

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: A72-04112
Date Received: 6/10/1992
Receipt No: S014632
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CAROLE SORENSEN 208-838-2353
Address: P.O. BOX 146
STANLEY ID 83278

Name: CAROLE SORENSEN 818-980-2773
Address: 11541 HARTSOOK STREET
NORTH HOLLYWOOD CA 91601

2. Date of Priority: JAN 1, 1916

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11N	15E	27	SE	SE			CUSTER
		34	NE	NE			CUSTER
			SE	NE			CUSTER

5. Description of diverting works:
HEADBOXES, PIPELINES, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	06/15	10/31	0.100		
HEATING	01/01	12/31	0.150		
DOMESTIC	01/01	12/31	0.150		

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

8. Total consumptive use is 40.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC & HEATING USE IN 8 CABINS & MAIN LODGE

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MAR 18 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	15E	27	SE	SE		DOMEST	
			SE	SE		HEAT	
		34	NE	NE		HEAT	
			NE	NE		DOMEST	
			NE	SE		IRR	20.0
					Section Acres		20.0
					Total Acres		20.0

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:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

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MAR 18 1993

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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MAR 18 1993

RECEIVED

JUN 10 1992

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

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11N	15E	27		SE	SE		CUSTER
		34		NE	NE		CUSTER
				SE	NE		CUSTER

5. Description of diverting works:
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HEATING	01/01	12/31	0.150		
DOMESTIC	01/01	12/31	0.150		

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

8. Total consumptive use is 40.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC & HEATING USE IN 8 CABINS & MAIN LODGE

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10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11N	15E	27 34	SE NE	SE	IRR	20.0
					Section Acres	20.0
		34 27	NE NE SE	NE NE SE	HEAT & Domestic DOMESTIC	20.0
					Total Acres	20.0

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:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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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): [Signature] Date: 6/5/92
Date: _____

