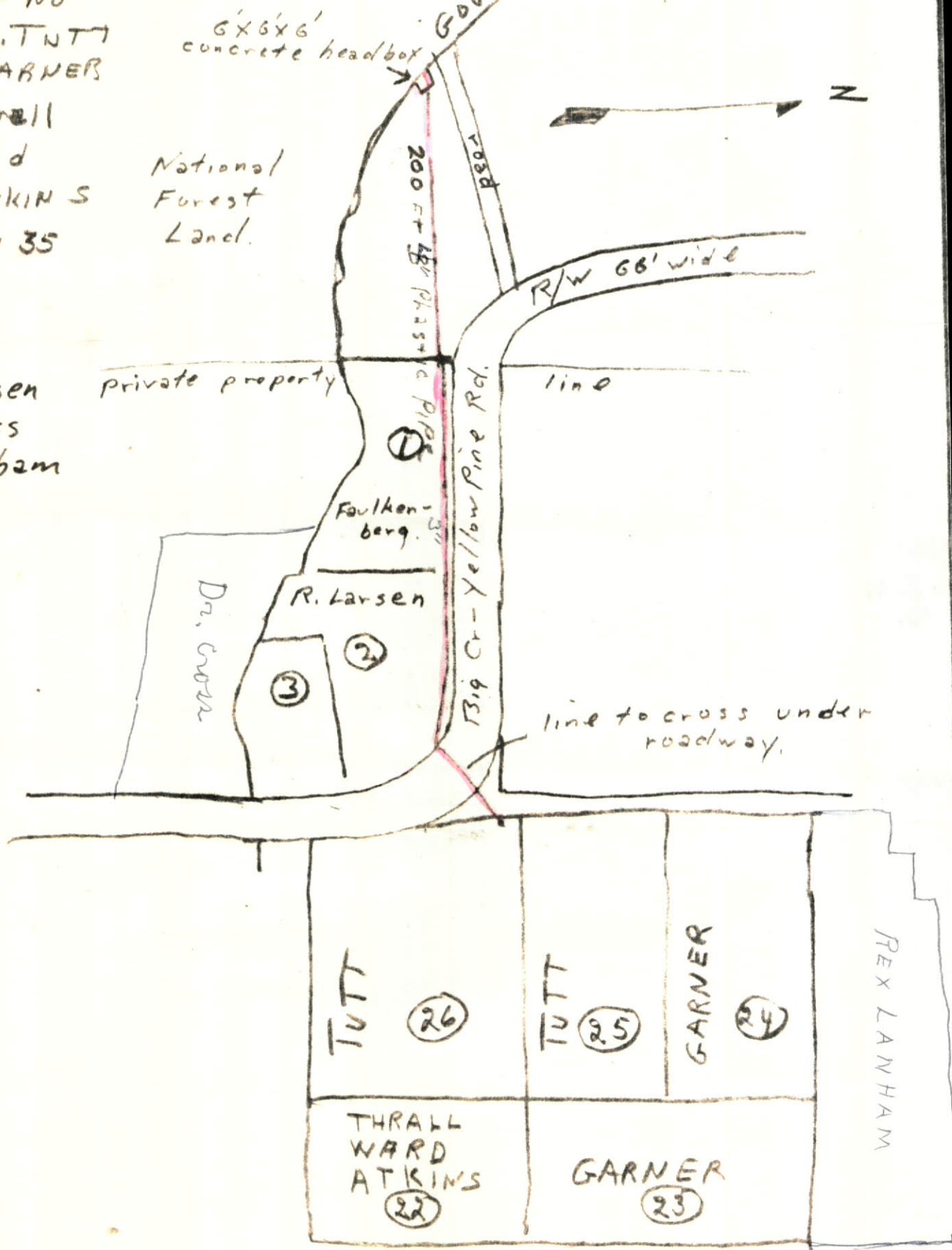


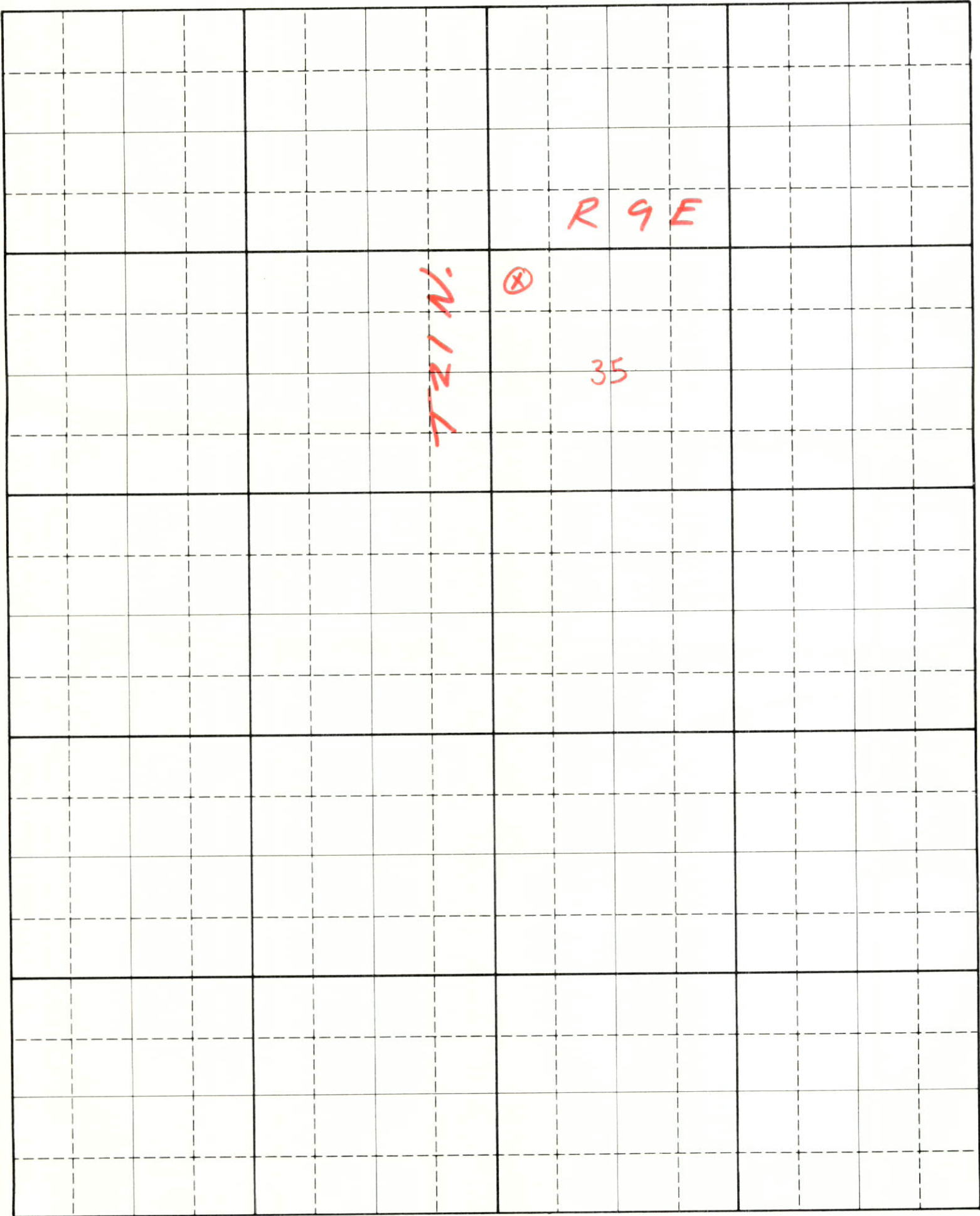
PIPE LINE WORKS

Permit No
ALVIN M. TUTT
Harry GARNER
Ray Thrall
E. Ward
Jim ATKINS
Section 35
T-21N
R-9E

Ray Larsen
Dr. Cross
Rex Lanham



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.

Larry Garner Manager of
(Applicant)
Government or water users
association 77 7031

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO)
) ss.
County of Valley)

Donald E. McMahan, being first duly sworn, deposes and says: That he is the co-publisher of the Star-News, a weekly newspaper published at Cascade and McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began January 18, 1973, and ended January 25, 1973.

Subscribed and sworn to before me a Notary Public in and for the County of Valley, and the State of Idaho, this 26th day of January, 1973.
Donald E. McMahan, Notary Public.
My commission expires 1974.

77 7001

RECEIVED
FEB 1 1973

Department of Water Administration

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Government Creek Water Users Assoc., Larry Garner, Mgr., P.O. Box 221, McCall, Idaho has on Jan. 8, 1973 submitted Application No. 77-7031 for a permit to appropriate 0.30 cubic feet per second of water from Government Creek, trib. to Logan Creek by means of tank & pipeline within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, T. 21 N., R. 9 E., B.M., Valley County to be used from April 1 to Dec. 1 for domestic purposes within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, T. 21 N., R. 9 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 Feb. 5, 1973.

R. KEITH HIGGINSON
Director

Published in the Star-News, McCall, Idaho on Jan. 18, 1973 and Jan. 25, 1973.

OK. dl
2-1-73

