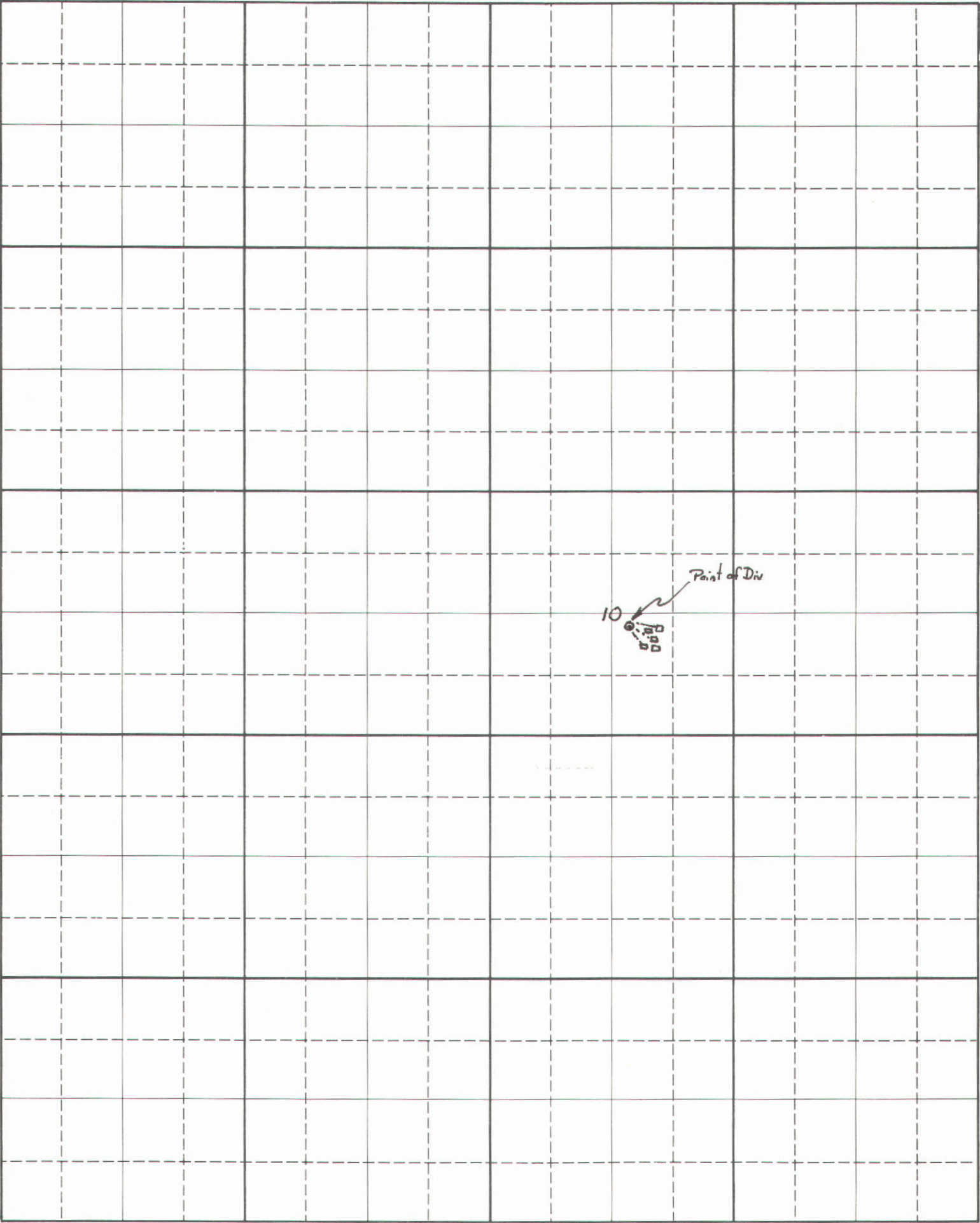


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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

Geo Mustus
(Applicant)

65 7236

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO)

County of Valley)

Donald E. McMahan) ss.

being first duly sworn, deposes and

says: That he is the 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 news-

paper 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

October 7, 1971, and ended October 14, 1971

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 14th

day of October, 1971

Donald L. Latta, Notary Public.