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MAR 18 1993

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 5 day

of June 19 92

Wicki L. Duck
Notary Public

Seal

Residing at Harley
My Commission Expires 2-27-98

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MAR 18 1993

Idaho Department of Water Resources

Fee Calculation

```
Date: 06/01/92
Time: 14:51:01
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Total Fee: 85.00

Late Fee: 50.00

Total Due 135.00

WR No	Fee
A7204112	85.00

WR No	Fee
1	100
2	100
3	100
4	100
5	100
6	100
7	100
8	100
9	100
10	100
11	100
12	100
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93	100
94	100
95	100
96	100
97	100
98	100
99	100
100	100

WR No	Fee

(GOLD1=CALC FEE) (GOLD2=CALC FEE/LATE CHG) (GOLD3=RECALC TOTAL) (GOLD4=PREVIOUS)
(GOLD5=NEXT) (GOLD6=ADD AR RECORD) (GOLD7=RECEIPT) (GOLD8=CANCEL) (Menu _____)

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MAR 18 1993

MILLEMANN & PITTENGER

ATTORNEYS AT LAW

706 NORTH FIRST
POST OFFICE BOX 1066
McCALL, IDAHO 83638

STEVEN J. MILLEMANN, P.A.
GREGORY C. PITTENGER
BRIAN L. McMAHAN

PHONE (208) 634-7641
FAX (208) 634-4516

June 8, 1992

Attn: Allen Merritt
State of Idaho
Department of Water
Resources
222 Shoshone Street East
Twin Falls, ID 83301

RECEIVED

JUN 10 1992

Department of Water Resources
Southern Region Office

Re: Snake River Basin Adjudication
Claim Number A72-04112

Dear Allen:

Attached to this letter are the following:

1. Notice of Claim to a Water Right Acquired Under State Law, Identification Number A72-04112;
2. Affidavit of Carole K. Sorensen Regarding Notice of Claim Number A72-04112;
3. Personal check of Carole Sorensen drawn to the order of the Department for \$135.00; and,
4. Claimant Acknowledgment of Change in Attorney in Snake River Basin Adjudication, listing this firm as attorneys for Carole K. Sorensen.

Please file these documents as appropriate, and contact this office if anything further regarding these or any other claims of Carole Sorensen is needed. It has been a pleasure working with you on these matters. I look forward to hearing from you as the field reviews and adjudication progress.

Sincerely,

Brian L. McMahon

BRIAN L. McMAHAN

BLM/dm
Encs.
cc: Carole K. Sorensen w/encs.

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MAR 18 1993

RECEIVED

JUL 10 1997

Department of Water Resources
Southern Region Office

AFFIDAVIT OF CAROLE K. SORENSEN
REGARDING NOTICE OF CLAIM NO. A72-04112

STATE OF Idaho ,)
County of Blaine) ss.

CAROLE K. SORENSEN, being first duly sworn, deposes and states as follows:

1. This Affidavit is submitted to the State of Idaho, Department of Water Resources, as evidence of the priority date corresponding to Notice of Claim No. A72-04112;

2. I make this Affidavit on my own personal knowledge;

3. The claimed priority date of January 1, 1916, is based on the following:

a) A Chronological Listing of Historical Highlights, Robinson Bar Vicinity, Upper Main Salmon River, Idaho, compiled by Art Selin, Recreation and Interpretive Specialist, Sawtooth National Forest Supervisor's office, dated January 1982, (a copy of which is attached hereto as Exhibit "A"). Therein it is noted that the hot springs and other water sources on my property were being put to beneficial use prior to December 8, 1894. Specifically, I call your attention to the entries dated December 11, 1894, December 14, 1897, August 25, 1900, January 7, 1902, and September 16, 1902. As is generally evidenced in those entries, the hot springs, well water and Warm Springs Creek water were being put to a beneficial use and, in fact, had been quite well developed, along with the rest of the resort, far in advance of the claimed priority date of January 1, 1916.

b) The U.S. Department of Agriculture, Forest Service, Field Notes, of Homestead Entry Survey No. 419 (copies of pertinent pages of which are attached hereto as Exhibit "B"). As you will note, the application for the

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MAR 18 1993

survey was dated July 21, 1915; the survey was then actually commenced September 29, 1916, and completed September 30, 1916. As is indicated on page 10 and 11 of said Field Notes, in September of 1916 there were at least five irrigation ditches on the property. Accordingly, the Field Notes constitute further evidence that irrigation water was being put to beneficial use on my property sometime prior to September of 1916.

c) U.S. Patent, dated September 26, 1919, conveying the land described in the Homestead Entry Survey No. 419 (a copy of which is attached hereto as Exhibit "C"), again referencing "any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts").

4. This Affidavit and the above-cited documents constitute evidence that water was being put to beneficial use on my property for stock water, irrigation, heating, domestic and recreation purposes prior to the January 1, 1916 priority date which I have claimed. Although I obviously have not owned the property since 1916, it is my understanding that said water has been employed in the above-stated beneficial uses continuously since its use was initially established sometime prior to 1916.

DATED this 5th day of June, 1992.


CAROLE K. SORENSEN

June SUBSCRIBED AND SWORN to before me this 5 day of June, 1992.

Walter L. Duck
NOTARY PUBLIC FOR IDAHO
Residing at: Hailey
My Commission Expires: 2-27-98

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MAR 18 1993

EXHIBIT

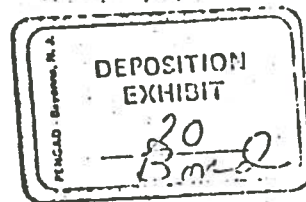
D.

D. Historical Chronology

A CHRONOLOGICAL LISTING OF HISTORICAL HIGHLIGHTS
ROBINSON BAR VICINITY, UPPER MAIN SALMON RIVER, IDAHO.

Compiled by: Art Selin
Recreation & Interpretive Specialist
Sawtooth National Forest Supervisor's Office

January 1982.



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MAR 18 1993

EXHIBIT

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Exhibit A

INTRODUCTION

I spent January 6 and 7 in the Idaho State Historical Society reviewing microfilm of early newspapers that might contain information on early activities and transportation routes associated with Robinson Bar and Warm Springs Creek.

The following information is a chronological summary obtained through original research and from material previously compiled by Staff Historian, Larry Jones.

I have also included some additional material I compiled in April 1980 for another research report concerning the upper main Salmon River.

Exerpts are included in this chronological summary. Detailed information can be obtained from the Idaho State Historical Society newspaper files.

October 25, 1879 - The Yankee Fork Herald - Refers to hunting party "Their route lay down Yankee Fork and the Salmon to Robinson's Bar; thence up to the head of Warm Spring Creek, where they killed most of their big game".

May 1, 1880 - The Yankee Fork Herald - An article titled The River Trail describes a contract "to bridge the Yankee Fork at its junction with the Salmon". It goes on to state that "this will enable pack trains to come over the River trail much earlier than they can get across the range".

May 8, 1880 - The Yankee Fork Herald - An article refers to Robinson's Bar as also having returned many thousands of dollars since it was struck sixteen years ago. (The reference is to placer gold.)

October 2, 1894 - Challis Silver Messenger - "The stage is now making regular trips by wagon on the up-river route to Custer and Bonanza - the road having been put in repair".

November 6, 1894 - Challis Silver Messenger - "The state wagon road in Custer County is completed". It also states "the stage road from Challis to the Fork (Yankee Fork) is in good repair and stages get in on good time".

December 11, 1894 - A letter from Yankee Fork dated December 8, 1894, to the Challis paper states "the Medical Hot Springs near the town are famous for their many cures of rheumatism and other diseases incident to mining regions, and are a recognized sanitorium of many years standing".

August 27, 1895 - Challis Silver Messenger - The editor's trip to the various mines states "We took a seat in the Morrison and Waller stage line coaches, running from Challis to Custer, which makes close connections, etc..".

April 20, 1897 - Challis Silver Messenger - "John Mullen is out from Custer, and informs us that the stage wagon is running to Robinson Bar now, and in a few days will be able to run to the Jerry Flat, below Bonanza".

December 14, 1897 - Challis Silver Messenger - The article, A Trip to Custer, states "Our late trip to Custer was made on the Morrison and Co. Stage Line, where Nels, Sill and Joe Preston are driving, and when either of these men have the lines you feel a good degree of safety and will enjoy yourself as well as possible on a mountain road in winter. The roads in going up to Custer

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MAR 18 1993

EXHIBIT

20

exception. Ily fine for a coach up to the mouth of Yankee Fork, where we met snow enough for a sleigh,----". The same article describes a return trip "On the 6th we left Custer and went to the Robinson Bar Springs and enjoyed a bath in its waters. These Springs are of a superior quality, even for our mineral springs of Idaho. There, are on a small space of ground, three different kinds of hot mineral water, alkali, iron and sulphur. There is no other place in our State, that we know of, where such a splendid variety of medical water exists; and really, this is the finest resort for invalids, especially in summer - that we have ever seen; and, then, Mr. and Mrs. Williams, who are keeping it know just how to care for such a place. The iron water is better mixed than any of your druggists can do it, and the other kinds are strong in the qualities they carry. After enjoying the benefits of this resort for a day and night we boarded the Morrison stage and came down Salmon River to the Sullivan Springs--".

August 25, 1900 - The Blackfoot News - An article states "Two mineral springs, bathing resorts, have been built near Clayton and at Robinson Bar postoffice".

January 7, 1902 - Challis Silver Messenger - This ad runs for 1902 through 1904 as a minimum in the Challis newspaper. It is a Medical Hot Springs ad that describes "This pleasant mountain resort is situated at Robinson Bar at the junction of Warm Spring Creek, on Salmon River 18 miles above Clayton and 14 miles below Custer. These springs are of a nice temperature and of superior MEDICAL PROPERTIES----The advertisement goes on to include the statement "The sportsman will find better fishing and hunting grounds than in any portion of the nation, and those seeking pleasure will find this a very desirable spot. There will always be courteous attendants, and the proprietors invite all to come and see for their own satisfaction." The proprietor is identified as K. D. Williams.

March 4, 1902 - Challis Silver Messenger - A map appears on the front page which shows routes to the new Thunder Mountain mining discoveries. One of the routes is shown as the Salmon River route via Robinson. It is identified on the route map.

July 8, 1902 - Challis Silver Messenger - An article which tells about a "millionaire" living in the Stanley Basin refers to his postoffice as being at Robinson Bar. The article also describes the location of Robinson's Bar as being "where Warm Spring Creek, flowing from the south joins the Salmon River in the heart of Custer County."

September 16, 1902 - Challis Silver Messenger - "The new addition to the hotel at Robinson Bar is completed. The place now offers the best accommodations of any place of resort in Custer County. With an elegant dining room, commodious apartments, the table filled with the best of the market affords; game and fish abundant; "bar tracks" within a mile of the house; "best of the tap" at the bar, etc., and the finest hot baths in the land, all tend to make this the choice stopping place on the road."

February 9, 1904 - Challis Silver Messenger - An article on mining states "The group of mines mentioned lie near the source of Warm Spring Creek where over \$100,000 in placer gold was taken out in the early days at Robinson Bar".

State of Idaho Map, 1905 - This map is a Department of Interior General Land Office map, which was compiled under the direction of Frank **REPROFILMED** Chief of Drafting Division. The map shows the wagon road system and it includes a route from Challis to Crystal to Clayton to Robinson and **MAR 18 1993** toward Stanley Basin.

U. S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE

FIELD NOTES

OF

HOUSTEAD ENTRY SURVEY NO. 419

SITUATED IN THE CHALLIS NATIONAL FOREST

ADMINISTRATIVE DISTRICT NO. 4

approximately
in Sections 26, 27, 34, 35, unsurveyed, Township 11 N., Range 15 E.

of the
Boise Base & Meridian.

State of
Idaho

Applicant for listing K. D. Williams

Residence Clayton, Idaho.

Application No. 88 , dated October 25 , 19 15

List No. 4-1390 , dated March 17 , 19 14

Applicant for survey Chase A. Clark

Residence Clayton, Idaho.

H. E. No. 018410 , dated July 21, , 19 15

Land ~~XXXXXX~~ Office Hailey

Survey executed by R. D. Carver, Forest Examiner

(Forest Service Title)

Under special instructions dated April 28 , 19 15

Survey commenced September 29, , 19 16

Survey completed September 30 , 19 16

Under Acts of June 11, 1906 and August 11, 1916.

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MAR 18 1993

Exhibit B

EXHIBIT

21

CHALLIS NATIONAL FOREST

10.

STATE OF IDAHO.

Chains

same stone, 10-EES-419 on the side facing the claim and a cross (x) on top for cor. No. 10 of this survey; and raise a mound of stone, 4 ft. base, 2 ft. high, $3\frac{1}{2}$ ft. dist., within the claim. A Douglas fir, 24 ins. in dia., blazed and scribed X-10-EES-419-BT, bears N. $71^{\circ} 48'$ W., 40 lks. dist. A granite boulder in place, showing $4 \times 4 \times 1$ ft. above ground, mkd. X-10-EES-419-BR, bears N. $25^{\circ} 27'$ W., 6 lks. dist. I destroy the witness for the listing corner.

Thence

N. $5^{\circ} 46'$ E.

Over level land, through sagebrush.

0.03 Fence bears NW. and SE.
0.99 Leave sage, enter willows, bears NE. and SW.
2.88 Warm Springs Creek, 95 lks. wide, 2 ft. deep, flows NE. Ascend gently.
4.27 Irrigation ditch, 8 lks. wide, 2 ft. deep, flows NE.
6.00 Leave willows, enter sagebrush, bears NE. and SW.
8.57 To Cor. No. 11, about 20 ft. above Warm Springs Creek,

identical with Cor. No. 4 of the listing survey, which is a granite stone, firmly set, mkd. and witnessed as described by the Surveyor General, in place of which I set a granite stone, $30 \times 16 \times 12$ ins., 10 ins. in the ground to bedrock, over a granite stone, $6 \times 5 \times 3$ ins., mkd with a cross (x), for Cor. No. 11 of this survey, mkd. 11-EES-419 on the side facing the claim, and a cross (x) on top; and raise a mound of stone, 4 ft. base, 2 ft. high, $3\frac{1}{2}$ ft. dist., within the claim.

A granite lodge, showing $20 \times 20 \times 20$ ft. above ground, bears N. $57^{\circ} 54'$ W., 12 lks. dist.

A granite lodge showing $10 \times 4 \times 2$ ft. above ground, bears N. $48^{\circ} 45'$ E., 20 lks. dist.

Chains

Both

I do

Desc

2.56 Road

5.05 Fence

Leav

9.00 Tele

9.47 To C

A

F

I

C

0.91 I

5.20 I

6.60

8.63

12.67

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MAR 18 1993

EXHIBIT

21

Facing the
No. 10 of
tons, 4 ft.
ain the claim.
ad scribed
40 lks. dist.
4 x 1 ft. above
N. 25° 27' W.,
rner.
S7.
deep, flows NE.
ey, flows NE.
E. and SW.
a Springs Creek,
isting survey,
ot, mtd. and
oyor General, in
ie, 30 x 16 x 12
rock, over a
t with a cross
y, mtd. 11-HES-
and a cross (x)
s, 4 ft. base,
the claim.
ft. above ground,
t
above ground.

Chains

Both ledges mtd. X-11-HES-419-BR.
I deface the markings for the listing corner witness.
Thence
N. 38° 49' W.
Descend through sagebrush.
2.56 Road bears E. and W.
3.05 Fence bears E. and W.
Leave sagebrush, enter meadow land, bears E. and W.
9.00 Telephone line bears LW. and SE.
9.47 To Cor. No. 12, about 50 feet, below Cor. No. 11,
identical with Cor. No. 3 of the listing survey,
which is a granite stone, firmly set, mtd. and
witnessed as described by the Surveyor General, in
place of which I set a granite stone, 24 x 8 x 6
ins., 14 ins. in the ground, over a granite stone
