

Publisher's Affidavit of Publication

STATE OF IDAHO }
 }.SS
County of Valley

I, Ramona A. George, being duly sworn and say, I am the receptionist of The Central Idaho Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the NOTICE OF APPLICATION FOR WATER 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 20, 1993 and ended May 27, 1993.

Ramona A. George
Subscribed and sworn before me this the 27th day of May, 1993.
STATE OF IDAHO

COUNTY OF VALLEY }
 }

On this 27th day of May, in the year of 1993, before me, a Notary Public, personally appeared Ramona A. George, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

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

RECEIVED
JUN 07 1993

NOTICE OF APPLICATION FOR WATER RIGHT

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

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 65-08296

Notice is hereby given that M Resorts Ltd, of McCall, ID has applied to the Department of Water Resources to change the nature of use of the following described water right pursuant to section 42-222 of Idaho Code.

WATER RIGHT AS RECORDED

Water Right No.	65-08296
Basis	Decree
Date of Priority	4/1/1954
Source	Ground
water	
Amount	0.04 cfs
Point of Div	Lot 2
(SWNW) Sec 08, T18N, R03E, Valley	
County	
Use	Domestic
(1 home)	
Place of Use	Lot 2
(SWNW) Sec 08, T18N, R03E	
TO BE CHANGED AS FOLLOWS	
Amount	.04 cfs
Point of Div	No
change	

Use Domestic,
Stockwater, Fish & Wildlife and
Aesthetic purposes for 1 home and to
supply an existing pond ("Pit Lake")
with fresh water

Place of Use All uses
will remain in lot 2 (SWNW) Sec 08,
T18N, R03E

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before June 7, 1993.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 65-08209

Notice is hereby given that M Resorts Ltd, of McCall, ID has applied to the Department of Water Resources to change the nature of use of the following described water right pursuant to section 42-222 of Idaho Code.

WATER RIGHT AS RECORDED

Water Right No.	65-08209
Basis	Decree
Date of Priority	4/1/1970
Source	Ground
Water	
Amount	0.04 cfs
Point of Div	NESE Sec
7, T18N, R03E, Valley County	
Use	Domestic
(1 home)	
Place of Use	NESE, Sec
07, T18N, R03E	
TO BE CHANGED AS FOLLOWS	
Amount	.04 cfs
Point of Div	No
change	
Use	Domestic,
Stockwater, Fish & Wildlife and	
Aesthetic purposes for 1 home and to	
supply an existing pond ("Lake Douglas")	
with fresh water.	

Place of Use All uses
will remain in NESE Sec 7, T18N, R03E

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before June 7, 1993.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before June 7, 1993.
R. Keith Higginson, Director 2t5/27

AUG 27 1993

Sec. 6.
556.68

3600
2460
1400
420

Sec. 5.
127.80

Sec. 4.
157.90

TIMBER

PAYETTE

18N
3E
5.8

LAKE

MICROFILMED

AUG 27 1993

3.90
24
N 89° 53' E.

WATER

2

48.30

345.70

Sec. 8.

3

43.70

39.50

46.10

27.40

27.80

35.60

479.40

N. 0.4° W.

10

39.90

24.00

22.10

35.60

5.89

89.73

40.60

80.60

TRAIL

WR5809NP
No. 65-08296

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 07/29/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LLOYD SEVIER	04/01/1954	DOMESTIC	01-01 12-31	0.04 CFS	1.2 AFA
C	MINNIE R. SEVIER					
	ROUTE 1, BOX 75					
	LOWDEN WA 99342					
				TOTAL DIVERSION:	0.04 CFS	1.2 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

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

Lots Without 1/4 1/4 Description: DOMESTIC
18N 03E 8 02-D

Pou County:

Dates:	App. Received:	Priority Date:	04/01/1954
	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

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APR 2 1993

Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Regional Office

Transfer No. 4145

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant M RESORTS, LTD., an Idaho Limited Partnership Phone (208) 634-4121

Post Office address P. O. Box 1006, McCall, Idaho 83638

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Additional place and nature of use.
 2. Describe the reason for the proposed changes to supplement water in pond in order to keep it fresh.

