

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 37-21978
Date Received: 2/15/1990
Receipt No:
Received By:

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

1. Name of Claimant(s)

HIDDEN PARADISE RANCH OWNERS ASSN
PO BOX 279
FAIRFIELD ID USA 83327

Phone: (208)764-2506

2. Date of Priority: 06/20/1894

3. Source: SPRINGS , SPRINGS , SPRINGS , SPRINGS , SPRINGS , SPRINGS Trib. to:
SINKS , SINKS , SINKS , SINKS , SINKS , SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	13E	13	SW SW SW	CAMAS	
01N	13E	26	SW SW NE	CAMAS	
01N	13E	14	NW NE NW	CAMAS	
01N	13E	13	NE SW SW	CAMAS	
01N	13E	14	SE NW NW	CAMAS	
01N	13E	15	SW NE NE	CAMAS	

5. Description of diverting works:

SPRING PONDS, INSTREAM USES, SOME TANKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.07	

7. Total Quantity Appropriated is:
0.07 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	13E	13	SW	SW	STOCKWATER	
01N	13E	14	NE	NW	STOCKWATER	
			NW	NW	STOCKWATER	
01N	13E	15	NE	NE	STOCKWATER	
01N	13E	26	SW	NE	STOCKWATER	

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:

14. Remarks:

ALL SPRINGS ARE IN ONE GRAZING SYSTEM AND CAN BE REACHED WITH- OUT CROSSING FENCE LINES.

INSTREAM STOCKWATER USES ARE ALSO FOUND IN T1N. R13E. SEC. 14 IN THE EAST AND WEST FORK OF THREEMILE CREEKS; ALSO THE UNNAMED STREAM ON THE WEST SIDE OF SEC. 14

This right is a split from former right 37-13366 .

11/27/06 - change of ownership split 37-13366 into 37-21978 (Hidden Paradise Ranch Owners Assn.) and 37-21979 (Diamond/Soldier Properties LLC)

15. Basis of Claim: Beneficial Use

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: A37-13366
Date Received: 2/15/1990
Receipt No: S011216
Received By: S.C.C.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HIDDEN PARADISE RANCH OWNERS ASSN. 208-764-2506
Address: P.O. BOX 279
FAIRFIELD, ID 83327

2. Date of Priority: JUN 20, 1894

3. Source: SPRINGS Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	13E	13	NE	SW	SW		CAMAS
			SW	SW	SW		CAMAS
		14	NW	NE	NW		CAMAS
			SE	NW	NW		CAMAS
		15	SW	NE	NE		CAMAS
		24	SW	SE	SW		CAMAS
		26	NW	NE	NE		CAMAS
			SW	SW	NE		CAMAS
	14E	19	NW	NE	NW		CAMAS
			SE	SE	NW		CAMAS
			NE	SW	SW	4	CAMAS
			SW	SW	SW	4	CAMAS

5. Description of diverting works:
SPRING PONDS, INSTREAM USES, SOME TANKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.140		

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

8. Total consumptive use is Acre Feet Per Annum.

A37-13366

Page 1

Date: 02/15/90

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9. Non-irrigation uses:
S/500 RANGE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	13E	13	SW		SW		STOCK	
		14	NE		NW		STOCK	
			NW		NW		STOCK	
		15	NE		NE		STOCK	
		24	SE		SW		STOCK	
		26	NE		NE		STOCK	
			SW		NE		STOCK	
	14E	19	NE		NW		STOCK	
			SE		NW		STOCK	
			SW		SW	4	STOCK	

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:
NONE

14. Remarks:

ALL SPRINGS ARE IN ONE GRAZING SYSTEM AND CAN BE REACHED WITHOUT CROSSING FENCE LINES.

INSTREAM STOCKWATER USES ARE ALSO FOUND IN T1N. R13E. SEC. 14 IN THE EAST AND WEST FORK OF THREEMILE CREEKS; ALSO THE UNNAMED STREAM ON THE WEST SIDE OF SEC. 14

15. Basis of Claim: BENEFICIAL USE

(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.

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FEB 8 - 1990

Date Received 1-18-1990

Department of Water Resources
Southern Region Office

JAN 18 1990

Department of Water Resources
Southern Region Office

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

RECEIVED

JAN 19 1990

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

Hidden Paradise Property Owners' Assn. () 764-2506
Name of Claimant Phone Number

P. O. Box 279 Fairfield ID 83327
Mailing Address City State Zip

Camas 1-19-1990 (per approved extension)
County(s) where place of use is located Date claim originally due

37-2227, 2048, 0368, 0409, 2076, 2455, 2157, 4424 & possibly others
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

The person who was responsible for getting the necessary documentation together so
that the claims could be filed did not do her job. We only recently became aware of
this, so do not have enough time before the deadline to complete the paperwork. We
are working as fast we can, but this is 1/1 a large ranch with many water rights.

