

No Color

Documents

In File

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: R65-00592
Date Received: 11/ 9/1988
Receipt No: X999999
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: M RESORTS LTD
Address: 501 W LAKE
MC CALL ID 83638
208-634-2244
2. Date of Priority: APR 1, 1941
3. Source: BIG PAYETTE LAKE Trib. to: PAYETTE RIVER, NORTH FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
18N	03E	9		NW	NE		VALLEY
5. Description of diverting works:
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
INDUSTRIAL	01/01	12/31	0.250		178.00
7. Total Quantity Appropriated is:
0.250 C.F.S. (and/or) 178.00 A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	03E	9		NW	NE	INDUST	
11. Place of use in counties: VALLEY
12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

INDUSTRIAL USE IS FOR SAWMILL BOILER ROOM.
ADDRESS CORRECTION 11/5/99 SB

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

October 8, 1999

DIRK KEMPTHORNE
GOVERNOR

M RESORTS LTD
501 W LAKE
MC CALL ID 83638

KARL J. DREHER
DIRECTOR

Re: Snake River Basin Adjudication (SRBA)
Water Right No. 65-00589, 65-00590, 65-00591, 65-00592,
65-00596, 65-07007
Change of Address

Dear Water Right Holders:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your claim or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to our office. Make corrections to your name and address if necessary before returning this letter. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of any of the properties connected with the water right referenced above, please call this office to obtain a form to make this required change to the water right records.

Sincerely,

Denise Buffington

Denise Buffington
Records Clerk
Adjudication Section
Western Region

RECEIVED

NOV 01 1999

WATER RESOURCES
WESTERN REGION

The address is correct as shown above or as otherwise changed.

R. McKenna

Signature of water right claimant
M. RESORTS

208-634-2244

Telephone number

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: **A65-00592**
Date Received: 11/ 9/1988
Receipt No: X999999
Received By: _____

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

1. Name: M RESORTS LTD 208-634-4121
Address: 1101 WARREN WAGON ROAD
PO BOX 1006
MC CALL ID 83638

2. Date of Priority: APR 1, 1941

3. Source: BIG PAYETTE LAKE Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
18N	03E	9	NW	NE			VALLEY

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
INDUSTRIAL	01/01	12/31	0.250		178.00

7. Total Quantity Appropriated is:
0.250 C.F.S. (and/or) 178.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	03E	9	NW	NE	/	INDUST	

11. Place of use in counties: VALLEY

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AUG 03 1994

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs

Decree Defendant

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): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires ~~MICROFILMED~~

AUG 03 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 12/17/92

Department of Water Resources
Boise, Idaho 83725

LEGAL DESCRIPTION OF PROPERTY: Township 18 N. Range 3 E.
Section 9, 1/4 of NW 1/4 of NE 1/4, Govt. Lot 1 & 2, BM.
Lot _____, Block _____, Subdivision/Townsite _____.
If you have additional legal descriptions, please attach separate sheet.

- ☐ 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: A65-00589, A65-00590, A65-00591, A65-00592 & A65-00596
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Boise Cascade Corporation Timber & Wood Products Division
1010 Jefferson Street
Boise, ID 83702
- ☐ New Owner/Claimant (Purchaser): M RESORTS, LTD., an Idaho limited partnership
- ☐ New Mailing Address: 1101 Warren Wagon Road, P. O. Box 1006
McCall, ID 83638
- ☐ New Telephone Number: (208) 634 - 4121
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X 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: Deed to Claimant
(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) x [Signature] Date 3/12/93
Douglas F. Manchester, Chairman of the general partner,
M RESORTS, INC., an Idaho corporation
- ☐ 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: _____ By: _____
Further Action Needed:

Further Action Taken
Date: _____ By: _____

Final Review and Data-Entry
Date: 4-20-93 By: [Signature]
Claim Numbers of Split, if any:

MICROFILMED

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner AUG 03 1994

APR 7 1993

Department of Water Resources
Western Regional Office

WARRANTY DEED

For Value Received DOUGLAS F. MANCHESTER, A MARRIED MAN,
AS HIS SOLE AND SEPARATE PROPERTY

the Grantor, does hereby grant, bargain, sell and convey unto:

M RESORTS, LTD., an Idaho limited partnership

whose address is: 501 Lake Street,
McCall, Idaho 83638

the grantees, the following described premises, to-wit:

SEE ATTACHED AS EXHIBIT "A"

TO HAVE AND TO HOLD the said premises with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: November 23, 1992.