4 x 3 x 2 ins., mtd. with a cross (x), for Cor.
No. 12 of this survey, mtd. 12-HES-419 on the side
facing the claim, and a cross (x) on top; and
raise a mound of earth and stone, 4 ft. base, 2 ft.
high, 3 1/2 ft. dist., within the claim.
A Douglas fir, 11 ins. in dia. bears N. 8° 44' E.,
32 lks. dist.
A Douglas fir, 6 ins. in dia., bears N. 68° 57' W.,
53 lks. dist.
Both trees blazed and scribed X-12-HES-419-BT.
I destroy the witness for the listing corner
Thence
N. 49° 42' E.
Over level meadow land.
0.91 Irrigation ditch, 6 lks. wide, 4 ins. deep, flows NW.
3.20 Irrigation ditch, 7 lks. wide, 12 ins. deep, flows NW.
6.60 Irrigation ditch, 5 lks. wide, 10 ins. deep, flows NW.
8.03 Irrigation ditch, 8 lks. wide, 6 ins. deep, flows NW.
12.67 Road bears NW. and SE.

MAR 18 1993

EXHIBIT

21

No.

UNITED STATES,

Grantor

To

CHASE A. CLARK

Grantee

Certificate No.

HAILEY 018410

Character of Instrument, U. S. Patent

Date of Instrument,

SEPTEMBER 26, 1919

Date of Record,

NOVEMBER 19, 1919

Book 16 of DEEDS, Page 6

Issued by authority of the Act of Congress of MAY 20, 1862
and the Acts supplementary thereto.

Executed by the President WOODROW WILSON

By M. P. LEROY, Secretary

L. Q. C. LAMAR

Recorder of the General Land Office

Is Seal of the General Land Office Affixed YES Recorded Vol. ---, Page ---

Recorded No. 708291

Granting Words and Reservations: GRANTED SUBJECT TO ANY VESTED AND ACCRUED WATER RIGHTS FOR MINING, AGRICULTURAL, MANUFACTURING, OR OTHER PURPOSES, AND RIGHTS TO DITCHES AND RESERVOIRS USED IN CONNECTION WITH SUCH WATER RIGHTS, AS MAY BE RECOGNIZED AND ACKNOWLEDGED BY THE LOCAL CUSTOMS, LAWS, AND DECISIONS OF COURTS; AND THERE IS RESERVED FROM THE LANDS HEREBY GRANTED, A RIGHT OF WAY THEREON FOR DITCHES OR CANALS CONSTRUCTED BY THE AUTHORITY OF THE UNITED STATES;

CONVEYS: THE H. E. SURVEY No. 419, EMBRACING A PORTION OF, APPROXIMATELY, SECTIONS TWENTY-SIX, TWENTY-SEVEN, THIRTY-FOUR AND THIRTY-FIVE IN TOWNSHIP ELEVEN NORTH OF RANGE FIFTEEN EAST OF THE BOISE MERIDIAN, IDAHO, MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

MICROFILMED

MAR 18 1993

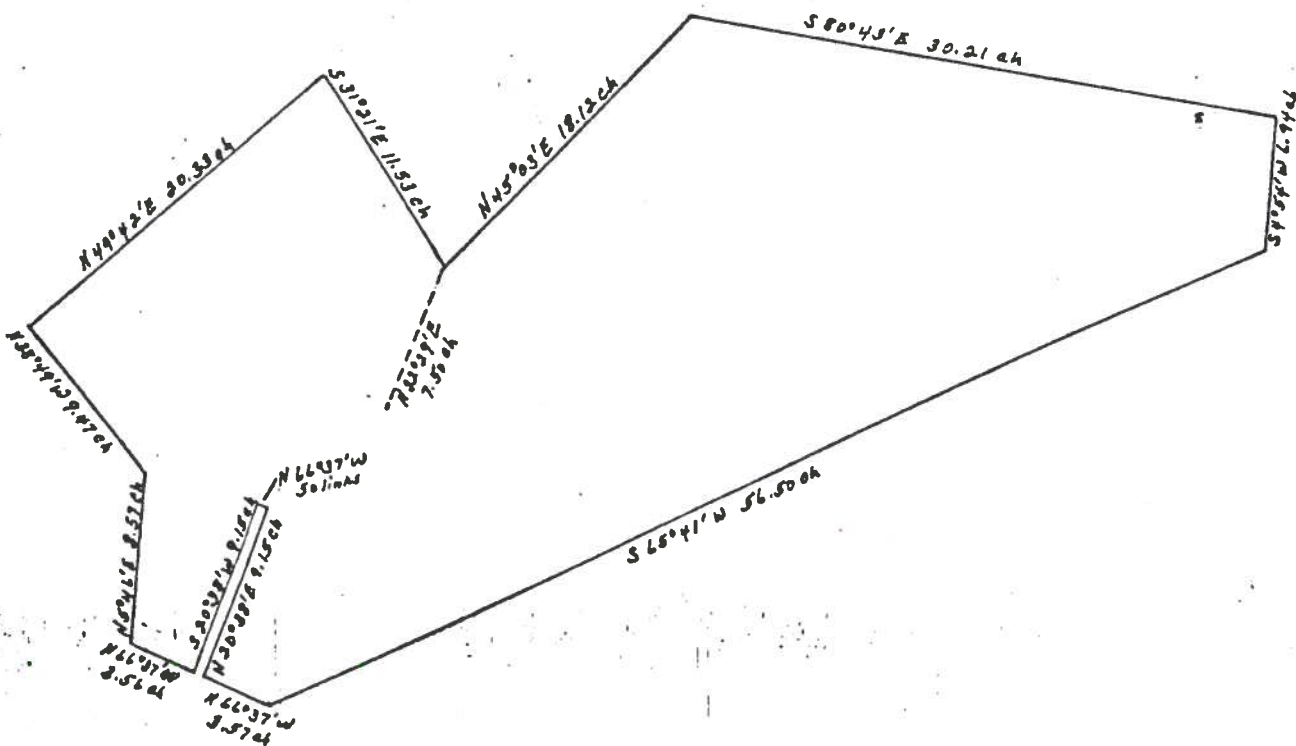
BEGINNING AT CORNER No. 1, FROM WHICH U. S. LOCATION MONUMENT No. 5; BEARS NORTH TWENTY-TWO DEGREES TWENTY-NINE MINUTES EAST SEVEN AND FIVE-TENTHS CHAINS DISTANT; THENCE, NORTH FORTY-FIVE DEGREES THREE MINUTES EAST EIGHTEEN AND TWELVE-HUNDREDTHS CHAINS TO CORNER No. 2; THENCE, SOUTH EIGHTY DEGREES FORTY-THREE MINUTES EAST THIRTY AND TWENTY-

ONE-HUNDREDTHS CHAINS TO CORNER NO. 3; THENCE, SOUTH FOUR DEGREES FIFTY-FOUR MINUTES WEST SIX AND NINETY-FOUR-HUNDREDTHS CHAINS TO CORNER NO. 4; THENCE, SOUTH SIXTY-FIVE DEGREES FORTY-ONE MINUTES WEST FIFTY-SIX AND FIVE-TENTHS CHAINS TO CORNER NO. 5; THENCE, NORTH SIXTY-SIX DEGREES THIRTY-SEVEN MINUTES WEST THREE AND FIFTY-SEVEN-HUNDREDTHS CHAINS TO CORNER NO. 6; THENCE, NORTH TWENTY DEGREES THIRTY-EIGHT MINUTES EAST NINE AND FIFTEEN-HUNDREDTHS CHAINS TO CORNER NO. 7; THENCE, NORTH SIXTY-SIX DEGREES THIRTY-SEVEN MINUTES WEST FIFTY LINKS TO CORNER NO. 8; THENCE, SOUTH TWENTY DEGREES THIRTY-EIGHT MINUTES WEST NINE AND FIFTEEN -HUNDREDTHS CHAINS TO CORNER NO. 9; THENCE, NORTH SIXTY-SIX DEGREES THIRTY-SEVEN MINUTES WEST THREE AND FIFTY-SIX-HUNDREDTHS CHAINS TO CORNER NO. 10; THENCE, NORTH FIVE DEGREES FORTY-SIX MINUTES EAST EIGHT AND FIFTY-SEVEN-HUNDREOHS CHAINS TO CORNER NO. 11; THENCE, NORTH THIRTY-EIGHT DEGREES FORTY-NINE MINUTES WEST NINE AND FORTY-SEVEN-HUNDREDTHS CHAINS TO CORNER NO. 12; THENCE, NORTH FORTY-NINE DEGREES FORTY-TWO MINUTES EAST TWENTY AND THIRTY-THREE-HUNDREDTHS CHAINS TO CORNER NO. 13; THENCE, SOUTH THIRTY-ONE DEGREES TWENTY-ONE MINUTES EAST ELEVEN AND FIFTY-THREE-HUNDREDTHS CHAINS TO CORNER NO. 1, THE PLACE OF BEGINNING; CONTAINING ONE HUNDRED EIGHTEEN AND FORTY-FOUR-HUNDREDTHS ACRES, ACCORDING TO THE OFFICIAL PLAT OF THE SURVEY OF THE SAID LAND, RETURNED TO THE GENERAL LAND OFFICE BY THE SURVEYOR GENERAL. WITH THE APPURTENANCES.

MICROFILMED
MAR 18 1993

HOMESTEAD ENTRY SURVEY NO. 419

SECTIONS 26, 27, 34 AND 35,
APPROXIMATELY, IN TOWNSHIP 11
NORTH, RANGE 15, E. B. M.



MICROFILMED

MAR 18 1993

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

Name(s) of Claimant (please print):

CAROLE SORENSEN

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.

MILLEMANN & PITTENGER

P. O. Box 1066

706 North 1st Street

McCall, Idaho 83638

Attorney's Phone (208) 634-7641

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

R
A72-04092 A72-04093 A72-04094 A72-04112 and any and
all other claims A72-10019

For Individuals:

Authorized signature(s) Date 6/8/92

CAROLE K. SORENSEN

For Organizations:

I am _____ of _____, and I

Title

Organization

have signed the foregoing document in the space below as

_____ of _____

Title

Organization

Signature of Authorized Agent _____

Title _____

Date _____

Organization _____

IDWR Use:

Date Received _____

Data Entry _____

Revised Date 4-03-92

MICROFILMED
MAR 18 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

29-Jun-1992 13:52

MILLEMANN & PITTENGER
P.O. BOX 1066
706 north 1st .
MC CALL ID 83638

RE: A72-04092, A72-04093, A72-04094, A72-04112, A72-10019 -
CAROLE K. SORENSEN

Dear Attorney:

This letter is in reference to the form CLAIMANT ACKNOWLEDGMENT OF CHANGE IN ATTORNEY IN SNAKE RIVER BASIN ADJUDICATION you sent in concerning the above-referenced Adjudication Claims. We have changed our computer records and am sending you a proof of each of the Claimed Rights.

Please check them for accuracy and should you have any questions, please do not hesitate to contact me at this office at the above-listed telephone number.

Sincerely,

Judy Givens
Adjudication Secretary

/jg

MICROFILMED

MAR 18 1993

MILLEMANN & PITTENGER

ATTORNEYS AT LAW

706 NORTH FIRST
POST OFFICE BOX 1066
McCALL, IDAHO 83638

STEVEN J. MILLEMANN, P.A.
GREGORY C. PITTENGER
BRIAN L. McMAHAN

PHONE (208) 634-7641
FAX (208) 634-4516

June 8, 1992

Attn: Allen Merritt
State of Idaho
Department of Water
Resources
222 Shoshone Street East
Twin Falls, ID 83301

Re: Snake River Basin Adjudication
Claim Number A72-04112

Dear Allen:

Attached to this letter are the following:

1. Notice of Claim to a Water Right Acquired Under State Law, Identification Number A72-04112;
2. Affidavit of Carole K. Sorensen Regarding Notice of Claim Number A72-04112;
3. Personal check of Carole Sorensen drawn to the order of the Department for \$135.00; and,
4. Claimant Acknowledgment of Change in Attorney in Snake River Basin Adjudication, listing this firm as attorneys for Carole K. Sorensen.

Please file these documents as appropriate, and contact this office if anything further regarding these or any other claims of Carole Sorensen is needed. It has been a pleasure working with you on these matters. I look forward to hearing from you as the field reviews and adjudication progress.

Sincerely,

Brian L. McMahon

BRIAN L. McMAHAN

BLM/dm
Encs.
cc: Carole K. Sorensen w/encs.

MICROFILMED

MAR 18 1993

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

AJ0743NP
(00-124)

Water Right Number - A72-04112
Prefix Translation: ADJUDICATION CLAIM Old (D) Number -
+ - - - - Last Name - - - - + + - First Name - - - - + Address - - - - - +
*** A - ATTORNEY ***
MILLEMANN & PITTENGER
State- ID Zip- 83638
*** C - CURRENT OWNER ***
SORENSEN
CAROLE
State- ID Zip- 83278
*** P - PRESENT OWNER ***
SORENSEN
CAROLE
State- CA Zip- 91601
+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
01/01/1916 17 SOUTHERN S - STATUTORY CLAIM
+ - - Source - - - - - + + - - - - Tributary - - - - - +
SPRINGS WARM SPRINGS CREEK
+ - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County
11N 15E 27 SE SE (37) CUSTER
34 NE NE (37) CUSTER
SE NE (37) CUSTER
+ - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 06/15 10/31 0.100
22 - HEATING 01/01 12/31 0.150
43 - DOMESTIC 01/01 12/31 0.150
+ - - Total Div. Rate - - + + - - Total Div. Volume - - + + - - Total Consumptive Use - - + + - - KW Usage - - +
0.150 40.0
+ - - - - - - - - - - Place of Use - - - - - +
Twn Rng Rng Sec Tract Lot Acres Code Description County
11N 15E 34 NE SE 01 IRRIGATION (37) CUSTER
11N 15E 27 SE SE 22 HEATING (37) CUSTER
11N 15E 34 NE NE 22 HEATING (37) CUSTER
11N 15E 27 SE SE 43 DOMESTIC (37) CUSTER
11N 15E 34 NE NE 43 DOMESTIC (37) CUSTER

MICROFILMED
MAR 18 1993

| | | | | | | |
|--|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| | Court Report Filing | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number | - 39576 |
| | Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| | Response Filed Date | - 00/00/0000 | Verified Date | - 00/00/0000 | Old Judicial District | - |
| | Claim Received Date | - 06/10/1992 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | | Receipt Number | - S014632 | Water District | - |
| | | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | | Name Connector | - OR | Presumption Flag | - |
| | | | | | Notice of Error Flag | - |

MICROFILMED
MAR 18 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

10-Jun-1992

BRIAN MC MAHAN
PO BOX 1066
MC CALL ID 83638

RE: ADJUDICATION CLAIM NO. A72-04112 - SORESENSEN

Mr. McMahan:

Pursuant to the notification that you are representing the claimant(s) on the above referenced Adjudication Claim(s), please find enclosed the receipt and a copy of the computer generated claim(s) based on the information from the original claim(s) which has been entered in our computer records.

Please review the record(s) and if you have any corrections or any questions, feel free to contact this office.

Sincerely,


Jeanie Robertson
Records Clerk

/jlr
Enclosures

Send to:
Brian McMahan
P.O. Box 1066
McCall ID
83638

MICROFILMED

MAR 18 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

01-Jun-1992 15:08

Brian McMahan
PO Box 1066
McCall, ID 83638

RE: Draft A72-04112 in the name of Sorensen

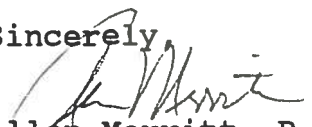
Dear Mr. McMahan:

Pursuant to our phone conversation earlier today; please find enclose a computer generated draft adjudication claim based on the old water right record 72-04112. Please also find enclosed a printout for the filing fee.

In returning this claim please provide the evidence of priority as was done for the other Sorensen claims.

If you have any questions please feel free to contact our office.

Sincerely,


Allen Merritt, P.E.
Water Rights Supervisor

Encl:

MICROFILMED

MAR 18 1993

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A72-04112
Date Received: 6/ 1/1992
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CAROLE SORENSEN 208-838-2353
Address: P.O. BOX 146
STANLEY ID 83278

Name: CAROLE SORENSEN 818-980-2773
Address: 11541 HARTSOOK STREET
NORTH HOLLYWOOD CA 91601

2. Date of Priority: JAN 1, 1916

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

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 11N | 15E | 27 | | SE | | | CUSTER |
| | | 34 | | NE | | | CUSTER |
| | | | | SE | | | CUSTER |

5. Description of diverting works:
HEADBOXES, PIPELINES, DITCHES

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 06/15 | 10/31 | 0.100 | | |
| HEATING | 01/01 | 12/31 | 0.150 | | |
| DOMESTIC | 01/01 | 12/31 | 0.150 | | |

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

8. Total consumptive use is 40.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC & HEATING USE IN 8 CABINS & MAIN LODGE

MICROFILMED

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 11N | 15E | 27 | SE | SE | | IRR | 20.0 |
| | | | | | | Section Acres | 20.0 |
| | | 34 | NE | NE | | HEAT | |
| | | | NE | NE | | DOMEST | |
| | | | | | | Total Acres | 20.0 |

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:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
MAR 18 1993

December 3, 1998

RECEIVED

DEC 10 1998

Department of Water Resources
Southern Region

NOTICE OF ERROR

REPLY

RECEIVED

DEC 14 1998

Givens Pursley LLP

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: December 18, 1998

Water right number: 72-04112

GIVENS PURSLEY & ~~HUNTLEY~~ LLP
JEFFREY C FEREDAY
277 NORTH 6TH ST #200
BOISE ID 83701

Daytime Telephone Number: 208-388-1200
Evening Telephone Number:

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:

☒ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 12/17/98 SIGNATURE: Jeffrey C. Fereday
Please print your name: JEFFREY C. FEREDAY
attorney for Carole Klein

GIVENS PURSLEY LLP

A Limited Liability Partnership
Suite 200, Park Place
277 No. 6th Street
Post Office Box 2720
Boise, Idaho 83701
Telephone (208) 388-1200
Telecopier (208) 388-1201

RECEIVED
DEC 17 1998
Department of Water Resources
Southern Region

Facsimile Transmission

December 17, 1998—2:50 pm

Company: IDWR**Phone #:** 376-3033**Fax #:** 736-3037**COMMENTS:**

Sender: Jeff Fereday**Client No.:** 4766-1

You should receive 3 pages, including this cover sheet. If you do not receive all the pages, please call the number above.

HARD COPY WILL FOLLOWA 72-4112

*****IMPORTANT MESSAGE*****

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS ATTORNEY PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY JULIE GILSTER BY TELEPHONE (208) 388-1234. THANK YOU.

December 3, 1998

NOTICE OF ERROR
REPLY

RECEIVED

DEC 8 4 1998

Givens Pursley LLP

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: December 18, 1998

Water right number: 72-04112

GIVENS PURSLEY & ~~HUNTLEY~~ LLP
JEFFREY C FEREDAY
277 NORTH 6TH ST #200
BOISE ID 83701

Daytime Telephone Number: 208-388-1200
Evening Telephone Number:

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:

☒ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 12/17/98 SIGNATURE: Jeffrey C. Fereday
Please print your name: JEFFREY C. FEREDAY
attorney for Carole Klein

AJ5853NP
2

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

DATE: December 3, 1998
PAGE: 1

RIGHT NUMBER: 72-04112

NAME AND ADDRESS: CAROLE KLEIN
PO BOX 146
STANLEY ID 83278

SOURCE: SPRINGS TRIBUTARY: WARM SPRINGS CREEK

QUANTITY: 0.04 CFS
29.0 AFY

PRIORITY-DATE: 01/01/1916

POINT OF DIVERSION T11N R15E S34 SWNE Within CUSTER County
NWSNE

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|----------------------------|----------------|---------------|----------------------|
| | HEATING | 01-01 12-31 | 0.04 CFS
29.0 AFY |

PLACE OF USE: HEATING Within CUSTER County
T11N R15E S27 SESE
S34 NENE

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

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 72:

| WATER RIGHT NO. | SOURCE |
|-----------------|--------|
| NONE | NONE |

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

| WATER RIGHT NO. | SOURCE |
|-----------------|--------|
| NONE | NONE |

ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY NO. 419.
SOURCE IN NWSNE IS ALSO KNOWN AS BOARDWALK SPRING.

AJ0749NP
No. R72-04112

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

DATE: 12/02/98
PAGE: 1

| OWNER
CODE | NAME & ADDRESS | PRIORITY
DATE | WATER USE | USE PERIOD
FROM TO | DIVERSION
RATE | DIVERSION
VOLUME |
|------------------|---|------------------|-----------|-----------------------|-------------------|---------------------|
| P | CAROLE KLEIN
11541 HARTSOOK ST
NORTH HOLLYWOOD CA 91601
(818) 980-2773 | 01/01/1916 | HEATING | 01-01 12-31 | 0.04 CFS | 29.00 AFA |
| TOTAL DIVERSION: | | | | | 0.04 CFS | 29.00 AFA |

C CAROLE KLEIN
PO BOX 146
STANLEY ID 83278
(208) 838-2353

Water Source: SPRINGS

Tributary to: WARM SPRINGS CREEK

Point(s) of Diversion:

T11N R15E S34

SWNE NE

Stage: BENEFICIAL USE
CUSTER County

Place of use Legal Description for: HEATING

| Point | NE | SE | SW | NE | SE | SW | NE | SE | SW |
|------------|----|----|----|----|----|----|----|----|----|
| 11N 15E 27 | NE | SE | SW | NE | SE | SW | NE | SE | SW |
| 11N 15E 34 | NE | SE | SW | NE | SE | SW | NE | SE | SW |

POU County: CUSTER

Other Rights: NONE

Conditions of Approval:

- C16 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
 - RIGHTS IN BASIN 72:
 - WATER RIGHT NO. SOURCE
 - NONE
 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
 - IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
 - RIGHTS IN THE SNAKE RIVER BASIN:
 - WATER RIGHT NO. SOURCE
 - NONE
 - ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
 - OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
 - CONJUNCTIVELY.