We, the undersigned owners of land within the plat described in Article II hereof, do hereby adopt the foregoing constitution and by laws of Government Creek Water Users Association and agree to be bound thereby.

Dated this 8th day of May, 1973.

Ray Larsen

Box 3071 Nampa
83651

Graydon O. Cross, M. D.

624 6th Ave So Nampa, Idaho
83651

Alvin Harold Tutt

358 Brightwood Ave
Chula Vista, Ca.
92010

Ray Thrall

James B. Adkins

Ernest E. Ward

Lawrence E. Garner

P.O. Box 221
McCall, IDA.

Catherine L. Gillihan

Rt 2 Box 242
Emmett

Catherine L. Gillihan

83017

John H. Truksa

1605 Park Ave Nampa
83651

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 77-7031 Priority January 8, 1973 Amount 0.04 cfs

THIS IS TO CERTIFY, that Government Creek Water Users Assoc.
of McCall, Idaho, has complied with the terms and conditions of Permit
No. 77-7031 issued pursuant to Application for Permit dated January 8, 1973,
and has submitted proof to the Department of Water Resources on September 19, 1977,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.14 cfs of water from Government Creek,
tributary to _____, 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
Domestic (6 Units)	from January 1 to December 31	at 0.04 cfs	and 0.6 acre feet
	from _____ to _____	at _____ cfs	and _____
	from _____ to _____	at _____ cfs	and _____

(both dates inclusive)

Subject, however, to the condition that no more than 0.04 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
0.6 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35,
Twp 21N, Rge 9E in the County of Valley

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
21N	9E	35																	

Total number of acres irrigated _____

This right when combined with License 77-7025 shall not exceed 0.14 cfs
and 3.6 acre feet per annum.

