

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
RECEIVED

CIVIL CASE NUMBER: 69576

Claim ID: 910-8140Date Received: 10/17/22Receipt No: N041513Claim Fee: \$250 By: ND

OCT 17 2022

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

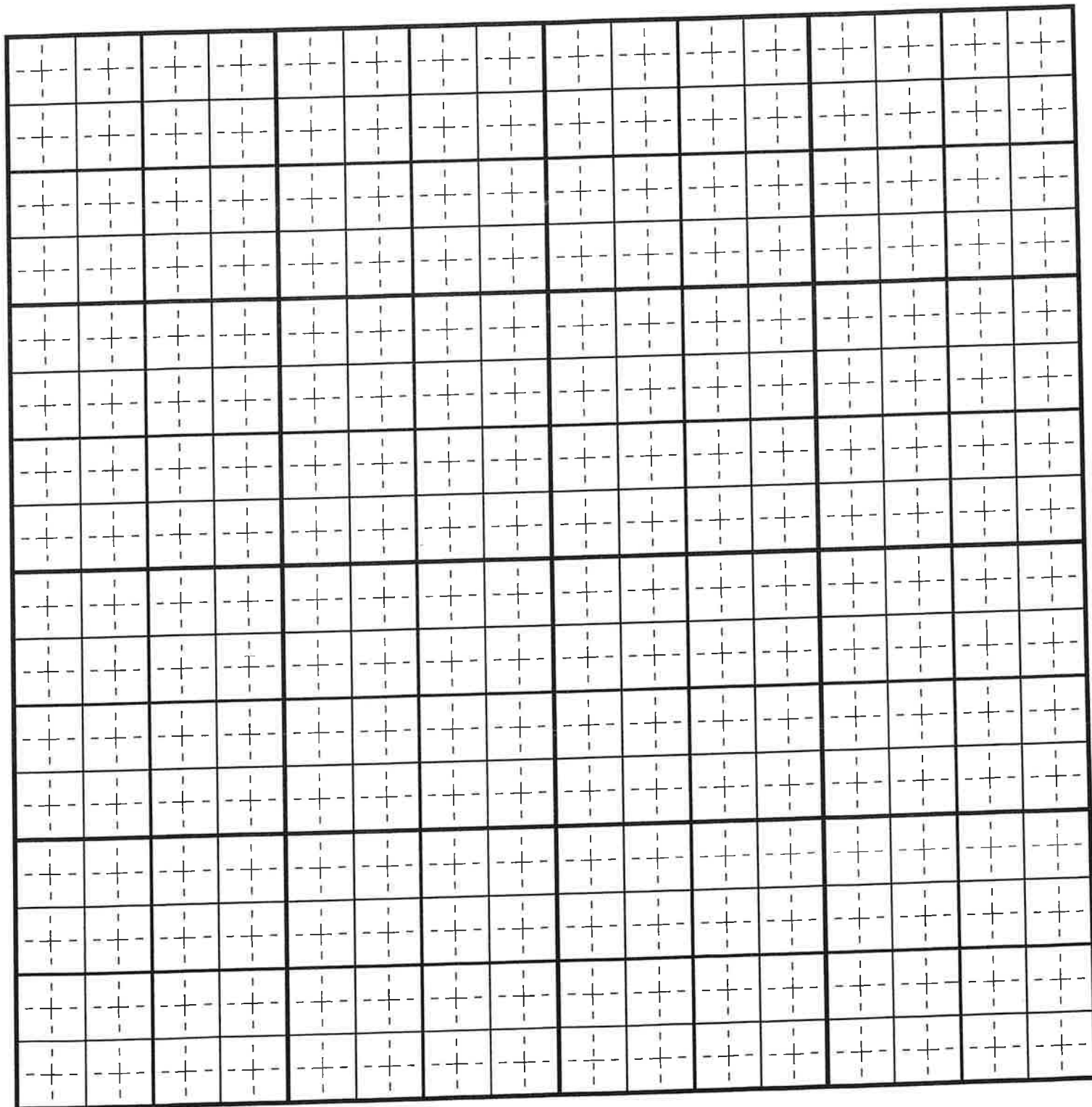
IDWR / NORTH

Please type or print clearly

1. Name of claimant(s) Scott D. Warnica Phone (509) 953-4064
Mailing address 2514 S. Radio Ln SPokane WA Zip 99223
Street or Box City State
Email address (optional) _____
2. Date of priority: (Only one per claim) FEB 4 1983 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY) WR# 91-08140
3. Source of water supply (Check one) Ground Water () or Other (X) (a) PEND OREILLE RIVER
which is tributary to (b) COLUMBIA RIVER
4. a. Location of point of diversion is: Township 55N, Range 04W, Section 3,
NW 1/4 of SW 1/4, Govt. Lot 1, BM, County of BONNER
Parcel no. see encl #4, #6
Additional points of diversion, if any: _____
If available, GPS Coordinates 48-1431673 - 116-8242430 (encl #3)
- 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.
ELECTRIC PUMP / BLACK POLY PIPE

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) _____ Claim ID _____

6. Water is claimed for the following purposes:

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

For IRRIGATION purposes from 04/01 to 10/15 amount .03 or 6.0

For DOMESTIC purposes from 01/01 to 12/31 amount .02 or .6

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) 6.6 (acre-feet)

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

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				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>55N</u>	<u>04W</u>	<u>3</u>																	<u>2</u>
<u>55N</u>	<u>04W</u>	<u>3</u>																	<u>D</u>

Parcel no(s). 55N 04W 3 NW SW 1/4 Total number of acres irrigated 2

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 () encl #1
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):

Encl #5 - WR #91-08140 issued to:
Neil + Janice Wood Feb 4/1983

Encl #1 - proof of SD Warrick ownership of
property

Name of claimant(s) _____

Claim ID _____

14. Basis of claim (Check one) Beneficial Use () Posted Notice () License (X) Permit () Decree ()

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 91-08140

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: 6