Remarks: EXP PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY NO. 419.
SOURCE IN NWSME IS ALSO KNOWN AS BOARDWALK SPRING.

Dates: Exam Made Date: 06/14/1993 Verified Date: 12/02/1998 Objection Filed Date:

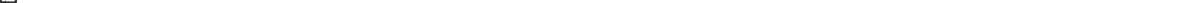
Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

COMMUNICATION DOCUMENTATION

Claim No. 72-04112

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

☐ 

12/2/98 3:00 PM

NAME: _____

BRIAN MC MANN

CALLIN

RE:

MISSING CLAIM -4112

He said he received all of the claims for Carol Klein except the 72-04112. I assured him the claim would be sent out, if not already in the mail, since it is ready for the report.

I also told him no copies of this mailing were sent to Erik at the ranch but there should be no major surprises since we have reviewed the details of the claims before and agreed to the content.

*** Update: the claim had not been sent and is sent this day.

COMMUNICATION DOCUMENTATION

Claim No. A72-16551 & A72-04112

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

☐

10/5/98 10:27 AM

NAME:

KIM HOFELT

RE:

CALLBACK 727-5032

BOARDWALK SPRING

I returned her call and we discussed the recent changes at the spring site. It appears (per pictures from V. Johnson) that the spring has been modified with a rock on top the concrete box and the trail moved around the upper area of the spring. This was the change I understood would happen and so did the USFS. However, we both thought some access would remain for public users of the spring.

We also discussed the flooding at Slate Creek and diversions used.

Memorandum

To: A72-04112 File
CC:
From: STEVE CLELLAND 
Date: 07/27/98
Re: Field Exam on July 9, 1998

I performed a follow-up field exam on the Boardwalk Spring to confirm my findings of the 1993 exam. I met with Erik Gillberg and we viewed the building where the heating water is currently used. We walked to the spring site and Erik showed me the point of diversion for the heating pipeline. I viewed this same spring in 1993. The difference I observed was the springbox was cleaned up and they have placed an insulated cover on the concrete box to preserve the heat of the water source. While I was unable to measure the flow of this spring, I believe my measurement of the flow to the lodge is similar to this system. Therefore, my recommendation of 0.04 cfs is accurate for this right also.

The "boardwalk" was flipped over and not in use. Erik told me the plan discussed with the USFS was to re-route the trail up above the spring on drier ground. The plan was to remove the boardwalk lumber but leave the flume for historic purposes.

I tried to identify an area of the ditch that Mr. Johnson claims to have used. The area of the ditch directly below the spring is all flumed. I estimate the earth ditch is 30 feet from the spring in either direction.

COMMUNICATION DOCUMENTATION

I plan to meet with Erik Gillberg in July to examine the resumed use of the Boardwalk Spring.

AJ0749NP
No. R72-04112

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

DATE: 06/17/98
PAGE: 1

| OWNER
CODE | NAME & ADDRESS | PRIORITY
DATE | WATER USE | USE PERIOD
FROM TO | DIVERSION
RATE | DIVERSION
VOLUME |
|------------------|---|------------------|-----------|-----------------------|-------------------|---------------------|
| P | CAROLE KLEIN
11541 HARTSOOK ST
NORTH HOLLYWOOD CA 91601
(818) 980-2773 | 01/01/1916 | HEATING | 01-01 12-31 | 0.04 CFS | 29.00 AFA |
| TOTAL DIVERSION: | | | | | 0.04 CFS | 29.00 AFA |

C CAROLE KLEIN
PO BOX 146
STANLEY ID 83278
(208) 838-2353

Water Source: SPRINGS

Tributary to: WARM SPRINGS CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T11N R15E S34

SWENE NWSWE

CUSTER County

Place of use Legal Description for: HEATING

| | NE | NW | SW | SE |
|------------|---------------------|---------------------|---------------------|---------------------|
| T R S | : Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac | : Lt Ac Lt Ac Lt Ac |
| 11N 15E 27 | : | : | : | : |
| 11N 15E 34 | : H | : | : | : H |

POU County: CUSTER

Other Rights: NONE

Remarks: EXP PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY NO. 419.
SOURCE IN NWSWE IS ALSO KNOWN AS BOARDWALK SPRING.

Dates: Exam Made Date: 06/14/1993 Verified Date: 06/17/1998 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

June 18, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CAROL KLEIN
PO BOX 146
STANLEY ID 83278

RE: Revised SRBA Claim A72-04112

Dear Ms. Klein:

Enclosed you will find the Proposed Recommendation of your claim to water right A72-04112. I have added Boardwalk spring and the heating use as it related to the "old shower" uses. You will also find a copy of the letter sent to Kim Hofelt describing the revisions I have made to the current record.

I have reviewed some past correspondence with Mr. Jeff Fereday and I have changed your name as shown. If this is not correct, please advise as to the proper listing. Our record now shows Mr. Fereday and Millemann & Pittenger as your attorneys of record. Again, if this needs correction, please let me know.

If you have further questions regarding this matter please feel free to contact me at our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Clelland'.

STEVE CLELLAND
Sr. Water Resource Agent

scc

CC: Jeff Fereday, PO Box 2720, Boise, ID 83701
Millemann & Pittenger, PO Box 1066, McCall, ID 83638



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

June 17, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

KIM HOFELT
PAUL REIS
SNRA
STAR ROUTE HWY 75
KETCHUM ID 83340

RE: Complaint of water diversion from Boardwalk Spring

Ladies and Gentlemen:

In response to the letter previously issued by Allen Merritt, IDWR, Southern Region Manager, dated October 7, 1997; the wateruser has since identified an Adjudication claim to a water right pertaining to the Boardwalk Spring.

We have reviewed the information provided and absent clear and convincing evidence of forfeiture or injury to other rights due to resumption of use, IDWR will be recommending the right to the SRBA court. The recommendation of claim A72-04112 to the SRBA court will describe this water right. Other users may press issues of forfeiture or injury through the SRBA process.

If you have questions regarding this matter, please feel free to contact our office.

Sincerely,

STEVE CLELLAND
Sr. Water Resource Agent

CC: Carol Klein, PO Box 146, Stanley, ID 83278
Jeff Fereday, PO Box 2720, Boise, ID 83701
Millemann & Pittenger, PO Box 1066, McCall, ID 83638
Randy Breamer, 380 E Parkcenter Blvd Suite 330, Boise, ID 83706
Vernon Johnson, HC 67 Box 316, Stanley, ID 83278
Glen Saxton, Norm Young - IDWR State Office

Memorandum

To: A72-04112 FILE

CC:

From: STEVE CLELLAND

Date: 06/17/98

Re: REVISED RECOMMENDATION

At the request of the claimant, Carole King Klein, in an affidavit dated 1/28/98; I have re-evaluated the recommendation for this claim and have revised the record. Ms. Klein's affidavit shows support for the continued use of the spring known to me as the Boardwalk spring. I have added the places of use that would have been present at the old shower areas as shown to me during my earlier field exam. I understand the actual place of use has moved slightly west to the cabin area but remains within the NENE tract of section 34 as recommended.

I measured the normal flow used in the lodge to be 0.02 cfs. Since I am unable to measure the historic flow rate of the Boardwalk spring, I have allowed the same flow rate under this additional source. The total flow rate now shows 0.04 cfs for the two springs. Volume is $0.04 \text{ cfs} \times 1.98 \text{ AF/cfs/day} \times 365 \text{ days} = 29.0 \text{ acre-feet/year}$.

I am aware of a competing affidavit by Vernon Johnson, dated 11/10/97, wherein he states the spring was not used for many years. My observations and the record with IDWR (statutory claims filed) are more consistent with Ms. Klein's affidavit.

OWNER
NAME & ADDRESS
P CAROLE SØRENSEN
11541 HARTSOOK ST
NORTH HOLLYWOOD CA 91601
(818) 980-2773
C CAROLE SØRENSEN
PO BOX 146
STANLEY ID 83278
(208) 838-2353

PRIORITY
DATE 01/01/1916
WATER USE HEATING

USE PERIOD
FROM 01-01
TO 12-31

DIVERSION
RATE 0.02 CFS
VOLUME 14.50 AFA

TOTAL DIVERSION:

0.02 CFS 14.50 AFA

Water Source: SPRINGS

Tributary to: WARM SPRINGS CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T11N R15E S34

SHANE NE NW SW NE

CUSTER County

Place of use Legal Description for: HEATING

11N 15E 27 :
34 H
POU County: CUSTER
Non-Irrigation Uses: (HEATING, USE IN MAIN LODGE) — exp
Other Rights: NONE

Remarks: PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY NO. 419.

Dates: Exam Made Date: 06/14/1993 Verified Date: 01/28/1994

Misc: Water District Number: Field Inspection Flag: Presumption Flag:

Audit: 01/28/94 CLELLAND

Revised Recommendation:

Based on 1/28/98 affidavit by claimant, additional place of use for heating has been added in Sec. 34. and 0.02 cfs has been added to the flow rate for the Bondville spring now listed on this right.

* More details are decided by me in memo of this date.

MICROFILMED
NOV 0 1 1994

Name change based on expensive correspondence w/ attorney Forsberg as notice of appearance is filed w/ SLEA

6/17/98

6/17/98

25

R16E

SECTION 25 QUADRANGLE
MINUTE SERIES ORTHOPHOTOGRAPH

26

27

POW CLOSET

POW SHOWERS

POW SPRINGS

34

35

36

31

CREEK

Creek

Trepon

R15E

CLAIM A72-412

T. R. S. Q. Q

P/D 11N 15E 34

PHOTO V21

DT.FID. 8-16-1973

INIT

+400

Revised

MAP

AS Recommended

TIIN

NOT RECOMMENDED
6/17/98

Claim No. _____

IDWR Employee/Agent Steve Clelland

CLAIM: A72-04112 PHONE: 727-5000

AFFIDAVIT

RECEIVED

MAR 05 1998

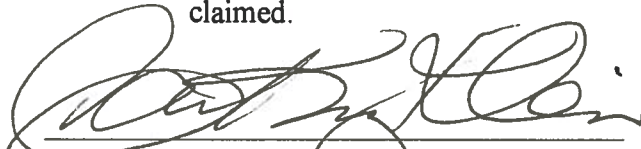
Department of Water Resources
Southern Region

CALIFORNIA
STATE OF IDAHO)
 (ss
County of Custer.)
Los Angeles

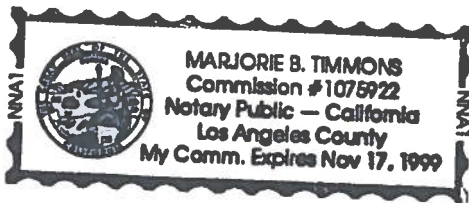
Carole King Klein, being first duly sworn, deposes and states as follows:

1. I make this Affidavit on my own personal knowledge and I make it expressly for the Idaho Department of Water Resources (IDWR) for purposes of the Snake River Basin Adjudication (SRBA).
2. This Affidavit is intended as a clarification of the use of the geothermal spring adjacent to my property (the Robinson Bar Ranch), located at the confluence of Warm Springs Creek and the Main Salmon River in Custer County, Idaho. I refer to the subject spring as the Boardwalk Spring because of a small wooden footbridge that I have maintained to ford the swampy area surrounding the spring. The Spring is located on public lands a few hundred feet from the southern boundary of my property on the eastern side of and near Warm Springs Creek.
3. Shortly after I purchased the Robinson Bar Ranch in 1981, I filed multiple claims with IDWR, at least one of which includes the Boardwalk Spring. One IDWR claim number associated with the Boardwalk Spring is No. 72-4112, which also claims the other two geothermal springs described below in this Affidavit. I have a conformed copy of the claim and accompanying map stamped by IDWR "Received June 10, 1982". Said map clearly indicates Boardwalk Spring as a point of diversion and the claimed use is for heating and domestic use in cabins and main lodge. The claimed means of diversion are head boxes, pipelines and ditches. At the time I filed that particular claim, my last name was Sorensen.
4. At the time I filed Claim No. 72-4112, a pipe from Boardwalk Spring ran to, and fed, a wooden shower house near the geothermal pools which are on my property near the lodge. The shower house structure and diversion works were in poor repair, so, not long after I moved in, I had the shower house removed, leaving the concrete head box and pipeline in place. My intention was to replace the shower house as soon as possible and, in addition, capture water from all three geothermal springs listed on Claim No. 72-4112 for the purpose of heating living space in some of the buildings on my property. The idea of using naturally-occurring sources of energy, and thereby reducing my property's load on public utilities, was very attractive to me.
5. In pursuit of that goal, I immediately redeveloped a second geothermal spring (also listed on Claim No. 72-4112), which we refer to the Lodge Spring. That second spring is used for heating in the main lodge. As soon as possible, I then began work on a new shower house, intending to utilize Boardwalk Spring as the source of hot water. As construction progressed, it was determined that I could more easily use water from the hot spring that feeds the pools (also listed on Claim No. 72-4112) for

- the new shower house, and I decided to use Boardwalk Spring water to heat cabins in the same way that we use the Lodge Spring.
6. When Steve Clelland visited my property in 1993, the above-stated information was relayed to Mr. Clelland. Having the impression that Mr. Clelland understood my situation and intentions for the Boardwalk Spring, I proceeded with plans to redevelop this spring for use in heating a cabin near the main lodge. That system is now in use, as are the other two geothermal springs listed on Claim No. 72-4112.
 7. It should be noted that my use of the hot water is a non-consumptive use and that the water returns, for all intents and purposes unaffected, to the water table and/or the Salmon River, via Warm Springs Creek. Additionally, it should be noted that all work done on or around the Robinson Bar Ranch is done with critical attention to environmental impact.
 8. I request that IDWR reevaluate its current preliminary recommendation regarding Boardwalk Springs and that IDWR will recommend, in the SRBA, that my claim regarding Boardwalk Springs (and the other geothermal springs as well) be allowed as claimed.


CAROLE KING KLEIN

SUBSCRIBED AND SWORN to before me this 28th day of January, 1998.




NOTARY PUBLIC FOR IDAHO
Residing at: Los Angeles, California
My Commission Expires: 11-17-99

Hi Steve,

Sorry for the delay with this. Hope it
does the trick. Thanks for your help.

Erik Gillberg
208-838-2277

RECEIVED

MAR 05 1998

Department of Water Resources
Southern Region

ROBINSON BAR RANCH
PO Box 173
Stanley, ID 83278

Art + Steve Clelland

Please send again

Send to:
1341 Fillmore St,
Suite 200
Twin Falls ID
83301-3380

Department of Water Resources
~~222 Shoreline St. East~~
~~Twin Falls, ID~~



RECEIVED

MAR 05 1998

Department of Water Resources
Southern Region



November 24, 1997

Idaho Department of Water Resources
1341 Fillmore Street
Suite 200
Twin Falls, Idaho 83301-3380

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DEC 01 1997
Department of Water Resources
Southern Region

Re: Boardwalk Spring Information; Claim # A72-04112

To whom it may concern,

This letter is intended as a clarification of the use of a geothermal spring adjacent to my property on the Salmon River. We refer to this spring as the Boardwalk Spring because of a small footbridge that we have maintained to ford the swampy area surrounding the spring. It is located on public lands a few hundred feet from the southern border of my property, near Warm Springs Creek.

Shortly after I purchased this property in 1981, I filed multiple claims with the IDWR, one of which includes this spring. The IDWR claim number associated with the Boardwalk Spring is #72-4112, which also claims the two other springs described below. We have a copy of this claim and accompanying map stamped by IDWR "received June 10 1982". The map clearly indicates Boardwalk Spring as a point of diversion. The claimed use is for heating and domestic use in cabins and main lodge. The claimed means of diversion are headboxes, pipelines, and ditches. Note: At this time my last name was Sorensen.