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 4TH day of
April, 19 84.

Acting for the Director

Norm C Young

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF REMOVAL OF THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 77-7031
IN THE NAME OF GOVERNMENT CREEK WATER USERS
ASSOCIATION, LARRY GARNER, MANAGER

ORDER

WHEREAS, on January 8, 1973, the Government Creek Water Users Association filed with the Department of Water Resources an application for permit to appropriate 0.30 cubic feet per second of water from Government creek, to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, Twp. 21N, Rge. 9E, B.M., Valley County, to be used for domestic purposes; and,

WHEREAS, on July 10, 1973, the Department approved said application and issued Permit No. 77-7031 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before July 1, 1978, and that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on September 19, 1977, the Department received the required proof of beneficial use; and,

WHEREAS, it has been determined by the Department that a measuring device is not required at this time for a determination of the quantity of water appropriated under said permit;

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works, be and is, REMOVED from Permit No. 77-7031.

Dated this 22 day of November, 1977.


BOBBY D. FLEENOR
Chief, Operations Bureau

RECEIVED
NOV 22 1977
WATER RESOURCES

Identification No. _____

Application No. 77-7031

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

1. Name of applicant GOVERNMENT CR. WATER USERS ASSOC., LARRY GARNER, MANAGER
post office address P. O. Box 221, McCall, Ida
2. Source of water supply Government Creek which is a tributary of Logan Creek
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 35 Township 21 N.
Range 9 E. B.M. Valley County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into Government & Big Creeks at a point in NW $\frac{1}{4}$
of NW $\frac{1}{4}$ of Section 35 Township 21 N. Range 9 E. B.M. _____
4. Water will be used for the following purposes:
Amount 0.30 for Domestic purpose from April 1 to Dec. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.30 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Diverted into tank size 4x5x5,
4" pipe from Government Creek to tank, from tank a 3" line for 1000 feet.

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: Cement with rebar
Period of year during which storage will occur April 1 to Dec. 1 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 \$ 2,500.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 35 Township 21 N.
Range 9 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 or 5 head horses

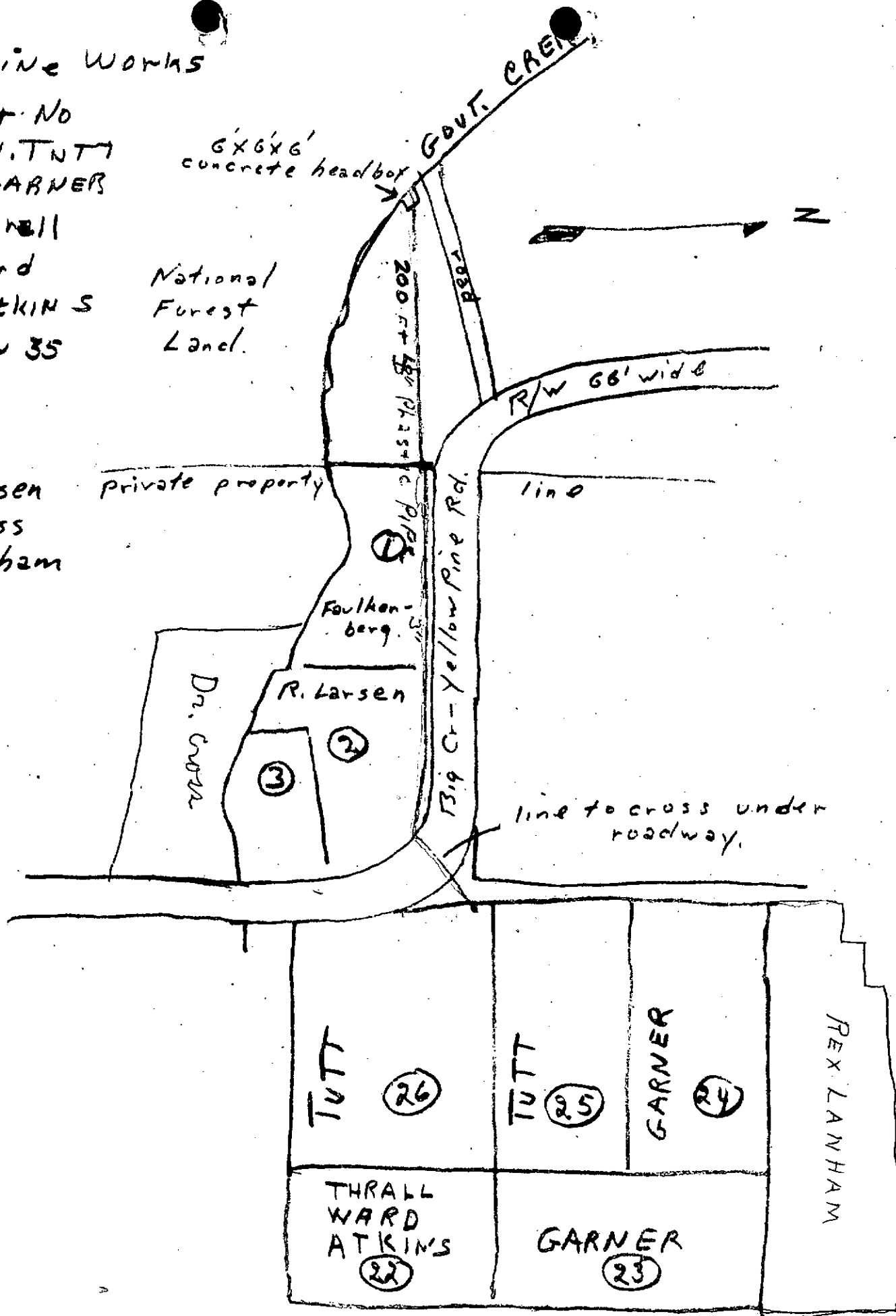
(4) Name of municipality to be served Government Cr. Water Users Assn number of families to be
supplied with domestic water 9.
(5) If water is to be used for other purposes describe: Some will perhaps irrigate a lawn and
for fire protection.

