

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

NOT DELIVERABLE
AS ADDRESSED
UNABLE TO FORWARD

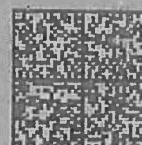
U T R

ADDRESS SERVICE
REQUESTED

RECEIVED
JAN 23 2006
DEPARTMENT OF
WATER RESOURCES

77-4217
77-4218

FIRST CLASS



UNITED STATES POSTAGE
\$00.87
02 1A
0004310839 JAN 11 2006
MAILED FROM ZIP CODE 83701

NOT DELIVERABLE
UNABLE TO FORWARD

SCOTT R. HARRIS
E 771 83720-0098
SPOUSE REQUESTED

HARRIS 992032006 IN
RETURN TO SENDER
NO FORWARD ORDER ON FILE
UNABLE TO FORWARD
RETURN TO SENDER
19/01/18/06

McCA

Not Link
This copy
to
Sender
on return

03/22/2006

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

RIGHT NUMBER: 77-4218

NAME AND ADDRESS: SCOTT S HARRIS
BOX 331
MCCALL ID 83638

CONNIE HARRIS
BOX 331
MCCALL ID 83638

SOURCE: BURGDORF HOT SPRINGS

TRIBUTARY: LAKE CREEK

QUANTITY: 0.334 CFS

The quantity of water under this right for domestic use shall not exceed
13,000 gallons per day.

PRIORITY DATE: 06/01/1875

POINT OF DIVERSION:

T22N R04E S1 SENW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	01/01 12/31	0.050 CFS
RECREATION	01/01 12/31	0.334 CFS
DOMESTIC	01/01 12/31	0.040 CFS

PLACE OF USE: COMMERCIAL Within IDAHO County

T22N R04E S01 SENW

DOMESTIC Within IDAHO County

T22N R04E S01 SENW

RECREATION Within IDAHO County

T22N R04E S01 SENW

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.

The quantity of water decreed for this water right for domestic use is not
a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

12/08/2005

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

RIGHT NUMBER: 77-4218

NAME AND ADDRESS: SCOTT S HARRIS
~~E 1717 34TH AVE~~
~~SPOKANE WA 99203~~

CONNIE HARRIS
~~E 1717 34TH AVE~~
~~SPOKANE WA 99203~~

GRETCHEN L HARRIS
~~2711 N 32ND~~
~~BOISE ID 83703~~

*Box 331, DP
McCall, ID 83638*
*Box 331, DP
McCall, ID 83638*

SOURCE: BURGDORF HOT SPRINGS

TRIBUTARY: LAKE CREEK

QUANTITY: 0.334 CFS

PRIORITY DATE: 06/01/1875

POINT OF DIVERSION:

T22N R04E S1 SENW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	1/01 12/31	0.050 CFS
RECREATION	1/01 12/31	~~0.220 cfs~~ 0.334
DOMESTIC	1/01 12/31	0.040 CFS

