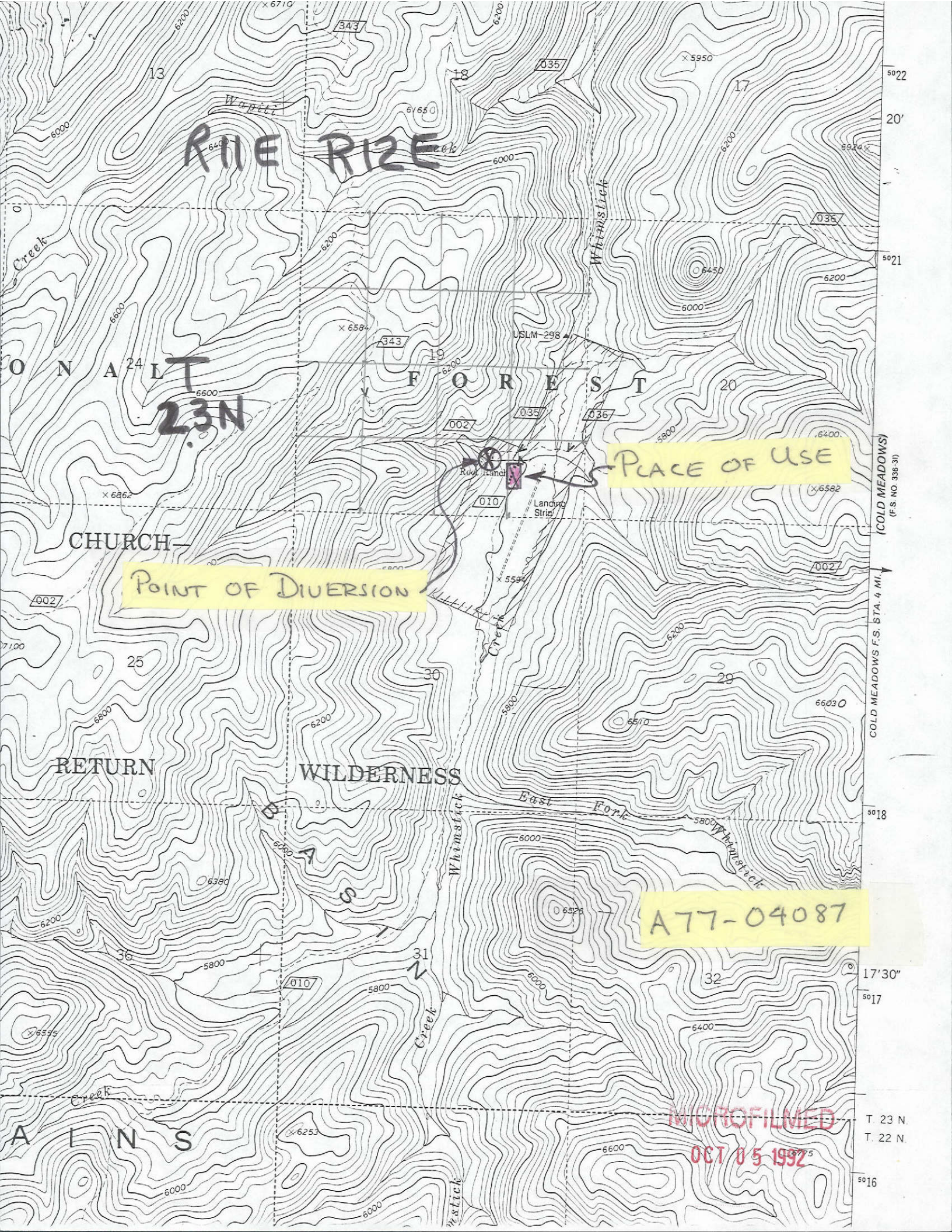




RHE RIZE

ON A LT 23N

CHURCH

POINT OF DIVERSION

WILDERNESS

RETURN

A E N S

PLACE OF USE

A77-04087

MICROFILMED
OCT 05 1992

(COLD MEADOWS)
(F.S. NO 336-3)

COLD MEADOWS F.S. STA. 4 MI.

