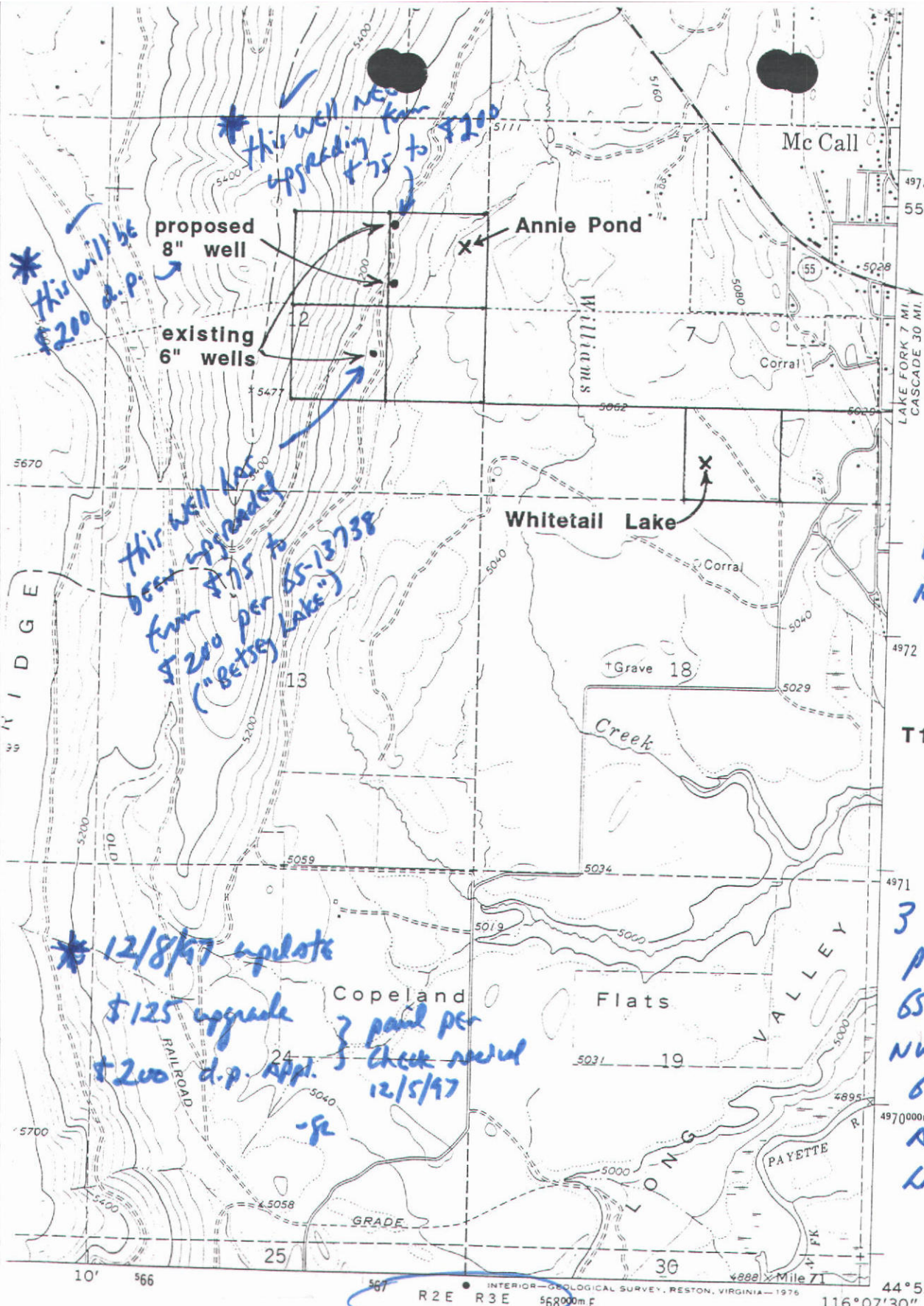
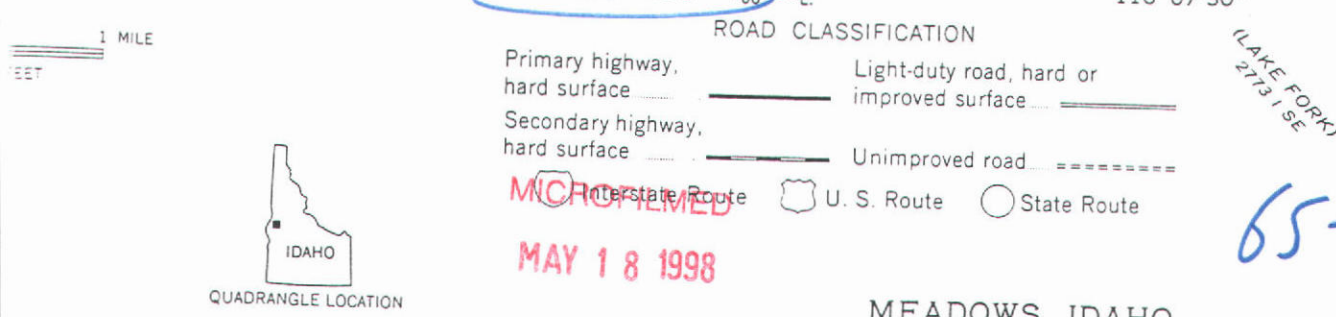




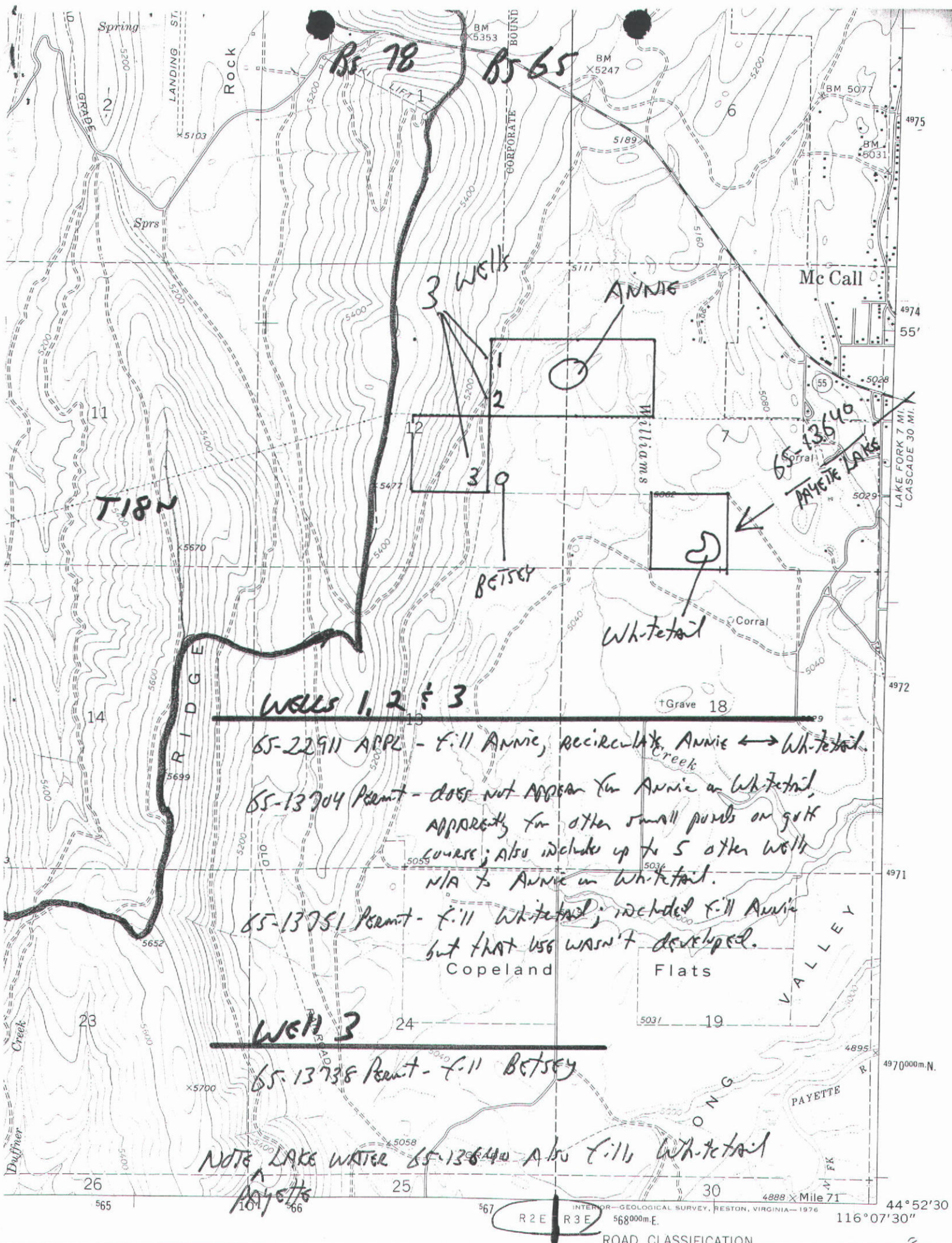
No gov't lots in pld or plu
Q's.

3 wells also proposed for
65-13704 (irrigation),
NWSE well also in
65-13738 (for
adjacent "Betsy
Lake" in NWSE).

-gl 10/17/97



65-13751



Publisher's Affidavit of Publication

STATE OF IDAHO

.SS

County of Valley

I, Leslie S. Freyer, being duly sworn and say, I am the receptionist of The Central Idaho Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the County of aforesaid and is a legal newspaper; that the NOTICE OF APPLICATIONS FOR WATER RIGHTS, a copy of which is enclosed hereto and is a part hereof, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number there of during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began November 6, 1997 and ended November 13, 1997.

Subscribed and sworn before me this the 11th day of December, 1997.
STATE OF IDAHO

COUNTY OF VALLEY

On this 11th day of December, in the year of 1997, before me, a Notary Public, personally appeared Leslie S. Freyer, known or identified to me as 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 she executed the same.

