

LEGEND

- 5/8" REBAR W/2" ALUMINUM CAP FOUND (MARKED 1850)
- 5/8" x 24" REBAR W/2" ALUMINUM CAP SET (MARKED 1850)
- 1/2" REBAR W/1" YELLOW PLASTIC CAP FOUND (MARKED T.KERR RLS 998)
- REBAR FOUND (SIZE AS NOTED)
- 5/8" REBAR FOUND W/1 1/4" YELLOW PLASTIC CAP (MARKED INMAN PLS 5165)

BOISE MERIDIAN

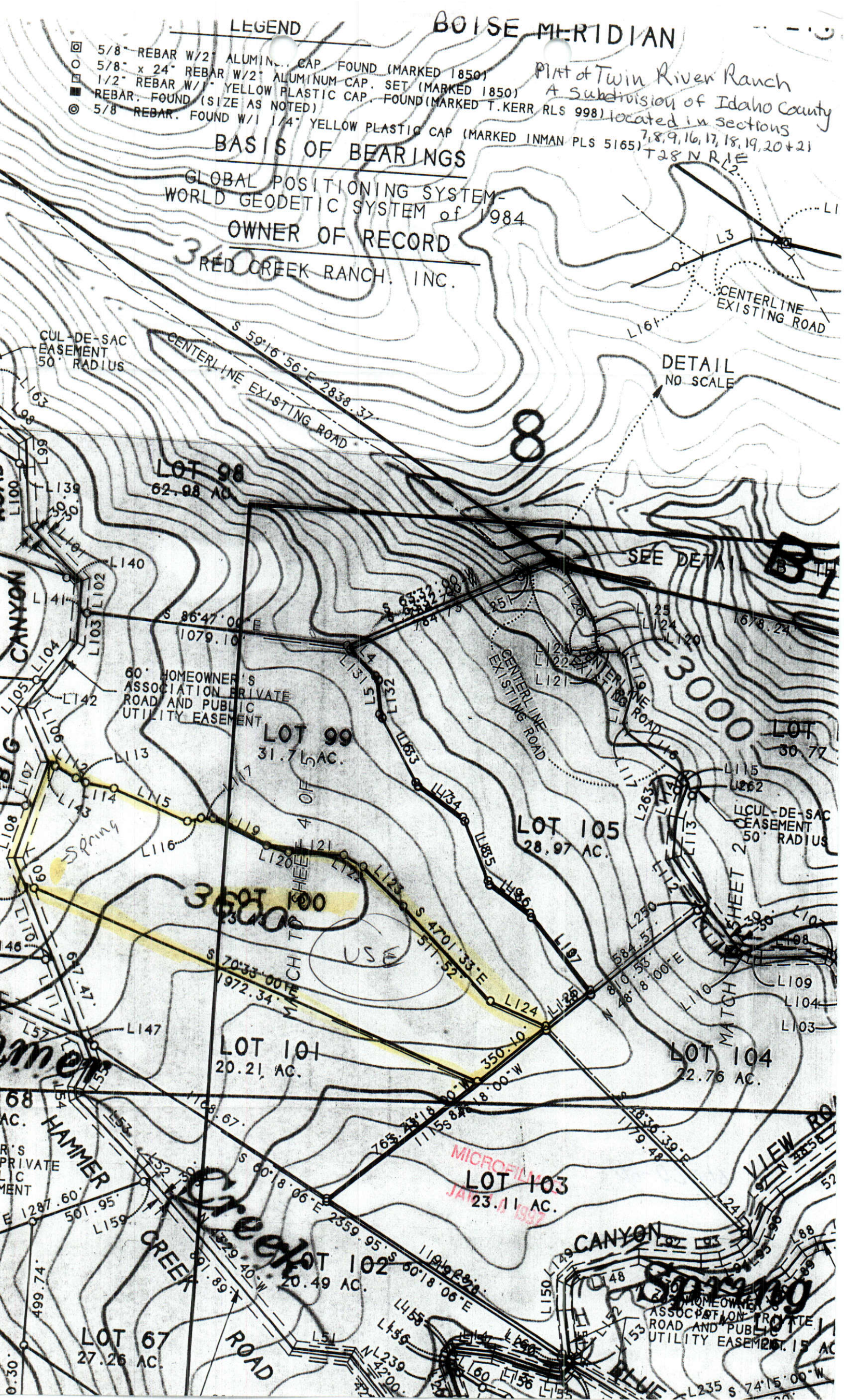
Plat of Twin River Ranch
A Subdivision of Idaho County
located in sections
7, 8, 9, 16, 17, 18, 19, 20 + 21
T28 N R1E

BASIS OF BEARINGS

GLOBAL POSITIONING SYSTEM-
WORLD GEODETIC SYSTEM of 1984

OWNER OF RECORD

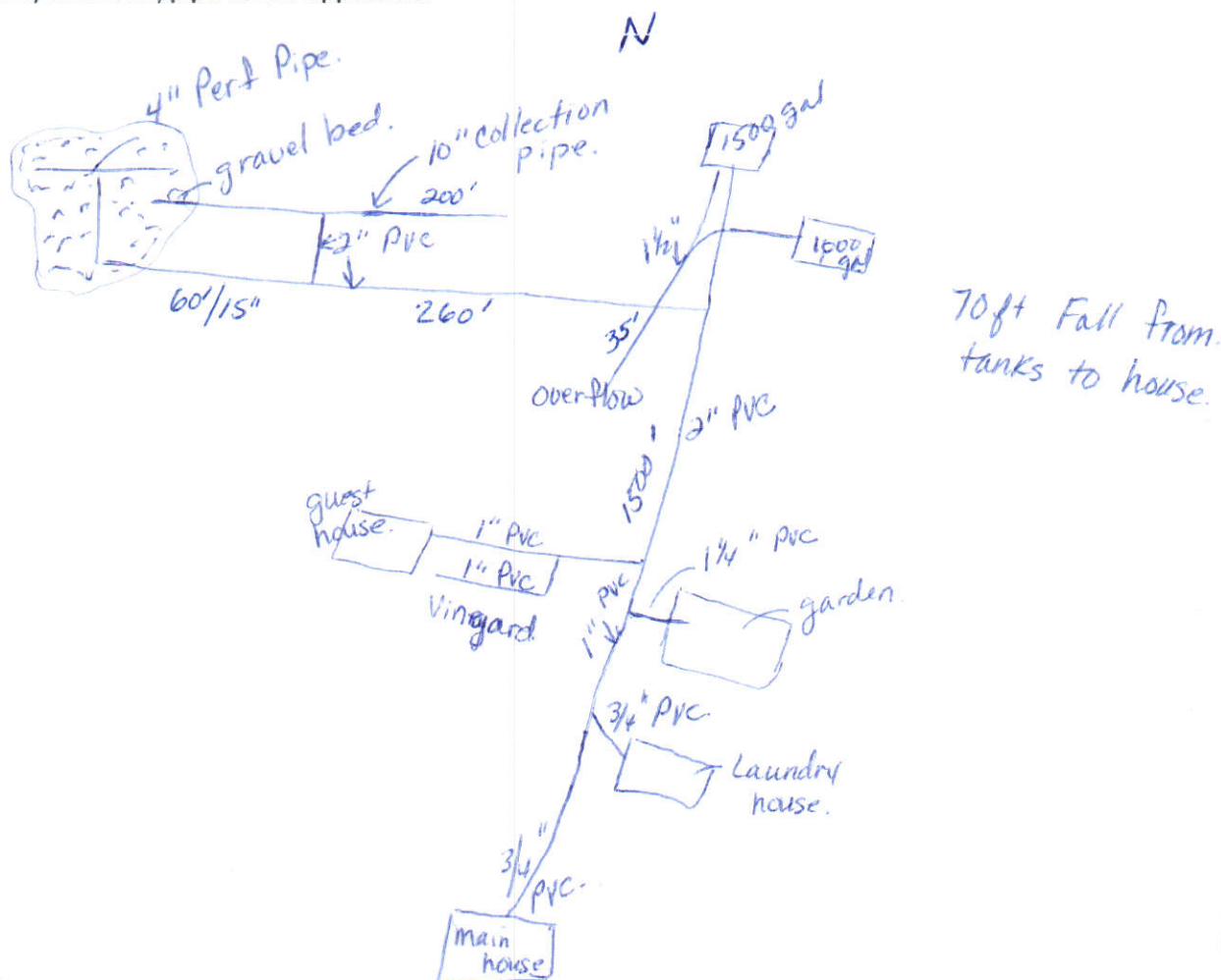
RED CREEK RANCH, INC.



