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: [redacted]
Date Received: 12/06/1988
Receipt No: C003779
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SUN VALLEY LAND AND MINERALS, INC. 208-726-1868
   Address: C/O DONNA R. KELSEY
   P.O. BOX 1959
   SUN VALLEY, ID 83353

2. Date of Priority: SEP 01, 1883

3. Source: CLARENDON HOT SPRINGS Trib. to: DEER CREEK

4. Point of Diversion:

Township	Range	Section	1/4	of 1/4	of 1/4	Lot	County
03N	17E	27		SW	SE		BLAINE

5. Description of diverting works:
   SPRINGS, PIPELINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
HEATING	01/01	12/31	0.130		
RECREATION	01/01	12/31	0.130		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
   HEATING AND REC. FOR SWIMMING POOLS AND BATH HOUSES

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
03N	17E	27	SW	SE		HEAT	
			SW	SE		REC	

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
03N	17E	27	SE	SE		HEAT	
			SE	SE		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:
NONE

14. Remarks:

```
**********************************************************************
*                    MEMO TO FILE                                    *
*    TWO RECEIPTS, C003779 AND C005217, APPLY TO THIS CLAIM.         *
*    TOTAL FEES OF $76. PAYABLE BY $63 AND $13 RECEIPTS.             *
*                                          HLHT   1/20/1989          *
**********************************************************************
```

15. Basis of Claim: STATUTORY CLAIM

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

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FEB 24 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 _____

MICROFILMED
FEB 24 1993

CHANGE IN OWNERSHIP

This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim.

[ ] Water Right Number(s): 37-04100, 37-12160, 37-12159, 37-12158
37-04370, 37-04369, 37-04368B

[ ] Name and Address of Former Claimant(s): Interstate Investment Corporation
%Law Offices
P.O. Box 2740
Hailey, Idaho, 83333

[ ] New Claimant(s): Sun Valley Land and Minerals, Inc.
C/O Donna R. Kelsey

[ ] New Mailing Address: P.O. Box 1959
Sun Valley, Idaho, 83353

New Telephone Number: (208) 726-1868

[ ] Does the change in ownership result in a splitting of the water right claimed? _____ yes __X__ no
If yes, then describe the portion of the water right that is now claimed by the new owner:

[ ] Attach proof of ownership
Describe proof attached: _____
(Proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former claimant.)

[ ] Signature of New Claimant(s): [signature]
SVLM

Date: September 4, 1990

RECEIVED
SEP 6 1990
Department of Water Resources

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CHANGE IN OWNERSHIP

[ ] Signature of Former Claimant(s): IFC Donald Kelley, Pres

Date: September 4, 1990

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
Initial Review and Data-Entry SF
Date: By:
Further Action Needed:
Further Action Taken JDC 10/15/90 by returned Oct. 17 letter received 10/22/90 added claim 37-02446 to change JDC 10/24/90
Date: By:
Final Review and Data-Entry
Date: By:
Claim Numbers of Split, if any:

After form has been completed, please return to the nearest IDWR office below:

WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705
(208) 334-2190

EASTERN REGIONAL OFFICE
150 SHOUP SUITE #15
IDAHO FALLS, IDAHO 83402
(208) 525-7161

STATE OFFICE
1301 N. ORCHARD ST.
STATEHOUSE MAIL
BOISE, IDAHO 83720
(208) 327-7906

SOUTHERN REGIONAL OFFICE
222 SHOSHONE STREET EAST
TWIN FALLS, ID 83301
(208) 734-3578

NORTHERN REGIONAL OFFICE
1910 NORTHWEST BLVD. SUITE 210
COEUR D'ALENE, IDAHO 83814
(208) 765-4639

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: **A37-04368B**
Date Received: 12/06/1988
Receipt No: C003779
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: INTERSTATE INVESTMENT CORPORATION 208-788-2427
   Address: C/O LAW OFFICES
   P.O. BOX 2740
   HAILEY, ID 83333

2. Date of Priority: SEP 01, 1883

3. Source: CLARENDON HOT SPRINGS Trib. to: DEER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
03N	17E	27	SW SE		BLAINE

5. Description of diverting works:
   SPRINGS, PIPELINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S (or)	A.F.A.
HEATING	01/01	12/31	0.130	
RECREATION	01/01	12/31	0.130	

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
   HEATING AND REC. FOR SWIMMING POOLS AND BATH HOUSES

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
03N	17E	27	SW SE		HEAT	

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
03N	17E	27	SW	SE		REC	
			SE	SE		HEAT	
			SE	SE		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:
NONE

14. Remarks:

```
**********************************************************************
*                    MEMO TO FILE                                    *
*    TWO RECEIPTS, C003779 AND C005217, APPLY TO THIS CLAIM.         *
*    TOTAL FEES OF $76. PAYABLE BY $63 AND $13 RECEIPTS.             *
*                                              HLHT   1/20/1989      *
**********************************************************************
```

15. Basis of Claim: STATUTORY CLAIM

MICROFILMED
FEB 24 1993

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
) SS.
County of _____)

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

of _____ 19 _____ _____
Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
FEB 24 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: **A37-04368B**
Date Received: 12/06/1988
Receipt No: C003779
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: INTERSTATE INVESTMENT CORPORATION 208-788-2427
   Address: C/O LAW OFFICES
   P.O. BOX 2740
   HAILEY, ID 83333

2. Date of Priority: SEP 01, 1883

3. Source: CLARENDON HOT SPRINGS Trib. to: DEER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
03N	17E	27	SW SE		BLAINE

5. Description of diverting works:
   SPRINGS, PIPELINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
HEATING	01/01	12/31	0.130		
RECREATION	01/01	12/31	0.130		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
   HEATING AND REC. FOR SWIMMING POOLS AND BATH HOUSES

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres

11. Place of use in counties:

MICROFILMED
FEB 24 1993

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

13. Other Water Rights Used:
NONE

14. Remarks:

```
**********************************************************************
*                    MEMO TO FILE                                    *
*    TWO RECEIPTS, C003779 AND C005217, APPLY TO THIS CLAIM.         *
*    TOTAL FEES OF $76. PAYABLE BY $63 AND $13 RECEIPTS.             *
*                                              HLHT   1/20/1989      *
**********************************************************************
```

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
) SS.
County of _____)

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

of _____ 19 _____ _____
Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
FEB 24 1993

Form No. 42-1409 (2) a 1/88

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 A37-04368B
Date Received 10/27/88
Receipt Number C 003779
& C00 35 217

RECEIVED
OCT 1988
Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Interstate Investment Corporation Phone (208) 788-2427

   Mailing Address c/o Law Offices P.O. Box 2740 Hailey, Idaho Zip 83333

2. Date of Priority (Only one (1) per claim) September 1, 1883

3. Source of water supply (a) springs
   which is tributary to (b) Deer Creek

4. a. Location of existing point of diversion is: Township 3N Range 17E Section 27,
   ____ 1/4 of SW 1/4 of SE 1/4, Govt. Lot, ____ B.M., County of Blaine
   Additional points of diversion if any: natural springs

   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. Water diverted from natural hot springs by piping system. See attached map #1.

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FEB 24 1993

6. Water is claimed for the following purposes:

		(both dates are inclusive)			(cfs)		(acre feet)
For	heating and	purposes from	Jan 1	to Dec 31 amount	.13	or	
For	recreation	purposes from	Jan 1	to Dec 31 amount	.13	or	
For		purposes from		to	amount	or	
For		purposes from		to	amount	or	

7. Total quantity claimed (a) .13 (cfs) and/or (b) _____ (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) heating and recreation for swimming pools and bath houses

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	
																	R	R	
																	H	H	

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:

COPY
MICROFILMED
FEB 24 1993

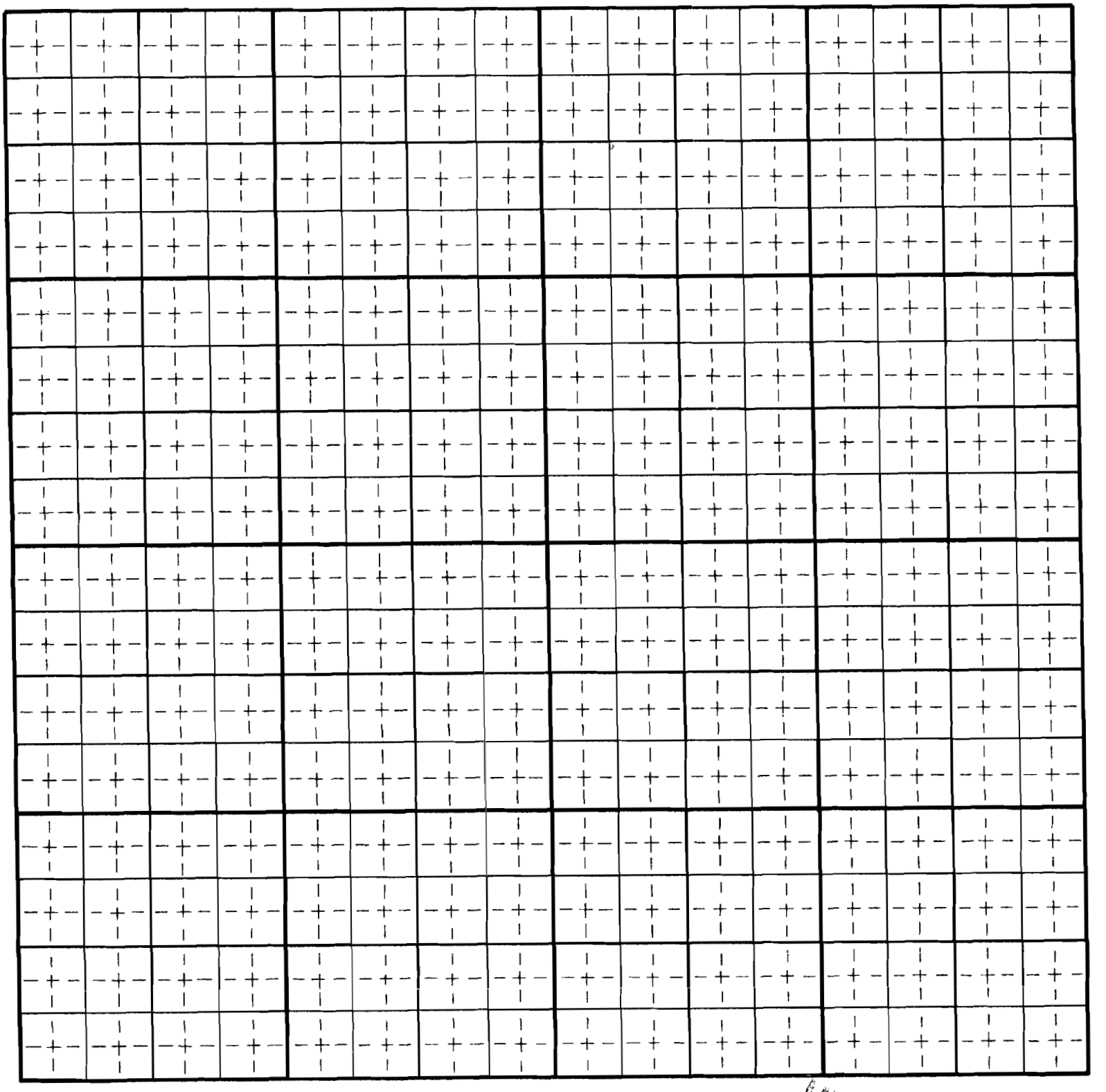
Last Name Interstate Inv. Co. Ident No. _____

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

SEE ATTACHED MAP # 2



COPY
MICROFILMED
FEB 24 1993

Last Name Interstate Inv. Co Ident No. _____

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 37-4368 (portion)
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) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am President (Title) of Interstate Investment Corporation (Organization), that I have signed the foregoing document in the space below as President (Title) of said corporation (Organization) and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Donald Kelsey

Title and Organization Interstate Investment Corporation Date 10-26-88

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

Subscribed and sworn (or affirmed) before me this 26th day of October 19 88

SEAL

Notary Public Lorna M. Adams

Residing at Hailey

My Commission Expires 1991

Please Print Name

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

Signature _____

Address _____

Date _____

MICROFILMED
FEB 24 1993

COPY

Last Name Interstate Inv. Co Ident. Number _____

Copies White-State, Yellow-Claimant

Greenhorn
Imperial
Gulch
Summit
Mine
Spring
Mine
Hot Spring
Clarendon Hot Springs
War Dance
Creek
Deer
Gulch
22
23
24
26
27
28
34
35
MAP #2

