

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: _____

Date Received: 6-29-22Receipt No: N04035 + N041153Claim Fee: 51.00 By: NSPd. \$44.00 6-29-22Pd. \$7.00 9-15-22

RECEIVED

JUN 29 2022

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

IDWR/NORTH

Please type or print clearly

1. Name of claimant(s) Eva Masin, Nolan Clark, Abram Clark Phone (208) 448-1374 ^{Message phone:}
Mailing address 1393 Eastside Road Pratt River Idaho Zip 83856
Street or Box City State
Email address (optional) _____
2. Date of priority: (Only one per claim) September 22, 1986 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water () or Other (✓) (a) Unnamed stream
which is tributary to (b) Alder Creek
4. a. Location of point of diversion is: Township 56N, Range 4W, Section 19,
NW 1/4 of NE 1/4, Govt. Lot _____, BM, County of Bonner
Parcel no. RP 56N04W190602A
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 _____
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.

Earth dam.

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD)

(cfs)

(acre-feet)

For Irrigation Storage purposes from 4/01 to 12/31 amount _____ or 2.1
For Irrigation Farm Storage purposes from 4/01 to 10/31 amount _____ or 2.1
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) 2.1 (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:

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	
56	4W	19		2.8															

Parcel no(s) RP 56N04W190602A

Total number of acres irrigated 2.8

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.

A water right to Alder Creek: 97-07276 or None ()

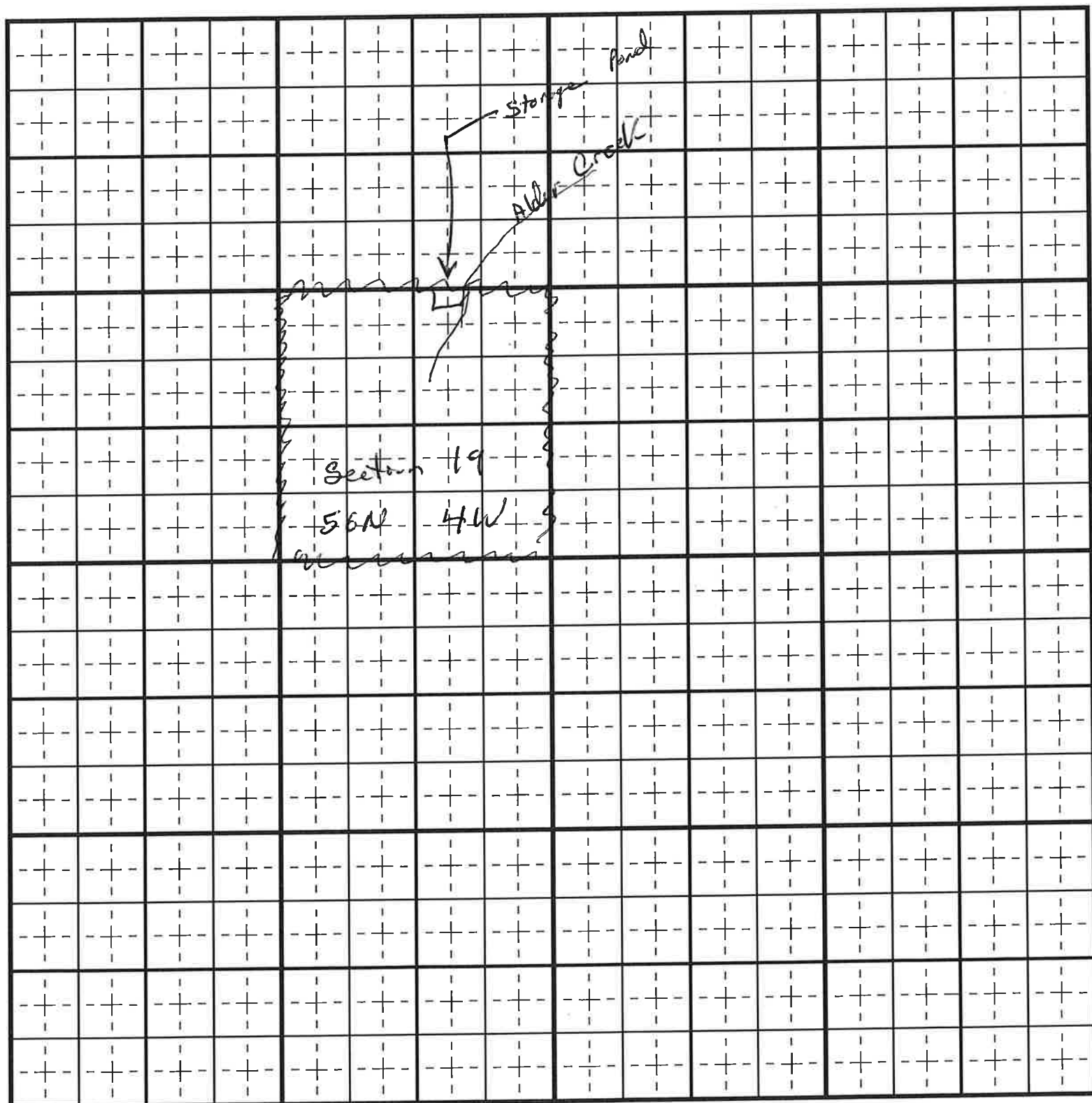
13. Remarks (Include an explanation of the priority date selected):

Name of claimant(s) Eva Masin, Nolan Clark, Abram Clark

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) Eva Mesin Nolen Clark Abram Clark

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 97-07279

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: _____

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) Eva Masin Date: 6/26/22

Nolan Clark Date: 6/26/22
Abram Clark 6/26/22

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) Eva Masin, Nolan Clark, Abram Clark Claim ID _____

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 97-07279

PRIORITY: September 22, 1986

Maximum Diversion Volume: 2.1 AF

It is hereby certified that:

NOLAN CLARK PO BOX 1334 PRIEST RIVER ID 83856

And

ABRAM CLARK PO BOX 1334 PRIEST RIVER ID 83856

And

EVA MASIN PO BOX 1334 PRIEST RIVER ID 83856

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated, and has submitted Proof of Beneficial Use on February 28, 1991. An examination confirms water is diverted from:

SOURCE:
UNNAMED STREAM

TRIBUTARY:
ALDER CREEK

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION STORAGE	01/01 to 12/31	2.1 AF
IRRIGATION FROM STORAGE	04/01 to 10/31	2.1 AF

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM NW¼NW¼NE¼ Sec. 19, Twp 56N, Rge 04W, B.M. BONNER County

PLACE OF USE: IRRIGATION FROM STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
56N	04W	19		0.7															.7

Total Acres: 4

PLACE OF USE: IRRIGATION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
56N	04W	19		X															

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 3.0 afa per acre at the field headgate for irrigation of the place of use.
2. Rights 97-7276 and 97-7279 when combined shall not exceed a total diversion rate of 0.07 cfs, a total annual maximum diversion volume of 12.4 af at the field headgate, and the irrigation of 2.9 acres.

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 97-07279

3. Rights 97-7276 and 97-7279 authorize a total annual storage volume of 6.1 acre-feet to be used for the initial filling of the pond, for the replacement of losses caused by evaporation, and for the storage of water for irrigation purposes.
4. The pond established by the storage of water under this right shall not exceed a total capacity of 1.9 acre-feet or a total surface area of 0.19 acres.
5. 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 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 12th day of January, 2017.

Morgan Case
MORGAN CASE
Northern Regional Manager