

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO)
) ss.
County of Valley)

Donald E. McMahan, being first duly sworn, deposes and says: That he is the co-publisher of the Star-News, a weekly newspaper published at Cascade and McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, 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 and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began August 10, 1972, and ended August 17, 1972.

Donald E. McMahan
Subscribed and sworn to before me a Notary Public in and for the County of Valley, and the State of Idaho, this 18th day of Aug, 1972.

My commission expires Aug 2, 1974.

Donald L. Valley, Notary Public.

RECEIVED
AUG 21 1972

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Donald H. and-or Joan McLean, 43000 Marvin, Boise, Idaho has on July 21, 1972 submitted Application No. 65-7292 for a permit to appropriate 0.03 cubic feet per second of water from an unnamed stream by means of

collection box with pipeline within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, T. 15 N., R. 3 E., B.M., Valley County to be used from Jan. 1 to Dec. 31 for domestic purposes within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, T. 15 N., R. 3 E., B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before Aug. 28, 1972.

R. KEITH HIGGINSON
Director

Published in the Star-News,
McCall, Idaho on Aug. 10, 1972 and
Aug. 17, 1972.

65 7292

OK
8-21-72

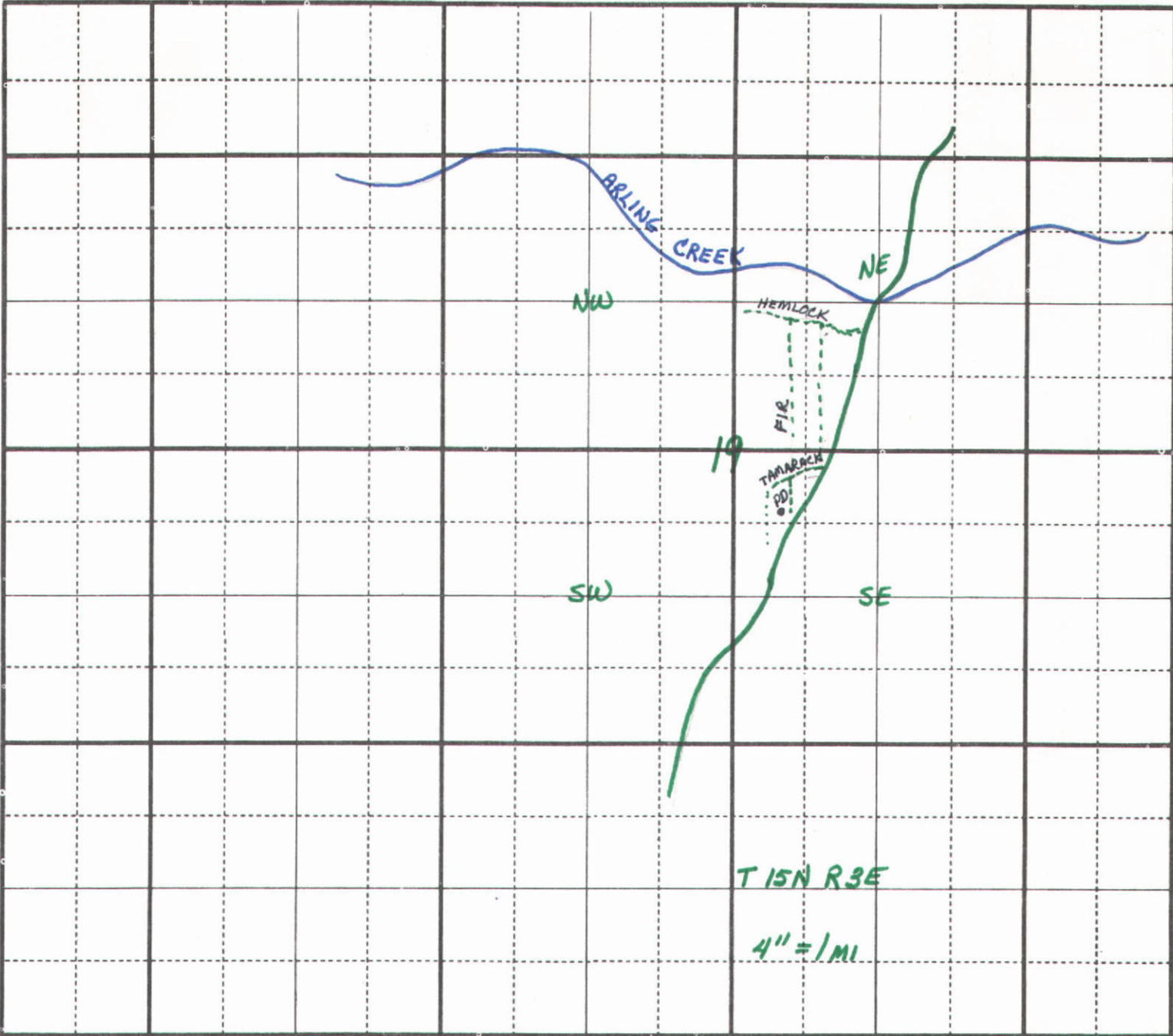


Diagram of System

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 65-7292 Priority July 21, 1972 Amount 0.03 cfs

THIS IS TO CERTIFY, that DONALD H. &/or JOAN MCLEAN
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 65-7292 issued pursuant to Application for Permit dated July 21, 1972,
and has submitted proof to the Department of Water Resources on August 25, 1977,
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a
capacity for the diversion of 0.03 cfs of water from an unnamed stream,
tributary to Arling Creek, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u>	from <u>January 1</u> to <u>December 31</u> at <u>0.03</u> cfs and <u>1.2</u> acre feet		
	from _____ at _____ cfs and _____		
	from _____ at _____ cfs and _____		

(both dates inclusive)

Subject, however, to the condition that no more than 0.03 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1.2 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, Twp. 15N,