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

1. Right Number A65-08296 Priority 04/01/1954 Amount (cfs/ac-ft) MAX. 0.04cfs Nature of Use Domestic Period of Use 01/01 to 12/31
Stockwater 01/01 to 12/31
* Fish 01/01 to 12/31
Wildlife 01/01 to 12/31
Aesthetic 01/01 to 12/31
 2. Total amount of water being transferred MAX. 0.04 cubic feet per second and/or MAX. 1.2 acre-feet per annum.
 3. Source of water groundwater tributary to _____
 4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp	Rge.	County	Local name for diversion
02		SW	NW	08	18N.	03E.	Valley	

5. Lands irrigated or place of use:

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.	03E.	08							D										
									S										
									* H										
									W										
									J										
									L-2										

APPROVED

AUG 27 1993

Total acres _____

82
5/11/93
* FISH Prop. ("H") N/A per April 1993 - B1 Review
indicates wildlife use so delete "H" is p/c

PART 1**6 General Information:**

a. Description of diversion system will use existing well system with a valve to pump water through pipe into pond called Pit Lake.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X 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 use is changed pursuant to this transfer
The existing water right is not being removed from the existing land; it will remain appurtenant to the existing land. Rather, the purpose of this application is to get authorization to divert some of the existing right to adjacent land in order to keep the water in the pond (Pit Lake) fresh. An increase in diversion rate is not requested.

d. Remarks

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:

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AUG 27 1993

Witness my hand this _____ day of _____, 19 _____

STATE OF IDAHO

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 65-08296 Decreed to Lloyd Sevier & Minnie R. Sevier
in case of State of Idaho vs. A & C Corporation
dated January 21, 1986 in _____ county of _____
- 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 _____

3. Source of water groundwater tributary to _____

4. Date of priority 04/01/1954

5. Water is used for the following purpose.

- amount 0.04 cfs for domestic 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 0.04 cubic feet per second and/or 1.2 acre-feet per annum

7. Point(s) of Diversion

Lot	1/4	1/4	1/4	Sec	Twp	Rge.	County	Local name for diversion
02		SW	NW	08	18N.	03E.	Valley	

8. Lands irrigated or place of use

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.	03E.	08							D										
									1.2										

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

*See attachment A
in Transfer app for
65-082119 received
4/12/93
-SL
5/11/93*

AUG 27 1993

10 To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

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 MAX 0.04 cfs for domestic, stockwater purposes from 01/01 to 12/31
 (cfs/ac-ft) fish, wildlife, aesthetic
 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
02		SW	NW	08	18N.	03E.	Valley	

3 Lands irrigated or place of use.

Twp	Rge.	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
18N.	03E.	08							D										
									S										
									H										
									W										
									J										

Total acres _____

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

1 amount MAX 0.04 cfs for domestic 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) _____

2 Point(s) of Diversion

Lot	¼	¼	¼	Sec	Twp.	Rge	County	Local name for diversion
02		SW	NW	08	18N.	03E.	Valley	

3 Lands irrigated or place of use

Twp	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
18N.	03E.	08							D										

Total acres _____

STATE OF IDAHO
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 ATTACHED USGS MAP"

AUG 27 1993

PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
	<u>Stockwater, fish, wildlife & aesthetic</u>	<u>MAX 0.04cfs</u>	<u>as needed to keep pond fresh</u>	<u>01/01 to 12/31</u>

2. Quantity and quality of return flows and location of discharge
It is not contemplated that the pond will be overfilled with groundwater from 65-08296.

3 Describe effects on other water uses resulting from the proposed change:
The only effect will be a potential reduction in the present domestic use of 65-08296, as needed in order to keep the pond fresh.

I hereby assert that no one will be injured by such change and 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.

X
Douglas F. Manchester, Chairman of the General Partner,
M RESORTS, INC., an Idaho corporation
 (Signature of Applicant)

Subscribed and sworn to before me this 12 day of March, 19 93

Walter Muller
 (Notary Public)

My commission expires 3/5/99

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments

Received by [Signature] Date 4-12-93

Protest filed by _____

Prelim. check by [Signature] Fee 30.00

Receipted by [Signature] Date 4/01/93

Published in Star News

Copies of protest forwarded by _____

Pub. dates May 20 & 27, 1993

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

_____ rec'd _____

by _____

Copy of transfer sent to lien holder _____

RECEIVED
 AUG 27 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 19, 1993

M RESORTS LTD
C/O BRIAN L MCMAHAN
PO BOX 1066
MCCALL ID 83638

Re: Applications for Transfer of Water Rights Nos. 65-8209 and
65-8296 in the Name of M Resorts

Dear Mr. McMahan:

This office acknowledges the withdrawal of the
above-referenced applications for transfer.

The applications will now be removed from the Department's
records.

If you have any questions concerning this matter, please
contact this office.

Sincerely,

A handwritten signature in cursive script that reads "David R. Tuthill, Jr.".