PLACE OF USE: COMMERCIAL Within IDAHO County

T22N R04E S01 SENW

DOMESTIC Within IDAHO County

T22N R04E S01 SENW

RECREATION Within IDAHO County

T22N R04E S01 SENW

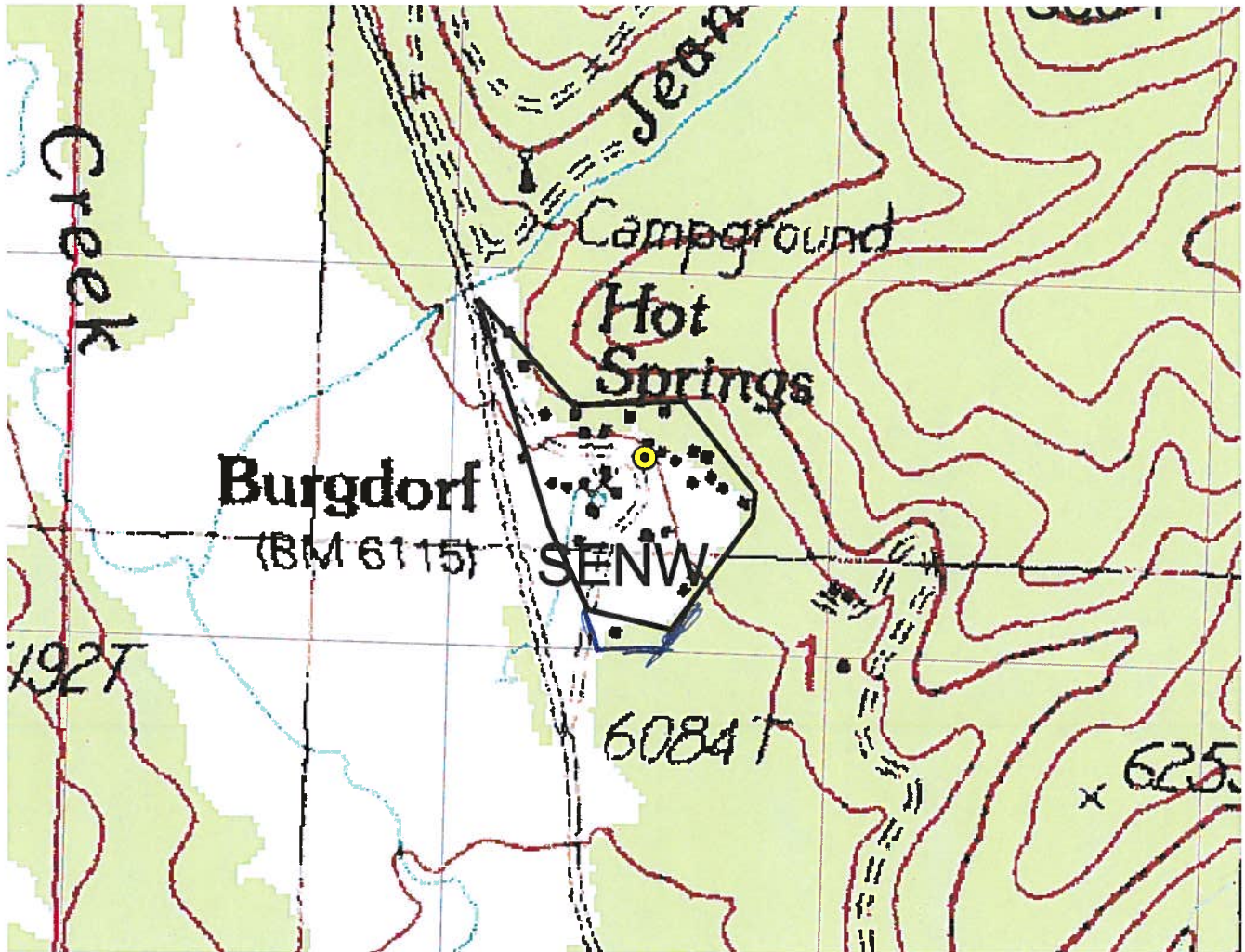
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

THERAPEUTIC PURPOSES WAS LISTED UNDER RECREATIONAL.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

77-4218



0 400 800 Feet



Section 1
T22N R4E



● Point of Diversion

□ Place of Use

Map prepared on December 8, 2005
By Kenneth Knoblock
Idaho Department of Water Resources



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

Phone: (208) 769-1450

Fax: (208) 769-1454

Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 22, 2006

Scott & Connie Harris
Box 331
McCall, ID 83638

RE: 77-4217 & 77-4218

Dear Mr. & Mrs. Harris:

Enclosed is a new map and a preliminary recommendation reflecting our telephone conversation of March 22, 2006. Please contact me if the changes are incorrect.

Sincerely,

Kenneth Knoblock
Water Resources Agent

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: A77-04218

Date Received: 7/20/1988

Receipt No: C001903

Received By: CD

RECEIVED
JUL 22 1988

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CONNIE HARRIS
Address: EAST 1717 34TH AVENUE
SPOKANE, WA 99203
OR
Name: SCOTT S. HARRIS
Address: EAST 1717 34TH AVENUE
SPOKANE, WA 99203
OR
Name: GRETCHEN L. HARRIS 208-342-3408
Address: 2711 NORTH 32ND
BOISE, ID 83703

2. Date of Priority: JUN 01, 1875

3. Source: BURGDORF HOT SPRING Trib. to: LAKE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
22N	04E	1	SE	NW			IDAHO

5. Description of diverting works:
GEOTHERMAL SPRING INTO EXCAVATED POOL, 2" PIPE TO WASH HOUSE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.050		
DOMESTIC	01/01	12/31	0.040		
RECREATION	01/01	12/31	0.220		

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

8. Total consumptive use is Acre Feet Per Annum.

A77-04218

Page 1

Date: 07/20/88

MICROFILMED
OCT 05 1992

9. Non-irrigation uses:

RESORT, SWIMMING POOL, BATH HOUSE, SPACE HEATING, 1 CABIN.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
22N	04E	1	SE	NW		COMMER	
			SE	NW		REC	
			SE	NW		DOMEST	
			NE	SW		COMMER	
			NE	SW		REC	
			NE	SW		DOMEST	

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:

NONE

14. Remarks:

THERAPEUTIC PURPOSES WAS LISTED UNDER RECREATIONAL.

