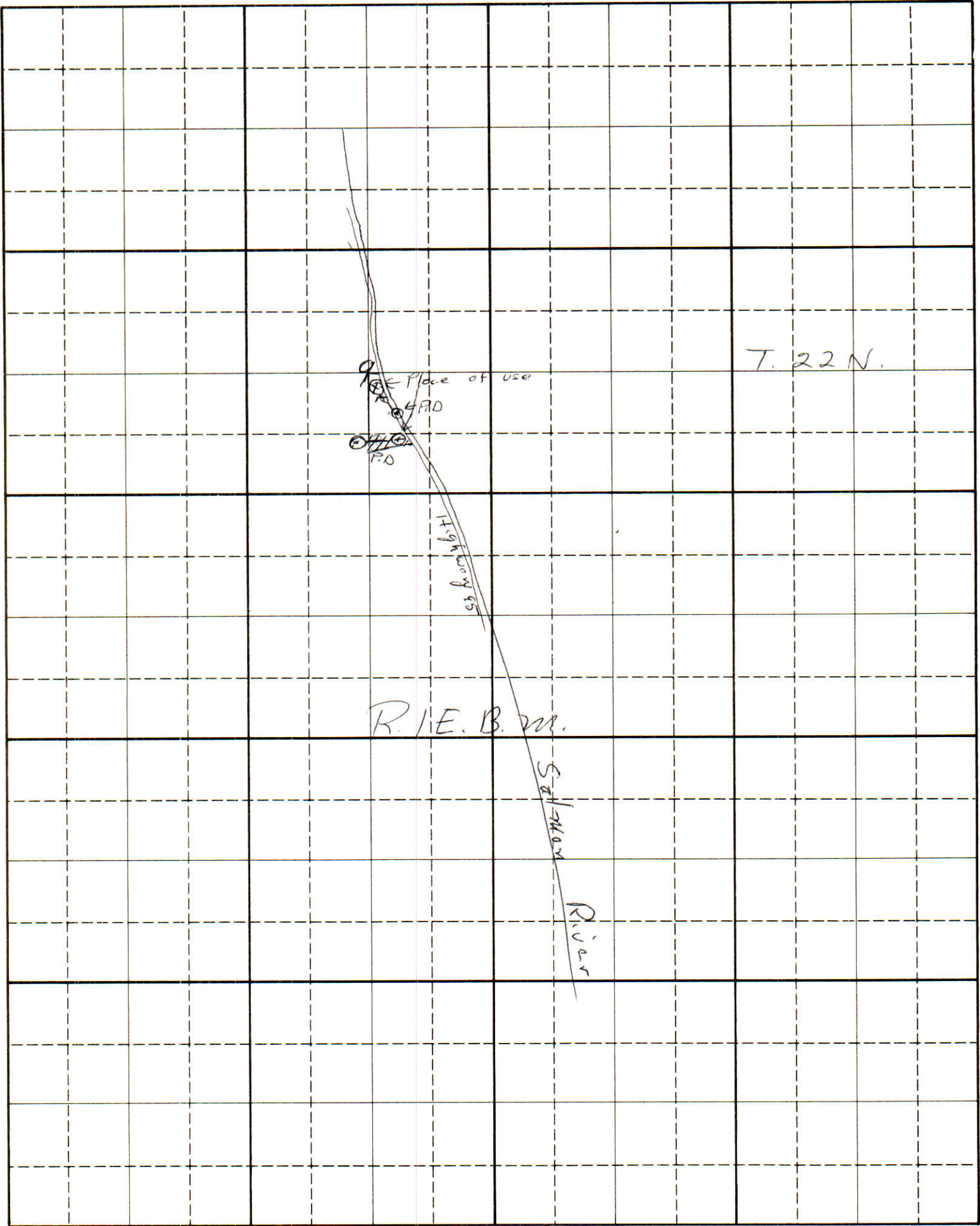


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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

Eva M. Childers
(Applicant)

RECEIVED

AUG 20 1973

Department of Water Administration

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

Leader, a newspaper; that a copy of the "Notice of Application

as per clipping

hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

two (2) consecutive weeks, the first publication of the

same being made in the issue dated August 9, 1973

and the last in the issue dated August 16, 1973 that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and 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" as aforesaid.

Subscribed and sworn to before me this 17th

day of August 19 73
Paul J. Braun

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that EVA M. CHILDERS, Box 753, McCall, Id. has on July 30, 1973 submitted Application No. 78-7041 for a permit to appropriate 2 cubic feet per second of water from two springs by means of pump, collection box & gravity system within the SE 1/4 SW 1/4 & NW 1/4 SE 1/4, Sec. 9, T. 22 N., R. 1 E., B.M., Adams County to be used from Jan. 1 to Dec. 31 for domestic use & May 1 to Oct. 1 for irrigation of 6 acres within the W 1/2 SE 1/4, Sec. 9, T. 22 N., R. 1 E., B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before August 27, 1973.

R. KEITH HIGGINSON
Director

Published in the Adams County Leader, Council, Idaho on August 9, 1973 and August 16, 1973.

