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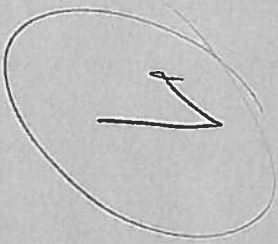
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STEVE L EVANS
PO BOX 49
GRANGEVILLE ID 83530

RECEIVED

JAN 30 2006

DEPARTMENT OF
WATER RESOURCES



77-7090
77-7100



04/22/2005

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

RIGHT NUMBER: 77-7090

NAME AND ADDRESS: STEVE L EVANS
PO BOX 49
GRANGEVILLE ID 83530

SOURCE: SPRINGS

TRIBUTARY: BUTCHER CREEK

QUANTITY: 0.100 CFS
6.400 AFY

PRIORITY DATE: 03/15/1980

POINT OF DIVERSION:

T26N R06E S11 NWSENW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

MINING

01/01 12/31

0.100 CFS

6.40 AFY

PLACE OF USE: MINING Within IDAHO County

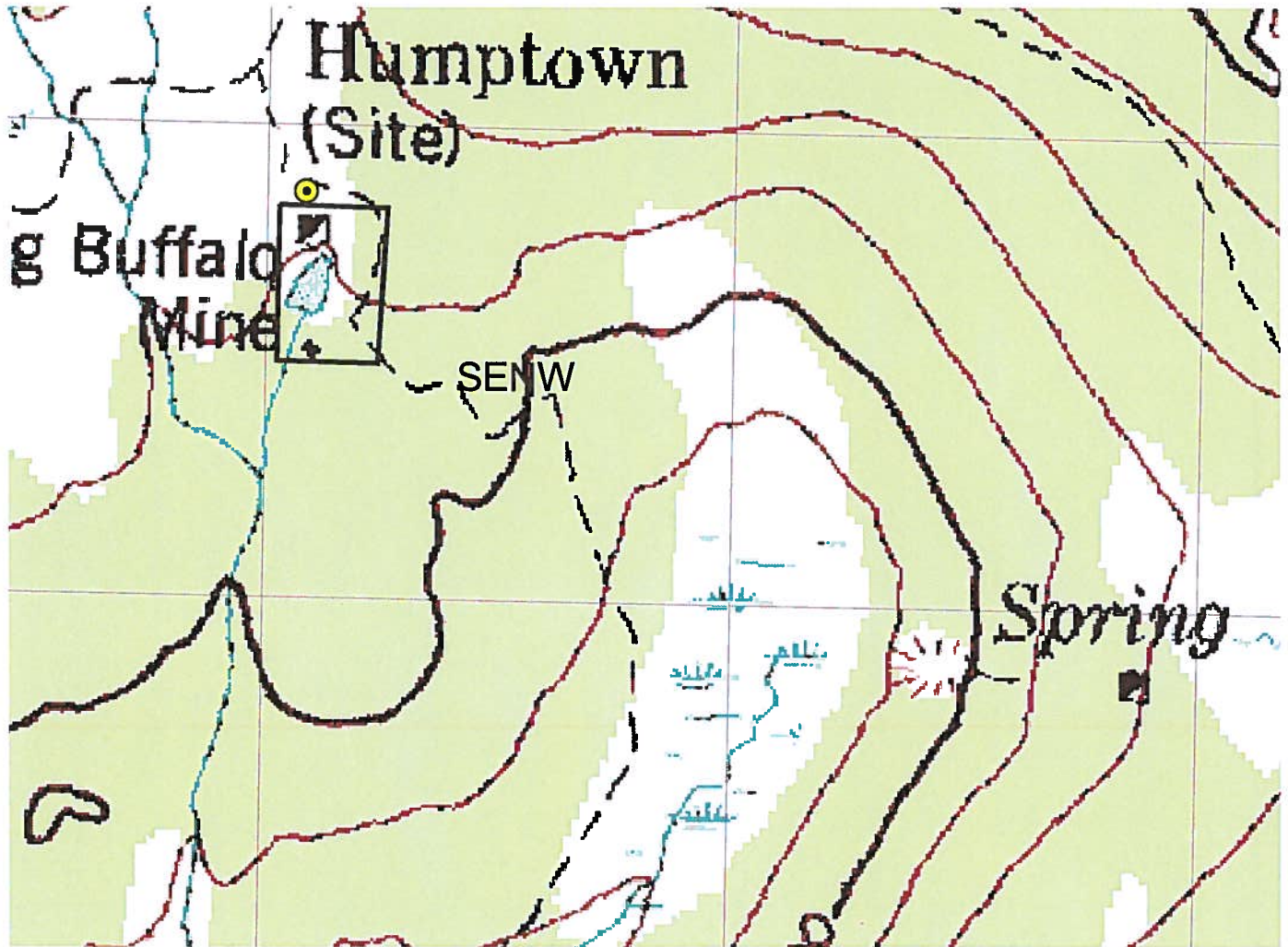
T26N R06E S11 SENW

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

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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: License

77-7090



0 400 800 Feet

Section 11
T26N R6E



- Point of Diversion
- Place of Use

Map prepared on April 22, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

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 SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A77-07090

Date Received: 7/11/1988

Receipt No: W008465 OK

Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STEVE L. EVANS
Address: P.O. BOX 49
GRANGEVILLE, ID 83530
208-846-4722
2. Date of Priority: MAR 15, 1980
3. Source: SPRINGS
Trib. to: BUTCHER CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
26N	06E	11	NW	SE	NW		IDAHO
5. Description of diverting works:
WATER IS PUMPED FROM MINE SHAFT TO MILL BY 3 HP MEYER'S PUMP.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MINING	01/01	12/31	0.100		
7. Total Quantity Appropriated is:
0.100 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
MINING
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
26N	06E	11	SE	NW		MINING	
11. Place of use in counties: IDAHO

A77-07090

Page 1

Date: 07/12/88

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12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
77-7100 AND 77-7136.