T28N R1E
Sec 8
NE SW SW



3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" =

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
—	—	—	—	—	—

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

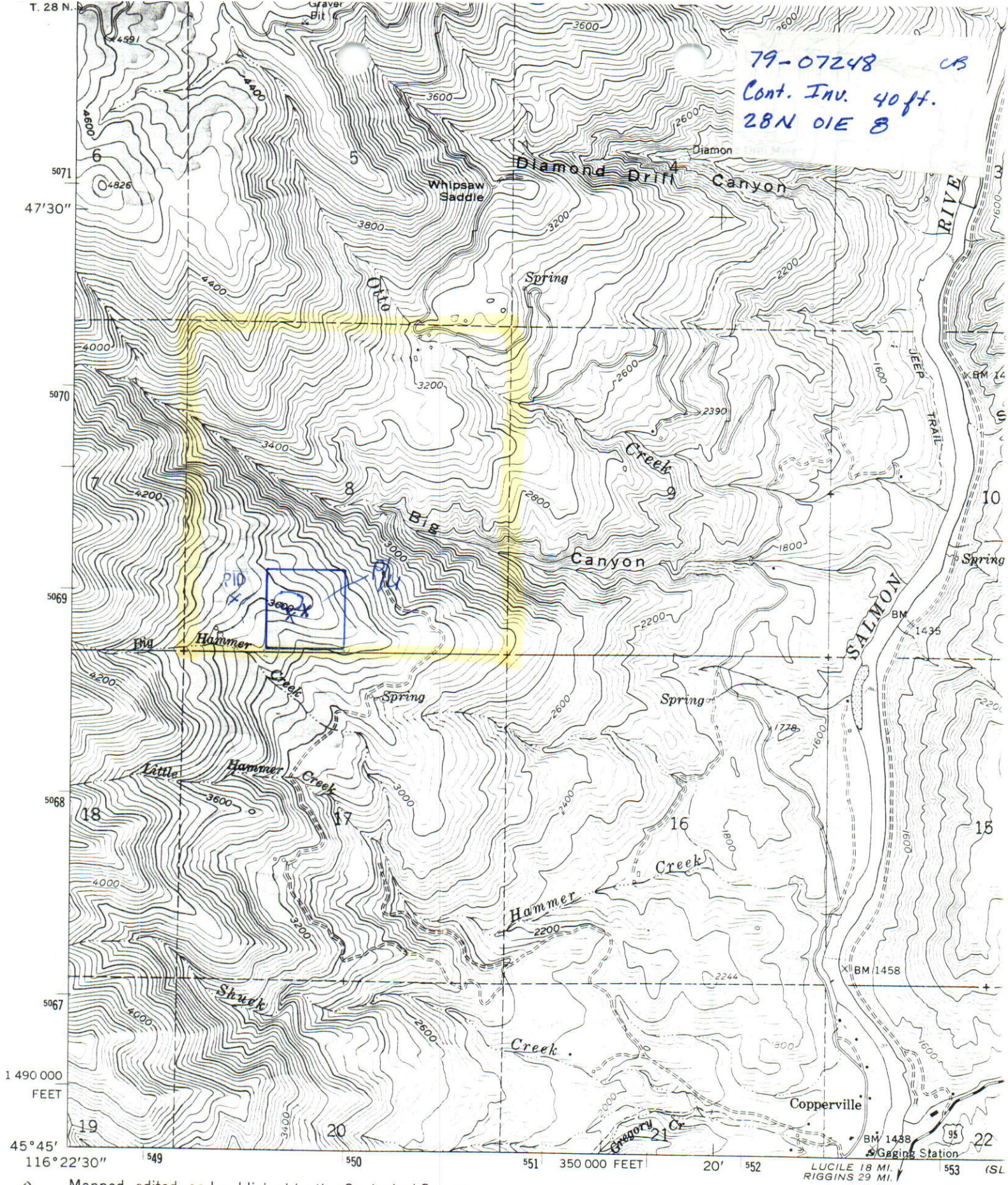
1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
—	—	—	—	—	—	—

2. Measurements: NONE, system is gravity feed underground pipe
5 gpm - Spring
1 gpm Fall/Summer.
1.5 gpm Nov - Spring.

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APR 14 1999



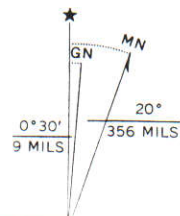
Mapped, edited, and published by the Geological Survey

Control by USGS and USC&GS

Topography by photogrammetric methods from aerial photographs taken 1961. Field checked 1963

Polyconic projection. 1927 North American datum
10,000-foot grid based on Idaho coordinate system,
west zone

1000-meter Universal Transverse Mercator grid ticks,
zone 11, shown in blue



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APR 14 1999

CONTOUR
DOTTED LINES REF
DATUM IS

Cindy Bird

(Bill Myers)
not 100

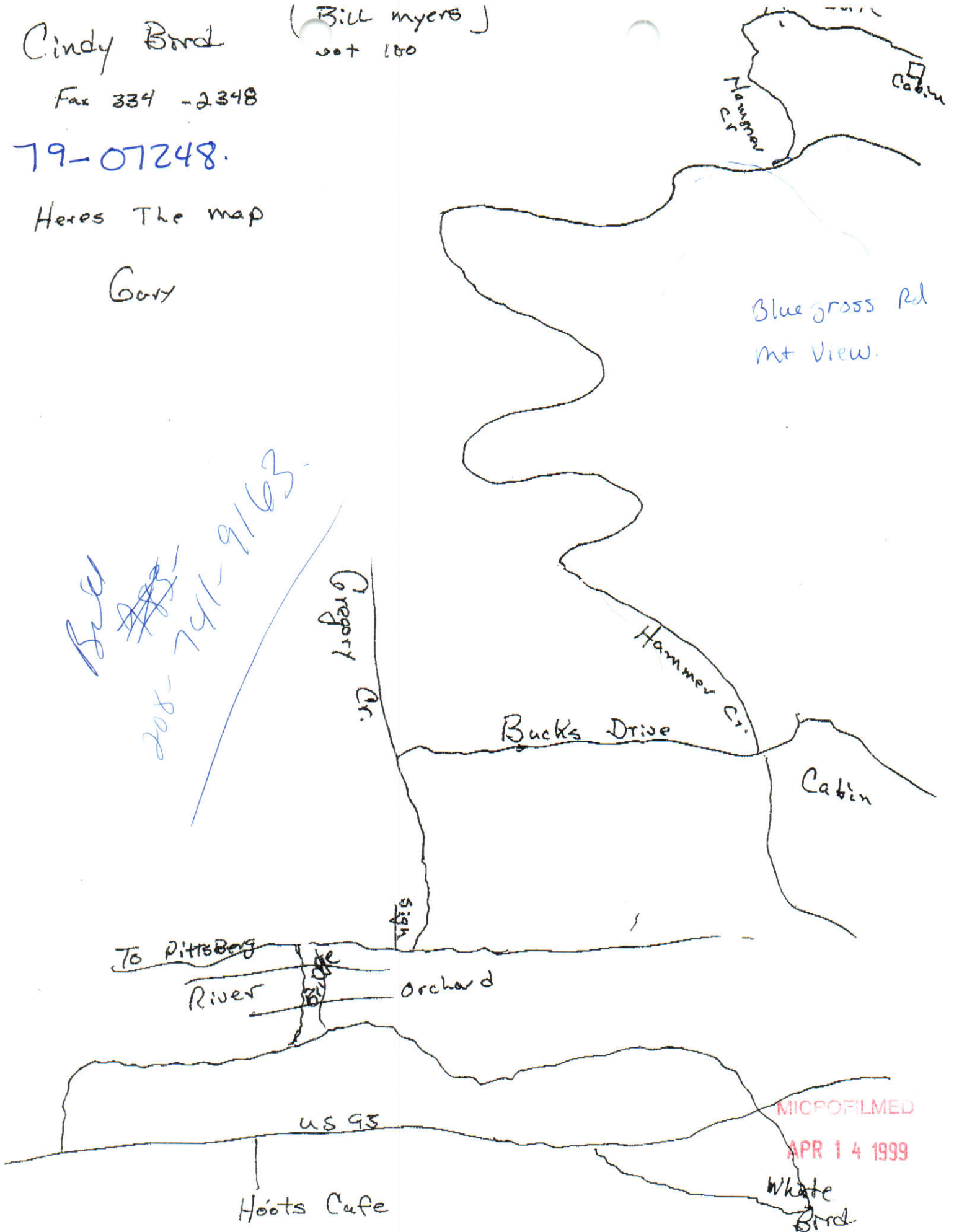
Fax 334 -2348

79-07248.

