

RECEIVED

DEC 11 1998

Department of Water Resources
Adjudication Bureau

1998 DEC -1 PM 2:09

NOTED
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA

Case No. 39576

ORDER OF PARTIAL DECREE

For Water Right 23-10017

DATA ENTRY DONE
RB 5/18/99

On October 28, 1998, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 23-10017 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED DEC 1 1998.



DANIEL C. HURLBUTT, JR.

Presiding Judge

Snake River Basin Adjudication

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

In Re SRBA)

Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 23-10017

1998 DEC -1 PM 2:08

DISTRICT OF 5TH JUDICIAL DISTRICT
TWIN FALLS CO, IDAHO
FILED

NAME AND ADDRESS: HEISE HOT SPRINGS INC
5116 E HEISE RD
RIRIE, ID 83443

SOURCE: HAWLEY WARM SPRING TRIBUTARY: SNAKE RIVER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/01/1910

POINT OF DIVERSION: T04N R40E S25 LOT 04 (NENWSE) Within Jefferson County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS

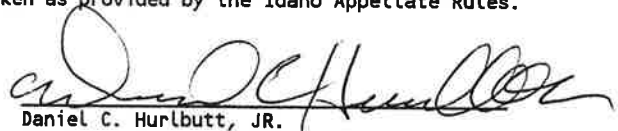
PLACE OF USE: Domestic Within Jefferson County
T04N R40E S25 LOT 04 (SWSE)

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Daniel C. Hurlbutt, JR.
Presiding Judge
Snake River Basin Adjudication

1998 DEC 01 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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

In Re SRBA)
Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 23-10017

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 23-10017 was mailed
on December 01, 1998, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

USDI BLM
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

HEISE HOT SPRINGS INC
5116 E HEISE RD
RIRIE, ID 83443
Phone: 208-538-7312

DIANA DELANEY
Chief Deputy Clerk

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: A23-10017
Date Received: 9/14/1988
Receipt No: E002243
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HEISE HOT SPRINGS, INC. 208-538-7312
Address: P.O. BOX 417
RIRIE, ID 83443
2. Date of Priority: JUN 01, 1910
3. Source: HAWLEY WARM SPRING Trib. to: SNAKE RIVER
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|-----------|
| 04N | 40E | 25 | NE | NW | NW | | JEFFERSON |
5. Description of diverting works:
COLLECTION BOX PIPELINE TO HEISE HOUSE.
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|----------|-------|-------|--------|-------|--------|
| DOMESTIC | 01/01 | 12/31 | | 0.040 | |
7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
D/SINGLE HOME.
10. Place of Use:
- | Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|--------|-------|
| 04N | 40E | 25 | SW | SE | | DOMEST | |
11. Place of use in counties: JEFFERSON

A2310017

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

13. Other Water Rights Used:
NONE

14. Remarks:
CLAIMANT OWNS DELIVERY SYSTEM. SYSTEM SUPPLIES WATER FOR THE
FOLLOWING RIGHTS: A23-10015/10016/10018/10019/10020/10021 /02084B/
10023/10024/10025/10026/10027.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576

Ident. Number

23-10017

Date Received

9-13-1988

Receipt Number

E002243

Kcw

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

Please type or print clearly

1. Name of Claimant (s) Heise Hot Springs Inc Phone (208) 538-7312
Mailing Address P.O. Box 417 Ririe Id ~~83443~~ Zip 83443

2. Date of Priority (Only one (1) per claim) June 1, 1910

3. Source of water supply (a) Hawley Warm Spring
which is tributary to (b) Snake River

4. Location of point of diversion is: Township 4 N Range 40 E

Section 25, NE 1/4 of NW 1/4 of NW 1/4, Govt. Lot _____, B.M.,

County of Jefferson

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Collection Box pipeline to Heise House

6. Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)

For Domestic purposes from 1/1 (Both dates are inclusive) to 12/31 amount 0.04 cfs (cfs)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.04 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of livestock) D/SINGLE DOMESTIC HOME

MICROFILMED

NOV 8 1988

10. Place a "D" for domestic and "S" for stockwater use in the corresponding place of use below.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
4N	40E	25															24 D	25 D

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

12. Do you own the property listed above as place of use? Yes ✓ No X MO
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
or None (✓)

14. Remarks: Claimant owns water delivery system. System supplies water for the following rights 23-10015/10016/10018/10019/10020/10021/02084B/10023/10024/10025/10026/10027

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

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am president

of Heise Hot Springs INC. Title _____, that I have signed the foregoing

document in the space below as pres. Title _____ of Heise Hot Springs INC. Organization _____

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

Signature of Authorized Agent Michael M. Quinn

Title and Organization Pres. Heise Hot Springs INC.

