

BLOCK 7

SW $\frac{1}{4}$ SW $\frac{1}{4}$
SEC 16

SE $\frac{1}{4}$ SW $\frac{1}{4}$
SEC 16

NW $\frac{1}{4}$ NW $\frac{1}{4}$
SEC 21

NE $\frac{1}{4}$ NW $\frac{1}{4}$
SEC 21

WELL.

to spring (P/D)

MICROFILMED

7

INDEX SHEET

SUNRISE SKY PARK

STATE OF IDAHO
COUNTY OF CANYON
SURVEYORS CERTIFICATE

PART OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 3 WEST OF THE BOISE MERIDIAN
OWYHEE COUNTY, IDAHO

THE ABOVE DESCRIBED SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT COMES IN ACCORDANCE WITH THE ACTS OF CONGRESS AND THE DECISIONS OF THE SUPREME COURT OF THE UNITED STATES.

N

SCALE
1" = 40'

INSTRUMENT NO. _____
STATE OF IDAHO (Seal)
COUNTY OF OWYHEE
I, _____, COUNTY CLERK, DO HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT THE CLERK'S OFFICE ON _____ DAY OF _____, 19____.

RECORDED

DEPUTY

- LEGEND
- 1. 20' BAR
 - 2. 10' BAR
 - 3. 5' BAR
 - 4. 1' BAR
 - 5. 1/2' BAR
 - 6. 1/4' BAR
 - 7. 1/8' BAR
 - 8. 1/16' BAR
 - 9. 1/32' BAR
 - 10. 1/64' BAR
 - 11. 1/128' BAR
 - 12. 1/256' BAR
 - 13. 1/512' BAR
 - 14. 1/1024' BAR
 - 15. 1/2048' BAR
 - 16. 1/4096' BAR
 - 17. 1/8192' BAR
 - 18. 1/16384' BAR
 - 19. 1/32768' BAR
 - 20. 1/65536' BAR
 - 21. 1/131072' BAR
 - 22. 1/262144' BAR
 - 23. 1/524288' BAR
 - 24. 1/1048576' BAR
 - 25. 1/2097152' BAR
 - 26. 1/4194304' BAR
 - 27. 1/8388608' BAR
 - 28. 1/16777216' BAR
 - 29. 1/33554432' BAR
 - 30. 1/67108864' BAR
 - 31. 1/134217728' BAR
 - 32. 1/268435456' BAR
 - 33. 1/536870912' BAR
 - 34. 1/1073741824' BAR
 - 35. 1/2147483648' BAR
 - 36. 1/4294967296' BAR
 - 37. 1/8589934592' BAR
 - 38. 1/17179869184' BAR
 - 39. 1/34359738368' BAR
 - 40. 1/68719476736' BAR
 - 41. 1/137438953472' BAR
 - 42. 1/274877907344' BAR
 - 43. 1/549755814688' BAR
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 - 55. 1/2251799816962048' BAR
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 - 59. 1/36028797071392768' BAR
 - 60. 1/72057594142785536' BAR
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 - 245. 1/35336941346989703909902321306348143925327447862468961164870549504' BAR
 - 246. 1/70673882693979407819804642612696287850654895724937922329741099008' BAR
 - 247

The Owyhee Avalanche

P.O. BOX 97

HOMEDALE, IDAHO 83628

208/337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
)ss.
COUNTY OF OWYHEE)

I, Joe E Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now am over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of The Owyhee Avalanche, a newspaper of general circulation printed and published weekly, Wednesday of each and every week, in the City of Homedale and County of Owyhee and State of Idaho.

3. That the said The Owyhee Avalanche, a continuation of the Owyhee Chronicle and the Owyhee Nugget, has been printed and published continuously and uninterruptedly in said County during a period of seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not in a supplement

thereto, in said newspaper, in Two (2) (consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

.....April 16, 1986.....

.....April 23, 1986.....

.....

.....

.....

.....

.....

(Signed).....*Joe E Aman*.....

Subscribed and sworn to before me this 23rd day of April
A.D., 1986

.....*Alice Aman*.....
Notary Public in and for the State of Idaho,

residing at Homedale, Idaho.

My commission expires October 1, 1991

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use: ✓/SP

AMENDED 57-4032

MARSH, SHIRLEY

1910 EVERETT ST., CALDWELL, ID 83605

Source: SPRING trib. to SNAKE RIVER

Diversion Pt: NWNW Sec 21 T 01N R 03W

Use: COMMERCIAL (1.1 CFS)

Priority Date: 07/01/1881

In: SWSW SESW Sec 16 T 01N R 03W

NENW NWNW Sec 21 T 01N R 03W

AMENDED 57-4033

MARSH, SHIRLEY

1910 EVERETT ST., CALDWELL, ID 83605

Source: GROUNDWATER

Diversion Pt: NWNW Sec 21 T 01N R 03W

Use:

COMMERCIAL (0.020 CFS)

DOMESTIC (0.020 CFS)

Priority Date: 07/01/1949

In: SWSW SESW Sec 16 T 01N R 03W

NENW NWNW Sec 21 T 01N R 03W

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720.

