

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

Right Number: 77-07202

Name and Address: CASTLE CREEK HIDEOUT, LLC
BOX 390
CHALLIS, ID 83226

Source: CASTLE CREEK Tributary: CAMAS CREEK

Quantity: .85 CFS
614.30 AFY

Priority Date: 08-17-1983

The rights for the use of water confirmed in this decree shall be junior and subordinate to all rights for the use of water other than hydropower, within the State of Idaho that are initiated later in time than the priority of this right and shall not give rise to any right or claim against any future rights for the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this right.

Diversion Point: ~~T17N R17E S01~~ ~~SWSW~~ Within Lemhi County
~~S02~~ ~~SESE~~
~~S11 LOT 1~~ ~~(NENE)~~
~~S12 LOT 1~~ ~~(NWNW)~~
T17N R17E S12 NENNW

~~The diversion system is a single point of diversion located on or near section corner lines.~~

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Power	01-01 TO 12-31	.85 CFS
			614.30 AFY

Place of Use: Power Within Lemhi County
T17N R17E S11 SWNE

Other Provisions Necessary for Definition / Administration of this Water Right:

Place of use is known as H.E.S. #325.

The diversion and use of water for hydropower purposes under this decree is subject to review by the Director on or after June 1, 2004. Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised.

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 - License

Right 77-7203 is also diverted through the point of diversion described above.

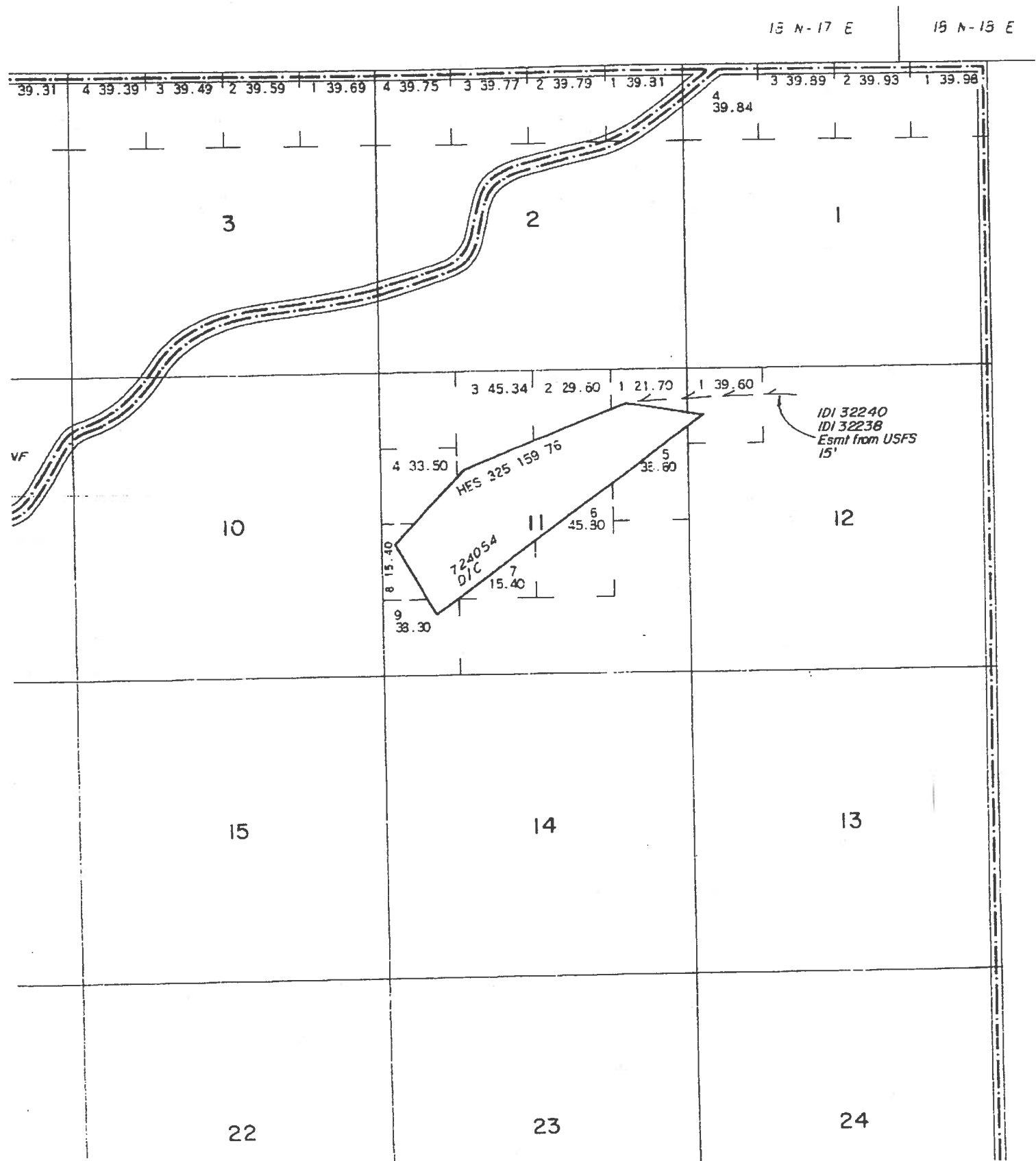
This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.