14. Remarks:

LICENSING FIELD EXAM DONE 7/21/1987 BY STEVE LESTER. PERMIT NO. 77-7100 IS FOR ADDITIONAL SUPPLY NEEDED FOR MILLING ORE. PERMIT NO. 77-7136 IS FOR FUTURE EXPANSION OF MILLING. OBTAINED FREE AND CLEAR TITLE TO PROPERTY IN 1986.
NOTE: THE PRIORITY DATE CLAIMED IS 9/1/1980, HOWEVER, THE PERMIT HAS A PRIORITY DATE OF 3/15/80, THEREFORE, PRIORITY HAS BEEN LEFT AT 3/15/80 IN THIS CLAIM. THE SOURCE FILED ON UNDER THIS CLAIM AND RECOMMENDED FOR LICENSING BY STEVE LESTER IS SPRINGS TRIB. TO BUTCHER CREEK WITH THE ACTUAL PERMIT SHOWING GROUNDWATER. IT APPEARS THE SOURCE HAS NOT CHANGED SINCE IT IS STILL MINING SHAFTS WHERE WATER HAS FLOWED IN. SPRINGS IS A BETTER DESCRIPTION OF THE SOURCE.

15. Basis of Claim: PERMIT

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin 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 that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

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 SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39356

Ident. Number A77-07090Date Received 7-11-88Receipt Number W000465 *JP*

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
JUL 11 1988

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Steve L. EVANS Phone (608) 846-4722Mailing Address P.O. Box 49 Grangeville, Idaho Zip 835302. Date of Priority (Only one (1) per claim) September 1, 1980 (ACTUAL PRIORITY ON PERMIT IS 3/15/1980. *JP*)3. Source of water supply (a) Ground water Springs
which is tributary to (b) Butcher Creek4. a. Location of existing point of diversion is: Township 26 N Range 6 E Section 11,1/4 of SE 1/4 of NW 1/4, Govt. Lot, --- B.M., County of IdahoAdditional points of diversion if any: ---

b. If instream flow, beginning point of claimed instream flow is:

Township --- Range --- Section ---, --- 1/4 of --- 1/4 of --- 1/4,Govt. Lot --- B.M., County of ---ending point is: Township --- Range --- Section ---, --- 1/4 of --- 1/4 of--- 1/4, Govt. Lot --- B.M., County of ---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.Pumping water from mine shaft to mill.3 HP GE motor.Meyer's pump.