Date 9-13-88

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

Subscribed and sworn (or affirmed) before me this 13 day of Sept 19 88

SEAL

Notary Public Blair H. Quinn

Residing at Highway, Idaho

My Commission Expires 10/24/90

Last Name Heise Hot Springs Ident No. 23-10017

Copies White-State, Yellow-Claimant

R40E R41E

T4N

POINT OF DIVERSION

☒ PLACE OF USE

WABM 6238

FM 4995

5908

Ranger Station

ALB

0017

WATER RIGHT NUMBER - A23-10017

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (O) NUMBER -

+ - - - - LAST NAME - - - - - + - - FIRST NAME - - - - - + - - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***

HEISE HOT SPRINGS, INC.

1 - P.O. BOX 417

2 -

3 -

CITY- RIRIE

STATE- ID ZIP- 83443

PHONE - 208-538-7312

+ - - PRIORITY DATE - - - + - - - REGION - - - + - - - STAGE - - - + - - - STATUS - - - +
06/01/1910 ERROR IN REGION J - BENEFICIAL USE+ - - - - SOURCE - - - - - + - - - - - TRIBUTARY - - - - - +
HAWLEY WARM SPRING SNAKE RIVER+ - - - - POINT OF DIVERSION - - - - - +
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)04N 40E 25 NE NW ^{SE} (51) JEFFERSON+ - - - - WATER USE - - - - - +
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME

43 - DOMESTIC 01/01 12/31 0.040

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.040 0.0+ - - - - PLACE OF USE - - - - - +
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY

04N 40E 25 SW SE 43 DOMESTIC (51) JEFFERSON

+ - - DIVERSION MEANS - COLLECTION BOX PIPELINE TO HEISE HOUSE.

+ - - NON-IRRIGATION USE - D/SINGLE HOME.

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - REMARKS - - - - - +
CLAIMANT OWNS DELIVERY SYSTEM. SYSTEM SUPPLIES WATER FOR THE
FOLLOWING RIGHTS: A23-10015/10016/10018/10019/10020/10021 /020848/
10023/10024/10025/10026/10027.+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.+ - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - - - DECREE DEFENDANT - - - - - +

+ - DECREE DATE - +
00/00/0000MICROFILMED
NOV 07 1996

WATER RIGHT NUMBER - A23-10017

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - AUDIT FIELDS - 09/15/88 BODELL 10/10/89 REFUNDML

+ - - - - - COMMENTS - - - - -
NO COMMENTS FOUND

```
+-----+-----ADJUDICATION RIGHTS DATES AND FLAGS AREA-----+
```

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	-	09/13/1988	LAST AMENDED DATE	-	00/00/0000	TEMPORARY RIGHT	-	P
PROOF DUE DATE	-	00/00/0000	PROOF MADE DATE	-	00/00/0000	WATER DISTRICT	-	
LICENSED DATE	-	00/00/0000	RECEIPT NUMBER	-	E002243	FEDERAL/STATE INDICATOR	-	S
CLAIMS TAPE ERROR FLG	-		PDU OWNERSHIP FLAG	-	Y	PRESUMPTION FLAG	-	
FEE EXEMPT FLAG	-		NAME CONNECTOR	-		NOTICE OF ERROR FLAG	-	

04N 40E 257801

DATA ENTRY

ENTERED 2-23-94

CHECKED 5-10-94

"Verified By"
 Topo Map/Ortho PQ
 ASCS Map
 Watermaster Records
 NAPP Photos
 Field Exam
 Other (See Remarks)
 County Records
 Witness Statement
 Project Records
 IDWR Records

PROOF

FEB 11 1992

VERIFIED

JAN 09 1994

~~CERTIFIED~~

JAN 18 1934

WATER EXAMINER



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

RECEIVED
MAY 18 1998

May 13, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RECEIVED
MAY 18 1998
Department of Water Resources

HEISE HOT SPRINGS INC
5116 E HEISE RD
RIRIE ID 83443

Re: Snake River Basin Adjudication (SRBA)
Water Rights #23-10015, 23-10016, 23-10017,
23-10018, 23-10019 & 23-10020
Change of Address

*Records modified NCAP prepared.
-so 05/19/98.*

Dear Water Right Holder:

Mail recently sent to you was returned to us by the Postal Service. They also advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, **list any other water right claims you have**, and return the letter by June 1, 1998. Thank you for your help.

