

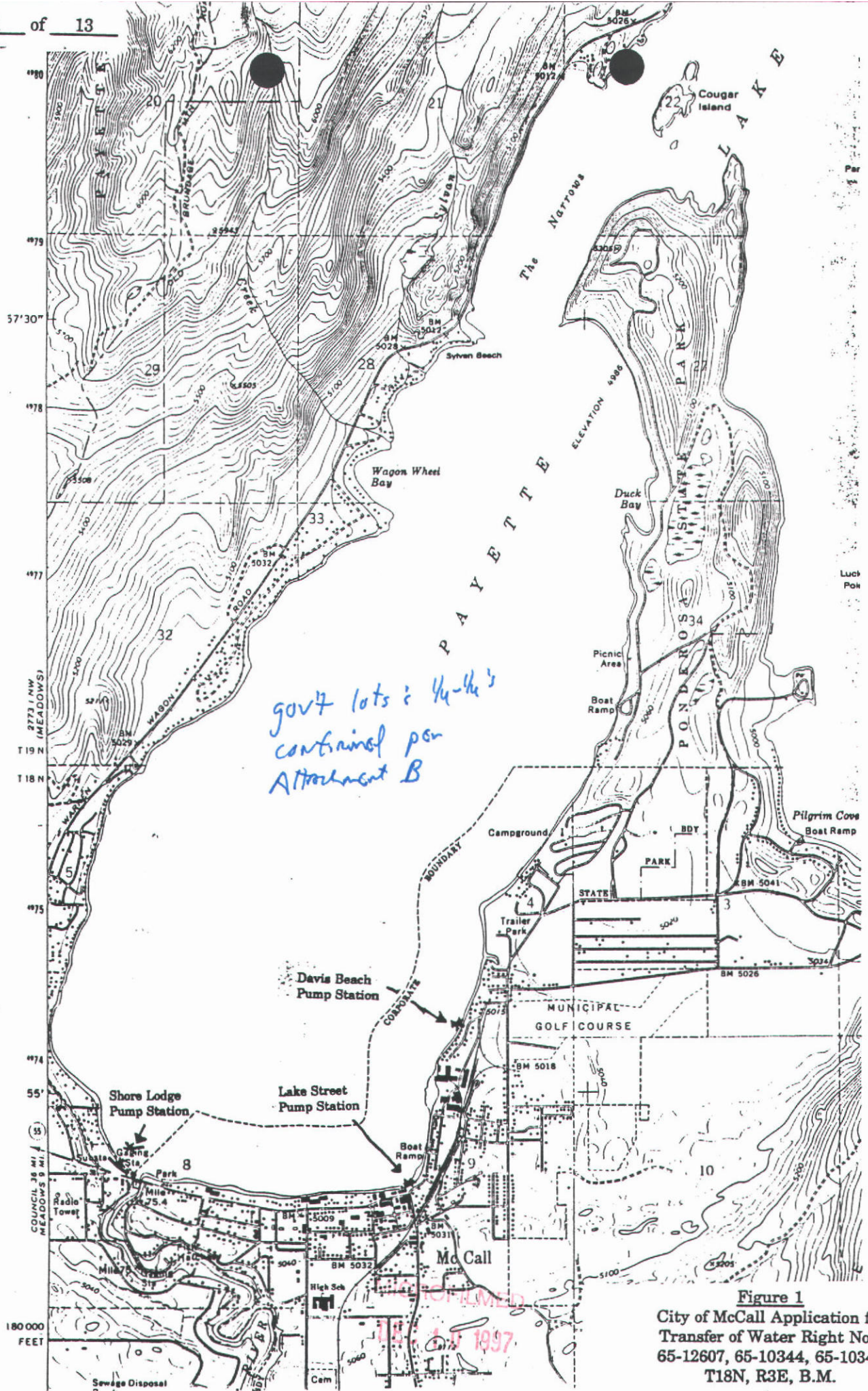
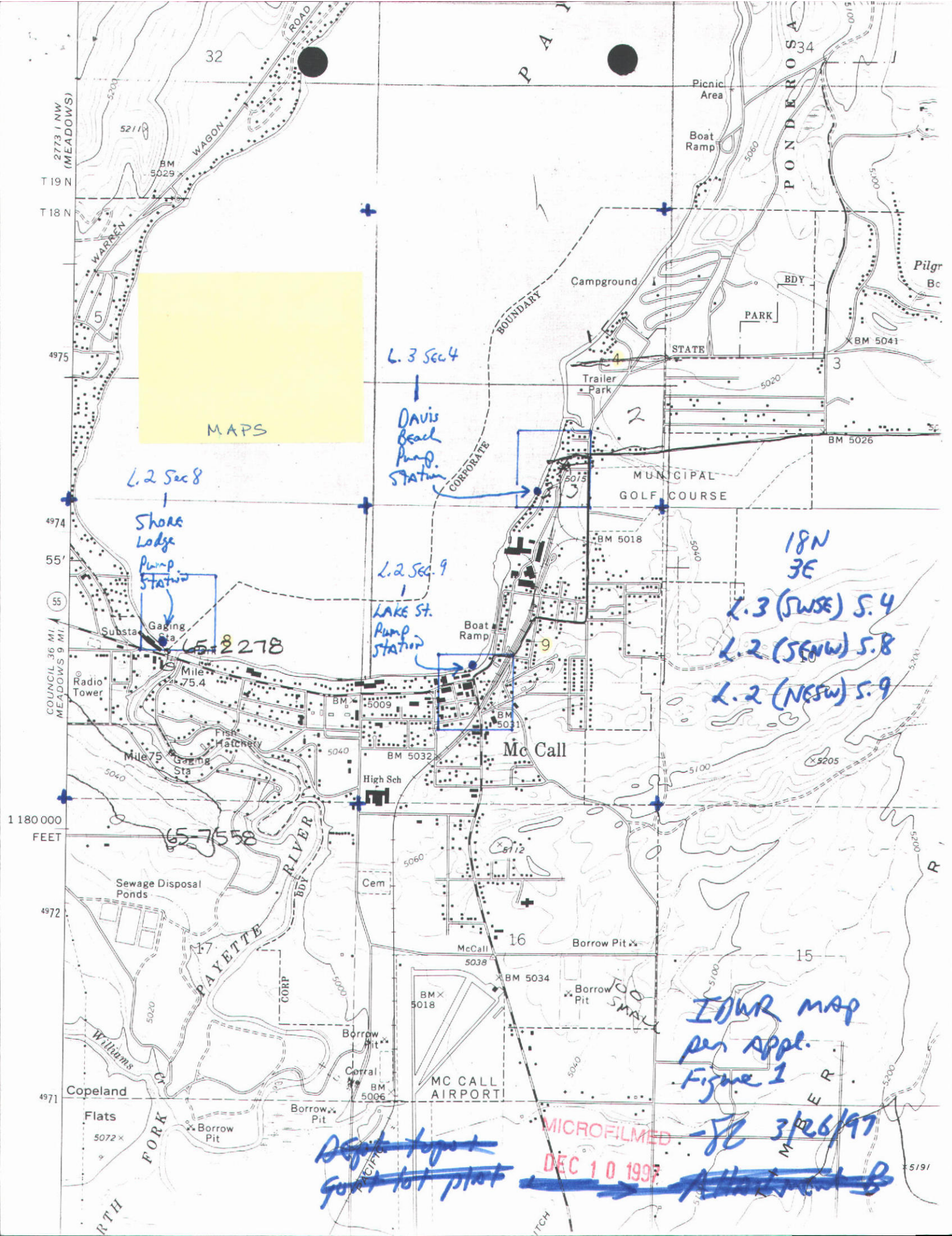
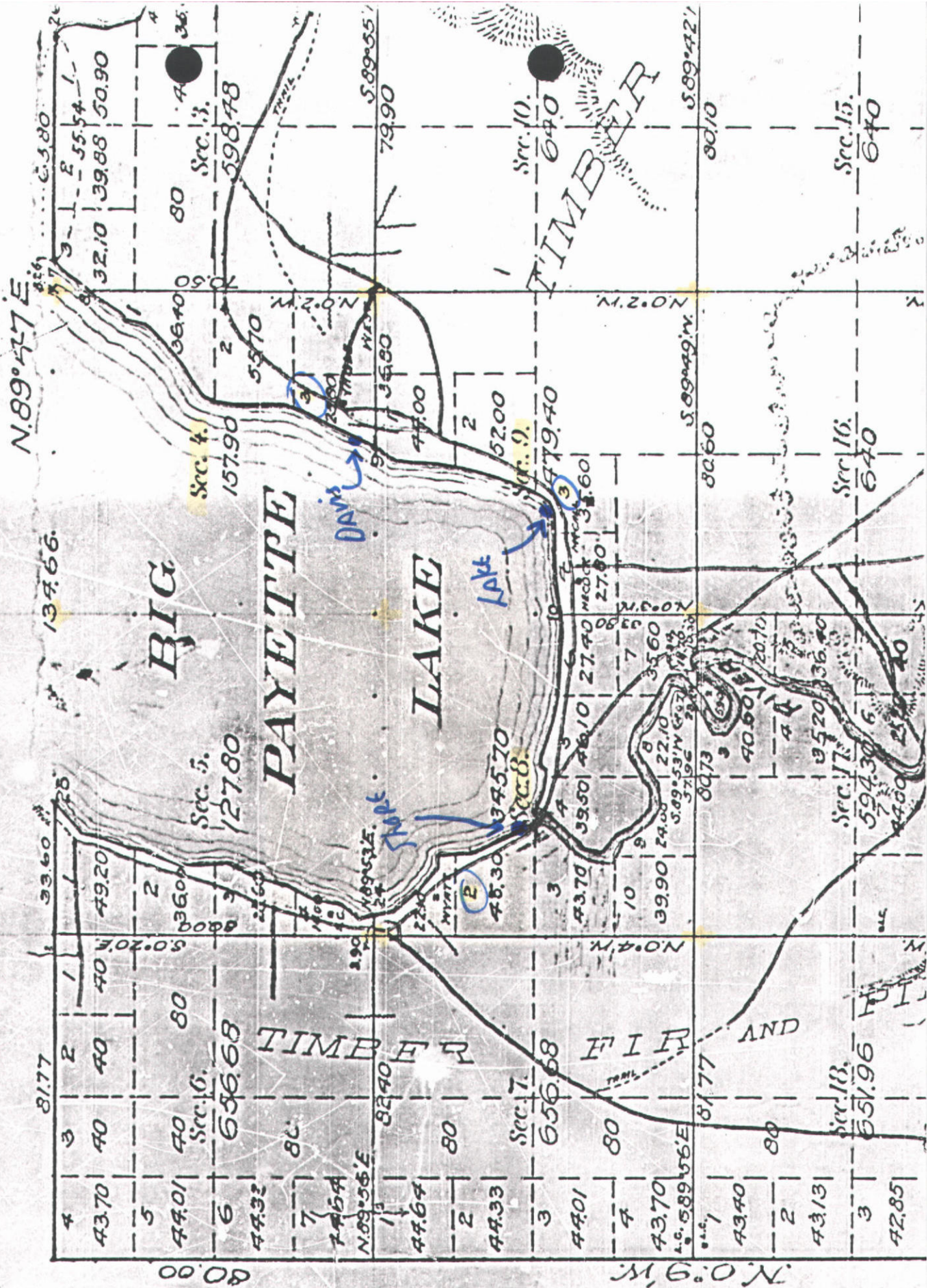


Figure 1
City of McCall Application for
Transfer of Water Right Nos.
65-12607, 65-10344, 65-10345
T18N, R3E, B.M.



