

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: 96-9519
Date Received: 6/3/2022
Receipt No: N039882
Claim Fee:
Received By: 

RECEIVED

AUG 17 2022

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

IDWR / NORTH

1. Name of Claimant(s)

DAN FOGARTY
PO BOX 1472
SANDPOINT ID 83864

Phone: (208) 263-5546

2. Date of Priority: 6/28/2013

3. Source:
SPRING

Trib. to:
SINKS

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
57N	02W	8	NW SE SW		BONNER	

5. Description of diverting works:

SPRING

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
AESTHETIC STORAGE	01/01	12/31			1
FIRE PROTECTION STORAGE	01/01	12/31			1
RECREATION STORAGE	01/01	12/31			1

7. Total Quantity Appropriated is: 0.5 Acre Grounds / Garden

0.6

C.F.S. and/or 1 A.F.A.

8. Non-irrigation uses:

9. Place of use:

AESTHETIC STORAGE within BONNER County

Township	Range	Section	¼	of	¼	Lot	Acres
57N	02W	8	SE		SW		

FIRE PROTECTION STORAGE within BONNER County

Township	Range	Section	¼	of	¼	Lot	Acres
57N	02W	8	SE		SW		

RECREATION STORAGE within BONNER County

Township	Range	Section	¼	of	¼	Lot	Acres
57N	02W	8	SE		SW		

10. Do you own the property listed above as place of use? Yes

If your answer is no, describe in remarks below the authority you have to claim this water right.

11. Other Water Rights Used:

12. Remarks:

Priority Date Explanation:

Right 96-9519 authorize the diversion of an annual total of 1.0 acre-feet to be used for the initial filling of the pond and for the replacement of losses caused by seepage and evaporation.

Water shall not be diverted from fire protection storage except to fight or repel an existing fire.

This right does not grant any right-of-way or easement across the land of another.

Aesthetic use is for wildlife viewing.

The pond established by the storage of water under this right shall not exceed a total capacity of 1.0 acre-feet or a total surface area of 0.07 acres.

Recreational use is for swimming.

13. Basis of Claim: License

14. 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 Adjudication." (b.) I/We do _____ do not PF wish to receive and pay a small annual fee for monthly copies of the docket sheet. X