Douglas F. Manchester

MICROFILMED
AUG 03 1994

State of California)
County of San Diego) SS:

On the 23rd of November, 1992, before me, a notary public in and for said State, personally appeared Douglas F. Manchester, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Notary Public

Residing at :

Commission Expires:



MICROFILMED

AUG 03 1994

POOR ORIGINAL

*NOTE: Copy of map showing the
location of Lots 1 & 2
filed in A65-00589*

TOTAL MILL PARCEL
WEST OF UNION PACIFIC RIGHT-OF-WAY

*↗ NW 1/4 + NEW
↘ SW 1/4*

A parcel of land situate in a portion of Government Lots 1 and 2, Section 9, T. 18 N., R. 3 E., B.M., City of McCall, Valley County, Idaho, and a portion of Blocks 6 and 7, McCall's 1st Addition to Village of McCall, as shown on the official plat thereof on file in the Office of the Recorder of Valley County, Idaho, in Book 1, Page 28 of Plats, and a portion of Blocks 1 and 2, Sunset Subdivision, as shown on the official plat thereof on file in the Office of the Recorder of Valley County, Idaho, in Book 1, Page 13 of Plats, more particularly described as follows:

Commencing at the northeast corner of Lot 2, Block 6, McCall's 1st Addition to Village of McCall, as shown on the official plat thereof on file in the Office of the Recorder of Valley County, Idaho, in Book 1, Page 28 of Plats, a brass cap, thence, N. 81° 25' 00" W., 185.00 feet along the northerly line of said Lot 2, to a 5/8" rebar, thence, N. 4° 45' 47" E., 165.37 feet along the easterly line of Mill Park to a 1/2" rebar, The REAL POINT OF BEGINNING:

Thence, continuing N. 4° 45' 47" E., 381.99 feet along the easterly line of Mill Park to a 5/8" rebar,
thence, N. 63° 29' 42" W., 17.97 feet along the northerly line of Mill Park, to the easterly shore of Payette Lake,
thence, N. 8° 18' 15" E., 371.13 feet along said shore to the extended northerly line of Lot 8, Block 2, Sunset Subdivision as shown on the official plat thereof on file in the Office of the Recorder of Valley County, Idaho, in Book 1, Page 13 of Plats,
thence, S. 79° 39' 30" E., 194.47 feet to the north east corner of said Lot 8,
thence, S. 28° 26' 30" W., 60.00 feet along the westerly right-of-way line of East Lake Street,
thence, S. 81° 51' 30" E., 21.32 feet to the easterly right-of-way line of East Lake Street,
thence, N. 28° 26' 30" E., 176.48 to the southwest corner of Lot 5, Block 1, of said Sunset Subdivision, a brass cap,
thence, S. 62° 11' 05" E., 122.95 feet to the southeast corner of said Lot 5, a brass cap,
thence, N. 32° 36' 30" E., 129.56 feet to the southeast corner of Lot 3, Block 1 of said Sunset Subdivision, a brass cap,
thence, N. 56° 54' 18" W., 91.75 feet to the southwest corner of said Lot 3, a brass cap,
thence, N. 48° 40' 30" E., 59.89 feet to the northwest corner of said Lot 3, a 1/2" rebar,
thence, S. 54° 50' 23" E., 75.24 feet to the northeast corner of said Lot 3, a 1/2" rebar,

EXHIBIT A - PAGE ONE

MICROFILMED

AUG 03 1994

TOTAL MILL PARCEL - con't.

thence, N. 32° 36' 30" E., 332.49 feet to the northeast corner of said Sunset Subdivision, a brass cap,
 thence, S. 89° 26' 54" E., 164.78 feet to the westerly right-of-way line of the Union Pacific Railroad, a brass cap,
 thence, S. 14° 36' 30" W., 1263.04 feet along said right-of-way to the northeast corner of Red Mill Condominium No. 2A (Amended) as shown on the official plat thereof on file in the Office of the Recorder of Valley County, Idaho, in Book 7, Page 72 of Plats, a 1/4" rebar,
 thence, N. 75° 23' 30" W., 200.00 feet to the northwest corner of said Red Mill Condominium a 1/4" rebar,
 thence, S. 14° 36' 30" W., 307.92 feet to the southwest corner of said Red Mill Condominium a 1/4" rebar,
 thence, N. 81° 25' 00" W., 106.67 feet along the northerly line of hemlock Street to a 1/4" rebar,
 thence, N. 8° 35' 00" E., 225.00 feet to a 1/4" rebar,
 thence, N. 81° 25' 00" W., 226.02 feet to The Point of Beginning containing 14.700 acres, more or less.