Township No 18 North, Range No 3 East of the

G F F c E d c



MICROFILMED
DEC 10 1997

Publisher's Affidavit of Publication

RECEIVED
MAY 19 1997
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

.SS

County of Valley

I, Leslie S. Freyer, being duly sworn and say, I am the receptionist of The Central Idaho Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the NOTICE OF PROPOSED CHANGE OF WATER RIGHT, a copy of which is enclosed hereto and is a part hereof, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number 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 May 1, 1997 and ended May 8, 1997.

Subscribed and sworn before me this the 16th day of May, 1997.
STATE OF IDAHO

COUNTY OF VALLEY

On this 16th day of April, in the year of 1997, before me, a Notary Public, personally appeared Leslie S. Freyer, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Tom Grote

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

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 5033

Notice is given that the City of McCall, c/o Box 2720, Boise, ID 83701 has applied to the Department of Water Resources to change Points of Diversion pursuant to I.C. S 42-222. The municipal rights from Payette Lake are

recorded in T18N, R3E Valley County as follows:

Decree #65-10344, priority 6-1-1918, 5.13 cfs diverted in Lot 2 (NESW) S9, Lake Street pump station.

Decree #65-10345, priority 6-1-1968, 2.31 cfs diverted in Lot 3 (SWSE) S4, Davis Beach pump station.

License #65-12607, priority 3-29-1983, 3.88 cfs diverted in lot 2 (SENE) S8, Shore Lodge pump station.

Total for all rights is 11.32 cfs used in city of McCall and surrounding service area.

PROPOSED CHANGE

Allow all 3 pump stations to be used as diversion points for all 3 rights instead of 1 station per right.

Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082 together with a protest fee of \$25 on or before May 19, 1997. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director. 2t5/8

*collected notice Star-News,
no protests received.
-JL 5/2/97*

MICROFILMED

DEC 10 1997

RECEIVED

APR 30 1997

WATER RESOURCES
WESTERN REGIONThe Idaho
Statesman

P.O. BOX 40, BOISE, IDAHO 83707-0040

LEGAL ADVERTISING INVOICE

Amount Due

\$53.16

Account Number/Trans. #		Identification	
047628		Notice of Proposed Change of Water Right, Transfer No. 5033	
Ordered By	P.O. Number	Rate	Run Dates
Sue Taylor		NT	April 17, 24, 1997
Sue Taylor DEPARTMENT OF WATER RESOURCES Western Region 2735 Airport Way Boise ID 83705-5082		Estimated Inches	Real Inches
		# Affidavits	Legal Number
		1	7333

LEGAL NOTICE

NOTICE OF PROPOSED CHANGE
OF WATER RIGHT, TRANSFER NO. 5033

Notice is given that the City of McCall, C/O PO Box 2720, Boise ID 83701 has applied to the Department of Water Resources to change Points of Diversion pursuant to I.C. 42-222. The municipal rights from Payette Lake are recorded in T18N, R3E Valley County as follows:

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Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082 together with a protest fee of \$25 on or before May 5, 1997. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Pub. April 17 & 24, 1997

7333

JANICE HILDRETH

, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for Two

☒ consecutive weekly

☐ single

☐ consecutive daily

☐ odd skip

insertion(s) beginning with the issue of

April 17

1997

and ending with the issue of

April 24

1997

Janice Hildreth

STATE OF IDAHO)

ss.

COUNTY OF ADA)

On this 24th day of April in the year of 1997

, before me, a Notary Public, personally appeared JANICE HILDRETH

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.

Janice Madie
Notary Public for Idaho
Residing at:

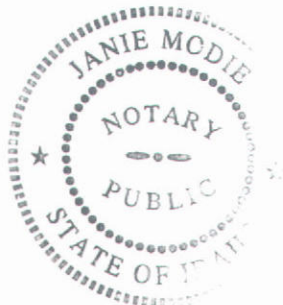
Boise, Idaho

MICROFILMED

DEC 10 1997

My commission expires:

5/97



Publisher's Affidavit of Publication

STATE OF IDAHO

.SS

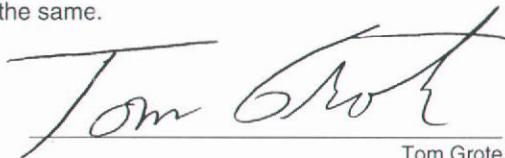
County of Valley

I, Leslie S. Freyer, being duly sworn and say, I am the receptionist of The Central Idaho Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the NOTICE OF PROPOSED CHANGE OF WATER RIGHT, a copy of which is enclosed hereto and is a part hereof, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number 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 April 3, 1997 and ended April 10, 1997.

Subscribed and sworn before me this the 21st day of April, 1997.
STATE OF IDAHO

COUNTY OF VALLEY

On this 21st day of April, in the year of 1997, before me, a Notary Public, personally appeared Leslie S. Freyer, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.



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

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 5033

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Decree #65-10345, priority 6-1-1968, 2.31 cfs diverted in Lot 3 (SWSE) S4, Davis Beach pump station.

License #65-12607, priority 3-29-2983, 3.88 cfs diverted in lot 2 (SENE) S8, Shore Lodge pump station.

Total for all rights is 11.32 cfs used in city of McCall and surrounding service area.

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Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082 together with a protest fee of \$25 on or before April 21, 1997. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director. 2/4/10

RECEIVED
APR 23 1997

MICROFILMED
DEC 10 1997

RECEIVED

APR 23 1997

WATER RESOURCES
WESTERN REGION

NOTICE OF PROPOSED
CHANGE OF WATER
RIGHT,

TRANSFER NO. 5033

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License #65-12607, priority 3-29-1983, 3.88 cfs diverted in Lot 2 (SENW) S8, Shore Lodge pump station.

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Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082 together with a protest fee of \$25 on or before April 21, 1997. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

PUBLISH: April 2 and 9, 1997

Affidavit of Publication

STATE OF IDAHO }
COUNTY OF TWIN FALLS } SS.

No 29212

I, Emily McKnight being first duly sworn upon oath, depose and say that I am principle clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive weeks, commencing with the issue dated April 2, 19 97, and ending with the issue dated April 9, 19 97.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 9th day of April in the year of 1997, before me, a Notary Public, personally appeared Emily McKnight, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

MICROFILMED

DEC 10 1997

Sheva R. Feltman

Notary Public for Idaho

Residing at Twin Falls, Idaho.

My commission expires: 5/19/2000

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date 04/10/97INVOICE NO. 140004Account No. 964760Description 140004NOTICEOFPROPOSEDTimes 2Lines 42

Tab. Lines _____

\$ 57.75

RECEIVED

APR 14 1997

WATER RESOURCES
WESTERN REGION**LEGAL ADVERTISING
INVOICE**

SOLD TO: DEPT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE ID 83705

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

Karen Lewis, being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 140004NOTICEOFP attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication being on 04/03, or once a WEEK for 2 consecutive WEEK, the first publication thereof being on the 04/03/97, and the last publication thereof being on the 04/10/97, and said 140004NOTICEOFP was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

day of _____ 1997

MICROFILMED

DEC 10 1997

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires _____

NOTICE OF PROPOSED CHANGE OF WATER RIGHT, TRANSFER NO. 5033
Notice is given that the City of McCall, C/O PO Box 2720, Boise ID 83701 has applied to the Department of Water Resources to change Points of Diversion pursuant to I.C. § 42-222. The municipal rights from Payette Lake are recorded in T18N, R3E Valley County as follows:
Decree #65-10344, priority 6-1-1918, 5.13 cfs diverted in Lot 2 (NESW) S9, Lake St. pump station.
Decree #65-10345, priority 6-1-1968, 2.31 cfs diverted in Lot 3 (SWSE) S4, Davis Beach pump station.
License #65-12607, Priority 3-29-1983, 3.88 cfs diverted in Lot 2 (SENW) S8, Shore Lodge pump station.
Total for all rights is 11.32 cfs used in city of McCall and surrounding service area.
PROPOSED CHANGE
Allow all 3 pump stations to be used as diversion points for all 3 rights instead of 1 station per right.
Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 on or before April 21, 1997. The protestant must also send a copy of the protest to the applicant.
Karl J. Dreher, Director
Published Statewide in the Star News, Idaho Statesman, Lewiston Morning Tribune and Post Register on April 3 and 10, 1997, and in the Times News on April 2 and 9, 1997.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5033
WATER RIGHT NO(S). 65-10344/65-10345/65-12607

This is to certify that: **CITY OF MC CALL**
PO BOX 2720
BOISE ID 83701

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
Right No. 65-10344 : MUNICIPAL Priority: 06/01/1918	01/01 to 12/31	5.13 CFS
Right No. 65-10345 : MUNICIPAL Priority: 06/01/1968	01/01 to 12/31	2.31 CFS
Right No. 65-12607 : MUNICIPAL Priority: 03/29/1983	01/01 to 12/31	3.88 CFS
TOTAL:		* 11.32 CFS

SOURCE

TRIBUTARY OF

BIG PAYETTE LAKE

PAYETTE RIVER, NORTH FORK

LOCATION OF POINT(S) OF DIVERSION: Lot 3(SWSE), Sec. 4, Township 18N, Range 03E
Lot 2(SENW), Sec. 8, Township 18N, Range 03E
Lot 2(NESW), Sec. 9, Township 18N, Range 03E
VALLEY County

PLACE OF USE: See Remarks **

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

TRANSFER NO. 5033
WATER RIGHT NO(S). 65-10344/65-10345/65-12607

CONDITIONS OF APPROVAL AND REMARKS

3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.
- * 6. The total instantaneous diversion of water from all points of diversion under Transfer 5033 shall not exceed 11.32 cfs.
7. Approval of Transfer 5033 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
- ** 8. Place of use is located within the city limits of McCall and surrounding service area.
9. The availability of water for Right 65-12607 is subject to all prior water rights of Lake Reservoir Co.

