

24e7

AMENDED PLAT OF STATE LANDS
PAYETTE LAKES COITAGE SITES
June 12, 1943
Payette

SYLVAN BEACH
SUBDIVISION

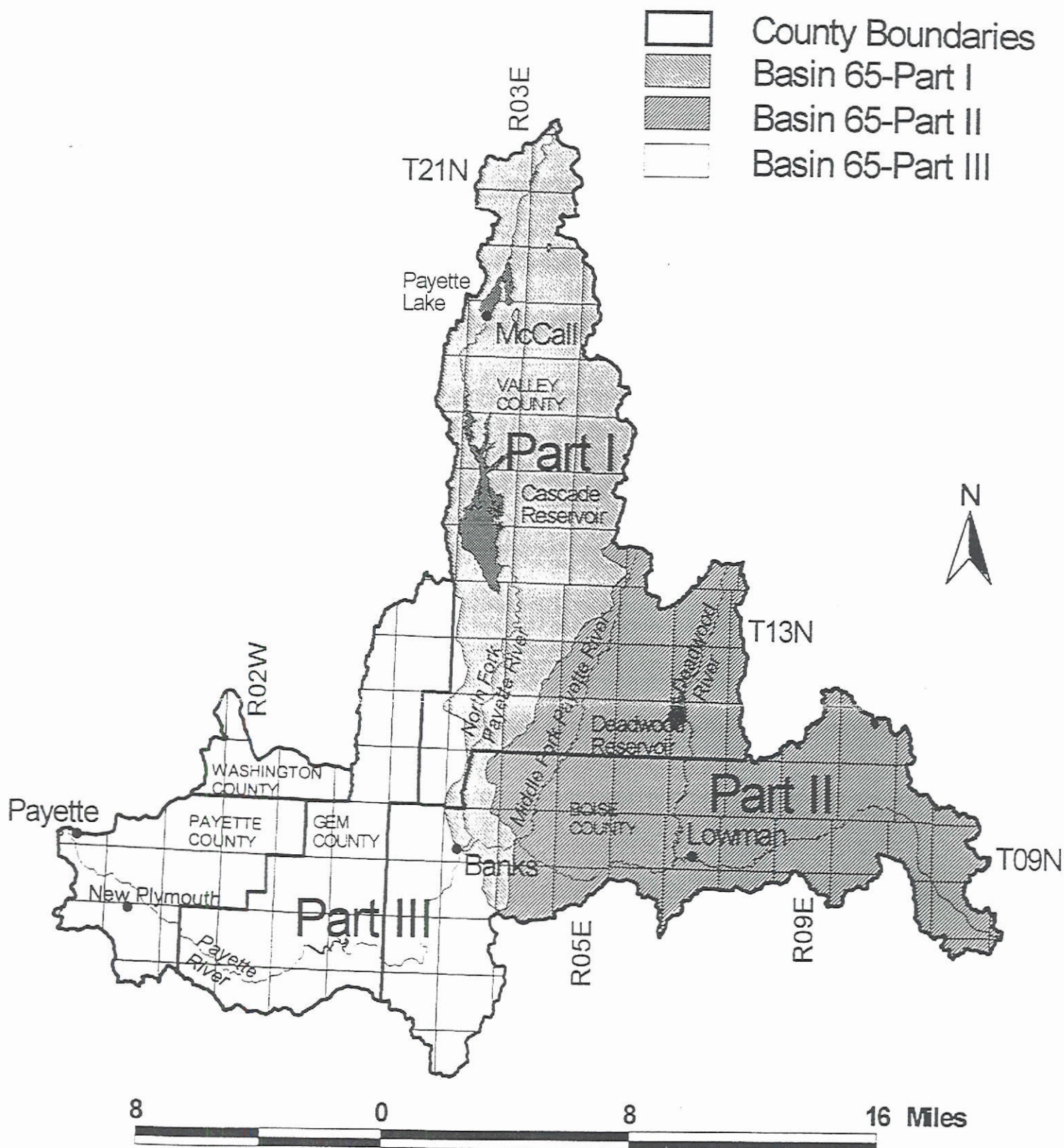
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SE 114 NW 1/4 Sec. 28
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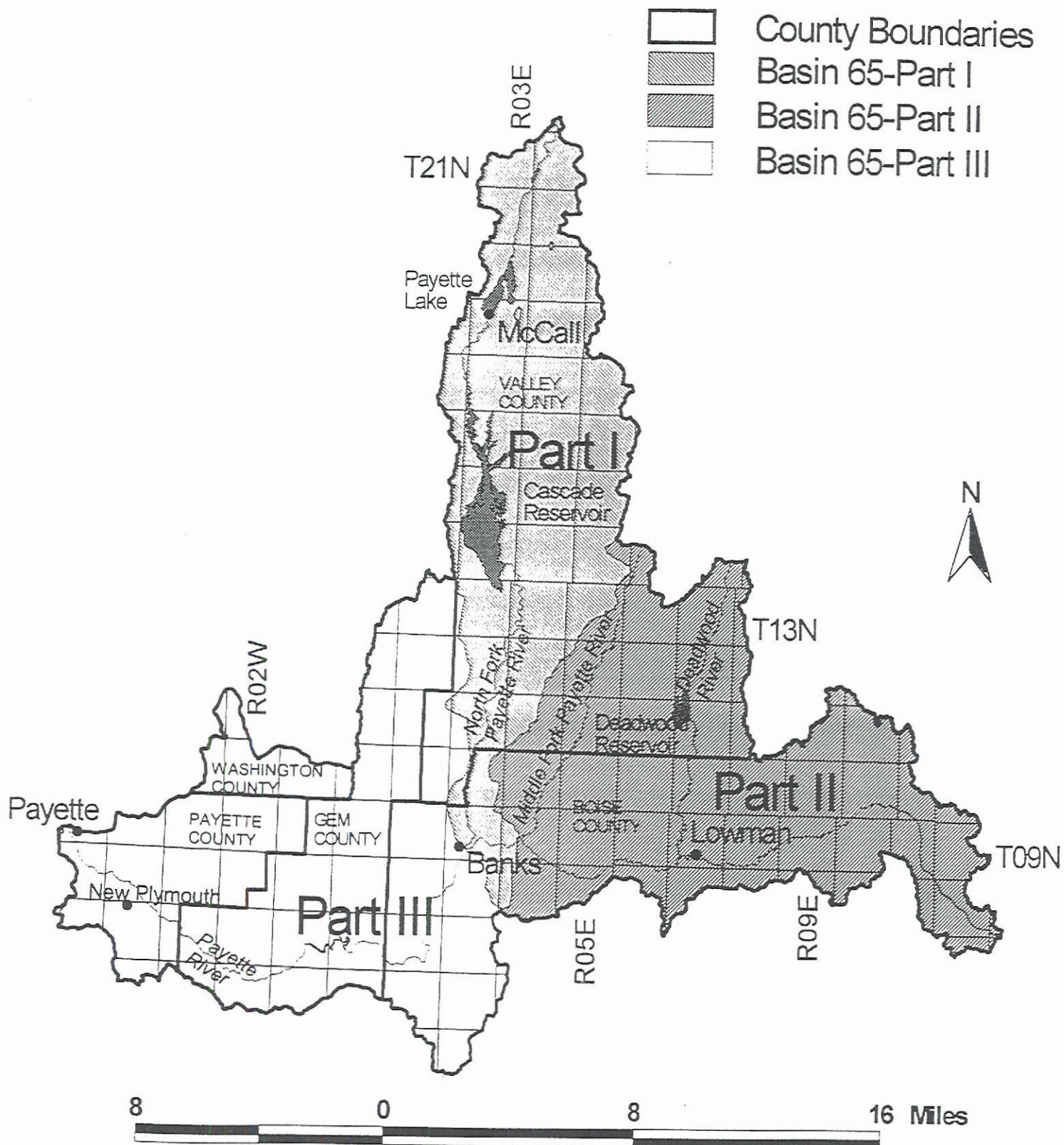
P1. 146 + 80.7
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T 7.30
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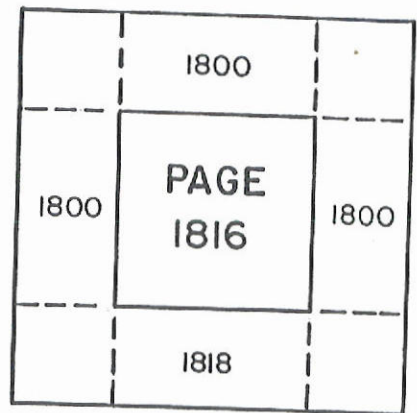
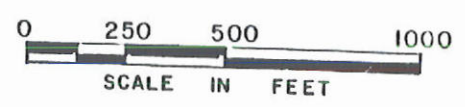
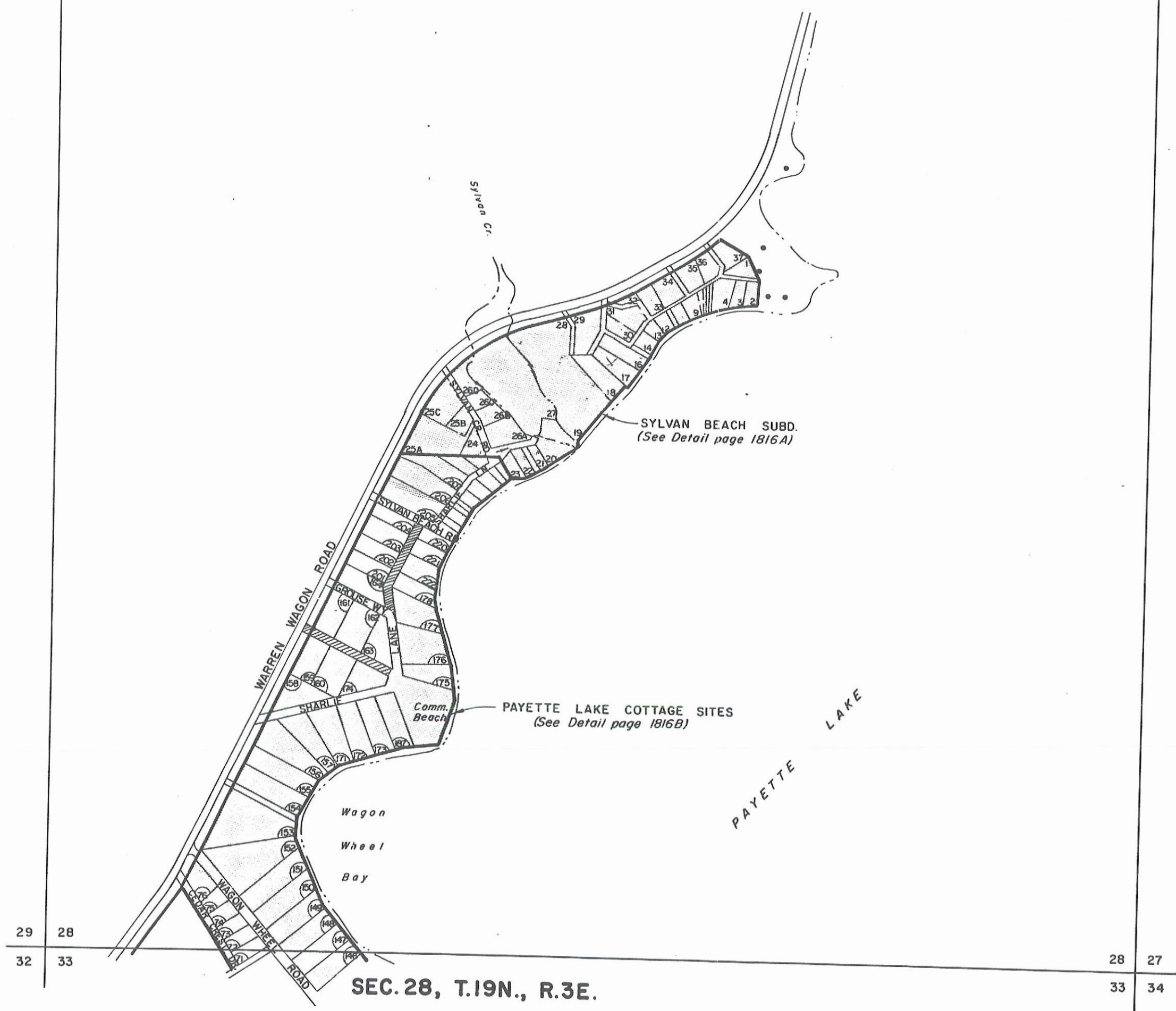
ALFRED PUGH

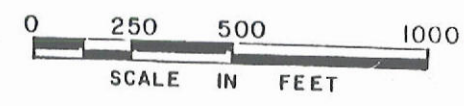
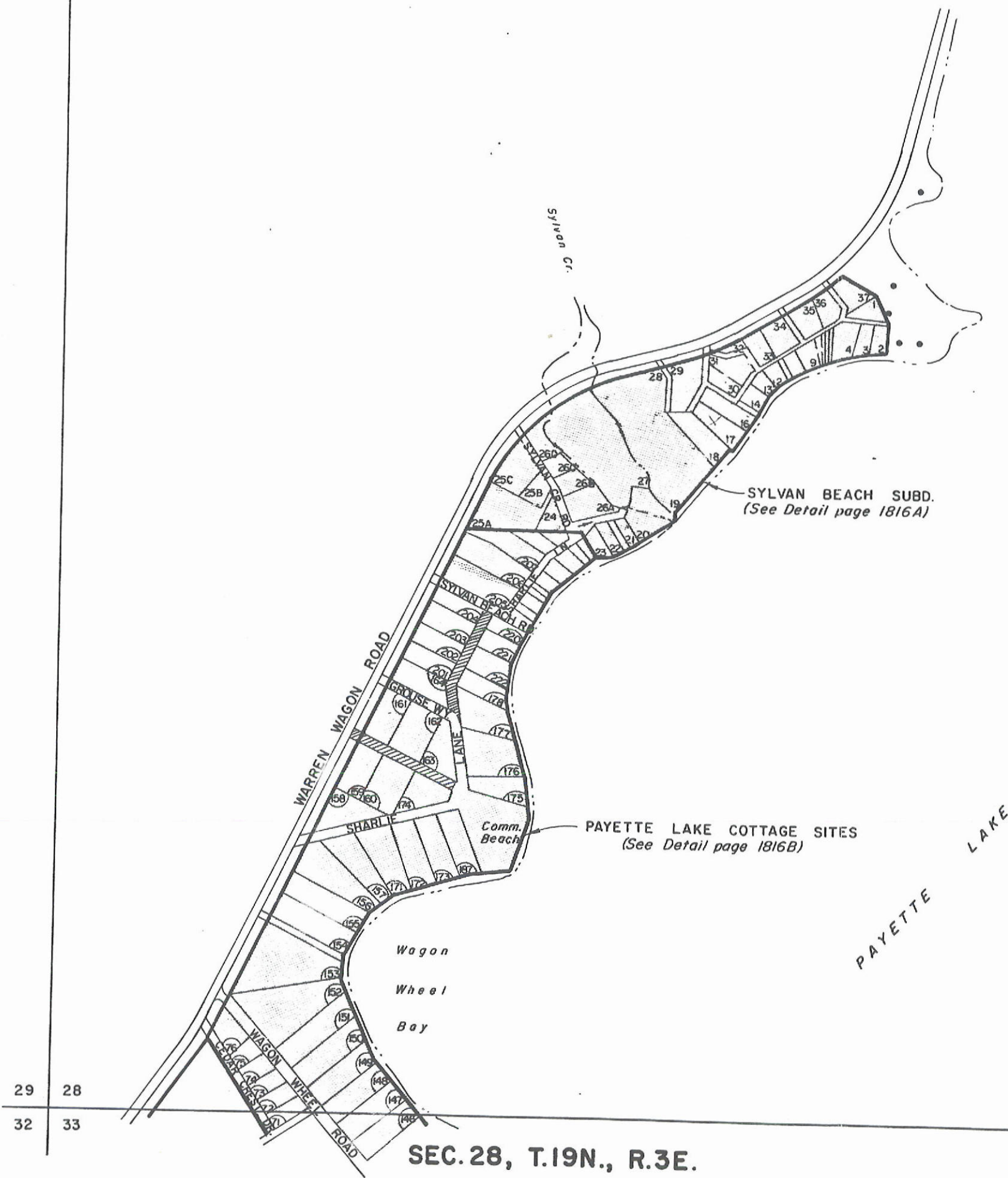
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Basin 65