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: ~~2~~ -1-

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): Gretchen L. Harris Date: July 20th 1988
Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 20th day

of July 19 88
Seal

Carter Fritchle
Notary Public

Residing at Eagle, Id
My Commission Expires 3-21-94

77-4218

Field Exam Notes

Date of Exam: August 27, 2005

The point of diversion (POD) is located at the Burgdorf Hot Spring which is located under two (2) small pools at the resort (*Photo 1*). The GPS location of the POD is **N45° 16' 36.7"** by **W115° 54' 47.3"**. From the small pools, water flows over to the large pool (*Photo 2*) that is adjacent to the small pools. Each of the small pools measure **6' x 8' x 5'** deep. The large pool measures **50' x 75' x 5'** deep. Water leaves the large pool over an overflow at the lower end of the pool and into a ditch that goes under a greenhouse (*Photo 3*), a short distance away, and then to Lake Creek.

A two inch (2") PVC pipe (*Photo 4*) taps the spring and takes water to a wash house and a cabin where it is used for hot water (*Photos 2 & 3*).

The flow at the overflow of the large pool was too great to measure with a five gallon bucket and no place was found that was adequate to use the 'orange peel method', so no flow measurements were taken. However, Scott Harris stated that the United States Geological Survey (USGS) had measured the output of the spring, that that measurement is on file at the USGS and that they told him that the output was 150 *gpm*.

The claim lists the legal location of the recreation, commercial, and domestic use as **SE** and **NE**, Sec. 1, Rge. 04E, Twp. 22N, BM. The pool is in **SE** of this same section, range and township and because of the short distance between the pool and the cabin served by the hot spring, it is believed that it is also in this same quarter of quarters and that there are no uses located in **NE** of the same section, range and township.

The addresses and phone numbers listed on the claim are incorrect. The correct address and phone number are:

Scott and Connie Harris
P.O. Box 331
McCall, ID 83638
(208) 634-3299

Mr. Harris stated that Gretchen L. Harris (listed on the claim as co-claimant) is no longer involved with the property.

From a conversation with Mr. Harris and a search of the Idaho Department of Water Resources (IDWR) public web site, it was found that there are no other water rights with the same point of diversion or place of use as this claim.

Field Examiner:

A handwritten signature in black ink, appearing to read "Tim Zimmerman". The signature is written in a cursive, flowing style with a large initial "T" and a long, sweeping underline.

Priority Date Data Entry Form

Claim Number 77-4218

Claimed Priority Date: 6/1/1875

Claimed Basis: Statutory Claim

☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date: 6/1/1875

Water Right Basis: Statutory Claim

Recommended Priority Date Recommended Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Reviewer:

Date:

Point of Diversion and Source Data Entry Form

Claim Number 77-4218

Claimed Point of Diversion and Source

T22N R04E S1 SENW Within IDAHO County Source: BURGDORF HOT SPRINGS LAKE CREEK

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

T22N R04E S1 SENW Within IDAHO County

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

Burgdorf Hot SpringLake Creek

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
<u>22N</u>	<u>4E</u>	<u>1</u>		<u>SWSE NW</u>	<u>Idaho</u>	<u>Spring</u>

Other rights from this POD? None

Document how the POD and Source were verified:

GPS location N 45° 16' 36.7" by W 115° 54' 47.3" #
(See Notes) / 7 1/2 min Topographical (USGS) Map / Conversation
with Scott Harris (co-claimant)

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number 77-4218

Claimed Place Of Use

T22N R04E S01	SE NW	T22N R04E S01	NESW
T22N R04E S01	SE NW	T22N R04E S01	NESW
T22N R04E S01	SE NW	T22N R04E S01	NESW

Total Acres

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

T22N R04E S01	SE NW	T22N R04E S01	NESW
---------------	-------	---------------	------

Total Acres

Recommended Place of Use

See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
22W	4E	1	SE NW		Idaho			Recreation / Commercial / Domestic
			NE SW					Commercial / Domestic
22W	4E	1	SE NW		Idaho			Recreation / Domestic
								Commercial

