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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 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: 96-4180

Date Received: 8-24-22

Receipt No: C113781

Claim Fee: \$639 - By: CBS

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

Please type or print clearly

1. Name of claimant(s) CITY OF SANDPOINT Phone (208) 263-3317
Mailing address 1123 W LAKE ST SANDPOINT ID 83864
Street or Box City State Zip
Email address (optional) CMCHUGH@MCHUGHBROMLEY.COM
2. Date of priority: (Only one per claim) 01/01/1908 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water () or Other (✓) (a) LAKE PEND OREILLE
which is tributary to (b) PEND OREILLE RIVER
4. a. Location of point of diversion is: Township 57N, Range 2W, Section 23,
SW 1/4 of NW 1/4, Govt. Lot _____, BM, County of BONNER
Parcel no. _____
Additional points of diversion, if any: SEC 14 SWSW, SEC 27 NENW
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.
TWO 125 HP PUMPS, 1 25 HP ARE LOCATED IN SECTION 23; THE POD IN SECTION 14 IS MAINTAINED
AS A BACK-UP SUPPLY; THE POD IN SECTION 27 NENW USES A 20 HP PUMP.

SCANNED

AUG 25 2022

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD) (cfs) (acre-feet)

For MUNICIPAL purposes from 1/1 to 12/31 amount 5.89 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 5.89 (cfs) and/or (b) _____ (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) MUNICIPAL WITHIN CITY OF SANDPOINT SERVICE AREA

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

CITY OF SANDPOINT SERVICE AREA

Parcel no(s). _____ Total number of acres irrigated _____

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.
96-0009, 7505, 7691, 7863 AND 9189 or None ()

13. Remarks (Include an explanation of the priority date selected):

~~THE PRIORITY DATE OF THIS WATER RIGHT IS BASED ON THE STATUTORY CLAIM FILED.~~
THE CITY ADDED ALTERNATIVE PODS IN SECTION 27 NENW IN THE EARLY 1990S.

Name of claimant(s) CITY OF SANDPOINT Claim ID _____

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 96-4180

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: CLAIM & MAP

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

MAYOR _____ of CITY OF SANDPOINT _____
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 Shelby Rogstad _____ Date 8/12/22 _____

Printed Name of Authorized Agent Shelby Rogstad _____

16. **Notice of Appearance:**

Notice is hereby given that I, (please print) CANDICE MCHUGH, 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 Candice Mchugh _____ Date 8-17-22 _____

Address 380 S 4TH ST, STE. BOISE, ID 83702 _____

Name of claimant(s) CITY OF SANDPOINT _____ Claim ID _____

Section 42-225a, Idaho Code

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that City of Sandpoint
(name of claimant)

The extent and nature of said claim is as follows:

- | | | |
|------------------------|-------------------------------|---|
| Amount <u>5.89 cfs</u> | Use <u>Municipal</u> | Period of Use: From <u>Jan. 1</u> To <u>Dec. 31</u> |
| Amount _____ | Use _____ | Period of Use: From _____ To _____ |
| Amount _____ | Use _____ | Period of Use: From _____ To _____ |
| (cfs, gpm
or a/f) | (dom., irri.,
stock, etc.) | (both dates inclusive) |

- A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

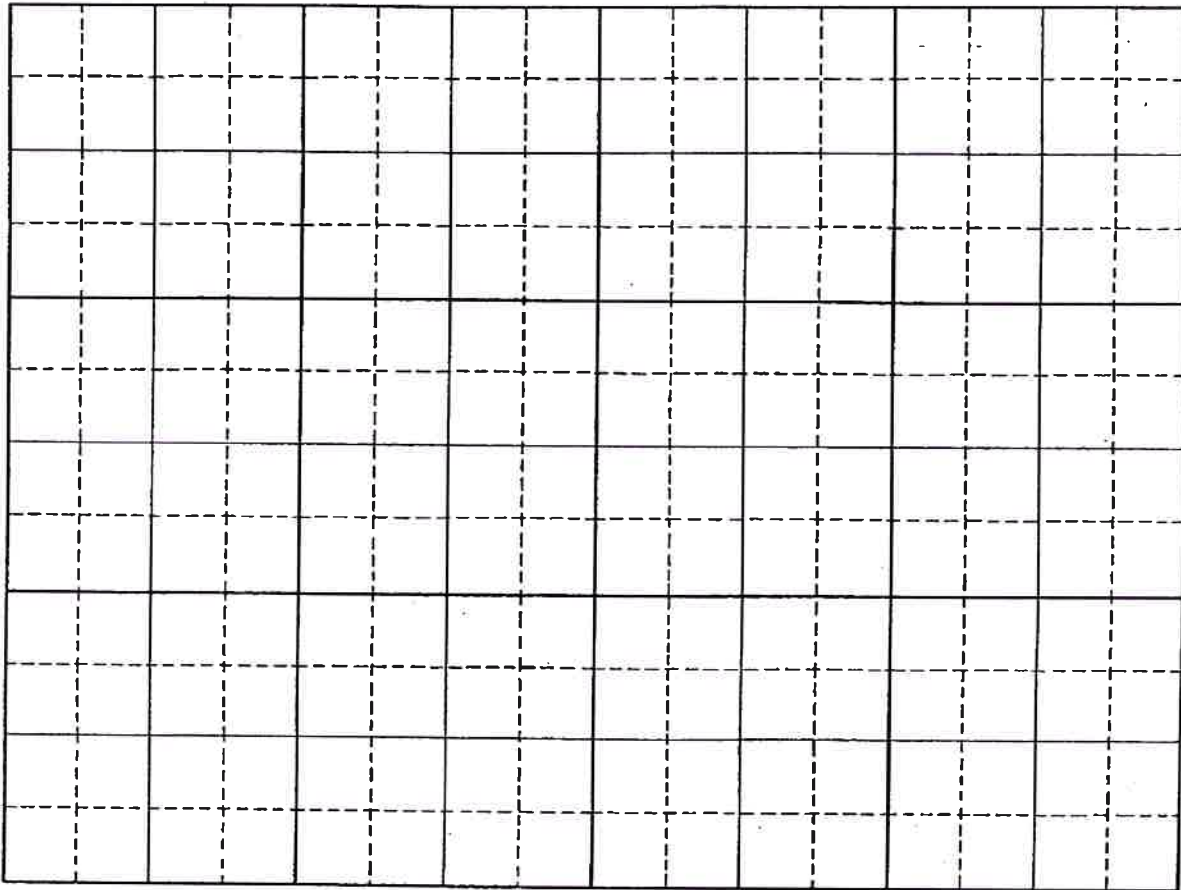
[illegible]

Total No. of acres _____

- If you are claiming water as a member of an organization, list name of organization:
City of Sandpoint

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(8) Remarks See attachment for map showing point of diversion and place of use.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of BOAHER) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 25TH day of FEBRUARY, 1977.

E. T. Eitzman MAYOR
(Claimant)

Notary Public

Residing at Coeur d'Alene, IDAHO

My commission expires APRIL 16, 1979

(Rec. #4928)

For Department Use Only

Received by CPA Date 3-1-77
Relim. check by CPA Date 3-2-77
\$10.00 fee received by CP Date 3-3-77
Approved for publication by CPA
Published in Sandpoint Daily Bee
Dates 3-9 & 3-16-77

Exception filed by: _____ Date _____
Forwarded to claimant by: _____ Date _____

MICROFILMED