OK'd
8-20-73

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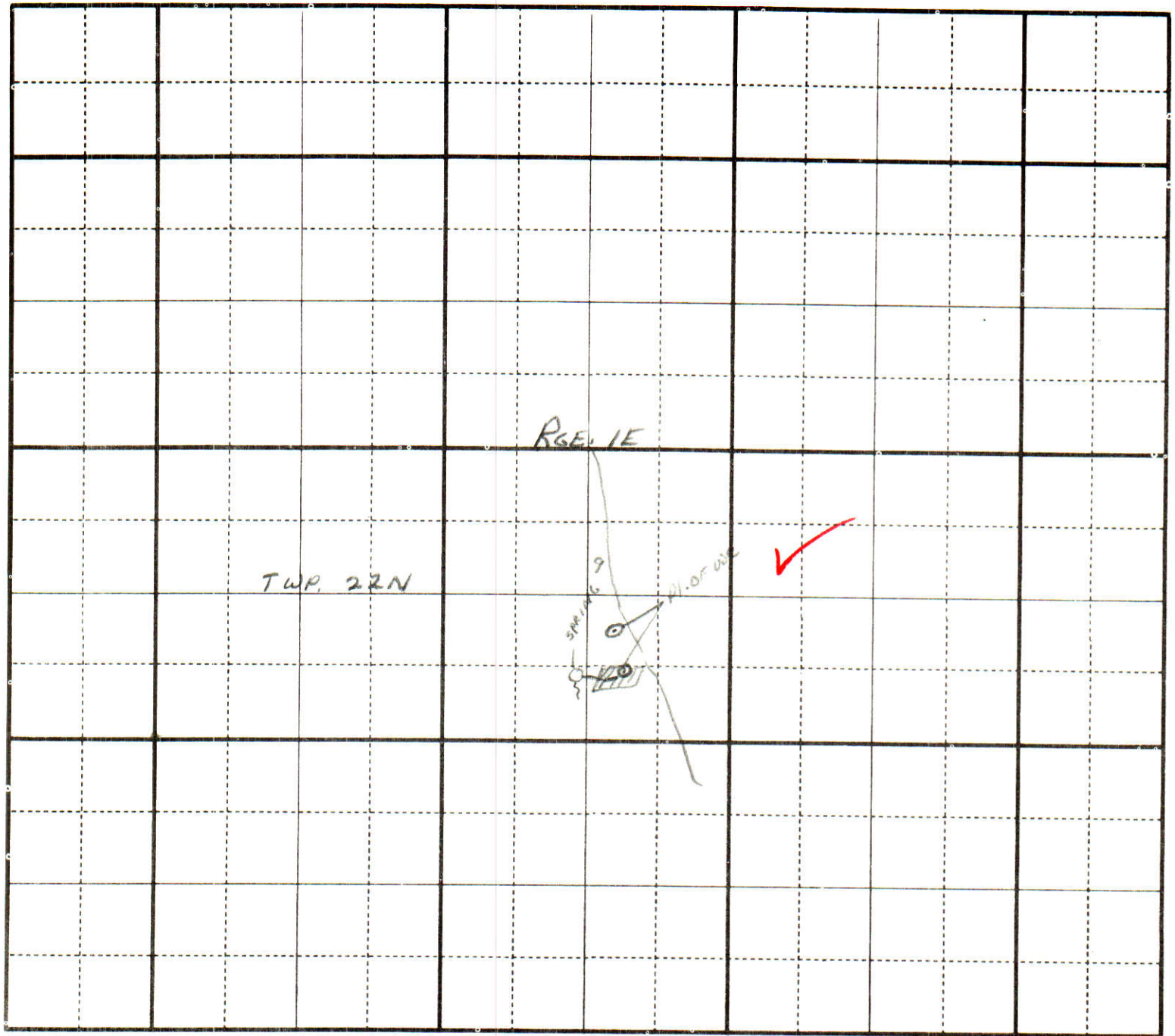


Diagram of System

NE 1/4 SW 1/4

NW 1/4 SE 1/4

6"x6"x30" Stone
1/16 Cor.

Eva M. Childers

SE 1/4 SW 1/4
B. L. M.

SW 1/4 SE 1/4

SW Prop. Cor.
S Prop. Line

Spring Box

N 86° 01' E
83.76'
Pipeline

S 31° 02' W
240.14'

N 17° 42' E
132.57'

73.65'

S 0° 03' E

Location Map of
Spring & Pipeline Easement
for Eva M. Childers
Located in SE 1/4, SW 1/4,
Sec. 9, T. 22 N., R. 1 E., B. M.,
Adams County, Idaho

Scale: 1" = 50'
Surveyed Nov. 1973 by
Donald L. Koskie R.L.S. 848

MICROFILMED

NE $\frac{1}{4}$ SW $\frac{1}{4}$

NW $\frac{1}{4}$ SE $\frac{1}{4}$

6"x6"x30" Stone
 $\frac{1}{16}$ Cor.

Eva M. Childers

SE $\frac{1}{4}$ SW $\frac{1}{4}$
B. L. M.

SW $\frac{1}{4}$ SE $\frac{1}{4}$

SW Prop. Cor.
S Prop. Line

Spring Box
N 86° 01' E
83.76'
Pipeline

S 31° 02' W
240.14'

N 17° 42' E
132.57'

S 0° 03' E

73.65'

Location Map of
Spring & Pipeline Easement
for Eva M. Childers
Located in SE $\frac{1}{4}$, SW $\frac{1}{4}$,
Sec. 9, T. 22 N., R. 1 E., B. M.,
Adams County, Idaho

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Scale: 1" = 50'
Surveyed Nov. 1973 by
Donald L. Koskie R.L.S. 848

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 78-7041 Priority July 30, 1973 Amount 0.03 cfs

THIS IS TO CERTIFY, that N. B. & Geraldine G. Willsey
of New Meadows, Idaho, has complied with the terms and conditions of Permit
No. 78-7041 issued pursuant to Application for Permit dated July 30, 1973,
and has submitted proof to the Department of Water Resources on April 10, 1979,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.03 cfs of water from a spring,
tributary to sinks, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>May 1</u> to <u>October 1</u>	at <u>0.03</u> cfs and	<u>2.1</u> acre feet
Domestic (2 Units)	from <u>January 1</u> to <u>December 31</u>	at <u>0.03</u> cfs and	<u>1.2</u> acre feet
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.03 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
10.3 acre feet per year, said waters to be diverted within the SE1/4 Section 9,
Twp 22N, Rge 1E in the County of Adams

Description and location of place of use:

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
22N	1E	9														X	X		
22N	1E	9															5		5

Total number of acres irrigated 5

X = domestic use

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CONDITIONS OF APPROVAL

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

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

c. Any water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water other than hydropower, within the State of Idaho initiated later in time than the priority of this license.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 10TH day of JANUARY, 19 86.

Acting for the Director Norman C Young

5/5
75

Department of Water Resources

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

We, Bert B. & Doris Babcock

I, _____, hereby assign to N.B. And Geraldine G. Willsey
of RT 1 New Meadows Id. 83654
1111 N. 5th Boise, Idaho Address

CHECK ONE



All my right, title, and interest in and to Permit No. 7041 78-7041
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 1 day of December, 19 77.

Bert B. Babcock
Permit Holder

Doris Babcock
Spouse of Permit Holder

OK
within

State of Idaho)
County of Idaho) ss.

On this 5 day of December, 19 77, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he ~~(she)~~ (they) executed the same.

seal

Stellita Heath
Notary Public residing at

Riggins, Idaho

My commission expires:

5/17/80

RECEIVED

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

DEC 4 1975

Department of Water Resources

I, Eva M. Childers, hereby assign to Bert B. & Doris Babcock
of Rte 1 New Meadows, Idaho
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 78-7041
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 40acre 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 18th day of Nov, 19 75.

