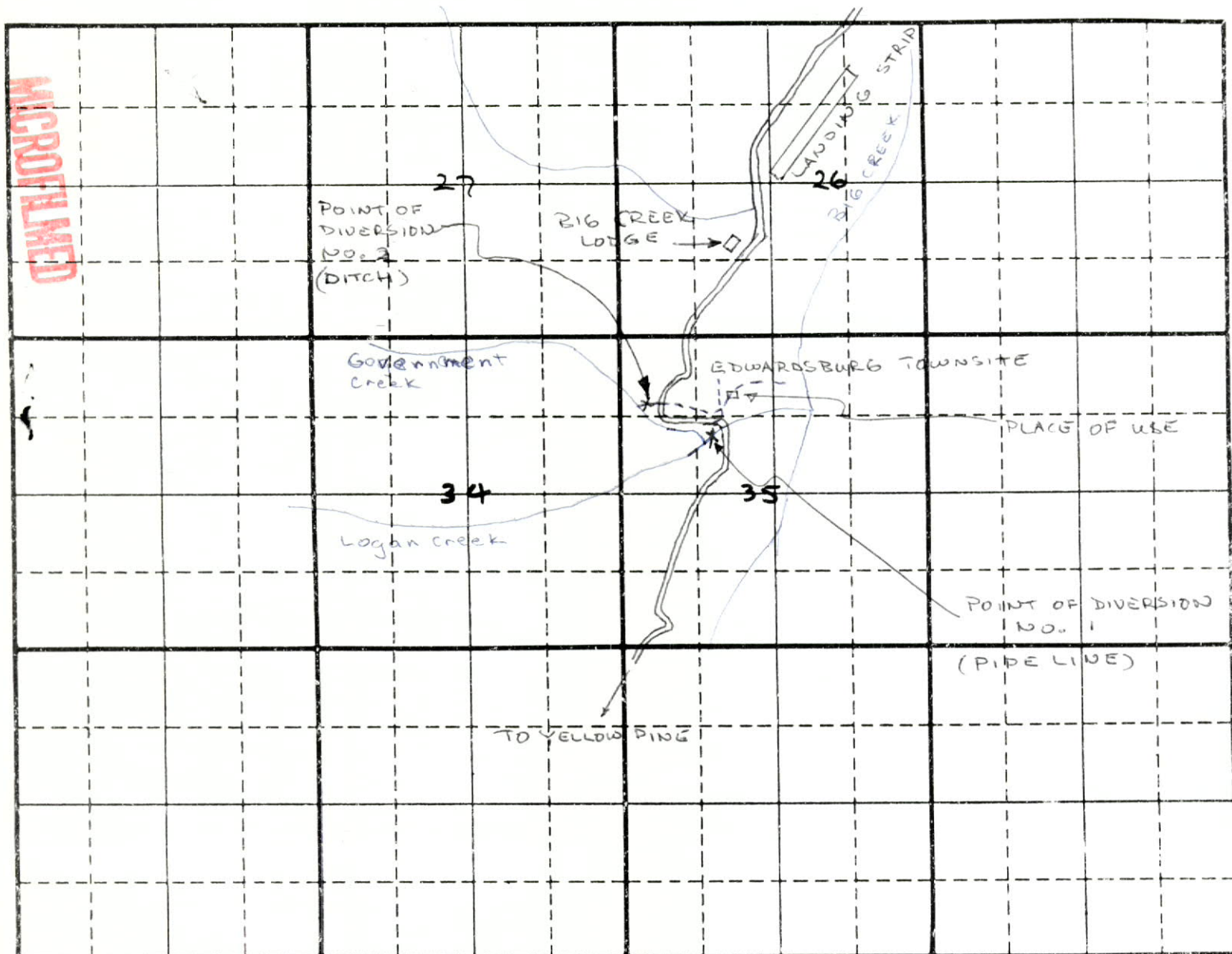


(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
) ss.
County of Ada)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Big Creek Development Co.
by Howard F. Manly
(Claimant)

Sworn to before me this 30th day of June, 1983

Peggy R. Bennett
Notary Public
Residing at Boise, Idaho

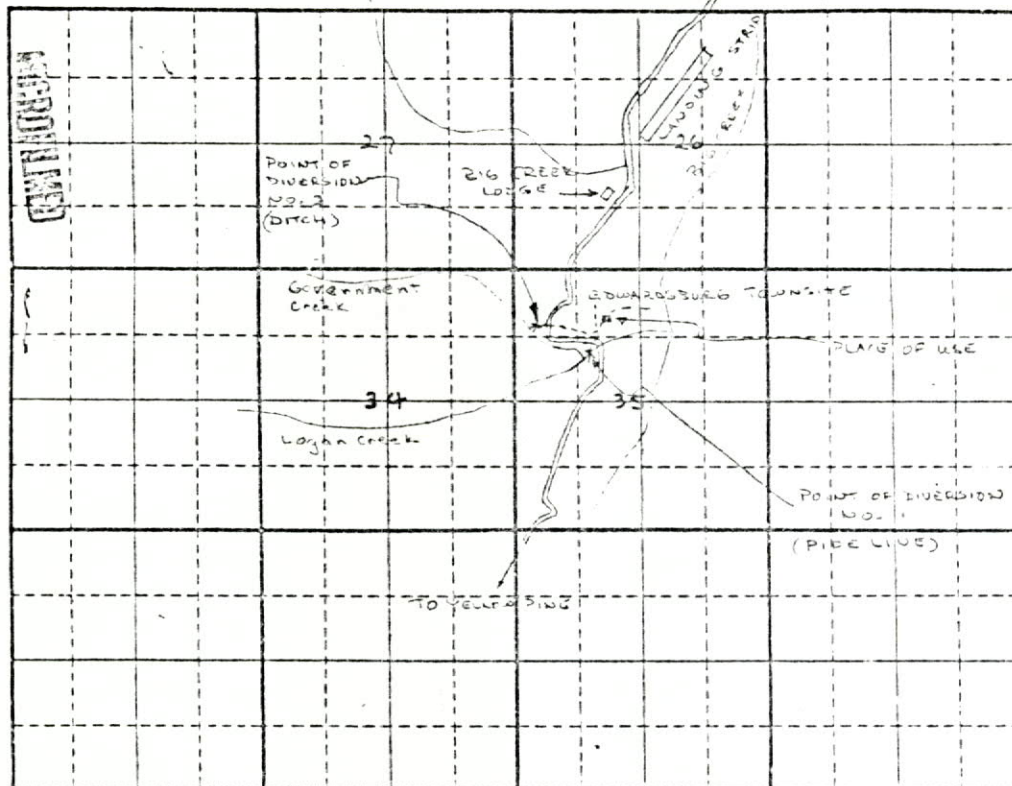
My commission expires _____

FOR DEPARTMENT USE ONLY

Received by <u>mm</u>	Date <u>7-5-83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>665</u>	Date <u>11/7/83</u>		claimant by:	
\$30.00 fee received by <u>me</u>	Date <u>7/6/83</u>	<u>26921</u>		
Published in <u>The Star News</u>				
Dates <u>11/25 & 2/1/84</u>				

