

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 FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 37-409A
Date Received: 2/15/1990
Receipt No: X999999
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DIAMOND/SOLDIERS PROPERTIES LLC
C/O CHARLES E HILL
PO BOX 1607
BELLEVUE WA USA 98009

Phone: (425) 460-2504

2. Date of Priority: 04/01/1907

3. Source: THREEMILE CREEK EAST FORK Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
01N	13E	23	NE	NW	NE	CAMAS	

5. Description of diverting works:

DAMS AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	2.85	
STOCKWATER	1/01	12/31	0.14	

7. Total Quantity Appropriated is:
2.85 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	13E	23	SW	NW	IRRIGATION	40
			NE	NW	IRRIGATION	35
			NW	NW	IRRIGATION	40
			NE	SW	IRRIGATION	20
			NW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	35
			SW	SW	IRRIGATION	40
			SE	NW	IRRIGATION	20
			NE	SE	STOCKWATER	
			SW	NE	STOCKWATER	
			NW	NE	STOCKWATER	
			SE	SW	STOCKWATER	
Section Acres						270
01N	13E	26	NW	NW	STOCKWATER	
			NE	NW	STOCKWATER	
			SW	NW	STOCKWATER	
			NE	NW	IRRIGATION	3
			NW	NW	IRRIGATION	35
			SW	NW	IRRIGATION	20
Section Acres						58
01N	13E	27	NE	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
Section Acres						80
Total Acres						408

11. Place of use in counties: CAMAS

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

TRANS. 599.

P/D GIVEN IN TRANSFER IS ON EAST FORK THREEMILE CR.; SEE USGS MAP CHANGE IN P/U TO SHOW ACTUAL ACRES IRRIGATED.

OWNERSHIP CHANGE PER FORM 42-1409(7). CLF 6-23-95
 ***** OWNERSHIP CHANGE ON A37-00409 RESULTED IN A
 SPLIT. THE "A" PORTION BELONGS TO VM DIAMOND AND THE "B" PORTION BELONGS TO SMR
 DEVELOPMENT. WARRANTY DEED AND MAP USED FOR PROOF. TLB 3/5/97

15. Basis of Claim: Decreed

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
SEP 22 2004
 Department of Water Resources
 Southern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
_____	37-368A	_____	_____	_____	_____
_____	37-409A	_____	_____	_____	_____
_____	37-2076A	_____	_____	_____	_____
_____	37-2157	_____	_____	_____	_____
_____	37-2455	_____	_____	_____	_____

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

- A. The appropriate **FILING FEE**. See Instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
 PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s) VM Diamond Ranch, LLC
P.O. Box 190690, Boise, ID 83719
4. New Owner/Claimant(s) DIAMOND/SOLDIERS PROPERTIES LLC
 Name Connector (Check one): [] and, [] or [] and/or
 New Mailing Address c/o Chuck Hill, P. O. Box 1607
 City, State and Zip Code Bellevue, Washington 98009
 New Telephone Number (425) 460-2504
5. Date you acquired the property April 29, 2004

11/22/06 - Couldn't locate deeds. Decided to change ownership for 37-409A
 S. Clelland because it overlaps the other right, which had ownership changed.

SCANNED
NOV 27 2006

6. **IF THE CHANGE IN OWNERSHIP AFFECTS THE ENTIRE WATER RIGHTS FOR EACH WATER RIGHT OR ADJUDICATION CLAIM NUMBER LISTED IN ITEM 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.**
 If the change of ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

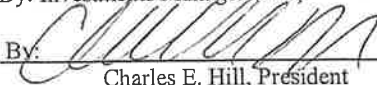
DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (Cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (Cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New owner(s) or Claimant(s)

 (include title if applicable)

DIAMOND/SOLDIER PROPERTIES, LLC
 By: Investments Manager LLC, its Manager

By: 
 Charles E. Hill, President

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

For Office Use only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

SCANNED
NOV 27 2006

Date Received 1-18-1990

JAN 18 1990

Department of Water Resources
Southern Region Office

State of Idaho
Department of Water Resources
**REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)**

RECEIVED
JAN 19 1990

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Hidden Paradise Property Owners' Assn. () 764-2506
Name of Claimant Phone Number

P. O. Box 279 Fairfield ID 83327
Mailing Address City State Zip

Camas 1-19-1990 (per approved extension)
County(s) where place of use is located Date claim originally due

37-2227, 2048, 0368, 0409, 2076, 2455, 2157, 4424 & possibly others
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

The person who was responsible for getting the necessary documentation together so
that the claims could be filed did not do her job. We only recently became aware of
this, so do not have enough time before the deadline to complete the paperwork. We
are working as fast we can, but this is 1/1 a large ranch with many water rights.

Claimant requests an extension to February 19, 19 90
Donald L. Bushland 1-18-, 19 90
Signature Date of request
Vice Pres.
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [X granted] [] denied for the following reasons:

and if granted the filing deadline is extended to February 19, 19 90
Signed this 5 day of February, 19 90

Director or his designated agent

DAVID B. SHAW

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

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 FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 37-409A
Date Received: 2/15/1990
Receipt No: X999999
Received By:

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

1. Name of Claimant(s)

V M DIAMOND RANCH LLC
PO BOX 190690
BOISE ID USA 83719

Phone: (208)887-6028

2. Date of Priority: 04/01/1907

3. Source: THREEMILE CREEK EAST FORK Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	13E	23	NE NW NE	CAMAS	

5. Description of diverting works:

DAMS AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	2.85	
STOCKWATER	1/01	12/31	0.14	

7. Total Quantity Appropriated is:
2.85 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	13E	23	SW	NW	IRRIGATION	40
			NE	NW	IRRIGATION	35
			NW	NW	IRRIGATION	40
			NE	SW	IRRIGATION	20
			NW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	35
			SW	SW	IRRIGATION	40
			SE	NW	IRRIGATION	20
			NE	SE	STOCKWATER	
			SW	NE	STOCKWATER	
			NW	NE	STOCKWATER	
			SE	SW	STOCKWATER	
01N	13E	26	NW	NW	STOCKWATER	
			NE	NW	STOCKWATER	
			SW	NW	STOCKWATER	
			NE	NW	IRRIGATION	3
			NW	NW	IRRIGATION	35
			SW	NW	IRRIGATION	20
					Section Acres	58
01N	13E	27	NE	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
					Section Acres	80
					Total Acres	408

11. Place of use in counties: CAMAS

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

TRANS. 599.

P/D GIVEN IN TRANSFER IS ON EAST FORK THREEMILE CR.; SEE USGS MAP CHANGE IN P/U TO SHOW ACTUAL ACRES IRRIGATED.

OWNERSHIP CHANGE PER FORM 42-1409(7). CLF 6-23-95

***** OWNERSHIP CHANGE ON A37-00409 RESULTED IN A SPLIT. THE "A" PORTION BELONGS TO VM DIAMOND AND THE "B" PORTION BELONGS TO SMR DEVELOPMENT. WARRANTY DEED AND MAP USED FOR PROOF. TLB 3/5/97

15. Basis of Claim: Decreed

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-409A

WATER RIGHT NUMBER: 37-409A

Missing Claim file

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	V M DIAMOND RANCH LLC PO BOX 190690 BOISE, ID 83719 (208)887-6028
Original Owner	HIDDEN PARADISE RANCH OWNERS ASSN PO BOX 279 FAIRFIELD, ID 83327 (208)764-2506

Priority Date: 04/01/1907

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
EAST FORK THREEMILE CREEK	CAMAS CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.140 CFS	
IRRIGATION	4/01 to 11/01	2.850 CFS	
	<u>Total Diversion:</u>	2.850 CFS	

Location of Point(s) of Diversion

EAST FORK THREEMILE CREEK	NE1/4NW1/4NE1/4	Sec. 23, Twp 01N, Rge 13E, B.M.
CAMAS County		

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	13E	23		X	X									X	X				
01N	13E	26					X	X	X										

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	13E	23					35.0	40.0	40.0	20.0	20.0	40.0	40.0	35.0					270.0
01N	13E	26					3.0	35.0	20.0										58.0

*overlaps w/ 37368A NW 1/4
w/ 37-2076A SW 1/4*

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-409A

01N 13E 27	40.0	40.0					80.0
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Total Acres: 408

Conditions of Approval:

1. TRANS. 599.
P/D GIVEN IN TRANSFER IS ON EAST FORK THREEMILE CR.; SEE USGS MAP CHANGE IN P/U TO SHOW ACTUAL ACRES IRRIGATED.
OWNERSHIP CHANGE PER FORM 42-1409(7). CLF 6-23-95 *****
OWNERSHIP CHANGE ON A37-00409 RESULTED IN A SPLIT. THE "A" PORTION BELONGS TO VM DIAMOND AND THE "B" PORTION BELONGS TO SMR DEVELOPMENT. WARRANTY DEED AND MAP USED FOR PROOF. TLB 3/5/97

Remarks:

Comments:

Water Supply Bank:

09/08/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-409A

NAME AND ADDRESS: DIAMOND/SOLDIER PROPERTIES LLC
C/O GREGORY VIK
PO BOX 1607
BELLEVUE WA 98009

SOURCE: EAST FORK THREEMILE CREEK

TRIBUTARY: CAMAS CREEK

QUANTITY: 2.850 CFS

PRIORITY DATE: 04/01/1907

POINT OF DIVERSION:

T01N R13E S23 NENWNE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.120 CFS
IRRIGATION	04/15 10/31	2.850 CFS

PLACE OF USE:

IRRIGATION in CAMAS County

T01N R13E S22	NENE	14.00	T01N R13E S22	NWNE	9.40
T01N R13E S22	SWNE	22.00	T01N R13E S22	SENE	40.00
T01N R13E S22	NESE	40.00	T01N R13E S22	NWSE	12.00
T01N R13E S22	SESE	37.00	T01N R13E S23	NENW	22.00
T01N R13E S23	NWNW	10.00	T01N R13E S23	SWNW	40.00
T01N R13E S23	SENW	20.00	T01N R13E S23	NESW	20.00
T01N R13E S23	NWSW	40.00	T01N R13E S23	SWSW	40.00
T01N R13E S23	SESW	28.00	T01N R13E S26	NENW	4.20
T01N R13E S26	NWNW	33.00	T01N R13E S26	SWNW	17.00
T01N R13E S27	NENE	37.00	T01N R13E S27	SENE	30.00

STOCKWATER in CAMAS County

T01N R13E S22	NENE	T01N R13E S22	NWNE
T01N R13E S22	SWNE	T01N R13E S22	SENE
T01N R13E S22	NESE	T01N R13E S22	NWSE
T01N R13E S22	SESE	T01N R13E S23	NENW
T01N R13E S23	NWNW	T01N R13E S23	SWNW
T01N R13E S23	SENW	T01N R13E S23	NESW
T01N R13E S23	NWSW	T01N R13E S23	SWSW
T01N R13E S23	SESW	T01N R13E S26	NENW
T01N R13E S26	NWNW	T01N R13E S26	SWNW
T01N R13E S27	NENE	T01N R13E S27	SENE

09/08/2008

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

515.6 ACRES TOTAL

This right is limited to the irrigation of 94.3 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 515.6 acres in a single irrigation season. Combined Right Nos.: 37-368A, 37-409A, 37-2076A, 37-2455 & 37-2157.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

SCC

Rec'd
update:
2/3/09 scc

1/2/08
scc

DIAMOND/SOLDIER REVIEW:

PFS

2.7 cfs

37-368A ✓

Rate:

CLAIM

2.7

0.02/ac

Rec'd

2.24

0.02/ac

WR

3.2

0.02/ac

2.85 cfs

37-409A ✓

Rate:

2.85

0.0069/ac

~~<PIS>~~

—

3.2

0.0067/ac

6.1 cfs

37-2076A ✓

Rate:

6.1

0.019/ac

4.48

0.02/ac

6.2

0.019/ac

3.0 cfs

37-2455 ✓

Rate:

3.0

0.02/ac

0.90

0.019/ac

3.0

0.02/ac

(NO OBS)

37-2157

0.80

0.02/ac

0.80

0.02/ac

0.80

0.02/ac

15.45 cfs

8.42 cfs

16.40

(split)

7/1/08
SCC

DIAMOND/Soldier Review:

	<u>#</u>	<u>CLAIMS</u>	<u>Rec'd</u>	<u>WR</u>	<u>GIS</u>
Acres >	37-368A	135	112	160	112.6
	37-409A	408	-DIS-	480	94.3
	37-2076A	315	224	320	225
	37-2455	150	45.3	150	45.4
(NO OBJ)	37-2157	<u>40</u>	<u>40</u>	<u>40</u>	<u>39.6</u>

1048 Ac 421.3 1150 516.9
 (w/overlaps) (No overlaps) (splits) (SHP)

Speck email Acres = 536.3 Ac.
 2005 B/W map-MOBLEY AFF. = 740.6 Ac

Rec'd Pou w/ Disallowed -409A: 421.3 + 94.3 = 515.6

$$\left[94.3 \text{ Ac} * \underset{\text{(claim)}}{0.0069 \text{ cfs/Ac}} = \underline{0.65 \text{ cfs}} \right]$$

9/8/08 SCC Conversion to PPU for All Rights
 Combined shape files = 515.6 Ac
 as per GIS selection

EXAM MAP

5/3/06 13
SCC & MA

15

14

13

22

23

24

27

26

25

found
No POD found
out out out
POD
POD
IR
POD
POD Purpose?
underground sprinkler system
No POD
No POD
Sage & Grass
CC system?
system?
system?

DIAMOND/SOLDIER
37-368A ET.AL.

Clelland, Steve

From: Jim Speck [jim@speckandaanestad.com]
Sent: Tuesday, June 24, 2008 3:46 PM
To: Bromley, Chris
Cc: 'Rodney Ray Gonsales'; 'Greg Vik'; nancyl@pistolcreek.com; Clelland, Steve
Subject: Smokey Dome LLC et al - Status Conferences Tomorrow

Attachments: Charles Lee Barron Affidavit.pdf



Charles Lee Barron
Affidavit.p...

Chris,

37-368A ETAL

Status Conf
6-25-08

Here is where I think we stand:

SCC

1:30

1. Smokey Dome LLC - 37-38 & 404A: attached is a copy of an Affidavit that will be filed with the court tomorrow. I believe this supports the number of irrigated acres we claimed 86A v. 36A recommended).

J.S.

2. Smokey Dome LLC - 37-19832: I have not yet had a chance to put together the affidavit for Doug Hollowell, a prior owner of the land, that we believe will support our objection.

SCC

1:30

3. Diamond/Soldier Properties LLC - 37-368A, 409A, 2076A & 2455: I still do not have a reply from Steve Clelland to my October 19, 2007 e-mail, the body of which reads:

Steve,

I have attached a map of the ranch with the boundary of the relevant portion drawn in black and the outlines of the recommended places of use in yellow with the water right number labels. Here are my comments and questions:

1. The area labeled "A" should be part of the place of use for 368A - it probably will add about 5 acres.

Not Irrigated By IRR. System

2. The area labeled "B" should be the place of use for 409A - I estimate this is about 110 acres.

= 94.3 AC.