Bearings based on State Plane Grid Azimuth.

Subject to the following access and utility easement: a 25.00 foot wide access and utility easement being 12.50 feet on each side of the following described center line situate in Government Lot 1 Section 9, T. 16 N., R. 3 E., B.M., and a portion of McCall's 1st Addition to the City of McCall as recorded in Book 1, Page 26 of Plats in the Office of the Recorder of Valley County, Idaho, more particularly described as follows:

Commencing at the southeast corner of Lot 20, Block 6, McCall's 1st Addition to the City of McCall as shown on the official plat thereof on file in Book 1, Page 26 of Plats in the Office of the Recorder of Valley County;
 thence, S. 81° 25' E., 25.84 feet along the northerly right-of-way line of hemlock Street to The REAL POINT OF BEGINNING:

Thence, N. 19° 26' 00" W., 51.97 feet,
 thence, N. 8° 35' 00" E., 146.62 feet,
 thence, 31.42 feet along a curve to the left whose radius is 20.00 feet and delta angle is 90° 00' 00",
 thence, N. 81° 25' 00" W., 87.43 feet to the Point of Ending.

Bearings based on State Plane Grid Azimuth.

EXHIBIT A - PAGE TWO

MICROFILMED
 AUG 03 1994

The foundation for Building B of MILL RUN CONDOMINIUMS NO. 2-A (Amended), aka SUGARLOAF CONDOMINIUMS, as shown on the Condominium map and diagrammatic floor plan appearing in the records of Valley County, Idaho as Instrument No. 102637, amended by Instrument No. 118433, and as defined and described in that Condominium Declaration for Mill Run Condominiums placed in the records of Valley County, Idaho as Instrument No. 102638, and amended by Instrument No. 116167 and 117027, and supplemented by Instrument No. 117028. TOGETHER WITH an easement for ingress and egress as described in and created by that certain Grant of Easement to owners of Condominium units, filed for record in the office of the Recorder of Valley County, Idaho on September 17, 1985 in Drawer 1 of Miscellaneous as Instrument No. 143996.

EXHIBIT A - PAGE THREE

MICROFILMED
AUG 03 1994

POOR ORIGINAL

A parcel of land situate in Government Lot 1, Section 9, T. 18 N., R. 3 E., B.M., City of McCall, Valley County, Idaho, more particularly described as follows:

Commencing at the northeast corner of Lot 8, Block 18, McCall's 1st Addition to the City of McCall, as shown on the official plat thereof on file in the Office of the Recorder of Valley County, Idaho, in Book 1, on Page 28 of Plats; thence, N. 8° 35' 00" E., 497.00 feet along the easterly rail road right-of-way to a 1/2" rebar, the REAL POINT OF BEGINNING:

Thence, continuing N. 8° 35' 00" E., 113.14 feet along said right-of-way to a 5/8" rebar,
thence, 256.93 feet along a non-tangent curve to the right whose long chord bears N. 64° 05' 01" E., 253.21 feet, whose radius is 435.21 feet and delta angle is 33° 49' 29" along said right-of-way to a 1/2" rebar,
thence, S. 8° 35' 00" W., 233.03 feet to a 1/2" rebar,
thence, N. 87° 51' 00" W., 210.00 feet to the Point of Beginning, containing 0.902 acre, more or less.

Bearings based on State Plane Grid Azimuth.

MICROFILMED
AUG 03 1994

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

RECEIVED

NOV 09 1988

Ident. Number: A65-00592
Date Received: 8/23/1988
Receipt No: X 999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

1. Name: BOISE CASCADE CORP.
Address: TIMBER & WOOD PRODUCTS DIV.
1010 JEFFERSON ST.
BOISE, ID 83702
2. Date of Priority: APR 01, 1941
3. Source: BIG PAYETTE LAKE Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
18N	03E	9	NW	NE			VALLEY
5. Description of diverting works:
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
INDUSTRIAL	01/01	12/31	0.250		178.00
7. Total Quantity Appropriated is:
0.250 C.F.S. (and/or) 178.00 A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	03E	9	NW	NE		INDUST	
11. Place of use in counties: VALLEY

A65-00592

Page 1

Date: 08/23/88

MICROFILMED
SEP 15 1992

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

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 Organizations:

I do solemnly swear or affirm that I am Chief Region Forester of Boise Cascade Corporation, that I have signed the foregoing

Title

Organization

document in the space below as Chief Region Forester of

Title

Boise Cascade Corporation and that the statements contained in the

Organization

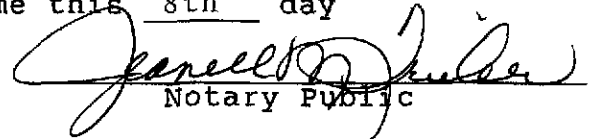
foregoing document are true and correct.

