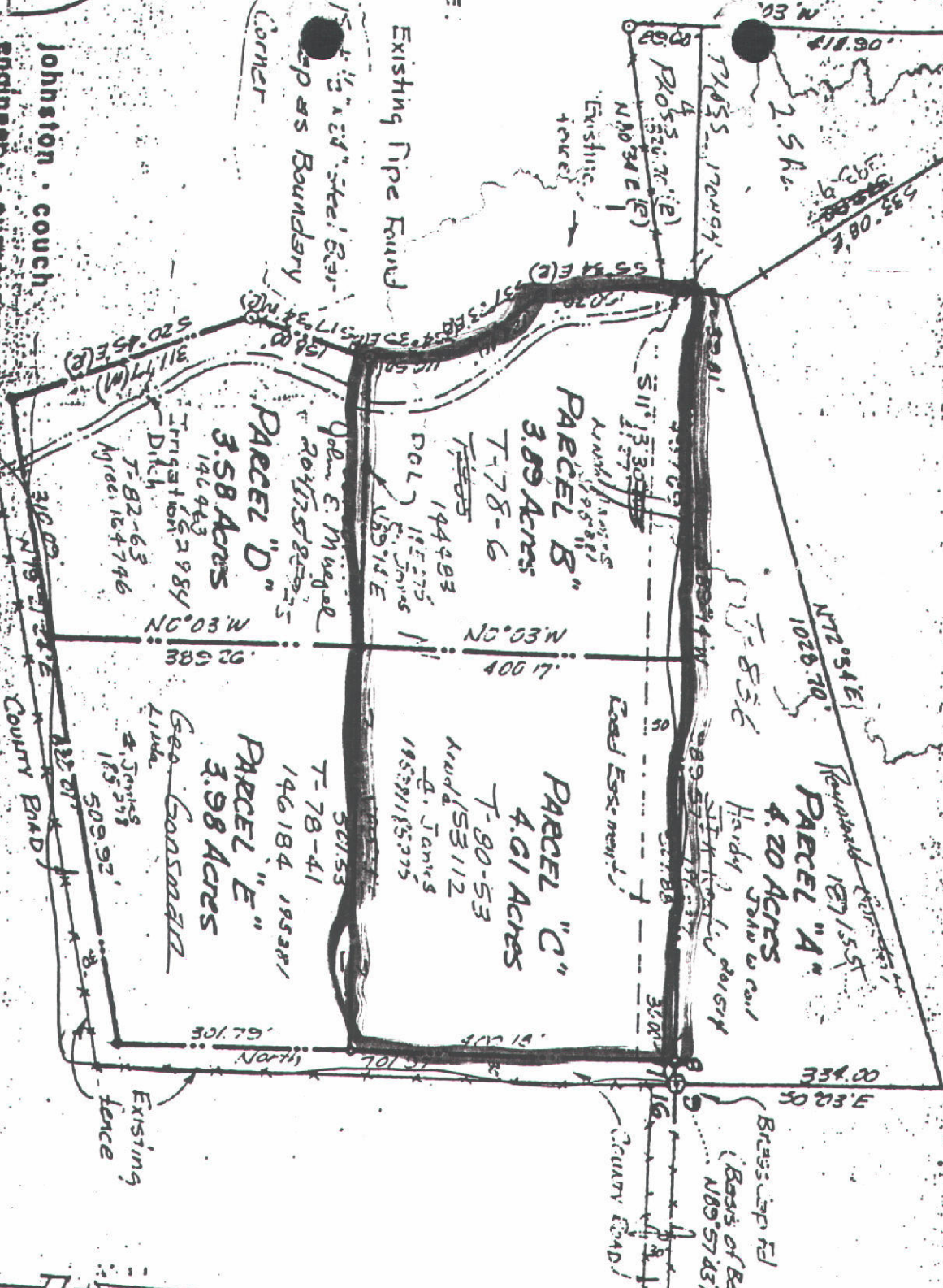


**LAND IN THE EIGHT SEQUENTIAL T12N R12E
B.M. COCKER COUNTY, IDAHO**



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DEC 15 1998

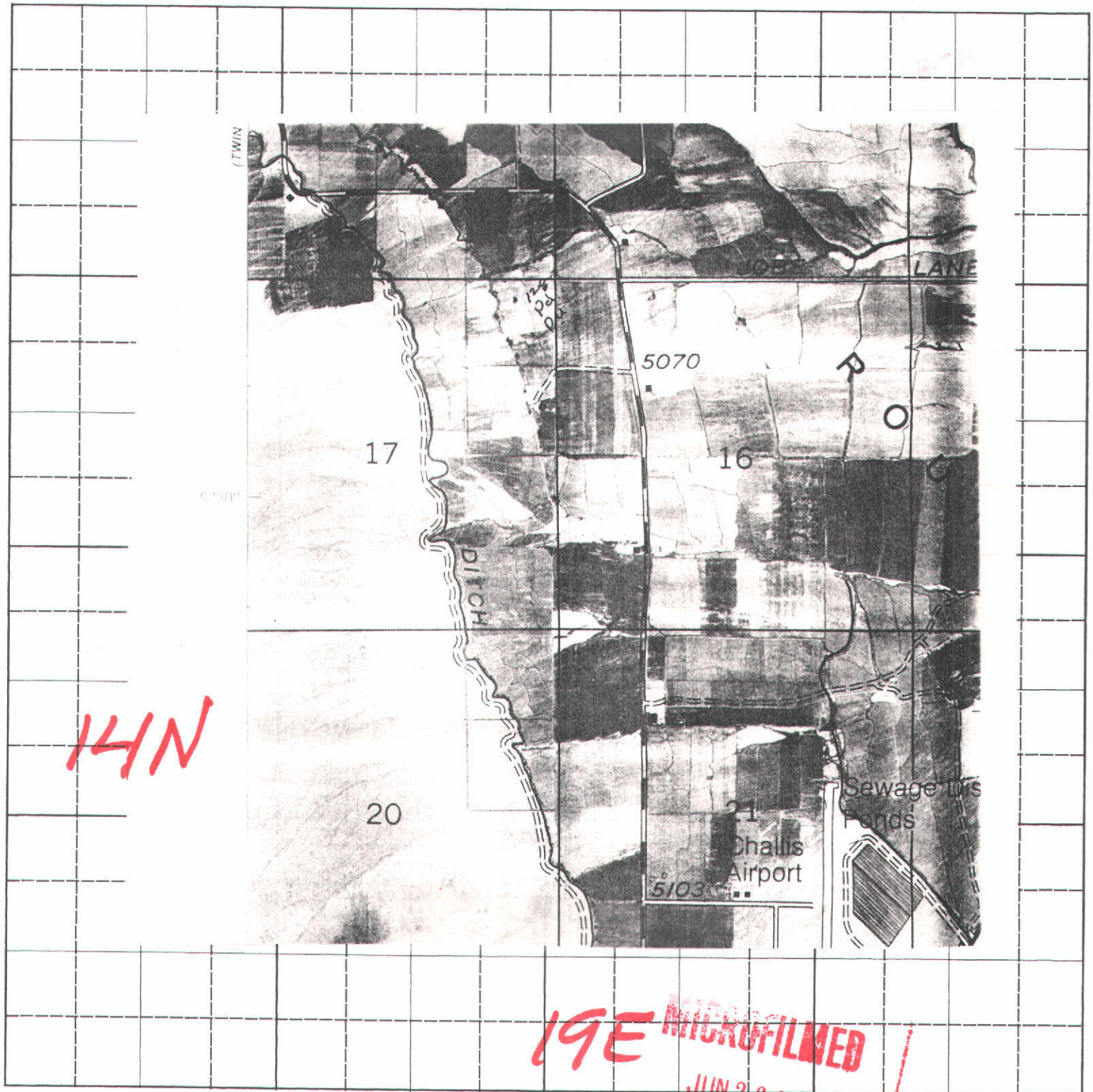
Department of Water Resources
Southern Region