T. 23 N.
T. 22 N.

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: A77-04087
Date Received: 5/17/1988
Receipt No: E000415

RECEIVED

OCT 20 1989

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

Department of Water Resources
Western Regional Office

1. Name: FLYING RESORT RANCHES INC. 208-523-1662
Address: C/O DON ELLSWORTH
P.O. BOX 2336
IDAHO FALLS, ID 83403

2. Date of Priority: JUL 15, 1960

3. Source: UNNAMED STREAM Trib. to: WHIMSTICK CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
23N	12E	19	NE	SW	SE		IDAHO

5. Description of diverting works:

DIVERSION DAM AND PIPELINE TO COOKHOUSE, WASH HOUSE, AND LODGE

6. Water is used for the following purposes:

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

7. Total Quantity Appropriated is:

0.040 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

D/COOKHOUSE, WASH HOUSE & LODGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
23N	12E	19	SE	SE		DOMEST	

11. Place of use in counties: IDAHO

A77-04087

Page 1

Date: 05/18/88

MICROFILMED
OCT 05 1992

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

13. Other Water Rights Used:
NONE

14. Remarks:

P/D INCOMPLETE LOCATED APPROXIMATELY 375 FT. SOUTHERLY FROM
CORNER # 5 OF H.E. SURVEY NO.298
P/U INCOMPLETE WITHIN BOUNDARY OF H.E. SURVEY NO. 298
APPROXIMATELY 300 FT. SOUTHERLY FROM CORNER # 6 OF SURVEY.
APPLICANT OWNS H.E. SURVEY NO.298, UPON WHICH THE P/D & P/U ARE
SITUATED.

15. Basis of Claim: STATUTORY CLAIM
Water Right Number:

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 X 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 President of
Title
Flying Resort Ranches, Inc., that I have signed the foregoing
Organization
document in the space below as Authorized Agent of
Title
Flying Resort Ranches, Inc. and that the statements contained in the
Organization
foregoing document are true and correct.

[Signature]
Signature of Authorized Agent
President
Flying Resort Ranches, Inc.
Title and Organization

June 11, 1988
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of June 19 88

Janna Bosworth
Notary Public

Seal

Residing at Idaho Falls, Idaho

My Commission Expires 9-88

R11E R12E

23N

FOREST

PLACE OF USE

POINT OF DIVERSION

CHURCH

RETURN

WILDERNESS

A77-04087

UNRECORDED

OCT 05 1992

COLD MEADOWS
(F.S. NO. 336-3)

COLD MEADOWS F.S. STA. 4 MI.

17'30"
5017

T. 23 N
T. 22 N

5016

5022

20'

