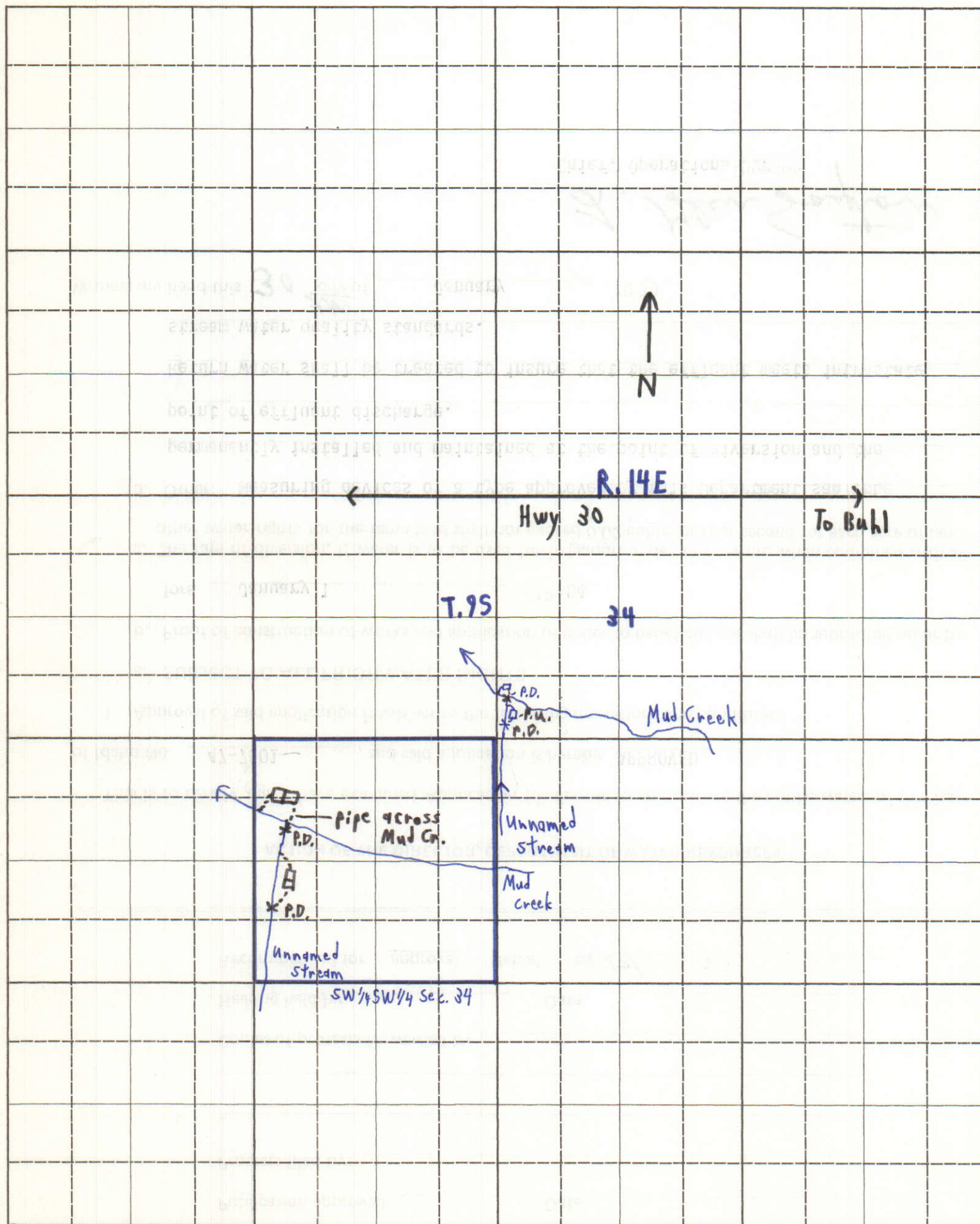


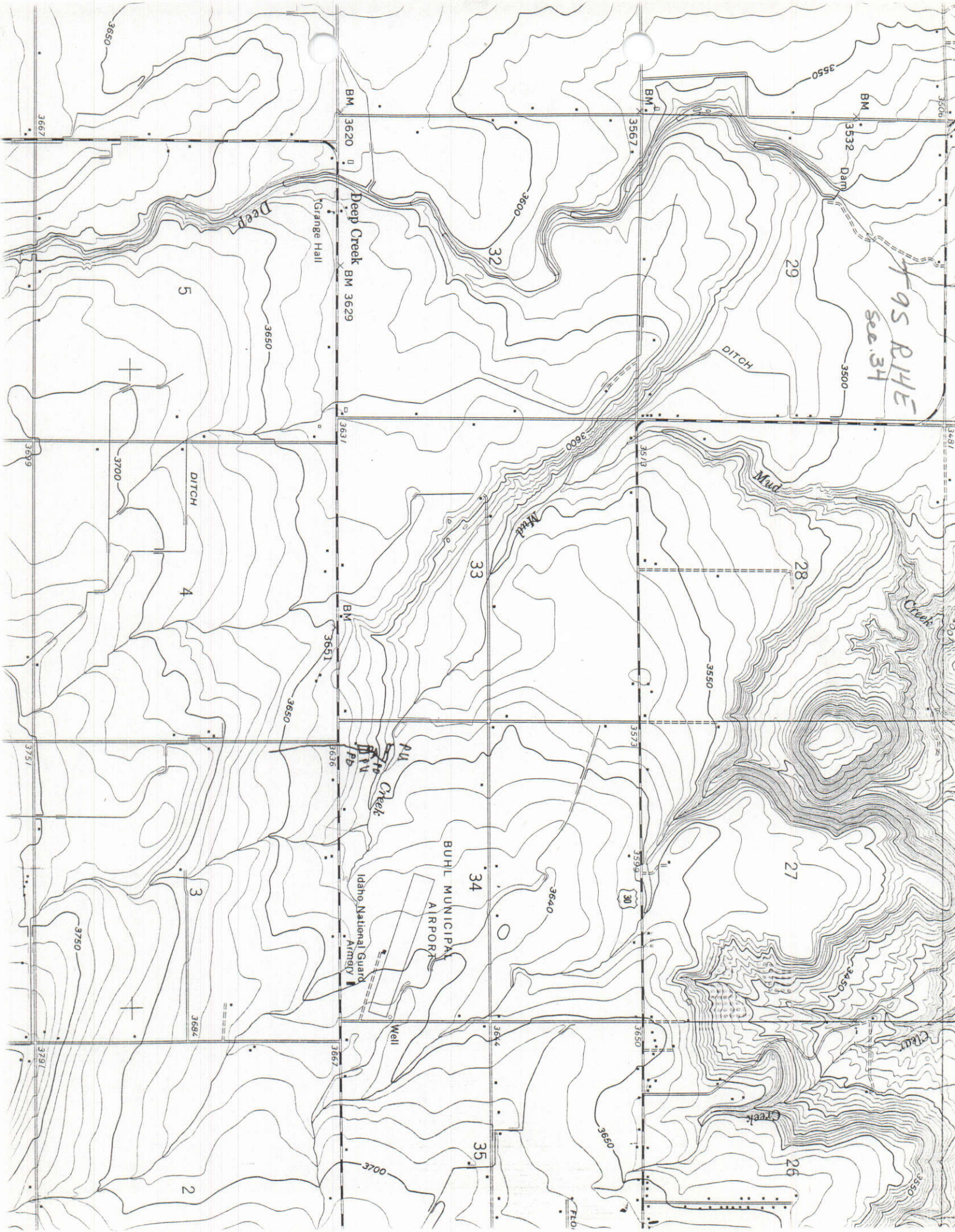
11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

G. H. Munsee
(Applicant)



47-7501



Raceways



47-7501.



Inlet From Raceways
To Upper Pond



Upper Pond



Lower Pond

47-7501



Weir Above Raceways



Outlet Weir

47-7501



Source Stream
(Looking Upstream)



Stream (Looking downstream
toward raceways)



REAL ESTATE PURCHASE AND SALE AGREEMENT

(With Earnest Money Provision)

THIS CONTRACT CONTROLS THE TERMS OF SALE OF THE PROPERTY.
READ CAREFULLY BEFORE SIGNING: IF ANY QUESTION, CONSULT YOUR ATTORNEY.

RECEIVED

RE-21
Revised 4-77

DEC 6 1978

HUHL Idaho NOVEMBER 30, 19 78

G. K. MUNSEE AND LARIE MUNSEE

Department of
Sources
Search and Discovery Office

(hereinafter called "Buyer") agrees to purchase, and the undersigned Seller agrees to sell the following described real estate hereinafter referred to as "premises" located in the City of HUHL, County of TWIN FALLS, State of Idaho, commonly known as EDDIE SCHULTZ 40 ACRES, legally described as: SW 1/4 SW 1/4 EXCEPT 1.13 ACRES IN THE SW CORNER, SEC. 34, T. 9S, Range 14, E.B.M.

(A FULL AND COMPLETE LEGAL DESCRIPTION MUST BE INSERTED, ATTACHED OR WRITTEN ON THE REVERSE HEREOF PRIOR TO EXECUTION BY SELLER. Buyer hereby authorizes broker to insert over his signature the correct legal description of the premises if unavailable at time of signing, or to correct the legal description previously entered if erroneous or incomplete.)

1. TOTAL PURCHASE PRICE IS: NINETY THOUSAND DOLLARS *****

DOLLARS (\$ 90,000.00) payable as follows:

A. Earnest Money.

- a. Buyer deposits and receipt is acknowledged of FIVE HUNDRED DOLLARS **** Dollars (\$ 500.00) Dollars evidenced by ☐ Cash, ☒ Personal Check, ☐ Cashiers Check, ☐ Note due, paid or delivered as earnest money in part payment of the purchase price for the premises.
- b. Buyer further agrees on or before _____ day of _____, 19 _____, to pay or deliver as additional earnest money in part payment of the purchase price for the premises _____ Dollars (\$ _____) evidenced by ☐ Cash, ☐ Personal Check, ☐ Note due, or _____
- c. All Earnest Money and this agreement shall be held by WEST END REALTY for the benefit of the parties hereto.