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

DRT:st



AUG 27 1993

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

TO: Debbie Allen
From: STEVE LESTER
DATE: 7-19-93

Receipt No: W016111

Date: 7-19-1993
Time: 14:06:54

Received
From: MILLENNIUM, STEVEN J. ELLI

Type of Payment	Program A cct	Amount
APP. FOR TRANSFER (65 08209)		
62105	229 21 1155	30.00
APP. FOR TRANSFER (65 08295)		
62105	229 21 1155	30.00
Total		

CHEV

5853

400.00

Region: WESTERN

Signature: J. Yarker

Aug 1993

Debbie - The \$60 for 2 transfer appls. needs to be changed to \$60 for 2 appl. for permit (229-21-1155 62103) per applicant's 7/14/93 withdrawal of transfers & replacement with 2 appl. for permit. Please let me know when this is completed.

Thanks,

SL

RECEIVED

JUL 14 1993

Department of Water Resources
Western Regional Office

MILLEMANN & PITTENGER
ATTORNEYS AT LAW
706 NORTH FIRST
POST OFFICE BOX 1086
MCCALL, IDAHO 83638

STEVEN J. MILLEMANN
GREGORY C. PITTENGER
BRIAN L. MCMAHAN

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

July 12, 1993

Idaho Dept. of Water Resources
Attn: Steve Lester
2735 Airport Way
Boise, Idaho 83705-5082

Re: Applications for Permit For M Resorts, Ltd.

Dear Mr. Lester:

This letter is in response to your correspondence dated June 14, 1993. Attached to this cover letter are the following:

1. A form for the withdrawal of transfer application nos. 4144 and 4145;
2. A new Application for Permit for Lake Douglas; and
3. A new Application for Permit for Pit Lake.

All three of the above-referenced forms were prepared by you and forwarded to this office with your correspondence of June 14, 1993. All three forms have now been signed and witnessed as appropriate and are being returned to you pursuant to the suggestions in your letter of June 14th.

If you need any more information, please contact this office.

Sincerely,

Brian L. McMahon

BRIAN L. MCMAHAN

BLM/rm

cc: Douglas Manchester
Ed Elam
Mary Biddlecome

Enclosures
dwr

AUG 27 1993

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JUL 14 1993

Department of Water Resources
Western Regional Office

WITHDRAWAL

TO WHOM IT MAY CONCERN:

I hereby withdraw Application for Transfer of Water

Right No(s). 65-08209 (transfer # 4144) *
65-08296 (transfer # 4145).

I understand that the withdrawal does not adversely
affect the above-referenced water right(s).

Signed at McCall Idaho
city state

on this 8 day of July 1993.

X [Signature]
Applicant Holder

WITNESSED BY

[Signature]

*

Transfer applications to be replaced by
Appls. for Permit to Appropriate the
Public Waters of State of Idaho

JUL 27 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 14, 1993

Mr. Brian L. McMahan
Millemann & Pittenger, Attorneys at Law
P.O. Box 1066
McCall, ID 83638

Re: Applications for Transfer for M Resorts, Ltd.

Dear Mr. McMahan:

Two applications for transfer were filed in the name of M Resorts, Ltd. to add uses to domestic wells identified in water right nos. 65-08209 and 65-08296. Upon review of the transfers, it was determined that the proposed uses are not approvable in the transfer process. The regional manager indicated that it appears highly unlikely that domestic uses would be reduced at the homes. Without a proportionate reduction of use under the existing rights, there is no basis to approve the transfers.

Because the moratorium on approval of new water right permits for the McCall area was lifted on 4/30/93, I suggest that the transfer applications be withdrawn and replaced with two applications for permit to establish new water rights from the existing wells. This would provide the water right coverage sought by the the applicant. See the enclosed forms prepared for this purpose.

The manager also indicated that the fees from the transfer filings can be applied to the fees for two new applications. No added fees are needed. If the suggestion in this letter is acceptable, please complete the three forms and return them to me within 30 days.

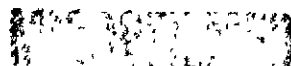
Please let me know if additional information is desired.

Sincerely,

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

Steve Lester
Water Rights Supervisor

Enclosure



AUG 27 1993

Publisher's Affidavit of Publication

STATE OF IDAHO }
 .ss
 County of Valley }

RECEIVED
 JUN 07 1993

I, Ramona A. George, being duly sworn and say, I am the receptionist of The Central Idaho Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the NOTICE OF APPLICATION FOR WATER 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 20, 1993 and ended May 27, 1993.