MICROFILMED

TO SAMOW APR 14 1999

BIG LOG CANS

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



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Linda C. James
(Applicant)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

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NOV 17 1994

Department of Water Resources

A. GENERAL INFORMATION

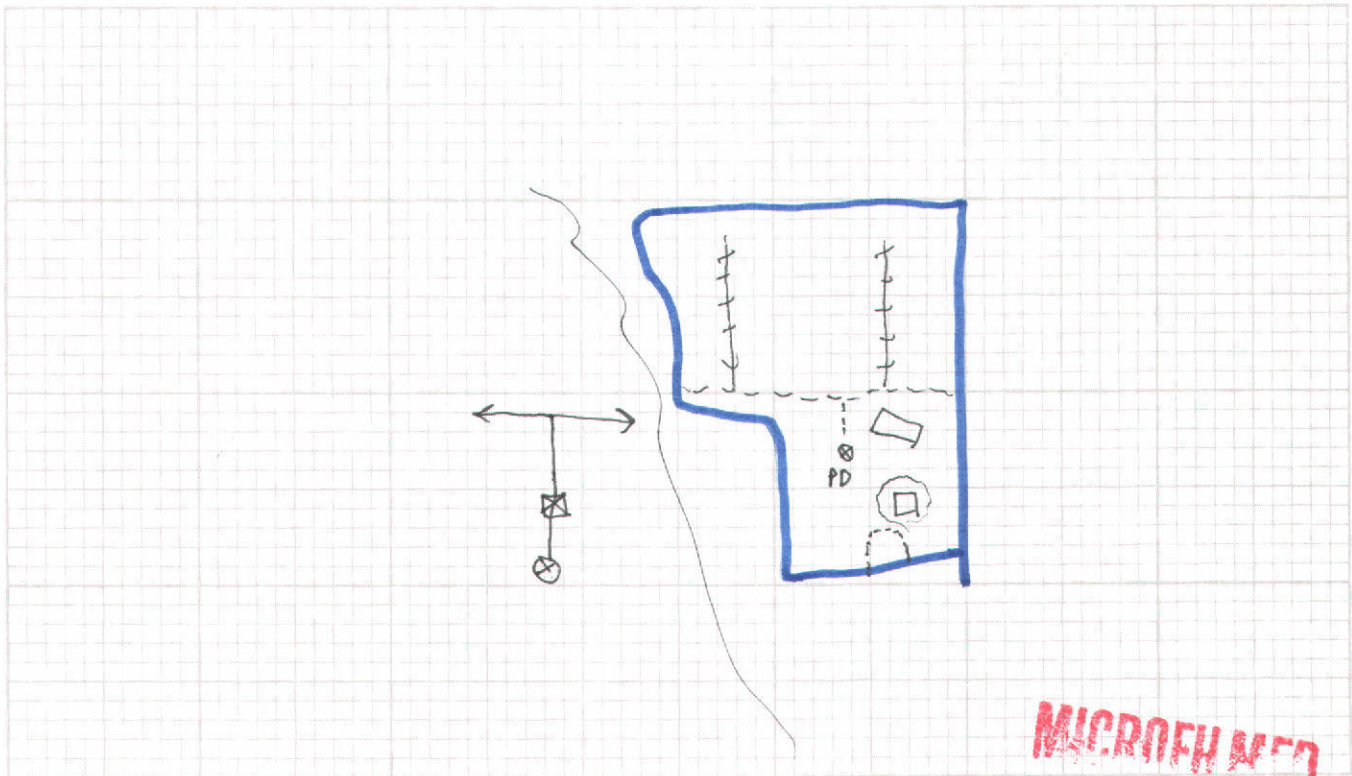
1. Owner: Linda J. McFarland Permit No. 72-07448
Current Address: P.O. Box 266, Challis, ID 83226 Phone No. 877-4254
2. Accompanied by: Mrs. McFarland EXAM. DATE: 7-22-92
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: ~~ADR~~ A72-00020J ☐ Copies Attached
2. Other water rights with same point of diversion: ~~A72-10249 (domestic use on property)~~ ☐ 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



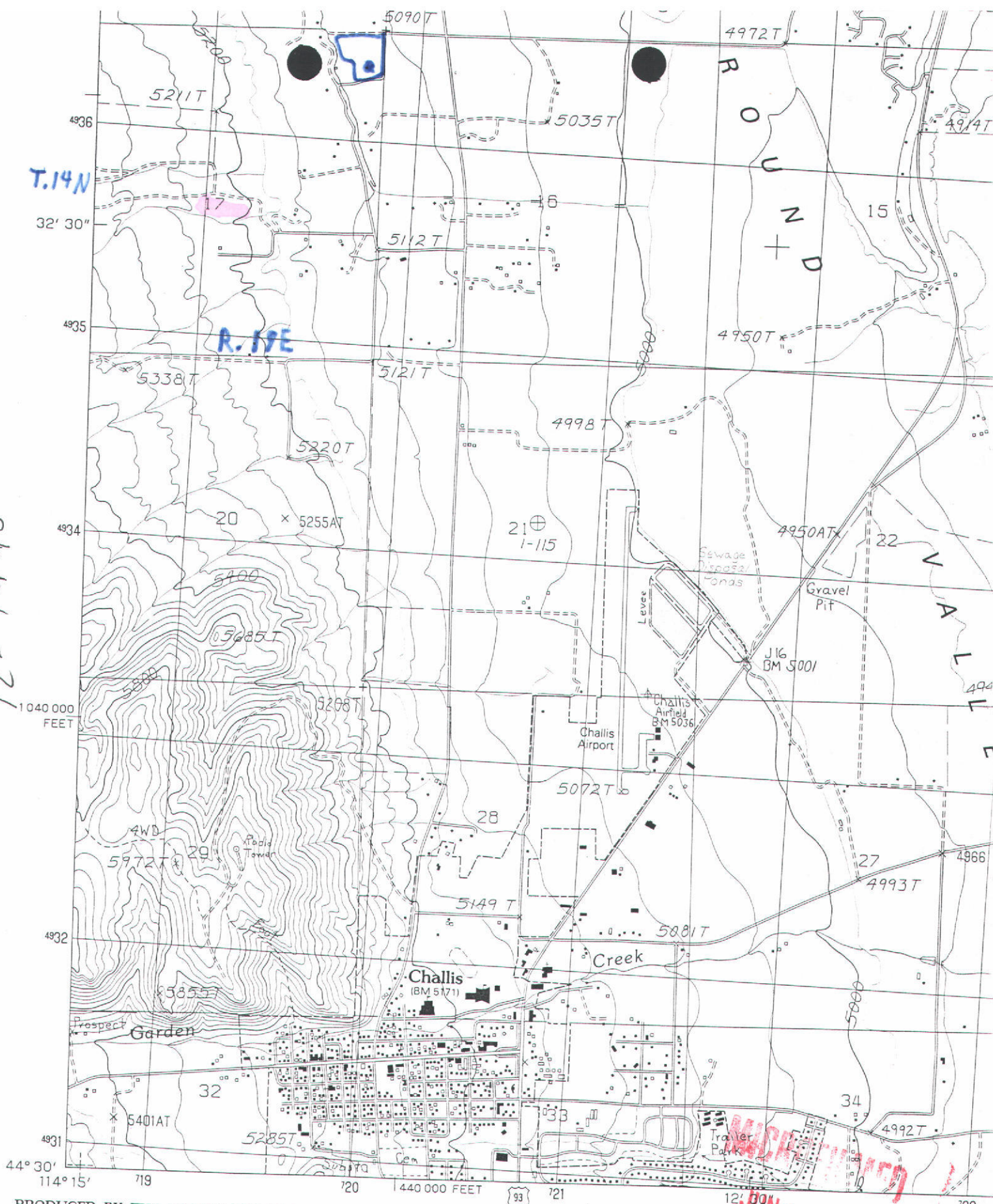
Scale: 1" = _____

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

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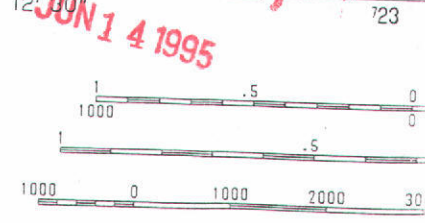
JUN 14 1995