B. Balance of purchase price to be paid as follows:

\$25,600.00 cash on February 1, 1979.
\$63,900.00 by Land Contract payable at \$7,467.05 per year including interest at 8% from February 1, 1979, and on each February 1st, for ten years, then buyer is to pay full principal balance.

Possession is to be approximately January 15, 1979 or at such time the fish in ponds are harvested.

Escrow at Farmers National Bank, Huhl, Attorney to write contract. Original escrow and attorney fee to be split 50-50.

2. Buyer's offer is made subject to the acceptance of Seller on or before twelve o'clock midnight of _____, 1978. If Seller does not accept this agreement within the time specified, the earnest money shall be refunded to Buyer on demand.
3. Title of Seller is to be conveyed by Warranty deed, unless otherwise provided, and is to be marketable and insurable except for rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit, and rights of way and easements established or of record. Liens, encumbrances or defects to be discharged by Seller may be paid out of purchase money at date of closing. Any liens, encumbrances or defects which are to be discharged or assumed by Buyer or to which title is taken subject to (not otherwise set forth above) are:

4. The parties designate SafeCo Title Company to provide the necessary title insurance and commitment for title insurance required by this agreement.

5. It is hereby agreed that the "closing agent" for the transaction represented by this agreement shall be WEST END REALTY. Where not otherwise provided in this agreement or by law, the parties shall each pay one-half of said closing agents fee.

6. Within _____ days after acceptance by seller, or upon removal of any liens, encumbrances or defects to title by Seller, as provided herein, whichever is later, Buyer and Seller shall deposit with the "closing agent" all funds and instruments to complete the sale in accordance with terms and conditions hereof. Upon receipt of the items specified in the preceding sentence the closing agent shall close this transaction.

7. All attached floor coverings, attached television antenna, attached plumbing, bathroom and lighting fixtures, window screens, screen doors, storm windows, storm doors, shades, venetian blinds, curtain rods, trees, plants, shrubbery, water heating apparatus and fixtures, attached fireplace equipment, awnings, ventilating, cooling and heating systems including built in and "drop in" ranges, (but excepting all other ranges) fuel tanks and irrigation fixtures and equipment, all water and water rights, and ditches and ditch rights appurtenant thereto that are now on or used in connection with the premises shall be included in the sale unless otherwise provided herein.

The following items of property now on the premises are specifically excluded from the sale: _____

The following items of personal property are specifically included in the sale: Oil Heater

8. Taxes and water assessments (using the last available assessment as a basis), rents, insurance premiums, interest and reserves on liens, encumbrances or obligations assumed and utilities shall be pro-rated as of the January 1st, 1979, 19 _____ or on the date of closing, whichever shall last occur. Buyer shall pay for fuel in tank, the amount to be determined by the supplier at Seller's expense.

9. Seller shall deliver possession of the premises to Buyer on or before the 1st day of February, 1979 or on the date of closing, whichever shall last occur.

10. The parties agree that this agreement contains the following additional terms and conditions: Acreage survey to be made by Seller by possession date. It is understood that purchasers intent is to construct water use ponds on premises at his expense.

11. The provisions contained on the reverse side of this page shall also constitute part of the agreement of the parties. Each of the parties acknowledges reading this agreement in full.

Listing Broker: _____ Selling Broker: _____ By _____

Buyer LaBree Munsee Buyer's Address 475 Rosewood Dr. Twin Falls, Id

Buyer Buyer's Phone 334-7985

On this date, _____ I/We hereby approve and accept the sale set forth in the above agreement and

agree to carry out all the terms thereof on the part of the Seller and the undersigned further agrees to pay a commission of _____ % of selling price or,

DOLLARS (\$ _____)

to the above broker for services. In the event earnest money is forfeited, it shall be apportioned to the Seller and Brokers equally after payment of costs set out in the above agreement provided the amount to brokers does not exceed the agreed commission. I/We further acknowledge receipt of a true copy of this agreement with the complete legal description of the premises inserted and signed by both parties.

Seller Evangeline Schultz Seller's Address RR 43 Buhl Idaho Seller's Business Ph. 543-4764 Seller's Residence Ph. _____

A true copy of the foregoing agreement, signed by the Seller and containing the full and complete legal description of the premises, is hereby received on this _____

day of Nov. 30, 1978

STATE OF IDAHO

County of Twin Falls

On this 30th day of NOVEMBER, 1978 before me, the undersigned, a Notary Public in and for said State, personally appeared

EDDIE SCHULTZ & EVANGELINE SCHULTZ

known to me to be the person(s) who signed the foregoing instrument as Seller(s) and acknowledged to me that (t)he(y) executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

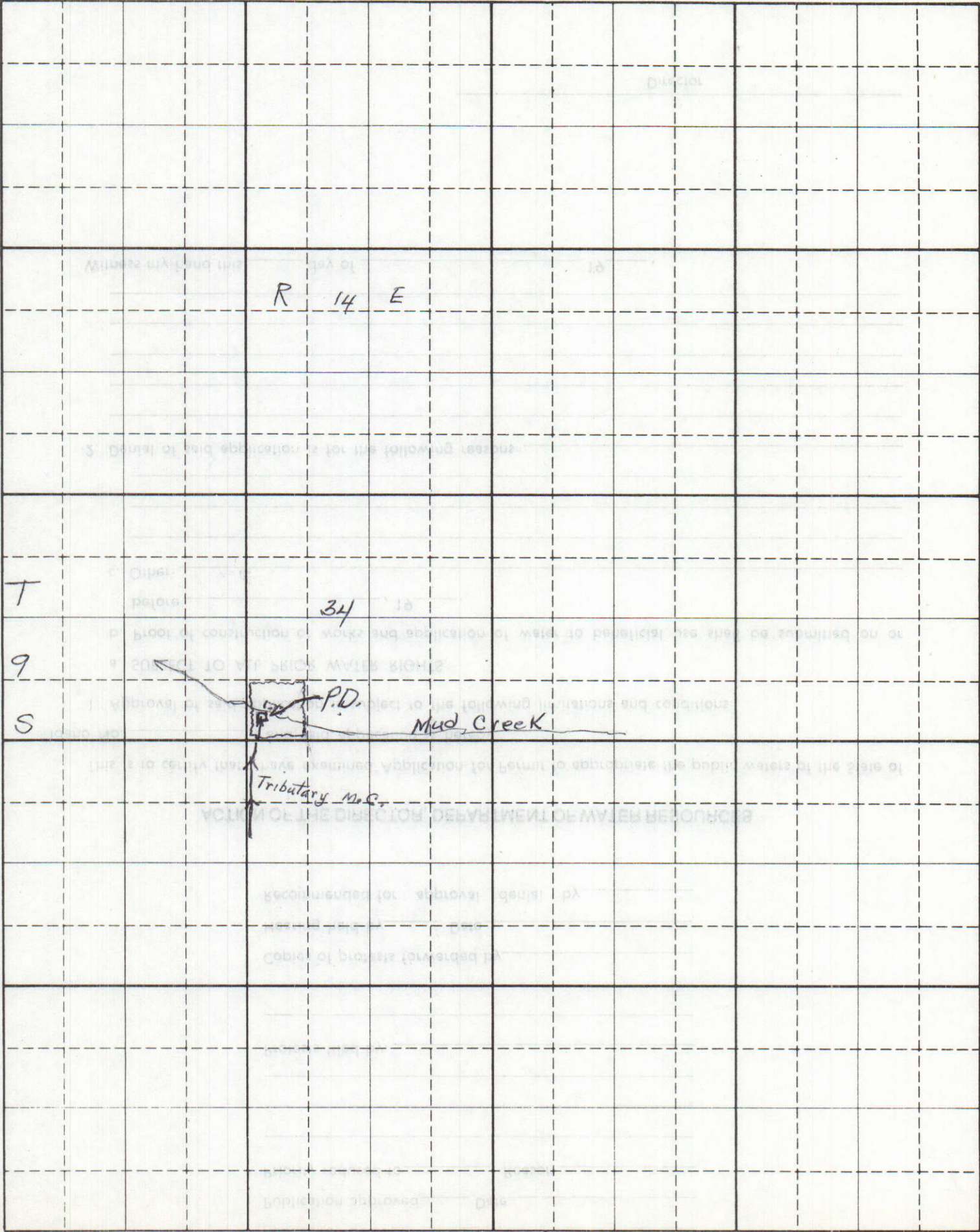
James H. Patterson
Notary Public for State of

Residing at

543-4409 BUYER'S COPY WITH SELLER'S ACCEPTANCE

MICROFILMED

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.

G. H. Munsee
(Applicant)

**NOTICE OF APPLICATION
FOR WATER RIGHT**

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

47-7501

MUNSEE, G.K.

475, ROSEWOOD DRIVE, TWIN FALLS, ID 83301

Source: UNNAMED STREAM tributary to MUD CREEK

Date Filed: 12/05/1978

Amount: 3.00 CFS

Diversion Point: SWSW Sec 34 T 09S R 14E, TWIN FALLS Co.

Use: FISH PROP. (3.00 CFS) from 01/01 to 12/31

Place of Use: SWSW Sec 34 T 09S R 14E

Diversion Means: HEADGATE AND DITCH

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 on or before

C. STEPHEN ALLRED JANUARY 8, 1979

Director

PUBLISH: Thursday, Dec. 21 and 28, 1978.

Affidavit of Publication

No 7890

STATE OF IDAHO,

COUNTY OF TWIN FALLS }

ss.