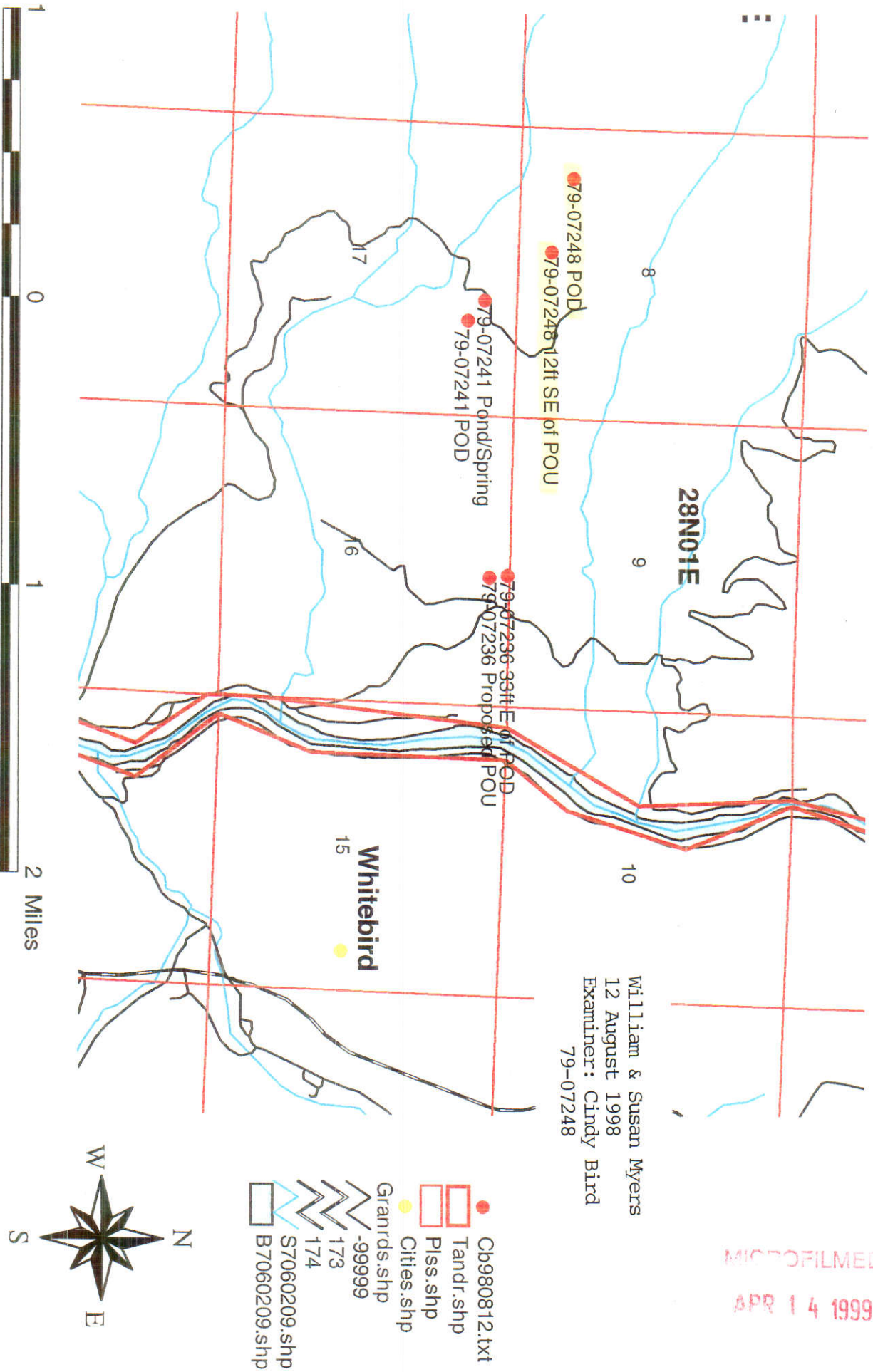
Here's The map

Gary

By
~~208-741-9163~~
208-741-9163



IDWR GPS point locations August 12 & 13, 1998





POINT OF DIVERSION



VALVE FROM THE SPRING/STORAGE
TO THE HOUSE

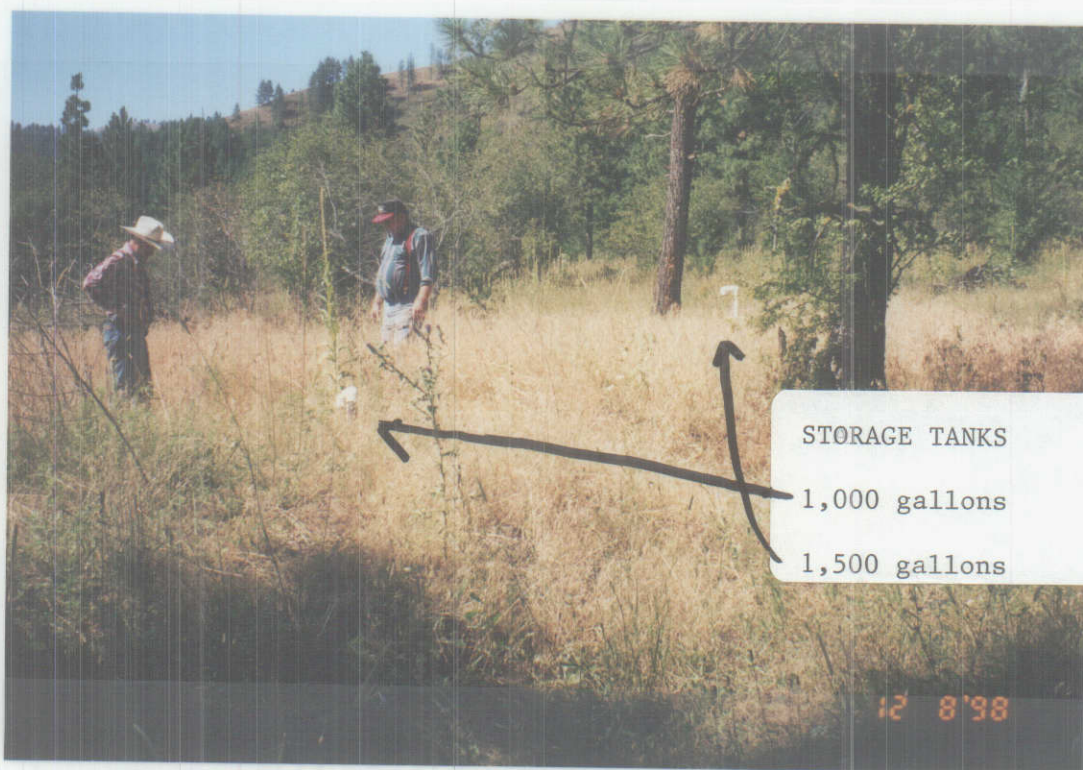
WILLIAM L. & SUSAN M. MEYERS

08 August 1998
EXAMINER: CINDY BIRD
79-07248

MICROFIL
APR 14 1999



MAIN HOUSE/PLACE OF USE
LOOKING SOUTHEASTERLY



STORAGE TANKS

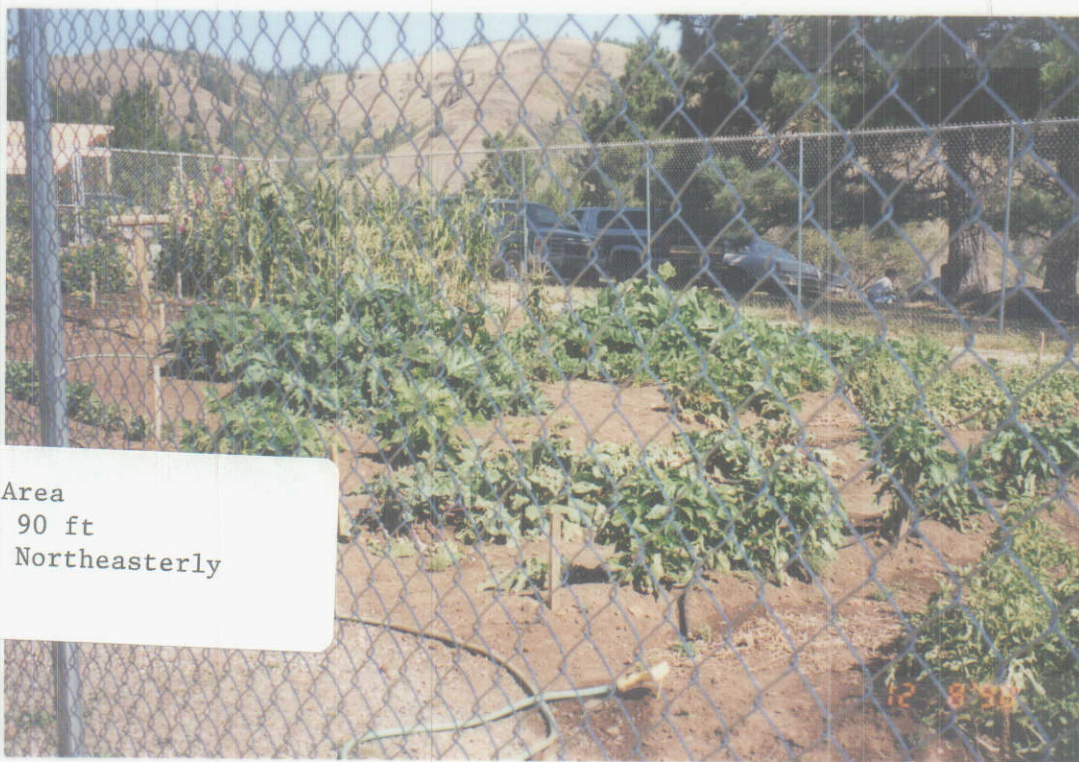
1,000 gallons

1,500 gallons

WILLIAM L. & SUSAN M. MYERS
08 AUGUST 1998
EXAMINER: CINDY BIRD
79-07248

MICROFILMED

APR 14 1999



Garden Area
40 ft X 90 ft
Looking Northeasterly



Vineyard
180 ft X 40 ft.

Guest Cottage-occasional use
Looking southeasterly

WILLIAM L. & SUSAN M. MYERS
08 AUGUST 1998
EXAMINER: CINDY BIRD
79-07248

MICROFILMED

APR 14 1999

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Idaho - ss.

Linda M. Mort, being first duly sworn, says she is the Office Manager of the IDAHO COUNTY FREE PRESS, a weekly newspaper published and issued weekly at Grangeville, Idaho county, State of Idaho, and is of general circulation in said county and state, that the said notice, of which the one hereto attached is a true copy, was published in said paper for 2 weeks, being published 2 times, the first publication being on the 6 day of November, 19 96, and the last publication on the 13 day of November, 19 96; and that the said notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the publication of said notice or advertisement.

Post-Advertising Review:

Plu = SESW not SWSW

However, SWSW acc. i.d. in pld, no protests

filed. Conclude is non-fatal error.

STATE OF IDAHO }

COUNTY OF }

Linda M. Mort

- FL 12/20/96

On this 13 day of November in the year of 1996,

Before me, a Notary Public, personally appeared _____

Linda M. Mort, known or identified to me

to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.



Michaelle Woslum
Notary Public for Idaho
Residing at Grangeville, ID
My commission expires: 01-16-2002

RECEIVED

DEC 02 1996

WATER RESOURCES
WESTERN REGION

MICROFILMED

JAN 10 1997

NOTICE OF APPLICATION FOR WATER RIGHT

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

79-07248

MYERS, WILLIAM R

MYERS, SUSAN M

P.O. BOX 166

WHITE BIRD, ID 83554

Source: SPRING

Diversion Pt: NESWSW Sec 8 T 28N R 01E

in IDAHO County.

Use: DOMESTIC (0.040 CFS)

Total Diversion: (0.040 CFS)

Date Filed: 9/9/1996

In: IDAHO County

T28N R01E S08 SWSW

79-07249

CHAVEZ, JANE

P.O. BOX 304

LUCILE, ID 83542

Source: SPRINGS Tributary: SINKS

Diversion Pt: SENWSE Sec 36 T 26N R

01W in IDAHO County.

Use: DOMESTIC (0.040 CFS)

Total Diversion: (0.040 CFS)

Dated Filed: 10/15/1996

In: IDAHO County

T26N R01W S36 NWSE

Permits will be subject to all prior water

rights. Protests may be submitted based on

the criteria of Sec. 42-203A, Idaho Code.

Any protest against the approval of this ap-

plication must be filed with the Director,

Dept. of Water Resources, Western Region,

2735 Airport Way, Boise, Idaho 83705 to-

gether with a protest fee of \$25.00 on or be-

fore NOVEMBER 25, 1996. The protestant

must also send a copy of the protest to the

applicant.

KARL J. DREHER, Director

Published: 11/6/1996 & 11/13/1996

N6-13

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 79-07248

Priority: September 9, 1996

Maximum Diversion Rate:

0.01 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that WILLIAM R MYERS
SUSAN M MYERS

PO BOX 166

WHITE BIRD ID 83554-0166

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 9, 1996; and has submitted Proof of Beneficial Use on November 26, 1997. An examination indicates that the works have a diversion capacity of 0.010 cfs of water from:

SPRING

tributary to SINKS

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.01 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NESWSW , Sec. 8, Township 28N, Range 01E
IDAHO County

PLACE OF USE: DOMESTIC

TWN RGE SEC

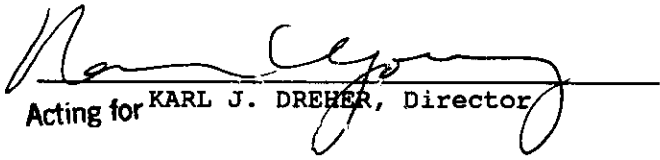
28N 01E 8

SESW

CONDITIONS OF APPROVAL AND REMARKS

1. Place of use is located within Lot 100, Twin River Ranch Subdivision.
2. Domestic use is for 1 home.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources. Signed and sealed this 30th day of NOVEMBER, 1998.


