

JAN 24 2022

DEPARTMENT OF
WATER RESOURCES

Form No.42-1409-1 (Internet 5/17)

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

Claim ID: 959671

Date Received: _____

Receipt No: _____

Claim Fee: _____ By: _____

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

Please type or print clearly

- Name of claimant(s) Armand H. Anderson - Mary L. Marshall Phone (208) 683 1214
Mailing address 13000 E NUNN Rd ATHOL Id Zip 83801
Street or Box City State
Email address (optional) _____
- Date of priority: (Only one per claim) 7-2-1910 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
- Source of water supply (Check one) Ground Water () or Other () (a) Greencreek
which is tributary to (b) Sage Creek
- a. Location of point of diversion is: Township 53 N, Range 02 W, Section 32,
SE 1/4 of NW 1/4, Govt. Lot _____, BM, County of Kootenai
Parcel no. 53N02W323200
Additional points of diversion, if any: _____
If available, GPS Coordinates _____
- b. If instream flow, beginning point of claimed instream flow is:
Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, County of _____
Ending point is: Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, County of _____
- Description of existing diversion works (dams, reservoirs, ditches, wells, pumps, pipelines, headgates, 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.

pump pipelines sprinklers ditches

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD) (cfs) (acre-feet)

For Domestic purposes from 01/01 to 12/31 amount 0.02 or _____

For Irrigation purposes from 04/01 to 10/31 amount 0.56 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.58 (cfs) and/or (b) _____ (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
53N	02W	32						x											23
53N	02W	32										x							5

Parcel no(s). 53N02W323200 Total number of acres irrigated 28

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

11. Do you own the property listed above as place of use? Yes (x) No ()
If your 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.
Sage Creek or None ()

13. Remarks (Include an explanation of the priority date selected):
Water license #6434 July 2 1910
for purpose of irrigation and domestic use

Name of claimant(s) Armand H. Anderson Claim ID 95-9671
Mary L Marshall

Map of Project: Attach aerial photograph or topographic map showing clearly the point of diversion, place of use, section number, township, and range number, unless unavailable. Otherwise sketch the elements above on the grid below.

Scale: 2 inches equals 1 mile

See map attached

[illegible]

Name of claimant(s) Armand H Anderson
Mary L Marshall

Claim ID 95-9671

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 95-9671

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 Coeur d'Alene-Spokane River Basin Water System 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: 3

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) Armand H Anderson Date: 1-14-2022

Mary L Marshall Date: 1-14-2022

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 on behalf of 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.

