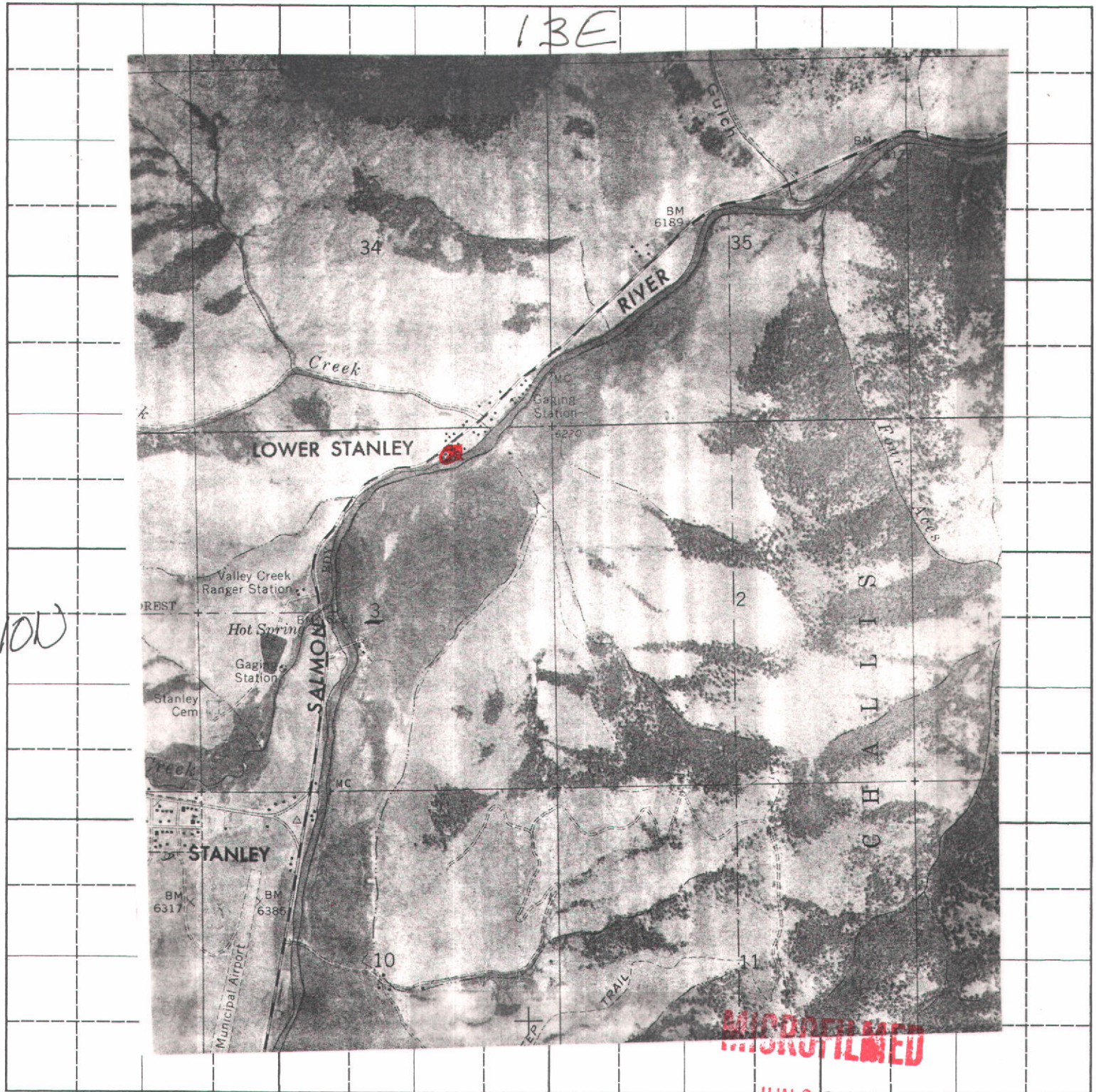


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

[Signature]
(Applicant)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUL 21 1993

Department of Water Resources

A. GENERAL INFORMATION

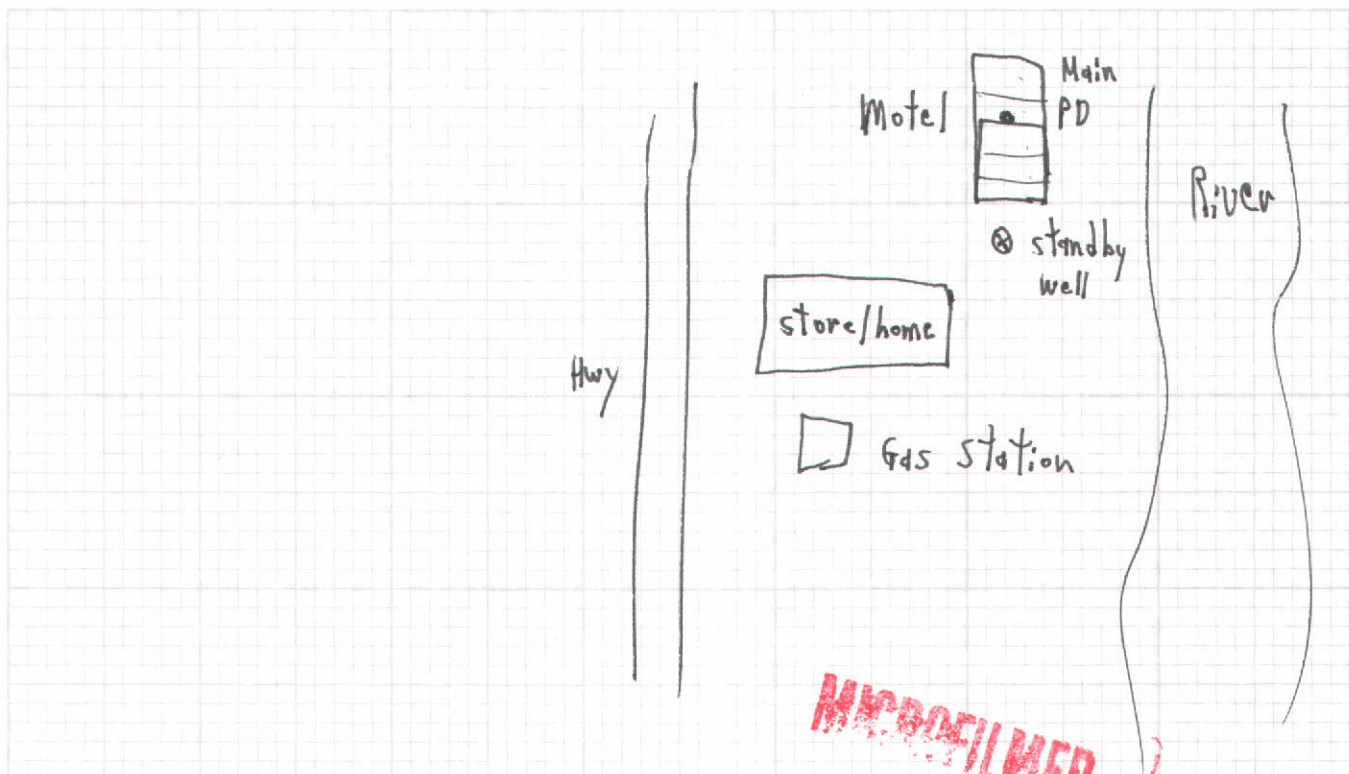
Permit No. 71-7132
1. Owner: James M. & Jerry Funderburg Phone No. 774-3566
Current Address: c/o Jerry's Country Store, HC 67 Box 300, Stanley, ID 83278
2. Accompanied by: Jerry Funderburg EXAM. DATE: 8-14-91
Address: Same Phone No. _____
Relationship to Permit Holder: owner/operator
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____ ☐ Copies Attached
2. Other water rights with same point of diversion: _____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

