

Narrative: Beneficial Use Field Exam Report Water Right 37-8388
SDRTR LLC, July 3, 2008
C.E. Brockway P.E. PhD Certified Water Rights Examiner.

Water Permit 37-8388, originally issued to Bruce Gilbert and now owned by SDRTR LLC. was issued in November 1988. The Permit was approved for 1.0 cfs heating, 0.92 cfs recreation and 0.08 domestic for a total diversion discharge of 2.0 cfs and a period of use of January 1 through December 31. Extensions of time for proof of beneficial use were granted by the Department and the permit was lapsed on March 1, 2006. Subsequently on March 10, 2006 the Department indicated by letter that the permit could be re-instated with the submittal of proof of beneficial use. The owner chose to have the beneficial use field exam performed by a Certified Water Rights Examiner and C.E. Brockway of Brockway Engineering PLLC was retained to perform the exam.

Two points of diversion were permitted, both points being part of what is known as Warfield Hot Springs adjacent to Warm Springs Creek in Blaine County. The only point of diversion developed under the permit and in use on June 27, 2008 is located in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 31, T.4 N., R. 17E., Boise Meridian. The specific point of diversion is shown on Figure 1. Geothermal hot water has been developed utilizing perforated buried pipelines in the alluvium adjacent to Warm Spring Creek. The developed hot water flows by gravity to a 4 ft x 4ft concrete sump (Figure 2) from which it is piped to a residence and a barn with caretaker apartment associated with the residence for space heating. In addition, the geothermal water is utilized in an outdoor hot pool. Two pumps in the concrete sump are submersible Gould Model 80GS with 9 stages. Each pump is designed for 110 gpm at 30 psi and 86 gpm at 40 psi.(see attached pump curves). Both pumps discharge into 3 inch diameter PVC pipes which manifold into a 4 inch PVC pipe. A Sea Metrics magnetic battery powered flow meter is installed in the 4 inch PVC pipe (see attached flow meter specifications) and a 4 inch PVC globe valve is installed just downstream of the magnetic flow meter. Figure 3 Water then flows from the 4 inch PVC pipe to the barn area and to the main residence. A schematic diagram of the collector, sump and piping system is shown on Figure 4.

The heating systems in the residence and the barn are state of the art, computer controlled, zoned systems utilizing heat exchangers and glycol

exchange fluid in piping throughout all the floors of the buildings. In addition, the geothermal system is utilized to heat the domestic hot water to about 115°F within the two electric hot water heaters Figure 5. The mechanical room in the residence houses the VFC controllers for both geothermal water pumps, valves for all heating zones, and piping to return spent geothermal water to the stream supplying water to the hot pool, Figure 6.

The geothermal water then flows through the hot pool which is about 12 feet wide by 24 feet long and approximately 5 feet deep. It is estimated that the volume of the pool is approximately 1440 cubic feet or 10,771 gallons.

Figure 7.

Outflow of water from the hot pool flows by gravity to a small lake, which serves as the source of water for fire suppression for the residence.

During the field exam, the following data were collected at various times during the test as shown on Table 1

1. Depth to water in the pump sump
2. Instantaneous Discharge as indicated by the magnetic flow meter
3. Accumulated discharge as indicated by the magnetic flow meter
4. Heating system valve openings

Figure 8 shows the plot of measured data versus time for the evaluation of the capacity of the system. The duration of the test was from 1:25pm to 3:18 pm or approximately two hours. Table 1 shows that the heating system valves eventually reached a 100% open condition at which time the combined pump flow as indicated by the magnetic flow meter was between 200 and 206 gpm. The water level in the pump sump declined during the test from 0.34 feet to 2.25 feet below the top of the steel cover of the sump. The plot shows that the water level had not reached equilibrium by the end of the test; however, extrapolation of the plot indicates that the water level would likely have reached equilibrium at about 2.4 feet below the steel cover of the sump or about 0.15 feet below the lowest measured point. Based on this data, the capacity of the diversion system is at least 200 gpm (0.45 cfs) at a sustained pumping level in the collector sump.

Water temperature in the collector sump was 115.5 to 116.5°F.

Based on the estimated volume of the hot pool, and a maximum flow through discharge of 200 gpm, the turnover or exchange time within the pool is 0.90 hours. This value is reasonable to sustain adequate water temperatures and water quality during wintertime use.

The heating system for the residence and barn is efficient and state of the art. For the 10,000 square foot residence and estimated 2000 square foot barn

area, the flow is adequate based on the IDWR spreadsheet guidelines prepared by Cindy Hodges Yenter for geothermal heating. This analysis is based on IDWR Administrators Processing Memorandum No 23 dated September 28, 1992. In addition, the effluent from the home heating system is utilized for snow melting for approximately 4000 square feet around the hot pool and driveways

Construction of the collector sump for the geothermal supply was completed in July 2001. Initial capacity tests of the sump were performed by C.E. Brockway on October 21, 2001 to determine final pump designs. The collector system, pumps and heating system was fully constructed and in operation by June, 2004 according to David Rosser, contractor for the home and heating system (see attached affidavit).

[illegible]

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ ditch size/ pipe i.d. as applicable.

See Attached Grid sheet

- ☐ Copy of USGS Quadrangle attached showing location(s) of point(s) of diversion and place(s) of use (*required*).
- ☒ Aerial photo attached (*required for irrigation of 10+ acres*).
- ☒ Photo of diversion and system attached.

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Geothermal Collector			Not Available	2 Gould	See Pump Specifications
				Model 80gs	
				Submersibles	

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calibration
Pipe flow meter	In-line	Sea Metrics	AG 2000	06081730	4in	factory

2. Measurements: Meter was located in the 4 inch discharge pipe. Flow measurements were recorded for approximately 2 hours of instantaneous discharge and accumulated volume.

E. NARRATIVE / REMARKS / COMMENTS

Discharge reached 100% of system capacity

See narrative report

Have conditions of permit approval been met? ☒ Yes ☐ No

F. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

Measured Method: _____

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

N/A

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Heating</u>	<u>Jan 1</u>	<u>Dec 31</u>	<u>0.45</u>	<u>N/A</u>
<u>Recreation</u>	<u>Jan 1</u>	<u>Dec 31</u>	<u>0.45</u>	_____
_____	_____	_____	_____	_____
TOTALS:			<u>0.45</u>	<u>N/A</u>

2. Recommended Amendments

- | | | |
|--|--|--------------------------------|
| ☒ Change P.D. as reflected above | ☐ Add P.D. as reflected above | ☐ None |
| ☐ Change P.U. as reflected above | ☐ Add P.U. as reflected above | ☐ Other |

I. AUTHENTICATION

Field Examiner's Name: Charles E. Brockway Date: 7/9/08

Reviewer: _____ Date: _____

SEAL





0 100 200 400 Feet

FIGURE 1
SDRTR LLC WARFIELD HOTSPRINGS
NAIP 2004 AERIAL PHOTO

- Warfield_Hot_Springs_Sub
- Sections
- Point of Diversion
- t04n16e
- t04n17e
- Place of Use
- PIPELINES



