

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: 96-9658

Date Received: 4-7-22

Receipt No: N038817

Claim Fee: \$2500 By: NS

RECEIVED

APR 07 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) John Wesley Harbuck 1/2 Susan Bates Harbuck Phone (208) 263-9894

Mailing address 4964 Colburn-Culver Sandpoint ID Zip 83864
Street or Box City State

Email address (optional) _____

2. Date of priority: (Only one per claim) May 22, 2017 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other (☒) (a) Spring
which is tributary to (b) GROUSE CREEK

4. Location of point of diversion is: Township 58N, Range 1W, Section 2,
NW 1/4 of SW 1/4, or Govt. Lot _____ BM, County of Bonner;

Parcel no. _____

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.

A spring box 4x4'x6' deep collects the water that is then pumped up to a 1000 gallon holding tank

6. Water is claimed for the following: (limited to domestic and/or stockwater uses - see page 1 of the instructions)

For Domestic purposes from 1-1 to 12-31 amount .05 cfs () or AFY ()
Month/Day Month/Day

For Stockwater purposes from 1-1 to 12-31 amount .02

7. Total quantity claimed _____ cfs () or AFY ()

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

one house, 12 chickens

9. Location of place of use is: Township 58N, Range 1W, Section 2,
NW 1/4 of SW 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 (✓) 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.
 _____ or None (✓)
13. Remarks (include an explanation of the priority date selected):
Priority date is that noted on Permit to appropriate
Water No. 96-09568
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 96-9658
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) Jugon Bates Harbuck Date: 4/5/2022
John W Harbuck Date: 4/5/2022
- 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 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) Harbuck Claim ID _____

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 96-09658

Priority: May 22, 2017

Maximum Diversion Rate: 0.07 CFS

This is to certify, that JOHN WESLEY HARBUCK And
SUSAN BATES-HARBUCK
4964 COLBURN-CULVER RD
SANDPOINT ID 83864

has applied for a permit to appropriate water from:

Source: SPRING

Tributary: GROUSE CREEK

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.04 CFS
IRRIGATION	04/01 to 10/31	0.03 CFS

LOCATION OF POINT(S) OF DIVERSION:

SPRING SW1/4NW1/4SW1/4 Sec. 2, Twp 58N, Rge 01W, B.M. BONNER County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
58N 01W 2											X						

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
58N 01W 2											1.0						1.0

Total Acres: 1

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **August 01, 2018**.
2. Subject to all prior water rights.
3. Domestic use is for 1 home. Irrigation of lawn, garden and landscaping associated with the home is authorized under the irrigation component of this right.
4. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the place of use.
5. Water shall not be diverted under this right when flows in Grouse Creek are below established minimum flow amounts as established by Water Right No. 96-7980.
6. This right does not grant any right-of-way or easement across the land of another.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.

Signed this 26 day of July, 2017.


Chad H Goodwin, Acting Regional Manager