Dated this 30th day of October, 1997.


Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5033

RECEIVED

RECEIVED

APR 25 1997

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

MAR 10 1997

MAR 07 1997

WATER RESOURCES
WESTERN REGIONWATER RESOURCES
WESTERN REGION

Department of Water Resources

Name of applicant CITY OF McCALL

Phone (208) 634-7142

Post Office Address P.O. BOX 2720, BOISE, IDAHO 83701

RECEIVED

A. PURPOSE OF TRANSFER

AUG 07 1997

- 1 ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

Department of Water Resources

2. Describe the reason for the proposed changes TO PROVIDE ALTERNATE POINTS OF DIVERSION FOR EXISTING WATER RIGHTS TO MAXIMIZE EFFICIENCIES AND MANAGEMENT OPTIONS IN THE DELIVERY OF WATER BY MUNICIPAL WATER PROVIDER FOR PRESENT AND IDENTIFIABLE ANTICIPATED FUTURE USES.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1	Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
*	65-12607	03/29/1983	5.85 3.88	Municipal	01/01 to 12/31
	65-10345	06/01/1968	2.31	Municipal	01/01 to 12/31
	65-10344	06/01/1918	5.13	Municipal	01/01 to 12/31
					to _____

- * 2. Total amount of water being transferred N/A 11.32 cubic feet per second and/or _____ acre-feet per annum.

- * 3. Source of water Big Payette Lake tributary to Payette River, North Fork

4. Point(s) of Diversion: Water Right Nos. 65-12607, 65-1035 and 65-10344 to be diverted from any or all of the following points of diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Local name for diversion
* 2		SE	NW	8	18N	3E	VALLEY	SHORE LODGE
* 3		SE	SW	4	18N	3E	VALLEY	DAVIS BEACH
2		NE	SW	9	18N	3E	VALLEY	LAKE STREET

5. Lands irrigated or place of use. WITHIN CITY OF McCALL CITY LIMITS AND SURROUNDING SERVICE AREA
 Total: 12.79 CFS

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

* B1,2 RATE AS licensed plus decreed
 B3 per topographic map
 B4 " " " 1/2 govt lot plot

CORRECTIONS in Application
 approved by K 4/15/97
 initials & date

PART 1

6. General Information:

- a. Description of diversion system: SEE ATTACHMENT A.

- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N/A Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes
- c. Describe the affect on the land now irrigated if the place of sue is changed pursuant to this transfer:

N/A

d. Remarks:

See Attachment A

_____**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 65-12607 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other N/A

* 3. Source of water BIG PAYETTE LAKE tributary to PAYETTE RIVER, NORTH FORK

4. Date or priority 03/29/1983

* 5. Water is used for the following purpose:

amount 5.35 3.88 for MUNICIPAL purposes from 01-01 to 12-31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

* 6. Total amount of water under right 5.35 3.88 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
* <u>2</u>		SE	NW	8	18N	3E	VALLEY	SHORE LODGE

5. Lands irrigated or place of use: WITHIN CITY OF McCALL'S MUNICIPAL SERVICE AREA

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total acres _____

9. Describe any other water rights used for the same purpose as described above 65-10345 (SEE ATTACHMENT A) AND 65-10344 (SEE ATTACHMENT A)

* AS LICENSED

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? _____ If yes, describe SEE ATTACHMENT A

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount N/A for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total acres _____

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 65-10345 Decreed to CITY OF McCALL
in case of THE PAYETTE RIVER BASIN ADJUDICATION
dated MARCH 2, 1979 in GEM county of IDAHO
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other N/A

3. Source of water BIG PAYETTE LAKE tributary to _____4. Date or priority 06/01/1968

5. Water is used for the following purpose:

amount 2.31 for MUNICIPAL purposes from 01-01 to 12-31
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.31 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
* 3		~~SE~~	~~SE~~	4	18N	3E	VALLEY	DAVIS BEACH

5. Lands irrigated or place of use: WITHIN CITY OF McCALL'S MUNICIPAL SERVICE AREA

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total acres _____

9. Describe any other water rights used for the same purpose as described above 65-12607 (SEE ATTACHMENT A) AND 65-10344 (SEE ATTACHMENT A)

* AS DESCRIBED

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? _____ If yes, describe SEE ATTACHMENT A = Pages 12-13

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount N/A for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total acres _____

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. 65-10344 Decreed to CITY OF McCALL
 in case of THE PAYETTE RIVER BASIN ADJUDICATION
 dated MARCH 2, 1979 in GEM county of IDAHO

b. License No. _____ issued by the Idaho Department of Water Resources.

c. Claim No. _____ on file with the Idaho Department of Water Resources.

d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other N/A

3. Source of water BIG PAYETTE LAKE tributary to _____

4. Date or priority 06/01/1918

5. Water is used for the following purpose:

amount 5.13 for MUNICIPAL purposes from 01-01 to 12-31
 (cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 5.13 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
2		NE	SW	9	18N	3E	VALLEY	LAKE STREET

5. Lands irrigated or place of use: WITHIN CITY OF McCALL'S MUNICIPAL SERVICE AREA

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total acres _____

9. Describe any other water rights used for the same purpose as described above 65-12607 (SEE ATTACHMENT A) AND 65-10345 (SEE ATTACHMENT A)

* as decreed

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? _____ If yes, describe SEE ATTACHMENT A

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount N/A for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total acres _____

**DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3**

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**

SEE FIGURE 1 (ATTACHED HERETO).

SEE FIGURE 1 ATTACHED HERETO

(pg. 11)

SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3

B. CHANGES IN NATURE OF USE N/A

1	<u>New Nature of use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
	_____	_____	_____	_____ to _____
	_____	_____	_____	_____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe the effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

CITY OF McCALL, IDAHO, AN IDAHO MUNICIPAL CORPORATION

BY: _____

William Killen, Mayor

Subscribed and sworn to before me this 4th day of March, 1997.

Linda Harris
(Notary Public)

My commission expires 3/18/2002

FOR DEPARTMENT USE ONLY

Transfer contains 13 pages and 0 attachments.

* Received by KLT Date 3/7/97 Protest filed by _____

Prelim. check by SL Fee \$100

* Receipted by KLT Date 3/7/97 C038245

Published in Idaho Statesman 4-17-97 Junior's Trick Post Copies of protest forwarded by _____

Pub. dates 4-24-97 Star News republished 5-1-97 Hearing held by _____ Date _____

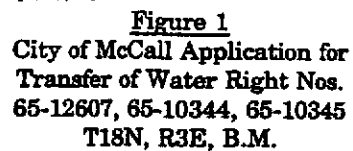
Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd _____ by _____

Copy of transfer sent to lien holder _____

* SL per receipt, 3/26/97

This portion recorded on cc kept e Regain while original corrections were being approved by city. Now this inserted into returned original. -SL 6/2/97



ATTACHMENT A
City of McCall Application for Transfer
of Water Right Nos. 65-12607, 65-10344, 65-10345

PART 1, SECTION B, ITEM 6A

Description of Diversion System:

Water Right Nos. 65-12607 (Shore Lodge Pump Station), 65-10345 (Davis Beach Pump Station), and 65-10344 (Lake Street Pump Station) authorize a cumulative diversion rate from Big Payette Lake of 12.79 cubic feet per second ("cfs") or 5,735 gallon per minute ("gpm"). Water currently is pumped from three individual points of diversion into two pipelines to the City's Water Treatment Plant. Each pipeline is approximately 9,600 feet in length and has a 16-inch diameter. *

The Shore Lodge Pump Station uses a 40 horsepower, 4-stage turbine pump, a 50 horsepower, 2-stage turbine pump, and a 15 horsepower jockey pump with an 18-inch intake diameter. The Davis Beach Pump Station uses a 60 horsepower turbine pump, a 75 horsepower turbine pump, a 40 horsepower turbine pump and a 15 horsepower jockey pump with a 16-inch intake diameter. The Lake Street Pump Station uses two 50 horsepower turbine pumps and a 75 horsepower turbine pump with a 16-inch intake diameter. The locations of the existing pump stations and the proposed alternate points of diversion are shown on Figure 1.

PART 1, SECTION B, ITEM 6D (Remarks)

Proposed Diversion Rates.

The City's transfer application seeks to add the existing Shore Lodge, Davis Beach and Lake Street points of diversion as alternate points of diversion for Water Right Nos. 65-12607, 65-10345 and 65-10344, allowing the City to divert any or all of the water rights from any or all of the points of diversion. The transfer's purpose is to enhance the City's water management options, and to provide diversion and distribution efficiencies and redundancy. No change in the cumulative diversion rate under the City's three water rights of 12.79 cfs or 5,735 gpm is intended or would result from adding the alternate points of diversion. *

The City proposes to install a booster pump in the existing Shore Lodge Pumping Station to boost treated water to the City's western service area. Although the Shore Lodge pump will remain in place, the City proposes to divert the majority of its water from the Davis Beach and Lake Street points of diversion which would be upgraded to permit diversion rates at each station of up to 6.02 cfs or 2,700 gpm (12.04 cfs or 5,400 gpm total). The balance of the City's cumulative diversion rate *

* 11.32 cfs (5080 gpm) as licensed & decreed.

-JD 3/26/97

would be obtained from the Shore Lodge Pumping Station when and as needed to meet the City's peak and emergency demands, and for reasonably anticipated future needs.

The proposed additions of alternate points of diversion to the three City water rights will also improve the City's ability to provide for growth within its existing service area or extensions in its service area.

PART 2, SECTION A, ITEM 10

The City has continuously diverted and beneficially used water under its water rights for municipal purposes as needed, and subject to fluctuations in daily and seasonal water demand.

