

02/15/2005

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

RIGHT NUMBER: 77-7020
NAME AND ADDRESS: MIDDLE FORK HOLDING CO INC
C/O BRIAN BARSOTTI
PO BOX 10013
KETCHUM ID 83340

SOURCE: THOMAS CREEK TRIBUTARY: MIDDLE FORK SALMON RIVER

QUANTITY: 2.000 CFS

PRIORITY DATE: 10/26/1971

POINT OF DIVERSION:
T16N R12E S20 SENENE Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
FISH PROPAGATION	4/01 10/01	2.000 CFS
RECREATION	4/01 10/01	2.000 CFS

PLACE OF USE: FISH PROPAGATION Within CUSTER County

T16N R12E S21 NWNW

RECREATION Within CUSTER County

T16N R12E S21 NWNW

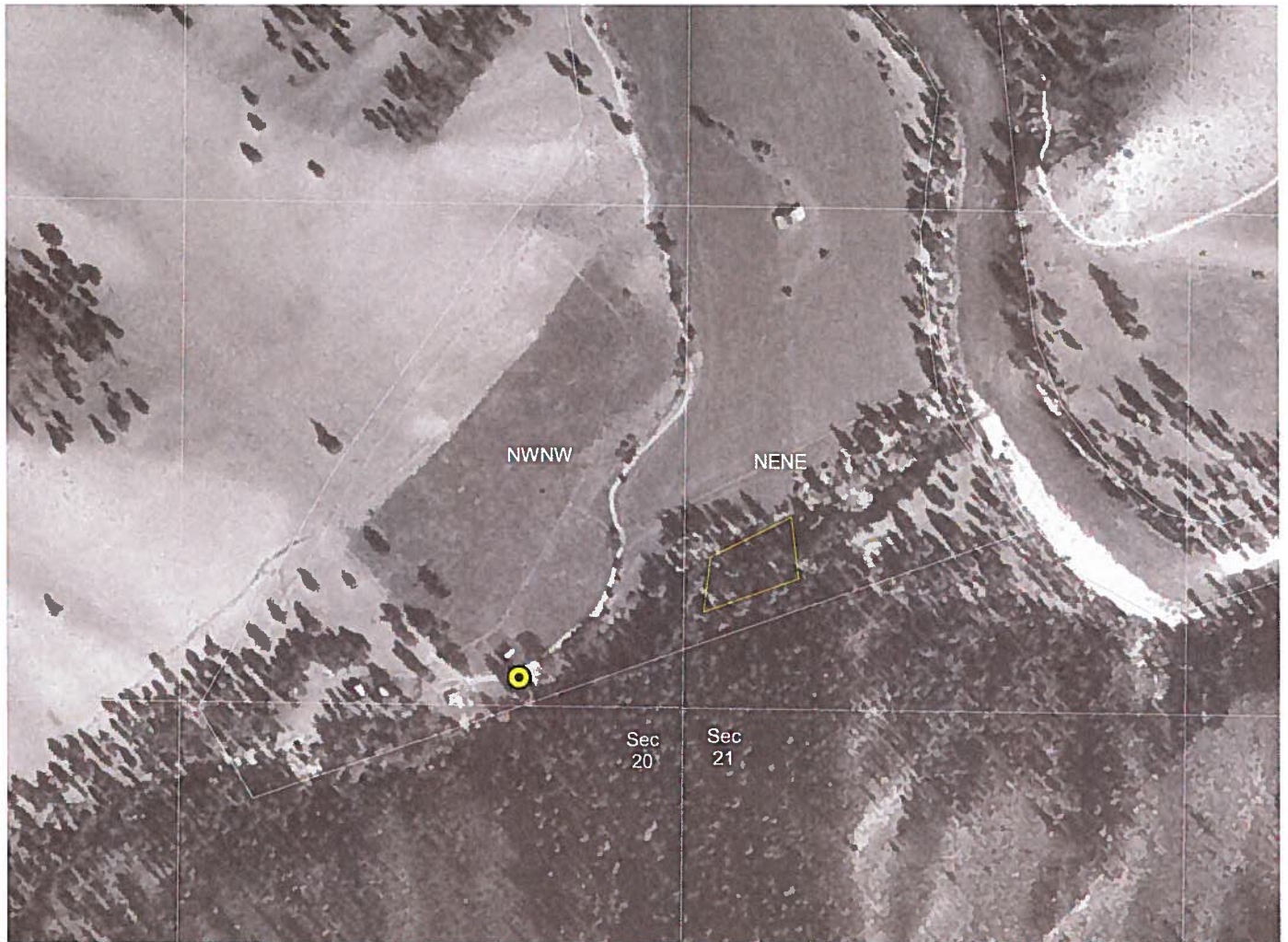
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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.

PROPERTY IS ~~NOT~~ KNOWN AS HOMESTEAD ENTRY SURVEY NO. 77.

EXPLANATORY MATERIAL: Beneficial Use

77-7020



0 300 600 Feet



Sections 20 & 21
T16N R12E



● Point of Diversion

□ Place of Use

Map prepared on February 15, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that MIDDLE FORK LODGE, INC.