At the time I filed the claim, a pipe from the Boardwalk Spring ran to, and fed, a wooden shower house near the geothermal pools near the lodge on my property. The structure and the diversion were in poor repair, so not long after I moved in, I had the shower house removed, leaving the concrete headbox and pipeline in place. My intention was to replace the shower house as soon as possible, and in addition, capture water from all three springs listed on claim #72-4112 for the purpose of heating living space in some of the buildings on the property. The idea of using naturally occurring sources of energy, and thereby reducing this property's load on public utilities, was very attractive to me. So, we immediately redeveloped a second spring (also listed on claim #72-4112) which we refer to as the Lodge Spring. This spring is used for heating in the main lodge. As soon as was possible we began work on a new shower house, intending to utilize the Boardwalk Spring. As the construction progressed, we determined that we could more easily use water from the spring that feeds the pools (also listed on claim #72-4112) for the new shower house, and we decided to use the Boardwalk Spring water to heat cabins in the same way that we used the Lodge Spring.

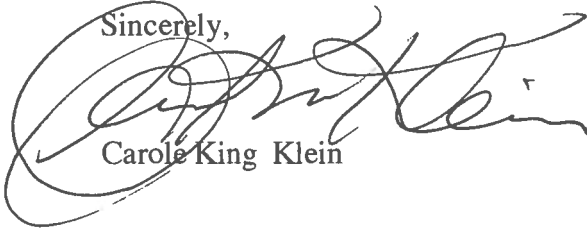
When Steve Clelland visited in 1993, my ranch foreman, Erik Gillberg, related the above information to him. Having the impression that Mr. Clelland understood our situation and our intentions for the Boardwalk Spring, we proceeded with our plans to redevelop the spring for use in heating a cabin near the Main Lodge. This system is now in use, as are the other two springs listed on claim #72-4112.

I hope that this will help to clarify my position, and that it will be recommended in the SRBA that I be allowed to continue the historical use of this spring by Robinson Bar Ranch, and keep putting this valuable resource to good use.

It should be noted that this is a non-consumptive use. The water used returns, for all intents and purposes unaffected, to the water table and/or the Salmon River, via Warm Springs Creek. It should also be noted that any work we do on or around this property is done with attention to environmental impact.

I can provide an affidavit stating the above mentioned information, if necessary. Please contact me or my ranch foreman, Erik Gillberg, if you believe such an affidavit is necessary. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Carole King Klein', with a large, stylized circular flourish on the left side.

Carole King Klein



United States
Department of
Agriculture

Forest
Service

Sawtooth National
Recreation Area

Star Route
Ketchum, ID 83340
Telephone: (208) 727-5000

RECEIVED

File Code: 2700

Date: November 4, 1997

NOV 05 1997

Department of Water Resources
Southern Region

Vernon Johnson
329 S. Milton Ave.
Shelley, ID 83274

Dear Mr. Johnson:

On October 17, 1997, I inspected the National Forest System (NFS) land surrounding the Robinson Bar Ranch to investigate those eleven items described in your September 27, 1997 letter. They are listed below, along with my findings.

1. Trail destroyed.
2. Boardwalk destroyed.

There are numerous footpaths throughout the area of the hot springs, but none of these are currently Forest Service maintained trails. The currently recognized Forest Service trail is on the opposite side of the creek from the hot springs. The access and route for this trail stays to the west side of the creek until well out of the area of the hot springs.

Although not a Forest System trail, one of the paths had been improved by the construction of a boardwalk over a seep below the hot springs. This boardwalk has not been maintained by the Forest Service. In 1989 or 1990, the Ranch owners rebuilt the deteriorating boardwalk. This spring the Ranch removed the deteriorated boardwalk they had previously built. During our on-site visit, the Ranch owners asked if they could proceed with their original plans to remove the debris from the old boardwalk, and rebuild this once again. I approved this request. Having this boardwalk in place appears to limit the impacts to this area by visitors. There is no damage to Forest System trails in the area, and we will allow continued maintenance of the boardwalk by the Ranch owner.

3. Roadway made over trail.
4. Wood cutting too close to the creek.

Your letter states that you "walked up the new roadway and found where firewood had been cut too close to the Cr. according to F.S. firewood cutting regulations." We walked a footpath to the area of cutting activity as directed in the letter. The footpath appears to have had no improvements that would suggest a roadway. The timber cutting in this area was authorized under permit by the Forest Service on 5/30/1996. It was determined utilizing this dead timber for lumber would not create an adverse effect on the adjacent riparian area. The large upturned stump from the fallen tree was left undisturbed in the riparian area, providing valuable woody debris in the riparian area.

In my view, no roadway has been constructed and the wood cutting had been previously authorized.



Caring for the Land and Serving People

- 5. Trench dug.**
- 6. Pipeline installed.**
- 7. Hot Springs housed in.**
- 8. Taking Idaho water without license.**

Two hot springs on NFS land currently supply hot water to the Ranch. It appears these are both historic uses. According to the Ranch caretaker, both sources have had State water rights claimed, IDWR claim number 72-4112. The claims were made in the name of Carole K. Evers. IDWR issued a complaint on 10/7/97 indicating the Ranch was utilizing an illegal diversion. There are multiple hot springs within this quarter section that adds some confusion to this issue. The spring you were concerned about has had the pipeline from the source replaced recently. The old pipeline from this source to the ranch was left in place. Piping hot water from this source does not appear to be a new use but we take no position on whether the claim to water at this source is valid. We understand Carol Klein (Evers) is responding to the IDWR complaint with the intent of explaining her earlier claim for this site.

If these are valid claims with IDWR, there is still a question of occupying NFS land without authorization. A State water right does not grant use of public land for either a diversion or transport facility. A Special Use Permit is required to authorize this use. When we discover an unpermitted diversion, with a valid water right claim, we typically ask the water right holder to apply for a Special Use Permit. If the user does not have a valid claim, we will require the removal of the diversion. Administration of the permit includes authorization for reasonable maintenance required to support the water right. The work we observed in the area of this spring does not appear to be an unreasonable routine maintenance activity. Unfortunately it interfered with your traditional recreation use.

A special use application will be submitted by the Ranch for these two hot springs sources. We will process these applications unless the IDWR informs us, after discussion with Ms. Klein, that this is an illegal diversion under Idaho Code. We will require the Ranch owner to maintain the diversions in a manner that provides the minimum impact on National Forest System land.

- 9. Fencing of public land.**
- 10. Grazing livestock on Forest Service land.**

You correctly noted that the Ranch owners have a fenceline running across NFS land on the northeast corner of their property. The fenceline ends where the slope begins to drop down to the river. The area between the bluff and the bank of the Salmon River is not fenced. The fenced area is authorized for fencing and grazing under Forest Service permit to the Ranch.

I also found the remains of the horse you discussed in your letter. Although within the permit area, disposal of dead animals is not an authorized activity. I discussed this with the Ranch owner and manager, who acknowledged the error. Given the current condition of the remains, I will not require them to be removed from the permit horse pasture.

- 11. Destroying Forest Service boundary signs.**

You observed that boundary signs on the north border of the Ranch were missing, and that corner signs had been shot. We located several signs that appear to have been bent and rubbed off by livestock. This commonly happens in permitted pastures, where private property monuments are located inside fencelines. The Ranch owners acknowledged that their livestock may have damaged the boundary signs, and agreed to rewire these up and monitor future damage by their stock more closely.

The signs damaged by bullet holes were also noted. The Ranch claims no responsibility for the shot signs. We have no evidence that the Ranch owners are responsible for the bullet holes to the signs.

In summary, you have pointed out several uses by the Ranch, some previously authorized, some not, that will require Forest Service authorization for continued use. Our permitting of water diversions is contingent on IDWR recognition of a valid water right claim. If the IDWR determines the presence of an illegal diversion, it will be removed and not permitted.

I hope this addresses your concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'Paul Ries', with a stylized flourish extending to the right.

Paul Ries
Area Ranger

cc: Honorable Dirk Kempthorne, US Senate, 2539 Channing Way, Idaho Falls, ID 83404
Carol Klein, POB 146, Stanley, ID 83278
Eric Gillberg, POB 173, Stanley, ID 83278
Allen Merritt, IDWR, 1341 Fillmore St., Suite 200, Twin Falls, ID 83301-3380

1 December 1997
Shelley, Idaho

Sawtooth National Recreation Area
% Area Ranger Mr. Paul Ries
Star Route
Ketchum, Idaho
83340

DEC 02 1997

Department of Water Resources
Southern Region

Dear Mr. Ries,

Pursuant to the Freedom of Information Act, please provide the following:

1. A copy of the decision order to allow the Robinson Bar Ranch owners to divert the hot springs, commonly known as the Board Walk Hot Springs.
2. Copy of the decision order to remove the boardwalk and replace it in 1989 or 1990 and also to remove it again and replace it in the spring of 1997.
3. Copies of correspondence with the Corps of Engineers regarding the 404 permit.
4. Copies of correspondence with Idaho Division of Environmental Quality regarding the 401 permit.
5. A copy of the Biological Opinion regarding this diversion.
6. A copy of your correspondence with National Marine Fisheries Service regarding this diversion and use of equipment in the creek.
7. A copy of your correspondence with the U.S. Fish and Wildlife Service regarding this diversion and use of equipment in the creek.
8. A copy of the permit allowing the ranch owners to cut timber in this area dated 30 May 1996.
9. A copy of the certification showing that Carole Klein has a water right allowing this diversion

Sincerely,

Vernon P. Johnson
329 South Milton Ave
Shelley, Idaho 83274



Reference your letter dated November 4, 1997.

Copies to: Senator Larry Craig
Senator Dirk Kempthorn
Congressman Michael Crapo
Allen Merritt, Department of Water Resources ✓
U.S. Corps of Engineers
Idaho Division of Environmental Quality
National Marine Fisheries Service

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NOV 14 1997

Department of Water Resources
Southern Region

Letter to Mr. [illegible] 11/14/97

7/10-10, 1997

the old rusted out pipe line that Chase Clark, who was the original owner of Robinson Bar Ranch as far as I know, put into place, is the line that ~~has been replaced~~ ^{replaced} ~~by a new pipe line~~ ^{by a new pipe line}. This ^{old} pipe line, some in pieces lying loose on ground & some still buried in places & probably rusted out completely, is certainly evidence enough in itself to show that it has been many long years since water flowed through it. No owner of Robinson Bar Ranch since Chase Clark including Frank Church has ever flowed water through this highly rusted out water line. I am a personal witness to this fact for the past 40 years.

My Uncle Cecil Johnson worked on the Ranch when Chase Clark was the owner. He is 91 years old and this is what he tells me. They built a boardwalk over the wet area between the hot springs and warm springs cr. after having built a couple of large ditches taking water out of Warm Springs cr. for irrigation & for placer mining. The old mining withdrawn sign is still in place showing that they did mine for gold back then. These large ditches 2 or 3 of them are still in place & the old dimensions are still in place. There was so much travel in controlling water in these ditches that they installed a board kept them from having to climb hill around them or wading through them. This sure makes more sense than local rebuilding this wet board for public use.

Her claim in court when the road was closed was that she wanted her privacy. She certainly does not want anyone even coming by her place let alone wanting to help people get up the canyon.

When the land swap which was approved last year was in motion and we all opposed it because we thought the Forest Service was giving her the land where these hot springs were located, the Forest Service assured us that this land they turned over to her did not include the hot springs. We then relaxed some but now may find that that was all in vain. She is trying to take everything so as to discourage the public from coming into the area -

Thanking for reading

Sincerely Vernon P. Jensen

| | |
|-------------|--|
| PREPARED BY | |
| DATE | |

Allen, please note the correction that
I made in my handwritten. Disregard
the one I sent you & put this corrected
one in its place -

Thank you

Vernor P. Johnson

RECEIVED

NOV 14 1997

Department of Water Resources
Southern Region

RECEIVED

NOV 14 1997

Department

Southern Region

Source 2

November 1997

Shelley, Idaho

Sawtooth National Recreation Area
% Area Ranger Mr. Paul Ries
Star Route
Ketchum, Idaho
83340

Dear Mr. Ries,

This letter is in response to your letter dated November 4, 1997.

As you read through these responses, please reference your regulation # 36-CFR-261.10 (a), which was strictly enforced in an earlier incident on myself pertaining to a gate across Forest Service road. And also strictly enforced on Mr. Samuel F. Armour on a water related problem which can be referenced by your letter to him dated September 20, 1993. " which prohibits constructing, placing, or maintaining any kind of improvement on National Forest System land without a special use authorization, contract, or approved operating plan."

1. Trail destroyed.
2. Boardwalk destroyed.

(1a). The east end of ranch trail, which wasn't even discussed in your letter, even though a trail head at the east end of the ranch is in place, had to be altered because the trail went through the approved land swap that the Forest Service made with Carol Klein Evers and was finalized about a year ago.

(1b). This trail had to be widened in whatever way so that heavy equipment could get to the large tree which was located upstream from boardwalk hot springs. You stated that ^This tree was permitted to her for the purpose of sawing it up for lumber.

(1c). It appears that none of the trails in the whole Warm Springs drainage have had any maintenance done on them for years.

(2a). The board walk had to be removed to allow the heavy equipment to get to the tree for loading and hauling. The only access to the tree was directly through the wet seep area between the board walk hot springs and Warm Springs Creek. Equipment had to travel back and forth across this wet seep area to allow this tree removal. You mentioned that Carol was given permission from you to rebuild the board walk because you were concerned of the impacts to the wet area that may be

caused by area visitors. You seemed really concerned in your letter about the riparian area along the bank of Warm Springs Creek. Were you not concerned about the riparian area along the bank at the hot springs location where the bank is soggy and wet all the way to the creek at the hot springs location? Compare that, if you will, to heavy equipment traveling through this wet area just to retrieve one tree with apparently no concern for the damage this heavy equipment would do to the bank of Warm Springs Creek at this location. The board walk was not in that bad of condition. The only reason that it was removed was to get equipment through to retrieve the tree. What was the reason for Carol wanting to replace the board walk in 1989 or 1990? Could I please get a copy of the special use permit issued to her in 1989 or 1990 for the newly constructed board walk that they built? My Uncle George Cecil Johnson now 91 years old who worked on the ranch in 1918 claims that a board walk existed in this exact area at the time he was working at the ranch. Also a bridge existed crossing the Warm Springs Creek at a point upstream above the board walk hot springs.