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Copies: White Stamp, Yellow Claimant
OCT 6 5 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Industrial ^{Mining} & milling purposes from January 1 to December 31 amount 0.1 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.1 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is - 0 - acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Milling of ore, 10 to 20 tons per 24 hours.

10. 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	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
26N	6E	11								I									

Total number of acres irrigated - 0 -

11. In which county (ies) are lands listed above as place of use located? Idaho

12. 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.

13. Describe any other water rights used at the same place and for the same purposes as described above.
IDWR Approved permit no: 77-7100 and 77-7136 or None ()

14. Remarks: Licensing field exam done July 21, 1987 by Steve Lester IDWR.

Permit no. 77-7100 is for additional supply needed for milling ore.

Permit no. 77-7136 is for future expansion of milling.

Obtained free and clear title to property in 1986.

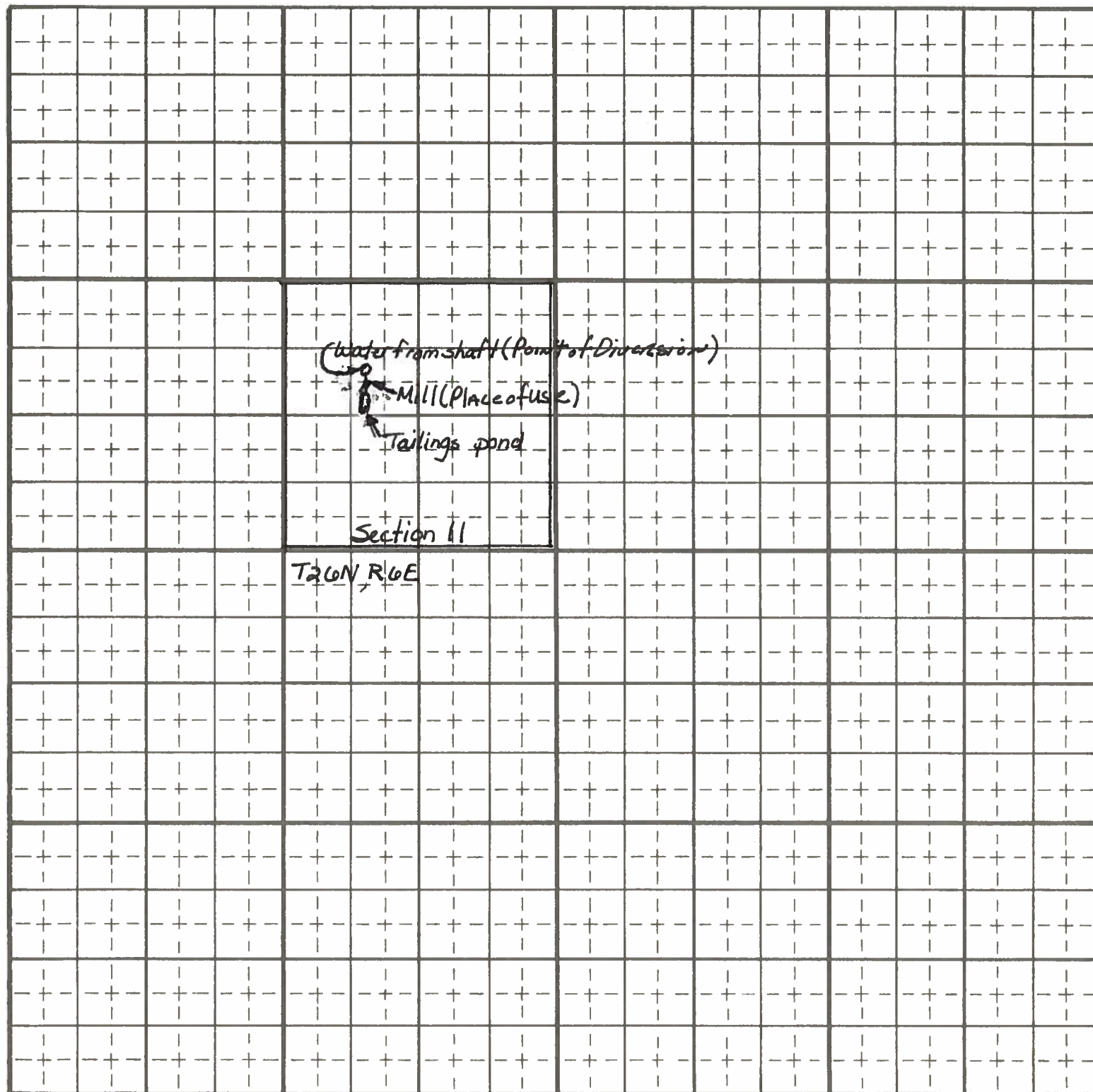
Last Name Evans Ident No. _____

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Copies: White - State, Yellow - Claimant

OCT 05 1992

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name _____ Ident No. _____

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Copies: White-State, Yellow-Claimant
OCT 05 1992

15. Basis of Claim (check one) Beneficial Use ~~XXXX~~ Posted Notice _____ License _____ Permit ☒
Decree _____
If applicable provide IDWR Water Right Number 77 - 7090