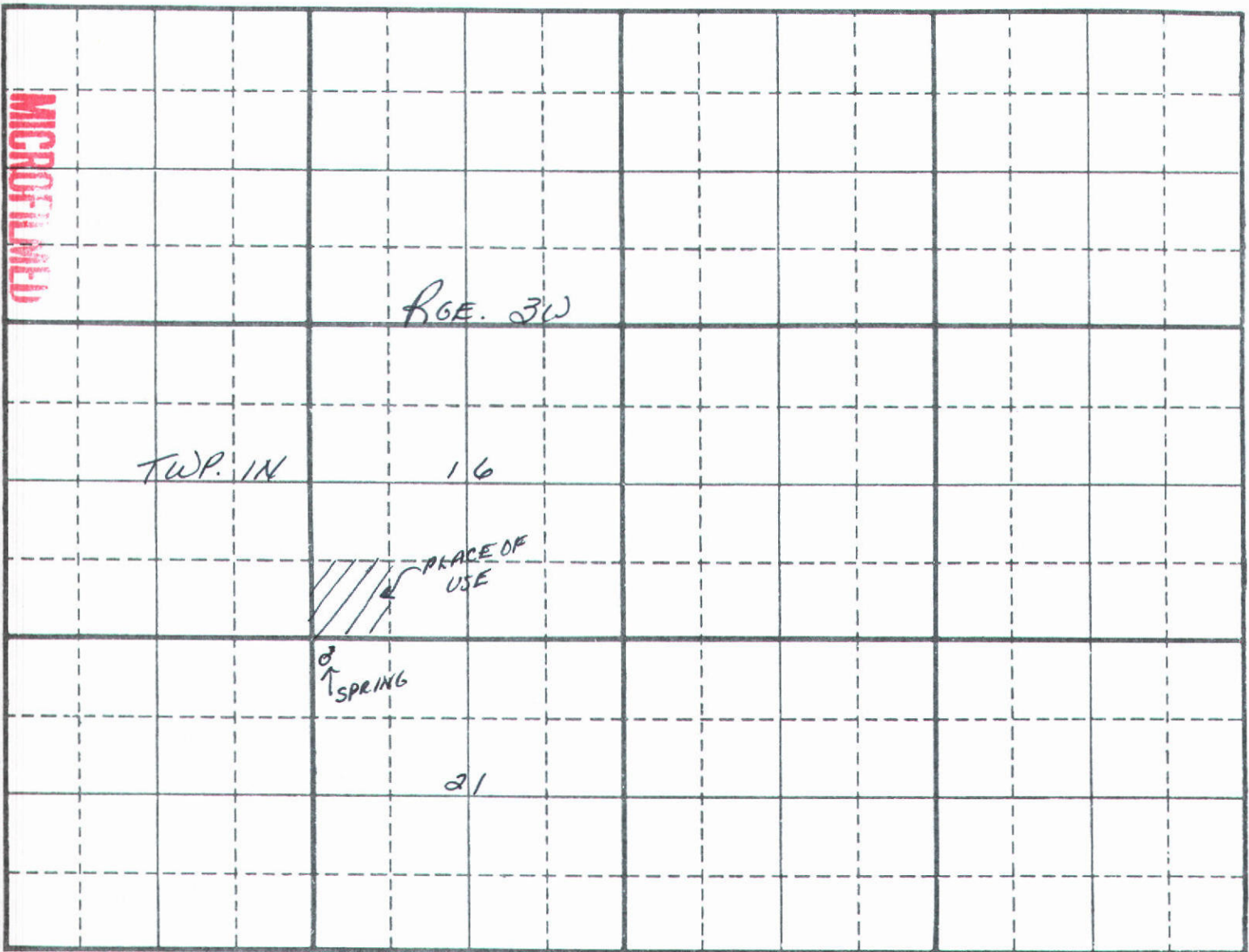
KEN DUNN, Dir.

Publish April 16 & 23, 1986 21

RECEIVED
MAY 5 1986
Department of Water Resources
Western Regional Office

MICROFILMED

(8) Remarks AMENDED PT. OF DIVERSION AS A SURVEY WAS COMPLETED
LOCATING THE PT. IN THE NWNW, S. 21 RATHER THAN SWSW,
S. 16.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Given Hot Springs Inc
by Edward James Van Pelt
(Claimant)

Sworn to before me this 22 day of NOVEMBER, 1983.

[Signature]
Notary Public
Residing at Box 35, ID

My commission expires LIFE

FOR DEPARTMENT USE ONLY

Received by JG Date 11/22/83 Exception filed by: _____ Forwarded to: _____ Date: _____
Prelim. check by JG Date 12/13/83
\$30.00 fee received by _____ Date _____
Published in Coastal Highway
Dates 12/28 & 1/4/84

PROOF OF PUBLICATION

STATE OF IDAHO, County of Owyhee, s.s.

I, MICK HODGES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by MICK HODGES, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once a week and every week for 2 consecutive weeks, the first publication being on the 28 day of December, 1983, and the last publication being on the 4 day of January, 1984;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy - eight consecutive weeks prior to the first publication of the attached notice.

Mick Hodges
PUBLISHER

Subscribed and sworn to before me this 4 day of

January, 1984.

Kyle L. Hodges
NOTARY PUBLIC

My commission expires 3-86

(SEAL)

Department of Water Resources
Western Regional Office

NOTICE OF CLAIMS TO WATER RIGHTS

The following claims have been filed on water rights created by diversion and beneficial use:

51-4145

MENDIETA, LAZARO
P.O. BOX 57, CIRCLE BAR
RANCH, JORDAN VALLEY,
OR. 97910

Source: CURTIS SPRING trib.
to DUTCHER CREEK
DUTCHER CK trib. to
SQUAW CK.

LITTLE BOX CANYON
CREEK trib. to OWYHEE
RIVER, NORTH FORK

Priority Date: 03/01/1922

Diversion Pt: SESE Sec 23 T
10S R 06 W SENE Sec 27 T 10S R

06W NESE Sec 22 T 10S R 06W
Use: IRRIGATION (7.20 CFS)

STOCKWATER (7.20 CFS)

In: NWNW Sec 23 T 10

S R 06W FOR 40 ACRES

P/U also in Malheur Cnty, OR.

Ac. Irr. = 317.37

AMENDED

57-4032

GIVENS HOT SPRINGS INC.
C/O ELDON & SHIRLEY
MARSH, 1910 EVERETT ST.,
CALDWELL, ID 83605

Source: SPRING trib. to
SNAKE RIVER

Priority Date: 07/01/1881

Diversion Pt: NWNW Sec 21
T 01N R 03W

Use: COMMERCIAL (1.10
CFS)

In: SWSW Sec 16 T 01N R 03W

57-4101

R. T. NAHAS CO., CA.
CORP.

40630 PATIO DR., CASTRO
VALLEY, CA 94546

Source: PICKETT CREEK
trib. to CATHERINE CREEK

Priority Date: 01/01/1935

Diversion Pt: NESW NWSE
NESE Sec 22 T 04S R 01W

Use IRRIGATION (3.20 CFS)
STOCKWATER (1.00 CFS)

