

ADDRESS SERVICE
REQUESTED

FIRST



0004310839 JAN 11 2006
MAILED FROM ZIP CODE 83702

NOT DELIVERABLE
AS ADDRESSED
UNABLE TO FORWARD

NOA

77-2082
77-4166
77-4224
77-7067
77-1094

RECEIVED
FEB 07 2006
DEPARTMENT OF
WATER RESOURCES

BRADBURY FAMILY TRUST
PO BOX 1088
RANCHO SANTA FE CA 92067

C/O Richard Bradbury
Box 1052

12/01/2004

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

RIGHT NUMBER: 77-2082

NAME AND ADDRESS: BRADBURY FAMILY TRUST
PO BOX 1088
RANCHO SANTA FE CA 92067

SOURCE: WARM SPRINGS CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.340 CFS

PRIORITY DATE: 07/19/1938

POINT OF DIVERSION:

T24N R02E S14 SWSWSE Lot 5 Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
IRRIGATION	03/01 12/01	0.300 CFS

PLACE OF USE: DOMESTIC Within IDAHO County

T24N R02E S14 Lot 4 NESE

IRRIGATION Within IDAHO County

T24N R02E S14 Lot 5 SWSE 3.0 T24N R02E S14 Lot 4 SESE 12.0

15 ACRES TOTAL

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: License

77-2082



0 500 1000 Feet



Section 14
T24N R2E



● Point of Diversion

□ Place of Use

Map prepared on December 1, 2004
By Kenneth Knoblock
Idaho Department of Water Resources

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 77-2082
Date Received: 3/2/1988
Receipt No: C000076
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BRADBURY FAMILY TRUST
PO BOX 1088
RANCHO SANTA FE CA USA 92067

Phone: (619) 756-3992

2. Date of Priority: 07/19/1938

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot				County	Type
24N	02E	14	SW	SW	SE	5	IDAHO	

5. Description of diverting works:

DAM ACROSS CREEK, PIPE TO PLACE OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/01	12/01	0.3	
DOMESTIC	1/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.34 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
24N	02E	14	NE	SE	4	DOMESTIC	
			NE	SE	4	IRRIGATION	3
			NW	SE	5	IRRIGATION	4
			SW	SE	5	IRRIGATION	4
			SE	SE	4	IRRIGATION	4
						Section Acres	15
						Total Acres	15

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

14. Remarks:

Ownership changed by DH 8/22/2002

SOURCE LOCALLY KNOWN AS MILL CK.
GENERAL PARTNER, MRS. FRANCIS HOFF.

15. Basis of Claim: License

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 08 1999

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

1. Water Right No(s).: 77-2080 (was 15656) / 77-4224 (was 78-4166) / 77-7067 / 77-10994
 Adjudication Claim No(s).: A77-02082 / A77-04166 / A77-07067 / A77-10994

2. The following REQUIRED information must be submitted with this form:

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked. *Should be in States File for Hoff*

3. Name and Address of Former Owner/Claimant Hoff Timber Company
5257 Fairview Ave, Ste 230 Boise, 83706

4. New Owner/Claimant(s) Bradbury Family Trust

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

* New Mailing Address P.O. Box 1088

City, State and ZIP Code Rancho Santa Fe, CA 92067

* New Telephone Number (619) 756-3992 / (208) 628-3785

5. Date you acquired the property May 11, 1990

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

* 7. Signature of New Owner or Claimant(s) Janice Bradbury

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

<u>Basin</u>	<u>Sequ.</u>	<u>Split</u>	<u>Basis</u>	<u>Status</u>	<u>Right ID</u>	<u>Priority</u>	<u>Diver</u>	<u>Source</u>	<u>Li</u>	<u>Water</u>	<u>Owner</u>	<u>Lis</u>	<u>Version</u>	<u>Nur</u>	<u>Source</u>	<u>Table</u>
77	2080			Closed	82790						HACKES, PAUL L					HACKES, PAUL L (Curr wrWaterApplication
77	2080			Cancelled	82790						HACKES, PAUL L					HACKES, PAUL L (Curr wrWaterPermit

No changes required/necessary.

Hoff to Stadbuty

#	Priority Date	Source		
A-77-10994	7/19/1938	(Well) Groundwater	.04 CFS	Domestic
A-77-02082 77-2080 was # 18656	7/19/38	Warm Springs Creek	.30 CFS .04 "	I+T. (15 AC) Domestic
A77-04166 77-4224 was 78-4166	7/01/1933	Groundwater	1.50 CFS	Recreation Pool Etc...
A77-07067 77-7067	09/23/77	Salmon River		Recreation Storage/perm.