3. The total place of use of the 4 recommended rights is 421.3 acres. Adding 115 acres would make this 536.3 acres.

4. The total amounts claimed for all 5 rights is 15.45 cfs or 772.5 inches. This is a little less than 1 1/2 inches per acre for the 536.3 acres.

Ask CHRIS Re: Exceeding Lic. Rate of 1" / Ac

5. Is it possible to make the 536.3 acres a permissible place of use for all 5 rights, and then limit each right to the irrigation of a certain number of acres determined by the inches per acre (e.g. 368A would be 536.3 acres X 2.7 cfs/15.45 cfs = 93.7 acres??) High?

SCC

1:30

4. Black Butte Hills LLC - 37-11989 & 12000: Per your February 20, 2008 e-mail to me, Steve apparently did not need to do a field exam for 37-11989 after all and he was going to write up his report. I haven't seen anything yet. I believe this may also cover this quantity dispute for 37-12000 - I can't find anything that formed the basis for the 14 AFA in the recommendation v. 145 AFA claimed for stockwater and 85 AFA for recreation.

?

5. SV Ranch LLC - 37-13118: I hope to resolve this stockwater

1:30

Clelland, Steve

DIA-SOL

-368 A

From: Kelly, Vicki
Sent: Wednesday, January 14, 2009 8:14 AM
To: Jim Speck; Bromley, Chris; Clelland, Steve
Cc: 'Mr. Rod Gonsales'; 'Greg Vik'; 'Nancy Lukacs'
Subject: RE: Diamond Soldier Properties 37-368A, 37-409A, 37-2076A & 37-2455

Good morning Mr. Speck

Thanks for reviewing our draft recommendations and providing the feedback. *Steve will revisit these and will contact you should he require more information. Thanks again.
Vicki Kelly, Paralegal - IDWR

-----Original Message-----

From: Jim Speck [mailto:jim@speckkandaanestad.com]
Sent: Tuesday, January 13, 2009 4:10 PM
To: Kelly, Vicki; Bromley, Chris; Clelland, Steve
Cc: 'Mr. Rod Gonsales'; 'Greg Vik'; 'Nancy Lukacs'
Subject: RE: Diamond Soldier Properties 37-368A, 37-409A, 37-2076A & 37-2455

Vicki, Chris & Steve,

Although the total size of the permissible place of use (515.6 acres) is acceptable, the reduction in the amounts for each right is not. The total claimed is 15.45 cfs whereas the total in these draft recommendations is only 9.07 cfs. I had understood the claimed amount was acceptable since the previous owner had provided an affidavit on the flood irrigation practices used during his ownership. If not, please explain why not and what you do need from us to support that amount. At a little over 1.5 in/acre it seems quite reasonable for flood irrigation, especially in that area.

Jim

James P. Speck
SPECK & AANESTAD
A Professional Corporation
120 East Avenue
P.O. Box 987
Ketchum, ID 83340
208.726.4421
208.726.0752 (fax)
jim@speckkandaanestad.com

15.45 cfs
515.6 AC
= 0.03 cfs
AC

2/2/09
OK to do
w/ Hollowell
Aff.

CONFIDENTIAL COMMUNICATION

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-----Original Message-----

From: Kelly, Vicki
Sent: Wednesday, January 07, 2009 8:51 AM
To: Jim Speck

<<DOC001.PDF>>

Hello Mr. Speck--

Attached are updated recommendations for the Diamond Soldier Properties subcases for your review, prepared by Steve Clelland. He is currently working on an updated recommendation for an uncontested overlapping right 37-2157. I will forward that recommendation to you when Steve has it completed. If you have any questions about these recommendations, please contact Steve at 208-287-4913. If you feel that these subcases are ready for SF5, please let me know and we'll get them out the door.

The next hearing on these rights is set for 1/21/09. Thanks! Vicki Paralegal - IDWR

Attachment(s): DOC001.PDF

09/08/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

SFS DRAFT

RIGHT NUMBER: 37-409A

NAME AND ADDRESS: DIAMOND/SOLDIER PROPERTIES LLC
C/O GREGORY VIK
PO BOX 1607
BELLEVUE WA 98009

SOURCE: EAST FORK THREE MILE CREEK

TRIBUTARY: CAMAS CREEK

QUANTITY: 0.650 CFS

PRIORITY DATE: 04/01/1907

POINT OF DIVERSION:

T01N R13E S23 NENWNE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.120 CFS
IRRIGATION	04/15 10/31	0.650 CFS

PLACE OF USE:

IRRIGATION in CAMAS County

T01N R13E S22	NENE	14.00	T01N R13E S22	NWNE	9.40
T01N R13E S22	SWNE	22.00	T01N R13E S22	SENE	40.00
T01N R13E S22	NESE	40.00	T01N R13E S22	NWSE	12.00
T01N R13E S22	SESE	37.00	T01N R13E S23	NENW	22.00
T01N R13E S23	NWNW	10.00	T01N R13E S23	SWNW	40.00
T01N R13E S23	SESW	28.00	T01N R13E S23	NESW	20.00
T01N R13E S23	NWSW	40.00	T01N R13E S23	SWSW	40.00
T01N R13E S26	NWNW	33.00	T01N R13E S26	SWNW	17.00
T01N R13E S27	NENE	37.00	T01N R13E S27	SENE	30.00

STOCKWATER in CAMAS County

T01N R13E S22	NENE	T01N R13E S22	NWNE
T01N R13E S22	SWNE	T01N R13E S22	SENE
T01N R13E S22	NESE	T01N R13E S22	NWSE
T01N R13E S22	SESE	T01N R13E S23	NENW
T01N R13E S23	NWNW	T01N R13E S23	SWNW
T01N R13E S23	SESW	T01N R13E S23	NESW
T01N R13E S23	NWSW	T01N R13E S23	SWSW
T01N R13E S26	NWNW	T01N R13E S26	SWNW
T01N R13E S27	NENE	T01N R13E S27	SENE

09/08/2008

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

515.6 ACRES TOTAL

This right is limited to the irrigation of 94.3 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 515.6 acres in a single irrigation season. Combined Right Nos.: 37-368A, 37-409A, 37-2076A, 37-2455 & 37-2157.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

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

A. Subcase 37-409A

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Diamond/Soldier Properties LLC

Address: c/o Gregory Vik
P.O. Box 1607
Bellevue, WA 98009

Daytime Phone: (425) 460-2542

Name & Address of Attorney, if any:

James P. Speck
SPECK & AANESTAD
A Professional Corporation
PO Box 987
Ketchum, ID 83340

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Diamond/Soldier Properties LLC

Address: PO Box 1607
Bellevue, WA 98009

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☒ **Name and Address**
Should be: Diamond/Soldier Properties LLC, PO Box 1607, Bellevue, WA 98009
2. ☒ **Source**
Should be: East Fork Three Mile Creek
3. ☒ **Quantity**
Should be: 2.85 cfs
4. ☒ **Priority Date**
Should be: April 1, 1907
5. ☒ **Point(s) of Diversion**
Should be: NENWNE, S.23, T.1N, R.13E., B.M., Camas County
6. ☐ **Instream Flow Description**
Should be:
7. ☒ **Purpose(s) of Use**
Should be: irrigation
8. ☒ **Period of Year**
Should be: April 1 to November 1
9. ☒ **Place of Use**
Should be: 408 acres as in claim
10. **I object because:**
 - ☐ This water should not exist.
 - ☒ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): See attached Affidavit of Jerry Mobley and ASCS field map.

F.

VERIFICATION (Must be completed)

State of Idaho)
) ss.
County of Blaine)

James P. Speck, being first duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6), or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

J.P. Speck
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: May 9, 2007



Jean A. Latham
Notary Public for Idaho
Residing at Blaine Co
My Commission expires 1-25-2013

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all of the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on May 9th, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Diamond/Soldier Properties LLC
Address: c/o Gregory Vik
P.O. Box 1607
Bellevue, WA 98009

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

United States Department of Justice
Environment and Natural Resource
Division
550 West Fort Street, Box 33
Boise, Idaho 83734



Signature of Objector or attorney mailing on
Objector's behalf

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

)
)
) AFFIDAVIT OF JERRY MOBLEY
)
)
)

STATE OF IDAHO

County of Canyon

) ss.
)

I, JERRY MOBLEY, being first duly sworn upon oath depose and state as follows:

1. I am a member of VM Diamond, L.L.C. ("VMD"), the owner and seller of certain real property in Camas County, Idaho more particularly described in Exhibit A attached hereto and made a part hereof by this reference (the "Real Property"). VMD has owned the Real Property since 1994.

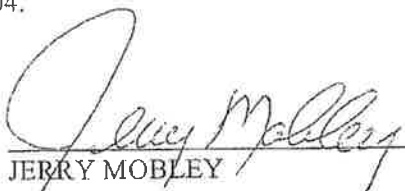
2. VMD is also the owner of certain water rights for the irrigation of a portion of the Real Property and which are claimed in this action (the "SRBA") as claims nos. A37-00368A, A37-00409A, A37-02076A, A37-02157 and A37-02455, also sometimes referred to by the Idaho

AFFIDAVIT OF JERRY MOBLEY - 1

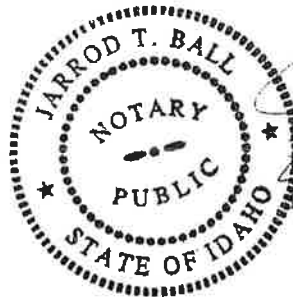
Department of Water Resources as claims nos. 37-368A, 37-409A, 37-2076A, 37-2157 and 37-2455. For the period of 1994 through 2003, VMD diverted water from the sources described in the SRBA claims to irrigate all of those lands described as the place of use in the SRBA claims, using flood irrigation at least once every five years.

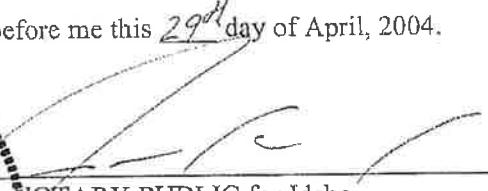
3. I am over the age of eighteen and competent to testify under oath as to all of the matters set forth above in this Affidavit.

DATED this 29 day of April, 2004.


JERRY MOBLEY

SUBSCRIBED AND SWORN TO before me this 29th day of April, 2004.




NOTARY PUBLIC for Idaho

Residing at: Timb Falls

My Comm. Expires: 7-25-2006

EXHIBIT A
C040031

Township 1 North, Range 13 East, Boise Meridian, Camas County, Idaho

Section 22: E½;

Section 23: W½NW¼;
W½SE¼NW¼;
W½NE¼SW¼;
NE¼NW¼ excepting that portion of the SE¼NE¼NW¼ lying East of the existing channel of the West Fork of Threemile Creek;
N½NW¼SE¼SW¼;
S½SE¼SW¼, excepting that portion lying East of the existing County Road which runs northerly and southerly;
W½SW¼;
S½N½SE¼SW¼;
S½N½SW¼SE¼, excepting that portion lying South of the existing County Road which runs easterly and westerly;
S½SW¼SE¼, excepting that portion lying South of the existing County Road which runs easterly and westerly;
SE¼SE¼, excepting that portion lying South of the existing County Road which runs easterly and westerly;

Section 24: S½SW¼;
SE¼;

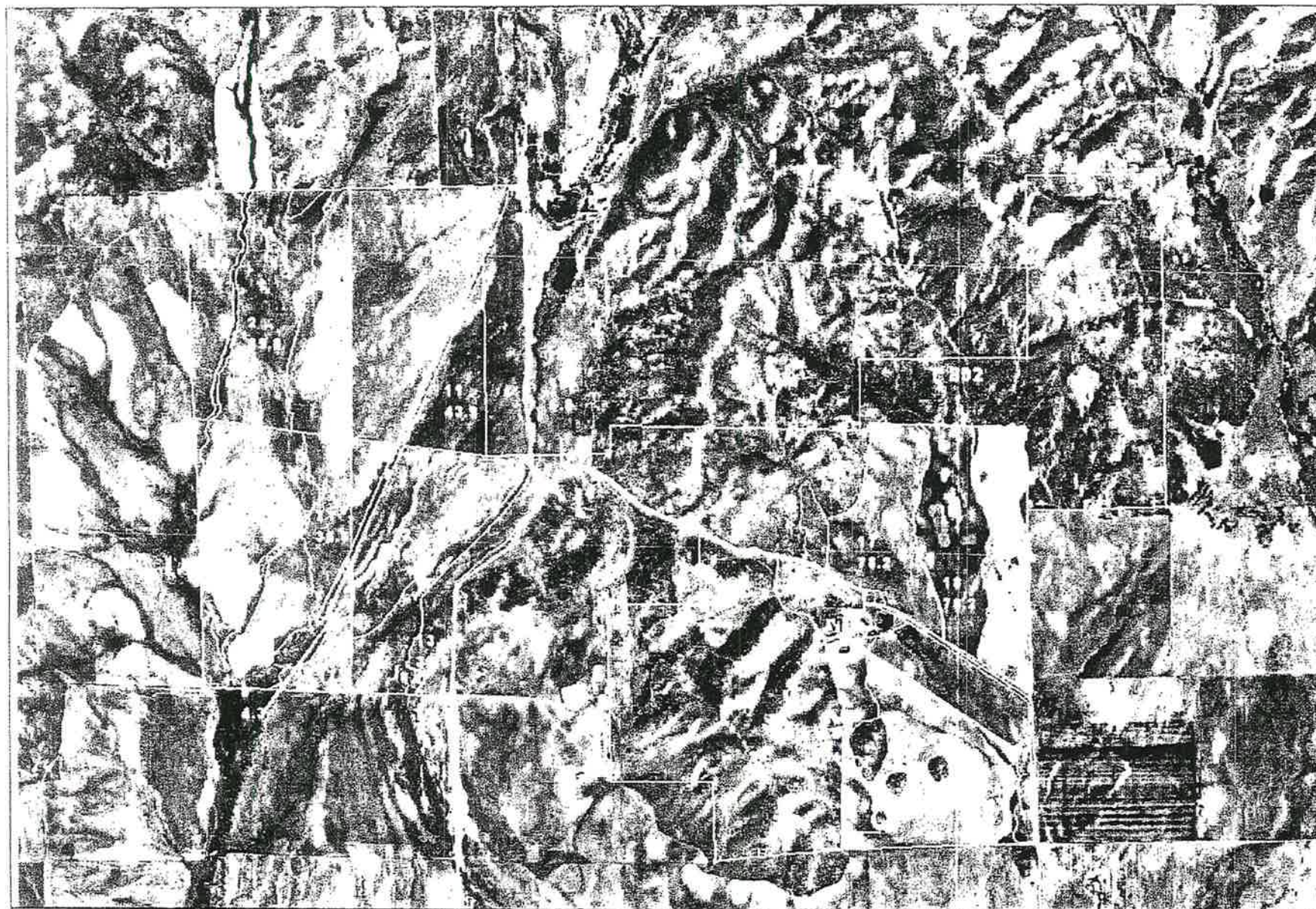
Section 25: All;

Section 26: NE¼SE¼; SE¼NE¼; NW¼, excepting that portion lying East of the existing County Road which runs northerly and southerly;
NE¼NE¼ excepting that portion lying South of the existing County Road which runs Easterly and Westerly;

Section 27: NE¼;

Township 1 North, Range 14 East, Boise Meridian, Camas County, Idaho

Section 19: Lots 1, 2, 3 and 4;
E½W½.



