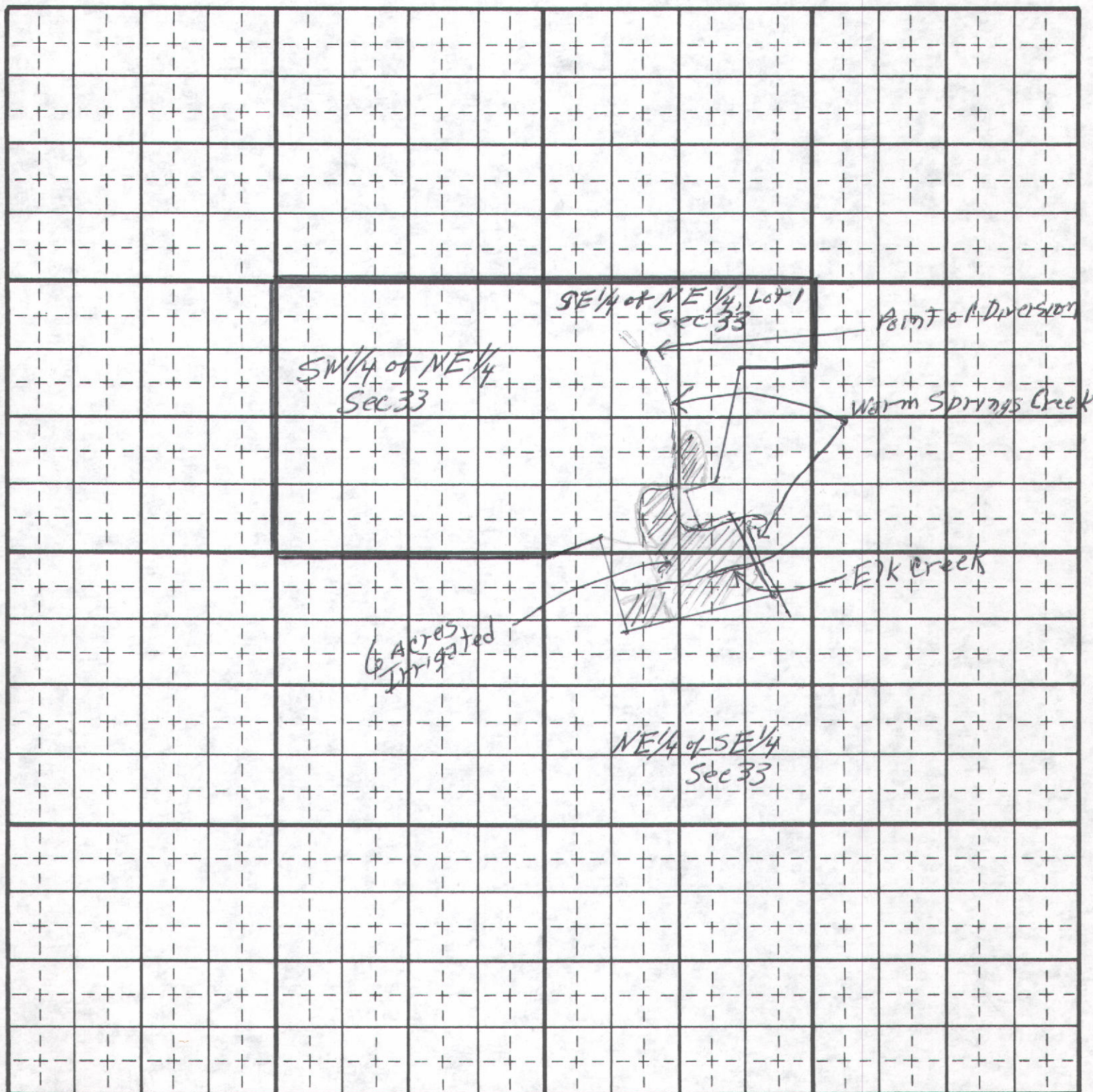


SPRING 3 Creek

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: $\frac{1}{8}$ inch equals 1 mile

8" = 1 mile
40A = 2 inch square



Last Name Warm Springs Resort, Inc. Ident No. A63-15361

Copies: White-State, Yellow-Claimant

MICROFILMED

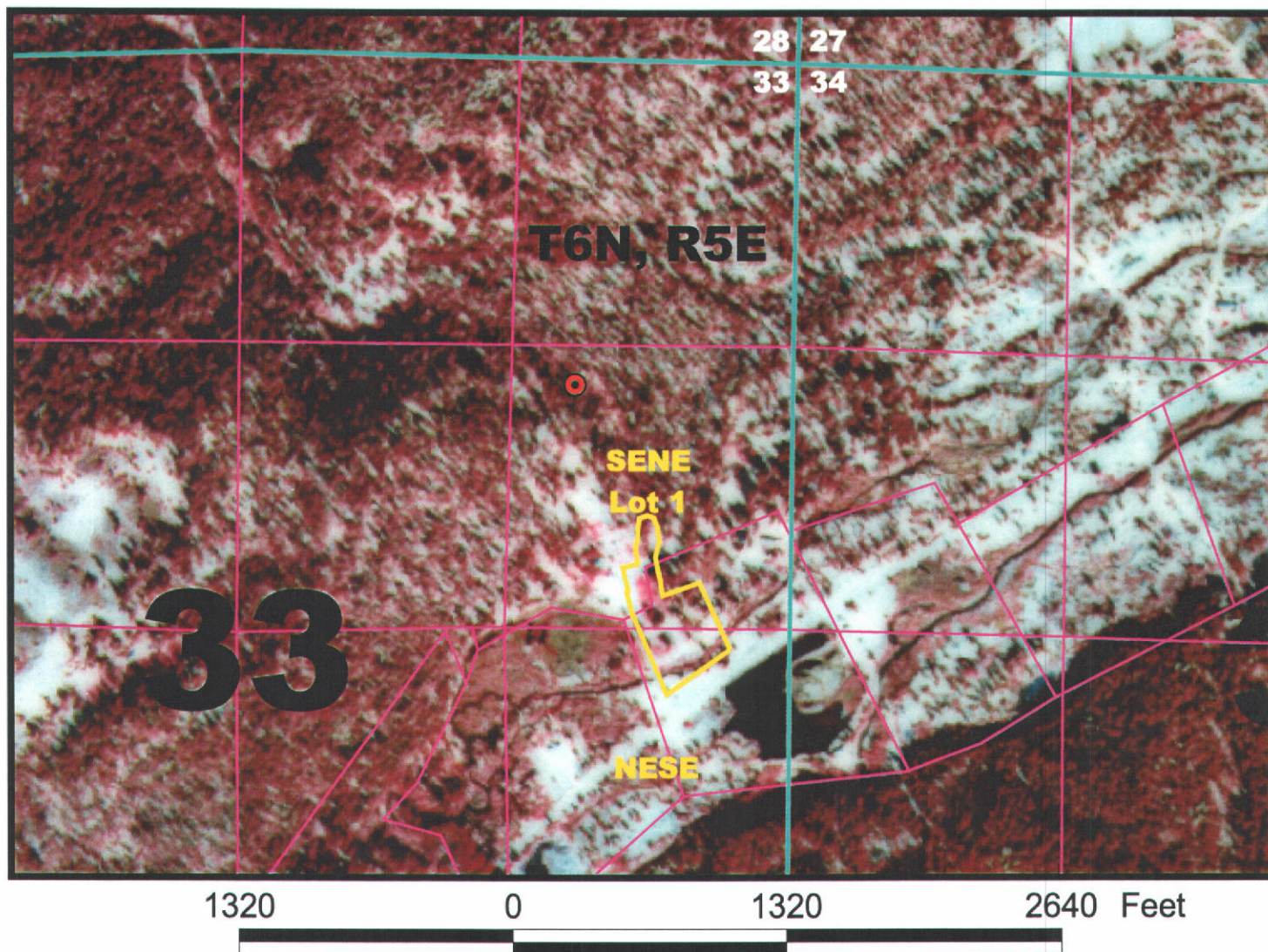
AUG 24 1992



STATE OF IDAHO

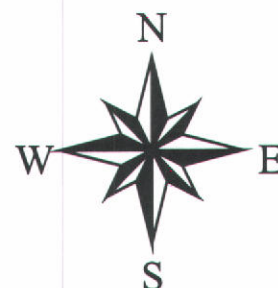
Department of Water Resources
Western Region

Water Right(s): 63-15361



Total Irrigated Acreage: 4.5

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

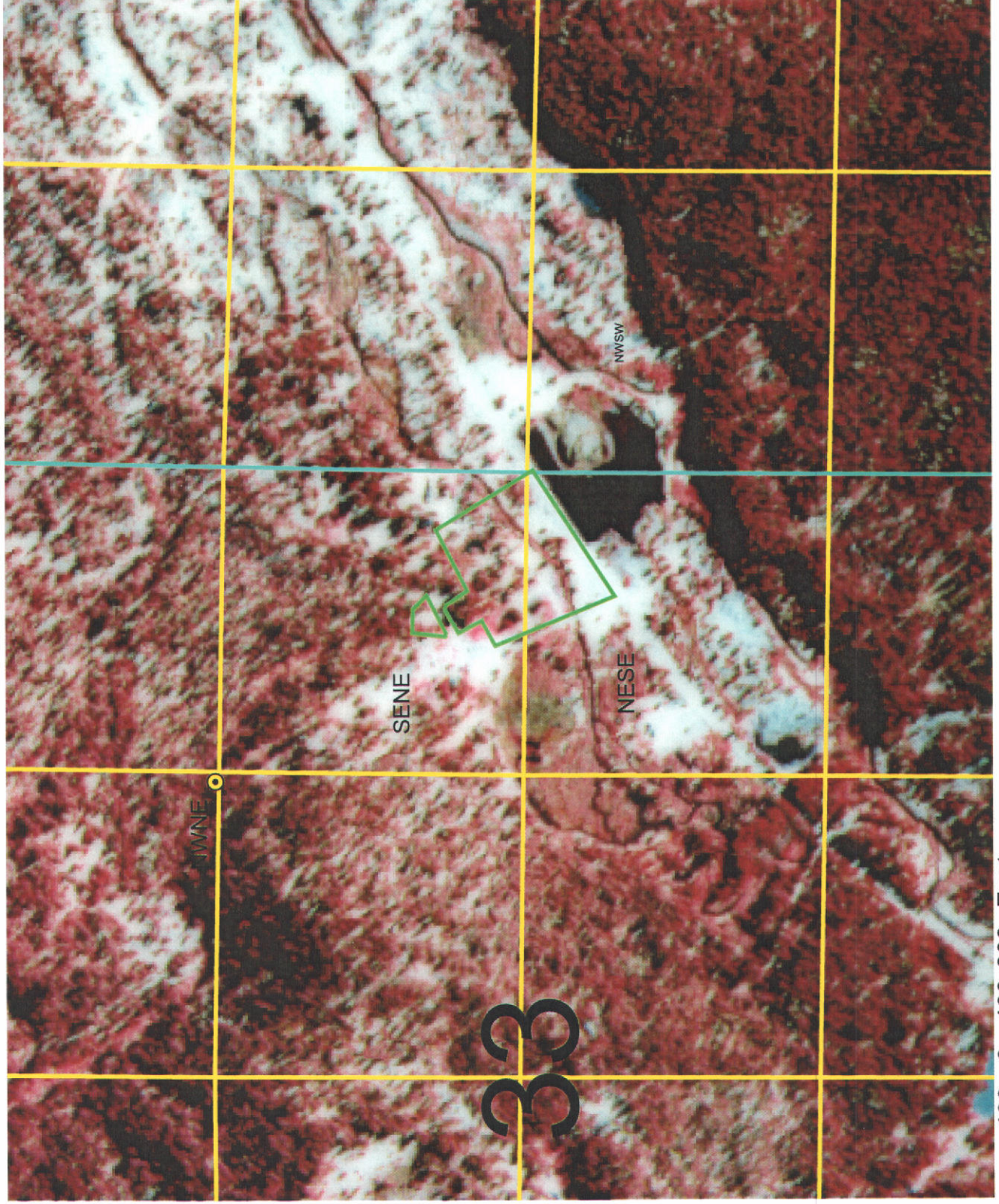


GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: April 2002

IDAHO DEPT OF WATER RESOURCES

Claim No(s) 63-15361 &
63-15362
T06N, R05E, Sec 33
Prepared by: Maria Minicucci
February 12, 2002

- Place of use
- Point of diversion
- Section Lines
- Quarter quarter lines



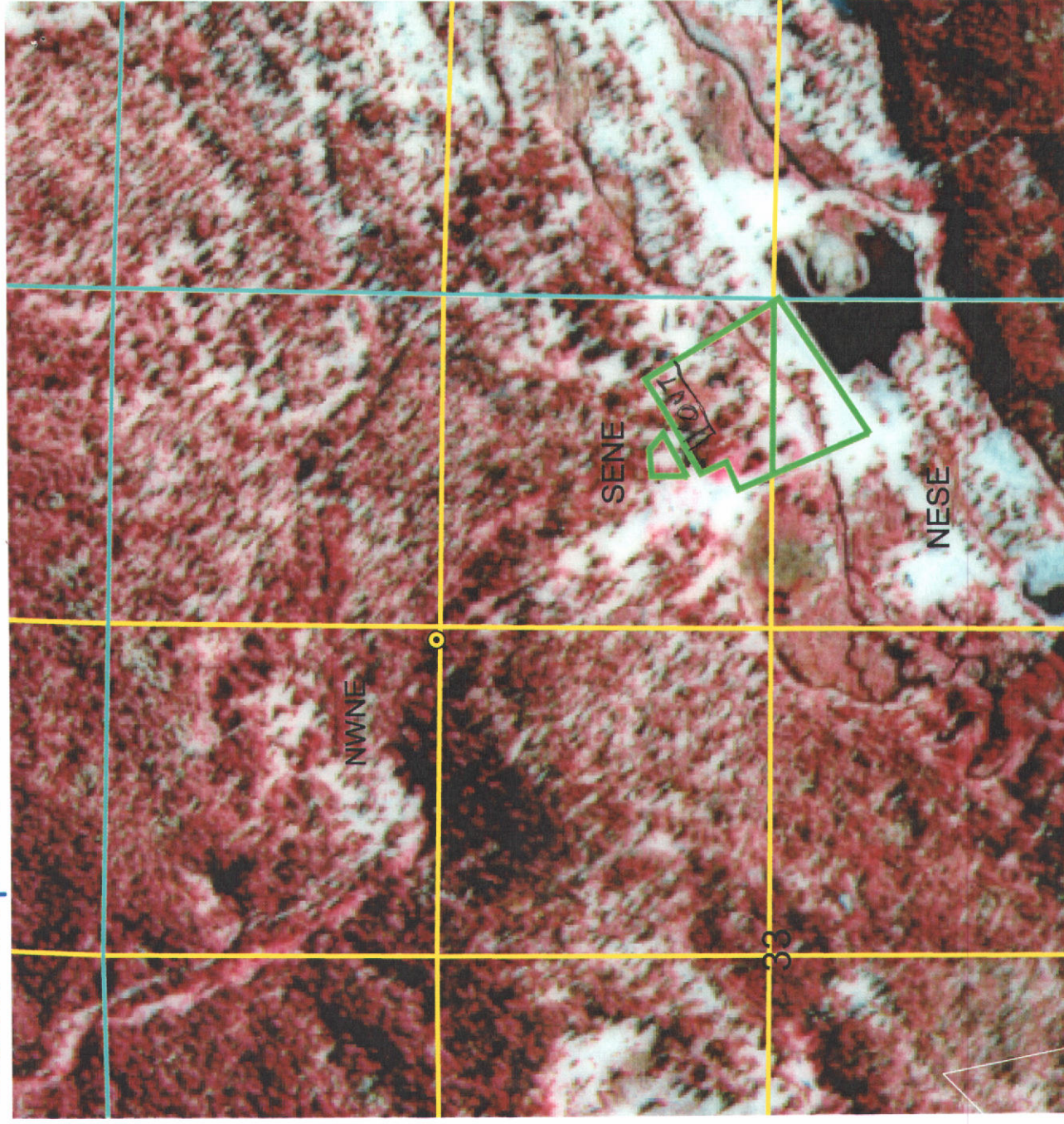
400 0 400 800 Feet

1987 NAPP

Idaho Dept of Water Resources

Claim No(s): 63-15361 &
T06N, R05E, S33 63-15362
Prepared by: Maria Minicucci
Date: 9/18/2001

-  Place of Use
-  Point of Diversion
-  Section lines
-  1/4 1/4 lines



1987 NAPP Photo

SRBA Claim Number A63-15361

Date of Photos 09/17/2001

Photographer Tom Nivette

Legal Description T6NR5E33

① Point of
diversion.

