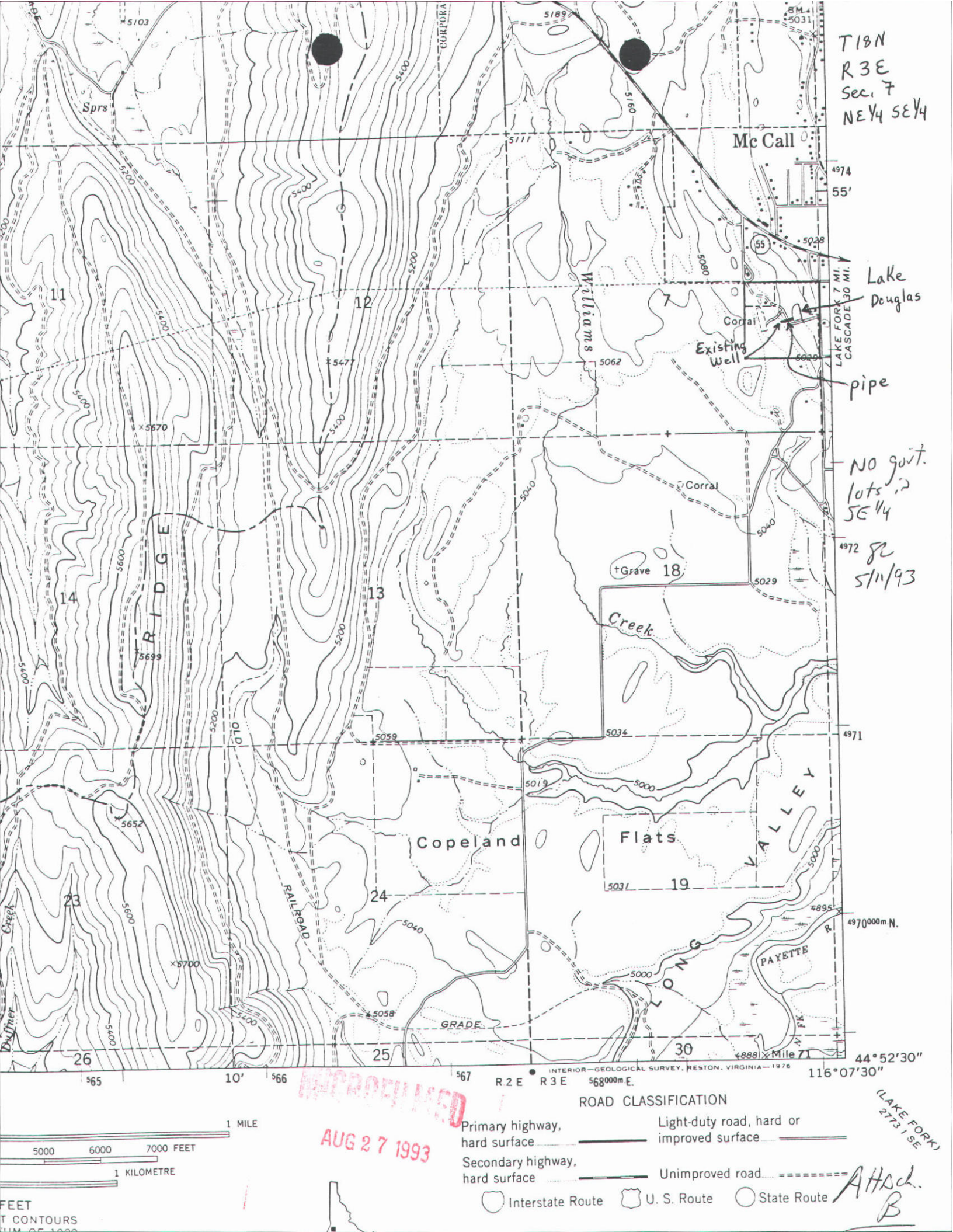




WR5809NP
No. 65-08209

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	ALBERT B. LAMBERT P.O. BOX 833 MC CALL ID 83638	04/01/1970	DOMESTIC	01-01 12-31	0.04 CFS	1.2 AFA
TOTAL DIVERSION:					0.04 CFS	1.2 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

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

Place of use Legal Description for: DOMESTIC

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

Pou County: VALLEY

Dates:	App. Received:	Priority Date:	04/01/1970
	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

Transfer No. 4144

1144
WITHDRAWN

A. PURPOSE OF TRANSFER

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

2. Total amount of water being transferred MAX 0.04 cubic feet per second and/or 1.2 acre-feet per annum.

3 Source of water groundwater tributary to _____

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

[illegible]

MICROFILMED
 AUG 27 1993

* Fish Prop. ("H") N/A per. rept. 1/20 B1 above
indicator will be use 50 delete "H" in 2/21 Total acres _____

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 Lake Douglas.
- 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 land. Rather, the purpose of this application is to get authorization to divert some of the existing right to the pond in order to keep it fresh. An increase in diversion rate is not requested.
- d Remarks:
This water right will be used as necessary to supplement No. A65-07007.

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 _____.

RECEIVED

AUG 27 1993

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 65-08209 Decreed to Albert B. Lambert
 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 or priority 04/01/1970

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
		NE	SE	07	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.	07													D				

Total acres _____

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

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, fish, purposes from 01/01 to 12/31
 (cfs/ac-ft) stockwater, aesthetic,
 amount _____ for wildlife. purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of Diversion

Lot	1/4	1/4	1/4	Sec.	Twp	Rge.	County	Local name for diversion
		NE	SE	07	18N.	03E.	Valley	

3 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.	07													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	1/4	1/4	1/4	Sec.	Twp	Rge.	County	Local name for diversion
		NE	SE	07	18N.	03E.	Valley	

3 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.	07													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

Page 6 of 6

Transfer No. _____

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 0.04 cfs</u>	<u>as needed to keep pond fresh</u>	<u>01/01 to 12/31</u> to _____
2. Quantity and quality of return flows and location of discharge:
It is not contemplated that the pond will be overfilled with groundwater from 65-08209.
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 65-08209,
as needed in order to keep the pond fresh.