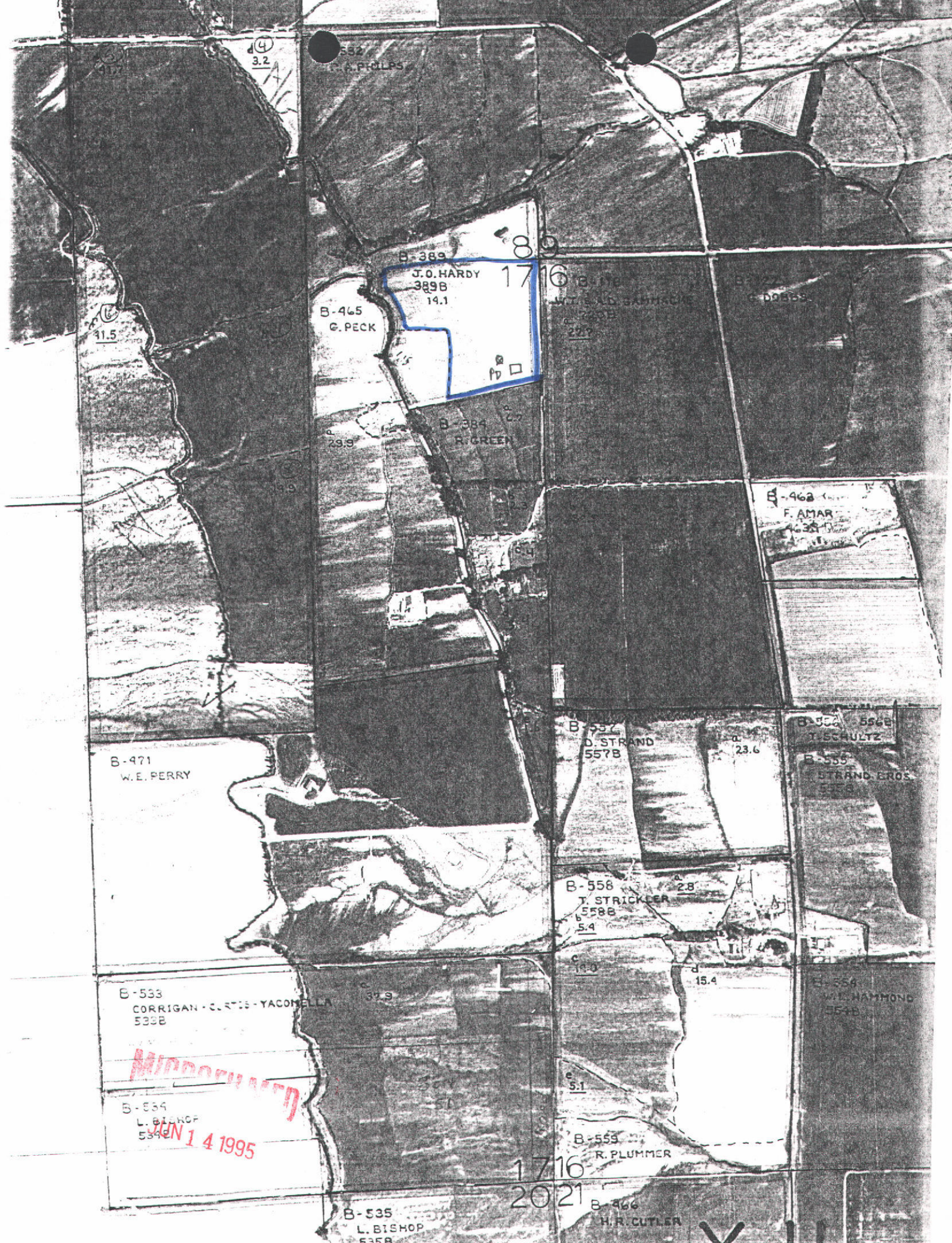
8477-22



PRODUCED BY THE UNITED STATES GEOLOGICAL SURVEY
CONTROL BY USGS, NOS/NOAA
COMPILED FROM AERIAL PHOTOGRAPHS TAKEN 1984
FIELD CHECKED 1986 MAP EDITED 1989
PROJECTION TRANSVERSE MERCATOR
GRID: 1000-METER UNIVERSAL TRANSVERSE MERCATOR ZONE 11
10,000-FOOT STATE GRID TICKS IDAHO, CENTRAL ZONE
UTM GRID DECLINATION 1°58' EAST
1989 MAGNETIC NORTH DECLINATION 16°30' EAST
VERTICAL DATUM NATIONAL GEODETIC VERTICAL DATUM OF 1929
HORIZONTAL DATUM 1927 NORTH AMERICAN DATUM
To place on the projected North American Datum of 1983

PROVISIONAL MAP





4
3.2

B-382
A. POLPS

B-389
J.O. HARDY
389B
14.1

89
1716

B-465
G. PECK

11.5

B-470
J. E. & S. HAMMILL
220B
22.2

B-472
G. DOBBS

B-384
R. GREEN

29.9

B-468
F. AMAR

B-471
W.E. PERRY

B-537
D. STRAND
557B

23.6

B-532
T. SCHULTZ

B-535
STRAND ENOS
555B

B-533
CORRIGAN - CLYDE - YACONELLA
533B

B-558
T. STRICKLER
558B
5.4

2.8

14.0

15.4

B-554
W.E. HAMMOND
554B

B-534
L. BISHOP
534B

Middletown
JUN 14 1995

B-559
R. PLUMMER

1716
2021

B-535
L. BISHOP
535B

B-466
H.R. CUTLER

72-7448



P/D

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JUN 14 1995

72-7448

P/u



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JUN 14 1995

RECEIVED

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

DEC 15 1998

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources
Southern RegionPlease print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.RECEIVED
DEC 07 1998
Department of Water Resources
Southern Region

1. Water Right No(s): 72-07448 RECEIVED
Adjudication Claim No(s): A72-00020J APR 09 1999
2. The following REQUIRED information must be submitted with this form: Department of Water Resources
- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
- B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
- C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Gregory S & Margaret A Hurless
P.O. Box 1045 Challis, ID 83226
4. New Owner/Claimant(s) Tab, Jerry S & Elaine Stuart
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 2065 N 2200 W
City, State and ZIP Code Salt Lake City, UT 84116
New Telephone Number (801) 355-6773
5. Date you acquired the property 11/16/98
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
- Number of acres you irrigate 8 Number and type of stock 8 horses/cows
Diversion rate in CFS .24 Number of homes 1 Other uses _____
- If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) Tab J Stuart - Jerry S. Stuart
J- Elaine Stuart
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

MICROFILMED

APR 14 1999

WARRANTY DEED

0217080

For Value Received GREGORY S. HURLESS AND MARGARET A HURLESS, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto TAB J. STUART, a single man and JERRY S. STUART AND T. ELAINE STUART, husband and wife, the Grantees, whose current address is 2065 N. 2200 W., Salt Lake City, UT 84116, the following described premises, in Custer County, Idaho, to-wit:

A parcel of land located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 17, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, described as:

Beginning at the Northeast corner of said Section: thence South 89°14' West along the North boundary line of said Section 531.88 feet to the TRUE POINT OF BEGINNING; thence continuing South 89°14' West, 457.69 feet; thence South 11°13'30" West, 41.27 feet; thence South 5°34' East, 150.2 feet; thence South 37°23' East, 124.4 feet; thence South 4°39' East, 110.50 feet; thence North 89°14' East, 367 feet; thence North 0°03' West, 400.17 feet to the TRUE POINT OF BEGINNING.

