

ORIGINAL

Form No.42-1409-1 (Internet 06/21)

DISTRICT COURT - CFPRBA
Fifth Judicial District
County of Twin Falls-State of Idaho

**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: 96-04534

Date Received: _____

Receipt No: _____

Claim Fee: _____ By: _____

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

Please type or print clearly

United States of America, on behalf of
the Dept. of Defense, Army Corps of Engineers

1. Name of claimant(s) _____ Phone (206) 764-3742

Mailing address 4735 E. Marginal Way S., Bldg 1202 Seattle WA Zip 98134
Street or Box City State

Email address (optional) _____

2. Date of priority: (Only one per claim) JAN / 01 / 1962 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water (✓) or Other () (a) _____

which is tributary to (b) _____

4. a. Location of point of diversion is: Township 56N, Range 02W, Section 04,
NW 1/4 of NW 1/4, Govt. Lot _____, BM, County of Bonner

Parcel no. _____

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.

Well with 5 HP pump, 100 GPM capacity.

6. Water is claimed for the following purposes:

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

For Commercial purposes from 05-01 to 10-31 amount 0.221 or _____

For Fire Control purposes from 05-01 to 10-31 amount 0.002 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.223 (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	2W	33											X						
56N	2W	4						X											

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 (☒) 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):

Enclosure 1: Claim to a Water Right;

Enclosure 2: Claim Analysis documentation/ accompanying paperwork demonstrates the use, dates, locations
~~PODs and priority date.~~

Enclosure 3: Updated Areal Maps / Point of Diversion included.

Claim is for commercial use and fire protection at Springy Point Recreation site /Albeni Falls Dam project lands
12 hydrants and fountains, one dump station, 2 latrines.

Property is owned by the U.S. Government / United States of America, Department of Defense, U.S. Army
Corps of Engineers.

Name of claimant(s) United States of America, on behalf of the Dept. of Defense, Army Corps of Engineers

Claim ID _____

SEE ENCLOSURE 3 FOR MAPS

[illegible]

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 96-04534

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) _____ 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

Chief, Real Estate Division

of Seattle District, US Army Corps of Engineers

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 VEGA.OMAR.J. 1379583160 Digitally signed by VEGA.OMAR.J.1379583160 Date: 2025.03.12 09:50:49 -07'00' Date 3/12/2025

Printed Name of Authorized Agent OMAR VEGA

16. **Notice of Appearance:**

SEE ATTACHED 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 _____

HOW YOU WILL RECEIVE NOTICES IN THE CLARK FORK-PEND OREILLE RIVER BASIN WATER SYSTEM ADJUDICATION

All documents filed in the Clark Fork-Pend Oreille River Basin Water System Adjudication, other than notices of claim, are filed with the court. Notices of claim to water rights filed in the Clark Fork-Pend Oreille River Basin Water System Adjudication are filed with the Idaho Department of Water Resources (IDWR). Copies of all documents filed in the Clark Fork-Pend Oreille River Basin Water System Adjudication will not be mailed to all parties (claimants) in the adjudication. Any document filed with the court will be mailed only to those parties who may be directly affected by it.

A monthly docket sheet is prepared by the court, which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Clark Fork-Pend Oreille River Basin Water System Adjudication. Copies of a monthly docket sheet may be obtained from any of the offices of IDWR; a small fee may be charged to cover the cost of mailing and/or copying. If you wish to receive an annual subscription of the docket sheet printed each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee by the court to cover the cost of copying and mailing. The docket sheet is also available on the court's web site at:

<http://www.srba.idaho.gov/KRBA20.HTM>

Copies of any document listed on the docket sheet may be obtained from any of the IDWR offices or the court and a small fee may be charged to cover the cost of mailing and/or copying the document.

Copies of all notices of claim filed with IDWR will be available for inspection at all IDWR offices. You may also obtain copies of the notices of claim filed by other claimants, but you may be charged for the cost of copying and mailing. A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.