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

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

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosures

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

Michael [Signature] Pos Heise Hot Springs Inc - 208-538-7312

Water Right Holder's Signature

Telephone Number

*also modified A23-02084B, A23-07016,
A23-10021, A23-10023, A23-10024, A23-10025
A23-10026, A23-10027 + A23-00107*

IDAHO DEPARTMENT OF WATER RESOURCES

1301 N. Orchard St.
P.O. Box 83720
Boise, ID 83720-0098
(208) 327-7900

TO

HEISE HOT SPRINGS INC
PO BOX 117
Ririe ID 83443

23-10017

FORWARDED
to
ORDER EXPIRED

DATE: 05/19/98
PAGE: 1

Stage: BENEFICIAL USE

JEFFERSON County

5



Other Rights: NONE

N11 - THE QUANTITY OF WATER DECREEED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.

N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Objection Filed Date:

Field Inspection Flag:
Presumption Flag:

Date: 02/26/1998 User-ID: AUU4-ECA Subject: DOMESTIC 1 HOME UPDATE

DO NOT FLM

AJ0749NP
No. 23-10017

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

DATE: 05/19/98
PAGE: 2

Comments: Date: 02/26/1998 User-ID: AJU4-ECA Subject: DOMESTIC 1 HOME UPDATE

USE-NOT-IRRIGATION FIELD TEXT REPLACED WITH "1 HOME".
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO AN EXP REMARK.

Date: 05/19/1998 User-ID: SSHERMAN Subject: ADDRESS CHANGE
ADDRESS CHANGE BY CLAIMANT LETTER.

Audit: 05/19/98 SSHERMAN

DO NOT FILM

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JUN 03 1998

Department of Water Resources
Eastern Region

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

In Re SRBA)
Case No. 39576) NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDINGS
Water Rights 23-10015, 23-10016,
23-10017, 23-10018,
23-10019 and 23-10020

IDWR has completed the following Administrative Proceeding:

☒ Change of Address
☐ Substitution of Party
☐ I.C. 42-222 Transfer

CHANGE OF ADDRESS

Name of Claimant: HEISE HOT SPRINGS INC
New Address: 5116 E HEISE RD
RIRIE ID 83443
Phone: (208) 538-7312

Claimant's Water Rights: 23-10015, 23-10016, 23-10017, 23-10018,
23-10019 and 23-10020

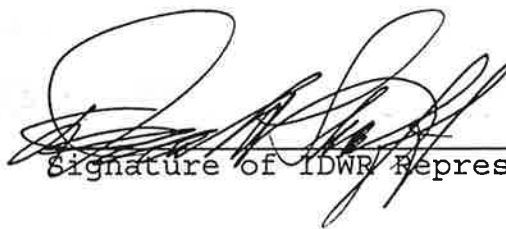
The Claimant has filed Objections or Responses to the following water
rights: -0-

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING 23-10015, 23-10016, 23-10017,
5/20/1998 23-10018, 23-10019 AND 23-10020

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached Amended Director's Reports for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the Notice of Completed Administrative Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: May 20, 1998

A handwritten signature in black ink, appearing to be "D. R. Smith", written over a horizontal line.

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 5-29-98 I mailed the original
and copies of this form to the following persons, postage prepaid
and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Each party in the subcase, or attorney of record:

HEISE HOT SPRINGS INC
5116 E HEISE RD
RIRIE ID 83443
3. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
4. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person or attorney mailing the form

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: MAY-20-1998
PAGE: A-13-----
RIGHTS FROM: SOURCE: HAWLEY WARM SPRING TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 23-10017

NAME & ADDRESS: HEISE HOT SPRINGS INC
4116 E HEISE RD
RIRIE ID 83443

SOURCE: HAWLEY WARM SPRING TRIBUTARY: SNAKE RIVER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/01/1910

POINT OF DIVERSION: T04N R40E S25 NENWSE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
DOMESTIC 1 HOME 01-01 12-31 0.04 CFSPLACE OF USE: DOMESTIC Within JEFFERSON County
T04N R40E S25 SWSE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. 04N40E257801

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SEP 17 1998

Department of Water Resources
Adjudication Bureau

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SEP 17 1998

Department of Water Resources

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

In Re SRBA

Case No. 39576

A. Subcase 23-10017

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

R. Lee Leininger, 202 305-0242; Paul F. Holleman, 202 305-0494

United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

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

Name: Heise Hot Springs, Inc.

Address: P.O. Box 417; Ririe, ID. 83443

Name:

Address:

Name:

Address:

Name:

Address:

RECEIVED

SEP 28 1998

Department of Water Resources
Eastern Region

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

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: See attached
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: See attached

11. **I object because:**

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

E. REASONS SUPPORTING OBJECTION(S):

The legal description for element nine (POU) above may include Federal land. The description should be specific enough to exclude Federal land.

F.

