

65-7206

PAYETTE RIVER HOT SPRINGS garden valley, idaho

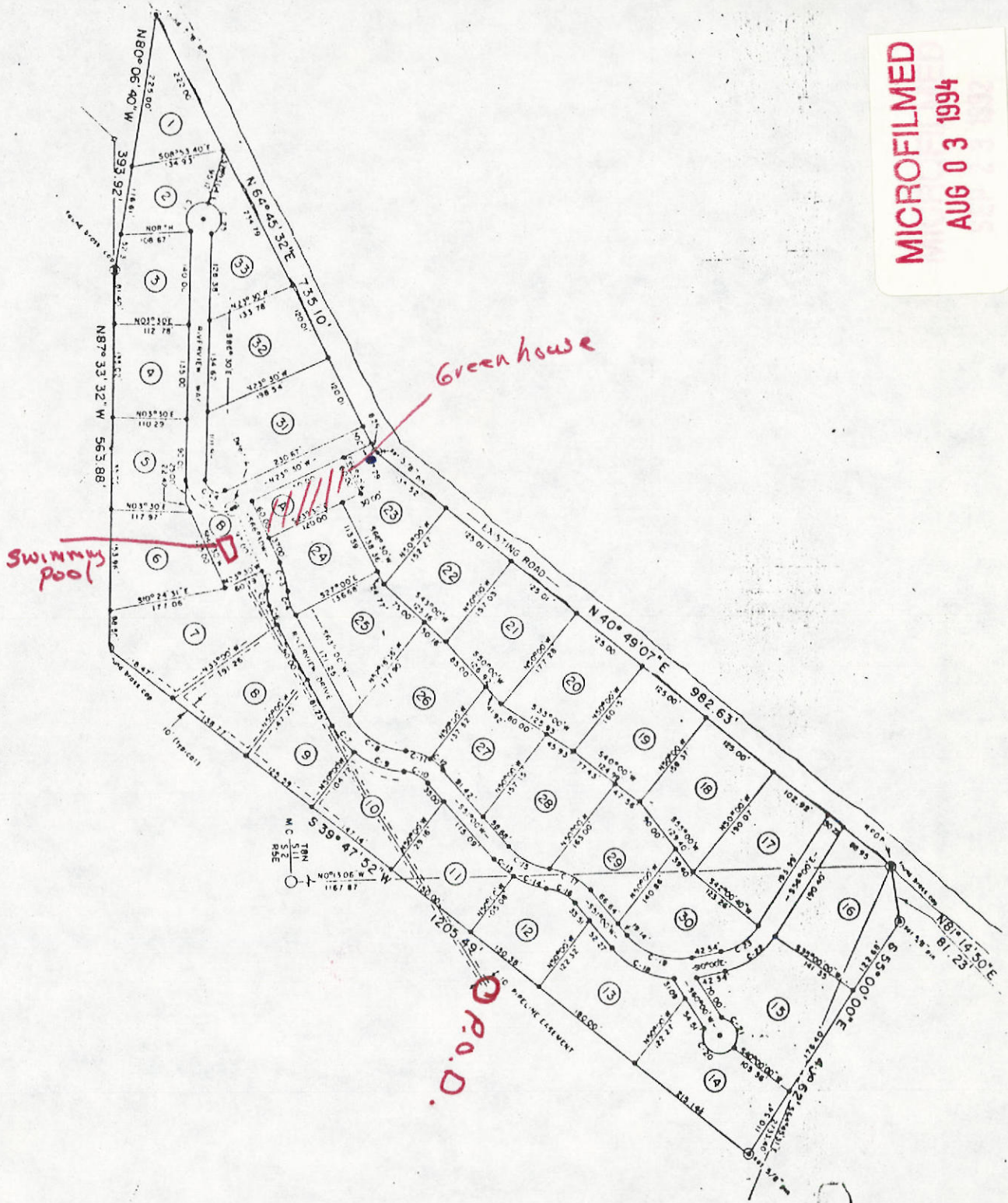
SITUATED IN GOVERNMENT LOTS 1 & 2, SECTION 11, TOWNSHIP 8 NORTH, RANGE 5 EAST, BOISE MERIDIAN,
BOISE COUNTY, IDAHO.

ROYLANCE ENGINEERING 1976



While this map is a photographic reproduction of that on file in either the recorder's or surveyor's office, the company assumes no liability for variation, if any, with another or re-survey.

Mountain View Title, Inc.

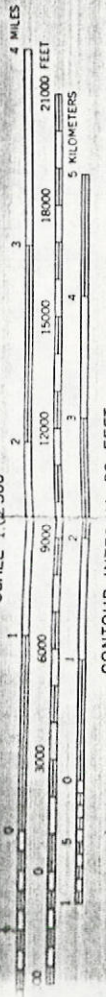


MICROFILMED
AUG 03 1994

POOR ORIGINAL



SCALE 1:62,500



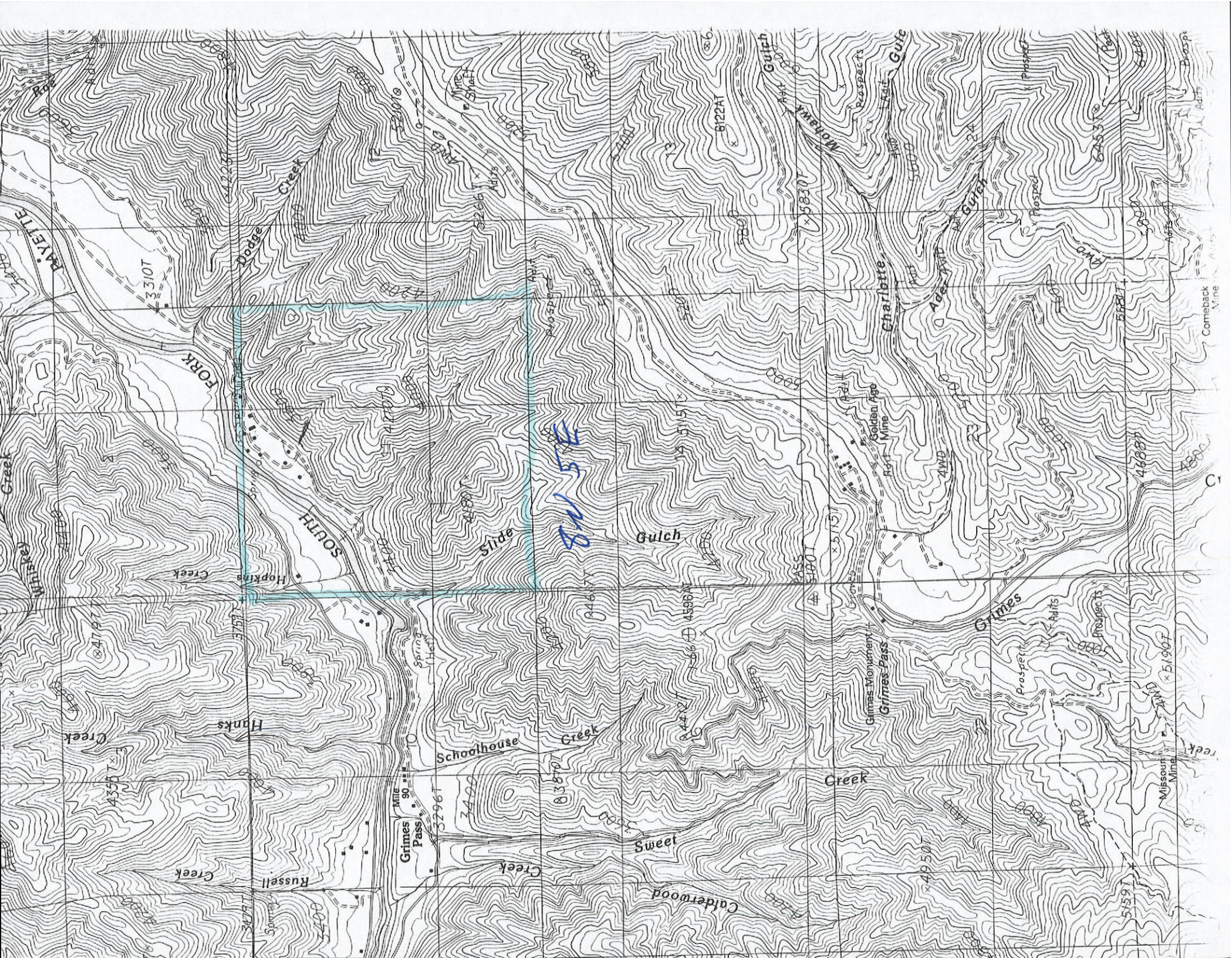
CONTOUR INTERVAL 80 FEET
DATUM IS MEAN SEA LEVEL

MICROFILMED

AUG 03 1994

CLASSIFICATION
Light duty
Route

also covered by 1:24,000 map of Grimes Pass and vicinity, survey



Identification No. 65-2206
Application No.

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

LICENSE ISSUED FOR 0113 SEC. 17
LICENSE PAGE 10

APPROVED

APPLICATION FOR PERMIT

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

Name of applicant Lawrence Hestinger
Post Office address 3509 Crescent Rim Drive, Boise, Idaho 83704
Source of water supply Warm Springs
Location of point of diversion NE 1/4 of NW 1/4 of Section 11 Township 8 N Range 5 E 11 W Boise
County additional point of diversion if any

If water is not consumed it will be discharged into
of 1/4 of Section Township Range 1/4 a point in 1/4

Water will be used for the following purposes
Amount 20 for Irrigation purpose from May 1 to Oct. 1 (both dates inclusive)
Amount 20 for Green House purpose from Jan. 1 to Dec. 31 (both dates inclusive)
Amount 20 for Swim Pool purpose from Jan. 1 to Dec. 31 (both dates inclusive)
Total quantity to be appropriated 60 cubic feet per second and/or acre feet per annum
Proposed diverting works

Description of ditches, flumes, pumps, headgates, etc. Gravity system from hot springs.

Height of storage dam feet active reservoir capacity acre feet total reservoir capacity
Period of year during which storage will occur No day to No day inclusive
Proposed well diameter is inches proposed depth of well is feet
Time required for the completion of the works and application of the water to the proposed beneficial use 5 years

Estimated construction cost is \$
Description of proposed uses

If water is not for irrigation
(1) Give the place of use of water NE 1/4 of NW 1/4 of Section 11 Township 8 N Range 5 E 11 W
(2) Amount of power to be generated hp under feet of head
(3) List number of each kind of livestock to be watered
(4) Name of municipality to be served or number of families to be supplied with domestic water
(5) If water is to be used for other purposes describe: Swimming pool and green house

65-2206

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OCT 21 1996

8. If waters are for irrigation, indicate acreage in each subdivision in the tabulation below.

TWP	RANGE	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	
8 N	5 E	11	5																10

c. Describe any other water rights used for the same purposes as described above. Total number of acres to be irrigated 10
None

9. a. Who owns the property at the point of diversion U.S.F.S.

