

C7

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: A37-12111
Date Received: 10/26/1988
Receipt No: C003063
Received By: _____

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

1. Name: SINCLAIR OIL CORPORATION 208-622-4111
Address: DBA SUN VALLEY COMPANY
SUN VALLEY, ID 83353

2. Date of Priority: JUN 30, 1937

3. Source: TRAIL CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	18E	7	NW	SE			BLAINE

5. Description of diverting works:
WOOD DAM, 22' HIGH, 385' LONG, 10 AC. SURFACE AREA RESERVOIR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
WILDLIFE STORAGE	01/01	12/31			110.00
AESTHETIC STORAGE	01/01	12/31			110.00
RECREATION STORAGE	01/01	12/31			110.00

7. Total Quantity Appropriated is:
C.F.S. (and/or) 110.00 A.F.A.

8. Total consumptive use is 28.0 Acre Feet Per Annum.

9. Non-irrigation uses:
AESTHETICS, WILDLIFE, RECREATION, FOR SUN VALLEY RESORT AREA.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	18E	7	NW	SE		WILD S	

A37-12111

Page 1

Date: 11/03/88

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FEB 26 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	18E	7	NW	SE		AES S	
			NW	SE		REC S	

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
NONE

14. Remarks:
STORAGE CAPACITY OF THE RESERVOIR IS APPROXIMATELY 82 ACRE FEET.
EVAPORATION LOSS ON AN ANNUAL BASIS IS ESTIMATED AT 28 ACRE FEET.

15. Basis of Claim: BENEFICIAL USE

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16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

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 _____

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FEB 26 1993

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 A37-12111
Date Received 10-26-88
Receipt Number C003063

RECEIVED

OCT 26 1988

**NOTICE OF CLAIM
TO A**

WATER RIGHT

Department of Water Resources

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Sinclair Oil Corporation, a Wyoming corporation,
dba Sun Valley Company Phone (208) 622-4111

Mailing Address Sun Valley, ID Zip 83353

2. Date of Priority (Only one (1) per claim) June 30, 1937

3. Source of water supply (a) Trail Creek
which is tributary to (b) Big Wood River

4. a. Location of existing point of diversion is: Township 4 N. Range 18 E. Section 7,
1/4 of NW 1/4 of SE 1/4, Govt. Lot, B.M., County of Blaine

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. In-stream wood diversion dam (planking
and truss/beam construction) 22' high; 385' long; approximately 10 acres of
surface area; approximately 81.3 acre feet of storage capacity

COPY **MICROFILMED**
FEB 26 1993

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For fish and wildlife purposes from 1/1 to 12/31 amount _____ or ~~xxx~~ 110

For aesthetics purposes from 1/1 to 12/31 amount _____ or 110

For recreation purposes from 1/1 to 12/31 amount _____ or 110

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) 110 (acre feet)

8. Total consumptive use claimed is 28 acre feet per annum.

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

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	
4 N	18 E	7														J			
4 N	18 E	7														W			
4 N	18 E	7														R			

Total number of acres irrigated _____

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

12. Do you own the property listed above as place of use? Yes X 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.
_____ or None (X)

14. Remarks: Storage capacity of reservoir is approximately 82 acre feet.
Evaporation loss on an annual basis is estimated at 28 acre feet.

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COPY
FEB 26 1993

Last Name Sun Valley Company Ident No. _____

Copies: White -State, Yellow-Claimant

SEE EXHIBIT B

A 16x16 grid of squares, each containing a crosshair pattern of dashed lines. The grid is used for graphing or drawing.

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X 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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 2

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 Vice President

of Sinclair Oil Company, dba Sun Valley Company that I have signed the foregoing
document in the space below as Vice President of Sun Valley Company
_____ Title _____ Organization _____

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

Signature of Authorized Agent _____

Title and Organization Vice President, Sinclair Oil Company, dba Date 10/24/88
Sun Valley Company

State of Idaho/or _____)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 24th day of October 19 88