POOR QUALITY ORIGINAL

(B) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Big Creek Development Co.
by H. W. T. Henry
(Claimant)

Sworn to before me this 30th day of June, 1983

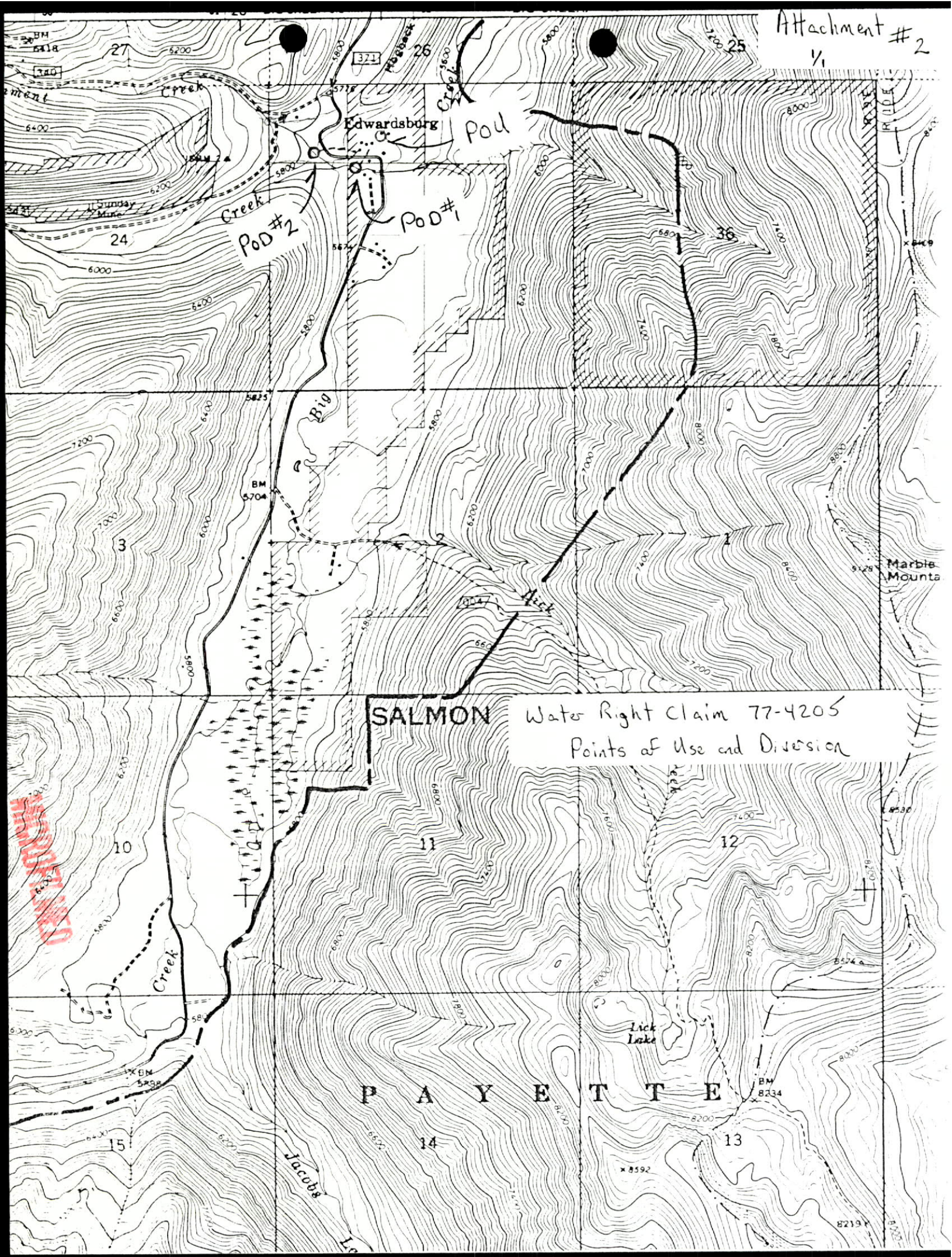
Peggy R. Bennett
Notary Public
Residing at Boise, Idaho

My commission expires _____

FOR DEPARTMENT USE ONLY

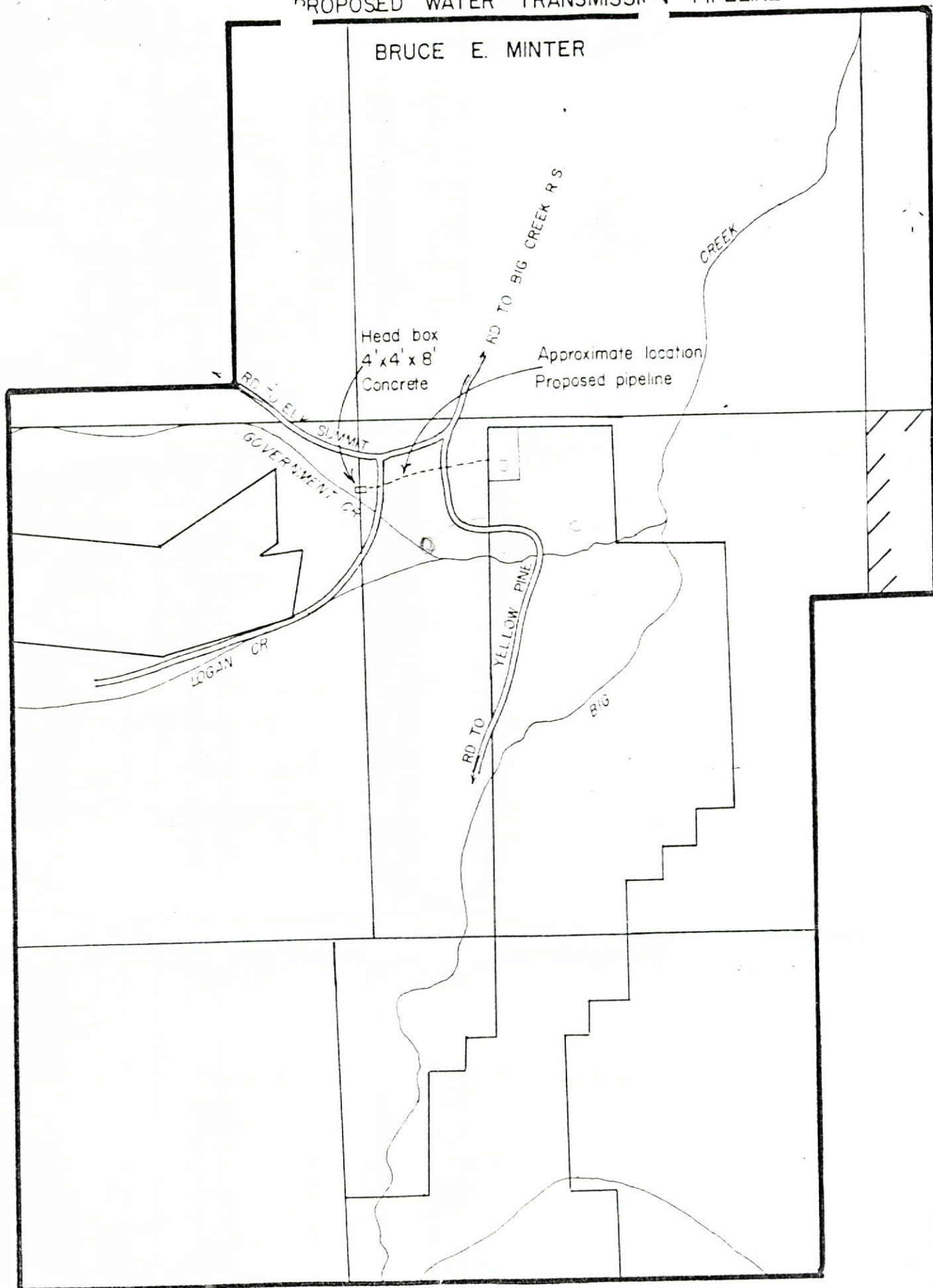
Received by <u>me</u>	Date <u>2-5-83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>GHS</u>	Date <u>11/2/83</u>		claimant by:	
\$30.00 fee received by <u>me</u>	Date <u>7/6/83</u>	<u>26921</u>		
Published in <u>The Star News</u>				
Dates <u>11/25 & 11/24</u>				

