

The Idaho World

P.O. Box 99
Garden Valley, ID 83622
(208) 462-3487

RECEIVED

MAR 18 2002

WATER RESOURCES
WESTERN REGION

State of Idaho)
)
County of Boise)

Deanna Stevenson, being duly sworn, deposes and says: that she is the Editor of THE IDAHO WORLD, a weekly newspaper published at Idaho City, in the County of Boise and the State of Idaho; the said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for two (2) consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication and was published in the newspaper and not a supplement; that said paper has been established and regularly and continuously published for more than seventy eight weeks past previous to the first publication of this notice. Such notice was published with the issue beginning with Feb 6, 2002 and ending with the issue of Feb 13, 2002.

Deanna Stevenson

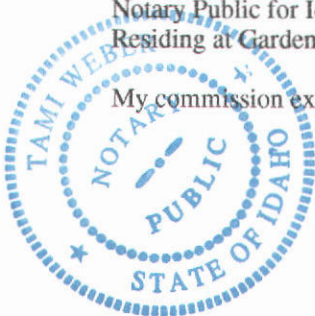
State of Idaho)
)
County of Boise)

On this 15 day of Mar in the year 2002, before me, a notary public, personally appeared Deanna Stevenson known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Tami Wilson

Notary Public for Idaho
Residing at Garden Valley, Idaho

My commission expires 2/10/05



NOTICE OF EXTENSION OF TIME TO AVOID FORFEITURE OF WATER RIGHTS

CAROL LYNN MACGREGOR of 1109 Warm Springs Ave, Boise ID 83712 has applied to the Department of Water Resources for an Extension of Time to Avoid Forfeiture pursuant to Idaho Code § 42-222 for two water rights recorded as follows in Valley County:

Decree 65-1972, .04 cfs
Decree 65-1973, .01 cfs

Each right lists priority 5/1/1901, spring tributary to Moores Creek, diverted and used for domestic use in the SENE S13 T13N R3E.

Bath houses associated with the rights were removed in the fall of 1998 in preparation for a development proposed on protested applications 65-13912 and 65-13913 and because of the "attractive nuisance" status of both bath houses. Five years have been requested, until November 2006, to accommodate for the delays associated with the new water right applications. Site is aka Belvidere Hot Springs.

Any protests against approval of these applications must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 for each application on or before February 25, 2002. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in The Idaho World February 6 and 13, 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR EXTENSION OF TIME TO AVOID
FORFEITURE OF A WATER RIGHT

Section 42-222, Idaho Code, provides that a water right shall be lost and forfeited and the water right revert to the state upon the failure of a water user to apply the water to beneficial use for a period of five (5) years. The Director may allow an additional five (5) year period of non-use without forfeiture upon a showing of reasonable cause.

1. Name of water right holder Carol Lynn MacGregor
2. Mailing address 1109 Warm Springs Avenue, Boise, Idaho 83712
3. The right was obtained or is evidenced by:
 - a. ^{Partial} Decree to Eastern Western Corporation in Case of In Re Snake River Basin Adjudication
vs. _____, Dated 08-28-1998 in District Court, Fifth Judicial
(Name of Court)
District, County of Twin Falls, State of Idaho, Fully describe decree _____
 - b. _____
 - d. SRBA No. 65-01972
4. Source of water Spring tributary to Moore's Creek
(Name of stream or source)
5. Date of priority of right 05-01-1901
6. Description of Right:
amount 0.04 cfs for domestic purposes from 01/01 to 12/31
(cfs/ac-ft) (1.2 AFA)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
7. Point of Diversion SE 1/4 NE 1/4 of Sec. 13 Twp. 13N Rge. 3E County Valley

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MAR 20 2002

Department of Water Resources

8. Lands irrigated or Place(s) of Use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13N	3E	13				X													

Total Acres _____

9. Give the last date when water was put to beneficial use Fall, 1998

Length of extension of time requested five (5) years, or until November 2006
(Date)

10. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and reasons for non-use See attached page 3

The information contained in this application is true to the best of my knowledge.



(Signature of Applicant) Carol Lynn MacGregor

Subscribed and sworn to before me this 14th day of November, 20 01

Joyce E. Angell
(Notary Public)

My commission expires 7-24-02 Residing at Boise, Idaho

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby approve said application subject to the following conditions or reasons:

The right holder shall resume beneficial use of the water on or before November 1, 2006.

