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OCT 05 2006

DEPARTMENT OF
WATER RESOURCES

Form No. 42-1409 (2) a 1/88

AMENDED 37-4440

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FORM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 37- 39576
Ident. Number 4440
Date Received
Receipt Number

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

Please type or print clearly

1. Name of Claimant (s) Spring Canyon Ranch LLC c/o Croy Canyon LLC Phone (650) 588-5600
Mailing Address 395 Oyster Pt Blvd #309, South San Francisco, CA Zip 94080

2. Date of Priority (Only one (1) per claim) 08/16/1950

3. Source of water supply (a) Ground Water
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 02N Range 18E Section 18,
NW 1/4 of NW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Blaine

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc.),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed
and as enlarged and the depth of each well. Three separate geothermal artesian wells were developed in 1950 the
water from the wells are put into the existing hot water development and any other flow then emits into Democrat
Creek and is then commingled with additional Hailey Hot Spring Water and Democrat Creek and Lambs Gulch
water. The commingled water is then pumped out of the lower reservoir to the main lines and hand lines.

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 01/01 to 12/31 amount 0.69 or _____

For Stockwater purposes from 01/01 to 12/31 amount 0.03 or _____

For Recreation purposes from 01/01 to 12/31 amount _____ or 500

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.72 (cfs) and / or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; described fully (e.g. Domestic: list number of households served; Stockwater: type and number of livestock, etc.) Stockwater and recreation (see remarks)

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
02N	18E	17							2.8	24.5	8.2	28.0	1.0						64.5
02N	18E	18				16.1	1.2			27.3	1.0				21.4	19.0	17.5	22.0	125.5

Total number of Irrigatable acres 190.0

11. In which county (ies) are lands listed above as place of use located? Blaine

12. Do you own the property listed above as place of use? Yes XX No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

See attached Or None ☐

14. Remarks:

Stock drink from the creek after the ground water has been emitted and commingled with the other water sources.

In addition, water from the wells are used in conjunction with a small swimming pool near the springs and wells.

In 10/17/1994 another well was also drilled in order to replace the three smaller wells, but a transfer has not yet been submitted to add the additional well. The applicant intends to submit this transfer as soon as possible.

The wells for the claim were initially drilled in 1950.

15. Basis of Claim (check one) Beneficial Use XX Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number 37-4440

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

Last Name _____ Ident. No. _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We ☐ do ☐ do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Vice President

Of Spring Canyon Ranch, LLC that I have signed the foregoing
Organization

Document in the space below as Vice President of Spring Canyon Ranch, LLC
Title Organization

And that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]

Title and Organization VP - Spring Canyon Ranch, LLC Date 9-27-06

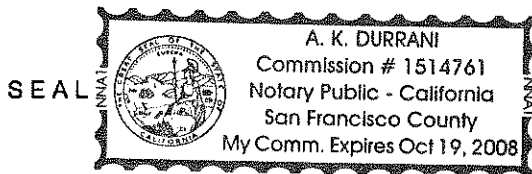
State of ~~Idaho~~ / or California)
County of San Francisco) ss.

Subscribed and sworn (or affirmed) before me this 27th day of September, 2006.

Notary Public A. K. DURRANI

Residing at 150 California St., San Francisco, CA 94111

My Commission Expires Oct. 19, 2008



Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Kevin J. Beaton will be acting as attorney at law on behalf Of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature [Signature]

Address 101 S. Capitol Blvd., Ste. 1900, Boise, ID 83702

Date 10-3-06



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OCT 05 2006

DEPARTMENT OF
WATER RESOURCES

101 S. Capitol Boulevard, Suite 1900
Boise, Idaho 83702
main 208.389.9000
fax 208.389.9040
www.stoel.com

October 4, 2006

KEVIN J. BEATON
Direct (208) 387-4214
kjbeaton@stoel.com

Via HAND DELIVERY

Danni Smith
Idaho Department of Water Resources
322 E. Front Street, 6th Floor
Boise, Idaho 83702

Re: Spring Canyon Ranch LLC

Dear Danni:

Please find enclosed for filing the following:

1. Amended Notice of Claim to Water Right 37-548;
2. Amended Notice of Claim to Water Right 37-549;
3. Amended Notice of Claim to Water Right 37-1222;
4. Amended Notice of Claim to Water Right 37-2142;
5. Amended Notice of Claim to Water Right 37-4138;
6. Amended Notice of Claim to Water Right 37-4139;
7. Amended Notice of Claim to Water Right 37-4440; and
8. Amended Notice of Claim to Water Right 37-12396.

Please note that we have requested that all notices be directed to me as counsel for Spring Canyon Ranch, LLC.



Danni Smith
October 4, 2006
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If you have any questions or I can be of further assistance, please feel free to contact me.

Very truly yours,

Kevin J. Beaton

KJB:ww

Enclosures

cc: Paul B. Fay, III (w/encs.)