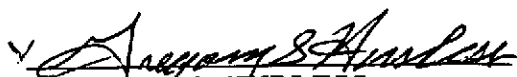
AND

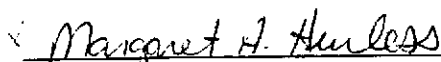
A fraction of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 17, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, described as:

Commencing at the Northeast corner of said Section 17, from which the North Quarter Corner of Section 15 bears North 89°57'43" East; thence 30.00 feet on a bearing of South 89°14' West to the REAL POINT OF BEGINNING; thence 501.88 feet on a bearing of South 89°14' West; thence South 0°03' East, 400.18 feet; thence North 89°14' East, 501.53 feet; thence North 400.18 feet to the REAL POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with thier appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances excepting therefrom all covenants, conditions and restrictions of record and all easements of sight and of record as recorded in the records of Custer County, Idaho and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: This 19th day of November, 1998.


GREGORY S. HURLESS


MARGARET A. HURLESS

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APR 09 1999

Department of Water Resources

RECEIVED

DEC 15 1998

Department of Water Resources
Southern Region

ALBION, MEL

1998 11 19

STATE OF IDAHO)

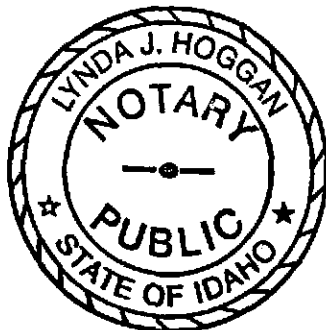
County of: CUSTER : ss

On this 10th day of
Nov., 1998, before
me, a Notary Public, per-
sonally appeared
Gregory S. Hurless &
Margaret A. Hurless
known or identified to me to
be the person(s) whose name(s)
are subscribed to the within
instrument, and acknowledged to
me that they executed the same.

Lynda J. Hoggan
Notary Public for Idaho

Residing at Challis

Commission Expires 7/27/2004



STATE OF IDAHO, COUNTY OF CUSTER

I hereby certify that this instrument was filed for
record at the request of Custer County Title
at 20 minutes past 10
o'clock A.M., this 20th day of Nov.
1998, in my office, and duly recorded in Book
_____ of Deeds at page _____.

Ethel M. Beck

Ex-Officio Recorder

BY _____
Deputy

Fee: \$ 6.00

Mail to: CCT

RECEIVED

APR 09 1999

Department of Water Resources

RECEIVED

DEC 15 1998

Department of Water Resources
Southern Region

RECORDED

APR 14 1999

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 72-07448

Priority: December 7, 1989

Maximum Diversion Rate:

0.16 CFS

This is to certify, that GREGORY S HURLESS
MARGARET A HURLESS

PO BOX 1045

CHALLIS ID 83226-1045

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 7, 1989; and has submitted Proof of Beneficial Use on May 6, 1991. An examination indicates that the works have a diversion capacity of 0.180 cfs of water from a GROUNDWATER 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	04/15 to 10/15	0.16 CFS	
------------	----------------	----------	--

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 17, Township 14N, Range 19E
CUSTER 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>
14N	19E	17	NENE	8		8

Total number of acres irrigated: 8

CONDITIONS/REMARKS:

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. The right holder shall use the full allotment of appurtenant surface water rights, to the extent they are available, in conjunction with groundwater diverted pursuant to this right.
5. This right to divert groundwater shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use without the approval of the Department.
6. This right when combined with Adjudication Claim A72-00020J and all other rights shall provide no more than .02 cfs per acre nor exceed a combined annual diversion volume of 28.0 af for the lands above.

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 2ND day of MAY, 1995.

Acting for

R. Keith Higginson
R. Keith Higginson, Director

JUN 14 1995

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	72-07448	Linda James	0.24
Full Assignment	72-07448	Linda McFarland	
		Peter B McFarland	0.24
Full Assignment	72-07448	Gregory S Hurless Margaret A Hurless	0.24

MAINTAINED

AUG 31 1993

database updated 8/24/93 cz.

RECEIVED
JUN 10 1991

State of Idaho

Department of Water Resources

Department of Water Resources

ASSIGNMENT OF PERMIT

I, Linda James, hereby assign to Peter B. McFarland
of P.O. Box 266, Challis, Id 83226
Address

All my right, title, and interest in and to Permit No. 72-7448
to appropriate the public waters of the State of Idaho.

The following described portion of my right, title, and interest in and
to Permit No. _____ to appropriate the public waters of the
State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage
within each 40 acre subdivision, the point of diversion and the amount of
water in cubic feet per second for direct diversion, or acre feet for storage)

(Name Change & Addition of husband's name.)

Made this 4 day of June, 19 91.

Linda C. James
Permit Holder

Peter B. McFarland
Spouse of Permit Holder

State of Idaho)

County of Custer)

ss

On this 30 day of May, 19 91, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same. (Linda James)

Peter B. McFarland

Mae Kopp

seal

Notary Public residing at

Challis Idaho

My commission expires:

11/7/94

RECEIVED

MAY 6 1991

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 72-07448 Telephone No. 379-4254
2. Name(s) of Permit Holder(s): Linda C. James McFarland
3. Post Office Address: P.O. Box 246 Chubb, Idaho 83226
4. Source of Water: Chubb Creek g.w. H
- a. If ground water, well driller's name: Lombert Well Drilling Date drilled: 4/1988
- b. Pump horsepower: 10 hp Pressure (psi): _____ Dynamic pumping level (ft.): _____
5. Extent of Use:
- | | |
|--|-------------------------------------|
| Domestic _____ (No. of households) | Irrigation <u>12</u> (No. of acres) |
| Stockwater _____ (No. and type of stock) | Other _____ |
6. Total rate and/or volume for which proof is submitted 0.24 cfs 30.0 acre/feet
7. Refer to the approval conditions on your permit and respond accordingly:
- | | | |
|------------------------|---|---|
| Measuring device: | Required? <u>Yes</u> ☒ No | Installed? <u>Yes</u> ☐ No |
| OR | | |
| Flow Measurement Port: | Required? <u>Yes</u> ☒ No | Installed? <u>Yes</u> ☐ No |
8. Fee Enclosed: \$ _____ (See License Examination Fee Schedule)
9. Person to contact to accompany the Department representative during the field examination:

Name

Telephone No.

Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

Date

Signature (and title if on behalf of a company or organization)

JUN 10 1991
6 1991

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 72-07448

Proposed Priority: December 7, 1989 Maximum Diversion Rate: 0.24 CFS

This is to certify, that **LINDA JAMES**
P.O. BOX 707
CHALLIS, ID 83226

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	04/01 to 11/01	0.24 CFS
<u>LOCATION OF POINT(S) OF DIVERSION:</u>		NENENE Sec. 17, Township 14N, Range 19E CUSTER 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>
14N	19E	17	NENE	12		12

Total number of acres irrigated: 12

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **June 1, 1991**.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

9th day of May, 19 90

R. Keith Higginson
for
R. Keith Higginson, Director

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JUN 26 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Linda James Phone 208-879-4254
Post office address P.O. Box 707 Challis ID 83226
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot _____
Sec. 17 Township 14N Range 19E B.M. Custer County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.24 for IRIGATION purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.24 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. 10 hp. single phase
SUBMERSIBLE PUMP - HAND LINES
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is 8 inches; proposed depth of well is 210 feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water for the proposed beneficial use is
1 years (minimum 1 year).