After the notices of claim have been reviewed, the director will prepare and file a Director's report with the court that will contain the Director's recommendations as to each water right claimed under state law and a copy of each federal reserved water right claimed. A Director's report will be prepared for all claims filed in the Clark Fork-Pend Oreille River Basin Water System Adjudication. When this report is filed with the court, you will be mailed a notice informing you that the report has been filed. The notice will be sent to the most recent address shown by IDWR's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way another claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection.

It is very important that you inform IDWR in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by IDWR or the court.

If you are acquiring property with water rights within the boundaries of the Clark Fork-Pend Oreille River Basin Water System Adjudication in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of IDWR whether a notice of claim has been filed. If you fail to file a required notice of claim for a water right, that water right may be determined to no longer exist.

If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with IDWR. You may contact IDWR regional offices or the IDWR web site <http://www.idwr.idaho.gov/> for change of ownership forms. The notice of change in ownership form must be accompanied by evidence of the ownership of the property. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by IDWR or the court.

Enclosure 1

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

DECEMBER 26, 1983

U.S. DEPT. OF DEFENSE
DEPT. OF ARMY
CORPS OF ENGINEERS
P.O. BOX C-3755
SEATTLE

WA 98124

RE: Claim No. 96-4534

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Sincerely,

Robert G. Haynes, P.E.
Regional Supervisor

Enclosure

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: sl

Right Number 96-4534 Applicant Caps

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

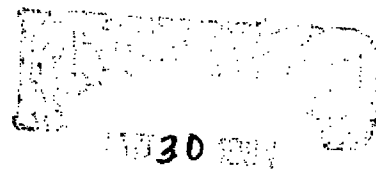
- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By sl Date 1/11/84

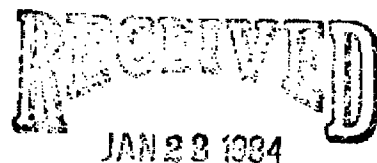
STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By sc Date 1/30/84



Department of Water Resources



Department of Water Resources

MICROFILMED

96-4534

U.S. DEPT. OF DEFENSE

DEPT. OF ARMY, CORPS OF ENGINEERS, P.O. BOX C-3755, SEATTLE, WA 98124

Source: GROUNDWATER

Priority Date: 01/01/1962

Division Pt: NWNW Sec 04 T 56N R 02W

Use: COMMERCIAL	(0.2210 CFS)
FIRE PROTECTION	(0.0020 CFS)