5021

5018

32

5017

5016

13

18

17

15

20

25

20

29

36

31

32

A I N S

N.E. Survey No. 298

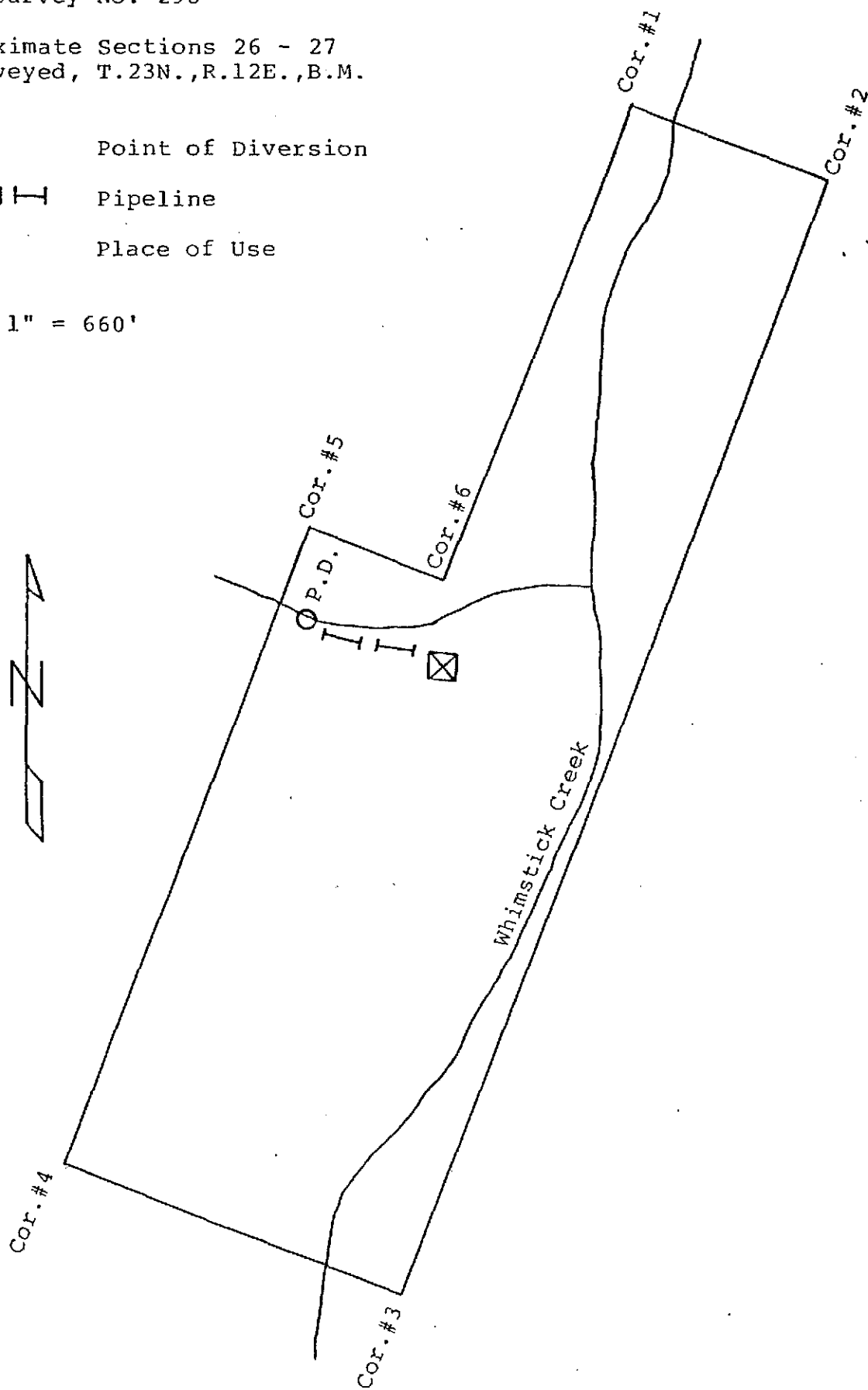
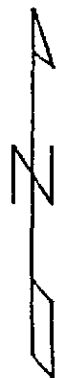
Approximate Sections 26 - 27
Unsurveyed, T.23N., R.12E., B.M.

○ Point of Diversion

— — — Pipeline

☒ Place of Use

Scale 1" = 660'



AJ0749NP
No. R77-04087

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

DATE: 11/10/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FLYING RESORT RANCHES INC C/O BILL GUTH GEN MGR RR 2 BOX 225-10 SALMON ID 83647 (208) 756-6295	07/15/1960	DOMESTIC	01-01 12-31	0.04 CFS	
TOTAL DIVERSION:					0.04 CFS	

Water Source: UNNAMED STREAM

Tributary to: WHIMSTICK CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T23N R12E S19

NESWSE

IDAHO County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:
23N	12E	19	:																	:

POU County: IDAHO

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N06 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 2,500 GALLONS PER DAY.

Remarks: USE DOMESTIC USE FOR COOKHOUSE, WASH HOUSE & LODGE.

EXP PARCEL NO. RP 23N12E203310

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Comments: Date: 06/25/1998 User-ID: SSHerman Subject: COPIED FROM REMARKS
P/D INCOMPLETE LOCATED APPROXIMATELY 375 FT. SOUTHERLY FROM

AJ0749NP
No. R77-04087

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

DATE: 11/10/98
PAGE: 2

=====

Comments: Date: 06/25/1998 User-ID: SSHERMAN Subject: COPIED FROM REMARKS
CORNERR # 5 OF H.E. SURVEY NO.298
P/U INCOMPLETE WITHIN BOUNDARY OF H.E. SURVEY NO. 298
APPROXIMATELY 300 FT. SOUTHERLY FROM CORNER # 6 OF SURVEY.
APPLICANT OWNS H.E. SURVEY NO.298, UPON WHICH THE P/D & P/U ARE
SITUATED.