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

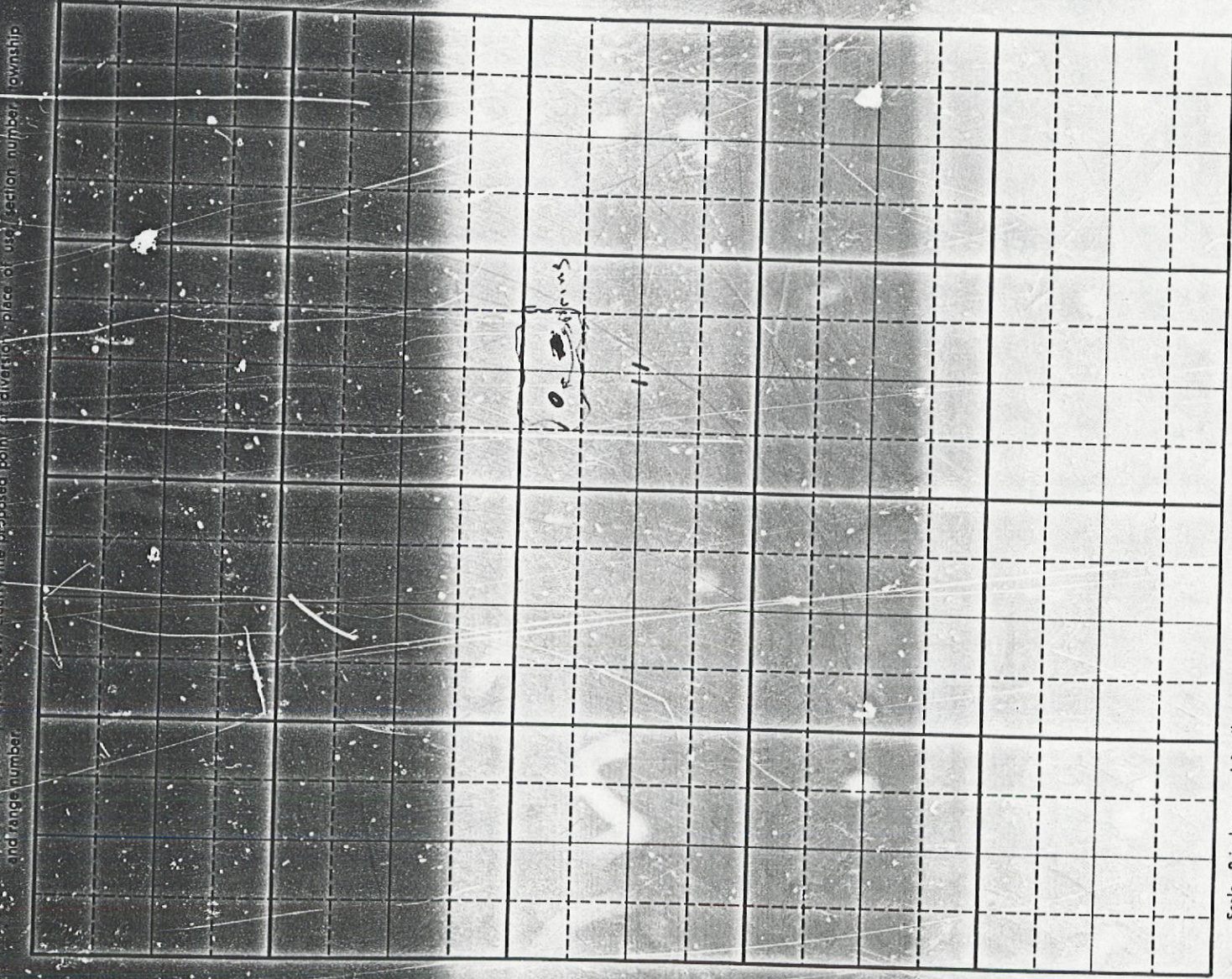
10. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing.

10. Remarks We are in the process of obtaining special use permit from U.S.F.S.
* The waters requested for the pool and greenhouse are for my own personal use.
This is not a commercial venture. Waters for the greenhouse are for maintaining an even temperature year-round and irrigation of plants in greenhouse.

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



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Lawrence L. Lott
(Applicant)

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OCT 21 1996

65

Received by _____ Date 5/26/76 Time 2:30 pm
Preliminary check by De Fee \$ 2.00
Received by _____ Date 5/27/71 Rec'd
Publication prepared by CR Date 6-22-71
Published in Idaho World
Publication dates 7-1 & 7-8-71
Publication approved de Date 6-22-71
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by De CR

65-7206

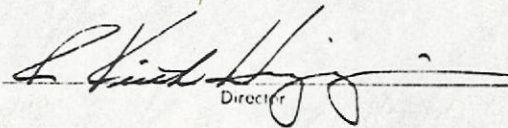
ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 65-7206, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:
- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
 - b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 76.
 - c. Other: _____

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

Witness my hand this 31st day of August, 1971.


Director

2720

Location Hettinger (Proposed) Special Use Permit

NW 1/4, Sec. 11, T. 8 N., R. 5 E., Boise Meridian
TOLAMEN



Sketch by Ohs
June 1977

65 7206

MICROFILMED
OCT 21 1996

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder _____
Post office address _____ Phone _____
Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☐ Surface water ☐ _____
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. _____
Examination for _____

Permit No. _____

Examination for _____

4. Total amount to be appropriated:

Max Rate of Diversion _____ cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____ County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____ County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4, _____ County

Other Points of Diversions:

Description of diverting works:

Measuring device required: yes ☐ no ☐

6. Lands to be irrigated or place of use.

[illegible]**TOTAL ACREAGE**

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OCT 21 1996

POOR ORIGINAL

65 7205

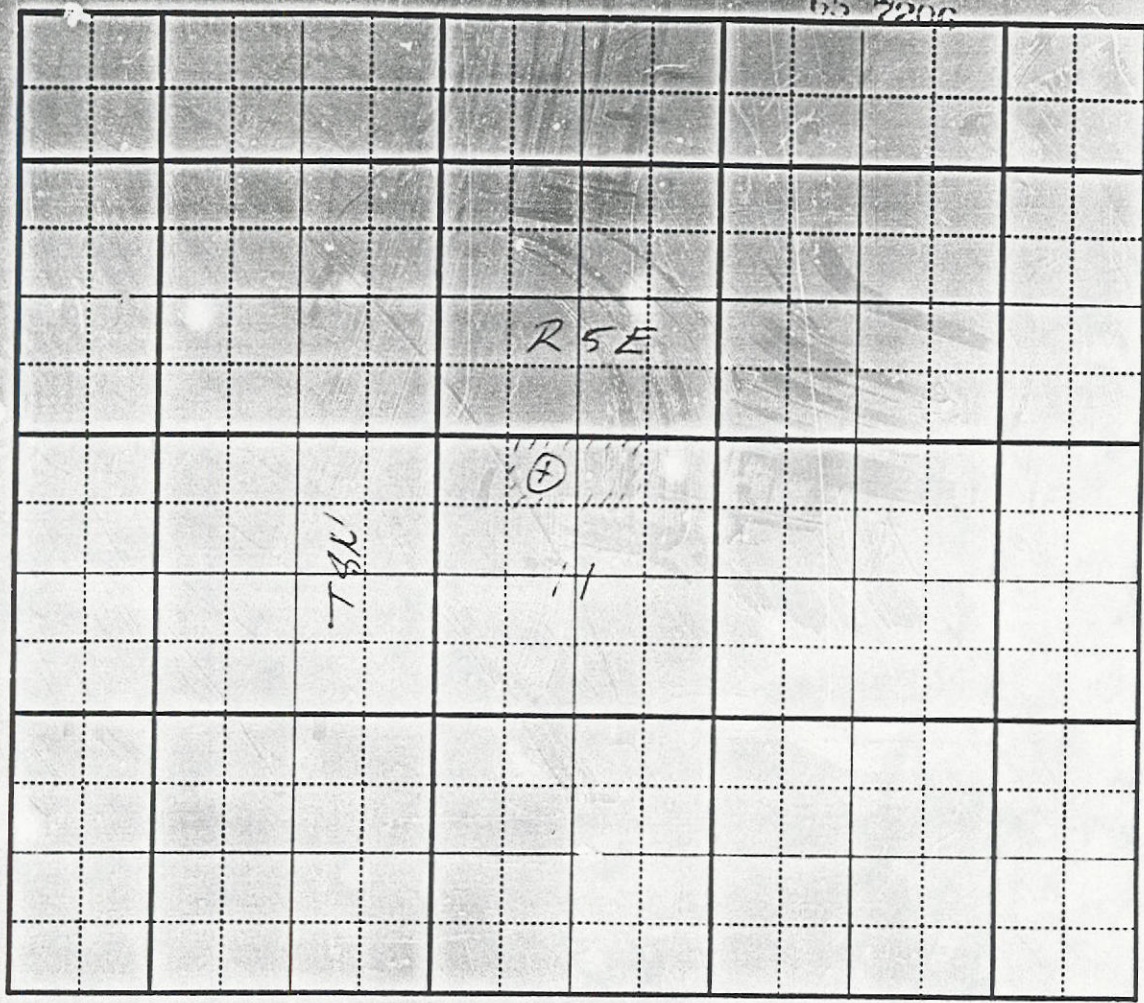


Diagram of System

MICROFILMED
OCT 21 1996

DATE OF EXAM

ACREAGE

Found

Recommended

Irrigation Requirement

Ac Ft/Ac

USE

Irrigation Q =

c.f.s.

V =

AF/Ann. from

to

Domestic Q =

c.f.s.

V =

AF/Ann. from

to

Livestock Q =

c.f.s.

V =

AF/Ann. from

to

Swamp Total Q = 0.13 cfs

to

12/31

12/31

Is water co-mingled? yes

no

Name source:

tpw

N/S, Rge

EW, B.M., Sec

Sub

1/4

1/4

County

Exchange? yes

no

Name source exchanged with:

tpw

N/S, Rge

EW, B.M., Sec

Sub

1/4

1/4

County

Point of injection:

tpw

N/S, Rge

EW, B.M., Sec

Sub

1/4

1/4

County

Point of exchange:

tpw

N/S, Rge

EW, B.M., Sec

Sub

1/4

1/4

County

Total Q measured

0.13 cfs

Method of measurement

Total Q recommended

0.13 cfs

Meter No.

Type

Condition

Total V recommended

Recommended Amendments:

P.D.

Place of Use

Other

None

MEASUREMENT CALCULATION:

SYSTEM DESCRIPTION:

2 HP Pump & Pressure system diverting water to
field & greenhouse

REMARKS:

Greenhouse use is for heating & cooling

Examiner's Signature

John Charles Brown

Date

Checked by

Date

Approved by

65 Date 12/31

UNRECORDED

OCT 21 1996

License of Winter Right No. 55-7206 P-6-15 May 26, 1971 Amount 0.13 cfs

THIS IS TO CERTIFY that **LAWRENCE HETTINGER**
of Bolso, Mahoning Co., Ohio

No. 65-7206 Issued pursuant to Application for Permit dated May 26, 1971
and has submitted proof to the Department of Water Administration on August 15, 1973
that he has applied water to a beneficial use in combination by the Department indicates that the
works have a capacity of 0.13 cfs and that the water has in fact been applied to a
beneficial use; a right to the use of water from Warm Springs
tributaries of

Amount 0.13 cfs for Green House from Jan. 1 to Dec. 31 (both dates inclusive)
 Amount 0.13 cfs for Swimming Pool from Jan. 1 to Dec. 31 (both dates inclusive)
 Amount _____ for _____ from _____ to _____ (both dates inclusive)
 Subject, however, to the condition that no more than 0.13 cfs of water be diverted at any one time, said waters to be diverted within the _____

NE 1/4 Sec. 11, Twp. 8 N, Rge. 5 E, B. M.

In the county of Boise

_____ and that the amount of water so diverted and to which such right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can actually be beneficially used ~~XXXXXXXXXXXXXXXXXXXX~~

[illegible]

Description and location of place of use:

[illegible]