SEAL

Notary Public Elizabeth Anne Wagner

Residing at Blaine County, Idaho

My Commission Expires February 28, 1992

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

Address P.O. Box 1559, Boise, Idaho 83701

Date 10/25/88

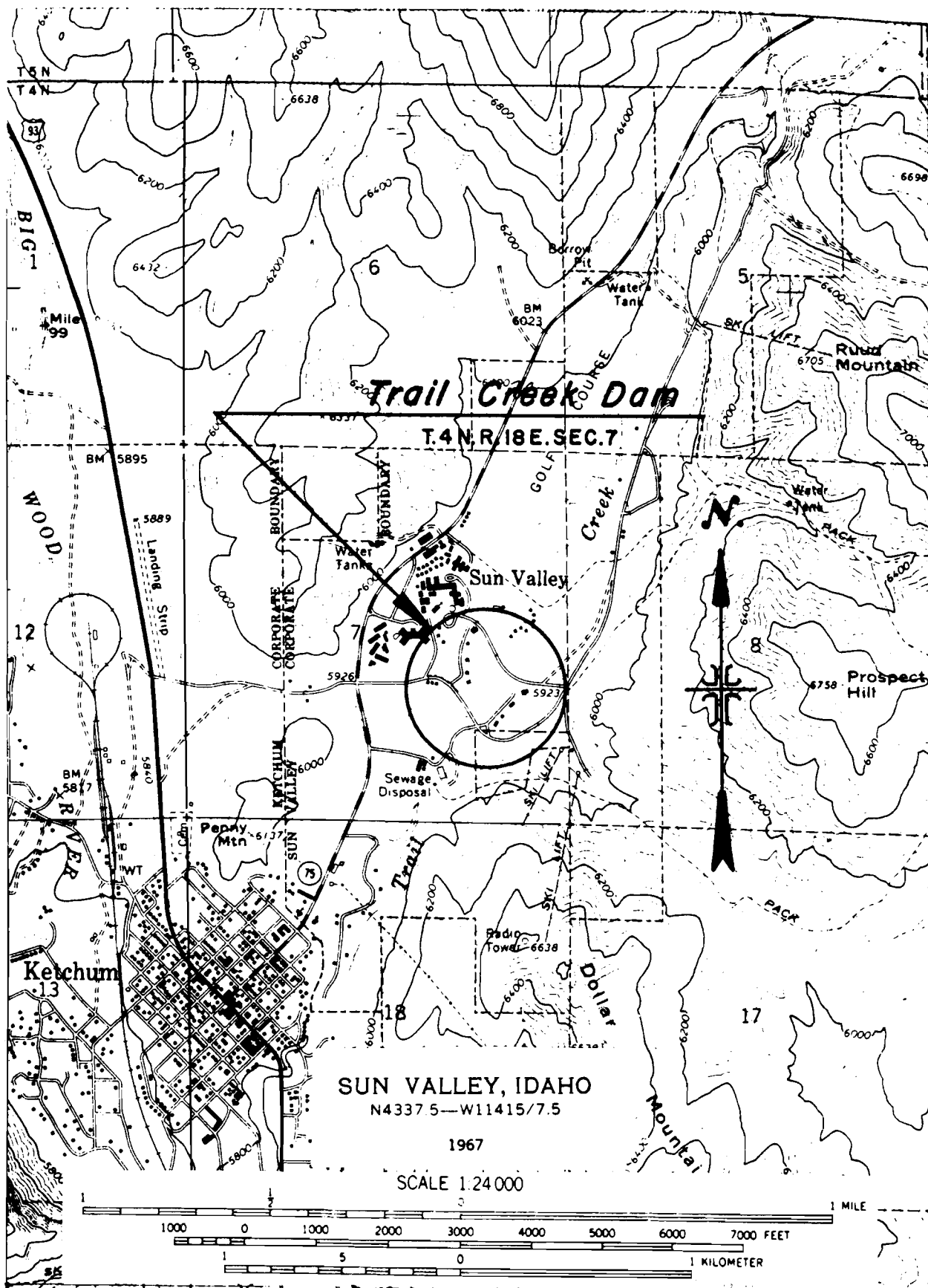
COPY
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FEB 26 1993