Beneficial Use
Recreation and
Fish Culture

Period of Use

Rate of Diversion

Annual Volume

from April 1 to October 1 at 2.00 cfs and N/A

from to at cfs and

from to at cfs and

(both dates inclusive)

Subject, however, to the condition that no more than 2.00 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed N/A acre feet per year, said waters to be diverted within the NE 1/4, Sec. 20, Twp. 16N, Rge. 12E, B. M. in the County of Custer

Description and location of place of use:

[illegible]

Total number of acres irrigated _____

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 20 day of

13080 February 19 79

Stephen Allen
Director

1941年10月1日

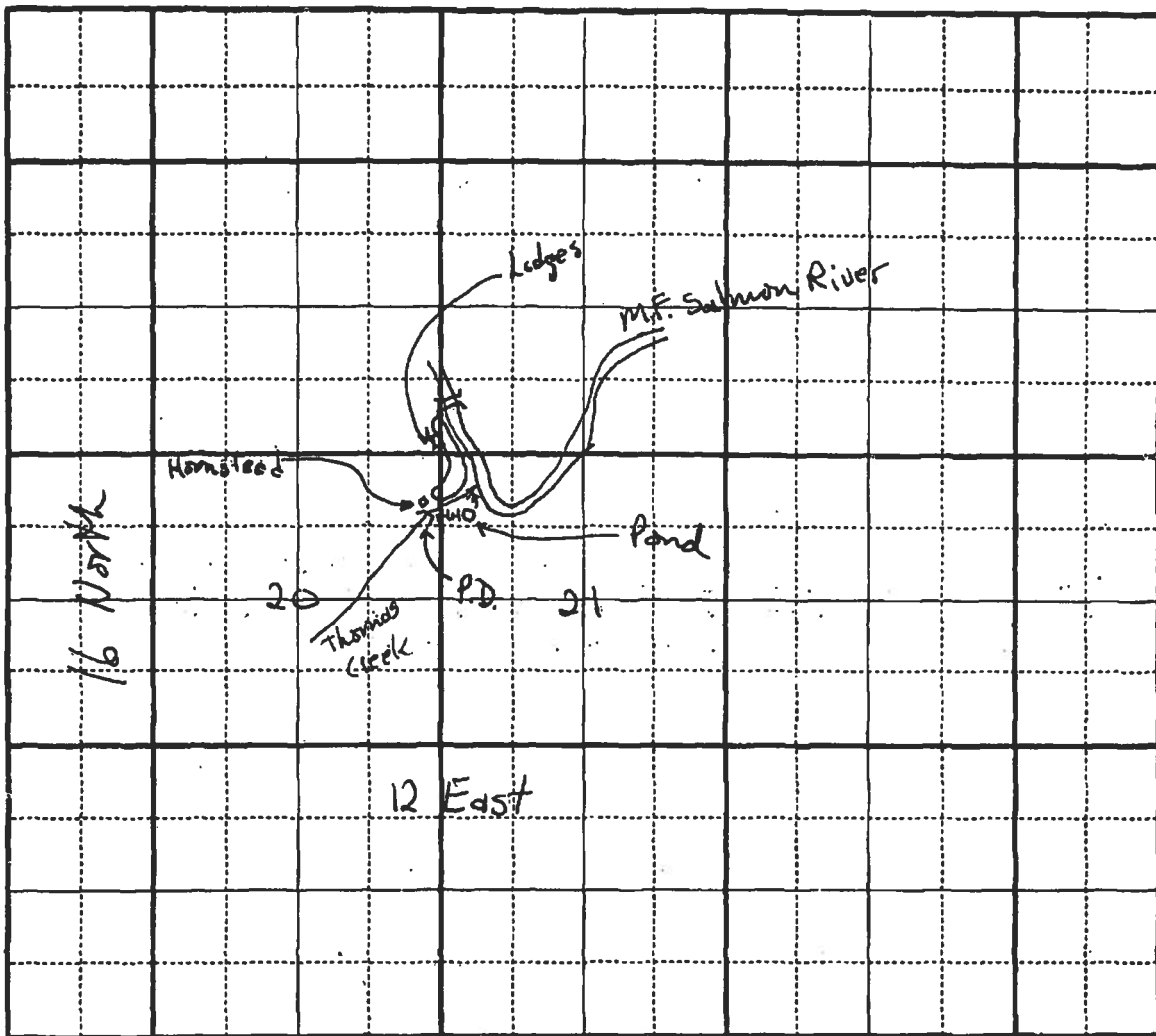


Diagram of System

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: A77-07020
Date Received: 1/12/1990
Receipt No: W007576
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: MIDDLE FORK HOLDING COMPANY INC 208-726-3030
Address: CHARLES STEVENSON, PRESIDENT
C/O BRIAN BARSOTTI
PO BOX 10013
KETCHUM ID 83340
2. Date of Priority: OCT 26, 1971
3. Source: THOMAS CREEK Trib. to: SALMON RIVER, MIDDLE FORK
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 16N | 12E | 20 | SE | NE | NE | | CUSTER |
5. Description of diverting works:
LOG DAM, PIPES TO POND W/PIPE CARRYING WATER TO THOMAS CREEK.
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------------|-------|-------|-------|------|--------|
| RECREATION | 04/01 | 10/01 | 2.000 | | |
| FISH PROPAGATION | 04/01 | 10/01 | 2.000 | | |
7. Total Quantity Appropriated is:
2.000 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
RECREATION/FISH PROPAGATION
10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
16N	12E	21	NW	NW		REC	

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	12E	21	NW	NW		FISH	

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:

THREE OTHER CLAIMS FILED

14. Remarks:

ADDRESS CHANGE BY CLAIMANT LETTER
NOTICE OF APPEARANCE RECEIVED 8/18/98 AT SOUTHERN REGION, BUT
DATABASE NOT UPDATED. ADDED NEW ATTORNEY NAME PER PHONE CALL
FROM ROSHOLT'S OFFICE 3/10/99. DB
OWNERSHIP/NAME CHANGE BY DB 5/18/99.

