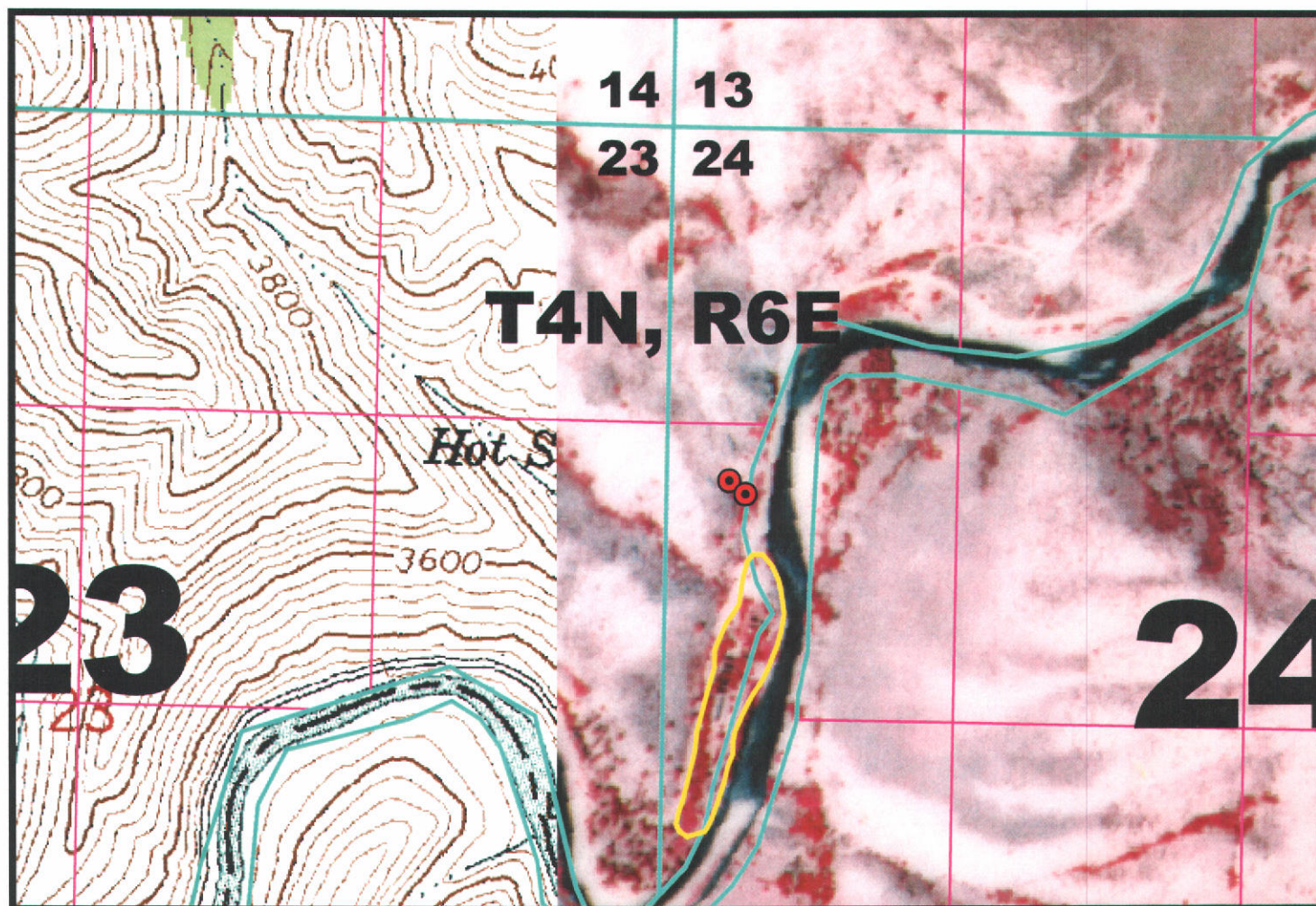




STATE OF IDAHO

Department of Water Resources
Western Region

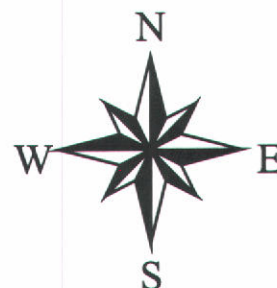
Water Right(s): 63-02252



1320 0 1320 Feet

Total Irrigated Acreage: 5.0

-  Point(s) of Diversion
-  Place of Use
-  Quarter Quarter Lines
-  Section Lines



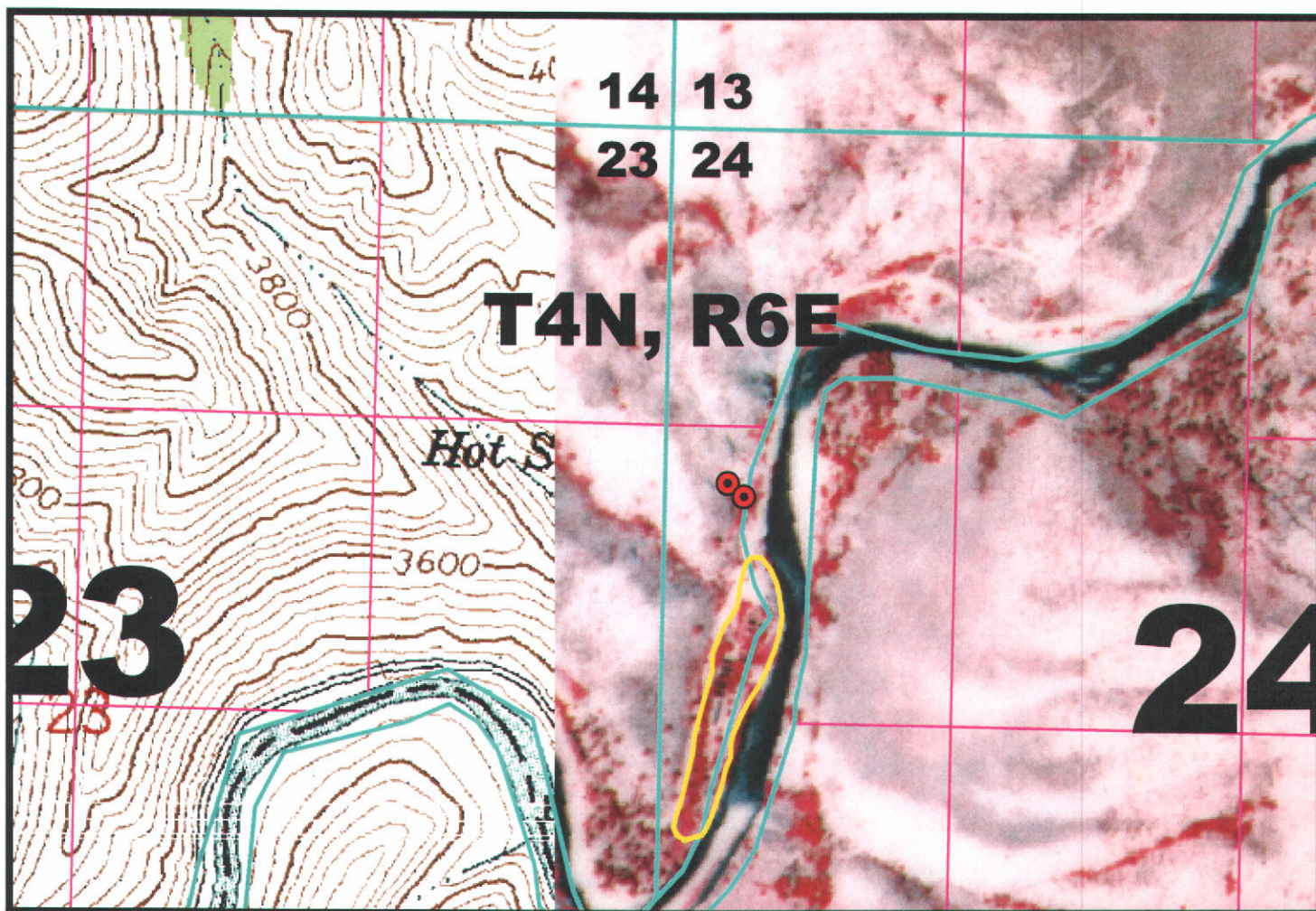
GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: May 2002



STATE OF IDAHO

Department of Water Resources
Western Region

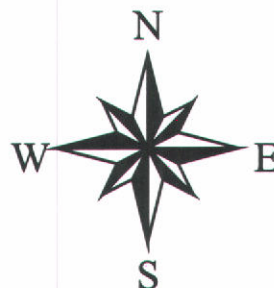
Water Right(s): 63-02252



1320 0 1320 Feet

Total Irrigated Acreage: 5.0

- Point(s) of Diversion
- Place of Use
- Quarter Quarter Lines
- Section Lines

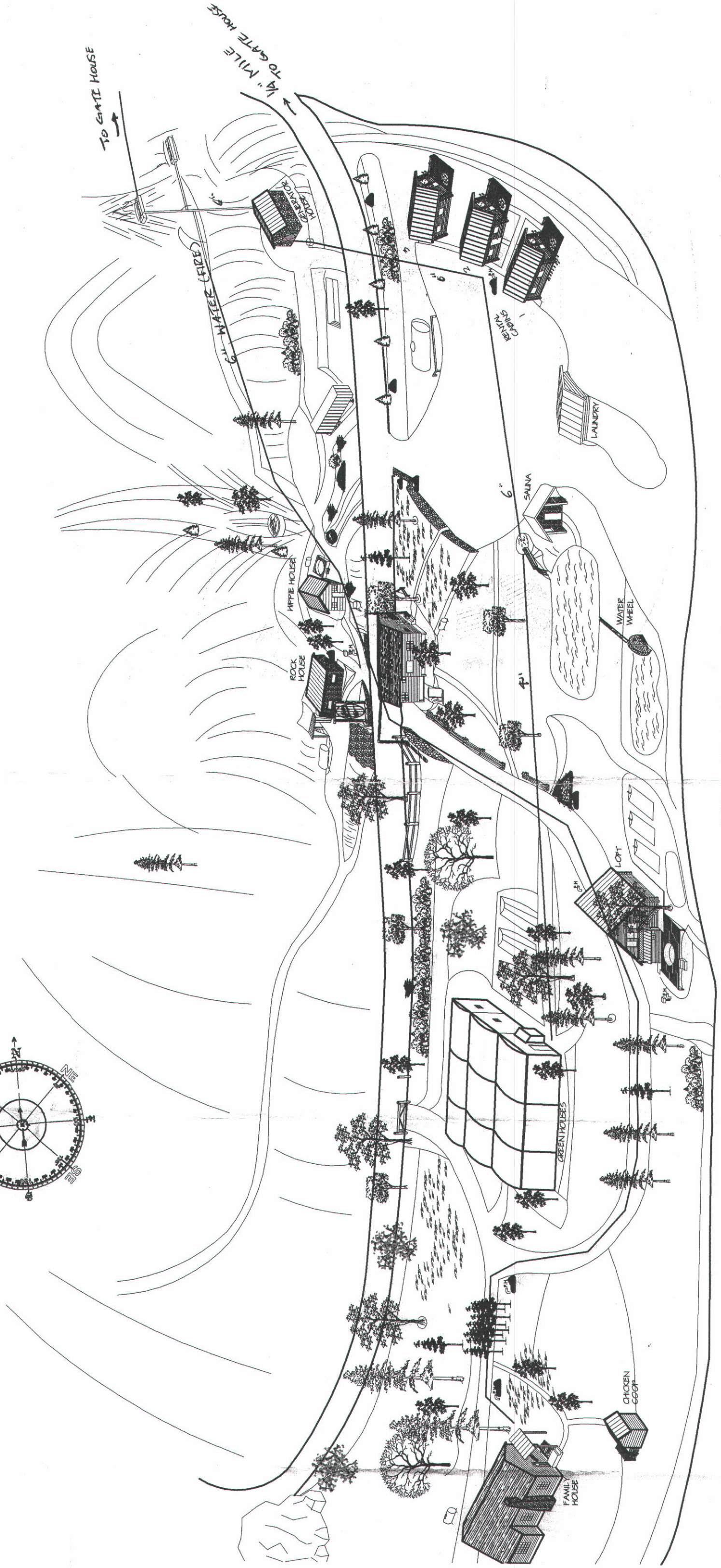
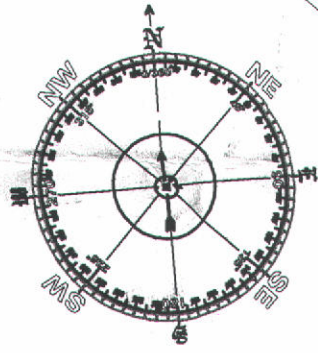


GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: May 2002

RECEIVED

MAY 20 2002

WATER RESOURCES
WESTERN REGION



MIDDLE FORK OF THE BOISE RIVER

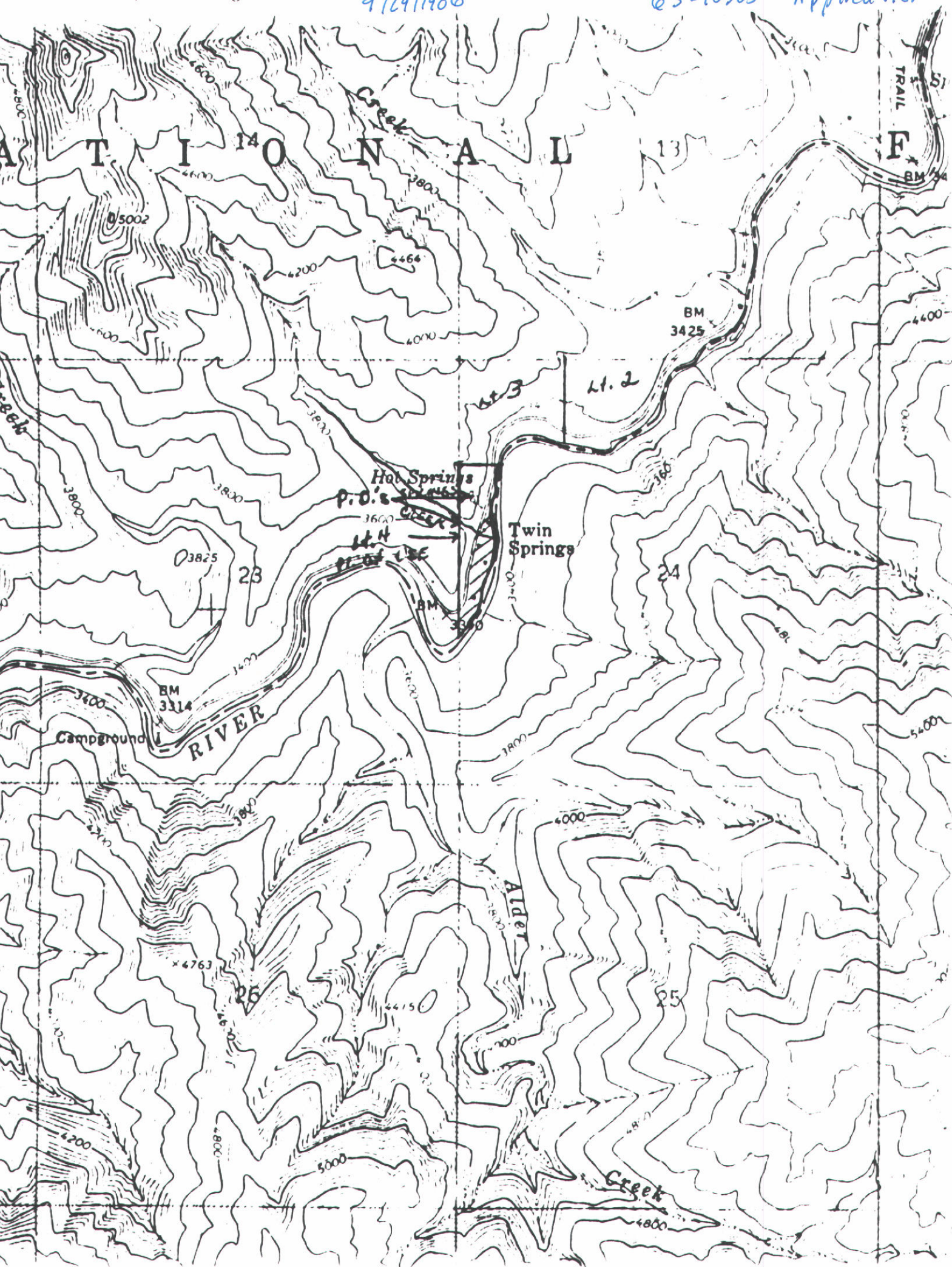
15

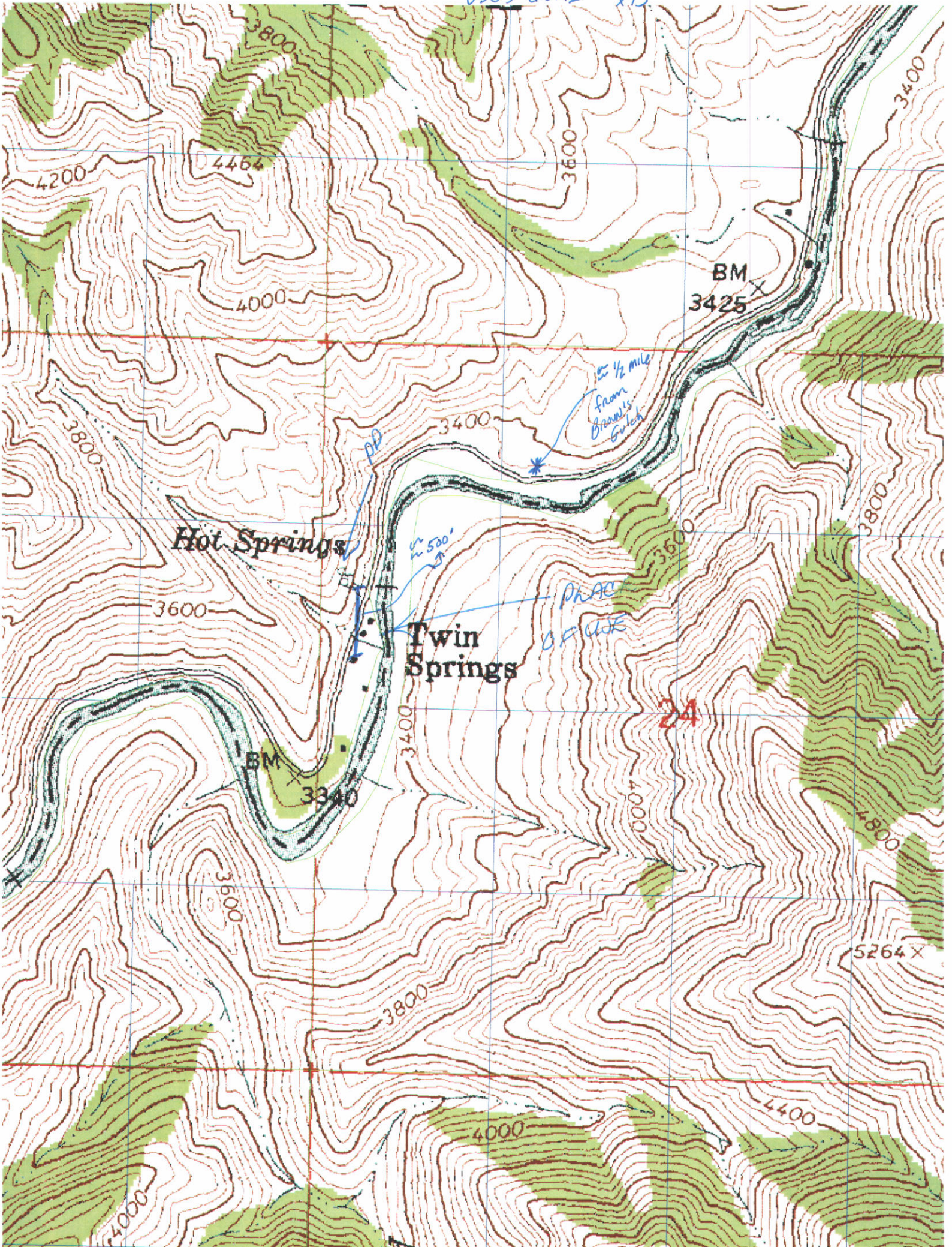
24



9/29/1986

63-10385 Application

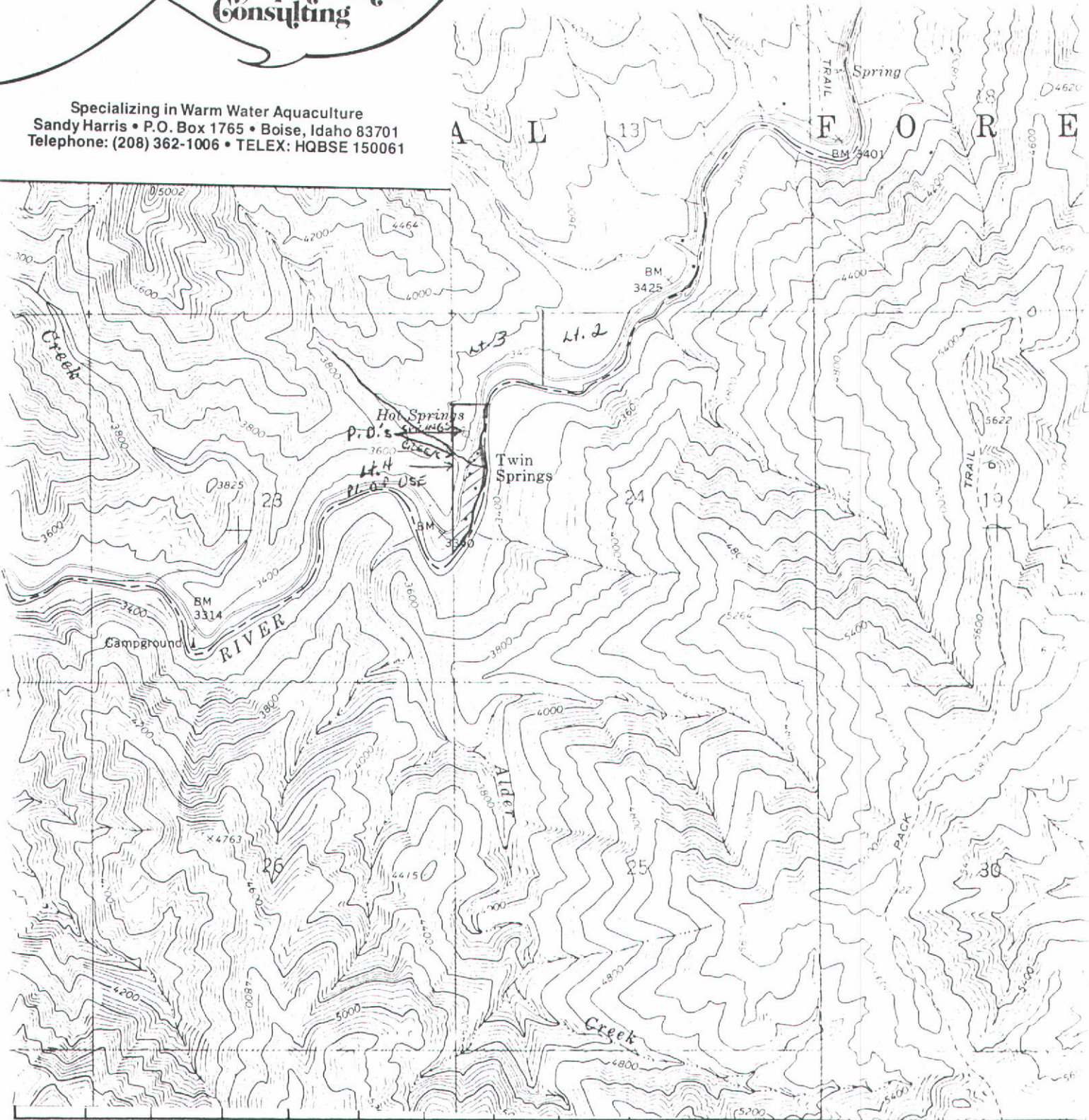




Harris Aquaculture Consulting

Specializing in Warm Water Aquaculture
Sandy Harris • P.O. Box 1765 • Boise, Idaho 83701
Telephone: (208) 362-1006 • TELEX: HQBSE 150061

the proposed point of diversion, place of use, section 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.

Charles W. Harris
PRESIDENT (Applicant)

County: Boise.
 Stream: Springs.
 Amount: 3 sec. ft.
 Use: Irrigation.
 Priority: 10-20-14.
 District No. 12 L.

STATE OF IDAHO

Water License No. 10783.
 Water District No. 12 L.

WHEREAS, On the 20th day of October, A. D. 1914 Mrs. Nora B. Sherrier, of Twin Springs, County of Boise, State of Idaho, duly made application (No. 15785) to me for a permit to use three (3) cubic feet per second of the waters of springs, in Water District No. 12 L, County of Boise, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 4th day of December, A. D. 1914, Permit No. 10783 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 4th day of December, A. D. 1916, and for the application to beneficial use of said water on or before the 4th day of December, A. D. 1916, and,

WHEREAS, On the 25th day of September, A. D. 1916, Mrs. Nora B. Sherrier the holder of said permit duly made proof of the completion of adequate works for the diversion of three (3) cubic feet per second of said waters, as evidenced by my Certificate No. 10783 dated September 26, 1916, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use three (3) cubic feet per second of said water, with date of priority of October 20, 1914, and,

WHEREAS, On the 9th day of December, A. D. 1916, Mrs. Nora B. Sherrier, the holder of said permit duly made proof of the application to beneficial use of three (3) cubic feet per second of said water:

WHEREAS, On the 3d day of December, A. D. 1917, Mrs. Nora B. Sherrier, the holder of said permit, filed an affidavit showing her name to have been changed to Mrs. Nora B. Johnson, and asked that her license be issued in the name of Mrs. Nora B. Johnson instead of Mrs. Nora B. Sherrier:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to Mrs. Nora B. Johnson of Boise, County of Ada, State of Idaho, the holder and owner of said Permit No. 10785, a perpetual right, dating from October 20, 1914, to the use of three (3) cubic feet per second of the waters of springs, in the County of Boise, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at springs, on north bank of Boise River, about $\frac{1}{2}$ mile below Brown's Gulch, and conducted to dwelling house and plunge for domestic purposes, and for irrigation on small garden and alfalfa field, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

2. State source of water supply: Springs on Boise River

3. Location of point of diversion: At Springs on N. bank of Boise river about $\frac{1}{2}$ m below Brown's Gulch.

4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: -----

5. Describe works as they exist, giving dimensions and capacities of same: -----

The existing works consist of two masonry boxes on firm foundations and a 6" V box leading from the springs to the dam. Each about 15 ft long.

THE EXISTING WORKS CONSIST OF TWO WOODEN BOXES ON SPRINGS

ONE 6" X 6" AND ONE A 6" V BOX LEADING FROM THE

SPRINGS TO THE HOUSE EACH ABOUT 150' LONG.

6. State whether or not water has been turned into works of diversion: Yes

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each

State whether or not water has been turned into works of diversion: yes

Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):

There is no land irrigated by the springs noted
and reason of no irrigation is because part of the
water is used in other sections from another
source is notiged on a first section of adjacent

THERE IS NO LAND IRRIGATED BY THE SPRINGS WHICH
ARE ~~THE~~ ^{TOO WARM} FOR IRRIGATION PURPOSES - PART OF THE
WASTE WATER WHEN MIXED WITH WATER FROM ANOTHER
SOURCE IS UTILIZED ON A FIVE ACRE TRACT OF ALFALFA

Submit map on enclosed plat, showing location and details of above description.

RECEIVED

JUN 24 2002

WATER RESOURCES
WESTERN REGION

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 63-2252
Date Received: 2/15/1989
Receipt No: W002205
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

TWIN SPRINGS RESORT LLC Phone: (208) 726-4636

PO BOX 3994
KETCHUM ID USA 83340

2. Date of Priority: 10/20/1914

3. Source: SPRINGS , UNNAMED STREAM , SPRINGS Trib. to: BOISE RIVER MIDDLE FORK,
BOISE RIVER MIDDLE FORK, BOISE RIVER MIDDLE FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	06E	24	NW SW NW 4	BOISE	
04N	06E	24	SW SW NW 4	BOISE	
04N	06E	24	NW SW NW 4	BOISE	

5. Description of diverting works:

SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.1	
DOMESTIC	01/01	12/31	2.9	

7. Total Quantity Appropriated is:
3 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	06E	24	SW	NW	4	DOMESTIC
			NW	SW	4	DOMESTIC
			SW	NW	4	IRRIGATION 3.3
			NW	SW	4	IRRIGATION 1.7
					Section Acres	5
					Total Acres	5

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

14. Remarks:

CLAIM AMENDED TO ADD UNNAMED STREAM AS SOURCE AS SPOKE ABOUT IN LICENSING FIELD EXAM. PURPOSE OF USE, SEASON OF USE, AND PLACE OF USE ALSO MODIFIED TO BETTER REPRESENT ACTUAL USE. CLAIM SET TO TEMPORARY STATUS UNTIL CLAIM SIGNED IN FRONT OF A NOTARY AND RETURNED TO THIS OFFICE (CSAXTON 5/15/02).