Rge. 3E, B.M., in the County of Valley

Description and location of place of use:

Twp.	Range	Sec.	Section												Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SE $\frac{1}{4}$	SW $\frac{1}{4}$	
15N	3E	19													

Total number of acres irrigated _____

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31 day of
July, 19 79

Director

Microfilm

Identification No. _____

Application No. 65-7292

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Donald H. and/or Joan McLean 83705
post office address 43000 Marvin Boise, Idaho
2. Source of water supply Unnamed stream which is a tributary of _____
- 3 a. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 19 Township 15N
Range 3E B.M. Valley County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount .03 for Domestic purpose from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. .03 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
Collection box in stream with pipeline to place of use.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ _____.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 19 Township 15N
Range 3E B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water one.
(5) If water is to be used for other purposes describe: _____

65 7292

59

TOTALS

Total number of acres to be irrigated-

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

None

9. a. Who owns the property at the point of diversion

b. Who owns the land to be irrigated or place of use

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

applicant to make this filing.

10. Remarks -

Foot C.R. - 4 Subd.

Lot 4A - 7

[illegible]

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

(Applicant)

65 7292

Received by MP Date 7/21/72 Time 11:40 am
Preliminary check by MP Fee \$ 10.00
Received by MP Date 7-21-72 # 8613
Publication prepared by MP Date 7-31-72
Published in Star News, McCall
Publication dates Aug. 10 & 17
Publication approved MP Date 8-21-72
Priority reduced to 7/21/72 Reason _____

Protests filed by: _____
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by MP

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 65-7292, and said application is hereby APPROVED.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 19 77.

c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this 15 day of September 19 72.