RECORDED



PROPOSED WATER TRANSMISSION PIPELINE

BRUCE E. MINTER





State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

April 16, 1984

E. E. Wixler
Regional Forester
United States Department of Agriculture
Forest Service
334 25th St.
Ogden, UT 84401

Re: Claims No. 77-4203, 77-4205 & 77-4213

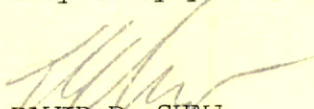
Dear Mr. Wixler:

This office acknowledges receipt of your correspondence concerning the above referenced claim to a water right. The Department will not schedule a hearing in the matter or evaluate for conformation or censure the right claimed, since Section 42-244, Idaho Code, states in part the following:

"At anytime after the filing of a claim, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources."

If we can be of further assistance, please contact us.

Very truly yours,


DAVID B. SHAW
Western Regional Supervisor

DBS:jpp

Enc:

RECEIVED

RECEIVED
9/81STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 5 1983

Department of Water Resources
Western Regional Office

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Big Creek Development Company, an Idaho Limited Partnership
(Name of Claimant)

P.O. Box 967, Boise, Idaho 83701
(Mailing Address)

Telephone No. 343-1880

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) June 1, 1930

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Government Creek trib. Logan Cr.
fluence of Logan & Government Creeks tributary to Big Creek.

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
Quantity <u>0.04 cfs</u>	Use <u>Domestic</u>	Period of Use From <u>Jan 1</u>	To <u>Dec. 31</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

- (4) TOTAL QUANTITY USED.

(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

P.O.D. #1, SE 1/4 NW 1/4, Sec. 35 Twp. 21N Rge. 9E B.M., County of Valley

Additional points of diversion: P.O.D. #2, NW 1/4 of the NW 1/4, but diverted solely out of Government Creek

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 2 inch plastic pipe for P.O.D. #1 and ditch for P.O.D. #2

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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												

Part of Lot 13, Block 2, of the Edwardsburg Recorder Plat No. 1, as shown on the official plat thereof on file and of record with No. of acres _____ the Valley County Recorder, Valley County, Idaho, (See attached)

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

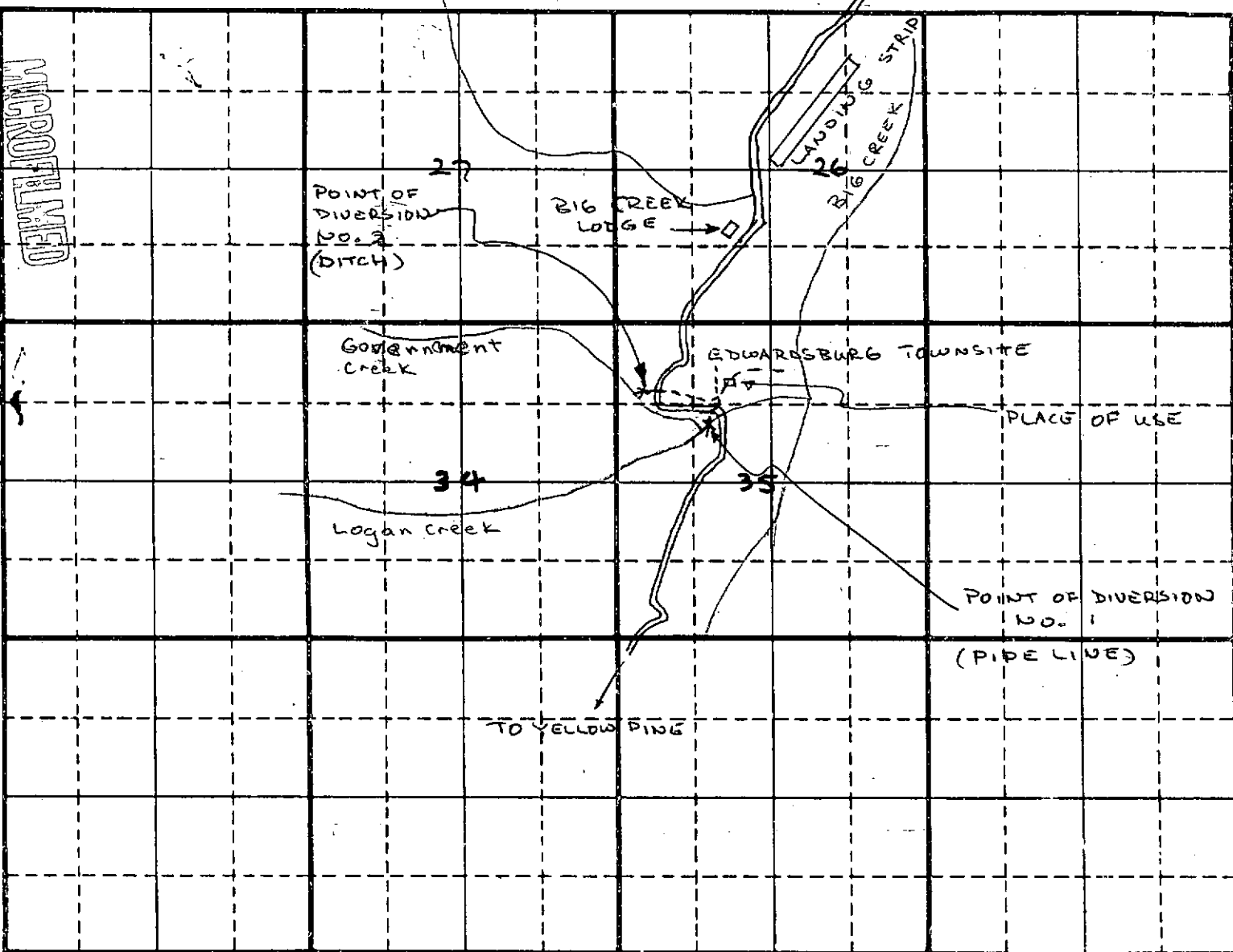
Water is used for domestic purposes.

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization: See above.