15. Basis of Claim: LICENSE

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

AUG 24 1998

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.

RECEIVED

AUG 18 1998

Department of Water Resources
Southern Region

1. Water Right Number(s) 72-07004; 77-07020; 77-07081
Adjudication Claim Number(s) A72-07004; A77-07020; A77-07081; A77-07082; A77-10123
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 on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) MIDDLE FORK LODGE, INC.
STANLEY B. MCCAMMON, PRESIDENT
c/o ORCA BAY CAPITAL CORP
PO BOX 21749 SEATTLE WASHINGTON, 98111
4. New Owner/Claimant(s) MIDDLE FORK HOLDING COMPANY, INC.
CHARLES STEVENSON, PRESIDENT
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address c/o BRIAN BARSOTTI
PO BOX 10013
City, State and ZIP Code KETCHUM, ID 83340
New Telephone Number (208/726-3030 -
5. Date you acquired the property 6/2/1998
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 actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
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/Claimant(s) Charles Stevenson Date 7-15-98
CHARLES STEVENSON, PRESIDENT Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

Order No. 24100

CORPORATION
WARRANTY DEED

0215860

FOR VALUE RECEIVED

MIDDLE FORK LODGE, INC., an Idaho Corporation, formerly known as MFL, Inc, an Idaho Corporation
a corporation duly organized and existing under the laws of the State of Idaho, does hereby GRANT, BARGAIN, SELL and CONVEY unto

MIDDLE FORK HOLDING COMPANY, INC., a Delaware corporation

GRANTEE whose address is: P.O. Box 10013, Ketchum, ID 83340

the following described real property in Custer County, Idaho, to wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF.

COPY

TOGETHER WITH any and all water rights appurtenant thereto

Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its Secretary.

Dated: May 29, 1998

MIDDLE FORK LODGE, INC.

By: Stanley B. McCammon

By: STANLEY B. MCCAMMON, President

Custer County Reg. of

Sawtooth Title Co.Time 1:20 .M.6-2-1998

Ethel M Peck, Clerk

Baibara C. Breckelbre

Deputy

\$ 6.00

State of Washington

County of Kincaid

On this 29th day of May, in the year 1998, before me, the undersigned, personally appeared STANLEY B. MCCAMMON known or identified to me to be the president, or vice-president, or secretary or assistant secretary, of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

WITNESS my hand and official seal.

Notary Public

Commission Expires: 11-29-2000

EXHIBIT "A"

H.E. SURVEY NO. 77, EMBRACING A PORTION OF THE UNSURVEYED PUBLIC DOMAIN, CUSTER COUNTY, IDAHO, MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT CORNER NO. 1 FROM WHICH U.S. LOCATION MONUMENT NO. 77, CHALLIS NATIONAL FOREST, BEARS SOUTH 41 DEGREES 48' WEST, 1,375 CHAINS DISTANT; THENCE MEANDERING THE MIDDLE FORK OF THE SALMON RIVER NORTH 36 DEGREES 30' WEST, 6 CHAINS;

THENCE NORTH 9 DEGREES WEST, 5 CHAINS;
THENCE NORTH 2 DEGREES WEST, 6 CHAINS;
THENCE NORTH 16 DEGREES WEST, 5 CHAINS;
THENCE NORTH 36 DEGREES 30' WEST, 6 CHAINS;
THENCE NORTH 22 DEGREES 45' WEST, 6 CHAINS;
THENCE NORTH 4 DEGREES 15' WEST, 9 CHAINS;
THENCE NORTH 21 DEGREES 21' WEST, 9.55 CHAINS TO CORNER

NO. 2;

THENCE SOUTH 79 DEGREES 15' WEST, 6.93 CHAINS TO CORNER
NO. 3;

THENCE SOUTH 8 DEGREES 47' EAST, 31.74 CHAINS TO CORNER
NO. 4;

THENCE SOUTH 34 DEGREES 45' WEST, 16.9 CHAINS TO CORNER
NO. 5;

THENCE SOUTH 29 DEGREES 9' WEST, 11.14 CHAINS TO CORNER
NO. 6;

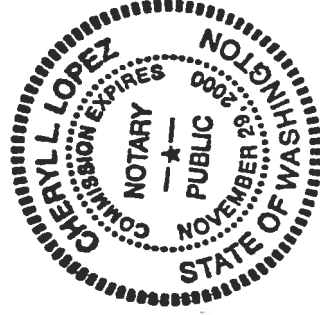
THENCE SOUTH 31 DEGREES 30' EAST, 4.2 CHAINS TO CORNER
NO. 7;

THENCE NORTH 70 DEGREES 18' EAST, 32.72 CHAINS TO CORNER
NO. 1, THE PLACE OF BEGINNING, ACCORDING TO THE OFFICIAL PLAT OF THE SURVEY OF SAID LAND, RETURNED TO THE GENERAL LAND OFFICE BY THE SURVEYOR-GENERAL.



