

**T10N R04E
S31, S32
& S33**

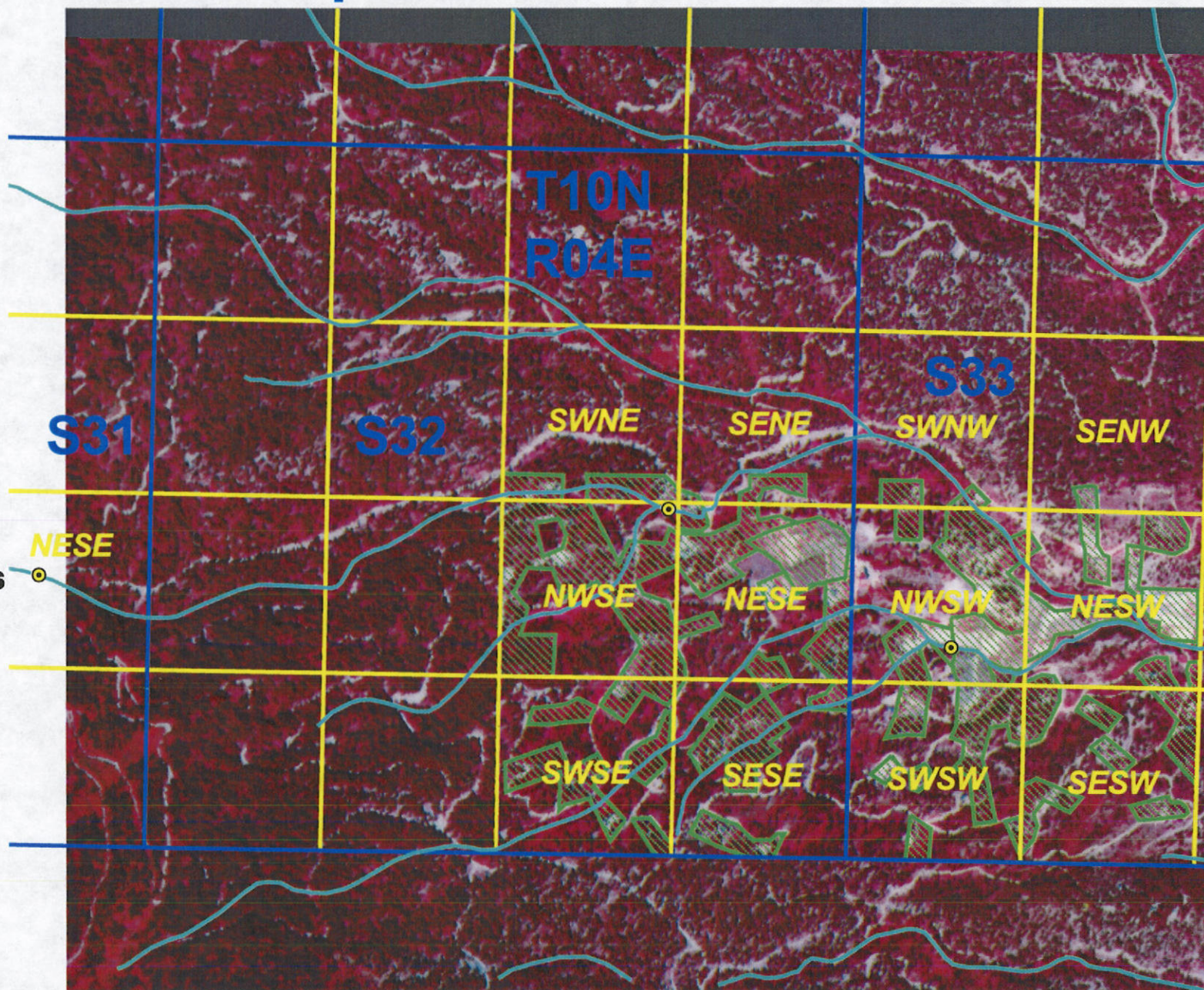
Idaho Department of Water Resources

**Claims: 65-03238
Owner : Castle Mtn
Creeks Own Ass'n
Prepared by: RDH
Date: 25 APR 00**

-  Place of use
-  POD
-  SECTION LINES
-  1/4 1/4



1987 NAPP



0 0.5 1 1.5 Miles

**T10N R04E
S31, S32
& S33**

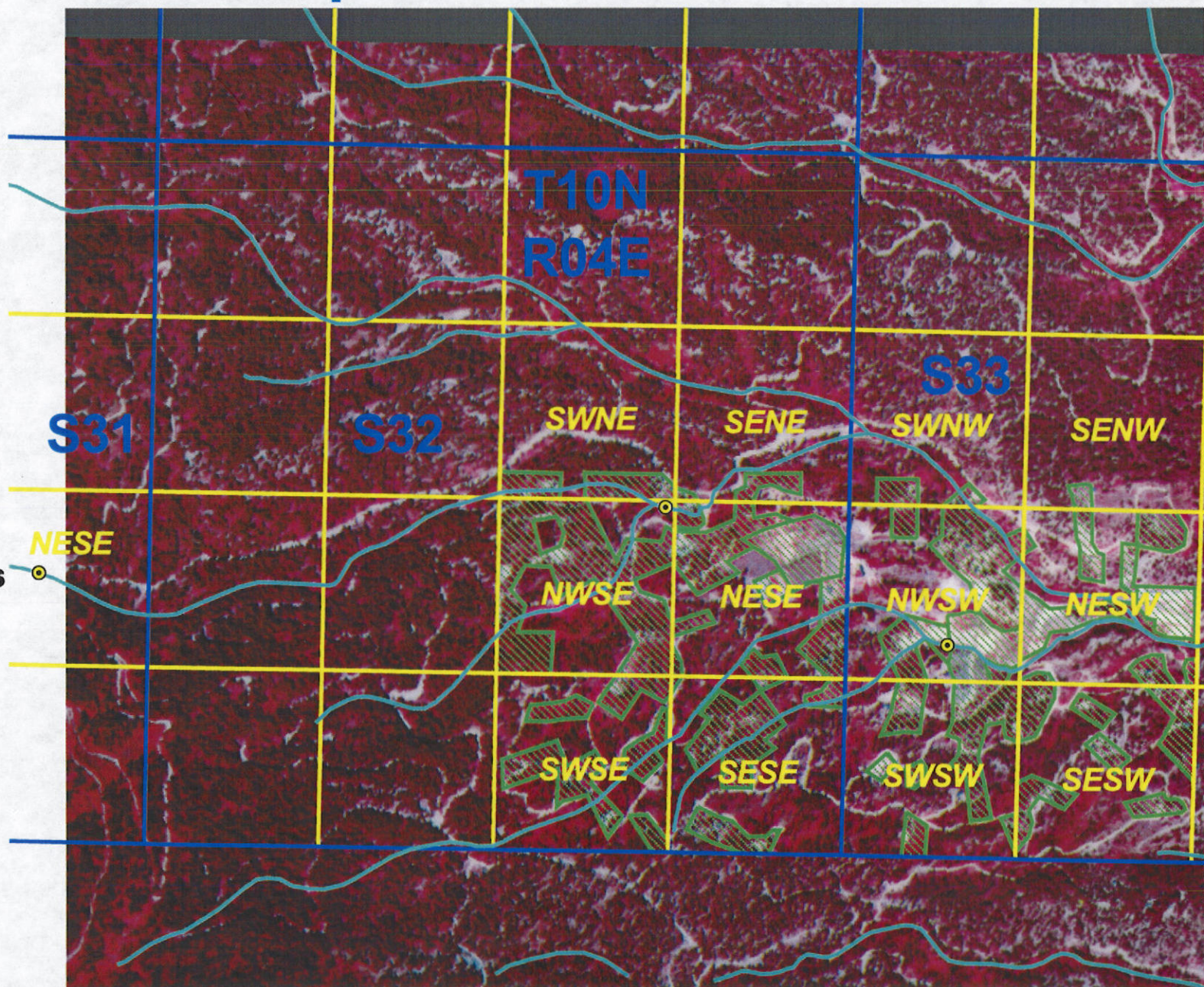
Idaho Department of Water Resources

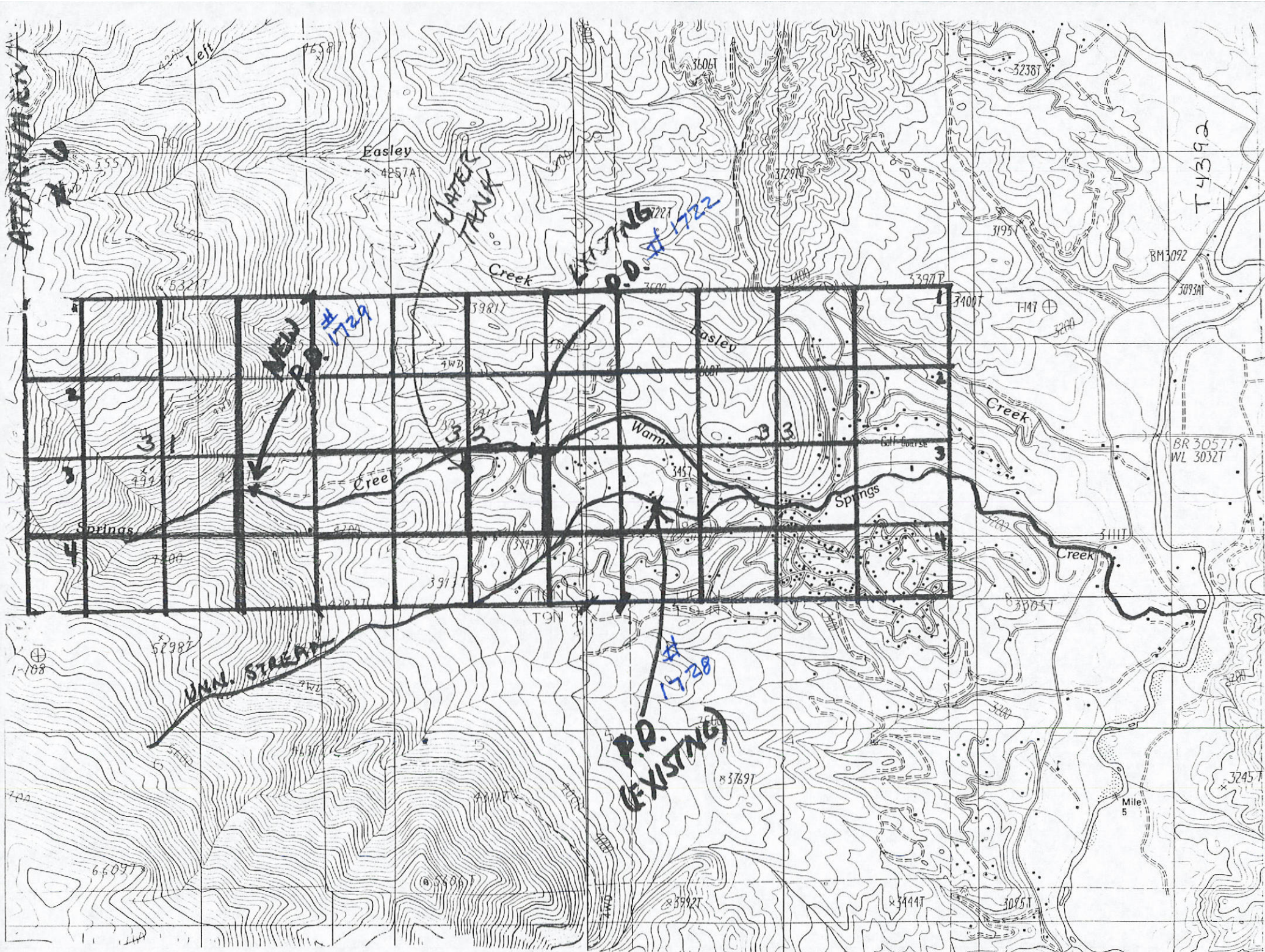
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-  Place of use
-  POD
-  SECTION LINES
-  1/4 1/4



1987 NAPP





U10, U11

TRANSFER PID MAP

AREAS within blue are
lots with water

CM#5

SE NW

CS | Page 33

Wm Sp #1
Amgen Exp

NE SW

SESE

یہاں پر

SE 20

Terrace Lake Inc.

RECEIVED

JAN 21 1988

Department of Water Resources
Western Regional Office

THE

MAY 15 1989

W 1/16 covered
5.33

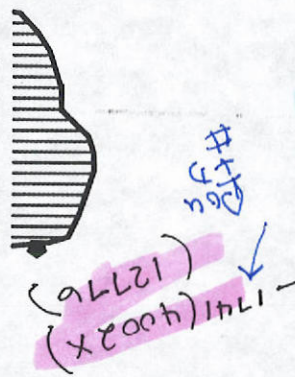
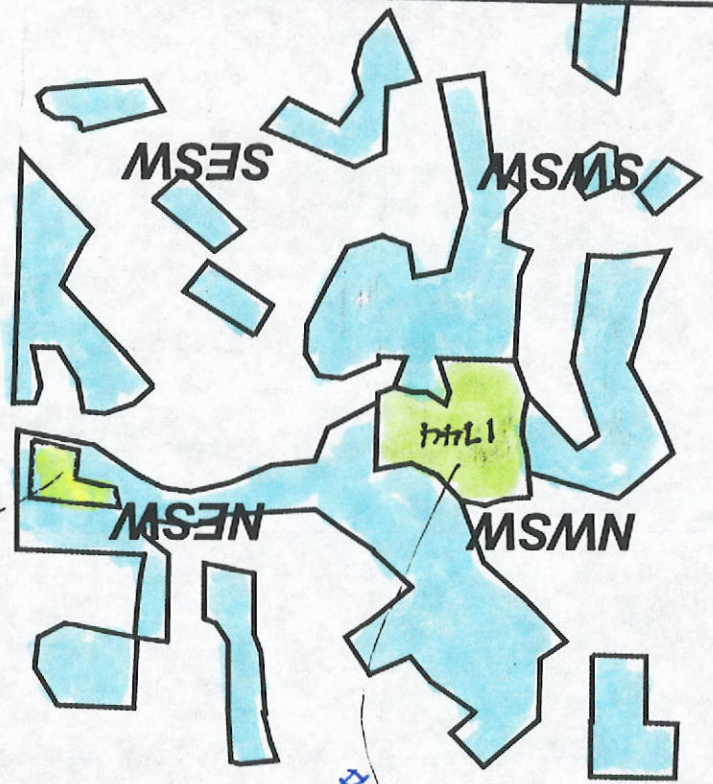
5 1/4 / 6 1/2
8 3/3

TRANSFER MAP

65-3238
65-12776



ALC-outramp
65-3238
65-12776



CASTLE MTD
HOME COURTES ASS'n
TRANSFER 4392

65-3238	Map No.
I.D. No.	Receipt No.
\$	Fee Paid

Star Route, Garden Valley, Idaho ✓ 83622 (Zip Code)
 (Mailing Address)
 Telephone No. 462-3232

(1) claims a right to the diversion and benefits therefrom, the water first applied to a beneficial use, or priority date of decree, licensed or permit right) _____
June 1, 1883 by decree; a copy of the portion of that decree is attached
Warm Springs Creek (tributary to the _____ above ground water)

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed: irrigation To 12-3 (Mo., Day) To 12-3 (Mo., Day) (Both dates inclusive)

Quantity 200 cfs. 200 (Domestic, irrigation, stock, etc.)

APPLICANT'S SIGNATURE [Signature] (Print Name) W. J. [Signature] (Print Name)

WITNESSES' SIGNATURE [Signature] (Print Name) [Signature] (Print Name)

Notary Public for the State of Utah My Comm. Expires 12-31-1960

2. Quantity 0.9 Use DOMESTIC Period of Use From 1-1 to 5-31
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day) (Both dates inclusive)

Quantity	Use	Period of Use From	(Mo., Day)	(Mo., Day)
			(Both dates inclusive)	
12	HEATING			
	(Domestic, irrigation, stock, etc.)			
	(CFS, GPD, AF)			

Quantity	Use	(Domestic irrigation, stock, etc.)	(Mo., Day) (Both dates inclusive)	(Mo., Day) (Both dates inclusive)
				0

(4) _____ CFS, GPD, A/F _____ TOTAL COUNTY _____
% _____

(5) A) Point of Diversion: Give location of point where water is diverted from its source NW SE
Sec. 32 Twp. 10 N., Rge. 4 E., B.M., Meridian NW SW County _____

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. Describe any changes in the system and give the date of the change. diversion

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

Tract	Acres	Total no. of acres
1	100	100
2	100	200
3	100	300
4	100	400
5	100	500
6	100	600
7	100	700
8	100	800
9	100	900
10	100	1000
11	100	1100
12	100	1200
13	100	1300
14	100	1400
15	100	1500
16	100	1600
17	100	1700
18	100	1800
19	100	1900
20	100	2000
21	100	2100
22	100	2200
23	100	2300
24	100	2400
25	100	2500
26	100	2600
27	100	2700
28	100	2800
29	100	2900
30	100	3000
31	100	3100
32	100	3200
33	100	3300
34	100	3400
35	100	3500
36	100	3600
37	100	3700
38	100	3800
39	100	3900
40	100	4000
41	100	4100
42	100	4200
43	100	4300
44	100	4400
45	100	4500
46	100	4600
47	100	4700
48	100	4800
49	100	4900
50	100	5000
51	100	5100
52	100	5200
53	100	5300
54	100	5400
55	100	5500
56	100	5600
57	100	5700
58	100	5800
59	100	5900
60	100	6000
61	100	6100
62	100	6200
63	100	6300
64	100	6400
65	100	6500
66	100	6600
67	100	6700
68	100	6800
69	100	6900
70	100	7000
71	100	7100
72	100	7200
73	100	7300
74	100	7400
75	100	7500
76	100	7600
77	100	7700
78	100	7800
79	100	7900
80	100	8000
81	100	8100
82	100	8200
83	100	8300
84	100	8400
85	100	8500
86	100	8600
87	100	8700
88	100	8800
89	100	8900
90	100	9000
91	100	9100
92	100	9200
93	100	9300
94	100	9400
95	100	9500
96	100	9600
97	100	9700
98	100	9800
99	100	9900
100	100	10000

NOTE: Include here the type and number of stock watered:
 (7) If you are claiming water as a member of an organization, list name of organization: Gordon Valley Associates
 (8) non-consumptive Pot Water Heating & Water
 (9) & General Partnership and AN Gordon partner
 Remarks

(9) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use. 1883 Decree 65-3238 ✓

☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give 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 this, her, their knowledge.

Individual

(Signature of Claimant)

(Signature of Spouse)

Organization Garden Valley Associates
A. M. Gardner
(Signature of Authorized Agent)

On this 1st day of December, 1978, in the year 1978, before me, a notary public, personally appeared L. W. Jordan, 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 other entity) executed the same.

Notary Public residing at Boise, Idaho

Idaho Department of Water Resources

T10N R04E
S32 & S33

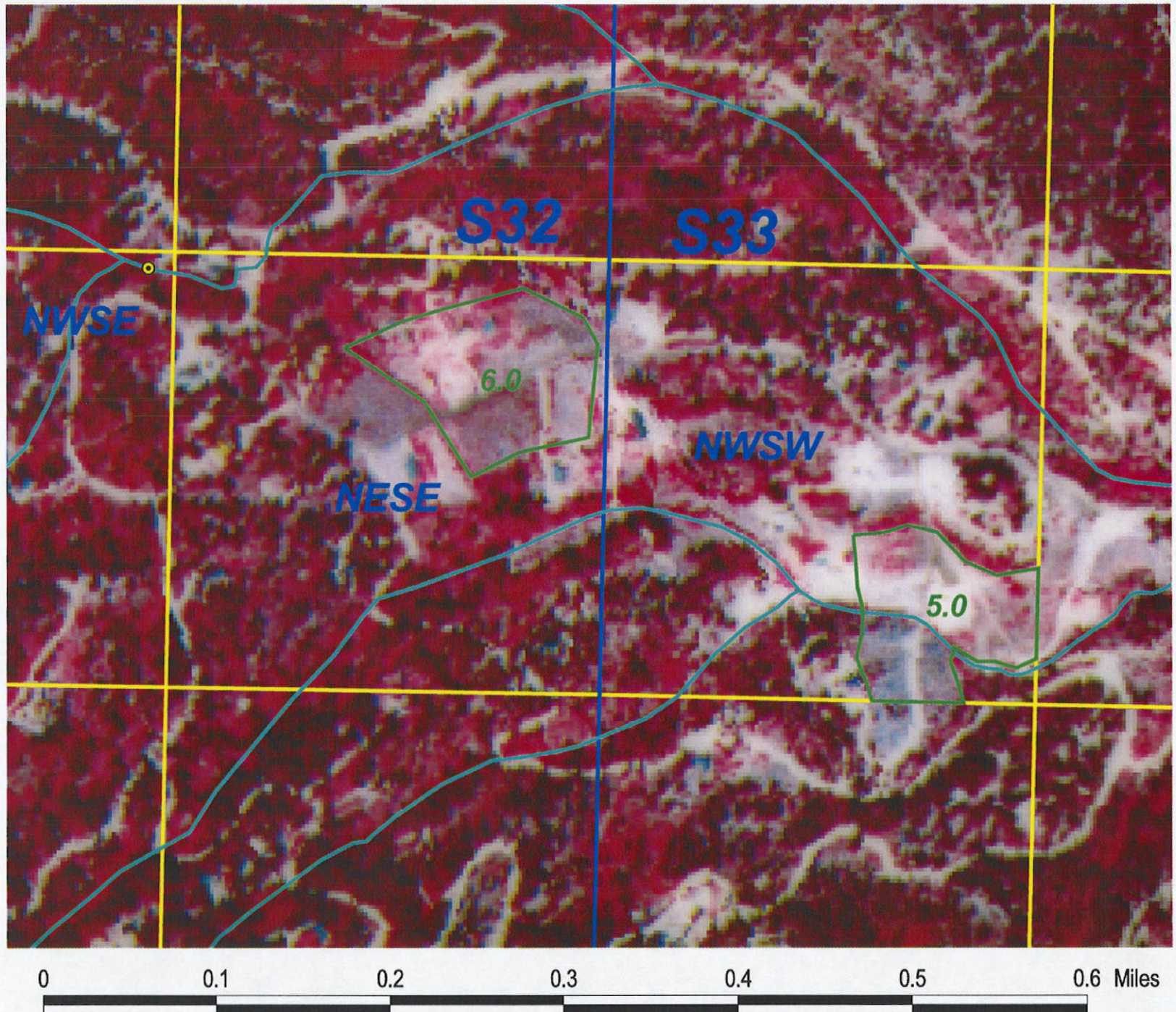
Claim(s) 65-03238
Owner(s) Castle Mtn
Creeks Own Ass'n
Prepared by:
Ron Howerton
Date: 20 DEC 99

-  Place of use
-  POD
-  SECTION LINES
-  1/4 1/4 LINES

Acres



1987 NAPP



Idaho Department of Water Resources

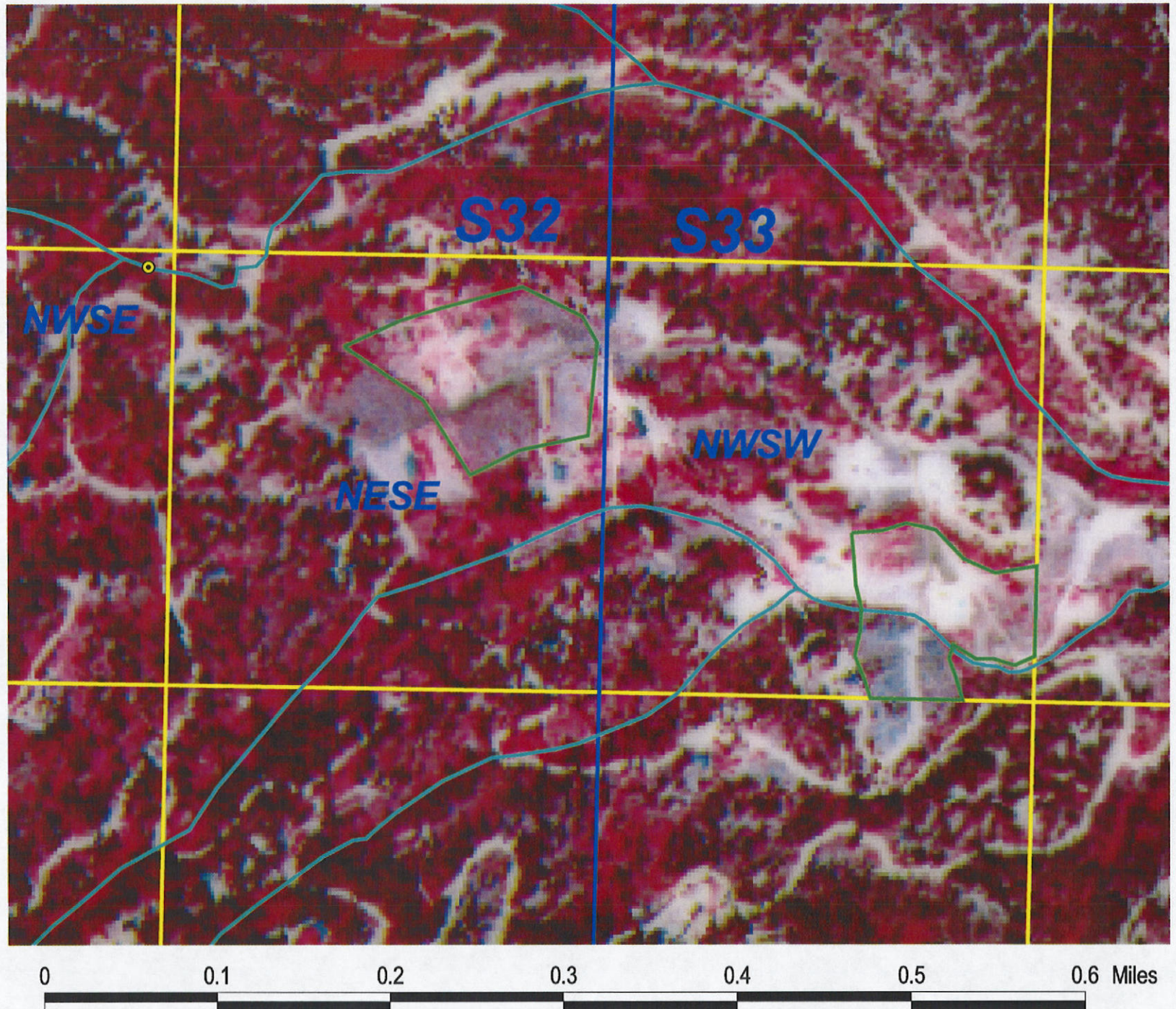
**T10N R04E
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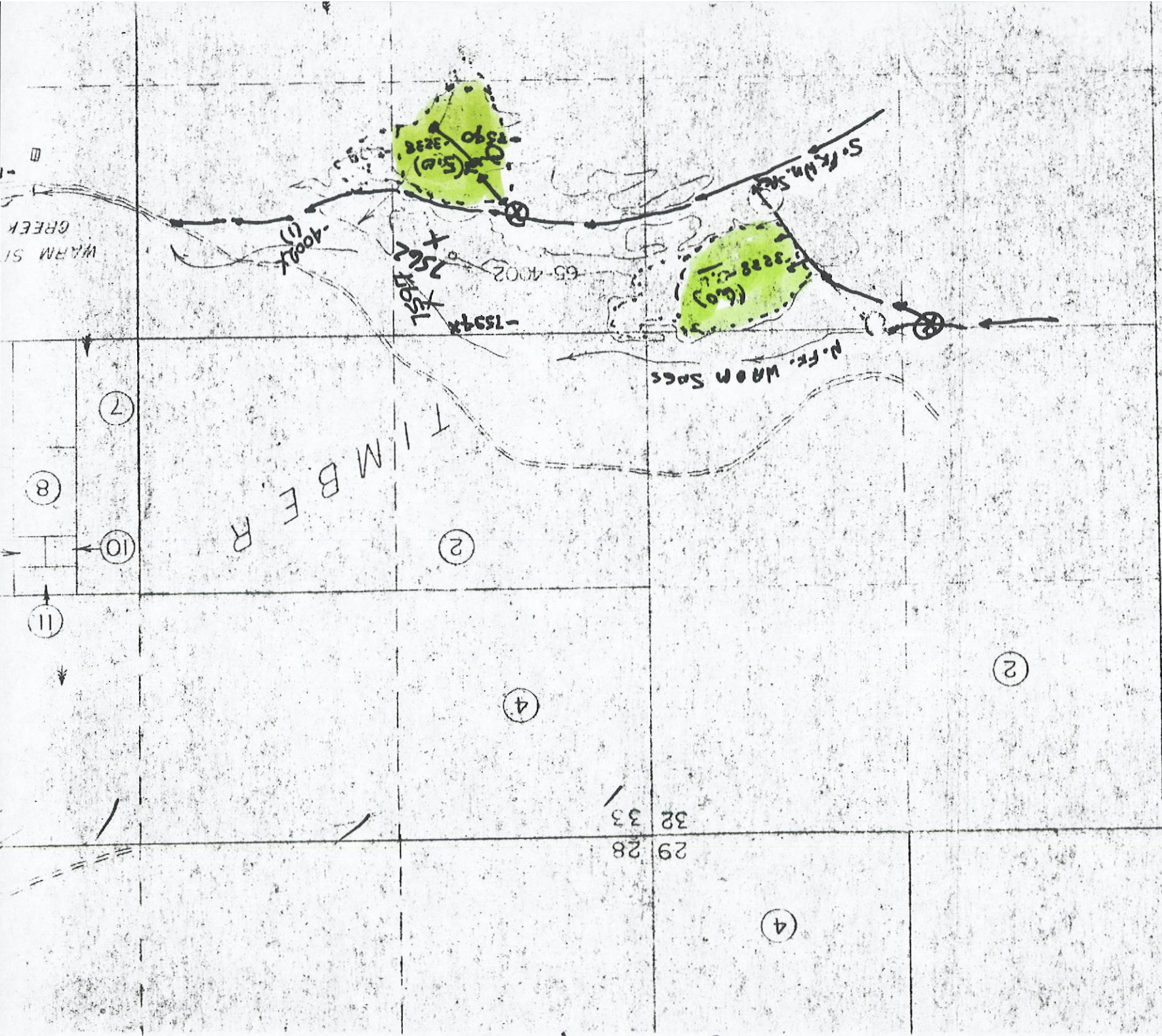
1987 NAPP

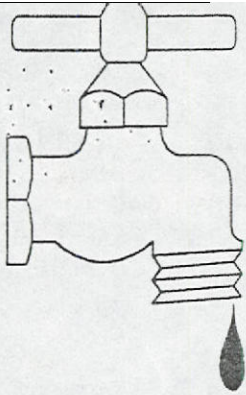






PRBA MAP "F" TION R4E S32 & S33





Water Rights

Do We, or Don't We?