My commission expires 6-2, 1974

RECEIVED

18 1971

Department of Water Administration

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Leo Marsters, 2045 De Bord Drive, Payette, Idaho has on September 20, 1971 submitted Application No. 65-7236 for a permit to appropriate 0.08 cubic feet per second of water from an unnamed spring, tributary of Little Squaw Creek by means of spring and pipeline within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 10, T. 10N, R. 2E, 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. 10, T. 10N, R. 2E, 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 October 25, 1971.

R. KEITH HIGGINSON

Director

Published in the Star News, McCall, Idaho on Oct. 7 and Oct. 14, 1971.

65 7236

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 65-7236 Priority Sept. 20, 1971 Amount 0.08 cfs

THIS IS TO CERTIFY, that LEO MARSTERS
of Payette, Idaho, has complied with the terms and conditions of Permit
No 65-7236 issued pursuant to Application for Permit dated September 20, 1971,
and has submitted proof to the Department of Water Resources on September 9, 1976,
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 0.08 cfs of water from three unnamed springs,
tributary to Little Squaw 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>April 1</u> to <u>Oct. 31</u>	at <u>0.08</u> cfs and	<u>4.8</u> acre feet
	from	cfs and	
	from	at cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.08 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 is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
4.8 acre feet per year, said waters to be diverted within the NW 1/4 Sec. 10,
Twp. 10 N, Rge. 2 E, B.M. in the County of Valley

Description and location of place of use:

Twp.	Range	Sec.	Section												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	
10 N	2 E	10													

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 4 day of
November, 19 76.

Director

Identification No. 65-7236
Application No. _____

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 Leo Marsters
post office address 2045 De Bord Drive, Payette, Idaho Tel. 642-4135
2. Source of water supply Unnamed Spring which is a tributary of Little ^{Squaw} Creek
- 3 a Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 10 Township 10N
Range 2E 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 .08 for Domestic purpose from Jan. 1 to Dec. 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 .08 cubic feet per second and/or
b _____ acre feet per annum.
- 6 Proposed diverting works:
a Description of ditches, flumes, pumps, headgates, etc. Spring and pipeline

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 10 Township 10N
Range 2E 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 four.
(5) If water is to be used for other purposes describe _____

●

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below

[illegible]

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 Applicant

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

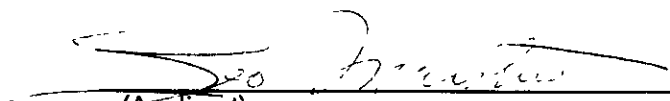
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks The spring does not flow off.

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

Scale. 2 inches equal 1 mile

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


(Applicant)

65 7236

2736
see #8282

Received by Date 9-20-71 Time 12:00 max
Preliminary check by BDF Fee \$ 10.00
Received by Date 9-20-71
Publication prepared by CR Date 9-29-71
Published in Star News
Publication dates 10-7 & 10-14-71
Publication approved CR Date 10-20-71
Priority reduced to 9-20-71 Reason
Protests filed by:

Copies of protests forwarded by

Hearing held by Date
Recommended for approval denial by BDF

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. 65-7236, 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 November 1, 19 76.

c. Other:

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

Witness my hand this 29th day of October, 19 71.

Director

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO)
) ss.
County of Valley)
Donald E. McMahan
being first duly sworn, deposes and

says: That he is the 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 October 7, 1971, and ended October 14, 1971

Subscribed and sworn to before me, a Notary Public in and for the County of Valley, and the State of Idaho, this 14th day of October, 1971, *Donald E. McMahan*
Donald E. McMahan, Notary Public.
My commission expires 6-2-72, 1972

65 7236



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

Statehouse
Boise, Idaho 83720
(208) 384-2215

R. Keith Higginson
Director

November 9, 1976

Re: Permit Nos. 65-7236
65-7237
65-7397

Leo Marsters
2045 DeBord Drive
Payette, ID 83661

Dear Mr. Marsters:

Enclosed herewith are copies of the water right licenses issued on the above referenced permits.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:mef

Enc.

