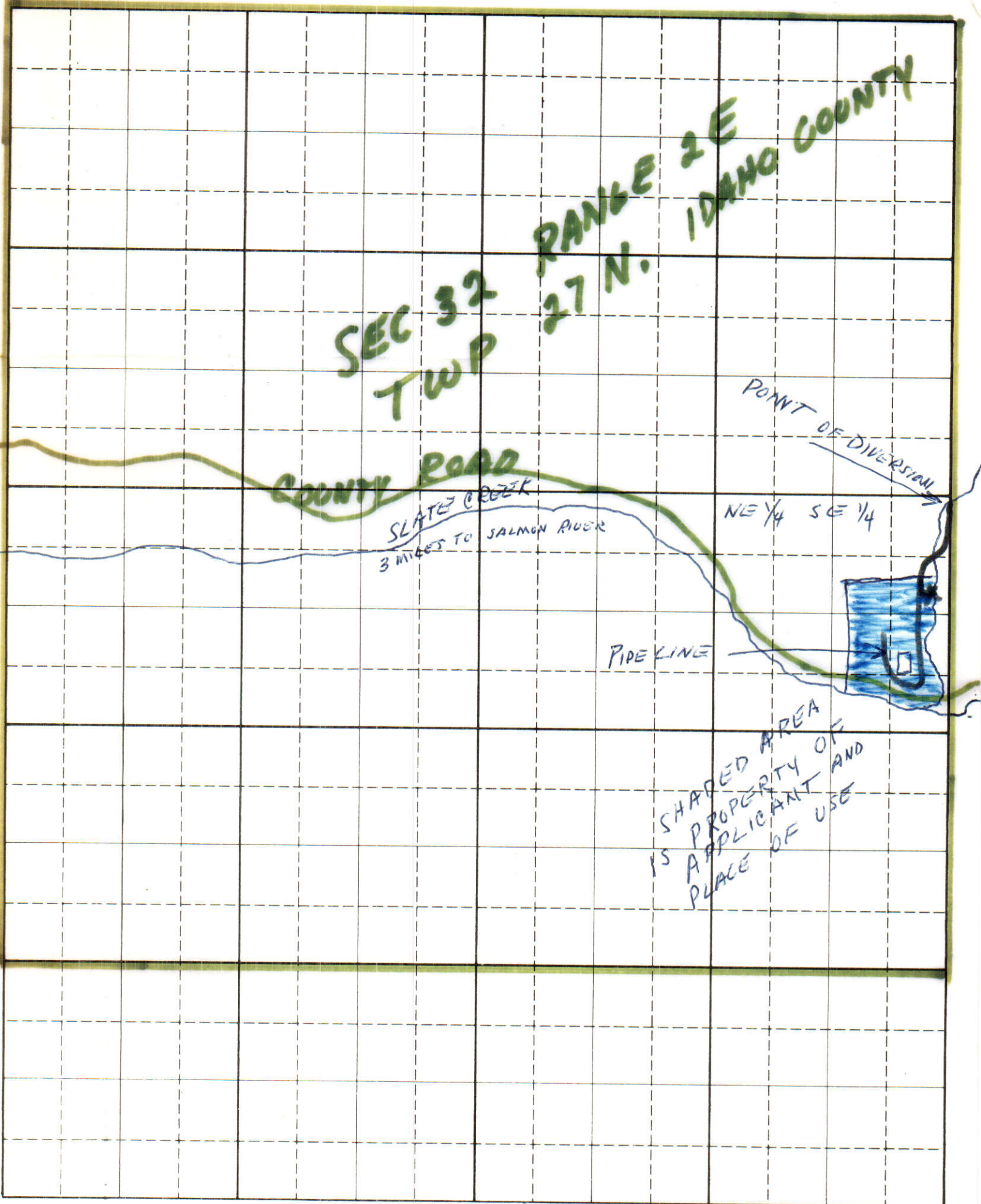


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 1/8 inches equal 1 mile

8

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.

Edward G. Rutland
(Applicant)

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Edward G. Rowland McCall, ID has on October 5, 1976 submitted Application No. 79-7050 for a permit to appropriate 1.0 cubic feet per second of water from an unnamed stream trib of Slate Creek by means of gravity pipe within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 32 T27N-R2E B.M., Idaho County to be used from Apr 1 to Oct 15 for irrigation of 3 acres and from Jan 1 to Dec 31 for power generation within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 32 T27N-R2E 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 Resources, Statehouse, Boise, Idaho, 83720, on or before November 1, 1976.

R. KEITH HIGGINSON
Director

Published in the Idaho County Free Press, Grangeville, ID on October 13, 1976 and October 20, 1976.

O13-20

OK
10-27-76
JF

RECEIVED RECEIVED

OCT 26 1976

OCT 26 1976

Department of Water Resources
Western Regional Office

Department of Water Resources

AFFIDAVIT OF PUBLICATION

Nona Donaldson

..... being first duly
Office Manager

sworn, says he is the
of the IDAHO COUNTY FREE PRESS, a weekly newspaper which
is published and issued weekly at Grangeville, Idaho County,
State of Idaho, and which 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 ¹³ day of^{October}₂₀, 197⁶.....,
and the last publication on the day of
.....^{October} 197⁶.....; 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 more than seventy-
eight consecutive weeks prior to the first publication of said
notice or advertisement.

Nona C. Donaldson

Subscribed and sworn to before me this ²⁰ day
^{October}₆ of 197.....

Marilyn J. Stolley, Notary Public
for State of Idaho, residing at Grangeville, Idaho.

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

KEYPLINCH

A. GENERAL INFORMATION

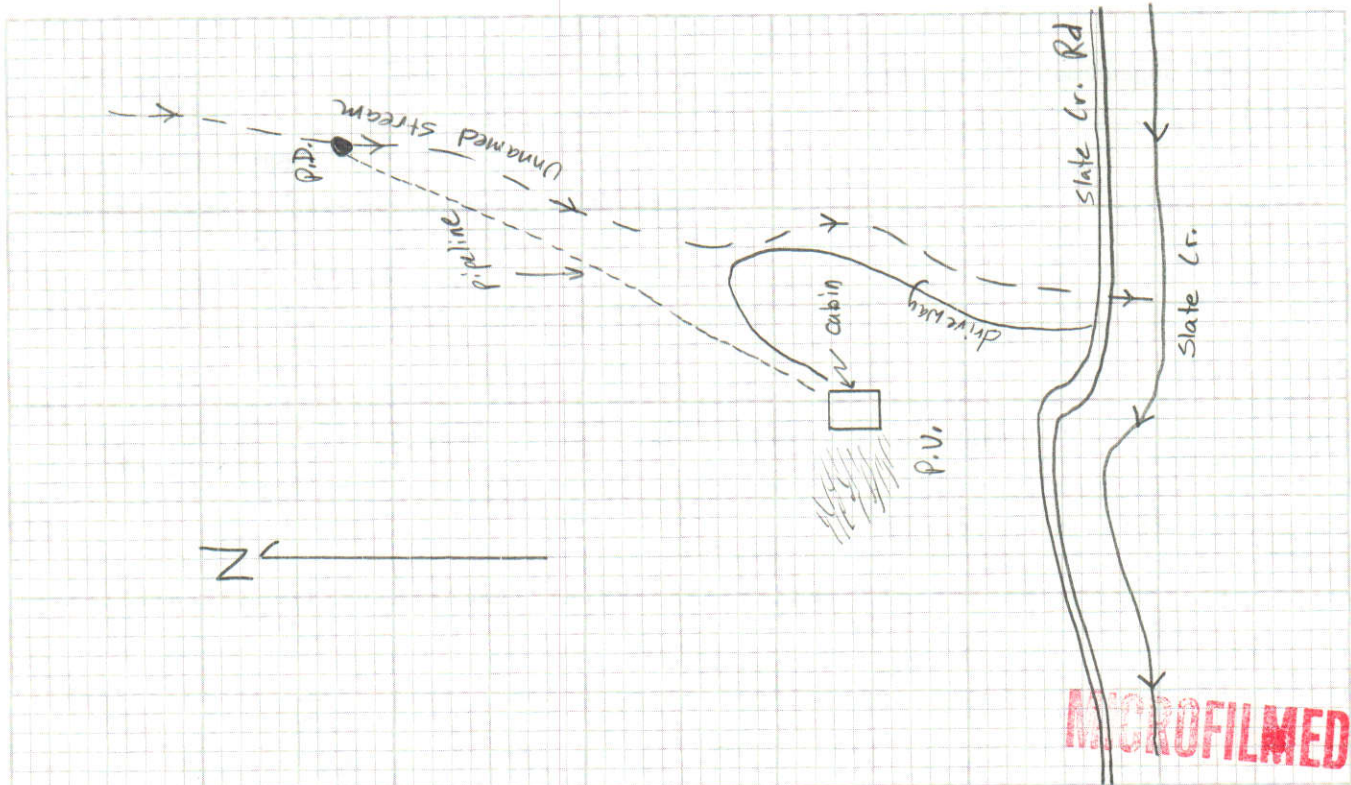
Permit No. 79-7050
Phone No. 634-5472
Owner: Anthony J. &/or Agnes A. Hieb
Current Address: Box 479, 508 Rowland St., McCall, ID 83638
Accompanied by: unaccompanied EXAM. DATE: 9/23/87
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: unnamed stream tributary to Slate Cr.

