

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: 96-9691Date Received: 1-31-2022Receipt No: N038252Claim Fee: 59.00 By: NS

RECEIVED

JAN 31 2022

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

IDWR / NORTH

Please type or print clearly

- Name of claimant(s) Westwood Village Home Dunes Assoc Phone (208) 263-2618
Mailing address 11621 Westwood Dr, P.O. BOX 1941 Sandpoint Id Zip 83864
Street or Box City State
Email address (optional) _____
- Date of priority: (Only one per claim) January 24 2018 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
- Source of water supply (Check one) Ground Water () or Other () (a) Pend Oreille River
which is tributary to (b) Columbia
- a. Location of point of diversion is: Township 57N, Range 02W, BM, Section 28
NW 1/4 of SE 1/4, Govt. Lot _____, BM, County of Bonner
Parcel no. _____
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 is on shore. Pickup point is in our marina.
The pick up point is defined by Idaho Dept of Lands
permit # L-96-S-04580. This document can
be provided if needed.

6. Water is claimed for the following purposes:

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

For See attachment purposes from _____ to _____ amount _____ or _____

For & Copy of license purposes from _____ to _____ amount _____ or _____

For 96-9691 purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) 39.2 (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:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	
			<u>See attached copy of license 96-9691</u>																

Parcel no(s). _____ Total number of acres irrigated 9.0

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 (X)
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.
Water Right License # 96-9838 or None ()

13. Remarks (Include an explanation of the priority date selected):
See attachment for items # 2, 6, 9, 11, 15

Name of claimant(s) Westwood Village HOA 96-9691 Claim ID _____

See attachment to Water Right License
96-9691

96-9691

A large grid of 16 columns and 16 rows of boxes, each containing a dashed crosshair for handwriting practice. The grid is composed of solid black lines forming the outer boundaries of each box, with dashed lines forming the crosshairs inside each box. The boxes are arranged in a uniform 4x4 pattern of 4 columns and 4 rows.

Claim ID _____

14. Basis of claim (Check one) Beneficial Use () Posted Notice (X) License () Permit () Decree ()

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 916-9691

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

Number of attachments: _____

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

Home Owner of Westwood Village HOA
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 Jerry Binder Date 1-25-2022

Printed Name of Authorized Agent Jerry Binder

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) Westwood Village HOA 916-9691

Claim ID _____

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IDWR/NORTH

#13. Re #2) January 26, 2018 is the Priority date.
#96-9691 was
issued.

#13. Re #6) This information is provided in the
copy of the Water Right License #96-9691.

#13. Re #9) See Copy of WR license #96-9691

#13. Re #11) Westwood Village Home Owners Association
owns all the land that is irrigated. The
ponds are owned by 4 different entities.
Two are private individuals & two are
home owner associations. There is an
enclosed copy of the easement agreement
between all four groups.

#13. Re #15) I have enclosed a notarized copy
of the document empowering me to
represent Westwood Village HOA as it
relates to gaining Water Right Licensing.
Todd Orsi is also on the document
with contact information for both of
us.

Westwood Village Home Owners Assn.
96-9691 & 96-9838



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N MINERAL DR STE 100 • COEUR D ALENE, ID 83815-7763
Phone: (208)762-2800 • Fax: (208)769-2819 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

January 07, 2021

WESTWOOD VILLAGE HOMEOWNERS ASSN
PO BOX 1941
SANDPOINT ID 83864-0905

RE: License No. 96-9691

Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources ("Department") has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review all the conditions of approval listed on your license. The conditions may include ongoing requirements, such as maintenance of a measuring device or implementation of mitigation, as well as information about how your water use may be administered, such as regulation by a watermaster in a water district.

The license is a PRELIMINARY ORDER issued by the Department pursuant to Rule 730 of the Department's Rules of Procedure (IDAPA 37.01.01.730). It can and will become a final order without further action by the Department unless a party petitions for reconsideration, files exceptions, or requests a hearing as described in the enclosed information sheet.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Water right forms are available from any office of the Department or on the Department's website at idwr.idaho.gov

If you have any questions concerning the enclosed information, please contact the Northern Region Office at (208) 762-2800.