I, Nola L. Laughlin being first duly sworn upon oath, depose and say that I am Punc Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive Thursdays, commencing with the issue dated December 21, 19 78 and ending with the issue dated December 28, 19 78.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

Subscribed and sworn to before me on this

December 28th, 19 78

day of

Nola L. Laughlin
Ray L. Mauer
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

RECEIVED

DEC 29 1978

Department of Water Resources
Southern District Office

noted
12-28-78
REPROLINED

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	47-07501	G K Munsee	3.00
~~Full Assignment~~	~~47-07501~~	~~Scott Kaster~~	~~3.00~~
~~Full Assignment~~	~~47-07501~~	~~Dale E Adams~~	
		~~Ruth A James~~	~~3.00~~
Full Assignment	47-07501	Michael J Leeds	3.00

RECEIVED

JUN 26 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Received
may 5 93
Southern R
some in with
not too far

ASSIGNMENT OF APPLICATION FOR PERMIT

I, Dale E. Adams, hereby assign to Michael J. Leeds
of, 1206 E. 4100 N., Buhl, ID 83316
(Full Address)

All my right, title, and interest in and to Application for Permit
No. 47-7501 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Application for Application for Permit No. 47-7501 to appropriate the public
waters of the State of Idaho.

Describe portion of the application assigned listing the number of acres in each 40 acre
subdivision, point of diversion location, and the amount of water in cubic feet per second.

ALL APPLIED FOR

Made this 5/3/93 day of May, 1993, ~~1990~~.

Dale E. Adams
Applicant
Dale E. Adams

State of Idaho)
County of Twin Falls) ss

RECEIVED
APR 27 1994

On this 3rd day of May, 1993, ~~1990~~, personally appeared before me the signer of the
above instrument, duly acknowledged to me that he (she) (they) executed the same.

Delinda Smith
Notary Public
Commission Expires: 10-29-98

seal

My commission expires: 10-29-98

RECEIVED
JUL 26 1994

WARRANTY DEED

For Value Received DALE E. ADAMS, a single man, hereinafter called the grantor, hereby grants, bargains, sells and conveys unto MICHAEL^{J.}/LEEDS, a single man, of Santa Barbara, California, whose address is: 1206 E 4100 N Buhl, ID 83316, hereinafter called the grantee, the following described premises, in Twin Falls County, Idaho, to-wit:

Township 9 South, Range 14 East, Boise Meridian,
Twin Falls County, Idaho:

Section 34: SW $\frac{1}{4}$ SW $\frac{1}{4}$,

EXCEPT the South 324 feet of the West 152 feet of said SW $\frac{1}{4}$ SW $\frac{1}{4}$, together with all water rights appurtenant thereto.

SUBJECT to reservations and exceptions which would be disclosed on an accurate title insurance policy and further SUBJECT to any conflicts, discrepancies or encroachments and boundaries which a correct survey should disclose and which are not shown by the public record. **COPY**

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED: April 30, 1992.

Dale E. Adams
DALE E. ADAMS
APR 26 1994

STATE OF IDAHO

County of Twin Falls

)
) ss.
)

On this 3rd day of May, 1993, before me,
the undersigned, a Notary Public in and for said County and
State, personally appeared DALE E. ADAMS, a single man,
known to me to be the person who executed the foregoing
instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal, the day and year in this
certificate first above written.

COPY


Notary Public for Idaho
Residing at Jerome, ID
Comm. Expires: 10-29-98

JUL 26 1994

MEMORANDUM

TO: FILE 47-07501
FROM: Mary Baldwin
DATE: 22-Mar-1993
SUBJECT: Pending field exam

Received a t/c from Crystal Vincent of Rosholt & Associates inquiring why this water right was still in the permit stage.

Research indicates that proof of beneficial use was filed in 12/88 but no field exam has been conducted.

A request was made to Jim Stanton on this date for a field examination as soon as possible.

hold for assignment of permit.
realtor will provide,
not received yet. Mike Leeds
contacted 7-19-93 JJ

called 3-26-93, left message,
will call back. JJ
hold until mid-May or so
for peak flow. flow is way down
now. Mike Leeds new owner
543-6751 PO Box
866-5528 15441
Dale 866-5528
Adams 866-5528
called 5-1-93. left message 83715

1056-47

Form 217
03/86

RECEIVED

DEC - 5 1988

Department of Water Resources
Southern Region Office

RECEIVED

DEC 07 1988

STATE OF IDAHO Department of Water Resources

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Fee Received 150.00
Date 12-5-88
Receipt # 15004217
Rec'd by TJB
Reviewed by GH
Sent to region 12/6/88
SO

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

Permit No. 47-7501
Name(s) of Permit Holder: DALE E Adams & Ruth A. James
Post Office Address: RT 5 Box 5047A
Buhl, Idaho 83316 Telephone No. 543-5215
Source of Water: Unnamed Stream
Extent of Use:

Domestic _____ (number of households) Stockwater _____ (number and type of stock)
Irrigation _____ (acres) Other/Remark Fish Propagation

Total rate and/or volume for which proof is submitted 3 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: 12-5-78

Measuring Device: Required? ☒ Yes _____ No
Installed? ☒ Yes _____ No
Fee enclosed \$ 150.00
(See License Examination Fee Schedule)

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

Person to contact to accompany the Department representative during the field examination:
DALE E. Adams 543-5215
(Name) (Telephone Number)

RT 5 Box 5047A Buhl, Idaho 83316
(Address)

call between 2:00 - 5:00 PM
The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

12/5/88 Dale E Adams Ruth A James
Date Signature of Permit Holder (and title, if appropriate)

RECEIVED

SEP 22 1988

State of Idaho
Department of Water Resources

RECEIVED

SEP 20 1988

Department of Water Resources

ASSIGNMENT OF PERMIT

Department of Water Resources
Southern Region Office

I, Scott Kaster, hereby assign to Dale E. Adams & Ruth A. James
of Route # 5, Box 5047A, Buhl, Idaho 83316
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 47-7501
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 20th day of September, 19 88.

Scott Kaster
Permit Holder

Mary J. Kaster
Spouse of Permit Holder

State of Idaho)
County of Twin Falls) ss.

On this 20th day of Sept., 19 88, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Beverly Smith
Notary Public residing at
Twin Falls

My commission expires:
4-28-92

RECEIVED

OCT 11 1988

RECEIVED
AUG 28 1986

State of Idaho
Department of Water Resources

RECEIVED

AUG 26 1986

ASSIGNMENT OF PERMIT

Department of Water Resources

Department of Water Resources
Bureau of Water Rights

I, G. K. Munsee, hereby assign to Scott Kaster
of 429 14th St., Buhl, ID 83316
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 47-7501
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 14 day of August, 19 86.

G. K. Munsee
Permit Holder

LaRae Munsee
Spouse of Permit Holder

State of Idaho)
County of Twin Falls) ss.

On this 14 day of August, 19 86, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

George Beer
Notary Public residing at

Twin Falls Idaho

My commission expires:

2-20-87

NOTARY PUBLIC

INTER-DEPARTMENT MEMO — 1

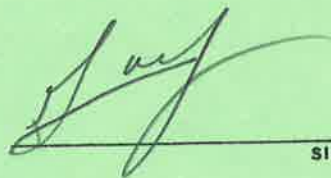
DATE 3-2-1981

FROM

TO

SUBJECT

this proof will be with drawer

A handwritten signature in dark ink, appearing to be 'L. J. [unclear]', written over a horizontal line.

SIGNATURE

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 47-7501 (part)

Name(s) of Permit Holder: G.K. Munsee

Post Office Address: 475 Rosewood Drive,

Twin Falls, Id 83301

Source of Water: Unimproved Stream This to Mad Creek

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☐ Irrigation (acres)
☒ Other Fish Prop. (only that part of the permit which is used south of Mad Creek)

AUG 14 1979

Department of Water Resources
 Measuring Device: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No
 Access Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

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

8-14-79
 Date

G.K. Munsee
 Signature of Permit Holder

RECEIVED

SEP 6 1979

Idaho Department of Water Resources
 Southern District Office

For Office Use Only	
Fee Received	15.40
Date	11-18-83
Receipt #	32787

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

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

RECEIVED

NOV 18 1983

Department of Water Resources

RECEIVED

NOV 16 1983

Department of Water Resources
Southern District Office

G.H. Munsee of RT#3 Twin Falls
(Name) (Address)

State of Ida., deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Water of the State of Idaho No. 47-7501.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before Jan. 01, 1984, 1984.

That he has heretofore performed the following work described under said permit: The two ponds on the unnamed stream have been completed and stocked. A change of the original plan will be made with a change in method of diversion. This will make the plan more efficient. Costing \$ 3,000
This must be filled out! If no work has been completed put none.

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Materials have not been available. The fish market is presently not a paying situation. The demand is still. The plan change is much more complicated (Amendment to follow later)

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to 5 yrs max -, 1988. 1-1-1989 J.J.
(1 yr. minimum, 5 yrs. maximum)

RECEIVED

NOTE
AS OF JULY 1, 1980,
THERE IS A \$15.00
CHARGE FOR REQUESTS
FOR EXTENSION OF
TIME.

G.H. Munsee
(Signature)*

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

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to January 1, 1989.

Signed this 28th day of November, 1983.

J. Glen Saxton
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 47-7501

RECEIVED
APPROVED

To appropriate the public waters of the State of Idaho

Department of Water Resources
Southern District Office

1. Name of applicant G. K. Munsee Phone 734-7052

Post office address 475 Rosewood Drive, Twin Falls, Idaho 83301

2. Source of water supply Unnamed Stream which is a tributary of Mud Creek

3. Location of point of diversion is 2 points
SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 34 Township 9S

Range 14E B.M. Twin Falls County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 3.0 cfs for fish prop. purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 3.0 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Headgate & ditch, pipe

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 34 Township 9S
Range 14E B.M.

(2) Amount of power to be generated: _____ horsepower 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 _____.