Water Rights???? There have been many questions, and some member action, in trying to understand the water right situation for the Association. It is very complicated, but I will try to, in a very short space, explain where we are with the water right issue.

When the Association formally took control of the sub division, there were no water rights transferred. Although some feel there were, no signed notarized copy of such a transfer is filed with the State of Idaho. Upon finding out this error, I filed for an Association water right and the water right was approved on July 21, 1986. This right was described as follows:

- Total 20*
- Irrigation from 03/15 to 11/15 during the year at .20 CFS (90 gal per min) for 97.2 AFA.
 - Domestic from 01/01 to 12/31 during the year at .20 CFS (90 gal per min) for 63.0 AFA.
 - Point of diversion is NESE, Sec. 32, Township 10N, Range 04E and SWSE, Sec. 32, Township 10N, Range 04E.
 - Place of use is Township 10N, Range 04E, Sec. 32 SWNE, NWSE, SENE, SWSE, NESE, SESE and Sec. 33 SWNE, NWSW, SENW, SWSW, NESW, SESW

This right was established for all of the domestic water needed in the sub division for 250 homes.

105 on 38 acres.
In plainer language, this water right was for the sub surface well at the pump house at the creek and the groundwater well located next to the storage tank. Remember, water rights are associated with the land, NOT with an individual or an Association. *Not always true*

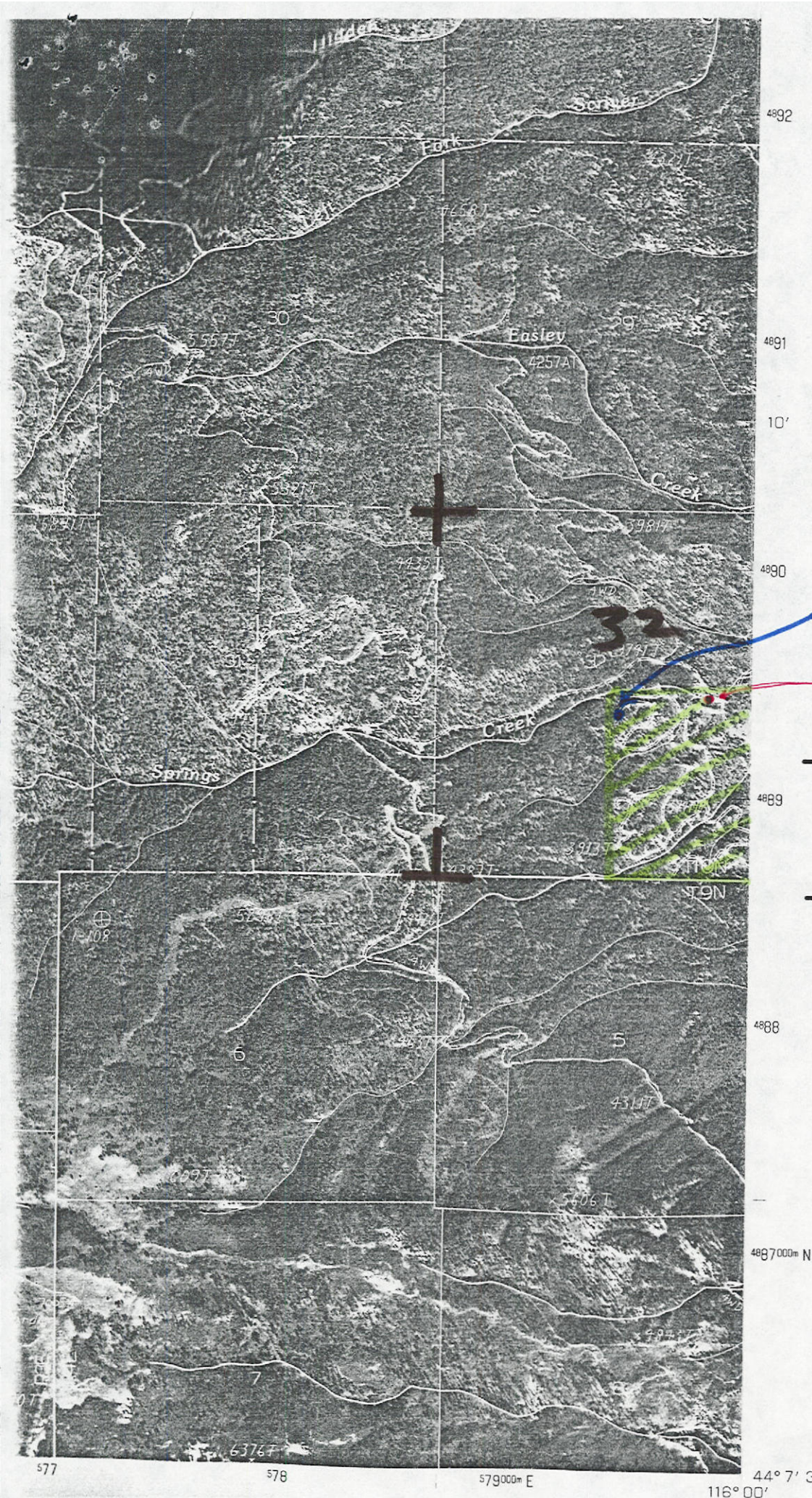
Filed 5-11-1989
During the adjudication process, I filed on the above mentioned water right and also discovered that a water right with an early priority date had been filed upon by several people. I contacted these people and explained to them that this particular water right was being used for the water required at the spa/pool area. They agreed to add Castle Mountain to this adjudication filing. This right is for .04 CFS (18 gal per min). The point of diversion for this right is NWSE, Sec. 32, Township 10N, Range 04E. This particular diversion point is different that the domestic water right diversion point stated above. *38 CFS*

Bottom Line: Castle Mountain Creeks has 2 water rights filed in the Snake River Basin Water System adjudication process; Water Right License Water Right No. 65-12776 for 90 gal per min domestic use and Civil Case Number 39576 Identification Number A65-03238 for 18 gal per min for use at the spa area. *38 CFS 18 gal/min*

Correct this

65-4002A for .25 CFS or 112 1/2 gal min

MICROFILMED
OCT 18 1996



TION
R 4 E

STORAGE TANK

POD

TION

T9N

MICROFILMED
SEP 22 1992

TION
R4E

10'

TION

T9N

MICROFILMED

SEP 22 1992

40 000 FEET 180

501

44° 7' 30"

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: A65-03238
Date Received: 3/21/1990
Receipt No: X999999
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: CASTLE MOUNTAIN CREEKS OWNERS ASSN 208-462-3765
Address: HC 76 BOX 4001
GARDEN VALLEY ID 83622
2. Date of Priority: JUN 1, 1883
3. Source: WARM SPRINGS CREEK Trib. to: PAYETTE RIVER, MIDDLE FORK
UNNAMED STREAM WARM SPRINGS CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	04E	31		NE	SE		BOISE
		32		NW	SE		BOISE
		33		NW	SW		BOISE
5. Description of diverting works:
GATE, DITCHES, 7.5HP PUMP, PIPES, 44,000GAL. STORAGE TANK, ETC.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.140		24.50
DOMESTIC	01/01	12/31	0.240		15.20
7. Total Quantity Appropriated is:
0.380 C.F.S. (and/or) 39.70 A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
DOMESTIC

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
10N	04E	32	SW		NE		IRR	0.5
			SW		NE		DOMEST	
			SE		NE		IRR	0.5
			SE		NE		DOMEST	
			NE		SE		IRR	0.5
			NE		SE		DOMEST	
			NW		SE		IRR	0.5
			NW		SE		DOMEST	
			SW		SE		IRR	0.5
			SW		SE		DOMEST	
			SE		SE		IRR	0.5
			SE		SE		DOMEST	
							Section Acres	3.0
		33	SW		NW		IRR	0.5
			SW		NW		DOMEST	
			SE		NW		IRR	0.5
			SE		NW		DOMEST	
			NE		SW		IRR	0.5
			NE		SW		DOMEST	
			NW		SW		IRR	1.5
			NW		SW		DOMEST	
			SW		SW		IRR	0.5
			SW		SW		DOMEST	
			SE		SW		IRR	0.5
			SE		SW		DOMEST	
							Section Acres	4.0
							Total Acres	7.0

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

14. Remarks:

CLAIM AMENDED PER TRANSFER NO. 4392 APPROVED APRIL 11, 2000.
 SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE
 COPY OF APPROVED TRANSFER NO. 4392 IN FILE.
 THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF
 DIVERSION UNDER TRANSFER 4392 SHALL NOT EXCEED 0.38 CFS, NOR A
 TOTAL COMBINED ANNUAL VOLUME OF 39.7 AF.

14. Remarks: Continued

APPROVAL OF TRANSFER 4392 DOES NOT GRANT ANY RIGHT-OF-WAY OR EASEMENT FOR USE OF A DELIVERY SYSTEM OWNED BY PERSON(S) OTHER THAN THE RIGHT OWNER.

RIGHT 65-03238 IS ASSOCIATED WITH 105 LOTS WITHIN CASTLE MOUNTAIN CREEK SUBDIVISION.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

of _____ 20 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

3.5 acre Feet/acre
1.02 CFS/acre

272 LOTS

1 Acre LOTS

952 acre Feet

5679 FIRR.
81

RECEIVED

JUN 26 2002

Department of Water Resources

Josephine P. Beeman #1806
BEEMAN & ASSOCIATES, P.C.
409 West Jefferson Street
Boise, Idaho 83702
(208) 331-0950
(208) 331-0954 (fax)

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

In Re: SRBA	)	Subcase Nos.		
Case No. 39576	)	65-02340B	65-03160	65-03215
	)	65-03154	65-03161	65-03216
	)	65-03155	65-03162	65-03238
	)	65-03156	65-03163	65-03238A
	)	65-01357-3157	65-03168	65-03762
	)	65-01358A-3158A	65-03169	65-04002A
	)	65-01358B-3158B	65-03170	65-07473
	)	65-01359-3159	65-03171	65-07540
	)	65-01359B-3159B	65-03209	65-09045B

Notice is hereby given, in the above-captioned subcases, that the following counsel will appear for Usto and Diana Schulz (water rights 65-03238A and 65-07540); Castle Mountain Creek Owners Association (water rights 65-03238 and 65-04002A); and Harry Bettis (water rights 65-02340B, 65-03154, 65-03155, 65-03156, 65-03157, 65-03158A, 65-03158B, 65-03159A, 65-03159B, 65-03160, 65-03161, 65-03162, 65-03163, 65-03168, 65-03169, 65-03170, 65-03171, 65-03209, 65-03215, 65-03216, 65-03762, 65-07473, and 65-09045B):

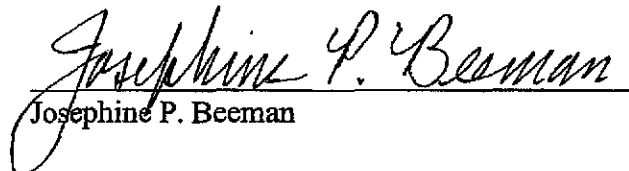
Josephine P. Beeman (ISB #1806)
BEEMAN & ASSOCIATES, P.C.
409 West Jefferson Street
Boise, Idaho 83702
(208) 331-0950 (Telephone)
(208) 331-0954 (Facsimile)

SCANNED

JUN 26 2002

RESPECTFULLY SUBMITTED this 25th day of June 2002.

BEEMAN & ASSOCIATES, P.C.


Josephine P. Beeman

CERTIFICATE OF SERVICE

I hereby certify that, on the ____ day of June 2002, I caused to be served copies of the foregoing **NOTICE OF APPEARANCE** by the method indicated:

Idaho Dept. of Water Resources
Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

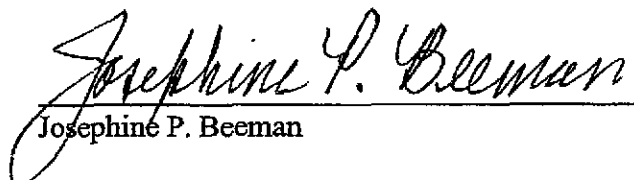
- ☒ U.S. Mail, First Class, Postage Prepaid
- ☐ Facsimile: _____
- ☐ Hand Delivery
- ☐ Federal Express: _____
- ☐ Other: _____

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

- ☒ U.S. Mail, First Class, Postage Prepaid
- ☐ Facsimile: _____
- ☐ Hand Delivery
- ☐ Federal Express: _____
- ☐ Other: _____

U.S. Department of Justice
Environment & Natural Resources Div.
550 West Fort Street, MSC 033
Boise, ID 83724

- ☒ U.S. Mail, First Class, Postage Prepaid
- ☐ Facsimile: _____
- ☐ Hand Delivery
- ☐ Federal Express: _____
- ☐ Other: _____


Josephine P. Beeman



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,

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

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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CASTLE MOUNTAIN CREEKS OWNERS ASSN HC 76 BOX 4001 GARDEN VALLEY ID 83622 (208) 462-3765	06/01/1883	IRRIGATION DOMESTIC	04-01 11-01 01-01 12-31	0.140 CFS 0.240 CFS	24.50 AFA 15.20 AFA
TOTAL DIVERSION:					0.380 CFS	39.70 AFA

Water Source: WARM SPRINGS CREEK
UNNAMED STREAM

Tributary to: PAYETTE RIVER, MIDDLE FORK
WARM SPRINGS CREEK

Stage: DECREED

Point(s) of Diversion: T10N R04E S31 NESE BOISE County
S32 NWSE BOISE County
S33 NWSW BOISE County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE																				
			NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
10N	04E	32	:					.5	.5			:							:							:	.5	.5	.5	.5			:	3.0	
10N	04E	33	:									:		.5	.5				:	.5	01	.5	.5			:							:	4.0	
TOTAL ACRES																												:	7.0						

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
10N	04E	32	:			D	D	:					:					:	D	D	D	D	:	
10N	04E	33	:					:		D	D		:	D	D	D	D	:					:	

POU County: BOISE

Conditions of Approval:

- N10 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- A04 - THIS RIGHT INCLUDES A CHANGE IN USE APPROVED BY ADMINISTRATIVE
- ORDER OF IDWR. THE CHANGE IN USE SHALL BE ACCOMPLISHED WITHIN
- ONE (1) YEAR OF THE DATE OF THE ADMINISTRATIVE ORDER APPROVING
- THE CHANGE.

Remarks: QNT THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF
DIVERSION UNDER TRANSFER 4392 SHALL NOT EXCEED 0.38 CFS, NOR A
TOTAL COMBINED ANNUAL VOLUME OF 39.7 AF.

EXP RIGHT 65-03238 IS ASSOCIATED WITH 105 LOTS WITHIN CASTLE
MOUNTAIN CREEK SUBDIVISION.

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number: 65	Field Inspection Flag:	
		Presumption Flag:	
Comments:	Date: 04/24/2000 User-ID: RHOWERTO Subject: TRANSFER AMENDED BY TRANSFER 4392 APPROVED APRIL 11, 2000.		
Audit:	05/30/00 LHARRIS		



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

May 31, 2000

CASTLE MOUNTAIN CREEKS OWNERS ASSN
HC 76 BOX 4001
GARDEN VALLEY ID 83622

Dear Sirs:

Enclosed are copies of the Notice of Completed Administrative Procedure and pertinent water right(s) recently sent to the Snake River Basin Adjudication Court in Twin Falls. These documents are now required to be filed by the Department in order to notify the Court of any changes to your water right.

The change to your water right was a result of an approved transfer. This notification to the Court does not affect the previous approval of this transfer or your water right. You will be notified of any future action on your water right by the SRBA Court or Water Resources.

Please contact this office if you have any questions concerning this notification.

Sincerely,

ADJUDICATION SECTION
WESTERN REGION OFFICE

JS:lh
Enclosures

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

In Re SRBA	)	SUBCASE NO. 65-03238
	)	
Case No. 39576	)	
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: I.C. § 42-222 TRANSFER

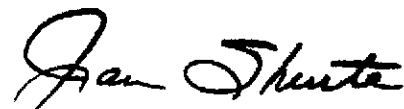
An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☐ Change in Ownership	☐ Split of Water Right
☒ Point of Diversion	☐ Place of Use
☐ Period of Use	☒ Nature of Use

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 5/31/00



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on May 31, 2000, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
N/A
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
N/A
4. One Copy to:
Each party in the subcase or attorney of record:
Castle Mountain Creeks Owners Assn
HC 76 Box 4001
Garden Valley ID 83622
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Jodi Harris

Signature of person or attorney mailing the form

 RIGHTS FROM: SOURCE: UNNAMED STREAM TRIBUTARY: WARM SPRINGS CREEK

RIGHT NUMBER: 65-03238

NAME & ADDRESS: CASTLE MOUNTAIN CREEKS OWNERS ASSN
 HC 76 BOX 4001
 GARDEN VALLEY ID 83622

SOURCE: WARM SPRINGS CREEK TRIBUTARY: PAYETTE RIVER, MIDDLE FORK
 UNNAMED STREAM WARM SPRINGS CREEK

QUANTITY: 0.38 CFS
 39.7 AFY

THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF
 DIVERSION UNDER TRANSFER 4392 SHALL NOT EXCEED 0.38 CFS, NOR A
 TOTAL COMBINED ANNUAL VOLUME OF 39.7 AF.

PRIORITY DATE: 06/01/1883

POINT OF DIVERSION: T10N R04E S31 NESE Within BOISE County
 S32 NWSE
 S33 NWSW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		04-01 11-01	0.14 CFS
			24.5 AFY
DOMESTIC		01-01 12-31	0.24 CFS
			15.2 AFY

PLACE OF USE:	IRRIGATION	Within BOISE County			
T10N R04E S32	SWNE 0.5	SENE 0.5	NESE 0.5	NWSE 0.5	
	SWSE 0.5	SESE 0.5			
S33	SNNW 0.5	SENN 0.5	NESW 0.5	NWSW 1.5	
	SWSW 0.5	SESW 0.5			
7 ACRES TOTAL					
DOMESTIC		Within BOISE County			
T10N R04E S32	SWNE	SENE	NESE	NWSE	
	SWSE	SESE			
S33	SNNW	SENN	NESW	NWSW	
	SWSW	SESW			

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

RIGHTS FROM: SOURCE: UNNAMED STREAM TRIBUTARY: WARM SPRINGS CREEK

RIGHT NUMBER: 65-03238 (CONT)

OTHER PROVISIONS (CONT)

THIS RIGHT INCLUDES A CHANGE IN USE APPROVED BY ADMINISTRATIVE ORDER OF IDWR. THE CHANGE IN USE SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THE ADMINISTRATIVE ORDER APPROVING THE CHANGE.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

RIGHT 65-03238 IS ASSOCIATED WITH 105 LOTS WITHIN CASTLE MOUNTAIN CREEK SUBDIVISION.

 RIGHTS FROM: SOURCE: WARM SPRINGS CREEK TRIBUTARY: PAYETTE RIVER, MIDDLE FORK

RIGHT NUMBER: 65-03238

NAME & ADDRESS: CASTLE MOUNTAIN CREEKS OWNERS ASSN
 HC 76 BOX 4001
 GARDEN VALLEY ID 83622

SOURCE: WARM SPRINGS CREEK TRIBUTARY: PAYETTE RIVER, MIDDLE FORK
 UNNAMED STREAM WARM SPRINGS CREEK

QUANTITY: 0.38 CFS
 39.7 AFY

THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF
 DIVERSION UNDER TRANSFER 4392 SHALL NOT EXCEED 0.38 CFS, NOR A
 TOTAL COMBINED ANNUAL VOLUME OF 39.7 AF.

PRIORITY DATE: 06/01/1883

POINT OF DIVERSION: T10N R04E S31 NESE Within BOISE County
 S32 NWSE
 S33 NWSW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	04-01 11-01	0.14 CFS
			24.5 AFY
	DOMESTIC	01-01 12-31	0.24 CFS
			15.2 AFY

PLACE OF USE:	IRRIGATION	Within BOISE County			
	T10N R04E S32	SWNE 0.5	SENE 0.5	NESE 0.5	NWSE 0.5
		SWSE 0.5	SESE 0.5		
	S33	SNNW 0.5	SENW 0.5	NESW 0.5	NWSW 1.5
		SWSW 0.5	SESW 0.5		
	7 ACRES TOTAL				
	DOMESTIC	Within BOISE County			
	T10N R04E S32	SWNE	SENE	NESE	NWSE
		SWSE	SESE		
	S33	SNNW	SENW	NESW	NWSW
		SWSW	SESW		

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

RIGHTS FROM: SOURCE: WARM SPRINGS CREEK TRIBUTARY: PAYETTE RIVER, MIDDLE FORK

RIGHT NUMBER: 65-03238 (CONT)

OTHER PROVISIONS (CONT)

THIS RIGHT INCLUDES A CHANGE IN USE APPROVED BY ADMINISTRATIVE ORDER OF IDWR. THE CHANGE IN USE SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THE ADMINISTRATIVE ORDER APPROVING THE CHANGE.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE
RIGHT 65-03238 IS ASSOCIATED WITH 105 LOTS WITHIN CASTLE MOUNTAIN CREEK SUBDIVISION.

AJ0749NP
No. R65-03238

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

DATE: 04/25/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CASTLE MOUNTAIN CREEKS OWNERS ASSN HC 76 BOX 4001 GARDEN VALLEY ID 83622 (208) 462-3765	06/01/1883	IRRIGATION DOMESTIC	04-01 11-01 01-01 12-31	0.140 CFS 0.240 CFS	24.50 AFA 15.20 AFA
TOTAL DIVERSION:					0.380 CFS	39.70 AFA

Water Source: WARM SPRINGS CREEK
UNNAMED STREAM

Tributary to: PAYETTE RIVER, MIDDLE FORK
WARM SPRINGS CREEK

Stage: DECREED

Point(s) of Diversion: T10N R04E S31 NESE BOISE County
S32 NWSE BOISE County
S33 NWSW BOISE 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	Lt	Ac
10N	04E	32	:			.5	.5	:								.5	.5	.5	.5	:	3.0
10N	04E	33	:					:		.5	.5		.5	01	.5	.5				:	4.0
TOTAL ACRES																				7.0	

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE									
T	R	S		NENE	NWNE	SWNE	SENE	: NENW	NWNW	SWNW	SENW	: NESW	NWSW	SWSW	SESW	: NESE	NWSE	SWSE	SESE	:	
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
10N	04E	32	:			D	D	:				:					D	D	D	D	:
10N	04E	33	:					:		D	D	:	D	D	D	D					:

POU County: BOISE

Conditions of Approval:

- N10 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks: QNT THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF
DIVERSION UNDER TRANSFER 4392 SHALL NOT EXCEED 0.38 CFS, NOR A
TOTAL COMBINED ANNUAL VOLUME OF 39.7 AF.

POU1 USE OF THIS RIGHT WITH RIGHT NO. 65-12776 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 45.8 ACRES IN A SINGLE
IRRIGATION SEASON.

GEN PRIOR TO DIVERSION OF WATER UNDER THIS APPROVAL, THE RIGHT
HOLDER SHALL PROVIDE A MEANS OF MEASUREMENT AND LOCKABLE
CONTROLLING WORKS FOR ALL AUTHORIZED POINTS OF DIVERSION.
THE MEANS OF MEASUREMENT AND CONTROLLING WORKS MUST BE

*delete (already totals
45 acres when
added together)
Added
A04*

delete

AJ0749NP
No. R65-03238

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

DATE: 04/25/00
PAGE: 2

Remarks: ~~SUITABLE FOR CONTROL OF THE DIVERSIONS AND ACCEPTABLE TO THE WATERMASTER.~~

EXP RIGHT 65-03238 IS ASSOCIATED WITH 105 LOTS WITHIN CASTLE MOUNTAIN CREEK SUBDIVISION.

Dates: Exam Made Date: Verified Date: 04/25/2000 Objection Filed Date:

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

Comments: Date: 04/24/2000 User-ID: RHOWERTO Subject: TRANSFER
AMENDED BY TRANSFER 4392 APPROVED APRIL 11, 2000.

Audit: 04/25/00 RHOWERTO

WR5809NP
No. 65-03238

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/25/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CASTLE MOUNTAIN CREEK OWNERS ASSN INC HC 76 BOX 4001 GARDEN VALLEY ID 83622 (208) 462-3765	06/01/1883	IRRIGATION DOMESTIC	04/01 11/01 01/01 12/31	0.140 CFS 0.240 CFS	24.50 AFA 15.20 AFA
TOTAL DIVERSION:					0.380 CFS	39.70 AFA

Water Source: WARM SPRINGS CREEK
UNNAMED STREAM

Tributary to: PAYETTE RIVER, MIDDLE FORK
WARM SPRINGS CREEK

Stage: DECREED

Point(s) of Diversion: T10N R04E S31 NESE BOISE County
S32 NWSE BOISE County
S33 NWSW BOISE 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	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac			
10N	04E	32					.5		.5																	.5		.5		.5		.5		3.0	
10N	04E	33										.5		.5						.5		01		.5		.5								4.0	
TOTAL ACRES																												7.0							

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

Pou County: BOISE

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
- T18 - Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
- 081 - Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
- 020 - Use of water under this right may be affected by an agreement between the protestant and the right holder.
- T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

WR5809NP
No. 65-03238

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/25/00
PAGE: 2

Remarks: GEN The total instantaneous diversion of water from all points of diversion under Transfer 4392 shall not exceed 0.38 cfs, nor a total combined annual volume of 39.7 af. Approval of Transfer 4392 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner. Right 65-03238 is associated with 105 lots within Castle Mountain Creek Subdivision.

Dates: App. Received: Priority Date: 06/01/1883
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 65 Field Exam Fee:

Comments: Date: 04/11/2000 User-ID: PSKAGGS Subject: TRANSFER 4392
Transfer 4392 adds a point of diversion, source, changes the nature, season & place of use under Right 65-03238.

Audit: 04/02/86 04/30/88 CONVERT 06/27/89 CURTIS 05/24/95 RLOVEALL
04/11/00 PSKAGGS 04/11/00 PSKAGGS

RECEIVED

JUN 16 2000

Department of Water Resources

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

In Re SRBA)

Case No. 39576)

A. Subcase: 65-03238
(insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting thru the Department of Interior
Bureau of Reclamation

Address: 1150 N. Curtis Rd
Boise, ID 83706-1234

Daytime Phone: (208) 334-1464 (Irene Collins)

Name & Address of Attorney, if any:
James J. Dubois and Larry A. Brown
United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, ID 83724 (208) 387-0835

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Castle Mountain Creeks Owners

Address: HC 76 Box 4001
Garden Valley ID 83622

D. I object to the following elements as recommended in the Director's Report.
(Please check the appropriate box(es)).

■ **General Provisions Basin 65 Irrigation & Other Part II (3) Separate Streams Administration**

1. ☐ **Name and Address**

Should be:

2. ☐ **Source**

Should be:

3. ☐ **Quantity**

Should be:

4. ☐ **Priority Date**

Should be:

5. ☐ **Point(s) of Diversion**

Should be:

6. ☐ **Instream Flow Description**

Should be:

7. ☐ **Purpose(s) of Use**

Should be:

8. ☐ **Period of Year**

Should be:

9. ☐ **Place of Use**

Should be:

I object because:

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):**

The Bureau of Reclamation objects to the separate stream provision of the Director's Report for Basin 65, Part II. These streams should be administered as part of the Payette River System in order to adequately protect water rights in the Payette River subbasin.

RECEIVED

JUN 16 2000

Department of Water Resources

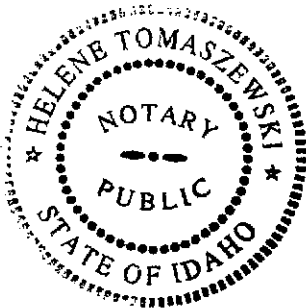
F. VERIFICATION (Must be Completed)

State of Idaho)
)ss.
County of Ada)

Jerrold D. Gregg, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and

(6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.



