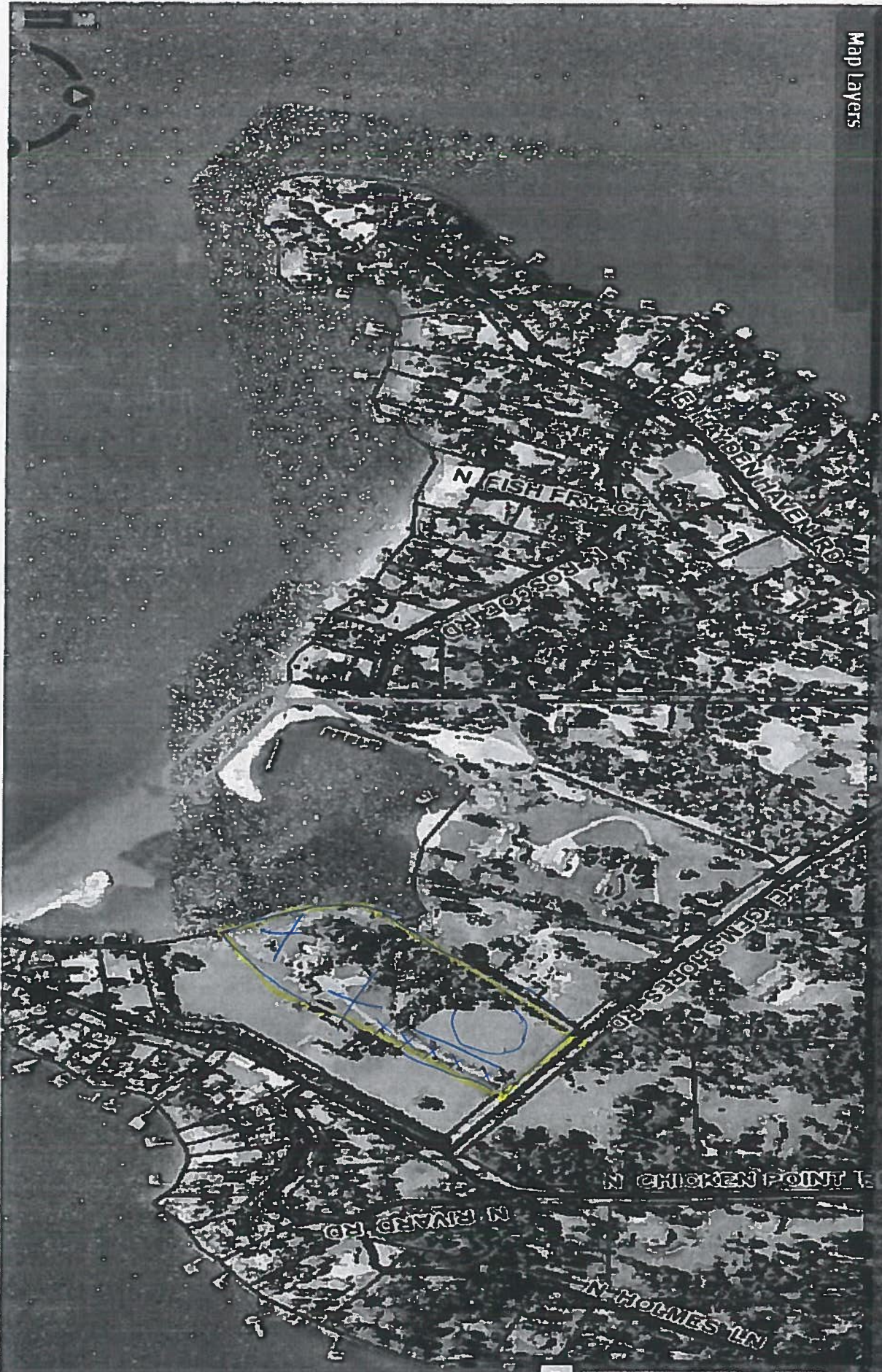
Date: 11-7-17

Note: We will be replacing current pump that is malfunctioning with a new safer pump with a circuit breaker at the shore. Inland pump will be doing the job most likely in the spring.

PIN 0284 0001 0005 A

Kootenai County
Index of Maps

Map Layers



Areas of Indication are marked w/ X
Inside w/ (X) is not indicated

LAHAPPE

Price	0-28
0-28	0-28
0-28	0-28
0-28	0-28
Own	Own
AIN	AIN
Par	Par
App	App
Ino	Ino
Leg	Leg

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 95-08731

Priority: December 5, 1991

Maximum Diversion Rate:

0.05 CFS

Maximum Diversion Volume:

9.0 AF

This is to certify, that ROSS WELBURN

12345 GEM SHORES RD

HAYDEN LAKE ID 83835

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 5, 1991; and has submitted Proof of Beneficial Use on April 6, 1992. An examination indicates that the works have a diversion capacity of .050 cfs of water from:

HAYDEN LAKE

tributary to SINKS

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.05 CFS	9.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 5 (SESWNE), Sec. 10, Township 51N, Range 03W
KOOTENAI County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
51N	03W	10	Lot 5 (SWNE) 1.5	Lot 5 (SENE) 1.5		3

Total number of acres irrigated: 3

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right limited to the amount that can actually be beneficially use used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
6. Use of water under this water right will be regulated by the watermaster of State Water District No. 95A.
7. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.