MICROFILMED

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

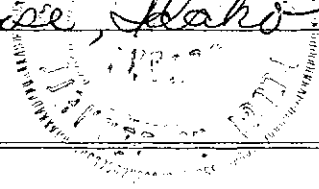
Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Big Creek Development Co.
by Howard F. Manly
(Claimant)

Sworn to before me this 30th day of June, 1983

Peggy R. Bennett
Notary Public
Residing at Boise, Idaho

My commission expires _____



FOR DEPARTMENT USE ONLY

Received by <u>mn</u>	Date <u>7-5-83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>6hs</u>	Date <u>11/2/83</u>		claimant by:	
\$30.00 fee received by <u>me</u>	Date <u>7/6/83 26921</u>			
Published in <u>The Star News</u>				
Dates <u>1/29 & 2/11/84</u>				

RECEIVED
JUL 5 1983

Department of Water Resources
Western Regional Office

The land referred to in this policy is situated in the State of Idaho County of Valley and is described as follows:

A parcel of land in the SE corner of Lot 13 Block 2 of the Edwardsburg Recorder Plat No. 1 as shown on the official plat thereof on file and of record in the office of the County Recorder of Valley County, Idaho, and more particularly described as follows:

Commencing at the SE corner of Lot 13;
Thence Northerly 144 feet to the northeast corner of this tract;
Thence Westerly 210.68 feet to the northwest corner of this tract;
Thence in a Southerly direction 144 feet to the southwest corner of this tract;
Thence Easterly 209.92 feet to the point of beginning.

And beginning at the northwest corner of Section 35, T. 21N., R. 9E., B.M., Valley County, Idaho;
Thence East 1320 feet;
Thence South along West line of the NE 1/4 NW 1/4 of said Section to the Southwest corner of a tract of land deed to Pete Hillman, which deed is recorded in Book 19 of Deeds, page 572, in the office of the Recorder of Valley County, Idaho;
Thence in an Easterly direction along the North boundary line of the Forest Service road right of way a distance of 418 feet to the Southwest corner of a tract of land deeded to Kathryn Thrall and Shirley K. Rich, which deed is recorded in Book 34 of Deeds, page 216, in the office of the Recorder of Valley County, Idaho;
Thence in a Northerly direction along the West boundary line of the Thrall and Rich tract a distance of 192.49 feet to the Real Point of Beginning; which is the Southeast corner of this tract;
Thence continue in a Northerly direction along the West boundary line of the Thrall and Rich tract a distance of 144 feet to the Northeast corner of this tract;
Thence in a Westerly direction a distance of 46 feet to the Northwest corner of this tract;
Thence in a Southerly direction a distance of 144 feet to the Southwest corner of this tract;
Thence in an Easterly direction along the South boundary line of a tract of land deeded to Wilbur V. Wiles, which is recorded in Book 29 of Deeds, at page 614, in the office of the Recorder of Valley County, Idaho, a distance of 46 to the Southeast corner of this tract, the point of beginning.

RECEIVED

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Valley

SS.

Judy Brooks being duly sworn deposes and says, I am the bookkeeper of the Star-News, a weekly newspaper published at McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the Notice of Claims, a copy of which is attached hereto and made a part hereof, 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 25 19 84 and ended February 1 19 84.

Judy Brooks
Subscribed and sworn to before me this the
1st day of February 19 84

Tom [Signature]
Notary Public in and for the State of
Idaho, residing at McCall
therein.

MICROFILMED

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion, and beneficial use:

77-4192
U.S. DEPT OF AGRIC.
FOREST SERVICE,
FEDERAL BLDG., 324 25TH
ST., OGDEN, UT 84401
Source: CY SPRING trib. to
BEAR VALLEY CREEK
Priority Date: 07/01/1945
Diversion Pt: NESE Sec 17 T

13N R 10E
Use: STOCKWATER (0.02
CFS)
In: SWSE Sec 17 T 13N R
10E

77-4193
U.S. DEPT. OF AGRIC.
FOREST SERVICE,
FEDERAL BLDG., 324 25TH
ST., OGDEN, UT 84401
Source: GROUNDWATER
Priority Date: 07/01/1948
Diversion Pt: NENW Sec 32
T 13N R 09E
Use: DOMESTIC (0.01 CFS)
In: NENW Sec 32 T 13N R
09E

77-4194
U.S. DEPT. OF AGRIC.
FOREST SERVICE,
FEDERAL BLDG., 324 25TH
ST., OGDEN, UT 84401
Source: PACKBRIDGE SPR-
ING trib. to BEAR VALLEY
CREEK
Priority Date: 07/01/1950
Diversion Pt: NWSW Sec 29
T 13N R 10E
Use: DOMESTIC (0.01 CFS)
In: NWSW Sec 29 T 13N R
10E

77-4197
U.S. DEPT OF AGRIC.
FOREST SERVICE,
FEDERAL BLDG., 324 25TH
ST., OGDEN, UT 84401
Source: SUNFLOWER HOT-
SPRING trib. to SALMON
RIVER, MIDDLE FORK

Priority Date: 08/30/1946
Diversion Pt: MNW Sec 15
T 16N R 12E
Use: RECREATION (0.04
CFS); RECREATION
STORAGE (0.01 AF)
In: NWNW Sec 15 T 16N R
12E

77-4203
BIG CREEK RECREATION
UNLIMITED INC.
IDAHO CORP., P.O. BOX
967, BOISE, ID 83701
Source: UNNAMED
STREAM Trib. to BIG CREEK
Priority Date: 06/01/1930
Diversion Pt: SWSW Sec 26
T 21 N R 09E
Use: IRRIGATION (0.20
CFS); STOCKWATER (0.02
CFS)

In: NESW Sec 26 T
21N R 09E FOR 10 ACRES
77-4204
BIG CREEK RECREATION
UNLIMITED INC.
IDAHO CORP., P.O. BOX
967, BOISE, ID 83701
Source: MC CORKIE
CREEK trib. to BIG CREEK
Priority Date: 06/01/1968
Diversion Pt: NWSW Sec 26
T 21 N R 09E
Use: POWER (4.00 CFS)
In: NWSW Sec 26 T 21 N R
09E

77-4205
BIG CREEK DEVELOPMENT
CO.
IDAHO LIMITED PTR., P.O.
BOX 967, BOISE, ID 83701
Source: GOVERNMENT
CREEK trib. to LOGAN
CREEK; LOGAN CREEK trib.
to BIG CREEK
Priority Date: 06/01/1930
Diversion Pt: SENW NWNW
Sec 35 T 21 N R 09E
Use: DOMESTIC (0.04 CFS)
In: NENW Sec 35 T 21 N R
09E

Exceptions to a claim may be
filed with the Director, Dept. of
Water Resources, Western Regional
Office, Statehouse, Boise, W.