Last Name Sun Valley Company Ident. Number _____

Copies White-State, Yellow-Claimant

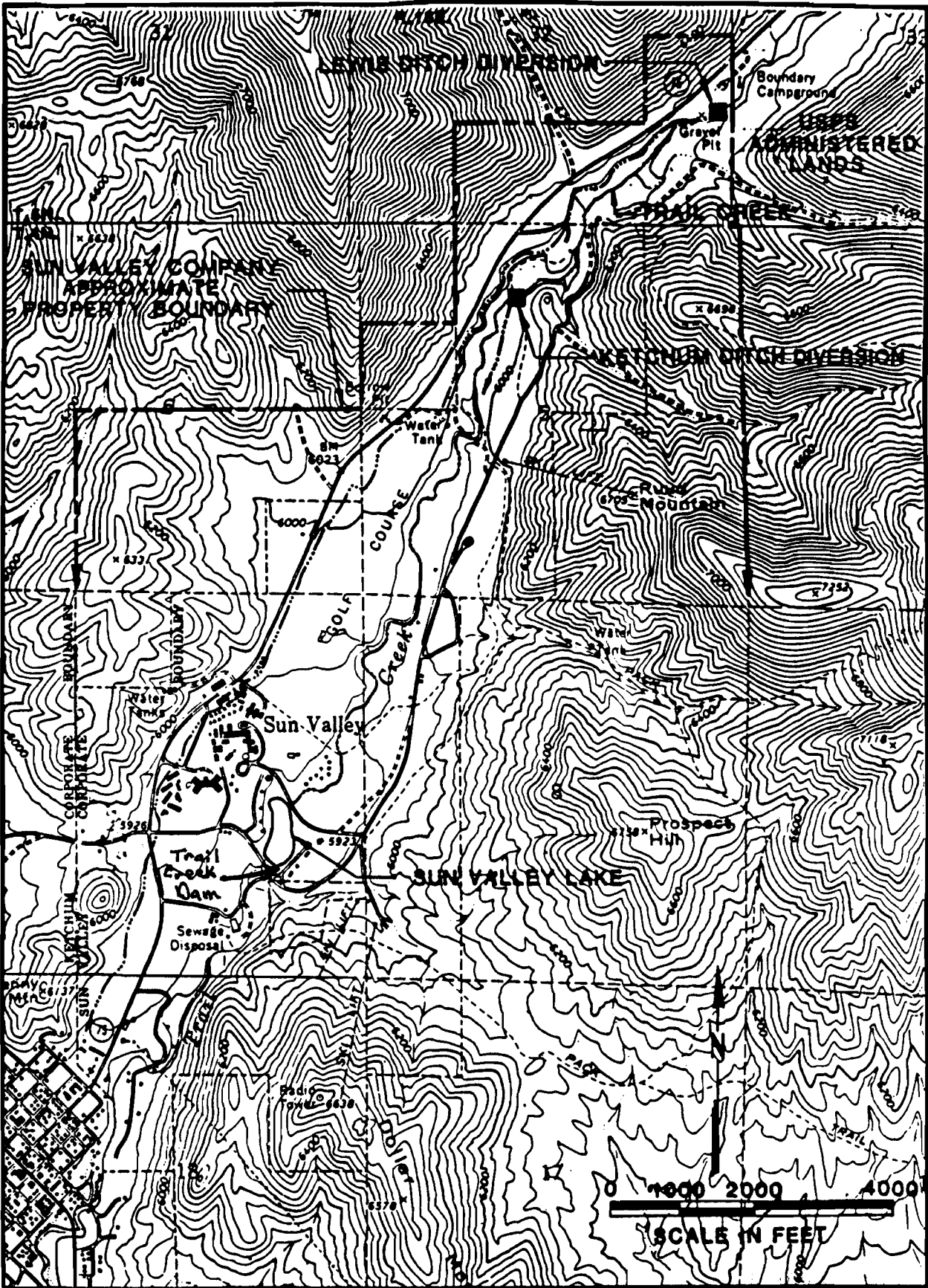
EXHIBIT A

The water is used for aesthetics, fish and wildlife, and recreational purposes for the Sun Valley Resort area. Fish and waterfowl use the lake. Recreational use of the lake includes canoeing, sail-boarding, and swimming.



FEB 26 1993

EXHIBIT B



FEB 26 1993

10/4/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Sinclair Oil DBA Sun Valley Co. CLAIM IDENT. NO. A37-12111DATE RECEIVED 10-26-88 CK # 11362 AMOUNT \$ 474.66

1. Is the name and address complete with zip code? 4. Claims YES ☒ NO ☐
2. Is a priority date entered? ☒ YES ☐ NO ☐

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS. ☒

3. (a) Is a source entered? ☒ YES ☐ NO ☐
- (b) Is a tributary to entered? (if required) N/A ☒ YES ☐ NO ☐

4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO ☐

5. Is there a description of the diverting works? ☒ YES ☐ NO ☐

6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO ☐

Is the period of use included? ☒ YES ☐ NO ☐

Is a quantity claimed for each use? ☒ YES ☐ NO ☐

7. Is a total quantity claimed entered? ☒ YES ☐ NO ☐

8. If required is a consumptive use entered? N/A ☒ YES ☐ NO ☐

Is the consumptive use correct? N/A ☐ YES ☐ NO ☐

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim. See Adjudication Memo # 4. ☒ YES ☐ NO ☐

10. Is (are) the place(s) of use entered? ☒ YES ☐ NO ☐

11. Is (are) the county(ies) entered? ☒ YES ☐ NO ☐

12. Is the ownership of p.u. checked? ☒ YES ☐ NO ☐

13. Are other water rights listed or "none" checked? ☒ YES ☐ NO ☐

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A ☒ YES ☐ NO ☐

15. Is the basis of the claim checked? ☒ YES ☐ NO ☐

16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) ☒ YES ☐ NO ☐

Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐

Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐

Is the fee enclosed correct? ☒ YES ☐ NO ☐

If this claim is based on an existing water right, has the identification number been entered? N/A ☒ YES ☐ NO ☐

Should this claim be receipted and data entered? ☒ YES ☐ NO ☐

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FEB 26 1993
Claim Clerk by: CJ

Comments: \$95.46

5-0.

