

following is a copy of the original plat of the
 Cottage Sites, as with the original plat of the
 the Payette Lake, and extension of the
 all in T. 19N. R. 3E. and more Do
 of Ownership and Deed of that
 Book 2, page 492. Miscellaneous
 Idaho on July 19, 1924. was made
 changes. to wit: Re-survey and
 53 and 54. Lots 153 to 164 inc.
 (188 to 191 inc. being eliminated
 66 to 73 inc. 111
 And I further certify that the said plat is
 actual survey and distances indicated thereon
 that all the streets, roads, and alleys as shown
 down and represented
 Witness my hand and seal this 15th day of

State of Idaho
 County of Ada
 On this 15th day of October 1932 before me
 Public in and for said County and State of
 appeared George E. Tucker known to me to be
 whose name is subscribed to the above plat
 acknowledged to me that he executed the same
 Notary Public
 Residing at Boise

HARRIS & COOK

Amended Plat
 Payette Lakes
 Cottage Sites
 T. 19N R. 3E S. 28 G. Lot 4
 Valley County, Idaho

Scale
 1" = 300'

L. 4 colored yellow

MICROFILMED

SEP 06 1989

NE 1/4 NE 1/4
35.13 AC W. OF ROAD

NW 1/4 SW 1/4
38.36 AC W. OF ROAD

LOT 4
43.60 AC
22.38 AC W. OF ROAD

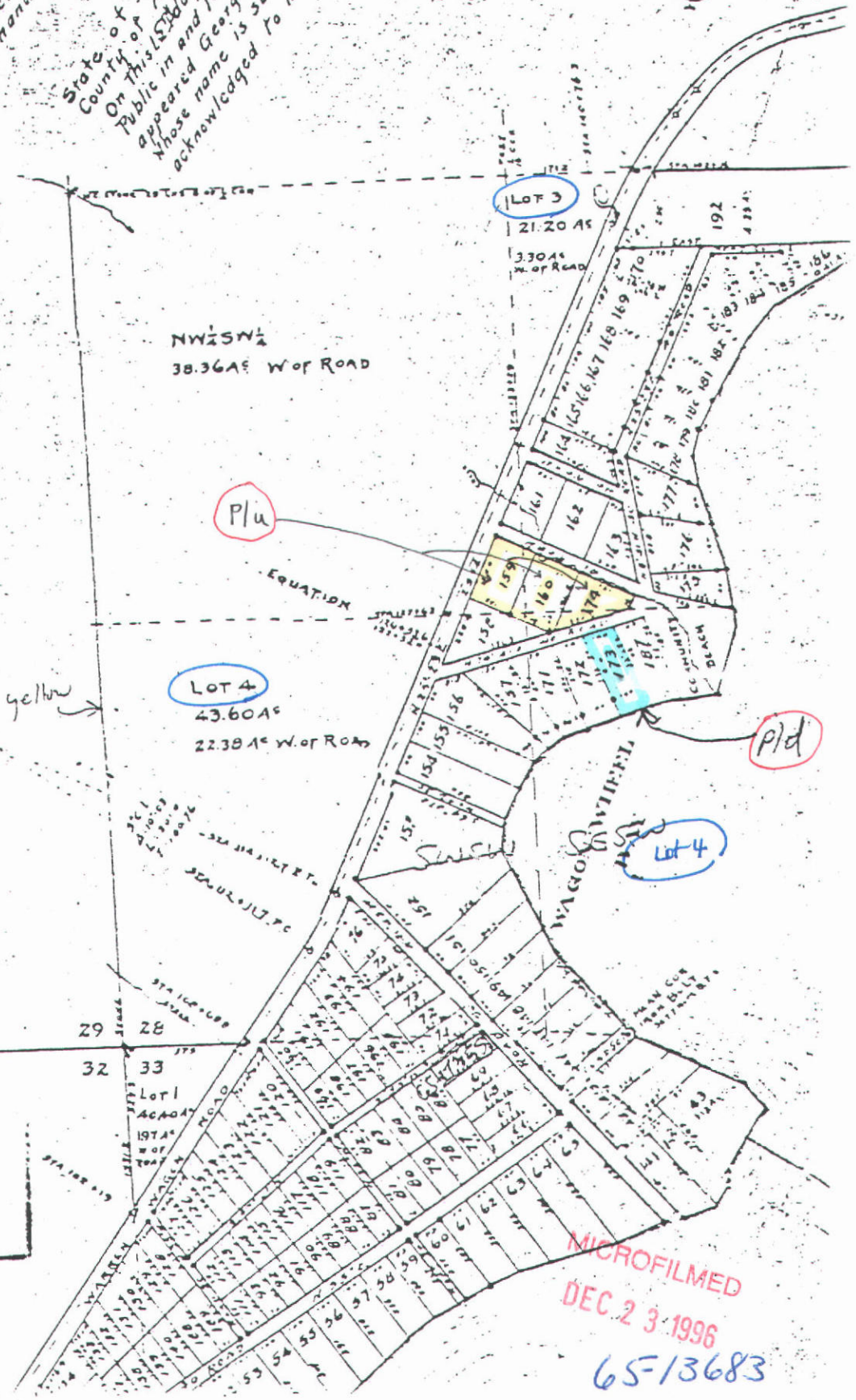
LOT 3
21.20 AC
3.30 AC W. OF ROAD

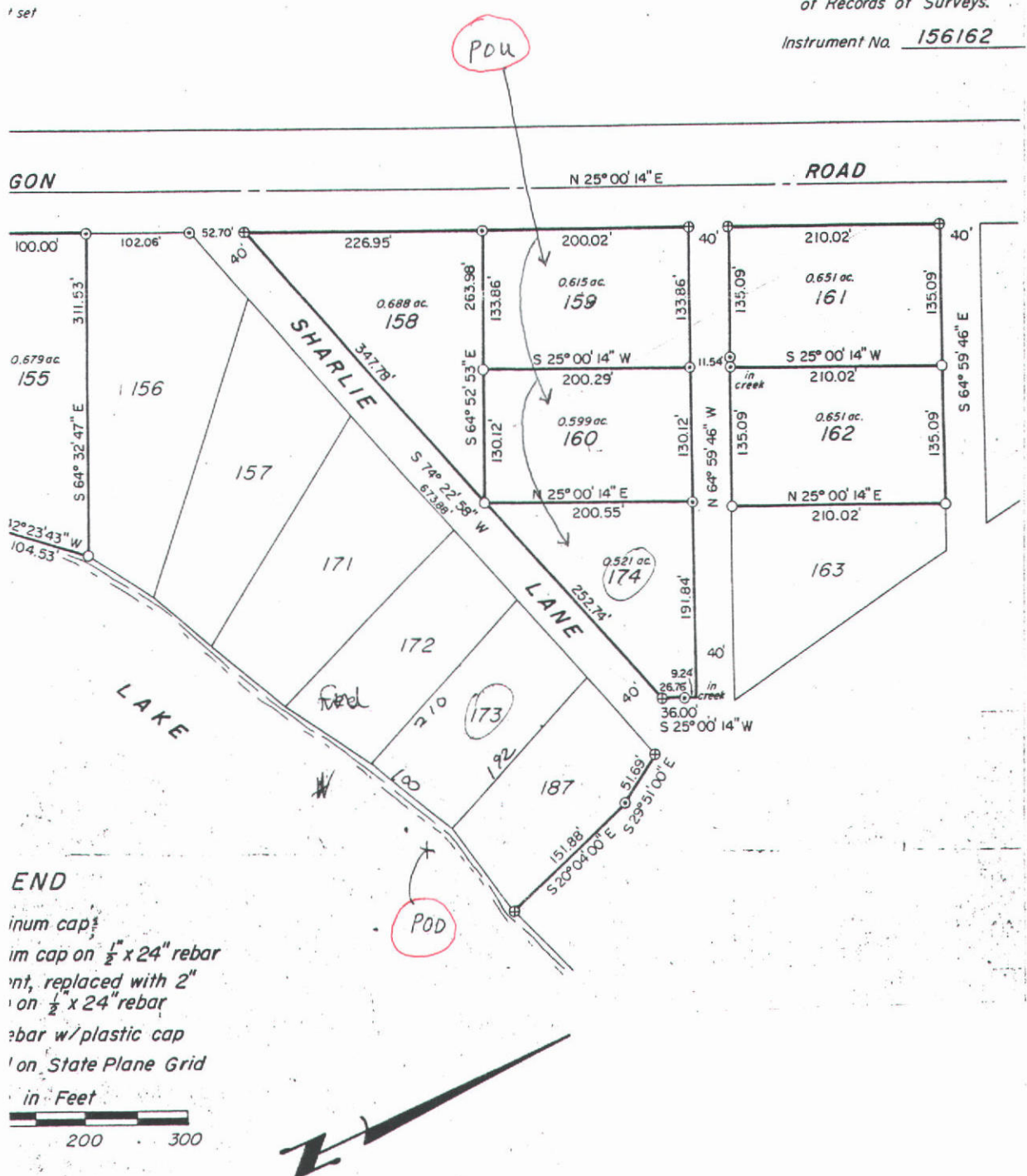
LOT 4

P/u

P/d

MICROFILMED
 DEC 23 1996
 65-13683



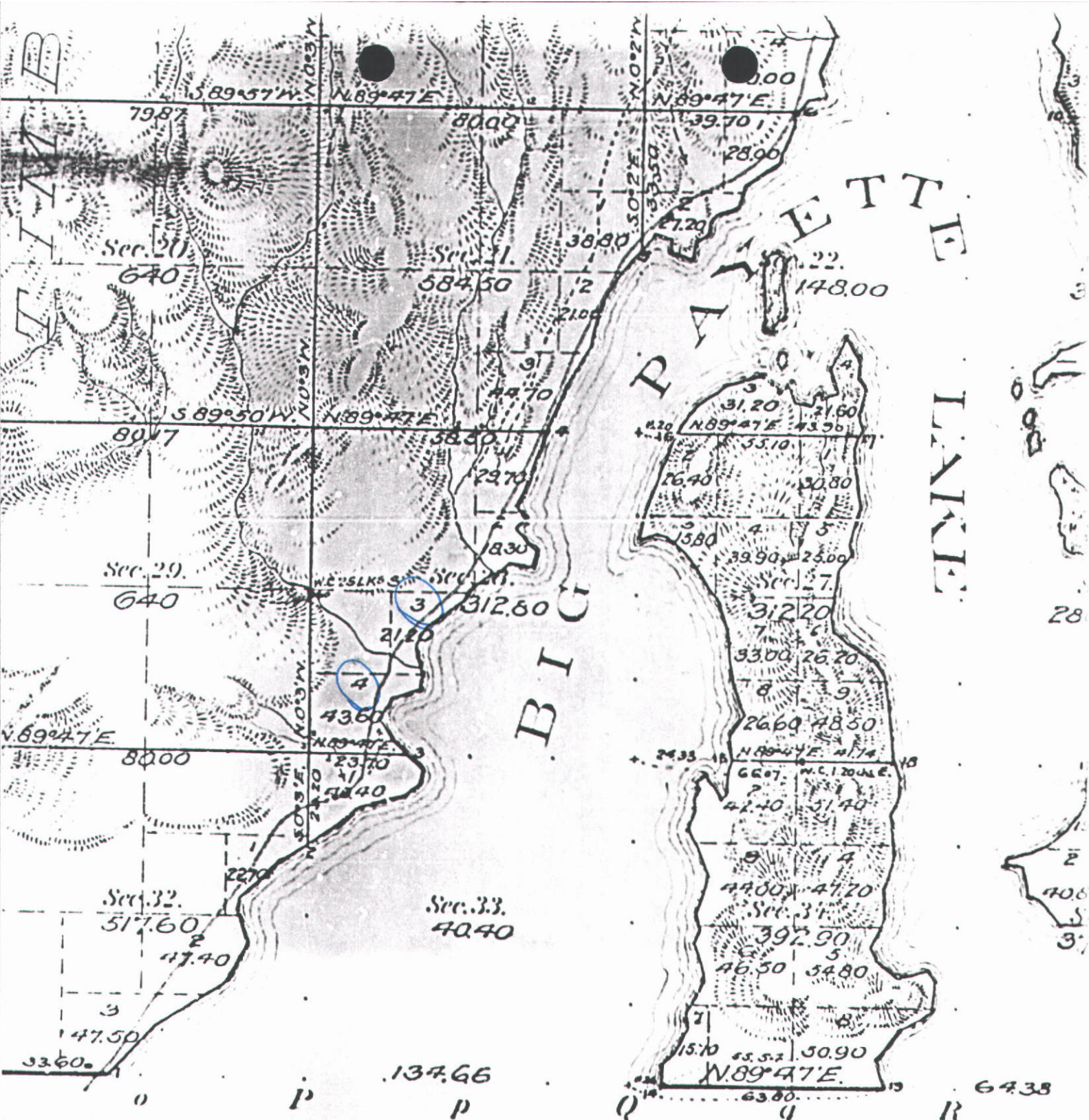


END

innum cap:
im cap on $\frac{1}{2} \times 24''$ rebar
nt, replaced with 2"
on $\frac{1}{2} \times 24''$ rebar
ebar w/plastic cap
on State Plane Grid
in Feet

MICROFILMED
DEC 23 1996

65-13683



Public Land 19062024 Total number of Acres 23140.57

Date of Contract	Amount of Survey M. Ch. Lk.	When Surveyed	Mean Declination
2 May 19 1884	12 01 95	Aug 14-22, 1894	
"	10 53 26	Aug 24-Sept 7, 1894	18° 44' N.
"	17 44 00	"	"
"	5 00 00	Aug 18-20, 1894	"
June 14, 1880	6 01 77	Sept 10-10, 1880	"

MICROFILMED
DEC 23 1956
65.13683

The
130
meters
130

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 65-13683) ORDER OF
)
IN THE NAME OF IDAHO DEPARTMENT OF LANDS) REINSTATEMENT
)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted to the Department on or before November 1, 1997; and,