RECEIVED
NOV 11 1976
WATER RESOURCES

October 20, 1976

Re: Permits No. 65-7236, 65-7237, 65-7397

Mr. Leo Marsters
2045 DeBord Drive
Payette, Idaho 83661

Dear Mr. Marsters:

A representative of this Department has made an examination of the works covered by the above referenced permits and found the following:

Permit 65-7236

Amount of water that can be recognized as beneficially used under Idaho law: 0.08 cfs Source: three unnamed springs

The maximum quantity diverted shall not exceed 4.8 acre feet per year.

Point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 10, Twp. 10 N, Rge. 2 E, B.M.

Beneficial use: Domestic purposes from April 1 to Oct. 31 within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 10, Twp. 10 N, Rge. 2 E, B.M.

Priority date established: Sept. 20, 1971

Permit 65-7237

Amount of water that can be recognized as beneficially used under Idaho law: 25 acre feet Source: unnamed streams

The maximum quantity stored shall not exceed 25 acre feet per year.

Point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 10, Twp. 10 N, Rge. 2 E, B.M.

Beneficial use: Storage for recreation purposes

Priority date established: Sept. 20, 1971

RECEIVED

Page 2

Re: 65-7236, 65-7237, 65-7397

October 20, 1976

Permit 65-7397

Amount of water that can be recognized as beneficially used under
Kabo law: 0.12 cfs Source: ground water

The maximum quantity diverted shall not exceed 6.0 acre feet per
year.

Point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 10, Twp. 10 N, Rge. 2 E, B. M.

Beneficial use: Domestic and fish propagation purposes from Jan. 1
to Dec. 31 within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 10, Twp. 10 N, Rge. 2 E, B. M.

Priority date established: July 24, 1973

If you do not concur with these findings please contact us within 10 days, otherwise water
licenses will be issued as set forth above.

Enclosed for your records is a copy of the Order which removes the measuring device
requirement under Permit 65-7237.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

Enclosure: Order

FIELD REPORT

TOTAL ACREAGE _____

Permit No. 65-7236

Examination for b/u

DATE OF EXAM 24 Sept 1976

ACREAGE

Found _____

Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE

Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Domestic Q= .08 c.f.s. V= 7.0 AF/Ann. from 4-1 to 10-31

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 _____ Method of measurement estimate

Total Q recommended .08 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 7.0 AF/Ann.

Recommended Amendments:

☒ P.D. CK

Place of Use _____

Other _____

None _____

MEASUREMENT CALCULATION:

Estimated - No way to measure systems are enclosed
.02 x 4 = .08 cfs diversion rate
15 acres x 4 = 2 acres at 3.5 AF/PM A per yr. = 7.0 AF/Ann.

SYSTEM DESCRIPTION

3 unnamed springs in 20 acres in NWSE cor 10 10 N 2 E
2 located on hill developed w/ 4" diameter perforated galvanized
tile water piped to locations for lawn & garden in 3rd spring
located next to Marsters house has 3/4 HP pump to pressure
system used for lawn irrigation

REMARKS:

systems in operation at time of exam Mr. Marsters
present.

Examiner's Signature Erwin E. Ballan Date 24 Sept 1976

Checked by ML Date Oct 5, 1976

Approved by _____ Date _____

September 15, 1976

Re: Permit No's. 65-7237, 65-7236 & 65-7397

Leo Marsters
2045 DeBord
Payette, Idaho 83661

Dear Mr. Marsters:

We acknowledge receipt of the affidavits submitted as proof of beneficial use for the above referenced permits.

Before licenses can be issued, field examinations must be made by a representative of this Department. We cannot tell just when these exams will be made, but our examiner will try to contact you at the time he makes the exams so that you may show him the systems.

We note that in reviewing the proof affidavit submitted on Permit No. 65-7237, you indicate that you have not installed a measuring device as required by the conditions of approval of this permit. This measuring device must be installed by the time our examiner makes the exam or your water rights cannot be confirmed by the issuance of a license. We are enclosing a list of the types of measuring devices approved by this office.

