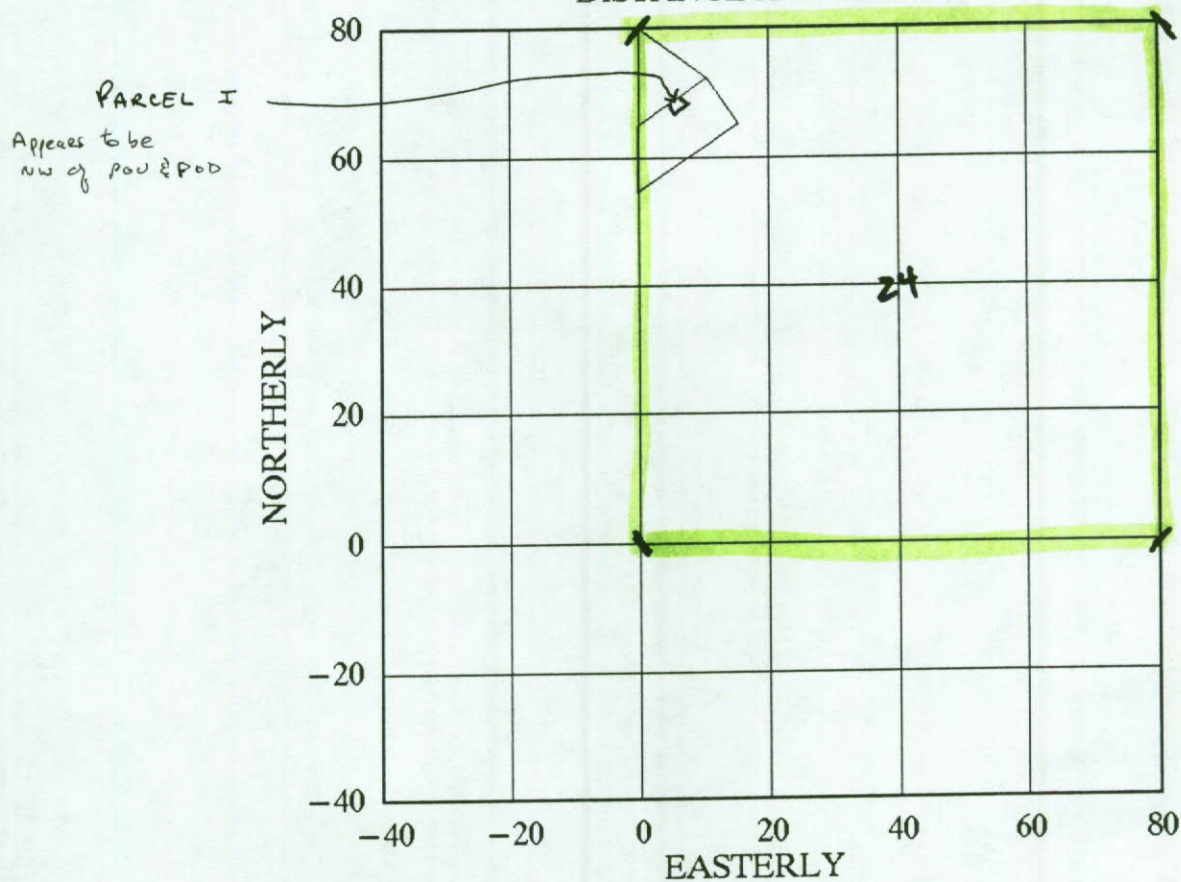


A51-04037

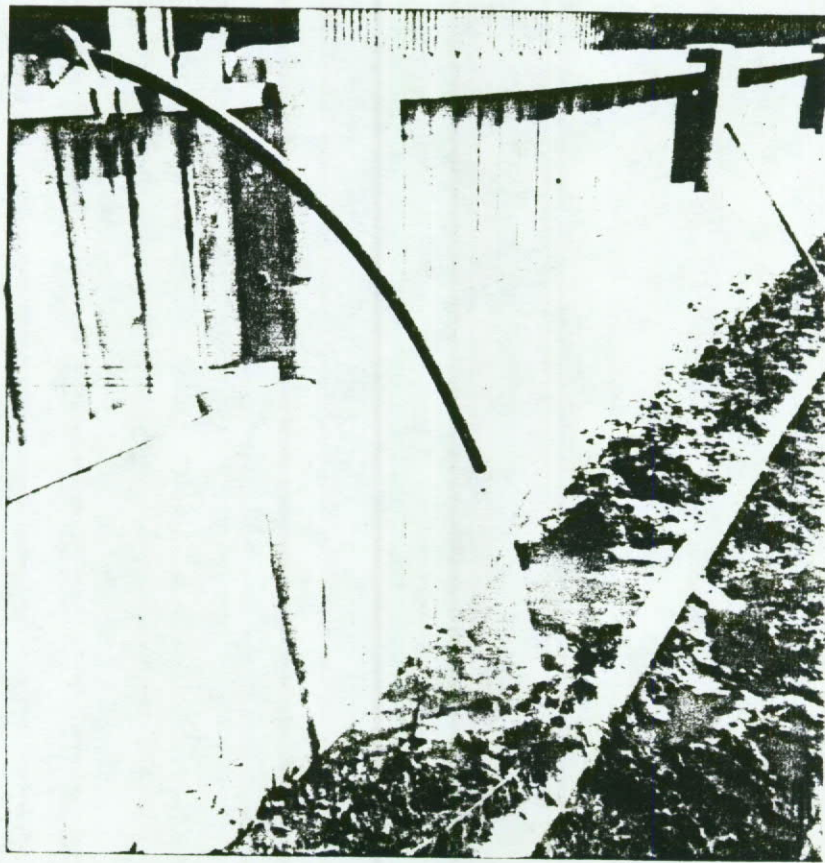
A51-12760

PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS



Shawalter to Olivas

T16S R09E S.24

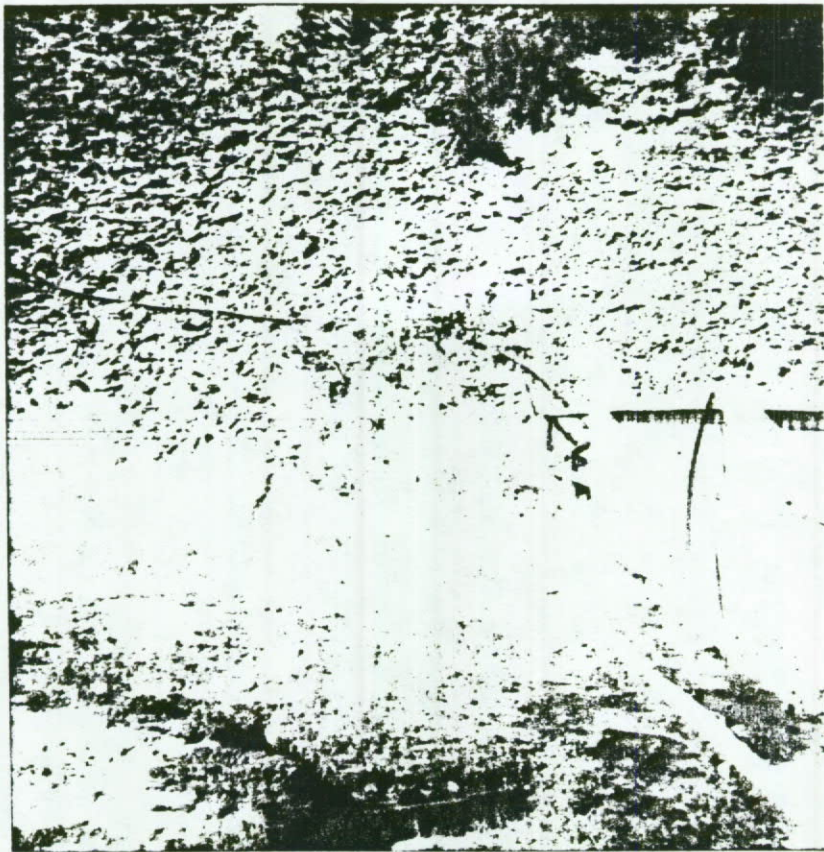




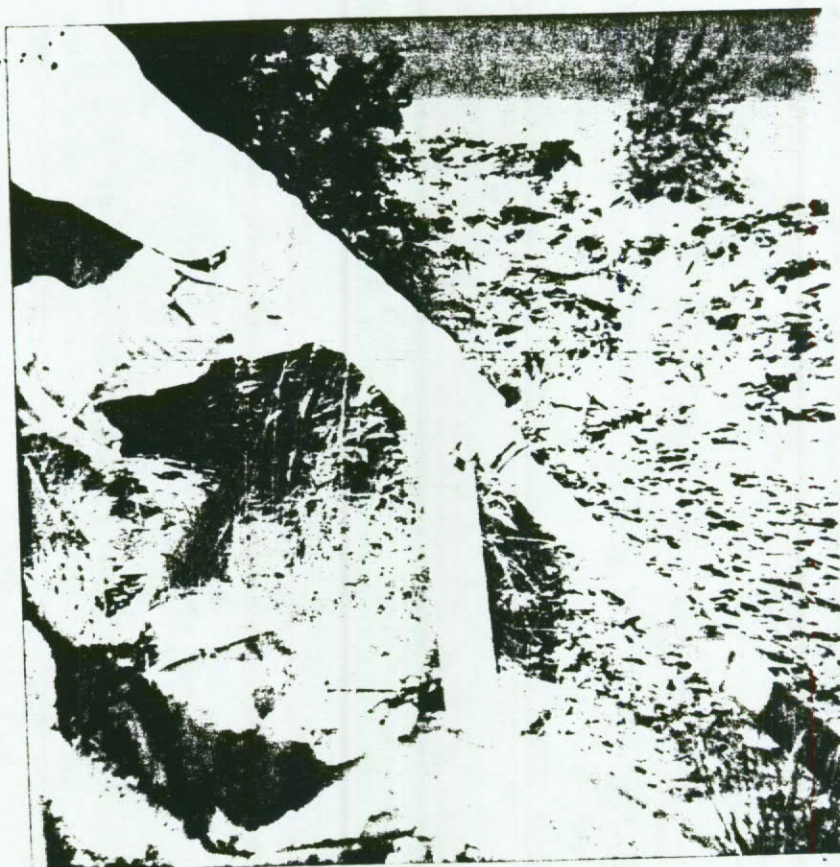
















PHOTOGRAPHER AND DATE OF PHOTOS T. Minicucci 03/03/1994

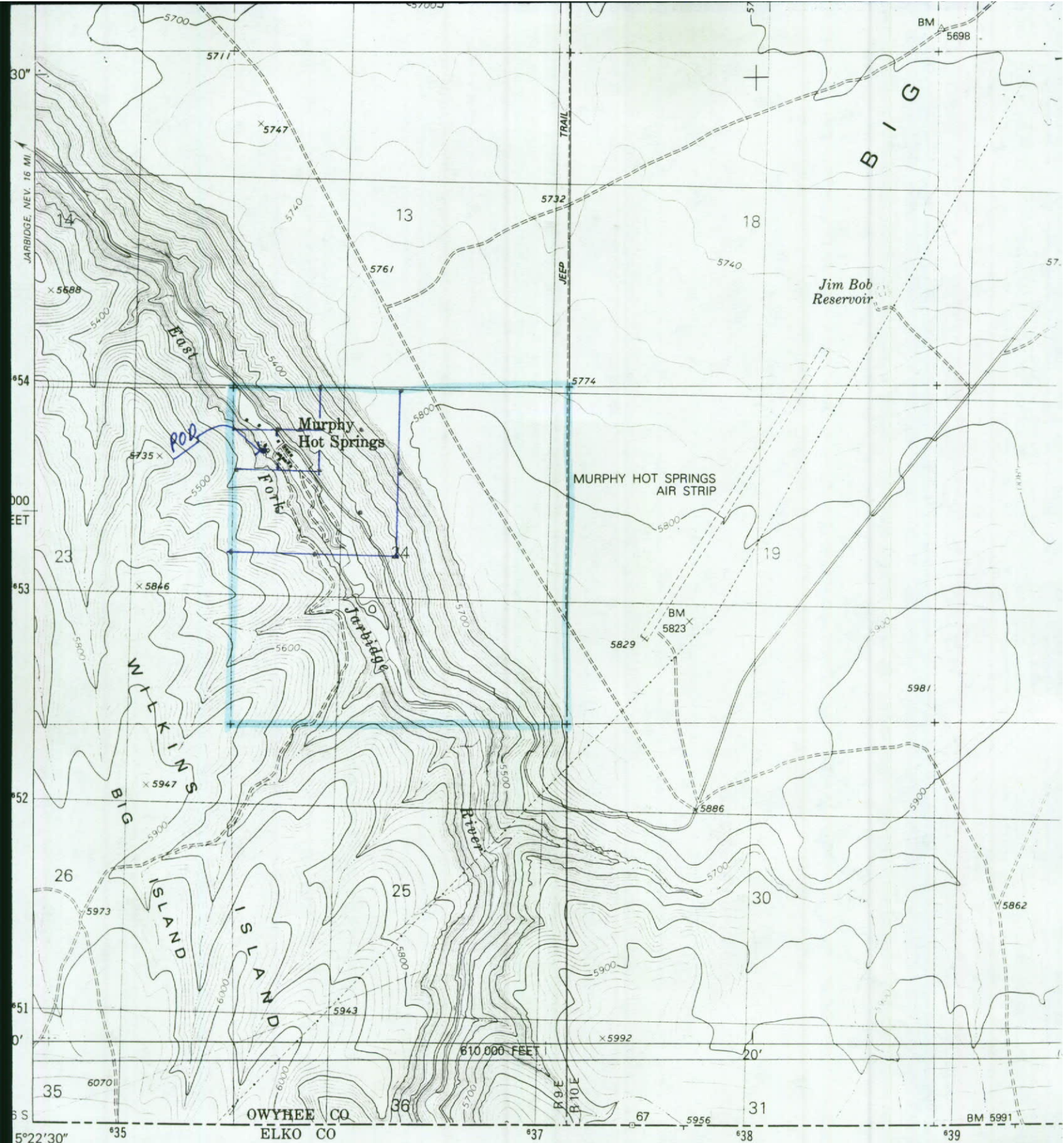
FILE NO. A51-12760 T165 ROGE S.24 NW NW



① Owners' daughter leaning on the well casing. The building behind her is part of the pool



② Domestic place of use. Please see file A51-04037 for additional pictures of the place of use (lodge/cafe).