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.

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 16th day of March, 1993.

Mary Arends Biddlecome

(Notary Public)



My commission expires October 31, 1993

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 2 attachments

Received by [Signature] Date 4-12-93

Protest filed by _____

Prelim. check by [Signature] Fee 30.00

Received by [Signature] Date 4-12-93

W0110113

Published in Star News

Copies of protest forwarded by _____

Pub. dates May 20-27, 1993

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

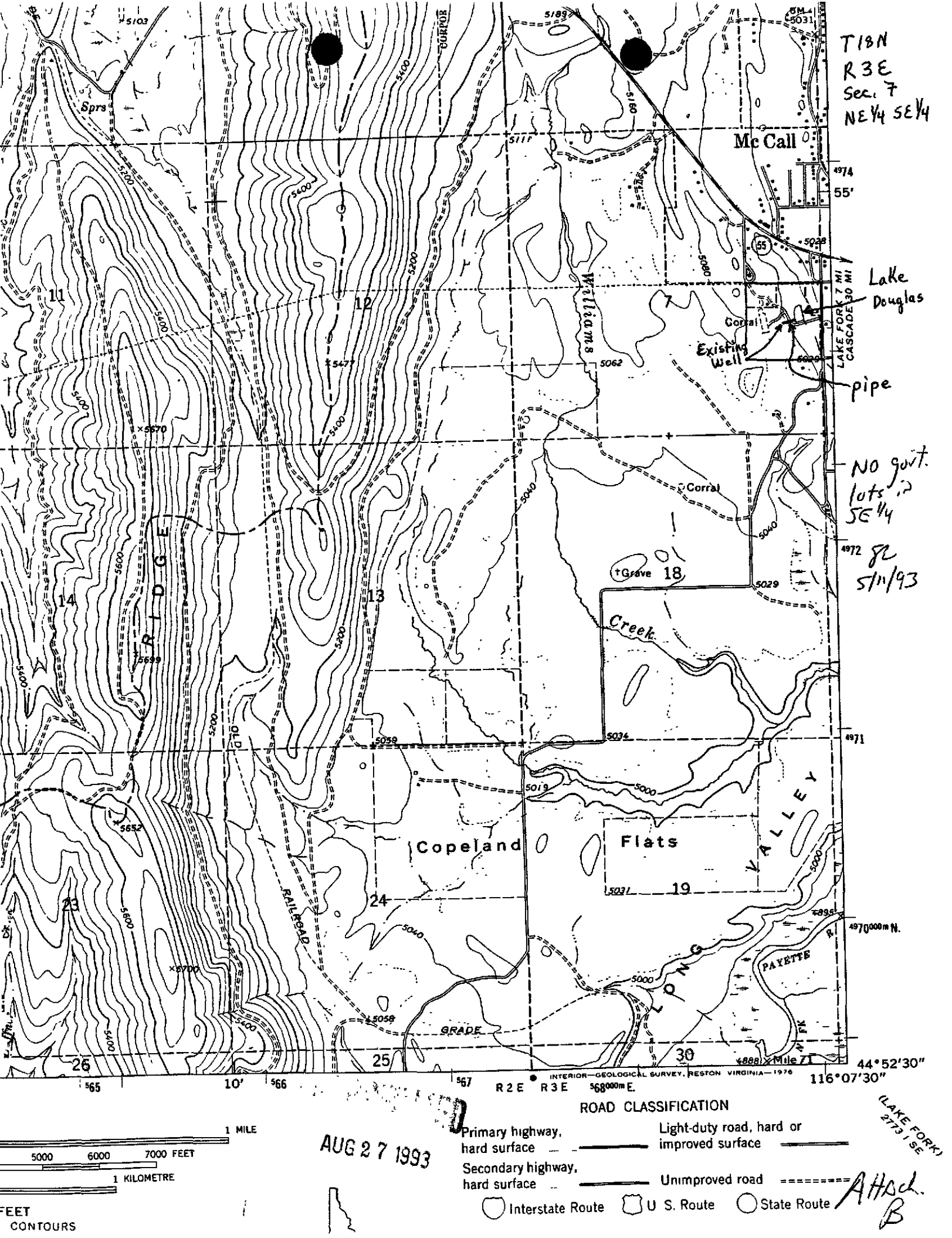
Recommended for ☐ approval ☐ denial

_____ rec'd. _____

by _____

Copy of transfer sent to lien holder _____

AUG 27 1993



ATTACHMENT A

WARRANTY DEED

For Value Received DOUGLAS F. MANCHESTER, A MARRIED MAN,
AS HIS SOLE AND SEPARATE PROPERTY

the Grantor, does hereby grant, bargain, sell and convey unto:

M RESORTS, LTD., an Idaho limited partnership

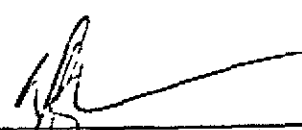
whose address is: 501 Lake Street,
McCall, Idaho 83638

the grantees, the following described premises, to-wit:

SEE ATTACHED AS EXHIBIT "A"

TO HAVE AND TO HOLD the said premises with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: November 23, 1992.



Douglas F. Manchester

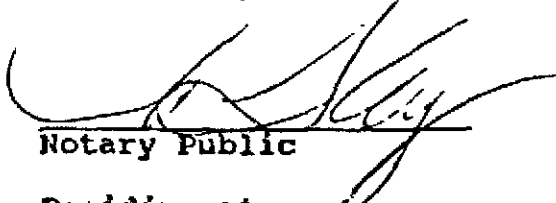
RECORDED

AUG 27 1993

Attachment A

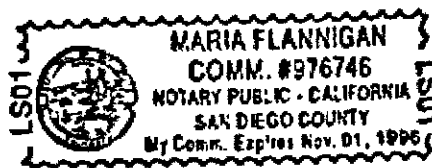
State of California)
) SS:
County of San Diego)

On the 23rd of November, 1992, before me, a notary public in and for said State, personally appeared Douglas F. Manchester, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.


