

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: **A37-02678**
Date Received: 3/ 3/1992
Receipt No: S014205
Received By: _____

AMENDED

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

AMENDED

1. Name: SINCLAIR OIL CORP. 208-343-5454
Address: DBA SUN VALLEY CO.
% DAVID B. LINCOLN
PO BOX 1539
BOISE ID 83701-1539

2. Date of Priority: AUG 9, 1962

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	17E	14	SW	NW	NW		BLAINE
			NW	SW	NW		BLAINE

5. Description of diverting works:
SPRING BOX WITH 2 HP PUMP TO PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
HEATING	01/01	12/31	0.100		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
HEATING/ ICE MELTING ON OUTDOOR DECKING AT SKI LODGE & RESTAURANT

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use
04N	17E	14	NE	NW		HEAT

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FEB 23 1993

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:

SOURCE OF WATER IS TWO HOT SPRINGS.

WATER RIGHT CHANGED PURSUANT TO APPROVED TRANSFER 3982 WITH THE FOLLOWING CONDITIONS:

USE OF WATER UNDER THIS WATER RIGHT WILL BE REGULATED BY THE WATERMASTER OF STATE WATER DISTRICT NO. 37.

A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.

THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF NOVEMBER 3, 1992.

FAILURE TO COMPLY WITH THE CONDITIONS OF TRANSFER 3982 IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.

APPROVAL OF TRANSFER 3982 DOES NOT PRECLUDE THE OPPORTUNITY FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT IN THE ONGOING SNAKE RIVER BASIN ADJUDICATION.

15. Basis of Claim: LICENSE

Water Right Number: 30609

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: _____

MICROFILMED
FEB 23 1993

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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FEB 23 1993

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
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IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
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CIVIL CASE NUMBER: 39576

Ident. Number: **A37-02678**
Date Received: 3/ 3/1992
Receipt No: S014205 ~~1~~ **S014222**
Received By: AD

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

1. Name: SINCLAIR OIL CORP. 208-343-5454
Address: DBA SUN VALLEY CO.
% DAVID B. LINCOLN
PO BOX 1539
BOISE ID 83701-1539

2. Date of Priority: AUG 9, 1962

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	17E	14	SW	NW	NW		BLAINE
			NW	SW	NW		BLAINE

5. Description of diverting works:
SPRING BOX WITH 2 HP PUMP TO 1 1/4" PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
RECREATION	01/01	12/31	0.320		
DOMESTIC	01/01	12/31	0.040		1.20
HEATING	01/01	12/31	0.090		

7. Total Quantity Appropriated is:
0.450 C.F.S. (and/or) 1.20 A.F.A.

8. Total consumptive use is 1.2 Acre Feet Per Annum.

9. Non-irrigation uses:
RECREATION/SWIMMING POOL; DOMESTIC/ 1 HOUSEHOLD

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10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	17E	14	NW		NE		HEAT	
			NW		NE		DOMEST	
			NW		NE		REC	

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:

14. Remarks:

TWO HOT SPRINGS.

15. Basis of Claim: LICENSE

Water Right Number: 30609

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: _____

MICROFILMED
FEB 23 1993

State of Idaho)
) SS.
County of _____)

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

A37-02678

Date Received

Receipt Number

5014205 - AD (Pvt)

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

FEB 26 1993

Department of Water Resources
Southern Region Office

Please type or print clearly

- Name of Claimant (s) Sinclair Oil Corp., dba Sun Valley Co. Phone (208) 343-5454
Mailing Address c/o David B. Lincoln; Elam, Burke & Boyd,
P.O. Box 1539, Boise, ID Zip 83701-1539
- Date of Priority (Only one (1) per claim) August 9, 1962
- Source of water supply (a) unnamed springs
which is tributary to (b) Warm Springs Creek
- a. Location of existing point of diversion is: Township 4N Range 17E Section 14,
SW 1/4 of NW 1/4 of NW 1/4, Govt. Lot, B.M., County of Blaine
Additional points of diversion if any: NW 1/4 SW 1/4 Sec. 14 T4N R17E
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
- 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. Percolating hot springs into collection
box; 230 volt 2 H.P. pump into 1 1/4" pipe

COPY

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FEB 23 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic purposes from Jan 1 to Dec 31 amount 0.04 or 1.2

For Heating purposes from Jan 1 to Dec 31 amount 0.09 or _____

For Swimming pool purposes from Jan 1 to Dec 31 amount 0.32 or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.45 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 1.2 acre feet per annum.