See Notes

Total Acres

Document how the POU was verified:

On Site Exam / Conversation with Scott Harris / USGS 7 1/2 min.
topo map. 73

Reviewer: _____

Date: _____

Purpose of Use Data Entry Form

Claim Number 77-4218

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
RECREATION			
DOMESTIC			
COMMERCIAL			

☐ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
COMMERCIAL			
DOMESTIC			
RECREATION			

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Recreation				
Domestic				
Commercial				

Document how the Purpose of Use was verified:

On Site inspection / Conversation with Scott Harris (co-claimant) *YJ*

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number 77-4218

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
COMMERCIAL	1/01	12/31	0.05	
DOMESTIC	1/01	12/31	0.04	
RECREATION	1/01	12/31	0.22	

Overall Diversion Rate 0.334 Overall Diversion Volume

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
COMMERCIAL	1/01	12/31	0.334	
DOMESTIC	1/01	12/31	0.334	
RECREATION	1/01	12/31	0.334	

Overall Diversion Rate 0.334 Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Reviewer: _____

Date: _____

Contacts Data Entry Form**Claim Number: 77-4218**

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	GRETCHEN L HARRIS	2711 N 32ND	BOISE	ID	83703	(208)342-3408
Current Owner	SCOTT S HARRIS	E 1717 34TH AVE	SPOKANE	WA	99203	(509)747-1719
Current Owner	CONNIE HARRIS	E 1717 34TH AVE	SPOKANE	WA	99203	(509)747-1719

*Bad
Numbers*

Date of Field Exam: _____ Time: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

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

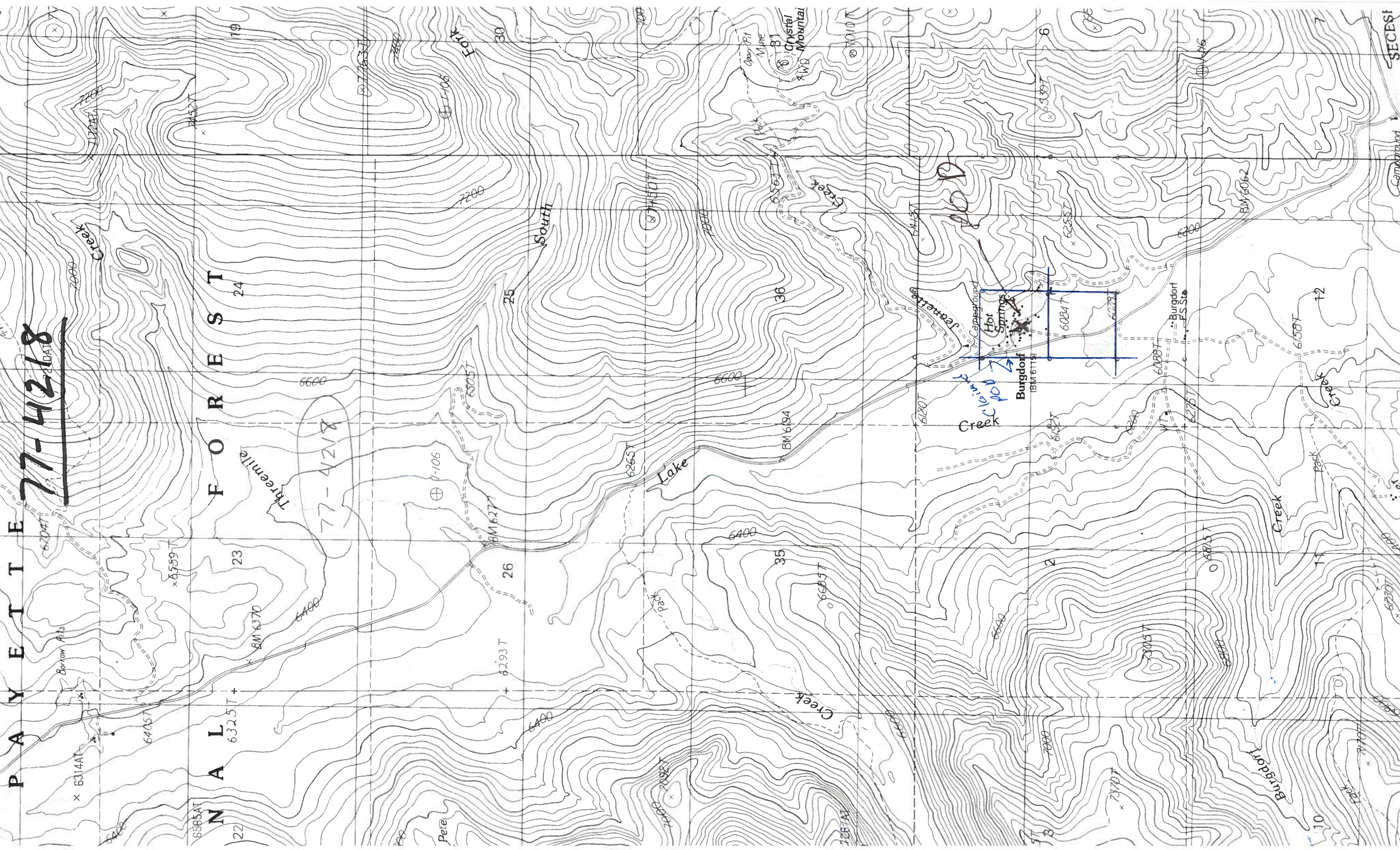
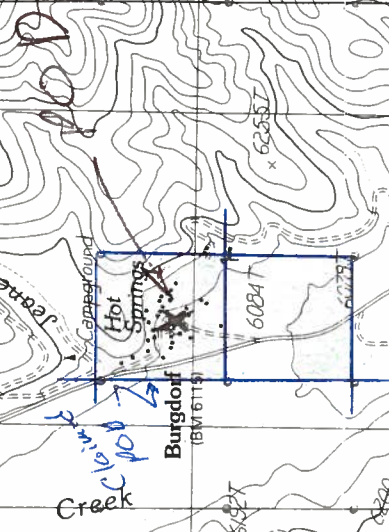
Reviewer: _____

