

# 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: 96-9436Date Received: 4/14/23Receipt No: N043083Claim Fee: \$250 By: NS

RECEIVED

APR 14 2023

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

IDWR / NORTH

Please type or print clearly

- Name of claimant(s) LIAM FITZGERALD, PAMELA HANSEN Phone (208) 255-4909  
Mailing address 151 UPPER GLENGARY RD. SAGE ID Zip 83860  
Street or Box City State  
Email address (optional) liamonthelake@gmail.com
- Date of priority: (Only one per claim) June 30, 2009 (Explain priority date selected in Remarks)  
Month/Day/Year (YYYY)
- Source of water supply (Check one) Ground Water ( ) or Other (X) (a) LAKE PEND OREILLE  
which is tributary to (b) PEND OREILLE RIVER
- a. Location of point of diversion is: Township 56 North, Range 1 East, Section 8,  
1/4 of 1/4, Govt. Lot 2, BM, County of BONNER  
Parcel no. \_\_\_\_\_  
Additional points of diversion, if any: \_\_\_\_\_  
If available, GPS Coordinates 48.22219 N, 116.37075 W
- 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.  
PVC PIPE EXTENDS ~150' INTO LAKE PEND OREILLE  
FROM HIGH WATER MARK AND IS ATTACHED  
TO AN ELECTRIC PUMP,

6. Water is claimed for the following purposes:

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

For DOMESTIC purposes from 01/01 to 12/31 amount 0.02 or \_\_\_\_\_

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

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

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

7. Total quantity claimed (a) \_\_\_\_\_ (cfs) and/or (b) 1.2 (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) 1 HOUSEHOLD

9. Description of place of use: (FOR DOMESTIC/HOUSEHOLD 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>56N</u> | <u>01E</u> | <u>8</u> |    |    |    |    |    |    | <u>LIZ</u> |    |    |    |    |    |    |    |    |    |        |
|            |            |          |    |    |    |    |    |    |            |    |    |    |    |    |    |    |    |    |        |
|            |            |          |    |    |    |    |    |    |            |    |    |    |    |    |    |    |    |    |        |
|            |            |          |    |    |    |    |    |    |            |    |    |    |    |    |    |    |    |    |        |
|            |            |          |    |    |    |    |    |    |            |    |    |    |    |    |    |    |    |    |        |
|            |            |          |    |    |    |    |    |    |            |    |    |    |    |    |    |    |    |    |        |
|            |            |          |    |    |    |    |    |    |            |    |    |    |    |    |    |    |    |    |        |
|            |            |          |    |    |    |    |    |    |            |    |    |    |    |    |    |    |    |    |        |

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 (X) 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 OBTAINED FROM WATER RIGHT LICENSE  
(STATE OF IDAHO DEPT. OF WATER RESOURCES, WATER  
RIGHT NO. 96-09436)

Name of claimant(s) LIAM FITZGERALD, PAMELA HANSEN 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 96-09436

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 (X) do not ( ) wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: X 3

