

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 CLARK FORK-PEND OREILLE RIVER
BASIN WATER SYSTEM**

CIVIL CASE NUMBER: 69576

Claim ID: 97-4020
Date Received: 12-27-2021
Receipt No: NO380816
Claim Fee: 25.00 By: NL

RECEIVED

DEC 27 2021

IDWR / NORTH

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

Please type or print clearly

1. Name of claimant(s) Settlement Ranch LLC Phone (208) 448-2511
Mailing address 12 Dew Valley Loop Priest River ID Zip 83856
Street or Box City State
Email address (optional) Priest River Glass @ Priest River, ID
 2. Date of priority: (Only one per claim) 1/1/1928 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
 3. Source of water supply (Check one) Ground Water () or Other (✓) (a) Unnamed Stream
which is tributary to (b) Pend Oreille River
 4. Location of point of diversion is: Township 56N, Range 04W, Section 33,
NE 1/4 of NE 1/4, or Govt. Lot _____ BM, County of Bonner;
Parcel no. _____
Additional points of diversion, if any: _____
If available, GPS coordinates: _____
 5. Description of diverting works (wells, pumps, spring boxes, pipelines, 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.
Spring to Sister's exits via Pipeline
 6. Water is claimed for the following: (limited to domestic and/or stockwater uses - see page 1 of the instructions)
- | | | Month/Day | Month/Day | cfs (✓) or AFY () |
|-----|------------|---------------|--------------|--------------------|
| For | Domestic | purposes from | 1/1 to 12/31 | amount .04 |
| For | Stockwater | purposes from | 1/1 to 12/31 | amount .02 |
7. Total quantity claimed .06 cfs (✓) or AFY ()
 8. Non-irrigation uses. Describe fully. (Domestic: give number of homes; Stockwater: list number and kind)
1 home

9. Location of place of use is: Township 56N, Range 04W, Section 33,
SE 1/4 of NW 1/4, Govt. Lot _____ BM, Parcel no. _____
If different than shown in Item 4
for (check one) **Domestic** () **Stock** () **Domestic and Stock** (✓)

Additional places of use, if any _____

10. In which county(ies) are lands listed above as place of use located? Bonner

11. Do you own the property listed above as place of use? Yes (✓) No ()
If the 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):

Based on statutory claim 97-4020.

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 97-4020

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 Clark Fork-Pend Oreille River Basin Water System 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: 4

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:

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

_____ of _____,
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 _____ Date _____

Printed Name of Authorized Agent _____

16. **Notice of Appearance:**

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

Identification No.

97-4020 P

Claim No.

Map No.

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant FRANK D. JACHETTA
post office address Rt 1, Box 82 Priest River, Idaho

2. The point of diversion is in NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 33 Township 56N
Range 4W B.M. located on Unnamed Creek
(name of source)
tributary to Pend Oreille River in Bonner County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

Jan. 1, 1929 amount: 1 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed 1 c.f.s. or _____ acre feet.

b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use Domestic period of use from Jan 1 to Dec. 31 (both dates inclusive)
use Stock Watering period of use from Jan 1 to Dec. 31 (both dates inclusive)
use Irrigation period of use from April 1 to Sept. 15 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of none
_____; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; with at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

b. Underground water diverting works: is well flowing or pumped N/A; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____
_____;

attach well logs if available; has there been any change in pump or motor since well was first completed _____; if so, give dates and explain _____

- c. Conveying works: length of ditch to place of use is _____ feet; width of ditch at top is _____ feet; width of bottom of ditch is _____ feet; depth of water is _____ feet; grade of ditch per 1000 feet is _____ feet; material through which ditch passes is _____; maximum length of pipe line to first place of use is 3200 feet; diameter of pipe line is 1 1/2 inches; type of pipe metal water pipe; grade of pipe per 1000 feet is 2 feet. Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible none

- d. If water is stored: name of reservoir no name; total capacity of reservoir is 3000 gal acre feet; active capacity of reservoir is 3000 gal acre feet; year construction commenced 1927 est year completed 1928 est date first used 1928 est period of storage is from Jan. 1 to Dec. 31; is reservoir drained each year no; is reservoir on or off stream yes explain see below for explanation

if feeder canal is used give maximum carrying capacity pipeline f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions Reservoir is located in SW 1/4 of NE 1/4 Sec. 33, TWP 56 North Range 4 WBM

has there been any enlargement of the reservoir since it was first built no, if so, give dates and describe _____

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>56N</u>	<u>4</u>	<u>33</u>							<u>2</u>										<u>2</u>

Total number of acres to be irrigated 2

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

none

b. Do you get water through a ditch owned by several users? yes If yes, give the name of the ditch ditch contains pipeline-no name. The other users and their respective interests in the ditch are (if known) Melvin Will (extent of interest in ditch and pipeline unknown)

6. Where water is used for stock watering, give number of each kind of stock watered 75 head beef cattle

7. Where water is used for domestic or municipal purposes give number of families served two
name of town supplied N/A

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, giving dates and quantities See below for narative explanation

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation
This is a claim to lcfs which is used year around for domestic and household uses and for watering approximately 75 head of beef cattle, and part of the year for irrigation purposes as set out above. The water is diverted from an unnamed stream by use of a pipe laid in the streambed approximately 1 and 1/2 inches in diameter. Water is then run about 2600 feet to a concrete reservoir measuring 5 feet deep by 10 feet wide by 20 feet long, containing a capacity of about 3000 gallons. This reservoir is covered and water continuously flows into it, the overflow being piped back into the same stream from which it comes. From the reservoir, the water is piped about 600 feet to claimant's dwelling house and barns and irrigati system. This is strictly a gravity flow system, and no pumps are used until the water actually reaches the claimant's premises.

State of Idaho

County of Bonner

ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 14 day of October, 1972.

Frank D. Jachetta
Claimant
Thomas E. Cook
Notary Public
Residing at Priest River

My commission expires 2-23-75

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