Cheryl L. Lopez
Notary Public
Commission Expires: 11-29-2000

notarized



CORPORATE RESOLUTION

TO: Marla Mink
Sawtooth Title Company
P O Box 188
Ketchum, Idaho 83340

The undersigned, Charles Stevenson, President of Middle Fork Holding Company, Inc., a Delaware corporation (the "Corporation"), hereby certifies that the following is a true copy of a resolution duly and legally adopted by the Board of Directors of said Corporation at a legal meeting of said Board duly and regularly held on the 28th day of May, 1998, duly entered in the Minutes of said meeting in the book of minutes of this Corporation, that said resolution is in conformity with the Articles of Incorporation and Bylaws of this Corporation, and that said resolution has not been revoked and is in full force and effect.

1. "RESOLVED, that the Corporation is authorized and directed to purchase certain real property located within The Frank Church River of No Return Wilderness, Custer County, Idaho, commonly known as the "Middle Fork Lodge", consisting of approximately 80.52 acres, and more particularly described in Exhibit "A" attached hereto and made a part hereof."

2. "FURTHER RESOLVED, that the Corporation hereby appoints Brian Barsotti, attorney at law, to act as attorney-in-fact for the Corporation, and he is hereby authorized and directed on behalf of this Corporation to execute and deliver to Sawtooth Title Company on behalf of the Corporation, any and all contracts, instruments and other documents as may be required to evidence such purchase of the above described property; all such contracts, instruments and documents hereinabove referred to be in such form and to contain such terms and conditions as may be approved by Brian Barsotti executing the same, such approval of this Corporation to be conclusively evidenced by Brian Barsotti's execution thereof."

/////////
/////////
/////////

(1)

AUG-13-98 FRI 3:15 PM BRIAN BARSOTTI
AUG-13-98 FRI 3:15 AM BRIAN BARSOTTI

FAX NO. 2087262922
FAX NO. 2087262922

P. 3
1. J

DATED: May 28, 1998.

MIDDLE FORK HOLDING
COMPANY, INC., a Delaware
corporation

By Chris Stevenson
Charles Stevenson,
President

corp\mdlfork.res

(2)

AUG 13 '98 14:13

PAGE.003

RECEIVED JUL 27 1998

GREYHAWK ALPINE CENTER
215 PICABO ST., SUITE 304
P.O. BOX 10013
KETCHUM, IDAHO 83340

BRIAN BARSOTTI
ATTORNEY AT LAW

PHONE: 208-726-3030
FAX: 208-726-2922
E-MAIL: barsotti@micron.net

July 23, 1998

Norman M. Semanko, Esq.
Rosholt, Robertson & Tucker
P O Box 1906
Twin Falls, Idaho 83303-1906

Re: Stevenson/Middle Fork Lodge

Dear Norm:

Enclosed is a Notice of Change of Water Right Ownership executed by Charles Stevenson, who is president of Middle Fork Holding Company, Inc., a Delaware corporation, the new owners of the Middle Fork Lodge. Enclosed also is a copy of the Corporation Warranty Deed, together with the property description, as evidence of the actual transfer of title.

For purposes of the Notice, the name and address of the former owner was Middle Fork Lodge, Inc., an Idaho corporation, c/o Orca Bay Capital Corp., P O Box 21749, Seattle, Washington, 98111. The new owner is Middle Fork Holding Company, Inc., a Delaware corporation, c/o Brian Barsotti, P O Box 10013, Ketchum, Idaho, 83340, 208/726-3030. The date the property was acquired is June 1, 1998. I am not certain as to how many acres are actually irrigated. There are 82.5 acres on the property. It appears in your Memorandum that 42.3 acres were irrigated. That could be right or even a little low. Use your best judgment on what we should claim there.

The president and sole director of Middle Fork Holding Company, Inc., is Charles Stevenson. Inez D'Arcangelo is the vice president of the corporation. Mr. Stevenson, as president, has executed the Notice on behalf of the corporation.

Norman M. Semanko, Esq.
Rosholt, Robertson & Tucker
July 23, 1998
Page 2

Please also file a Notice of Appearance in the Snake River Basin Adjudication claim on behalf of Middle Fork Holding Company, Inc., relative to the water appurtenant to the Middle Fork Lodge.

If you have any questions, please do not hesitate to give me a call.

Very truly yours,



Brian Barsotti

BB/k/72.1

Encs.

cc: Charles Stevenson/Inez D'Arcangelo

1
2 Norman M. Semanko
3 ROSHOLT, ROBERTSON & TUCKER
4 P.O. Box 1906
5 Twin Falls, Idaho 83303-1906
6 Telephone: (208) 734-0700
7 Fax: (208) 736-0041
8 08179802.NMS

RECEIVED
AUG 18 1998
Department of Water Resources
Southern Region

9
10 Attorneys for Claimant
11 Middle Fork Holding Company, Inc.

12
13 IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
14 STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

15 In Re SRBA)
16)
17)
18 Case No. 39576)
19)
20)
21)
22)
23)
24)
25)
26)

NOTICE OF APPEARANCE

Subcase Nos. A72-07004; A77-07020;
A77-07081; A77-07082; A77-10123

27 YOU WILL PLEASE TAKE NOTICE that Norman M. Semanko of the firm of Rosholt,
28 Robertson & Tucker hereby enters the appearance of said firm as attorneys of record for Middle
29 Fork Holding Company, Inc. in the above-entitled subcases.

