

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: 96-7550Date Received: 5/20/24Receipt No: NO44677Claim Fee: \$1500 By: YMB

RECEIVED

MAY 20 2024

IDWR / NORTH

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

Please type or print clearly

1. Name of claimant(s) Gary A and Margaret A Smith Phone (208) 255-9848
Mailing address 702 Mirror Lake Rd, Eagle ID Zip 83860
Street or Box City State
Email address (optional) ~~XXXXXX~~

2. Date of priority: (Only one per claim) MAY 17, 1977 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water (\) or Other X (a) Mirror Lake
which is tributary to (b) SINKS

4. Location of point of diversion is: Township 56N, Range 01W, Section 30
SW 1/4 of S 1/2 or Govt. Lot _____ BM, County of Bonner
Parcel no. RP56ND1W3027DDA

Additional points of diversion, if any: _____

If available, GPS coordinates: _____

5. Description of diverting works (wells, pumps, spring boxes, pipelines, 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.

A pump was placed in Mirror Lake at a depth of 25 ft. with a pipe supplying house and yard

6. Water is claimed for the following: (limited to domestic and/or stockwater uses - see page 1 of the instructions)

For _____ purposes from _____ Month/Day to _____ Month/Day cfs () or AFY X

For Domestic purposes from 1/01 to 12/31 amount 3.6

7. Total quantity claimed 3.6 cfs () or AFY X

8. Non-irrigation uses. Describe fully. (Domestic: give number of homes; Stockwater: list number and kind)

Domestic Use - 1 home

9. Location of place of use is: Township 56N, Range 01W, Section 30,
SW 1/4 of 5 1/2 ~~44~~ Govt. Lot _____ BM, Parcel no: RP54 N01W30 2700A
If different than shown in Item 4
for (check one) Domestic ☒ Stock () Domestic and Stock ()

Additional places of use, if any _____

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 the 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):
May 17, 1977 is the Priority Date on our Water Right License No. 96-07550

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 96-07550

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 - letter and check

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) Gary A. Smith Date: 5/17/2024
Margaret A. Smith Date: 5/17/2024

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 of behalf on 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 _____

RECEIVED

MAY 20 2024

IDWR / NORTH

May 17, 2024
702 Mirror Lake Rd
Sagle, ID 83860

IDWR, Northern Region
7600 N. Mineral Dr., Suite 100
Coeur d'Alene, ID 83815-7763

We tried unsuccessfully all day and night to electronically file our 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. The IDWR electronic filing system failed to perform properly even when we tried to file at several different locations (to increase signal strength) and with several different phones and a tablet.

Since the failure of the IDWR's system, caused us to be unable to

File our CLAIM (based on the May 17,
1977 Priority Date of Water Right
License No. 96-07550) by the
deadline, we request that we
be granted permission to file
this written CLAIM today.
We are mail our CLAIM to the
Coeur d'Alene office.

Thank you for giving our request
a fair consideration.

Sincerely,

Gary A. Syth
Margaret A. Syth
702 Mirror Lake Rd.
Sagle, ID 83860
208-255-9848
208-255-9849

Enclosed is the \$25 filing
fee, plus a potential \$50
late fee.