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

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	
4N	17E	14		D															

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 ()

14. Remarks: Real property and appurtenant water rights (license) acquired by
Claimant per attached Warranty Deed

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FEB 23 1993

COPY

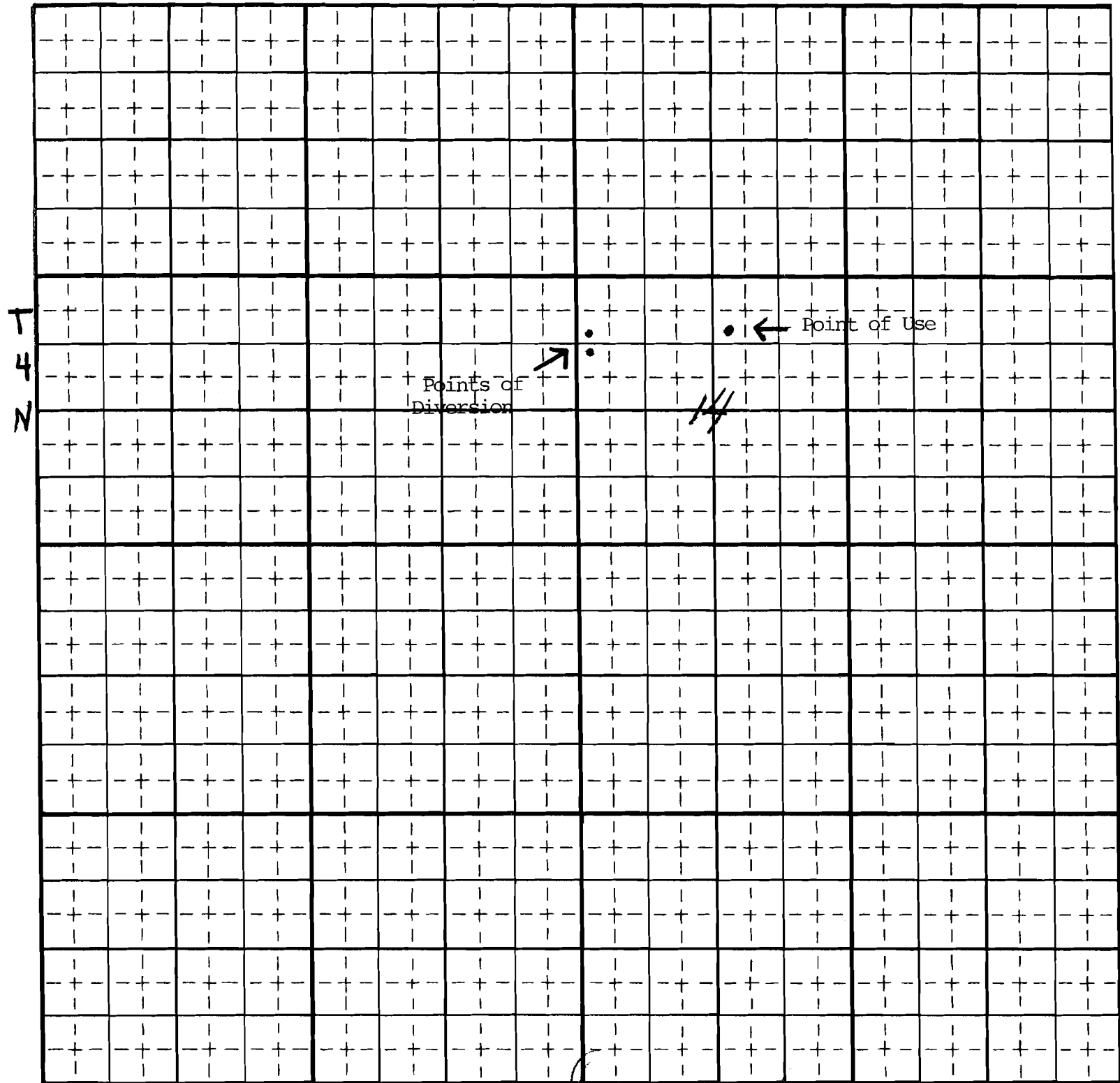
Last Name Sinclair Oil Corp. Ident No. _____

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile

R 17 E



Last Name Sinclair Oil Corp. Ident No. _____

MICROFILMED
FEB 23 1993
Copies: White-State, Yellow-Indian

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 30609/37-2678
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 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) [Signature] Date 2/17/92

Date _____

For Organizations: I do solemnly swear or affirm that I am Vice President/General Manager

Title
of Sinclair Oil Corporation, that I have signed the foregoing

Organization
document in the space below as Vice President/General Manager of Sinclair Oil Corp. dba Sun Valley Co.

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

Signature of Authorized Agent _____
Title and Organization Vice President/General Manager Date _____

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

Subscribed and sworn (or affirmed) before me this 17th day of February 19 92

SEAL

Notary Public [Signature]

Residing at Sun Valley, Idaho 83353

My Commission Expires 4/17/93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, David B. Lincoln 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 [Signature]
Address P.O. Box 1539, Boise, ID 83701

Date 2/26/92

COPY
MICROFILMED
FEB 23 1993

Last Name Sinclair Oil Corp. Ident. Number _____

Copies White-State, Yellow-Claimant

WARRANTY DEED

For Value Received

Mark Brooks Lloyd and Helen Ritchie Lloyd, husband and wife

the grantor, do hereby grant, bargain, sell and convey unto

Sinclair Oil Corporation, a Wyoming Corporation dba Sun Valley Company

the grantee, whose current address is P.O. Box 86 Sun Valley, ID 83353

the following described premises, in BLAINE County, Idaho, to-wit:

See attached Exhibit "A"

BLAINE CO. REQUEST
Sun Valley Title Co.