SD-0601-2		Last Name: SUN VALLEY					STATE	
S		O						
E	First	W	Water	Priority		Total	Use	
L	Name	N	Right No.	Date	Source	Diversion	Code Desc	

SUN VALLEY CO. INC.								
		O	A37-07102	05/25/1971	GROUNDWATER	9.000	40 MUNI	
		O	A37-07147	05/23/1972	GROUNDWATER	0.150	43 DOMEST	
SUN VALLEY COMPANY								
		K	A37-00415	04/25/1881	TRAIL CREEK	25.000	01 IRR	
							52 AES	
							16 WILDLF	
		K	A37-00416	10/05/1883	TRAIL CREEK	6.500	01 IRR	
							52 AES	
							16 WILDLF	
		K	A37-02710	07/08/1965	SPRING	0.060	43 DOMEST	
		K	A37-07170	10/31/1972	WARM SPRING	2.000	10 COMMER	
		K	A45-07657	06/30/1989	GROUNDWATER	0.020	10 COMMER	
		K	A37-02722A	01/03/1966	GROUNDWATER	0.040	40 MUNI	
		K	A37-07340	02/08/1974	WARM SPRING	0.230	10 COMMER	
		K	A37-12111	06/30/1937	TRAIL CREEK	110.000	17 WILD S	

(Enter=Continue) (GOLD7=This Query) (Menu _____)

NOA

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APR 20 1982

Department of Water Resources
Southern Region Office

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OCT 26 1981

SD-0601-2 Last Name: SUN VALLEY

STATE

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc

SUN VALLEY COMPANY							
			A37-12111	06/30/1937		110.000	53 AES S 47 REC S
SUN VALLEY FARMS							
	C		36-07833	02/26/1979	GROUNDWATER	2.870	01 IRR
	C		A36-02377	02/18/1959	GROUNDWATER	3.800	01 IRR
	C		A36-02388	11/05/1961	GROUNDWATER	4.420	01 IRR
	C		A36-02622	08/19/1965	GROUNDWATER	4.070	01 IRR
	C		A36-07833	02/26/1979	GROUNDWATER	6.910	01 IRR
	C		A36-14492	02/18/1959	GROUNDWATER	0.060	43 DOMEST 04 STOCK
	C		A36-14493	11/05/1961	GROUNDWATER	0.040	43 DOMEST
	C		36-02622	08/19/1965	GROUNDWATER	4.070	01 IRR
	C		36-14493	11/05/1961	GROUNDWATER	0.040	43 DOMEST
	C		36-14492	02/18/1959	GROUNDWATER	0.060	43 DOMEST 04 STOCK

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

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OCT 26 1994

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JAN 08 1992

Department of Water Resources

David B. Lincoln
ELAM, BURKE AND BOYD
Key Financial Center, 10th Floor
702 West Idaho Street
P.O. Box 1539
Boise, Idaho 83701
(208) 343-5454

Attorneys for Sun Valley Company

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)

Case No. 39576

NOTICE OF APPEARANCE

The State of Idaho, ex rel.)
R. Keith Higginson in his)
official capacity as Director)
of the Idaho Department of)
Water Resources,)

Petitioner,)

vs.)

The United States; the State)
of Idaho; and all claimants to)
the use of water from the Snake)
River Basin Water System)

DESCRIPTIVE SUMMARY

This document contains the Notice of Appearance of David B.
Lincoln, entering an appearance on behalf of Sun Valley Company.

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OCT 26 1994

NOTICE OF APPEARANCE

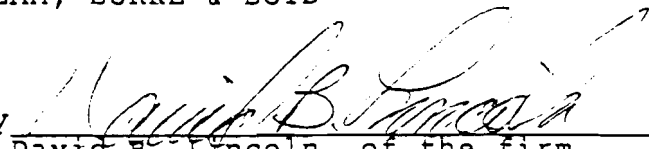
TO: Petitioner and its attorneys of record:

YOU WILL PLEASE TAKE NOTICE That David B. Lincoln of the firm Elam, Burke & Boyd, hereby enters the appearance of said firm as attorneys of record for Sun Valley Company in the above-entitled action.

DATED This 7th day of January, 1992.

ELAM, BURKE & BOYD

By


David B. Lincoln, of the firm
Counsel for Sun Valley Company

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing NOTICE OF APPEARANCE was mailed this 7th day of January, 1992 in an envelope with sufficient first-class postage prepaid thereon to the following:

SEE ATTACHMENT A.


David B. Lincoln

ATTACHMENT A -- CERTIFICATE OF MAILING

Roger D. Ling
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P.O. Box 396
Rupert, ID 83350

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Steven R. Ormiston
Hawley Troxell Ennis &
Hawley
P.O. Box 1617
Boise, ID 83701

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702 W Idaho, Ste 700
Boise, ID 83701

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Jeffrey C. Fereday
Givens Pursley Webb &
Huntley
P.O. Box 2720
Boise, ID 83701

Bruce M. Smith
Rosholt Robertson &
Tucker, Chartered
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Boise, ID 83701-2139

William F. Ringert
David Hammerquist
Ringert Clark Harrington Reid
Christanson & Kaufman, Chtd.
P.O. Box 2773
Boise, ID 83701

Peter G. Monson
Indian Resources Section
Environment & Natural Resources
Division
U.S. Department of Justice
P.O. Box 44378
Washington, DC 20026-4378

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James C. Tucker
Rosholt Robertson &
Tucker, Chartered
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Rebecca Craven
Elliott L. Moffett
Douglas R. Nash
Danial C. Picard
Nez Perce Tribe
P.O. Box 365
Lapwai, ID 83540

Jeanette Wolfley
Candy L. Jackson
Tribal Attorneys Office
Shoshone-Bannock Tribes
P.O. Box 36
Fort Hall, ID 83203