Eva M. Childers
Permit Holder

Spouse of Permit Holder

S.C.
State of Idaho)
County of Flame) ss.

On this 18th day of November, 19 75, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that ~~he~~ (she) (~~they~~) executed the same.

seal

William Gregory J.
Notary Public residing at
Flame, S.C. 29501

My commission expires:
April 1, 1979

ASSIGNED TO:
Bert B. & Doris Babcock
Route 1
New Meadows, ID 83654
November 18, 1975

Identification No. _____
Application No. 78-7041

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

ASSIGNED TO: N.B. & Geraldine
Willsey, 1111 N. 5th, Boise
12-29-1977

APPLICATION FOR PERMIT

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

APPROVED

1. Name of applicant EVA M. CHILDERS
post office address Box 753, McCall, Idaho PH: 634-2470 day
634-2907 evening
2. Source of water supply Springs (2) which is a tributary of sinks'
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 9 Township 22 N
Range 1 E B.M. Adams County; additional points of diversion if any: _____
NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9, T. 22 N., R. 1 E., B.M.
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.08 for Domestic purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.12 for Irrigation purpose from May 1 to Oct. 1 (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. 0.20 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Pump to northern resident. Collection
box & gravity system to other home.
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 500.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SW SE
NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 9 Township 22 N
Range 1 E B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

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

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
22 N	1 E	9															6		6

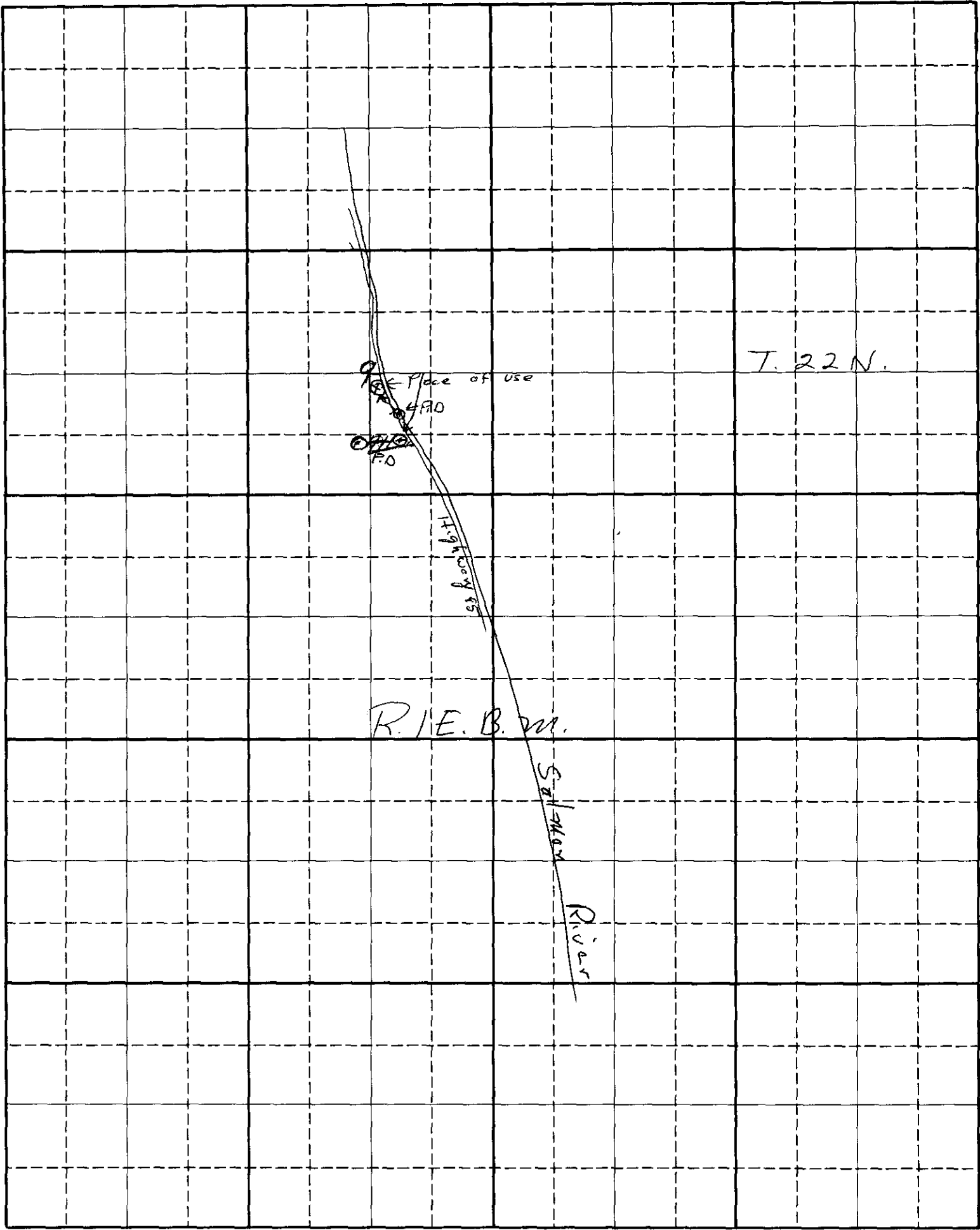
Total number of acres to be irrigated 6

c. Describe any other water rights used for the same purposes as described above. None

9. a. Who owns the property at the point of diversion B.L.M. & 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 Existing pipeline on B.L.M. land. 2nd spring on applicant's property.

10. Remarks One home will be built in each of the above subdivision.

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



Scale: 2 inches equal 1 mile

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

Eva M. Childers
(Applicant)

Proposed Priority 7-30-1973

Received by RWH Date 7-30-73 Time 4:45 P.M.
Preliminary check by RWH Fee \$ 10.00 Lot # 11434
Receipted by ef Date 7-30-73
Publication prepared by ef Date 8-3-73
Published in Clatsop County Leader
Publication dates 8-9 + 8-16-73
Publication approved ef Date 8-20-73
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by JYS

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 78-7041, 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 March 1, 19 80.
- c. Other: _____

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

Witness my hand this 6 day of March 19 75.

R. Karl Hjort
Director

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

Leader, a newspaper; that a copy of the "Notice of Application

as per clipping

hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

two (2) consecutive weeks, the first publication of the

same being made in the issue dated August 9, 1973

and the last in the issue dated August 16, 1973 that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and 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" as aforesaid.