Date: 11/10/1998 User-ID: CWALKER Subject: COPIED FROM REMARKS
ADDRESS CHANGE BY CLAIMANT LETTER.

Audit: 11/10/98 CWALKER

AJ0749NP
No. R77-04087

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

DATE: 06/25/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FLYING RESORT RANCHES INC C/O BILL GUTH GEN MGR RR 2 BOX 225-10 SALMON ID 83647 (208) 756-6295	07/15/1960	DOMESTIC	01-01 12-31	0.04 CFS	
TOTAL DIVERSION:					0.04 CFS	

Water Source: UNNAMED STREAM

Tributary to: WHIMSTICK CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T23N R12E S19

NESWSE

IDAHO County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE							
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:			
23N	12E	19	:																	:			

POU County: IDAHO

Non-Irrigation Uses: ~~COOKHOUSE, WASH HOUSE & LODGE~~ Delete

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
N13 - DETERMINATION OF HISTORICAL BENEFICIAL USE.
N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Remarks: EXP ADDRESS CHANGE BY CLAIMANT LETTER. - sent to comment

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Comments: Date: 06/25/1998 User-ID: SSHERMAN Subject: COPIED FROM REMARKS
P/D INCOMPLETE LOCATED APPROXIMATELY 375 FT. SOUTHERLY FROM

EXP - Parcel No. RP 23N12E203310

USE - Domestic use for cookhouse, wash house & lodge

Receipt - E000415 - \$25

AJ0749NP
No. R77-04087

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

DATE: 06/25/98
PAGE: 2

=====

Comments: Date: 06/25/1998 User-ID: SSHERMAN Subject: COPIED FROM REMARKS
CORNER # 5 OF H.E. SURVEY NO.298
P/U INCOMPLETE WITHIN BOUNDARY OF H.E. SURVEY NO. 298
APPROXIMATELY 300 FT. SOUTHERLY FROM CORNER # 6 OF SURVEY.
APPLICANT OWNS H.E. SURVEY NO.298, UPON WHICH THE P/D & P/U ARE
SITUATED.

Audit: 06/25/98 SSHERMAN

AJ0749NP
No. A77-04087

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

DATE: 06/23/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	FLYING RESORT RANCHES INC C/O BILL GUTH GEN MGR RR 2 BOX 225-10 SALMON ID 83647 (208) 756-6295	07/15/1960	DOMESTIC	01-01 12-31	0.04 CFS	
TOTAL DIVERSION:					0.04 CFS	

Water Source: UNNAMED STREAM

Tributary to: WHIMSTICK CREEK

Stage: STATUTORY CLAIM

Point(s) of Diversion: T23N R12E S19 NESWSE

IDAHO County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE			
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac						
23N	12E	19	:	:	:	:	:	:	:	:	:	:	:	:	:

POU County: IDAHO

Non-Irrigation Uses: D/COOKHOUSE, WASH HOUSE & LODGE

Other Rights: NONE

Remarks: GEN P/D INCOMPLETE LOCATED APPROXIMATELY 375 FT. SOUTHERLY FROM
CORNERR # 5 OF H.E. SURVEY NO.298
P/U INCOMPLETE WITHIN BOUNDARY OF H.E. SURVEY NO. 298
APPROXIMATELY 300 FT. SOUTHERLY FROM CORNER # 6 OF SURVEY.
APPLICANT OWNS H.E. SURVEY NO.298, UPON WHICH THE P/D & P/U ARE
SITUATED.

EXP ADDRESS CHANGE BY CLAIMANT LETTER.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

map 069 - unsurveyed.
+ Sec. nws.