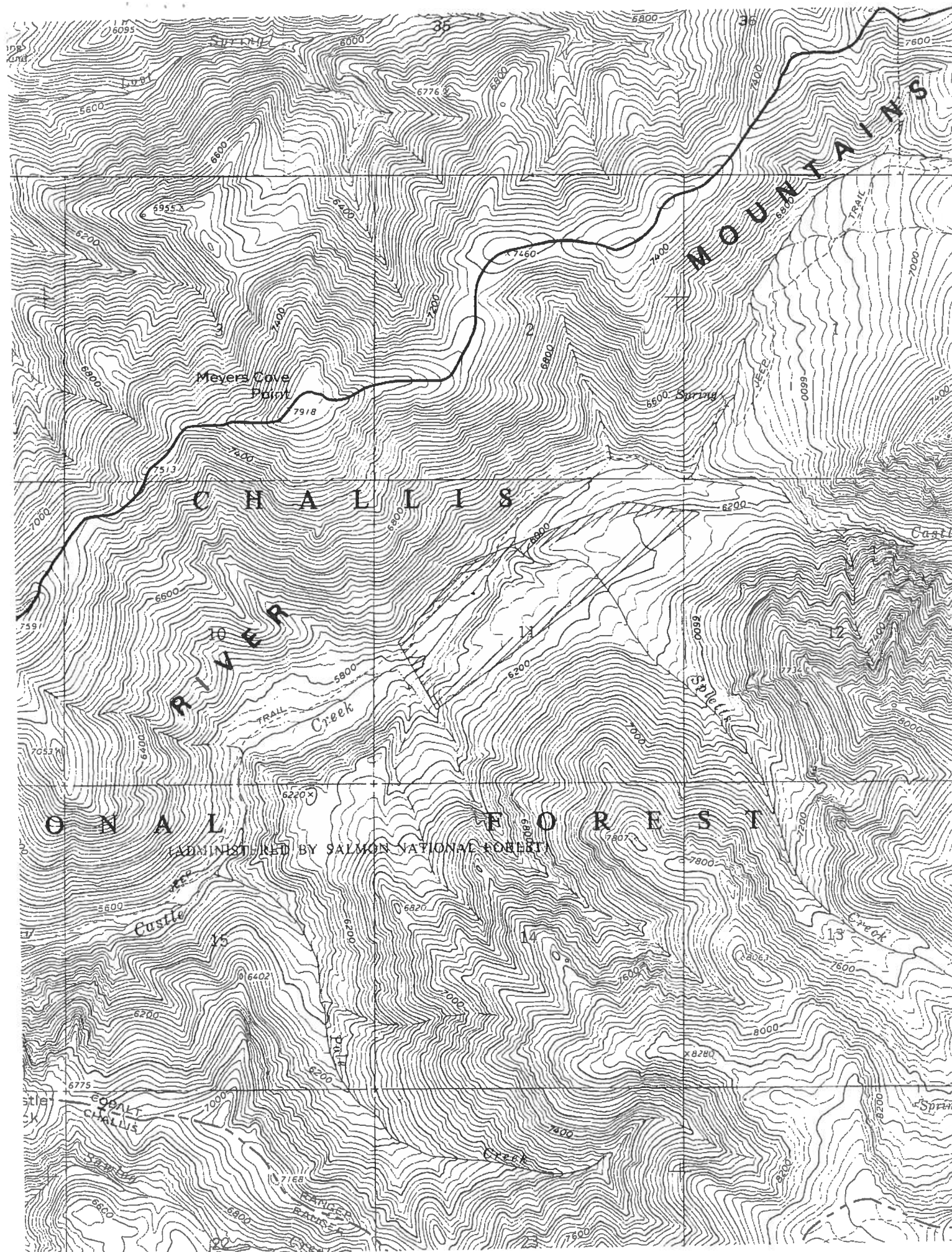
Use of water under this right shall be non-consumptive.

RANGE 17 EAST OF THE BOISE MERIDIAN, IDAHO

MHI COUNTY 059

SALMON DISTRICT





Knoblock, Ken

From: Steven M Spencer [sspencer@fs.fed.us]
Sent: Friday, March 23, 2007 3:18 PM
To: lemhip@salmoninternet.com
Cc: lemhia@salmoninternet.com; Knoblock, Ken
Subject: Castle Creek Hideout



Suggested
77-04209.doc



Suggested
77-04222.doc



Suggested
77-07202.doc

I believe you have spoken and exchanged messages with Bob Kenworthy about the Castle Creek Hideout water rights. The Forest Service objected to three of their water rights in order to clarify legal descriptions. I have worked up some water right descriptions for 77-04203, 77-04222 and 77-07202. Deletions are lined through and additions are underlined. Suggested changes for each water right are based on USGS and BLM Master Title Plat maps. (I'll send copies of those maps in a separate message because they are quite large.) I had the opportunity to discuss these changes with Ken Knoblock of IDWR. We are in agreement that these changes are appropriate. After you have been able to review this information, please contact me and we can determine the next step to take.

For 77-04209 we see a need to change the point of diversion from S11 NENE to S12 NENW. This is based on the BLM MTP which shows the recorded ditch bill easement for the Castle Creek diversion as being in S12 NENW.

For 77-04222 we see a need to remove LOT 1 from the place of use. The NENE is OK, but because the use is on HES 325, the government survey Lots are then know to be National Forest System land outside the private HES 325. This would be clear by adding the statement that, "Place of use is on property known as Homestead Entry Survey 325."

For 77-07202, again a diversion from Castle Creek, and knowing from the discussion for 77-07209, that the diversion is in the NENW of Sec 12, all the guess work reflected in the point of diversion possibly being in one of 4 quarter-quarters is removed by putting the diversion in T17N R17E S12 NENW.

(See attached file: Suggested 77-04209.doc) (See attached file: Suggested 77-04222.doc) (See attached file: Suggested 77-07202.doc)