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JUN 26 1990

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

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 the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
14N	19E	17	12																12

Total number of acres to be irrigated 12

10. Describe any other water rights used for the same purposes as described above. Supplements

surface right 72-00020 from Challis Creek

11. a. Who owns the property at the point of diversion? Applicant

b. Who owns the land to be irrigated or place of use? Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

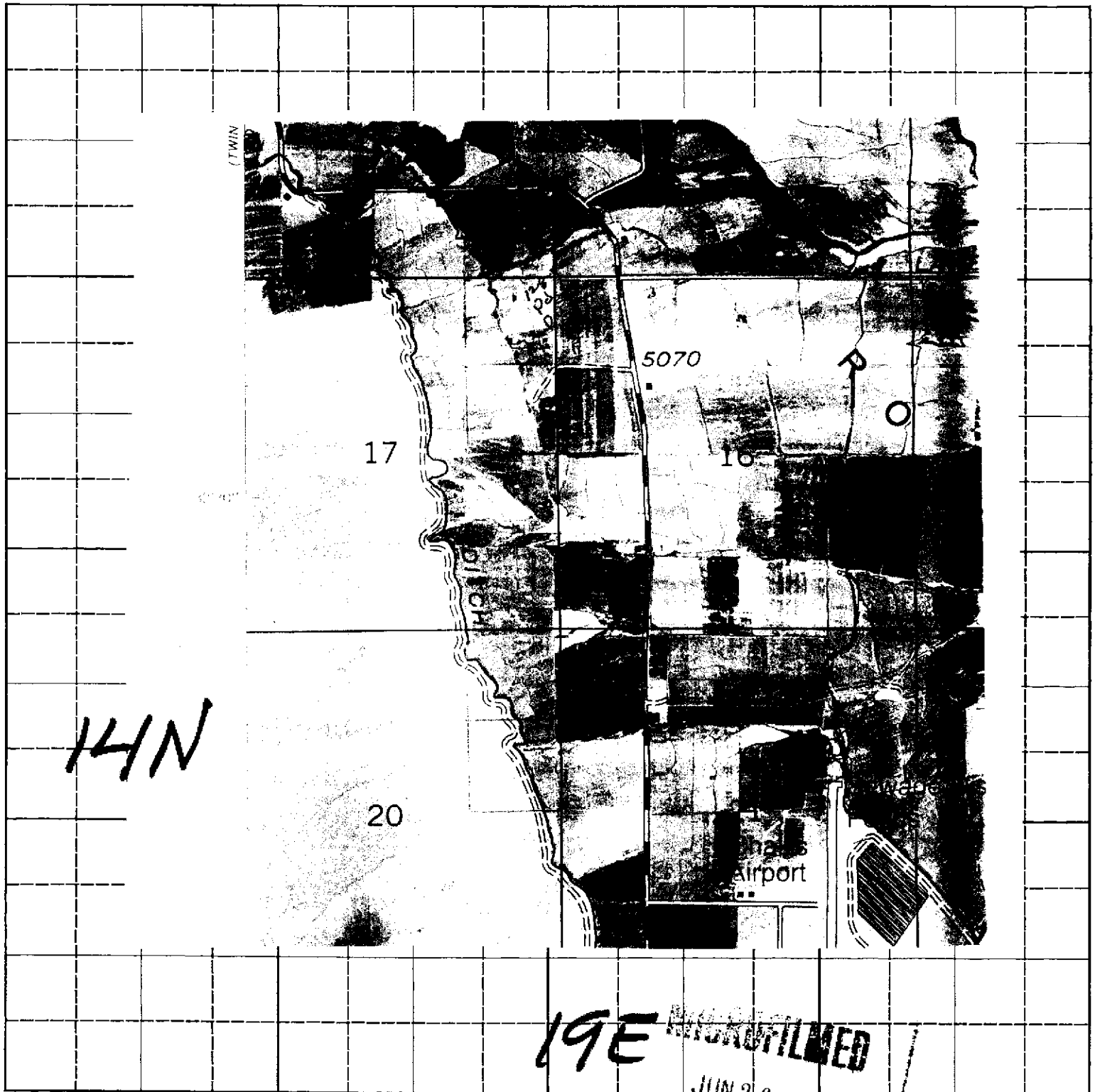
12. Remarks: system has been in place and use since

spring of 1988.

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JUN 26 1990

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



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Linda C. James
(Applicant)

Received by AB Date 12/7/89 Time 16:11:38 Preliminary check by AB
Fee \$ 45.00 Receipted by AB # MO05335 Date 12/7/89
Publication prepared by M. Baldwin Date 12-27-89 Published in Challis Messenger
Publication approved M. Baldwin Date 2/5/90

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

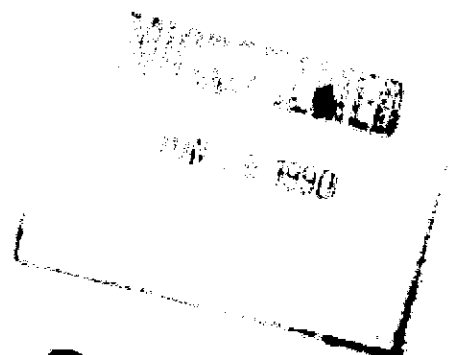
b. Proof of construction of works and application of water to beneficial use shall be submitted on or before

_____, 19____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

April 12, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

TAB STUART
JERRY S STUART
ELAINE STUART
2065 N 2200 W
SALT LAKE CITY UT 84116

RE: Water Right 72-07448

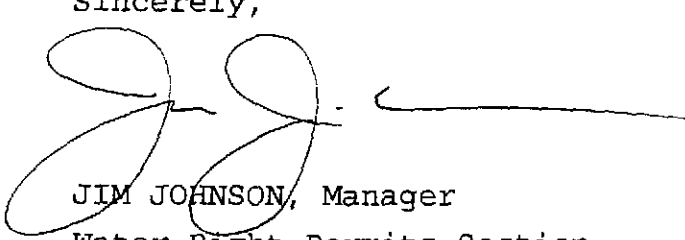
Dear Water Right Holder(s):

The Department is in receipt of the correspondence changing ownership of the above referenced water right to you. We have modified our records to reflect this change in ownership and a computer generated report is enclosed.

Just a reminder, because of a law that went into effect July 1, 1996, all water right owners are required to report change of address or ownership to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee to the water right owner. If you have other water rights that haven't had the ownership updated please contact the department as soon as possible.

If you have any questions regarding this matter, please feel free to contact me at (208) 327-7947.

Sincerely,


JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosure

MICROFILMED

APR 14 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 3, 1995

GREGORY S HURLESS
MARGARET A HURLESS
PO BOX 1045
CHALLIS ID 832261045

RE: WATER RIGHT NO. 72-07448

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

A handwritten signature in cursive script that reads 'Shelley W. Keen'.

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

JUN 14 1995

LICENSE REVIEW CHECKLIST

PERMIT NO. 72-07448

DATE 4-19-95



NAME _____

Change OK

Or Address Change?

95
new owners
assignment
process in
1993

PRIORITY DATE

Advance? Advanced to:
Order to reinstate needed?
Incorrect fee for rate recommended? NO

SOURCE

Changes or just clarification of originally intended source? _____
Notice of Intent to Void necessary? _____

POINT OF DIV

Amendment needed? _____
Overlaps? _____

PLACE OF USE

Amendment needed?
Overlaps? Surface water (A 72-000 ZOT)

DIV RATE

Permit/fee limits: .24 CFS
 Meas Q = .18 CFS Theo Q = _____ Recommend: .18.16
 (Sprinkle) 8 X .02 = .16 CFS
12 X .02 = .24
 Combined rates exceed capacity _____

ANNUAL VOLUME

Volume Limit: _____ Season: B/3.5 (4-15 to 10-15,
Calculations: $8 \times 3.5 = 28 \text{ af}$
 $12 \times 3.5 = 42 \text{ af}$
Flow limit: _____ cfs x _____ x 1.9835 = _____
Combined volumes exceed capacity/allowable _____

USES

Change in Nature of Use or additional uses? _____
Amendment necessary? _____

ADDITIONAL INFO

Supplemental Groundwater YES PPU Scenario _____
Irr/Dom Combination _____ Shared G/W System _____

NEW REMARKS

Multiple p/d(s) in 1/4 1/2? _____
Other WB3 WB9 11/4

NEW CONDITIONS

Watermaster control - District _____
 Measuring/Locking Devices _____
 Irrigation Overlap _____
 Other _____
 Water Quality _____ Heat/Cool/Fish verified _____