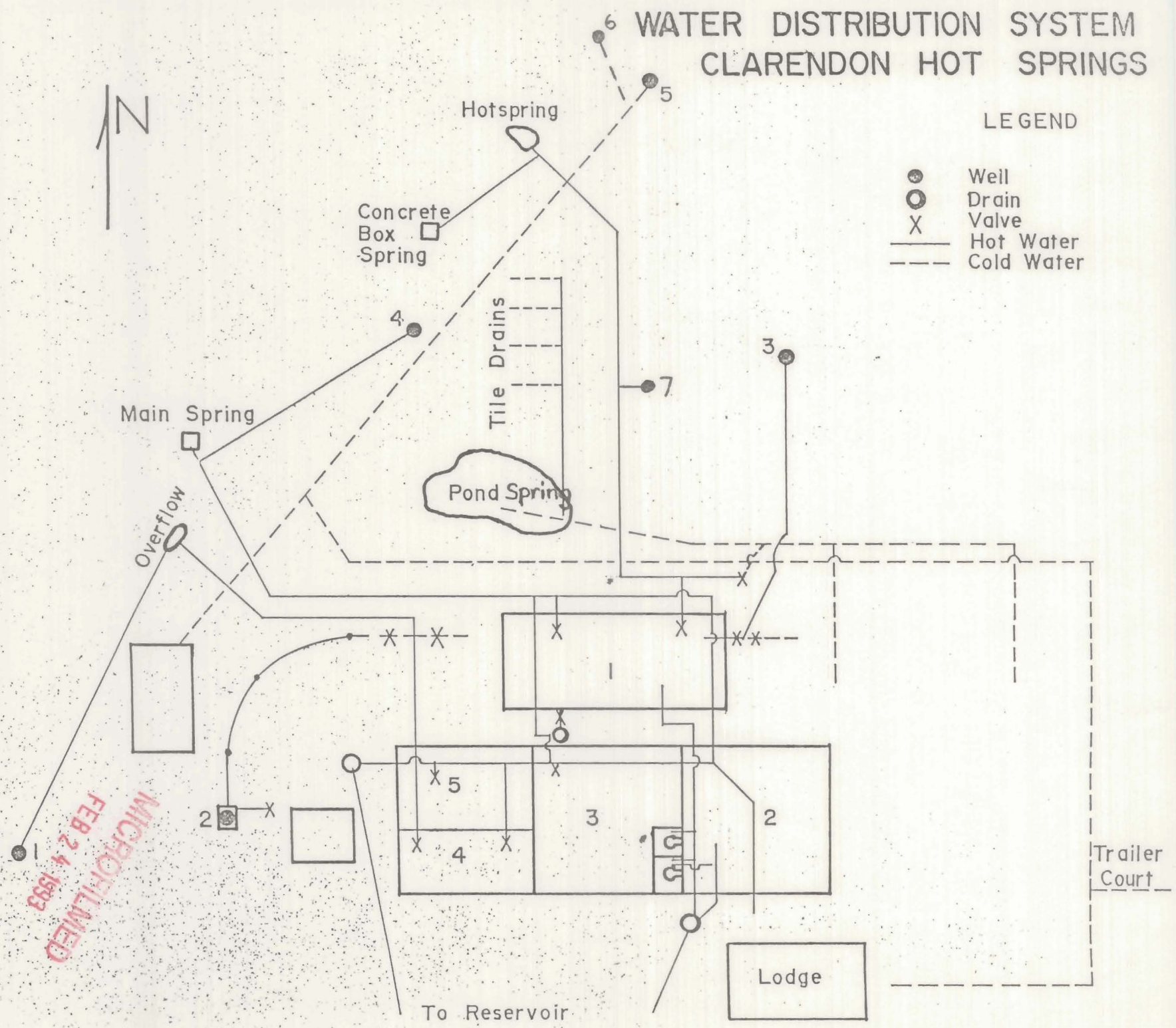

WATER DISTRIBUTION SYSTEM
CLARENDON HOT SPRINGS
N
LEGEND
Well
Drain
Valve
Hot Water
Cold Water
Hotspring
Concrete Box Spring
Main Spring
Overflow
Pond Spring
Tile Drains
1
2
3
4
5
6
7
Lodge
Trailer Court
To Reservoir
MICROFILMED FEB 24 1993

FIGURE 2

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

FIRST CLASS

UNITED STATES POSTAL SERVICE
PITNEY BOWES
02 1A $ 01.11⁰
0004389393 MAR 08 2007
MAILED FROM ZIP CODE 83702

ATTEMPTED, NOT KNOWN

RECEIVED
MAR 1 3 2007
DEPARTMENT OF WATER RESOURCES

37-4368B

37-2446
37-4100

37-4369
37-21614
37-22127
37-22128

SUN VALLEY LAND & MINERALS INC
PO BOX 1959
SUN VALLEY ID 83353

Investigator's Notes

File: A37-04368B, A37-04368A, and A37-4370
Name: Donna Kelsey and Jim Stone dba Sun Valley Land and Minerals Inc.
Investigator: Robin Wells
Field Date: August 26, 2005

To Reach: At the north end of In Hailey, Idaho beginning from the stop light on McKarcher, proceed north on Highway 93 2.3 miles to Deer Creek Road. Turn west and drive 4.8 miles to the Clarendon Hot Spring Ranch headquarters on the south side of the road.

Jim Stone (309-1359) and Donna Kelsey (726-4113) were on site the morning of August 26th, 2005. Also on site was custodian "Cam Hair" (578-0014) who lives on the Clarendon Hot Spring Site. Stone escorted R. Wells to two flowing hot springs and two wells. According to Stone, claim # A37-04368A, as a result of a suit, is now "Sun Valley Land and Minerals" instead of "Deer Creek Ranch".

(Clarendon) Hot Spring "A" and "B" were flowing at the time of this visit and are GPS sites #16 and #18 (see attached list of GPS records). These springs are most likely the original POD's with a September 1, 1883 priority.

The output of Hot Spring "A" is divided. One stream flows in a pipe to the home of Larry and Nora Lee Fairbanks who have a 99 year lease agreement with "Minerals". The water right remains a claim of "Minerals". The over flow not taken from Spring "A" by Fairbanks goes to "the Ranch" along with the artesian flow of Well "B". This is a demand setup so that the proportions flowing from Well "A" at any one time depends on use at the two Fairbanks houses and a hot tub (indicated the picture) just south of the two springs.

There are two hot wells north and east of the hot springs. The first hot well (GPS site #19) has been labeled here as Site "C". The pump is connected to power and plumbed to the common ranch hot water supply system. This well is used as needed to supplement the hot spring flow. The second hot well labeled "D" (GPS site #20) is not connected to power at the time of this visit, and the underground physical water pipe connection to the common system was not determined. These two wells are likely the groundwater POD's referred to in A37-4370 with a priority date of July 1, 1940.

The sketch shown in A37-4368A is not-to-scale and out of date or inaccurate making it confusing. There is no trailer court in section 27 (rather on "Jim the Harp Creek" to the south), no lodge, and in the location where recreational facilities #1, 2, 3, 4 and 5 are indicated, there is a single medium sized un-heated building used for storage. The current pipe network is likely different than indicated in the sketch.

There is a third hot well labeled "E" (GPS site #128) that is capped. The twelve inch casing may be found between the two newest and lower ponds (#4 and #5) below and to the north east of the dam. (See 05 Clarendon HP Photo #1 for sites "A" thru "E".) Another hot well is south of Pond #2 at GPS site #21; it is a 6 inch capped installation.

The hot POUs for the Clarendon Hot Springs Ranch are the care taker's house and pool, the "bath house", both of which are identified in the 1992 file photo in A, and the Fairbanks house and hot tube previously mentioned.

There are **two cold water domestic wells** which are not part of A37-04368B, but identified here. The main ranch cold water supply is labeled "F" (GPS site #184) and is located north of the Deer Creek Road.

The **second cold well** is labeled "G" (GPS site # 31, see 05 Clarendon Hot Springs Photo #2) and supplies eight recreational trailer sites with sprinkler and domestic water taps on "Jim the Harp Creek" (see attachment). This second well and water works is apparently new as of 2005 and may have claim up-dates in office files; it is not mentioned in A37-04368B or A37-04368A, but perhaps mentioned in POU item 6 and 9 of A37-04370 (re-engineer Charles Brockway); however, not in section 27
At the end of the day, Investigator Wells was referred to Dr. Charles Brockway for any further site information, including evidence of priority.

IDWR CONCURRENCE:

Kelly K. Christensen 1-31-11

Kelly K. Christensen Date
Sr. Water Resource Agent

IDWR CONCURRENCE:

Christopher M. Bromley Date
Deputy Attorney General
Attorney for IDWR

11/12/2010

IDAHO DEPARTMENT OF WATER RESOURCES

RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-4368B

KKC

NAME AND ADDRESS: SUN VALLEY LAND & MINERALS INC
PO BOX 1959
SUN VALLEY ID 83353

SOURCE: CLARENDON HOT SPRINGS TRIBUTARY: DEER CREEK

QUANTITY: 0.130 CFS

PRIORITY DATE: 09/01/1883

POINT OF DIVERSION:

T03N R17E S27 NWSWSE Within BLAINE County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
HEATING	01/01 12/31	0.130 CFS
RECREATION	01/01 12/31	0.130 CFS

The recreation purpose of use for this right allows for filling the pond and for replacement of losses attributable to surface evaporation and seepage from the pond.

PLACE OF USE: HEATING in BLAINE County

T03N R17E S27 SWSE

RECREATION in BLAINE County

T03N R17E S27 SWSE

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

Status Conf. Dec 15, 2010
Sunvalley Land & Mineral
37-2446 43685, 4168, 2164 4389 22128

Hobdey ck on language fm transfer talking about the status of last pond.
Chg remarks.

Status Conf. Feb. 2. @ 2:30

11/12/2010

IDAHO DEPARTMENT OF WATER RESOURCES

RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

SF-5

RIGHT NUMBER: 37-4368B

NAME AND ADDRESS: SUN VALLEY LAND & MINERALS INC
PO BOX 1959
SUN VALLEY ID 83353

VERIFIED BY KKC 11-12-2010

SOURCE: CLARENDON HOT SPRINGS TRIBUTARY: DEER CREEK

QUANTITY: 0.130 CFS

PRIORITY DATE: 09/01/1883

POINT OF DIVERSION:

T03N R17E S27 NWSWSE Within BLAINE County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
HEATING	01/01 12/31	0.130 CFS
RECREATION	01/01 12/31	0.130 CFS

The recreation purpose of use for this right allows for filling the pond and for replacement of losses attributable to surface evaporation and seepage from the pond.

PLACE OF USE: HEATING in BLAINE County

T03N R17E S27 SWSE

RECREATION in BLAINE County

T03N R17E S27 SWSE

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-4368B V1

WATER RIGHT NUMBER: 37-4368B V1

Owner Type	Name and Address
Representative	BROCKWAY ENGINEERING 2016 N WASHINGTON ST STE 4 TWIN FALLS, ID 83301 (208)736-8543
Current Owner	SUN VALLEY LAND & MINERALS INC PO BOX 1959 SUN VALLEY, ID 83353 (208) 726-4113

Priority Date: 09/01/1883

Basis: Beneficial Use

Status: Active

Source	Tributary
CLARENDON HOT SPRINGS	DEER CREEK

Beneficial Use	From	To	Diversion Rate	Annual Volume
HEATING	01/01	12/31	0.130 CFS	
RECREATION	01/01	12/31	0.130 CFS	
		Total Diversion:	0.130 CFS	

Location of Point(s) of Diversion

CLARENDON HOT SPRINGS NW1/4SW1/4SE1/4 Sec. 27, Twp 03N, Rge 17E, B.M.