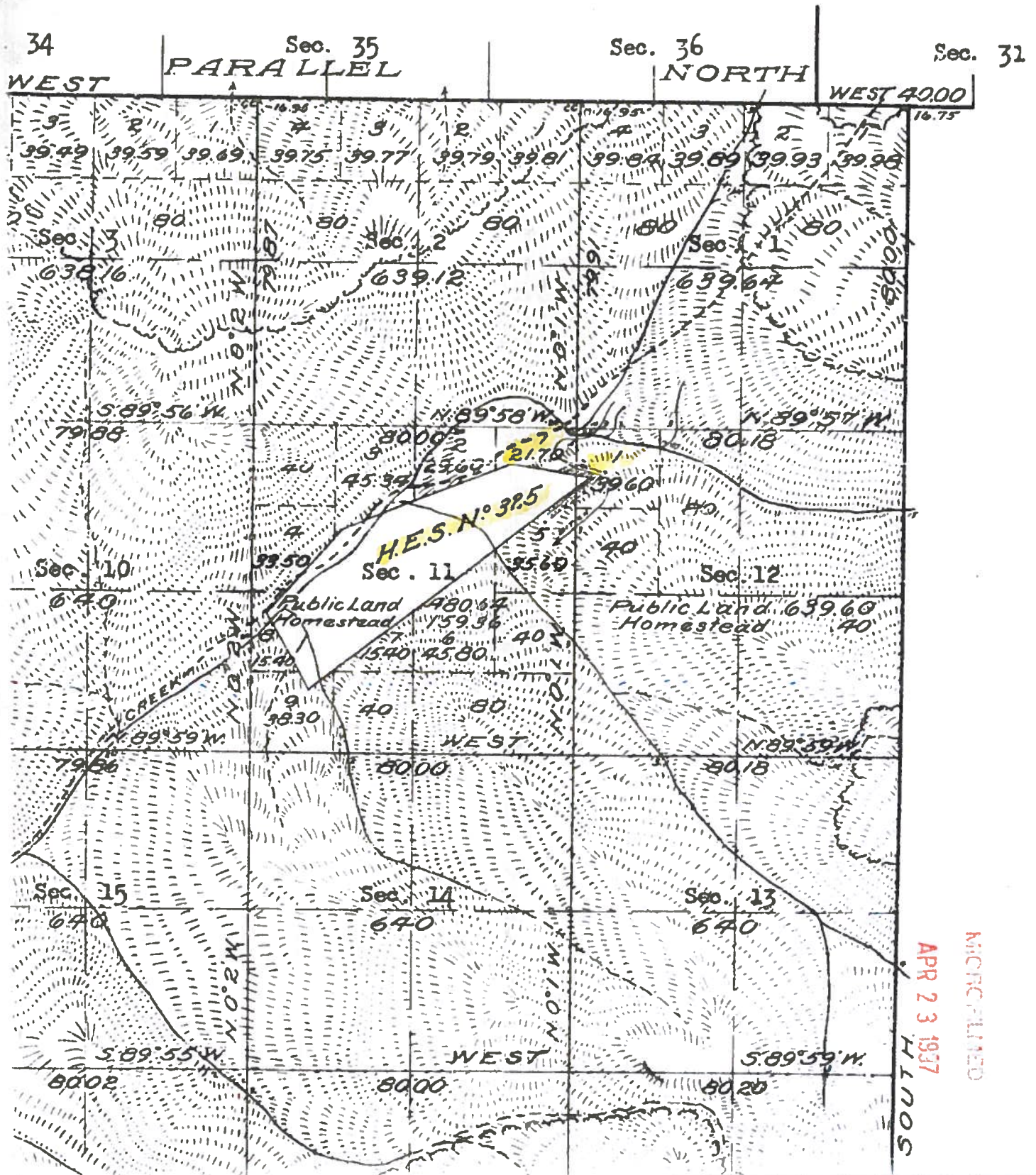
If you have any questions about this business please contact me. Thank you.

Steve Spencer
Boise Adjudication Team
161 E. Mallard, Suite 110
Boise, ID 83706

(208) 331-5944
(208) 387-0842 FAX
e-mail: sspencer@fs.fed.us

(4-675 b)

t of the Boise Meridian, Idaho.



APR 23 1937

RECORDED

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

In Re SRBA

Case No. 39576

A. Subcase: _77-07202 _
STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America, Acting through the USDA Forest Service
Address: 550 West Fort Street
MSC 033
Boise, Idaho 83724
Daytime Phone: (208) 334-1936

Name and Address of Attorney, if any:

David L. Negri
550 West Fort Street
MSC 033
Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN THE DIRECTOR'S REPORT

Name: Castle Creek Hideout, LLC
Address: Box 390
Challis, ID 83226

D. I object to the following elements as recommended in the Director's Report.
(Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be:

2. ☐ **Source**

Should be:

3. ☐ **Quantity**

Should be:

4. ☐ **Priority Date**

Should be:

5. ☒ **Point(s) of Diversion**

Should be: See E below.

6. ☐ **Instream Flow Description**

Should be:

7. ☐ **Purpose(s) of Use**

Should be:

8. ☐ **Period of Year**

Should be:

9. ☐ **Places of Use**

Should be:

11. I object because:

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):**

The four points of diversion in Sections 1, 2, 11 and 12, T17N, R17E shown in the Directors Report recommendation are incorrect. A recent site investigation by the U.S. Forest Service indicates that the point of diversion should be the NENW Section 12, T17N, R17E.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Steve Spencer , duly sworn, upon oath, deposes and says:
(Name of person filing objection)

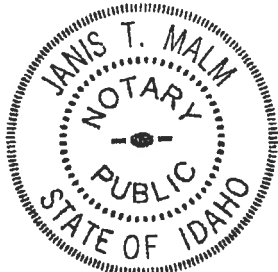
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Steve M. Spencer
(Signature of person filing objections)

[Signature]
(Attorney signing in representative capacity)

Subscribed and sworn before me on: July 26, 2006

Janis T. Malm



Notary Public for:

Residing at: Boise, Idaho

Commission Expires: 09/09/2008

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. FAX filings will not be accepted.
You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on JUL 28 2006, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

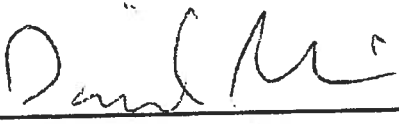
Name: Castle Creek Hideout, LLC
Address: Box 390
Challis, ID 83226

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resource Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf

01/05/2006

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: March 3, 2006

Water right number: 77-7202

CASTLE CREEK HIDEOUT, LLC
~~HC 82 BOX 40-60 Box 290~~
CHALLIS ID 83226

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

LE I AGREE with this proposed recommendation: no changes need to be made.

DATE: 3-1-2006

SIGNATURE: John Gregory

Please print your name: John Gregory

IDWR State Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, (208) 287-4800

ph 254 377-6080
Email: supercub 727@yahoo.com

SCANNED
MAR 08 2006

11/23/2004

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

RIGHT NUMBER: 77-7202

NAME AND ADDRESS: CASTLE CREEK HIDEOUT, LLC
HC 82 BOX 40-60
CHALLIS ID 83226

SOURCE: CASTLE CREEK

TRIBUTARY: CAMAS CREEK

QUANTITY: 0.850 CFS
614.300 AFY

PRIORITY DATE: 08/17/1983

The rights for the use of water confirmed in this license shall be junior and subordinate to all rights for the use of water other than hydropower, within the State of Idaho that are initiated later in time than the priority of this right and shall not give rise to any right or claim against any future rights for the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this right.