30 DATED this 17 day of August, 1998.

31
32 ROSHOLT, ROBERTSON & TUCKER

33
34 By: N. M. Semanko
35 Norman M. Semanko
36

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

RECEIVED

JAN 18 1990

JAN 17 1990

Department of Water Resources
Western Regional Office

Ident. Number: A77-07020
Date Received: 1/12/1990
Receipt No: W007576
Received By: DE JN

Department of Water Resources
Southern Region Office

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

1. Name: MFL, INC. 206-328-8685
Address: P.O. BOX 97060
KIRKLAND, WA 98083
2. Date of Priority: OCT 26, 1971
3. Source: THOMAS CREEK Trib. to: SALMON RIVER, MIDDLE FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
16N	12E	20	SE	NE	NE		CUSTER
5. Description of diverting works:
LOG DAM, PIPES TO POND W/PIPE CARRYING WATER TO THOMAS CREEK.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
RECREATION	04/01	10/01	2.000		
FISH PROPAGATION	04/01	10/01	2.000		
7. Total Quantity Appropriated is:
2.000 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
RECREATION/FISH PROPAGATION
10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
16N	12E	21	NW	NW		REC	
			NW	NW		FISH	

A77-07020

Page 1

Date: 01/15/90

MICROFILMED

OCT 05 1992

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
THREE OTHER CLAIMS FILED

14. Remarks:

15. Basis of Claim: LICENSE

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)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576

Ident. Number

A77-07620

Date Received

4/21/90

Receipt Number

W007576

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

Please type or print clearly

1. Name of Claimant (s) MFL, Inc. Phone (206) 328-8685Mailing Address P.O. Box 97060 Kirkland, WA 98083 Zip 980832. Date of Priority (Only one (1) per claim) October 26, 19713. Source of water supply (a) Thomas Creekwhich is tributary to (b) Middle Fork Salmon River4. a. Location of existing point of diversion is: Township 16N Range 12E Section 20,
SE 1/4 of NE 1/4 of NE 1/4, Govt. Lot, B.M., County of Custer

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of
_____ 1/4, Govt. Lot _____ B.M., County of _____5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Dam constructed of logs, approx. 3' total
height, 6" diameter pipe carries approx. 500' to 150' diameter pond, with return 6"
diameter pipe carrying water back to Thomas Creek.**MICROFILMED****OCT 05 1992**

6. Water is claimed for the following purposes:

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

For Recreation purposes from April 1 to Oct. 1 amount 2.00 or _____

For Fish Propagation purposes from April 1 to Oct. 1 amount 2.00 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.00 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is N/A acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Recreation/Fish Propagation: Non-consumptive use, water diverted to 150' diameter Pond stocked with gamefish, and other recreational uses. Also see #5 above.

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	
16N	12E	21					H, R												

Total number of acres irrigated N/A

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

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.
See three other Notices Filed contemporaneous by same claimant. or None ()
BUT, NONE ARE FOR SAME USE OR PURPOSE.

