

JUN 08 2015

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

This form may be used to apply to change and/or add points of diversion for existing water rights and to report an ownership change for a water right(s) in connection with the proposed point of diversion change(s). Do not use this form to apply for changes to other elements of a water right. See the *Application for Transfer Instructions* for help completing this form and for mailing addresses of Department offices where your application can be submitted.

☐ Change diversion point(s) ☒ Add diversion point(s) ☐ Ownership change ☐ Ownership split

State CA Zip 93101 Email _____

- ☒ If the applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign for the applicant.
- ☐ If the applicant is not the current water right(s) owner, attach documentation of authority to file the application.
- ☐ If the application includes a change in ownership of water right(s), attach a copy of the conveyance document, such as a warranty deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property conveyed or description of the water right if no land is conveyed. Additional fee(s) are required for water right ownership changes; see Item 9 for the fee schedule.

☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.

☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

3. LIST WATER RIGHT NUMBER(S) 63-11439

4. TOTAL AMOUNT OF WATER transferred is 1.0 cubic feet per second and/or 12.6 acre-feet per annum.
(diversion rate) (storage volume)

☐ Attach Eastern Snake Plain Aquifer (ESPA) analysis if this transfer proposes to change a point of diversion affecting the ESPA. ESPA analysis information is available at www.idwr.idaho.gov, *Water Right Transfers, Online Resources*.

[illegible]

6. GENERAL INFORMATION

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Discharge from proposed additional point of diversion will be piped to commercial place of use associated with 63-11439 and will be measured with a device approved by IDWR

- b. Who owns the property at the point(s) of diversion? Applicant.

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:
N/A.

- c. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right(s), or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the right(s)?

If yes, describe:

N/A.

- d. Is any portion of the water right(s) proposed to be changed currently leased to the Water Supply Bank? ☐ Yes ☒ No

- ☐ If yes and there are multiple owners, attach a Lessor Designation form.
☐ If yes, the individual owner or designated lessor must complete, sign and attach an IRS Form W-9.
(Disregard if these items are on file and ownership has not changed.)

7. MAP - ☒ Attach a map of the diversion, measurement, control and distribution system. Include the place of use if a split of the water right occurred. Clearly label the map with township, range, section and $\frac{1}{4}$ $\frac{1}{4}$ of section information. The Map Tool, available at maps.idwr.idaho.gov/TransferApplicationLayouts/ provides a satisfactory template for creating the required map.

8. SIGNATURE - The information in this application is true to the best of my knowledge. I understand any willful misrepresentations in this application may result in rejection of the application or cancellation of an approval.

[Signature]
Signature of applicant or authorized agent

Sean Hecht
Print name and title if applicable

5/22/15
Date

Signature of applicant or authorized agent

Print name and title if applicable

Date

9. FEE - ☐ The application filing fee provided in Section 42-221, Idaho Code, must be submitted with the application for transfer. The Application fee is based on the total amount of water proposed for transfer in Item 4: the larger fee for either cubic feet per second (diversion rate) or acre-feet per annum (storage volume). The Fee Schedule is available at www.idwr.idaho.gov, Water Right Transfers, Step 4 and in the Application for Transfer Instructions.

FOR DEPARTMENT USE ONLY

Transfer includes 2 pages of attachments.

Received by AS

Date 6/8/15

Fee paid \$500

Date 6/8/15

Received by AS

Receipt # W043171

Preliminary review by NVD: AG

Date 12/15/15 + 3/9/16

Active in the Water Supply Bank? Yes ☐ No ☒

W-9 received? Yes ☐ No ☒

Name on W-9 N/A

W-9 forwarded to fiscal? Yes ☐ No ☒

(Do NOT scan the W-9 - confidential information is held by fiscal only)



0 100 200 400 Feet

TRINITY ACQUISITIONS LLC

ADD POINT OF DIVERSION
NAIP 2013 AERIAL PHOTO.