In: NESW NESE NWSE Sec 22
T 04S R 01W NESW NWSW

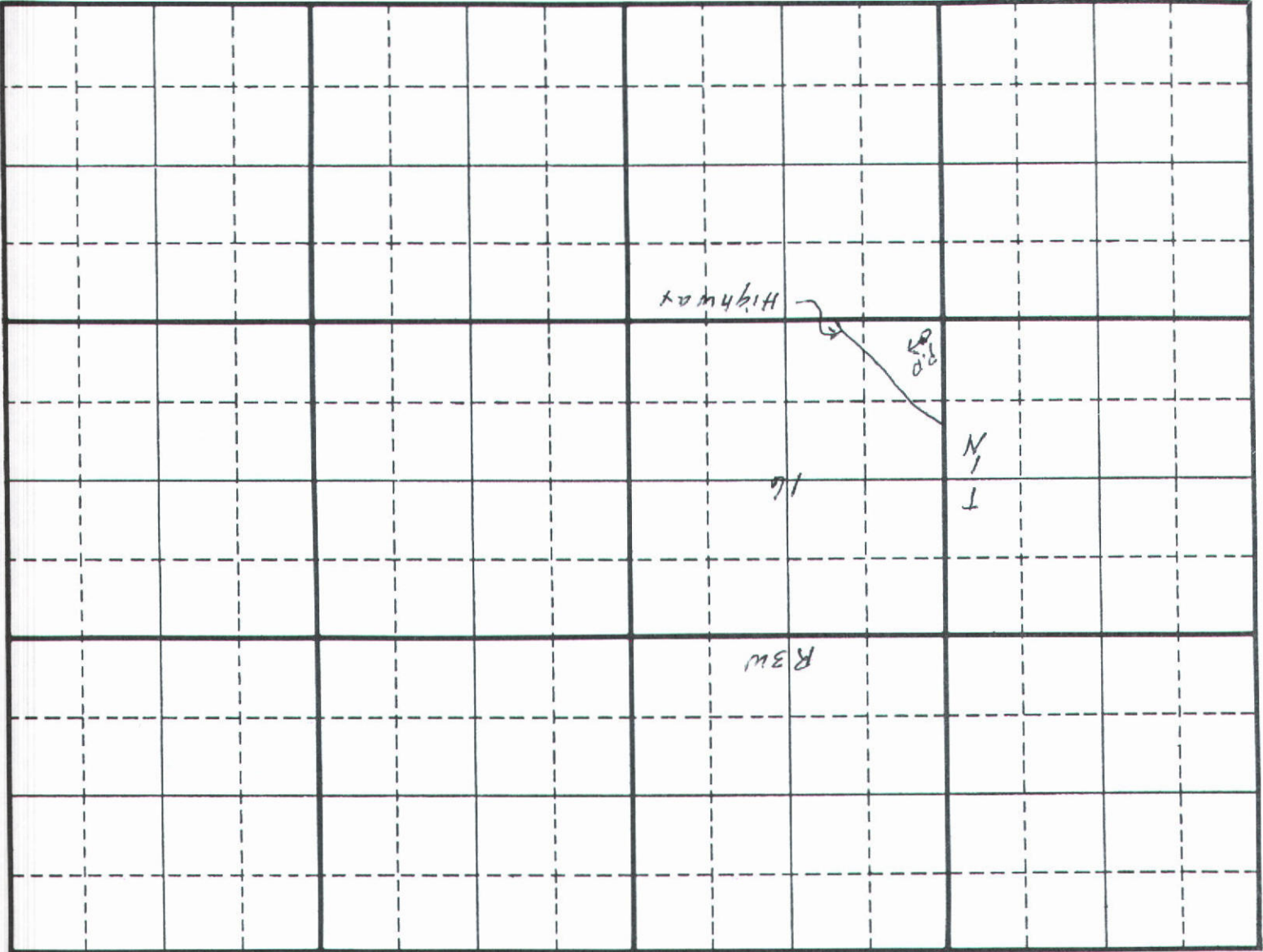
Sec 23 T 04S R 01W FOR 80
ACRES

Exceptions to a claim may be
filed with the Director, Dept.
of Water Resources, Western
Region, Statehouse, Boise,
Idaho 83720.

KEN DUNN, Dir.

Published in the Owyhee
Nugget, Marsing and Home-
dale, Owyhee County, Idaho
12/28/1983 & 1/4/1984.

(8) Remarks Used for swimming pool and mineral baths.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Gem) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Graves H. G. Smith
by Eldon A. Smith Vice Pres.
(Claimant)

Sworn to before me this 9 day of January, 1979.

Emmett H
Notary Public
Residing at Emmett

My commission expires life time

FOR DEPARTMENT USE ONLY

Received by <u>AKN</u>	Date <u>1/9/79</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>RWH</u>	Date <u>1-10-79</u>		claimant by:	
\$20.00 fee received by <u>KW</u>	Date <u>1/9/79 #12539</u>			
Published in <u>Owyhee Nugget</u>			<u>KK</u>	<u>4/2/79</u>
Dates <u>Jan 18 + 25</u>				

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

CLAIM TO A WATER RIGHT

AMENDED



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Shirley Marsh
(Name of Claimant)
1910 Everett St., Caldwell, ID 83605 Telephone No. 454-9446
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows

(1) Date of priority (When was the water first applied to a beneficial use) 7/1/1881

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Spring tributary to Snake River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>1.1</u>	Use	<u>commercial</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) 1.1 TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ NW ¼, Sec. 21 Twp. 1N Rge. 3W B.M., County of Owyhee
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities. be as specific as possible. Describe any changes in the system and give the date of the change. Gravity flow to place of use

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1N	3W	16											C	C					
		21					C	C											

No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Used for swimming pool and mineral baths

NOTE Include here the type and number of stock watered

(7) If you are claiming water as a member of an organization, list name of organization:

MICROFILMED

MICROFILMED[illegible]

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Shirley H. Marsh
(Claimant)

My commission expires August 31, 1988

Received by nm Date 4-2-86 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by [signature] Date 4-7-86 claimant by: _____
\$20.00 fee received by _____ Date _____ AMENDED
Published in anywhere available _____
Dates 4/19 & 4/23/86 _____

BLOCK 7

SW $\frac{1}{4}$ SW $\frac{1}{4}$
SEC 16

SE $\frac{1}{4}$ SW $\frac{1}{4}$
SEC 16

NW $\frac{1}{4}$ NE $\frac{1}{4}$
SEC 21

NE $\frac{1}{4}$ NE $\frac{1}{4}$
SEC 21

WELL

to spring (P/D)

MICROFILMED

CONSOLIDATED TAX NOTICE AND RECEIPT

JWAYHEE COUNTY TAX COLLECTOR
JOAN BACHMAN

MURPHY, ID 83650 REAL PROPERTY

MARKET VALUE TAX CODE AREA PARCEL NUMBER BILL NUMBER
119,281 10-00 RP0407100 A 5065

23,513L

95,768I BLOCK 7

SUNRISE SKY PARK SUB.
(GIVINS HOT SPRINGS)

TAXING DISTRICT
STATE
COUNTY
SCHOOL 363
MARS-HOME CEN
COUNTY RD

.000001 .12
.002995 357.80
.005799 691.72
.000100 11.44
.002270 270.73

MARSH, SHIRLEY

1910 EVEKEET
CALDWELL ID 83605

DELINQUENT CERT

TOTAL .011160 1,332.15

YOUR CANCELED CHECK WILL BE YOUR RECEIPT
PLEASE ENCLOSE STUB WITH PAYMENT

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT

REAL PROPERTY 1985 RP0407100 A
MARSH, SHIRLEY 5065

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH YOUR PAYMENT
REAL PROPERTY 1985 RP0407100
MARSH, SHIRLEY

PL VAL CODE	TAX	CODE	AREA	TAX	2ND INSTALLMENT
			666.08		666.08 10-00
					2nd
					PEN SUB TOT INT TOT

PERSONAL CHECKS SUBJECT TO BANK CLEARANCE
MAKE CHECKS PAYABLE TO

JOAN BACHMAN TAX COLLECTOR

COURTHOUSE

MURPHY, ID 83650

[208-495-2817 JR 337-4222]