Herbert S. Mahoney
Signature of Authorized Agent
Chief Region Forester
Boise Cascade Corporation
Title and Organization

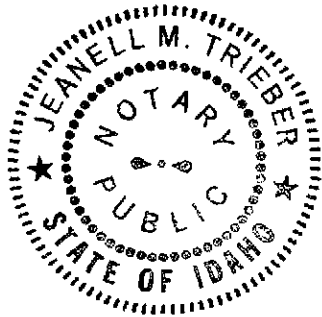
November 8, 1988
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of November 19 88


Notary Public

Seal



Residing at Boise

My Commission Expires 10/1/91

RECEIVED

MAY 17 2001

MILLEMANN, PITTENGER, McMAHAN & PEMBERTON, LLP

ATTORNEYS AT LAW

706 NORTH FIRST
POST OFFICE BOX 1066
MCCALL, IDAHO 83638

Department of Water Resources

STEVEN J. MILLEMANN
GREGORY C. PITTENGER
BRIAN L. McMAHAN
AMY N. PEMBERTON

TELEPHONE (208) 634-7641
FACSIMILE (208) 634-4516
E-MAIL mpm@micron.net

May 16, 2001

5-23-01 - Vaise paid
of NOA in files.

Idaho Department of Water Resources
Attn: Sally Sherman
1301 N. Orchard St.
P.O. Box 83720
Boise, ID 83720-0098

Added firm to all
records, 5-24-01.
ss

Re: SRBA/M Resorts, Ltd.

Dear Ms. Sherman:

In your May 9th letter to me you requested the names of any other water right holders we represent, including their water right numbers. In response to that request, please be advised that we also represent M Resorts, Ltd. The following list is probably not entirely complete, but the water right numbers we know of for M Resorts, Ltd. are as follows:

65-07007^{PD} 65-00589^{PD} 65-00590^{PD} 65-00591^{PD}
65-00592^{PD} 65-00596^{PD} 65-08356^{PD} 65-08357^{PD}
65-08296^{PD} 65-08260^{PD} 65-10293^{PD} 65-08209^{PD}
10-98

The above list does not include water rights that are not subject to the SRBA. Thank you for your attention to these matters. If you have any questions, please give me a call.

Sincerely,

Brian L. McMahon

BRIAN L. McMAHAN

BLM/plp
cc: Client



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 9, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Millemann, Pittenger & Mc Mahan LLP
P.O. Box 1066
Mc Call, ID 83638

RE: Snake River Basin Adjudication (SRBA)
**Water Rights #65-3151, 65-3153, 65-2155, 65-2158, 65-2191, 65-2267,
65-2502, 65-3895, 65-10294, 65-2247, 65-2668, 65-8702 & 65-6306**
Your Client Don Weilmunster

Gentlemen:

Mail recently sent to you was returned to us by the Postal Service. They also advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, **list any other water right holders you represent including their water right numbers**, and return this letter by **May 25, 2001**. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your client's name and water right numbers.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right records.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:
Returned Mail

#####

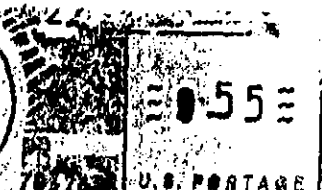
Millemann Pittenger & Mc Mahan
May 9, 2001
Page 2 of 2

The address is correct as shown above or as otherwise changed.

Water Right Holder's Signature

Telephone No.

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise ID 83720-0098



ADDRESS SERVICE
REQUESTED

RECEIVED
MAY - 7 2001
Department of Water Resources

65- 3151
- 3153
- 2155
- 2158
- 2191
- 2267
- 2502
- 3895
- 10294
- 2247
- 24668
- 8702
- 6306

Weilminster



NO MAIL
RECEIPTABLE

MILLEMANN PITTENGER & MCMAHAN
~~706 N 1ST ST~~
MC CALL ID 83638

P.O. Box 1066



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

July 7, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Brian L. McMahan
Millemann, Pittenger, McMahan & Pemberton, LLP
P.O. Box 1066
McCall, ID 83638

Re: Snake River Basin Adjudication (SRBA)
Your Three Letters of May 16, 2001
Your Firm's Address Enhancement, Water Right Claimants
Don Weilmunster, M Resorts, Ltd. and D. John and Teresa Carey

Dear Mr. McMahan:

Thank you for responding to my May 9th letter regarding your returned mail. I have added your Post Office box to our records.