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	1818	

28 27
33 34

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: A65-02154
Date Received: 10/06/1988
Receipt No: X999999
Received By: EJK

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SYLVAN BEACH MUTUAL CORP. 208-342-2674
Address: % ALLEN DERR, DIRECTOR
P.O. BOX 1006
BOISE, ID 83701-1006

2. Date of Priority: FEB 19, 1913

3. Source: SYLVAN CREEK Trib. to: BIG PAYETTE LAKE
WAGON WHEEL BAY CREEK BIG PAYETTE LAKE

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
19N	03E	20	SE	NE			VALLEY
		28	NE	NW			VALLEY

5. Description of diverting works:
DITCH FROM WAGON WHEEL CK. TO SYLVAN CRK & RESERVOIR-GRAV. TO POU.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.080		
DOMESTIC	01/01	12/31	1.920		14.10
DOMESTIC FROM STORAGE	01/01	12/31	1.920		10.00
IRRIGATION FROM STORAGE	03/15	11/15	1.920		10.00
DIVERSION TO STORAGE	01/01	12/31	1.000		10.00

7. Total Quantity Appropriated is:
2.000 C.F.S. (and/or) 14.10 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/64 HOUSEHOLDS W/DOMESTIC IRRIG. OF LAWNS AND GARDENS

A65-02154

Page 1

Date: 10/06/88

MICROFILMED
SEP 18 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
19N	03E	28		2	DOMEST	
				3	DOMEST	
			SW	NE	2	IRR 2.0
			NE	SW	3	IRR 2.0
					Section Acres	4.0
					Total Acres	4.0

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:
NONE

14. Remarks:
WAGON WHEEL BAY CREEK IS DIVERTED TO SYLVAN CREEK RESERVOIR.
SOURCES FOR THIS RIGHT ARE WAGON WHEEL BAY CREEK & SYLVAN CREEK.
D/HOUSEHOLDS SERVED ARE WITHIN PAYETTE LAKES COTTAGE SITES SUBD.
PAGE 611, VOLUME 2-SURFACE WATER, PROPOSED FINDINGS PAYETTE RIVER
BASIN.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 1/21/1986

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 X 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 Director of
Title
Sylvan Beach Mutual Corp that I have signed the foregoing
Organization
document in the space below as Director of
Title
Sylvan Beach Mutual Corp and that the statements contained in the
Organization
foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

Director Sylvan Beach Mutual Corp
Title and Organization

10-6-88
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 6th day
of Oct 19 88

Elden J. Roush
Notary Public

Seal

Residing at Boise

My Commission Expires 09/08/1999

CLERK

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: 65-02154
DATE RECEIVED:
RECEIPT NO:
RECEIVED BY: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: SYLVAN BEACH MUTUAL CORP.
ADDRESS: P. O. BOX 7278
BOISE, ID 83707
2. DATE OF PRIORITY: FEB 19, 1913
3. SOURCE: SYLVAN CREEK TRIB. TO: BIG PAYETTE LAKE
WAGON WHEEL BAY CREEK BIG PAYETTE LAKE
4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
19N	03E	20	SE	NE			VALLEY
		28	NE	NW			VALLEY

5. DESCRIPTION OF DIVERTING WORKS:
6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S	(OR)	A.F.A.
IRRIGATION	04/15	10/15	0.080		
DOMESTIC	01/01	12/31	1.920		14.10
DOMESTIC FROM STORAGE	01/01	12/31	1.920		10.00
IRRIGATION FROM STORAGE	03/15	11/15	1.920		10.00
DIVERSION TO STORAGE	01/01	12/31	1.000		10.00

7. TOTAL QUANTITY APPROPRIATED IS:
2.000 C.F.S. (AND/OR) 14.10 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
19N	03E	28	SW	NE	2	IRR	2.0
			NE	SW	3	IRR	2.0
SECTION ACRES							4.0
TOTAL ACRES							760.0

11. PLACE OF USE IN COUNTIES: VALLEY, VALLEY

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:

WAGON WHEEL BAY CREEK IS DIVERTED TO SYLVAN CREEK RESERVOIR.
SOURCES FOR THIS RIGHT ARE WAGON WHEEL BAY CREEK & SYLVAN CREEK.

15. BASIS OF CLAIM: DECREE

CASE NUMBER:

COURT :

DECREE DATE: 1/21/1986

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 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: _____

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM _____ OF
_____ TITLE
_____, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS _____ OF
_____ TITLE
_____ AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF AUTHORIZED AGENT

TITLE AND ORGANIZATION

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 _____

65-02154

PAGE

3

DATE: 09/19/88

MICROFILMED

SEP 18 1992

SE 1/4 NW 1/4 Sec. 28
T. 19 N. R. 3 E. B.M.

P. 146+80.7
D. 38° 42'
T. 7° 30'
L. 268.3
R. 516.
R. 764.

U.S. Lot 3
Sec. 28

U.S. Lot 2, Sec. 28

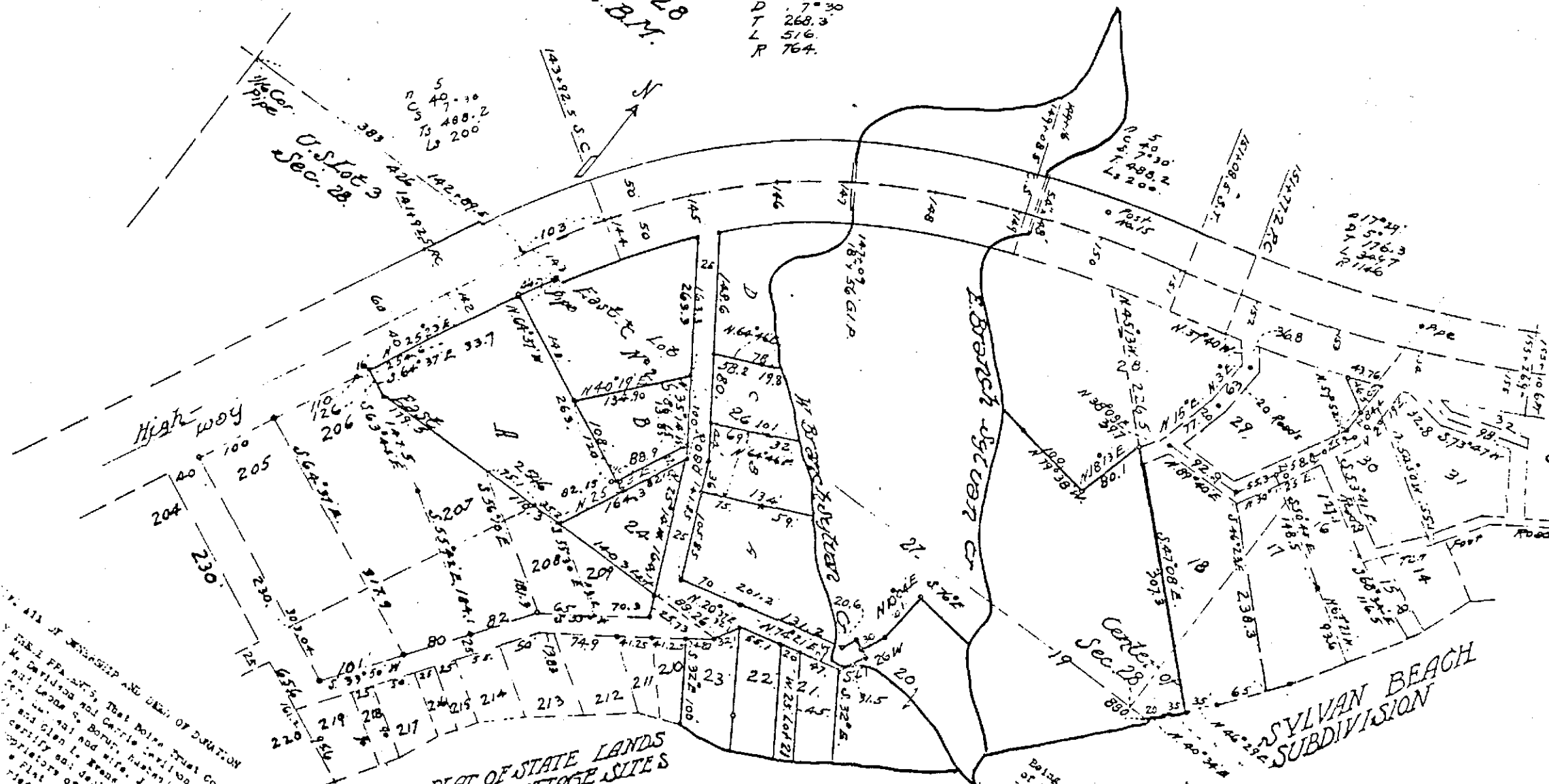
SYLVAN BEACH
SUBDIVISION

AMENDED PLAT OF STATE LANDS
PAYETTE LAKE COTTAGE SITES
June 12, 1943

Payette
Lake

Being an amended plat and resurvey of Lot 19 of Sylvan Beach Subdivision, situated in North Payette Lake Cottage Sites in Lot 3 of Section 28, Township 19 North, Range 3 East, Boise River Meridian, as shown on the plat of Valley Co. Idaho, recorded on the 23rd day of May, 1943.

ALL OF WHICHP AND OF DURATION
THE 1943 FPA-2075, That Boise Trust Company, an
M. Davidson and Carrie Davidson, husband and
and Leona C. Borun, husband and wife, R. A.
and Glen L. Evans and Ruth M. Evans, re-
spondents of those certain tracts of
Property of those certain tracts of
the Plat of Sylvan Beach Subdivision, re-
corded in Book 6 of Miscellaneous Rec-
ords 317, by September 8, 1942,
and each and all of the
said plat and the
and form part
1943.





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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RECEIVED

JUL 02 2001

WATER RESOURCES
WESTERN REGION

June 29, 2001

Allen Derr
Attorney and Counselor at Law
Imperial Plaza
Suit 8-First Floor
200 North 3rd Street
P.O. Box 1006
Boise, Idaho 83701-1006

Re: Water Right Claims of Sylvan Beach Mutual Corp.

Dear Mr. Derr:

This letter is in response to your letter addressed to Karl Dreher dated June 11, 2001 concerning the water right claims of Sylvan Beach Mutual Corp. In your letter, you indicated that you had not received a response to two letters that you sent to IDWR. Enclosed, please find a copy of a letter that was sent from our Western Regional Office to you, dated March 22, 2000. This letter addresses your questions regarding the Sylvan Beach Mutual Corporation water rights with regard to the Payette Lakes Cottage Sites Subdivision. If you have any additional questions or if I can be of further assistance, please contact me at (208) 327-7900.

Sincerely,

David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief

Enclosure



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 22, 2000

Allen Derr
Attorney at Law
PO Box 1006
Boise, ID 83701-0098

Re: Sylvan Beach Mutual Corp water rights

Dear Mr. Derr:

I'm responding to your letter addressed to Karl Dreher dated January 25, 2000 concerning the water rights in the name of Sylvan Beach Mutual Corp.

A search of our records revealed two water rights in the name of the corporation. Water right 65-02154 authorizes domestic uses for 64 homes and the irrigation of four acres utilizing storage facilities with Sylvan Creek and Wagon Wheel Bay Creek as sources. This right was decreed in the Payette River Basin Adjudication and a partial decree has been issued by the Snake River Basin Adjudication court.

The second right in the name of the corporation is license 65-13012 which supplements water right 65-02154. 65-13012 authorizes domestic uses for 64 homes and the irrigation of six acres using Big Payette Lake as a source. This right did not require a filing in either the Payette River Basin or the Snake River Basin Adjudication proceedings. A field exam by one of the departments agents in 1991 indicated that both water rights serve a common delivery system to the places of use.

In addition to the two rights in the name of the corporation, there are a number of other water rights from the same sources in the names of individuals that may overlap some of the lots covered by the corporation's water rights.

Your inquired as to whether all of the property owners of lots in Payette Lakes Cottage Sites were beneficiaries of the corporation's water rights. My response is the two water rights cover the 64 domestic units and six acres of irrigation that have historically used water from the delivery system. It appears all of Sylvan Beach Subdivision is covered by the two rights but only part of the Payette Lakes Cottage Sites. If there are currently more than 64 domestic uses or more than six acres of irrigation served by the system, another water right would be required for the additional uses.

If you have any questions or need additional information please call me at the number below.

Cordially,

A handwritten signature in cursive script that reads "Mel Schulte".

**Mel Schulte
Senior Water Rights Agent
208-334-2190**

Allen Derr

Attorney and Counselor at Law
Imperial Plaza
Suite 8-First Floor
200 North 3rd Street
P.O. Box 1006
Boise, Idaho 83701-1006

Telephone (208)342-2674
1-800-813-5169
Fax (208)342-2676

RECEIVED

JUN 12 2001

Department of Water Resources

June 11, 2001

Karl J. Dreher, Director
Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83707-9815

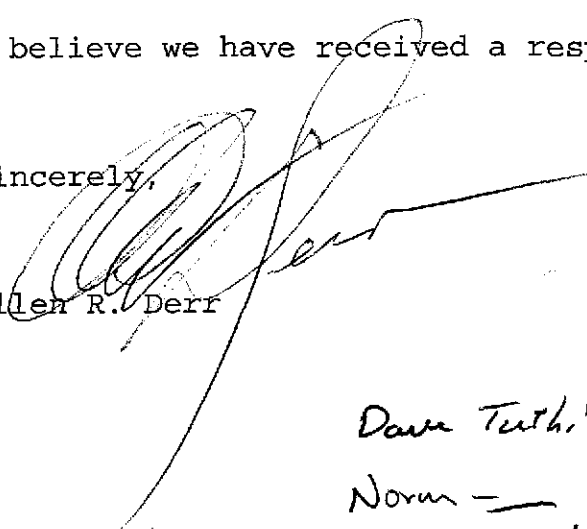
Re: Water Right Claims of Sylvan Beach Mutual Corp.

Dear Director Dreher:

I have enclosed two previous letters that were sent to you.

To this date, I don't believe we have received a response.

Sincerely,


Allen R. Derr

ARD/am

Idaho State Bar No. 911

Dave Tuttle // 06/12/2001

Norm -

please brief me on
this. way
Please find out why we
have not responded and
have someone prepare a
response.

Thanks, Karl

Allen Derr

Attorney and Counselor at Law

Imperial Plaza

Suite 8-First Floor

200 North 3rd Street

P.O. Box 1006

Boise, Idaho 83701-1006

Telephone (208)342-2674

1-800-813-5169

Fax (208)342-2676

January 25, 2000

Karl J. Dreher

Director

Idaho Department of Water Resources

1301 North Orchard

P.O. Box 83720

Boise, Idaho 83720-0098

Re: Sylvan Beach Mutual Corp water rights
#65-02154

Dear Director Dreher:

I represent Sylvan Beach Mutual Corporation, and Idaho Corporation.

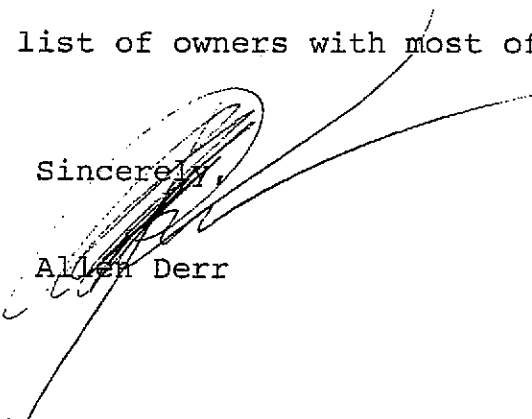
Enclosed is a copy of your December 8, 1999, individual listing from Director's Report.

It was my understanding that all the property owners of lots in Payette Lakes Cottage Sites Subdivision, Valley County, State of Idaho, were beneficiaries of the corporation's water rights.

Is this correct?

Enclosed is a list of owners with most of their lot descriptions.