Acting for KARL J. DREHER, Director

MICROFILMED

APR 14 1999

Jalie Yarbrough
327-7953

FOR OFFICE USE ONLY

Amt. of Fee \$:

Receipt No.:

Receipt By:

Date Received:

RECEIVED

NOV 26 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 79-07248 Telephone No. 983 7663 828 3341

2. Name(s) of Permit Holder(s): William R. Susan M. Myers

3. Mailing Address: P.O. Box 166 Whitchurch Id 83554-0166

4. Source of Water: Spring If GROUNDWATER (well), Date Drilled: mo. ____ / yr. ____

a. Well Driller: _____ Drilling Permit Number: ____ - ____ - ____

b. **OPTIONAL:**

Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 1 Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 104 cfs OR _____ acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes ____ or No ____
Has the measuring device been installed? Yes ____ or No ____

Flow Measurement Port: Is a flow measurement port required? Yes ____ or No ____
Has the measurement port been installed? Yes ____ or No ____

8. Fee Enclosed: \$ 50.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Coury L. Miller Telephone Number: 983 7663 208 628 3341

Address: Box 1241 115 Lodge Ridge Rd Id 83549

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Coury L. Miller Rep Date: 11-24-97
(Include your title, if on behalf of company or organization)

MICROFILMED

FEB 13 1998

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 79-07248

Proposed Priority: September 9, 1996 Maximum Diversion Rate: 0.04 CFS

This is to certify, that WILLIAM R MYERS
SUSAN M MYERS
PO BOX 166

WHITE BIRD ID 83554-0166

has applied for a permit to appropriate water from:
SPRING tributary of SINKS

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION: NESWSW , Sec. 8, Township 28N, Range 01E
IDAHO County

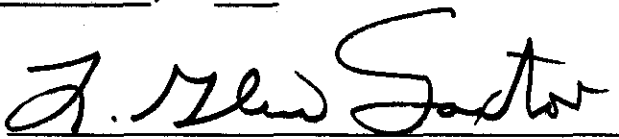
PLACE OF USE: DOMESTIC
TWN RGE SEC
28N 01E 8 SESW

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 1998.
2. Subject to all prior water rights.
3. Place of use is located within Lot 100, Twin River Ranch Subdivision.
4. Domestic use is for 1 home.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

31st day of December, 1996


for Karl J. Dreher, Director

MICROFILMED
JAN 10 1997

RECEIVED

DEC 24 1996

Department of Water Resources

Ident. No. 79-07248

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: WILLIAM R MYERS 208-932-1248
Address: PO BOX 166
WHITE BIRD ID 83554
AND/OR
Name: SUSAN M MYERS 208-932-1248
Address: PO BOX 166
WHITE BIRD ID 83554

2. Source: SPRING Trib. to: SINKS
3. Location of Point of Diversion: NESWSW Sec. 8, Township 28N, Range 01E
IDAHO County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
DOMESTIC	01/01	12/31	0.040		

5. Total quantity to be appropriated is:
0.040 CFS (and/or) AF

6. Proposed diverting works:

- Description of ditches, flumes, pumps, headgates, etc.
PIPELINE TO STORAGE TANK
- Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
- Proposed well diameter is inches; proposed depth of well is
feet.
- Is groundwater with a temperature greater than 85F being sought? NO
- If well is already drilled, when?
Drilling Firm
Well was drilled for

7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 year(s).

MICROFILMED
JAN 10 1997

* Per applicant telecon 12/20/96. lg

8. Place of Use: DOMESTIC

TWN RGE SEC
* 28N 01E 8

~~SWSW~~ SESW

*Data entered by
12/20/96*

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:

11. Map of proposed point of diversion and place of use attached? []

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

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ 50.00 Receipted by _____ #W021468 Date 9/ 9/1996

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

** per Quad map. by 12/20/96*

MICROFILMED
JAN 10 1997

Ident. No. 79-07248

Comments: Date: 10/10/1996 User-ID: LGRAVES

Subject: DELAY

Processing delayed pending backlog reduction.

Comments: Date: 10/22/1996 User-ID: LGRAVES

Subject: MORATORIUM EXEMPTION

Per telecon with applicant 10/18/96: Applicant decided to take irrigation use off his original application so that processing would not be delayed. He will apply for irrigation use once he gets serious about growing grapes. He also stated that he needs to learn more about the capacity of the spring before applying for irrigation use.

Domestic use is for 1 home.

MICRO-1111
JAN 10 1997

RECEIVED

FORM 202
2/96

SEP 09 1996

WATER RESOURCES
WESTERN REGIONIdent. No. 79-2248STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant William R. and Susan M. Myers Phone (206) 932-1248 ^{message phone}
Mailing address P.O. Box 166 White Bird, ID 83554
- * 2. Source of water supply SPRING which is a tributary of NA SINKS
3. Location of point of diversion is Township 28N Range 1E Sec. 8, in the NE 1/4, SW 1/4, SW 1/4, Govt. Lot _____, B.M., IDAHO County; additional points of diversion if any: _____
4. Water will be used for the following purposes:
- * Amount .04 for Irrigation purposes from May 15 to Oct 15 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount .04 for Domestic purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- * 5. Total quantity to be appropriated is (a) .04 ~~.06~~ CFS and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source 15" PVC PIPE TO
2" pipe line 1000 Gallon under Ground Storage Tank
- b. Height of storage dam NA feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
- d. Is ground water with a temperature of greater than 85°F being sought? NO
- e. If well is already drilled, when? _____; Drilling firm _____
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
- a. Hydropower; show total feet of head and proposed capacity in KW. NA
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 1
- e. Other; describe fully. Garden

Comments

* See memo - changes made per telecon w/ applicant
10/18/96. DO changes made 10/22/96. Dec 12/20/96

9. Description of place of use:

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

b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
28N	1E	8											2						2
													D						
28N	1E	8																	

Total number of acres to be irrigated 2

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

11. 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: _____

12. Remarks: _____

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

Susan M. Myers
Signature of Applicant (and title, if applicable)

Received by VR Date 9-9-96 Time 11:30 am Preliminary check by VR
Fee \$ 50- Receipted by VR # W021468 Date 9-9-96
Publication prepared by VR Date 10-30-96 Published in Idaho Free Press
Publication approved VR Date 12-3-96

LEGEND

- 5/8" REBAR W/2" ALUMIN. CAP FOUND (MARKED 1850)
- 5/8" x 24" REBAR W/2" ALUMINUM CAP. SET (MARKED 1850)
- 1/2" REBAR W/1" YELLOW PLASTIC CAP. FOUND (MARKED T. KERR, RLS 998)
- REBAR FOUND (SIZE AS NOTED)
- 5/8" REBAR FOUND W/1 1/4" YELLOW PLASTIC CAP (MARKED INMAN PLS 5165)

BOISE MERIDIAN

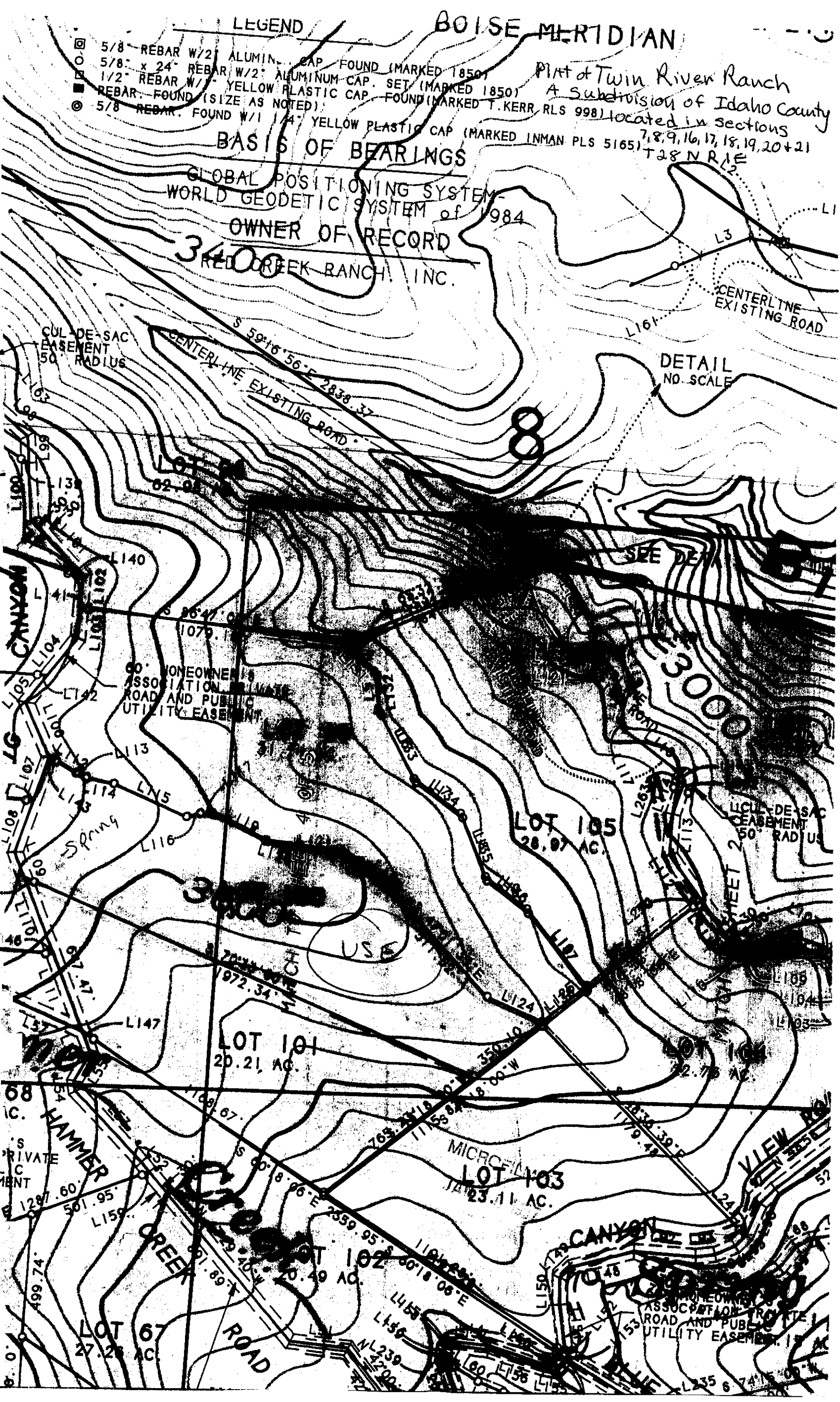
Plat of Twin River Ranch
A Subdivision of Idaho County
located in sections
7, 8, 9, 16, 17, 18, 19, 20 + 21
T28N R1E