Notary Public

Residing at :

Commission Expires:



RECEIVED MED

AUG 27 1993

TOTAL MILL PARCEL
WEST OF UNION PACIFIC RIGHT-OF-WAY

A parcel of land situate in a portion of Government Lots 1 and 2, Section 9, T. 18 N., R. 3 E., B.M., City of McCall, Valley County, Idaho, and a portion of Blocks 6 and 7, McCall's 1st Addition to Village of McCall, as shown on the official plat thereof on file in the Office of the Recorder of Valley County, Idaho, in Book 1, Page 28 of Plats, and a portion of Blocks 1 and 2, Sunset Subdivision, as shown on the official plat thereof on file in the Office of the Recorder of Valley County, Idaho, in Book 1, Page 13 of Plats, more particularly described as follows:

Commencing at the northeast corner of Lot 2, Block 6, McCall's 1st Addition to Village of McCall, as shown on the official plat thereof on file in the Office of the Recorder of Valley County, Idaho, in Book 1, Page 28 of Plats, a brass cap, thence, N. 81° 25' 00" W., 185.00 feet along the northerly line of said Lot 2, to a 5/8" rebar, thence, N. 4° 45' 47" E., 165.37 feet along the easterly line of Mill Park to a 1/2" rebar, The REAL POINT OF BEGINNING:

Thence, continuing N. 4° 45' 47" E., 381.99 feet along the easterly line of Mill Park to a 5/8" rebar,
thence, N. 63° 29' 42" W., 17.97 feet along the northerly line of Mill Park, to the easterly shore of Payette Lake,
thence, N. 6° 18' 15" E., 371.13 feet along said shore to the extended northerly line of Lot 8, Block 2, Sunset Subdivision as shown on the official plat thereof on file in the Office of the Recorder of Valley County, Idaho, in Book 1, Page 13 of Plats,
thence, S. 79° 39' 30" E., 194.47 feet to the north east corner of said Lot 8,
thence, S. 28° 26' 30" W., 60.00 feet along the westerly right-of-way line of East Lake Street,
thence, S. 81° 51' 30" E., 21.32 feet to the easterly right-of-way line of East Lake Street,
thence, N. 28° 26' 30" E., 176.48 to the southwest corner of Lot 5, Block 1, of said Sunset Subdivision, a brass cap,
thence, S. 62° 11' 05" E., 122.95 feet to the southeast corner of said Lot 5, a brass cap,
thence, N. 32° 36' 30" E., 129.56 feet to the southeast corner of Lot 3, Block 1 of said Sunset Subdivision, a brass cap,
thence, N. 56° 54' 18" W., 91.75 feet to the southwest corner of said Lot 3, a brass cap,
thence, N. 48° 40' 30" E., 59.89 feet to the northwest corner of said Lot 3, a 1/2" rebar,
thence, S. 54° 50' 23" E., 75.24 feet to the northeast corner of said Lot 3, a 1/2" rebar,

RECORDED
AUG 27 1993

TOTAL MILL PARCEL - con't.

thence, N. 32° 36' 30" E., 332.49 feet to the northeast corner of said Sunset Subdivision, a brass cap.
thence, S. 89° 26' 34" E., 164.78 feet to the westerly right-of-way line of the Union Pacific Railroad, a brass cap,
thence, S. 14° 36' 30" W., 1263.04 feet along said right-of-way to the northeast corner of Red Mill Condominium No. 24 (Amended) as shown on the official plat thereof on file in the Office of the Recorder of Valley County, Idaho, in Book 7, Page 72 of Plats, a 1/4" repeat,
thence, N. 75° 23' 30" W., 200.00 feet to the northwest corner of said Red Mill Condominium a 1/4" repeat,
thence, S. 14° 36' 30" W., 307.92 feet to the southwest corner of said Red Mill Condominium a 1/4" repeat,
thence, N. 81° 25' 00" W., 105.67 feet along the northerly line of Hemlock Street to a 1/4" repeat.
thence, N. 8° 35' 00" E., 225.00 feet to a 1/4" repeat,
thence, N. 81° 25' 00" W., 228.02 feet to The Point of Beginning containing 14.700 acres, more or less.

Bearings based on State Plane Grid Azimuth.

Subject to the following access and utility easement: a 25.00 foot wide access and utility easement being 12.50 feet on each side of the following described center line situate in Government Lot 1 Section 9, T. 18 N., R. 3 E., E.M., and a portion of McCall's 1st Addition to the City of McCall as recorded in Book 1, Page 28 of Plats in the Office of the Recorder of Valley County, Idaho, more particularly described as follows:

Commencing at the southeast corner of Lot 20, Block 6, McCall's 1st Addition to the City of McCall as shown on the official plat thereof on file in Book 1, Page 28 of Plats in the Office of the Recorder of Valley County;
thence, S. 81° 25' E., 25.64 feet along the northerly right-of-way line of Hemlock Street to The REAL POINT OF BEGINNING:

Thence, N. 19° 26' 00" W., 51.57 feet,
thence, N. 8° 35' 00" E., 146.62 feet,
thence, 31.42 feet along a curve to the left whose radius is 20.00 feet and delta angle is 90° 00' 00",
thence, N. 81° 25' 00" W., 87.43 feet to The Point of Ending.

Bearings based on State Plane Grid Azimuth.

EXHIBIT A - PAGE TWO

AUG 27 1993

The foundation for Building B of MILL RUN CONDOMINIUMS NO. 2-A (Amended), aka SUGARLOAF CONDOMINIUMS, as shown on the Condominium map and diagrammatic floor plan appearing in the records of Valley County, Idaho as Instrument No. 102637, amended by Instrument No. 118433, and as defined and described in that Condominium Declaration for Mill Run Condominiums placed in the records of Valley County, Idaho as Instrument No. 102638, and amended by Instrument No. 116167 and 117027, and supplemented by Instrument No. 117028. TOGETHER WITH an easement for ingress and egress as described in and created by that certain Grant of Easement to owners of Condominium units, filed for record in the office of the Recorder of Valley County, Idaho on September 17, 1985 in Drawer 1 of Miscellaneous as Instrument No. 143996.