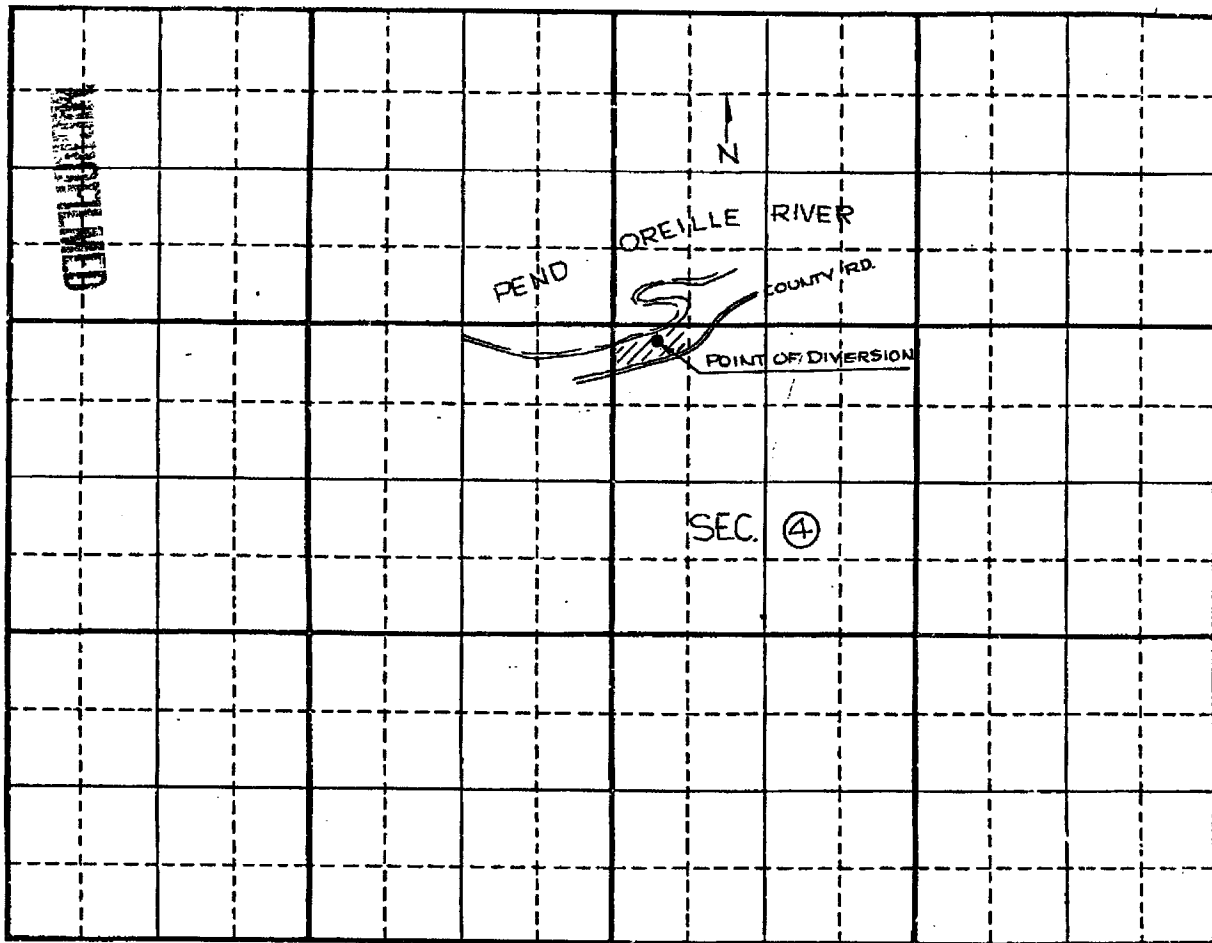
In: SWSW Sec 33 T 57N R 02W NWNW Sec 04 T 56N R 02W

MICROFILMED

Enclosure 2

- (7) If you are claiming water as a member of an organization, list name of organization: N/A

(8) Remarks



Scale: 2 inches equal 1 mile.

T.56N., R.2W., B.M.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

NOTE:

The filing deadline has been extended with a substantially increased fee:

Date Claim Filed	Fee
Until 6-30-1983	\$ 30
7-01-1983 thru 6-30-1984	\$100
7-01-1984 thru 6-30-1985	\$200

State of ~~Idaho~~ WASHINGTON)

County of KING) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 19th day of AUGUST

George Gregory Morn
GEORGE GREGORY MORN, Chief, Real Estate Div.
Seattle District Corps of Engineers
19 83

Edward A. Russell Jr.
Notary Public
Residing at Seattle

My commission expires 1-1-85

Received by FOR Date 11/21/83 FOR DEPARTMENT USE ONLY
Prelim. check by JK Date 11/21/83 Exception filed by:
\$30.00 fee received by Angela Bee Date 11/24/83 (31403)
Published in _____
Dates 11/7-14/83

Forwarded to _____ Date _____
claimant by: _____

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Pete Thompson being first duly sworn on oath deposes and says that he is publisher of the Sandpoint Daily Bee, and News Bulletin, newspapers printed and published at Sandpoint, in Bonner County, Idaho; that the said newspapers have been continuously and uninterruptedly published in said Bonner County during a period of 12 months prior to the first publication of the hereto attached notice of publication in the case of _____

legal notice

as it was published in the regular and entire issue of the said paper for a period of 2 consecutive weeks, commencing on 7 day of 12, 1983 and ending on the 14 day of 12, 1983 and that said notice was published in said newspaper.