Signed this 21st day of March, 20 02

L. Glen Saxton
Chief, Water Allocation Bureau

FOR DEPARTMENT USE ONLY

Date Received 12/24/01 FEE Received by J. Masie Date 12/24/01 Receipt # C058699
Preliminary T by g Publication prepared by _____ Pub approved by _____ Date _____
Published in IDAHO WORLD Dates Published 2-6+13-02
Protests filed by _____
Copies of protests forwarded by _____ Hearing held by _____ Date _____
Recommended for - 9 APPROVAL / 9 DENIAL By Loi Graven

This water right is in an area known locally as Belvidere Hot Springs and is part of a larger development planned under the immediate area (see Application 65-13912 from hot springs and Application 65-13913 involving two hot water wells and one cold water well). Water Rights 65-01972 and 65-01973 would still be used as domestic rights for private baths within the planned development at Belvidere Hot Springs. However, the two pending applications are protested and are subject at the present to a year-long monitoring program. The bath houses associated with 65-01972 and 65-01973 were removed in the fall of 1998 both in preparation for the proposed development in conjunction with Applications 65-13912 and 65-13913 and because of the "attractive nuisance" status of the bath houses. Both 65-01972 and 65-01973 are listed on Applications 65-13912 and 65-13913 as "water rights used for the same purposes as these applications." Five years is requested, until November 2006, to accommodate the delays associated with the protests and monitoring associated with the new water right applications.

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SEP 03 1998

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: 65-11280, 65, 1979, 65-1972, 65-1973
Adjudication Claim No(s).: A: 65-11280, 1979, 1972 and 1973

2. The following REQUIRED information must be submitted with this form:

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Eastern Western Corporation,
then ~~Thomas~~ Tom Nicholson

4. New Owner/Claimant(s) Carol Lynn MacGregor

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address 1104 Warm Springs Avenue

City, State and ZIP Code Boise, ID 83742

New Telephone Number (208) 386-9494

5. Date you acquired the property Jan 12, 1998

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

I rent pasture, this year having

Number of acres you irrigate _____ Number and type of stock _____

I bought all

Diversion rate in CFS _____ Number of homes 1 Other uses hot springs

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) Carol Lynn MacGregor

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

See file 65-1972 for support documentation

10-1511-MED

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NOV 20 2001

Department of Water Resources

RECEIVED

SEP 03 1998

WATER RESOURCES
WESTERN REGION

ASSIGNMENT AGREEMENT

FOR REPLACEMENT PROPERTY

1031-1829

THIS ASSIGNMENT is made and entered into on January 12, 1998 by and between, CAROL LYNN MACGREGOR (hereinafter referred to as "Assignor") PIONEER 1031 COMPANY, an Idaho corporation (hereinafter "Assignee") and TOM NICHOLSON (hereinafter "Consenting Party").

RECITALS:

WHEREAS, Assignor and Consenting Party have entered into that certain Sale Contract/Purchase Agreement dated January 12, 1998 (hereinafter "Purchase Agreement"), a copy of which is attached as Exhibit "A," wherein Consenting Party agreed to transfer that certain real property described as:

Township 13 North, Range 3 East, Boise Meridian, Valley County, Idaho:

Section 13, S $\frac{1}{2}$ NE $\frac{1}{4}$ lying south of the county road, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying West of the county road. Section 14, S $\frac{1}{2}$

Township 13 North, Range 4 East, Boise Meridian, Valley County, Idaho:

Section 18, Governments Lots 2 and 3, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$. Reserving therefrom a parcel of land in the NE corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 18 as deeded to the Oregon Shoreline Railroad Company, in Book 9 of Deeds at Page 189 as Instrument No. 19165.

and commonly known as Hot Springs Ranch, Valley County, Idaho (hereinafter "Replacement Property") to Assignor; and

WHEREAS, Assignor desires to effect a tax-deferred exchange in accordance with Section 1031 of the Internal Revenue Code, and the Treasury regulations promulgated thereunder; and

WHEREAS, Assignor wishes to be relieved of the obligations to so acquire the Replacement Property under the Purchase Agreement and substitute Assignee in place of Assignor under the Purchase Agreement to allow Assignee to complete the transfer of the Replacement Property as part of an integrated, interdependent transaction between Assignor and Assignee.

MICROFILMED

DEC 12 2001



*Per Deed at Valley County Assessor's Office
owner of record for 413N, R3E, S13, S1/2NE is
Carol Lynn MacGregor
11.21.01*

NOW, THEREFORE, the parties mutually agree as follows:

1. Assignor hereby assigns to Assignee all of their rights, title and interest in and all of the obligations under the Purchase Agreement and Consenting Party does hereby consent to such Assignment, acknowledging, however that such consent does not relieve Assignor from any and all of the obligations under the Purchase Agreement. Assignee hereby assumes all of such rights, title and interest in, and the obligations under, the Purchase Agreement. The Purchase Agreement is hereby assigned in accordance with the terms hereof.