Sincerely,


Allen Derr

cc: Jimmy A. Donald

Idaho State Bar No. 911



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

December 8, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

65-02154
SYLVAN BEACH MUTUAL CORP
C/O ALLEN DERR DIRECTOR
PO BOX 1006
BOISE ID 83701-1006

RE: Water Rights in Reporting Area 15, Basin 65
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your water right(s) in part 1 of basin 65 (the North Fork of the Payette River drainage area). We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended right(s) in your area. Water rights for nearly all domestic and/or stockwater rights were recommended separately in an earlier report, and most of those now have been decreed by the SRBA Court.

Note you have 120 days in which to review the water rights of other claimants and to file any objection to our recommendations. Information on the other water rights can be found at the county courthouses in Cascade, Idaho City, Emmett, Payette, and Weiser, and at all of the Idaho Department of Water Resources offices (see addresses in enclosure).

If the SRBA Court does not receive an objection to our recommendation from you and no other party objects to your water right, your water right will be decreed early next year as recommended. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions you have about your water right(s) or this adjudication process.

Sincerely,

Karl J. Dreher
Director

Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-02154

NAME AND ADDRESS: SYLVAN BEACH MUTUAL CORP
C/O ALLEN DERR DIRECTOR
PO BOX 1006
BOISE ID 83701-1006

SOURCE: SYLVAN CREEK TRIBUTARY: BIG PAYETTE LAKE
WAGON WHEEL BAY CREEK BIG PAYETTE LAKE

QUANTITY: 2.00 CFS

PRIORITY-DATE: 02/19/1913

POINT OF DIVERSION T19N R03E S20 SENE Within VALLEY County
S28 NENW

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-15 10-15	0.08 CFS
	IRRIGATION STORAGE	01-01 12-31	10.0 AFY
	IRRIGATION FROM STORAGE	03-15 11-15	10.0 AFY
	DOMESTIC 64 HOMES	01-01 12-31	1.92 CFS
			14.1 AFY
	DOMESTIC FROM STORAGE	01-01 12-31	10.0 AFY
	DIVERSION TO STORAGE	01-01 12-31	1.00 CFS

PLACE OF USE: IRRIGATION Within VALLEY County
T19N R03E S28 LOT 2 (SWNE) 2 LOT 3 (NESW) 2
4 ACRES TOTAL

Place of use for IRRIGATION FROM STORAGE is same as IRRIGATION

Place of use for DOMESTIC is same as IRRIGATION

Place of use for DOMESTIC FROM STORAGE is same as IRRIGATION

OTHER MATTERS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE, SECTION 42-1412(6) IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

PLACE OF USE ALSO KNOWN AS LOTS 5, 6, 7, 8, 9, 10, 33, 35, 36,
TAX 5, TAX 25, AND WEST 10' OF LOT 11, SYLVAN BEACH SUBDIVISION

NOTICE OF DIRECTOR'S REPORT IDWR REPORTING AREA 15, BASIN 65, PART I, FOR IRRIGATION AND OTHER WATER RIGHTS

The Director of the Idaho Department of Water Resources (IDWR) has filed with the Snake River Basin Adjudication (SRBA) District Court Part I of the Director's Report for irrigation and other water rights in IDWR Reporting Area 15, Basin 65. A map of the area covered by this Director's Report is attached to this Notice. This Director's Report contains the Director's recommendation to the SRBA court as to how the claimed water rights in the area depicted on this map should be decreed in the SRBA. You may need to review the Director's Reports for Part II and Part III of Basin 65 as well, when they are issued. Claims in which you have an interest, either in the other parts in the Payette Drainage area or claimed after this Report for Part I, will be reported in Part II or Part III of Basin 65.

This Director's Report includes claims for irrigation and other uses, including some small domestic and stock water uses. The Director's Report for most small domestic and stockwater rights for IDWR Basin 65 was sent to the SRBA court and individual water users on April 6, 1998. Some small domestic and stockwater claims were withheld from or filed after the earlier report. If a claim for small domestic and stockwater was not in last year's report, it is reported in this Director's Report.

Included with this Notice is the Director's recommendation for irrigation and other water rights you claimed in the SRBA. IDWR is providing individual reports like this one to the claimants of irrigation and other water rights in your area. A complete copy of the Director's Report, listing these irrigation and other rights claimed under state law and "dual based" claims by the federal government, is available at the SRBA courthouse in Twin Falls and the locations listed on the third page of this notice. Copies of the report can be made, but you may be charged for copying and mailing.

INSTRUCTIONS FOR REVIEWING YOUR OWN WATER RIGHT

The description of your right which is enclosed is only the Director's recommendation to the SRBA Court on your water right. The Court will decide how it will decree your water right. You are free to agree or disagree with the Director's recommendation. If you agree with the Director's recommendation you do not need to do anything, pending further notice as described below. If you disagree with the Director's recommendation, you need to file an objection as described below.

INSTRUCTIONS FOR REVIEWING THE WATER RIGHTS OF OTHERS

The complete Director's Report contains recommendations to the SRBA Court on your water right and all other irrigation and other rights in your area. The Court will decide how it will decree all water rights. The Director's recommendations in the full report are listed in two sections of the report:

- 1) **List of Recommended Water Rights** -- Water right recommendations are listed alphabetically by source and then chronologically by priority date within each source.

How will I know about the proceedings on water right recommendations to which objections were filed?

A notice will be mailed to you for court dates on your water right or for those where you filed an objection or a response. You will not receive notice of court dates on any other water right recommendations.

Additional information regarding water right claims can be found on the SRBA Web Site at www.srba.state.id.us.

Note: The SRBA Court publishes a monthly Docket Sheet listing all objections and responses filed. It does not list court dates for individual water right cases, but provides general information helpful to all participants in the SRBA.

The Docket Sheet is available at your county courthouse and all IDWR offices, or you may subscribe by contacting the SRBA Court or IDWR. The annual subscription fee is \$7.50. The Docket Sheet is also available on the SRBA Web Site at www.srba.state.id.us.

CHANGES OF ADDRESS OR OWNERSHIP

You must contact your regional IDWR office with your address change or if the ownership of your water right changes. Failure to notify IDWR may result in the loss of your water rights.

ADDITIONAL INFORMATION

If you have questions about the SRBA, public information brochures are available at any IDWR office. Maps and aerial photography of this reporting area, as well as assistance in using the maps and the photography, are available at the IDWR Western Region office in Boise. You are also welcome to call IDWR at any of its offices or the SRBA Court. You may also want to consider contacting an attorney to assist you.

**Snake River Basin Adjudication
District Court**
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
(208) 736-3011

Idaho Department of Water Resources
1301 North Orchard
Box 83720
Boise, Idaho 83720-0098
(208) 327-7906
(800) 451-4129

**Idaho Department of Water Resources
Western Region**
2735 Airport Way
Boise, Idaho 83705-5082
(208) 334-2190

**Idaho Department of Water Resources
Northern Region**
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

**Idaho Department of Water Resources
Southern Region**
1341 Fillmore, Suite 200
Twin Falls, Idaho 83301-3380
(208) 736-3033

**Idaho Department of Water Resources
Eastern Region**
900 North Skyline, Suite A
Idaho Falls, Idaho 83402-3653
(208) 525-7161

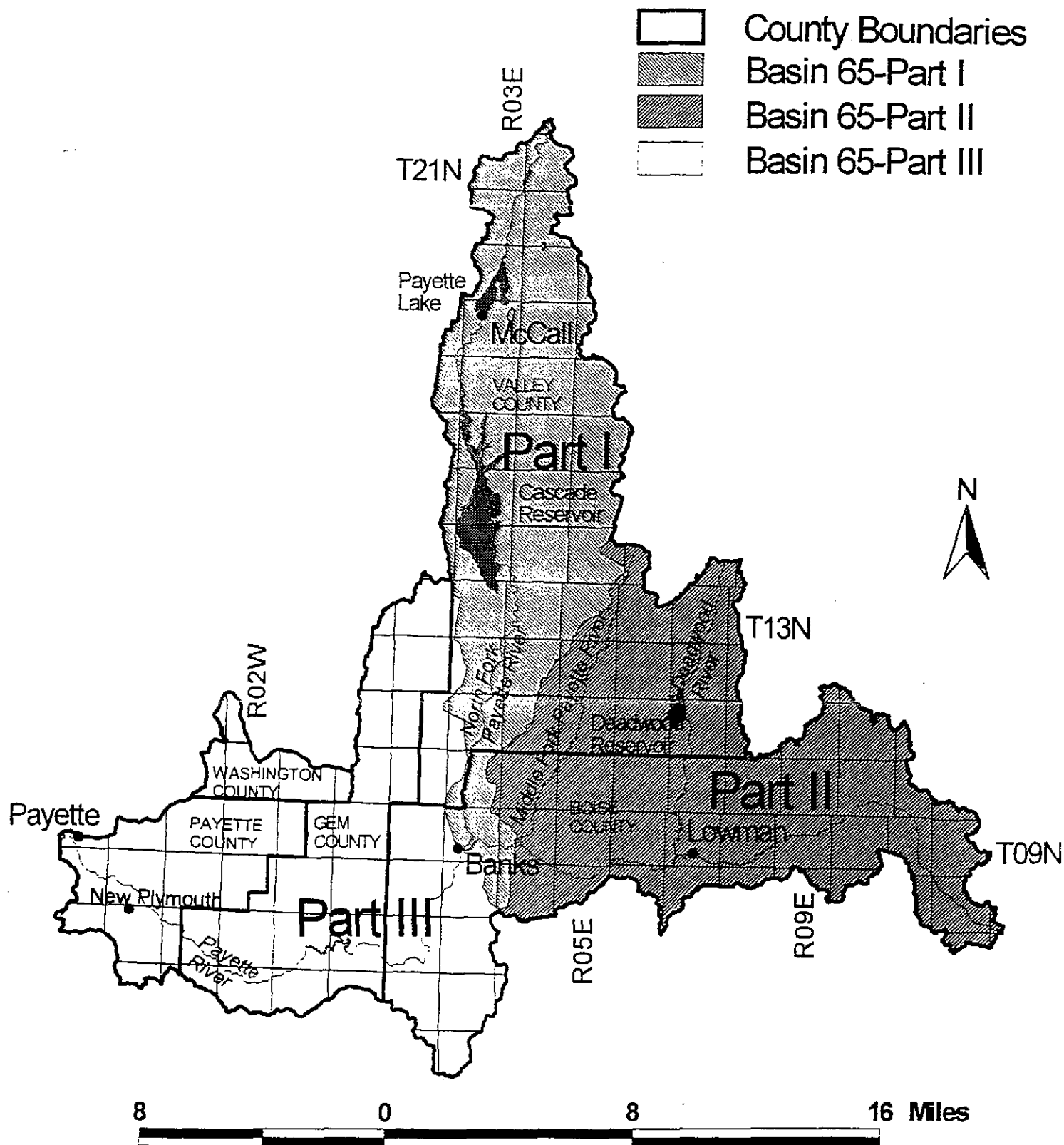
BASIN 65 GENERAL PROVISIONS

The Director of the Idaho Department of Water Resources (IDWR) recommends to the Snake River Basin Adjudication (SRBA) District Court that the following general provisions be included in the decree determining rights to water from Basin 65:

- 1) The practice of diverting water during the pre-irrigation and post-irrigation season as well as diverting the so-called "high water" or, "flood water" in addition to the quantified rights described in the recommended decree of water rights (and future rights that may be established pursuant to statutory procedures) are allowed provided:
 - a) The water so diverted is applied to beneficial use.
 - b) The existing quantified rights (including future appropriations of water) are first satisfied.
- 2) The Sevenmile Slough is identified and treated for water delivery purposes as part of the main stem of the Payette River.
- 3) For purposes of water distribution in the Payette River Drainage Basin, surface water rights from the following sources, to the extent recommended herein, are not considered junior to water rights from the Payette River, and will be administered separately from all other water rights in Basin 65:
 - a) Big Willow Creek, tributary to Payette River, and tributaries,
 - b) Boulder Creek, tributary to Cascade Reservoir, and tributaries,
 - c) Campbell Creek, tributary to Cascade Reservoir, and tributaries,
 - d) Lake Fork Creek, tributary to Cascade Reservoir, and tributaries,
 - e) Little Willow Creek, tributary to Payette River, and tributaries,
 - f) Porter Creek, tributary to Payette River, and tributaries,
 - g) Richards Creek, tributary to South Fork Payette River, and tributaries,
 - h) Rock Creek (Richards Creek), tributary to Cascade Reservoir, and tributaries,
 - i) Scriver Creek, tributary to Middle Fork Payette River, and tributaries,
 - j) Squaw Creek, tributary to Payette River and tributaries,
 - k) Warm Springs Creek, tributary to Middle Fork Payette River, and tributaries,
 - l) Willow Creek, tributary to Cascade Reservoir, and tributaries.

SEE ATTACHMENT "A" FOR WATER RIGHT NUMBERS

Basin 65



**NOTICE OF FILING
FEDERAL RESERVED RIGHTS CLAIMS
IN BASIN 65 PART I**

INTRODUCTION

The United States of America (USA) has filed with the Snake River Basin Adjudication (SRBA) District Court claim 65-02331 to a federal reserved right in Basin 65 Part I.

Complete copies of the claim to a federal reserved right in Basin 65 Part I are available at the SRBA courthouse in Twin Falls and the locations listed at the end of this notice. You may review the claim to a federal reserved right at those locations. Copies of the claim can be made, but you may be charged for copying and mailing.

INSTRUCTIONS FOR TAKING A CLAIM TO COURT

What do I do if I disagree with a federal reserved water right claim?

If you disagree with any element of the claim to federal reserved water right in Basin 65 Part I and want to be heard in court, file an objection with the SRBA Court. Objections must be made on the standard objection form available from any IDWR office or from the SRBA Court. You may also download a copy of the objection form from the SRBA Web Site at www.srba.state.id.us.

Your objection to the federal reserved water right in Basin 65 Part I must be **received** by the SRBA Court on or before **April 14, 2000**.

What do I do if I want to participate in the court case on a claim to a federal reserved right?

If you want to be involved in the court case on the claim to a federal reserved right, you must file either an objection or a response by the dates provided in this notice.

Your responses must be **received** by the SRBA Court on or before **August 18, 2000**.

What happens if there are no objections to the federal reserved water right claim?

There may be federal reserved water right claims reported at a later date in Part II and Part III of the Director's Report for irrigation and other rights in IDWR Reporting Area 15, Basin 65. An evidentiary hearing on the uncontested federal reserved water right in Part I will be held in conjunction with any uncontested federal reserved water rights in Parts II and III. The evidentiary hearing for Parts I, II and III will be set at a later date. Partial decrees will be issued following this hearing.

How will I know about the proceedings on claims to federal reserved water rights to which objections were filed?

A notice will be mailed to you for court dates on those claims where you filed an objection or a response. You will not receive notice of court dates on any other claims to federal reserved rights.

January 19, 2000

*Att. The
LES*

Allan,

I have tried to write down the legal descriptions of the covenants. The ones that are lengthy I've written that several are missing.

I will not be home Thursday, so I decided to write this. Please feel free to call me Friday at home. My number is 208-342-5629.

I hope this is helpful.

Jan Gudmundsen Eby

~~6~~ 6 pages including
cover sheet.