BLAINE County

Place of Use

HEATING

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	17E	27															X		

RECREATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03N	17E	27															X		

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

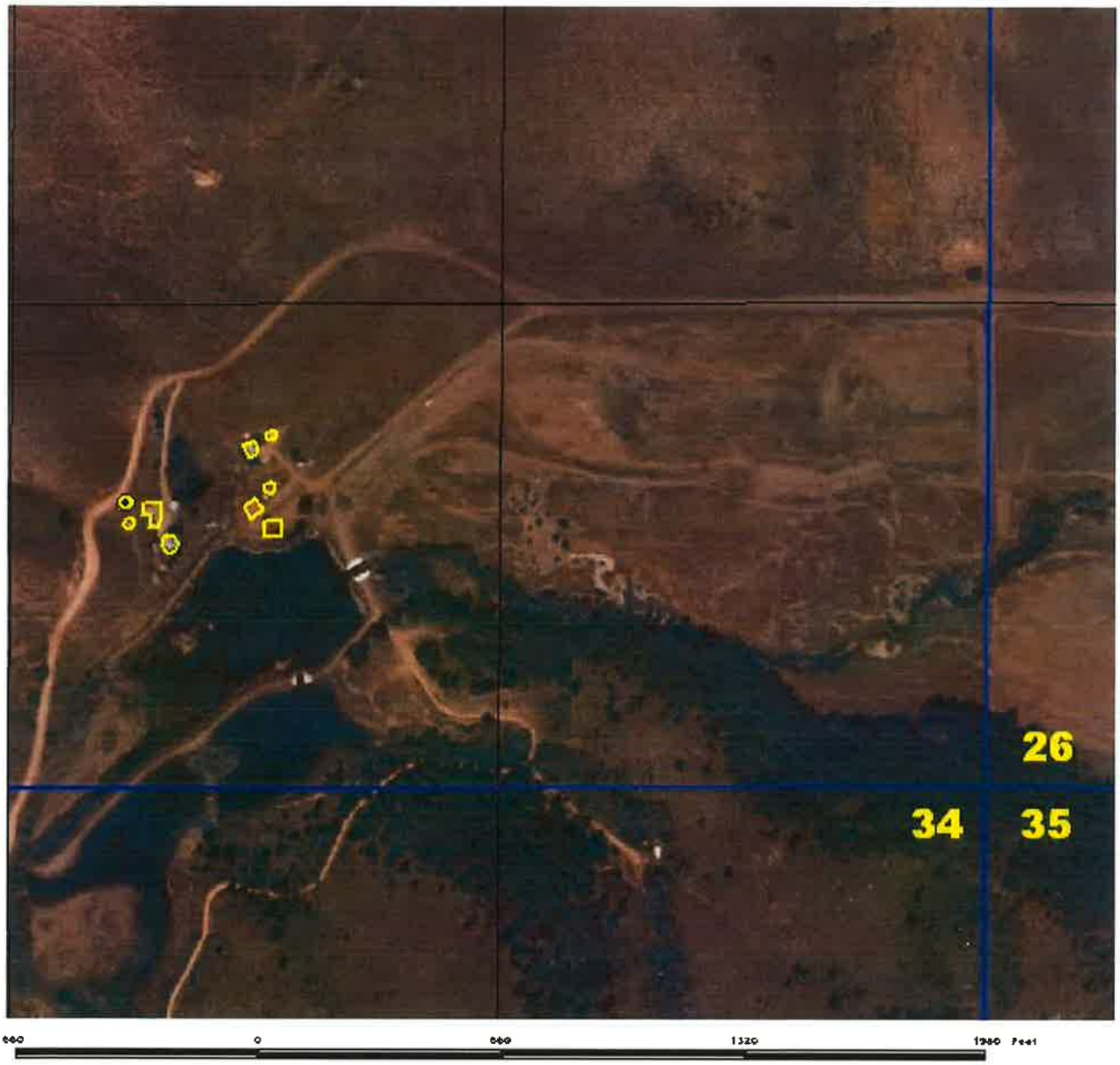
Comments:

1. kchriste 2/1/2007 recommended uses

Comment: Heating uses are 2 homes at the Fairbanks lease, the caretakers home, the lodge (now torn down), a hot tub at the Faribanks, a hot tub at the caretakers, a bath house, and a swimming pool.

Idaho Department of Water Resources

RECOMMENDED PLACE OF USE FOR 37-4368B



PLACE OF USE
TWP 3N, RNG 17E, SEC 27
Data entry on February 2, 2007

RECOMMENDED POINT OF DIVERSION

Field Exam Data Form

Claim(s): 37-4368A

4368A disallowed
4368B Rec@ .13cfs

Date of Field Exam: _____ Time: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Directions to Property (if different from above) and/or update owner information:

Reviewer: _____ Date: _____

Priority Date Data

Point of Diversion and Source

GPS file name	Easting	Northing	Plate No.	Photo Id.

Reviewer: _____ Date: _____

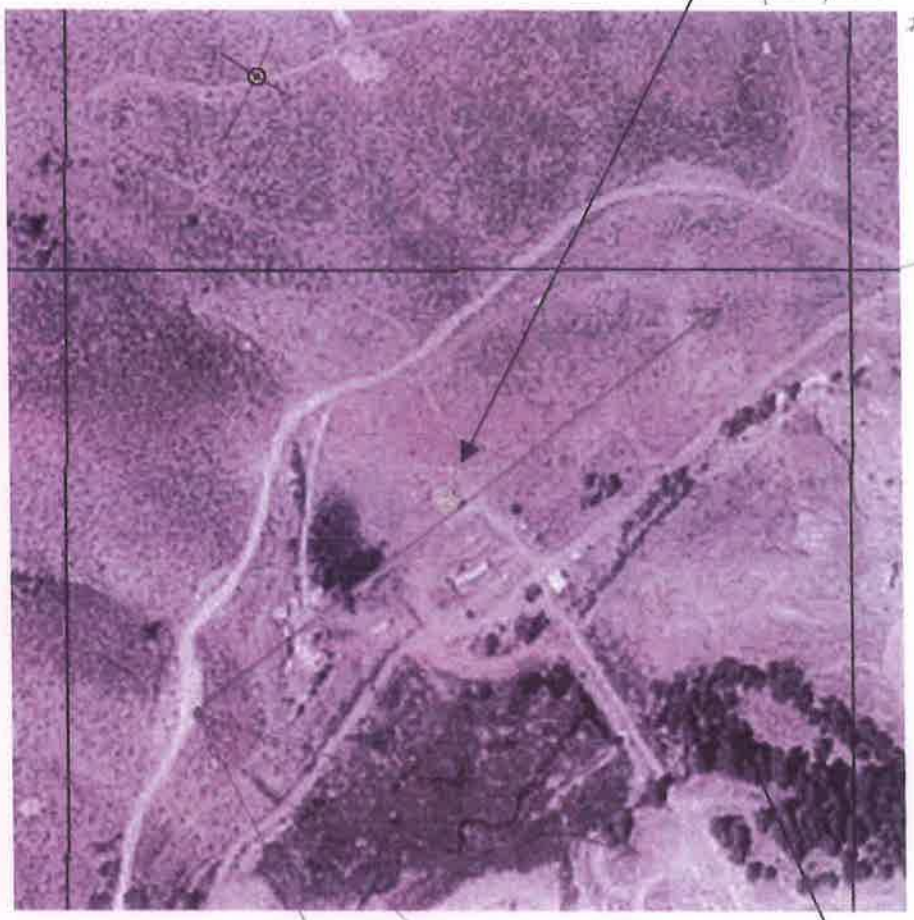
Background Data

- Statutory Claim
- Source is Clarendon Hot Springs
- Claimed for 0.01 cfs to heat 1 household.

Place Of Use Data

Yellow line is the draft Place of Use created by IDWR based on historical data and records.
Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.
Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

1992 Aerial Photo

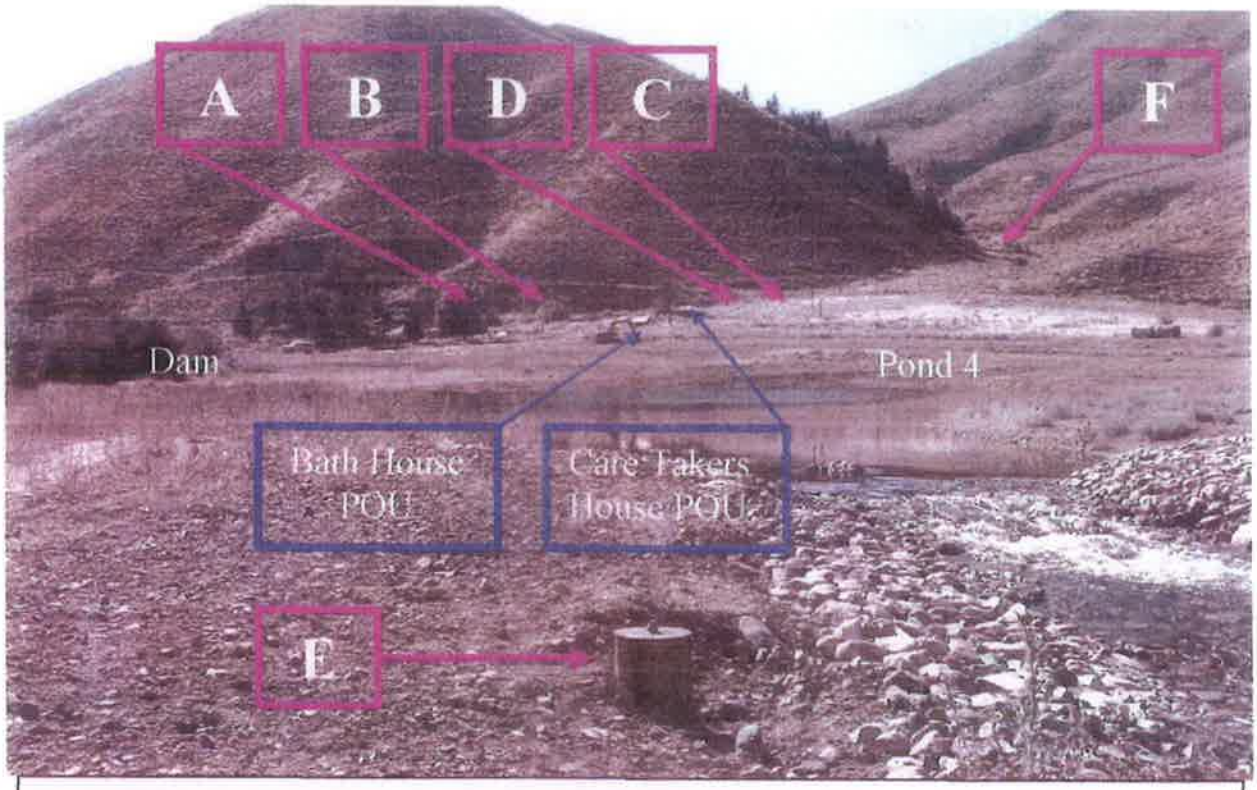


Notes

T3N R17E Section 27

- Is the POU correct? Cove Taher's House
- Domestic use for 1 household is claimed in 37-4370. Is that the same household being claimed here?
- Is there more than 1 POD? Need to GPS all POD(s). Site B and C GPS # 18 + 19
- We need evidence of priority. See Brockway → ROW will Conduct

Yes ~~No~~
Yes



05 Clarendon Hot Springs Photo #1 showing relative locations of hot springs at "A" and "B", hot wells at "C", "D", and "E", and cold domestic well at "F". Photo is taken looking northwest at spill of Pond #4.

05 Clarendon Hot Springs Photo #2 shows new cold water well head on "Jim the Harp Creek" south of the ranch dam at GPS site # 31. See additional trailer park photos.

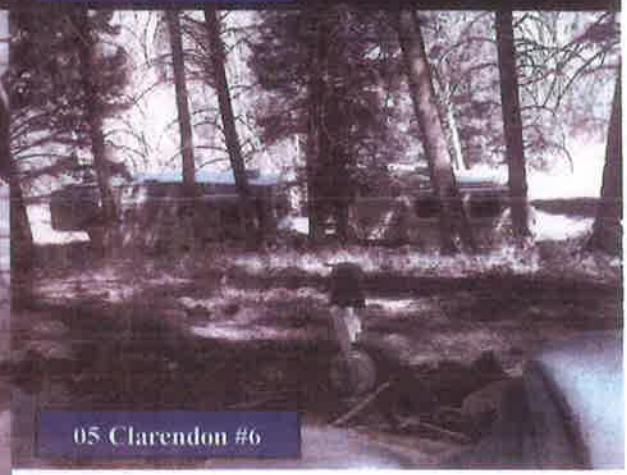
Attachment to Investigators Notes in files A37-04368B, A37-04368A, and A37-4370.

The following photos were taken, only because in claim A37-04370, a trailer court mentioned. During a walk through, photos #3 through #18 were taken. Note that the well in photo #10 is site "G" (GPS site #31). This area was the site of a development that went bankrupt in the 1980s; however, the current facilities at this site are not from the 20 year old project, and is currently reportedly owned by "Minerals". Water right claims are probably "in process" or belong to a file yet to be field investigated.