EXHIBIT A - PAGE THREE

FILED
AUG 27 1993

Exhibit "A"

EAST PARCEL ON LAKE

1 A parcel of land situate in Government Lots 2 and 3, Section 8, T. 18 N., R. 3 E., B. N., City of McCall, Valley County, Idaho, more particularly described as follows:

Commencing at the northwest corner of Lot 1, Shellworth Park Subdivision as shown on the Official Plat thereof on file in Book 1, Page 14 of Plats in the Office of the Recorder of Valley County, Idaho, the REAL POINT OF BEGINNING:

Thence, N. 89° 58' 47" E., 165.32 feet along the north boundary of said Lot 1 to the southeast corner of the Charles Gossett parcel, a 1/2 inch rebar,
thence, N. 0° 14' 36" W., 158.66 feet to the northeast corner of the Robert Gossett parcel, a 1/2 inch rebar,
thence, N. 89° 58' 47" E., 173.03 feet to the high water mark of Big Payette Lake,
thence, along said high water mark: S. 50° 43' 11" E., 31.60 feet
S. 31° 55' 41" E., 138.19 feet; S. 23° 03' 21" E., 40.40 feet;
S. 19° 04' 21" E., 66.23 feet; S. 2° 23' 21" E., 29.2 feet;
S. 22° 34' 46" E., 91.87 feet; S. 44° 12' 38" E., 131.88 feet;
S. 53° 00' 16" E., 177.80 feet; S. 45° 11' 27" E., 55.84 feet;
S. 45° 14' 49" E., 57.44 feet; S. 50° 04' 55" E., 30.03 feet;
S. 37° 30' 13" E., 64.47 feet to the northwest corner of the City of McCall pump station site,
thence, S. 38° 14' 03" W., 92.95 feet to the southerly boundary of Lot 1 of said Subdivision and the northerly right-of-way of State Highway 55,
thence, N. 73° 33' 42" W., 400.60 feet along said right-of-way,
thence, along a curve to the right whose radius is 667.68 feet and delta angle is 59° 51' 14", 697.49 feet to a right-of-way monument on the easterly right-of-way of the Warren Wagon Road, marked 37 + 15.3 PC,
thence, N. 13° 42' 28" W., 6.45 feet along said right-of-way to the Point of Beginning, containing 6.469 acres, more or less.

Bearings based on State Plane Grid Azimuth.

2) MIDDLE PARCEL BETWEEN WARREN WAGON ROAD AND HERRICK STREET

A parcel of land situate in Government Lots 2 and 3, Section 8, T. 1 N., R. 3 E., B. N., City of McCall, Valley County, Idaho, more particularly described as follows:

Commencing at the North 1/4 corner common to Section 8 and 2, T. 1

NOT RECORDED

AUG 27 1993

N., R. 3 E., B. M., City of McCall, Valley County, Idaho; thence, S. 0° 12' 57" W., 435.72 feet along the line common to said Sections 7 and 8; thence, N. 89° 58' 47" E., 593.40 feet to the easterly right-of-way of Herrick Street, a 1/2 inch rebar, the REAL POINT OF BEGINNING:

Thence, continuing N. 89° 58' 47" E., 226.77 feet to the westerly right-of-way of Warren Wagon Road, a 1/2 inch rebar, thence, along said westerly right-of-way: S. 24° 06' 56" E., 108.04 feet to a 1/2 inch rebar; S. 13° 42' 28" E., 207.92 feet to a 1/2 inch rebar; S. 89° 58' 47" W., 25.01 feet to a 1/2 inch rebar; S. 13° 42' 28" E., 334.04 feet to the northerly right-of-way of State Highway No. 55, a 1/2 inch rebar, thence, N. 73° 33' 42" W., 248.77 feet along said northerly right-of-way to the easterly right-of-way of Herrick Street, a 1/2 inch rebar, thence, N. 11° 28' 00" W., 420.71 feet along said easterly right-of-way to a 1/2 inch rebar, thence, N. 19° 53' 00" W., 151.37 feet to the Point of Beginning, containing 3.045 acres, more or less.

Bearings based on State Plane Grid Azimuth.

PARCEL WEST OF HERRICK STREET

- 1) A parcel of land situate in Government Lots 2 and 3, Section 8, T. 18 N., R. 3 E., B. M., City of McCall, Valley County, Idaho, more particularly described as follows:

Commencing at the North 1/16 corner common to Sections 7 and 8, T. 18 N., R. 3 E., B. M., City of McCall, Valley County, Idaho; thence, S. 0° 12' 57" W., 387.17 feet along the line common to said Sections 7 and 8, a 1/2 inch rebar, the REAL POINT OF BEGINNING:

Thence, N. 89° 58' 47" E., 528.06 feet to the westerly right-of-way of Herrick Street, a 5/8 inch rebar with an aluminum cap, thence, along said westerly right-of-way: S. 31° 34' 44" E., 23.56 feet to a 1/2 inch rebar; S. 19° 53' 00" E., 193.14 feet to a 1/2 inch rebar; S. 11° 28' 00" E., 396.59 feet to the northerly right-of-way of State Highway No. 55, a 1/2 inch rebar, thence, N. 73° 33' 42" W., 715.63 feet along said northerly right-of-way to the line common to said Sections 7 and 8, a 1/2 inch rebar, thence, N. 0° 12' 57" E., 387.07 feet to the Point of Beginning containing 6.813 acres, more or less.

Bearings based on State Plane Grid Azimuth.

MICROFILMED

AUG 27 1993

A certain tract of land situated in the SE1/4 NE1/4 of said Section 7, Township 18 North, Range 3 East, B.M., Valley County, Idaho, more particularly described as follows:

Starting at a point where the East boundary of said Section intersects the North boundary line of State Highway 55; formerly State Highway 15); thence Westerly along said North boundary line of said Highway 55 a distance of 395 feet; thence North 0°05' West a distance of 150 feet; thence Westerly and parallel to said North boundary line of said Highway 55 a distance of 92.5 feet, more or less, to the real point of beginning; thence Westerly and parallel to said North boundary line of said Highway 55 a distance of 92.5 feet, more or less; thence North and parallel to the East boundary line of said Section a distance of 183 feet; thence East at a right angle a distance of 87.5 feet, more or less; thence South back to the real point of beginning.