Pete Thompson

Subscribed and sworn to before me this 3 day of 1, 19 84.

Abelle M Thompson

Notary Public for Idaho,

Residing at Sandpoint, Idaho

RECEIVED

JAN 11 1984

Department of Water Resources
Northern District Office

**NOTICE OF CLAIMS
TO WATER RIGHTS**

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

96-4534

U.S. DEPT. OF DEFENSE
DEPT. OF ARMY, CORPS
OF ENGINEERS, P.O. BOX
C-3755, SEATTLE, WA 98124
Source: GROUNDWATER

Priority date: 01/01/1962

Diversion Pt: NWNW Sec 04
T 56N R 02W

Use: COMMERCIAL (0.2210
CFS)

FIRE PROTECTION (0.0020
CFS)

In: SWSW Sec 33 T 57N R
02W NWNW Sec 04 T 56N R
02W

Exceptions to a claim may
be filed with the Director,
Dept. of Water Resources,
4055 Gov't. Way, Coeur
d'Alene, Id. 83814.

KEN DUNN, Dir.

Published 12/7 & 12/14/83.

Dept. of Water Resources

R
11/11/84

MICROFILMED



ate of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

April 2, 1986

RE: Permit No. 97-7272 & Claim No. 96-4534

Bart J. Wivell
Army Corps of Engineers
P.O. Box C-3755
Seattle, WA 98124-2255

Dear Mr. Wivell:

We have received your letter inquiring about the status of the above referenced water rights from our regional office in Coeur d'Alene. Please be advised that both of these rights are in good standing. We have enclosed copies of each for your records.

Be advised that no further action will be taken on Claim No. 96-4534. Our office retains these documents to record and preserve the information only. The files are available at any time for use by you or the court in the case of a water right problem.

Permit No. 97-7272 was approved and mailed to your office in January, 1985. We have received the commencement of works card which was a requirement of the permit. Once the water system has been fully developed, a proof of beneficial use form should be submitted. You can receive one of these forms by contacting one of our offices. Be advised that you have until January 1, 1990 to submit the proof of beneficial use statement. Our office will notify you 60 days prior to the proof due date that your proof should be submitted.

If you have any further questions regarding these rights, please feel free to contact us.

Sincerely,

KAY WALKER
Technical Records Specialist

KW:sc
Enclosures

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

A. Kenneth Dunn
Director

Suite No. 9
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 765-4639

March 25, 1986

Mr. Bart J. Wivell
Army Corps of Engineers
P. O. Box C-3755
Seattle, Wa. 98124

Re: 96-4534 and 97-7272

Dear Mr. Wivell:

This Department has approved your Application for Permit and processed your Claim to a Water Right.

A copy of each should have been sent to you by our Boise Office, so I have forwarded your letter to them for further action.

Sincerely,

157
TOM D. KING
Senior Water Resource Agent

TDK/pms

✓ cc: IDWR - State Office - w/enc.

MICROFILMED



DEPARTMENT OF THE ARMY
SEATTLE DISTRICT, CORPS OF ENGINEERS
P.O. BOX C-3755
SEATTLE, WASHINGTON 98124-2255

Acquisition Branch

MAR 19 1966

Tom D. King, Senior Water Resource Agent
State of Idaho
Department of Water Resources, Northern Region
4055 Government Way
Coeur d'Alene, Idaho 83814

Dear Mr. King:

We refer to our Application for Claim to a Water Right, DACW 67-9-83-25, Springy Point, near Albeni Falls Dam project. The application dated August 19, 1983 was submitted to your office on November 16, 1983.