DESC. OF DIVERTING WORKS - HOT SPRINGS HAVE CONCRETE RETAINING WALL(DAM) W/8" STEEL PIPE TO 6" PIPE WITH BRANCHES OFF TO BLDGS. FOR HEATING AND DOMESTIC AND FOR IRRIGATION PURPOSES.

15. Basis of Claim: License

16. Signature(s)

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

Number of attachments: _____

For Organizations:

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

TWIN SPRINGS RESORT LLC, that I have signed the foregoing Organization

document in the space below as MEMBER of Title

TWIN SPRINGS RESORT LLC and that the statements contained in the Organization

foregoing document are true and correct. SPOT CORKEY Signature of Authorized Agent

MEMBER OF TWIN SPRINGS RESORT LLC Title and Organization

06-17-02 Date

State of Idaho)
County of BLAINE) SS.

Subscribed and sworn (or affirmed) before me this 17th DAY of JUNE 2002

[Signature]

Notary Public

Residing at BLAINE COUNTY, ID

My commission Expires 7-25-2003

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: A63-02252
Date Received: 2/15/1989
Receipt No: W002205
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: GEORGE C CASTLE
Address: HCR 35
BOISE ID

208-888-0857

83706

2. Date of Priority: OCT 20, 1914

3. Source: SPRINGS

Trib. to: BOISE RIVER, MIDDLE FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	06E	24	NW	SW	NW	4	BOISE

5. Description of diverting works:
SEE REMARKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S (or)	A.F.A.
IRRIGATION	04/01	11/01	0.100	
DOMESTIC <i>camp</i>	01/01	12/31	2.900	
— HEATING —	01/01	12/31	2.900	

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

D/RESTAURANT, BAR, CABINS(2) & SHOP, HEATING/SAME AS DOMESTIC.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	06E	24	SW	NW	4	IRR	5.0
			SW	NW	4	DOMEST	

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	06E	24	SW	NW	4	HEAT	
Section Acres							5.0
Total Acres							5.0

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:
PERMIT NO. 63-10385.

14. Remarks:
DESC. OF DIVERTING WORKS - HOT SPRINGS HAVE CONCRETE RETAINING
WALL(DAM) W/8" STEEL PIPE TO 6" PIPE WITH BRANCHES OFF TO BLDGS.
FOR HEATING AND DOMESTIC AND FOR IRRIGATION PURPOSES.

15. Basis of Claim: LICENSE

Water Right Number: 10783

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: A63-02252
Date Received: 2/14/1989
Receipt No: W002305
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MILES L. ABEL 208-345-1062
Address: 3188 HILLCREST LANE
BOISE, ID 83705
OR
Name: WILMA SCHUETZ ABEL 208-345-1062
Address: 3188 HILLCREST LANE
BOISE, ID 83705
2. Date of Priority: OCT 20, 1914
3. Source: SPRINGS Trib. to: BOISE RIVER, MIDDLE FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	06E	24	NW	SW	NW	4	BOISE
5. Description of diverting works:
SEE REMARKS.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.100		
DOMESTIC	01/01	12/31	2.900		
HEATING	01/01	12/31	2.900		
7. Total Quantity Appropriated is:
3.000 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
D/RESTAURANT, BAR, CABINS(2) & SHOP, HEATING/SAME AS DOMESTIC.

A63-02252

Page 1

Date: 02/14/89

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APR 4 1989

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	06E	24	SW	NW	4	IRR	5.0
			SW	NW	4	DOMEST	
			SW	NW	4	HEAT	
						Section Acres	5.0
						Total Acres	5.0

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:
PERMIT NO. 63-10385.

14. Remarks:
DESC. OF DIVERTING WORKS - HOT SPRINGS HAVE CONCRETE RETAINING
WALL(DAM) W/8" STEEL PIPE TO 6" PIPE WITH BRANCHES OFF TO BLDGS.
FOR HEATING AND DOMESTIC AND FOR IRRIGATION PURPOSES.

15. Basis of Claim: LICENSE
Water Right Number: 10783

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): Miles L. Galt Date: FEB. 14, 1989
Wilma Schuetz Galt Date: Feb 14, 1989

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 14th day

of February 19 89

Seal

Jan Thunte
Notary Public

Residing at Meridian ID
My Commission Expires 9-14-94



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 4/12/1990

LEGAL DESCRIPTION OF PROPERTY: Township 4N Range 6E
Section 24, SW 1/4 of NW 1/4 of 1/4 Govt. Lot 4, BM.
Lot 2, 3, 4, Block, , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☒ Water Right Number(s)
Assigned by IDWR: A63-02252

☐ Name and Address of Former Owner/Claimant(s)(Seller): Abel, MILES & Wilma
3188 Hulcrest Lane

☒ New Owner/Claimant (Purchaser): BOISE ID
GEORGE C CASTLE

☒ New Mailing Address: HCR 35
BOISE ID, 83706

☒ New Telephone Number: (208) 888-0857

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☒ Attach proof of ownership, describe proof attached: Quitclaim Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New Owner/Claimant(s): George C Castle Date 12-23-91

Date

☐ Signature of Former Owner/Claimant(s): _____ Date _____

Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 12/24/91 By: gy4

Further Action Needed:

NONE
Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

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AUG 10 1992

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

122567

QUITCLAIM DEED

FOR VALUE RECEIVED, MILES L. ABEL and WILMA S. ABEL, husband and wife, herein "Grantors," hereby quitclaim to GEORGE C. CASTLE, herein "Grantee," whose current address is Post Office Box 3070, Ketchum, Idaho 83340; all of Grantors' right, title and interest in and to the following described water rights, copies of which are attached hereto and incorporated herein by reference:

License No. 10783

Together with all other water rights, water on or appurtenant to the real property legally described as

Lots 2, 3 and 4 in Section 24, Township 4 North, Range East, Boise Meridian, Boise County, Idaho, EXCEPT roads and ditches and rights-of-way thereon. not specifically transferred herein or by Quitclaim Deed of even date.

water licenses, permits, claims or applications for water rights except those specifically transferred by quitclaim assignment of water permits of even date.

DATED this 12TH day of April, 1990.

Miles L. Abel
Miles L. Abel

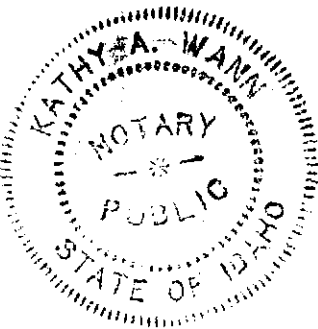
Wilma S. Abel
Wilma S. Abel

STATE OF IDAHO)
) ss.
County of Ada)

On this 12th day of April, 1990, before me,
a notary public in and for said county and state, personally
appeared MILES L. ABEL and WILMA S. ABEL, husband and wife, known to
me to be the persons whose names are subscribed to the within
instrument, and acknowledged to me that they 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.

Kathy A. Wann
NOTARY PUBLIC for Idaho
Residing at Boise, Idaho
My Commission Expires 9-1-91



Boise County Idaho ss
Request of

Security title
Time 16:24 O.T.
Date 4/12/90

156126

Arlene C. Kolor

By Dola Yonker
(Deputy)
Fee \$30.00

County: Boise.
 Stream: Springs.
 Amount: 3 sec. ft.
 Use: Irrigation.
 Priority: 10-20-14.
 District No. 12 L.

S T A T E O F I D A H O

Water License No. 10783.
 Water District No. 12 L.

WHEREAS, On the 20th day of October, A. D. 1914 Mrs. Nora B. Sherrier, of Twin Springs, County of Boise, State of Idaho, duly made application (No. 15785) to me for a permit to use three (3) cubic feet per second of the waters of springs, in Water District No. 12 L, County of Boise, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 4th day of December, A. D. 1914, Permit No. 10783 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 4th day of December, A. D. 1916, and for the application to beneficial use of said water on or before the 4th day of December, A. D. 1916, and,

WHEREAS, On the 25th day of September, A. D. 1916, Mrs. Nora B. Sherrier the holder of said permit duly made proof of the completion of adequate works for the diversion of three (3) cubic feet per second of said waters, as evidenced by my Certificate No. 10783 dated September 26, 1916, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use three (3) cubic feet per second of said water, with date of priority of October 20, 1914. and,

MICROFILMED

AUG 10 1982

to the place of intended use three (3) cubic feet per second of said water, with date of priority of October 20, 1914. and,

WHEREAS, On the 9th day of December, A. D. 1916, Mrs. Nora B. Sherrier, the holder of said permit duly made proof of the application to beneficial use of three (3) cubic feet per second of said water:

WHEREAS, On the 3d day of December, A. D. 1917, Mrs. Nora B. Sherrier, the holder of said permit, filed an affidavit showing her name to have been changed to Mrs. Nora B. Johnson, and asked that her license be issued in the name of Mrs. Nora B. Johnson instead of Mrs. Nora B. Sherrier:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to Mrs. Nora B. Johnson of Boise, County of Ada, State of Idaho, the holder and owner of said Permit No. 10785, a perpetual right, dating from October 20, 1914, to the use of three (3) cubic feet per second of the waters of springs, in the County of Boise, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at springs, on north bank of Boise River, about $\frac{1}{2}$ mile below Brown's Gulch, and conducted to dwelling house and plunge for domestic purposes, and for irrigation on small garden and alfalfa field, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

MICROFILMED

AUG 13 1992

63 2252

MICROFILMED

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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 63-02252

774 AUG 30 PM 4:30
SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: TWIN SPRINGS RESORT LLC
PO BOX 3994
KETCHUM, ID 83340

SOURCE: SPRINGS TRIBUTARY: MIDDLE FORK BOISE RIVER
UNNAMED STREAM TRIBUTARY: MIDDLE FORK BOISE RIVER

QUANTITY: 3.00 CFS

USE OF THIS RIGHT WITH RIGHT NO. 63-10385 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3.0 CFS.

PRIORITY DATE: 10/20/1914

POINT OF DIVERSION: T04N R06E S24 LOT 4 (NWSWN) Within Boise County
LOT 4 (NWSWN)
LOT 4 (SWSWN)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.10 CFS
	Domestic	01-01 TO 12-31	2.90 CFS

DIVERSION FOR IRRIGATION UNDER THIS WATER RIGHT PRIOR TO APRIL 1
AND AFTER OCTOBER 31 SHALL OCCUR ONLY AS AUTHORIZED BY THE WATER
DISTRICT 63 WATERMASTER AND ONLY WHEN WATER IS BEING RELEASED
FOR FLOOD CONTROL BY THE UNITED STATES FROM THE LUCKY PEAK DAM
OUTLET UNDER PROCEDURES AND REQUIREMENTS FOR THE MEMORANDUM OF
AGREEMENT BETWEEN THE U.S. DEPARTMENT OF THE ARMY AND THE U.S.
DEPARTMENT OF THE INTERIOR FOR FLOOD CONTROL OPERATIONS OF THE
BOISE RIVER RESERVOIRS, DATED NOVEMBER 20, 1953, THE WATER
CONTROL MANUAL FOR BOISE RIVER RESERVOIR DATED APRIL 1985 AND
ANY FUTURE AMENDMENTS OR REVISIONS MADE THERETO PURSUANT TO
STATE OR FEDERAL PROCEDURES OR LAW; PROVIDED THAT ANY SUCH USE
OF THIS WATER RIGHT PRIOR TO APRIL 1 AND AFTER OCTOBER 31 SHALL
BE SUBORDINATED TO WATER RIGHTS FOR STORAGE IN LUCKY PEAK
RESERVOIR, ARROWROCK RESERVOIR AND/OR LAKE LOWELL AS DECREED
IN SRBA CASE NO. 39576

PLACE OF USE:	Irrigation	Within Boise County
	T04N R06E S24 LOT 4 (SWNW) 3.3	LOT 4 (NWSW) 1.7
	5.0 Acres Total	
Domestic	Within Boise County	
T04N R06E S24 LOT 4 (SWNW)	LOT 4 (NWSW)	

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

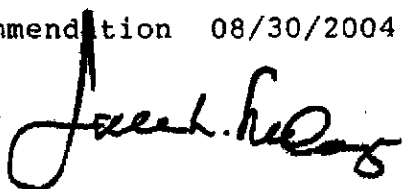
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC
USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

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

RULE 54(b) CERTIFICATE

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

Recommendation 08/30/2004



John M. Melanson
Presiding Judge of the
Snake River-Basin Adjudication

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-2252

NAME AND ADDRESS: TWIN SPRINGS RESORT LLC
PO BOX 3994
KETCHUM ID 83340

SOURCE: SPRINGS TRIBUTARY: MIDDLE FORK BOISE RIVER
UNNAMED STREAM TRIBUTARY: MIDDLE FORK BOISE RIVER

QUANTITY: 3.000 CFS
USE OF THIS RIGHT WITH RIGHT NO. 63-10385 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 3.0 CFS.

PRIORITY DATE: 10/20/1914

POINT OF
DIVERSION: T04N R06E S24 NWSNW Lot 4 Within BOISE County
T04N R06E S24 NWSNW Lot 4 Within BOISE County
T04N R06E S24 SWSNW Lot 4 Within BOISE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DOMESTIC	01/01 12/31	2.900 CFS
IRRIGATION	03/15 11/15	0.100 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Watermaster and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoir dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Arrowrock Reservoir and/or Lake Lowell as decreed in SRBA Case No. 39576.

PLACE OF USE: IRRIGATION Within BOISE County
T04N R06E S24 Lot 4 SWNW 3.3 T04N R06E S24 Lot 4 NWSW 1.7
DOMESTIC Within BOISE County
T04N R06E S24 Lot 4 SWNW T04N R06E S24 Lot 4 NWSW

5 ACRES TOTAL

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

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License
DOMESTIC: 8 HOMES

Sub
2 *DL*
OPB

Craig

RECEIVED

FEB 4 - 2003

Department of Water Resources

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

In Re SRBA

Case No. 39576

A. Subcase 63-2252
(Insert water right number)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Reclamation, Regional Director PN Code-3100
Address: 1150 N. Curtis Rd. Suite 100
Boise, Idaho 83706-1234
Daytime Phone: (208) 378-5306 E.Gail McGarry

Name & Address of Attorney, if any:
David W. Gehlert (303 312-7352)
Trial Attorney, General Litigation Section
Environment and Natural Resource Division
U.S. Department of Justice
999 18th Street, Suite N 945
Denver, CO 80202

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

Name: Twin Springs Resort LLC
Address: PO Box 3994
Ketchum, ID 83340

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

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☐ **Point(s) of Diversion**
Should be:
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☒ **Period of Year**
Should be: April 1 to November 1
9. ☐ **Place of Use**
Should be:
11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described.