Tract 392
Farm 343
Camas County, Idaho

0 0.2 0.4 0.6 0.8 Miles



PROPERTY OF THE U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT



Map Printed Feb 24, 2005

SF1 - Objection - Subcase 37-409A

10/14/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-409A

DISALLOW

NAME AND ADDRESS: V M DIAMOND RANCH LLC
PO BOX 190690
BOISE ID 83719

} Ownership
change
to Diamond/Soldwise Prop LLC

SOURCE:

TRIBUTARY:

QUANTITY: CFS

PRIORITY DATE:

POINT OF DIVERSION:

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

PLACE OF USE: IRRIGATION Within CAMAS County

STOCKWATER Within CAMAS County

ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

Forfeited/abandoned due to non-use from 1982 to 1987.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Forfeited/abandoned: This is included for a claim based on a decree or license that is proposed to be disallowed on the basis that the water right no longer exists because forfeiture of the right by nonuse was confirmed and a defense to forfeiture was not confirmed, or because abandonment of the right was confirmed.

37-409 A

10/14/06

POD: was located during exam and looked to be pump station for the golf course areas not for these distant cow pastures.
No system found to deliver water for irrigation on the lands claimed.

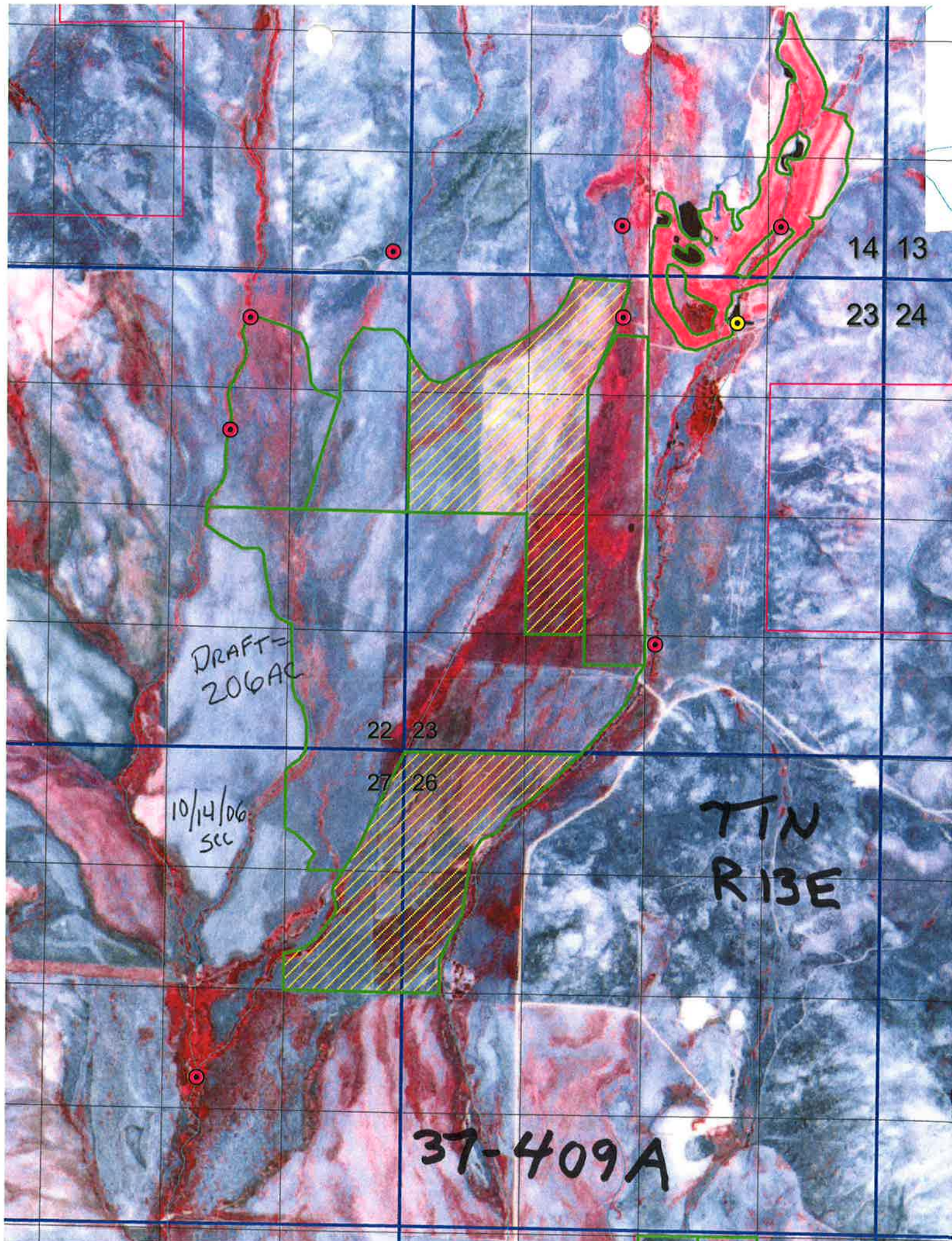
POU: most of this claimed land has sufficient water (1" per acre) from other claims and is found irrigated by other systems.

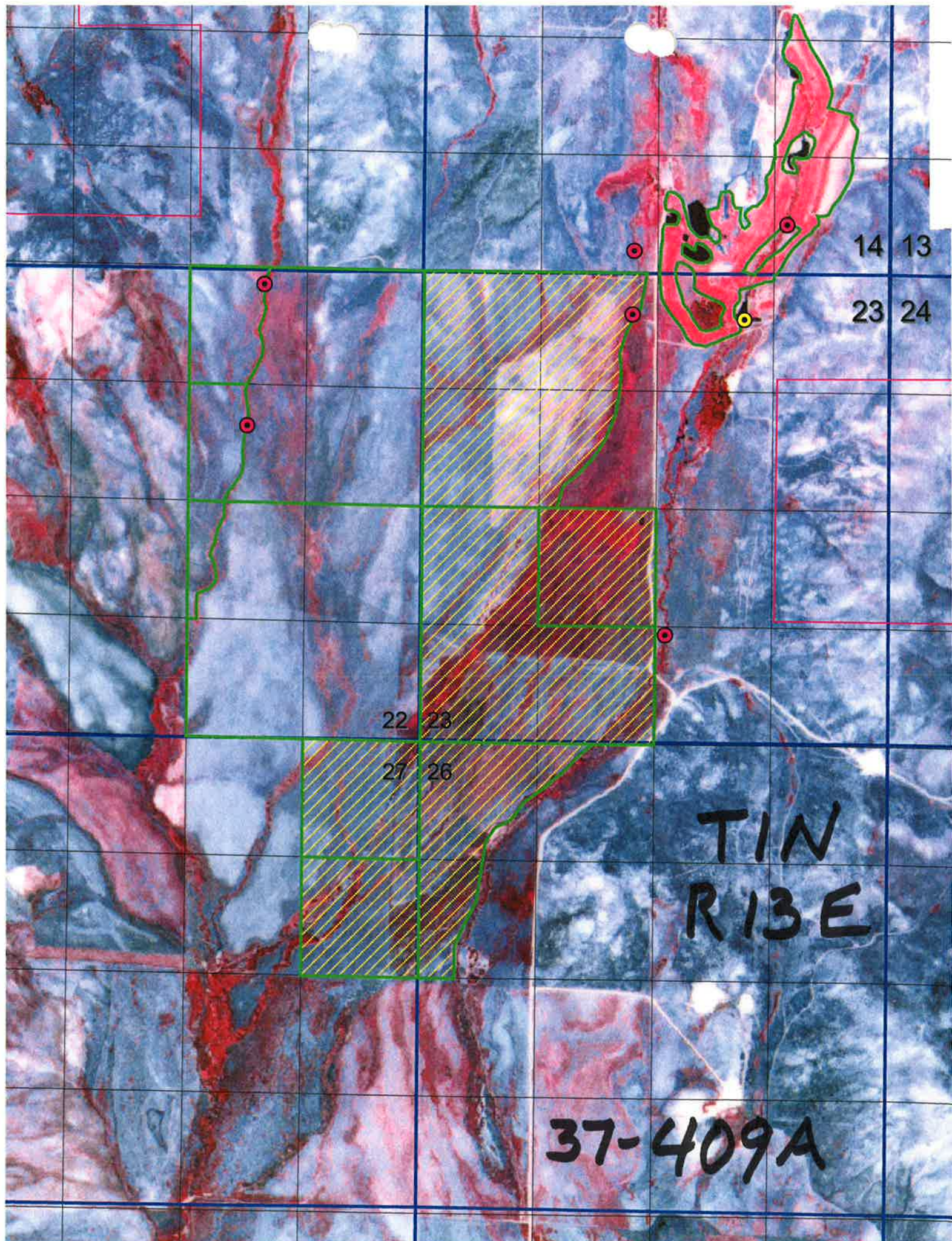
Claimant failed to respond to calls for questions.

Unable to confirm water diversion and use for irrigation -

Claim DISALLOW

Draft POU = 206 AC





VB Diamond Ranch

left message 5/31/06 208-887-6028 → wrong number

Questions

37-409A

- how do they get water from POP to POV, especially N end?

37-2076A

- how do they get water to ~~POV~~ POV, especially SW side

Do they want a PPU → ~~How are~~ How are they using water?

37-2455 → where is POV?

Anders, Matthew

From: Anders, Matthew
Sent: Friday, June 02, 2006 8:50 AM
To: 'camascreek@direcway.com'
Subject: Diamond Soldier Properties

Mr. Gonsales,

I am reviewing in the water right claims for the Ranch and golf course NE of Fairfield owned by Diamond Soldier Properties. I have some questions about the water distribution system. Can you or someone knowledgeable about the water use on that ranch give me a call at 208-287-4937.

Thanks!

Matt

Matt Anders
GIS Specialist
Idaho Water Resources Research Institute
Idaho Department of Water Resources
322 East Front St.
PO Box 83720
Boise, ID 83720-0098

Ph. 208-287-4937

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Certificate of Water Right
Transferred Right Number 599

THIS IS TO Certify that W.W.Leek, of Fairfield, Idaho, is the owner of and using a certain water right, bearing date of priority of April 1, 1907 for 3.2 cubic feet per second of the waters of Three or Four Mile Creek, in the County of Camas, said water being decreed to E.B.Lenman by decree of Judge Alfred Budge of the 4th Judicial District of the State of Idaho, in and for the County of Lincoln, in the case of S. C. Frost et.al. -vs- Alturas Water Co., et. al.

Said decree bearing date of December 13, 1909, for the purpose of irrigating the following described lands, situate, lying and being in Water District No.6 in the County of Camas, State of Idaho, to-wit:

West Half of the Northeast Quarter ($W\frac{1}{2}NE\frac{1}{4}$), Northwest Quarter of the Southeast Quarter ($NW\frac{1}{4}SE\frac{1}{4}$), Northeast Quarter of the Southwest Quarter ($NE\frac{1}{4}SW\frac{1}{4}$) of Section 23, Township 1 North, Range 13 East, Boise meridian, containing 160 acres more or less.

THAT THE SAID Decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Book 3 of Decrees at page 807.

THAT THE SAID Applicant has become the owner of the said land and water right by crop purchase contract.

THAT NOW UPON THE Application of W. W. Leek, of Fairfield, Idaho for a Certificate of Transfer of Water Right, made before the Commissioner of Reclamation of the State of Idaho, and the said application having been granted, the right to the use of 3.2 cubic feet per second of the waters of Three or Four Mile Creek upon the lands above described, is HEREBY ABANDONED and the lands to be irrigated under such right and to which the water right hereby confirmed shall become appurtenant, by this Certificate, for irrigation and domestic purposes, are described as follows:

West Half of the Northeast Quarter ($W\frac{1}{2}NE\frac{1}{4}$), Northwest Quarter of the Southeast Quarter ($NW\frac{1}{4}SE\frac{1}{4}$), Northeast Quarter of the Southwest Quarter ($NE\frac{1}{4}SW\frac{1}{4}$), South Half of the Southwest Quarter ($S\frac{1}{2}SW\frac{1}{4}$) of Section 23; Northwest Quarter ($NW\frac{1}{4}$) of Section 26; East Half of the Northeast Quarter ($E\frac{1}{2}NE\frac{1}{4}$) Section 27; all in Township 1 North, Range 13 East, Boise Meridian, Containing 480 acres more or less.

situate, lying and being in the County of Camas, State of Idaho, and said water to be limited at any time to an amount actually needed and beneficially used for such purposes, and shall not exceed the following amount to-wit:

3.2 cubic feet per second of the waters of Three or Four Mile Creek with a date of priority of April 1, 1907.

THAT THE WATER RIGHT, Hereby transferred has been diverted from the said Three or Four Mile Creek at a point in the

Northwest Quarter of the Northeast Quarter ($NW\frac{1}{4}NE\frac{1}{4}$) Section 23, Township 1 North, Range 13 East Boise Meridian

and conducted to the lands first described herein through private ditches, and will hereafter be diverted at the same point and through the same ditches.

THAT THE LANDS To which this water right is being transferred by this Certificate already have appurtenant to them a Licensed Right Number 2795 for 6.2 cubic feet per second of the waters of Three Mile Creek and Branches and Willow Creeks, with priority of May 17, 1907

THAT THE RIGHT To the use of the water aforesaid, hereby confirmed, is restricted to the lands or places of use specifically set forth in this transfer, as provided by the Laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Department of Reclamation of the State of Idaho, to be hereunto affixed at Boise, Idaho, this 4th day of February, 1930.

James Spofford
Commissioner of Reclamation



By O. D. Becker
Supervisor of Water Distribution.

Township 1 North, Range 13 E.B.M.

W. W. Leek land.

Land on which water right now stands.

Land wished transferred under water right.

3 or 4 Mile Creek.

Old ditches.

New ditches.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

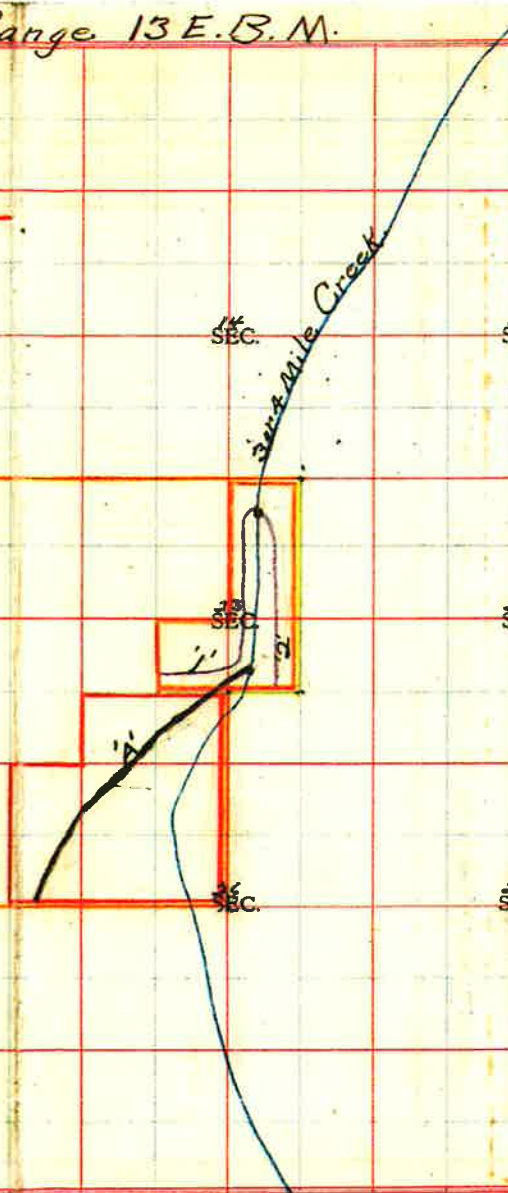
SEC.

