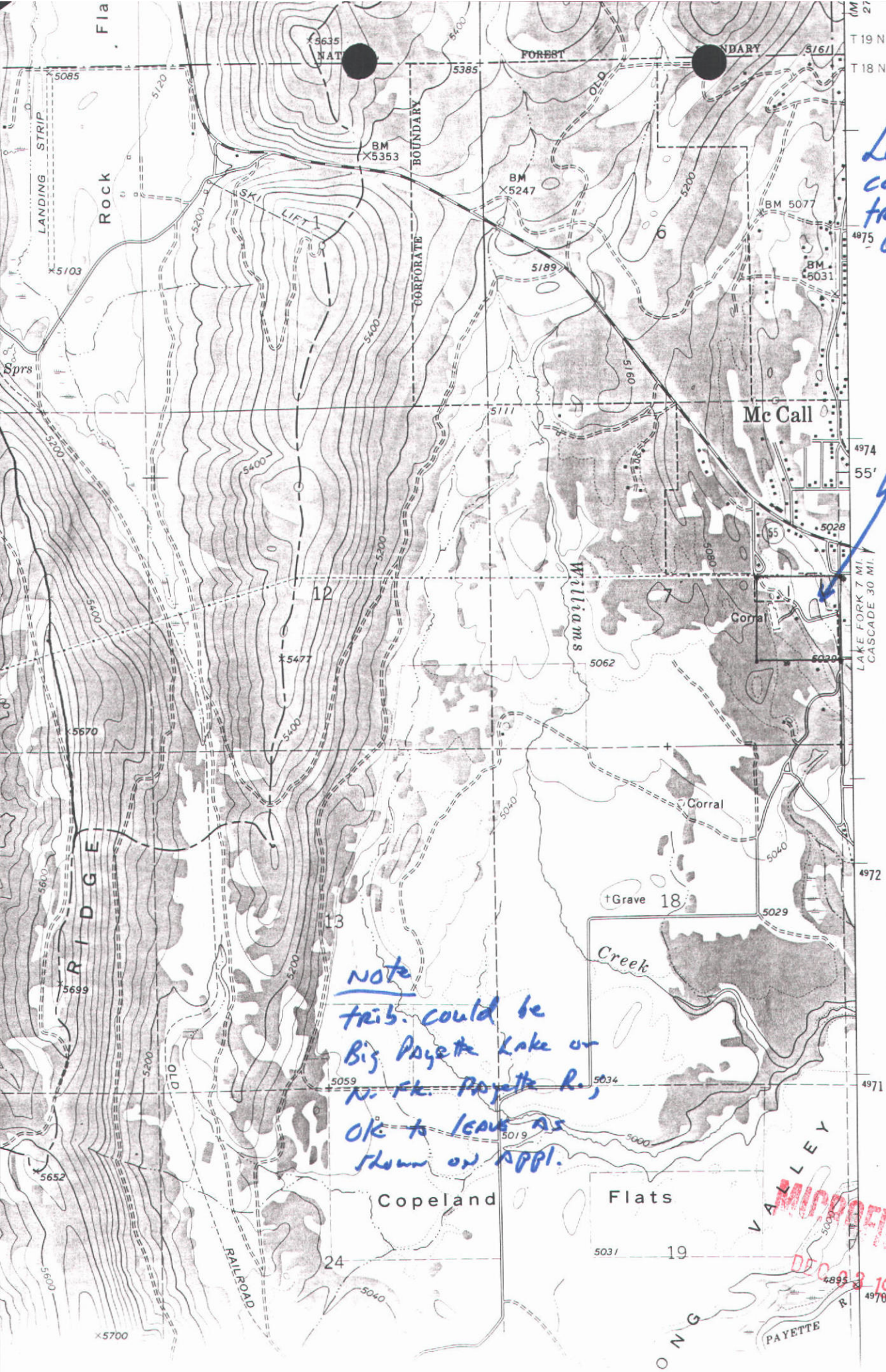




Location confirmed per transfer appl. 65-08209 :

P/O : P/L
"Lake Douglas"

18N
3E
5.7

NO govt. lot in NESE

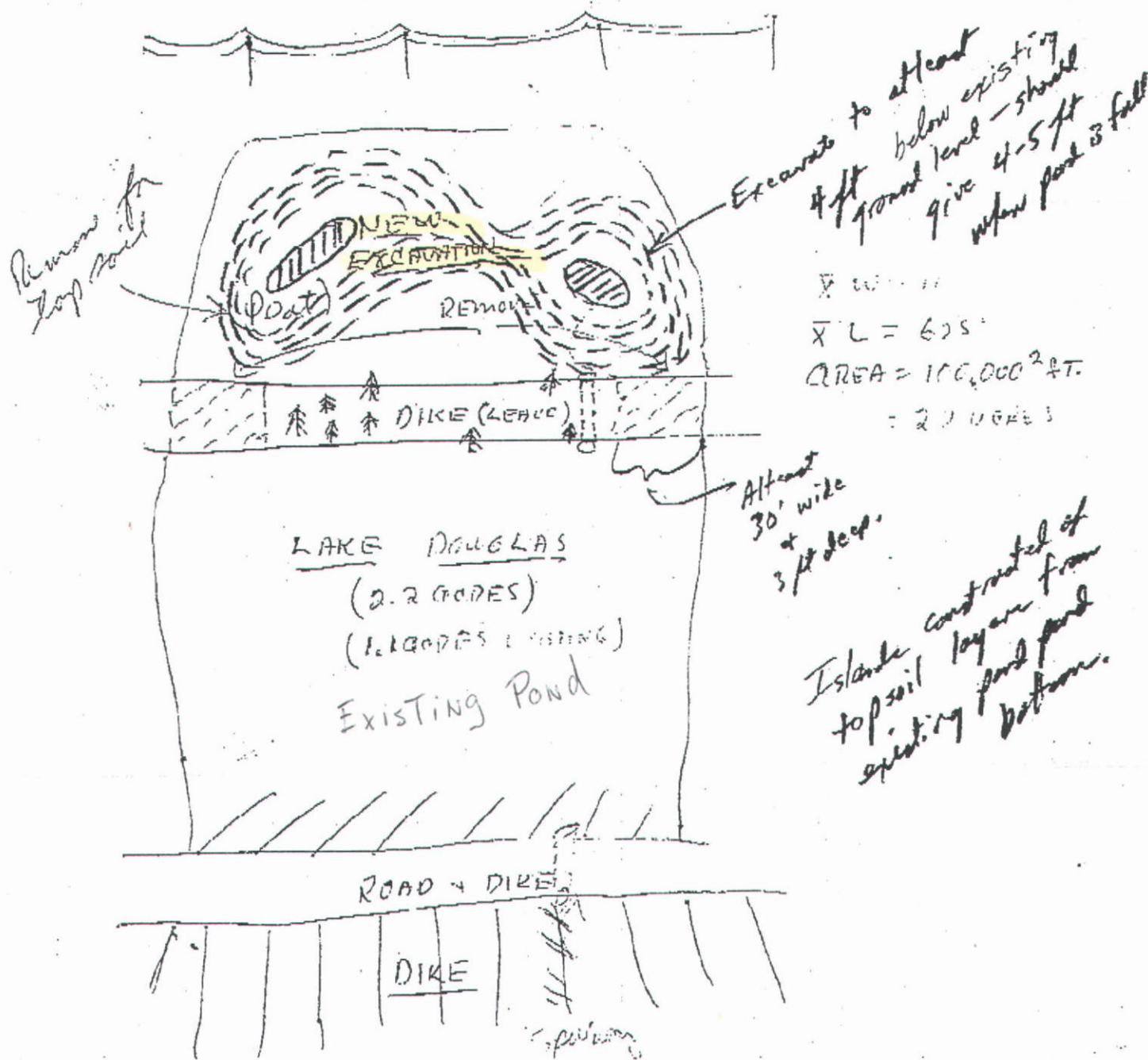
same lake as in 65-07007 and transfer appl. for 65-08209 (well)

Note
trib. could be Big Payette Lake on N. Fk. Payette R., OK to leave as shown on appl.

SL
5/25/93
MICROFILMED
DEC 2 1993
4970000 N.

MANCHESTER FISH & WILDLIFE PROJECT (DRAFT)

