

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: 96-9101Date Received: 5-6-22Receipt No: N039483Claim Fee: 25.00 By: JA

RECEIVED

MAY 06 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) Mark & Susan Kubiak Phone (208) 946-8066Mailing address PO Box 142 Dover ID Zip 83825
Street or Box City StateEmail address (optional) 51marks.kubiak@gmail.com2. Date of priority: (Only one per claim) 06/01/1935 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)3. Source of water supply (Check one) Ground Water (X) or Other () (a) Springs
which is tributary to (b) Sinks4. Location of point of diversion is: Township NE NE 57N, Range 02W, Section 30 30NE NE SE 1/4 of NE SE 1/4, or Govt. Lot _____ BM, County of BonnerParcel no. # RPD 00000300004A

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.

spring boxes

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

For stockwater purposes from 01/01 to 12/31 amount 0.01 CFS
Month/Day Month/Day cfs (X) or AFY ()
For Domestic purposes from 01/01 to 12/31 amount 0.08 CFS7. Total quantity claimed 0.08 cfs (X) or AFY ()

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

1 home, 0 stock at this time

9. Location of place of use is: Township 57N, Range 02W, Section 30,
_____ 1/4 of _____ 1/4, Govt. Lot _____ BM, Parcel no. # RPD 0000030000 4A
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.
Carr crk / Hornby crk. diversion or None ()

13. Remarks (include an explanation of the priority date selected):
That is the date assigned to the original owners

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 96-9101

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) [Signature] Date: 5/1/2022
[Signature] Date: 5/1/22

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) _____ Claim ID _____

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

4/28/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 96-9101

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARK KUBIAK
Current Owner	SUSAN KUBIAK
	PO BOX 142
	DOVER, ID 83825
	2082639792
Original Owner	WILLIAM N SHERWOOD
	RT 2 BOX 219
	SANDPOINT, ID 83864

Priority Date: 06/01/1935

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRINGS	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	12/31	0.01 CFS	
DOMESTIC	01/01	12/31	0.07 CFS	
Total Diversion			0.08 CFS	

Location of Point(s) of Diversion:

SPRINGS	NENE	Sec. 30	Township 57N	Range 02W	BONNER County
SPRINGS	SENE	Sec. 30	Township 57N	Range 02W	BONNER County

Place(s) of use:

Place of Use Legal Description: STOCKWATER BONNER County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
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Place of Use Legal Description: DOMESTIC BONNER County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
57N	02W	30		NESE			SESE							

Conditions of Approval:

1. || 3 P/D IN SENE, S30, T57N, R2W.

Dates:

Licensed Date: ,

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector: And

Water District Number: NWD

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False