14. Remarks:

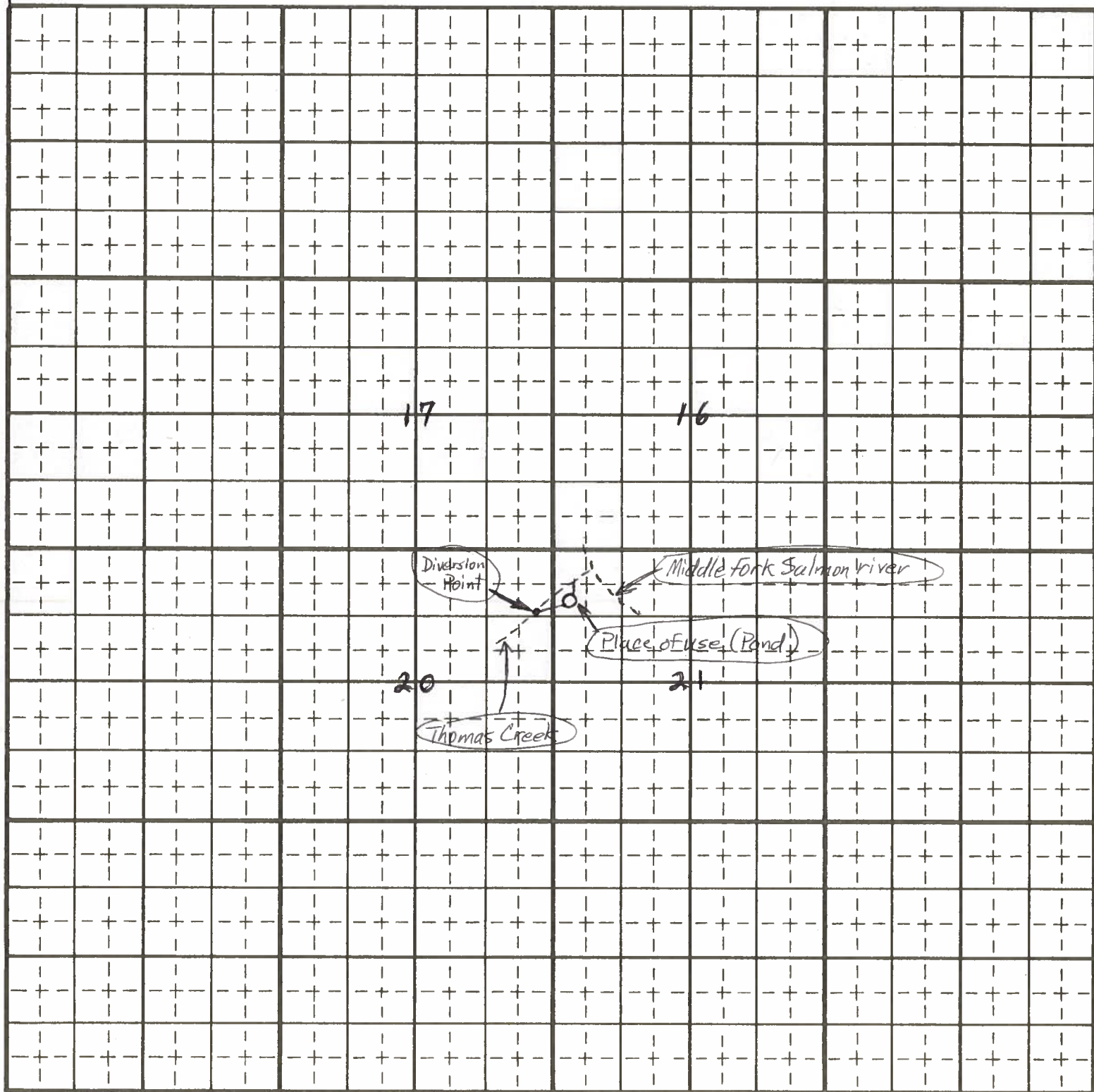
Last Name MFL, Inc. Ident No. _____

MICROFILMED
OCT 05 1992

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

Scale: 2 inches equals 1 mile

T16N, R12E



Last Name MFL, Inc. Ident No. _____

MICROFILMED
Copies: White-State, Yellow-Claimant
OCT 05 1992

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____

Decree _____

If applicable provide IDWR Water Right Number ~~77-07020~~ 77-07020

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 X do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet. SEND TO ATTORNEY INDICATED BELOW.

Number of attachments 1

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 Secretary/Treasurer

Title

of MFL, Inc. _____, that I have signed the foregoing

Organization

document in the space below as Secretary/Treasurer of MFL, Inc.

Title

Organization

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

Signature of Authorized Agent _____

Title and Organization Secretary/Treasurer; MFL, Inc. Date 1/11/90

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

Subscribed and sworn (or affirmed) before me this 11th day of January 19 90

SEAL

Notary Public For Idaho John Insinger

Residing at Boise

My Commission Expires 12/15/92

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, R. John Insinger 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 R. John Insinger

Address 407 W. Jefferson Boise, ID 83702

Date 11/1/90

Last Name MFL, Inc. Ident. Number _____

MICROFILMED

Copies White State Yellow-Claimant
OCT 05 1992

GREYHOUND RIDGE QUADRANGLE

Attachment to Notice of Claim
regarding 77-07020

IDAHO

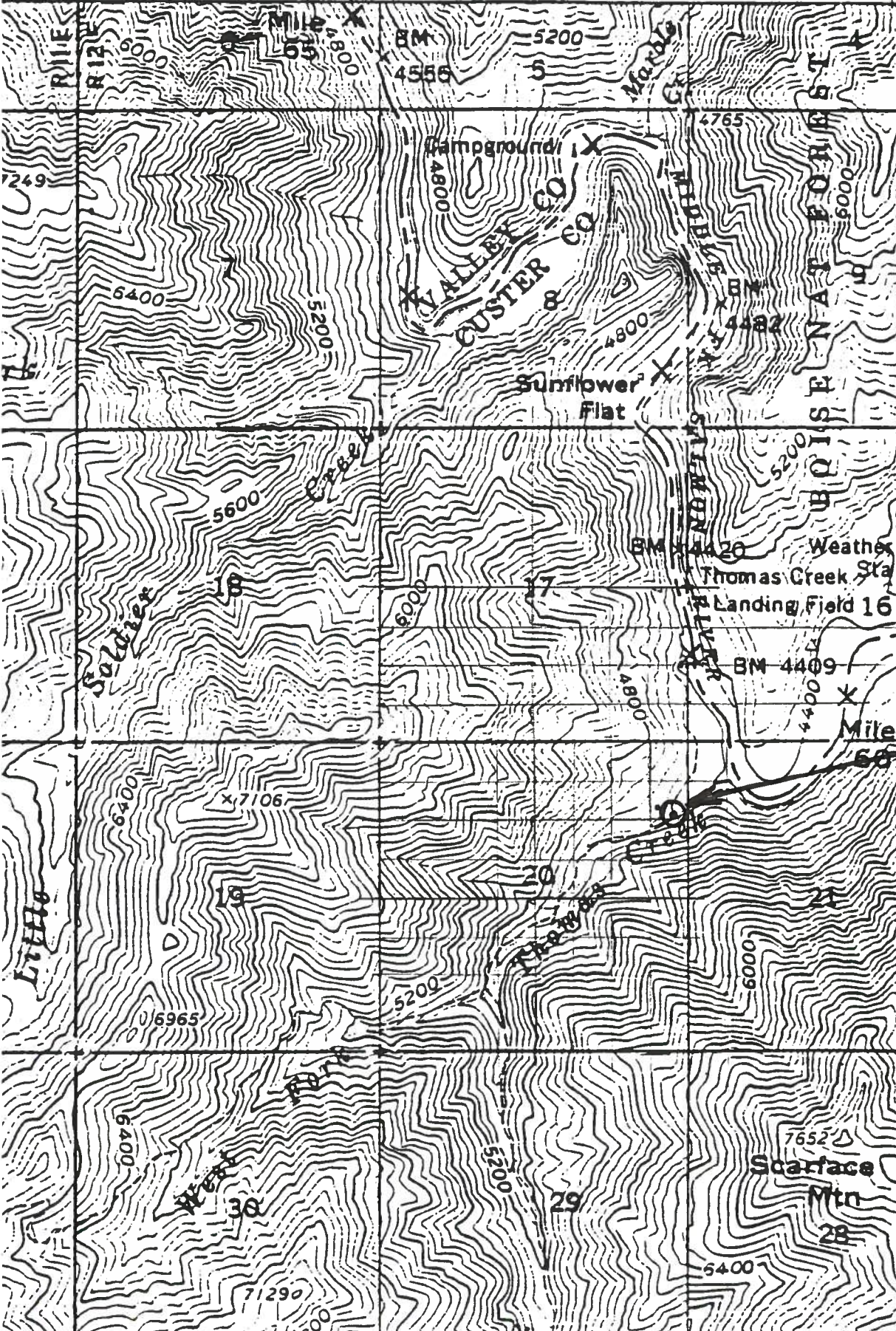
15 MINUTE SERIES (TOPOGRAPHIC)