CLAIMS By HOFF TIMBER & LAND CO.

77-4224 (RECREATION)
T24N, R2E, S14, NESE

77-2082 D&Irr
T24N, R2E, S14, ^{Lot 4} NESE, ⁴ NESE, ⁵ NWSE, ⁵ SWSE, ⁴ SESE

77-7067 (REC STORAGE)
T24N, R2E, S14, ⁴ NESE

77-4166 (REC)
T24N, R2E, S14, ⁴ NESE

77-10994 Dom resort
T24N, R2E, S14, ⁴ NESE

WARRANTY DEED

T24N, R2E, S14
LOTS 4 NESE SESE
5 NWSE SWSE
6 (SESW)

To: Vicki
From: Kathy

353016

WARRANTY DEED

THIS INDENTURE made effective the 11th day of May, 1990, between HOFF TIMBER COMPANY, an Idaho limited partnership, the "Grantor," and RICHARD A. BRADBURY and JANICE W. BRADBURY, as co-trustees of the Bradbury Family Trust, the "Grantee," whose mailing address for these purposes is P.O. Box 1088, 16460 Via De LaValle, Rancho Santa Fe, California 92067.

WITNESSETH:

FOR VALUABLE CONSIDERATION the Grantor does hereby grant and convey unto the Grantee the real property located in Idaho County, Idaho, particularly described as follows:

Township 24 North, Range 2 East, Boise Meridian,
Section 14: Lots 4, 5 and 6
Section 23: NE1/4NW1/4

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, including but not limited to oil, gas and other minerals of any kind or nature, all timber, and all water rights however evidenced appurtenant to or usually had and enjoyed in connection with the above-described premises;

SUBJECT TO the liens, encumbrances, reservations, covenants, restrictions and conditions described on EXHIBIT 1 attached hereto and made a part hereof.

WARRANTY DEED - 1

TO HAVE AND TO HOLD said premises and property unto the Grantee, its successors and assigns, forever.

The Grantor covenants with the Grantee, its successors and assigns, that the Grantee shall enjoy the quiet and peaceful possession of said premises; that the Grantor is lawfully seized of said premises in fee simple; and the Grantor warrants that the title to said premises is merchantable and is free from all liens, encumbrances, reservations, covenants, restrictions and conditions excepting those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee.

IN WITNESS WHEREOF, this Warranty Deed has been executed by the Grantor the day and year herein first above written.

HOFF TIMBER COMPANY (an
Idaho limited partnership)

By Harvey B. Hoff
Harvey B. Hoff, personal
representative of the Estate of
Frances M. Hoff, deceased, its
sole general partner

STATE OF IDAHO)

County of Ada)

ss.

On this 11th day of May, 1990, before me,
JEAN WASSERMAN, a Notary Public in and for
said State, personally appeared HARVEY B. HOFF, known or
identified to me to be the personal representative of the Estate
of Frances M. Hoff, deceased, the sole general partner of HOFF
TIMBER COMPANY, an Idaho limited partnership, and the person who
subscribed said partnership name to the foregoing instrument, and
acknowledged to me that he executed the same in said partnership
name.

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



Jean Wasserman
Notary Public for Idaho
Residing at Boise, Idaho
My commission expires 2/12, 1991

Filed and recorded at the request of Idaho Title Co
at 10:00 o'clock A M this 15 day of May, 1990