Mapped, edited, and published by the Geological Survey

Control by USGS and NOS/NOAA

Topography by photogrammetric methods from aerial photographs taken 1973. Field checked 1974

Map edited 1979

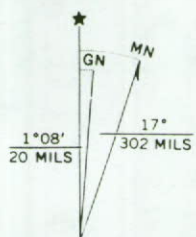
Projection and 10,000-foot grid ticks: Idaho coordinate system, west zone (transverse Mercator)

1000-meter Universal Transverse Mercator grid, zone 11

1927 North American Datum

To place on the predicted North American Datum 1983

move the projection lines 11 meters north and



UTM GRID AND 1979 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET

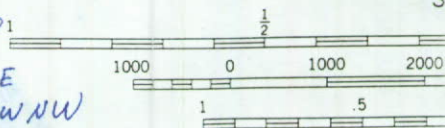
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T16S R09E

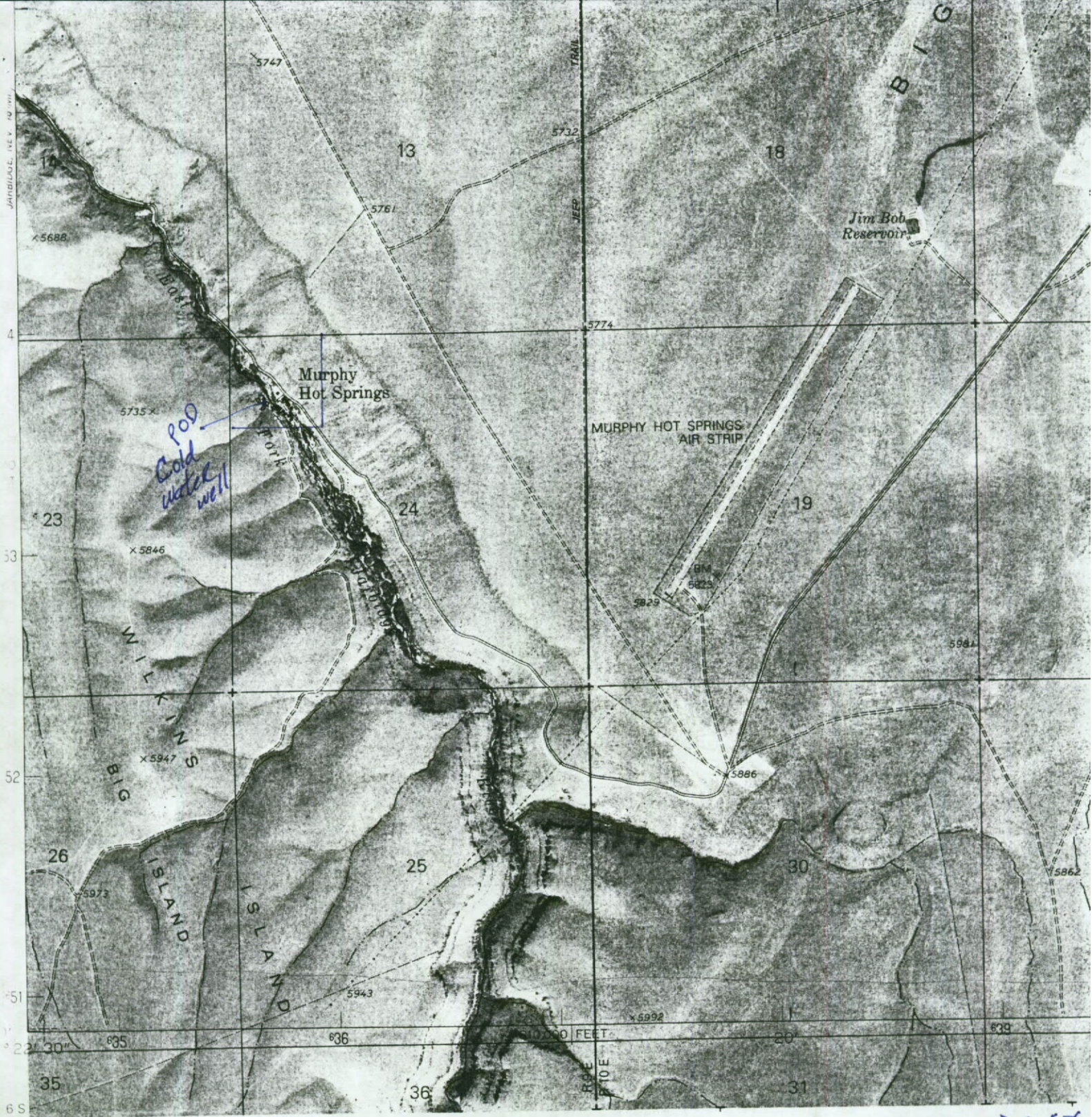
S.24 NWNW

Dom: .04CFS

DD66 (1979)



CONTOUR
DOTTED LINES R
NATIONAL GEOD



DD66

AS1-12760

T16S
R09E
S.24
NWNW
Dom. .04CFS



Produced by the Geological Survey
in cooperation with the Soil Conservation Service

Orthophotograph prepared from 1:80,000-scale
aerial photographs taken August 7, 1979

Projection and 10,000-foot grid ticks
Idaho coordinate system, west zone
(transverse Mercator)
1000-meter Universal Transverse Mercator grid ticks,
zone 11, 1927 North American datum

Photomagey rectified by optical scanning
This is a low-resolution image. Users use the

THIS MAP COMPLIES
FOR SALE BY U. S. GEOLOGICAL SURVEY

AS1-12760

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A51-12760**
Date Received: 2/ 4/1994
Receipt No: W017152
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: MATTHEW OLIVAS 208-857-2233
Address: DESERT HOT SPRINGS
ROGERSON ID 83302

2. Date of Priority: JUN 1, 1987

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16S	09E	24	NW	NW			OWYHEE

5. Description of diverting works:
WELL, PUMP TO HOUSE, TRAILERS, LODGE, AND RESTROOMS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, ONE HOME, 3 TRAILERS, LODGE, RESTROOMS.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16S	09E	24	NW	NW		DOMEST	

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A51-04037

14. Remarks:

THIS CLAIM IS FOR A COLD WATER WELL WHICH SUPPLIES A HOUSE,
THE LODGE, 3 TRAILERS (NON-PERMANENT) AND PUBLIC RESTROOMS.
OWNERSHIP CHANGED 07/08/1996. WARRANTY DEED DOES NOT SUPPORT
OWNERSHIP BY MATTHEW OLIVAS. MM.
OWNERSHIP CHANGED 04/08/1997. QUIT CLAIM DEED IN FILE. MM.

15. Basis of Claim: BENEFICIAL USE

RECEIVED

RECEIVED

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

MAR 27 1997

MAR 31 1997

WATER RESOURCES
WESTERN REGIONNOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
Department of Water Resources
Southern RegionPlease print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s):

ALL Adjudication Claim No(s): \ AS1-04037 (RS1-04037) and AS1-12760 (RS1-12760)

2. The following REQUIRED information must be submitted with this form:

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former
Owner/ClaimantSYLVIA OLIVASDESERT HOT SPRINGS, ROGERSON, ID 83302

4. New Owner/Claimant(s)

Matthew OlivasName Connector (Check one): ☐ and ☐ or ☐ and/or

New Mailing Address

Desert Hot Springs

City, State and ZIP Code

Rogerson Id 83302

New Telephone Number

(208) 857-2233

5. Date you acquired the property

Sept 9, 1996

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner
or Claimant(s)Matthew Olivas

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

* Signature of Former Owner

Sylvia Olivas

QUITCLAIM DEED

For Value Received, SYLVIA OLIVAS, _____

does (do) hereby convey, release, remise and forever quit claim

unto MATTHEW OLIVAS,

whose address is: Desert Hot Springs, Rogerson, Idaho 83302,

the following described premises, to-wit.

See Exhibit "A" attached hereto and by this reference made a part hereof.

together with their appurtenances.

TWIN FALLS COUNTY, IDAHO
RECORDED FOR:

1996 SEP 12 P 3:19

Ellsworth, et al

19960158401

DATED:

ROBERT S. FORT
EX-OFFICIO RECORDER

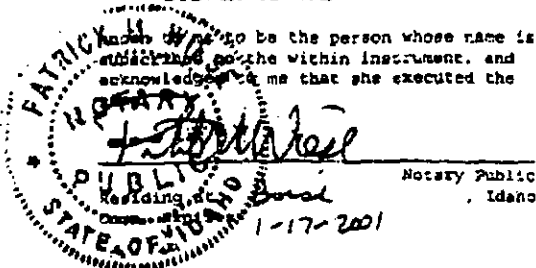
FEE: 600 DEPUTY: LF

Sylvia Oliv
SYLVIA OLIVAS

STATE OF IDAHO, COUNTY OF *Ada*
On this *9th* day of *SEPTEMBER*, 1996.
for
before me, a notary public in and for said State,
personally appeared

SYLVIA OLIVAS

known to me to be the person whose name is
subscribed to the within instrument, and
acknowledged to me that she executed the



Notary Public
Idaho

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed

at the request of
at _____ minutes past _____ o'clock _____ m.
this _____ day of _____
is _____ in my office, and duly recorded in Book of
Deeds at page _____

Ex-Officio Recorder

By _____ Deputy.

Fees \$
Mail to.

A parcel of land within the West Half of the Northwest Quarter (NW $\frac{1}{4}$) of Section 24, Township 16 South, Range 9 East, Boise Meridian, Owyhee County, Idaho, and more particularly described as follows:

COMMENCING at a brass-cap marking the Northwest corner of Section 24, Township 16 South, Range 9 East, Boise Meridian;

THENCE South 54°09' East, 959.6 feet to the true point of beginning;

THENCE South 34°13' East, 560.0 feet;

THENCE South 55°47' West, 1230.7 feet to the west boundary of said Section 24;

THENCE North 0°13' East, 678.9 feet along the west boundary of said Section 24;

THENCE North 55°47' East, 846.9 feet to the True Point of Beginning.

EXCEPTING THE FOLLOWING DESCRIBED 2 PARCELS OF LAND:

PARCEL NO. 1:

A parcel of land in the NW $\frac{1}{4}$, Section 24, Township 16 South, Range 9 East, Boise Meridian, being more particularly described as follows:

BEGINNING at the NW corner of the NW $\frac{1}{4}$ of Section 24, Township 16 South, Range 9 East, Boise Meridian

THENCE running South 0°12'33" West for a distance of 358.0 feet to a point;

THENCE running South 35°36'34" East for a distance of 512.9 feet, said point is the TRUE POINT OF BEGINNING, said point is also the SW corner of Lot 1, Block 12 of Murphy Hot Springs Subdivision No. 1 as recorded in Owyhee County Courthouse;

THENCE South 26°30' East for a distance of 124.29 feet;

THENCE North 56°28' East for a distance of 189.61 feet;

THENCE North 46°27' West for a distance of 128.32 feet to a point, which lies on the Southerly boundary of said Murphy Hot Springs Subdivision No. 1;

THENCE South 55°47' West for a distance of 145.43 feet, along the Southerly boundary of Lot 1, Block 12, Murphy Hot Springs Subdivision No. 1 to the TRUE POINT OF BEGINNING.

PARCEL NO. 2:

A parcel of land in the NW $\frac{1}{4}$ of Section 24, Township 16 South, Range 9 East, Boise Meridian, Owyhee County, Idaho, described as follows:

BEGINNING at the Northeast corner of Lot 28, Block 7, Murphy Hot Springs Subdivision No. 2, Owyhee County, Idaho;

THENCE North 34°13'00" West 37.5 feet to a point;

THENCE South 55°47'00" West 85 feet, more or less, to the East Bank of Jarbridge River;

THENCE in a Southeasterly direction 37.5 feet, more or less, to the Northwest corner of Lot 29, Block 7 of Murphy Hot Springs Subdivision No. 2;

THENCE North 55°47'00" East 80.8 feet to the Point of Beginning.