B. OVERLAP REVIEW

1. Other water rights with same place of use: none ☐ Copies Attached
2. Other water rights with same point of diversion: 79-7162 (Poyner; same P.D., different P.U.) ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached

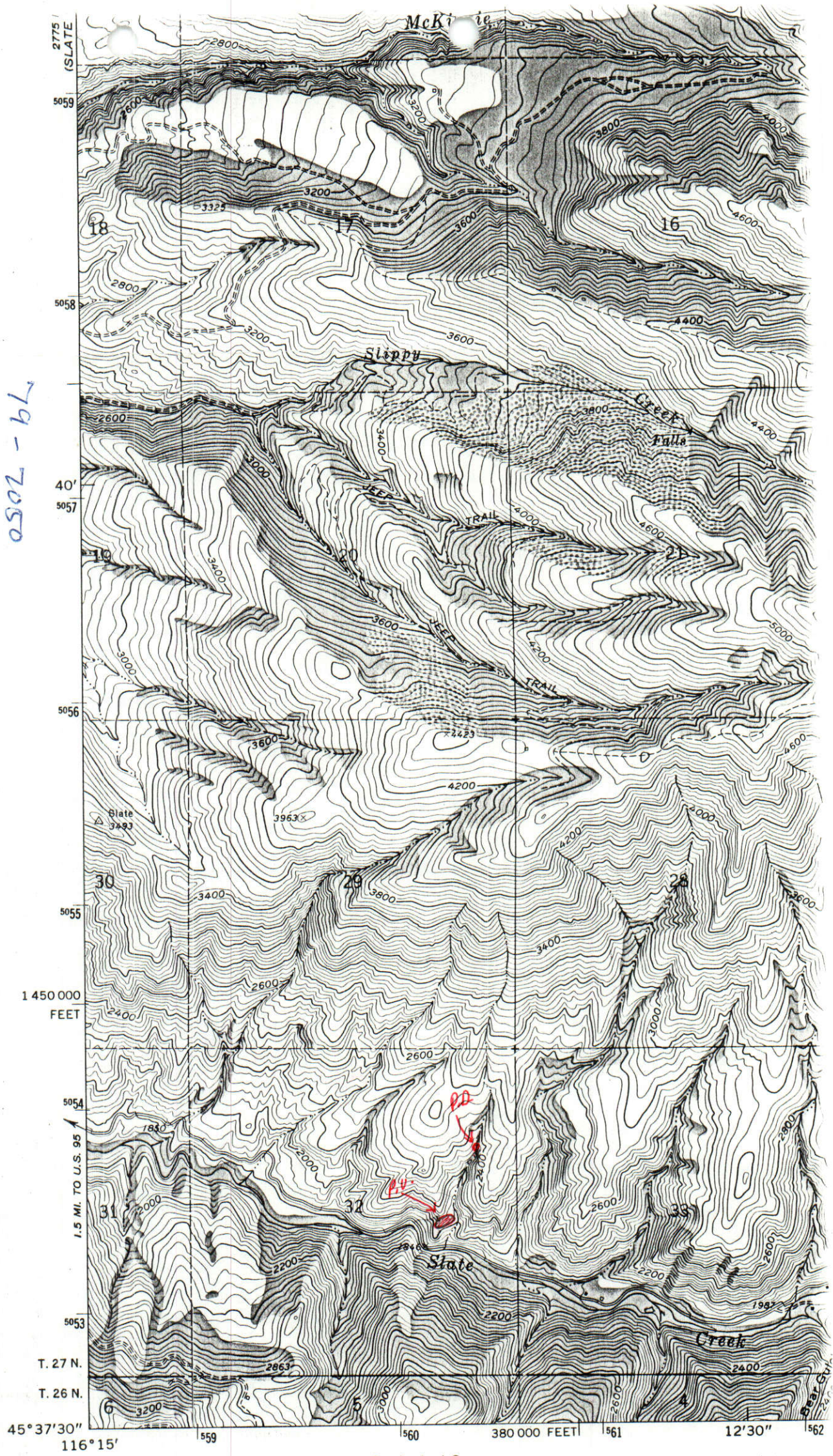


Scale: 1" = not to scale

MAY 15 1989

2. ☒ Copy of U.S.G.S. 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 or more).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater.

79-7050
T-47N R-2E
Sec 32



(LUCILE)
2775 III SE

Mapped, edited, and published by the Geological Survey

Control by USGS and USC&GS

Topography by photogrammetric methods from aerial photographs taken 1962. 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

Fine red dashed lines indicate selected fence lines

MICROFILMED

MAY 15 1989



UTM GRID AND 1963 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET



FOR SALE BY
A FO

79-7050



P.D.



P.U.

MICROFILMED

MAY 15 1989

79-7050 P.2



P. U.

MICROFILMED
MAY 15 1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 79-07050

Priority: October 5, 1976 Amount: 0.04 CFS 4.6 AFA

This is to certify, that AGNES HIEB
ANTHONY J. HIEB

508 ROWLAND ST.
P.O. BOX 479
MC CALL, ID 83638

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated October 5, 1976, and has submitted proof to the Department of Water Resources on October 30, 1986, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .040 cfs of water from:

UNNAMED STREAM tributary to SLATE CREEK

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	04/01 to 10/15	0.02 CFS	4.0 AFA
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AFA
	Totals	0.04 CFS	4.6 AFA

LOCATION OF POINT(S) OF DIVERSION: SENE , Sec. 32, Township 27N, Range 02E
IDAHO County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
27N 02E 32	NESE 1			1

Total number of acres irrigated: 1

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Domestic use is for 1 home.

RECORDED

NOV 16 1988

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 79-07050

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 21st
day of April, 1989.

Acting for the

Director



State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 79-07050

MAR 20 1989

Date of Priority: October 5, 1976

Comes now AGNES HIEB
ANTHONY J. HIEB
508 ROWLAND ST.
P.O. BOX 479
MC CALL, ID 83638

Department of Water Resources
APPROVED

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 79-07050, and requests that the permit be changed as follows:

Source: UNNAMED STREAM tributary to SLATE CREEK

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	04/01 to 10/15	0.02 CFS	4.0 AFA
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AFA
	Totals	0.04 CFS	4.6 AFA

LOCATION OF POINT OF DIVERSION(S): SENE, Sec. 32, Township 27N, Range 02E
IDAHO County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
27N	02E	32	NESE	1		1
Total number of acres irrigated:						1

PLACE OF USE: DOMESTIC, same as IRRIGATION use

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at McCall, Idaho, this 20 day of March, 1989.

RECORDED

(Signature)

MAR 21 1989

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 79-07050

FOR DEPARTMENT USE ONLY

Preliminary check by SW Fee = \$20.00✓ Received by SW Date 4/21/89

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 79-07050 with the following;

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Domestic use is for 1 home.

Witness my hand this 21st day of April, 1989.

Norman C. Young
Acting Director

WATER RIGHT SPLIT
SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Permit	79-7050	Edward G. Rowland	1.0 cfs
Decree Vesting Estate	79-7050	Agnes Rowland	1.0 cfs
Full Assignment	79-7050	Agnes Hieb (same as above, remarried)	1.0 cfs
Full Assignment	79-7050	Anthony J. &/or Agnes Hieb	1.0 cfs

2011-05-11

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

Department of Water Resources

I, Agnes Hieb, hereby assign to Anthony J. &/or Agnes Hieb
of Box 479, 508 Rowland St., McCall, ID 83638
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 79-7050
to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this _____ day of _____, 19____.

Agnes A. Hieb
Permit Holder

Anthony J. Hieb
Spouse of Permit Holder

State of Idaho)
County of Idaho) ss.

On this 20th day of August, 19 84, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Walter E. Smith
Notary Public residing at
McCall, Idaho

My commission expires:
6-8-85

RECORDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
AFFIDAVIT FOR WATER RIGHTS TO BE USED
FOR POWER PURPOSES
Department of Water Resources

RECEIVED
AUG 7 1984

A. Establishment of Residency: (Complete either 1, or 2).

Department of Water Resources

1. Individual Applicant or Individual Members of a Partnership:

I, Agnes Hick of McCall,
(name) (city)

county of Valley, State of Idaho, being duly sworn, do
hereby certify that I am a bona fide resident of the State of Idaho.