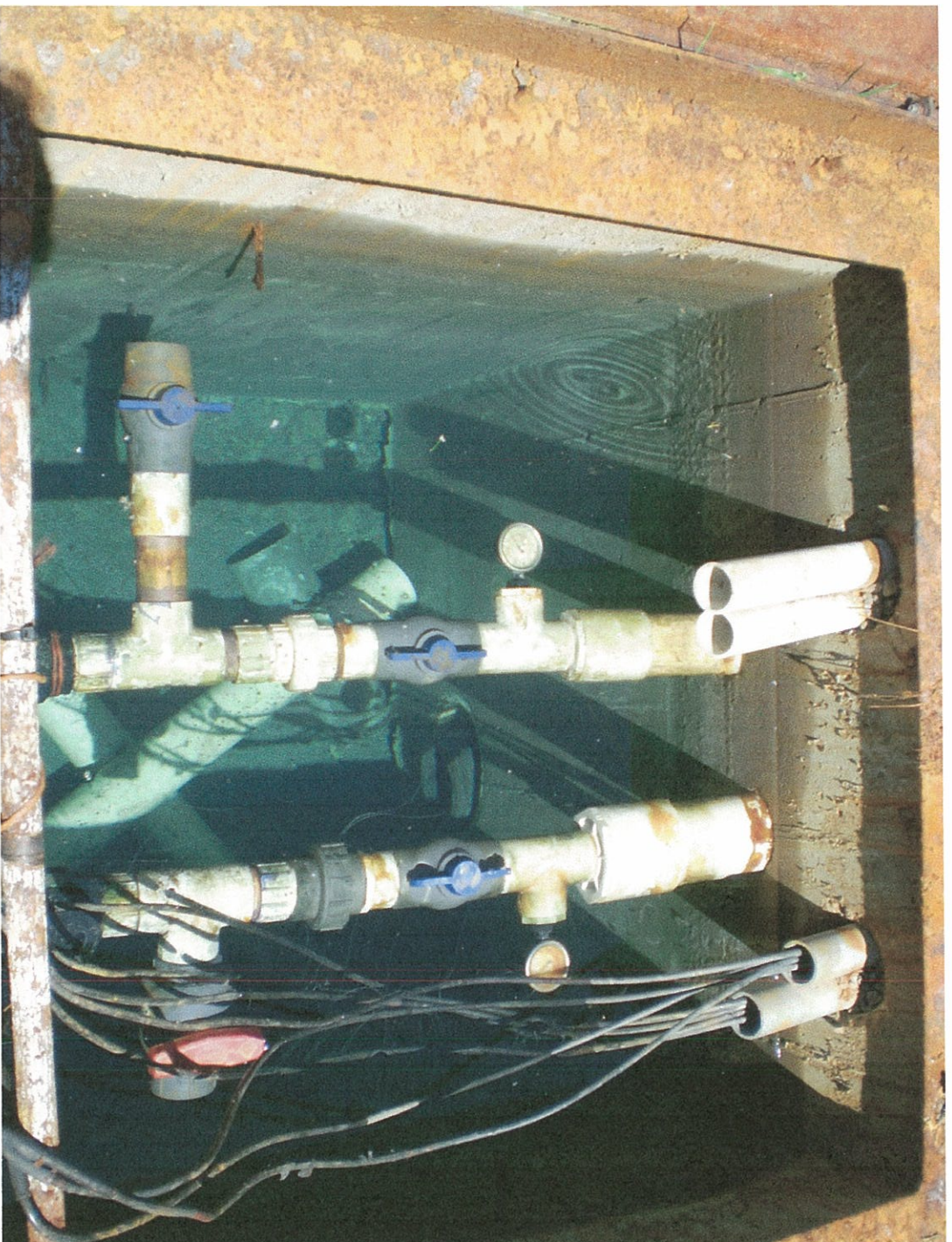
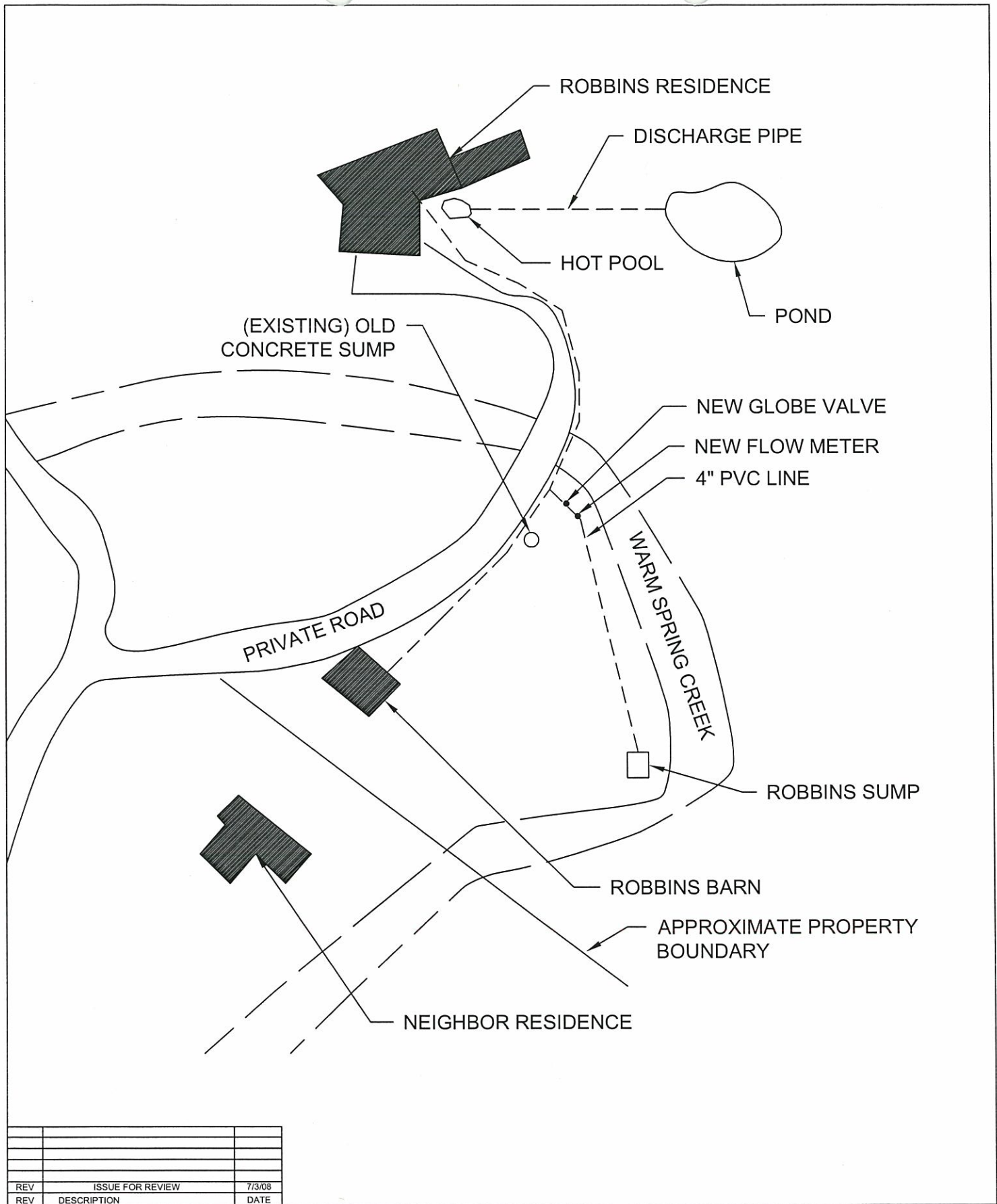


FIGURE #2



FIGURE #3



REV	DESCRIPTION	DATE
1	ISSUE FOR REVIEW	7/3/08
2		
3		
4		
5		
6		
7		
8		
9		
10		

THIS DRAWING HAS BEEN PREPARED BY BROCKWAY ENGINEERING, PLLC FOR A SPECIFIC PROJECT TAKING INTO ACCOUNT THE SPECIFIC AND UNIQUE REQUIREMENTS OF THE PROJECT. REUSE OF THIS DRAWING FOR ANY PURPOSE IS PROHIBITED UNLESS WRITTEN PERMISSION FROM BOTH BROCKWAY ENGINEERING & THE CLIENT IS GRANTED.	SCALE 1"=100' (8.5 X 11" DWG ONLY)	BROCKWAY ENGINEERING, PLLC HYDRAULICS - HYDROLOGY - WATER RESOURCES 2016 NORTH WASHINGTON, SUITE 4 WITIN FALLS, ID 83301 (208) 736-8543	ROBBINS, RESIDENCE SCHEMATIC SITE LAYOUT		PROJECT # 495-02-2008
	DESIGNED BY CEB DRAFTED BY ALR		FIGURE 4		DWG# 1





FIGURE #5



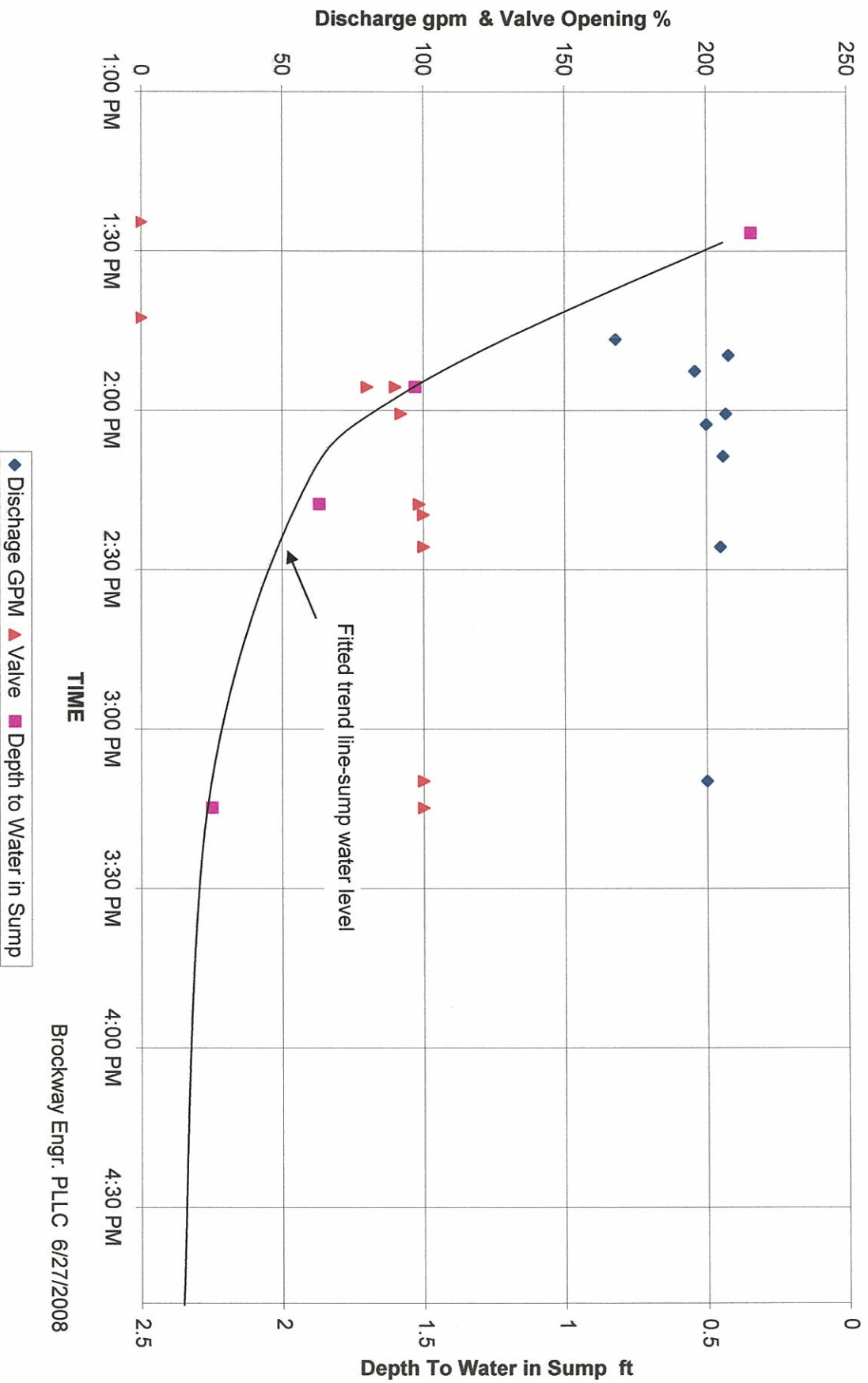
FIGURE #6



FIGURE #7

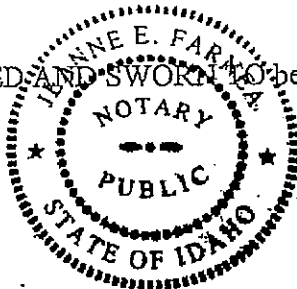
FIGURE 8

Beneficial Use Exam
Permit 37-08388-Robbins



Robbins - Beneficial Use Exam			TABLE #1		
Geothermal Flow Test					
Brockway Engineering					
27-Jun-08					
Time	Depth to	Discharge Meas.	Water	Valve	Description
	Water in	4 Inch Flow Meter	Temp.	Opening	
	Sump	Discharge	Accumulated	Spring	
	Ft	GPM	Volume	Deg F	%
1:25 PM					All Robbins pump off for past two days
1:27 PM	0.34		115.5		
1:35 PM					
1:43 PM					Robbins pump turned on
1:47 PM		168		80	
1:48 PM				90	
1:50 PM		208		92	
1:53 PM		196			
1:55 PM					
1:56 PM	1.53				
1:56 PM			116.5	98.5	
2:01 PM		207		99.9	
2:03 PM		200		100	
2:09 PM		206		100	
2:15 PM				100	
2:18 PM	1.87			100	
2:20 PM				100	
2:26 PM		205		100	
3:10 PM		200		100	
3:15 PM	2.25			100	

SUBSCRIBED AND SWORN TO before me this 14th day of May, 2008.