**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) Liam Fitzgerald Date: 04/12/2023  
Pamela Hansen Date: 4/12/23

**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.

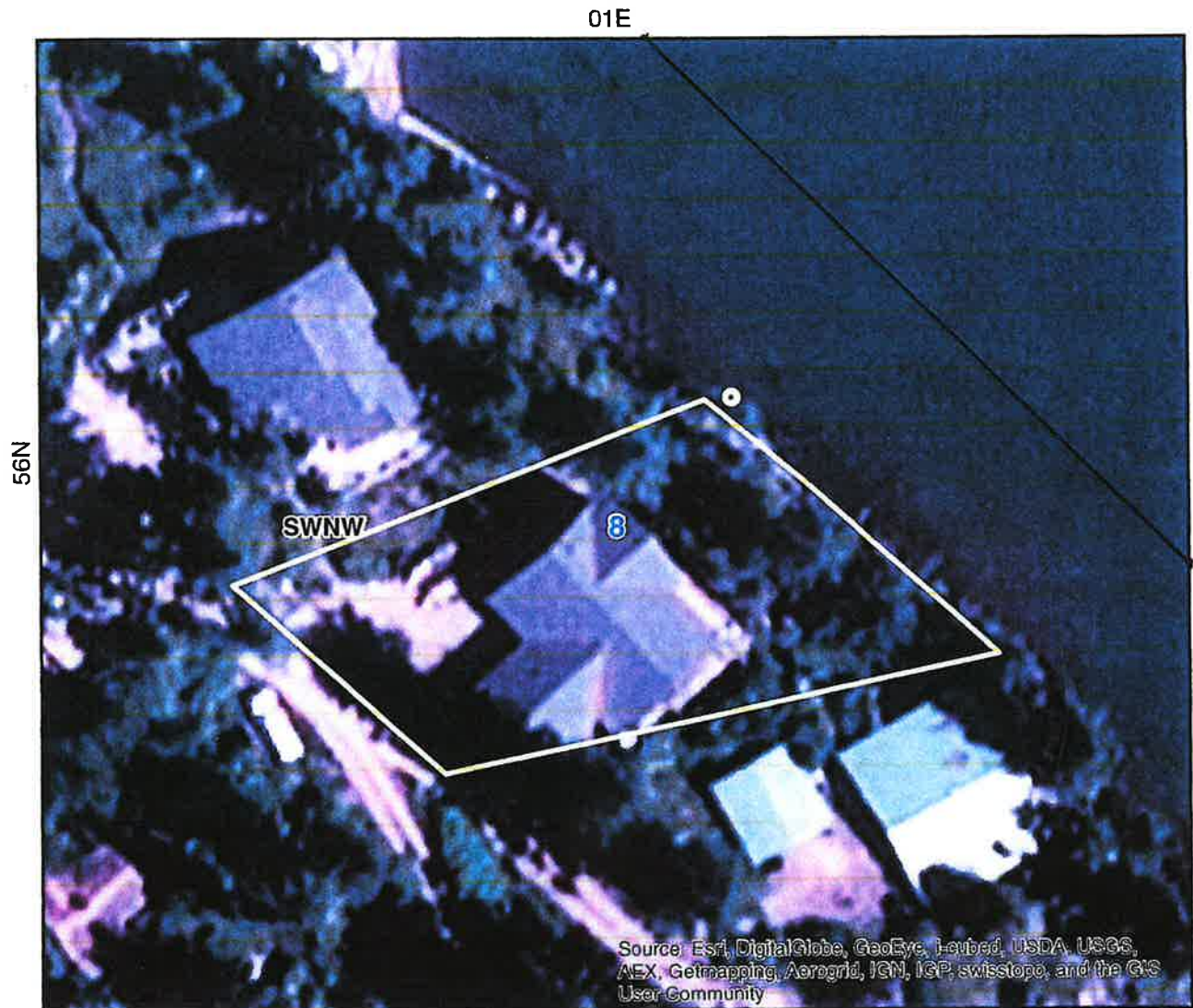
Signature \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_

Name of claimant(s) LIAM FITZGERALD, PAMELA HANSEN Claim ID \_\_\_\_\_

State of Idaho  
Department of Water Resources  
**Attachment To Water Right License**  
96-9436