JAN 21 1994

LABARE

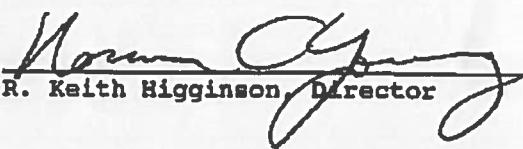
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 95-08731

CONDITIONS/REMARKS:

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 17th
day of NOVEMBER, 1993.

Acting for 
R. Keith Higginson, Director

JAN 21 1994

LAPARRE

PERMIT # 95-08231

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

PHOTOGRAPHS

PD

pump

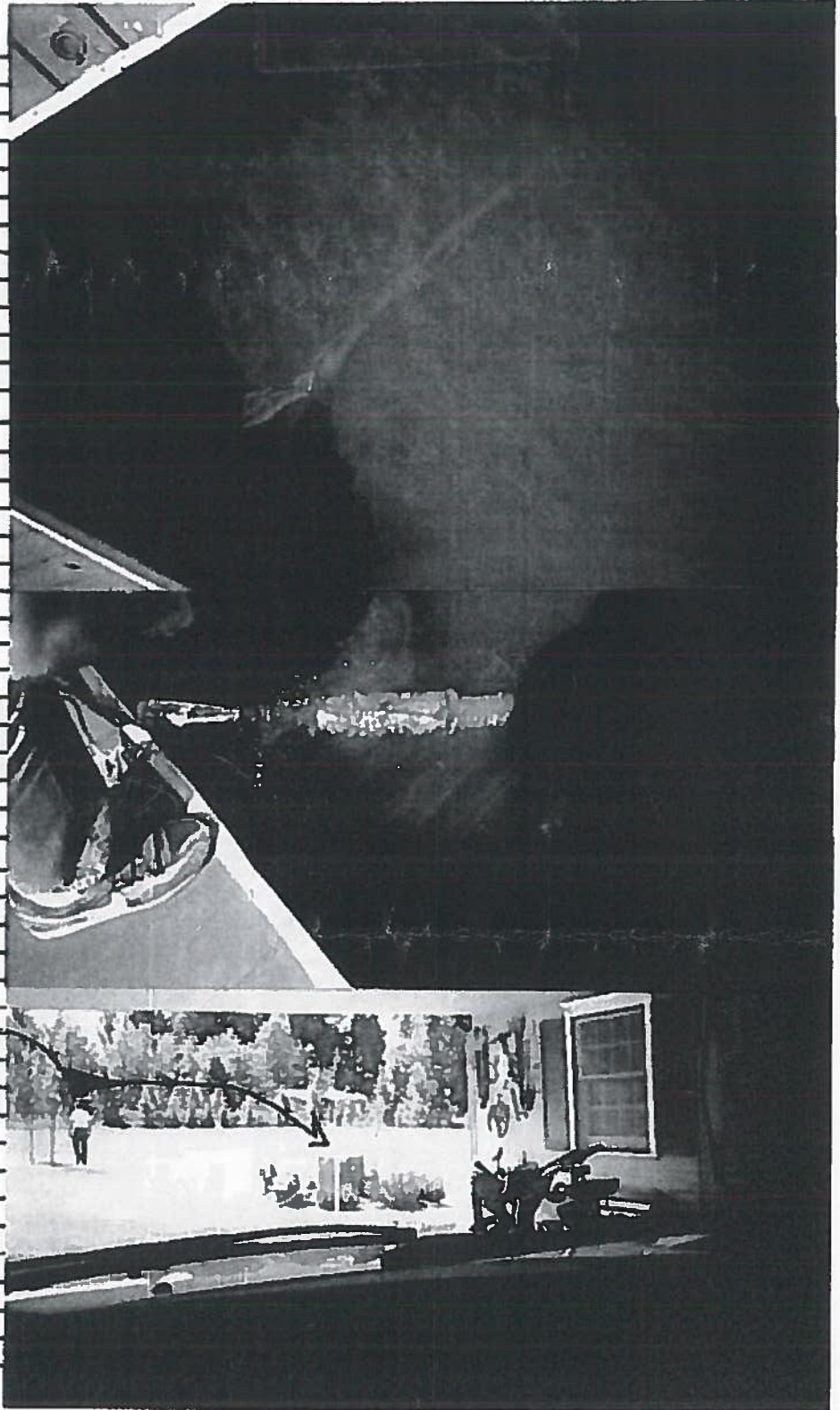
~~rise~~

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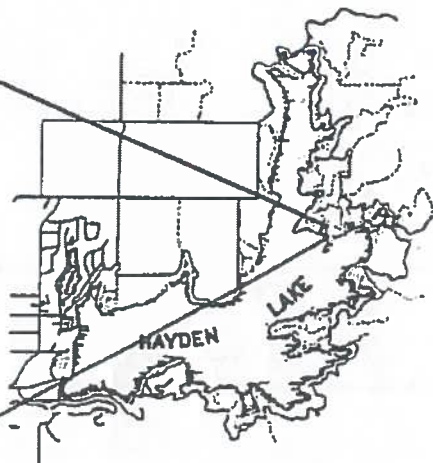