05 Clarendon #3

05 Clarendon #4

05 Clarendon #5



05 Clarendon #6

05 Clarendon #7

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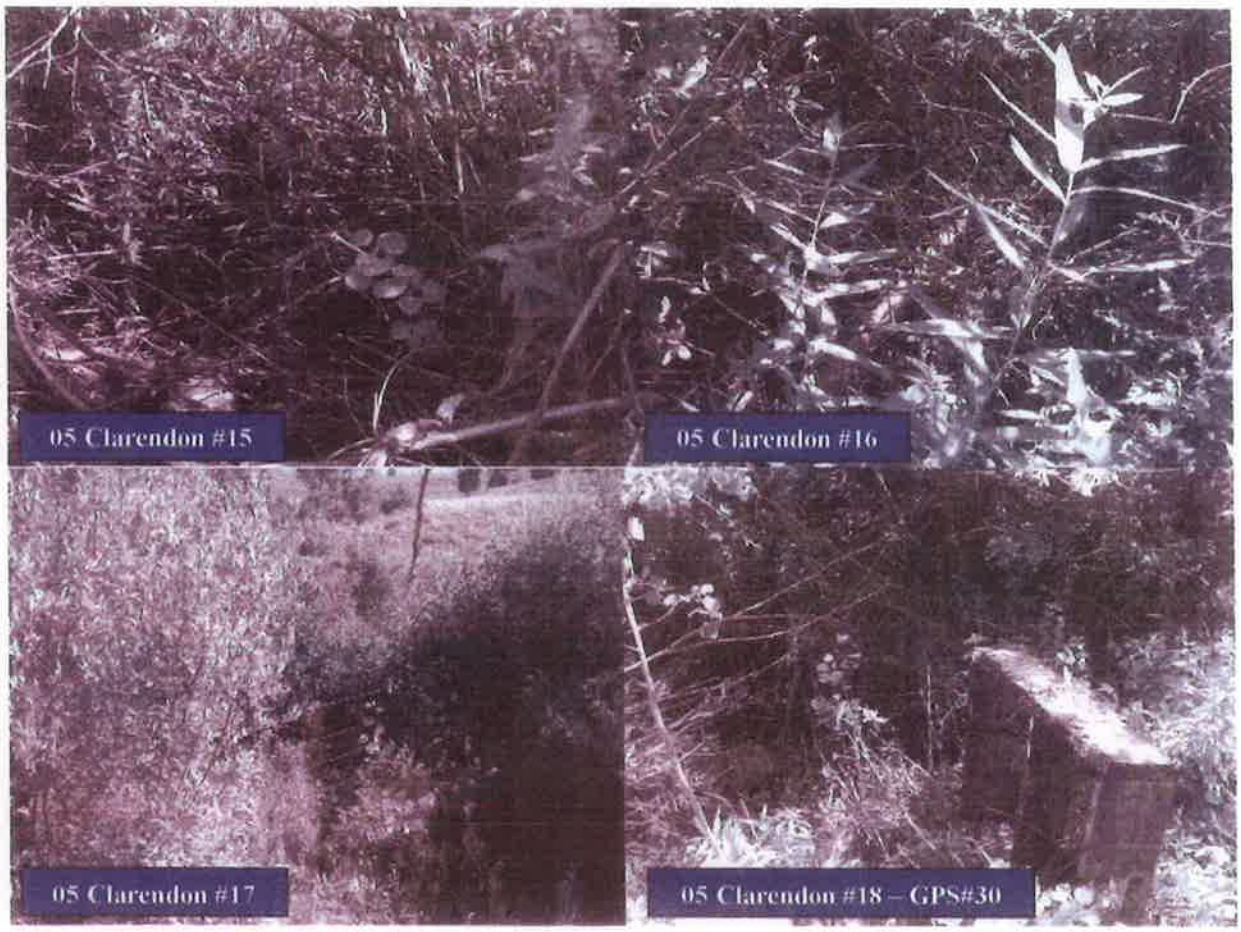
05 Clarendon #8

(Attachment 2 of 3)



The pressure system supplied by the well and pump on "Jimmy the Harp Creek" in Photos 10 and 11 is an apparent improvement on the stream diversion supplied by the pipeline shown in Photos 15 thru 18. the diversion point shown in Photo 18 was far enough and high enough to generate gravity pressure

END

02/01/2007

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-4368B

NAME AND ADDRESS: SUN VALLEY LAND & MINERALS INC
PO BOX 1959
SUN VALLEY ID 83353

KKC

SOURCE: CLARENDON HOT SPRINGS TRIBUTARY: DEER CREEK

QUANTITY: 0.130 CFS

PRIORITY DATE: 09/01/1883

POINT OF DIVERSION:

T03N R17E S27 NWSWSE Within BLAINE County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
HEATING	01/01 12/31	0.130 CFS
RECREATION	01/01 12/31	0.130 CFS

PLACE OF USE: HEATING in BLAINE County

T03N R17E S27 SWSE

RECREATION in BLAINE County

T03N R17E S27 SWSE

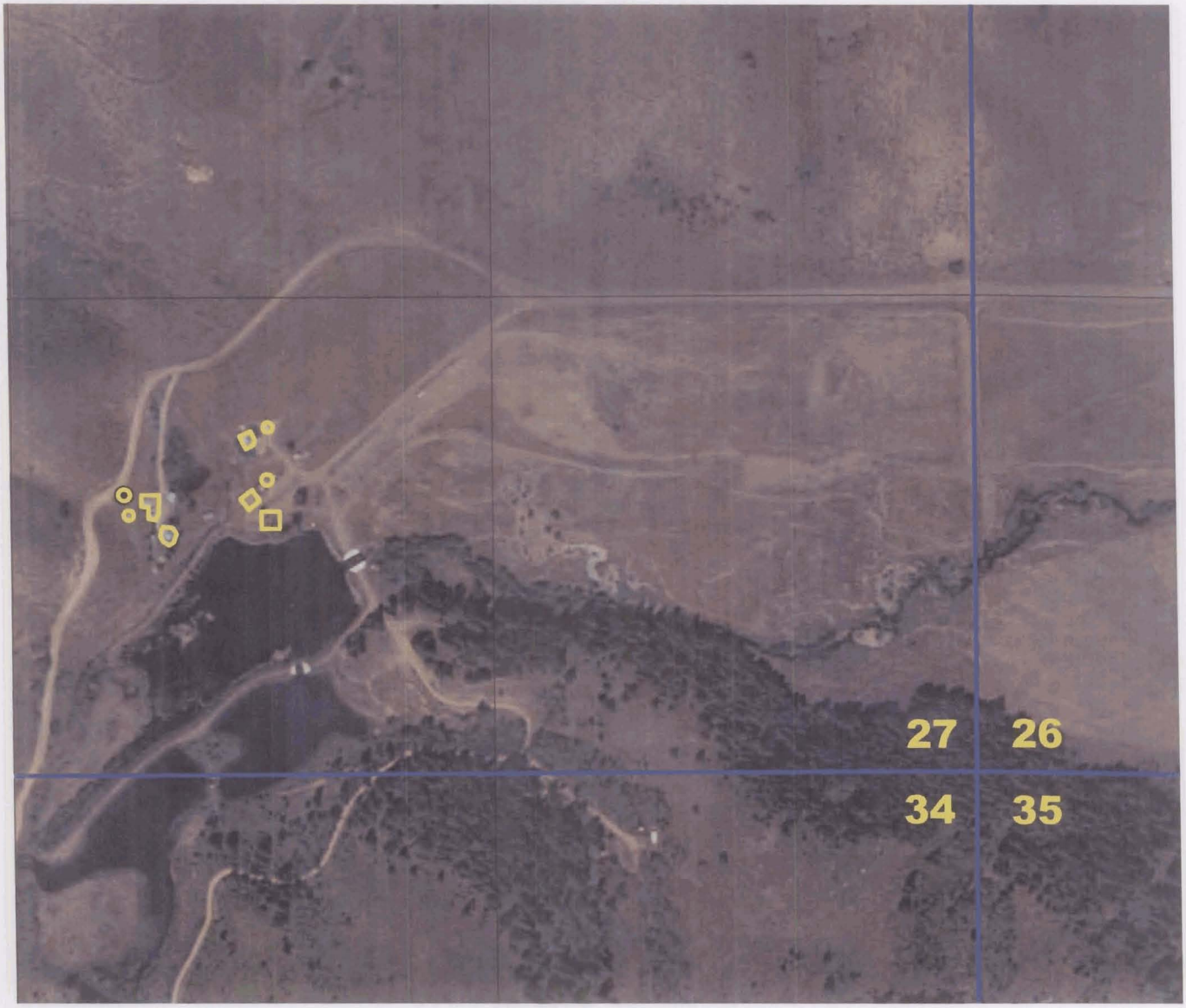
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

Idaho Department of Water Resources

RECOMMENDED PLACE OF USE FOR 37-4368B



660 0 660 1320 1980 Feet

PLACE OF USE
TWP 3N, RNG 17E, SEC 27
Data entry on February 2, 2007

RECOMMENDED POINT OF DIVERSION
RECOMMENDED PLACE OF USE
TOWNSHIP LINES
SECTION LINES
QUARTER/QUARTER LINES
LOCATION IN BASIN

GIS PLACE OF USE PRESENTATION
2004 AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

Investigator's Notes

File: A37-04368B, A37-04368A, and A37-4370
Name: Donna Kelsey and Jim Stone dba Sun Valley Land and Minerals Inc.
Investigator: Robin Wells
Field Date: August 26, 2005

To Reach: At the north end of In Hailey, Idaho beginning from the stop light on McKarcher, proceed north on Highway 93 2.3 miles to Deer Creek Road. Turn west and drive 4.8 miles to the Clarendon Hot Spring Ranch headquarters on the south side of the road.

Jim Stone (309-1359) and Donna Kelsey (726-4113) were on site the morning of August 26th, 2005. Also on site was custodian "Cam Hair" (578-0014) who lives on the Clarendon Hot Spring Site. Stone escorted R. Wells to two flowing hot springs and two wells. According to Stone, claim # A37-04368A, as a result of a suit, is now "Sun Valley Land and Minerals" instead of "Deer Creek Ranch".

(Clarendon) Hot Spring "A" and "B" were flowing at the time of this visit and are GPS sites #16 and #18 (see attached list of GPS records). These springs are most likely the original POD's with a September 1, 1883 priority.

The output of Hot Spring "A" is divided. One stream flows in a pipe to the home of Larry and Nora Lee Fairbanks who have a 99 year lease agreement with "Minerals". The water right remains a claim of "Minerals". The over flow not taken from Spring "A" by Fairbanks goes to "the Ranch" along with the artesian flow of Well "B". This is a demand setup so that the proportions flowing from Well "A" at any one time depends on use at the two Fairbanks houses and a hot tub (indicated the picture) just south of the two springs.

There are two hot wells north and east of the hot springs. The first hot well (GPS site #19) has been labeled here as Site "C". The pump is connected to power and plumbed to the common ranch hot water supply system. This well is used as needed to supplement the hot spring flow. The second hot well labeled "D" (GPS site #20) is not connected to power at the time of this visit, and the underground physical water pipe connection to the common system was not determined. These two wells are likely the groundwater POD's referred to in A37-4370 with a priority date of July 1, 1940.

The sketch shown in A37-4368A is not-to-scale and out of date or inaccurate making it confusing. There is no trailer court in section 27 (rather on "Jim the Harp Creek" to the south), no lodge, and in the location where recreational facilities #1, 2, 3, 4 and 5 are indicated, there is a single medium sized un-heated building used for storage. The current pipe network is likely different than indicated in the sketch.

There is a third hot well labeled "E" (GPS site #128) that is capped. The twelve inch casing may be found between the two newest and lower ponds (#4 and #5) below and to the north east of the dam. (See 05 Clarendon HP Photo #1 for sites "A" thru "E".) Another hot well is south of Pond #2 at GPS site #21; it is a 6 inch capped installation.

The hot POUs for the Clarendon Hot Springs Ranch are the care taker's house and pool, the "bath house", both of which are identified in the 1992 file photo in A, and the Fairbanks house and hot tube previously mentioned.

There are **two cold water domestic wells** which are not part of A37-04368B, but identified here. The main ranch cold water supply is labeled "F" (GPS site #184) and is located north of the Deer Creek Road.

The **second cold well** is labeled "G" (GPS site # 31, see 05 Clarendon Hot Springs Photo #2) and supplies eight recreational trailer sites with sprinkler and domestic water taps on "Jim the Harp Creek" (see attachment). This second well and water works is apparently new as of 2005 and may have claim up-dates in office files; it is not mentioned in A37-04368B or A37-04368A, but perhaps mentioned in POU item 6 and 9 of A37-04370 (re-engineer Charles Brockway); however, not in section 27
At the end of the day, Investigator Wells was referred to Dr. Charles Brockway for any further site information, including evidence of priority.

Field Exam Data Form

Claim(s): 37-4368B

Date of Field Exam: _____ Time: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Directions to Property (if different from above) and/or update owner information:

Reviewer: _____ Date: _____

Priority Date Data

Point of Diversion and Source

GPS file name	Easting	Northing	Plate No.	Photo Id.

Reviewer: _____ Date: _____

Background Data

- Statutory Claim
- Source is Clarendon Hot Springs
- Claimed 0.13 cfs for Heating and 0.13 cfs for recreation.

Place Of Use Data

Yellow line is the draft Place of Use created by IDWR based on historical data and records.
Delete — Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.
Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

1992 Aerial Photo

Correct POU?

Yes, Hot Spring ~~Well~~ #1

Overflow goes to ~~Ranch~~ Ranch and Pond

which are Heated?