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OCT 26 1994

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Terry T. Uhling
J.R. Simplot Company
P.O. Box 912
Pocatello, ID 83204

Carolyn M. Minder
Snake River Basin Adjudication
7283 Obsidian
Boise, ID 83709

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Holden Kidwell Hahn & Crapo
P.O. Box 50130
Idaho Falls, ID 83405

Steven L. Herndon
Legal Department
Idaho Power Company
P.O. Box 70
Boise, ID 83707

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Burley, ID 83318

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Payette, ID 83661

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Hobday & Hobday
P.O. Box 176
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Idaho Falls, ID 83405-1718

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Cosho Humphrey Greener & Welsh
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Schroeder Hutchens & Sullivan
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Vale, OR 97918

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Parsons Smith Stone & Fletcher
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Byington Holloway Whipple &
Jones, Chartered
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Franco, Asia, Bensussen & Coe
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Richard A. Cummings
Meulman Miller Strother & Cummings
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Marilyn Broek, P.E.
1316 West Hayes
Boise, ID 83702

ATTACHMENT A -- CERTIFICATE OF MAILING

MICROFILMED
OCT 26 1994

Rebecca Ranson
Assistant Division Counsel
U.S. Army Corps of Engineers
P.O. Box 2870
Portland, OR 97208

Ralph W. Tarr
Department of Interior
18th and "C" Streets, N.W.
Washington DC 20420

John D. Ross, III, Esq.
P.O. Box 554
Pocatello, ID 83204

Barbara Scott-Brier
U.S. Department of Interior
Suite 607
500 N.E. Multnomah Street
Portland, OR 97232

Stuart Shelton
Department of Agriculture
2407 S. Building
14th and Independence Ave., N.W.
Washington, DC 20250

Silver King Limited
2560 South Cole Road
Boise, ID 83709

Vic Conrad
Water Specialist
J.R. Simplot
P.O. Box 27
Boise, ID 83707

James P. Speck
Hogue Speck & Aanestad
P.O. Box 987
Ketchum, ID 83340

Carolyn Seneca Steele
Underwood & Steele, Ctd.
P.O. Box 387
Boise, ID 83701

Ed Thomas
Bureau of Reclamation
550 West Fort Street
Boise, ID 83724

The Honorable Darla Williamson
Judge, Magistrate Division
Valley County Courthouse
Cascade, ID 83611

U.S. Department of Justice
Environment and Natural
Resources Division
550 W. Fort Street, Box 33
Boise, ID 83724

MEMORANDUM

To: Claim file 37-415, 37-416, and 37-12111

From: Cynthia Bridge Clark

Date: January 25, 2007

Re: SRBA Claim Review-Notice of Error

Additional information is required from claimant to verify changes requested in Notice of Error. No changes to recommendations were made prior to issuance of the Director's Report.

Moffatt Thomas

MOFFATT THOMAS BARRETT ROCK & FIELDS, CHTD.

Eugene C. Thomas
John W. Barrett
R. B. Rock
Richard C. Fields
John S. Simko
John C. Ward
D. James Manning
Gary T. Dance
Larry C. Hunter
Randall A. Peterman
Mark S. Prusynski
Stephen R. Thomas
Glenna M. Christensen
Gerald T. Husch
Scott L. Campbell
Robert B. Burns

Michael E. Thomas
Patricia M. Olsson
Bradley J. Williams
Lee Radford
Michael O. Roe
David S. Jensen
James L. Martin
C. Clayton Gill
Michael W. McGreaham
David P. Gardner
Julian E. Gabiola
Angela Schaefer Kaufmann
Kimberly D. Evans Ross
Paul D. McFarlane
Jon A. Stenquist
Tyler J. Henderson

Jason G. Murray
Mark C. Peterson
Andrew J. Waldera
Tyler J. Anderson
Dylan B. Lawrence
Russell G. Metcalf
Benjamin C. Ritchie
Rebecca A. Rainey

Robert E. Bakes, *of counsel*
Morgan W. Richards, *of counsel*

Willis C. Moffatt, 1907-1980
Kirk R. Helvie, 1956-2003

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JAN 18 2007

DEPARTMENT OF
WATER RESOURCES

Boise
Idaho Falls
Pocatello
Twin Falls

US Bank Plaza Building
101 S Capitol Blvd 10th Fl
PO Box 829
Boise Idaho 83701 0829

208 345 2000
800 422 2889
208 385 5384 Fax
www.moffatt.com

January 18, 2007
via Hand Delivery

Idaho Department of Water Resources
Idaho Water Center
322 E. Front Street, 6th Floor
P.O. Box 83720
Boise, ID 83720-0098

Re: Snake River Basin Adjudication
Water Right No. 37-12111- In the Name of Sinclair Oil Corp.
MTBR&F File No. 16845.5

Dear Sir or Madam:

Enclosed please find an original Notice of Error Reply form which we are submitting on behalf of our client, Sinclair Oil Corporation, concerning water right number 37-12111. A copy of the form is also enclosed. Please receive stamp the copy and return it in the enclosed self-addressed, stamped envelope.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,


Scott L. Campbell

SLC/tmh
Enclosure

cc: Wallace Huffman (w/encl.)