(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 6-14-00

Helene Tomaszewski

Notary Public for Idaho

Residing at: Meridian

My Commission Expires: 1-16-2000

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on 15 June, 2000 I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

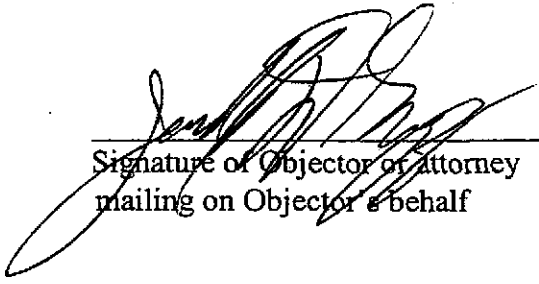
Name: Castle Mountain Creeks Owners
Address: HC 76 Box 4001
Garden Valley ID 83622

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf

2002 OCT 16 AM 9:10

DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED

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

In Re SRBA

Case No. 39576

) **SPECIAL MASTER'S REPORT**

) **FINDINGS OF FACT AND**
) **CONCLUSIONS OF LAW**

) **FOR WATER RIGHT 65-03238**
)

I. FINDINGS OF FACT

A notice of claim was filed for the above listed water right pursuant to I.C. § 42-1409. The Director of the State of Idaho Department of Water Resources examined the water system for this reporting area. The *Director's Report* contained a recommendation or abstract for the elements of this water right.

On June 16, 2000, the United States of America, Bureau of Reclamation filed an objection to "General Provisions Basin 65 Irrigation & Other Part II (3) Separate Streams Administration". On September 20, 2002, a *Standard Form 5* was filed. All parties and IDWR are signatures to the *Standard Form 5*.

II. CONCLUSIONS OF LAW

Therefore based on the file and record herein and pursuant to the *Standard Form 5* and the attached Appendix A, IT IS RECOMMENDED that this water right be decreed with the elements as set forth in the attached *Recommendation for Partial Decree Pursuant to I.R.C.P. 54(b) for Water Right 65-03238*.

DATED October 16, 2002.



THOMAS R. CUSHMAN
Special Master
Snake River Basin Adjudication

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

2002 OCT 16 AM 9:10

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 65-03238

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

RECEIVED

OCT 17 2002

Department of Water Resources

NAME AND ADDRESS: CASTLE MOUNTAIN CREEKS OWNERS
HC 76 BOX 4001
GARDEN VALLEY, ID 83622

SOURCE: WARM SPRINGS CREEK TRIBUTARY: PAYETTE RIVER, MIDDLE FORK
UNNAMED STREAM WARM SPRINGS CREEK

QUANTITY: 0.38 CFS
39.70 AFY

THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF
DIVERSION UNDER TRANSFER 4392 SHALL NOT EXCEED 0.38 CFS, NOT A
TOTAL COMBINED ANNUAL VOLUME OF 39.7 AF.

PRIORITY DATE: 06/01/1883

POINT OF DIVERSION: T10N R04E S31 NESE Within Boise County
S32 NWSE
S33 NWSW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	0.14 CFS
			24.50 AFY
	Domestic	01-01 TO 12-31	0.24 CFS
			15.20 AFY

PLACE OF USE:	Irrigation	Within Boise County
	T10N R04E S32	SWNE 0.5 SENE 0.5
		NESE 0.5 NWSE 0.5
		SWSE 0.5 SESE 0.5
	S33	SNNW 0.5 SENW 0.5
		NESW 0.5 NWSW 1.5
		SWSW 0.5 SESW 0.5
	7.0 Acres Total	
	Domestic	Within Boise County
	T10N R04E S32	SWNE SENE
		NESE NWSE
		SWSE SESE
	S33	SNNW SENW
		NESW NWSW
		SWSW SESW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC
USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

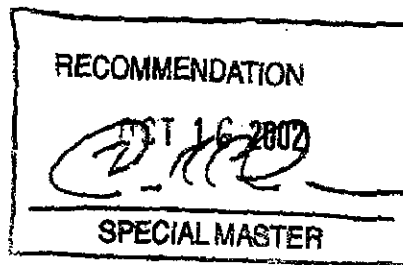
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication



APPENDIX A

Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977.

This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.

RECEIVED

OCT 17 2002

Department of Water Resources

2002 OCT 16 AM 9:10

DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED *PK*

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

In Re SRBA)

CERTIFICATE OF MAILING

Case No. 39576)

Water Right(s): 65-03238

CERTIFICATE OF MAILING

I certify that a true and correct copy of the SPECIAL MASTER'S REPORT, SPECIAL MASTER'S RECOMMENDATION FOR PARTIAL DECREE and NOTICE OF ISSUANCE OF SPECIAL MASTER'S REPORT AND RECOMMENDATION were mailed on October 16, 2002, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

CASTLE MOUNTAIN CREEKS OWNERS

Represented by:
JOSEPHINE P. BEEMAN
409 WEST JEFFERSON STREET
BOISE, ID 83702
Phone: 208-331-0950

STATE OF IDAHO

Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

CERTIFICATE OF MAILING

PAGE 1
10/16/02

USDI BUREAU OF RECLAMATION
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835


DEBBIE LASH
Deputy Clerk

RECEIVED

OCT 17 2002

Department of Water Resources

2002 OCT 16 AM 9:11

FILED
TWIN FALLS CO., IDAHO
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 SRBA)

Case No. 39576)
_____)

NOTICE OF ISSUANCE OF
SPECIAL MASTER'S
RECOMMENDATION

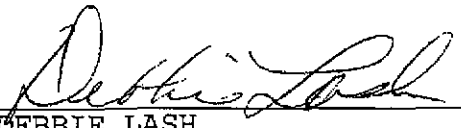
Water Right(s): 65-03238

On October 16, 2002, Special Master THOMAS R CUSHMAN issued a SPECIAL MASTER'S RECOMMENDATION for the above subcase(s) pursuant to SRBA Administrative Order 1 (A01), Section 13a.

Pursuant to SRBA Administrative Order 1, Section 13a, any party to the adjudication including parties to the subcase, may file a Motion to Alter or Amend on or before the 28th day of the next month.

Failure of any party in the adjudication to pursue or participate in a Motion to Alter or Amend the SPECIAL MASTER'S RECOMMENDATION shall constitute a waiver of the right to challenge it before the Presiding Judge.

DATED October 16, 2002.


DEBBIE LASH
Deputy Clerk

**T10N R04E
S31, S32
& S33**

Idaho Department of Water Resources

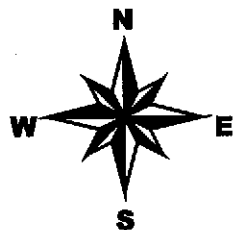
**Claims: 65-03238
Owner : Castle Mtn
Creeks Own Ass'n
Prepared by: RDH
Date: 25 APR 00**

 **Place of use**

 **POD**

 **SECTION LINES**

 **1/4 1/4**



1987 NAPP



0 0.5 1 1.5 Miles



**T10N R04E
S31, S32
& S33**

Idaho Department of Water Resources

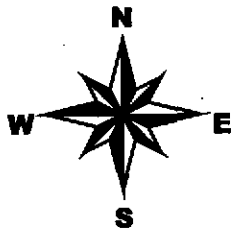
**Claims: 65-03238
Owner : Castle Mtn
Creeks Own Ass'n
Prepared by: RDH
Date: 25 APR 00**

 **Place of use**

 **POD**

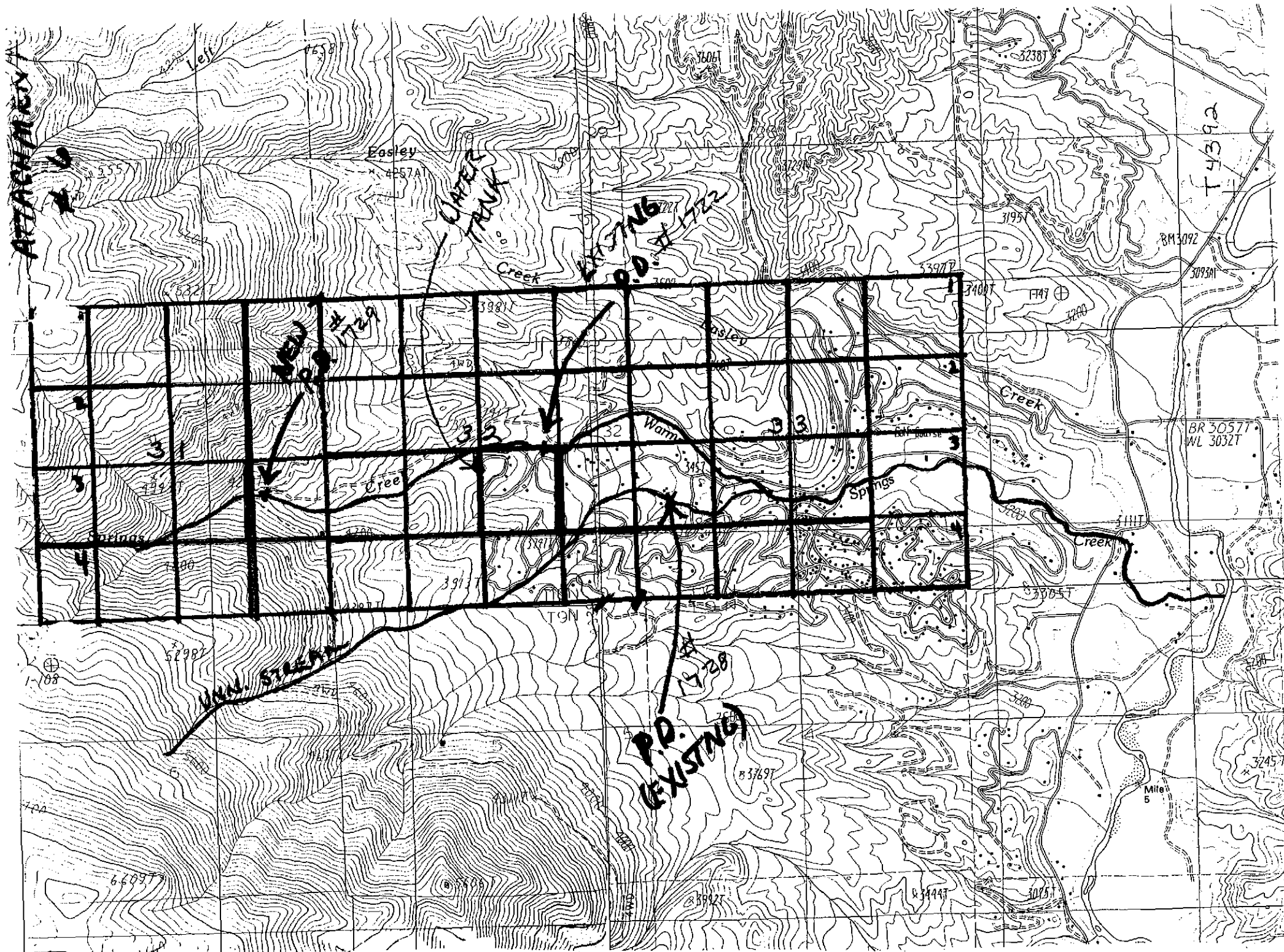
 **SECTION LINES**

 **1/4 1/4**



1987 NAPP





U10, U11

TRANSFER PID MAP

STONE MARKED
CS
Sec 32

Block #
SW NE
LOT #

SE NE

CM #5

S. 32

Castle Mountain Creeks +
S. 33

1/4 CORNER

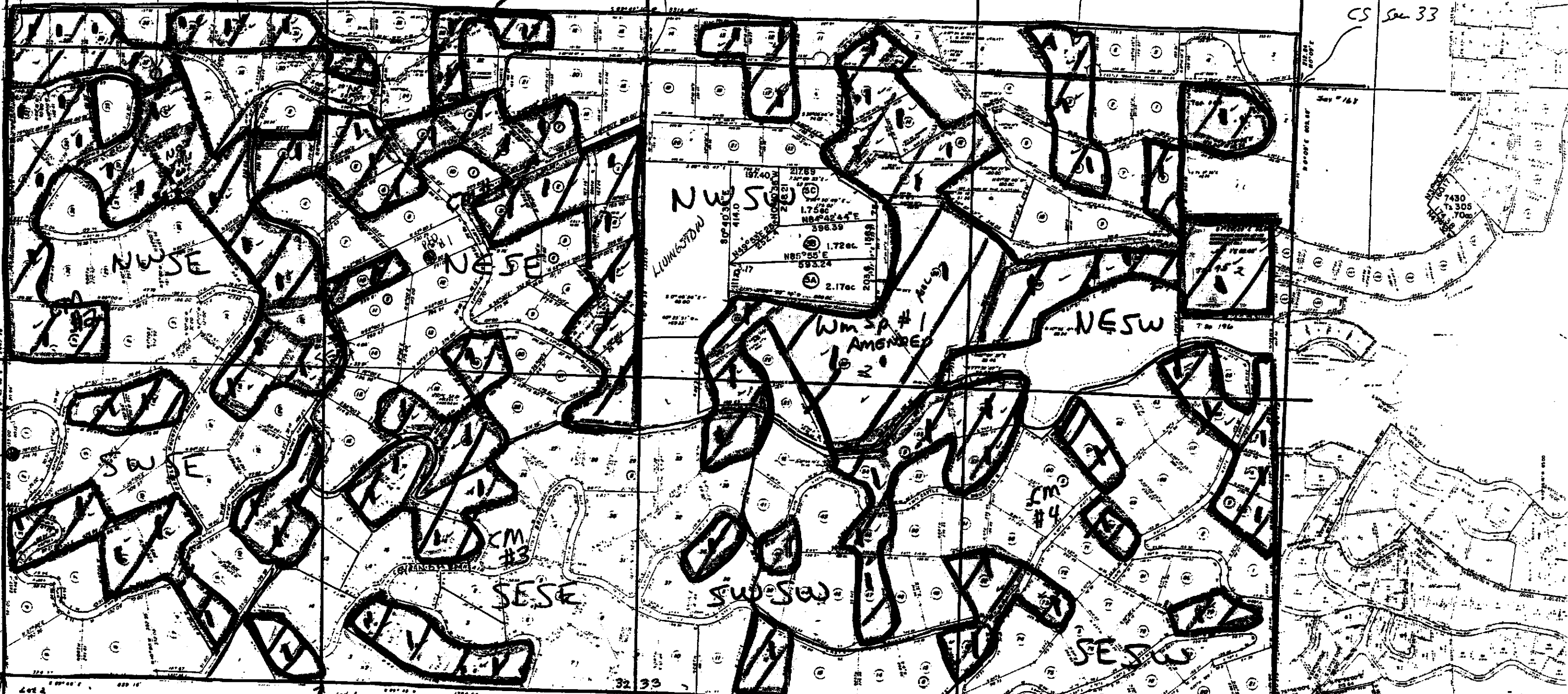
SW NW

Warm Springs Sub

AREAS within blue are
lots with water

SE NW

CS
Sec 33



Survey data table for a central parcel:

157.40	217.89
1.7586	1.7286
N85°42'44"E	N85°55'E
396.39	593.24
2.176c	2.176c

Terrace Lake Inc.
RECEIVED
JAN 21 1988
Department of Water Resources
Western Regional Office

MICROFILMED
MAY 15 1989

W 1/6 corner
S. 33

S 1/4 corner
S. 33

TRANSFER
MAP

OVERLAP REVIEW SHEET FOR THE FOLLOWING WR #'s:

65 - 127 76

Run

4-25-00

WARM SPR CR
UPPER SPR

GW

COMBINED SOURCES

[illegible]

WESTERN REGION

OWNER (S):

CASTLE MTN CREEKS OWNERS ASSN

CLAIM NUMBERS:

65-03238

AGENT: RON HOWERTON

DATE 1/6/00

RIGHT NO	TNS	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE

POLYGON CREATED ON 803

POLYGON # () () ()

ATTRIBUTES OF B65-POU.SHP (1743) (1744) () () ()

ATTRIBUTES OF B65-POD.SHP (1722) (1728) (1729) () ()

B65-DBPOU.DBF UPDATED BY rdh

B65-DBPOD.DBF UPDATED BY rdh

NOTES:

Pou overlap with 12776

ORIGINAL thru PLUS # 1741 & 1742
with TRANSFER
UPDATED BY rdh
WARM SPRINGS CR
ORIGINAL
WARM SPRINGS CR
NEW PER TRANSFER
UNNAMED Stream

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:47:36
04/25/00

PAGE: 23
QUICKLOOK INFORMATION

23
CLAIM NUMBER: A65-03238

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			Rch					Rch
POINT OF DIV			4-25-00					4-25-00
SOURCE			IN OFFICE					
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE								
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM	Y							
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:47:36
04/25/00

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A65-03238

LAST: CASTLE MOUNTAIN CREEKS OWNERS ASSN FIRST:
ADDRESS: HC 76 BOX 4001
CITY: GARDEN VALLEY STATE: ID ZIP: 83622
PHONE NUMBER: 208-462-3765

OWNER CODE: C

LAST: GARDEN VALLEY ASSOC FIRST:
ADDRESS: STAR ROUTE
CITY: GARDEN VALLEY STATE: ID ZIP: 83622
PHONE NUMBER: 208-000-0000

OWNER CODE: O

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N(/)

CLAIM REMARKS: GEN

CLAIM AMENDED PER TRANSFER NO. 4392 APPROVED APRIL 11, 2000.
SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE
COPY OF APPROVED TRANSFER NO. 4392 IN FILE.
THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF
DIVERSION UNDER TRANSFER 4392 SHALL NOT EXCEED 0.38 CFS, NOR A
TOTAL COMBINED ANNUAL VOLUME OF 39.7 AF.
APPROVAL OF TRANSFER 4392 DOES NOT GRANT ANY RIGHT-OF-WAY OR
EASEMENT FOR USE OF A DELIVERY SYSTEM OWNED BY PERSON(S) OTHER
THAN THE RIGHT OWNER.
RIGHT 65-03238 IS ASSOCIATED WITH 105 LOTS WITHIN CASTLE
MOUNTAIN CREEK SUBDIVISION.

CONTACT PERSON: IN-OFFICE

PHONE NUMBER: () -

DATE OF FIELD EXAM: 4/25/00

APPOINTMENT MADE: Y() N(☒)

TIME: : A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

SEE MAPS IN FILE

A. AJ CLAIM: # A65-03238 PRIORITY DATE: 06-01-1883 STAGE: D

B. WR RECORD: # 65-03238 PRIORITY DATE: 06-01-1883 STAGE: D

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

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

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

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

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

FIELD EXAM COMPLETED N/A(☒) Y(☐) N(☐)

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

LICENSE ISSUED N/A(☒) Y(☐) N(☐)

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

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

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

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

NOTES: _____

=====

RECOMMENDED PRIORITY DATE:

06-01-1883

REVIEWED BY TR ch

DATE 4-25-00

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-03238	10N	04E	31		NE	SE			BOISE		
A65-03238	10N	04E	32		NW	SE			BOISE		
A65-03238	10N	04E	33		NW	SW			BOISE		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX

WR RECORDS IN SAME 40 ACRE TRACT

* 17 A PREFIX CLAIMS WITH THIS POD
** 17 R PREFIX CLAIMS WITH THIS POD
*** 23 WR RECORDS IN SAME 40 ACRE TRACT

SOURCE: WARM SPRINGS CREEK
UNNAMED STREAM

TRIB: PAYETTE RIVER, MIDDLE FORK
WARM SPRINGS CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-03238	10N	04E	32		NW	SE			BOISE		
65-03238	10N	04E	33		NW	SW			BOISE		
65-03238	10N	04E	31		NE	SE			BOISE		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

65-04002A
65-04002X
65-07118
65-13526
***** 17 A PREFIX CLAIMS IN SAME 40 ACRE TRA
***** 17 R PREFIX CLAIMS WITH THIS POD

SOURCE: WARM SPRINGS CREEK
UNNAMED STREAM

TRIB: PAYETTE RIVER, MIDDLE FORK
WARM SPRINGS CREEK

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

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

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

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

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(☒) N()

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

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE?

Y(☒) N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM?

Y() N(☒)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____)

Y() N()

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

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: ORIGINAL POD'S VERIFIED BY PRBA, SEE MAP "F"
SEE V10 & V11 TOPO IN FILE
TRANSFER 4392 AMENDED ORIGINAL CLAIM POD'S, SEE TRANSFER
MAP V10 & V11. PLOTTED ON 1987 NAPP PHOTO FROM
TRANSFER MAP & ORIGINAL PRBA MAP "F".

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

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
10N	04E	31		NE	SE			BOISE		
10N	04E	32		NW	SE			BOISE		
10N	04E	33		NW	SW			BOISE		
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---
---	---	---	---	---	---	---	---	---	---	---

SOURCE: WARM SPRINGS CREEK
UNNAMED STREAM

TRIB: PAYETTE RIVER, MIDDLE FORK
WARM SPRINGS CR.

REVIEWED BY: RCh

DATE: 4/25/00

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

A. ROOT WATER RIGHT NUMBERS: A65-03238A
A65-03238B

A65-03238

R65-03238B

R65-03238

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
10N	04E	32	SW	NE		CASTLE MOUNTAIN CREEKS OWNERS	A65-03238 /	0.5	65-03238 /	0.5	.5
			SW	NE		CASTLE MOUNTAIN CREEKS OWNERS	A65-12776 /	1.0	65-12776 /	1.0	
			SW	NE		CASTLE MOUNTAIN CREEKS OWNERS	R65-03238 /	0.5	- /		
			SW	NE		CASTLE MOUNTAIN CREEKS OWNERS	65-12776 /		- /		
			SW	NE		CASTLE MOUNTAIN CREEK OWNERS A			65-13526 /	1.0	
										- PERMIT	
10N	04E	32	SW	NE		CASTLE MOUNTAIN CREEKS OWNERS	A65-03238 /		65-03238 /	0.5	.5
			SW	NE		CASTLE MOUNTAIN CREEKS OWNERS	A65-12776 /	1.0	65-12776 /	1.0	
			SW	NE		CASTLE MOUNTAIN CREEKS OWNERS	R65-03238 /	0.5	- /		
			SW	NE		CASTLE MOUNTAIN CREEKS OWNERS	65-12776 /		- /		
			SW	NE		CASTLE MOUNTAIN CREEK OWNERS A			65-13526 /	1.0	
										P	
10N	04E	32	SE	NE		CASTLE MOUNTAIN CREEKS OWNERS	A65-03238 /	0.5	65-03238 /	0.5	.5
			SE	NE		CASTLE MOUNTAIN CREEKS OWNERS	A65-12776 /	1.0	65-12776 /	1.0	
			SE	NE		CASTLE MOUNTAIN CREEKS OWNERS	R65-03238 /	0.5	- /		
			SE	NE		CASTLE MOUNTAIN CREEKS OWNERS	65-12776 /	1.0	- /		
			SE	NE		CASTLE MOUNTAIN CREEK OWNERS A			65-13526 /	1.0	
										P	
10N	04E	32	SE	NE		CASTLE MOUNTAIN CREEKS OWNERS	A65-03238 /		65-03238 /	0.5	.5
			SE	NE		CASTLE MOUNTAIN CREEKS OWNERS	A65-12776 /	1.0	65-12776 /	1.0	
			SE	NE		CASTLE MOUNTAIN CREEKS OWNERS	R65-03238 /	0.5	- /		
			SE	NE		CASTLE MOUNTAIN CREEKS OWNERS	65-12776 /	1.0	- /		
			SE	NE		CASTLE MOUNTAIN CREEK OWNERS A			65-13526 /	1.0	
										P	
10N	04E	32	NE	SE		CASTLE MOUNTAIN CREEKS OWNERS	A65-03238 /	0.5	65-03238 /	0.5	.5
			NE	SE		CASTLE MOUNTAIN CREEKS OWNERS	A65-12776 /	6.0	65-12776 /	6.0	
			NE	SE		LIVINGSTON, FAY	A65-07770E /		- /		
			NE	SE		CASTLE MOUNTAIN CREEKS OWNERS	R65-03238 /	0.5	- /		
			NE	SE		LIVINGSTON, FAY	65-07770E /		- /		
			NE	SE		CASTLE MOUNTAIN CREEKS OWNERS	65-03238 /	6.0	- /		
			NE	SE		CASTLE MOUNTAIN CREEKS OWNERS	65-12776 /	6.0	- /		
			NE	SE		WEGNER, GLEN	A65-03238A /	6.0	- /		
			NE	SE		LIVINGSTON, EARL			65-07770D /		
			NE	SE		TRIBBY, JOHN M			65-12802 /	0.8	
			NE	SE		THOMAS, ROBERT L			65-13938 /	1.0	
			NE	SE		THOMAS, ROBERT L			65-13940 /		

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			NE	SE		CASTLE MOUNTAIN CREEK OWNERS A		65-13526 / 6.0	P		
10N	04E	32	NE	SE		CASTLE MOUNTAIN CREEKS OWNERS A65-03238 /	65-03238 / 0.5				.5
			NE	SE		CASTLE MOUNTAIN CREEKS OWNERS A65-12776 / 6.0	65-12776 / 6.0				
			NE	SE		LIVINGSTON, FAY A65-07770E /	- /				
			NE	SE		CASTLE MOUNTAIN CREEKS OWNERS R65-03238 / 0.5	- /				
			NE	SE		LIVINGSTON, FAY 65-07770E /	- /				
			NE	SE		CASTLE MOUNTAIN CREEKS OWNERS 65-03238 / 6.0	- /				
			NE	SE		CASTLE MOUNTAIN CREEKS OWNERS 65-12776 / 6.0	- /				
			NE	SE		WEGNER, GLEN A65-03238A / 6.0	- /				
			NE	SE		LIVINGSTON, EARL	65-07770D /				
			NE	SE		TRIBBY, JOHN M	65-12802 / 0.8				
			NE	SE		THOMAS, ROBERT L	65-13938 / 1.0				
			NE	SE		THOMAS, ROBERT L	65-13940 /				
			NE	SE		CASTLE MOUNTAIN CREEK OWNERS A	65-13526 / 6.0	P			
10N	04E	32	NW	SE		CASTLE MOUNTAIN CREEKS OWNERS A65-03238 / 0.5	65-03238 / 0.5				.5
			NW	SE		HUNT, DOUGLAS A65-18148 /	- /				
			NW	SE		CASTLE MOUNTAIN CREEKS OWNERS A65-12776 / 6.0	65-12776 / 6.0				
			NW	SE		CASTLE MOUNTAIN CREEKS OWNERS R65-03238 / 0.5	- /				
			NW	SE		CASTLE MOUNTAIN CREEKS OWNERS 65-12776 / 6.0	- /				
			NW	SE		HUNT, JAN 65-18148 /	- /				
			NW	SE		CASTLE MOUNTAIN CREEK OWNERS A	65-13526 / 6.0	P			
10N	04E	32	NW	SE		CASTLE MOUNTAIN CREEKS OWNERS A65-03238 /	65-03238 / 0.5				.5
			NW	SE		HUNT, DOUGLAS A65-18148 /	- /				
			NW	SE		CASTLE MOUNTAIN CREEKS OWNERS A65-12776 / 6.0	65-12776 / 6.0				
			NW	SE		CASTLE MOUNTAIN CREEKS OWNERS R65-03238 / 0.5	- /				
			NW	SE		CASTLE MOUNTAIN CREEKS OWNERS 65-12776 / 6.0	- /				
			NW	SE		HUNT, JAN 65-18148 /	- /				
			NW	SE		CASTLE MOUNTAIN CREEK OWNERS A	65-13526 / 6.0	P			
10N	04E	32	SW	SE		CASTLE MOUNTAIN CREEKS OWNERS A65-03238 / 0.5	65-03238 / 0.5				.5
			SW	SE		CASTLE MOUNTAIN CREEKS OWNERS A65-12776 / 4.0	65-12776 / 4.0				
			SW	SE		CASTLE MOUNTAIN CREEKS OWNERS R65-03238 / 0.5	- /				
			SW	SE		CASTLE MOUNTAIN CREEKS OWNERS 65-12776 / 4.0	- /				
			SW	SE		GABLE, JEFFREY D	65-13727 /				
			SW	SE		CASTLE MOUNTAIN CREEK OWNERS A	65-13526 / 6.0	P			
10N	04E	32	SW	SE		CASTLE MOUNTAIN CREEKS OWNERS A65-03238 /	65-03238 / 0.5				.5
			SW	SE		CASTLE MOUNTAIN CREEKS OWNERS A65-12776 / 4.0	65-12776 / 4.0				
			SW	SE		CASTLE MOUNTAIN CREEKS OWNERS R65-03238 / 0.5	- /				
			SW	SE		CASTLE MOUNTAIN CREEKS OWNERS 65-12776 / 4.0	- /				
			SW	SE		GABLE, JEFFREY D	65-13727 /				
			SW	SE		CASTLE MOUNTAIN CREEK OWNERS A	65-13526 / 6.0	P			
10N	04E	32	SE	SE		CASTLE MOUNTAIN CREEKS OWNERS A65-03238 / 0.5	65-03238 / 0.5				.5
			SE	SE		CASTLE MOUNTAIN CREEKS OWNERS A65-12776 / 3.0	65-12776 / 3.0				