1991 OCT -1 P 3:41

334186

MARY GREEN, CLERK

FEES \$6.00

MP

Deed

SUBJECT TO: Taxes, Easements, Restrictions, Reservations, Assessments and
 Encumbrances as shown of record, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,
 heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee, that
 owner in fee simple of said premises; that they are free from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: September 27, 1991

Mark Brooks Lloyd

Helen Ritchie Lloyd

STATE OF IDAHO

COUNTY OF

} ss

On this _____ day of _____, in the
 year 19____, before me, a Notary Public, personally appeared

known or identified to me to be the person whose name
 subscribed to the within instrument, and acknowledged to me
 that he executed the same.

Notary Public

Residing at _____, Idaho.

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record
 request of

at _____ minutes past _____ o'clock
 this _____ day of _____
 19____, in my office, and duly recorded in Book
 of Deeds at page _____

Ex-Officio Re

By _____

Fees \$

Mail to: _____



LLOYD
PARCEL

Exhibit "A"

A parcel of land located in SECTION 14 IN TOWNSHIP 4 NORTH OF RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, STATE OF IDAHO, more particularly described as follows:

COMMENCING at a point that is North 74°19' East, 150 feet from Corner No. 3 of Hot Springs Lode Mining Claim located in parts of Sections 14 and 15, Township 4 North of Range 17 East, Boise Meridian, and running
THENCE North 74°19' East, 150 feet;;
THENCE North 39°30' West, 91.3 feet;
THENCE North 77°29'34" East, 152.98 feet;
THENCE North 81°28'5" East, 304.7 feet to a point on the West line of the Lewis tract;
THENCE South 1°25' West, 620 feet;
THENCE North 76°4'49" West, 280.64 feet;
THENCE North 34°29'11" West, 440.38 feet, more or less to the POINT OF BEGINNING.

TOGETHER WITH ANY AND ALL WATER RIGHTS APPURTENANT THERETO.

NOTARY PUBLIC
STATE OF IDAHO
County of Blaine

)
) ss.
)

On this 1st day of October in the year 1991, before me a Notary Public in and for said State, personally appeared JAMES R. GILLESPIE known or identified to me to be the person whose name is subscribed to the within instrument as Attorney in Fact for MARK BROOKS LLOYD AND HELEN RITCHIE LLOYD, and acknowledged to me that he subscribed the name of MARK BROOKS LLOYD AND HELEN RITCHIE LLOYD thereto as principal and his own name as attorney in fact.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Marla G. Munk
NOTARY PUBLIC FOR IDAHO
Residing at: Boise
My Commission expires: 12-1-94

09/19/2006

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

RIGHT NUMBER: 37-2678

NAME AND ADDRESS: SINCLAIR OIL CORP
C/O DAVID B LINCOLN
ELAM BURKE & BOYD
PO BOX 1539
BOISE ID 83701

SOURCE: SPRINGS

TRIBUTARY: WARM SPRINGS CREEK

QUANTITY: 0.100 CFS

PRIORITY DATE: 08/09/1962

POINT OF DIVERSION:

T04N R17E S14 SWNNW Within BLAINE County

T04N R17E S14 NWSNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
HEATING	01/01 12/31	0.100 CFS
Water is used to heat outdoor decking of ski lodge and restaurant to prevent ice and snow buildup.		

PLACE OF USE: HEATING Within BLAINE County

T04N R17E S14 Lot 10 NENW

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Area of construction for extending the collection into the stream shall be isolated from stream flow until grouting has set up.

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

Use of water under this water right will be regulated by the watermaster of State Water District No. 37.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.



Idaho Department of Water Resources

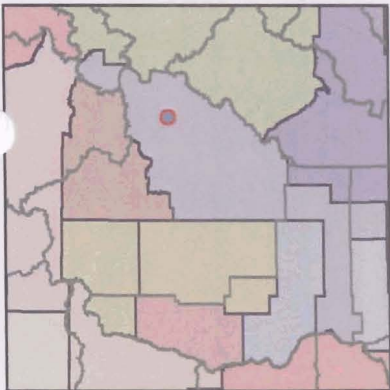
SRBA Recommendation:

37-2678

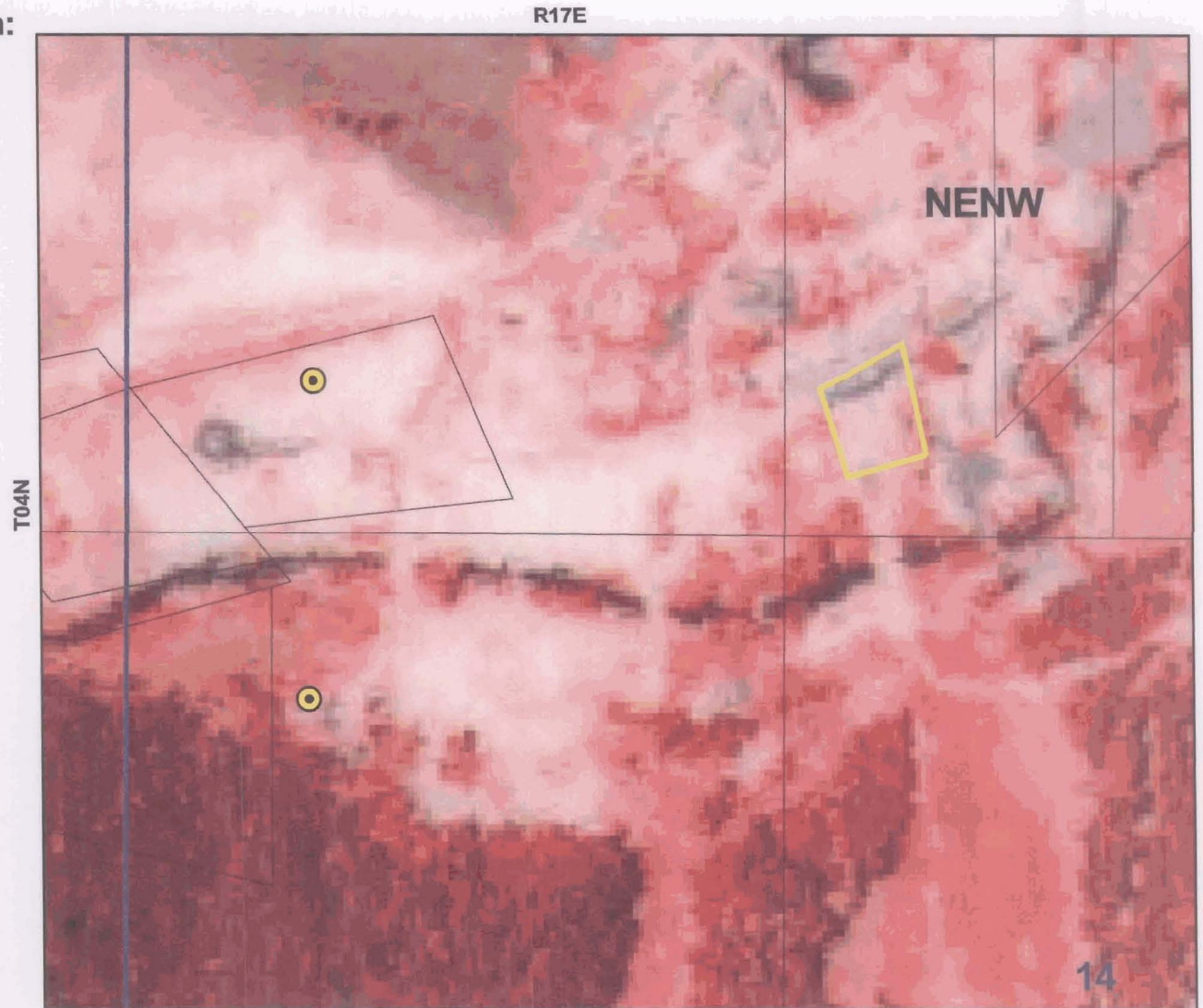
(Heating)

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 E. NORQUES
On Wednesday, September 20, 2006
1987/88 Aerial Photography



Idaho Department of Water Resources

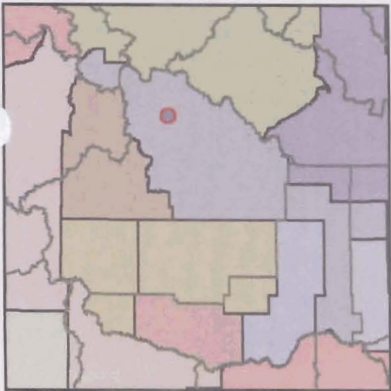
SRBA Recommendation:

37-2678

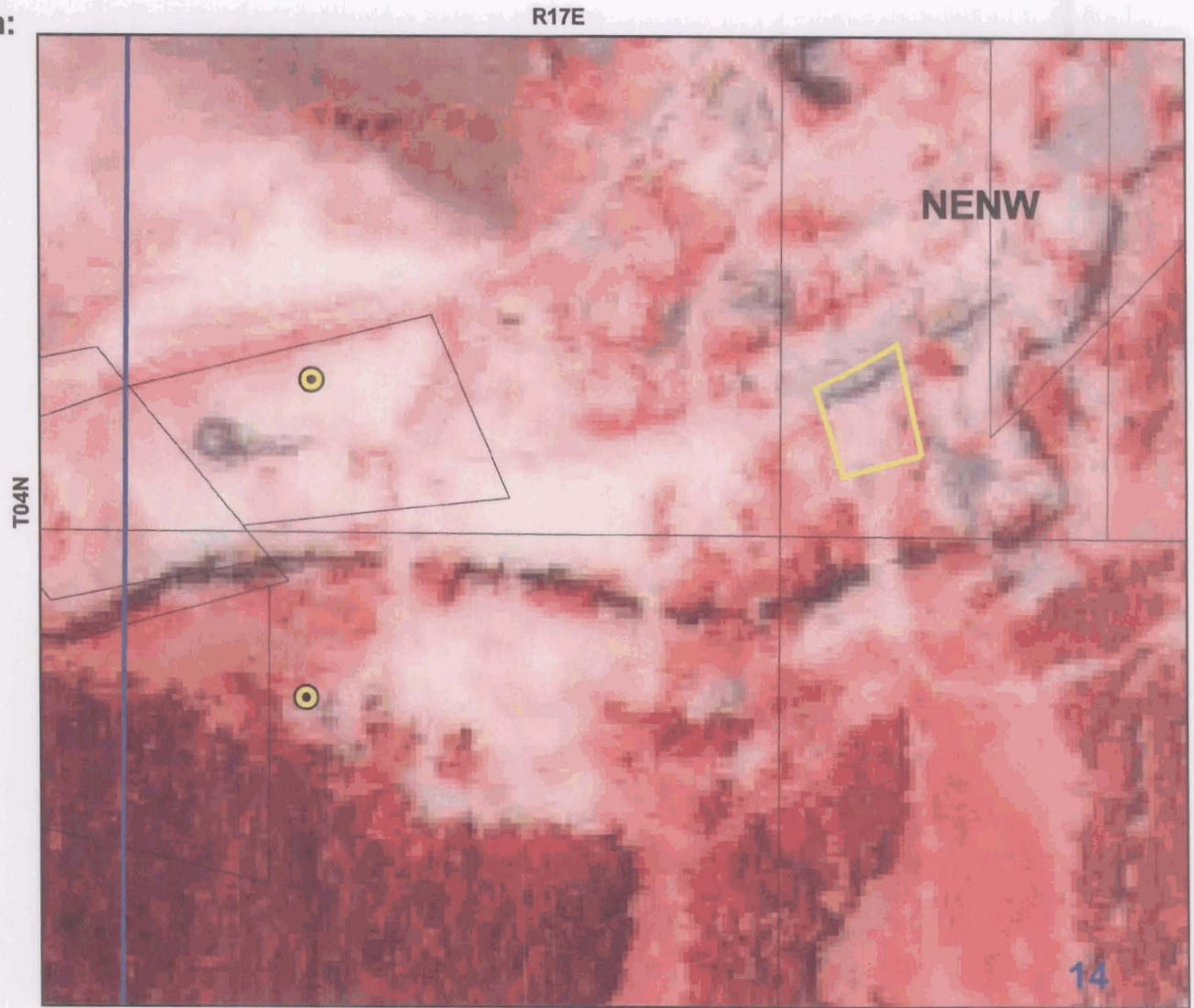
(Heating)