VERIFICATION (Must be Completed)

State of Idaho)

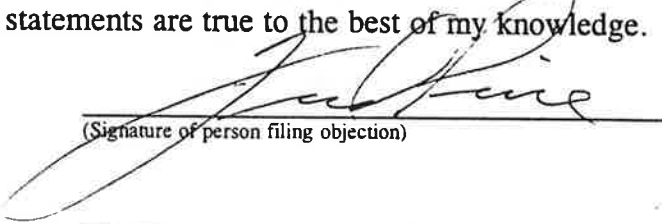
)ss.

County of Ada)

Fred Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:

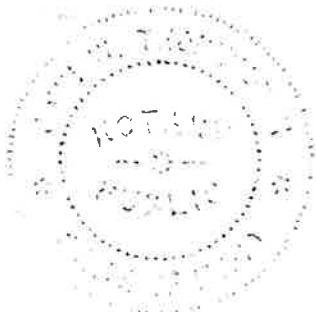
(Name of person filing objection)

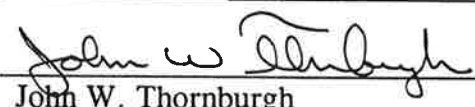
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: September 16, 1998




John W. Thornburgh

Notary Public for State of Idaho

Residing at: Boise, Idaho

My Commission Expires: 05-16-2003

INSTRUCTIONS FOR MAILING

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

G. CERTIFICATE OF MAILING

I certify that on SEPT. 16, 1998, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

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

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

Name: Heise Hot Springs, Inc.

Address: P.O. Box 417; Ririe, ID. 83443

Name:

Address:

Name:

Address:

Name:

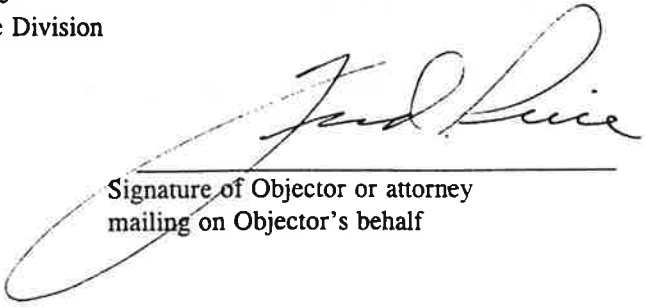
Address:

3. Copies to:

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

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

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



Signature of Objector or attorney
mailing on Objector's behalf

RIGHTS FROM: SOURCE: HAWLEY WARM SPRING

TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 23-10017

NAME & ADDRESS: HEISE HOT SPRINGS INC
PO BOX 417
RIRIE ID 83443

SOURCE: HAWLEY WARM SPRING

QUANTITY: 0.04 CFS

MIXED OWNERSHIP

- THE PLACE OF USE IDENTIFIED
CONTAINS BOTH PRIVATE & PUBLIC
LAND.- CLARIFY POU SUCH THAT IT IS CLEAR
ONLY PRIVATE LAND IS INTENDED.

TRIBUTARY: SNAKE RIVER

- NO DOMESTIC USE IS AUTHORIZED
ON PUBLIC LAND.THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/01/1910

POINT OF DIVERSION: T04N R40E S25 LOT 4 (NENWSE) PRIVATE

Within JEFFERSON County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
DOMESTIC 1 HOMETHE ENTIRETY OF THE NWSE
IS COMPRISED OF "LOTS"

PERIOD OF USE

01-01 12-31

QUANTITY

0.04 CFS

PLACE OF USE:

DOMESTIC

Within JEFFERSON County

T04N R40E S25 LOT 4 (SWSE) Mixed ownership - BLM/private

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. 04N40E257801PRIVATE LAND WITHIN SWSE
SHOULD BE DESCRIBED AS LOT 4.Issue:

Poll may be on BLM

→ Need to clarify lot #

FEB-28-1998
0039

1

RIGHT NUMBER:

23-10017 •

NAME AND ADDRESS:

HEISE HOT SPRINGS INC
PO BOX 417
RIE ID 83443

SOURCE:

HAWLEY WARM SPRING •

TRIBUTARY: SNAKE RIVER •

QUANTITY:

0.04 CFS •

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE:

06/01/1910

POINT OF DIVERSION:

TOWN R40E S25

NENKSE
MFMW

Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
DOMESTIC 1 HOME

PERIOD OF USE
01-01 12-31

QUANTITY
0.04 CFS •

PLACE OF USE:

DOMESTIC
TOWN R40E S25 •

Within JEFFERSON County
SNSE •

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL:

BASIS OF CLAIM - BENEFICIAL USE •
PARCEL NO. 0640E257801

✓ PBA
3/11/98