2. Corporation:

I, _____ of _____,
(name) (city)

County of _____, State of Idaho, being duly sworn, depose
and say: That I am the designated registered agent of the _____

_____ : that as such I am in charge of the registered
(name of corporation)

office of the said corporation as required by Section 30-1-12, Idaho Code, at

_____ Idaho, wherein are kept the corporate records required
(city)

by Section 30-1-52, Idaho Code: and that _____
(name of corporation)

is a corporation qualified to do business in the State of Idaho under the laws of
the State of Idaho.

B. Ownership of Facilities: (To be completed for hydropower projects only)

The hydropower facility to be developed pursuant to the attached Application for
Permit:

(check one)

- ☐ Will not utilize existing man-made irrigation facilities such as a dam or a canal.
- ☒ Will utilize existing man-made irrigation facilities such as a dam or a canal, and permission of the owner is documented in an affidavit attached hereto.
- ☐ Will utilize existing man-made irrigation facilities such as a dam or a canal and the owner of the facilities is the signee of this affidavit.

State of Idaho
County of Valley) ss.

Agnes A. Hick
Applicant

On this 4th day of August, 19 84, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

seal

Donald A. Smith
Notary Public residing at
McCall, Idaho

My commission expires:

6-8-85

RECORDED

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

RECEIVED
JUL 23 1984

I, Agnes Rowland, hereby assign to Agnes Hieb Department of Water Resources
of 508 Rowland St., Box 479, McCall, ID 83638
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 79-7050
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 18 day of July, 19 84.

Agnes Rowland
Permit Holder

Anthony J. Hieb
Spouse of Permit Holder

State of Idaho)
County of _____) ss.

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

seal

Notary Public residing at _____

My commission expires: _____

MICROFILMED

not notarized - see decree vesting estate
OK - kw 7-26-84

MAY 18 1979

Department of Water Resources

J. W. WOODLUMBER, CLERK
By Robert M. Buehner Deputy

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF VALLEY

MAGISTRATES DIVISION

IN THE MATTER OF THE ESTATE OF) Probate Case No. 580
)
EDWARD GLENN ROWLAND,) DECREE VESTING ESTATE IN
) SURVIVING SPOUSE
)
Deceased.)

Upon consideration of the Petition for Summary Administration of Estate in
Which Surviving Spouse is Sole Beneficiary filed by AGNES A. ROWLAND
on April 30, 1979, the Court finds that:

1. The facts set forth in the petition are true.
2. The required notice has been given or waived.
3. The decedent, EDWARD GLENN ROWLAND, died on January 30,
1979, domiciled in Valley County, Idaho.
4. Venue is proper.
5. The decedent and AGNES A. ROWLAND were duly married at
Cascade, Valley County, Idaho, on July 12, 1941,
and remained married until the date of decedent's death.
6. The surviving spouse, AGNES A. ROWLAND, is the sole heir
or devisee of the decedent.
7. a. ☒ The decedent died intestate.
b. ☐ The decedent died testate, leaving a will dated _____,
19____. The will was validly executed and is the last will of the
decedent.
8. The schedule of property attached to this Decree is a full and complete
inventory of the property owned by the decedent and properly characterizes
the property as community or separate property.

THEREFORE, it is ordered, adjudged and decreed as follows:

1. AGNES A. ROWLAND is the surviving spouse of the decedent and
is the sole heir or devisee of the decedent.
2. The property of the decedent described on the schedules attached to this
Decree is hereby vested in the distributed to AGNES A. ROWLAND free
and clear of all right, title, claim or demand of any person or persons
claiming or attempting to claim under the estate of the decedent as heir,
devisee, or otherwise, except as a proper creditor.
3. The surviving spouse shall assume and be liable for any and all indebt-
edness that might be a claim against the estate of the decedent.
4. There shall be no administration of the estate of the decedent.

Dated: May 18, 1979

Paul J. [Signature]
Magistrate

MICROFILMED

RECEIVED

OCT 13 1981

Identification No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME

RECEIVED

To provide additional time in which to submit
proof of beneficial use on a water right permit

SEP 14 1981

Department of Water Resources

Agnes Rowland of Box 479 McCall
(Name) (Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Waters of the State of Idaho No. 79-7050.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before 11-1, 1981.

That he has heretofore performed the following work described under said permit: Storage Dam has been completed with 1" pipe buried and is being used for irrigation & toilet in cabin.

Costing \$ approximately \$500.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Due to death of husband Edward H. Rowland

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to 11-1, 1986.

Agnes Rowland
(Signature)*

*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to November 1, 1986.

Signed this 15th day of October, 1981.

A. Glen Saxton
Chief, Operations Bureau

\$15.00 fee received by gr

Date 10-14-81

Receipt # 20492

25

Identification No. _____

Application No. 79-7050

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant EDWARD G ROWLAND Phone: 634-5472
post office address P.O. Box 479 McCall, IDA 83638
2. Source of water supply UNNAMED STREAM which is a tributary of SLATE CREEK
3. a. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 32 Township 27N
Range 2E B.M. IDAHO County; additional points of diversion if any: NONE
- b. If water is not consumed, it will be discharged into SOURCE OF SUPPLY at a point in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 32 Township 27N Range 2E B.M. _____
4. Water will be used for the following purposes:
Amount 0.06 for IRRIGATION purpose from APR 1 to OCT 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.94 for POWER GENERATION 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)
5. Total quantity to be appropriated:
a. 1.00 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 1" GRAVITY PIPE FOR IRRIGATION (SEE ITEM 10 REMARKS)
3" & 2" PIPE FOR POWER GENERATION
- b. Height of storage dam NONE 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 \$ 1000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 32 Township 27N
Range 2E B.M. _____
(2) Amount of power to be generated: 60 AMP @ 120 VOLTS hp under 30 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 _____.
(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:

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	
27N	7E	32													3				3

Total number of acres to be irrigated 3

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 MARGARET E. JEWETT

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

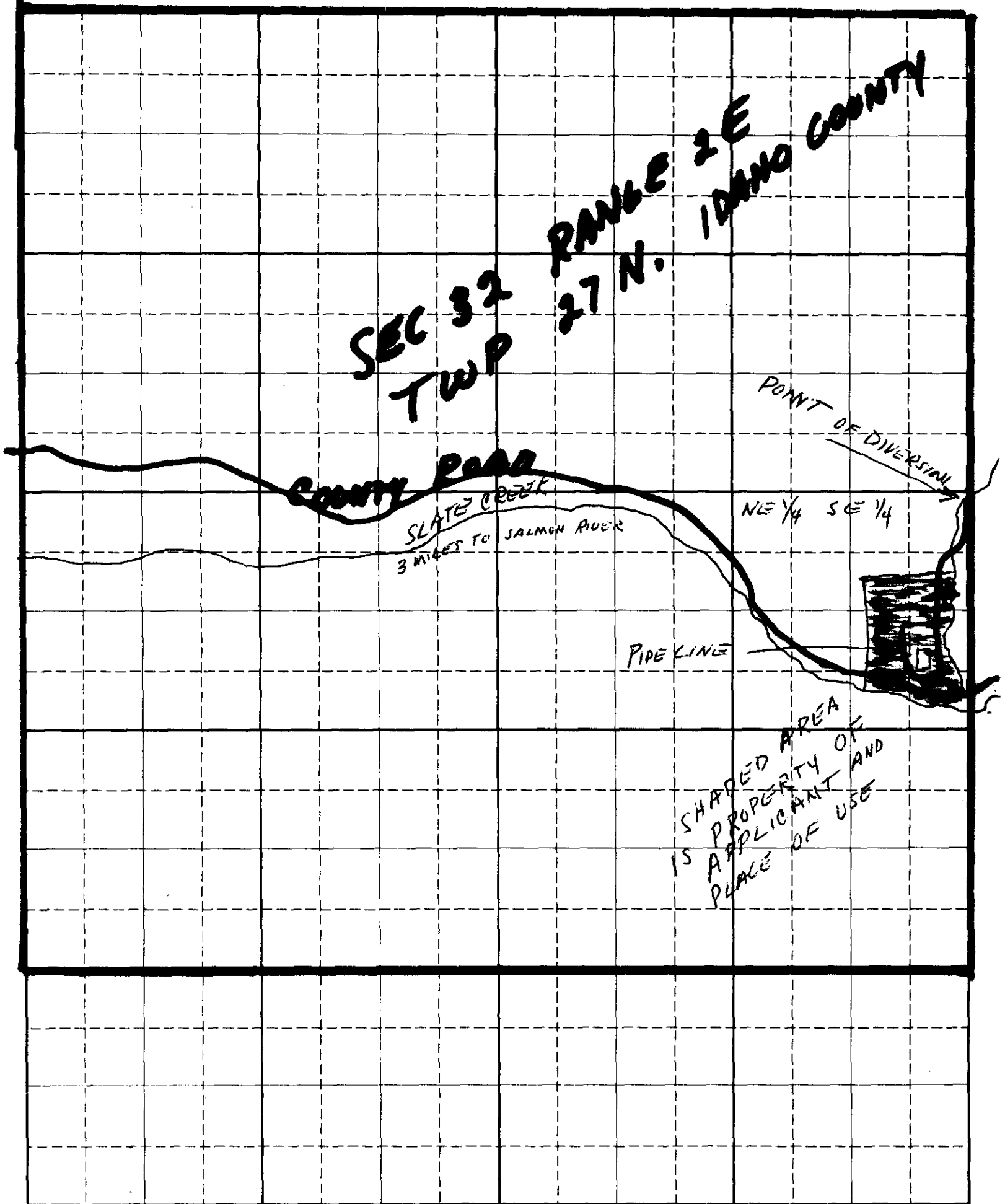
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing MARGARET E. JEWETT HAS AGREED TO