Date: _____

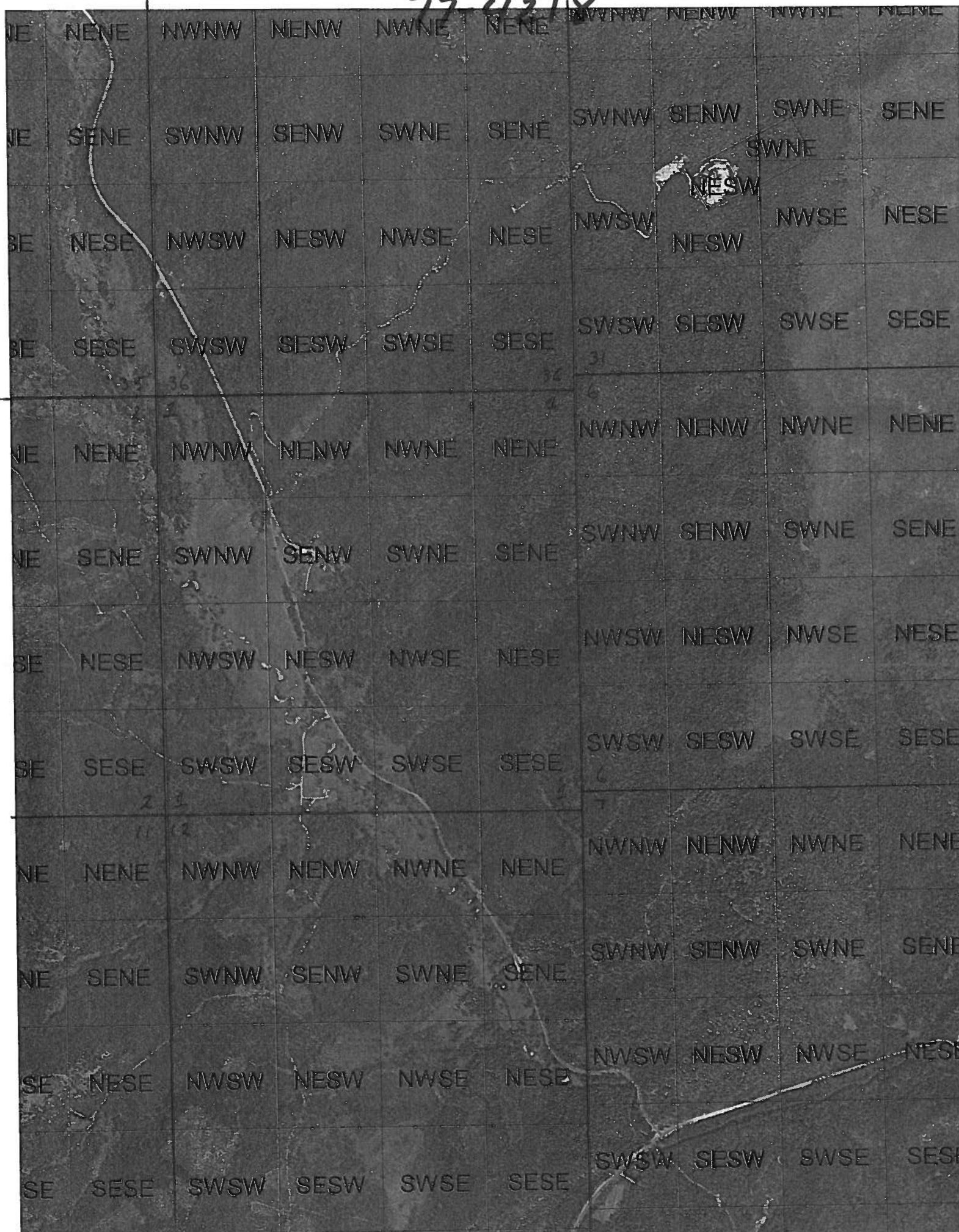
PAYETTE 77-4218

N A L F O R E S T

77-4218



77-4218



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: A77-04218

Date Received: 7/20/1988

Receipt No: C001903

Received By: CJ

RECEIVED
JUL 22 1988

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CONNIE HARRIS
Address: EAST 1717 34TH AVENUE 99203
SPOKANE, WA
OR
Name: SCOTT S. HARRIS
Address: EAST 1717 34TH AVENUE 99203
SPOKANE, WA
OR
Name: GRETCHEN L. HARRIS 208-342-3408
Address: 2711 NORTH 32ND
BOISE, ID 83703

2. Date of Priority: JUN 01, 1875

3. Source: BURGDORF HOT SPRING Trib. to: LAKE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
22N	04E	1	SE	NW	✓		IDAHO

5. Description of diverting works:
GEOTHERMAL SPRING INTO EXCAVATED POOL, 2" PIPE TO WASH HOUSE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.050		
DOMESTIC	01/01	12/31	0.040		
RECREATION	01/01	12/31	0.220		

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

8. Total consumptive use is Acre Feet Per Annum.

A77-04218

Page 1

Date: 07/20/88

MICROFILMED

OCT 05 1992

9. Non-irrigation uses:

RESORT, SWIMMING POOL, BATH HOUSE, SPACE HEATING, 1 CABIN.

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
22N	04E	1	SE		NW		COMMER	
			SE		NW		REC	
			SE		NW		DOMEST	
			NE		SW		COMMER	
			NE		SW		REC	
			NE		SW		DOMEST	

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:

NONE

14. Remarks:

THERAPEUTIC PURPOSES WAS LISTED UNDER RECREATIONAL.

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: ~~2~~ -1-

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): Gretchen L. Harris Date: July 20th 1988