Wooden headwall
in stream to
buried pipe.

Located in
center of NE4
T6NR5E Sec. 33

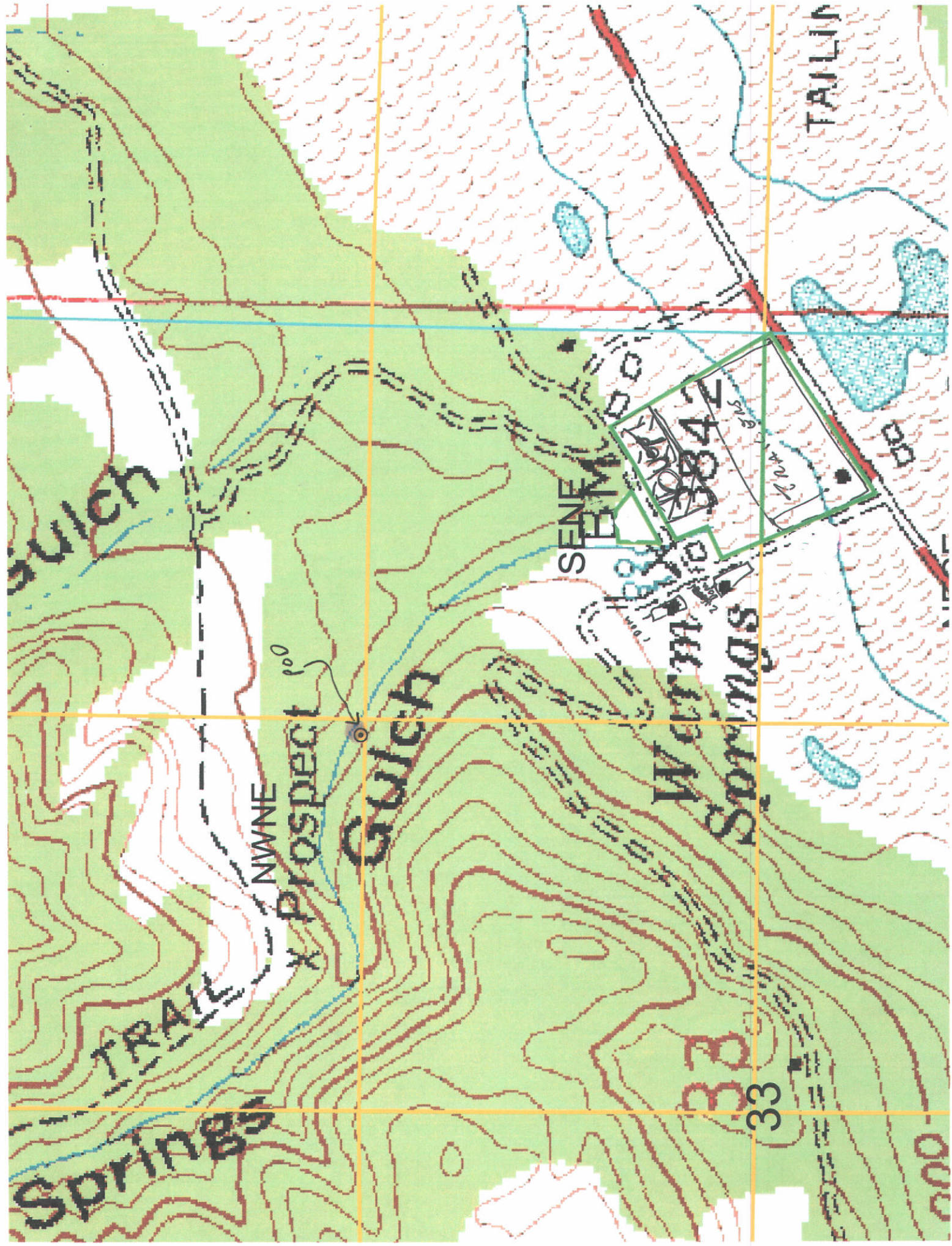


② Place of use.

Photo taken from
southwest part
of property (near
well), looking
northeast at
flat area by
Elk Creek.

SENE + NESE





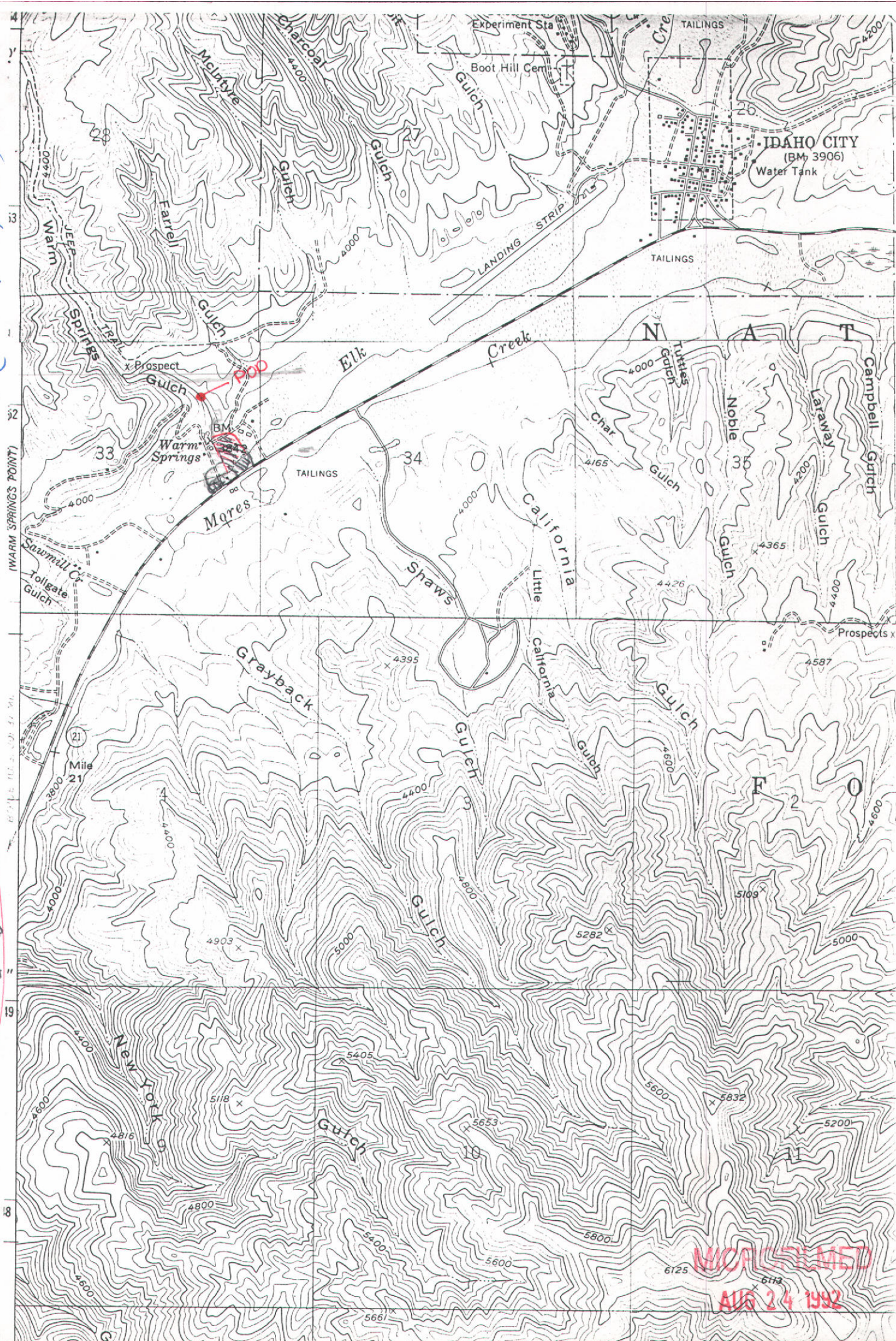
WARM SPRINGS CREEK

6N, 5E, sec 33, (NW, SE, NE)

6 acres
Infillation

Attachment #1
1 page

A63-15361



ADVERTISEMENT FOR BUENA VISTA BAR.

S. WIMMING POND,

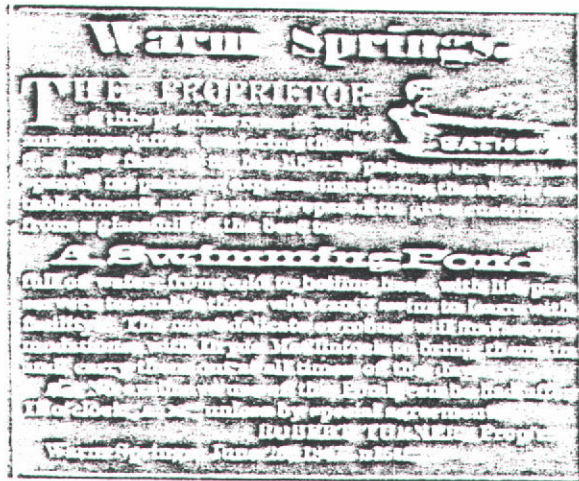
AT THE

WARM SPRINGS.

THE Proprietor would inform the public that he has added a Swimming Pond in addition to the regular baths, and assures the patrons of the establishment that no pains will be spared to contribute to their comfort and convenience

ROBERT TURNER.

1861



Warm-spring Laundry.

THIS Establishment will be opened for business on Monday January 25th. The services

SUPERIOR WORKMEN

have been secured, which combined with the

UNRIVALED NATURAL ADVANTAGE

of the locality, will enable the proprietor to guarantee to his patrons an

extra style of work

—The—

Purifying Qualities of the Water

from these springs are so well understood by the citizen of Bannock that it would be superfluous to enlarge upon that point.

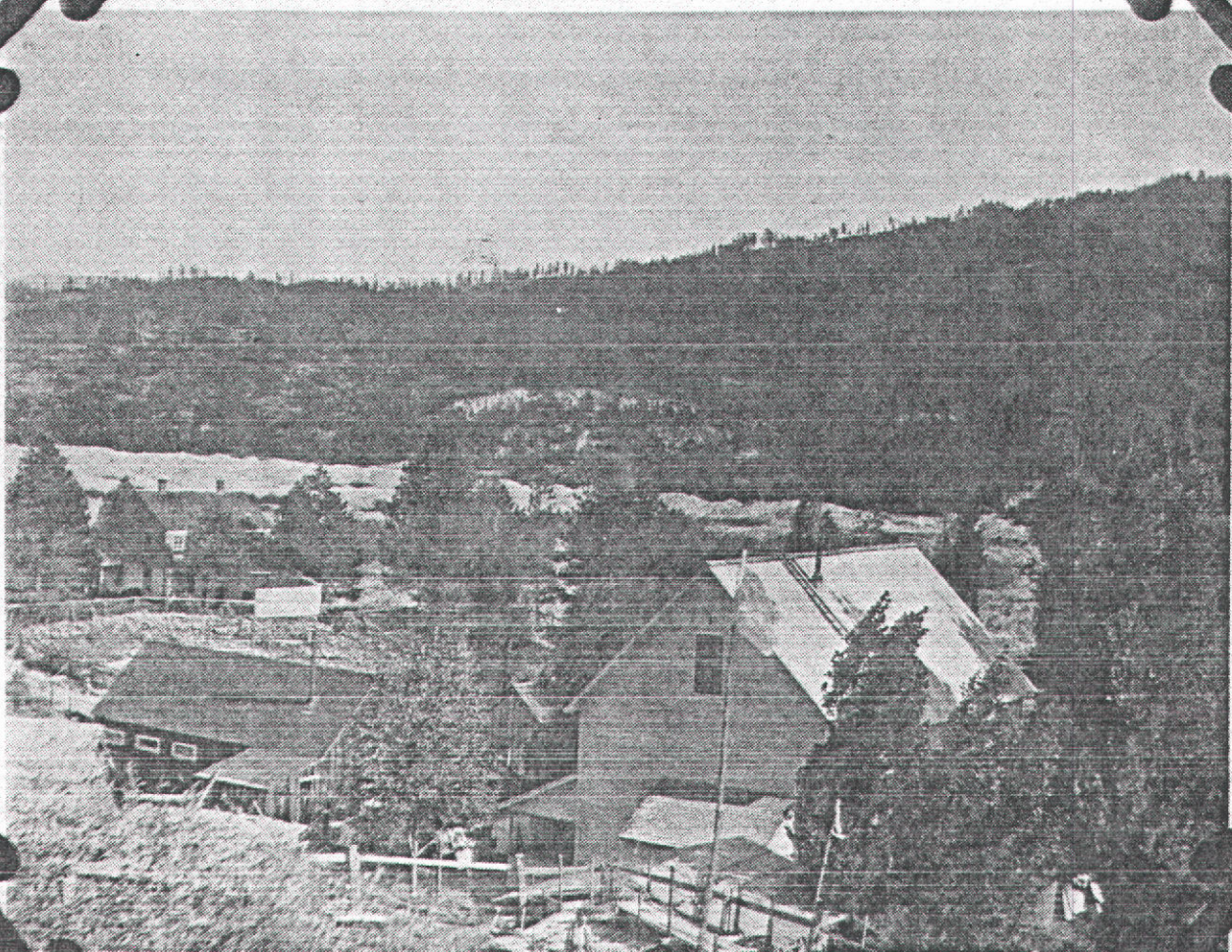
FOR the present, agents of the establishment will collect clothing in the early part of each week, to be delivered on Saturdays or sooner if required.

An Order-book, and Agency for the deposit of Bundles at Messrs. Fisk & Co's store, Main St

ROBT. TURNER.

Bannock City, January 21st, 1861.

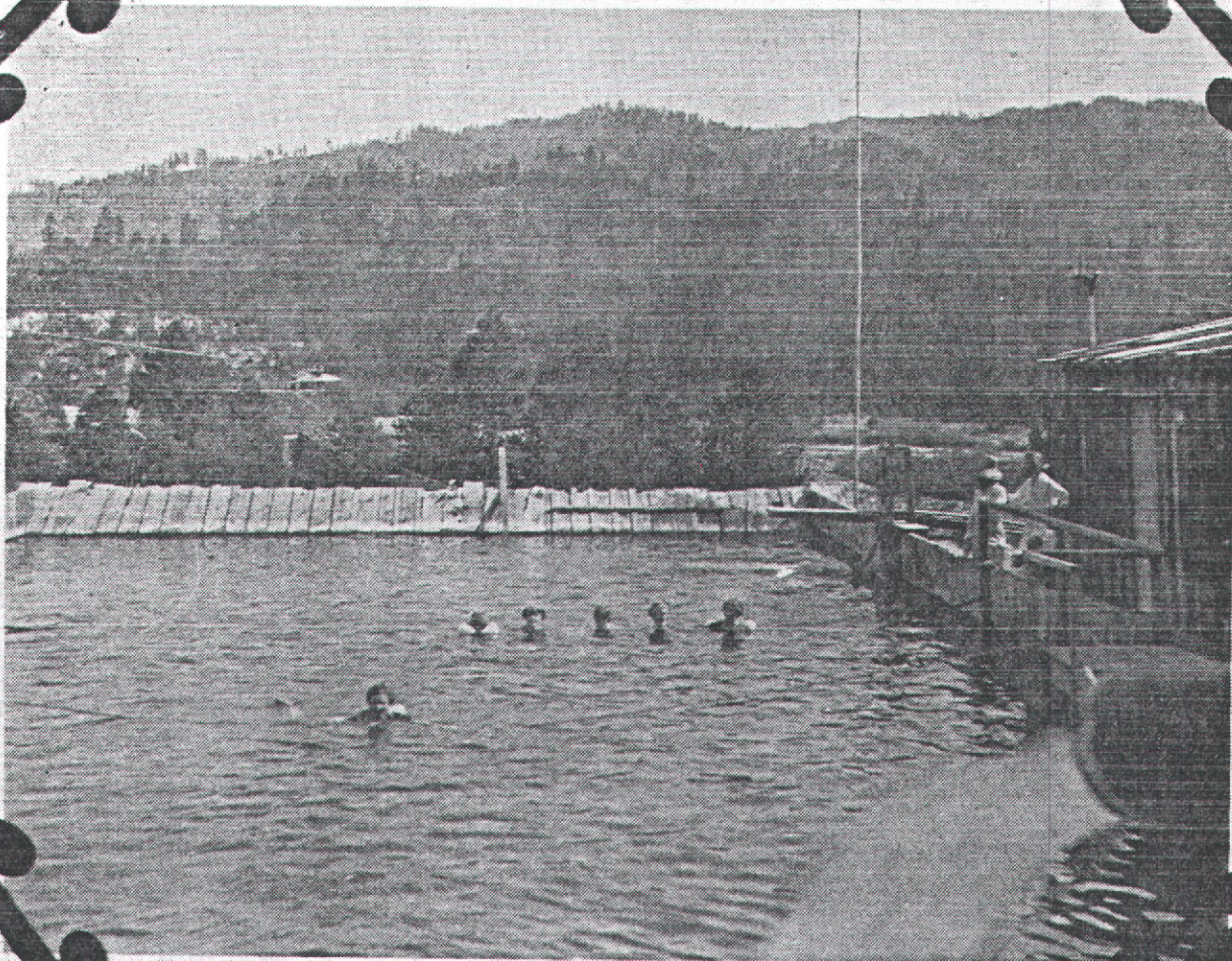
1st



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A63-15361



1903 Plunge-40 x 80 feet

BATHS AND BOARDING.