Tom Grote
Notary Public for Idaho
Residing at McCall, Idaho
Commission Expires: 1999

NOTICE OF APPLICATION FOR WATER RIGHTS

The following application(s) have been filed to appropriate the public waters of the State of Idaho:
65-13744 Williamson, Darla S. and Max L., P.O. Box 661, McCall, ID 83638. Source: Payette River, North Fork, Tributary: Payette River, Diversion Point: SESW Sec. 8 T 18N R 03E in Valley County. Use: Domestic (020 CFS). Total Diversion: (020 CFS). Date Filed: 9/4/1997. In: Valley County, T18N R03E S08 SESW

65-13751M Resorts, Attn: Bob McKenna, P.O. Box 1006, McCall, ID 83638. Source: Groundwater, Diversion Point: SENE Sec 12 T 18N R 02E in Valley County, NWSE Sec 12 T 18N R 02E in Valley County. Use: Stockwater storage (65.00 AF). Wildlife storage (65.00 AF). Recreation storage (65.00 AF). Aesthetic storage (65.00 AF). Diversion to storage (1,500 CFS). Total Diversion: (1,500 CFS). Date Filed: 10/6/1997. In: Valley County, T18N R02E S12. SENE, R03E S07, SWSE System includes 2 existing wells and 1 proposed well for 2 ponds for non-consumptive uses.

65-13755 KP Covey, Attn: P.O. Box 1693, Boise, ID 83701. Source: Groundwater, Diversion Point: Lot 2 (NESW/NW) Sec. 22 T 19N R 03E in Valley County. Lot 2 (NW/SW/NW) Sec 12 T 19N R 03E in Valley County. Use: Domestic (0.880 CFS). Total Diversion: (0.880 CFS). Date Filed: 10/24/1997. In: Valley County T 19N R03E S22 Lot 2 (SW/NW)

65-13757 Reynolds, Ron G. and Barbara, P.O. Box 1997, Lewiston, ID 83501. Source: Springs, Tributary: Lake Fork Creek, Source: Groundwater, Diversion point: SWNESE Sec. 3 T 17N R 03E in Valley County, NESE Sec. 3 T 17N R 03E in Valley County. Use: Domestic (0.040 CFS). Recreation storage (15.00 AF). Fire protection storage: (15.00 AF). Total Diversion: (0.040 CFS). Date Filed: 10/2/1997. In: Valley County T 17N R03E S03 NESE

Permits will be subject to all prior water rights. Protests may be permitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 on or before November 24, 1997. The protest must also send a copy of the protest to the applicant, Karl J. Dreher, Director, 2411/13

MAY 18 1998

RECEIVED

OCT 17 2001

FOR OFFICE USE ONLY

Amt. of Fee \$ 125

Receipt No. 1028425

Receipt By ERS

Date Received 10-17-01

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER RESOURCES
WESTERN REGION

RECEIVED

OCT 19 2001

PROOF OF BENEFICIAL USE

Department of Water Resources

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.

1 Permit No. 65-13751 Telephone No. 208-634-2244

2 Name of Permit Holder(s) M RESORTS LTD

3 Mailing Address 501 W LAKE ST

City McCALL State ID Zip 83638

4 Source of Water GROUND WATER If GROUNDWATER (well), Date Drilled mo. / yr.

Well Driller Drilling Permit Number

5 Use(s) (as authorized by the water right permit)

Domestic (No. of households) Stockwater (No. and type of stock)

Irrigation (No. of acres) Other STORAGE

6 Total rate of diversion and/or volume for which proof is submitted 1.5 cfs OR 65 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 or No ✓

Has the measuring device been installed? Yes or No

8 Fee Enclosed \$ 125 (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 BOB McKENNA Telephone Number 634-9675

Address Same as above

10 The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder R McKenna MGR Date 9-24-01
(include your title, if on behalf of company or organization)

MICROFILMED

456 2, 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 20 1998

REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time under the provisions of Section 42-204 Idaho Code in which to complete development of a water right

Permit No 65-13751

Name(s) of Permit Holder M-RESORTS % BOB MCKENNA

Mailing Address 501 W LAKE ST MC CALL ID 83638

Date Proof is Due JAN 1, 1999 Telephone No 208-634-2244

Describe what work has been completed toward the development of this water right
(This must be filled out! If no work has been completed, show "none")

CONSTRUCTION OF WHITETAIL LAKE HAS STARTED,
INFRASTRUCTURE - POWER - ETC HAS ALSO BEEN
STARTED

Costing \$ _____

The permit holder(s) has been unable to complete the remainder of the work for the following reasons

THIS PERMIT IS TIED TO WHITETAIL PUD -
GOLF COURSE AND LODGE - IT IS A LARGE
PROJECT AND PROCEEDING SLOW

Permit holder(s) request an extension to JAN 1, 2004

FEE \$50.00

R McKenna MGR
(Signature)*

*If other than permit holder, Power of Attorney must be supplied

MICROFILMED

ACTION OF THE DEPARTMENT OF WATER RESOURCES

NOV 27 1998

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to January 1, 2003.

Signed this 19TH day of November, 19 98

Z. Glen Saylor
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 65-13751

Proposed Priority: October 6, 1997

Maximum Diversion Rate

1 50 CFS

This is to certify, that M RESORTS

ATTN BOB MCKENNA

PO BOX 1006

MCCALL ID 83638-1006

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>	<u>ANNUAL VOLUME</u>
STOCKWATER STORAGE	01/01 to 12/31		65 0 AF
WILDLIFE STORAGE	01/01 to 12/31		65.0 AF
RECREATION STORAGE	01/01 to 12/31		65.0 AF
AESTHETIC STORAGE	01/01 to 12/31		65 0 AF
DIVERSION TO STORAGE	01/01 to 12/31	1 50 CFS	
	Totals	1 50 CFS	

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec 12, Township 18N, Range 02E

NWSE , Sec 12, Township 18N, Range 02E

VALLEY County

PLACE OF USE: STOCKWATER STORAGE

TWN RGE SEC

18N 02E 12

SENE

03E 7

SWSE

CONDITIONS OF APPROVAL AND REMARKS

- 1 Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 1999.
2. Subject to all prior water rights.
- 3 After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department
- 4 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code
- 5 Two points of diversion are located within SENE, S12, T18N, R02E.
6. Aesthetic and recreation storage uses are for two fishing and swimming ponds
- 7 Stockwater use is for 8 horses
- 8 Places of use are locally known as Annie Pond and Whitetail Pond

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MAY 18 1998

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

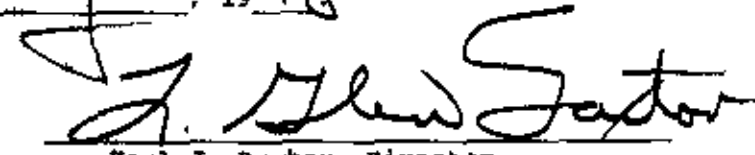
NO. 65-13751

CONDITIONS OF APPROVAL AND REMARKS

- 9 The director retains jurisdiction to require the right holder by written order to release purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary for this purpose will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. The right holder has the right to administrative and judicial review of any order requiring mitigation water to be provided under this condition pursuant to the procedures of Section 42-1701A or Chapter 52, Title 67, Idaho Code.

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

15th day of January, 1998


for Karl J. Dreher, Director

MICROFILMED

MAY 18 1998

Ident No 65-13751

RECEIVED

JAN 8 1998

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

OCT - 7 1997

WATER RESOURCES
WESTERN REGION

1 Name of Applicant M Resorts Attention: Bob McKenna Phone 208-634-2244
Mailing address P O. Box 1006, McCall, ID 83638-1006

2 Source of water supply groundwater which is a tributary of NA

3 Location of point of diversion is Township 18N Range 2E Sec 12 in the 1/4
NW 1/4, SE 1/4, Govt. Lot , B M. Valley County
additional points of diversion if any SE NE Sec 12, T18N, R2E (two wells)

4 Water will be used for the following purposes

- Amount 1.50 for diversion to storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 65 for aesthetic storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 65 for recreation storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 65 for stockwater storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 65 for wildlife storage 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)

5 Total quantity to be appropriated is (a) 1.50 and/or (b) 65
cubic feet per second acre feet per annum

6 Proposed diverting works

a Describe type and size of devices used to divert water from the source three wells w/submersible pumps, ditches or pipes, measurement devices

b Height of storage dam <10 & <6 feet active reservoir capacity 20 and 45 = 65 acre-feet, total reservoir capacity 20 and 45 = 65 acre-feet

c Proposed well diameter is 8 inches, proposed depth of well is 400 feet

d Is ground water with a temperature of greater than 85°F being sought? no

e If well is already drilled, when? 3/93, 6/96 Drilling firm Menasco Drilling

Well was drilled for (well owner) D. Manchester, M Resorts, Drilling Permit No 65-93-W-0040
65-96-W-0156

Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)

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

a Hydropower show total feet of head and proposed capacity in KW MICROFILMED

b Stockwatering, list number and kind of livestock 8 horses MAY 18 1998

c Municipal show name of municipality

d Domestic, show number of households

e Other, describe fully recreation uses include fishing and swimming, wildlife storage is for fish, bird, mammal, and amphibian habitat

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	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
18N	2E	12				J, R S, W													
18N	3E	7															J, R S, W		

Total number of acres to be irrigated _____

10 Describe any other water rights used for the same purposes as described above none

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 Storage shall be in two excavated ponds "Annie Pond" (SENE Sec 12) will store 20 AF, surface area of 2 acres, depth 14 feet, embankment <10 feet "Whitetail Lake" (SWSE Sec 7) will store 45 AF; surface area 4 acres, depth 14 feet, embankment <6 feet. Two existing 6-inch wells and one proposed 8-inch well.

13 MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"x11" map clearly identifying the proposed point of diversion, place of use section #, township & range (A photocopy of a USGS 7 1/2 minute topographic quadrangle map is preferred.)

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

R. McKenna MGR
Signature of Applicant (and title, if applicable)

Received by KB Date 10/6/97 Time 2:15 Preliminary check by SL
Fee \$ 120.00 Receipted by KB # W623125 Date 10/6/97
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date MICROFILMED

MAY 18 1998

Ident. No. 65-13751

Comments: Date. 10/17/1997 User-ID: SLESTER

Subject: ADDITIONAL INFORMATION

Contact person is Bob McKenna. See previous rights for company officers/directors

2 wells in SENE & 1 in NWSE require \$200 drilling permit fees per well. Existing wells: 1 in SENE needs to be upgraded from \$75 to \$200, 1 in NWSE already upgraded recently per 65-13738. Applicant will submit \$125 while new filing proceeds. All 3 wells also are P/D's in pending irrigation appl. 65-13704 while NWSE well is the ground water P/D in pending appl. 65-13738.

Wells will serve 2 ponds locally known as Annie Pond (SENE S12, cover 2 acres, 20 af, dam < 10') & Whitetail Pond (SWSE S7, cover 4 acres, 45 af, dam < 6') in a joint system so 1 filing is okay. D.P. include 65-93-W-0040 and 65-96-W-0156. Fee upgrade will be for latter well.

Stock is for 8 horses & other uses include personal fishing and swimming plus misc. wildlife habitat.