(2b). The board walk has been in place much as it now exists for as long as I have been using the hot springs for over forty years.

3. Roadway made over trail.
4. Woodcutting too close to the creek.

(3a). The east end of ranch blazed trail has for years gone over where the board walk was prior to it's recent removal. By removing the boardwalk, this trail was widened enough to get heavy equipment through the wet area and up the canyon to the tree that was permitted to Carol Klein Evers.

(4a). Apparently the wood cutting regulation was not enforced for the cutting of this tree, which regulation I have had to abide by in my wood cutting operations. I can't believe that a trail was widened, a board walk destroyed, and heavy equipment allowed to travel through wet land, just to recover one tree so that Carol Klein Evers could acquire some lumber. It seems to me she could have bought it cheaper at Allied Builders in Challis and had it delivered up the bottom road to her ranch. The upper road has a limited weight restriction on the bridge going across the Salmon River.

5. Trench dug.
6. Pipeline Installed.
7. Hot Springs housed in.
8. Taking Idaho water without license.

(5a). Approximately 1/4 mile of trench had to be dug in order for the 6 inch plastic pipe to be buried and covered up from the hot springs to the lodge. I did see a backhoe sitting in Carol's yard during the time I was there, so I assume that is what was used to dig the trench. Were there any restrictions involved regarding what she could and could not do on the newly acquired piece of land involved in the land swap? This trench had to have been dug through this piece of land.

(6a). A six inch diameter plastic pipe was laid in the trench and covered up. No equipment tracks were visible, but I don't know how long ago the pipe was laid and it appears that it has been smoothed over by whatever means. I do know that the pipe was plumbed in to the hot springs sometime in September of 1997.

(7a). A layer of insulation was placed over the hot water diversion area. Two logs were then placed over the top of the insulation. Flat boards taken from the up-ended board walk were nailed to the cross logs. This action housed-in the board walk hot springs. This is a very crude housing job. The materials used in the housing of the spring were taken from the up ended board walk. The board walk which you claim in your letter was badly deteriorated to the point of needing rebuilt. You gave Carol permission to do this. May I have a copy of this permit also?

(8a). I have personally used the board walk hot springs for recreation use over a period of at least forty years. I have used it extensively for the past twenty six years that I have lived close to this area. No one during this time has ever piped water any where from this spring. The old black iron pipe which was in place back in the days of Chase Clark has been rusted out for many years and has not had water run through it at any time during the forty years that I have witnessed this old line. Please reference letter to you from the Idaho Department of Water Recourses dated October 7th, 1997 pertaining to an illegal water diversion.

9. Fencing of public land.

10. Grazing livestock on Forest Service land.

(9a & 10a). I was not informed of any permit for grazing or fencing of Forest Service land when I visited with your law enforcement officer in Ketchum at the SNRA Headquarters earlier this fall. He did send me a legal description of the Carol Klein Evers ranch so that I would know the location of her north boundary. It seems strange to me that a grazing permit and a fencing permit on about 150 acres of Forest Service land would be granted to her for the use of five head of horses. She already owns 150 acres of ranch land richly covered with grass. This is a real double standard as I see it when compared to how I was treated when the

Forest Service condemned my 114 acre ranch and refused to make any kind of land swap or authorize a special use grazing permit for my horses in 1971. Because of this action imposed upon me, I lost everything I had including two homes in Arco, Idaho, a home and office headquarters with ten acres located at Squaw Creek on the Salmon River four miles up river from Clayton, Idaho. I also lost most of my Idaho Outfitter & Guide licensed activities because my operations base system was taken away by the U.S. Forest Service. It has been twenty six years since they condemned my ranch for the construction of a public campground. As of today, there has been nothing done on my ranch in regards to the construction of a public campground.

11. Destroying Forest Service boundary signs.

(11a). It appears to me that these signs were torn off the metal posts by people rather than livestock. I found some signs lying on the ground that hadn't even been bent, but appeared to have been pryed off to the point that the rivets had been pulled right through the metal. I'm sure the horses didn't shoot the holes in the corner signs from the inside of the ranch outward. All of this matters not to me now that I know where the boundary line is on the north side between the Carol Klein Evers ranch and the Forest Service land. I can now hunt and fish in the area and know that I am not trespassing on private land.

In summary, in all of the eleven items that have been discussed, it is my opinion that Carol Klein Evers seems to have special privileges given to her by the SNRA administrators. She seems to get permits from the Forest Service for whatever activities she desires. This is the complete opposite of what most of us face when we apply for special use permits.

Sincerely yours,

Vernon P. Johnson

A handwritten signature in cursive script that reads "Vernon P. Johnson". The signature is written in dark ink and is positioned below the typed name.

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A72-04112

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

December 8, 1997 9:25am

NAME:

ERIK GILLBERG

CALLBACK

RE:

CALL RE: LETTER 11/24/97

I CALLED HIS HOME TO DISCUSS THE LETTER SUBMITTED BY CAROLE KING KLEIN; LEFT MSG. WITH HIS WIFE AT 838-2277.

RETURNED CALL FROM ERIK GILLBERG:

I TOLD HIM THE LETTER SEEMS TO SUPPORT THE USE OF THE SPRING AND CLEARLY REMOVES ANY INTENT TO ABANDON THE RIGHT OR USE OF THE BOARDWALK SPRING. THE QUESTION OF FORFEITURE IS BASED ON A 5 YEAR PERIOD OF NON-USE. IT IS NOT REAL CLEAR AT THIS POINT WHEN THAT PERIOD MAY HAVE OCCURRED. I BELIEVE IT IS CLEAR THE RIGHT WAS ESTABLISHED AND ACCORDING TO THE LETTER WAS STILL IN SOME LIMITED USE AS OF JUNE 10, 1982 WHEN THE STATUTORY CLAIM WAS FILED. GIVEN THE SMALL AMOUNT OF WATER INVOLVED AND THE LACK OF EVIDENCE TO SHOW CLEAR AND CONVINCING FORFEITURE, I WILL REVISE THE PROPOSED RECOMMENDATION OF THIS SRBA CLAIM A72-04112.

I ASKED MR. GILLBERG TO PROVIDE THE DEPT. WITH THIS SAME INFORMATION IN AN AFFIDAVIT FORM AND REQUEST THE DEPT. TO REVISIT THE RECOMMENDATION IN LIGHT OF THIS ADDITIONAL INFORMATION. UPON RECEIPT OF THIS DOCUMENTATION I WILL RE-WRITE THE RECOMMENDATION.

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A72-04092 &
A72-04112

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

January 12, 1998 11:00am

NAME:
NICOLE @ ARMY CORPS OF ENG. CALLIN

RE:
CAROL KLIEN RIGHTS

SHE WANTED TO KNOW WHAT OUR CURRENT POSITION WITH THESE RIGHTS WERE... I TOLD HER NEW EVIDENCE HAS BEEN SUBMITTED TO INDICATE THE BOARDWALK SPRING HAS BEEN IN USE AND IDWR DOES NOT HAVE ANY THING TO CONTRADICT THAT NEW EVIDENCE. WE DO NOT FEEL THERE IS SUFFICIENT RECORD TO SHOW FORFEITURE. I TOLD HER THE RECORD HAS CHANGED SINCE I SPOKE TO MR. JOHNSON WHEN THIS ALL BEGAN; IT COULD CHANGE AGAIN AS THE EVIDENCE IS PRESENTED UP UNTIL THE TIME IT IS DECREED.

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A72-04112

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

January 21, 1998 1:30 pm

NAME:
VERNON JOHNSON CAMEIN

RE:
STATUS OF BOARDWALK SPR.

HE BROUGHT IN SEVERAL ENLARGED COPIES OF PHOTOS HE HAD TAKEN AT THE SPRING. WE DISCUSSED THE MOST LIKELY RECOMMENDATION - TO ALLOW THE USE AS CLAIMED FROM THE SPRING. I EXPLAINED MY POSITION AND NOT HAVING THE EVIDENCE FOR FORFEITURE OF THE RIGHT AND HE SEEMED TO UNDERSTAND.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

October 14, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ERIC GILLSBERG
RE: SORENSEN CLAIMS
PO BOX 173
STANLEY ID 83278

RE: BOARDWALK SPRING INFORMATION; CLAIM NO. A72-04112

Dear Eric,

First, let me apologize for messing up your last name. I hope I have it right now... if not, please forgive me again and let me know the correct spelling.

Enclosed is the information relating to the Boardwalk Spring as we discussed by phone on 10/10/97. I have included the following copies from the file A72-04112:

1. Proposed recommendation of claim A72-04112. Limited to the heating use in the main lodge and the spring which supplies the water for this use.
2. Page 2 of the Claim Verification Report (CVR). Notes from the field exam on 6/14/1993.
3. Copy of the orthophoto quad map showing the recommended uses and located on the map. (These maps do not copy very well.)
4. Sketch by Steve Clelland. Shows the general layout regarding the springs observed during the field exam.
5. Two pages of scanned copies of the photos in the claim file. The first shows the Boardwalk Spring, the second shows the broken pipeline which carries some of the water from the spring to a meadow area.

If you have further questions or need additional information please feel free to contact me.

Sincerely,

STEVE CLELLAND
Sr. Water Resource Agent

ENC:

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A72-04112

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

October 15, 1997 11:30am

NAME:

ERIC GILLBERG

CALLIN

RE:

BOARDWALK SPRING USE

I TOLD HIM I HAD SENT THE INFO FROM THE CLAIM FILE. HE ASKED ME ABOUT THE POSSIBILITY OF A RESUMPTION IN USE OF THE RIGHT AND I TOLD HIM THAT HAPPENS OCCASIONALLY; HE STATED THEY WERE NOT TAKING THAT STAND YET BUT WILL CONTINUE TO ASSERT THE VALID RIGHT AND USE OF THE SPRING. HE ASKED WHAT KIND OF PROOF INFORMATION I WOULD BE NEEDING TO REVISE THE RECOMMENDATION AND I TOLD HIM THE MOST COMMON EXHIBITS HAVE BEEN AFFIDAVITS BY PREVIOUS OWNERS AND NEIGHBORS. OTHER DOCUMENTATION IS RARE IN THAT AREA.

HE SAID THEY WILL BE MEETING WITH THE USFS ON 10-24-97 TO REVIEW THE SITUATION. I REMINDED HIM THE RECOMMENDATION OF RECORD IS MERELY IN THE DRAFT STAGE AND IS SUBJECT TO CHANGE UP UNTIL THE TIME OF THE DIRECTOR'S REPORT FILING WITH THE COURT.

CLAIM: A72-04112

RECEIVED

NOV 11 1997

Department of Water Resources
Southern Region

329 S. Milton Ave
Shelley, Idaho 83274
10 November 1997

STATE OF IDAHO
Department of Water Resources
ATTN: Mr. Allen Merritt
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

I, Vernon P. Johnson, a resident of Stanley, Idaho do hereby declare that I have been associated with the hot springs called the Boardwalk Springs, located upstream of the Robinson Bar Ranch, near Warm Springs Creek on US Forest Service land. I can say without doubt that none of the past owners of the Robinson Bar Ranch have used this hot springs for beneficial use at any time during the past 26 years that I have lived in this area and for the past 40 years that I have used this hot springs.

Sincerely,

VERNON P. JOHNSON

cc: Senator Larry Craig
Senator Dirk Kempthorn
Congressman Mike Crapo



Butte County
State of Idaho

On the 10th Day of November 1997 the above individual
appeared before me & signed the above document -

Rhane Hansen
At Arco Idaho

My Commission expires 2-27-2003

NOV 11 1997

Department of W
Southern

From Vernon P Johnson

Nov-10, 1997

Attn: Allen Murrill:

the old rusted out pipe line that Chase Clark, who was the original owner of Robinson Bar Ranch as far as I know, put into place, is the line that Paul Rier claims to have been installed by Carol Klein. This pipe line, some in pieces lying loose on ground & some still buried in places & probably rusted out completely is certainly evidence enough in itself to show that it has been many long years since water flowed through it. No owner of Robinson Bar Ranch since Chase Clark including Frank Church has ever flowed water through this highly rusted out water line. I am a personal witness to this fact for the past 40 years.

My uncle Cecil Johnson worked on the Ranch when Chase Clark was the owner. He is 91 years old and this is what he tells me. They built a boardwalk over the wet area between the hot spring and warm springs Cr. after having built a couple of large ditches taking water out of Warm Springs Cr. for irrigation & for placer mining. The old mining withdrawn sign is still in place showing that they did mine for gold back then. These large ditches 2 or 3 of them are still in place & the old dimensions are still in place. There was so much travel in controlling water in these ditches that they installed walkboard kept them from having to climb hill around them or wading through them. This sure makes more sense than Carol rebuilding this walk board for public use.

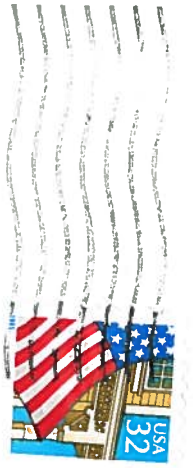
Her claim in Court when the road was closed was that she wanted her privacy. She certainly does not want anyone even coming by her place let alone wanting to help people get up the canyon.

When the land swap which was approved last year was in motion and we all opposed it because we thought the Forest Service was giving her the land where these hot springs were located, the Forest Service assured us that this land they turned over to her did not include the hot springs. We then relaxed some but now may find that that was all in vain. She is trying to take everything so as to discourage the public from coming into the area -

Thanks for reading

Sincerely Vernon P. Jones

New Johnson
329 S. Milton Ave.
Shelley, Idaho
83274



RECEIVED

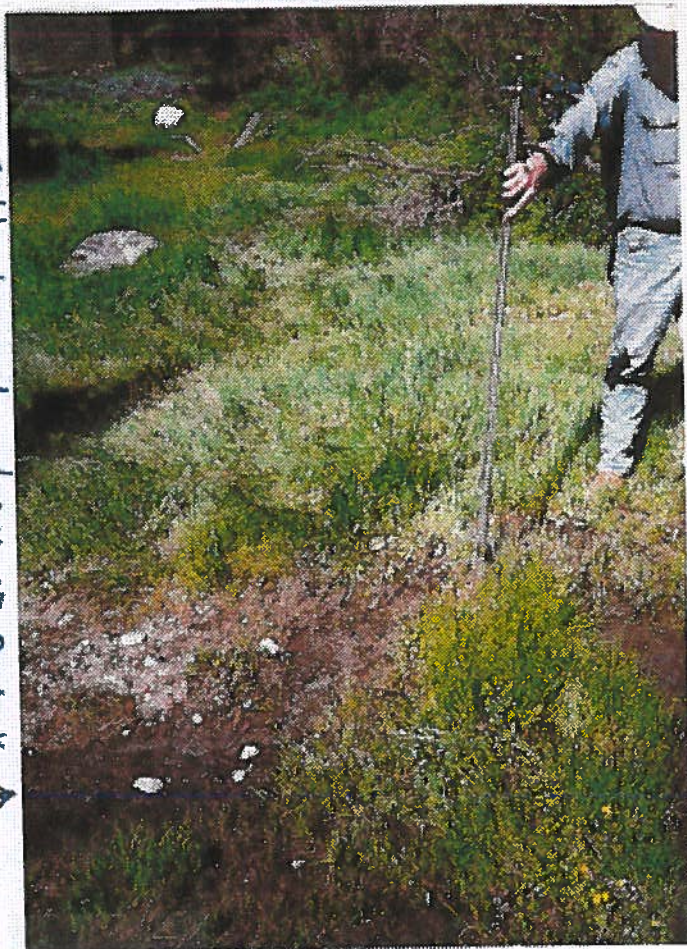
NOV 11 1997

Department of Water Resources
Southern Region

State of Idaho
Department of Water Resources
Attn: Mr. Allen Merritt
1341 Gilmore, N. Suite 200
Twin Falls, Idaho
83301-3380

POOR ORIGINAL

Fitchcock points out end of pipeline.
↓



SPRING @ DOORWALK FLOWS INTO THIS
ABANDONED PIPELINE. PIPE SERVES NO USES.

6-14-93

PHOTO: R72-12
by SC



PROFIL
NOV 01 8



State of Idaho
DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

APRIL 10, 1997

GIVENS, PURSLEY, & HUNTLEY
ATTN: JEFF FEREDAY
PO BOX 2720
BOISE ID 83701

A72-04112

RE: CAROLE KLEIN SRBA CLAIMS

DEAR MR. FEREDAY:

IN REGARDS TO OUR PHONE CONVERSATION, I AM ENCLOSING THE MATERIAL THAT WAS DISCUSSED. HERE ARE PROOF REPORTS FOR ALL THE CLAIMS UNDER THE NAME OF CAROLE SORENSEN ALONG WITH A NOTICE OF OWNERSHIP CHANGE AND A NOTICE OF CHANGE OF ATTORNEY.

I HAVE CALLED THE SRBA COURT AND THE STATE OFFICE OF WATER RESOURCES. THE COURT CONFIRMED THEY HAVE YOUR NOTICE OF APPEARANCE ON FILE. THE STATE OFFICE IS BEING SENT A COPY OF THE NOTICE OF APPEARANCE. I AM KEEPING A COPY OF THE NOTICE IN THIS OFFICE FOR FUTURE REFERENCES.

IN RESEARCHING FOR THE ADDRESS CHANGE SENT FROM MILLEMAN & PITTENGER, I FOUND THAT THERE WAS CONFUSION IN THIS OFFICE AND THE ADDRESS CHANGE HAS NOT BEEN SENT HERE. I APOLOGIZE FOR THIS ERROR. IF YOU HAVE ANY FURTHER QUESTIONS, PLEASE FEEL FREE TO CALL ME. I THANK YOU FOR YOUR TIME.

SINCERELY,

TARA L. BACKLUND
SRBA RECORDS CLERK

ENCLOSURES



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MARCH 11, 1997

GIVENS PURSLEY & HUNTLEY
ATTN: JEFF FEREDAY
PO BOX 2720
BOISE ID 83701

RE: NOTICE OF APPEARANCE FOR CAROL KLEIN

DEAR MR. FEREDAY:

FIRST, THANK YOU FOR NOTIFYING US OF THIS CHANGE AND I APOLOGIZE FOR THE DELAY IN REVIEWING THIS. I DO, HOWEVER, NEED TO HAVE ADDITIONAL INFORMATION.

I FIRST NEED A NOTICE OF NAME CHANGE, CHANGING CAROL SORENSEN TO CAROL KLEIN. I HAVE ENCLOSED 42-1409(7) TO MAKE THE NECESSARY CHANGES. NEXT, THE CLAIM NUMBERS YOU SUBMITTED ARE THE RESERVED FEDERAL AND TRIBAL CLAIMS. I HAVE ENCLOSED THESE CLAIMS PLUS THE CLAIMS I FOUND UNDER CAROL SORENSEN'S NAME.