GIVE AN EASEMENT FOR INSTALLATION AND MAINT. OF THAT PORTION OF THE PIPE LINE CROSSING HER PROPERTY. PAPERS WILL BE SIGNED SOON. (SEE BELOW)

10. Remarks UNNAMED STREAM WHICH IS SOURCE OF SUPPLY IS SOMETIMES DRY IN AUGUST & SEPTEMBER IRRIGATION IS FOR FRUIT & SHADE TREES & GARDEN POWER GENERATION WOULD BE A HOME MADE PELTON WHEEL DRIVING AN AUTOMOTIVE TYPE ALTERNATOR WITH STORAGE BATTERIES USED FOR LIGHTING PURPOSES FOR A 14' X 20' 1 1/2 STORY CABIN LOCATED ON THE APPLICANTS PROPERTY. IT WOULD BE SUPPLEMENTED BY A GASOLINE POWERED GENERATOR TO BE USED DURING PERIODS OF LOW WATER WATER FROM POWER GENERATION WOULD BE RETURNED TO SOURCE AFTER REDUCING TURBULANCE TO PREVENT EROSION.

REFERRING TO 9 a. ABOVE: SHOULD THE EASEMENT AGREED UPON NOT BE RECEIVED THE POINT OF DIVERSION WOULD BE MOVED TO PROPERTY OWNED BY APPLICANT AND THAT PORTION OF WATER USED FOR IRRIGATION WOULD BE PUMPED BY 1" GASOLINE DRIVEN PUMP AND 1" PIPE. POWER GENERATION WOULD REMAIN THE SAME.

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



Scale: 1/8 inches equal 1 mile

8

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.

Edward J. Rutland
(Applicant)

Proposed Priority 10-05-76

Received by YHJ Date Oct 5, 1976 Time 11:45 a.m.

Preliminary check by YHJ Fee \$ 25.00

Received by YHJ Date 10-5-76 # 5164

Publication prepared by YHJ Date 10-7-76

Published in Idaho County News

Publication dates Oct 13 + 20

Publication approved YHJ Date 10-26-76

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by YHJ

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 79-7050, 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, 1981.

c. Other: The issuance of this permit in no way grants any right-of-way or

easement across the land of another person.

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

Witness my hand this 4 day of November, 1976.

Director

Wm. J. ...

Individual Owner

AFFIDAVIT TO ESTABLISH RESIDENCE

I, EDWARD G. ROWLAND of MCCALL County of VALLEY

State of Idaho, being duly sworn, do hereby certify that I am a bona fide resident of the State of Idaho.

/s/ Edw G. Rowland

Subscribed and sworn to before me this 13 day of Sept, 1976

/s/ Jerry W Anderson
Notary Public
Residence MCCALL
My Commission expires 4-15-77

NOTE: This permit is issued subject to the provisions of S. L. 1937, Ch. 142; am. 1957, Ch. 66. (Idaho Code, Sections 42-205 to 42-210).

Corporation or Association

AFFIDAVIT TO ESTABLISH RESIDENCE
OR QUALIFICATION TO DO BUSINESS UNDER THE LAWS OF
IDAHO...

I, _____ of _____ County of _____
State of Idaho, being first duly sworn, depose and say:

That I am the designated statutory agent of the _____,
that as such I am in charge of the registered office of the said _____,
as provided by Section 30-143, Idaho Code, at _____,
Idaho, wherein are kept the records provided by Section 30-144, Idaho Code, and
that _____ is a legal _____ qualified to do business
in the State of Idaho under the laws of the State of Idaho.

/s/ _____

Subscribed and sworn to before me this _____ day of _____, 19____

/s/ _____
Notary Public
Residence _____
My commission expires _____

NOTE: This permit is issued subject to the provisions of S. L. 1937, Ch. 142; am. 1947, Ch. 66, (Idaho Code, Sections 42-205 to 42-210).

RECEIVED

OCT 26 1976

Department of Water Resources
Washington, D.C.

Department of Water Resources

AFFIDAVIT OF PUBLICATION

Wona Donaldson

..... being first duly
Office Manager
sworn, says he is the
of the IDAHO COUNTY FREE PRESS, a weekly newspaper which
is published and issued weekly at Grangeville, Idaho County,
State of Idaho, and which 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 ¹³ day of ²⁰ October ⁶, 197.....⁶,
and the last publication on the day of
.....²⁰ October ⁶, 197.....⁶; 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 more than seventy-
eight consecutive weeks prior to the first publication of said
notice or advertisement.

W. H. C. Donaldson

Subscribed and sworn to before me this ²⁰ day
October ⁶, 197.....⁶
of

Marilyn J. Stolley, Notary Public
for State of Idaho, residing at Grangeville, Idaho.

OK
10-27-76
14

April 25, 1989

AGNES HIEB
ANTHONY J. HIEB
508 ROWLAND ST.
P.O. BOX 479
MC CALL, ID 83638

RE: PERMIT NO. 79-07050

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

MAY 15 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

(208) 327-7900

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - [REDACTED]

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 21, 1989

RE: Permit No. 79-7050

Agnes Hieb
Box 729 Space #345
Apache Jct., AZ 85217

Dear Mrs. Hieb:

In response to your recent correspondence regarding the above referenced permit, the total acreage listed on the permit was three acres. However, we issued a license for the land which is actually being irrigated at the time of examination. Our examiner found one acre of yard and trees under irrigation and your license will reflect that finding.

We have asked you to sign the amendment to correct an error in the legal description on the permit. The point of diversion was originally given in the NESE, Sec. 32, Township 27N, Range 02E, Idaho County. Our examiner found the diversion to be in the SENE; hence, the amendment is needed.

Please feel free to contact us should other questions arise.

Sincerely,

ROXANNE MCCARTHY
Technical Reviewer

RM:hm

MICROFILMED

MAY 15 1989

RECEIVED

FEB 23 1989

Feb. 18, 1989
Arizona

Department of Water Resources

Gene Johnson
Water Supervisor

In reference to permit no. 79-07050.
We're in Arizona and don't
have our original water right
permit with us. I thought the
original Total acres to be
irrigated was three instead
of one. Is this difference in
acreage the field examiners
amendment? Would you please
check this and let me know
before I sign the amendment?

Thank you. RECEIVED

MAY 15 1989

Agnes Lieb

Box 729

Space 345

Hatchet Det. H3. 85217

February 6, 1989

AGNES HIEB
ANTHONY J. HIEB
508 ROWLAND ST.
P.O. BOX 479
MC CALL, ID 83638

RE: PERMIT NO. 79-07050

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

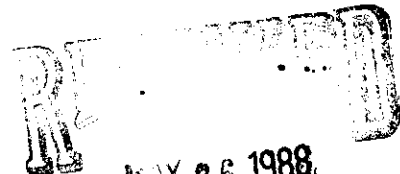
MICROFILMED

MAY 15 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

79-7050
Permit No.

Staff Analysis Sheet
for
Beneficial Use Field Report



Department of Water Resources

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☒ ~~Computer Data Proof Report~~
- ☒ Copy of U.S.G.S. Quad

None ☒ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index BD (Initial and date)

Overlap? ☒ yes ☐ no If yes: ☐ copy of exam(s) attached?
Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☐ Other: see exam

Check of P/U index BD (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?
Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☐ Other: _____

Aerial Photo

Required? ☐ yes ☒ no If yes: ☐ copy attached?

