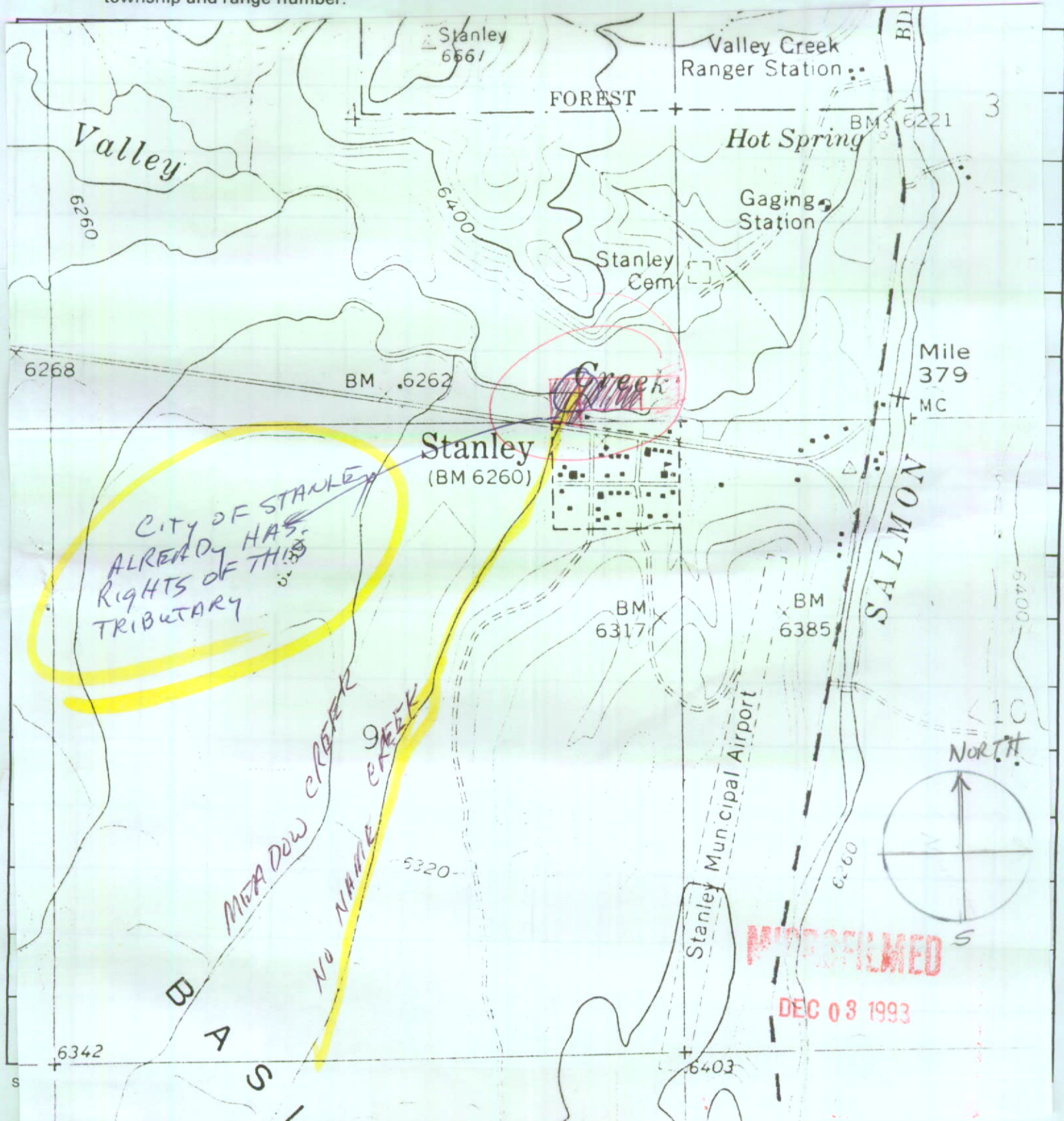
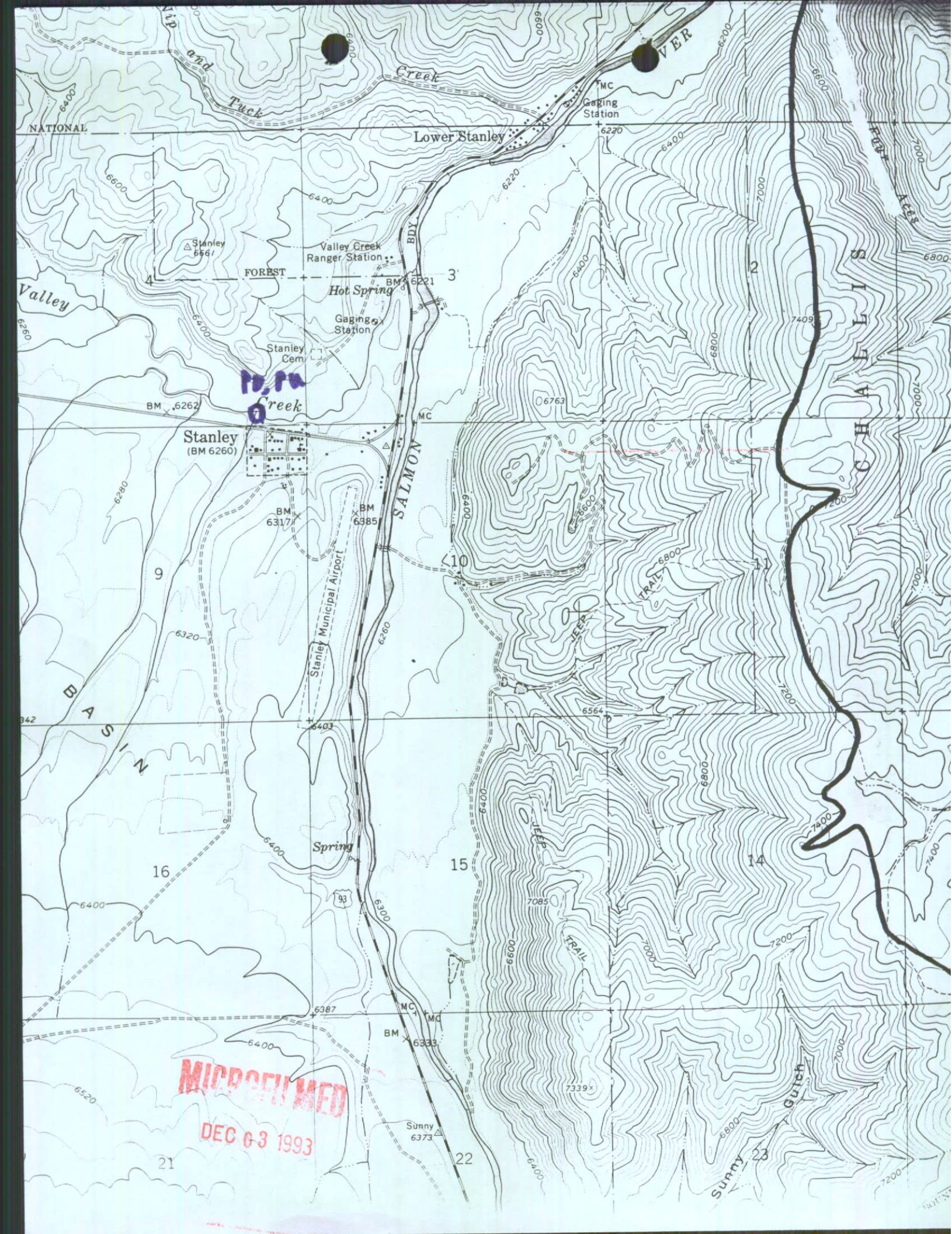


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

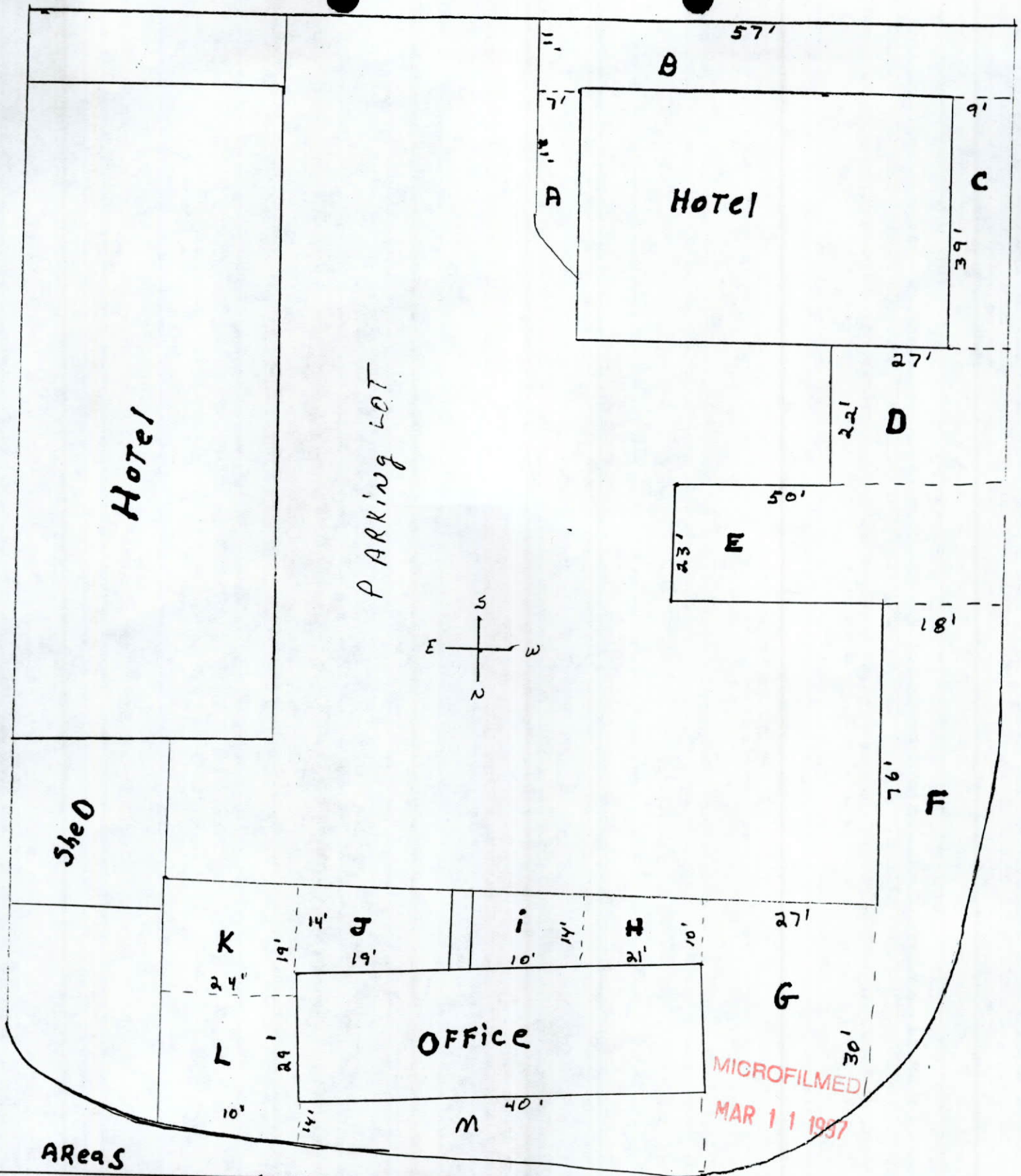


I hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Michael L. K. K.
(Applicant)



MICROFILMED
DEC 03 1993



AREAS

A - $7 \times 21 = 147$ sq. FT.
 B - $11 \times 57 = 627$ sq. FT.
 C - $9 \times 39 = 351$ sq. FT.
 D - $27 \times 22 = 594$ sq. FT.
 E - $23 \times 50 = 1150$ sq. FT.

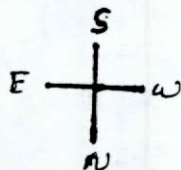
F - $18 \times 76 = 1368$ sq. FT.
 G - $27 \times 30 = 810$ sq. FT.
 H - $10' \times 21' = 210$ sq. FT.
 I - $14' \times 10' = 140$ sq. FT.
 J - $19' \times 14' = 266$ sq. FT.
 K - $19 \times 24 = 456$ sq. FT.

L - $10 \times 29 = 290$ sq. FT.
 M - $40 \times 14 = 560$ sq. FT.