Ramona A. George
 Subscribed and sworn before me this the 27th day of May, 1993
 STATE OF IDAHO

COUNTY OF VALLEY }

On this 27th day of May, in the year of 1993, before me, a Notary Public, personally appeared Ramona A. George, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

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

NOTICE OF APPLICATION FOR WATER RIGHT

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water	
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(SWNW) Sec 08, T18N, R03E, Valley	
County	
Use	Domestic
(1 home)	
Place of Use	Lot 2
(SWNW) Sec 08, T18N, R03E	
TO BE CHANGED AS FOLLOWS	
Amount	.04 cfs
Point of Div	No
change	

Use Domestic, Stockwater, Fish & Wildlife and Aesthetic purposes for 1 home and to supply an existing pond ("Lake Douglas") with fresh water.
 Place of Use All uses will remain in lot 2 (SWNW) Sec 08, T18N, R03E

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before June 7, 1993.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 65-08209

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Use	Domestic
(1 home)	
Place of Use	NESE, Sec
07, T18N, R03E	
TO BE CHANGED AS FOLLOWS	
Amount	.04 cfs
Point of Div	No
change	

Use Domestic, Stockwater, Fish & Wildlife and Aesthetic purposes for 1 home and to supply an existing pond ("Lake Douglas") with fresh water.

Place of Use All uses will remain in NESE Sec 7, T18N, R03E

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before June 7, 1993.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before June 7, 1993.

R. Keith Higginson, Director 215/27

AUG 27 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: SR

1. Right number 65-08296 Applicant M Resorts Ltd.

2. Type of right: ☒ Decree ☐ License ☐ Claim

3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☒ Other held nature of use

4. Check:

a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use

b. ☐ Description of original point of diversion.

c. ☐ Description of original place of use.

SRBA claim
same as W.R. - so
not included in
advertising

5. Amount of land &/or water transferred:

a. ☒ All of right.

b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).

c. ☒ Check description of point(s) of diversion.

d. ☒ Check description of place of use.

e. ☒ Check map (shows p.d. and p.u. after transfer).

f. ☒ Check for correct signature, notarization, and fee.

g. ☒ Check proof of ownership of right &/or land from which water is transferred.

h. ☒ Check for expansion in use of right. Comments pass. b/c - see worksheet - needs

another W.R. to cover ground AS 65-08209 does it transfer appl.
65-08209

i. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) N/A

j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No ground water in Dist. #65

If yes, what district? _____ Comment letter sent ☐ Yes ☐ No

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____

2. Is transfer published correctly? ☐ Yes ☐ No

3. Protest received? ☐ Yes ☐ No

RECOMMENDED ACTION

1. ☐ Approve

2. ☐ Deny

3. Conditions* _____

4. By _____ Date _____

MICROFILMED

AUG 27 1993

Transfer Appl. 65-08296

SL 5/11/93

Existing pond $\approx$ 2.7 A.F. capacity & .45 acre
surface area per 5/11/93 comm memo (Attorney).
No W.R. or A.J. coverage found for pond (WRE4 &
AJR4 5/11/93).

No new Appl. for pond found for surface water as
Source (mostly runoff - see 5/11 comm memo) in
name of M Resort in Manchester (APPS. Lis
5/11/93).

Wants to use well to top off pond & add
multiple uses to well & pond.

Spoke to Attorney 5/11 & he thought an Appl. for
permit for surface water to fill/maintain pond
had been filed since he saw a draft of
such an Appl.; Attorney is not handling that
aspect of situation so would need to contact
owner directly.

Without another W.R. (from surface water probably)
to cover pond, would appear that an expansion
would occur in this transfer unless all or
almost all of the domestic use was abandoned.
No letter sent to Applicant yet pending post-
advertising review - or perhaps ~~approval~~ is on the
way.

Update
5/28/93

AUG 27 1993

Appl. filed for L.W.N. stream
(runoff) for 4.05 A.F. to
cover existing plus planned expansion of pond - 50 OK

Worksheet

Sec. 6.
586.68

5036.00

80

Sec. 5.
127.80

Sec. 4.
157.90

TIMBER

PAYETTE

189531E.

18N

5240

36

5.8

LAKE

0

UNPATENTED

AUG 27 1993

345.70

Sec. 8.

Sec. 7.

556.68

3

43.70

39.50

46.10

27.40

27.00

35.60

479.70

N.O.P.R.

7

35.60

27.00

479.70

W. 5.00 N

35.60

27.00

35.60

479.70

22.10

24.05

35.60

27.00

479.70

5.09° 53' N

37.96

35.60

27.00

479.70

8073

40.50

35.60

27.00

479.70

5.05

584.77

0

39.90

24.05

35.60

27.00

35.60

27.00

479.70

5.05

NOTICE OF PROPOSED CHANGE OF
WATER RIGHT NO.
65-08296

Notice is hereby given that M Resorts Ltd, Of McCall, ID has applied to the Department of Water Resources to change the nature of use of the following described water right pursuant to section 42-222 of Idaho Code.