SEC.

Name of Applicant

W. W. Leek.

Scale: 2 Inches—1 Mile. Draw Map in Ink.



IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-409

WATER RIGHT NUMBER: 37-409

Owner Type Name and Address
 Original Owner E B LEMMAN
 , ZZ
 Current Owner W W LEEK
 FAIRFIELD, ID 83327

Priority Date: 04/01/1907

Basis: Decreed

Status: Active

Source Tributary
 EAST FORK THREEMILE CREEK CAMAS CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	/ to /		
IRRIGATION	/ to /	3.200 CFS	
<u>Total Diversion:</u>		3.200 CFS	

Location of Point(s) of Diversion

EAST FORK THREEMILE CREEK NW1/4NE1/4 Sec. 23, Twp 01N, Rge 13E, B.M.
 CAMAS County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	13E	23		X	X						X		X	X		X			
01N	13E	26					X	X	X	X									
01N	13E	27	X			X													

DOMESTIC same as IRRIGATIONConditions of Approval:

1. TRANS. 599.
 SOURCE GIVEN IN DECREE AS THREEMILE OR FOURMILE CREEK.
 P/D GIVEN IN TRANSFER IS ON EAST FORK THREEMILE CR.; SEE USGS MAP AC. IRRIG. NOT SPECIFIED. FARM = 480 AC.

37-409 A

SPLIT
 A 2.85
 B 0.35
 3.20
 VM Diamond
 Sme Dev.

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 FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 37-409A
Date Received: 2/15/1990
Receipt No: X999999
Received By:

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

1. Name of Claimant(s)

DIAMOND/SOLDIERS PROPERTIES LLC Phone: (425) 460-2504
C/O CHARLES E HILL
PO BOX 1607
BELLEVUE WA 98009

2. Date of Priority: 04/01/1907

3. Source: THREEMILE CREEK EAST FORK Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	13E	23	NE NW NE	CAMAS	

5. Description of diverting works:

DAMS AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	2.85	
STOCKWATER	1/01	12/31	0.14	

7. Total Quantity Appropriated is:
2.85 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
01N	13E	23	SW	NW		IRRIGATION	40
			NE	NW		IRRIGATION	35
			NW	NW		IRRIGATION	40
			NE	SW		IRRIGATION	20
			NW	SW		IRRIGATION	40
			SE	SW		IRRIGATION	35
			SW	SW		IRRIGATION	40
			SE	NW		IRRIGATION	20
			NE	SE		STOCKWATER	
			SW	NE		STOCKWATER	
			NW	NE		STOCKWATER	
			SE	SW		STOCKWATER	
01N	13E	26	NW	NW		STOCKWATER	
			NE	NW		STOCKWATER	
			SW	NW		STOCKWATER	
			NE	NW		IRRIGATION	3
			NW	NW		IRRIGATION	35
			SW	NW		IRRIGATION	20
						Section Acres	58
01N	13E	27	NE	NE		IRRIGATION	40
			SE	NE		IRRIGATION	40
						Section Acres	80
						Total Acres	408

11. Place of use in counties: CAMAS

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

TRANS. 599.

P/D GIVEN IN TRANSFER IS ON EAST FORK THREEMILE CR.; SEE USGS MAP CHANGE IN P/U TO SHOW ACTUAL ACRES IRRIGATED.

OWNERSHIP CHANGE PER FORM 42-1409(7). CLF 6-23-95

***** OWNERSHIP CHANGE ON A37-00409 RESULTED IN A SPLIT. THE "A" PORTION BELONGS TO VM DIAMOND AND THE "B" PORTION BELONGS TO SMR DEVELOPMENT. WARRANTY DEED AND MAP USED FOR PROOF. TLB 3/5/97

15. Basis of Claim: Decreed

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
SEP 22 2004
 Department of Water Resources
 Southern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
_____	<u>37-368A</u>	_____	_____	_____	_____
_____	<u>37-409A</u>	_____	_____	_____	_____
_____	<u>37-2076A</u>	_____	_____	_____	_____
_____	<u>37-2157</u>	_____	_____	_____	_____
_____	<u>37-2455</u>	_____	_____	_____	_____

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

- A. The appropriate **FILING FEE**. See Instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions): **PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former VM Diamond Ranch, LLC
- Owner/Claimant(s) P.O. Box 190690, Boise, ID 83719
4. New Owner/Claimant(s) DIAMOND/SOLDIERS PROPERTIES LLC
- Name Connector (Check one): [] and, [] or [] and/or
- New Mailing Address c/o Chuck Hill, P. O. Box 1607
- City, State and Zip Code Bellevue, Washington 98009
- New Telephone Number (425) 460-2504
5. Date you acquired the property April 29, 2004

6. **IF THE CHANGE IN OWNERSHIP AFFECTS THE ENTIRE WATER RIGHTS FOR EACH WATER RIGHT OR ADJUDICATION CLAIM NUMBER LISTED IN ITEM 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change of ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (Cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

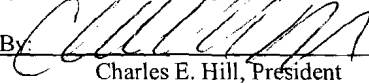
DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (Cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New owner(s) or Claimant(s)

(include title if applicable)

DIAMOND/SOLDIER PROPERTIES, LLC

By: Investments Manager LLC, its Manager

By: 
Charles E. Hill, President

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

For Office Use only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

Order No. C040031

WARRANTY DEED

For Value Received

VM DIAMOND RANCH, L.L.C., a limited liability company as to 98.43% and
VICTORIA VANDERPOOL MOBLEY AS TO 1.57%, A SINGLE PERSON,

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto

DIAMOND/SOLDIER PROPERTIES LLC, A WASHINGTON LIMITED LIABILITY
COMPANY

the grantee(s), whose current address is

P.O. BOX 1607, BELLEVUE, WA., 98009

the following described premises, to-wit:

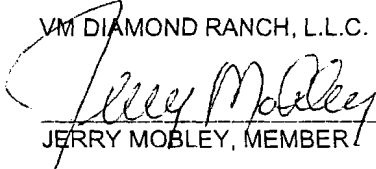
See Attached Exhibit "A"

Together with any and all water rights appurtenant thereto, including, but not limited to,
SRBA Claims Nos. 37-368A, 37-409A, 37-2076A, 37-2157 and 37-2455.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and
assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the
owner(s) in fee simple of said premises; that said premises are free from all encumbrances except current years taxes,
levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible
upon the premises, and that he/she/they will warrant and defend the same from all claims whatsoever.

Dated: April 30, 2004

VM DIAMOND RANCH, L.L.C.


JERRY MOBLEY, MEMBER


VIRGINIA VANDERPOOL, MEMBER

V. L. VANDERPOOL COMPANY, INC., MEMBER


VIRGINIA VANDERPOOL, It's President


VICTORIA VANDERPOOL MOBLEY

Recorded at the Request of
Camas County Title
at 4243 P. 1
April 30, 2004
in Book 34 - Page 304
of Deeds
ROLLIE BENNETT
CAMAS COUNTY RECORDER
By Babette D. Waller
Fees \$ 9.00

77122

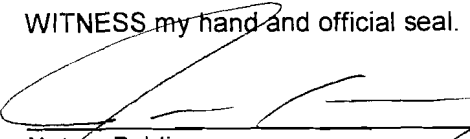
STATE OF IDAHO

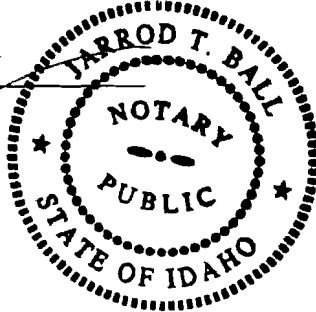
: SS

COUNTY OF CANYON

On this 29th day April, in the year 2004, before me, the undersigned, a notary public in and for said state, personally appeared JERRY MOBLEY and VIRGINIA VANDERPOOL, known or identified to me to be (the manager, the managers, a member, the members) of the limited liability company that executed the foregoing instrument, and acknowledged to me that such limited liability company executed the same.

WITNESS my hand and official seal.


Notary Public
Residing At: Quinn Falls
Commission Expires: 7-25-2008



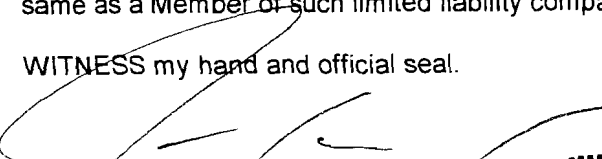
STATE OF IDAHO

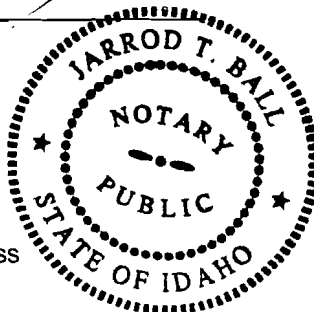
: SS

COUNTY OF CANYON

On this 29th day of April, in the year 2004, before me, the undersigned, a notary public in and for said state, personally appeared VIRGINIA VANDERPOOL, known or identified to me to be the president of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation which is a member of VM Diamond Ranch, L.L.C. and on behalf of the Corporation as a Member of the limited liability company that executed the foregoing instrument, and acknowledged to me that such Corporation executed the same as a Member of such limited liability company.

WITNESS my hand and official seal.


Notary Public
Residing At: Quinn Falls
Commission Expires: 7-25-2008



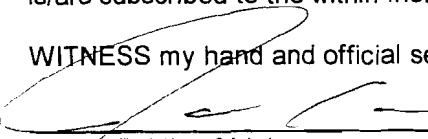
STATE OF IDAHO

: SS

COUNTY OF CANYON

On This 29th day of April, in the year 2004, before me, a Notary Public in and for said State, personally appeared VICTORIA VANDERPOOL MOBLEY, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.


Notary Public of Idaho
Residing at: Quinn Falls
Commission Expires: 7-25-2008

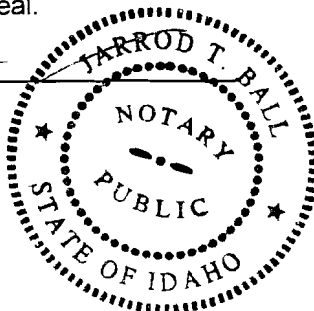


EXHIBIT A
C040031

Township 1 North, Range 13 East, Boise Meridian, Camas County, Idaho

Section 22: E $\frac{1}{2}$;

Section 23: ~~W $\frac{1}{2}$ NW $\frac{1}{4}$;~~
W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$;
W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$;
NE $\frac{1}{4}$ NW $\frac{1}{4}$ excepting that portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ lying East of the existing channel of the West Fork of Threemile Creek;
~~N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$;~~
~~S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, excepting that portion lying East of the existing County Road which runs northerly and southerly;~~
W $\frac{1}{2}$ SW $\frac{1}{4}$;
S $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$;
S $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, excepting that portion lying South of the existing County Road which runs easterly and westerly;
S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, excepting that portion lying South of the existing County Road which runs easterly and westerly;
SE $\frac{1}{4}$ SE $\frac{1}{4}$, excepting that portion lying South of the existing County Road which runs easterly and westerly;

Section 24: S $\frac{1}{2}$ SW $\frac{1}{4}$;
SE $\frac{1}{4}$;

Section 25: All;

Section 26: NE $\frac{1}{4}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$, excepting that portion lying East of the existing County Road which runs northerly and southerly;
NE $\frac{1}{4}$ NE $\frac{1}{4}$ excepting that portion lying South of the existing County Road which runs Easterly and Westerly;

Section 27: NE $\frac{1}{4}$;

Township 1 North, Range 14 East, Boise Meridian, Camas County, Idaho

Section 19: Lots 1, 2, 3 and 4;
E $\frac{1}{4}$ W $\frac{1}{2}$.

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 FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A37-00409A**
Date Received: 2/15/1990
Receipt No: X777777
Received By: *[Signature]*

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: VM DIAMOND RANCH LLC 208-887-6028
Address: PO BOX 190690
BOISE ID 83719

2. Date of Priority: APR 1, 1907

3. Source: THREEMILE CREEK, EAST FORK Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	13E	23	NE	NW	NE		CAMAS

5. Description of diverting works:
DAMS AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.850		
STOCKWATER	01/01	12/31	0.140		

7. Total Quantity Appropriated is:
2.850 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 1020.2 Acre Feet Per Annum.

9. Non-irrigation uses:
S/500 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	13E	23	NW	NE		STOCK	
			SW	NE		STOCK	
			NE	NW		IRR	35.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	13E	23	NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	20.0
			NE		SW		IRR	20.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	35.0
			SE		SW		STOCK	
			NE		SE		STOCK	
							Section Acres	270.0
		26	NE		NW		IRR	3.0
			NE		NW		STOCK	
			NW		NW		IRR	35.0
			NW		NW		STOCK	
			SW		NW		IRR	20.0
			SW		NW		STOCK	
							Section Acres	58.0
		27	NE		NE		IRR	40.0
			SE		NE		IRR	40.0
							Section Acres	80.0
							Total Acres	408.0

11. Place of use in counties: CAMAS

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A37-00368 & A37-02076

14. Remarks:

TRANS. 599.

P/D GIVEN IN TRANSFER IS ON EAST FORK THREEMILE CR.; SEE USGS MAP
CHANGE IN P/U TO SHOW ACTUAL ACRES IRRIGATED.

OWNERSHIP CHANGE PER FORM 42-1409(7). CLF 6-23-95

OWNERSHIP CHANGE ON A37-00409 RESULTED IN A SPLIT. THE "A"
PORTION BELONGS TO VM DIAMOND AND THE "B" PORTION BELONGS TO SMR
DEVELOPMENT. WARRANTY DEED AND MAP USED FOR PROOF. TLB 3/5/97

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

S.C. FROST, ET AL
Decree Plaintiff

ALTURAS WATER CO., ET AL
vs Decree Defendant



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

SEP 05 1996

DATE OF CLOSING: 5/3/94

Department of Water Resources

LEGAL DESCRIPTION OF PROPERTY: Township 1 N Range 13 E
Section 23, SE 1/4 of NE 1/4 of NW 1/4, Govt. Lot _____, BM.