77 7031

PIPE LINE WORKS

Permit No
ALVIN H. TUTT
Harry GARNER
Ray Thrall
E. Ward
Jim ATKINS
Section 35
T. 21 N
R. 9 E

Ray Larsen
Dr. Cross
Rex Lanham



[illegible]

Larry Garner Manager of
(Applicant)
Government cr. water users
association 77 7031

Received by CB Date 1/8/1973 Time 10:45 AM
 Preliminary check by CB Fee \$ 25.00 keit #9192
 Received by cf Date 1-8-73
 Publication prepared by DE Date 1-10-73
 Published in Star News
 Publication dates 1-18-73 + 1-25-73
 Publication approved df Date 2-1-73
 Priority ~~reduced~~ 1-8-73 Reason _____

 Protests filed by: _____

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

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. 77-7031, 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 July 1, 1978.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

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

Witness my hand this 10th day of July, 1973.


 Deputy Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	JEB	9 JAN 73	Application No. <u>77-7031</u> Name <u>Gen Ck Wtr Us Assoc</u>
(2)	JEB	9 JAN 73	Check: ☒ Signature ☒ Point of Diversion ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for C/W and application of water to B/U ☒ Place of Use ☒ Map ☒ Fee
(3)	JEB	9 JAN 73	Send copies to: ☒ Idaho State Health Department ☒ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	JEB	9 JAN 73	☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M.
(5)	JEB	9 JAN 73	In form for advertising <u>yes</u>
(6)	df	2-1-73	Affidavit of Publication received <u>yes</u>
(7)	LJP	2/6/73	Final date for protests <u>2/9/73</u> Protests received: yes <u>no</u>
(8)		NR	Date and Place of hearing _____ Decision reached at hearing _____
(9)	LJP	2/6/73	Located within Water District No. <u>B-77</u>
(10)	LJP	2/6/73	Critical groundwater area: yes <u>no</u> ☒
(11)	LJP	2/6/73	Groundwater levels: ☐ Decline (comment) _____ ☒ Stable (comment) _____ ☐ Increasing (comment) _____
(12)			Comments: <u>Forest Service letter - conditions have been met with by laws 7/8/73</u> <u>dated 2/2/73</u>
(13)	LJP	2/6/73	Action recommended: ☒ Approve Priority <u>Jan. 8, 1973</u> ☐ Deny Reason for Reduction _____ See attached sheet for conditions of approval
(14)	KMP	7/3/73	No conditions for approval District <u>Western</u> By <u>Ken Fork</u> Date <u>7/3/73</u> Title <u>WDE</u>

RECEIVED

JUL 9 1973

77 7031

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: _____
- _____
- _____

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO)
) ss.
County of Valley)

Donald E. McMahan, being first duly sworn, deposes and says: That he is the co-publisher of the Star-News, a weekly newspaper published at Cascade and McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for

Two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began January 18, 1973, and ended January 25, 1973.

Subscribed and sworn to before me a Notary Public in and for the County of Valley, and the State of Idaho, this 26th day of Jan, 1973.

Donald E. McMahan Notary Public.
My commission expires 6-2, 1974.

RECEIVED
FEB 1 1973

Department of Water Administration

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Government Creek Water Users Assoc., Larry Garner, Mgr., P.O. Box 221, McCall, Idaho has on Jan. 8, 1973 submitted Application No. 77-7031 for a permit to appropriate 0.30 cubic feet per second of water from Government Creek, trib. to Logan Creek by means of tank & pipeline within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, T. 21 N., R. 9 E., B.M., Valley County to be used from April 1 to Dec. 1 for domestic purposes within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, T. 21 N., R. 9 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 Feb. 5, 1973.

R. KEITH HIGGINSON
Director

Published in the Star-News,
McCall, Idaho on Jan. 18, 1973 and
Jan. 25, 1973.