TOTAL Square Feet
 6969 sq. Feet

Acres

$6969 \div 43560 = .16$
 .16 Total acres



Hotel

Hotel

PARKING LOT

DIVERSION WORKS

THIS SYSTEM IS DESIGNED FOR 2 SETTINGS. THESE SETTINGS ARE SET UP ON A TIMER AND RUN AT DIFFERENT TIMES. THEY ARE NOT RUN AT THE SAME TIME. SETTING A WAS THE SETTING THAT WAS MEASURED.

Shed

Office

Setting B

Setting A

PID PUMP

Valley Creek

MAR 11 1997

CITY OF STANLEY

RESURVEY OF CORPORATE LIMITS

EMBRACING LOT 10, SECTION 3, SE¹SW¹; SE¹SE¹; SECTION 4, NE¹, NW¹SE¹, SE¹SE¹; SECTION 9, LOTS 2, 3, 6, AND 7 SECTION 10; NE¹NE¹ SECTION 16; SECTION 15; TION R 13E, BM, CUSTER COUNTY, IDAHO

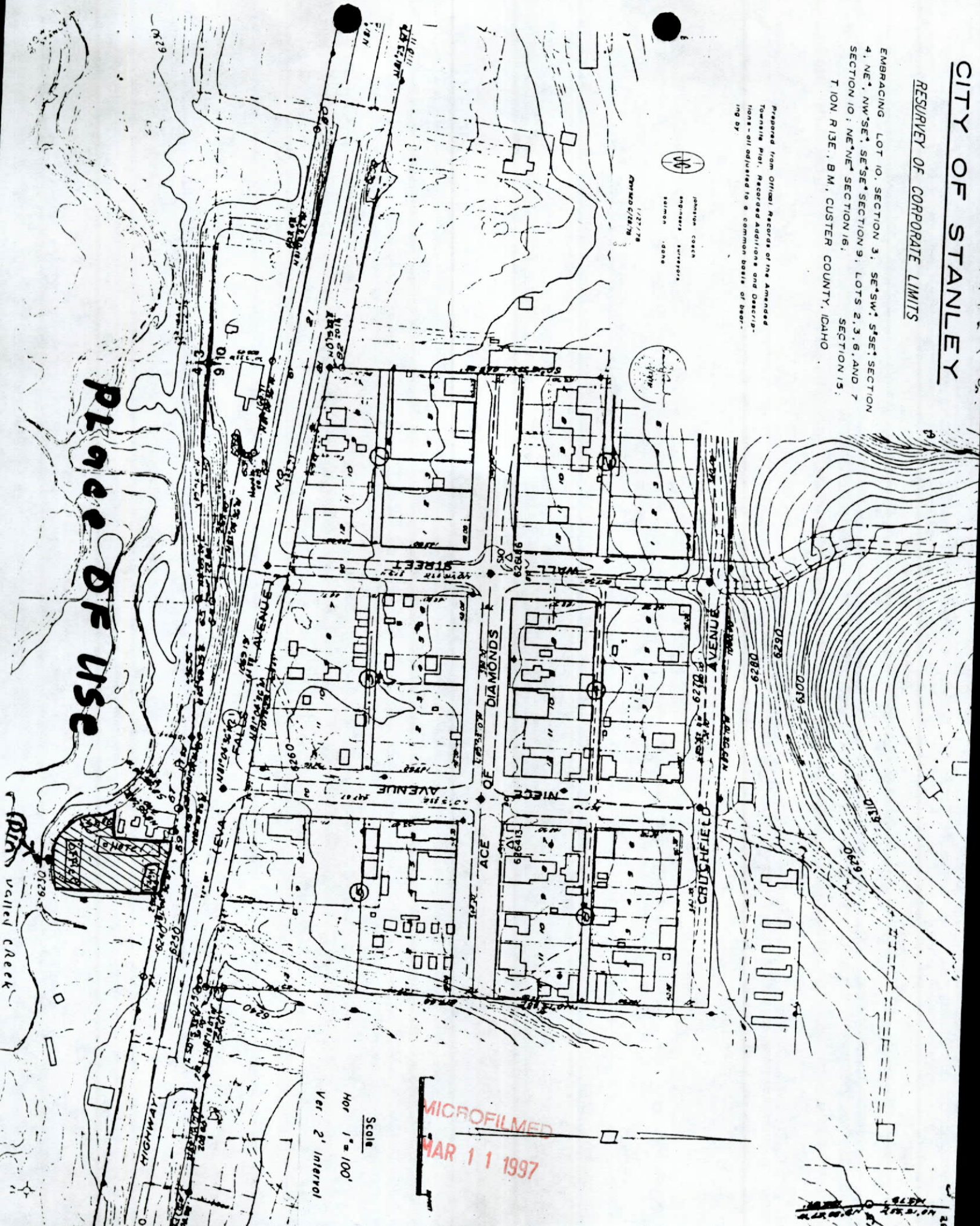
Prepared from Official Records of the Amended Township Plat, Recorded Additions and Descriptions - all adjusted to a common basis of bearing by



JOHN C. COOK
ENGINEER SURVEYOR
BOZEMAN, IDAHO

1/27/78
AYMCO C/12878

PLEASE DO NOT USE



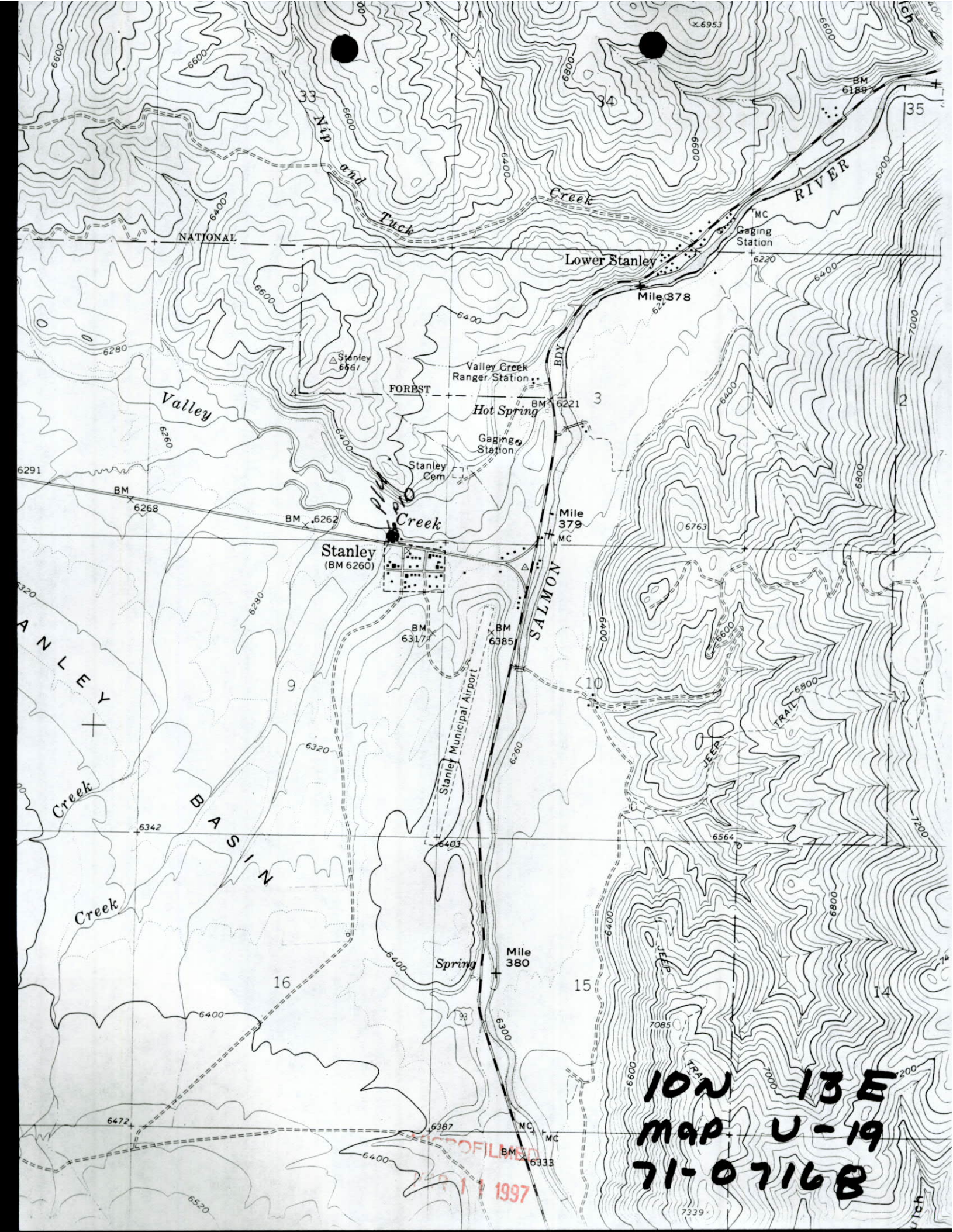
MICROFILMED
MAR 11 1997

Scale
Hor 1" = 100'
Ver. 2" Interval



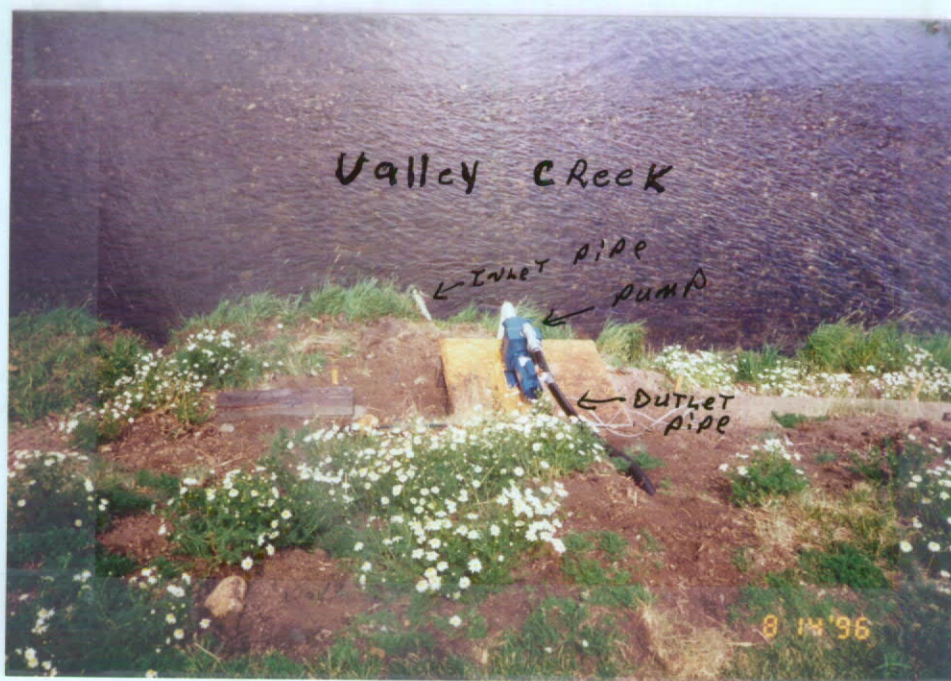
PERMIT 71-07168 INIT DAN
T. R. S. Q/Q
P/D 10N 13E 4 SE/SE
SCALE 1 mi/4.2"
PHOTO ID. NRCS PHOTO

MICROFILMED
MAR 11 1987



10N 13E
map U-19
71-0716B

REPROFILMED
1997



Valley Creek and PID

The water for this permit is pumped out of Valley Creek by a 2.5 HP motor. It is then sent through an underground sprinkler system to irrigate the lawn of the Stanley Out Post Hotel.

MICROFILMED

MAR 11 1997



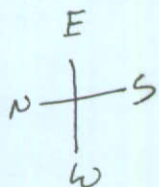
This The Place of use, The yard around
This Hotel is irrigated by this permit



This picture shows where the
OFFICE sits in Relationship to
The Hotel segments.

MICROFILMED

MAR 11 1997



This is The YARD in FRONT OF The
HOTEL OFFICE



This PICTURE Shows
The BACK OF The
OFFICE. IT ALSO Shows
The Relationship Between
The POINT OF DIVERSION
AND The OFFICE.