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			SE	SE		CASTLE MOUNTAIN CREEKS OWNERS	R65-03238 / 0.5	- /			
			SE	SE		CASTLE MOUNTAIN CREEKS OWNERS	65-12776 / 3.0	- /			.5
			SE	SE		THOMAS, ROBERT L		65-13938 / 0.5			
			SE	SE		THOMAS, ROBERT L		65-13939 /			
			SE	SE		THOMAS, ROBERT L		65-13940 /			
			SE	SE		CASTLE MOUNTAIN CREEK OWNERS A		65-13526 / 7.0	P		
10N	04E	32	SE	SE		CASTLE MOUNTAIN CREEKS OWNERS	A65-03238 /	65-03238 / 0.5			
			SE	SE		CASTLE MOUNTAIN CREEKS OWNERS	A65-12776 / 3.0	65-12776 / 3.0			
			SE	SE		CASTLE MOUNTAIN CREEKS OWNERS	R65-03238 / 0.5	- /			.5
			SE	SE		CASTLE MOUNTAIN CREEKS OWNERS	65-12776 / 3.0	- /			
			SE	SE		THOMAS, ROBERT L		65-13938 / 0.5			
			SE	SE		THOMAS, ROBERT L		65-13939 /			
			SE	SE		THOMAS, ROBERT L		65-13940 /			
			SE	SE		CASTLE MOUNTAIN CREEK OWNERS A		65-13526 / 7.0	P		
10N	04E	33	SW	NW		CASTLE MOUNTAIN CREEKS OWNERS	A65-03238 / 0.5	65-03238 / 0.5			
			SW	NW		CASTLE MOUNTAIN CREEKS OWNERS	A65-12776 / 1.0	65-12776 / 1.0			
			SW	NW		CASTLE MOUNTAIN CREEKS OWNERS	R65-03238 / 0.5	- /			.5
			SW	NW		CASTLE MOUNTAIN CREEKS OWNERS	65-12776 / 1.0	- /			
			SW	NW		CASTLE MOUNTAIN CREEK OWNERS A		65-13526 / 1.0	P		
10N	04E	33	SW	NW		CASTLE MOUNTAIN CREEKS OWNERS	A65-03238 /	65-03238 / 0.5			
			SW	NW		CASTLE MOUNTAIN CREEKS OWNERS	A65-12776 / 1.0	65-12776 / 1.0			
			SW	NW		CASTLE MOUNTAIN CREEKS OWNERS	R65-03238 / 0.5	- /			.5
			SW	NW		CASTLE MOUNTAIN CREEKS OWNERS	65-12776 / 1.0	- /			
			SW	NW		CASTLE MOUNTAIN CREEK OWNERS A		65-13526 / 1.0	P		
10N	04E	33	SE	NW		CASTLE MOUNTAIN CREEKS OWNERS	A65-03238 / 0.5	65-03238 / 0.5			
			SE	NW		CASTLE MOUNTAIN CREEKS OWNERS	A65-12776 / 1.0	65-12776 / 1.0			
			SE	NW		CASTLE MOUNTAIN CREEKS OWNERS	R65-03238 / 0.5	- /			.5
			SE	NW		CASTLE MOUNTAIN CREEKS OWNERS	65-12776 / 1.0	- /			
			SE	NW		CASTLE MOUNTAIN CREEK OWNERS A		65-13526 / 2.0	P		
10N	04E	33	SE	NW		CASTLE MOUNTAIN CREEKS OWNERS	A65-03238 /	65-03238 / 0.5			
			SE	NW		CASTLE MOUNTAIN CREEKS OWNERS	A65-12776 / 1.0	65-12776 / 1.0			
			SE	NW		CASTLE MOUNTAIN CREEKS OWNERS	R65-03238 / 0.5	- /			.5
			SE	NW		CASTLE MOUNTAIN CREEKS OWNERS	65-12776 / 1.0	- /			
			SE	NW		CASTLE MOUNTAIN CREEK OWNERS A		65-13526 / 2.0	P		
10N	04E	33	NE	SW		CASTLE MOUNTAIN CREEKS OWNERS	A65-03238 / 0.5	65-03238 / 0.5			
			NE	SW		WITHROW, ARNOLD F	A65-077708 /	65-077708 /			
			NE	SW		CASTLE MOUNTAIN CREEKS OWNERS	A65-12776 / 3.0	65-12776 / 3.0			.5
			NE	SW		CASTLE MOUNTAIN CREEKS OWNERS	R65-03238 / 0.5	- /			
			NE	SW		WITHROW, ARNOLD F	65-077708 /	- /			
			NE	SW		WARD, EARLE L	65-04002X / 1.0	65-04002X / 1.0			
			NE	SW		CASTLE MOUNTAIN CREEKS OWNERS	65-12776 / 3.0	- /			
			NE	SW		WARD, EARLE L	A65-04002X / 1.0	- /			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			NE	SW		SCHULZ, USTO		65-12719 / 1.0			
			NE	SW		CASTLE MOUNTAIN CREEK OWNERS A		65-13526 / 4.0	P		
10N	04E	33	NE	SW		CASTLE MOUNTAIN CREEKS OWNERS	A65-03238 /	65-03238 / 0.5			
			NE	SW		WITHROW, ARNOLD F	A65-07770B /	65-07770B /			
			NE	SW		CASTLE MOUNTAIN CREEKS OWNERS	A65-12776 / 3.0	65-12776 / 3.0			
			NE	SW		CASTLE MOUNTAIN CREEKS OWNERS	R65-03238 / 0.5	- /			.5
			NE	SW		WITHROW, ARNOLD F	65-07770B /	- /			
			NE	SW		WARD, EARLE L	65-04002X / 1.0	65-04002X / 1.0			
			NE	SW		CASTLE MOUNTAIN CREEKS OWNERS	65-12776 / 3.0	- /			
			NE	SW		WARD, EARLE L	A65-04002X / 1.0	- /			
			NE	SW		SCHULZ, USTO		65-12719 / 1.0			
			NE	SW		CASTLE MOUNTAIN CREEK OWNERS A		65-13526 / 4.0	P		
10N	04E	33	NW	SW		CASTLE MOUNTAIN CREEKS OWNERS	A65-03238 / 1.5	65-03238 / 1.5			
			NW	SW		FREEMAN, LLOYD J	A65-12287 /	65-12287 /			
			NW	SW		EARL, FRANK M	A65-12302 /	65-12302 /			1.5
			NW	SW		BLAKE, JAMES J	A65-07595 /	65-07595 /			
			NW	SW		WITHROW, ARNOLD F	A65-07592 /	65-07592 /			
			NW	SW		SCHULZ, USTO E	A65-07540 /	65-07540 /			
			NW	SW		SCHULZ, USTO E	A65-07562 /	65-07562 /			
			NW	SW		CASTLE MOUNTAIN CREEKS OWNERS	A65-04002A /	65-04002A /			
			NW	SW		CASTLE MOUNTAIN CREEKS OWNERS	A65-12776 / 4.0	65-12776 / 4.0			
			NW	SW		HERRING, NANCY	A65-07770F /	- /			
			NW	SW		FREEMAN, LLOYD J	65-12287 /	- /			
			NW	SW		CASTLE MOUNTAIN CREEKS OWNERS	R65-03238 / 1.5	- /			
			NW	SW		BLAKE, JAMES J	65-07595 /	- /			
			NW	SW		PETERSON, SHIRLEY A	A65-07770H /	- /			
			NW	SW		PETERSON, SHIRLEY A	65-07770H /	- /			
			NW	SW		HERRING, NANCY	65-07770F /	- /			
			NW	SW		CASTLE MOUNTAIN CREEKS OWNERS	65-03238 / 5.0	- /			
			NW	SW		CASTLE MOUNTAIN CREEKS OWNERS	65-12776 / 4.0	- /			
			NW	SW		SCHULZ, USTO E	65-07562 /	- /			
			NW	SW		WEGNER, GLEN	A65-03238A / 5.0	- /			
			NW	SW		SCHULZ, USTO E	A65-07770G /	- /			
			NW	SW		WITHROW, ARNOLD F	65-07592 /	- /			
			NW	SW		SCHULZ, USTO E	65-07770G /	- /			
			NW	SW		CASTLE MOUNTAIN CREEKS OWNERS	65-04002A /	- /			
			NW	SW		SCHULZ, USTO E	65-07540 /	- /			
			NW	SW		EARL, FRANK M	65-12302 /	- /			
			NW	SW		ANDREWS, RICHARD		65-12974A / 1.0			
			NW	SW		GEBERT, JAMES		65-12974B / 1.0			
			NW	SW		GOFFIN, MARTIN		65-12974C / 1.0			
			NW	SW		CZECH, MICHAEL		65-07593 /			
			NW	SW		SCHULZ, USTO E.		65-07770C /			
			NW	SW		LIVINGSTON, EARL		65-07770D /			
			NW	SW		JARVIS, LON		65-13050 /			
			NW	SW		CASTLE MOUNTAIN CREEK OWNERS A		65-13526 / 3.0	P		

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
10N	04E	33	NW	SW		CASTLE MOUNTAIN CREEKS OWNERS	A65-03238 /	65-03238 /	1.5		
			NW	SW		FREEMAN, LLOYD J	A65-12287 /	65-12287 /			
			NW	SW		EARL, FRANK M	A65-12302 /	65-12302 /			
			NW	SW		BLAKE, JAMES J	A65-07595 /	65-07595 /			
			NW	SW		WITHROW, ARNOLD F	A65-07592 /	65-07592 /			
			NW	SW		SCHULZ, USTO E	A65-07540 /	65-07540 /			
			NW	SW		SCHULZ, USTO E	A65-07562 /	65-07562 /			
			NW	SW		CASTLE MOUNTAIN CREEKS OWNERS	A65-04002A /	65-04002A /			
			NW	SW		CASTLE MOUNTAIN CREEKS OWNERS	A65-12776 /	4.0 65-12776 /	4.0		
			NW	SW		HERRING, NANCY	A65-07770F /	- /			
			NW	SW		FREEMAN, LLOYD J	65-12287 /	- /			
			NW	SW		CASTLE MOUNTAIN CREEKS OWNERS	R65-03238 /	1.5 - /			
			NW	SW		BLAKE, JAMES J	65-07595 /	- /			
			NW	SW		PETERSON, SHIRLEY A	A65-07770H /	- /			
			NW	SW		PETERSON, SHIRLEY A	65-07770H /	- /			
			NW	SW		HERRING, NANCY	65-07770F /	- /			
			NW	SW		CASTLE MOUNTAIN CREEKS OWNERS	65-03238 /	5.0 - /			
			NW	SW		CASTLE MOUNTAIN CREEKS OWNERS	65-12776 /	4.0 - /			
			NW	SW		SCHULZ, USTO E	65-07562 /	- /			
			NW	SW		WEGNER, GLEN	A65-03238A /	5.0 - /			
			NW	SW		SCHULZ, USTO E	A65-07770G /	- /			
			NW	SW		WITHROW, ARNOLD F	65-07592 /	- /			
			NW	SW		SCHULZ, USTO E	65-07770G /	- /			
			NW	SW		CASTLE MOUNTAIN CREEKS OWNERS	65-04002A /	- /			
			NW	SW		SCHULZ, USTO E	65-07540 /	- /			
			NW	SW		EARL, FRANK M	65-12302 /	- /			
			NW	SW		ANDREWS, RICHARD		65-12974A /	1.0		
			NW	SW		GEBERT, JAMES		65-12974B /	1.0		
			NW	SW		GOFFIN, MARTIN		65-12974C /	1.0		
			NW	SW		CZECH, MICHAEL		65-07593 /			
			NW	SW		SCHULZ, USTO E.		65-07770C /			
			NW	SW		LIVINGSTON, EARL		65-07770D /			
			NW	SW		JARVIS, LON		65-13050 /			
			NW	SW		CASTLE MOUNTAIN CREEK OWNERS A		65-13526 /	3.0 P		
10N	04E	33	SW	SW		CASTLE MOUNTAIN CREEKS OWNERS	A65-03238 /	0.5 65-03238 /	0.5		
			SW	SW		CASTLE MOUNTAIN CREEKS OWNERS	A65-12776 /	4.0 65-12776 /	4.0		
			SW	SW		CASTLE MOUNTAIN CREEKS OWNERS	R65-03238 /	0.5 - /			.5
			SW	SW		CASTLE MOUNTAIN CREEKS OWNERS	65-12776 /	4.0 - /			
			SW	SW		DAY, CHARLES E.		65-12425 /			
			SW	SW		SPOFFORD, ROB S		65-13411 /			
			SW	SW		CASTLE MOUNTAIN CREEK OWNERS A		65-13526 /	7.0 P		
10N	04E	33	SW	SW		CASTLE MOUNTAIN CREEKS OWNERS	A65-03238 /	65-03238 /	0.5		
			SW	SW		CASTLE MOUNTAIN CREEKS OWNERS	A65-12776 /	4.0 65-12776 /	4.0		
			SW	SW		CASTLE MOUNTAIN CREEKS OWNERS	R65-03238 /	0.5 - /			.5
			SW	SW		CASTLE MOUNTAIN CREEKS OWNERS	65-12776 /	4.0 - /			
			SW	SW		DAY, CHARLES E.		65-12425 /			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			SW	SW		SPOFFORD, ROB S		65-13411 /			
			SW	SW		CASTLE MOUNTAIN CREEK OWNERS A		65-13526 / 7.0	P		
10N	04E	33	SE	SW		CASTLE MOUNTAIN CREEKS OWNERS A65-03238	/ 0.5	65-03238 / 0.5			
			SE	SW		CASTLE MOUNTAIN CREEKS OWNERS A65-12776	/ 4.0	65-12776 / 4.0			.5
			SE	SW		CASTLE MOUNTAIN CREEKS OWNERS R65-03238	/ 0.5	- /			
			SE	SW		CASTLE MOUNTAIN CREEKS OWNERS 65-12776	/ 4.0	- /			
			SE	SW		TERRACE LAKES RECREATION RANCH		65-12985 / 1.8			
			SE	SW		CASTLE MOUNTAIN CREEK OWNERS A		65-13526 / 8.0	P		
10N	04E	33	SE	SW		CASTLE MOUNTAIN CREEKS OWNERS A65-03238	/	65-03238 / 0.5			
			SE	SW		CASTLE MOUNTAIN CREEKS OWNERS A65-12776	/ 4.0	65-12776 / 4.0			.5
			SE	SW		CASTLE MOUNTAIN CREEKS OWNERS R65-03238	/ 0.5	- /			
			SE	SW		CASTLE MOUNTAIN CREEKS OWNERS 65-12776	/ 4.0	- /			
			SE	SW		TERRACE LAKES RECREATION RANCH		65-12985 / 1.8			
			SE	SW		CASTLE MOUNTAIN CREEK OWNERS A		65-13526 / 8.0	P		

ADDITIONAL POU FOUND

TOTAL ACRES A65-03238 7.00 14.00

POU COUNTY: BOISE

7.0

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

Y() N(✓)

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

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-03238	WARM SPRINGS CREEK	CASTLE MOUNTAIN CREEKS OWNERS	0.380	0.054	39.70	5.67
	UNNAMED STREAM					
65-03238	WARM SPRINGS CREEK	CASTLE MOUNTAIN CREEKS OWNERS	0.380	0.034	1.20	0.10
R65-03238	WARM SPRINGS CREEK	CASTLE MOUNTAIN CREEKS OWNERS	0.380	0.054	39.70	5.67
	UNNAMED STREAM					
A65-03238A	WARM SPRINGS CREEK	WEGNER, GLEN	0.380	0.034	1.20	0.10
	WARM SPRINGS					

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
65-04002X	SPRINGS	WARD, EARLE L	0.450	0.450	1.20	1.20
A65-04002X	SPRINGS	WARD, EARLE L	0.450	0.450	1.20	1.20
65-12776	GROUNDWATER	CASTLE MOUNTAIN CREEKS OWNERS	0.200	0.005	160.20	4.21
A65-12776	GROUNDWATER	CASTLE MOUNTAIN CREEKS OWNERS	0.200	0.005	160.20	4.21

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-03238	DOMESTIC	CASTLE MOUNTAIN CREEKS OWNERS	FROM 01-01 TO 12-31	0.240 CFS	15.20 AF/A
R65-03238	DOMESTIC	CASTLE MOUNTAIN CREEKS OWNERS	FROM 01-01 TO 12-31	0.240 CFS	15.20 AF/A
65-12776	DOMESTIC	CASTLE MOUNTAIN CREEKS OWNERS	FROM 01-01 TO 12-31	0.200 CFS	63.00 AF/A
A65-07770E	HEATING	LIVINGSTON, FAY	FROM 01-01 TO 12-31	0.020 CFS	
A65-07770E	DOMESTIC	LIVINGSTON, FAY	FROM 01-01 TO 12-31	0.030 CFS	
65-07770E	HEATING	LIVINGSTON, FAY	FROM 01-01 TO 12-31	0.020 CFS	
65-07770E	DOMESTIC	LIVINGSTON, FAY	FROM 01-01 TO 12-31	0.030 CFS	1.20 AF/A
65-03238	DOMESTIC	CASTLE MOUNTAIN CREEKS OWNERS	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-03238	HEATING	CASTLE MOUNTAIN CREEKS OWNERS	FROM 01-01 TO 12-31	0.120 CFS	1.20 AF/A
A65-18148	DOMESTIC	HUNT, DOUGLAS	FROM 01-01 TO 12-31	0.040 CFS	
65-18148	DOMESTIC	HUNT, JAN	FROM 01-01 TO 12-31	0.040 CFS	
A65-07770B	DOMESTIC	WITHROW, ARNOLD F	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-07770B	HEATING	WITHROW, ARNOLD F	FROM 01-01 TO 12-31	0.020 CFS	
65-07770B	DOMESTIC	WITHROW, ARNOLD F	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-07770B	HEATING	WITHROW, ARNOLD F	FROM 01-01 TO 12-31	0.020 CFS	
65-04002X	DOMESTIC	WARD, EARLE L	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-04002X	HEATING	WARD, EARLE L	FROM 01-01 TO 12-31	0.450 CFS	1.20 AF/A
A65-12287	HEATING	FREEMAN, LLOYD J	FROM 01-01 TO 12-31	0.040 CFS	
A65-12302	HEATING	EARL, FRANK M	FROM 01-01 TO 12-31	0.040 CFS	
A65-07595	DOMESTIC	BLAKE, JAMES J	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-07592	DOMESTIC	WITHROW, ARNOLD F	FROM 01-01 TO 12-31	0.020 CFS	1.20 AF/A
A65-07540	HEATING	SCHULZ, USTO E	FROM 01-01 TO 12-31	0.080 CFS	
A65-07540	DOMESTIC	SCHULZ, USTO E	FROM 01-01 TO 12-31	0.040 CFS	
A65-07562	DOMESTIC	SCHULZ, USTO E	FROM 01-01 TO 12-31	0.040 CFS	
A65-04002A	HEATING	CASTLE MOUNTAIN CREEKS OWNERS	FROM 01-01 TO 12-31	0.250 CFS	
A65-07770F	HEATING	HERRING, NANCY	FROM 01-01 TO 12-31	0.020 CFS	
A65-07770F	DOMESTIC	HERRING, NANCY	FROM 01-01 TO 12-31	0.030 CFS	
65-12287	HEATING	FREEMAN, LLOYD J	FROM 01-01 TO 12-31	0.040 CFS	29.00 AF/A
65-07595	DOMESTIC	BLAKE, JAMES J	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-07770H	HEATING	PETERSON, SHIRLEY A	FROM 01-01 TO 12-31	0.020 CFS	
A65-07770H	DOMESTIC	PETERSON, SHIRLEY A	FROM 01-01 TO 12-31	0.020 CFS	1.20 AF/A
65-07770H	HEATING	PETERSON, SHIRLEY A	FROM 01-01 TO 12-31	0.020 CFS	
65-07770H	DOMESTIC	PETERSON, SHIRLEY A	FROM 01-01 TO 12-31	0.020 CFS	1.20 AF/A
65-07770F	HEATING	HERRING, NANCY	FROM 01-01 TO 12-31	0.020 CFS	
65-07770F	DOMESTIC	HERRING, NANCY	FROM 01-01 TO 12-31	0.030 CFS	1.20 AF/A
65-07562	DOMESTIC	SCHULZ, USTO E	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-07770G	HEATING	SCHULZ, USTO E	FROM 01-01 TO 12-31	0.080 CFS	
A65-07770G	DOMESTIC	SCHULZ, USTO E	FROM 01-01 TO 12-31	0.090 CFS	3.60 AF/A
65-07592	DOMESTIC	WITHROW, ARNOLD F	FROM 01-01 TO 12-31	0.020 CFS	1.20 AF/A
65-07770G	HEATING	SCHULZ, USTO E	FROM 01-01 TO 12-31	0.080 CFS	
65-07770G	DOMESTIC	SCHULZ, USTO E	FROM 01-01 TO 12-31	0.090 CFS	3.60 AF/A
65-04002A	HEATING	CASTLE MOUNTAIN CREEKS OWNERS	FROM 01-01 TO 12-31	0.250 CFS	
65-07540	HEATING	SCHULZ, USTO E	FROM 01-01 TO 12-31	0.080 CFS	
65-07540	DOMESTIC	SCHULZ, USTO E	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-12302	HEATING	EARL, FRANK M	FROM 01-01 TO 12-31	0.040 CFS	4.00 AF/A

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

Y(☒) N(☐)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: SEE OVERLAP REVIEW DTD 4-25-00

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

N/A(☐) Y(☒) N(☐)

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

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

N/A(☐) Y(☒) N(☐)

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

Y(☐) N(☒)

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

Y(☐) N(☒)

NOTES: • SEE TRANSFER MAP IN FILE

• THE 1987 NAPP PHOTO IS BASED UPON THE TRANSFER MAP.

• THE SHAPES DRAWN ARE FOR REFERENCE ONLY THEY DO NOT REPRESENT ACTUAL ACRES, FOR DETERMINING THE LOCATIONS OF THE LOTS COVERED, USE THE TRANSFER MAP OF THE PLATTED SUBDIVISION.

TOTAL ACRES: 7 N/A()
REVIEWED BY: Rdh DATE: 4-25-00

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-03238 IRRIGATION	FROM 04-01 TO 11-01	0.140 CFS	24.50 AF/A
A65-03238 DOMESTIC	FROM 01-01 TO 12-31	0.240 CFS	15.20 AF/A
TOTAL DIVERSION RATE/VOLUME		0.380 CFS	39.70 AF/A

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-03238 IRRIGATION	FROM 04-01 TO 11-01	0.140 CFS	24.50 AF/A
65-03238 DOMESTIC	FROM 01-01 TO 12-31	0.240 CFS	15.20 AF/A
TOTAL DIVERSION RATE/VOLUME		0.380 CFS	39.70 AF/A

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

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

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

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

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

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

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

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

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

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

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

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

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

PAGE: 16

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

16

CLAIM NUMBER: A65-03238

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 0.380 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.380 CFS

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

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

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

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

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

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

E. FLOW MEASUREMENT

MEASUREMENT METHOD NA, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 7 x 0.02 CFS/ACRE = 14 CFS
(Taken from pou review)

1b. CALCULATIONS

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

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

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 39.70 AF/A

ACRES 7 x DIVERSION VOL. AF/A FOR AREA 3.5 =

TOTAL DIVERSION VOLUME 24.50 AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES x CONSUMPTIVE VOL. AF/A FOR AREA =

TOTAL CONSUMPTIVE USE AF/A

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

AKA
24.5 IRR
+ 15.2 Dom
39.7 TOTAL

NOTES: SEE TRANSFER FOR ADDITIONAL INFO.; IN THIS FILE.

WR RECORD CONDITIONS/REMARKS:

- ~~R04~~ - Use of water under this water right will be regulated by the
- ~~watermaster of State Water District No. 65.~~
- T18 - Prior to diversion of water under this approval, the right holder
- shall provide a means of measurement and lockable controlling
- works for all authorized points of diversion. The means of
- measurement and controlling works must be suitable for control of
- the diversions and acceptable to the watermaster.
- ~~081~~ - Use of water under this approval shall comply with applicable
- water quality standards of the Division of Environmental Quality
- of the Idaho Department of Health and Welfare.
- ~~020~~ - Use of water under this right may be affected by an agreement

GREN RMK

- ~~T07~~ - between the protestant and the right holder.
- ~~T07~~ - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- ~~T08~~ - Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- ~~T09~~ - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

GEN The total instantaneous diversion of water from all points of diversion under Transfer 4392 shall not exceed 0.38 cfs, nor a total combined annual volume of 39.7 af.

QNT Rmk

~~Approval of Transfer 4392 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.~~

Right 65-03238 is associated with 105 lots within Castle Mountain Creek Subdivision.

EXP Rmk

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (X) PER TRANSFER

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE CFS		VOL. AF/A		USE	
IRRIGATION DOMESTIC	04-01	11-01	DATABASE 0.140	EXAMINER	DATABASE 24.50	EXAMINER	DATABASE 0.0	EXAMINER
	01-01	12-31	0.240		15.20		0.0	
TOTAL FOR THIS RIGHT			0.380		39.70		0.0	

NON-IRRIGATION USES CLAIMED: DOMESTIC

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

REVIEWED BY: TRH DATE: 4-25-00

FLAG: —

STANDARD CONDITIONS (CODE):

N10

STANDARD REMARKS (CODE):

QNT
POW1
CEN (SEE WR CONDITION REMARKS ON Pg 18 & 19 CUR)

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

EXP - 105 Lots within CASTLE MTN, CREEK SUBD.

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-03238

TOTAL DIVERSION RATE OF WR SPLITS DATABASE 0.380 EXAMINER CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-03238	0.380	R65-03238	0.380	65-03238	0.380
-	A65-03238A	0.380	-	-	-	-
TOTAL CFS		0.760		0.380		0.380

DIVERSION RATE REVIEW

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

DATABASE N FIELD EXAMINER Y() N()

NO SPLITS

NOTES:

TRANSFER 4392 AMENDED CLAIM, APPROVED APRIL 11, 2000.

AUTHENTICATION:

SIGNATURE: Ron Howerton DATE: 4-25-00

NAME OF FIELD EXAMINER: Ron Howerton TITLE: _____

Sr Water Agent

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

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
☒ TOPOGRAPHIC	DATE FIELD CHECKED <u>1985 1988</u> IDWR ID NO. <u>V10, V11</u>	Y() N()
☒ NAPP	DATE OF PHOTO <u>1987</u> IDWR ID NO. _____	Y() N()
☒ ASCS AERIAL PHOTO	DATE OF PHOTO <u>1964 DHU-1EE-120</u>	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
☒ OTHER <u>PRWA</u>	DATE <u>WR RECORD</u>	Y() N()
☒ OTHER <u>FINDINGS</u>	DATE <u>Page 615 From PRBA Book</u>	Y() N()
☒ OTHER <u>MAP</u>	DATE <u>PRBA MAP "F"</u>	Y() N()

2 MAPS =
1 = TRANSFER
PID MAP
1 = MAP PID
PRIOR TO
TRANSFER

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
☒ IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED <u>APRIL 11, 2000</u>	<u>(2)</u>	<u>ALSO SEE ORIGINALS (COPIES) (7)</u>
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	<u>PRIOR TO APPROVAL</u>
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
☒ OTHER <u>MAP</u>	DATE _____	<u>1</u>	<u>TRANSFER MAP - SHOWS POW</u>
☒ OTHER <u>OVERLAP</u>	DATE <u>4/25/00</u>	<u>1</u>	<u>OVERLAP AFTER TRANSFER.</u>

REVIEW

SEE ADDITIONAL Items Listed on PRIOR CUR to TRANSFER 4392.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:52:30
04/25/00
24

PAGE: 24
PROFILE REPORT

CLAIM NUMBER: A65-03238

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CASTLE MOUNTAIN CREEKS OWNERS ASSN	06/01/1883	IRRIGATION DOMESTIC	04-01 11-01 01-01 12-31	0.140 CFS 0.240 CFS	24.50 AFA 15.20 AFA
TOTAL DIVERSION:					0.380 CFS	39.70 AFA

Water Source: WARM SPRINGS CREEK
UNNAMED STREAM

Tributary to: PAYETTE RIVER, MIDDLE FORK
WARM SPRINGS CREEK

Stage: DECREED

Point(s) of Diversion: T10N R04E S31 NESE
S32 NWSE
S33 NWSW

BOISE County
BOISE County
BOISE 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		
10N	04E	32	:			.5	.5	:									.5	.5	.5	.5	:	3.0	
10N	04E	33	:					:		.5	.5	:	.5	01	.5	.5	:					:	4.0
TOTAL ACRES																				7.0			

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
10N	04E	32	:			D	D	:									D	D	D	D	:
10N	04E	33	:					:		D	D	:	D	D	D	D	:				:

POU County: BOISE

Non-Irrigation Uses: DOMESTIC

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
- T18 - Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
- 081 - Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
- 020 - Use of water under this right may be affected by an agreement between the protestant and the right holder.
- T07 - The right holder shall accomplish the change authorized by this

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:52:30
04/25/00
25

PAGE: 25
PROFILE REPORT CONTINUED

CLAIM NUMBER: A65-03238

Conditions of Approval:

- transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this
 - transfer is cause for the Director to rescind approval of the
 - transfer.
- T09 - Approval of this transfer does not preclude the opportunity for
 - review of the validity of the water right(s) in the ongoing
 - Snake River Basin Adjudication.

Remarks: GEN CLAIM AMENDED PER TRANSFER NO. 4392 APPROVED APRIL 11, 2000.
SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE
COPY OF APPROVED TRANSFER NO. 4392 IN FILE.
THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF
DIVERSION UNDER TRANSFER 4392 SHALL NOT EXCEED 0.38 CFS, NOR A
TOTAL COMBINED ANNUAL VOLUME OF 39.7 AF.
APPROVAL OF TRANSFER 4392 DOES NOT GRANT ANY RIGHT-OF-WAY OR
EASEMENT FOR USE OF A DELIVERY SYSTEM OWNED BY PERSON(S) OTHER
THAN THE RIGHT OWNER.
RIGHT 65-03238 IS ASSOCIATED WITH 105 LOTS WITHIN CASTLE
MOUNTAIN CREEK SUBDIVISION.