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 72

* INDICATES TOTAL *

SOURCE: BIG PAYETTE LAKE

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-8196	DAKAN, I. WILBUR 504 SOUTH KIMBALL, CALDWELL, IDAHO 83605 REMARKS: BLOCK F, CRESCENT BEACH.	4/ 2/1902	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	LOT 2 S 5 T18N R 3E	LCT2 S 5 T18N R 3E	BENEFICIAL USE
65-8583	PUTTS, EDWARD E. & PUTTS, JANET C. 1408 SHOSHONE STREET, BOISE, IDAHO 83705 REMARKS: LOT 1, LUCKS POINT SUBDIVISION.	12/10/1902	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	LOT 1 S35 T19N R 3E	LCT1 S35 T19N R 3E	BENEFICIAL USE
65-6864	BEAN, FINCH, BAKER CO-OP C/O HAROLD C. FINCH, APT. 901, 200 NORTH 3RD STREET, BOISE, IDAHO 83702 REMARKS: LOTS 34, 38, 17, 21, 24, 25, & 41, GROUP B, PAYETTE LAKE CLUB SUBDIVISION.	7/ 1/1913	DOMESTIC	1/ 1 12/31	4.80 AFA .16 CFS	LOT 3 S 5 T18N R 3E	LOT3 S 5 T18N R 3E	BENEFICIAL USE
65-10344	CITY OF MC CALL, IDAHO C/O WILLIAM A. KIRK, P. O. BOX 8, MC CALL, IDAHO 83618 REMARKS: PLACE OF USE WITHIN CITY LIMITS OF MC CALL.	6/ 1/1918	MUNICIPAL	1/ 1 12/31	--- AFA 5.13 CFS	LOT 2 S 9 T18N R 3E		BENEFICIAL USE
65-8917	HAYS, ROBERT D. 5365 SOUTH WINN ROAD, MT. PLEASANT, MICHIGAN 48858 REMARKS: LOT 13, BLOCK 1, RECORDERS PLAT.	7/ 1/1918	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	LOT 1 S 8 T18N R 3E	LOT1 S 8 T18N R 3E	BENEFICIAL USE
65-8506	LEIS, LOVELL L. P. O. BOX 599, GUNTARIO, OREGON 97914 REMARKS: LOT 22 IN LOT 2, PAYETTE LAKE COTTAGE SITES.	6/ 1/1919	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	LOT 2 S 2 T19N R 3E	LCT2 S 2 T19N R 3E	BENEFICIAL USE
65-8542	MARTIN, RUTH W. 820 NORTH 17TH STREET, BOISE, IDAHO 83702 REMARKS: LOT 21, PAYETTE LAKES COTTAGE SITES.	6/ 1/1919	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	LOT 2 S32 T19N R 3E	LCT2 S32 T19N R 3E	BENEFICIAL USE



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

October 31, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MARK LIMBAUGH
WATERMASTER
102 N MAIN
PAYETTE ID 83661

RE: TRANSFER OF WATER RIGHTS 65-10344/65-10345/65-12607

Dear Mark:

Enclosed is a copy of the recently approved Transfer of Water Rights for the above referenced water rights (Transfer No. 5033) in the name of City of McCall.

Also enclosed is a copy of the reviewers notes.

If you have any questions, please call me at (208) 327-7947.

Sincerely,

A handwritten signature in cursive script, appearing to read "Shelley Walter Kae".

for JIM JOHNSON, Manager
Water Permits Section

JJ:klt

Enclosures

10-31-97
10:00 AM



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

October 30, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CITY OF MC CALL
PO BOX 2720
BOISE ID 83701-2720

RE: Water Rights 65-10344/65-10345/65-12607 (Transfer 5033)

Dear Water Right Holder(s):

Enclosed is the copy of your approved Transfer of Water Rights for the above referenced water rights (Transfer 5033). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

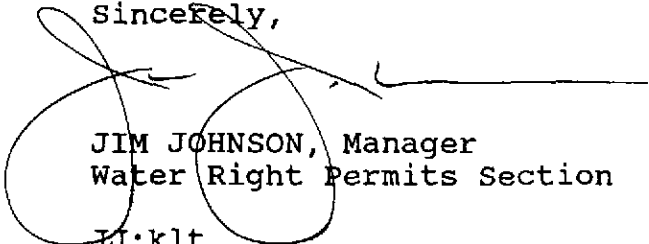
As of July 1, 1996, all water right owners are required to report any change in water right ownership and any change of mailing address to the department.

If you have acquired any other water right or have changed your mailing address **PRIOR TO** July 1, 1996, you have until July 30, 1998, to record the ownership and/or address change with the department.

If you acquired other water rights or changed your mailing address **AFTER** July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes in a timely manner could result in a \$100 late filing fee. You can contact any office of the department for more information. If you have any questions concerning your water right listed above you can contact me at (208) 327-7947.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

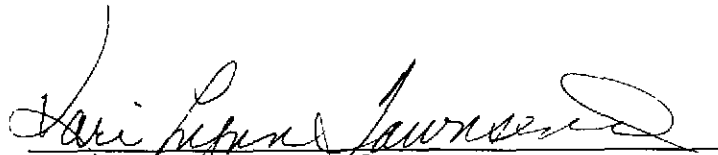
Enclosures

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of October, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

WATER RIGHTS 65-10344/65-10345/65-12607 (Transfer 5033)

CITY OF MC CALL
PO BOX 2720
BOISE ID 83701-2720


Kari Lynn Townsend
Secretary

MEMORANDUM

TO: FILES 65-10344, 65-10345 & 65-12607

FROM: PAM SKAGGS/²⁸STATE OFFICE

SUBJECT: TRANSFER 5033

DATE: October 27, 1997



=====

Transfer 5033 adds points of diversion to Rights 65-10344, 65-10345 and 65-12607. The three existing pump sites were developed under the separate rights over a period of time and by combining the system will maximize efficiency and water management options for the municipal system.

Recommended conditions include watermaster control, multiple points of diversion measuring devices & lockable controlling works, right-of-way, place of use, availability under Right 65-12607 and standard transfer conditions.

TRANSFER REVIEW SHEET

(06-97)

Transfer # 5033Date Reviewed 10-24-97
28Right(s) 65-10344
65-10345
65-12607WRQII Print Split Summary NA Run POU Comparison ReportB:Change P/D C:Add P/D D:Change P/U E:Change Nature of Use
F:Change Period of Use G:Other H:Change P/D & Add P/D
I:Change P/D & P/U J:Add P/D & Change P/UProof of Ownership NA P/D change onlyTransfer ✓ All of Right Portion of Right
Resulting Split(s) NONE

Check Transfer Against Recorded Right

Season/Vol. NA-Municipal
B/3.0(1) ✓ Priority (2) ✓ Use (3) ✓ Season (4) ✓ Rate (5) NA Volume
(6) ✓ Source (7) P/D (8) ✓ P/U (9) NA Proof/Owner (10) ✓ Map
(11) 65 Water District (12) Yes Pertinent Conditions (13) NO Expansion
WM Comment Revid. 4-14-97 ← MD condition w/ limits
⑦ Add P/D's - 3 pump sites on all rts.SRBA - Claims - 65-12607 as permit/license limits apply.
combined remarkTransfer Remarks WS7 WB4 65-12607 - subject to prior WR Lake Reservoir Co.
Conditions R04, (R43) (T17) T07, T08, T09
WM totalizing volume on daily basis / Not applicable for MUNICIPAL

Database/Processing Notes

Standard ✓ Non-Standard T FilesEdit remarks T65-10344 before updating WRXPccommon File -5033.txt; 23
File Deleted 10-30-97Transfer Memo Complete ✓
Database Updated 10-30-97 28

WR0749NP
No. T65-10344

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/27/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF MC CALL PO BOX 2720 BOISE ID 83701 (208) 634-7142	06/01/1918	MUNICIPAL	01/01 12/31	5.130 CFS	
TOTAL DIVERSION:					5.130 CFS	

Water Source: BIG PAYETTE LAKE

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: DECREED

Point(s) of Diversion:	T18N R03E S04 Lot 03(SWSE)	VALLEY County
	S08 Lot 02(SENW)	VALLEY County
	S09 Lot 02(NESW)	VALLEY County

Point of Diversion Name(s):

	Name	Rate	Number
T18N R03E S04 Lot 03 (SW SE)	DAVIS BEACH		
S08 Lot 02 (SE NW)	SHORE LODGE		
S09 Lot 02 (NE SW)	LAKE STREET		

Pou County:

Conditions of Approval:

- T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 65.

Remarks: Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.

The total instantaneous diversion of water from all points of diversion under Transfer 5033 shall not exceed 11.32 cfs.

Approval of Transfer 5033 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Place of use is located within the city limits of McCall and surrounding service area.

- The availability of water for Right 65-12607 is subject to all prior water rights of Lake Reservoir Co.

Delete when approved - only 65-12607. 10-30-97

Dates:	App. Received:	Priority Date:	06/01/1918
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

WR0749NP
No. T65-10344

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/27/97
PAGE: 2

=====

Misc: Water District Number: 65 Field Exam Fee:

Comments: Date: 10/24/1997 User-ID: PSKAGGS Subject: TRANSFER NO. 5033
Transfer No. 5033 adds points of diversion under Rights 65-10344,
65-10345 & 65-12607.

Audit: 03/27/97 STAYLOR 10/24/97 PSKAGGS 10/27/97 PSKAGGS

WR0749NP
No. T65-10345

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/27/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF MC CALL PO BOX 2720 BOISE ID 83701 (208) 634-7142	06/01/1968	MUNICIPAL	01/01 12/31	2.310 CFS	
					TOTAL DIVERSION:	2.310 CFS

Water Source: BIG PAYETTE LAKE

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: DECREED

Point(s) of Diversion:	T18N R03E S04 Lot 03(SWSE)	VALLEY County
	S08 Lot 02(SENW)	VALLEY County
	S09 Lot 02(NESW)	VALLEY County

Point of Diversion Name(s):

	Name	Rate	Number
T18N R03E S04 Lot 03 (SW SE)	DAVIS BEACH		
S08 Lot 02 (SE NW)	SHORE LODGE		
S09 Lot 02 (NE SW)	LAKE STREET		

Pou County:

Conditions of Approval:

- T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 65.

Remarks: Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.

The total instantaneous diversion of water from all points of diversion under Transfer 5033 shall not exceed 11.32 cfs.

Approval of Transfer 5033 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Place of use is located within the city limits of McCall and surrounding service area.

Dates:	App. Received:	Priority Date:	06/01/1968
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc:	Water District Number: 65	Field Exam Fee:
-------	---------------------------	-----------------

WR0749NP
No. T65-10345

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/27/97
PAGE: 2

=====
Comments: Date: 10/24/1997 User-ID: PSKAGGS Subject: TRANSFER NO. 5033
Transfer No. 5033 adds points of diversion under Rights 65-10344,
65-10345 & 65-12607.