TOGETHER with 0.060 (cfs) of water evidenced by IDWR Water Right Number E1-04037.

EXHIBIT "A"

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A51-12760
Date Received: 2/ 4/1994
Receipt No: W017152
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: SYVIA OLIVAS
Address: DESERT HOT SPRINGS
ROGERSON ID

208-857-2233

83302

2. Date of Priority: JUN 1, 1987

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16S	09E	24	NW	NW			OWYHEE

5. Description of diverting works:
WELL, PUMP TO HOUSE, TRAILERS, LODGE, AND RESTROOMS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, ONE HOME, 3 TRAILERS, LODGE, RESTROOMS.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16S	09E	24	NW	NW		DOMEST	

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A51-04037

14. Remarks:
THIS CLAIM IS FOR A COLD WATER WELL WHICH SUPPLIES A HOUSE,
THE LODGE, 3 TRAILERS (NON-PERMANENT) AND PUBLIC RESTROOMS.
OWNERSHIP CHANGED 07/08/1996. WARRANTY DEED DOES NOT SUPPORT
OWNERSHIP BY MATTHEW OLIVAS. MM.

15. Basis of Claim: BENEFICIAL USE



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

DATE OF CLOSING: _____

JUN 27 1996

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____ Department of Water Resources
Section _____ 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____ Southern Region
Lot _____ Block _____ Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

RECEIVED

JUN 28 1996

WATER RESOURCES
WESTERN REGION

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: A51-04037, A51-12760

☐ Name and Address of Former Owner/Claimant(s)(Seller): ANITA F AND HARRY B SHOWALTER
MURPHY HOT SPRINGS

☐ New Owner/Claimant (Purchaser): ROGERSON ID 83302
Matthew
MICHAEL AND/OR SYLVIA OLIVAS

☐ New Mailing Address: Desert Hot Springs
ROGERSON ID 83302
208 859-2237
(Fax 852-2237)

☐ New Telephone Number: _____

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) Matthew Olivas 208-2496
Date _____

☐ Signature of Former Owner/Claimant(s): _____
Date _____
Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 07/08/1996 By: 177

Further Action Needed:

Further Action Taken

Date: 07/08/1996 By: 177

Final Review and Data-Entry

Date: 07/08/1996 By: 177

Claim Numbers of Split, if any:

~1A

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

RECEIVED

JUN 27 1996

Department of Water Resources
Southern Region

FILED - RECORDED

94 FEB 7 PM 12 53

BARBARA JAYO
OWYHEE COUNTY RECORDER
BY *[Signature]*
DEPUTY

RECORDED
9.2.97

INDEXED

MICROFILMED

211977

RECEIVED

JUN 28 1996

WATER RESOURCES
WESTERN REGION

WARRANTY DEED

FOR VALUE RECEIVED, HARRY B. SHOWALTER and ANITA
SHOWALTER, husband and wife, the Grantors, do hereby grant,
bargain, sell and convey unto SYLVIA OLIVAS, a single person, the
Grantee, whose address is c/o Matthew Olivas, 806 E Street, Rupert,
83350, the following described premises, to-wit:

A parcel of land within the West Half of the
Northwest Quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$) of Section 24,
Township 16 South, Range 9 East, Boise
Meridian, Owyhee County, Idaho, and more
particularly described as follows:

COMMENCING at a brass-cap marking the
Northwest corner of Section 24, Township 16
South, Range 9 East, Boise Meridian;

THENCE South 54°09' East, 859.6 feet to
the true point of beginning;

THENCE South 34°13' East, 560.0 feet;

THENCE South 55°47' West, 1230.7 feet to
the west boundary of said Section 24;

THENCE North 0°13' East, 678.9 feet along
the west boundary of said Section 24;

THENCE North 55°47' East, 846.9 feet to
the True Point of Beginning.

EXCEPTING THE FOLLOWING DESCRIBED 2 PARCELS OF
LAND:

PARCEL NO. 1:

A parcel of land in the NW $\frac{1}{4}$, Section 24,
Township 16 South, Range 9 East, Boise
Meridian, being more particularly described as
follows:

BEGINNING at the NW corner of the NW¼ of Section 24, Township 16 South, Range 9 East, Boise Meridian

THENCE running South 0°12'33" West for a distance of 358.0 feet to a point;

THENCE running South 35°36'34" East for a distance of 512.9 feet, said point is the TRUE POINT OF BEGINNING, said point is also the SW corner of Lot 1, Block 12 of Murphy Hot Springs Subdivision No. 1 as recorded in Owyhee County Courthouse;

THENCE South 26°30' East for a distance of 124.28 feet;

THENCE North 56°28' East for a distance of 189.61 feet;

THENCE North 46°27' West for a distance of 128.32 feet to a point, which lies on the Southerly boundary of said Murphy Hot Springs Subdivision No. 1;

THENCE South 55°47' West for a distance of 145.43 feet, along the Southerly boundary of Lot 1, Block 12, Murphy Hot Springs Subdivision No. 1 to the TRUE POINT OF BEGINNING.

PARCEL NO. 2:

A parcel of land in the NW¼ of Section 24, Township 16 South, Range 9 East, Boise Meridian, Owyhee County, Idaho, described as follows:

BEGINNING at the Northeast corner of Lot 28, Block 7, Murphy Hot Springs Subdivision No. 2, Owyhee County, Idaho;

THENCE North 34°13'00" West 37.5 feet to a point;

THENCE South 55°47'00" West 85 feet, more or less, to the East Bank of Jarbidge River;

THENCE in a Southeasterly direction 37.5 feet, more or less, to the Northwest corner of Lot 29, Block 7 of Murphy Hot Springs Subdivision No. 2;

THENCE North 55°47'00" East 80.8 feet to the Point of Beginning.

TOGETHER with 0.060 (cfs) of water evidenced by IDWR Water Right Number 51-04037.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns

forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances except those of record or apparent and, except for those encumbrances, they will warrant and defend the same from all lawful claims whatsoever.

DATED this 4th day of February, 1994.

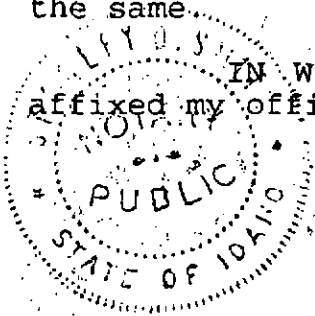
Harry B. Showalter
HARRY B. SHOWALTER

Anita Showalter
ANITA SHOWALTER

STATE OF IDAHO)
 : ss.
County of Twin Falls)

On this 4th day of February, 1994, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared HARRY B. SHOWALTER and ANITA SHOWALTER, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

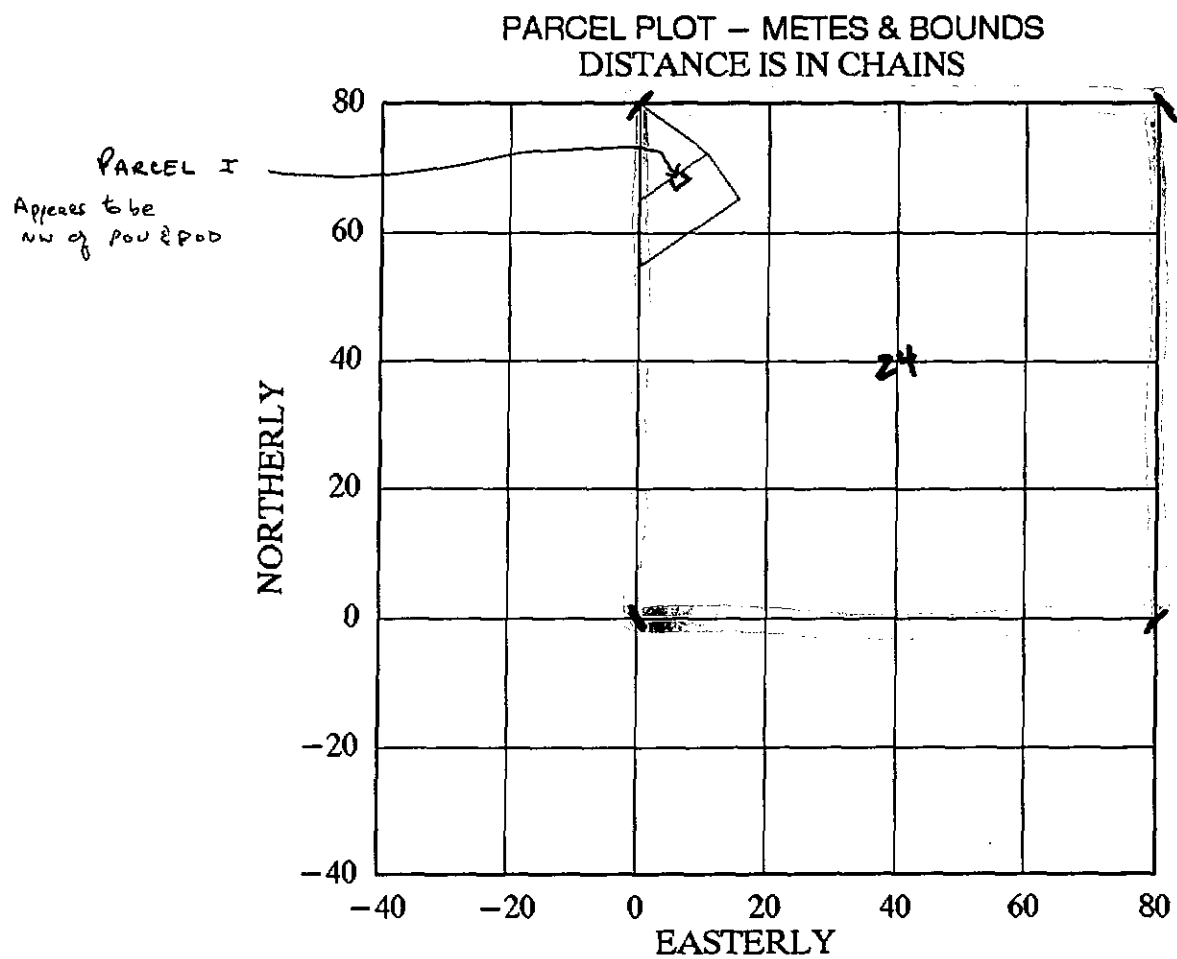


Stanley D. Smith
Notary Public for Idaho
Residing at Burien
Commission Expires: 7-12-99

(RCK\4036WD.003)

ASL-04037

ASL-12760



Shawalter to Olivas

TIES ROAD S.24

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A51-12760
Date Received: 2/ 4/1994
Receipt No: W017152
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ANITA F SCHOWALTER 208-857-2233
Address: MURPHY HOT SPRINGS
ROGERSON ID 83302

AND

Name: HARRY B SCHOWALTER 208-857-2233
Address: MURPHY HOT SPRINGS
ROGERSON ID 83302

2. Date of Priority: JUN 1, 1987

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16S	09E	24	NW	NW			OWYHEE

5. Description of diverting works:
WELL, PUMP TO HOUSE, TRAILERS, LODGE, AND RESTROOMS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, ONE HOME, 3 TRAILERS, LODGE, RESTROOMS.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16S	09E	24	NW	NW		DOMEST	

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A51-04037

14. Remarks:

THIS CLAIM IS FOR A COLD WATER WELL WHICH SUPPLIES A HOUSE,
THE LODGE, 3 TRAILERS (NON-PERMANENT) AND PUBLIC RESTROOMS.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) *Harley B. Shonatter, Pres.* Date: *2/4/94*
Deborah County Jail & Co. Date: *2/4/94*

State of Idaho)

County of *Ada*)

SS. *Harley Shonatter, Pres.*

Subscribed and sworn (or affirmed) before me this *4* day

of *Feb* 19 *94*

Linda Werner
Notary Public



LINDA WERNER
Residing at RESIDING AT EAGLE, IDAHO
MY COMMISSION EXPIRES DEC. 8, 1994
My Commission Expires _____

SPECIAL POWER OF ATTORNEY

BE IT KNOWN BY THESE PRESENTS, that We, **HARRY B. SHOWALTER** and **ANITA F. SHOWALTER**, of Rogerson, Idaho, have made, constituted and appointed and by these presents do make, constitute and appoint **OWYHEE COUNTY TITLE COMPANY**, of Murphy, Idaho, our true and lawful attorney for us and in our names, place and stead and for use and benefit to deal with all matters pertaining to any and all water rights standing in our names on the real estate located in Owyhee County, Idaho, a description of which is as follows:

A parcel of land within the West Half of the Northwest Quarter ($W\frac{1}{2}NW\frac{1}{4}$) of Section 24, Township 16 South, Range 9 East, Boise Meridian, Owyhee County, Idaho, and more particularly described as follows:

COMMENCING at a brass-cap marking the Northwest corner of Section 24, Township 16 South, Range 9 East, Boise Meridian;

THENCE South $54^{\circ}09'$ East, 859.6 feet to the true point of beginning;

THENCE South $34^{\circ}13'$ East, 560.0 feet;

THENCE South $55^{\circ}47'$ West, 1230.7 feet to the west boundary of said Section 24;

THENCE North $0^{\circ}13'$ East, 678.9 feet along the west boundary of said Section 24;

THENCE North $55^{\circ}47'$ East, 846.9 feet to the True Point of Beginning.