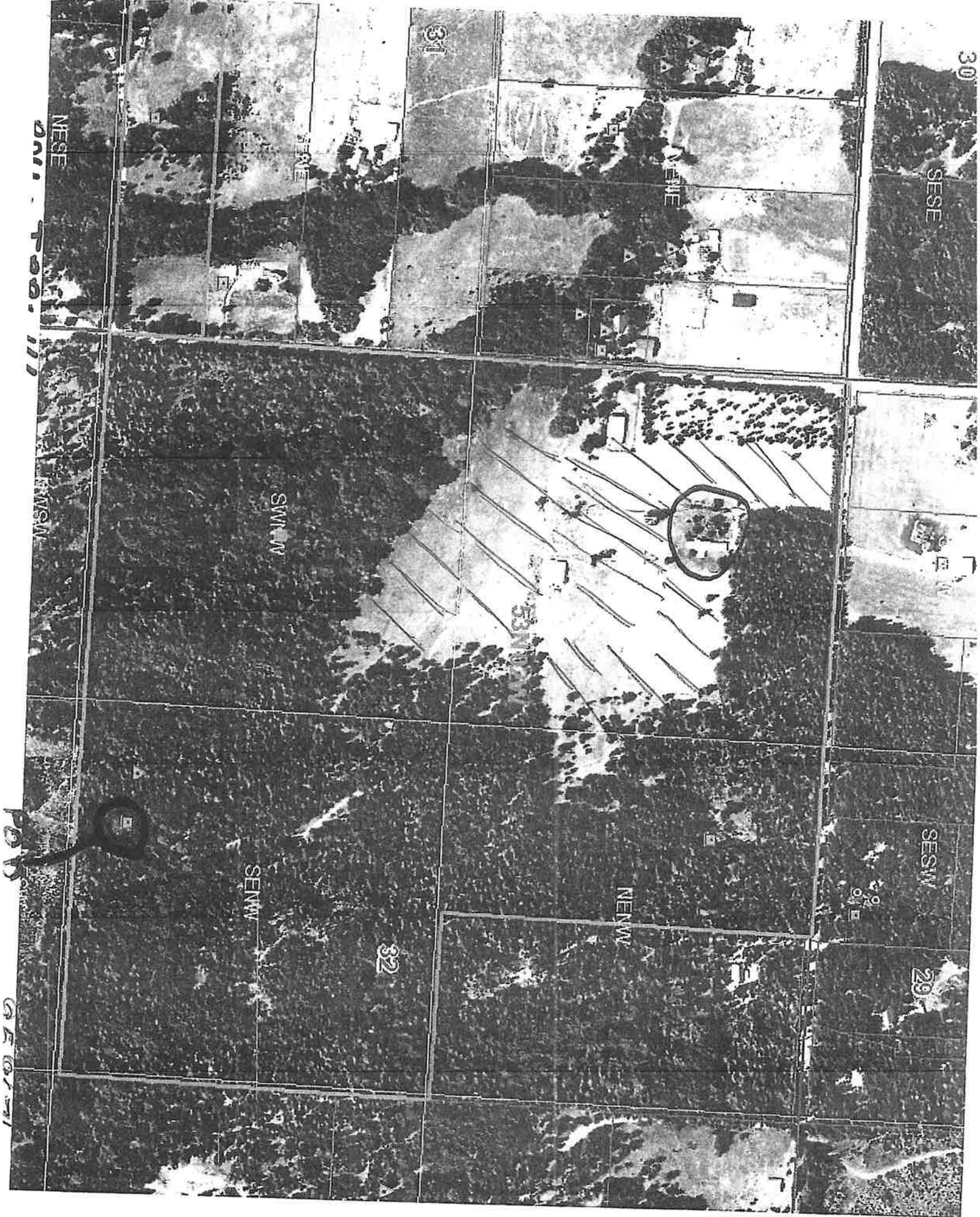
Signature _____ Date _____

Address _____

Name of claimant(s) Armand H Anderson

Mary L Marshall

Claim ID 95-9671



95-9671

2 →

County: Kootenai
Stream: Green Creek
Amount: 26/50 of 1 cu.ft. per sec.
Use: irrigation
Priority: July 2, 1910.

STATE OF IDAHO

Water License No. 6434

95-9671

WHEREAS, On the 2nd day of July, A. D. 1910,
Joyce Bubb

of Athol, County of Kootenai, State of Idaho, duly made application
(No. 9185) to me for a permit to use one (1) cubic foot per second of the waters of
Green Creek

County of Kootenai, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 12th day of August, A. D. 1910, Permit No. 6434 was issued
to said applicant for the diversion of said water and providing for the completion of the works of diversion
therein described on or before the 12th day of August, A. D. 1911, and for the application to ben-
eficial use of said water on or before the 12th day of August, A. D. 1914, and,

WHEREAS, On the 2nd day of August, A. D. 1911,
Joyce Bubb

the holder of said permit, duly made proof of the completion of adequate works for the diversion of
one (1) cubic foot per second of said waters, as evidenced by my Certificate No. 6434
dated July 2, 1910, confirming the completion of works of sufficient capacity for diverting and
conveying to the place of intended use one (1) cubic foot per second of said water,
with date of priority of July 2, 1910, and

WHEREAS, On the 12th day of August, A. D. 1914,
Joyce Bubb

the holder of said permit, duly made proof of the application to beneficial use of 26/50 of 1 cubic
foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I
hereby grant and confirm to Joyce Bubb

of Athol, County of Kootenai, State of Idaho, the holder and owner
of said Permit No. 6434, a perpetual right, dating from July 2, 1910
to the use of 26/50 of 1 cubic foot per second of the waters of Green Creek

in the County of Kootenai and State of Idaho, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point 10 rods west of southeast corner
of NW $\frac{1}{4}$ of Sec. 32, T. 53 N., R. 2 W.B.M..

and conducted to and upon 26 acres in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 32, T. 53 N., R. 2 W.B.M.,

for the purpose of irrigation and domestic use, subject, however, to the laws of the
State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local
or community customs, rules and regulations which have been or may be adopted from time to time by
a majority of the users from a common source or supply, canal or lateral from which such water may
be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 24th day of August
A. D. nineteen hundred and fourteen.

F. P. King,

(Seal)

State Engineer.

RECEIVED

JAN 24 2022

DEPARTMENT OF
WATER RESOURCES

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

DISTRICT COURT - CSRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

In Re CSRBA
Case No. 49576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 95-09671

NOV - 8 2019

By

Clerk

Deputy Clerk

NAME AND ADDRESS: ARMAND H ANDERSON
13000 E NUNN RD
ATHOL, ID 83801

SOURCE: GREEN CREEK TRIBUTARY: SAGE CREEK

QUANTITY: 0.02 CFS

The quantity of water under this right shall not exceed 13,000
gallons per day.

PRIORITY DATE: 07/02/1910

POINT OF DIVERSION: T53N R02W S32 SENW Within Kootenai County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Domestic 01-01 TO 12-31 0.02 CFS
Domestic use is for 1 shop.

PLACE OF USE: Domestic T53N R02W S32 NNNW Within Kootenai County

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

The remainder of this right was not claimed in the Coeur d
Alene-Spokane River Basin Adjudication.
The quantity of water decreed for this water right is not a
determination of historical beneficial use.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Eric J. Wildman
Presiding Judge of the
Coeur d'Alene-Spokane River Adjudication