COMMENTS: Reduce rate to capacity. Based on examiner's remark that only 3 acres were irrigated at time of the exam and the owner's surface water claim on the same 3 acres, - the recommendation is being made to reduce the acreage from 12 to 8. SEE MEMO

RECOMMENDATION

CFS

VOLUME

SRBA Claim Filed

Adjustment Memo Needed

LICENSE

1ST AMEND LETTER

2ND AMEND LETTER

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

NOV 17 1994

Department of Water Resources

A. GENERAL INFORMATION

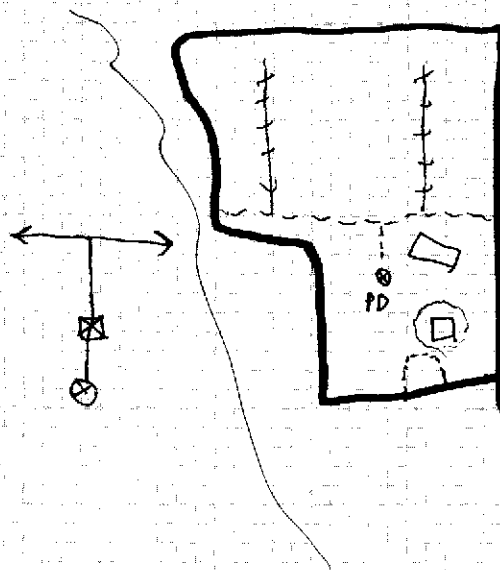
1. Owner: Linda J. McFarland Permit No. 72-07448
Current Address: P.O. Box 266, Challis, ID 83226 Phone No. 877-4254
2. Accompanied by: Mrs. McFarland EXAM. DATE: 7-22-92
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: ~~A08~~ A72-00020J ☐ Copies Attached
2. Other water rights with same point of diversion: ~~A72-10279 (domestic use on property)~~ ☐ 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



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Scale: 1" = _____

JUN 14 1995

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

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Well, submersible motor & pump, buried & portable mainline to handline. Runs 18 Rinkbirds with 5/32" nozzles.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Modc/ Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Franklin	10	282 2029 207		

*Code to correspond with No. on map and aerial photo

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	NE	NE	17	14N	19E	Custer	

6. **Place(s) of Use:**

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
14N	19E	17	12																12

Do not use this space

JUN 14 1983

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

Measured 39 1/2 psi average pressure in 1 line & 42 psi in second line. Average 40.8 psi.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

$$4,49 \text{ gpm/hd} \times 18 \text{ hds} = 81 \text{ gpm} = 0.18 \text{ cfs}$$

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi $\times 2.31 =$ _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) : Flow rate: _____ cfs (4)

Water HP: (3) $\times$ (4) $\div 8.8 =$ _____ (5)

Meter Input KW: $3.6 \times$ _____ KH $\times$ _____ CTR or _____ MULT $\times$ _____ PTR $\times$ _____ N/ _____ T = _____ (6)

Meter Input HP: (6) $\times 1.34 =$ _____ (7)

Panel Input KW: _____ Ave PF $\times$ _____ Ave Volts $\times$ _____ Ave Amps $\times .001732 =$ _____ (6)

Panel Input HP: (6) $\times 1.34 =$ _____ (7) Efficiency: (5)/(7) $\times 100 =$ _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 12 \times 3.5 = 42 \text{ AFA}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.18 \times 184 \times 1.9835 = 65.7$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 42.0 \text{ AFA}$$

2. Volume Calculations for Other Uses:

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H. REMARKS AND OVERLAP REVIEW ANALYSIS

* There are 8 acres of pasture behind the house, according to Mrs. McFarland. Whole property is 12 1/2 acres. About 1/2 acre is home, lawn, driveway, etc. The remaining 4 acres were watered until 2 years ago, according to owner. That 4 acres is in weeds (little grass or alfalfa).

Owner has Challis Co. water rights but has trouble getting water to the property. Not to exceed 0.02 cfs/acre or 3.5 AFA/acre for all rights combined on this land.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4-15	10-15	0.18	42.0
Totals:			0.18	42.0

2. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

J. AUTHENTICATION

Field Examiner's Name J. E. Stanton
 Signature J. E. Stanton
 Certification Date _____
 Field Report Preparation Date 10-30-92

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

* See attached adjustment explanation memo. ~~RE~~

JUN 14 1995

MEMORANDUM

TO: File 72-07448 / Gregory Hurless
FROM: Brenda Chapman
DATE: April 19, 1995
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for the above referenced water right are based on the information below:

C. DIVERSION AND DELIVERY SYSTEM

6. Place of Use: There are two reasons why the number of acres being recommended are being reduced to 8.

First, the examiner commented in the Remarks section of the exam that the 8 acre pasture behind the home was being irrigated and the remaining 4 acres had not been irrigated for 2 years and was covered with weeds.

Second, the recommendation for A72-00020J, a surface water SRBA claim covering the same land, is also for 8 acres. The recommendation is based on BLM photos and an on-site 1993 exam. No objections were filed on the recommendation. See the attachments regarding the history of this claim.

H. RECOMMENDATIONS

1. Recommended Amounts

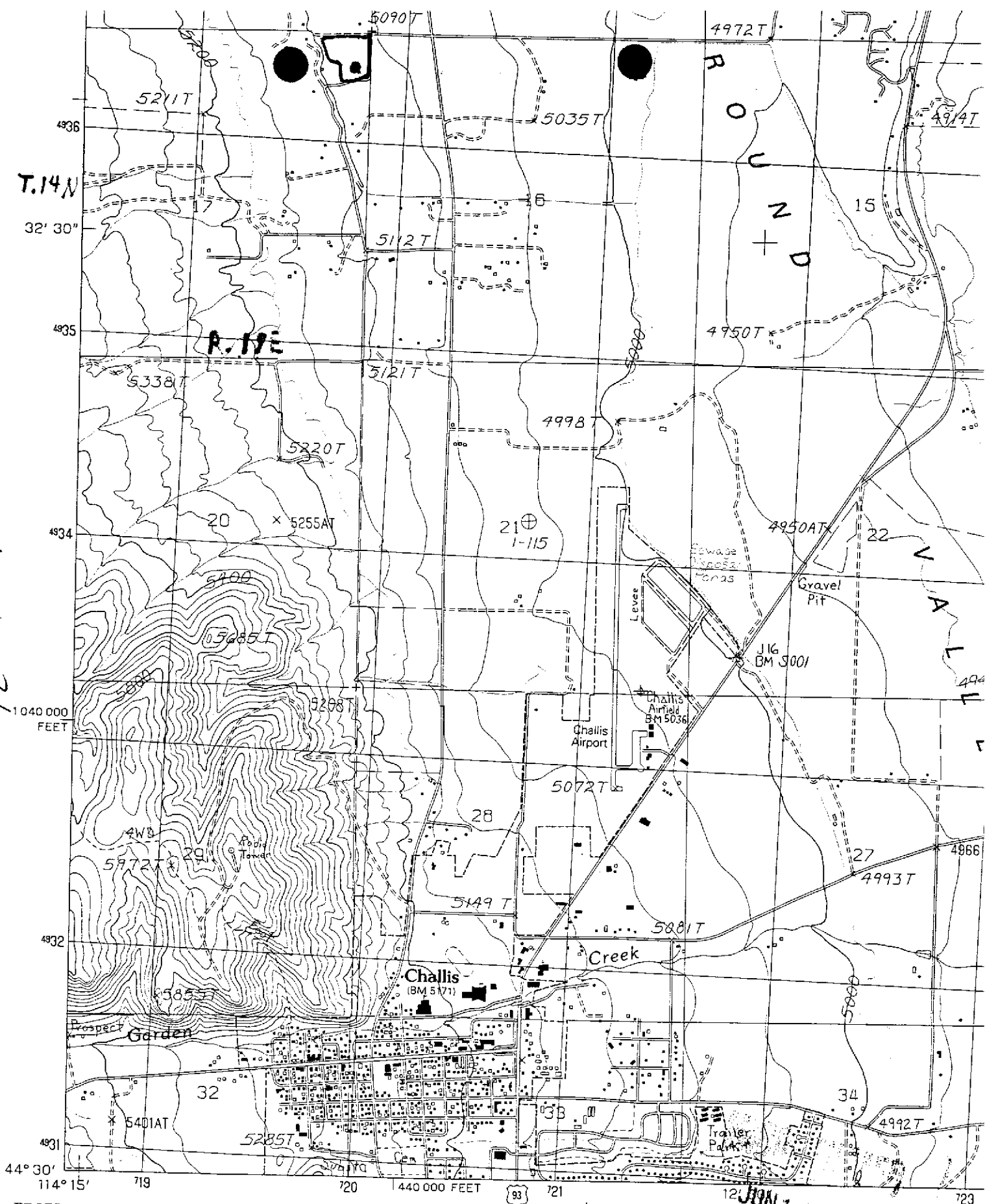
Beneficial Use	Period of Use	Rate of Div	Annual Vol
Irrigation	4-15 to 10-15	.16	Not listed

The rate has been reduced based on the acre reduction.