EXCEPTING THE FOLLOWING DESCRIBED 2 PARCELS OF LAND:

PARCEL NO. 1:

A parcel of land in the $NW\frac{1}{4}$, Section 24, Township 16 South, Range 9 East, Boise Meridian, being more particularly described as follows:

BEGINNING at the NW corner of the $NW\frac{1}{4}$ of Section 24, Township 16 South, Range 9 East, Boise Meridian

THENCE running South $0^{\circ}12'33''$ West for a distance of 358.0 feet to a point;

THENCE running South $35^{\circ}36'34''$ East for a distance of 512.9 feet, said point is the TRUE POINT OF BEGINNING, said point is also the SW corner of Lot 1, Block 12 of Murphy Hot Springs Subdivision No. 1 as recorded in Owyhee County Courthouse;

THENCE South 26°30' East for a distance of 124.28 feet;

THENCE North 56°28' East for a distance of 189.61 feet;

THENCE North 46°27' West for a distance of 128.32 feet to a point, which lies on the Southerly boundary of said Murphy Hot Springs Subdivision No. 1;

THENCE South 55°47' West for a distance of 145.43 feet, along the Southerly boundary of Lot 1, Block 12, Murphy Hot Springs Subdivision No. 1 to the TRUE POINT OF BEGINNING.

PARCEL NO. 2:

A parcel of land in the NW¼ of Section 24, Township 16 South, Range 9 East, Boise Meridian, Owyhee County, Idaho, described as follows:

BEGINNING at the Northeast corner of Lot 28, Block 7, Murphy Hot Springs Subdivision No. 2, Owyhee County, Idaho;

THENCE North 34°13'00" West 37.5 feet to a point;

THENCE South 55°47'00" West 85 feet, more or less, to the East Bank of Jarbidge River;

THENCE in a Southeasterly direction 37.5 feet, more or less, to the Northwest corner of Lot 29, Block 7 of Murphy Hot Springs Subdivision No. 2;

THENCE North 55°47'00" East 80.8 feet to the Point of Beginning.

giving and granting unto our said attorney full power and authority to do and perform every act and thing whatsoever requisite and necessary to be done, as fully to all intents and purposes as we might or could do if personally present, hereby ratifying and confirming anything that our said attorney shall lawfully do or cause to be done by virtue of these presents.

This power of attorney is revocable, provided, that insofar as any governmental agency, bank, trust company, insurance company, transfer agent, or other persons shall rely upon this power, this power may be revoked only by a notice in writing executed by us or our agent and delivered to such person or institution.

This Special Power of Attorney shall not be affected by disability of the principal.

Third parties may rely upon the representations of our

agent as to all matters relating to any power granted to our agent, and no person who may act in reliance upon the representations of our agent or the authority granted to our agent shall incur any liability to us or our estate as a result of permitting our agent to exercise any power.

IN WITNESS WHEREOF, We have executed this Special Power of Attorney this 4th day of February, 1994.

Harry B. Showalter
HARRY B. SHOWALTER

Anita F. Showalter
ANITA F. SHOWALTER

STATE OF IDAHO)
) : ss.
County of Twin Falls)

On this 4th day of February, 1994, before me, the undersigned, a Notary Public for Idaho, personally appeared HARRY B. SHOWALTER and ANITA F. SHOWALTER, husband and wife, known or identified to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they 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.

Barry P. Hunt
Notary Public for Idaho
Residing at Boise
Commission Expires: 7-12-99

(RGK\4036POA.003)

LLOYD J. WALKER
ATTORNEY AT LAW
131 Second Street West
P.O. Box 1923
Twin Falls, ID. 83303-1923
Telephone: (208) 733-3083
LJW/rw/CLIENT/Olivas/water/hearing.mcm

RECEIVED

AUG 18 1998

WATER RESOURCES
WESTERN REGION

ORIGINAL

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

MEMORANDUM FOR SUBMISSION AT WATER
HEARING ON AUGUST 18, 1998

The Hearing noticed for August 18, 1998 at Grandview, Idaho does not directly affect the two water rights set out by the Department of Water Resources for use by Matthew Olivas at Murphy Hot Springs. The two water rights being #51-04037 in the amount of .06 CFS and #51-12760 for the amount of .04 CFS. The applicant Matthew Olivas does not appear to have any objections or conflicts with the hearings on these two applications. The domestic use of the water on #51-12760 for a home, public restrooms and three camping spaces appear to be correct. And #51-04037 for in one home, commercial use in a swimming pool, bath, lodges and heating appears to be accurate.

The reason for this submission however, is to comment on the findings of the Department of Water Resources in relation to the application #51-07362 which included the use of the natural spring water for bottling water for sale. When the State Department of Water Resources found that the use by Matthew Olivas because of the

bottling of water for the sale, interferes with the Janet O'Crowley water right.

The Janet O'Crowley water right is designated in that document as .01 cubic feet of water, which originally was delivered through a 3/4 inch pipe from a 3 inch gravity feed line to Ms. O'Crowley. That water is now delivered from an installation at the spring site put in place by Janet O'Crowley. The notices indicate that each party is required to prove that the water is being used for beneficial purposes, and if that is applied to the water used by Janet O'Crowley which is .01 CFS, then there can be no further problems Ms. O'Crowley is receiving and will continue to receive through her installation at the spring site of a 1.5 inch receptacle which carries water through a black pipe line to the O'Crowley residence. There is submitted here with and have been submitted to the Court picture of that installation and the fact that most of the water is wasting through a hose which is dumped back on the Olivas property doing damage to it.

The Department of Water Resources never did find the degree to which there was some so called interference with the O'Crowley claim.

The question remains before Mr. Olivas is asked to proceed with his application to bottle water, what jurisdiction does the Department of Water Resources have to require proof of "sufficient information to show that he can comply with health regulations".

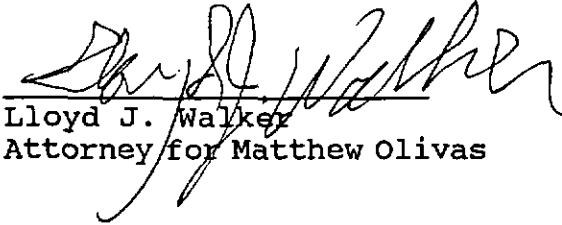
Under paragraph 7 that he did not have sufficient financial resources to accomplish the bottling and sale of water. Because

this is geothermal water, it is assumed that it must be proved under I.C. § 42-233 (1) that the bottling and sale of spring water is a use consistent with the public interest.

The finding that Mr. Olivas must prove financial ability is strange when the state also finds that when Mr. Olivas uses his bottling plant it interferes with the delivery of Ms. O'Crowley's water.

Dated this 18th day of August, 1998.

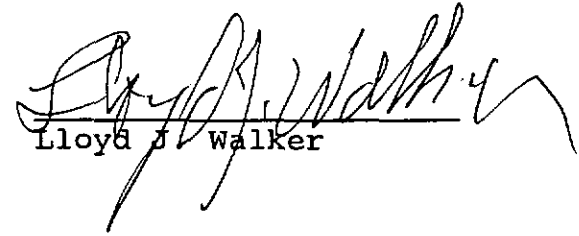
LLOYD J. WALKER

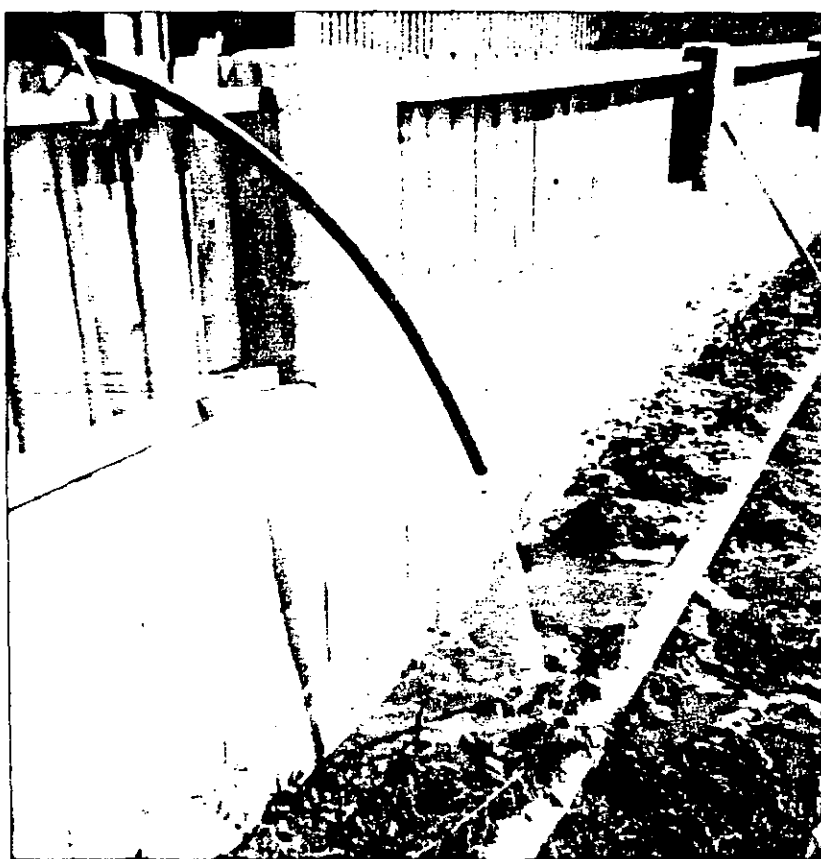

Lloyd J. Walker
Attorney for Matthew Olivas

CERTIFICATE OF MAILING

I, the undersigned, hereby certify that on the 18th day of August, 1998, I served copies of the foregoing by placing true and correct copies thereof in the U.S. Mail, postage prepaid, in envelopes addressed to the following:

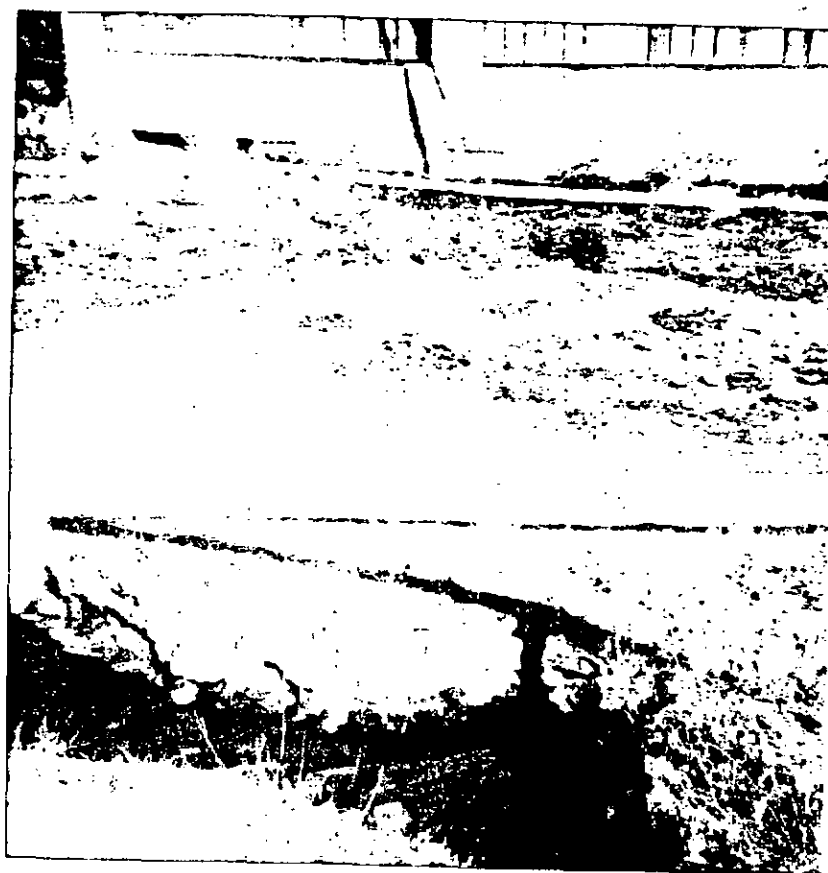
Patrick D. Brown
HEPWORTH, LEZAMIZ & HOHNHORST
133 Shoshone St. North
P.O. Box 389
Twin Falls, ID 83303-0389


Lloyd J. Walker



















DATE: 04/08/97
PAGE: 1

OWYHEE County

(s) of Diversion:

Field Inspection Flag:
Presumption Flag:

Comments:

Date: 03/07/1994 User-ID: MINICUC Subject: COPIED FROM REMARKS
THIS CLAIM IS FOR A COLD WATER WELL WHICH SUPPLIES A HOUSE,
THE LODGE, 3 TRAILERS (NON-PERMANENT) AND PUBLIC RESTROOMS.