Scheduling Letter sent? _____ (Initial and date)

☒ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☒ ~~Corrected Computer Data Proof Report~~ with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed Brad E. Driggs 4/11/88 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent _____ (Initial and date)

Exam Reviewed by Manager of Regional Office DMR 4/18/88 (Initial and date)

Exam Date Entered in Computer SL 5/25/88 (Initial and date)

Exam sent to State Office SL 5/23/88 (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

KEYPUNCH

A. GENERAL INFORMATION

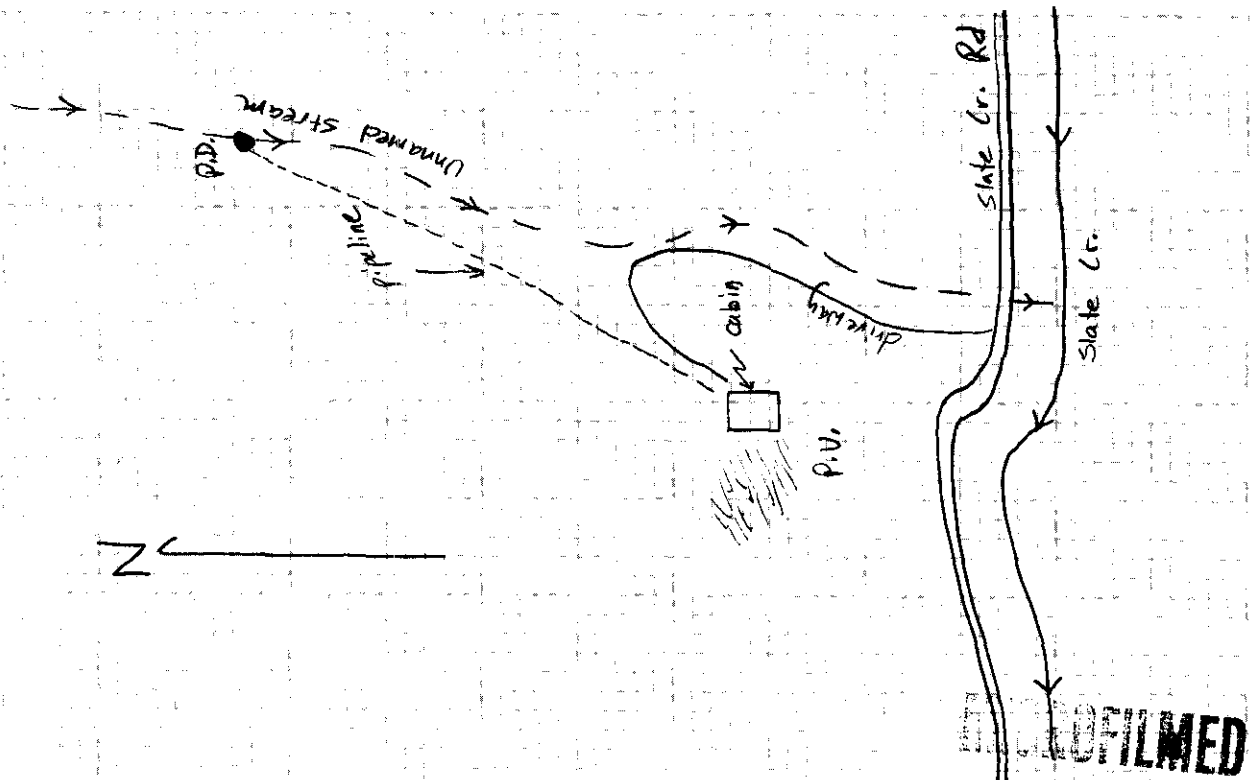
1. Owner: Anthony J. &/or Agnes A. Hieb Permit No. 79-7050
Current Address: Box 479, 508 Rowland St., McCall, ID 83638 Phone No. 634-5472
2. Accompanied by: unaccompanied EXAM. DATE: 9/23/87
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: unnamed stream tributary to Slate Cr.

B. OVERLAP REVIEW

1. Other water rights with same place of use: none ☐ Copies Attached
2. Other water rights with same point of diversion: 79-7162 (Poyner; same P.D., different P.U.) ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = not to scale

2. ☒ Copy of U.S.G.S. 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 or more).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Water is diverted from an ~~water~~ unnamed stream using a cement dam and carried to the Hieb's property via a buried pipeline. Water is used to irrigate yard & trees (1 acre max) and for in-house domestic use. Power generation project has not been developed.

☐ See Remarks on page 4 for continuation

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

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	NE	32	27N	2E	Idaho	Topog. Map

6. **Place(s) of Use:**

Indicate Method of Determination

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	
27N	2E	32													1				1
															D				

MICROFILMED

MAY 15 1989

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

none made; allow: .02 domestic
.03 irrigation
.05

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1 \times 4.0 = 4.0 \text{ afa}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .03 \times 198 \times 1.9835 = 11.8 \text{ afa}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 4.0 \text{ afa}$

2. Volume Calculations for Other Uses:

domestic, in-house use only:
allow .6 afa

RECORDED

MAY 15 1989

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Note: The Hieb's & Mr. Poyner (79-7162) share the same P.D. on the unnamed stream.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
irrigation	4/1	10/15	.03	4.0
domestic	1/1	12/31	.02	.6
Totals:			.05	4.6

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 *use of use*

J. AUTHENTICATION

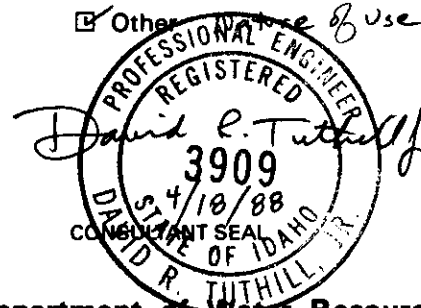
Field Examiner's Name

Signature

Certification Date

Field Report Preparation Date

Brad E. Dingee
Brad E. Dingee
4/11/88



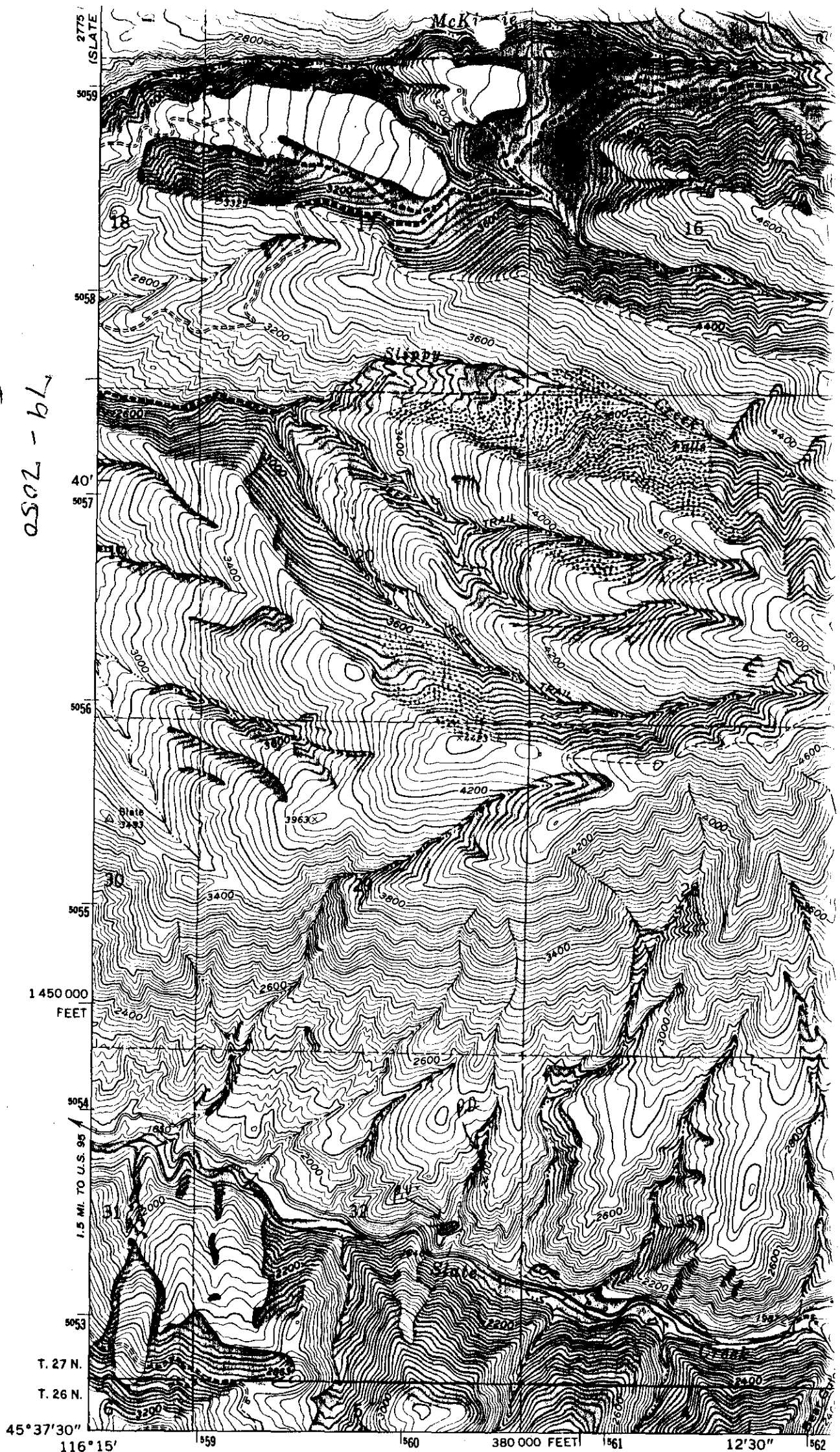
K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