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number: 65	Field Inspection Flag:	Presumption Flag:

February 3, 2000

NOTICE OF ERROR
REPLY

RECEIVED
FEB 25 2000
WATER RESOURCES
WESTERN REGION

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: March 3, 2000

Water right number: 65-03238

CASTLE MOUNTAIN CREEKS OWNERS ASSN
HC 76 BOX 4001
GARDEN VALLEY ID 83622

Daytime Telephone Number:

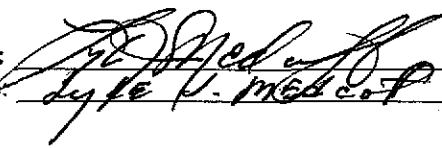
Evening Telephone Number:

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:

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

DATE: 2/19/00 SIGNATURE: 
Please print your name: Dyle P. Meeker

IDWR Western Regional Office, 2735 Airport Way, Boise, ID 83705-5082, (208) 334-2190

AMENDED BY TRANSFER 4392

AJ0749NP
No. R65-03238

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

DATE: 01/31/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME																																																																																																																																																																																																																
C	CASTLE MOUNTAIN CREEKS OWNERS ASSN HC 76 BOX 4001 GARDEN VALLEY ID 83622 (208) 462-3785	06/01/1883	IRRIGATION HEATING DOMESTIC	04-01 11-01 01-01 12-31 01-01 12-31	0.220 CFS 0.120 CFS 0.040 CFS	1.20 AFA 1.20 AFA																																																																																																																																																																																																																
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Dates: Exam Made Date: Verified Date: 01/31/2000 Objection Filed Date:																																																																																																																																																																																																																						
Misc: Water District Number: 65 Field Inspection Flag:																																																																																																																																																																																																																						

WR5809NP
No. 65-03238

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/20/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GARDEN VALLEY ASSOC. STAR ROUTE GARDEN VALLEY ID 83622	06/01/1883	IRRIGATION HEATING DOMESTIC	04/01 11/01 01/01 12/31 01/01 12/31	0.220 CFS 0.120 CFS 0.040 CFS	 1.20 AFA 1.20 AFA
TOTAL DIVERSION:					0.380 CFS	1.20 AFA

Water Source: WARM SPRINGS CREEK

Tributary to: PAYETTE RIVER, MIDDLE FORK

Stage: DECREED

Point(s) of Diversion:

T10N R04E S32
S33

NWSE
NWSW

← NOT CLAIMED

BOISE County
BOISE 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
10N	04E	32	:																	:	6.0
10N	04E	33	:																	:	5.0
TOTAL ACRES																				11.0	

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

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

Pou County: BOISE

Dates:	App. Received:	Priority Date:	06/01/1883
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT 06/27/89 CURTIS 05/24/95 RLOVEALL

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 615

INDICATES TOTAL

SOURCE: WARM SPRINGS CREEK

TRIBUTARY TO: MIDDLE FORK, PAYETTE RIVER

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
65-3236X	BUZZELL, PALLA & BUZZELL, DEAN ROUTE 1, MELBA, IDAHO 83641	6/ 1/1873	IRRIGATION	4/ 1 11/ 1	--- AFA .10 CFS	SESW S34 TION R 4E SWSE S34 TION R 4E	SESW(31) SWSE(2) S34 TION R 4E *5*	DECREE
65-3236A	PITMAN, RAY E. & PITMAN, DOROTHY M. BOX 407, MERIDIAN, IDAHO 83642	6/ 1/1873	IRRIGATION	4/ 1 11/ 1	--- AFA .20 CFS	NWSW S34 TION R 4E	SESW(101) S34 TION R 4E *10*	DECREE
65-3237A	HEDRICK & UGDINE FARMS 1154 NORTH ORCHARD, BOISE, IDAHO 83704	7/ 1/1873	IRRIGATION	4/ 1 11/ 1	--- AFA .33 CFS	NWSW S34 TION R 4E	SWNE(9) NENW(12) SESW(17) SWNE(18) S 3 1 9N R 4E *56*	DECREE
65-3237B	SANDERS, HELEN E. GARDEN VALLEY, IDAHO 83622	7/ 1/1873	IRRIGATION	4/ 1 11/ 1	--- AFA .50 CFS	NWSW S34 TION R 4E	NESW(17) SESW(18) S 3 1 9N R 4E NENW(1) S10 1 9N R 4E *36*	DECREE
65-3237X	TERRACE LAKES REC. RANCH, INC. GARDEN VALLEY, IDAHO 83622	7/ 1/1873	IRRIGATION	4/ 1 11/ 1	--- AFA .17 CFS	NWSW S34 TION R 4E	NENW(12) NENW(1) SESW(7) S 3 1 9N R 4E *20*	DECREE
65-3235	BUZZELL, DEAN & BUZZELL, PALLA ROUTE 1, MELBA, IDAHO 83641 REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-3232 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.	8/ 1/1873	IRRIGATION	4/ 1 11/ 1	--- AFA .50 CFS	NWSW S34 TION R 4E	NESW(19) SESW(10) NWSE(5) SWSE(6) S34 TION R 4E *40*	DECREE
65-3238	GARDEN VALLEY ASSOCIATES STAR ROUTE, GARDEN VALLEY, IDAHO 83622	6/ 1/1883	IRRIGATION	4/ 1 11/ 1	--- AFA .22 CFS	NWSE S32 TION R 4E NWSW S33 TION R 4E	NESE(6) S32 TION R 4E NWSW(5) S33 TION R 4E *11*	DECREE
			DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS		SAFELY AS OTHER USE	
			HEATING	1/ 1 12/31	--- AFA .12 CFS *---*AFA *.38*CFS		SAFELY AS OTHER USE	
65-3239	TERRACE LAKES REC. RANCH, INC. GARDEN VALLEY, IDAHO 83622	6/ 1/1887	IRRIGATION	4/ 1 11/ 1	--- AFA 1.00 CFS	NWSE S33 TION R 4E	SWNE(1) NWSE(8) SWSE(3) LOT 2(6) LOT 3(29) LOT 4(2) S33 TION R 4E *48*	DECREE

NOTES FROM FIELD EXAMINER
IN PRBA DATED 2/15/79

Memo To: 65-3238

From: F.E.L. 2/15/79

1964 AERIAL SHOWS LITTLE IF ANY DEFINITE SIGNS OF IRRIGATION
ON LANDS COVERED BY THIS PORTION OF THE WARM SPRINGS DECREE
1975 U-2 PHOTO ALSO NO POSITIVE SIGNS.
1977 U-2 INDICATES APPROX 6 ACRES IN NESE S32, & THOUGH
DIFFICULT TO DEFINITELY ASCERTAIN, BECAUSE OF A JUNGLE OF ROADS
IN AREA, APPROXIMATELY 5 ACRES IN NW SN S33, ALL IN T10N R4E.
WE ARE THEREFORE RECOMMENDING IRRIGATION OF 11 ACRES FOR
THE IRRIGATION PORTION OF THIS RIGHT.

gfr

Idaho Department of Water Resources

T10N R04E
S32 & S33

Claim(s) 65-03238
Owner(s) Castle Mtn
Creeks Own Ass'n
Prepared by:
Ron Howerton
Date: 20 DEC 99

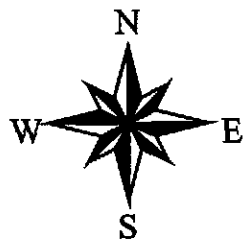
 Place of use

● POD

 SECTION LINES

 1/4 1/4 LINES

Acres



1987 NAPP



Idaho Department of Water Resources

T10N R04E
S32 & S33

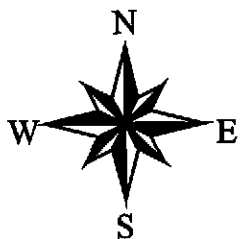
Claim(s) 65-03238
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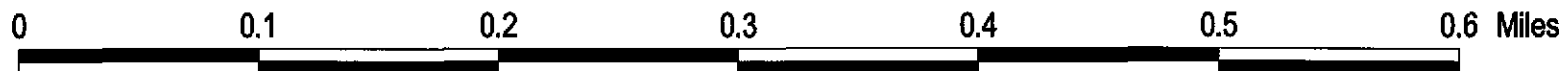
● POD

 SECTION LINES

 1/4 1/4 LINES

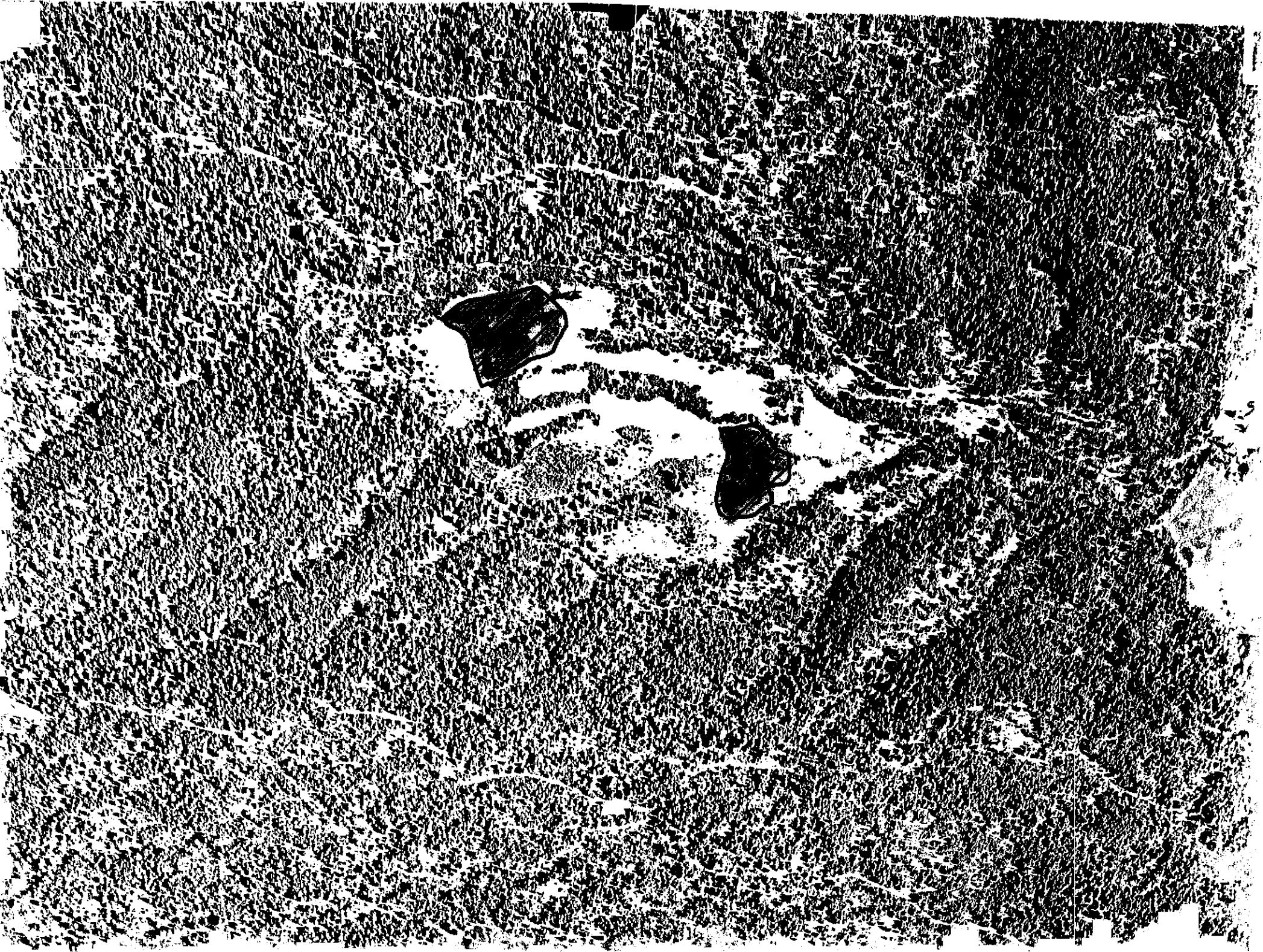


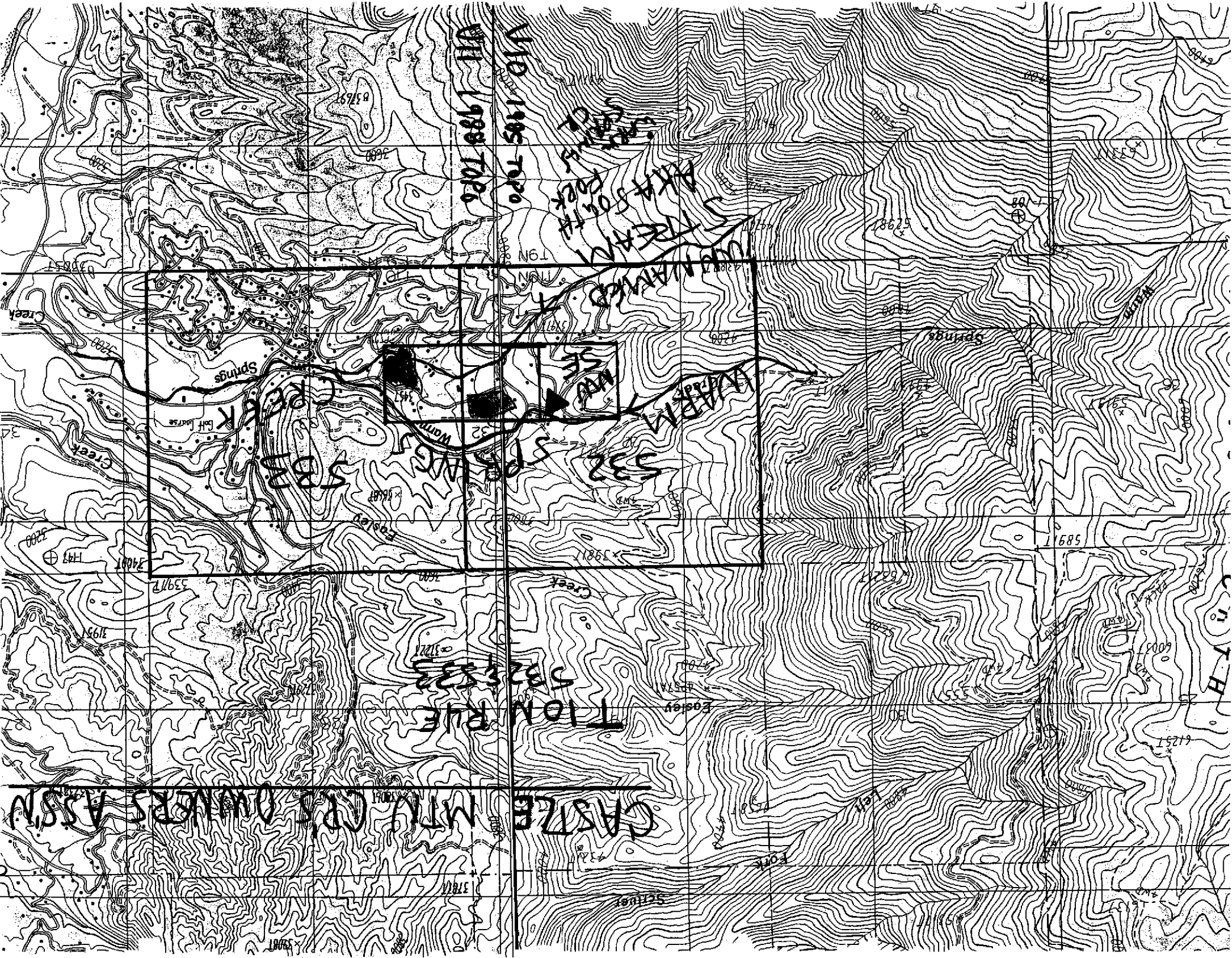
1987 NAPP



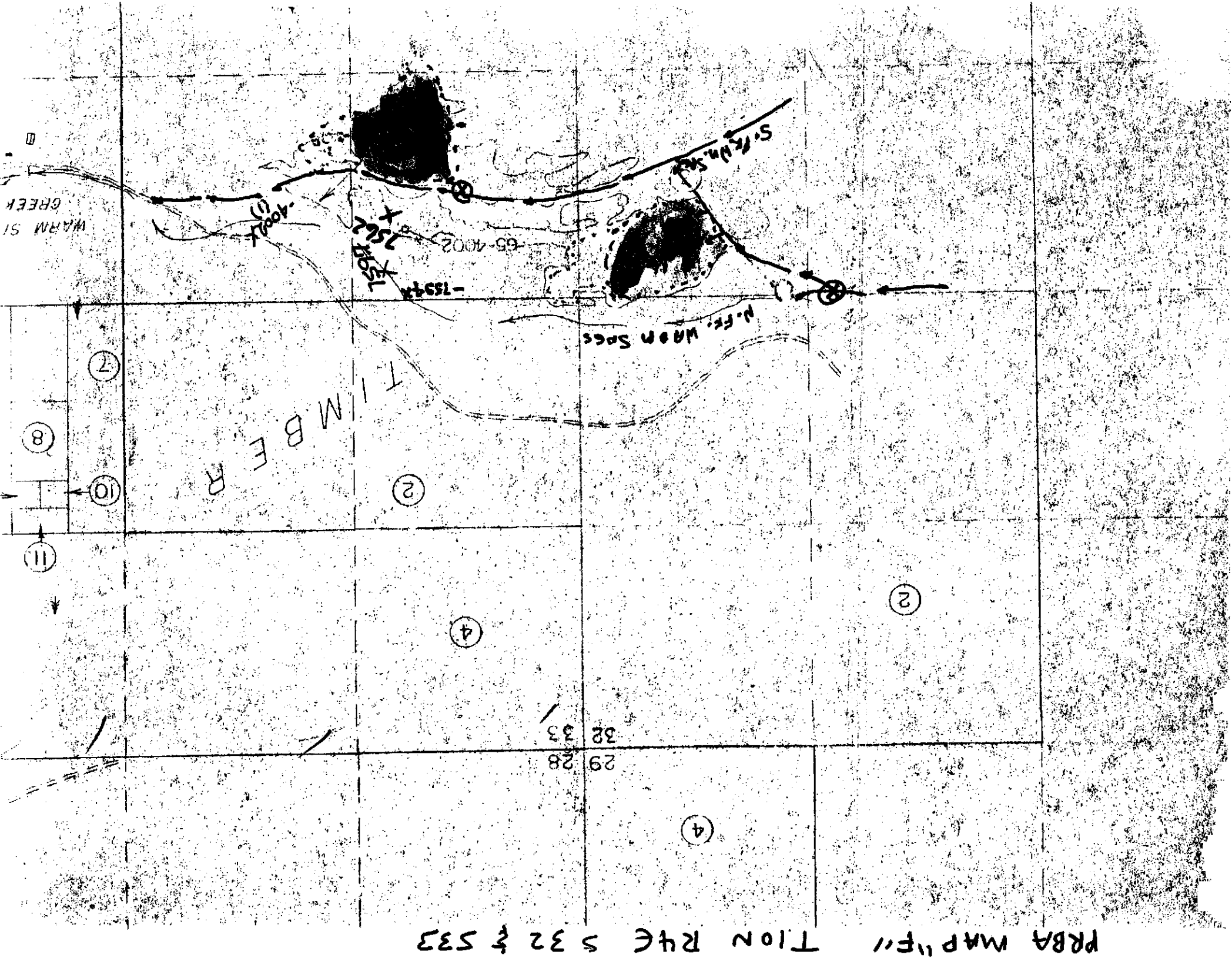
1964 ASCS MAP

DHU-1EE-120





PRBA MAP "F" TION R4C 5 32 & 533



MEMORANDUM

March 29, 1996

TO: DAVE TUTHILL *DM*

FROM: JAN SHURTE

RE: ATTACHED LISTING OF WATER RIGHTS CONCERNING PROTESTS ON
APPLICATION FOR TRANSFER NO. 65-03238 & APPLICATION FOR
PERMIT NO. 65-13526 - CASTLE MTN CK OWNERS ASSN INC

As we discussed, attached is a listing of water right filings that may help in the protests for the above applications.

I listed only the water rights for the protestants and both claimants who filed duplicate claims for 65-03238 since they would all be affected by the transfer.

Basically, it will boil down to whether or not the individuals have a right or not to a portion of 65-03238, specifically the original heating use and irrigation and whether they will be injured by the new application. There is no evidence in any of the files that the heating use on the original decree went to Usto Schulz, which would also mean there is no evidence he didn't have it, except that the decreed source is not the hot springs. I could not find any information showing what the heating use as recommended at the time of the decree was and even when I wrote Forrest Luthy he did not remember what it was based on. Mr. Schulz has other water rights that were filed to cover heating & domestic use for 2 units from the hot spring, however, per Steve's field exams in 1986 and 1993 it appears 3 additional homes have been added to use the water from the hot springs sometime within those 7 years. The claim filed by Mr. Schulz, along with several individual names, added the Warm Spring source to the decreed right. The actual decreed right stated Warm Springs Creek only as the source. Depending on the outcome of the protests it could be that a new application may be needed for the new uses.

Some of the other individuals involved have separate filings on the hot springs for their personal use, along with Castle Mountain Ck Owners Assn. (A65-04002A). However, the 4 individual groups who only show Claim No. A65-03238A, upon which the hot springs were added on the claim, but were not decreed, are listed on the bottom of page one of the water right listing. Per Steve's field exam, the Burger's do use the hot spring, but it is unknown whether the other parties do or not. It could be that new applications may be needed if these parties use the hot springs since it is doubtful that the decreed right for 65-03238 will be approved to add the Warm Springs source they claimed. A copy of Steve's field exam and notes are attached for your review.

MICROFILMED
OCT 18 1996

There are also filings by the individuals involved covering their irrigation from Warm Springs Creek along with the application for transfer which purposefully retained that portion of the original decreed acres within these individual's land to cover what they are now irrigating from the creek source. The remaining acres have been subdivided and a portion of the irrigation use is proposed to be changed to domestic. The reason Castle Mountain filed on the entire right is due to the documents from the original decree owners, Garden Valley Associates, assigning the water system and all water rights and claims to Castle Mountain. Copies of these documents are in the file. The full purpose of the transfer is explained in my memo dated 6-30-1994.

The attached research is submitted per your request. However, because my mother has a cabin in the area served by Castle Mtn Ck Owners Assn Inc, it could be thought that I have a conflict of interest in this dispute. Therefore, I submit this memo and attached research as I would have with any other assignment, but would prefer not to be involved any further with the upcoming conference or proposed decision, unless you specifically feel that I need to be.

A handwritten signature in cursive script, appearing to be 'Jan'.

MICROFILMED
OCT 18 1996

**LISTING OF INDIVIDUAL WATER RIGHTS IN CONNECTION WITH PROTEST ON
APP. FOR TRANSFER OF RIGHT NO. 65-03238 AND APP. FOR PERMIT NO.
65-13526 IN THE NAME OF CASTLE MTN CREEK OWNERS ASSN**

HOT SPRINGS & GEOTHERMAL WELLS WATER RIGHT FILINGS

CASTLE MTN CREEK OWNERS ASSN INC

A65-04002A - SPRINGS - 6-1-1965 - DECREED - .25 CFS FOR HEATING TO
BE USED IN POOLS, SPA & MAINTENANCE SHED.

USTO SCHULZ

A65-03238A - WARM SPRING & WARM SPRINGS CREEK - 6-1-1883 - DECREED
(THE WARM SPRING SOURCE WAS CLAIMED BUT WAS NOT DECREED UNDER THIS
RIGHT IN THE PRBA). THE CLAIM WAS FILED FOR .22 CFS FOR IRRIGATION
OF 11 ACRES, .04 CFS FOR DOMESTIC AND .12 CFS FOR HEATING. THE
NUMBER OF HOMES WAS NOT LISTED. THIS CLAIM WAS FILED UNDER SEVERAL
INDIVIDUALS WHICH ARE LISTED BELOW TO SHOW WATER RIGHTS EACH
INDIVIDUAL HAS FILED. THESE INDIVIDUALS ARE LISTED SINCE ALL ARE
A PART OF THE TWO DUPLICATE CLAIM FILINGS ON RIGHT NO. 65-03238.
THE 2ND CLAIM IS CLAIM NO. A65-03238B FILED BY CASTLE MTN CK OWNERS
ASSN UPON WHICH THE PROTESTED TRANSFER WAS BASED.

A65-07540 - WARM SPRINGS - 4-7-1975 - DECREED FOR 2 UNITS-HOME AND
GUESTHOUSE FOR HEATING & DOMESTIC - .08 CFS FOR HEATING AND .04 CFS
FOR DOMESTIC ALL IN LOT 3. CLAIM FILED FOR 3 HOMES WITH THE REMARK
THAT THE HOUSEHOLDS HAVE BEEN ON THE SYSTEM SINCE INITIAL START.

A65-07770C - HOT WELL - 12-19-1976 - LICENSED & DECREED FOR .10 CFS
FOR HEATING AND .11 CFS FOR DOMESTIC USE. BOTH HEATING & DOMESTIC
USE ARE FOR 3 HOMES AND 2 OFFICES IN LOT 3. PER A FIELD EXAM
CONDUCTED BY STEVE LESTER, THE 3 HOMES AND 2 OFFICES WERE OWNED BY
SCHULZ, BURGER & JARVIS. IN 11-1993 STEVE CONDUCTED ANOTHER EXAM
ON THE HOT SPRINGS FOR A PERMIT FOR JARVIS'S AND WAS INFORMED THAT
THIS HOT WELL NOW SERVED 3 DIFFERENT HOMES IN THE NAMES OF
PETERSON, SWARTLEY & STEVENS AND THAT THE ORIGINAL 3 HOMES WERE NOW
USING THE HOT SPRINGS INSTEAD OF THIS WELL. WHETHER THE 2 OFFICES
USE THE HOT SPRING OR HOT WELL IS STILL UNCLEAR. THE USE FOR THE
3 HOMES FROM THE SPRING MAY BE COVERED UNDER A65-07540 AS CLAIMED,
HOWEVER, ONLY 2 DOMESTIC USES WERE LICENSED. A CHANGE OF OWNERSHIP
FORM HAS BEEN SUBMITTED FOR THE CLAIM ON THIS RIGHT. THIS CHANGE
IS FOR A PORTION OF THIS RIGHT - .04 CFS FOR HEATING & DOMESTIC USE
FOR ONE HOME TO JACK &/OR SHIRLEY PETERSON.

**HARRY, HELEN & LENETTE BURGER, HARRY SHERMAN, JOHN & MARGARET RIBBY
& GLEN WEGNER**

A65-03238A - WARM SPRING (CLAIMED) & WARM SPRINGS CREEK (DECREED) -
SEE EXPLANATION OF THIS CLAIM UNDER USTO SCHULZ.

MICROFILMED
OCT 18 1996

FILINGS FOR HOT SPRINGS & GEOTHERMAL WELLS CONTINUED:

LON & RENEE JARVIS

A65-03238A - WARM SPRING (CLAIMED) & WARM SPRINGS CREEK (DECREED) - SEE EXPLANATION OF THIS CLAIM UNDER USTO SCHULZ.

A65-07770C - HOT WELL - SEE EXPLANATION ABOVE UNDER USTO SCHULZ.

65-13050 - HOT SPRINGS - 2-7-1989 - PERMIT WITH FIELD EXAM SHOWING HEATING AND DOMESTIC USES FOR 2 HOMES WITH ONE SWIMMING POOL IN LOT 3. LICENSE NOT YET ISSUED.

EARL & FAY LIVINGSTON

A65-03238A - WARM SPRING (CLAIMED) & WARM SPRINGS CREEK (DECREED) - SEE EXPLANATION OF THIS CLAIM UNDER USTO SCHULZ.

A65-07770D - 12-18-1976 - LICENSE - HOT WELL FOR .04 CFS FOR HEATING AND .06 CFS FOR DOMESTIC USE FOR 2 HOMES IN LOT 2.

ARNOLD & JB WITHROW

65-07593 - 10-29-1975 - HOT SPRINGS -LICENSE - NO ADJUDICATION CLAIM FILED - ORIGINALLY LICENSED FOR .01 CFS FOR HEATING OF A SWIMMING POOL - LOT 10 - NOT FOR HEATING HOME. PER EXAM THE HOT SPRINGS SUB UP IN THE POOL - DIFF. HOT SPGS THAN OTHER RIGHTS?

A65-07770B - 11-29-1976 - LICENSE - HOT WELL FOR .04 CFS FOR DOMESTIC USE AND .02 CFS FOR HEATING OF 1 HOME IN LOT 10.

WARM SPRINGS CREEK WATER RIGHT FILINGS

GARY L. & D. ANN BUNN

A65-03231B - 6-1-1865 - DECREED - WARM SPRINGS CREEK FOR .14 CFS FOR IRRIGATION OF 6 ACRES.