WARM  SPRINGS.

FRANK COOPER, PROPRIETOR.

HAVING TAKEN CHARGE OF THIS POPULAR place of public resort, I have thoroughly renovated the establishment and am prepared to receive

PERMANENT BOARDERS OR TRANSIENT GUESTS.
HOT AND COLD BATHS

ready at all times, and everything about the house kept clean and neat.

The LADIES' DEPARTMENT will be controlled by

MRS. COOPER.

And everything will be done to contribute to the comfort of guests. (decistf)

Nov. 10, 1870

Hotels and Restaurants

BATHS AND BOARDING



WARM SPRINGS!

HAVING THOROUGHLY

renovated and refitted this establishment, we are now prepared to accommodate any number of



Transient Guests or

Permanent Boarders

In a style equal, if not superior, to any house in the Basin. Our hotel accommodations being now perfected, persons desiring to use the medicinal and curative properties of the water will receive every attention. **HOT and COLD BATHS** ready at all times and when it is desired the **SWIMMING POND** will be ready for those who prefer it to the bath-tub. The **TABLES** will be supplied with everything the market affords, and the **BAR** well stocked with the finest brands of Wines, Liquors and Cigars. Ample

Stable AND Corral

Accommodations are provided for stock.

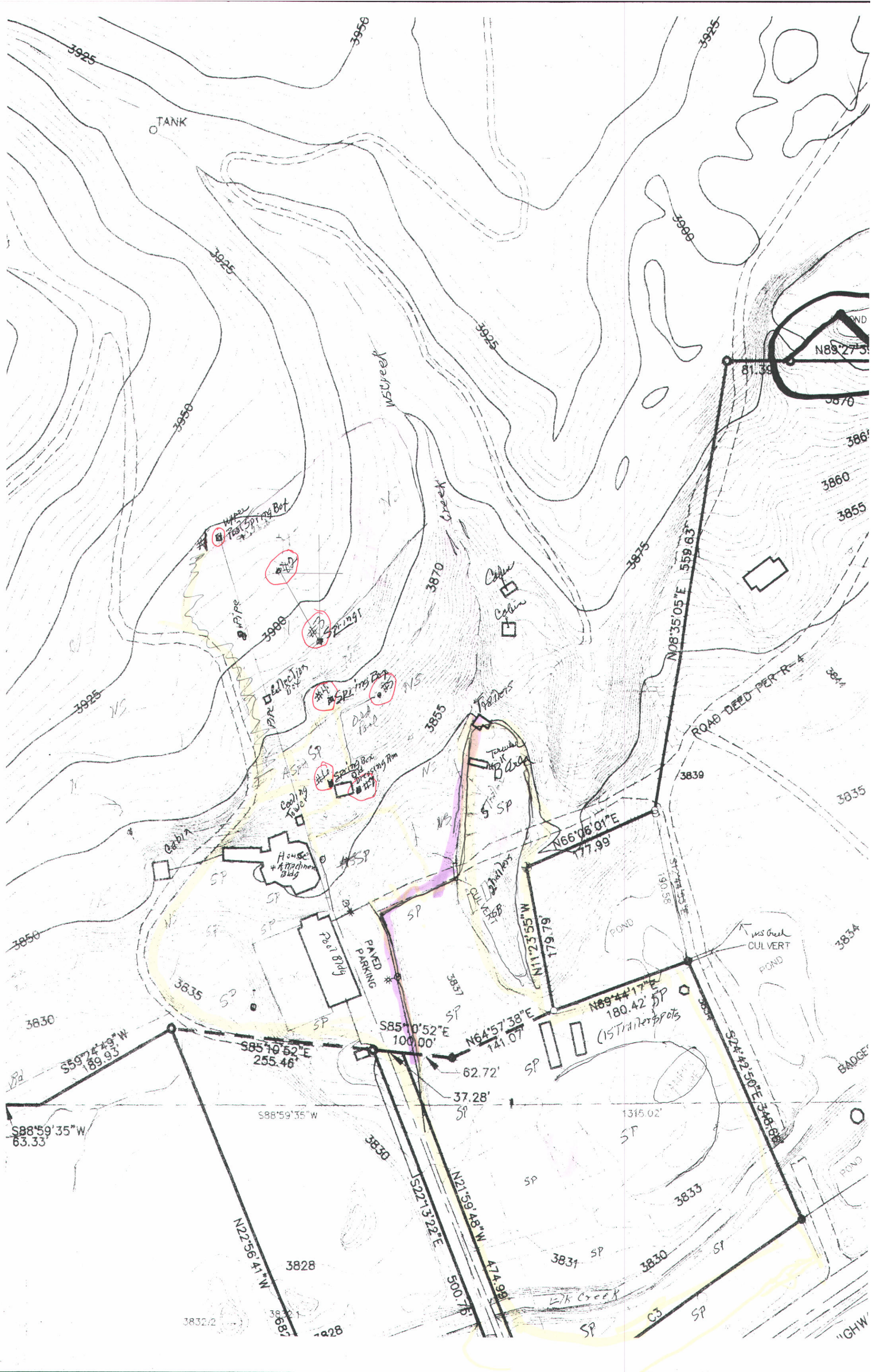
WM. M. VANCE.

January 6, 1871-m2.

MICROFILMED

AUG 24 1992

A63-15361



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 63-15361
Date Received: 5/16/1989
Receipt No: C006826
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

J P PROPERTY IDAHO CITY LLC
505 E KUIAHA RD
HAIKU HI USA 96708

Phone: (808) 575-7595

2. Date of Priority: 05/01/1961

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
06N	05E	33	NW	SE	NE	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	4/15	10/15	0.18	

7. Total Quantity Appropriated is:
0.18 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
06N	05E	33	SE	NE	IRRIGATION	2
			NE	SE	IRRIGATION	4
					Section Acres	6
					Total Acres	6

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:

Ownership changed by DH 6/24/2002

DESCRIPTION OF DIVERSION WORKS: DIVERSION IS BY HEADGATE DAM LOCATED IN WARM SPRINGS CREEK WHICH RAISES LEVEL ABOUT 1 FT WHEN BOARDS ARE IN PLACE. EIGHTEEN INCH BOX IS ENTRANCE TO A 4 INCH PLASTIC PIPE INSTALLED IN 1983 (UNDERGROUND). PROIR TO 1983 SIX 2" PLASTIC PIPES AND OTHER SMALLER PIPE WAS USED TO DIVERT WATER FROM THE CREEK. ALL DIVERSION HAS BEEN BY GRAVITY FEED.

ORIGINALLY PIPES DIRECTLY LEFT THE CREEK ALONG THE CREEK AT MANY POINTS. FLOOD IRRIGATION WAS USED PRIOR TO 1983 - SPRINKLER SYSTEM SINCE THEN.
SEE ATTACHMENTS

15. Basis of Claim: Beneficial Use

JP

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: A63-15361
Date Received: 5/16/1989
Receipt No: C006826
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WARM SPRINGS RESORT, INC. 208-392-4437
Address: C/O RICHARD B. WEIBYE
P.O. BOX 28
IDAHO CITY, ID 83631

2. Date of Priority: MAY 01, 1961

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	05E	33	NW	SE	NE		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	04/15	10/15	0.180	✓	

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

8. Total consumptive use is 15.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06N	05E	33	SE	NE		IRR	2.0 /
			NE	SE		IRR	4.0 /

Section Acres 6.0

A63-15361

Page 1

Date: 05/18/89

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AUG 24 1992

10. Place of Use: Continued

Total Acres 6.0

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:
NONE

14. Remarks:

DESCRIPTION OF DIVERSION WORKS: DIVERSION IS BY HEADGATE DAM LOCATED IN WARM SPRINGS CREEK WHICH RAISES LEVEL ABOUT 1 FT WHEN BOARDS ARE IN PLACE. EIGHTEEN INCH BOX IS ENTRANCE TO A 4 INCH PLASTIC PIPE INSTALLED IN 1983 (UNDERGROUND). PRIOR TO 1983 SIX 2" PLASTIC PIPES AND OTHER SMALLER PIPE WAS USED TO DIVERT WATER FROM THE CREEK. ALL DIVERSION HAS BEEN BY GRAVITY FEED. ORIGINALLY PIPES DIRECTLY LEFT THE CREEK ALONG THE CREEK AT MANY POINTS. FLOOD IRRIGATION WAS USED PRIOR TO 1983 - SPRINKLER SYSTEM SINCE THEN.
SEE ATTACHMENTS

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576
Ident. Number A63-15361
Date Received 5/16/89
Receipt Number C006826

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Warm Springs Resort, Inc Phone (208) 392-4437
Mailing Address c/o Richard B. Weibye
P.O. Box 28 Idaho City Id Zip 83631

2. Date of Priority (Only one (1) per claim) MAY 1961 (May 1, 1961)

3. Source of water supply (a) Warm Springs Creek
which is tributary to (b) Elk Creek

4. a. Location of existing point of diversion is: Township 6N Range 5E Section 33,
NW 1/4 of SE 1/4 of NE 1/4, Govt. Lot, 1 B.M., County of Boise

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.

Diversion is by headgate dam
located on Warm Springs Creek which raises level about 1 ft when boards
are in place. Eighteen inch box is entrance to a 4 inch plastic pipe installed
in 1983 (Underground). Prior to 1983 six 2" plastic pipes and other smaller pipe
was used to divert water from the creek. All diversion has been by gravity
feed. Originally pipes directly abutted the creek along the creek at many points. Flood
irrigation was used prior to 1983 - sprinkler system since then.

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AUG 24 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4/15 to 10/15 amount 18 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 18 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 15 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. 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 use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>6N</u>	<u>5E</u>	<u>33</u>				<u>2</u>									<u>4</u>				<u>6</u>

Total number of acres irrigated 6

11. In which county (ies) are lands listed above as place of use located? Boise

12. Do you own the property listed above as place of use? Yes X No _____ (See Attachment)
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (X)

14. Remarks:

Last Name Warm Springs Resort, Inc. Ident No. A63-15361

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Copies: White -State, Yellow-Claimant
AUG 24 1992

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

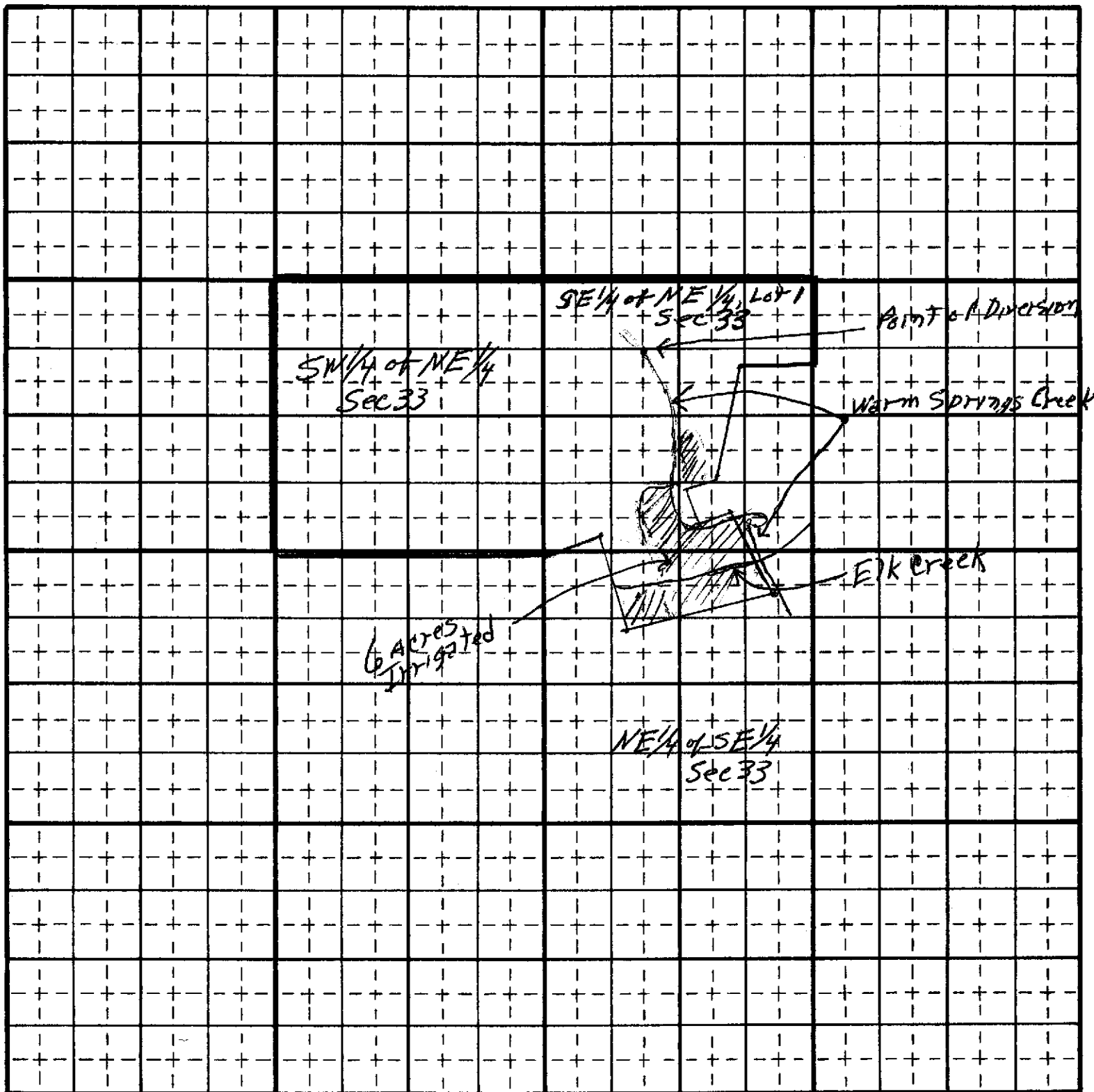
The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

8" = 1 mile
40A = 2 inch square



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Last Name Warm Springs Resort, Inc. Ident No. A63-15361

Copies: White-State, Yellow-Idaho, 1992

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments 3 7 PAGES

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am President

Title

of Warm Springs Resort, Inc.

Organization

, that I have signed the foregoing

document in the space below as President of Warm Springs Resort, Inc.

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Richard B. Weibse

Title and Organization President - Warm Springs Resort, Inc. Date 5/16/89

State of Idaho/or _____)

County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 16TH day of MAY 19 89

SEAL

Notary Public Jeff Pappert

Residing at BOISE, ID

My Commission Expires 11/8/1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Warm Springs Resort Inc Ident. Number A63-15361

MICROFILMED
Copies White-State, Yellow-Claimant
AUG 24 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

July 8, 2002

RECEIVED KARL J. DREHER
DIRECTOR

AUG 07 2002

**WATER RESOURCES
WESTERN REGION**

HAWLEY TROXELL ENNIS & HAWLEY
PO BOX 1617
BOISE ID 83701-1617

RE: Snake River Basin Adjudication (SRBA)
Notice of Change of Water Right Ownership Fees
Notices of Claim #63-15360, ~~63-15361~~ & 63-15362
JP Property Idaho City LLC

The water right claims referenced above are still pending in the SRBA; therefore, no fees are due. The refund process has been initiated with the State Auditor's Office for the \$75.00 fee you paid on receipt #W029279. You should receive a check in the near future.

For future reference, you can determine if a water right claim has been decreed by checking the SRBA Court's site at www.srba.state.id.us. Scroll to IWATRS Reports, then scroll down to Display a Subcase Summary Sheet, enter the adjudication claim number (xx-xxxxx). This will tell you if and when a partial decree was issued. If it HAS been decreed, there is a \$25.00 ownership change fee due with each water right. If it has NOT been reported or decreed yet, and is therefore still pending in the SRBA, there is no fee due.

We have enclosed a copy your receipt #W029279. Please keep this receipt for your records.