Jeanne Farnea
NOTARY PUBLIC for Idaho

Residing in: Shoshone, Idaho

My Commission Expires: 05/05/09

CERTIFICATE OF SERVICE

I hereby certify that on the 15 day of May 2008, I served a true and correct copy of the within and foregoing document upon the persons named below in the manner noted:

Mr. Gary Spackman
IDAHO DEPARTMENT OF WATER
RESOURCES
322 East Front Street
P.O. Box 83720
Boise ID 83720-0098
Fax: 1-208-287-6700

- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☒ Facsimile

Mr. David Tuthill, Director
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- ☐ Hand Delivery
- ☐ Facsimile

JAMES P. SPECK



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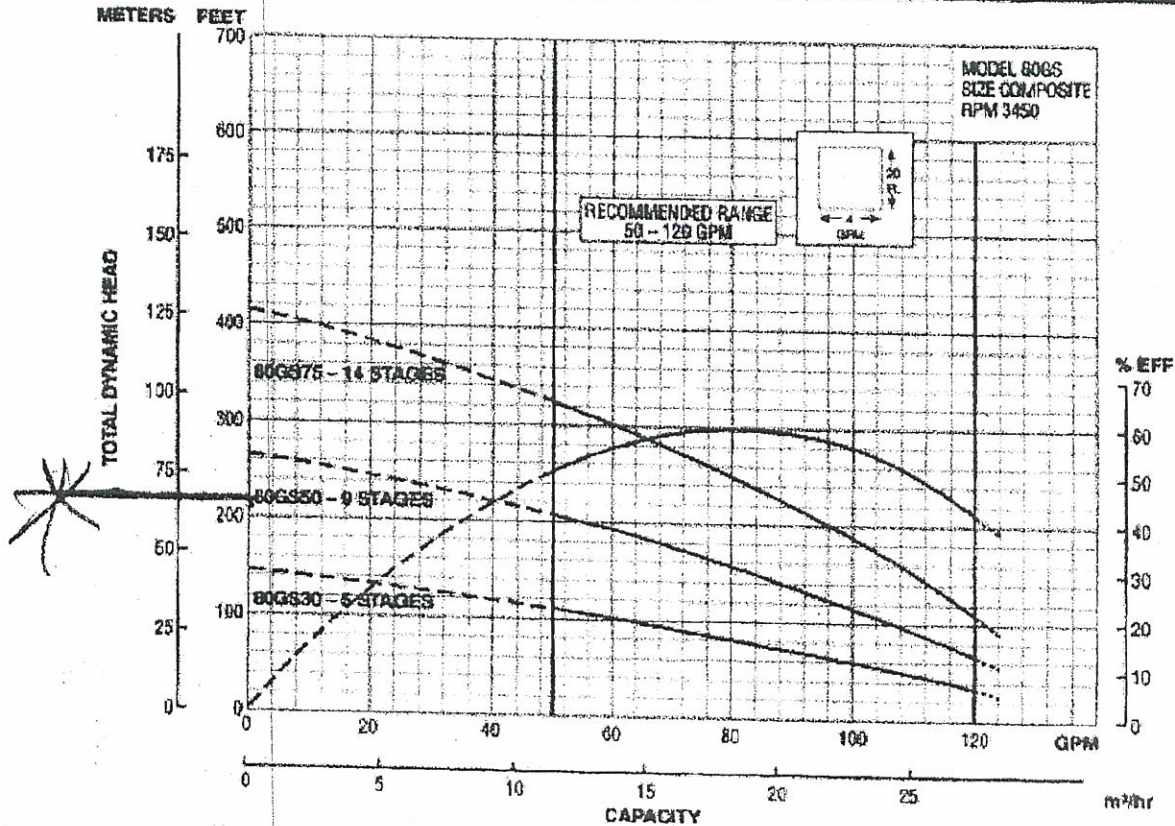
www.2mco.com

03/01/2000

Goulds-P. 20

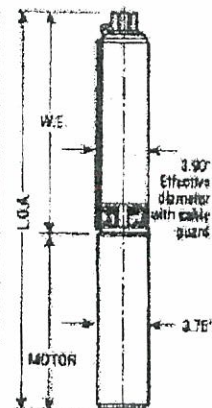
Model 80GS

GOULDS PUMPS



DIMENSIONS AND WEIGHTS

HP	Stages	W.E. Order No.	Motor Order No.	PH	Motor Volts	Motor Length	W.E. ① Length	L.O.A. ②	W.E. and Motor Weight
3	5	80GS30	S09940	1	230	23.5	51.4	44.9	51.9
			S09976		200				
			S09970		230				
			S10975	3	460	20.6	21.4	42.0	52.9
			S09979		575				
5	9	80GS50	S10940	1	230	25.3	29.4	58.9	61.9
			S10976		200				
			S10970		230				
			S10975	3	460	23.6	29.4	53.0	65.9
			S10979*		575				
7½	14	80GS75	S119784		200				
			S119704	3	230	29.6	42.8	72.4	83.9
			S119754		460				



NOTES:

For complete pump, order water end and motor.

① W.E. = water end or pump without motor.

② L.O.A. = length of assembly - complete pump - water end and motor.

* Non-stock motors have a 6 week lead time.

110 ballons at 30 PSI / 60 HRTZ
86 ballons at 40 PSI / 60 HRTZ



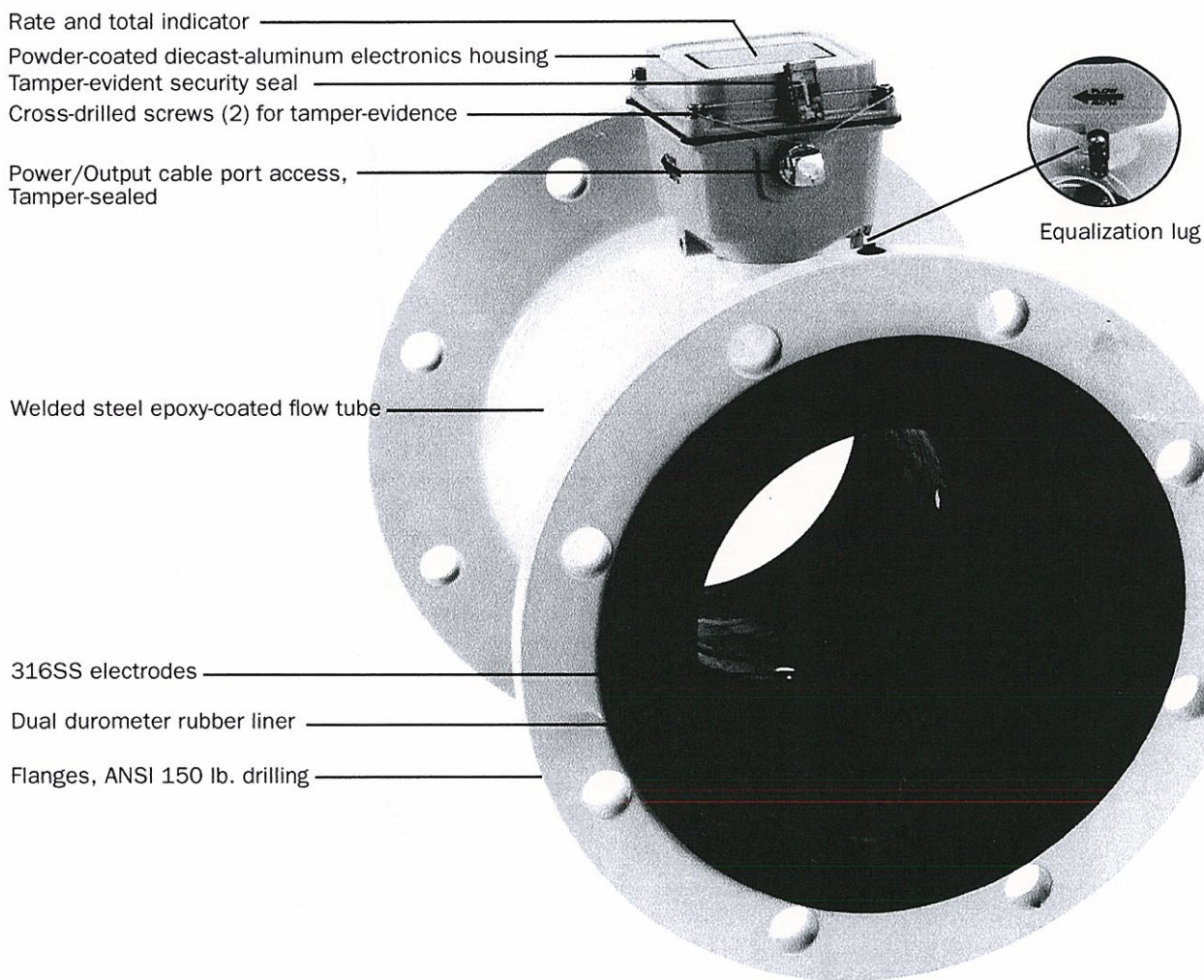
SeaMetrics

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INSTRUCTIONS

AG2000 Irrigation Magmeter

FEATURES

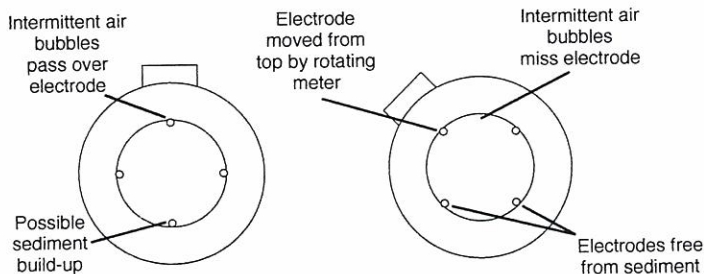


ISO 9001:2000
CERTIFIED

Tamper-Evident Seal. The battery-powered AG2000 has a seal wire to protect against unauthorized access. The seal can be broken to change units of measure, replace the battery pack, or to field-install a power/output cable.
CAUTION: If water usage regulation is in effect, only a person authorized by your regulatory agency should break the seal wire, and replace it when finished.