Audit: 03/27/97 STAYLOR 10/24/97 PSKAGGS 10/27/97 PSKAGGS

WR0749NP
No. T65-12607

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/27/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF MC CALL PO BOX 2720 BOISE ID 83701 (208) 634-7142	03/29/1983	MUNICIPAL	01/01 12/31	3.880 CFS	
					TOTAL DIVERSION:	3.880 CFS

Water Source: BIG PAYETTE LAKE

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: LICENSE

Point(s) of Diversion Capacity: 3.880 CFS

Point(s) of Diversion:	T18N R03E S04 Lot 03(SWSE)	VALLEY County
	S08 Lot 02(SENW)	VALLEY County
	S09 Lot 02(NESW)	VALLEY County

Point of Diversion Name(s):

	Name	Rate	Number
T18N R03E S04 Lot 03 (SW SE)	DAVIS BEACH		
S08 Lot 02 (SE NW)	SHORE LODGE		
S09 Lot 02 (NE SW)	LAKE STREET		

Pou County:

Other Rights: NOS. 65-10344 & 65-10345

Conditions of Approval:

- 047 - The availability of water for this right is subject to all
 - prior water rights of Lake Reservoir Co.
- T07 - The right holder shall accomplish the change authorized by this
 - transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this
 - transfer is cause for the Director to rescind approval of the
 - transfer.
- T09 - Approval of this transfer does not preclude the opportunity for
 - review of the validity of the water right(s) in the ongoing
 - Snake River Basin Adjudication.
- R04 - Use of water under this water right will be regulated by the
 - watermaster of State Water District No. 65.

Remarks:

Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.

The total instantaneous diversion of water from all points of diversion under Transfer 5033 shall not exceed 11.32 cfs.

Approval of Transfer 5033 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

WR0749NP
No. T65-12607

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/27/97
PAGE: 2

Remarks: Place of use is located within the city limits of McCall and
surrounding service area.

Dates: App. Received: 03/29/1983 Priority Date: 03/29/1983
Proof Due Date: 07/01/1987 Proof Made Date: 05/18/1987
Exam Made Date: 09/18/1988 Exam Sent to S.O.: 02/24/1992
Licensed Date: 06/15/1994

Misc: Water District Number: 65 Field Exam Fee: R (Received)

Comments: Date: 10/24/1997 User-ID: PSKAGGS Subject: TRANSFER NO. 5033
Transfer No. 5033 adds points of diversion under Rights 65-10344,
65-10345 & 65-12607.

Audit: 03/27/97 STAYLOR 10/24/97 PSKAGGS 10/27/97 PSKAGGS

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER ANALYSIS SHEET

Statewide + McCall
papers - 5 total
Watermaster Comment
Letter

APPLICANT City of McCall TRANSFER NO. 5033

INITIAL ALLOCATION REVIEW BY FL DATE 3/26/97
SRBA SUPERVISOR REVIEW BY [Signature] DATE 3/26/97

1. Right number(s) 65-10344 65-10345 65-12607

2. Type of right 2 Decree 1 License Statutory Claim
 SRBA Beneficial Use Claim

3. Purpose of transfer Change P/D ✓ Add P/D Change P/U
 Change N/U Change Source Split Right
 Other:

4. Check Existing Right: ✓ Source ✓ Priority ✓ Amount ✓ Purpose
✓ Period ✓ SRBA Claim
✓ Description of original point(s) of diversion
✓ Description of original place of use
✓ Overlapping rights on original place of use

5. Check Proposed Right for amount of land &/or water transferred:

✓ Also see attached memo for more analysis information - 6/2/97 memo

- a. ✓ All of right
- b. N/A Part of right (NOTE! Part B should be filled in only if part of right is owned by the applicant)
- c. ✓ Description of point(s) of diversion
- d. no change Description of place of use
- e. ✓ Map showing P/D & P/U after transfer
- f. ✓ Correct notarized signature and \$100 fee
- g. N/A municipal system Proof of ownership of right &/or land from which water is transferred
- h. ✓ Expansion in use of right - Comments:

RECEIVED
AUG 0 1997
Department of Water Resources

Total = 11.32 cfs, not 12.79 cfs noted in ps. 12 of Application. Sent letter to Applicant suggesting new permit needed for differential if divert - or intent to divert - at higher rate. Appears city filed permit (5.35 cfs) rate instead of licensed rate (3.88 cfs) for 65-12607.

DON'T see problems w/ approval within WR's limits & watermaster control

i. 8 Existing rights from same source, on land water is being transferred to; right number(s): _____

j. ✓ SRBA claim(s) - Comments (NOTE! Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain) CLAIMED AS DECEASED (2 RIGHTS) Transfer Apparent
CLAIMED AS PERMANENT (1 RIGHT) I will correct any discrepancies

k. ✓ Comment letters _____ Yes _____ No
 If yes ✓ Water District # 65
 Other, see #2 below for name and address

PUBLICATION REVIEW

1. Legal Notice electronically sent to DWR03::VAULT? ✓ Yes

2. COMMENT LETTERS

Watermaster recommendation requested on 4/9/97, Received on 4/15/97

Other comments letters: _____ See attached information

3. Transfer published correctly? ✓ Yes _____ No
4. Affidavit of publication received? ✓ Yes _____ No
5. Protests received? _____ Yes ✓ No; Acknowledgement sent? _____ Yes
6. Data entry of application completed? ✓ Yes

← note - "Star News" corrected ad 5/11 & 5/18, 1997. No protests received.

RECOMMENDED ACTION

1. ✓ Approve _____ See attached memo
2. _____ Deny due to _____
3. Conditions (special conditions in Water Districts) Total diversion rate shall not exceed 11.32 cfs
4. By Bany Date 7/6/97

FILE FORWARDING

1. Copies made for Region file (see attached supplemental page)? ✓ Yes
2. File forwarded to S.O.: by AT date 8-6-97

SRBA info
N/A to legal
Notice - see
App. attachment A

MEMORANDUM

TO: FILE

FROM: STEVE LESTER *SL*

DATE: JUNE 2, 1997

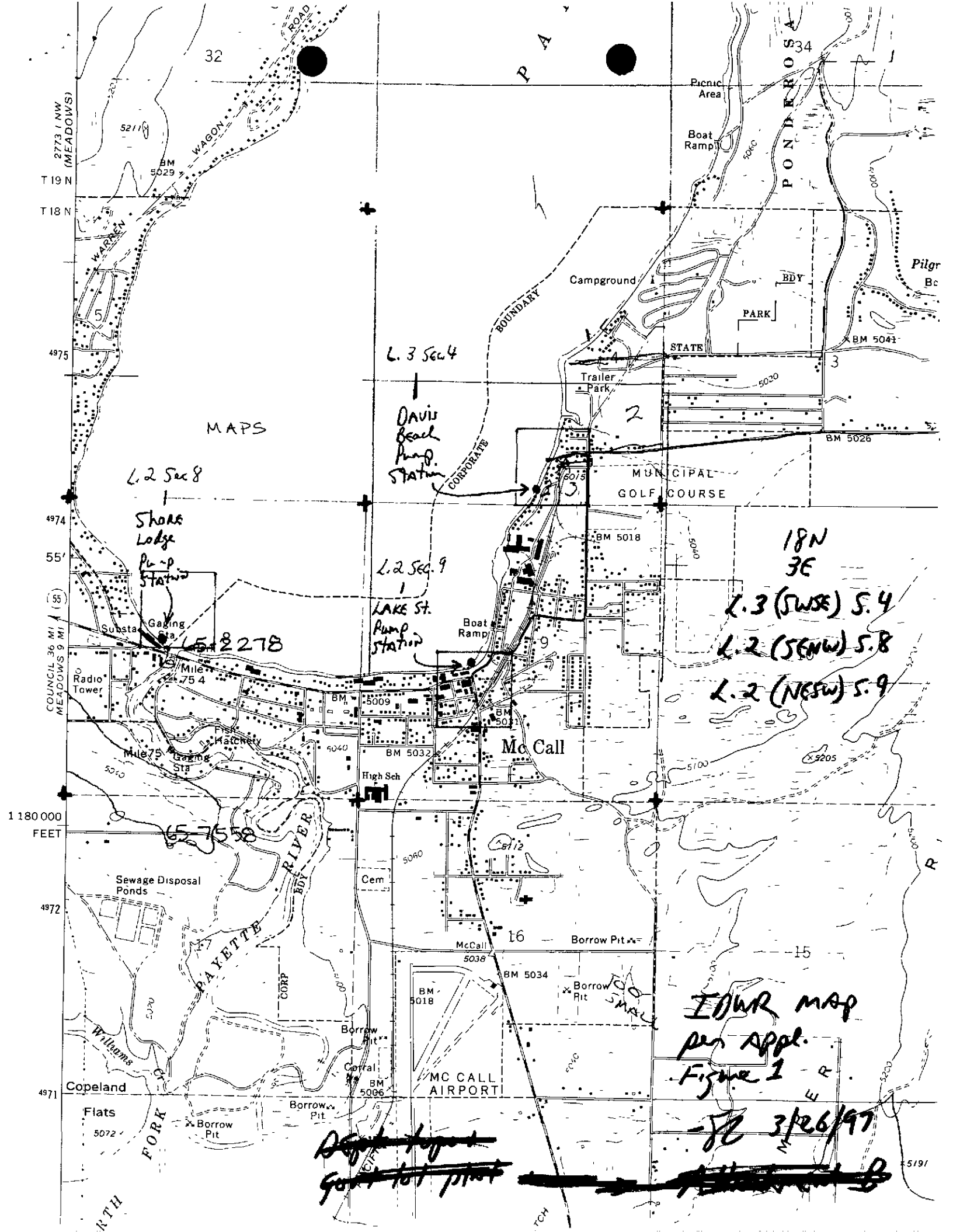
RE: CITY OF MCCALL TRANSFER #5033

The city filed a transfer to show three existing diversion points, currently one point per right, as authorized diversions for each of the three rights. This will maximize efficiency for city operations.

The city was notified per letter of March 26 that the three diversions when combined are limited to 11.32 cfs instead of 12.79 cfs mentioned on page 12 of the application. The city included the permit rate of flow for right 65-12607 instead of the correct license rate of flow (now corrected in the filing).

Watermaster monitoring of the combined flow rate diverted from the diversion points will ensure that authorized rates are not exceeded. If the city diverts more than 11.32 cfs, a new right must be filed as discussed in my March 26 letter. Note the watermaster's comments received in April -- rate of flow but not volume (volume n/a in these rights) should be monitored by the watermaster.

The application appears approvable. Proof of ownership and verification of use do not need to be addressed in this transfer. Transfer approval will amend the three SRBA claims without complications.



2773 (NW MEADOWS)
T 19 N
T 18 N
4975
4974
55'
(55)
COUNCIL 36 MI
MEADOWS 9 MI

1 180 000
FEET

4972
4971
Copeland

RTN

MAPS

L. 2 Sec 8

Shore Lodge
Pump Station

5-2278

5-7558

L. 3 Sec 4

DAVID
Beach
Pump
Station

L. 2 Sec 9

LAKE ST.
Pump
Station

BOUNDARY

CORPORATE

Campground

Picnic Area

Boat Ramp

PONDEROSA

BDY

PARK

STATE

MUNICIPAL
GOLF COURSE

18N
3E

L. 3 (SWSE) S. 4

L. 2 (SENW) S. 8

L. 2 (NESE) S. 9

Mc Call

High Sch

Sewage Disposal Ponds

PAYETTE RIVER

CORP

Cem

McCall

Borrow Pit

MC CALL AIRPORT

IDWR Map

per Appl.

