

only govt lot
is L.2 NWNE S.4
-SL 5/13/97

POINTS OF DIVERSION

Reservoir as proposed
& wells #1, #2, & #3
upstream of reservoir.
One or more springs at
reservoir site.

Upper William
Dam (57-04042)
Lower William
Dam, Breached
(57-04041)

Replot And
Expand Large
Dam

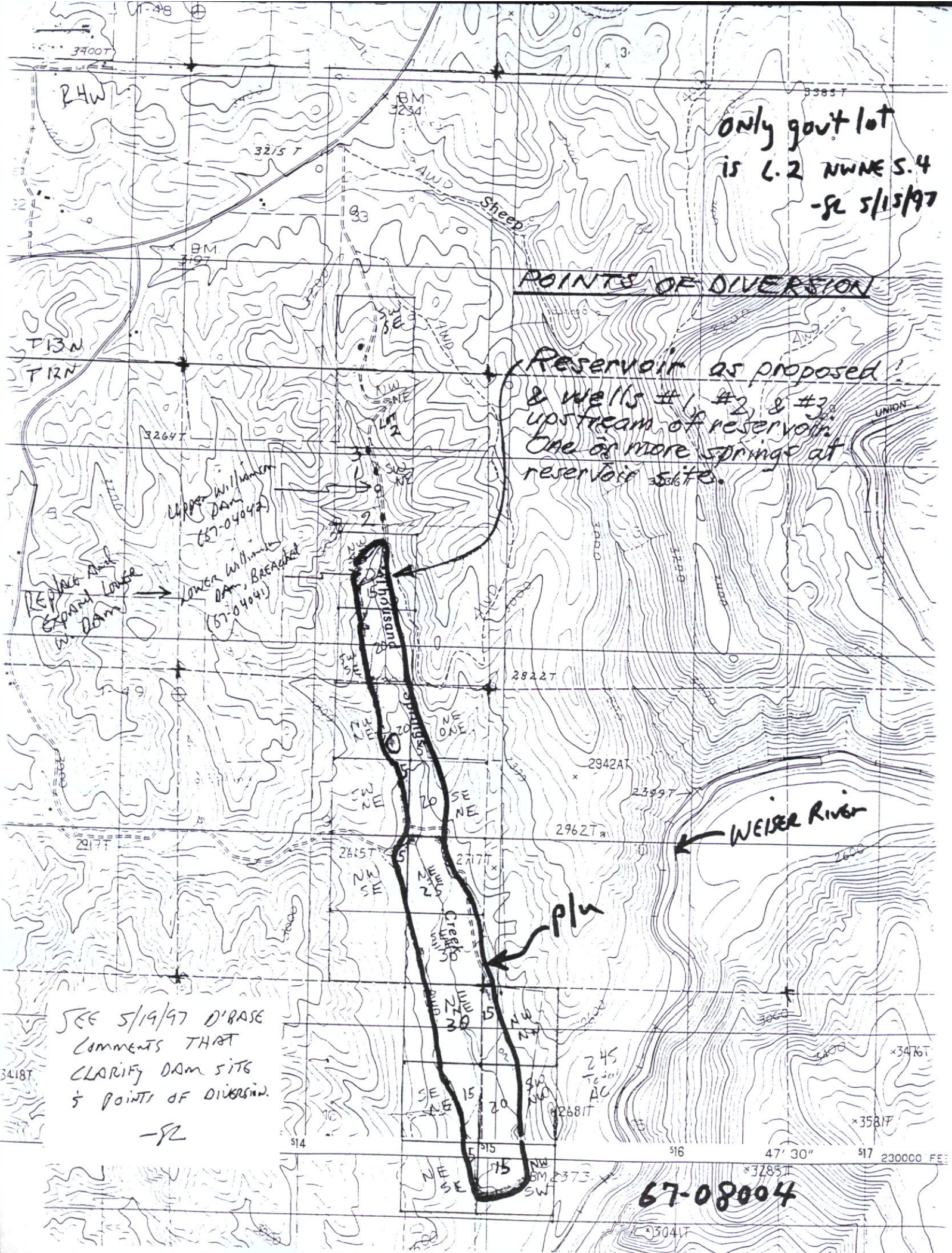
WEISER River

plw

SEE 5/19/97 D'BASE
COMMENTS THAT
CLARIFY DAM SITE
& POINTS OF DIVERSION.

