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OCT 28 2005

DEPARTMENT OF
WATER RESOURCES

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BARKER
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Paul L. Arrington
pla@idahowaters.com

October 27, 2005

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

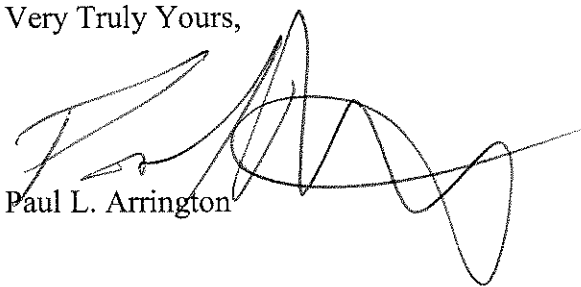
RE: Water Right Claim 2-86 – Sligars Thousand Springs Resort

Dear Steve:

I am writing in response to your letter dated October 4, 2005 relative to SRBA claim number 2-86. In that letter, you requested evidence of beneficial use to establish a priority date. When originally filed, claim number 2-86 requested a priority date of August 1, 1956. Attached you will find an affidavit of Margaret Sligar, who has been involved with the resort since 1952 and is personally familiar with this water and its use.

Thank you for your assistance in the past week by answering my questions and allowing me to come view the case file at your office. 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 2-86

WATER RIGHT NUMBER: 2-86

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

Priority Date: 08/01/1956

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>
COMMERCIAL	1/01 to 12/31	0.900 CFS	
	<u>Total Diversion:</u>	0.900 CFS	

Location of Point(s) of Diversion

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

Place of UseCOMMERCIAL Within TWIN FALLS County

T08S R14E S08 SWSW

John R. Rosholt, ISB #1037
Paul L. Arrington, ISB #7198
BARKER ROSHOLT & SIMPSON LLP
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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**

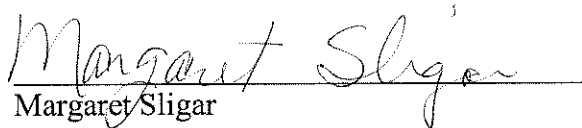
	)	
	)	
IN THE MATTER OF A NOTICE OF CLAIM	)	
TO WATER RIGHT 2-86 BY SLIGARS	)	AFFIDAVIT OF MARGARET SLIGAR
THOUSAND SPRINGS RESORT	)	
	)	
	)	
	)	
	)	
_____	)	

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

1. I currently reside at 3552 East 4000 North, Kimberly, Idaho 83341 and make the following statement relative to water right 2-86 based upon my 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. The Resort began diverting and using water in August of 1956. At that time, I participated in the installation of a pump on a well located on our property. Since that time, we have used the water pumped from that well for cold drinking water at the Resort, park and campground.
5. 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.
6. In 1993, we needed to deepen the well. I helped Keith Sligar, a deceased partner, coordinate getting this well deepened. *Exhibit 1.*
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.

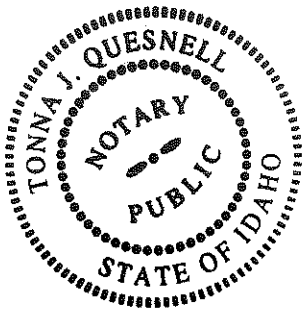
DATED THIS 27 day of Oct., 2005.


Margaret Sligar

County of Twin Falls

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.



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

EXHIBIT 1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PERMIT TO DRILL A WELL
NO. 47-93-S-0077-000

1. This is to certify, that
KEITH SLIGAR
HIGHWAY 30
HAGERMAN ID 83332
has applied for a permit on 5/25/1993 to drill a well and a permit is
APPROVED for construction as follows:

O
Receipt No.
2. Proposed Well Location: Township 08S, Range 14E, Sec. 8, SWSW
TWIN FALLS County
3. Proposed Use of Well: Non-Domestic Other
NON-DOMESTIC
4. Well Construction Information:
 - A. New Well
 - B. Proposed Surface Diameter 8 In. Proposed Maximum Depth 420 Ft.
 - C. Anticipated Bottom Hole Temperature: 85 F or less (Cold water well)
5. Construction Start Date: 5/26/1993
6. Anticipated Well Driller:
ELSING DRILLING & PUMP CO INC
NOTE: The actual well driller must be identified prior to drilling.

GENERAL CONDITIONS:

1. This well shall not be drilled more than 10% deeper than the proposed total depth or enlarged without prior authorization.
2. The well must be constructed or modified in compliance with the applicable statutes; specific conditions of approval shown on the water right permit, transfer, amendment, or injection well permit; and the rules and regulations of the Department for water appropriation, injection wells, and well construction.
3. This drilling permit is valid for two (2) months from approval date for the start of drilling.
4. This permit does not constitute any other local, county, state or federal approvals which may be required for construction or operation of a well. All wells must be drilled a minimum distance of 100 feet from a drain field. Domestic and Public Water Supply wells must be drilled a minimum distance of 50 feet and 100 feet respectively from a septic tank.
5. The well shall be constructed by a driller licensed in the State of Idaho.

(Continued)

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

Receipt No: 9015801

Date: 5/25/1993
Time: 16:38:59

Received From: KIEITH BLIGAR

Type of Payment	Program A cct	Amount
DRILLING PERMIT 47-93-S-0077-000 64115	229 21 1205	200.00

Total

\$200.00

CHECK 18919

Region: SOUTHERN

Signature: 

6. Approval of this drilling permit does not authorize trespass on the land of another party.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85 F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

This permit is issued pursuant to the provisions of Section 42-235, Idaho Code, Witness the signature of the Director, or his authorized agent, this

25 day of Mar, 1993.


R. Keith Higginson, Director
Ed

EXTENSION OF DRILLING PERMIT: Approved by _____
Approval Date: _____ This extension expires: _____