

# AMENDED PLAT — OF A PORTION OF — WARM SPRINGS ESTATES NO. 1

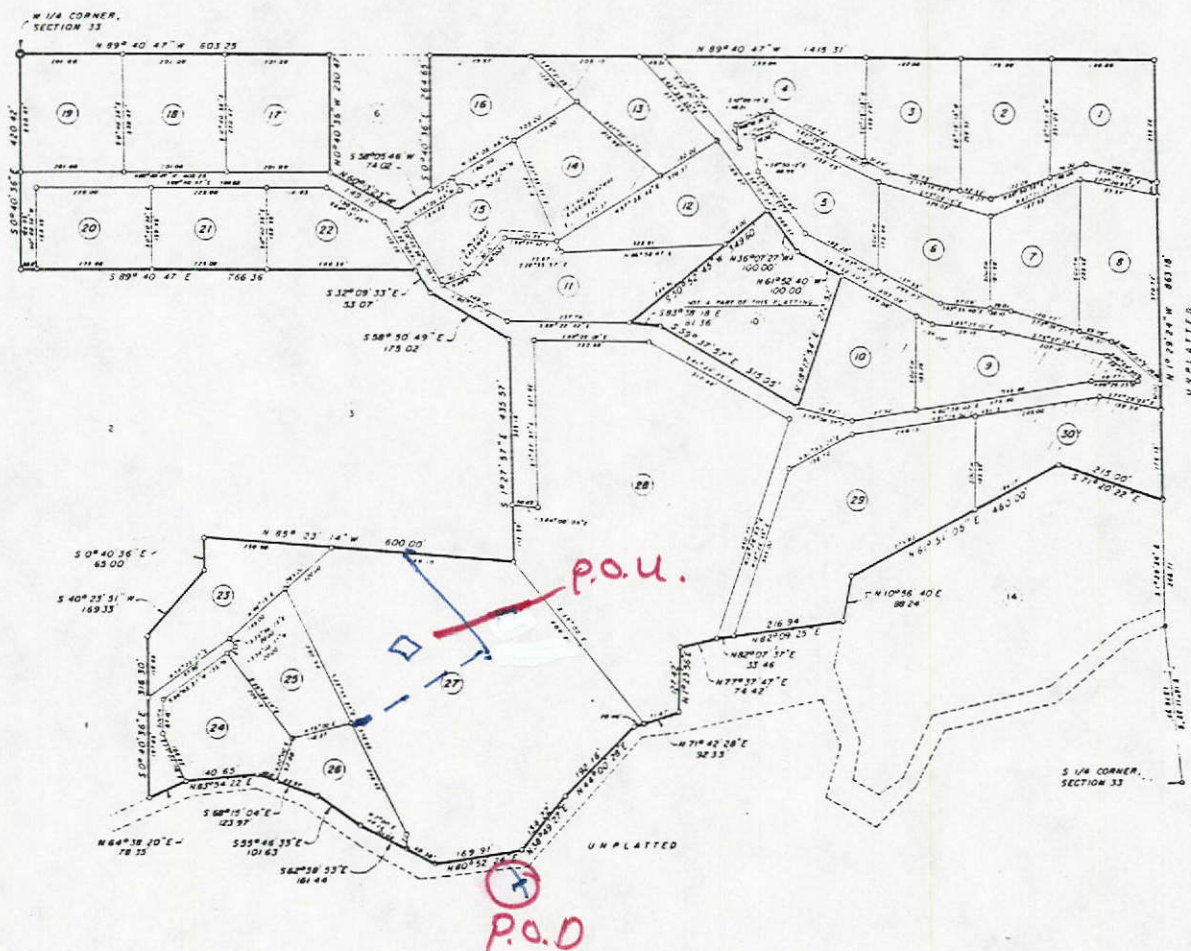
A SUBDIVISION IN A PORTION OF THE SW<sup>1</sup> SECTION 33, T10N, R4E, B.M. BOISE COUNTY, IDAHO

TUDOR ENGINEERING COMPANY - Boise, Idaho  
— 1976 —

*Mountain View Title, Inc.*

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.

A65-



MICROFILMED  
SEP 24 1992

N61

# NOTION

NW SW

900 000  
FEE1  
4087

888t

689

06a

01

168v

QUINTICUM

SEP 24 1992



State of Idaho

## DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:  
Storehouse  
Boise, Idaho 83720  
(208) 334-4440

December 23, 1980

Dwight G. and/or Jean Parks  
Route 3  
Garden Valley, ID 83662

Dear Mr. and Mrs. Parks:

Re: Permit No. 65-7594

Under the provisions of Section 42-218a of the Idaho Code, Permit No. 65-7594 has lapsed since you have not notified us that you have completed the project by the date required on your permit. You were provided forms for that purpose in our notice to you dated September 30, 1980.

Your permit cannot be reinstated unless you submit the statement of beneficial use postcard or the request for extension of time form along with the \$15.00 fee (enclosed) within sixty days from the date of this lapse notice.

C. STEPHEN ALLRED  
Director

Enclosures

### CERTIFICATION OF MAILING

I hereby certify that on 12-24-80  
a copy/an original of this document was  
deposited in the United States mail,  
postage prepaid addressed to the  
individual(s) named above.

RECEIVED  
DEC 24 1980  
FILMED

RECEIVED  
FEB 12 1987

Form 219  
6/86

STATE OF IDAHO  
Department of Water Resources  
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

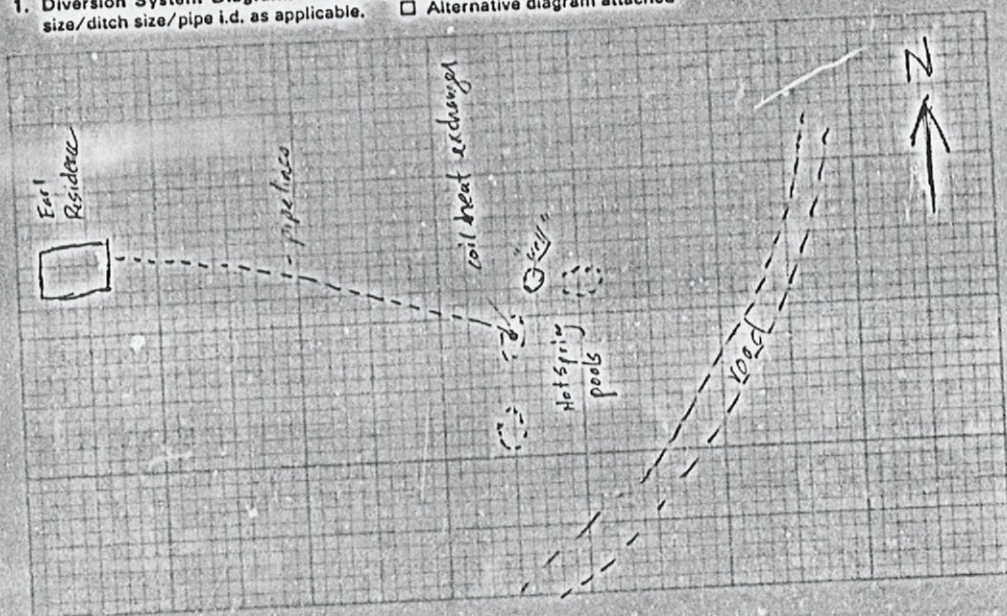
1. Owner: Frank M. Earl Permit No. 65-12302  
Current Address: 2960 Linda Vista #10, Boise, ID 83704 Phone No. 376-6188  
2. Accompanied by: unaccompanied EXAM. DATE: 10/9/86 (10-16-86)  
Address: \_\_\_\_\_ Phone No. \_\_\_\_\_  
Relationship to Permit Holder: \_\_\_\_\_  
3. Source: hot spring tributary to Warm Springs Cr.

B. OVERLAP REVIEW

1. Other water rights with same place of use: none ☐ Copies Attached  
2. Other water rights with same point of diversion: see attached microfiche ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = 100 feet

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).  
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).  
☐ Aerial Photo Attached (required for irrigation of 10 acres or more).



P.V.

P.D.

65-12302

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: A65-12302  
Date Received: 3/24/1989  
Receipt No: W002465  
Received By: EJR

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: FRANK M. EARL 208-376-6188  
Address: 4514 OXBOW PLACE  
BOISE, ID 83704

2. Date of Priority: JAN 26, 1980

3. Source: SPRINGS Trib. to: WARM SPRINGS CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 10N      | 04E   | 33      | NW     | SW     |     |     | BOISE  |

5. Description of diverting works:  
PUMPING PLANT & PIPELINES\_(SEE REMARKS)

6. Water is used for the following purposes:

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

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
D/1 HOUSEHOLD, IN-HOUSE USE.