2. Assignee's obligation to close escrow and assume the obligations of Assignor under the Purchase Agreement is conditioned upon the satisfaction of the following conditions, prior to close of escrow for the transfer of the Replacement Property to Assignee:

A. Review and approval by Assignee of the Buyer's Escrow Instructions and any other documents related to the transaction.

B. The execution of all escrow closing documents by the Assignor and Consenting Party prior to the conveyance of the Replacement Property pursuant to the provisions of an Exchange Agreement between Assignee and Assignor.

3. Notwithstanding the foregoing, in the event the escrow for the transfer of the Replacement Property to Assignee from Consenting Party does not close on or before the date set for close of escrow in the Purchase Agreement, unless such date is extended by written agreement of the parties hereto, this Assignment Agreement shall be null and void and the Purchase Agreement shall be reinstated in full force and effect between Assignor and Consenting Party without any further obligation or liability on the part of Assignee.

4. This Agreement may be executed in counterparts and shall be of the same force and effect as if one document had been signed by all parties.

MICROFILMED

DEC 12 2001



IN WITNESS WHEREOF, the parties hereto have set their hands.

ASSIGNEE:

PIONEER 1031 COMPANY, AN IDAHO CORPORATION

BY:

Robert E. Onnen

ROBERT E. ONNEN, SENIOR VICE PRESIDENT

DATE

1/12/98

ASSIGNOR(S):

Carol Lynn MacGregor
CAROL LYNN MACGREGOR

DATE

1-16-98

CONSENTING PARTY(S):

Tom Nicholson
TOM NICHOLSON

DATE

1-16-98

MICROFILMED
DEC 12 2001



EXHIBIT A

Legal Description of the Property

Township 13 North, Range 3 East, Boise Meridian, Valley County, Idaho:

Section 13, S1/2NE 1/4 lying south of the county road, SW1/4.-N1/2SE1/4, SW1/4SE1/4, SE1/4SE1/4 lying west of the county road. Section 14, S1/2

Township 13 North, Range 4 East, Boise Meridian, Valley County, Idaho:

Section 18, Government Lots 2 and 3, SE1/4NW1/4, NE1/4. Reserving therefrom a parcel of land in the NE corner of the SE1/4NW1/4 of said section 18 as deeded to the Oregon Shortline Railroad Company, in Book 9 of Deeds at page 189 as Instrument No. 19165.

MICROFILMED

DEC 12 2011

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 65-01972

NAME AND ADDRESS: EASTERN WESTERN CORP
MICHAEL E MC GINLEY PRESIDENT
1505 SE GIDEON ST
PO BOX 3228
PORTLAND, OR 97208-3228

SOURCE: SPRING TRIBUTARY: MOORES CREEK

QUANTITY: 0.04 CFS
1.20 AFY

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

PRIORITY DATE: 05/01/1901

POINT OF DIVERSION: T13N R03E S13 SENE Within Valley County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic	01-01 TO 12-31	0.04 CFS 1.20 AFY

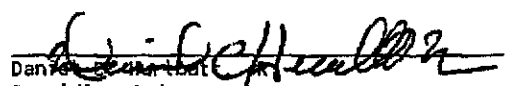
PLACE OF USE: Domestic Within Valley County
T13N R03E S13 SENE

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 J. Smith
Presiding Judge
Snake River Basin Adjudication

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 21, 2002

CAROL LYNN MAC GREGOR
1109 WARM SPRINGS AVE
BOISE ID 83712

RE: WATER RIGHT NOS. 65-01972 and 65-01973

Dear Water Right Holder:

Enclosed are copies of approved Applications for Extension of Time to Avoid Forfeiture of a Water Right for the above referenced water rights. Please note that resumption of beneficial use of water shall occur on or before November 1, 2006.

Please notify the Department as soon as you resume use of the water, a copy of the form is enclosed for your use. If you have not notified the Department sixty (60) days prior to the resumption date, the Department will send a Resumption of Use Notice to you by certified mail.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the Department. Please contact any office of the Department for the proper form to file a change of ownership of the water right and/or a change in the address of the owner or if you have any questions concerning this matter.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosures

c: IDWR - Region

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MAR 20 2002

Department of Water Resources

10-2001

**WESTERN REGION STAFF REVIEW
EXTENSION OF TIME TO AVOID FORFEITURE OF WATER RIGHT**

Applicant MacGregor

Water Right 65-1972

Reviewed by lg Date 1/8/02

Advertising file name Ext of Time - MacGregor same ad for 65-1973

SRBA Claim filed if required Y

Analysis memo Yes, see attached N/A

Comment letters N/A Yes, see below

Water District # 65

Other, see attached

IDFG for surface water

DUANE PANCHERI
19010 S CANADA RD
MELBA ID 83641

DARWIN PANCHERI
9325 MISSOURI AVE
Nampa ID 83686

ADVERTISING & PROCESSING INFORMATION

Legal notice electronically sent to State Office Yes

Comment letters sent Yes N/A

Watermaster reply received

Protests received & acknowledged Yes No

Affidavit of publication received Yes

Published correctly Yes If No, is readvertising needed?