IF YOU HAVE ANY QUESTIONS ABOUT THESE QUESTIONS, PLEASE CALL ME AT THIS OFFICE. THANK YOU FOR YOUR TIME.

SINCERELY,

A handwritten signature in cursive script that reads "Tara L. Backlund".

TARA L. BACKLUND
RECORDS CLERK

ENCLOSURES

LAW OFFICES

DEC 27 1996

GIVENS PURSLEY & HUNTLEY, LLP

A LIMITED LIABILITY PARTNERSHIP

277 NO. 6TH STREET • SUITE 200

P.O. Box 2720 • BOISE, IDAHO 83701

(208) 388-1200

FACSIMILE (208) 388-1201

December 23, 1996

RECEIVED

DEC 24 1996

Department of Water Resources

L. EDWARD MILLER
PATRICK J. MILLER
JUDSON B. MONTGOMERY
TERRY L. MYERS
RAMONA S. NEAL
STEVEN L. OLSEN
W. HUGH O'RIORDAN
ROBERT L. PHILLIPS
KENNETH L. PURSLEY
GREGORY J. VIETZ
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STEVEN R. WEEKS
STEPHANIE C. WESTERMEIER

JAMES A. MCCLURE
JUDITH K. HOLCOMBE
OF COUNSEL

ARY G. ALLEN
JOSEPH H. BAIRD
CHRISTOPHER J. BEESON
MICHAEL C. CREAMER
JOY L. EIGUREN
JEFFREY C. FEREDAY
ULIE KLEIN FISCHER
RAYMOND D. GIVENS
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I. BART GREEN
ROBERT C. HUNTLEY, JR.
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DAVID R. LOMBARDI
KIMBERLY DAWN MALONEY
KENNETH R. MCCLURE
CHRISTOPHER H. MEYER

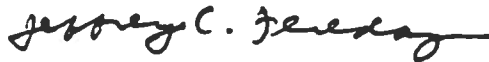
Via Facsimile

Diana Delaney, Chief Deputy Clerk
Snake River Basin Adjudication
253 3rd Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

Dear Diana:

I am enclosing a Notice of Appearance in Subcase Nos. 72-16109, 72-10940, 72-11219, 72-11220, 72-16081, 72-16163, 72-16243, 72-16272, 72-16190, 72-16028 for Carole Klein for filing with the SRBA Court.

Sincerely,



Jeffrey C. Fereday

JCF/jbg

Enclosure

cc: Brian L. McMahan/Gregory C. Pittenger
Carole Klein
Counsel of Record for Subcases

Jeffrey C. Fereday
Christopher H. Meyer
Michael C. Creamer
Givens Pursley & Huntley LLP
277 North 6th Street
P.O. Box 2720
Boise, ID 83701
(208) 388-1200
(208) 388-1201 (fax)

Attorneys for Carole Klein

**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 |) | Subcase Nos. 72-16109, |
| |) | 72-10940, 72-11219, 72-11220, |
| |) | 72-16081, 72-16163, 72-16243, |
| Case No. 39576 |) | 72-16272, 72-16190, 72-16028 |
| |) | |
| |) | NOTICE OF APPEARANCE |

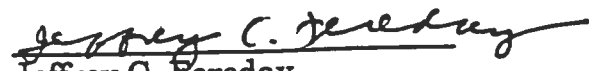
DESCRIPTIVE SUMMARY

This is the Notice of Appearance of Givens Pursley & Huntley LLP as counsel for Carole Klein, P.O. Box 146, Stanley, ID 83278.

ENTRY OF APPEARANCE

The law firm of Givens Pursley & Huntley LLP, 277 North 6th Street, Suite 200, P.O. Box 2720, Boise, Idaho 83701, through Jeffrey C. Fereday, Christopher H. Meyer, and Michael C. Creamer, hereby enters its appearance as counsel to Carole Klein in Subcase Nos. 72-16109, 72-10940, 72-11219, 72-11220, 72-16081, 72-16163, 72-16243, 72-16272, 72-16190, 72-16028.

Dated this 23rd day of December, 1996.


Jeffrey C. Fereday
Givens Pursley & Huntley LLP

CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of December, 1996, I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to the following:

Chief
Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, ID 83711-4449
■ U.S. Mail ☐ Fax ☐ By Hand ☐ Overnight

The U.S. Department of Justice
Environmental & Natural Resources
Division
550 West Fort Street
MSC 033
Boise, ID 83724
■ U.S. Mail ☐ Fax ☐ By Hand ☐ Overnight

Director
Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098
■ U.S. Mail ☐ Fax ☐ By Hand ☐ Overnight

U.S. Department of Agriculture
Forest Service
324 25th Street
Ogden, UT 84401-2394
■ U.S. Mail ☐ Fax ☐ By Hand ☐ Overnight

U.S. Department of Agriculture
Forest Service
P.O. Box 7669
Missoula, MT 59807
■ U.S. Mail ☐ Fax ☐ By Hand ☐ Overnight

Scott L. Campbell, Esq.
Ryan P. Armbruster, Esq.
Bobbi Killian Dominick, Esq.
Elam & Burke
702 W. Idaho Street, 10th Floor
P.O. Box 1539
Boise, ID 83701
■ U.S. Mail ☐ Fax ☐ By Hand ☐ Overnight

Don A. Olowinski, Esq.
Hawley Troxell Ennis & Hawley
P.O. Box 1617
Boise, ID 83701
■ U.S. Mail ☐ Fax ☐ By Hand ☐ Overnight

Herbert W. Rettig, Esq.
P.O. Box 729
Caldwell, ID 83605
■ U.S. Mail ☐ Fax ☐ By Hand ☐ Overnight

Harrison Canal & Irrigation
c/o Claude Storer
12313 North 65 E.
Idaho Falls, ID 83401
■ U.S. Mail ☐ Fax ☐ By Hand ☐ Overnight

John A. Rosholt, Esq.
Rosholt, Robertson & Tucker
142 3rd Avenue North
P.O. Box 1906
Twin Falls, ID 83303
■ U.S. Mail ☐ Fax ☐ By Hand ☐ Overnight

Josephine P. Beeman, Esq.
Dillion, Bosch, Daw & Bock, Chtd.
Fidelity Building
242 N. 8th Street, Suite 200
Boise, ID 83702
■ U.S. Mail ☐ Fax ☐ By Hand ☐ Overnight

Ray W. Rigby, Esq.
Rigby, Thatcher, Andrus, Rigby, Kam &
Moeller, Chtd.
25 North Second Street
P. O. Box 250
Rexburg, ID 83440
■ U.S. Mail ☐ Fax ☐ By Hand ☐ Overnight

Roger D. Ling, Esq.
Ling, Nielsen & Robinson
615 H Street
P. O. Box 396
Rupert, ID 83350
■ U.S. Mail ☐ Fax ☐ By Hand ☐ Overnight

Terry T. Uhling, Esq.
J. R. Simplot Co.
999 Main Street
P. O. Box 27
Boise, ID 83707

■ U.S. Mail ☐ Fax ☐ By Hand ☐ Overnight

Kent W. Fletcher, Esq.
Parsons, Smith, Stone & Fletcher
137 W. 13th Street
P.O. Box 910
Burley, ID 83318

■ U.S. Mail ☐ Fax ☐ By Hand ☐ Overnight

Gary Demott
9185 Colleen
Boise, ID 83709

■ U.S. Mail ☐ Fax ☐ By Hand ☐ Overnight

John T. Schroeder, Esq.
Schroeder Lezamiz Law Offices
447 W. Myrtle Street
P.O. Box 267
Boise, ID 83701-0267

■ U.S. Mail ☐ Fax ☐ By Hand ☐ Overnight

Clayton Badley
1220 East 10th North
Mountain Home, ID 83647

■ U.S. Mail ☐ Fax ☐ By Hand ☐ Overnight

Jerry W. Badley
P.O. Box 601
Willows, CA 95988

■ U.S. Mail ☐ Fax ☐ By Hand ☐ Overnight

Jeffrey C. Tereday

LAW OFFICES

GIVENS PURSLEY & HUNTLEY, LLP

A LIMITED LIABILITY PARTNERSHIP

277 NO. 6TH STREET • SUITE 200

P.O. BOX 2720 • BOISE, IDAHO 83701

(208) 388-1200

FACSIMILE (208) 388-1201

December 20, 1996

RECEIVED

DEC 23 1996

Department of Water Resources

GARY G. ALLEN
JOSEPH H. BAIRD
CHRISTOPHER J. BEESON
MICHAEL C. CREAMER
ROY L. EIGUREN
JEFFREY C. FEREDAY
JULIE KLEIN FISCHER
RAYMOND D. GIVENS
L. W. GRANT III
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KARL T. KLEIN
DAVID R. LOMBARDI
KIMBERLY DAWN MALONEY
KENNETH R. MCCLURE
CHRISTOPHER H. MEYER

L. EDWARD MILLER
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TERRY L. MYERS
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W. HUGH O'RIORDAN
ROBERT L. PHILLIPS
KENNETH L. PURSLEY
GREGORY J. VIETZ
CONLEY WARD
STEVEN R. WEEKS
STEPHANIE C. WESTERMEIER

JAMES A. MCCLURE
JUDITH K. HOLCOMBE
OF COUNSEL

Via Facsimile

Diana Delaney, Chief Deputy Clerk
Snake River Basin Adjudication
253 3rd Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

Dear Diana:

I am enclosing a Notice of Appearance for Carole Klein for filing with the
SRBA Court.

Sincerely,



Jeffrey C. Fereday

JCF/jbg

Enclosure

cc: Brian L. McMahan/Gregory C. Pittenger
Carole Klein
Court Certificate of Mailing List of 10/28/96

CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of December, 1996, I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to the following:

Chief
Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, ID 83711-4449
☒ U.S. Mail ☐ Fax ☐ By Hand ☐ Overnight

The U.S. Department of Justice
Environmental & Natural Resources Division
550 West Fort Street
MSC 033
Boise, ID 83724
☒ U.S. Mail ☐ Fax ☐ By Hand ☐ Overnight

Brian L. McMahan, Esq.
Gregory C. Pittenger, Esq.
Millemann, Pittenger & McMahan
706 North 1st Street
P.O. Box 1318
McCall, ID 83638
☒ U.S. Mail ☐ Fax ☐ By Hand ☐ Overnight

Court Certificate of Mailing List as of 10/28/96
☒ U.S. Mail ☐ Fax ☐ By Hand ☐ Overnight

Jeffrey C. Flueck

om: DWR03::DSMITH 17-APR-1997 13:27:37.47
: DWR60::DJONES
: DWR03::DSMITH
bj: CAROL KLEIN - SORENSON BASIN 72

TELEPHONE CONVERSATION MEMO:

YESTERDAY, 4/16/97, LATE AFTERNOON I RECEIVED A CALL FROM JEFF FEREDAY OF EVENS PUSLEY REGARDING A CHANGE OF NAME AND ADDRESS OF THE ABOVE MENTIONED PERSON. (I HAVE NOT LOOKED UP HER CLAIM NUMBERS). ANYWAY, TARA HAS BEEN SENDING CORRESPONDENCE TO HIM REGARDING WHAT HE NEEDS TO DO TO GET THE DOCUMENTS SENT TO HIM AND A GET THE CLAIMANTS NAME AND ADDRESS CORRECT.

JUST FOR YOUR INFO, THE CLAIMANT IS "THE" CAROL KING.

APPARENTLY THE ORIGINAL PAPERS FILED BY JEFF WERE CONFUSING SO THIS IS WHAT I TOLD JEFF FEREDAY TO DO, AFTER CHECKING WITH DON SHAFF (TECHNICAL) AND PETER ANDERSON (LEGAL).

THE INTENT OF THIS ATTORNEY AND CLAIMANT IS TO CHANGE HER NAME FROM SORENSON (SOLE OWNERSHIP) TO HER MAIDEN NAME OF KLEIN AND GET A CORRECT MAILING ADDRESS ON THE CLAIMS. JEFF WILL BE SENDING A NEW CHANGE OF ADDRESS FORM WITH SOME AFFIDAVIT OR LEGAL DOCUMENT SHOWING CAROL'S LAST NAME AS KLEIN. NO OWNERSHIP CHANGE HAS EVER BEEN DONE....NAME ONLY. PROBLEM 1

WHEN JEFF HAS ALREADY FILED A NOTICE OF APPEARANCE ON THE CLAIMS, HE IS ADDITIONAL COUNSEL ALONG WITH MILLEMAN & PITTENGER. MILLEMAN REPRESENTS CAROL ON ALL MATTERS AND JEFF WILL CO-COUNSEL ON WATER LAW ONLY. THAT MEANS WE WILL HAVE TO SERVE TO LEGAL FIRMS, BUT GUESS THAT IS COMMON. JEFF WILL EXPLAIN THIS IN HIS LETTER. PROBLEM 2

LAST, BUT NOT LEAST CAROL HAS FILED OBJECTIONS TO BASIN 72 FEDERAL INSTREAM FLOW CLAIMS. JEFF FEREDAY WILL BE CONTACTING THE ATTORNEY GENERAL'S OFFICE TO FIND OUT HOW TO HANDLE THE NAME AND ADDRESS CHANGE ON THE OBJECTIONS WITH THEM AND THE COURT. OUR LEGAL SECTION DOES NOT KEEP RECORDS OF THOSE FILED. CLAIM OBJECTIONS. PROBLEM 3

HOPEFULLY, JEFF FEREDAY WILL SEND THE LETTER AND PROOF OF NAME CHANGE IN THE NEXT FEW DAYS. I DID TELL HIM HE COULD SEND THE CORRESPONDENCE TO YOU. SINCE HE IS ADDITIONAL COUNSEL AND NO OWNERSHIP CHANGE HAS OCCURRED, BOTH DON AND PETER SAID THIS DOCUMENTATION SHOULD BE SUFFICIENT.

IF YOU DISAGREE OR HAVE QUESTIONS, PLEASE CALL ME AT 327-7931.

THANKS FOR YOUR TIME. HAVE A NICE DAY!

DANNI

I WILL REVIEW THE FILES AND CONFIRM MY POSITION. I WILL SEND HIM A COPY OF THE SKETCH I MADE OF THE SPRING DELIVERIES.



State of Idaho
DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 7, 1997

Paul Reis
SNRA
Star Route (Hwy 75)
Ketchum, ID 83340

Carol Klein
PO Box 146
Stanley, ID 83278

RE: Complaint of illegal water diversion from Boardwalk Spring

Dear Wateruser:

Our office has been notified of a potential illegal water diversion from a hot spring (locally known as Boardwalk Spring) located in SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34, Twp.11N, Rge.15E, B.M. (Please find copy of written complaint for reference) Our office understands the spring and diversion works are located on federal lands but the use is located on the Kline property.

We have researched our water right records and reviewed the Snake River Basin Adjudication (SRBA) field exams for the Sorensen (Klein) claims. Our review finds no water right or SRBA claim for this diversion. Since no right or permit exists in our records I request your cooperation in:

-identifying what water right covers the use of this spring if our records are not correct.

-do not divert water for use of this spring if you do not have a water right.

-&/or obtain a valid permit or water right for your use of this water.

Please respond to our office within 14 days of the date of this letter as to the status of the use of this water.

Please also note that to divert water in Idaho without a valid water right is illegal pursuant to §42-351, Idaho Code and subject to civil penalties of up to \$100 per day.

If you have questions regarding this matter please feel free to contact our office.

Sincerely,

Allen Merritt, PE
Southern Region Manager

CC: Jeff Fereday, PO Box 2720, Boise, ID 83701
Millemann & Pittenger, PO Box 1066, McCall, ID 83638
Randy Breamer, 380E Parkcenter Blvd Suite 330, Boise, ID 83706
Vernon Johnson, HC 67 Box 316, Stanley, ID 83278
Glen Saxton, Norm Young - IDWR State Office

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A72-04092 &

A72-04112

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

September 9, 1997 9:57am

NAME:
VERN JOHNSON

CALLBACK

RE:
HOT SPRINGS

HE WANTED TO KNOW IF CAROL KING HAD FILED FOR THE USE OF THE HOT SPRING AT THE "BOARDWALK" UPSTREAM FROM THE RANCH; HE SAYS THERE IS A NEW DIVERSION OF THE WATER VIA A 6 INCH PIPE. I TOLD HIM I DID NOT RECALL EXACTLY WHAT WAS RECOMMENDED FOR THE HOT SPRINGS TO MS. KING. I QUERIED THE WR DATABASE FOR ANY NEW APPLICATION AND COULD NOT FIND ANYTHING FOR THE NAMES SORENSON, KING OR KLINE, POSSIBLE NAMES USED BY MS. KING IN THE PAST. I TOLD HIM I NEEDED TO REVIEW THE AJ FILES TO SEE WHAT MY MAPS SHOW AND WHAT I HAD FOUND.

I CALLED HIM BACK AND TOLD HIM THERE WAS A SPRING BETWEEN THE "BOARDWALK" AND THE POOL THAT SUPPLIED HEAT TO THE LODGE AND THE OTHER RIGHT WAS FOR THE POOL ITSELF, CLAIMS A72-04112 & A72-04092. THERE WAS A SPECIFIC NOTE ON MY SKETCHES STATING NO CLAIM WAS FILED FOR THE "BOARDWALK" SPRING AND NO USE WAS FOUND THERE.

Klein

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. SEE BELOW

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

November 21, 1996 11:10 am

NAME:

ERIC GILBERT

CALLIN

RE:

CAROLE (KING) SORENSEN RTS.

HE NEEDS TO PROVIDE SOME ANSWERS TO THE CLAIMANT'S ATTORNEYS AND WANTED A QUICK REFRESHER ON THE PROCESS OF THE CLAIMS AND THE OUTCOME OF MY FIELD EXAMS IN 1993. I DESCRIBED THE SRBA PROCESS FOR THE NEXT REPORTING AREA (BASIN 71 & 72) AND EXPLAINED THE REPORTS AND CORRECTION OPPORTUNITIES THAT WILL BE AVAILABLE.

GEORGIA SATTERLEE AND I PREPARED TO SEND HIM COPIES OF THE CLAIM FOR EACH RIGHT AND THE INITIAL DRAFT PROPOSAL FOR EACH RIGHT AS LISTED BELOW. WE HAD PLANNED TO FAX THE INFO TO 838-2441 BUT DUE TO PHONE PROBLEMS WE MAILED THEM TO THE STANLEY ADDRESS ON THE CLAIMS.

CLAIMS: A72-04092, A72-04093, A72-04094, A72-04112 & A72-10019.



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE ST E
TWIN FALLS ID 83301
(208) 736-3033 FAX (208) 736-3037

PHILIP E. BAIL
GOVERNOR

KARL J. DREHER
DIRECTOR

November 25, 1996

BRIAN MCMAHAN
MILLEMANN & PETTINGER
PO BOX 1066
MCCALL ID 83638

RE: SORENSON PROPERTY

Dear Mr McMahan,

I have completed my research of the water rights and SRBA claims appurtenant to the Sorenson property. The following is a summary of what was claimed and is contained in the preliminary recommendation for the claims. Please recall that I cautioned about misconstruing the content of the preliminary recommendations for the SRBA claims.

| WR Claim | Div Rate | Use | SRBA Claim | Div Rate | Use |
|----------|----------|------------------------------------|--------------|----------|------------------------------------|
| 72-04092 | 0.10 | irr
(20ac)
stk
htg
rec | A72-04092 | 0.10 | irr
(20ac)
stk
htg
rec |
| | | | Recommended: | 0.06 | rec |
| 72-04093 | 2.28 | irr
(114ac) | A72-04093 | 2.28 | irr
(114ac) |
| | | | Recommended: | | |
| | | | 72-04093A | 0.09 | irr (3ac) |
| | | | 72-04093B | 1.12 | irr (12ac) |
| 72-04094 | 0.10 | irr
(5ac)
stk
dom | A72-04094 | 0.10 | irr (5ac)
stk
dom |
| | | | Recommended: | | |
| | | | 72-04094 | 0.10 | irr (3ac)
stk
dom |

page 2

| | | | | | |
|--------------|----------|-----------------------------|-----------|------|------------------------------|
| 72-04112 | 0.15 | irr
(20ac)
htg
dom | A72-04112 | 0.15 | irr (20ac)

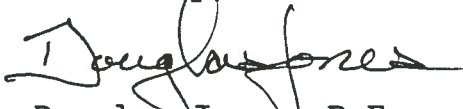
htg
dom |
| Recommended: | | | | | |
| | 72-04112 | | | 0.02 | htg |

In answer to your question about the place of use discrepancy on A72-04112, I spoke with Mr Clelland about it and he found only heating use and recommended the system capacity from the warm spring source for that system. He also stated that he was with the ranch manager at the time and is confident that he was shown the entire ranch and various water systems.

Enclosed are computer printouts of the Water Right database record (WR), adjudication claim (AJ), and preliminary recommendation (Prelim Rec) for each right stapled together. I have verified that your firm is the attorney of record for these claims (though it is not listed in the reports I have enclosed) and will receive any correspondence sent by IDWR or the court. However, I would ask that you review the mailing address for Carole Sorensen and forward corrections required under I.C. 42-1409(6). I have enclosed a form for this purpose.

If you have further questions please get in touch with me.

Sincerely,



Douglas Jones, P.E.
Water Rights Supervisor
Southern Adjudication Unit

enc.

cc: files

R PROOF

CVR

MAPS

PHOTOS

MISC

DATE: 01/28/94
PAGE: 1

PRIORITY
DATE

WATER USE

USE PERIOD
FROM TO

DIVERSION
RATE

DIVERSION
VOLUME

P CAROLE SORENSEN