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 E. NORQUES
On Wednesday, September 20, 2006
1987/88 Aerial Photography

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
POST OFFICE BOX 1539
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:

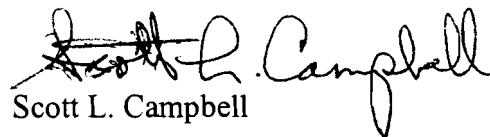
Angela Schaer and I will be filing a notice of appearance on behalf of Sun Valley Company in claim No. 37-02710, which is a domestic water right. It has recently come to our attention that our appearance has not been entered in the appropriate data bases. Hence, our client is listed as appearing pro-se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



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

02-Dec-1992 08:47

Sinclair Oil Corp DBA Sun Valley Co
C/O David Lincoln, Elam Burke & Boyd
PO Box 1539
Boise, ID 83701

RE: Amendment of SRBA Claim A3702678

Dear Mr. Lincoln:

Pursuant to the approval of Transfer No. 3982 your above referenced Notice of Claim in the Snake River Basin Adjudication has been amended to conform with the transfer. Please find enclosed a printout of the way the claim record has been modified. Please look the modified record over carefully to be sure it correctly reflects your intended change. If you have questions please feel free to contact this office.

Sincerely

A handwritten signature in cursive script, appearing to read 'Allen Merritt'.

Allen Merritt, P.E.
Water Right Supervisor

Encl:

MICROFILMED
FEB 23 1993

Trans #

~~4025~~
3982

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
WATER RIGHT NO. 37-02678

This is to certify that: **SINCLAIR OIL CORP
DBA SUN VALLEY CO
C/O DAVID LINCOLN
ELAM BURKE & BOYD
PO BOX 1539
BOISE ID 83701**

has requested that a change of water rights be recorded as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
HEATING	01/01 - 12/31	0.10
	Total	0.10

Source: SPRINGS tributary to: WARM SPRINGS CREEK
Priority 08/09/1962

LOCATION OF POINT(S) OF DIVERSION:

NWSWNW, Sec. 14, Township 04N, Range 17E, BLAINE County
SWNWNW, Sec. 14, Township 04N, Range 17E, BLAINE County

PLACE OF USE: HEATING

TWN RGE SEC
04N 17E 14 NENW

This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

CONDITIONS/REMARKS:

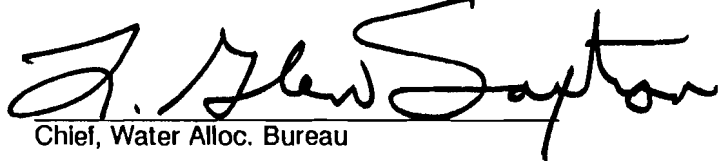
1. Use of water under this water right will be regulated by the watermaster of State Water District No. 37.
2. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

MICROFILMED
FEB 23 1993

TRANSFER OF WATER RIGHT
WATER RIGHT NO. 37-02678

6. Area of construction for extending the collection into the stream shall be isolated from stream flow until grouting has set up.
7. The maximum rate of diversion authorized under this right is limited to 0.10 cfs.

Dated this 3rd day of November, 1992


Chief, Water Alloc. Bureau

MICROFILMED
FEB 23 1993

Water Right Number - R37-02678

Prefix Translation: RESEARCH

Old (D) Number - 30609

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** A - ATTORNEY ***
LINCOLN

DAVID B.