MICROFILMED
MAR 11 1997

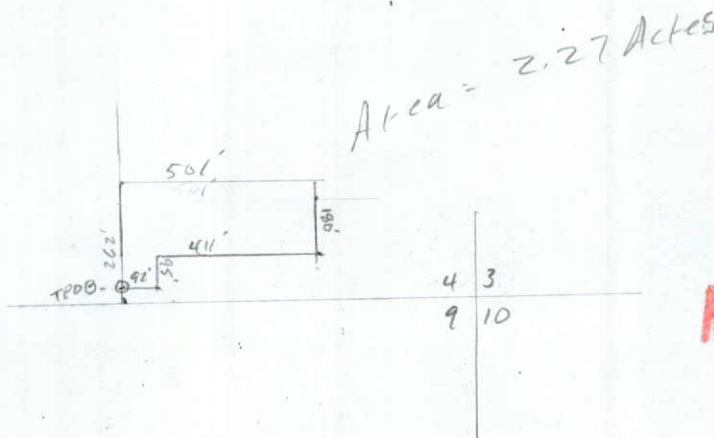
EXHIBIT "A"

A fraction of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 4, Township 10 North, Range 13 East, Boise Meridian, Custer County, Idaho, described as:

Beginning at the Section Corner common to Sections 3, 4, 9 and 10, said Township and Range; thence West along the South boundary of said SE $\frac{1}{4}$ SE $\frac{1}{4}$, 910 feet; thence North 38 feet to the TRUE POINT OF BEGINNING, which point is also the Northwest corner of the land described in the Deed to the State of Idaho, recorded December 27, 1966, in Book 36 of Deeds, Page 288, said point also being the Southeast corner of the land described in the Deed to James G. Mullins, recorded July 22, 1971, as instrument No. 131432, all records of Custer County, Idaho; thence North along the East boundary line of said Mullins land 262 feet; thence East 501 feet; thence South 180 feet; thence West 411 feet; thence South 95 feet to the Northeast corner of said State of Idaho land; thence North 80°35'15" West along the Northerly boundary line of said State land 92 feet to the True Point of Beginning.

SUBJECT TO Restrictions granted to the State of Idaho in the Deed recorded December 22, 1966, in Book 36, Deeds, Page 288, records of Custer County, Idaho.

SUBJECT TO any and all exceptions contained within the Policy of Title Insurance issued in connection herewith.



MICROFILMED

DEC 03 1993

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 Sept 17 1992 and ending with the issue dated Sept 24 1992

Margaret Parks

STATE OF IDAHO

COUNTY OF CUSTER

On this 29th day of Sept in the year of 1992, 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.

Edith M. Beck

Notary Public for Idaho

Residing at Challis

My commission expires: 1-21-98

RECEIVED

SEP 30 1992

Department of Water Resources
Southern Region Office

NOTICE OF APPLICATION FOR WATER RIGHT

The following application has been filed to appropriate the public waters of the State of Idaho:

71-07168

McMinn, Melvin R.

PO Box 114

Stanley, ID 83278

Source: Valley Creek Tributary:
Salmon River

Diversion Pt: SWSESE Sec 4
T10N R13E in Custer County

Use: Irrigation (.020 cfs)

Total Diversion: (.020 cfs)

Date Filed: 7/21/1992

In: Custer County

T10N R13E S04 SESE

1.3 acres total

The permit will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before October 5, 1992.

R. KEITH HIGGINSON, Director
Pub: Sept. 17 & 24, 1992.

OK
MB
9/30/92

MICROFILMED

DEC 03 1993

McMinn App.



McMinn Property



REPRODUCED
DEC 03 1993

Mc Minn App.



1 hp pump in unnamed stream

Proposed P/D

RECEIVED
DEC 03 1993

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	71-07168	Melvin R. McMin	0.02
Full Assignment	71-07168	Bill Babcock	0.02

RECORDED
JAN 20 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 71-07168

Priority: July 21, 1992

Maximum Diversion Rate: 0.02 CFS

Maximum Diversion Volume: 0.6 AF

This is to certify, that BILL BABCOCK
1927 ALTURAS DR

TWIN FALLS ID 83301

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated July 22, 1992; and
has submitted Proof of Beneficial Use on October 12, 1994. An examination indicates
that the works have a diversion capacity of 0.060 cfs of water from:

VALLEY CREEK

tributary to SALMON RIVER

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	05/01 to 09/30	0.02 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION: SESE, Sec. 4, Township 10N, Range 13E
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>
10N	13E	4	SESE	0.2		0.2

Total number of acres irrigated: 0.2

CONDITIONS OF APPROVAL AND 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 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. This right when combined with all other rights shall provide no more than 0.02 cfs nor more than 0.6 afa for the land described above.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 71-07168

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 19th
day of FEBRUARY, 1997.


Acting for KARL J. DREHER, Director

OCT 12 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

Department of Water Resources
Southern Region Office

OCT 13 1994

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form 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, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 71-07168 Telephone No. 208-733-9469
2. Name(s) of Permit Holder(s): Bill Babcock
3. Mailing Address: 1927 ALTURAS DR TWIN FALLS, IDAHO 83301
4. Source of Water: Valley Creek If GROUNDWATER (well), Date Drilled: mo. / yr.
 - a. Well Driller: Drilling Permit Number: - -
 - b. **OPTIONAL:**
Pump Horsepower: Pressure (psi): Dynamic pumping level (ft):
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): Stockwater (No. and type of stock):
Irrigation (No. of acres): 1.3 Other:
6. Total rate of diversion and/or volume for which proof is submitted: 0.02 cfs OR acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes <u> </u> or No <u>X</u>
	Has the measuring device been installed?	Yes <u> </u> or No <u>X</u>
Flow Measurement Port:	Is a flow measurement port required?	Yes <u> </u> or No <u>X</u>
	Has the measurement port been installed?	Yes <u> </u> or No <u>X</u>
8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Bill Babcock Telephone Number: 208-733-9469
Address: 1927 ALTURAS TWIN FALLS, IDAHO 83301
10. The information given on this form 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.

Signature of permit holder: *William (Bill) Babcock* Date: 10/11/94
(include your title, if on behalf of company or organization)
DEC 29 1994

RECEIVED

DEC 17 1993

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 16 1993

Department of Water Resources
Southern Region Office

ASSIGNMENT OF APPLICATION FOR PERMIT

I, Melvin R. McMan, hereby assign to Bill Babcock
of, STANLEY IDAHO 1922 Filer Ave E, Twin Falls ID 83301
(Full Address)

All my right, title, and interest in and to Application for Permit
No. 71-07168 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. 71-07168 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 16 day of July, 1990.
Melvin R. McMan
Applicant

State of Idaho)
County of Neerwater) ss

On this 31 day of August, 1993, personally appeared before me the signer of the
above instrument, duly acknowledged to me that he (she) (they) executed the same.

By Robin Christensen
Theresa Roman
Notary Public

seal

My commission expires: _____

RECEIVED
JAN 20 1994

database updated 12/21/93 c.3.

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 71-07168

Proposed Priority: July 21, 1992

Maximum Diversion Rate:

0.02 CFS

This is to certify, that MELVIN R MC MINN

PO BOX 114

STANLEY ID 83278-0114

has applied for a permit to appropriate water from:

VALLEY CREEK

tributary of SALMON RIVER

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	05/01 to 09/30	0.02 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION:

SWSESE , Sec. 4, Township 10N, Range 13E
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>
10N	13E	4	SESE	1.3		1.3

Total number of acres irrigated: 1.3

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1994.
2. Subject to all prior water rights.
3. The rate of diversion of water for irrigation under this right 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 signature of the Director, affixed at Boise, this

16th day of November, 1993.

R. Keith Higginson
for R. Keith Higginson, Director

MICROFILMED

DEC 03 1993

RECEIVED
OCT 25 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident No. 71-07168
RECEIVED

JUL 21 1992

Department of Water Resources

To appropriate the public waters of the State of Idaho

Department of Water Resources
Southern Region Office

1. Name of applicant McMINN, MELVIN R. Phone 774-3406

Post office address Box 114 STANLEY ID. 83278

2. Source of water supply VALLEY CREEK which is a tributary of SALMON River

✓ 3. Location of point of diversion is SW ¼ of SE ¼ of SE ¼, Govt. Lot SE QUARTER

Sec. 4 Township 10 N Range 13 E B.M. Custer County; additional

points of diversion if any: FRACK 26 STANLEY, IDAHO, VALLEY & No Name Cr.
deleted per tele conv. with applicant 7-22-92

4. Water will be used for the following purposes:

Amount 0.02 for DOMESTIC purposes from April to Aug 1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.02 for D-IRRIGATION purposes from APRIL-15 to OCT-15 (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) 0.02 CFS and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 1 1/2" - Pump - 2 HP.
12-15 FT LIFT

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 _____ inches; proposed depth of well is _____ 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 to the proposed beneficial use is
1 years (minimum 1 year).

MICROFILMED

DEC 03 1993

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

- a Hydropower, show total feet of head and proposed capacity in KW. _____
- b Stockwatering; list number and kind of livestock. _____
- c Municipal; show name of municipality. _____
- d Domestic; show number of households. _____
- e Other; describe fully. SPRINKLER IRRIGATION 1/4 ACRE
LAWN ONLY 2-HORSE PUMP 1 1/2" PIPE

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

TWP	RANGE	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	
10N	13E	4																1.3	1.3

Total number of acres to be irrigated ~~1.3~~ 1.3

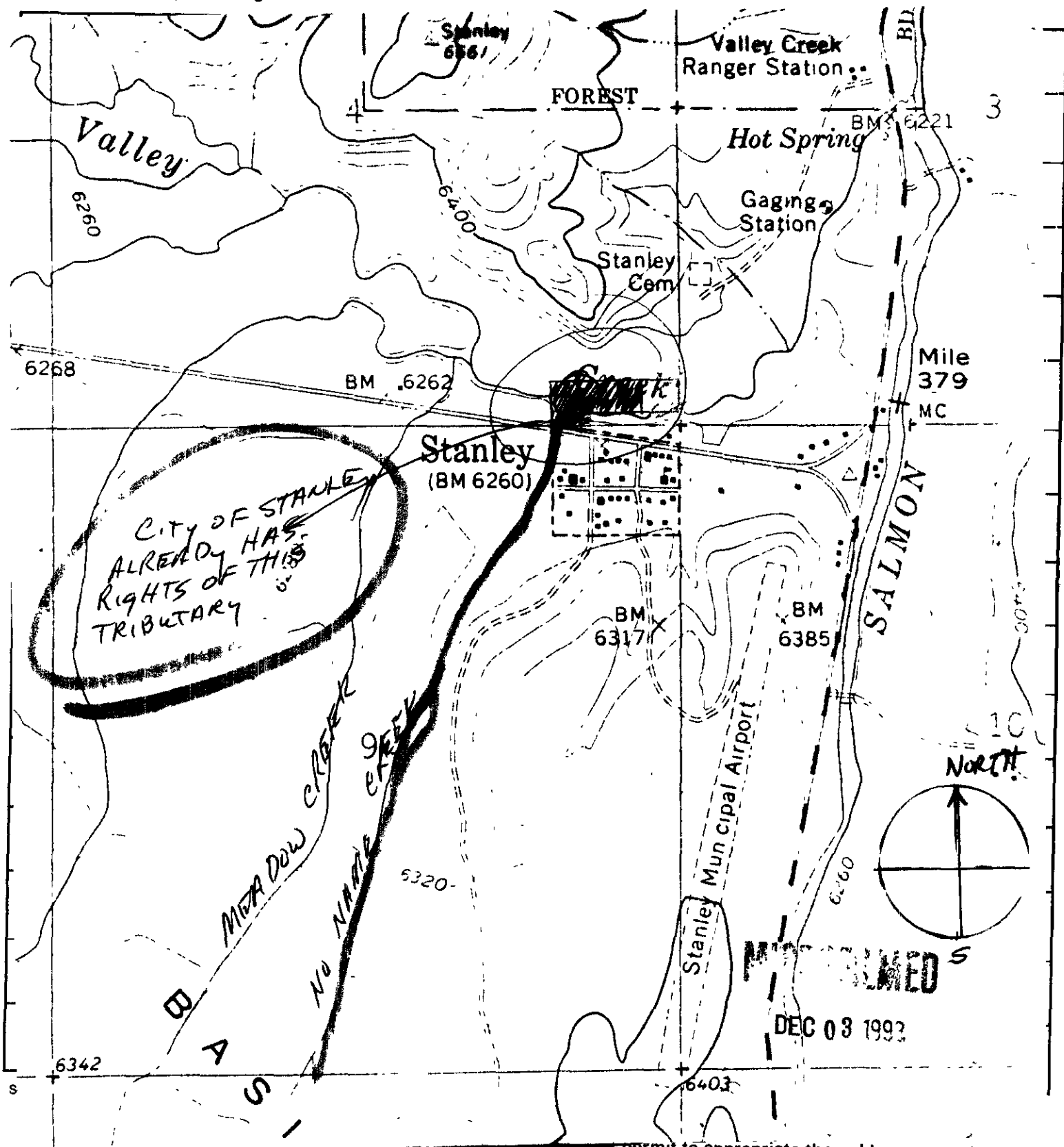
10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? McMinn, MELVIN R.
- b. Who owns the land to be irrigated or place of use? McMinn, MELVIN R.
- 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: THE CITY OF STANLEY ALREADY HAS
WATER RIGHTS TO THE TRIBUTARY WHICH DRAINS
INTO JALCEY CREEK AT THIS POINT

DEC 03 1993

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



the State of Idaho as herein set forth.