SCANNED

JAN 22 2007

BOI_MT2:638800.1

NOTICE OF ERROR
REPLY

01/04/2007

IDWR Rec'd 1/19/2007
Dnel

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 01/18/2007.

Water right number: 37-12111

SINCLAIR OIL COMPANY
DBA SUN VALLEY COMPANY
PO BOX 10
SUN VALLEY ID 83353
Telephone Number: (208) 622-4111

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Quantity and Purpose & Period of Use

2. Describe the changes you wish to make in the proposed recommendation:

Quantity: Delete following remark: "The capacity of the storage reservoir is 81.0 AF. The reservoir may be refilled multiple times up to the total diversion volume in a single year."

Purpose & Period of Use: Increase the quantity from 81.00 AFY to 110.00 AFY for all uses (recreation, aesthetic, and wildlife), as claimed.

3. Give a brief explanation as to why you disagree with these portions:

Quantity: There is no legal basis for inclusion of the remark.

Purpose & Period of Use: There is no legal basis for reduction in the historical quantity of water used since 1937.

____ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 1/18/07

SIGNATURE: _____

Please print your name:

Scott L. Campbell
Moffatt, Thomas, Barrett, Rock & Fields, Chartered
PO Box 829
Boise, Idaho 83701
Telephone (208) 345-2000
Attorneys for Sinclair Oil Corporation, dba Sun Valley Company

IDWR Regional Office, 322 E. Front St, PO Box 83720, Boise, Idaho 83720-0098, (208) 287-4800

SCANNED

JAN 22 2007

BOI_MT2:638799.1

01/04/2007

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

RIGHT NUMBER: 37-12111

NAME AND ADDRESS: SINCLAIR OIL CORP
DBA SUN VALLEY CO
PO BOX 10
SUN VALLEY ID 83353

SOURCE: TRAIL CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 110.000 AFY

The capacity of the storage reservoir is 81.0 AF. The reservoir may be refilled multiple times up to the total diversion volume in a single year.

PRIORITY DATE: 06/30/1937

POINT OF DIVERSION:

T04N R18E S7 NESE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
RECREATION STORAGE	01/01 12/31	81.00 AFY
AESTHETIC STORAGE	01/01 12/31	81.00 AFY
WILDLIFE STORAGE	01/01 12/31	81.00 AFY

PLACE OF USE: WILDLIFE STORAGE in BLAINE County

T04N R18E S07 NESE T04N R18E S07 NWSE

RECREATION STORAGE in BLAINE County

T04N R18E S07 NESE T04N R18E S07 NWSE

AESTHETIC STORAGE in BLAINE County

T04N R18E S07 NESE T04N R18E S07 NWSE

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: BASIS OF CLAIM - Beneficial Use

PRELIM. REC. MARKED
TO CLAIMANT AND
ATT. SCOTT CAMPBELL
1/5/07



Idaho Department of Water Resources

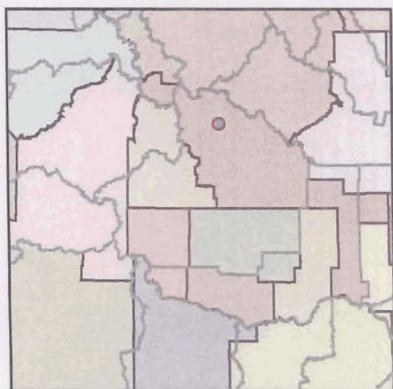
SRBA Recommendation:

37-12111

(Wildlife Storage)

Legend

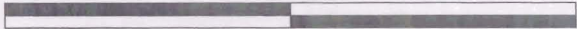
-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Blaine County
IDWR Basin 37