Total number of acres irrigated

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 10 day of September, 19 73

[Signature]
Director

PAYETTE RIVER HOT SPRINGS

garden valley, idaho

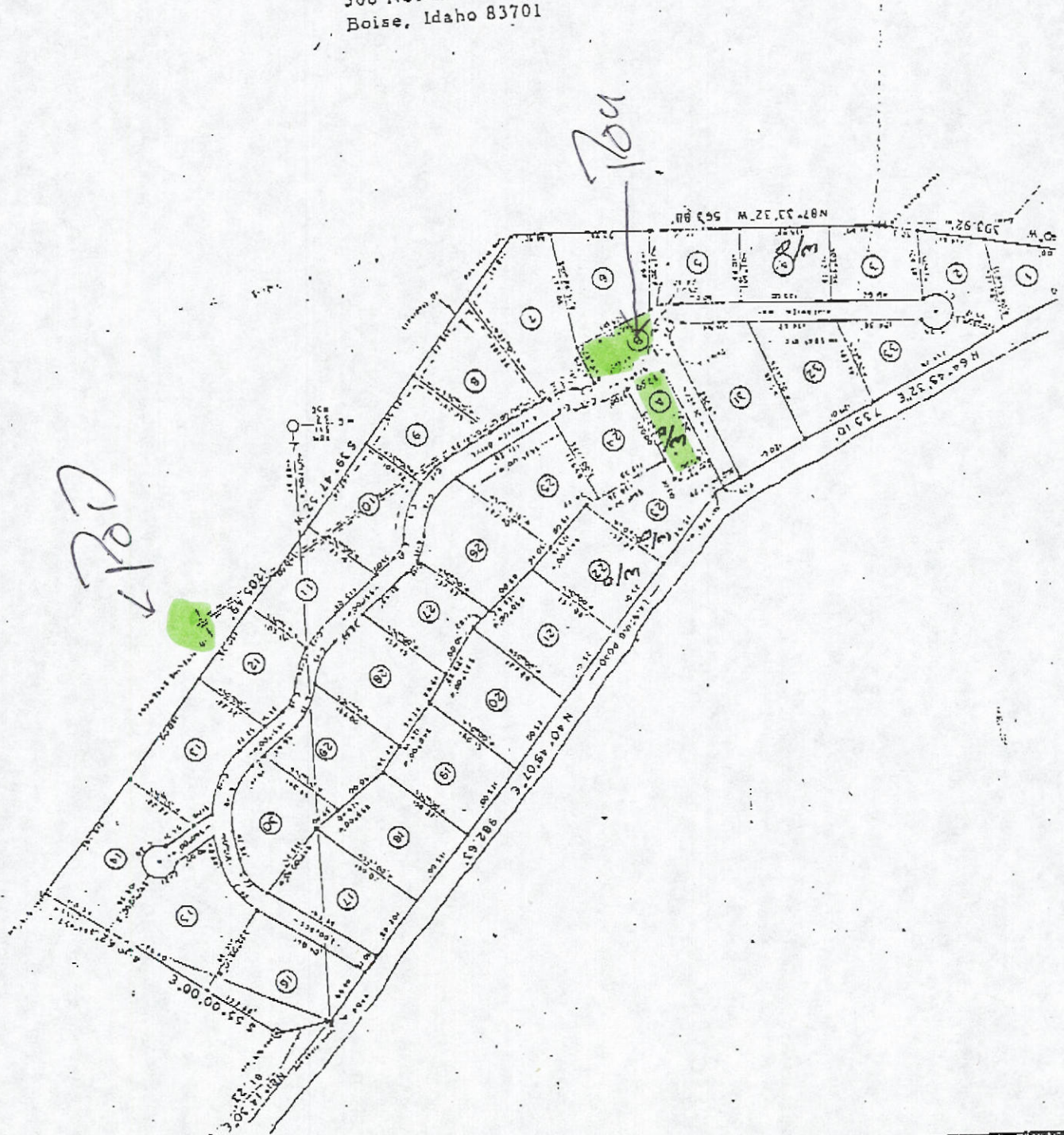
SITUATED IN GOVERNMENT LOTS 1 & 2, SECTION 11, TOWNSHIP 8 NORTH, RANGE 3 EAST, BOISE MERIDIAN,
BOISE COUNTY, IDAHO.

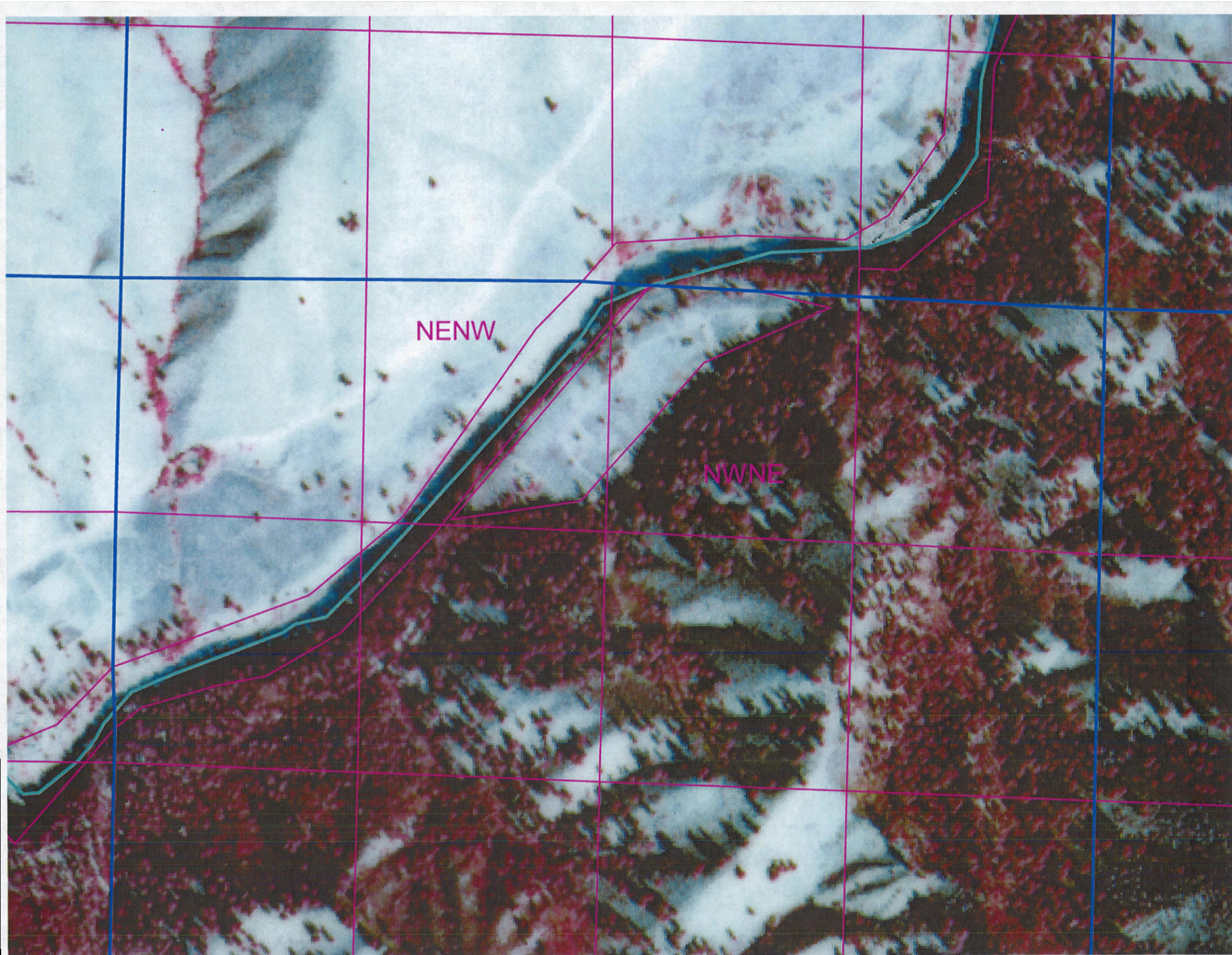
ROYLANCE ENGINEERING 1976

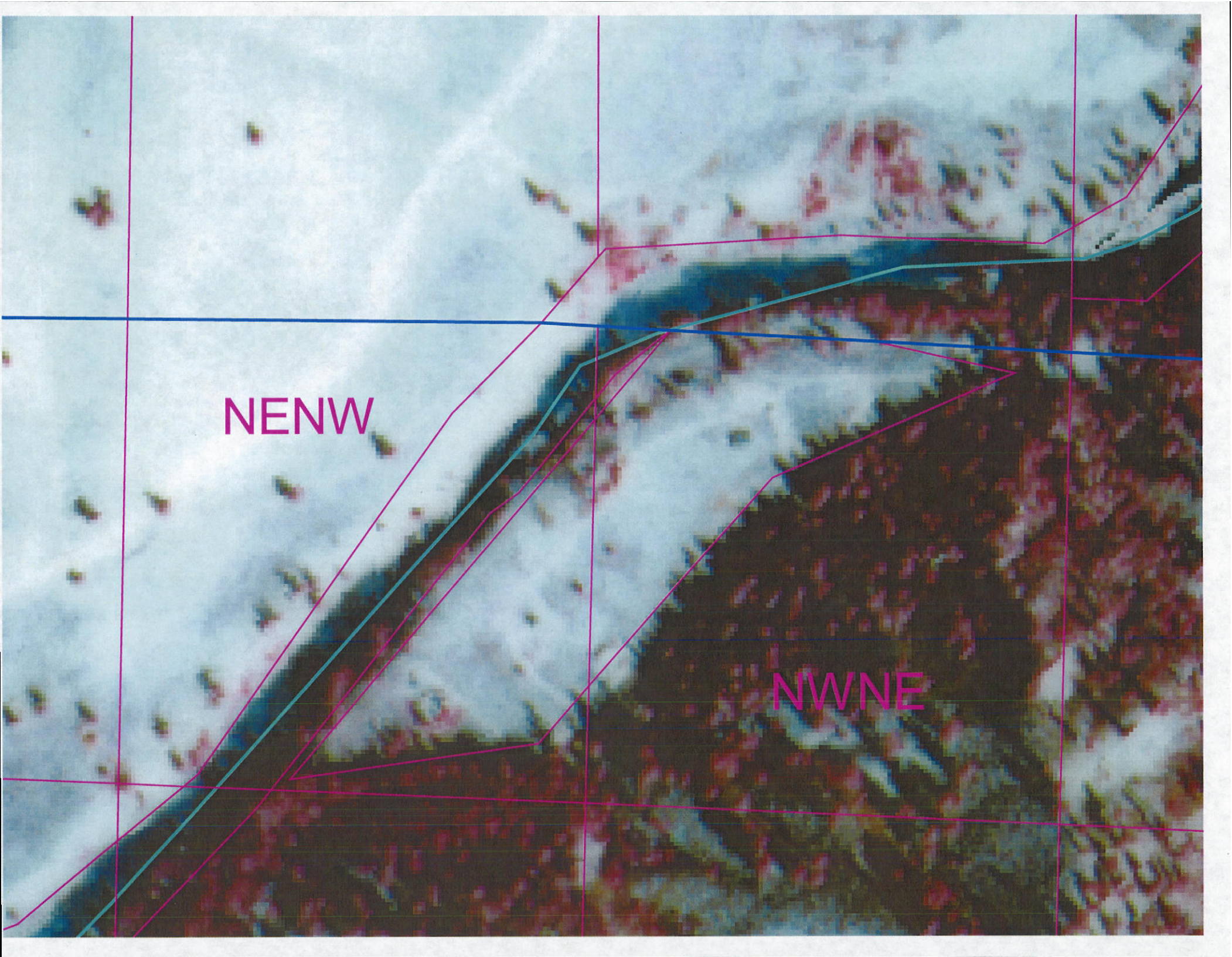


While this map is a photographic reproduction of that on file in either the recorder's or surveyor's office, the company assumes no liability for variation, if any, with another of its survey.

Safeco Title Insurance Company of Idaho
300 North Sixth Street
Boise, Idaho 83701







NENW

This is an aerial photograph of a geological area, possibly a coastal or estuarine region. The image is overlaid with a grid of magenta lines. A prominent blue line runs horizontally across the middle. A green line runs diagonally from the bottom left towards the center. The area is divided into several sections by these lines. The label 'NENW' is in the upper left, and 'NWNE' is in the lower right. The terrain shows varying shades of blue, green, and brown, indicating different geological or hydrological features.

NWNE

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: **A65-07206B**
Date Received: 4/11/1989
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: ZANE LEWIS WOLFF 213-732-0103
Address: C/O CHRISTOPHER J OWEN
2152 W WASHINGTON BLVD.
LOS ANGELES CA 90018
OR
Name: ANTHONY EDWARD OWEN 213-732-0103
Address: C/O CHRISTOPHER J OWEN
2152 W WASHINGTON BLVD.
LOS ANGELES CA 90018
OR
Name: CHRISTOPHER JOHN OWEN 213-732-0103
Address: 2152 W. WASHINGTON BLVD.
LOS ANGELES CA 90018
2. Date of Priority: MAY 26, 1971
3. Source: WARM SPRINGS Trib. to: PAYETTE RIVER, SOUTH FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	05E	11		NW	NE		BOISE
				NE	NW		BOISE
5. Description of diverting works:
HOT SPRING 127-135 DEG.F) TO PUMP TO PIPELINE TO P.O.U..
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.130		
7. Total Quantity Appropriated is:
0.130 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
C/GREENHOUSE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08N	05E	11	NW NE		COMMER	

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:
65-07205

14. Remarks:

DESCRIPTION OF DIVERTING WORKS:::
FREE FLOWING HOT SPRING TO CONCRETE CATCH BASIN TO PUMP TO
PIPELINE TO GREENHOUSE WITH DISCHARGE INTO SWIMMING POOL WITH
OVERFLOWS TO RIVER.
P.O.U. LOCATED IN LOT A AND B OF PAYETTE RIVER HOT SPRINGS
SUBDIVISION.
P.O.D. IS ON U.S. FOREST SERVICE PROPERTY WITH A SPECIAL USE
PERMIT FOR DIVERSION.
SOURCE IS LOCATED ON SECTION LINE.
CHANGE IN DELETION OF RECREATION USAGE.
9/27/89 BY STEVE LESTER: APPEARS FROM REVIEW OF APPLICATION
65-13017 THAT THIS IS UNNAMED SPRING LOCALLY KNOWN AS HOT OR WARM
SPRINGS. ALSO APPEARS THAT SPRING IS IN LOT 8, NENENW, S.11. SEE
FILE 65-13017 FOR DETAILS.
THIS CLAIM IS A RESULT OF A DUPLICATE FILING, FEES PAID UNDER
RECEIPT NO. X999999. SEE ALSO A65-07206A. CJH 6/11/93.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant

MICROFILMED

AUG 03 1994

LAW OFFICES

G. LANCE SALLADAY
ATTORNEY AT LAW

for Owen, Owen & Wolff

PHONE (208) 345-5154

FAX (208) 338-1273

RES (208) 384-5799

TERRACE PLAZA

200 N 4TH ST, SUITE 302

BOISE, IDAHO 83702

MEMORANDUM

June 11, 1993

TO: Files A65-07205A, A65-07205B, A65-07206A, and A65-07206B

FROM: Cindy Hodges

RE: Claim splits as a result of duplicate filings

Claims on the above-referenced rights were originally filed by Owen, Owen, and Wolff on 4/11/89. On 5/4/89, John Carr, representing Payette River Hot Springs, came to the office and modified the names and uses on the claims, stating that the original claimants had agreed to the changes. At that time, no change in ownership documentation was required or requested.