Comment letter will be sent to adjacent landowner Bezates due to ongoing dispute/concerns between these 2 parties.

SD-0420-2
ADD COMMENT

Idaho Department of Water Resources
Modify Comment

Date. 12/12/97
Time: 08:36:54

Water Right Number. 65-13751

Comment Date. 12/12/1997 User ID: SLESTER

Subject: DRILLING PERMIT UPDATE

The 3 P/D are now correctly identified under \$200 drilling permits as follows (also see topo in application):

* existing well in NWSENE, d.p. 65-96-W-0156 upgraded 12/5/97;

* proposed well in SWSENE, d.p. 65-97-W-0421 approved 12/11/97 per expedited approval as requested;

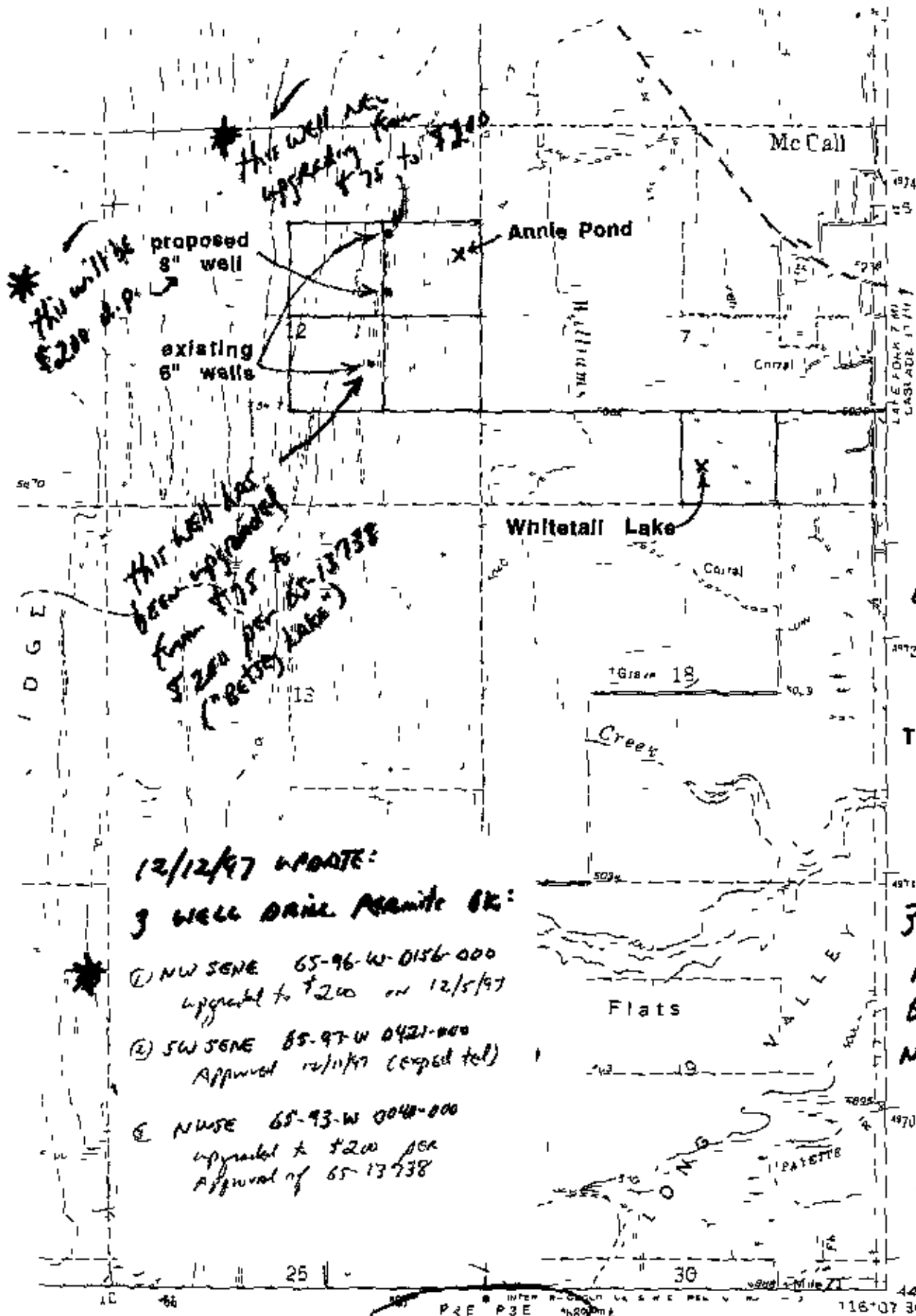
* existing well in NWSE, d.p. already okay per permit 65-13738.

Note that irrigation application 65-13704 is now being advertised per S.O. guidelines.

(Enter=Add) (Gold4=Prev) (Gold5=Next) (Gold7=Return to Comment Selection)

MICROFILMED

MAY 18 1998



We got lots
in pld or pln
area's.

12/12/97 UPDATE:
3 well drill permits OK:

- ① NW 56NE 65-96-W-0156-000
Upgraded to \$200 on 12/5/97
- ② SW 56NE 65-97-W-0421-000
Approved 12/11/97 (exp'd tel)
- ③ NW 56E 65-93-W-0048-000
Upgraded to \$200 per
Approval of 65-13738

3 wells also
proposed for
65-13704 (irrigation),
NW 56 well also in
65-13738 (for
adjacent 'Betsy
Lake' in NESE).

-FL 10/17/97

MLF

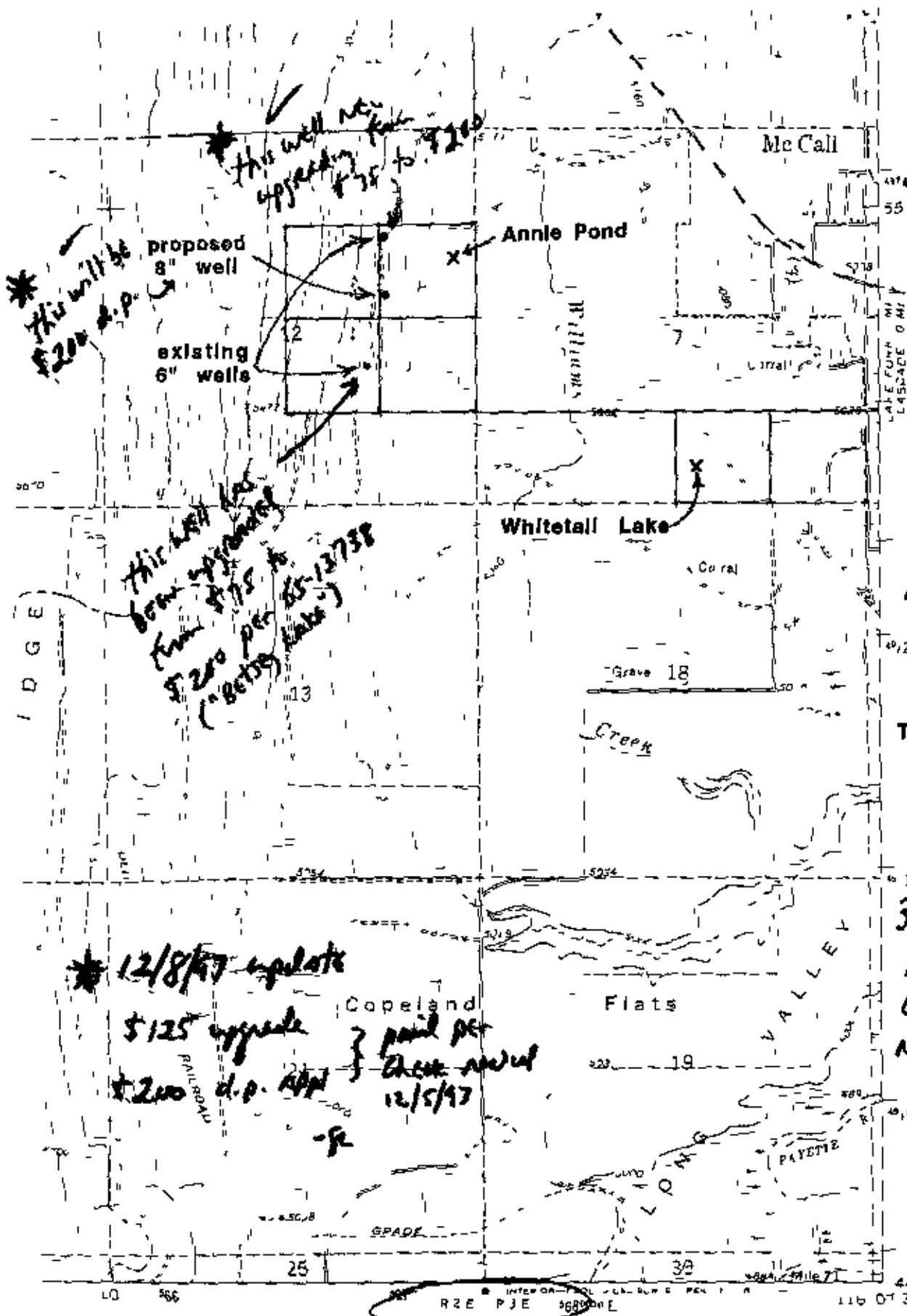


ROAD CLASSIFICATION
 Primary highway hard surface
 Secondary highway hard surface
 Light duty road hard or improved surface
 Unimproved road
 U.S. Route
 State Route

4.13 1/2 1998

MEADOWS, IDAHO

65-13751



* This will be \$200 d.p.

This well has been upgraded from \$75 to \$200 per acre (Betsy Lake)

* 12/8/97 update

\$125 upgrade

\$200 d.p. April

Copeland Flats } paid per acre 12/5/97

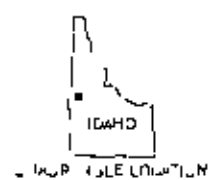
No govt lots in pld or pln

3 wells also proposed for 65-13704 (irrigation), NWSE well also in 65-13738 (for adjacent "Betsy Lake" in NESE).