WHEREAS, the Department notified the permit holder on August 31, 1997, by certified mail that proof of beneficial use was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, the Department mailed the permit holder a lapse notice on November 17, 1997, since an acceptable proof of beneficial use or extension of time request had not been received; and,

WHEREAS, Section 42-218a, Idaho Code, provides that the Department may reinstate a permit upon a showing of reasonable cause by the permit holder within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting an acceptable proof of beneficial use on November 28, 1997;

IT IS, THEREFORE, HEREBY ORDERED that Permit No.65-13683 is **REINSTATED** with an advance in priority to **August 6, 1996**.

DATED this 22 day of January, 1998.

L. Glen Saxton
MICROFILMED
L. GLEN SAXTON, Chief
Water Allocation Bureau
FEB 13 1998

FOR OFFICE USE ONLY
 Amt. of Fee \$: 50.00
 Receipt No. C046760
 Receipt By: ju
 Date Received: 11-28-97

RECEIVED

NOV 28 1997

Department of Water Resources,

1. Permit No. 65-13683 Telephone No. (208) 634-7125
(Tim Duffner)
2. Name(s) of Permit Holder(s): State of Idaho, Department of Lands (IDL McCall)
3. Mailing Address: Statehouse, Boise, ID 83720-0050
4. Source of Water: Big Payette Lake If GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____
a. Well Driller: _____ Drilling Permit Number: _____ - _____ - _____
b. OPTIONAL:
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____
5. Use(s) (as authorized by the water right permit):

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

Irrigation (No. of acres): 1.7 Other: Lots 159, 160, 174 Payette Lakes Cottage Sites
6. Total rate of diversion and/or volume for which proof is submitted: 0.04 cfs OR _____ acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
- Measuring Device: Is a measuring device required? Yes _____ or No X
Has the measuring device been installed? Yes _____ or No _____
- Flow Measurement Port: Is a flow measurement port required? Yes _____ or No X
Has the measurement port been installed? Yes _____ or No _____
8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Cutler Umbach Telephone Number: (208) 634-5818

Address: P.O. Box 172, McCall, ID 83638
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