On Wednesday, 6/9/93, I was visited by Lance Salladay, attorney for Chris Owen, Tony Owen, and Zane Wolff. He was conducting general research on the water rights with regard to a real estate dispute between the parties. During our discussion, we concluded that while Owen, Owen and Wolff may have initially been aware of the changes, Mr. Salladay would feel more comfortable at the present if his clients were represented on their own claims.

Briefly, the nature of the dispute is:

1. Was the domestic use under 65-07205 developed by Lawrence Hettinger in Lot 7 or in Lot A of the subdivision?, and
2. Is the commercial use claimed by Owen, Owen and Wolff in 65-07206B still a valid use? Mr. Carr's concern relates to subdivision convenient restrictions; a more pertinent concern for SRBA review would be a matter of forfeiture of use. Information I have been informally given indicates that the last use of hot water for the greenhouse may have been several years prior to 1987. Resumption of use may have been attempted recently by Owen et al, but was reportedly disrupted by Carr and the subdivision.

Per discussion with Jan Shurte, it was decided to split the claims based on duplicate filings. Since Mr. Carr signed the version of the claims which he filed, we have both sets of claimant signatures on file for both rights. The inappropriate claims may be disallowed all or in part during SRBA Basin 65 review.

MICROFILMED

AUG 03 1994

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

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

CIVIL CASE NUMBER: 39576

RE-NUMBERED TO A65-07206B
Ident. Number: A65-07206
Date Received: 4/11/1989
Receipt No: X999999
Received By: ELR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ANTHONY EDWARD OWEN 213-732-0103
Address: % CHRISTOPHER J. OWEN
2152 W. WASHINGTON BLVD.
LOS ANGELES, CA 90018

OR

Name: ZANE LEWIS WOLFF 213-732-0103
Address: % CHRISTOPHER J. OWEN
2152 W. WASHINGTON BLVD.
LOS ANGELES, CA 90018

OR

Name: CHRISTOPHER JOHN OWEN 213-732-0103
Address: 2152 W. WASHINGTON BLVD.
LOS ANGELES, CA 90018

2. Date of Priority: MAY 26, 1971

3. Source: WARM SPRINGS Trib. to: PAYETTE RIVER, SOUTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08N	05E	11	NW	NE	NE		BOISE
			NE	NW			BOISE

5. Description of diverting works:
HOT SPRING 127-135 DEG.F) TO PUMP TO PIPELINE TO P.O.U..

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
~~COMMERCIAL~~	01/01	12/31	0.130		
RECREATION	01/01	12/31	0.130		

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

A65-07206

Page 1

Date: 04/18/89

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AUG 03 1994

9. Non-irrigation uses:
C/GREENHOUSE, R/SWIMMING POOL

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08N	05E	11	NW NE		COMMER	
			NE NW		COMMER	

13. Other Water Rights Used:
65-07205

DESCRIPTION OF DIVERTING WORKS:::
FREE FLOWING HOT SPRING TO CONCRETE CATCH BASIN TO PUMP TO
PIPELINE TO GREENHOUSE WITH DISCHARGE INTO SWIMMING POOL WITH
OVERFLOWS TO RIVER.
P.O.U. LOCATED IN LOT A AND B OF PAYETTE RIVER HOT SPRINGS
SUBDIVISION.
P.O.D. IS ON U.S. FOREST SERVICE PROPERTY WITH A SPECIAL USE
PERMIT FOR DIVERSION.

STATE OF IDAHO A & C CORP., ET AL.
Decree Plaintiff vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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: A65-07206
Date Received:
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PAYETTE RIVER HOT SPRINGS HOMEOWNERS ASC
Address: XXXXXXXXXXXX, ID 00000-00
OR
Name: ZANE LEWIS WOLFF 213-732-0103
Address: % CHRISTOPHER J. OWEN
2152 W. WASHINGTON BLVD.
LOS ANGELES, ~~ID~~ Calif 90018
OR
Name: CHRISTOPHER JOHN OWEN 213-732-0103
Address: 2152 W. WASHINGTON BLVD.
LOS ANGELES, ~~ID~~ Calif, 90018
OR
Name: ANTHONY EDWARD OWEN 213-732-0103
Address: % CHRISTOPHER J. OWEN
2152 W. WASHINGTON BLVD.
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2. Date of Priority: MAY 26, 1971
3. Source: WARM SPRINGS Trib. to: PAYETTE RIVER, SOUTH FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08N	05E	11	NW	NE			BOISE
			NE	NW			BOISE

5. Description of diverting works:
HOT SPRING 127-135 DEG.F) TO PUMP TO PIPELINE TO P.O.U..

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.130		

A65-07206

Page 1

Date: 03/20/89

MICROFILMED

AUG 03 1994

6. Water is used for the following purposes: Continued

Purpose	From	To	C.F.S (and/or)	A.F.A.
RECREATION	01/01	12/31	0.130	

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
C/GREENHOUSE, R/SWIMMING POOL

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	05E	11	NW	NE		COMMER	
			NE	NW		COMMER	

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:
NONE

14. Remarks:
DESCRIPTION OF DIVERTING WORKS:::
FREE FLOWING HOT SPRING TO CONCRETE CATCH BASIN TO PUMP TO
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SUBDIVISION.
P.O.D. IS ON U.S. FOREST SERVICE PROPERTY WITH A SPECIAL USE
PERMIT FOR DIVERSION.

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

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ 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): Christopher J. Owen Date: 4/3/89

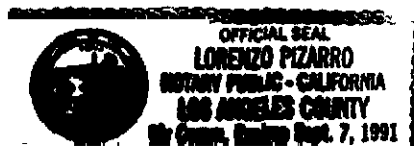
Date: _____

State of ~~Idaho~~ Calif)
County of Los Angeles) SS.

Subscribed and sworn (or affirmed) before me this 3rd day
of April 19 89

Seal

Lorenzo Pizarro
Notary Public
1802 S. Magnolia
Residing at Los Angeles, CA.
My Commission Expires 9/7/91



PAYETTE RIVER HOT SPRINGS

garden valley, idaho

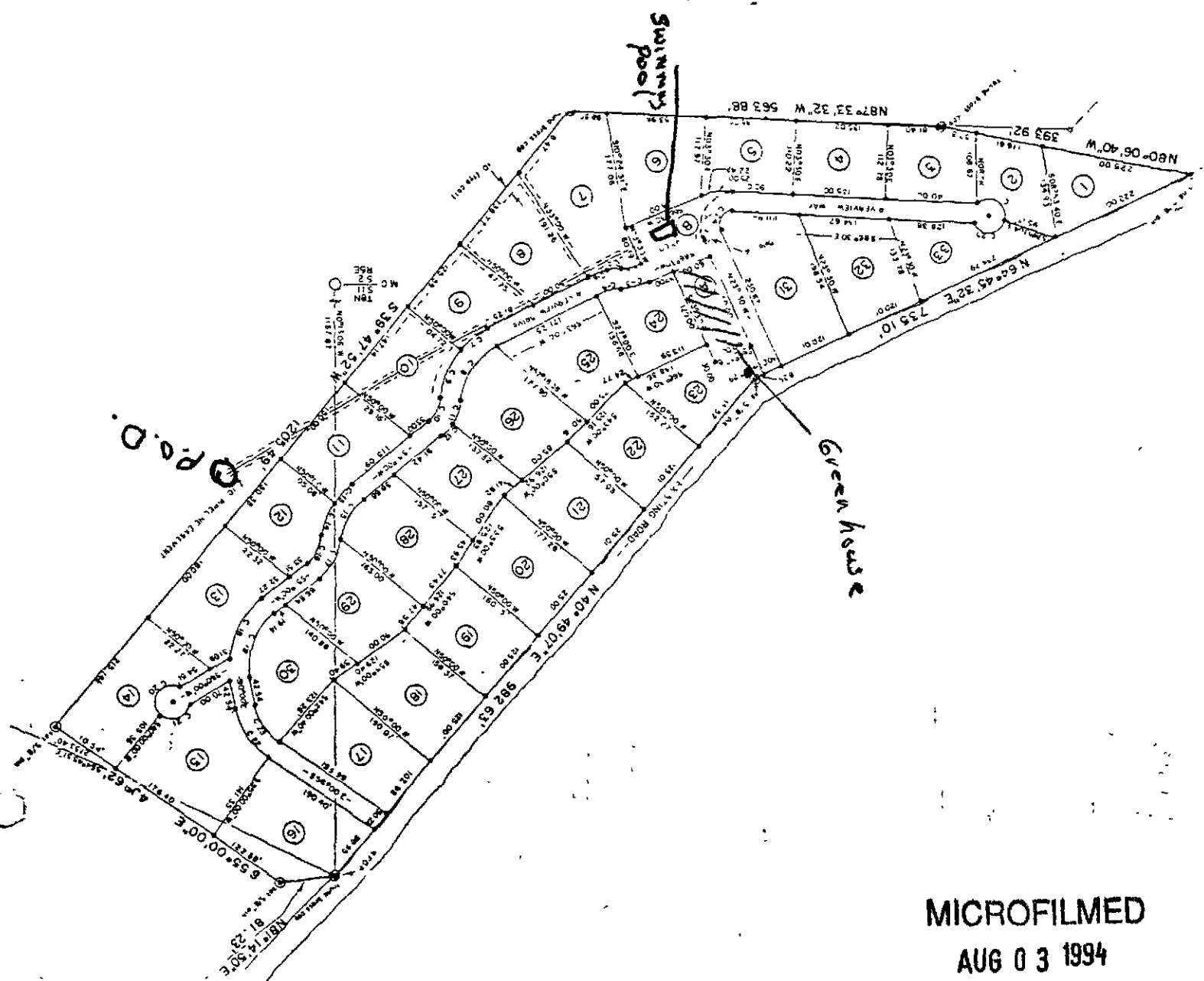
SITUATED IN GOVERNMENT LOTS 1 & 2, SECTION 11, TOWNSHIP 8 NORTH, RANGE 3 EAST, BOISE MERIDIAN,
BOISE COUNTY, IDAHO.