-82 10/17/97

ROAD CLASSIFICATION

Primary highway hard surface	Light duty road hard or improved surface
Secondary highway hard surface	Unimproved road
Interstate	U.S. Route
State Route	County Route



65-13751

MEADOWS, IDAHO

OVERLAP SUMMARY

December 1 2004

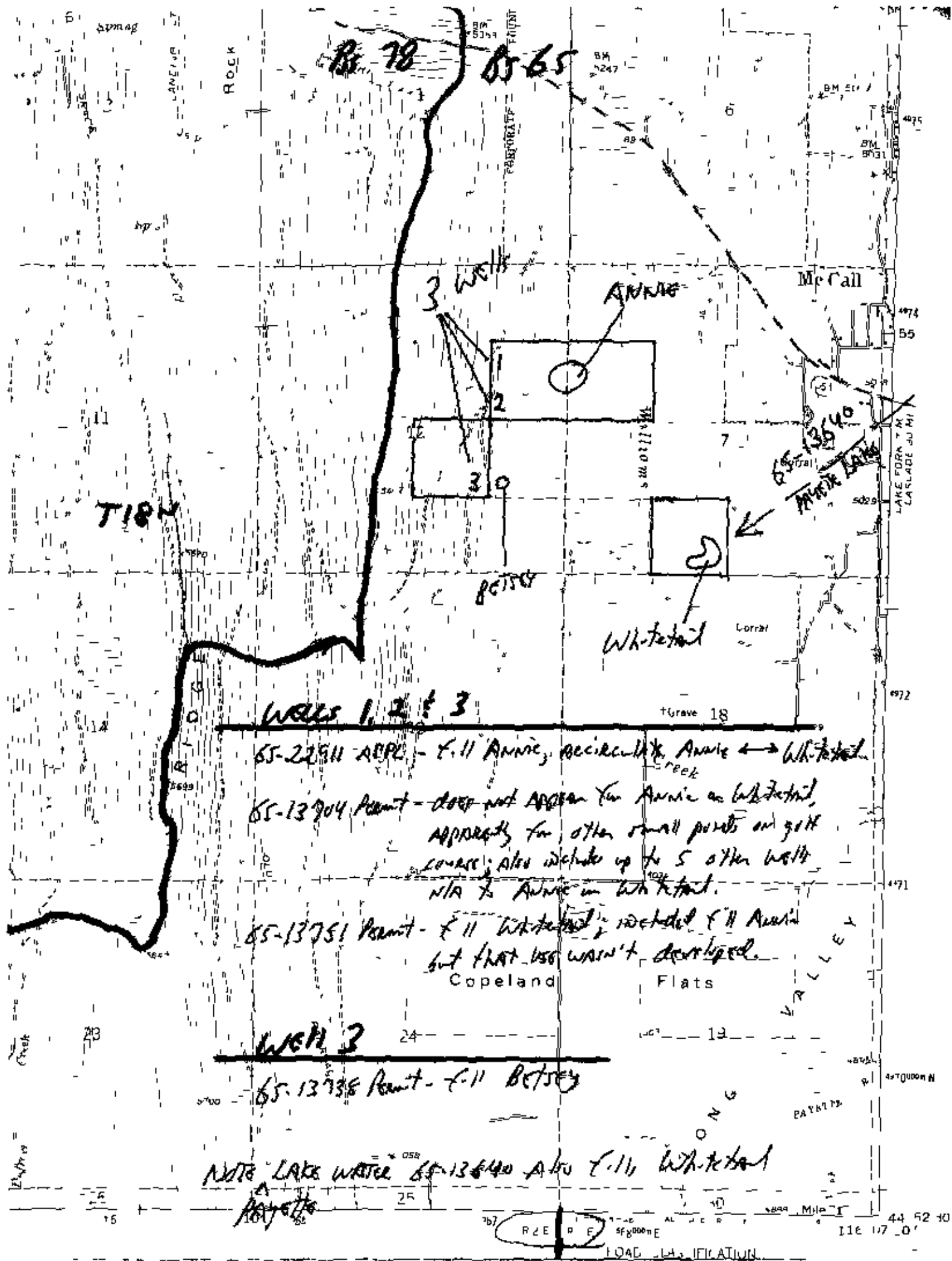
Steve Lester



- See attached map
- Whitetail golf course
- Shared wells
- Develop ponds ("lakes")
- Complex history - Bezates complaint against M Resorts (Manchester) 10 96-12 97, subsequent wr filings
- Apparently Whitetail & Betsey Lakes developed
- Apparently Annie Lake not developed
- Appl 65-22911 for 3 existing wells, initially fill Annie, recirculate some storage to Whitetail, back to Annie, repeat
- All 3 wells upgraded to \$200 drilling permit status by 12 97
- 65-22911 P.U. Annie Lake all uses, Whitetail Lake just "aesthetic from storage"

Original 65-22911

Copies 65-13640 65-13704 65-13738 ~~65-13751~~



DAHO
NT OF WATER RESOURCES
hard Street P4) Box 83720
720-0098

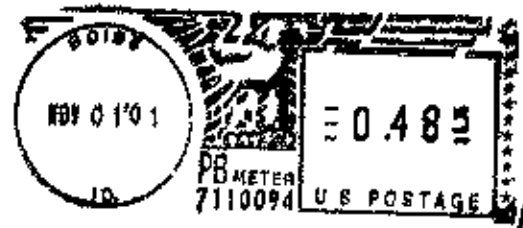
e Requested

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NOV - 8 2001

Department of Water Resources

501

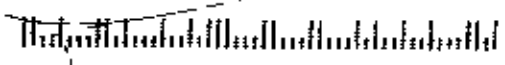
POSTAGE
PAID
FIRST CLASS



65-13704
65-13751 - forwarded 11/8/01
29

MRESS01 836382008 1A01 08 11/06/01
RETURN TO SENDER
M RESORTS
1 MARKET PL
SAN DIEGO CA 92101-7714
RETURN TO SENDER

11/15/01 - 8:25:33 B



11/15/01 10:00:00 11/15/01

MICROFILMED
NOV 26 2001



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

October 31, 2001

DIRK KEMPTHORNE
Governor

KARL J DREHER
Director

M RESORTS
PO BOX 1006
MC CALL ID 83638-1006

PROOF ACKNOWLEDGMENT LETTER

RE PERMIT NOS 65-13704 AND 65-13751

Dear Permit Holder

The department acknowledges receipt of the proofs of beneficial use forms submitted for the above referenced permits. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions, please contact the **Western** Regional Office of the department in Boise at (208) 334-2190.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

c IDWR - Regional Office

MICROFILMED

10.31.01

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No 65-13751

Reviewed By dgibson

Date October 24 2001

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?	X	
License examination fee required?	X		Drilling permit No	65-97-W-0421-000	
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No	W028425		Well driller's report filed?		X
Additional Amount Due			Measuring device required?		X
Name and address same as permit?		X	Measuring device installed?		
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received	10/17/2001
Date proof due	- 01/01/2003
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 10/06/1997
New priority date	= 10/06/1997

Deficiencies of Actions Items

Forward to Well Construction for verification of correct fee paid for Drilling Permit. If ok with WC then acknowledge proof.

11/24 to WC re ok 12/6/01

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No 62 12751 Reviewed by gfy Date 11-9-98

BASIC INFORMATION

1-20-75 Date stamp received
ye Extension received timely
ye Fee received and receipted
ye Name and signature same as permit
ye Address Change

BASIS FOR EXTENSION REQUEST

ye Has adequate work been completed to demonstrate due diligence?
_____ Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? _____ Requested? _____
_____ Is delay by a government agency?
Is supporting documentation needed to complete the file? _____ Requested? _____
_____ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN Recommend extend to Jan 1, 2003
on basis of due diligence

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address 501 W. Lake St.
Change Proof Due Date 1-1-2003
Change Priority Date X



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

November 19 1998

KARL J. DREHER
DIRECTOR

M Resorts
Attn Bob McKenna
501 W Lake St
McCall ID 83638

RE Permit No 65-13751

Dear Permit Holder

I have enclosed a copy of the approved request for extension of time submitted in connection with the above referenced permit, which extends the time within which to submit proof of beneficial use to **January 1, 2003**. Please note that the department granted the extension based on due diligence. It is important that you work diligently towards completion of this project since the department **will not** be able to grant additional extension requests based on due diligence.

Section 42-248, Idaho Code, which became effective on July 1 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact this office or any regional office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

Please contact me at (208)327-7953 if you have any questions regarding this matter.

Sincerely

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

Enclosure

c IDWR - Regional Office

MICROFILMED
NOV 27 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 15, 1998

M RESORTS
ATTN BOB MCKENNA
PO BOX 1006
MCCALL ID 83638-1006

PERMIT APPROVAL NOTICE

RE: PERMIT NO 65-13751

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

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 into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

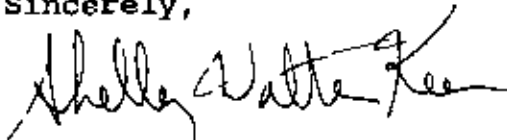
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MAY 18 1998

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department or visit the department's homepage on the Internet to obtain the proper reporting form.

If you have any questions, please call me at 208-327-7946

Sincerely,

A handwritten signature in cursive script, appearing to read "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK klt

Enclosures

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CERTIFICATE OF MAILING

I hereby certify that on the 15th day of January, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 65-13751

M RESORTS
ATTN BOB MCKENNA
PO BOX 1006
MCCALL ID 83638-1006


Karl Lynn Townsend
Secretary

NOT RECORDED
MAY 18 1998

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the 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 a 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, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a 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.

ORAL ARGUMENT

If the Department grants a petition to review a 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 a 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.