By Rose E. Gehring
Deputy

ROSE E. GEHRING

Ex-Officio Auditor and Recorder
Idaho County, Idaho

Fee \$ 12.00

WARRANTY DEED - 3

1. Reservations in patent or homestead certificate No. 61653 from the United States of America to Fred B. Riggins dated May 14, 1909 and recorded July 10, 1909 in Book 4 of Deeds at page 274, as Instrument No. 12120, deed records of Idaho County, Idaho.
2. General taxes for the year 1990, which are a lien, not yet due and payable.
3. Reservation of a right of way and easement across the said lands along the course of the trail heretofore and now existing thereon and crossing the bridge across Salmon River for the passage of sheep, cattle, horses and all livestock and for ingress and egress, which right of way easement so reserved is reserved for the use and benefit of the so-called Berg Ranch and Huggett Ranch, as set forth in and including the terms and conditions thereof, Deed by and between JOHN KIMBROUGH, party of the first part, and A. A. CASNER, party of the second part, recorded December 11, 1936, under Instrument No. 115832 in Book 65, page 552, records of Idaho County, Idaho.
4. Right of Way Deed for easement and right of way in gross and for the construction, maintenance and full free and quiet use and enjoyment by County of Idaho, including the terms and conditions thereof, by and between BASIL WIGGINS and MRS. BASIL WIGGINS, RIGGINS HOT SPRINGS, INC., and MRS. A. A. CASNER, mortgagee, Grantors, and COUNTY OF IDAHO, Grantee, recorded May 9, 1955, under Instrument No. 183245 in Book 88, page 414, records of Idaho County, Idaho.
5. Right of Way Deed, including the terms and conditions thereof, by and between RIGGINS HOT SPRINGS, INC. and MRS. A. A. CASNER, mortgagee, Grantors, and the COUNTY OF IDAHO, Grantee, recorded February 9, 1956, under Instrument No. 186601 in Book 89, page 303, records of Idaho County, Idaho.
6. Underground Power Line Easement, including the terms and conditions thereof, by and between HOFF LUMBER AND LAND, Grantor, and IDAHO POWER COMPANY, a corporation, Grantee, recorded May 9, 1975, under Instrument No. 258306, records of Idaho County, Idaho.
7. Mortgage of even date herewith in the principal amount of \$750,000.00 from Grantee, as mortgagor, to Grantor, as mortgagee, recorded May 15, 1990, as Instrument No. 35305, mortgage records of Idaho County, Idaho.

EXHIBIT 1 - to Warranty Deed from Hoff Timber Company
(Page 1 of 1) to Richard A. and Janice W. Bradbury, Trustees

FOR EST

Berg Mtn.

RIVER

Riggins Hot Sprs.

Warm	Springs
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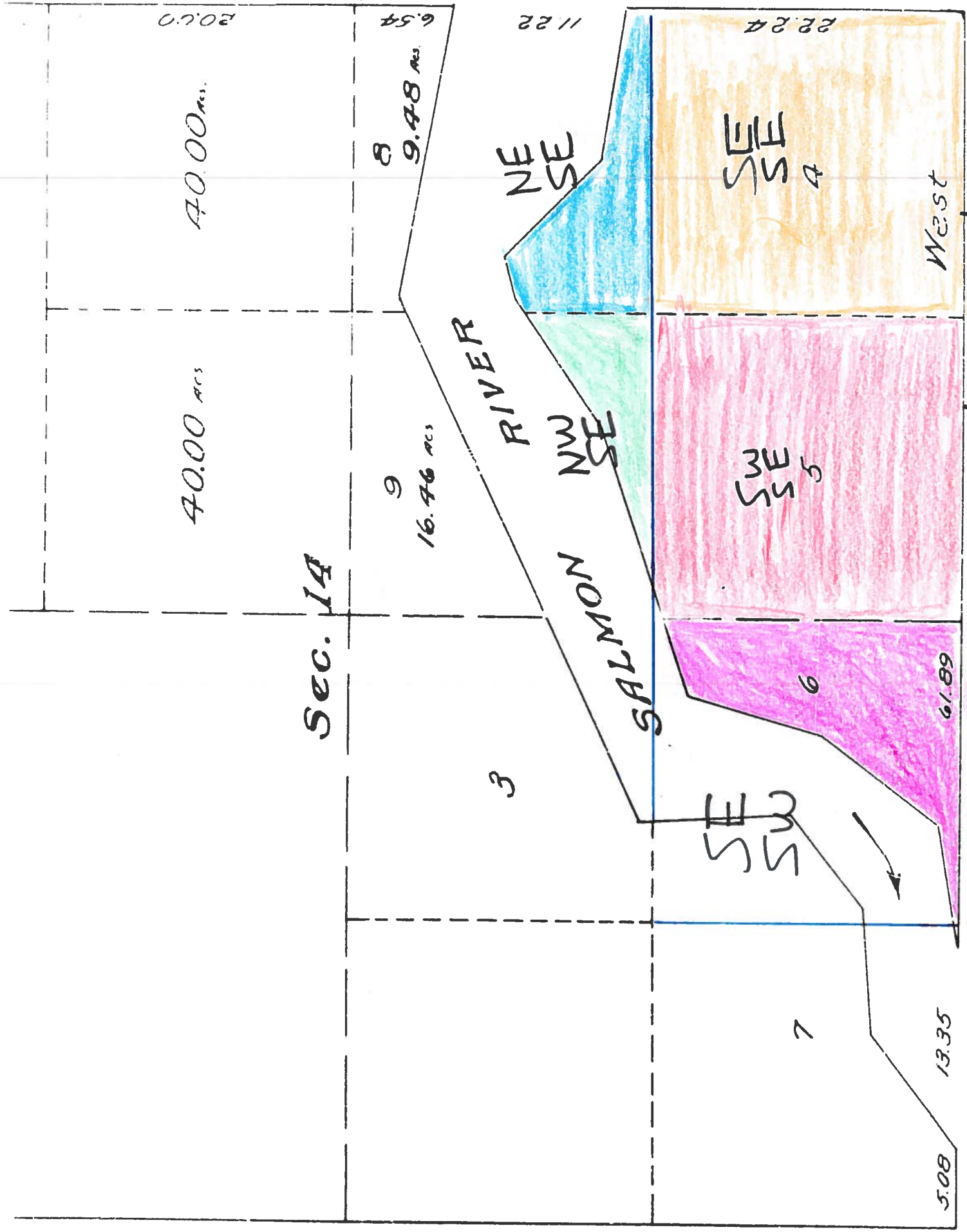
JOS: A/EADE

