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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: 96-9189

Date Received: 8-24-2022

Receipt No: C113781

Claim Fee: \$54- By: C113

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

Please type or print clearly

- 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  
Email address (optional) cmchugh@mchughbromley.com
- Date of priority: (Only one per claim) 06/30/2004 (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 57N, Range R2W, Section 23,  
NW 1/4 of SW 1/4, Govt. Lot \_\_\_\_\_, BM, County of BONNER COUNTY  
Parcel no. \_\_\_\_\_  
Additional points of diversion, if any: L2 T57N, R2W SECTION 23 SWNW  
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.  
THERE IS A 7.5 HP PUMP THAT WATERS THE POU

SCANNED

AUG 25 2022

6. Water is claimed for the following purposes:

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

For IRRIGATION purposes from 04/01 to 10/31 amount 0.30 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 0.30 (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 |        |
| 57n | 02w | 22  | .4 |    |    | .2 |    |    |     |    |    |     |    |    |    |    |    |    | .6     |
| 57n | 02w | 23  |    |    |    |    |    |    | 1.1 |    |    | 2.2 | .1 |    |    |    |    |    | 3.6    |
|     |     |     |    |    |    |    |    |    | L2  |    |    |     |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |     |    |    |     |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |     |    |    |     |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |     |    |    |     |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |    |     |    |    |     |    |    |    |    |    |    |        |

Parcel no(s) \_\_\_\_\_ Total number of acres irrigated 4.0

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):

THIS CLAIM IS BASED ON LICENSE NO 96-9189 THAT WAS ISSUED ON AUGUST 31, 2020.

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 \_\_\_\_\_

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: 2 LICENSE & 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, IDAHO \_\_\_\_\_  
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 103, BOISE, ID 83702

Name of claimant(s) CITY OF SANDPOINT Claim ID \_\_\_\_\_

State of Idaho  
Department of Water Resources  
**Water Right License**  
Water Right No. 96-9189

**Priority:** June 30, 2004

**Maximum Diversion Rate:** 0.30 CFS

It is hereby certified that:

CITY OF SANDPOINT 1123 LAKE ST SANDPOINT ID 83864-1714

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 30, 2004, and has submitted Proof of Beneficial Use on March 26, 2012. An examination confirms water is diverted from:

**Source :** SAND CREEK

**Tributary:** LAKE PEND OREILLE

**Beneficial Use**

IRRIGATION

**Period of Use**

04/01 to 10/31

**Rate of Diversion**

0.30 CFS

**Location of Point(s) of Diversion**

SAND CREEK NW¼ NW¼ SW¼, Sec. 23, Twp 57N, Rge 02W, B.M. BONNER County

SAND CREEK L2 (SW¼ SW¼ NW¼), Sec. 23, Twp 57N, Rge 02W, B.M. BONNER County

**Place of Use:** IRRIGATION

| Twp | Rng | Sec | NE  |    |    |     | NW |    |           |    | SW |     |     |    | SE |    |    |    | No QQ | Totals |
|-----|-----|-----|-----|----|----|-----|----|----|-----------|----|----|-----|-----|----|----|----|----|----|-------|--------|
|     |     |     | NE  | NW | SW | SE  | NE | NW | SW        | SE | NE | NW  | SW  | SE | NE | NW | SW | SE |       |        |
| 57N | 02W | 22  | 0.4 |    |    | 0.2 |    |    |           |    |    |     |     |    |    |    |    |    |       | 0.6    |
| 57N | 02W | 23  |     |    |    |     |    |    | 1.1<br>L2 |    |    | 2.2 | 0.1 |    |    |    |    |    |       | 3.4    |

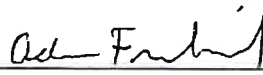
Total Acres: 4.0

**Conditions of Approval**

1. A fish screen of 1/4 inch or smaller mesh shall be installed and maintained at the point of diversion.
2. The approach velocity at the point of diversion shall not exceed 0.5 feet per second.
3. This right when combined with all other rights shall provide no more than 0.30 cfs nor more than 12.0 afa at the field headgate for irrigation of the land described above.
4. 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 Idaho Code § 42-219. 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 31<sup>st</sup> day of August, 2020.

  
ADAM FREDERICK  
Water Rights Supervisor

State of Idaho  
Department of Water Resources  
**Attachment to Water Right License**  
96-9189

This map depicts the IRRIGATION 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 0.15 0.3 0.6 Miles