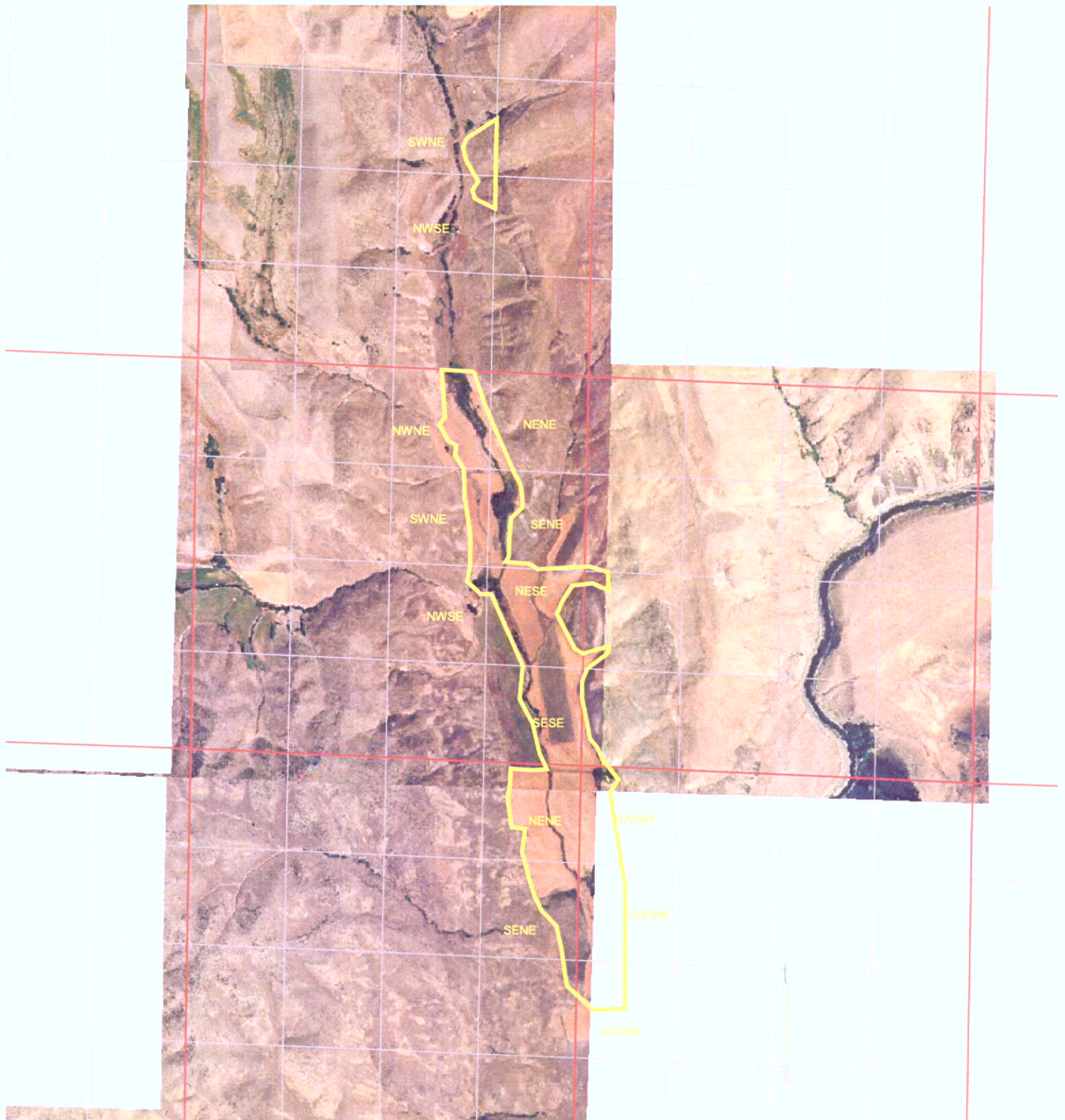
-SL

67-08004



Idaho Department of Water Resources

67-8004



T12N R04W S4, S9, S 10, S15, S16

1000 0 1000 2000 3000 4000 Feet



Prepared by Sandy Egbert
4-7-04
1993/94 True Color Aerial Photo

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: **A67-08004**
Date Received: 3/ 5/1998
Receipt No: C041637
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: S P MELLON
Address: THOUSAND SPRINGS RANCH
1860 U S HWY 95
WEISER ID 83672
208-549-3645
2. Date of Priority: SEP 19, 1996
3. Source: THOUSAND SPRINGS CREEK
SPRINGS
GROUNDWATER
Trib. to: WEISER RIVER
THOUSAND SPRINGS CREEK
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|------------|
| 12N | 04W | 4 | NW | NE | | 2 | WASHINGTON |
| | | | SW | NE | | | WASHINGTON |
| | | | NW | SE | | | WASHINGTON |
5. Description of diverting works:
LOW DAM TO STORE RUNOFF AND GROUNDWATER FROM WELLS.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.060		
WILDLIFE	01/01	12/31	0.030		
WILDLIFE STORAGE	01/01	12/31			30.00
WILDLIFE FROM STORAGE	01/01	12/31			30.00
STOCKWATER	01/01	12/31	0.030		
STOCKWATER STORAGE	01/01	12/31			30.00
STOCKWATER FROM STORAGE	01/01	12/31			30.00
IRRIGATION	03/15	11/15	4.900		
IRRIGATION STORAGE	01/01	12/31			30.00
IRRIGATION FROM STORAGE	03/15	11/15			30.00
DIVERSION TO STORAGE	01/01	12/31	4.900		
FIRE PROTECTION STORAGE	01/01	12/31			30.00

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

A.F.A.

8. Total consumptive use is 735.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	04W	4	NW	SE		IRR	15.0
			SW	SE		IRR	20.0
					Section Acres		35.0
		9	NE	NE		IRR	5.0
			NW	NE		IRR	20.0
			SW	NE		IRR	5.0
			SE	NE		IRR	20.0
			NE	SE		IRR	25.0
			NW	SE		IRR	5.0
			SE	SE		IRR	30.0
					Section Acres		110.0
		15	NW	NW		IRR	15.0
			SW	NW		IRR	20.0
			NW	SW		IRR	15.0
					Section Acres		50.0
		16	NE	NE		IRR	30.0
			SE	NE		IRR	15.0
			NE	SE		IRR	5.0
					Section Acres		50.0
					Total Acres		245.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

14. Remarks:

The director retains jurisdiction to require by written order the release of purchased or leased natural flow or stored water to

14. Remarks: Continued

offset depletion of Lower Snake River flows needed for salmon migration purposes. The amount of the water required to be released into the Snake River or a tributary for this purpose will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit. The quantity of water required to be released for this purpose will not exceed 735 acre feet per year. The permit holder has the right to administrative and judicial review of any order requiring mitigation water to be provided under this permit condition pursuant to the procedures of Section 42-1701A or Chapter 52, Title 67, Idaho Code.