In one of your three May 16, 2001 letters to me, you mentioned that John and Teresa Carey, pro se, have a substantial interest in Boulder Irrigation Company and Boulder Meadows Irrigation Company. I have enclosed a copy of the water rights for these two companies as they were recommended to the SRBA Court. The objection period for these rights ended April 14, 2000.

You requested that your firm receive any correspondence regarding these water rights. You may check our web site (www.idwr.state.id.us) to investigate water rights and claims, and the Court's website (www.srba.state.id.us) to learn the status of water rights and claims reported to the Court.

Please contact me if I can be of further service.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosures:

Copy of Recommended Water Rights #65-12007, 65-2308, 65-2963 and
partial decree #65-2916

AJ0749NP
No. R65-00592

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

DATE: 11/05/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	M RESORTS LTD 501 W LAKE MC CALL ID 83638 (208) 634-2244	04/01/1941	INDUSTRIAL	01-01 12-31	0.250 CFS	178.00 AFA
TOTAL DIVERSION:					0.250 CFS	178.00 AFA

Water Source: BIG PAYETTE LAKE

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: DECREED

Point(s) of Diversion: T18N R03E S09 NWNE

VALLEY County

Place of Use Legal Description for: INDUSTRIAL

				NE				NW				SW				SE						
		NENE		NWNE		SWNE		SENE		NENW		NWNW		SESW		NENE		NWSE		SESE		
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac
18N	03E	9	:								:						:					
			:								:						:					

POU County: VALLEY

Conditions of Approval:

- C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
- ADMINISTRATION OF THE WATER RIGHTS.

Remarks: USE INDUSTRIAL USE IS FOR SAWMILL BOILER ROOM.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

Comments: Date: 08/13/1999 User-ID: KWALKER Subject: RECOMMENDATION
CLAIMED AND RECOMMENDED AS PREVIOUSLY DECREED.

Date: 09/24/1999 User-ID: AJU10-JS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Date: 11/05/1999 User-ID: SBOCK Subject: ADDRESS CORRECTION
PER CLAIMANT

Audit: 11/05/99 SBOCK

AJ0749NP
No. R65-00592

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

DATE: 08/13/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	M RESORTS LTD 1101 WARREN WAGON RD PO BOX 1006 MC CALL ID 83638 (208) 634-4121	04/01/1941	INDUSTRIAL	01-01 12-31	0.250 CFS	178.00 AFA
TOTAL DIVERSION:					0.250 CFS	178.00 AFA

Water Source: BIG PAYETTE LAKE

Tributary to: PAYETTE RIVER, NORTH FORK ✓

Stage: DECREED

Point(s) of Diversion: T18N R03E S09 NWNE

VALLEY County

Place of use Legal Description for: INDUSTRIAL

				NE				NW				SW				SE										
		NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac
---	---	---	:	---	:	---	:	---	:	---	:	---	:	---	:	---	:	---	:	---	:	---	:	---	:	---
18N	03E	9	:			I	:		:		:		:		:		:		:		:		:		:	

POU County: VALLEY

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A65-00589 A65-00590 A65-00591 A65-00592 A65-00596

Remarks: USE INDUSTRIAL USE IS FOR SAWMILL BOILER ROOM. ✓

Dates: Exam Made Date: Verified Date: 08/13/1999 Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

Comments: Date: 08/13/1999 User-ID: KWALKER Subject: RECOMMENDATION
CLAIMED AND RECOMMENDED AS PREVIOUSLY DECREED.