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APPLICATION FOR PERMIT STATE OFFICE REVIEW

21/1/2004

No 1 Name Elmer Date 1/1/04 Ad OK? ✓ Gvmt Lts

AREA OF CONCERN

PROTESTED

- No yes Mor / GWMA / Trust / Non trust
U20 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED

1 year/no proof
- 1 year

- P16 for 1 day
- 36A P17

GROUNDWATER (✓ FLO-CHI)

WMD (✓ MAP)

0.24 cfs/5 acres
≤ 0.24 cfs/5 acres

- R67 or No MD (in-stream stock or power)
- No MD

WMD Supplemental use
> 0.24 cfs/5 acres
- 0.24 cfs/5 acres

- 065-079 (if GW use SW 1st statewide) (cannot move SW off)
- 01M (report when notified)
No MD

DRILLING PERMIT

All wells (✓ WDAQ)

Included w/permit

- 046P23
- Permit No - - - P99
- (post 7/1/87)
P05 (new well location)

No drilling permit?
irr in WD

SURFACE WATER (✓ FLO-CHI) Surface water that doesn't sink is regulated

In/ABOVE MIN STR FLOW (✓ MAP)

WD (✓ MAP & LISTING)

Pumped > 0.20 cfs

*WB9
P04 (WD #) P01J-P08 (MD)
01H-P01 (LD & MD) or No MD (in stream stock)

WMD (✓ MAP)

0.24 cfs/5 acres
- 0.24 cfs/5 acres

U67 or No MD (in-stream stock or power)
No MD

SPRINGS/SINK INACTIVE W/D & REST OF STATE

0.24 cfs/5 acres
≤ 0.24 cfs/5 acres

01M or No MD (in-stream stock or power)
No MD

RIVER BASINS (✓ Surface water)

Snake R (01)

02/03 irr

Payette R (65)

Salmon R (705)

*W22 P04 NA
067 (w/remark *WB9 if above Werser) NA
*W22 (regulated uses) 047 P04 (Payette Lake) NA
029 (fish screens) NA

USE

Domestic surface
> 1 in rest area

Fish Propagation

Heating/Cooling

Int ≤ 5 acres
5 acres

Mining

Municipal

Power

Stockwater

Storage (✓ 3 comp)

*WB5 (Big Wood R or Boise R ↑ Star Bridge) 27A (Payette River) NA
U71 070
- 029-007-042 (req)-081 (WQ) P10
- R07 (injection well)
R66/R67/R68/R69 (0.03 cfs/acre + 3 0/3 5/4 0/4 5 AF)
- R62/R63/R64/R65 (0.02 cfs/acre + 3 0/3 5/4 0/4 5 AF)
U54 (req) -081-P10
- 022 075 004 (+memo?), NA (not in restricted area)
- 17H/17Y (+uses)-08A-025 (P18)-01N-028-081 (P10)-027 (if no other cons use)
*TG (FERC) or 17M (FERC) 18B-P09 > 25 cfs-P18
R37 (BLM/USFS) NA
- 02A (in & out MD for on-stream storage) 10 dam) NA

LOCATION

42-248 area

Boise Front LoGeo

In stream dev

Irr Dist/Canal Co

SWAN FALLS FLAG (See Code Chart)

Trust

Non Trust 1)

- P84 (in 20/30/40/50/60/70/80 (87) basin)
- U58 (1-85 GvV temp only)
- P52 (stream channel alteration)
- U23 (Twin Falls area)

OWNERSHIP

OTHER CONDITIONS

STANDARD REMARKS

BENEFICIAL USE DUE

COMMENTS

- 1-2-3-4-5-6-7-8-9-10-11-12-13-14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000-1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-1039-1040-1041-1042-1043-1044-1045-1046-1047-1048-1049-1050-1051-1052-1053-1054-1055-1056-1057-1058-1059-1060-1061-1062-1063-1064-1065-1066-1067-1068-1069-1070-1071-1072-1073-1074-1075-1076-1077-1078-1079-1080-1081-1082-1083-1084-1085-1086-1087-1088-1089-1090-1091-1092-1093-1094-1095-1096-1097-1098-1099-1100-1101-1102-1103-1104-1105-1106-1107-1108-1109-1110-1111-1112-1113-1114-1115-1116-1117-1118-1119-1120-1121-1122-1123-1124-1125-1126-1127-1128-1129-1130-1131-1132-1133-1134-1135-1136-1137-1138-1139-1140-1141-1142-1143-1144-1145-1146-1147-1148-1149-1150-1151-1152-1153-1154-1155-1156-1157-1158-1159-1160-1161-1162-1163-1164-1165-1166-1167-1168-1169-1170-1171-1172-1173-1174-1175-1176-1177-1178-1179-1180-1181-1182-1183-1184-1185-1186-1187-1188-1189-1190-1191-1192-1193-1194-1195-1196-1197-1198-1199-1200-1201-1202-1203-1204-1205-1206-1207-1208-1209-1210-1211-1212-1213-1214-1215-1216-1217-1218-1219-1220-1221-1222-1223-1224-1225-1226-1227-1228-1229-1230-1231-1232-1233-1234-1235-1236-1237-1238-1239-1240-1241-1242-1243-1244-1245-1246-1247-1248-1249-1250-1251-1252-1253-1254-1255-1256-1257-1258-1259-1260-1261-1262-1263-1264-1265-1266-1267-1268-1269-1270-1271-1272-1273-1274-1275-1276-1277-1278-1279-1280-1281-1282-1283-1284-1285-1286-1287-1288-1289-1290-1291-1292-1293-1294-1295-1296-1297-1298-1299-1300-1301-1302-1303-1304-1305-1306-1307-1308-1309-1310-1311-1312-1313-1314-1315-1316-1317-1318-1319-1320-1321-1322-1323-1324-1325-1326-1327-1328-1329-1330-1331-1332-1333-1334-1335-1336-1337-1338-1339-1340-1341-1342-1343-1344-1345-1346-1347-1348-1349-1350-1351-1352-1353-1354-1355-1356-1357-1358-1359-1360-1361-1362-1363-1364-1365-1366-1367-1368-1369-1370-1371-1372-1373-1374-1375-1376-1377-1378-1379-1380-1381-1382-1383-1384-1385-1386-1387-1388-1389-1390-1391-1392-1393-1394-1395-1396-1397-1398-1399-1400-1401-1402-1403-1404-1405-1406-1407-1408-1409-1410-1411-1412-1413-1414-1415-1416-1417-1418-1419-1420-1421-1422-1423-1424-1425-1426-1427-1428-1429-1430-1431-1432-1433-1434-1435-1436-1437-1438-1439-1440-1441-1442-1443-1444-1445-1446-1447-1448-1449-1450-1451-1452-1453-1454-1455-1456-1457-1458-1459-1460-1461-1462-1463-1464-1465-1466-1467-1468-1469-1470-1471-1472-1473-1474-1475-1476-1477-1478-1479-1480-1481-1482-1483-1484-1485-1486-1487-1488-1489-1490-1491-1492-1493-1494-1495-1496-1497-1498-1499-1500-1501-1502-1503-1504-1505-1506-1507-1508-1509-1510-1511-1512-1513-1514-1515-1516-1517-1518-1519-1520-1521-1522-1523-1524-1525-1526-1527-1528-1529-1530-1531-1532-1533-1534-1535-1536-1537-1538-1539-1540-1541-1542-1543-1544-1545-1546-1547-1548-1549-1550-1551-1552-1553-1554-1555-1556-1557-1558-1559-1560-1561-1562-1563-1564-1565-1566-1567-1568-1569-1570-1571-1572-1573-1574-1575-1576-1577-1578-1579-1580-1581-1582-1583-1584-1585-1586-1587-1588-1589-1590-1591-1592-1593-1594-1595-1596-1597-1598-1599-1600-1601-1602-1603-1604-1605-1606-1607-1608-1609-1610-1611-1612-1613-1614-1615-1616-1617-1618-1619-1620-1621-1622-1623-1624-1625-1626-1627-1628-1629-1630-1631-1632-1633-1634-1635-1636-1637-1638-1639-1640-1641-1642-1643-1644-1645-1646-1647-1648-1649-1650-1651-1652-1653-1654-1655-1656-1657-1658-1659-1660-1661-1662-1663-1664-1665-1666-1667-1668-1669-1670-1671-1672-1673-1674-1675-1676-1677-1678-1679-1680-1681-1682-1683-1684-1685-1686-1687-1688-1689-1690-1691-1692-1693-1694-1695-1696-1697-1698-1699-1700-1701-1702-1703-1704-1705-1706-1707-1708-1709-1710-1711-1712-1713-1714-1715-1716-1717-1718-1719-1720-1721-1722-1723-1724-1725-1726-1727-1728-1729-1730-1731-1732-1733-1734-1735-1736-1737-1738-1739-1740-1741-1742-1743-1744-1745-1746-1747-1748-1749-1750-1751-1752-1753-1754-1755-1756-1757-1758-1759-1760-1761-1762-1763-1764-1765-1766-1767-1768-1769-1770-1771-1772-1773-1774-1775-1776-1777-1778-1779-1780-1781-1782-1783-1784-1785-1786-1787-1788-1789-1790-1791-1792-1793-1794-1795-1796-1797-1798-1799-1800-1801-1802-1803-1804-1805-1806-1807-1808-1809-1810-1811-1812-1813-1814-1815-1816-1817-1818-1819-1820-1821-1822-1823-1824-1825-1826-1827-1828-1829-1830-1831-1832-1833-1834-1835-1836-1837-1838-1839-1840-1841-1842-1843-1844-1845-1846-1847-1848-1849-1850-1851-1852-1853-1854-1855-1856-1857-1858-1859-1860-1861-1862-1863-1864-1865-1866-1867-1868-1869-1870-1871-1872-1873-1874-1875-1876-1877-1878-1879-1880-1881-1882-1883-1884-1885-1886-1887-1888-1889-1890-1891-1892-1893-1894-1895-1896-1897-1898-1899-1900-1901-1902-1903-1904-1905-1906-1907-1908-1909-1910-1911-1912-1913-1914-1915-1916-1917-1918-1919-1920-1921-1922-1923-1924-1925-1926-1927-1928-1929-1930-1931-1932-1933-1934-1935-1936-1937-1938-1939-1940-1941-1942-1943-1944-1945-1946-1947-1948-1949-1950-1951-1952-1953-1954-1955-1956-1957-1958-1959-1960-1961-1962-1963-1964-1965-1966-1967-1968-1969-1970-1971-1972-1973-1974-1975-1976-1977-1978-1979-1980-1981-1982-1983-1984-1985-1986-1987-1988-1989-1990-19

MEMORANDUM

TO File No 65-13751

FROM Cindy Zimmerman -3

SUBJECT Mitigation/Telephone Conversation

DATE January 15, 1998

I called Steve Lester today to inquire if Western Region had notified M Resorts of a potential mitigation requirement on the use of water under this right. Steve and other region staff have had numerous conversations with Bob McKenna, manager of M Resorts. These discussions were on administration and mitigation of their rights in general. Steve was not sure if mitigation was addressed for this particular application but believed they are probably aware of the possibility of a mitigation requirement on this right.