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R. / A. BASOM

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THOMPSON

1008



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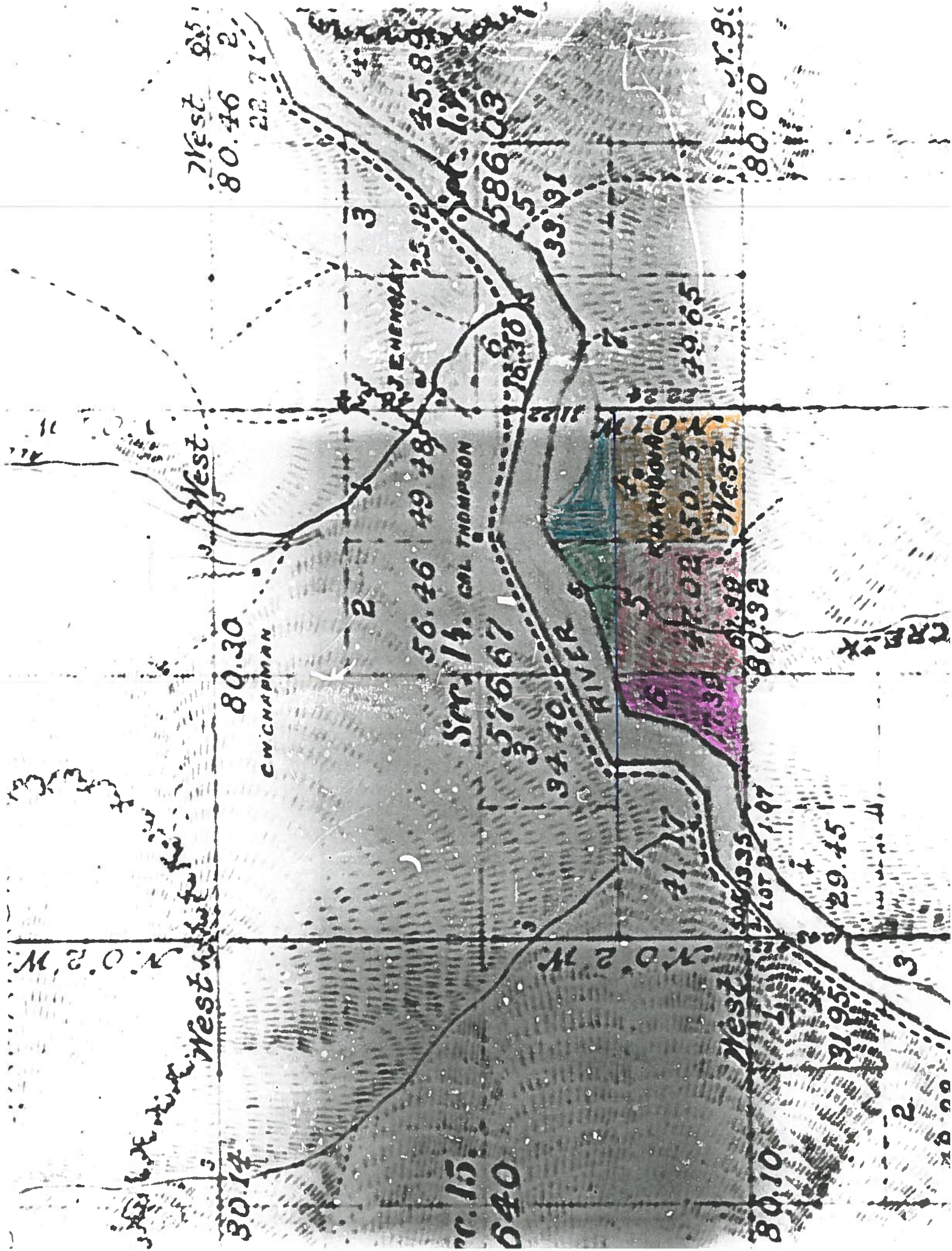
N 0° 2' W