Audit: 08/13/99 KWALKER

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:01:59
04/09/99
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PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A65-00592

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	M RESORTS LTD	04/01/1941	INDUSTRIAL	01-01 12-31	0.25 CFS	178.00 AFA
TOTAL DIVERSION:					0.25 CFS	178.00 AFA

Water Source: BIG PAYETTE LAKE

Tributary to: *Payette R., N.H.*

Stage: DECREED

Point(s) of Diversion: T18N R03E S09 NWNE

VALLEY County

Place of use Legal Description for: INDUSTRIAL

				NE				NW				SW				SE							
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
18N	03E	9	:			1		:					:					:					:

POU County: VALLEY

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

*Use: Sawmill
Boiler Room*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:10
04/09/99

PAGE: 1
GENERAL INFORMATION

52
CLAIM NUMBER: A65-00592

LAST: BOISE CASCADE CORP
ADDRESS: TIMBER & WOOD PRODUCTS DIV
1010 JEFFERSON ST
CITY: BOISE
PHONE NUMBER: 208-000-0000

FIRST:
STATE: ID ZIP: 83702

OWNER CODE: O

LAST: M RESORTS LTD
ADDRESS: 1101 WARREN WAGON ROAD
PO BOX 1006
CITY: MC CALL
PHONE NUMBER: 208-634-4121

FIRST:
STATE: ID ZIP: 83638

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER
N

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

*claimed same as previously detected
in office verification*

A. AJ CLAIM: # A65-00592 PRIORITY DATE: 04-01-1941 STAGE: D

B. WR RECORD: # 65-00592 PRIORITY DATE: 04-01-1941 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y(☒) N(☐)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y(☐) N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW) Y(☐) N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED N/A(☒) Y(☐) N(☐)

FIELD EXAM COMPLETED N/A(☐) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE N/A(☐) Y(☐) N(☐)

LICENSE ISSUED N/A(☒) Y(☐) N(☐)

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED? N/A(☒) Y(☐) N(☐)

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y(☒) N(☐)

NOTES: _____

=====

RECOMMENDED PRIORITY DATE:

04-01-1941

REVIEWED BY kw

DATE 8/13/99

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-00592	18N 03E	9		NW	NE			VALLEY		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A65-00589 NONE
A65-00590
A65-00591
A65-00596

WR RECORDS IN SAME 40 ACRE TRACT
65-00589
65-00590
65-00591
65-00596

SOURCE: BIG PAYETTE LAKE

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-00592	18N 03E	9		NW	NE			VALLEY		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A65-00589 NONE
A65-00590
A65-00591
A65-00596

SOURCE: BIG PAYETTE LAKE

TRIB:

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y(☒) N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N(☒)

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y(☒) N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N(☒)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM _____) NAME OF EXAMINER _____ Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: prior decree

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (✓)

TWP. 18N	RGE. 03E	SEC. 9	1/4	1/4 NW	1/4 NE	LOT	POD FLAG	COUNTY VALLEY	DIVERSION NAME	DIVERSION NBR
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: BIG PAYETTE LAKE

TRIB: Payette River, North Fork

REVIEWED BY: kw

DATE: 8/13/99

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

A. ROOT WATER RIGHT NUMBERS: A65-00592

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
18N	03E	9	NW	NE		M RESORTS LTD	A65-00592 /	65-00592 /			
			NW	NE		M RESORTS LTD	A65-00589 /	65-00589 /			
			NW	NE		M RESORTS LTD	A65-00590 /	65-00590 /			
			NW	NE		M RESORTS LTD	A65-00591 /	65-00591 /			
			NW	NE		M RESORTS LTD	A65-00596 /	65-00596 /			

ADDITIONAL POU FOUND

TOTAL ACRES A65-00592

POU COUNTY: VALLEY

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N(☒)

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-00592	INDUSTRIAL	M RESORTS LTD	FROM 01-01 TO 12-31	0.250 CFS	178.00 AF/A
A65-00589	FIRE PROTECTION	M RESORTS LTD	FROM 01-01 TO 12-31	2.250 CFS	
A65-00590	INDUSTRIAL	M RESORTS LTD	FROM 01-01 TO 12-31	2.220 CFS	4.00 AF/A
A65-00591	INDUSTRIAL	M RESORTS LTD	FROM 01-01 TO 12-31	0.500 CFS	71.00 AF/A
A65-00596	INDUSTRIAL	M RESORTS LTD	FROM 01-01 TO 12-31	0.340 CFS	28.00 AF/A

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y(☒) N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y(☒) N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N(☒)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N(☒)

NOTES:

TOTAL ACRES: _____ N/A (K)
REVIEWED BY: KW DATE: 8/13/99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-00592 INDUSTRIAL	FROM 01-01 TO 12-31	0.250 CFS	178.00 AF/A
TOTAL DIVERSION RATE/VOLUME		0.250 CFS	178.00 AF/A