POINT OF DIVERSION:

T17N R17E S1 SWSW Within LEMHI County
T17N R17E S2 SESE Within LEMHI County
T17N R17E S11 NENE Lot 1 Within LEMHI County
T17N R17E S12 NWNW Lot 1 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
POWER	1/01 12/31	0.850 CFS 614.30 AFY

This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.

PLACE OF USE: Use of water under this right shall be non-consumptive.
POWER Within LEMHI County

T17N R17E S11 SWNE

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

The diversion and use of water for hydropower purposes under this license is subject to review by the Director on or after June 1, 2004. Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised. Right 77-07203 is also diverted through the point(s) of diversion described above.

Place of use ~~at~~ known as H.E.S. #325.

The diversion system is a single point of diversion located on or near section corner lines.

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.

77-7202



0 900 1800 Feet

Sections 1, 2, 11, 12
T17N R17E



⊙ Point of Diversion

□ Place of Use

Map prepared on November 23, 2004
By Kenneth Knoblock
Idaho Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
MAR 13 1991

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 77-7202

1. Owner: RICHARD Mc AFEE Phone No. 344-6600

Current Address: PO Box 2008 Salmon, ID 83467

2. Accompanied by: MR. McAFEE EXAM. DATE: 8/4/88

Address: SAME Phone No. _____

Relationship to Permit Holder: OWNER

3. Source: CASTLE CREEK tributary to CAMAS CREEK

B. OVERLAP REVIEW

1. Other water rights with same place of use: 77-4209, 77-7203, 77-4001, 77-4178

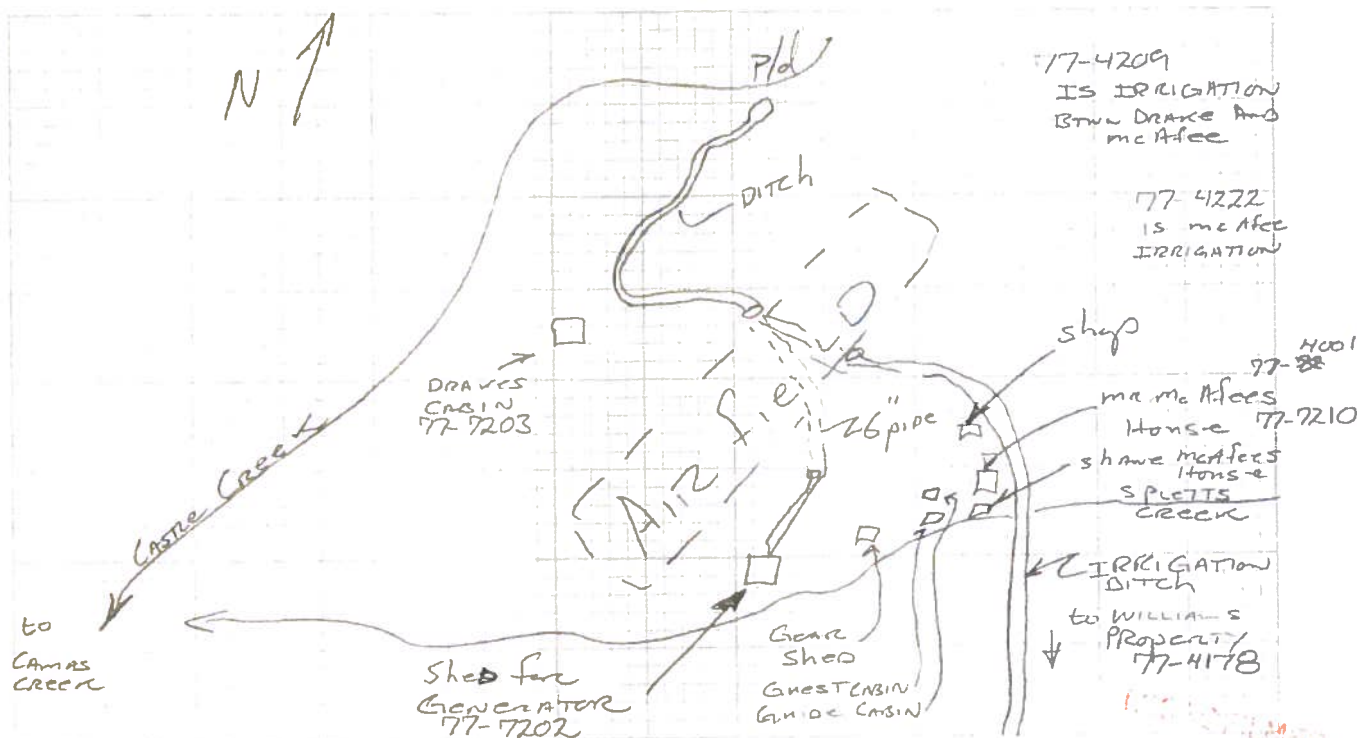
77-4222 ☒ Copies Attached

2. Other water rights with same point of diversion: 77-4209, 77-7203, 77-4001

☒ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = NO SCALE.

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

☐ Aerial Photo Attached (required for irrigation of 10 acres or more).

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: **A77-07202**
Date Received: 3/ 8/1990
Receipt No: W010749
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: RICHARD MC AFEE
Address: PO BOX 865
SALMON ID

83467

2. Date of Priority: AUG 17, 1983

3. Source: CASTLE CREEK

Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
17N	17E	1	SW	SW			LEMHI
		2	SE	SE			LEMHI
		11	NE	NE	1		LEMHI
		12	NW	NW	1		LEMHI

5. Description of diverting works:
HEADGATE, DITCH, PIPE, WHEELS & MOTORS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
POWER	01/01	12/31	0.850		614.30

7. Total Quantity Appropriated is:
0.850 C.F.S. (and/or) 614.30 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
POWER, 5 HOMES
GENERATING CAPACITY 8.6 KILOWATTS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	17E	11	SW	NE		POWER	

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

PLACE OF USE ALSO KNOWN AS H.E.S #325.