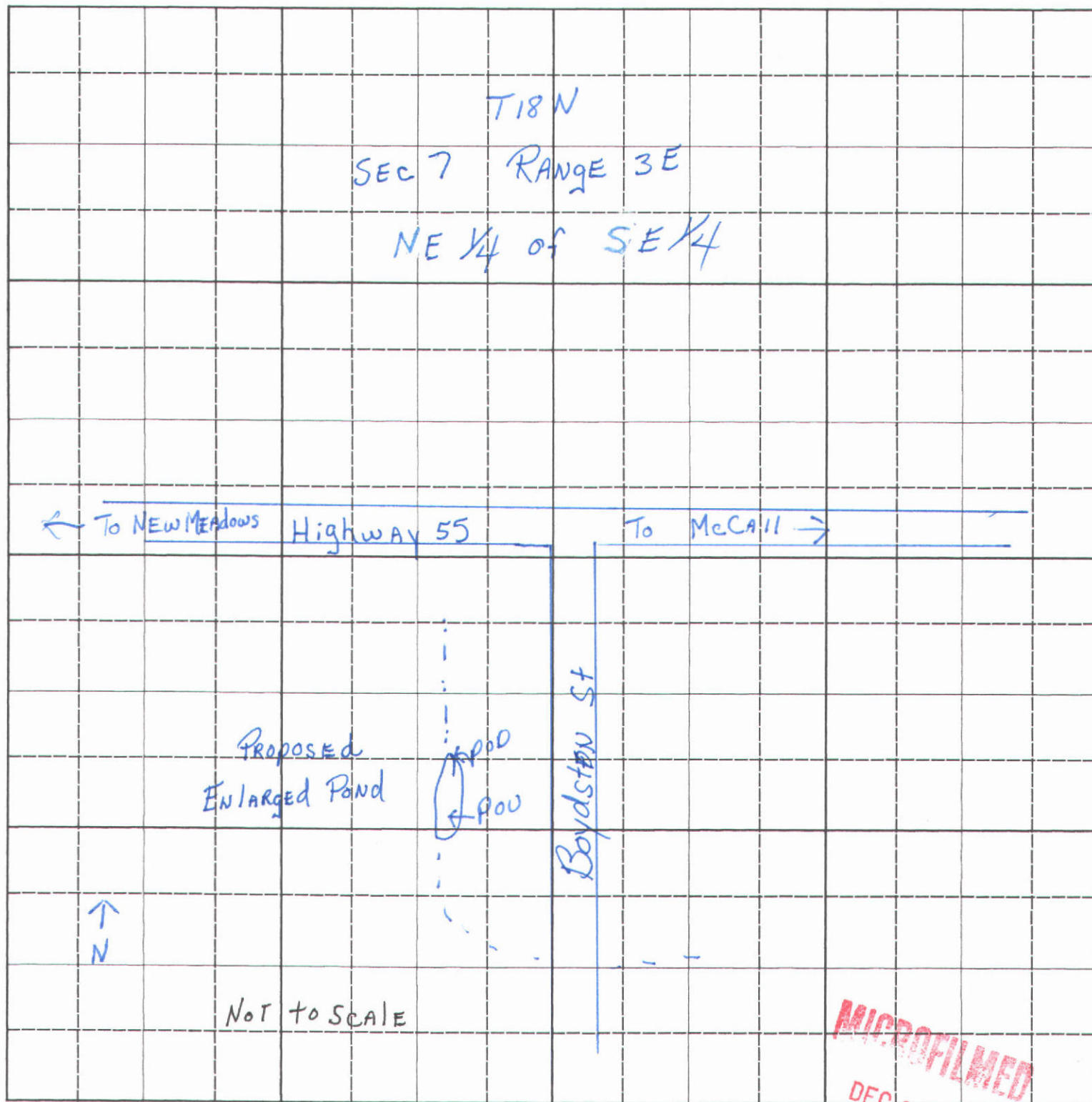
THOMAS L WELSH BIOCONSULTANTS (OCT 1, 1992)



$X W = 11$
 $X L = 625$
 $AREA = 100,000^2 \text{ ft}^2$
 $= 20 \text{ ACRES}$

MICROFILMED
 DEC 03 1993

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

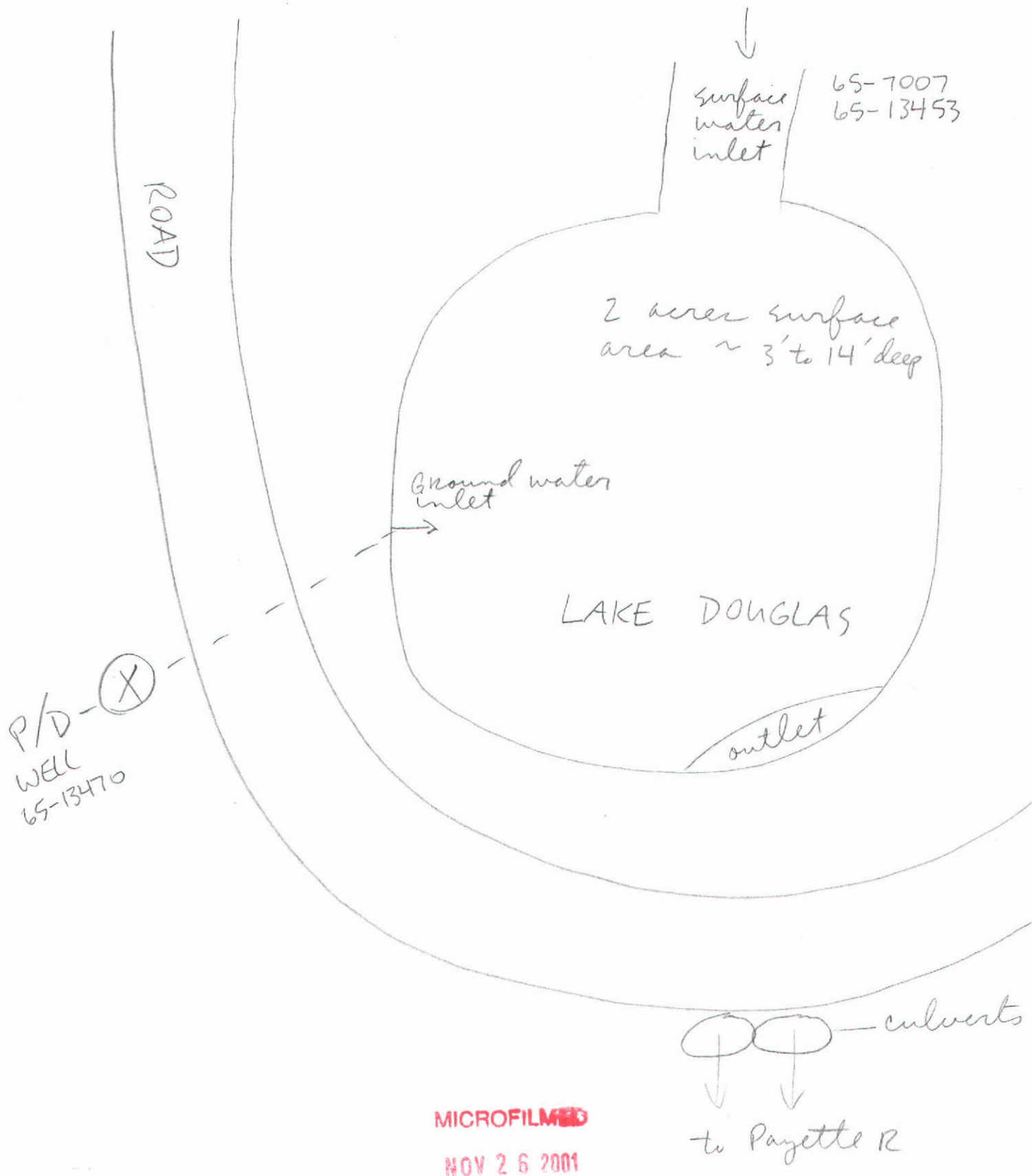


Scale: 2 inches equal 1 mile.

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

(Applicant)

W N
+
S E



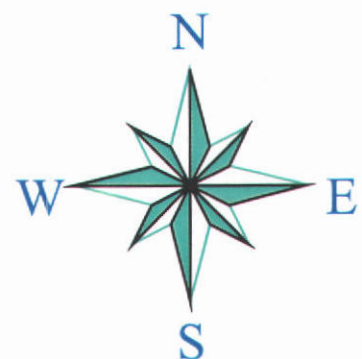
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NOV 26 2001

65-13453



0.5 0 0.5 1 Miles



Sections
1/41/4

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NOV 26 2001



stream
inlet



overflow
outlet

culverts tributary
to N.F. Payette R.

MICROFILMED
NOV 26 2001



RECEIVED

RECEIVED

OCT 9 2001

OCT 1 2001

FOR OFFICE USE ONLY

Amt. of Fee \$

50

Receipt No. W028423

Receipt By: DS

Date Received: 10.17.01

WATER RESOURCES
WESTERN REGION

DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 65-13453 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: UNNAMED STREAM 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: _____ cfs OR 10.6 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: \$ 50 (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

OCT 26 2001

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

OCT 20 1998

Department of Water Resources

**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. 65-13453

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

Mailing Address: 501 W. LAKE ST MC CALL ID 83638

Date Proof is Due: NOV 1, 1998 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".)

PARTIAL EXCAVATION TO ROAD, NEW ROAD
COMPLETED AND UTILITIES ARE INSTALLED

Costing \$ _____

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

THIS PERMIT IS PART OF WHITETAIL GOLF & LODGE PUD
AND EXISTING 404 PERMIT, TO COMPLETE THIS PROJECT
A AMENDED 404 IS REQUIRED. TOOTHMAN-ORTON IS
CURRENTLY PREPARING PERMIT DOCUMENTATION
Permit holder(s) request an extension to NOV 1, 19 2001.

FEE: \$50.00

R. McKenna MGR
(Signature)*

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

ACTION OF THE DEPARTMENT OF WATER RESOURCES

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 **November 1, 2001** MICROFILMED

Signed this 25th day of November, 19 98.

J. Glen Saylor
Chief, Water Allocation Bureau
JAN 04 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

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

OCT 02 1996

Department of Water Resources

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. 65-13453

Name(s) of Permit Holder: M RESORTS, LTD.

Mailing Address: P. O. BOX 1006. MCCALL. ID 83638

Date Proof is Due: NOVEMBER 1, 1996 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".)

Much of the lower portions of the pond have been dug deeper with a
backhoe and the lower dike and outlet culvert are in place

Costing \$ 10,000.00

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

Need permit from Corps of Engineers to continue working on project which
is within the wetlands. Toothman-Orton Engineering currently preparing
permit documentation

Permit holder(s) request an extension to November 1, 1998.

FEE: \$50.00

Bob McKenna
(Signature)* Bob McKenna, Mgr of ID Operations
*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time in which to submit proof of beneficial use is extended to November 1, 1998.

OCT 10 1996

Signed this 8th day of October, 19 96.

A. Glen Saylor
Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 26 1994

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. 65-13453

Name(s) of Permit Holder: M Resorts, Ltd.

Mailing Address: P. O. Box 1006, McCall, Idaho 83638

Date Proof is Due: November 1, 1994 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".)

Much of the lower portions of the pond have been dug deeper with a
backhoe and the lower dike and outlet culvert are in place.

Costing \$ 10,000.00

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

The person responsible for the project left M Resorts and M Resorts is in
the process of getting the new person "up to speed" so the project can be
finished.