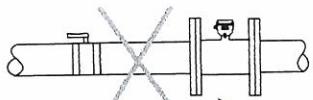
Positioning the Meter. These meters can be installed horizontally, vertically, and in any radial position. If sludge accumulation is a potential problem, vertical or horizontal placement with the register at a 45° angle may be preferred.

Full Pipe Recommendations. All magmeters require a method for determining that the pipe is empty, to prevent false reading. This meter is designed to go to zero reading if one or more electrodes is exposed. For highest accuracy, install the meter so that the pipe will be full when there is flow. If air bubbles may be present in the pipe, rotate the meter by one flange hole to position the control housing at a 45° angle. See mounting diagrams below.

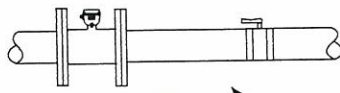


Possible Problem:
Air bubbles and sediment on the electrodes can affect accuracy.

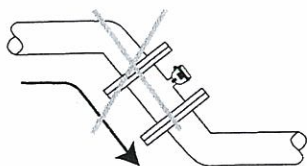
Better Installation:
Improved accuracy results from unimpeded electrodes.



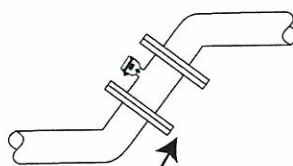
Possible Problem: Air pockets, accuracy loss, empty pipe reading



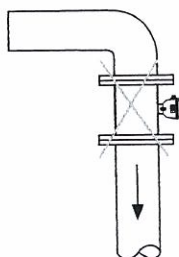
Better Installation: Keeps pipe full at sensor for accuracy



Possible Problem: Air can be trapped, loss of accuracy

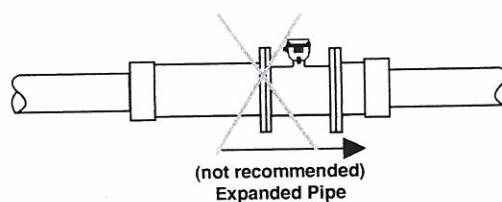
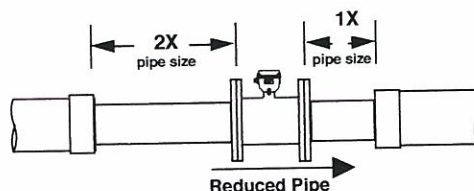
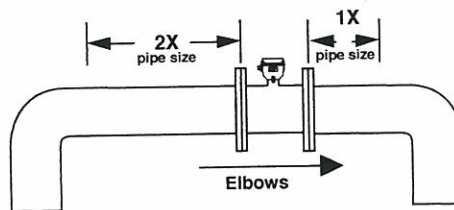


Better Installation: Allows air to bleed off, higher accuracy



Not Recommended:
Vertical downflow, open discharge

Straight Pipe Recommendations. See the diagrams below for the type of installation that best matches yours. Contact factory for additional piping configurations.



Chemigation Applications. Magmeters in chemigation applications must be placed either upstream of the chemical injection line, or far enough downstream for complete mixing to occur before the solution reaches the meter. Proper placement prevents spikes and drops in readings that result when fluids of different conductivity pass through the meter. For more information, refer to the technical bulletin on the SeaMetrics website Downloads page.

Fittings. The AG2000 flanges have standard ANSI 150 lb drilling, and should match up with any other ANSI 150 lb flange.

Temperature. These flow sensors are not recommended for installation where temperature exceeds 130° F (54° C).

Calibration. The AG2000 is factory calibrated and cannot be recalibrated in the field.

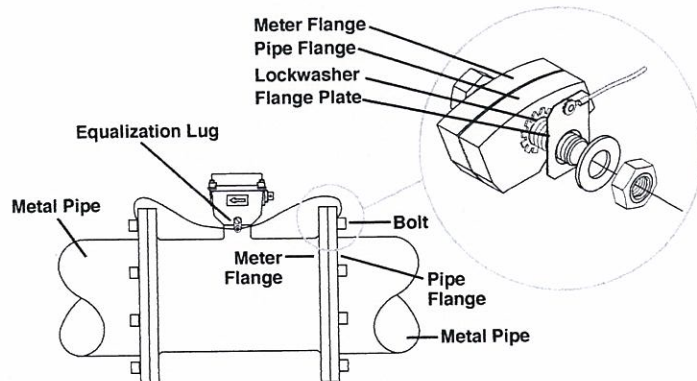
Protecting the Meter. To protect the AG2000 against environmental assaults, you may wish to install a weather guard (part #31388).

FLOW RANGE

	Minimum	Maximum
4"	12 gal/min (.75 liter/sec)	500 gal/min (31 liter/sec)
6"	32 gal/min (2 liter/sec)	1,200 gal/min (76 liter/sec)
8"	60 gal/min (4 liter/sec)	2,200 gal/min (139 liter/sec)

EQUALIZATION and GROUNDING

Metal Pipe Installations. To equalize the electric potential of the fluid, the meter, and the surrounding pipe, secure the flange plates, factory-installed on equalization lug, to both pipe flanges at one of the bolt holes. Be sure the lockwasher provided fits between the pipe flange and the flange plate.



Equalization Diagram

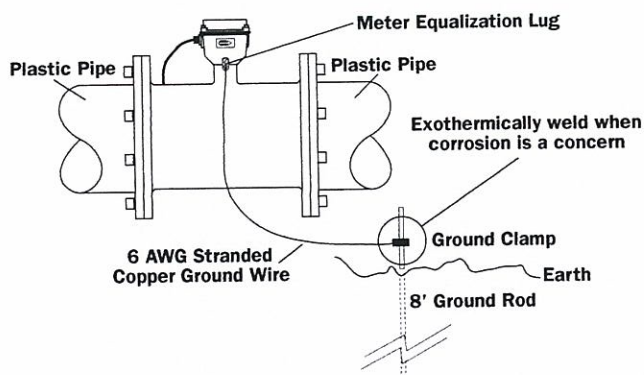
Run wire from equalization lug to both pipe flanges; secure flange plates under bolt heads as shown.



WARNING: ELECTRICAL SHOCK HAZARD

When the AG2000 is installed in a plastic piping system, or when externally powered, it is very important to ground the meter to avoid electrical shock hazard. Failure to do so can result in electrocution.

Plastic Pipe Installations. In plastic pipe it is not necessary to use the equalization straps, but the meter must be grounded to avoid electrical shock and electrostatic interference with meter function.



Battery Power (standard). The AG2000 is powered by a non-rechargeable battery pack with a lifespan of up to 5 years under typical use. Actual lifespan will vary from application to application, depending on the duty cycle.

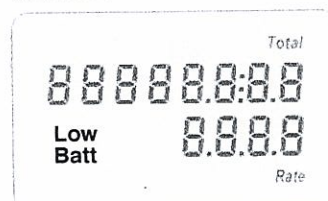
"Low Batt" will display when it is time to replace the battery (see illustration at right). Replacement instructions come with the custom battery pack available from your dealer or SeaMetrics.

External Power (optional). Where power is available, the life of the battery pack can be indefinitely extended by the addition of an external power input cable. When external power is used, the batteries serve as backup in case of power failure, keeping the meter reading out during an outage. The display reads "P" to indicate that external power is in use (see illustration at right).

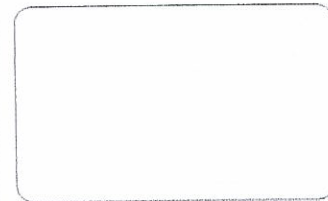
When the display is reading numbers/letters but neither the "Low Batt" or "P" symbol is displayed, the meter is functioning normally under battery power (see illustration at right). When the display is completely blank, the meter is not powered.

Solar Power (optional). In most areas of the US, a 12-volt, 5 watt solar power unit (panel, charge controller and battery) should suffice to operate the meter. In this case, the internal batteries will serve as backup and battery life will be conserved.

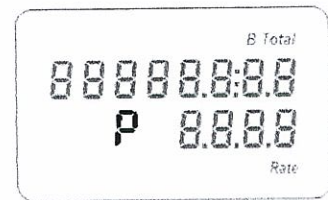
Display Reading. There are two lines to the display, the bottom line for flow rate and the top line for accumulated total. Measurement units are pre-ordered and factory-set and can be changed in the field only by an authorized individual.



Low Battery Indicator



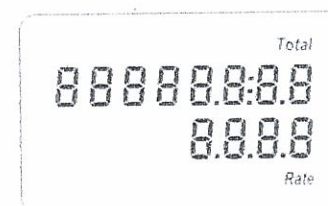
No Power



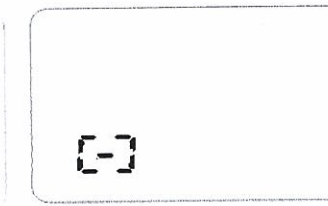
External Power Indicator



Empty Pipe



Battery Power

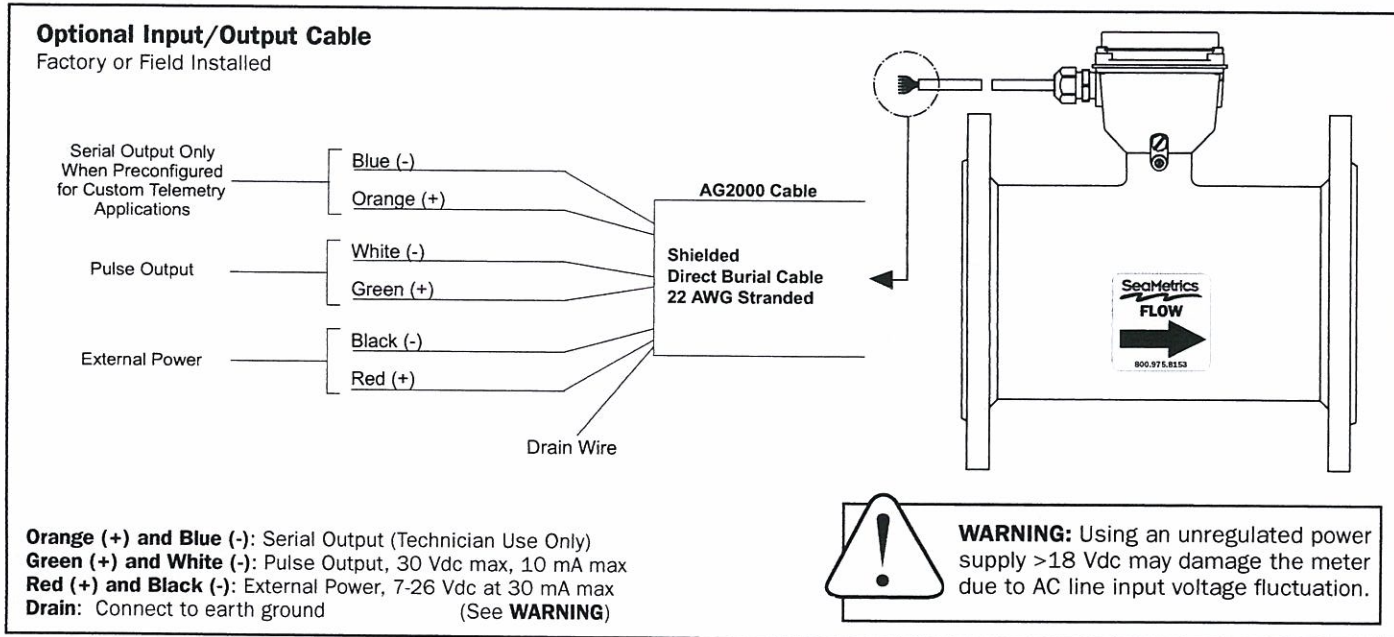


Meter Installed Backwards

OPTIONAL INPUTS, OUTPUTS and TROUBLESHOOTING

Optional Input and Outputs. An optional cable, factory-installed or field-installed by an authorized individual, provides power input, pulse output (for remote reading, 4-20 mA conversion, telemetry and data logging functions),

