

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
DRAINAGE SYSTEM

CIVIL CASE NUMBER: 69576

Claim ID: 96-4230

Date Received: 8-19-22

Receipt No: N040849

Claim Fee: 700 By: JA

AUG 19 2022

IDWR/NORTH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

- Name of claimant(s) Sharon Finney (Surviving Spouse of Charles Finney) Phone (____) _____
Mailing address 299 W. Bronx Road, Sandpoint, Idaho Zip 83864
Street or Box City State
Email address (optional) _____
- Date of priority: (Only one per claim) 06/01/1965 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
- Source of water supply (Check one) Ground Water () or Other (✓) (a) Sand Creek
which is tributary to (b) Lake Pend Oreille
- a. Location of point of diversion is: Township 58N, Range 02W, Section 35,
SE 1/4 of SE 1/4, Govt. Lot _____, BM, County of Bonner
Parcel no. RP58N02W359513A
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 _____
- 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.

Pumps and pipeline

6. Water is claimed for the following purposes:

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

For Irrigation purposes from 3/15 to 11/15 amount 0.4 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.4 (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.) _____

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	
58N	02W	35														9	10	1	20

Parcel no(s) RP58N02W359513A Total number of acres irrigated 20

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 (✓)

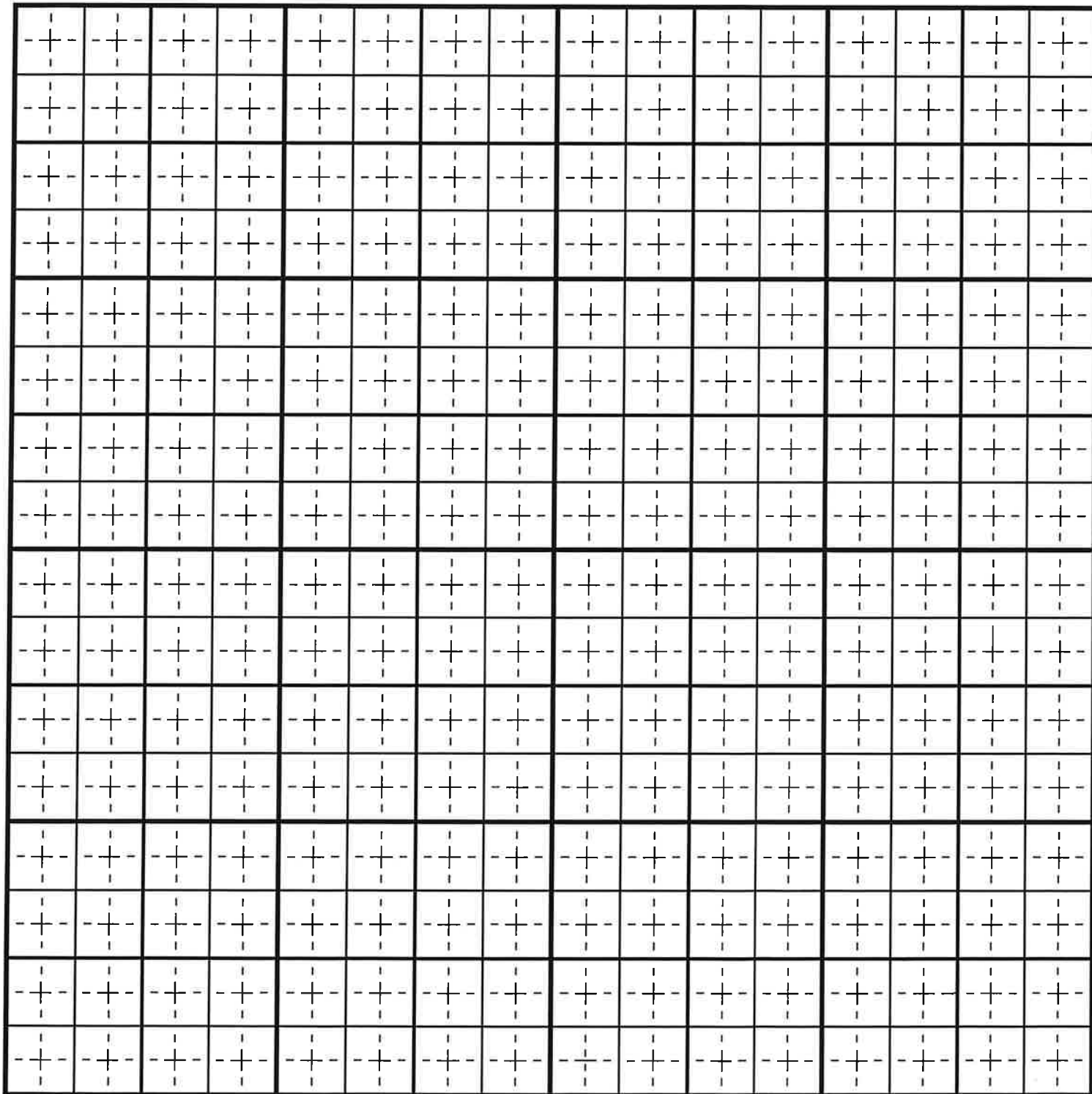
13. Remarks (Include an explanation of the priority date selected):