SHELDON, W. KEAFER, Area Supervisor

Signature of permit holder: Sheldon W. Rieker MICROFILMED 11/25/97
(include your title, if on behalf of company or organization)

MICROFILMED 11/25/97

FEB 13 1998

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 65-13683

Proposed Priority: July 10, 1996

Maximum Diversion Rate:

0.04 CFS

This is to certify, that **STATE OF IDAHO**

DEPT OF LANDS

STATEHOUSE

BOISE ID 83720-0050

has applied for a permit to appropriate water from:

BIG PAYETTE LAKE

tributary of **PAYETTE RIVER, NORTH FORK**

and a permit is **APPROVED** for development of water as follows:

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

IRRIGATION

04/15 to 10/15

0.04 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 4(SESW), Sec. 28, Township 19N, Range 03E
VALLEY County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
19N	03E	28	Lot 3(NESW)	0.7	NWSW	0.6	Lot 4(SWSW)	0.1	
			Lot 4(SESW)	0.3					1.7

Total number of acres irrigated: 1.7

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **November 1, 1997**.
2. Subject to all prior water rights.
3. Use of water under this right is subject to control by the watermaster of State Water District No. 65.
4. A lockable device, subject to the approval of the Department, shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion prior to diversion of water under this right.
5. When water is not available to fill this right, the right holder shall cease diversion or shall rent water from the Payette River Rental Pool.
6. The availability of water for this right is subject to all prior water rights of Lake Reservoir Co.
7. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
8. Point of diversion is located within Lot 173, Payette Lake Cottage Sites.
9. Places of use are located within Lots 159, 160, & 174, Payette Lake Cottage Sites.

MICROFILMED
JUL 23 1996

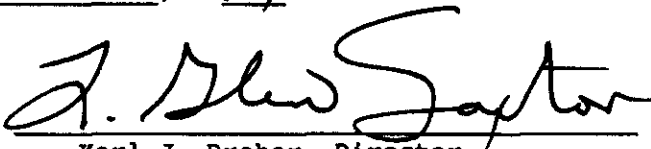
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 65-13683

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

13 th day of November, 1996


for Karl J. Dreher, Director

MICROFILMED
DEC 21 1996

WATER RIGHT SUMMARY

<u>ACTION</u>	<u>RIGHT NO.</u>	<u>NAME</u>	<u>AMOUNT CFS</u>
Original Application	65-13683	Christopher Umbach Andrea Umbach-Tevlin Cutler Umbach Nancy E Umbach	0.04
Full Assignment	65-13683	State of Idaho Dept of Lands	0.04

MICROFILMED

DEC 23 1999

11/13/96

State of Idaho
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 02 1996

WATER RESOURCES
WESTERN REGION

ASSIGNMENT OF APPLICATION FOR PERMIT

To change the ownership of an application for permit

I, Cutler Umbach, hereby assign to State of Idaho, Dept. of Lands
(Applicant)
 of 555 Deinhard Lane, McCall, Idaho 83638
(Full Address)

All my right, title, and interest in and to Application for Permit **RECEIVED**
 No. 65-13683 to appropriate the public waters of the State of Idaho.

NOV 01 1996

OR (for partial assignments)

Department of Water Resources

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

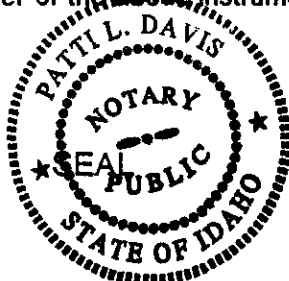
Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,
 point of diversion location, and the amount of water in cubic feet per second.

Made this _____ day of _____, 1996.

Cutler Umbach
 CUTLER UMBACH Applicant(s)

State of Idaho)
) ss
 County of Valley)

On this 1st day of OCTOBER, 1996, personally appeared before me the
 signer of the above instrument, duly acknowledged to me that he/she/they executed the same.



Patti L. Davis

Notary Public

Patti L. Davis

Signature

My commission expires: 2/22/2000

MICROFILMED

DEC 31 1996

W021570 AB \$25- 10-2-96

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

- | | | |
|----------|-------------------------------|--------------|
| 1. Name: | CHRISTOPHER UMBACH | 208-634-5818 |
| Address: | PO BOX AN
MC CALL ID 83638 | |
| Name: | ANDREA UMBACH TEVLIN | 208-634-5818 |
| Address: | PO BOX AN
MC CALL ID 83638 | |
| Name: | NANCY UMBACH | 208-634-5818 |
| Address: | PO BOX AN
MC CALL ID 83638 | |
| Name: | CUTLER UMBACH | 208-634-5818 |
| Address: | PO BOX AN
MCCALL ID 83638 | |
- D'BASE
CORRECTION
PER ASSIGNMENT
- JL 10/3/96
STATE OF ID
DEPT OF LANDS
etc.

2. Source: BIG PAYETTE LAKE Trib. to: PAYETTE RIVER, NORTH FORK
3. Location of Point of Diversion: Lot 4 (SESW), Sec. 28, Township 19N, Range 03E
VALLEY County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	04/15	10/15	0.040		

5. Total quantity to be appropriated is:
0.040 CFS (and/or) AF

6. Proposed diverting works:
- Description of ditches, flumes, pumps, headgates, etc.
PUMP
 - 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.
 - Proposed well diameter is inches; proposed depth of well is
feet.
 - Is groundwater with a temperature greater than 85F being sought? NO
 - If well is already drilled, when?
Drilling Firm
Well was drilled for

MICROFILMED

NOV 2 1966

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 year(s).

8. Place of Use: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
19N	03E	28	Lot 3 (NESW)	00.7		NWSW	00.6	Lot 4 (SWSW)	00.1
			Lot 4 (SESW)	00.3					1.7

Total number of acres irrigated: 1.7

9. a. Who owns the property at the point of diversion?

APPLICANT

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

STATE OF IDAHO

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

APPLICANTS ARE LESSEES

10. Remarks:

11. Map of proposed point of diversion and place of use attached? []

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.

Applicant

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ 50.00 Receipted by _____ #W021178 Date 7/10/1996

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

MICROFILMED
DEC 23 1976

Ident. No. 65-13683

Comments: Date: 8/ 7/1996 User-ID: CHODGES

Subject: APPLICATION INFO

System will be an expansion of 65-12990, using same P/D.
POU aka Lots 159, 160 and 174, Payette Lakes Cottage Sites.
65-12990 is for Lot 173. Applicants lease lots from State of
Idaho.

MICROFILMED

DEC 7 1976

RECEIVED

JUL 10 1996

Form 202
10/92

WATER RESOURCES
WESTERN REGION

Ident No 65-13683

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Christopher Umbach, Andrea Umbach-Tevlin, Cutler and/or Nancy E. Umbach Phone 208-634-5818
Post office address P.O. Box AN McCall, ID 83638
2. Source of water supply Big Payette Lake which is a tributary of North Fork Payette River
3. Location of point of diversion is _____ 1/4 of SE 1/4 of SW 1/4, Govt. Lot 4
Sec. 28 Township 19N Range 03E B.M. Valley County; additional
points of diversion if any. POD is same as POD for 65-12990
4. Water will be used for the following purposes.
Amount .04 cfs for Irrigation purposes from 04/15 to 10/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .04 cfs and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 60 ft. of 1 1/2" pipe from high water mark of lake into lake; drawn by pump direct to application - no storage (diverting works are same as 65-12990, with extension onto Payette Lakes Cottage Sites, Lots 174, 160 and 159).
b. Height of storage dam n/a feet; active reservoir capacity n/a acre-feet; total reservoir capacity n/a acre-feet; period of year when water will be diverted to storage. n/a to n/a inclusive.
c. Proposed well diameter is n/a inches, proposed depth of well is n/a feet
d. Is ground water with a temperature of greater than 85°F being sought? n/a
e. If well is already drilled, when? n/a; Drilling firm n/a
Well was drilled for (well owner) n/a
7. Time required for the completion of the works and application of the water to be proposed beneficial use is one years (minimum 1 year).