Three wells are proposed to within the SWNE and NWNE, S04 T12N, R04W.

Stockwater use is for 100 range cattle.

Domestic use is for 2 homes and does not include lawn, garden landscape, or other types of irrigation.

All areas below the mean level disturbed by construction but not inundated by the reservoir shall be re-vegetated and/or reseeded as recommended by Idaho Department of Game and/or the local office of the Natural Resources Conservation Service. No structure shall be constructed, temporary or permanent stream channel which would restrict the migration of indigenous fish.

15. Basis of Claim: PERMIT

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

Date Received

Receipt Number

315198

6041637

RECEIVED

MAR 05 1998

Department of Water Resources

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) S. P. Mellon Phone (208) 549-3645
Mailing Address Thousand Springs Ranch
1860 U.S. Highway 95, Weiser, ID Zip 83672

2. Date of Priority (Only one (1) per claim) September 19, 1996

3. Source of water supply (a) Please see Exhibit "A"
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 12N Range 04W Section 4,
1/4 of NW 1/4 of NE 1/4, Govt. Lot, 2 B.M., County of Washington

Additional points of diversion if any: Please see Exhibit "B"

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. Low dam to store runoff and groundwater
from wells.

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 3/15 to 11/15 amount 4.90 or _____

For Irrigation storage purposes from 1/1 to 12/31 amount _____ or 30.0

For Irrigation from ~~storage~~ storage purposes from 3/15 to 11/15 amount _____ or 30.0

For Stockwater purposes from 1/1 to 12/31 amount .03 or _____

Continued on Exhibit "C"

7. Total quantity claimed (a) 4.90 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 735 acre feet per annum.

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

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	
12N	4W	4														SWD 15	SWD 20		35
12N	4W	9	SWD 5	SWD 20	SWD 5	SWD 20									SWD 25	SWD 5		SWD 30	110
12N	4W	15						SWD 15	SWD 20			SWD 15							50
12N	4W	16	SWD 30			SWD 15									SWD 5				50

Total number of acres irrigated 245

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

12. Do you own the property listed above as place of use? Yes XX No _____

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.

67-02372

or None ()

14. Remarks:

Last Name Mellon Ident No. _____

Copies: White -State, Yellow-Claimant

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.

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

Decree _____

If applicable provide IDWR Water Right Number 67-08004

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 XX wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 4 (Exhibits A - D)

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

Signature of Claimant (s) Seward Prosser Mellon Date 2/17/98

Date _____

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

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

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

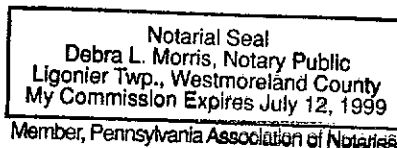
Signature of Authorized Agent _____

Title and Organization _____ Date _____

Commonwealth of Pennsylvania

State of Idaho /or _____)

County of Westmoreland) SS.



Subscribed and sworn (or affirmed) before me this 17th day of February 19 98

SEAL

Notary Public Debra L. Morris

Residing at Westmoreland County, PA

My Commission Expires 7-12-1999

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Scott L. Campbell 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 Scott L. Campbell

Elam & Burke, P.A.

Address PO Box 1539, Boise, ID 83701

Date 2/25/98

Last Name Mellon Ident. Number _____

Copies White-State, Yellow-Claimant

EXHIBIT A

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

PERMIT NUMBER 67-08004

3. Source of water supply (a) Thousand Springs Creek
 which is tributary to (b) Weiser River

Source of water supply (a) Springs
which is tributary to (b) Thousand Springs Creek

Groundwater

EXHIBIT B

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

PERMIT NUMBER 67-08004

4. Township 12N, Range 04W, Section 4, SW $\frac{1}{4}$ of NE $\frac{1}{4}$, B.M., County of Washington.
Township 12N, Range 04W, Section 4, NW $\frac{1}{4}$ of SE $\frac{1}{4}$, B.M., County of Washington.