CLAIM AMENDED PER LICENSE ISSUED 4/2/97. LH

15. Basis of Claim: LICENSE

Western

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 77-07202

Priority: August 17, 1983

Maximum Diversion Rate:

0.85 CFS

Maximum Diversion Volume:

614.3 AF

This is to certify, that RICHARD MC AFEE

PO BOX 865

SALMON ID 83467

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 17, 1983; and has submitted Proof of Beneficial Use on May 15, 1984. An examination indicates that the works have a diversion capacity of 0.850 cfs of water from:

CASTLE CREEK

tributary to CAMAS CREEK

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
POWER	01/01 to 12/31	0.85 CFS	614.3 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 1, Township 17N, Range 17E
SESE , Sec. 2, Township 17N, Range 17E
Lot 1 (NENE), Sec. 11, Township 17N, Range 17E
Lot 1 (NWNW), Sec. 12, Township 17N, Range 17E
LEMMI County

PLACE OF USE: POWER

TWN RGE SEC

17N 17E 11

SWNE

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
6. Use of water under this right shall be non-consumptive.

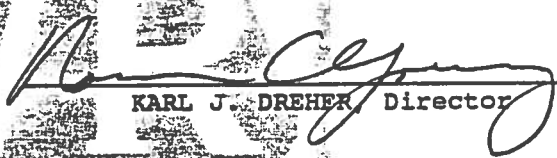
State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 77-07202

CONDITIONS OF APPROVAL AND REMARKS

7. The rights for the use of water confirmed in this license shall be junior and subordinate to all rights for the use of water other than hydropower, within the State of Idaho that are initiated later in time than the priority of this right and shall not give rise to any right or claim against any future rights for the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this right.
8. The diversion and use of water for hydropower purposes under this license is subject to review by the Director on or after June 1, 2004. Upon appropriate findings relative to the interest of the public, the Director may cancel all or any part of the use authorized herein and may revise, delete or add conditions under which the right may be exercised.
9. Right 77-07203 is also diverted through the point(s) of diversion described above.
10. Place of use also known as H.E.S. #325.
11. The diversion system is a single point of diversion located on or near section corner lines.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 3RD
day of April, 1997.


KARL J. DREHER, Director

\$80.38

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: A77-07202
Date Received: 3-8-90
Receipt No: W010749
Received By: alt

RECEIVED

MAR 08 1990

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD MC AFEE
Address: P.O. BOX 865
SALMON, ID

83467

2. Date of Priority: AUG 17, 1983

3. Source: CASTLE CREEK

Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
17N	17E	11	NE	NE	NE		LEMHI
			NW				LEMHI

5. Description of diverting works:
HEADGATE, DITCH, PIPE, WHEELS & MOTORS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
POWER	01/01	12/31	1.600		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

P/5 HOMES

GENERATING CAPACITY

8.6 KILOWATTS

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
17N	17E	11	SW	NE		POWER	

A77-07202

Page 1

Date: 11/29/89

MICROFILMED

OCT 05 1992

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: PERMIT

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): Richard G. McAfee Date: Jan 16, 1990
_____ Date: _____

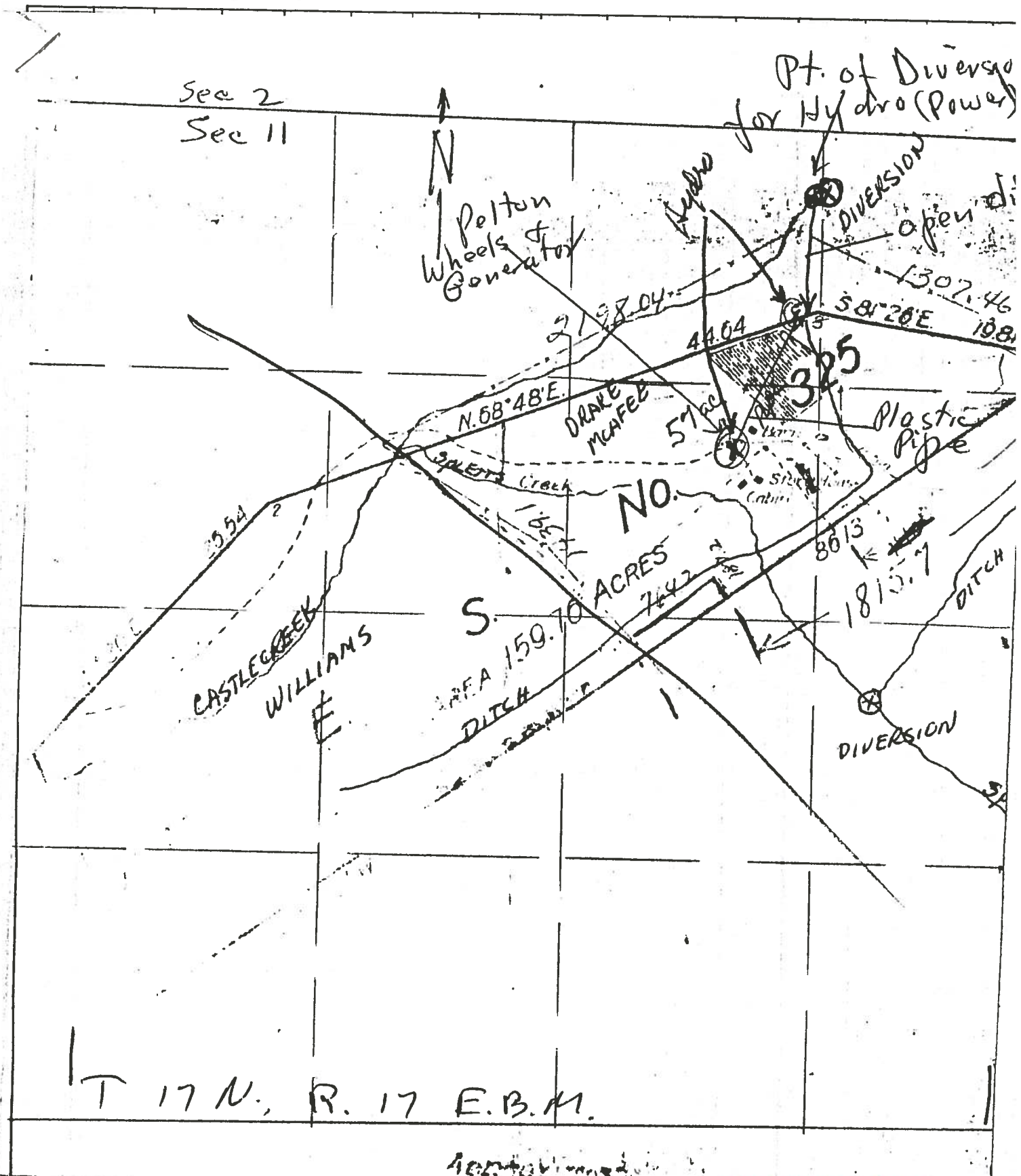
State of Idaho)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 16th day
of January 19 90 Connie D. Trolden
Notary Public