3073 IV
(NORTON R)
1:24 000

230 000 FEET (CENTRAL) | INDIAN CREEK GUARD STA. 6 MI.

115°00'

44°45'



T.16N, R.12E

4956

1 120 000 FEET
(CENTRAL)

4955

4954

4953

4952

4951

Point of diversion
of water for
Permit No. 77-7020

MICROFILMED

100 07 1952



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

May 18, 1999

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Re: Notice of Claim to a Water Right No. A77-07020, A77-07081
and A77-07082

MIDDLE FORK HOLDING COMPANY INC
CHARLES STEVENSON, PRESIDENT
c/o BRIAN BARSOTTI
PO BOX 10013
KETCHUM ID 83340

Dear Property Owners:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water right(s) covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

Also enclosed is a profile report for water right number 77-10123, which has been recommended to the SRBA Court for final decree.

Thank you for your patience and cooperation. If you have any further questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Records Clerk
Adjudication Section
Western Region Office

DB:db

Enclosure

cc: Rosholt Robertson & Tucker, c/o Norman M Semanko

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)**

2

Water Source:	THOMAS CREEK	Tributary to:	SALMON RIVER, MIDDLE FORK	Stage:	LICENSE
Point of Diversion:	T16N R12E S20		SENECA		CUSTER County

[illegible]

POW County: CUSTER

Non-Irrigation Uses: RECREATION/FISH PROPAGATION

Other Rights: THREE OTHER CLAIMS FILED

Remarks:	GEN	ADDRESS CHANGE BY CLAIMANT	LETTER
Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	Presumption Flag:



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

December 16, 1997

KARL J. DREHER
DIRECTOR

RECEIVED

MFL INC
C/O ANDREA KAPPENMAN
PO BOX 21749
SEATTLE WA 98111

*A Records modified 12-29-97.
~~to R Records.~~*

DEC 29 1997

Department of Water Resources

Re: Snake River Basin Adjudication (SRBA)
Notice of Claim #A77-07020, A72-07004, A77-07081,
A77-07082 & A77-10123 *'R' record made.*
Change of Address

Dear Claimant:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water rights can be sent only to the address on your water rights or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter. Please return the letter by December 29, 1997. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the claim record.

Sincerely,

S. Sherman

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Andrea Kappenman

Claimant Signature & Title

cc: Peter J. Richardson, Registered Agent

Claimant Acknowledgement of Change in Attorney in Snake River Basin Adjudication (SRBA)

RECEIVED

Name(s) of Claimant (please print):

MFL, INC.

JAN 27 1994
Department of Water Resource
Southern Region Office

I/we acknowledge (check one):

☐ The attorney formerly representing me has withdrawn and I/we will be representing myself/ourselves.

☒ I/we are now represented by the attorney at the address below.

RECEIVED

JAN 28 1994

WATER RESOURCES
WESTERN REGION

Peter J. Richardson

Davis Wright Tremaine

999 Main St., Suite 911

Boise, Idaho 83702

Attorney's Phone (208) 338-8200 / Fax: (208) 338-8299

The SRBA water right claim notice(s) affected by this change are listed below or on the attached sheet(s).

A77-07020 A72-07004 A77-07081 A77-07082 A77-10123

For Individuals:

Authorized signature(s) Date _____

For Organizations:

I am Vice President of MFL, INC., and I

Title

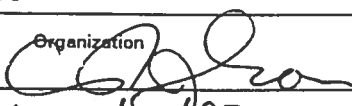
Organization

have signed the foregoing document in the space below as

Vice President of MFL, INC.

Title

Organization

Signature of Authorized Agent 

Title Vice President Date 12/22/93

Organization MFL, INC.

IDWR Use:

Date Received _____

Data Entry _____

MICROFILMED

AUG 08 1994

DAVIS WRIGHT TREMAINE

LAW OFFICES

ONE CAPITAL CENTER, SUITE 911 • 999 MAIN STREET • BOISE, IDAHO 83702-9010
(208) 338-8200 • FAX: (208) 338-8299

January 25, 1994

RECEIVED

JAN 27 1994

Department of Water Resources
Southern Region Office

Mr. Robert V. Worstell
Idaho Dept. of Water Resources
Southern Region
222 Shoshone Street East
Twin Falls, Idaho 83301

RECEIVED

JAN 28 1994

WATER RESOURCES
WESTERN REGION

Re: Power of Attorney for MFL, Inc.