EXHIBIT C

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

PERMIT NUMBER 67-08004

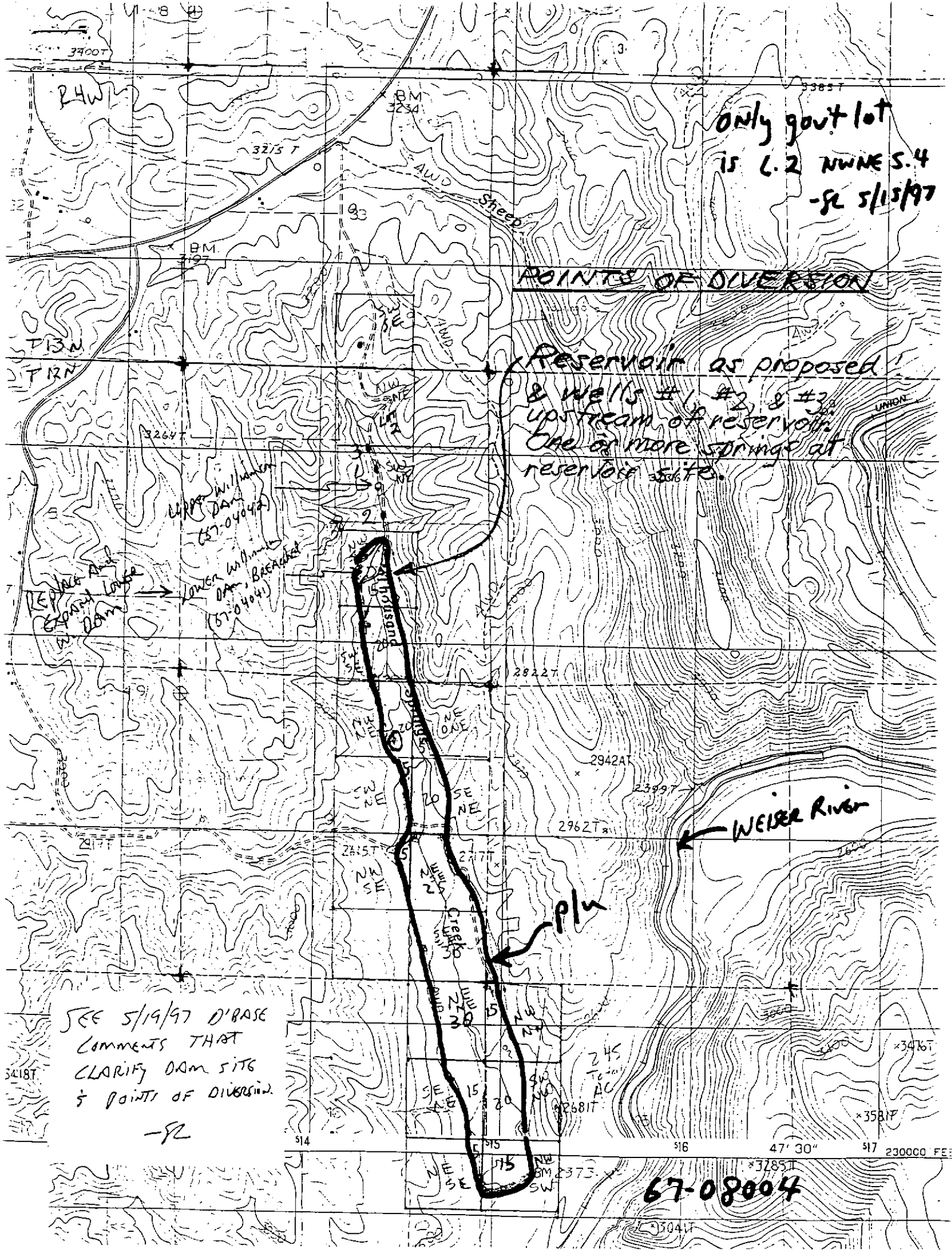
6. For Stockwater Storage purposes from 1/1 to 12/31, amount 30.0 acre feet
For Stockwater from Storage purposes from 1/1 to 12/31, amount 30.0 acre feet
For Wildlife purposes from 1/1 to 12/31, amount .03 cubic feet per second
For Wildlife Storage purposes from 1/1 to 12/31, amount 30.0 acre feet
For Wildlife from Storage purposes from 1/1 to 12/31, amount 30.0 acre feet.
For Domestic purposes from 1/1 to 12/31, amount .06 cubic feet per second
For Fire Protection Storage purposes from 1/1 to 12/31, amount 30.0 acre feet
For Diversion to Storage purposes from 1/1 to 12/31, amount 4.90 cubic feet per second.

EXHIBIT D

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

PERMIT NUMBER 67-08004

9. Stockwater use is for 100 range cattle.
Domestic use is for 2 homes and does not include lawn, garden landscape, and other types of irrigation.
Also includes wildlife use.



only govt lot
is 6.2 NWNE S.4
-FL 5/15/97

POINTS OF DIVERSION

Reservoir as proposed
& wells #1, #2, & #3
upstream of reservoir.
One or more springs at
reservoir site.

UPPER Williams
Dam (57-04042)
LOWER Williams
Dam, Breached
(57-04041)

Refuge And
Expand Large
Dam

WEISER River

plu

SEE 5/19/97 D'BASE
COMMENTS THAT
CLARIFY DAM SITE
& POINTS OF DIVERSION

-FL

67-08004

WR5809NP
No. 67-08004

[illegible]

place of use location for WILDLIFE FROM STORAGE is the same location as described for: IRRIGATION

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: WASHINGTON

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the Watermaster of State Water District No. 67.
- 46B - The right holder shall comply with Idaho well construction standards when constructing a well pursuant to this right.
- 18A - The right holder shall install/maintain permanent measuring devices in such a manner that the amount of water entering the reservoir and the amount of water released from the reservoir can be measured.
- 18B - The storage of water under this right is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.
- 01J - Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.

Remarks: GEN

The director retains jurisdiction to require by written order the release of purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows needed for salmon migration purposes. The amount of the water required to be released into the Snake River or a tributary for this purpose will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit. The quantity of water required to be released for this purpose will not exceed 735 acre feet per year. The permit holder has the right to administrative and judicial review of any order requiring mitigation water to be provided under this permit condition pursuant to the procedures of Section 42-1701A or Chapter 52, Title 67, Idaho Code.

Three wells are proposed to within the SUNE and MWNE, S04 T12N, R04W.

Stockwater use is for 100 range cattle.

Domestic use is for 2 homes and does not include lawn, garden landscape, or other types of irrigation.

All areas below the mean level disturbed by construction but not inundated by the reservoir shall be re-vegetated and/or reseeded as recommended by Idaho Department of Game and/or the local office of the Natural Resources Conservation Service. No structure shall be constructed, temporary or permanent stream channel which would restrict the migration of indigenous fish.