MICROFILMED
MAR 18 1998

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

JAN 8 8 1998
DEPARTMENT OF WATER RESOURCES

INITIAL REVIEW BY JZ DATE 10/17/97 APPLICATION 65-13751

REQUIRED INFORMATION

Name (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included) *See previous files*
Address
Source (See USGS Quad for names of water sources)
Point of Diversion (10 acres for spring, lot & block descriptions for Subdivisions, local name)
County
Quantity (flow and/or volume)
Period of use
Nature of proposed use (Include description of use)
Description of diverting works
Time required for beneficial use of water
Place of use or acres irrigated
Map (show T, R, S, QQ &/or QQQ)
Subdivision plat (for > 1 home in restricted area $\geq$ 5 homes in non-restricted area)
Signature (If applicant is corp, partnership, or municipality, title of signatory is required)
Fee
Yes ☐ No* In form to receipt

Gov't Lots
N P/D
P/U

ADDITIONAL INFORMATION

X ADVERTISE REMARK(S)
(Reviewer identify which remarks)

N/A T FLAG CHANGED TO P FLAG

YES NO

☒ Overlapping place of use (Describe source & relationship to present application on next page)
☒ Overlapping point of diversion
☐ Critical groundwater area
☐ Groundwater management area
☐ 1992 moratorium
☐ Copy to SCA staff (perennial stream, non-pump diversion &/or any mining)
☒ Copy to Dam Safety staff (for any storage) *cc to JFW completed*
☐ Mitigation plan where ground water replaces surface water for irrigation, request additional information &/or mitigation plan to address reduced aquifer recharge
☐ Send power requirement letter
☐ Send fish farm requirement letter
☐ Power residency affidavit
☐ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres (If yes, attach Large Diversion supplementary analysis sheet)
☒ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

OKA7 - NECD \$125 & p. upgrade for 1 well SENE 512 - see 12/3/97 fax

P. TC - D.P. 65-97-W-15421 issued 12/11/97 for another SENE 512 p/po.

DATE REQUESTED 12/3/97
DATE completed 2/5/97

PROCESSING

APP NO

65-13751

YES NO

In form for advertising

Statewide advertising (> 10 cfs &/or 1000 af)

Fee amount, receipt number and date recorded on application

SEND COPIES TO

YES NO

ID Health & Welfare

ID District Health

ID Fish & Game

ID Lands

YES NO

U S BLM

U S Forest Service

Water Dist #

Other Regrates, see attached

for address

FINAL REGIONAL PROCESSING REVIEW.

YES NO

Affidavit of publication received

Application published correctly If not, record action taken

Publication dates and paper recorded on application

Final date for protest 11-24-97

Protests received

Resolution of protest recorded on application

Recommendations attached

Measuring device required

Measuring port required

Water delivered by water master? District #

Special conditions of approval or cover letter See memo

See below for additional information

Recommended Date or Priority 10/6/97Recommended by Gary S Date 1/6/98

STATE OFFICE REVIEW

See below for additional information By _____ Date _____

ADDITIONAL INFORMATION.

Overlap in M Resorts' property. The same3 wells involved in pending appls KS 13704 (inj) & 65-13738 (now inj for"Betsy Lake") Also, Payette Lk permit for inj. Inj overlap is 57, not 512PLU

SD-4103
INQUIRY

Idaho Department of Water Resources
Water Rights Names Screen

Date: 10/17/97
Time: 15:23:22

Water Right Number 65-13693

FIRST PAGE

Owner Codes: O Original Owner P Present Owner L Lien Holder T Trustee
C Current Owner R Representative S Lessee
K Also Known As A Attorney of Record D Dir Rpt Owner

Last: BEZATES LAND & CATTLE CO
Address: 4620 PLUM LN

First:

State: OR ZIP: 97914-
Owner Code C

City: ONTARIO
Phone: (541) 889-5963

Name Connector:

Last:
Address:

First:

State: ID ZIP: -
Owner Code: C

City:
Phone: (208) -

(Enter=Exit) (GOLD4=Prev Screen) (GOLD6=End of Data) (GOLD8=Cancel)
(GOLD5=Next Screen)

ATTN John Bezates

RECEIVED

JAN 08 1998

Department of Water Resources

MEMORANDUM

To File no 65-13751 in the name of M Resorts
From Gary Spackman *Gary*
Date December 29, 1997

Re Conditions of Approval

I recommend the following conditions of approval

- 1 Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1 1999
- 2 Subject to all prior water rights
- 3 Construction of the wells shall comply with Idaho well construction standards
- 4 The director retains jurisdiction to require by written order the release of purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows needed for salmon migration purposes The amount of the water required to be released into the Snake River or a tributary for this purpose will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit The permit holder has the right to administrative and judicial review of any order requiring mitigation water to be provided under this permit condition pursuant to the procedures of Section 42-1701A or Chapter 52, Title 67, Idaho Code
- 5 After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department (01M)
- 6 Two wells are located in the SENE, Section 12, T18N, R02E, B M

MICROFILMED
MAY 18 1998

Form 335-1 (LD)
9/25/96Drilling Permit No. 25 97-W-C421-CES
Water Right Permit No. 65-13751 (pending)
Injection Permit No. _____WELL DRILLER- PLEASE COMPLETE FOR VERBAL
IDWR Employee Issuing Verbal
Verbal Issued Date _____ Time _____~~APPLICANT'S COPY~~\$200 fee already
paid per 12/5/97
letterState of Idaho
Department of Water ResourcesAPPLICATION FOR DRILLING PERMIT
(FOR THE CONSTRUCTION OF A WELL)

1. Applicant (please print) M RESORTS c/o RUTH MCKENNA
2. Mailing Address 501 W LAKE ST
City & State MCALL ID Zip Code 83638 Telephone 634-2244
- ☒ Well Owner ☐ Well Operator ☐ Contractor or Other specify _____
3. Proposed Well Location: Twp. 18N Rge. 2E Sec. 12 - 1/4 SE 1/4 NE 1/4
Gov't Lot No. _____ County VALLEY Lat. _____ Long. _____
Street Address of Well Site _____ City _____
Lot block and subdivision _____
Give at least name of road + Distance to Road or Landmark
4. Proposed Use of Well

- ☐ DOMESTIC The use of water for homes, organization camps, public campgrounds, livestock (1 000 head or less) and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13 000 gpd or any other uses, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd

- NON-DOMESTIC ☐ Irrigation ☐ Municipal ☐ Industrial
☐ Stock ☐ Test ☒ Other Stock Wildlife - Recreation
(Over 1 000 Head) (Describe)
Artificial storage (65-13751)
- ☐ INJECTION
- ☐ MONITORING A well bore schematic and map is required for each blanket permit.
No. of proposed wells _____

5. Well Construction Information

- A. ☒ New well ☐ Modify ☐ Replace
- B. Proposed Casing Diameter 8" Proposed Maximum Depth Unknown
- C. Anticipated bottom hole temperature
☒ 85°F or less (Cold Water Well) ☐ 85°F to 212°F (Low Temp Geo. Well) ☐ 212°F or more (Geothermal Well)

6. Construction Start Date CHECK 1: ☐ When water right issued - see - ☒ Immediately SEE attached letter requesting this not check second day

7. Anticipated Well Driller MENASCO WELL DRILLING Driller's Lic. No. 391
NOTE: The actual well driller must be identified prior to drilling.

8. Applicant's Signature R McKenna Date 12-9-97

Title MGR (Owner Firm Representative Other)

MICROFILMED

MAY 18 1998

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is APPROVED

Date 12-11-97

If approved, this permit authorizes the construction or modification of a well subject to the following conditions READ CAREFULLY

GENERAL CONDITIONS

- 1 The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
- 2 This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
- 3 This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well
- 4 The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site
- 5 Approval of this drilling permit does not authorize trespass on the land of another party
- 6 This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well
- 7 This drilling permit does not represent a right to divert and use the water of the State of Idaho
- 8 If a bottom hole temperature of 85° or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately
- 9 If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations

SPECIFIC CONDITIONS

10. This well is not authorized for use pending approval of Water Right No. 65-13751

MANAGER
WESTERN REGIONAL OFFICE

Eam Spackman
Signature of Authorized Department Representative

Title

Receipt No 14423295 Received by SR Fee \$200 Date 12/15/97

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension expires _____

MICROFILMED

MAY 18 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region 2735 Airport Way Boise Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

PHILIP L. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Sent ✓

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 12/12/97

TO: BOB MCKENNA
M Resorts

FROM: Steve Lofte

for 208-634-7504

DOCUMENT DESCRIPTION: Drilling Permit APPROVED -
D.P. # 65-97-W-0421-000 was approved
yesterday. It is OK to proceed with drilling right
away. No water can be diverted from well once
↓

TOTAL PAGES SENT: Ø + COVER SHEET

CONTACT: it is completed until water right appl.
65-13751 is approved.
The approved drilling permit plus tag (for driller
to attach to casing) will be mailed today.
MAY 18 1998
Steve L.

Publisher's Affidavit of Publication

STATE OF IDAHO

SS

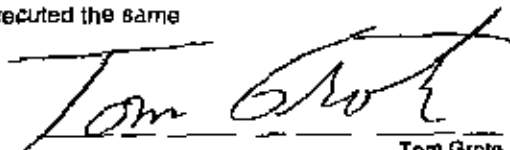
County of Valley

I Leslie S. Freyer being duly sworn and say I am the receptionist of the Central Idaho Star News a weekly newspaper published at McCall in the County of Valley, State of Idaho, that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper, that the NOTICE OF APPLICATIONS FOR WATER RIGHTS a copy of which is enclosed hereto and is a part hereof was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period of time of publication and was published in the newspaper proper and not in a supplement, and that publication of such notice began November 6 1997 and ended November 13 1997

Subscribed and sworn before me this the 11th day of December 1997
STATE OF IDAHO

COUNTY OF VALLEY

On this 11th day of December in the year of 1997 before me a Public person appeared Leslie S. Freyer known or identified to me as 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 she executed the same



Tom Grote
Notary Public for Idaho
Residing at McCall Idaho
Commission Expires 1999

NOTICE OF APPLICATION FOR WATER RIGHTS

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

65-13744 Williamson, Darla S and Max L. P.O. Box 661 McCall ID 83638 Source: Payette River North Fork Tributary: Payette River Diversion Point: SE3SW Sec 8 T18N R 03E in Valley County Use: Domestic (020 CFS) Total Diversion (020 CFS) Date Filed: 9/4/1997 In Valley County T18N R03E S08 SE3W

65-13751 M Resorts, Attn: Bob McKenna, P.O. Box 1006 McCall ID 83638 Source: Groundwater Diversion Point: SENE Sec 12 T18N R 02E in Valley County NW3SE Sec 12 T18N R 02E in Valley County Use: Stockwater storage (65.00 AF), Wildlife storage (65.00 AF), Recreation storage (65.00 AF), Aesthetics storage (65.00 AF), Diversion to storage (1,500 CFS) Total Diversion (1,500 CFS) Date filed: 10/6/1997 In Valley County T18N R02E S12 SENE, R02E S07 SW3SE System includes 2 existing wells and 1 proposed well for 2 ponds for non-consumptive uses

65-13753 KP Cowan, Attn: Jeff P. O'Box 1693 Boise, ID 83701 Source: Groundwater Diversion Point: Lot 2 (NE3SWNW) Sec 22 T19N R 03E in Valley County Lot 2 (NW3SWNW) Sec 22 T19N R03E in Valley County Use: Domestic (0.500 CFS) Total Diversion: (0.500 CFS) Date Filed: 9/24/1997 In Valley County T19N R03E S22 Lot 2 (SWNW)