(5) If water is to be used for other purposes describe: Commercial fish propagation

MICROFILMED

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

[illegible]

Total number of acres to be irrigated _____

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

9. a. Who owns the property at the point of diversion Applicant

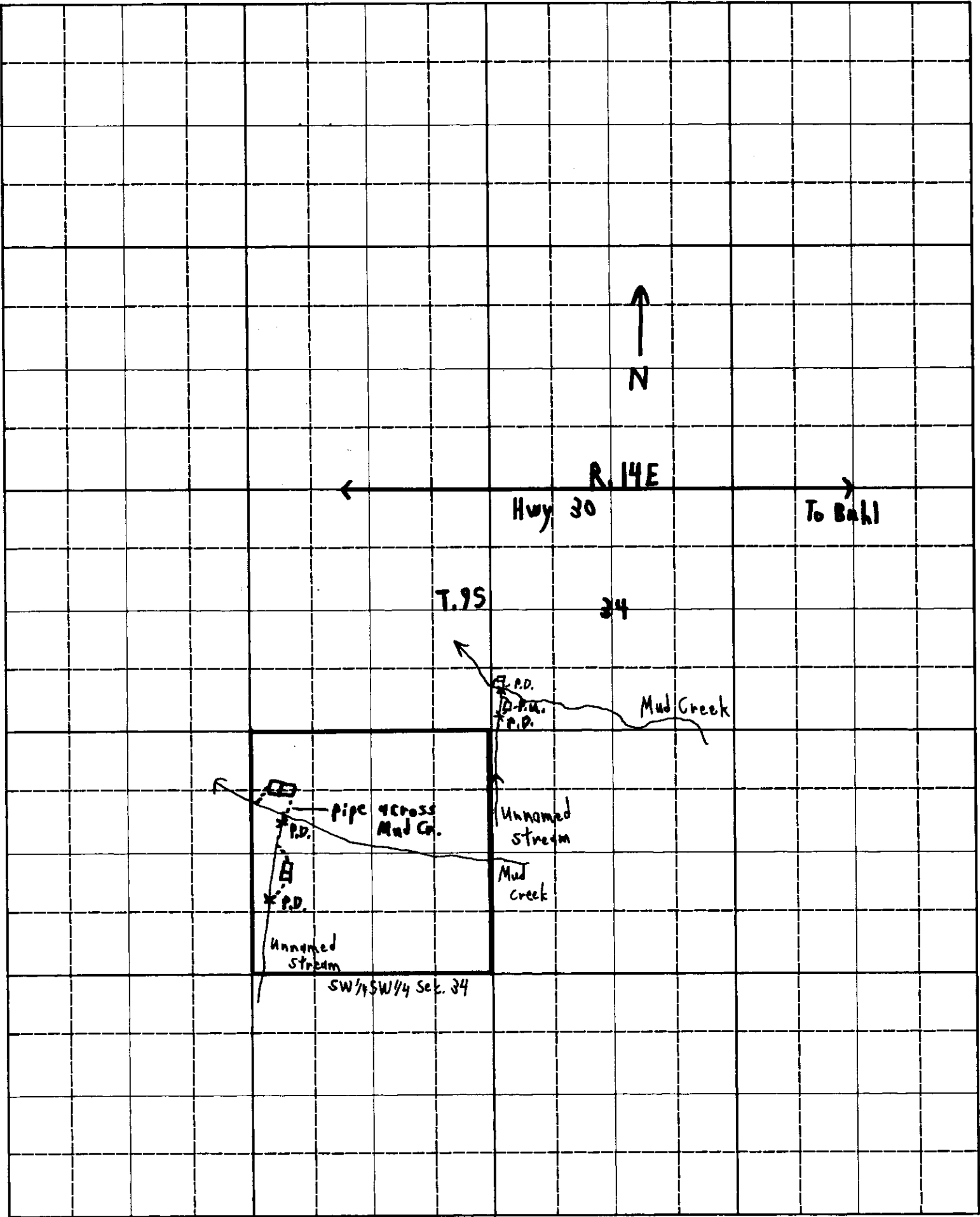
b. Who owns the land to be irrigated or place of use " "

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks Water not consumed will be discharged into the source stream in the SW $\frac{1}{4}$ SW $\frac{1}{4}$
Sec. 34 T. 9S R. 14E. Estimated cost of construction is \$2,000.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins or other markings on the paper.

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.

G. H. Munroe
(Applicant)

Proposed Priority 12-5-78

Received by ADM Date 12-5-78 Time 1:30 pm

Preliminary check by go Fee \$ 55.00

Receipted by marya Date 12-5-78 #12631

Publication prepared by ADM Date 12/13/78

Published in Times news

Publication dates 12/21/78 + 12/28/78

Publication approved _____ Date _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by LH J.S.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 47-7501, 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 January 1, 19 84.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: 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.
Return water shall be treated to insure that the effluent meets intrastate
stream water quality standards.

Witness my hand this 30th day of January, 19 79.

L. Glen Sayton
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
NOV 15 1994
Department of Water Resources

A. GENERAL INFORMATION

- Permit No. 47-07501
Phone No. 543-6751
1. Owner: Mike Leeds (new owner)
Current Address: 1206 E. 4100 N., Puhl, ID 82316
2. Accompanied by: Mr. Leeds EXAM. DATE: 6-3-93
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: Unnamed Stream tributary to Mud Creek

B. OVERLAP REVIEW

1. Other water rights with same place of use: 47-7074 (dirt ponds only from Mud Creek)
_____ ☒ Copies Attached
2. Other water rights with same point of diversion: —
_____ ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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

Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached ☐ Aerial Photo Attached
Showing location(s) of point(s) of diversion and (required for irrigation of 10 acres or more).
place(s) of use (required).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

System Description (continued)

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

Stream runs into 3 concrete raceways & then into 2 dirt ponds. The ponds are mainly supplied directly from Mud Creek under another right. The raceways average 3.1' deep x 49' long x 8.1' wide. The ponds are about 4' deep x 26' wide x 192' & 155' long, respectively.

☐ See Remarks on page 4 for continuation

- 4.

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

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	SW	SW	34	9S	14E	Twin Falls	2 points of diversion for raceways
		NE	SW	SW	"	"	"	"	" For ponds

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	14E	34										H							

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

Suppressed

Inlet measurement - 0.35' over 1.9' rect. weir

Outlet * - 0.34' over 3' contracted rectangular weir

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

Outlet - 1.94 cfs Inlet - 1.38 cfs on 2' weir, ^{1.03} ~~0.986~~ on 1.5' weir. Diff. = ³⁵ ~~0.344~~ cfs x 80% =

2. Alternate Method for Checking Purposes: $\frac{0.205}{28} \text{ cfs} + \frac{0.986}{1.03} = \frac{1.26}{1.31} \text{ cfs}$ Allow 1.94 cfs

F. PUMP EFFICIENCY DATA (Optional)

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

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

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

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

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

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

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

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

2. Volume Calculations for Other Uses:

Ponds - $4' \times 26' \times 397' = 36,088 \text{ cu.ft.}$

Reservoirs - $2.1' \times 49' \times 8.1' \times 3 = 3691 \text{ cu.ft.}$

} 39,779 cu. ft. pond volume

$1.94 \text{ cfs} \times 1.9835 \times 365 \text{ days/year} = 1404.5 \text{ AFA}$

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Difference between inlet & outlet readings is probably due to differences in measuring conditions, as the water flows in a concrete channel between the two points. There should be no water gain, & not much loss, between the 2 points. Not to exceed 10.95 cfs when combined with RT, 47-7074. Not to exceed 39,779 cu. ft. of pond/reefway volume when combined with 47-7074. Stream appears to flow in its natural path until it reaches the upper pond. Flow was measured at its highest-flow time of year, according to owner. Mr. Leeds purchased the property earlier this year from Dale Adams, but no assignment has been received. All correspondence should be sent to Mr. Leeds, who lives on the property. Since no amendments are needed, this should not be a problem. Mr. Adams no longer has any interest in the property, nor does Ruth Jones.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Fish Propagation	1-1	12-31	1.94 cfs	1404.5
Totals:			1.94	1404.5

2. Recommended Amendments

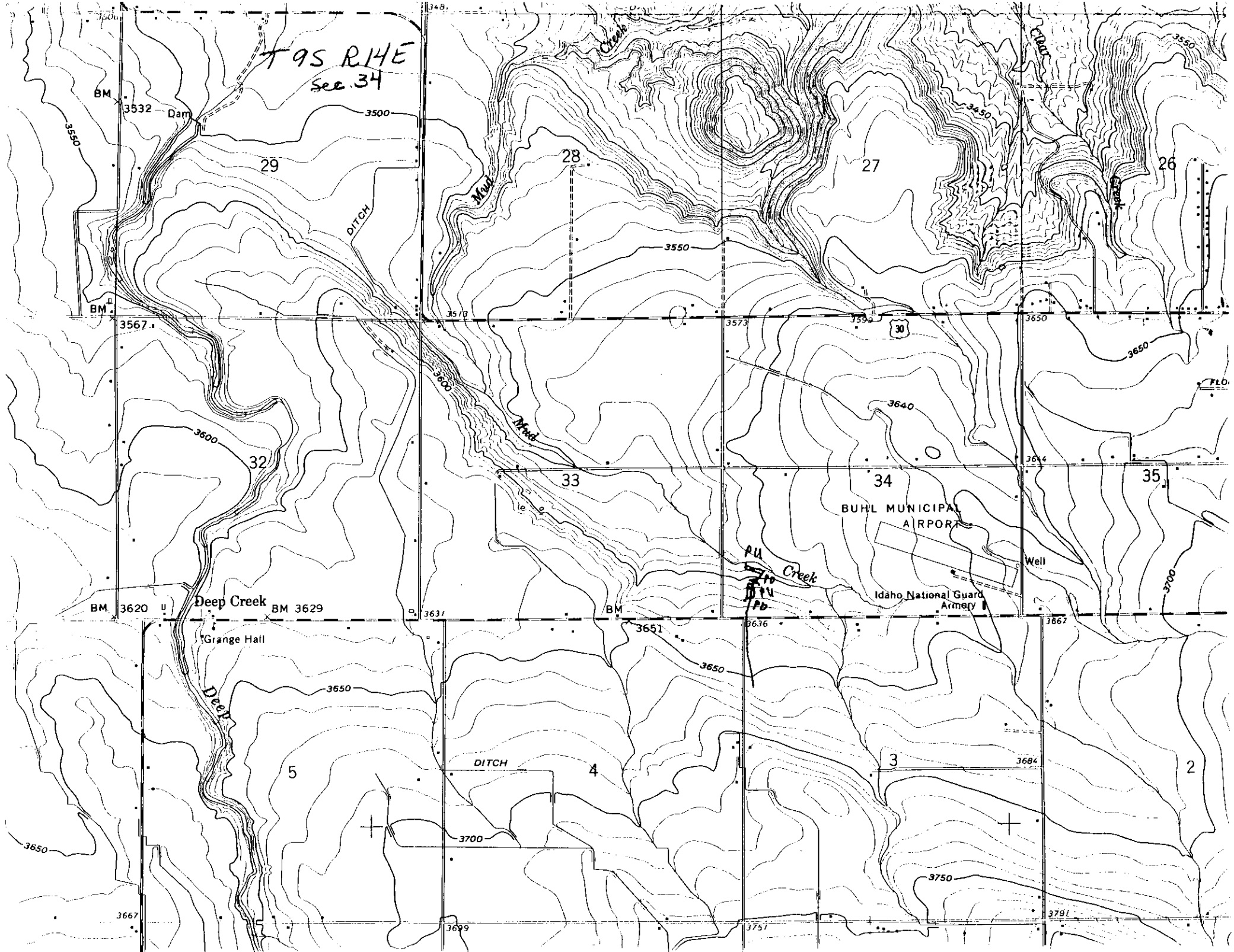
- | | | |
|---|--|--|
| ☐ Change P.D. as reflected above | ☐ Add P.D. as reflected above | ☒ None |
| ☐ Change P.U. as reflected above | ☐ Add P.U. as reflected above | ☐ Other |