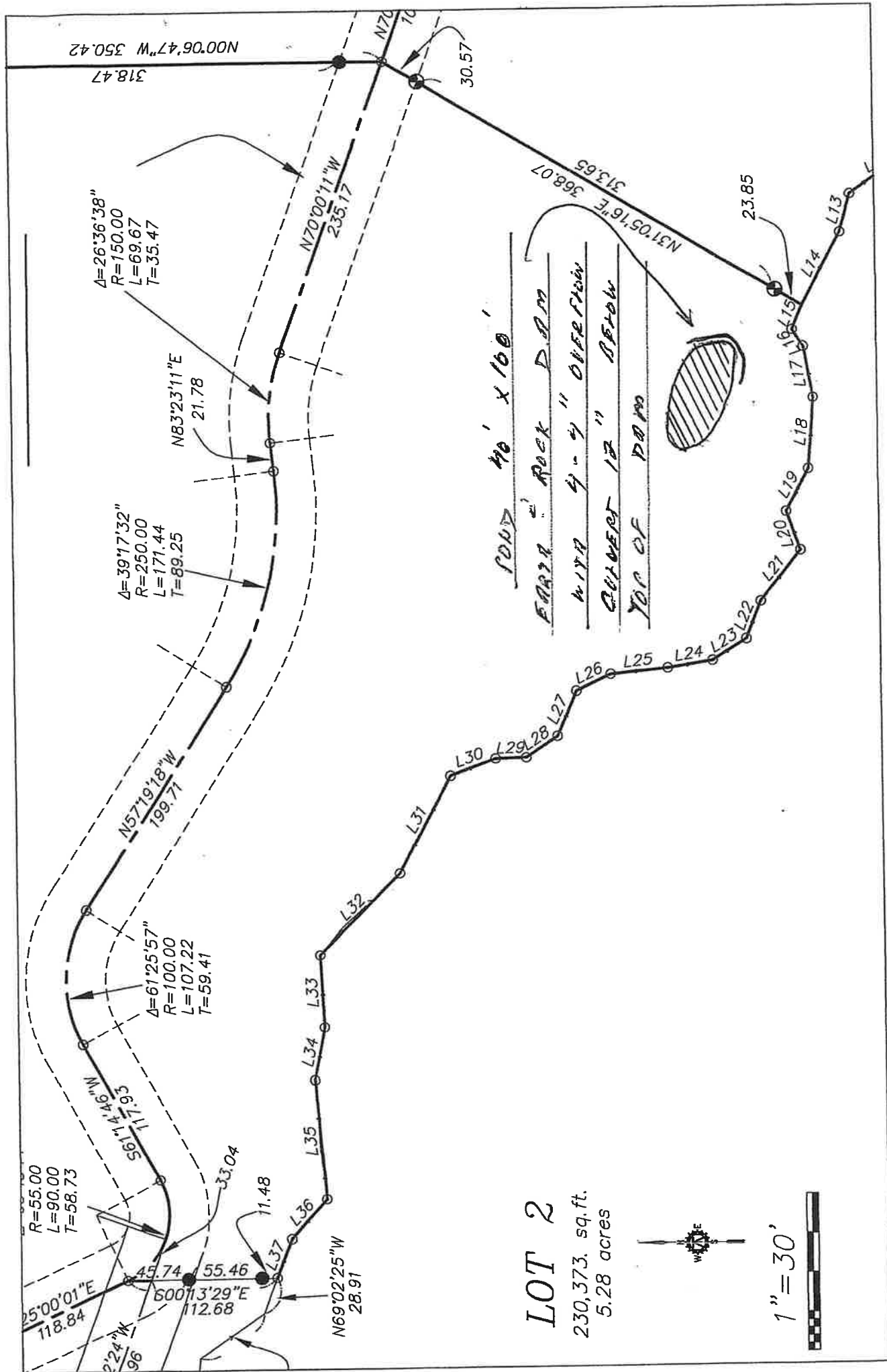
Number of attachments: _____

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): DANIEL FOGARTY Date: 8/13/2022

Date: _____



State of Idaho
Department of Water Resources
Attachment to Water Right License
96-9565

This map depicts the DOMESTIC 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



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

0 0.025 0.05 0.1 Miles



State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 96-09519

Priority: June 28, 2013

Maximum Diversion Volume: 1.0 AF

It is hereby certified that DAN FOGARTY
PO BOX 1472
SANDPOINT ID 83864 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated June 28, 2013; and has
submitted Proof of Beneficial Use on July 17, 2014. An examination confirms water is diverted from:

SOURCE

SPRING

Tributary: SINKS

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL DIVERSION VOLUME</u>
RECREATION STORAGE	01/01 to 12/31	1.0 AF
FIRE PROTECTION STORAGE	01/01 to 12/31	1.0 AF
AESTHETIC STORAGE	01/01 to 12/31	1.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SPRING NW1/4SE1/4SW1/4 Sec. 8, Twp 57N, Rge 02W, B.M. BONNER County

PLACE OF USE: RECREATION STORAGE, FIRE PROTECTION STORAGE AND AESTHETIC
STORAGE

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
57N 02W 8												X					

CONDITIONS OF APPROVAL

1. Right 96-9519 authorize the diversion of an annual total of 1.0 acre-feet to be used for the initial filling of the pond and for the replacement of losses caused by seepage and evaporation.
2. The pond established by the storage of water under this right shall not exceed a total capacity of 1.0 acre-feet or a total surface area of 0.07 acres.
3. Water shall not be diverted from fire protection storage except to fight or repel an existing fire.
4. Aesthetic use is for wildlife viewing.
5. Recreational use is for swimming.
6. 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 Section 42-219, Idaho Code. 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 22 day of May, 2015.


For, GARY SPACKMAN
Director