BASIS OF BEARINGS

GLOBAL POSITIONING SYSTEM
WORLD GEODETIC SYSTEM of 1984

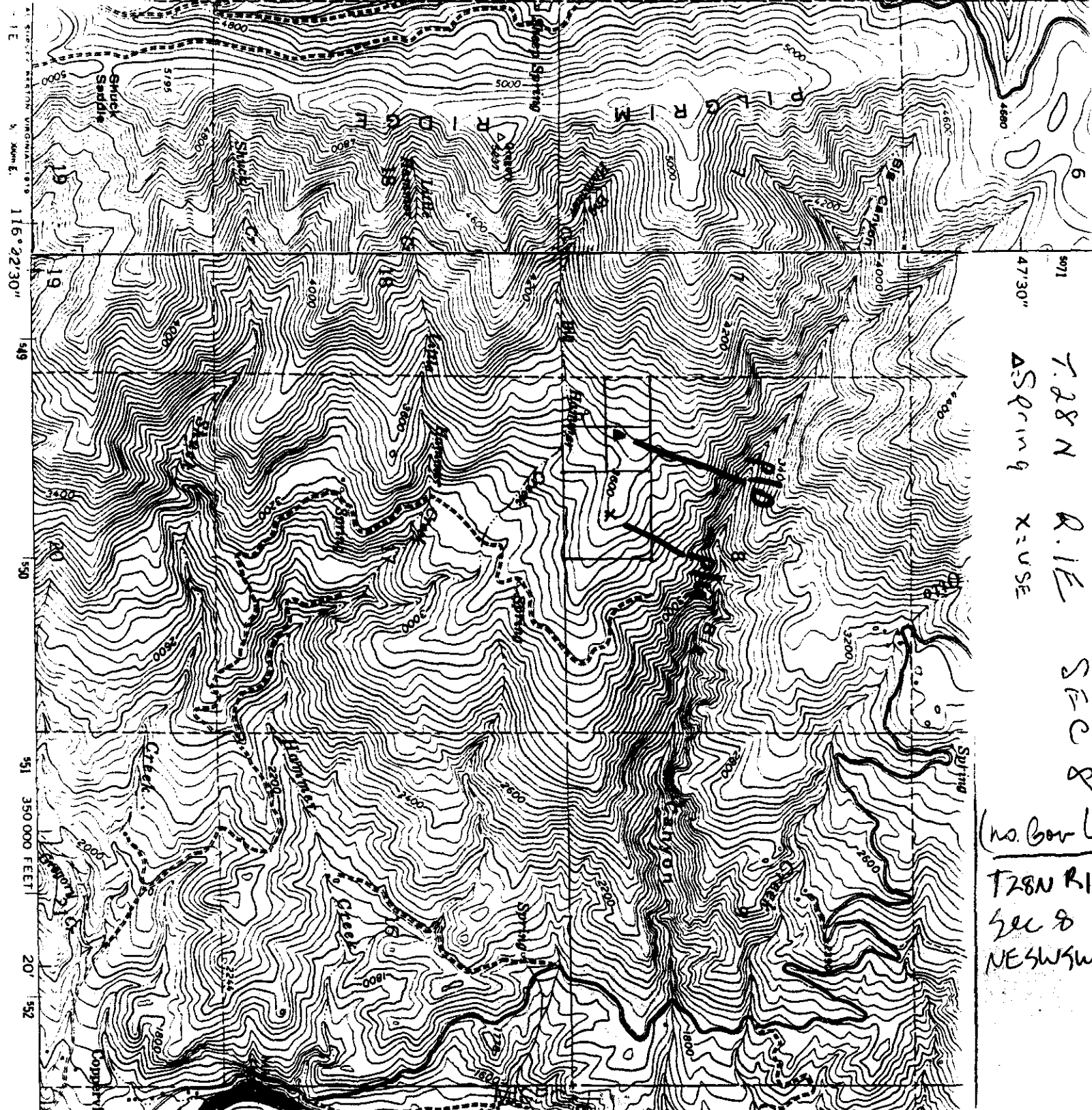
OWNER OF RECORD

3400
RED CREEK RANCH, INC.



45°45'
116°2'

1490 000
FEET



T28N R1E
X=USE

Sec 8

(no. 60-60)
T28N R1E
Sec 8
NE SW SW

79-07248



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

December 1, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

WILLIAM R MYERS
SUSAN M MYERS
PO BOX 166
WHITE BIRD ID 83554-0166

RE: WATER RIGHT NO. 79-07248

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

MICROFILMED

APR 14 1999

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

If you have any questions, please call me at 208-327-7946.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

3

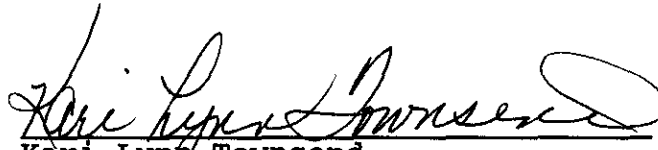
SEP 14 1989

CERTIFICATE OF MAILING

I hereby certify that on the 1st day of December, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 79-07248

WILLIAM R MYERS
SUSAN M MYERS
PO BOX 166
WHITE BIRD ID 83554-0166


Kari Lynn Townsend
Secretary

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APR 14 1999

B/U FIELD EXAM REVIEW

by *Cindy Lou*
 Permit #: 79-7248 Name: Myer's Date: 10/20/98 ✓ Lots ✓

NAME Chng Same ☒ Or Address Change?

SOURCE Chng Same ☒ Clarify source _____
Chng Same ☐ Prelim. Order to Void - Source change.

P/D Chng Same ☒ Amendment Needed? Addn'l 1/4? _____ Legal _____ P39
 Same 1/4? _____ W32 _____ P36
 Overlap(s) none

P/U Chng Same ☒ Amendment Needed? _____ P41
 Overlap(s) none
 (Gov't use special T's) _____ *P/D & P/U Amend? P37

RATE Chng Same ☒ Permit/proof fee limits 0.04 / 0.20
Chng Same ☒ Measured Quantity = NA Max. cfs Theoretical Quantity = 0.01 cfs
Chng Same ☐ Est. 5gpm x 0.01 cfs
 (HP) 8.8 x 0.70 x
_____ + (2.31 x _____) = _____ cfs
Chng Same ☒ Recommended capacity 0.01 cfs
Chng Same ☒ Recommended rate 0.01 cfs

VOLUME Chng Same ☒ Season: (_____ / _____) 1/1 - 12/31 = 365 days
 Calculations: _____
1 km = 1.2 AF
Chng Same ☒ Flow limit: 0.01 cfs x 365 days/yr. x 1.9835 = 7.2 AF
Chng Same ☐ Recommended volume 1.2 AF

USES Chng Same ☒ Same Nature of Use? _____ P46
Chng Same ☐ Amendment Needed? _____

REMARKS Chng Same ☐ Multiple p/d's in same 1/4? Use W32 _____
Chng Same ☒ ① 001 ② 1060

CONDITIONS Chng Same ☐ Measuring Device (R43) or Lockable Controlling Works (R02)
Chng Same ☐ Watermaster Control (R04) - WD # _____
Chng Same ☐ Irrigation rate/annual volume overlap
Chng Same ☐ GW irrigation replaces surface water (050)
Chng Same ☐ GW irrigation supplements surface water (065)
Chng Same ☐ Water Quality
Chng Same ☐ Other _____

PRIORITY App Rcd 9/9/96 Due 1/1/98 Rcd 11/26/97
 Receipt# 0040743 Fee OK? Yes No
 Order to Reinstall Needed? Yes No Done? _____ Advanced to: _____
 Priority 9/9/96 Examined 8/12/98