Jess Rutledge
10050 W. Seneca Drive
Boise, ID 83709

LOTS 201 + 213 IN LOT 3
SEC 28 TWP 19 NR 3 EBM

**MEMBERSHIP MAILING LIST
SYLVAN BEACH MUTUAL CORPORATION**

John D. Allan
616 E. Highland Dr.
Boise, ID 83702

LOT 19A - PT TAX #13 IN GOVT LOT 2
IN SENW SEC 28 TWP 19 NR 3 EBM

Marcia E. Clark
P.O. Box 788
McCall, ID 83638

missing

Thomas J. Cooney
2111 Hyde St.
San Francisco, CA 94109

TAX #17 PT LOT 26D IN SENW SEC. 28
TWP 19 NR 3 EBM

Jack Dahl
2396 North Overview Place
Boise, ID 83702

missing

Christopher Davidson
2713 East Rhyolite Drive
Boise, ID 83712

SEE MARGORIE DAVIDSON

Margorie Davidson
P. O. Box 146
McCall, ID 83638

LOT 19C in LOT 3 SEC. 28 TWP 19 NR 3 EBM
TAX #9A, PT LOT 29 in SE NW SEC. 28, TWP 19 NR 3 EBM
WEST PT LOT 27 in SE NW SEC. 28 TAX #14, TWP 19 NR 3 EBM
LOT 19D in LOT 3 SEC. 28 TWP 19 NR 3 EBM
SYLVAN BEACH PT. LOT 28 TAX #10-11A SEC 28 TWP 19 NR 3

Peter Davidson
620 Holly
Boise, ID 83712

MISSING

Andrea L. Davidson
420 Elk Street
Grangeville, ID 83530

MISSING

Bonnie Davis
c/o Scott W. McGraw
487 S. Walnut
Monmouth, OR 97361

LOT 205 + 218 IN LOT 3 SEC 28 TWP 19 NR 3 EBM

Allen Derr
P.O. Box 1006
Boise, ID 83701

LOT 219 IN LOT 3 SEC 28 TWP 19 NR 3 EBM

Jim Donald
3115 Edson
Boise, ID 83705

MISSING

Kent Doss
P. O. Box 1208
Maple Valley, WA 98038

MISSING

Pat Droubay Hughes
1930 S Chokecherry Dr.
Bountiful, UT 84010

LOT 213 IN LOT 3 SEC 28 TWP 19
NR 3 EBM

Ertters Property LLP
c/o Gary Ertter
P. O. Box 524
McCall, ID 83638

MISSING

Willy Gorrisen
8916 Randall Drive
Gig Harbor, WA 98332

MISSING

Betty Gregorie
3696 No. Sawgrass Way
Boise, ID 83704

PT TAX #13 IN SEC 28 19 3 EBM

R.E.T.J
c/o Jan Gudmundsen Eby
2787 S. Armada Place
Boise, ID 83706

LOT 204 IN LOT 3 SEC 28 TWP 19 NR 3 EBM
LOT 204 EXCEPTING SOUTH 5 FEET THEREOF
BEING 5 FEET IMMEDIATELY ADJACENT TO THE BOUNDARY
LINES OF LOTS 204 + 203

Col. Jon C. Hill
305 East Park Street
#443
McCall, ID 83638

SEE HETTINGER

Barbara B. Knipe
P.O. Box 546
McCall, ID 83638

LOT 3 + TAX # 4

Sandra Lancaster
4545 Silver Leaf Ext.
Emmett, ID 83617

LOTS 207 + 213 IN LOT 3 SEC 28
TWP 19 NR 3 EBM

Helen Landon
C/O Fred and Kathy Todd
6205 Kirkwood
Boise, ID 83709

LOT 217 IN LOT 3 SEC 28
TWP 19 NR 3 EBM

Gladys Langroise
c/o First Security Bank
Trust Real Estate Department
ATTN: Sharon Millward
P.O. Box 2618
Boise, ID 83701

MISSING

Catherine H. Leeson
1612 Braemere
Boise, ID 83702

MISSING

Geraldine H. Lowell
c/o W. H. Harbert
Wells Fargo Bank ATT: Connie Cervantes
P.O. Box 3075
Portland, OR 97208

LOT 13 + LOT 12 IN
LOT 2 SEC 28 TWP 19
NR 3 EBM

Thomas Malson
2819 Greenvale Place
Nampa, ID 83651

PT LOT 206 ALL LOT 216
IN LOT 3 SEC 28 TWP 19
NR 3 EBM

Mr. & Mrs. Ronald Marsden
6041 Oreana Drive
Boise, ID 83709

MISSING

McGud Properties
c/o Robert Gudmundsen
10322 Estate Drive
Boise, ID 83709

LOT 23 IN LOT 3 SEC 28 TWP 19
NR 3 EBM

Victoria Seibert Patterson
11303 Hickory Loop Drive
Boise, ID 83713

MISSING

Richard Q. Perry
2736 Highland Dr. No. 2
Salt Lake City, UT 84106

MISSING

Doug Porter
964 East Curling Drive
Boise, ID 83702

MISSING

Bette L. Rasmussen
1937 S. Roosevelt
Boise, ID 83705

LOT #16 IN LOT 2, SYLVAN BEACH SUBDIVISION - Amended Plat
Paucette Lakes Cottage Site of 1938; NE corner of Lot 28,
thence easterly along the South Boundary of the March
wagon Road 45 feet to a point, thence South 53°, 41 feet
East 145 feet more or less to a point, which is the NE
corner of Lot 16; thence South 30, 29 feet, West 68.8 feet
a point thence North

Article VI Trust
FBO Bette Rasmussen
1937 S. Roosevelt
Boise, ID 83705

LOT 17 IN LOT 2 SEC 28
TWP 19 NR 3 EBM

Catherine Shandro
1400 Johnson Street
Boise, ID 83705

MISSING

James P. Shannafelt
10520 Stardust Drive
Boise, ID 83709

MISSING

Carl H. Shaver
P.O. Box 7278
Boise, ID 83707

MISSING

J.R. Simplot Industries
ATT: Ron Graves
P.O. Box 27
Boise, ID 83707

MISSING

Frank Stoppello
620 W. Hays
Boise, ID 83702

SW 25' LOT 21 + LOT 22 IN LOT 3 SEC 28
19 NR 3 EBM

Felix W. Urbush
915 Brairwood Dr.
Nampa, ID 83651

LOT 212 IN LOT 3
SEC 28 TWP 19 NR 3 EBM

James F. Wallace
1101 Shoshone
Boise, ID 83705

MISSING

Wells Properties
Susan Mather
3003 Hill Road
Boise, ID 83703

LOTS 209 + 210 IN LOT 24.

Douglas S. Westwater
401 East Pedregosa Street
Santa Barbara, CA 93103

LOT 18 IN LOT 2 SEC 28
TWP 19 NR 3 EBM

Allen Derr
Attorney and Counselor at Law
Imperial Plaza
Suite 8-First Floor
200 North 3rd Street
P.O. Box 1006
Boise, Idaho 83701-1006

Telephone (208)342-2674
1-800-813-5169
Fax (208)342-2676

RECEIVED

JUN 12 2001

Department of Water Resources

October 1, 1999

Karl J. Dreher, Director
Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83707-9815

Re: Water Right Claims of Sylvan Beach Mutual Corp.

Dear Director Dreher:

Enclosed is the preliminary recommendation sheet concerning water rights of Sylvan Beach Mutual Corporation.

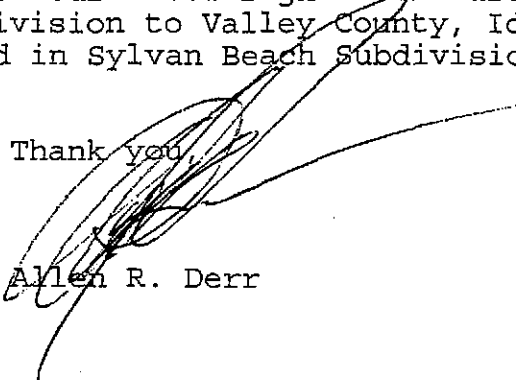
I can't readily find previous permits but have some questions.

1. Do our original or any subsequent permits allows us the privilege of using water from our sources for power generation?

2. We have a separate right for a pump in Big Payette Lake. Will we be hearing on that?

3. At least part of our water right users are in Payette Lakes Cottage Sites subdivision to Valley County, Idaho. Are these properties included in Sylvan Beach Subdivision?

Thank you,


Allen R. Derr

CC: Jimmy Donald

Idaho State Bar No. 911

AJ5853NP
1903IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: September 29, 1999
PAGE: 1

RIGHT NUMBER: 65-02154

NAME AND ADDRESS: SYLVAN BEACH MUTUAL CORP
C/O ALLEN DERR DIRECTOR
PO BOX 1006
BOISE ID 83701-1006SOURCE: SYLVAN CREEK TRIBUTARY: BIG PAYETTE LAKE
WAGON WHEEL BAY CREEK BIG PAYETTE LAKE

QUANTITY: 2.00 CFS

PRIORITY-DATE: 02/19/1913

POINT OF DIVERSION T19N R03E S20 SENE Within VALLEY County
S28 NENW

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-15 10-15	0.08 CFS
	IRRIGATION STORAGE	01-01 12-31	10.0 AFY
	IRRIGATION FROM STORAGE	03-15 11-15	10.0 AFY
	DOMESTIC 64 HOMES	01-01 12-31	1.92 CFS
			14.1 AFY
	DOMESTIC FROM STORAGE	01-01 12-31	10.0 AFY
	DIVERSION TO STORAGE	01-01 12-31	1.00 CFS

PLACE OF USE: IRRIGATION Within VALLEY County
T19N R03E S28 LOT 2 (SWNE) 2 LOT 3 (NESW) 2
4 ACRES TOTAL

Place of use for IRRIGATION FROM STORAGE is same as IRRIGATION

Place of use for DOMESTIC is same as IRRIGATION

Place of use for DOMESTIC FROM STORAGE is same as IRRIGATION

OTHER MATTERS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

PLACE OF USE ALSO KNOWN AS LOTS 5, 6, 7, 8, 9, 10, 33, 35, 36,
TAX 5, TAX 25, AND WEST 10' OF LOT 11, SYLVAN BEACH SUBDIVISION

September 29, 1999

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 29, 1999

Water right number: 65-02154

SYLVAN BEACH MUTUAL CORP
C/O ALLEN DERR DIRECTOR
PO BOX 1006
BOISE ID 83701-1006

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

____ **I AGREE with this proposed recommendation; no changes need to be made.**

DATE: _____ **SIGNATURE:** _____
Please print your name: _____

RECEIVED SEP 30 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 29, 1999

Dear Water Right Claimant(s):

The Idaho Department of Water Resources (IDWR) has completed its initial investigation of your water right claim(s) in the Snake River Basin Adjudication (SRBA). We have enclosed a print-out showing our preliminary recommendation regarding how your water right should be reported to the SRBA District Court.

Please review the preliminary recommendation carefully. If there is any information on the print-out you believe is inaccurate, please fill out the enclosed reply indicating what changes you believe should be made. Further instructions to assist you with the review are enclosed. For water rights with an irrigation water use, a Geographic Information System (GIS) computerized image of the place of use for your water right is also enclosed.

You may return this reply in person to us at a public meeting IDWR will be conducting in your area. **The meeting will be held on Wednesday, October 13, 1999, at 7:00 p.m. in the Senior Citizen Center, 409 School Road, Cascade.** Please come to the public meeting, where you will have an opportunity to find out more about the SRBA process and speak with a department staff member should you have questions regarding your water right. Please bring any and all information you have which will help the Department understand your water rights and describe them accurately.

This process is intended to ensure IDWR recommends your water right accurately to the SRBA District Court. This is the easiest and least costly means for you to identify corrections you believe should be made to our recommendation. Completion of this process is an important step toward the overall success of the adjudication in Idaho. Your participation is necessary so that accurate information is provided to the SRBA District Court.

We look forward to hearing from you.

Sincerely,

Karl J. Dreher
Director

Enclosures

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO



(208) 736-3011
FAX (208) 736-2121

SRBA CHAMBERS
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

Dear Water Right Claimant:

To help you with your water right claim(s) in the Snake River Basin Adjudication, this letter of explanation is being sent to you along with information sent by the Idaho Department of Water Resources (IDWR). Included are the following important documents which I ask you to please read carefully because they give you the opportunity to save a great deal of time and money:

1. **Preliminary Recommendation.** This is IDWR's *initial* finding and conclusion about your water right and how it should be reported to the SRBA Court. This preliminary recommendation is not filed with the court, but is provided to you to help correct errors or resolve any disagreement you may have over its content. This document has been prepared following IDWR's investigation and may be different than the claim(s) you actually filed.

Therefore, please review this preliminary recommendation carefully to find any errors or disagreements you have with IDWR's findings.

2. **Error Correction/Settlement Process.** This preliminary recommendation is a special service provided to you by IDWR to help you correct errors and resolve any other disagreement you have before the actual recommendations are ultimately filed with the court.

A description of how to work with IDWR is included. Our experience in the SRBA shows that by working in cooperation with IDWR most errors and differences can be addressed before coming into court. It's well worth your time to take full advantage of IDWR's helpful service. If your disagreement cannot be resolved, you will be able to file an objection to IDWR's actual recommendation when it is filed in court and have the final decision made by the Presiding Judge.

This error correction service is an important opportunity for you to work together with IDWR to make sure your water right claim(s) are decreed accurately. There is no cost to you other than your time reviewing the preliminary recommendation and talking to IDWR about any problem you see. Of course, you may always employ the services of an attorney if you wish.

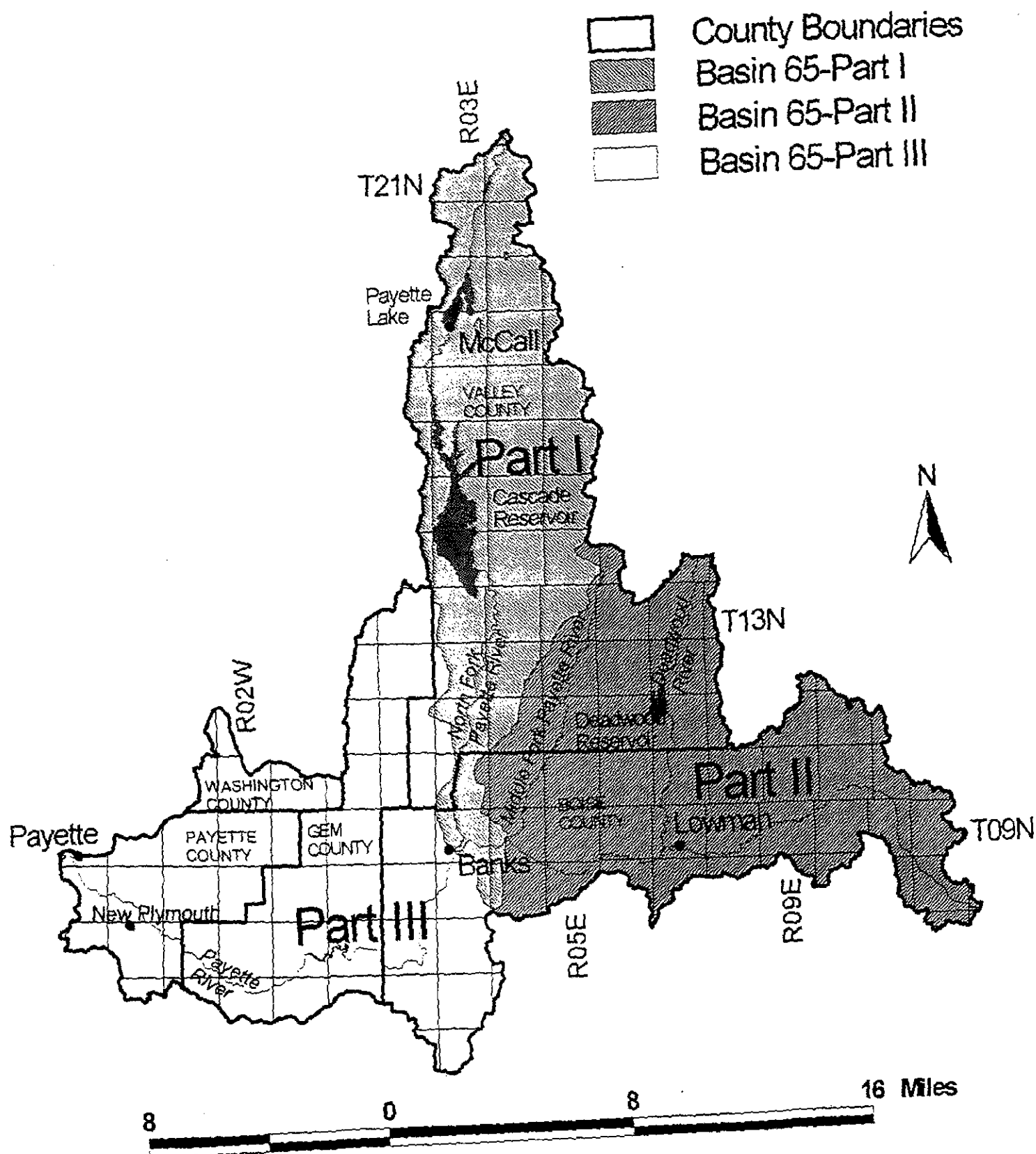
The goal of the SRBA is to see that your water right(s) are decreed by the court as accurately and fairly as possible. It is important to me that this is done efficiently in order to reduce your costs and present you with your decree.