Seal

Residing at Salmon, Idaho
My Commission Expires 7-10-92

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

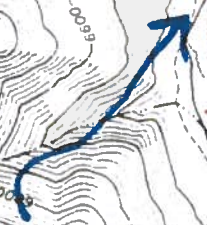


MICROFILMED

OCT 05 1992

77-0-3202

Alb on/ near term course
8/18/14



T11M

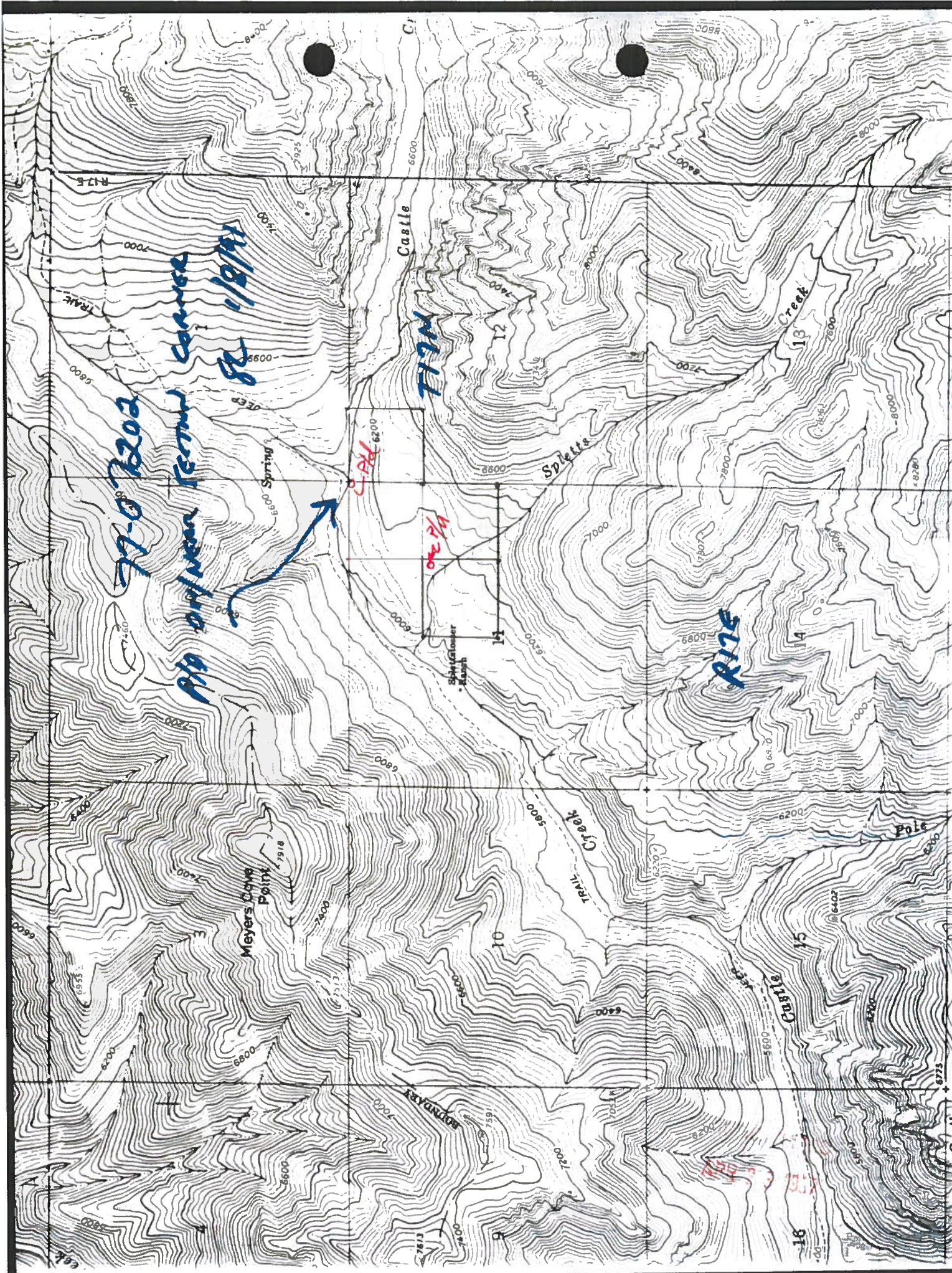
R15

OK P14

OK P14

OK P14

OK P14



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
MAR 13 1991

Department of Water Resources

A. GENERAL INFORMATION

1. Owner: RICHARD Mc Afee Phone No. 344-6600

Current Address: PO Box 865 Salmon, ID 83467 83467

2. Accompanied by: MR. Mc Afee EXAM. DATE: 8/4/88

Address: SAME Phone No. _____

Relationship to Permit Holder: OWNER

3. Source: CASTLE CREEK tributary to CAMAS CREEK

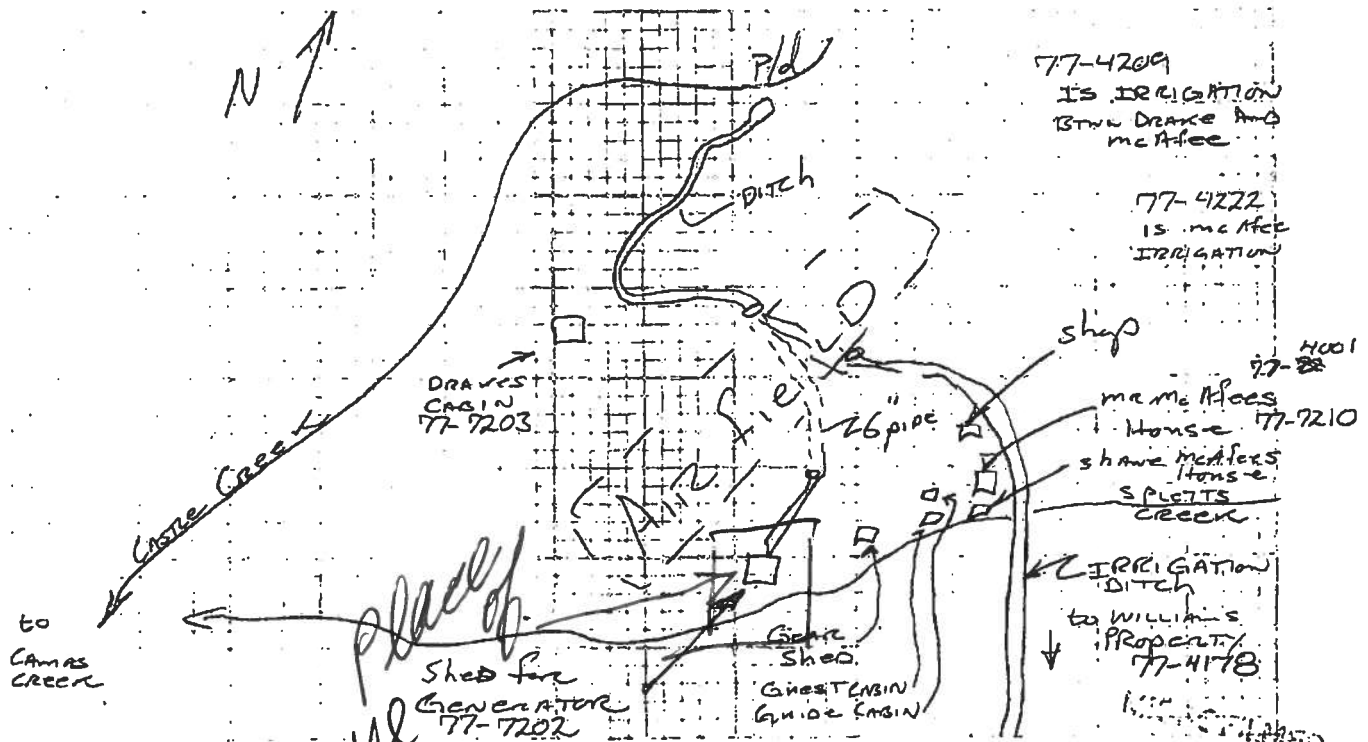
B. OVERLAP REVIEW

1. Other water rights with same place of use: 77-4209, 77-7203, 77-4001, 77-4178
77-4222 ☒ Copies Attached

2. Other water rights with same point of diversion: 77-4209, 77-7203, 77-4001
☒ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = No Scale

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

☐ Aerial Photo Attached (required for irrigation of 10 acres or more).

APR 23 1991

Bruce Withers 756-2009

Forest Service Salmon Area

4 homes owned

1 home Singer Drake
Drake Revocable Trust

Power Production owned by John
next to shop & barn

Cabins for hunters

1301 Main St. Suite 6
Salmon, ID 83467

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

MAY 28 2004

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>77-4222</u>	_____	___	_____	_____	___
<u>77-7202</u>	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___

RECEIVED

JUN 03 2004

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

A. The appropriate **FILING FEE**. See instructions for fee amounts. N/A

WATER RESOURCE
WESTERN REGION

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Richard G. McAfee
300 Carter Creek Rd., Dillon, MT 59725
4. New Owner/Claimant(s) Castle Creek Hideout, LLC
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address HC 8Z Box 40-60
 City, State and ZIP Code Challis, ID 83226
 New Telephone Number (254) 377-6090
5. Date you acquired the property August 4, 2003