Claimant requests an extension to February 19, 19 90

David L. Russell 1-18-, 19 90
Signature Date of request

vice Pres.
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☒ granted] [☐ denied] for the following reasons:

and if granted the filing deadline is extended to February 19, 19 90

Signed this 5 day of February, 19 90

Director or his designated agent

DAVID B. SHAW

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

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Adjudication Claim Notes

Claim(s): 37-21978

Background Data

- Beneficial Use claim
- Source is Springs tributary to Sinks
- Claimed for 0.07 cfs for Stockwater

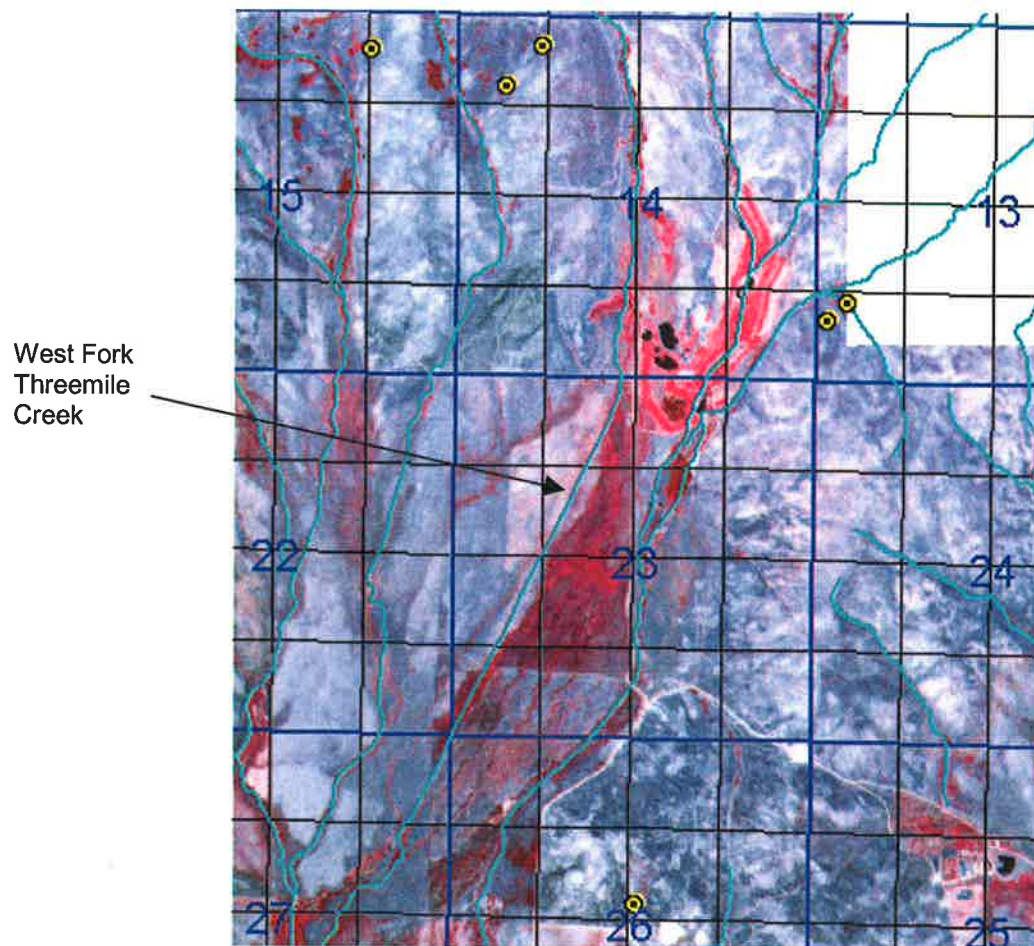
Place Of Use Data

Yellow line is the draft Place of Use created by IDWR based on historical data and records.

Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.

Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

1987 Aerial Photo



T1N R13E Sections 13, 14, 15, & 26

- Claim will be split into 37-21978 and 37-21979 due to ownership change.
- Recommended as developed springs with diminimus stockwater use. A new claim(s) needs to be filed for the in-stream stockwater use.
- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

6 FEBRUARY 1990

HIDDEN PARADISE RANCH HOME OWNERS ASSOCIATION.

BOARD OF DIRECTORS.