Sincerely,

Donald V. Shaff
Manager
Adjudication Technical Section

DVS:ss:ref

Enclosure:

Receipt #W029279

RECEIVED

JUN 26 2002

REFUND REQUEST

Department of Water Resources

TO: S. Sherman to Log In
 FOR: D. Shaff/D. Allen
 FROM: Western Region Date: 6-24-02
 SUBJ: Receipt No. W029279 (Please attach ARQ2 Receipt copy immediately behind blue form)

RE: PayOR Hawley Joxell Ennis + Hawley
 Address 817 Main St. Suite 1000
P.O. Box 1617
Bouse, Id 83701-1617

Claimant(s) if NOT Payor JP Property Idaho City LLC
 Refund Amount \$ 75- Claim Location (Region)/Claimant
 Extension Filed? Y/N (NA) Copy Attached? Y/N (NA)
 Late Fees Paid? Y/N (NA) Late Fee Receipt # n/a
 S.O. Verified Ext. by n/a on _____ D.B. Query by n/a
 Refund Generated By (X) Agent () Claimant
 Refund Category:
 insufficient fees / claim incomplete / withdrawn (o-pmt)

Date of Last Correspondence (copy attached) _____

Claim No.	Use*	Fees Paid	Correct Fee	Rec't #
<u>AG3-15360</u>	<u>Comm + Dom.</u>	<u>\$25-</u>	<u>0</u>	<u>W029279</u>
<u>AG3-15361</u>	<u>Irrigation</u>	<u>\$25-</u>	<u>0</u>	<u>W029279</u>
<u>AG3-15362</u>	<u>Comm, Dom, Irr, Heating</u>	<u>\$25-</u>	<u>0</u>	<u>W029279</u>
		\$		
		\$		
Total		\$	\$	

*Incomplete claims or insufficient fees for irrigation use will generally NOT be refunded. D.E. claim in AJSP1 at minimum.

Detailed Reason(s) for Refund Attached Y/N
No fee necessary for ownership change. Claims still pending in SRBA.

Region AJ Spvrs. Approval [Signature] S.O. AJ Spvrs. Approval _____
 Don Shaff Approval [Signature] Hold _____ To Fiscal 6-26-02
 Logged 6-26-02
 Data Base Modified? Y/N (NA) A &/or R Records By _____ on _____

SCANNED

JUN 26 2002

REFUND REQUEST

TO: S. Sherman to Log In
 FOR: D. Shaff/D. Allen
 FROM: Western Region Date: 6-24-02
 SUBJ: Receipt No. W029279 (Please attach ARQ2 Receipt copy immediately behind blue form)

RE: PayOR Hawley Joxell Ennis + Hawley
 Address 817 Main St. Suite 1000
P.O. Box 1617
Bouse, Id 83701-1617

Claimant(s) if NOT Payor JP Property Idaho City LLC
 Refund Amount \$ 75- Claim Location (Region/Claimant)
 Extension Filed? Y/N (NA) Copy Attached? Y/N (NA)
 Late Fees Paid? Y/N (NA) Late Fee Receipt #
 S.O. Verified Ext. by on D.B. Query by
 Refund Generated By (X) Agent () Claimant
 Refund Category:
 insufficient fees / claim incomplete / withdrawn (o-pmt)

Date of Last Correspondence (copy attached)

Claim No.	Use*	Fees Paid	Correct Fee	Rec't #
<u>A63-15360</u>	<u>COMM + DOM.</u>	<u>\$25-</u>	<u>0</u>	<u>W029279</u>
<u>A63-15361</u>	<u>Irrigation</u>	<u>\$25-</u>	<u>0</u>	<u>W029279</u>
<u>A63-15362</u>	<u>Comm, Dom, irr, Heating</u>	<u>\$25-</u>	<u>0</u>	<u>W029279</u>
<u> </u>	<u> </u>	<u>\$</u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u>\$</u>	<u> </u>	<u> </u>
Total		<u>\$</u>	<u>\$</u>	

*Incomplete claims or insufficient fees for irrigation use will generally NOT be refunded. D.E. claim in AJSP1 at minimum.

Detailed Reason(s) for Refund Attached Y/N
No fee necessary for ownership change. Claims still pending in SRBA.

Region AJ Spvsr. Approval [Signature] S.O. AJ Spvsr. Approval
 Don Shaff Approval Hold To Fiscal
 Logged
 Data Base Modified? Y/N NA A &/or R Records By on

A63-15360 split to A63-31456 + 31457

Receipt Details for ID W029279

Status	Adjustment Type	Version
		1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
6/5/2002 12:20:06 PM	6/5/2002 2:28:53 PM	WESTERN	\$75.00	Check
Payer		HAWLEY TROXELL ENNIS AND HAWLEY LLP		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
76528			
Card Expiration Date	Credit Card Transaction #		

Comment CHANGE IN WATER RIGHT OWNERSHIP 63-15360, 63-15361 AND 63-15362

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$75.00	OWNERSHIP CHANGES/SECURITY INTERESTS	62140	0229	21		1155

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------



877 Main Street, Suite 1000
P.O. Box 1617
Boise, Idaho 83701-1617
(208) 344-6000 • Fax (208) 342-3829
www.hteh.com

June 4, 2002

VIA US MAIL

IDWR Western Region
2735 Airport Way
Boise, Idaho 83705-5082

Re: Notice of Change in Water Right Ownership

Dear IDWR:

Enclosed for filing with the Department of Water Resources is a Notice of Change in Water Right Ownership along with the required filing fee in the amount of \$75, a copy of the Deed with legal description attached and a topographical survey with the points of diversion clearly marked. If you have any questions or if any additional information is needed, please call Tim Tyree at 344-6000.

Sincerely,

HAWLEY TROXELL ENNIS & HAWLEY LLP

A handwritten signature in cursive script that reads "Colleen A. Proctor".

Colleen A. Proctor
Legal Administrative Assistant

Enclosures

RECEIVED

JUN 05 2002

**WATER RESOURCES
WESTERN REGION**

06/24/2002

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

RIGHT NUMBER: 63-15361

NAME AND ADDRESS: J P PROPERTY IDAHO CITY LLC
505 E KUIAHA RD
HAIKU HI 96708

SOURCE: WARM SPRINGS GULCH TRIBUTARY: ELK CREEK

QUANTITY: 0.14 CFS

PRIORITY DATE: 05/01/1961

POINT OF DIVERSION:

T06N R05E S33 NWSENE Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.140 CFS

PLACE OF USE: IRRIGATION Within BOISE County

T06N R05E S33 Lot 1 SENE	2.7	T06N R05E S33	NESE	1.8
--------------------------	-----	---------------	------	-----

4.5 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.

EXPLANATORY MATERIAL: Beneficial Use

04/01/2002

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

RIGHT NUMBER: 63-15361

NAME AND ADDRESS: WARM SPRINGS RESORT INC
C/O RICHARD B WEIBYE
PO BOX 28
IDAHO CITY ID 83631

SOURCE: WARM SPRINGS GULCH

TRIBUTARY: ELK CREEK

QUANTITY: 0.14 CFS

PRIORITY DATE: 05/01/1961

POINT OF DIVERSION:

T06N R05E S33 NWSENE Within BOISE County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.140 CFS

PLACE OF USE: IRRIGATION Within BOISE County

T06N R05E S33 Lot 1 SENE 2.7

T06N R05E S33

NESE

1.8

4.5 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.

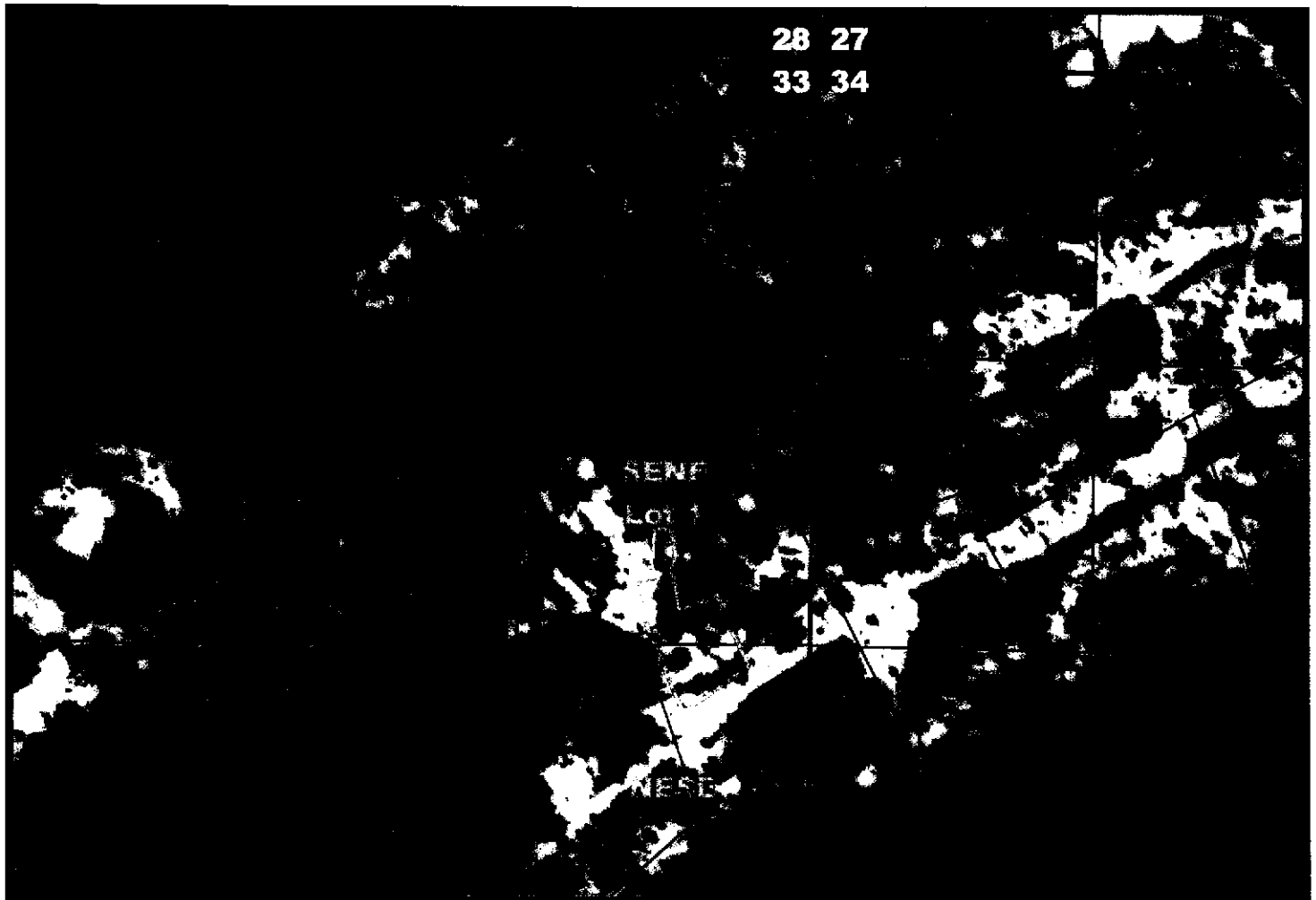
EXPLANATORY MATERIAL: Beneficial Use



STATE OF IDAHO

Department of Water Resources
Western Region

Water Right(s): 63-15361



1320 0 1320 2640 Feet

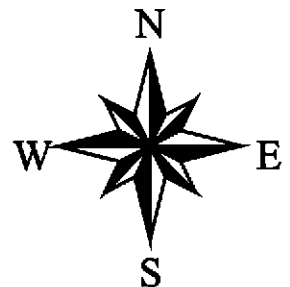
Total Irrigated Acreage: 4.5

● 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: April 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-15361 V1

WATER RIGHT NUMBER: 63-15361 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WARM SPRINGS RESORT INC C/O RICHARD B WEIBYE PO BOX 28 IDAHO CITY, ID 83631 (208)392-4437

Priority Date: 05/01/1961
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
WARM SPRINGS GULCH	ELK CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.140 CFS	
	<u>Total Diversion:</u>	0.140 CFS	

Location of Point(s) of Diversion

WARM SPRINGS GULCH	NW1/4SE1/4NE1/4	Sec. 33, Twp 06N, Rge 05E, B.M.
BOISE County		

Place of UseIRRIGATION Within BOISE County

T06N R05E S33 Lot 1 SENE	2.7	T06N R05E S33	NESE	1.8
Total Acres: 4.5				

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.

Remarks:Comments:

1. sbock 9/18/2001 field exam
Comment: Maria M. conducted field exam w/claimant on 9/17/01. GPS was used for creek. POU polygon is almost 9 acres of which they can irr. 6.
2. csaxton 4/1/2002 Notice of Error
Comment: Recommendation changed per Notice of Error Request. Location of POD 350 feet down stream of where it was originally recommended. Claimant also requested POU not be recommended as PPU with 63-15362.

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-15361 V1

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:

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	9/18/2001 3:52:01 PM	sbock			Active
POD	9/18/2001 3:52:28 PM	sbock			Active
Source	9/18/2001 3:52:48 PM	sbock			Active
POU	9/18/2001 3:53:37 PM	sbock			Active
Use	9/18/2001 3:54:13 PM	sbock			Active
Season	9/18/2001 4:09:26 PM	sbock			Active
Quantity	9/18/2001 4:10:07 PM	sbock			Active
Summary			09/18/2001	sbock	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	2/25/2002 4:17:52 PM	sbock	Edited shape boundary
POD	9/18/2001 3:33:08 PM	sbock	Edited point location
POU	9/18/2001 3:34:20 PM	sbock	Edited shape boundary
Contacts	9/18/2001 3:51:10 PM	sbock	(No) 1. Do you want to schedule an appointment?
Priority Date	9/18/2001 3:52:01 PM	sbock	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? Description for Question 12/13 - claimant supplied info.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-15361 V1

POD	9/18/2001 3:52:29 PM	sbock	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 8. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required? Description for Question 8 - field exam
Source	9/18/2001 3:52:48 PM	sbock	(No) 1. Is the basis of claim decree or license? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - field exam
POU	9/18/2001 3:53:37 PM	sbock	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (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? (Yes) 14. Is a POU remark and/or condition required? Description for Question 13 - field exam
Use	9/18/2001 3:54:13 PM	sbock	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (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
Season	9/18/2001 4:09:27 PM	sbock	(No) 1. Is the basis of claim decree or license? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (No) 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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-15361 V1

POD	9/18/2001 4:10:08 PM	sbock	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (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? Description for Question 7 - Under .20 cfs
Summary	9/18/2001 4:13:46 PM	sbock	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Is an additional remark and/or condition required? (No) 6. Would you like to view the recommended right?
POU	4/1/2002 11:54:42 AM	csaxton	Edited shape boundary
POD	3/26/2002 3:39:12 PM	csaxton	Edited point location
POD	3/26/2002 3:40:00 PM	csaxton	Edited PLS

02/24/2002

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

RIGHT NUMBER: 63-15361

NAME AND ADDRESS: WARM SPRINGS RESORT INC
C/O RICHARD B WEIBYE
PO BOX 28
IDAHO CITY ID 83631

SOURCE: WARM SPRINGS GULCH TRIBUTARY: ELK CREEK

QUANTITY: 0.12 CFS

PRIORITY DATE: 05/01/1961

POINT OF DIVERSION:

T06N R05E S33 NWNE Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.120 CFS

PLACE OF USE: IRRIGATION Within BOISE County

T06N R05E S33	SENE	4.0	T06N R05E S33	NESE	2.0
---------------	------	-----	---------------	------	-----

USE OF THIS RIGHT WITH RIGHT NO. 63-15362 IS LIMITED TO THE IRRIGATION OF A
COMBINED TOTAL OF 6 ACRES IN A SINGLE IRRIGATION SEASON.

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.