Lot _____, Block _____, Subdivision/Townsite _____

If you have additional legal descriptions, please attach separate sheet. See attached Warranty Deed.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☒ Water Right Number(s)
Assigned by IDWR: Portions of A37-00409, A37-00368, A37-02076

☐ Name and Address of Former Owner/Claimant(s)(Seller): VM Diamond Ranch LLC
PO Box 190690 Boise, ID 83719

☐ New Owner/Claimant (Purchaser): SMR Development, L.C.

☐ New Mailing Address: 7878 Ustick Rd.
Boise ID 83704

☐ New Telephone Number: (208) 376-6346

☐ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

0.50 acs of A37-00368 25 acres
0.35 acs of A37-00409 50 acres
0.10 acs of A37-02076 5 acres
50 acres

☒ Attach proof of ownership, describe proof attached: Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s): William Hunter Date 7/25/96

☐ Signature of Former Owner/Claimant(s): _____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 7/19/97 By: THB

Claim Numbers of Split, if any:

RECEIVED

SEP 10 1996

Department of Water Resources
Southern Region

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

RECEIVED

SEP 05 1996

Department of Water Resources

WARRANTY DEED

(WITH RESERVED COVENANT RESTRICTING USE)

FOR VALUABLE CONSIDERATION RECEIVED, VM DIAMOND RANCH, L.L.C., an Idaho limited liability company (hereinafter the "GRANTOR"), hereby grants, bargains, sells, conveys and confirms unto SMR Development, L.C., an Idaho limited liability company (hereinafter "GRANTEE"), its successors and assigns forever, a parcel of land situated in Township 1 North, Range 13 East, Boise Meridian, County of Camas, State of Idaho, more particularly described as follows:

Section 23 - - - - -

SE 1/4 NE 1/4 NW 1/4 excepting that portion lying West of the Existing Channel of the West Fork of Threemile Creek. Also excepting that portion lying East of the existing County Road which runs northerly and southerly.

E1/2 SE1/4 NW1/4, E1/2 NE1/4 SW1/4, N1/2 NE1/4 SE1/4 SW1/4 excepting that portion lying East of the existing County Road which runs northerly and southerly.

(hereinafter the "Property");

TOGETHER WITH all and singular the improvements, tenements, hereditaments, easements, covenants and appurtenances thereunto belonging or in anywise appertaining, and the reversions, remainders, rents, issues and profits thereof; and

SUBJECT TO the Exceptions to Title described on Exhibit "1" attached hereto, and by this reference made a part hereof and rights-of-way and easements visible on inspection of the Property, and the following covenant and servitude hereby reserved by GRANTOR:

COVENANT

For the benefit of the adjacent property owned by GRANTOR located in the County of Camas, State of Idaho

and more particularly described as that portion of the W1/2 of Section 23, Township 1 North, Range 13 East, Boise Meridian which is not the Property, and excepting that portion of said Section 23 lying East of the existing County Road which runs northerly and southerly (the "Adjacent Property"), and so long as the use of such Adjacent Property is restricted by an agricultural zoning designation thereon under the Camas County Zoning Ordinance, the use of the Property by GRANTEE, its successors and assigns, is restricted to the operation of a golf course thereon and otherwise for agricultural purposes, and no dwellings, structures or improvements (other than fences) shall be placed on the Property except as related to the operation of a golf course.

This Covenant is binding upon, and benefits, the GRANTOR, THE GRANTEE, and their respective successors and assigns to the Adjacent Property and the Property.

Subject to those exceptions to title to which this conveyance is expressly made subject and those made, suffered or done by the GRANTEE, the GRANTOR covenants to the GRANTEE, its successors and assigns, that the GRANTEE shall enjoy the quiet and peaceful possession of the Property, and GRANTOR warrants to the GRANTEE, its successors and assigns, that GRANTOR is the owner of the Property in fee simple and has the right and authority to convey the same to GRANTEE, and it will defend the same from all lawful claims arising by, through and under the GRANTOR whatsoever.

The current address of the GRANTEE is:

SMR Development, L.C.
4477 Emerald Street, Suite C-250,
Boise, Idaho 83706

IN WITNESS WHEREOF, this WARRANTY DEED has been duly executed by and on behalf of GRANTOR by all its members, who have been duly authorized to sign on behalf of GRANTOR by its members, the ____ day of _____, 1994.

GRANTOR
VM DIAMOND RANCH, L.L.C.

by Jerry Mobley
Member

by Virginia Vanderpool
Member

by V. L. Vanderpool Company, Inc.
Member

by Virginia Vanderpool
President

Attest:

Jerry Mobley
Secretary

STATE OF IDAHO)
) ss:
 County of Ada)

On this 3rd day of May, 1994, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared VIRGINIA L. VANDERPOOL and JERRY MOBLEY, known or identified to me to Members of the limited liability company that executed this instrument or the persons who executed this instrument on behalf of said limited liability company, and acknowledged to me that such company executed the same.

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

Kelly Coates
 Notary Public for the State of Idaho
 Residing at Boise Idaho
 My Commission Expires on 11/10, 1999

STATE OF IDAHO)
) ss:
 County of Ada)

On this 3rd day of May, 1994, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Virginia Vanderpool and Jerry Mobley, known or identified to me to be the President and the Secretary, respectively, of the Corporation that executed this instrument or the persons who executed this instrument on behalf of said Corporation as a Member of the limited liability company that executed this instrument, and acknowledged to me that such corporation executed the same as a Member of such limited liability company.

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

Kelly Coates
 Notary Public for the State of Idaho
 Residing at Boise, Idaho
 My Commission Expires on 11/10, 1999

EXHIBIT "1" TO WARRANTY DEED

EXCEPTIONS TO TITLE

General taxes and assessments for the year 1994, which are a lien not yet due and payable.

Master Declaration of Easements, Covenants and Servitudes for Hidden Paradise Ranch of even date with this Warranty Deed, recorded the 11th day of March, 1994, as instrument number 68356, records of Camas County, Idaho.

Right of way for three ditches over and across the E1/2 SW1/4 of Section 14, Township 1 North, Range 13 East, Boise Meridian, as set out in Decree recorded in Book 1 Order and Decrees, page 435 and Book 3 of Miscellaneous, page 74, records of Camas County, Idaho.

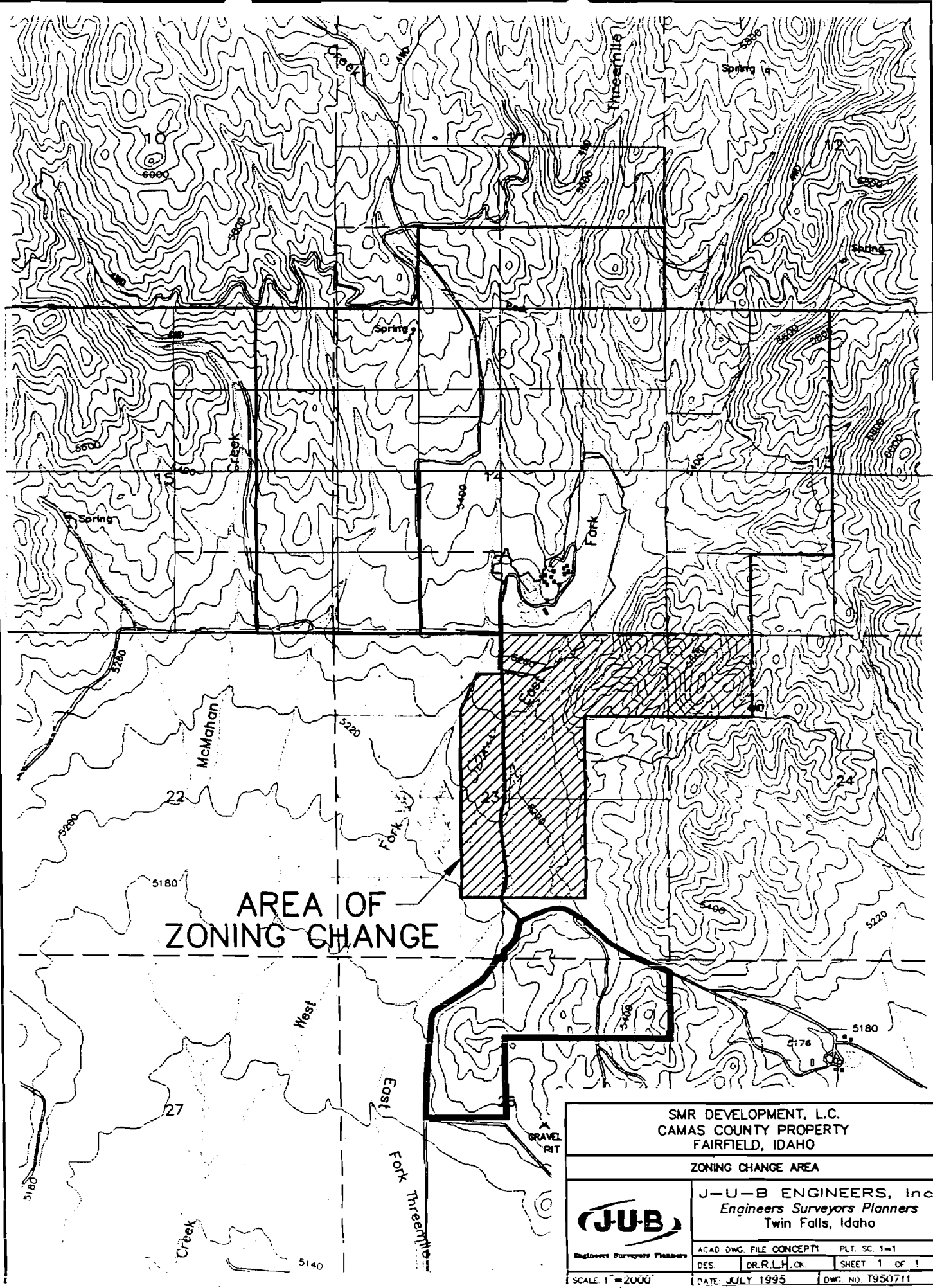
Road Easement dated July 14, 1987, executed by Darrell L. Burchard as Manager of Hidden Paradise Association, to Camas County, Idaho, for perpetual road easement and right-of-way over the SE1/4 of Section 23, Township 1 North, Range 13 East, Boise Meridian, recorded July 14, 1987 in Book 4 of Miscellaneous, page 726, as Recorder's instrument Number 63275, records of Camas County, Idaho.

Right-of-way Easement dated July 16, 1984, executed by Hidden Paradise Ranch Property Owner's Association, Inc. to Prairie Power Cooperative, a cooperative corporation, recorded July 18, 1984 in Book 25 of Deeds, page 33, as Recorder's instrument Number 60291, records of Camas County, Idaho.

68531

Recorded at the Request of

CAMAS ABSTRACTat 4:15 P.M.5-27, 1994.in Book 29of DEEDS Page 114.ROLLIE BENNETT
CAMAS COUNTY RECORDERBy [Signature]Fees \$ 15⁰⁰



AREA OF
ZONING CHANGE

SMR DEVELOPMENT, L.C. CAMAS COUNTY PROPERTY FAIRFIELD, IDAHO		
ZONING CHANGE AREA		
 Engineers Surveyors Planners	J-U-B ENGINEERS, Inc. Engineers Surveyors Planners Twin Falls, Idaho	
	ACAD DWG FILE CONCEPT PLT. SC. 1-1	
	DES. DR. R.L.H. CK.	SHEET 1 OF 1
SCALE 1"=2000'		DATE: JULY 1995 DWG. NO. T950711

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 FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A37-00409**
Date Received: 2/15/1990
Receipt No: S011216
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: VM DIAMOND RANCH LLC 208-887-6028
Address: PO BOX 190690
BOISE ID 83719

2. Date of Priority: APR 1, 1907

3. Source: THREEMILE CREEK, EAST FORK Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	13E	23	NE	NW	NE		CAMAS

5. Description of diverting works:
DAMS AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.200		
STOCKWATER	01/01	12/31	0.140		

7. Total Quantity Appropriated is:
3.200 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 1145.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/500 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	13E	23	NW	NE		STOCK	
			SW	NE		STOCK	
			NE	NW		IRR	40.0

MICROFILMED
NOV 22 1996

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	13E	23	NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			SE		SW		STOCK	
			NE		SE		STOCK	
							Section Acres	320.0
		26	NE		NW		IRR	3.0
			NE		NW		STOCK	
			NW		NW		IRR	35.0
			NW		NW		STOCK	
			SW		NW		IRR	20.0
			SW		NW		STOCK	
							Section Acres	58.0
		27	NE		NE		IRR	40.0
			SE		NE		IRR	40.0
							Section Acres	80.0
							Total Acres	458.0

11. Place of use in counties: CAMAS

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A37-00368 & A37-02076

14. Remarks:
TRANS. 599.
P/D GIVEN IN TRANSFER IS ON EAST FORK THREEMILE CR.; SEE USGS MAP
CHANGE IN P/U TO SHOW ACTUAL ACRES IRRIGATED.
OWNERSHIP CHANGE PER FORM 42-1409(7). CLF 6-23-95

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

S.C. FROST, ET AL
Decree Plaintiff

ALTURAS WATER CO., ET AL
vs Decree Defendant

MICROFILMED
Date: 06/23/95
NOV 22 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

RECEIVED

FEB 21 1996

DATE OF CLOSING: MARCH 11, 1994

Department of Water Resources
Southern RegionLEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.

Lot _____, Block _____, Subdivision/Townsite _____

If you have additional legal descriptions, please attach separate sheet. SEE ATTACHED WARRANTY DEED

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)

Assigned by IDWR:

37-07779, 37-00368, 37-02048, 37-02076, 37-00409
37-02157, 37-02455

☐ Name and Address of Former

Owner/Claimant(s)(Seller):

CANAS PROPERTIES, INC

7878 USTICK RD, BOISE ID 83704

☐ New Owner/Claimant

(Purchaser):

VM DIAMOND RANCH, LLC

☐ New Mailing Address:

PO BOX 190690

BOISE, ID 83719

☐ New Telephone Number:

(208) 887-6028

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of
ownership, describe
proof attached:

SEE ATTACHED WARRANTY DEED

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New
Owner/Claimant(s)

Date 6/20/95

Date 6/20/95

☐ Signature of Former
Owner/Claimant(s):

Date

Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date 6-23-95 By: CF

Further Action Needed:

Need corrected legal description

Further Action Taken

Date: 6-28-95 By: CF

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

New owner will furnish map to resolve
conflict in the SW 1/4 of Sec. 23.
Correction of Warranty Deed to show
W 1/2 SW 1/4 Sec 23 TIN RISE received
12-6-95 CF 12-19-95

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

MICROFILMED

NOV 22 1996

WARRANTY DEED

FOR VALUABLE CONSIDERATION RECEIVED, CAMAS PROPERTIES, INC., an Idaho corporation (hereinafter the "GRANTOR"), hereby grants, bargains, sells, conveys and confirms unto VM DIAMOND RANCH, L.L.C., an Idaho limited liability company (hereinafter the "GRANTEE"), its successors and assigns forever, the property located in the County of Camas, State of Idaho more particularly described on Exhibit "1" attached hereto, and by this reference made a part hereof (hereinafter the "Property");

TOGETHER WITH all and singular the buildings, structures, improvements, tenements, hereditaments, easements, covenants and appurtenances thereunto belonging or in anywise appertaining, and the reversions, remainders, rents, issues and profits thereof; and

SUBJECT TO the Exceptions to Title described on Exhibit "2" attached hereto, and by this reference made a part hereof, and rights-of-way and easements visible on inspection of the Property.