ROYLANCE ENGINEERING 1976



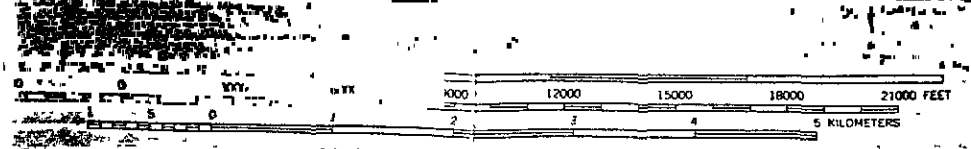
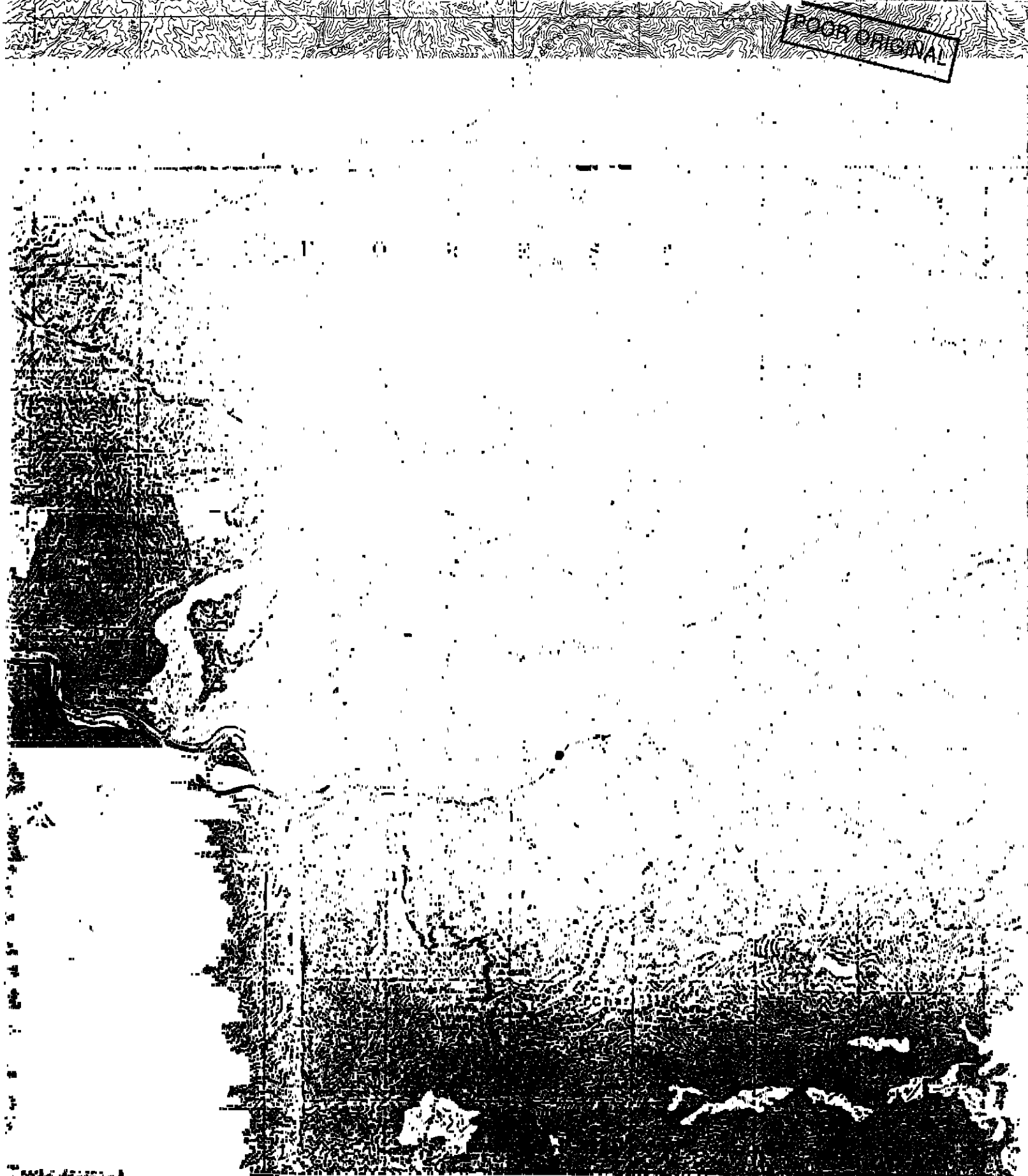
While this map is a photographic reproduction of that on file in either the recorder's or surveyor's office the company assumes no liability for variation if any with another or re survey

Mountain View Title, Inc.



MICROFILMED
AUG 03 1994

POOR ORIGINAL



CONTOUR INTERVAL 80 FEET
DATUM IS MEAN SEA LEVEL

MICROFILMED
AUG 03 1994

SITUATION
Light-duty
Route

also covered by 1:24,000
map of Grimes Pass and Vicinity, survey

WARRANTY DEED

FOR VALUE RECEIVED, TERRACO, an Idaho general partnership, the Grantor, does hereby grant, bargain, sell and convey unto RUDOLPH W. PAULSON and MILDRED A. PAULSON, husband and wife, the Grantees, whose current address is 5203 Bloom Lane, Boise, Idaho 83703, the following described premises, in Boise County, Idaho, to-wit:

PARCEL I:

Parcel A and Lot 23, PAYETTE RIVER HOT SPRINGS SUBDIVISION, according to the official plat thereof, filed as Instrument No. 84843, records of Boise County, Idaho (including existing greenhouse on said Parcel A). RESERVING and excepting to Grantor, and to its successors and assigns, fee simple title to a tract of land in Lot 23 having a radius of 50 feet, measured from the existing well situate on said Lot 23; and further reserving and excepting to Grantor, and to its successors and assigns, an easement 15 feet in width along the existing pipeline situate on said Lot 23 for ingress and egress to the existing well and for the repair, maintenance, and replacement of said pipeline.

PARCEL II:

Lot 22, PAYETTE RIVER HOT SPRINGS SUBDIVISION, according to the official plat thereof, filed as Instrument No. 84843, records of Boise County, Idaho.

Together with the right to the non-consumptive use of one-half of the geothermal water rights owned by Seller under State of Idaho License of Water Right No. 65-7206, or 27 gallons per minute, whichever is less, which water rights may be applied for the benefit of either Parcel I or Parcel II, or both.

SUBJECT TO:

- 1) Taxes and assessments, easements, restrictions, covenants, rights-of-way, reservations and mineral reservations;
- 2) Any claim arising from the difference in the mean high water line of the Payette River and the meander line as shown by Government Survey;
- 3) The right of the Payette River Hot Springs Homeowners Association to use the Buyer's discharge hot water;
- 4) Five foot easement for utilities along each lot line;
- 5) Articles, By-Laws, rules and regulations of the Homeowners Association;
- 6) The condition that Buyer and their heirs and assigns pay one-half of all the necessary expenses that, from time to time, shall accrue for the maintenance, repair or replacement of the existing hot water facilities from the point of origin to the point of discharge (which facilities lie in part within lots 7 through 11 of Payette River Hot Springs Subdivision and in part outside the boundaries of said Subdivision), including without limitation the pump, valves and pipes; and also including without limitation one-half of all power and other utility expenses for the operation of said facilities; provided, however, that if additional facilities or equipment are added to the hot water facilities existing as of this date, Buyer's obligation hereunder shall not exceed one-half of the pro-rata share of such expenses.

MICROFILMED

AUG 03 1994

AJ5809NP
No. R65-07206B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/28/00
PAGE: 42

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ZANE LEWIS WOLFF	05/26/1971	COMMERCIAL	01-01 12-31	0.130 CFS	
C	ANTHONY EDWARD OWEN C/O CHRISTOPHER J OWEN 2152 W WASHINGTON BLVD LOS ANGELES CA 90018 (213) 732-0103			TOTAL DIVERSION:	0.130 CFS	
C	CHRISTOPHER JOHN OWEN 2152 W WASHINGTON BLVD LOS ANGELES CA 90018 (213) 732-0103					

Water Source: WARM SPRINGS

Tributary to: PAYETTE RIVER, SOUTH FORK

Stage: DECREED

Point(s) of Diversion:

T08N R05E S11

NENW

BOISE County

Place of use Legal Description for: COMMERCIAL

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	:
08N	05E	11	:					:					:					:					:	
				C				:					:					:					:	

POU County: BOISE

Other Rights: 65-07205

Conditions of Approval:

- C18 - THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
- NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
 - ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
 - DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
 - ENTRY OF A FINAL UNIFIED DECREE, SECTION 42-1412(6) IDAHO CODE.

Remarks: QNT USE OF THIS RIGHT WITH RIGHT NO. 65-07206A IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF .13 CFS.

USE COMMERCIAL USE IS A GREENHOUSE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:

Presumption Flag:

AJ5809NP
No. R65-07206B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/28/00
PAGE: 43

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Comments: Date: 12/17/1999 User-ID: SVANHOFF Subject: COPIED FROM REMARKS
DESCRIPTION OF DIVERTING WORKS:::
FREE FLOWING HOT SPRING TO CONCRETE CATCH BASIN TO PUMP TO
PIPELINE TO GREENHOUSE WITH DISCHARGE INTO SWIMMING POOL WITH
OVERFLOWS TO RIVER.
P.O.U. LOCATED IN LOT A AND B OF PAYETTE RIVER HOT SPRINGS
SUBDIVISION.
P.O.D. IS ON U.S. FOREST SERVICE PROPERTY WITH A SPECIAL USE
PERMIT FOR DIVERSION.
SOURCE IS LOCATED ON SECTION LINE.
CHANGE IN DELETION OF RECREATION USAGE.
9/27/89 BY STEVE LESTER: APPEARS FROM REVIEW OF APPLICATION
65-13017 THAT THIS IS UNNAMED SPRING LOCALLY KNOWN AS HOT OR WARM
SPRINGS. ALSO APPEARS THAT SPRING IS IN LOT 8, NENENW, S.11. SEE
FILE 65-13017 FOR DETAILS.
THIS CLAIM IS A RESULT OF A DUPLICATE FILING, FEES PAID UNDER
RECEIPT NO. X999999. SEE ALSO A65-07206A. CJH 6/11/93.

Audit: 12/17/99 SVANHOFF

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:07:42
04/12/99

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A65-072068

LAST: TERRACO FIRST:
ADDRESS: 1015 LARKSPUR
CITY: MERIDIAN STATE: ID ZIP: 83642
PHONE NUMBER: 208-000-0000

OWNER CODE: 0

LAST: WOLFF FIRST: ZANE LEWIS
ADDRESS: C/O CHRISTOPHER J OWEN
2152 W WASHINGTON BLVD
CITY: LOS ANGELES STATE: CA ZIP: 90018
PHONE NUMBER: 213-732-0103

OWNER CODE: C

LAST: OWEN FIRST: ANTHONY EDWARD
ADDRESS: C/O CHRISTOPHER J OWEN
2152 W WASHINGTON BLVD
CITY: LOS ANGELES STATE: CA ZIP: 90018
PHONE NUMBER: 213-732-0103

OWNER CODE: C

LAST: OWEN FIRST: CHRISTOPHER JOHN
ADDRESS: 2152 W WASHINGTON BLVD
CITY: LOS ANGELES STATE: CA ZIP: 90018
PHONE NUMBER: 213-732-0103

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN DESCRIPTION OF DIVERTING WORKS:::
FREE FLOWING HOT SPRING TO CONCRETE CATCH BASIN TO PUMP TO
PIPELINE TO GREENHOUSE WITH DISCHARGE INTO SWIMMING POOL WITH
OVERFLOWS TO RIVER.
P.O.U. LOCATED IN LOT A AND B OF PAYETTE RIVER HOT SPRINGS
SUBDIVISION.
P.O.D. IS ON U.S. FOREST SERVICE PROPERTY WITH A SPECIAL USE
PERMIT FOR DIVERSION.
SOURCE IS LOCATED ON SECTION LINE.
CHANGE IN DELETION OF RECREATION USAGE.
9/27/89 BY STEVE LESTER: APPEARS FROM REVIEW OF APPLICATION
65-13017 THAT THIS IS UNNAMED SPRING LOCALLY KNOWN AS HOT OR WARM
SPRINGS. ALSO APPEARS THAT SPRING IS IN LOT 8, NENENW, S.11. SEE

CLAIM REMARKS (CONT'D):

FILE 65-13017 FOR DETAILS.
THIS CLAIM IS A RESULT OF A DUPLICATE FILING, FEES PAID UNDER
RECEIPT NO. X999999. SEE ALSO A65-07206A. CJH 6/11/93.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y(____) N(____)

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

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

- A. AJ CLAIM: # A65-072068 PRIORITY DATE: 05-26-1971 STAGE: D
- B. WR RECORD: # 65-07206 PRIORITY DATE: 05-26-1971 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: _____

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RECOMMENDED PRIORITY DATE:

05-26-1971

REVIEWED BY _____

DATE _____

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
A65-07206B	08N	05E	11		NW	NE			BOISE		
A65-07206B	08N	05E	11		NE	NW			BOISE		

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX	R PREFIX
A65-02629	65-10779
A65-07205	65-18155
A65-07206A	R65-07205
A65-07223	
A65-07264	
A65-10779	
A65-18155	

WR RECORDS IN SAME 40 ACRE TRACT

65-02629
65-07205
65-07207
65-07223
65-07264
65-13076

SOURCE: WARM SPRINGS

TRIB: PAYETTE RIVER, SOUTH 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
65-07206	08N	05E	11		NE	NW			BOISE		
65-07206	08N	05E	11		NW	NE			BOISE		

OTHER WR RECORDS WITH SAME WR POD

65-02629
65-07205
65-07207
65-07223
65-07264
65-13076

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX	R PREFIX
A65-02629	65-10779
A65-07205	65-18155
A65-07206A	R65-07205
A65-07223	
A65-07264	
A65-10779	
A65-18155	

SOURCE: WARM SPRINGS

TRIB: PAYETTE RIVER, SOUTH 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()

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:

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

TWP.	RGE.	SEC.	1/4	POD		LOT	FLAG	COUNTY	DIVERSION NAME	DIVERSION NBR
				1/4	1/4					
08N	05E	11		NW	NE			BOISE		
08N	05E	11		NE	NW			BOISE		

SOURCE: WARM SPRINGS

TRIB: PAYETTE RIVER, SOUTH FORK

REVIEWED BY: DATE:

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

A. ROOT WATER RIGHT NUMBERS: A65-07206A
A65-07206B

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08N	05E	11	NW	NE		WOLFF, ZANE LEWIS	A65-07206B /	- /			
			NW	NE		PAYETTE RIVER HOT SPRINGS ASSO	A65-07264 /	9.0 /	65-07264 /	9.0	
			NW	NE		PAYETTE RIVER HOT SPRINGS INC	A65-07206A /	- /			
			NW	NE		HUCK, WERNER	A65-07205 /	65-07205 /			
			NW	NE		HUCK, WERNER	R65-07205 /	- /			
			NW	NE		TERRACO		65-07206 /			
			NW	NE		PAYETTE RIVER HOT SPRINGS HOME		65-13076 /			

ADDITIONAL POU FOUND

TOTAL ACRES A65-07206B

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
A65-07264	BAILEY CREEK	PAYETTE RIVER HOT SPRINGS ASSO	0.320	0.020		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-07206B	COMMERCIAL	WOLFF, ZANE LEWIS	FROM 01-01 TO 12-31	0.130 CFS	
A65-07206A	RECREATION	PAYETTE RIVER HOT SPRINGS INC	FROM 01-01 TO 12-31	0.130 CFS	
A65-07205	DOMESTIC	HUCK, WERNER	FROM 01-01 TO 12-31	0.020 CFS	

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
R65-07205	DOMESTIC	HUCK, WERNER	FROM 01-01 TO 12-31	0.020 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE? Y() N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 65-07205

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. _____; () ASCS PHOTO; () OTHER _____

NOTES: _____

RECOMMENDATIONS:

TOTAL ACRES: _____ **N/A()**

REVIEWED BY: _____ DATE: _____

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-07206B COMMERCIAL	FROM 01-01 TO 12-31	0.130 CFS	
TOTAL DIVERSION RATE/VOLUME		0.130 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-07206 COMMERCIAL	FROM 01-01 TO 12-31	0.130 CFS	
65-07206 RECREATION	FROM 01-01 TO 12-31	0.130 CFS	
TOTAL DIVERSION RATE/VOLUME		0.130 CFS	

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()

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 0.130 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.130 CFS

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

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

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

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

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

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

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

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

1b. CALCULATIONS

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

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

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

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

TOTAL CONSUMPTIVE USE _____ AF/A

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

NOTES: _____

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE	CFS	VOL.	AF/A	USE	
COMMERCIAL	01-01	12-31	DATABASE 0.130	EXAMINER _____	DATABASE	EXAMINER _____	DATABASE 0.0	EXAMINER _____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT				_____		_____		_____

NON-IRRIGATION USES CLAIMED: C/GREENHOUSE

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

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-07206

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 0.130	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
-	A65-07206A	0.130	-		65-07206	0.130
-	A65-07206B	0.130	-		-	
TOTAL CFS		0.260				0.130

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:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

=====

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

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:07:42
04/12/99

PAGE: 16
QUICKLOOK INFORMATION

16
CLAIM NUMBER: A65-072068

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								
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES OF USE	Y							
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

12:08:18
04/12/99
17

PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A65-072068

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ZANE LEWIS WOLFF	05/26/1971	COMMERCIAL	01-01 12-31	0.13 CFS	
C	ANTHONY EDWARD OWEN					
C	CHRISTOPHER JOHN OWEN					
				TOTAL DIVERSION:	0.13 CFS	
Water Source: WARM SPRINGS		Tributary to: PAYETTE RIVER, SOUTH FORK			Stage: DECREED	
Point(s) of Diversion:		T08N R05E S11	NWNE	NENW	BOISE County	
Place of use Legal Description for: COMMERCIAL						
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
08N	05E	11				

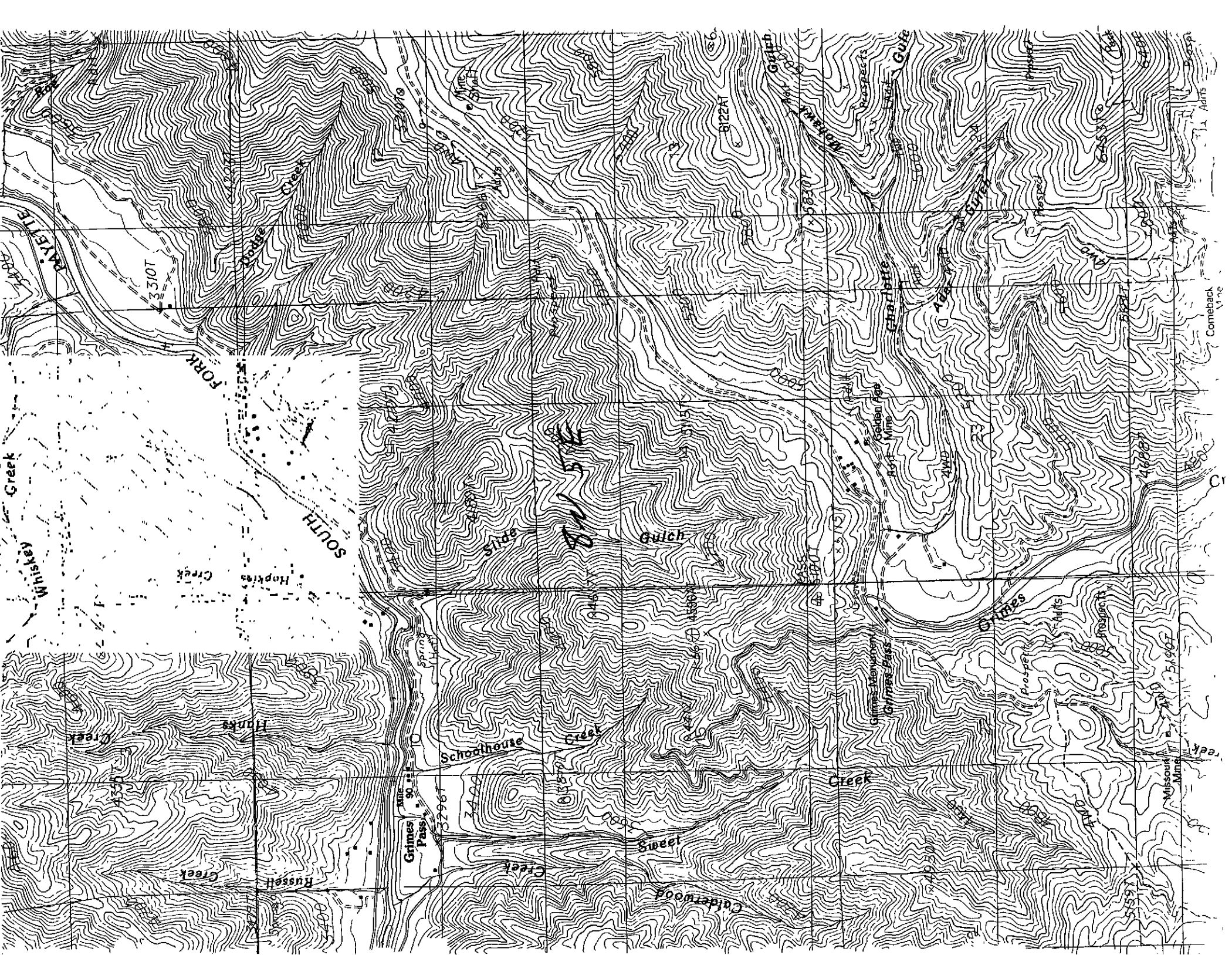
POU County: BOISE

Non-Irrigation Uses: C/GREENHOUSE

Other Rights: 65-07205

Remarks: GEN DESCRIPTION OF DIVERTING WORKS:::
FREE FLOWING HOT SPRING TO CONCRETE CATCH BASIN TO PUMP TO
PIPELINE TO GREENHOUSE WITH DISCHARGE INTO SWIMMING POOL WITH
OVERFLOWS TO RIVER.
P.O.U. LOCATED IN LOT A AND B OF PAYETTE RIVER HOT SPRINGS
SUBDIVISION.
P.O.D. IS ON U.S. FOREST SERVICE PROPERTY WITH A SPECIAL USE
PERMIT FOR DIVERSION.
SOURCE IS LOCATED ON SECTION LINE.
CHANGE IN DELETION OF RECREATION USAGE.
9/27/89 BY STEVE LESTER: APPEARS FROM REVIEW OF APPLICATION
65-13017 THAT THIS IS UNNAMED SPRING LOCALLY KNOWN AS HOT OR WARM
SPRINGS. ALSO APPEARS THAT SPRING IS IN LOT 8, NENENW, S.11. SEE
FILE 65-13017 FOR DETAILS.
THIS CLAIM IS A RESULT OF A DUPLICATE FILING, FEES PAID UNDER
RECEIPT NO. X999999. SEE ALSO A65-07206A. CJH 6/11/93.

Dates: Exam Made Date: Verified Date: 06/11/1993 Objection Filed Date:
Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:



Memo To Files

POOR ORIGINAL

Filed in: 65-13017 State Office File

7/11/94

Summary of 7/8/94 conference to discuss problems:

Payette River Hot Springs, Inc. (Home-owners Assoc.) &
OWEN Bros. (formerly OWEN, OWEN & WOLKE sold
to OWEN Bros.).

Hot Springs aka "Warm Springs".

Rights definitely from Warm Springs:

DECEASED 65-07206 (see also 65-07206 A & B)

Permit 65-13017 (SABA N/A, permit not filed yet)

Rights possibly from Warm Springs:

DECEASED 65-07205 (see also 65-07205 A & B)

Appears highly doubtful if 65-13017 will be developed.
Proof due 11/1/94.

Possibly, new filing will replace permit if lapse occurs.

MICROFILMED

C: 65-07205 S.O. & Region files
65-07206 " " "

* 65-13017 Region file
65-07205 A & B "
65-07206 A & B "

OCT 21 1996

-JL

* except this, other files
just have copy of this
memo. See 65-13017 for
complete info if needed



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

June 17, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Christopher John Owen
Anthony Edward Owen
Zane Lewis Wolff
2152 W. Washington Blvd.
Los Angeles, CA 90018

Dear Claimant(s):

During normal review and filing of the Notice of Claim to a Water Right listed above, we found that two claims have been filed on the same existing water right.

In order to show both claims having been filed for the same existing water right, we have re-numbered your claim with either an A or a B suffix indicated after the original water right number. Enclosed is a computer generated copy of your claim showing this new suffix. Also enclosed is a copy of the other claim filed for this existing water right.

Prior to submitting these claims to the Court for decree, the Department will research and require proof of ownership to determine the present owner of the place of use shown on the existing water right for which these claims were filed. We will contact you at that time for this evidence, however, if the ownership can be clarified at this time, please feel free to contact this office either in writing or by phone.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office

Enclosures

cc: G. Lance Salladay

MICROFILMED
OCT 21 1996

FROM

Steve Lesta

DATE

9/27/89

TO

Filer

SUBJECT

A65-07205, A65-07206

During review of Application 65-13017, discovered that spring(s) in claims are probably the same as in appl. Appears that this is unnamed spring locally known as Hot or Warm Springs. Appears location of spring(s) is Lot 8, NENE NW, 5.11 (or possibly within H.E.S. 404). I entered this info in database today for claims.

MICROFILMED

OCT 21 1996

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OCT 21 1996

To: File #65-07206
From: Linda Werner
Date: 7-6-89

Date: 7-6-89

Bill Bailey, member of
Payette River Hot Springs,
Idaho, called me on

७४-७८-७

This above water right is split between the labor corp. & 3am, Digue & Wolf. (2.6.00)
Mrs. Bayley was concerned

because the numbers of

Z. Y. W. Large outdoor a

preparing to show how a

domestic was on 10/24 May.

1989. David Curtis Thomas Co.

Review before at date 1st

bring me good pictures

an activity of water. That

chronic infection installed

[Signature]

Fluoride has three uses.

