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JUN 13 2022

DEPARTMENT OF
WATER RESOURCES

Form No.42-1409-1 (Internet 06/21)

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN 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: 97-07339

Date Received: 6-29-22

Receipt No: N040340

Claim Fee: \$6000 By: SC

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JUN 16 2022

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

IDWR / NORTH

Please type or print clearly

1. Name of claimant(s) Elizabeth Johnson-Gebhardt Phone (208) 661-2073
David GebhardtMailing address 1251 Gold Cup Mtn. Rd. Priest River, ID Zip 83856
Street or Box City State

Email address (optional) _____

2. Date of priority: (Only one per claim) July 9, 1993 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)3. Source of water supply (Check one) Ground Water (☒ or Other (-) (a) unnamed stream
which is tributary to (b) Pend Oreille River4. a. Location of point of diversion is: Township 56N, Range 04W, Section 22,
SW 1/4 of SE 1/4, Govt. Lot _____, BM, County of BonnerParcel no. RP 56N04W22 8400A

Additional points of diversion, if any: _____

If available, GPS Coordinates _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,

Govt. Lot _____, BM, County of _____

Ending point is: Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,

Govt. Lot _____, BM, County of _____

5. Description of existing diversion works (dams, reservoirs, ditches, wells, pumps, pipelines, headgates, 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.Reservoir w/ pipe diversion

SCANNED

JUN 14 2022

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD)

(cfs)

(acre-feet)

For wildlife storage purposes from 01/01 to 12/31 amount 0.04 or _____
For Recreation storage purposes from 01/01 to 12/31 amount " or _____
For fire protection " purposes from 01/01 to 12/31 amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.04 (cfs) and/or (b) 29.0 (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) Storage

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW ^{1/4}				SE ^{1/4}				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>56</u>	<u>4W</u>	<u>22</u>											<u>WR</u>						<u>29.0 AF</u>

Parcel no(s). RP 56N04W22 8400A Total number of acres irrigated 0

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 your 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 listed on WR license

Name of claimant(s) Elizabeth Johnson-Gebhardt
David Gebhardt

Claim ID 97-07339

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 97-07339

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) Elizabeth Johnson-Gebhardt Date: 6-9-2022

David H. Gebhardt Date: 6-9-22

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 on behalf of 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) Elizabeth Johnson-Gebhardt
David Gebhardt Claim ID 97-07339

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 97-07339

Priority: July 9, 1993

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 29.0 AF

This is to certify, that DAVID W GEBHARDT
ELIZABETH JOHNSON-GEBHARDT

RT 1 BOX 371

PRIEST RIVER ID 83856

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 9, 1993; and has submitted Proof of Beneficial Use on November 10, 1993. An examination indicates that the works have a diversion capacity of .040 cfs of water from:

UNNAMED STREAM

tributary to PEND OREILLE RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
WILDLIFE	01/01 to 12/31	0.04 CFS	29.0 AF
WILDLIFE STORAGE	01/01 to 12/31		1.5 AF
RECREATION STORAGE	01/01 to 12/31		1.5 AF
FIRE PROTECTION STORAGE	01/01 to 12/31		1.5 AF
FIRE PROTECT. FROM STOR	01/01 to 12/31		1.5 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.04 CFS	
Totals		0.04 CFS	29.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSE, Sec. 22, Township 56N, Range 04W
BONNER County

PLACE OF USE: WILDLIFE

TWN RGE SEC

56N 04W 22

SWSE

PLACE OF USE:

FIRE PROTECT. FROM STOR, same as WILDLIFE use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

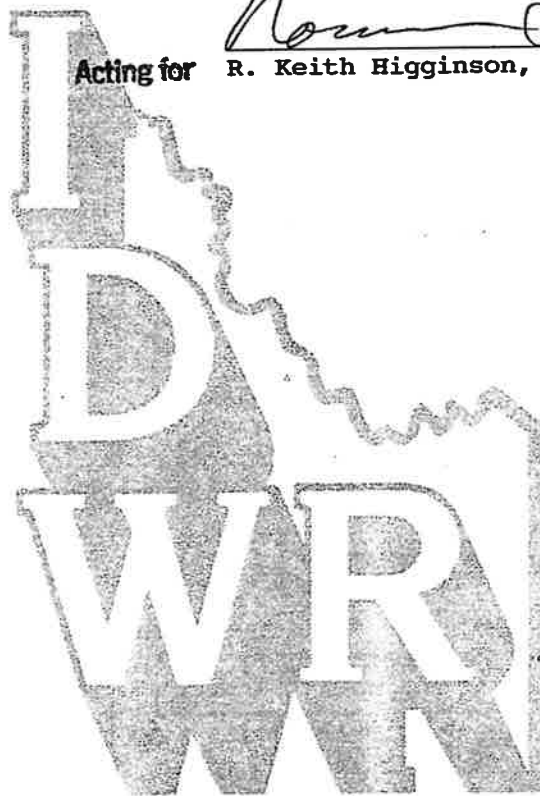
WATER RIGHT NO. 97-07339

CONDITIONS/REMARKS:

5. Recreation use is for fishing and swimming.

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 4TH
day of NOVEMBER, 1994.

Acting for R. Keith Higginson, Director



State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 97-07339

Proposed Priority: July 9, 1993

Maximum Diversion Rate:

0.20 CFS

This is to certify, that **DAVID W GEBHARDT**
ELIZABETH JOHNSON-GEBHARDT
RT 1 BOX 371
PRIEST RIVER ID 83856

has applied for a permit to appropriate water from:

UNNAMED STREAM

tributary of **PEND OREILLE RIVER**

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>	<u>ANNUAL VOLUME</u>
WILDLIFE	01/01 to 12/31	0.20 CFS	
WILDLIFE STORAGE	01/01 to 12/31		3.0 AF
RECREATION STORAGE	01/01 to 12/31		3.0 AF
FIRE PROTECTION STORAGE	01/01 to 12/31		3.0 AF
FIRE PROTECT. FROM STOR	01/01 to 12/31		3.0 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.20 CFS	
	Totals	0.20 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 22, Township 56N, Range 04W
BONNER County

PLACE OF USE: WILDLIFE

TWN RGE SEC

56N 04W 22

SWSE

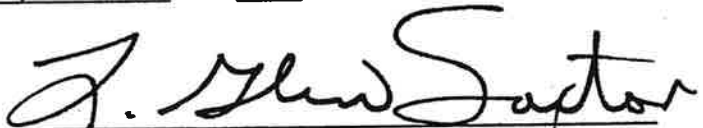
PLACE OF USE: FIRE PROTECT. FROM STOR, same as WILDLIFE use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 1994.
2. Subject to all prior water rights.
3. Recreation use is for fishing, swimming, etc.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

29th day of September, 1993.


for R. Keith Higginson, Director