JUNE 20, 1985

DATE PAID
PAID BY

DELINQUENT IF NOT PAID ON OR BEFORE
DATE PAID
PAID BY

DELINQUENT IF NOT PAID ON OR BEFORE
DATE PAID
PAID BY

SPECIAL CODE 1,332.10 1,332.15

SPECIAL CODE 666.08 666.08

MICROFILMED

INDEX SHEET

RISE SKY PARK

COUNTY OF IDAHO
SUN EYORS CERTIFICATE

PART OF SECTIONS 16 & 21, TOWNSHIP 1 NORTH,
RANGE 3 WEST OF THE BOISE MERIDIAN
OWYHEE COUNTY, IDAHO

INSTRUMENT NO. _____
STATE OF IDAHO
COUNTY OF OWYHEE

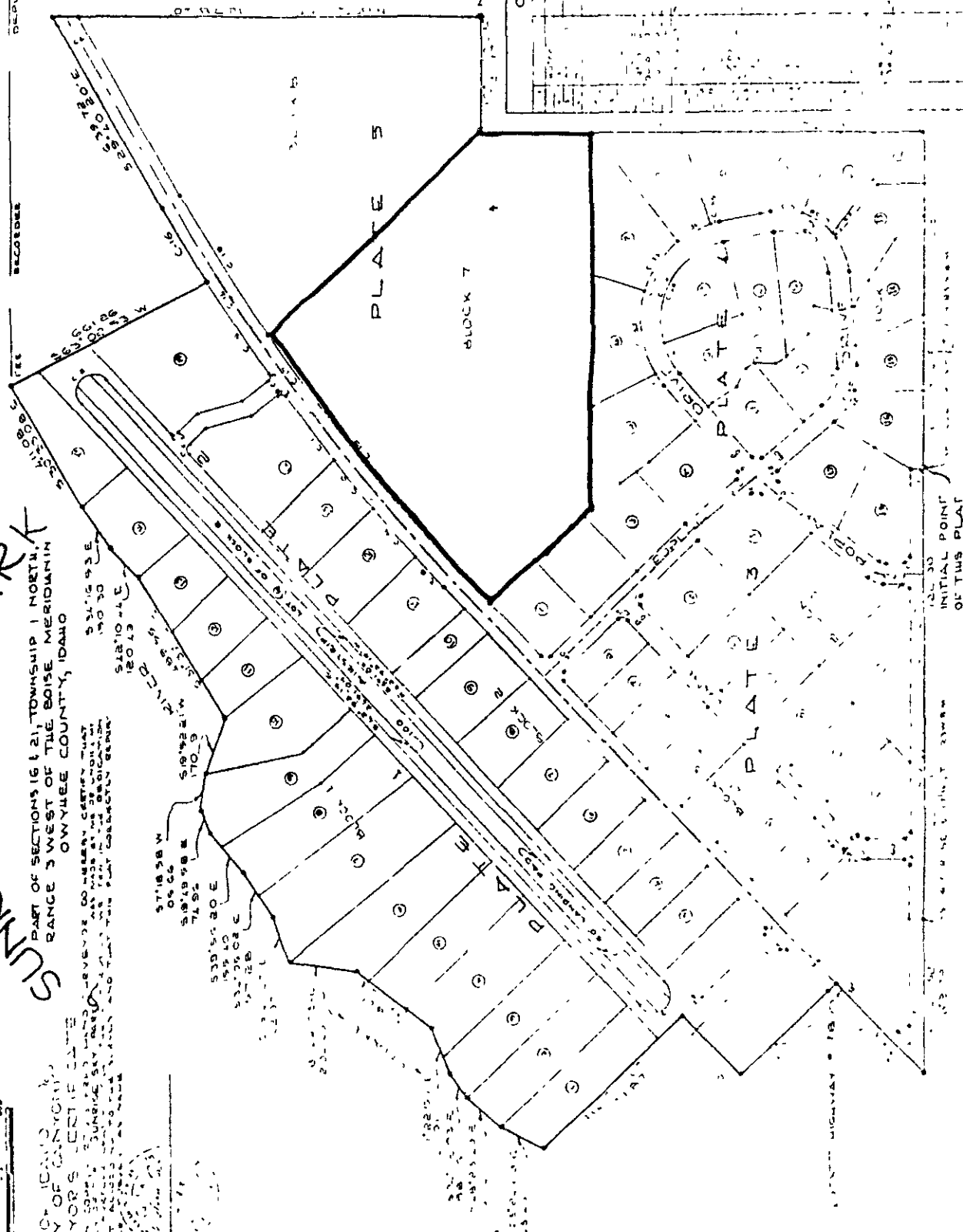
RECORDED

INDEX

1981

N

SCALE



LEGEND
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2. 1/4" BAR
3. 1/8" BAR
4. 1/16" BAR
5. 1/32" BAR
6. 1/64" BAR
7. 1/128" BAR
8. 1/256" BAR
9. 1/512" BAR
10. 1/1024" BAR
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12. 1/4096" BAR
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239. 1/8834235323801867695156983310733657013738382020988582572985835584" BAR
240. 1/17668470647603735390313966621467314027476764041977165145971671168" BAR
241. 1/35336941295207470780627933242934628054953528083954330291943342336" BAR
242. 1/70673882590414941561255866485869256109907056167908660583886684672" BAR
243. 1/141347765180829883122511732971738512219814112335817321167773369344" BAR
244. 1/282695530361659766245023465943477024439628224671634642335546738688" BAR
245. 1/565391060723319532490046931886954048879256449343269284671093477376" BAR
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247. 1/2261564242893278129960187727547816195517025797373077138684375093504" BAR
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249. 1/90462569715731125198407509101912647820

The Owyhee Avalanche

P.O. BOX 97

HOMEDALE, IDAHO 83628

208/337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
 COUNTY OF OWYHEE)

I, Joe E Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now am over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of The Owyhee Avalanche, a newspaper of general circulation printed and published weekly, Wednesday of each and every week, in the City of Homedale and County of Owyhee and State of Idaho.

3. That the said The Owyhee Avalanche, a continuation of the Owyhee Chronicle and the Owyhee Nugget, has been printed and published continuously and uninterruptedly in said County during a period of seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not in a supplement

thereto, in said newspaper, in Two (2) (consecutive)
 calendar weekly issue(s) of said newspaper, in the following date(s):

.....April 16, 1986.....