Date: 03/07/1994 User-ID: MINICUC Subject: DISALLOWAL
THIS CLAIM IS IN VIOLATION OF THE MANDATORY PERMIT STATUTE FOR
GROUNDWATER. THE WELL WAS DRILLED IN 1987, AND IS USED FOR
COMMERCIAL PURPOSES AT THE BUSINESS ESTABLISHMENT AT MURPHY HOT
SPRINGS.
THE CURRENT OWNER (OLIVAS) WILL BE SENT AN APPLICATION FOR PERMIT
FORM, AND INSTRUCTIONS. SINCE THE CURRENT OWNER INTENDS ON
EXPANDING THE USE OF THIS WELL, THE APPLICATION WILL GIVE HIM THE
OPPORTUNITY TO GET A PERMIT FOR ALL THE USES OF THIS WELL.

Date: 05/19/1995 User-ID: MMINICUC Subject: RECOMMENDATION
THIS CLAIM CAN BE RECOMMENDED AS DOMESTIC USE, WITH LIMITATIONS
OF .04 CFS AND 2500 GALLONS PER DAY, AS PER IDAHO CODE SECTION
42-111(B). NO APPL. HAS BEEN SUBMITTED FOR A PERMIT FOR USES
GREATER THAN .04 CFS AND 2500 GPD.

Date: 05/19/1995 User-ID: MMINICUC Subject: OWNERSHIP
CHANGE OF OWNERSHIP REQUESTED FROM NEW OWNERS (OLIVAS) 03/07/1994
CORR. IN FILE.
OWNERSHIP CHANGED 07/08/1996. WARRANTY DEED SHOWS OWNERSHIP TO
SYLVIA OLIVAS ONLY. MM.

Date: 03/18/1997 User-ID: MMINICUC Subject: 2500 GPD
USE LIMITED TO 2500 GPD AS PER 42-111(B). USE WAS INITIATED AFTER
MANDATORY PERMIT STATUTE DATE. 51-04027 IS WATER FROM HOT WELL
USED FOR SAME PURPOSES.

Date: 04/08/1997 User-ID: MMINICUC Subject: C OF O
OWNERSHIP CHANGED 04/08/1997. QUIT CLAIM DEED IN FILE.

Audit: 04/08/97 MMINICUC



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

[MATTHEW OLIVAS April 8, 1997]
[DESERT HOT SPRINGS]
[ROGERSON ID 83302]

RE: Notices of Claim to a Water Right Nos. A51-04037 and A51-12760

Dear Mr. Olivas:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the lands and appurtenant water rights to you.

The Department will contact you in the future concerning any requirements that may be needed in order to process the claims for final court decree.

If you have any questions in regard to your water rights, please do not hesitate to contact this office.

Sincerely,

MARIA TINICUCCI

ADJUDICATION STAFF
WESTERN REGION OFFICE

MM:m

Enc.

DATE: 03/18/97
PAGE: 1

OWYHEE County

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Field Inspection Flag:
Presumption Flag:

Comments:

Date: 03/07/1994 User-ID: MINICUC Subject: COPIED FROM REMARKS
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THE CURRENT OWNER (OLIVAS) WILL BE SENT AN APPLICATION FOR PERMIT
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GREATER THAN .04 CFS AND 2500 GPD.

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CHANGE OF OWNERSHIP REQUESTED FROM NEW OWNERS (OLIVAS) 03/07/1994
CORR. IN FILE.
OWNERSHIP CHANGED 07/08/1996. WARRANTY DEED SHOWS OWNERSHIP TO
SYLVIA OLIVAS ONLY. MM.

Date: 03/18/1997 User-ID: MMINICUC Subject: 2500 GPD
USE LIMITED TO 2500 GPD AS PER 42-111(B). USE WAS INITIATED AFTER
MANDATORY PERMIT STATUTE DATE. 51-04027 IS WATER FROM HOT WELL
USED FOR SAME PURPOSES.

Audit: 03/18/97 MMINICUC

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

AJ5809NP
No. R51-12760

Comments: Date: 03/07/1994 User-ID: MINICUC Subject: DISALLOWAL

SPRINGS.
THE CURRENT OWNER (OLIVAS) WILL BE SENT AN APPLICATION FOR PERMIT FORM, AND INSTRUCTIONS. SINCE THE CURRENT OWNER INTENDS ON EXPANDING THE USE OF THIS WELL, THE APPLICATION WILL GIVE HIM THE OPPORTUNITY TO GET A PERMIT FOR ALL THE USES OF THIS WELL.

Date: 05/19/1995 User-ID: MMINICUC Subject: RECOMMENDATION
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OWNERSHIP CHANGED 07/08/1996. WARRANTY DEED SHOWS OWNERSHIP TO SYLVIA OLIVAS ONLY. MM.

Audit: 03/07/94 MINICUC 05/19/95 MMINICUC 07/08/96 MMINICUC

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 07/08/96
PAGE: 1

Water Source:	GROUNDWATER	Tributary to:	Stage:	BENEFICIAL USE
City of Diversion:	Y16S R09E S24	NHWH		OWYHEE County

Point(s) of Diversion:	T16S R09E S24	NWNW	Owyhee County
Place of use Legal Description for:	DOMESTIC		
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16S 09E 24 :	:	Ø	:

POU County: Owyhee

Non-Irrigation Uses: DOMESTIC, ONE HOME, 3 TRAILER SITES, CAFE, RESTROOMS

Other Rights: A51-04037

Dates:	Exam Made Date:	03/03/1994	Verified Date:	Objection Filed Date:
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Misc:

Water District Number:

Field Inspection Flag:

Presumption Flag:

Comments: Date: 03/07/1994 User-ID: MINICUCC Subject: COPIED FROM REMARKS
THIS CLAIM IS FOR A COLD WATER WELL WHICH SUPPLIES A HOUSE,
THE LODGE, 3 TRAILERS (NON-PERMANENT) AND PUBLIC RESTROOMS.

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SPRINGS.
THE CURRENT OWNER (OLIVAS) WILL BE SENT AN APPLICATION FOR PERMIT

AJ0749NP
No. R51-12760

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 07/08/96
PAGE: 2

Comments:

Date: 03/07/1994 User-ID: MINICUC Subject: DISALLOWAL
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OWNERSHIP CHANGED 07/08/1996. WARRANTY DEED SHOWS OWNERSHIP TO
SYLVIA OLIVAS ONLY. MM.

Audit:

07/08/96 MMINICUC

09:44:05
03/07/94
31

PAGE: 15
PROFILE REPORT

CLAIM NUMBER: A51-12760

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C ANITA F SCHOWALTER
C HARRY B SCHOWALTER
MURPHY HOT SPRINGS
ROGERSON ID 83302
(208) 857-2233

~~Water Source:~~ GROUNDWATER

Point(s) of Diversion:

T16S R09E S24

FINISH

Place of use Legal Description for: DOMESTIC

2

T R S : Lt Ac Lt Ac Lt Ac Lt Ac
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16S 09E 24 :

16S 09E 24 :

POW County: OWYHEE

Non-Irrigation Uses: DOMESTIC, ONE HOME, 3 TRAILERS, LODGE, RESTROOMS

Other Rights: A51-04037

Remarks: THIS CLAIM IS FOR A COLD WATER WELL WHICH SUPPLIES A HOUSE, THE LODGE, 3 TRAILERS (NON-PERMANENT) AND PUBLIC RESTROOMS.

Dates: Exam Made Date: 03/03/1994 Verified Date:

Misc:

Water District Number:

Field Inspection Flag:

Presumption Flag:

सप्त

~~Remark 101~~

OK to Recommend as Domestic. Limited to 2500 gal/day. TTH

05/19/1995

03/07/1994

Disallow - claimant will file new application

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:19:49
03/07/94

PAGE: 1
GENERAL INFORMATION

17
CLAIM NUMBER: A51-12760

LAST: SCHOWALTER
ADDRESS: MURPHY HOT SPRINGS
CITY: ROGERSON
PHONE NUMBER: 208-857-2233
OWNER CODE: C

FIRST: ANITA F
STATE: ID ZIP: 83302

LAST: SCHOWALTER
ADDRESS: MURPHY HOT SPRINGS
CITY: ROGERSON
PHONE NUMBER: 208-857-2233
OWNER CODE: C

FIRST: HARRY B
STATE: ID ZIP: 83302

FIELD EXAM REQUIRED?

DATABASE

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: THIS CLAIM IS FOR A COLD WATER WELL WHICH SUPPLIES A HOUSE,
THE LODGE, 3 TRAILERS (NON-PERMANENT) AND PUBLIC RESTROOMS.

05/19/1995: Change of
ownership requested
03/07/1994. Corr. in
file. 777

CONTACT PERSON: Sylvia Olivas PHONE NUMBER: (208) 857-0403 7

DATE OF FIELD EXAM: 03/03/1987 APPOINTMENT MADE: Y () N () TIME: 7 () : 00 A () P ()

ACCOMPANIED BY: Matthew Olivas PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: Husband

DIRECTIONS TO PROPERTY / NOTES:

Rogerson - 3 Creek highway. Road turns to dirt - drop
down canyon to Murphy Hot Springs.

CONVERSATION MEMORANDUM

NAME OF PARTY Sylvia Olivas 857-2233
EMPLOYEE: M. Minicucci

DATE 02/11/1994
FILE AS1-04037, -12760

RE: Field Exam

New owner of Murphy Hot Springs.

Appt scheduled for Thurs 17 FEB 94 11:00 a.m.

From Boise to Twin Falls.

Road toward Jack Pot, To ROGERSON.

Turn a bar in Rogerson to Murphy Hot Springs

R

02/17/1994: Wind-blown rain. Rescheduled appointment
for 03/03/1994 Thurs.

A. AJ CLAIM: # A51-12760 PRIORITY DATE: 06-01-1987 STAGE: J

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE Y FIELD EXAMINER mm

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(X)

NOTES: Priority date backed up by well log. However, because of the commercial use of this well (lodge, etc) it is violation of the mandatory permit statute for groundwater. The applicant has been advised to file an Application for Permit, which will allow him to include his future development of this well.
05/19/1995: Use can be recommended as domestic, .04 CFS, under 42-111(b) - limited to 2500 gpd. Priority date recommended as claimed.

RECOMMENDED PRIORITY DATE:

06-01-1987

REVIEWED BY

[Signature]

DATE

03/07/1994

05/19/1995

[Signature]

AST-12760

Form 230-7
9-82

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

USE TYPEWRITTEN OR
BALLPOINT PEN

State law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

1. WELL OWNER Name <u>Larry Shwalter</u> Address <u>Murphy Hot Spgs., Idaho</u> Owner's Permit No. _____		7. WATER LEVEL Static water level <u>5</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☒ Plug Temperature <u>94</u> OF. Quality _____ Describe alteration in temperature zones below																																											
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)		8. WELL TEST DATA ☐ Pump ☐ Bailor ☐ Air ☐ Other _____ <table border="1"><thead><tr><th>Discharge G.P.M.</th><th>Pumping Level</th><th>Hours Pumped</th></tr></thead><tbody><tr><td><u>20</u></td><td><u>15 ft.</u></td><td><u>12</u></td></tr></tbody></table>		Discharge G.P.M.	Pumping Level	Hours Pumped	<u>20</u>	<u>15 ft.</u>	<u>12</u>																																				
Discharge G.P.M.	Pumping Level	Hours Pumped																																											
<u>20</u>	<u>15 ft.</u>	<u>12</u>																																											
3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)		9. LITHOLOGIC LOG <table border="1"><thead><tr><th rowspan="2">Bore Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th rowspan="2">Water Yield</th></tr><tr><th>From</th><th>To</th></tr></thead><tbody><tr><td>8</td><td>0</td><td>1</td><td>dirt</td><td></td></tr><tr><td>8</td><td>1</td><td>3</td><td>boulders</td><td></td></tr><tr><td>8</td><td>3</td><td>23</td><td>boulders</td><td>X</td></tr><tr><td></td><td>23</td><td>68</td><td>brown shaly clay</td><td></td></tr><tr><td></td><td>68</td><td>86</td><td>brown shaly clay</td><td>X</td></tr><tr><td></td><td>86</td><td>90</td><td>river gravel & silt - 90%</td><td>X</td></tr><tr><td></td><td>90</td><td>100</td><td>brown rock</td><td>X</td></tr></tbody></table>		Bore Diam.	Depth		Material	Water Yield	From	To	8	0	1	dirt		8	1	3	boulders		8	3	23	boulders	X		23	68	brown shaly clay			68	86	brown shaly clay	X		86	90	river gravel & silt - 90%	X		90	100	brown rock	X
Bore Diam.	Depth		Material		Water Yield																																								
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	90	100	brown rock	X																																									
4. METHOD DRILLED ☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☒ Cable ☐ Dug ☐ Other _____		RECEIVED JUN 19 1987 Department of Water Resources Cody Regional Office RECEIVED JUN 19 1987 Department of Water Resources																																											
5. WELL CONSTRUCTION Casing schedule ☒ Steel ☐ Concrete ☐ Other _____ <table border="1"><thead><tr><th>Thickness</th><th>Diameter</th><th>From</th><th>To</th></tr></thead><tbody><tr><td><u>250</u> inches</td><td><u>6</u> inches</td><td><u>1</u> feet</td><td><u>89</u> feet</td></tr><tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ inches</td><td>_____ inches</td><td>_____ feet</td><td>_____ feet</td></tr></tbody></table> Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches <table border="1"><thead><tr><th>Number</th><th>From</th><th>To</th></tr></thead><tbody><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr></tbody></table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Model No. _____ Type _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>30 ft.</u> Material used in seal: ☐ Cement grout ☒ Bentonite ☐ Puddling clay ☐ _____ Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Overbore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld _____ ☐ Cemented between strata Describe access port <u>well cap</u>				Thickness	Diameter	From	To	<u>250</u> inches	<u>6</u> inches	<u>1</u> feet	<u>89</u> feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	Number	From	To	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet										
Thickness	Diameter			From	To																																								
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_____ inches	_____ inches	_____ feet	_____ feet																																										
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Number	From	To																																											
_____ perforations	_____ feet	_____ feet																																											
_____ perforations	_____ feet	_____ feet																																											
_____ perforations	_____ feet	_____ feet																																											
6. LOCATION OF WELL Sketch map location must agree with written location. <table border="1"><tr><td>N</td><td></td><td></td><td></td><td></td></tr><tr><td>W</td><td></td><td></td><td></td><td>E</td></tr><tr><td></td><td></td><td></td><td></td><td></td></tr></table> Subdivision Name <u>Murphy Hot Spgs.</u> Lot No. _____ Block No. _____ County <u>Carrhyre</u> N.W. 1/4 N.W. 1/4 Sec. 24, T. 16, R. 9, E. 10.		N					W				E						10. Work started <u>3-31-87</u> finished <u>4-8-87</u>																												
N																																													
W				E																																									
11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>Antonwell Drilling</u> Address <u>Caul, Idaho, on 4-12-87</u> Signed by (Firm Official) <u>Robert E. Anton</u> and <u>Robert E. Anton</u> (Operator)																																													