Permit holder(s) request an extension to October 1, 19 96.

FEE: \$50.00

(Signature)* BRADFORD N. RAULSTON, Vice-President
*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

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 November 1, 1996.

NOV 07 1994

Signed this 27 day of October, 19 94

[Signature]
Chief, Water Allocation Bureau

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 65-13453

Proposed Priority: May 10, 1993

Maximum Storage Volume: 10.6 AF

This is to certify, that **M RESORTS LIMITED**
PO BOX 1006
MCCALL ID 83638-1006
has applied for a permit to appropriate water from:

UNNAMED STREAM tributary of **PAYETTE RIVER, NORTH FORK**

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		10.6 AF
WILDLIFE STORAGE	01/01 to 12/31		10.6 AF
AESTHETIC STORAGE	01/01 to 12/31		10.6 AF
	Totals		10.6 AF

LOCATION OF POINT(S) OF DIVERSION: NESE , Sec. 7, Township 18N, Range 03E
VALLEY County

PLACE OF USE: STOCKWATER STORAGE
TWN RGE SEC
18N 03E 7 NESE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 1994.
2. Subject to all prior water rights.
3. Use of water under this right is subject to control by the watermaster of State Water District No. 65.
4. 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.
5. Place of use is locally known as Lake Douglas.
6. Stockwater storage use is for 8 horses.

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

16th day of November, 1993.

RECORDED

DEC 03 1993

R. Keith Higginson
for R. Keith Higginson, Director

RECEIVED

OCT 27 1993

Ident. No. 65-13453

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: M RESORTS LIMITED 208-634-2244
Address: AN IDAHO LIMITED PARTNERSHIP
PO BOX 1006
MCCALL ID 83638
2. Source: UNNAMED STREAM Trib. to: PAYETTE RIVER, NORTH FORK
3. Location of Point of Diversion: NESE Sec. 7, Township 18N, Range 03E
VALLEY County
4. Water will be used for the following purposes:
- | Purpose | From | To | CFS | (or) | AF |
|--------------------|-------|-------|-----|------|-------|
| STOCKWATER STORAGE | 01/01 | 12/31 | | | 10.60 |
| WILDLIFE STORAGE | 01/01 | 12/31 | | | 10.60 |
| AESTHETIC STORAGE | 01/01 | 12/31 | | | 10.60 |
5. Total quantity to be appropriated is:
CFS (and/or) 10.60 AF
6. Proposed diverting works:
- Description of ditches, flumes, pumps, headgates, etc.
EXPAND EXISTING POND IN 65-07007, DIKE, CULVERT SPILLWAY.
 - Height of storage dam 10 feet; active reservoir capacity 5.60
acre-feet; total reservoir capacity 16.20 acre-feet; period of
year when water will be diverted to storage: 1/01 to 12/31 inclusive.
 - Proposed well diameter is inches; proposed depth of well is
feet.
 - Is groundwater with a temperature greater than 85F being sought? NO
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: STOCKWATER STORAGE

TWN RGE SEC
18N 03E 7

NESE

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DEC 03 1993

9. 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.

10. Remarks:

Storage is for use at a pond known locally as Lake Douglas
Stockwater storage use is for 8 horses.

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 \$ 90.00 Receipted by _____ #W016225 Date 5/10/1993

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

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DEC 03 1993

RECEIVED

MAY 10 1993

Form 202
6/85

Ident. No. 65-13453

Department of Water Resources
Western Regional Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

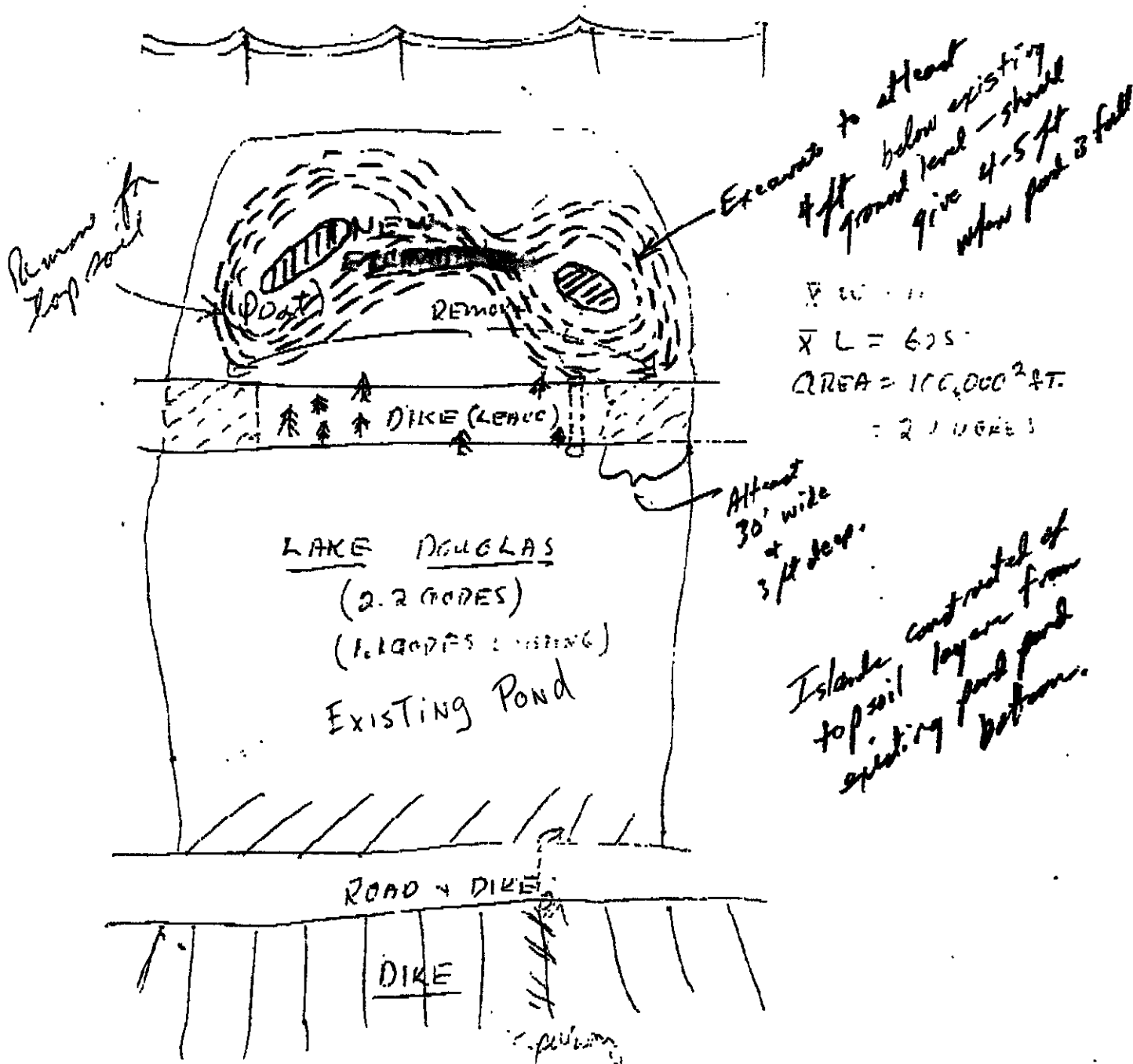
To appropriate the public waters of the State of Idaho

1. Name of applicant M Restorts, an Idaho limited partnership Phone 208-634-2244
Post office address P.O. Box 1006, McCall, Id 83638
2. Source of water supply unnamed stream which is a tributary of N. FK. Payette River *
3. Location of point of diversion is 1/4 of NE 1/4 of SE 1/4, Govt. Lot
Sec. 7 Township 18N Range 3E B.M. Vally County; additional
points of diversion if any:
4. Water will be used for the following purposes:
- 05 Amount 10.6 for stockwater storage purposes from 1-1 to 12-31 (both dates inclusive) *
- 17 Amount 10.6 for wildlife storage purposes from 1-1 to 12-31 (both dates inclusive)
- 53 Amount 10.6 for aesthetic storage purposes from 1-1 to 12-31 (both dates inclusive)
- Amount for purposes from to (both dates inclusive)
5. Total quantity to be appropriated is (a) and/or (b) 10.6
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a Description of ditches, flumes, pumps, headgates, etc. Dike with culvert spillway, *
See attached drawing by Thomas Welsh.
Expand existing pond in 65-07007; dike, culvert spillway → How this as diverting works
- b. Height of storage dam less than 10 feet; active reservoir capacity 5.6 acre-feet; total
reservoir capacity 16.2 acre-feet; period of year when water will be diverted to storage
1-1 to 12-31 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 90°F being sought? no
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 year years (minimum 1 year).