Sincerely,

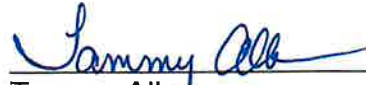
Adam Frederick
Water Rights Supervisor

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on January 07, 2021, I served a true and correct copy of Water Right License No. 96-9691 by U.S. Mail, postage prepaid, to the following:

WESTWOOD VILLAGE HOMEOWNERS ASSN (Current Owner)
PO BOX 1941
SANDPOINT ID 83864-0905



Tammy Allman
Administrative Assistant 1

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 96-9691

Priority: January 26, 2018

Maximum Diversion Rate: 0.34 CFS

It is hereby certified that:

WESTWOOD VILLAGE HOMEOWNERS ASSN 1621 WESTWOOD DR
PO BOX 1941 SANDPOINT ID 83864-0905

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 26, 2018, and has submitted Proof of Beneficial Use on March 12, 2020. An examination confirms water is diverted from:

Source: PEND OREILLE RIVER

Tributary: COLUMBIA RIVER

<u>Beneficial Use</u>	<u>Period of Use</u>	<u>Rate of Diversion</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.12 CFS	
IRRIGATION STORAGE	01/01 to 12/31		9.0 AF
IRRIGATION FROM STORAGE	04/01 to 10/31		9.0 AF
WILDLIFE STORAGE	01/01 to 12/31		11.7 AF
RECREATION STORAGE	01/01 to 12/31		11.7 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.34 CFS	

Location of Point(s) of Diversion

PEND OREILLE RIVER NW¼ SE¼, Sec. 28, Twp 57N, Rge 02W, B.M. BONNER County

Place of Use: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
57N	02W	28			6.0 L2														6.0

Total Acres: 6.0

Place of Use: IRRIGATION STORAGE, WILDLIFE STORAGE, and RECREATION STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
57N	02W	28			X L2														

Place of Use: IRRIGATION FROM STORAGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
57N	02W	28			3.0 L2														3.0

Total Acres: 3.0

State of Idaho
Department of Water Resources
Water Right License
Water Right No. 96-9691

Conditions of Approval

1. A fish screen of 1/4 inch or smaller mesh shall be installed and maintained at the point of diversion.
2. This right when combined with all other rights shall provide no more than 3.0 afa per acre at the field headgate for irrigation of the place of use.
3. Right 96-9691 authorizes the storage of an annual total of 20.7 acre-feet, comprised of 2.2 acre-feet to be used for the initial filling of the pond, 9.5 acre-feet for the replacement of losses due to seepage and evaporation, and up to 9.0 acre-feet for additional refills for irrigation from storage use.
4. The pond established by the storage of water under this right shall not exceed a total capacity of 2.2 acre-feet or a total surface area of 1.1 acres.
5. This right does not grant any right-of-way or easement across the land of another.

This license is issued pursuant to the provisions of Idaho Code § 42-219. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 7th day of January, 2021.



ADAM FREDERICK
Water Rights Supervisor

State of Idaho
Department of Water Resources
Attachment to Water Right License
96-9691

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

02W



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.035 0.07 0.14 Miles



State of Idaho
Department of Water Resources

Attachment to Water Right License 96-9691

This map depicts the IRRIGATION STORAGE, RECREATION STORAGE,
and WILDLIFE STORAGE place of use boundary for this water right at the time
of this approval and is attached to the approval document solely for illustrative purposes.

02W

57N



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.04 0.08 0.16 Miles



State of Idaho
Department of Water Resources
Attachment to Water Right License
96-9691

This map depicts the IRRIGATION FROM STORAGE place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

02W

57N



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters

0 0.0425 0.085 0.17 Miles