Subscribed and sworn to before me this 17th

day of August, 1973

Rue Braun

Notary Public for Idaho,
Residing at Council, Idaho

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that
EVA M. CHILDS, Box 763,
McCall, Id has on July 30, 1973
submitted Application No. 78-
7041 for a permit to appropriate
2 cubic feet per second of water
from two springs by means of
pump, collection box & gravity
system within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ &
NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9, T. 22 N., R. 1
E., B.M., Adams County to be
used from Jan. 1 to Dec. 31 for
domestic use & May 1 to Oct. 1
for irrigation of 8 acres within
the W $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9, T. 22 N., R.
1 E., B.M.

If issued, this permit will be
subject to all prior water rights.
Protests against the granting of
the permit must be filed with the
Idaho Department of Water Ad-
ministration, Statehouse, Boise,
Idaho, 83707, on or before August
27, 1973.

R. KEITH HIGGINSON

Director

Published in the Adams Coun-
ty Leader, Council, Idaho on
August 9, 1973 and August 16,
1973.

OK'd
8-23-73

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WRR100
78-7041

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

01 WATER RIGHT NUMBER - 78-7041 02 OLD (D) NUMBER -

03001 - CHILDERS
03002 - WILGSEY
03003 - WILGSEY

FIRST NAME
04001 - EVA M.
04002 - N. B.
04003 - GERALDINE G.

ORIG. OWNER
05001 - D
05002 - C
05003 - C

06 ADD LINE 1 - FT. ✓

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - NEW MEADOWS

12 STAGE - 1 LICENSE ✓

13 STATUS -

10 STATE - ID 11 ZIP - 83654

14001 - SPRING
SOURCE

TRIBUTARY OF
15001 - SINKS

16 DIVERSION MEANS - PUMP, COLLECTION BOX & GRAVITY FLOW.

17 COUNTY - 03 ADAMS

18 DIVERSION CAPACITY - .030

19 TOTAL DIVERSION RATE - .050

20 TOTAL DIVERSION VOLUME - 10.30

21 WATER DISTRICT -

TRACT SEC TWN RNG DIVERSION POINTS LOT RFLG STREAM INDEX FIELDS
22001 - SFSM 23001 - 09 24001 - 22N 25001 - 01E 26001 - 27001 -
28001 - 0 272.0 92.0 104.0 0.0 0.0 0.0 0 0 13.3
24 NON-IRRIGATION USE - D/2 HOMES.

USE CODE / USE TRACT ACRES LOT
30001 - 43 DOMESTIC 31001 - 22N 32001 - 01E 33001 - 09 34001 - NWSE 35001 - 36001 -
30002 - 43 DOMESTIC 31002 - 22N 32002 - 01E 33002 - 09 34002 - SWSE 35002 - 36002 -
30003 - 01 IRRIGATION 31003 - 22N 32003 - 01E 33003 - 09 34003 - SWSE 35003 - 05 36003 -
TOTAL ACRES: 5

PERIOD FROM PERIOD TO USE CODE / USE WATER USE DIVERSION RATE DIVERSION VOLUME
37001 - 0501 38001 - 1001 39001 - 01 IRRIGATION 40001 - 0.030 41001 - 9.10
37002 - 0101 38002 - 1231 39002 - 43 DOMESTIC 40002 - 0.030 41002 - 1.20

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

REMARKS

44001 -

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

47 PRIORITY - 30-JUL-1973 55 LICENSE - 10-JAN-1986 63 TRANSFER/AMENDED -
48 PROOF DUE - 1-MAR-1980 56 APPL RECEIVED - 64 DLF/CAREY ACT -
49 PROOF MADE - 1-JAN-1900 57 FIELD EXAM MADE - 65 FLAG_1 -

*RR100
78-7041

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 2
4-MAR-1986 20:01:23

P A T F S		D A T F S		F L A G S	
50	APPROVE/DENIED	6-MAR-1975	58	DECKEE	-
51	PROTESTED	-	59	START WORK	-
52	HEARING	-	60	ORDER SHOW CAUSE	-
53	VERIFIED	-	61	DATE_1	-
54	LAST UPDATE	4-MAR-1986	62	DATE_2	-
			66	FLAG_2	-
			67	FLAG_3	-

28/5/86
[Signature]

January 13, 1986

RE: Permit No. 78-7041

N. B. & Geraldine G. Willsey
Rt. 1
New Meadows, ID 83654

Dear Mr. and Mrs. Willsey:

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

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

MICROFILMED

December 12, 1985

RE: Permit No. 78-7041

N.B. & Geraldine G. Willsey
Rt. 1
New Meadows, ID 83654

Dear Permit Holder(s):

A representative of this Department made an examination of the works covered by your Permit No. 78-7041 and has found the following:

Amount of water that can be recognized as beneficially used
under Idaho law: 0.03 cfs Source: a spring trib to sinks

The maximum quantity diverted shall not exceed 10.3 acre feet
per year.

Point(s) of diversion: SESW, Sec. 9, Twp 22N, Rge 1E

Beneficial Use: Domestic use for 2 units within W1/2SE1/4, Sec.
9; and irrigation of 5 acres within SWSE, Sec. 9; Twp 22N, Rge
1E