Idaho 83720.
KENN DUNN, Dir.
Published 01/25 & 2/1/84

FEB 6 1984

01 WATER RIGHT NUMBER - 77-4205 02 OLD (D) NUMBER -

03001 - BIG CREEK DEVELOPMENT CO. LAST NAME FIRST NAME ORIG. OWNER
04001 - 05001 - C

06 ADD LINE 1 - P.O. BOX 967

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - BOISE

10 STATE - ID

11 ZIP - 83701

12 STAGE - S STATUTORY CLAIM

13 STATUS -

SOURCE
14001 - GOVERNMENT CREEK
14002 - LOGAN CREEKTRIBUTARY OF
15001 - LOGAN CREEK
15002 - BIG CREEK

16 DIVERSION MEANS - PIPE & DITCH

17 COUNTY - 85 VALLEY

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - .040

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

----- DIVERSION POINTS -----														
TRACT	SEC	TWN	RNG	LOT	RFLG	S T R E A M I N D E X F I E L D S								
22001 -	SENW	23001 - 35	24001 - 21N	25001 - 09E	26001 -	27001 -								
					28001 -	0	0.0	0.0	0.0	0.0	0.0	0.0	0	0 0 0.0
22002 -	NWNW	23002 - 35	24002 - 21N	25002 - 09E	26002 -	27002 -								
					28002 -	0	0.0	0.0	0.0	0.0	0.0	0.0	0	0 0 0.0

29 NON-IRRIGATION USE -

----- PLACE OF USE -----									
USE CODE / USE	TWN	RNG	SEC	TRACT	ACRES	LOT			
30001 - 43 DOMESTIC	31001 - 21N	32001 - 09E	33001 - 35	34001 - NENW	35001 -	36001 -	TOTAL ACRES: 0		

----- WATER USE -----					
PERIOD FROM	PERIOD TO	USE CODE / USE	DIVERSION RATE	DIVERSION VOLUME	
37001 - 0101	38001 - 1231	39001 - 43 DOMESTIC	40001 - 0.040	41001 -	0.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

REMARKS
44001 - SOURCES ARE GOVERNMENT CK., TRIB. LOGAN CK.; LOGAN CK., TRIB.
44002 - BIG CK.
44003 - P/U & P/D APPROX. SINCE AREA IS UNSURVEYED.
44004 - P/U & P/D IN LOT 13, BLK. 2 OF EDWARDSBURG RECORDER PLAT #1.

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

D A T E S		D A T E S		F L A G S	
47	PRIORITY - 1-JUN-1930	55	LICENSE -	63	TRANSFER/AMENDED -
48	PROOF DUE -	56	APPL RECEIVED -	64	DLE/CAREY ACT -
49	PROOF MADE -	57	FIELD EXAM MADE -	65	FLAG_1 -
50	APPROVE/DENIED -	58	DECREE -	66	FLAG_2 -
51	PROTESTED -	59	START WORK -	67	FLAG_3 -
52	HEARING -	60	ORDER SHOW CAUSE -		
53	VERIFIED -	61	DATE_1 -		
54	LAST UPDATE - 3-APR-1986	62	DATE_2 -		

REVIEWED AMS



United States
Department of
Agriculture

Forest
Service

Intermountain
Region

324 25th Street
Ogden, UT 84401

Reply to: 2540

Date: APR 11 1984
RECEIVED
APR 13 1984

Mr. David B. Shaw
Western Region Supervisor
Idaho Department of Water Resources
Towers Building, 3rd Floor
450 West State Street
Boise, ID 83720

Department of Water Resources

Dear Mr. Shaw:

We wish to file an exception to the Claim to a Water Right No. 77-4205 filed by the Big Creek Development Company on July 5, 1983. The exception, in affidavit form, is enclosed as is the supporting documentation. Please include this exception with the claim file.

Sincerely,

J. S. Tixier
for J. S. TIXIER
Regional Forester

Enclosures (4)

RECEIVED
APR 13 1984

Department of Water Resources
Western Regional Office

RECEIVED

IN THE MATTER OF:)

Claim to a Water Right)
No. 77-4205)

AFFIDAVIT

State of ~~Idaho~~XX Utah)
County of Weber)

United States of America - Forest Service

being first duly sworn,

deposes and says: The claim describes the point of use and two points of diversion (POD) based on a June 1, 1930, priority date (Enclosure #1). POD #1 appears to be located on private land and will not be considered further in this affidavit (Enclosure #2). POD #2 appears to be located on National Forest System land, and the claim identifies a ditch as the means of diversion. Based on the location of the POD, this ditch would cross National Forest to reach private land. According to personnel on the Payette National Forest only one maintained and functional water diversion across National Forest System land currently exists within the subject area. This diversion is operated under a 1976 special use permit and involved a headbox and pipeline leading across National Forest System land from Government Creek to private property in the NENW Section 35, T21N, R9E, BM (Enclosure #3). During a 1983 review of the subject reach of Government Creek, an old headgate was observed at the approximate location of POD #2. However, this headgate was not operational and was not associated with a functional ditch. In addition, no special use permit record exists for this structure. Since no functioning diversion system exists at the location for POD #2, we assert that the 1930 priority date cited in the claim is no longer valid based on non-use for a period of greater than five years. Based on the described location of POD #2, we have dismissed the possibility that this site and the diversion described in Enclosure #3 are one and the same. The primary concerns are that the facilities described in the subject claim be verified, that an appropriate priority date be applied, and that proper permitting procedures are followed for use of the transmission facility across National Forest System land.

United States of America - Forest Service

J. S. Tixier

(signature) (for) J. S. TIXIER, Regional Forester

Subscribed and sworn to before me this 11th day of April

19 84

Sandra S. Carlson
(Notary Public)

Residing at Willard (Box Elder County) Utah.

My commission expires 2-20-85.

RECORDED

IN THE MATTER OF:)

Claim to a Water Right
No. 77-4205)

AFFIDAVIT

State of ~~Idaho~~ Utah)
County of Weber)

United States of America - Forest Service

being first duly sworn,

deposes and says: The claim describes the point of use and two points of diversion (POD) based on a June 1, 1930, priority date (Enclosure #1). POD #1 appears to be located on private land and will not be considered further in this affidavit (Enclosure #2). POD #2 appears to be located on National Forest System land, and the claim identifies a ditch as the means of diversion. Based on the location of the POD, this ditch would cross National Forest to reach private land. According to personnel on the Payette National Forest only one maintained and functional water diversion across National Forest System land currently exists within the subject area. This diversion is operated under a 1976 special use permit and involved a headbox and pipeline leading across National Forest System land from Government Creek to private property in the NENW Section 35, T21N, R9E, BM (Enclosure #3). During a 1983 review of the subject reach of Government Creek, an old headgate was observed at the approximate location of POD #2. However, this headgate was not operational and was not associated with a functional ditch. In addition, no special use permit record exists for this structure. Since no functioning diversion system exists at the location for POD #2, we assert that the 1930 priority date cited in the claim is no longer valid based on non-use for a period of greater than five years. Based on the described location of POD #2, we have dismissed the possibility that this site and the diversion described in Enclosure #3 are one and the same. The primary concerns are that the facilities described in the subject claim be verified, that an appropriate priority date be applied, and that proper permitting procedures are followed for use of the transmission facility across National Forest System land.

United States of America - Forest Service

J. C. Paulsen

(signature) (for) J. S. TIXIER, Regional Forester

Subscribed and sworn to before me this 11th day of April 19 84.

Shandra S. Carlson
(Notary Public)

Residing at Willard (Box Elder County) Utah.

My commission expires 2-20-85.