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use  | Acres |
|----------|-------|---------|--------|-----|-----|------|-------|
| 10N      | 04E   | 33      | NW     | SW  |     | HEAT |       |

11. Place of use in counties: BOISE

A65-12302

Page 1

Date: 03/24/89

MICROFILMED  
SEP 24 1992

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

13. Other Water Rights Used:  
NONE

14. Remarks:

REINSTATED 4-25-1985.

REINSTATED 4-25-1985.

DESCRIPTION OF DIVERTING WORKS:

WATER FILLED COILED PIPE (1 1/4") IN HOT SPRING WITH THERMAL  
MOVEMENT AND/OR PUMPED TO HOUSE TO HEAT REGISTER WITH COLD WATER  
RETURN TO COIL IN SPRING TO REPEAT OF SAME. THIS IS A CLOSED  
UNIT AND IS NON-CONSUMPTIVE. ELR

15. Basis of Claim: PERMIT

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):

L. M. Earl

Date:

3/23/89

Date:

State of Idaho )

County of

Ada

) SS.

Subscribed and sworn (or affirmed) before me this 27 day

of March 19 89

Eldon L. Roush  
Notary Public

Seal

Residing at

Eldon L. Roush

Residing at Boise, Idaho

My Commission Expires

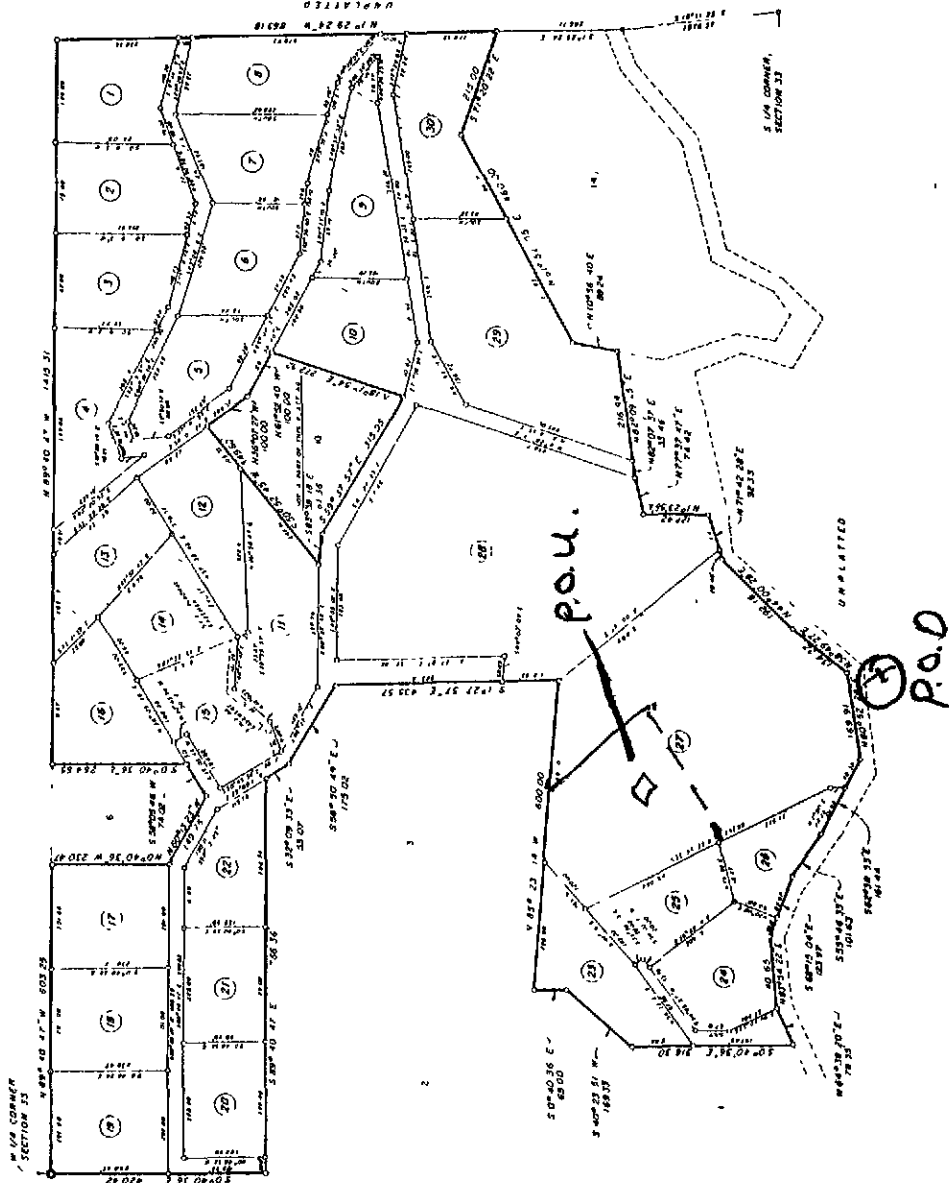
September 8, 1994

AMENDED PLAT  
 —OF A PORTION OF—  
**WARM SPRINGS ESTATES NO. 1**  
 A SUBDIVISION IN A PORTION OF THE SW 1/4 SECTION 33, T10N, R4E, BM, BOISE COUNTY, IDAHO  
 TUDOR ENGINEERING COMPANY—Boise, Idaho  
 —1974—

*Mountain View City, Inc.*

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

A65-



W 8 M N

ROAD  
PAV.  
TION

T9N

A65-



WARRANTY DEED

FOR VALUE RECEIVED, Garden Valley Associates, a general partnership, the Grantor, does hereby grant, bargain, sell and convey unto William E. Scalf and Arlene R. Scalf, husband and wife, whose address is 517 Archer, Boise, Id. 83709 the Grantee, the following described premises, in Boise County, Idaho, to-wit:

SEE ATTACHED "EXHIBIT A"

Together with the 1974 Van Dyke double-wide Mobile Home, Serial No. 1479, situated on subject property; and together with geo-thermal rights in amount of 5 GPM, under right No. 65-7594 (Permit)

SUBJECT TO: A through G below

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that they are free from all encumbrances, except:

(a) Covenants, Conditions and Restrictions and other provisions contained in the Master Declaration of Covenants, Conditions and Restrictions of Castle Mountain Creeks appearing in the records of Boise County, Idaho, as Instrument No. 85795, and in the Supplemental Declaration of Covenants, Conditions and Restrictions of Warm Springs Estate No. 1, appearing in the records of Boise County, Idaho, as Instrument No. 85796.

(b) Easements shown on the record plat of Warm Springs Estates Subdivision No. 1, Amended.

(c) Liens for taxes and assessments not yet due and payable;

(d) Reservations and exceptions in any patent from the United States or in any patent or deed from the State of Idaho;

(e) Building and zoning ordinances and regulations;

(f) Other covenants, conditions, rights-of-way, easements, restrictions and other provisions of record in Boise County, Idaho, records;

(g) Exceptions set forth in standard Owner's policy of title insurance;

(h) Any matters referred to above that this conveyance is made SUBJECT TO;

(1) A 20' wide easement for existing road running in an east-westerly direction near the north border, and a 20' wide easement for existing road running in a northerly direction near the southwest border, both for purpose of ingress and egress to adjoining lots.

(j) A 10' wide easement meandering east-westerly in the north half of property for existing hot water line to Lot 8.

(k) A 10' wide easement for existing cold water lines to Lot 8 and Lot 25, running northerly, then westerly, and then dividing.

64-MICROFILMED

EXHIBIT A

A portion of Lot 27 of the "AMENDED PLAT OF A PORTION OF WARM SPRINGS ESTATES NO. 1," (recorded as Instrument Number 85591, Records of Boise County), said subdivision being situated in the Southwest 1/4 of Section 33, Township 10 North, Range 4 East, Boise Meridian, Boise County, Idaho, described as follows.

Commencing at a found steel pin monumenting the most northerly corner of the boundary common to Lot 28 and Lot 27 of said subdivision, said pin being the REAL POINT OF BEGINNING.