Lavay and Nova Fairbanks Hot water from spring ~~well~~ #A used here, but remains with "Minerals" Claim - 99 Year lease

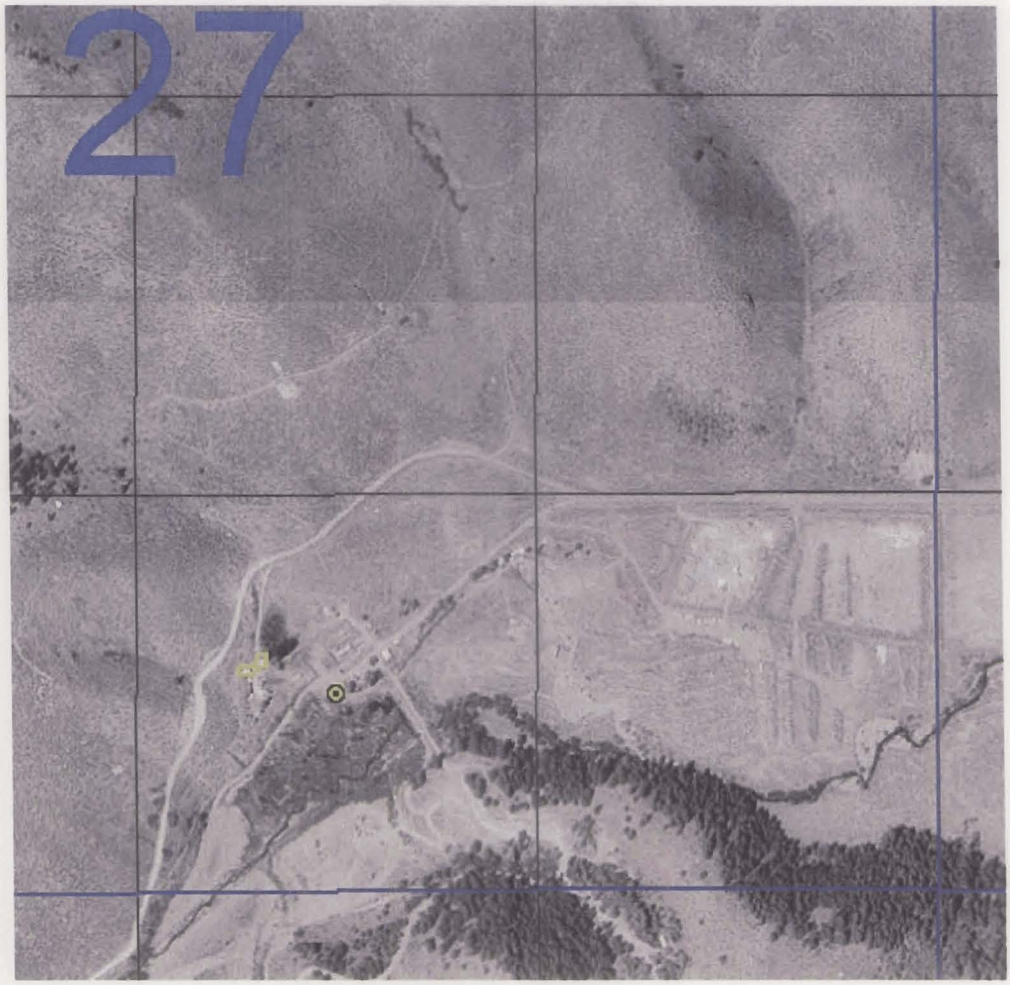
spring ~~well~~ #1 = GPS #16 Artesian

where is POD? 4 pomts GPSed A B C D

Deer Creek

See GPS #18 for Hot spring B and #19 for Hot Spring C, Both Artesian

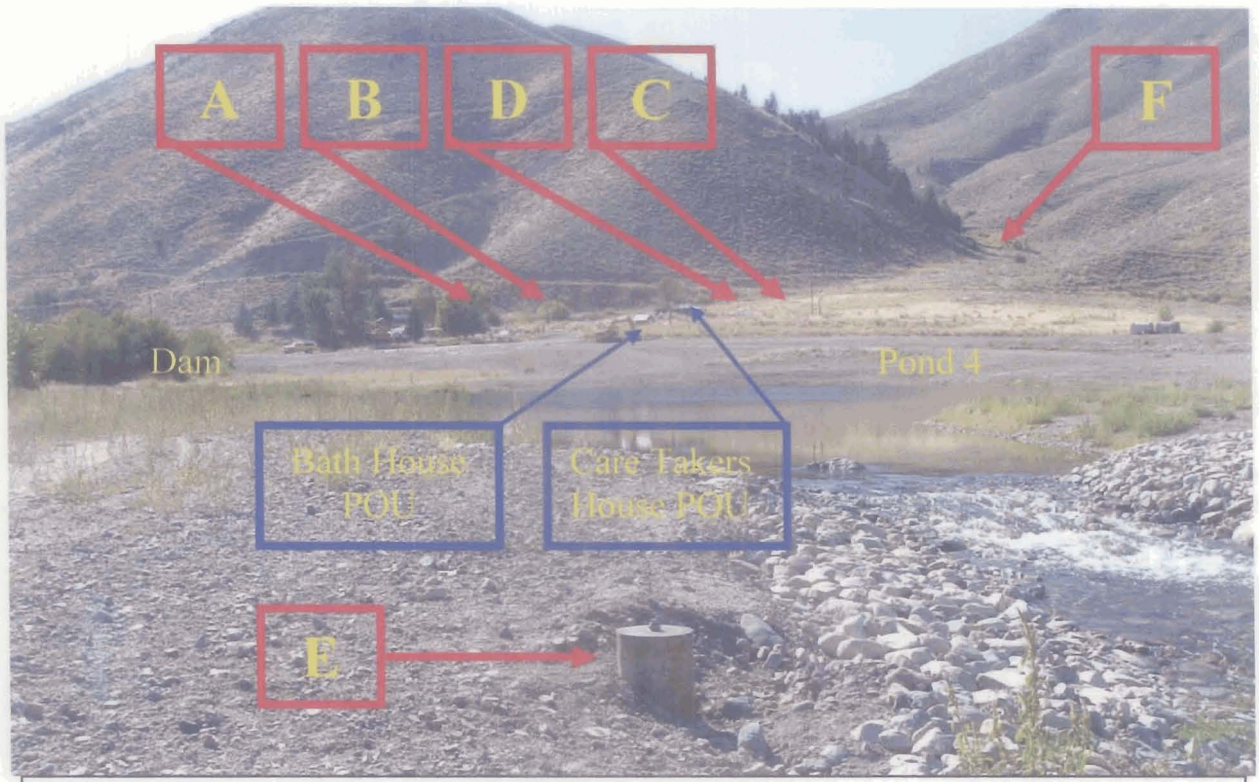
See GPS #20 for position of currently unused Hot Well (D)



Notes

T3N R17E Section 27

- Is the POU correct?
- Are the bath houses the same as those claimed for 37-4370?
- Is there more than 1 POD? Need to GPS all POD(s).
- We need evidence of priority.



05 Clarendon Hot Springs Photo #1 showing relative locations of hot springs at "A" and "B", hot wells at "C", "D", and "E", and cold domestic well at "F". Photo is taken looking northwest at spill of Pond #4.

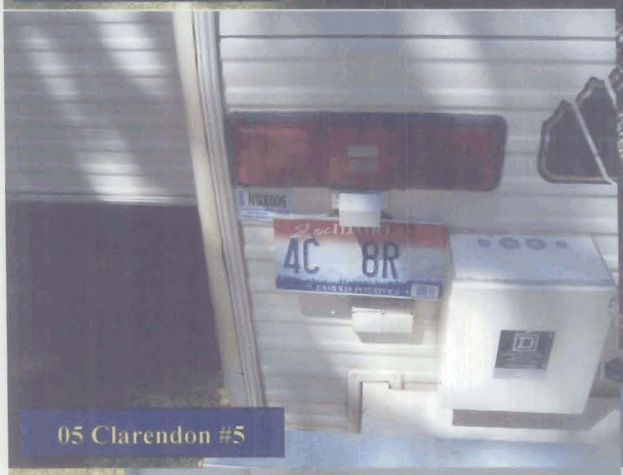
05 Clarendon Hot Springs Photo #2 shows new cold water well head on "Jim the Harp Creek" south of the ranch dam at GPS site # 31. See additional trailer park photos.

Attachment to Investigators Notes in files A37-04368B, A37-04368A, and A37-4370.

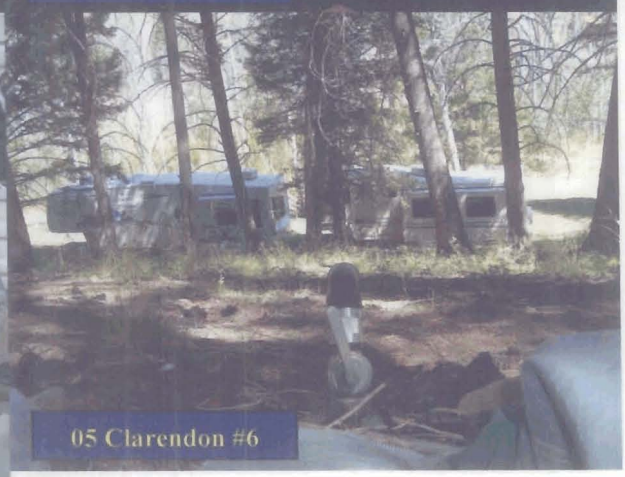
The following photos were taken, only because in claim A37-04370, a trailer court mentioned. During a walk through, photos #3 through #18 were taken. Note that the well in photo #10 is site "G" (GPS site #31). This area was the site of a development that went bankrupt in the 1980s; however, the current facilities at this site are not from the 20 year old project, and is currently reportedly owned by "Minerals". Water right claims are probably "in process" or belong to a file yet to be field investigated.

05 Clarendon #3

05 Clarendon #4



05 Clarendon #5



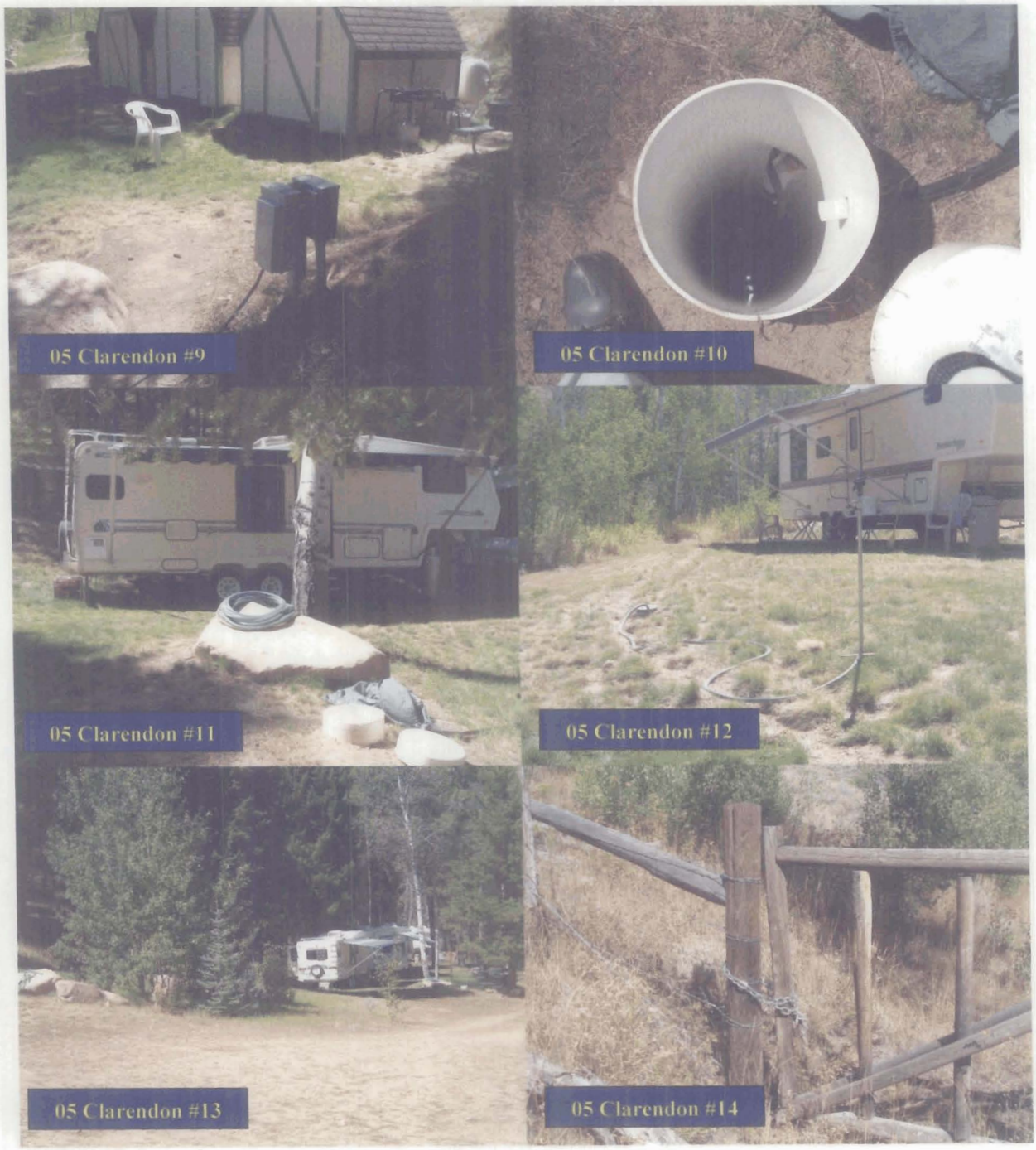
05 Clarendon #6

05 Clarendon #7

BLANK

05 Clarendon #8

(Attachment 2 of 3)



The pressure system supplied by the well and pump on "Jimmy the Harp Creek" in Photos 10 and 11 is an apparent improvement on the stream diversion supplied by the pipeline shown in Photos 15 thru 18. the diversion point shown in Photo 18 was far enough and high enough to generate gravity pressure

END

37-4368B
37-4100
37-4370

BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics
Hydrology
Water Resources

DEPARTMENT OF
WATER RESOURCES

June 16, 2005

Doug Jones
1341 Fillmore, Suite 200
Twin Falls, ID 83301

Re: Sun Valley Land and Minerals-Water Right Priority Dates
SRBA Claims: 38-4368B, 37-4100, 37-4370

Dear Doug:

Your letter of April 15, 2005 to Sun Valley Land and Minerals Inc requested evidence of priority dates for the three (3) water rights claims based on statutory claims listed above. These claims are for heating, recreation, and irrigation from hot water springs for the Clarendon Resort.