4205

POOR QUALITY ORIGINAL

MICROFILMED

1000

Rec'd From DWR 2/24/84

附 表

Form No. 243

9/81

Claim No. 77-4205

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JUL 5 1963

Department of Water Resources
Western Regional Office

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1993. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Big Creek Development Company, an Idaho Limited Partnership
(Name of Claimant)

P.O. Box 967, Boise, Idaho 83701
(Mailing Address)

Telephone No. 343-1890

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) June 1, 1930
A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Government Creek trib. Logan Cr.
Government Creek trib. Logan Cr. (below the confluence of Logan & Government Creeks) tributary to Big Creek
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(Cts. #)		(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive) (Mo., Day)	
Quantity	<u>0.04 cfs</u>	Use <u>Domestic</u>	Period of Use From <u>Jan 1</u>	To <u>Dec. 31</u>
Quantity	_____	Use _____	Period of Use From _____	To _____
Quantity	_____	Use _____	Period of Use From _____	To _____
Quantity	_____	Use _____	Period of Use From _____	To _____
Quantity	_____	Use _____	Period of Use From _____	To _____

- (4) _____ TOTAL QUANTITY USED.
- (5) A) Point of diversion: (Location of point where water is diverted from its source)
P.O.D. #1, SP4 NW ¼, Sec. 35 Twp. 21N Rge. 9E 8M., County of Valley
Additional points of diversion: P.O.D. #2, NW¼ of the NW¼ but diverted solely out of
Government Creek
B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field,
etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the
change. 2 inch plastic pipe for P.O.D. #1 and ditch for P.O.D. #2
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is
not for irrigation, place an "X" in appropriate box to show location.

[illegible]

Part of Lot 13, Block 2, of the Edwardsburg Recorder Plat No. 1, as shown on the official plat thereof on file and of record with No. of acres _____ the Valley County Recorder, Valley County, Idaho, (See Attached)

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

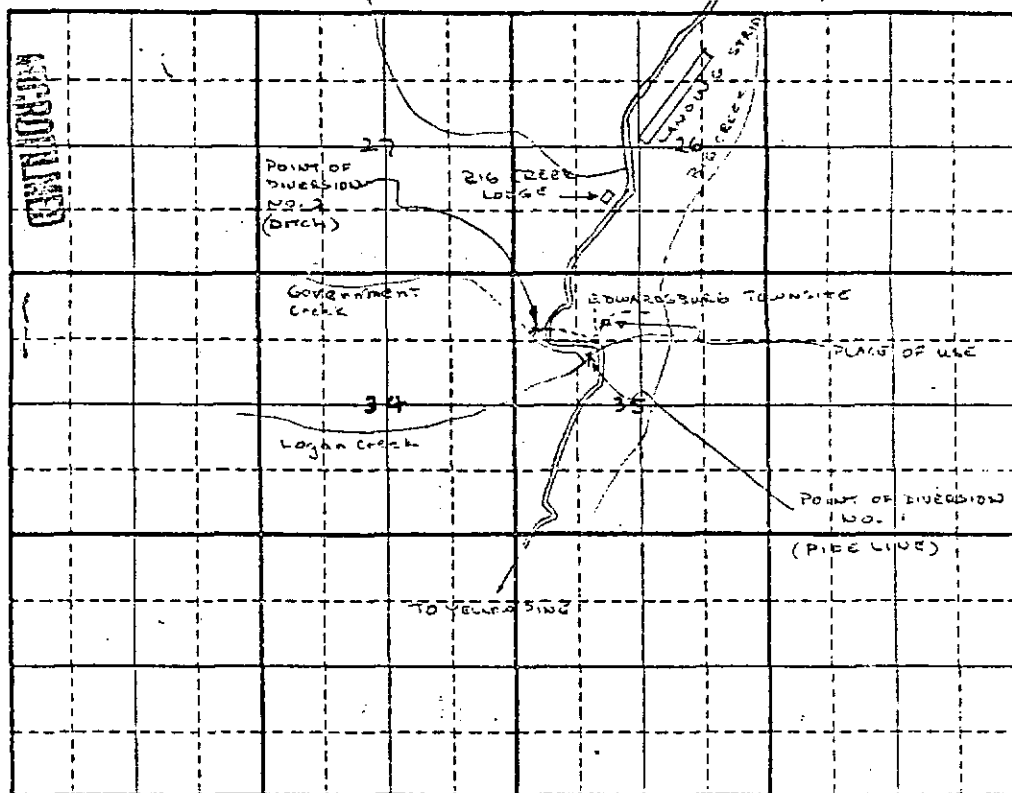
Water is used for domestic purposes

NOTE: Include here the type and number of stock watered:

- [7] If you are claiming water as a member of an organization, list name of organization: See above

POOR QUALITY ORIGINAL

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho }
County of Ada } ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Big Creek Development Co.
by *Howard T. Mearns*
(Claimant)

Sworn to before me this 30th day of June, 1983

Gregory B. Smith
Notary Public
Residing at *Boise, Idaho*

My commission expires _____

FOR DEPARTMENT USE ONLY

Received by <u>me</u>	Date <u>7-5-83</u>	Exception filed by:	Forwarded to	Date
Perfun, check by <u>me</u>	Date <u>11/2/83</u>		claimant by:	
\$30.00 fee received by <u>me</u>	Date <u>7/6/83</u>			
Published in <u>The Star News</u>				
Date <u>10-6-91/84</u>				

REPRODUCED

POOR QUALITY ORIGINAL

Department of Water Resources
Western Regional Office

The land referred to in this policy is situated in the State of Idaho
County of Valley and is described as follows:

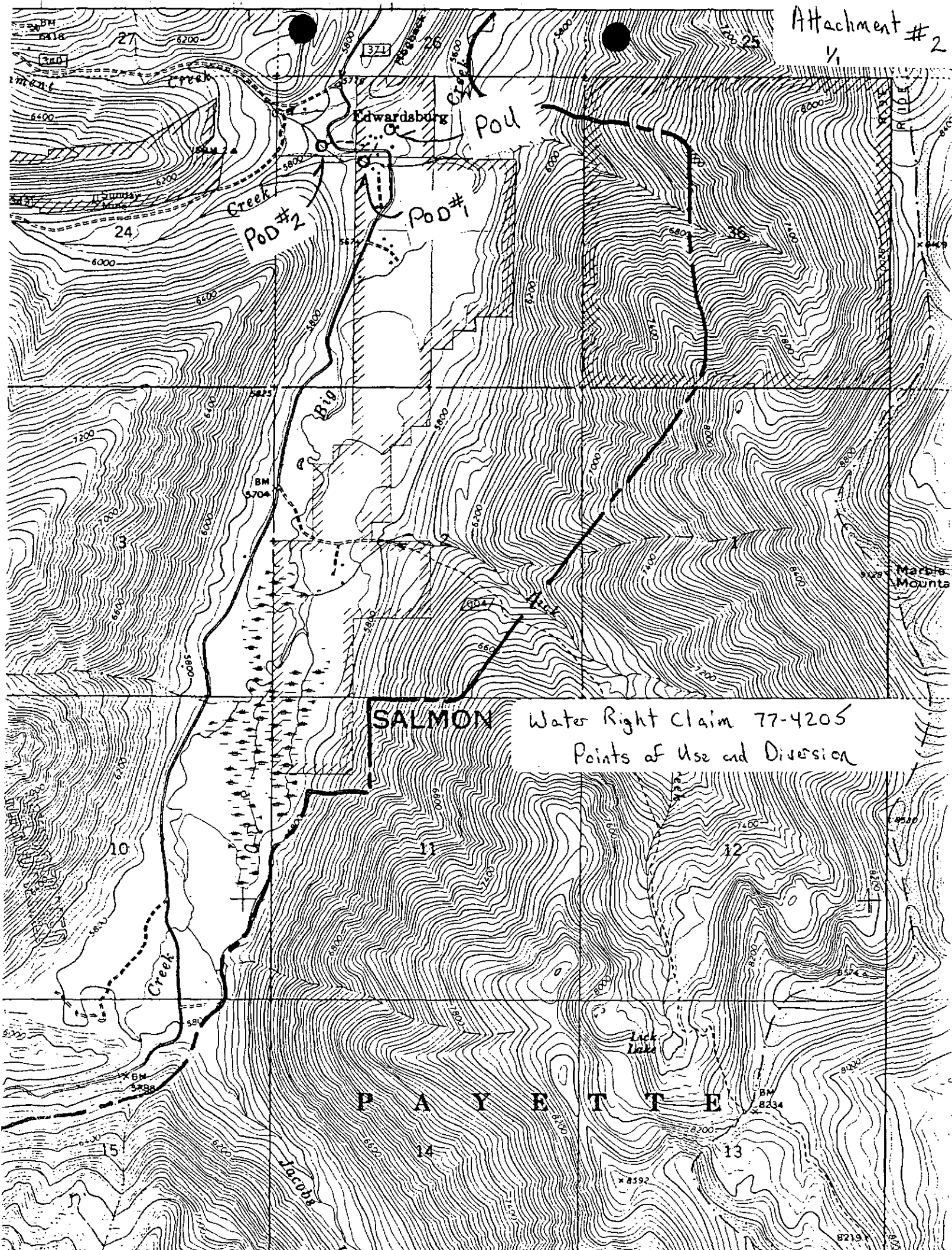
A parcel of land in the SE corner of Lot 13 Block 2 of the Edwardsburg
Recorder Plat No. 1 as shown on the official plat thereof on file and of
record in the office of the County Recorder of Valley County, Idaho, and more
particularly described as follows:

Commencing at the SE corner of Lot 13;
Thence Northerly 144 feet to the northeast corner of this tract;
Thence Westerly 210.68 feet to the northwest corner of this tract;
Thence in a Southerly direction 144 feet to the southwest corner of
this tract;
Thence Easterly 209.92 feet to the point of beginning.

And beginning at the northwest corner of Section 35, T. 21N., R. 9E., E.M.,
Valley County, Idaho;
Thence East 1320 feet;
Thence South along West line of the NE 1/4 NW 1/4 of said Section to the
Southwest corner of a tract of land deed to Pete Hillman, which deed is
recorded in Book 19 of Deeds, page 572, in the office of the Recorder of
Valley County, Idaho;
Thence in an Easterly direction along the North boundary line of the
Forest Service road right of way a distance of 418 feet to the Southwest
corner of a tract of land deeded to Kathryn Thrall and Shirley K. Rich,
which deed is recorded in Book 34 of Deeds, page 216, in the office of the
Recorder of Valley County, Idaho;
Thence in a Northerly direction along the West boundary line of the
Thrall and Rich tract a distance of 192.49 feet to the Real Point of
Beginning; which is the Southeast corner of this tract;
Thence continue in a Northerly direction along the West boundary line
of the Thrall and Rich tract a distance of 144 feet to the Northeast
corner of this tract;
Thence in a Westerly direction a distance of 46 feet to the Northwest
corner of this tract;
Thence in a Southerly direction a distance of 144 feet to the Southwest
corner of this tract;
Thence in an Easterly direction along the South boundary line of a tract
of land deeded to Wilbur V. Wiles, which is recorded in Book 29 of Deeds,
at page 614, in the office of the Recorder of Valley County, Idaho,
a distance of 46 to the Southeast corner of this tract, the point
of beginning.