Thence S1°-27'-57"E a distance of 416.53 feet to a point of curvature,  
Thence southwesterly 94.25 feet along the arc of a circular curve concave to the northwest, said curve having a radius of 60.00 feet, a central angle of 90°-00'-00" and a long chord which bears S43°-32'-03"W a chord distance of 84.85 feet to a point of reverse curvature,  
Thence southwesterly 47.12 feet along the arc of a circular curve concave to the southeast, said curve having a radius of 30.00 feet, a central angle of 90°-00'-00" and a long chord which bears S43°-32'-03"W a chord distance of 42.43 feet to a point,  
Thence S1°-27'-57"E a distance of 70.10 feet to a point on the southerly boundary of said Lot 27,  
Thence along said boundary the following courses,  
S80°-52'-24"W a distance of 75.81 feet to a point,  
Thence N62°-38'-53"W a distance of 60.38 feet to a point,  
Thence N2°-00'-00"E a distance of 28.26 feet to a point,  
Thence N25°-55'-35"W a distance of 246.45 feet to a point,  
Thence leaving said boundary N35°-01'-21"E a distance of 262.68 feet to a set steel pin,

Thence N2°-03'-33"W a distance of 111.30 feet to a found steel pin on the northerly boundary of said Lot 27,  
Thence along said boundary S85°-23'-14"E a distance of 164.25 feet to the REAL POINT OF BEGINNING.

The above described tract of land contains 2.94 acres more or less, subject to all existing easements and rights-of-way.

197-3

MICROFILMED

SEP 24 1992

and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: AUGUST 23, 1979

Book #93197  
Borise County Idaho ss

GARDEN VALLEY ASSOCIATES

Request of

Debra

Time 8.00 a. M.

Date 10/1/79

Book 78-Deeds

Page 315

Ruth M. Shanahan

By Debra Daugherty  
Deputy

Fees 0.00

By William B. Carlson  
General Partner of Terraco.  
A General Partner of  
Garden Valley Associates

And By Property Resources, Inc.

By Donald S. Carlson  
President

STATE OF IDAHO )  
County of Boise ) ss.

On this 23 day of AUGUST, 1979, before me, the undersigned, a Notary Public in and for said State, personally appeared William B. Carlson, known to me to be one of the general partners of Terraco, a general partner of Garden Valley Associates, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership for Garden Valley Associates.

William B. Carlson  
Notary Public for Idaho  
Residing at: Garden Valley, ID.

STATE OF California )  
County of Santa Clara ) ss.

On this 10th day of September, 1979, before me, the undersigned, a Notary Public in and for said State, personally appeared Donald S. Carlson and \_\_\_\_\_, the President and \_\_\_\_\_, respectively, of Property Resources, Inc., and acknowledged to me that they executed the foregoing instrument for and on behalf of said corporation.

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



Rochelle Lynn Miller  
Notary Public for California  
Residing at: Portola Valley

MICROFILMED

SEP 24 1992



STATE OF IDAHO

# DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:  
Statehouse  
Boise, Idaho 83720  
(208) 334-4440

December 23, 1980

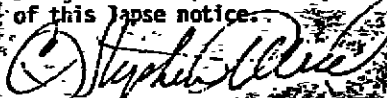
Dwight G. and/or Jean Parks  
Route 3  
Garden Valley, ID 83662

Dear Mr. and Mrs. Parks:

Re: Permit No. 65-7594

Under the provisions of Section 42-218a of the Idaho Code, Permit No. 65-7594 has lapsed since you have not notified us that you have completed the project by the date required on your permit. You were provided forms for that purpose in our notice to you dated September 30, 1980.

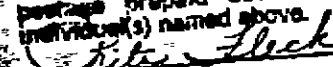
Your permit cannot be reinstated unless you submit the statement of beneficial use postcard or the request for extension of time form along with the \$15.00 fee (enclosed) within sixty days from the date of this lapse notice.

  
C. STEPHEN ALLRED  
Director

Enclosures

## CERTIFICATION OF MAILING

I hereby certify that on 12-24-80  
a copy/an original of this document was  
deposited in the United States mail,  
postage prepaid addressed to the  
individual(s) named above.



BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 65-12302 IN THE  
NAME OF FRANK M. EARL

ORDER OF REINSTATEMENT

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before March 1, 1985; and,

WHEREAS, the Department has notified the permit holder by certified mail that proof was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on March 1, 1985 the permit lapsed for failure of the permit holder to submit proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on March 11, 1985;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 65-12302 be REINSTATED and the priority advanced to January 26, 1980.

Dated this 25<sup>th</sup> day of April, 1985.

  
L. GLEN SAXTON  
Chief, Operations Bureau

\*ALCULATION OF NEW PRIORITY DATE

FROM: RITA FLECK

TO: FILE # 65-12302

DATE: 4-25-1985

Date proof received

70

March 11

Proof due

- 100

March 1

Number of day proof late

10

Priority date

+ 16

January 11, 1980

New priority date

26

Jan. 26, 1980

Remarks:

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Frank M. Earl Phone 343-0468  
Post office address 1615 North 20th Street, Boise, ID 83702

2. Source of water supply Springs which is a tributary of Warm Springs Creek

3. Location of point of diversion is NW  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 33 Township 10N  
Range 4E B.M. Boise County, additional points of diversion if any \_\_\_\_\_

4. Water will be used for the following purposes

Amount .08 cfs for Heating purposes from 1/1 to 11/31 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)

5. Total quantity to be appropriated.

a. .08 cfs cubic feet per second and/or b. \_\_\_\_\_ acre-feet per annum.

6. Proposed diverting works

a. Description of ditches, flumes, pumps, headgates, etc. \_\_\_\_\_  
Pumping plant and pipelines to place of use.

b. Height of storage dam \_\_\_\_\_ feet, active reservoir capacity \_\_\_\_\_ acre-feet; total reservoir capacity \_\_\_\_\_ acre-feet, materials used in storage dam: \_\_\_\_\_

Period of year when water will be diverted to storage \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Month/Day) (Month/Day)

c. Proposed well diameter is \_\_\_\_\_ inches, proposed depth of well is \_\_\_\_\_ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 3 years (minimum 1 year - maximum 5 years)

8. Description of proposed uses.

a. If water is not for irrigation:

1. On the place of use of water NW  $\frac{1}{4}$  of SW  $\frac{1}{4}$  of Section 33 Township 10N  
Range 4E B.M.

2. Amount of power to be generated \_\_\_\_\_ horsepower under \_\_\_\_\_ feet of head

3. List number of each kind of livestock to be watered \_\_\_\_\_

4. Name of municipality to be served 1 \_\_\_\_\_, or number of families to be supplied with domestic water \_\_\_\_\_

5. If water is to be used for other purposes describe \_\_\_\_\_

|     |       |
|-----|-------|
| TWP | RANGE |
|-----|-------|

[illegible]

Total number of acres to be irrigated

c. Describe any other water rights used for the same purposes as described above. None

