

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
Ident. Number ~~96-10646~~ 96-9812
Date Received: 3/31/2022
Receipt No: T112287

1. Name of Claimant(s):

Name	Address	City	State	Country	Postal Code
JOSEPH SWAN	1621 CAMP BAY RD	SAGLE	ID	USA	83860

2. Date of Priority:

Date	Explanation
6/5/2020	Well originally drilled by David Marx. A memorandum to water right file 96-8983 and 96-9812 dated Oct, 25, 2021 From Michele Edl , Re: file review is a matter of record. The well location in question was being used by David Marx prior to a right of use under water right 96-8983. There was a 6 month period where there was a dissolution of association by the state for non- filing, where water right lease agreement filed under memorandum of lease provided to IDWR for applying for water right 96-8983, without an original lease agreement for said memorandum on file or of county record, was not transferred to successors nor assigns, rendering lease agreement void. Also note Legal location of well was incorrect and based on those facts I am filing as first in time, first in right due to beneficial use of well at POD, as well drillers report on record is for previous owner, and the well runs with the land. I am reclaiming my water right of beneficial use, and first priority and reject all other claims to my right.

3. Source:

Source	Tributary
GROUND WATER	
GROUND WATER	

4. Point of Diversion:

Township	Range	Section	Gov Lot	QQ	Q	County	Type	Description
56N	01E	18	1	NW	NW	BONNER		
56N	01E	18	1	NW	NW	BONNER		500 ft deep well and connected pumphouse located on property at 1621 Camp Bay Rd, Sagle, Idaho, 83860

5. Water is used for the following purpose(s):

Water Use	Number Of Homes	Stock	Description
DOMESTIC	1		Domestic use for 1 home and irrigation for 1/2 acre.

6. Season(s) of Use:

Water Use	From Month/Day	To Month/Day
DOMESTIC	01/01	12/31

7. Quantity:

Water Use	CFS	AF	KW
DOMESTIC	0.04	1.20	

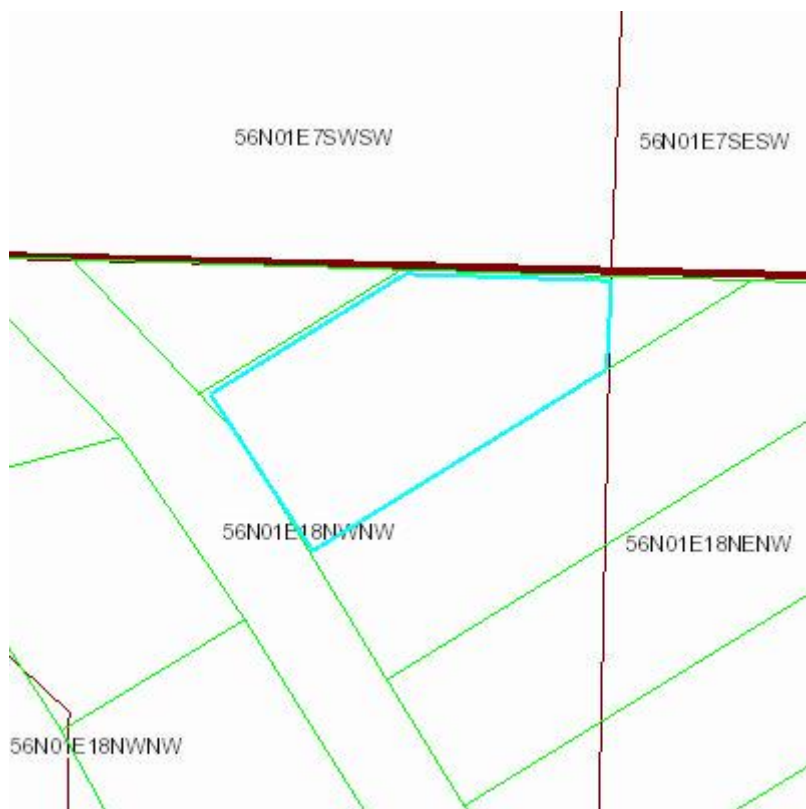
Totals

CFS	AF	KW
0.04	1.20	

8. Place of Use:

Water Use	Total Claimed Acreage
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DOMESTIC							
Township	Range	Section	QQ	Q	County	Govt Lot	Acres
56N	01E	18	NW	NW	BONNER	1	



9. **Remarks:**

I propose the IDWR restore my water right as first in beneficial use, as is a matter of record, as the original well drillers report, shows owner of record for this property as being first in time. As the well runs with the land and I am registered water right owner. I also propose a cease and desist order be established for the use of my water rights under this claim

10. **Other Water Rights:**

Prior water right 96-8983 was assigned a right to another location and has been using my POD under water right 96-9812 under false water right and claim of use. Upon drilling a well on community property the association of record continued using water righ

11. **Basis:**

Basis
License

12. **Signature(s):**

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled *How you will receive notice 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

_____ of _____,
Title Organization

that I have signed the foregoing document in the space below as

_____ of _____,
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

Please print name

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