Dates: App. Received: 09/19/1996 Priority Date: 09/19/1996
Proof Due Date: 08/01/2000 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 67 Field Exam fee:

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

WR5809NP
No. 67-08004

Comments: Date: 05/15/1997 User-ID: SLESTER Subject: APPLICATION REVISIONS
Per original application and telephone conversations with Joe Jordan (consultant), 3 wells already drilled will be used to pipe water to replacement reservoir originally covered by 67-04041 (Lower Williamson Dam). That reservoir was breached and will be rebuilt and enlarged. Multiple springs will be captured at pond site. Dam will be P/D for creek source. It is not clear what P/Ds are to be in NWNE S4 or SWSE S33. Use of wells will require that each drilling permit be upgraded to \$200 category. Pond will be used for fire protection, also. It is not clear if stored water will be released for "stockwater/wildlife from storage". Some of the acres are already covered by springs (67-04041 & 4042), other groundwater (67-02372) and same creek (67-02373). Note that the 2 statutory claims are combined in SRBA as A67-14110. The older groundwater right is claimed as A67-02372 but the older creek right is not found in SRBA records (expect to find A67-02373). The revised version currently shown is primarily a direct flow irrigation right with a proposed pond to be used in the irrig. system plus for non-irrigation uses. It appears that the filing might be processable if water is stored outside of the irrigation season and if irrigation is deleted. Otherwise, mitigation is suggested to allow IDWR to process the entire filing as it now exists.
S.O. Information indicates that an old water dispute is related to the former Williamson property now owned by the applicant.

Date: 05/19/1997 User-ID: SLESTER Subject: SYSTEM & PROCESSING CLARIFICATIONS
Per telecon with consultant today, the dam will be next to creek, not onstream as originally thought. There will be a P/D from the creek in NWSE S4 and one or more (number unknown) springs will be captured by the reservoir; springs are in W 1/2 of that QQ. Two of 3 wells are in SWNE and other well appears on/near line between NWNE & SWNE S4. There will not be a P/D in SWSE S33 (the map & original appl. reference to that site probably refer to springs naturally feeding creek vs actual diversion works to put in place there per consultant).
Water will be released from storage for stock/wildlife uses so retain those uses from storage on the filing. Add fire protection storage per earlier conversation with consultant.
Mitigation may be required for consumptive uses to remain consistent with current IDWR processes.

Date: 07/15/1998 User-ID: VAULT Subject: Extension of Time Received
Extension of Time Received

Audit: 03/24/97 STAYLOR 05/21/97 SLESTER 07/28/97 CZIMMERM 10/14/97 JJOHNSON
10/16/97 JJOHNSON 10/24/97 JJOHNSON 11/12/97 JJOHNSON 07/15/98 COMMENTS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-8004

WATER RIGHT NUMBER: 67-8004

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	S P MELLON THOUSAND SPRINGS RANCH C/O SCOTT CAMPBELL PO BOX 1539 BOISE, ID 83701 (208)343-5454
Attorney	SCOTT L CAMPBELL MOFFATT THOMAS BARRETT ROCK & FIELDS CHTD PO BOX 829 BOISE, ID 83701-0829 (208) 345-2000

Priority Date: 09/19/1996

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER SPRINGS THOUSAND SPRINGS CREEK	THOUSAND SPRINGS CREEK WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DIVERSION TO STORAGE	01/01 to 12/31	4.610 CFS	
FIRE PROTECTION STORAGE	01/01 to 12/31		19.00 AF
STOCKWATER	01/01 to 12/31	0.030 CFS	1.30 AF
IRRIGATION	03/01 to 11/15	4.610 CFS	1,038.00 AF
WILDLIFE STORAGE	01/01 to 12/31		19.00 AF
WILDLIFE	01/01 to 12/31	0.030 CFS	1.30 AF
DOMESTIC	01/01 to 12/31	0.060 CFS	1.20 AF
IRRIGATION STORAGE	01/01 to 12/31		19.00 AF
	<u>Total Diversion:</u>	4.610 CFS	1,060.00 AF

Location of Point(s) of Diversion

THOUSAND SPRINGS CREEK WASHINGTON County	NW1/4SE1/4	Sec. 4, Twp 12N, Rge 04W, B.M.
GROUND WATER WASHINGTON County	SW1/4NE1/4	Sec. 4, Twp 12N, Rge 04W, B.M.
GROUND WATER WASHINGTON County	L2 NW1/4NE1/4	Sec. 4, Twp 12N, Rge 04W, B.M.
SPRINGS WASHINGTON County	SW1/4NW1/4SE1/4	Sec. 4, Twp 12N, Rge 04W, B.M.

Place of Use

STOCKWATER Within WASHINGTON County

T12N R04W S04	SWNE	T12N R04W S04	NWSE
T12N R04W S09	NENE	T12N R04W S09	NWNE
T12N R04W S09	SWNE	T12N R04W S09	SENE
T12N R04W S09	NESE	T12N R04W S09	NWSE
T12N R04W S09	SESE	T12N R04W S10	SWNW
T12N R04W S10	NWSW	T12N R04W S10	SWSW
T12N R04W S15	NWNW	T12N R04W S15	SWNW
T12N R04W S15	NWSW	T12N R04W S16	NENE
T12N R04W S16	SENE	T12N R04W S16	NESE

IRRIGATION Within WASHINGTON County

T12N R04W S04	SWNE	2.1	T12N R04W S04	NWSE	1.8
T12N R04W S09	NENE	1.8	T12N R04W S09	NWNE	13.0
T12N R04W S09	SWNE	9.2	T12N R04W S09	SENE	21.0
T12N R04W S09	NESE	31.0	T12N R04W S09	NWSE	4.9
T12N R04W S09	SESE	33.0	T12N R04W S10	SWNW	0.3
T12N R04W S10	NWSW	10.0	T12N R04W S10	SWSW	4.1
T12N R04W S15	NWNW	17.0	T12N R04W S15	SWNW	19.0
T12N R04W S15	NWSW	19.0	T12N R04W S16	NENE	24.0
T12N R04W S16	SENE	16.0	T12N R04W S16	NESE	3.4