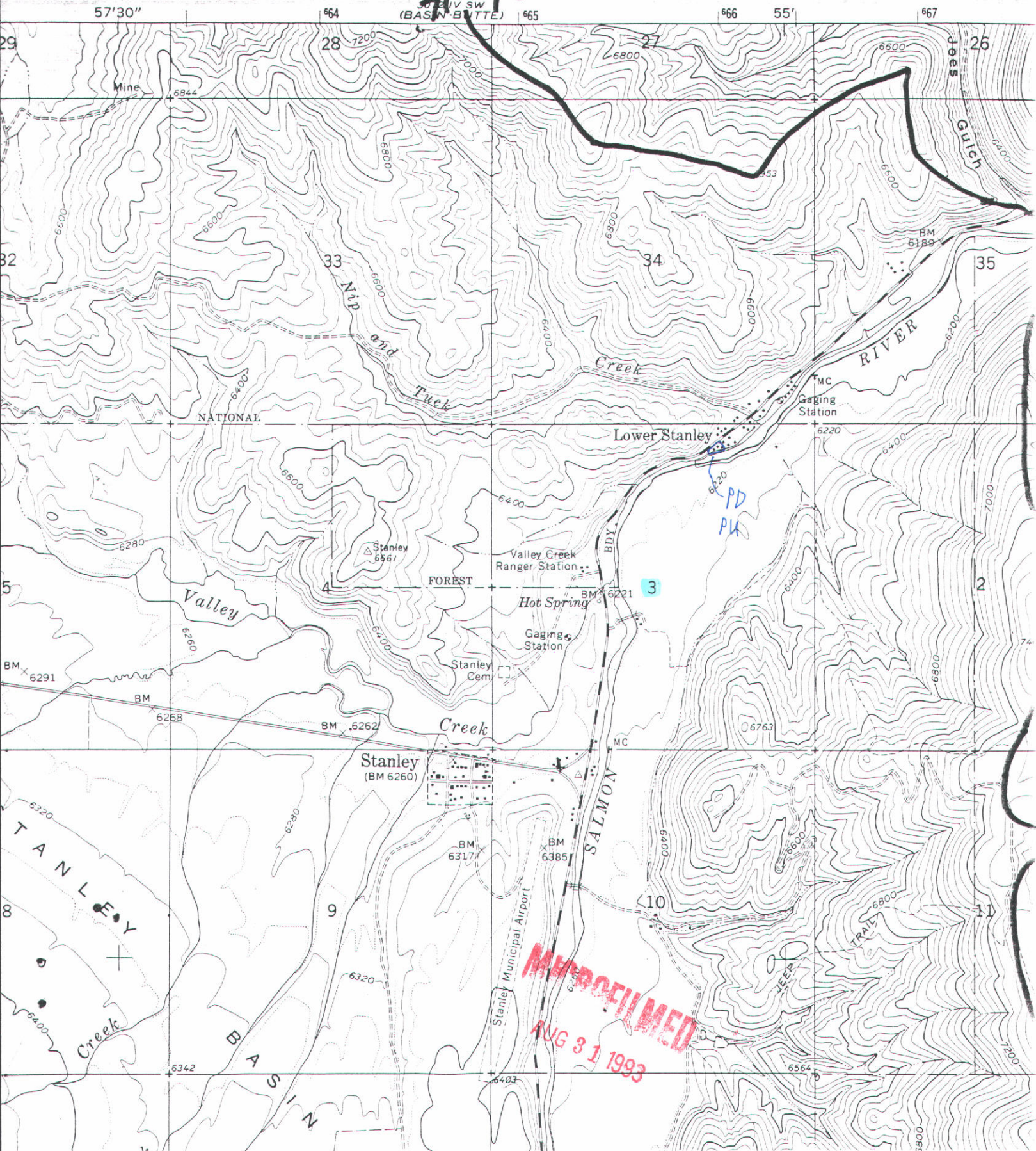
1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



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).

7172
30 21/4 SW
(BASSIN-BUTTE) 665



71-7132



Grocery Store/Home



Gas Station w/Restroom

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AUG 31 1993

71-7/32



Main pump in laundry room
of motel



Motel

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AUG 31 1993

All others are actual measurements.

Street center monuments are indicated thus: ●

The street center monuments are iron posts, 3 feet long, 3 inches diameter, set 48 inches in the ground, with brass cap marked with a cross (X) for exact center point.

Block stakes are 3 inches square, 18 inches long, set 12 inches in the ground.

Alley and lot stakes are 2 inches square, 16 inches long, set 10 inches in the ground.

The regular lots are 50x140 feet, containing 7000 square feet.

I hereby certify that this plot of Stanley Townsite, embracing Lot 2, Section 3, T. 10 N., R. 13 E., and Lot 2 and SW 1/4 SE 1/4, Sec. 34, T. 11 N., R. 13 E. of the Boise Meridian, Idaho, is strictly conformable to the field notes of the survey thereof, executed August 21 - September 3, 1920, by Robert A. Farmer, U. S. Cadastral Engineer, under special instructions, Group 130, Idaho, June 20, 1920, and the said field notes are on file in this office have been examined and approved.

Virgil W. Sammis
Surveyor General.

U. S. Surveyor General's Office,

Boise, Idaho, June 1, 1921.

From Microfilm
of Stanley Townsite
T11N R13E

POOR QUALITY

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AUG 31 1993

Basin 71 Basin 72 POOR QUALITY



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 19 90 and ending with the issue dated Jan 25 19 90

Margaret Parks

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STATE OF IDAHO

JAN 26 1990

COUNTY OF CUSTER

Department of Water Resources
Southern Region Office

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.

Evel M. Peck
Notary Public for Idaho

Residing at Challis

My commission expires: 3-21-92

NOTICE OF APPLICATION FOR WATER RIGHT

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

71-07132

FUNDERBURG, JERRY
FUNDERBURG, JAMES M.
C/O JERRYS COUNTRY STORE
HC 67 BOX 300
STANLEY, ID 83278
Source: GROUNDWATER
Diversion Pt: LOT 2 (NENWNE)
Sec 3 T 10N R 13E
Use: COMMERCIAL (.060 CFS)
Total Diversion: (.060 CFS)
Date Filed: 12/07/1989
In: T10N R13E S03 Lot 2 (NWNE)

72-07450

ROUND VALLEY ACRES WATER ASSOC. INC.
HC 63 BOX 1718
CHALLIS, ID 83226
Source: GROUNDWATER
Diversion Pt: NENE Sec 33 T 14N R 19E
Use: IRRIGATION (.900 CFS)
DOMESTIC (.450 CFS)
Total Diversion: (1.350 CFS)
Date Filed: 12/26/1989
In: T14N R19E S27 SWSW
S28 SESE
S33 NENE
S34 NWNW
45.0 ACRES TOTAL

72-07451

JOHNSON, PHILLIP A.
JOHNSON, VALERIE L.
HC 67 BOX 725
CLAYTON, ID 83227
Source: GROUNDWATER
Diversion Pt: NENWSE Sec 29 T 11N R 16E
NWNWSE Sec 29 T 11N R 16E
Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)
Date Filed: 12/13/1989
In: T11N R16 E S29 NWSE

The application(s) alleges completion of development and beneficial use of water described above prior to October 1, 1984. If approved, the permit(s) will be subject to all prior water rights except subordinated hydropower rights. Protest must be filed with the Director, Department of Water Resources, 2148 4th Avenue East, Twin Falls, ID 83301 on or before February 5, 1990.

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



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 10/15/99

LEGAL DESCRIPTION OF PROPERTY: Township 10 North Range 13 East
Section 03, 1/4 of 1/4 of 1/4 Govt. Lot , BM.
Lot , Block , Subdivision/Townsite .

If you have additional legal descriptions, please attach separate sheet.

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OCT 26 1999

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis) Department of Water Resources
Southern Region

☐ Water Right Number(s)
Assigned by IDWR: 71-10100 71-7132

☐ Name and Address of Former Owner/Claimant(s)(Seller): James M. Funderburg c/o Jerry's Country Store
HC 67 Box 300

☐ New Owner/Claimant (Purchaser): Stanley, ID 83278
Ben Roy Forsgren and Janet T. Forsgren

☐ New Mailing Address: HC 67 Box 300
Stanley, ID 83278

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NOV 19 2001

☐ New Telephone Number: (208) 774 3566 Department of Water Resources

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) Ben R. Forsgren Date 10/14/99
Janet T. Forsgren Date 10/14/99
☐ Signature of Former Owner/Claimant(s) James M. Funderburg Date 10-14-99
Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 12/14/99 By: ef

Further Action Needed: _____

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any: _____

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Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box, complete the name, address and telephone information for yourself, the new owner, sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

~~When~~ complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.



A Pioneer Company

PIONEER TITLE COMPANY
OF ADA COUNTY

821 West State Street / Boise, Idaho 83702-5836 / Telephone (208) 336-6700

RECEIVED

OCT 26 1999

Department of Water Resources
Southern Region

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NOV 19 2001

WARRANTY DEED

For Value Received

Department of Water Resources

JAMES M. FUNDERBURG, A MARRIED MAN AS HIS SOLE AND SEPARATE ESTATE

hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto

BEN ROY FORSGREN AND JANET T. FORSGREN, HUSBAND AND WIFE

hereinafter referred to as Grantee, whose current address is HC 67 BOX 300, STANLEY, IDAHO 83278

the following described premises, to-wit:

LEGAL ATTACHED AS EXHIBIT "A", Official Records of CUSTER County, Idaho.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

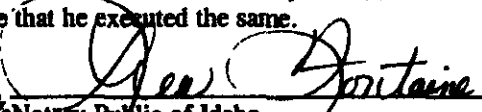
Dated: October 14, 1999.


JAMES M. FUNDERBURG

STATE OF IDAHO)
 ss.
COUNTY OF CUSTER)

On This 14th day of October, in the year 1999, before me, a Notary Public in and for said State, personally appeared JAMES M. FUNDERBURG, known or identified to me to be the person(s) whose name(s) is subscribed to the within Instrument, and acknowledged to me that he executed the same.