Subject to those exceptions to title to which this conveyance is expressly made subject and those made, suffered or done by the GRANTEE, the GRANTOR covenants to the GRANTEE, its successors and assigns, that the GRANTEE shall enjoy the quiet and peaceful possession of the Property, and GRANTOR warrants to the GRANTEE, its successors and assigns, that GRANTOR is the owner of the Property in fee simple and has the right and authority to convey the same to GRANTEE, and it will defend the same from all lawful claims arising by, through and under the GRANTOR whatsoever.

The current address of the GRANTEE is:

VM DIAMOND RANCH, L.L.C.
3000 East Lake Hazel Road
Meridian, Idaho 83642

IN WITNESS WHEREOF, this WARRANTY DEED has been duly executed,

MICROFILMED
NOV 22 1996

by and on behalf of GRANTOR by its President whose signature is attested to by its Secretary, who have been duly authorized to sign on behalf of GRANTOR by its Board of directors, effective the 11 day of March, 1994.

GRANTOR
CAMAS PROPERTIES, INC.

by William N. Carter
President

ATTEST:

William F. Martin
Secretary

STATE OF IDAHO)
) ss:
County of ADA)

On this 11 day of March, 1994, before me, M. Neal Newhouse, a Notary Public in and for the State of Idaho, personally appeared William N. Carter and William F. Martin, known or identified to me to be the President and the Secretary, respectively, of the Corporation that executed this instrument or the persons who executed this 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 day and year in this certificate first above written.

M. Neal Newhouse
Notary Public for the State of Idaho
Residing at Fairfield, Idaho
My Commission Expires on 12/1/1998

MICROFILMED

NOV 22 1996

March 7, 1994

LEGAL DESCRIPTION

WORKING RANCH

Parcels of land situated in Township 1 North, Range 13 East, Boise Meridian, County of Camas, State of Idaho. More particularly described as follows:

Section 22

E 1/2

Section 23

NW 1/4, NE 1/4 SW 1/4, N 1/2 N 1/2 SE 1/4 SW 1/4,, S 1/2
SE 1/4 SW 1/4 excepting that portion lying East of the existing
County Road which runs northerly and southerly.

E 1/2 SW 1/4

S 1/2 N 1/2 SE 1/4 SW 1/4

S 1/2 N 1/2 SW 1/4 SE 1/4 excepting that portion lying South
of the existing County Road which runs easterly and westerly.

S 1/2 SW 1/4 SE 1/4 excepting that portion lying South of the
existing County Road which runs easterly and westerly.

SE 1/4 SE 1/4 excepting that portion lying South of the existing
County Road which runs easterly and westerly.

Section 24

S 1/2 SW 1/4

SE 1/4

Section 25

ALL

Section 26

NW 1/4 excepting that portion lying East of the existing County
Road which runs northerly and southerly.

NE 1/4 NE 1/4 excepting that portion lying South of the existing
County Road which runs easterly and westerly.

SE 1/4 NE 1/4

NE 1/4 SE 1/4

Continued on Page 2

APPENDIX USED. Pgs 3

MICROFILMED

NOV 22 1996

LEGAL DESCRIPTION
WORKING RANCH

Section 27

NE 1/4

Parcels of real property situated in Township 1 North, Range 14 East,
Base Meridian, County of Camas, State of Idaho, more particularly
described as follows:

Section 19

E 1/2 W 1/2

Lots 1, 2, 3 and 4

Section 30

SE 1/4

E 1/2 SW 1/4

Lots 3 and 4

MICROFILMED
NOV 22 1996

CORRECTION WARRANTY DEED

THIS CORRECTION WARRANTY DEED, dated effective March 11, 1994, is intended to, and does hereby, correct the legal description of the Property described on Exhibit "1" of the Warranty Deed dated March 11, 1994, recorded March 11, 1994 in Book 28 of Deeds at page 758 as instrument number 68358, records of Camas County, Idaho, executed by CAMAS PROPERTIES, INC., an Idaho corporation, as the "GRANTOR", granting, bargaining, selling, conveying and confirming unto VM DIAMOND RANCH, L.L.C., an Idaho limited liability company, as the "GRANTEE", its successors and assigns forever, the property located in the County of Camas, State of Idaho more particularly described on Exhibit "1" attached thereto, which exhibit "1" inadvertently neglected to include the following described parcel of property as granted and conveyed to GRANTEE, to wit:

Parcel of land situated in Township 1 North, Range 13 East, Boise Meridian, County of Camas, State of Idaho, more particularly described as follows:

Section 23
W1/2 SW1/4

(hereinafter referred to as the "Additional Property".)

FOR VALUABLE CONSIDERATION RECEIVED, GRANTOR hereby grants, bargains, sells, conveys and confirms unto GRANTEE, its successors and assigns forever, the above described parcel of Additional Property.

TOGETHER WITH all and singular the buildings, structures, improvements, tenements, hereditaments, easements, covenants and appurtenances thereunto belonging or in anywise appertaining, and the reversions, remainders, rents, issues and profits thereof; and

SUBJECT TO the Exceptions to Title described on Exhibit "2" attached to the above referenced Warranty Deed dated March 11, 1994, and by this reference made a part hereof, and rights-of-way and easements visible on inspection of the Additional Property.

WARRANTY DEED, page 1

MICROFILMED
NOV 22 1996

March 7, 1994

-1/2 SW1/4 Sec.23
appears to be
an error.
W1/2 SW1/4 Sec.23
is not described
CA 6-22-95

LEGAL DESCRIPTION

WORKING RANCH

Parcels of land situated in Township 1 North, Range 13 East, Boise Meridian, County of Camas, State of Idaho. More particularly described as follows:

Section 22

E 1/2

Section 23

NW 1/4, NE 1/4 SW 1/4, N 1/2 N 1/2 SE 1/4 SW 1/4,, S 1/2
SE 1/4 SW 1/4 excepting that portion lying East of the existing
County Road which runs northerly and southerly.

E 1/2 SW 1/4

S 1/2 N 1/2 SE 1/4 SW 1/4

S 1/2 N 1/2 SW 1/4 SE 1/4 excepting that portion lying South
of the existing County Road which runs easterly and westerly.

S 1/2 SW 1/4 SE 1/4 excepting that portion lying South of the
existing County Road which runs easterly and westerly.

SE 1/4 SE 1/4 excepting that portion lying South of the existing
County Road which runs easterly and westerly.

Section 24

S 1/2 SW 1/4

SE 1/4

Section 25

ALL

Section 26

NW 1/4 excepting that portion lying East of the existing County
Road which runs northerly and southerly.

NE 1/4 NE 1/4 excepting that portion lying South of the existing
County Road which runs easterly and westerly.

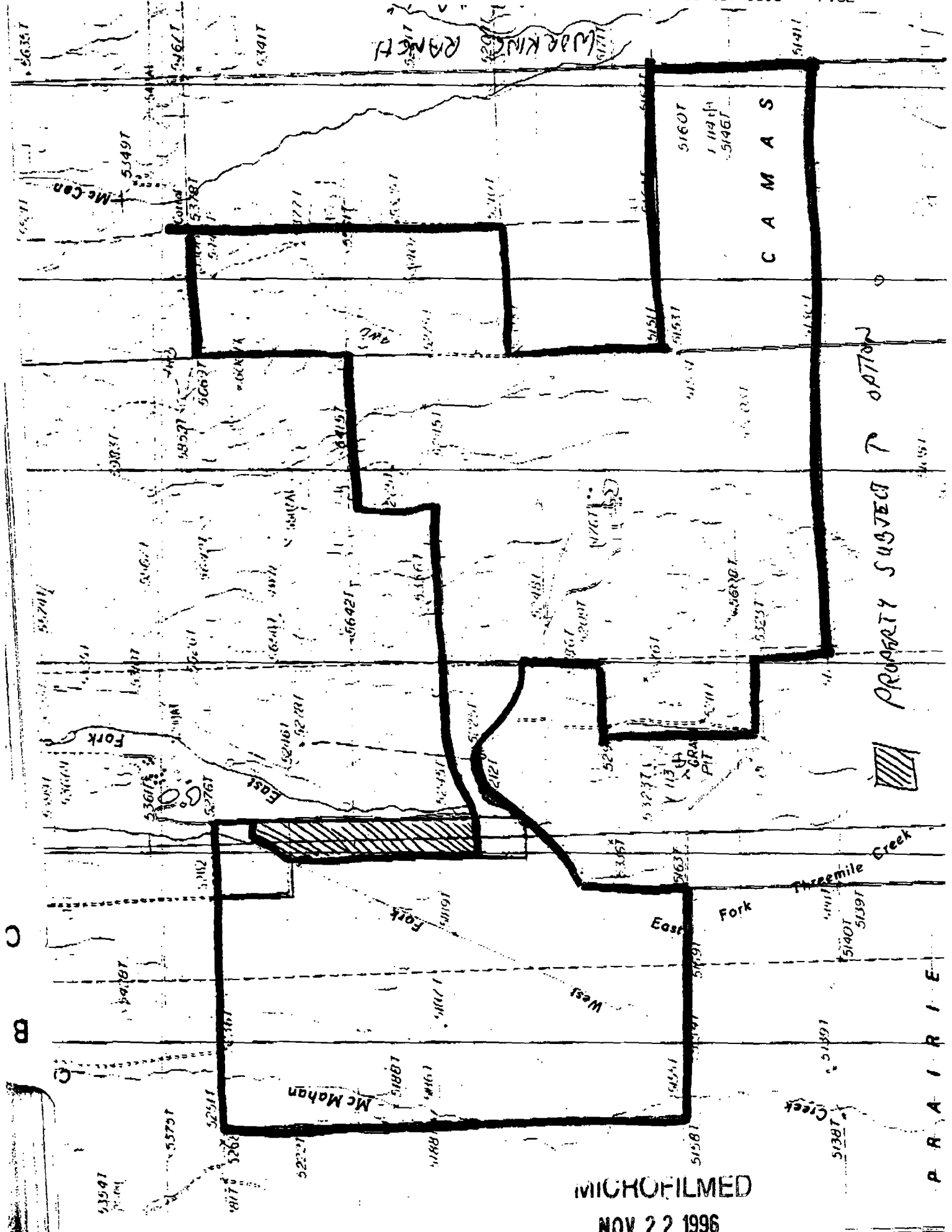
SE 1/4 NE 1/4

NE 1/4 SE 1/4

Continued on Page 2

CARRANTY DEED, pg 3

MICROFILMED
NOV 22 1996



MICROFILMED

NOV 22 1996

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 FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A37-00409
Date Received: 2/15/1990
Receipt No: S011216
Received By: S. C. C.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HIDDEN PARADISE RANCH OWNERS ASSN. 208-764-2506
Address: P.O. BOX 279
FAIRFIELD, ID 83327

2. Date of Priority: APR 01, 1907

3. Source: THREEMILE CREEK, EAST FORK Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	13E	23	NE	NW	NE		CAMAS

5. Description of diverting works:
DAMS AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.200		
STOCKWATER	01/01	12/31	0.140		

7. Total Quantity Appropriated is:
3.200 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 1145.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/500 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	13E	23	NW	NE		STOCK	
			SW	NE		STOCK	

A37-00409

Page 1

Date: 02/15/90

MICROFILMED
FEB 22 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	13E	23	NE		NW		IRR	40.0
			NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	40.0
			SE		SW		IRR	40.0
			SE		SW		STOCK	
			NE		SE		STOCK	
							Section Acres	320.0
		26	NE		NW		IRR	3.0
			NE		NW		STOCK	
			NW		NW		IRR	35.0
			NW		NW		STOCK	
			SW		NW		IRR	20.0
			SW		NW		STOCK	
							Section Acres	58.0
		27	NE		NE		IRR	40.0
			SE		NE		IRR	40.0
							Section Acres	80.0
							Total Acres	458.0

11. Place of use in counties: CAMAS

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A37-00368 & A37-02076

14. Remarks:
TRANS. 599.
P/D GIVEN IN TRANSFER IS ON EAST FORK THREEMILE CR.; SEE USGS MAP
CHANGE IN P/U TO SHOW ACTUAL ACRES IRRIGATED.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

MICROFILMED
FEB 22 1993

DARRELL L.
BURCHARD

Hidden Paradise Ranch
Property Owners Assn.

P.O. Box 279

FAIRFIELD, ID 83327

764-2506

A37-02455 \$ 60 + 85
A37-02157 50 + 15
A37-00409 50 + 458
A37-00368 50 + 8 (wreck up)
A37-02076 50 + 160
A37-07779 50 + 148 (well)

A37-13364 25 (A) work side

A37-13365 25 , 100 ft house

A37-13366 25 springs

A37-13367 25 well 6/20/1394

\$ 400 + 366

\$ 1266

A37-02227

50 + 40 \$ 90 < GOLF COURSE
\$ 1356

1356	1356
135	105
\$ 1491	1,461

Applications

①	well #1 + #2	0.19 cfs	\$ 30
②	well #3	0.06	30
	well #4	0.04	30
③	well #5	0.34	45
			\$ 135

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: 5011214

Date: 02/15/90
Time: 10:32:47

Received
From: HIDDEN PARADISE RANCH

Type of Payment	Program Acct Class	Amount
ADJUDICATION FEE	0410162 9337 6490	\$1,356.00
APPLICATIONS FOR PERMITS (4)	0610179 1222 6390	\$105.00
OVERPAYMENT	0410162 9337 6490	\$39.00
	Total	<u>\$1,500.00</u>

CHECK 1222

WR/NO: A27-02453 A27-02157 A27-00409 A27-00362 A27-02076
A27-07578 A27-12264 A27-12365 A27-12366 A27-12267
A27-02227

Idaho Department of Water Resources

Region: SOUTHERN

Signature: lu

FEBRUARY 15, 1990

MEMO TO FILE

TO: DON SHAFF

FROM: STEVE CLELLAND

RE: REFUND ON RECEIPT S011216
HIDDEN PARADISE RANCH

THE CHECK TO PAY THIS ACCOUNT HAD TO BE PREPARED IN ADVANCE BY THE BOARD OF DIRECTORS. ATTACHED FIND THE COPY OF THE FEE ESTIMATES I SENT WITH MR. DARRELL L. BURCHARD, THE VICE PRESIDENT OF HIDDEN PARADISE RANCH.

THE CHECK WAS FOR \$1500 AND THE FINAL TOTAL FEES WERE \$1461, A DIFFERENCE OF \$39. THIS AMOUNT SHOULD BE REFUNDED TO HIDDEN PARADISE RANCH. I HAVE ALSO ATTACHED A COPY OF THE RECEIPT WHICH SHOWS THE OVERPAYMENT TO BE REFUNDED.

IF YOU HAVE ANY QUESTIONS LET ME KNOW.