RECORDED

AUG 27 1993

A certain tract of land situated in SE1/4 NE1/4, Section 7, Township 18 North, Range 3 E.B.M., more particularly described as follows:

Beginning at a point on the East boundary line of said subdivision 187 feet South of the Northeast corner of said subdivision, the true point of beginning; thence South on the same line 387.7 feet; thence Westerly parallel to the North boundary line of State Highway #15, a distance of 395 feet; thence North, and parallel to the East boundary line of said subdivision, a distance of 210 feet; thence West, and parallel to the North boundary line of said subdivision, a distance of 175 feet; thence North, and parallel to the East boundary line of said subdivision, a distance of 150 feet; thence West, and parallel to the North boundary line of said subdivision, a distance of 150 feet to the East boundary line of the County Road known as Billy Boydston Lane; thence North along said road right of way a distance of 47.5 feet; thence East, and parallel to the North boundary line of said subdivision a distance of 446.4 feet; thence South at right angle a distance of 150 feet; thence East 250 feet to the point of beginning.

MICROFILMED

AUG 27 1993

A parcel of land situated in Government Lot 2, Section 8, Township 18 North, Range 3 East, Boise Meridian, City of McCall, Valley County, Idaho, and more particularly described as follows:

Commencing at the Northwest corner of Lot 1, Shellworth Park Subdivision, as shown on the official plat thereof on file in the Office of the Recorder of Valley County, Idaho, in Book 1, page 14 of Plats, the REAL POINT OF BEGINNING;

thence, North 89° 58' 47" East, 165.32 feet along the northerly line of said Lot 1

thence, North 0° 14' 36" West, 18.00 feet to a 1/2" rebar,

thence, South 89° 58' 47" West, 195.37 feet to a 1/2" rebar on the easterly right-of-way line of Warren Wagon Road,

thence, South 13° 42' 28" East, 18.53 feet along said easterly right-of-way,

thence, North 89° 58' 47" East, 25.73 feet along said easterly right-of-way, to the Point of Beginning,

Bearings based on State Plat Grid Azimuth.

A tract of land in Lot 2, Section 8, Township 18 North, Range 3 East, Boise Meridian, in Valley County, Idaho; more particularly described as follows:

Beginning at a point 1150 feet East and 648 feet South from the Northwest corner of said Lot 2, thence West parallel to the North line of said Subdivision a distance of 50 feet; thence South a distance of 70 feet; thence East a distance of 50 feet, thence North a distance of 70 feet to the point of beginning.

RECORDED

AUG 27 1993

A parcel of land situate in Government Lot 1, Section 9, T. 18 N., R. 3 E., B.M., City of McCall, Valley County, Idaho, more particularly described as follows:

Commencing at the northeast corner of Lot 8, Block 18, McCall's 1st Addition to the City of McCall, as shown on the official plat thereof on file in the Office of the Recorder of Valley County, Idaho, in Book 1, on Page 28 of Plats; thence, N. 8° 35' 00" E., 497.00 feet along the easterly rail road right-of-way to a 1/2" rebar, the REAL POINT OF BEGINNING:

Thence, continuing N. 8° 35' 00" E., 113.14 feet along said right-of-way to a 5/8" rebar,
thence, 256.93 feet along a non-tangent curve to the right whose long chord bears N. 64° 05' 01" E., 253.21 feet, whose radius is 435.21 feet and delta angle is 33° 49' 29" along said right-of-way to a 1/2" rebar,
thence, S. 8° 35' 00" W., 233.03 feet to a 1/2" rebar,
thence, N. 87° 51' 00" W., 210.00 feet to the Point of Beginning, containing 0.902 acre, more or less.

Bearings based on State Plane Grid Azimuth.

RECORDED
AUG 27 1993

PARCEL NO. 1

NW 1/4 SE 1/4 Section 7, Township 18 North, Range 3 East, Valley County, Idaho.

PARCEL NO. 2

A parcel of land in Section 7, Township 18 North, Range 3 East, B. M., Valley County, Idaho and more particularly described as follows:

Commencing at the SW corner of the SE1/4NE1/4, Section 7, Township 18 North, Range 3 East, B. M., Valley County, Idaho; thence N. 89 35' East 450 feet to the real point of beginning; thence continue N. 89 35' East 398.5 feet; thence N. 0 15' West 557.63 feet; thence on a curve of radius 2935.0 feet the long chord of which bears N. 69 01' W. 50 feet; thence S. 0 15' E. 325.05 feet; thence S. 89 35' W. 144.65 feet; thence N. 0 15' E. 225 feet; thence N. 16 38' E. 151.08 feet; thence on a curve of radius 2935.0 feet the long chord of which bears N. 66 37' W. 40 feet; thence South 100 feet; thence in a northwesterly direction conforming to the curve of the highway 220 feet; thence south 630 feet to the point of beginning.

SUBJECT TO a 20 foot roadway on the south end of tract.

AKA 33 B

AND

A parcel of land in the SE1/4NE1/4, Section 7, Township 18 North, Range 3 East, B. M., Valley County, Idaho more particularly described as follows:

Commencing at the SW corner of the SE1/4NE1/4, Section 7, Township 18 North, Range 3 East, B. M., thence N. 89 35' E. 845.5 feet; thence N. 0 15' W. 557.63 feet; thence on a curve of radius 2935.0 feet; the long chord of which bears N. 69 01' W. 50.0

feet to the real point of beginning; thence on a curve of radius 2935.0 feet the long chord of which bears N. 66 37' W. 110 feet; thence S. 16 38' W. 151.08 feet; thence S. 0 15' E. 225 feet; thence N. 89 35' E. 144.65 feet; thence N. 0 15' W. 325.05 feet to the point of beginning.