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6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

John Hyatt
President

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

For Office Use Only			
Received by <u>DB</u>	Date <u>6.3.04</u>	Fee <u>0</u>	
Received by _____	Date _____	Receipt No. _____	
Processed by _____ AJ	Date _____	WR _____	Date _____

SCANNED
JUN 03 2004



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-261
(208) 769-1450
Fax (208) 769-145

DIRK KEMPTHORN
GOVERNOR

KARL J. DREHER
DIRECTOR

September 15, 2004

Castle Creek Hideout, LLC
HC 82 Box 40-60
Challis, ID 83226

RE: 77-4222 & 77-7202

We have received and processed your Notice of Change in Water Right Ownership forms. Enclosed are copies of the Adjudication Claim Reports with the revised information. We expect to finish these claims toward the end of 2005.

Sincerely,

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

Kenneth Knoblock
Water Resources Agent

MEMORANDUM

TO: FILE
FROM: STEVE LESTER *SL*
DATE: FEBRUARY 28, 1992
SUBJECT: REVIEW OF EXAM FOR PERMIT 77-07203

According to the topographic map, Castle Creek does not appear in NENE S.11 except as the creek bisects the section corner common to Sections 1, 2, 11, and 12. See the attached map (reviewer's). This is not a distortion due to photocopying; refer to original quad # S-73. It is possible that the P/D is actually in SESE S.2 or on the section line between S.1 and 12 but cannot be confirmed by exam data. Due to the remote location of the site, I recommend that the P/D be described as the section corner Perhaps an amendment fee would not be necessary since the point could be seen as the outermost part of NENE S.11 and is clarified rather than changed by the above suggestion.

The same diversion point is used in rights 77-07202, 77-04209, and 77-04001. The other rights serve other uses in the area. The exam information in 77-07203 and 77-07202 is insufficient to quantify the ditch capacity. The flow measured in 77-07202 on 8/4/88 involved a 6" pipe from the ditch to the power use and is not a capacity limiter for the ditch. SRBA exams will be needed for claims (if filed) based on the two statutory claims, and ditch capacity can be determined at that time.