Priority date established: July 30, 1973

Conditions (if any):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

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FIELD REPORT

3. Water will be used for the following purposes:

Permit No. 18-1041
Examination for 6/a

- TOTAL ACREAGE

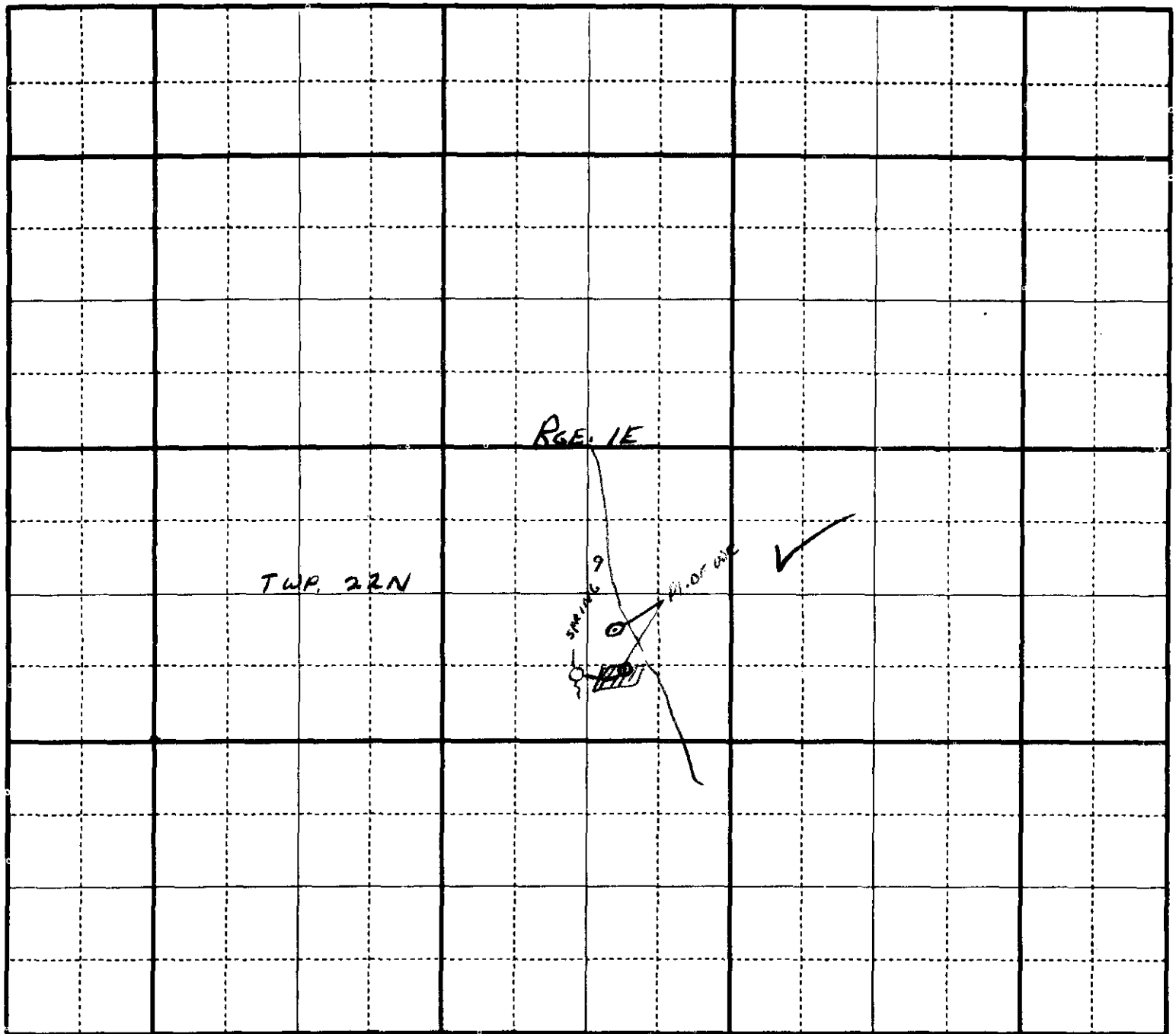


Diagram of System

DATE OF EXAM 9/22/82

ACREAGE
Found 5 AC ✓
Recommended 5 AC ✓

Irrigation Requirement 3.0 ✓ Ac Ft/Ac

153 day
irrig. season

USE
✓ Irrigation Q = 0.03 ✓ c.f.s. V = 9.1 ✓ AF/Ann. from 5-1 to 10-1
✓ Domestic Q = 0.03 ✓ c.f.s. V = 1.2 ✓ AF/Ann. from 1-1 to 12-31
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no _____

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

Exchange? yes _____ no _____

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

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

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

Total Q measured 0.03 CFS ✓ Method of measurement _____

Total Q recommended 0.03 CFS ✓ Meter No. _____ Type _____ Condition _____

Total V recommended 10.3 AF ✓

Recommended Amendments:

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

MEASUREMENT CALCULATION:

12 GPM = 0.03 CFS ✓
 $1.9835 \times 0.03 \times 153 = 9.10 \text{ AF}$
 $1.98 \times 0.03 \times 153 \text{ DAYS} = 9.08 \text{ AF} < 5 \times 3 = 15 \text{ AF}$ ✓
DOMESTIC (2 IN-HOUSE USES) = 1.2 AF ✓

SYSTEM DESCRIPTION:
GALVANIZED PIPE IN SPRING TO PVC PIPELINE BURIED APPROX. 1000' STRAIGHT DOWN (3" TO 1 1/4" PIPE) + INTO RESERVOIR (CEMENT STRUCTURE) THEN THRU PIPE (PVC) SPRINKLERS W/ PIPELINES TO BOTH HOMES. FLOW MEASURED AT SPRING W/ GALLON BUCKET + STOP WATCH - 1 GALLON IN 5 SEC = 12 GALLONS PER MINUTE = 0.03 CFS.

REMARKS:
SPRING IN THE SESEW SEC. 9, TWP. 22N, RGE. 1E.
THE OTHER SPRING WAS NOT DEVELOPED. THIS SPRING IS THE OLD SPRING WHICH SUPPLIED THE NURSING HOME THAT BURNED DOWN.

Examiner's Signature Jan Grover Date 2/16/83
Checked by DBS Date 2/25/83
Approved by Kay Walker Date 11-13-85

MICROFILMED

IDENT. NO. 178-7041

WATER RIGHT
DATA ENTRY LOG

[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS

Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED

Director

(208) 384-2190

August 8, 1979

N. B. &/or Geraldine G. Willsey
Route #1
New Meadows, ID 83634

RE: Permit No. 78-7041

Dear Mr. and Mrs. Willsey:

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

Before a license can be issued, a field examination must be made by a representative of this Department.

☐ A field examination of your system has been scheduled for

If this time and date is not convenient for you, please contact this office as soon as possible.

☒ A field examiner will contact you to arrange to examine your system.

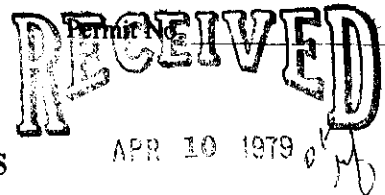
If you have any questions regarding the field examination, please contact this office.