DOM 1/29/89

MICROFILMED

MAY 15 1989

79-7050
T-27N R-2E
S232



(LUCILE)
2775 III SE

Mapped, edited, and published by the Geological Survey

Control by USGS and USC&GS

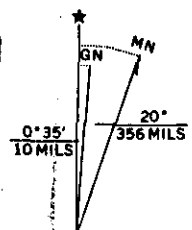
Topography by photogrammetric methods from aerial photographs taken 1962. Field checked 1965

Polyconic projection. 1927 North American datum
10,000-foot grid based on Idaho coordinate system
1000-meter Universal Transverse Mercator grid ticks,
zone 11, shown in blue

Fine red dashed lines indicate selected fence lines

PHOTOFILMED

MAY 16 1989



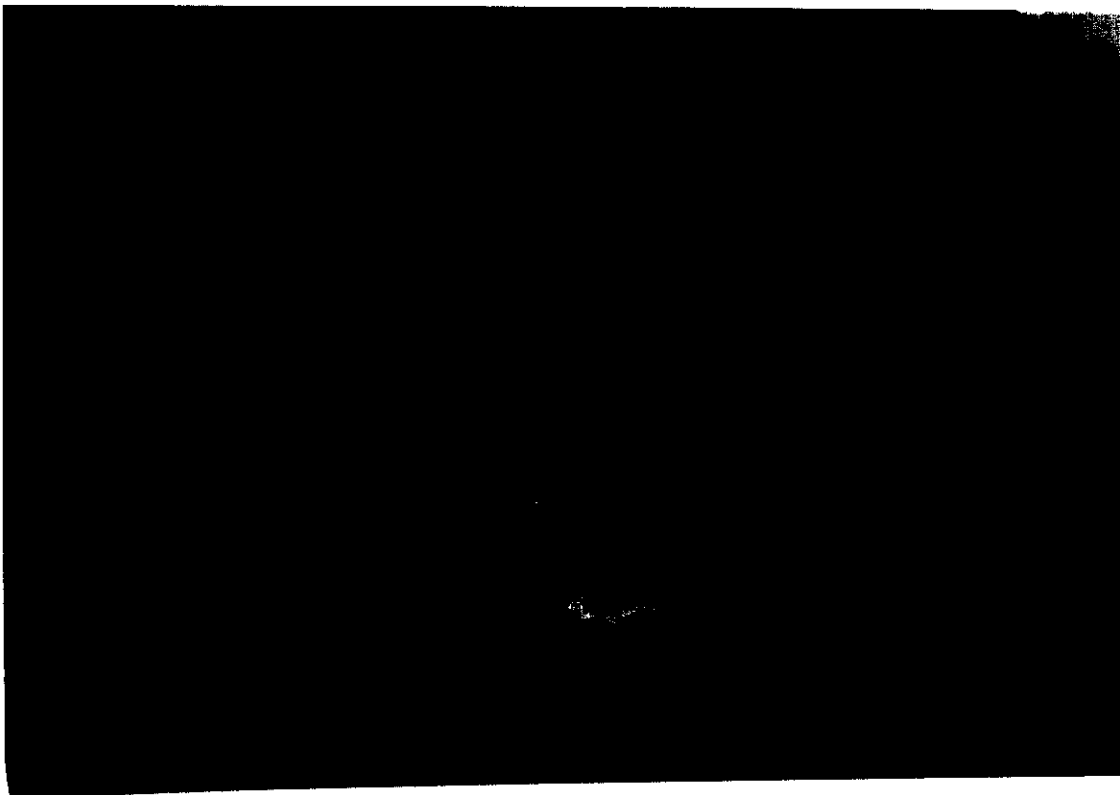
UTM GRID AND 1963 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET

FOR SALE B
A FC

79-7050



P.D.



P. U.

MICROFILMED

MAY 15 1989

79-1050 P.2



P. U.

MICROFILMED

MAY 15 1989

MEMORANDUM

TO:FILE # 79-7050

FROM:JOHN MCLEOD

RE: CHANGES IN EXAMINER RECOMMENDATION

DATE: 30-JAN-1989

The recommended rate of diversion for irrigation purposes should be .02 cfs, not .03 cfs per the examiner's recommendation. The permitted irrigation rate is .02 cfs per acre for 3 acres. The license should likewise show this rate for the 1 irrigated acre found. Thus, the total recommended rate of diversion would decrease to .04 cfs from .05 cfs.

MICROFILMED

MAY 15 1989



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

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

May 8, 1987

79-7050
HIEB, AGNES
HIEB, ANTHONY J.
BOX 479
508 ROWLAND ST.
MC CALL, ID 83638

Dear Applicant(s):

We acknowledge receipt of your statement of 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. A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office.

Sincerely,

Judy Pense
Secretary

/jp

MICROFILMED

MAY 15 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 79-7050
Name(s) of Permit Holder(s): Edward G. Rowland (deceased)
Post Office Address: Boyle 79
McCall Idaho 83638 Tel. No. 634-5479

- ☐ I hereby certify that construction of diversion works for the above referenced permit began on Dec. 1976 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.
- ☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control:

*Note: A financing difficulty is not an acceptable reason.

8-9-82
Date

Helen Rowland
Signature of Permit Holder

James Rouland
Box 477
McCull, Ida, 83638



RECEIVED



RECEIVED

AUG 10 1982

MAY 15 1989

Department of Water
IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RECEIVED
OCT 30 1986

For Office Use Only

Fee Received \$50.00

Date 10/30/86

Receipt # 39371

Receipt by CCW

Reviewed by JH

Sent to region 11-14-86

STATE OF IDAHO Department of Water Resources

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 79-7050

Name(s) of Permit Holder: Agnes A. Nieh + Anthony J. Nieh

Post Office Address: Box 429 508 Rowland St.

Telephone No. 208-634-5472

Source of Water: Unnamed Stream N.E. 1/4 SE 1/4, Sec. 32 Twp. 27N. Rge. 2E

Extent of Use:

B.M. Idaho Co.

Domestic 1 (number of households) Stockwater 76.2 (number and type of stock)

Irrigation 3.4 (3) (acres) Other/Remark Domestic includes water for

flush toilet - Excludes drinking water

Total rate and/or volume for which proof is submitted 0.06 Irrigation 0.04 Com. cfs 3.4 acre-feet

Show the date water was first diverted and beneficially used under this permit: Nov. 1976

Measuring Device: Required? Yes No
Installed? Yes No

Fee enclosed \$ 50.00
(See License Examination Fee Schedule)

Flow Measurement Port: Required? Yes No
Installed? Yes No

Person to contact to accompany the Department representative during the field examination:

Mr. Dale Ferguson 839-228
(Name) (Telephone Number)

HC01 Box 56 Whitehurst, Idaho 83554
(Address)

The above information 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.

10-27-1986
Date

Agnes A. Nieh
Signature of Permit Holder (and title, if appropriate)

October 22, 1986

Mrs. Anthony J. Hieb
Box 729, Space 345
Apache Jet, AZ 85217

Dear Mrs. Hieb:

Re: Permit No. 79-7050

I have reviewed your letter dated October 7, 1986 sent in response to the department's proof due notice.

The following explanation will hopefully provide you with information on alternatives available to you. Permit No. 79-7050 authorized the diversion of 1.0 cfs (450 gallons/minute) to be used for irrigation and power generation purposes. For the irrigation use, 0.06 cfs was authorized and for the power use 0.94 cfs was authorized for a total of 1.0 cfs. Domestic use was not a purpose of the permit. The permit also required as a condition of approval that proof of beneficial use be submitted by November 1, 1981. On October 15, 1981, the department extended the proof due date to November 1, 1986. On August 31st (60 days prior to the proof due date) the department sent the proof due notice to you which prompted your letter dated October 7, 1986.

In answer to your questions, you do not need to proceed with additional development at this time. You do need to submit the proof of beneficial use form together with an examination fee of \$50.00 for the portion of the permit which has been developed (irrigation of 3.4 acres) or the permit will lapse and become of no force nor effect. The water right which has been developed under this permit will be only for irrigation.

Since the department can normally grant only one extension of time in connection with a permit, you will need to file a different application for permit at some time in the future for domestic and power uses should you want to develop those uses.

Enclosed is a proof of beneficial use form which should be completed and returned to the department with a \$50 exam fee for the irrigation portion of the permit.

10/22/86

If you have questions, please feel free to call me at 334-4290.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures



RECEIVED

Oct 7, 1986
Apache Jct, Az.

Dept. of Water Resources
Statehouse
Boise, Idaho 83720

RECEIVED

OCT 14 1986

Department of Water Resources

In answer to your Proof Due
Notice, for permit FF 79-7050:
I applied for a time extension
in Oct. 1981. Good until Nov. 1986.
As it stands now, we see no
need for change in the use of
said water. It's only a gravity
flow for use in irrigation of a
3.4 acre tract, plus domestic water
for Cabin & Flush Toilet, excluding
drinking water. At the time of
the initial filing, the water was
planned for power generation plus
domestic use. Since then my
husband (Edward Rowland) has died
and I've remarried. In the future
we will want to proceed with

the initial plans for use of the water but right now we can't set a date. We would like to have every thing as it is for the time being. Is there any reason we have to proceed with development now? We are in Arizona and plan to be back in Idaho in May. Is it possible to receive another extension or do we have to submit the field examination report by Nov. 1st? Our project does not fit into the exemptions listed on your request for extension of time. We're concerned that we might jeopardize our rights to our permit. Would you please advise?