MICROFILMED

DEC 2 2 1995

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 _____

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	
19N	03E	28		GOVERNMENT LOT 4									.3						.3
				GOVERNMENT LOT 3						.7									.7
											.6								.6
				GOVERNMENT LOT 4								.1							.1

Total number of acres to be irrigated 1.7

10 Describe any other water rights used for the same purposes as described above n/a

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

b Who owns the land to be irrigated or place of use? State of Idaho

c If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Applicants are lessees under State Cottage Site Leases R-5356-4 (Lot 159), R-5339-0 (Lot 160) & R-5347-0 (Lot 174).

12 Remarks The intent of this application is to obtain a water right for irrigation of Payette Lakes Cottage Sites, Lots 159, 160 and 174, as shown on Instrument No. 156162 recorded in Valley County, Idaho (copy of pertinent part attached).

MICROFILMED

DEC 23 1996

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

SEE TWO ATTACHED PLAT MAPS

MICROFILMED

DEC 23 1996

Scale 2 inches equal 1 mile

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

Christopher Umbach, Andrea Umbach-Tevlin, Cutler Umbach and Nancy E. Umbach

Received by DB Date 7-10-96 Time 12:00pm Preliminary check by _____
Fee \$ 50- Receipted by DB # W021178 Date 7-10-96
Publication prepared by AT Date 8-7-96 Published in Star News
Publication approved AT Date 9-18-96

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:

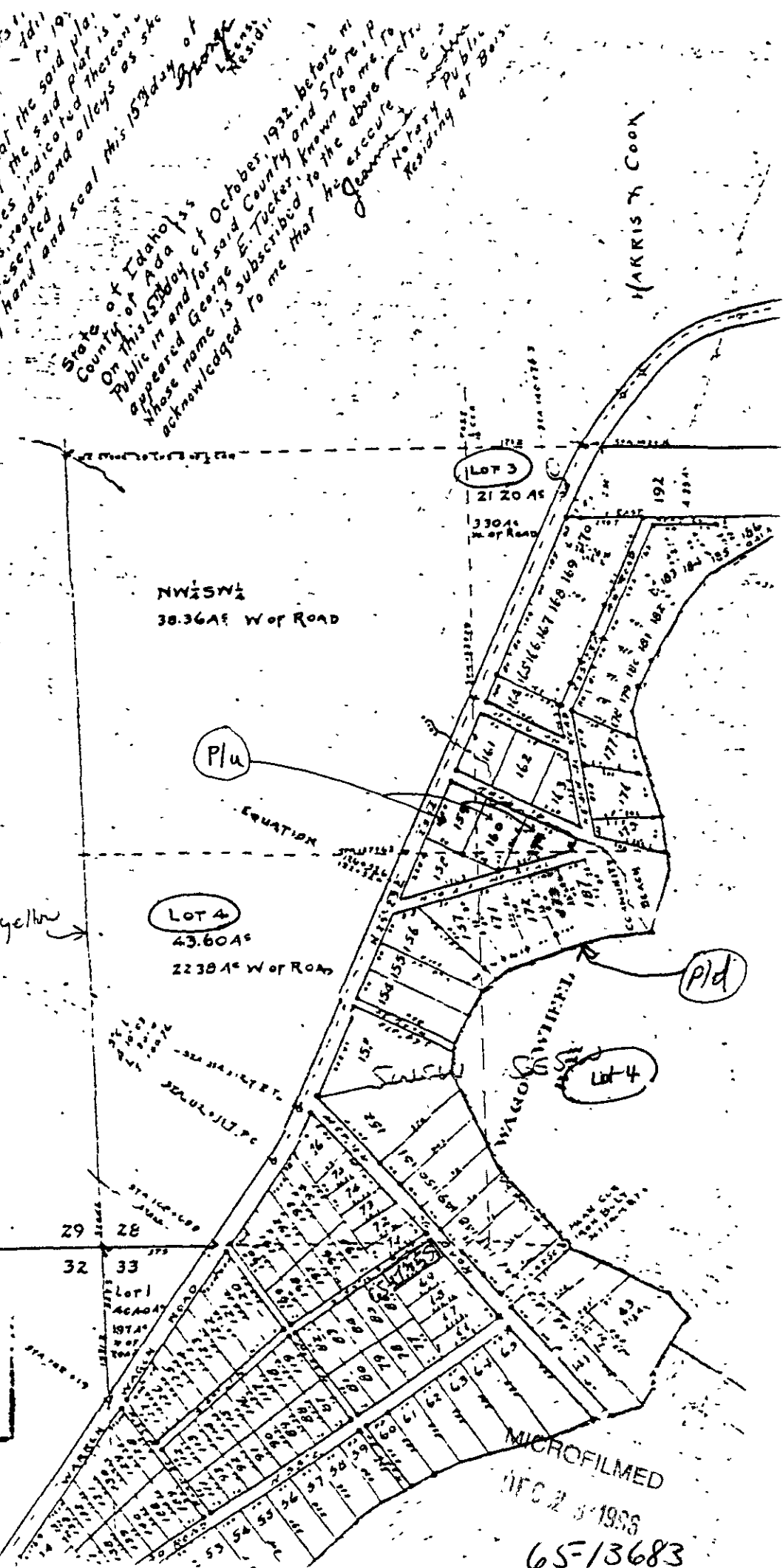
MICROFILMED

DEC 23 1996

19
 Tucker
 following is a
 Coffage Sites
 east boundary of the
 the Payette Lakes
 and the NE 1/4 Sec 32, Lot
 of Ownership and Deed of
 the original plat of Payette
 Book 2, page 282. Miscellaneous
 Idaho, at July 19, 1924, was made
 changes to wit: Re survey and
 53 and 54, Lots 153 to 164, inc.
 (88 to 191, inc. being eliminated)
 66 to 73, inc. 117 to 120, inc.
 And I further certify that the said plat
 actual survey and distances indicated thereon
 that all the streets, roads, and alleys as the
 down and represented
 Witness my hand and seal this 15th day of
 State of Idaho
 County of Ada
 Public in and for said County and State, I
 appeared George E. Tucker, known to me, to
 whose name is subscribed to the above plat,
 acknowledged to me that he executed the same
 as his free act and deed.
 Notary Public
 Residing at Boise

Amended Plat
 Payette Lakes
 Cottage Sites
 T19N R3E S. 28 G. Lot 4
 Valley County, Idaho

Scale
 1" = 300'