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A51-12760	16S	09E	24		NW	NW		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX	WR RECORDS IN SAME 40 ACRE TRACT
A51-04037	R51-07135	51-04037
A51-07135	R51-07194	51-04039
A51-07194	R51-10005	51-07135
A51-10005	R51-10008	51-07138
A51-10008	R51-10011	51-07194
A51-10011	R51-10051	51-07195
A51-10051	R51-10200	51-07273
A51-10200	R51-10220	51-07347
A51-10220	R51-10307	P51-07347

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)	DUE TO SOURCE DISCREPANCY? (Y/N)	DATABASE	FIELD EXAMINER
		X N	MM
		X N	MM

NOTES:

POD is correct
05/19/1995: POD verified by field exam 03/03/1994 MM

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
16S	09E	24	—	NW	NW	—	—	—
—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—

SOURCE: _____ TRIB: _____

REVIEWED BY: HL DATE: 03/07/1994

SYSTEM DESCRIPTION:

See Application for Permits

05/19/1995: Mr. Olivas, the new owner, indicated that he would file a new application for this well for an amount greater than 2500 gallons per day. No application has been received at this date. MM



PHOTOGRAPHER AND DATE OF PHOTOS T. T. Newice 03/03/1994

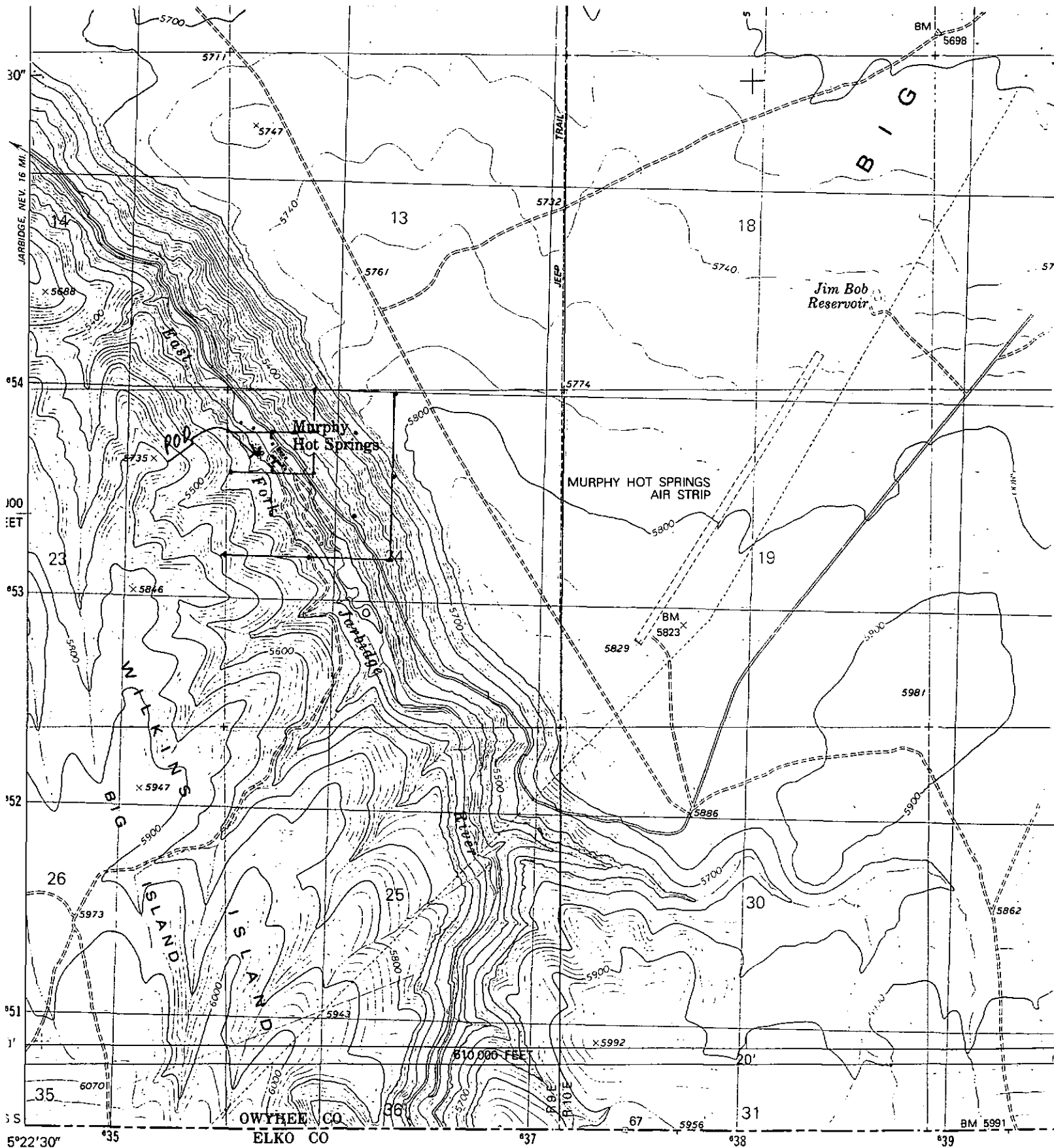
FILE NO. A51-12760 T1105 ROGE S.24 NW NW



① Owners' daughter leaning on the well casing. The building behind her is part of the pool



② Domestic place of use. Please see file A51-04037 for additional pictures of the place of use (lodge/cafe).

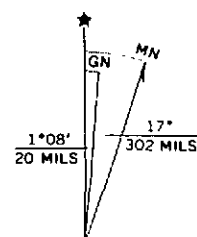


Mapped, edited, and published by the Geological Survey

Control by USGS and NOS/NOAA

Topography by photogrammetric methods from aerial photographs taken 1973. Field checked 1974
Map edited 1979

Projection and 10,000-foot grid ticks: Idaho coordinate system, west zone (transverse Mercator)
1000-meter Universal Transverse Mercator grid, zone 11
1927 North American Datum
To place on the predicted North American Datum 1983
move the projection 100,000 meters north and

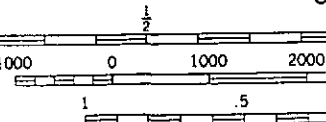


UTM GRID AND 1979 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET

A51-12760

T16S R09E
S. 24 NWNW
Dom: .04CFS

DD66 (1979)