Thank you.

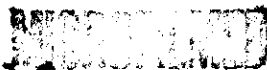
Mrs. Anthony J. Neils
Box 729 - Spoe 345
Apache Jct. Az. 85217

Phone: 602-982-0450

Anthony J. Neib
Box 729- Space 345
Apache Gt., Az. 85317



State of Ida. Water Resources
450 W. State St.
Statehouse
Boise, Idaho 83750



- T A T E O F I D A H O -
DEPARTMENT OF WATER RESOURCES

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
AUGUST 31, 1986

138272

HIEB, AGNES & ANTHONY J.
BOX 479
508 ROWLAND ST.
MC CALL, ID 83638

PROOF DUE NOTICE

RE: PERMIT NO. 79-7050

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 NOVEMBER 1, 1986. (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 COMPLETED 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,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

[Handwritten signature]

INTER-DEPARTMENT MEMO — 1

FROM Kay Walker

DATE 9-20-1984

TO File

SUBJECT Easement of right-of-way for
permit 79-7050

Per discussion w/ Mrs. Niel's
attorney, the easement she asked
about is a deeded easement and
my letter of 8-17-84 was confusing ^{to} her.
No easement problem — see copy ...

SIGNATURE

MICROFILMED

August 29, 1984

RE: Permit No. 79-7050

Anthony J. &/or Agnes Hieb
Box 479
McCall, ID 83638

Dear Mr. and Mrs. Hieb:

This office acknowledges receipt of the Assignment of the above referenced permit to you.

Enclosed for your records is a copy of the assignment of the permit that adds Mr. Hieb as a permit holder. Please be advised that you have until November 1, 1986 to complete this project. You will receive correspondence in regard to the completion sixty days prior to that date.

If you have any questions on this matter, please feel free to contact us.

Sincerely,

KAY WALKER
Chief Clerk

KW:sc
Enclosure

MICROFILMED

Permit No. 79-7050

ASSIGNMENT REVIEW CHECK LIST

1. Signature of Permit Holder? ✓
2. Notary? ✓
3. ☒ a. Full Assign? *adding spouse to permit*
b. Partial Assign?
4. "No assignment" condition on permit? *NO*
5. Commencement of works received? *yes - see extension*
6. Affidavit of Residency required? *yes - rec'd 8/7/84
4 8/23/84*

1. Type Permit Summary sheet ✓
2. Coding sheet ✓
3. Acknowledgement letter type —
4. Copy to region ✓

Date: 8/28/84

Employee: K. Whalper

MICROFILMED

August 17, 1984

RE: Permit No. 79-7050

Agnes Hieb
Box 479
808 Rowland St.
McCall, ID 83638

Dear Mrs. Hieb:

We are in receipt of the documents you submitted in regard to the above referenced permit. Thank you for your prompt attention to this matter.

As for your question in regard to the easement agreement between yourself and the new property owner wherein your point of diversion is located, we offer the following: You need to make an arrangement between yourself and Mr. Paynor to re-establish the easement agreement, if possible. This is between yourself and Mr. Paynor.

As for adding Mr. Hieb to the permit as an owner, you need to sign the enclosed assignment form, which we have completed for your convenience, in the presence of a notary. We are returning the copy of your marriage license that you submitted, since it has no numbering in regard to your water right.

We are also returning the affidavit that you submitted. Under Part B of the form you need to check the applicable box in regard to ownership of the facilities. Also, once the enclosed assignment form has been initiated, Mr. Hieb's name should be added to the affidavit form.

If you have any questions, please contact our office.

Sincerely,

KAY WALKER
Technical Records Specialist

KW:sc

Enclosures

RECEIVED
AUG 20 1984



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

RECEIVED

AUG 7 1984

Department of Water Resources

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

July 31, 1984

RE: Permit No. 79-7050

*The property on which we have
the easement agreement has been
sold to a Mr. Dwyer. Does this
make a difference?*

Agnes Hieb
Box 479
508 Rowland St.
McCall, ID 83638

Dear Mr. Hieb:

We are in receipt of the documents assigning the above permit to you. We are enclosing a copy of the permit for your records. Be sure to note the conditions of approval as listed on the fourth page of the permit.

In reviewing the permit, we find that it is for power generation purposes. Section 42-205/206 of Idaho Code requires that you submit an affidavit of residency and a statement regarding the ownership of the diversion facilities if you wish to continue with the power project. We have enclosed a form for your use in this matter. Please note that this form must be signed in the presence of a notary, by you, as the permit holder.

Please complete and return this form by August 30, 1984 in order to keep the permit in good standing. If you do not wish to continue with the power project, we would appreciate a written statement for our files, otherwise the affidavit must be completed and returned.

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

Sincerely,

Kay Walker
KAY WALKER
Technical Records Specialist

KW:sc

Enclosures

MICROFILMED

*Enclosed is the information
you requested - Would you please
change the name from Agnes Hieb to
Anthony J. or Agnes Hieb - Thank you!
Agnes Hieb*

RECEIVED

State of Idaho
Department of Water Resources
AUG 7 1984

RECEIVED

JUL 23 1984

ASSIGNMENT OF PERMIT

Department of Water Resources

I, Agnes Rowland, hereby assign to Agnes Hieb Department of Water Resources
of 508 Rowland St., Box 479, McCall, ID 83638
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 79-7050
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 18 day of July, 19 84.

Agnes Rowland
Agnes Rowland
Permit Holder

Anthony J. Hieb
Anthony J. Hieb
Spouse of Permit Holder

State of Idaho)
County of IDAHO) ss.

On this 6th day of August, 19 84, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Joseph B. Smith
Notary Public residing at
711 Call St. 83638

My commission expires:
8-8-85

MICROFILMED

not notarized - see decree vesting estate
OK - kw 7-26-84

268069

CORRECTED EASEMENT AND AGREEMENT

Department of Water Resources

AUG 7 1976

INDEXED

TRACTED

FILMED

WHEREAS, MARGARET JEWETT, Grantor, conveyed an easement by EASEMENT AND AGREEMENT to EDWARD G. ROWLAND and AGNES A. ROWLAND, Grantees, on November 8, 1976, which Easement and Agreement was recorded November 15, 1976 as Instrument No. 265777 in the office of the Idaho County Recorder, Idaho;

WHEREAS, it has come to the attention of the parties that the legal description of Grantees property described in said Easement and Agreement is incorrect and the parties desire to correct the description of Grantee's property described in said easement.

THEREFORE, the parties hereby agree that the Easement and Agreement is corrected to read as follows:

FOR VALUABLE CONSIDERATION, MARGARET JEWETT, a widow, as Grantor hereby grants and conveys unto EDWARD G. ROWLAND and AGNES A. ROWLAND, husband and wife, and their heirs and assigns, as GRANTEES an easement for the purpose of placing a water pipe approximately two (2) inches in diameter and approximately five hundred twenty-two (522 feet) in length in the vicinity of the section line between the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 32, Twp. 27 North, Range 2 E.B.M., Idaho County, Idaho, and the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33, Twp. 27 North, Range 2 E.B.M., Idaho County, Idaho from the northeasterly boundary of Grantees' property to the vicinity of the northern boundary of the section line between said Sections 32 and 33.

The easement is granted for the purpose of conveying water to Grantee's property which is more particularly described as follows:

A tract of land in the NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 32, Twp. 27 North, Range 2 E.B.M., Idaho County, Idaho, more particularly described as follows: Starting at the intersection of the section line between sections 32 and 33 and the north edge of Slate Creek, go down the north edge of Slate Creek approximately 100 feet to the center of an un-named creek, the real place of beginning: Thence up the center of said creek a distance of approximately 600 feet to a point 522 feet south of the north boundary of said NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 32, thence North 89°47'30" West a distance of 400 feet, Thence South 0°4' East to the North side of

Slate Creek, Thence South-easterly along the North bank of Slate Creek 383 feet more or less to the real place of beginning, containing approximately 3.4 acres. Subject to easements to Idaho County for present road and to Department of Agriculture for a telephone line.

Grantees are also given an easement to go upon the property in the location of the water pipe for the purpose of performing necessary repairs and maintenance of said pipe. Grantees agree to repair any damage to Grantor's property resulting from the installation, repair and maintenance of said pipe.

It is further agreed between the parties that this Corrected Easement and Agreement is to relate back to the date of the original execution of said Easement and Agreement and is intended to correct and to take the place of the description of Grantee's property described in the original Easement and Agreement.