J. AUTHENTICATION

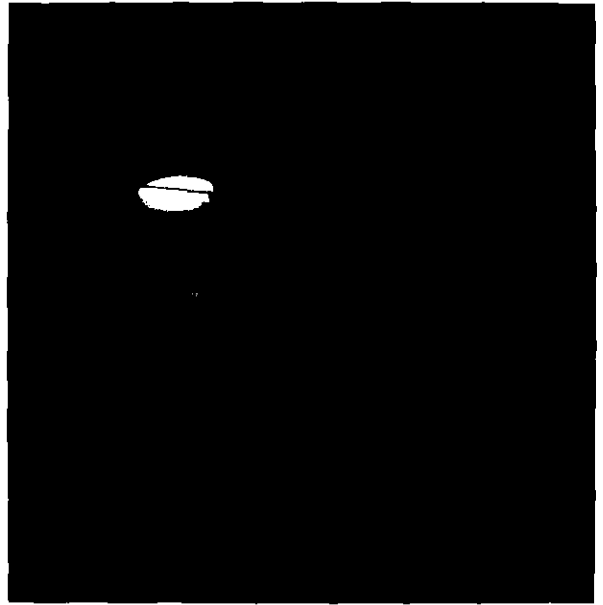
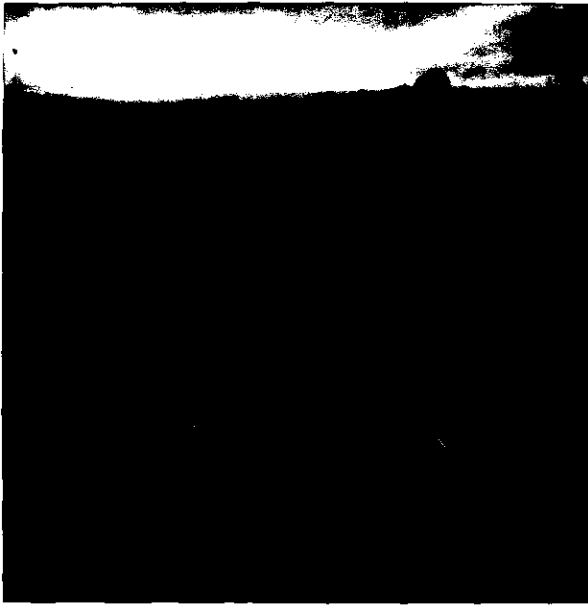
Field Examiner's Name J. E. Stanton
Signature J. E. Stanton
Certification Date _____
Field Report Preparation Date 6-4-93

CONSULTANT SEAL

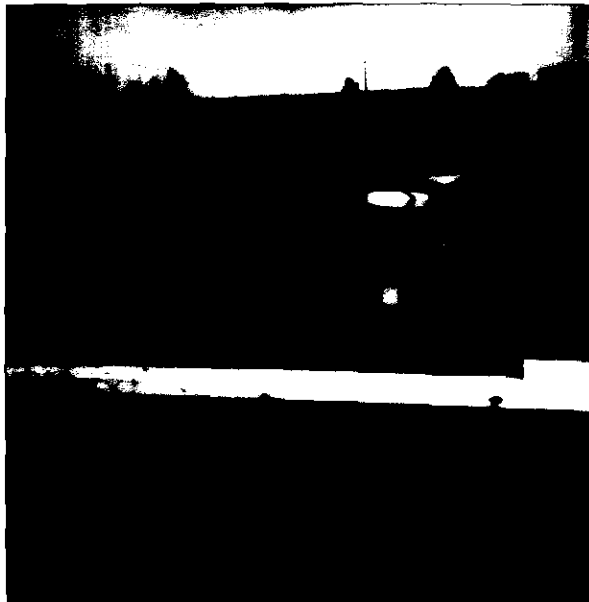
K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.



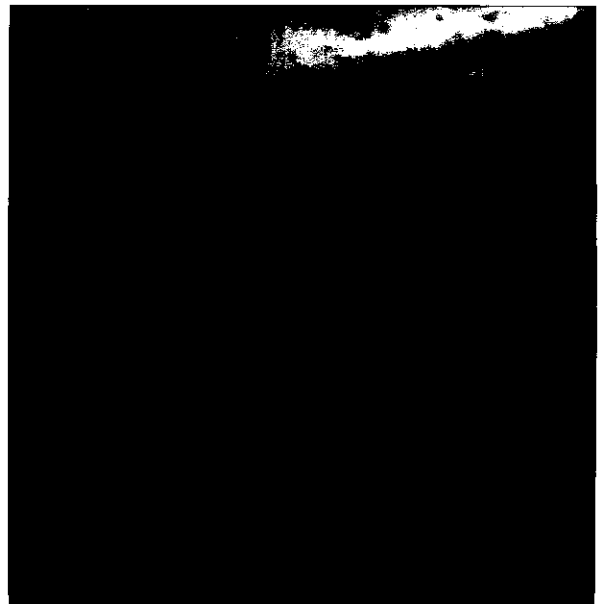
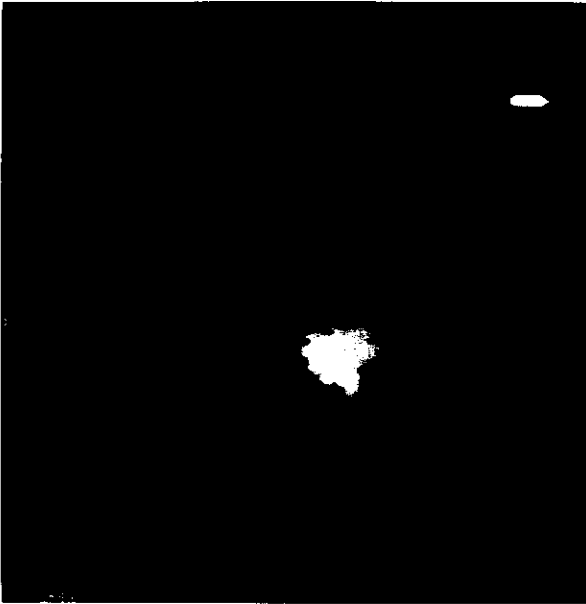
47-1501