HARRIS & COON

MICROFILMED

SEP 06 1989

NE 1/4 NE 1/4
35.13 AC W OF ROAD

MICROFILMED

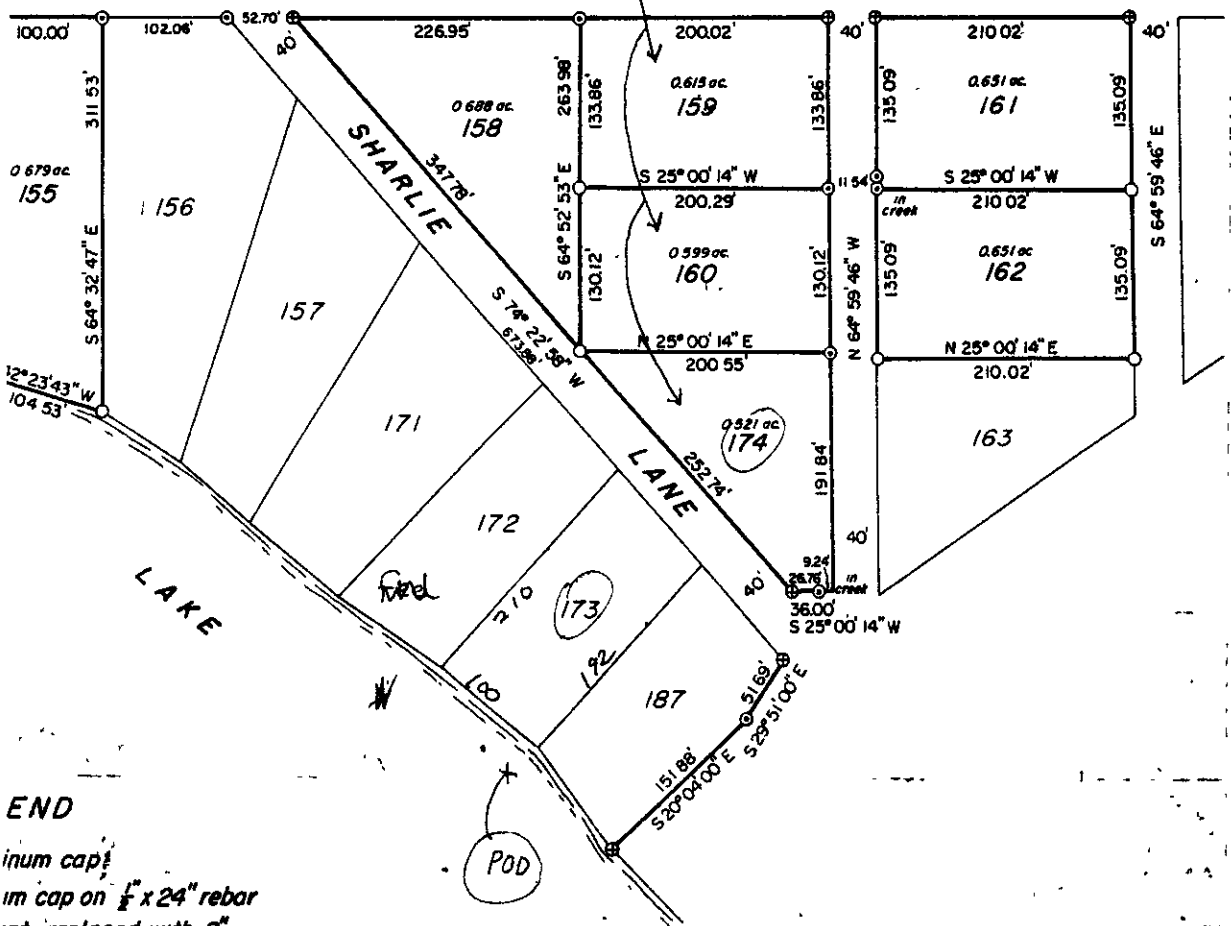
DEC 2 1988

65-13683

GON

N 25° 00' 14" E

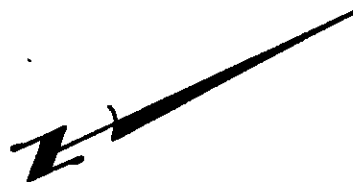
ROAD



END

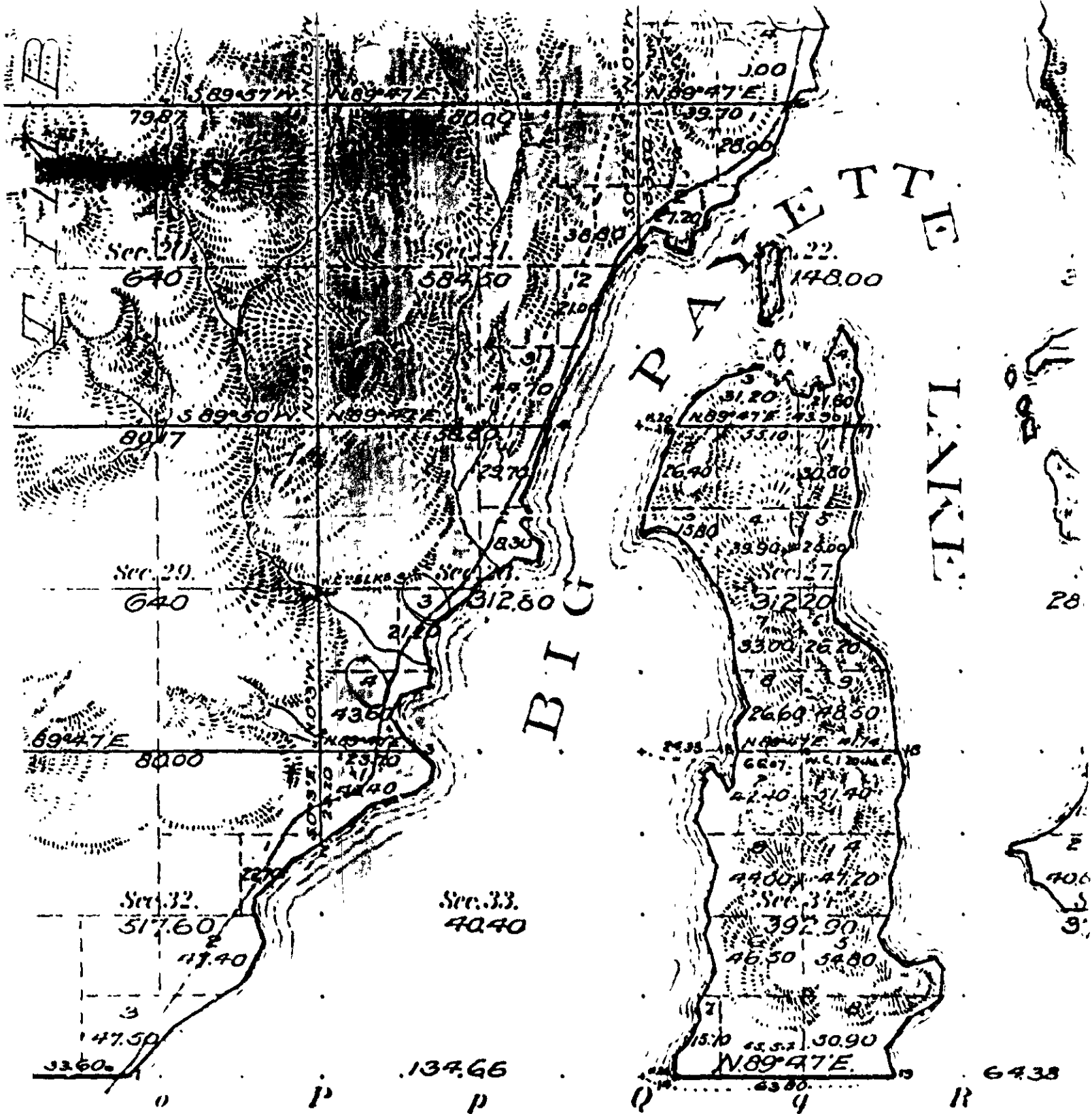
inum cap:
im cap on $\frac{1}{2}$ " x 24" rebar
nt, replaced with 2"
on $\frac{1}{2}$ " x 24" rebar
ebar w/plastic cap
on State Plane Grid
in Feet

200 300



MICROFILMED
DEC 23 1963

65-13683



Area: 237.60 Acres. Total number of acres 237.60.

Date of Contract	Amount of Survey M. C. L.	When Surveyed	Mean Elevation	Th. 130
May 19 1880	12 01 35	Aug 14 22 1880	130	130
"	12 03 26	Aug 23 27 1880	130	130
"	12 04 00	"	"	"
"	5 00 00	Aug 18 20 1880	"	"
June 14 1880	6 02 27	Sept 6 10 1880	"	130

MICROFILMED
SEC 13683

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 65-13683 Reviewed by [Signature] Date 12-98

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
no Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

☒ Surface water source
☐ Ground water source
☐ Drilling permit required?
☐ Copy in the file? Drilling Permit No. _____
☐ Amount paid for permit _____ Correct?
☐ Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
50- Amount Submitted
yes Correct?
no Required?
 Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received 11-28-97
Date proof due 11-1-97 -
No. of days late 27 = 27
Priority Date 7-10-96 + 191
New Priority Date 8-6-96 218
y 8-6-96

DEFICIENCIES OR ACTION ITEMS

Runstate & advance priority to aug 6, 1996.
Proof acceptable

DATA ENTRY

New Address [Signature] Proof Made 11-28-97



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 2, 1998

State of Idaho
Department of Lands
PO Box 83720
Boise ID 83720-0050

PROOF ACKNOWLEDGMENT LETTER

RE: Permit No. 65-13683

Dear Permit Holder:

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

Enclosed is an order reinstating the permit since proof was submitted after the proof due date. Note that the priority date has been advanced to August 6, 1996, as provided in Section 42-218a.2, Idaho Code.