EXPLANATORY MATERIAL: Beneficial Use

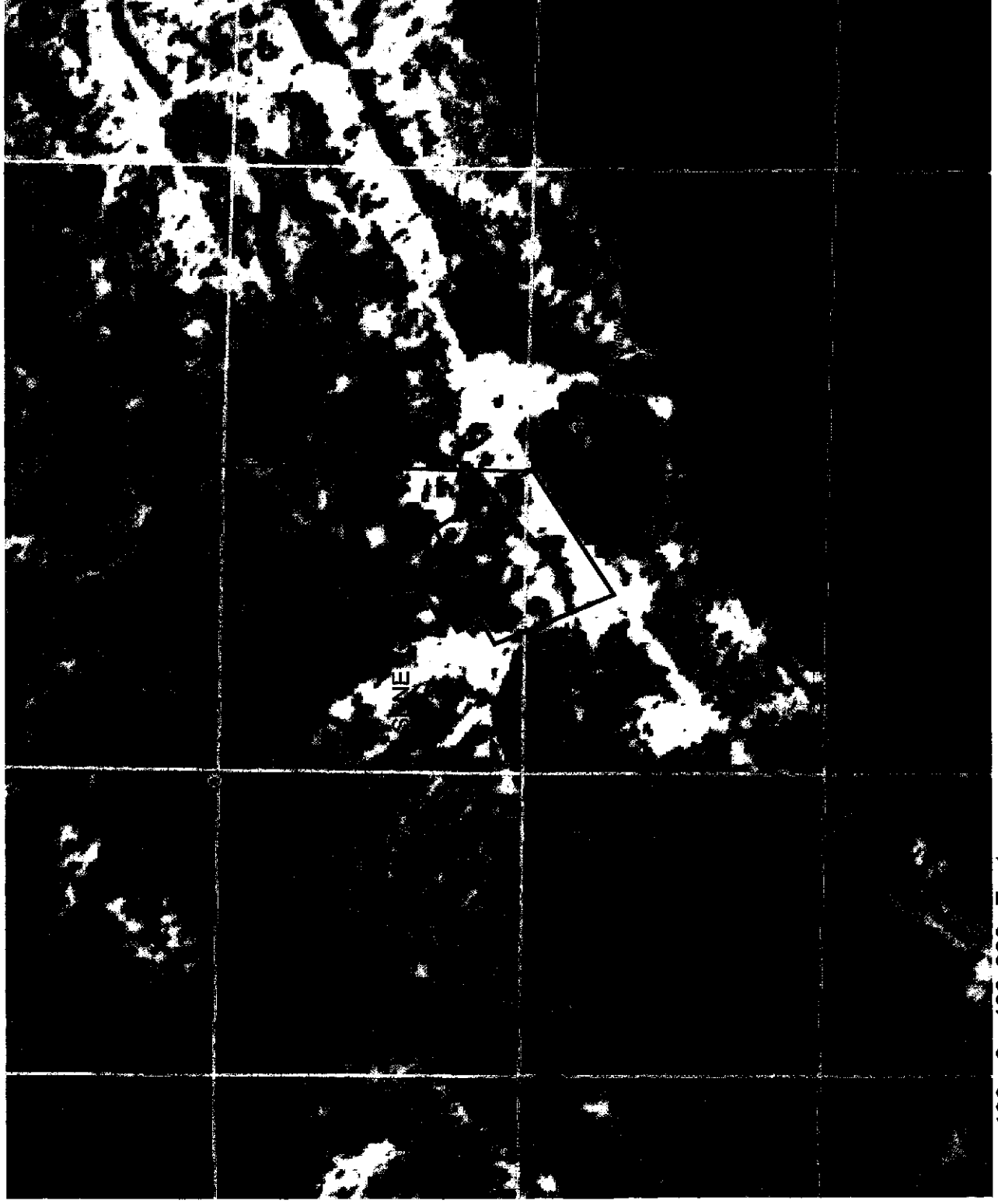
190 Valid anymore

C. Saxton 4-1-02

IDAHO DEPT OF WATER RESOURCES

Claim No(s) 63-15361 &
63-15362
T06N, R05E, Sec 33
Prepared by: Maria Minicucci
February 12, 2002

-  Place of use
-  Point of diversion
-  Section Lines
-  Quarter quarter lines

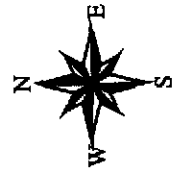


400 0 400 800 Feet

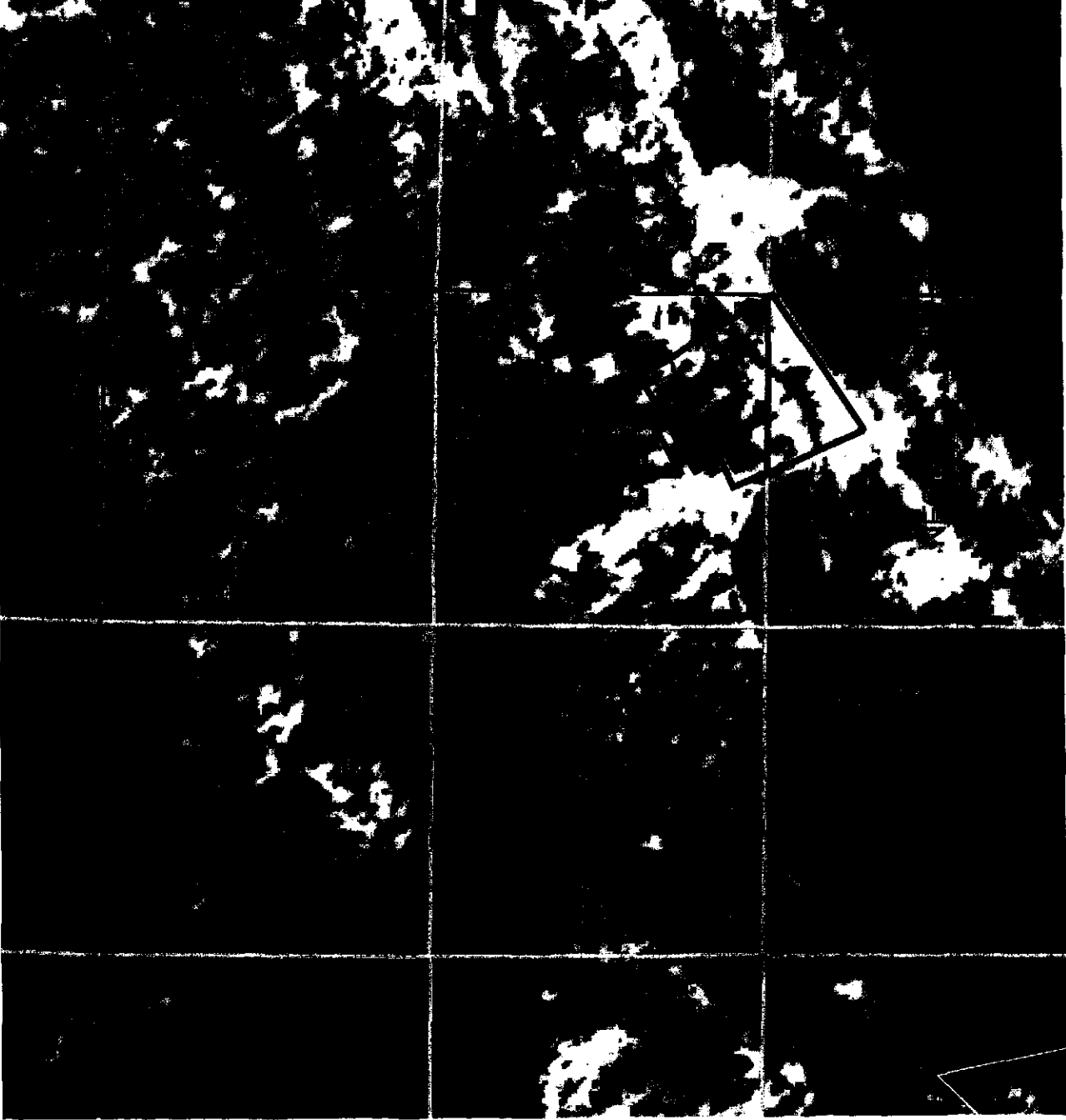
Idaho Dept of Water Resources

Claim No(s): 63-15361 &
T06N, R05E, S33 63-15362
Prepared by: Maria Minicucci
Date: 9/18/2001

- ☐ Place of Use
- ☒ Point of Diversion
- ☐ Section lines
- ☐ 1/4 1/4 lines



1987 NAPP Photo



Feb 15, 2002

From: Richard B. Neibye
Warm Springs Resort Inc.
P.O. Box 28
Idaho City, Id 83831

RECEIVED

FEB 15 2002

WATER RESOURCES
WESTERN REGION

To: State of Idaho
Department of Water Resources
Western Region, 2735 Airport Way
Boise, Idaho 83705

Re: Snake River Basin Adjudication (SRBA)
Notice of Claim to Water Right No A63-15361

Dear Sirs,

As background Warm Springs Resort Inc was purchased by my brother Jennings Neibye and myself in late 1960. We operated the pool and campground until 1966 when he died, after that I became the sole operator.

Originally there was a great deal of physical evidence of water diversion from Warm Springs Creek upstream from the existing cabins through use of black iron pipe (older name), galvanized pipe, wire wrapped wood pipe, and by three and four sided wood troughs. These were in and near the creek above the cabins area and downstream to what is now the RV Park & Campground.

In 1961 we began replacing some of the older pipes with 100 ft. sections of 2" black plastic pipe which we would lay in the creek upstream on the creek bottom - some sections were 100 ft long in the creek

To provide continuous flow under some pressure. We also began using 8" aluminum irrigation pipe by 1967 thru 1982 for spatter runs.

Very frankly, I was not aware of the 5/20/71 permit requirement date for development of surface water which you identified in your letter of 1/17/02. It was my understanding from contacts with friends and neighbors - (Mr Mike Jorgensen & others) that any existing water right required regular & continued use over the years or it could be lost. We had continued using WS Creek water from multiple points for flood irrigation at least sporadically many times a year each year 1961 thru 1982 for the following areas: ① The area below (south of) the cabins and north of the road to the cabins. ② (Known as Tractor Area B). ③ The large area immediately to the front of the Pool Bldg. (Known as Drainsfield and surrounded by picnic areas. ④ The RV Park and Campground toward Elk Creek & Highway 21 (Known as Tractor Area A - both sides of Elk Creek.)

The 1983 conversion of some dredge tailings in what is now the RV Park was primarily a leveling of the land with a slope to the south toward Elk Creek. Leveling was rather minimal involving 2 or 3 small mounds which were 3 to 5 ft tall on the East side of the RV Park area. Small Ponderosa trees on top of each mound were undisturbed and are still present. Most of North & East corner was largely Ponderosa pine growth which still covers much of the RV Park. Several scattered large Ponderosas also exist in the picnic area and previously to last 3 or 4 years had also been in the campground area nearest the WS Resort Driveway.

(3)

Oct 15, 2002

A major aspect of the conversion was the installation of a sewer and water system for the RV Park (Trail area A) and of course the installation of a sprinkler irrigation system for the RV Park, Campground, picnic Area around the Drainfield, and the Trail area B. The sprinkler system is fed by 1 1/4" PVC Pipe and numerous 2" and 1 1/2" feedlines. The system uses valves throughout all areas to attach hoses and sprinklers which cover the areas.

Disturbing the very rocky soils throughout the area required trucking in about 100 loads of topsoil and old sawdust to help reestablish grass and greenery. Oh yes, The small dam at the water source of W3 Creek is about 3875 ft plus. We have not used flood diversion from W3 Creek since 1982 at any point.

I hope this is helpful in your adjustment process. Sorry for the delay and not having had time to have it typed.

Sincerely Yours
Richard B. Veebye



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 17, 2002

Richard B. Weibye
Warm Springs Resort, Inc.
PO Box 28
Idaho City, ID 83631

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right No. A63-15361

Dear Mr. Weibye,

The Department of Water Resources is reviewing the above-referenced claim to a water right in order to make its recommendation to the SRBA court. In order to complete the review, additional information from you is required. This letter is a request for additional information in support of the claimed priority date of May 1, 1961. You must submit this information by **February 15, 2002**.

You submitted a report entitled "Warm Springs Resort Master Plan," prepared by Planmakers in 1986, in support of the claimed priority date of May 1, 1961. On page 15 of this report the authors state, "In the early 1980s he converted dredge tailings near highway 21 into an RV campground." The RV campground is the area where most of the irrigation of the Warm Springs property takes place.

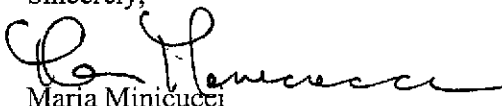
Effective May 20, 1971, a permit from the Department of Water Resources is required before any development of surface water can take place. Consequently, a claim to a water right using surface water cannot be recommended with a priority date in 1980s. Unless you can show that development was initiated before May 20, 1971, and was pursued with due diligence, the claim will be recommended for disallowal by the SRBA court.

Since you have been the owner of the property since 1961, you can submit your own written statement that describes the development of Warm Springs Creek water for irrigation purposes. Statements from other knowledgeable individuals are also acceptable.

Please submit the requested information by **February 15, 2002**. If the Department of Water Resources does not receive any additional information that supports the claimed priority date, the Department may recommend the claim for disallowal by the SRBA court.

Please do not hesitate to contact our office if you have any questions or need additional information.

Sincerely,


Maria Minicucci

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). A63-15361

1. No Change NAME IS SAME ✓
NEW OWNER: _____
No Change ADDRESS
NEW ADDRESS: _____

2. No Change - DATE OF PRIORITY: Completed evidence submitted
Incomplete - Claimant should be asked during the exam when was water first
used and submit proof of date of priority.

Priority date, per claimant, is: 05/01/1961
(If the priority date, based on your exam, seems questionable, explain below.)

Booklet submitted by claimant "Warm Springs Resort
Plaster Plan" indicates that RV park was developed in
early 1980s by Mr. Wayne. Additional evidence requested

3. No Change — SAME SOURCE ✓ NOTE: EVIDENCE SUBMITTED
Source is different than that claimed: 2-15-02 INDICATES FLOOD
IRRIGATION OF LAND PRIOR
Source found: _____ TO SPRINKLER SYSTEM

4. No Change — POINT OF DIVERSION INSTALLED IN 1982-83.
Point of diversion is different than the claim and/or new PID's: OK TO RECOMMEND

Township 6N Range 5E Section 33 1/4 SE 1/4 NW 1/4 NE POLL.
Township _____ Range _____ Section _____ 1/4 1/4 1/4

5. No Change - DESCRIPTION OF DIVERTING WORKS
Incomplete description, list below:

2 pipes set vertically in the creek to form a frame for
wooden boards that create a dam. Screened box w/ 4" plastic piped,
buried under road next to creek (east of creek). Hydrants
@ cabins + RV park area. 3/4" hose to sprinklers.

6. No Change - WATER USES
Different uses, (list uses found):

Use IRRIGATION From 4-1 To 10-31 Amount .12 CFS AFA
Use From To Amount CFS AFA
Use From To Amount CFS AFA

7. No Change - TOTAL VOLUME

Incomplete on claim, the total is, Amount .12 CFS AFA

Changes found, the new total is, Amount CFS AFA

8. No Change - NON-IRRIGATION USES: N/A

Changes Exam found:

Domestic # of homes: Stock # List types:

Additional comments:

9. No Change — PLACE OF USE: (If changed, list below.)

Use: Township Range Section 1/4 1/4
Use: Township Range Section 1/4 1/4
Use: Township Range Section 1/4 1/4
Use: Township Range Section 1/4 1/4

Remarks: (Comments pertinent to field examination) See additional attachment

SYSTEM DIAGRAM INCLUDED

NA

Shown on GIS Layout

CK IF IN OFFICE EXAM
DATE EXAM CONDUCTED:

FIELD EXAMINER:

MARIA MINICUCCI
Print Name

Signature

SRBA Claim Number A63515361

Date of Photos 09/17/2001

Photographer Π. Π. Νικολαΐδης

Legal Description T6NR5E533

① Point of diversion.

Wooden headwall
in stream to
buried pipe.

located in
center of NE4
T6N R5E Sec. 33



② Place of use.

Photo taken from
southwest part
of property (near
well), looking
northeast at
flat area by
Elk Creek.

SENE + NESE



AB3-~~15361~~ 15361 Warm Springs Resort

Ev. of Priority See att

~~Springs~~ Creek diversion

System Description

Pipe size 4"

3/4" hoses @ 40 lbs pressure

No. of laterals 9

No of Sprinkler heads

Size of Sprinkler heads

Slope from div. to POV

Descr of div. structure

POD NO. 1

0350087

10/12

"CRPOD"

0303584

17 SEP 701

Boards set across 2 pipes in stream

Screened box for 4" buried pvc pipe - buried
under path/road that follows creek on
uphill (east) side to POV.

IRRIGATION use only. Irrigate allg flat area, incl. btwn
creek + road.

Owner found wooden pipes around flat area of property

Owner put in current diversion

Previously diversion was from different (and lower)
places along the stream

Hotel¹⁰⁰ built 1903.