AJ5856NP

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

DATE: FEB-13-1998

PAGE: A-6

+ A77-04086 (28,01,43)

RIGHT NUMBER: 77-04087

NAME & ADDRESS: FLYING RESORT RANCHES INC.
C/O DON ELLSWORTH?
~~PO BOX 2336~~
~~IDAHO FALLS ID 83403~~

Rt. 1 Box 22510
Salmon ID 83647

Registered Agent:
Bruce Thomas
1414 W. Franklin
Box 83702

SOURCE: UNNAMED STREAM

TRIBUTARY: WHIMSTICK CREEK

QUANTITY: 0.04 CFS

PRIORITY DATE: 07/15/1960

POINT OF DIVERSION: T23N R12E S19

NESWSE

Within IDAHO County

PURPOSE AND

PERIOD OF USE: PURPOSE OF USE
DOMESTIC D/COOKHOUSE, WASH HOUSE &

PERIOD OF USE
01-01 12-31

QUANTITY
0.04 CFS

PLACE OF USE: DOMESTIC
T23N R12E S19

Within IDAHO County
SESE

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

P/D INCOMPLETE LOCATED APPROXIMATELY 375 FT. SOUTHERLY FROM
CORNER # 5 OF H.E. SURVEY NO. 298
P/U INCOMPLETE WITHIN BOUNDARY OF H.E. SURVEY NO. 298
APPROXIMATELY 300 FT. SOUTHERLY FROM CORNER # 6 OF SURVEY.
APPLICANT OWNS H.E. SURVEY NO. 298, UPON WHICH THE P/D & P/U ARE
SITUATED.

EXPLANATORY MATERIAL: BASIS OF CLAIM - STATUTORY CLAIM

RP T23N12E203310 HES 298 tx #1
SW NW NW

Carter said recommend as is.
6-24-98

AS 03-16-98



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

RECEIVED

JUN 15 1998

Department of Water Resources

June 8, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

FLYING RESORT RANCHES INC
C/O ~~DON ELLSWORTH~~ BILL GUTH, GEN MGR
RT-1 BOX 225-10 *RR1 Box 225-10*
SALMON ID 83647

Re: Snake River Basin Adjudication (SRBA)
Notices of Claim #A77-04087 & A77-04086 - Idaho County
Change of Address

Dear Claimant:

A records modified 06.23.98

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your water right(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water right referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the water right record.

Please return this signed letter by June 15, 1998. Thank you for your help.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Claimant Signature

208-756-6295
Telephone No.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 5, 1995

Mr. Bill Guth
Box 770
Salmon, ID 83467

RE: Recorded Water Rights

Dear Mr. Guth:

Enclosed please find copies of water right no. 77-04087 and adjudication claim no. A77-04087 that are filed with this agency. The adjudication claim has been filed to protect the water right as required by the ongoing Snake River Basin Adjudication process.

Water right no. 77-04087 is a statutory claim ("grandfather right") based on Section 42-243, Idaho Code. A statutory claim is a non-verified form of a water right that can be "ripened" into a decreed right via an adjudication. Statutory claims are legitimate forms of water rights under Idaho law unless found otherwise in court proceedings.

In this particular case, it appears that the statutory claim route has been used to record a use preceeding the mandatory permit date for surface water uses. Surface water uses developed on or after May 20, 1971 require water right permits instead of statutory claims.

Please let me know if you need more help in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Steve Lester".

Steve Lester
Water Rights Supervisor

MICROFILMED

OCT 24 1996

ELLSWORTH ENGINEERING, INC.

P.O. Box 1822
IDAHO FALLS, IDAHO 83403-1822

RECEIVED MEMO

A77-04086-7

LETTER

AUG 26 1988

(208) 523-1662

Date Aug. 24, 88

To Idaho Dept. of Water Resources Department of Water Resources Subject

Adjudication Bureau
Statehouse

Boise, ID 83720

Water rights filing —

Gentlemen: Enclosed herewith a copies of 2 notices we have received about Valley county. We believe the filings on this property was completed in June of 88.

Enclosed herewith is a copy of the filing for the Valley County property. If you do not have this in your files or if it is incomplete please let me know. —

No reply necessary 10/02/88

☐ Please reply

☐ No reply necessary

SIGNED

Don Ellsworth

MICROFILMED

OCT 05 1992