OK. df
2-1-73

77-7031

WATER RIGHT NUMBER 77-7031

OWNER LAST NAME - GOVERNMENT CREEK WATER USERS ASSN. FIRST NAME - ORIG OWNER -
ADDRESS LINE 1 - C/O E. E. WARD ADDRESS LINE 2 - BOX 1044
ADDRESS LINE 3 - CITY - MC CALL STATE - ID ZIP CODE - 83638
SOURCE - GOVERNMENT CREEK TRIBUTARY OF - LOGAN CREEK
STAGE - LICENSE STATUS - PRIORITY - 01-08-1973 COUNTY - VALLEY TOTAL DIV. RATE - .0400 -CFS
TOTAL DIV. VOLUME - .60 AFA TRFR/AMEND - WATER DIST. - OLE/CAREY ACT - RIGHT BASIS -
DIVERSION POINT - NWNW 35 21N 09E LOT REDIV - 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0
FROM - 01-01 TO - 12-31 USE - DOMESTIC USE DIV. RATE - .0400 CFS USE DIV. VOLUME - .60 AFA
USE - DOMESTIC PLACE OF USE - TWN 21N RNG 09E SEC 35 TRACT NWNW LOT AC
DECREE NAME - DATE - TOTAL ACRES 0
REMARKS - THIS RT. WHEN COMBINED WITH RT. 77-7025 SHALL NOT EXCEED 0.14 CFS
AND 3.6 AF/ANNUM.
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE - PERMIT/DENIED - PROTESTED - HEARING - OLD NO. -
PROOF MADE - FLD EXAM - COND. OF APPROVAL -
DIVERSION MEANS -

April 5, 1984

RE: Permit No. 77-7031

Government Creek Water Users Assoc.
c/o E. E. Ward
Box 1044
McCall, ID 83638

Gentlemen:

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

RECEIVED
APR 11 1984
FBI - MCALL



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

March 15, 1984

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

RE: Permit No. 77-7031

Government Creek Water Users Assoc.
c/o E. E. Ward
Box 1044
McCall, ID 83638

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 77-7031, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.04 cfs Source: Government Creek trib to Logan Creek

The maximum quantity diverted shall not exceed 0.6 acre feet
per year.

Point(s) of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, Twp 21N, Rge 9E

Beneficial Use: Domestic use for 6 units within NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, Twp 21N,
Rge 9E

Priority date established: January 8, 1973

Conditions (if any): This right when combined with License 77-7025 shall
not exceed 0.14 cfs and 3.6 acre feet per annum.

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 Distribution Supervisor

JJ:sc

77-7031-1000

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder Government Creek Water Users Assoc.
Post office address 1/2 E. E. Ward, Box 1044, McCall, Id. Phone _____
Person to contact E. E. Ward Phone _____

2. Source of water supply: Groundwater ☐ Surface water ☒ Government Creek
Tributary to Big Creek (name spring, stream, etc.)
LOGAN CREEK

3. Water will be used for the following purposes:

Amount .30 c.f.s. for Domestic
_____ AF/Annum (nature of use)

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

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

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

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

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

Other uses: _____

Permit No. 77-7031
Examination for B/U

4. Total amount to be appropriated:

Max Rate of Diversion .30 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 21N N/S, Range 9E E/W, B.M., Section 35, Subdivision NW 1/4 NW 1/4 Valley
County _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____

Other Points of Diversions: _____

Description of diverting works: _____

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
21N	9E	35					X												

TOTAL AC. _____

DATE OF EXAM ~~8-24-77~~ 8-24-77

ACREAGE

Found ☒
 Recommended ☒

Irrigation Requirement _____ Ac Ft/Ac

USE

Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
✓ Domestic Q= 0.04 ✓ c.f.s. V= 0.6 ✓ AF/Ann. from Jan. 1 ✓ to Dec. 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 0.14 ✓ cfs Method of measurement estimate

Total Q recommended 0.04 ✓ Meter No. _____ Type _____ Condition _____

Total V recommended 0.6 AF/yr ✓

Recommended Amendments:

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

MEASUREMENT CALCULATION:

Q estimate = ~~0.14 cfs~~ 0.14 cfs ✓
Allow V = 0.6 AF/yr ✓

SYSTEM DESCRIPTION:

Water diverted with 55 gallon drum in E Creek and piped to cement tank with over flow return to Creek. Water is piped to use for 6 cabins. Household use only, no irrigation.

REMARKS:

~~File # 77-7025~~ Permit # 77-7025 has been recommended for license for 5 of these 6 cabins. in the amount of 0.10 cfs and 3.0 AF/yr.

Examiner's Signature Willie H. Mac Allister III Date 9-30-77

Checked by JH Date 10-6-77

Approved by Kay Walker Date 3-1-84

RECORDED

Overlap Review 77-7031

same system - 77-7025 (per examiner)

capacity measured = 0.14 cps

licensed 0.10 cps - 77-7025

allow 0.04 cps for this permit -

no condition necessary. see copy
of 77-7025.

kw

State of Idaho
Department of Water Resources
WATER RIGHT LICENSE

License of Water Right No. 77-7025 Priority April 11, 1972 Amount 0.10 cfs

THIS IS TO CERTIFY, that ALVIN H. &/or ANNA M. TUTT
of Chula Vista, California 83677, has complied with the terms and conditions of Permit
No. 77-7025 issued pursuant to Application for Permit dated April 11, 1972,
and has submitted proof to the Department of Water Resources on July 26, 1977,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.10 cfs of water from Government Creek,
tributary to Logan Creek, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Domestic</u>	from <u>January 1</u> to <u>December 31</u>	at <u>0.10</u> cfs and <u>3 acre feet</u>	
	from _____ to _____	at _____ cfs and _____	
	from _____ to _____	at _____ cfs and _____	

(both dates inclusive)

Subject, however, to the condition that no more than 0.10 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
3 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, Twp. 21N,
Rge. 9E, B. M. in the County of Valley

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>21N</u>	<u>9E</u>	<u>35</u>					X			X									

Total number of acres irrigated _____

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 20 day of
February, 19 79.