Rice ways

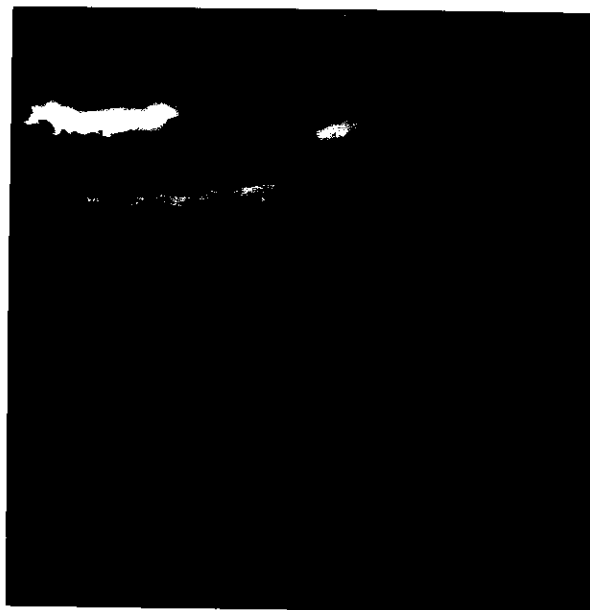


47-7501



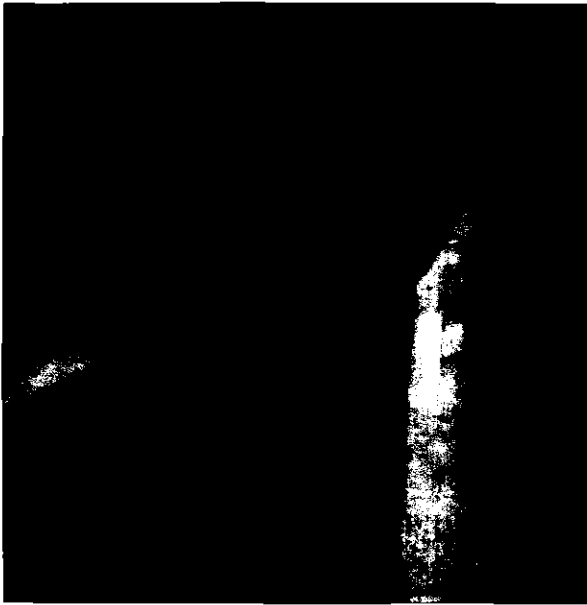
Inlet From Raceways
To Upper Pond

Upper Pond

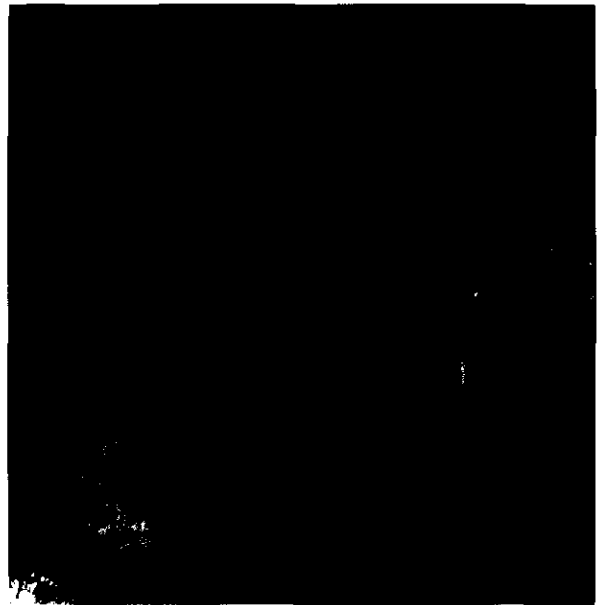


Lower Pond

47-7501



Weir Above Raceways

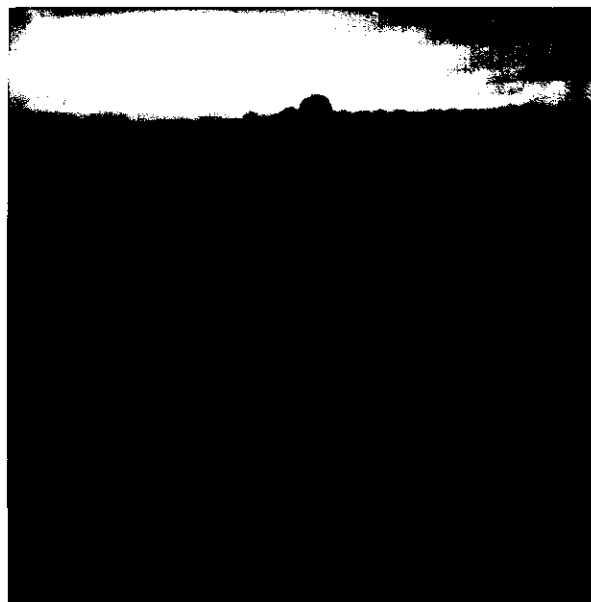


Outlet Weir

47-7501



Source Stream
(Looking Upstream)



Stream (Looking downstream
toward raceways)



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

May 6, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

MICHAEL J LEEDS
1206 E 4100 N
BUHL ID 83316

Re: Permit No. 47-07501

Dear Mr. Leeds:

We acknowledge receipt of the correspondence assigning the ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

RECEIVED

JUL 26 1994

DALE E. ADAMS
RUTH A. JAMES
RT. 5 BOX 5047A
BUHL, ID 833160000

October 31, 1988

138692

PROOF DUE NOTICE

RE: PERMIT NO. 47-07501

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before January 1, 1989. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

DEC 25 1988





State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

October 6, 1988

RE: Water Right No. 47-7501

Dale E. Adams & Ruth A. James
Rt. 5, Box 5047A
Buhl, ID 83316

Dear Permit Holders:

We acknowledge receipt of the correspondence transferring ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

We assume you are aware of requirements remaining to finalize the permit into a license.

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

NOT REFILED

OCT 11 1988

RECEIVED

JUL 29 1982

Department of Water Resources



RECEIVED

OCT 11 1988

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

PLACE
STAMP
HERE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 47-7501
Name(s) of Permit Holder(s): G. K. Munsee
Post Office Address: 475 Rosewood Dr.
Tel. No. ED

☐ I hereby certify that construction of diversion works for the above referenced permit began on 8/1/88 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

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

7-27-88 G. K. Munsee
Date Signature of Permit Holder

September 5, 1986

RE: Permit No. 47-7501

Scott Kaster
429 14th St.
Buhl, ID 83316

Dear Permit Holders:

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

Enclosed for your records is a copy of the permit. Be sure to note the conditions of approval on the fourth page that identify requirements necessary for developing the permit into a licensed water right.

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc
Enclosure

RECEIVED
SEP 11 1986



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT.

(2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

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

December 6, 1983

G. H. Munsee
Rt. 3
Twin Falls, ID 83301

Dear Mr. Munsee:

Re: Permit No. 47-7501

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use postcard is extended to January 1, 1989.

The 1982 Idaho Legislature added a requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date a permit is issued. In the case of this extension, you must commence works within a year from the day the extension was signed and proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction. If you are still prevented from commencing works eleven months from now, note the reason on the blue card and return it then.

In connection with the development of a water right under this permit, the Department wishes to call to your attention an Idaho Supreme Court decision issued in November 1982 which likely could affect your future use of water.

The decision in the case of Idaho Power Company vs the State of Idaho, et al stated in part that Idaho Power Company's use of water for power generation purposes at the Swan Falls dam on the Snake River is not subordinated to upstream depletion by later-in-time uses. The question of whether Idaho Power's 8,400 cubic feet per second of water at Swan Falls dam has been diminished by subsequent development, however, was remanded back to district court for determination. The findings of the district court could restrict water availability or require compensation to Idaho Power Company for uses developed later in time than Idaho Power Company's water right at Swan Falls dam.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

EXTENSION OF TIME

November 18, 1983

G. K. or LaRae Munsee
Route 3, Box 6741
Twin Falls, ID 83301

PERMIT NO. 47-7501

We are in receipt of the \$15 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No. 32787.

Roberta Garrett
Records Supervisor

Enclosure

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138143

G. K. Munsee
Rt. 3
Highlawn Drive
Twin Falls, ID 83301

PROOF DUE NOTICE

OCTOBER 31, 1983

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 47-7501 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JANUARY 01, 1984. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

WITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

March 17, 1981

G. K. Munsee
Route 3
Highlawn Drive
Twin Falls, ID 83301

Dear Mr. Munsee:

Re: Permit No. 47-7501

This office acknowledges receipt of your letter requesting that you be allowed to withdraw partial proof for the above-referenced permit.

Please be advised that in a letter dated August 27, 1979, the department returned the partial proof you submitted and suggested you wait until such time as the project was completed to submit proof of beneficial use. At this time, there is no partial proof submitted on this permit.

Also, we have noted the change of address on our records.

If you have any questions concerning this matter, please feel free to contact me.

Sincerely,

RITA I. FLECK
Sr. Secretary

arch 3, 1981

RECEIVED

MAR 5 1981

Department of Water Resources
Southern District Office

Department of Water Resources
1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301

Re: Permit No. 47-7501

This letter is to request that my petition
for partial final proof of beneficial use of
water for fish production on Mud Creek be
withdrawn.

I will re-submit it at a later date after
total construction is completed.

Sincerely

G. K. Munsee
G. K. Munsee

Please change our
mailing address to
Route 3 Highlawn Dr
Twin Falls, Ida

MICROFILMED

August 27, 1979

G. K. Munsee
475 Rosewood Drive
Twin Falls, ID 83301

Dear Mr. Munsee:

Re: Permit No. 47-7501

Pursuant to our telephone conversation of this date, enclosed is the statement of beneficial use postcard you submitted. Please be advised that you should submit this when you have completed all of the proposed project you want the license issued for. The submittal of partial proofs of beneficial use is not necessary or acceptable in this case.

Proof of beneficial use is due January 1, 1984. The department will notify you 60 days prior to that date.

If you have any questions concerning this matter, please contact me or our Southern Regional office in Twin Falls.

Sincerely,

RITA FLECK
Sr., Secretary

Enclosure



August 9, 1979

G. K. Munsee
475 Rosewood Drive
Twin Falls, ID 83301

Dear Mr. Munsee:

On August 8, 1979, we forwarded a letter to you concerning access port installation specifications in reference to your Permit No. 47-7501.

However, due to an error of the Department this letter should not have been sent to you as your permit specifically requires that measuring devices be installed and maintained at the point of diversion and the point of effluent discharge. Please disregard the letter and access port installation specifications.

We hope this error has not caused any inconvenience to you.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:pb

February 1, 1979

Re: Permit No. 47-7501

G. K. Munsee
475 Rosewood Drive
Twin Falls, Idaho 83301

Dear Mr. Munsee:

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth page.

Please 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. Enclosed is a letter describing the different types of measuring devices accepted by this Department.

Please be advised that, depending upon your plans for fish propagation, you may be subject to regulations of the Department of Fish and Game. We suggest that you check with them before starting construction.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power. While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit. However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right.

If you have any questions, please let us know.

Sincerely,

DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section

Enclosure

DRT:lr

*Access point
letter sent
5/17/79
Fatty Pyngton*

Miner



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

January 19, 1979

Mr. Bob Bell, Regional Fisheries Biologist
Idaho Fish & Game Department
Region #4
P. O. Box 428
Jerome, Idaho 83338

Re: Application for Permit No. 47-7501 - G. K. Munsee

Dear Mr. Bell:

Enclosed is a copy of the above referenced Application for Permit for your information and files.

Sincerely,

Loren O. Holmes
Southern Region Supervisor

LOH:marya

Encl:

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3576

January 19, 1979

Mr. Alex Schaefer
Department of Health & Welfare
Division of Environment
P. O. Box 1626
Twin Falls, Idaho 83301

Re: Application for Permit No. 47-7501 - G. K. Munsee

Dear Mr. Schaefer:

Enclosed is a copy of the above referenced Application for Permit for your information and files.

