

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: 97-7420

Date Received: 12-6-2021

Receipt No: N037942

Claim Fee: 51.00 By: JD

RECEIVED

DEC 06 2021

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

DWR/NORTH

Please type or print clearly

1. Name of claimant(s) Phillip and JoAnn Mack Phone (208) 892-3109
Mailing address P.O.Box 159 Priest River, Idaho Zip 83856
Street or Box City State
Email address (optional) jmack@turbonet.com
2. Date of priority: (Only one per claim) July 24, 2002 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water () or Other (☒) (a) unnamed creek
which is tributary to (b) Priest River
4. a. Location of point of diversion is: Township 56N, Range 05W, Section 12,
NW 1/4 of SW 1/4, Govt. Lot _____, BM, County of Bonner
Parcel no. RP56N05W124800A
Additional points of diversion, if any: none
If available, GPS Coordinates _____
- b. If instream flow, beginning point of claimed instream flow is:
Township 56N, Range 05W, Section 12, NW 1/4 of SW 1/4,
Govt. Lot _____, BM, County of Bonner
Ending point is: Township 56N, Range 05W, Section 12, NW 1/4 of SW 1/4,
Govt. Lot _____, BM, County of Bonner
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.
Constructed earthen dam to collect water for wildlife habitat as established on permit. Total surface area of
not more than 0.8 acres.

97-07-420

6. Water is claimed for the following purposes:

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

For Storage for wildlife purposes from 1/1 to 12/31 amount _____ or 1.0AF

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) 1.0 AF (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) Wildlife Habitat

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	
56N	05W	12										X							

Parcel no(s). RP56N05W124800A Total number of acres irrigated na

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.
97-007399 or None ()

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

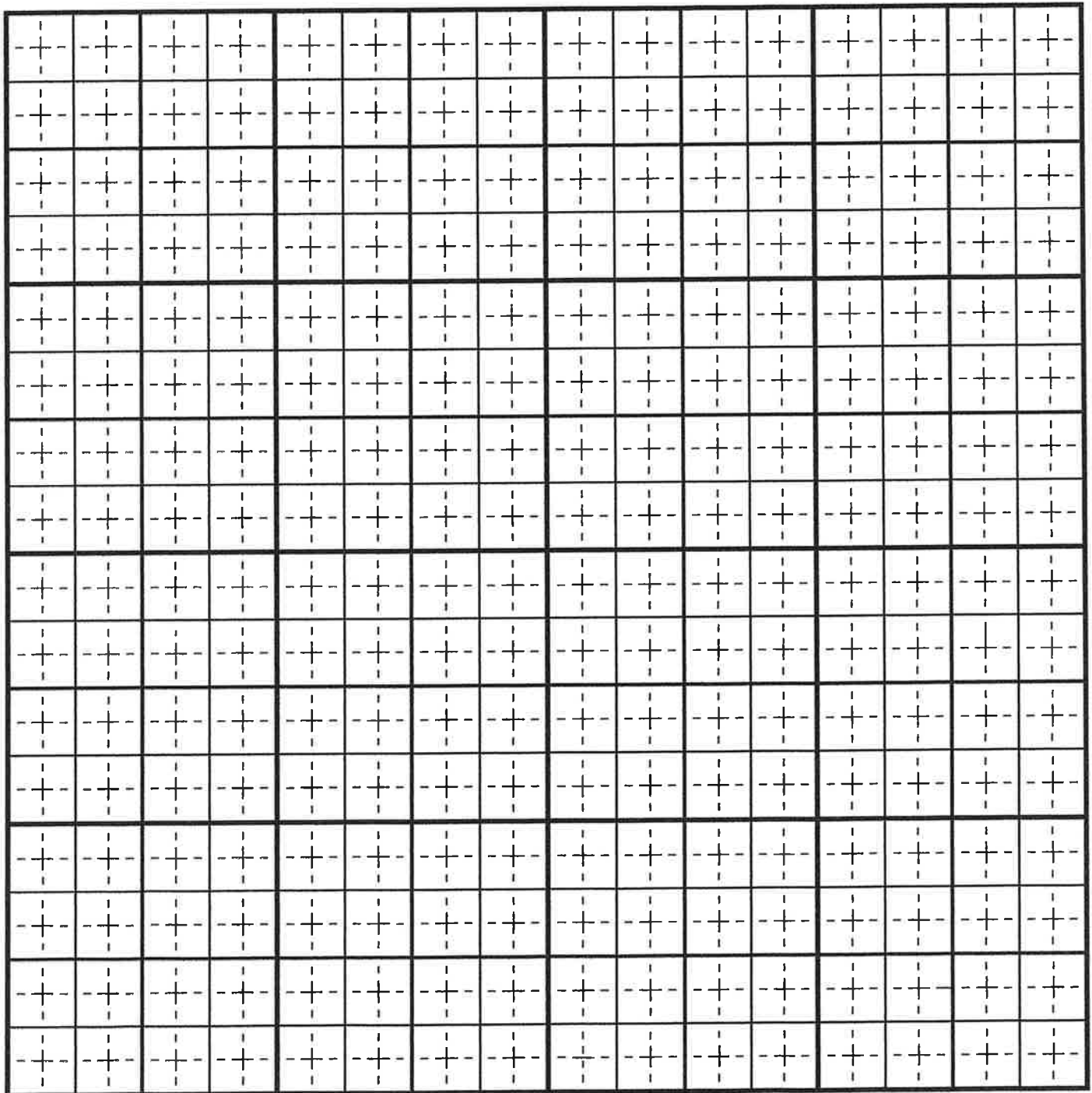
Priority date for this license is listed as July 24, 2002

