Form No. 42-1409-2 (Internet 06/21)

# 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: 96-7279
Date Received: 2-3-2022
Receipt No: N038293
Claim Fee: 25.00 By: N

RECEIVED
FEB 03 2022
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) Kenneth N Clark, Janet M Rigg's Phone (208) 263-6228
   Mailing address P.O. Box 1722 (Street or Box) Sandpoint (City) ID (State) Zip 83864
   Email address (optional) _____

2. Date of priority: (Only one per claim) May 6, 1974 (Month/Day/Year (YYYY)) (Explain priority date selected in Remarks)

3. Source of water supply (Check one) Ground Water ( ) or Other (X) (a) Flume Creek
   which is tributary to (b) Rapid Lightening Creek

4. Location of point of diversion is: Township 58N, Range 01E, Section 13,
   NW 1/4 of SE 1/4, or Govt. Lot _____ BM, County of Bonner;
   Parcel no. RP58N01E137800A
   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.
   Pump from creek with PVC pipe

6. Water is claimed for the following: (limited to domestic and/or stockwater uses - see page 1 of the instructions)
   For Irrigation/Fire Control purposes from 3/15 (Month/Day) to 11/15 (Month/Day) amount 0.12 cfs (X) or AFY ( )
   For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.12 cfs (X) or AFY ( )

8. Non-irrigation uses. Describe fully. (Domestic: give number of homes; Stockwater: list number and kind)
   _____

9. Location of place of use is: Township 58N, Range 01E, Section 13,
NW 1/4 of SE 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 (X) 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.
Water Right License # 96-08014 or None ( )

13. Remarks (include an explanation of the priority date selected):
Refer To Enclosed Water Right License
# 96-07279

14. Basis of claim (check one) Beneficial Use ( ) Posted Notice ( ) License (X) Permit ( ) Decree ( )
Court _____ Decree Date _____ Plaintiff v. Defendant _____
If applicable provide IDWR Water Right Number # 96-07279

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: 1

**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) Janet M. Riggs Janet M. Clark Date: 2/2/2002
Kenneth W. Clark Date: 2/2/2002

**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
_____ (Agent's title (Please print)) of _____ (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 _____

State of Idaho
Department of Water Resources

# WATER RIGHT LICENSE

**WATER RIGHT NO.** 96-07279

**Priority:** May 6, 1974 Amount: 0.12 CFS 15.0 AFA

This is to certify, that KENNETH W. CLARK
JANET M. RIGGS

P.O. BOX 1722
SANDPOINT, ID 838640000

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated April 30, 1974, and has submitted proof to the Department of Water Resources on June 7, 1984, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .120 cfs of water from:

**FLUME CREEK** tributary to **RAPID LIGHTENING CREEK**

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

| BENEFICIAL USE | PERIOD OF USE | RATE OF DIVERSION | VOLUME |
|---|---|---|---|
| IRRIGATION | 03/15 to 11/15 | 0.12 CFS | 15.0 AFA |

**LOCATION OF POINT(S) OF DIVERSION:** NWSE , Sec. 13, Township 58N, Range 01E
BONNER County

**PLACE OF USE:** IRRIGATION

| TWN | RGE | SEC | | ACRES | | ACRES | ACRES | TOTAL |
|---|---|---|---|---|---|---|---|---|
| 58N | 01E | 13 | NWSE | 5 | | | | 5 |

Total number of acres irrigated: 5

**CONDITIONS/REMARKS:**

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

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 24th day of MARCH, 1989.

Norman C. Young
Acting for the Director