Figure 1

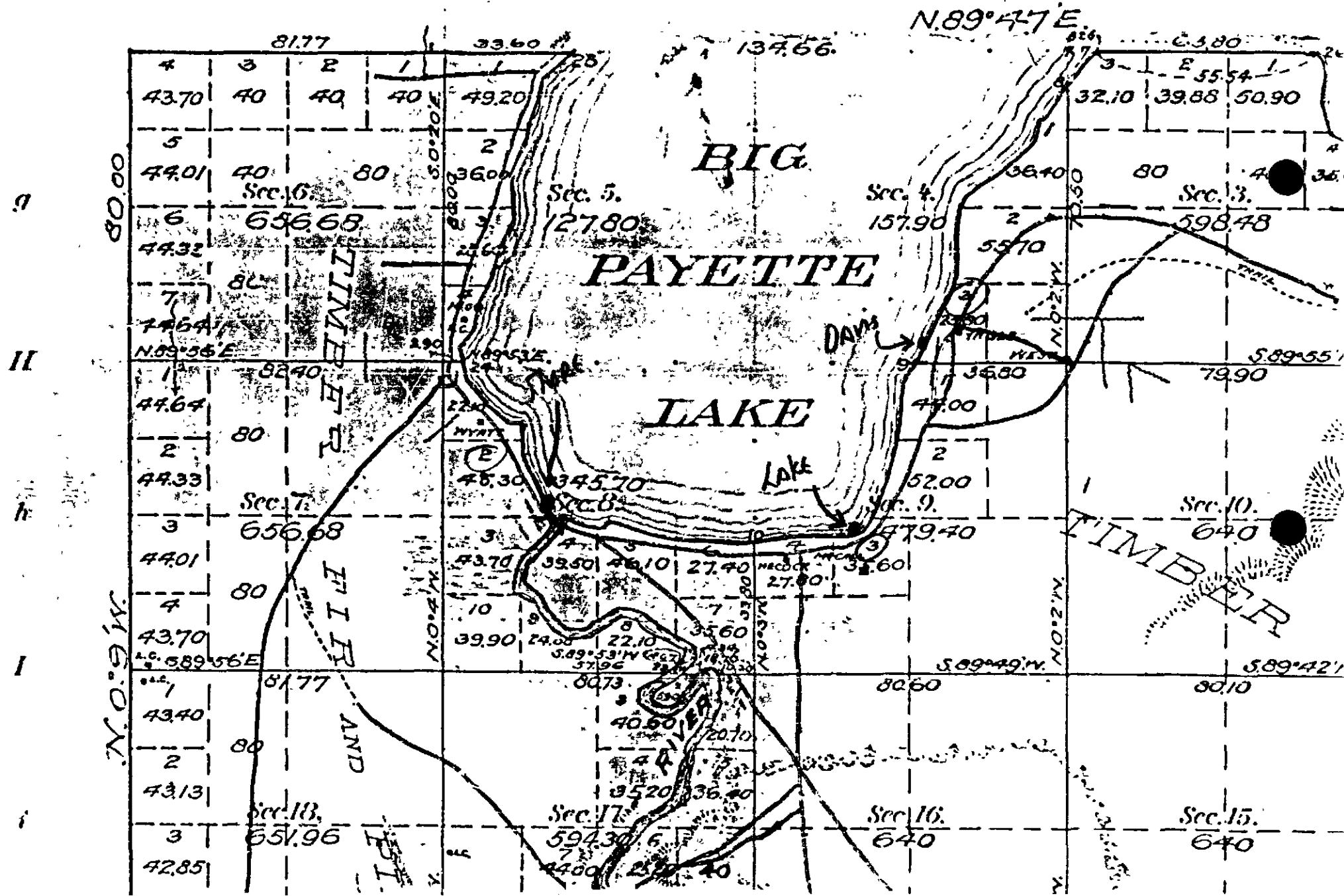
-JC 3/26/97

~~Do not topog~~
~~Go to lot photo~~

~~Attorney's Office~~

Township N°18 North, Range N°3 East of the

G F F e E d D c



add'l. review
into not to be
Capitol for
Regional file

- govt lot plot
- Reconnected WR's
- " SRBA
claims

-82 6/2/97

WR5809NP
No. 65-10344

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/26/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF MC CALL	06/01/1918	MUNICIPAL	01/01 12/31	5.130 CFS	
TOTAL DIVERSION:					5.130 CFS	

Water Source: BIG PAYETTE LAKE

Tributary to:

Stage: DECREED

Point(s) of Diversion: T18N R03E S09 Lot 02()

VALLEY County

Pou County:

Other Water Rights with Same Point(s) of Diversion and Source:
65-08653

Remarks: PLACE OF USE WITHIN CITY LIMITS OF MC CALL.

Dates:	App. Received:	Priority Date:	06/01/1918
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT 09/18/89 CURTIS

Lake St. pump

*second water
right*

WR5809NP
No. 65-10345

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/26/97
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF MC CALL	06/01/1968	MUNICIPAL	01/01 12/31	2.310 CFS	
TOTAL DIVERSION:					2.310 CFS	

Water Source: BIG PAYETTE LAKE

Tributary to:

Stage: DECREED

Point(s) of Diversion: T18N R03E S04 Lot 03()

VALLEY County

Pou County:

*Davis Beach
pump*

Other Water Rights with Same Point(s) of Diversion and Source:
65-00782 65-00793 65-00796

Remarks: PLACE OF USE WITHIN CITY LIMITS OF MC CALL.

Dates: App. Received: Priority Date: 06/01/1968
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT 09/18/89 CURTIS

WR5809NP
No. 65-12607

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/26/97
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF MC CALL	03/29/1983	MUNICIPAL	01/01 12/31	3.880 CFS	
TOTAL DIVERSION:					3.880 CFS	

Water Source: BIG PAYETTE LAKE

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: LICENSE

Point(s) of Diversion Capacity: 3.880 CFS

Point(s) of Diversion: T18N R03E S08 Lot 02(SENW)

Pou County:

Other Rights: NOS. 65-10344 & 65-10345

Other Water Rights with Same Point(s) of Diversion and Source:

65-08255 65-08468 65-08571 65-08707 65-10366 65-10401

Conditions of Approval:

- 047 - The availability of water for this right is subject to all
- prior water rights of Lake Reservoir Co.
- R01 - A measuring device of a type approved by this Department shall
- be maintained as a part of the diverting works.
- R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 65.
- 004 - The issuance of this right does not grant any right-of-way
- or easement across the land of another.

Remarks: Place of use is located within the city limits of McCall and
surrounding service area.

Dates: App. Received: 03/29/1983 Priority Date: 03/29/1983
Proof Due Date: 07/01/1987 Proof Made Date: 05/18/1987
Exam Made Date: 09/18/1988 Exam Sent to S.O.: 02/24/1992
Licensed Date: 06/15/1994

Misc: Water District Number: 65 Field Exam Fee: R (Received)

Audit: 07/17/87 04/30/88 CONVERT 06/21/89 GARRETT 10/09/92 SKAGGS
06/03/94 BCHAPMAN 06/06/94 BCHAPMAN 09/20/95 SCURTIS

*Three Lodge
pump*

AJ5809NP
No. A65-10344

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/26/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF MC CALL IDAHO	06/01/1918	MUNICIPAL	01-01 12-31	5.13 CFS	
TOTAL DIVERSION:					5.13 CFS	

Water Source: BIG PAYETTE LAKE

Tributary to:

Stage: DECREED

Point(s) of Diversion: T18N R03E S09 Lot02()

VALLEY County

POU County:

Remarks: GEN PLACE OF USE WITHIN CITY LIMITS OF MC CALL.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

claimed as decreed

3 SRBA claims

~~*Attachment A*~~

AJ5809NP
No. A65-10345

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/26/97
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF MC CALL IDAHO	06/01/1968	MUNICIPAL	01-01 12-31	2.31 CFS	
TOTAL DIVERSION:					2.31 CFS	

Water Source: BIG PAYETTE LAKE

Tributary to:

Stage: DECREED

Point(s) of Diversion: T18N R03E S04 Lot03()

VALLEY County

POU County:

Remarks: GEN PLACE OF USE WITHIN CITY LIMITS OF MC CALL.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

Claim as decreed

AJ5809NP
No. A65-12607

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/26/97
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF MC CALL	03/29/1983	MUNICIPAL	01-01 12-31	5.35 CFS	
TOTAL DIVERSION:					5.35 CFS	

Water Source: BIG PAYETTE LAKE

Tributary to:

Stage: PERMIT

Point(s) of Diversion:

T18N R03E S08

SENW

VALLEY County

Place of use Legal Description for: MUNICIPAL

NE				NW				SW				SE																			
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE	
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
18N	03E	8	:		:				:										:												

POU County: VALLEY

Other Rights: NOS. 65-10344 & 65-10345

Conditions of Approval:

Remarks: GEN P/U WITHIN CITY LIMITS OF MC CALL.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:

Presumption Flag:

*Claimed as permitted except P/u Q/Q
is an anomaly - permitted p/u was
City of McCall.*

*no need to show claim in legal notice -
permit has been issued for 3.88 cfs
capacity from this pld*

-SL 3/26/97

Publisher's Affidavit of Publication

RECEIVED

MAY 19 1997

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

.SS

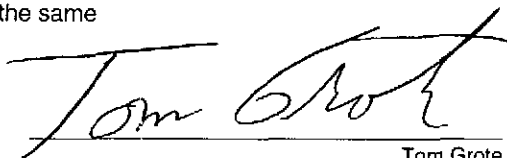
County of Valley

I, Leslie S. Freyer, being duly sworn and say, I am the receptionist of The Central Idaho Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho, that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the NOTICE OF PROPOSED CHANGE OF WATER RIGHT, a copy of which is enclosed hereto and is a part hereof, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number 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 May 1, 1997 and ended May 8, 1997.

Subscribed and sworn before me this the 16th day of May, 1997
STATE OF IDAHO

COUNTY OF VALLEY

On this 16th day of April, in the year of 1997, before me, a Notary Public, personally appeared Leslie S. Freyer, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same



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

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 5033

Notice is given that the City of McCall, c/o Box 2720, Boise, ID 83701 has applied to the Department of Water Resources to change Points of Diversion pursuant to I.C. § 42-222. The municipal rights from Payette Lake are

recorded in T18N, R3E Valley County as follows

Decree #65-10344, priority 6-1-1918, 5.13 cfs diverted in Lot 2 (NESW) S9, Lake Street pump station.