E. REASONS SUPPORTING EACH OBJECTION(S):

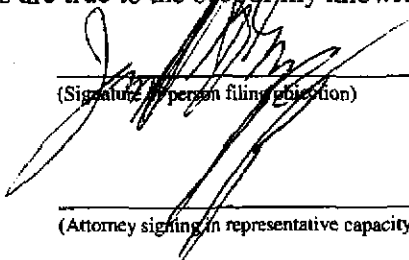
The Director's Report recommendation appears to expand the Season of Use beyond a customary maximum of April 1 to November 1, which would allow (a) injury to the United States' water rights, (b) impairment of historic river conditions conducive to regular United States Bureau of Reclamation diversions to storage reservoirs and the New York Canal, and (c) diminution of contract water reliability.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

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

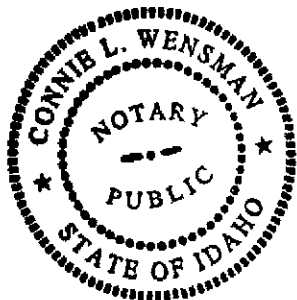
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

January 29, 2003



Connie L. Wensman
Connie L. Wensman

Notary Public for: Idaho

Residing at: Meridian

My Commission Expires: 10-06-2004

INSTRUCTIONS FOR MAILING

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

G. CERTIFICATE OF MAILING

I certify that on January 31, 2003, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

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

Name: Twin Springs Resort LLC

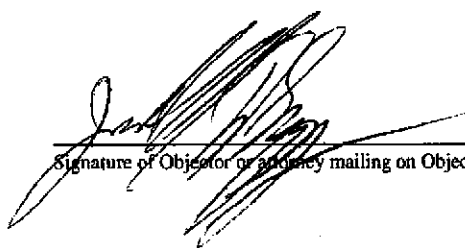
Address: PO Box 3994
Ketchum, ID 83340

3. Copies to:

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

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724


Signature of Objector or attorney mailing on Objector's behalf

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

In Re SRBA)

Case No. 39576)

A. Subcase Number: See Attachment A
(Insert water right number)

**STANDARD FORM 1
OBJECTION RECEIVED**

JAN 31 2003

Department of Water Resources

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Boise Project Board of Control acting on its own behalf and on behalf of
and for the following individual entities:
New York Irrigation District, Nampa & Meridian Irrigation District, Wilder
Irrigation District, Boise-Kuna Irrigation District, Big Bend Irrigation
District
Address: 2465 Overland Road
Boise, Idaho 83705
Phone: (208) 344-1141

Name & Address of Attorney, if any:
Albert P. Barker, ISB # 2867
Amy D. Chestnut, ISB # 5904
Barker Rosholt & Simpson, LLP
205 North 10th Street, Suite 520
P.O. Box 2139
Boise, Idaho 83701-2139
Telephone: 208-336-0700
Facsimile: 208-344-6034

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

Name: See Attachment B
Address:

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

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☐ **Point(s) of Diversion**
Should be:
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☒ **Period of Year**
Should be: April 1 to November 1
9. ☐ **Place of Use**
Should be:
11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described.

E. **REASONS SUPPORTING EACH OBJECTION(S):** The Director's Report recommendation appears to expand the Season of Use beyond a customary maximum of April 1 to November 1, which would allow injury to the objector's water rights and diminution of contract water reliability.

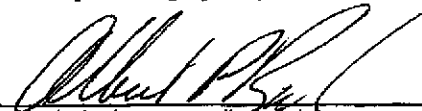
F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

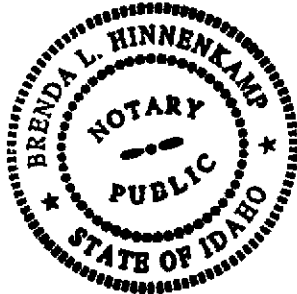
Albert P. Barker, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)


(Attorney signing in representative capacity)

Subscribed and sworn to before me on: January 30, 2003



Brenda L. Hinnenkamp
Brenda L. Hinnenkamp
Notary Public for: Idaho
Residing at: Boise
My Commission Expires: 9/11/2004

INSTRUCTIONS FOR MAILING

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

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P.O. Box 2707
Twin Falls, ID. 83303-2707

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

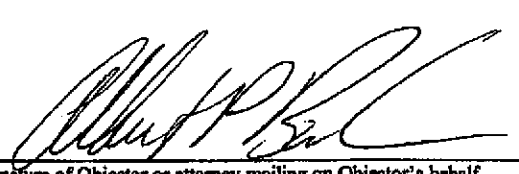
Name: See Attachment B
Address:

3. Copies to:

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

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of Objector or attorney mailing on Objector's behalf

Attachment A

63-3540	63-7984A	63-7984B
63-8624	63-10279	63-31335
63-31336	63-7119	63-7115
63-148B	63-15395	63-2472
63-7529	63-7037	63-2026
63-7207	63-31077	63-5102
63-5192	63-318A	63-318C
63-4629A	63-4797	63-4810
63-5101	63-31074	63-31289
63-31328	63-19A	63-19B
63-378	63-4636	63-5057
63-31124	63-31173	63-31174
63-31319	63-31320	63-31397
63-4548	63-3125	63-15093
63-15677	63-31317	63-5332
63-5334	63-4071	63-31380
63-5235	63-4629C	63-31454
63-5408	63-2171	63-5167
63-317B	63-320A	63-7613D
63-30310	63-97	63-15409
63-3447D	63-3447B	63-3447C
63-5161B	63-15101	63-4731
63-3422B	63-5161C	63-3422A
63-5251	63-5250	63-15684
63-5108	63-15427	63-15094
63-15206	63-15373	63-2252

ATTACHMENT D

63-3540

Rex E Lanham
2630 Highway 21
Boise ID 83716

63-8624

Randall A Ambuehl
HC 33 Box 1610
Boise ID 83706

63-31336

Wilderness Ranch Owners Assn Inc
46 Wilderness Ranch Rd
Boise ID 83716

63-148B

South Boise Water Co
PO Box 6005
Boise ID 83707

63-7529

Walter M Nichols
Thelma E Nichols
14 Cougar Lane
Boise ID 83716

63-2026

James E Bryant
1915 N 11th
Boise ID 83712

63-5102

Laura LA May Holmes
2391 Sheri Dr
Emmett ID 83617

63-318C

Paula E Lewis
Stephen E Lewis
PO Box 4002
Boise ID 83711-4002

63-4810

Walter S Nichols
Sara A Nichols
12 Cougar Ln
Boise ID 83716

63-31289

Walter M Nichols
Thelma E Nichols
14 Cougar Lane
Boise ID 83716

63-7984A

Teresa L Raschke
Steven L Raschke
2095 Panama St
Boise ID 83705

63-10279

Cumer L Green
PO Box 2597
Boise ID 83701

63-7119

Michael Robich
Lynette Robich
87 Beaver Creek Rd
Boise ID 83716

63-15395

Marilyn Priest
Jay R Priest
PO Box 122
Idaho City ID 83631

63-7037

Blue Jay Creek Water & Road Users Inc
C/O Robert O Walker
129 Blue Jay Creek Rd
Boise ID 83706

63-7207

Barbara W Little
1980 Myers Rd
Boise ID 83706

63-5192

David Steadman
Lynae Steadman
8873 Ottawa Ct
Boise ID 83709

63-4629A

Wilderness Ranch Owners Assn Inc
46 Wilderness Ranch Rd
Boise ID 83716

63-5101

Marilyn Priest
Jay R Priest
PO Box 122
Idaho City ID 83631

63-31328

Michael C Perry
Tami J Perry
10 Cougar Ln
Boise ID 83716

63-7984B

Lawrence Poisson
Sheila Poisson
3193 Highway 21
Idaho City ID 83716

63-31335

Val Dean Schroeder
13 Blacksmith Road
Boise ID 83716

63-7115

Michael Robich
Lynette Robich
87 Beaver Creek Rd
Boise ID 83716

63-2472

Chapman Ranch LLC
737 N 7th St
Boise ID 83702

63-2026

Hilda Larson
3015 Silver St
Boise ID 83703

63-31077

State of Idaho
Dept of Parks & Recreation
PO Box 83720
Boise ID 83720-0065

63-318A

Ranch Subdivision Property Owners
Assn
26 Burnett Dr
Boise ID 83716

63-4797

Connie Jo Cooper
Douglas S Cooper
2268 Highway 21
Boise ID 83716

63-31074

Barry Marcus
737 N 7th St
Boise ID 83702

63-19A

Larry R Smith
Alda L Smith
8442 W Beachside Ct
Boise ID 83703

63-19B

Rosemary Swanstrum
Philip Swanstrum
2708 Columbus
Boise ID 83705

63-5057

Francis Mangum
Shirley Mangum
17 Old Mill Rd
Boise ID 83716

63-31174

Michal Sweeney
28 N Fork Clear Creek Rd
Boise ID 83716

63-31397

Michael E Claus
Connie M Claus
105 Johnson Creek Rd
Boise ID 83716

63-15093

Gail G Allen
Robert P Allen
14 Allen Ln
Boise ID 83716

63-5332

Osprey Land Co
737 N 7th St
Boise ID 83702

63-5235

Rex E Lanham
2630 Highway 21
Boise ID 83716

63-5408

Scott R Nicholson, Thomas Emil Nicholson,
Christine Nicholson et al
C & T Ranches Inc
PO Box 690
Meridian ID 83680-0690

63-317B

Richard A Stull
K Gail Richardson
13 Robie Creek Ln
Boise ID 83716

63-97

L G Davison & Sons Inc
1969 Prairie Rd
Prairie ID 83647-9803

63-378

Dirk L Marcum
14364 E Highway 21
Boise ID 83716

63-31124

Allen Cupit
Diana Cupit
25 Old Mill Rd
Boise ID 83716

63-31319

Sandra Miner
1512 Apache Dr Unit D
Chula Vista CA 91910-8160

63-4548

James R Stringfellow
787 David Way
North Salt Lake UT 84054

63-15677

Barry Marcus
737 N 7th St
Boise ID 83702

63-4071

Robert P. Perez
Laurie A. Perez
20 Colleen Lane
Boise, ID 83716

63-4629C

Sherry Smith
James C Smith
7 Mores Creek Cir
Boise ID 83716

63-2171

Rex B Lanham
2630 Highway 21
Boise ID 83716

63-320A

Wade C Woolery
1902 Thompson Street
Richland WA 99352

63-15409

Wilda Bradley
33 Wild Rose Ln
Boise ID 83716

63-4636

Connie M Claus
105 Johnson Creek Rd
Boise ID 83716

63-31173

Hide Associates Partnership
Boise Holcomb Inc
737 N 7th St
Boise ID 83702

63-31320

David Peterson
Toni Peterson
14 Homestead Ct
Boise ID 83716

63-3125

State of Idaho
Dept of Fish & Game
PO Box 25
Boise ID 83707

63-31317

Rex E Lanham
2630 Highway 21
Boise ID 83716

63-31380

Rex E Lanham
2630 Highway 21
Boise ID 83716

63-31454

Jay D Hollinger
Carol L Hollinger
51 Daggett Creek Rd
Boise ID 83716

63-5167

Rex B Lanham
2630 Highway 21
Boise ID 83716

63-7613D

Marvenna S Hodgins
Marilyn E Dawson
PO Box 6466
Boise ID 83707

63-30310

Steven D Cummings
545 Robie Creek
Boise ID 83716

63-3447B
Biff Eshelman
31 Sonshine Lane
Boise ID 83716

63-15101
Steven D Cummings
545 Robie Creek
Boise ID 83716

63-5161C
Sterling Turner
Debbie Turner
328 Robie Creek Rd.
Boise ID 83716

63-5250
Jan Blum
27 Idaho City Stage Rd
Boise ID 83716

63-15684
Chapman Ranch LLC
737 N 7th St
Boise ID 83702

63-15094
Gail G Allen
Robert P Allen
14 Allen Ln
Boise ID 83716

63-2252
Twin Springs Resort LLC
PO Box 3994
Ketchum ID 83340

63-3447C
Alan K Johnson
3929 Overland Rd #840
Boise ID 83715

63-4731
Wilda Bradley
33 Wild Rose Ln
Boise ID 83716

63-3422A
Mary Lou Pote
William W H Pote
27 Idaho City Stage Rd
Boise ID 83716

63-5251
Mary Lou Pote
William W H Pote Jr
27 Idaho City Stage Rd
Boise ID 83716

63-5108
Chapman Ranch LLC
737 N 7th St
Boise ID 83702

63-15206
Val Dean Schroeder
13 Blacksmith Rd
Boise ID 83716

63-3447D
Joan Stephens
James R Stephens
3939 S Transport
Boise ID 83705

63-5161B
Dwayne Wright
Lizabeth Wright
4 Larkspur Lane
Boise, ID 83716

63-3422B
Virginia M Cafferty
Allan E Cafferty
2121 S Eagleson
Boise ID 83705

63-15427
Maurice Brown
11 Hoover Dr
Boise ID 83716

63-5334
Osprey Land Co
737 N 7th Street
Boise, ID 83702

63-15373
Rex E. Lanham
2630 Highway 21
Boise ID 83716

07/24/2002

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-2252

NAME AND ADDRESS: TWIN SPRINGS RESORT LLC
PO BOX 3994
KETCHUM ID 83340

SOURCE: SPRINGS TRIBUTARY: MIDDLE FORK BOISE RIVER
UNNAMED STREAM TRIBUTARY: MIDDLE FORK BOISE RIVER

QUANTITY: 3.00 CFS
USE OF THIS RIGHT WITH RIGHT NO. 63-10385 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 3.0 CFS.

PRIORITY DATE: 10/20/1914

POINT OF DIVERSION:
T04N R06E S24 NWSWNW Lot 4 Within BOISE County
T04N R06E S24 NWSWNW Lot 4 Within BOISE County
T04N R06E S24 SWSWNW Lot 4 Within BOISE County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	2.900 CFS
IRRIGATION	03/15 11/15	0.100 CFS

PLACE OF USE: DOMESTIC Within BOISE County
T04N R06E S24 Lot 4 SWNW T04N R06E S24 Lot 4 NWSW
IRRIGATION Within BOISE County
T04N R06E S24 Lot 4 SWNW 3.3 T04N R06E S24 Lot 4 NWSW 1.7

5 ACRES TOTAL

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

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.