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin 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 none

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) *Steve C. Evans* Date 6-30-88

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/or WISCONSIN)
County of Dane) SS.

Subscribed and sworn (or affirmed) before me this 30TH day of June 19 88

SEAL

Notary Public Darlene K. Merviel

Residing at DeForest, Wisconsin

My Commission Expires 2-19-89

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, _____ 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 _____

Address _____

Date _____

Last Name Evans Ident. Number _____

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COPIES White State Yellow-Claimant
OCT 05 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 77-07090

Priority: March 15, 1980

Maximum Diversion Rate:

0.10 CFS

Maximum Diversion Volume:¹

6.4 AF

This is to certify, that STEVE L. EVANS

P.O. BOX 49

GRANGEVILLE, ID 83530

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 15, 1980; and has submitted Proof of Beneficial Use on January 5, 1981. An examination indicates that the works have a diversion capacity of .300 cfs of water from:

SPRINGS

tributary to BUTCHER CREEK

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>
MINING	01/01 to 12/31	0.10 CFS	6.4 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSEW , Sec. 11, Township 26N, Range 06E
IDAHO County

PLACE OF USE: MINING

TWN RGE SEC

26N 06E 11

SEW

CONDITIONS/REMARKS:

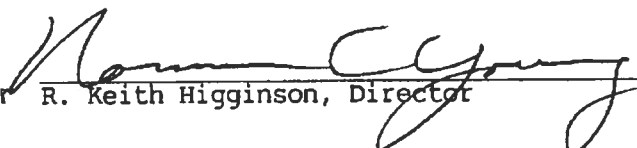
1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery 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.

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 18TH day of NOVEMBER, 1989.