Michael R. McPherson
(Applicant)

Received by pk Date 7-21-92 Time 11:15 Preliminary check by ~~MTS~~ JK
Fee \$ 30.00 Receipted by MTS # 5014763 Date 7-22-92
Publication prepared by mp Date 8/31/92 Published in Challis Messenger
Publication approved MBaldwin Date 9/30/92

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 ____.

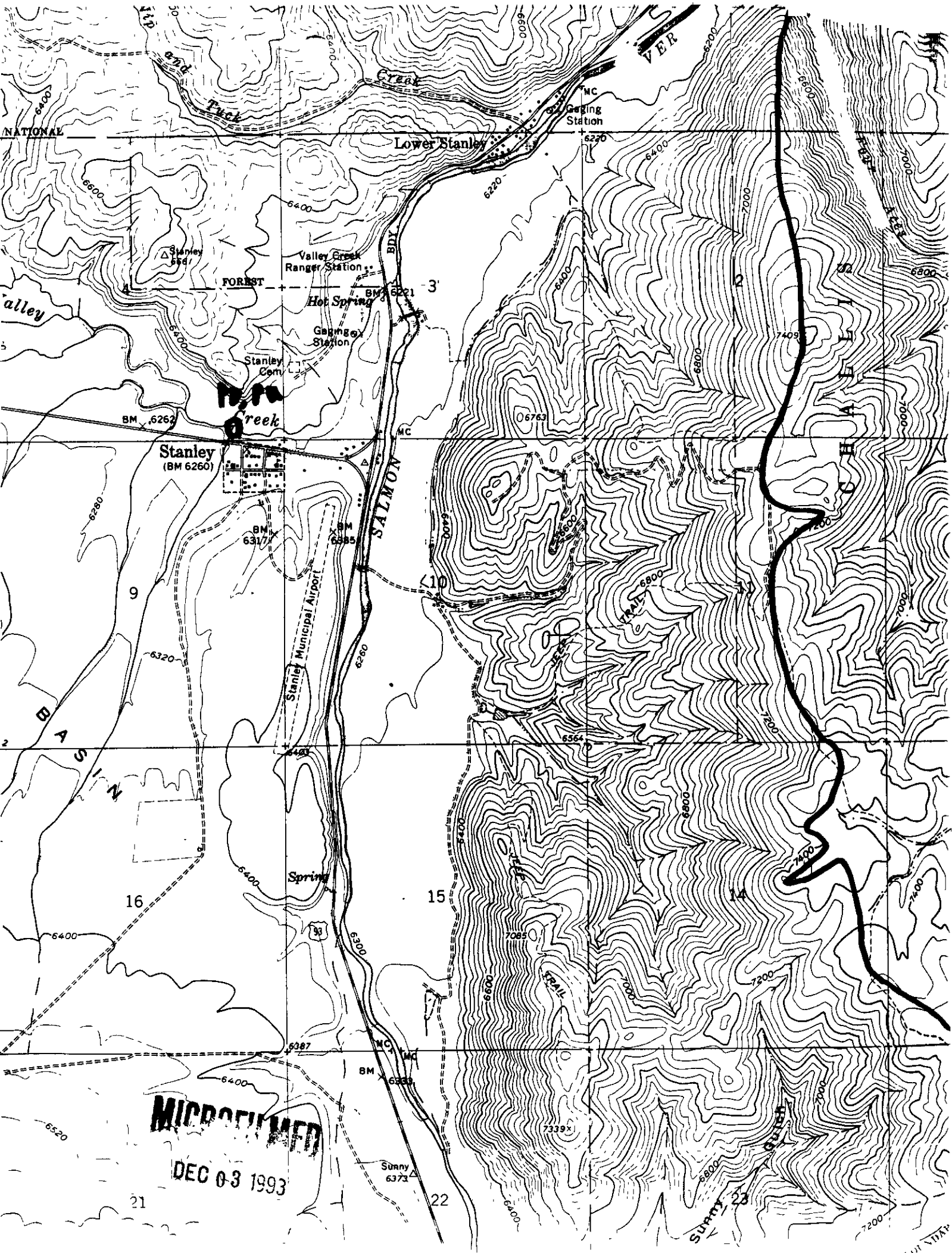
c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

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:

RECORDED

DEC 03 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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 26, 1997

BILL BABCOCK
1927 ALTURAS DR
TWIN FALLS ID 83301

RE: WATER RIGHT NO. 71-07168

Dear Water Right Holders:

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration within fourteen (14) days after issuance as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

MICROFILMED

MAR 11 1997

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

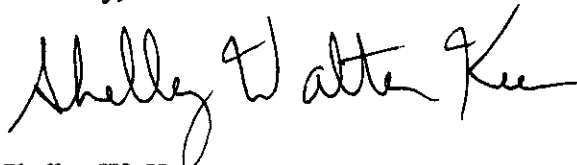
- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or

- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

If you have questions, please contact me at (208) 327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the printed name and title.

Shelley W. Keen
Water Rights Supervisor

c: Southern Region

Enclosures

MICROFILMED
MAR 11 1997

CERTIFICATE OF MAILING

I hereby certify that on the 26th day of February, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved License)** to the person(s) listed below:

Water Right No. 71-07168

**BILL BABCOCK
1927 ALTURAS DR
TWIN FALLS ID**



Sharla Curtis
Water Resource Agent

MICROFILMED
MAR 11 1997

B/U FIELD EXAM REVIEW

Cindy Zimmerman

Permit #: 71-7168 Name: Babcock Date: 7/13/97 ✓ Lots ✓

NAME	Chng	Same ☒	Or Address Change?
SOURCE		☒	Clarify source _____ Prelim. Order to Void - Source change.
P/D		☒	Amendment Needed? <u>SWSESE</u> P39 Overlap(s) <u>none</u>
P/U		☒	Amendment Needed? <u>reduce to 0.2 ac</u> P41 Overlap(s) <u>none</u> (Gov't use special T's) _____ *P/D & P/U Amend? P37
RATE		☒	Permit/proof fee limits <u>0.02</u> / <u>0.20</u> Measured Quantity = <u>0.06</u> cfs Theoretical Quantity = _____ cfs <u>9 nozzles @ 2.8 gpm = 25.2 / 448.83 = 0.056 ≈ 0.06</u> (HP) $\frac{8.8 \times 0.70 \times 2.5}{25 + (2.31 \times 25)} = 0.19$ cfs <u>0.2 ac x 0.03 cfs/ac = 0.006</u> <u>≈ 0.01</u>
		☒	Recommended capacity <u>0.06</u> cfs Recommended rate <u>0.02</u> cfs
VOLUME		☒	Season: <u>(A 130)</u> <u>5/1-9/30</u> = <u>153</u> days Calculations: <u>0.2 x 3.0 = 0.6 AF</u> Flow limit: <u>0.02</u> cfs x <u>153</u> days/yr. x <u>1.9835</u> = <u>6.1</u> AF Recommended volume <u>0.6</u> AF
USES		☒	Same Nature of Use? _____ P46 Amendment Needed? _____
REMARKS		☒	Multiple p/d's in same 1/4? Use W32 _____ <u>DW31/0.02/0.6</u>
CONDITIONS		☒	Measuring Device (R01) or Lockable Controlling Works (R02) _____ Watermaster Control (R04) - WD # _____ Irrigation rate/annual volume overlap _____ GW irrigation replaces surface water (050) _____ GW irrigation supplements surface water (065) _____ Water Quality _____ Other _____

PRIORITY App Rod 7/21/92 Due 11/1/94 Rcd 10/12/94
 Receipt# 5017459 Fee OK? Yes/No
 Order to Reinstate Needed? Yes No Done? _____ Advanced to: _____
 Priority 7/21/92 Examined 8/14/96

COMMENTS: reduce acreage.

USE	CFS	VOLUME
<u>en.</u>	<u>0.02</u>	<u>0.6</u>
<u>TOTAL</u>	<u>0.02</u>	<u>0.6</u>

SRBA Overlap none
 Adjustment Memo NA
 LICENSE LTR: P40
 #1 AMEND LTR: /P38
 #2 AMEND LTR: P42/P47

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 71-07168

1. Owner: Bill Babcock Phone No. (208) 733-9469

Current Address: 1927 Alturas Dr. Twin Falls, Idaho 83301

2. Accompanied by: Mrs. Babcock EXAM DATE : 8-14-96

Address: same as above Phone No. same as above

Relationship to Permit Holder: SPOUSE

3. Source: VALLEY CREEK tributary to SALMON RIVER

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Govt Lot	¼	¼	¼	Sec.	Twp.	Rge	County	Method of Determination/Remarks
P/D		S W	S E	S E	4	10N	13E	CUSTER	Visual inspection and the use of NRCS photo and USGS Quadrange map.

2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	13E	4															.2	.2 AC	

RECEIVED

NOV 20 1996

Department of Water Resources

MICROFILMED

MAR 11 1997

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.

SEE ATTACHED SHEET.

YES Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

YES Aerial Photo Attached (required for irrigation of 10+ acres).

YES Photo of Diversion and System Attached.

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
P/D	STAY RIGHT	2.5 Hp	MODEL # K48N2EC15	STAY RIGHT	DHHG-53L

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

D. FLOW MEASUREMENTS

1.

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

2. **Measurements:** Measurements were taken by measuring the pressure of each nozzle on one sprinkler setting (setting A). There are two settings, which are displayed on diversion works diagram.

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MAR 11 1997

E. NARRATIVE/REMARKS/COMMENTS

The water for this permit is drawn from Valley Creek in the SW 1/4 - SE 1/4 - SE 1/4 of section 4 - township 10N - range 13E. The water is drawn from the stream with a 2.5 Hp motor and diverted into a underground pipe. This pipe travels to west for approximately 20 feet then turns south and travels another 29 feet to the main control box located on the southwest corner of the Stanley Outpost Hotel office. The water is then sent down one of two underground pipes (sprinkler setting A and setting B) to feed various sprinklers. Sprinkler setting A feeds 9 Maxi-Paw sprinklers serial # 2045A. Sprinkler setting B feeds 14 sprinklers of various types and sizes (most of which are Rain Bird 1800 Series type sprinklers). These 1800 series type sprinklers produce a much lower gallon per minute output than the Maxi-paw type sprinklers (at 25 psi Maxi-Paw sprinklers produce 2.8 gpm where as 1800 series sprinklers produce approx. 1.44 gpm) . Therefore, the maximum capacity of the system is found in the measurement of setting A.

Mr. Babcock is presently pumping .06 cfs for this place of use, which over the permitted use of .02 by .04 cfs. However in order to operate his system he will need to maintain a minimum pressure of 25 psi on all of the sprinklers in his system. Therefore, Mr. Babcock should be regulated on the annual volume he uses or should redesign his system to use fewer sprinklers or operate at a lower diversion rate.