9. a. Who owns the property at the point of diversion Garden Valley Associates

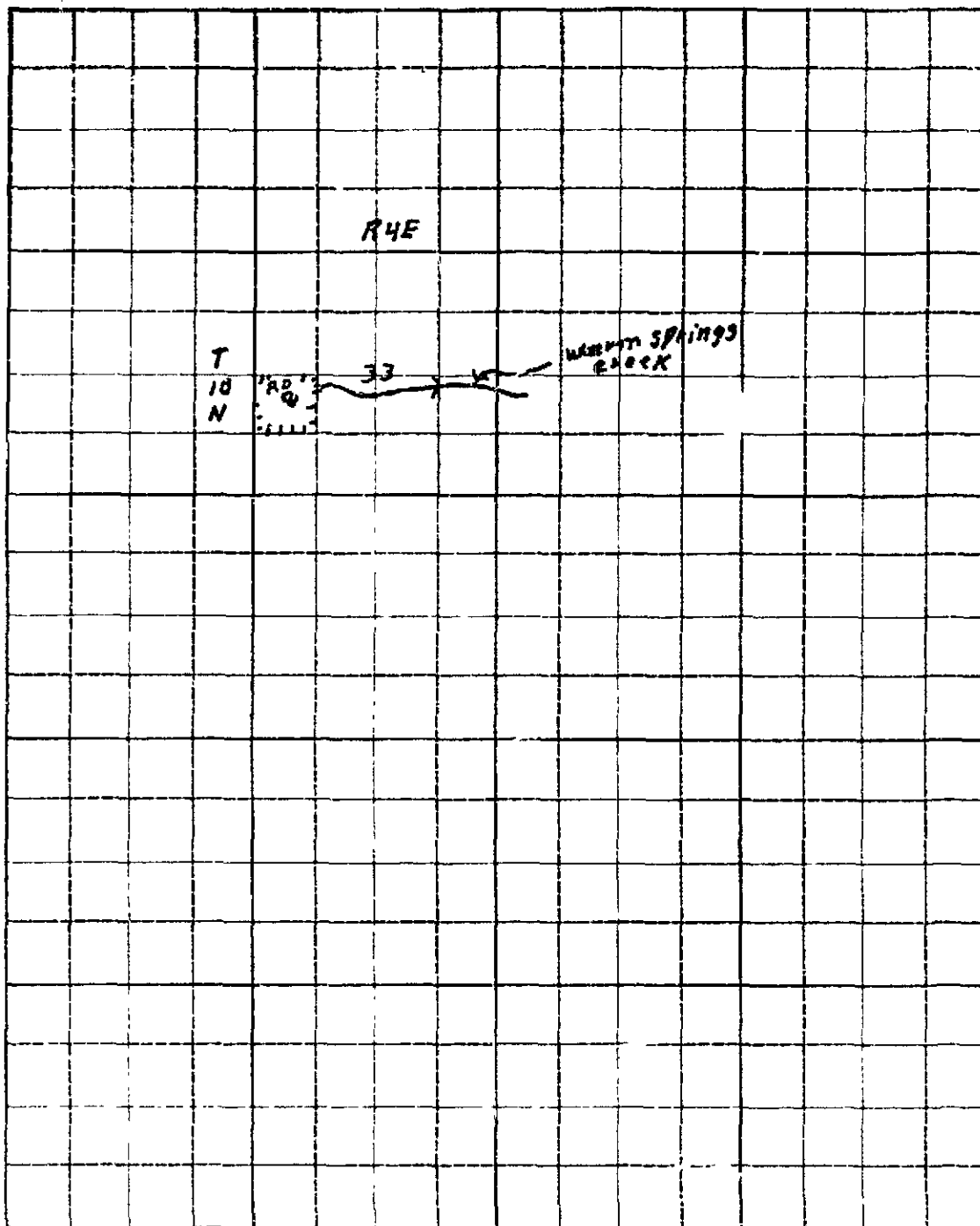
b. Who owns the land to be irrigated or place of use Applicant

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

10. Remarks Heating for one domestic household, garage and small greenhouse.

Tract N8 Warm Springs Estate #1

show clearly the proposed point of diversion, place of use, section number, township 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.

*Frank M. Carl*  
(Applicant)

SEP 24 1992

1/16/80

Received by KKH Date 1/16/80 Time 10:30 AM

Preliminary check by CMB Fee \$ 20.00

Received by K.K. Date 1/16/80 # 15305

Publication prepared by KK Date 1/17/80

Published in Idaho Water

Publication dates 1/24 & 1/31/80

Publication approved KK Date 2/27/80

Protests filed by: \_\_\_\_\_

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval / denial by DBS

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No 65-12302, 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 March 1, 19 85.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. Other: (1) A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works. (2) Use of water under this permit is subject to control by the watermaster of State Water District # 65L, Warm Springs Creek. (3) The issuance of this permit in no way grants any right-of-way or easement across the land of another. (4) Return flow if discharged to a subsurface system must be authorized by a separate injection well permit, and return flow if discharged to a surface water system shall meet intrastate water quality standards.

Witness my hand this 27<sup>th</sup> day of March, 1980.

L. Glen Sayton  
Chief, Operations Bureau

February 3, 2000

NOTICE OF ERROR  
REPLY

RECEIVED  
MAR 02 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: 65-12302

FRANK M EARL  
4514 OXBOW PL  
BOISE ID 83704

Daytime Telephone Number:  
Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 3/2/00

SIGNATURE: Frank M. Earl

Please print your name: Frank M. Earl

AJ0749NP  
No. R65-12302

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

DATE: 02/02/00  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                    | PRIORITY<br>DATE | WATER USE | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|-------------------------------------------------------------------|------------------|-----------|-----------------------|-------------------|---------------------|
| C                | FRANK M EARL<br>4514 OXBOW PL<br>BOISE ID 83704<br>(208) 376-6188 | 01/26/1980       | HEATING   | 01-01 12-31           | 0.040 CFS         | 4.00 AFA            |
| TOTAL DIVERSION: |                                                                   |                  |           |                       | 0.040 CFS         | 4.00 AFA            |

Water Source: SPRINGS

Tributary to: WARM SPRINGS CREEK

Stage: LICENSE

Point(s) of Diversion:

T10N R04E S33

NWSW

BOISE County

Place of use Legal Description for: HEATING

|     |     |     |   | 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 | 33  | : | :   | :   | :   | :   | :   | :   | :   | :   | :   | :   | :   | :   | :   | :   | :   | :   | : |

POU County: BOISE

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

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: EXP PROPERTY ALSO KNOWN AS AMD 1, PART LOT 27 OR TAX 200, WARM  
SPRINGS ESTATE, 14 DEER TRAIL.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65L

Field Inspection Flag:

Presumption Flag:

Comments: Date: 05/11/1999 User-ID: KWATERS Subject: COPIED FROM REMARKS

AJ0749NP  
No. R65-12302

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

DATE: 02/02/00  
PAGE: 2

=====

Comments: Date: 05/11/1999 User-ID: KWATERS Subject: COPIED FROM REMARKS  
REINSTATED 4-25-1985.

DESCRIPTION OF DIVERTING WORKS:

WATER FILLED COILED PIPE (1 1/4") IN HOT SPRING WITH THERMAL  
MOVEMENT AND/OR PUMPED TO HOUSE TO HEAT REGISTER WITH COLD WATER  
RETURN TO COIL IN SPRING TO REPEAT OF SAME. THIS IS A CLOSED  
UNIT AND IS NON-CONSUMPTIVE. ELR

Date: 02/01/2000 User-ID: AJU10-JS Subject: AJU10 CONDITION UPDATE  
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART  
OF RECORD THRU AJU10.

Audit: 02/02/00 JSHURTE

AJ5809NP  
No. R65-12302

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/27/99  
PAGE: 184

| OWNER<br>CODE    | NAME & ADDRESS                                                       | PRIORITY<br>DATE | WATER USE | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|----------------------------------------------------------------------|------------------|-----------|-----------------------|-------------------|---------------------|
| C                | FRANK M EARL<br>4514 OXBOW PLACE<br>BOISE ID 83704<br>(208) 376-6188 | 01/26/1980       | HEATING   | 01-01 12-31           | 0.04 CFS          | 4.00 AFA            |
| TOTAL DIVERSION: |                                                                      |                  |           |                       | 0.04 CFS          | 4.00 AFA            |

Water Source: SPRINGS

Tributary to: WARM SPRINGS CREEK

Stage: ~~PUMP~~ License

Point(s) of Diversion:

T10N R04E S33

NWSW

BOISE County

Place of use Legal Description for: HEATING

| NE  |     |    |         | NW    |       |       |         | SW    |       |       |         | SE    |       |       |         |       |       |       |
|-----|-----|----|---------|-------|-------|-------|---------|-------|-------|-------|---------|-------|-------|-------|---------|-------|-------|-------|
| T   | R   | S  | : Lt Ac | Lt Ac | Lt Ac | Lt Ac | : Lt Ac | Lt Ac | Lt Ac | Lt Ac | : Lt Ac | Lt Ac | Lt Ac | Lt Ac | : Lt Ac | Lt Ac | Lt Ac | Lt Ac |
| 10N | 04E | 33 | :       |       |       |       | :       |       |       |       | :       |       |       |       | :       |       |       |       |

POU County: BOISE

Non-Irrigation Uses: ~~D/I HOUSEHOLD, IN-HOUSE USE.~~ 1 Home

Other Rights: NONE

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

|            |            |            |            |            |            |            |           |           |            |
|------------|------------|------------|------------|------------|------------|------------|-----------|-----------|------------|
| 65-07562   | 65-07592   | 65-07595   | 65-07770F  | A65-03238A | A65-04002A | A65-04002X | A65-07118 | A65-07540 | A65-07562  |
| A65-07592  | A65-07595  | A65-07770C | A65-07770F | A65-12287  | A65-12289  | A65-12290  | A65-12292 | A65-12302 | R65-03238A |
| R65-04002A | R65-04002X | R65-07118  | R65-07540  | R65-07770C | R65-12287  | R65-12289  | R65-12290 | R65-12292 |            |

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

A65-03238 A65-03238A A65-03238B A65-12776 R65-03238A R65-03238B R65-12776

Conditions of Approval:

Remarks: GEN

REINSTATED 4-25-1985.

REINSTATED 4-25-1985.