[Signature]
Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>LJP</u>	<u>8/25/72</u>	Application No. <u>65-7292</u> Name <u>M^cLean</u>
(2)	<u>LJP</u>	<u>8/25/72</u>	Check: ☒ Signature ☒ Point of Diversion ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for C/W and application of water to B/U ☒ Place of Use ☒ Map ☒ Fee
(3)		<u>None</u>	Send copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)		<u>None</u>	☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M.
(5)	<u>LJP</u>	<u>8/25/72</u>	In form for advertising <u>Star News</u>
(6)	<u>LJP</u>	<u>8/25/72</u>	Affidavit of Publication received <u>August 21, 1972</u>
(7)	<u>KMF</u>	<u>8/31</u>	Final date for protests <u>August 28, 1972</u> Protests received: yes <u>no</u> ☒
(8)	<u>-</u>	<u>-</u>	Date and Place of hearing _____ Decision reached at hearing _____
(9)	<u>-</u>	<u>-</u>	Located within Water District No. <u>No</u>
(10)	<u>-</u>	<u>-</u>	Critical groundwater area: yes _____ no _____
(11)	<u>-</u>	<u>-</u>	Groundwater levels: ☐ Decline (comment) _____ ☐ Stable (comment) _____ ☐ Increasing (comment) _____
(12)	<u>KMF</u>	<u>8/31</u>	Comments: <u>North of Bernard Gratton and Pat Allen.</u>
(13)	<u>KMF</u>	<u>8/31</u>	Action recommended: ☒ Approve Priority <u>7/21/72</u> ☐ Deny Reason for Reduction _____ See attached sheet for conditions of approval
(14)	<u>KMF</u>	<u>8/31</u>	No conditions for approval District <u>Western</u> By <u>Ken Foil</u> Date <u>8/31/72</u> Title <u>WDE</u>

65 7292

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO)
) ss
County of Valley)

Donald E. McMahan, being first duly sworn, deposes and says: That he is the co-publisher of the Star-News, a weekly newspaper published at Cascade and McCall, in the County of Valley, State of Idaho, that said newspaper is in general circulation in the county aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, 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 and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began August 10, 1972, and ended August 17, 1972.

Donald E. McMahan
Subscribed and sworn to before me a Notary Public in and for the County of Valley, Idaho, this 18th day of August 1972.
Donald E. McMahan, Notary Public
My commission expires 11-2-74.

65 7292

8-21-72

REF



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address

Statehouse

Boise, Idaho 83720

(208) 384-2215

July 31, 1979

Donald H. &/or Joan McLean
43000 Marvin
Boise, ID 83705

Dear Mr. & Mrs. McLean:

RE: Water Right No. 65-7292

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

Sincerely,

Jan Grover
JAN GROVER
Water Rights Supervisor

JG:lr

Enclosure

MICROFILMED

DATE OF EXAM 10/24/78 7/17/79

ACREAGE

Found _____
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE

Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Domestic Q= 0.03 c.f.s. V= 1.2 AF/Ann. from _____ to _____
Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured .03 cfs Method of measurement ESTIMATE

Total Q recommended .03 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 1.2 ac ft

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:

ESTIMATE

SYSTEM DESCRIPTION:

COLLECTION BOX IN STREAM WITH 1" PIPELINE TO PLACE OF USE. - 2" stand pipe located in a hand dug area

REMARKS:

VALLEY COUNTY ASSESSORS OFFICE HAS RECORD OF RESIDENTIAL IMPROVEMENTS ON THIS PROPERTY
Located in the CR4 Subdivision Lot 4A-4

Examiner's Signature Charles W. Bryan Jr. Linda Johnson Date 10/24/78 7/24/79

Checked by [Signature] Date 26 July 79

Approved by _____ Date _____

MICROFILMED

410

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

C.R. - 1 SUBD
LOT 4A-4

1. Name of permit holder Donald H, &/or Joan McLean
Post office address 4300 Marvin, Boise, ID 83705 Phone 242-2842
Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☐ Surface water ☒ Unnamed stream
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:
Amount 0.03 c.f.s. for Domestic (1)
_____ AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:
Max Rate of Diversion 0.03 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:
Township 15N N/S, Range 3E E/W, B.M., Section 19, Subdivision NW 1/4 SE 1/4, Valley County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____ County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____ County
Other Points of Diversions: _____

Description of diverting works: collection box in stream with 1" pipeline to place of use