We would appreciate your advising us of the status of our application. If you have any questions, please call Mrs. Linda Vert, telephone 206-764-3666.

Sincerely,

Back J. Wood

Bart J. Wivell
Chief, Acquisition Branch
Real Estate Division

RECEIVED
JUN 21 1986

Department of Water Resources
Northern District Office

RECEIVED

IDENT. NO. 96-4534

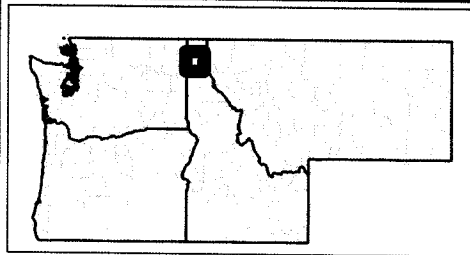
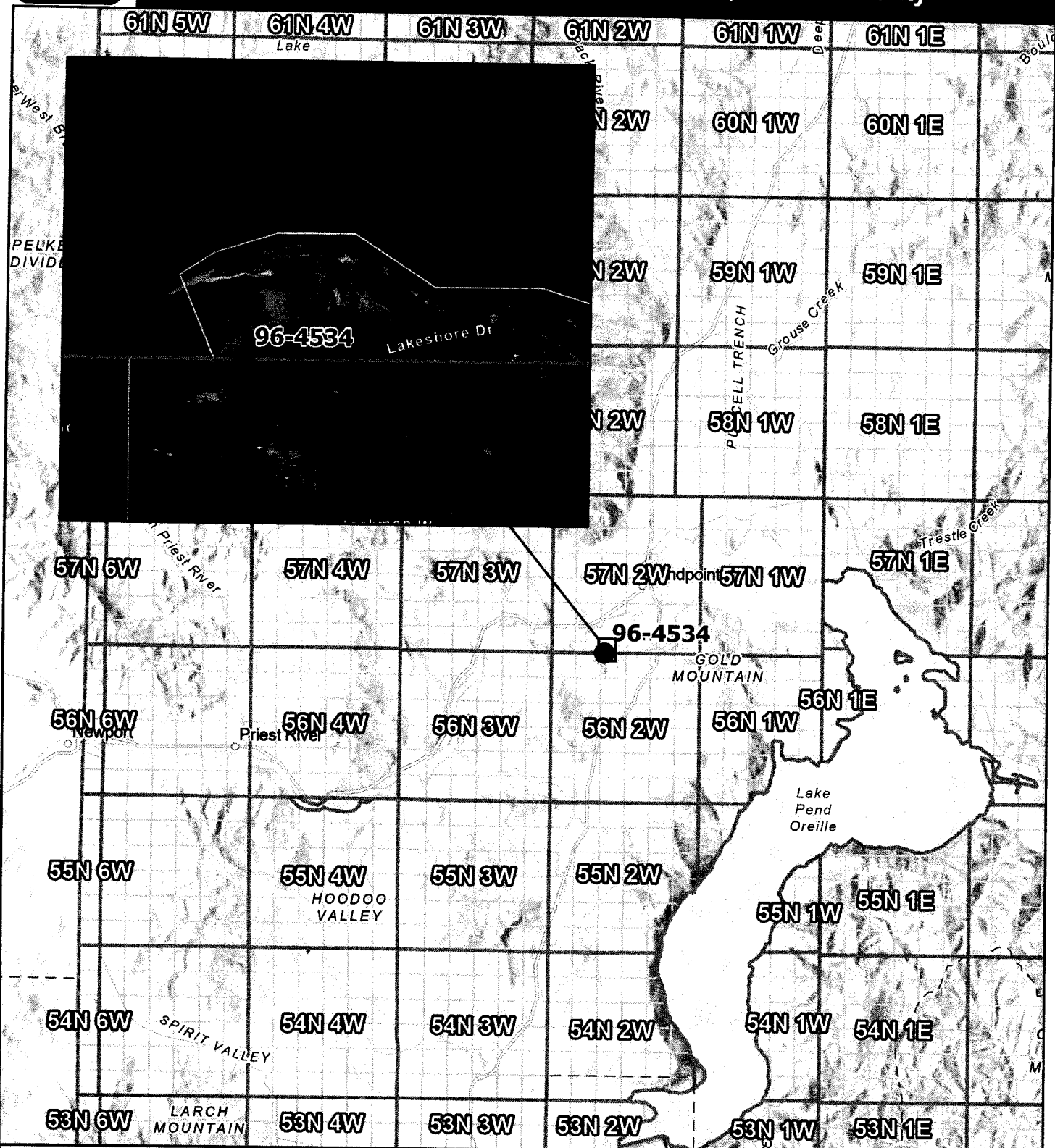
WATER RIGHT
DATA ENTRY LOG