DESCRIPTION OF DIVERTING WORKS:

WATER FILLED COILED PIPE (1 1/4") IN HOT SPRING WITH THERMAL  
MOVEMENT AND/OR PUMPED TO HOUSE TO HEAT REGISTER WITH COLD WATER  
RETURN TO COIL IN SPRING TO REPEAT OF SAME. THIS IS A CLOSED  
UNIT AND IS NON-CONSUMPTIVE. ELR

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65L

Field Inspection Flag:  
Presumption Flag:

Audit: 03/26/99 JSHURTE

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

00:05:30  
04/14/99

PAGE: 1  
GENERAL INFORMATION

140  
CLAIM NUMBER: A65-12302

LAST: EARL FIRST: FRANK M  
ADDRESS: 4514 OXBOW PLACE  
CITY: BOISE STATE: ID ZIP: 83704  
PHONE NUMBER: 208-376-6188  
OWNER CODE: C

FIELD EXAM REQUIRED?  
VERIFICATION REQUIRED DUE TO REMARKS? DATABASE Y FIELD EXAMINER Y( ) N(X)

CLAIM REMARKS: GEN REINSTATED 4-25-1985.  
REINSTATED 4-25-1985.  
DESCRIPTION OF DIVERTING WORKS:  
WATER FILLED COILED PIPE (1 1/4") IN HOT SPRING WITH THERMAL  
MOVEMENT AND/OR PUMPED TO HOUSE TO HEAT REGISTER WITH COLD WATER  
RETURN TO COIL IN SPRING TO REPEAT OF SAME. THIS IS A CLOSED  
UNIT AND IS NON-CONSUMPTIVE. ELR

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: # A65-12302 PRIORITY DATE: 01-26-1980 STAGE: P

B. WR RECORD: # 65-12302 PRIORITY DATE: 01-26-1980 STAGE: L

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: permit licensed 6-15-1990

=====

RECOMMENDED PRIORITY DATE:

1-26-1980

REVIEWED BY Karan Waters

DATE 4-27-99

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT     | TWP. RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | POD<br>FLAG | COUNTY | DIVERSION NAME | DIVERSION NUMBER |
|-----------|-----------|------|-----|-----|-----|-----|-------------|--------|----------------|------------------|
| A65-12302 | 10N 04E   | 33   |     | NW  | SW  |     |             | BOISE  |                |                  |

OTHER AJ CLAIMS WITH SAME AJ POD  
A PREFIX R PREFIX

WR RECORDS IN SAME 40 ACRE TRACT

\* 14 A PREFIX CLAIMS WITH THIS POD  
\*\* 14 R PREFIX CLAIMS WITH THIS POD  
\*\*\* 23 WR RECORDS IN SAME 40 ACRE TRACT

\*\*\*

SOURCE: SPRINGS

TRIB: WARM SPRINGS CREEK

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT    | TWP. RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | POD<br>FLAG | COUNTY | DIVERSION NAME | DIVERSION NUMBER |
|----------|-----------|------|-----|-----|-----|-----|-------------|--------|----------------|------------------|
| 65-12302 | 10N 04E   | 33   |     | NW  | SW  |     |             | BOISE  |                |                  |

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT  
A PREFIX R PREFIX

65-03238  
65-04002A  
65-04002X  
65-07118  
\*\*\*\*\* 14 A PREFIX CLAIMS IN SAME 40 ACRE TRA  
\*\*\*\*\* 14 R PREFIX CLAIMS WITH THIS POD

\*\*\*\*\*

\*\*\*\*\*

SOURCE: SPRINGS

TRIB: 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 10-9-86) 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   | 1/4   | 1/4   | LOT   | POD<br>FLAG | COUNTY | DIVERSION NAME | DIVERSION NBR |
|-------|-------|-------|-------|-------|-------|-------|-------------|--------|----------------|---------------|
| 10N   | 04E   | 33    |       | NW    | SW    |       |             | BOISE  |                |               |
| _____ | _____ | _____ | _____ | _____ | _____ | _____ | _____       | _____  | _____          | _____         |
| _____ | _____ | _____ | _____ | _____ | _____ | _____ | _____       | _____  | _____          | _____         |
| _____ | _____ | _____ | _____ | _____ | _____ | _____ | _____       | _____  | _____          | _____         |
| _____ | _____ | _____ | _____ | _____ | _____ | _____ | _____       | _____  | _____          | _____         |
| _____ | _____ | _____ | _____ | _____ | _____ | _____ | _____       | _____  | _____          | _____         |
| _____ | _____ | _____ | _____ | _____ | _____ | _____ | _____       | _____  | _____          | _____         |

SOURCE: SPRINGS

TRIB: WARM SPRINGS CREEK

REVIEWED BY:

Karan Walters

DATE:

4-27-99

=====

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

A. ROOT WATER RIGHT NUMBERS: A65-12302  
R65-12302

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME                           | AJ<br>#/ACRES | WR<br>#/ACRES | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-----|-----|-----|-----|-----|-----|--------------------------------|---------------|---------------|-----------------|----------------|------------------|
| 10N | 04E | 33  | NW  | SW  |     | EARL, FRANK M                  | A65-12302 /   | 65-12302 /    |                 |                |                  |
|     |     |     | NW  | SW  |     | FREEMAN, LLOYD J               | A65-12287 /   | 65-12287 /    |                 |                |                  |
|     |     |     | 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 /   | 65-12776 /    | 4.0             | 4.0            |                  |
|     |     |     | NW  | SW  |     | HERRING, NANCY                 | A65-07770F /  | - /           |                 |                |                  |
|     |     |     | NW  | SW  |     | BLAKE, JAMES J                 | 65-07595 /    | - /           |                 |                |                  |
|     |     |     | NW  | SW  |     | SCHULZ, USTO E                 | A65-07770C /  | 65-07770C /   |                 |                |                  |
|     |     |     | NW  | SW  |     | HERRING, NANCY                 | 65-07770F /   | - /           |                 |                |                  |
|     |     |     | NW  | SW  |     | SCHULZ, USTO E                 | 65-07562 /    | - /           |                 |                |                  |
|     |     |     | NW  | SW  |     | CASTLE MOUNTAIN CREEKS OWNERS  | A65-03238B /  | - /           | 5.0             |                |                  |
|     |     |     | NW  | SW  |     | WEGNER, GLEN                   | A65-03238A /  | - /           | 5.0             |                |                  |
|     |     |     | 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  |     | SCHULZ, USTO E                 | R65-07540 /   | - /           |                 |                |                  |
|     |     |     | NW  | SW  |     | SCHULZ, USTO E                 | R65-07770C /  | - /           |                 |                |                  |
|     |     |     | NW  | SW  |     | FREEMAN, LLOYD J               | R65-12287 /   | - /           |                 |                |                  |
|     |     |     | NW  | SW  |     | EARL, FRANK M                  | R65-12302 /   | - /           |                 |                |                  |
|     |     |     | NW  | SW  |     | WITHROW, ARNOLD F              | 65-07592 /    | - /           |                 |                |                  |
|     |     |     | NW  | SW  |     | CASTLE MOUNTAIN CREEKS OWNERS  | R65-12776 /   | - /           | 4.0             |                |                  |
|     |     |     | 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.           |               | T65-03238 /   |                 | 5.0            |                  |
|     |     |     | NW  | SW  |     | GARDEN VALLEY ASSOC.           |               | 65-03238 /    |                 | 5.0            |                  |
|     |     |     | NW  | SW  |     | CZECH, MICHAEL                 |               | 65-07593 /    |                 |                |                  |
|     |     |     | NW  | SW  |     | LIVINGSTON, EARL               |               | 65-07770D /   |                 |                |                  |
|     |     |     | NW  | SW  |     | JARVIS, LON                    |               | 65-13050 /    |                 |                |                  |

ADDITIONAL POU FOUND

TOTAL ACRES A65-12302

POU COUNTY: BOISE

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

Y( ) N(X)