1 - PO BOX 1539

2 -

3 -

City- BOISE

State- ID Zip- 837011539

Phone - 208-343-5454

*** C - CURRENT OWNER ***
SINCLAIR OIL CORP.

1 - DBA SUN VALLEY CO.

2 - % DAVID B. LINCOLN

3 - PO BOX 1539

City- BOISE

State- ID Zip- 837011539

Phone - 208-343-5454

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
08/09/1962 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
SPRINGS WARM SPRINGS CREEK+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County04N 17E 14 SW NW NW (13) BLAINE
NW SW NW (13) BLAINE+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

22 - HEATING 01/01 12/31 0.100

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.100 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

04N 17E 14 NE NW 22 HEATING (13) BLAINE

Total Acres:

- Diversion Means - SPRING BOX WITH 2 HP PUMP TO PIPELINE

- Non-Irrigation Use - HEATING/ ICE MELTING ON OUTDOOR DECKING AT SKI LODGE & RESTAURANT

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +

SOURCE OF WATER IS TWO HOT SPRINGS.

WATER RIGHT CHANGED PURSUANT TO APPROVED TRANSFER 3982 WITH THE

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Water right number - R37-02678

Prefix Translation: RESEARCH

+ - - - - - Remarks - - - - - +

FOLLOWING CONDITIONS:
USE OF WATER UNDER THIS WATER RIGHT WILL BE REGULATED BY THE
WATERMASTER OF STATE WATER DISTRICT NO. 37.
A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE
MAINTAINED AS A PART OF THE DIVERTING WORKS.
THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED
WITHIN ONE (1) YEAR OF THE DATE OF NOVEMBER 3, 1992.
FAILURE TO COMPLY WITH THE CONDITIONS OF TRANSFER 3982 IS
CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE
APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.
APPROVAL OF TRANSFER 3982 DOES NOT PRECLUDE THE OPPORTUNITY
FOR REVIEW OF THE VALIDITY OF THE WATER RIGHT IN THE ONGOING
SNAKE RIVER BASIN ADJUDICATION.

+ - - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers Found

+ - - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +

00/00/0000

+ - - - - - Comments - - - - - +

Date: 12/02/1992 User Id: MERRITT Subject: AMENDED CLAIM
AMENDED CLAIM PREPARED BASED ON APPROVED TRANSFER 3982.

ADM

+ - - Audit Fields - - +

12/02/92 MERRITT

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 03/03/1992	Last Amended Date	- 12/02/1992	Temporary Right	- P
		Receipt Number	- S014205	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	- C
				Notice of Error Flag	-

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State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

06-Mar-1992

RE: ADJUDICATION CLAIM NO. A37-04108
~~A37-02678~~

SINCLAIR OIL CORP.
DBA SUN VALLEY CO.
C/O DAVID LINCOLN
PO BOX 1539
BOISE ID 83701-1539

DEAR CLAIMANT(S):

PLEASE FIND ENCLOSED YOUR RECEIPT AND A COPY OF A
COMPUTER GENERATED CLAIM BASED ON THE INFORMATION FROM YOUR
ORIGINAL CLAIM(S) WHICH HAS BEEN ENTERED IN OUR COMPUTER
RECORDS.

PLEASE REVIEW THE COMPUTER GENERATED CLAIM(S) FOR ACCURACY. IN
A FEW INSTANCES CLARIFICATIONS MAY HAVE BEEN ADDED BY THE DEPARTMENT
AT THE TIME OF DATA ENTRY. IF YOU HAVE ANY QUESTIONS OR OBJECTIONS
REGARDING THE COMPUTER RECORD OF YOUR CLAIM(S), PLEASE CONTACT THIS
OFFICE.

SINCERELY,


JEANIE ROBERTSON
RECORDS CLERK

/jr

Enclosures: A37-04108, A37-02678

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3982

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Sinclair Oil Corporation dba Sun Valley Co. Phone 343-5454
Post Office address c/o David Lincoln, Elam, Burke & Boyd, P.O. Box 1539, Boise, ID 83701

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☐ Change period of use ☐ Other Present uses to be discontinued at dwelling and hot

2. Describe the reason for the proposed changes water piped approximately 1400' and used to heat outdoor decking of ski lodge and restaurant to prevent snow and ice buildup for public safety--no transmission or consumptive loss.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
37-02678	8/9/62	0.45	G (Heating)	January 1 to December 31
				to
				to
				to

2. Total amount of water being transferred 0.45 cubic feet per second and/or acre-feet per annum.
3. Source of water unnamed hot springs tributary to Warm Springs Creek
4. Point(s) of Diversion: No Change

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NW	NW	14	4N	17E	Blaine	
	SW	NW		14	4N	17E	Blaine	
	NW	SW	NW					

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	17E	14					G												2

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PART 1

6. General Information:

a. Description of diversion system Percolating hot springs into collection box; 230 volt 2 H.P. pump.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Dwelling structure and landscaping will no longer be heated and provided domestic and irrigation water from existing source.

d. Remarks:

New water use will be nonconsumptive with all water being discharged into Warm Springs Creek; furthers the geothermal use of the water for public safety.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 37-02678 (1/3/74) issued by the Idaho Department of Water Resources.
- c. Claim No. A37-02678 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other _____