Director

IDENT. NO. 77-7031

WATER RIGHT
DATA ENTRY LOG

[illegible]

November 22, 1977

Re: Permit No. 77-7031

Government Creek Water Users Assn.
Attn: Larry Garner
c/o E. E. Ward
Box 1044
McCall, Idaho 83638

Dear Gentlemen:

Enclosed is an Order which removes the measuring device requirement from the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Chief, Operations Bureau

BDF:JFR

Encl.

FROM Bill MacAllister

DATE 9-30-77

TO Jan Grover

SUBJECT Measuring Device for #77-7031

Government Creek Water Users hold permits 77-7025 & 77-7031. Permit 77-7025 is recommend for license in the amount of 0.10 cfs and 77-7031 for 0.04 cfs. I feel that the measuring device requirement for 77-7031 should be removed.

ok to remove measuring device

JDF

Bill MacAllister

SIGNATURE

DATE

9/19/77

FROM

j

TO

file

SUBJECT

77-7031

Bill at Western wrote a letter
for the permit holders requesting
their meas. device be removed.
He has made the exam & is holding
the exam until we get a request
for meas. device removal

SIGNATURE

MICROFILMED

Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

og

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Government Creek Water Users Assoc.
b) Post Office Address 1/2 E.E. Ward, Box 1044 McCall, ID 83638
2. Permit Number 77-7031
3. Date of Priority that you are prepared to establish 1-8-73
4. a) Source from which water was appropriated Government Creek
b) Location of the point of diversion: NW 1/4 NW 1/4, Section 35
Township 21N, Range 9E Boise Meridian, Other points of diversion:
5. a) The amount of water and use to which the water has been applied:
Amount 0.24 for Domestic purposes from Jan 1 to Dec 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 0.24 cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: estimate by permit holder
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) water diverted to holding tank in creek and piped to cabins

b) Describe the type and size of measuring device which you have installed at your point of diversion: none

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

Examined at McCall by _____

MICROFILMED

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

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

Total number of acres irrigated _____

10. Remarks: _____

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

9/16/77

(Date)

Ernest E. Ward

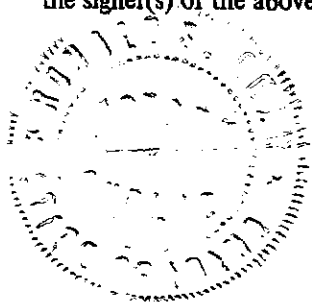
(Signature)

State of Idaho)

) ss.

County of Valley)

On this 16th day of September, 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.



Ronald Dean

Notary Public residing at McCall, Idaho

My commission expires 11-1980

RECEIVED
SEP 19 1977
Department of Water Resources
Western Regional Office

C
February 1, 1974

Earl F. Dodds
District Forest Ranger
Payette National Forest
Big Creek Ranger District
McCall, Idaho 83638

C
Dear Mr. Dodds:

P We are enclosing a copy of the Government Creek Water Users Association "Constitution and By Laws". This copy is presently filed with permit #77-7031.

P Permit #77-7031 was approved on July 1, 1973. As you know, our granting approval status for this permit does not in any way insinuate any right of way.

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

Y
Sincerely,

JAMES E. BOOKER
W. R. Technician II

JEB:def

Enclosure

77 7031

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

Payette National Forest
Big Creek Ranger District
McCall, Idaho 83638

RECEIVED

JAN 29 1974

Department of Water Administration

2720

January 28, 1974



Mr. R. Keith Higginson, Director
Idaho Dept. of Water Administration
Statehouse
Boise, Idaho 83707

Dear Mr. Higginson:

Reference our exchange of correspondence of January 1973 concerning granting of a water right for the Government Creek Water Users Association.

This was Application No. 77-7031, on which we recommended against granting the water rights until a lawful association had been formed.

Would you please let us know the current status of Application No. 77-7031.

Sincerely,

EARL F. DODDS
District Forest Ranger

77 7031

July 11, 1973

Re: Permit No. 77-7031

Government Creek Water Users Assoc.
Larry Garner, Manager
P. O. Box 221
McCall, Idaho 83638

Dear Mr. Garner:

Enclosed is a copy of your approved Application for Permit No. 77-7031. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:cd

Enclosures

77 7031

Big Creek, Idaho

June 27, 1973
RECEIVED

Department of Water Administration
614 State St.

JUL 3 1973
Department of Water Administration
KAR

Statehouse - Annex 2

Boise, Idaho 83707 - Attention R. Hamilton

Dear Sir

Reference your letter of March 30, 1973 concerning the formation of a water users association for the Government Creek area of Edwardsburg.

Enclosed are our papers for this association. We have not yet held an election for the selection of officers but we plan to do so at an early date. We will let you know the names of the officers just as soon as they are selected.

Our application for Water Rights with your office is No. 77-7031.

Sincerely yours,

Larry Danner manager
Reservoir Director
Big Creek via
Cascade, Idaho 83611

77 7031

GOVERNMENT CREEK WATER USERS ASSOCIATION

Constitution and By Laws

ARTICLE I

Name and Purpose of the Organization

This organization shall be known as the GOVERNMENT CREEK WATER USERS ASSOCIATION and its purpose is to construct, install, maintain and operate a domestic water system for the use of its members.