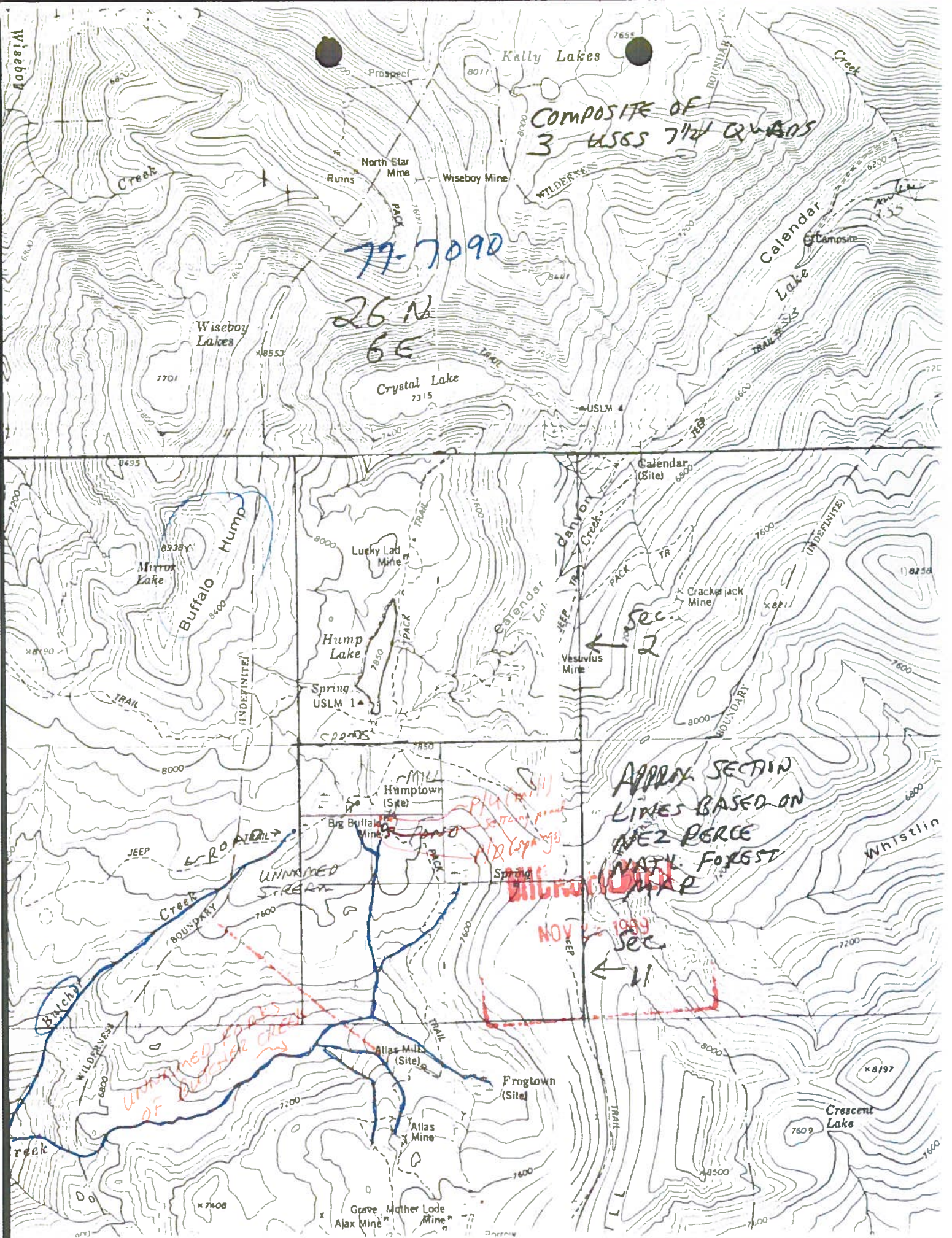
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NOV 22 1989