Have conditions of permit approval been met? ☒ yes ☐ no

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MAR 11 1997

F. FLOW CALCULATIONSYES Additional Computation Sheets Attached

Measured Method:

.06 CFS (see attached sheet)**G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = .2 \times 3.0 = .60 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .02 \text{ cfs} \times 153 \times 1.9835 = 6.07 \text{ afa}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = .6 \text{ afa}$$

B

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>IRRIGATION</u>	<u>MAY 01</u>	<u>SEPT. 30</u>	<u>.02 cfs</u>	<u>.60 afa</u>

Totals: .02 cfs .60 afa

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

I. AUTHENTICATIONField Examiner's Name Daniel A. Nelson Date 11-9-86

Reviewer _____ Date _____

SEAL

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MAR 11 1997

DIVERSION READINGS (using sprinkler pressures)

PERMIT #: 71-07168

AVERAGE PRESSURE FOR SPRINKLERS:

PRESSURE READINGS PER SPRINKLER

PRESSURE IN PSI

	28 psi
	28 psi
	28 psi
	27 psi
	27 psi
	26 psi
	24 psi
	22 psi
	<u>22 psi</u>
TOTAL	232 psi

$$232 \text{ psi} / 9 = 25.77 \text{ gpm}$$

TOTAL DIVERSION RATE FOR SYSTEM:

THESE SPRINKLERS ARE RATED FOR 2.8 GPM AT 25 PSI (see attached table from Rain Bird's 1995-1996 catalog pg. 37)

$$9 \text{ sprinklers} \times 2.8 \text{ gpm} = 25.2 \text{ gpm}$$

$$25.2 \text{ gpm} / 448.8 = .06 \text{ cfs}$$

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MAR 11 1997

Maxi-Paw/Maxi-Paw SAM Performance

Pressure PSI	Nozzle	Radius ft	Flow GPM	*Precip ■ in/h	*Precip ▲ in/h
25	6	-	-	-	-
	07LA	22	1.5	0.60	0.48
	7	32	2.2	0.41	0.33
	8	36	2.8	0.44	0.35
	10LA	25	3.4	1.05	0.84
	10	38	4.2	0.56	0.45
	12	39	5.5	0.70	0.56
35	6	37	2.0	0.28	0.23
	07LA	23	1.9	0.69	0.55
	7	37	2.7	0.38	0.30
	8	38	3.3	0.44	0.35
	10LA	29	4.0	0.92	0.73
	10	41	4.8	0.55	0.44
	12	42	6.3	0.69	0.55
45	6	38	2.3	0.31	0.25
	07LA	25	2.1	0.65	0.52
	7	39	3.0	0.38	0.30
	8	40	3.7	0.45	0.36
	10LA	31	4.5	0.90	0.72
	10	42	5.4	0.59	0.47
	12	44	7.1	0.71	0.57
55	6	38	2.5	0.33	0.27
	07LA	25	2.3	0.71	0.57
	7	41	3.3	0.38	0.30
	8	41	4.1	0.47	0.38
	10LA	32	5.0	0.94	0.75
	10	43	6.0	0.62	0.50
	12	45	7.9	0.75	0.60
60	6	38	2.6	0.35	0.28
	07LA	25	2.4	0.74	0.59
	7	41	3.5	0.40	0.32
	8	42	4.2	0.46	0.37
	10LA	32	5.4	1.02	0.81
	10	44	6.4	0.64	0.51
	12	45	8.4	0.80	0.64

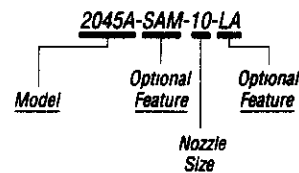
Maxi-Paw/Maxi-Paw SAM Performance

Pressure Bars	Nozzle	Radius m	Flow m ³ /h	Flow l/s	*Precip ■ mm/h	*Precip ▲ mm/h
2.0	6	8.2	0.37	0.10	11	9
	07LA	6.8	0.38	0.10	16	13
	7	10.4	0.55	0.15	10	8
	8	11.2	0.68	0.19	11	9
	10LA	8.1	0.83	0.23	25	20
	10	11.9	1.01	0.28	14	11
	12	12.3	1.33	0.37	18	14
2.5	6	11.3	0.46	0.13	7	6
	07LA	7.1	0.44	0.12	17	14
	7	11.4	0.62	0.17	10	8
	8	11.7	0.76	0.21	11	9
	10LA	8.9	0.92	0.26	23	19
	10	12.5	1.11	0.31	14	11
	12	12.9	1.46	0.40	18	14
3.0	6	11.5	0.51	0.14	8	6
	07LA	7.5	0.47	0.13	17	13
	7	11.8	0.67	0.19	10	8
	8	12.1	0.83	0.23	11	9
	10LA	9.4	1.01	0.28	23	18
	10	12.8	1.21	0.34	15	12
	12	13.3	1.59	0.44	18	14
3.5	6	11.6	0.55	0.15	8	7
	07LA	7.6	0.50	0.14	17	14
	7	12.8	0.72	0.20	9	7
	8	12.7	0.89	0.25	11	9
	10LA	9.9	1.09	0.30	22	18
	10	13.3	1.31	0.36	15	12
	12	13.9	1.72	0.48	18	14
4.0	6	11.6	0.58	0.16	9	7
	07LA	7.6	0.54	0.15	18	15
	7	12.5	0.78	0.22	10	8
	8	12.6	0.95	0.26	12	10
	10LA	9.8	1.19	0.33	25	20
	10	13.2	1.42	0.39	16	13
	12	13.7	1.86	0.52	20	16

*Precipitation Rates based on half circle operation
 ■ Square spacing based on 50% diameter of throw
 ▲ Triangular spacing based on 60% diameter of throw

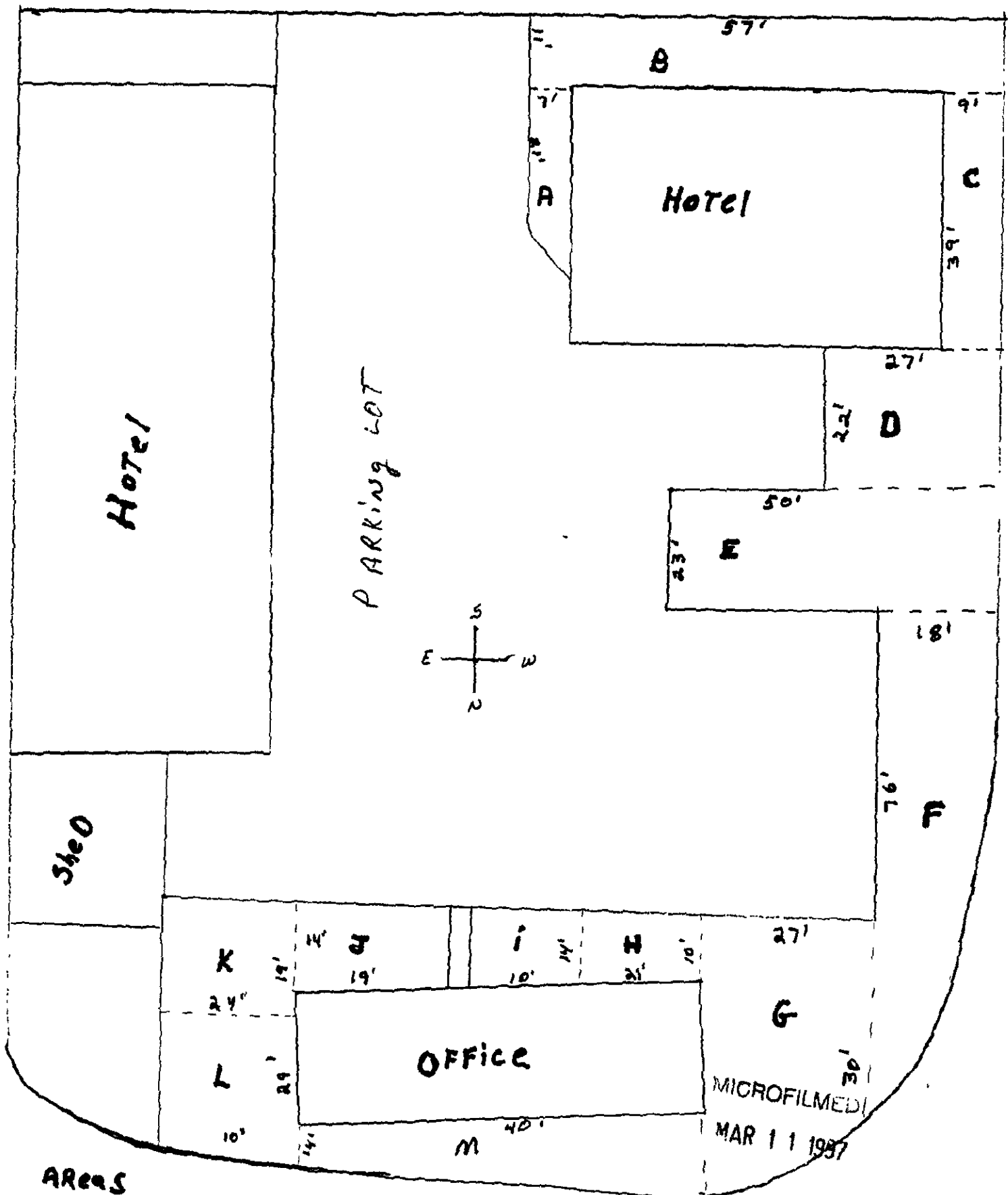
Performance data derived from tests that conform with
 ASAE Standards ASAE S398.1 See page 6 for complete
 ASAE Test Certification Statement

How To Specify



This specifies a Maxi-Paw pop-up sprinkler with Seal-A-Matic option, size 10 nozzle and low-angle configuration

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AREAS

A - $7 \times 21 = 147$ sq. ft.
 B - $11 \times 57 = 627$ sq. ft.
 C - $9 \times 39 = 351$ sq. ft.
 D - $27 \times 22 = 594$ sq. ft.
 E - $23 \times 50 = 1150$ sq. ft.

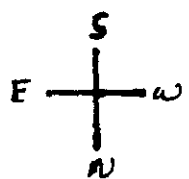
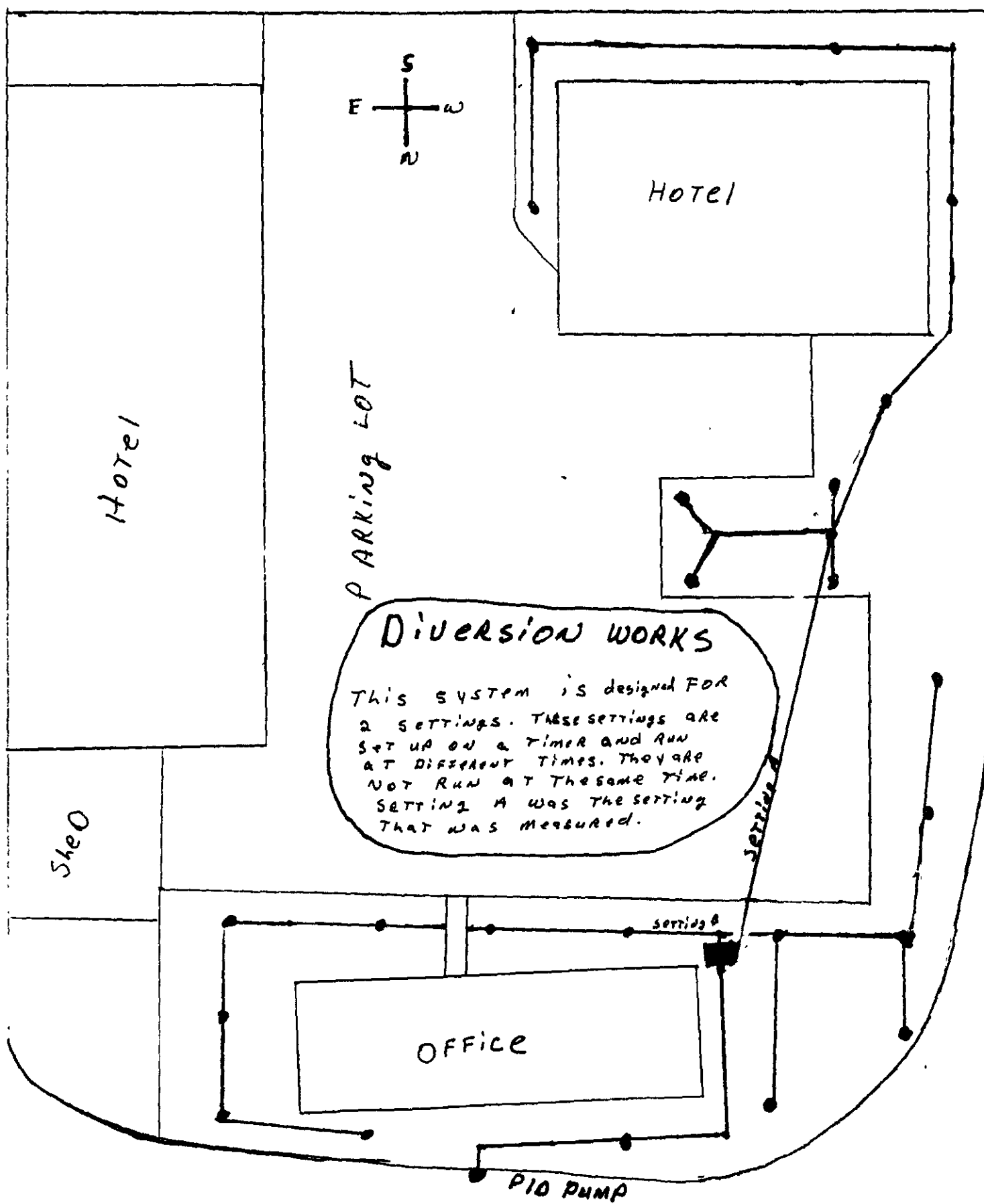
F - $18 \times 76 = 1368$ sq. ft.
 G - $27 \times 30 = 810$ sq. ft.
 H - $10' \times 21' = 210$ sq. ft.
 I - $14' \times 10' = 140$ sq. ft.
 J - $19' \times 14' = 266$ sq. ft.
 K - $19 \times 24 = 456$ sq. ft.