.....April 23, 1986.....

.....

.....

.....

.....

.....

(Signed).....

Subscribed and sworn to before me this 23rd day of April
 A.D., 1986

.....Alice Aman.....
 Notary Public in and for the State of Idaho,

residing at Homedale, Idaho.

My commission expires October 1, 1991

RECEIVED

MAY 5 1986

Department of Water Resources
 Western Regional Office

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED CLAIM TO A WATER RIGHT AMENDED

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that GIVENS HOT SPRINGS, INC., C/O ELOON & SHIRLEY MARSH
(Name of Claimant)
10 EVERETT ST., CALDWELL, ID 83605 Telephone No. 454-9446
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows.

- (1) Date of priority (When was the water first applied to a beneficial use) 7/1/1881

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water. (Name of stream, lake, spring, etc., or ground water)
SPRING tributary to SNAKE RIVER

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed.

(cfs, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>1.1</u>	Use	<u>COMMERCIAL</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____

- (4) TOTAL QUANTITY USED.

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ NW ¼, Sec. 21 Twp 1N Rge. 3W B.M., County of OWYHEE
 Additional points of diversion. _____

B) Describe means of diversion of water. (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities. be as specific as possible. Describe any changes in the system and give the date of the change. GRAVITY FLOW TO PLACE OF USE.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

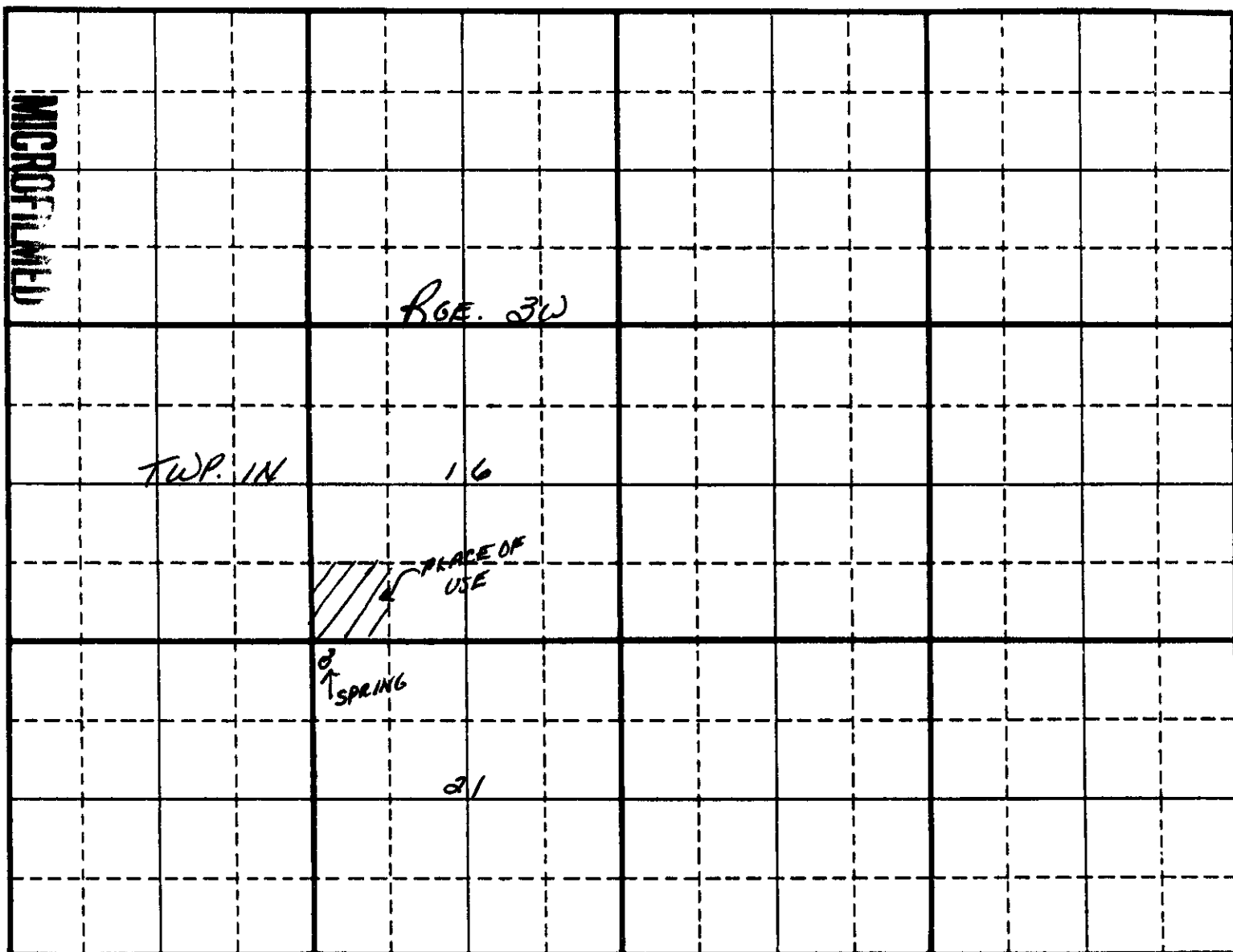
No. of acres _____

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible. USED FOR SWIMMING POOL & MINERAL BATHS.

NOTE Include here the type and number of stock watered _____

- (7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks AMENDED PT. OF DIVERSION AS A SURVEY WAS COMPLETED
LOCATING THE PT. IN THE NW 1/4, S. 21 RATHER THAN SWSW,
S. 16.



Scale 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)

County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Gwen Hot Springs Inc
by Robert James Voss, Pres.
(Claimant).

Sworn to before me this 22 day of NOVEMBER, 1983.

[Signature]
Notary Public
Residing at Boise, ID

My commission expires LIFE

FOR DEPARTMENT USE ONLY

Received by JG Date 11/22/83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by JG Date 12/13/83 claimant by: _____
\$30.00 fee received by _____ Date _____
Published in Snake River _____
Dates 12/20/83 & 1/5/84 _____

PROOF OF PUBLICATION

STATE OF IDAHO, County of Owyhee, ss.

I, MECK HODGES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by MECK HODGES, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once a week and every week for 1 consecutive weeks, the first publication being on the 28 day of December, 1913, and the last publication being on the 4 day of January, 1914;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy - eight consecutive weeks prior to the first publication of the attached notice.