* per dept standards, applicant's info, and taken with staff member
(see 5/25/93 comm memo). This is expansion of 65-07007 (5.6 A.F.); 10.6
additional A.F. being appropriated, so total storage under both rights
will be 16.2 A.F. (item 5b, reservoir capacity). — JCR 5/25/93

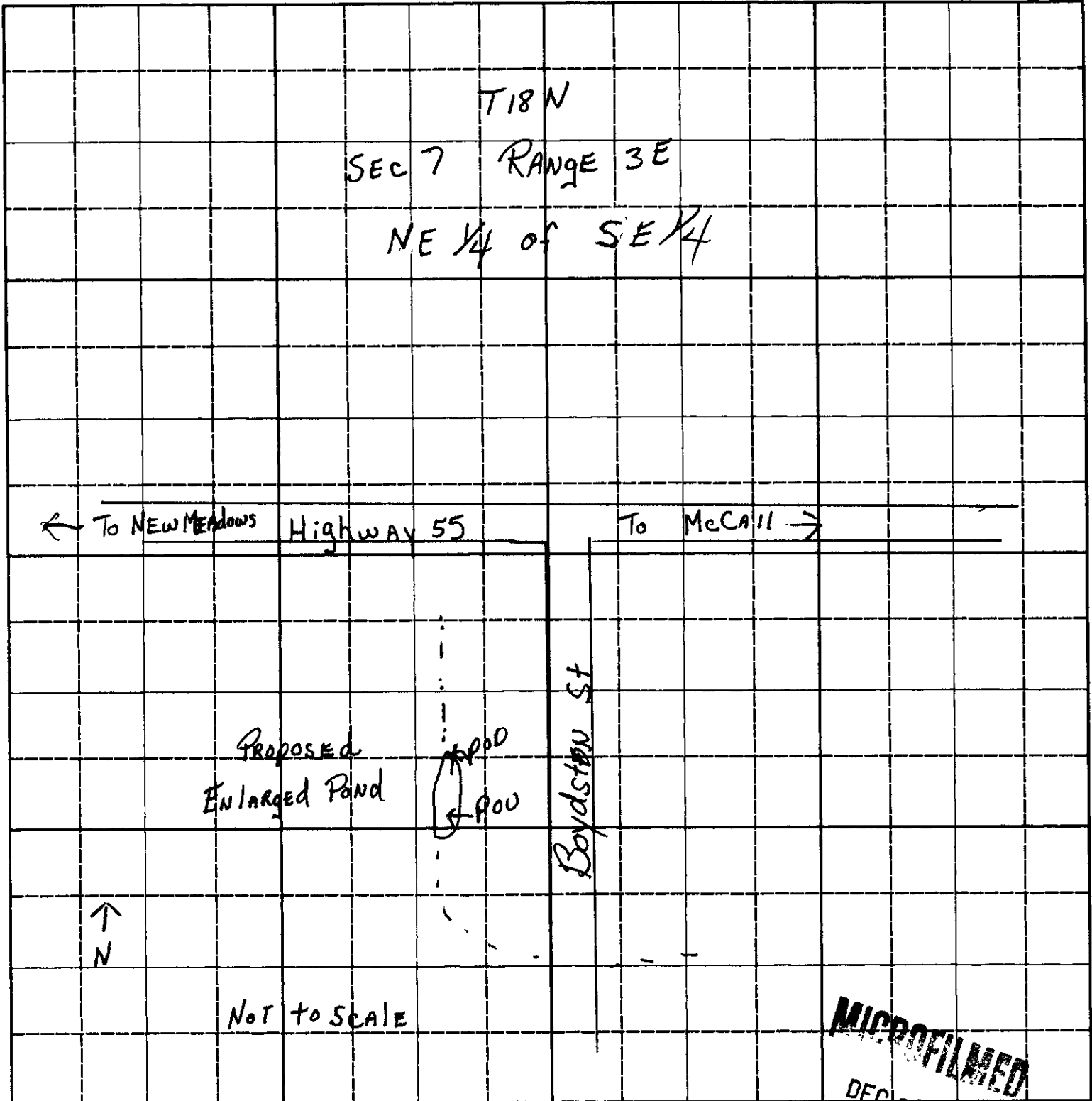
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DEC 03 1993

MANCHESTER FISH & WILDLIFE PROJECT (DRAFT)
 THOMAS L WELCH BIOCONSULTANTS (OCT 1, 1992)



MICROFILMED
 DEC 03 1993

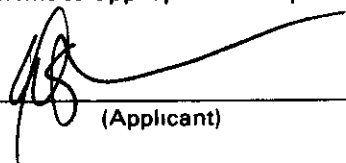
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number



Scale 2 inches equal 1 mile

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DEC 03 1993

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 Jy Date 5-10-93 Time 10:45 am Preliminary check by PC
Fee \$ 30.00 Receipted by Jy # W0616225 Date 5-10-93
Publication prepared by st Date 5-27-93 Published in Star News
Publication approved st Date 6-25-93 6-24-93

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other

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DEC 03 1993

8. Description of proposed uses, *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. 4 to 8 horses in summer time
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. Wildlife, Wildlife storage, Fish Propagation, Aesthetic

Storage for: stockwater, wildlife, aesthetic

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	
18N	03E	7													W				
															S				
															J				

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. A65-07007, additionally an application for transfer of water rights #A65-08209 has or soon will be filed.

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 is for use of a pond known locally as Lake Douglas.

Stockwater storage use is for 8 horses.

MICROFILMED
DEC 03 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
North Orchard Street, P.O. Box 83720
Idaho 83720-0098

Return Service Requested

MANC

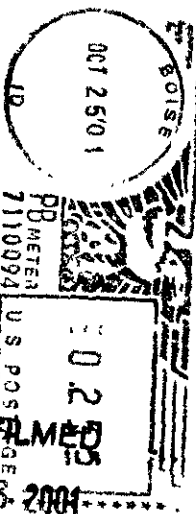
RECEIVED

NOV - 8 2001

Department of Water Resources

83720-0098

PRESORTED
FIRST CLASS



MICROFILMED
NOV 26 2001

data base updated by "4"

MANC501X 836382017 1A01 05 10/31/01
RETURN TO SENDER
MANCHESTER RESORTS
1 MANCHESTER PL
SAN DIEGO CA 92101-7714
RETURN TO SENDER

*forwarded
11/16/01 dg*

Postnet barcode



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 25, 2001

BOB MC KENNA
M RESORTS LTD
501 W LAKE ST
MC CALL ID 83638

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13453

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Since the field examination report is on file, the next step in the process is for the department to review the file and issue a water right license.

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 any questions, please contact this office and speak to a water right agent in the permit section.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.
c: IDWR - Regional Office

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NOV 26 2001

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.. 65-13453

Reviewed By. dgibson

Date: October 23, 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.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		W028423	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	- 11/01/2001
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 05/10/1993
New priority date	= 05/10/1993

Deficiencies of Actions Items

Acknowledge proof *Field exam done and in the fees.*

65-13453
Permit No. RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Staff Analysis Sheet
Beneficial Use Field Report

OCT - 2 2001
Department of Water Resources

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copy of Proof of Beneficial Use
- ☒ Copies of any Amendments/Orders with Conditions of Approval
- ☒ Well Inspection Form (If Needed)
- ☒ Aerial Photo Required? yes no If yes: copy attached
- ☒ SRBA Claim Required (required if proof filed by 11-19-1987)
 Yes no If yes: claim filed? (check AJ5, AJQ1, AJQ4)
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of government plat None
- ☒ Check of P/D index DT 3-22-99 (initial & date)
Overlap ☒ yes no If yes: copy of exam(s) attached?*
- Type of Overlap: ☒ Same source Other source
- ☒ Check of P/U index DT 3-22-99 (initial & date)
Overlap? ☒ yes no If yes: copy of water right(s) attached?*
- Type of Overlap: Same land, same source
☒ Same land, other source 5/12/01
☒ Other land &/or other uses

*copies attached only if needed for analysis

N/A Irrigation from groundwater (all basins):

Surface water currently or previously used Yes No

If yes: identify water source, water right, and explain current or previous use.

- ☒ Scheduling Letter Sent? No DT 3-22-99 (initial & date)
- ☒ Appointment Made and Telephone Conversation Memo Attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully Completed and Signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use

C. Review and Processing:

Exam Completed by 9/19/01 (signature of examiner & date)
Exam Sent to State Office 10-1-01 (initial & date)

MICROFILMED
NOV 26 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
OCT - 2 2001
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 65-13453

1. Owner: M Resorts LTD Phone No. 634-2244

Current Address: 501 W Lake St. McCall ID 83638

2. Accompanied by: Bob McKenna EXAM DATE : 9/13/01

Address: same as above Phone No. 634-9675

Relationship to Permit Holder: Manager

3. Source: Unnamed Stream tributary to Payette River, N.E.

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 65-13470, 65-7007

2. Other water rights with the same point of diversion: 65-7007

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NE	SE	7	18N	3E	Valley	USGS Quad, Field Exam

2. Place(s) of Use:

Indicate Method of Determination same as above

Ident No.	Govt. Lot	1/4	STEP				STEP				STEP				STEP				Remarks
			AS	WS	OS	OT	AS	WS	OS	OT	AS	WS	OS	OT	AS	WS	OS	OT	
18N	3E	7													AS				
															WS				

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NOV 26 2001

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

SEE ATTACHED DIAGRAM

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

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

Y Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: None—Surface area same size as 65-7007. Applicant increased volume by deepening Lake.

E. NARRATIVE/REMARKS/COMMENTS

An unnamed stream supplies water to Lake Douglas. The stream flows into the North side of the Lake via open channel. The overflow is directly tributary to the N.E. Payette River and drains out the South side of the Lake via two large culverts. The Lake and stream were decreed under right 65-7007 for 5.6 af, which accounts for 2 acres in surface area and 3' of depth. Applicant deepened the Lake up to 14' towards the center, or an additional 10.6 af.

Ground water is also used to freshen the Lake per water right 65-13470. The right is for .04 cfs for aesthetics and wildlife, but does not include storage uses.

Lake Douglas is located on a golf course recently developed by M Resorts.

No stockwater use was found. The unnamed stream is the primary source of water for the Lake.

MICROFILMED

This right, when combined with 65-7007, is limited to 16.2 afa.