Total Acres: 230.6

WILDLIFE STORAGE Within WASHINGTON County

T12N R04W S04 NWSE

DOMESTIC Within WASHINGTON County

T12N R04W S04 NWSE

FIRE PROTECTION STORAGE same as WILDLIFE STORAGE

IRRIGATION FROM STORAGE same as IRRIGATION

STOCKWATER STORAGE same as WILDLIFE STORAGE

WILDLIFE same as STOCKWATER

IRRIGATION STORAGE same as WILDLIFE STORAGE

Conditions of Approval:

Remarks:

1. Place of Use RIGHTS 67-2372, 67-2373 AND 67-8004 WHEN COMBINED SHALL NOT EXCEED A TOTAL
- Irrigation DIVERSION RATE OF 4.61 CFS, A TOTAL ANNUAL MAXIMUM DIVERSION VOLUME OF 1038 AF AT THE FIELD HEADGATE, AND THE IRRIGATION OF 230.6 ACRES.
2. Explanatory Domestic use is for 2 homes internal use only.
3. General CLAIM AMENDED PER APPROVED LICENSE ISSUED 3/4/2002.

Western

State of Idaho
Department of Water Resources
Water Right License

RECEIVED

MAR 07 2002

WATER RESOURCES
WESTERN REGION

WATER RIGHT NO. 67-08004

Priority: September 19, 1996

Maximum Diversion Rate: 4.61 CFS
Maximum Diversion Volume: 1,060.0 AF

It is hereby certified that S P MELLON
THOUSAND SPRINGS RANCH
C/O SCOTT CAMPBELL
PO BOX 1539
BOISE ID 83701 has complied with the terms and

conditions of the permit, issued pursuant to Application for Permit dated September 19, 1996; and has submitted Proof of Beneficial Use on July 31, 2000. An examination indicates that the works have a diversion capacity of 5.01 cfs of water from:

SOURCE

THOUSAND SPRINGS CREEK
SPRINGS
GROUND WATER

Tributary: WEISER RIVER
THOUSAND SPRINGS CREEK

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
DOMESTIC ✓	01/01 to 12/31	0.06 CFS	1.2 AF
WILDLIFE ✓	01/01 to 12/31	0.03 CFS	1.3 AF
WILDLIFE STORAGE ✓	01/01 to 12/31		19.0 AF
STOCKWATER ✓	01/01 to 12/31	0.03 CFS	1.3 AF
STOCKWATER STORAGE	01/01 to 12/31		19.0 AF
IRRIGATION ✓	03/01 to 11/15	4.61 CFS	1,038.0 AF
IRRIGATION STORAGE ✓	01/01 to 12/31		19.0 AF
IRRIGATION FROM STORAGE ✓	03/01 to 11/15		19.0 AF
DIVERSION TO STORAGE ✓	01/01 to 12/31	4.61 CFS	
FIRE PROTECTION STORAGE ✓	01/01 to 12/31		19.0 AF

LOCATION OF POINTS OF DIVERSION:

THOUSAND SPRINGS CREEK NW¼SE¼ Sec. 4, Twp 12N, Rge 04W, B.M., WASHINGTON County
SPRINGS SW¼NW¼SE¼ Sec. 4, Twp 12N, Rge 04W, B.M., WASHINGTON County
GROUND WATER L2 NW¼NE¼ Sec. 4, Twp 12N, Rge 04W, B.M., WASHINGTON County
GROUND WATER SW¼NE¼ Sec. 4, Twp 12N, Rge 04W, B.M., WASHINGTON County

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 67-08004

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N 04W 4														X			

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N 04W 4			X											X			
12N 04W 9	X	X	X	X									X	X		X	
12N 04W 10							X			X	X						
12N 04W 15						X	X			X							
12N 04W 16	X			X									X				

PLACE OF USE: WILDLIFE - Same as Stockwater**PLACE OF USE: WILDLIFE STORAGE**

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N 04W 4														X			

PLACE OF USE: STOCKWATER STORAGE - Same as Wildlife Storage**PLACE OF USE: IRRIGATION STORAGE - Same as Wildlife Storage****PLACE OF USE: FIRE PROTECTION STORAGE - Same as Wildlife Storage****PLACE OF USE: IRRIGATION**

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N 04W 4			2.1											1.8			3.9
12N 04W 9	1.8	13.0	9.2	21.0									31.0	4.9		33.0	113.9
12N 04W 10							.3			10.0	4.1						14.4
12N 04W 15						17.0	19.0			19.0							55.0
12N 04W 16	24.0			16.0									3.4				43.4

Total Acres: 230.6

PLACE OF USE: IRRIGATION FROM STORAGE - Same as Irrigation

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 67-08004

CONDITIONS OF APPROVAL

1. Storage of water under this right shall not exceed 19.0 acre feet per year.
2. When ordered by the Director, the right holder shall provide mitigation acceptable to the Director to offset depletion of lower Snake River flows needed for migrating anadromous fish. The amount of water required for mitigation, which is to be released into the Snake River or a tributary for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this right. Any order of the Director issued in accordance with this paragraph shall be in conformance with applicable rules allowing the right holder due process as the need for mitigation and the amount of mitigation are determined. The quantity of water required to be released for this purpose will not exceed 735 acre feet per year. The permit holder has the right to administrative and judicial review of any order requiring mitigation water to be provided under this right pursuant to the procedures of Section 42-1701A or Chapter 52, Title 67, Idaho Code.
3. Prior to diversion of water under this right, the right holder shall provide a means acceptable to the department to measure the amount of water entering the reservoir and the amount of water released from the reservoir.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 67.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
- ⑦ Rights 67-02372, 67-02373, and 67-08004 when combined shall not exceed a total diversion rate of 4.61 cfs, a total annual maximum diversion volume of 1038 af at the field headgate, and the irrigation of 230.6 acres.
- ⑧ Domestic use is for 2 homes and does not include lawn, garden, landscape, or other types of irrigation.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 4TH day of MARCH, 2002.