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

EXPLANATORY MATERIAL: License
DOMESTIC: 8 HOMES

Twin Springs Resort

Natural Thermal Springs • Rental Cabins

RELAX - ENJOY A HOT TUB

Twin Springs
H.C.R. 35
Boise, ID 83716

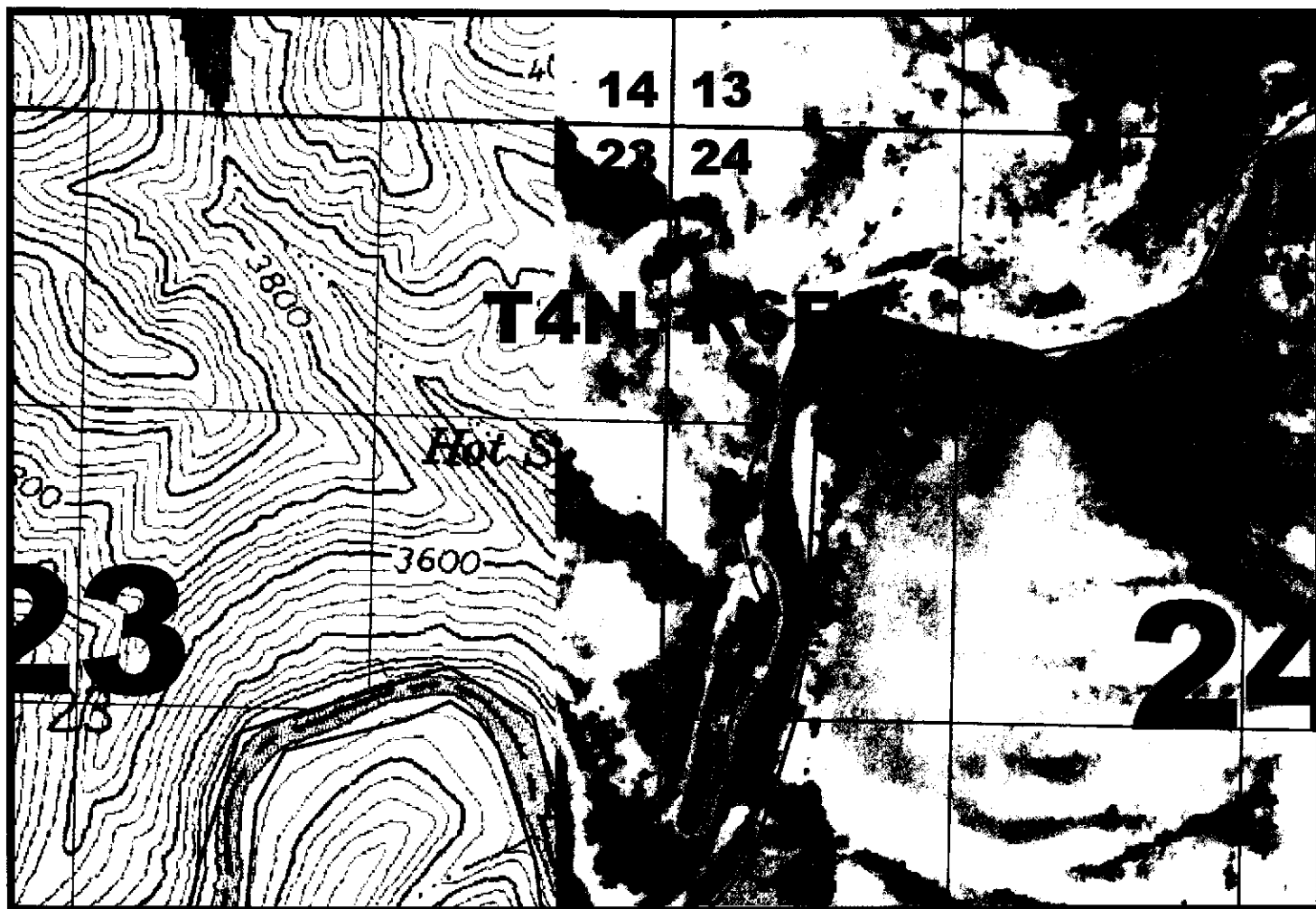
RESERVATIONS
(208) 861-1226



STATE OF IDAHO

Department of Water Resources
Western Region

Water Right(s): 63-02252

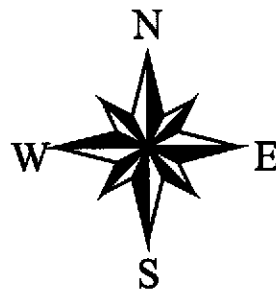


1320 0 1320 Feet



Total Irrigated Acreage: 5.0

- Point(s) of Diversion
- Place of Use
- Quarter Quarter Lines
- Section Lines



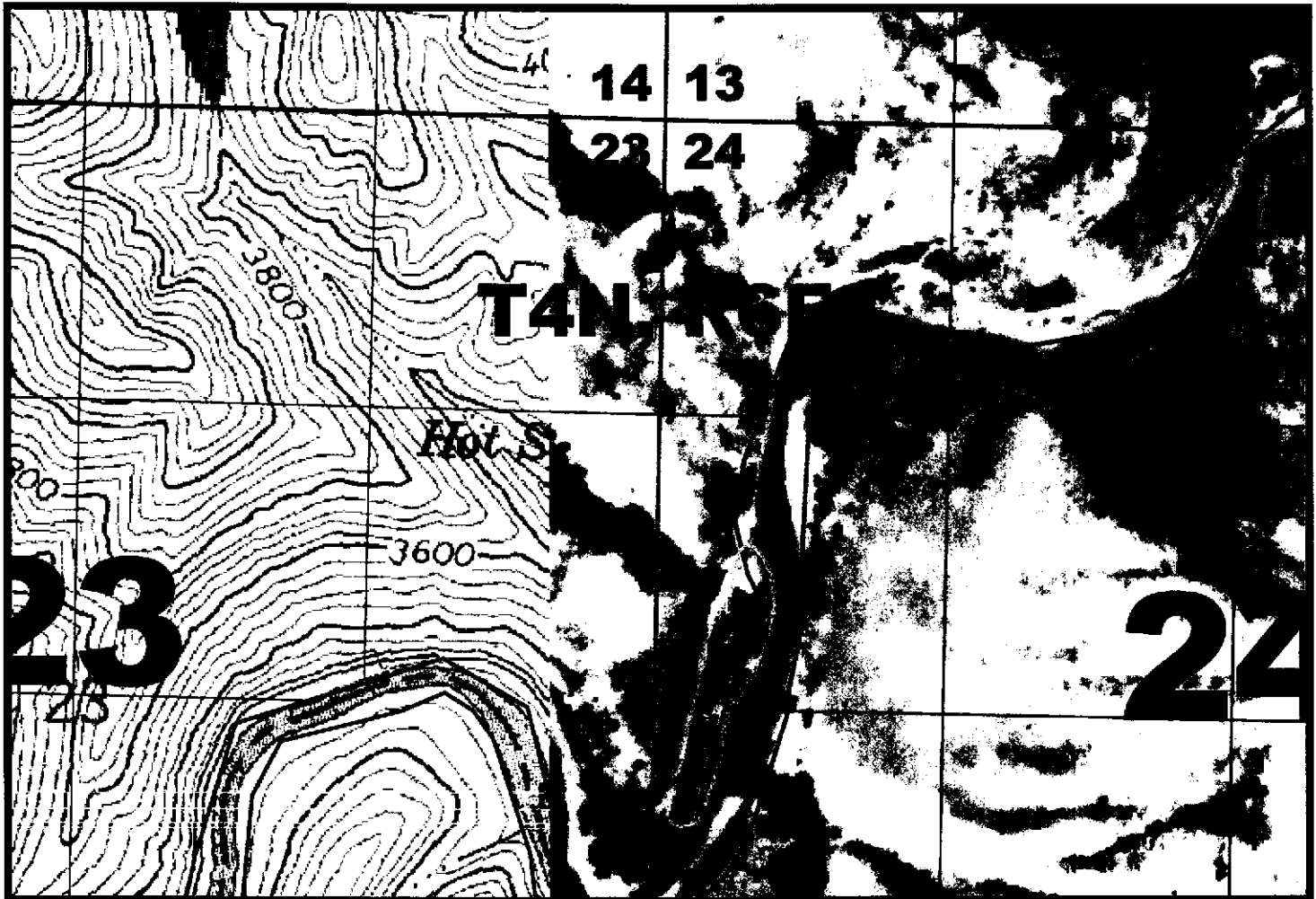
GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: May 2002



STATE OF IDAHO

Department of Water Resources
Western Region

Water Right(s): 63-02252



1320 0 1320 Feet

Total Irrigated Acreage: 5.0



Point(s) of Diversion



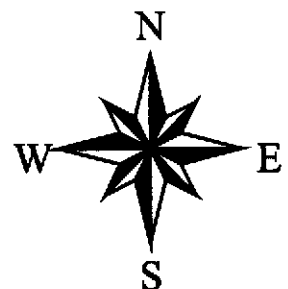
Place of Use



Quarter Quarter Lines



Section Lines



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: May 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2252 V1

WATER RIGHT NUMBER: 63-2252 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	GEORGE C CASTLE HCR 35 BOISE, ID 83706 (208)888-0857
Original Owner	NORA B JOHNSON TWIN SPRINGS, ID
Original Owner	NORA B SHERRIER , ID
Original Owner	MILES L ABEL 3188 HILLCREST LN BOISE, ID 83705 (208)345-1062
Original Owner	WILMA SCHUETZ ABEL 3188 HILLCREST LN BOISE, ID 83705 (208)345-1062
Current Owner	GEORGE C CASTLE C/O SCOTT CORKERY PO BOX 3994 KETCHUM, ID 83340 (208) 726-4636

Priority Date: 10/20/1914

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRINGS	MIDDLE FORK BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	2.900 CFS	
IRRIGATION	03/15 to 11/15	0.100 CFS	
	<u>Total Diversion:</u>	3.000 CFS	

Location of Point(s) of Diversion

SPRINGS BOISE County	L4 NW1/4SW1/4NW1/4	Sec. 24, Twp 04N, Rge 06E, B.M.
SPRINGS BOISE County	L4 NW1/4SW1/4NW1/4	Sec. 24, Twp 04N, Rge 06E, B.M.

Place of UseDOMESTIC Within BOISE County

T04N R06E S24 Lot 4 SWNW T04N R06E S24 Lot 4 NWSW

IRRIGATION Within BOISE County

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2252 V1

T04N R06E S24 Lot 4 SWNW 3.3 T04N R06E S24 Lot 4 NWSW 1.7

Total Acres: 5

Conditions of Approval:

1. 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.
2. N10 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:

1. Quantity USE OF THIS RIGHT WITH RIGHT NO. 63-10385 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.0 CFS.

Comments:

1. csaxton 5/14/2002 POD

Comment: Location of POD not defined in license. WR records place springs in NENW S24, T4N, R6E. Actual location of springs is SWNW Govt Lot 4 Section 24. Actual location of springs or POD have not changed other than paper trail. No C03.

2. csaxton 5/14/2002 Contacts

Comment: George Castle passed recently. New owner is his son Scott Corkery. Scott has not processed the change of ownership of the land at this time so the claim cannot be put in Scotts name. Claim left in Georges name, but address changed to send mailing to Scott. NCO still needed.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal:
 Owner Name Connector: 0
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust: False
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: OR

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	5/14/2002 10:44:40 AM	csaxton			Active
POD	5/14/2002 10:49:04 AM	csaxton			Active
Source	5/14/2002 11:10:12 AM	csaxton			Active
POU	5/14/2002 11:11:31 AM	csaxton			Active
Use	5/14/2002 11:16:00 AM	csaxton			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2252 V1

Season	5/14/2002 11:17:46 AM	csaxton	Active
Quantity	5/14/2002 11:18:06 AM	csaxton	Active
Summary	05/14/2002	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	5/14/2002 10:44:14 AM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Field Exam 5/11/02
POU	5/14/2002 11:11:30 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (No) 5. Does the Decree or License have a POU? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Field Exam 5/11/02
Priority Date	5/14/2002 10:44:40 AM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	5/14/2002 10:49:04 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the Decree or License have a POD? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
Source	5/14/2002 11:10:12 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2252 V1

Use	5/14/2002 11:16:00 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (No) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Field Exam 5/11/02
Season	5/14/2002 11:17:46 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
POD	5/14/2002 11:18:06 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?
Summary	5/14/2002 1:01:57 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (No) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?

Saxton, Craig

From: Scottatwork [Scottcorkery@sunvalley.net]
Sent: Monday, June 17, 2002 8:04 AM
To: Saxton, Craig
Subject: Re: Twin Springs Resort LLC - Scott Corkery & June Schlunegger

That would be great.

Thanks!

----- Original Message -----

From: "Saxton, Craig" <csaxton@idwr.state.id.us>
To: "'Scottatwork'" <Scottcorkery@sunvalley.net>
Sent: Friday, June 14, 2002 2:53 PM
Subject: RE: Twin Springs Resort LLC - Scott Corkery & June Schlunegger

> Scott,

>

> I am assuming you want the recommendation to retain the Ketchum address.

>

> Unless I hear from you differently, the recommendation contact information

> will read as follows:

>

> Twin Springs Resort LLC

> PO Box 3994

> Ketchum ID 83440

>

> Later,

>

> Craig

>

> -----Original Message-----

> **From:** Scottatwork [mailto:Scottcorkery@sunvalley.net]

> **Sent:** Friday, June 14, 2002 2:31 PM

> **To:** Saxton, Craig; Lori Graves

> **Subject:** Fw: Twin Springs Resort LLC - Scott Corkery & June Schlunegger

>

>

> Hi Lori and Craig,

> Sorry about taking so long to get this to you. If it's not enough be

> sure to call. 866-2996 Craig, I will fax over the signed water amendment

> on Monday. Thank you very much for your patience!