\* 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 |
|------------|--------------------|--------------------------------|-----------|----------------|-----------|----------------|
| A65-03238A | 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       |                                |           |                |           |                |
| R65-03238B | WARM SPRINGS CREEK | CASTLE MOUNTAIN CREEKS OWNERS' | 0.380     | 0.034          | 1.20      | 0.10           |
| A65-03238B | WARM SPRINGS CREEK | CASTLE MOUNTAIN CREEKS OWNERS' | 0.380     | 0.034          | 1.20      | 0.10           |
| R65-12776  | 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    |
|------------|----------|-------------------------------|---------------------|-----------|-----------|
| A65-12302  | HEATING  | EARL, FRANK M                 | FROM 01-01 TO 12-31 | 0.040 CFS |           |
| A65-12287  | HEATING  | FREEMAN, LLOYD J              | 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 |           |
| 65-07595   | DOMESTIC | BLAKE, JAMES J                | FROM 01-01 TO 12-31 | 0.040 CFS | 1.20 AF/A |
| A65-07770C | HEATING  | SCHULZ, USTO E                | FROM 01-01 TO 12-31 | 0.100 CFS |           |
| A65-07770C | DOMESTIC | SCHULZ, USTO E                | FROM 01-01 TO 12-31 | 0.110 CFS | 4.80 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 |
| R65-04002A | HEATING  | CASTLE MOUNTAIN CREEKS OWNERS | FROM 01-01 TO 12-31 | 0.250 CFS |           |
| 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 |           |
| R65-07770C | HEATING  | SCHULZ, USTO E                | FROM 01-01 TO 12-31 | 0.100 CFS |           |
| R65-07770C | DOMESTIC | SCHULZ, USTO E                | FROM 01-01 TO 12-31 | 0.110 CFS | 4.80 AF/A |

| CLAIM NO. | PURPOSES | NAME              | MONTH/DAY           | RATE      | VOLUME    |
|-----------|----------|-------------------|---------------------|-----------|-----------|
| R65-12287 | HEATING  | FREEMAN, LLOYD J  | FROM 01-01 TO 12-31 | 0.040 CFS |           |
| R65-12302 | HEATING  | EARL, FRANK M     | FROM 01-01 TO 12-31 | 0.040 CFS |           |
| 65-07592  | DOMESTIC | WITHROW, ARNOLD F | FROM 01-01 TO 12-31 | 0.020 CFS | 1.20 AF/A |

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

Y(☒) N(☐)

\* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: NONE

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(☒)

( ) NAPP, IDWR NO. \_\_\_\_\_; ( ) ASCS PHOTO; (X) OTHER House Co. Sub. Plat

**RECOMMENDATIONS:**

TOTAL ACRES: \_\_\_\_\_ N/A

REVIEWED BY: Karan Waters

DATE: 4-27-99

A. AJ CLAIMED USES:

| PURPOSE OF USE              | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|-----------------------------|---------------------------|------------------------|------------------------|
| A65-12302 HEATING           | FROM 01-01 TO 12-31       | 0.040 CFS              |                        |
| TOTAL DIVERSION RATE/VOLUME |                           | 0.040 CFS              |                        |

B. WR RECORDED USES:

| PURPOSE OF USE              | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|-----------------------------|---------------------------|------------------------|------------------------|
| 65-12302 HEATING            | FROM 01-01 TO 12-31       | 0.040 CFS              | 4.00 AF/A              |
| TOTAL DIVERSION RATE/VOLUME |                           | 0.040 CFS              | 4.00 AF/A              |

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☒) N(☐)

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

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

Y(☐) N(☒)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

Y(☒) N(☐)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

Y(☒) N(☐)

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

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☒) N(☐)

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

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A(☐) Y(☐) N(☒)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☒) N(☐)

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

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A(☐) Y(☐) N(☒)

PAGE: 10

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

149

CLAIM NUMBER: A65-12302

NOTES:

---

---

---

---

---

---

---

---

AJ CLAIM TOTAL DIVERSION RATE: 0.040 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.040 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:**

R04 - Use of water under this water right will be regulated by the  
- watermaster of State Water District No. 65L.

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (X)

| REC.<br>PURPOSE OF USE | REC. PERIOD |       | REC. DIV          |                   | REC. DIV |                   | REC. CONS.      |                   |
|------------------------|-------------|-------|-------------------|-------------------|----------|-------------------|-----------------|-------------------|
|                        | FROM        | TO    | RATE              | CFS               | VOL.     | AF/A              | USE             |                   |
| HEATING                | 01-01       | 12-31 | DATABASE<br>0.040 | EXAMINER<br>_____ | DATABASE | EXAMINER<br>_____ | DATABASE<br>0.0 | EXAMINER<br>_____ |
| _____                  | _____       | _____ | _____             | _____             | _____    | _____             | _____           | _____             |
| _____                  | _____       | _____ | _____             | _____             | _____    | _____             | _____           | _____             |
| _____                  | _____       | _____ | _____             | _____             | _____    | _____             | _____           | _____             |
| _____                  | _____       | _____ | _____             | _____             | _____    | _____             | _____           | _____             |
| TOTAL FOR THIS RIGHT   |             |       | 0.040             | _____             |          | _____             | 0.0             | _____             |

NON-IRRIGATION USES CLAIMED: D/1 HOUSEHOLD, IN-HOUSE USE.

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

REVIEWED BY: Karan Waters

DATE: 4-27-99

FLAG: \_\_\_\_\_

STANDARD CONDITIONS (CODE): \_\_\_\_\_

STANDARD REMARKS (CODE): \_\_\_\_\_

EXPLANATORY CONDITIONS (CODE): \_\_\_\_\_

EXPLANATORY REMARKS (CODE):

Exp -Joi

A. CHECK ONLY THE FOLLOWING THAT APPLY:

|                              | ACCEPTED<br>AS CLAIMED | NEEDS<br>REVIEW |
|------------------------------|------------------------|-----------------|
| OWNERSHIP _____              | (X)                    | ( )             |
| FORFEIT/ABANDON _____        | ( )                    | ( )             |
| ADDITIONAL DIV. AMOUNT _____ | ( )                    | ( )             |

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-12302

| TOTAL DIVERSION RATE OF WR SPLITS | DATABASE | EXAMINER | CFS |
|-----------------------------------|----------|----------|-----|
|                                   | 0.040    |          |     |

SPLITS:

| OLD RIGHT<br>NUMBERS | CURRENT<br>CLAIM NUMBERS | DIVERSION<br>RATE | CURRENT "R"<br>CLAIM NUM. | "R" DIV.<br>RATE | WR RIGHT<br>NUMBERS | DIVERSION<br>RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| -                    | A65-12302                | 0.040             | R65-12302                 | 0.040            | 65-12302            | 0.040             |
| TOTAL CFS            |                          | 0.040             |                           | 0.040            |                     | 0.040             |

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<br>EXAMINER |
|----------|-------------------|
| Y        | 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( )                                     |
| <input checked="" type="checkbox"/> TOPOGRAPHIC          | DATE FIELD CHECKED <u>10-9-86</u> IDWR ID NO. _____    | Y( <input checked="" type="checkbox"/> ) 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( )                                     |
| <input checked="" type="checkbox"/> SUBDIVISION PLAT MAP | DATE OF MAP <u>1994</u>                                | Y( ) N( <input checked="" type="checkbox"/> ) |
| ( ) 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 |
|----------------------------------------------------------|---------------------------------------------|--------------|-------|
| <input checked="" type="checkbox"/> LICENSING FIELD EXAM | DATE OF FIELD EXAM <u>10-9-86</u>           | <u>4</u>     |       |
| <input checked="" type="checkbox"/> WATER RIGHT LICENSE  | DATE LICENSE SIGNED <u>6-6-90</u>           | <u>2</u>     |       |
| ( ) 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

00:05:30  
04/14/99

PAGE: 16  
QUICKLOOK INFORMATION

155  
CLAIM NUMBER: A65-12302

| WR ELEMENT                | DATA<br>DISCREPANCY<br>Y/N | CORRESPONDENCE<br>SENT/RECEIVED<br>BY WHOM/DATE | FIELD EXAM<br>BY WHOM/DATE | CHANGE<br>CLAIM<br>Y/N | ELEMENT<br>DOCUMENTED<br>WHOM/DATE | COMPLETED<br>REVIEW<br>WHOM/DATE | COMPLETED<br>DATA ENTRY<br>WHOM/DATE | VERIFIED<br>DATE<br>WHOM/DATE |
|---------------------------|----------------------------|-------------------------------------------------|----------------------------|------------------------|------------------------------------|----------------------------------|--------------------------------------|-------------------------------|
| PRIORITY DATE             | N                          |                                                 |                            |                        |                                    |                                  |                                      |                               |
| POINT OF DIV              | N                          |                                                 |                            |                        |                                    |                                  |                                      |                               |
| SOURCE                    | N                          |                                                 |                            |                        |                                    |                                  |                                      |                               |
| PLACE OF USE              | N                          |                                                 |                            |                        |                                    |                                  |                                      |                               |
| DIV. AMOUNT<br>CFS/VOLUME | N                          |                                                 |                            |                        |                                    |                                  |                                      |                               |
| CONSUMPTIVE USE           | N                          |                                                 |                            |                        |                                    |                                  |                                      |                               |
| PURPOSES OF USE           | N                          |                                                 |                            |                        |                                    |                                  |                                      |                               |
| PERIOD OF USE             | N                          |                                                 |                            |                        |                                    |                                  |                                      |                               |
| BASIS OF CLAIM            | N                          |                                                 |                            |                        |                                    |                                  |                                      |                               |
| REMARKS                   | N                          |                                                 |                            |                        |                                    |                                  |                                      |                               |