Sincerely,

Kay Walker
Secretary

MICROFILMED

Identification No. _____



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE Department of Water Resources

1. a) Name of Permit Holder N. B. AND GERALDINE G. WILLSEY 628-3871
b) Post Office Address Route 1, New Meadows, ID
2. Permit Number 78-7041
3. Date of Priority that you are prepared to establish 7-30-73
4. a) Source from which water was appropriated springs 2
b) Location of the point of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 9
Township 22N, Range 1E Boise Meridian, Other points of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9, Twp. 22N, Rge. 1E
5. a) The amount of water and use to which the water has been applied:
Amount 0.08 for domestic purposes from 1-1 to 12-31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount 0.12 for irrigation purposes from 5-1 to 10-1 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 0.2 cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: _____
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:
Existing pipeline on BLM land
b) Describe the agreement or understanding by which you take water from the works:
Special use permit
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch)
pump and pipeline, collection box
b) Describe the type and size of measuring device which you have installed at your point of diversion:
N/A
c) Give well driller's name and address and the date the well was completed: _____
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:
domestic use for two households

RECORDED

Exam _____

7/6/77

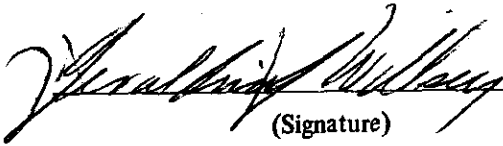
9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
22N	1E	9															6		6

Total number of acres irrigated 6

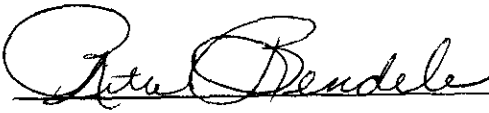
10. Remarks: Existing pipeline on BLM land. Second spring on applicant's property.

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

4-10-79
(Date) 
(Signature)

State of Idaho)
) ss.
County of Ada)

On this 10th day of April, 19 79, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.


Notary Public residing at _____
Boise, ID _____

My commission expires 3-8-80

Mrs. F. M. Childers
Route 1, Box 355B
Florence, S.C. 29501



State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

MICROFILMED

January 4, 1978

Re: Permit No. 78-7041

N.B. & Geraldine G. Willsey
1111 No. 5th
Boise, Idaho 83702

Dear Mr. & Mrs. Willsey:

We acknowledge receipt of the assignment conveying the above referenced permit to you. The assignment has been entered into the Department's records.

Sincerely,

JAN GROVER
Supervisor, Water Rights

JG:JFR

December 10, 1975

Re: Permit No. 78-7041

Bert B. & Doris Babcock
Route 1
New Meadows, ID 83654

Dear Mr. & Mrs. Babcock:

We acknowledge receipt of the assignment conveying the above referenced permit to you. The assignment has been recorded and the Department's records changed.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:rb

Enc.: Copy of permit

November 4, 1975

Re; Permit No. 78-7041

Mrs. Heath
Heath Realty
Box 362
Riggins, ID 83549

Dear Mrs. Heath:

Pursuant to our telephone conversation, enclosed is a copy of the above referenced permit and two assignment forms.

If you should need assistance completing the assignment forms, please contact us.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:rb

Enc. permit
assignment forms (2)

March 7, 1975

Re: Permit No. 78-7041

Eva M. Childers
Box 753
McCall, Idaho 83638

Dear Ms. Childers:

Enclosed is a copy of your approved Application for Permit No. 78-7041. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosure

ENCLOSURE

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>CEB</u>	<u>2 Aug</u>	Application No. <u>287041</u>
(2)			☐ 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
(3)	<u>CEB</u>	<u>2 Aug</u>	In form to receipt
	<u>CEB</u>	<u>2 Aug</u>	Send Copies to: ☐ Idaho State Health Department ☒ Idaho Fish and Game Department ☒ Bureau of Land Management
(4)	<u>CEB</u>	<u>2 Aug</u>	☐ Request Special Use Permit from U.S.F.S. ☒ Request Easement from B.L.M. ☐ Request Information from Applicant
(5)	<u>CEB</u>	<u>2 Aug</u>	In form for advertising <u>OK</u>
(6)			Located within Water District No. _____
(7)	<u>NA</u>		Critical groundwater area: yes _____ no _____
(8)			Groundwater levels: ☐ Decline (comment) _____ ☐ Stable (comment) _____ ☐ Increasing (comment) _____
(9)			Comments: _____
(10)	<u>df</u>	<u>8-20-73</u>	Affidavit of Publication received (date) <u>OK</u>
(11)	<u>CEB</u>	<u>2/24/75</u>	Final date for protests <u>Aug 27, 1973</u> Protests received: yes _____ no ☒
(12)	<u>CEB</u>	<u>NA</u>	Date and Place of hearing _____ Decision reached at hearing _____
(13)	<u>CEB</u>	<u>2/24/75</u>	All requested information received from agencies or applicant yes ☒ no _____
(14)	<u>CEB</u>	<u>2/24/75</u>	Action recommended: ☒ Approve ☐ Deny Reason for Reduction _____ ☒ Measuring device required ☐ See attached sheet for additional conditions of approval ☒ No additional conditions for approval
(15)	District <u>Western</u>	By <u>J. Barker</u>	Date <u>2/24/75</u>

MICROFILMED

RECOMMENDED

CONDITIONS OF APPROVAL

- ☐ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.
- ☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.
- ☐ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.
- ☐ Maximum rate of diversion shall not exceed _____ c.f.s.
- ☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.
- ☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.
- ☐ Use of water under this permit is subject to control by the watermaster of State Water District No. _____, _____ River.
- ☐ The proposed well shall not be drilled within _____ feet of another well.
- ☐ The issuance of this permit in no way grants any right-of-way or easement across the land of another person.
- ☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.
- ☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.
- ☐ Other: _____

MICROFILMED

L. M. Childers
Box 75-3
We call - 83630

Department of Water Administration

State House - Annex 2

Basel
Detroit - 83707

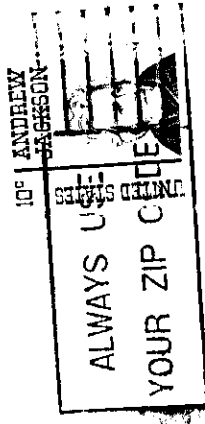
UNRECORDED

RECEIVED

JAN 18 1974

LOCAL
JAN 16
WD
1974
83638

E. M. Childers
Box 753
McCull-Idaho 83638



State of Idaho
Dept. of Water Administration
State - Annex 2
Boise,
Idaho 83707

UNDELIVERED

Department of Water Resources

February 19, 1975

78-7041

State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

Dear Mr. Booker:

I received your letter regarding my application for water rights at Paradise Pines.

I received my special use permit from the BLM rather than the Forest Service, as the spring was on BLM land. Since it arrived just before I came to South Carolina for an extended visit, I did not bring it with me. Could you possibly write or call the BLM office there in Boise for verification and then process the necessary papers?

Thank you very much for your attention in this matter.

Sincerely,

Eva M. Childers

Mrs. E. M. Childers
Route 1, Box 355B
Florence, S.C. 29501

Granted October 10, 1974

4EP

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NE $\frac{1}{4}$ SW $\frac{1}{4}$

NW $\frac{1}{4}$ SE $\frac{1}{4}$

6"x6"x30" Stone
 $\frac{1}{16}$ Cor.