CASTLE MTN CREEK OWNERS ASSN INC

A65-03238B - 6-1-1883 - DECREED - WARM SPRINGS CREEK FOR .22 CFS FOR IRRIGATION, .04 CFS FOR DOMESTIC & .12 CFS FOR HEATING. A TRANSFER APPLICATION WAS FILED TO CHANGE THE NATURE OF USE TO REPRESENT THE USE AS OF 6-18-1987 TO DOMESTIC FOR 105 LOTS AND .24 CFS AND IRRIGATION OF 7 ACRES FOR .14 CFS PLUS TO ADD A POINT OF DIVERSION. THE TRANSFER ALSO CORRECTS THE SOURCE, MICHOE THE TOPOGRAPHIC MAP, TO SHOW WARM SPRINGS CREEK AND UNNAMED STREAM
MICHOE FILMED
OCT 18 1996

WHICH REPRESENTS THE NORTH & SOUTH FORKS OF WARM SPRINGS CREEK ORIGINALLY DECREED. THE ACTUAL SOURCES HAVE NOT CHANGED FROM WHAT WAS ORIGINALLY DECREED, ONLY THE SOURCE NAMES NEEDED CLARIFYING. THE 7 ACRES OF IRRIGATION ALSO COVER THOSE ACRES BEING IRRIGATED BY SOME OF THE INDIVIDUAL LANDOWNERS LISTED AS CLAIMANTS ON THE DUPLICATE CLAIM FILING NO. A65-03238A. THE APPLICATION FOR TRANSFER HAS BEEN PROTESTED.

65-13526 - 6-30-94 - APP. FOR PERMIT (PROTESTED) - WARM SPRINGS CREEK FOR .54 CFS FOR DOMESTIC USE ON 162 LOTS AND 1.04 CFS FOR IRRIGATION OF 52 ACRES. THIS APPLICATION WAS FILED TO COVER THE REMAINING LOTS AND ACRES DEVELOPED AFTER 1987 AND NOT COVERED UNDER A65-03238B.

USTO SCHULZ

A65-03238A - 6-1-1883 - WARM SPRINGS CREEK(DECREED) & WARM SPRINGS(CLAIMED) - SEE EXPLANATION ABOVE UNDER LISTING OF RIGHTS FOR HOT SPRINGS & GEOTHERMAL WELLS.

A65-07562 - 07-09-1975 - DECREED - SOUTH FORK WARM SPRINGS CREEK (SAME SOURCE AS THE UNNAMED STREAM UNDER THE APPLICATION FOR TRANSFER OF 65-03238) FOR .04 CFS FOR DOMESTIC USE FOR 1 HOME (PERMIT ISSUED FOR 1 HOME, HOWEVER LICENSE DOES NOT LIST # OF HOMES). PER THE FIELD EXAM FOR PROOF OF BENEFICIAL USE THIS WATER IS MIXED WITH THE HOT WATER UNDER A65-07540 AND USED TO MEET THE NEEDS OF THE TWO HOUSEHOLDS OWNED BY MR. SCHULZ (HOME & GUESTHOUSE). LICENSE WOULD ONLY COVER 1 HOME PER PERMIT LIMITATION.

ARNOLD & JB WITHROW

A65-07592 - 12-3-1975 - NORTH FORK WARM SPRINGS CREEK - DECREED - (THIS SOURCE IS THE SAME AS WARM SPRINGS CREEK ON THE PROTESTED TRANSFER AND APPLICATION FOR PERMIT). FOR .02 CFS FOR DOMESTIC USE WHICH IS LISTED AS OUTSIDE IRRIGATION FOR 1/2 ACRE OR LESS.

JOHN & MARGE TRIBBY

65-12802 - 6-24-1987 - LICENSE - SOUTH FORK WARM SPRINGS CREEK (SAME SOURCE AS THE UNNAMED STREAM UNDER THE APPLICATION FOR TRANSFER OF 65-03238) FOR .02 CFS FOR IRRIGATION OF .8 ACRES.

NOTE: THE WATER RIGHT FILINGS LISTED ABOVE ARE NOT ALL OF THE FILINGS ON THE HOT SPRINGS/WELLS, WARM SPRINGS CREEK AND UNNAMED STREAM TRIB. TO WARM SPRINGS CREEK. THE RIGHTS LISTED ABOVE ARE THE FILINGS OF PROTESTANTS AND BOTH PARTIES LISTED ON THE DUPLICATE FILINGS FOR 65-03238. THESE ARE THE PARTIES INVOLVED IN THIS DISPUTE, THEREFORE, ONLY THEIR FILINGS ARE LISTED HERE.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:04:37
12/20/99

PAGE: 16
QUICKLOOK INFORMATION

16
CLAIM NUMBER: A65-03238

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y		Rel in office 12/20/99					Rel 12/20/99
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM	Y							
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:04:37
12/20/99

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A65-032381

LAST: CASTLE MOUNTAIN CREEKS OWNERS' ASS'N FIRST:
ADDRESS: HC 76 BOX 4001
CITY: GARDEN VALLEY STATE: ID ZIP: 83622
PHONE NUMBER: 208-462-3765

OWNER CODE: C

LAST: GARDEN VALLEY ASSOC FIRST:
ADDRESS: STAR ROUTE
CITY: GARDEN VALLEY STATE: ID ZIP: 83622
PHONE NUMBER: 208-000-0000

OWNER CODE: O

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE FIELD
Y EXAMINER
Y() N()

CLAIM REMARKS: GEN THIS IS A SPLIT RIGHT FROM 65-03238. THE OWNERSHIP OF THIS RIGHT
WILL BE DETERMINED AT A LATER DATE.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: IN OFFICE PHONE NUMBER: () -
DATE OF FIELD EXAM: 12/20/99 APPOINTMENT MADE: Y() N() TIME: : A() P()
ACCOMPANIED BY: PHONE NUMBER: () -
RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / NOTES:

SEE MAPS IN FILE

A. AJ CLAIM: # A65-03238B PRIORITY DATE: 06-01-1883 STAGE: D

B. WR RECORD: # 65-03238 PRIORITY DATE: 06-01-1883 STAGE: D

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

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

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

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

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

FIELD EXAM COMPLETED N/A(☒) Y() N()

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

LICENSE ISSUED N/A(☒) Y() N()

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

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

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

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

NOTES: _____

=====

RECOMMENDED PRIORITY DATE:

06-01-1883

REVIEWED BY Rch

DATE 12/20/99

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-03238B	10N	04E	32	NE	NW	SE			BOISE		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A65-03238A 65-18148
A65-18148 R65-03238A

WR RECORDS IN SAME 40 ACRE TRACT
65-13526
T65-03238

SOURCE: WARM SPRINGS CREEK

TRIB: PAYETTE RIVER, MIDDLE FORK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-03238	10N	04E	32		NW	SE			BOISE		
65-03238	10N	04E	33		NW	SW			BOISE		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

65-04002A
65-04002X
65-07118
65-13526
T65-03238

***** 17 A PREFIX CLAIMS IN SAME 40 ACRE TRA
***** 17 R PREFIX CLAIMS WITH THIS POD

SOURCE: WARM SPRINGS CREEK

TRIB: PAYETTE RIVER, MIDDLE FORK

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

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

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

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

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

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

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

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

1. HOW WAS THE POD AND SOURCE VERIFIED?

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

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

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: • PRDA ADJUDICATION, SEE MAP "F" TION, R4E, S32 & S33
• USED 1987 NAAPP PHOTO
• USED 1985 TOPO - U11

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

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
10N	04E	32	NE	NW	SE			BOISE		
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: WARM SPRINGS CREEK

TRIB: PAYETTE RIVER, MIDDLE FORK

REVIEWED BY:

Rch

DATE:

12/20/99

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

SEE PART I OF PROTESTED TRANSFER

A. ROOT WATER RIGHT NUMBERS: A65-03238A
A65-03238B
R65-03238A
R65-03238B

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
10N	04E	32	NE	SE		CASTLE MOUNTAIN CREEKS OWNERS' A65-03238B	/ 6.0	- /			6
			NE	SE		CASTLE MOUNTAIN CREEKS OWNERS A65-12776	/ 6.0	65-12776 /			
			NE	SE		LIVINGSTON, FAY A65-07770E	/	- /			
			NE	SE		LIVINGSTON, FAY 65-07770E	/	- /			
			NE	SE		WEGNER, GLEN A65-03238A	/ 6.0	- /			
			NE	SE		WEGNER, GLEN R65-03238A	/ 6.0	- /			
			NE	SE		CASTLE MOUNTAIN CREEKS OWNERS R65-12776	/ 6.0	- /			
			NE	SE		CASTLE MOUNTAIN CREEKS OWNERS' R65-03238B	/ 6.0	- /			
			NE	SE		GARDEN VALLEY ASSOC.		T65-03238 /		6.0	
			NE	SE		GARDEN VALLEY ASSOC.		65-03238 /		6.0	
			NE	SE		LIVINGSTON, EARL		65-07770D /			
			NE	SE		TRIBBY, JOHN M		65-12802 /		0.8	
			NE	SE		CASTLE MOUNTAIN CREEK OWNERS A		65-13526 /		6.0	
10N	04E	33	NW	SW		CASTLE MOUNTAIN CREEKS OWNERS' A65-03238B	/ 5.0	- /			5
			NW	SW		FREEMAN, LLOYD J A65-12287	/	65-12287 /			
			NW	SW		EARL, FRANK M A65-12302	/	65-12302 /			
			NW	SW		BLAKE, JAMES J A65-07595	/	65-07595 /			
			NW	SW		WITHROW, ARNOLD F A65-07592	/	65-07592 /			
			NW	SW		SCHULZ, USTO E A65-07540	/	65-07540 /			
			NW	SW		SCHULZ, USTO E A65-07562	/	65-07562 /			
			NW	SW		CASTLE MOUNTAIN CREEKS OWNERS A65-04002A	/	65-04002A /			
			NW	SW		CASTLE MOUNTAIN CREEKS OWNERS A65-12776	/ 4.0	65-12776 /		4.0	
			NW	SW		HERRING, NANCY A65-07770F	/	- /			
			NW	SW		FREEMAN, LLOYD J R65-12287	/	- /			
			NW	SW		EARL, FRANK M R65-12302	/	- /			
			NW	SW		BLAKE, JAMES J 65-07595	/	- /			
			NW	SW		HERRING, NANCY 65-07770F	/	- /			
			NW	SW		SCHULZ, USTO E 65-07562	/	- /			
			NW	SW		WEGNER, GLEN A65-03238A	/ 5.0	- /			
			NW	SW		SCHULZ, USTO E A65-07770G	/	- /			
			NW	SW		PETERSON, JACK E A65-07770H	/	- /			
			NW	SW		WEGNER, GLEN R65-03238A	/ 5.0	- /			
			NW	SW		CASTLE MOUNTAIN CREEKS OWNERS' R65-03238B	/ 5.0	- /			
			NW	SW		CASTLE MOUNTAIN CREEKS OWNERS R65-04002A	/	- /			
			NW	SW		WITHROW, ARNOLD F 65-07592	/	- /			
			NW	SW		CASTLE MOUNTAIN CREEKS OWNERS R65-12776	/ 4.0	- /			
			NW	SW		SCHULZ, USTO E R65-07770G	/	- /			

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
			NW	SW		PETERSON, SHIRLEY A	R65-07770H /	- /			
			NW	SW		SCHULZ, USTO E	R65-07540 /	- /			
			NW	SW		CASTLE MOUNTAIN CREEK OWNERS A		65-13526 /		3.0	
			NW	SW		ANDREWS, RICHARD		65-12974A /		1.0	
			NW	SW		GEBERT, JAMES		65-12974B /		1.0	
			NW	SW		GOFFIN, MARTIN		65-12974C /		1.0	
			NW	SW		GARDEN VALLEY ASSOC.		65-03238 /		5.0	
			NW	SW		GARDEN VALLEY ASSOC.		65-03238 /		5.0	
			NW	SW		CZECH, MICHAEL		65-07593 /			
			NW	SW		SCHULZ, USTO E.		65-07770C /			
			NW	SW		LIVINGSTON, EARL		65-07770D /			
			NW	SW		JARVIS, LON		65-13050 /			

ADDITIONAL POU FOUND

TOTAL ACRES A65-032388 11.00

POU COUNTY: BOISE

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

Y() N(☒)

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

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-032388	WARM SPRINGS CREEK	CASTLE MOUNTAIN CREEKS OWNERS'	0.380	0.034	1.20	0.10
A65-03238A	WARM SPRINGS CREEK	WEGNER, GLEN	0.380	0.034	1.20	0.10
	WARM SPRINGS					
R65-03238A	WARM SPRINGS CREEK	WEGNER, GLEN	0.380	0.034	1.20	0.10
	WARM SPRINGS					
R65-032388	WARM SPRINGS CREEK	CASTLE MOUNTAIN CREEKS OWNERS'	0.380	0.034	1.20	0.10
A65-12776	GROUNDWATER	CASTLE MOUNTAIN CREEKS OWNERS	0.200	0.005	160.20	4.21
R65-12776	GROUNDWATER	CASTLE MOUNTAIN CREEKS OWNERS	0.200	0.005	160.20	4.21

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-032388	DOMESTIC	CASTLE MOUNTAIN CREEKS OWNERS'	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-032388	HEATING	CASTLE MOUNTAIN CREEKS OWNERS'	FROM 01-01 TO 12-31	0.120 CFS	1.20 AF/A
A65-07770E	HEATING	LIVINGSTON, FAY	FROM 01-01 TO 12-31	0.020 CFS	
A65-07770E	DOMESTIC	LIVINGSTON, FAY	FROM 01-01 TO 12-31	0.030 CFS	
65-07770E	HEATING	LIVINGSTON, FAY	FROM 01-01 TO 12-31	0.020 CFS	
65-07770E	DOMESTIC	LIVINGSTON, FAY	FROM 01-01 TO 12-31	0.030 CFS	1.20 AF/A
A65-12287	HEATING	FREEMAN, LLOYD J	FROM 01-01 TO 12-31	0.040 CFS	
A65-12302	HEATING	EARL, FRANK M	FROM 01-01 TO 12-31	0.040 CFS	
A65-07595	DOMESTIC	BLAKE, JAMES J	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-07592	DOMESTIC	WITHROW, ARNOLD F	FROM 01-01 TO 12-31	0.020 CFS	1.20 AF/A
A65-07540	HEATING	SCHULZ, USTO E	FROM 01-01 TO 12-31	0.080 CFS	
A65-07540	DOMESTIC	SCHULZ, USTO E	FROM 01-01 TO 12-31	0.040 CFS	
A65-07562	DOMESTIC	SCHULZ, USTO E	FROM 01-01 TO 12-31	0.040 CFS	
A65-04002A	HEATING	CASTLE MOUNTAIN CREEKS OWNERS	FROM 01-01 TO 12-31	0.250 CFS	
A65-07770F	HEATING	HERRING, NANCY	FROM 01-01 TO 12-31	0.020 CFS	
A65-07770F	DOMESTIC	HERRING, NANCY	FROM 01-01 TO 12-31	0.030 CFS	
R65-12287	HEATING	FREEMAN, LLOYD J	FROM 01-01 TO 12-31	0.040 CFS	29.00 AF/A
R65-12302	HEATING	EARL, FRANK M	FROM 01-01 TO 12-31	0.040 CFS	4.00 AF/A
65-07595	DOMESTIC	BLAKE, JAMES J	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-07770F	HEATING	HERRING, NANCY	FROM 01-01 TO 12-31	0.020 CFS	
65-07770F	DOMESTIC	HERRING, NANCY	FROM 01-01 TO 12-31	0.030 CFS	1.20 AF/A
65-07562	DOMESTIC	SCHULZ, USTO E	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-07770G	HEATING	SCHULZ, USTO E	FROM 01-01 TO 12-31	0.080 CFS	
A65-07770G	DOMESTIC	SCHULZ, USTO E	FROM 01-01 TO 12-31	0.090 CFS	3.60 AF/A
A65-07770H	HEATING	PETERSON, JACK E	FROM 01-01 TO 12-31	0.020 CFS	
A65-07770H	DOMESTIC	PETERSON, JACK E	FROM 01-01 TO 12-31	0.020 CFS	1.20 AF/A
R65-04002A	HEATING	CASTLE MOUNTAIN CREEKS OWNERS	FROM 01-01 TO 12-31	0.250 CFS	
65-07592	DOMESTIC	WITHROW, ARNOLD F	FROM 01-01 TO 12-31	0.020 CFS	1.20 AF/A
R65-07770G	HEATING	SCHULZ, USTO E	FROM 01-01 TO 12-31	0.080 CFS	
R65-07770G	DOMESTIC	SCHULZ, USTO E	FROM 01-01 TO 12-31	0.090 CFS	3.60 AF/A
R65-07770H	HEATING	PETERSON, SHIRLEY A	FROM 01-01 TO 12-31	0.020 CFS	
R65-07770H	DOMESTIC	PETERSON, SHIRLEY A	FROM 01-01 TO 12-31	0.020 CFS	1.20 AF/A
R65-07540	HEATING	SCHULZ, USTO E	FROM 01-01 TO 12-31	0.080 CFS	
R65-07540	DOMESTIC	SCHULZ, USTO E	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A

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

Y(X) N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: A65-12776, A65-04002A

LIC

78 ACRES

HEATING But under if SAME BLDGS ETC
GROUND WATER

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

N/A() Y() N()

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

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

N/A() Y() N()

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

Y() N(☒)

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

Y() N(☒)

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;

☒ NAPP, IDWR NO. 1987; ☒ ASCS PHOTO; ☒ OTHER MAP "F"

- NOTES:
- 1987 NAPP PHOTO SHOWS 11 ACRES OF IRRIGATION
 - 1964 ASCS MAP SHOWS IRRIGATION LOCATION AS RECOMMENDED ON NAPP PHOTO.
 - MAP "F" FROM PRBA SHOWS 11 ACRES OF IRRIGATION
 - SEE NOTE FROM FIELD EXAMINER DATED 2/15/79 INDICATING 11 ACRES FOR THE RIGHT
 - COPY OF ORIGINAL PRBA CLAIM NOTING THE 11 ACRES.

RECOMMENDATIONS:

TOTAL ACRES: 11 ACRES N/A()

REVIEWED BY: Rch

DATE: 12/20/99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-03238B IRRIGATION	FROM 04-01 TO 11-01	0.220 CFS	
A65-03238B DOMESTIC	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
A65-03238B HEATING	FROM 01-01 TO 12-31	0.120 CFS	1.20 AF/A
TOTAL DIVERSION RATE/VOLUME		0.380 CFS	1.20 AF/A

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-03238 IRRIGATION	FROM 04-01 TO 11-01	0.220 CFS	
65-03238 DOMESTIC	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-03238 HEATING	FROM 01-01 TO 12-31	0.120 CFS	1.20 AF/A
TOTAL DIVERSION RATE/VOLUME		0.380 CFS	1.20 AF/A

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

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

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

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

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

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

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

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

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

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

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

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

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

PAGE: 10

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

10

CLAIM NUMBER: A65-032386

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 0.380 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.380 CFS

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

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

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

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

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

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

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 11 x 0.02 CFS/ACRE = .22 CFS
(Taken from pou review)

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

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

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 1.20 AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

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

TOTAL CONSUMPTIVE USE _____ AF/A

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

1b. CALCULATIONS

Recommend as decreed

IRR	.22 cfs	
HEAT	.12 cfs	1.2 AFA
DOM	.04 cfs	1.2 AFA
TOTALS:	.38 cfs	1.2 AFA

NOTES:

NONE

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (✓)

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE CFS		VOL. AF/A		USE	
			DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
IRRIGATION	04-01	11-01	0.220	_____			0.0	_____
DOMESTIC	01-01	12-31	0.040	_____	1.20	_____	0.0	_____
HEATING	01-01	12-31	0.120	_____	1.20	_____	0.0	_____
_____	_____	_____		_____				_____
_____	_____	_____		_____				_____
_____	_____	_____		_____				_____
_____	_____	_____		_____				_____
TOTAL FOR THIS RIGHT			0.380	_____	1.20	_____	0.0	_____

NON-IRRIGATION USES CLAIMED: HEATING AND DOMESTIC USE REMARK (USED ORIGINAL PRBA CLAIM)
NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED (✓) SEE PROFILE

REVIEWED BY: ROL DATE: 12/20/99

FLAG: _____

STANDARD CONDITIONS (CODE): N/O

STANDARD REMARKS (CODE): USE REMARK: NON-CONSUMPTIVE USES FOR HOT WATER HEATING & DOMESTIC

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-03238

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 0.380	EXAMINER _____	CFS
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SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A65-03238	A65-03238A	0.380	R65-03238A	0.380	65-03238	0.380
-	A65-03238B	0.380	R65-03238B	0.380	-	-
TOTAL CFS		0.760	0.760		0.380	

DIVERSION RATE REVIEW

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

DATABASE	FIELD EXAMINER
N	Y() N()

NOTES:

• SPLITS WERE COMPETING CLAIMS FOR SAME RIGHT SRBA
ATTORNEY SUE HANLIN ADVISED TO RECOMMEND THIS RIGHT IN THE
ASS'N FAVOR.

• SEE VARIOUS IN FILE NOTING THE Feb 22, 1990 LTR
TURNING OVER THIS WATER RIGHT FROM GARDEN VALLEY ASSOCIATES TO
CASTLE Mtn. CREEK'S OWNERS ASS'N.

AUTHENTICATION:

SIGNATURE: Ren Howerton DATE: 12/23/99

NAME OF FIELD EXAMINER: Ren Howerton TITLE: _____

SR Water Agent

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

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO <u>1985/1988</u> IDWR ID NO. <u>U10/U11</u>	Y(☒) N(☐)
(☒) TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y(☐) N(☐)
(☒) NAPP	DATE OF PHOTO <u>1987</u> IDWR ID NO. _____	Y(☒) N(☐)
(☒) ASCS AERIAL PHOTO	DATE OF PHOTO <u>1964</u> <u>DHW-1EE-120</u>	Y(☒) N(☐)
ASCS COLOR SLIDE	DATE OF PHOTO _____	Y(☐) N(☐)
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y(☐) N(☐)
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y(☐) N(☐)
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y(☐) N(☐)
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y(☐) N(☐)
(☒) OTHER <u>PROFILE</u>	DATE <u>WATER RIGHT RECORD</u>	Y(☒) N(☐)
(☒) OTHER <u>FINDINGS</u>	DATE <u>PAGE 615 FROM PRBA DECREE BOOK</u>	Y(☒) N(☐)
(☒) OTHER <u>MAP</u>	DATE <u>PRBA MAP "F"</u>	Y(☒) N(☐)

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
() IDWR ~~APPROVED~~ TRANSFER (Protested)	DATE TRANSFER APPROVED <u>NA</u>	<u>7</u>	<u>USED AS REFERENCE</u>
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
(☒) OTHER <u>CLAIM</u>	DATE <u>1979</u>	<u>1</u>	<u>ORIGINAL PRBA CLAIM</u>
(☒) OTHER <u>NOTES</u>	DATE <u>2/15/79</u>	<u>1</u>	<u>FIELD NOTE FROM PRBA</u>

/ VARIOUS DOCUMENTS PERTAINING TO THIS RIGHT BEING IN
CASTLE MTN CR ASSN OWNERSHIP
/ JAN'S ANALYSIS OF "PROTESTED" TRANSFER (MEMOS) 3/29/96 & 6/30/94

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:05:55
12/20/99
17

PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A65-03238

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CASTLE MOUNTAIN CREEKS OWNERS' ASS'N	06/01/1883	IRRIGATION	04-01 11-01	0.220 CFS	
			HEATING	01-01 12-31	0.120 CFS	1.20 AFA
			DOMESTIC	01-01 12-31	0.040 CFS	1.20 AFA
TOTAL DIVERSION:					0.380 CFS	1.20 AFA

Water Source: WARM SPRINGS CREEK

Tributary to: PAYETTE RIVER, MIDDLE FORK

Stage: DECREED

Point(s) of Diversion:

T10N R04E S32

NENWSE

BOISE 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
10N	04E	32	:																	:	6.0
10N	04E	33	:																	:	5.0
																				TOTAL ACRES	11.0

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

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

POU County: BOISE

Non-Irrigation Uses: HEATING AND DOMESTIC

Other Rights: A65-12776, A65-04002A

Remarks: GEN THIS IS A SPLIT RIGHT FROM 65-03238. THE OWNERSHIP OF THIS RIGHT
WILL BE DETERMINED AT A LATER DATE.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:

Presumption Flag:

**State of Idaho**
DEPARTMENT OF WATER RESOURCESWestern Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348CECIL D. ANDRUS
GOVERNORR. KEITH HIGGINSON
DIRECTOR

January 6, 1995

Forrest Luthy
934 I Street
Washougal, WA 98671-1135

Dear Forrest:

You'll probably be surprised to hear from me after this long a time period. It took me a while to find your address and I never could find your phone number. I hope this letter finds all going well for you.

The purpose of this letter is to search your mind for old memories - and I mean old - of a Payette River Basin Adjudication right. It is one that you worked on, and I have been working on for way too long now. It was in the name of Garden Valley Associates and was located up by Terrace Lakes. It is now in the name of Castle Mountain Creek Homeowners Assoc. I know that will ring a bell because you helped them file their claims. It also deals with Usto Schultz, which should sound familiar also. The situation does go back to the way the right was recommended in the Payette River Adjudication. I am enclosing what I did find in the microfilm files for this water right.

Here's the problem. The right recommended in the PRBA was an old decreed right from Warm Springs Creek - had been decreed way back when for irrigation only. Then, during the Payette River Decree, you recommended it for irrigation, domestic, and heating. One of the enclosures is a copy of the map from the PRBA topographic maps with the acreages and ditches drawn in. Also enclosed is a copy of the original PRBA work claim. I thought maybe these would bring back memories. You also helped with the filing on this right for the Snake River Basin Adjudication claims filing. There was one claim filed by several individuals, Schultz, Livingston, etc. and one filed by the Castle Mountain Homeowners Association, both for the entire right. I have enclosed copies of all that too. I recently helped them file a transfer on this right, based on bits of information from both claimants. However, it has been protested and it basically evolves around what the Heating use was that was recommended in the Payette River Basin Adjudication.

Warm Springs Creek is diverted by the Association for domestic, irrigation and then it also runs through a system that uses the hot springs water nearby to heat the cold water from the creek. The creek water flows into a couple of containers that have coils and the hot springs water in them that heat the creek water and it is used in the Association's pools. So, they feel the heating use from Warm Springs Creek (the only source decreed for this right) is this use of the creek water in the pools after it is heated by the coils.

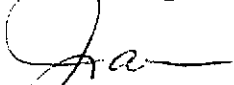
MICROFILMED
OCT 18 1996

Forrest came in to the office & did not recall this recommendation at all - no info given. *[Signature]*

They also have a water right that covers the pumping of the water from the hot springs into the coils. Usto Schulz maintains that the source should have been decreed for both Warm Springs Creek and Warm Springs on the original PRBA right, and if you notice that when he filed the individual's claim for this right he added this source. He feels the heating use is for the heating of three homes he has an interest in. So, the question comes back to what the heating use was on the PRBA claim decreed. You worked on this one and so I am hoping you can remember what it was for. I can't find anything in any of these records that talk about what heating use was. All I have found is enclosed.

Could you please call and talk with me about this? Just call me at 1-208-334-2190 and give me your phone number and I can call you back. Even if you don't remember what the heating use was, that's ok, please call me anyway. Any information about this may help shed light on the situation. Plus, I'd enjoy talking with you too. Thanks for any information you have.

Sincerely,



JAN SHURTE
Water Rights Supervisor
Adjudication Section
Western Region

Enclosures

MICROFILMED
OCT 18 1996

MEMORANDUM

June 30, 1994

TO: FILE FOR APP. FOR TRANSFER OF RIGHT NO. 65-03238

FROM: JAN SHURTE

The purpose of this transfer is to add a new diversion point from Warm Springs Creek, show the current uses of the water under this right and to clarify the source(s) historically used.

The original right was decreed for water from Warm Springs Creek with two points of diversion. Per the map from the original file, copy attached, one of these diversion points was on the Northfork of Warm Springs Creek and one was on the Southfork of Warm Springs Creek. However, on the topographic map, the Northfork is designated as Warm Springs Creek and the Southfork appears without a source name indicating it is an unnamed stream trib. to Warm Springs Creek. The point of diversion in the NW1/4SE1/4, S. 32 is from the main Warm Springs Creek and the point of diversion in the NW1/4SW1/4, S. 33 is from the unnamed stream trib. to Warm Springs Creek. Since both points of diversion were decreed, one of the items of this transfer is to clarify the source(s) from which these points actually have been and are diverted from. The diversion point in the NW1/4SW1/4, S. 33 is used by a few private individuals for the 1.5 acres of irrigation within the NW1/4SW1/4, S. 33 - which they have claimed under a duplicate claim filing on this right. However, Castle Mountain Creek Owners Assoc. Inc. feel they were assigned this entire right as shown in the attached documents and are including the 1.5 acres irrigated from this point of diversion on this transfer. The 6 acres originally decreed and irrigated in the NE1/4SE1/4, S. 32 are no longer irrigated as a field, however, individual lots are being irrigated. As stated, only 1.5 acres of the original 5 acres decreed in the NW1/4SW1/4, S. 33 are being irrigated and included on this transfer. This transfer changes a portion of the original irrigated acres to the domestic use which has been occurring since the land was developed into the subdivisions. Heating is also no longer a purpose of use, therefore, it is being changed to domestic purposes. The diversion point in the NW1/4SE1/4, S. 32 and the new point of diversion within the NE1/4SE1/4, S. 31 are diverting into the water tank and gravity fed to the 105 lots indicated.