MAY 23 2001

Have conditions of permit approval been met? x yes ___ no

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

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

2. Volume Calculations for Other Uses:

$$2 \text{ acres} \times 14' \times .4 = 11.2 \text{ af}$$

Allow 10.6 af per permit

$$\text{Pond capacity} = 16.2 \text{ afa}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period Of Use		Rate Of Diversion Q (CFS)	Annual Volume V (AFA)
	From	To		
Aesthetic Storage	1/1	12/31		10.6
Wildlife Storage	1/1	12/31		10.6
TOTAL				10.6 afa

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other**I. AUTHENTICATION**

Lori Graves - Senior Agent

Field Examiner's Name Lori Graves Date 9/19/01

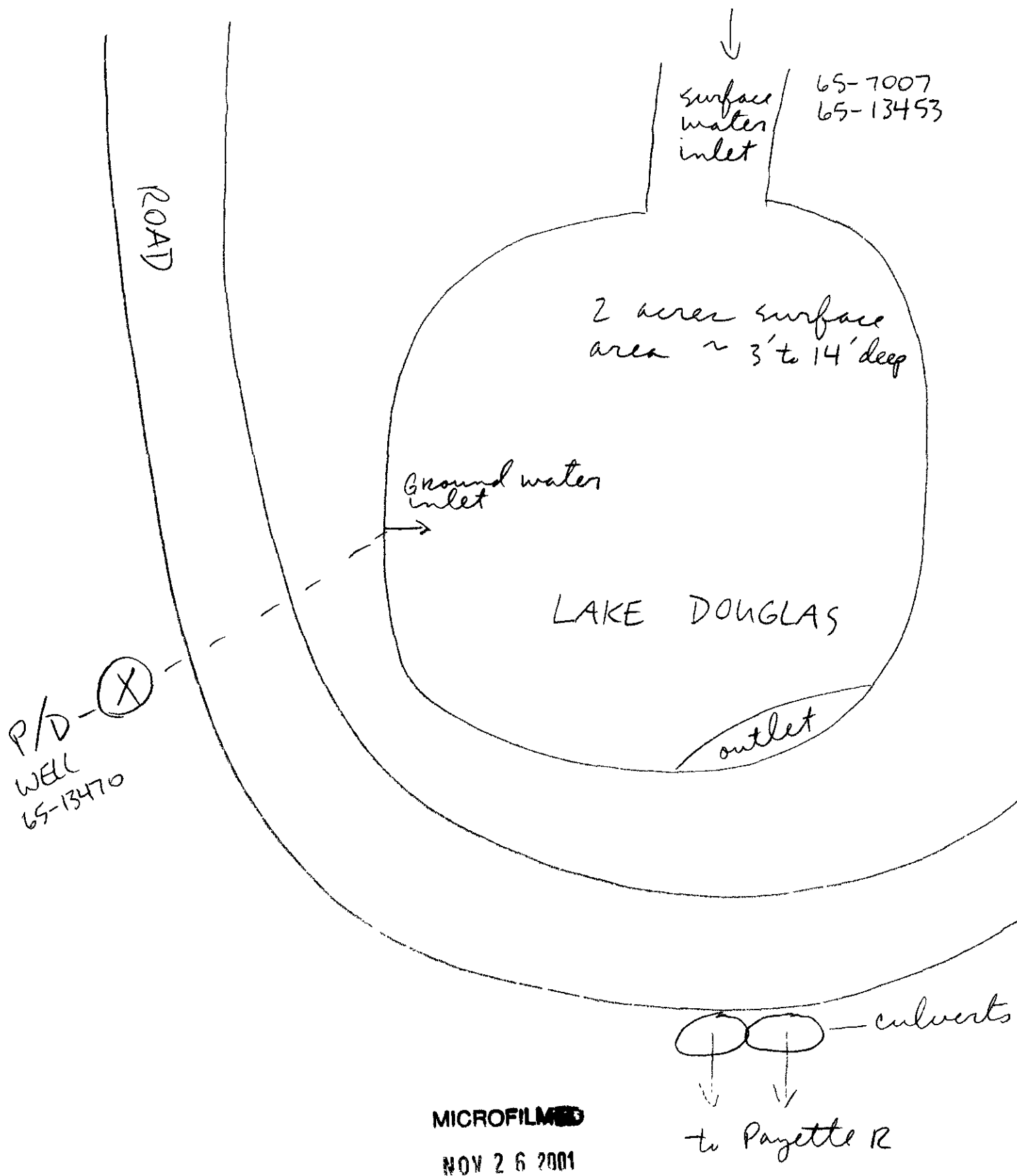
Reviewer _____ Date _____

SEAL

MICROFILMED

NOV 26 2001

W N
+
S E



MICROFILMED

NOV 26 2001

65-13453

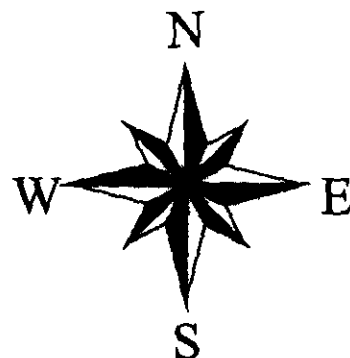


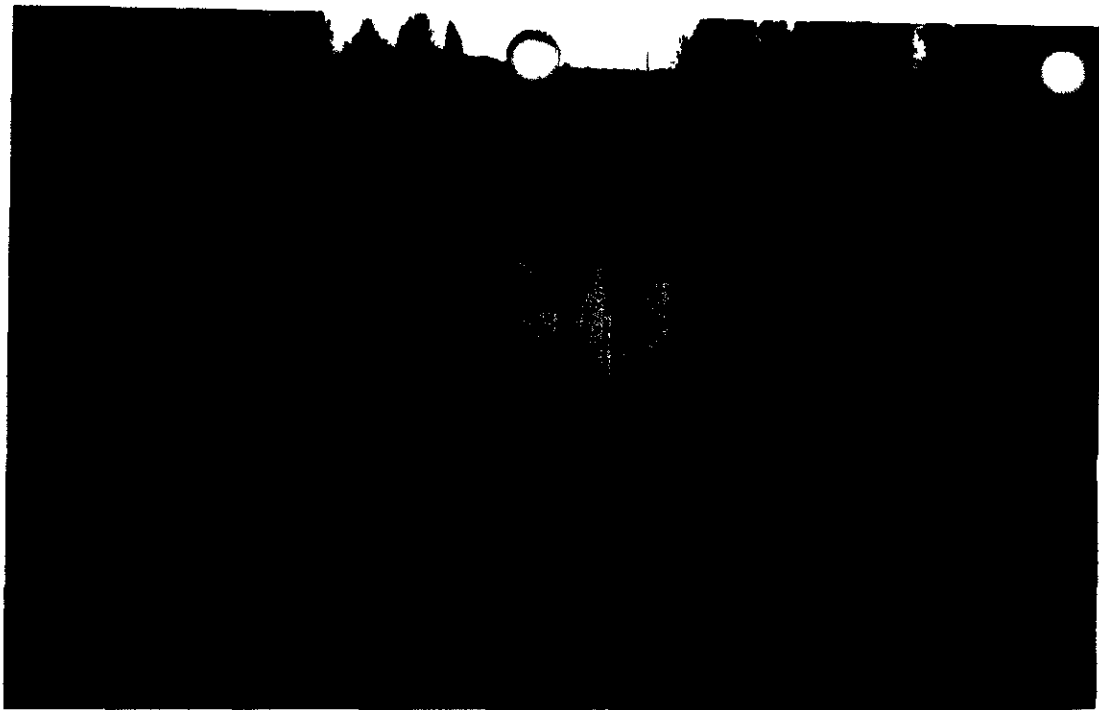
0.5 0 0.5 1 Miles

Sections
1/41/4

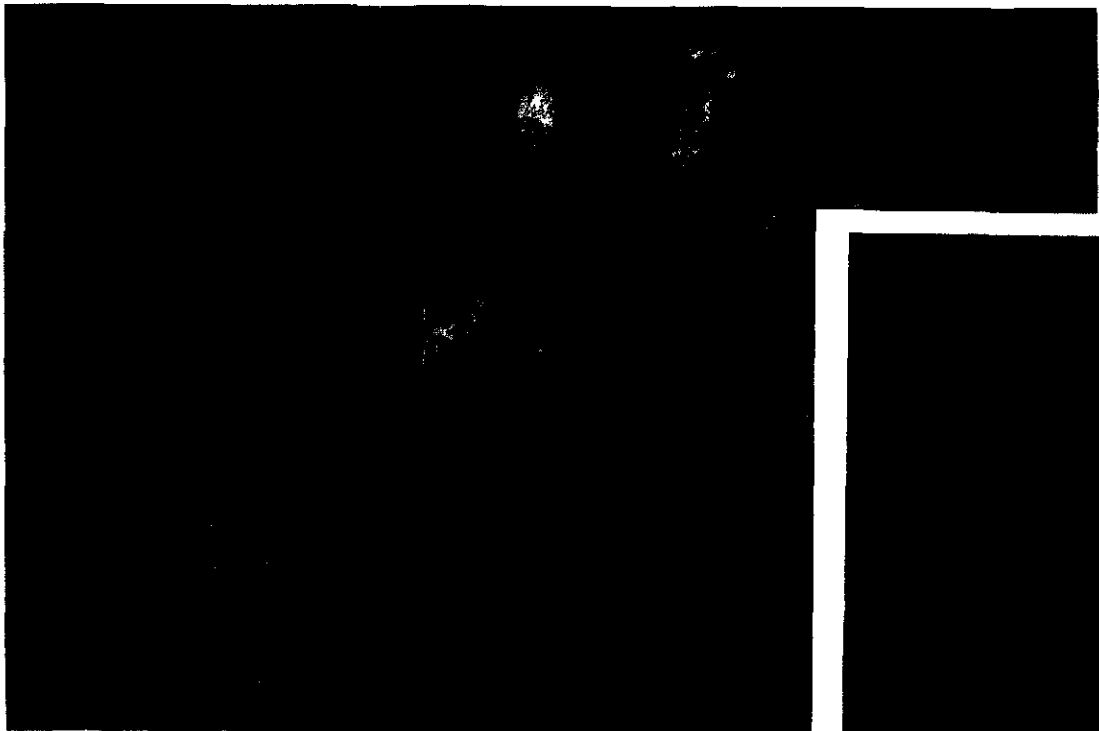
MICROFILMED

NOV 26 2001





stream
inlet



overflow
outlet



culverts tributary
to N.F. Payette R.

MICROFILMED
NOV 26 2001

August 31, 2001

M RESORTS LIMITED
501 W LAKE ST
MCCALL, ID 83638

PROOF DUE NOTICE

RE: PERMIT NO. 65-13453

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 01, 2001. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed 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.