> Scott

>

>

> ----- Original Message -----

> **From:** "TWT - Timothy Tyree x-4873" <TWT@HTEH.COM>

> **To:** <Scottcorkery@sunvalley.net>

> **Sent:** Friday, June 14, 2002 2:13 PM

> **Subject:** Re: Twin Springs Resort LLC - Scott Corkery & June Schlunegger

>

>

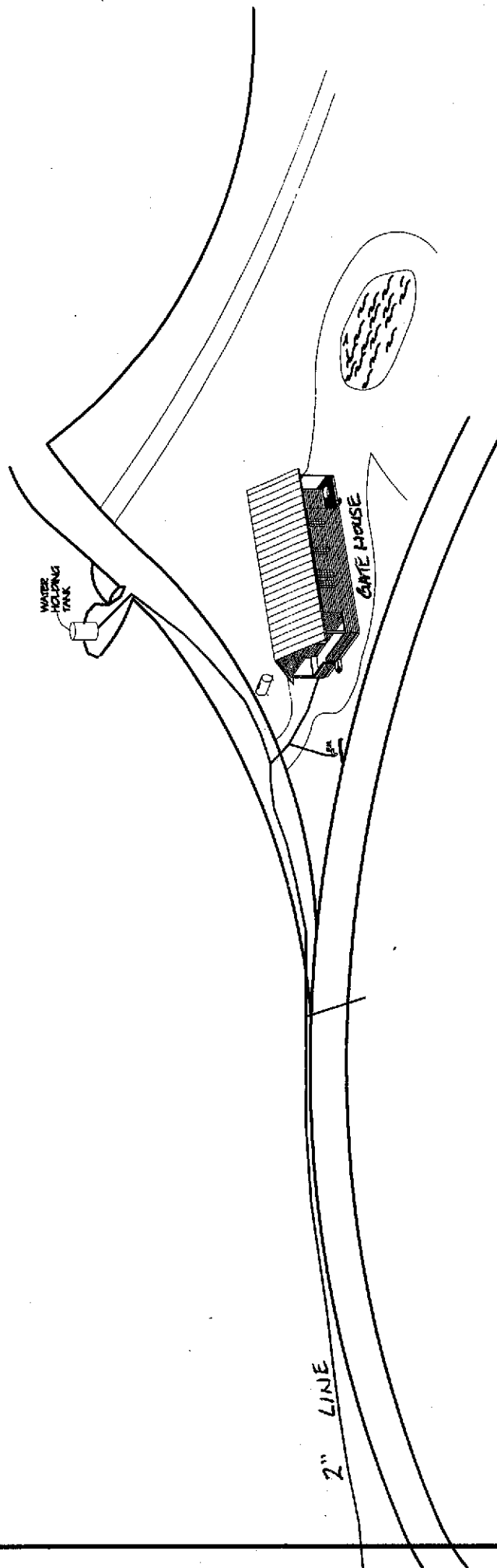
> "Attached is a copy of the recorded deed. It will be sufficient to forward

> to IDWR.

> you need any help, just call."

>

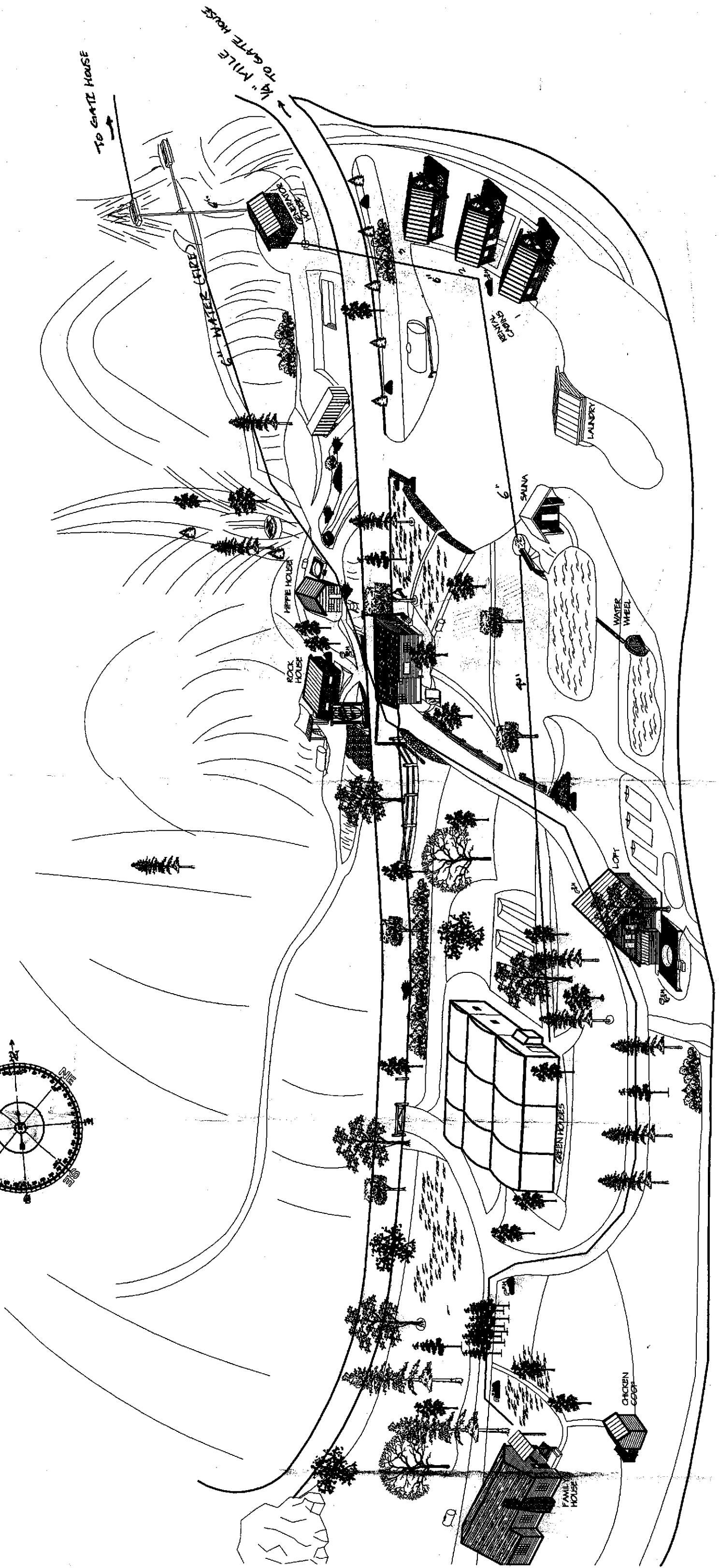
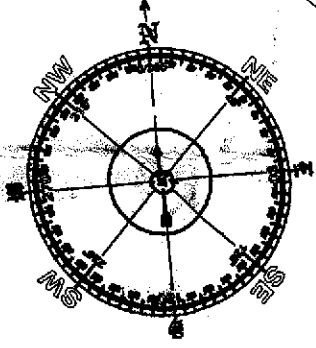
> Timothy W. Tyree
>
> Hawley Troxell Ennis & Hawley LLP
> 877 Main Street, Suite 1000
> P.O. Box 1617
> Boise, Idaho 83701-1617
>
> Telephone (208) 344-6000
> Fax (208) 342-3829
> E-Mail TWT@HTEH.COM
> Web Site www.HTEH.com
>
> CONFIDENTIALITY NOTICE: This communication is intended
> only for the use of the individual to whom it is addressed and may
> contain privileged and confidential information. If you are not the
> intended recipient, then any use, dissemination or copying of the
> communication is prohibited.
>
>
>



RECEIVED

MAY 20 2002

WATER RESOURCES
WESTERN REGION



MIDDLE FORK OF THE BOISE RIVER

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number(s):

63-0225-2

63-10385

[] Claimant Name(s):

[] Old Mailing Address:

[✓] New Mailing Address:

SCOTT CORKERY

P.O. BOX 3994

KETCHUM, ID. 83340

7²⁶~~26~~ - 4636 ^{Error CS 5/14/02}
(206) ~~915~~ - ~~5155~~

Telephone Number:

[✓] Signature of Claimant(s):

SCOTT CORKERY

Date:

5-11-01

208 687-1075
{866-2996 = cell}

Instrument # 186035

IDAHO CITY, BOISE COUNTY, IDAHO

2002-06-11

04:47:20 No. of Pages: 3

Recorded for : HAWLEY TROXELL ENNIS

RORA A. CANODY

Fee: 9.00

Ex-Officio Recorder Deputy

Index to: DEEDS

Recording Requested By and
When Recorded Return to:

Janice E. Lawson
Hawley Troxell Ennis & Hawley LLP
877 Main Street, Suite 1000
P.O. Box 1617
Boise, Idaho 83701-1617

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

**DEED OF DISTRIBUTION
BY PERSONAL REPRESENTATIVE**

THIS DEED OF DISTRIBUTION is made by Scott A. Corkery and June Schlunegger as the Personal Representatives of the Estate of George Castle, Deceased, ("Grantors"), to Twin Springs Resort LLC, an Idaho limited liability company, with an address of HCR 35, Twin Springs, Idaho 83716 ("Grantee").

WHEREAS, Grantors are the qualified Personal Representatives of the Estate of George Castle, filed as Case No. SP-01-0003 in the District Court for the Fourth Judicial District of the State of Idaho, in and for the County of Boise ("Estate");

WHEREAS, Grantee is entitled to distribution of the hereinafter described real property;

THEREFORE, for valuable consideration received, Grantor quitclaims, transfers, and conveys to Grantee, Grantor's right, title and interest in and to the following described real property situated in Boise County, Idaho:

SEE EXHIBIT "A" ATTACHED HERETO.

RESERVING UNTO the Grantor a right of reverter.

EXECUTED this 16 day of May, 2002.

SCOTT COOPER

Scott A. Corkery, Personal Representative of
the Estate of George Castle

James Schunegger

June Schlunegger, Personal Representative of
the Estate of George Castle

[illegible]

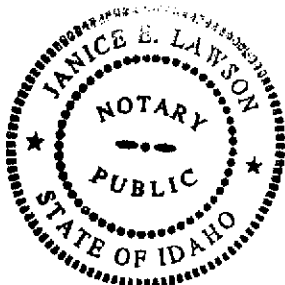
On this 16th day of May, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared Scott A. Corkery, known or identified to me to be the person whose name is subscribed to the foregoing instrument as Personal Representative of the Estate of George Castle, and acknowledged to me that he executed the same as such Personal Representative on behalf of such estate.

such estate.

~~Notary Public for Idaho~~

Residing at Boise, ID

My commission expires: 1/27/04



STATE OF CALIFORNIA)

) SS.

County of Ventura)

On this 16 day of May, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared June Schlunegger, known or identified to me to be the person whose name is subscribed to the foregoing instrument as Personal Representative of the Estate of George Castle, and acknowledged to me that she executed the same as such Personal Representative on behalf of such estate.

~~Notary Public for California~~

Residing at Ventura

My commission expires: April 12 2006

Saxton, Craig

From: Scottatwork [Scottcorkery@sunvalley.net]
Sent: Friday, June 14, 2002 2:31 PM
To: Saxton, Craig; Lori Graves
Subject: Fw: Twin Springs Resort LLC - Scott Corkery & June Schlunegger



_0614140159.pdf

Hi Lori and Craig,
Sorry about taking so long to get this to you. If it's not enough
be
sure to call. 866-2996 Craig, I will fax over the signed water
amendment
on Monday. Thank you very much for your patience!
Scott

----- Original Message -----

From: "TWT - Timothy Tyree x-4873" <TWT@HTEH.COM>
To: <Scottcorkery@sunvalley.net>
Sent: Friday, June 14, 2002 2:13 PM
Subject: Re: Twin Springs Resort LLC - Scott Corkery & June Schlunegger

"Attached is a copy of the recorded deed. It will be sufficient to
forward
to IDWR.
you need any help, just call."

Timothy W. Tyree

Hawley Troxell Ennis & Hawley LLP
877 Main Street, Suite 1000
P.O. Box 1617
Boise, Idaho 83701-1617

Telephone (208) 344-6000
Fax (208) 342-3829
E-Mail TWT@HTEH.COM
Web Site www.HTEH.com

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only for the use of the individual to whom it is addressed and may
contain privileged and confidential information. If you are not the
intended recipient, then any use, dissemination or copying of the
communication is prohibited.

Saxton, Craig

From: Scottatwork [Scottcorkery@sunvalley.net]
Sent: Tuesday, May 14, 2002 1:52 PM
To: Saxton, Craig
Subject: Re: Preliminary Recommendation for SRBA claim 63-02252

that looks good. quite the Jpg. Thank you very much!

Scott

----- Original Message -----

From: "Saxton, Craig" <csaxton@idwr.state.id.us>
To: <scottcorkery@sunvalley.net>
Sent: Tuesday, May 14, 2002 1:42 PM
Subject: Preliminary Recommendation for SRBA claim 63-02252

> Scott,
>
> Attached is a copy of the recommendation I plan to send to the Snake
River
> Basin Adjudication (SRBA) court. Look over it and let me know if you
have
> any questions or concerns.
>
> If you have a chance, please send me a confirmation that you received
this
> E-mail.
>
> Respectfully submitted,
>
> Craig L. Saxton
> Sr. Water Resource Agent
> Adjudication Bureau
> csaxton@idwr.state.id.us
> (208) 334-2190
>
> <<6302252.jpg>> <<63-02252.RTF>>
>

5-11-02: 8 homes 1 Bath and 1 Hottub
F.E.

1) Rentals: 4-6 people
1 with 6

1991 new Cabins

Caretaker 1 cabin

1 Family Cabin - 1930

1 Bar: No Food But historically did

Historically 30 Homes →

1 Ltb = 6 people 1986

Green Houses = 1986

: historically - Always Public use.

: up to 300 people

: Green House since 1985-86 - Fish + Tomatoes

GPS tower = 363314
286937

scott @ TwinspringsIdaho.com
mike @ "

scott corkery @ Sunvalley.Net

5-20-02: Cold water source connects to 6" main line at sauna.