REGIONAL MANAGER RECOMMENDATIONS Approve Deny

lg 3/19/02
(initials and date)

FILE COPIED BEFORE FORWARDED TO S.O. - Application, staff review form, legal notice, analysis memo and other items identified by staff reviewer.

SRBA

SUBCASE SUMMARY REPORT 65-01972

[Return to SRBA Home Page](#)

SRBA
01-08-2002

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 65-01972 FILE#: 00000
CLAIMANT: EASTERN WESTERN CORP
MICHAEL E MC GINLEY PRESIDENT
1505 SE GIDEON ST
PO BOX 3228
PORTLAND OR 97208
STATUS: PD ISSUED
WATER SOURCE: SPRING, MOORES CREEK

****** PARTIES INVOLVED ******

EASTERN WESTERN CORP C PRO SE

****** ROA ENTRIES ******

08-28-1998 PARTIAL DECREE FILED

08-28-1998

[Return to SRBA Home Page](#)

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P.O. Box 99
Garden Valley, ID 83622
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WESTERN REGION

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Deanna Stevenson

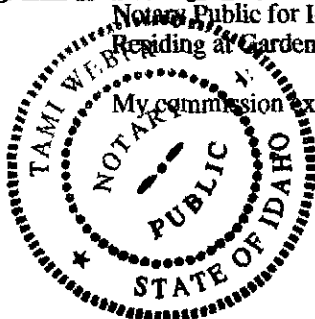
State of Idaho)
County of Boise)

On this 15 day of Mar in the year 2002, before me, a notary public, personally appeared Deanna Stevenson known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Tami Wilson

Notary Public for Idaho
Residing at Garden Valley, Idaho

My commission expires 2/10/05



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Decree 65-1972, .04 cfs
Decree 65-1973, .01 cfs

Each right lists priority 5/1/1901, spring tributary to Moores Creek, diverted and used for domestic use in the SENE S13 T13N R3E.

Bath houses associated with the rights were removed in the fall of 1998 in preparation for a development proposed on protested applications 65-13912 and 65-13913 and because of the "attractive nuisance" status of both bath houses. Five years have been requested, until November 2006, to accommodate for the delays associated with the new water right applications. Site is aka Belvidera Hot Springs.

Any protests against approval of these applications must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 for each application on or before February 25, 2002. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in The Idaho World February 6 and 13, 2002

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RECOMMENDATION OF WATERMASTER

MAR 13 2002

WATER RESOURCES
WESTERN REGION

Application Number: 65-01972

Applicant's Name: Carol Lynn MacGregor

Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application.
- b) ☐ I do not oppose approval of this application if it is conditioned as follows:

- c) ☐ I oppose approval of this application for the following reasons:

- d) **Additional Comments:** Even though I have no reason to appose this application for extension

It should be noted that this is not to be considered a recommendation either for or against the
protest or the monitoring program.

Dated this 11th day of March, 2002

Water District Number: 65 Watermaster's Signature: *Ron L. Shurtliff*



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 5, 2002

DUANE PANCHERI
19010 S CAN-ADA RD
MELBA ID 83641

Re: Applications for Extension of Time to Avoid Forfeiture for Water Right Nos 65-1972,
65-1973 in the name of Carol Lynn Macgregor.

Dear Sir and/or Madam:

Enclosed are copies of the above-referenced applications for permit which may be of interest to you. Please review the applications and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if you desire to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by June 4, 2001.

If you have any questions regarding the application, please contact this office.

Sincerely,

Gary Spackman

GS:lm

Encl: Copy of Application



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 5, 2002

DARWIN PANCHERI
9325 MISSOURI AVE
NAMPA ID 83686

Re: Applications for Extension of Time to Avoid Forfeiture for Water Right Nos 65-1972,
65-1973 in the name of Carol Lynn MacGregor.

Dear Sir and/or Madam:

Enclosed are copies of the above-referenced applications for permit which may be of interest to you. Please review the applications and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if you desire to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by **June 4, 2001**.