Notary Public of Idaho
Residing at Boise, Idaho
Commission expires: 6/10/2000

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JAN 24 2002

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NOV 19 2001

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OCT 26 1999

EXHIBIT "A"

Department of Water Resources

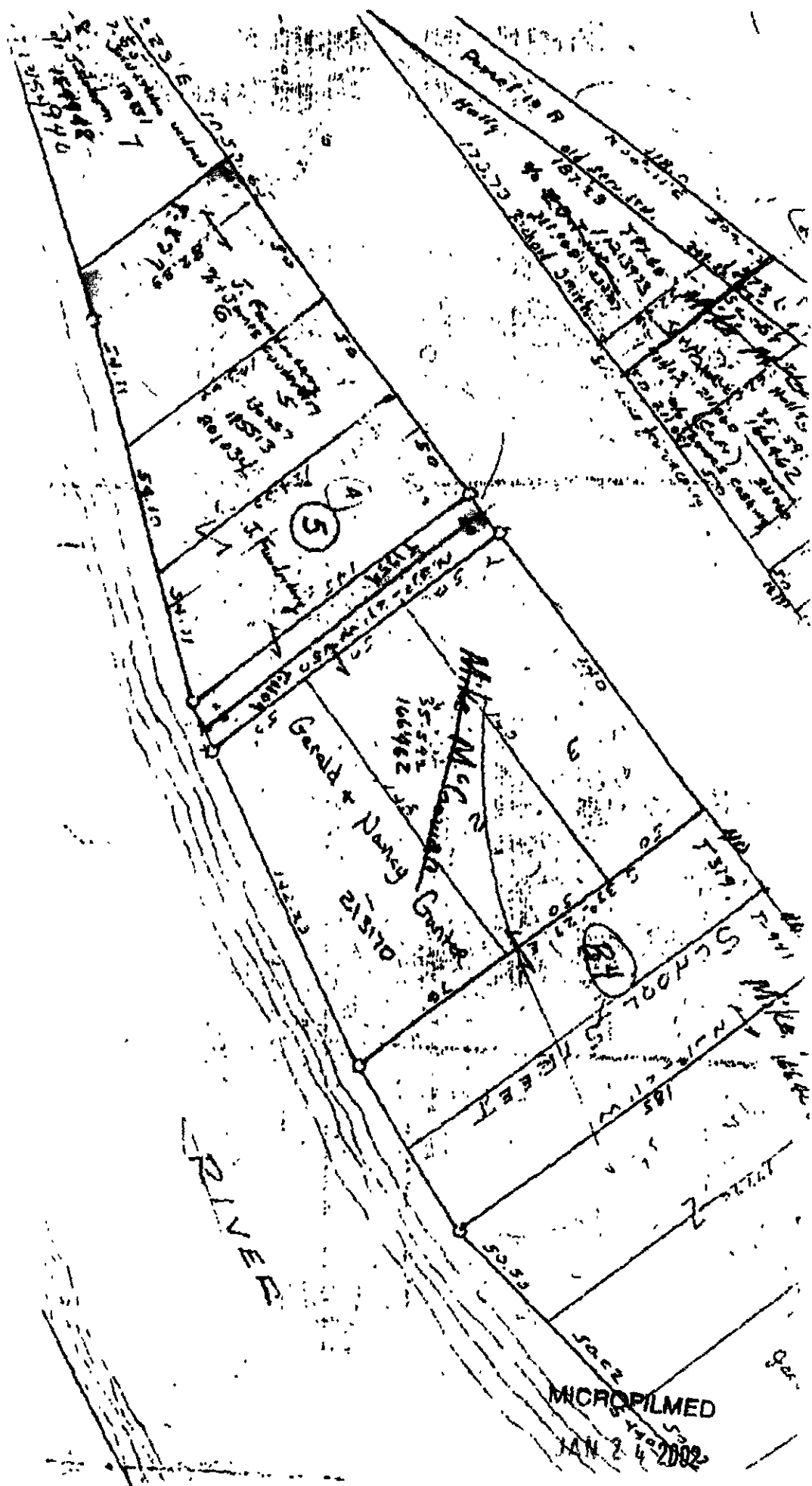
Department of Water Resources
Southern Region

LOTS 4,5,6 AND THE EAST TWENTY FEET OF LOT 7, AND ALLEY ADJACENT TO THE EAST BOUNDARY LINE OF LOT 4, SAID PORTION OF SUCH ALLEY BEING TEN FEET IN WIDTH AND 145 FEET LONG, ALL LOCATED IN BLOCK 5, GOVERNMENT TOWNSITE OF LOWER STANLEY, CUSTER COUNTY, IDAHO, IN SECTION 3, TOWNSHIP 10 NORTH RANGE 13 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO.

J.F.
Per Lm at Custer County Assessors Office
TION, R 13E, S 3, NW NE
Kari Lynn
11.19.01

MICROFILMED

JAN 24 2002



MICROFILMED
 JAN 2 2002

RECEIVED
 OCT 26 1999
 Department of Water Resources
 Southern Region

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 71-07132

Priority: December 7, 1989

Maximum Diversion Rate:

0.05 CFS

Maximum Diversion Volume:

0.2 AF

This is to certify, that JERRY FUNDERBURG
JAMES M FUNDERBURG

C/O JERRYS COUNTRY STORE

HC 67 BOX 300

STANLEY ID 83278

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 30, 1990. An examination indicates that the works have a diversion capacity of .050 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>
COMMERCIAL	01/01 to 12/31	0.05 CFS	0.2 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 2(NWNE), Sec. 3, Township 10N, Range 13E
CUSTER County

PLACE OF USE: COMMERCIAL
TWN RGE SEC

10N 13E 3 Lot 2(NWNE)

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to 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. Commercial use is for a grocery store/home, a gas station, and a motel.

RECORDED

AUG 31 1993

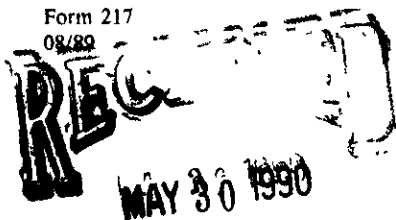
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 71-07132

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 4TH
day of AUGUST, 1993.

Acting for R. Keith Higginson, Director

FILED
AUG 31 1993



For Office Use Only
Amt of Fee \$ 50.00
Date 5/31/90
Receipt No C 012039
Received by J. Davison

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.

Permit No. 71-07132 Telephone No. (208) 774-3566

Name(s) of Permit Holder(s): Jersey and James M. Funderburg ✓

Post Office Address: HC 67 Box 300 Stanley, Idaho 83278 ✓

Source of Water: Ground Water ✓

If ground water, well driller's name: Boyd Lambert Date drilled: 1966 ✓

Extent of Use:

Domestic _____ (No. of households)

Irrigation _____ (No. of acres)

Stockwater _____ (No and type of stock)

Other Commercial ✓

Total rate and/or volume for which proof is submitted 0.06 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 66 or 67? ✓

One of the following may be a condition of approval of your permit:

Measuring device: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

OR

Flow Measurement Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

Jersey or James M. Funderburg (208) 774-3566
Name Telephone No

HC 67 Box 300 Stanley, Idaho 83278
Address

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.

RECORDED
NOV 27 1990

5-29-90
Date

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

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 71-07132

Proposed Priority: December 7, 1989 Maximum Diversion Rate: 0.06 CFS

This is to certify, that JAMES M. FUNDERBURG
JERRY FUNDERBURG
C/O JERRYS COUNTRY STORE
HC 67 BOX 300
STANLEY, ID 83278

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>
COMMERCIAL	01/01 to 12/31	0.06 CFS

LOCATION OF POINT(S) OF DIVERSION: LOT 2(NENWNE), Sec. 3, Township 10N, Range 13E
CUSTER County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

10N 13E 3 LOT 2(NWNE)

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.

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

3rd day of May, 1990.

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 JERRY AND/OR JAMES M. FUNDERBURG Phone 774-3566
Post office address 96 JERRY'S COUNTRY STORE, HCG7 Box 300 STANLEY, ID 83278
2. Source of water supply GROUNDWATER which is a tributary of _____
3. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Govt. Lot 2^{DR}
Sec. 3 Township 10N Range 13E B.M. CUSTER County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.06 for COMMERCIAL purposes from 1/1 to 12/31 (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) 0.06 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works
a. Description of ditches, flumes, pumps, headgates, etc. WELL, 1 HP SUBMERSIBLE
PUMP

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 6" inches; proposed depth of well is 42 feet.
(NO) DR
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).

