

JAN 27 2022

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 COEUR D'ALENE-SPOKANE RIVER  
BASIN WATER SYSTEM

CIVIL CASE NUMBER: 49576  
Claim ID: 959677  
Date Received: Renumbered to 95-19251  
Receipt No:  
Claim Fee: By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of claimant(s) Armand H Anderson - Mary L Marshall Phone (208) 683 1214  
Mailing address 13000 E NUNN Rd ATHOL Id Zip 83801  
Street or Box City State  
Email address (optional)

2. Date of priority: (Only one per claim) 7-2-1910 (Explain priority date selected in Remarks)  
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water ( ) or Other ( ) (a) Greencreek  
which is tributary to (b) Sage Creek

4. a. Location of point of diversion is: Township 53 N, Range 02 W, Section 32,  
SE 1/4 of NW 1/4, Govt. Lot \_\_\_\_\_, BM, County of Kootenai  
Parcel no. PIN: 53N02W323200  
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.  
pump pipelines sprinklers ditches

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 Irrigation purposes from 04/01 to 10/31 amount 0.56 or \_\_\_\_\_  
 For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_  
 For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 0.58 (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:

- 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		
53N	02W	32						x												23
53N	02W	32											x							5

Parcel no(s) 53N02W323200 Total number of acres irrigated 28

10. In which county(ies) are lands listed above as place of use located? Kootenai

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.  
Sage Creek or None ( )

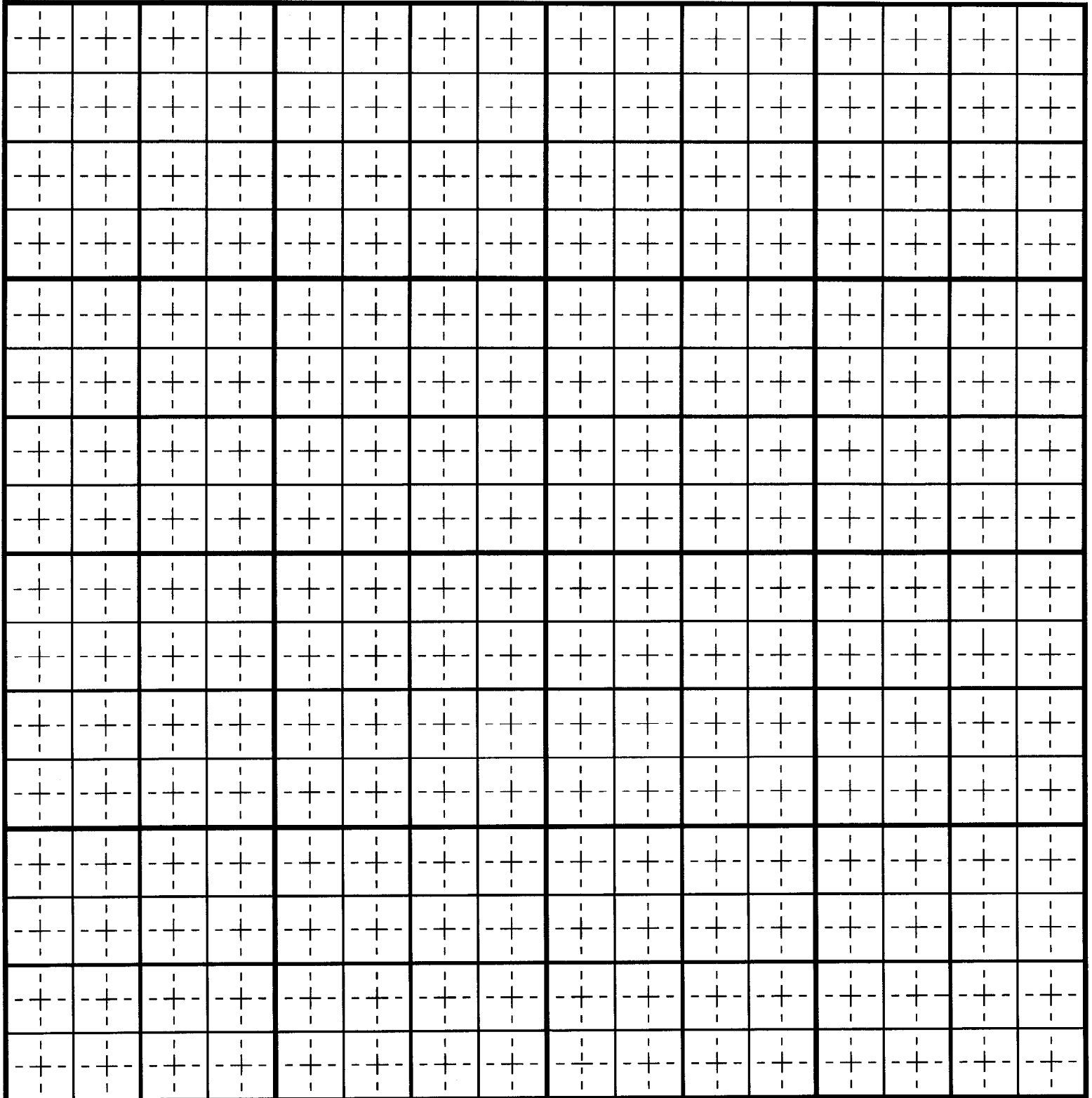
13. Remarks (Include an explanation of the priority date selected):  
Water license #6434 July 2 1910  
for purpose of irrigation and domestic use