Acting for **KARL J. DREHER**
Director



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 6, 2000

S P MELLON
THOUSAND SPRINGS RANCH
1860 U S HWY 95
WEISER ID 83672

Dear Mr. Mellon:

Enclosed, for your records, is a copy of your Snake River Basin Adjudication Claim for Permit A67-08004.

If you have any questions regarding this claim, please feel free to contact our office.

Sincerely,

Adjudication Section
Western Region

LH:1
Enclosure

cc: Scott Campbell

RECEIVED

MAR 06 1998

WATER RESOURCES
WESTERN REGION

ELAM & BURKE

A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454

FACSIMILE

SCOTT L. CAMPBELL

208-384-5844

March 4, 1998

David R. Tuthill, Jr. *DM*
Adjudication Bureau Chief
Idaho Dept. of Water Resources
1301 North Orchard
Boise, ID 83706

RECEIVED

MAR 05 1998

Department of Water Resources

Re: Permit No. 67-08004; Notice of Claim to a Water Right
Acquired Under State Law in the Snake River Basin Adjudication

Dear Dave:

I represent the Thousand Springs Ranch, which recently obtained Permit No. 67-08004 from the Idaho Department of Water Resources. Enclosed please find an SRBA Notice of Claim to a Water Right Acquired Under State Law for that permit. In addition to the Idaho Department of Water Resources forms and a map, the Notice of Claim consists of Exhibits A, B, C, and D. I am also enclosing a check in the amount of \$295.00 to cover the filing fee for this notice of claim.

If you need any further information, please do not hesitate to contact me. Thank you very much for your prompt attention and consideration of this matter.

Very truly yours,

ELAM & BURKE
A Professional Association

Scott L. Campbell
Scott L. Campbell

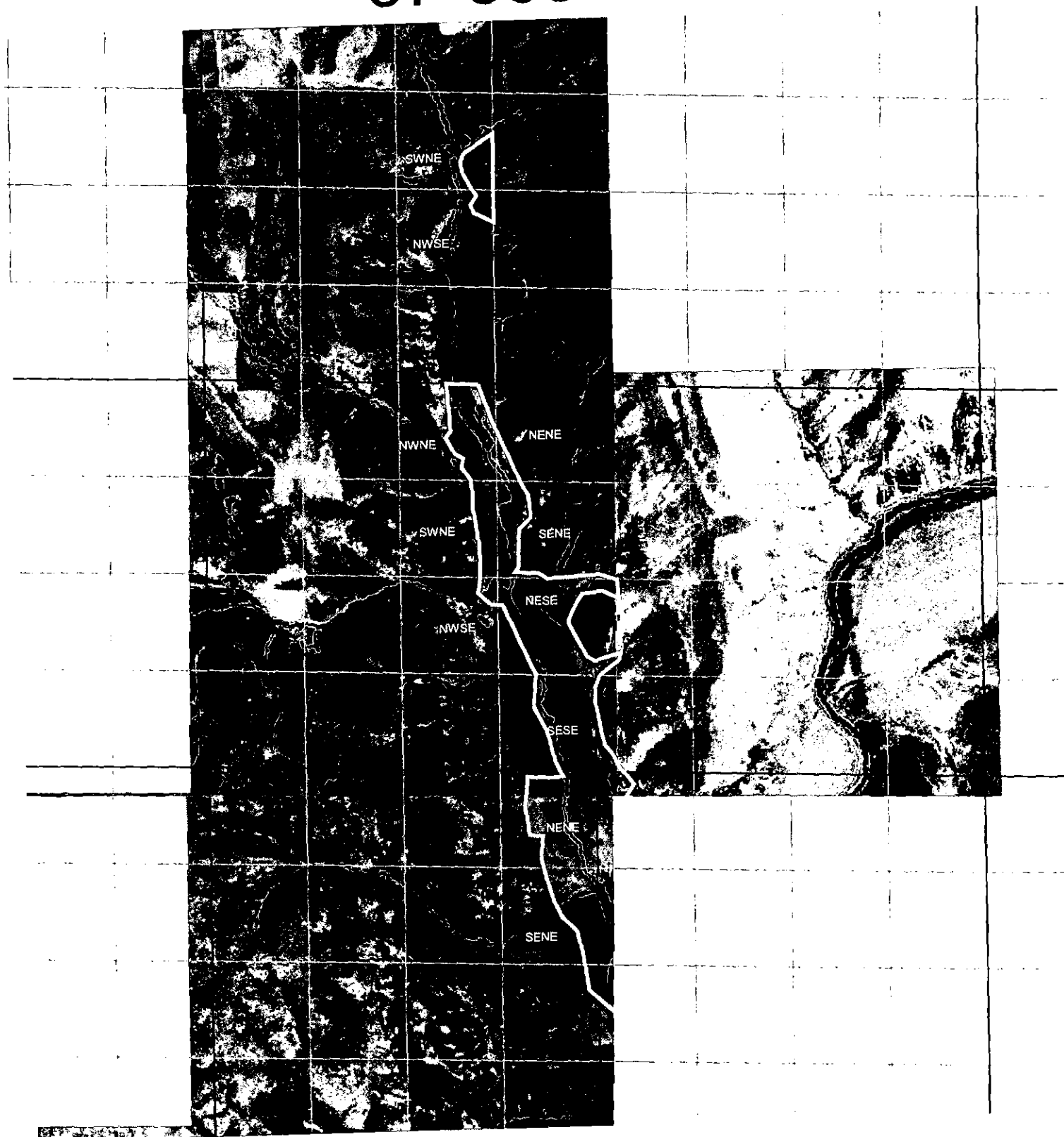
SLC:tmh G:\TMH\WPDATA\6681\00025.LTR

encl.