and serial output (when preconfigured for technician use in custom telemetry applications). See diagram below. The factory-default pulse output rate is 10 gallons per pulse. Detailed wiring diagrams provided with cable.



TROUBLESHOOTING

Problem	Probable Cause	Try...
Blank display	Dead battery	Replace battery pack
Flow rate steadily reads zero when there is flow	Flow is below cutoff (very low)	Reading will resume when flow increases
	There is air in the meter	Reposition meter for full pipe
Display reads [-]	Meter is installed backward	Note flow direction arrow, reverse meter
Flow rate intermittently drops when there is flow	There is air in the meter	Reposition meter for full pipe or rotate to avoid bubbles
Jumpy reading	Improperly equalized	Check for proper equalization
	Pulsing flow	Use external power source (allows more flow averaging)
	Rapidly changing conductivity (chemigation applications)	Install chemigation line downstream of meter (or enough upstream for thorough mixing of fluids before meter)



SeaMetrics Incorporated • 19026 72nd Avenue South • Kent, Washington 98032 • USA
(P) 253.872.0284 • (F) 253.872.0285 • 1.800.975.8153 • www.seametrics.com

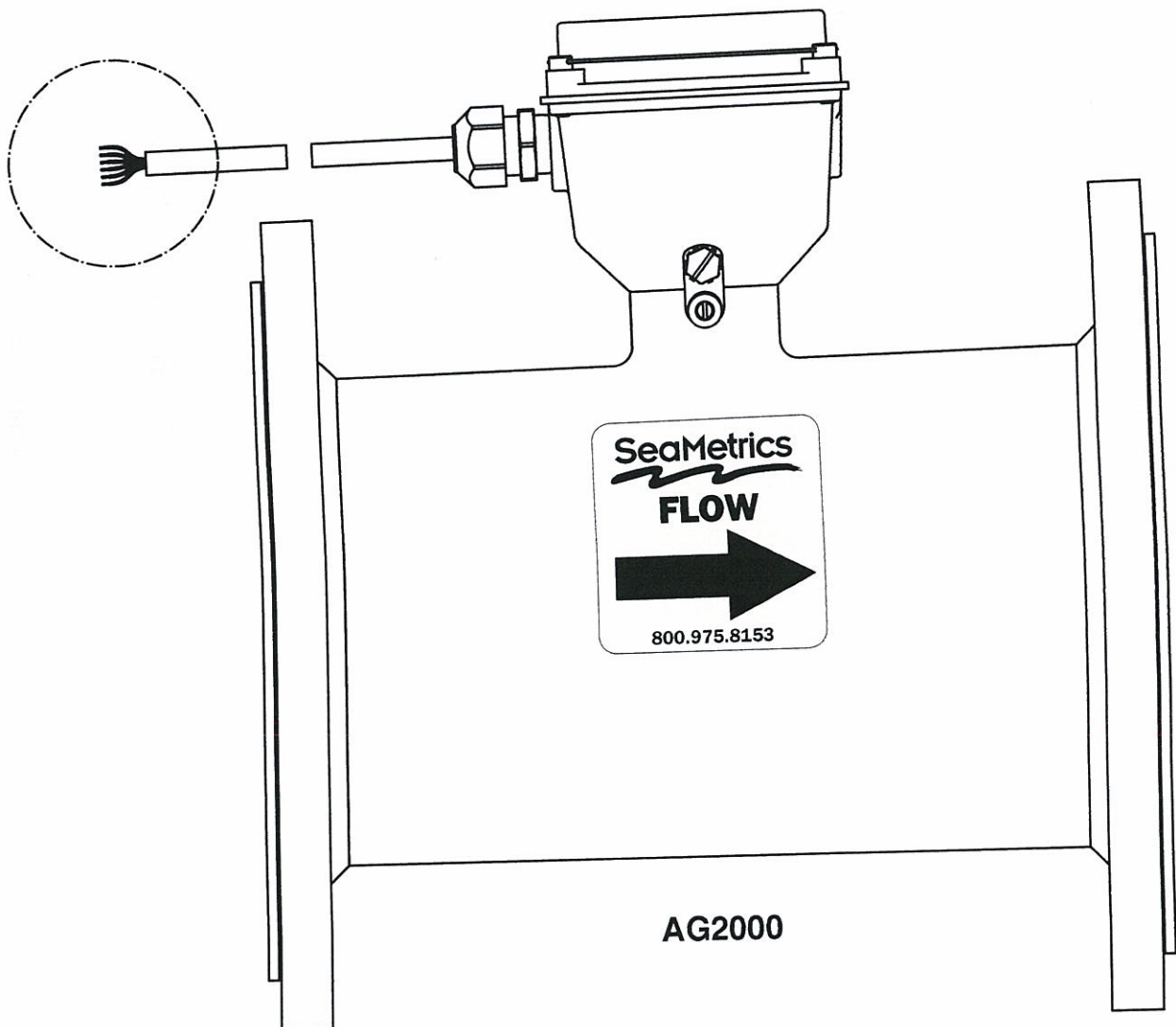
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CONNECTIONS

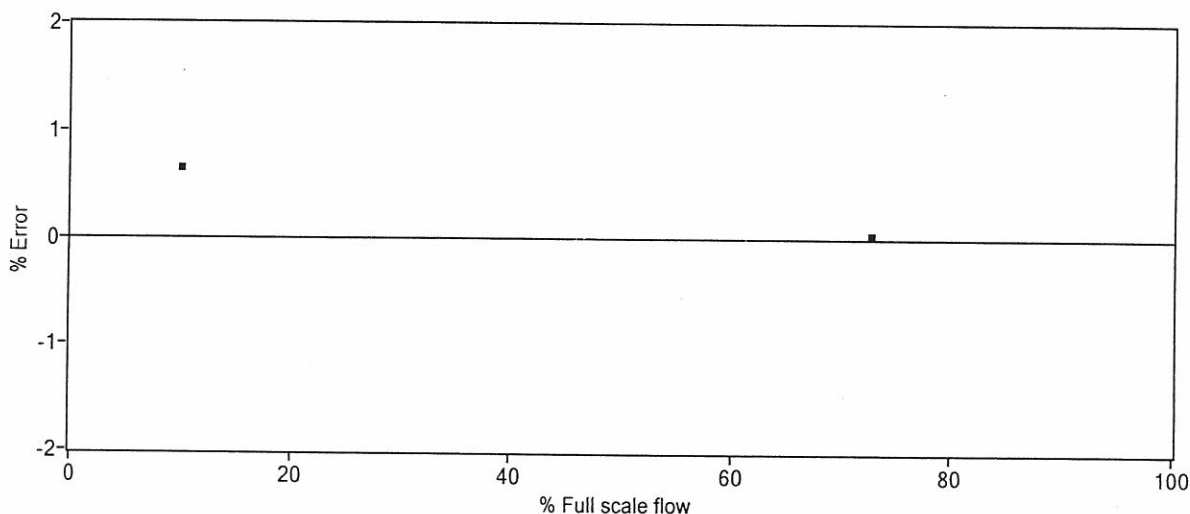
AG2000 Irrigation Magmeter





METER CALIBRATION REPORT

Model AG2000-400	Rate Units GPM	Total Units 1000 Gal
Serial Number 06081730	10% Flow Rate (GPM) 50.38	% Error 0.65
Pulse Output 16.362 PPG	High Flow Rate (GPM) 363.6	% Error 0.0357
Calibrated by: Zack	Date: 6/17/2008	Time: 3:13 PM



Temp (F)	Flow (GPM)	Meter Output (PPG)	Type A Uncertainty	Type B Uncertainty	Combined Expanded Uncertainty
75.1	364	16.37	0.00584	.35%	0.115
75.2	50.4	16.47	0.106	.35%	0.242

- 1) Type A uncertainty was the bias, where bias = nominal output - measured output. Degrees of freedom was equal to 1.
- 2) Type B uncertainty was the uncertainty of meter output and flow rate measurements at the 67% confidence probability. Contact SeaMetrics for documentation regarding measurement uncertainty and the calibration system.
- 3) The combined expanded uncertainty was twice the Root Sum Square (RSS) of the bias and measurement uncertainty. Combined Expanded Uncertainty = $2 \times \text{RSS}(\text{bias, measurement uncertainty})$. Coverage factor was equal to 2.
- 4) Meter output and flow rate measurements are traceable to NIST.