See attached Water Right Report and related documents No. 96-4230 (11 pages).

Name of claimant(s) Finney, Sharon Claim ID _____

Map of Project: Attach aerial photograph or topographic map showing clearly the point of diversion, place of use, section number, township, and range number, unless unavailable. Otherwise sketch the elements above on the grid below.

Scale: 2 inches equals 1 mile



Name of claimant(s) Finney, Sharon 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 96-4230

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: 11 pages

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) Sharon J. Finney Date: Aug 12 - 22

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

Agent's title (Please print) _____ of _____ 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) John A. Finney, Attorney at Law, 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 John A. Finney, JSBX05913 Date 8/17/2022

Address 120 E. Lake St, Ste 317, Sandpoint, Idaho 83864

Name of claimant(s) Finney, Sharon Claim ID _____

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

5/9/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 96-4230

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CHARLES FINNEY
Current Owner	SHARON FINNEY RT 3 BOX 227 SANDPOINT, ID 83864

Priority Date: 06/01/1965

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
SAND CREEK	LAKE PEND OREILLE

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	0.4 CFS	
DOMESTIC	1/01	12/31	0.04 CFS	
Total Diversion			0.44 CFS	

Location of Point(s) of Diversion:

SAND CREEK|SESE|Sec. 35|Township 58N|Range 02W|BONNER County

Place(s) of use:

Place of Use Legal Description: IRRIGATION 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>
58N	02W	35		NWSE	9		SWSE	10		SESE	1			

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>
58N	02W	35		SWSE										

Total Acres: 20

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:

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:

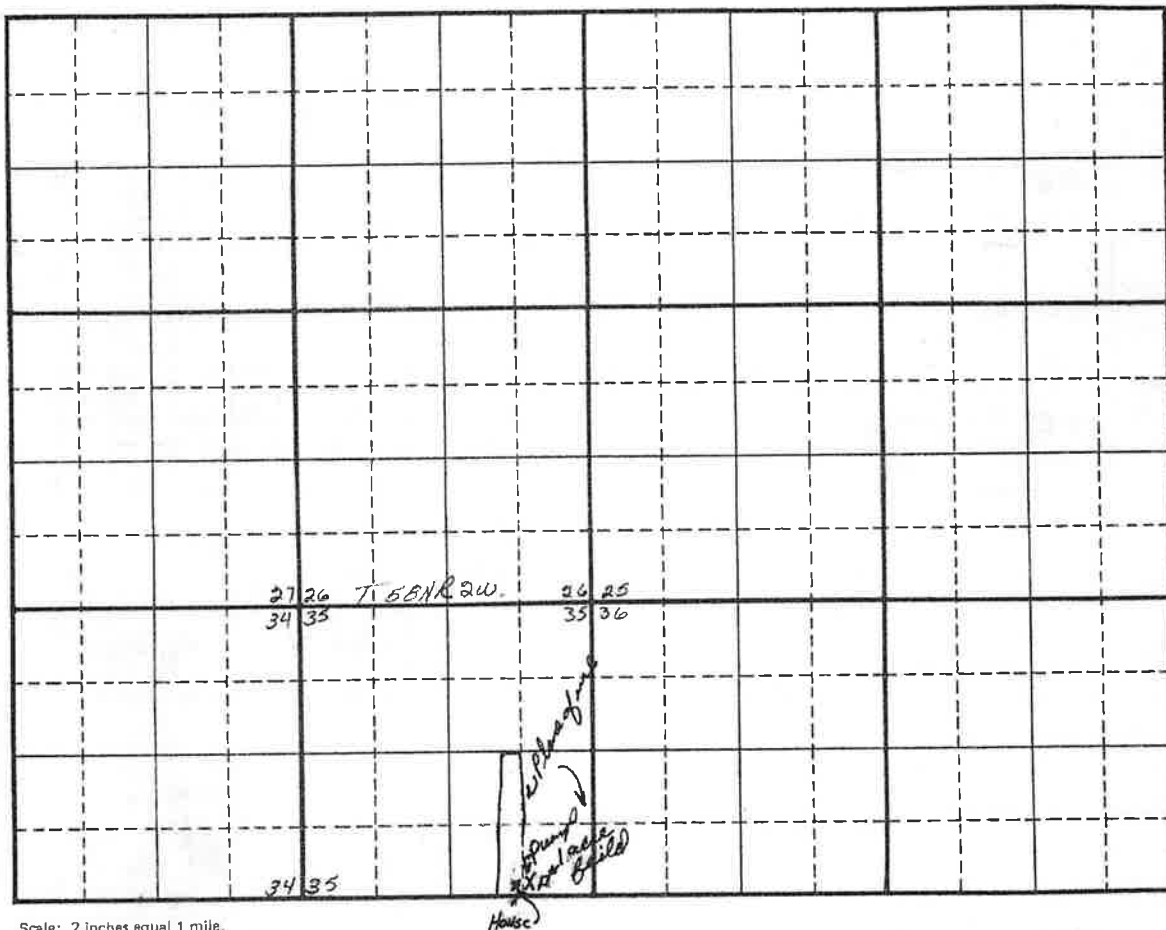
Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