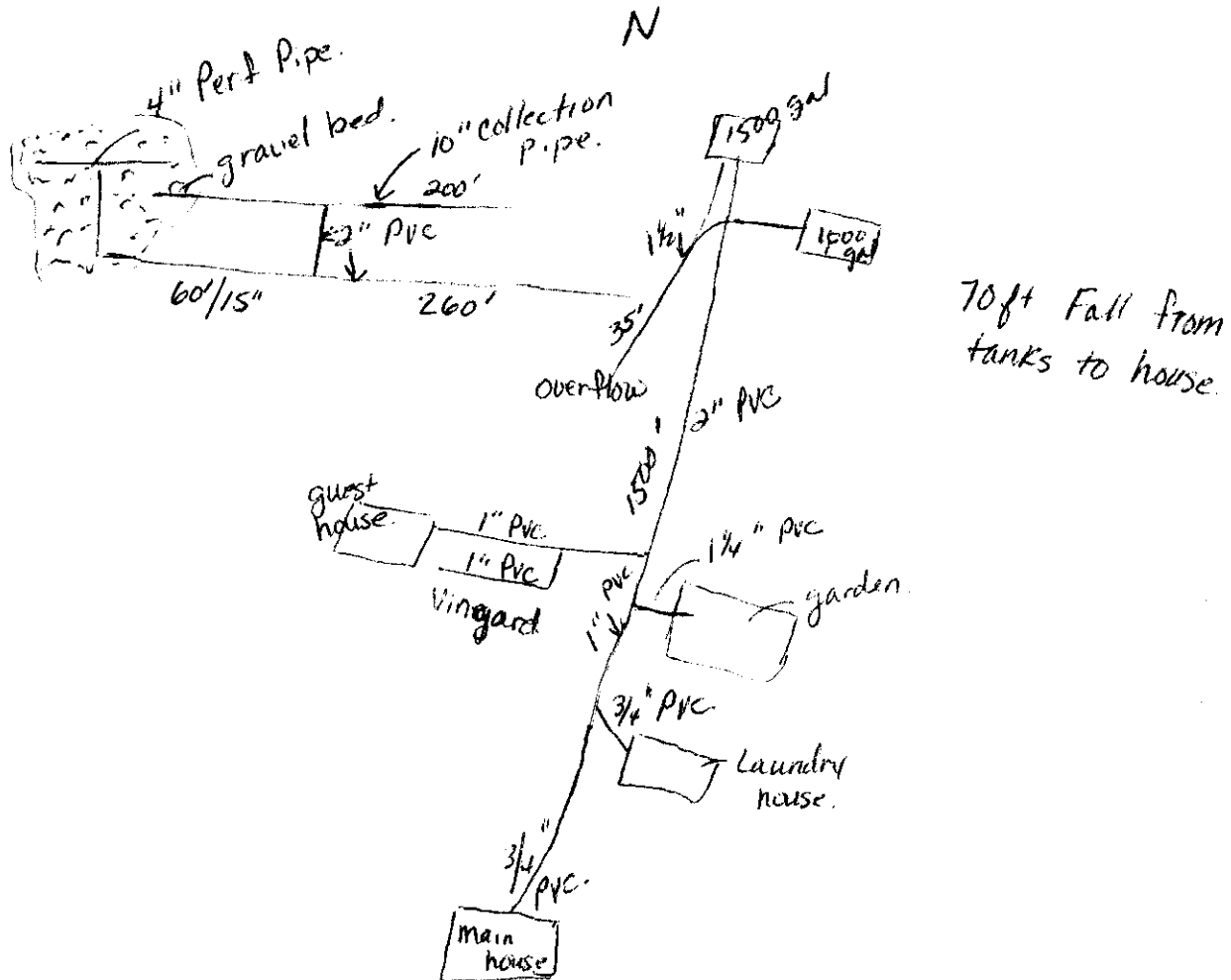
COMMENTS: reduce rate of flow limited by capacity.

USE	CFS	VOLUME
<u>Dom</u>	<u>0.01</u>	<u>1.2</u>
<u>/</u>	<u>/</u>	<u>/</u>
<u>/</u>	<u>/</u>	<u>/</u>
TOTAL	<u>0.01</u>	<u>1.2</u>

SRBA Overlap _____
 Adjustment Memo _____
 LICENSE
 #1 AMEND: _____/P38
 #2 AMEND: (R)P42/(C)P47

APR 14 1999

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" =

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
—	—	—	—	—	—

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
—	—	—	—	—	—	—

2. Measurements: NONE, system is gravity feed underground pipe
5 gpm - Spring
1 gpm Fall/Summer.
1.5 gpm Nov - Spring.

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E. NARRATIVE/REMARKS/COMMENTS

- No gov't lot.

- 08 August 1998, 9:00 AM (mountain time), I met with Bill Myers to conduct the field exam on permit 79-07248. The source is a spring that sinks. The pipe is 15 ft under ground and gravity feeds to two storage tanks, one 1,000 gals. & one 1,500 gals. From the storage tanks it gravity feeds to the house, yard, garden, vineyard and guest cabin. From the spring a 15" pipe runs 60 ft $\rightarrow$ 2" PVC pipe for 260 ft to the storage tanks. From the storage tanks a 2" PVC pipe runs 1500' to the vineyards, the vineyard has 5 drip lines with a total of 150 heads for the grapes. From the vineyard it goes to the garden area, and over to the guest cottage.

The wash house (laundry area) and main house is below the garden area.

- Since the pipe are all buried I wasn't able to measure the flow. Gary Miller put the system in place and said they get 5 gpm in the spring, 1 gpm, mid-september to October, 1.5 gpm about November to Spring.

The garden area is 40' x 80', Vineyard 180' x 40' and the yard area is 72' x 90' minus the house 42' x 60' for a total of 14,360 ft² $\Rightarrow$.33 acres.

Have conditions of permit approval been met? ☒ yes ☐ no

RECORDED
APR 14 1999

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

$$\text{min: } 1 \text{ gpm} \times 0.00223 = .00223 \text{ cfs}$$
$$\text{max } 5 \text{ gpm} \times 0.00223 = \underline{\underline{.01 \text{ cfs}}}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$
$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .01 \times 365 \times 1.9835 = 7.2 \text{ afa.}$$
$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

CB 11-24-98

2. Volume Calculations for Other Uses:

Domestic Internal & external Use 1.2 AFA.
Irrigates less than 1/2 acre.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic	01/01	12/31	.01	1.2
Totals:			.01	1.2

CB 11-24-98

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

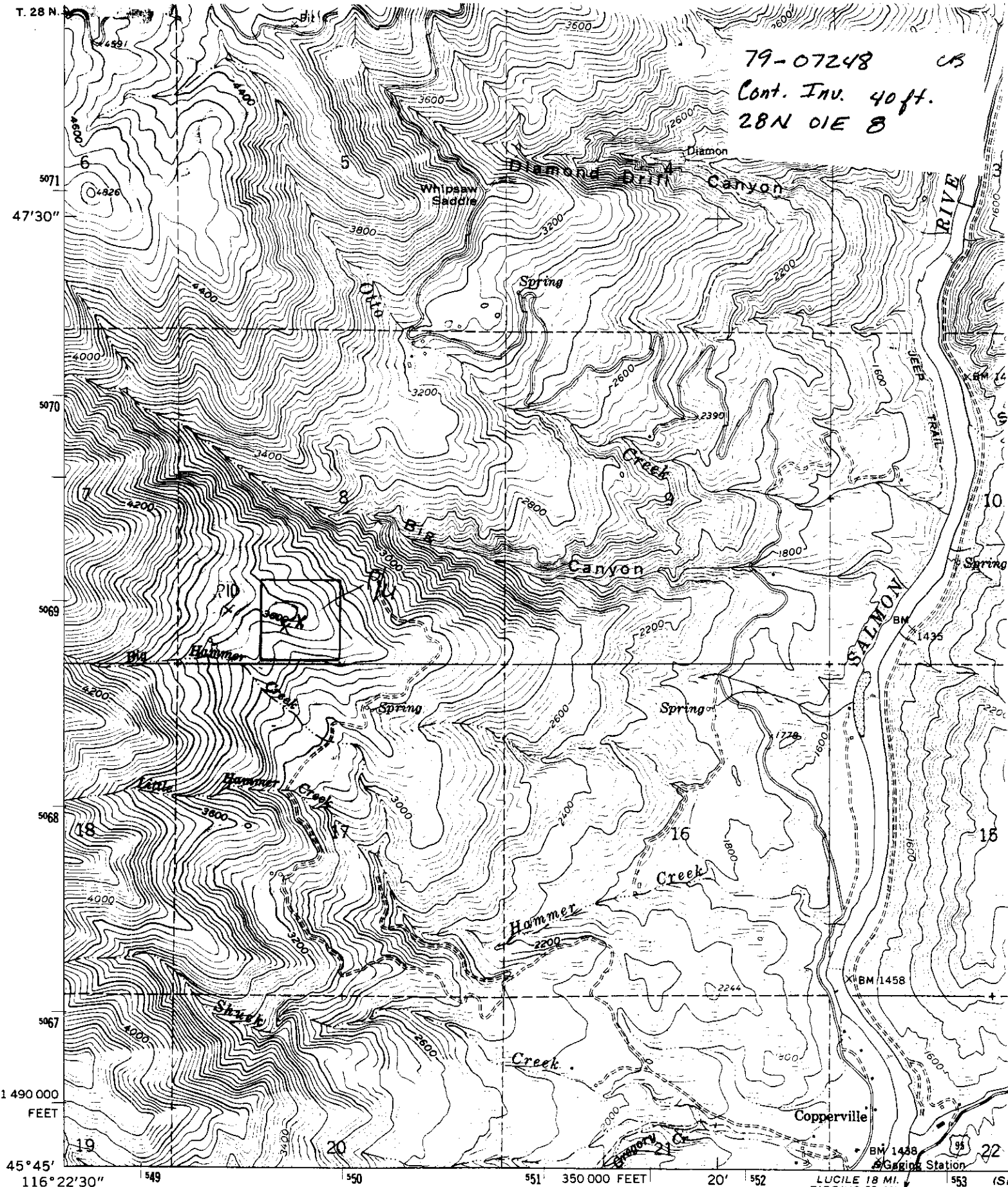
I. AUTHENTICATIONField Examiner's Name Cindy L. Bird Date 11/5/98

Reviewer _____ Date _____

SEAL

MICROFILMED
APR 14 1999

79-07248 CB
Cont. Inv. 40 ft.
28N 01E 8



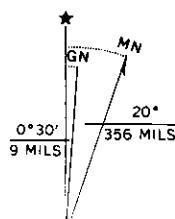
Mapped, edited, and published by the Geological Survey

Control by USGS and USC&GS

Topography by photogrammetric methods from aerial
photographs taken 1961. Field checked 1963

Polyconic projection. 1927 North American datum
10,000-foot grid based on Idaho coordinate system,
west zone

1000-meter Universal Transverse Mercator grid ticks,
zone 11, shown in blue



APR 1 1999

CONTOUR
DOTTED LINES REF
DATUM IS

SCA

Cindy Bird

(Bill Myers)
not 100

Fax 334 -2348

79-07248.

Here's The map

Gary

Blue grass Rd
Mt View.

Bill
208-741-9163

Gregory Cr.

Hammer Cr.