MEMO TO FILE

DATE: MAY 4, 1989
FROM: LINDA WERNER
SUBJECT: PAYETTE RIVER HOT SPRINGS ASSOC.
AMENDMENT TO A65-07205 AND A65-07206

AN ADJUDICATION CLAIM WAS PREVIOUSLY FILED ON 4/11/89 BY WOLF AND OWENS. THE PAYETTE RIVER ASSOC. CAME IN ON MAY 4, 1989 TO MAKE SOME AMENDMENTS TO SUCH FILING. CHANGES CONSIST OF DELETING NAMES OF WOLF & OWENS FROM A65-07205 PUTTING IN PAYETTE RIVER HOT SPRINGS ASSOC. ON A65-07206 P.R.H.S.A. INCLUDED THEIR NAME WITH WOLF & OWENS SINCE THEY SHARE THIS RIGHT.

IN MAKING CHANGES IT WAS NOTED BY ASSOC. THAT THE DIVERSION FOR A65-07205 WAS IN WRONG AREA SO THIS CHANGE WAS MADE.

ON A65-07206 COMMERCIAL USE SHOULD NOT BE A USE ACCORDING TO COVENANTS OF THE ASSOCIATION. THEREFORE RECREATIONAL USE ONLY CLAIMED. THIS IS CONSISTENT WITH PREVIOUS LICENSE AS IS LOCATION. NO FEE CHARGED FOR EITHER OF THESE RIGHTS AS THEY WERE CONSISTENT WITH LICENSES.

THE NAME CHANGES WERE DISCUSSED WITH OWENS & WOLF AND WERE AGREED UPON.

MICROFILMED
OCT 21 1996

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor
R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

August 17, 1973

Re: Permit Nos. 65-7205 & 65-7206

POOR ORIGINAL

Mr. Lawrence Hettinger
3509 Crescent Rim Dr.
Boise, Idaho 83704

Dear Mr. Hettinger:

We acknowledge receipt of your affidavits submitted as proof of beneficial use for the above referenced permits.

A representative of the Department has made an examination of the works covered by these permits and has found the following:

Permit No. 65-7205

Quantity of water diverted: 0.02 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 0.02 cfs

The maximum quantity diverted shall not exceed 1.2 acre feet per year.

Beneficial use: Domestic purposes within the NW1/4NE1/4 Sec. 11, Twp. 8 N, Rge. 5 E, B.M.

Point of diversion: NW1/4NE1/4 Sec. 11, Twp. 8 N, Rge. 5 E, B.M. Source: Warm Springs

Priority date established: May 26, 1971

Permit No. 65-7206

Quantity of water diverted: 0.13 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 0.13 cfs

65-7206

MICROFILMED

OCT 21 1996

Beneficial use: Green house and swimming pool purposes
within the NW1/4 NE1/4, NE1/4 NW1/4 Sec. 11, Twp. 8 N,
Rge. 5 E, B.M.

Point of diversion: NE1/4 NW1/4 Sec. 11, Twp. 8 N,
Rge. 5 E, B.M. Source: Warm Springs

Priority date established: May 26, 1971

If you do not concur with these findings, please advise us
within 10 days of the date of this letter; otherwise, water
licenses will be issued as set forth above.

Sincerely,

Bobby D. Fleenor

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

POOR ORIGINAL

65 7207

MICROFILMED
OCT 21 1996

FOR THE
SPECIAL AGENT

[illegible]

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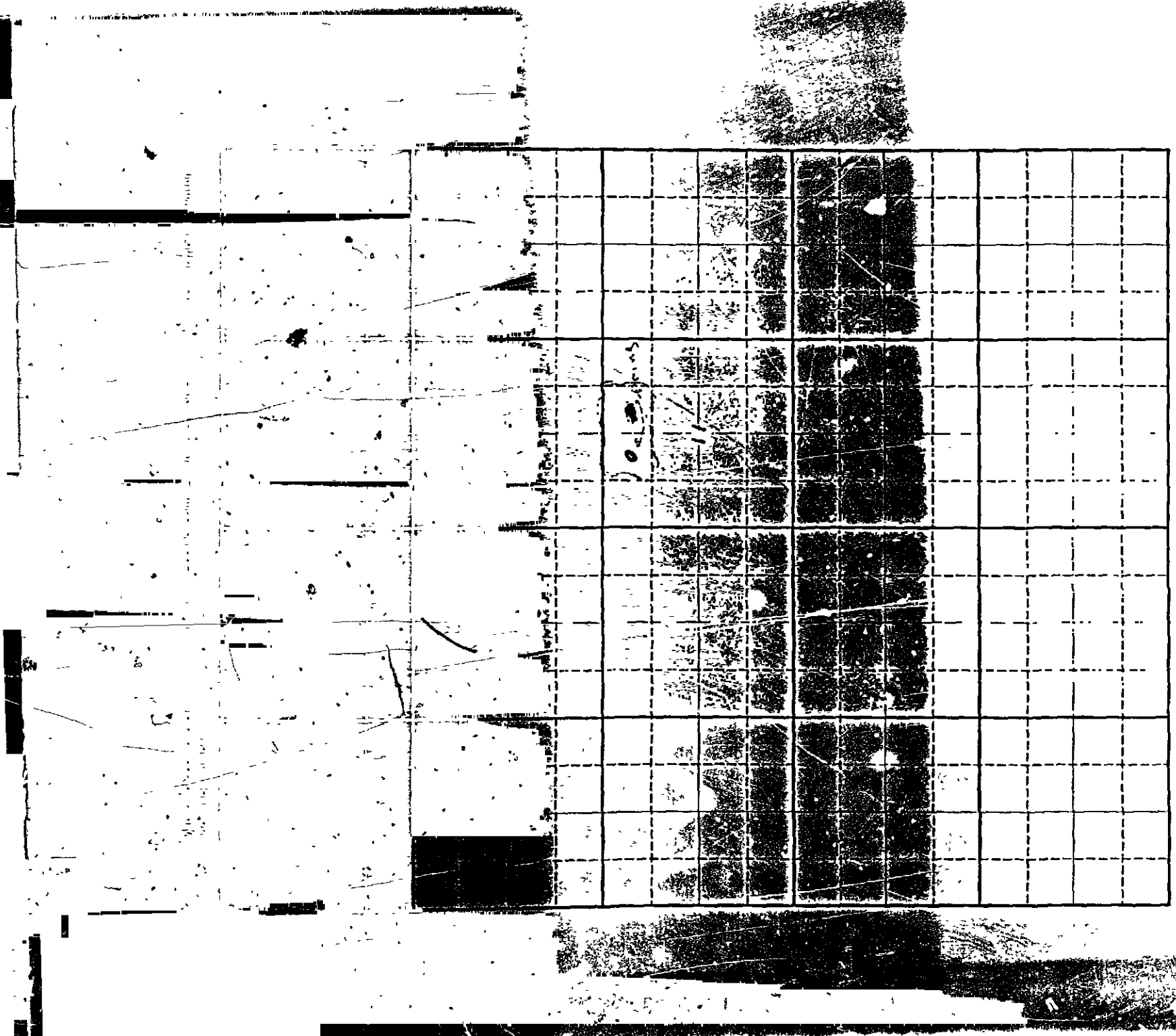
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$$\frac{d}{dt} \left(\frac{\partial L}{\partial \dot{x}} \right) = \frac{\partial L}{\partial x}$$

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Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Edward J. Lanning
(Applicant)

MICROFILMED

OCT 21 1996

GS

OCT 21 1996

8.15.19

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Private
Mailing List
Product

old Homestead

SECRET 67 06
JUNE 1977

4" = 1/2 mile

10798
system

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MICHOELINE

FIELD REPORT

Post office address**Phone****Person to contact****Phone**

(name spring, stream, etc.)

Tributary to

3. Water will be used for the following purposes:

Amount _____ c.f.s. for

AF/Annun

(nature of use)

Period of Use: from

to

(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for

AF/Annum

(nature of use)

Period of Use: from

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(mo-day) inclusive (mo.-day)

Amount _____ c f s for

AF/Annum

(nature of use)

Period of Use, from

so

{mo -day} inclusive (mo.-day)

Other uses

4. Total amount to be appropriated

Max Rate of Diversion _____ cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ _____

County

Township _____ N/S, Range _____ E/W, B M., Section _____ Subdivision _____ 1/4 _____ 1/4 _____

County

Township _____ N/S, Range _____ E/W, B M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____

County

Other Points of Diversions

Description of diverting works-

Measuring device required yes : no ☐

6 Lands to be irrigated or place of use

65 72943

[illegible]**TOTAL ACREAGE**

MICROFILMED

OCT 21 1996

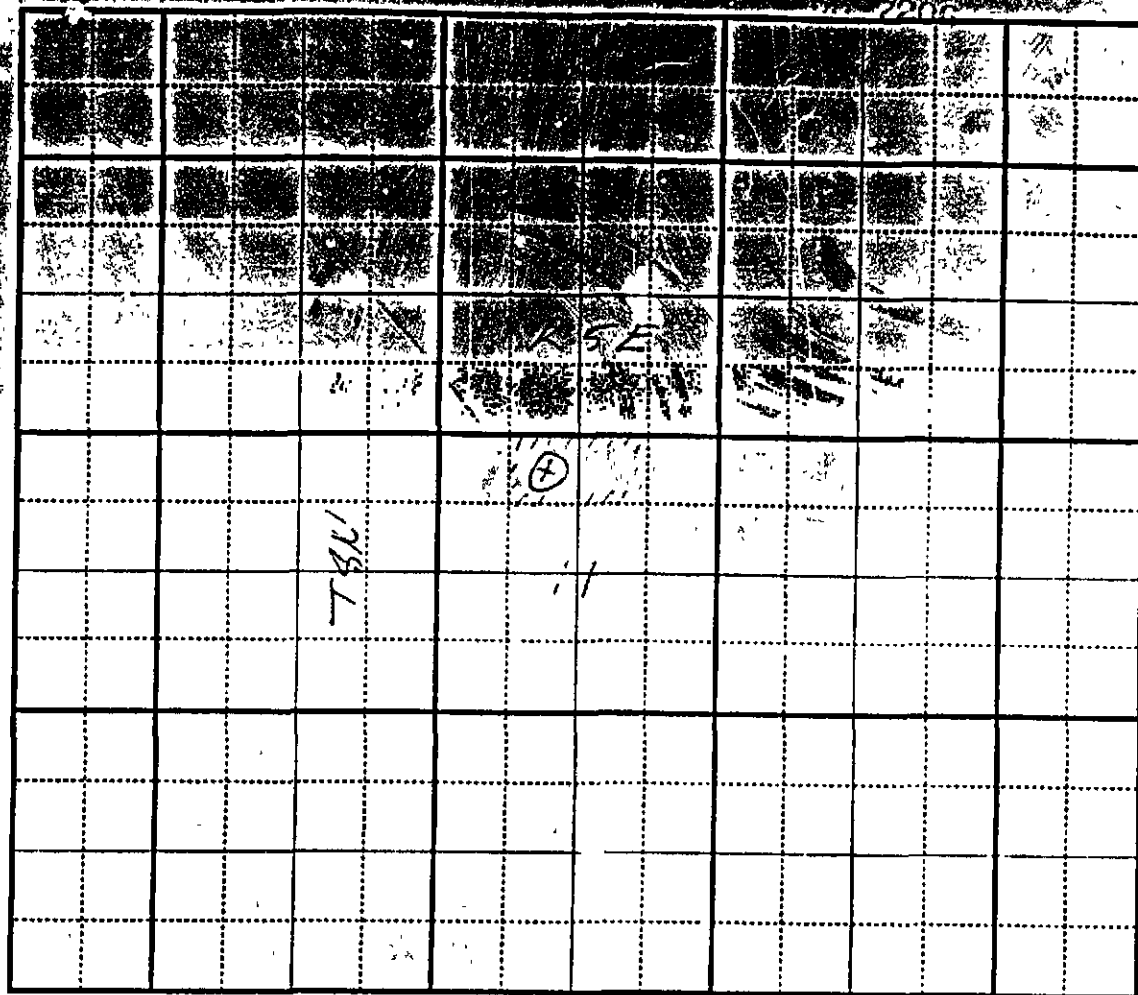


Diagram of System

MICROFILMED
OCT 21 1996

WAGE 10-25-50

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Right

LAWRENCE HETTINGER

and complied with the terms and conditions of Permit

Multiple Application for Permits dated May 26, 1971

ment of the Administration on August 15, 1973

Information supplied by the Department indicates that the

and that the water has in fact been applied to a

also from Warm Springs

stimulus by the following amounts:

Use from Jan. 1st to Dec. 31 (both dates inclusive)

Pool from Jan. 1 to Dec. 31 (both dates inclusive)

from _____ to _____ (both dates inclusive)

if no more than 0.13 cfs of water be diverted at

Twp. 8 N., Rge. 5 E., B. M.

and that the amount of water so diverted and to which such

The purpose of the forecast and is limited to the amount which can

The proposed mortgage and is applied to the amount when the

RECORDED COPY

STUDY

ing of "un-

C	RANGE	MC	100%				75%				50%				25%				TOTALS
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Total number of acres irrigated

... the use of the water hereby confirmed is restricted and appurtenant to the lands

Witness my hand and signature of the Director, affixed at Boise, Idaho, this 10 day of March, 1914.