Sincerely,

Loren O. Holmes
Southern Region Supervisor

LOH:marya

Encl:

MICROFILMED

INTER-DEPARTMENT MEMO — 1

DATE 12-8-78

FROM Jim Stanton

TO File

SUBJECT Financial Statement of C. K. Munsee

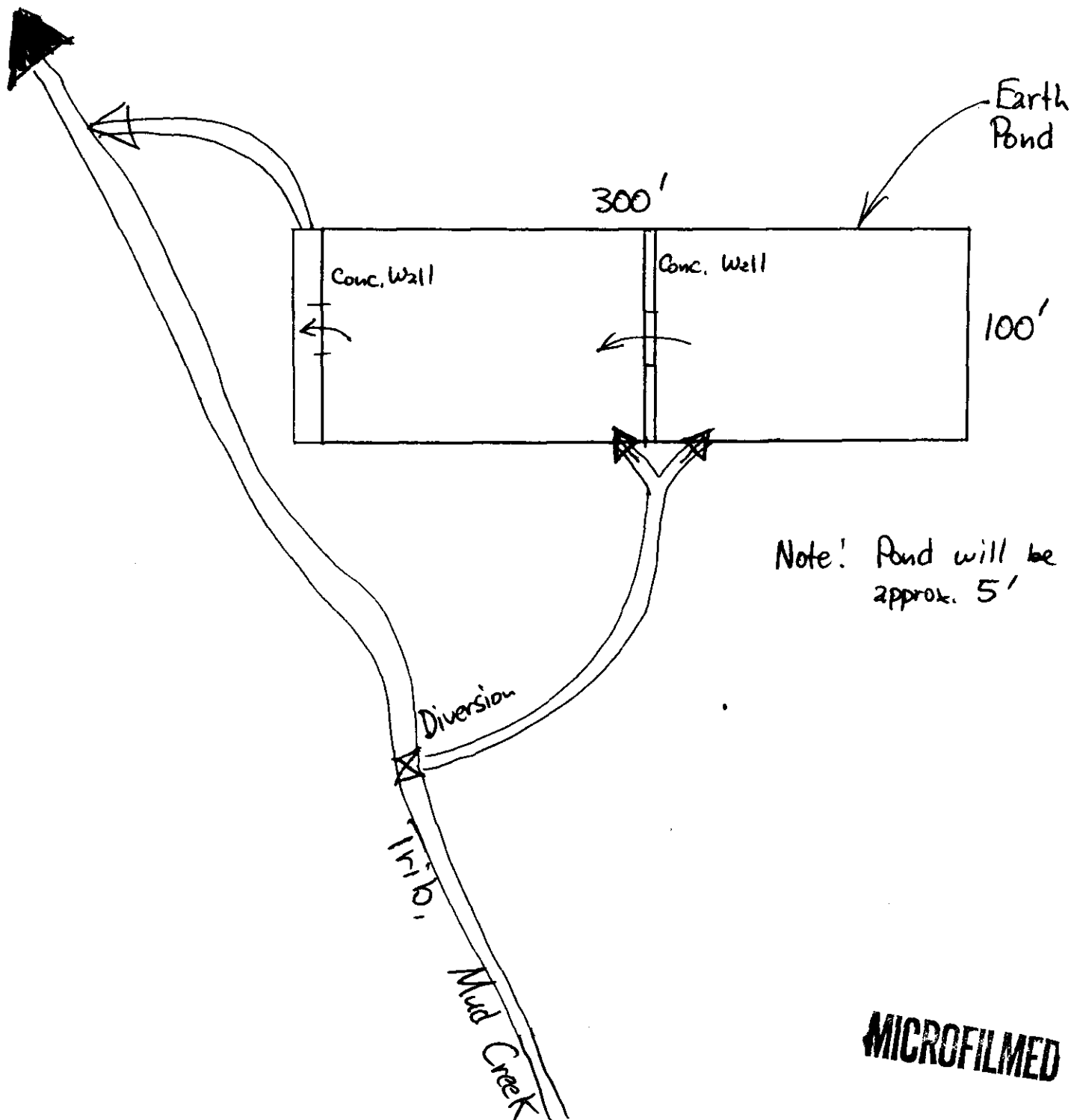
I have on this date examined the financial statement of C. K. Munsee submitted in connection with Mr. Munsee's application for a permit to appropriate water for fish propagation. The applicant appears to have sufficient financial resources to complete the project.



SIGNATURE

Plan
G.K. Munsee

SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 34
T.9S., R.14E., B.M.





REAL ESTATE PURCHASE AND SALE AGREEMENT
(With Earnest Money Provision)
THIS CONTRACT CONTROLS THE TERMS OF SALE OF THE PROPERTY.
READ CAREFULLY BEFORE SIGNING: IF ANY QUESTION, CONSULT YOUR ATTORNEY.

RE-21
Revised 4-77

RECEIVED
NOV 6 1978
Buhl, Idaho NOVEMBER 30, 1978

G. K. MUNSEE AND LORRE MUNSEE

(hereinafter called "Buyer") agrees to purchase, and the undersigned Seller agrees to sell the following described real estate hereinafter referred to as "premises" located in the City of Buhl County of TWIN FALLS State of Idaho, commonly known as EDDIE SCHULTZ 40 ACRES legally described as: SW 1/4 EXCEPT 1.13 ACRES IN THE SW CORNER, SEC. 34, T. 9S, Range 14, E.B.M.

(A FULL AND COMPLETE LEGAL DESCRIPTION MUST BE INSERTED, ATTACHED OR WRITTEN ON THE REVERSE HEREOF PRIOR TO EXECUTION BY SELLER. Buyer hereby authorizes broker to insert over his signature the correct legal description of the premises if unavailable at time of signing, or to correct the legal description previously entered if erroneous or incomplete.)

1. TOTAL PURCHASE PRICE IS NINETY THOUSAND DOLLARS *****

DOLLARS (\$ 90,000.00) payable as follows:

A. Earnest Money.

a. Buyer deposits and receipt is acknowledged of FIVE HUNDRED DOLLARS ***** Dollars (\$ 500.00) Dollars evidenced by ☒ Cash ☐ Personal Check, ☐ Cashiers Check, ☐ Note due, paid or delivered as earnest money in part payment of the purchase price for the premises.

b. Buyer further agrees on or before _____ day of _____, 19____, to pay or deliver as additional earnest money in part payment of the purchase price for the premises _____ Dollars

c. All Earnest Money and this agreement shall be held by WEST END REALTY evidenced by ☐ Cash, ☐ Personal Check, ☐ Note due, or _____ for the benefit of the parties hereto.

B. Balance of purchase price to be paid as follows:

\$25,000.00 cash on February 1, 1979.
\$63,900.00 by Land Contract payable at \$7,467.05 per year
including interest at 8% from February 1, 1979, and on each February 1st,
for ten years, then buyer is to pay full principal balance.

Possession is to be approximately January 15, 1979 or at such time the
fish in ponds are harvested.

Escrow at Farmers National Bank, Buhl, Attorney to write contract.

2. Buyer's offer is made subject to the acceptance of Seller on or before twelve o'clock midnight of _____, 1978. If Seller does not accept this agreement within the time specified, the earnest money shall be refunded to Buyer on demand.

3. Title of Seller is to be conveyed by Warranty deed, unless otherwise provided, and is to be marketable and insurable except for rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit, and rights of way and easements established or reserved. Liens, encumbrances or defects to be discharged by Seller may be paid out of purchase money at date of closing. Any liens, encumbrances or defects which are to be discharged or assumed by Buyer or to which title is taken subject to (not otherwise set forth above) are:

4. The parties designate SafeCo Title Company to provide the necessary title insurance and commitment for title insurance required by this agreement.

5. It is hereby agreed that the "closing agent" for the transaction represented by this agreement shall be WEST END REALTY. Where not otherwise provided in this agreement or by law, the parties shall each pay one-half of said closing agents fee.

6. Within _____ days after acceptance by seller, or upon removal of any liens, encumbrances or defects to title by Seller, as provided herein, whichever is later, Buyer and Seller shall deposit with the "closing agent" all funds and instruments to complete the sale in accordance with terms and conditions hereof. Upon receipt of the items specified in the preceding sentence the closing agent shall close this transaction.

7. All attached floor coverings, attached television antennas, attached plumbing, bathroom and lighting fixtures, window screens, screen doors, storm windows, storm doors, shades, venetian blinds, curtain rods, trees, plants, shrubbery, water heating apparatus and fixtures, attached fireplace equipment, awnings, ventilating, cooling and heating systems including built in and "drop in" ranges (but excepting all other ranges) fuel tanks and irrigation fixtures and equipment, all water and water rights, and ditches and ditch rights appurtenant thereto that are now on or used in connection with the premises shall be included in the sale unless otherwise provided herein.

The following items of property now on the premises are specifically excluded from the sale: _____

The following items of personal property are specifically included in the sale: Old Heater

8. Taxes and water assessments (using the last available assessment as a basis), rents, insurance premiums, interest and reserves on liens, encumbrances or obligations assumed and utilities shall be pro-rated as of the January 1st, 1979, 19____ or on the date of closing, whichever shall last occur. Buyer shall pay for fuel in tank, the amount to be determined by the supplier at Seller's expense.

9. Seller shall deliver possession of the premises to Buyer on or before the 1st day of February, 19____ or on the date of closing, whichever shall last occur.

10. The parties agree that this agreement contains the following additional terms and conditions: Acreage survey to be made by Seller
by possession date. It is understood that purchasers intent is to construct
more fish ponds on premises at his expense

11. The provisions contained on the reverse side of this page shall also constitute part of the agreement of the parties. Each of the parties acknowledges reading this agreement in full.

Listing Broker: _____ Selling Broker: _____ By _____

Buyer La Glee Munsee Buyer's Address 475 Peenwood Dr. Twin Falls, Id.
Buyer La Glee Munsee Buyer's Phone 433-4764

On this date, _____ I/We hereby approve and accept the sale set forth in the above agreement and agree to carry out all the terms thereof on the part of the Seller and the undersigned further agrees to pay a commission of _____ % of selling price or, _____ DOLLARS (\$ _____)

to the above broker for services. In the event earnest money is forfeited, it shall be apportioned to the Seller and Brokers equally after payment of costs set out in the above agreement provided the amount to brokers does not exceed the agreed commission. I/We further acknowledge receipt of a true copy of this agreement with the complete legal description of the premises inserted and signed by both parties.