65-13757 Reynolds, Ron C and Barbara, P.O. Box 1997, Lewiston ID 83501 Source: Springs Tributary: Little Fork Creek Source: Groundwater Diversion point: SW3SE Sec 3 T17N R03E in Valley County Use: Domestic (0.040 CFS) Recreation storage (15.00 AF) Fire protection storage (15.00 AF) Total Diversion (0.040 CFS) Date filed: 10/2/1997 In Valley County T17N R03E S03 NE3E

Permits will be subject to all prior water rights. Protests may be permitted based on the criteria of Sec 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region 2735 Airport Way Boise, ID 83705 together with a protest fee of \$25.00 on or before November 24, 1997. The protestant must also send a copy of the protest to the applicant. Karl J. Drcher, Director 211/17



December 9, 1997

Steve Lester
Water Resources
Western Region
2735 Airport Way
Boise, ID 33705-5082

Dear Steve

Attached to this memo is the Application for Drilling Permit I am requesting the permit to start drilling immediately because I have a road open at this time to the site I think I can beat the weather by drilling now and not waiting until the ground is firm enough to gain access in late Spring, 1998

Thank you,

Bob McKenna

Attachment

*D.P. Appl. package forwarded to
RBA + GS 12/10/97 for
immediate d.p. approval.
-fr*

MICROFILMED

MAY 18 1998

65-13751



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region 2735 Airport Way Boise Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 12/8/97

TO: BOB MCKENNA
M. L. Gault
Fax 634-7504

FROM: Steve Lester

DOCUMENT DESCRIPTION: Drilling Permit Request -
Received your 12/5 letter & \$325 to upgrade / existing well and
drill / new well (SENE 512) It's not clear if you want to drill
right away (no water could be drawn from well) or wait until
water right appl 65-13751 is issued (then could drill well & draw

TOTAL PAGES SENT: 21 + COVER SHEET

CONTACT:

water)
see enclosed drilling appl Please complete items 6 & 8
If you check second box in 4b, include a letter, stating
*Request to drill right away vs waiting for water right
approval I believe I mentioned need for water right
in my 12/4 fax if want drilling permit right away
your reply can be done via fax

* why drill right
away?

Call me if have questions
- Celebrating Our Centennial Year of Service to Idaho 1895-1995 -

MAY 18 1998

Howdy,
Steve

WELL DRILLER PLEASE COMPLETE FOR VERBAL

IDWR Employee Issuing Verbal _____

Verbal Issued Date _____ Time _____

State of Idaho
Department of Water Resources

APPLICATION FOR DRILLING PERMIT
(FOR THE CONSTRUCTION OF A WELL)

1 Applicant (please print) MT RESORTS c/o BOB McKenna

2 Mailing Address 501 W LAKE ST

City & State McCALL ID Zip Code 83638 Telephone 634-2244

☒ Well Owner ☐ Well Operator ☐ Contractor or Other, specify _____

3 Proposed Well Location Twp 18N Rge 2E Sec 12 - 1/4 SE 1/4 NE 1/4

Gov't Lot No _____ County VALLEY Lat _____ Long _____

Street Address of Well Site _____ City _____

Give at least name of road + Distance to Road or Landmark

Lot, block and subdivision _____

4 Proposed Use of Well

☐ DOMESTIC The use of water for homes organization camps, public campgrounds, livestock (1 000 head or less) and for any other purpose in connection therewith including irrigation of up to 1/2 acre of land if the total use is not in excess of 13,000 gpd or any other uses if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd

Domestic does not include water for multiple ownership subdivisions, mobile home parks commercial or business establishments unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd

NON DOMESTIC ☐ Irrigation ☐ Municipal ☐ Industrial
☐ Stock ☐ Test ☒ Other Stock - Wildlife - Recreation -
(Over 1 000 Head) (Describe)

☐ INJECTION Aesthetic r. for ga (65-13751)

☐ MONITORING A well bore schematic and map is required for each blanket permit.
No. of proposed wells _____

5 Well Construction Information

A ☒ New well ☐ Modify ☐ Replace

B Proposed Casing Diameter 8" Proposed Maximum Depth unknown

C Anticipated bottom hole temperature
☒ 85°F or less (Cold Water Well) ☐ 85°F to 212°F (Low Temp Geo Well) ☐ 212°F or more (Geothermal Well)

6 Construction Start Date CHECK 1 ☐ When water right issued - or - ☒ immediately

7 Anticipated Well Driller MENASCO WELL DRILLING Driller's Lic No _____

NOTE The actual well driller must be identified prior to drilling

8 Applicant's Signature _____ Date MAY 18 1998

Title _____

(Owner Firm Representative Other)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This Permit is _____ Date _____

If approved this permit authorizes the construction or modification of a well subject to the following conditions READ CAREFULLY

GENERAL CONDITIONS

- 1 This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted
- 2 This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well All wells must be drilled a minimum distance of 100 feet from a drain field Domestic and Public Water Supply wells must be drilled a minimum of 50 feet and 100 feet respectively from a septic tank
- 3 The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site
- 4 Approval of this drilling permit does not authorize trespass on the land of another party
- 5 This permit does not constitute other local county state or federal approvals which may be required for construction of a well
- 6 This drilling permit does not represent a right to divert and use the water of the State of Idaho
- 7 If a bottom hole temperature of 85° or greater is encountered well construction shall cease and the well driller and the well owner shall contact the Department immediately

SPECIFIC CONDITIONS

Signature of Authorized Department Representative _____ Title _____

Receipt No W021245 Received by SL Fee \$200 Date 12/8/97

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____

This extension expires _____

MICROFILMED

MAY 18 1998



RECEIVED

DEC 08 1997

WATER RESOURCES
WESTERN REGION

December 5, 1997

Steve Lester
Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

Dear Steve,

Enclosed is a check in the amount of \$325.00 to be applied the following way -
\$125.00 upgrade for permit # 65-13751, \$200.00 for drilling permit for proposed well in
SE NE SEC 12

I will fax this to you on Friday, 12/5/97. Hard copy with check will follow.

Thank you,

A handwritten signature in cursive script that reads "Bob McKenna".

Bob McKenna

MICROFILMED
MAY 18 1998

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No **W023295**

Date **12 / 8 / 1997**
Time **15 59 17**

Received
From **SHORE LODGE**

Type of Payment	Program Acct	Amount
DRILLING PERMIT UPGRADE	62134 229 21 1205	125 00
DRILLING PERMIT APPLICATION	62134 229 21 1205	200 00

CHECK 20678

Total \$ **325 00**

Region **WESTERN**

Signature _____

MICROFILMED

MAR 12 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region 2735 Airport Way Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Stev

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 12/4/97

TO: BOB McLENNAN
M. RESNAT

FROM: Steve Lester

FOX 208-634-7504

DOCUMENT DESCRIPTION: UPDATE TO my 4:50 pm phone msg:
65-13751 send a) \$ 125 upgrade for existing well SENE S12
b) drilling permit appl. for proposed well SENE S12
c) \$ 200 for item b plus letter requesting
immediate drilling permit approval (AS: 65-13751)

TOTAL PAGES SENT: 2 + COVER SHEET

CONTACT:

So total of above = \$ 325

We can then issue drilling permit right away.

NO water could be diverted from well for testing
or for beneficial use until 65-13751 is approved.

MICROFILMED

MAY 18 1998

But you could take advantage of weather opportunities
to at least drill

Call if questions - *jl*

CONVERSATION MEMORANDUM

DATE 12/4/97

FILE 65-13704

NAME OF PARTY

BOB MCKENNA (M RESORTS)

65-13751

EMPLOYEE

FL

RE: CORRECTION - "TEST WELL"

HE called to note that had identified wrong well for proposed test well in his 12/2/97 fax. It should have been SENE 5-12 (not NWSE).

Therefore, my 12/3/97 fax reply is changed -
see Recommendation (item 8) -

not adding new well NWSE so no need to
Amend 65-13751 or 65-13704.

HE will send \$125 to upgrade d.p. in
65-13751.

REGID will process my Appl ASAP (65-13704).
This means will also process REGID my Appl.
at same time (65-13693)

~~Drilling permit approval will follow with approval.~~

cc: 65-13751

65-13693

MICROFILMED

MAY 18 1998

MANAGER willing to approve expedited d.p.
for proposed well in -13751. BOB should
sent d.p. Appl with ~~upgrade~~ upgrade \$

CONVERSATION MEMORANDUM

DATE 12/4/97

FILE 65-13751

NAME OF PARTY BOB McKenna - M Report

65-13704

EMPLOYEE FL

RE CORRECTION to "Test Well"

He called to note that his earlier fax misidentified
'26 for proposed well - SENE not NUSE 5.12 (so ASRGS
w/2 Appl map)

This changes my 12/3/97 fax reply recommendation (item 8) -
no need to amend either w-2 Application

He will send \$125 to upgrade d.p. in 65-13751

Region will process 65-13704 (inquiry) asap. This means
w/2 also process Register Appl 65-13693 asap (alter-
migration).

In later discussion with Mags - indicated willing
to issue d.p. 65-13751 suggest if Applicant requests
that. So is possible in this case to get
expedited d.p. for new well in SENE 512

copy - 65-13751 MICROFILMED
"C" - 65-13704 MAY 18 1998
- 65-13693



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region 2735 Airport Way Boise, Idaho 83705 5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 12/3/97

TO: BOB MCKENNA
M. RESORTS
FOR 2018 634-7504

FROM: Steve Latta

DOCUMENT DESCRIPTION: Test Well NWSE 5.12
Department's permiss in approval of test wells is much more
limited than I had thought have learned that it must occur within
limits of approved/valid water rights. See attached summary,
especially last part

TOTAL PAGES SENT: 2 + COVER SHEET

CONTACT: Call/fax if you want to add new well in NWSE 5.12
to irrig. app 65-13704 then we can process R for
away. Also need to remit \$125 for 65-13751
As indicated so can move ahead with that one
The good news is that we have enough of a green
light to proceed with irrig. application.

\$50 if
want to
add new
well to
65-13751
(amendment)

MICROFILMED

MAY 18 1998

~ Celebrating Our Centennial Year of Service to Idaho 1895-1995 ~

M RESORTS PROPOSED "TEST WELL"

12/3/97
Ltr to
Rob McKenna *

1 Drilling permit application (fax copy rec'd 12/2 at Regional Office) lists a "test well" in NWSE S 12 T18N R2E (identified herein as "QQ")

2 Follow up telephone conversation indicated @ 200 ± gpm for @ 48 hours This would be 288,000 gallons/day

3 Definition of test well is more complex than this reviewer realized no water can be diverted from a test well unless

a) use is less than 18 gpm and 2500 gallons/day total (exempted amount per I.C. § 42-111), or

b) use is authorized under a valid water right

4. Normally, a test well defines a test hole to study strata & probable water characteristics of aquifer but not including water withdrawal from well Test wells normally cannot include permanent casing and must be properly abandoned after the test

5 To conduct a pump test for a production well (which is different than a test well as defined above), the water right analysis must be considered.