The volume recommendation is addressed in the remarks based on current supplemental groundwater processing procedures.

RECEIVED
APR 24 1995

8747-72



PRODUCED BY THE UNITED STATES GEOLOGICAL SURVEY
CONTROL BY USGS NOS/NOAA
COMPILED FROM AERIAL PHOTOGRAPHS TAKEN 1984
FIELD CHECKED 1986 MAP EDITED 1989
PROJECTION TRANSVERSE MERCATOR
GRID: 1000-METER UNIVERSAL TRANSVERSE MERCATOR ZONE II
10,000-FOOT STATE GRID TICKS IDAHO, CENTRAL ZONE
UTM GRID DECLINATION 1°58' EAST
1989 MAGNETIC NORTH DECLINATION 16°30' EAST
VERTICAL DATUM NATIONAL GEODETIC VERTICAL DATUM OF 1929
HORIZONTAL DATUM 1927 NORTH AMERICAN DATUM
To place on the predicted North American Datum

PROVISIONAL MAP

3.2

11.5

B-465
G. PECK

J.O. HARDY
3898
14.1

17.6

B-462
F. AMAR

B-471
W.E. PERRY

B-557
5578

23.6

B-533
CORRIGAN - C. RYAN - YACOB
5322

B-558
T. STRICK
5588
5.4

15.4

B-534
L. BISHOP
5342

4 1995

B-559
R. PLUMMER

B-535
L. BISHOP
5352

17.6

B-560

72-7448



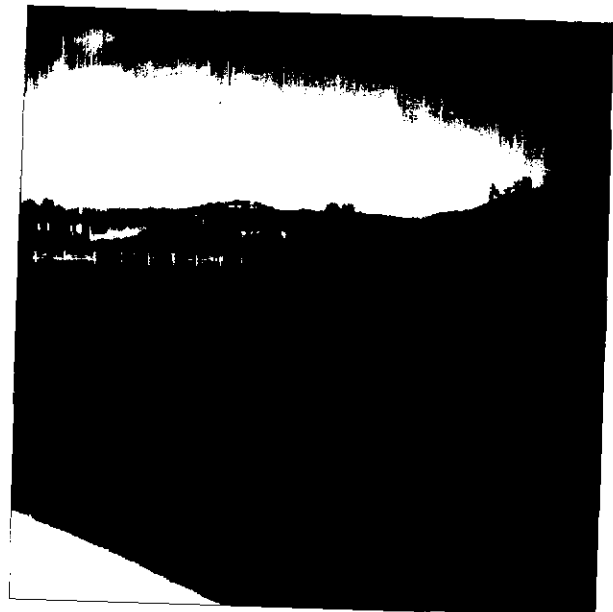
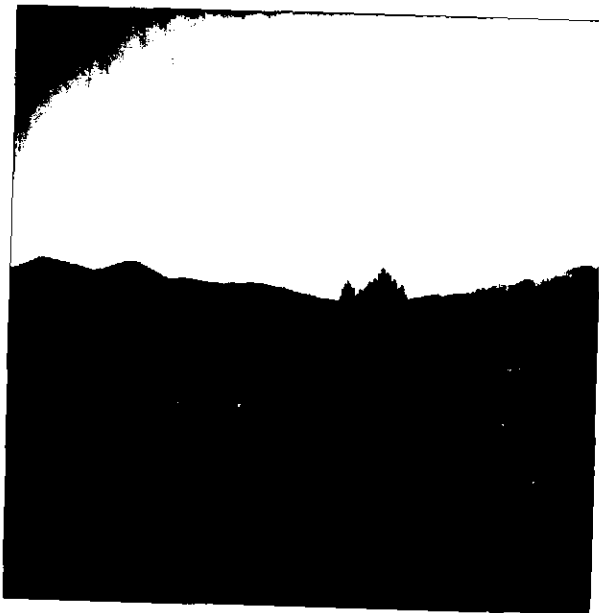
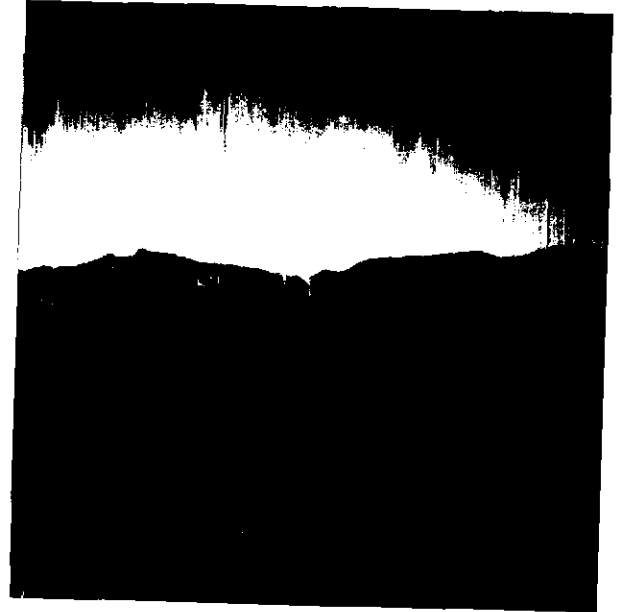
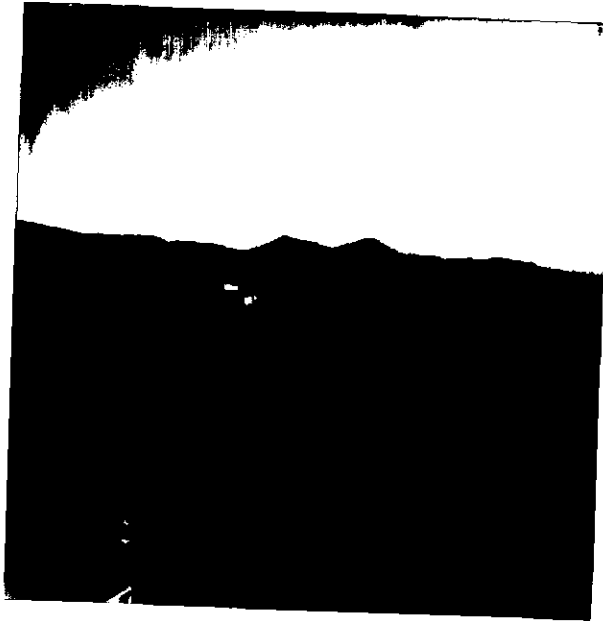
P/D

72-7448

JUN 14 1995

72-7448

P/u



72-7448
P/u



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 24, 1993

GREGORY S HURLESS
MARGARET A HURLESS
PO BOX 1045
CHALLIS ID 83226-1045

Re: Permit No. 72-07448

Dear Mr. and Mrs. Hurless:

We acknowledge receipt of the correspondence assigning the ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over the printed name and title.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

RECEIVED
AUG 31 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 12, 1993

GREGORY S HURLESS
MARGARET A HURLESS
PO BOX 1045
CHALLIS ID 83226-1045

RE: Assignment of Permit No. 72-07448

Dear Mr. and Mrs. Hurless:

We acknowledge receipt of the correspondence concerning the assignment of the above referenced permit to you.