ARTICLE II

Membership

Membership in this organization shall be comprised only of persons who own real property or an interest therein, situate within the lands described in Edwardsburg Recorder's Plat No. 1, according to the official plat thereof on file and of record in the office of the Recorder of Valley County, Idaho.

ARTICLE III

Meetings

Section 1. At least one general meeting of all members shall be held during the month of July of each year.

Section 2. Meetings of the executive board as hereinafter set forth shall be held from time to time during the year as may be directed by the Chairman thereof.

Section 3. Place of Meetings: General meetings of the membership shall be held on the above described premises and meetings of the executive board shall be held at such place as may be from time to time established by such executive board.

ARTICLE IV

Executive Board

Section 1. Officers: The executive board shall be comprised of at least three (3) members, one of whom shall be President of the organization.

Section 2. Election of Officers: All officers and members

77-7031

77-7031

of the executive board shall be elected at the annual meeting of the membership.

Section 3. Officers: Officers of the association shall consist of a president, vice president, secretary and treasurer. The office of secretary and treasurer may be combined in one person.

Section 4. Duties of Officers:

PRESIDENT:

- (a) The president shall be the chief officer of the association.
- (b) The president shall preside over all meetings, sign all minutes and checks.
- (c) The president shall perform such duties as may be from time to time assigned to him by the executive board and shall perform all duties customarily performed by the president.

VICE PRESIDENT:

- (a) The vice president shall act as president in the absence or inability of the president to so function.

SECRETARY:

- (a) The secretary shall keep all minutes of the meetings of the association.
- (b) Handle all correspondence in connection with the association.
- (c) Perform such other duties as may be from time to time assigned to him by the president or executive board.

TREASURER:

- (a) The treasurer shall keep an accurate accounting of all association finances, sign checks thereon along with the president and perform such other duties as are customarily performed by the treasurer.

EXECUTIVE DIRECTOR:

- (a) The executive board shall each year appoint an executive

director to conduct the general business and affairs of the association and Larry Garner of McCall, Idaho, is hereby designated as the first such executive director of this association. He is specifically empowered to meet and negotiate with the United States

Forest Service concerning water and water rights, and has the authority to sign all legal documents for the association dealing with the Forest Service.

ARTICLE V

Dues

Dues and assessments shall be in the amount as from time to time are established at the regular meeting of the membership of the regular annual meeting of the membership of the association.

ARTICLE VI

Intent

It is the intent of the membership of this association that they shall voluntarily contribute money, labor and/or materials towards the construction, operation and maintenance of such domestic water system for the use and benefit of the members hereof.

ARTICLE VII

New Members

New members may be admitted to the association only upon majority vote of the then existing membership and all applicants for membership shall possess the qualifications set forth in Article II hereof.

ARTICLE VIII

Amendments

This constitution and by laws may be amended at any annual meeting of the membership by majority vote of those members present and voting. No such proposed amendment shall be considered by the association at any such meeting unless it shall have been first submitted in writing by the Secretary to all members with the notice of call of annual meeting which shall be given at least 10 days prior to the date of such meeting.

We, the undersigned owners of land within the plat described in Article II hereof, do hereby adopt the foregoing constitution and by laws of Government Creek Water Users Association and agree to be bound thereby.

Dated this 8th day of May, 1973.

Ray Larsen
Ray Larsen

Graydon O. Cross, W. D.
Graydon O. Cross, W. D.

624 6th Ave So Nampa Ida 83651
Alvin Harold Tutt 358 Brightwood Ave
Chula Vista, Ca. 92010

Ray Thrall
Ray Thrall

James B. Adkins
James B. Adkins

Ernest E. Ward
Ernest E. Ward

Lawrence E. Garner
Lawrence E. Garner

Catherine L. Gillihan
Catherine L. Gillihan

John H. Trukso
John H. Trukso

RECEIVED

Apr

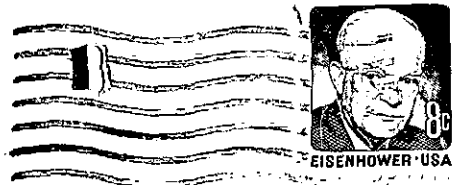
State of Idaho
Department of water administration
Statehouse - annex 2
Boise, Idaho 83707

Department of water administration

Dear Mr. Robert W. Hamilton
supervisor of water Distribution
in answer to your letter of March
30, 1973 I have contacted Mr Bob
Remickles at cascade about 2 months
ago but Lawyers or offel slow
some times I hope it will be soon
because as soon as it opens up this ^{spring}
we want to start putting in the water
line so as soon as I get the nessary
information from over lawyer
you will be hereing from us
thank you kindly for your letter

Sincerely
Larry Garner manager
P.O. Box 221
McCall, Ida. 83438 77 7039

Larry Garner
p.o.box 221
McCall, Ida. 83708



State of Idaho
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Big Creek area
77 7031

March 30, 1973

Re: Application No. 77-7031

Government Creek Water Users Assoc.
P. O. Box 221
McCall, Idaho 83638

Attention: Larry Garner, Manager

Dear Mr. Garner:

Will you please supply us with a copy of any rules or regulations or by-laws of your water users association that you have adopted so that we might supply the Forest Service a copy? They indicate they will not issue individual use permits, but would probably issue such a permit to your association.