[illegible]

Enclosure 3



CLAIM 96-4534
NW 1/4 NW 1/4 SEC 4, TWP 56N, RGE 2W, Bonner County

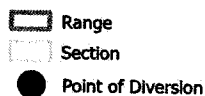


U.S. Army Corps of Engineers

- Range
- Section
- Well Location

Purpose: Springy Point
Recreation Area

DISCLAIMER - While the United States Army Corps of Engineers, (hereinafter referred to as USACE) has made a reasonable effort to ensure the accuracy of the maps and associated data, it should be explicitly noted that USACE makes no warranty, representation or guaranty, either express or implied, as to the content, sequence, accuracy, timeliness or completeness of any of the data provided herein. The USACE, its officers, agents, employees, or servants shall assume no liability of any nature for any errors, omissions, or inaccuracies in the information provided regardless of how caused. The USACE, its officers, agents, employees or servants shall assume no liability for any decisions made or actions taken or not taken by the user of the maps and associated data in reliance upon any information or data furnished here. By using these maps and associated data the user does so entirely at their own risk and explicitly acknowledges that he/she is aware of and agrees to be bound by this disclaimer and agrees not to present any claim or demand of any nature against the USACE, its officers, agents, employees or servants in any forum whatsoever for any damages of any nature whatsoever that may result from or may be caused in any way by the use of the maps and associated data.