Eva M. Childers

SE $\frac{1}{4}$ SW $\frac{1}{4}$
B.L.M.

SW $\frac{1}{4}$ SE $\frac{1}{4}$

SW Prop. Cor.
S Prop. Line

Spring Box
N 86° 01' E
83.76'
Pipeline

S 31° 02' W
240.14'

N 17° 42' E
132.57'

73.65'

S 0° 03' E

Location Map of
Spring & Pipeline Easement
for Eva M. Childers
Located in SE $\frac{1}{4}$, SW $\frac{1}{4}$,
Sec. 9, T. 22 N., R. 1 E., B.M.,
Adams County, Idaho

Scale: 1" = 50'
Surveyed Nov. 1973 by
Donald L. Koskie R.L.S. 848

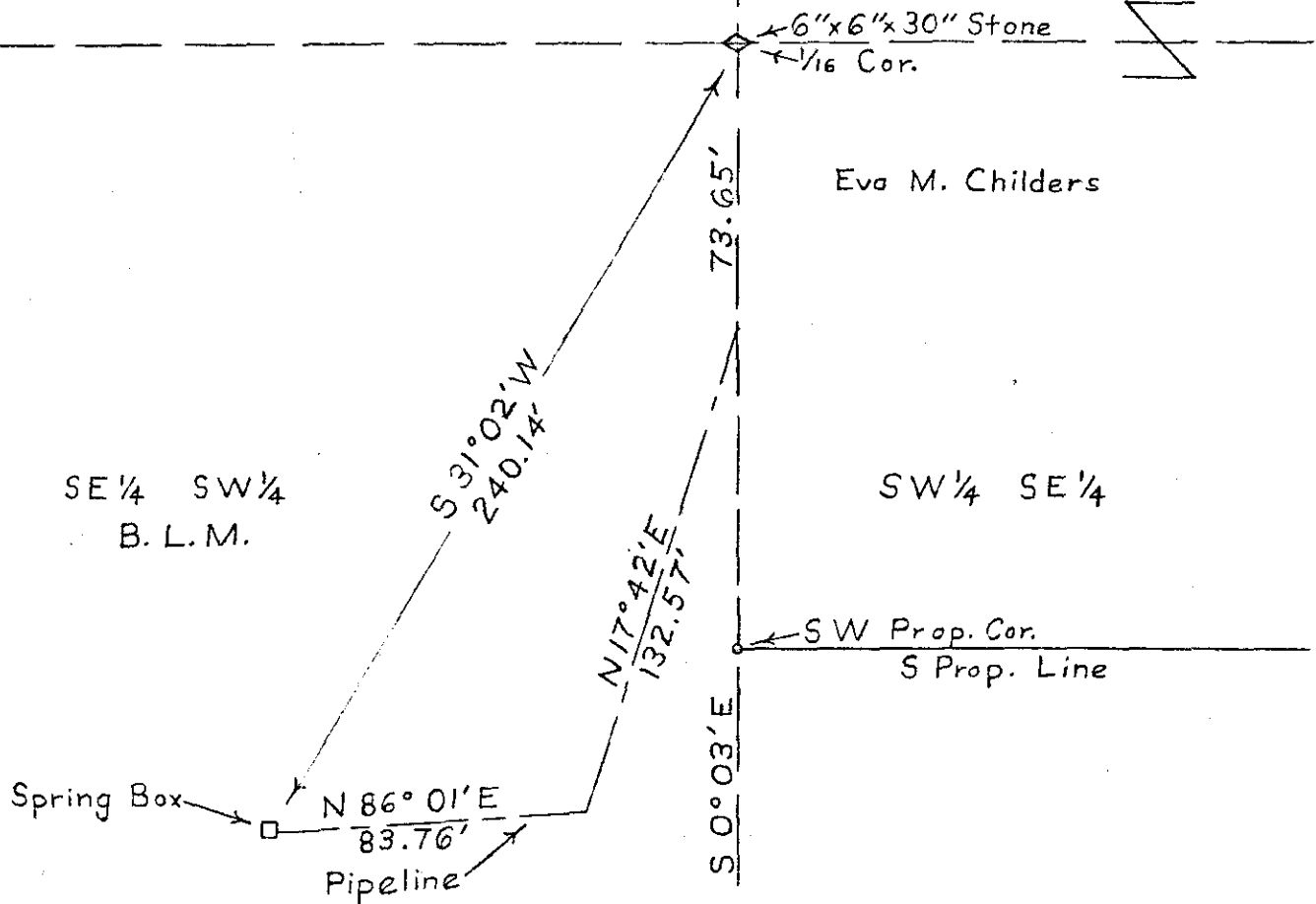
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NE 1/4 SW 1/4

NW 1/4 SE 1/4



SE 1/4 SW 1/4
B. L. M.



Location Map of
Spring & Pipeline Easement
for Eva M. Childers
Located in SE 1/4, SW 1/4,
Sec. 9, T. 22 N., R. 1 E., B. M.,
Adams County, Idaho

NOT RECORDED

Scale: 1" = 50'
Surveyed Nov. 1973 by
Donald L. Koskie R.L.S. 848

SCHEDULE A

The fee simple title to said lands, is at the date hereof, vested in:

EVA M. CHILDERS, a widow,

RECEIVED

MAY 17 1936

Department of Water Administration

The land referred to in this policy is described as: Adams County, Idaho.

Township 22 North, Range 1 East; Boise Meridian.

Section 9: A tract of land in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ more particularly described as commencing at the northwest corner of the parcel of land as conveyed to Idaho Savings and Loan Association (deed recorded in Book 27 Deeds, page 350, records of Adams County, Idaho), which corner is the westerly terminus of the northerly boundary of said parcel of land so owned by Idaho Savings and Loan Association and which line constitutes the common boundary line between Idaho Savings and Loan Association and the land owned by James Newton Salter and Stella Mae Salter, husband and wife, (recorded in Book 1 Probates Affecting Real Estate, page 273, records of Adams County, Idaho); thence due East along said common boundary line to a point intersecting the westerly boundary line of the Right-of-way of the former North and South Highway (U.S. 95, F.A.P. No. 9-C, 1936); thence 75 feet in a Northwesterly direction along said right-of-way to a point; thence 50 feet due easterly to a point; thence 150 feet in a Northwesterly direction on a line parallel to said North & South Highway right-of-way (formerly U.S. 95) to a point; thence due West and parallel to the southerly line of said parcel to a point which is N.0°03'W. from the Northwest corner of the parcel owned by Idaho Savings and Loan Association, and along a parallel course to the North boundary line of said parcel owned by said Idaho Savings and Loan Association; thence S.0°03'E. to the point of beginning.