(8) Remarks _____



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 BONNER) 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 affiant's knowledge.

Sworn to before me this 11TH day of December, 1978.

Charles A. Finney
x Simon Finney
(Claimant)
Harry A. Finney
Notary Public
Residing at SAND POINT

My commission expires perpetual

FOR DEPARTMENT USE ONLY

Received by <u>Don</u>	Date <u>12/12/78</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>KEC</u>	Date <u>12/13/78</u>		claimant by:	
\$20.00 fee received by <u>Don</u>	Date <u>12/13/78</u>			
Published in <u>Sandpoint Daily Bee</u>				
Dates <u>12/20-23/78</u>				

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Charles & Sharon Finney
(Name of Claimant)

RT #3 Box 257 Sandpoint, Id. 83864
(Mailing Address) (Zip Code)

Telephone No. _____

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) June 1, 1965

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 is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Sand Creek tributary to Lake Pend Oreille

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>0.04 cfs</u>		Use <u>Domestic</u>		Period of Use From <u>Jan 1</u>	To <u>Dec 31</u>
Quantity <u>0.4 cfs</u>		Use <u>Irrigation</u>		Period of Use From <u>May 15</u>	To <u>Nov 15</u>
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____

- (4) 0.44 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

SE 1/4 SE 1/4, Sec. 35 Twp. 50N Rge. 2W B.M., County of Bonner

Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the changes.
2 pumps & pipe line to place of use.

- (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.

T	R	SEC.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
50N	2W	35														9	10	1	20

No. of acres 20

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

Domestic for one home hold

NOTE: Include here the type and number of stock watered: cattle 30 horses 10

- (7) If you are claiming water as a member of an organization, list name of organization: _____

NOT RECORDED

Remarks _____

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.

County of _____

BONNER

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 affiant's knowledge.

Sworn to before me this

11TH day of December

(Claimant

Notary Public
Residing at _____

My commission expires

регретна

Received by Joe Date 12/12/78 Exemption filed by: _____ Forwarded to _____ Date _____
Prelim. check by KK Date 12/13/78 claimant by: _____
\$20.00 fee received by Joe Date 12/13/78 # 12172
Published in Sandpoint Daily Bee _____
Dates 12/20-22/78 _____

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Pete Thompson being first duly sworn on oath deposes and says that he is publisher of the Sandpoint Daily Bee, and News Bulletin, newspapers printed and published at Sandpoint, in Bonner County, Idaho; that the said newspapers have been continuously and uninterruptedly published in said Bonner County during a period of 12 months prior to the first publication of the hereto attached notice of publication in the case of Water

Right Claim

as it was published in the regular and entire issue of the said paper for a period of 2 consecutive weeks, commencing on 20th day of Dec., 1978 and ending on the 27th day of Dec., 1978 and that said notice was published in said newspaper.

Pete Thompson

Subscribed and sworn to before me this 4 day of Jan, 1979.

Allen M. Thompson

Notary Public for Idaho,

Residing at Sandpoint, Idaho

NOTICE OF CLAIMS
TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

96-4230

FINNEY, CHARLES & or SHARON, Rt. 3, Box 227, Sandpoint, ID 83864.