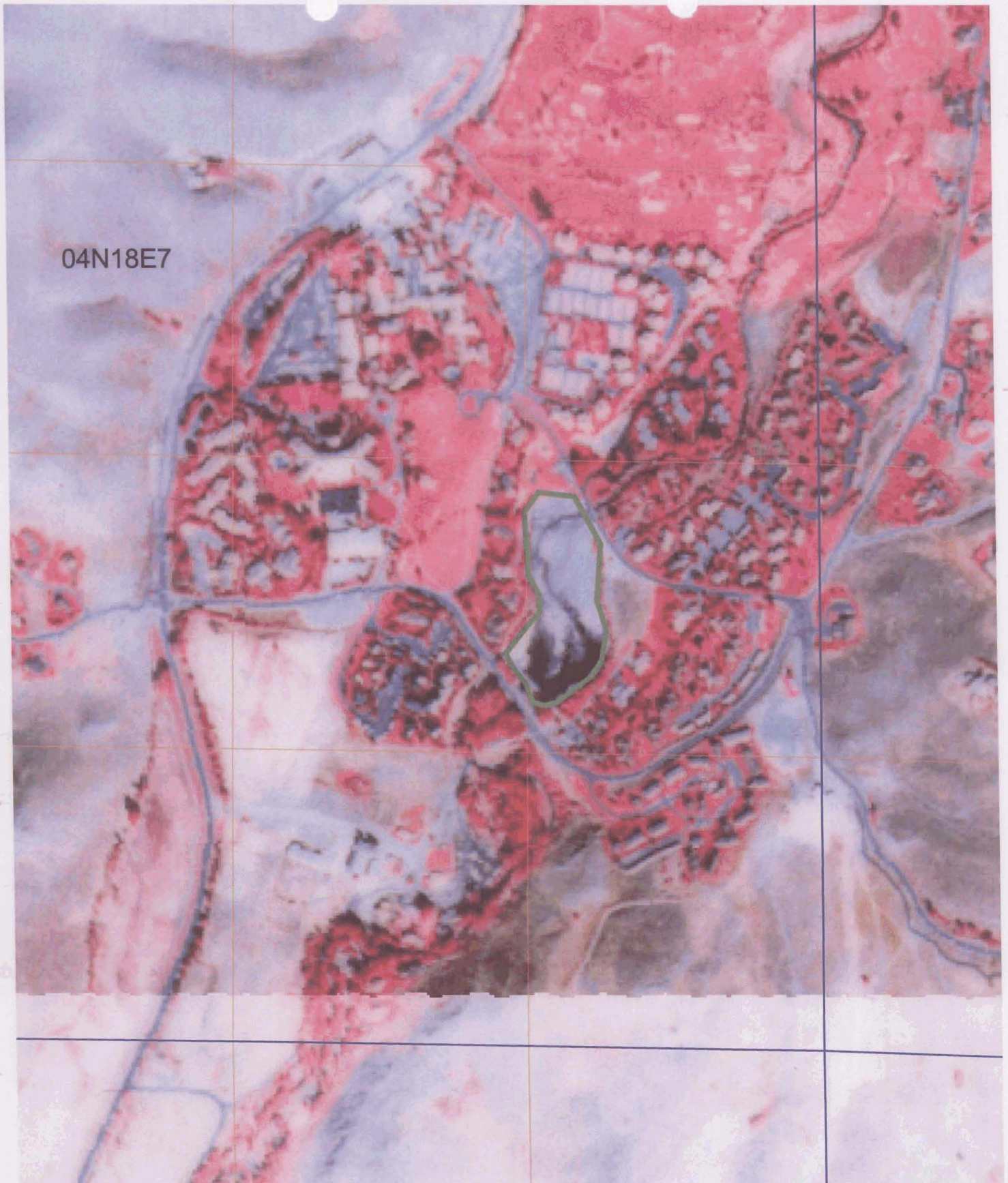


0 0.1 0.2 Miles



Prepared by C. Clark
On Thursday, January 4, 2007
2004 Aerial Photography

SRBA Claim 37-12111 Place of Use



-  Sections
-  QQ
-  37-12111 POU

1987 NAPP Satellite Imagery

Area Map for SRBA Claim 37-12111



Sections
QQ

2004 Imagery

Map provided to claimant's attorney by IDWR in request for clarification of historical POU, claimed POU and claimed PODs. Information requested in conjunction with review of claims filed in the SRBA.

DAM SUMMARY INVENTORY SHEET

TRAIL CREEK

37 - 0415

Printed: Jun 28, 2006

Updated: Jun 28, 2006

STATUS _____ A
BASIN _____ 37
DAM_NUMBER _____ 0415
FEDERAL ID NUMBER _____ ID00037
DAM NAME _____ TRAIL CREEK
COUNTY _____ BLAINE
STREAM _____ TRAIL CREEK
REGION _____ S
PURPOSE _____ HR
RISK CATEGORY _____ 1
SIZE CATEGORY _____ 3
Q_Q_SECTION _____ SE
SECTION _____ 07
TOWNSHIP _____ 04N
RANGE _____ 18E
LATITUDE DEC _____ 43.6922
LONGITUDE DEC _____ -114.3504
DAM TYPE _____ ~~TMBER~~
STORAGE CAPACITY _____ 81 ~~✓~~ AcFT
HEIGHT _____ 18 Ft
DRAINAGE AREA _____ 62.8 SqMi
RESERVOIR AREA _____ 10 Ac
YEAR COMPLETED _____ ~~1937~~
CREST ELEVATION _____ 5905 Msl
CREST LENGTH _____ 385 Ft
SPILLWAY TYPE _____ OVFL
SPILLWAY DEPTH _____ 4.9 Ft
SPILLWAY CAPACITY _____ 1060 Cfs
SPILLWAY CONDITION _____ GD
SPILLWAY GATE COND _____ NA
OUTLET TYPE _____ CMP
OUTLET SIZE _____ 30 In
OUTLET CAPACITY _____ 90 Cfs