GOUTS BY 1/4 1/4

80.32

West

N 0° 1' W



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A77-02082
Date Received: 3/01/1988
Receipt No: C000076

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HOFF TIMBER COMPANY 208-323-8606
Address: LIMITED PARTNERSHIP
5257 FAIRVIEW AVENUE
SUITE 230
BOISE, ID 83706

2. Date of Priority: JUL 19, 1938

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	02E	14	SW	SW	SE	5	IDAHO

5. Description of diverting works:
DAM ACROSS CREEK, PIPE TO PLACE OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	12/01	0.300		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 45.0 Acre Feet Per Annum.

9. Non-irrigation uses:
RESORT WITH 6 BEDROOMS AND 6 BATHROOMS.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	02E	14	NE	SE	4	IRR	3.0

A77-02082

Page 1

Date: 03/01/88

MICROFILMED
OCT 05 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	02E	14	NE	SE	4	DOMEST	
			NW	SE	5	IRR	4.0
			SW	SE	5	IRR	4.0
			SE	SE	4	IRR	4.0
						Section Acres	15.0
						Total Acres	15.0

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

77-4166 IS FOR RECREATIONAL USE OF THE HOT WATER.

14. Remarks:

SOURCE LOCALLY KNOWN AS MILL CK.

GENERAL PARTNER, MRS. FRANCIS HOFF.

15. Basis of Claim: LICENSE

Water Right Number: 18656

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.*

per phone
conversation
3-2-88

Number of attachments: 1

For Organizations:

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

Lawrence B. Hoff
Signature of Authorized Agent

President, Hoff Timber Co.
Title and Organization

3-1-88
Date

State of Idaho)
County of Ada) SS.