I strongly encourage you to take full advantage of this opportunity to use the fine and courteous service provided by IDWR.

Sincerely yours,

Barry Wood
Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

Basin 65



BASIN 65 GENERAL PROVISIONS

The Director of the Idaho Department of Water Resources (IDWR) recommends to the Snake River Basin Adjudication (SRBA) District Court that the following general provisions be included in the decree determining rights to water from Basin 65:

- 1) The practice of diverting water during the pre-irrigation and post-irrigation season as well as diverting the so-called "high water" or, "flood water" in addition to the quantified rights described in the recommended decree of water rights (and future rights that may be established pursuant to statutory procedures) are allowed provided:
 - a) The water so diverted is applied to beneficial use.
 - b) The existing quantified rights (including future appropriations of water) are first satisfied.
- 2) The Sevenmile Slough is identified and treated for water delivery purposes as part of the main stem of the Payette River.
- 3) For purposes of water distribution in the Payette River Drainage Basin, surface water rights from the following sources, to the extent recommended herein, are not considered junior to water rights from the Payette River, and will be administered separately from all other water rights in Basin 65:
 - a) Big Willow Creek, tributary to Payette River, and tributaries,
 - b) Boulder Creek, tributary to Cascade Reservoir, and tributaries,
 - c) Campbell Creek, tributary to Cascade Reservoir, and tributaries,
 - d) Lake Fork Creek, tributary to Cascade Reservoir, and tributaries,
 - e) Little Willow Creek, tributary to Payette River, and tributaries,
 - f) Porter Creek, tributary to Payette River, and tributaries,
 - g) Richards Creek, tributary to South Fork Payette River, and tributaries,
 - h) Rock Creek (Richards Creek), tributary to Cascade Reservoir, and tributaries,
 - i) Scriver Creek, tributary to Middle Fork Payette River, and tributaries,
 - j) Squaw Creek, tributary to Payette River and tributaries,
 - k) Warm Springs Creek, tributary to Middle Fork Payette River, and tributaries,
 - l) Willow Creek, tributary to Cascade Reservoir, and tributaries.

SEE ATTACHMENT "A" FOR WATER RIGHT NUMBERS

ATTACHMENT A

WATER SOURCE: BOULDER CREEK & TRIBUTARIES

65-02254	65-02306	65-02308	65-02316	65-02329	65-02330	65-02382	65-02453A
65-02515A	65-02515B	65-02653	65-02723	65-02941	65-02943A	65-02949A	65-02949B
65-02963	65-02967A	65-02967B	65-02967E	65-02971	65-03114	65-03115	65-03116
65-03117A	65-03117B	65-03117C	65-03118	65-03119	65-03121A	65-03121X	65-03123
65-03587	65-03762	65-04026	65-04033	65-04047	65-05073	65-05679	65-05680
65-05708A	65-05708B	65-06956	65-07006	65-07025	65-07257	65-07417	65-07473
65-08063	65-08453	65-08513	65-08776	65-08785	65-08843	65-08844	65-09085
65-10336	65-11020	65-11260	65-12007				

WATER SOURCE: CAMPBELL CREEK & TRIBUTARIES

65-03138

WATER SOURCE: LAKE FORK CREEK & TRIBUTARIES

65-02316	65-02340A	65-02340B	65-02355	65-02356	65-02371	65-02415	65-02439
65-02519A	65-02519B	65-02591B	65-02591C	65-02602	65-02632	65-02676A	65-0270C
65-02707	65-02708	65-02729	65-02768	65-02926	65-02932	65-02942	65-02952
65-02955	65-02958	65-03120	65-03154	65-03155	65-03156	65-03157	65-03158A
65-03158B	65-03159A	65-03159B	65-03160	65-03161	65-03162	65-03163	65-03164
65-03165	65-03166	65-03167	65-03168	65-03169	65-03170	65-03171	65-03172
65-03174	65-03175	65-03176	65-03178	65-03179	65-03181	65-03182	65-03183
65-03184B	65-03184C	65-03184D	65-03184E	65-03184F	65-03184G	65-03184H	65-03184J
65-03185	65-03186	65-03187	65-03188	65-03189	65-03190	65-03191	65-03192
65-03193	65-03194B	65-03194C	65-03197	65-03198	65-03199	65-03200	65-03201A
65-03201B	65-03202A	65-03204	65-03205	65-03206	65-03207	65-03209	65-03210
65-03211A	65-03211B	65-03211C	65-03212	65-03213A	65-03213B	65-03214	65-03215
65-03216	65-03217	65-03218	65-03219A	65-03219X	65-03220	65-03334	65-03865
65-04049	65-04213A	65-04214	65-04989	65-07099	65-07107	65-07523	65-08252
65-08306	65-08418A	65-08418B	65-08469	65-08470	65-08609	65-08610	65-08725
65-08931	65-08932	65-09045A	65-09045B	65-09736	65-09744	65-10538	65-11239A
65-11239B	65-11282	65-11321	65-11326	65-11401			

WATER SOURCE: ROCK CREEK & TRIBUTARIES

65-02247

WATER SOURCE: WILLOW CREEK & TRIBUTARIES

65-02109	65-02310A	65-02310X	65-02584	65-02585	65-03105A	65-03105X	65-03106
65-03108A	65-03108X	65-03109	65-03110	65-03824	65-03869	65-04000	65-04001
65-04198	65-11232	65-11411					

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please 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): _____
Adjudication Claim No(s): _____

 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** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

 3. Name and Address of Former Owner/Claimant _____

 4. New Owner/Claimant(s) _____
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address _____
 City, State and ZIP Code _____
 New Telephone Number () _____

 5. Date you acquired the property _____

 6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners.** If necessary, attach additional pages. 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.
- Number of acres you irrigate with this water right _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____
7. Signature of New Owner(s) _____
or Claimant(s) _____

 - 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.

INSTRUCTIONS FOR COMPLETING THE NOTICE OF ERROR REPLY FORM

- Please review the preliminary recommendation carefully. Your name, water right number and address have been pre-printed on this reply for your convenience. Check to be sure the pre-printed information on this form is accurate.

- If you are a new owner and need to change the name on the enclosed preliminary recommendation, please use the form entitled "*Notice of Change of Water Right Ownership*". Please follow the instructions on that form carefully and provide the Department with the necessary documents as identified on that form.

- Please fill in your daytime and evening telephone numbers.

- If there is any portion of the preliminary recommendation which is inaccurate or with which you disagree, please complete item number 1, 2 and 3 on the reply, sign where indicated, and return the reply in the envelope provided to the Western Region. This reply must be mailed before October 29, 1999. If IDWR has questions about the information included in your reply, a staff member will be in contact with you to set up an appointment. You may also return the reply in person at the public meeting on October 13, 1999, at 7:00 p.m. at the Cascade Senior Center, 409 School Street, Cascade, Idaho.

- If you do **not** provide a reply, IDWR will submit the information contained in the enclosed preliminary recommendation as a Director's Report to the District Court. At that stage, making changes will require you to file court papers and attend court hearings.

- If you have questions or do not understand this process, please feel free to call the adjudication hotline toll free number: **1-800-451-4129** or contact the IDWR Western Regional Office, located at 2735 Airport Way, Boise, Idaho 83705, telephone number: **208-334-2190**.

Schulte, Mel

From: Baxter, Garrick
Sent: Thursday, June 14, 2001 11:14 AM
To: Schulte, Mel
Cc: Shurte, Jan
Subject: 65-02154 (Sylvan Beach Mutual Corp.)

Hi Mel-

I just faxed over to you a copy of two letters that Mr. Allen Derr has written Karl regarding this water right. In these letters he asks four questions. In the January 25, 2000 letter, he asks whether "all the property owners of lots in Payette Lakes Cottage Sites Subdivision, Valley County, State of Idaho, were beneficiaries of the corporation's water rights." He attaches a list of lots numbers for individual in the Payette Lakes Cottages. If you read this question with question number three from his October 1, 1999 letter (see fax) and I think his real question is whether the POU for 65-02154 includes the Payette Lakes Cottage Sites subdivision. I looked at the list of lot numbers and can't figure out a definitive answer (only a couple of the lots are described by quarter-quarter). Can you come up with a more definitive answer to this question?

As to his second question in his October 1, 1999 letter, it does not appear to me that they have a permit/water right that allows for power generation.

As to his third question from the same letter, I have found a license for water right no. 65-13012 for irrigation with a Nov. 22, 1988 priority date. Proof of beneficial use was filed until October 18, 1989. I will try to get more information from Mr. Derr to see if this is the right he is inquiring about in the letter. If it is, I will let him know that he is not required to file a notice of claim for this water right because the proof was filed after Nov. 19, 1987, but he may if he so desire. Do you seen anything else I am missing?

Also, Mr. Derr says that we never responded to these letters. Is there any correspondence in the file to Mr. Derr after October 1, 1999? Can you think of any reason why we would not respond to him? *Letter dated 3-22-2000 -*

Sorry to hit you with more work Mel...you just seem to be the answer man for the week. I know you have two other projects you are working on for me (SF5 in Purdom and 706 report in Barns). Priority wise, this is probably the most important, then the 706 report, then the SF5. Let me know if you have any questions. Thanks for all your help!

Garrick

Garrick L. Baxter
Deputy Attorney General
Idaho Department of Water Resources
Phone: (208) 327-7975
Fax: (208) 327-5400
Email: gbaxter@idwr.state.id.us

Confidentiality Notice: This e-mail may contain confidential and privileged information exempt from disclosure under applicable law. This message is intended only for the use of the individual or individuals identified above. If you have received this message by mistake, please notify the sender immediately by replying to this message. Please delete the message from your system and do not review, disclose, copy, or distribute any information contained or attached to the message.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

TRANSMITTAL COVER SHEET

FAX NUMBER: (208) 327-5400

DATE: 6/14/01

TO: MEL

FROM: GARRICK

DOCUMENT DESCRIPTION: DOCS FOR 65-02154 (SYLVAN
BEACH MUTUAL CORP.) SEE E-MAIL.

COVER SHEET + 7 **PAGES**

CONTACT: _____ **IF YOU DO NOT RECEIVE ALL THE PAGES.**

THANK YOU!

Allen Derr

Attorney and Counselor at Law

Imperial Plaza

Suite 8-First Floor

200 North 3rd Street

P.O. Box 1006

Boise, Idaho 83701-1006

Telephone (208)342-2674

1-800-813-5169

Fax (208)342-2676

January 25, 2000

Karl J. Dreher

Director

Idaho Department of Water Resources

1301 North Orchard

P.O. Box 83720

Boise, Idaho 83720-0098

Re: Sylvan Beach Mutual Corp water rights
#65-02154

Dear Director Dreher:

I represent Sylvan Beach Mutual Corporation, and Idaho Corporation.

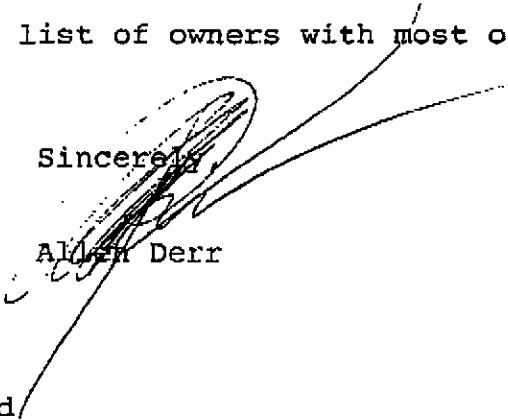
Enclosed is a copy of your December 8, 1999, individual listing from Director's Report.

It was my understanding that all the property owners of lots in Payette Lakes Cottage Sites Subdivision, Valley County, State of Idaho, were beneficiaries of the corporation's water rights.

Is this correct?

Enclosed is a list of owners with most of their lot descriptions.

Sincerely,


Allen Derr

cc: Jimmy A. Donald

Idaho State Bar No. 911

Allen Derr

Attorney and Counselor at Law

Imperial Plaza

Suite 8-First Floor

200 North 3rd Street

P.O. Box 1006

Boise, Idaho 83701-1006

Telephone (208)342-2674

1-800-813-5169

Fax (208)342-2676

RECEIVED

JUN 12 2001

Department of Water Resources

October 1, 1999

Karl J. Dreher, Director
Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83707-9815

Re: Water Right Claims of Sylvan Beach Mutual Corp.

Dear Director Dreher:

Enclosed is the preliminary recommendation sheet concerning water rights of Sylvan Beach Mutual Corporation.

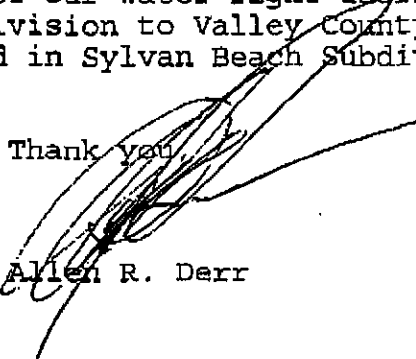
I can't readily find previous permits but have some questions.

1. Do our original or any subsequent permits allows us the privilege of using water from our sources for power generation?

2. We have a separate right for a pump in Big Payette Lake. Will we be hearing on that?

3. At least part of our water right users are in Payette Lakes Cottage Sites subdivision to Valley County, Idaho. Are these properties included in Sylvan Beach Subdivision?

Thank you


Allen R. Derr

CC: Jimmy Donald

Idaho State Bar No. 911

Article VI Trust
FBO Bette Rasmussen
1937 S. Roosevelt
Boise, ID 83705

LOT 17 IN LOT 2 SEC 28
TWP 19 NR 3 EBM

Catherine Shandro
1400 Johnson Street
Boise, ID 83705

MISSING

James P. Shannafelt
10520 Stardust Drive
Boise, ID 83709

MISSING

Carl H. Shaver
P.O. Box 7278
Boise, ID 83707

MISSING

J.R. Simplot Industries
ATT: Ron Graves
P.O. Box 27
Boise, ID 83707

MISSING

Frank Stoppello
620 W. Hays
Boise, ID 83702

SW 25' LOT 21 + LOT 22 IN LOT 3 SEC 28
19 NR 3 EBM

Felix W. Urbush
915 Brainerd Dr.
Nampa, ID 83651

LOT 212 IN LOT 3
SEC 28 TWP 19 NR 3 EBM

James F. Wallace
1101 Shoshone
Boise, ID 83705

MISSING

Wells Properties
Susan Mather
3003 Hill Road
Boise, ID 83703

LOTS 209 + 210 IN LOT 24.