Name of claimant(s) Armand H. Anderson Claim ID 95-9671  
Many L Marshall

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

*See map attached*



Name of claimant(s) Armand H Anderson  
Mary L Marshall

Claim ID 95-9671

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 95-9671

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 Coeur d'Alene-Spokane 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: 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) Armand H Anderson Date: 1-14-2022

Mary L Marshall Date: 1-14-2022

**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) Armand H Anderson  
Mary L Marshall

Claim ID 95-9671

30

SESE

SEW

SESW

29

31

SENE

SWNW

SENE

SENW

32

SENW

NESE

DN: TAO: 111

SESW

POB

95-9671

# 95-9671

→ 2





County: Kootenai  
Stream: Green Creek  
Amount: 26/50 of 1 cu.ft. per sec.  
Use: Irrigation  
Priority: July 2, 1910.

STATE OF IDAHO  
Water License No. 6434 ..... 95-9671

WHEREAS, On the 2nd day of July, A. D. 1910,  
Joyce Bubb

of Athol, County of Kootenai, State of Idaho, duly made application  
(No. 9185) to me for a permit to use one (1) cubic foot per second of the waters of  
Green Creek

County of Kootenai, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 12th day of August, A. D. 1910, Permit No. 6434 was issued  
to said applicant for the diversion of said water and providing for the completion of the works of diversion  
therein described on or before the 12th day of August, A. D. 1911, and for the application to ben-  
eficial use of said water on or before the 12th day of August, A. D. 1914, and,

WHEREAS, On the 2nd day of August, A. D. 1911,  
Joyce Bubb

8-25-11 the holder of said permit, duly made proof of the completion of adequate works for the diversion of  
one (1) cubic foot per second of said waters, as evidenced by my Certificate No. 6434  
dated July 2, 1910, confirming the completion of works of sufficient capacity for diverting and  
conveying to the place of intended use one (1) cubic foot per second of said water,  
with date of priority of July 2, 1910, and

WHEREAS, On the 12th day of August, A. D. 1914,  
Joyce Bubb

the holder of said permit, duly made proof of the application to beneficial use of 26/50 of 1 cubic  
foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I  
hereby grant and confirm to Joyce Bubb

5 of Athol, County of Kootenai, State of Idaho, the holder and owner  
of said Permit No. 6434, a perpetual right, dating from July 2, 1910  
to the use of 26/50 of 1 cubic foot per second of the waters of Green Creek

in the County of Kootenai and State of Idaho, or so much thereof as may be necessary for the  
purposes hereinbelow mentioned, to be diverted at a point 10 rods west of southeast corner  
of NW $\frac{1}{4}$  of Sec. 32, T. 53 N., R. 2 W.B.M.,

and conducted to and upon 26 acres in the NW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Sec. 32, T. 53 N., R. 2 W.B.M.,

for the purpose of irrigation and domestic use, subject, however, to the laws of the  
State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local  
or community customs, rules and regulations which have been or may be adopted from time to time by  
a majority of the users from a common source or supply, canal or lateral from which such water may  
be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 24th day of August  
A. D. nineteen hundred and fourteen.  
F. P. King,

(Seal)

State Engineer:

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

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

NOV - 8 2019

By \_\_\_\_\_ Clerk  
 \_\_\_\_\_ Deputy Clerk

In Re CSRBA )  
 )  
Case No. 49576 )

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 95-09671

NAME AND ADDRESS: ARMAND H ANDERSON  
13000 E NUNN RD  
ATHOL, ID 83801

SOURCE: GREEN CREEK TRIBUTARY: SAGE CREEK

QUANTITY: 0.02 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 07/02/1910

POINT OF DIVERSION: T53N R02W S32 SENW Within Kootenai County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Domestic	01-01 TO 12-31	0.02 CFS

Domestic use is for 1 shop.

**RECEIVED**  
**NOV 22 2019**  
DEPARTMENT OF  
WATER RESOURCES

PLACE OF USE: Domestic T53N R02W S32 NWNW Within Kootenai County

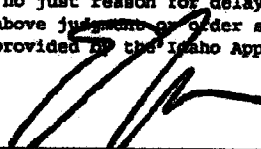
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The remainder of this right was not claimed in the Coeur d'Alene-Spokane River Basin Adjudication. The quantity of water decreed for this water right is not a determination of historical beneficial use.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

  
 Eric J. Wildman  
 Presiding Judge of the  
 Coeur d'Alene-Spokane River Adjudication