Claimed Priority Dates are:

37-4368B	09/01/1883
37-4100	09/06/1956
37-4370	07/01/1940

We have researched the historical files of the Ketchum Library and archives of the local papers and would offer the following as evidence of priority dates for the use of the hot water.

1. Excerpts from "Hailey Idaho," publication by Hailey Commercial Club
   a. Showing boaters on Clarendon pond circa 1890
   b. Hotel (hot water heated) at Clarendon circa 1914
   c. Reference to Bolton's Hot Springs (Clarendon) pre dam 1883, 1906

2. Newspaper article referencing Bolton Hot springs, aka Deer Creek Hot Springs, aka Clarendon Hot Springs, - Bath houses 1883

3. Photographs (2) of Hotel, 1914

4. Aerial photograph, Clarendon Hotel, pools, pond circa 1950

CHARLES E. BROCKWAY, PH.D., P.E.

CHARLES G. BROCKWAY, PH.D., P.E.

2016 NORTH WASHINGTON STREET • SUITE 4

TWIN FALLS, IDAHO 83301

208•736•8543

FAX: 736•8506

SCANNED
OCT 0 2 2006

5. Notes on interview with Marjorie Morgan by C.E. Brockway-July 2000

We could find no living people what could testify as to the 1883 hot water use but I believe the early photos and articles confirm that the 'Hot Springs" were in use at that time. I interviewed Marjorie Morgan in July 2000. She is the daughter of Rubin Randall who owned the Clarendon Resort from 1949 to about 1961. She was able to recall considerable detail relative to the history and use of water on the property.

I believe the enclosed information confirms the use of hot water for the claimed purposes on the priority dates claimed. Please call me if you have questions.

Sincerely,

Charles E. Brockway, P.E.

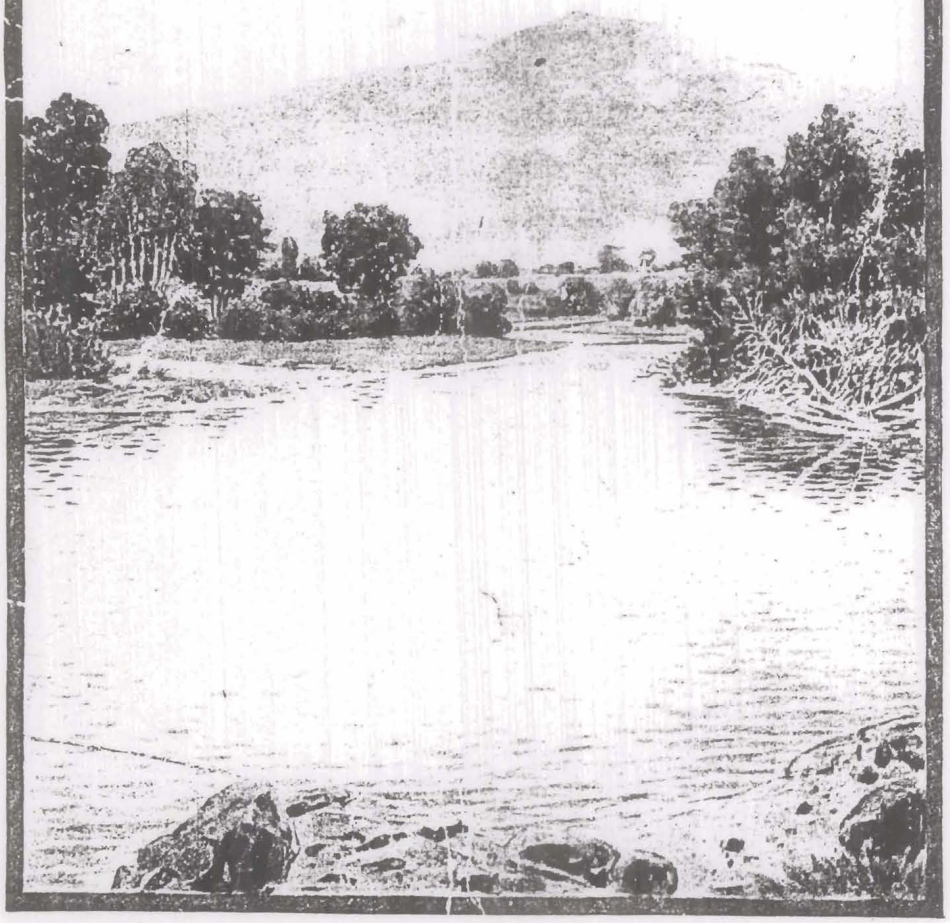
Enclosures

cc: Jim Stone & Donna Kelsey w/o Enclosures

SCANNED
OCT 0 2 2006

RM-45 #16
~~User Copy~~

HAILEY
IDAHO



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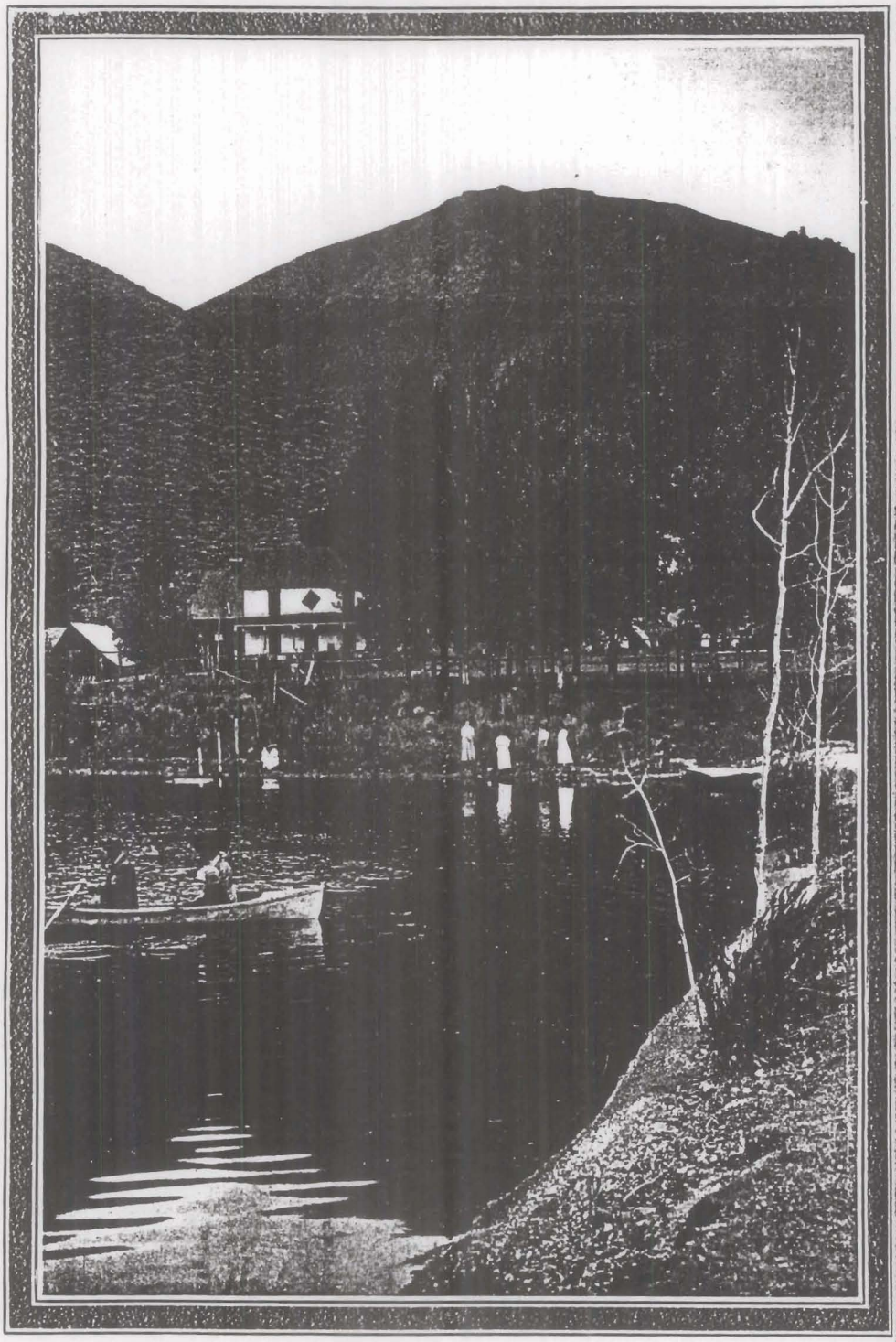
OCT 0 2 2006

HAILEY
IDAHO

PUBLISHED BY
HAILEY
COMMERCIAL
CLUB

SCANNED
OCT 0 2 2006



Clarendon Hot Springs near Hailey

Summer Cottagers at Hailey

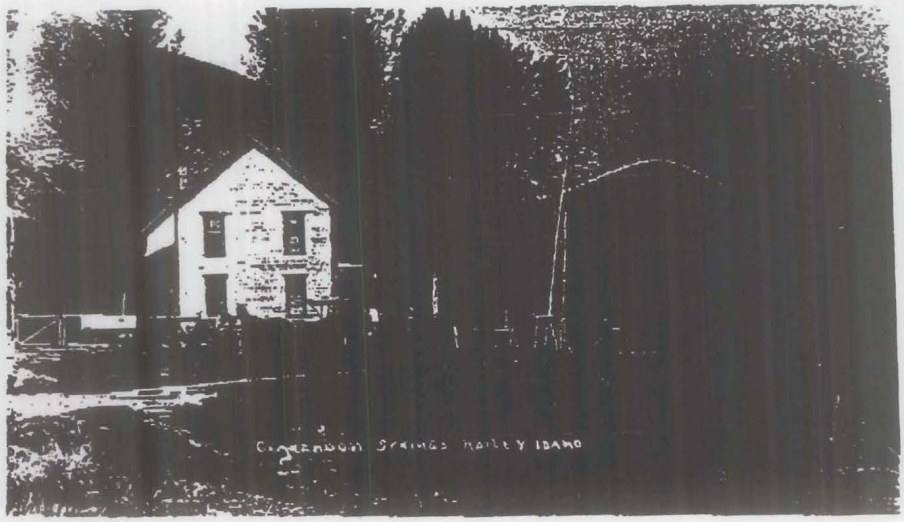
Knights of Pythias, Masons, Eagles, Modern Woodmen, Knights of the Maccabbees, Woodmen of the World, and G. A. R. The Masons and Odd Fellows own buildings.

As a Health and Pleasure Resort

More than anything else, perhaps, Hailey needs a large modern hotel and sanitorium to be built on the site of the wonderful Clarenden Hot springs, located in the picturesque Big Wood River Valley a few miles up the river from Hailey. These springs pour out of the gulch at this point, and form a small lake at a gap in the hills, where a moderate amount of money and enterprise could found one of the most attractive and profitable health resorts in all the west. The site and everything necessary for such a commercial undertaking is there supplied by nature. The hot and health-giving waters are there in abundance. A great many people go to this place every month in the year to bathe in the crude bath house now conducted at the springs.

