

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 10/4/2024

Water right number: 97-7420

PHILLIP MACK

PO BOX 159

PRIEST RIVER ID 83856-0159

Telephone Number: (208) 448-0614

JO ANN MACK

PO BOX 159

PRIEST RIVER ID 83856-0159

Telephone Number: (208) 448-0614

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Please see attached letter.

2. Describe the changes you wish to make in the proposed recommendation:

97-7420 should be 4.7 AFA

Please see attached letter

3. Give a brief explanation as to why you disagree with these portions:

Both 97-7420 + 97-7399 are reflected in your correspondence as 1 A FY each

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: _____ SIGNATURE: _____

Please print your name: _____

08/07/2024

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 97-7420

NAME AND ADDRESS: JO ANN MACK
PO BOX 159
PRIEST RIVER ID 83856-0159

PHILLIP MACK
PO BOX 159
PRIEST RIVER ID 83856-0159

SOURCE: UNNAMED STREAM TRIBUTARY: PRIEST RIVER

QUANTITY: 1.00 AFY

The pond established by the storage of water under this right shall not exceed a total capacity of 1.0 acre-feet or a total surface area of 0.8 acres.

Rights 97-7399 and 97-7420 when combined shall not exceed a total annual maximum diversion volume of 2.0 acre-feet.

PRIORITY DATE: 07/24/2002

POINT OF DIVERSION: T56N R05W S12 NWSW Within BONNER County

This right does not grant any right-of-way or easement across the land of another.

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.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	WILDLIFE STORAGE	01/01 12/31	1.00 AFY

PLACE OF USE: WILDLIFE STORAGE in BONNER County
T56N R05W S12 NWSW

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

The remainder of this right was not claimed in the Clark Fork-Pend Oreille River Basin Adjudication.

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. Idaho Code § 42-1412(6).

EXPLANATORY MATERIAL: BASIS OF CLAIM - License
Parcel No. RP56N05W124800A

RECEIVED
AUG 19 2024
DEPARTMENT OF
WATER RESOURCES

August 15, 2024

JoAnn Mack
P.O. Box 159
Priest River, Idaho 83856
Tel: 208-699-0308

Re: Water rights 97-7399 and 97-7420

When water right 97-7399 was originally requested, through ignorance of an acre foot, the request was for the surface area only. This error was caught when we applied for a fish permit for the pond. Working with Fish and Game, the capacity was determined to be 5 A.F.A and reflected as 1 acre ft for 97-7399 and 4 A.F.A for permit number 97-7420.

Through the adjudication process, it was determined the total capacity of the pond is 4.7 A.F.A. Pond 97-7420 now includes what was 97-7399. The priority date of 07/24/2002 remains the same. Water right 97-7399 has been retired.

Included is a copy of the amended water claim 97-7420.

Your assistance in clearing this up is sincerely appreciated. Please let me know if there is any thing additional that I need to do.

Sincerely ,

JoAnn Mack



**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

Ident. Number: 97-7420
Date Received:
Receipt No: N037942
Claim Fee: \$51.00
Received By: _____

AMENDED

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

1. Name of Claimant(s)

PHILLIP MACK
PO BOX 159
PRIEST RIVER ID 83856-0159

Phone: (208) 892-3109

AND

JO ANN MACK
PO BOX 159
PRIEST RIVER ID 83856-0159

Phone: (208) 892-3109

2. Date of Priority: 7/24/2002

97-7399

3. Source:
UNNAMED STREAM

Trib. to:
PRIEST RIVER

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
56N	05W	12	NW SW		BONNER	

5. Description of diverting works:

Constructed earthen dam to collect water for wildlife habitat as established on permit. Total surface area not more than 0.8 acres.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
WILDLIFE STORAGE	01/01	12/31			<u>4.7</u>