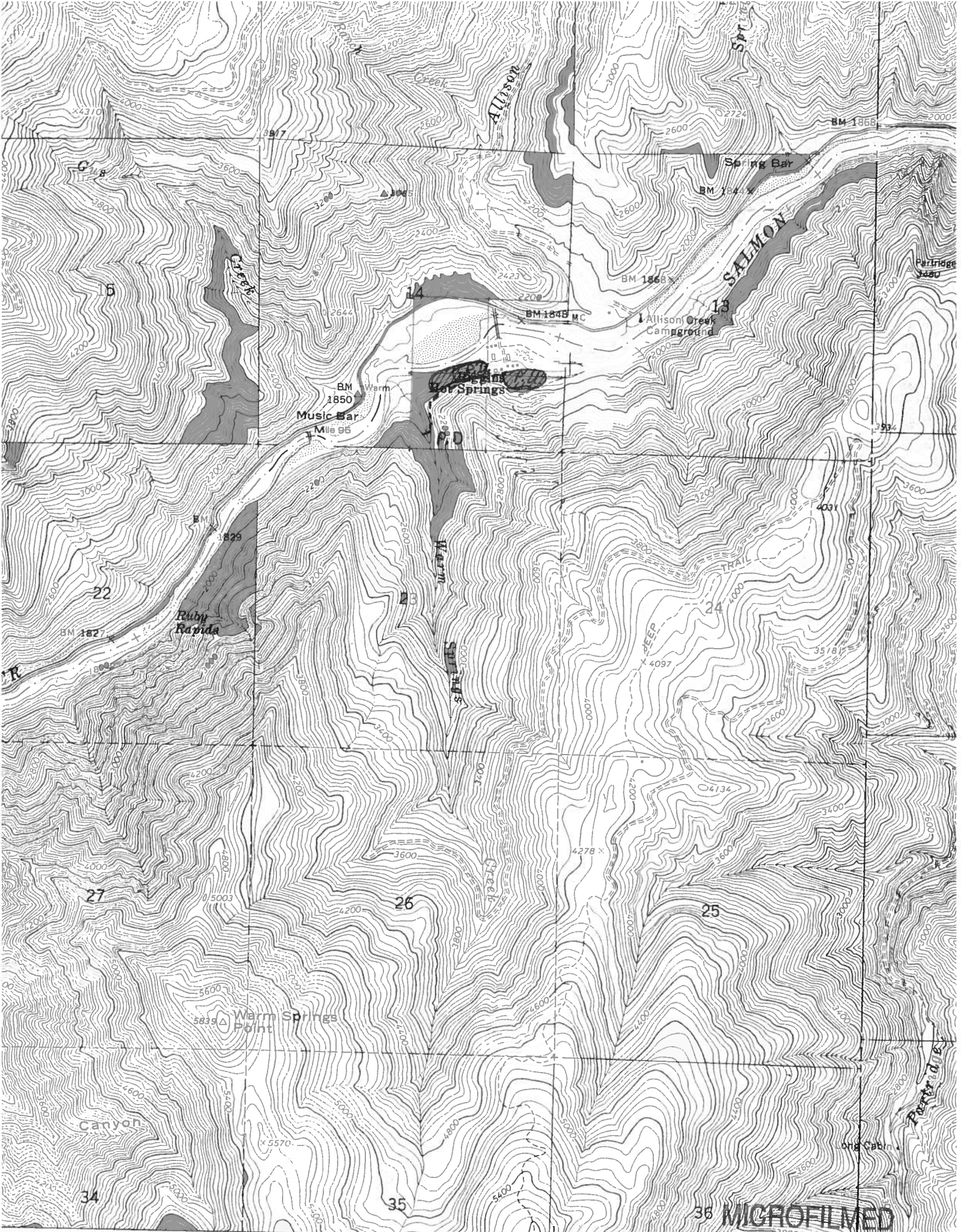
Subscribed and sworn (or affirmed) before me this 1st day
of March 19 88

J. Carol Spoor
Notary Public

Seal

Residing at Boise, Idaho

My Commission Expires 3-22-91



DATE: 02/16/99
PAGE: 1

DIVERSION
VOLUME

Point(s) of Diversion:

Dates:	Exam Made Date:	Verified Date:
Misc:	Water District Number:	Field Inspection Flag:
		Presumption Flag:

31:50 CCCT/PT/30

77-2080

Warm Spring Creek

State of Idaho

License and Certificate of Water Right

(18656)

Water License No. 18656

Amount 0.54 second foot

Water District No.

Priority July 19, 1938

THIS IS TO CERTIFY that RIVERS HOT SPRINGS, INC.
 of Higgins, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated July 19, 1938; that Permit No. 18656
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 one second foot, was issued thereunder on June 18, 1951, showing that said works
 were completed on the 13th day of June, 1951; and that on the 1st
 day of August, 1951,

RIVERS HOT SPRINGS, INC.

of Higgins, State of Idaho, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of Mill or Warm
Springs Creek, a tributary of Salmon River, for the purpose of irrigation and domestic
 use, under Use Permit No. 18656 of the Department of Reclamation
 and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
 and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
8 of Licenses at page 4996, on the 15th day of September, 1952;

The right hereby confirmed dates from July 19, 1938;

The Point of Diversion is located

in the 24 1/4 1E3 1/4, Sec. 14, Tp. 24 N., R. 2 E., B. M. Idaho County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
 aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall

not exceed 0.54 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
24 N.	2 E.	14	Lot 4, 5, 6	120.10	7
			Lot 4		8
			Lot 5		--
		15	Lot 13	40	
			Number of acres actually irrigated	-	15

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
 of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

15th day of September, 1952.

W. W. K. K. K.

State Reclamation Engineer

(Seal)

77-2080

15 acres

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A77-02082
Date Received: 3/01/1988
Receipt No: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HOFF TIMBER COMPANY
Address: LIMITED PARTNERSHIP
5257 FAIRVIEW AVENUE
SUITE 230
BOISE, ID 83706 208-323-8606

2. Date of Priority: JUL 19, 1938

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	02E	14	SW	SW	SE	5	IDAHO

5. Description of diverting works:
DAM ACROSS CREEK, PIPE TO PLACE OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	12/01	0.300		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 45.0 Acre Feet Per Annum.