Photos 1 + 2 : POD

3 : Well storage tank (buried)

4 : 2 cabins : POV Ground H₂O + Creek (ice)

5 : Main Spring (HOT) . USED FOR POOL + ~~home~~
F.P. ~~apartment~~ (home)



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 15, 2001

WARM SPRINGS RESORT INC
C/O RICHARD B WEIBYE
PO BOX 28
IDAHO CITY, ID 83631

Re: Claim No(s) 63-15360,

63-15361, 63-15362

Dear Claimant(s):

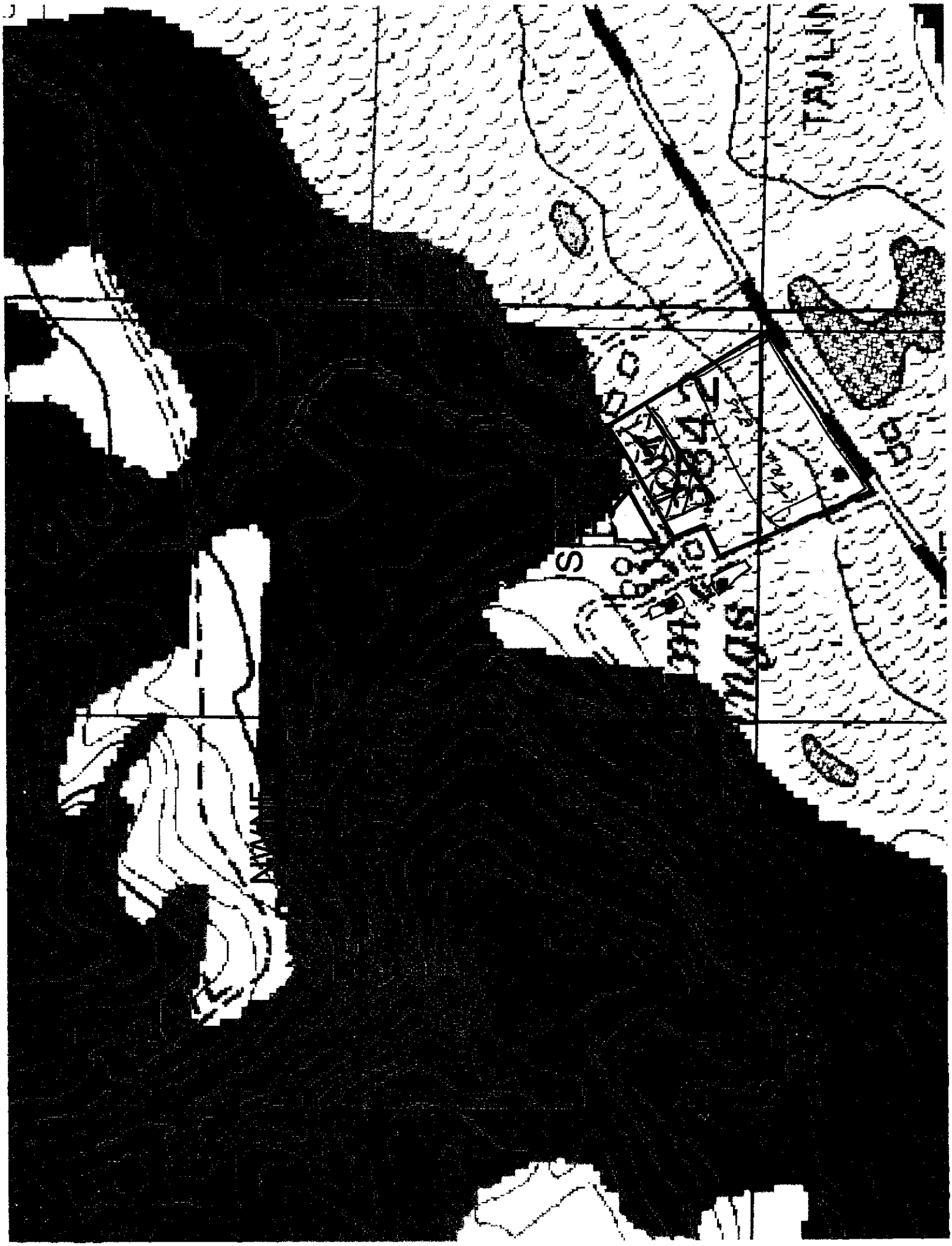
In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is **NOT** to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the **"Priority Date"** as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

Enclosed is a pamphlet entitled **"Evidence of Priority"** which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. ~~Field exams to verify claims in this area are now being conducted by Department personnel.~~ Please contact this office as soon as possible to schedule a field exam appointment convenient for you.

The required evidence supporting the priority date(s) must be submitted by **October 15, 2001**, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

JS:lh
Enclosures



N.89°56'W.

4075

1958
Govt
PLAT
TEN
R5E
S33

(1903
1916
1943)

8126

Lot 1

Sec. 33

Lot 6

Lot 7
13.88

Lot 5

No. 1483

WARM SPRINGS
FLAT
Sur. No. 1483

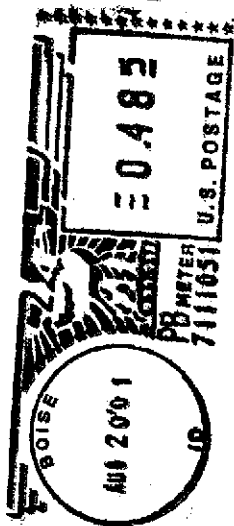
BADGER
Sur. No.
1483

Lot 3

N.0°27'W.

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

RETURN SERVICE
REQUESTED



RECEIVED

SEP 04 2001
WATER RESOURCES
WESTERN REGION

WEIB.B.028

Re:

WARM SPRINGS RESORT INC
C/O RICHARD B WEIBYE
PO BOX 28
IDAHO CITY, ID 83631

WEIBOR28 836312019 1801 08 08/29/01
RETURN TO SENDER
WEIBY, RICHARD B
210 W ELWOOD DR
BOISE ID 83705-4671
RETURN TO SENDER

836312019 1801 08 08/29/01



7-26-02 : NOE meeting ^{on 3/21/02} with Richard Weibye and said
POD should be 350' downstream of recommended
POD. Maria agreed so changes so changes made.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
✓ 63-15360 = Parent					
63-15361					
63-15362					

Split
 into
 63-31956
 63-31957
 CS
 OK

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Warm Springs Resort, Inc. c/o Richard Weibye
P.O. Box 28, Idaho City, ID 83431

4. New Owner/Claimant(s)

JP Property IDAHO CITY LLC

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

505 E. Kuiaha Rd.

City, State and ZIP Code

Haiku, HI 96708

New Telephone Number

(808) 575-7595

5. Date you acquired the property

APRIL 29, 2002

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JUN 05 2002
WATER RESOURCES
WESTERN REGION

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) JP PROPERTY IDAHO CITY LLC
(include title if applicable) Jesse Pearson
Jesse Pearson, Manager

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by Jamie Fontaine Date 6/5/02 Fee 75.00 total
 Received by JF Date 6/5/02 Receipt No. W029279
 Processed by _____ AJ Date _____ WR _____ Date _____

214636



A Pioneer Company
PIONEER TITLE COMPANY
OF ADA COUNTY
821 W. State St. / Boise, Idaho 83702
(208) 373-3744

Instrument # 185551

IDAHO CITY, BOISE COUNTY, IDAHO

2002-04-30

04:37:29 No. of Pages: 4

Recorded for : PIONEER TITLE

RORA A. CANODY

Fee: 12.00

Ex-Officio Recorder Deputy

Index to: DEEDS

Shirley George

CORPORATE WARRANTY DEED

FOR VALUE RECEIVED,

Warm Springs Resort, Inc., an Idaho corporation

a corporation duly organized and existing under the laws of the State of, grantor, does hereby Grant, Bargain, Sell and Convey unto

JP Property Idaho City LLC, an Idaho limited liability company

whose address is: Highway 21, Idaho City, ID, grantee, the following described real estate, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

Tax Parcel No.'s RP 06N05331851A and RP 06N05331852A

SUBJECT TO current years taxes, irrigation district assessment, public utility easements, subdivision, restrictions, U.S. patent reservations, easements of record..

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in a fee simple of said premises; that they are free from all encumbrances and that it will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its officers this.

Warm Springs Resort, Inc.

By: *Russell M. Weibye*

Russell M. Weibye, Director and Shareholder

By: *Cinnamon S. Weibye*

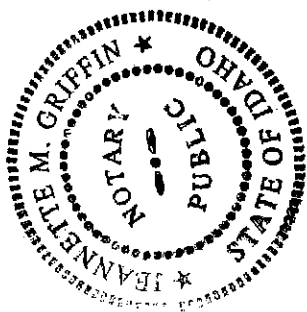
Cinnamon Weibye, Director and Shareholder

By: *Richard B. Weibye*

Richard B. Weibye, Director and Shareholder

STATE OF IDAHO, County of Ada, ss.

On this 25th day of April, in the year of 2002, before me Jeannette M. Griffin, a notary public, personally appeared Richard B. Weibye, Russell M. Weibye and Cinnamon Weibye known or identified to me to be the Directors and Shareholders of the corporation that executed the instrument or the person/persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.



Jeannette M. Griffin
Jeannette M. Griffin
Notary Public of Idaho

Residing at Boise, Idaho

Commission expires: February 15, 2008

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JUN 05 2002

WATER RESOURCES
WESTERN REGION

EXHIBIT A

PARCEL A

A tract of land being the Southwest quarter of the Northeast quarter of Section 33, Township 6 North, Range 5 East, Boise Meridian, Boise County, Idaho, described as follows:

Commencing at a found aluminum cap monumenting the center East 1/16th corner of said Section 33, said aluminum cap being the point of beginning.

Thence along the Southerly line of said Southwest quarter of the Northeast quarter South 89 degrees 00'29" West a distance of 1314.27 feet (formerly South 88 degrees 56'36" West a distance of 1314.37 feet) to a found aluminum cap monumenting the center quarter corner of said Section 33;
Thence along the Westerly line of said Southwest quarter of the Northeast quarter North 01 degree 41'16" West a distance of 1323.34 feet (formerly North 01 degree 40'14" West a distance of 1326.78 feet) to a found aluminum cap monumenting the center North 1/16th corner of said Section 33;
Thence along the Northerly line of said Southwest quarter of the Northeast quarter North 87 degrees 03'11" East a distance of 1345.07 feet (formerly North 87 degrees 05'11" East a distance of 1343.98 feet) to a found aluminum cap monumenting the Northeast 1/16th corner of said Section 33;
Thence along the Easterly line of said Southwest quarter of the Northeast quarter South 00 degrees 24'29" East a distance of 1369.19 feet (formerly South 00 degrees 26'33" East a distance of 1370.34 feet) to the point of beginning.

PARCEL B

A tract of land situated in a portion of the Southeast quarter of the Northeast quarter and the Northeast quarter of the Southeast quarter, lying Southerly of the Northerly line of the Warm Spring Flat Placer Claim as recorded in Mineral Survey No. 1483, within Section 33, Township 6 North, Range 5 East, Boise Meridian, Boise County, Idaho, described as follows:

Commencing at a found aluminum cap monumenting the center East 1/16th corner of said Section 33,
Thence Easterly along the Southerly line of the Southeast quarter of the Northeast quarter North 88 degrees 59'35" East (formerly South 88 degrees 56'38" West) a distance of 63.33 feet to a point on the Northerly line of said Warm Springs Flat Placer Claim,
Thence along said Northerly line North 59 degrees 24'49" East (formerly South 59 degrees 45' West) a distance of 189.93 feet to a found iron pipe monumenting Corner No. 2 of said Warm Springs Flat Placer Claim, said pipe being the point of beginning.
Thence continuing along said Northerly line South 85 degrees 10'52" East a distance of 255.46 feet (formerly South 81 degrees 47' East a distance of 254.1 feet) to a found iron pipe;
Thence leaving said Northerly line South 22 degrees 13'22" East a distance of 500.75 feet (formerly South 20 degrees 30' East a distance of 450 feet) to a set steel pin, being on the Northerly right-of-way of State Highway 21, said highway being a 200 foot wide deeded right-of-way;
Thence Southwesterly along said northerly right-of-way 228.54 feet along the arc of a circular curve to the left, said curve having a radius of 7790.00 feet, a central angle of 01 degree 40'51", a chord bearing of South 51 degrees 06'52" West (formerly South 53 degrees West) and a chord distance of 228.53 feet (formerly 224.4 feet) to a found steel pin;
Thence leaving said northerly right-of-way North 22 degrees 56'41" West a distance of 682.47 feet (formerly North 23 degrees 50' West a distance of 692.9 feet) to the point of beginning.

PARCEL C

A tract of land situated in the Southeast quarter of the Northeast quarter of Section 33, Township 6 North, Range 5 East, Boise Meridian, Boise County, Idaho, described as follows:

Commencing at a found aluminum cap monumenting the East quarter corner of said Section 33,
Thence North 00 degrees 15'21" East a distance of 907.78 feet along the Easterly line of said Section 33 to a point, said point being the point of beginning (from which a bolt bears South 89 degrees 27'39" West a distance of 1.79 feet).
Thence leaving the Easterly line of said Section 33 South 89 degrees 27'39" West a distance of 204.02 feet (formerly North 89 degrees 48' East a distance of 202.9 feet) to a found steel pin;
Thence North 41 degrees 44'26" West a distance of 71.97 feet (formerly North 39 degrees 15' West a distance of 72.2 feet) to a found steel pin;
Thence South 50 degrees 18'22" West a distance of 85.76 feet (formerly South 50 degrees 30' West a distance of 85.5 feet) to a found iron pipe;
Thence South 89 degrees 27'39" West a distance of 81.39 feet (formerly South 89 degrees 48' West a distance of 81.4 feet) to a found iron pipe;
Thence South 08 degrees 35'05" West a distance of 559.63 feet (formerly South 5 degrees 30' West a distance of 538.6 feet) to a found steel pin, said steel pin being on the Northerly line of the Badger Mineral Claim per Mineral Survey No. 1483;
Thence along said Northerly line South 66 degrees 06' 01" West a distance of 177.99 feet (formerly South 66 degrees 54' West a distance of 178.2 feet) to a found aluminum cap monumenting Corner No. 2 of said Badger Mineral Claim;
Thence South 11 degrees 23'55" East a distance of 179.79 feet (formerly South 12 degrees 31' East a distance of 183.5 feet) to a found steel pin;
Thence South 64 degrees 57'38" West a distance of 141.07 feet (formerly South 62 degrees 15' West a distance of 154.1 feet) to a set steel pin monumenting Corner No. 4 of said Badger Mineral Claim common with Corner No. 1 of the Warm Springs Flat Placer Claim;
Thence along the Northerly line of said Warm Springs Flat Placer Claim the following two courses:

North 85 degrees 10'52" West a distance of 355.46 feet (formerly North 81 degrees 47' West a distance of 354.1 feet) to a found iron pipe monumenting Corner No. 2 of said Warm Springs Flat Placer Claim;

Thence South 59 degrees 24'49" West (formerly South 59 degrees 45' West) a distance of 189.93 feet to a point on the Southerly line of the Southeast quarter of the Northeast quarter of Section 33;
Thence leaving said Northerly line of the Warm Springs Flat Placer Claim and following said Southerly line South 88 degrees 59'35" West (formerly South 88 degrees 56'38" West) a distance of 63.33 feet to a found aluminum cap monumenting the center East 1/16th corner of said Section 33;
Thence leaving said southerly line and following the Westerly line of said Southeast quarter of the Northeast quarter North 00 degrees 24'29" West a distance of 1369.19 feet (formerly North 00 degrees 26'33" West a distance of 1370.34 feet) to a found aluminum cap monumenting the Northeast 1/16th corner of said Section 33;
Thence leaving said Westerly line and following the Northerly line of said Southeast quarter of the Northeast quarter North 86 degrees 46'29" East a distance of 1333.02 feet (formerly North 86 degrees 43'47" East a distance of 1333.25 feet) to a found aluminum cap monumenting the Northeast corner of said Southeast quarter of the Northeast quarter;
Thence leaving said Northerly line and following the Easterly line of said Section 33 South 00 degrees 15'21" West a distance of 511.08 feet to the point of beginning.

TOGETHER WITH a road easement as defined and described by Quitclaim Deed recorded under Instrument No. 169607.

EXCEPT that portion described as follows:

A tract of land in the Southeast quarter of the Northeast quarter of Section 33, Township 6 North, Range 5 East, Boise Meridian, Boise County, Idaho, described as follows:

Commencing at a found aluminum cap monumenting the Southeast corner of the Northeast quarter of said Section 33,
Thence along the Easterly line of said Section 33 North 00 degrees 51'21" East a distance of 1418.86 feet to a found aluminum cap monumenting the Northeast corner of the Southeast quarter of the Northeast quarter of said Section 33,
Thence along said Easterly line South 00 degrees 15'21" West a distance of 367.79 feet to the point of beginning.
Thence continuing along said Easterly line, said line also being the Westerly line of Instrument No. 162202, (records of Boise County, Idaho) South 00 degrees 15'21" West a distance of 143.29 feet to a point;
Thence leaving said Easterly line South 89 degrees 27'39" West a distance of 40.00 feet to a point;
Thence North 00 degrees 15'21" East a distance of 143.85 feet to a point;
Thence South 89 degrees 44'39" East a distance of 40.00 feet to the point of beginning.