Meck Hodges
PUBLISHER

Subscribed and sworn to before me this 4 day of

January, 1914

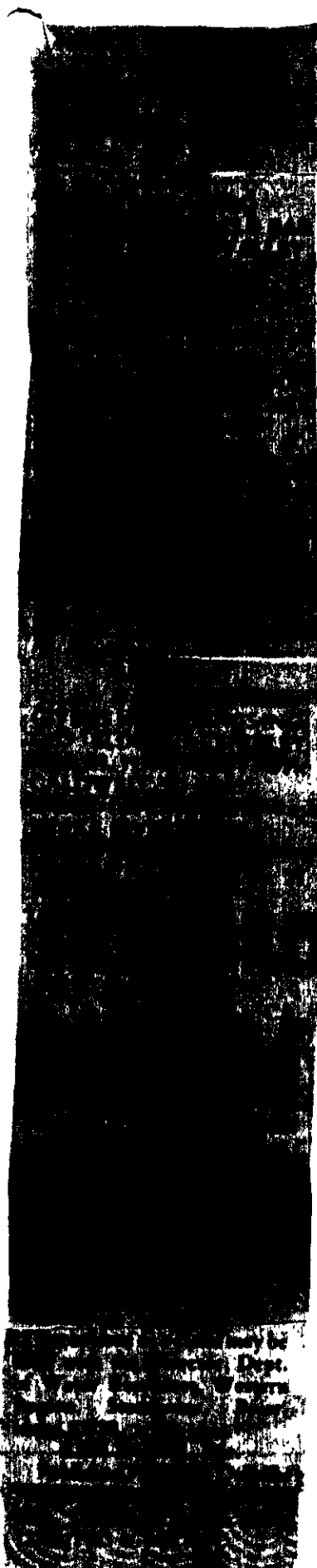
Kyle L. Hodges
NOTARY PUBLIC

My commission expires 3-8-14

(SEAL)

NOTARY PUBLIC

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Givens Hot Springs, Inc.

(Name of Claimant)

466-8220

Star Route, Melba, ID 83641

(Mailing Address)

(Zip Code)

Telephone No. 495-2437

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) 7/1/1881

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Spring tributary to Snake River

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>1.1</u>	Use <u>Commercial</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

- (4) 1.1 TOTAL QUANTITY USED.

(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

SW ¼ SW ¼, Sec. 16 Twp. 1N Rge. 3W B.M., County of Owyhee

Additional points of diversion:

Gravity flow to place of use.

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
<u>1N</u>	<u>3W</u>	<u>16</u>										X							

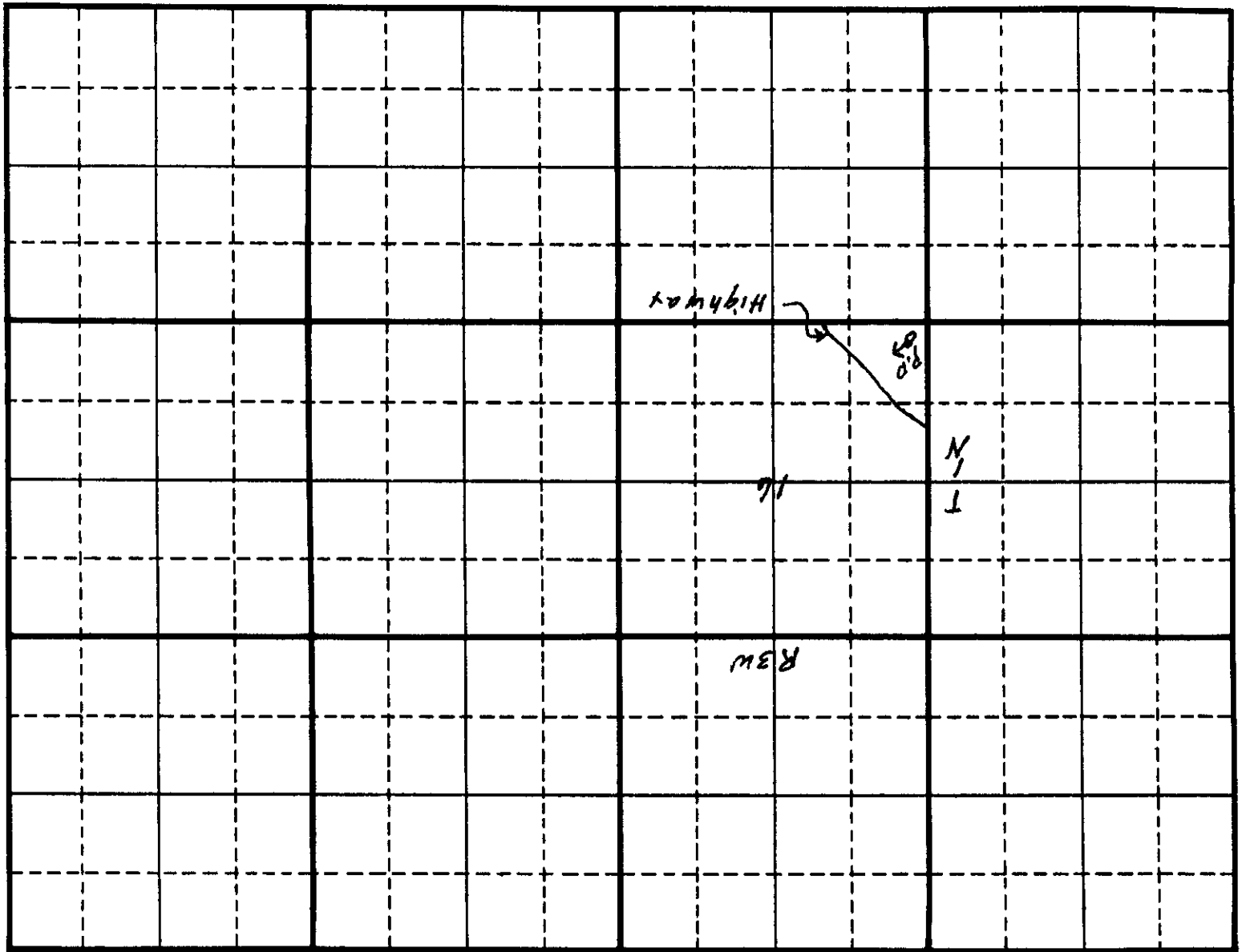
No. of acres

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE. Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks Used for swimming pool and mineral baths.



Scale 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Gem) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Griens Hoff Smith
by Elda Renee Vito Pias
(Claimant)

Sworn to before me this 9 day of January, 1979.

Notary Public
Residing at

Emmett

My commission expires life time

FOR DEPARTMENT USE ONLY

Received by <u>DKN</u>	Date <u>1/9/79</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>R.W.H.</u>	Date <u>1-10-79</u>		claimant by:	
\$20.00 fee received by <u>KW</u>	Date <u>1/9/79</u>	<u>#12539</u>		
Published in <u>Owyhee Nugget</u>			<u>KK</u>	<u>4/2/79</u>
Dates <u>Jan 18-25</u>				

PROOF OF PUBLICATION

STATE OF IDAHO

S.S.