BARCODE UPDATED  
WHOM/DATE

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

00:15:02  
04/14/99  
156

PAGE: 17  
PROFILE REPORT

CLAIM NUMBER: A65-12302

| OWNER<br>CODE    | NAME & ADDRESS | PRIORITY<br>DATE | WATER USE | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|----------------|------------------|-----------|-----------------------|-------------------|---------------------|
| C                | FRANK M EARL   | 01/26/1980       | HEATING   | 01-01 12-31           | 0.04 CFS          |                     |
| TOTAL DIVERSION: |                |                  |           |                       | 0.04 CFS          |                     |

Water Source: SPRINGS

Tributary to: WARM SPRINGS CREEK

Stage: PERMIT

Point(s) of Diversion:

T10N R04E S33

NWSW

BOISE County

Place of use Legal Description for: HEATING

|     |     |     |   | NE  |     |     |     | NW  |     |     |     | SW  |     |     |     | SE  |     |     |     |     |     |   |
|-----|-----|-----|---|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|---|
| T   | R   | S   | : | Lt  | Ac  | Lt  | Ac  | Lt  | Ac  | Lt  | Ac  | Lt  | Ac  | Lt  | Ac  | Lt  | Ac  | Lt  | Ac  | Lt  | Ac  | : |
| --- | --- | --- | : | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | : |
| 10N | 04E | 33  | : |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | : |

POU County: BOISE

Non-Irrigation Uses: D/1 HOUSEHOLD, IN-HOUSE USE.

Other Rights: NONE

Conditions of Approval:

Remarks: GEN REINSTATED 4-25-1985.

REINSTATED 4-25-1985.

DESCRIPTION OF DIVERTING WORKS:

WATER FILLED COILED PIPE (1 1/4") IN HOT SPRING WITH THERMAL  
MOVEMENT AND/OR PUMPED TO HOUSE TO HEAT REGISTER WITH COLD WATER  
RETURN TO COIL IN SPRING TO REPEAT OF SAME. THIS IS A CLOSED  
UNIT AND IS NON-CONSUMPTIVE. ELR

Dates: Exam Made Date:

Verified Date: 06/18/1985

Objection Filed Date:

Misc: Water District Number: 65L

Field Inspection Flag:

Presumption Flag:

WR5809NP  
No. 65-12302

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 03/17/99  
PAGE: 114



| OWNER<br>CODE    | NAME & ADDRESS                                          | PRIORITY<br>DATE | WATER USE | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|---------------------------------------------------------|------------------|-----------|-----------------------|-------------------|---------------------|
| C                | FRANK M. EARL<br>2960 LINDA VISTA #10<br>BOISE ID 83704 | 01/26/1980       | HEATING   | 01/01 12/31           | 0.040 CFS         | 4.00 AFA            |
| TOTAL DIVERSION: |                                                         |                  |           |                       | 0.040 CFS         | 4.00 AFA            |

Water Source: SPRINGS

Tributary to: WARM SPRINGS CREEK

Stage: LICENSE

Point(s) of Diversion Capacity: 0.040 CFS

Point(s) of Diversion: T10N R04E S33 NWSW

BOISE County

Point of Diversion Name(s):

| Name | Rate | Number |
|------|------|--------|
|------|------|--------|

Place of use Legal Description for: HEATING

|     |     |    |   | 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   | Lt   | Ac   |
| 10N | 04E | 33 | : |      |      |      |      |    |    |    |    |      |      |      |      |    |    |    |    |      |      |      |      |    |    |    |    |      |      |      |      |

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. 65L.

|        |                 |            |                    |            |                           |
|--------|-----------------|------------|--------------------|------------|---------------------------|
| Dates: | App. Received:  | 01/16/1980 | Priority Date:     | 01/26/1980 | (Priority Date Advanced.) |
|        | Proof Due Date: | 03/01/1985 | Proof Made Date:   | 03/11/1985 | (Proof Received Late.)    |
|        | Exam Made Date: | 10/16/1986 | Exam Sent to S.O.: |            |                           |
|        | Licensed Date:  | 06/06/1990 |                    |            |                           |

Misc: Water District Number: 65L Field Exam Fee: N (Not Required)

Audit: 01/14/87 04/30/88 CONVERT 01/04/90 REVU 04/09/90 CURTIS

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

State of Idaho  
Department of Water Resources

**WATER RIGHT LICENSE**

WATER RIGHT NO. 65-12302

Priority: January 26, 1980

Maximum Diversion Rate:  
Maximum Diversion Volume:<sup>1</sup>

0.04 CFS  
4.0 AF

This is to certify, that FRANK M. EARL  
2960 LINDA VISTA #10  
BOISE, ID 83704

has complied with the terms and conditions  
of the permit, issued pursuant to Application for Permit dated January 16, 1980; and  
has submitted Proof of Beneficial Use on March 11, 1985. An examination indicates  
that the works have a diversion capacity of .040 cfs of water from:

SPRINGS tributary to WARM SPRINGS CREEK

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

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| HEATING               | 01/01 to 12/31       | 0.04 CFS                 | 4.0 AF               |

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 33, Township 10N, Range 04E  
BOISE County

PLACE OF USE: HEATING

TWN RGE SEC

10N 04E 33 NWSW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right is subject to control by the watermaster of State Water District No. 65L

PAGE 2

State of Idaho  
Department of Water Resources

## WATER RIGHT LICENSE

WATER RIGHT NO. 65-12302

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.  
Witness the seal and signature of the Director, affixed at Boise, this 6<sup>th</sup>  
day of June, 1970.

Acting for R. Keith Higginson, Director

RECEIVED

FEB 12 1987

Form 219  
6/86

STATE OF IDAHO  
Department of Water Resources  
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

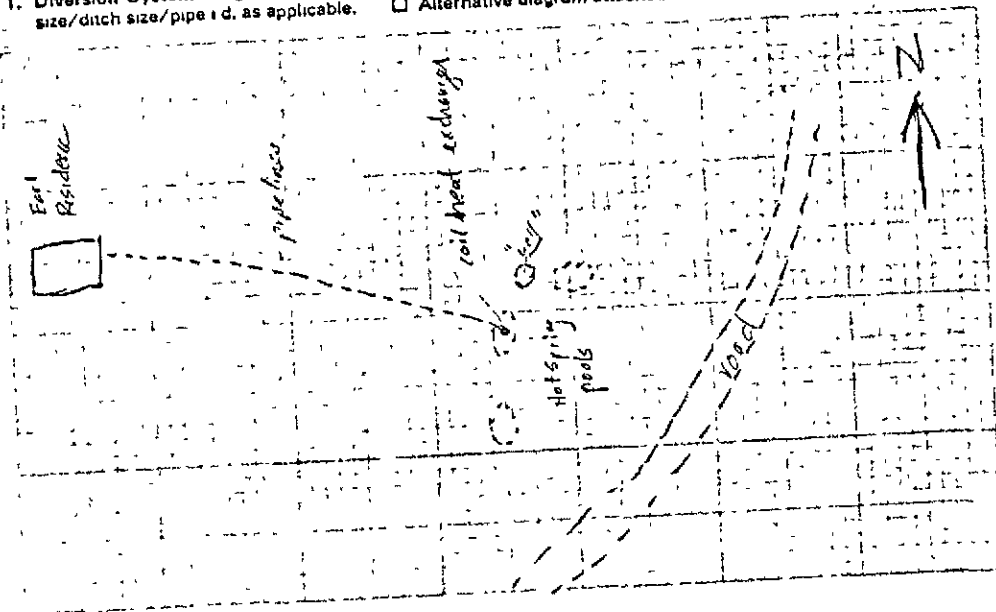
1. Owner: Frank M. Earl Permit No. 65-12302  
Current Address: 2960 Linda Vista #10, Boise, ID 83704 Phone No. 376-6188  
2. Accompanied by: unaccompanied EXAM. DATE: 10/9/86 (11-16-86)  
Address: \_\_\_\_\_ Phone No. 701-111-87  
Relationship to Permit Holder: \_\_\_\_\_  
3. Source: hot spring tributary to Darm Springs Cr.