See: Peery J, and Frederick J. "A Measurement Assurance Program for Flow Calibration by the Transfer Method." Cal Lab Magazine, Jan., 2005

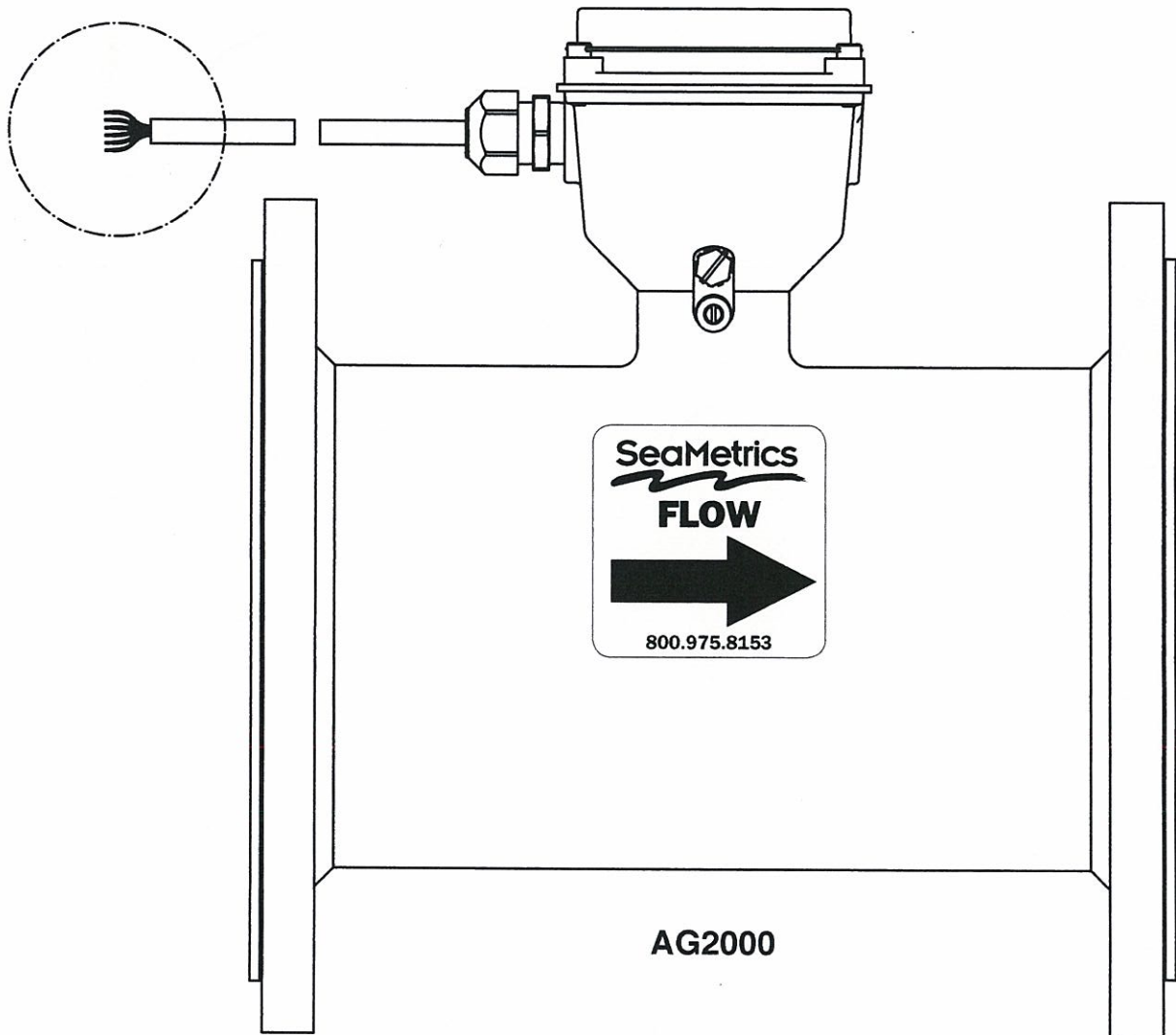
SeaMetrics

The Leader in Flow Meter Value



CONNECTIONS

AG2000 Irrigation Magmeter



INSTALLING THE DC30/DC35 OPTIONAL CABLE

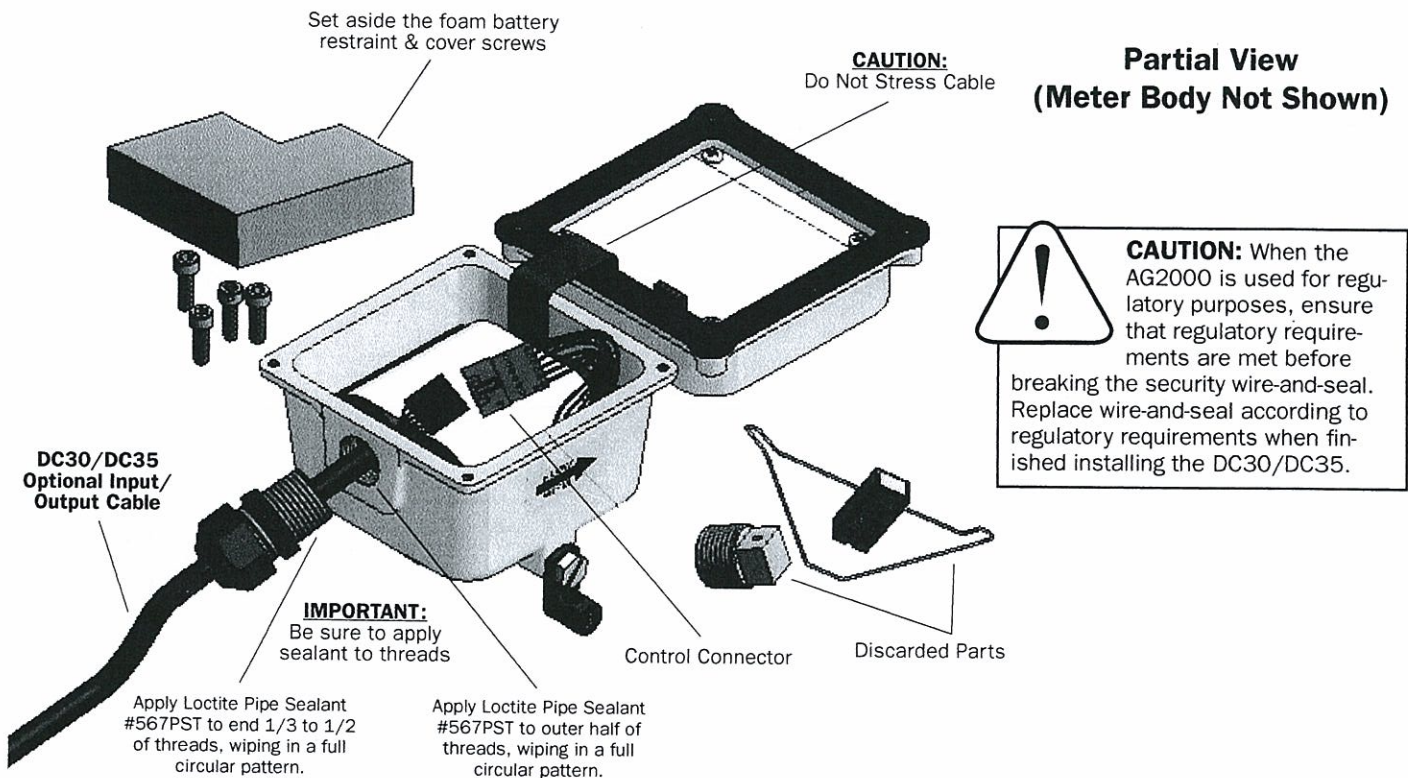
Use the diagram below as a guideline for installing the DC30/DC35 optional input/output cable to the AG2000 meter.
(NOTE: If you ordered the input/output cable factory-installed, you may disregard this step.)

Then proceed to the appropriate wiring diagram for your application on subsequent pages.



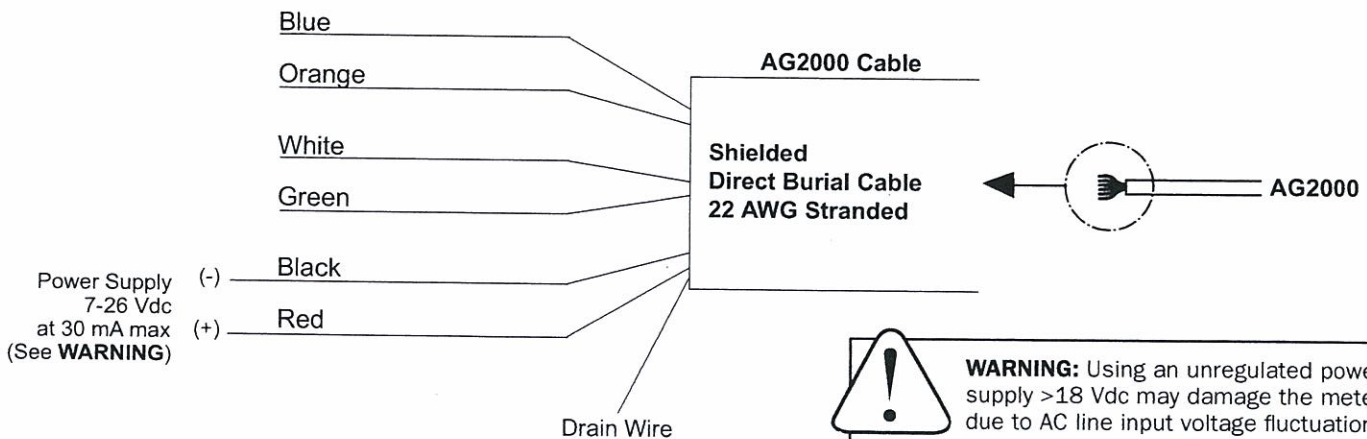
WARNING: ELECTRICAL SHOCK HAZARD

When the AG2000 is externally AC powered, the piping system must be grounded to meet national and local electrical safety codes. Failure to do so can result in electrocution.

