

SEP 12 2022

DEPARTMENT OF
WATER RESOURCES

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

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: 96-8622

Date Received: 9-12-22

Receipt No: C113969

Claim Fee: 232 By: Km

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

Please type or print clearly

- Name of claimant(s) VALIANT IDAHO LLC Phone (208) 287-0991
Mailing address 310 CHARLESTON PL CELEBRATION FL Zip 34747-5063
Street or Box City State
Email address (optional) CMCHUGH@MCHUGHBROMLEY.COM
- Date of priority: (Only one per claim) 10/23/1990 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
- Source of water supply (Check one) Ground Water () or Other (✓) (a) PACK RIVER
which is tributary to (b) LAKE PEND OREILLE
- a. Location of point of diversion is: Township 58N, Range 01E, Section 31,
SW 1/4 of SW 1/4, Govt. Lot 4, BM, County of BONNER
Parcel no. _____
Additional points of diversion, if any: THERE ARE TWO PODS IN LOT 4
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 _____
- 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.

WATER IS DRAWN FROM A 2 FOOT CULVERT TO A PUMP STATION AT THE MAIN ENTRANCE OF THE
IDAHO CLUB. AT THE TRANSFER STATION THE WATER IS PUMPED TO A HOLDING POND WITH A 75
HP PUMP. THE WATER IS STORED IN THE POND TO IRRIGATE THE GOLF COURSE.

SCANNED

SEP 20 2022

6. Water is claimed for the following purposes:

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

For IRRIGATION purposes from 3/15 to 11/15 amount 1.58 or 372

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.58 (cfs) and/or (b) 372 (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	
58n	1E	31			5.4					2.3	12	5	11	3.3					39
		31									L3	L2	L4						
58n	1W	36				8.4									14	4.8	13.5	10	50.7
57n	1W	2					9	15	3	2	5.1								34.1
							L2	L3	L4	L5	L6								

Parcel no(s). _____ Total number of acres irrigated 123.8

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):

~~BASED ON LICENSE 96-8622 ISSUED IN 1994 FOR HIDDEN LAKES GOLF COURSE. AN ALTERNATIVE SECOND POD WAS ADDED AS AN ACCOMPLISHED TRANSFER SHORTLY AFTER LICENSING.~~

~~VALIANT IDAHO, LLC NOW OWNS THE PROPERTY AS SHOWN BY THE DEEDS INCLUDED HEREWITH.~~

THE RECORD OWNER OF THE WATER RIGHT IS NOW A DEFUNCT IDAHO COMPANY.

THE PLACE OF USE CHANGED SLIGHTLY PRIOR TO COMMENCEMENT AS AN ACCOMPLISHED CHANGE IN USE.

Name of claimant(s) VALIANT IDAHO, LLC

Claim ID 96-8622

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 96-9046

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: 2 LICENSE & MAP

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

Managing Member of VALIANT IDAHO, LLC
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 [Signature] Date 8/23/22

Printed Name of Authorized Agent William Haberman

16. Notice of Appearance:

Notice is hereby given that I, (please print) CANDICE MCHUGH, 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 [Signature] Date 8/30/2022

Address MCHUGH BROMLEY, PLLC, 380 S 4TH ST., STE 103, BOISE, ID 83702

Name of claimant(s) Valiant Idaho LLC Claim ID 96-8622



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-08622

Priority: October 23, 1990

Maximum Diversion Rate:

1.58 CFS

Maximum Diversion Volume:

372.0 AF

This is to certify, that YNM INVESTMENTS CO INC OF IDAHO

8838 LOWER PACK RIVER RD

SANDPOINT ID 83864

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 23, 1990; and has submitted Proof of Beneficial Use on December 11, 1991. An examination indicates that the works have a diversion capacity of 1.580 cfs of water from:

PACK RIVER

tributary to PEND OREILLE LAKE

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>
IRRIGATION	03/15 to 11/15	1.58 CFS	372.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 4(SWSW), Sec. 31, Township 58N, Range 01E
BONNER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
57N	01W	1	NENE 0.5	NWNE 4.5		5
58N	01E	31	SWNW 25	Lot 3(NWSW) 3.5	Lot 4(SWSW) 6	
			SESW 3			37.5
	01W	36	SENE 14	NESE 25	NWSE 10	
			SWSE 23	SESE 9.5		81.5
Total number of acres irrigated:						124

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 limited to the amount that can actually be beneficially use 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. The issuance of this right in no way grants any right-of-way or easement across the land of another.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.

FEB 25 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 96-08622

CONDITIONS/REMARKS:

7. Diversion of water pursuant to this right shall not reduce or impede the free flow of Pack River which is necessary for fish spawning and aquatic habitat.
8. Place of use is known as Hidden Lakes Golf Course.

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 29TH day of JANUARY, 1994.

Acting for


R. Keith Higginson, Director

RECEIVED

FEB 25 1994