cc: Mr. Seward Prosser Mellon
Mr. Gerald Ellermeyer
Mr. Ross Kane

Idaho Department of Water Resources

67-8004



T12N R04W S4, S9, S 10, S15, S16

1000 0 1000 2000 3000 4000 Feet



Prepared by Sandy Egbert
4-7-04
1993/94 True Color Aerial Photo

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-8004 V1

WATER RIGHT NUMBER: 67-8004 V1

Owner TypeName and Address

Current Owner

SEWARD PROSSER MELLON
THOUSAND SPRINGS RANCH
C/O SCOTT CAMPBELL
PO BOX 1539
BOISE, ID 83701
(208)343-5454

Attorney

SCOTT L CAMPBELL
MOFFATT THOMAS BARRETT ROCK & FIELDS CHTD
PO BOX 829
BOISE, ID 83701-0829
(208)345-2000

Priority Date: 09/19/1996

Basis: License

Status:

Source

GROUND WATER
SPRINGS
THOUSAND SPRINGS CREEK

Tributary

THOUSAND SPRINGS CREEK
WEISER RIVER

Beneficial UseFrom ToDiversion RateAnnual Volume

DIVERSION TO STORAGE	01/01 to 12/31	4.610 CFS	
FIRE PROTECTION STORAGE	01/01 to 12/31		19.00 AF
STOCKWATER	01/01 to 12/31	0.030 CFS	1.30 AF
IRRIGATION	03/01 to 11/15	4.610 CFS	1,038.00 AF
WILDLIFE STORAGE	01/01 to 12/31		19.00 AF
WILDLIFE	01/01 to 12/31	0.030 CFS	1.30 AF
DOMESTIC	01/01 to 12/31	0.060 CFS	1.20 AF
IRRIGATION STORAGE	01/01 to 12/31		19.00 AF

Total Diversion:

4.610 CFS

1,060.00 AF

Location of Point(s) of Diversion

THOUSAND SPRINGS CREEK WASHINGTON County	NW1/4SE1/4	Sec. 4, Twp 12N, Rge 04W, B.M.
GROUND WATER WASHINGTON County	SW1/4NE1/4	Sec. 4, Twp 12N, Rge 04W, B.M.
GROUND WATER WASHINGTON County	L2 (NW1/4NE1/4)	Sec. 4, Twp 12N, Rge 04W, B.M.
SPRINGS WASHINGTON County	SW1/4NW1/4SE1/4	Sec. 4, Twp 12N, Rge 04W, B.M.

Place of Use

STOCKWATER

DO NOT SCAN

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 67-8004 V1

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N	04W	4			X											X			
12N	04W	9	X	X	X	X									X	X		X	
12N	04W	10						X			X	X							
12N	04W	15					X	X			X								
12N	04W	16	X			X									X				

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N	04W	4			2.1											1.8			3.9
12N	04W	9	1.8	13.0	9.2	21.0									31.0	4.9		33.0	113.9
12N	04W	10						.3			10.0	4.1							14.4
12N	04W	15					17.0	19.0			19.0								55.0
12N	04W	16	24.0			16.0									3.4				43.4

Total Acres: 230.6

WILDLIFE STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N	04W	4														X			

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N	04W	4														X			

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-8004 V1

IRRIGATION FROM STORAGE same as STOCKWATER
WILDLIFE same as STOCKWATER

Conditions of Approval:Remarks:Comments:

1. segbert 4/7/2004 POU

Comment: I made a shape based on the PLS. It does not look like the map in the file.

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: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits: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	4/5/2004 3:23:36 PM	segbert			
POD	4/5/2004 3:26:31 PM	segbert			
POD	4/7/2004 8:48:22 AM	segbert			
Source	4/7/2004 8:49:26 AM	segbert			
Priority Date	4/7/2004 8:50:16 AM	segbert			
POU	4/7/2004 10:22:31 AM	segbert			
Use	4/7/2004 10:24:17 AM	segbert			
Season	4/7/2004 10:27:32 AM	segbert			
Quantity	4/7/2004 10:29:25 AM	segbert			

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-8004 V1

POD	4/5/2004 3:26:31 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file?
Priority Date	4/5/2004 3:23:37 PM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	4/7/2004 8:34:50 AM	segbert	Edited point location
POD	4/7/2004 8:39:45 AM	segbert	Edited point location
POD	4/7/2004 8:42:58 AM	segbert	Edited point location
POD	4/7/2004 8:44:59 AM	segbert	Edited point location
POD	4/7/2004 8:46:57 AM	segbert	Edited point location
POD	4/7/2004 8:48:21 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file?
Source	4/7/2004 8:49:25 AM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
Use	4/7/2004 10:24:17 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?
POU	4/7/2004 10:22:31 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (No) 6. Can the claimed POU be verified using the water right file? (No) 7. Is there evidence that there has been a change in the POU? (No) 13. Does the file contain all the necessary information to verify the POU?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-8004 V1

Priority Date	4/7/2004 8:50:16 AM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POU	4/7/2004 10:20:18 AM	segbert	Created polygon from PLS
POU	4/7/2004 10:21:48 AM	segbert	Edited shape boundary
Season	4/7/2004 10:27:32 AM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards?
Quantity	4/7/2004 10:29:25 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use?