AKA 33 A

MICROFILMED

AUG 27 1993

The Southerly 20 feet of the NE 1/4 of the SE 1/4, Section 7, T. 18 N R. 3 East., B.M., Valley County, Idaho.

and

TAX NO. 43

A portion of the NE1/4 SE1/4 of Section 7, Township 18 North, Range 3 East, Boise Meridian, Valley County, Idaho, more particularly described as follows:

THE SOUTHERLY 495 FEET OF THE FOLLOWING DESCRIBED REAL PROPERTY:

Beginning at the NE Corner of said NE 1/4 SE1/4, an iron pin; thence West along the North boundary of said NE1/4 SE1/4, a distance of 285 feet; Thence South, parallel to the East boundary of said NE1/4 SE1/4, a distance of 20 feet to the REAL POINT OF BEGINNING; Thence continue South, a distance of 210 feet to the NW corner of the Arthur Ellison tract; Thence Southeasterly along said Ellison tract, a distance of 360 feet to the SW corner of said Ellison tract; Thence East, parallel to the North boundary of said NE1/4 SE1/4, a distance of 155 1/2 feet to the West side of the County Road right of way; Thence South along said County Road right of way, a distance of 713 feet, more or less, to the County Road right of way running East and West; Thence West along the said County Road right of way to the West boundary of said NE1/4SE1/4; Thence North along said West boundary, a distance of 660 feet, more or less, to the SW corner of the Frank Rowland tract; Thence East, parallel to the North boundary of said NE1/4 SE1/4 a distance of 525 feet; Thence North, parallel to the West boundary of said NE1/4 SE1/4 a distance of 420 feet; Thence East, parallel to the North boundary of said NE1/4 SE1/4, to the REAL POINT OF BEGINNING.

MICROFILMED

AUG 27 1993

Two tracts of land in the SE1/4 NE1/4 of Section 7, Township 18 North, Range 3 East, Boise Meridian, Valley County, Idaho more particularly described as follows:

Parcel 1;

Commencing at the Quarter Corner common to Sections 7 and 8, Township 18 North, Range 3 East, Boise Meridian; thence North 0° 11'39" East, 296.33 feet along the Section line common to said section 7 and 8 to the Real Point of Beginning; thence north 0° 11'39" east, 105.00 feet along said section line to the southerly right of way line of State highway 55; thence North 73° 30'00" West 104.19 feet along said right of way line; thence south 0° 11'39" west 134.00 feet on a line parallel with said Section line; thence south 89° 39'37" east, 100.00 feet on a line parallel to the Center Section line of said Section 7, to the Point of Beginning;

SUBJECT to a roadway easement along the easterly side of said tract.

SUBJECT to all restrictions, easements and rights-of-way existing on such premises or of record.

AKA TAX NO. 32A

Parcel 2;

Commencing at the quarter corner common to Sections 7 and 8, Township 18 North, Range 3 East, Boise Meridian, the REAL POINT OF BEGINNING; thence North 0°11'39" east 296.33 feet along the Section line common to said Sections 7 and 8; thence north 89°39'37" west, 100.00 feet; thence south 0°11'39" west, 296.33 feet on a line parallel with said Section line; thence South 89°39'37" east, 100.00 feet to the Point of Beginning;

SUBJECT to roadway easement along the easterly and southerly sides of said tract.

SUBJECT TO all restrictions, easements and rights-of-way existing on such premises or of record.

AKA TAX NO. 32B

MINOR MED
AUG 27 1993

A TRACT OF LAND IN THE SE1/4NE1/4 OF SECTION 7, TOWNSHIP 18 NORTH, RANGE 3 EAST, BOISE MERIDIAN, VALLEY COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 848.5 FEET EAST OF THE SW CORNER OF SAID SUBDIVISION; THENCE NORTHERLY AND PARALLEL TO THE WEST BOUNDARY LINE OF SAID SUBDIVISION 525 FEET, MORE OR LESS, TO THE SOUTH BOUNDARY LINE OF THE STATE HIGHWAY RIGHT-OF-WAY; THENCE EASTERLY ALONG SAID SOUTH BOUNDARY LINE OF THE STATE HIGHWAY RIGHT-OF-WAY 500 FEET, MORE OR LESS, TO THE EAST BOUNDARY LINE OF THE SAID SUBDIVISION; THENCE SOUTHERLY ALONG SAID EAST BOUNDARY LINE OF THE SAID SUBDIVISION 401.3 FEET TO THE SE CORNER OF THE SAID SUBDIVISION; THENCE WESTERLY ALONG THE SOUTH BOUNDARY LINE OF THE SAID SUBDIVISION 475.2 FEET TO THE POINT OF BEGINNING.

SAVE AND EXCEPTING:

A UNIFORM ONE HUNDRED FOOT WIDE STRIP OF LAND, THE 100 FEET BEING MEASURED EAST-WEST, LYING WITH AND ABUTTING THE EASTERLY BOUNDARY AND EXTENDING THE ENTIRE NORTH-SOUTH BREADTH OF SAID DESCRIBED PARCEL.

SUBJECT TO A 20 FEET EASEMENT ALONG THE SOUTHERLY BOUNDARY AS DESCRIBED IN THAT CERTAIN WARRANTY DEED RECORDED IN THE RECORDS OF VALLEY COUNTY, IDAHO ON APRIL 16, 1947 IN BOOK 25 OF DEEDS AT PAGE 93, INSTRUMENT NO. 36051.

MICROFILMED

AUG 27 1993

A parcel of land being Government Lots 2 and 3, Section 7, Township 18 North, Range 3 East, Boise Meridian, Valley County, Idaho, more particularly described as follows:

Commencing at a brass cap marking the quarter corner on the West boundary of Section 7, Township 18 North, Range 3 East, Boise Meridian, Valley County, Idaho, the real point of beginning:

Thence, North $0^{\circ}03'21''$ West, 1,325.63 feet to a $1/2''$ rebar marking the North $1/16$ corner on said West boundary of Section 7; thence, South $89^{\circ}31'40''$ East, 1476.76 feet to a $1/2''$ rebar marking the Northwest $1/16$ corner of said Section 7; thence, South $0^{\circ}21'14''$ West, 1,321.63 feet to the CW $1/16$ corner of said Section 7; thence, South $0^{\circ}18'50''$ West, 1,325.94 feet to the SW $1/16$ corner of said Section 7; thence, North $89^{\circ}44'02''$ West, 1,456.77 feet to the South $1/16$ corner on said West boundary of Section 7; thence, North $0^{\circ}08'23''$ West, 1,327.32 feet to the Point of Beginning, containing 89.254 acres, more or less.