_____ Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 20th day

of July 19 88
Seal

Carter Fritchle
Notary Public

Residing at Eagle, Id
My Commission Expires 3-21-94

The Diversion rate for the
pool needs to be checked

Date Received

A77-04217
04218
-10011

State of Idaho
Department of Water Resources

RECEIVED

REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

DEC 29 1988

The Idaho Department of Water Resources will consider this form as a request that the claimant be granted an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

approved

Scott and/or Connie Harris
Name of Claimant

P.O. Box 331
Post Office Address

DEC 1 1988

McCall, ID 83638
City, State, Zip Code

Department of Water Resources
Western Regional Office

Valley
County(s) where Place of Use is located

11-23-88
Date Claim Originally Due

Domestic, Stockwater
Identify water right(s) for which extension is requested

State reason(s) why an extension of time is requested:

We weren't notified of necessity of filing until a neighbor told us. We have been in the process of moving twice to assume a medical residency position in Spokane and possibly missed notification. We will move back to McCall to begin medical practice.

Claimant requests an extension to 12-7, 1988.

Scott Harris
Signature

Co-owner
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

MICROFILMED

The above request for extension of time is hereby
X granted denied
and the filing deadline extended to 12/7, 1988.

OCT 05 1992

Signed this 30 day of December, 1988

DAVID B. SHAW
Director or his designated agent