PRESIDENT:	GLEN ROMIG 8811 San Marino Dr. Boise, Idaho, 83705 -----375-4874
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MAR 01 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

*Allen Meritt
Southern Region*

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 28, 1996

BILL CARTER
7878 USTICK RD
BOISE ID 83704

RECEIVED

MAY 31 1996

Department of Water Resources
Southern Region

RE: Camas Properties Inc. Water Rights

Dear Bill:

I have prepared the following summary and recommendations after reviewing the water right records for the lands associated with Camas Properties Inc. As you read, please note that there are some areas where establishing a clear picture of your water rights will probably require you to collect some additional information. Also, in some cases you will need to make choices based on your plans.

Ownerships

You told me that Hidden Paradise Ranch Owners Association is defunct. If so, all HPPOA claims filed in the SRBA need ownership change notifications. The claims are:

1. A37-13367
2. A37-13365
3. A37-13364
4. A37-13366
5. A37-02227

You also indicated to me that 1-3 above are appurtenant to land now owned by VM Diamond Ranch LLC. Numbers 4 and 5 should apparently be changed to Camas Properties Inc.

Also, based on the May 3, 1994, Warranty Deed conveying property in Section 23 from VM Diamond Ranch LLC to SMR Development, it appears that SMR Development should file ownership change notifications for portions of the SRBA claims on rights appurtenant to that land. The claims are:

1. A37-00368
2. A37-00409
3. A37-02076

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I have enclosed some ownership change forms for you to complete and return to IDWR.

In addition, permit 37-08609 in the name of HPPOA should be assigned to Camas Properties Inc. I have enclosed an assignment form for you.

Irrigation of the Golf Course

It is not clear to me how much surface water is actually being used to irrigate the golf course. In order to ascertain whether your actual use is covered by existing water rights, you will need to find out how much surface water is actually being used.

According to our records, right 37-02227 has been claimed in the SRBA as appurtenant to the golf course, but it is good for only 16 acres of irrigation. When he reviewed groundwater permit 37-08609, IDWR examiner Jim Stanton found 45.4 acres of irrigation on the golf course. He said that right 37-08609 has been used to irrigate the golf course when the surface water becomes unavailable every summer. It appears then, that surface water is being used to irrigate more of the golf course than right 37-02227 allows.

Department records show that the decreed place of use for irrigation right 37-00409 includes the West½ of the NE¼ and the NW¼SW¼ of Section 23. The golf course is now located on some of these lands. However, SRBA claim A37-00409 does not include the West½ of the NE¼ and the NW¼SW¼ of Section 23. You need to investigate the history of the ownership and use of right 37-00409 to determine if it would be appropriate for you to claim in the SRBA that a portion of 37-00409 is appurtenant to the golf course lands.

If it becomes apparent that your current use of surface water on golf course lands exceeds your water rights, you may be able to cover your use by transferring the rights appurtenant to those lands in Section 23 recently repurchased from VM Diamond Ranch LLC.

Reservoirs

There are a number of small reservoirs associated with the golf course and resort. I am not sure whether all the reservoirs are filled from the East Fork of Threemile Creek or if some are associated with other sources. Application for permit 37-08846 was filed to establish a right to store **additional** water from the East Fork of Threemile Creek by enlarging existing storage facilities. However, permit 37-07459, which was the initial filing for storage on the property, lapsed in 1981. The existing storage needs to be covered by a water right, either by interpreting application 37-08846 as covering all East Fork storage, by seeking the reinstatement of lapsed permit 37-07459, or by filing a new application for permit. It looks like you applied for sufficient volume on 37-08846 to cover all of your ponds. Moreover, you would gain no priority advantage by seeking to have 37-07459 reinstated. Therefore, I recommend using permit 37-08846 to cover the storage in all your East Fork reservoirs. If you have reservoirs filled from sources other than the East Fork, you should probably file a new application for permit.

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Additional golf course development

You indicated to me that you are considering expanding the golf course onto those lands in Section 23 recently repurchased from VM Diamond Ranch LLC. The water rights on those lands are apparently not being used now. If those rights are not transferred to the existing golf course, they will face forfeiture after five years of non-use. If you intend to maintain the rights for use on the future golf course expansion, you should file an application for extension of time to avoid forfeiture a few months before the five-year non-use period has ended. In this way, you may be able to avoid forfeiture for over nine years. Maintaining the existing rights is critical because of the current moratorium on approvals of new consumptive use rights.

Please complete the ownership change notifications as soon as possible. As for the other issues, I will be expecting you to call when you have had time to collect the additional information you need to decide how to proceed. Meanwhile, I will hold application 37-08846. If you have any questions, please contact me at 208-327-7946.

Respectfully,

A handwritten signature in black ink that reads "Shelley Walter Keen". The signature is fluid and cursive, with the first name "Shelley" being the most prominent.

Shelley Walter Keen
Water Rights Supervisor

SWK

c: Allen Merritt

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NOV 29 1996