FEB 8 - 1990

Date Received 1-18-1990

Department of Water Resources
Southern Region

**State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)**

RECEIVED

JAN 19 1990

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Hidden Paradise Property Owners' Assn. () 764-2506
Name of Claimant Phone Number

P. O. Box 279 Fairfield ID 83327
Mailing Address City State Zip

Camas 1-19-1990 (per approved extension)
County(s) where place of use is located Date claim originally due

37-2227, 2048, 0368, 0409, 2076, 2455, 2157, 4424 & possibly others
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:
The person who was responsible for getting the necessary documentation together so
that the claims could be filed did not do her job. We only recently became aware of
this, so do not have enough time before the deadline to complete the paperwork. We
are working as fast we can, but this is 1/1 a large ranch with many water rights.

Claimant requests an extension to February 19, 19 90
Danell L. Guschard 1-18-, 19 90
Signature Date of request
Dee Guschard
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☒ granted] [☐ denied] for the following reasons:

and if granted the filing deadline is extended to February 19, 19 90

Signed this 5 day of February, 19 90

Director or his designated agent

DAVID B. SHAW

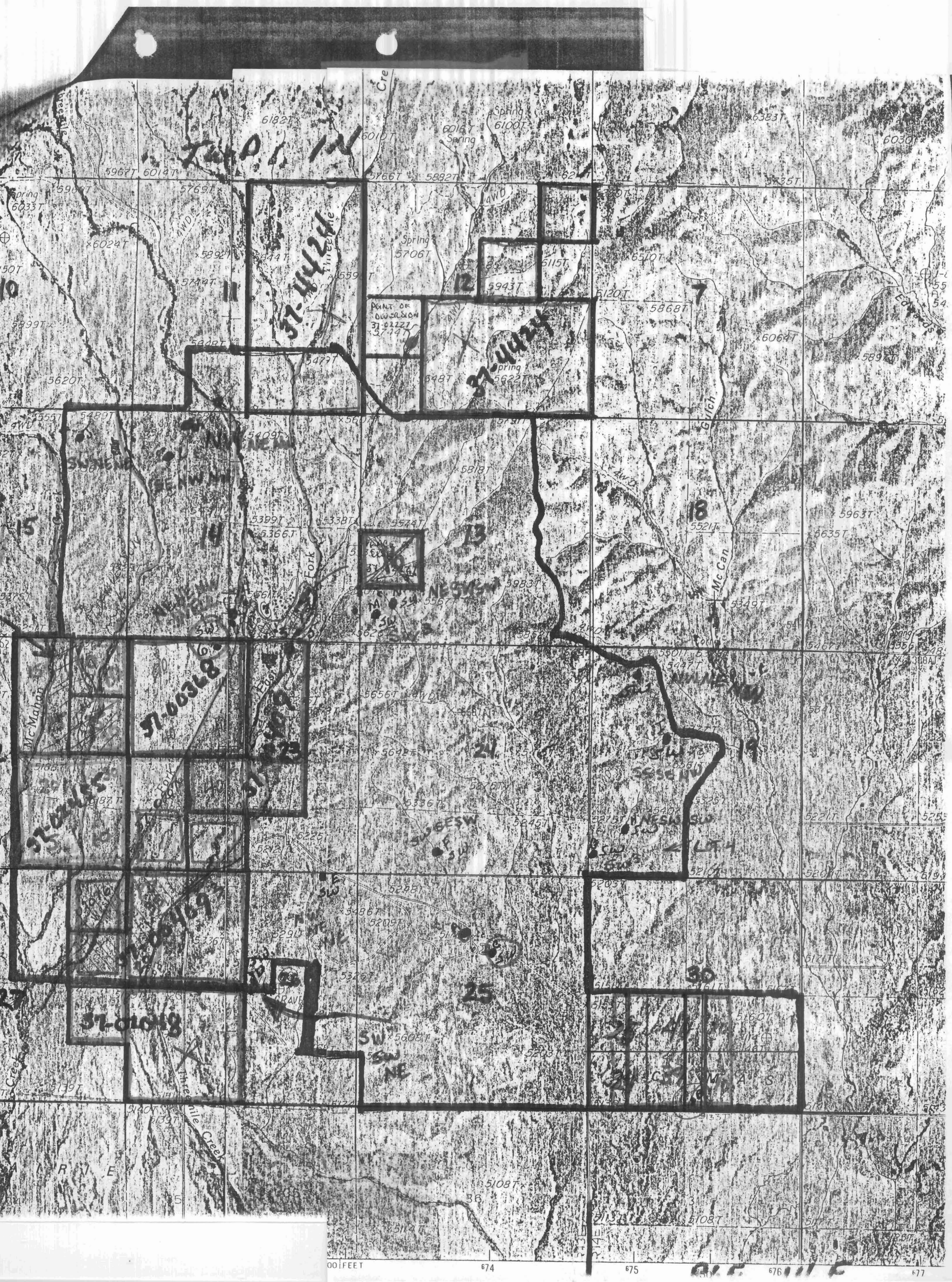
Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

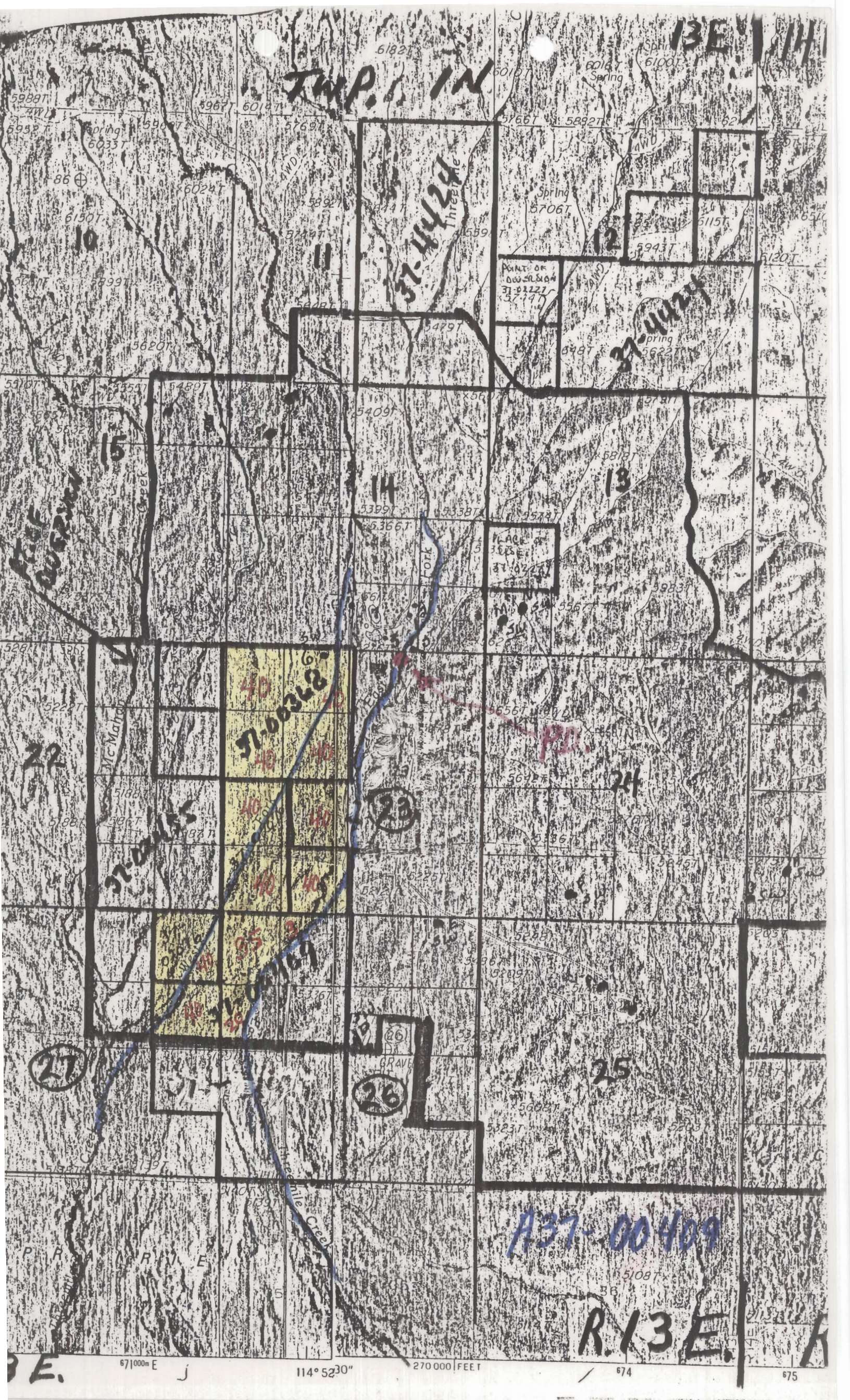
6 FEBRUARY 1990

HIDDEN PARADISE RANCH HOME OWNERS ASSOCIATION.

BOARD OF DIRECTORS:

PRESIDENT:	GLEN ROMIG 8811 San Marino Dr. Boise, Idaho, 83705 -----375-4874
Vice Pres.	DARRELL L. BURCHARD P.O.BOX 279 Fairfield, Idaho 83327-----764-2506
Vice Pres.	WILLIAM MARTIN 5950 Fairview Ave. Boise, Idaho 83705-----322-5950
Secretary.	MILTON KLEIN 2275 Sunny Lane Star, idaho -----286-7451
Treasure	Ken AGENBROAD 10800 W. Hollandale Dr. Boise, Idaho -----375-9540





TWP. 1N

R. 13E

Spring 6010T

5988T
5932T
Spring 6033T

5967T 6018T

5769T

6010T

5766T 5892T

621T

86⊕

6024T

5892T

37-4424
Threemile Creek

Spring 6706T

12

5943T

6120T

6150T

5899T

5620T

5749T

5618T

5479T

POINT OF DIVISION
37-0122T
57-49T

648T

37-4424
Spring 5622T

5910T

5355T

5489T

5409T

5618T

5578T

5855T

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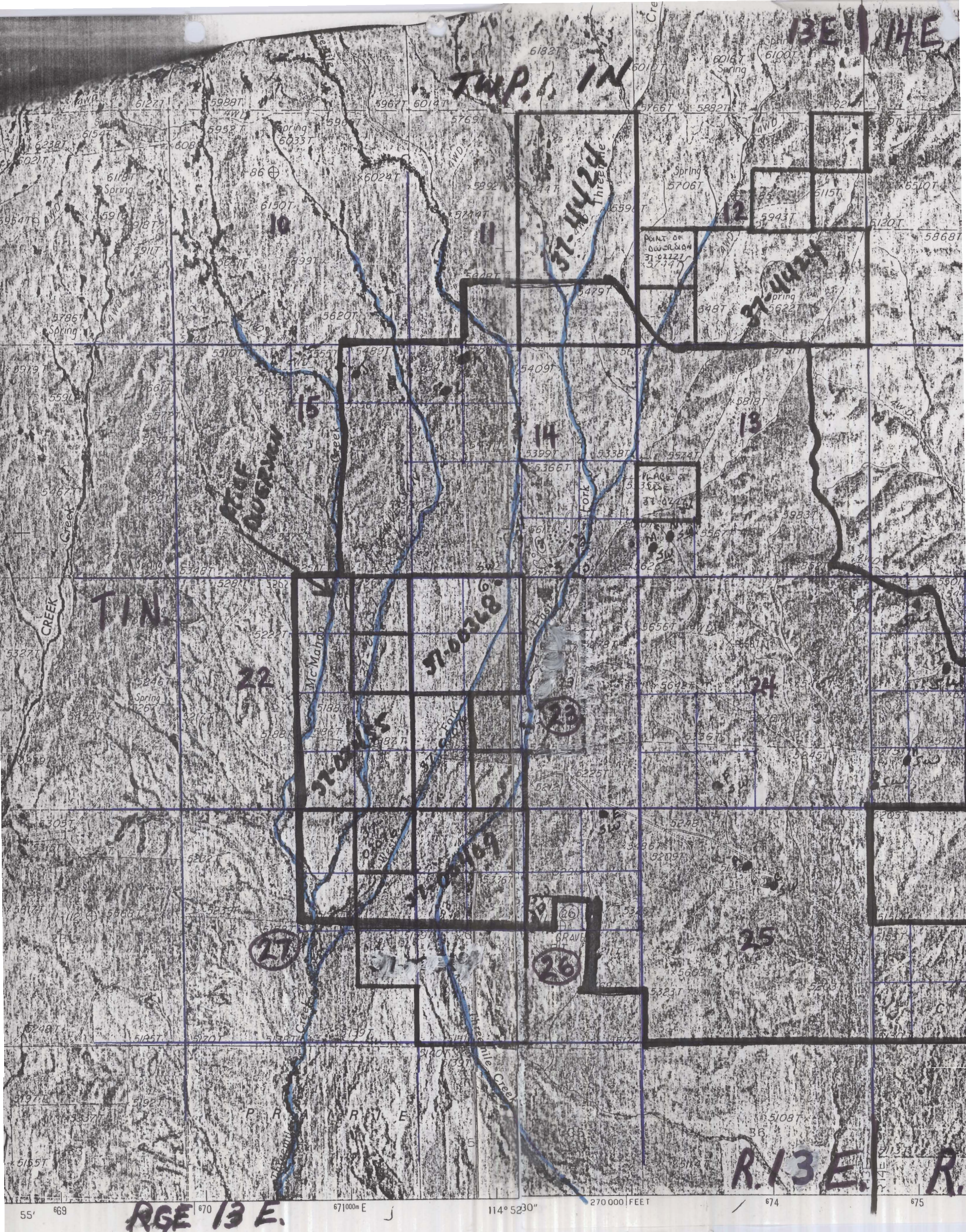
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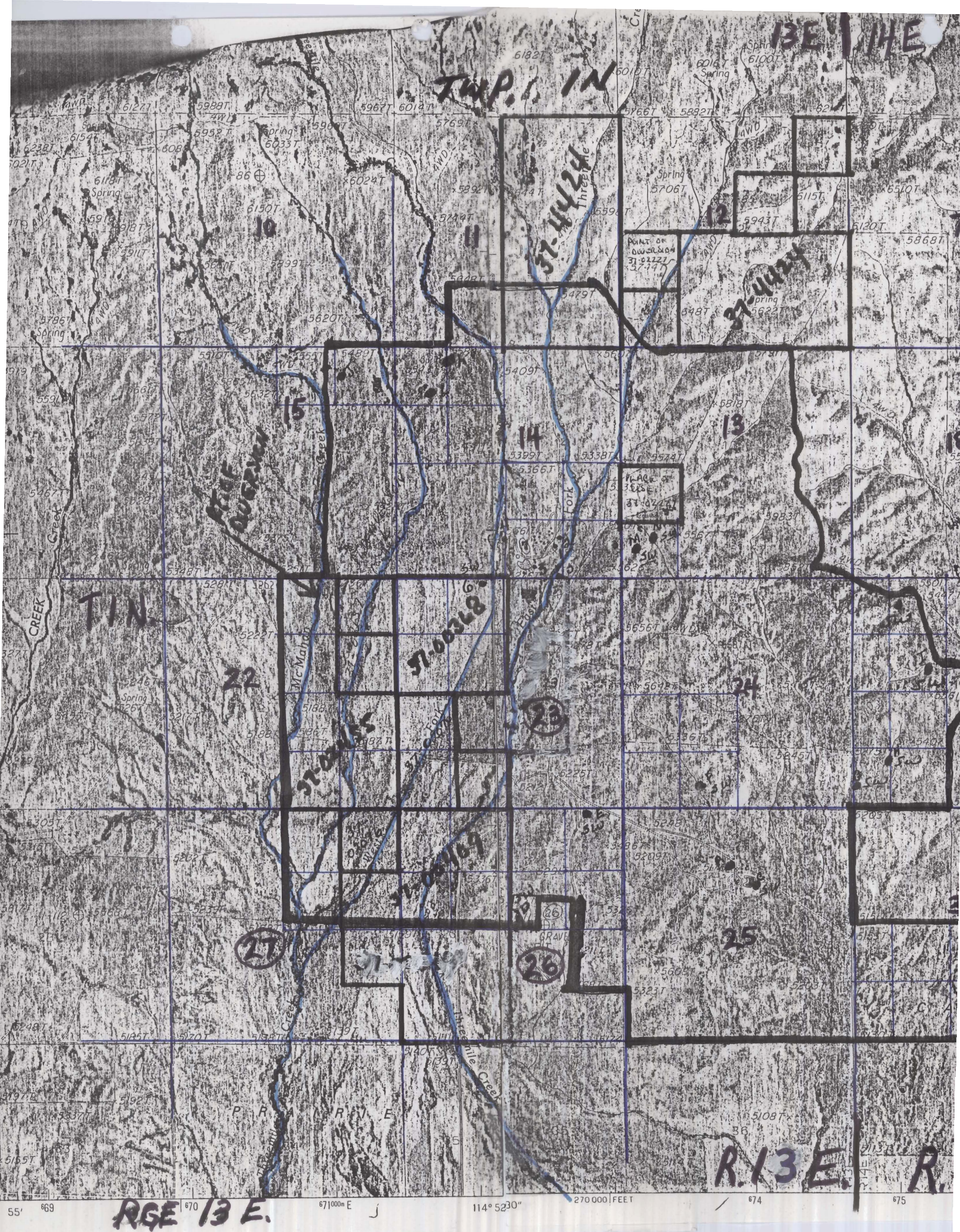
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Water Right Number - 37-02227