Measuring device required: yes ☐ no ☒

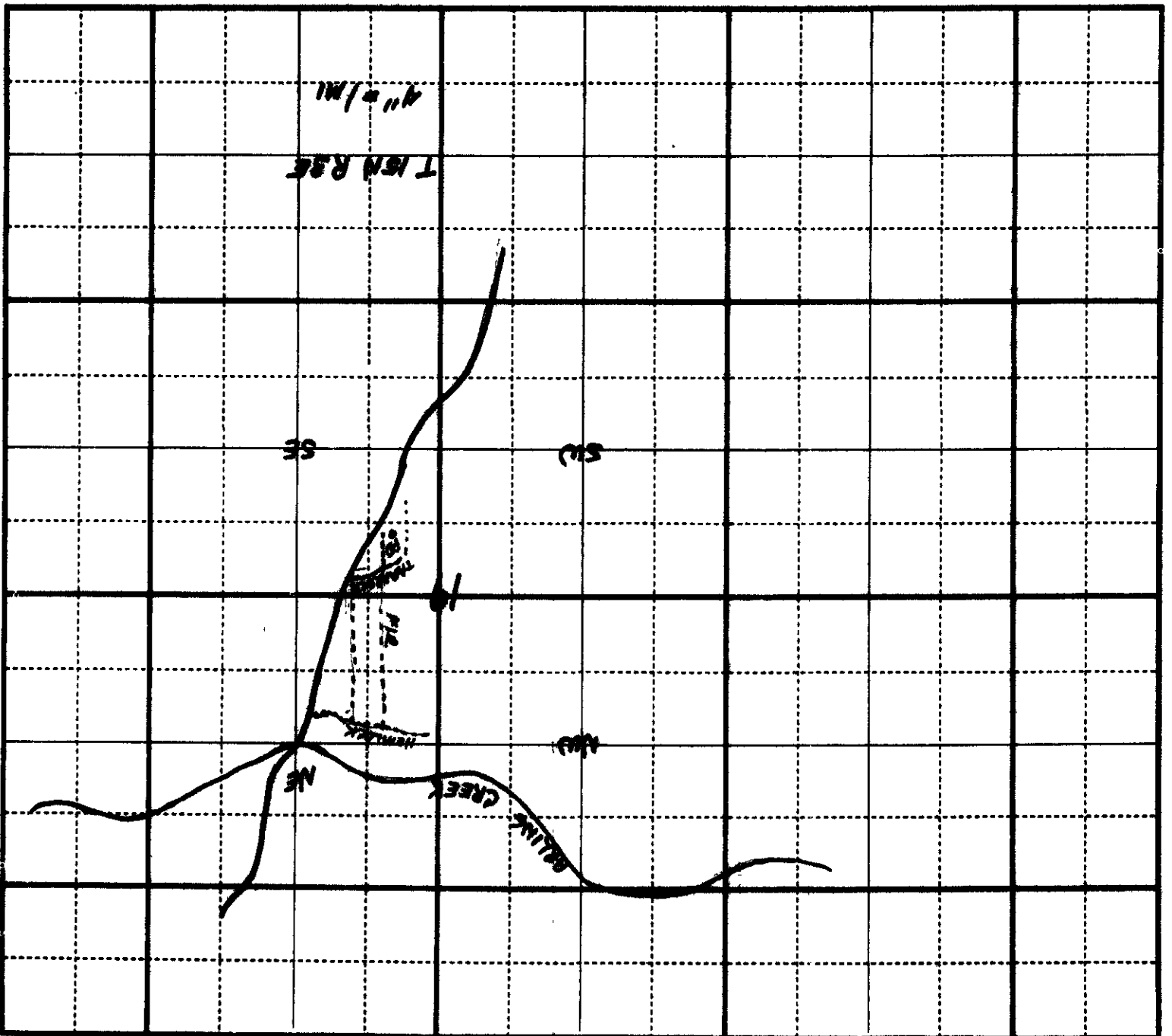
6. Lands to be irrigated or place of use.