Decree #65-10345, priority 6-1-1968, 2.31 cfs diverted in Lot 3 (SWSE) S4, Davis Beach pump station.

License #65-12607, priority 3-29-1983, 3.88 cfs diverted in lot 2 (SENE) S8, Shore Lodge pump station.

Total for all rights is 11.32 cfs used in city of McCall and surrounding service area.

PROPOSED CHANGE

Allow all 3 pump stations to be used as diversion points for all 3 rights instead of 1 station per right.

Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082 together with a protest fee of \$25 on or before May 19, 1997. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director 2t5/8

*collected notice Star-News,
no protest received.
-JL 6/2/97*

T. 5033

RECEIVED

APR 28 1997

Department of Water Resources

APPLICATION FOR TRANSFER OF WATER RIGHT

NO. 65-12607, 10345, & 10344

RECOMMENDATION OF WATERMASTER

RECEIVED

APR 14 1997

WATER RESOURCES
WESTERN REGION

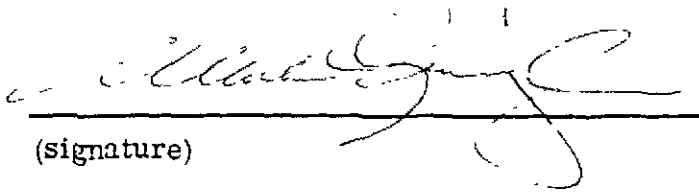
I, Mark Limbaugh, watermaster of Payette River,
of Water District No. 65, County of Valley, State of Idaho,
whose address is 102 N. Main, Payette, Idaho 83661
have read the attached copy of the application for transfer of water right for _____
City of McCall, and to the best of my knowledge believe the
(name)
application to be true.

A. I hereby endorse the above numbered Application for Transfer and recommend
that the Director of the Department of Water Resources approve the transfer subject to
the following conditions: That volume flow rates continue to be measured
at all diversion points in order to account for total volume of
water diverted on a daily basis.

OR

B. I do not endorse approval of the above numbered Application for Transfer as re-
quested for the following reasons: _____

Dated at Payette, Idaho, this 10 day of April 19 97.


(signature)

RECEIVED

APR 29 1997

WATER RESOURCES
WESTERN REGION

Please use reverse side if needed.

RECEIVED

APR 30 1997

WATER RESOURCES
WESTERN REGIONThe Idaho
Statesman

P O BOX 40, BOISE, IDAHO 83707-0040

LEGAL ADVERTISING INVOICE

Amount Due

\$53.16

Account Number/Trans #	Identification		
047628	Notice of Proposed Change of Water Right, Transfer No. 5033		
Ordered By	P O Number	Rate	Run Dates
Sue Taylor		NT	April 17, 24, 1997
Sue Taylor DEPARTMENT OF WATER RESOURCES Western Region 2735 Airport Way Boise ID 83705-5082		Estimated Inches	Real Inches
		# Affidavits	Legal Number
		1	7333

LEGAL NOTICE

NOTICE OF PROPOSED CHANGE
OF WATER RIGHT, TRANSFER NO. 5033

Notice is given that the City of McCall, C/O PO Box 2720, Boise ID 83701 has applied to the Department of Water Resources to change Points of Diversion pursuant to I.C. 42-222. The municipal rights from Payette Lake are recorded in T18N, R3E Valley County as follows:

Decree #65-10344, priority 6-1-1918, 5 13 cfs diverted in Lot 2 (NESW) S9, Lake St pump station.

Decree #65-10345, priority 6-1-1968, 2 31 cfs diverted in Lot 3 (SWSE) S4, Davis Beach pump station.

License #65-12607, priority 3-29-1983, 3 88 cfs diverted in Lot 2 (SENW) S8, Shore Lodge pump station.

Total for all rights is 11.32 cfs used in city of McCall and surrounding service area

PROPOSED CHANGE

Allow all 3 pump stations to be used as diversion points for all 3 rights instead of 1 station per right.

Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082 together with a protest fee of \$25 on or before May 5, 1997. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Pub April 17 & 24, 1997

7333

JANICE HILDRETH

, being duly sworn, deposes and says. That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto, that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for Two

☒ consecutive weekly☐ single☐ consecutive daily☐ odd skip

insertion(s) beginning with the issue of

April 17

1997

and ending with the issue of

April 24

1997



STATE OF IDAHO)

SS

COUNTY OF ADA)

On this 24th day of April in the year of 1997, before me, a Notary Public, personally appeared

JANICE HILDRETH

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

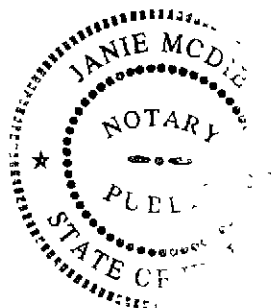
Notary Public for Idaho

Residing at

Boise, Idaho

My commission expires

5/97



LAW OFFICES

GIVENS PURSLEY & HUNTLEY LLP

A LIMITED LIABILITY PARTNERSHIP

277 NO. 6TH STREET • SUITE 200
P.O. Box 2720 • BOISE, IDAHO 83701
(208) 388-1200
FACSIMILE (208) 388-1201

April 25, 1997

Via Hand Delivery

GARY G. ALLEN
JOSEPH H. BAIRD
CHRISTOPHER J. BEESON
MICHAEL C. CREAMER
ROY L. EIGUREN
JEFFREY C. FEREDAY
JULIE KLEIN FISCHER
RAYMOND D. GIVENS
L. W. GRANT III
J. BART GREEN
ROBERT C. HUNTLEY, JR.
RICHARD W. JANKOWSKI
KARL T. KLEIN
DAVID R. LOMBARDI
KIMBERLY D. MALONEY
KENNETH R. MCCLURE

CHRISTOPHER H. MEYER
L. EDWARD MILLER
PATRICK J. MILLER
JUDSON B. MONTGOMERY
TERRY L. MYERS
RAMONA S. NEAL
STEVEN L. OLSEN
W. HUGH O'RIORDAN
ROBERT L. PHILLIPS
KENNETH L. PURSLEY
CONLEY WARD
STEVEN R. WEEKS
STEPHANIE C. WESTERMEIER

JAMES A. MCCLURE
OF COUNSEL

JUDSON B. MONTGOMERY
DIRECT DIAL
(208) 388-1202

Steve Lester
Water Rights Supervisor
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

RECEIVED

APR 25 1997

**WATER RESOURCES
WESTERN REGION**

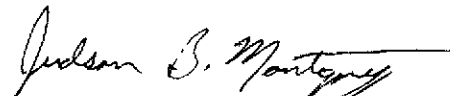
Re: City of McCall Water Rights Transfer
Our file: 4432-2

Dear Mr. Lester:

Pursuant to your March 27, 1997 letter to the City of McCall, Mayor Killeen has initialed and dated the revisions to the Application to Transfer Water Right. We have enclosed the revised Application, and request that the Department continue to process the Application.

Thank you for your assistance in this matter. If you have any questions or require additional information, please do not hesitate to contact Michael C. Creamer or me.

Very truly yours,


Judson B. Montgomery

JBM:slc
Enclosure
cc: Ted Burton, Esq.
Jaqueline R. DeChue, P.E.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 25, 1997

THE STAR NEWS
PO BOX 985
MCCALL ID 83638

Re: Error in Advertising, Application for Transfer of Permits Nos.
65-10344, 65-10345 and 65-12607 in the Name of City of McCall

Dear Legal Dept.:

Enclosed is a copy of the original notice for the above-referenced application and the affidavit of publication received by our office. Note that there is a discrepancy in the two notices.

Please readvertise this application with the correct protest date of 3-29-1983. Upon receipt of an affidavit of publication for the correction notice, we will forward the bill for the first publication to our accounting section.

Thank you for your cooperation.

Sincerely,

Sue Taylor
Secretary, Office Coordinator

Enclosures: Copy of Original Notice
Copy of Affidavit
Legal notice

filed
4-25-97
9 AM
AT

**NOTICE OF PROPOSED CHANGE OF WATER
RIGHT, TRANSFER NO. 5033**

Notice is given that the City of McCall, C/O PO Box 2720, Boise ID 83701 has applied to the Department of Water Resources to change Points of Diversion pursuant to I.C. § 42-222. The municipal rights from Payette Lake are recorded in T18N, R3E Valley County as follows:

Decree #65-10344, priority 6-1-1918, 5.13 cfs diverted in Lot 2 (NESW) S9, Lake St. pump station.

Decree #65-10345, priority 6-1-1968, 2.31 cfs diverted in Lot 3 (SWSE) S4, Davis Beach pump station.

License #65-12607, priority 3-29-1983, 3.88 cfs diverted in Lot 2 (SENW) S8, Shore Lodge pump station.

Total for all rights is 11.32 cfs used in city of McCall and surrounding service area.

PROPOSED CHANGE

Allow all 3 pump stations to be used as diversion points for all 3 rights instead of 1 station per right.

Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082 together with a protest fee of \$25 on or before April 21, 1997. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

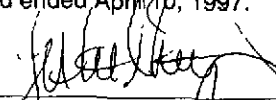
Published Statewide in the Star News, Idaho Statesman, Lewiston Morning Tribune and Post Register on April 3 and 10, 1997, and in the Times News on April 2 and 9, 1997.

Publisher's Affidavit of Publication

STATE OF IDAHO }
 }.SS
County of Valley }

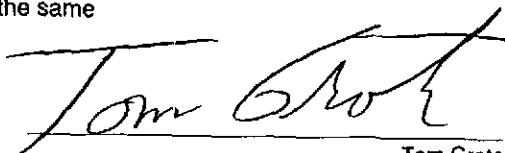
RECEIVED
APR 23 1997

I, Leslie S. Freyer, being duly sworn and say, I am the receptionist of The Central Idaho Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the NOTICE OF PROPOSED CHANGE OF WATER RIGHT, a copy of which is enclosed hereto and is a part hereof, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number 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 April 3, 1997 and ended April 10, 1997.


Subscribed and sworn before me this the 21st day of April, 1997
STATE OF IDAHO

COUNTY OF VALLEY }

On this 21st day of April, in the year of 1997, before me, a Notary Public, personally appeared Leslie S. Freyer, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same



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

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 5033

Notice is given that the City of McCall, c/o Box 2720, Boise, ID 83701 has applied to the Department of Water Resources to change Points of Diversion pursuant to I C S 42-222. The municipal rights from Payette Lake are recorded in T18N, R3E Valley County as follows.

Decree #65-10344, priority 6-1-1918, 5.13 cfs diverted in Lot 2 (NESW) S9, Lake Street pump station.