Yard use at the cabin is apparently covered by 77-04209 (includes 7 acres in NWNE S.11), and 77-07203 is used for internal domestic at 1 cabin. The examiner's comment in item G2, Volume, seems to refer to this. Previous exams have allowed .04 cfs for internal use instead of restricting the rate to .02 cfs. Therefore, allow .04 cfs but still limited to .6 afa.

SRBA claims were found for 77-07202 and 77-04209. No SRBA claims were found for 77-07203 or 77-04001 per AJ5 or AJ2. No claim is required for 77-07203 since proof was filed in 1988.

CC: 77-07202, 77-04209, 77-04001 Vault and Region files
A77-07202, A77-04209 Region files

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REVIEWERS MAP

Lots are North of H.E.S. No. 325

Alto of section corner per topo and exam info in 77-07202 & 07203.

NWNE

Pln appears to be with H.E.S. No. 325 - see parent map's corner map 77-07203

Eastern end of H.E.S. No. 325 =

77-07203 -07202 -04209 -04001

Note Castle Ck. does not appear in NENE S. 11 except at a point common to section corners for S. 1, 2, 11, 12. H.E.S. No. 325 does not reach to this section corner. See quit. lot plat. 8/2/28/92

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OCT 05 1992

January 7, 1990

Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

RECEIVED
JAN 15 1990

Department of Water Resources

Re: Adjudication papers

Attention: Helen Harrington-Thornton

Dear: Helen Harrington - Thornton

Received your letter of December 1, 1989, along with the filled out Adjudication forms on Water Right Claim numbers:

A77-07202
A77-04222

A77-07210
A77-04209

Am very thankful to you and your office staff for being so kind in filling out the papers for me.

It will certainly expedite things when I get the papers notarized and the filing fees together.

Thankyou again!

Respectfully,

Ramona McAfee

Mrs. Richard G. McAfee
P.O. Box 865
Salmon, Idaho 83467

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OCT 05 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

77-042097

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

December 1, 1989

Mrs. Richard G. McAfee
P.O. Box 865
Salmon, Idaho 83467

4-25-91
Filed 3/8/90
W010-749
Don Smith

RE: Notices of Claim to a Water Right
Lemhi County

Dear Mrs. McAfee:

Thank you for your request, clearly defining the assistance you need. I am pleased to forward to you four (4) Notice of Claim forms which are preprinted with the required information. I was able to develop these forms for you because the information is currently on file; using the numbers you submitted, I updated the address and printed these forms. In addition, I made copies of maps which had previously accompanied the filings to use as attachments to each claim (you will need to identify attachments in Item 16).

Please be sure to review each claim form; verify that the information is correct. The forms must each be signed, having the signature notarized. Three claims are in the name of Richard G. McAfee; the fourth claim is in the names of Mr. McAfee or Mr. Drake. I connected the names with "or", thereby allowing either person to sign the claim; your other options for connecting the names are "and" or "and/or". If the names are connected with "and", both signatures must be notarized on the claim.

As you will recall, you listed five water right numbers. The fifth number you listed, 77-07203, does not require a Notice of Claim filed on it at this time. Proof of Beneficial Use was not submitted to the Department until September 9, 1988. This adjudication was begun on November 19, 1987 by court order; since the Proof was not submitted by that date, it does not need to have a claim filed. If it is required to be filed in the future, the owner (Mr. Drake) will be notified at that time.

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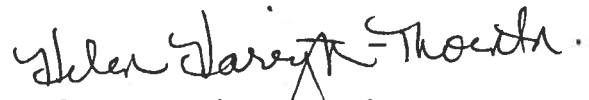
OCT 05 1992

Mrs. Richard G. McAfee
December 1, 1989
Page 2

The exemption which you mentioned regarding fees does not relate to these claims. The exemption is related to water rights which were previously decreed in several specific adjudications. Your claims have not been previously adjudicated, therefore, fees will need to accompany the claims. I have noted the appropriate fees for each claim in the upper right-hand corner of each claim. Please see the enclosed instruction booklet for a breakdown of how fees are calculated.

The filing deadline for these claims is May 10, 1990, as they are all for lands located in Lemhi County; please mail them to the address for the Western Region Office. Please do not hesitate to contact the Department if you have any questions or need any assistance. I hope this answers your questions.

Sincerely,



Helen Harrington-Thornton
Water Rights Agent

HHT:sf:northern
Enclosures:

Notices of Claim to a Water Right

A77-07202 A77-07210

A77-04222 A77-04209

Long Form Instructions

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RECEIVED
NOV 27 1989

November 15, 1989

Department of Water Resources

<u>Permit Nos.</u>	
<u>McAfee</u>	<u>Drake</u>
77-7202-Power	77-7203-Domest
77-7210-Domestic	
77-4222-Irrigation	
<u>McAfee & Drake</u>	
77-4209 - Irrigation & Stock water	

Idaho Department of Water Resources
Adjudication Bureau
Statehouse
Boise, Idaho 83720

Re: SRB Water Right Adjudication

Dear Department:

Have before me, the Handbook on water right adjudication. Have read it through, but still have questions.

Maybe your office would be so kind, as to answer them for me.

My husband and I live in the backcountry and only get into town about every six weeks, so it is most important that I get all this information from my questions in plenty of time so that we do all the correct, procedural requirements in filing the SRB Water Right Adjudication claims.

We will also be taking care of our land partner's claims as well. I have the permit numbers stated above, as well as our own.

Questions following:

1. number of forms needed for recording the above permits?
2. Filing fees? - Read in the handbook that some counties are exempt. Lemhi being one of them. If there is a required fee, please distinguish for me, which ones and how much?
3. Should copies of the above permits accompany the new SRB Water Right Adjudication claims? If so, please send me those copies needed along with the copy charges and I will reimburse your department for same.

If there is other pertinent information I have overlooked, needed in filing, please advise me.

Thanking the person or persons instrumental in helping me with a complex situation.

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OCT 05 1992

Respectfully

Mrs. Richard McAfee

Mrs. Richard G. McAfee
P.O. Box 865
Salmon, Idaho 83467

P.S. Please change box # on records to 865, from 2008 - McAfee. Thanks