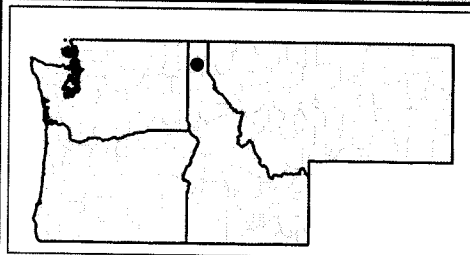
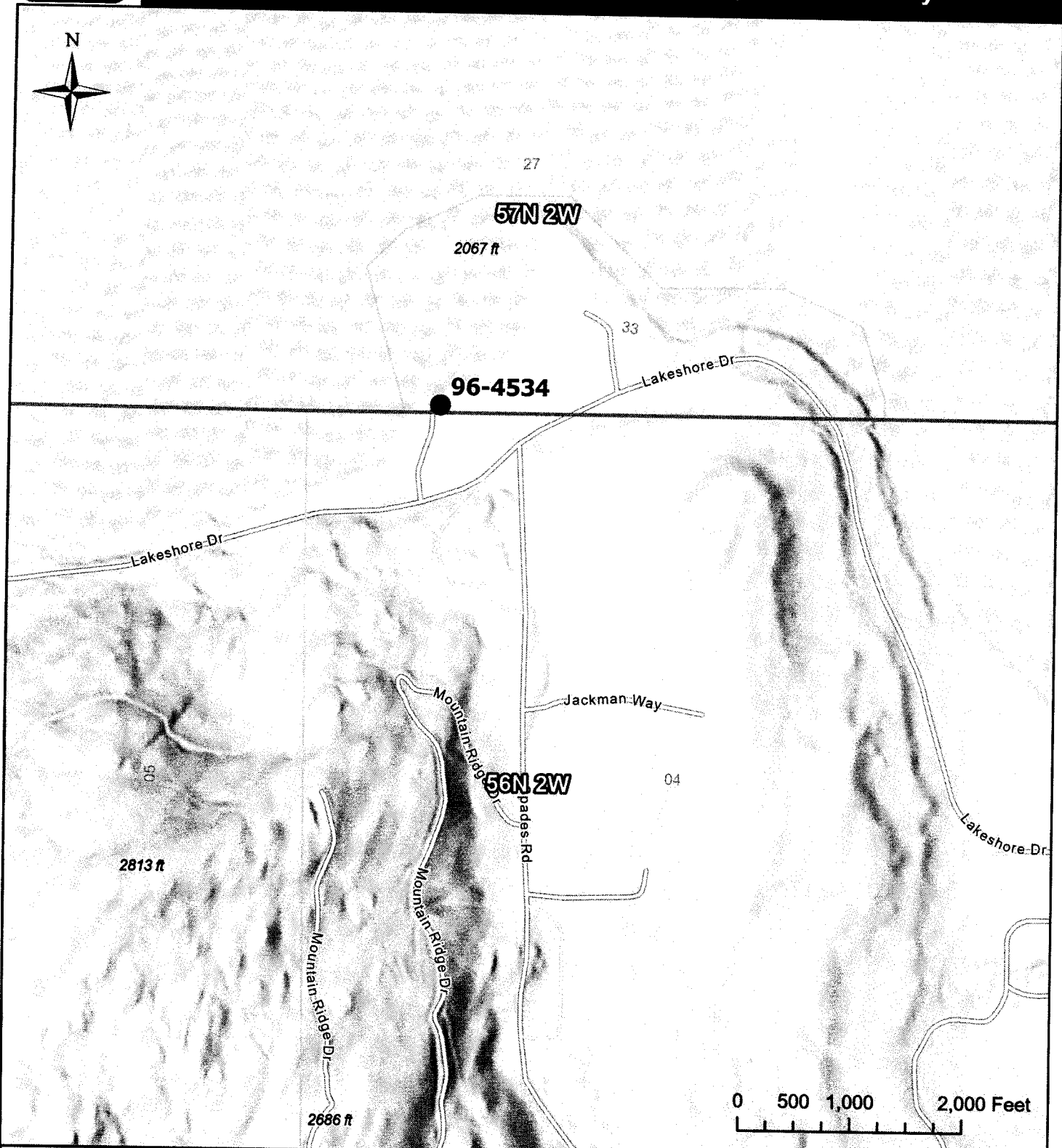


Purpose: Springy Point Recreation Area

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CLAIM 96-4534
NW ¼ NW ¼ SEC 4, TWP 56N, RGE 2W, Bonner County



U.S. Army Corps of Engineers

- Range
- Section
- Point of Diversion

Purpose: Springy Point
Recreation Area

DISCLAIMER - While the United States Army Corps of Engineers, (hereinafter referred to as USACE) has made a reasonable effort to insure the accuracy of the maps and associated data, it should be explicitly noted that USACE makes no warranty, representation or guaranty, either express or implied, as to the content, sequence, accuracy, timeliness or completeness of any of the data provided herein. The USACE, its officers, agents, employees, or servants shall assume no liability for any errors, omissions, or inaccuracies in the information provided regardless of how caused. The USACE, its officers, agents, employees or servants shall assume no liability for any decisions made or actions taken or not taken by the user of the maps and associated data in reliance upon any information or data furnished herein. By using these maps and associated data the user does so entirely at their own risk and explicitly acknowledges that he/she is aware of and agrees to be bound by this disclaimer and agrees not to present any claim or demand of any nature whatsoever for any damages of any nature whatsoever that may result from or may be caused in any way by the use of the maps and associated data.