Bucks Drive

Cabin

To Pittsburg

River

Orchard

US 95

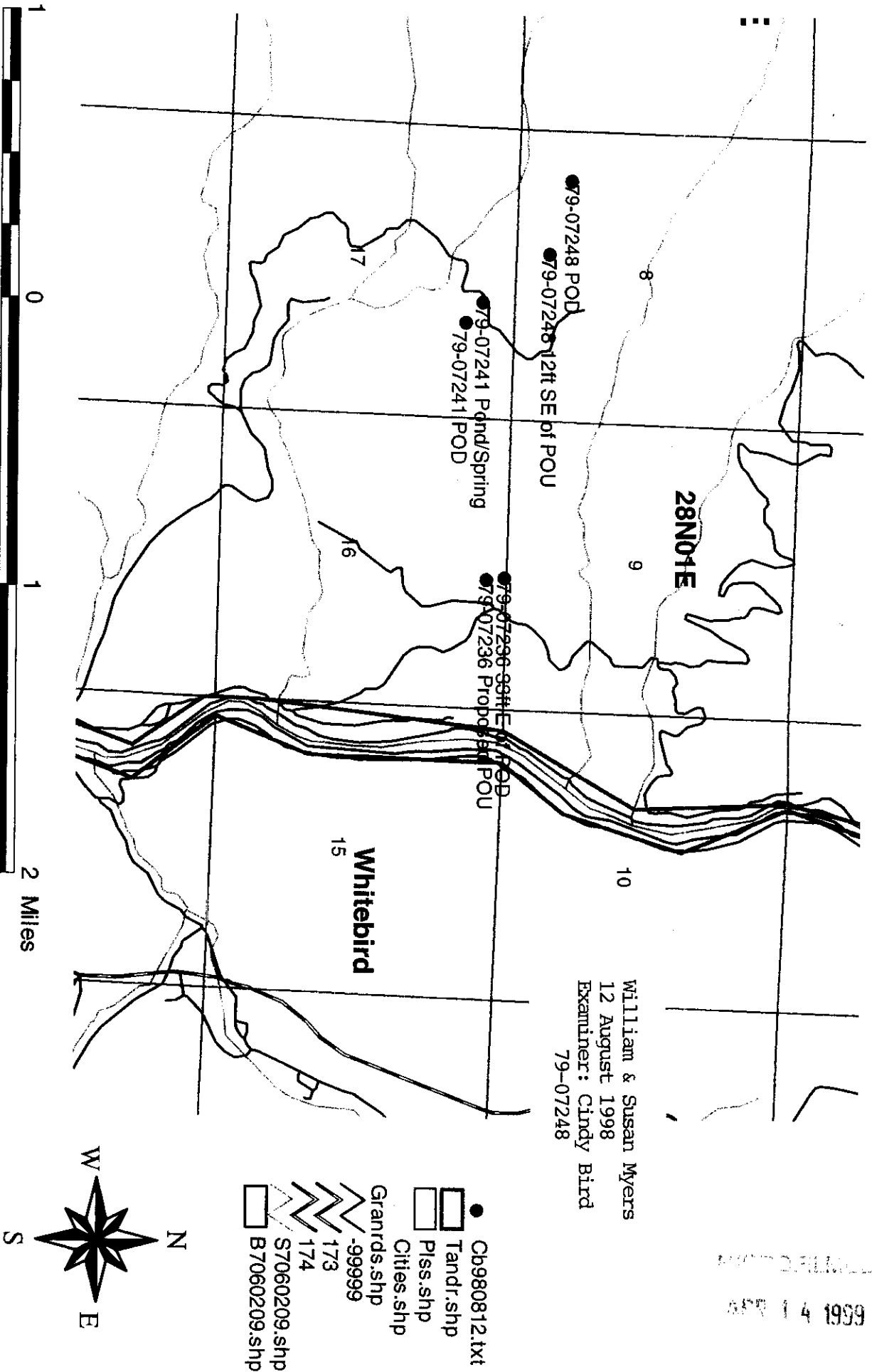
Hoots Cafe

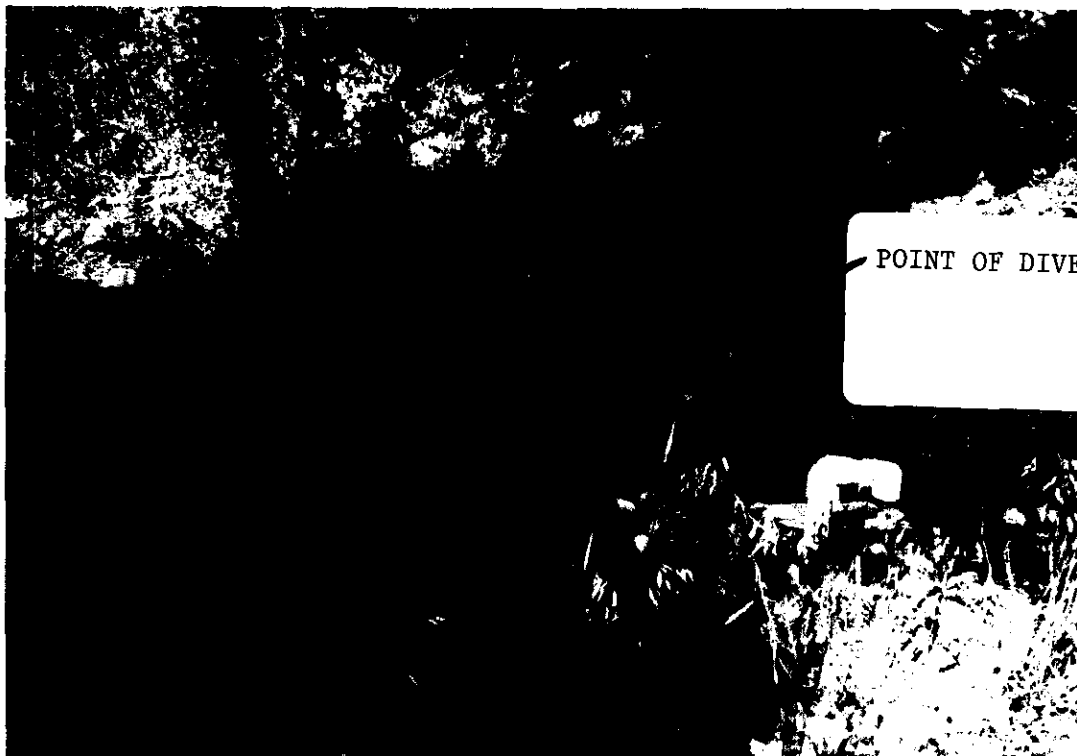
WHITEHORSE

APR 14 1999

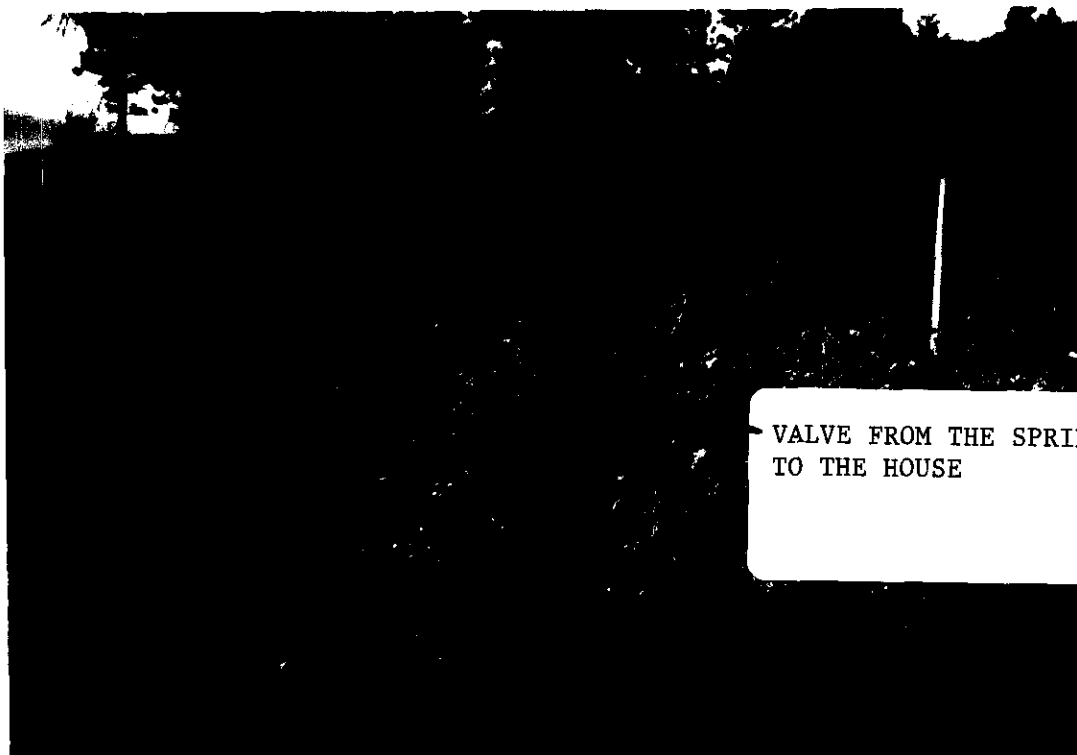
White
Bird

IDWR GPS point locations August 12 & 13, 1998





POINT OF DIVERSION



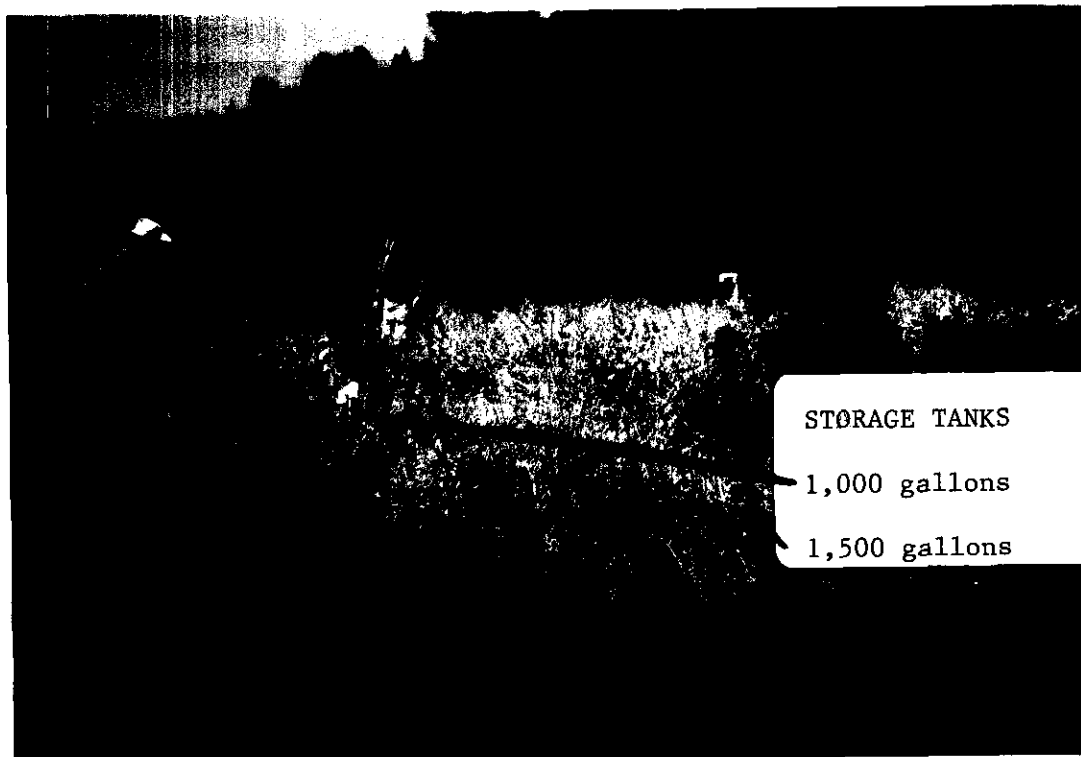
VALVE FROM THE SPRING/STORAGE
TO THE HOUSE