L - $10 \times 39 = 390$ sq. ft.
 M - $40 \times 14 = 560$ sq. ft.

TOTAL Square Feet
 6969 sq. feet

Acres

$6969 \div 43560 = .16$
 .16 TOTAL ACRES



PARKING LOT

DIVERSION WORKS

THIS SYSTEM IS DESIGNED FOR 2 SETTINGS. THESE SETTINGS ARE SET UP ON A TIMER AND RUN AT DIFFERENT TIMES. THEY ARE NOT RUN AT THE SAME TIME. SETTING A WAS THE SETTING THAT WAS MEASURED.

Setting A

Setting B

OFFICE

PID PUMP

Valley MICROELECTRONICS
MAP 1 / 1977

CITY OF STANLEY

RESURVEY OF CORPORATE LIMITS

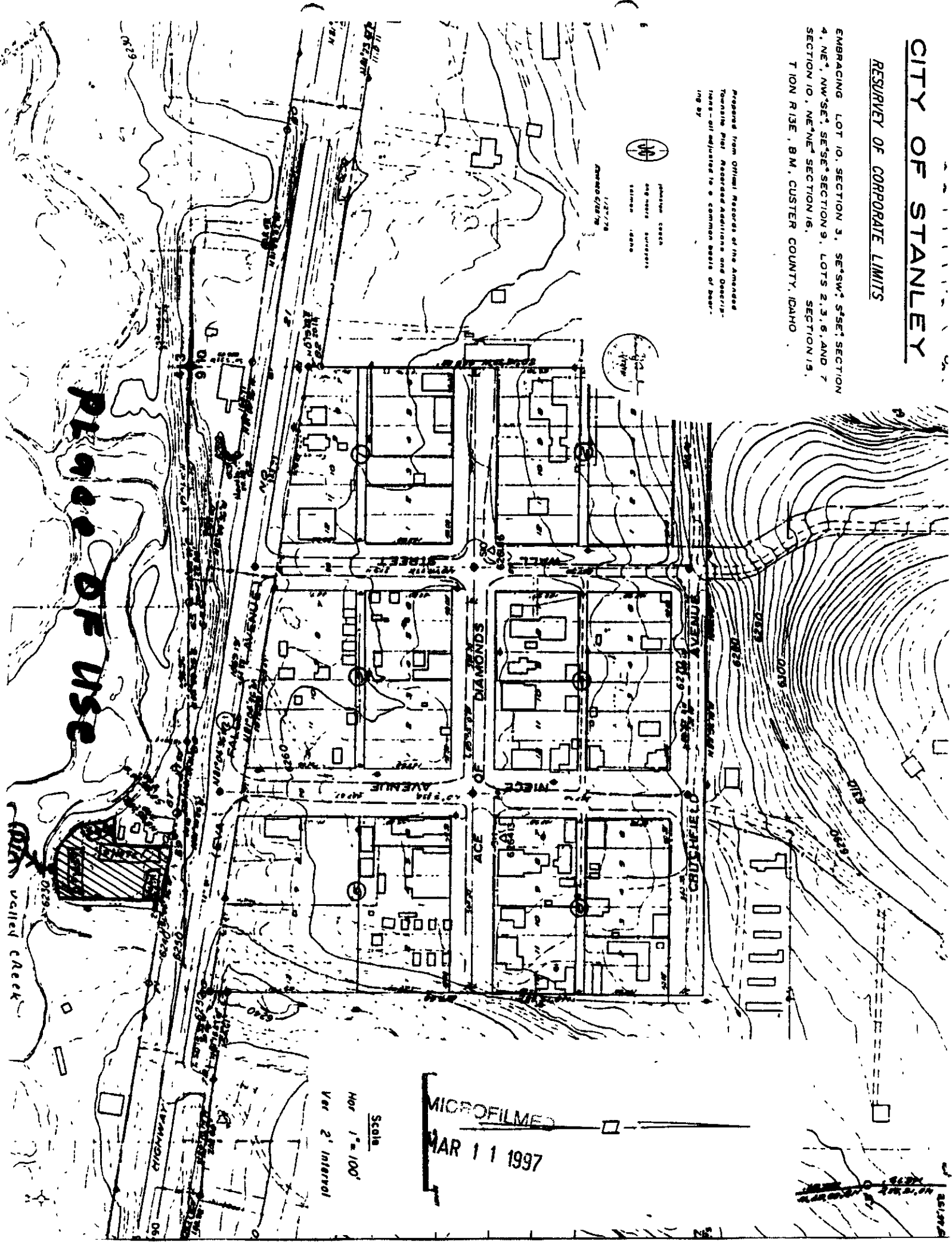
EMBRACING LOT 10, SECTION 3, SE⁴SW⁴S⁴SE⁴ SECTION 4, NE⁴, NW⁴SE⁴, SE⁴SE⁴ SECTION 9, LOTS 2, 3, 6, AND 7 SECTION 10, NE⁴NE⁴ SECTION 16, SECTION 15, TION R13E, BM, CUSTER COUNTY, IDAHO

Prepared from Official Records of the Amended Township Plat. Recorded Additions and Corrections - all adjusted to a common basis of bearing by



PROBATION CORRECTION
AND REVISIONS
TOWNSHIP 13N
RANGE 13E
SECTION 16

1/27/78
AMENDED C18178



Please Do Not Use

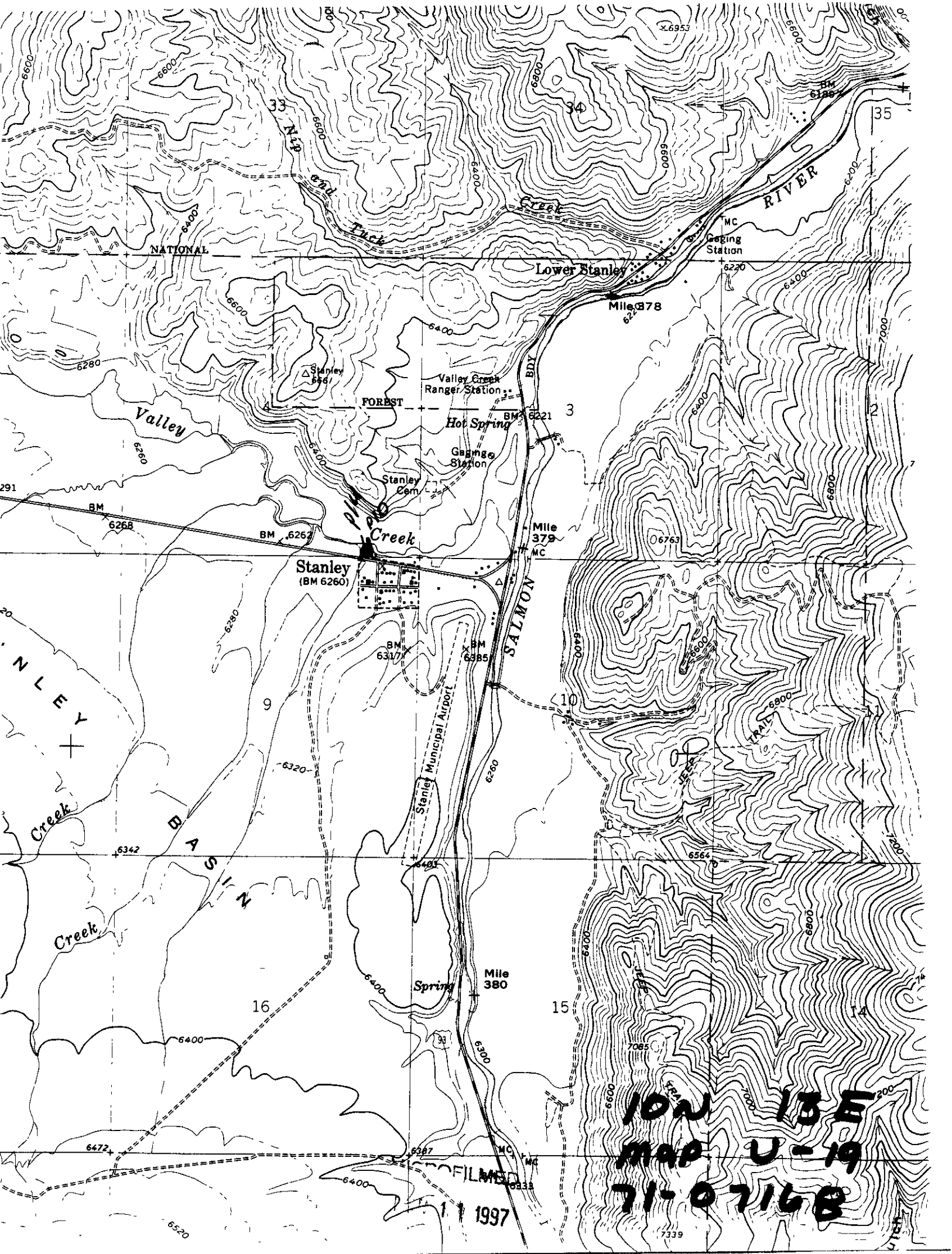
MICROFILMED
MAR 11 1997

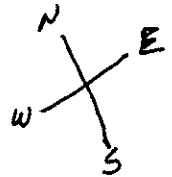
Scale
Horizontal 1" = 100'
Vertical 2" interval

Valley Creek

PERMIT 71-07168 INIT DAN
T. R. S. Q/Q
P/D 10N 13E 4 SE/SE
SCALE 1 mile / 4.2"
PHOTO ID. NRCS PHOTO

MICROFILMED
MAR 11 1987



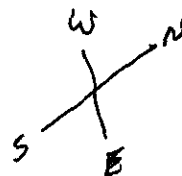
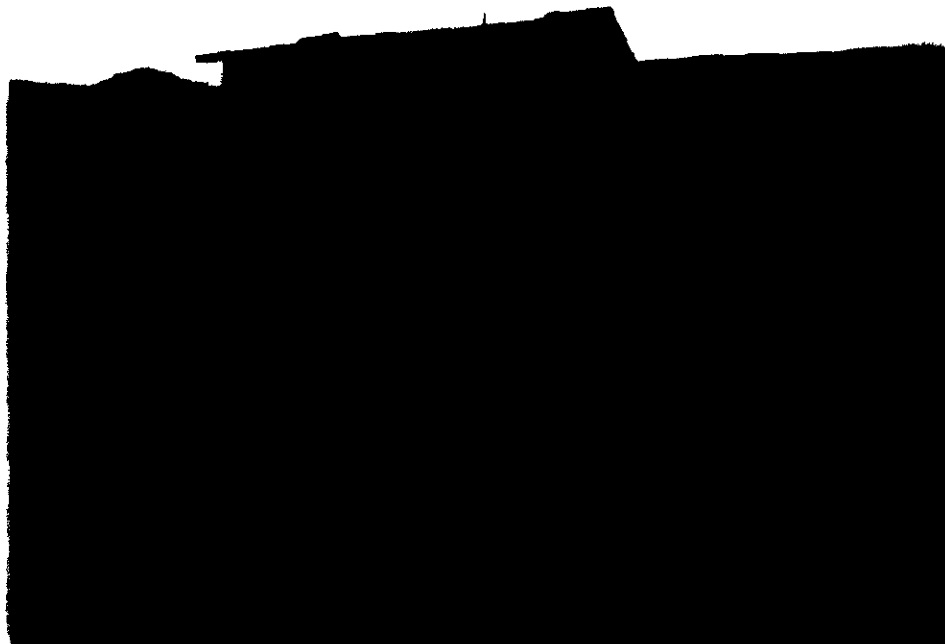