Source: SAND CREEK tributary to LAKE PEND OREILLE

Priority Date: 6-1-1965

Amount: 0.44 CFS

Diversion Point: SESE Sec 35 T 58N R 02W, BONNER Co.

Use: DOMESTIC (0.04 CFS) from 1-1 to 12-31; IRRIGATION (0.40 CFS) from 3-15 to 11-15.

Place of Use: NWSE SWSE SESE Sec 35 T 58N R 02W FOR 20 ACRES

Diversion Means: 2 pumps and pipeline.

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 4055 Gov't Way, Coeur d'Alene, Id 83814.

C. STEPHEN ALLRED

Director

Published 12-20 & 12-27-78

Allen M. Thompson
12/27/78

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

JANUARY 8, 1979

CHARLES FINNEY
SHARON FINNEY
RT 3, BOX 227
SANDPOINT

ID 83864

RE: Claim No. 96-4230

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

Robert G. Haynes, P.E.
Regional Supervisor

Enclosure

RECORDED
INDEXED

96-4230-

FINNEY, CHARLES &/or SHARON

RT 3, BOX 227, SANDPOINT, ID 83864

Source: SAND CREEK tributary to LAKE PEND OREILLE

Priority Date: 06/01/1965

Amount: 0.44 CFS

Diversion Point: SESE Sec 35 T 58N R 02W, BONNER Co.

Use: DOMESTIC	(0.04 CFS)	from 01/01 to 12/31
IRRIGATION	(0.40 CFS)	from 03/15 to 11/15

Place of Use: NWSE SWSE SESE Sec 35 T 58N R 02W FOR 20 ACRES

Diversion Means: 2 PUMPS AND PIPELINE

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

December 13, 1978

Mr. and Mrs. Charles Finney
Rt 3, Box 227
Sandpoint, Idaho 83864

Dear Mr. and Mrs. Finney:

re: 96-4230

Attached is your receipt No. 12172 in the amount of \$ 20.00 for the
filing fee on the above referenced item which was received in this office.

Very truly yours,

Alea Beito
Secretary

AB

Attachment

MICROFILMED

State of Idaho
Department of Water Resources
Water Right

96-4230
IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 5/9/2022



Legend

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



State of Idaho
Department of Water Resources
Water Right

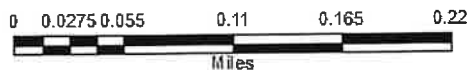
96-4230

DOMESTIC

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 5/5/2022

**Legend**

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



FINNEY FINNEY & FINNEY, P.A.

ATTORNEYS AT LAW

OLD POWER HOUSE BUILDING
120 EAST LAKE STREET, SUITE 317
SANDPOINT, IDAHO 83864-1366

PHONE: 1-208-263-7712 FAX: 1-208-263-8211

Gary A. Finney / John A. Finney / Rex A. Finney / Adam O. Finney

August 17, 2022

Idaho Department of Water Resources
Northern Region
7600 Mineral Dr, Ste 100
Coeur d'Alene, ID 83815-7763

Re: In Re General Adjudication Clark Fork-Pend Oreille
River Basin, Civil Case No. 69576
Our Client: Sharon Finney
Our File No. 3780-21

Dear Department:

Please find enclosed for filing in the above referenced
action claims, as follows:

1. An original Notice Of Claim To A Water Right with
attachments (15 pages total). Also, enclosed is a
copy of the first page of the Notice for conforming
and returning to me in the enclosed self-addressed
stamped envelope.
2. An original Notice Of Claim To A Water Right with
attachments (7 pages total). Also, enclosed is a copy
of the first page of the Notice for conforming and
returning to me in the enclosed self-addressed stamped
envelope.

Next, enclosed is Finney Finney & Finney, P.A. Check No.
25369 in the sum of \$122.00 payable to the Idaho Department
of Water Resources for the filing fees, calculated as follows:

1. \$50.00 flat fee plus 20 acres at \$1.00 per acre = \$50
+ \$20 = \$70.00.
2. \$50.00 flat fee plus 2 acres at \$1.00 per acre = \$50 +
\$2 = \$52.00.

Thank you. If you have any questions or concerns, please let me know.

Very truly yours,

A handwritten signature in blue ink, appearing to read "John A. Finney", with a stylized flourish at the end.

JOHN A. FINNEY
Attorney at Law

JAF:
Enclosures