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: 10-10-2022

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) _____, 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) _____

Claim ID _____

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-08140

Priority: February 4, 1983

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.04 CFS
6.6 AF

This is to certify, that NEAL E. WOOD
JANICE K. WOOD

P.O. BOX 1326

PRIEST RIVER, ID 83856

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 4, 1983; and has submitted Proof of Beneficial Use on February 11, 1987. An examination indicates that the works have a diversion capacity of .040 cfs of water from:

PEND OREILLE RIVER

tributary to COLUMBIA 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>
IRRIGATION	04/01 to 10/15	0.03 CFS	6.0 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
Totals		0.04 CFS	6.6 AF

LOCATION OF POINT(S) OF DIVERSION: LOT 1(NWSW), Sec. 3, Township 55N, Range 04W
BONNER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
55N	04W	3	LOT 1(NWSW)	2		2

Total number of acres irrigated: 2

PLACE OF USE: DOMESTIC, same as IRRIGATION 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.

MICROFILMED

MAR 26 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 96-08140

CONDITIONS/REMARKS:

5. Domestic use is for 1 home.

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 8TH
day of JANUARY, 1990.

Acting for Norman C. Young
R. Keith Higginson, Director

RECORDED

MAR 26 1990

Enclosure
#1

Instrument # 997952
Bonner County, Sandpoint, Idaho
12/22/2021 12:01:20 PM No. of Pages: 3
Recorded for: STAMPER RUBENS PS
Michael W. Rosedale Fee: \$15.00
Ex-Officio Recorder Deputy *ny*
Index to: QUIT CLAIM DEED



AFTER RECORDING RETURN TO:
ALAN L. RUBENS
STAMPER RUBENS, P.S.
West 720 Boone, Ste. 200
Spokane, WA 99201

QUIT CLAIM DEED

THE GRANTORS, D.G. WARNICA and KAREN D. WARNICA, whose address is 11015 E. 19th Ave., Spokane Valley, WA 99206, for and in consideration of transferring property for no consideration (love and affection), convey and quit claim to SCOTT D. WARNICA, a married person dealing in his separate property, whose address is 2514 S. Radio Lane, Spokane, WA 99223, the following described real estate situated in the County of Bonner, State of Idaho, together with all after acquired title of the Grantors therein:

