

My name is Armand H. Anderson / Mary L. Marshall

My address is 13000 E NUNN Rd
ATHOL Id. 83801

My phone number is: work _____ Home 208 683-1214

☐ 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:

We did not receive anything on water rights
#95-9746 (old # 96-4072) with a priority
date of 6-1-1920. in the Feb. 9, 2018 mailing package
so it was overlooked

☐ 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.)

Claim to a Water Right # 96-4072 - renumbered to 95-9746
letter from Anthony Bubb dated July 16, 1973 - to establish
priority date of 1920 for 15 acres water from Sage Creek

Idaho Dept. of Water Resources Proof Report water rights
dated 10-21-2021 # 95-9746

use letter from Armand Anderson

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 April 19, 2022 1:30 pm
(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 \$ _____.
- ☐ 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 \$ 115-.

Armond H. Anderson

Mary L. Marshall

(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 January 20, 2022, 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

May Marshall

Signature of Movant or attorney
mailing on Movant's behalf

CLAIM TO A WATER RIGHT

Notice is hereby given that Armand H. &/or Jean G. Anderson
(name of claimant)

ground water or surface water tributary to _____

(1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Sage Creek

Amount	<u>0.30 cfs</u>	Use	<u>Irrigation</u>	Period of Use:	From	<u>June 1</u>	To	<u>Sept. 1</u>
Amount		Use		Period of Use:	From		To	
Amount		Use		Period of Use:	From		To	
	(cfs, gpm or a/f)		(dom., irri, stock, etc.)					(both dates inclusive)

(4) Priority claimed: (the date water was first applied to beneficial use) June 1920

(5) A) Point of diversion: (give location of point where water is diverted from its source)

SW ¼ NW ¼, Sec. 32 Twp. 53N Rge. 2W 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. Water is diverted by open ditch approx. 1/8 mile long to flood irrigate 15 acres.

(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.

[illegible]

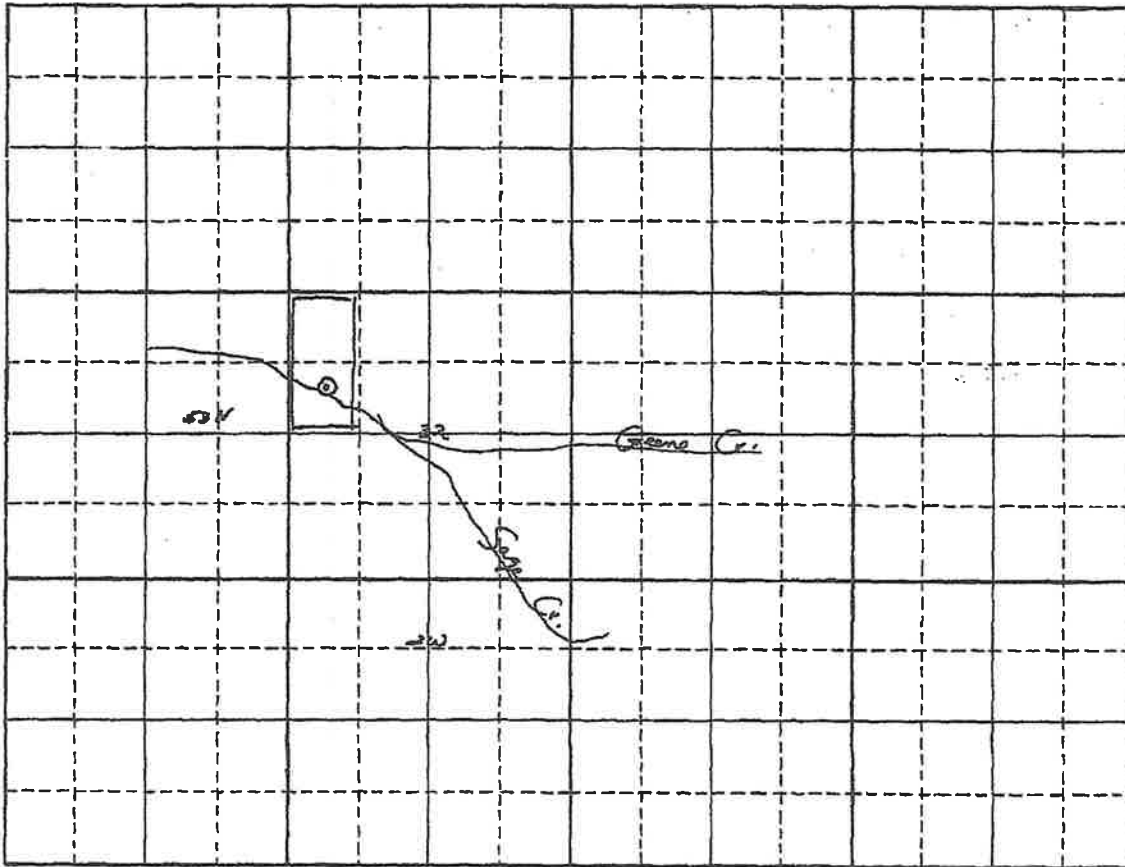
Total No. of acres 15

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____

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

(8) Remarks

96 4072



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of KOOTENAI

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 16TH day of July, 19 73.

John H. Anderson
(Claimant)

Carla M. Roberts
Notary Public
Residing at COEUR D'ALENE, ID.

My commission expires SEPT. 11, 1976

For Department Use Only

Received by <u>FB</u>	Date <u>7/12/73</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>FB</u>	Date <u>7/12/73</u>		claimant by:	
\$10.00 fee received by <u>FB</u>	Date <u>7/12/73</u>			
Approved for publication by <u>FB</u>				
Published in <u>COEUR D'ALENE PRESS</u>				
Dates <u>7-26-73</u> & <u>8-2-73</u>				

July - 16 - 1973

To whom it may concern:

Water from Sage Creek was used
to irrigate approximately fifteen acres

in T 53N, R 2WBM, Section 32 by my
parents when they owned this property.

The fifteen acres were in the NW $\frac{1}{4}$ and
SW $\frac{1}{4}$ of the NW $\frac{1}{4}$. This irrigation began
in about 1920.

Anthony Gubba

96 4072

To Whom it may concern,

I purchased the property, PIN 53N02W32300, about 1960 at which time Sage Creek was being used to flood irrigate 15 acres of the property. I continued to use Sage Creek for irrigation and still do.

I filed a claim for water rights in July 1973 for 0.30 cfs for irrigation Claim # 96-4072 now # 95-4746 with a priority date of June 1920.

Sincerely,

~~Armand H Anderson~~

Armand H Anderson