Seller Edie Schultz Seller's Address AA 23 Buhl Idaho
Seller Edie Schultz Seller's Business Ph 43-4764 Seller's Residence Ph _____

A true copy of the foregoing agreement, signed by the Seller and containing the full and complete legal description of the premises, is hereby received on this _____ day of Nov. 30, 19____

STATE OF IDAHO
County of Twin Falls

On this 30th day of NOVEMBER, 19____, before me, the undersigned, a Notary Public in and for said State, personally appeared La Glee Munsee
EDDIE SCHULTZ EVANGELINE SCHULTZ

known to me to be the person(s) who signed the foregoing instrument as Seller(s) and acknowledged to me that (t)he(y) executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

James H. Patterson
Notary Public for State of _____ Residing at _____

543-4409 BUYER'S COPY WITH SELLER'S ACCEPTANCE

Identification No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

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

Department of Water Resources
Southern District Office

RECEIVED

DEC 5 1978

1. Name of applicant G.K. MUNSEE Phone: 734-7052
post office address 475 ROSEWOOD DR. TWIN FALLS
2. Source of water supply Tributary of Mud Creek which is a tributary of SNAKE
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 34 Township 9S
Range 14E B.M. TWIN FALLS County; additional points of diversion if any: VARIOUS POINTS
- b. If water is not consumed, it will be discharged into Mud Creek at a point in SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 34 Township 9S Range 14E B.M.
4. Water will be used for the following purposes:
Amount 3 for Fish propagation purpose from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 3 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Head Gate and 1 fish pond
- 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 \$ 2000⁰⁰.
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 34 Township 9S
Range 14E 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 _____.
(5) If water is to be used for other purposes describe: Fish Propagation

MICROFILMED

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

[illegible]

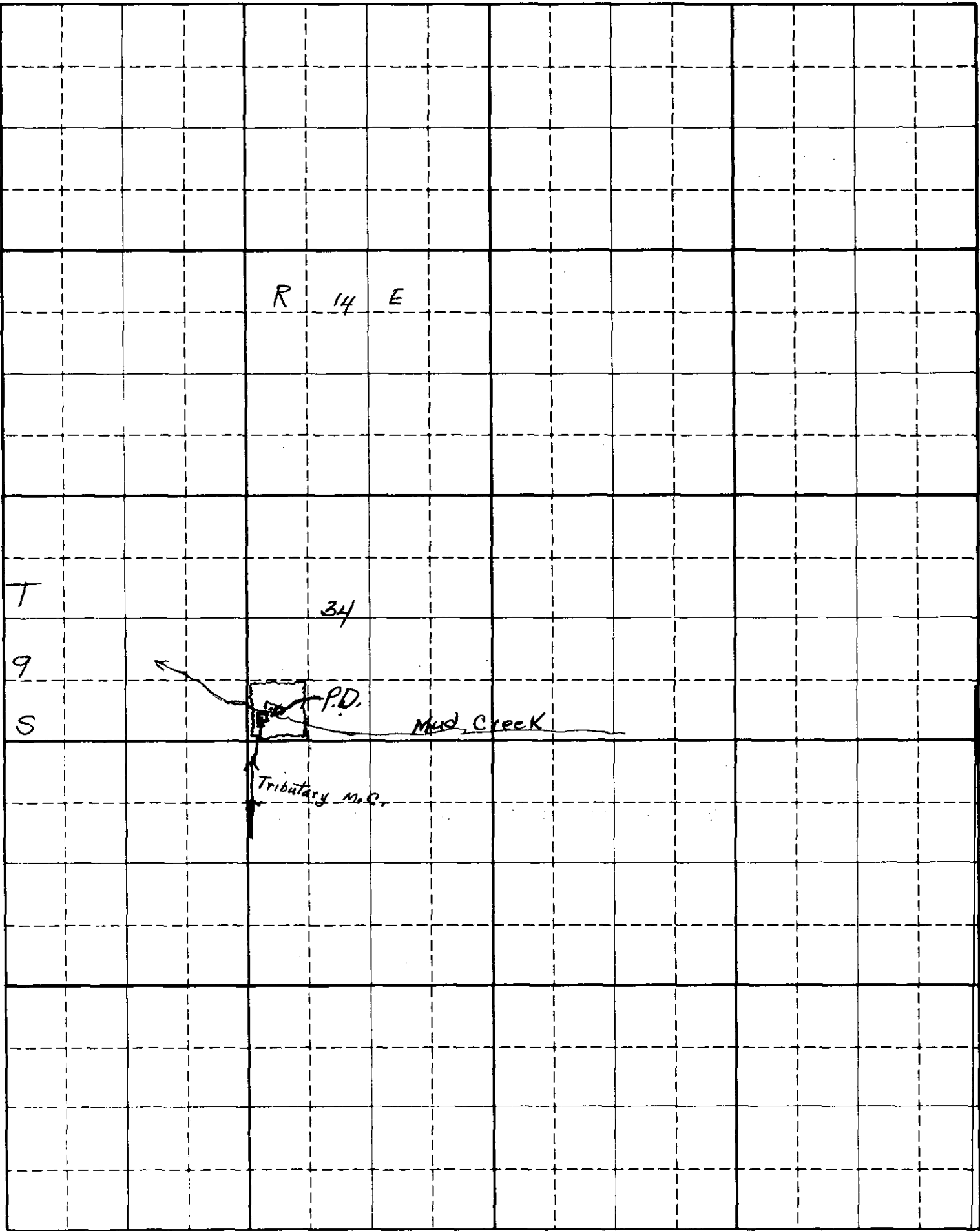
Total number of acres to be irrigated_____

c. Describe any other water rights used for the same purposes as described above. Applicant Filing # 47-7074
on Mud Creek

9. a. Who owns the property at the point of diversion applicant
b. Who owns the land to be irrigated or place of use applicant
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

11. Map of proposed 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.

G. H. Munsee
(Applicant)

Received by ADM Date 12/5/78 Time 1:30 pm

Preliminary check by _____ Fee \$ 55⁰⁰

Received by manly Date 12/5/78 # 12631

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

Publication approved _____ Date _____

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

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 _____, 19____.

c. Other: _____

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

Witness my hand this _____ day of _____ 19____.

Director

**NOTICE OF APPLICATION
FOR WATER RIGHT**

Notice is hereby given that the following applications have been submitted for permit to appropriate the public waters of the State of Idaho:

47-7891

MURPHY, B. K.
475, ROSSWOOD DRIVE, TWIN FALLS, ID
83301

Source: UNNAMED STREAM tributary to
RUBEN CREEK

Date Filed: 12/25/1978

Amount: 2.00 CFS

Division Filed: SWSW Sec 34 T 68S R 14E,
TWIN FALLS CO.

Use: FISH PROP. (2.00 CFS) from 01/01 to
12/31

Place of Use: SWSW Sec 34 T 68S R 14E

Division Means: HEADGATE AND DITCH

If listed, the permittee will be subject to all
prior water rights. Protests against the
issuance of any permit must be filed with the
Director of the Idaho Department of Water
Resources, 1040 Blue Lakes Blvd. North,
Twin Falls, Idaho 83301 on or before

C. STEPHEN ALLRED JANUARY 8, 1979

Director

Published Thursday, Dec. 21 and 28, 1978.

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

ss.

No 7890

I, Irla L. Laughlin being first duly sworn upon
oath, depose and say that I am Princ. Clerk of the TIMES-NEW,
published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of
the notice of advertisement, as per clipping attached, was published in the regular and
entire issue of said newspaper, and not in any supplement thereof, for two
consecutive Thursdays commencing with the issue dated
December 31, 1978, and ending with the issue dated
December 28, 1978.

And I do further certify that said newspaper is a consolidation, effective February 16,
1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin
Falls News, published theretofore daily except Monday, both of which newspapers prior to
consolidation had been published under said names in said city and county continuously and
uninterruptedly during a period of more than twelve consecutive months, and said TIMES-
NEWS, since such consolidation, has been published as a daily newspaper except Saturday,
until July 31, 1978, at which time said newspaper began daily publication under said name
in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week
has been designated as the day on which legal notice by law or by order of any court of com-
petent jurisdiction within the state of Idaho, to be published weekly, will be published; and
that at the head of the editorial column of said combined newspapers, and in each issue there-
of, Thursday is announced as the day on which said legal notices will be published.

Subscribed and sworn to before me on this 28th day of

December, 1978

Irla L. Laughlin
Princ. Clerk
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

RECEIVED

DEC 29 1978

Department of Water Resources
Southern District Office

ok
msh
12/28/78

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

42-7301

MUNSEE, G. K.

475, ROSEWOOD DRIVE, TWIN FALLS, ID 83301

Source: UNNAMED STREAM tributary to MUD CREEK

Date Filed: 12/05/1978

Amount: 3.00 CFS

Diversion Point: SWSW Sec 34 T 09S R 14E, TWIN FALLS Co.

Use: FISH PROP. (3.00 CFS) from 01/01 to 12/31

Place of Use: SWSW Sec 34 T 09S R 14E

Diversion Means: HEADGATE AND DITCH

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 on or before

C. STEPHEN ALLRED JANUARY 8, 1979.

Director

Published 12/21 & 12/28.

12856 p
legal notice for thursday, dec. 21

**NOTICE OF APPLICATION
FOR WATER RIGHT**

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

47-7501

MUNSEE, G.K.
475, ROSEACOD DRIVE, TWIN FALLS, ID
83301

Source: UNNAMED STREAM tributary to
MUD CREEK

Date Filed: 12/05/1978

Amount: 3.00 CFS

Diversion Point: SWSW Sec 34 T 09S R 14E,
TWIN FALLS Co.

Use: FISH PROP. (3.00 CFS) from 01/01 to
12/31

Place of Use: SWSW Sec 34 T 09S R 14E

Diversion Means: HEADGATE AND DITCH

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 on or before

C. STEPHEN ALLRED JANUARY 8, 1979
Director

PUBLISH: Thursday, Dec. 21 and 28, 1978.

RECEIVED

DEC 21 1978

Department of Water Resources
Southern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

DECEMBER 13, 1978

Times News
P. O. Box 548
Twin Falls, Idaho 83301

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JANUARY 8, 1979.

Yours truly,

Mary A. Hill
Secretary

Encl.

RECEIVED