Valley Creek and PID

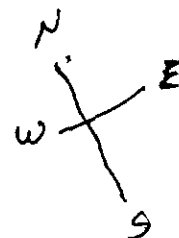
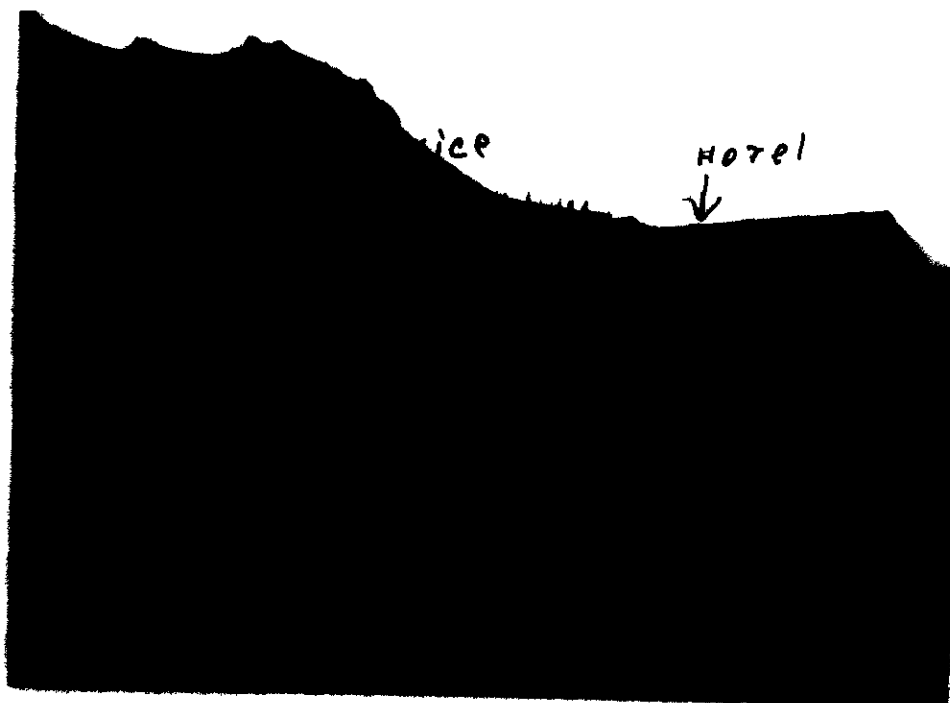
The water for this permit is pumped out of Valley Creek by a 2.5 HP motor. It is then sent through an under ground sprinkler system to irrigate the lawn of the Stanley Out Post Hotel.

UNRECORDED

MAR 11 1997

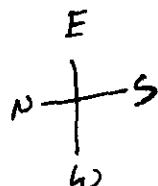


THIS THE PLACE OF USE, THE YARD AROUND
THIS HOTEL IS IRRIGATED BY THIS PERMIT



THIS PICTURE SHOWS WHERE THE
OFFICE SITS IN RELATIONSHIP TO
THE HOTEL SEGMENTS.

MAR 11 1997



THIS IS THE YARD IN FRONT OF THE
HOTEL OFFICE



THIS PICTURE SHOWS
THE BACK OF THE
OFFICE. IT ALSO SHOWS
THE RELATIONSHIP BETWEEN
THE POINT OF DIVERSION
AND THE OFFICE.

MICROFILMED
MAR 11 1997



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

November 2, 1994

BILL BABCOCK
1727 ALTURAS DR
TWIN FALLS ID 83301

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 71-07168

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit.

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls, at (208) 736-3033.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED

DEC 29 1994

August 31, 1994

BILL BABCOCK
1922 FILER AVE E
TWIN FALLS ID 83301

PROOF DUE NOTICE

RE: PERMIT NO. 71-07168

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 November 1, 1994. (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.

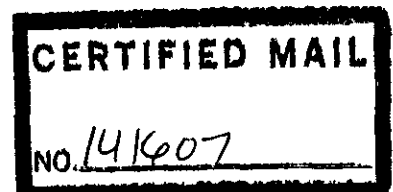
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

DEC 29 1994





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

December 21, 1993

BILL BABCOCK
1922 FILER AVE E
TWIN FALLS ID 83301

Re: Permit No. 71-07168

Dear Mr. Babcock:

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', with a horizontal line extending to the right.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

RECEIVED

JAN 20 1994

INTER-DEPARTMENT MEMO

TO: File

SUBJECT: Address

FROM: _____

DATE: 12-16-93

Bill Babcock
1922 Filer Ave East
Twin Falls, ID 83301

☒ For your information

☐ Response required


signature

MEMORANDUM

DATE: November 30, 1993
TO: File No. 71-07168
FROM: Donna Corless
SUBJECT: RETURNED MAIL

=====

The Water Right Permit mailed to Melvin R. Mc Minn at
PO Box 114, Stanley, ID 83278 was returned to this office
by the U.S. Postal Service, as: Moved, Not Forwardable.
A notation on the envelope stated: Add Correction - RR 1
Box 4517, Lenore, ID 83541.

The permit was forwarded to that address.

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DEC 03 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

November 17, 1993

MELVIN R MC MINN
PO BOX 114
STANLEY ID 832780114

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 71-07168

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

Enclosed is 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 is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

REC'D
DEC 03 1993

MEMO TO FILE

August 26, 1993

Re: Application for Permit
Melvin R. Mc Minn
71-07168

From: Mel Schulte

William E. Babcock has purchased the property subject to the above referenced application. He has been unable to locate the applicant, Melvin R. Mc Minn to obtain his signature on a transfer form. Evidently, Mr. Mc Minn has left this part of the country and Mr. Babcock has been unable to trace his location.

Mr. Babcock delivered a copy of his recorded Warranty Deed for the file to prove ownership of the property. Based on the deed and our knowledge of the history of the property and applicant, we recommend processing the application and changing the name to William E & Margaret A Babcock.

MTS

MICROFILMED

DEC 03 1993

INTER-DEPARTMENT MEMO

TO: File

SUBJECT: App. 71-07168, McMinn

FROM: Jim Stanton

DATE: 1-8-93

Today I spoke with Mr. McMinn regarding the Assignment of Application form that I sent to him last October. He told me that the new owner of the property was behind in his payments on the place, and that final payment was due next June 1st. Mr. McMinn plans to keep the water filing until then to be sure that he receives full payment for the property.
Suggest we hold the app. until then so this situation can straighten itself out. The future of this development is unclear at this time.

MICROFILMED

DEC 03 1993

() For your information

() Response required


signature

INTER-DEPARTMENT MEMO

TO: File

SUBJECT: App. 71-07168, McMinn

FROM: Jim Stanton

DATE: 1-8-93

Today I spoke with Mr. McMinn regarding the Assignment of Application form that I sent to him last October. He told me that the new owner of the property was behind in his payments on the place, and that final payment was due next June 1st. Mr. McMinn plans to keep the water filing until then to be sure that he receives full payment for the property. Suggest we hold the app. until then so this situation can straighten itself out. The future of this development is unclear at this time.

() For your information

() Response required


signature



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Melvin R. McMinn
1015 N. Fir, Space #24
Jerome, ID
83338

October 16, 1992

RE: Application for Permit 71-07168

Dear Mr. McMinn;

Per our conversation of earlier today, an Assignment of Application for Permit form is enclosed. The form should be completed and signed before a notary before being returned to this office. This will make the new owner of the property fully responsible for this application.

Sincerely,

James E. Stanton
James E. Stanton

Sr. Water Resource Agent

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DEC 03 1993

WARRANTY DEED

For Value Received

MELVIN R. McMINN and EUDORA F. McMINN, husband and wife,
 the grantors, do hereby grant, bargain, sell and convey unto
 WILLIAM E. BABCOCK and MARGARET A. BABCOCK, husband and wife,
 the grantees, whose current address is 1922 Filer Ave. E, Twin Falls, ID 83301
 the following described premises, in Custer County Idaho, to-wit:

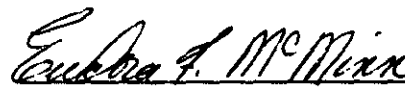
 See Exhibit "A," attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s,
 their heirs and assigns forever. And the said Grantor s do hereby covenant to and
 with the said Grantee s, that they are the owners in fee simple of said premises; that they are free
 from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

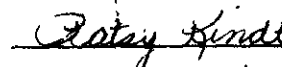
Dated: September 30, 1992.


 Melvin R. McMinn

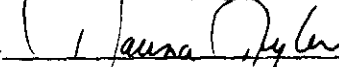

 Eudora F. McMinn

STATE OF IDAHO, COUNTY OF CUSTER
 On this 30 day of September, 1992,
 before me, a Notary Public in and for the said State, personally appeared
 MELVIN R. McMINN and EUDORA F. McMINN, husband and wife,

known to me to be the persons whose names are
 subscribed to the within instrument, and acknowledged to
 me that they executed the same.


 Notary Public
 Residing at Challis, Idaho
 Comm. Expires 3/12/95

STATE OF IDAHO, COUNTY OF CUSTER
 I hereby certify that this instrument was filed for record at
 the request of Custer County, Idaho
 at 20 minutes past 11:00 o'clock A.M.,
 this 9th day of October,
 1992, in my office, and duly recorded in Book
 of Deeds at Page


 Ex-Officio Recorder
 By 
 Deputy.

Fees \$6.00
 Mail to: CCT

INSTRUMENT NO.

NOT RECORDED

DEC 03 1992

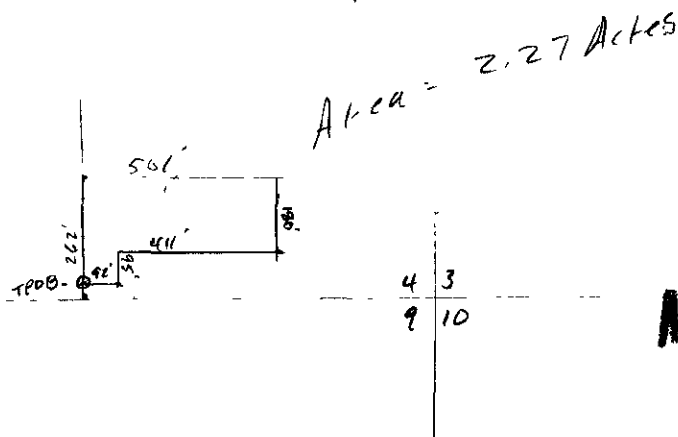
EXHIBIT "A"

A fraction of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 4, Township 10 North, Range 13 East, Boise Meridian, Custer County, Idaho, described as:

Beginning at the Section Corner common to Sections 3, 4, 9 and 10, said Township and Range; thence West along the South boundary of said SE $\frac{1}{4}$ SE $\frac{1}{4}$, 910 feet; thence North 38 feet to the TRUE POINT OF BEGINNING, which point is also the Northwest corner of the land described in the Deed to the State of Idaho, recorded December 27, 1966, in Book 36 of Deeds, Page 288, said point also being the Southeast corner of the land described in the Deed to James G. Mullins, recorded July 22, 1971, as instrument No. 131432, all records of Custer County, Idaho; thence North along the East boundary line of said Mullins land 262 feet; thence East 501 feet; thence South 180 feet; thence West 411 feet; thence South 95 feet to the Northeast corner of said State of Idaho land; thence North 80°35'15" West along the Northerly boundary line of said State land 92 feet to the True Point of Beginning.

SUBJECT TO Restrictions granted to the State of Idaho in the Deed recorded December 22, 1966, in Book 36, Deeds, Page 288, records of Custer County, Idaho.

SUBJECT TO any and all exceptions contained within the Policy of Title Insurance issued in connection herewith.



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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 Sept 17 1992 and ending with the issue dated Sept 24 1992

Margaret Parks

STATE OF IDAHO

COUNTY OF CUSTER

On this 29th day of Sept. in the year of 1992, 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.