WILLIAM L. & SUSAN M. MEYERS

08 August 1998
EXAMINER: CINDY BIRD
79-07248
APR 14 1999



MAIN HOUSE/PLACE OF USE
LOOKING SOUTHEASTERLY



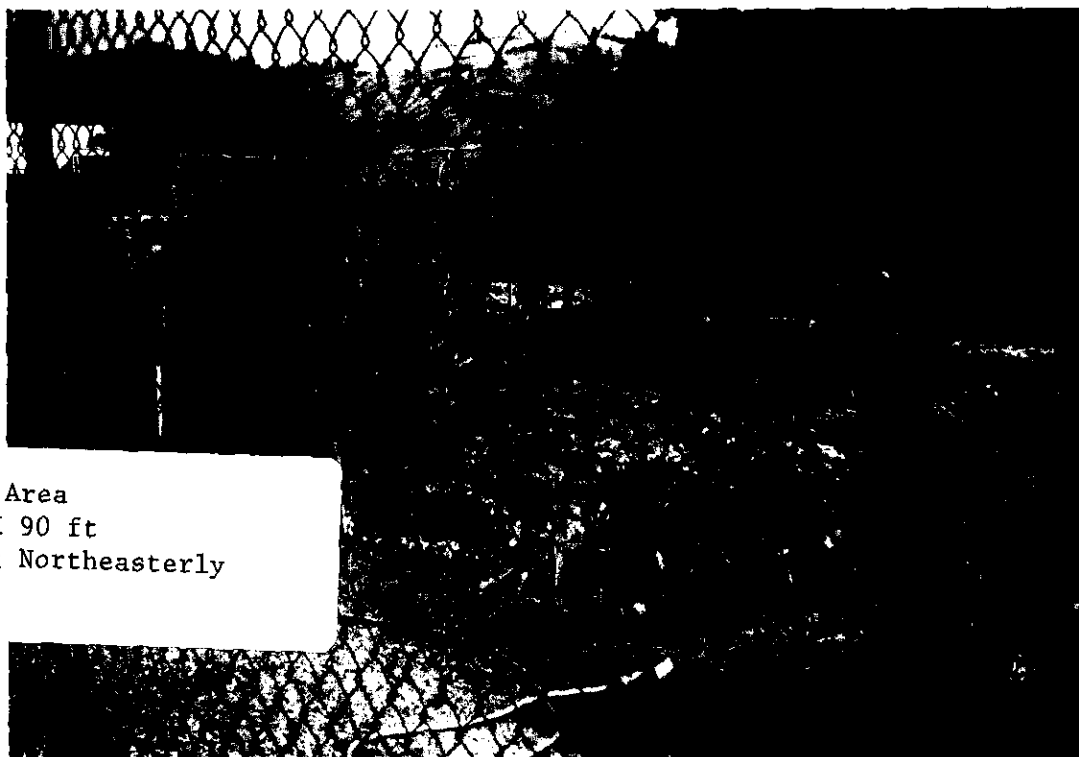
STORAGE TANKS

1,000 gallons

1,500 gallons

WILLIAM L. & SUSAN M. MYERS
08 AUGUST 1998
EXAMINER: CINDY BIRD
79-07248

APR 14 1999



Garden Area
40 ft X 90 ft
Looking Northeasterly



Hage

Vineyard
180 ft X 40 ft.

Guest Cottage-occational use
Looking southeasterly

WILLIAM L. & SUSAN M. MYERS
08 AUGUST 1998
EXAMINER: CINDY BIRD
79-07248

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APP 1 & 1011



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

February 5, 1998

William and Susan Myers
PO Box 166
Whitebird ID 83554-0166

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 79-07248

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

Please be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the department's **WESTERN** Regional Office in Boise at (208)334-2190.

Sincerely,

JULIE L. YARBROUGH

Senior Secretary, Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED
FEB 13 1998

October 31, 1997

WILLIAM R MYERS
SUSAN M MYERS
PO BOX 166
WHITE BIRD ID 835540166

PROOF DUE NOTICE

RE: PERMIT NO. 79-07248

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before January 1, 1998. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

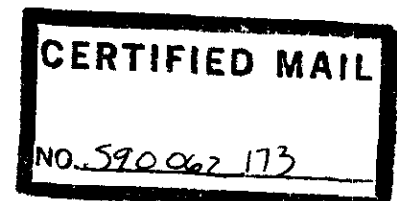
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED
FEB 13 1998





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

December 31, 1996

PHILIP E. BATT
GOVERNOR

WILLIAM R. AND SUSAN M. MYERS
PO BOX 166
WHITE BIRD ID 83554-0166

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 79-07248

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "Conditions of Approval and Remarks" listing on the permit.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed, you should complete and submit this form immediately.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address PRIOR TO July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address AFTER July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department to obtain the proper reporting form.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosures

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JAN 10 1997

ER-DEPARTMENT MEMO--1

FROM

ly

TO

79-07248

DATE

10/21/96

SUBJECT

Application changes - Moratorium Exempt

William Myers called 10/18/96 after receiving the moratorium Hold letter. Rather than holding the application as filed, Mr. Myers wants irrigation taken off and the application processed. He stated that he will apply for irrigation when he gets more serious about growing grapes.

MICROFILMED

Lon Granger
SIGNATURE

JAN 10 1997

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Idaho - ss.

Linda M. Mort, being first duly sworn, says she is the Office Manager of the IDAHO COUNTY FREE PRESS, a weekly newspaper published and issued weekly at Grangeville, Idaho county, State of Idaho, and is of general circulation in said county and state, that the said notice, of which the one hereto attached is a true copy, was published in said paper for 2 weeks, being published 2 times, the first publication being on the 6 day of November, 1996, and the last publication on the 13 day of November, 1996; and that the said notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the publication of said notice or advertisement.

Post-Advertising Review:

Plu = SESW not SWSW

However, SWSW are id.

in pld, no protects

fatal. Conclude is non-fatal error

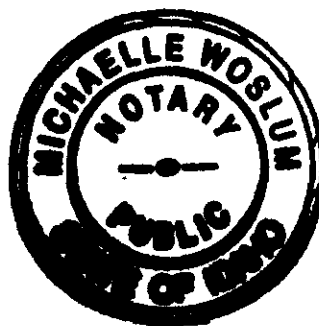
STATE OF IDAHO }

COUNTY OF }

Linda M. Mort

- FL 12/20/96

On this 13 day of November in the year of 1996,
Before me, a Notary Public, personally appeared
Linda M. Mort, known or identified to me
to be the person whose name subscribed to the within instrument, and
being by me first duly sworn, declared that the statements therein are
true, and acknowledged to me that he executed the same.



Michaelle Woslum
Notary Public for Idaho

Residing at Grangeville, ID

My commission expires: 01-16-2002

RECEIVED

DEC 02 1996

WATER RESOURCES
WESTERN REGION

MICROFILMED

JAN 10 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 10, 1996

William and Susan Myres
PO Box 166
White Bird ID 83554

RE: Application for Permit 79-07248

Dear Applicant:

Your application for permit to appropriate a spring for irrigation and domestic purposes was received on 09/09/1996. Your application cannot be processed at this time.

To aid in the recovery of native anadromous fish species, and to protect fishery habitat conditions, the Director of this agency declared a moratorium for the Salmon and Clearwater River Basins on 5/15/1992 concerning water right applications proposing new consumptive uses of public water. Irrigation is considered a consumptive use.

The domestic portion of this application, including up to 1/2 acre of irrigation, may be approvable separately. It will require that a second application be filed for domestic use only (blank application enclosed) or you may eliminate the irrigation use from the present application. Processing could then continue for the domestic use since it is considered non-consumptive and exempt from the moratorium.

Unless we hear from you, this office will hold your current application pending future decisions on the moratorium, and will inform you of any changes. Delays related to department decisions do not affect the date of priority or seniority of your application, once established.

If you have any questions, please feel free to contact me at 334-2190.

Sincerely,

Lori Graves
Sr. Water Resource Agent

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JAN 10 1997

SD-0420-2
MODIFY RECORD

Idaho Department of Water Resources
Modify Comment

Date: 10/10/96
Time: 13:11:29

Water Right Number: 79-07248

Comment Date: 10/10/1996 User ID: LGRAVES

Subject: DELAY_____

Processing delayed pending backlog reduction._____

(Enter=Continue/Exit) (Gold2=Update) (Gold3=Delete) (Gold4=Prev) (Gold5=Next)

79-07248

MYERS, WILLIAM R
MYERS, SUSAN M
PO BOX 166
WHITE BIRD, ID 83554

Source: SPRING

Diversion Pt: NESWSW Sec 8 T 28N R 01E in IDAHO County.

Use: DOMESTIC	(	0.040 CFS)
Total Diversion:	(	0.040 CFS)

Date Filed: 9/ 9/1996

In: IDAHO County	
T28N R01E S08	SWSW

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JAN 10 1997