WATER RIGHT AS RECORDED

Water Right No.	65-08296
Basis	Decree
Date of Priority	4/1/1954
Source	Groundwater
Amount	0.04 cfs
Point of Div	Lot 2 (SWNW) Sec 08, T18N, R03E, Valley County
Use	Domestic (1 home)
Place of Use	Lot 2 (SWNW) Sec 08, T18N, R03E

TO BE CHANGED AS FOLLOWS

Amount	.04 cfs
Point of Div	No change
Use	Domestic, Stockwater, Fish & Wildlife and Aesthetic purposes for 1 home and to supply an existing pond ("Pit Lake") with fresh water.
Place of Use	All uses will remain in lot 2 (SWNW) Sec 08, T18N, R03E

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before June 7, 1993.

R. Keith Higginson
Director

Published in the Star News
on May 19 and 26, 1993

RECORDED

AUG 27 1993

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 65-15296

Notice is hereby given that M Resorts Ltd.
of McCall has applied to the Department of Water
Resources for a change of Nature of Use
of the water of groundwater.
The right sought to be changed is evidenced by deed

_____ and is recorded as follows:
Amount: .04 cfs Priority: 4-1-1954

Point(s) of Diversion: Lot 2 (SWNW) S.8 T18N R3E Valley County

The water is used for domestic purposes for one
home in Lot 2 (SWNW) S.8 T18N R3E

TO BE CHANGED AS FOLLOWS

Amount: .04 cfs

Point(s) of Diversion: no change

The water will be used for domestic purposes stockwater,
fish & wildlife, and aesthetic purposes for 1 home & to
supply an existing pond ("Pit Lake") with fresh water; all ~~uses~~ ^{uses}

Any protest against approval of the proposed change of water right
application must be filed with the Department of Water Resources,
Statehouse, Boise, ID 83720 on or before _____.

R. Keith Higginson
Director

Published in the _____
on _____ and _____

AUG 27 1993

will remain > Lot 2 (SWNW) S.8 T18N R3E.

CONVERSATION MEMORANDUM

DATE 5-11-93FILE T. for 65-08296NAME OF PARTY Brian McMahon 634-7641EMPLOYEE Steve ListerRE: "PIT LAKE"

1) Existing - is old borrow pit, not sure what year was dug. Manchester may have expanded its size.

2) Size per Tom Welsh, consultant - @ .45 acre surface area & 2.7 A.C. max. capacity.

3) AJ & WR: cannot find any work/Aj. coverage for this pond - Mr. McMahon ~~thinks~~ thinks applicant has filed (or soon will) appl. for permit for runoff to supply pond with water.

APPS. LIS → Ø under M Resort or under Manchester

RECEIVED

AUG 27 1993

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

RECEIVED
APR 12 1993

STEVEN J. MILLEMANN
GREGORY C. PITTENGER
BRIAN L. MCMAHAN

Department of Water Resources
Western Regional Office
TELEPHONE (208) 634-7641
FACSIMILE (208) 634-4516

April 9, 1993

Idaho Department of Water Resources
Western Region
Attn: Jan Shurte
2735 Airport Way
Boise, Idaho 83705

Re: Applications for Transfer of Water Right
Nos. A65-08209 and A65-08296

Dear Jan:

This letter and the attached Applications for Transfer will follow my letter to you dated April 5, 1993. If you have not yet received my letter of April 5 and the attachments, please call me. Your awareness and/or processing of the forms attached to my April 5 letter should precede the processing of the two Transfer Applications attached to this letter.

Attached to this letter are two Applications for Transfer of Water Rights. One is for Water Right #A65-08209; the other is for A65-08296. Both Applications are accompanied by a \$30.00 filing fee and, due to its voluminous nature, I have attached only one Warranty Deed to accompany both applications. Said Warranty Deed is dated November 23, 1992, and was recorded December 17, 1992, in Valley County as Instrument #193073.

Please process the enclosed forms as soon as possible, and let me know if additional information is needed. Thank you for your assistance in this matter.

Sincerely,

Brian L. McMahen
BRIAN L. MCMAHAN

BLM/dm

Encs.

cc: Douglas F. Manchester w/encs.

Mary Biddlecome w/encs.

Ed Elam w/encs.

ldwrman

AUG 27 1993