3. Source of water unnamed springs tributary to Warm Springs Creek

4. Date or priority 8/9/62

5. Water is used for the following purpose:

amount 0.320 for recreation purposes from 01/01 to 12/31
(cfs/ac-ft) amount 0.040 for domestic purposes from 01/01 to 12/31
(cfs/ac-ft) amount 0.090 for heating purposes from 01/01 to 12/31
(cfs/ac-ft)

6. Total amount of water under right 0.45 cubic feet per second and/or 1.20 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	14	4N	17E	Blaine	
		SW	NW	14	4N	17E	Blaine	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
<u>4N</u>	<u>17E</u>	<u>14</u>		X															

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED*(If the entire right is to be changed by the applicant, omit part B and C.)*

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT *(omit if there is no change)*

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

R 17 E

4N

Points of Diversion New Point of Use
 Warm Springs Creek
14

** SEE ATTACHED SURVEY MAP FOR MORE DETAIL

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PART 3

B. CHANGES IN NATURE OF USE

1.

<u>New Nature of Use</u>	<u>Amount</u> <u>(cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
<u>Heating</u>	<u>0.45</u>	<u>24 hours/day</u>	<u>01/01</u> to <u>12/31</u>
			to

2. Quantity and quality of return flows and location of discharge:
0.45 cfs at NE NE Section 14 Township 4N Range 17E B.M. into Warm Springs Creek
approximately 1400' downstream from prior point of diversion

3. Describe effects on other water uses resulting from the proposed change:
Consumptive use of water will cease resulting in increased water for other uses; there
is no known point of diversion for other uses located on Warm Springs Creek between
prior point of discharge and new point of discharge.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.
Sinclair Oil Corporation dba Sun Valley Company
[Signature]
BY: Vice President (Signature of Applicant)
Subscribed and sworn to before me this 10th day of February, 19 92.
[Signature]
(Notary Public)
My commission expires 4/17/92

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments

Received by [Signature] Date 2/12/92 Protest filed by _____

Prelim. check by [Signature] Fee \$50 5014149

Receipted by [Signature] Date 2/12/92

Published in Wood River Journal Copies of protest forwarded by _____

Pub. dates 9/28 9/9/92 Hearing held by _____ Date _____

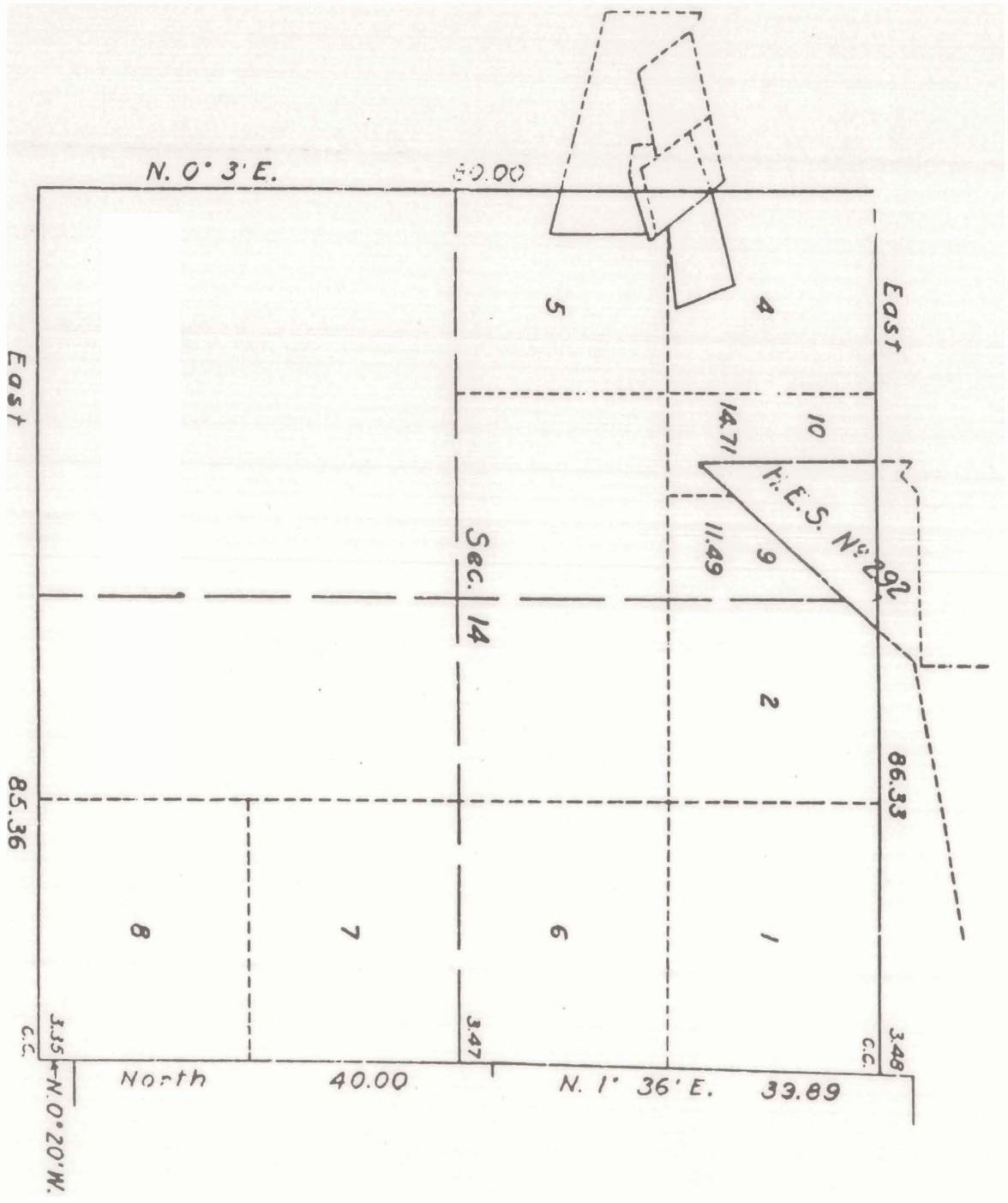
Watermaster recommendation requested on 8/21/92 Recommended for ☐ approval ☐ denial