Douglas S. Westwater
401 East Pedregosa Street
Santa Barbara, CA 93103

LOT 18 IN LOT 2 SEC 28
TWP 19 NR 3 EBM

Gladys Langroise
c/o First Security Bank
Trust Real Estate Department
ATTN: Sharon Millward
P.O. Box 2618
Boise, ID 83701

MISSING

Catherine H. Leeson
1612 Braemere
Boise, ID 83702

MISSING

Geraldine H. Lowell
c/o W. H. Harbert
Wells Fargo Bank ATT: Connie Cervantes
P.O. Box 3075
Portland, OR 97208

LOT 13 + LOT 12 IN
LOT 2 SEC 28 TWP 19
NR 3 EBM

Thomas Malson
2819 Greenvale Place
Nampa, ID 83651

OT LOT 206 ALL LOT 216
IN LOT 3 SEC 28 TWP 19
NR 3 EBM

Mr. & Mrs. Ronald Marsden
6041 Oreana Drive
Boise, ID 83709

MISSING

McGud Properties
c/o Robert Gudmundsen
10322 Estate Drive
Boise, ID 83709

LOT 23 IN LOT 3 SEC 28 TWP 19
NR 3 EBM

Victoria Seibert Patterson
11303 Hickory Loop Drive
Boise, ID 83713

MISSING

Richard Q. Perry
2730 Highland Dr. No. 2
Salt Lake City, UT 84106

MISSING

Doug Porter
964 East Curling Drive
Boise, ID 83702

MISSING

Bette L. Rasmussen
1937 S. Roosevelt
Boise, ID 83705

LOT #16 IN LOT 2, SYLVAN BEACH SUBDIVISION - Amended Plat
Pauette Lakes Cottage Site of 1938; NE corner of Lot 28,
thence easterly along the South Boundary of the Nevada
Wagon Road 45 feet to a point, thence South 53°, 41 feet
East 145 feet more or less to a point, which is the NE
corner of lot 16; thence South 50, 25 feet, West 88.8 feet
a point thence North

Kent Doss
P. O. Box 1208
Maple Valley, WA 98038

MISSING

Pat Droubay Hughes
1930 S Chokecherry Dr.
Bountiful, UT 84010

LOT 213 IN LOT 3 SEC 28 TWP 19
NR 3 EBM

Ertters Property LLP
c/o Gary Ertter
P. O. Box 524
McCall, ID 83638

MISSING

Willy Gorrissen
8916 Randall Drive
Gig Harbor, WA 98332

MISSING

Betty Gregorie
3696 No. Sawgrass Way
Boise, ID 83704

PT TAX #13 IN SEC 28 19 3 EBM

R.E.T.J
c/o Jan Gudmundsen Eby
2787 S. Armada Place
Boise, ID 83706

LOT 204 IN LOT 3 SEC 28 TWP 19 NR 3 EBM
LOT 204 EXCEPTING SOUTH 5 FEET THEREOF
BEING 5 FEET IMMEDIATELY ADJACENT TO THE BOUNDARY
LINES OF LOTS 204 + 203

Col. Jon C. Hill
305 East Park Street
#443
McCall, ID 83638

SEE HETTINGER

Barbara B. Knipe
P.O. Box 546
McCall, ID 83638

LOT 3 + TAX # 4

Sandra Lancaster
4545 Silver Leaf Ext.
Emmett, ID 83617

LOTS 207 + 213 IN LOT 3 SEC 28
TWP 19 NR 3 EBM

Helen Landon
C/O Fred and Kathy Todd
6205 Kirkwood
Boise, ID 83709

LOT 217 IN LOT 3 SEC 28
TWP 19 NR 3 EBM

**MEMBERSHIP MAILING LIST
SYLVAN BEACH MUTUAL CORPORATION**

John D. Allan
616 E. Highland Dr.
Boise, ID 83702

LOT 19A - PT TAX #13 IN GOVT LOT 2
IN SENW SEC 28 TWP 19 NR 3 EBM

Marcia E. Clark
P.O. Box 788
McCall, ID 83638

missing

Thomas J. Cooney
2111 Hyde St.
San Francisco, CA 94109

TAX #17 PT LOT 26D IN SENW SEC. 28
TWP 19 NR 3 EBM

Jack Dahl
2396 North Overview Place
Boise, ID 83702

missing

Christopher Davidson
2713 East Rhyolite Drive
Boise, ID 83712

SEE MARGORIE DAVIDSON

Margorie Davidson
P. O. Box 146
McCall, ID 83638

LOT 19C in LOT 3 SEC. 28 TWP 19 NR 3 EBM
TAX #9A, Pt LOT 29 in SE NW SEC. 28, TWP 19 NR 3 EBM
WEST PT LOT 27 in SE NW SEC. 28 TAX #14, TWP 19 NR 3 EBM
LOT 19D in LOT 3 SEC. 28 TWP 19 NR 3 EBM
SYLVAN BEACH Pt. LOT 28 TAX #10 - 11A SEC 28 TWP 19 NR 3

Peter Davidson
620 Holly
Boise, ID 83712

MISSING

Andrea L. Davidson
420 Elk Street
Grangeville, ID 83530

MISSING

Bonnie Davis
c/o Scott W. McGraw
487 S. Walnut
Monmouth, OR 97361

LOT 205 + 218 IN LOT 3 SEC 28 TWP 19 NR 3 EBM

Allen Derr
P.O. Box 1006
Boise, ID 83701

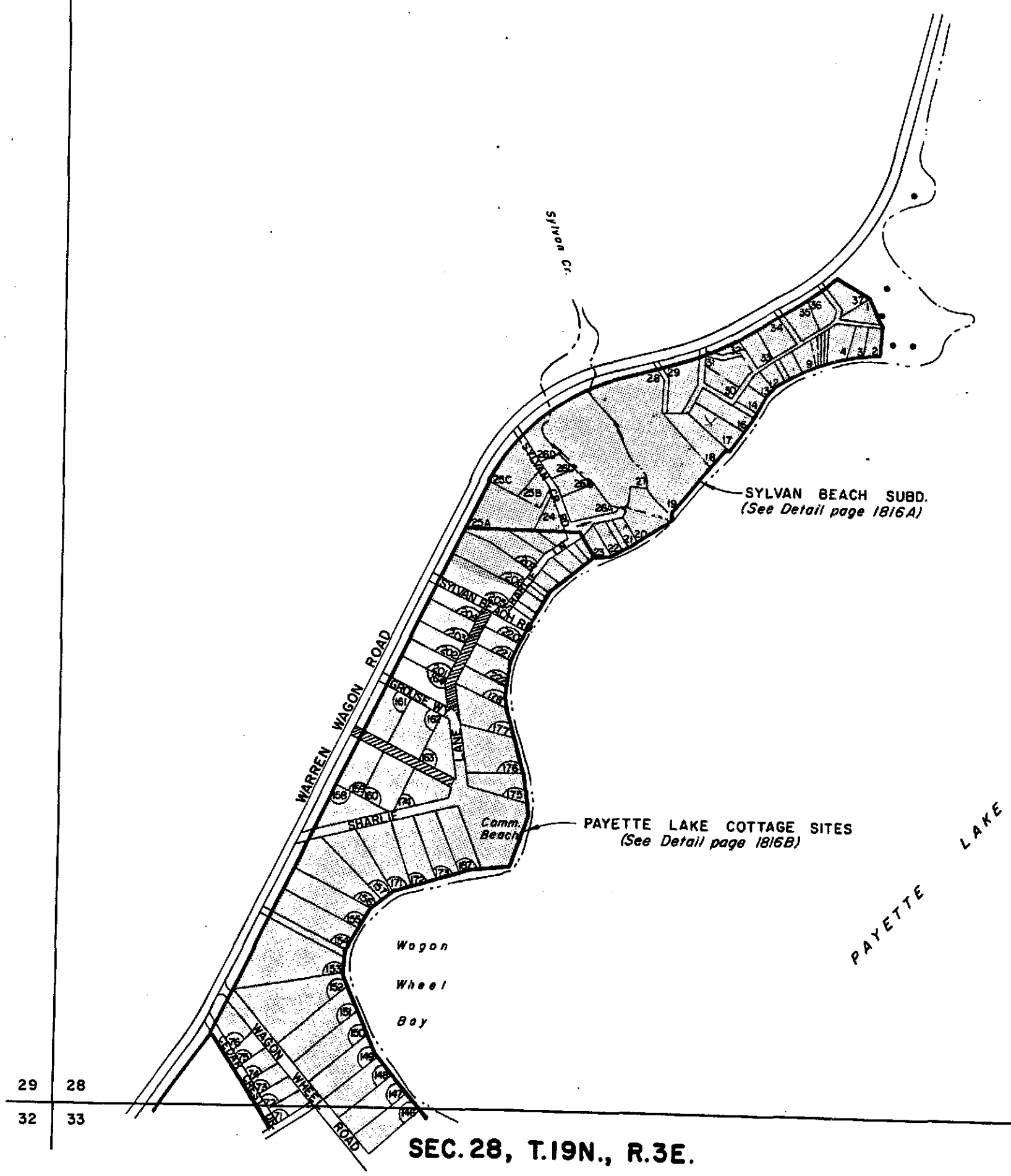
LOT 219 IN LOT 3 SEC 28 TWP 19 NR 3 EBM

Jim Donald
3115 Edson
Boise, ID 83705

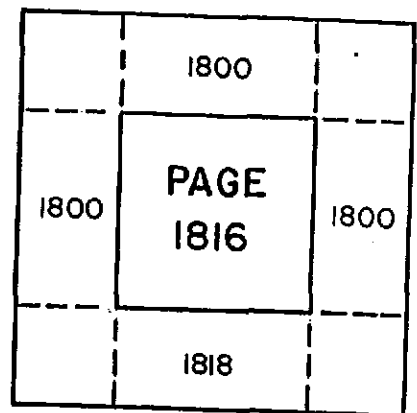
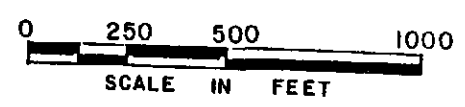
MISSING

Jess Rutledge
10050 W. Seneca Drive
Boise, ID 83709

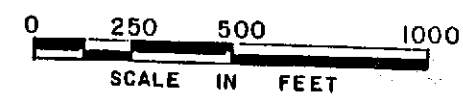
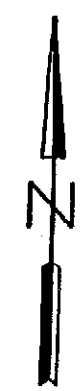
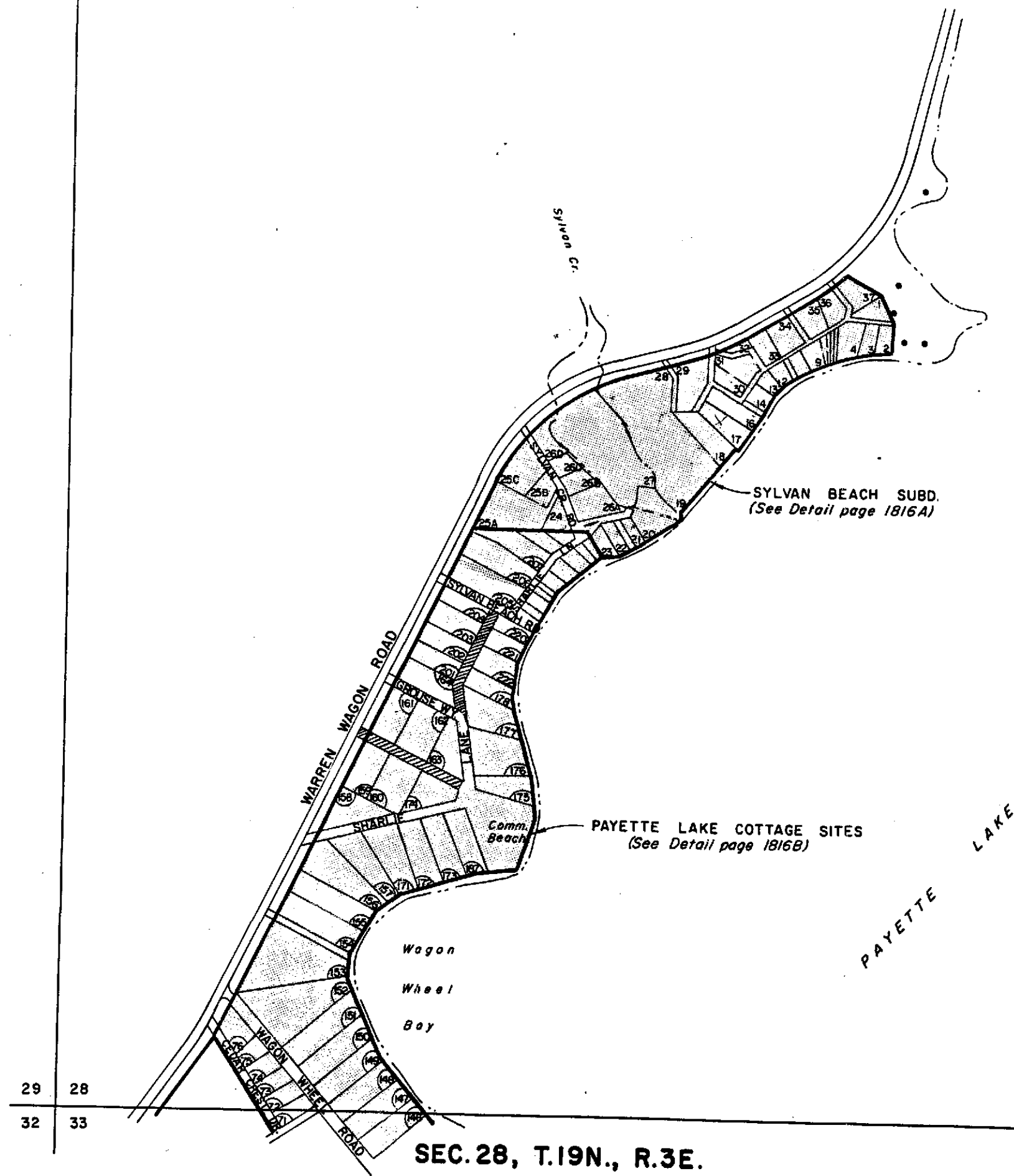
LOTS 207-213 IN LOT 3
SEC 28 TWP 19 NR 3 EBM



SEC. 28, T. 19N., R. 3E.



VALLEY COUNTY



	1800	
1800	PAGE 1816	1800
	1818	



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 22, 2000

Allen Derr
Attorney at Law
PO Box 1006
Boise, ID 83701-0098

Re: Sylvan Beach Mutual Corp water rights

Dear Mr. Derr:

I'm responding to your letter addressed to Karl Dreher dated January 25, 2000 concerning the water rights in the name of Sylvan Beach Mutual Corp.

A search of our records revealed two water rights in the name of the corporation. Water right 65-02154 authorizes domestic uses for 64 homes and the irrigation of four acres utilizing storage facilities with Sylvan Creek and Wagon Wheel Bay Creek as sources. This right was decreed in the Payette River Basin Adjudication and a partial decree has been issued by the Snake River Basin Adjudication court.

The second right in the name of the corporation is license 65-13012 which supplements water right 65-02154. 65-13012 authorizes domestic uses for 64 homes and the irrigation of six acres using Big Payette Lake as a source. This right did not require a filing in either the Payette River Basin or the Snake River Basin Adjudication proceedings. A field exam by one of the departments agents in 1991 indicated that both water rights serve a common delivery system to the places of use.

In addition to the two rights in the name of the corporation, there are a number of other water rights from the same sources in the names of individuals that may overlap some of the lots covered by the corporation's water rights.

Your inquired as to whether all of the property owners of lots in Payette Lakes Cottage Sites were beneficiaries of the corporation's water rights. My response is the two water rights cover the 64 domestic units and six acres of irrigation that have historically used water from the delivery system. It appears all of Sylvan Beach Subdivision is covered by the two rights but only part of the Payette Lakes Cottage Sites. If there are currently more than 64 domestic uses or more than six acres of irrigation served by the system, another water right would be required for the additional uses.

If you have any questions or need additional information please call me at the number below.

Cordially,

A handwritten signature in cursive script that reads "Mel Schulte".

Mel Schulte

Senior Water Rights Agent

208-334-2190

WR5809NP
No. 65-13012

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/22/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SYLVAN BEACH MUTUAL CORP C/O ALLEN R DERR PO BOX 1006 BOISE ID 83701-1006 (208) 342-2674	11/22/1988	IRRIGATION DOMESTIC	04/15 10/15 01/01 12/31	0.080 CFS 0.170 CFS	11.10 AFA 38.40 AFA
TOTAL DIVERSION:					0.170 CFS	49.50 AFA

Water Source: BIG PAYETTE LAKE

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: LICENSE

Point(s) of Diversion Capacity: 0.170 CFS

Point(s) of Diversion: T19N R03E S28 Lot 03(NENESW)

VALLEY County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE								
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
19N	03E	28	:			02-02	:			.8	:	03-.6	:							3.7
TOTAL ACRES																			3.7	

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: VALLEY

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

65-08267	65-08458	65-08459	65-09513	65-10156	65-10230	65-10231	65-10399	65-12091	65-12294
65-12482	65-12650	65-12783	65-12906	65-12964	65-12980	65-13097	65-13478		

Other Water Rights Listing Overlapping Place(s) of use:

65-02154 65-10425 65-13683

Conditions of Approval:

- 047 - The availability of water for this right is subject to all
- prior water rights of Lake Reservoir Co.
- 004 - The issuance of this right does not grant any right-of-way
- or easement across the land of another.
- R04 - Use of water under this water right will be regulated by the
- watermaster of State Water District No. 65.
- R49 - This right when combined with all other rights shall provide no
- more than .03 cfs per acre nor more than 3.0 afa per acre for
- irrigation of the lands above.

