

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: 96-9046

Date Received: 9-12-22

Receipt No: C113969

Claim Fee: 232 By: Kn

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) 11/15/1999 (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,
NW 1/4 of SW 1/4, Govt. Lot 3, BM, County of BONNER
Parcel no. _____
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 _____
- 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.
4 FOOT X 20 FOOT DAM WITH CONCRETE CONTROL STRUCTURE THAT DIVERTS WATER FROM
PACK RIVER INTO OXBOW LAKES STORAGE PONDS.

SCANNED

SEP 20 2022

6. Water is claimed for the following purposes:

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

For WILDLIFE STORAGE purposes from 1/1 to 12/31 amount _____ or 51.8

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) 51.8 (acre-feet)

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

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	01E	31							X	X	X	X							
									L2				L3						

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

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 96-9046 LICENSED IN 2015

Name of claimant(s) VALIANT IDAHO, LLC

Claim ID 96-9046

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 96-9044

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 96-09046

Priority: November 15, 1999

Maximum Diversion Volume: 51.8 AF

It is hereby certified that VILLELLI ENTERPRISES ET AL
533739 HWY 95
BONNERS FERRY ID 83805 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated November 15, 1999; and has
submitted Proof of Beneficial Use on November 05, 2002. An examination confirms water is diverted
from:

SOURCE

PACK RIVER

Tributary: LAKE PEND OREILLE

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	51.8 AF

LOCATION OF POINT(S) OF DIVERSION:

PACK RIVER L3 (NW1/4SW1/4) Sec. 31, Twp 58N, Rge 01E, 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	
58N 01E 31							X	X		X	X						
							L2					L3					

CONDITIONS OF APPROVAL

1. Right 96-9046 authorize the diversion of an annual total of 51.8 acre-feet to be used for the initial filling of the oxbow lake.
2. The oxbow lake established by the storage of water under this right shall not exceed a total capacity of 51.8 acre-feet or a total surface area of 17.25 acres.
3. A fish screen of 1/4 inch or smaller mesh shall be installed and maintained at the point of diversion.
4. 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 22 day of June, 2015.


For, GARY SPACKMAN
Director

State of Idaho
Department of Water Resources

Water Right

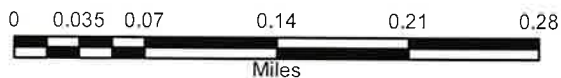
96-9046

WILDLIFE STORAGE

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 7/29/2022



Legend

- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