Subject to existing easements to Idaho Power Company and Continental Telephone Company.

Bearings based on State Plane Grid Azimuth.

RECORDED
AUG 27 1993

---A certain tract of land situated in the SE1/4 NE1/4 of Section 7, Township 18 North, Range 3 East, B.M., Valley County, Idaho more particularly described as follows:

Starting at a point where the East boundary of said Section intersects the North boundary line of State Highway 55 (formerly State Highway 15); thence westerly along said north boundary line of said Highway 55, a distance of 395 feet; thence North 0°05' West a distance of 150 feet to the REAL POINT OF BEGINNING, thence North and parallel to the East boundary line of said Section, a distance of 260 feet, more or less, Thence West a distance of 87.5 feet, more or less, Thence south and parallel to the East boundary line of said Section to a point which is 92.5 feet westerly of the place of beginning; thence Easterly a distance of 92.5 feet, more or less, to the place of beginning.
aka Easterly portion of Tax No. 24.

A parcel of land in the SE1/4 NE1/4 of Section 7 Township 18 Range 3 BM, Valley County, Idaho more particularly described as follows: Starting at a concrete monument marking the north boundary line of State Highway No. 15 within in SE 1/4 NE1/4 of Section 7, township 18 North, Range 3 East B.M. (said monument being 195 feet, more or less, west of the intersection of said highway and the east boundary line of said SE 1/4 NE1/4 of Section 7), thence westerly along the north boundary line of said Highway No. 15 a distance of 200 feet to the point of beginning, thence north and parallel to the east boundary of said SE1/4 NE1/4 of Section 7, a distance of 150 feet; thence westerly and parallel to the north boundary line of said State Highway No. 15 a distance of 175 feet; thence south and parallel to the east boundary line of said SE1/4 NE1/4 of Section 7, a distance of 150 feet to the north boundary line of said State Highway No. 15, thence easterly along the north boundary line of said State Highway No. 15.
aka Tax No. 2BA

MICROFILMED

AUG 27 1993

A parcel of land situate in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, the S $\frac{1}{4}$ of the NE $\frac{1}{4}$, and the N $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 12, Township 18 North, Range 2 East, Boise Meridian, Valley County, Idaho, more particularly described as follows:

Commencing at an aluminum cap marking the Section Corner common to Sections 6 and 7, Township 18 North, Range 3 East, and Sections 1 and 12, Township 18 North, Range 2 East, Boise Meridian, Valley County, Idaho; thence, South 89°38'24" West, 367.54 feet along the line common to said Sections 1 and 12 to a 5/8" rebar, the real point of beginning:

Thence, continuing South 89°38'24" West, 465.37 feet along the line common to said Sections 1 and 12; thence, South 16°48'11" East, 250.16 feet to the center line of an existing road; thence, southerly along said center line: South 22°30'00" East, 160.00 feet, 266.69 feet along a curve to the right whose radius is 200.00 feet and delta angle is 76°24'00", 125.47 feet along a curve to the left whose radius is 140.00 feet and delta angle is 51°21'00", 167.85 feet along a curve to the right whose radius is 190.00 feet and delta angle is 50°37'00", South 53°10'00" West, 190.00 feet, 90.55 feet along a curve to the left whose radius is 110.00 feet and delta angle is 47°10'00", South 6°00'00" West, 198.61 feet, 128.32 feet along a curve to the right whose radius is 206.24 feet and delta angle is 35°39'00", 525.18 feet along a curve to the left whose radius is 520.00 feet and delta angle is 57°52'00", South 16°13'00" East, 40.00 feet, 184.31 feet along a curve to the right whose radius is 300.00 feet and delta angle is 35°12'00", South 18°59'00" West, 172.50 feet, 121.18 feet along a curve to the right whose radius is 400.00 feet and delta angle is 17°21'30", 55.21 feet along a curve to the left whose radius is 98.44 feet and delta angle is 32°08'00", South 4°12'30" West, 131.36 feet, 82.90 feet along a curve to the right whose radius is 400.00 feet and delta angle is 11°52'30", South 16°05'00" West, 119.50 feet, 188.82 feet along a curve to the left whose radius is 350.00 feet and delta angle is 30°35'00", South 14°30'00" East, 57.43 feet, 95.99 feet along a curve to the right whose radius is 500.00 feet and delta angle is 11°00'00", South 3°30'00" East, 138.84 feet, South 9°30'00" East, 139.33 feet, 204.20 feet along a curve to the right whose radius is 300.00 feet and delta angle is 39°00'00", South 29°30'00" West, 455.20 feet, 45.95 feet along a curve to the left whose radius is 350.00 feet and delta angle is 7°31'19", to the southerly boundary of the N $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 12; thence, leaving the existing road, North 89°38'04" East, 1,685.62 feet to the South 1/16 corner on the easterly boundary of said

INDEXED

AUG 27 1993

Section 12, being the same as the westerly boundary of Government Lot 3, Section 7, Township 18 North, Range 3 East, Boise Meridian; thence, North $0^{\circ}08'23''$ West, 1,327.32 feet to a brass cap marking the $\frac{1}{4}$ corner common to said Sections 12 and 7; thence, North $0^{\circ}03'21''$ West, 1,541.28 feet along the boundary common to said Sections 12 and 7; thence, South $89^{\circ}38'06''$ West, 603.11 feet; thence, North $0^{\circ}03'22''$ West, 206.68 feet; thence, North $14^{\circ}32'24''$ East, 934.76 feet to the point of beginning, containing 98.447 acres, more or less.

Bearings based on State Plane Grid Azimuth.