11541 HARTSOOK ST
NORTH HOLLYWOOD CA 91601
(818) 980-2773

TOTAL DIVERSION:

0.02 CFS

14.50 AFA

C CAROLE SORENSEN
PO BOX 146
STANLEY ID 83278
(208) 838-2353

Water Source: SPRING

Tributary to: WARM SPRINGS CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T11N R15E S34

SWNENE

CUSTER County

Place of use Legal Description for: HEATING UNIT

[illegible]

POU County: CUSTER

Non-Irrigation Uses: HEATING, USE IN MAIN LODGE

Other Rights: NONE

REMARKS: PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY NO. 419.

Dates: Exam Made Date: 06/14/1993 Verified Date: 01/28/1994

Misc: Water District Number: Field Inspection Flag:

Presumption Flag:

Audit: 01/28/94 CLELLAND

MICROFILMED
NOV 01 1988

27

26

25

R16E

V2

POW
eldest

POD
SPRNG

CREEK

34

35

30

31

R15E

ROBINSON BAR QUADRANGLE
IDAHO
7.5 MINUTE SERIES ORTHOPHOTOGRAPH

POOR ORIGINAL

CLAIM A72-412 INTT
T. R. S. Q. Q.
P/D 11N 15E 34 SWNE
PHOTO V21 (NE)
DT. & ID. 8-16-1978

MICROFILMED
MAY 0 1 1984

T11N

- this spring fresh the
- lodge only.
- cabins have no water

*02 JCS
memo. by S. G. [illegible]
@ D. [illegible]

MICROFILMED
NOV 6 1989

- exchanges not found

CONTACT PERSON: _____

PHONE NUMBER: () - -

DATE OF FIELD EXAM: 6/14/98

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY: _____

ERIC GILLSBERG

PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

(Also Frank Hitchcock, IDWR)

We confirmed w/ Eric G. that the only building using Geothermal water for heat was the main lodge. Looking here no piped in water. We examined the cabins for plumbing and found none. The Geothermal water was found at the main lodge but we drilled w/ extensive piping & manifold setup to first floor of Eric said the system installed floor heating elements.

We measured the water flow as it returns to Warm Springs Creek from the return pipe. We were told the flow runs constantly at this rate. Using a stopwatch & 5 gallon bucket we measured flow of 0.02 cfs.

PDD was difficult to locate. Collection box & pipeline were both buried. We located several other collection boxes from earlier stations and knew we were in the approximate area (within 200').

None of the other springs were being diverted for use. (see photo in this file of old channel still open to stream. → unused.)

MICROFILMED
JUN 10 1998

A. AJ CLAIM: # A72-04112 PRIORITY DATE: 01-01-1916 STAGE: ~~S~~ **(J)**
B. WR RECORD: # 72-04112 PRIORITY DATE: 01-01-1916 STAGE: S

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y(☒) N(☐)
IF YES EXPLAIN.

REMARKS: Evidence Submitted supports use & date claimed.

RECOMMENDED PRIORITY DATE:

01-01-1916

REVIEWED BY

Sc

DATE

5-11-93

MICROFILMED
NOV 01 1994

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|-----------|------|------|------|-----|-----|-----|-----|--------|
| A72-04112 | 11N | 15E | 27 | | SE | SE | | CUSTER |
| A72-04112 | 11N | 15E | 34 | | NE | NE | | CUSTER |
| A72-04112 | 11N | 15E | 34 | | SE | NE | | CUSTER |

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX
A72-04092 - R PREFIX
A72-04094 R72-04092
A72-10019

WR RECORDS IN SAME 40 ACRE TRACT

72-04092
72-04094
72-07498
72-07499

SOURCE: SPRINGS

TRIB: WARM SPRINGS CREEK

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|----------|------|------|------|-----|-----|-----|-----|--------|
| 72-04112 | 11N | 15E | 27 | | SE | SE | | CUSTER |
| 72-04112 | 11N | 15E | 34 | | NE | NE | | CUSTER |
| 72-04112 | 11N | 15E | 34 | | SE | NE | | CUSTER |

OTHER WR RECORDS WITH SAME WR POD

72-04092
72-04094
72-07498
72-07499

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

A72-04092 R72-04092
A72-04094
A72-10019

SOURCE: SPRINGS

TRIB: WARM SPRINGS CREEK

C. FIELD EXAM REQUIRED?

| DUE TO POD DISCREPANCY? | (Y/N) | DATABASE | FIELD EXAMINER |
|----------------------------|-------|----------|---|
| DUE TO SOURCE DISCREPANCY? | (Y/N) | Y |  |
| | N | | |

MICROFILMED
NOV 01 1999

REMARKS:

Confirmed by Stam, App 121, ASCS Map 120, Map 121.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

| TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | COUNTY |
|------|------|------|-----|-----|-----|-----|--------|
| 11N | 15E | 34 | SW | NE | NE | | 37 |

SOURCE: SPRING

TRIB: WARM SPRINGS CREEK

REVIEWED BY: See

DATE: 1-28-94

MICROFILMED
... 0 1 1994

A. ROOT WATER RIGHT NUMBERS: A72-04112

B. POU LISTING

| TWP | RNG | SEC | T44 | 1/4 | LOT | NAME | AJ
#/ACRES | WR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES |
|-------------|-----|-----|-----|-----|-----|-----------------------|------------------|-----------------|-----------------|----------------|------------------|
| 11N | 15E | 27 | SE | SE | SE | SORENSEN, CAROLE | A72-04112 / | 72-04112 / 20.0 | | | |
| | | | SE | SE | SE | SORENSEN, CAROLE | A72-04093 / 35.0 | 72-04093 / 35.0 | | | |
| | | | SE | SE | SE | SORENSEN, CAROLE | A72-04094 / 3.0 | 72-04094 / 3.0 | | | |
| | | | SE | SE | SE | SORENSEN, CAROLE | A72-10019 / | | | | |
| | | | SE | SE | SE | SORENSEN, CAROLE | A72-04092 / 20.0 | 72-04092 / 20.0 | | | |
| | | | SE | SE | SE | MILLEMANN & PITTENGER | R72-04092 / 20.0 | | | | |
| 11N | 15E | 27 | SE | SE | SE | SORENSEN, CAROLE | A72-04112 / | 72-04112 / 20.0 | | | |
| | | | SE | SE | SE | SORENSEN, CAROLE | A72-04093 / 35.0 | 72-04093 / 35.0 | | | |
| | | | SE | SE | SE | SORENSEN, CAROLE | A72-04094 / 3.0 | 72-04094 / 3.0 | | | |
| | | | SE | SE | SE | SORENSEN, CAROLE | A72-10019 / | | | | |
| | | | SE | SE | SE | SORENSEN, CAROLE | A72-04092 / 20.0 | 72-04092 / 20.0 | | | |
| | | | SE | SE | SE | MILLEMANN & PITTENGER | R72-04092 / 20.0 | | | | |
| 11N | 15E | 34 | NE | NE | NE | SORENSEN, CAROLE | A72-04112 / | 72-04112 / 2.0 | | | |
| | | | NE | NE | NE | SORENSEN, CAROLE | A72-04094 / | 72-04094 / 2.0 | | | |
| | | | NE | NE | NE | SORENSEN, CAROLE | A72-04092 / | 72-04092 / | | | |
| | | | NE | NE | NE | MILLEMANN & PITTENGER | R72-04092 / | | | | |
| | | | NE | NE | NE | STATE OF IDAHO | | 72-07499 / | | | |
| | | | NE | NE | NE | STATE OF IDAHO | | 72-07498 / | | | |
| 11N | 15E | 34 | NE | NE | NE | SORENSEN, CAROLE | A72-04112 / | 72-04112 / | | | |
| | | | NE | NE | NE | SORENSEN, CAROLE | A72-04094 / | 72-04094 / | | | |
| | | | NE | NE | NE | SORENSEN, CAROLE | A72-04092 / | 72-04092 / | | | |
| | | | NE | NE | NE | MILLEMANN & PITTENGER | R72-04092 / | | | | |
| | | | NE | NE | NE | STATE OF IDAHO | | 72-07499 / | | | |
| | | | NE | NE | NE | STATE OF IDAHO | | 72-07498 / | | | |
| 11N | 15E | 34 | NE | SE | SE | SORENSEN, CAROLE | A72-04112 / 20.0 | - | | | |
| TOTAL ACRES | | | | | | | A72-04112 | 20.00 | 40.00 | | |

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y () N (X)

C. FIELD EXAM REQUIRED? DATABASE FIELD EXAMINER POU COUNTY: CUSTER

DUE TO POU DISCREPANCY? (Y/N)

Y

use for hearings only

Del

Del

per NAPP
Review 93
5-11-93

Del

MICROFILMED
Nov 01 1994

PRESUMPTION FLAG:

REMARKS:

Heating area the only use found from this spring.
Continued logs by Sam, ODO 121, ASSCS P20, & NAPP.

RECOMMENDATIONS:

TOTAL ACRES:

Heating Only

REVIEWED BY:

Sam

DATE:

1-28-94

MICROFILMED
NOV 10 1994

A. AJ CLAIMED USES:

PURPOSES
A72-04112 ~~IRRIGATION~~
A72-04112 ~~HEATING~~
A72-04112 ~~DOMESTIC~~

MONTH/DAY
~~FROM 06-15 TO 10-31~~
~~FROM 01-01 TO 12-31~~
~~FROM 01-01 TO 12-31~~

DIVERSION QUANTITY

~~.100 CFS~~
~~.150 CFS~~
~~.150 CFS~~
0.02 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

B. WR RECORDED USES:

PURPOSES
72-04112 IRRIGATION
72-04112 HEATING
72-04112 DOMESTIC

MONTH/DAY
FROM 06-15 TO 10-31
FROM 01-01 TO 12-31
FROM 01-01 TO 12-31

DIVERSION QUANTITY

.100 CFS
.150 CFS
.150 CFS
.150 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

| | FIELD | EXAMINER |
|--|-------|----------|
| DUE TO WATER-USE DISCREPANCY? (Y/N) | N | |
| DUE TO DIVERSION RATE DISCREPANCY? (Y/N) | N | |
| DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N) | N | |

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?
RECOMMEND TO WR STANDARDS OR OTHER?

Y() N(X)
Y(X) N() Explain in remarks, below.

As found at exam.

MICROFILMED
NOV 01 1983

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

AJ TOTAL CLAIMED DIVERSION RATE: 0.150 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.150 CFS

Y(☒) N(☐)

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***

** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

Y ☒ N ☐
FIELD EXAMINER

B.

FLOW MEASUREMENT

MEASUREMENT METHOD

Timed 5 gallon bucket

SEE ATTACHED CALCULATIONS.

= 0.02 cfs

C. ARE OTHER WATER RIGHTS USED? Y(☐) N(☒) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM:

NONE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

| CLAIM NO. | SOURCE | NAME | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|-----------|--------------------|----------------------|-----------|----------------|-----------|----------------|
| A72-04112 | SPRINGS | SORENSEN , CAROLE | 0.150 | 0.007 | | |
| A72-04092 | SPRINGS | SORENSEN , CAROLE | 0.100 | 0.005 | | |
| R72-04092 | SPRINGS | MILLEMANN & PITTEGER | 0.100 | 0.005 | | |
| A72-04093 | WARM SPRINGS CREEK | SORENSEN , CAROLE | 2.280 | 0.020 | | |
| A72-04094 | GROUNDWATER | SORENSEN , CAROLE | 0.100 | 0.020 | | |

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

| CLAIM NO. | PURPOSES | NAME | MONTH/DAY | RATE | VOLUME |
|-----------|----------|-------------------|---------------------|----------|--------|
| A72-10019 | DOMESTIC | SORENSEN , CAROLE | FROM 01-01 TO 12-31 | .020 CFS | |

MICROFILMED
NOV 01 1994

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 40.0 AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

Hearings Use: 0.02 cfs system cap.

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

Vol = 0.02 x 1.9835 x 365 = 14.5 AF

MICROFILMED
NOV 01 1994

RECOMMENDATIONS:

| REC. PURPOSES | REC. PERIOD FROM TO | REC. DIV RATE CFS | REC. DIV VOL. AF/A | REC. CONS. USE |
|-----------------------|---------------------|-------------------|--------------------|-----------------|
| IRRIGATION | 06-15 | 0.100 | 14.5 | 40.0 |
| HEATING | 01-01 | 0.150 | 0.02 | 0.02 |
| DOMESTIC | 12-31 | 0.150 | 0.02 | 0.02 |
| TOTAL FOR THIS RIGHT | | | | |

REVIEWED BY: SA DATE: 1-28-94

J62

MICROFILMED
NOV 0 1 1994

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FOREFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED
AS CLAIMED
()
()
()
()

NEEDS
REVIEW
()
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 72-04112

TOTAL DIVERSION RATE OF WR SPLITS
DATABASE 0.150

EXAMINER

CFS

SPLITS:

| OLD RIGHT
NUMBERS | CURRENT
CLAIM NUMBERS | DIVERSION
RATE | CURRENT "R"
CLAIM NUM. | "R" DIV.
RATE | WR RIGHT
NUMBERS | DIVERSION
RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| 72-04112 | A72-04112 | 0.150 | - | | 72-04112 | 0.150 |
| TOTAL CFS | | 0.150 | | | | 0.150 |

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
If NO, is the written review sheet attached? (Y/N)

DATABASE
Y

FIELD
EXAMINER

REMARKS:

N/A

AUTHENTICATION:
SIGNATURE: [Signature]

DATE: 1-28-94

NAME OF FIELD EXAMINER: _____ TITLE: _____

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| MR ELEMENT | FIELD EXAM
Y/N | CORRESPONDENCE
SENT/RECEIVED
BY WHOM/DATE | FIELD EXAM
BY WHOM/DATE | CHANGE
CLAIM
Y/N | VERIFIED BY
CODE | COMPLETED
REVIEW
WHOM/DATE | COMPLETED
DATA ENTRY
WHOM/DATE | VERIFIED
DATE
WHOM/DATE |
|---------------------------|-------------------|---|----------------------------|------------------------|---------------------|----------------------------------|--------------------------------------|-------------------------------|
| PRIORITY DATE | | | | | | | | |
| POINT OF DIV | (4) | document sent 6-1-92 | 6-14-93
see | N | 6. purg | 5-11-93
see | see 1-28-94 | see 1-28-94 |
| SOURCE | | | | (Y) | 12456 | | | |
| PLACE OF USE | Y | | | (Y) | 5 | | | |
| DIV. AMOUNT
CFS/VOLUME | | | | (Y) | 12456 | | | |
| CONSUMPTIVE USE | | | | (Y) | 6. mas. | | | |
| PURPOSES | | | | (Y) | | | | |
| PERIOD OF USE | | | | (Y) | | | | |
| BASIS OF CLAIM | | | | (Y) | | | | |
| REMARKS | ✓ | | | (Y) | 6. | | | |

see
5-11-93

"VERIFIED BY" CODES

- TOPO MAP/ORTHO-PQ = 1
- ASCS MAP = 2
- WATERMASTER RECORDS = 3
- NAPP PHOTOS = 4
- FIELD EXAM = 5
- OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

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----- DIVERSION RATE ----- DIVERSION VOLUME -----

~~0.10 CFS~~
~~0.15 CFS~~
~~0.15 CFS~~

~~A-15~~ CFS
D-02

14.5 Joz
~~40.0 MFA~~

~~STAGE 1~~ ~~STATUTORY CLAIM~~
CUSTER COUNTY
CUSTER COUNTY
CUSTER COUNTY

~~SUM~~
~~20.0~~
~~20.0~~

.....

.....

Non-Irrigation Use: ~~DOMESTIC & HEATING USE IN 8 CABINS & MAIN LODGE~~

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MAY 21 1974

Dates:

Exam Made Date: 6-14-93

Verified Date:

Misc:

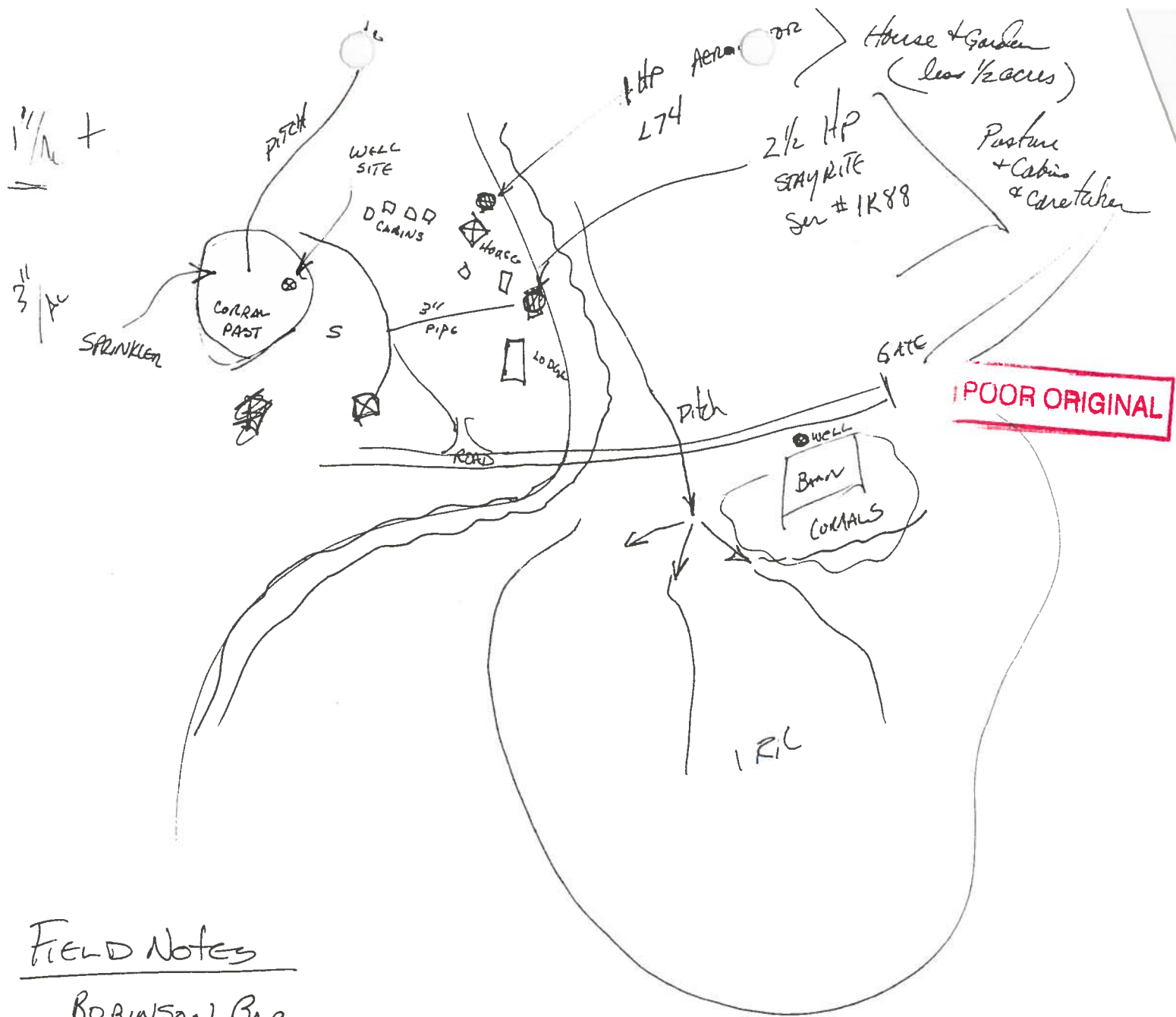
Water District Number:

Field Inspection Flag:

Presumption Flag:

JØ2 = Hes 419

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NOV 10 1994



Field Notes

ROBINSON BAR

6-14-93

See

MICROFILMED

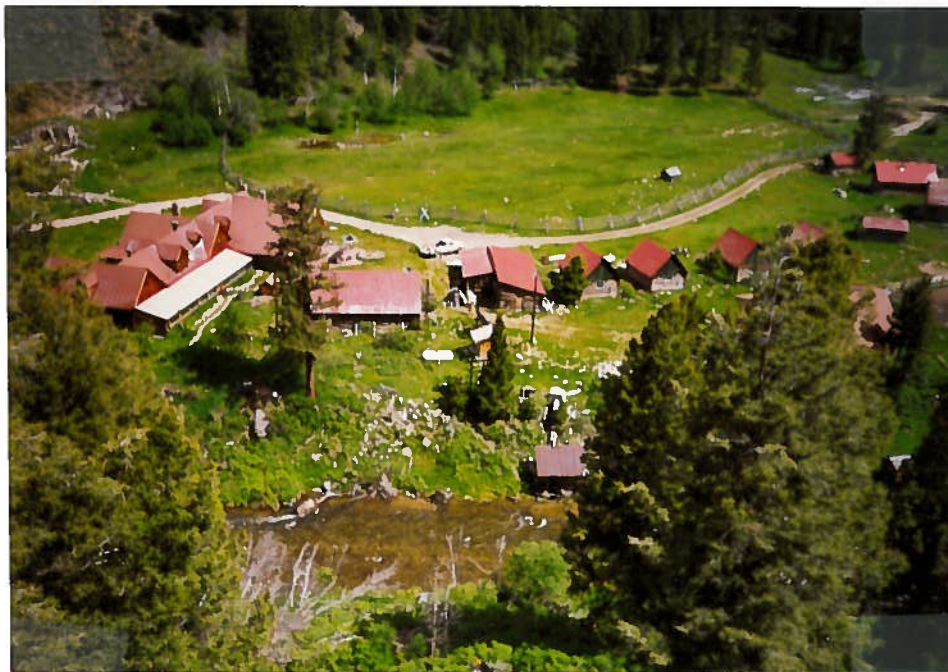
1 1004

A72-4112

POOR ORIGINAL

ROBINSON BAR RANCH

A72-4112



MAIN
LODGE

EIGHT
CABINS
HAVE NO
PIPED WATER.

House

2ND pump
House

1ST pump
House

2 SHOP
AREAS

6-14-93

PHOTO: R72-12
by SEC

MICROFILMED

01 1994

POOR ORIGINAL

Spring @ Board Walk

WARM
SPRINGS
CREEK



6-14-93

PHOTO:
R72-12
Myscc



Geothermal Spring

w/ COLLECTION BOX.
Most Flow Returns to Creek;
Some Flow INTO PIPELINE → see Next Photo Set.

NO FILMED
NOV 01 1994

F. Hitchcock points out end of pipeline. ↓



Springs @ Boardwalk flows into this
abandoned pipeline. pipe serves no uses.



6-14-93

Photo: R72-12
by SCC

Pipeline used to supply showers
in old set up. Now abandoned use.

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Utah
2735 Airport Way Suite 85705

RECEIVED

POOR ORIGINAL

JUL 27 1989

July 7, 1989

Dear Jan,

Department of Water Resources
Western Regional Office

I am enclosing a claim + check
for my domestic well at Robinson Bar
Ranch. Please send a copy to the ranch
and a copy to my office; please note my
new office address and change the address
records on the other claims accordingly:

note: * 11541 Hartsock Street
North Hollywood, CA 91601
phone 818) 980-2773
980-
fax 818) 980-2478

Thank you.

Casper Sorensen

* If you need to contact me, it is usually
more effective to do it through my office.

notes: Claim # A 63-09081 has
Sorenson - should be Sorensen

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NOV 1 1994

Water Right Number - 72-04112

Prefix Translation:

WATER RIGHT

Old (D) Number -

*** C - CURRENT OWNER ***

EVERS

CAROLE K.

1 - P.O. BOX 146
2 -
3 -

City- STANLEY
Phone -

State- ID Zip- 83278

Priority Date - 01/01/1916

Region - 17 SOUTHERN

Stage - S - STATUTORY CLAIM

Status -

Source - SPRINGS

Tributary - WARM SPRINGS CREEK

Trm Rng Sec Tract Lot RFlg County Point of Diversion Stream Index (Blank if no Index Code)

11N 15E 27 34 SE SE (37) CUSTER
NE NE (37) CUSTER
SE NE (37) CUSTER

| Code | Description | Period From | Period To | Water Use | Diversion Rate | Diversion Volume |
|-----------------|-------------|-------------|-----------|-----------|----------------|------------------|
| 01 - IRRIGATION | | 06/15 | 10/31 | | 0.100 | |
| 22 - HEATING | | 01/01 | 12/31 | | 0.150 | |
| 43 - DOMESTIC | | 01/01 | 12/31 | | 0.150 | |

Total Div. Rate - 0.150 + Total Div. Volume - + Total Div. Capacity - +

| Trm | Rng | Sec | Tract | Lot | Acres | Place of Use | Code | Description | County |
|-----|-----|-----|-------|-------|-------|---------------|------|-------------|-------------|
| 11N | 15E | 27 | 34 | SE SE | 20.0 | 01 IRRIGATION | | | (37) CUSTER |
| 11N | 15E | 34 | NE NE | | | 22 HEATING | | | (37) CUSTER |

Total Acres: 20.0

- - - Diversion Means - HEADBOXES, PIPELINES, DITCHES

- - - Non-Irrigation Use - D & G/USE IN 8 CABINS & MAIN LODGE

- - - Other Rights for Same Use -

Remarks - No Remarks found.

- - - Old Water Right Numbers -
No Old Water Right Numbers found.

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WATER RIGHT

- - Conditions of Approval - -
- - No Conditions of Approval found.

+ - Decree Date + +
00/00/0000

- - -Comments- -
No Comments Found

Water Rights Dates and Flags Area

- Field Exam Fee
- Swan Falls
- Temporary Right of Way
- DLE/Carey Act
- Water District
- Transfer/Amended

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MAY 01 1994