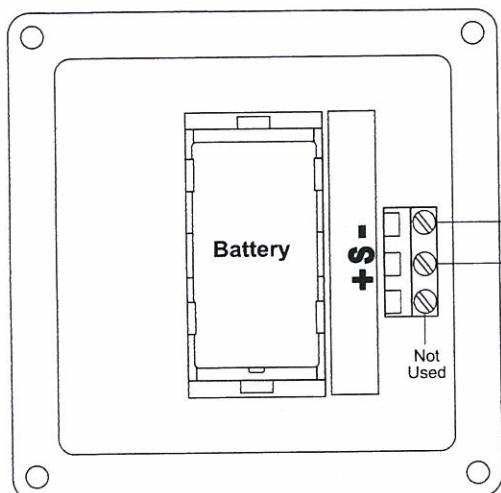


EXTERNAL POWER

Orange (+) and Blue (-): Serial Output (Technician Use Only)
Green (+) and White (-): Pulse Output, 30 Vdc max, 10 mA max
Red (+) and Black (-): External Power, 7-26 Vdc at 30 mA max
Drain: Connect to earth ground (See **WARNING**)

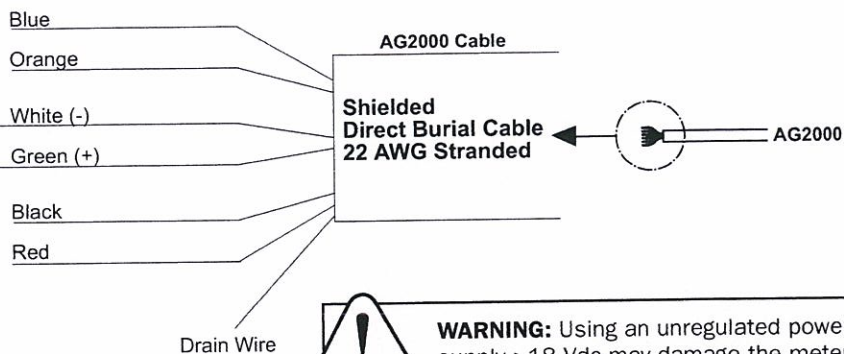


DL75/AG2000



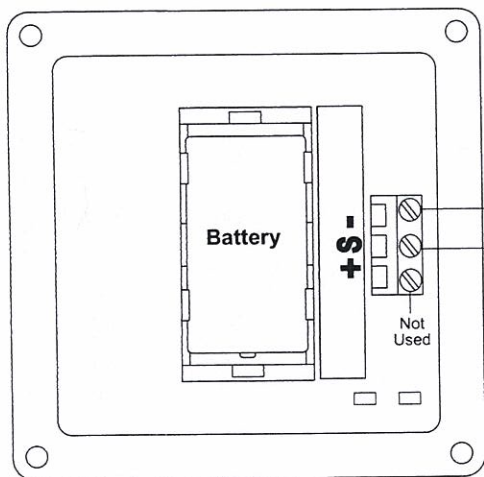
DL75

Orange (+) and Blue (-): Serial Output (Technician Use Only)
Green (+) and White (-): Pulse Output, 30 Vdc max, 10 mA max
Red (+) and Black (-): External Power, 7-26 Vdc at 30 mA max
Drain: Connect to earth ground (See **WARNING**)



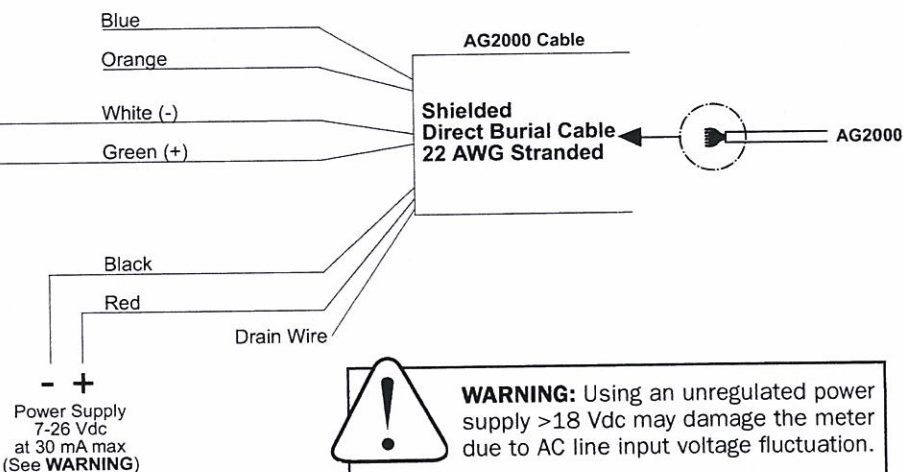
WARNING: Using an unregulated power supply >18 Vdc may damage the meter due to AC line input voltage fluctuation.

DL75/EXTERNAL POWER/AG2000



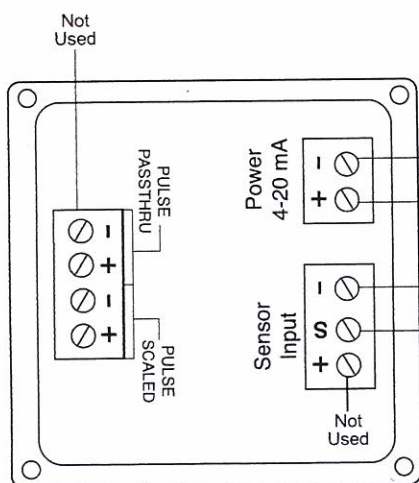
DL75

Orange (+) and Blue (-): Serial Output (Technician Use Only)
Green (+) and White (-): Pulse Output, 30 Vdc max, 10 mA max
Red (+) and Black (-): External Power, 7-26 Vdc at 30 mA max
Drain: Connect to earth ground (See **WARNING**)



WARNING: Using an unregulated power supply >18 Vdc may damage the meter due to AC line input voltage fluctuation.

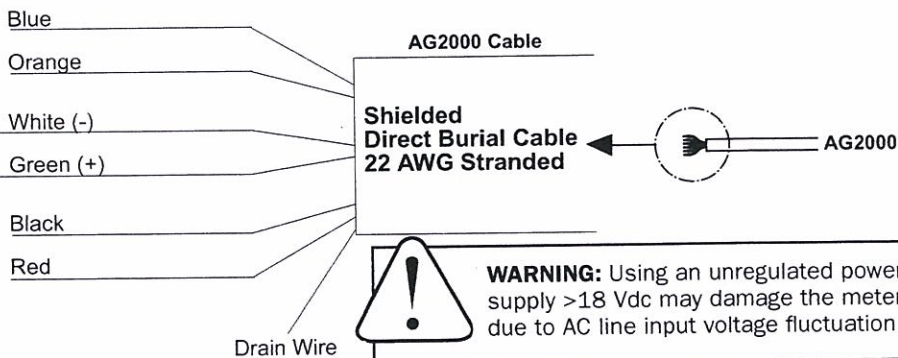
FT420/AG2000



FT420

Orange (+) and Blue (-): Serial Output (Technician Use Only)
Green (+) and White (-): Pulse Output, 30 Vdc max, 10 mA max
Red (+) and Black (-): External Power, 7-26 Vdc at 30 mA max
Drain: Connect to earth ground (See **WARNING**)

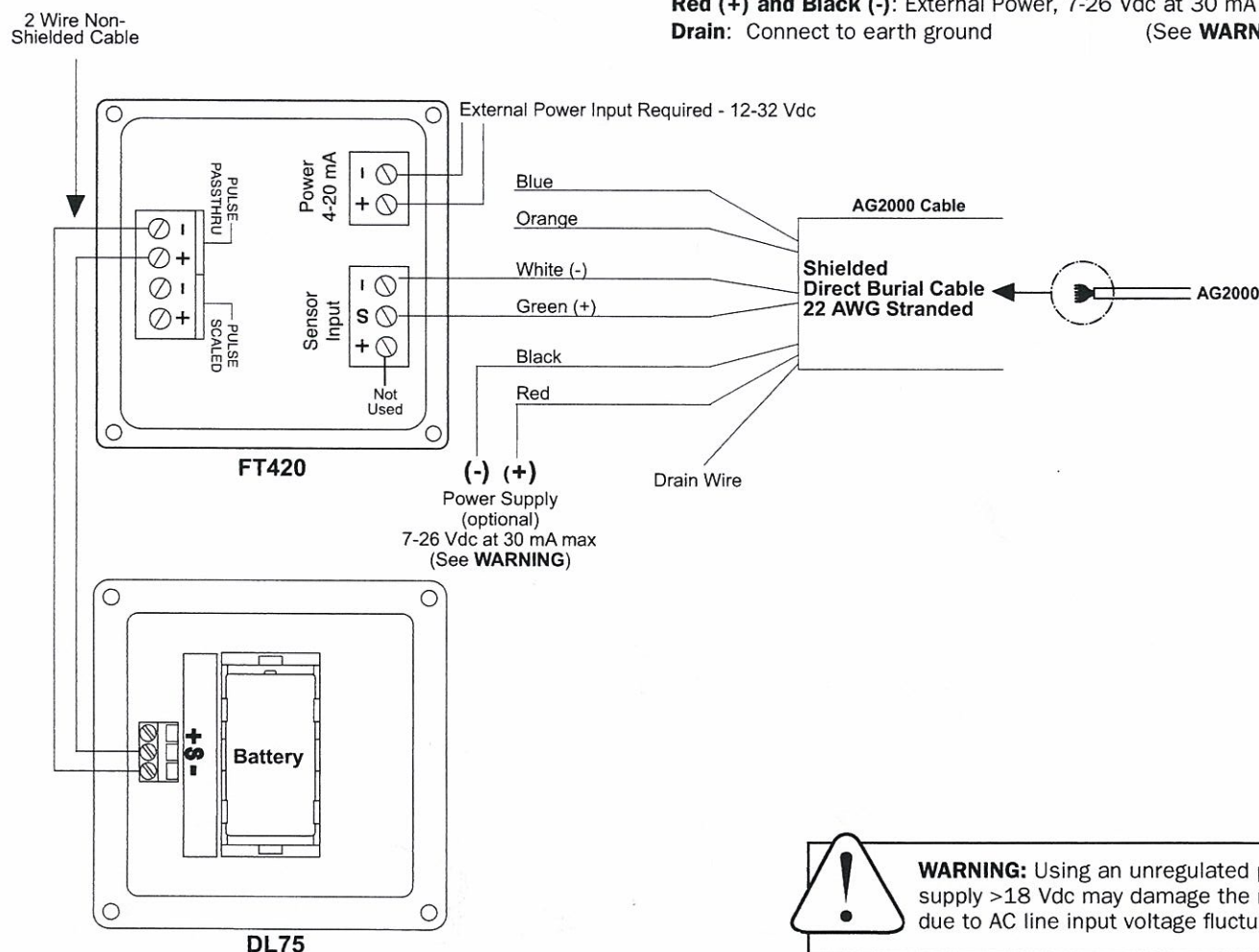
External Power Input Required - 12-32 Vdc



WARNING: Using an unregulated power supply >18 Vdc may damage the meter due to AC line input voltage fluctuation.

