

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: 96-8419Date Received: 10-20-2021Receipt No: N037695Claim Fee: 25.00 By: JD

RECEIVED

OCT 20 2021

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

IDWR / NORTH

Please type or print clearly

- Name of claimant(s) Mack Perry Phone 208 761-3759
Mailing address PO Box 37 Lode City LODE State ID Zip 83841
Street or Box City State
Email address (optional) October 30 1984
- Date of priority: (Only one per claim) March 31 2011 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
- Source of water supply (Check one) Ground Water () or Other ☒ (a) Spring and Creek
which is tributary to (b) unnamed to Manley Creek
- Location of point of diversion is: Township 56N, Range 04W, Section 14
NW 1/4 of SW 1/4, or Govt. Lot _____ BM, County of Banner
Parcel no. _____
Additional points of diversion, if any: _____
If available, GPS coordinates: _____
- 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.
Spring to Pipe to water tank to house
- Water is claimed for the following: (limited to domestic and/or stockwater uses - see page 1 of the instructions)
For Domestic use purposes from January 1 to December 31 cfs 1.60 or AFY ()
For _____ purposes from _____ to _____ amount _____
- Total quantity claimed 1.02 cfs ☒ or AFY () water right 96-8419
- Non-irrigation uses. Describe fully. (Domestic: give number of homes; Stockwater: list number and kind)
1 home

9. Location of place of use is: Township S6N, Range 04W, Section 14,
NW 1/4 of SW 1/4, Govt. Lot _____ BM, Parcel no. _____
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):
Water right 96-8419 granted on March 31 2011

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 96-8419

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: 1

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) Mark Perry Date: 10/13/21

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

_____ 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 _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

March 31, 2011

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

MARK PERRY
2037 W SLATON DR
MERIDIAN ID 83642

RE: Change of Ownership for Water Right 96-8419

Dear Water Right Holder:

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Sections 42-222 and 42-223, Idaho Code.

Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

A handwritten signature in blue ink that reads "Emalee Rushing". The signature is written in a cursive, flowing style.

Emalee Rushing
Office Services Supervisor

Enclosure

03/31/2011

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 96-8419

WATER RIGHT NUMBER: 96-8419

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARK PERRY 2037 W SLATON DR MERIDIAN, ID 83642 208-761-3759

Priority Date: 10/30/1984

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.020 CFS	0.60 AF
	<u>Total Diversion:</u>	0.020 CFS	0.60 AF

Location of Point(s) of Diversion

SPRING	NW1/4NW1/4SW1/4	Sec. 14, Twp 56N, Rge 04W, B.M.
BONNER County		

Place of Use

DOMESTIC

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	14										X							

Conditions of Approval:

- Domestic use is for 1 home.

Dates and Other Information:

Licensed Date: 8/3/1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-08419

Priority: October 30, 1984

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

0.6 AF

This is to certify, that SHEILA WHALEN
ROGER C HALL

15839 14TH AVE NE

SEATTLE WA 98155

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 30, 1984; and has submitted Proof of Beneficial Use on December 23, 1991. An examination indicates that the works have a diversion capacity of .020 cfs of water from:

SPRING

tributary to SINKS

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNWSW , Sec. 14, Township 56N, Range 04W
BONNER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

56N 04W 14

NWSW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 3RD day of AUGUST, 1994.

Acting for  Director