

RECEIVED

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OCT 28 2005

DEPARTMENT OF
WATER RESOURCES

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October 27, 2005

Steve Robischon
Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

RE: Water Right Claim 2-85 – Sligars Thousand Springs Resort

Dear Steve:

I am writing in response to your letter dated October 4, 2005 relative to SRBA claim number 2-85. In that letter, you requested evidence of beneficial use to establish a priority date. When originally filed, claim number 2-85 requested a priority date of March 15, 1938. However, as discussed at your office on October 25, we have not been able to substantiate that priority date as of yet, since those individual(s) who originally diverted the water have since passed away.

With this letter, we are amending the claim's priority date to May 15, 1952. As the attached affidavit of Margaret Sligar points out, this is the date that the Sligars purchased the property on which Sligars Thousand Springs Resort now sits. The water was being diverted at that time and has continued to be diverted and used for irrigation purposes. If we are able to discover evidence establishing an earlier priority date, we reserve the right to amend our claim in the future.

Thank you for your assistance in this process. If you need any further information, please let me know. I can be reached at the numbers above.

Very Truly Yours

Paul L. Arrington

Cc: Jeannie Sligar, PLA

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 2-85

WATER RIGHT NUMBER: 2-85

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SLIGARS THOUSAND SPRINGS RESORT C/O NORTHWEST CRANE RIGGING & TRANSPORT CO RT 4 TWIN FALLS, ID 83301 (208)423-5131
Attorney	JOHN A ROSHOLT BARKER ROSHOLT & SIMPSON LLP 113 MAIN AVE W STE 303 TWIN FALLS, ID 83301 (208)733-0700

Priority Date: 03/15/1938

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.100 CFS	
	<u>Total Diversion:</u>	0.100 CFS	

Location of Point(s) of Diversion

SNAKE RIVER	L5 (NW1/4SW1/4)	Sec. 8,	Twp 08S,	Rge 14E, B.M.
TWIN FALLS County				
SNAKE RIVER	L5 (SW1/4SW1/4)	Sec. 8,	Twp 08S,	Rge 14E, B.M.
TWIN FALLS County				

Place of UseIRRIGATION Within TWIN FALLS County

T08S R14E S08 NWSW 6.0 T08S R14E S08 SWSW 7.0

Total Acres: 13

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Paul L. Arrington, ISB #7198
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Attorneys for Sligars Thousand Springs Resort

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

	)	
	)	
IN THE MATTER OF A NOTICE OF CLAIM	)	
TO WATER RIGHT NO. 2-85 BY SLIGARS	)	AFFIDAVIT OF MARGARET SLIGAR
THOUSAND SPRINGS RESORT	)	
	)	
	)	
	)	
	)	
	)	

COMES NOW Margaret Sligar, being first duly sworn upon oath and states as follows:

1. I currently reside at 3552 East 400 North, Kimberly, Idaho 83341 and make the following statement in relation to water right 2-85 based upon personal knowledge of the facts and circumstances set forth herein below..
2. I, along with William Sligar, my husband, and Jeannie Sligar, my sister-in-law, are partners and own Sligars Thousand Springs Resort ("the Resort"). On May 15, 1952, we purchased an old service station from Charles and Velma Emdy. After operating a restaurant on that site for three-years, we added a swimming pool, in 1955. We closed the restaurant in 1962 and have been operating the swimming pool with an adjacent park and campground ever since. The Resort is located in Township 8 south, Range 14 east, Section 8, in Twin Falls County approximately 5 ½ miles east of Hagerman.

3. At the Resort, I am in charge of all daily operations and have been since we first purchased the property 1952. Because of this, I am very familiar with the historical and current water use pursuant to our water right claim.
4. At the time we purchased the land, a pump was installed and water was being diverted directly from the Snake River and used to irrigate a section of lawn located next to the service station. It was clear that the pump had been used for a number of years prior to our purchase. Both Charles and Velma Emdy have since died and there is no way to determine when they first began using the water. Charlie Wing, who owned the property prior to Charles and Velma Emdy, has also since passed away.
5. Since that time, we have continued to use this water to irrigate our park and campground area.
6. I have been personally responsible for the maintenance and repair of the pump. Over the years, I have replaced the pump one time. Generally, whenever the pump needed repairs, my husband and I would order the necessary parts and we would personally repair the pump. In the late 1970's we mounted the motor on wheels to allow for easier use while irrigating the park.
7. In 1960, there was a fire at the Resort. Then, in May 1997, the Resort was flooded. The fire and flood destroyed a number of our records – including documentation such as the original contract executed when we purchased the property and receipts for pumps and repair parts collected over the years.
8. Sligars Thousand Springs Resort has continuously used and relied upon the water from this well for over 50 years.

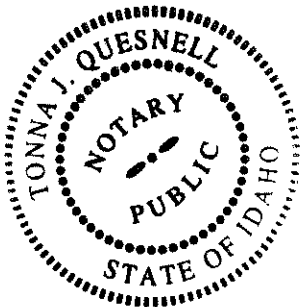
DATED THIS 27 day of Oct, 2005.

Margaret Sligar
Margaret Sligar

STATE OF IDAHO)
County of Twin Falls) ss.

On this 27 day of October, 2005, before me, a Notary Public for said County and State, personally appeared MARGARET SLIGAR, known or identified to me, to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same

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



[Signature]
NOTARY PUBLIC FOR IDAHO
Residing at: Kimberly, ID
My commission expires: 9/28/11