Remarks: GEN This right, when combined with all other rights for the
same property, shall not provide domestic use for more than 64
homes.
Domestic use is for 64 homes.

WR5809NP
No. 65-13012

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/22/00
PAGE: 2

=====
Dates: App. Received: 11/22/1988 Priority Date: 11/22/1988
Proof Due Date: 10/01/1990 Proof Made Date: 10/18/1989
Exam Made Date: 08/06/1991 Exam Sent to S.O.: 03/19/1993
Licensed Date: 09/10/1993

Misc: Water District Number: 65 Field Exam Fee: R (Received)

Audit: 04/14/89 GARRETT 08/28/89 CURTIS 08/30/89 CURTIS 09/01/89 CURTIS
12/28/89 CURTIS 08/12/91 GARRETT 03/19/93 TAYLOR 05/05/93 CHAPMAN
05/06/93 CHAPMAN 09/13/93 CHAPMAN 09/20/95 SCURTIS 02/08/98 CLEARFLD

RECEIVED

JAN 26 2000

Allen Derr

Attorney and Counselor at Law Department of Water Resources

Imperial Plaza

Suite 8-First Floor

200 North 3rd Street

P.O. Box 1006

Boise, Idaho 83701-1006

Telephone (208)342-2674

1-800-813-5169

Fax (208)342-2676

RECEIVED

JAN 28 2000

WATER RESOURC
WESTERN REGIO.

January 25, 2000

Karl J. Dreher
Director
Idaho Department of Water Resources
1301 North Orchard
P.O. Box 83720
Boise, Idaho 83720-0098

Re: Sylvan Beach Mutual Corp water rights
#65-02154

Dear Director Dreher:

I represent Sylvan Beach Mutual Corporation, and Idaho Corporation.

Enclosed is a copy of your December 8, 1999, individual listing from Director's Report.

It was my understanding that all the property owners of lots in Payette Lakes Cottage Sites Subdivision, Valley County, State of Idaho, were beneficiaries of the corporation's water rights.

Is this correct?

Enclosed is a list of owners with most of their lot descriptions.

Sincerely,

Allen Derr

cc: Jimmy A. Donald

Idaho State Bar No. 911



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

December 8, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

65-02154
SYLVAN BEACH MUTUAL CORP
C/O ALLEN DERR DIRECTOR
PO BOX 1006
BOISE ID 83701-1006

RE: Water Rights in Reporting Area 15, Basin 65
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your water right(s) in part 1 of basin 65 (the North Fork of the Payette River drainage area). We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended right(s) in your area. Water rights for nearly all domestic and/or stockwater rights were recommended separately in an earlier report, and most of those now have been decreed by the SRBA Court.

Note you have 120 days in which to review the water rights of other claimants and to file any objection to our recommendations. Information on the other water rights can be found at the county courthouses in Cascade, Idaho City, Emmett, Payette, and Weiser, and at all of the Idaho Department of Water Resources offices (see addresses in enclosure).

If the SRBA Court does not receive an objection to our recommendation from you and no other party objects to your water right, your water right will be decreed early next year as recommended. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions you have about your water right(s) or this adjudication process.

Sincerely,

Karl J. Dreher
Director

Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-02154

NAME AND ADDRESS: SYLVAN BEACH MUTUAL CORP
C/O ALLEN DERR DIRECTOR
PO BOX 1006
BOISE ID 83701-1006

SOURCE: SYLVAN CREEK TRIBUTARY: BIG PAYETTE LAKE
WAGON WHEEL BAY CREEK BIG PAYETTE LAKE

QUANTITY: 2.00 CFS

PRIORITY-DATE: 02/19/1913

POINT OF DIVERSION T19N R03E S20 SENE Within VALLEY County
S28 NENW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-15 10-15	0.08 CFS
	IRRIGATION STORAGE	01-01 12-31	10.0 AFY
	IRRIGATION FROM STORAGE	03-15 11-15	10.0 AFY
	DOMESTIC 64 HOMES	01-01 12-31	1.92 CFS
			14.1 AFY
	DOMESTIC FROM STORAGE	01-01 12-31	10.0 AFY
	DIVERSION TO STORAGE	01-01 12-31	1.00 CFS

PLACE OF USE: IRRIGATION Within VALLEY County
T19N R03E S28 LOT 2 (SWNE) 2 LOT 3 (NESW) 2
4 ACRES TOTAL

Place of use for IRRIGATION FROM STORAGE is same as IRRIGATION

Place of use for DOMESTIC is same as IRRIGATION

Place of use for DOMESTIC FROM STORAGE is same as IRRIGATION

OTHER MATTERS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE, SECTION 42-1412(6) IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
PLACE OF USE ALSO KNOWN AS LOTS 5, 6, 7, 8, 9, 10, 33, 35, 36,
TAX 5, TAX 25, AND WEST 10' OF LOT 11, SYLVAN BEACH SUBDIVISION

January 19, 2000

Allan,

I have tried to write down the legal descriptions that I have from the covenants. The ones that are lengthy I will just send a fax. You will notice that several are missing.

I will not be home Thursday, so I decided to fax what information I do have. Please feel free to call me Friday at home. My number is: 342-5829.

I hope this is helpful.

Jan Gudmundsen Eby

⁶
~~11/19/2000~~ pages including
cover sheet.

Jess Rutledge
10050 W. Seneca Drive
Boise, ID 83709

LOTS 207 + 213 IN LOT 3
SEC 28 TWP 19 NR 3 EBM

**MEMBERSHIP MAILING LIST
SYLVAN BEACH MUTUAL CORPORATION**

John D. Allan
616 E. Highland Dr.
Boise, ID 83702

LOT 19A - PT TAX #13 IN GOVT LOT 2
IN SENW SEC 28 TWP 19 NR 3 EBM

Marcia E. Clark
P.O. Box 788
McCall, ID 83638

missing

Thomas J. Cooney
2111 Hyde St.
San Francisco, CA 94109

TAX #17 PT LOT 26D IN SENW SEC. 28
TWP 19 NR 3 EBM

Jack Dahl
2396 North Overview Place
Boise, ID 83702

missing

Christopher Davidson
2713 East Rhyolite Drive
Boise, ID 83712

SEE MARGORIE DAVIDSON

Margorie Davidson
P. O. Box 146
McCall, ID 83638

LOT 19C in LOT 3 SEC. 28 TWP 19 NR 3 EBM
TAX #9A, Pt LOT 29 in SE NW Sec. 28, TWP 19 NR 3 EBM
WEST PT LOT 27 in SE NW Sec. 28 TAX #14, TWP 19 NR 3 EBM
LOT 19D in LOT 3 SEC. 28 TWP 19 NR 3 EBM
SYLVAN BEACH Pt. LOT 28 TAX #10 - 11A SEC 28 TWP 19 NR 3

Peter Davidson
620 Holly
Boise, ID 83712

MISSING

Andrea L. Davidson
420 Elk Street
Grangeville, ID 83530

MISSING

Bonnie Davis
c/o Scott W. McGraw
487 S. Walnut
Monmouth, OR 97361

LOT 205 + 218 IN LOT 3 SEC 28 TWP 19 NR 3 EBM

Allen Derr
P.O. Box 1006
Boise, ID 83701

LOT 219 IN LOT 3 SEC 28 TWP 19 NR 3 EBM

Jim Donald
3115 Edson
Boise, ID 83705

MISSING

Kent Doss
P. O. Box 1208
Maple Valley, WA 98038

MISSING

Pat Droubay Hughes
1930 S Chokecherry Dr.
Bountiful, UT 84010

LOT 213 IN LOT 3 SEC 28 TWP 19
NR3 EBM

Ertters Property LLP
c/o Gary Ertter
P. O. Box 524
McCall, ID 83638

MISSING

Willy Gorrisen
8916 Randall Drive
Gig Harbor, WA 98332

MISSING

Betty Gregorie
3696 No. Sawgrass Way
Boise, ID 83704

PT TAX #13 IN SEC 28 19 3EBM

R.E.T.J
c/o Jan Gudmundsen Eby
2787 S. Armada Place
Boise, ID 83706

LOT 204 IN LOT 3 SEC 28 TWP 19 NR3 EBM
LOT 204 EXCEPTING SOUTH 5 FEET THEREOF
BEING 5 FEET IMMEDIATELY ADJACENT TO THE BOUNDARY
LINES OF LOTS 204 + 203

Col. Jon C. Hill
305 East Park Street
#443
McCall, ID 83638

SEE HETTINGER

Barbara B. Knipe
P.O. Box 546
McCall, ID 83638

LOT 3 + TAX # 4

Sandra Lancaster
4545 Silver Leaf Ext.
Emmett, ID 83617

LOTS 207 + 213 IN LOT 3 SEC 28
TWP 19 NR3 EBM

Helen Landon
C/O Fred and Kathy Todd
6205 Kirkwood
Boise, ID 83709

LOT 217 IN LOT 3 SEC 28
TWP 19 NR3 EBM

Gladys Langroise
c/o First Security Bank
Trust Real Estate Department
ATTN: Sharon Millward
P.O. Box 2618
Boise, ID 83701

MISSING

Catherine H. Leeson
1612 Braemere
Boise, ID 83702

MISSING

Geraldine H. Lowell
c/o W. H. Harbert
Wells Fargo Bank ATT: Connie Cervantes
P.O. Box 3075
Portland, OR 97208

LOT 13 + LOT 12 IN
LOT 2 SEC 28 TWP 19
NR 3 EBM

Thomas Malson
2819 Greenvale Place
Nampa, ID 83651

PT LOT 206 ALL LOT 216
IN LOT 3 SEC 28 TWP 19
NR 3 EBM

Mr. & Mrs. Ronald Marsden
6041 Oreana Drive
Boise, ID 83709

MISSING

McGud Properties
c/o Robert Gudmundsen
10322 Estate Drive
Boise, ID 83709

LOT 23 IN LOT 3 SEC 28 TWP 19
NR 3 EBM

Victoria Seibert Patterson
11303 Hickory Loop Drive
Boise, ID 83713

MISSING

Richard Q. Perry
2730 Highland Dr. No. 2
Salt Lake City, UT 84106

MISSING

Doug Porter
964 East Curling Drive
Boise, ID 83702

MISSING

Bette L. Rasmussen
1937 S. Roosevelt
Boise, ID 83705

LOT #16 IN LOT 2, SYLVAN BEACH SUBDIVISION - Amended Plat
Payette Lakes Cottage Site of 1938; NE corner of Lot 28,
thence easterly along the South Boundary of the Wagon
Road 45 feet to a point, thence South 53°, 41 feet
East 145 feet more or less to a point, which is the NE
corner of lot 16; thence South 30, 25 feet, West 88.8 feet
a point thence North

Article VI Trust
FBO Bette Rasmussen
1937 S. Roosevelt
Boise, ID 83705

LOT 17 IN LOT 2 SEC 28
TWP 19 NR 3 EBM

Catherine Shandro
1400 Johnson Street
Boise, ID 83705

MISSING

James P. Shannafelt
10520 Stardust Drive
Boise, ID 83709

MISSING

Carl H. Shaver
P.O. Box 7278
Boise, ID 83707

MISSING

J.R. Simplot Industries
ATT: Ron Graves
P.O. Box 27
Boise, ID 83707

MISSING

Frank Stoppello
620 W. Hays
Boise, ID 83702

SW 25' LOT 21 + LOT 22 IN LOT 3 SEC 28
19 NR 3 EBM

Felix W. Urbush
915 Brairwood Dr.
Nampa, ID 83651

LOT 212 IN LOT 3
SEC 28 TWP 19 NR 3 EBM

James F. Wallace
1101 Shoshone
Boise, ID 83705

MISSING

Wells Properties
Susan Mather
3003 Hill Road
Boise, ID 83703

LOTS 209 + 210 IN LOT 24.

Douglas S. Westwater
401 East Pedregosa Street
Santa Barbara, CA 93103

LOT 18 IN LOT 2 SEC 28
TWP 19 NR 3 EBM

AJ0749NP
No. R65-02154

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

DATE: 09/21/99
PAGE: 1

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OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SYLVAN BEACH MUTUAL CORP C/O ALLEN DERR DIRECTOR PO BOX 1006 BOISE ID 837011006 (208) 342-2674	02/19/1913	IRRIGATION	04-15 10-15	0.080 CFS	
			IRRIGATION STORAGE	01-01 12-31		10.00 AFA
			IRRIGATION FROM STORAGE	03-15 11-15		10.00 AFA
			DOMESTIC	01-01 12-31	1.920 CFS	14.10 AFA
			DOMESTIC FROM STORAGE	01-01 12-31		10.00 AFA
			DIVERSION TO STORAGE	01-01 12-31	1.000 CFS	
TOTAL DIVERSION:					2.000 CFS	

Water Source: SYLVAN CREEK
WAGON WHEEL BAY CREEK

Tributary to: BIG PAYETTE LAKE
BIG PAYETTE LAKE

Stage: DECREED

Point(s) of Diversion: T19N R03E S20 SENE
S28 NENW

VALLEY County
VALLEY County

Place of use Legal Description for: IRRIGATION

NE																NW				SW				SE				
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	: SUM			
19N	03E	28	:								:								:						:	4.0		
			:								:								:						:	4.0		
TOTAL ACRES																												

Place of use location for IRRIGATION FROM STORAGE is the same location as described for: IRRIGATION

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Place of use location for DOMESTIC FROM STORAGE is the same location as described for: IRRIGATION

POU County: VALLEY

Non-Irrigation Uses: 64 HOMES

Other Rights: 65-13012

Remarks: EXP PLACE OF USE ALSO KNOWN AS LOTS 5, 6, 7, 8, 9, 10, 33, 35, 36,
TAX 5, TAX 25, AND WEST 10' OF LOT 11, SYLVAN BEACH SUBDIVISION

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

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

AJ0749NP
No. R65-02154

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

DATE: 09/21/99
PAGE: 2

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Comments: Date: 08/26/1999 User-ID: KWALKER Subject: COPIED FROM REMARKS
WAGON WHEEL BAY CREEK IS DIVERTED TO SYLVAN CREEK RESERVOIR.
SOURCES FOR THIS RIGHT ARE WAGON WHEEL BAY CREEK & SYLVAN CREEK.
D/HOUSEHOLDS SERVED ARE WITHIN PAYETTE LAKES COTTAGE SITES SUBD.
PAGE 611,VOLUME 2-SURFACE WATER,PROPOSED FINDINGS PAYETTE RIVER
BASIN.

Date: 08/26/1999 User-ID: KWALKER Subject: RECOMMENDATIONS
CLAIMED AND RECOMMENDED SAME AS PREVIOUS DECREE.

Date: 09/21/1999 User-ID: LHARRIS Subject: IRRIGATION STORAGE
YEAR ROUND STORAGE FOR IRRIGATION WAS ADDED TO THIS RIGHT SINCE
IT IS NO LONGER A GENERAL PROVISION IN THE SRBA.

Audit: 09/21/99 LHARRIS

AJ0749NP
No. R65-02154

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

DATE: 08/26/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SYLVAN BEACH MUTUAL CORP % ALLEN DERR DIRECTOR PO BOX 1006 BOISE ID 837011006 (208) 342-2674	02/19/1913	IRRIGATION IRRIGATION FROM STORAGE DOMESTIC DOMESTIC FROM STORAGE DIVERSION TO STORAGE	04-15 10-15 03-15 11-15 01-01 12-31 01-01 12-31 01-01 12-31	0.080 CFS 1.920 CFS 1.000 CFS	 10.00 AFA 14.10 AFA 10.00 AFA
TOTAL DIVERSION:					2.000 CFS	

Water Source: SYLVAN CREEK
WAGON WHEEL BAY CREEK

Tributary to: BIG PAYETTE LAKE
BIG PAYETTE LAKE

Stage: DECREED

Point(s) of Diversion: T19N R03E S20 SENE
S28 NENW

VALLEY County
VALLEY County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
19N	03E	28	:			02-02		:					:	03-02				:					:	4.0
TOTAL ACRES																							4.0	

Place of use location for IRRIGATION FROM STORAGE is the same location as described for: IRRIGATION

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Place of use location for DOMESTIC FROM STORAGE is the same location as described for: IRRIGATION

POU County: VALLEY

Non-Irrigation Uses: 64 HOMES

Other Rights: 65-13012

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

65-19270 A65-02154

Other Water Rights Listing Overlapping Place(s) of Use:

A65-02154 A65-10425 A65-10425A R65-10425A

Remarks: EXP PLACE OF USE ALSO KNOWN AS LOTS 5, 6, 7, 8, 9, 10, 33, 35, 36,
TAX 5, TAX 25, AND WEST 10' OF LOT 11, SYLVAN BEACH SUBDIVISION

Dates: Exam Made Date: Verified Date: 08/26/1999 Objection Filed Date:

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

AJ0749NP
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D/HOUSEHOLDS SERVED ARE WITHIN PAYETTE LAKES COTTAGE SITES SUBD.
PAGE 611,VOLUME 2-SURFACE WATER,PROPOSED FINDINGS PAYETTE RIVER
BASIN.