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JUN 26 1990

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. MOTEL (9 UNITS AND UTILITY ROOM)

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	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10N	13E	3		Lot 2 C															

Total number of acres to be irrigated _____

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? APPLICANT

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

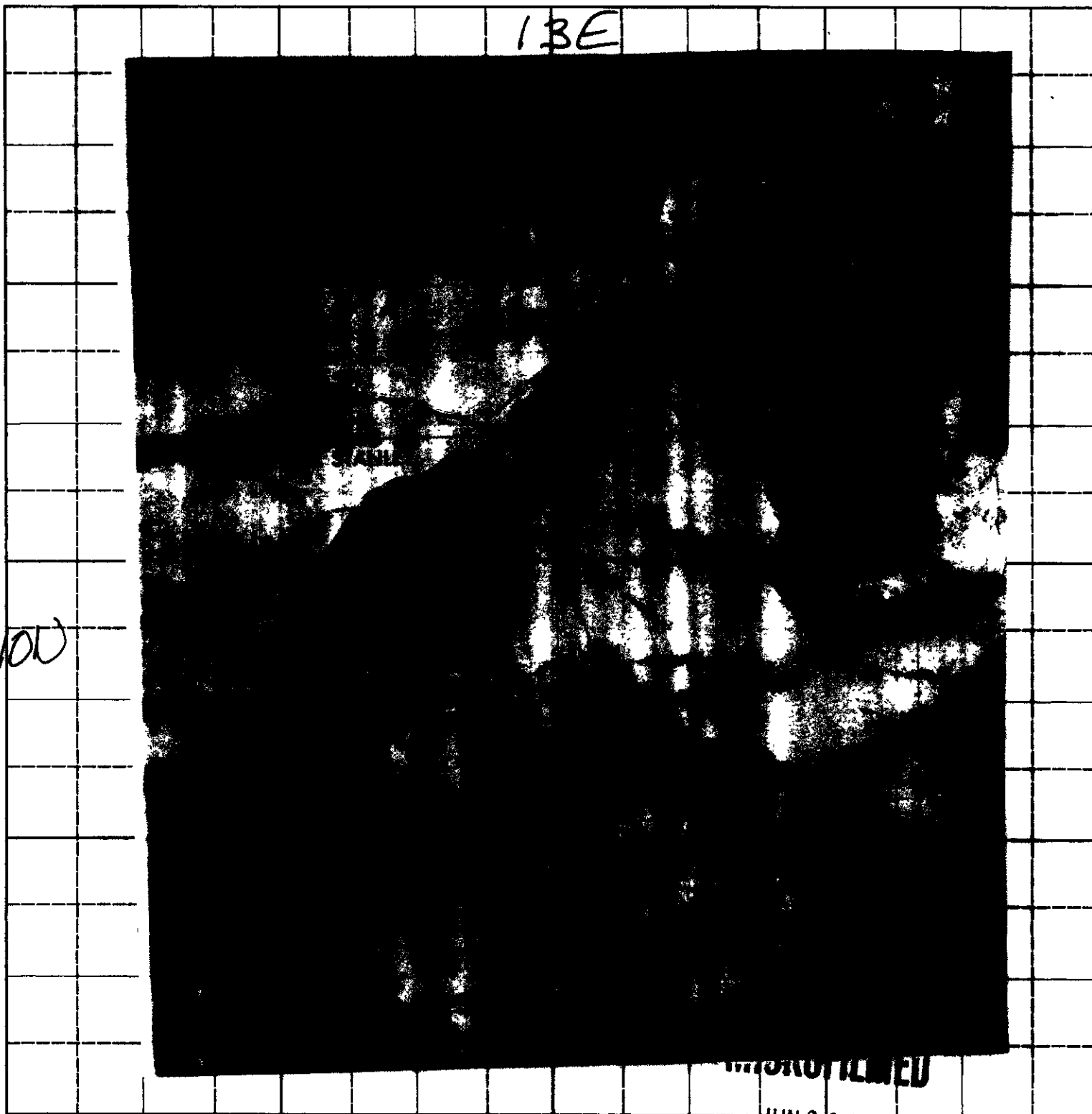
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: WELL WAS COMPLETED AND IN USE SINCE 1966.

MICROFILMED

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

JUN 26 1990

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

[Signature]
(Applicant)

Received by TO Date 12/7/89 Time 5:00 PM Preliminary check by TDJ
Fee \$ 30.00 Receipted by TO # M005339 Date 12/7/89
Publication prepared by M. Baldwin Date 12-29-89 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:

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JUN 21 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 19, 2001

BEN ROY FORSGREN
JANET T FORSGREN
HC 67 BOX 300
STANLEY ID 83278

RE: Change of Ownership for Water Right 71-7132

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

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

Sincerely,


for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED

JAN 24 2002



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 4, 1993

JERRY FUNDERBURG
JAMES M FUNDERBURG
C/O JERRYS COUNTRY STORE
HC 67 BOX 300
STANLEY ID 83278

RE: WATER RIGHT NO. 71-07132

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

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

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECEIVED

AUG 31 1993

WR0749NP
No. L71-07132

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 08/02/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JERRY FUNDERBURG	12/07/1989	COMMERCIAL	01-01 12-31	0.05 CFS	0.2 AFA
C	JAMES M FUNDERBURG C/O JERRYS COUNTRY STORE HC 67 BOX 300 STANLEY ID 83278 (208) 774-3566					
TOTAL DIVERSION:					0.05 CFS	0.2 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.05 CFS

Point(s) of Diversion: T10N R13E S03 Lot 02(NW NE)

Place of use Legal Description for: COMMERCIAL

				NE				NW				SW				SE									
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
---	---	---	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
10N	13E	3	:			02-C		:					:					:						:	

Pou County: CUSTER

Other Water Rights Listing Overlapping Place(s) of use:
71-04047 71-07013 71-07027

Remarks: Commercial use is for a grocery store/home, a gas station, and a motel.

Dates:	App. Received:	12/07/1989	Priority Date:	12/07/1989
	Proof Due Date:	06/01/1991	Proof Made Date:	05/30/1990
	Exam Made Date:	08/14/1991	Exam Sent to S.O.:	07/20/1993
	Licensed Date:			

Misc: Water District Number: Field Exam Fee: R (Received)

Audit: 08/02/93 CHAPMAN

LICENSE REVIEW CHECKLIST

Permit # 71-7132 Date 8-2-93 Brenda Chapman

NAME	Yes ☐ No ☒	Or Address Change?
PRIORITY DATE	☐ ☒	Advance? <u> </u> Memo to Advance <u> </u>
	☐ ☒	Order to Reinstate Needed?
SOURCE	☐ ☒	Changes? Clarification of Originally Intended source
	☐ ☒	Notice of Intent to Void - Source change.
P/D	☐ ☒	Amendment Needed? <u> </u>
	☐ ☒	Is Overlap Analysis a Consideration?
P/U	☐ ☒	Amendment Needed? <u> </u>
	☐ ☒	Is Overlap Analysis a Consideration?
TOTAL CFS	☐ ☒	Incorrect Fee for rate recommended?
	<u>-NA-</u>	Disagree/Measurement <u>none done</u>
	<u>-NA-</u>	Pumping Theoretical $(8.8) \times (.70) \times (1)$
		$(6' + [2.31 \times 45]) = .06$
	☐ ☒	System Capacity <u>.05</u> (per owner measurement)
		Allowable Amount: <u>.05 CFS</u>
TOTAL VOLUME		Rate/ac <u> </u> AFA Irr. Season <u> </u>
		Standard Irr. Season <u> </u>
	☐ ☒	Disagree with Examiner's Calculations? <u> </u>
		<u>50 gpd x 1000 gals/days = .15 AFA Laundry = .03</u>
	☐ ☒	Flow limit: <u>.05</u> x <u>365</u> x <u>1.9835</u> = <u>36.2</u>
USES	☐ ☒	Change(s) in Nature of Use? <u> </u>
	☐ ☒	Amendment Needed? <u> </u>
REMARKS	☐ ☒	Multiple P/Ds in 1/4 1/4? <u>YES, UNDER CLAIM R 71-10100</u>
	☒ ☐	Non-Irr. Uses <u>Commercial</u>
	☐ ☒	Special Overlap Condition <u> </u>
	☐ ☒	Other <u> </u>
CONDITIONS	☐ ☒	Measuring Devices <u> </u> Dates/Misc <u> </u>
	☐ ☒	W/Master Control <u> </u> ☒ Water Dist
	☐ ☒	Irrigation Overlap <u> </u> App Rec'd <u> </u>
	☐ ☒	Water Quality <u> </u> Exam Made <u> </u>
COMMENTS:	<u>Older, second well not included here; REDUCE RATE</u>	

RECOMMENDED	CFS	VOL
Irrigation	<u> </u>	<u> </u>
Domestic	<u> </u>	<u> </u>
Stockwater	<u> </u>	<u> </u>
<u>Commercial</u>	<u>.05</u>	<u>.20</u>