The use of Hailey hot spring waters has proved curative in cases of rheumatism, skin and blood diseases, nervous diseases and other ailments. Scientific analysis of

SCANNED
OCT 0 2 2006



Valley Newspapers

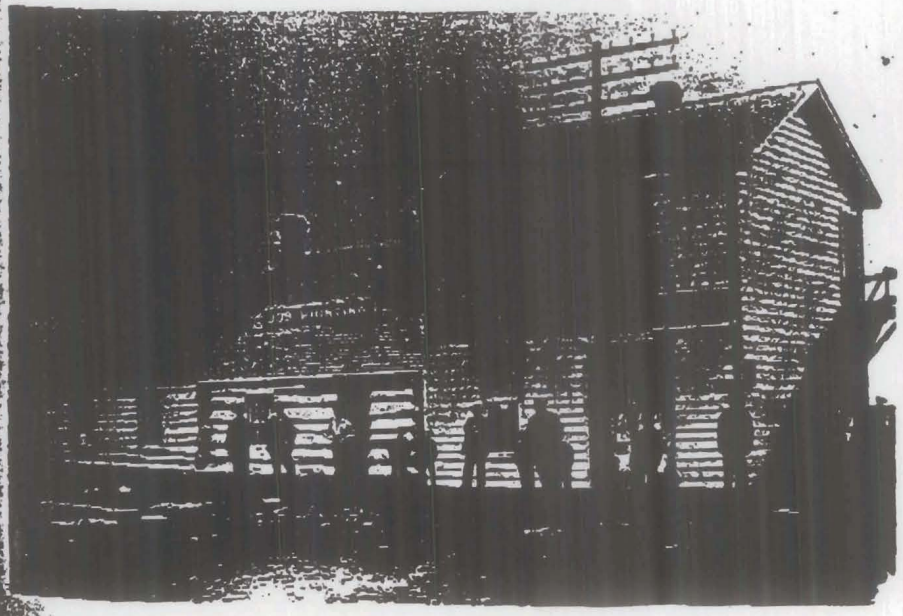
In the early 1880s, when mining activity reached its peak, competition among the Wood River Valley's newspapers grew fierce. Newspapers helped fuel the Valley's early development—and added to its chaos. Along with the lengthy advertisements that paid for their printing, the papers were filled with odd narratives and strong opinions. Editors were known to bully local businesses into advertising.

The most prolific of the Wood River towns, Hailey had for a time four daily newspapers and one weekly journal. Bellevue and Ketchum each had one daily and one weekly. During the next thirty years, the local papers changed ownership, folded, and merged—until 1919, when Prohibition dealt a crippling blow. The liquor advertisements that had supported the papers could no longer be sold.

C.H. Clay and a man named Harding started the *Wood River Miner*, a weekly paper, on May 6, 1881. A month later, Theodore E. Picotte published the first weekly edition of the *Wood River Times*, which one year later became the first daily paper in Idaho Territory. The *Times* first issued from a tent office, then from a log cabin with

***Boaters at Clarendon Hot Springs**, circa 1890. Residents used the pools here until well after World War II, when a private developer closed the public access. Courtesy Institute of the American West Collection, Regional History Department, The Community Library.*

***The hotel at Clarendon Hot Springs**, as seen from Deer Creek Road, August 1914. Courtesy Environment West.*



***The* Wood River Times *building** at the north end of Hailey in the early 1900s. This replaced the log structure Picotte built on the southwest corner of Main and Croy streets in 1882. Photo by Martyn Mallory, courtesy Hailey Public Library.*

SCANNED
OCT 0 2 2006

INTER OFFICE

MEMO

To: Jim
From: Judy
Subject: Research on Clarendon Hot Springs
Date: January 27,1999

1/27/99 Community Library - Regional History Dept. 11:00-11:30

Looked through old files containing newspapers and clippings. There were references to Clarendon, also referred to as Bolton Hot Springs. I wrote down the file and page numbers, unfortunately many of the actual articles have disappeared, but the Library keeps the index in the hope that one day the "lost" articles will reappear.

#6	7 - 10	
	20 - 23	
#7	6 - 7	
	17 - 18	Bolton Ranch 1883 , Pre-dam
	29	Bolton's Hot Springs/Clarendon 1906

1/27/99 Community Library - Regional History Dept. 2:00 - 3:45

Pg.23 Just a mention of Clarendon
OH (Oral History) 104 &105 interview w/Charlotte Rice, read through transcript.
OH 467 & 468 George Saviers, just a mention of Clarendon

Photos #330 Women on "beach", couple in row boat on lake at Clarendon
#1989 Photo of house and two women in yard. Dated 1914, no water visible
#1990 House from side, no water visible

Further information: Jim Eakin 788-4061 formerly Agricultural Extension Agent or Dale Mizer, 788-2903

1/28/99

Call Library, ask about using microfisch, get copy of photo.

SCANNED
OCT 0 2 2006

Hailey's Main Street in the 1880s.

Beside the mining, Wood River hot springs attracted attention

Along with the natural deposits of ore and the excellent agriculture possibilities, natural hot springs were abundant in the Wood River Valley, and served to relax and restore many a frontiersman who worked the land in Blaine County back in the late 1800's.

At least four bath houses were erected in Blaine County, utilizing the natural mineral water, which was about 100 degrees F.

In 1880, J. I. Lewis was the proprietor of the Guyer Hot Springs, known today as the Bald Mountain Hotel, in Ketchum.

Lewis built a big building, with large tub and plunge baths. The springs which served as the source of his water were located about two miles from Ketchum.

In 1884, a Professor Doremus analyzed the bath house and concluded:

"This water is extremely soft, pleasant to drink and highly beneficial to invalids suffering from different diseases."

In 1881, Dr. M. W. Johnson made a pleasure and fishing resort on the cold springs ranch, two miles south of Ketchum.

Dr. Johnson developed a large pond and stocked it with trout, and built an accompanying bath house connected to it, filled with the natural hot water from the springs in the area.

The Hailey Hot Springs, owned by J. L. G. Smith, was located about one and a half miles west of Hailey. Smith ran a carriage "at all hours of the day" from Hailey to the springs. According to the advertisements, the springs were supplied with tub and plunge baths, one for the ladies and one for the gents.

A chemist for the Union Pacific Railroad, Charles Penter, analyzed the hot springs this way:

"(It is) a spring of natural sulphur water, identical in origin with the well-known hot springs in New York and Virginia."

What is now the Clarendon Hot Springs, a few miles northwest of Hailey, was once the Deer Creek springs, owned by contractor Carlos E. Bolton, in 1883.

Bolton proposed opening a fashionable watering place there, utilizing the curative properties of the mineral springs, which were reported to have cured scores of cases of sickness, especially effective for blood diseases.

Bolton built a wooden bathhouse and accompanying luxuries to accommodate his customers.

The first floor of his bath house was divided into a reception room, sitting room and a bathroom with hot and cold water.

A second building housed a swimming bath, private plunge baths and a dressing room for gentlemen and ladies. Single and double rooms were furnished, and daily meals were served to the guests.

A saloon was also located there, serving the springs' transient and permanent guests who frequented the place for treatments.

Bolton built a lake for recreation, "so visitors can enjoy a sail or a row, as well as a bath, swim, good meal, etc."

Mr. Ringold bought out the hot springs, and lured his patrons through advertisements such as this:

"Drive out to Bolton's Hot Springs for hot baths, hot dinners, hot whiskey, and a red hot time."

The hot springs changed hands again, and Mr. and Mrs. Flannery redug and improved the plunge and widened the county road. Soon they demolished the old hotel and built a new one at what was called the Flannery Springs.

The present name of the hot springs, Clarendon, was given to the springs sometime during 1905, although the origin of the name has been forgotten.

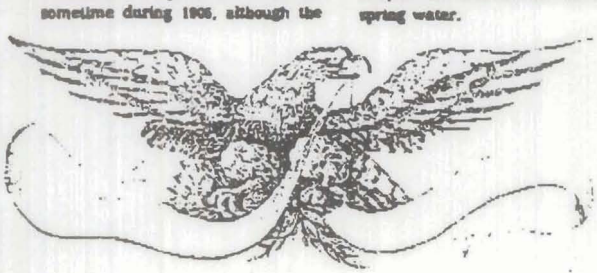
A new proposal for developing the hot springs near Hailey has been advanced by Bill Burt, of Deer Creek Ranch.

Burt is proposing the construction of a health type spa modeled after the Baden-Baden, Germany, facility, which dates back to Roman times and has a reputation as a curative.

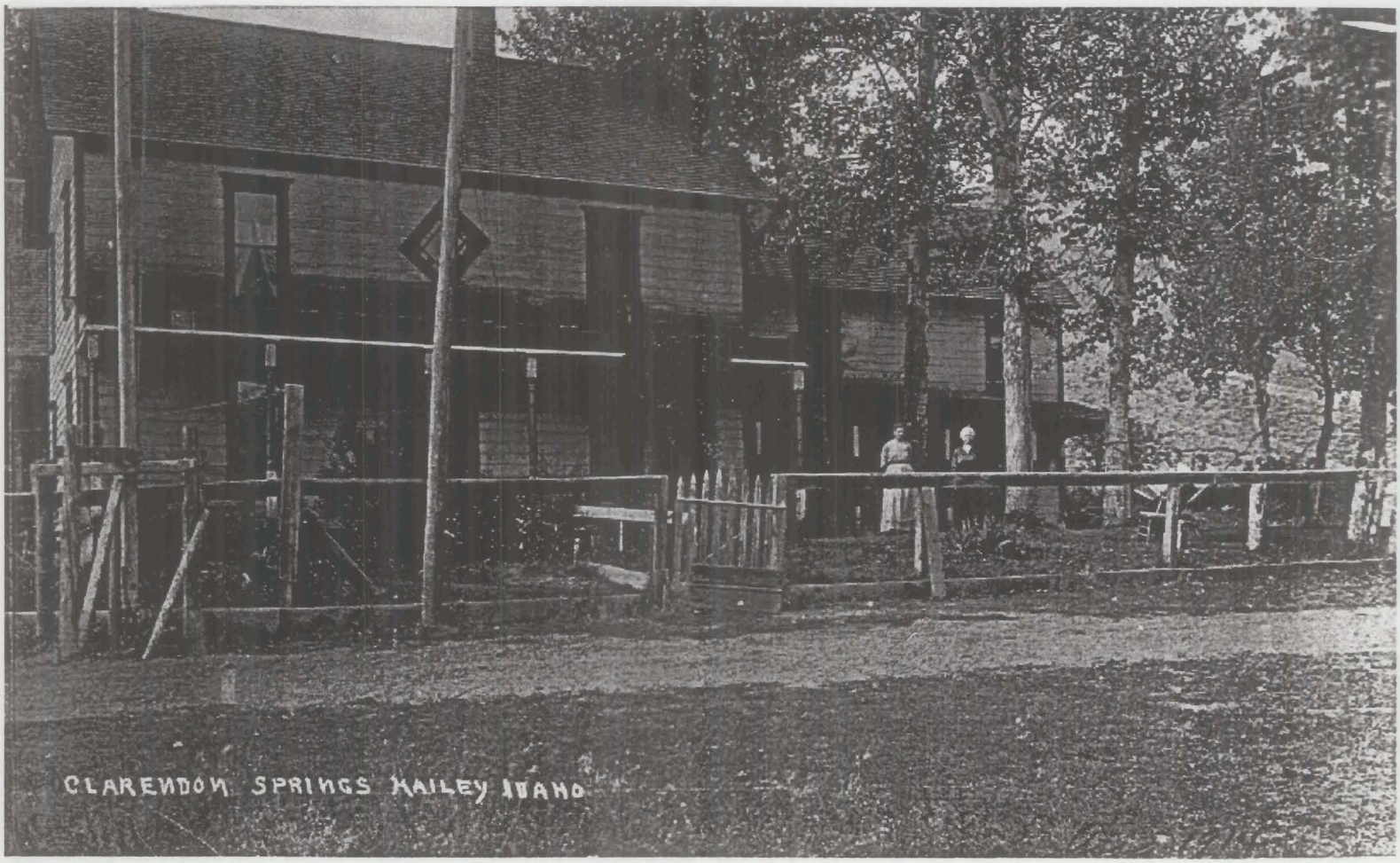
Burt has indicated he believes with the construction of a hot spring-fed pool and surrounding health park, with pedestrian strollways and other additions, Hailey could rival the best European spas.

A representative was sent this winter to discuss the proposal with the Baden-Baden officials, who reportedly are receptive to aiding in the Hailey development.

Burt has been rounding up local support since then for the project, and preliminary testing and chemical analysis has been carried out on the spring water.