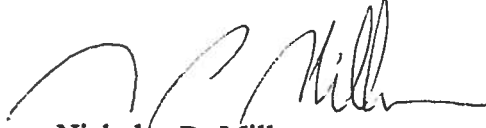
Dear Mr. Worstell:

I have enclosed a copy of a Limited Power of Attorney executed by Mr. John E. McCaw, Jr., President of MFL, Inc., on behalf of Mr. Peter J. Richardson. I have also enclosed another copy of the Change of Counsel form appointing Mr. Richardson counsel of record for certain water rights that were previously represented by Mr. Scott Campbell. Along with these documents, I have included an executed copy of the amended Notice of Claim to a Water Right Acquired Under State Law, which has been signed by Peter Richardson in his roll as Attorney-In-Fact for Mr. McCaw.

Having taken these steps, I believe our present tasks concerning water rights 72-07004 and A72-07004 are completed. We await further notification from you as the water rights involved make their way through the recommendation and adjudication process. If there is anything else we need to do, please let us know. Thank you for your help in this matter.

Very truly yours,

DAVIS WRIGHT TREMAINE



Nicholas P. Miller

NPM/kac
Encls.

MILLNBON00005.LTR
Boise

MICROFILMED

AUG 08 1994

RECEIVED

RECEIVED

LIMITED POWER OF ATTORNEY

JAN 28 1994

WATER RESOURCES
WESTERN REGION

JAN 27 1994

Department of Water Resources
Southern Region Office

I, JOHN E. McCAW, JR., President of MFL, Inc., do hereby make, constitute and appoint PETER J. RICHARDSON, my true and lawful attorney for me and in my name, place and stead, and on my behalf as President of MFL, Inc., to act for me in any and every way in respect to all water rights relating to or appurtenant to the following described real property situated in the County of Custer, State of Idaho:

A portion of the Northwest 1/4 of Southeast 1/4, Section 28, Township 14N, Range 19 East;

Together with all pertinent water rights, including but not limited to those rights referred to as water right numbers 72-07004 and A72-07004 and any and all right, title and interest in any notices of claim to water right filed in the Idaho State District Court, Civil Case No. 39576, in the Fifth Judicial District entitled: *In Re: The General Adjudication of Rights to the Use of Water from the Snake River Basin Water System.*

These powers were formerly held by W. Hugh O'Riordan, who acted as my true and lawful attorney-in-fact based on authority given him by a document executed by myself on February 2, 1993. Notice is now given that I revoke such power of attorney, and all power and authority given or intended to be given by the Limited Power of Attorney dated February 2, 1993, to W. Hugh O'Riordan. I grant the other power and authority outlined in that former document to PETER J. RICHARDSON which is as follows:

To exercise power and authority in my name and as my act and deed as President of MFL, Inc., to sign, seal, execute, deliver and acknowledge all written instruments, including without limitation, applications to the Idaho Department of Water Resources, or other state or federal agencies, and deeds, and to do and perform each and every act and thing whatsoever that may be necessary or proper to be done in or about the exercise of the powers and authority hereinabove granted to him respecting prosecution and determination of water rights, as fully to all intents and purposes as I might or could do if personally present, and I hereby ratify,

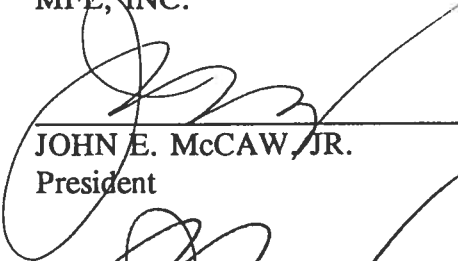
MICROFILMED

AUG 08 1994

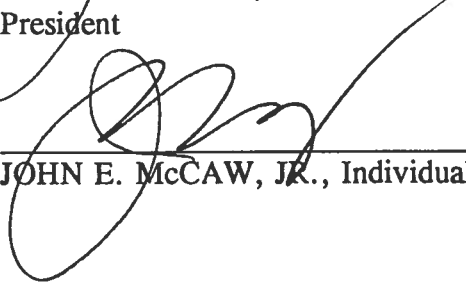
approve and confirm all that PETER J. RICHARDSON, as my attorney hereunder, shall lawfully do or cause to be done by virtue of the powers granted herein, and agree to indemnify and hold PETER J. RICHARDSON harmless from any actions or claims made against him as a result of the lawful exercise of the powers granted hereby. This shall be a durable power of attorney and shall not be affected by my disability or death.

DATED this 30 day of December, 1993.

MFL, INC.



JOHN E. McCAW, JR.
President



JOHN E. McCAW, JR., Individually

STATE OF Washington)
) ss.
COUNTY OF King)

On this 30 day of December, 1993, before me, a Notary Public in and for said state, personally appeared JOHN E. McCAW, JR., known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed this instrument, upon oath stated that he was authorized to execute the instrument, and acknowledged it as the President of MFL, Inc. to be the free and voluntary act and deed of said corporation for the uses and purposes mentioned in the instrument.

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



STATE OF Washington)
) ss.
COUNTY OF King)

On this 30 day of December, 1993, before me, a Notary Public in and for said state, personally appeared JOHN E. McCRAW, JR., known to me (or proved to me on the basis of satisfactory evidence) to be the person who executed this instrument and acknowledged it to be his free and voluntary act and deed for the uses and purposes mentioned in the instrument.

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





NOTARY PUBLIC in and for the State of Washington
Residing at 2515 Fourth Avenue, Seattle, WA
My commission expires April 21, 1997