6 Pending irrigation application 65-13704 includes an existing well in QQ The application can be revised prior to advertising to add the proposed well to QQ so that two diversion points would be listed in QQ for 65-13704 This revision can be done telephonically without an additional fee Then the filing could be advertised in the latter half of December with an anticipated protest deadline of Jan 5, 1998

7 Pending application 65-13751 also includes the existing well in QQ plus an existing well and a proposed well in SENE S.12 for non-irrigation use ("Annie and Whitetail Ponds") This application has been advertised but was not protested It requires a drilling permit upgrade for the existing well in SENE (balance of \$125 due to upgrade drilling permit 65-96-W-0156) before the water right filing can be considered for approval If approved, this right would allow a new well to be drilled in SENE S 12 only If a new well in QQ would be used for Annie and Whitetail Ponds, application 65-13751 should be amended (\$50 fee) IDWR would determine if the amended filing would need to be re-advertised

8 Recommendations

DONE 12/5/97
Re 65-13751, M Resorts should pay the \$125 balance due to upgrade the 1996 drilling permit that covers the existing well in SENE S.12.

When payment is completed, IDWR should expedite 65-13751 as circumstances allow This would be delayed if the filing is amended to add a new well in QQ (\$50)

Re 65-13704, M Resorts can revise filing to add a new well in QQ in addition to existing QQ well No fee is needed to revise the filing prior to advertising.

✓ Then IDWR can advertise 65-13704.

MICROFILMED

MAY 18 1998

~~* See 65-13704 for test well application~~

M Resorts
Dec 3, 1997
Page 2

If 65-13704 is approved, a drilling permit can be issued for a new well in QQ Well construction plans could then include a pump test of the anticipated production well.

9 This information is a reasonable expectation of what can occur but is not a guarantee of approvals -- the water right process must be followed to secure approvals for well drilling and for water use from any well(s)

10. This information is provided by Steve Lester, IDWR Western Region

SL

MICROFILMED

MAY 18 1998



SHORE LODGE
FACSIMILIE COVER SHEET

TO STEVE LESTER
COMPANY WATER RESOURCES
FAX NO 208-334-2348
DATE 12-2-97
FROM: BOB MC KENNA
COMPANY M-RESORTS

THIS INFORMATION CONTAINED IN THIS FACSIMILIE MESSAGE IS MANAGEMENT
PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED FOR ENTITY NAMED ABOVE.
IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HERBY
NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPY OF THIS COMMUNICATION
IS STRICTLY PROHIBITED IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR,
PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AT THE ABOVE NUMBER.

MESSAGE REQ FOR TEST WELL

THIS IS THE FIRST OF 4 PAGES IF YOU DO NOT RECEIVE
ALL OF THE PAGES, PLEASE CALL THE NUMBER ABOVE

THANK YOU

501 W LAKE STREET, MCCALL, IDAHO 83638
208-634-2244 800-657-6464 CONTINENTAL U S FAX 208-634-7504

Drilling Permit No. 65-97-0042-000
Water Right Permit No. 65-3751
Injection Permit No. _____

Issued 12-11-97

WELL DRILLER: PLEASE COMPLETE FOR VERBALS
IDWR Employee Issuing Verbal _____
Verbal Issued Date: _____ Time: _____

State of Idaho
Department of Water Resources

APPLICATION FOR DRILLING PERMIT

1. Applicant (please print) M-RESORTS % BOB MC HENNA

2. Mailing Address: 501 WEST LAKE ST

City & State MC CALL ID Zip Code 99638 Telephone 208-634-2244

☒ Well Owner ☐ Well Operator ☐ Contractor or Other specify _____

3. Proposed Well Location Twp 18 N Rgs 2 E Sec 12 NW 1/4 SE 1/4

Gov't Lot No. _____ County VALLEY

Street Address of Well Site _____

Lot, block and subdivision _____

4. Proposed Use of Well:

☐ DOMESTIC The use of water for homes, organization camps, public campgrounds, livestock (1,000 head or less) and for any other purpose in connection therewith, including irrigation of up to 1/2 acre of land, if the total use is not in excess of 13,000 gpd; or any other use, if the total use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

Domestic does not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use does not exceed a diversion rate of 0.04 cfs and a diversion volume of 2500 gpd.

NON-DOMESTIC ☐ Irrigation ☐ Municipal ☐ Industrial
☐ Stock ☒ Test ☐ Other _____
(Over 1,000 Head) \$75 (Describe)

☐ INJECTION

☐ MONITORING A well bore schematic and map is required for each blanket permit
No. of proposed wells. (1) ONE

5. Well Construction Information

A. ☐ New well ☐ Modify (Deepen or Enlarge) ☐ Replace - See Condition 9

B. Proposed Casing Diameter 8" Proposed Maximum Depth UNKNOWN

C. Anticipated bottom hole temperature

☒ 85°F or less (Cold Water Well) ☐ 85°F to 212°F (Low Temp. Geo. Well) ☐ 212°F or more (Geothermal Well)

6. Construction Start Date: WHEN PERMITTED MICROFILMED

7. Anticipated Well Driller: MEVASCOWELL DRILLING MAY 18 1998
NOTE The actual well driller must be identified prior to drilling.

8. Applicant's Signature R. McHenna Date 12-1-97

Title MGR
(Owner, Firm Representative, Other)

Drilling Permit No. _____
Water Right No. _____ (if applicable)

or for Test Well

**REQUEST FOR ISSUANCE OF DOMESTIC DRILLING PERMIT
WITH CASING SIZE EXCEEDING SIX (6) INCHES**

M RESORTS, Applicant, requests the issuance of Drilling Permit for domestic (exempt) purposes as defined in Idaho Code Section 42-111, which authorizes construction of a well with casing size exceeding six (6) inches in diameter. The Idaho Code states, in part:

"the phrase 'domestic purposes' or 'domestic uses' means:

- A. The use of water for homes, organization camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to one-half (1/2) acre of land, if the total use is not in excess of thirteen thousand (13,000) gallons per day, or
- B. Any other uses, if the total use does not exceed a diversion rate of four onehundredths (0.04) cubic feet per second and a diversion volume of twenty-five hundred (2,500) gallons per day

For purposes of these sections, domestic purposes or domestic uses shall not include water for multiple ownership subdivisions, mobile home parks, commercial or business establishments, unless the use meets the diversion rate and volume limitations set forth in subsection B. of this section."

The request is made to drill a 8 inch diameter well for the following reason(s) TEST WELL, include plan

- [] A larger diameter is required because of expected limited productivity of formations expected to be encountered, or difficulties in drilling that have been experienced
- [] The pumping equipment available requires a larger well diameter and will be valued to prevent excessive diversion
- [] Other SEE ATTACHED MEMO

Who owns the property at the point of diversion? M-RESORTS

Who owns the land to be irrigated or place of use? SAME

If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing in behalf of the well owner _____

I acknowledge that use of this well for any other purpose than domestic use as defined under Idaho Code Section 42-111 requires approval by the Idaho Department of Water Resources and that failure to comply is a violation of Sections 42-351 and 43-352, Idaho Code.

R. McKenna
Well Owner or Authorized Agent

MSR
Title

R. McKenna
Signature

12-1-97
Date

MICROFILMED

MAY 18 1998

STEVE LESTER

DEPT OF WATER RESOURCES

12-1-97

DEAR STEVE

M-RESORTS REQUEST A
PERMIT TO DEVELOP A TEST WELL
TO DETERMINE A LOCATION FOR
A NEW WELL. IF A SOURCE
IS FOUND THE FOLLOWING
PROCEDURE WILL START -

SET TEST PUMP TO DESIRED DEPTH

* RUN PUMP 48 HRS :

MONITOR DISCHARGE

MONITOR DRAIN DOWN OF EXISTING WELL

EVALUATE INFORMATION FROM TEST.

NOTE: DISCHARGE TO GO INTO
UNNAMED STREAM

*
c 200 ± gpm

MICROFILM

MAY 18 1998

Will contact IOWA IF

THANKS FOR YOUR
ASSISTANCE

Need more pumping after

BOB

48 hr

- pg BOB McKenna tel call 12/2/97

-SL



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region 2735 Airport Way Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 5, 1997

JOHN BEZATES
BEZATES LAND & CATTLE CO
4620 PLUM LN
ONTARIO OR 97914

Re. Application for Permit No 65-13751 in the Name of M Resorts

Dear Sir,

Enclosed is a copy of the above-referenced application for permit which may be of interest to you. Please review the application and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval of this application(s), your written protest must be received in this office by November 24, 1997, with the required \$25 protest fee per application being protested.

If you have any questions regarding the application, please contact this office.

Sincerely,


Gary Spackman

GS/st

Enclosure(s):

MICROFILMED

MICROFILMED

MAY 18 1998

MAY 18 1998



RECEIVED

OCT - 7 1997

WATER RESOURCES
WESTERN REGION

October 6, 1997

State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

Reference Application for permit

Gentlemen

Enclosed is the original Application for Permit. Unfortunately we included a copy of the permit application and not the original last Friday when we sent Check No. 020539 in the amount of \$120.00.

Sorry for any inconvenience. Thank you for your assistance.

Sincerely,

Robert McKenna
Manager, Idaho Operations

MICROFILMED
MAY 13 1998

65-13751

M RESORTS
ATTN BOB MCKENNA
PO BOX 1006
MCCALL, ID 836381006

Source: GROUNDWATER

Diversion Pt SENE Sec 12 T 18N R 02E in VALLEY County.
 NWSE Sec 12 T 18N R 02E in VALLEY County.

Use: STOCKWATER STORAGE	(	65.00 AF)
WILDLIFE STORAGE	(	65.00 AF)
RECREATION STORAGE	(	65.00 AF)
AESTHETIC STORAGE	(	65.00 AF)
DIVERSION TO STORAGE	(	1.500 CFS)
Total Diversion:	(	1.500 CFS)

Date Filed: 10/ 6/1997

In: VALLEY County
T18N R02E S12 SENE
R03E S07 SWSE

System includes 2 existing wells & 1 proposed well for 2 ponds
for non-consumptive uses.

MICROFILMED
MAY 18 1998