63-10385

Twin Springs
undamed stream

COMMERCIAL

3 cabins - 4 people - 1991 25x40

1 cabin - 6 people - 1916 (25x40) 2

1 cabin - 2 - 1994 25x40

1 family cabin - 4 - 1930

1 cabin - 2 people - 1970

Bar - 2 restrooms

Kitchen - 1916

30 customers

Loft - 6 people - 1986

Radiant floor heating

2 washers laundry

Sauna

4 Greenhouses

100 x 120

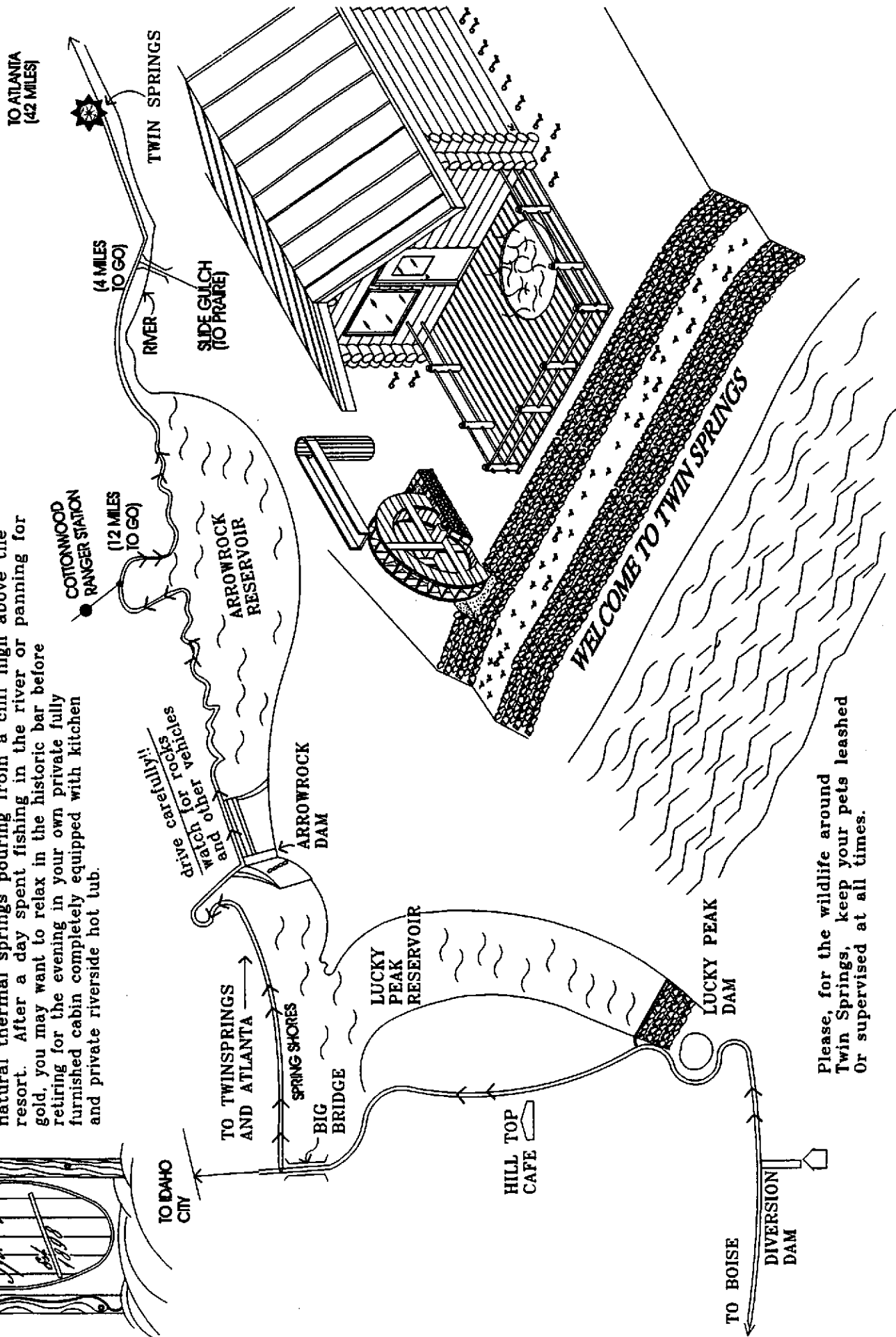
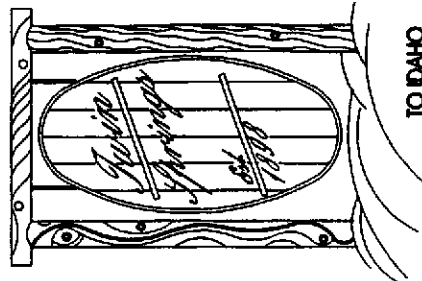
1986

Welcome to Twin Springs Resort

Natural Thermal Springs

Remember why you live in Idaho! Visit Twin Springs Resort. A scenic hour's drive from Boise, you will find a mountain getaway rich with history yet replete with luxury. Upon your arrival, you will find natural thermal springs pouring from a cliff high above the resort. After a day spent fishing in the river or panning for gold, you may want to relax in the historic bar before retiring for the evening in your own private fully furnished cabin completely equipped with kitchen and private riverside hot tub.

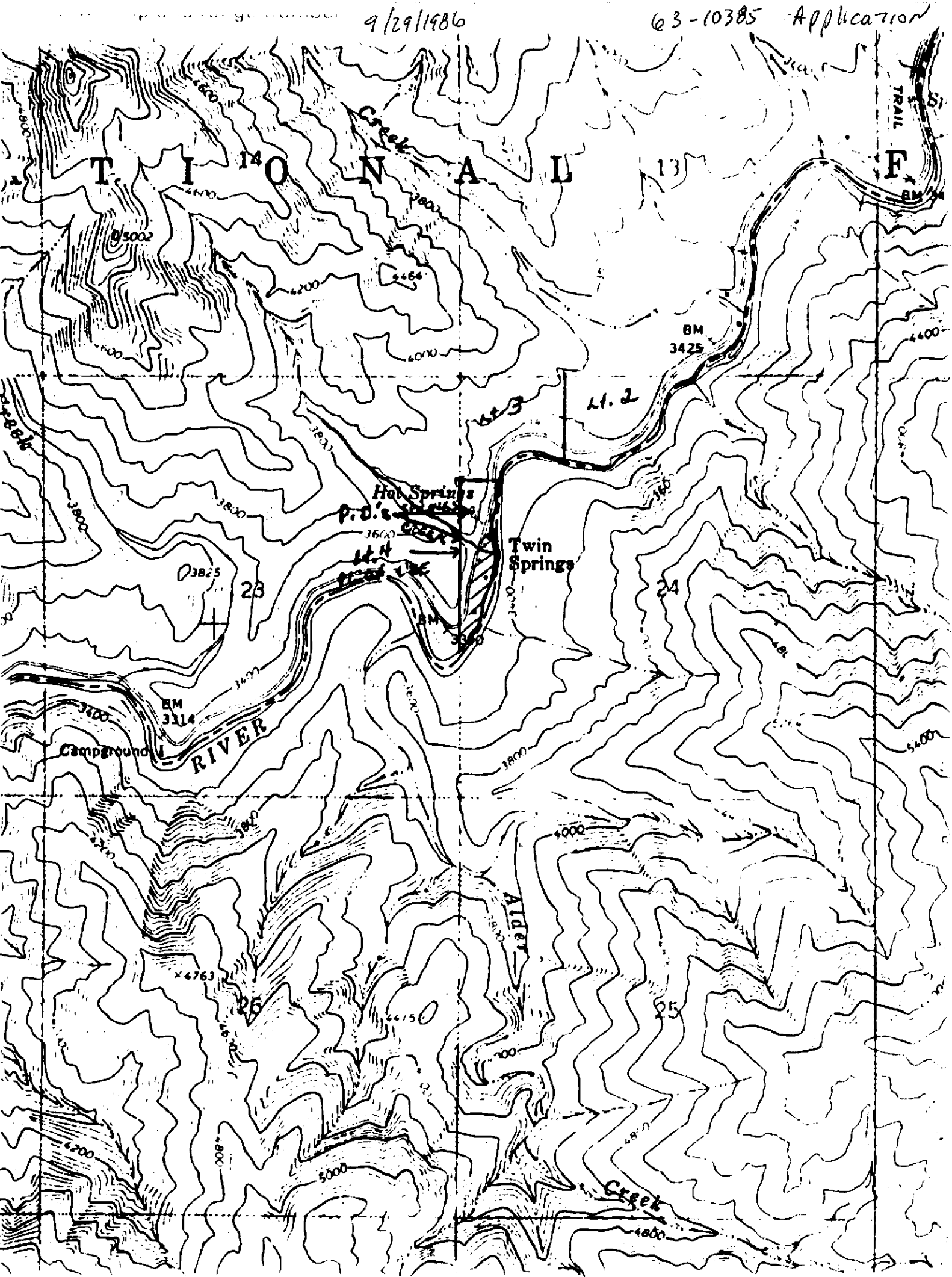
Twin Springs
H.C.R. 35
Boise, Idaho 83706
(208) 861-1226

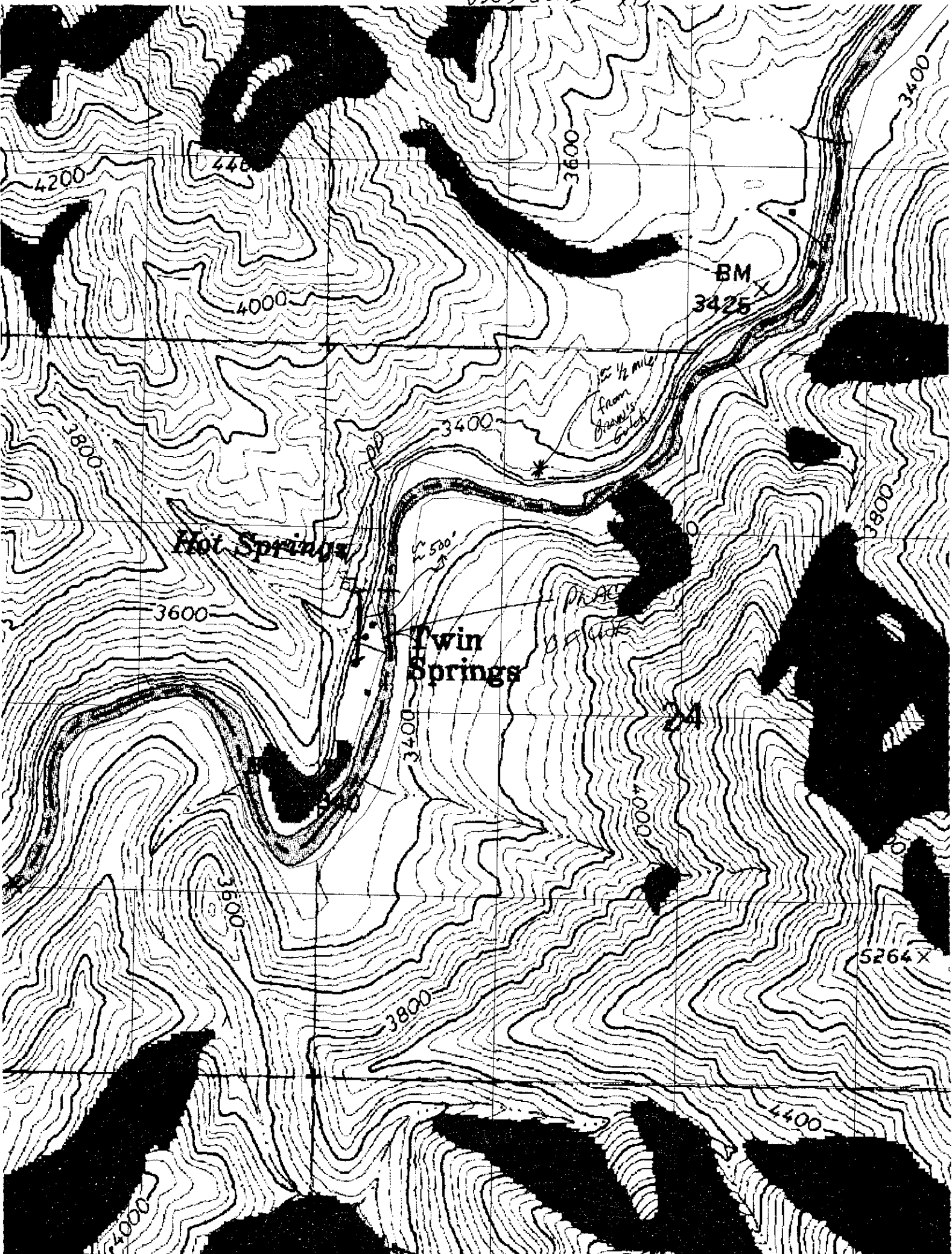


10

24

63-10385 Application





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 HARRIS AQUACULTURE CONS., INC. Phone 362-1006
Post office address P.O. BOX 1765, BOISE, ID 83701
UNN. STREAM
2. Source of water supply SPRINGS which is a tributary of M. FK. BOISE
3. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot 4
Sec. 24 Township 4N Range 6E B.M. BOISE County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 2.0 for FISH PROPAGATION purposes from 1-1 to 12-31 (both dates inclusive)
(cfs 2.0)
Amount 2.0 for HEATING purposes from 1-1 to 12-31 (both dates inclusive)
(cfs 2.0)
Amount 2.0 for POWER purposes from 1-1 to 12-31 (both dates inclusive)
(cfs 2.0)
Amount 0.10 for DOMESTIC purposes from 1-1 to 12-31 (both dates inclusive)
(cfs 0.10)
Amount 2.0 for FIRE PROTECTION purposes from 1-1 to 12-31 (both dates inclusive)
(cfs 2.0)
5. Total quantity to be appropriated is (a) 2.0 cubic feet per second and/or (b) 12-31 acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. PIPELINE IN CREEK AND INTO HOT WATER SYSTEM FOR COOLING PURPOSES. HOT SPRINGS HAVE CONCRETE RETAINING WALL (DAM) W/8" STEEL PIPE TO 6" PIPE RUNS AS SHOWN IN ATTACHED DIAGRAM OF SYSTEM.
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year).

8. Description of proposed uses (if irrigation only, go to item 9):

Can produce 12 kw at 80% efficiency*
(2' KW - 88' HEAD - EXISTING WORK)

- a. Hydropower; show total feet of head and proposed capacity in KW. THERMO-GENERATION PROPOSED, POSSIBLE 30 KW.
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 3 - RESTAURANT/BAR, CABIN, SHOP.
- e. Other; describe fully. HEATING, POWER, FIRE PROTECTION FOR BUILDINGS ON PROPERTY.

*kw 12/4/1986

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	6E	34							X	(ALL USES)									
									(H, G, P, A, F)										

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. _____

63-2252 COVERS DOM. - CABIN, & IRRIGATION.