Decree #65-10345, priority 6-1-1968, 2.31 cfs diverted in Lot 3 (SWSE) S4, Davis Beach pump station.

License #65-12607, priority 3-29-2983, 3.88 cfs diverted in lot 2 (SENE) S8, Shore Lodge pump station.

Total for all rights is 11.32 cfs used in city of McCall and surrounding service area

PROPOSED CHANGE

Allow all 3 pump stations to be used as diversion points for all 3 rights instead of 1 station per right.

Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082 together with a protest fee of \$25 on or before April 21, 1997. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director 2/4/10

RECEIVED

APR 23 1997

WATER RESOURCES
WESTERN REGION

Publisher's Affidavit of Publication

STATE OF IDAHO

.SS

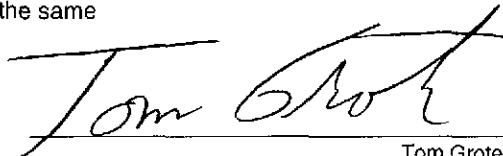
County of Valley

I, Leslie S. Freyer, being duly sworn and say, I am the receptionist of The Central Idaho Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper, that the NOTICE OF PROPOSED CHANGE OF WATER RIGHT, a copy of which is enclosed hereto and is a part hereof, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number 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 April 3, 1997 and ended April 10, 1997.

Subscribed and sworn before me this the 21st day of April, 1997
STATE OF IDAHO

COUNTY OF VALLEY

On this 21st day of April, in the year of 1997, before me, a Notary Public, personally appeared Leslie S. Freyer, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same



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

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Decree #65-10345, priority 6-1-1968, 2.31 cfs diverted in Lot 3 (SWSE) S4, Davis Beach pump station

License #65-12607, priority 3-29-2983, 3.88 cfs diverted in lot 2 (SENW) S8, Shore Lodge pump station

Total for all rights is 11.32 cfs used in city of McCall and surrounding service area

PROPOSED CHANGE

Allow all 3 pump stations to be used as diversion points for all 3 rights instead of 1 station per right

Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082 together with a protest fee of \$25 on or before April 21, 1997. The protestant must also send a copy of the protest to the applicant

Karl J. Dreher, Director 2/4/10

RECEIVED
APR 23 1997

RECEIVED

APR 23 1997

WATER RESOURCES
WESTERN REGION

**NOTICE OF PROPOSED
CHANGE OF WATER
RIGHT,
TRANSFER NO. 5033**

Notice is given that the City of McCall, c/o PO Box 2720, Boise, ID 83701 has applied to the Department of Water Resources to change Points of Diversion pursuant to I.C. § 42-222. The municipal rights from Payette Lake are recorded in T18N, R3E Valley County as follows

Decree #65-10344, priority 6-1-1918, 5.13 cfs diverted in Lot 2 (NESW) S9, Lake St pump station

Decree #65-10345, priority 6-1-1968, 2.31 cfs diverted in Lot 3 (SWSE) S4, Davis Beach pump station

License #65-12607, priority 3-29-1983, 3.88 cfs diverted in Lot 2 (SENV) S8, Shore Lodge pump station

Total for all rights is 11.32 cfs used in city of McCall and surrounding service area

PROPOSED CHANGE

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Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082 together with a protest fee of \$25 on or before April 21, 1997. The protestant must also send a copy of the protest to the applicant
Karl J. Dreher, Director

**PUBLISH April 2 and 9,
1997**

Affidavit of Publication

STATE OF IDAHO }
COUNTY OF TWIN FALLS } SS.

No 29212

I, Emily McKnight being first duly sworn upon oath, depose and say that I am principle clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive weeks, commencing with the issue dated April 2, 19 97, and ending with the issue dated April 9, 19 97.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published, and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 9th day of April in the year of 1997, before me,
a Notary Public, personally appeared Emily McKnight,
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same

Sheva R. Feltman

Notary Public for Idaho

Residing at Twin Falls, Idaho.

My commission expires: 5/19/2000

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

**LEGAL ADVERTISING
INVOICE**

SOLD TO: DEPT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE ID 83705

Date 04/10/97INVOICE NO 140004Account No. 964760Description 140004NOTICEOFPROPOSEDTimes 2Lines 42

Tab Lines _____

\$ 57.75

RECEIVED

APR 14 1997

WATER RESOURCES
WESTERN REGION

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

AFFIDAVIT OF PUBLICATION**NOTICE OF ¹⁴⁰⁰⁰⁴
PROPOSED CHANGE OF WATER
RIGHT, TRANSFER NO. 5033**

Notice is given that the City of McCall, C/O PO Box 2720, Boise ID 83701 has applied to the Department of Water Resources to change Points of Diversion pursuant to I.C. § 42-222. The municipal rights from Payette Lake are recorded in T18N, R3E Valley County as follows.

Decree #65-10344, priority 6-1-1918, 513 cfs diverted in Lot 2 (NESW) S9, Lake St pump station.

Decree #65-10345, priority 6-1-1968, 231 cfs diverted in Lot 3 (SWSE) S4, Davis Beach pump station.

License #65-12607, Priority 3-29-1983, 3.88 cfs diverted in Lot 2 (SENW) S8, Shore Lodge pump station.

Total for all rights is 11.32 cfs used in city of McCall and surrounding service area.

PROPOSED CHANGE

Allow all 3 pump stations to be used as diversion points for all 3 rights instead of 1 station per right.

Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 on or before April 21, 1997. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director
Published Statewide in the Star News, Idaho Statesman, Lewiston Morning Tribune and Post Register on April 3 and 10, 1997, and in the Times News on April 2 and 9, 1997.

STATE OF IDAHO, ss.
County of Nez Perce

Karen Lewis, being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 140004NOTICEOFP attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s) Publication being on 04/03, or once a WEEK for 2 consecutive WEEK, the first publication thereof being on the 04/03/97, and the last publication thereof being on the 04/10/97, and said 140004NOTICEOFP was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above

SUBSCRIBED AND SWORN BEFORE ME THIS THE _____

day of _____ 1997

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires _____

**NOTICE OF
PROPOSED CHANGE
OF WATER RIGHT,
TRANSFER NO. 5033**

Notice is given that the City of McCall, C/O PO Box 2720, Boise ID 83701 has applied to the Department of Water Resources to change Points of Diversion pursuant to I.C. § 42-222. The municipal rights from Payette Lake are recorded in T18N, R3E Valley County as follows:

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Karl J. Dreher, Director

Published: April 3, 10, 1997

Proof of Publication

RECEIVED

APR 16 1997

WATER RESOURCES
WESTERN REGION

The Post Register

State of Idaho
County of Bonneville

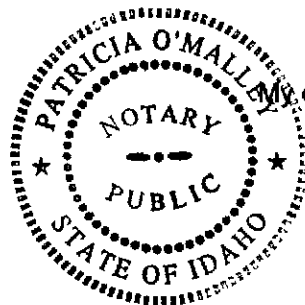
I, S Bob Bright or Robert Park, first being duly sworn, depose and say: That I am the Production Supervisor or Asst. Prod. Supervisor of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register for two consecutive (days) weeks, first publication having been made on the 3rd day of April, 1997, last publication having been made on the 10th day of April, 1997, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement

Robert Park

Subscribed and sworn to before me, this 16th day of April, 1997

Patricia O'Malley
Notary Public



My commission expires January 3, 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 9, 1997

MARK LIMBAUGH
102 N MAIN
PAYETTE ID 83661

Re: Application for Transfer of Water Rights Nos. 65-12607,
65-10345 and 65-10344 in the Name of the City of McCall

Dear Watermaster:

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

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

Sincerely,

GARY SPACKMAN

GS:st

Enclosure: Copy of Application
Recommendation of Watermaster Form

**NOTICE OF PROPOSED CHANGE OF WATER
RIGHT, TRANSFER NO. 5033**

Notice is given that the City of McCall, C/O PO Box 2720, Boise ID 83701 has applied to the Department of Water Resources to change Points of Diversion pursuant to I.C. § 42-222. The municipal rights from Payette Lake are recorded in T18N, R3E Valley County as follows:

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Decree #65-10345, priority 6-1-1968, 2.31 cfs diverted in Lot 3 (SWSE) S4, Davis Beach pump station.

License #65-12607, priority 3-29-1983, 3.88 cfs diverted in Lot 2 (SENW) S8, Shore Lodge pump station.

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Karl J. Dreher, Director

5-148-97

Published Statewide in the ~~Star News~~, Idaho Statesman, Lewiston Morning Tribune and Post Register on April 3 and 10, 1997, and in the Times News on April 2 and 9, 1997.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 28, 1997

THE STAR NEWS
PO BOX 985
MCCALL ID 83638

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before APRIL 21, 1997.

Yours truly,

Sue Taylor
Secretary, Office Coordinator

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

March 26, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MAYOR WILLIAM KILLEN
CITY OF MC CALL
C/O PO BOX 2720
BOISE ID 83701

RE: APPLICATION FOR TRANSFER, 3 PUMP STATIONS

Dear Mayor Killen:

Enclosed please find the original transfer application filed by the city to authorize three existing pump stations as diversion points for three water rights. Note that a few revisions have been added based on recorded rights and department standards used in water rights processing.

Please indicate your acknowledgement of these changes by initialing and dating the bottom right hand corner of page 1 of the filing. Your approval is needed for the notarized document.

It appears that the transfer application was prepared to include the information in right no. 65-12607 as permitted (5.35 cfs) rather than as licensed (3.88 cfs). The enclosed copy of that license defines the right as it now exists. The permit has matured into the license, and it is the licensed information that must be included in the transfer.

The total authorized diversion from the three rights is 11.32 cfs (5080 gpm) instead of 12.79 cfs (5735 gpm) noted in page 12 of the filing. If the city now diverts or intends to divert in excess of 11.32 cfs, a new water right permit should be obtained by completing and returning the enclosed application for permit. A new permit using lake water most likely will require the purchase of storage water for at least part of each year that a new permit is used. To learn more about the storage purchase aspect of a new permit, please contact the Payette River Watermaster, Mr. Mark Limbaugh, at 208-642-4465.

The transfer application for 11.32 cfs can be processed while you complete the above steps. Your response within 30 days will be very helpful. Please let me know if I can provide any assistance in this water rights process.

Sincerely,

Steve Lester
Water Rights Supervisor

Enclosures
c: Watermaster Mark Limbaugh

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: C038245

Date: 3/ 7/1997
Time: 13:43:36

Received
From: MCCALL, CITY OF

Type of Payment	Program A cct	Amount
APPLICATION FOR TRANSFER #65-10344	56105 229 21 1155	100.00
CHECK 31576		
	Total	\$ 100.00

Region: STATE

Signature: Kari Lynn Townsend

DEC 10 1997