Parcel 1:

A tract of land in Government Lot 1 of Section 3, Township 55 North, Range 4 West, Boise Meridian, Bonner County, Idaho, more particularly described as follows:

Commencing at the Southeast corner of said Government Lot 1;

Thence North 00°28'20" East along the East line of said Government Lot 1 a distance of 300.00 feet to the true point of beginning;

Thence South 89° 55' 58" West Parallel to the South line of said Government Lot 1 a distance of 333.00 feet;

Thence North 00° 28' 20" East a distance of 1105.70 feet to the mean high water line of the Pend Oreille River;

Thence along said mean high water line, South 74° 06' 20" East a distance of 241.50 feet;

Thence continuing along said high water line, South 86° degrees 08' 13" East a distance of 98.08 feet to a point on the Westerly line of Mountain View Lots, a recorded plat in the records of Bonner County;

Enclosure
#2



E Hwy 2



470 Sandy Ridge Rd

Recently viewed

Dufort Rd

Dufort Rd

* Pt of diversion is
at the dock per enclosed
aerial photo.

470 Sandy Ridge Rd

470 Sandy Ridge Rd, Priest River, ID 83856



Directions



Save



Label

*Enclosure
#3*



Measure distance



45VG+78 Priest River, Idaho

(48.1431673, -116.8242430)



*Map
Coordinates*



Suggest an edit



Add a missing place



Parks



Restaurants



Attractions



Enchanted



Point of Diversion



470 Sandy Ridge Rd
Recently viewed



Google

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant NEAL E. & JANICE K. WOOD Phone 448-2659
Post office address P.O. Box 1326 Priest River 83856
2. Source of water supply PEND ORELLI RIVER which is a tributary of Columbia River - pms 3/14/88
3. Location of point of diversion is Gov Lot 1 $\frac{1}{4}$ of 3 $\frac{1}{4}$ of Section 3 Township 55 N
Range 4W B.M. BONNER County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

- Amount 0.16 for IRRIGATION purposes from April 1 to Oct 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.02 for DOMESTIC purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

- a. 0.18 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. ELECTRIC PUMP AND
ALUMINUM PIPE

- b. Height of storage dam NONE feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

- c. Proposed well diameter is NONE inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 4 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

- (1) Give the place of use of water: Gov Lot 1 $\frac{1}{4}$ of 3 $\frac{1}{4}$ of Section 3 Township 55 N
Range 4W B.M.