MICROFILMED

SCHEDULE B

This policy does not insure against loss by reason of the matters shown or referred to in this Schedule except to the extent that the owner of any mortgage or deed of trust is expressly insured in Paragraphs numbered 3 and 4 on page 1 of this policy.

1. Rights or claims of persons in possession or claiming to be in possession, easements, liens or incumbrances including material or labor liens, which are not shown by the public records; reservations in patents or state grants; or in acts authorizing the issuance thereof; mineral rights, water rights, claims or title to minerals or water.

2. Questions of location, boundary and area; overlaps and encroachments by improvements belonging to these or adjoining premises; all dependent upon actual survey for determination.

3. Assessments which are not shown as existing liens by the public records; taxes not yet payable; pending proceedings for vacating, opening or changing streets or highways preceding entry of the final ordinance or order therefor.

4. Any laws, governmental acts or regulations, including but not limited to zoning ordinances, restricting, regulating or prohibiting the occupancy, use or enjoyment of the land or any improvement thereon, or limiting the height of improvements, or prohibiting a reduction in the dimensions or area, or separation in ownership, of any lot or parcel of land; or the effect of any violation of any such restrictions, regulations or prohibitions.

5. Taxes for the year 1969 which are a lien; but not yet due or payable.

6. Questions of survey, water locations, water rights, and mining rights.

7. An easement for pole lines, dated December 22, 1932, recorded January 6, 1933, between R. Newby and the Mountain States Telephone and Telegraph Company, recorded in Book 3 Miscellaneous, page 372, records of Adams County, Idaho.

8. An easement for lines with right of ingress and egress including right to remove trees and brush, between J.N. Salter and Stella Mae Salter, husband and wife, and Idaho Power Company, by instrument dated February 8, 1961, recorded August 7, 1961, in Book 6 Miscellaneous, page 22, Instrument No. 41226, records of Adams County, Idaho.

9. The right to use, for household, domestic purposes only, water from springs, reservoir and pipe line, supplying (former) Paradis Pines Rest Home, and for so long as said springs should continue to flow sufficient for household and domestic purposes, as conveyed in deed from J.N. Salter, Jr. and Stella Salter, husband and wife, to J.J. Mohr and Iragard Mohr, husband and wife, by instrument dated August 26, 1960, recorded September 19, 1960, in Book 25 Deeds, page 259, Instrument No. 40525, records of Adams County, Idaho.

10. A perpetual easement for ingress and egress for road as now established, by instrument dated May 31, 1967, between Robert J. Salter, Administrator of the Estate of J.N. Salter, and Stella Mae Salter, widow, and the Idaho Savings and Loan Association, recorded Aug. 10, 1967, in Book 1 Probate Record Orders Affecting Real Estate, page 273, also substantially as follows: ...first party shall have use of a garage that straddles the boundary line only for so long as second party choses to leave said structure standing, second party may remove said structure at its option and without any liability to the first parties for its removal.

RECORDED

January 20, 1975

Mrs. Eva M. Childers
Box 753
McCall, ID 83638

Re: Application for Permit No. 78-7041

Dear Mrs. Childers:

We are still holding your application for water right pending your submitting a copy of an approved special use permit from the Forest Service.

If you have obtained that permit, please forward a copy to this office. Please notify us if the permit has not yet been approved and when approved can be expected.

We will hold this application for an additional 30 days awaiting the requested information. At the end of that period of time we will return your application to you. You may then resubmit it when you have the necessary easement. It will at that time be treated as a new application.

If we can be of further assistance in this matter, please feel free to contact this office.

Sincerely,

JAMES E. BOOKER
W.R. Technician

JEB:jg

MICROFILMED

September 19, 1974

Mrs. Eva M. Childers
Box 753
McCall, ID 83638

Re: Application for Permit No. 78-7041

Dear Mrs. Childers:

We are still holding your application for water right pending your submitting of a special use permit from the B.L.M.

Have you heard anything further from the B.L.M. concerning the status of that special use permit? Please let us know if and when it might be approved.

Please feel free to contact this department, if we can be of any assistance in this matter.

Sincerely,

JAMES E. BOOKER
W. R. Technician

JEB:cla

MICROFILMED

March 20, 1974

Eva M. Childers'
Box 753
McCall, ID 83638

Re: Application for Permit No. 78-7041

Dear Ms. Childers:

We are still holding your application for water right pending your sending us a copy of your Special Use Permit.

Please notify us at the first opportunity as to the status of your Special Use Permit.

If we can be of further assistance, please contact this office.

Sincerely,

JAMES L. BOONE
J. L. Technician II

JEB:df

MICROFILM

August 6, 1973

Eva M. Childers
Box 753
McCall, Idaho 83638

RE: Application for Permit No. 78-7041

Dear Ms. Childers:

During the processing of your Application for Permit, we have noted that your point of diversion is located on Bureau of Land Management land.

Before we can make the final approval of your application, it will be necessary for you to supply this department with a copy of your special use permit granted by the B. L. M.

If we can be of any further assistance in this matter, please feel free to contact this Department.

Sincerely,

KENNETH H. FOIT, P. E.
Western District Engineer

KHF:def

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor
R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215
Western District Office



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

August 3, 1973

Adams County Leader
Council
Idaho 83612

Re: Application for Permit No. 78-7041 - Eva M. Childers

Gentlemen:

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

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

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

(signature of claimant)

Sincerely,

Bill submitted 8-20-73 df

MICROFILMED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that EVA M. CHILDERS, Box 753, McCall, Id.

has on July 30, 1973 submitted Application No. 78-7041
for a permit to appropriate .2 cubic feet per second ~~XXXXXXFEET~~
~~PER SECOND~~ of water from two springs
by means of pump, collection box & gravity system
within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ & NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9,,T. 22 N., R. 1 E., B.M., Adams County

to be used from Jan. 1 to Dec. 31 for domestic use & May 1 to Oct. 1
for the irrigation of 6 acres

within the W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 9, T. 22 N., R. 1 E., B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before August 27, 1973.

R. KEITH HIGGINSON

Director

Published in the Adams County Leader, Council, Idaho
on August 9, 1973 and August 16, 1973

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