If you have any questions regarding the application, please contact this office.

Sincerely,

A handwritten signature in black ink that reads "Gary Spackman". The signature is written in a cursive, flowing style with a large, sweeping flourish at the end.

Gary Spackman

GS:lm

Encl: Copy of Application



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 5, 2002

MARK LIMBAUGH
WATER DISTRICT 65
102 N MAIN
PAYETTE ID 83661

Re: Applications for Extension of Time to Avoid Forfeiture for Water Right Nos 65-1972,
65-1973 in the name of Carol Lynn MacGregor.

Dear Watermaster:

Enclosed are copies of the above-referenced applications for extension of time to avoid forfeiture. Also enclosed is a form for your recommendation concerning these applications.

Please review the applications. We must have your comments within two weeks.

If you have any questions or need information, feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Gary Spackman".

Gary Spackman

GS:lm

Encl: Copy of Application



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 5, 2002

STATE OF IDAHO
DEPT OF FISH & GAME
3101 S POWERLINE RD
NAMPA ID 83686

Re: Applications for Extension of Time to Avoid Forfeiture for Water Right Nos 65-1972,
65-1973 in the name of Carol Lynn MacGregor.
Application for Water Right No. 63-31393 in the Name of Harold Rohrbacher.

Dear Sir:

Enclosed are copies of the above-referenced applications that the proposed use is from surface water. Please review the applications and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by February 25, 2002.

If you have any questions regarding the application, please contact this office.

Sincerely,

Gary Spackman

GS:lm

Encl: Copy of Application



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

January 30, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

THE IDAHO WORLD
PO BOX 99
GARDEN VALLEY ID 83622

Dear Legal Dept.:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before February 25, 2002.

Sincerely,

Sue Taylor
Senior Secretary

Enc.

NOTICE OF EXTENSION OF TIME TO AVOID
FORFEITURE OF WATER RIGHTS

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Decree 65-1973, .01 cfs

Each right lists priority 5/1/1901, spring tributary to Moores Creek, diverted and used for domestic use in the SENE S13 T13N R3E.

Bath houses associated with the rights were removed in the fall of 1998 in preparation for a development proposed on protested applications 65-13912 and 65-13913 and because of the "attractive nuisance" status of both bath houses. Five years have been requested, until November 2006, to accommodate for the delays associated with the new water right applications. Site is aka Belvidere Hot Springs.

Any protests against approval of these applications must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 for each application on or before February 25, 2002. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Idaho World on February 6 and 13, 2002.

MEMORANDUM

DATE: 1/8/02

FROM: Lori Graves *g*

TO: Files 65-1972, 65-1973

RE: Extensions of Time to Avoid Forfeiture

Brief

Applicant filed extensions for the above referenced rights 12/24/01, requesting 5 years until 11/06. The rights were partially decreed in the SRBA in 1998.

Applicant stated that each right represents a bath house that is part of a larger development proposed on protested applications 65-13912 and 65-13913. The two protested rights are currently subject to a year-long monitoring program. The bath houses associated with the two decreed rights were removed in the fall of 1998 both in preparation for the proposed development in conjunction with the above referenced applications and because of the "attractive nuisance" status of the bath houses. Applicant requested 5 years to accommodate the delays associated with the protested applications.

The place of use is aka Belvidere Hot Springs.

Review

The recently decreed rights have been migrated into workflow and the claims made inactive per Don Shaff 1/8/02.

Because the rights have been recently decreed and represent small domestic uses, their validity was not extensively questioned.

P/U and P/D overlaps include the above referenced applications that have been protested. Rights 65-12891, 65-13332 and 65-13458 overlap the decreed P/D and are owned by the Pancheris, who are the protestants of the applications. They will be sent comment letters.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 21, 2001

CAROL LYNN MAC GREGOR
1109 WARM SPRINGS AVE
BOISE ID 83712

RE: Change of Ownership for Water Rights 65-1972 & 65-1973

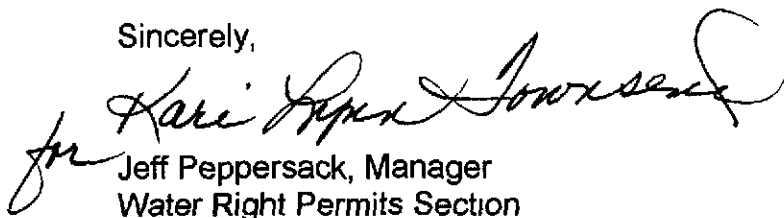
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department

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

Sincerely,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED

DEC 12 2001