B. OVERLAP REVIEW

1. Other water rights with same place of use: none ☐ Copies Attached  
2. Other water rights with same point of diversion: see attached microfiche  
☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = 1/2 mile

2. ☒ Copy of U.S.G.S. Quadrangle Attached  
Showing location(s) of point(s) of diversion and  
place(s) of use (required).  
☒ Photo of Diversion and System Attached  
(required for all but single household domestic groundwater, and stockwater).  
☐ Aerial Photo Attached  
(required for irrigation of 10 acres or more).

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Mr. Earl uses hot spring waters as a source of heat for his home. He has experimented with a variety of systems, & his present system consists of a closed loop with a 1" copper pipe coil as a heat exchanger (i.e. no water is removed). He wishes to maintain his right to remove water from the springs in the future should his system change.

See Remarks on page 4 for continuation

| Well or Diversion Identification No.* | Motor Make | Hp  | Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---------------------------------------|------------|-----|------------------|-----------|-----------------------------------|
|                                       |            | 1/8 | Not Available    |           |                                   |
|                                       |            |     |                  |           |                                   |
|                                       |            |     |                  |           |                                   |
|                                       |            |     |                  |           |                                   |

\*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

| Ident. No. | Gov't. Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Method of Determination/Remarks |
|------------|------------|-----|-----|-----|------|------|------|--------|---------------------------------|
|            |            |     | 1N  | SW  | 33   | 10N  | 4E   | Boise  | Topog. Map                      |
|            |            |     |     |     |      |      |      |        |                                 |
|            |            |     |     |     |      |      |      |        |                                 |
|            |            |     |     |     |      |      |      |        |                                 |

6. Place(s) of Use:

Indicate Method of Determination topog. map

| 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 |        |
| 10N  | 4E   | 33   |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Do not use this space

Do not use this space

#### D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------|-----------|------------|------|-------------|
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |

2. Measurements:

*Not possible*

#### E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

#### F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: \_\_\_\_\_ psi x 2.31 = \_\_\_\_\_ ft (1); Dynamic pumping level: \_\_\_\_\_ ft (2)  
Total Head: (1) + (2) = \_\_\_\_\_ (3) ; Flow rate: \_\_\_\_\_ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = \_\_\_\_\_ (5)  
Meter Input KW: 3.6 x \_\_\_\_\_ KH x \_\_\_\_\_ CTR or \_\_\_\_\_ MULT x \_\_\_\_\_ PTR x \_\_\_\_\_ N/ \_\_\_\_\_ T = \_\_\_\_\_ (6)  
Meter Input HP: (6) x 1.34 = \_\_\_\_\_ (7)  
Panel Input KW: \_\_\_\_\_ Ave PF x \_\_\_\_\_ Ave Volts x \_\_\_\_\_ Ave Amps x .001732 = \_\_\_\_\_ (6)  
Panel Input HP: (6) x 1.34 = \_\_\_\_\_ (7) Efficiency (5)/(7) x 100 = \_\_\_\_\_ %

#### G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{iR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$  \_\_\_\_\_  
 $V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$  \_\_\_\_\_  
 $V = \text{Smaller of } V_{iR} \text{ and } V_{DR} =$  \_\_\_\_\_

2. Volume Calculations for Other Uses:

## II. REMARKS AND OVERALL REFIN ANALYSIS

Water generally circulates in the loop due to density differences (thermosiphon). An 1/8 HP pump is used to circulate water when it naturally does not.

Note: Since Mr. Earl is presently not diverting water, and he initially applied for .08 cfs, the measurement device requirement should be waived.

## I. RECOMMENDATIONS

### 1. Recommended Amounts

| Beneficial Use | Period of Use |       | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|----------------|---------------|-------|------------------------------|--------------------------|
|                | From          | To    |                              |                          |
| heating        | 1/1           | 12/31 | .04                          |                          |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
|                |               |       |                              |                          |
| Totals:        |               |       | .04                          |                          |

Note: permit states "11/31" which is obviously a mistake

### 2. Recommended Amendments

- ☐ Change P.D. as reflected above    ☐ Add P.D. as reflected above    ☒ None  
☐ Change P.U. as reflected above    ☐ Add P.U. as reflected above    ☐ Other

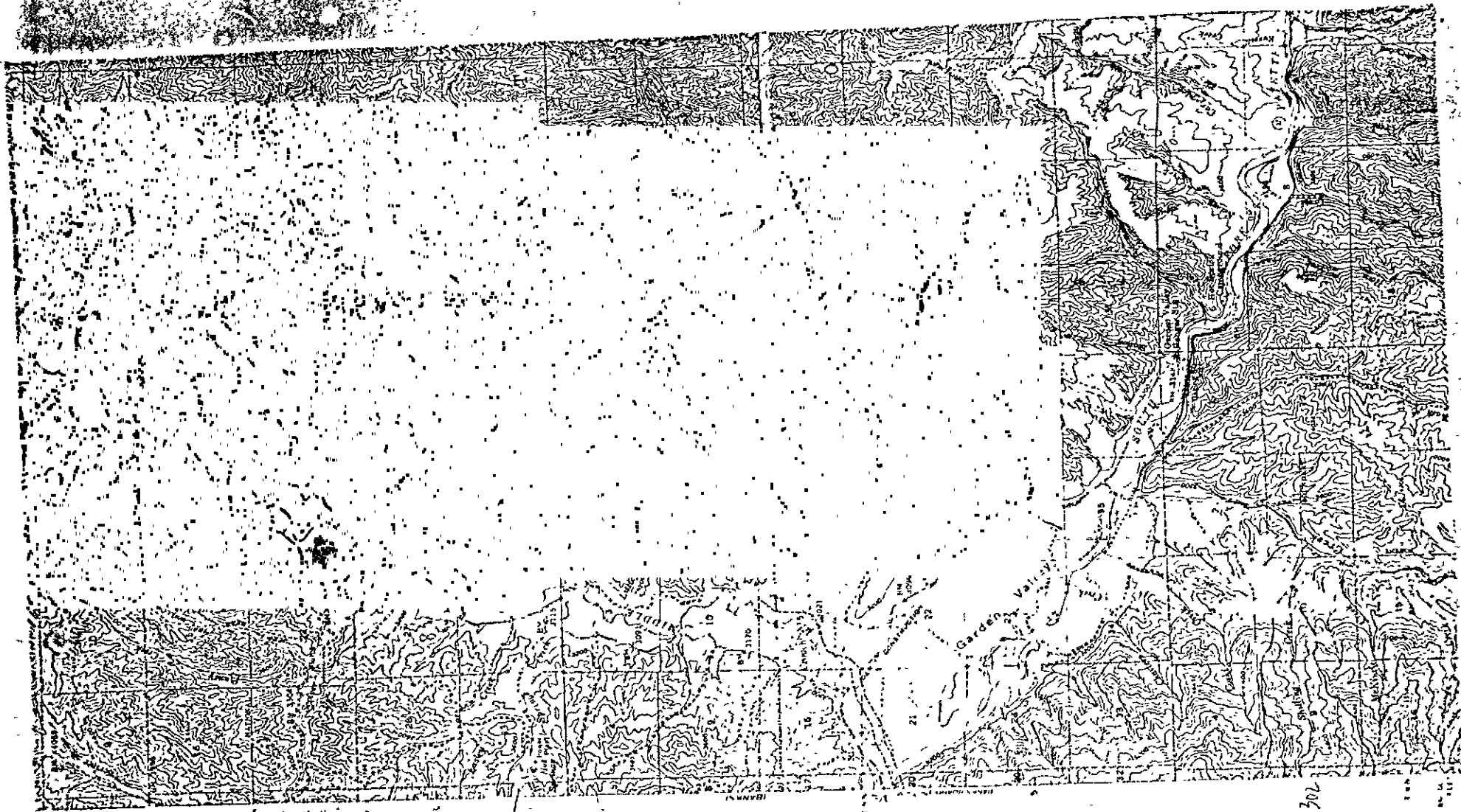
## J. AUTHENTICATION

Field Examiner's Name: BRAD E. DINGEE  
 Signature: BRAD E. DINGEE  
 Certification Date: \_\_\_\_\_  
 Field Report Preparation Date: 10/16/86

Dis 2/1/87

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.



0.11

0.12

65-12302