LICENSE ☒

AMEND

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUL 21 1993

Department of Water Resources

A. GENERAL INFORMATION

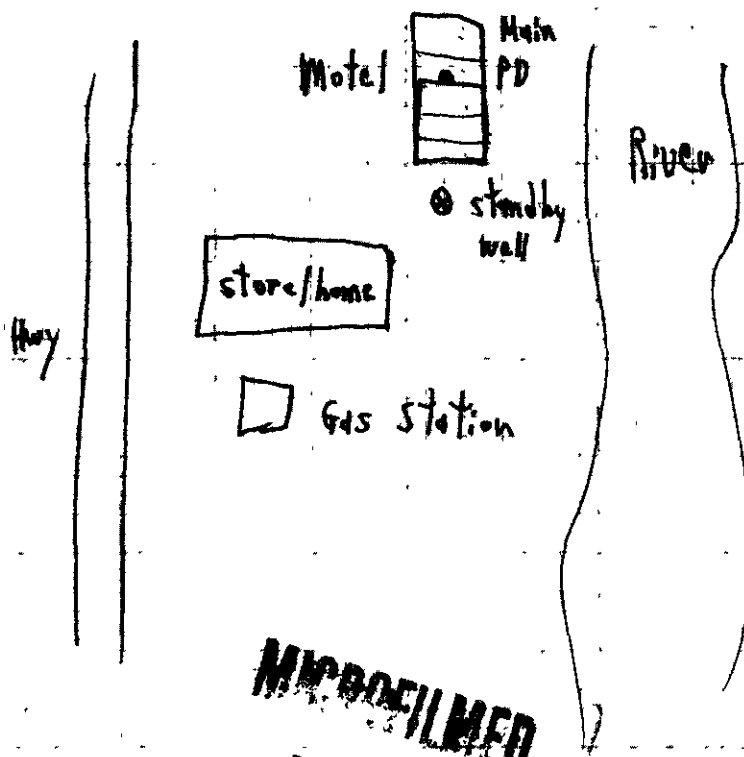
Permit No. 71-7132
1. Owner: James M. & Jerry Funderburg Phone No. 774-3566
Current Address: c/o Jerry's Country Store, HC 67 Box 300, Stanley, ID 83278
2. Accompanied by: Jerry Funderburg EXAM. DATE: 8-14-91
Address: Sama Phone No. _____
Relationship to Permit Holder: owner/operator
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: _____
_____ ☐ Copies Attached
2. Other water rights with same point of diversion: _____
_____ ☐ 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" = _____

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.)

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

Submersible pump, well, lines to gas station, store/residence, 95-unit motel.
Main well provides water for system. Smaller well not connected now but could easily be tied in if main pump goes out.

☐ See Remarks on page 4 for continuation

Well or Division Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Red Jacket	1			
	Seals	1/2			

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

5. Point(s) of Diversion:

[illegible]

Indicate Method of Determination.

[illegible]

Do not use this space

1966 T E

RENTAL

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:

Not measured. Pump rated 20 gpm at 6' lift = 45 psi according to owner.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

Allow 0.05 cfs

F. PUMP EFFICIENCY DATA (Optional)

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

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

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (8)

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$ _____

2. Volume Calculations for Other Uses:

50 gal/day/guest x 1000 guest days/ann = 0.15 AFA

Laundry - 100 gpd x 107 days/ann = 0.03 AFA

**MISSING
AUG 31 1993**

0.18 AFA

Allow 0.2 AFA

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Use has existed in near present form since 1965, according to permittee. Main use is in motel for an estimated 1000 guests per year (restroom/shower in each room). Restroom in laundry. Owners residence. Laundry for motel linen - 100 gal/day for 3 1/2 months. Restroom in gas station.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Commercial	1-1	12-31	0.05	0.2
Totals:			0.05	0.2

2. Recommended Amendments

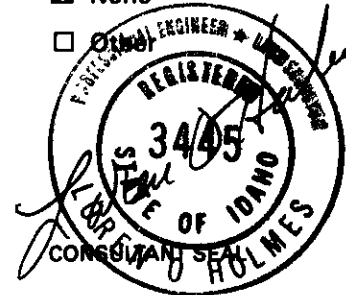
- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above

☒ None

☐ Other

J. AUTHENTICATION

Field Examiner's Name J. E. Stanton
Signature J. E. Stanton
Certification Date 3/31/93
Field Report Preparation Date 8-23-91

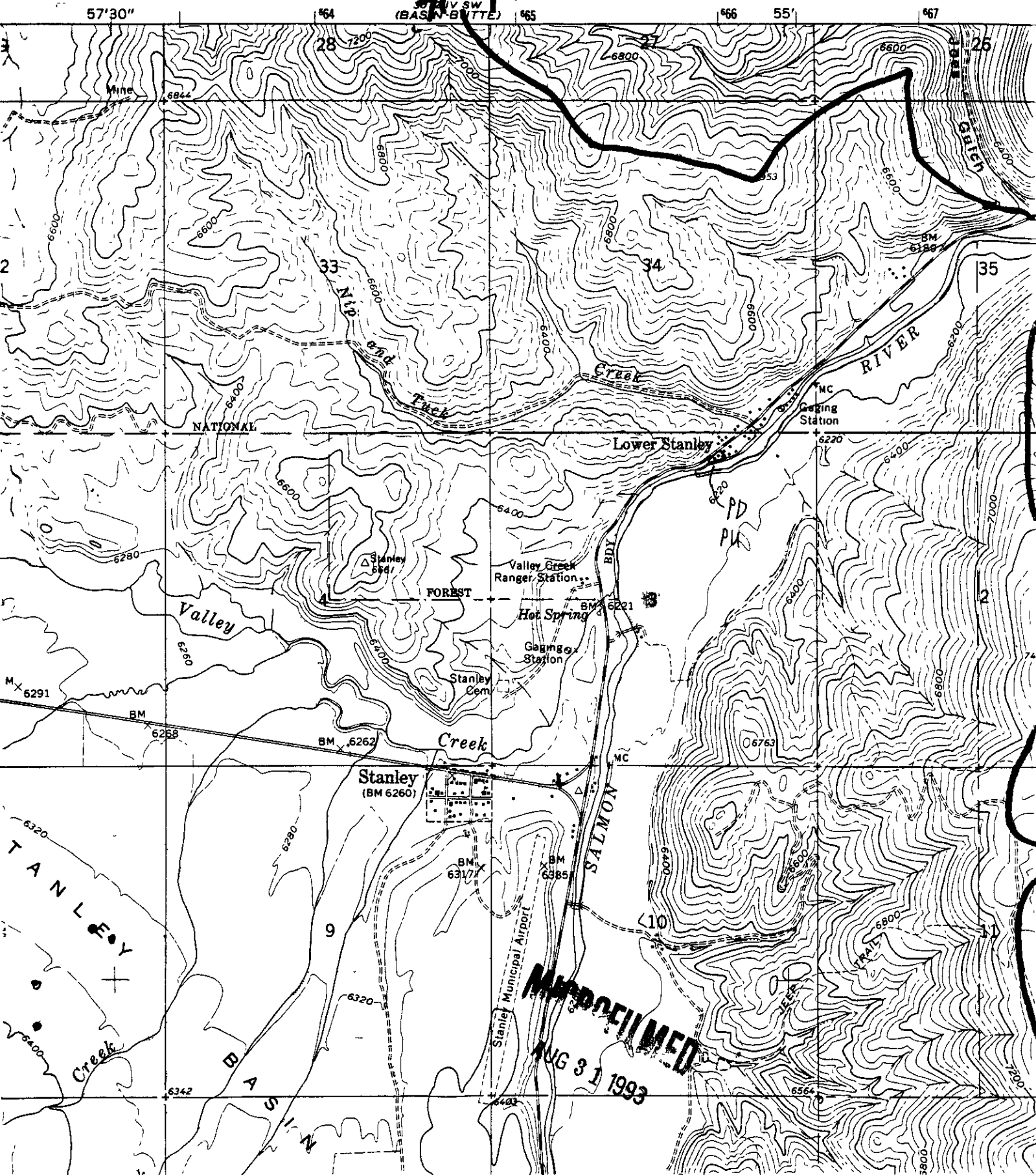


K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

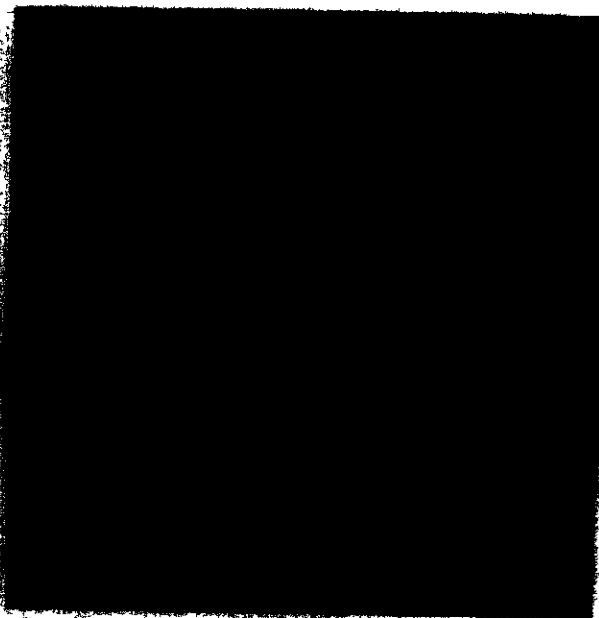
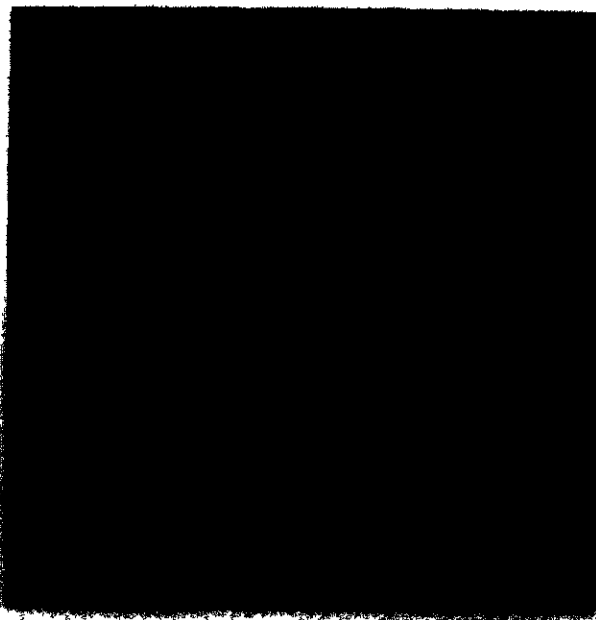
IMPROVED