A new application is being filed for the remaining 162 lots in the Castle Mountain Creek Subdivisions diverting from Warm Springs Creek. This transfer only includes the number of lots(105) being serviced as of the date of the field examination for the groundwater sources filed under Permit No. 65-12776 - 6-18-1987. The new application will also cover the remaining lots irrigated acres over and above the 7 acres listed on this transfer.

The total of this original decreed right (.38 cfs, 105 lots & 52 acres) and the new application(1.58 cfs, 162 lots & 52 acres) will be 267 lots and 59 acres (approx. 1/4 acre of irrigation per lot) for a total of 1.96 cfs (880 gpm).

MICROFILMED
OCT 18 1996

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June 30, 1994

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MICROFILMED

OCT 21 1996



Castle Mountain Creeks Owners Association, Inc.
H C 76, Box 4001
Garden Valley, Idaho 83622

April 17, 1991

A65-04002A
A65-12776
A65-03238
A65-03238B

Idaho Department of Water Resources
1301 N Orchard
Boise, Id 83706

TO WHOM IT MAY CONCERN

Please be advised that the Board of Directors for Castle Mountain Creeks Owners Association, Inc. at their monthly meeting held April 13, 1991, elected to have Fay Livingston or Bill Lawrence as the ONLY authorized agents for Castle Mountain Creeks Owners Association, Inc.

Only these two people and ONLY these two people should file for any water rights for Castle Mountain Creeks Owners Association Inc.

Fay Livingston

Fay Livingston
President of the Board
CMCOA, I.

1r

MICROFILMED
SEP 24 1992



Castle Mountain Creeks Owners Association, Inc.
H C 76, Box 4001
Garden Valley, Idaho 83622

April 17, 1991

RECEIVED

APR 22 1991

Idaho Department of Water Resources

1301 N. Orchard

Boise, Id. 83706

Department of Water Resources

Attn: Roxanne McCarthy.

Ms. McCarthy:

Would you please see that the enclosed letter is sent to the proper person or department. We have been advised by your office that you would be the best person to handle this matter.

Thank you for your help.

Fay Livingston

Fay Livingston
President of the Board
CMCOA, I.

lr

MICROFILMED
SEP 24 1992

TO: Debbie Allen

THRU: D. Shaff

FROM: J. CARLSON *gpc*

DATE: 1/2/89

RE: Receipt

Refund **NO**

Please process a refund of \$ to:

Don:

*This receipt needs changing to reflect late fee.
Boise Co. closing 5-19-89. Submitted 7/11/89*

*A65-04002A Dened. late fee 50⁰⁰ } 4100⁰⁰ late fee
A65-12776 Lic. late fee 50⁰⁰ }*

*Inv. 32⁰⁰ } 108⁰⁰ Adj fee.
Don 20⁰⁰ }
Base 50⁰⁰ }*

208⁰⁰

Send copy of receipt after change.

Claims go To Western.

Sail -

send present receipt. No change.

Claims to Western.

MICROFILMED

SEP 24 1992

07/11/89
11:54:15

CASTLE MOUNTAIN CREEKS

ADJUDICATION FEES

LATE FEES

0410162 9337 6490

108
~~\$208.00~~
100.00

\$208.00

CHI

John
Please correct

Reg

To 10800 fees
10000 late fees

es

Bottom portion is OK. charge receipt
to show
late fee
copied

MICROFILMED

SEP 24 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4392

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant CASTLE MOUNTAIN CREEK OWNERS ASSN INC Phone 462-3765Post Office address HC 76, BOX 4001, GARDEN VALLEY, ID 83622

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use See Memorandum
☒ Change nature of use ☐ Change period of use ☒ Other Source clarification Attachment #3

2. Describe the reason for the proposed changes To add new diversion point, clarify actual source and show current useage of the water. Source was decreed as only Warm Springs Creek with two diversion points. Map from original decree shows one diversion point was from

Warm Springs Ck and one from an unnamed stream trib to Warm Springs Creek - see copy of map attached to this application. Current USGS topo map shows Warm Springs Ck as one

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE pt & unn. stream as othe

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>65-03238</u>	<u>6-1-1883</u>	<u>.14 cfs</u>	<u>Irrigation</u>	<u>4-15</u> to <u>10-15</u>
		<u>.24 cfs</u>	<u>Domestic</u>	<u>1-1</u> to <u>12-31</u>
				to
				to

2. Total amount of water being transferred .38 cfs cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Warm Springs Creek tributary to Payette River, Middle Fork

4. Point(s) of Diversion: Unnamed Stream Warm Springs Creek

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	SE	31	10N	4E	Boise	New Diversion Point (Warm Spgs Ck)
		NW	SE	32	10N	4E	Boise	Existing Diversion Point (" " ")
		NW	SW	33	10N	4E	Boise	Existing Diversion Point(Unn. stream)

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
10N	4E	32			.5	.5									.5	.5	.5	.5	3
		33						.5	.5	.5	1.5	.5	.5						4

Total acres 7

PART 1

6. General Information:

*(NWSE, S. 32)

- a. Description of diversion system Existing points of diversion consist of a pump from sump beside creek w/7.5 hp pump and gravity flow for individual irrigation from p.d. in Sec. 33. P.D. in the NWSE, S. 32 pumps up into 40,000 gallon storage tank and new P.D. in the NESE S. 31 gravity flows thru a 3,822' mainline down to 40,000 gal. storage tank. Water is gravity fed from tank to homes. 105 lots with water per the 6-18-1987 exam for 65-12776.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes XX No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
The 11 acres original decreed have been subdivided into various size lots. Minimal irrigation of small lawns makes up the 7 acres shown. The remaining water is used only for domestic in-house use. No heating use of this water now exists.

d. Remarks:

See attached map of original acres decreed, map of subdivision from field exam conducted for Water Right No. 65-12776, and Warranty Deed and Acceptance of Deed Transfer whereby (groundwater sice) Garden Valley Associates (original decreed owner) deeded the water system and appurtenan water rights to Castle Mountain Creeks Owners' Association, Inc. dated 4-11-83, 11-25-80 2-22-83.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. 65-03238 Decreed to _____
in case of STATE OF IDAHO vs. A & C CORP., ET AL
dated 1986 in GEM county of IDAHO
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☒ Other SEE REMARKS

3. Source of water Warm Springs Creek tributary to Payette River, Middle Fork

4. Date or priority 6-1-1883

5. Water is used for the following purpose:

amount .22 for Irrigation purposes from 4-1 to 11-1
(cfs/ac-ft) .04 for Domestic purposes from 1-1 to 12-31
amount .12 for Heating purposes from 1-1 to 12-31
(cfs/ac-ft)

6. Total amount of water under right .38 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SE	32	10N	4E	Boise	
		NW	SW	33	10N	4E	Boise	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
10N	4E	32													D/G				6
		33										D/G							5

Total acres 11

9. Describe any other water rights used for the same purpose as described above _____

License No. 65-12776 - G.W. source.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**

*SEE ATTACHED SUBDIVISION MAP.
& TOPOGRAPHIC MAP.*

PART 3**B. CHANGES IN NATURE OF USE**

1.	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
	<u>Irrigation (Reduced use)</u>	<u>.14 cfs</u>		<u>4-15</u> to <u>10-15</u>
	<u>Domestic (Increased use)</u>	<u>.24</u>		<u>1-1</u> to <u>12-31</u>
	<u>*See #3 below</u>			

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

Should be no effect - change is from part of the irrigation use to domestic and from
heating to domestic.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 30th day of June, 19 94.

(Signature of Applicant)

(Notary Public)

My commission expires 9-14-94**FOR DEPARTMENT USE ONLY**Transfer contains 6 pages and 9 attachmentsReceived by [Signature] Date 6-30-94Prelim. check by [Signature] Fee \$50Receipted by W019672 Date 6-30-94

Published in _____

Pub. dates _____

Watermaster recommendation requested on _____

_____ rec'd. _____

Copy of transfer sent to lien holder _____

Protest filed by _____

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for ☐ approval ☐ denial

by _____

PART 2**A. DESCRIPTION OF RIGHT AS RECORDED:**

Water Right No. 65-03238

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	0.22 CFS	
HEATING	01/01 to 12/31	0.12 CFS	1.2 AF
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
	Totals	0.38 CFS	1.2 AF

SOURCETRIBUTARY OF

WARM SPRINGS CREEK

PAYETTE RIVER, MIDDLE FORK

Priority: 06/01/1883

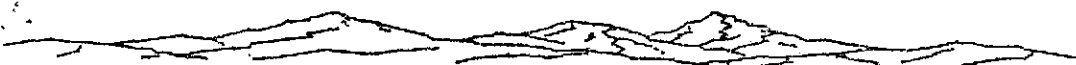
LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 32, Township 10N, Range 04E
 NWSW , Sec. 33, Township 10N, Range 04E
 BOISE 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>
10N	04E	32	NESE	6		6
		33	NWSW	5		5
Total number of acres irrigated:						11

PLACE OF USE: HEATING, same as IRRIGATION usePLACE OF USE: DOMESTIC, same as IRRIGATION useCONDITIONS/REMARKS:



Castle Mountain Creeks Owners Association, Inc.
H C 76, Box 4001
Garden Valley, Idaho 83622

April 17, 1991

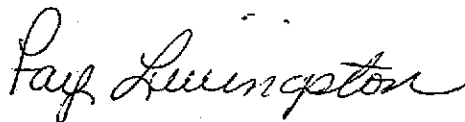
A65-04002A
A65-12776
A65-03238
A65-03238B

Idaho Department of Water Resources
1301 N Orchard
Boise, Id 83706

TO WHOM IT MAY CONCERN

Please be advised that the Board of Directors for Castle Mountain Creeks Owners Association, Inc. at their monthly meeting held April 13, 1991, elected to have Fay Livingston or Bill Lawrence as the ONLY authorized agents for Castle Mountain Creeks Owners Association, Inc.

Only these two people and ONLY these two people should file for any water rights for Castle Mountain Creeks Owners Association Inc.

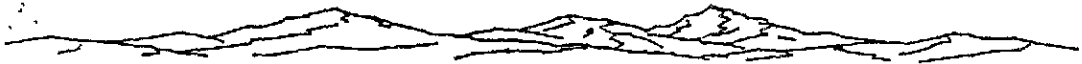


Fay Livingston
President of the Board
CMCOA, I.

lr

MICROFILMED

SEP 22 1992



Castle Mountain Creeks Owners Association, Inc.
H C 76, Box 4001
Garden Valley, Idaho 83622

April 17, 1991

RECEIVED

APR 22 1991

Idaho Department of Water Resources

1301 N. Orchard

Boise, Id. 83706

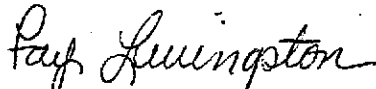
Department of Water Resources

Attn: Roxanne McCarthy.

Ms. McCarthy:

Would you please see that the enclosed letter is sent to the proper person or department. We have been advised by your office that you would be the best person to handle this matter.

Thank you for your help.



Fay Livingston
President of the Board
CMCOA, I.

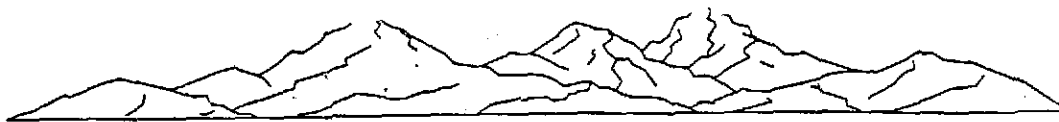
lr

MICROFILMED
SEP 22 1992

Dear Gene:

Gene Brady requested that I give you a copy of this news letter that was circulated by our board of directors pertaining to a duplicate spot filling of the water right which we filed on a couple of months ago and found the note for on from Harder Valley Association.

Wanted it be possible at all to expedite the scheduled hearing on me have an Association meeting coming up around Aug 18, and many of us are interested in discussing the situation. **MICROFILMED** the hearing on ^{Aug 18 1988} ~~Aug 18 1988~~ everyone in perspective and know where we have different thoughts. Sidney A Van Dille
(H. & A.)



CASTLE MOUNTAIN CREEKS OWNERS ASSOCIATION
NEWSLETTER

FINANCIAL NEWS

GENERAL FUND

Beginning Balance 11/01/89.....	\$ 5,939.04
Operating Income.....	\$ 30,104.72
Transferred from Contingency Fund.....	\$ 6,000.00
Operating Expense.....	\$ 28,426.16
Ending Balance 4/30/90	\$ 13,617.60

PETTY CASH

Beginning Balance 11/01/89.....	\$ 21.51
Deposits.....	\$ 24.00
Expense.....	\$ 37.32
Ending Balance 4/30/90	\$ 8.19

CONTINGENCY FUND

Beginning Balance 11/01/90.....	\$ 18,093.38
Deposits.....	\$ 5,264.80
Transferred to Checking.....	\$ 6,000.00
Ending Balance 4/30/90	\$ 17,358.18

NOTES FROM THE CHAIRMAN

The past year, Castle Mountain has run relatively smooth and without too many calls for major concern. I believe these are indications the Association has begun to reach a mature level that allows for more energies to be placed on more important long term issues. Those issues have not changed, they are:

1. Long term water supply
2. Road improvements
3. Equipment (own vs. lease)

The Association's financial position continues to improve. As of 4/30/90, we had over \$30,000 in the bank between the General Fund and Contingency Fund. Although our financial position is somewhat cyclical, the dollar amount has continued to grow over the past several years. The amount of outstanding dues has continued to be a major focus with less than stunning results. However, it seems time catches up to most delinquent accounts and foreclosure action or tax sales force a change in ownership that typically nets Castle Mountain new owner(s) who are willing to keep their account current.

MICROFILMED

This year we have scheduled the Annual Meeting for August 1990. I would encourage everyone to attend this year's meeting or to send in your proxy to ensure your vote is counted.

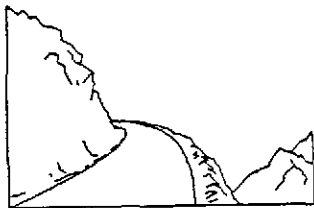
Rick Knigge

POOLS AND SPAS

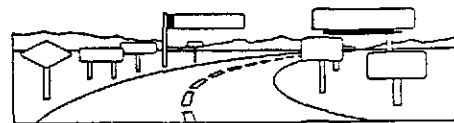
The new keys have been working well, there has been only one incident of major vandalism where the men's bathroom was destroyed. To curtail the vandalism and late night parties, we have arranged to hire reserve Boise County Sheriff's Officers to patrol the spa area periodically during the night. We are also working on a parking barrier to keep cars further away from the fence.

The main pools are functioning well, still some problems with the spa, but working diligently to get it up and working again. Looking forward to seeing you at the Annual Meeting.

Bob Stevenson



ROADS AND EQUIPMENT



As another fiscal year is drawing near to a close, it's time to make a report out for the Association's members benefit, so they will be informed before the Annual meeting of what we have done, what we are doing, and what we plan on doing before winter.

The last winter was fairly good to us. Mother Nature kinda played havoc with us a couple of times, snowing a bunch then turning to rain which left us with slush on the roads. We had several people with two-wheel drive vehicles getting stuck and even four-wheel drive was having some difficulty getting through. Our pickup/snowplow did it's best, but was to light for wet snow, so therefore we had to use our cat and we hired another cat to help clear the roads, which depleted our funds more than I wanted.

So far this summer we have been able to hire a grader from Terrace lakes. They graded part of the roads but the road bed got to dry so we will have to wait for another rainstorm, then maybe we can get them to finish the job.

We have hauled several loads of decomposed granite in different areas where needed. I plan to put road mix on Mildrens hill and on around to Tony Wolfe's place. This was a muddy trouble spot this spring and needs attention before another winter sets in.

We had looked into the possibility of purchasing a grader of our own, but with the new influx of people coming onto the mountain and the several new homes being built, we decided our number 1 priority was water. After this is resolved, we can maybe look again into getting our own road equipment and not have to depend on other equipment.

Our pickup and cat is in fairly good condition. We had to do several hours of welding on the cat last winter, but it should see us through another season with minimum expenses. (Knock on wood!).

We also want to report that we have finished the extension on the shop and we now have a firetruck in the Association. We wish to thank all of those who donated their time on this project for a job well done.

We are also putting an office in the main shop building where all business will be taken care of for the Castle Mountain Creeks Owners Association. The office will be open on certain days for so many hours. This will benefit the members as well as the bookkeeper who has had to conduct all business from her home, which has tied up one bedroom for office space.

Hope to see you at the Annual Meeting.

George G. Hawker, Board of Director, Roads & Equipment

DATE: 6/11/90

APPLICANT: CASTLE MTN. OWNER'S ASSOC.

CLAIM NO: A65-03238B.

SUBJECT: VISIT GENE BRADY (CONV.)

MR. BRADY CAME INTO THE OFFICE TODAY TO DISCUSS HIS CONFUSION REGARDING THE DISPOSITION OF THE CLAIMS FOR PAYETTE DECREEO RT. 65-03238 WHICH WERE FILED BY THE ASSOC. & ANOTHER BY OTHER USERS.

INITIALLY A FILING WAS MADE ADDING TWO NAMES TO A CLAIM WHICH MIGHT HAVE ALLOWED THE FILING WITH THE SNAKE ADJUDICATION OF A CLAIM FOR THE PARENT RIGHT ONLY. MR. BRADY CONTENDS THAT THE ONE BY OTHER INDIVIDUALS IS INCORRECT AND THAT THEY CANNOT DEMONSTRATE B/U OF THE OLDER RT.

OUR DISCUSSION LED TO THE ASSURANCE BY ME THAT THE PROPOSED COMBINATION WAS NOT ACCOMPLISHED & ONLY WOULD BE DONE SO AFTER EXAMINATION & AGREEMENT BY ALL PARTIES. THE RT ACCORDING TO MR. BRADY WAS ASSIGNED OR TRANSFERRED TO THE GROUP BY GARDEN VALLEY ASSOCIATES. HE DOUBTS THAT THE INDIVIDUALS ON THE LIST FOR THE OTHER CLAIM ARE LEGAL USERS FOR THAT RT.

MR. BRADY WAS GIVEN COPIES OF THE XEROX'S OF THE WARM SPRINGS DECREE FOR 65-3238 & A COPY OF THE MEMO FOR THE PAYETTE RECOMMENDATIONS FOR 65-3238 & A COPY OF XEROX OF THE CLAIM

MICROFILMED

SEP 22 1992

A65-03238B

MEMO TO FILES

From: JS

DATE:

5/21/90

APPLICANT: Misc Ind Users & Castle Mtn Crks. Owner's Assoc

CLAIM NO: A65-03238 - 03238A, & -03238B.

SUBJECT: Disallowal Of Splits A & B.

Castle Mountain Creeks Owners Association Filed A Claim For A Split, A65-03238B, Of The Original Rt. On 3/21/90. With The Addition Of Two Names, Castle Mountain Creeks Owners Association & Glen Wagner, To The Claim For The Parent Rt., The Splits A & B Can Be Eliminated And Be Recommended To The Court For Disallowal As Being Claimed Under A65-03238, (The Parent Rt.)

An Amended Claim With The Additional Names Was Filed In May To Accomplish This.

JS

MICROFILMED

SEP 22 1992

A65-03238B

INTER-DEPARTMENT MEMO — 1

TO: Mr. USTO SCHULZ
FROM: Mr. BOR. IDWR
FOR: FOREST LUTHX

DATE 05/14/1990

TO: Mr. USTO SCHULZ
GARDEN VALLEY, 100 03622
SUBJECT: No. 3 C.L.M. A65-03238

DEAR Mr. SCHULZ:

ENCLOSED ARE NO ORIG. DUPL. A COPY OF THE AMENDED CLAIM
FOR A65-03238 W/ THE ADDITION OF THE 2 NAMES YOU REQUESTED.
IF YOU HAVE ANY QUESTIONS, PLEASE WRITE OR CALL

SINCERELY,

James E. Smith (WATER RES. AGENT)
SIGNATURE

MICROFILMED
SEP 22 1992

Memo To File: A65-03238
FROM: FEL
DATE: 03/28/1990

CASTLE Mtn. CREEKS OWNER' ASSOC. FILED A CLAIM FOR A SPLIT, A65-03238B,
OF THE ORIGINAL RT. DA 03/21/1990. WITH THE ADDITION OF THE 2
NAMES, CASTLE Mtn CREEKS OWNERS' ASSOCIATION & GLEN WAGNER,
TO THE CLAIM FOR THE PARENT RT., THE SPLITS A & B CAN BE
ELIMINATED AND BE RECOMMENDED TO THE COURT FOR DISALLOWAL.
AS BEING CLAIMED UNDER A65-03238 (THE PARENT RT.)



A65-03238B

MICROFILMED

SEP 22 1992

3-20-1990

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

Sirs:

Re: Water Right A 65-03238

We the undersigned members of Castle Mountain Creeks Owners Assn., take exception to the manner in which the present claim was filed to above water right.

At the time the claim was filed, one of those filing, Fay Livingston, was the President of our Assn. and the claim should have been filed for the Assn. and not for individual members.

There are 264 Lots of 33/4 to 11/2 acres, owned by over 200 people in our subdivision, with over 85 homes in same. Without water the homes are next to worthless to live in.

We have a central water system, with a 44,000 gal. tank and 6" main lines and 4" and 2" lateral lines to service all 264 lots.

Most of the individuals in Claim # A65-03238 are served by our water system. The only ones not served by our system are Usto and Diana Schulz.

These individuals do not have at the present time a separate system to deliver water to themselves.

In view of the above facts and because Garden Valley Associates turned over their Decreed water rights to Castle Mountain Creeks Owners Assn. as per attached letter, we believe their claim should be disallowed and the water rights should belong to Castle Mountain Creeks Owners Assn.

Yours Truly,

Eugene J Brady
Robert J. Gannon
Isidore A. Van Dike

HC 76 Box 4022
Garden Valley Ida
83622

MICROFILMED

SEP 22 1992

William R. Corcoran
Wilderness Ranch
HC 33 Box 3100
Boise, Idaho 83706
(208) 344-3387

February 22, 1990

Mr. Gene Brady,
c/o Castle Mountain Creeks Owners' Ass'n
H. C. 76, Box 4022, Garden Valley, Id.

Dear Mr. Brady,

Reference is made to that certain Water Right #65-03238, at
Castle Mountain Creeks Subdivision in Garden Valley, Boise County,
Idaho.

The aforesaid water right was turned over by Garden Valley Assoc-
iates to Castle Mountain Creeks Owners' Ass'n., six or eight
years ago, probably in about 1983. However, the date could have
been earlier.

It was always our clear intent that this water right be transferred
to Castle Mountain Creeks Owners' Ass'n., and indeed that was done
by us.

If you have any further questions, please feel free to call me.

Yours truly,
Terraco, an Idaho Partnership,
and a General Partner of Garden
Valley Associates, an Idaho General
Partnership.

By: *William R. Corcoran*
partner

STATE OF IDAHO
COUNTY OF

} ss.

On this day of in the
year 19 , before me, a Notary Public, personally appeared

William R. Corcoran

known or identified to me to be (one of) the partner(s) in the partner-
ship of Terraco

and the partner(s) who subscribed said partnership name to the foregoing
instrument, and acknowledged to me that he executed the same
in said partnership name

Renee L. Deane
Notary Public

Residing at *Boise* Idaho

MICROFILMED

SEP 22 1992

Fair Livingston - President of Castle Mtn. Acacia Homeowners Assn.
and member of Board of Directors.
Ruth Briggs - Chairman Board of Directors
William Lawrence
George Hawker
— Stevenson } Board Members

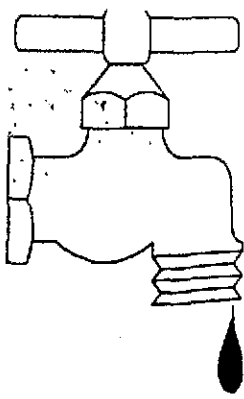
MICROFILMED

SEP 22 1997

CLAIMANT'S NAME: Tribby et. al.DATE: 2-5-90EMPLOYEE: Carter Fritschle

RE: Gene Brady, along with 2 other members
of the Castle Mountain Creeks Owners Assn.
question whether this right should be
claimed by the individuals. Their contention
was that this water right belonged to
the association rather than a handful
of individuals.

MICROFILMED
OCT 18 1996



Water Rights Do We, or Don't We?

Water Rights???? There have been many questions, and some member action, in trying to understand the water right situation for the Association. It is very complicated, but I will try to, in a very short space, explain where we are with the water right issue.

When the Association formally took control of the sub division, there were no water rights transferred. Although some feel there were, no signed notarized copy of such a transfer is filed with the State of Idaho. Upon finding out this error, I filed for an Association water right and the water right was approved on July 21, 1986. This right was described as follows:

- Total 20*
- Irrigation from 03/15 to 11/15 during the year at .20 CFS (90 gal per min) for 97.2 AFA.
 - Domestic from 01/01 to 12/31 during the year at .20 CFS (90 gal per min) for 63.0 AFA.
 - Point of diversion is NESE, Sec. 32, Township 10N, Range 04E and SWSE, Sec. 32, Township 10N, Range 04E.
 - Place of use is Township 10N, Range 04E, Sec. 32 SWNE, NWSE, SENE, SWSE, NESE, SESE and Sec. 33 SWNE, NWSW, SENW, SWSW, NESW, SESW

This right was established for all of the domestic water needed in the sub division for 250 homes.

105 on 38 acres.

In plainer language, this water right was for the sub surface well at the pump house at the creek and the groundwater well located next to the storage tank. Remember, water rights are associated with the land, NOT with an individual or an Association. *Not always true*

Filed 5-11-1989

During the adjudication process, I filed on the above mentioned water right and also discovered that a water right with an early priority date had been filed upon by several people. I contacted these people and explained to them that this particular water right was being used for the water required at the spa/pool area. They agreed to add Castle Mountain to this adjudication filing. This right is for .04 CFS (18 gal per min). The point of diversion for this right is NWSE, Sec. 32, Township 10N, Range 04E. This particular diversion point is different that the domestic water right diversion point stated above. *38 CFS*

Bottom Line: Castle Mountain Creeks has 2 water rights filed in the Snake River Basin Water System adjudication process; Water Right License Water Right No. 65-12776 for 90 gal per min domestic use and Civil Case Number 39576 Identification Number A65-03238 for 18 gal per min for use at the spa area. *38 CFS 18 gal/min*

Correct #'s

65-4002A for .25 CFS or 112 1/2 gal min

MICROFILMED
OCT 18 1996

Memo only

I will quote from the Identification Number A65-03238 filing: "Castle Mountain Creeks Owners' Ass'n filed a claim for a split, A65-03238B, of the original right on 3/21/1990. With the addition of the two names, Castle Mountain Creeks Owners Association & Glen Wagner, to the claim for the parent right, the splits A & B can be eliminated and be recommended to the court for disallowal as being claimed under A65-03238 (the parent right)"

No one filed on water Castle Mtn claims

Without total knowledge of all of the parts that make up the filing of water rights for the Association, court action could very well take place that would disallow all of our water rights, both domestic and for spa use. I encourage anyone wanting to pursue and file water rights for the Association to contact me first. Improper filing could lead to a total disallowance of water rights for the Association. Remember, only the Board of Directors have the legal right to file water rights in the name of Castle Mountain Creeks Owners Association.

If you want further detail explanation, or would like to see copies of the water rights that I have talked about, please contact me and I will be happy to sit down and discuss this with you.

Thanks,

Bill Lawrence

- * - * - * - * - * - * - * - * - * - * - * - * - * - * - *

P R E S I D E N T ' S R E P O R T

Plans are under way for additions to the mailboxes. However, we have run out of space at the present location. Plans have been worked out with the post office and tentative arrangements have been made to move the mailboxes to the property owned by Castle Mountain Creeks Owners Associations near the swimming pools.

The roads seem to be in good shape this summer. Mix has been put in some locations and grading has been done.

Fay Livingston
President

MICROFILMED
OCT 18 1996

CASTLE MOUNTAIN CREEKS OWNERS ASSOCIATION
H.C. 76, Box 4001
Garden Valley, Idaho 83622

Margie Teisby, Secretary
of the CMC Owners Assoc
6/18/87

WATER NOTES

Well, this has been an interesting last week. In following up on the water problems we have had, I first made an appointment with the State Department of Water Resources. (appointment was on July 2, 1986).

At the water resources office, Jan Shurte (Sr. Water Resource Agent) and I spent the better part of 2 hours looking through all the records to see if Castle Mountain has any water rights established for the domestic and heating water.

Castle Mountain Creeks has the following water rights:

As of 7/9/86

Right Number.....65-4002A
Name and Address.....Garden Valley Associates
Star Route, Garden Valley,
Idaho 83622
Priority Date.....6/1/65
Use.....Heating
Use Period From/To.....1/1 to 12/31
Max Rate......25 CFS
Diversion Point.....NWSW S33
Place of Use.....NWSW S33
Basis for Right.....Beneficial Use

Basically, the above is for the hot water from the spring area below the Spa's and is for the heating of the Spa's and shed. This right is equivalent to 112.5 gal per min (1.0 CFS = 450.0 GPM)

Right Number.....65-7594
Name and Address.....Garden Valley Associates
Star Route, Garden Valley,
Idaho 83622
Priority Date.....10/31/75
Use.....Domestic/Heating
Use Period From/To.....1/1 to 12/31
Max Rate......04 CFS (Domestic)
.08 CFS (Heating)
Diversion Point.....NWSW S31
Place of Use.....NWSW S33
Basis for Right.....Permit

Lapsed.