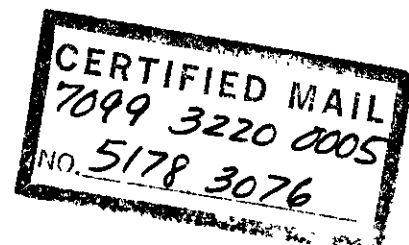
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures

MICROFILMED
NOV 26 2001



ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 65-13453 Reviewed by JY Date 11-19-98

BASIC INFORMATION

10-20-98 Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
yes Address Change

BASIS FOR EXTENSION REQUEST

_____ 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? _____

yes Is delay by a government agency?
Is supporting documentation needed to complete the file? NO Requested? NO

_____ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN Recommend extend to Nov. 1, 2001, on basis of Gov. Agency delay.

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 11-1-2001
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

November 25, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

M Resorts LTD
c/o Bob McKenna
501 W Lake St
McCall ID 83638

RE: Permit No. 65-13453

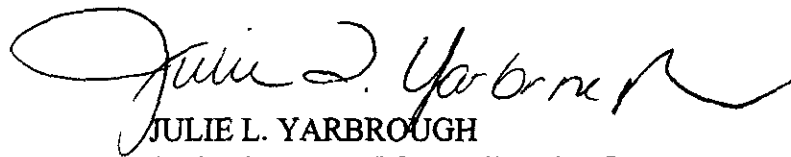
Dear Permit Holder:

Enclosed is 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 **November 1, 2001**. The department has granted this extension based on governmental agency delay. It is important that you work diligently toward the completion of the development during the construction period allowed since the department **may not** be able to grant additional extensions in connection with this permit.

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 any 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 directly 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
JAN 04 1999

TOOTHMAN-ORTON ENGINEERING COMPANY

CONSULTING ENGINEERS, SURVEYORS AND PLANNERS

McCALL AIR TAXI BUILDING
P.O. BOX 4240
McCALL, IDAHO 83638-4240
208-634-4863 • FAX 208-634-4951

October 16, 1998

RECEIVED

OCT 20

Department of Water

Julie Yarerouga
Senior Secretary
State of Idaho
Department of Water Resources
2735 Airport Way
Boise, ID 83705

RE: Water Permit Reference #65-13453

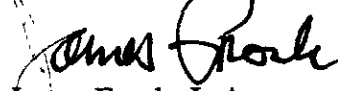
Dear Julie:

In October of 1997 M. Resorts received a 404 Permit from the Department of the Army Corps. of Engineers, Permit #940202774. I am currently in the process of preparing a small amendment to this permit with anticipated approval in the winter of '98-'99. Construction of all permitted activities will be conducted in the summer of 1999.

Please give me a call with any questions that you might have.

Sincerely,

TOOTHMAN-ORTON ENGINEERING COMPANY



James Fronk, L.A.

JF/ca

cc: Bob McKenna

MICROFILMED

JAN 04 1999

G 93065-20-505

August 31, 1998

M RESORTS LIMITED
PO BOX 1006
MCCALL ID 836381006

PROOF DUE NOTICE

RE: PERMIT NO. 65-13453

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, 1998. (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.

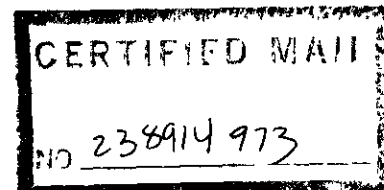
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED

JAN 04 1999



ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 6513453 Reviewed by Jy Date 10 8 96

BASIC INFORMATION

10 2-96 Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
no Address Change

BASIS FOR EXTENSION REQUEST

_____ 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? _____

yes Is delay by a government agency?
Is supporting documentation needed to complete the file? yes Requested? _____

_____ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN ~~Recommend~~ Recommend extend to NOV 1, 1998
on basis of Gov Agency Delay.

PRIORITY CALCULATION

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

DATA ENTRY

New Address X _____

Change Proof Due Date 11-1-98

Change Priority Date X _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 8, 1996

M Resorts, Ltd.
P.O. Box 1006
McCall, ID 83638

RE: Permit No. 65-13453

Dear Permit Holder:

Enclosed is a copy of your approved Request for Extension of Time submitted in connection with the above referenced permit. The time within which to submit proof of beneficial use is extended **November 1, 1998**.

Please note that the department has granted the extension based on government agency delay. It is important that you work diligently to develop the water right. The department **may not** be able to grant additional extensions associated with this permit.

Please be advised that Section 42-248, Idaho Code, which became affective 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 any 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. Failure to maintain current records with the department could result in the assessment of a monetary penalty.

If you have any questions regarding this matter, please contact me at (208)327-7900.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

c: IDWR - Regional Office

RECEIVED

OCT 10 1996

TOOTHMAN-ORTON ENGINEERING COMPANY

CONSULTING ENGINEERS, SURVEYORS AND PLANNERS

MCCALL AIR TAXI BUILDING

P.O. BOX 4240

MCCALL, IDAHO 83638-4240

208-634-4863 • FAX 208-634-4747

September 30, 1996

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

RE: Manchester Property located in Sec. 7 and 12, T.18N., R2E, 3E B.M.
Corps of Engineers - NPW No. 940202770

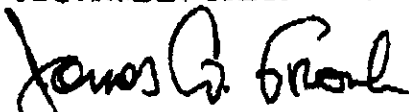
To whom it may concern:

Toothman Orton Engineering is currently working with the Army Corps of Engineers in association with wetland delineation and preparation of a 404 Department of the Army Corps permit for activities involving the existing ponds located at the above referenced project.

Please give me call if I can answer any questions.

Sincerely,

TOOTHMAN-ORTON ENGINEERING COMPANY



James G. Fronk L.A.
Project Manager

INSERT DESIRED INITIAL
File G:\93065\wpfiles\water.001

RECEIVED

OCT 10 1996

BOISE • COEUR d'ALENE • MCCALL

TOTAL P.01

August 31, 1996

M RESORTS LIMITED
PO BOX 1006
MCCALL ID 836381006

PROOF DUE NOTICE

RE: PERMIT NO. 65-13453

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, 1996. (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.

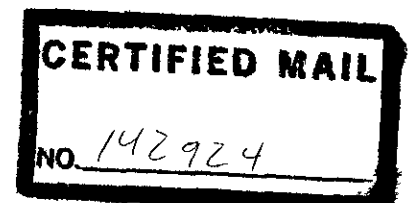
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

OCT 1 0 1996



ANALYSIS SHEET
FOR
EXTENSION OF TIME

Permit No. 65-13453 Reviewed by [Signature] Date 10/27/94

BASIC INFORMATION

10/24/94 Date stamp received
Yes Extension received timely
Yes Fee received and receipted
Yes Name and signature same as permit
no Address Change

BASIS FOR EXTENSION REQUEST

Yes 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 Should extend to Nov. 1, 1996, for due diligence.

PRIORITY CALCULATION

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

DATA ENTRY

New Address X
Change Proof Due Date 11-1-96
Change Priority Date X



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 27, 1994

M. Resorts Ltd.
P.O. Box 1006
McCall, ID 83638

RE: Permit No. 65-13453

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to November 1, 1996. Please note that the department has granted this extension based on **due diligence**. It is important that you work diligently toward the completion of this project during the construction period allowed since the department will not be able to grant additional extensions based on due diligence.

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

C: IDWR - Regional Office

RECEIVED

NOV 07 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

September 21, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

BRIAN L MCMAHAN
PO BOX 1066
MCCALL ID 83638-1066

RE: Permit Nos. 65-13453 and 65-13470

Dear Mr. McMahan:

In follow-up to Lorraine's telephone request today, I have enclosed a copy of the above referenced water right permits.

Please note that filing of proof of beneficial use is due November 1, 1994 on permit no. 65-13453, and October 1, 1994 on permit 65-13470.

If you have questions regarding proof of beneficial use, please contact Julie Yarbrough at (208) 327-7953.

Sincerely,

Cindy Zimmerman
Water Resource Agent

Enclosures

NOV 07 1994

August 31, 1994

M RESORTS LIMITED
PO BOX 1006
MCCALL ID 836381006

PROOF DUE NOTICE

RE: PERMIT NO. 65-13453

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before November 1, 1994. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

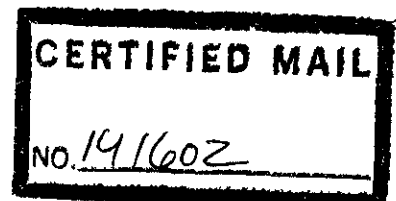
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

NOV 07 1994





State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 17, 1993

M RESORTS LIMITED
PO BOX 1006
MCCALL ID 836381006

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13453

Dear Permit Holder:

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

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over a horizontal line.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

MICROFILMED

DEC 03 1993

APPLICATION FOR PERMIT
STATE OFFICE REVIEW

Application #: 65-13453 Date: 11/1/93 Reviewer: Cindy Zimmerman

AREA OF CONCERN? - No/Yes _____
SYSTEM COMPLETED:
No - 26A-P17
Complete in 1 year - P16
Yes
Proof not submitted - P16
Proof submitted - NA
GROUNDWATER:
+ 0.2 cfs <flo-ch> - 01G-P03 (new), 01C-P03 (existing), NMR
- 0.2 cfs - NMR <flow chart>
Drilling Permit:
Included w/permit - Permit No. _____, P99
Existing well - N/A (if drilled before 7/1/87)
No WD permit? - 046-46A<Irr>-46B-P23 (if drilled after 7/1/87)
SURFACE WATER: not in WD - 01C-P03 (+.2 w/pump), NMR <flow chart>
LOCATION:
Water District - WD No. 65
Surface water - 005 (req) 01J-P08 <flow chart>
(doesn't sink) or 01H-P01 <flow chart>; NMR
Groundwater - P05 (if well has not been drilled)
In stream channel - 030 (stream channel alteration)
Irrigation Dist. - 023
Canal Co. Areas - 023
Drainage Districts - 024
Flood Control Dist. - 063
Boise Front (63) - 058 (Groundwater temperature)
Swan Falls Flag - B <See condition code chart>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non Trust <1> - 048-049 (Consumptive Uses), NA
RIVER BASINS (Surface): Water District Control Condition (005) &....
Boise (63) - 05A (req), 11E (non-domestic use), NA
Payette (65) - 064 (consump. use), ~~047-P04~~ (Payette Lake), NA
Snake (01, 02 & 03) - 11A-P04 (01), 061-P07 (02/03 No W.D.Cond.), NA
USE:
Fish Propagation - 010/06A/09E-P10(WQ) & 07A-042 (req)
044 (N 1000 Spr)
Irrigation - 803 (if GW use SW 1st) (+5A do POU comp.), NA
Power - 08A-17K-025-027 (req); 01F-P19; 09E-P10;
+25 cfs-P18; 17G(FERC) or 17M(FERE); 18B-P09
Mining - 06A/010/09E-P10 & 054 (req)
Storage (✓ 3 compo.) - 18A-for multi MD in WD, 18B-P09 (+10' dam), NA
Domestic (surface) - 021(Boise R ↑ L Peak), 27A(Payette R), NA
OWNERSHIP:
Non land owner - 004 (P/D or P/U)
PROTESTED:
Prehearing agreement - 020
OTHER CONDITIONS: -
REMARKS: - ① B02(BH) ② P/U locally known as Lake Douglas.

BENEFICIAL USE DUE: - 11-1-1994
COMMENTS: - ① Div Desc ② Corp off.

WR0749NP
No. P65-13453

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

DATE: 11/09/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	M RESORTS LIMITED PO BOX 1006 MCCALL ID 836381006 (208) 634-2244	05/10/1993	STOCKWATER STORAGE WILDLIFE STORAGE AESTHETIC STORAGE	01-01 12-31 01-01 12-31 01-01 12-31		10.6 AFA 10.6 AFA 10.6 AFA
TOTAL DIVERSION:						10.6 AFA

Water Source: UNNAMED STREAM

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: PERMIT

Point(s) of Diversion: T18N R03E S07 NE SE

Place of use Legal Description for: STOCKWATER STORAGE

NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
18N	03E	7	:															:
			:															:

Pou County: VALLEY

Conditions of Approval:

- 005 - Use of water under this right is subject to control by the
- Watermaster of State Water District No. 65.
- 064 - 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.

Remarks: Place of use is locally known as Lake Douglas
Stockwater storage use is for 8 horses.

Dates: App. Received: 05/10/1993 Priority Date: 05/10/1993
Proof Due Date: 11/01/1994 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 65 Field Exam Fee:

Comments: Date: 11/09/1993 User-ID: ZIMMERMA Subject: DIVERSION DESCRIPTION
Expansion of existing 5.6 AF pond to total capacity of 16.2 AF
with 10' dam, dikes, and culvert spillway.

Date: 11/09/1993 User-ID: ZIMMERMA Subject: LIMITED PARTNERS
The limited partners of M Resorts Ltd., are Doug Manchester, Dick
Gibbons, and Mary Biddlecome.

Audit: 11/09/93 ZIMMERMA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: PC DATE: 5/25/93 APPLICATION: 65-13453

REQUIRED INFORMATION

See 5/25/93 comm memo

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:
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
N P/U

ADDITIONAL INFORMATION

YES	NO	
☒	☐	Overlapping place of use: (Describe source & relationship to present application on the back.)
☒	☐	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):
☐	☐	Send dam safety information:
☐	☐	Send power requirement letter:
☐	☐	Send fish farm requirement letter:
☐	☐	Power residency affidavit:
☐	☐	Power efficiency form:
☐	☐	Within trust water boundary: (If yes, attach Trust Water Supplementary Analysis Sheet.)
☐	☐	Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
☐	☐	<u>*REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT</u>

DATE REQUESTED: _____

Additional information on reverse side: _____

RECEIVED
OCT 27 1993

Department of Water Resources

PROCESSING

APPLICATION NO. 65-

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 and Welfare

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

U.S. BLM

U.S. Forest Svc.

Water Dist. # _____

Other _____

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 _____

Protest dates, resolution of protest recorded on application:

Recommendations attached: *Approve, DNR*

Measuring device required:

Measuring port required:

Water delivered by water master? District # *Outside WD65 delivery area*

Special conditions of approval or cover letter: _____

Withdrawn

See below for additional information

Recommended Date or Priority *5/10/1993*Recommended by: *Dr* Date *10/25/1993*

STATE OFFICE REVIEW

See below for additional information. By _____ Date _____

ADDITIONAL INFORMATION

*Expansion of system covered by 65-07007, will add 10.6 acfs to 5.6 acfs**covered by existing right Also, transfer appl. on 65-08209 ^{seeks} to add**.04 cfs from domestic well to keep pond fresh (transfer appl. in process**now). (D/I well)**Other overlap: 2 other wells besides -08209, but are for other domestic**uses.**No live flow intended in this appl. Existing pond not considered as
source since seek to appropriate additional runoff to store in expanded
pond site.*

*T. 4144
Replaced by
another
Appl. for
permit
-SC*



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 18, 1993

M Resorts Limited
An Idaho Limited Partnership
P.O. Box 1006
McCall, ID 83638

RE: Applications for Permit Nos. 65-13452, 65-13453, 65-13454

Ladies and Gentlemen:

Based on a water right conference in the above-referenced matter held on October 7, 1993, the protest against the approval of applications nos. 65-13453 and 65-13454 was withdrawn. Processing of these applications will continue. Enclosed please find a copy of the withdrawal of protest.

An on-site inspection of the pond described in application no. 65-13452 revealed the possibility of impact on downstream water rights due to the location and construction of the pond. In addition, this office has contacted the U.S. Corps of Engineers and has been advised that the pond represents a violation of wetlands protection laws. Mr. Greg Martinez of the Corps has indicated that he had already visited the site and a wetlands study is presently being conducted on behalf of the landowners by Toothman Orton Engineers, to review potential remediation of the violation. I have requested that this Department be advised as to the results of the wetland study.

M Resorts Limited needs to ensure that any wetland study includes a review of the ramifications of its pond development on downstream senior water rights. This review should apply to the pond identified in application no. 65-13452, as well as to any other water-related developments planned for this area. It is my understanding that there is a potential for the development of a golf course in this area. Water hazards and lawn sprinkling require the acquisition of water rights by the developer.

In Idaho, the proper means of developing a water right is to first submit an application and attempt to work through any protest, and if a permit is issued the water source can be developed as approved. The technique of first digging the pond or appropriating the water and later filing the application is both illegal and risky in that the development can be required to be removed if the water right acquisition is not successful. While we are willing to work with you in the proper filing and processing of this and

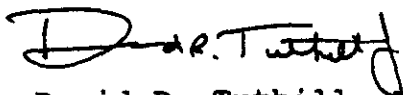
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DEC 08 1993

M Resorts Limited
Page 2
October 18, 1993

future applications, this letter will serve as notice that water resource development in Idaho should take place only after proper permitting is achieved.

If construction of the pond needs to be modified, it is likely that such modification would be required prior to the 1994 runoff. Thus, if a hearing is to be held in this matter, it should be conducted by early December. Accordingly, I will plan to schedule a hearing for December 15, 1993, unless I hear otherwise from the parties in this matter prior to November 16, 1993.

Sincerely,



David R. Tuthill, Jr., P.E.
Manager, Western Regional Office

Enclosure: Withdrawal of Protest

cc: Bezates Land and Cattle Co.
Brian McMahan, Esq.
Greg Martinez, Corps of Engineers
Glen Saxton, Norm Young, S.O.

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IN THE MATTER of
Applications for Permit
Nos. 65-13453 and
65-13454 in the Name of
M Resorts Limited

Withdrawal of
Protest

I the undersigned hereby withdraw my
protest to the above-referenced Applications for Permit,
because they do not impact my water use.

Begates Land & Cattle Co.
Vice-President
George Begates

10/7/1993

DEC 03 1993

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATIONS)
FOR PERMIT NOS. 65-13452, 65-13453) NOTICE OF CONFERENCE
AND 63-13454 IN THE NAME OF)
M RESORTS LIMITED)

On May 10, 1993, M Resorts Limited filed with the Department of Water Resources three applications for permit to appropriate the public waters of the State of Idaho. The applications were protested by George Bezates, Bezates Construction, Inc.

The Department has set the matter of protest for a conference to be held on Thursday, October 7, 1993, at 11:00 a.m., in the Legion Hall, McCall City Hall, McCall, Idaho 83638. The conference will be held in accordance with provisions of Chapters 2 and 17, Title 42, and Chapter 52, Title 67, of the Idaho Code, the adopted Rules of Practice and Procedure of the Department of Water Resources, and Rules 40 and 45 of the adopted Rules and Regulations of Water Appropriation of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present information and argument on all issues involved.

Dated this 17th day of September, 1993.

David R. Tuthill / by A. Taylor
DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

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DEC 03 1993

I hereby certify that on the 17th day of September, 1993, I mailed a true and correct copy, postage prepaid, of this document to the applicant(s) and protestant(s) listed:

Sue Taylor
Sue Taylor
Secretary

Certified Mail

M RESORTS LIMITED ✓
AN IDAHO LIMITED PARTNERSHIP
PO BOX 1006
MCCALL ID 83638

GEORGE BEZATES ✓
BEZATES CONSTRUCTION INC
518 RIDGEWAY
ONTARIO OR 97914

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CONFERENCE AND HEARING PROCEDURE

APPLICATION FOR PERMIT

Section 42-203A, Idaho Code, requires the department to consider the following issues in connection with an application for permit:

- 1) Will the proposed appropriation injure other water rights?
- 2) Is the proposed water supply sufficient for the purpose for which it is sought to be appropriated?
- 3) Was the application made in good faith or for delay or speculative purposes?
- 4) Does the applicant have sufficient financial resources with which to complete the proposed project?
- 5) Is the proposed appropriation in the local public interest, which is defined as the affairs of the people in the area directly affected by the proposed use?
- 6) Is the proposed use contrary to conservation of water resources within the state of Idaho?

BURDEN OF PROOF

The Applicant has the initial burden of proof on issues 1, 2, 3, 4, & 6 above and must provide evidence for the department to evaluate these criteria.

The initial burden of proof on issue 5 above lies with both the applicant and protestant as to factors which they are most knowledgeable and cognizant. The applicant has the ultimate burden of persuasion, however, for this issue.

PROCEDURE

The department generally conducts an informal conference with the parties to determine the issues and to try to settle a protested matter before a hearing is scheduled. If a hearing is held, the department will issue a written decision based on the hearing record.

CONFERENCE

The purpose of a prehearing conference is to provide the opportunity for the parties and the department to familiarize

themselves with a contested matter and to attempt to resolve the matter. At the conference, the department may also formulate and simplify the issues, identify documents to avoid unnecessary proof, exchange proposed exhibits or prepared testimony, limit witnesses, discuss settlement offers, schedule hearings, establish procedure at hearings and address other matters that may expedite orderly conduct and disposition of the proceeding or its settlement.

HEARING

The department will tape record the hearing. Copies of a hearing tape are available upon request and the payment of the cost of reproducing the tape.

The hearing likely will be conducted by a hearing officer appointed by the Director rather than the Director himself. If so, the hearing officer will prepare a recommended order for the Director's consideration. Parties can file exceptions to a recommended order, briefs in support of the exceptions or may request oral argument. Parties may seek judicial review of any final order issued by the Director.

Parties may by written stipulation waive their right to a recommended order, particularly when a shortened decision process is desirable or necessary. Such a waiver does not eliminate any rights of the parties in connection with the final order of the Director and judicial review of the order.

EXHIBITS

A party who plans to offer an exhibit as part of the hearing record must provide a copy of the proposed exhibit to the parties and to the hearing officer.

AMERICANS WITH DISABILITIES ACT

Any hearing scheduled will be conducted in a facility which meets the accessibility requirements of the Americans with Disabilities Act. If you require special accommodations in order to attend, participate in or understand the hearing please advise the department within ten (10) days prior to the hearing.

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DEC 03 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

June 30, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

M RESORTS LIMITED
AN IDAHO LIMITED PARTNERSHIP
PO BOX 1006
MCCALL ID 83638

Re: Applications for Permit Nos. 65-13452, 65-13453 and
65-13454

Dear Applicant:

Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to the above-referenced application. The Department suggests that you contact the protestant(s) and attempt to resolve the protest(s).

If this office has not been advised within twenty (20) days that the protest(s) has been resolved, the matter will be scheduled for a conference. At such a conference, the following are the principle items the Department will review (per Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

Please contact this office if you have questions regarding this procedure.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Manager, Western Regional Office

Enclosure: Copy of protest(s)

MICROFILMED

DEC 03 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

June 30, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

GEORGE BEZATES
BEZATES CONSTRUCTION INC
518 RIDGEWAY
ONTARIO OR 97914

Re: Applications for Permit Nos. 65-13452, 65-13453 and
65-13454 in the Name of M Resorts Limited

Dear Protestant:

This office acknowledges receipt of your protest to the issuance of a permit pursuant to the above referenced application. The Department suggests you contact the applicant(s) directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If this office has not been advised within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference. At such a conference, the following are the principle items the Department can consider in either approving or denying an application or permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use under this permit conflict with the local public interest?
6. Will the proposed use be contrary to conservation of water resources within the state of Idaho?

If this office can be of further assistance, please contact us.

Sincerely,

DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

DRT/st

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JUN 22 1993

Department of Water Resources
Western Regional Office

June 19, 1993

Director Dept. of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705

RE: Protest of Water Right Applications Numbers 65-13452, 65-13453, 65-13454

Attention: R. Keith Higginson, Director

Dear Sir:

Bezates Land and Cattle Co. objects to issuing the above mentioned water rights because they may adversely affect our existing water rights in the same area.

Thank you.

Very truly yours,

Bezates Land and Cattle Co.

George Bezates

George Bezates,
Vice President

GB:jb

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DEC 03 1993

CONVERSATION MEMORANDUM

DATE 5/25/93FILE M Resorts LtdNAME OF PARTY Cher 634-22443 apps.EMPLOYEE Steve Latta

RE:

I called the above # & was referred to Ed Elam for application information. I left a message for Mr. Elam.

Shortly thereafter, Cher returned call on his behalf & provided this information:

1) Ltd. partners are Doug Manchester } same
Dick Gibbons } address
Mary Biddlecome } on
apps.

2) 3 ponds are for Wildlife, stockwork, aesthetic
uses. NO fish pump intended as IDWR
uses the term.

65-13453

M RESORTS LIMITED
AN IDAHO LIMITED PARTNERSHIP
PO BOX 1006
MCCALL, ID 83638

Source: UNNAMED STREAM

Tributary: PAYETTE RIVER, NORTH FORK

Diversion Pt: NESE Sec 7 T 18N R 03E in VALLEY County.

Use: STOCKWATER STORAGE	(10.60 AF)
WILDLIFE STORAGE	(10.60 AF)
AESTHETIC STORAGE	(10.60 AF)
Total Diversion:	(10.60 AF)

Date Filed: 5/10/1993

In: VALLEY County
T18N R03E S07 NESE

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DEC 03 1993

JUN 14 1993

Publisher's Affidavit of Publication

STATE OF IDAHO }
 } SS

County of Valley

I, Ramona A. George, 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 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 June 3, 1993 and ended June 10, 1993.

Ramona A. George
 Subscribed and sworn before me this 10th day of June, 1993.
 STATE OF IDAHO

COUNTY OF VALLEY }

On this 10th day of June, in the year of 1993, before me, a Notary Public, personally appeared Ramona A. George, 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 Girdle
 Notary Public for Idaho
 Residing at McCall, Idaho
 Commission Expires: 1999

NOTICE FOR APPLICATION FOR WATER RIGHT

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

65-13425
 WHITNEY, ROBERT B
 2825 N MERIDIAN RD
 MERIDIAN, ID 83642
 Source: GROUNDWATER
 Diversion Pt. S5SE Sec 5 T 17N R 03E in VALLEY County.
 Use: IRRIGATION (0.060 CFS)
 Total Diversion: (0.060 CFS)
 Date Filed: 12/29/1992
 In: VALLEY County
 T17N R03E S05 NESE
 2.0 ACRES TOTAL

65-13451
 DAVIDSON, ROGER
 PO BOX 1704
 BOISE, ID 83721
 Source: BIG PAYETTE LAKE
 Tributary: PAYETTE RIVER, NORTH FORK
 Diversion Pt. LOT 2 (NWSE) Sec 28 T 19N R 03E in VALLEY County.
 Use: DOMESTIC (0.040 CFS)
 Total Diversion: (0.040 CFS)
 Date Filed: 5/17/1993
 In: VALLEY County
 T19N R03E S28 Lot 3 (NWSE)

65-13452
 M RESORTS LIMITED
 AN IDAHO LIMITED PARTNERSHIP
 PO BOX 1006
 MCCALL, ID 83638
 Source: UNNAMED STREAM AND POND
 Tributary: WILLIAMS CREEK
 Diversion Pt. NESE Sec 12 T 18N R 02E in VALLEY County.
 Use: STOCKWATER STORAGE (13.80 AF)
 WILDLIFE STORAGE (13.80 AF)
 AESTHETIC STORAGE (13.80 AF)
 Total Diversion: (13.80 AF)
 Date Filed: 5/10/93
 In: VALLEY County
 T18N R02E S12 NESE

65-13453
 M RESORTS LIMITED
 AN IDAHO LIMITED PARTNERSHIP
 PO BOX 1006
 MCCALL, ID 83638
 Source: UNNAMED STREAM
 Tributary: PAYETTE RIVER, NORTH FORK
 Diversion Pt. NESE Sec 7 T 18N R 03E in VALLEY County.
 Use: STOCKWATER STORAGE (10.60 AF)
 WILDLIFE STORAGE (10.60 AF)
 AESTHETIC STORAGE (10.60 AF)
 Total Diversion: (10.60 AF)
 Date Filed: 5/10/1993
 In: VALLEY County
 T18N R03E S07 NESE

65-13454
 M RESORTS LIMITED
 AN IDAHO LIMITED PARTNERSHIP
 PO BOX 1006
 MCCALL, ID 83638
 Source: UNNAMED STREAM AND POND
 Tributary: PAYETTE RIVER, NORTH FORK
 Diversion Pt. LOT 2 (SWNW) Sec 8 T 18N R 03E in VALLEY County.
 Use: STOCKWATER STORAGE (4.10 AF)
 WILDLIFE STORAGE (4.10 AF)
 AESTHETIC STORAGE (4.10 AF)
 Total Diversion: (4.10 AF)
 Date Filed: 5/10/1993
 In: VALLEY County
 T18N R03E S08 SWNW

77-07328
 TRAILS END WATER DEPT INC
 SOUTH FORK STAR ROUTE
 MCCALL, ID 83638
 Source: PONY CREEK
 Tributary: SALMON RIVER, SOUTH FORK
 Diversion Pt. NWSE Sec T 21N R 07E in VALLEY County.
 Use: DOMESTIC (1.80 CFS)
 Total Diversion: (1.80 CFS)
 Date Filed: 5/12/1993
 In: VALLEY County
 T21N R07E S02 Lot 2 (NENE) NWNE

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before JUNE 21, 1993.
 R. KEITH HIGGINSON, Director
 2/6/10

DEC 03 1993