AUG 31 1993

71-72
30 21V SW
(BASIN-BUTTE) 865



71-7132

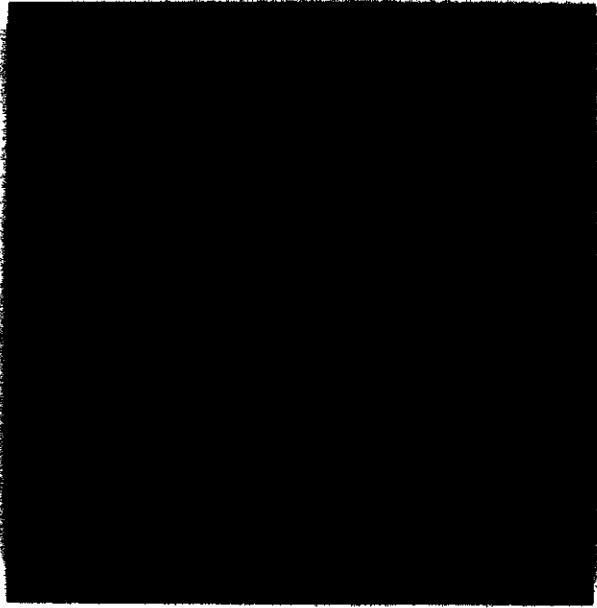


Grocery Store/Home

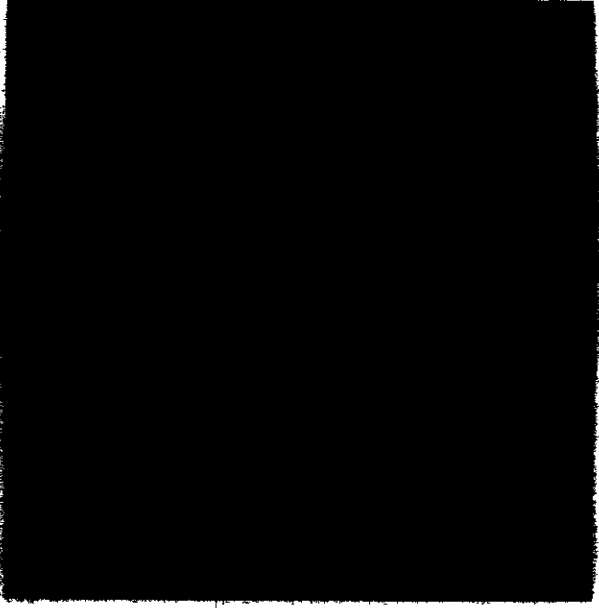
Gas Station w/Restroom

NOTED
AUG 31 1993

71-7/32



Main pump in laundry room
of motel



Motel

UNRECORDED
AUG 31 1993

Water Right Number - R71-10100

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
FUNDERBURG JAMES M
1 - % JERRY'S COUNTRY STORE
2 - HC 67 BOX 300
3 -
City- STANLEY State- ID Zip- 83278
Phone - 208-774-3566
1 - % JERRY'S COUNTRY STORE
2 - HC 67 BOX 300
3 -
City- STANLEY State- ID Zip- 83278
Phone - 208-000-0000

FUNDERBURG JERRY

Priority Date - 07/01/1910
Region - 17 SOUTHERN
Stage - J - BENEFICIAL USE
Status -

GROUNDWATER

Trm	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion
10N	13E	3	NE NW NE	2	(37)	CUSTER	TWO WELLS

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
43 - DOMESTIC		01/01	12/31		0.020	0.60
Total Div. Rate -		Total Div. Volume -				
0.020		0.60				
					Total Consumptive Use -	KW Usage -
					0.0	

Total Acres:

Diversion Means - WELL 6"x 42' WITH 1 HP PUMP & WELL 6"x 36' WITH 1/2 HP PUMP.
Non-Irrigation Use - DOMESTIC/ STORE; GAS PUMPS; AND RESIDENCE
Other Rights for Same Use - NONE

PROPERTY IS ALSO KNOWN AS LOTS 4, 5, 6, 1827 & 1125 OF BLK 5
OF THE STANLEY TOWNSITE (LOWER STANLEY).
RIGHT NO. 71-07132 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE, AND THE TOTAL COMBINED RATE OF DIVERSION OF

MAILED
AUG 31 1993

R-File Claim on older well for Jerry's Store.

Water right number - R71-10100

Prefix Translation: RESEARCH

REMARKS
THESE RIGHTS IS LIMITED TO 0.05 CFS.
2 POINTS OF DIVERSION LOCATED IN MENMME(LT2) S03, T10N, R13E.

No Old Water Right Numbers Found

Old Water Right Numbers

Conditions of Approval
No Conditions of Approval found.

Decree Plaintiff

Decree Defendant

Decree Date
00/00/0000

Date: 05/14/1993 User Id: MERRITT Subject: PENDING LICENSE 71-07132
THIS WILL COVER THE MOTEL EXPANSION OF THE INTERCONNECTED SYSTEM.

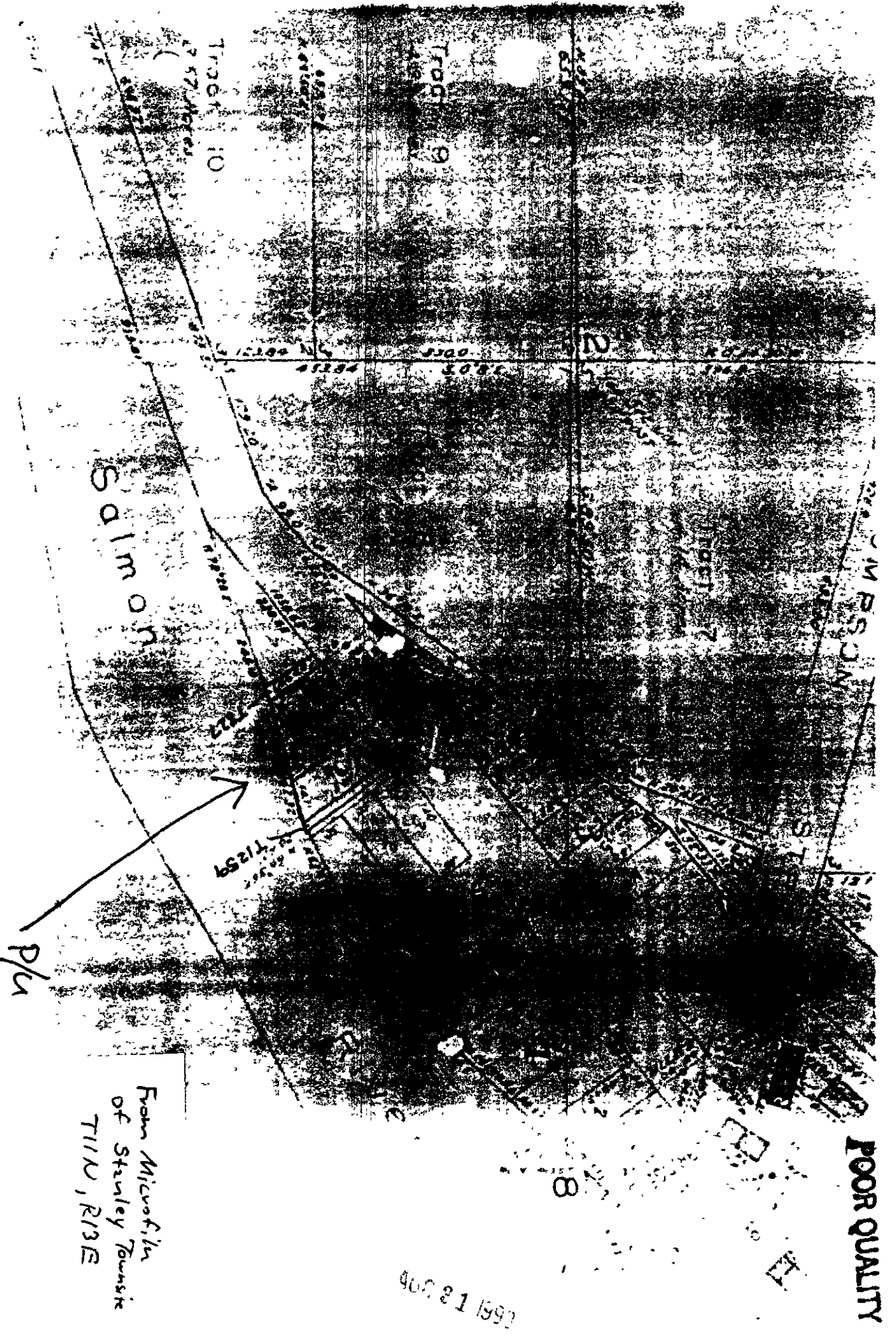
Audit Fields
05/14/93 MERRITT

Adjudication Rights Dates and Flags Area

Court Report Filing	- 00/00/0000	Field Inspection Made	- 05/12/1993	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 05/14/1993	Old Judicial District	-
Claim Received Date	- 12/07/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- M005339	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