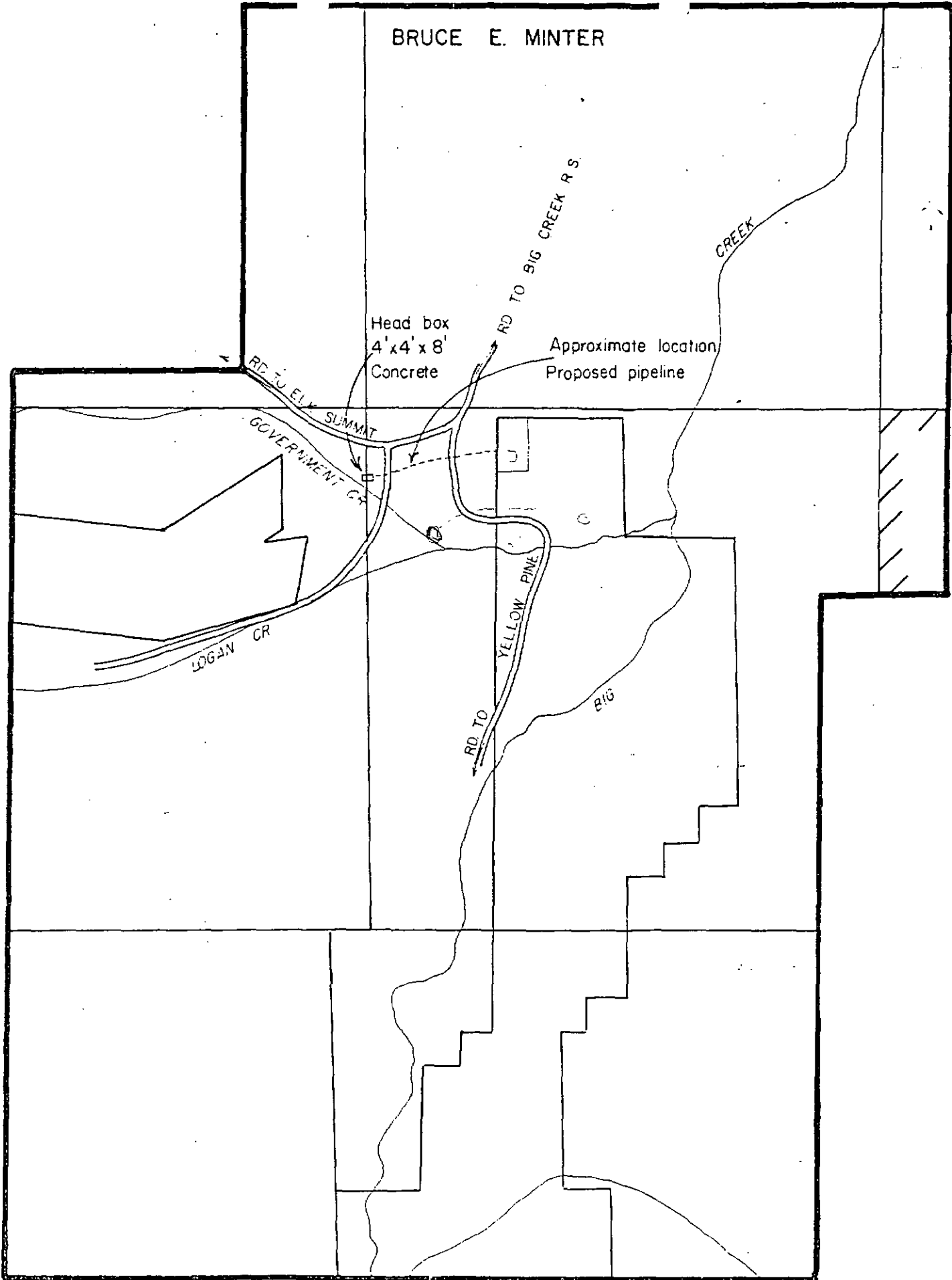
RECORDED

RECORDED



PROPOSED WATER TRANSMISSION PIPELINE

BRUCE E. MINTER



REPRODUCED

SPECIAL USE PERMIT

Act of June 4, 1897

This permit is revocable and nontransferable
(Ref. FSM 2710)

d. District (7-8)

e. User number (9-12)

g. State (16-17)

h. County (18-20)

k. Card no. (21)

70
95
16

5117

085

411

1

Attachment # 3 1/2

Permission is hereby granted to Bruce E. Minterof Big Creek Lodge, via Cascade, Idaho 83611
hereinafter called the permittee, to use subject to the conditions set out below, the following described lands or improvements:**Strip of land 4 feet wide and 1320 feet long in Sec. 35, T21N, R9E, B.M.****Concrete headbox 4' x 4' x 8', located immediately adjacent to Government Creek, approximately 1320' of 3" plastic pipeline buried 30" deep. Pipeline will cross under 2 roads, the Yellow Pine to Big Creek road and the Logan Creek road.**This permit covers .12 acres and/or 1/4 miles and is issued for the purpose of:**Right of way for pipeline to be used for construction, irrigation and possible future domestic use to convey water from Government Creek to private property in vicinity of the Big Creek Ranger Station.**1. Construction or occupancy and use under this permit shall begin within 6 months, and construction, if any, shall be completed within 12 months, from the date of the permit. This use shall be actually exercised at least 365 days each year, unless otherwise authorized in writing.2. In consideration for this use, the permittee shall pay to the Forest Service, U.S. Department of Agriculture, the sum of Twelve and 50/100 Dollars (\$ 12.50) for the period from October 1 1976, to December 31, 1977, and thereafter annually on January 1, 1978Ten and no/100 Dollars (\$ 10.00) :
Provided, however, Charges for this use may be made or readjusted whenever necessary to place the charges on a basis commensurate with the value of use authorized by this permit.3. This permit is accepted subject to the conditions set forth herein, and to conditions 18 to 23 attached hereto and made a part of this permit.

PERMITTEE	NAME OF PERMITTEE	SIGNATURE OF AUTHORIZED OFFICER	DATE
	BRUCE E. MINTER	/s/ Bruce Minter TITLE	10-13-76
ISSUING OFFICER	NAME AND SIGNATURE	TITLE	DATE
	/s/ Harold M. Bolt	for W. B. SENDT Forest Supervisor	10-15-76

(CONTINUED ON REVERSE)

2700-4 (7-71)

UNITED STATES DEPARTMENT OF AGRICULTURE
REGIONAL OFFICE U. S. FOREST SERVICE

FEDERAL OFFICE BUILDING

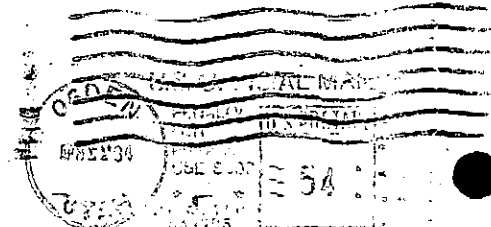
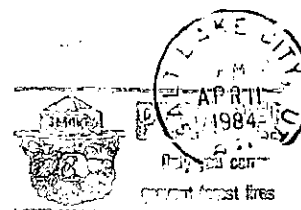
324 - 25TH STREET

OGDEN, UTAH 84401

OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE, \$300

RECEIVED
APR 11 1984



Mr. David B. Shaw
Western Region Supervisor
Idaho Department of Water Resources
Towers Building, 3rd Floor
450 West State Street
Boise, ID 83720



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

April 16, 1984

Big Creek Development Company
P. O. Box 967
Boise, ID 83701

Re: Claim No. 77-4205

Gentlemen:

Enclosed is a copy of an exception filed in connection with your above referenced claim to a water right. The Department will not schedule a hearing in this matter or evaluate for conformation or censure the right claimed since Section 42-244, Idaho Code, states in part the following:

"At anytime after the filing of a claim, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources."

If we can be of further assistance, please contact us.

Very truly yours,

DAVID B. SHAW
Western Regional Supervisor

DBS:jp

Enc:

RECEIVED
MAY 10 1984



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

April 12, 1964

D. C. Winder
Regional Forester
United States Department of Agriculture
Forest Service
374 Main St.
Ogden, UT 84401

Re: Claim No. 77-4203, 77-4205 & 77-4213

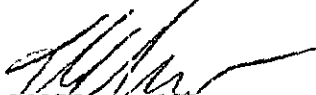
Dear Mr. Winder:

This office acknowledges receipt of your correspondence concerning the above referenced claim to a water right. The Department will not schedule a hearing in the matter or evaluate for conformation or censure the right claimed, since Section 42-244, Idaho Code, states in part the following:

"At anytime after the filing of a claim, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources."

If we can be of further assistance, please contact us.

Very truly yours,


DAVID B. SHAW
Western Regional Supervisor

DBS:jp

Enc:

RECEIVED
APR 15 1964

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: 6LS

Right Number 77-4205

Applicant Big Creek Devel.

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. 2/6/84
- ☒ Claim published correctly. the Star News
361 26921 1/25 82/1/84
- ☒ Exceptions processed.

By DBS

Date

2/14/84

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

Sc

Date

2/22/84

RECEIVED

RECEIVED
FEB 22 1984

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

FEBRUARY 15, 1984

BIG CREEK DEVELOPMENT CO.
IDAHO LIMITED PTR.
P.O. BOX 967
BOISE

ID 83701

RE: Claim No. 77-4205

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

DAVID B. SHAW
Western Region Supervisor

Enclosure

MICROFILMED

ZZ-4205-

BIG CREEK DEVELOPMENT CO.

IDAHO LIMITED PTR., P.O. BOX 967, BOISE, ID 83701

Source: GOVERNMENT CREEK trib. to LOGAN CREEK
LOGAN CREEK trib. to BIG CREEK

Priority Date: 06/01/1930

Diversion Pt: SENW NWNW Sec 35 T 21N R 09E

Use: DOMESTIC (0.04 CFS)

In: NENW Sec 35 T 21N R 09E

MICROFILMED

IDENT. NO. 77-4205

WATER RIGHT
DATA ENTRY LOG

[illegible]