County of Owyhee

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 18 day of January, 1979, and the last publication being on the 25 day of January, 1979;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 25 day of January, 1979.

James H. Lawrence
NOTARY PUBLIC

My commission expires 9-10-80

(SEAL)

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use.

57 - 4034

GIVENS HOT SPRINGS, INC.
STAR ROUTE, MELBA, ID 83641

Source: GROUNDWATER.

Priority Date: 03/20/1968.

Amount: 0.04 CFS.

Diversion Point: SWSW Sec.

16 T 01N R 03W, OWYHEE Co.

Use: DOMESTIC (0.02

CFS) from 01/01 to

12/31

COMMERCIAL (0.02

CFS) from 01/01 to

12/31

Place of Use: SWSW Sec. 16

T 01N R 03W

Diversion Means: WELL

AND PUMP

57 - 4033

GIVENS HOT SPRINGS, INC.
STAR ROUTE, MELBA, ID 83641

Source: GROUNDWATER.

Priority Date: 07/01/1949

Amount: 0.04 CFS

Diversion Point: SWSW Sec.

16 T 01N R 03W, OWYHEE Co.

Use: DOMESTIC (0.02 CFS.

from 01/01 to 12/31

COMMERCIAL (0.02

CFS) from 01/01 to

12/31

Place of Use: SWSW Sec. 16

T 01N R 03W

Diversion Means: WELL

AND PUMP

57 - 4032

GIVENS HOT SPRINGS, INC.
STAR ROUTE, MELBA, ID 83641

Source: SPRING tributary to SNAKE RIVER

Priority Date: 07/01/1881

Amount: 1.10 CFS

Diversion Point: SWSW Sec.

16 T 01N R 03W, OWYHEE Co.

USE: COMMERCIAL (1.10

CFS) from 01/01 to 12/31

Place of Use: SWSW Sec. 16

T 01N R 03W

Diversion Means: GRAVITY

FLOW DITCHES

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83725.

C. STEPHEN ALLRED

Director

Published 1/18 & 1/25

The Owyhee Nugget, Marsing,

Owyhee County, ID.

OK-
RK
2/5/79

OK
RK
2/5/79

MICROFILMED

**THIS
RIGHT HAS BEEN
DECREED IN THE
SRBA**

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Jan Shurt

Right Number 57-4032/Amended Applicant Marsh, Shirley

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use. - CHANGED - ADDITIONAL PLACES OF USE ADDED.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. 5/5/86
no entry.
- ☒ Claim published correctly. oversee
4/19/86 4/23/86
- ☒ Exceptions processed.

By Det Date 5/14/86

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By sc Date 5/22/86

MICROFILMED
RECEIVED
MAY 21 1986

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

APRIL 9, 1986

OWYHEE AVALANCHE
P O BOX 97
HOMEDALE ID 83628

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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 MAY 5, 1986.

Yours truly,

JUDY PENSE
Secretary

Encl.

MICROFILMED

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720.

KEN DUNN, Dir.

Published 04/16 & 04/23/86.

MICROFILMED

AMENDED
57-4032

MARSH, SHIRLEY

1910 EVERETT ST., CALDWELL, ID 83605

Source: SPRING trib. to SNAKE RIVER

Diversion Pt: NWNW Sec 21 T 01N R 03W

Use: COMMERCIAL (1.1 CFS)

Priority Date: 07/01/1981

In: SWSW SESW Sec 16 T 01N R 03W NENW NWNW Sec 21 T 01N R 03W

MICROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY:

Jan Given
Amended

Right Number 57-4032 Applicant Givens Hot Springs

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. 2/17/84
- ☒ Claim published correctly. Owyhee Nugget
- ☒ Exceptions processed. no yes 12/28 & 1/4/84

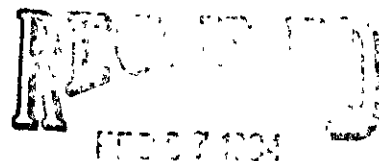
By DBS Date 2/23/84

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By PC Date 2/27/84

MICROFILMED



Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

JANUARY 18, 1984

GIVENS HOT SPRINGS INC.
C/O ELDON & SHIRLEY MARSH
1910 EVERETT ST.
CALDWELL ID 83605

RE: Claim No. 57-4032

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

DAVID B. SHAW
Western Region Supervisor

Enclosure

MICROFILMED

AMENDED
57-4032

GIVENS HOT SPRINGS INC.

C/O ELDON & SHIRLEY MARSH, 1910 EVERETT ST., CALDWELL, ID 83605

Source: SPRING trib. to SNAKE RIVER

Priority Date: 07/01/1981

Diversion Pt: NWNW Sec 21 T 01N R 03W

Use: COMMERCIAL (1.10 CFS)

In: SWSW Sec 16 T 01N R 03W

MICROFILMED

CLAIM TO A WATER RIGHT

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

(Name of Claimant)

466-8220

Star Route, Melba, ID 83641

Telephone No. 495-2437

(Mailing Address)

(Zip Code)

(1) Date of priority: (When was the water first applied to a beneficial use) 7/1/1881

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Spring _____ tributary to Snake River

(cfs, gpd, AFA)

(Domestic, Irrigation, Stock, Etc.)

(Mo., Day)

(Mo., Day)

Quantity 1.1

Use Commercial

Period of Use From 1/1

To 12/31

Quantity _____

Use _____

Period of Use From _____

To _____

Quantity _____

Use _____

Period of Use From _____

To _____

Quantity _____

Use _____

Period of Use From _____ To _____

To _____

(4)	1.1	TOTAL QUANTITY USED.
-----	-----	----------------------

(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

SW ¼ SW ¼, Sec. 16 Twp. 1N Rge. 3W B.M., County of Owyhee

Additional points of diversion:

Gravity flow to place of use.