The Southwest Quarter of the Southeast Quarter of Section 7, Township 18 North, Range 3 East, Boise Meridian, in Valley County, Idaho,

Except: the East $\frac{1}{2}$ of the East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 7.

The Southeast Quarter of the Northwest Quarter and the East Half of the Southwest Quarter of Section 7, Township 18 North, Range 3 East, B.W., in Valley County, Idaho.

UNRECORDED
AUG 27 1993

A parcel of land situate in Government Lot 2, Section 8, T. 18 N., R. 3 E., B.M., City of McCall, Valley County, Idaho, more particularly described as follows:

Commencing at a brass cap marking the West quarter corner of Section 8, T. 18 N., R. 3 E., B.M., City of McCall, Valley County, Idaho; thence N. 0° 12' 57" E., 547.27 feet along the westerly boundary of said Section 8 to a 1/2" rebar on the northerly right of way line of State Highway 55; thence S. 73° 33' 42" E., 1125.18 feet along said northerly right of way to a 1/2" rebar, the real point of beginning; thence continuing S. 73° 33' 42" E., 233.94 feet along said northerly right of way to the easterly right of way of Warren Wagon Road; thence 533.85 feet along a non-tangent curve to the right whose long chord bears N. 36° 36' 53" W., 519.74 feet, whose radius is 667.67 feet and delta angle is 45° 48' 43", along said easterly right of way to a concrete monument; thence S. 13° 42' 28" E., 361.27 feet to the point of beginning, containing 0.417 acre, more or less;

Bearings based on State Plane Grid Azimuth.

RECORDED

AUG 27 1993

DEC 17 1 43 PM '93
TYPE: Alex S. Davis
LELAND
VALLEY CO.
BY: [Signature]
FILE: [Signature]

REQUESTED BY: M. H. L. L.
RECORDED

193073



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

NOT RECORDED

AUG 27 1993

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

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

Receipt No: W018113

Date: 4/12/1993
Time: 14:06:54

Received
From: MILLEMAN, STEVEN T. D.D.

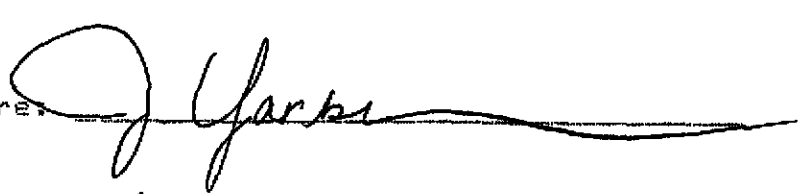
Type of Payment	Program A cct	Amount
APP. FOR TRANSFER (65 09209)		
62105	229 21 1155	30.00
APP. FOR TRANSFER (65 08296)		
62105	229 21 1155	30.00
Total		

CHEQ

5883

\$60.00

Region: WESTERN

Signature: 

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.

AUG 27 1993

Thanks,



RECEIVED

JUL 14 1993

Department of Water Resources
Western Regional Office

MILLEMANN & PITTENGER
ATTORNEYS AT LAW
706 NORTH FIRST
POST OFFICE BOX 1066
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

RECEIVED

AUG 27 1993

RECEIVED

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

MICROFILMED

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

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

MICROFILMED

AUG 27 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: SL

1. Right number 65-08209 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 add nature of use

4. Check:

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

b. ☒ Description of original point of diversion.

c. ☒ Description of original place of use.

- Same as W.R. 50
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 See Worksheet - Existing pond
covered by 65-07007

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

Right number(s) NONE - but see 65-07007 (surface water for pond)

j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No ground water in W.R. 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* _____

AUG 27 1993

MICROFILMED

AUG 27 1993

4. By _____ Date _____

Transfer Appl. 65-08209

JL
5/11/93

Existing pond ("Lake Douglas") = 65-07007, 5.6 af,
unn. stream

Transfer - allow well to be used to keep pond
fresh, & multiple uses at pond for well water.

Pond losses already covered in 65-07007 so evap. etc.
will not increase. Obvious from figs that pond area
exceeds $\frac{1}{2}$ acre.

To the extent that other uses of well do not, when
combined with D/I use, exceed .04 cfs & 1.2 AFD,
expansion will not occur.

Need div. to storage if transfer approval? NO:

a) $.04 \text{ cfs} \times 1.9835 \rightarrow .08 \text{ AFD/24 hr.}$

b) $.08 \text{ AFD} \times 325,850 \text{ gallons/AFD} = 26,068 \text{ gallons}$

c) 26,068 gallons $\rightarrow$ daily max. gallons for D/I right
so cannot divert an amount per day that would
require a storage component in transfer.
div. to

5/25/93 Appl. for expanding lake from unn. stream
(runoff) filed 5/10/93. New appl. for
permit seeks to add 10.6 af to 5.6 af
existing pond, total pond will be 16.2 af.

RECEIVED

AUG 27 1993

WORKSHEET

Publisher's Affidavit of Publication

STATE OF IDAHO

SS

RECEIVED
JUN 07 1993

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 thereof during the period of time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began May 26, 1993 and ended May 27, 1993.

Ramona A. George
Subscribed and sworn before me this 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
Notary Public for Idaho
Residing at McCall, Idaho
Commission Expires: 1999

NOTICE OF APPLICATION FOR WATER RIGHT

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

AUG 27 1993

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 Higgins, Director 215/27

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.

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. 65-08209

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 ground water.
The right sought to be changed is evidenced by deed

_____ and is recorded as follows:
Amount: .04 cfs Priority: 4-1-1970

Point(s) of Diversion: NESE 5.7 T18N R3E Valley County

The water is used for domestic purposes for one
home in NESE 5.7 T18N R3E

TO BE CHANGED AS FOLLOWS

Amount: .04 cfs

Point(s) of Diversion: NO change

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

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**

in NESE 5.7 T18N R3E.

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. McMahon
BRIAN L. MCMAHAN

BLM/dm
Encs.

cc: Douglas F. Manchester w/encs.
Mary Biddlecome w/encs.
Ed Elam w/encs.

ldwrman