Please be advised that Section 42-248, Idaho Code, requires you or the owner of this water right 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.

The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water. If you have questions concerning the field examination, you may contact the Western Regional Office of the department in Boise at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

Enclosure

c: IDWR - Region

MICROFILMED

FEB 13 1998

Speed Letter

RECEIVED

NOV 28 1997

TO: Julie L. Karbrough
Idaho Dept of Water Resources
1301 N Ordway
P.O. Box 83720
Boise, Id 83720-0098

FROM: Tim Duffner
ID L - McGee
Department of Water Resources

Subject Proof of Beneficial Use 65-83638

MESSAGE

Attached are the completed forms in the name of
the state of Idaho and \$50 fee from our lessee.

The property are 3 cottage site lots leased from
the state the members of the Umbach Family in
leases R-5356 - Lot 159 If any other info is needed

R-5339 - Lot 160 please let me know. Thank you for
your help.

R-5347 - Lot 174

Date 11-25-97

Signed

TD

REPLY

MICROFILMED
FEB 1

Date

Signed

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

November 17, 1997

STATE OF IDAHO
DEPT OF LANDS
STATEHOUSE
BOISE ID 837200050

LAPSE NOTICE

RE: PERMIT NO. 65-13683

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated August 31, 1997. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING
MICROFILMED
FEB 13 1998
I hereby certify that on 11/18/97
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.
[Signature]

August 31, 1997

STATE OF IDAHO
DEPT OF LANDS
STATEHOUSE
BOISE ID 837200050

PROOF DUE NOTICE

RE: PERMIT NO. 65-13683

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before November 1, 1997. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

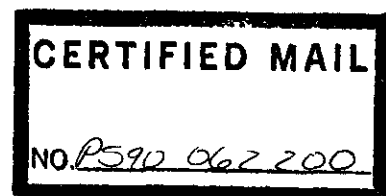
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures



MICROFILMED
FEB 13 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

August 27, 1997

Christopher Umbach
Andrea Umbach-Tevlin
Cutter and Nancy Umbach
PO Box 172
McCall ID 83638

RE: Water Right No. 65-13683

Dear Applicants:

On June 20, 1997, I sent you a letter explaining that the department could not accept the Proof of Beneficial Use Statement you filed, since you are not listed as the permit holders of record. To date, you have not responded to my letter. Therefore, I am returning the proof statement and I have initiated the process to refund the \$50.00 examination fee submitted with the proof. You should receive the refund within seven (7) to ten (10) business days under separate cover.

If you have any questions regarding this matter, please contact me at (208)327-7953.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

C: IDWR - Region
Mary McCulley - Fiscal

MICROFILMED

FEB 13 1998

FOR OFFICE USE ONLY
 Amt. of Fee \$: 50.00
 Receipt No. CO 38997
 Receipt By: SW
 Date Received: 5-14-97

STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF BENEFICIAL USE MAY 14 1997

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

1. Permit No. 65-13683 Telephone No. 208-634-5818

2. Name(s) of Permit Holder(s): Christopher Umbach, Andrea Umbach-Teulin, Cutler and/or Nancy Umbach

3. Mailing Address: PO Box 172

4. Source of Water: Big Payette Land GROUNDWATER (well), Date Drilled: mo. ____ / yr. ____

a. Well Driller: _____ Drilling Permit Number: ____ - ____ - ____

b. **OPTIONAL:**
 Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

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

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

Irrigation (No. of acres): 1.7 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 0.04 cfs OR _____ acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes ____ or No X
 Has the measuring device been installed? Yes ____ or No ____

Flow Measurement Port: Is a flow measurement port required? Yes ____ or No X
 Has the measurement port been installed? Yes ____ or No ____

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Cutler Umbach Telephone Number: 208-634-5818

Address: PO Box 172

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

Signature of permit holder: Cutler Umbach Date: 5/6/97
 (include your title, if on behalf of company or organization)

MICROFILMED

FEB 13 1998

COPY



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

June 20, 1997

Christopher Umbach
Andrea Umbach-Tevlin
Cutter and Nancy Umbach
P.O. Box 172
McCall, ID 83638

RE: Permit No. 65-13683

Dear Applicants:

The department received the Proof of Beneficial Use Statement and \$50.00 license exam fee you submitted in connection with the above referenced permit.

The department cannot accept the proof as filed since the Department of Lands is listed as the current permit holder. You will either need to submit documentation showing that you have claim to the property being irrigated, or have the Department of lands submit the proof in their name.

Please provide the department with the requested information within **30 days**. If I have not received the information within 30 days, I will refund your \$50.00 license examination fee and return the proof to you.

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

MICROFILMED

FEB 11 1998



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

November 13, 1996

PHILIP E. BATT
GOVERNOR

STATE OF IDAHO/DEPT OF LANDS
STATEHOUSE
BOISE ID 83720-0050

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13683

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "Conditions of Approval and Remarks" listing on the permit.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit 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.

Be sure to note the special condition requiring you to install a lockable device that will provide the watermaster control on your diversion.

Please be advised that there is insufficient natural flow available from the source identified on your permit to provide water throughout the entire season. You may want to arrange for a supplemental supply from a different source.

Also, 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 to the department. If you have acquired a water right or have changed your mailing address PRIOR TO July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address AFTER July 1, 1996, you must notify 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 to obtain the proper reporting form.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

MICROFILMED
NOV 23 1996

**APPLICATION FOR PERMIT
STATE OFFICE REVIEW**
by Cindy Zimmerman

No.: 65-13683 Name: Umbach Date: 11/12/96 Ad OK? ✓ Gvmt Lts: ✓

AREA OF CONCERN?

- No/Yes _____ Mor _____ GWMA Trust/Non-trust

PROTESTED:

- 020 (Protest Agr) or W19 (See Final/Prelim Order)

SYSTEM COMPLETED:

Yes/proof filed

- NA

1 year/no proof

- P16

+1 year

- 26A-P17

GROUNDWATER: <✓ FLO-CH>

+ 0.2 cfs

- 01M

=/- 0.2 cfs

- No MD

=/+ 5 a.

- 01M, 065 (if GW use SW 1st)

DRILLING PERMIT:

Existing well

- NA (pre 7/1/87)

Included w/permit

- Permit No. _____, P99

No WD permit?

- 046-46B-P23 (post 7/1/87)

irr. in WD

- P05 (new well)

SURFACE WATER <✓ FLO-CH> (Surface water that doesn't sink is regulated):

Water District (dam)

- 005 (req) WD # 65 <SEE MAP & LISTING>

+ 0.2 cfs

- 01J (meas dev)-P08

=/- 0.2 cfs

- 01H (lock dev) P01 or No MD

In WD + 0.2 cfs

- 01M or No MD (in-stream)

- 0.2 cfs

- No MD

=/+ 5 a. irr.

- 01M

RIVER BASINS (*Surface water):

Snake R (01)

- 11A-P04, NA

(02/03-irr)

- 007-P07 (w/ remark WB9-- Weiser), NA

Boise River (63)

- 05A (if WD), 11E (not 42-111 use), NA

Payette River (65)

- 064 (regulated uses), 047 P04 (Payette Lake), NA

USE:

Domestic (surface)

- *WB5 (Boise R above Star Bridge); 27A (Payette R); NA

Fish Propagation

- 07A-042 (req)-010/06A/09E (WQ)-P10; 044 (N 1000 Spr)

Irr <POU> =/- 5 a

- 057 (0.03 cfs/A)

+ 5 a

- 03A (0.02 cfs/A)

Mining

- 054 (req) & 06A/010/09E-P10

Power

- 08A-17K-025-027-028-01F(P19)-09E(P10);
+25 cfs-P18; 17G (FERC) or 17M (FERC); 18B-P09

Storage (✓3 compo.)

- 18A (multi MD in WD), 18B-P09 (+10' dam), W07

LOCATION:

42-248 area

- In 20/30/40/50/60/70/80 (87) basin? P84

Boise Front LoGeo

- 058 (-85° GW temp only)

In-stream dev.

- P52 (stream channel alteration)

Irr Dist/Canal Co.