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-00592 INDUSTRIAL	FROM 01-01 TO 12-31	0.250 CFS	178.00 AF/A
TOTAL DIVERSION RATE/VOLUME		0.250 CFS	178.00 AF/A

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(☐) N(☒)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(☒) N(☐)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(☒) N(☐)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

PAGE: 10

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET CONTINUED

61

CLAIM NUMBER: A65-00592

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 0.250 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.250 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y(☒) N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N(☒)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N(☒)

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 178.00 AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

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

TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES: _____

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (✓)

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE	CFS	VOL.	AF/A	USE	
INDUSTRIAL	01-01	12-31	DATABASE 0.250	EXAMINER	DATABASE 178.00	EXAMINER	DATABASE 0.0	EXAMINER
TOTAL FOR THIS RIGHT			0.250		178.00		0.0	N/A

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY: kw

DATE: 8/13/99

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

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: 65-00592

N/A

TOTAL DIVERSION RATE OF WR SPLITS DATABASE 0.250 EXAMINER _____ CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-00592	0.250	-		65-00592	0.250
TOTAL CFS		0.250				0.250

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE FIELD
Y EXAMINER
Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE:

Ray Walker

DATE:

8/13/99

NAME OF FIELD EXAMINER:

Ray Walker

TITLE:

Sr. Agent

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
() NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

=====

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
() OTHER _____	DATE _____	_____	_____
() OTHER _____	DATE _____	_____	_____

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

**NOTICE OF CLAIM
TO A
WATER RIGHT**

IDENT. NO. **RECEIVED**
5-0592 AUG 11 1970

1010 JEFFERSON ST., BOISE, IDAHO

(Name of Claimant)

Department of Water Administration

claims a right to the diversion

and beneficial use of the surface or groundwater, of or tributary to the Payette River;

The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) 1941
- (2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) Payette Lake
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | Use | Period of Use From | To |
|--|------------------------|------------------------|
| <u>Small Boiler Feed</u> <i>Industrial</i> | <u>January 1</u> | <u>December 31</u> |
| (Domestic, irrigation, stock, etc.) | (Mo., Day) | (Mo., Day) |
| | (Both Dates Inclusive) | (Both Dates Inclusive) |
| Use | Period of Use From | To |
| (Domestic, irrigation, stock, etc.) | (Mo., Day) | (Mo., Day) |
| | (Both Dates Inclusive) | (Both Dates Inclusive) |
| Use | Period of Use From | To |
| (Domestic, irrigation, stock, etc.) | (Mo., Day) | (Mo., Day) |
| | (Both Dates Inclusive) | (Both Dates Inclusive) |
- (4) Quantity of water claimed: 25 ☒ Cubic Feet Per Second, or 781 AF Acre Feet Per Annum, and/or Gals. Per Minute.
- (5) A) Point of Diversion: Give location of point where water is diverted from its source N.W. ☒ N.E. ☐ Sec. 9 Twp. 18 N. Rge. 3 E. B.M.; additional points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.)
Give sizes and capacities; be as specific as possible. Water pumped directly from lake, lifted 20 feet
through 4-inch pipe to Boiler Room

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

[illegible]

Total No. of acres

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Water pumped to Boiler Room
- (7) Effluent, sewage waste, or return water from this use is discharged into Surplus returns to lake
- (8) If you are claiming water as a member of an organization, list name of organization BOISE CASCADE CORPORATION
- (9) Remarks _____
- (10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case _____
☐ C) Right based on application, license, or claim filed with State Reclamation Engineer, Office No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

8-11-70

(Signature of Claimant)

KEYPUNCHED

(Signature of Spouse)

Organization

BOISE CASCADE CORPORATION

(Signature of Authorized Agent)

State of Idaho

County of Ada

On this 24th day of July, in the year 1970, before me,
Notary public, personally appeared J. E. Clute, Vice President
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they,
corporation, partnership or _____) executed the same.