- Lapsed 18
36
54 gal
min

The above is for one household use and was probably the right for the mobile home that was originally used as a office above the Spa area. This right is equivalent to 9 gal per min at .04 CFS and 18 gal per min at .08 CFS.

Right Number.....65-3238
Name and Address.....Garden Valley Associates
Star Route, Garden Valley,
Idaho 83622
Priority Date.....6/1/1893
Use.....Irrigation/Domestic/Heating

MICROFILMED
ORIGINAL FILMED

MAY 15 1989

170 gal/min
domestic
is that

170
54
224

= 65-127

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MICROFILMED
OCT 18 1990

MICROFILMED
OCT 18 1990

MICROFILMED
OCT 18 1990

Castle Mountain Creeks Owners Association, Inc.

H C 76, Box 4001
Garden Valley, Idaho 83622

July 19, 1986

1986 ANNUAL MEETING

Castle Mountain Creeks Owners Association's Annual Meeting was called to order at 10:10 A M on July 19, 1986 at the shop-spa area, Garden Valley, Idaho, by Fay Livingston, President. She read the Notice of Annual Meeting. Rick Knigge made a motion that the meeting be held as scheduled. Second by Bud Wilson. Motion was voted on and carried. There were 124 Owners voting, either in person or by proxy.

Marge Tribby read the minutes of the 1985 meeting. Bill Lawrence stated that errors had been made on the Expense- Budget Statement. Judy Lawrence made a motion to approve the minutes, as corrected. Second by Rick Knigge. Motion was voted on and carried. (Corrections as follows: Under Roads, Material should be listed as \$3,186.74. Under Administration, the total should be \$13,922.54).

CMC's loan has a balance due of \$3,380.16, with monthly payments of \$273.04. Scheduled pay-off is September of 1987.

WATER REPORT

Bill Lawrence stated that, due to an extremely dry summer and an inadequate water supply, residents have been asked to water every other day, from 6 A M until 10 A M, then again from 6 P M until 10 P M. Some residents are not complying.

A pump sentry has been installed at the upper well to prevent burn out of the pump when water supply is diminished.

Bill stated that CMC has no water rights filed with the State of Idaho Department of Water Resources for domestic use. Application has recently been filed for .20 cfs for domestic use. Minimum waiting time for a permit is one year. At the end of ten years, CMC must have pumping capacity of .20 cfs. This information was received from Jan Shurte, Senior Water Resource Agent, Department of Water Resources, Boise, Idaho.

CMC's water system is not approved by the State of Idaho. To be approved, 80 gallons per minute must be pumped to the tank (200 gallons per minute unrestricted water flow). At present, pumping fluctuates from 47 to 63 gallons per minute; this is not state accepted as the minimum pumping requirement. The 80 gallons per minute required must have a constant 20 pounds of pressure through the entire water system at all times to be acceptable by the State. An additional requirement is that chlorine must remain in the system 30 minutes prior to use; it does currently. If the State disapproves CMC's water system, there can be: no selling, no buying, no more water hook-ups and no houses until approval is secured. Information source for State approval is Jon W. Wroten, Department of Health and Welfare, Boise, Idaho. A professional engineer, Keith Stokes, has been hired to recommend solutions. Estimated cost of securing water for State approval is from \$25,000.00 to \$35,000.00.

MICROFILMED

OCT 18 1986

We discussed several alternatives to getting more water in order to meet the minimum criteria and his final suggestion was that we hire an Engineer who will be able to arrive at some sound solutions. He recommended Mr. Keith Stokes who is an Engineer and owns South County Water system in Boise. I have called him for an estimate of the cost of recommending solutions.

Any change or major improvement must be approved by the Department of Health and Welfare and must be submitted with engineering designs. If we have to do this, we might as well start with an engineer.

One comment that Mr. Wroten had is that his Department is being much more active and demanding concerning water systems, more so than in the past. This doesn't help us any, but he did understand the development (and the developer) and wanted to work with us in any way to ensure that the system can be approved. One of the tests that is required in order to be State approved is that the system must maintain 20 lb pressure throughout the system for 7 days (this is the test). We all know at this time this cannot be accomplished. 20 lb of pressure is required in order to not cause a vacuum in the water lines that could suck back into the lines dirt, etc. that could carry germs.

He also re-confirmed that fact that the chlorine must remain in the water for a period of 30 minutes prior to usage. This requirement is due to the fact that the water used from the creek is consider surface water by his department and that regulations require 30 minute action period.

When he does his inspection of our water system, if the system fails, i.e., cannot maintain 20 lb pressure, he will disapprove the system. What this means is that no one else can build, sell or buy property until the system has been approved. Thought to keep in mind.

Meeting with Mr. Keith Stokes, Professional Engineer, South County Water Company here in Boise, July 9, 1986.

He charges a consulting fee of \$40.00 - \$50.00 per hour, depending on if he is in the office or in the field. He figures that approximately 5 to 6 hours of work would produce some good sound solutions for resolving the problems with the water system.

I am recommending that Mr. Stokes be hired by the Association for the purpose of determining a solution to additional water gal per min and a means of getting that water into the tank.

Additionally, we talked about ownership of water systems. He currently owns the South County Water System. Basically there are three routes which he could do:

1. After the system is brought to State standard, take over ownership of the entire system. This would cause it to become a public utility and all the necessary standards would have to remain. One draw back to this arrangement is that he could only charge those lots that are hooked up to the water system and it would have to be a separate charge outside of the payment of dues. The advantage would be that all the problems associated with the system would be out of the hands of the Association.

2. Contract for the maintenance of the system. He would take over the complete maintenance of the system to include the sampling of the water, fixing anything that went wrong with the system, billing the customers, etc. His fee

MICROFILMED
OCT 18 1986
MAY 15 1989

would be a certain percentage of a water charge billed to the customer using the system and the remaining percentage would be returned to the Association. He would also be the contact for any State inspections, requirements, etc. Again, the system would have to be brought to State standard prior to this arrangement being made. The draw back here is that the Association would still own the system and any major improvements to maintain State standard would be the burden of the Association. The big benefit is that maintenance would be out of the hands of the Association and payment for repairs would be through the fee rather than the Association Board.

3. The last alternative would be to do nothing except recommend to use how to improve the system and the maintenance would remain the responsibility of the Association.

It appears that the #2 option would be very feasible and would be worth taking a good hard look at. The fee would be probably be higher than the current dues and we would still have to charge dues, except it would be at a reduced amount because we would not have to include water maintenance in it. Within this solution, the amount of the fee could be set equal to the cost of the contract with no remaining percentage of the fee going to the Association. This would keep the price lower over the period of the contract.

Bill Lawrence
Member, Board of Directors
Castle Mountain Creeks Owners Association
July 9th, 1986

MICROFILMED
OCT 18 1986
MAY 15 1989

POOR ORIGINAL

MEMO TO: 65-3238

FROM: F.E.L. 2/15/77

1969 AERIAL SHOWS LITTLE IF ANY DEFINITE SIGNS OF IRRIGATION
ON LANDS COMPARO BY THIS PORTION OF THE WARM SPRINGS DECREE

1975 U-2 PHOTO ALSO NO POSITIVE SIGNS

1977 U-2 INDICATES APPROX 6 ACRES IN NESE S32, ALTHOUGH

DIFFICULT TO DEFINITELY ASCERTAIN, BECAUSE OF A JANGLE OF ROADS

IN AREA, APPROXIMATELY 5 ACRES IN NW1/4 S33, ALL IN T10N R4E

WE ARE THEREFORE RECOMMENDING IRRIGATION OF 11 ACRES FOR

THE IRRIGATION PORTION OF THIS RIGHT

OCT 18 1996

POOR ORIGINAL

65 3238

9 That the plaintiff John Gardner, Amelia Gardner, John Sittig and Herman Sittig be and they are jointly and equally hereby awarded the use of the waters of said Warm Springs Creek, at and through two ditches, the points of diversion being on the North side of said creek Commonly known as the Warm Springs ditches for use upon lands lying in the E $\frac{1}{2}$ of the S.W. $\frac{1}{4}$ and the N.W. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ Sec. 33, and the N.E. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ Sec. 32, all in Twp. 10 N. R. 4 E. B.M., Boise County, Idaho, in the following amount from the following date: 30 inches of water, from June 1. 1883; and thereby designated as Right No. 9.

13 June 1906

MICROFILMED
OCT 18 1996

Water Right Number - R65-03238

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SPLIT/DUPLICATE RIGHT1 -
2 -
3 -
City- GARDEN VALLEY State- ID Zip- 83622
Phone - 208-000-0000*** O - ORIGINAL OWNER ***
GARDEN VALLEY ASSOCIATES1 - STAR ROUTE
2 -
3 -
City- GARDEN VALLEY State- ID Zip- 83622
Phone - 208-000-0000+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
06/01/1883 14 WESTERN Z - SEE REMARKS+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
WARM SPRINGS CREEK PAYETTE RIVER, MIDDLE FORK
DUPLICATE CLAIM SEE REMARKS+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
10N 04E 32 NW SE (15) BOISE
33 NW SW (15) BOISE+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 0.220
43 - DOMESTIC 01/01 12/31 0.040 1.20
22 - HEATING 01/01 12/31 0.120 1.20+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.380 1.20 27.5+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
10N 04E 32 NE SE 6.0 01 IRRIGATION (15) BOISE
10N 04E 33 NW SW 5.0 01 IRRIGATION (15) BOISE

Total Acres: 11.0

- Diversion Means - GATE,DITCHES,7.5HP PUMP,PIPES,44,000GAL.STORAGE TANK,ETC.

- Non-Irrigation Use - HEATING AND DOMESTIC

- Other Rights for Same Use - A65-07562,A65-07770C,A65-07540

MICROFILMED
OCT 18 1996

Water right number - R65-03238

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - - +
SEE A65-03238A & A65-03238B - DUPLICATE CLAIMS FILED FOR SAME
PARENT RIGHT.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
STATE OF IDAHO A & C CORP., ET AL. 00/00/0000

+ - - - - Comments - - - - - +
Date: 07/05/1994 User Id: JSHURTE Subject: DUPLICATE CLAIMS FILING
TWO CLAIMS HAVE BEEN FILED FOR THIS RIGHT. THE OWNERSHIP IS CURRENTLY BEING UNRAVELED. A TRANSFER ON THIS RIGHT HAS BEEN
FILED BY ONE OF THE CLAIMANTS, CASTLE MTN OWNERS ASSOC. AND BASED ON THE OUTCOME OF THAT TRANSFER - WHICH HAS PROOF OF OWNERSHIP
SUBMITTED - THIS CLAIM WILL BE CHANGED TO ONE OWNER.

+ - - Audit Fields - - +
07/05/94 JSHURTE

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 00/00/0000 | Old Judicial District | - |
| Claim Received Date | - 00/00/0000 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - X777777 | Water District | - 65 |
| | | PDU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - OR | Presumption Flag | - |
| | | | | Notice of Error Flag | - |

MICROFILMED
OCT 18 1996

Water Right Number - A65-03238

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SPLIT/DUPLICATE RIGHT1 -
2 -
3 -
City- GARDEN VALLEY State- ID Zip- 83622
Phone - 208-000-0000*** O - ORIGINAL OWNER ***
GARDEN VALLEY ASSOCIATES1 - STAR ROUTE
2 -
3 -
City- GARDEN VALLEY State- ID Zip- 83622
Phone - 208-000-0000+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/01/1883 14 WESTERN Z - SEE REMARKS+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
WARM SPRINGS CREEK PAYETTE RIVER, MIDDLE FORK
DUPLICATE CLAIM SEE REMARKS+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
10N 04E 32 NW SE (15) BOISE
33 NW SW (15) BOISE+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 0.220
43 - DOMESTIC 01/01 12/31 0.040 1.20
22 - HEATING 01/01 12/31 0.120 1.20+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.380 1.20 27.5+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
10N 04E 32 NE SE 6.0 01 IRRIGATION (15) BOISE
10N 04E 33 NW SW 5.0 01 IRRIGATION (15) BOISE

Total Acres: 11.0

+ - - Diversification Means - GATE,DITCHES,7.5HP PUMP,PIPES,44,000GAL.STORAGE TANK,ETC.

+ - - Non-Irrigation Use - HEATING AND DOMESTIC

+ - - Other Rights for Same Use - A65-07562,A65-07770C,A65-07540

MICROFILMED
OCT 8 1995

Water right number - A65-03238

Prefix Translation: ADJUDICATION CLAIM

+ - - - - - Remarks - - - - - +
SEE A65-03238A & A65-03238B - DUPLICATE CLAIMS FILED FOR SAME
PARENT RIGHT.

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
STATE OF IDAHO A & C CORP., ET AL: 00/00/0000

+ - - - - - Comments - - - - - +
No Comments Found

+ - - Audit Fields - - +
07/05/94 JSHURTE

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

| | | |
|-----------------------------------|------------------------------------|-----------------------------|
| Court Report Filing - 00/00/0000 | Field Inspection Made - 00/00/0000 | Civil Case Number - 39576 |
| Objection Filed Date - 00/00/0000 | Field Inspection Flag - | Old Case Number - |
| Response Filed Date - 00/00/0000 | Verified Date - 00/00/0000 | Old Judicial District - |
| Claim Received Date - 00/00/0000 | Last Amended Date - 00/00/0000 | Temporary Right - P |
| | Receipt Number - X777777 | Water District - 65 |
| | POU Ownership Flag - Y | Federal/State Indicator - S |
| | Name Connector - OR | Presumption Flag - |
| | | Notice of Error Flag - |

MICROFILMED
OCT 18 1996

Water Right Number - A65-03238B

Adj. Flag Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***

CASTLE MOUNTAIN CREEKS OWNERS' ASS'N

1 - C/O GENE BRADY

2 - HC-76, BOX 4022

3 -

City- GARDEN VALLEY

State- ID Zip- 83622

Phone - 208-462-3301

*** O - ORIGINAL OWNER ***

GARDEN VALLEY ASSOC. *Developer*

1 - STAR ROUTE

2 -

3 -

City- GARDEN VALLEY

State- ID Zip- 83622

Phone - 208-000-0000

+ - - Priority Date - - +
06/01/1883+ - - Region - - - +
14 Error in Region+ - - Stage - - - +
D - DECREED

+ - - Status - - - - +

+ - - Source - - - - - +
WARM SPRINGS CREEK+ - - Tributary - - - - - +
PAYETTE RIVER, MIDDLE FORK

| Twn | Rng | Sec | Tract | Lot | RFlg | County | Point of Diversion | Stream Index (Blank if no Index Code) |
|-----|-----|-----|----------|-----|------|------------|--------------------|---------------------------------------|
| 10N | 04E | 32 | NE NW SE | | | (15) BOISE | | |

| Code | Description | Period From | Period To | Diversion Rate | Diversion Volume |
|-----------------|-------------|-------------|-----------|----------------|------------------|
| 01 - IRRIGATION | | 04/01 | 11/01 | 0.220 | |
| 43 - DOMESTIC | | 01/01 | 12/31 | 0.040 | 1.20 |
| 22 - HEATING | | 01/01 | 12/31 | 0.120 | 1.20 |

| Total Div. Rate - + | Total Div. Volume - + | Total Div. Capacity - + | Total Consumptive Use - + | KW Usage - + |
|---------------------|-----------------------|-------------------------|---------------------------|--------------|
| 0.380 | 1.20 | | | |

| Twn | Rng | Sec | Tract | Lot | Acres | Code | Description | County |
|-----|-----|-----|-------|-----|-------|------|-------------|-------------|
| 10N | 04E | 32 | NE SE | | 6.0 | 01 | IRRIGATION | (15) BOISE |
| 10N | 04E | 33 | NW SW | | 5.0 | 01 | IRRIGATION | (15) BOISE |

Total Acres: 11.0

+ - - Diversion Means - 7.5 HP PUMP, PIPELINE, 44,000 STORAGE TANK.

+ - - Non-Irrigation Use - HEATING AND DOMESTIC

+ - - Other Rights for Same Use - A65-12776, A65-04002A

MICROFILMED
SEP 22 1992

Water right number - A65-03238B

Adj. flag translation: ADJUDICATION CLAIM

+ - - - - Remarks - - - - -
THIS IS A SPLIT RIGHT FROM 65-03238. THE OWNERSHIP OF THIS RIGHT
WILL BE DETERMINED AT A LATER DATE.

+ - - - - Old Water Right Numbers - - - - -
A6503238

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
STATE OF IDAHO A & C CORP., ET AL. 00/00/0000

+ - - Audit Fields - 03/21/90 GIBSON 06/11/90 LUTHY

+ - - - - Comments - - - - -
No Comments Found

+ - - - - Adjudication Rights Dates and Flags Area - - - - -

| | | | | | |
|-----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 00/00/0000 | Old Judicial District | - |
| Claim Received Date | - 03/21/1990 | Last Amended Date | - 06/11/1990 | Temporary Right | - P |
| Claims Tape Error Flg | - | Receipt Number | - W011530 | Water District | - 65 |
| Fee Exempt Flag | - | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| Name Connector | - OR | | | Presumption Flag | - |

MICROFILMED

SEP 22 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Western
RECEIVED

TRANSFER OF WATER RIGHT

APR 13 2000

TRANSFER NO. 4392
WATER RIGHT NO. 65-03238

WATER RESOURCES
WESTERN REGION

This is to certify that: CASTLE MOUNTAIN CREEK OWNERS ASSN INC
HC 76 BOX 4001
GARDEN VALLEY ID 83622

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|-----------------------|----------------------|
| IRRIGATION | 04/01 to 11/01 | 0.14 CFS | 24.5 AF |
| DOMESTIC | 01/01 to 12/31 | 0.24 CFS | 15.2 AF |
| Totals | | * 0.38 CFS | * 39.7 AF |

SOURCE

TRIBUTARY OF

WARM SPRINGS CREEK
UNNAMED STREAM

PAYETTE RIVER, MIDDLE FORK
WARM SPRINGS CREEK

Priority: 06/01/1883

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 31, Township 10N, Range 04E
NWSE , Sec. 32, Township 10N, Range 04E
NWSW , Sec. 33, Township 10N, Range 04E
BOISE 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> |
|----------------------------------|------------|------------|--------------|--------------|--------------|--------------|
| 10N | 04E | 32 | SWNE 0.5 | SENE 0.5 | NESE 0.5 | |
| | | | NWSE 0.5 | SWSE 0.5 | SESE 0.5 | 3.0 |
| | | 33 | SWNW 0.5 | SENW 0.5 | NESW 0.5 | |
| | | | NWSW 1.5 | SWSW 0.5 | SESW 0.5 | 4.0 |
| Total number of acres irrigated: | | | | | | 7.0 |

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

- delete*
1. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
 2. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works for all authorized points of diversion. The means of measurement and controlling works must be suitable for control of the diversions and acceptable to the watermaster.
- delete*

TRANSFER NO. 4392
WATER RIGHT NO. 65-03238

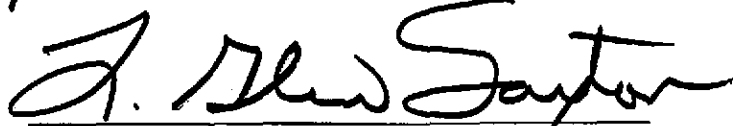
CONDITIONS OF APPROVAL AND REMARKS

3. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
4. Use of water under this right may be affected by an agreement between the protestant and the right holder.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- * 8. The total instantaneous diversion of water from all points of diversion under Transfer 4392 shall not exceed 0.38 cfs, nor a total combined annual volume of 39.7 af.
9. Approval of Transfer 4392 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
10. Right 65-03238 is associated with 105 lots within Castle Mountain Creek Subdivision.

Dated this 11th day of

April

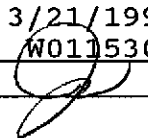
, 2000.


Chief, Water Allocation Bureau

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: A65-03238B
Date Received: 3/21/1990
Receipt No: W011530
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CASTLE MOUNTAIN CREEKS OWNERS' ASS'N 208-462-3765
Address: HC 76 BOX 4001
GARDEN VALLEY ID 83622
2. Date of Priority: JUN 1, 1883
3. Source: WARM SPRINGS CREEK Trib. to: PAYETTE RIVER, MIDDLE FORK
4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 10N | 04E | 32 | NE | NW | SE | | BOISE |

5. Description of diverting works:
7.5 HP PUMP, PIPELINE, 44,000 STORAGE TANK.

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.220 | | |
| DOMESTIC | 01/01 | 12/31 | 0.040 | | 1.20 |
| HEATING | 01/01 | 12/31 | 0.120 | | 1.20 |

7. Total Quantity Appropriated is:
0.380 C.F.S. (and/or) 1.20 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
HEATING AND DOMESTIC

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use |
|----------|-------|---------|--------|--------|-----|-----|
| 10N | 04E | 32 | NE | SE | | IRR |

MICROFILMED
OCT 18 1996
Acre 6.0

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
| | | | | | Section Acres | 6.0 |
| | | 33 | NW | SW | IRR | 5.0 |
| | | | | | Section Acres | 5.0 |
| | | | | | Total Acres | 11.0 |

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:
A65-12776, A65-04002A

14. Remarks:
THIS IS A SPLIT RIGHT FROM 65-03238. THE OWNERSHIP OF THIS RIGHT
WILL BE DETERMINED AT A LATER DATE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____

MICROFILMED
OCT 18 1996

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
OCT 18 1996

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: A65-03238B
Date Received: 3/21/1990
Receipt No: W011530
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: CASTLE MOUNTAIN CREEKS OWNERS' ASS'N 208-462-3301
Address: C/O GENE BRADY
HC-76, BOX 4022
GARDEN VALLEY, ID 83622
2. Date of Priority: JUN 01, 1883
3. Source: WARM SPRINGS CREEK Trib. to: PAYETTE RIVER, MIDDLE FORK
4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 10N | 04E | 32 | NE | NW | SE | | BOISE |

5. Description of diverting works:
7.5 HP PUMP, PIPELINE, 44,000 STORAGE TANK.

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.220 | | |
| DOMESTIC | 01/01 | 12/31 | 0.040 | | 1.20 |
| HEATING | 01/01 | 12/31 | 0.120 | | 1.20 |

7. Total Quantity Appropriated is:
0.380 C.F.S. (and/or) 1.20 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
HEATING AND DOMESTIC

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----|-------|
| 10N | 04E | 32 | NE | SE | | IRR | 6.0 |

A65-03238B

Page 1

Date: 06/11/90

MICROFILMED
SEP 22 1992

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
| | | | | | Section Acres | 6.0 |
| | | 33 | NW | SW | IRR | 5.0 |
| | | | | | Section Acres | 5.0 |
| | | | | | Total Acres | 11.0 |

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:
A65-12776, A65-04002A

14. Remarks:
THIS IS A SPLIT RIGHT FROM 65-03238. THE OWNERSHIP OF THIS RIGHT
WILL BE DETERMINED AT A LATER DATE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

16. Signature(s)

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

Number of attachments:

For Organizations:

I do solemnly swear or affirm that I am a Home owner of
Title
Castle Mtn Creeks Owners Assn that I have signed the foregoing
Organization
document in the space below as Home owner of
Title
Castle Mtn Creeks Owners Assn and that the statements contained in the
Organization
foregoing document are true and correct.

Eugene H Brady
Signature of Authorized Agent

Home owner
Title and Organization

6-11-90
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of JUNE 19 90

Samuel E. Suth
Notary Public

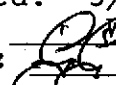
Seal

Residing at Boise, ID
My Commission Expires 11/08/1994

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A65-03238B
Date Received: 3/21/1990
Receipt No: 0011530
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CASTLE MOUNTAIN CREEKS OWNERS' ASS'N 208-462-3301
Address: HC 76 BOX 4022
GARDEN VALLEY, ID 83622
2. Date of Priority: JUN 01, 1883
3. Source: WARM SPRINGS CREEK Trib. to: PAYETTE RIVER, MIDDLE FORK
4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 10N | 04E | 32 | NE | NW | SE | | BOISE |

5. Description of diverting works:
7.5 HP PUMP, PIPELINE, 44,000 STORAGE TANK.

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.220 | | |
| DOMESTIC | 01/01 | 12/31 | 0.040 | | 1.20 |
| HEATING | 01/01 | 12/31 | 0.120 | | 1.20 |

7. Total Quantity Appropriated is:
0.380 C.F.S. (and/or) 1.20 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
HEATING AND DOMESTIC

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 10N | 04E | 32 | NE | SE | | IRR | 6.0 |

Section Acres 6.0

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Date: 03/21/90

MICROFILMED
SEP 22 1992

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 10N | 04E | 33 | NW | SW | | IRR | 5.0 |
| Section Acres | | | | | | | 5.0 |
| Total Acres | | | | | | | 11.0 |

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:
A65-12776, A65-04002A

14. Remarks:

THIS IS A SPLIT RIGHT FROM 65-03238. THE OWNERSHIP OF THIS RIGHT
WILL BE DETERMINED AT A LATER DATE.

15. Basis of Claim: DECREED

Case Number:
Court :
Decree date:

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Homeowner of _____ Title

Castle Mtn Creeks Owners Assn, that I have signed the foregoing Organization

document in the space below as Homeowner of _____ Title

Castle Mtn Creeks Owners Assn and that the statements contained in the Organization

foregoing document are true and correct.

Eugene J Brady
Signature of Authorized Agent

Castle Mtn Creeks Owners Assn.
Title and Organization

3-21-1990
Date

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 21st day
of March 19 90

William Gene Carlson
Notary Public

Seal

Residing at Boise Idaho

My Commission Expires 9-2-1994



TION
R 4 E

STORAGE
TANK

Pod

TION
T 9 N

MICROFILMED
SEP 22 1992

TION
R4E

4891

10'

4890

4889

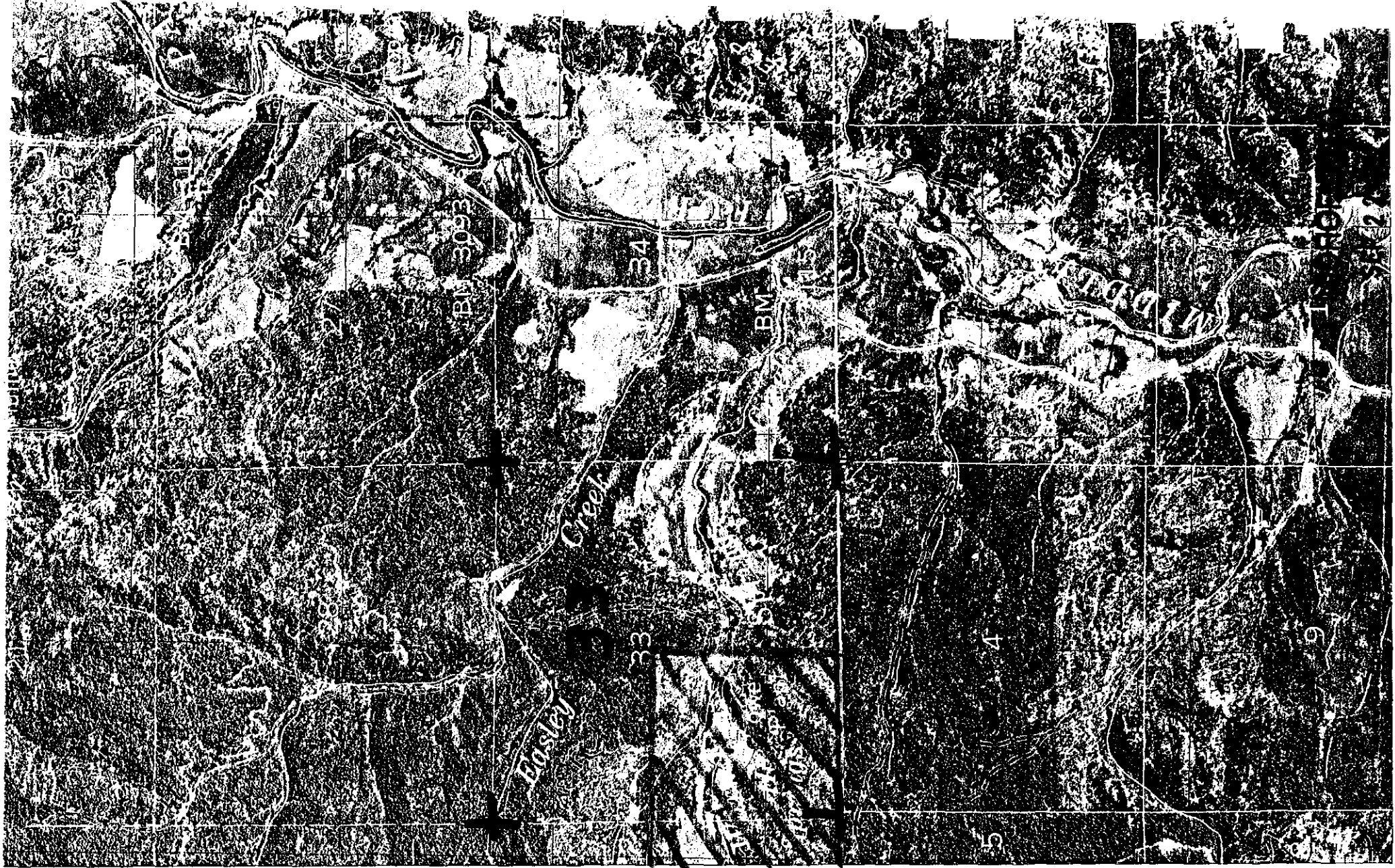
4888

900 000
FEET

4887

TION

T9N



44° 7' 30"

501

447 000 555 562

88 57' 30"