Legend

-  63-11439
-  63-11439, Commercial
-  twship
-  Sections
-  ladesc

BROCKWAY ENGINEERING, PLLC
ALR - Date: 5/18/2015

N
↑

TRANSFER No. 80191

**WRITTEN CONSENT OF THE SOLE MEMBER
OF TRINITY ACQUISITIONS, LLC**

The undersigned sole Member of Trinity Acquisitions, LLC, a limited liability company organized under the laws of the State of Idaho (the "Company") does by this writing consent to the following actions and adopt the following resolutions:

WHEREAS, Trinity Pure, LLC is the sole member of the Company, having acquired the membership interests of K & S Cap, LLC on November 24, 2014; and

WHEREAS, on or about October 27, 2014 the Company entered into an Option to Exercise Redemption Right with Trinity Springs, Ltd. ("Trinity Springs") for the Company's participation in the exercise of a right of redemption held by Trinity Springs (the "Option Agreement"); and

WHEREAS, exercise of the Option Agreement and the underlying right of redemption would enable the Company to acquire certain real property situated in Elmore County, Idaho commonly referred to as the "South Parcel" as specifically described in the Option Agreement; and

WHEREAS, the Company intends to utilize the South Parcel and certain associated water rights and permits to operate a commercial water bottling business;

NOW, THEREFORE, BE IT

RESOLVED that Sean Hecht be and is hereby appointed Manager of the Company; and be it further

RESOLVED that Sean Hecht is hereby authorized to take such action as he believes reasonably necessary to complete the transactions contemplated by the Option Agreement and the subsequent acquisition by the Company of the South Parcel, including the signing and execution of all documents and agreement in support of such transactions; and be it further

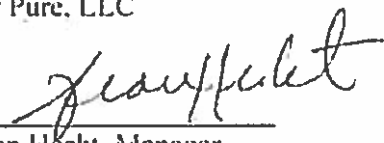
RESOLVED that Manager of the Company proceed to open such bank accounts of the Company as he deems necessary for its efficient operation, with the Manager having signing authority with respect to such accounts.

DATED: November 24, 2014

TRANSFER No. 80191

SOLE MEMBER:

Trinity Pure, LLC

By: 
Sean Hecht, Manager

By: 
Grey Hecht, Manager

TRANSFER No. B0191

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 63-11439

Current Owner: TRINITY ACQUISITIONS LLC

Priority Date: 2/22/1991

Origin: Water Right

Status: Active

Basis: License

Source

SPRING

Tributary

SOUTH FORK BOISE RIVER

Beneficial Use

COMMERCIAL

From To

01/01 to 12/31

Total Diversion

Diversion Rate

1 CFS

1 CFS

Annual Volume

12.6 AF

12.6 AF

Location of Point(s) of Diversion

SPRING

ELMORE County

NW1/4SE1/4NE1/4

Sec. 5

Twps 02N

Rge 10E B.M.

SPRING

ELMORE County

NW1/4SE1/4NE1/4

Sec. 5

Twps 02N

Rge 10E B.M.

SPRING

ELMORE County

NW1/4SE1/4NE1/4

Sec. 5

Twps 02N

Rge 10E B.M.

Place of Use

COMMERCIAL Within ELMORE County

T02N R10E S5

SENE

Conditions of Approval:

1. Commercial use is for bottling water for commercial sale and distribution.
2. The Department retains jurisdiction of this license to require the submittal of additional flow measurements or information as determined necessary to evaluate the adequacy of the exchange agreement.
3. Water may be diverted under this right only (a) during periods when Lucky Peak Reservoir is spilling flood flows, or (b) as an exchange when an equivalent amount is provided by other sources, such as storage water.
4. R43 Upon notification, the right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
5. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63.

TRANSFER No. 80191



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

January 14, 2016

TRINITY ACQUISITIONS LLC
1114 STATE ST STE 310
SANTA BARBARA, CA 93101

RE: Transfer No. 80191
Water Right No. 63-11439

Dear Applicant(s):

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the MOUNTAIN HOME NEWS on 1/20/2016 and 1/27/2016. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Rachel Neely
Administrative Assistant

CC:
BROCKWAY ENGINEERING PLLC
C/O ZACH LATHAM
2016 N WASHINGTON ST STE 4
TWIN FALLS, ID 83301

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, January 14, 2016 9:06 AM
To: 'waterdistrict63@qwestoffice.net'
Subject: Application for Transfer No. 80191
Attachments: Watermaster Recommendation Form.docx; Application for Transfer No. 80191.pdf

January 14, 2016

REX BARRIE
WATER DISTRICT #63
PO BOX 767
10769 W STATE ST
STAR ID 83669-0767

RE: Application for Transfer No. 80191

Dear Watermaster:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from you regarding the above referenced water right application. A copy of the application is enclosed with this email for your reference. Please review the application, complete a recommendation form, and submit your reply, if any, to this office by February 8, 2016.