11. a. Who owns the property at the point of diversion? APPLICANT

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

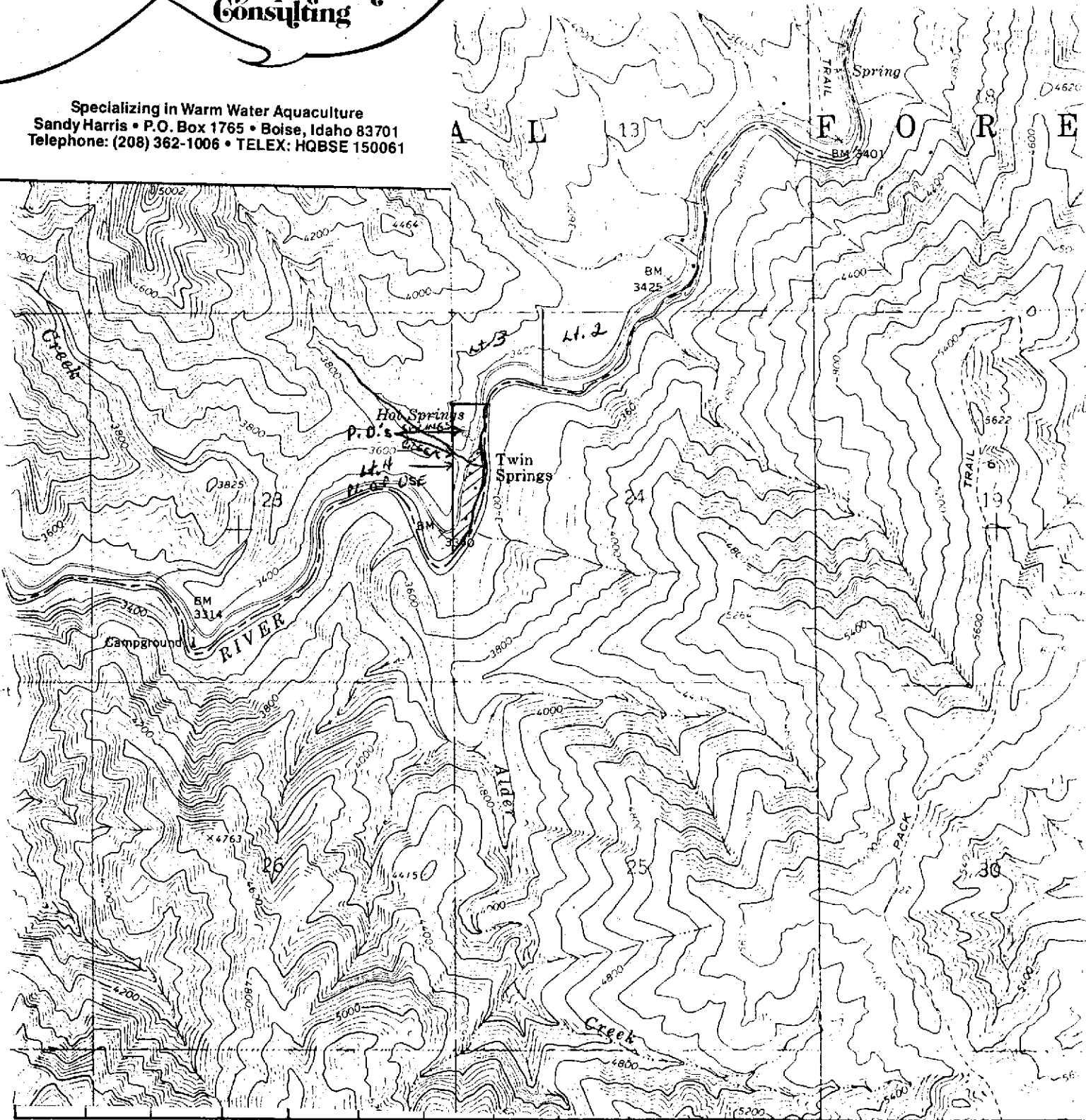
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: THIS APPLICATION IS NOT UNDER REQUIREMENTS BY FERC BECAUSE IT IS NOT ON FEDERAL LAND, IS NOT A NAVIGABLE STREAM, AND DOES NOT SELL POWER - APPLICANT'S USE ONLY.

Harris Aquaculture Consulting

Specializing in Warm Water Aquaculture
Sandy Harris • P.O. Box 1765 • Boise, Idaho 83701
Telephone: (208) 362-1006 • TELEX: HQBSE 150061

the proposed point of diversion, place of use, section 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.

Charles W. Harris
PRESIDENT (Applicant)

Proposed Priority 9/29/86

Received by [Signature] Date 9/29/86 Time 12:30 Preliminary check by [Signature]
Fee \$ 65.00 Received by [Signature] # 42201 Date 9/29/86
Publication prepared by GG Date 10/8/1986 Published in Idaho World
Publication approved [Signature] Date 10/24/86 10/15 & 10/22/86

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. 63-10385, 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 December 1, 19 91.

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. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other: SEE ATTACHED SHEET FOR CONDITIONS e thru o.

Witness my hand this 9th day of December, 1986.

[Signature: J. Glen Saxton]
Chief, Operations Bureau

ATTACHMENT TO CONDITIONS OF APPROVAL

For Permit No. 63-10385

- e. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
- f. This permit is subject to the provisions of Sections 42-205 through 42-210, Idaho Code, restricting the sale, transfer, assignment, or mortgage of this permit. Failure to comply with these provisions is cause for immediate cancellation of this permit.
- g. Water used under this permit if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.
- h. The water right acquired under this permit for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- i. The Director retains jurisdiction of this permit in order to limit the use of water for hydropower generation purposes to a specific term of years as required by Section 42-203B(7), Idaho Code.
- j. Use of water for domestic purposes under this permit shall be limited to in-house use and watering of household stock.
- k. This permit does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
- l. Use of water under this permit shall be non-consumptive.
- m. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works.
- n. Use of water under this right is subject to policies set forth in the State of Idaho Water Plan, including Policy No. 32F.
- o. Use of water under this permit is subject to control by the watermaster of State Water District No. 63, Boise River.

Witness my hand this 9th day of December, 1986.


Chief, Operations Bureau

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2252

WATER RIGHT NUMBER: 63-2252

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	NORA B SHERRIER
	, ZZ
Current Owner	NORA B JOHNSON
	TWIN SPRINGS, ID

Priority Date: 10/20/1914

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRINGS	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	3.000 CFS	
DOMESTIC	/ to /		
	<u>Total Diversion:</u>	3.000 CFS	

Location of Point(s) of Diversion

SPRINGS	NE1/4NW1/4	Sec. 24, Twp 04N, Rge 06E, B.M.
BOISE County		

Place of UseConditions of Approval:Remarks:

1. General P/D & P/U INCOMPLETE. SEE FILE.

Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2252

Dates and Other Information:

Licensed Date: 8/21/1979
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Formal Action Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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WR5809NP
No. 63-02252

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/22/01
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	NORA B. JOHNSON TWIN SPRINGS ID	10/20/1914	IRRIGATION DOMESTIC	00/00 00/00 00/00 00/00	3.000 CFS	
TOTAL DIVERSION:					3.000 CFS	

Water Source: SPRINGS Tributary to: BOISE RIVER Stage: LICENSE
Point(s) of Diversion: TO4N R06E S24 NENW BOISE County

Pou County:

Remarks: GEN P/D & P/U INCOMPLETE. SEE FILE.

Dates: App. Received: Priority Date: 10/20/1914
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 08/21/1979

Misc: Water District Number: Field Exam Fee:

Unid

IDAHO DEPARTMENT OF WATER RESOURCES

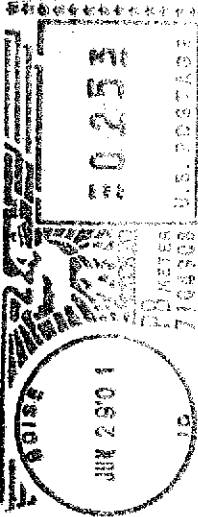
WESTERN REGION

2735 Airport Way

Boise, Idaho 83705-5082

RETURN SERVICE REQUESTED

PRESORTED
FIRST CLASS



RECEIVED

JUL 09 2001

WATER RESOURCES
WESTERN REGION

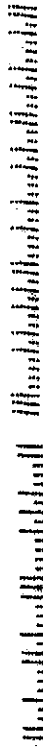
GEORGE C CASTLE
HCR 35
BOISE, ID 83706

*603-2252
9433*

CASTLE 837162018 1201 05 07/04/01
RETURN TO SENDER
CASTLE, GEORGE C
PO BOX 3994
KETCHUM ID 83340-3994
RETURN TO SENDER

Sent 7-9-01 →

ALMS 433785/5082



CLAIMANT'S NAME: George CastleDATE: 4/13/2001EMPLOYEE: R. MinicucciRE: Dates of Changes:

1) Use (add hearing)

2) POP : License T4N R6E S24 NENW

Claim T4N R6E S24 NWSW NW

3) Use (add restaurant, bar, 2 cabins, shop

2) A licensing exam shows springs at place of use. (SWNW - no change in reality, only on paper.)

 $\frac{1}{2}$ mile from Brown's Gulch is NENW S24, but that

description appears to be inaccurate (based on licensing exam)

County, Boise.
 Stream, Springs.
 Amount, 3 sec. fl.
 Use, Irrigation.
 Priority, 10-20-14.
 District No. 12 L.

STATE OF IDAHO

Water License No. 10783.
 Water District No. 12 L.

WHEREAS, On the 20th day of October, A. D. 1914 Mrs. Nora B. Sherrier, of Twin Springs, County of Boise, State of Idaho, duly made application (No. 15785) to me for a permit to use three (3) cubic feet per second of the waters of springs, in Water District No. 12 L. County of Boise, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 4th day of December, A. D. 1914, Permit No. 10783 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 4th day of December, A. D. 1916, and for the application to beneficial use of said water on or before the 4th day of December, A. D. 1916, and,

WHEREAS, On the 25th day of September, A. D. 1916, Mrs. Nora B. Sherrier the holder of said permit duly made proof of the completion of adequate works for the diversion of three (3) cubic feet per second of said waters, as evidenced by my Certificate No. 10783 dated September 26, 1916, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use three (3) cubic feet per second of said water, with date of priority of October 20, 1914, and,

WHEREAS, On the 9th day of December, A. D. 1916, Mrs. Nora B. Sherrier, the holder of said permit duly made proof of the application to beneficial use of three (3) cubic feet per second of said water:

WHEREAS, On the 3d day of December, A. D. 1917, Mrs. Nora B. Sherrier, the holder of said permit, filed an affidavit showing her name to have been changed to Mrs. Nora B. Johnson, and asked that her license be issued in the name of Mrs. Nora B. Johnson instead of Mrs. Nora B. Sherrier:

NOW, THEREFORE, by virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to Mrs. Nora B. Johnson of Boise, County of Ada, State of Idaho, the holder and owner of said permit No. 10785, a perpetual right, dating from October 20, 1914, to the use of three (3) cubic feet per second of the waters of springs, in the County of Boise, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at springs, on north bank of Boise River, about 1 mile below Brown's Gulch, and conducted to dwelling house and plunge for domestic purposes, and for irrigation on small garden and alfalfa field, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

2. State source of water supply: Springs on Boise River

3. Location of point of diversion: At Springs on N. bank of Boise river about 1 mi below Brown's Gulch.

4. State whether or not the works of diversion are fully completed and in accordance with terms of permit:

5. Describe works as they exist, giving dimensions and capacities of same:

The existing works consist of two masonry boxes or flumes one 6" x 6" and one 6" x 6" V box leading from the springs to the dam. Each outlet is a 15' long

THE EXISTING WORKS CONSIST OF TWO WOODEN BOXES HAS SPACINGS

ONE 6" x 6" AND ONE A 6" x 6" BOX LEADING FROM THE

SPRINGS TO THE HOUSE EACH ABOUT 15' LONG

6. State whether or not water has been turned into works of diversion: Yes

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each

State whether or not water has been turned into works of diversion: yes

Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation):

There is no land irrigated by the canals in this section of the river. The water is used for irrigation purposes only. The water is used for irrigation purposes only. The water is used for irrigation purposes only.

THERE IS NO LAND IRRIGATED BY THE CANALS WITH

WATER FOR IRRIGATION PURPOSES - PART OF THE

WATER IS USED WHEN MIXED WITH WATER FROM ANOTHER

SOURCE AS ILLUSTRATED AS A SIDE EFFECT OF THE

Submit map on enclosed plat, showing location and details of above description.

Proof of Application of Water to Beneficial Use

DEPOSITION OF HOLDER

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Mrs. Nora B. Sherrier, over 21 years, Twin Springs, Idaho
housewife, Twin Springs, Idaho, but present address is Boise.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. No. 10783 - December 4, 1914, Priority October 20, 1914

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Hot and cold springs - About two and three hundred ft.
back of the house.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Flume and pipe lines - By 8" x 10" - About 300 ft. long.

Pipes 2 1/2 and 3 inch pipes to the house and the plunge.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Domestic Irrigation - About 5 acres in alfalfa about
four or five hundred yards from the house, do not know the
forty acre tract it is in. Cultivated land, in alfalfa.

Ques. 7. If for other than irrigation purposes, state how applied, amount of horse power generated, etc.

Ans. Irrigation and domestic. Can be used for power but have
not done so yet.

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. An inch to the acre for irrigation besides the water used
for domestic purposes.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. The water has been used on the place for 18 or 20 years.

I have been on the place 8 years and have used the water each year.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. None

(Sign) Mrs. Nora B. Sherin

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Boise County of

Ada State of Idaho, on this 9th day of December.

A. D. 1916.

Clara M. Brown
Notary Public

10783

Permit No. 10783

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Ada

Mrs. Nora B. Sherier

being first duly sworn upon his oath deposes and says:

First: That she is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 10783, and that her postoffice address is Twin Springs, Idaho.

Second: That the name of the stream from which said water is to be diverted is Springs.

Third: That the point of diversion of said water is at the Springs on north bank of Boise River about 1/4 mile below Bonanza Gulch.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by December 4, 1916.

Fifth: That the use for which said water is intended is Irrigation & Domestic use; also power.

Sixth: That on the date above mentioned, the works constructed under said permit were (or were) fully completed and consisted of the following:

1. Kind of works: Reservoir, ditch and pipe line.
(Reservoir, dam, ditch, flume, pipe or other work)

II. Dimensions of work:

(a) Height of dam feet, length of dam at top feet, length of dam at bottom feet. Material used in construction Stone, concrete and iron; also wood.
(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir 10000 gals. approx.

(c) Size of headgate: Width 4 in. feet, height feet.

(d) Conduit pipe width at bottom feet, width at water line feet, depth of water feet; diameter of pipe 4 inches; average grade per mile is 1760 feet. Length of conduit is miles.

Seventh: That said works are capable of conducting to the place of intended use Three second feet of water.

Eighth: That water appropriated under said permit is available for about 10 acres of land described as follows: In unincorporated Sections 12-14 T4 N. 6 E. Boise Meridian.

Ninth: Remarks: That

Mrs. Nora B. Sherier
(Sign here.)

Subscribed and sworn to before me this 23rd day of September, 1916.

My commission expires December 18, 1916

Notary Public.

Residing at Boise, Idaho

Fee Paid

10783