Date: 08/26/1999 User-ID: KWALKER Subject: RECOMMENDATIONS
CLAIMED AND RECOMMENDED SAME AS PREVIOUS DECREE.

Audit: 08/26/99 KWALKER

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

RECEIVED
JAN 8 1974

IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHT TO THE USE OF THE SURFACE AND GROUND WATERS OF THE PAYETTE RIVER DRAINAGE BASIN

NOTICE OF CLAIM
TO A
WATER RIGHT

IDENT. NO.

MAP NO.

65-2154

Amended
Department of Water Administration

Notice is hereby given that THE ESTATE OF LULA B. McDONALD, Deceased

(Name of Claimant)

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) May 1, 1945
- (2) Describe source of water: (Name of stream, lake, spring, etc., or subterranean) Sylvan Creek, as a part of the Sylvan Reach Association; and pumping from 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: (Both Dates Inclusive)
Use Domestic and Irrigation Period of Use From 1945 To 1974
Use (Domestic, Irrigation, stock, etc.) (Mo., Day) (Mo., Day) (Both Dates Inclusive)
Use (Domestic, Irrigation, stock, etc.) (Mo., Day) (Mo., Day) (Both Dates Inclusive)
Use (Domestic, Irrigation, stock, etc.) (Mo., Day) (Mo., Day) (Both Dates Inclusive)
- (4) Quantity of water claimed: Cubic Feet Per Second, or 0.78 Acre Feet Per Annum, and/or 100 Gals. Per Minute.
- (5) A) Point of Diversion: Give location of point where water is diverted from its source. 1/4 Sec. Twp. Rge. 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.

- (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.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
10N	3	28																	
			Lots 3, 6, 7, 9, 10, 35 and Tax 5 in Lot 2, Sylvan Reach Subdivision																
			Lots 1 & 35 in Lot 2, Sylvan Reach Subdivision																
			West 1/4 of Lot 11, Lot 33 and Tax 25 in Lot 2 Sylvan Reach Subdivision.																

(Water is beneficially applied from the two sources to all lots for domestic and irrigation purposes.)

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

- (7) Effluent, sewage waste, or return water from this use is discharged into: Septic Tank with approved drain field. Will connect sewer when possible.
- (8) If you are claiming water as a member of an organization, list name of organization: In part as individual and in part as member of Sylvan Reach Assn.
- (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

Jan. 7, 1974

(Date)

State of Idaho ss. Organization Seal
County of Ada

On this 7th day of January, 1974, in the year 1974, before me, a notary public, personally appeared Robert E. Smith, 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 Aug. 15, 1974

(Signature of Claimant)
ESTATE OF LULA B. McDONALD
(Signature of Spouse)
Organization W. E. Smith, Attorney for
the Estate of L. B. McDONALD, Boise, Id.
(Signature of Authorized Agent)

$$64 \text{ homez} \times 400 \text{ gal/da} \times 30 \text{ da} \times 6 \text{ mo} = 4608000$$

$$325900 \overline{) 460800} = 14.1 \text{ AF}$$

$$64 \times .03 = 1.92 \text{ cSS Domestic}$$

$$.02 \times 4 = .08$$

$$\text{Total } \underline{2.00}$$

State of Idaho License and Certificate of Water Right

Water License No. 9120
Water District No. 20-K

Amount 2.95 c. ft.
Priority 2-19-13

THIS IS TO CERTIFY that CHARLES H. NELSON of Lardo, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated February 19, 1913; that Permit No. 9120 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 3.5 second feet, was issued thereunder on October 8, 1917, showing that said works were completed on the 17th day of September, 1917; and that on the 10th day of December, 1931,

CHARLES H. NELSON of McCall, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Wagon Bay Creek, a tributary of Fayette Lake, for the purpose of irrig., domestic & power use; under Use Permit No. 9120 of the State Engineer and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 6 of Licenses, at page 2977, on the 28 day of October, 1922;

The right hereby confirmed dates from February 19, 1913;

The Point of Diversion is located northwest corner of
in the 1/4 SE 1/4 Sec. 20, T. 19 N., R. 3 E., B. M.

County of Valley
That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed two cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
19 N.	3 E.	20	Lot 2 Lot 3 SE 1/4 NW 1/4	100	4
Water in the amount of 1.95 cu. ft. per second used for Domestic purposes on Lot 2, Sec. 20, T. 19 N., R. 3 E., B. M.					

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this second day of October, 1922.

W. J. SWENDBERG
Commissioner of Reclamation.

(SEAL)

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-13012

Priority: November 22, 1988

Maximum Diversion Rate:

0.17 CFS

Maximum Diversion Volume:

49.5 AF

This is to certify, that SYLVAN BEACH MUTUAL CORP

C/O ALLEN R DERR

PO BOX 1006

BOISE ID 837011006

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 22, 1988; and has submitted Proof of Beneficial Use on October 18, 1989. An examination indicates that the works have a diversion capacity of .170 cfs of water from:

PAYETTE LAKE

tributary to PAYETTE RIVER, NORTH FORK

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.08 CFS	11.1 AF
DOMESTIC	01/01 to 12/31	0.17 CFS	38.4 AF
Totals		0.17 CFS	49.5 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 3(NENESW), Sec. 28, Township 19N, Range 03E
VALLEY County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
19N	03E	28	Lot 2(SWNE) 2.3	SESW 0.8	Lot 3(NESW) 0.6	3.7

Total number of acres irrigated: 3.7

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

WATER RIGHT LICENSE

WATER RIGHT NO. 65-13012

CONDITIONS/REMARKS:

5. The availability of water for this right is subject to all prior water rights of Lake Reservoir Co.
6. The issuance of this right in no way grants any right-of-way or easement across the land of another.
7. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
8. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 3.0 afa per acre for the lands above.
9. This right, when combined with all other rights for the same property, shall not provide domestic use for more than 64 homes.
10. Domestic use is for 64 homes.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 10TH day of September, 1993.

Acting for  R. Keith Higginson, Director

INDICATES TOTAL

SOURCE: SYLVAN CREEK

TRIBUTARY TO: BIG PAYETTE LAKE

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-2154	SYLVAN BEACH MUTUAL CORP. P. O. BOX 7278, BOISE, IDAHO 83707 REMARKS: WAGON WHEEL BAY CREEK IS DIVERTED TO SYLVAN CREEK RESERVOIR. SOURCES FOR THIS RIGHT ARE WAGON WHEEL BAY CREEK & SYLVAN CREEK.	2/19/1913	IRRIGATION	4/15 10/15	--- AFA* .08 CFS	NENH S28 T19N R 3E SENE S20 T19N R 3E	LOT 2(2) LOT 3(2) S28 T19N R 3E *4*	LICENSE
			DOMESTIC	1/ 1 12/31	14.10 AFA 1.92 CFS		SAME AS OTHER USE	
			DOMESTIC	1/ 1 12/31	10.00 AFA --- CFS		SAME AS OTHER USE	
			FROM STOR IRRIGATION	3/15 11/15	10.00 AFA --- CFS		SAME AS OTHER USE	
			FROM STOR DIVERSION TO STORAGE	1/ 1 12/31	--- AFA 1.00 CFS *---*AFA *2.00*CFS		SAME AS OTHER USE	
65-8471	HARBERT, SUE A. 2318 BANNOCK STREET, BOISE, IDAHO 83706 REMARKS: LOT 12, SYLVAN BEACH SUBDIVISION.	4/ 1/1943	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	LOT 2 S28 T19N R 3E	LOT2 S 2 T19N R 3E	BENEFICIAL USE
65-8472	LOWELL, GERALDINE C/O SUE A. HARBERT, 2318 BANNOCK STREET, BOISE, IDAHO 83706 REMARKS: LOT 13, SYLVAN BEACH SUBDIVISION.	4/ 1/1943	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	LOT 2 S28 T19N R 3E	LOT2 S28 T19N R 3E	BENEFICIAL USE
65-9001	CORNEY, THOMAS J. & COURNEY, JOAN C. 2111 HYDE STREET, SAN FRANCISCO, CALIF. 94109 REMARKS: LOTS 260 & 27, SYLVAN BEACH SUBDIVISION.	6/ 1/1947	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	LOT 2 S28 T19N R 3E	LOT2 S28 T19N R 3E	BENEFICIAL USE
65-10399	SEIBERT JR., EDWARD F. & SEIBERT, JANET C. 1408 SHOSHONE, BOISE, IDAHO 83705 REMARKS: LOT 20, SYLVAN BEACH SUBDIVISION IN LOT 192 & 186 OF PAYETTE LAKES COTTAGE SITS.	5/ 1/1950	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	LOT 3 S28 T19N R 3E	LOT3 S28 T19N R 3E	BENEFICIAL USE
65-10231	GUDMUNDSEN, MAX J. 1515 WARM SPRINGS, BOISE, IDAHO 83702 REMARKS: LOT 21, SYLVAN BEACH SUBDIVISION.	11/ 1/1960	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	LOT 3 S28 T19N R 3E	LOT3 S28 T19N R 3E	BENEFICIAL USE



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

A65-02154

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 20, 1990

Allen R. Derr
Allen R. Derr & Associates
817 W. Franklin St.
P.O. Box 1006
Boise, ID 83701-1006

*4-12-91
Filed 10/6/88
Danni Smith*

RE: Notice of Claim to a Water Right
in the name of Sylvan Beach Mutual Corp.,
Permit No. 65-13012, Valley County

Dear Mr. Derr:

As you discussed on the phone with Helen Harrington, we are returning the above-referenced document to allow you the opportunity to withdraw the claim.

The Commencement Order initiating the Snake River Basin Adjudication was signed by Judge Hurlbutt on November 19, 1987; since the application for permit was not submitted until November of 1989, you are under no statutory obligation to file this claim. If you choose to submit this claim, please return it to this office and we will be happy to begin processing it.

Also enclosed is a copy of Notice of Claim A65-02154, which has been filed and processed.

If we can be of any further assistance, please do not hesitate to contact this office.

Sincerely,

John D. Carlson

John D. Carlson
Adjudication Supervisor

JDC:HHT:sf:state

Enclosures:

Notice of Claim to a Water Right
File Copy - A65-02154

MICROFILMED

SEP 18 1992

Allen R. Derr & Associates

Attorneys and Counselors at Law
Derr Building
817 West Franklin Street
P.O. Box 1006
Boise, Idaho 83701-1006

Telephone (208) 342-2674
Fax (208) 342-2676
Allen R. Derr
Fred J. Frahm

June 4, 1990

State of Idaho
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720

RECEIVED
JUN 5 1990

Department of Water Resources

Re: Snake River Adjudication

Attn: Gerald Grimmert

Dear Mr. Grimmert:

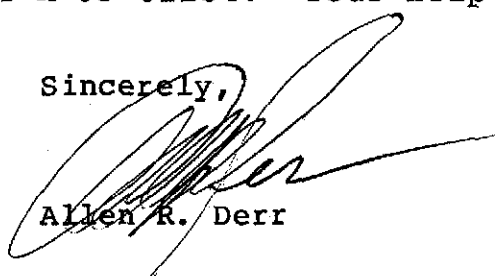
I wonder if you could check or have someone in your department check the Notice of Claim to a Water Right Acquired Under State Law which I have at least partially prepared on behalf of Sylvan Beach Mutual Corporation.

I want someone to check this before it is filed with the court, if you would be kind enough to do so.

This claim is for the lake pumping system which is used as an auxillary system to back up permit number A 65-02154.

Should we also be filing a Notice of Claim to a Water Right in respect to permit number A 65-02154? Your help is greatly appreciated.

Sincerely,


Allen R. Derr

ARD/pb
encl

MICROFILMED
SEP 18 1992

Allen R. Derr & Associates

Attorneys and Counselors at Law
Derr Building
817 West Franklin Street
P.O. Box 1006
Boise, Idaho 83701-1006

Telephone (208) 342-2674

Allen R. Derr
Fred J. Frahm

RECEIVED
MAY 10 1989

Department of Water Resources
Western Regional Office

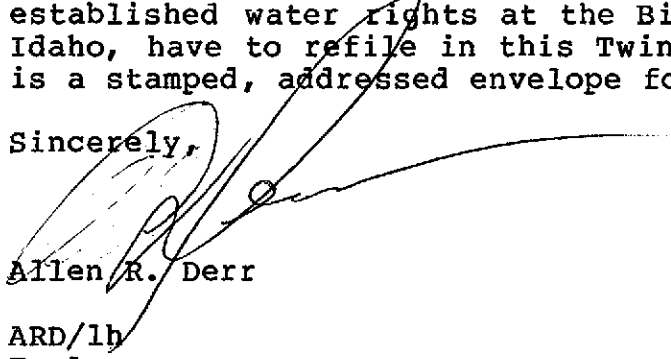
May 9, 1989

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

Dear Western Region Personnel:

Could you advise whether myself and my wife, Sylvan Beach Mutual Corporation, William Robert Davis, etc., who have previously established water rights at the Big Payette Lake, Valley County, Idaho, have to refile in this Twin Falls adjudication. Enclosed is a stamped, addressed envelope for a response.

Sincerely,


Allen R. Derr

ARD/lh
Encl.

MICROFILMED

SEP 18 1992

Telephone (208) 342-2674

Allen R. Derr

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Attorney and Counselor at Law

Fred J. Frahm

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817 West Franklin Street

P.O. Box 1006

Boise, Idaho 83701-1006

RECEIVED
SEP 6 1988

September 2, 1988

Department of Water Resources
Western Regional Office

Idaho Department of Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

Re: Snake River Basin Water System Adjudication

Dear I.D.W.R. Personnel:

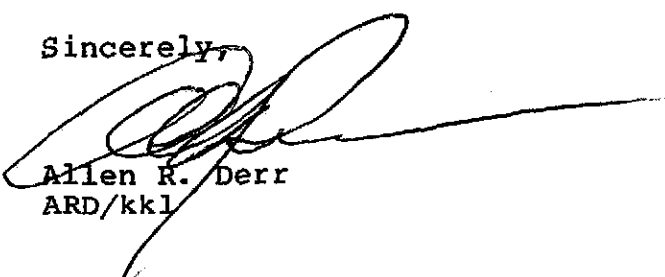
I represent Sylvan Beach Mutual Corporation, a non-profit Idaho Corporation. The Corporation's claim #65-2154 was for water from Wagonwheel Bay and Sylvan Creek for sixty-four (64) homes and irrigation of four (4) acres with priority date of 9-13-1913, was approved. The diversion rate was 2.0 cubic feet per second (900 gallons per minute) and storage of ten (10) acre feet.

Subsequent to claim #65-2154, Sylvan Beach Mutual also established a pump in the Payette Lake and has been using that for some years for an additional source of water for the same persons. Is there a water right for the Payette Lake water diversion?

Also, I wonder if I could set an appointment to talk to somebody about the best way to handle the Sylvan Beach Mutual claim or claims. The corporation maintains the water lines and serves it's members all property owners, Payette Lakes Cottage sites and lot 3, section 28, township 19 north, range 3 east B.M. Membership stock certificates are only available to property owners and can not be transferred away from the property.

I need to know if we should include the names of these owners with a legal description in the notice to be filed by Sylvan Beach Corporation, or whether the property owners each need to file a separate claim.

Sincerely,


Allen R. Derr
ARD/kkl

MICROFILMED

SEP 18 1992