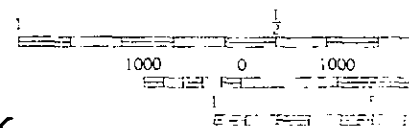


CONTOU
DOTTED LINES :
NATIONAL GEOD



AS 1-12760

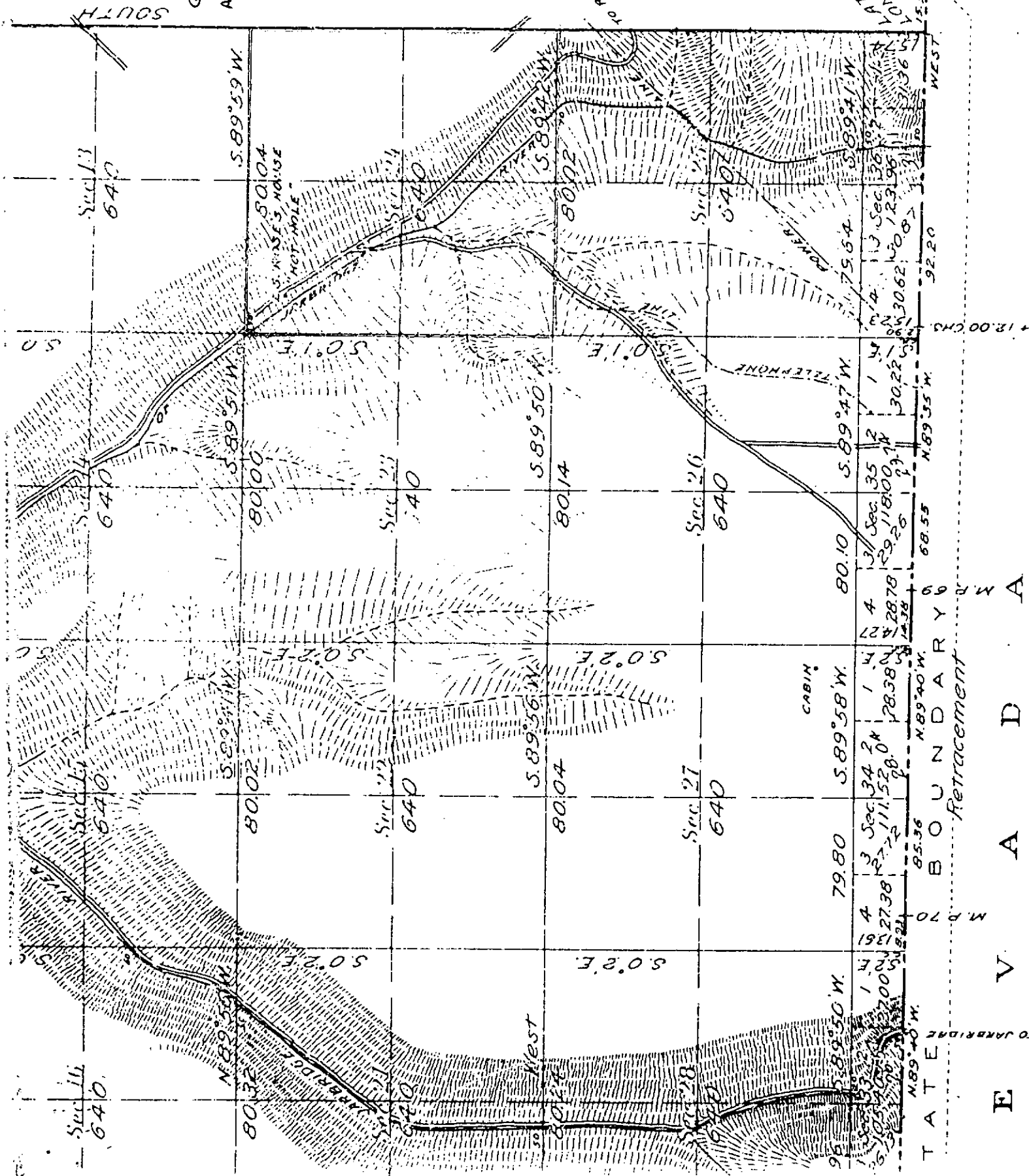
T16S
R09E
S.24
NW1/4
Dom. .04CFS



THIS MAP COMPLETES
FOR SALE BY U. S. GE

AS1-12760

Govt Y1A7
AS1-12760



A. ROOT WATER RIGHT NUMBERS: A51-12760

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
16S	09E	24	NW	NW		SCHWALTER, ANITA F	A51-12760 /	- /			
			NW	NW		DODD, VIRGIL E	R51-10006 /	- /			
			NW	NW		NYE, CLARENCE H.	A51-04039 /	51-04039 /			
			NW	NW		THOMPSON, JERRY L.	A51-10005 /	- /			
			NW	NW		DODD, VIRGIL E.	A51-10006 /	- /			
			NW	NW		THOMPSON, MARGARET O.	A51-07135 /	51-07135 /			
			NW	NW		THOMPSON, MARGARET O.	A51-07194 /	51-07194 /			
			NW	NW		WHITMORE, HARRY A.	A51-10010 /	- /			
			NW	NW		POTTER, CHARLES R.	A51-10011 /	- /			
			NW	NW		FLORENCE, FRANK	A51-10020 /	- /			
			NW	NW		BURKHART, LEON	A51-10051 /	- /			
			NW	NW		SMITH, JAMES D.	A51-10068 /	- /			
			NW	NW		MONTGOMERY, NANCY J.	A51-10155 /	- /			
			NW	NW		ELTON, CLIFFORD N.	A51-10200 /	- /			
			NW	NW		THOMPSON, MARGARET O.	A51-07138 / 1.0	51-07138 / 1.0			
			NW	NW		LAZAROS, J. LEWIS	A51-10151 /	- /			
			NW	NW		THOMPSON, MARGARET O.	A51-10220 /	- /			
			NW	NW		BAIRD, RUSSELL	A51-10150 /	- /			
			NW	NW		DENTON, ROBERT E.	A51-10307 /	- /			
			NW	NW		NYE, CLARENCE H.	R51-04039 /	- /			
			NW	NW		THOMPSON, MARGARET O	R51-07135 /	- /			
			NW	NW		EYER, JOHN	A51-10008 /	- /			
			NW	NW		DENTON, ROBERT E	R51-10307 /	- /			
			NW	NW		SMITH, JAMES D	R51-10068 /	- /			
			NW	NW		LAZAROS, J LEWIS	R51-10151 /	- /			
			NW	NW		MONTGOMERY, NANCY J	R51-10155 /	- /			
			NW	NW		ELTON, CLIFFORD N	R51-10200 /	- /			
			NW	NW		WILLIS, THURMAN	R51-10154 /	- /			
			NW	NW		THOMPSON, MARGARET O	R51-07194 /	- /			
			NW	NW		THOMPSON, RUTH N	R51-10005 /	- /			
			NW	NW		LYDA, ADA	R51-10008 /	- /			
			NW	NW		WHITMORE, HARRY A	R51-10010 /	- /			
			NW	NW		POTTER, CHARLES R	R51-10011 /	- /			
			NW	NW		FLORENCE, FLORENCE	R51-10020 /	- /			
			NW	NW		BURKHART, LEON	R51-10051 /	- /			
			NW	NW		WILLIS, THURMAN	A51-10154 /	- /			
			NW	NW		THOMPSON, MARGARET O	R51-10220 /	- /			
			NW	NW		SCHWALTER, ANITA F	A51-04037 /	51-04037 /			
			NW	NW	6	BAIRD, RUSSELL	A51-10150 /	- /			
			NW	NW		NYE, CLARENCE H.	51-07195 /	51-07195 /			
			NW	NW		CHOATE, GAYLORD E.	51-07273 / 1.0	51-07273 / 1.0			
			NW	NW		OLIVAS, SYLVIA	51-07347 /	51-07347 /			
			NW	NW		OLIVAS, SYLVIA	P51-07347 /	P51-07347 /			
TOTAL ACRES							A51-12760				

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y () N (X)
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED? DATABASE FIELD EXAMINER POJ COUNTY: OHYHEE
DUE TO POJ DISCREPANCY? (Y/N) Y MM

PRESUMPTION FLAG:

NOTES:

Disallow - Violation of mandatory permit statute
Application for permit & instructions sent 03/07/1994
05/19/1995: OK to recommend for domestic use, limited
to 2500 gallons per day. (42-11(C)). MM

RECOMMENDATIONS:

TOTAL ACRES:

N/A

REVIEWED BY:

[Signature]

DATE:

03/07/1994

A. AJ CLAIMED USES:
PURPOSES MONTH/DAY DIVERSION QUANTITY
A51-12760 DOMESTIC FROM 01-01 TO 12-31 .040 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED .040 CFS

B. WR RECORDED USES:
PURPOSES MONTH/DAY DIVERSION QUANTITY

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED? FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N) Y
DUE TO DIVERSION RATE DISCREPANCY? (Y/N) Y
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N) Y

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N(X)

Y() N()

Explain in notes, below.

NOTES:

Disallow

TRAILERS

03/07/1994: Use is commercial - Café, restrooms, (cabins) at
Hot Springs business establishment
05/19/1995: OK to recommend as domestic 42-111(B), limited
to 2500 gals/day. Café, one outside restroom, 3 trailer sites
(rentals) house, & "lodge" 777

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

AJ TOTAL CLAIMED DIVERSION RATE:
WR ROOT RIGHT TOTAL DIVERSION RATE:

0.040 CFS
CFS

N/A Y() N()

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in notes. **

FLOW MEASUREMENT REQUIRED?

FIELD
DATABASE EXAMINER

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y

N/A

B.

FLOW MEASUREMENT

MEASUREMENT METHOD N/A, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N(X) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: A51-04037 - Hot Springs

Not same users. 777

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A51-07138	WASTE WATER	THOMPSON, MARGARET O.	0.100	0.100	0.80	0.80

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A51-12760	DOMESTIC	SCHOWALTER, ANITA F	FROM 01-01 TO 12-31	.040 CFS	
R51-10006	DOMESTIC	DODD, VIRGIL E	FROM 01-01 TO 12-31	.040 CFS	
A51-04039	DOMESTIC	NYE, CLARENCE H.	FROM 01-01 TO 12-31	.040 CFS	
A51-10005	DOMESTIC	THOMPSON, JERRY L.	FROM 01-01 TO 12-31	.020 CFS	
A51-10006	DOMESTIC	DODD, VIRGIL E.	FROM 01-01 TO 12-31	.040 CFS	
A51-07135	DOMESTIC	THOMPSON, MARGARET O.	FROM 01-01 TO 12-31	.020 CFS	
A51-07194	DOMESTIC	THOMPSON, MARGARET O.	FROM 01-01 TO 12-31	.020 CFS	
A51-10010	DOMESTIC	WHITMORE, HARRY A.	FROM 01-01 TO 12-31	.040 CFS	
A51-10011	DOMESTIC	POTTER, CHARLES R.	FROM 01-01 TO 12-31	.040 CFS	
A51-10020	DOMESTIC	FLORENCE, FRANK	FROM 01-01 TO 12-31	.030 CFS	
A51-10051	DOMESTIC	BURKHART, LEON	FROM 01-01 TO 12-31	.040 CFS	
A51-10068	DOMESTIC	SMITH, JAMES D.	FROM 01-01 TO 12-31	.020 CFS	

1.20 AF/A

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A51-10155	DOMESTIC	MONTGOMERY, NANCY J.	FROM 01-01 TO 12-31	.040 CFS	1.20 AF/A
A51-10200	DOMESTIC	ELTON, CLIFFORD N.	FROM 05-01 TO 11-01	.020 CFS	
A51-10151	DOMESTIC	LAZAROS, J. LEWIS	FROM 01-01 TO 12-31	.040 CFS	
A51-10220	DOMESTIC	THOMPSON, MARGARET O.	FROM 01-01 TO 12-31	.070 CFS	
R51-10150	DOMESTIC	BAIRD, RUSSELL	FROM 01-01 TO 12-31	.040 CFS	
A51-10307	DOMESTIC	DENTON, ROBERT E.	FROM 01-01 TO 12-31	.020 CFS	
R51-04039	DOMESTIC	NYE, CLARENCE H	FROM 01-01 TO 12-31	.040 CFS	
R51-07135	DOMESTIC	THOMPSON, MARGARET O	FROM 01-01 TO 12-31	.020 CFS	
A51-10008	DOMESTIC	ETTER, JOHN	FROM 01-01 TO 12-31	.040 CFS	
R51-10307	DOMESTIC	DENTON, ROBERT E	FROM 01-01 TO 12-31	.020 CFS	
R51-10151	DOMESTIC	SMITH, JAMES D	FROM 01-01 TO 12-31	.020 CFS	
R51-10155	DOMESTIC	LAZAROS, J LEWIS	FROM 01-01 TO 12-31	.040 CFS	
R51-10155	DOMESTIC	MONTGOMERY, NANCY J	FROM 01-01 TO 12-31	.040 CFS	
R51-10200	DOMESTIC	ELTON, CLIFFORD N	FROM 05-01 TO 11-01	.020 CFS	
R51-10154	DOMESTIC	WILLIS, THURMAN	FROM 01-01 TO 12-31	.040 CFS	
R51-07194	DOMESTIC	THOMPSON, MARGARET O	FROM 01-01 TO 12-31	.020 CFS	
R51-10005	DOMESTIC	THOMPSON, RUTH N	FROM 01-01 TO 12-31	.020 CFS	
R51-10008	DOMESTIC	LYDA, ADA	FROM 01-01 TO 12-31	.040 CFS	
R51-10010	DOMESTIC	WHITMORE, HARRY A	FROM 01-01 TO 12-31	.040 CFS	
R51-10011	DOMESTIC	POTTER, CHARLES R	FROM 01-01 TO 12-31	.040 CFS	
R51-10020	DOMESTIC	FLORENCE, FLORENCE	FROM 01-01 TO 12-31	.030 CFS	
R51-10051	DOMESTIC	BURKHART, LEON	FROM 01-01 TO 12-31	.040 CFS	
A51-10154	DOMESTIC	WILLIS, THURMAN	FROM 01-01 TO 12-31	.040 CFS	
R51-10220	DOMESTIC	THOMPSON, MARGARET O	FROM 01-01 TO 12-31	.010 CFS	
A51-04037	HEATING	SHOWALTER, ANITA F	FROM 01-01 TO 12-31	.040 CFS	
A51-04037	DOMESTIC	SHOWALTER, ANITA F	FROM 01-01 TO 12-31	.020 CFS	
A51-10150	COMMERCIAL	SHOWALTER, ANITA F	FROM 01-01 TO 12-31	.020 CFS	
	DOMESTIC	BAIRD, RUSSELL	FROM 01-01 TO 12-31	.040 CFS	

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE _____ CFS
ACRES _____ (Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

NOTES: (Include limitations on CONSUMPTIVE USE for combined rights.)

05/19/1995: All uses combined limited to .04 cfs, 2500 gallons per day. 177

Desa Hout

N/A

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
<i>Disposal</i>				

TOTAL FOR THIS RIGHT

REVIEWED BY: *W. H. Hennessee* DATE: *03/07/1994*

Dom 01.01 TO 12.31 .04 CFS

W. H. Hennessee 05/19/1995

A. CHECK ONLY THE FOLLOWING THAT APPLY:

ACCEPTED AS CLAIMED ()
NEEDS REVIEW ()
~~()~~
~~()~~

OWNERSHIP
FORFEIT/ABANDON
ADDITIONAL DIV. AMOUNT

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 51-12760

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE EXAMINER CFS
JIM

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A51-12760	0.040	-	-	-	-

TOTAL CFS 0.040

DIVERSION RATE REVIEW

DATABASE N
FIELD EXAMINER

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

NOTES:

Disallow -

Violation of Maryland Permit Statute
05/19/1995! Recommend also claimed - limited to .04 CFS
and 2500 gallons per day, as per 42-111 (CB). 727

AUTHENTICATION:

SIGNATURE: Maria Minicucci DATE: 03/07/1994

NAME OF FIELD EXAMINER: MARIA MINICUCCI TITLE: WATER AGENT

05/19/1995

MARIA MINICUCCI SR WATER AGENT



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

March 7, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

SYLVIA OLIVAS
MURPHY HOT SPRINGS
ROGERSON ID 83302

RE: Snake River Basin Adjudication Notice of Claim Nos. A51-04037 & A51-12760

Dear Ms. Olivas:

As we discussed during our visit with Mr. Olivas on March 3, this letter serves to explain the enclosed materials.

Four copies of the form "Application for Permit" are enclosed with this letter. These forms are used to apply for permits for 'new' uses of water, that is water uses which have not yet been developed. Also enclosed is a separate instruction sheet. Mr. Olivas talked about the cold water well, a possible river diversion, and possible development of the spring on the other side of the road.

It is extremely important that you file an application for the cold water well, since that source has already been developed. You should include all present uses of the water, as well as future development plans.

The form "New Property Owner Notice of Change of Water Right Ownership" will serve to notify the Department of Water Resources that the listed claims have new ownership. The instructions for this form are on the back. Please complete and return this form to my attention. Once this form and the supporting documentation have been received back in this office, I will be able to change the ownership on the claims.

We spoke with Mr. Olivas about amending the claim on the hot springs to accurately reflect the amount of water being used. Once the ownership has been changed on the claim, I will be able to send an amended claim to you for your review and signature.

Finally, I am sending your documents regarding the history of Murphy Hot Springs back to you. These documents are very helpful - please let me know if you have any information about their source.

Please feel free to contact me regarding this letter or the enclosed material.