Notary Public residing at Boise, Idaho

My commission expires 8-12-73

Rev 3/29/77

954

assuming trailer fuel operator 365 da:
 $25 \text{ c/s} = 112 \text{ gal/hr} \times 6720 \text{ gal/hr} = 16,1280 \text{ gal/hr}$
 $628,06 \times 730 = 325,900 \text{ gal} = 1878 \text{ F/hr}$
 178

see claim 65-0590
 for total A.F. for Dec cell
 mill

WR5809NP
No. 65-00592

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/10/99
PAGE: 6

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BOISE CASCADE CORP.	04/01/1941	INDUSTRIAL	01/01 12/31	0.250 CFS	178.00 AFA
TOTAL DIVERSION:					0.250 CFS	178.00 AFA

Water Source: BIG PAYETTE LAKE

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T18N R03E S09

NWNE

VALLEY County

Place of use Legal Description for: INDUSTRIAL

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
18N	03E	9	:																

Pou County: VALLEY

Dates:	App. Received:	Priority Date:	04/01/1941
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Audit: 09/11/86 04/30/88 CONVERT

*claimed as decreed-
what is industrial use for?*



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

August 23, 1988

Gretchen Hoy
Boise Cascade Corp.
P.O. Box 8328
Boise, Idaho 83707

Dear Ms. Hoy,

In response to your telephone request of August 22, 1988, I have researched our computer database for all records of water rights in the Snake River Basin in the name of Boise Cascade.

Enclosed are 11 notices of claims to water rights from the Payette River Drainage in Valley County (65-0589, 65-0590, 65-0591, 65-0592, 65-0593, 65-0595, 65-0596, 65-0597, 65-5787, 65-8003, and 65-7884). These water rights were decreed in the Payette River Adjudication, so no filing fee is required if they are claimed as decreed. Notices of claims for these water rights are required to be filed by November 23, 1988.

Also enclosed are 5 notices of claims to water rights from the Payette River Drainage in Gem County (65-7094, 65-2950, 65-0585, 65-0586, and 65-0587) and two notices of claims to water rights from the Payette River Drainage in Boise County (65-2706 and 65-2622). These water rights were also decreed in the Payette River Adjudication, so no filing fee is required if they are claimed as decreed. First round service has not been done in Gem and Boise Counties yet, so notices of claims for these water rights are not required to be filed at this time. They will have to be filed later, though, so you may want to go ahead and file them when you do your Valley County notices of claims.

Enclosed is one notice of claim to a water right from the Payette River Drainage in Valley County (65-12755). This water right was established subsequent to the Payette River Adjudication, so the filing fee will apply. If the water right is claimed as described in the notice of claim enclosed, the filing fee will be \$168.00. A notice of claim for this water right is required to be filed by November 23, 1988.

Also enclosed is one notice of claim to a water right in Cassia County (45-2760). First round service has not been done in Cassia County yet, so a notice of claim for this water right is not required to be filed at this time. It will have to be filed later, though, so you may want to go ahead and file it when you do your Valley County claims. If the water right is claimed as described in the notice of claim enclosed, the filing fee will be \$70.00

I also found records of water rights in the name of Boise Cascade in Adams County, numbered 78-4294 through 78-4306. Notices of claims to water rights in Adams County were already filed by Herb Malaney on behalf of Boise Cascade.

There are four other records as to filings by Boise Cascade in IDWR records. One is for a water right claim that was disallowed by the decree in the Payette River Adjudication (65-0588). Two are for permits that have lapsed and have not been reinstated (65-12695 and 65-7865). One is for an application for permit that has not yet been approved (65-12563.) A notice of claim may not be filed based solely upon an application for permit until the application has been approved.

There are also records of water rights from the Boise and Weiser River Drainages in the name of Boise Cascade. As I explained on the phone, an appeal of the commencement order was filed seeking to exclude the Boise and Weiser River Drainages from the SRBA. An order was entered staying the SRBA in those drainages pending the outcome of the appeal, so we cannot accept notices of claims to water rights from those drainages until a decision affirming the commencement order is issued. Argument was held in May, 1988, and we expect a decision any time.

Please note that my research extended only to records in the name of Boise Cascade. IDWR may have records as to water rights appurtenant to land owned by Boise Cascade which are not in the name of Boise Cascade. The only way to identify such records is by using a legal description (by 40 acre tract) of the place of use of the water rights. Boise Cascade may also have beneficial use water rights (established by diversion and beneficial use of the water) of which there is no record at IDWR.

Finally, a document is enclosed entitled "How You Will Receive Notices in the SRBA." The person filing the notices of claims on behalf of Boise Cascade will be asked to indicate that they have read and understood the document, and whether the claimant wishes to subscribe to the docket sheet (described in the document). Herb Malaney of Boise Cascade already has a subscription to the docket sheet.

My suggestion is that you review the notices of claims enclosed, determine if there are any changes you wish to make or any additional claims you wish to file, and then call and make an appointment with Don Shaff. He will be able to assist you with the actual filing.

Sincerely,

A. Lynne Krogh-Hampe

A. Lynne Krogh-Hampe
Deputy Attorney General