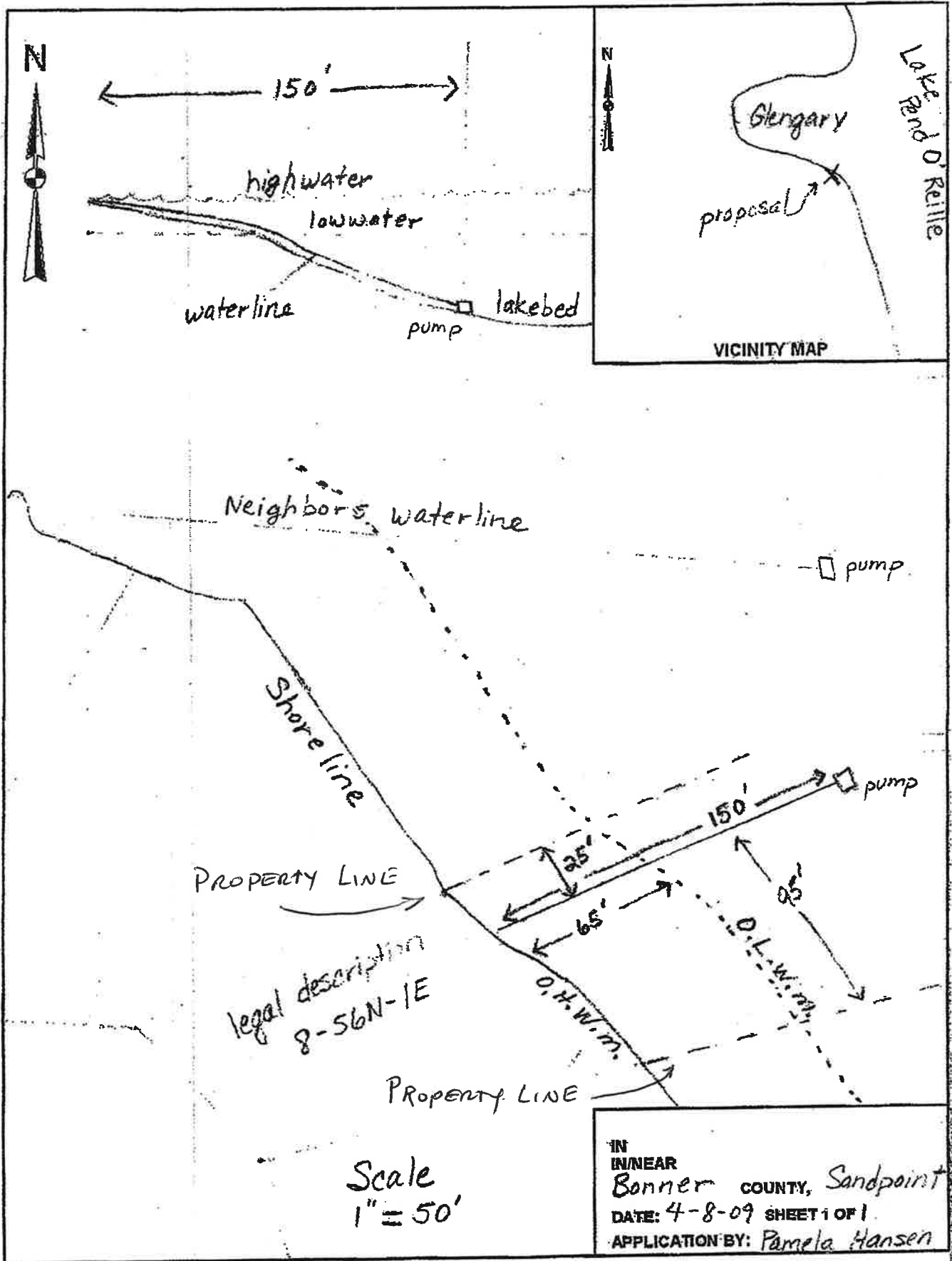
This map depicts the DOMESTIC place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



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

0 0.005 0.01 0.02 Miles





State of Idaho  
Department of Water Resources  
**Water Right License**

WATER RIGHT NO. 96-09436

Priority: June 30, 2009

Maximum Diversion Rate: 0.02 CFS  
Maximum Diversion Volume: 1.2 AF

It is hereby certified that LIAM THOMAS FITZGERALD

And/Or

PAMELA HANSEN  
PO BOX 920049

SNOWBIRD UT 84092 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 30, 2009; and has submitted Proof of Beneficial Use on October 21, 2011. An examination confirms water is diverted from:

**SOURCE**

PEND OREILLE LAKE

Tributary: PEND OREILLE RIVER

and a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL<br/>DIVERSION VOLUME</u> |
|-----------------------|----------------------|-----------------------|------------------------------------|
| DOMESTIC              | 01/01 to 12/31       | 0.02 CFS              | 1.2 AF                             |

**LOCATION OF POINT(S) OF DIVERSION:**

PEND OREILLE LAKE L2 (SW1/4NW1/4) Sec. 8, Twp 56N, Rge 01E, B.M. BONNER County

**PLACE OF USE:** DOMESTIC

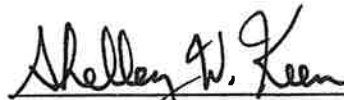
| Twp Rge Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| 56N 01E 8   |    |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |        |
|             |    |    |    |    |    |    | L2 |    |    |    |    |    |    |    |    |    |        |

**CONDITIONS OF APPROVAL**

1. Domestic use is for 1 home.
2. This right does not grant any right-of-way or easement across the land of another.
3. The irrigation occurring under this domestic use shall not exceed 1/2 acre.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. 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 7<sup>th</sup> day of November, 2013.

  
for GARY SPACKMAN  
Director