- 023 (Twin Falls area)

Swan Falls Flag

- _____ <SEE CODE CHART>

Trust

- 051-052-053-P74 (Consumptive Uses), NA

Non-Trust <1>

- 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-owner

- 004 (PD/PU) _____

OTHER CONDITIONS:

STANDARD REMARKS:

- 024 / LT 159, 160, 174, Payette Lake Cottage Sites 2 PD/LT 173

BENEFICIAL USE DUE:

- 11-1-1997

COMMENTS:

- _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: cjh DATE: 8.7/96 APPLICATION: 65-13683

REQUIRED INFORMATION

Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
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:
☒ P/D
☒ P/U
RECEIVED
NOV 01 1996

Department of Water Resources

ADDITIONAL INFORMATION

YES NO

☒ ☐ Overlapping place of use: (Describe source & relationship to present application on next page.)
☒ ☐ Overlapping point of diversion.
☐ ☐ Field check required: Field check by: _____
☐ ☐ Field report attached:
☒ ☐ 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)
☐ ☐ 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:
☐ ☐ Power efficiency form:
☐ ☐ 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

DATE REQUESTED _____

ADDITIONAL INFORMATION ON REVERSE SIDE:

PROCESSING

APP. NO. 65.13683

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

☐ ☒ I.D. Health & Welfare
☐ ☒ I.D. District Health
☐ ☒ I.D. Fish & Game
☒ ☐ I.D. Lands
☐ ☒ Adjudication Bureau

YES NO

☐ ☒ U.S. BLM
☐ ☒ U.S. Forest Service
☒ ☐ Water Dist. # 65
☐ ☒ Other _____

ok if WM
control per his
response

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:
☐ ☒ Protests received. Final date for protest 9-3-96
☐ ☒ Protest dates, resolution of protest recorded on application:
☐ ☒ Recommendations attached:
☐ ☒ Measuring device required:
☐ ☒ Measuring port required:
☒ ☐ Water delivered by water master? District # 65
☒ ☐ Special conditions of approval or cover letter: _____

Approved: allow 1 yr. - 004-005-064

☒ See below for additional information

Recommended Date or Priority 7-10-1996Recommended by: RZ Date: 10/29/96STATE OFFICE REVIEW

☐ See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION:

FD overlap w/ 65-12990 same system, different acres (lot 173)
also 65.9685 & 10586, other systems.

PA overlaps are numerous but appear to be other
domestic or small irr systems.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

October 3, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CUTLER UMBACH ET AL
PO BOX AN
MCCALL ID 83638

RE: APPLICATION FOR PERMIT NO. 65-13683

Dear Sir:

The completed assignment form for the above-referenced application was received at this office yesterday. The processing of the application can be completed now that the filing is in the name of State of Idaho, Dept. of Lands.

Thank you for your prompt attention to this matter. If you have any additional questions or concerns, please contact me at your convenience.

Sincerely,

Steve Lester
Deputy Regional Manager

c: Alvin Carr, IDL Boise Office

RECORDED

OCT 10 1996

CONVERSATION MEMORANDUM

DATE 9/18/96FILE 65-13683NAME OF PARTY Alvin Cam IDL 334-0260EMPLOYEE John LathRE: REQUESTS HELP RE Assignment

PER lease, applicant must show w.r. appl. in
name of St. of Idaho (see ltr 8/16/96 letter).

Asked if IDMR would contact applicants to
assist in this.

✓ Region will do that i will cc IDL ATTN.
A. Cam when response received.

✓ Will not forward appl. to ID until
assignment executed.

Contact.

Patricia Brian McMans etc

634.7641

9/24/96

✓ Sent assignment form to her

Patricia Davis

40 MPM

PO Box 1066

McCall

MICROFILMED

DEC 23 1996

-52

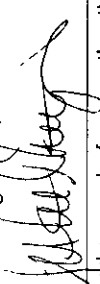
Publisher's Affidavit of Publication

STATE OF IDAHO

} .ss

County of Valley

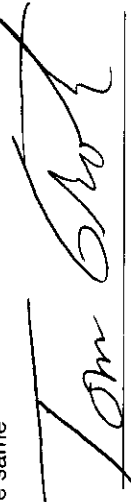
I, Leslie S. Freyer, being duly sworn and say, I am the receptionist of The Central Idaho Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho, that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the NOTICE OF APPLICATION FOR WATER RIGHT, 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 August 15, 1996 and ended August 22, 1996


Subscribed and sworn before me this 23rd day of August, 1996

STATE OF IDAHO

COUNTY OF VALLEY

On this 23rd day of August, in the year of 1996, before me, a Notary Public, personally appeared Leslie S. Freyer, 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 she executed the same



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

NOTICE OF APPLICATION FOR WATER RIGHT

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

65-13683

UMBACH, CHRISTOPHER

UMBACH, CUTLER

UMBACH, NANCY

UMBACH

UMBACH-TEVLIN, ANDREA

PO BOX AN

MCCALL, ID 83638

Source: BIG PAYETTE LAKE

Diversion Pt. LOT 4

Use IRRIGATION

Total Diversion:

Date Filed: 7/10/1996

In: VALLEY County

T19N R03E S28 Lot 3(NESW)

1.7 ACRES TOTAL

NWSW Lot 4(SWSW) Lot 4(SESW)

Tributary: PAYETTE RIVER, NORTH FORK
Sec 28 T 19N R 03E in VALLEY County.
(0.040 CFS)
(0.040 CFS)
Permits will be subject to all prior water rights. Protests may be submitted 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, Idaho 83705 together with a protest fee of \$25.00 on or before SEPTEMBER 3, 1996. The protestant must also send a copy of the protest to the applicant
KARL J. DREHER, Director 268722

RECEIVED
SEP 06 1996
WATER RESOURCES
WESTERN REGION



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

September 9, 1996

ALVIN E CARR
ID DEPT OF LANDS
PO BOX 83720
BOISE ID 83720-0050

Re: Application for Water Right Permit #65-13683

Dear Mr. Carr:

In order to put an application in another name an assignment is needed. The applicant can assign the application to Idaho Department of Lands with the enclosed form. The fee is \$25.00.

Please contact this office if any more information is needed.

Sincerely,

A handwritten signature in cursive script that reads "Steve Lester".

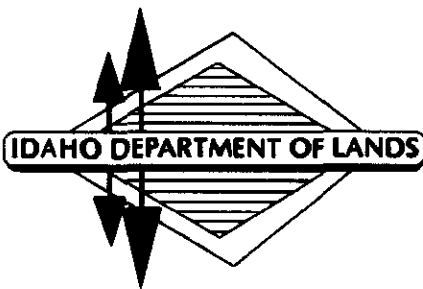
Steve Lester
Deputy Regional Manager

SL/st

Encl.

CC: Applicant

MICROFILMED
SEP 12 1996



IDAHO DEPARTMENT OF LANDS

954 W. Jefferson St., PO Box 83720
Boise, Idaho 83720-0050
Phone (208) 334-0200 Fax (208) 334-2339

STANLEY F. HAMILTON - DIRECTOR

RECEIVED

AUG 20 1996

WATER RESOURCES
WESTERN REGION

BOARD OF LAND
COMMISSIONERS

PHILIP E. BATT
Governor

PETE T. CENARRUSA
Secretary of State

ALAN G. LANCE
Attorney General

J.D. WILLIAMS
State Controller

ANNE C. FOX
Sup't of Public
Instruction

August 16, 1996

SL
SL
Stan Lester
Deputy Regional Manager
Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

Re: Application for Permit No. 65-13683

Dear Stan,

This office is not opposed to issuance of a permit. However, the water rights shall be in the name of the State of Idaho. Attached is a copy of State of Idaho Cottage Site Lease Attachment A.

Items 11 and 12 of the Department of Water Resources Application for Permit identify the land ownership and the leased lots.

If you have any questions, please contact me at this office. The telephone number is 334-0260.