MAILED
AUG 31 1993

POOR QUALITY



From Microfilm
of Stanley Townsite
T11N, R13E

POOR QUALITY

AUG 31 1993

John D. Edwards
Surgeon General

From Microfilm
of Stanley Townshik
TIN R13E

72 POOR QUALITY

64 65 66 55' 67 68



CLAIM A71-10100 INIT AR
 T. R. S. Q/Q
 P/D 10N 13E 3 NEWNB (42)
 PHOTO V-19
 DT.&ID. _____

MIDDLEBURY

AUG 31 1993

STATE OF UTAH
DEPARTMENT OF WATER RESOURCES
MODIFICATION CLAIM VERIFICATION REPORT

CLAIM MODIFIED: 10/10/00

9/24/01
9/27/02

MR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	DEPT OF E (CODE)	REVIEW PERIOD (FROM TO)	REVIEWED DATE	REVIEWED BY	REVIEWED DATE
PRIORITY DATE	Y		Adm 5/1/93	N			Adm		Adm
POINT OF DIV	Y			Y	1,5,6 (copy)				
PLACE	Y			Y	1,5,6 (copy)				
PLACE OF USE	Y			Y	1,5,6 (copy)				
DIV. AMOUNT CFS/VOLUME	Y			Y					
FOR SUBSISTENT USE	-			Y					
PURPOSES	Y			Y					
PERIOD OF USE				Y					
EASIS OF CLAIM	Y			Y					
REMARKS				Y					

*VERIFIED BY CODES

TOPO MAP ORTHO-PH = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 NAPP PHOTOS = 4
 FIELD EXAM = 5
 OTHER (SEE REMARKS) = 6

Reacts

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

MODIFIED

AUG 31 1993

RECEIVED

AUG 31 1993

Stanley townsite (lower Stanley)

PAGE: 1
GENERAL INFORMATION

STATE OF IOWA
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM UNIT

CLAIM RUN VER 4.1.10.10

LAST: FUNDENBURG
ADDRESS: % JERRY'S COUNTRY STORE
HC 67 BOX 300
CITY: STANLEY
PHONE NUMBER: 208-774-3566

FIRST: JAMES M.

STATE: ID ZIP: 83278

OWNER CODE: C

LAST: FUNDENBURG

FIRST: JERRY

ADDRESS: % JERRY'S COUNTRY STORE

HC 67 BOX 300

CITY: STANLEY

PHONE NUMBER: 208-000-0000

STATE: ID ZIP: 83278

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE
N

FIELD
EXAMINED

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

UNRECORDED
AUG 31 1993

CONTACT PERSON:

Jim Funderburg

PHONE NUMBER:

DATE OF FIELD EXAM: 5/12/93

APPOINTMENT MADE: () () ()

TIME: () () ()

ACCOMPANIED BY:

PHONE NUMBER:

RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / REMARKS:

On the morning of 5/12/93 I stopped at the store of met Jim Funderburg. I asked him about evidence of priority and he said he had obtained a statement from Mr. Sarge. He also showed me a photo-graph of the old store taken in 1929. He showed me the old well behind the store and indicated that it was presently used as a backup for the store-residence, gas station & motel complex. The well located inside the motel laundry room is what presently supplies the needs. The old well is used as a backup.

MISSING
AUG 31 1993

A. AJ CLAIM: # 671-10100 PRIORITY DATE: 07-21-1910

STATUS: 1

P. MR RECORD: NO WATER RIGHT REQUIRED TO MATCH THIS AJ CLAIM

1. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE FIELD
EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? (Y () N ())
IF YES EXPLAIN.

REMARKS:

Review of evidence supports contention that house existed in 1920 with maybe store added in mid-thirties with definite proof (photo) of store & residence together. In photo the building look several years old. I recommend to claim be recommended as domestic which includes the store (residence w/ store use w/ gas station use minimal) Also priority is claimed.

RECOMMENDED PRIORITY DATE:

7-1-1910

REVIEWED BY

APR

DATE

5/19/93

INDEXED

AUG 31 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CPT
A71-10100	10N	13E	3	NE	NW	NE	(2)	CUSTER

OTHER AJ CLAIMS WITH SAME AJ FOU
A PREFIX R PREFIX
A71-10143 NONE
71-07133
WM RECORDS IN SAME 40 ACRE TRACT

SOURCE: GROUNDWATER

TRIB:

F. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY?	(Y/N)	DATABASE	FIELD EXAMINER
NO TO SOURCE DISCREPANCY?	(Y/N)	Y	

REMARKS:

Confirmed by outcrop photo U19 of Govt plat sheet as well
as plat of Stanley township. 5/18/93 I talked to Assess
Office and confirmed Funderburg owns Lots 4, 5 & 6 of tract
T827 of T125S. (Allow 2 pts of diversion (2 wells))
Blk 5 Stanley Township.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
10N	13E	3	NE	NW	NE	2	Custer (2 pts)

SOURCE: Groundwater
REVIEWED BY: ADG

TRIB:

DATE:

5/18/93

AUG 31 1993

A. MOOT WATER RIGHT NUMBERS: 071-10100
P. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	#/ACRES	#/ACRES	LAND-AT	DATE	RE-AM.	USE (M)
10N	13E	3	NE	NE	2	FUNDERBURG, JAMES R.	071-10100	2				
			NE	NE		GOLLEY, WILLIAM E.	071-10129	1				
			NE	NE		MARQUIS, DAVID M.	071-10133	1				
			NE	NE		ADAMS, MAT J.	071-10143	1				
			NE	NE		MC GOWAN, MICHAEL E.	071-04047	1	71-04047	3.0		
			NE	NE	2	MC GOWAN, MICHAEL E.	071-07027	1	71-07027	6.0		
			NE	NE		MC GOWAN, MICHAEL E.	071-10142	1				
			NE	NE		WOLLEY, BRETT	071-10104	1	25.0			
			NE	NE		HOLLEY, ROZ			71-07133	1.0		
			NE	NE		WESTLING, CLINTON B.			71-07013			
			NE	NE	2	FUNDERBURG, JAMES M.			71-07132			

TOTAL ACRES 071-10100

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y () N (X) N/A

C. FIELD EXAM REQUIRED? DATABASE FIELD EXAMINER POU COUNTY: CUETER
DUE TO POU DISCREPANCY? (Y/N) Y

B/C 5

Remarks: P/A also described as Lots 456 & 7827 & 71259 w

RECOMMENDATIONS:

TOTAL ACRES: 1
REVIEWED BY: ADL DATE: 5/10/03

MINOTELL MED

AUG 31 1993

A. AS CLAIMED USES:

PURPOSES
A 1-10100 COMMERCIAL

MONTH/DAY
FROM 01-01 TO 12-31

DIVERSION QUANTITY
.020 cfs

TOTAL DIVERSION RATE/VOLUME CLAIMED

.020 cfs

B. WR RECORDED USES:

PURPOSES

MONTH/DAY

DIVERSION QUANTITY

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

DUE TO WATER-USE DISCREPANCY? (Y/N)
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)

FIELD EXAMINER
DATABASE
Y
N

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N()
Y() N()

Explain in remarks, below

REMARKS:

Store & residence used year-round,
& Gas Station

INDEXED

AUG 31 1993

6. DIPS DIVERSION BAL. CLAIMED COMP. WITH LISTING: PROPOSED

A1 TOTAL CLAIMED DIVERSION RATE:
OF RPO1 TOTAL DIVERSION RATE:

0.00 CFS

N/A

*** IF NO OF LE STATUTORY CLAIM OR SPECIFIC USE THEN LE STATUTORY USE
** If an amount smaller than the original diverting amount is claimed
** claimed and an owner is not required, explain in remarks.