1973

Requirement 1.5

Director

25

RINGERT CLARK

002/002

PAYETTE RIVER HOT SPRINGS

garden valley, idaho

SITUATED IN GOVERNMENT LOTS 1 & 2, SECTION 11, TOWNSHIP 8 NORTH, RANGE 3 EAST, BOISE MERIDIAN,
BOISE COUNTY, IDAHO.

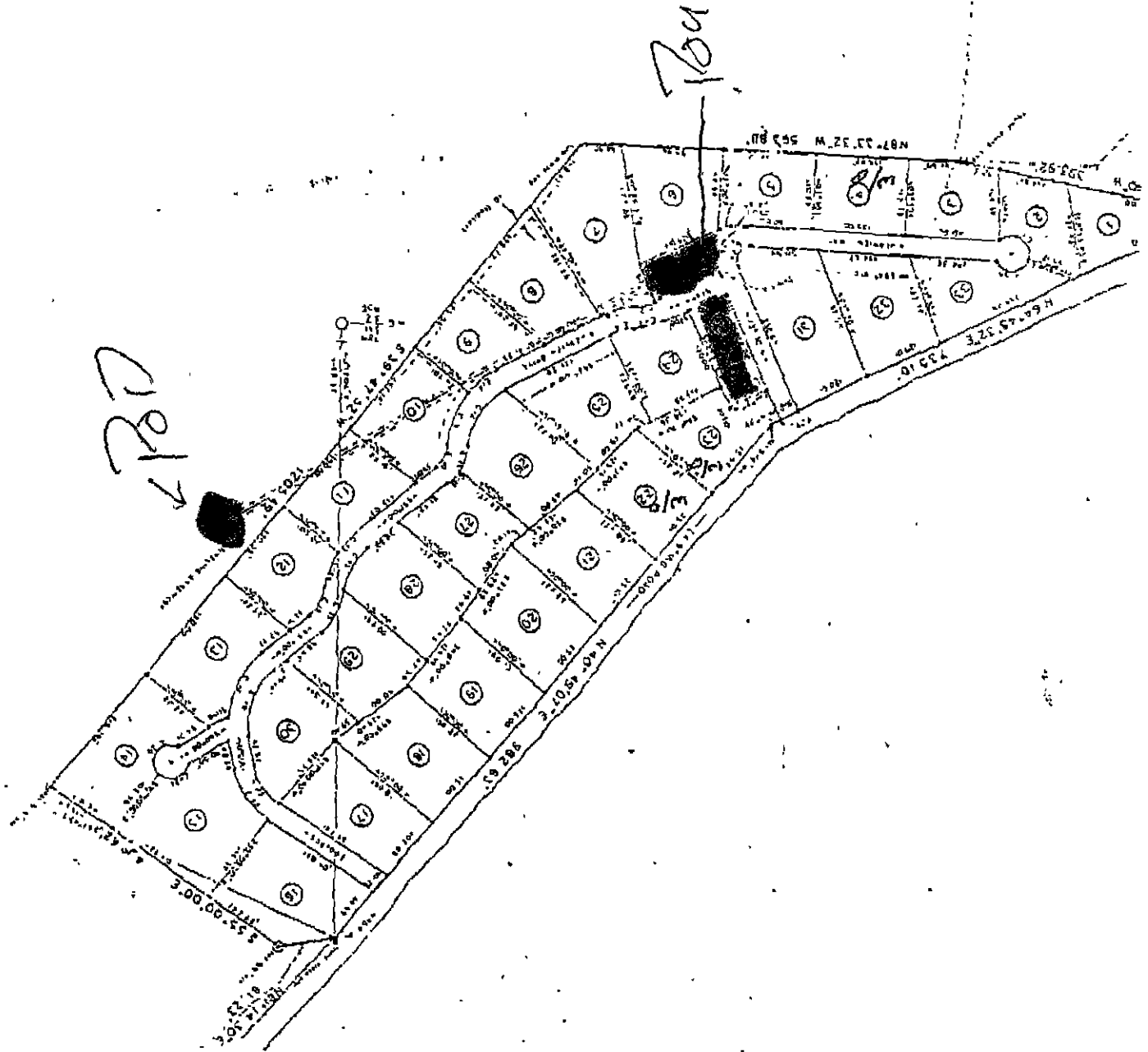
ROYLANCE ENGINEERING 1976

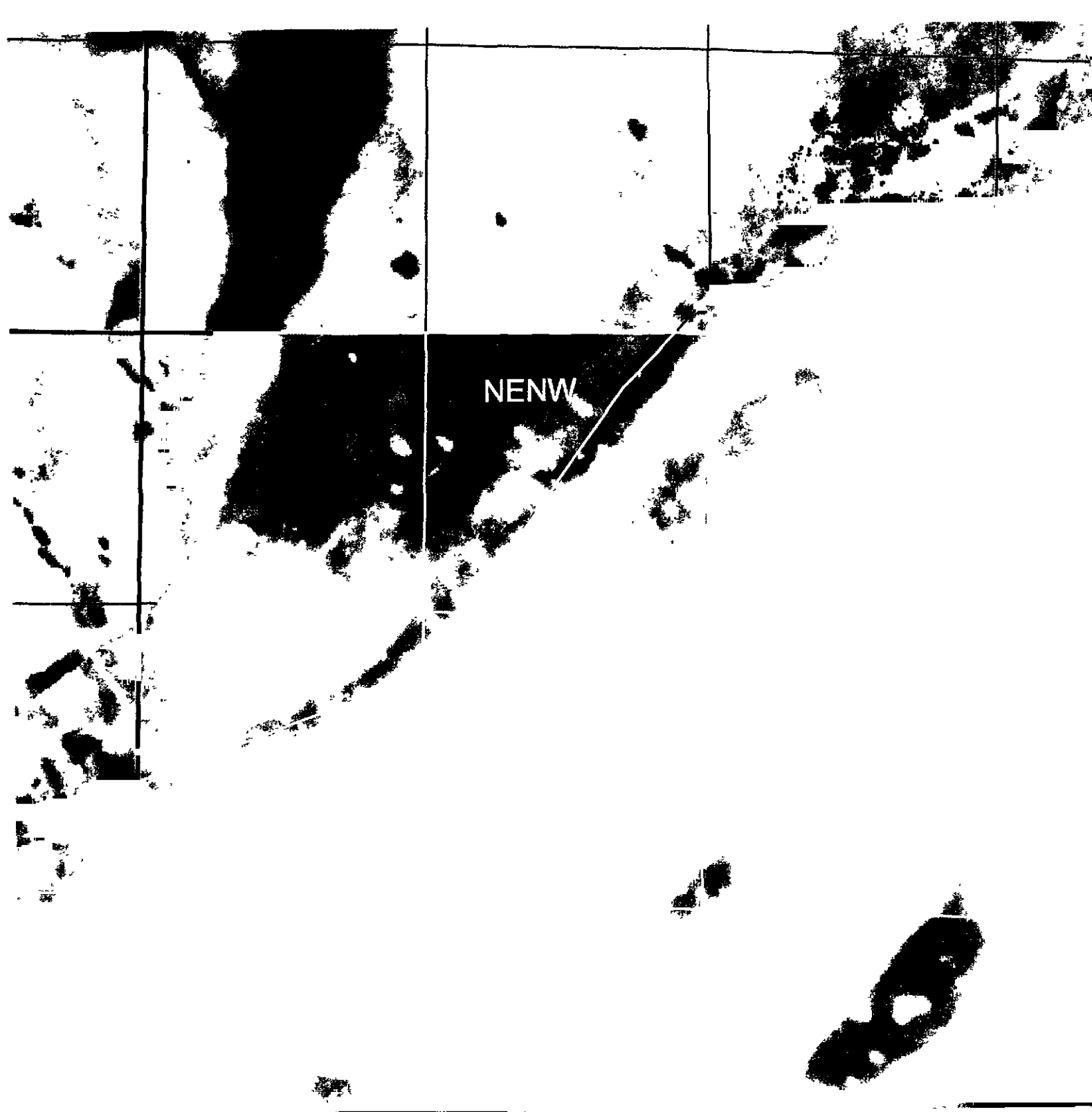
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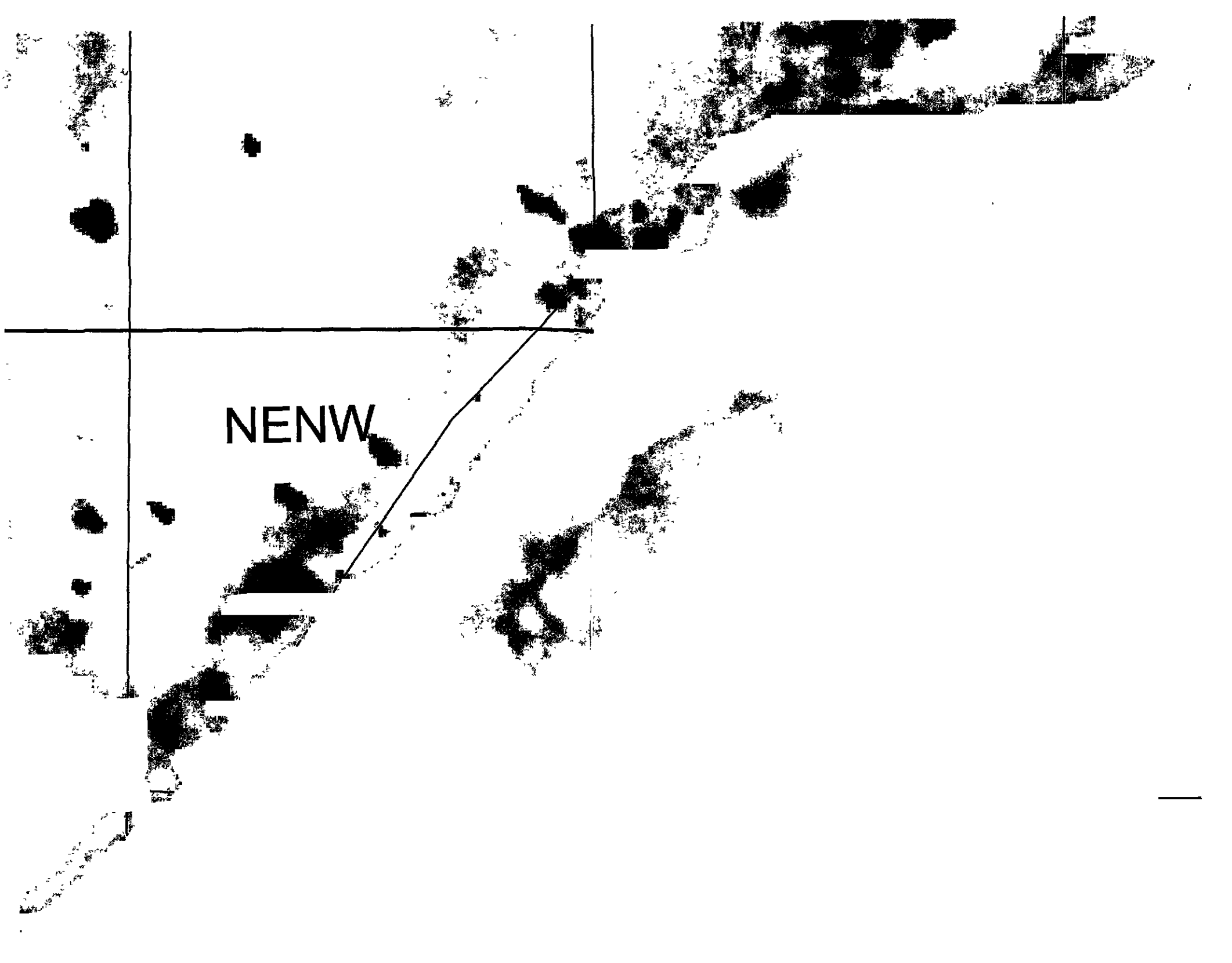


While this map is a photographic reproduction of that on file in either the recorder's or surveyor's office, the company assumes no liability for variations, if any, with another of its survey.

Safeco Title Insurance Company of Idaho
300 North Sixth Street
Boise, Idaho 83701







NENW