A permit is considered personal property and only the holders of record can take action on the right. The assignment of permit must be signed by the permit holders of record, Linda C. and/or Peter B. McFarland. The signature on the assignment form you submitted does not match any signature on file.

I will keep the original documents and send you an assignment form for Mr. or Mrs. McFarland's signature. I will update the database as soon as we receive the signed form.

If you have any questions, please contact our office or me directly at (208) 327-7944.

Sincerely,

A handwritten signature in cursive script that reads "Cindy Zimmerman".

CINDY ZIMMERMAN
Water Resource Agent

Enclosure

c: Peter & Linda McFarland

RECEIVED

AUG 31 1993

RECEIVED
AUG 12 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 11 1993

Department of Water Resources

ASSIGNMENT OF APPLICATION FOR PERMIT

Department of Water Resources
Southern Region Office

I, Linda J. McFarland, hereby assign to Gregory G. + Margaret A. Harless
of, P.O. Box 1045 Challis, Idaho 83226
(Full Address)

All my right, title, and interest in and to Application for Permit
No. 72-07448 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Application for Application for Permit No. _____ to appropriate the public
waters of the State of Idaho.

Describe portion of the application assigned listing the number of acres in each 40 acre
subdivision, point of diversion location, and the amount of water in cubic feet per second.

Made this August day of 13, 1990.

Linda J. McFarland
Applicant

Illinois
State of Idaho)
County of Rock Island ^{SS}

On this 3rd day of August, 1990, personally appeared before me the signer of the
above instrument, duly acknowledged to me that he (she) (they) executed the same.

"OFFICIAL SEAL"
SHARON R. HOLLUB
Notary Public, State of Illinois
My Commission Expires 8-7-94

Sharon R. Hollub
Notary Public

seal

My commission expires: 8/7/94

AUG 31 1993

Applicant's signature over notary seal

June 18, 1991

Re: Permit No. 72-7448

Linda McFarland
Peter B. McFarland
P.O. Box 266
Challis, ID 83226

Dear Water Right Holder(s):

We acknowledge receipt of the correspondence transferring ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

SHARLA CURTIS
Technical Records Specialist

SC:blm

805 81 235

MEMORANDUM

TO: FILE 72-7448

FROM: RITA FLECK *RF*

RE: WELL DRILLER, DRILLING PERMIT, ETC.

The proof of beneficial use form indicates that the well was drilled in 1988 by Lambert Well Drilling. Linda Tracy researched the records and determined that Lambert Well Drilling has not been in business since 1984. I was unable to locate a well log or drilling permit for this well.

I talked with Mrs. McFarland. She has a receipt from the well driller and will send a copy of it in.

May 22, 1991
JUN 10 1991

May 22, 1991

LINDA JAMES MCFARLAND
P. O. BOX 266
CHALLIS ID 83226

Dear Ms. McFarland:

Re: Permit No. 72-7448

PROOF ACKNOWLEDGEMENT LETTER

On May 6, 1991, the department received the proof of beneficial use form. I note that you have a name change. To show a name change for a permit, an assignment is required. I've taken the liberty of partially completing it for you. If you wish to add your husband's name, you can write it above yours.

The next step is for the department to conduct the field inspection to confirm and determine the extent of beneficial use. I cannot tell just when the representative from our Southern Regional office will conduct the exam, but he will try to contact you or your representative prior to being in the area.

If you have questions, please contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

C: S. Reg.

RECEIVED
JUN 10 1991

JUN 10 1991

5/2/91

Spencer C. James McFarland
P.O. Box 266
Challis, Idaho 83226

State of Idaho Department of Water Resources
1201 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

To Whom It May Concern:

JUN 10 1991

I am sorry it has taken so long to return this form. I have been trying very hard to find all the information that you request.

The problem I have is that my former husband was the one that contracted to have our well put in. I didn't find out that a permit was not attained until after our divorce and I returned the house and property. Documentation was not made as to what all was done and all I have is receipts of materials and no one seems to be ~~able~~ able to give me the information I need.

Initially wouldn't want to guess at something that I don't have the slightest knowledge of, such as the Pressure (Psi) and the Dynamic pumping level (P).

I truly want to comply with all of your request but have truly exhausted all areas of funding these two items.

Thank you for your time and consideration. If there is anything else I need to do please contact me. I have been remarried ~~very~~ recently and my new name and address are:

Linda C. McFarland

P.O. Box 266

Challis, Idaho 83226

phone: (208) 879-4254

[Handwritten signature]

JUN 16 1991

Sincerely,

Linda C. McFarland
(Linda C. James McFarland)

138329
March 31, 1991

LINDA JAMES
P.O. BOX 707
CHALLIS, ID 83226

PROOF DUE NOTICE

RE: PERMIT NO. 72-07448

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before June 1, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

JUN 10 1991

S T A T E O F I D A H O

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
May 10, 1990

LINDA JAMES
P.O. BOX 707
CHALLIS, ID 83226

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P72-07448

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of

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JUN 26 1990

Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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JUN 26 1990

28-Dec-1989

Linda James
P.O. Box 707
CHALLIS ID 83226

Re: Application for Permit No. 72-07448

Dear Applicant (s):

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

This office will be advertising the application in the Challis Messenger on 1/18 & 1/25/90. A period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

Gary Funderburg
Sr. Water Resource Agent

GF:MB

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JUN 26 1990

AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, Margaret Parks, Publisher of the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated Jan 18 1990 and ending with the issue dated Jan 25 1990

Margaret Parks RECEIVED

STATE OF IDAHO

JAN 26 1990

Department of Water Resources
Southern Region Office

COUNTY OF CUSTER

On this 25th day of Jan. in the year of 1990, before me, a Notary Public,

personally appeared Margaret Parks known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Earl M. Beck
Notary Public for Idaho

Residing at Challis

My commission expires: 3-21-1991

JUN 26 1990

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

72-07445

HARVIE, CHARLES R.
HARVIE, VERLA

P.O. BOX 371
CHALLIS, ID 83226

Source: CHALLIS CREEK Tributary: SALMON RIVER

Diversion Pt: LOT 2 (NWSWNW) Sec 7 T 14N R 19E

Use: IRRIGATION (.520 CFS)

Total Diversion: (.520 CFS)

Date Filed: 12/06/1989

In: T14N R19E S17 SESW

26.0 ACRES TOTAL

72-07448

JAMES, LINDA

P.O. BOX 707

CHALLIS, ID 83226

Source: GROUNDWATER

Diversion Pt: NENENE Sec 17 T 14N R 19E

Use: IRRIGATION (.240 CFS)

Total Diversion: (.240 CFS)

Date Filed: 12/07/1989

In: T14N R19E S17 NENE

12.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before FEBRUARY 5, 1990.

R. KEITH HIGGINSON, Director
Pub: Jan. 18 & 25, 1990.

OK mfb
2/5/90

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
2148 4th Avenue East
Twin Falls, ID 83301
(208)734-3578

DECEMBER 27, 1989

CUSTER PUBLISHING COMPANY
P.O. BOX 405
CHALLIS, ID 83226

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before FEBRUARY 5, 1990.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED

JUN 26 1990

72-07448

JAMES, LINDA
P.O. BOX 707
CHALLIS, ID 83226

Source: GROUNDWATER

Diversion Pt: NENENE Sec 17 T 14N R 19E

Use: IRRIGATION (.240 CFS)
Total Diversion: (.240 CFS)

Date Filed: 12/07/1989

In: T14N R19E S17 NENE

12.0 ACRES TOTAL

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JUN 26 1990

The permit(s) will be subject to all prior water rights. Protests must be filled with the Director, Dept. of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, Idaho 83301 on or before FEBRUARY 5, 1990.

R. KEITH HIGGINSON, Director

Published 1/18/1990 & 1/25/1990

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JUN 26 1990