IDWR will assume you do not object to this application if a timely response is not received. Please contact me if you have any questions in this matter. Thank you for your help.

Sincerely,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, January 14, 2016 8:47 AM
To: 'Swenson, Stacy'
Subject: Elmore Legal Ad
Attachments: Elmore Cover Letter.docx; Elmore Legal Ad.docx

Good Morning Legal Clerk,

Please see the attached ad for publication on 1/20/16 & 1/27/16.

Please confirm these are okay to publish as shown.

Thank you,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

January 14, 2016

LEGAL NOTICE DEPARTMENT
MOUNTAIN HOME NEWS
PO BOX 1330
MOUNTAIN HOME, ID 83647-1330

RE: Transfer No. 80191,
Water Right No. 63-11439

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 2/8/2016. Your cooperation is appreciated.

Sincerely,

Rachel Neely
Administrative Assistant

Enclosure(s)

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80191**

Trinity Aquisitions LLC, of 1114 State St STE 310, Santa Barbara, CA, 93101, has filed transfer application no. 80191 to add one additional point of diversion to water right no. 63-11439. New diversion point is a spring source tributary to the South Fork of the Boise River, located in Gov Lt. 4, NESWNE of Sec. 5 T02N R10E. General location is 4 miles NNE of Pine ID. Priority date of right no. 63-11439 is 2/22/1991. No other changes proposed. To see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx

For additional information concerning the property location, contact Western Region office at (208) 334-2190; or for a full description of the right(s) or proposed transfer(s), please see www.idwr.idaho.gov/WaterManagement/WaterRights. Protests may be submitted based on the criteria of Idaho Code § 42-222. Any protest against the proposed change(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 together with a protest fee of \$25.00 for each application on or before 2/8/2016. The protestant must also send a copy of the protest to the applicant.
GARY SPACKMAN, Director

Published on 1/20/2016 and 1/27/2016

Van Dyke, Nick

From: Zach Latham [zach.latham@brockwayeng.com]
Sent: Thursday, December 17, 2015 11:13 AM
To: Van Dyke, Nick
Subject: Trinity Aquisitions LLC- Additional Information
Attachments: Preliminary Analysis of Landa, Bridge and Paradise Hot Springs.pdf

Nick-

Per our telephone conversation this past Tuesday December 15th 2015, you had requested information linking the Bridge Spring to the Landa Springs in order to continue processing a water right POD transfer in which Brockway Engineering proposed to add the Bridge Spring POD to water right 63-11439.

Please see the attached report produced by William M. Turner, Ph.D., American Ground Water Consultants titled "Preliminary Analysis of Landa, Bridge and Paradise Hot Springs." Table 1 summarizes water quality constituent data collected on October 16th 1992 wherein temperature, pH, Eh (redox potential) and Total Dissolved Solids concentrations are listed for select Idaho Hot Springs. Please note that the temperatures associated with both the Landa and Bridge springs measured the same at 58 °C. Additionally, the pH, redox potential and TDS concentrations associated with the Landa and Bridge Springs are nearly identical, indicating a common source. These constituent concentrations affirm the hydraulic connectivity of the Landa and Bridge Springs.

It's my understanding that with this information, IDWR can continue to process and advertise the afore mentioned water right transfer application. Please don't hesitate to give me a call or email me with further comments or questions, thanks for your time.

Zach Latham

Hydrologist
Brockway Engineering, P.L.L.C.
2016 Washington Street North, Suite 4
Twin Falls, ID 83301
t. 208-736-8543
c.208-721-2114
f. 208-736-8506
zach.latham@brockwayeng.com

All information, calculations, maps, drawings, or other documents transmitted via e-mail are preliminary unless explicitly stated in the e-mail text or in the documents themselves.