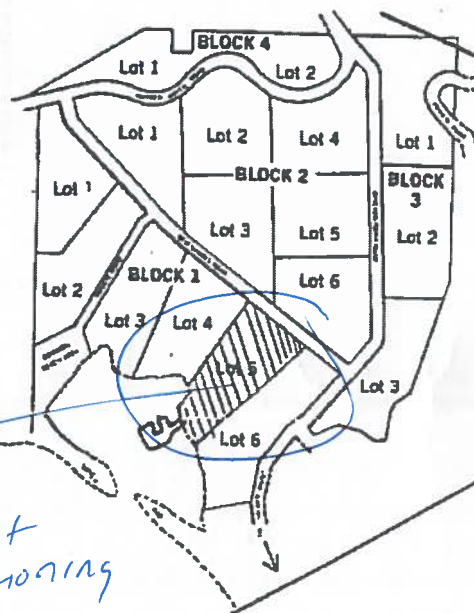
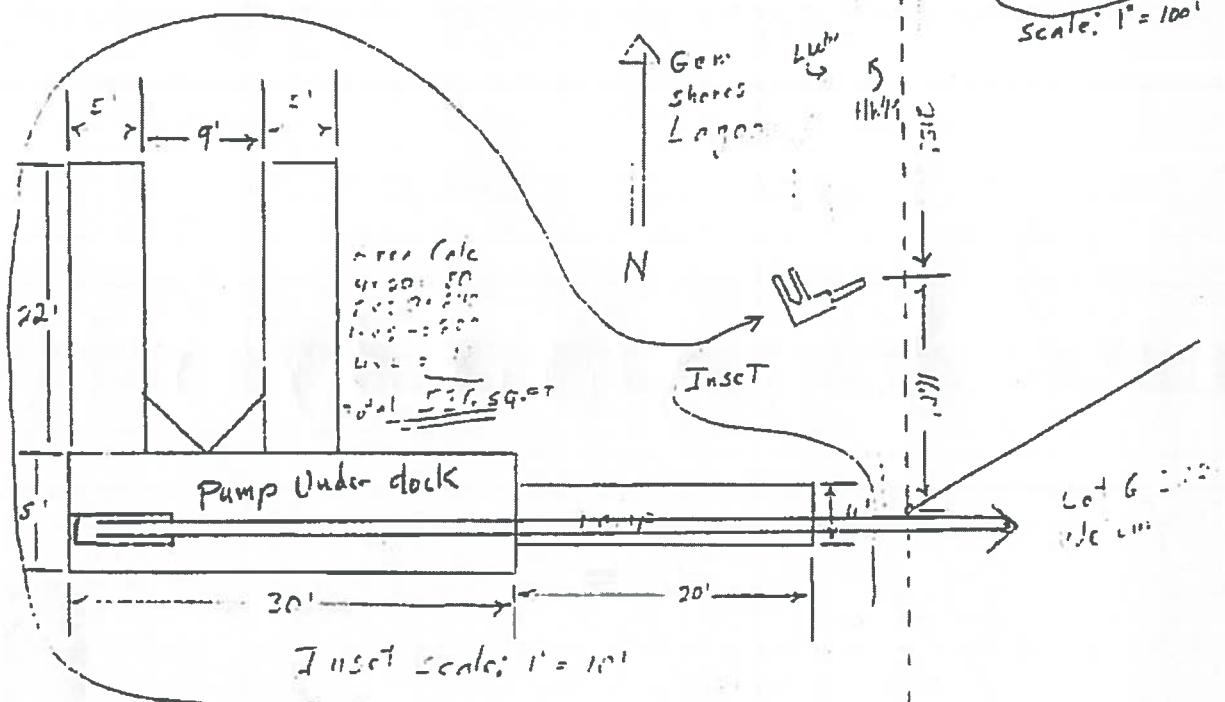
10/11/94

121 1994

LABARRE



Soc 10, Township 51N, range 3W



Lot 5

Will be replacing
pump AS current
pump is malfunctioning

Curt & Cheryl
LABANNE
806 E. Gemstones Rd.
Hayden Lake, ID 83835

~~WELBURN~~
~~3540 Happy Valley Rd.~~
~~Smith River, CA 95404~~

MR. & MRS. ROSS WELBURN
12345 Gem Shores Rd.
Hayden Lake, ID 83835

MICROFILMED

MAR 06 1992

Figure "A"