TWP.	RANGE	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	
15N	3E	19													X				

TOTAL ACREAGE _____

Department of Water Resources
Western Region Office
Permit No. _____
Examination for _____
h/u
65-7292

Diagram of System



September 9, 1977

Re: Permit No. 65-7292

Donald H. &/or Joan McLean
4300 Martin
Boise, Idaho 83705

Dear Mr. & Mrs. McLean:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell during which part of the irrigation season this examination will be made, but our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in Boise.

Sincerely,

JANICE RENK
Water Rights Bureau

/jr

MICROFILMED

Identification No. _____

Permit No. 65-7292

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 28 1972

Department of Water Resources

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder DONALD H. & JOAN McLean
b) Post Office Address 4300 MARVIA Boise, Idaho 83705
2. Permit Number 65-7292
3. Date of Priority that you are prepared to establish 7/21/1972
4. a) Source from which water was appropriated Unnamed Stream
b) Location of the point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 19
Township 15N, Range 3E Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:
Amount .03 for Domestic purposes from 1/1 to 12/31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated .03 cfs and/or acre-feet per annum

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: N/A

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

N/A

b) Describe the agreement or understanding by which you take water from the works:

N/A

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Collection Box in stream with 1" pipeline to place of use.

b) Describe the type and size of measuring device which you have installed at your point of diversion:

NONE

c) Give well driller's name and address and the date the well was completed:

N/A

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:

Domestic

Exam typed

9/17/72 by [Signature]

MICROFILMED

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres irrigated _____

10. Remarks: _____

The above information is a true statement of the extent to which the above numbered permit has been developed.

8/25/77

(Date)

Donald M. Lyon

(Signature)

State of Idaho)

County of Ada) ss.

On this 25TH day of August, 1977, personally appeared before me the signor(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Roman C Young
Notary Public residing at _____

Boise Idaho

My commission expires 7/25/79

June 30, 1977

CERTIFIED MAIL

138714

Re: Permit No. 65-7292

Donald H. &/or Joan McLean
43000 Marvin
Boise, Idaho 83705

Dear Mr. & Mrs. McLean:

One of the conditions of approval of your water Permit No. 65-7292 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before September 1, 1977. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



C. STEPHEN ALLRED
Director

CSA:jfr

Enc: Proof affidavit

UNRECORDED

September 22, 1972

C
Donald H. and/or Joan McLean
45000 Marvin
Boise, Idaho

Dear Mr. and Mrs. McLean:

Enclosed is a copy of your approved Application for Permit No. 65-7292. We direct your attention to the conditions of approval as listed on the fourth page.

Very truly yours,

P
BOBBY D. FLEENOR
Assistant Director

Y
BDF: cd
Enclosure

65 7292

August 1, 1972

RE: Application for Permits:
Moosejaw Associates 65-7290
Arthur Stowell 65-7287 and 65-7288
Donald H. and/or Jean McLean 65-7292

The Star News
Box 985
McCall, Idaho 83638

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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. In order to receive payment, the following certification must appear on the bill:

" I hereby certify that the foregoing account is just and correct,
that the amount claimed is legally due, after allowing all just
credits, and that no part of the same has been paid. "

(signature of claimant)

Very truly yours,

Bill submitted _____ by _____

65 7292

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that DONALD H. and/or JOAN MC LEAN, 43000 Marvin,
Boise, Idaho

has on July 21, 1972 submitted Application No. 65-7292
for a permit to appropriate 0.03 cubic feet per second ~~XXXXXX~~
of water from ~~XXXXXXXXXXXX~~ an unnamed stream
by means of collection box with pipeline
within the NW 1/4, Sec. 19, T. 15 N., R. 3 E., B.M., Valley County

to be used from Jan. 1 to Dec. 31
for domestic purposes

within the NW 1/4, Sec. 19, T. 15 N., R. 3 E., B.M.

65-7292

If issued, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of Water
Administration, Statehouse, Boise, Idaho, 83707, on or before Aug. 28, 1972.

R. KEITH HIGGINSON

Director

Published in the Star News, McCall, Idaho

on Aug. 10, 1972 and Aug. 17, 1972.