Name of claimant(s) Phillip and JoAnn Mack

Claim ID 97-07420

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) Philip and JoAnn Mack

Claim ID 97-07420

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 97-07420

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) Phillip Mack Date: 10/25/2021
JoAnn L Mack Date: 10/25/2021

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) Phillip and JoAnn Mack

Claim ID 97-07420

State of Idaho
Department of Water Resources
Attachment to Water Right License
97-7420

This map depicts the WILDLIFE STORAGE place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections

0 0.035 0.07 0.14 Miles



State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 97-07420

PRIORITY: July 24, 2002

Maximum Diversion Volume: 4.7 AF

It is hereby certified that:

PHILLIP MACK And/Or
JO ANN MACK
240 GARN LN PO BOX 159
PRIEST RIVER ID 83856-0159

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 24, 2002, and has submitted Proof of Beneficial Use on October 09, 2003. An examination confirms water is diverted from:

SOURCE:
UNNAMED STREAM

TRIBUTARY:
PRIEST RIVER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL DIVERSION VOLUME</u>
WILDLIFE STORAGE	01/01 to 12/31	4.7 AF

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM NW¼SW¼ Sec. 12, Twp 56N, Rge 05W, B.M. BONNER County

PLACE OF USE: WILDLIFE 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	05W	12										X							

CONDITIONS OF APPROVAL

1. Rights 97-7399 and 97-7420 authorize a total annual storage volume of 5.7 acre-feet, 4.2 acre-feet to be used for the initial filling of the pond and 1.5 acre-feet for the replacement of losses caused by seepage and evaporation.
2. The pond established by the storage of water under this right shall not exceed a total capacity of 4.2 acre-feet or a total surface area of 0.8 acres.
3. Rights 97-7399 and 97-7420 when combined shall not exceed a total annual maximum diversion volume of 5.7 acre-feet.
4. Water shall not be diverted under this right when flows in the Priest River are below minimum flow amounts as defined by Right 97-7380. The right holder shall be responsible for monitoring the daily flow of the Priest River using real-time data and shall cease diverting water when flows in the Priest River are below established minimum flow amounts. Unless otherwise specified by the Director of the Department of Water Resources, data from the U.S. Geological Survey Priest River Gauging Station, No. 12395000, may be used for purposes of determining the daily flow amounts.

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 97-07420

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 21st day of June, 2018.


DOUGLAS JONES
Northern Regional Manager

State of Idaho
Department of Water Resources
Attachment to Water Right License
97-7420

This map depicts the WILDLIFE STORAGE place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

0 0.035 0.07 0.14 Miles



RECEIVED
DEC 06 2021
IDWR / NORTH

December 3, 2021

Re: Water Right Claim Adjudication Forms

Enclosed please find three claims to a water right as follows:

Water Right License # 97-07420

Water Right License # 97-07399

IDWR Water Right Number D0010538

Rights 97-7399 and 97-7420 are for the same wildlife pond and when added together have a maximum diversion volume of 5.7 acre feet.

As requested, also enclosed is a \$25 check for permit #D0010538 and a \$102 check for Water Right License numbers #97-07420 and #97-07399. Any questions, please contact me at (208)699-0308 or jmack@turbonet.com.

Sincerely,

A handwritten signature in cursive script, appearing to read "J. Ann Z. Mack".