PARCEL D

A tract of land situated in the Southeast quarter of the Northeast quarter and the Northeast quarter of the Southeast quarter of Section 33, Township 6 North, Range 5 East, Boise Meridian, Boise County, Idaho, described as follows:

Commencing at a found aluminum cap monumenting the center East 1/16th corner of said Section 33,
Thence Easterly along the Southerly line of the Southeast quarter of the Northeast quarter of said Section 33 North 88 degrees 59'35" East (formerly South 88 degrees 56'38" West) a distance of 63.33 feet to a point on the Northerly line of the Warm Springs Flat Placer Claim as recorded in Mineral Survey No. 1483,
Thence along said Northerly line North 59 degrees 24'49" East (formerly South 59 degrees 45' West) a distance of 189.93 feet to a found iron pipe monumenting Corner No. 2 of said Warm Springs Flat Placer Claim,
Thence continuing along said Northerly line South 85 degrees 10'52" East a distance of 355.46 feet (formerly North 81 degrees 47' West a distance of 354.1 feet) to a set steel pin, said steel pin monumenting Corner No. 1 of said Warm Springs Flat Placer Claim common with Corner No. 4 of the Badger Mineral Claim and the point of beginning.
Thence along the Northerly line of said Badger Mineral Claim North 64 degrees 57'38" East a distance of 141.07 feet (formerly North 62 degrees 15' East a distance of 154.1 feet) to a found steel pin;
Thence leaving said Northerly line North 69 degrees 44'17" East a distance of 180.42 feet (formerly North 66 degrees 44' East a distance of 178.2 feet) to a set steel pin;
Thence South 24 degrees 42'50" East a distance of 348.66 feet (formerly South 24 degrees 00' East a distance of 367.8 feet) to a set steel pin, said steel pin being on the Northerly right-of-way of State Highway 21, said highway being a 200 foot wide deeded right-of-way;
Thence Southwesterly along said Northerly right-of-way 406.36 feet along the arc of a circular curve to the left, said curve having a radius of 7790.00 feet (formerly 7740.00 feet), a central angle of 02 degrees 59'20", a chord bearing of South 53 degrees 41'19" West (formerly South 53 degrees 58' West) and a chord distance of 406.32 feet (formerly 389.3 feet) to a set steel pin;
Thence leaving said Northerly right-of-way North 21 degrees 59'48" West a distance of 474.99 feet to a point on said Northerly line of the Warm Springs Flat Placer Claim;
Thence along said Northerly line South 85 degrees 10'52" East a distance of 62.72 feet (formerly South 81 degrees 47' East a distance of 58.6 feet) to the point of beginning.

PARCEL E

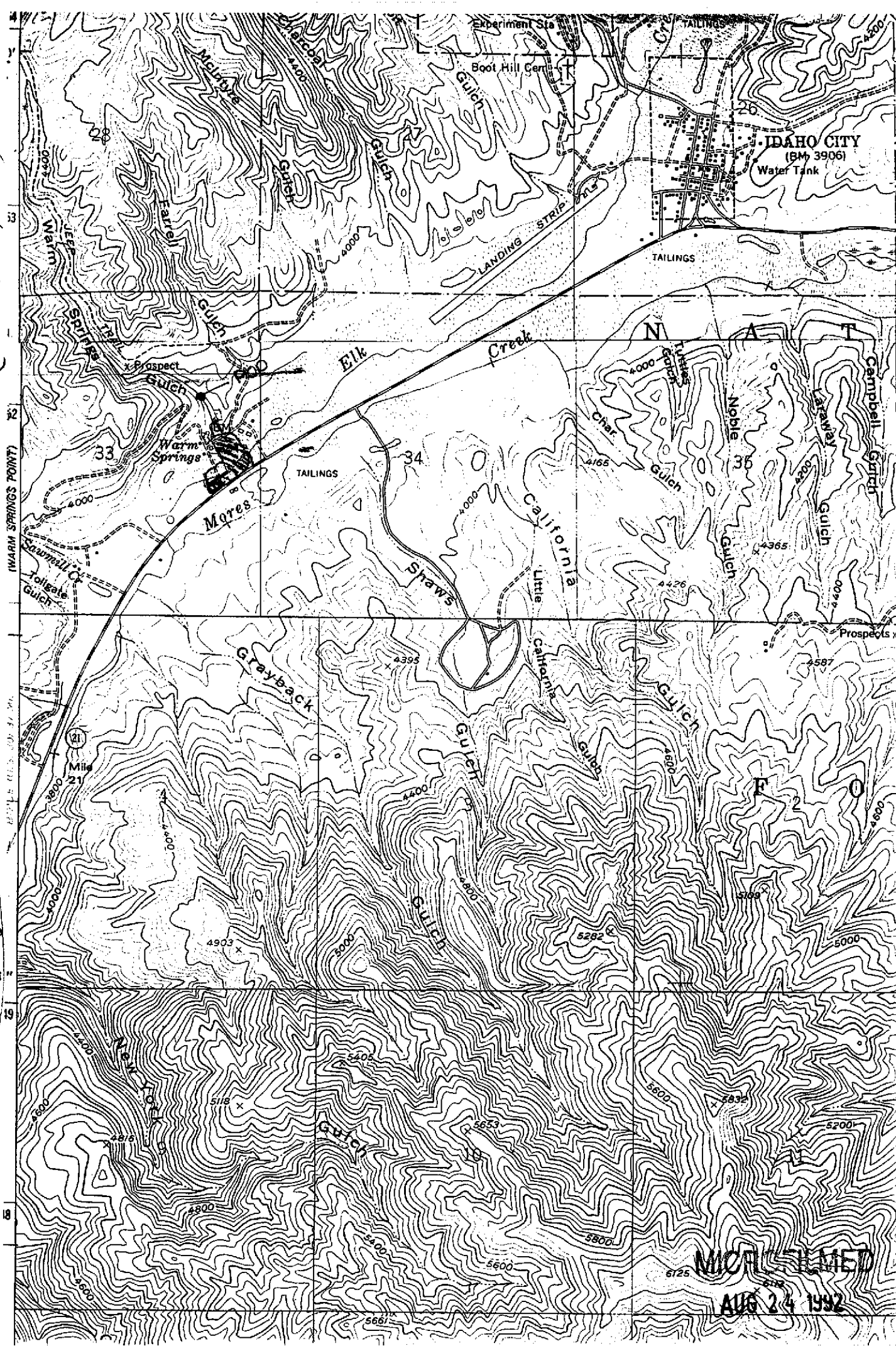
A tract of land situated in a portion of the Southeast quarter of the Northeast quarter and the Northeast quarter of the Southeast quarter of Section 33, Township 6 North, Range 5 East, Boise Meridian, Boise County, Idaho, more particularly described as follows:

Commencing at a found aluminum cap marking the center East 1/16th corner of said Section 33 from which the East quarter corner of said Section 33 bears North 88 degrees 59'35" East a distance of 1315.02 feet, said East quarter corner being a found aluminum cap,
Thence from the point of commencement North 88 degrees 59'35" East a distance of 63.33 feet along the South line of the Southeast quarter of the Northeast quarter of said Section 33 to a point on the Northerly line of the Warm Springs Flat Placer Claim, Mineral Survey No. 1483,
Thence along said Northerly boundary the following two courses:

North 59 degrees 24'49" East a distance of 189.93 feet to a found 2 inch iron pipe;
Thence South 85 degrees 10'52" East a distance of 255.46 feet to a found 1 inch iron pipe, said iron pipe being the point of beginning.
Thence along said Northerly boundary South 85 degrees 10'52" East a distance of 37.28 feet to a point;
Thence leaving said Northerly boundary South 21 degrees 59'48" East a distance of 474.99 feet to a set 5/8 inch rebar with cap P.L.S. 3624, said point being on the Northerly right-of-way line of State Highway 21 being a 200 foot dedicated right-of-way;
Thence along said Northerly right-of-way 32.55 feet Southwesterly along the arc of a circular curve to the left, said curve having a radius of 7790.00 feet, a central angle of 00 degrees 14'22", a long chord bearing of South 52 degrees 04'29" West and a long chord distance of 32.55 feet to a set 5/8 inch rebar with cap P.L.S. 3624;
Thence leaving said Northerly right-of-way North 22 degrees 13'22" West a distance of 500.75 feet to the point of beginning.

A63-15361

602, 5E, sec 33, (NW, SE, NE)



Warm Springs Resort, Inc.
Box 28
Gladwin City, Md 83431

Attachment #2
1 page

Item #12 Ownership.

Warm Springs Resort, Inc. is the recorded owner of all real property, except a 3.55 acre plot owned by Richard B. Waibye. Richard B. Waibye is also the sole owner of Warm Springs Resort, Inc.

The location of point of diversion is on property owned by Warm Springs Resort, Inc. only.

The 3.55 acre plot is considered an integral part of the Warm Springs Resort, Inc. complex by Richard B. Waibye, and title ownership will be transferred to Warm Springs Resort, Inc. shortly.

Item - ~~12~~ No Number

Also attached is "A History of the Warm Springs Resort Water Use" consisting of 5 pages.

A63-15361

MICROFILMED

AUG 24 1992

A HISTORY OF THE WARM SPRINGS RESORT WATER USE

(5 Pages)

The Warm Springs Resort originated in 1864 when it began providing laundry services, baths, and swimming to the Boise Basin gold rush miners and early pioneers. Today, over one hundred and twenty years later, the geothermal springs continue to provide refreshment and comfort at this historic and scenic mountain site.

An early advertisement from the Idaho World features the Warm Springs Laundry opening January 25, 1864. "The services of superior workmen combined with the unrivaled natural advantage of the purifying warm water will enable the proprietor to guarantee to his patrons an extra style of work." The first owner, Robert Turner also opened hot and cold baths and built a swimming pond. The swimming pond was sixty by one hundred and twenty feet, with a depth inclining from three to ten feet. The reservoir was located some hundred yards below the springs. "The springs cover a hillside area of little more than an acre, but within that space there are about a dozen separate and distinct perpetually bubbling springs all of nearly equally warm temperature, say from 91 to 105 degrees Fahrenheit." "The full volume of the springs has never been estimated, but a July 17, 1867 Idaho World news article (attached) stated that the flow of the springs which feed the great swimming pond is sufficient to fill that huge reservoir of 350,000 gallons in about ten hours." The article goes on to tell of two other large springs, whence the water flows - from one into the bathing rooms for ladies, which are attached to Mr. Turner's dwelling and presided over by his excellent wife. The other springs feed into the bathing rooms for gentlemen, which are attached to the saloon. The volume from each of these two large springs is sufficient to afford baths for hundreds of persons a day and besides yield a plentiful supply for adjoining wash house, the garden and huge horse trough in front at the roadside. Cold sulphur water was also in the rocky plat just north of the saloon as well as water from mining ditches on the hillside or from the creek. The Turner dwelling and boarding rooms, along with other buildings, also utilized the warm water.

A63-15361

MICROFILMED

AUG 24 1992

In 1902 Mrs. Frank Cooper began substantial improvements to the resort. She tore down the original 1864 residence and bathhouse and replaced them with new structures. The large 1902 two-story residence with its clapboard siding and numerous porches remains today. The new board and batten bathhouse was located in front of the residence and housed a toilet and nine cubicles with long metal tubs or copper soakers. The bathhouse was torn down in the ^{late 1970's} 1960's. Just above the old bathhouse is the crumbling wooden remains of the water or cooling tank that supplied the bathhouse. The water tank and bathhouse were connected to the springs by wooden troughs or flumes. A portion of this square wooden trough is still in use.

In June of 1903 Mrs. Turner replaced the swimming pond with a new 40- by 80-foot plunge located on the hillside. The shallow end was nestled into rock outcroppings and was 18 inches deep while the 10-foot deep end was supported by log cribbing and board and batten sides. (See photo.) The pool included a diving board on the deep end and a nozzle of warm water flowing in at the shallow end. Next to the pool was a board and batten toilet building, a shower structure, and below the plunge near the old water tank was the clapboard-sided dressing room building which is still intact.

A early utility map of the resort illustrates that besides supplying the plunge and bathhouse the various springs feed warm water lines to the dwellings, wash room, bedroom radiators, kitchens, bathroom and even to the chicken house which had a heat fan. Cold water was also supplied from a ditch on the hillside.

In 1956 a new 40- by 80-foot concrete pool was constructed and the old plunge and ^{W 25} bathhouse were discontinued.

*1902 Bathhouse removed sometime 1975
In 1956, additional pool, bathhouse, dressing rooms and shower were built.*

Compiled by Planmakers: Source: Idaho World, Idaho Directory for 1864, Abstract of Tittle, Idaho City Historical Foundation and Idaho Historical Society.

MICROFILMED

AUG 24 1992

A63 -15361

ADVERTISEMENT FOR BUENA VISTA BAR.

S. WIMMING POND,

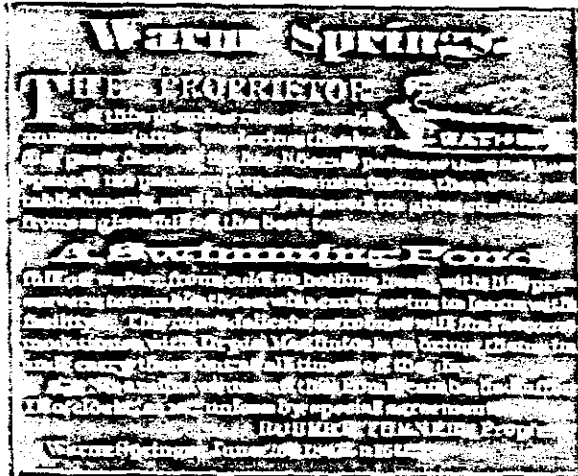
AT THE

WARM SPRINGS.

THE Proprietor would inform the public that he has added a Swimming Pond in addition to the regular baths, and assures the patrons of the establishment that no pains will be spared to contribute to their comfort and convenience

ROBERT TURNER.

1861



Warm-spring Laundry.

THIS Establishment will be opened for business on Monday January 23th. The services

SUPERIOR WORKMEN

have been secured, which combined with the UNRIVALED NATURAL ADVANTAGE

of the locality, will enable the proprietor to guarantee to his patrons an

extra style of work

—The—

Purifying Qualities of the Water

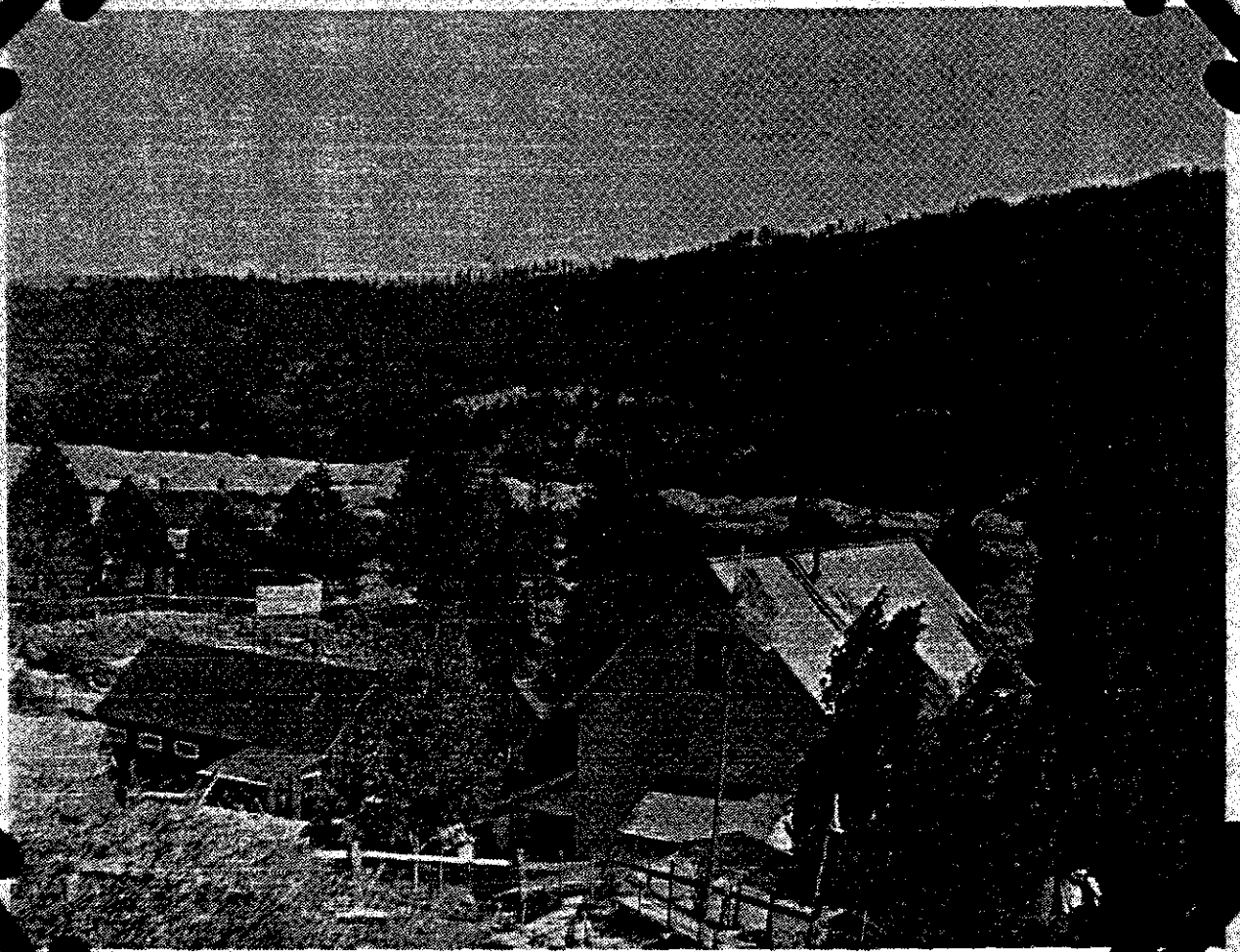
from these springs are so well understood by the citizen of Bamock that it would be superfluous to enlarge upon that point.