FT420/DL75/AG2000 WITH OR WITHOUT EXTERNAL POWER

Orange (+) and Blue (-): Serial Output (Technician Use Only)
Green (+) and White (-): Pulse Output, 30 Vdc max, 10 mA max
Red (+) and Black (-): External Power, 7-26 Vdc at 30 mA max
Drain: Connect to earth ground (See **WARNING**)

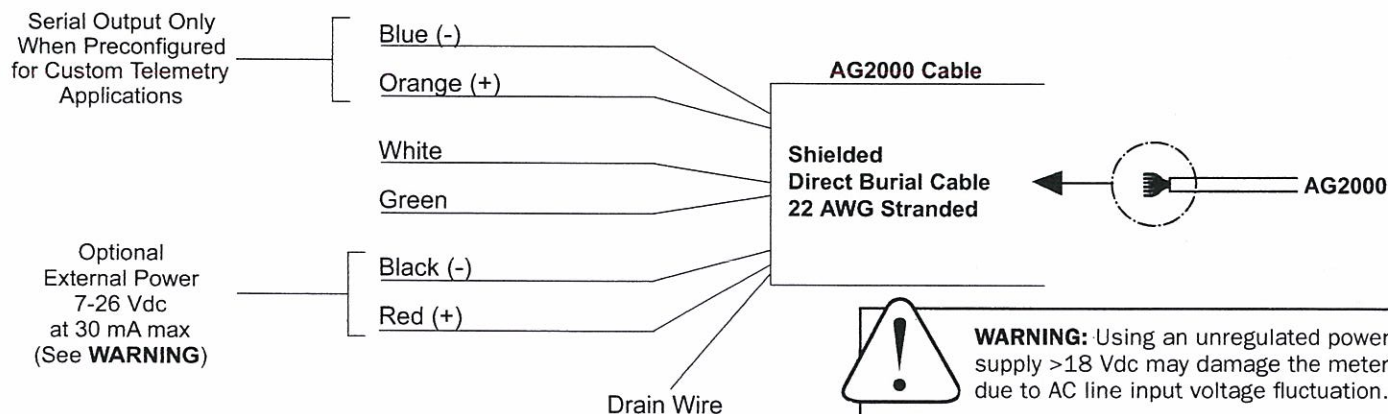


WARNING: Using an unregulated power supply >18 Vdc may damage the meter due to AC line input voltage fluctuation.

TELEMETRY

Connect serial output to telemetry device according to manufacturer's specifications for that device.

Orange (+) and Blue (-): Serial Output (Technician Use Only)
Green (+) and White (-): Pulse Output, 30 Vdc max, 10 mA max
Red (+) and Black (-): External Power, 7-26 Vdc at 30 mA max
Drain: Connect to earth ground (See **WARNING**)



WARNING: Using an unregulated power supply >18 Vdc may damage the meter due to AC line input voltage fluctuation.

SeaMetrics

SeaMetrics Incorporated • 19026 72nd Avenue South • Kent, Washington 98032 • USA
(P) 253.872.0284 • (F) 253.872.0285 • 1.800.975.8153 • www.seametrics.com

LT-13321-C
11/13/07



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

May 20, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

SDRTR LLC
PO BOX 1368
BOISE ID 83701

RE: Assignment of Permit for Water Right Permit No. 37-8388

Dear Permit holder:

The department acknowledges receipt of an Assignment of Permit changing ownership of the above referenced water right to SDRTR, LLC. The department has modified its records to reflect this change and has enclosed a computer-generated report for your information and records.

Additionally, the Department is in receipt of documents that assert an error occurred when the permit holder was notified of the proof deadline. The Department cannot proceed with reinstatement of the permit until the current permit holder files a statement of proof. Enclosed is a Statement of Completion form for this purpose.

Be advised that Section 42-248, Idaho Code, requires you as the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov

Please feel free to contact me if you have any questions regarding this matter.

Sincerely,

Deborah Gibson
Administrative Assistant
Water Allocation Bureau

Enclosures

Cc: James P. Speck

SPECK & AANESTAD
A PROFESSIONAL CORPORATION
ATTORNEYS
P. O. Box 987
Ketchum, ID 83340
1-208-726-4421
Fax: 1-208-726-0752

FAX COVER SHEET/MEMO

To: Chuck Brockway	Date: March 9, 2001
Fax #: 1-208-736-8506	Pages: 11, including this cover sheet.
From: James P. Speck	
Subject: Reuther/Permit No. 37-08388	Our File No. 990235
COMMENTS:	

THE INFORMATION CONTAINED IN THIS FAX TRANSMISSION IS CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE ABOVE-NAMED RECIPIENT AND MAY BE THE SUBJECT OF ATTORNEY/CLIENT PRIVILEGE. IF THE READER OF THIS MESSAGE IS NOT THE ABOVE-NAMED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISTRIBUTION, DISSEMINATION, COPYING OR OTHER USE OF THIS COMMUNICATION IS STRICTLY PROHIBITED AND NO PRIVILEGE IS WAIVED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE. THANK YOU.

SPECK & AANESTAD
A PROFESSIONAL CORPORATION
ATTORNEYS

JAMES P. SPECK
DOUGLAS J. AANESTAD
BENJAMIN W. WORST

120 EAST AVENUE
P. O. BOX 987
KETCHUM, IDAHO 83340

TELEPHONE
(208) 726-4421
FAX (208) 726-0752

March 9, 2001

VIA FACSIMILE - 208-736-8506
NO ORIGINAL WILL FOLLOW

Dr. Charles E. Brockway
Brockway Engineering, PLLC
2016 North Washington St
Suite 4
Twin Falls ID 83301

RE: Steven D. Reuther - Permit No. 37-08388
Our File No.: 990235

Dear Chuck:

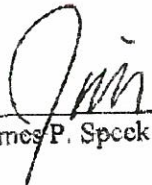
I represent Steven D. Reuther, the owner of Lot 1A of Warfield Hot Springs Subdivision and Permit No. 37-08388. I understand you are going to visit the property and provide assistance in designing the appropriate diversion works for this Permit. Enclosed you will find a copy of the Permit together with Glen Saxton's February 14, 2001 letter to me regarding excavation below land surface to properly capture and divert this hot water. You are the "competent expert" we are consulting to make this determination!

Please call me if you have any questions before you make this site visit. I do not believe it will be necessary for me to accompany you, but let me know right away if you think otherwise.

I look forward to working with you on this project. Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:rsd
enclosures
cc: client, w/out encl.

RECEIVED

Form 202
6/88

AUG 15 1988

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Southern Region Office

APPLICATION FOR PERMIT

Department of Water Resources
Southern Region Office

To appropriate the public waters of the State of Idaho

RECEIVED

Ident. No. 37-08388
JUL 28 1988

APPROVED

1. Name of applicant Bruce Gilbert Phone (208) 726-5657
Post office address c/o Brian L. Ballard, Post Office Box 297, Ketchum, ID 83340
2. Source of water supply Warfield Hot Springs which is a tributary of Warm Springs Creek
3. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot H.E.S. 389
Sec. 31 Township 4N Range 17E B.M. Blaine County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 1 cfs for heating purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-foot per annum)
Amount .92 cfs for recreational purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-foot per annum)
Amount .08 cfs for domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-foot per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-foot per annum)
5. Total quantity to be appropriated is (a) 2cfs and/or (b) _____ See remarks.
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Application proposes to utilize output of existing springs and wells by pumping (1-2 5hp pumps) and/or drilling other wells with artesian pressure and/or pumps utilized to deliver water via buried pipelines (1 $\frac{1}{2}$ "-3").
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
c. Proposed well diameter is less than 10 inches; proposed depth of well is less than 40 feet.
d. Is ground water with a temperature of greater than 90°F being sought? See remarks.
7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year).

MICROFILMED

MAR 03 1989

metes and bounds as follows: Commencing at a stone marking Corner No. 5 of said H.E.S. No. 389; thence South 0°02' East 178.5 feet along the East boundary of said H.E.S. No. 389 to a 1/2" rebar, said rebar marking the true point of beginning; thence South 0°02' East 59.5 feet along the East boundary of H.E.S. No. 389, to a 1/2" rebar; thence North 86°00' West 231.9 feet to a 1/2" rebar on the Easterly bank of Warm Springs Creek; thence North 35°16' East 67.5 feet along the Easterly bank of Warm Springs Creek to a 1/2" rebar; thence South 86°31' East 192.7 feet to a 1/2" rebar, said rebar marking the true point of beginning.

RESERVING TO THE GRANTOR the right to use the flow of hot water in the gravity feed water line that now exists. It is understood that Pace, Inc. and its successors shall not increase or expand on that existing flow. This right is to be appurtenant to, and run with, the following described property:

A portion of W. H. Warfield H.E.S. No. 389 in Section 36, Township 4 North, Range 16 E.B.M., Blaine County, Idaho, described as follows:

Beginning at a point on the East line of said H.E.S. No. 389, said point being 348 feet South of Corner No. 5 of said H.E.S. No. 389, Thence South along the East line of said H.E.S. No. 389 a distance of 118 feet; Thence West a distance of 161 feet, more or less, to the center of Warm Springs Creek; Thence in a Northerly direction along the centerline of Warm Springs Creek a distance of 160 feet, more or less to a point which is North 86°00' West from the point of beginning; Thence South 86°00' East a distance of 206 feet, more or less, to the point of beginning.

GRANTING, however, the right to share the use, repair, and maintenance of the water line referred to above, this right to be appurtenant only to that portion of the property conveyed herein lying South and East of Warm Springs Creek, commonly known as the Crony Cove Parcel, containing approximately two and one-half (2 1/2) acres.

SUBJECT TO:

Reservations contained in Patent from the United States of America to William H. Warfield dated October:

25, 1919, recorded December 17, 1919, in Book 99 of Patents, page 259, records of Blaine County, Idaho, reciting: "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."

TO HAVE AND TO HOLD the same unto the Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the Grantees that it is the owner in fee simple of said premises, that they are free from encumbrances except as above described and that it will warrant and defend the same from all lawful claims whatsoever.

Dated this 1st day of November, 1983.

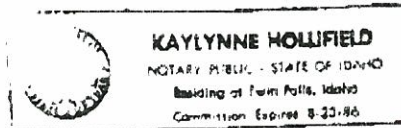
PACE, INC.

By: D. L. Pace
President

STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 1st day of November, 1983, before me, the undersigned, a notary public in and for said county and state, personally appeared D. L. Pace, known to me to be the President of Pace, Inc., the corporation whose name is subscribed to the within instrument or the person who executed the instrument on behalf of said corporation and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the same day and year in this certificate first above written.



Kaylynne Hollifield
NOTARY PUBLIC FOR IDAHO
Residing at Twin Falls, Idaho
APR 11 1984