PRELIMINARY ANALYSIS OF LANDA, BRIDGE AND PARADISE HOT SPRINGS

Submitted to:

TRINITY SPRINGS LTD.

180 First Street #301

P.O. Box 1630

Ketchum, Idaho 83340

Submitted by:

AMERICAN GROUND WATER CONSULTANTS

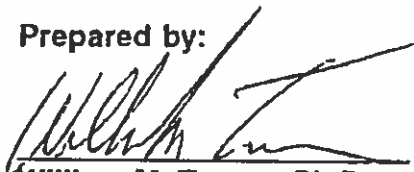
610 Gold Avenue SW, Suite 111

Albuquerque, New Mexico 87102

Tel: 505-843-7643

Fax: 505-246-2232

Prepared by:



William M. Turner, Ph.D.

Registered Professional Geologist, No. 286

Certified Groundwater Professional, No. 229

October 29, 1992

**CONFIDENTIAL
TSS08214**

INTRODUCTION

AGW Consultants was retained by Trinity Springs, Ltd. to evaluate the characteristics of Landa (Landon), Bridge and Paradise Spring waters. The springs are situated along the left bank of the South Fork of the Boise River. The spring locations are shown in Figure 1. Chapman (1992) has associated the three springs with a fault that lies on the left bank of the South Fork of the Boise River. Chapman believes that the fault is the primary conduit for the rise of the geothermal water.

Trinity Springs, Ltd. has already analyzed the water of the spring for a number of different parameters. The analytical results are in Attachment 1. These analyses were made on waters collected on different dates and under unknown sampling conditions. In general, the water has a very low total dissolved solids content and heavy metals are either below limits of detection or in very low concentrations.

AGW personnel visited the Trinity Spring properties on October 16 and 17, 1992. To quickly characterize the water without complete chemical analysis, hydrogen ion concentration (pH), redox potential (Eh), total dissolved solids (TDS), and temperature of hot spring waters were measured. These parameters were measured at a number of other springs also. These data are given in Table 1.

Table 1. Temperature, pH, Eh, and TDS measurements of selected hot springs.

SPRING	DATE	TEMP (°C)	pH	Eh (millivolts)	TDS (mg/l)
Landa	10-16-92	58	9.4	-280	160 F
First Pond Outlet	10-16-92	29.1	9.5	-65	130
Second Pond Outlet	10-16-92	23.6	9.3	-66	120
Bridge	10-16-92	58	9.3	-287	180 F
Paradise	10-17-92	51.9	9.4	-245	160
Baumgartner	10-17-92	41.3	9.0	-21	190
Lightfoot	10-17-92	55.8	9.0	-41	250
No Name	10-17-92	39.1	9.6	-270	220 F
Worswick	10-17-92	74.1	9.0	-327	270 F



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

JUN 08 2015

WATER RESOURCES
WESTERN REGION

June 4th, 2015

Mr. Nick Miller
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

RE: Trinity Acquisitions LLC; Application for Transfer of Water Right-
Point(s) of Diversion.

Dear Nick,

Enclosed is an Application for Transfer of Water Right- Point(s) of Diversion and associated map in the name of Trinity Acquisitions LLC which seeks to add one additional point of diversion to water right 63-11439. The additional point of diversion is a spring which originates on the applicant's property. The applicant will convey discharge associated with the new spring, to the commercial place of use listed under 63-11439. Additionally, a Written Consent of Trinity Acquisitions LLC document has been included which authorizes Mr. Sean Hecht to sign on behalf of Trinity Acquisitions LLC.

Please copy our office on all correspondence regarding the enclosed water right transfer application. Also included is a check for \$500.00 to cover the cost of the water right transfer application. Don't hesitate to give me a call should you have any further questions or comments. Thanks for your time and assistance on this matter.

Regards,

Sheila Daniels on behalf of

Zach Latham, M.S., Hydrologist.

Enclosures: (1) Application for Transfer of Water Right- Point(s) of
Diversion, Map
(1) Written Consent of Trinity Acquisitions LLC Document
(1) Brockway Engineering PLLC Check # 12709

Cc: Trinity Acquisitions LLC

CHARLES E.
BROCKWAY,
Ph.D., P.E.

CHARLES G.
BROCKWAY,
Ph.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

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