OUTLET CONDITION _____ GD
OUTLET GATE CONDITION _____ GD
LAST OUTLET EXAM _____
OUTLET INSP INTERVAL _____
IDF _____ Q100
IDF MAGNITUDE _____ 975 Cfs
RELEASE CAPACITY _____ 1150 Cfs
OVERALL COND _____ GD
MAINTENANCE _____ ROUTINE
INSPECTION DATE _____ 9/29/2005 Mo/Yr
CERT ISSUE DATE _____ 8/4/2004 Mo/dd/yr
STORAGE AUTH DATE _____ 11/07/2005 Mo/dd/yr
STORAGE EXP DATE _____ 11/01/2007 Mo/dd/yr
SURVEY DATE _____ Mo/dd/yr
CALL UP DATE _____ Mo/dd/yr
INSP INTERVAL _____ 2 Yr
PHASE 1 INSP DATE _____ 5/27/1980
OPERATION PLAN _____ N
STATIC STABILITY _____
SEISMIC STABILITY _____ N
RESTRICTED _____ Y
BOND _____ NA
JOINT INSPECTION _____
QUAD NUMBER _____ X24
QUAD NAME _____ SUN VALLEY
DAM OWNER _____ SUN VALLEY CO INC
ADDRESS-1 _____ C/O JERRY BUGGE, MAINT DEPT
ADDRESS-2 _____ PO BOX 10
CITY _____ SUN VALLEY
STATE _____ ID
ZIP CODE _____ 83353
ZIP SUFFIX _____ 0010
PHONE _____ 6222118
AREA CODE _____ 208

GEN_REMARK _____ DAM IS A TIMBER TRUSS, SEE PLANS IN FILE. DAM REHABILITATED IN 1996-97.

TEC_REMARK _____ SPILLWAY & REL CAP ARE WITH 3.0' FB.

RESTRICT _____ FLASHBOARDS SHALL NOT BE PLACED IN THE TOP TWO (2) FEET OF THE SPILLWAY SECTION, UNTIL AFTER SPRING RUNOFF EACH YEAR.

ALT_CONT _____ DAVE ZEIGLER - MAINTENANCE DIRECTOR, PHONE 622-2117. MR BUGGE'S CELL NO IS (208) 309-8589.

BOND_SUM _____

RECEIVED

FEB 14 2000

Department of Water Resources

ELAM & BURKE
A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
Established in 1928

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454

FACSIMILE
208-384-5844

SCOTT L. CAMPBELL

February 11, 2000

Ms. Danni Smith
Adjudication Bureau
Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706

Re: Sun Valley Company Water Right License, Permit, and/or SRBA Claim
Nos. A37-07340, A37-04108, A37-00416, A37-00415, A37-02722A, A37-02678,
and A37-12111

Dear Danni:

I am writing this letter in response to your request concerning my representation of the Sun Valley Company in the above-referenced water right numbers. Please be advised that this firm, Elam & Burke, P.A., represents the Sun Valley Company. Mr. David Lincoln, a Shareholder with our firm, signed the initial SRBA claims for several of Sun Valley Company's water rights in the late 80's. Accordingly, Mr. Lincoln is listed as the "attorney" for Sun Valley Company on those claims. It is my understanding that for the few licenses and/or permits filed post-November 1987, my name is listed as the "attorney" for Sun Valley Company.

Mr. Lincoln is no longer handling water rights matters for this firm. Therefore, to avoid any further confusion, I ask that the Department update their records to reflect my name as "attorney" for the Sun Valley Company in each and all of the above-referenced water rights.

Thank you for your assistance in this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,

ELAM & BURKE
A Professional Association


Scott L. Campbell

SLC:thm G:\Thm\WPDATA\1000\44\00004-smith (IDWR).wpd

cc: Wallace Huffman
Scott Mayeda

ELAM & BURKE
A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
Established in 1928

KEY FINANCIAL CENTER
702 WEST IDAHO
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BOISE, IDAHO 83701

RECEIVED
DEC 10 1999
Department of Water Resources

TELEPHONE
208-343-5454

FACSIMILE
208-384-5844

SCOTT L. CAMPBELL

Attn: Dave Tuthill
Snake River Basin Adjudication Bureau
Idaho Department of Water Resources
1301 North Orchard
Boise, Idaho 83706

December 9, 1999

Re: SRBA Claim Nos. 37-07340, 37-04108, 37-02722A, 37-02678, 37-00415,
37-00416, and 37-12111

Dear Dave:

Angela Schaer and I will be filing a notice of appearance on behalf of Sun Valley Company in claim No. 37-02710, which is a domestic water right. It has recently come to our attention that our appearance has not been entered in the appropriate data bases. Hence, our client is listed as appearing pro-se and we have not received copies of pertinent documents.

The above-referenced water rights have not yet been reported. I would appreciate it if you would have someone in your bureau review these water rights to ensure that we are listed as counsel for Sun Valley Company. I am hoping that this problem can be resolved now so that we will not have problems similar to that which we experienced with water right No. 37-02710.

If you have any questions or would like to discuss this matter further, please call. Thank you for your assistance.

Very truly yours,

ELAM & BURKE
A Professional Association


Scott L. Campbell

ADS/lmt

cc: Wally Huffman
Scott Mayeda
Carl P. Burke