Acting for R. Keith Higginson, Director



Jim



COMPOSITE OF
3 LUSES 7 1/4 QUANS

77-7090

26 N
6 E

APPROX SECTION
LINES BASED ON
NEZ PERCE
NATL FOREST
MAP

NOV 1999
Sec 11

UNNAMED
CREEK

Grave Mother Lode Mine
Ajax Mine

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

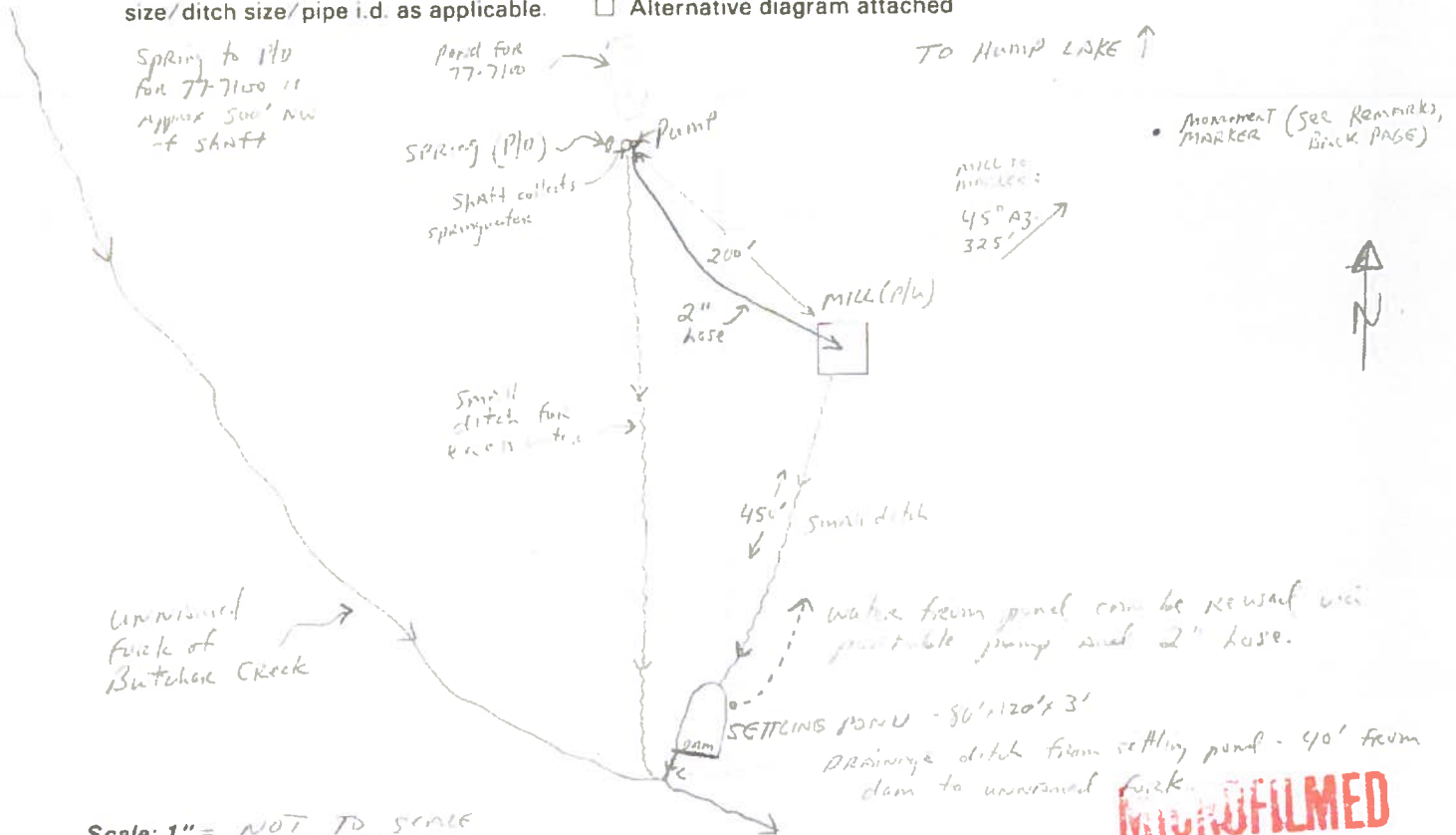
Permit No. 77-7090
Phone No. 608-846-4722 message phone in Wisconsin
1. Owner: Steve L. Evans
Current Address: P.O. Box 49, Panguitch, UT 83530 (winters in Wisconsin)
2. Accompanied by: same EXAM. DATE: 7/21/87
Address: same Phone No. same
Relationship to Permit Holder: same
3. Source: spring tributary to Butcher Creek

B. OVERLAP REVIEW

1. Other water rights with same place of use: 77-7100, 77-7136 ☒ Copies Attached 7/00
2. Other water rights with same point of diversion: NONE ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).
☐ Aerial Photo Attached (required for irrigation of 10 acres or more).

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NOV 22 1989