GRANTOR:

Margaret Jewett
Margaret Jewett

GRANTEES:

Edward G. Rowland
Edward G. Rowland
Agnés A. Rowland
Agnés A. Rowland

STATE OF IDAHO)
County of Idaho) ss.
County of Valley)

On this 13th day of May, 1977 before me a Notary Public in and for said State appeared Margaret Jewett personally known to me and acknowledged that she executed the foregoing instrument in my presence.

SUBSCRIBED AND SWORN TO BEFORE me this 13th day of May, 1977.

Notary Public for Idaho
Residing at: Grangeville

STATE OF IDAHO)
County of Valley) ss.

On this 17th day of May, 1977 before me a Notary Public in and for said State appeared Edward G. Rowland and Agnes A. Rowland personally known to me and acknowledged that she executed the foregoing instrument in my presence.

SUBSCRIBED AND SWORN TO BEFORE ME this 17th day of May, 1977.

Notary Public for Idaho
Residing at:

- 2 -

Filed and recorded at the request of Edward G. Rowland
at 12:40 o'clock P M this 17 day of May 1977
By Bob J. White Deputy
Ex-Officio Auditor and Recorder
Idaho County, Idaho
Fee \$ 2.00

Mail To - 449 Box
McCall, Idaho
83638

MICROFILMED

July 31, 1984

RE: Permit No. 79-7050

Agnes Hieb
Box 479
508 Rowland St.
McCall, ID 83638

Dear Mr. Hieb:

We are in receipt of the documents assigning the above permit to you. We are enclosing a copy of the permit for your records. Be sure to note the conditions of approval as listed on the fourth page of the permit.

In reviewing the permit, we find that it is for power generation purposes. Section 42-205/206 of Idaho Code requires that you submit an affidavit of residency and a statement regarding the ownership of the diversion facilities if you wish to continue with the power project. We have enclosed a form for your use in this matter. Please note that this form must be signed in the presence of a notary, by you, as the permit holder.

Please complete and return this form by August 30, 1984 in order to keep the permit in good standing. If you do not wish to continue with the power project, we would appreciate a written statement for our files, otherwise the affidavit must be completed and returned.

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

Sincerely,

KAY WALKER
Technical Records Specialist

KW:sc

Enclosures

MICROFILMED

Permit No. 79-7050

ASSIGNMENT REVIEW CHECK LIST

1. Signature of Permit Holder? *no - see decree vesting estate*
2. Notary? *— certified copy* →
3. (a.) Full Assign?
b. Partial Assign?
4. "No assignment" condition on permit? *no*
5. Commencement of works received? *yes - see extension*
6. Affidavit of Residency required? *yes - requested*

1. Type Permit Summary sheet ✓
2. Coding sheet ✓
3. Acknowledgement letter type —
4. Copy to region ✓

Date: 4-26-84

Employee: H. Walker

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

March 6, 1984

RE: Permit No. 79-7050

Agnes Hieb
508 Rowland St., Box 479
McCall, ID 83638

Dear Mrs. Hieb:

We are in receipt of the assignment form you submitted in connection with the above referenced permit. However, I am returning the assignment to you along with another form. We cannot accept this assignment in its present form because the signature used is not the signature of the existing permit holder. In Idaho, a water right permit is considered personal property. It can only be assigned by the permit holder, which in this case is Edward G. Rowland.

However, in looking through your file we find that Mr. Rowland is deceased and you were his spouse. Please provide us with a copy of the papers that shows you are the owner of Mr. Rowland's estate.

Also, when you sign the new assignment form (enclosed) please be sure to use "Agnes Rowland" as signature of permit holder.

If you have any questions, feel free to contact our office.

Sincerely,

KAY WALKER
Technical Records Specialist

KW:sc
Enclosures

MICROFILMED

October 22, 1981

Agnes Rowland
Box 479
McCall, ID 83638

Dear Mr. Rowland:

Re: Permit No. 79-7050

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use is extended to November 1, 1986.

Also enclosed is receipt No. 20492.

Sincerely,

RITA I. FLECK
Sr. Secretary

Enclosures

October 7, 1981

RE: Permit No. 79-7050

Agnes Rowland
Box 479
McCall, ID 83638

Dear Ms. Rowland:

Thank you for responding to our letter of August 31, 1981, by submitting a request for an extension of time.

I am returning the extension request form and Check No. 92-202/1241 because you did not fill in the part which describes how much work has been completed. Please fill in this part and return before November 1, 1981.

If no work has been done toward the development of the water use then the Department cannot grant an extension of time.

I would suggest that if you still plan to develop the water use that you re-file for a new permit.

If I can be of further assistance to you or answer any questions, please let me know.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

ROWLAND, EDWARD G.
P.O. BOX 479
MC CALL, ID 83638

138553

AUGUST 31, 1981

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 79-7050 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE NOVEMBER 01, 1981. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY 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. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF \$15.00 MUST BE SUBMITTED WITH THIS FORM.

EITHER THE BENEFICIAL USE POST CARD 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 WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENCLOSURES

November 9, 1976

Re: Permit No. 79-7050

Edward G. Rowland
P.O. Box 479
McCall, ID 83638

Dear Mr. Rowland:

Enclosed herewith is a copy of your approved Application for Permit No. 79-7050. We direct your attention to the conditions of approval as listed on the fourth page.

Please be advised that the Idaho Supreme Court has ruled that a water right initiated and/or put to beneficial use by aid of trespass on private property is invalid.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:mef

Enc.

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. _____

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

____ Pre-permit exam
____ Adjudication Claim
____ Dam Construction
____ Papers Sent

(1) YH 10-5-76

In form to receipt

(2) _____

Send Copies to:

____ Idaho State Health Department
____ Idaho Fish and Game Department
____ Bureau of Land Management

(3) _____

____ Request Special Use Permit from U.S.F.S.
____ Request Easement from B.L.M.
____ Request Information from Applicant

(4) YH 10-5-76

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

____ Declining, ____ Stable, ____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) YH OK

Affidavit of Publication received(date) 10-27-76

(12) _____

Final date for protests 11-1-76

Protests received: yes _____ no ☒

(13) _____

All requested information received from agencies or applicant: yes _____ no _____

(14) _____

Action recommended:

☒ Approve _____ Deny

____ Proposed Priority

____ Reason for Reduction _____

NO Measuring device required
____ R/W clause ... i.e. signature of permit holder
____ See attached sheet for other conditions of approval

____ No special conditions for approval

(15) District W

By YH Date 11-1-76



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

October 8, 1976

Re: Notice of Application for Water Permit No. 79-7050 - Edward Rowland

Idaho County Free Press
Box 267
Grangeville, ID 83530

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 in 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."

Sincerely,

(Signature of Claimant)

Bill submitted

10-27-76

y

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Edward G. Rowland
McCall, ID
has on October 5, 1976 submitted Application No. 79-7050
for a permit to appropriate 1.0 cubic feet per second ~~XXXXXX~~
~~XXXXXX~~ of water from an unnamed stream trib of Slate Creek
by means of gravity pipe
within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 32 T27N-R2E B.M., Idaho County

to be used from Apr 1 to Oct 15 for irrigation of 3 acres and from
~~XXXX~~ Jan 1 to Dec 31 for power generation

within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 32 T27N-R2E 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 Resources, Statehouse, Boise, Idaho, 83720, on or before November 1, 1976.

R. KEITH HIGGINSON

Director

Published in the Idaho County Free Press, Grangeville, ID
October 13, 1976
on ~~XXXXXXXXXXXX~~ and October 20, 1976.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

October 8, 1976

Edward G. Rowland
P. O. Box 479
McCall, ID 83638

Dear Mr. Rowland:

Enclosed is your Receipt No. 5164 in the amount of \$ 25.00
for Application for Permit No. 79-7050 which was received in this
office on October 5, 1976.

Sincerely,

RITA BENDELE
Senior Clerk

RB

Enclosure

August 17, 1976

Re: Application for Permit

Edward G. &/or Agnes Rowland
P. O. Box 479
McCall, ID 83638

Dear Mr. & Mrs. Rowland:

We are returning your application and check No. 1591 in the amount of \$35.00.

We cannot accept an application for permit for both groundwater and surface water on the same application. If you wish to drill a well for domestic, you are not required to have a permit; but may if you wish to record your water right.

The maximum amount you are allowed to appropriate for irrigation is 0.02 cfs or 1 inch per acre, for ~~three~~ acres you would be allowed 0.06 cfs.

To appropriate water for power generation you must give proof that you are a bona fide resident of the State of Idaho. We have enclosed an ~~affidavit~~ to establish residence. Please complete the upper half and sign the affidavit before a Notary Public and return it with your new application.

We have provided new forms for filing your application/s and instructions with filing fee schedule. Please complete and return your application/s to this office as quickly as possible.

If you have any questions, please do not hesitate to contact this office.

Sincerely,

ERVIN E. BALLOU
Senior Water Resource Agent

EEB:rb

Enc.