_____ rec'd. by _____

Copy of transfer sent to lien holder _____

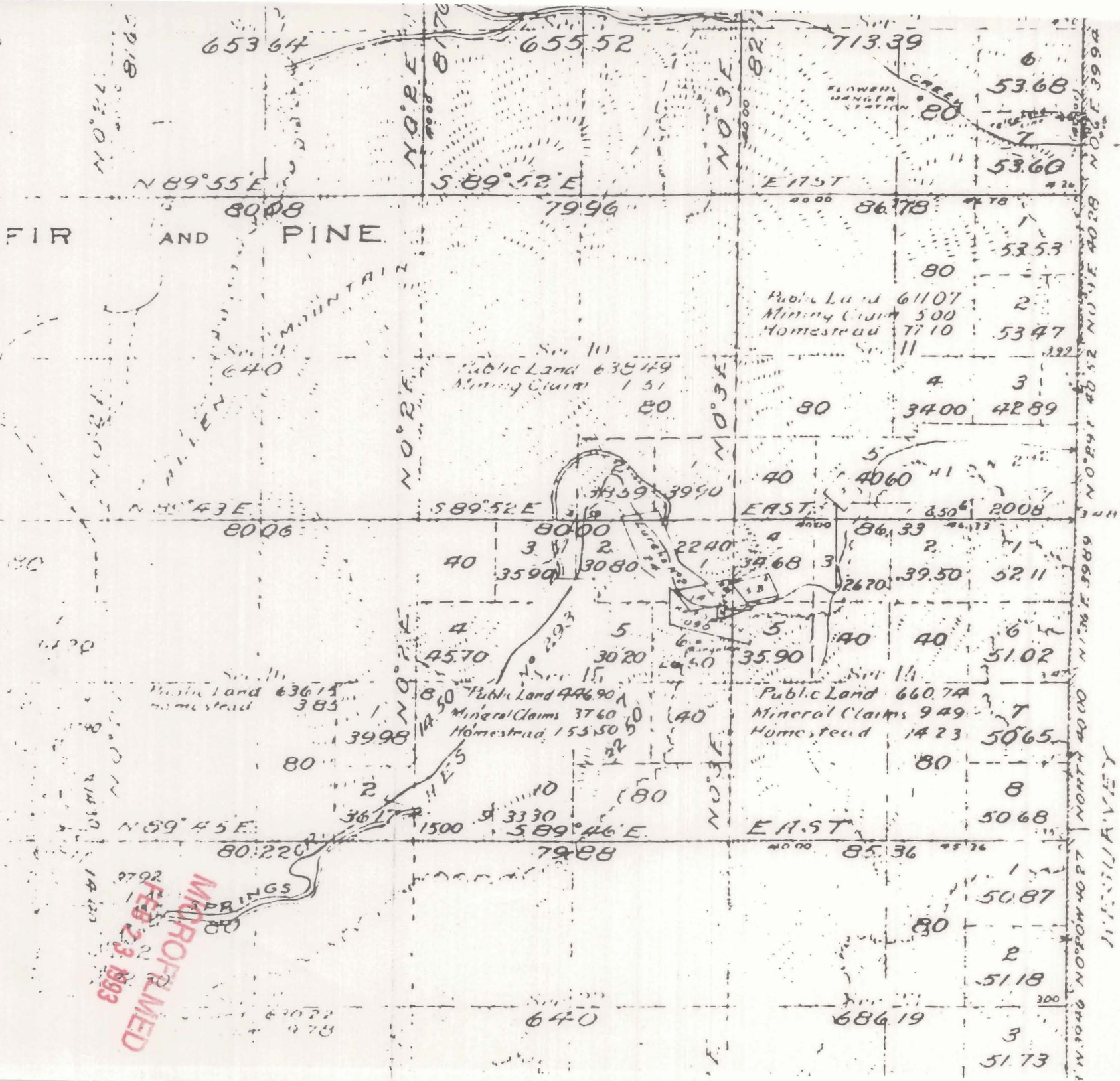
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FIR AND PINE

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VIEW



KETCHUM P.C.
HAILEY 13 MI

T5N
T4N

T. 4 N.

4843

42'30"

4842

(S. N. VALLEY)
1171' VE

4840

4839

40

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