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

Sincerely,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:df

77 7031

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

Payette National Forest
McCall, Idaho 83638

RECEIVED *EXH
RFF*

2720

Department of Water Administration

77-7031
January 31, 1973



Mr. R. Keith Higginson, Director
Idaho Department of Water Administration
Statehouse
Boise, Idaho 83707

Dear Mr. Higginson:

Reference is made to the "Notice of Application for Water Permit by Government Creek Water Users Association, Larry Garner, Mgr., P.O. Box 221, McCall, Idaho submitted January 8, 1973," as published in the Star-News, McCall, Idaho, January 25, 1973.

Further reference is made to the letter from your Department to Big Creek District Ranger Earl Dodds dated January 22, 1973 signed by Assistant Director, Bobby D. Fleenor, copies of both are enclosed.

We have met with several individuals owning land at Big Creek within the Payette National Forest wanting water rights from the State of Idaho and Special Use Permits to develop domestic water systems on Forest lands reaching to their properties.

They were informed that formation of a lawful body (Management Association) would be necessary since we could not issue separate permits for individual systems for present and anticipated future development on these private lands.

We have not received any documentation to indicate that such an association has been formed.

When we have evidence that the association exists, and (2) have approval of a designed water system by the Department of Public Health or other State or County agency, and (3) the Forest Service has approved design and location of the proposed water system, we will be in a position to act on an application for Special Use Permit (not conferring water rights).

77 7031

2

Until these requirements are met, we recommend against granting the water rights since conditions to justify the water right do not now exist.

If Mr. Garner has furnished you evidence that a lawful association has been formed, we would appreciate receiving a copy.

Sincerely,

A handwritten signature in cursive script that reads "Robert E. Newcomer".

ROBERT E. NEWCOMER
Branch Chief, Recreation & Lands

Enclosure

'77 7031

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse — Annex 2
Boise, Idaho 83707
(208) 384-2215



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

January 22, 1973

Earl F. Dodds, District Forest Ranger
Payette National Forest
Big Creek Ranger District
McCall, Idaho 83638

Dear Mr. Dodds:

We have received your letter of January 12, 1973, concerning the proposed association which is interested in a domestic water system in the Big Creek Area.

Usually a filing by an association of water users is preferable to each individual filing separately. Since you have contact with these people, we are sending you an application for permit form that must be completed and filed before the system can be constructed.

If there are any questions concerning the completion of the application, please contact us.

Sincerely,

A handwritten signature in cursive script that reads "Bobby D. Fleenor".

Bobby D. Fleenor
Assistant Director

77 7031

BDF/cd

Enc: Application for permit

PAYETTE N. F. BIG CREEK R. D.			
JUN 23 73			
RECEIVED			
MR			
MR. GIL			
CO			
CLERK			

Big Creek

PUBLIC NOTICES

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Government Creek Water Users Assoc., Larry Garner, Mgr., P.O. Box 221, McCall, Idaho has on Jan. 8, 1973 submitted Application No. 77-7031 for a permit to appropriate 0.30 cubic feet per second of water from Government Creek, trib. to Logan Creek by means of tank & pipeline within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, T. 21 N., R. 9 E., B.M., Valley County to be used from April 1 to Dec. 1 for domestic purposes within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, T. 21 N., R. 9 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 Feb. 5, 1973.

R. KEITH HIGGINSON
Director

Published in the Star-News,
McCall, Idaho on Jan. 18, 1973 and
Jan. 25, 1973.

77 7031

January 10, 1973

Re: Application for Permit No. 77-7031

Mr. Larry L. Koenig
Valley County Office
Central Dist. Health Dept.
P. O. Box 588
Cascade, Idaho 83611

Dear Mr. Koenig:

We are enclosing a copy of the above referenced application for permit, which may be of interest to your agency.

Please review the application and if you have any comments, please submit them to our Department as soon as possible.

We normally complete the processing of an application within a six (6) week period and we are required to take final action shortly thereafter.

If we may be of any assistance to you in the meantime, please do not hesitate to contact this Department.

Sincerely,

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

KHF:df

Enclosure

77 7031

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that GOVERNMENT CREEK WATER USERS ASSOC.,
Larry Garner, Mgr., P. O. Box 221, McCall, Ida.
has on Jan. 8, 1973 submitted Application No. 77-7031
for a permit to appropriate 0.30 cubic feet per second ~~none feet~~
~~per second~~ of water from Government Creek, trib. to Logan Creek
by means of tank & pipeline
within the NW1/4, Sec. 35, T. 21 N., R. 9 E., B.M., Valley County

to be used from April 1 to Dec. 1
for domestic purposes

within the NW1/4, Sec. 35, T. 21 N., R. 9 E., B.M.

If issued, this permit will be subject to all prior water rights. Pro-
tests against the granting of the permit must be filed with the Idaho Depart-
ment of Water Administration, Statehouse, Boise, Idaho, 83707, on or before
Feb. 5, 1973.

R. KEITH HIGGINSON

Director

Published in the Star News, McCall, Ida.
on Jan. 18, 1973 and Jan. 25, 1973.

77 7031

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 Investigation
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

January 10, 1973

Re: Application for Permit No. 77-7031 Government Creek Water User Assoc.

The Star News
P. O. Box 985
McCall, Idaho 83630

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,

77 7031