FOR the present, agents of the establishment will collect clothing in the early part of each week, to be delivered on Saturdays or sooner if required.

An Order-book, and Agency for the deposit of Bundles at Messrs. Fisk & Co.'s store, Main at

ROBT. TURNER.

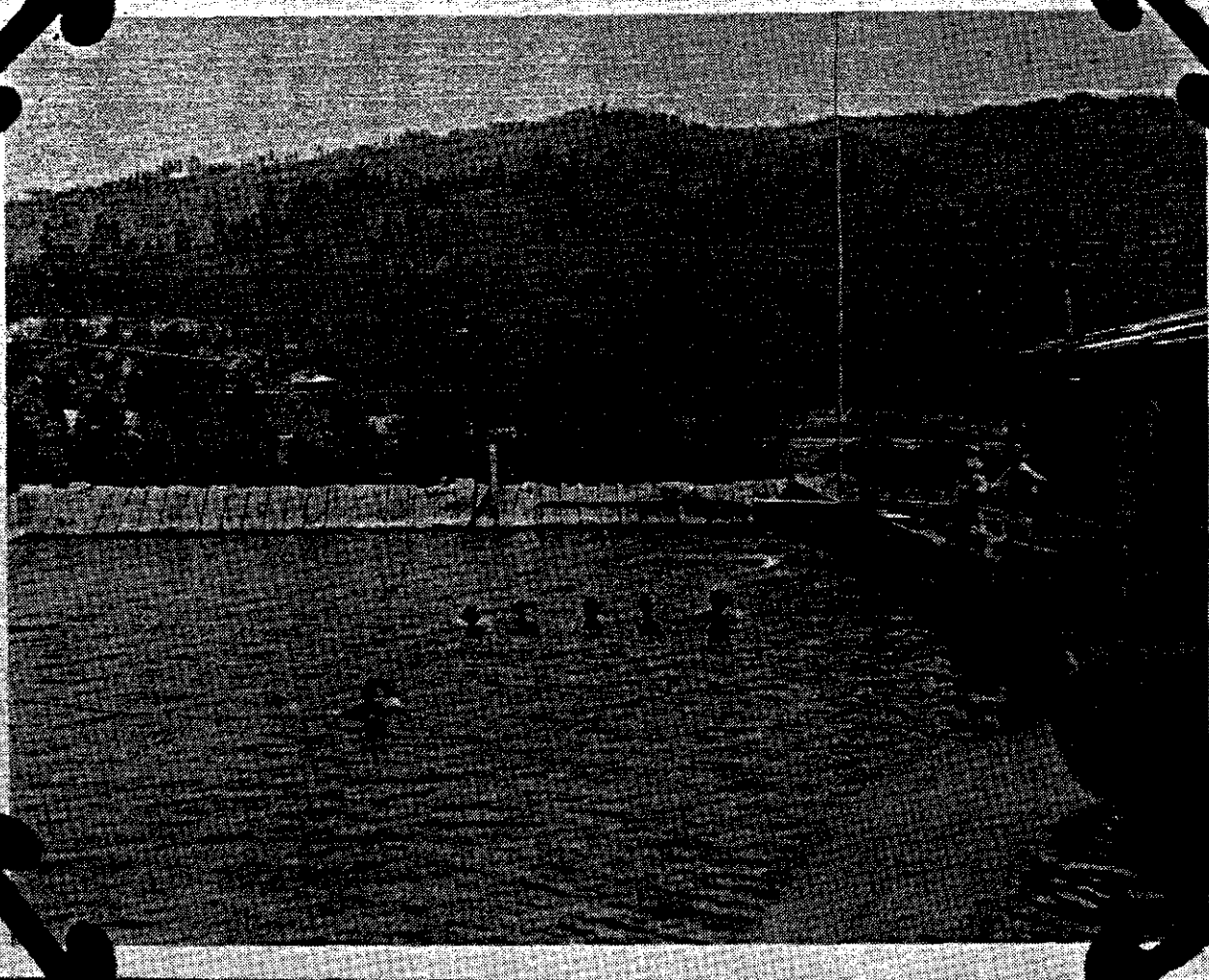
Bamock City, January 21st, 1861. 1st



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A63-15361



1903 Plunge-40 x 80 feet

BATHS AND BOARDING.

WARM  SPRINGS.

FRANK COOPER, PROPRIETOR.

HAVING TAKEN CHARGE OF THIS POPULAR place of public resort, I have thoroughly renovated the establishment and am prepared to receive **PERMANENT BOARDERS OR TRANSIENT GUESTS.**

HOT AND COLD BATHS

ready at all times, and everything about the house kept clean and neat.

The **LADIES' DEPARTMENT** will be controlled by

MRS. COOPER,

And everything will be done to contribute to the comfort of guests. (decltd)

Nov. 10, 1870

Hotels and Restaurants

BATHS AND BOARDING



WARM SPRINGS!

HAVING THOROUGHLY renovated and refitted this establishment, we are now prepared to accommodate any number of



Transient Guests or

Permanent Boarders

In a style equal, if not superior, to any house in the Basin. Our hotel accommodations being now perfected, persons desiring to test the medicinal and curative properties of the water will receive every attention. **HOT and COLD BATHS** ready at all times and when it is desired the **SWIMMING POND** will be ready for those who prefer it to the bath-tub. The **TABLE** will be supplied with everything the market affords, and the **BAR** well stocked with the finest brands of Wines, Liquors and Cigars. Ample

Stable AND Corral

Accommodations are provided for stock.

WM. M. VANCE.

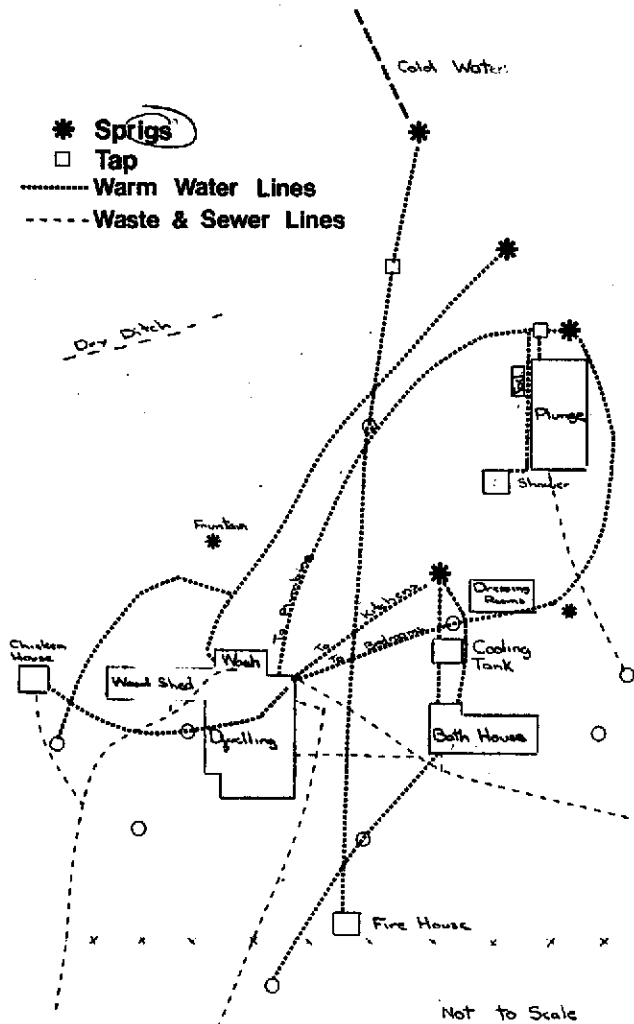
January 8, 1871-ml.

MICROFILMED

AUG 24 1992

A63-15361

Map c. 1910



Take the whole place together—the many springs, their adaptability to use with trifling labor, their unceasing flow, their refreshing, curative, healthful effects, their convenience to our citizens; the charming, cooling, beneficent influence the baths, the ride thither and back, and the rest while there exercises upon a body—and we can well repeat the remark that Turner's Warm Springs are a blessing to this community. And we can truthfully add, that Mr. and Mrs. Turner, at the Springs, and McClintock & Stewart, in the carriage accommodations they give for rides there and back every hour of the day, each and all manifest a cheerful desire to increase the enjoyment of the blessing.

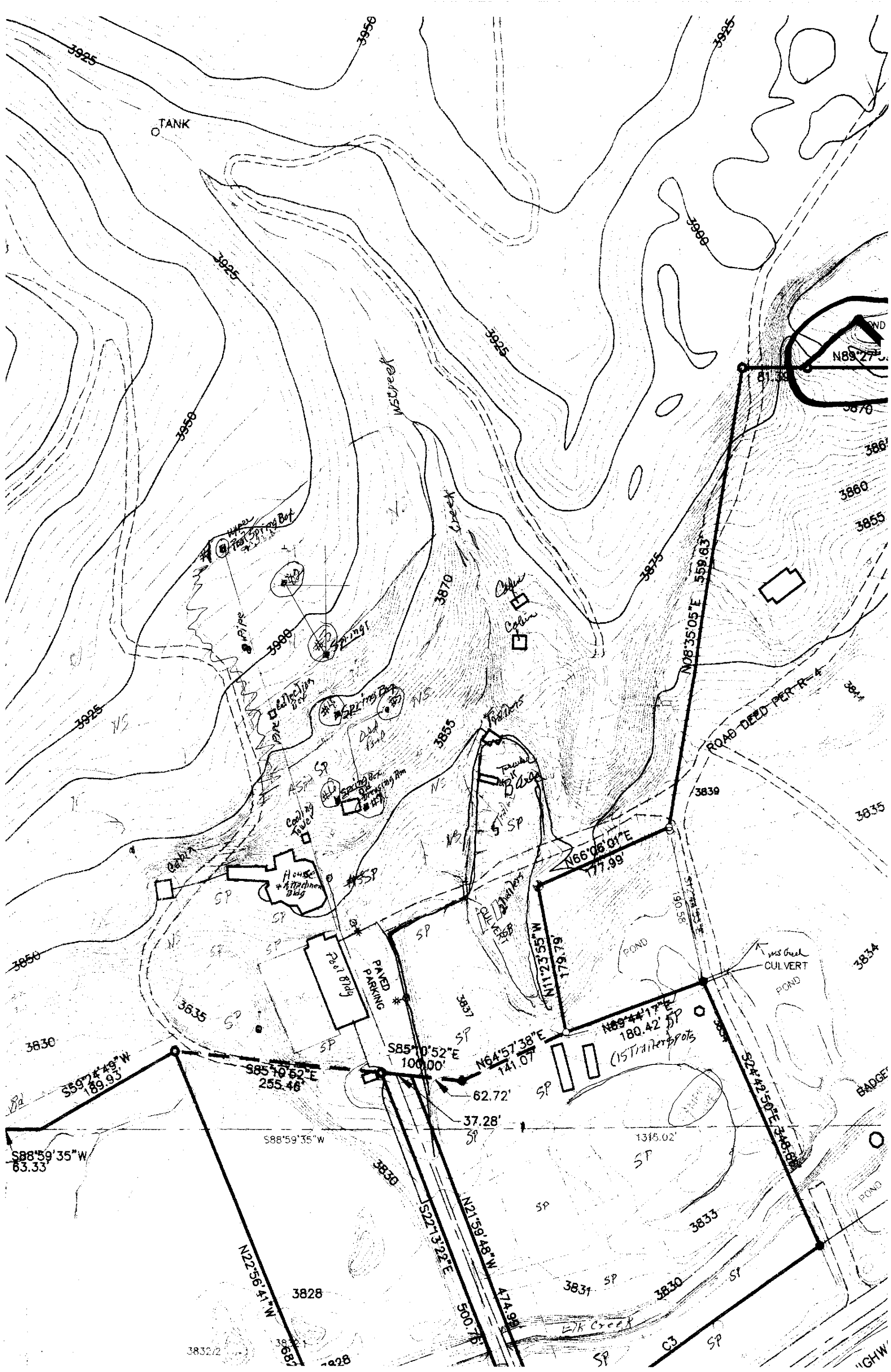
Oct
-1962

109

1944

AUG 24 1992

463-15361



3/24/02

W.S.R GPS LOCATIONS (GARMIN VENTURE)GPS POOR ACCURACY (WEATHER) AS PER RUSS / RICHARD WEIBYS
(10-15 FT VARIANCE)

POINT	LOCATION	DESCRIPTION	REMARKS	ELEV
1.  (175 ft)	N 43° 48.935 W 115° 51.868	W.S.R Geological Rock BS Benchmark SURVEY	Nth CABIN DRIVE Wy. W of W.S. CK (3856)	
2	N 43° 48.942 W 115° 51.860	9 inch Well casing #1	N/E Pool Bldg	3870
3.	N 43° 48.915 W 115.51.876	9 inch " " # 2	W of Pool (below)	3859.
4.	N 43° 48.951 W 115° 51.859	Spring Box #1	N/W old Dressing Rm	3889.
5. ~~5~~	N. 43° 48.960 W 115° 51.861	Spring Box #2	S/E old Dressing Rm	3826
6	N. 43° 48.980 W 115° 51.871	Spring Box #3	150 ft up Hill from Spring Box #1	3916+
7.  Collection Box	N 43° 48.986 W 115° 51.885	Spring Box #4 for # (Collection Box)	N/W up Hill from Spring Box #3	3945
8.	N 43° 48.990 W 115° 51.883	Spring Box #5	E. of Collection Box Point 7	3943.
9. Main Spring	N 43° 49.006 W 115° 51.893	Main Spring Box #4	N/W up Hill from Spring Box #4	3952
10.	N 43° 48.980 W 115° 51.862	Spring #6	20ft N/E CNR of (Pool old EARTH)	3926
11	N 43° 49.075 W 115° 51.906	W.S. TRIBUTION DAM	TRAIL EAST SIDE of W.S.C (CABINS)	~~3840~~ 3835
12	N. 43° 48.926 W. 115° 51.875	N/W CNR Pool Building		3820 ft
13.	N 43° 48.939 W 115° 51.918	Hillside Spring top of ^{old} Yellow Cabin	40ft NW CABIN	3871

April 1, 2002

WARM SPRINGS RESORT INC
C/O RICHARD B WEIBYE
PO BOX 28
IDAHO CITY ID 83631

RE: Amended Snake River Basin Adjudication (SRBA) Preliminary Recommendations

Dear Mr. Weibye:

I have completed making the changes we spoke about on the Preliminary Recommendation for Warm Springs Resort. I will try to summarize some of the changes.

63-15360:

This right was split into two parts, 63-31456 and 63-31457, in order to represent two different development periods of 1956 and 1981 and is no longer valid.

63-31456:

This was recommended for the historical use of the water for domestic and commercial use dating back to 1956.

63-31457:

This was recommended under domestic definition part B. As we spoke about, even though this use is for the trailer hookups, which is essentially commercial, since the use commenced after March 25, 1963, we had no option to recommend it any other way or it would be in violation of the mandatory permit statute.

63-15361:

What I mainly changed on this one is the POU. Originally we recommend the same POU for this right and right 63-15362. Per your request and based on the map you provided in the office, I changed the recommend POU to be only what you irrigate with Warm Springs Gulch water. I found about 4.5 acres.

63-15362:

What I mainly changed on this one is the POU. Originally we recommend the same POU for this right and right 63-15361. Per your request and based on the map you provided in the office, I changed the recommend POU to be only what you irrigate with spring water. I found about 4.8 acres.

In addition, based on the information you provided, I added two additional points of diversion that were not originally recommended. Thus, 7 springs are accounted for on this recommendation.

Please look over the changes and feel free to contact me if you have any further questions.

Respectfully submitted,

Craig L. Saxton
Water Resource Agent
Adjudication Bureau