Sincerely,

Maria Minicucci
Water Agent, Adjudication Bureau

MM/m

Encs: Instructions and Application for Permit forms (4)
Change of Ownership form
History of Murphy Hot Springs



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 19, 1996

MICHAEL AND SYLVIA OLIVAS
MURPHY HOT SPRINGS
ROGERSON ID 83302

RE: Notices of Claim to a Water Right No. A51-04037 & A51-12760

Dear Mr. and Mrs. Olivas:

This department sent a letter to you on March 7, 1994, requesting that you complete the documentation to update the ownership records for the above-referenced claims. We have not received a response to our request.

This letter is a second request for documentation supporting your ownership of the property and the appurtenant water rights. Enclosed are reports which summarize the claims which have been filed in the Snake River Basin Adjudication (SRBA) for those water rights. New owners of claims are required by law to notify the department of the change in ownership. Notices and correspondence, legal and otherwise, are sent to the current owners listed in the department's records.

Please complete the enclosed "Change of Ownership" form by adding your signature(s), and return the form to this office with a copy of the deed which shows your ownership of the property.

If you have any questions, please do not hesitate to contact this office. You may call the number at the top of this letter, or call me directly at 334-2266, extension 112 (you must have a push button telephone to use my direct line).

Sincerely,

Maria Minicucci
Sr. Water Agent, Adjudication Bureau

MM:m

Enc: Profile reports, A51-04037, A51-12760; Change of Ownership form

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:19:49
03/07/94

PAGE: 14
QUICKLOOK INFORMATION

30
CLAIM NUMBER: A51-12760

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y	FM 03/07/1994	FM+LW 03/03/1994	Y	N/A	FM 03/07/1994	FM 03/07/1994	
POINT OF DIV	Y				S, I	FM 03/07/1994	FM 03/07/1994	
SOURCE	Y				S, I	FM 03/07/1994	FM 03/07/1994	
PLACE OF USE	Y				S, I	FM 03/07/1994	FM 03/07/1994	
DIV. AMOUNT CFS/VOLUME	Y				N/A	FM 03/07/1994	FM 03/07/1994	
CONSUMPTIVE USE	-				N/A	FM 03/07/1994	FM 03/07/1994	
PURPOSES	Y				S	FM 03/07/1994	FM 03/07/1994	
PERIOD OF USE	Y				STAND	FM 03/07/1994	FM 03/07/1994	
BASIS OF CLAIM	Y				D/N	FM 03/07/1994	FM 03/07/1994	
REMARKS	Y					FM 03/07/1994	FM 03/07/1994	

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

DD66 (1979)

03/03/1994

Bae code updated 05/19/1995

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 8, 1996

SYLVIA OLIVAS
MATTHEW OLIVAS
DESERT HOT SPRINGS
ROGERSON ID 83302

RE: Notices of Claim to a Water Right Nos. A51-04037 & A51-12760

Dear Ms. and Mr. Olivas:

Enclosed are copies of the above-referenced claims which reflect the change in ownership to Ms. Olivas. Also enclosed is a copy of the Change of Ownership form which was submitted to this office. These documents are for your records and should not be returned to this office.

Copies of notes taken regarding some communication between our office in Twin Falls and Mr. Olivas were also submitted to this office. These documents are also for your records and are returned to you with this letter.

Mr. Olivas contacted this office this morning to request Application for Permit forms. These forms are used to apply for a permit to appropriate water for new development. Enclosed are several applications as well as instructions with a fee schedule. The appropriate fee must be returned with the application.

Mr. Steve Lester of this office has written to you about a complaint received by this office regarding your water uses. Please refer all questions and comments about this letter to Mr. Lester at the telephone number at the top of this letter.

Finally, enclosed is a photograph that was taken during the field exam on March 3, 1994. This young person assisted us by standing by the well casing to give scale to the picture. This picture is an extra copy and need not be returned.

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

Sincerely,

Maria Minicucci

Sr. Water Agent, Adjudication Bureau

MM:m

Enc: A51-04037, A51-12760, App. for permit (3), C of O form copy, photo,
Conv. Memo (F. Hitchcock)



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

[]

ANITA F SCHOWALTER
HARRY B SCHOWALTER
MURPHY HOT SPRINGS
ROGERSON ID 83302

July 8, 1996

[]

RE: Notice of Claim(s) to a Water Right No(s):

A51-04037, A51-12760

Dear Claimant:

Enclosed is a copy of the "Notice of Change of Water Right Ownership" form which has been submitted to this office. This form identifies you as the former owner of the above-referenced water right(s).

This letter is to notify you that the ownership of the water right(s) has been changed to the name(s) identified as the New Owner/Claimant. This reflects the change in ownership of the land and appurtenant water right(s) to the new owner.

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

Sincerely,

Adjudication Staff
Western Region Office

MM:m
Enc.

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. UNKNOWN

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Frank Hitchcock

July 8, 1996 10:02am

NAME:
MATTHEW OLIVAS

RE:
MURPHY HOT SPRINGS

TF MARIA AT WESTERN REGION-TCW RE: PREVIOUS CONTACTS WITH CLAIMANT AND CORRESPONDENCE FROM STEVE LESTER TO CLAIMANT BEFORE HIS 06-25-1996 WALK-IN HERE (SEE JCOM BY FH SAME DATE).

ALL CONTACTS INITIATED BY THE CLAIMANT ARE TO GO TO THE WESTERN REGION. STEVE LESTER OR MARIA MINICUCCI.

POSTSCRIPT: CLAIMANT JUST CALLED AT 10:08-TCW-DIRECTED HIM TO WESTERN AND EXPLAINED WHY. HE ASKED FOR AND I GAVE HIM THE PHONE NUMBER AND THE FAX NUMBERS. TOLD HIM THAT I HAD FORWARDED HIS 1409 AS I SAID I WOULD AND THAT I WAS ABOUT TO CALL HIM AS I ALSO SAID I WOULD.

TOLD HIM THAT ANY FURTHER CONTACT WITH THE DEPARTMENT MUST GO TO THE WESTERN OFFICE AND WE WENT THROUGH THE REASON WHY AGAIN.

Post-It* Fax Note	7671	Date	7-8-96	# of Pages	1
To	MISS MARIA	From	MR. FH20		
Co./Dept.	TOP OF HEAP	Co.			
Phone #		Phone #	736-3033		
Fax #		Fax #			

ADJUDICATION MEMORANDUM

CLAIM NO.: AS1-04037, AS1-12760

SUBJECT: Office Visit @ Southern

EMPLOYEE: Mr. Olivas

DATE: 07/08/1996

Mr. Olivas included a copy of the communication documentation from Frank Hitchcock of Southern region. I called Mr. Hitchcock to bring him up to date (SRBA claims, S. Lester's letter), and to ask him refer all future inquiries to Mr. Lester or to me. Mr. Hitchcock indicated that he would make a note in his files to do so, and would notify the receptionists/secretaries to do the same.

RECEIVED

JUN 28 1996

WATER RESOURCES
WESTERN REGION

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. UNKNOWN

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Frank Hitchcock

June 25, 1996 1:15pm

NAME:
MATTHEW OLIVAS

RE:
MURPHY HOT SPRINGS-1409

WALK-IN AT 1:00 PM-CW-CONVERSAATION MEMO FORM USED TO RECORD QUITE A FEW QUESTIONS/COMMENTS RE: COMPLAINTS MADE TO THIS OFFICE ACCORDING TO HIM AND HOW TO IDENTIFY FUTURE USAGE OF BOTTLING AT THE MURPHY HOT SPRINGS RESORT.

SINCE THE SYSTEM WAS DOWN I TOOK CAREFUL NOTES AND EXPLAINED THAT WITHOUT ANY DATA FROM HIM IN THE FORM OF PAPERWORK REGARDING THE RIGHTS ON THE PROPERTY I COULDN'T RESPOND OR GIVE HIM ANY DECISION ON WHAT HE WAS ALLEGING.

GAVE HIM A COPY OF THE NOTES, SIGNED THEM AND PUT THE TIME THAT HE GOT THEM FROM ME ON THE MEMO.

I PROMISED TO: GIVE A COPY TO TARA WHO WOULD NOTIFY ME WHEN THE PAPERS COME IN THAT HE SAID HE HAD MAILED YESTERDAY AFTER RECIEVING A LETTER (?). ALSO, THAT WE WOULD CONTACT HIM BY PHONE AND LET HIM KNOW WHAT THE RESPONSE(S) WOULD BE TO HIS QUESTION(S).
REVIEWED WITH TARA-CC TO HOLD FILE ON MY WORK TABLE.

COPY

RECEIVED

FIL. 7

COPY

JUN 28 1996

WATER RESOURCES
WESTERN REGION

AGENT: 7

DATE: 06-25-96

RE:

NAME OF PARTY:

MURPHY HOT SPRINGS

MATTHEW OLIVAS

857-2233

home

SHOWWATERS (previous owner)

ownership - W. D. D. sent.

NO - transfer

2 complaints

to this effect

diverting illegally

① not turn waste water in the garden
back into river -
thru THOMPSON'S property
into Ft. Fork Fairbridge

② bottling facility

submitt system
ford grade pipe - need in shed

has been measured by this dept
and OK to use for bottled
usage

was already in there
w/ new pipes -

6 CFF - ① call him when paperwork comes in
② bottling - right to ledge - PAT
#1's seems not to...

CONVERSATION MEMORANDUM

DATE 6/20/98

FILE _____

NAME OF PARTY Owyhee Co. Assessor's Office 495-2817EMPLOYEE Steve LattaRE: Ownership of Commercial Site -

Records of County show L. 3-7 Murphy Hot Sp. Subd.
owned by Showalters

also show 10.35 Acre with house, restaurant, &
cabins & swim. pools) owned by
Sylvia Olivas (nothing in name of Matthew)
1941 Priest Pl.
Boise 83706

no phone # in phonebook
but 383-9395 per directory assistance

↓
called

↓
no longer in service,
letter is only option.

Follow up - letter - S. Olivas

cc - Showalter

- Matthew Olivas to Showalter

- M. Thompson

- Owyhee Co. Sheriff's office (?)

CONVERSATION MEMORANDUM

DATE 6/21/96

FILE _____

NAME OF PARTY Matthew & Sylvia Olivas

← OLIVAS 857-2233

EMPLOYEE Steve North

RE: Current Mailing Address

An employee answered the phone. Mail
current mailing address is

M. & S. Olivas

Desert Hot Springs

Rogers ID 83302



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

June 20, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MATTHEW & SYLVIA OLIVAS
DESERT HOT SPRINGS
ROGERSON ID 83302

RE: COMPLAINTS ABOUT WATER USES

Dear Mr. and Mrs. Olivas:

This office has received complaints regarding water uses on your property in Murphy Hot Springs. Staff from this office have not made a site visit to verify the accuracy of these complaints, and this letter is not suggesting that the information provided to this office is either correct or incorrect.

The allegations, in conjunction with information already found in department records, suggest that two illegal diversions of public water are occurring for water uses on your property.

One, the water piped from the hot spring(s) to a commercial bottling venture is not sanctioned by any valid water right or adjudication claim on record with this agency. If this use is occurring, a new water right permit must be obtained. An alternative to a new permit can be arranged by changing an existing valid right in which an historical use would be decreased to allow the new use to function.

Two, it has been alleged that you are diverting water from the waste water ditch that is supplied via overflow from the hot spring(s) system, and that your waste water diversion is being used to irrigate a garden. This activity is not authorized under any valid water right or adjudication claim on record with this agency. As in the first example, two options can be considered to sanction such a diversion.

Use of either of these diversions, if occurring, must cease until valid water right protection is established pursuant to I.C. § 42-351 and 42-352. Continuing use of either diversion for a beneficial use not protected by a water right can result in a notice of violation, which can include penalties of up to \$100 per day per illegal diversion. This office will respond to further complaints with a site visit to establish a more complete factual record before taking any other steps in this matter.

The only recorded rights to use water on your property are adjudication claim nos. A51-04037 for Murphy Hot Springs and A51-12760 for a cold water well. Neither of these claims include the uses identified in this letter. Also, the claimants of record for both claims are Anita and Harry Showalter. Your property interests would be well served by recording a change in ownership for these claims as required by Idaho law in the Snake River Basin Adjudication process.

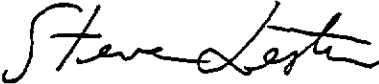
June 20, 1996

Page 2

Please refer to the enclosed form and printouts to record a change in ownership. If you have any questions or need any help in this or other water right or adjudication matters, please contact me at your earliest convenience. Your cooperation in resolving these issues is greatly appreciated.

I am sending copies of this letter to appropriate parties who have been involved in these issues in the Murphy Hot Springs area.

Sincerely,

A handwritten signature in cursive script that reads "Steve Lester".

Steve Lester
Deputy Regional Manager

c: A. & H. Showalter
 M. Thompson
 Owyhee County Sheriff
 IDWR SRBA Staff

ANITA &/OR HARRY SHOWALTER
MURPHY HOT SPRINGS
ROGERSON ID 83302

MARGARET THOMPSON
MURPHY HOT SPRINGS
ROGERSON ID 83302

RANDY GROVE
SOUTHWEST DIST HEALTH DEPT
920 MAIN
CALDWELL ID 83605

TIM NETTLETON
OWYHEE COUNTY SHERIFF'S OFFICE
MURPHY ID 83650