Sincerely,

Alvin E. Carr
Leasing Specialist

AC:lf

cc: Tim Duffner

enclosures

MICROFILMED
DEC 23 1996

KEEP IDAHO GREEN
PREVENT WILDFIRE

EQUAL OPPORTUNITY EMPLOYER

STATE OF IDAHO
COTTAGE SITE LEASE

RECEIVED

AUG 20 1996

WATER RESOURCES
WESTERN REGION

ATTACHMENT A

1. **ANNUAL RENT SUBJECT TO CHANGE.**

LESSOR has the right to raise or lower the annual rent to be paid by LESSEE, as of the beginning of any calendar year hereunder, by providing LESSEE with one hundred eighty (180) days written notification prior to same.

2. **USE AND OCCUPATION.**

The leased premises shall be used for only recreational residential purposes. In no event shall the leased premises be devoted to any commercial use, nor shall any enterprise of a commercial nature be permitted to exist thereon.

3. **SUB-LEASING AND ASSIGNMENT.**

LESSEE shall neither sublease the leased premises nor assign this lease without first having obtained the written consent of LESSOR or its authorized agent.

4. **LANDSCAPING AND REMOVAL OF VEGETATION.**

LESSEE shall neither landscape the leased premises nor remove vegetation, including trees, therefrom without the prior written consent of LESSOR or its authorized agent.

5. **DOMESTIC WATER.**

LESSEE shall be entitled to water for domestic purposes only to the extent that natural springs, streams, lakes, existing wells or water systems serving the leased premises are capable of supplying the same. LESSEE shall neither drill and use a new water well nor develop and use any new source of water without the prior written consent of LESSOR or its authorized agent, plus the prior written consent of any department or agency of the State of Idaho having jurisdiction to regulate water rights in this state. All water rights with respect to the leased premises shall be taken in the name of the State of Idaho. If water is supplied to the leased premises by a water system operated by the State of Idaho, the use of such system and the supply of water provided thereby may be curtailed or terminated upon ten days written notice to LESSEE from LESSOR or its authorized agent. Neither the LESSOR nor its agents and employees nor any entity of the State of Idaho shall be liable in any manner for damage or inconvenience to the LESSEE by reason of failure of, damage to, or termination or curtailment of the operation of any water system or source supplying water to the leased premises.

6. **MAINTENANCE OF PREMISES, SEWAGE, GARBAGE AND LITTER.**

LESSEE shall keep the premises at all times in a clean and sanitary condition, free of trash, garbage and litter, to the end that the premises shall be maintained in as nearly a natural state as possible. LESSEE shall not dispose of sewage except in conformity with the rules and regulations of the State Board of Land Commissioners and the State Board of Health and Welfare, and shall comply with all pertinent state and local sanitation laws and regulations. LESSOR may require LESSEE to furnish a certificate or other satisfactory proof of compliance with such laws and regulations. LESSEE shall not dispose of garbage or trash except in conformity with all pertinent laws and regulations, and at a place designated by LESSOR or its authorized agent.

7. **BURNING PROHIBITED.**

LESSEE shall not burn material of any type or nature outside of a stove or fireplace within an improvement constructed on the leased premises without the prior written consent of LESSOR or its authorized agent.

8. **CONSTRUCTION AND IMPROVEMENTS.**

Without having secured the prior written consent of the LESSOR, plus the prior written consent of any other department or agency of the State of Idaho having jurisdiction under the circumstances, LESSEE or his agents, shall not erect any structure or improvement including roads on the lease premises; shall not place or build any dock, piling, quay, mooring device or boathouse in or on the water frontage, if any, adjacent to the leased premises; shall not place any houseboat in the water, if any, adjacent to the leased premises; and, shall not make any excavations in, fills upon or alterations of any lake or stream bed, if any, adjacent to the leased premises. Any such structures, improvements, docks, pilings, quays, mooring devices, boathouses, houseboats, fills, or alterations, constructed, placed, erected or caused to come into existence without such prior written consent shall be subject to immediate removal by LESSOR or its authorized agent, the cost of such removal or abatement to be charged to LESSEE and to remain a debt of LESSEE to LESSOR until the same is paid; provided, that the failure of LESSOR to remove or abate or to cause removal or abatement of the same shall in no way be deemed a waiver of the LESSOR'S right to remove or abate the same. As used herein, the term "approved improvements" shall mean those improvements as have been erected with the consent of the State Board of Land Commissioners and such other agencies or departments of the State of Idaho as are required to give consent hereunder. As used herein, the term "non-approved improvements" shall mean such improvements as have been erected without the consent of the State Board of Land Commissioners and the consent of such other agencies or departments of the State of Idaho.

9. **CONSTRUCTION STANDARDS SETBACKS.**

Construction standards and setbacks shall be in accordance with adopted local zoning ordinances; provided that if zoning ordinances have not been adopted, no building or structure shall be constructed closer than fifteen (15) feet to any boundary of the leased premises; provided that if the leased premises is a waterfront lot, no building shall be constructed within fifty (50) feet of the waterfront boundary, the setback requirements with respect to the remaining boundaries to be as is hereinabove provided.

10. **INSPECTION BY LESSOR.**

LESSEE shall permit inspection of the leased premises by an authorized agent of the LESSOR at any reasonable time.

**WATER RESOURCES
WESTERN REGION**

MICROFILMED
DEC 23 1966



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

August 8, 1996

MARK LIMBAUGH
102 N MAIN
PAYETTE ID 83661

Re: Application for Permit No. 65-13683 in the Name of Christopher
Umbach, etal

Dear Watermaster:

Enclosed is an application(s) for water right(s) within your
water district. Also enclosed is a form for your
recommendation concerning this application for permit.

Please review the application and return your recommendation
within two weeks. If you have questions or need information,
feel free to contact this office.

Sincerely,

Steve Lester
Deputy Regional Manager

DRT:st

Enclosure: Copy of Application
Recommendation of Watermaster Form

RECORDED

DEC 23 1996



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

August 8, 1996

ID DEPT OF LANDS
BUREAU OF NAVIGABLE WATERS
STATEHOUSE MAIL
BOISE ID 83720

Re: Application for Permit No. 65-13683 in the Name of Christopher Umbach, etal

Dear Sir:

Enclosed is a copy of the above-referenced application for permit which may be of interest to your agency. 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 September 3, 1996.

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

Sincerely,

Steve Lester
Deputy Regional Manager

SL/st

Encl.

MICROFILMED

DEC 21 1996

MILLEMANN, PITTENGER & McMAHAN
ATTORNEYS AT LAW
706 NORTH FIRST
POST OFFICE BOX 1066
MCCALL, IDAHO 83638

RECEIVED
JUL 10 1996
WATER RESOURCES
WESTERN REGION

STEVEN J. MILLEMANN
GREGORY C. PITTENGER
BRIAN L. McMAHAN
AMY N. PEMBERTON *

TELEPHONE (208) 634-7641
FACSIMILE (208) 634-4516

* LICENSED IN WASHINGTON

July 9, 1996

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705

Re: Umbach Application for Permit

Dear Sir/Madam:

Enclosed please find a fully executed Application for Permit prepared on behalf of Christopher Umbach, Andrea Umbach-Tevlin, and Cutler and Nancy E. Umbach. Also enclosed is this firm's check in the amount of \$50.00 representing the appropriate filing fee.

If you have any questions, please do not hesitate to contact this office. Thank you for your assistance.

Sincerely,



BRIAN L. McMAHAN

BLM/pd
cc: Client w/enc.

cottage\letter

MICROFILMED

OCT 21 1996

65-13683

UMBACH, CHRISTOPHER
UMBACH, CUTLER
UMBACH, NANCY
UMBACH
UMBACH-TEVLIN, ANDREA
PO BOX AN
MCCALL, ID 83638

Source: BIG PAYETTE LAKE

Tributary: PAYETTE RIVER, NORTH FORK

Diversion Pt: LOT 4 (SESW) Sec 28 T 19N R 03E in VALLEY County.

Use: IRRIGATION (0.040 CFS)
Total Diversion: (0.040 CFS)

Date Filed: 7/10/1996

In: VALLEY County
T19N R03E S28 Lot 3 (NESW) NWSW Lot 4 (SWSW) Lot 4 (SESW)

1.7 ACRES TOTAL

1400 1000

1400 1000