Ethel M. Peck
Notary Public for Idaho
Residing at Challis

My commission expires: 1-21-98

RECEIVED

SEP 30 1992

Department of Water Resources
Southern Region Office



OK
MB
9/30/92

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DEC 03 1993

STATEMENT

**Custer Publishing, Inc.**

Phone 879-4445

P.O. Box 405

Challis, Idaho 83226

Dept. of Water
 222 Shoshone St. East
 Twin Falls, Id 83301

Job No.	Date	DESCRIPTION	Amount
	9-24-92	Notice of Application For Water Right 9/17+24/92 27 lines 71-07168	27.95
		OK mb 9/30/92	
		RECEIVED DEC 3 1992	

A finance charge of 1½ percent (annual percentage rate of 18%) with a minimum charge of 50¢ will be charged to all accounts not paid within 30 days of billing.

RECEIVED**DEC 03 1992**



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

01-Sep-1992

R. KEITH HIGGINSON
Director

MELVIN R MC MINN
PO BOX 114
STANLEY ID 83278

Re: Application for Permit No. 71-07168

Dear Mr. McMinn:

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 9/17 & 9/24/92. 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,

James E. Stanton
Sr. Water Resource Agent

JS:MB

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DEC 03 1993

duplicated persons aged 60+ in the nine county area.

The AAA will accept letters of intent to bid on service contracts through 4:00 p.m. on October 15, 1992. Upon receipt, the AAA will mail a bid package and notification of bidders conference. The address to mail letters of intent is: Wayne Thompson, Nutrition Director, Area Agency on Aging, EISSA, P.O. Box 51098, Idaho Falls, ID 83405-1098.

In case of competitive bids for service a blind evaluation process will be utilized. Selection will be made in the best interest of the AAA and its service responsibility under law.

Pub: Sept. 10 & 17, 1992.

**NOTICE OF APPLICATION FOR
WATER RIGHT**

The following application has been filed to appropriate the public waters of the State of Idaho:

71-07168

McMinn, Melvin R.

PO Box 114

Stanley, ID 83278

Source: Valley Creek Tributary:
Salmon River

Diversion Pt: SWSESE Sec 4
TION R13E in Custer County

Use: Irrigation (.020 cfs)

Total Diversion: (.020 cfs)

Date Filed: 7/21/1992

In: Custer County

TION R13E S04 SESE

1.3 acres total

The permit will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before October 5, 1992.

R. KEITH HIGGINSON, Director

Pub: Sept. 17 & 24, 1992.

OK
nrb
9/18/92

OK
nrb
1/25/92

NOTICE OF APPLICATION FOR WATER RIGHT

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

71-07168

MC MINN, MELVIN R
PO BOX 114
STANLEY, ID 83278

Source: VALLEY CREEK

Tributary: SALMON RIVER

Diversion Pt: SWSESE Sec 4 T 10N R 13E in CUSTER County.

Use: IRRIGATION (.020 CFS)
Total Diversion: (.020 CFS)

Date Filed: 7/21/1992

In: CUSTER County
T10N R13E S04 SESE

1.3 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, 222 Shoshone Street East, Twin Falls, ID 83301 on or before OCTOBER 5, 1992.

Published: 9/17/1992 & 9/24/1992

R. KEITH HIGGINSON, Director

MICROFILMED

DEC 03 1993

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Southern Region
222 Shoshone Street East
Twin Falls, ID 83301
(208)736-3033

AUGUST 31, 1992

CUSTER PUBLISHING COMPANY
PO 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 OCTOBER 5, 1992.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

RECEIVED
DEC 03 1993

INTER-DEPARTMENT MEMO

TO: File

SUBJECT: McMinn App., Valley Cr.

FROM: Jim Stanton

DATE: 8-21-92

Last week I visited the McMinn property in Stanley. He has a small piece of ground just north of Hwy. 21 & south of Valley Creek. A small unnamed stream runs under the highway and into Valley Creek just north of his house. Mr. McMinn stated that Stanley has rights to use this stream. However, the old irrigation ditch comes out well south of Hwy. 21 and is apparently no longer used. It is unlikely that the McMinn property would ever have been watered from this ditch. Anyway, the applicant said that he put a small pump in this stream in May of 1987 when he started building on the property. The pump waters under 1/4 acre of lawn. The pump is not on his land, so he wants to move it about 10' downstream into Valley Creek itself (the streams join here in high water, but join another 10' downstream in low water). Property is for sale, & a second log home is being built south of the existing home.

() For your information

() Response required

signature

DEC 03 1993

INTER-DEPARTMENT MEMO

TO: File

SUBJECT: McMinn App., Valley Cr.

FROM: Jim Stanton

DATE: 8-21-92

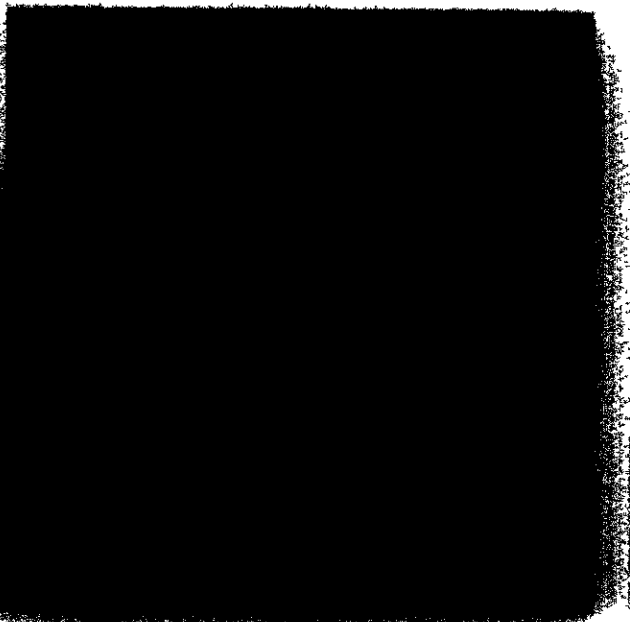
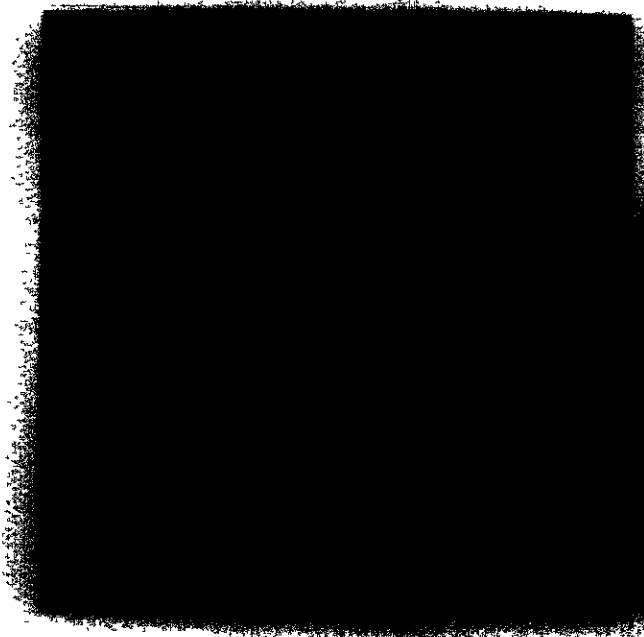
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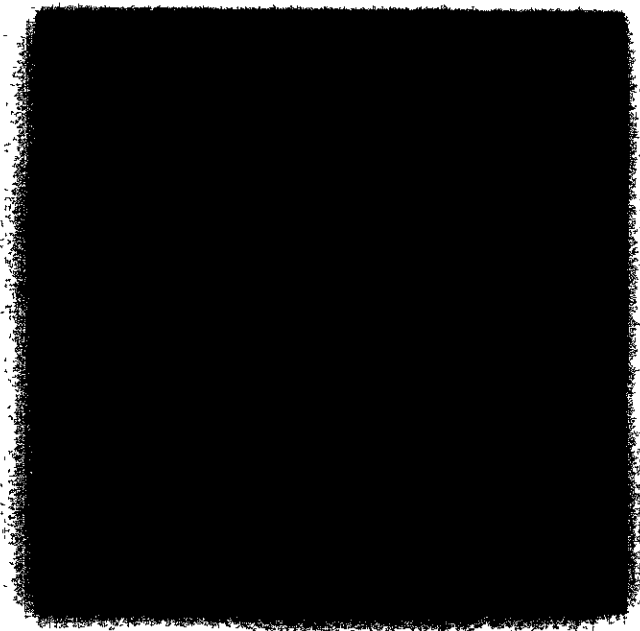
() Response required

signature

McMinn App.

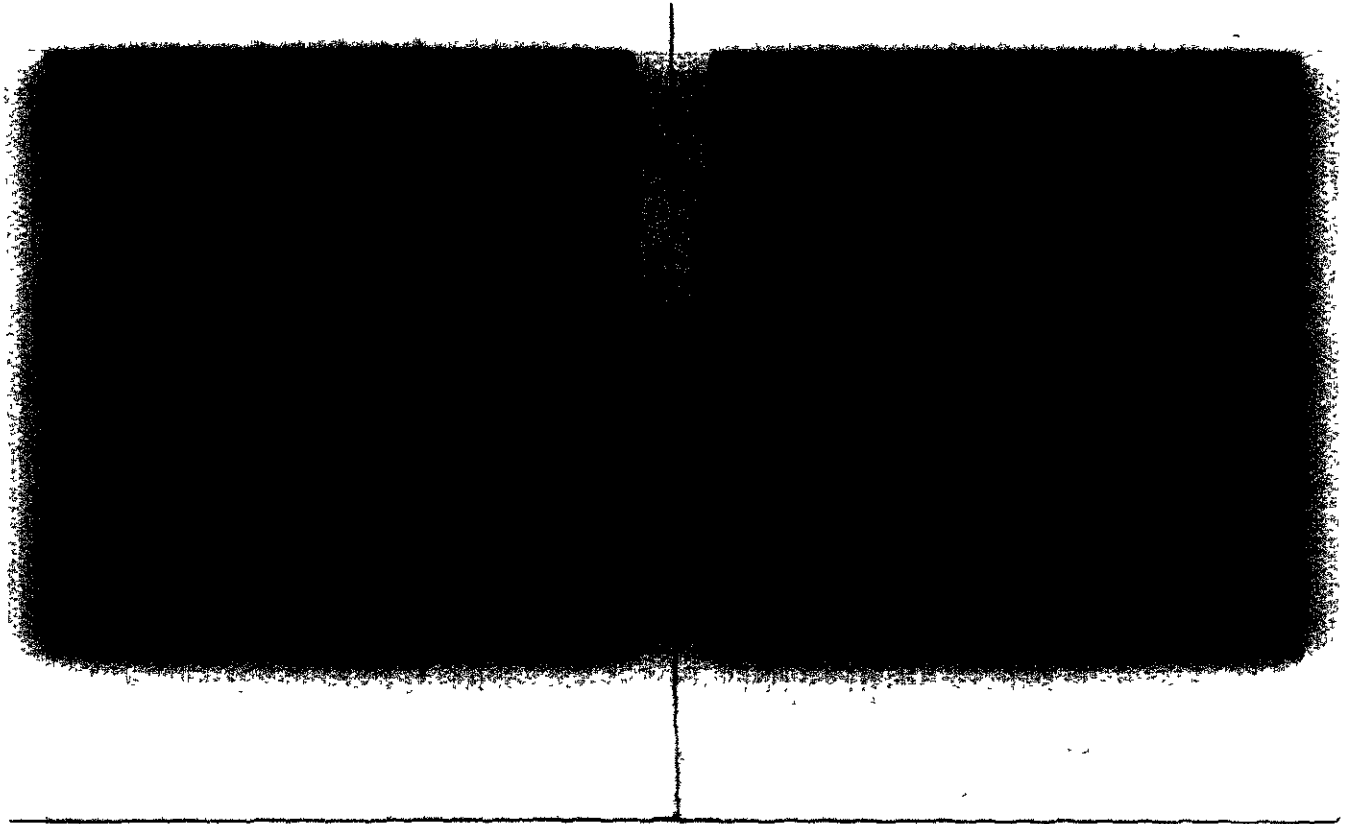


McMinn Property



FILED
DEC 03 1993

McMinn App.



1 hp pump in unnamed stream

Proposed P/D

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