FLOW MEASUREMENT REQUIREMENT

HOW TO STATE OR HOW TO STATE FLOW MEASUREMENT REQUIREMENT

FLOW MEASUREMENT REQUIREMENT

MEASUREMENT METHOD

See below c/c. SEE ATTACHED CALCULATION

ARE OTHER WATER RIGHTS USUALLY USED? YES NO IF YES COMPLETELY, FLOW MEASUREMENT
OTHER RIGHTS LISTED IN CLAIM: NONE

LIST ALL RIGHTS WITH A SAME FLOW FOR IRRIGATION AND HOUSE:

CLAIM NO.	SOURCE	NAME	DIR. RATE	DATE	DATE	DATE
A71-0404	GROUNDWATER	MR. GURAN, MICHAEL E.	0.010	0.070		
A71-0702	SALMON RIVER	MC GOWAN, MICHAEL E.	0.110	0.020		
A71-10104	SALMON RIVER	WHEELER, BERT	1.700	0.009		

LIST ALL RIGHTS WITH SAME FLOW BUT NOT USED FOR IRRIGATION.

IM NO.	PURPOSES	NAME	DIR. RATE	DATE	DATE	DATE
A71-10129	DOMESTIC	GULLEY, WILLIAM E.				

Original well

$$Q_{est} = \frac{1}{2} \times H.P. \Rightarrow \frac{5.8 \times (0.70)}{20 + (50 \times 2.31)} = 0.02 \text{ cfs}$$

New well covered under 71-07132
has capacity of 0.05 cfs (See Field report)
Only 1 well normally used,
1. Allow 0.02 claimed,

1. IRRIGATION PAID 0.02 CFS/ACRE (FS)
ACRES 10.00 (taken from p. 9 of 10)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE?

*** IF YES ADDITIONAL WATER USE FOR IRRIGATION AREA DISTRICT VOLUME

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE =

ACRES 10.00 CONSUMPTIVE VOL. AF/A

TOTAL CONSUMPTIVE USE AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 10.00 DIVERSION VOL. AF/A FOR AREA

TOTAL DIVERSION VOLUME AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET

REMARKS: (Include limitation on CONSUMPTIVE USE for combined use)

Store of residence = Allow 0.6 AF/Acr & C.A. demands
of this section

When combined with 71-07132 (pending license) should not

exceed 0.05 cfs nor 2 combined diversion volume of

0.6 + 0.2 = 0.8 AF/Acr. 71-07132 covers the later

development of the motel. Both rights use the same

two wells.

MICROFILMED
AUG 31 1993

RECOMMENDATIONS:

RECOMMENDATION	REASON	DATE	RECOMMENDATION	REASON	DATE
Domestic	1/1	12/31	0.02	0.6	—

TOTAL FOR THIS RIGHT

REVIEWED BY:

ADP

DATE:

5/10/93

Use fits within Domestic Definition per B
limited to 2500 sel/day.

MINOR FILMED

AUG 31 1993

A. CHECK ONLY THE FOLLOWING, IF APPLICABLE

OWNERSHIP
 CORRECTION/ABANDON
 ADDITIONAL DIV. AMOUNT

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 71-10100

TOTAL DIVERSION RATE OF WR SPLITS

SPLITS:

OLD RIGHT
 NUMBERS

CURRENT
 CLAIM NUMBERS

71-10100

DIVERSION
 RATE

0.020

CURRENT "R"
 CLAIM NUM.

"P" DIV.
 RATE

WR RIGHT
 NUMBERS

WRATE
 RATE

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
 IF NO, IS THE WRITER REVIEW SHEET ATTACHED? (Y/N)

REMARKS:

AUTHENTICATION:

SIGNATURE:

NAME OF FIELD EXAMINER:

[Signature]

DATE:

5/14/93

TITLE:

MINUTEMED

AUG 31 1993

November 1, 1990

JAMES M. FUNDERBURG
JERRY FUNDERBURG
C/O JERRYS COUNTRY STORE
HC 67 BOX 300
STANLEY, ID 83278

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 71-07132

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.

I note that the permit issued to you by the department requires the installation of a lockable device to allow the department to determine the rate of diversion. The proof which you submitted does not show that you have installed this equipment.

The installation of the lockable device must be complete by the time the department representative conducts the examination of your system unless the department has rescinded the requirement prior to the field examination. In some cases, the equipment requirement can be rescinded because the equipment cannot be physically installed, is not appropriate or can be accommodated with other measuring methods.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)734-3578.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

NOV 27 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 71-7132

Date: 10-30-90

General Considerations:

9 Name same as permit
9 Signature the same as permit holder
0 Address change _____ If yes, prepare a data entry
9 Proof received timely _____
_____ Reinstated

Source of Water:

9 Surface water
9 Groundwater
_____ 1. well log in file
_____ 2. drilling permit
_____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

_____ Rate of diversion appropriate for uses
_____ Is rate or volume and fee appropriate?
_____ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

_____ Is a measuring device or access port required?
_____ Has one been installed?
_____ Waiver or modification of measuring device requested

Remarks:

Well drilled in 1966 or 1967
Proof acceptable

1/11 Priority Calculation:

Date proof received	_____	_____
Date proof due	_____	_____
No. of days late	_____	_____
Priority date	_____	+
NEW PRIORITY DATE	_____	_____

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
May 3, 1990

JAMES M. FUNDERBURG
JERRY FUNDERBURG
C/O JERRYS COUNTRY STORE
HC 67 BOX 300
STANLEY, ID 83278

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 71-07132

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.

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 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.

MICROFILMED

JUN 26 1990

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MAIL ROOM

JUN 26 1941

02-Jan-1990

District 7 Health District
Attention: Steve Adams
P.O. Box 280
SALMON ID 83467

Re: Application(s) for Permit

Dear Mr. Adams:

Please find enclosed copy(ies) of an Application(s) for Permit for your information and files.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Douglas Jones, E. I. T.
Water Resources Engineer

DJ:MB

Enclosure(s)

MICROFILMED

JUN 26 1991

29-Dec-1989

Jerry &/or James Funderburg
c/o Jerry's Country Store
HC 67 Box 300
STANLEY ID 83278

Re: Application for Permit No. 71-07132

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.

Additional information required before final regional review of the application includes evidence of development prior to October 1, 1984 such as ASCS area photos predating 1984 with a signed statement from an ASCS agent or power bills predated October 1, 1984 for meter specifically servicing well.

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

Very truly yours,

Douglas Jones, E. I. T.
Water Resources Engineer

MICROFILMED

JUN 24 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

COUNTY OF CUSTER }
Department of Water Resources
Southern Region Office }

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.

Edel M. Parks
Notary Public for Idaho

Residing at Challis

My commission expires: 3-21-92

MICROFILMED

JUN 26 1990

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

DECEMBER 29, 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 2 1990

71-07132

FUNDERBURG, JERRY
FUNDERBURG, JAMES M.
C/O JERRYS COUNTRY STORE
HC 67 BOX 300
STANLEY, ID 83278

Source: GROUNDWATER

Diversion Pt: LOT 2 (NENWNE) Sec 3 T 10N R 13E

Use: COMMERCIAL (.060 CFS)
Total Diversion: (.060 CFS)

Date Filed: 12/07/1989

In: T10N R13E S03 Lot 2 (NWNE)

MICROFILMED

JUN 26 1990

24

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

71-07132 ✓

FUNDERBURG, JERRY
FUNDERBURG, JAMES M.
C/O JERRYS COUNTRY STORE
HC 67 BOX 300
STANLEY, ID 83278
Source: GROUNDWATER
Diversion Pt: LOT 2 (NENWNE)
Sec 3 T 10N R 13E
Use: COMMERCIAL (.060 CFS)
Total Diversion: (.060 CFS)
Date Filed: 12/07/1989
In: T10N R13E S03 Lot 2
(NWNE)

72-07450

ROUND VALLEY ACRES WATER
ASSOC. INC.
HC 63 BOX 1718
CHALLIS, ID 83226
Source: GROUNDWATER
Diversion Pt: NENE Sec 33 T
14N R 19E
Use: IRRIGATION (.900 CFS)
DOMESTIC (.450 CFS)
Total Diversion: (1.350 CFS)
Date Filed: 12/26/1989
In: T14N R19E S27 SWSW
S28 SESE
S33 NENE
S34 NWNW
45.0 ACRES TOTAL

72-07451

JOHNSON, PHILLIP A.
JOHNSON, VALERIE L.
HC 67 BOX 725
CLAYTON, ID 83227
Source: GROUNDWATER
Diversion Pt: NENWSE Sec 29 T
11N R 16E
NWNWSE Sec 29 T 11N R 16E
Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)
Date Filed: 12/13/1989
In: T11N R16 E S29 NWSE

The application(s) alleges completion of development and beneficial use of water described above prior to October 1, 1984. If approved, the permit(s) will be subject to all prior water rights except subordinated hydropower rights. Protest must be filed with the Director, Department of Water Resources, 2148 4th Avenue East, Twin Falls, ID 83301 on or before February 5, 1990.

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

OK
TQ 1-19-90

MICROFILMED

JUN 26 1990

The application (s) alleges completion of development and beneficial use of water described above prior to October 1, 1984. If approved, the permit (s) will be subject to all prior water rights except subordinated hydropower rights. Protest must be filed with the Director, Department of Water Resources, 2148 4th Avenue East, Twin Falls, ID 83301 on or before February 5, 1990.

R. Keith Higginson, Director

Published 1/18 & 1/25/90.

RECEIVED

JUN 2 1990