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres _____

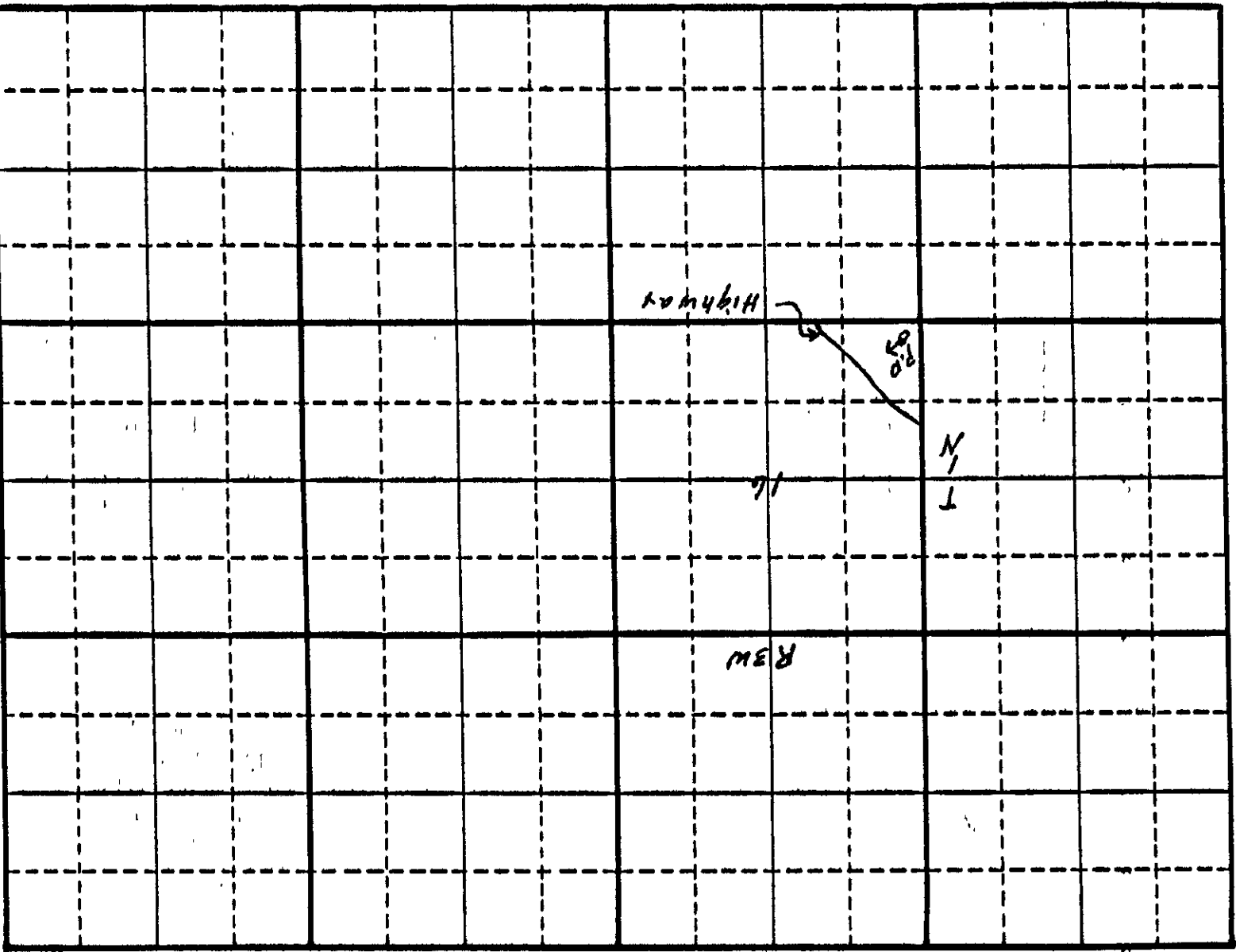
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: _____

(7) If you are claiming water as a member of an organization, list name of organization: _____

MICROFILMED

(8) Remarks Used for swimming pool and mineral baths.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Gem) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Alvina Gladys Spriggs
by Edith Marie Spriggs
(Claimant)

MICROFILMED

Sworn to before me this 9 day of January, 1979.

[Signature]
Notary Public
Residing at Emmett

My commission expires life time

FOR DEPARTMENT USE ONLY

Received by DKN Date 11/7/79 Exception filed by: _____ Date _____
Prelim. check by ISW/H Date 1-10-79 Forwarded to claimant by: _____ Date _____
\$20.00 fee received by KW Date 1/9/79 612539
Published in Dwyer Nugget _____
Dates Jan 18 + 25 _____

GIVENS HOT SPRINGS INC

STAR ROUTE, MELBA, ID 83641

Source: SPRING tributary to SNAKE RIVER

Priority Date: 07/01/1881

Amount: 1.10 CFS

Diversion Point: SWSW Sec 16 T 01N R 03W, OMYHEE Co.

Use: COMMERCIAL (1.10 CFS) from 01/01 to 12/31

Place of Use: SWSW Sec 16 T 01N R 03W

Diversion Means: GRAVITY FLOW DITCHES

MICROFILMED

WATER RIGHT DATA ENTRY LOG

[illegible]

Y 5 B ✓

WATER RIGHT NUMBER 57-4032

WATER RIGHTS EDIT REPORT

01/11/79

PAGE 2

ACT
ION

N OWNER LAST NAME - GIVENS HOT SPRINGS INC
N ADDRESS LINE 1 - STAR ROUTE

N CITY - MELBA STATE - ID ZIP CODE - 83641

N SOURCE - SPRING TRIBUTARY OF - SNAKE RIVER
N STAGE - STATUTORY CLAIM PRIORITY - 07-01-1881 COUNTY - OWYHEE TOTAL DIV. RATE - 1.1000CFS

N DIVERSION POINT - SWSW 16 01N 03W

N FROM - 01-01 TO - 12-31 USE - COMMERCIAL USE DIV. RATE - 1.1000CFS

N USE - COMMERCIAL PLACE OF USE - TWN 01N RNG 03W SEC 16 TRACT SWSW

N NON IRRIG USE - SWIMMING POOL AND MINERAL BATHS

N DIVERSION MEANS - GRAVITY FLOW DITCHES

S
R3 nB

IDENT. NO.

[illegible]

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: R.W.H.

Right Number _____ Applicant Givens Hot Springs, Inc

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By KK DBS Date 2/5/79 4/2/79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By J.S Date 4/6/79

RECEIVED
APR 11 1979
IDAHO DEPT. OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

FEBRUARY 26, 1979

GIVENS HOT SPRINGS INC
STAR ROUTE
HELENA ID 83641

RE: Claim No. 57-4032

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

DAVID B. SHAW
Western Region Supervisor

Enclosure

MICROFILMED

5Z=4032.

GIVENS HOT SPRINGS INC

STAR ROUTE, MELBA, ID 83641

Source: SPRING tributary to SNAKE RIVER

Priority Date: 07/01/1881

Amount: 1.10 CFS

Diversion Point: SWSW Sec 16 T 01N R 03W, OHYHEE Co.

Use: COMMERCIAL (1.10 CFS) from 01/01 to 12/31

Place of Use: SWSW Sec 16 T 01N R 03W

Diversion Means: GRAVITY FLOW DITCHES

MICROFILMED