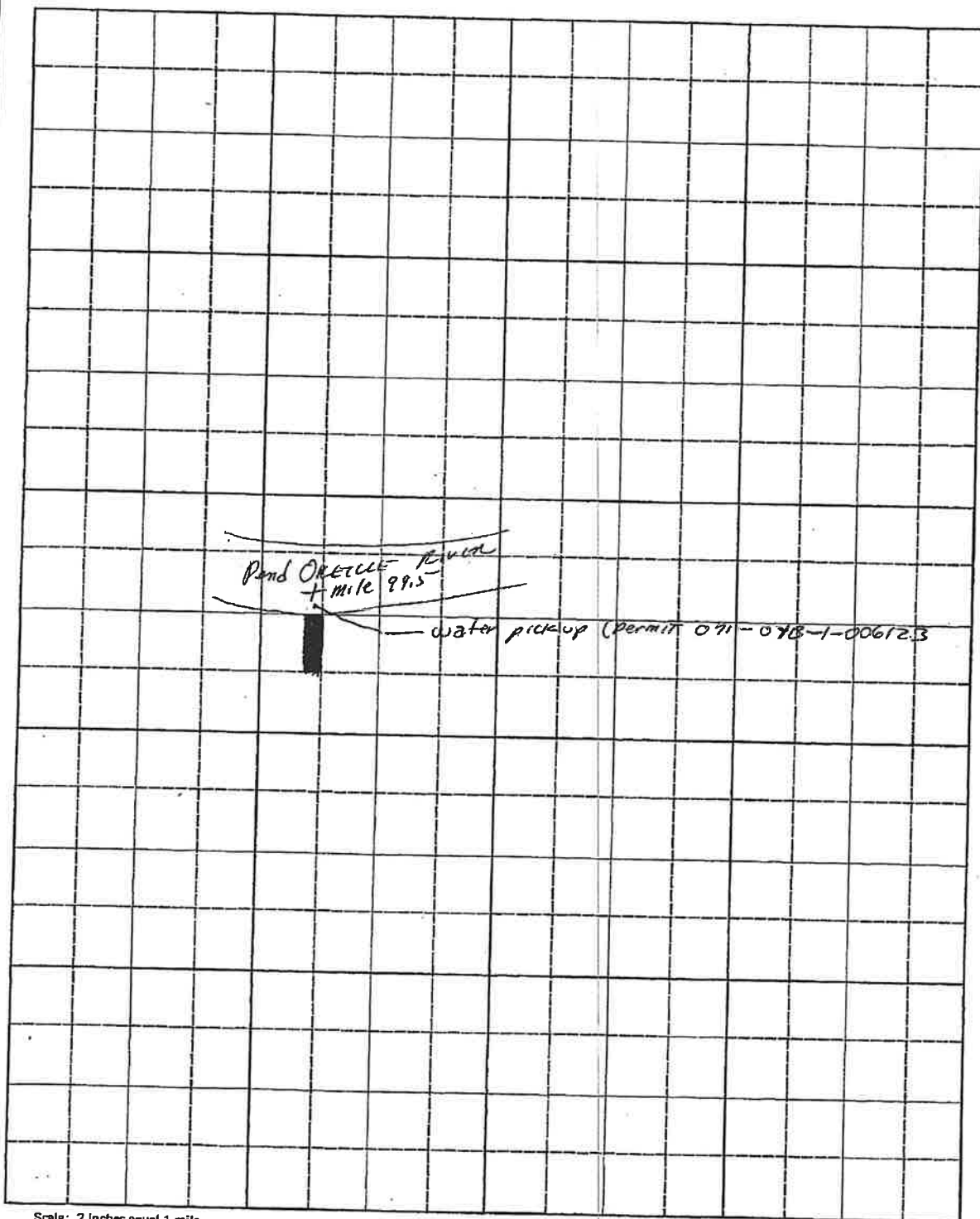
- (2) Amount of power to be generated: NONE horsepower under _____ feet of head.

- (3) List number of each kind of livestock to be watered _____

- (4) Name of municipality to be served _____, or number of families to be supplied with domestic water 1

- (5) If water is to be used for other purposes describe: _____

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Yolanda Wood
(Applicant) *Janice K. Wood*

Proposed Priority 2/4/1983

Received by pm Date 2/4/83 Time 11:50 AM
Preliminary check by RLH Fee \$ 30.00
Received by pm Date 2/14/83 (21886)
Publication prepared by pm Date 2/17/83
Published in Great Basin Times
Publication dates 2/24 & 3/3/83
Publication approved pm Date 3/14/83
Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RLH JC

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 96-8140, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 19 87.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Witness my hand this 23rd day of March, 1983.

L. Glen Gayton
Chief, Operations Bureau

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A

*Enclosure
#6*

Current Water Right No.: 96-8140

Current Owner: NEAL E WOOD

JANICE K WOOD

Priority Date: 2/4/1983

Origin: Water Right

Status: Active

Basis: License

Source

PEND OREILLE RIVER

Tributary

COLUMBIA RIVER

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION 4/01 to 10/15

0.03 CFS

6 AF

DOMESTIC 1/01 to 12/31

0.02 CFS

0.6 AF

Total Diversion

0.04 CFS

6.6 AF

Location of Point(s) of Diversion

PEND OREILLE RIVER

L1(NW1/4SW1/4)

Sec. 3, Twp 55N, Rge 04W B.M.

BONNER County

Place of Use

IRRIGATION Within BONNER County

T55N R04W S3 Lot 1 NWSW 2.00

Total Acres: 2

Place of Use: DOMESTIC same as IRRIGATION

Conditions of Approval:

1. Domestic use is for 1 home.

Licensed Date: 1/8/1990