9. Non-irrigation uses:
RESORT WITH 6 BEDROOMS AND 6 BATHROOMS.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	02E	14	NE	SE	4	IRR	3.0

A77-02082

Page 1

Date: 03/01/88

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	02E	14	NE	SE	4	DOMEST	
			NW	SE	5	IRR	4.0
			SW	SE	5	IRR	4.0
			SE	SE	4	IRR	4.0
						Section Acres	15.0
						Total Acres	15.0

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
77-4166 IS FOR RECREATIONAL USE OF THE HOT WATER.

14. Remarks:
SOURCE LOCALLY KNOWN AS MILL CK.
GENERAL PARTNER, MRS. FRANCIS HOFF.

15. Basis of Claim: LICENSE
Water Right Number: 18656

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 President of Hoff Timber Co. Title

Hoff Timber Co., that I have signed the foregoing Organization document in the space below as President of Title

Hoff Timber Co. and that the statements contained in the Organization foregoing document are true and correct.

Harvey B. Hoff
Signature of Authorized Agent

President, Hoff Timber Co.
Title and Organization

3-1-88
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 1st day
of March 19 88

J. Carol Spoor
Notary Public

Seal

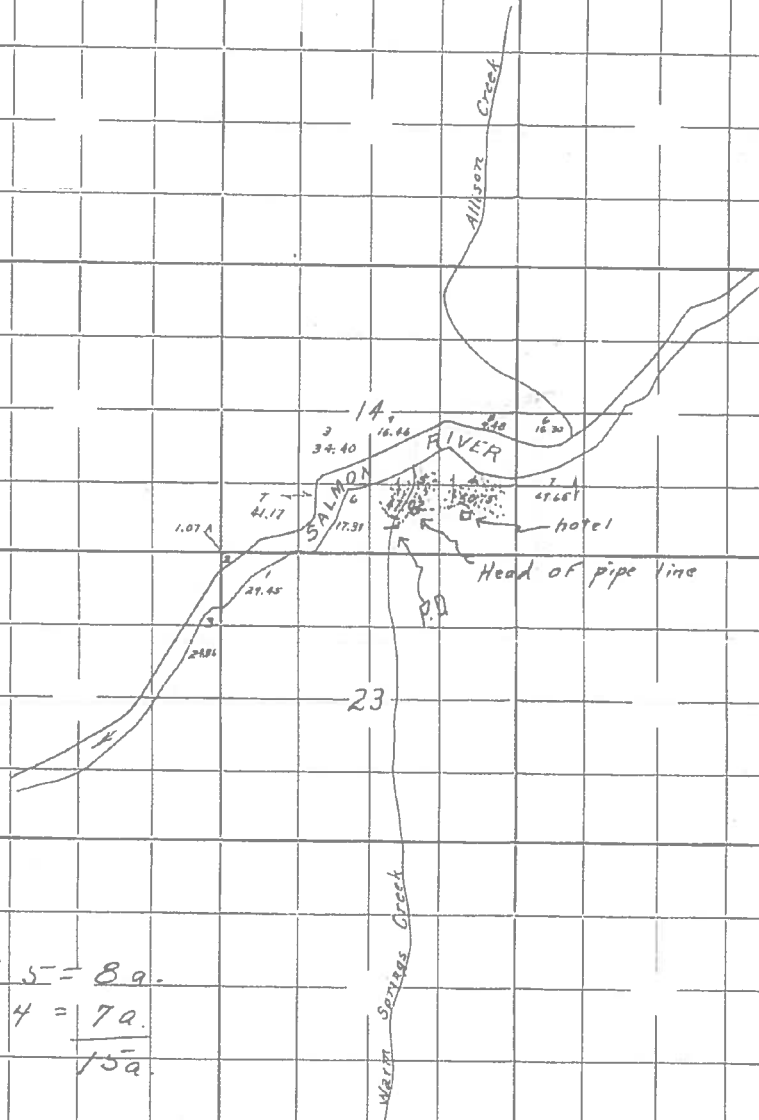
Residing at Boise, Idaho

My Commission Expires 3-22-91

16 outlets near hotel
 9 in parking
 3 in log cabin
 irrigation canal for overflow
 28

1000' x 4' p.m.

T. 24 N., R. 2 E.



Lot 5 = 8a.
 4 = 7a.
 15a.

allow 2" for hotel and cabins
 17" of water total