

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

Ident. Number: 96-9812
Date Received: 3/31/2022
Receipt No: T112287
Claim Fee: \$25.00
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day

1. Name of Claimant(s)

JOSEPH SWAN
1621 CAMP BAY RD
SAGLE ID 83860-9420

Phone: (208) 263-4454

And/or
Catherine Thomas

Phone: (208) 263-4454

2. Date of Priority: 6/5/2020

6-5-2020

3. Source:

GROUND WATER
GROUND WATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
56N	01E	18	NW NW	1	BONNER	
56N	01E	18	NW NW	1	BONNER	

5. Description of diverting works:

500 ft deep well and connected pumphouse located on property at 1621 Camp Bay Rd, Sagle,
Idaho, 83860

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	1/1	12/31	0.04		1.2

96-9812

SCANNED
OCT 05 2023

7. Total Quantity Appropriated is:

0.04 C.F.S. and/or 1.2 A.F.A.

8. Non-irrigation uses:

Domestic use for 1 ~~2~~ home and irrigation for 1/2 acre.

9. Place of use:

DOMESTIC within BONNER County

Township	Range	Section	¼	of	¼	Lot	Acres
56N	01E	18	NW		NW	1	

10. Do you own the property listed above as place of use? Yes

If your answer is no, describe in remarks below the authority you have to claim this water right.

11. Other Water Rights Used:

Prior water right 96-8983 was assigned a right to another location and has been using my POD under water right 96-9812 under false water right and claim of use. Upon drilling a well on community property the association of record continued using water right

12. Remarks:

Priority Date Explanation:

Well originally drilled by David Marx. A memorandum to water right file 96-8983 and 96-9812 dated Oct, 25, 2021 From Michele Edl, Re: file review is a matter of record. The well location in question was being used by David Marx prior to a right of use under water right 96-8983. There was a 6 month period where there was a dissolution of association by the state for non-filing, where water right lease agreement filed under memorandum of lease provided to IDWR for applying for water right 96-8983, without an original lease agreement for said memorandum on file or of county record, was not transferred to successors nor assigns, rendering lease agreement void. Also note Legal location of well was incorrect and based on those facts I am filing as first in time, first in right due to beneficial use of well at POD, as well drillers report on record is for previous owner, and the well runs with the land. I am reclaiming my water right of beneficial use, and first priority and reject all other claims to my right.

This claim was renumbered from former claim 96-10646.

13. Basis of Claim: License

14. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the CLARK FORK-PEND OREILLE River Basin 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: _____

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: