

Plat of

NORTH CRESCENT BEACH

a part of

LOT 1, SEC 5 T18N, R3E BM

VALLEY COUNTY, IDAHO

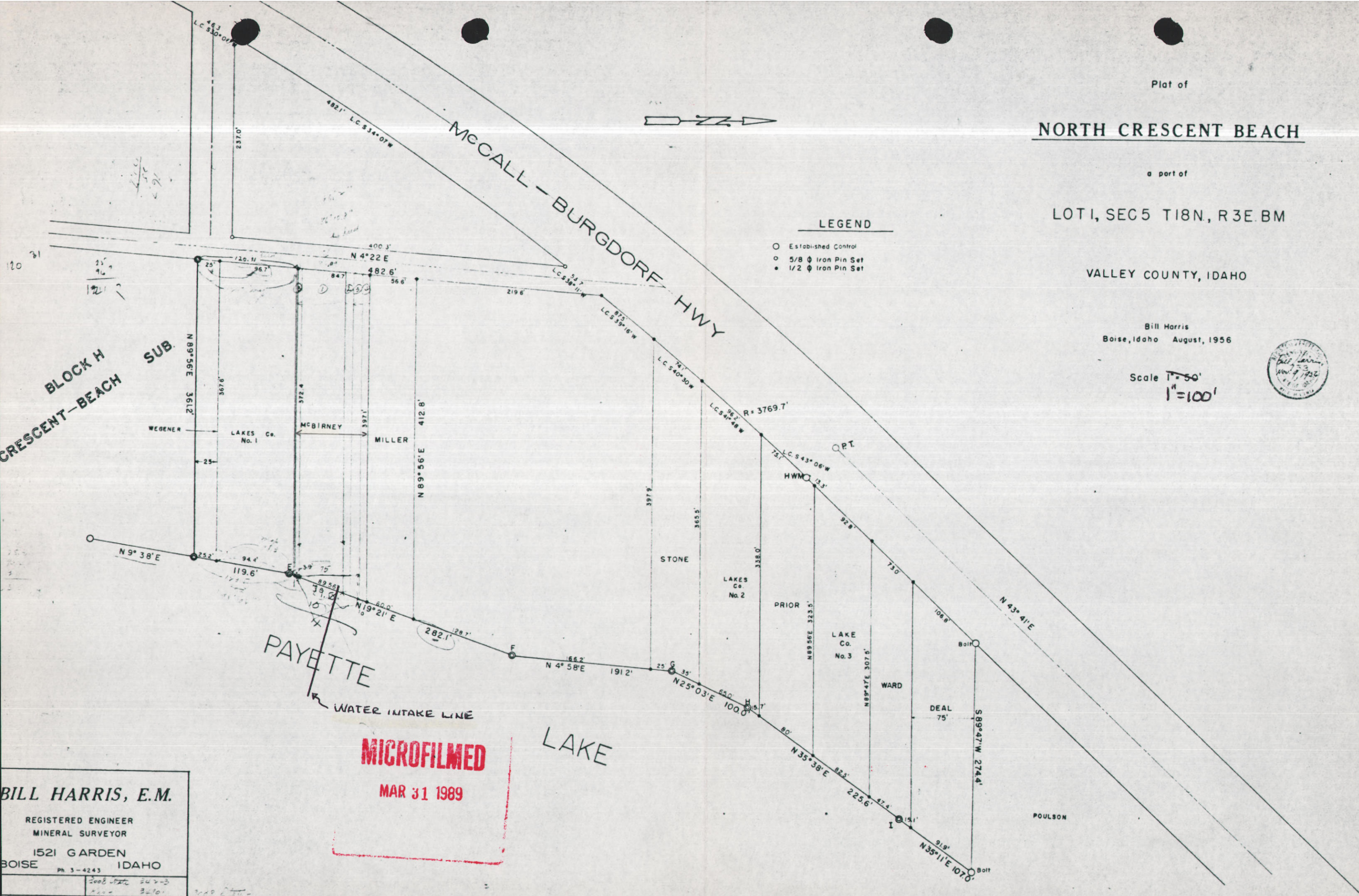
Bill Harris
Boise, Idaho August, 1956

Scale $1" = 50'$
 $1" = 100'$



LEGEND

- Established Control
- 5/8" Iron Pin Set
- 1/2" Iron Pin Set



BILL HARRIS, E.M.

REGISTERED ENGINEER
MINERAL SURVEYOR

1521 GARDEN
BOISE IDAHO

Ph 3-4243

MICROFILMED

MAR 31 1989

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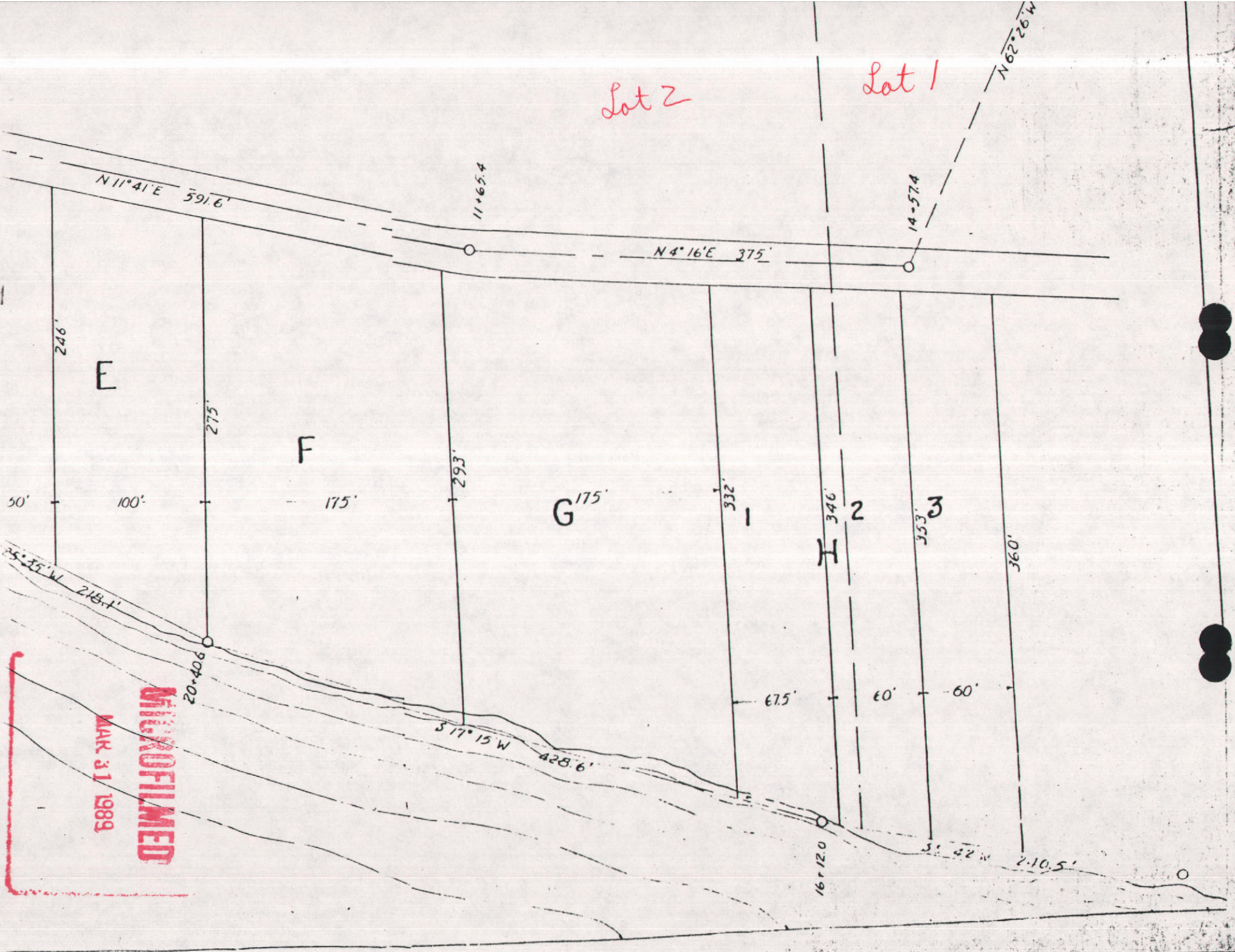
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MicroFILMED

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Lot 2

Lot 1



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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
FEB 17 1993

Department of Water Resources

A. GENERAL INFORMATION

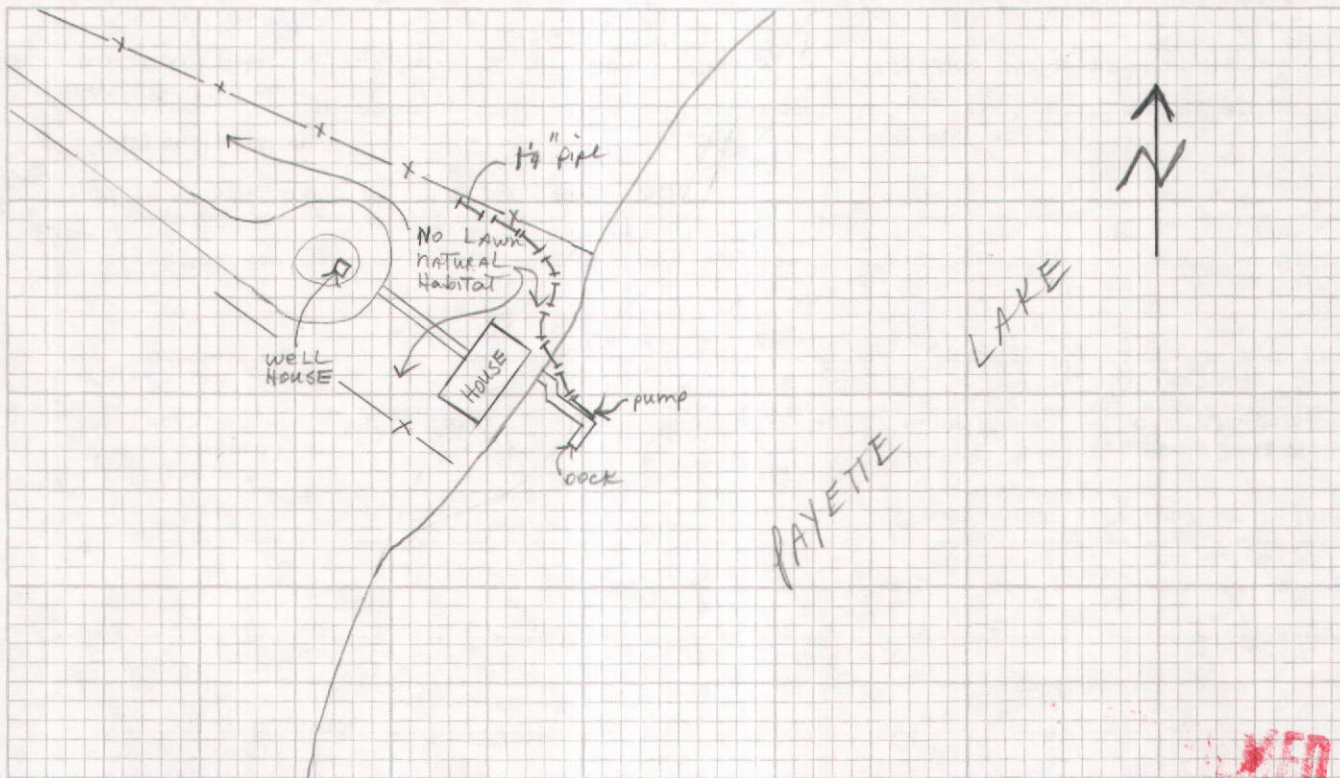
1. Owner: Mc Birney Property TRUST / W. Robert Mc Birney JR. TRUSTEE Permit No. 05-12907
Current Address: 1162 BentOak Lane, SAN JOSE, CA 95129 Phone No. (408)-253-9350/634-5558
2. Accompanied by: Robert Mc Birney JR. EXAM. DATE: 8/6/92
Address: (Same) Phone No. SAME
Relationship to Permit Holder: Applicant
3. Source: Big Payette Lake tributary to N. Fork Payette River

B. OVERLAP REVIEW

1. Other water rights with same place of use: (Too many To List) ☐ Copies Attached
2. Other water rights with same point of diversion: (Too many To List) ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1" = NTS

APR 28 1993

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).
☐ Aerial Photo Attached (required for irrigation of 10 acres or more).

PHOTO ID. S10

T. 18 N.

REF FILMED

APR 28 1993



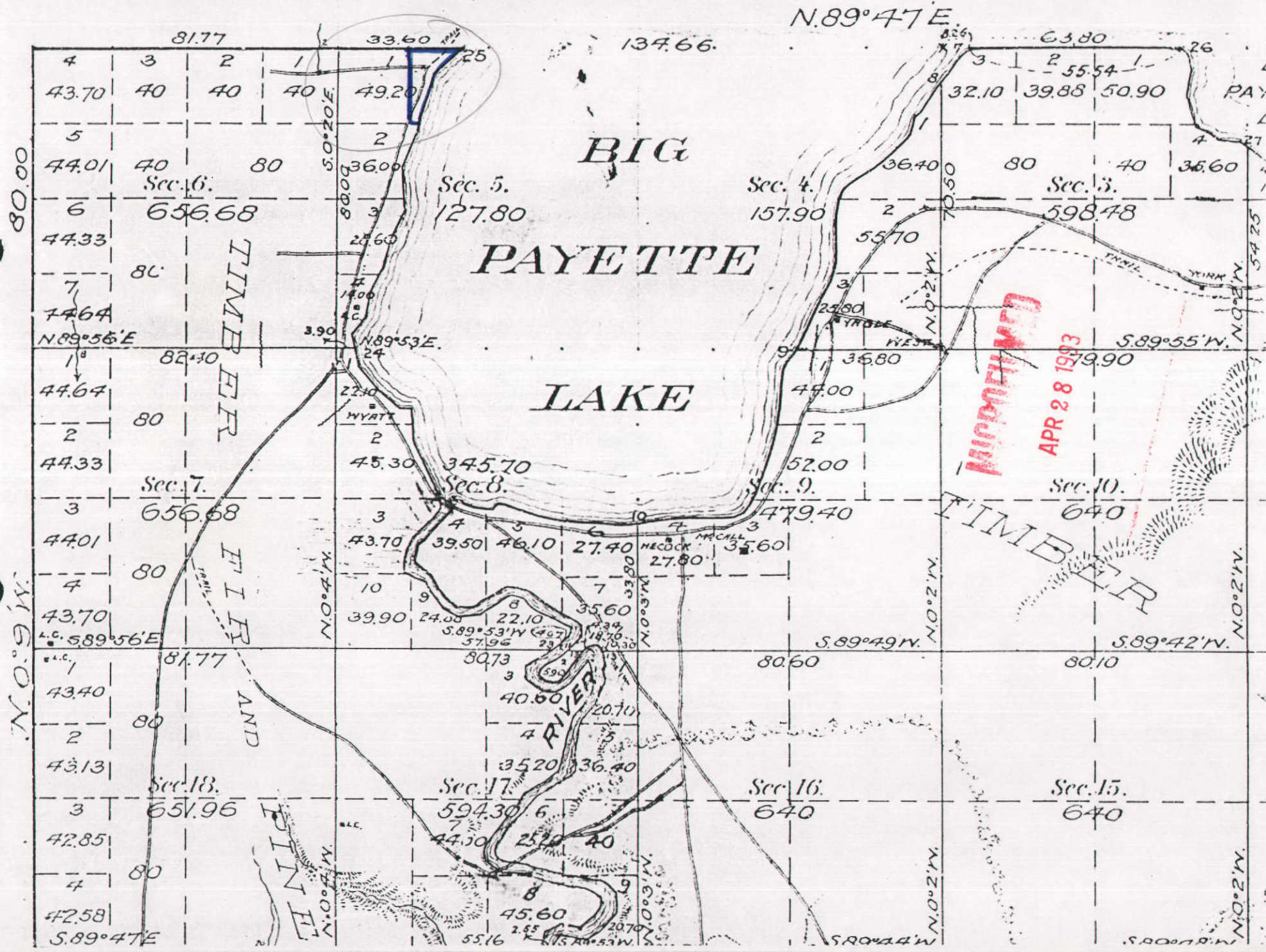




PHOTO ONE-

End of dock showing submersible pump attached to side of dock. The black PVC is electrical conduit.



PHOTO TWO-

View westward from dock of McBirney home. PVC from pump and PVC for conduit are shown at bottom of photo.

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PHOTO THREE- Spigot located near northeast corner of home.



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PHOTO FOUR- A portion of the 1 1/4" PVC extending to upper portion of property.



PHOTO FIVE-

Flood irrigation at end of 150' section of $1\frac{1}{4}$ " PVC.



APR 28 1993

PHOTO SIX-

View northeast of back of home.



PHOTO FIVE-

View easterly of northern side of property.

>



RECORDED

AUG 28 1993

PHOTO SIX-

Well house located near circular drive behind home.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12907

Priority: October 26, 1988

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

0.6 AF

This is to certify, that MC BIRNEY PROPERTY TRUST
C/O W ROBERT MC BIRNEY JR
1162 BENTOAK LANE
SAN JOSE CA 95129

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated October 26, 1988; and
has submitted Proof of Beneficial Use on July 12, 1989. An examination indicates
that the works have a diversion capacity of .050 cfs of water from:

BIG PAYETTE LAKE

tributary to PAYETTE RIVER, NORTH FORK

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 1(NENW), Sec. 5, Township 18N, Range 03E
VALLEY County

PLACE OF USE: DOMESTIC
TWN RGE SEC

18N 03E 5 Lot 1(NENW)

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The availability of water for this right is subject to all prior water rights of Lake Reservoir Co.
6. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.

APR 28 1993

State of Idaho
Department of Water Resources

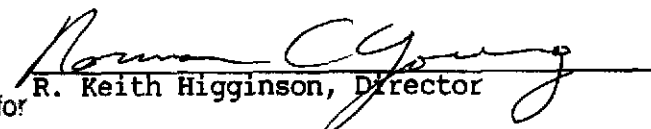
WATER RIGHT LICENSE

WATER RIGHT NO. 65-12907

CONDITIONS/REMARKS:

7. Domestic use is for irrigation of 0.5 acre.
8. Place of use is located within Block H, Crescent Beach Subdivision.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 17th
day of MARCH, 1993.


Acting for R. Keith Higginson, Director

1528 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

- 1 Name of applicant McBIRNEY PROPERTY TRUST
M. ROBERT McBIRNEY JR TTEE Phone 408-253-9350
- Post office address 1162 BENTON LANE, SAN JOSE, CALIF. 95129
2. Source of water supply Big Payette Lake which is a tributary of N. Fork, Payette River
3. Location of point of diversion is NE * 1/4 of NW 1/4, Govt Lot 1
Sec 5 Township 18N Range 03E B.M. Valley County; additional
points of diversion if any. _____
4. Water will be used for the following purposes:
- Amount 0.04 cfs for DOMESTIC purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- 5 Total quantity to be appropriated is (a) 0.040 and/or (b) 1.20
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. Domestic water system
with submersable pump in Payette Lake
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage
_____ to _____ inclusive
- c. Proposed well diameter is _____ inches, proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 90°F being sought? No
- 7 Time required for the completion of the works and application of the water to the proposed beneficial use is
1 yr years (minimum 1 year).
* from maps

APPROVED
MAR 31 1989

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. 1 HOUSEHOLD
- e Other, describe fully. OCCASIONAL watering of flowers & shrubs
around the lakeside cabin.

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	5	~~*~~	*			~~*~~	D											

NOTES EXACT LOCATION NOT KNOWN - Please see ATTACHED MAP

Total number of acres to be irrigated Less than 1/2

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

IDWR IDENT # 65-08270

11. a Who owns the property at the point of diversion? McBIRNEY PROPERTY TRUST
- b Who owns the land to be irrigated or place of use? McBIRNEY PROPERTY TRUST
- c If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing W. ROBERT McBIRNEY JR IS TRUSTEE
OF McBIRNEY PROPERTY TRUST

- 12 Remarks THE SITE IS A HOUSE LOT less than 1 acre
on the shore of Payette lake. It is located in
Block H, Crescent Beach SUBDIVISION

* from maps, lot is 0.748 acres

MAY 31 1989

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

Please See ATTACHED MAP

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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

William Robert McBirney TTEE
(Applicant)

for MCBIRNEY PROPERTY TRUST

Proposed Priority 10/26/88

Received by nl Date 10-26-88 Time 11:00 Preliminary check by OK

Fee \$ 30 Receipted by OK # W 001223 Date 11-28-88

Publication prepared by GG Date 11-9-88 Published in The Star News

Publication approved [Signature] Date 12-27-88 11/16 & 11/23/88

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 65-12907, and said application is hereby APPROVED.

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 March 1,, 19 90

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

Use of water under this permit is subject to control by the watermaster of State Water District No. 65, Payette River.

The availability of water for this permit is subject to all prior water rights of Lake Reservoir Company.

Witness my hand this 27th day of February, 1989.

[Signature: J. Glen Saylor]

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MAR 31 1989

Plot of

NORTH CRESCENT BEACH

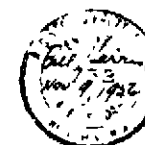
a part of

LOT 1, SEC 5 T18N, R3E BM

VALLEY COUNTY, IDAHO

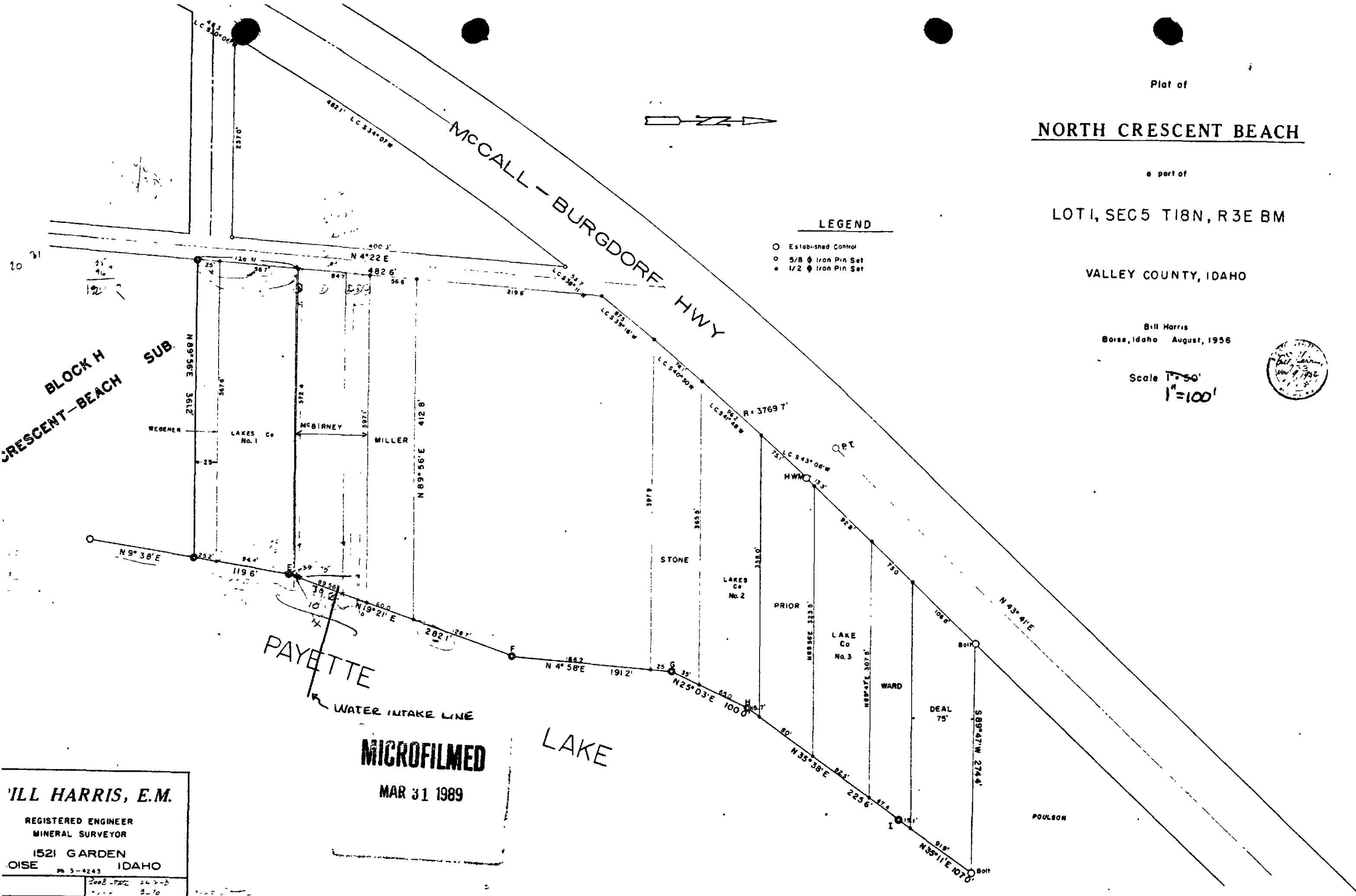
Bill Harris
Boise, Idaho August, 1956

Scale $1"=50'$
 $1"=100'$



LEGEND

- Established Control
- 5/8" Iron Pin Set
- 1/2" Iron Pin Set



WILL HARRIS, E.M.

REGISTERED ENGINEER
MINERAL SURVEYOR

1521 GARDEN

BOISE IDAHO

PH 3-4243

MICROFILMED

MAR 31 1989

134.66.



BIG

Sec. 5.
127.80

PAYETTE

LAKE

TIMBER

345.70
Sec. 8.

Sec.
157.5

MAR 31 1989

Sec. 17.

This document provided to IDENTICAL Legal
ENTITY KNOWN as The McBirney Property Trust

William Robert McBirney Jr

Department of the Treasury
Internal Revenue Service

29034234

Date of This Notice

06-18-85

If you inquire about your
account, please refer to
this number or attach a
copy of this notice.

Employer Identification Number

93-6173771

MCBIRNEY PROPERTY TRUST
W ROBERT MCBIRNEY JR TTEE
% GROW RASMUSSEN & CO
481 N CURTIS RD BOISE ID
1162 BENT OAK LANE
SAN JOSE

CA 95129

NOTICE OF NEW EMPLOYER IDENTIFICATION NUMBER ASSIGNED

Thank you for your Form SS-4, Application for Employer Identification Number. The number assigned to you is shown above. This number will be used to identify your business account and related tax returns and documents, even if you do not have employees.

Please keep a copy of this number in your permanent records. Use this number and your name, exactly as shown above, on all Federal tax forms that require this information, and refer to the number on all tax payments and tax-related correspondence or documents.

If your business is a partnership which must obtain prior approval for its tax year, the tax year you entered in Block 3 of your Form SS-4 does not establish a tax year. For guidance in determining if you must request prior approval and the method of doing so, see IRS Publication 538, Accounting Periods and Methods, available at most IRS offices.

Please note that the assignment of this number does not grant tax-exempt status to nonprofit organizations. For details on how to apply for this exemption, see IRS Publication 557, Tax-Exempt Status for Your Organization, available at most IRS offices.

For Exempt Organizations, please see the message on the reverse side.

Thank you for your cooperation.

575 B 1041

Form 5372 (Rev. 1-85)

VALLEY COUNTY ASSESSOR

P.O. Box 758

Cascade, Idaho 83611

1988

TAXPAYER'S VALUATION ASSESSMENT NOTICE

(Property Located In Valley County)

MAIL TO: OWNER OF RECORD

MC BIRNEY, ROBERT W.
C/O MC BIRNEY PROPERTY TRUST
1167 BENTON LANE
SAN JOSE, CA 95129

THIS IS NOT A TAX BILL

DATE 5/31/88

TAX
CODE

16-CU

PARCEL
NO

RPI4N03E053541A

LEGAL DESCRIPTION

AMENDED TAX #9 IN GOV'T LOT 1
S3 T13N R3E

CATEGORY	DESCRIPTION	QUANTITY	ACRES	MARKET VALUE
12	RURAL RES TR	.325	AL	54,532
TOTALS				54,532

ADDRESS CHANGE FORM — DETACH AND RETURN

PARCEL NO RPI4N03E053541A

SEND NO MONEY

KEEP THIS FOR YOUR RECORDS

NAME

ADDRESS

CITY

SIGNATURE

STATE

ZIP

PLEASE EXAMINE THIS STATEMENT — IF ANY ERRORS ARE DETECTED CONTACT ASSESSOR'S OFFICE. DO NOT WAIT UNTIL YOU RECEIVE YOUR TAX NOTICE YOUR ASSESSOR CAN CORRECT ERRORS IF REPORTED BEFORE THE 4TH MONDAY IN JUNE. PROPERTY CATEGORIES AND PROVISIONS ARE SHOWN ON REVERSE SIDE.

IF YOU HAVE ANY QUESTIONS PLEASE CALL 382-4295.

VALLEY COUNTY ASSESSOR
P.O. Box 758
Cascade, Idaho 83611

1983
TAXPAYER'S VALUATION ASSESSMENT NOTICE
(Property Located in Valley County)

MAIL TO: OWNER OF RECORD

MC BIRNEY PROPERTY TRUST
1162 BENT CAK LANE
SAN JOSE, CA 95129

THIS IS NOT A TAX BILL

DATE 5/31/83

TAX CODE 16-00

PARCEL NO RP13N03E053545A

CATEGORY	DESCRIPTION	QUANTITY	ACRES, LOTS	MARKET VALUE
12 34	RURAL RES TR HLDG RES TR	1.441	AC	92,384 41,382
TOTALS				134,766

LEGAL DESCRIPTION

TAX #9 IN GOV'T. LOT 1
S5 T13N R3E

ADDRESS CHANGE FORM — DETACH AND RETURN

PARCEL NO RP13N03E053545A

NAME
ADDRESS
CITY
SIGNATURE

STATE
ZIP

SEND NO MONEY

KEEP THIS FOR YOUR RECORDS

PLEASE EXAMINE THIS STATEMENT — IF ANY ERRORS ARE DETECTED CONTACT ASSESSOR'S OFFICE. DO NOT WAIT UNTIL YOU RECEIVE YOUR TAX NOTICE. YOUR ASSESSOR CAN CORRECT ERRORS IF REPORTED BEFORE THE 4TH MONDAY IN JUNE. PROPERTY CATEGORIES AND PROVISIONS ARE SHOWN ON REVERSE SIDE.

IF YOU HAVE ANY QUESTIONS PLEASE CALL 382-4295.

Publisher's Affidavit of Publication

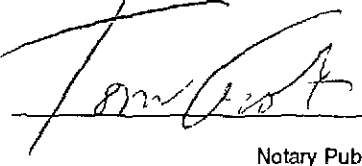
STATE OF IDAHO }
 }.SS
County of Valley

I, Maggie Aganew, 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 made a part hereof, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began November 16, 1988, and ended November 23, 1988.


Subscribed and sworn before me this the 1st day of December, 1988.

STATE OF IDAHO }
COUNTY OF VALLEY }

On this 1st day of Decemberr in the year of 1988, before me, a Notary Public, personally appeared Maggie Aganew, 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, 1993

NOTICE OF APPLICATION FOR WATER RIGHT

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

65-12906
TMCO INC., C/O THOMAS W. MALSON, P.O. DRAWER R, NAMPA, ID 83651. Source: BIG PAYETTE LAKE. Tributary: PAYETTE RIVER, NORTH FORK Diversion Pt: LOT 3(NESW) Sec 28 T 19N R 03E. Use: DOMESTIC (.044 CFS) Date Filed: 10/18/1988 In: T19N R03E S28 Lot 3 (NESW)

65-12907
MC BIRNEY PROPERTY TRUST C/O W. ROBERT MC BIRNEY, JR. 1162 BENTOAK LN., SAN JOSE, CA 95129. Source: PAYETTE LAKE Tributary: PAYETTE RIVER, NORTH FORK Diversion Pt: LOT 1 (NENW) Sec 5 T 18N R 03E Use: DOMESTIC (.040 CFS) Date Filed: 10/26/1988 In: T18N R03E S05 Lot 1 (NENW)

65-12911
SALTZER, JOSEPH 624 DOOLEY LN, NAMPA, ID 83651 Source: BIG PAYETTE LAKE Tributary: PAYETTE RIVER,

NORTH FORK Diversion Pt: LOT 4 (SWSE) Sec 15 T 19N R 03E Use: DOMESTIC (.040 CFS) Date Filed: 10/06/1988 In: T19N R03E S15 Lot 4 (SWSE)

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before DECEMBER 5, 1988. R. KEITH HIGGINSON, Director 2/11/23



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

March 18, 1993

MC BIRNEY PROPERTY TRUST
C/O W ROBERT MC BIRNEY JR
1162 BENTOAK LANE
SAN JOSE CA 95129

RE: WATER RIGHT NO. 65-12907

Dear Water Right Holder(s):

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

Sincerely,

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

APR 28 1993

LICENSE REVIEW CHECKLIST

Permit # 65-12907

Date 03-04-93
CS

	Yes	No	
NAME	☐	☒	Address Change?
PRIORITY DATE	☐	☒	Advance?
	☐	☒	Memo to Advance
	☐	☒	Order to Reinstate Needed?
TOTAL CFS	☒	☐	No Fee Paid
	☐	☒	Incorrect Fee for rate recommended?
	☐	☒	Disagree with Actual Measurement?
	☐	☒	(DOM) .04 cfs
	☐	☒	Disagree with Theoretical?
	☐	☒	Limited by Capacity? .05 cfs
			(measured)
TOTAL VOLUME			Rate/ac <u> </u> AFA Irr. Season <u> </u>
			<u> </u> Standard Irr. Season
			<u> </u> Season Recommended
	☒	☐	Disagree with Examiner's Calculations?
	☒	☐	.6 cfs (DOM)
	☒	☐	Limited by Flow?
SOURCE	☒	☐	Changes? Clarification of <u>Originally</u>
	☒	☐	<u>Intended</u> source
	☒	☐	Notice of Intent to Void.
P/D	☒	☐	Verify with Map
	☒	☐	Amendment Needed?
	☒	☐	Is Overlap Analysis a Consideration?
P/U	☒	☐	Verify with Map
	☒	☐	Amendment Needed?
	☒	☐	Is Overlap Analysis a Consideration?
USES	☒	☐	Change(s) in Nature of Use?
	☒	☐	Amendment Needed?
REMARKS	☒	☐	Multiple P/Ds in 1/4 1/4?
	☒	☐	Non-Irr. Uses <u>DOM/IRR 4.5 acre</u>
	☒	☐	Special Overlap Condition
	☒	☐	Other
CONDITIONS	☒	☐	Measuring Device
	☒	☐	W/Master Control
	☒	☐	Overlap
	☒	☐	Water Quality
			DATES/MISC
			<u>65</u> Water Dist.
			App Rec'd
			Exam Made

COMMENTS: _____

LICENSE ☒ AMEND ☐ SPECIAL PARAGRAPH ☐

WR0749NP
No. L65-12907

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

DATE: 03/04/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MC BIRNEY PROPERTY TRUST C/O W ROBERT MC BIRNEY JR 1162 BENTOAK LANE SAN JOSE CA 95129 (408) 253-9350	10/26/1988	DOMESTIC	01-01 12-31	0.04 CFS	0.6 AFA
TOTAL DIVERSION:					0.04 CFS	0.6 AFA

Water Source: BIG PAYETTE LAKE

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: LICENSE

Point(s) of Diversion Capacity: 0.05 CFS

Point(s) of Diversion: T18N R03E S05 Lot 01(NE NW)

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE			
T	R	S		T	R	S		T	R	S		T	R	S	
18N	03E	5	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
: 01-D															

Pou County: VALLEY

Other Rights: 65-08270

Other Water Rights Listing Overlapping Place(s) of use:
65-12918

Conditions of Approval:

- 047 - The availability of water for this right is subject to all
- prior water rights of Lake Reservoir Co.
- R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 65.

Remarks: Domestic use is for irrigation of 0.5 acre.
Place of use is located within Block H, Crescent Beach
Subdivision.

Dates:	App. Received:	10/26/1988	Priority Date:	10/26/1988
	Proof Due Date:	03/01/1990	Proof Made Date:	07/12/1989
	Exam Made Date:	08/06/1992	Exam Sent to S.O.:	02/16/1993
	Licensed Date:			

Misc: Water District Number: 65 Field Exam Fee: N (Not Required)

Audit: 03/04/93 SKAGGS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
FEB 17 1993

Department of Water Resources

A. GENERAL INFORMATION

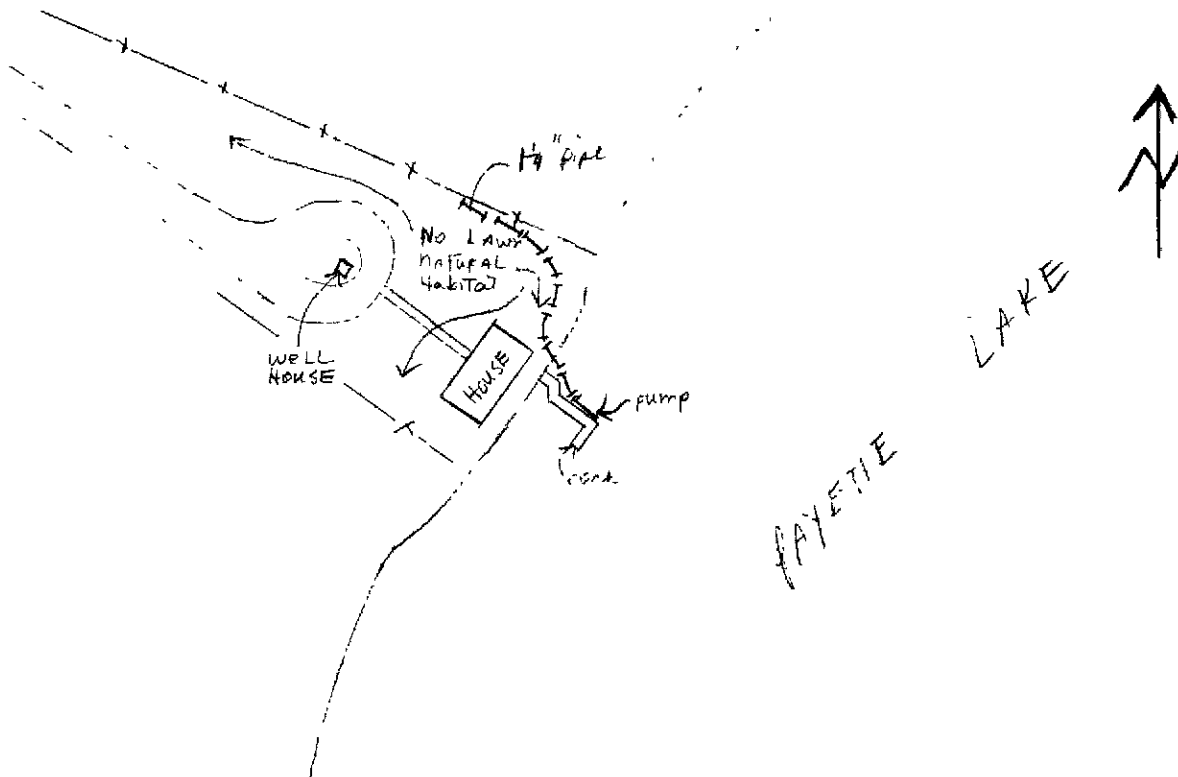
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Phone No. (418)-263-7311 / 624-8888
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Address: (Same) Phone No. SAME
Relationship to Permit Holder: Applicant
3. Source: Big Payette Lake tributary to N. Fork Payette River

B. OVERLAP REVIEW

1. Other water rights with same place of use: (Too many to list) ☐ Copies Attached
2. Other water rights with same point of diversion: (Too many to list) ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1" = NTS

FEB 28 1993

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required)
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.)
☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).

System Description (continued)

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

A 3/4 h.p. submersible pump is Attached to the side of dock in Payette Lake. Water is pumped through approximately 140' Foot of 1 1/2" PVC. Water is used for Flood irrigation of property. Additional pipe, approximately 300', is to be added on to existing pipe this summer to irrigate west end of property.

☐ See Remarks on page 4 for continuation

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	1	NW	NE	NW	5	18N	3E	Valley	Aerial map

6. Place(s) of Use:

Indicate Method of Determination Same as P/O

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
18N	3E	5					41 D												0.70

APR 28 1953

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

5 gallon bucket - 5 gal / 12 sec = 23.0 gpm -

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1 Measured Method 5 gallon bucket

$$Q = \frac{23 \text{ gpm}}{448.8 \text{ gpm}} = 0.05 \text{ CFS}$$

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: 20 psi x 2.31 = 46.2 ft (1); Dynamic pumping level: 15 ft (2)

Total Head: (1) + (2) = 61.2 (3) $Q = \frac{(8.34)(61.2)}{61.2} = 0.10 \text{ CFS}$ Flow rate: 0.10 cfs (4)

Water HP: (3) x (4) ÷ 8.8 = (5)

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

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

Panel Input KW: Ave PF x Ave Volts x Ave Amps x .001732 = (6)

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation ~~Dec 1993 - Jan 1994 (122 days)~~

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 0.70 \times 3.0 = 2.1 \text{ AFA}$

$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.05 \times 122 \times 1.9835 = 12.10 \text{ AFA}$

$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 2.1 \text{ AFA}$

2. Volume Calculations for Other Uses:

~~Domestic - Inside - 0.6 AFA~~

EXTERNAL DOM USE - .6 AFA ONLY

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H. REMARKS AND OVERLAP REVIEW ANALYSIS

P/U Overlap - Same P/L, but different P/U

P/U Overlap - WR # 65-8270 - well on property for home and many in the area with different uses.

This water is used to irrigate trees, shrubs, and flowers on property encompassing 0.70 acres. The flow was determined as 0.05 cfs, but permit requests only 0.04 cfs. Therefore recommend Licensing for 0.04 cfs as requested on permit.

(Also, since acreage for irrigation is greater than 0.5 acre, 0.70 ac. permit needs to be changed to irrigation use, rather than domestic.) - ENTIRE LT IS .748 ACRE - WITH HOUSE, PARKING + SPOT IRRIGATION, ACTUAL IRRIGATION IS PROBABLY .5 AC OR LESS.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
DOM <u>IRRIGATION</u>	<u>6/1</u> 1/1	<u>2/20</u> 12/31	<u>0.04</u>	<u>1.20</u> .6
Totals:			<u>0.04</u>	<u>1.20</u> (4.0 P/L permit?) .6 AFA

2. Recommended Amendments

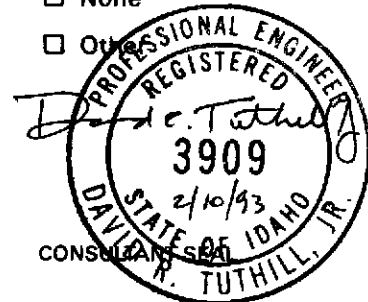
- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above

☐ None

☐ Other

J. AUTHENTICATION

Field Examiner's Name Rick Collingwood
Signature Rick Collingwood
Certification Date _____
Field Report Preparation Date 1/4/93



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

APR 28 1993

4978

PERMIT 65-12907 INIT RC
T. R. S. Q/Q
P/D 18N3E 5 NE NW
SCALE _____
PHOTO ID. S10

T 19 N 4976

T. 18 N

-P/U
+P/B

4975

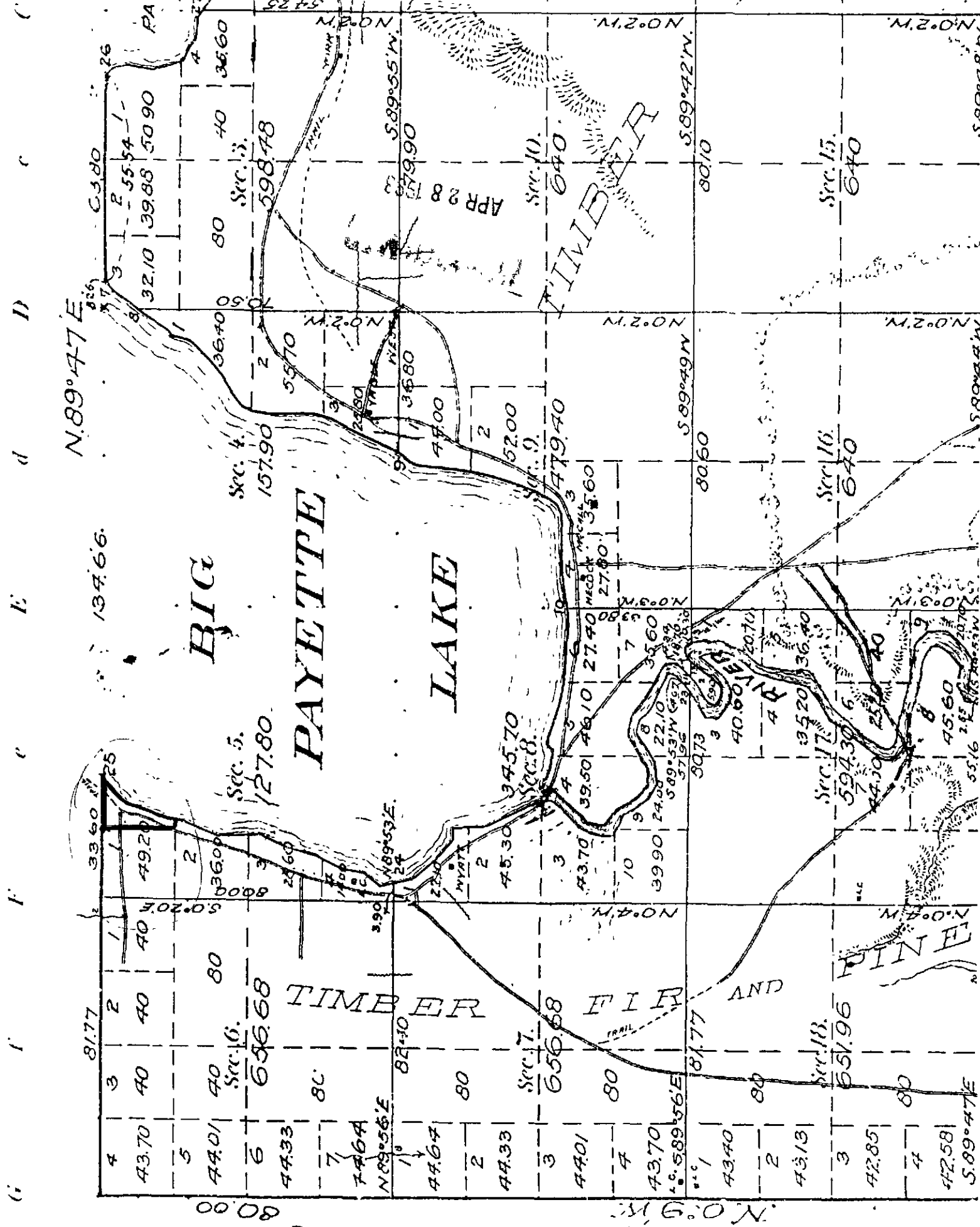
4974

55'

4973

4972

APR 26 1968



N. 89° 47' E

134.66

BIG

PAYETTE

LAKE

TIMBER

FIRM

AND

PINE

APR 28

TIMBER

--- 65-12907

2110, 2111 2112 5/16/13

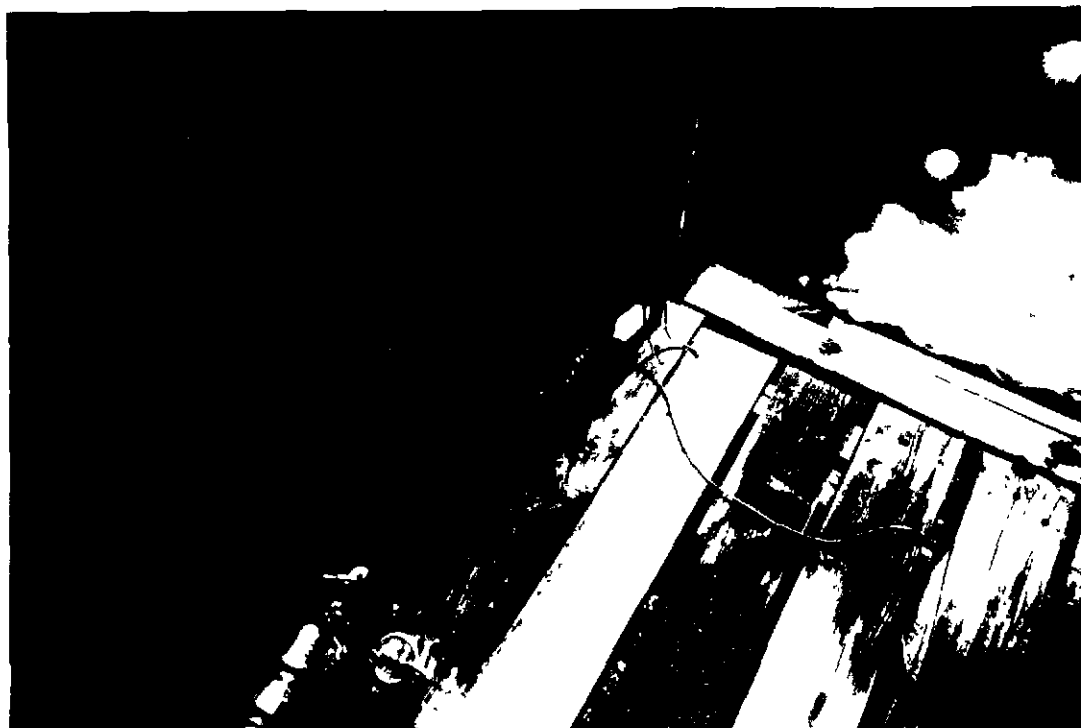
$$- \frac{1}{2} \frac{1}{\sqrt{2}} + \frac{1}{2}$$




PHOTO THREE-

Spirit located near northeast corner of home.

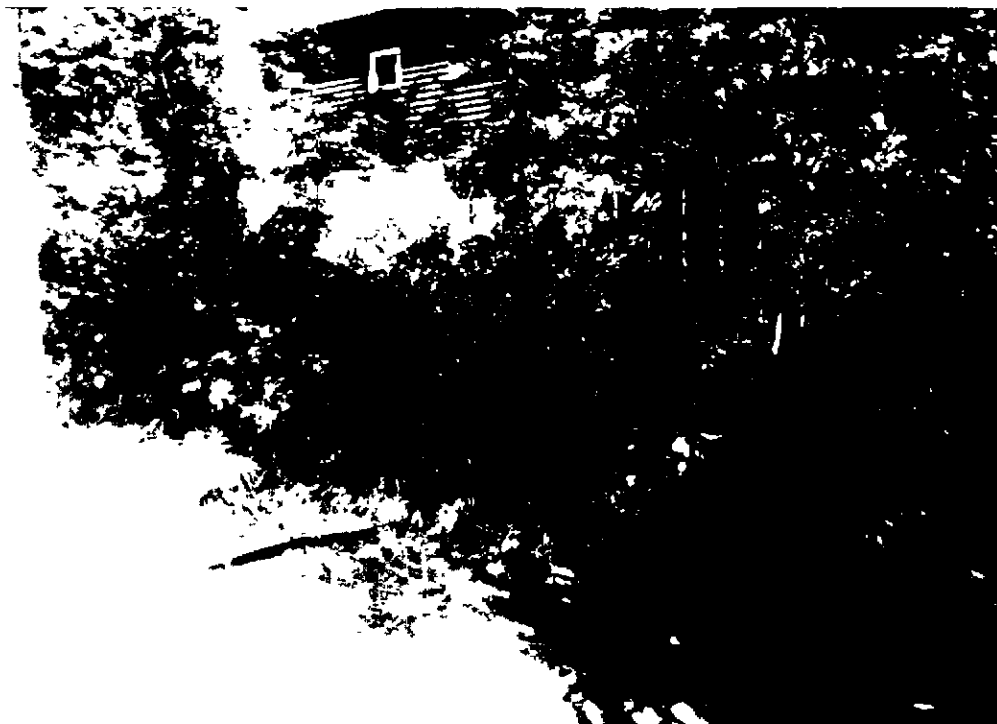


PHOTO FOUR-

A portion of the 1 1/4" ABC extending to upper portion of property



PHOTO FIVE-

Flood irrigation at end of 150' section of 1 1/4" PVC.



PHOTO SIX-

View northwest of back of home.



PHOTO FIVE-

View looking up northern side of property



PHOTO SIX-

Well house located near circular drive behind home

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 65-12907

Date: 7/20/89

General Considerations:

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

Source of Water:

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

Extent of Use and Rate of Diversion:

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

Measuring Device:

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

Remarks:

Proof Acceptable

Priority Calculation:

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

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

Form 217
03/86

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Receipt by _____
Reviewed by _____
Sent to region _____

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

Permit No. 65-12907

Name(s) of Permit Holder: McBIRNEY PROPERTY TRUST

Post Office Address: c/o W. ROBERT McBIRNEY, JR TTEE, 1162 BENTOAK LANE,
SAN JOSE, CA 95129 Telephone No. 408-253-9350

Source of Water: PAYETTE LAKE

Extent of Use:

Domestic 4 (number of households) Stockwater _____ (number and type of stock)
Irrigation _____ (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted 0.040 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: JUNE 15, 1989

Measuring Device: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☒ No Fee enclosed \$ 0
(See License Examination Fee Schedule)

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

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

W.R. McBIRNEY 408-253-9350
(Name) (Telephone Number)

1162 BENTOAK LANE, SAN JOSE, CA 95129
(Address)

The above information is my true statement of the extent to which the above _____ has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

MICROFILMED

SEP 06 1989

JUNE 28, 1989
Date

McBirney Property Trust, William Robert McBirney JR TTEE
Signature of Permit Holder (and title, if appropriate)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 334-7900
March 14, 1989

MC BIRNEY PROPERTY TRUST
C/O W. ROBERT MC BIRNEY, JR.
1162 BENTOAK LN.
SAN JOSE, CA 95129

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-12907

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

MAR 31 1989

P/D NW (2nd unbrd lot 1) S 5 T18N R03E
P/u NE NW (2nd unbrd lot 1) S 5 T18N R03E

Form No. 202a.
4/87

Lot's yes see map

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: Damen DATE: 10-28-88 APPLICATION: 65-12907

REQUIRED INFORMATION

- ☒ Name: (If applicant is a corporation or partnership, names must be provided for the director, officers, and other partners.)
☒ 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 signator is required)
☒ Fee:
☒ yes ☐ No* In form to receipt:

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: | |
| ☐ | ☒ |
| Send dam safety information: | |
| ☐ | ☒ |
| Send power requirement letter: | |
| ☐ | ☒ |
| Send fish farm requirement letter: | |
| ☐ | ☒ |
| Power residency affidavit: | |
| ☐ | ☒ |
| Power efficiency form: | |
| ☐ | ☒ |
| Within trust water boundry: (If yes, attach Trust Water Supplementary Analysis Sheet.) | |
| ☐ | ☒ |
| Diversion greater than 5 cfs or 500 af: (If yes, attach Large Diversion supplementary analysis sheet.) | |
| ☐ | ☒ |
| *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT | |

DATE REQUESTED: _____

☒ Additional information on reverse side:

RECEIVED
DEC 30 1988

Department of Water Resources

PROCESSING

YES NO

- ☒ In form for advertising:
☒ Statewide advertising:
☒ 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 District #
☒ 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 December 5, 1988
☒ Protests, dates, resolution of protest recorded on application:
☒ Recommendations attached: Approve, OK
☒ Measuring device required:
☒ Measuring port required:
☒ Water delivered by water master? District # 65
☒ Special conditions of approval or cover letter: (see additional info. below)
☒ See Below For Additional Information
Recommended Date of Priority 10/26/1988
Recommended by: Dur Date 12/30/88

STATE OFFICE REVIEW

See below for additional information. By KW Date 2/14/89

ADDITIONAL INFORMATION

XX The availability of water for this permit is subject to all prior water rights of Lake Reservoir Company.

65-12907

MC BIRNEY PROPERTY TRUST
C/O W. ROBERT MC BIRNEY, JR.
1162 BENTOAK LN.
SAN JOSE, CA 95129

Source: PAYETTE LAKE

Tributary: PAYETTE RIVER, NORTH FORK

Diversion Pt: LOT 1 (NENW) Sec 5 T 18N R 03E

Use: DOMESTIC (.040 CFS)

Date Filed: 10/26/1988

In: T18N R03E S05 Lot 1 (NENW)

RECEIVED

MAR 31 1989