SCANNED
OCT 0 2 2006



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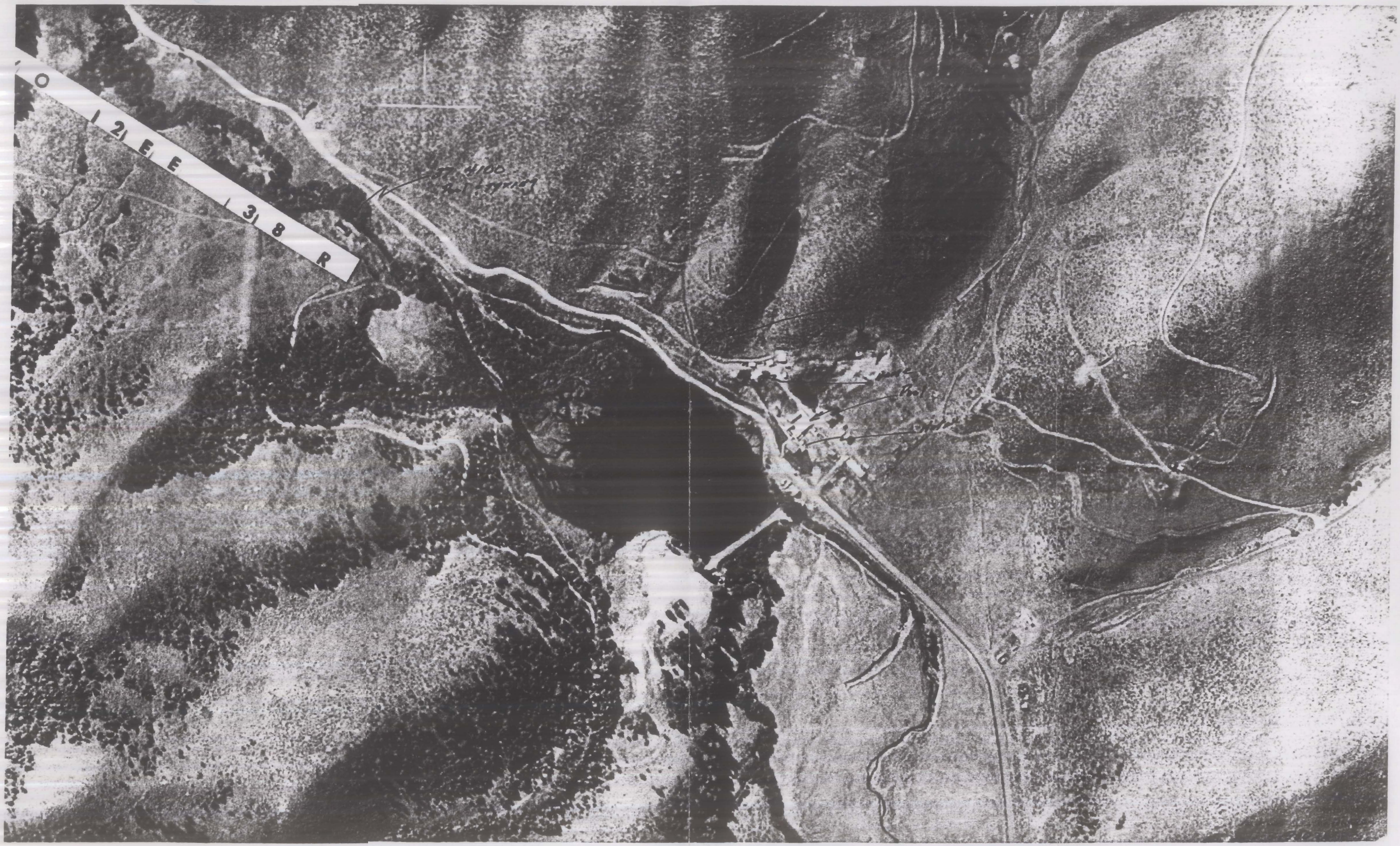

SCANNED
OCT 0 2 2006

Interview
7/11/00
CE Buckley

Marjorie Morgan
Daughter of Rube (RB) Randall.
Rub owned for 1949 - about 1960.
Burt sold to Ryan -
Visited Rube about once per month.
Remember fishing, rowing & creek.
Rambers power plant. Pelton wheel
Powered hotel -
Big swimming pool, small pools, hot 2.
Was a post office in old log house
Hotel was torn down by Rub Randall in 1961.
Can't remember what was heated with hot water.
Hot water was used for health purposes - heat up
well hot water around pools & annual lodge
Trees in park was irrigated with ditches of hot wate
Cold H2O well

Family cemetery on south side of lake below
Jimmie Hay Creek & road around south
Rube's irrigated land below north settling by flooding
from reservoir.
→ Spring on south abutment. just east of south abutment
we used for drinking water by Mr Morgan
family for cabins on south side.
Mr. Morgan ran about 25-30 head of heifers on 265 ac of Rube's land on south side.
→ Spring & old mine was tapped by Rub Randall
with a pipe going over to behind hotel for
cold water. About 1950

SCANNED
OCT 0 2 2006

Prudential Co. took out pools -

Fairbanks use hot water for heat in both house -

There is well dug by Randall at Duke's Oak Lee's cabin & Mr Harper's cabin on south side.

Water from well on road above Fairbanks house is used to irrigate trees around their house.

Assume irrigation & fountain pool & all had been spring north & Fairbanks house.

Generator was not working in 1947.

Newspaper article June 25, 1881
Times News Lovejoy O. Smith editor

1883 Clarendon opened by Chas Fulton

Photos

Hotel - shows irrigation was laid

Lawn - shows grass and had well kept

SCANNED
OCT 0 2 2006

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 15, 2005

X
X
X
X

RESPONSE DEADLINE
JUNE 17, 2005

Re: Evidence of Priority

Dear Claimant:

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, in the coming year, conduct reviews and/or field exams for the claims in your area. Since the priority date of a beneficial use water right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the Department. If you have received this correspondence from the previous owner of the property it is required that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Enclosed you will find a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: The Department will not recommend the court decree the notice **as claimed** if no evidence of a priority date is submitted – it may be disallowed. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement does **not** need to be in the form of a notarized affidavit as described in the brochure, but must relate first hand knowledge of the water right in question and include dates, quantities of water and extent of water use.

Submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding Notice of Claim number (i.e. 37-_____). If you have questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor

Enclosures

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

October 17, 1990

Sun Valley Land and Minerals, Inc.
c/o Donna R. Kelsey
P.O. Box 1959
Sun Valley, ID 83353

RE: Snake River Basin Adjudication (SRBA)
Blaine County - Notices of Claim #A37-04100,
A37-12158, A37-12159, A37-12160, [redacted]
A37-04369 & A37-04370

Dear Ms. Kelsey:

Notice of the change in ownership of the above-referenced water rights have been received. The Claim to Water Rights records of the Department have been changed to reflect such notice.

We did find one additional water right in the name of Interstate Investment Corporation, #A37-02446. We will change our records to reflect your ownership if we receive notice from you to do so. To save both of us time, you may give notice of change for that water right on this letter, and simply return it to my attention.

Claims prepared from the Agency's computer are enclosed for your review and records. If you find the address is incorrect, please contact us.

Yours truly,

John D Carlson

John D. Carlson
Adjudication Supervisor

JDC:sf:state:south
Enclosures:
Claims Referenced Above

MICROFILMED
FEB 24 1993

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

October 24, 1990

Sun Valley Land and Minerals, Inc.
c/o Donna R. Kelsey
P.O. Box 1959
Sun Valley, ID 83353

RE: Snake River Basin Adjudication (SRBA)
Blaine County, Claim #A37-02446

Dear Ms. Kelsey:

Thank you for responding so quickly! Notice of the change in ownership of the above-referenced water right was received on Tuesday. The Claim to Water Rights records of the Department have been changed to reflect such notice.

A claim prepared from the Agency's computer is enclosed for your review and records. If you find the address is incorrect, please contact us.

Yours truly,

John D. Carlson
Adjudication Supervisor

JDC:sf:state:south
Enclosures:
Claim #A37-02446

MICROFILMED
FEB 24 1993

SD-33 LAST NAME: INTERSTATE INVEST STATE

SEL	FIRST NAME	OWN	WATER RIGHT NO.	PRIORITY DATE	SOURCE	TOTAL DIVERSION	USE CODE	USE DESC
	INTERSTATE INVESTMENT CORPORATION							
			~~C A37-12159~~	09/01/1883	JIMMY THE H	0.040	04	STOCK
			~~C A37-04100~~	09/06/1956	SPRING	0.780	46	REC
			~~C A37-04370~~	07/01/1940	GROUNDWATER	0.580	01	IRR
							22	HEAT
							43	DOMEST
							46	REC
			~~C A37-12158~~	09/01/1883	DEER CREEK	0.040	04	STOCK
			~~C A37-12160~~	10/27/1956	GROUNDWATER	0.040	43	DOMEST
			~~C A37-02446~~	12/19/1932	DEER CREEK	10.000	28	POWER
							46	REC
			~~C A37-04369~~	12/19/1932	DEER CREEK	80.000	29	POW S
							47	REC S
			[redacted]	09/01/1883	CLARENDON H	0.130	22	HEAT
							46	REC

(ENTER=CONTINUE) (GOLD 7=THIS QUERY) (MENU _____)

MICROFILMED
FEB 24 1993

10/27/1988 SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME Pleasant Inc CLAIM DENT NO. A37-04368B

DATE RECEIVED 10/27/88 CK # 1754 AMOUNT $ 63.00

	YES	NO
1. Is the name and address complete with zip code?	✓	
2. Is a priority date entered?	✓	
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?	✓	
(b) Is a tributary to entered? (if required) N/A		
4. Is the legal description of the p.d. sufficient?	✓	
5. Is there a description of the diverting works?	✓	
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.	✓	
Is the period of use included?	✓	
Is a quantity claimed for each use?	✓	
7. Is a total quantity claimed entered?	✓	
8. If required is a consumptive use entered? N/A ✓		
Is the consumptive use correct? N/A ✓		
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, see Adjudication Memo # 4. N/A	✓	
10. Is (are) the place(s) of use and purpose(s) indicated?		✓
11. Is (are) the county(ies) entered?	✓	
12. Is the ownership of p.u. checked?	✓	
13. Are other water rights listed or "none" indicated?		✓
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 ✓		
15. Is the basis of the claim indicated?	✓	
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?)	✓	
Has the claim been signed, sealed, and dated by a notary?	✓	
Was this claim filed on time, or was an extension granted?	✓	
Is the fee enclosed correct? Exempt	✓	
If this claim is based on an existing water right, has the identification number been entered? N/A	✓	
Should this claim be receipted and data entered?	✓	✗

Claim checked by: MICROFILMED FEB 24 1993

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

Water Right Number - A37-04368A Adj. Flag Translation: Adjudication Temporary Work Area Old (D) Number -

Last Name / First Name / Address

*** C - CURRENT OWNER ***
DEER CREEK RANCH

1 - BOX 296
2 -
3 -
City- HAILEY State- ID Zip- 83333
Phone - 208-788-2597

Priority Date	Region	Stage	Status
09/01/1883		J - BENEFICIAL USE	

Source	Tributary
CLARENDON HOT SPRINGS	DEER CREEK

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County	Stream Index (Blank if no Index Code)
03N	17E	27	SW NW SE			(13) BLAINE	

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
22	HEATING	01/01	12/31	0.010	

Total Div. Rate	Total Div. Volume	Total Div. Capacity	Total Consumptive Use	KW Usage
0.010				

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
03N	17E	27	SW SE			22	HEATING	(13) BLAINE

Total Acres:

Diversion Means - SPRINGS AND PIPELINES

Non-Irrigation Use - HEATING FOR ONE HOUSEHOLD

Other Rights for Same Use - NONE

Remarks
No Remarks found.

Conditions of Approval
No Conditions of Approval found.

Decree Plaintiff Decree Defendant Decree Date
00/00/0000

Microfilm Rolls -

MICROFILMED FEB 24 1993

Water right number - A37-04368A Adj. flag translation: Adjudication Temporary Work Area

+ - - Audit Fields - 10/24/88 MOBILE2

+ - 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	- 10/24/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
Claims Tape Error Flg	-	Receipt Number	- M001699	Water District	-
Fee Exempt Flag	-	POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-		

MICROFILMED
FEB 24 1993

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVENOR
R. KEITH HIGGINSON
DIRECTOR

December 16, 1988

Interstate Investment Corp.
c/o Law Offices
P.O. Box 2740
Hailey, ID 83333

Dear Claimant:

We are returning your Notice of Claim to a Water Right filed for your property in Blaine County for the reason(s) listed below:

[ ] Your check #_____ in the amount of $_____ is also being returned. Upon completion of the items on the Notice of Claim as requested, please return the filing fee.

[X] Inadvertently I am sure, the filing fees for this Notice of Claim were either missing [ ] or incorrect [X]. The filing fee required for this claim is $76.00. Fees are for each use. Please remit $13.00.

[ ] Priority date was excluded from Notice of Claim. This date is when the water was first placed to benficial use, by yourself or your predecessors, to the best of your knowledge.

[ ] No signature of claimant. Notice of Claim must be signed on Item #16 by person/persons listed as Claimant on Item #1.

[ ] No Notary Public for signature. The Notary is required on this document as this is the documentation presented in the judica1 system.

Please return the documents to this office at my attention. If you will make the necessary corrections before January 16, 1989, you will not be assessed a late filing fee. Please do ~~not~~ hesitate to contact this office if you have any questions or concerns.

Yours truly,

Vela Harrington

for Donald V. Shaff
Adjudication Section
Supervisor

DVS;ds
Enclosures

MICROFILMED
FEB 24 1993