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

Sincerely,

BORBY D. FLEENOR
Chief, Water Rights

BDF:JFR

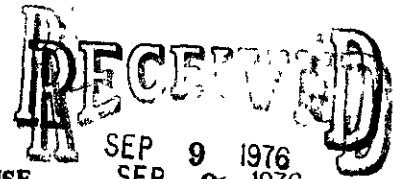
Enclosure

Identification No. _____

Permit No. 65-7236

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE



Department of Water Resources
Department of Water Resources

1. a) Name of Permit Holder Leo Marsters

b) Post Office Address 2045 DeBord Drive, Payette, ID 83661

2. Permit Number 65-7236

3. Date of Priority that you are prepared to establish 9/20/71

4. a) Source from which water was appropriated unnamed spring

b) Location of the point of diversion: NW 1/4 SE 1/4, Section 10

Township 10 N, Range 2 E Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:

Amount 0.08 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 0.08 cfs 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: estimate

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:

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

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) pipeline

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

N/A

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: _____

used for lawn irrigation around cabins

9/15/76 j

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

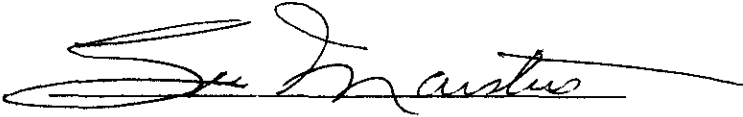
T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres irrigated _____

10. Remarks: _____

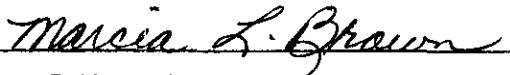
The above information is a true statement of the extent to which the above numbered permit has been developed.

September 9, 1976
(Date)


(Signature)

State of Idaho)
County of Ada) ss.

On this 9th day of September, 19 76, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (~~she~~) (~~they~~) executed the same.


Notary Public residing at _____
Boise, Idaho

My commission expires 8-10-79

August 31, 1976

CERTIFIED MAIL

138926

Re: Permit No. 65-7236

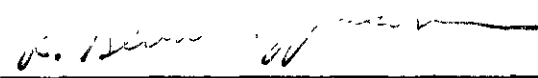
Leo Marsters
2045 De Bord Drive
Payette, Idaho 83661

Dear Mr. Marsters:

One of the conditions of approval of your water Permit No. 65-7236 (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 November 1, 1976. 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.



R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse — Annex 2

Boise, Idaho 83707

(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

November 5, 1971

Re: Permit No. 65-7236 - Leo Marsters

Leo Marsters
2045 De Bord Drive
Payette, Idaho

Dear Mr. Marsters:

Enclosed is a copy of your approved Application for Permit No. 65-7236. We direct your attention to the conditions of approval as listed on the fourth page.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:cr

Enclosure

65 7236

September 29, 1971

Re: Application No. 65-7237 - Leo Marsters
" " 65-7236 - " "

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 our 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 date. 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 10 30 71 By CR

Donald W. McEldowney
Appropriation Supervisor

DWM:cr

Enc: Legal Notice

65 7236

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Leo Marsters, 2045 De Bord Drive,

Payette, Idaho

has on September 20, 1971 submitted Application No. 65-7236

for a permit to appropriate 0.08 cubic feet per second ~~under a permit to appropriate~~

of water from an unnamed spring, tributary of Little Squaw Creek

by means of spring and pipeline

within the NW 1/4 Sec. 10, T. 10N, R. 2E, B.M., Valley County

to be used from Jan. 1 to Dec. 31

for domestic purposes

within the NW 1/4 Sec. 10, T. 10N, R. 2E, 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 October 25, 1971.

R. KEITH HIGGINSON

Director

Published in the Star News, McCall, Idaho

on Oct. 7 and Oct. 14, 1971.

65 7236

September 22, 1971

Lee Marsters
2045 DeBord Drive
Peyette, Idaho 83661

Dear Mr. Marsters:

Attached herewith is your receipt No. 8282 in the amount of \$ 35.00
for two applications for permit (\$10.00 and \$25.00)
which was received in this office.

Very truly yours,

M. Russell Bosch
M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

00 7206