Adj. Flag Translation: Standard Water Right Number

Old (D) Number - 8077

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SMITH

BESSIE

1 -
2 -
3 -City- SOLDIER
Phone -

State- ID Zip-

+ - - Priority Date - - +
02/21/1912+ - - Region - - - +
17+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

+ - - Source - - - - - +
UNNAMED STREAM+ - - Tributary - - - - - +
THREEMILE CREEK, EAST FORK+ - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

01N 13E 12 NW SW (25) CAMAS 272.0 386.0 7.0 12.0 11.9

+ - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume01 - IRRIGATION
43 - DOMESTIC

0.320

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.320+ - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

01N 13E 13 NW SW 16.0 01 IRRIGATION (25) CAMAS

Total Acres: 16.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - Remarks - - - - - +
LICENSE INCORRECTLY INDICATES BLAINE CO.
PER REVIEW U.S.G.S. MAP (Y-19A) P/D ON UNNAMED TRIBUTARY TO
E. FORK, THREEMILE CREEK.+ - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - Decree Plaintiff - - - +

+ - - Decree Defendant - - - +

+ - Decree Date - +

* Change P/D + P/A to golf course
irrig.

Water right number - 37-02227

Adj. flag translation: Standard Water Right Number

+ - - Audit Fields - 05/20/85

05/28/88 CONVERT

+ - - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 05/20/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 37
Licensed Date	- 05/06/1985	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				

Water Right Number - 37-02076

Adj. Flag Translation: Standard Water Right Number

Old (D) Number - 2759

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

THORPE

ARTHUR C.

1 -

2 -

3 -

City- SOLDIER

State- ID Zip-

Phone -

+ - - Priority Date - - +

05/17/1907

+ - - - Region - - - +

17

+ - - - Stage - - - +

L - LICENSE

+ - - - Status - - - - +

+ - - - - Source - - - - - +

THREEMILE CREEK, WEST FORK

THREEMILE CREEK, EAST FORK

MC HAN CREEK

+ - - - - Tributary - - - - - +

THREEMILE CREEK

THREEMILE CREEK

THREEMILE CREEK

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

01N	13E	22	SW NE	(13)	BLAINE	272.0	386.0	7.0	13.0	9.5
01N	13E	23	NE NW	(13)	BLAINE	272.0	386.0	7.0	13.0	2.8
01N	13E	23	NE SW	(13)	BLAINE	272.0	386.0	7.0	13.0	1.2
01N	13E	23	SW SE	(13)	BLAINE	272.0	386.0	7.0	12.0	9.4

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

43 - DOMESTIC

6.200

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
6.200+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

01N	13E	22	NE SE	40.0	01	IRRIGATION	(13) BLAINE
01N	13E	22	NW SE	40.0	01	IRRIGATION	(13) BLAINE
01N	13E	22	SW SE	40.0	01	IRRIGATION	(13) BLAINE
01N	13E	22	SE SE	40.0	01	IRRIGATION	(13) BLAINE
01N	13E	23	NW SW	40.0	01	IRRIGATION	(13) BLAINE
01N	13E	23	SW SW	40.0	01	IRRIGATION	(13) BLAINE
01N	13E	23	SE SW	40.0	01	IRRIGATION	(13) BLAINE
01N	13E	27	NE NE	40.0	01	IRRIGATION	(13) BLAINE

Total Acres: 320.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

Water Right Number - 37-00368

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
KATZENMEYER

EVA K.

1 -

2 -

3 -

City -

State -

Zip -

Phone -

+ - - Priority Date - - +
06/15/1884+ - - Region - - - +
17+ - - Stage - - - +
D - DECREED

+ - - Status - - - - +

+ - - Source - - - - - +
THREEMILE CREEK, W. FORK+ - - Tributary - - - - - +
THREEMILE CREEK+ - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)01N 13E ~~11~~ ~~SE-SW~~ (25) CAMAS

01N 13E 14 SE SW (25) CAMAS

+ - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

3.200

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
3.200 (160)+ - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

01N 13E 23 NE NW 40 01 IRRIGATION (25) CAMAS

01N 13E 23 NW NW 01 IRRIGATION (25) CAMAS

01N 13E 23 SW NW 01 IRRIGATION (25) CAMAS

01N 13E 23 SE NW 01 IRRIGATION (25) CAMAS

Total Acres:

160

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - Remarks - - - - - +

P/D DESCRIBED IN LEEK, ET. AL. VS. SMITH, ET. AL., 4-29-1937.
BASED ON P/D, CORRECT SOURCE IS TAKEN FROM USGS MAP.+ - - Conditions of Approval - - - - - +
No Conditions of Approval found.

Water Right Number - 37-00409

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - - Last Name - - - - - +

+ - First Name - - +

+ - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
LEEK

W. W.

1 -
2 -
3 -City- FAIRFIELD
Phone -

State- ID Zip- 83327

*** O - ORIGINAL OWNER ***
LEMMAN

E. B.

1 -
2 -
3 -City-
Phone -

State- Zip-

+ - - Priority Date - - +
04/01/1907+ - - Region - - - +
17+ - - Stage - - - +
D - DECREED

+ - - Status - - - - +

+ - - - - - Source - - - - - +
THREEMILE CREEK, EAST FORK+ - - - - - Tributary - - - - - +
CAMAS CREEK+ - - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

01N 13E 23 NW NE (25) CAMAS

+ - - Code - - - Description - - - Period From Period To - - - Diversion Rate - - - Diversion Volume - - - +

01 - IRRIGATION
43 - DOMESTIC

3.200

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
3.200+ - - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

01N	13E	23	NW NE			01	IRRIGATION	(25) CAMAS
01N	13E	23	SW NE			01	IRRIGATION	(25) CAMAS
01N	13E	23	NE SW			01	IRRIGATION	(25) CAMAS
01N	13E	23	SW SW			01	IRRIGATION	(25) CAMAS
01N	13E	23	SE SW			01	IRRIGATION	(25) CAMAS
01N	13E	23	NW SE			01	IRRIGATION	(25) CAMAS
01N	13E	26	NE NW			01	IRRIGATION	(25) CAMAS
01N	13E	26	NW NW			01	IRRIGATION	(25) CAMAS
01N	13E	26	SW NW			01	IRRIGATION	(25) CAMAS
01N	13E	26	SE NW			01	IRRIGATION	(25) CAMAS
01N	13E	27	NE NE			01	IRRIGATION	(25) CAMAS
01N	13E	27	SE NE			01	IRRIGATION	(25) CAMAS

W 1/2 23

E 1/4 27

S. NW 26

See map

Other WR.

37-00368

37-2076

Adj. flag translation: Standard Water Right Number

Total Acres:

+ - - Other Rights for Same Use -

AC. IRRIG. NOT SPECIFIED. FARM = 480 AC.

No Conditions of Approval found.

+ - Decree Date - +
12/13/1909

05/28/88 CONVERT

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 12/09/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 37
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	- T
Decree Date	- 12/13/1909				

Water Right Number - 37-02157

Adj. Flag Translation: Standard Water Right Number

Old (D) Number - 5324

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
MC MAHON

HUGH

1 -
2 -
3 -City- CORRAL
Phone -

State- ID Zip- 83322

+ - - Priority Date - - +
10/14/1909+ - - Region - - - +
17+ - - Stage - - - +
L - LICENSE

+ - - Status - - - - +

+ - - Source - - - - - +
UNNAMED STREAM+ - - Tributary - - - - - +
MC HAN CREEK+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

01N 13E 15 SE SE (13) BLAINE 272.0 386.0 7.0 13.0 1.4

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume01 - IRRIGATION
43 - DOMESTIC

0.800

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.800+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County01N 13E 22 NE NE 10.0 01 IRRIGATION
01N 13E 22 SE NE 30.0 01 IRRIGATION(13) BLAINE
(13) BLAINE

Total Acres: 40.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
SOURCE KNOWN LOCALLY AS LITTLE SHEEP CK.+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

2 overlaps w/ -2455

WR0723NP
(OD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT

12/11/89 09:32:30
Page 1

Water Right Number - 37-02455 Adj. Flag Translation: Standard Water Right Number Old (D) Number - 18951

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
LEEK

W. W.

1 -
2 -
3 -

City- FAIRFIELD
Phone -

State- ID Zip- 83327

+ - - Priority Date - - +
03/12/1940

+ - - - Region - - - +
17

+ - - - Stage - - - +
L - LICENSE

+ - - - Status - - - +

+ - - - - Source - - - - - +
MC MAHON CREEK

+ - - - - Tributary - - - - - +
THREE MILE CREEK

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

01N 13E 22 NW NE (25) CAMAS 272.0 386.0 7.0 13.0 9.6

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION
04 - STOCKWATER

3.000

.14

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
3.000

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

01N	13E	22	NE NE	10.0	01	IRRIGATION	(25) CAMAS
01N	13E	22	NW NE	15.0	01	IRRIGATION	(25) CAMAS
01N	13E	22	SW NE	25.0	01	IRRIGATION	(25) CAMAS
01N	13E	22	SE NE	35.0	01	IRRIGATION	(25) CAMAS
01N	13E	22	NE SE	30.0	01	IRRIGATION	(25) CAMAS
01N	13E	22	NW SE	20.0	01	IRRIGATION	(25) CAMAS
01N	13E	22	SW SE	5.0	01	IRRIGATION	(25) CAMAS
01N	13E	22	SE SE	10.0	01	IRRIGATION	(25) CAMAS

Total Acres: 150.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
LIC. INCORRECTLY SHOWS 10 AC. + 15 AC. IN NWNE - SHOULD BE 10 AC.

overlaps w/ -2157

5/500 range

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 05/06/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 05/15/1979	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				



State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

APR 1, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

SMR DEVELOPMENT L.C.
7878 USTICK ROAD
BOISE ID 83704

RE: SRBA CLAIM(S): A37-00409, A37-00368, A37-02076 (SPLIT)
VM DIAMOND RANCH

DEAR CLAIMANT(S):

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIM(S), WE HAVE CHANGED THE DEPARTMENT'S RECORDS AS YOU HAVE REQUESTED. **THESE COPIES ARE FOR YOUR RECORDS.** PLEASE REVIEW THESE RECORDS FOR ACCURACY.

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CALL ME AT THIS OFFICE.

SINCERELY,

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/tlb
ENCLOSURES

CC: VM DIAMOND RANCH, PO BOX 190690, BOISE ID 83719



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

*Allen Meritt
Southern Region*

May 28, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

BILL CARTER
7878 USTICK RD
BOISE ID 83704

RECEIVED

MAY 31 1996

RE: Camas Properties Inc. Water Rights

Department of Water Resources
Southern Region

Dear Bill:

I have prepared the following summary and recommendations after reviewing the water right records for the lands associated with Camas Properties Inc. As you read, please note that there are some areas where establishing a clear picture of your water rights will probably require you to collect some additional information. Also, in some cases you will need to make choices based on your plans.

Ownerships

You told me that Hidden Paradise Ranch Owners Association is defunct. If so, all HPPOA claims filed in the SRBA need ownership change notifications. The claims are:

1. A37-13367
2. A37-13365
3. A37-13364
4. A37-13366
5. A37-02227

You also indicated to me that 1-3 above are appurtenant to land now owned by VM Diamond Ranch LLC. Numbers 4 and 5 should apparently be changed to Camas Properties Inc.

Also, based on the May 3, 1994, Warranty Deed conveying property in Section 23 from VM Diamond Ranch LLC to SMR Development, it appears that SMR Development should file ownership change notifications for portions of the SRBA claims on rights appurtenant to that land. The claims are:

1. A37-00368
2. A37-00409
3. A37-02076

MICROFILMED
NOV 22 1996

I have enclosed some ownership change forms for you to complete and return to IDWR.

In addition, permit 37-08609 in the name of HPPOA should be assigned to Camas Properties Inc. I have enclosed an assignment form for you.

Irrigation of the Golf Course

It is not clear to me how much surface water is actually being used to irrigate the golf course. In order to ascertain whether your actual use is covered by existing water rights, you will need to find out how much surface water is actually being used.

According to our records, right 37-02227 has been claimed in the SRBA as appurtenant to the golf course, but it is good for only 16 acres of irrigation. When he reviewed groundwater permit 37-08609, IDWR examiner Jim Stanton found 45.4 acres of irrigation on the golf course. He said that right 37-08609 has been used to irrigate the golf course when the surface water becomes unavailable every summer. It appears then, that surface water is being used to irrigate more of the golf course than right 37-02227 allows.

Department records show that the decreed place of use for irrigation right 37-00409 includes the West½ of the NE¼ and the NW¼SW¼ of Section 23. The golf course is now located on some of these lands. However, SRBA claim A37-00409 does not include the West½ of the NE¼ and the NW¼SW¼ of Section 23. You need to investigate the history of the ownership and use of right 37-00409 to determine if it would be appropriate for you to claim in the SRBA that a portion of 37-00409 is appurtenant to the golf course lands.

If it becomes apparent that your current use of surface water on golf course lands exceeds your water rights, you may be able to cover your use by transferring the rights appurtenant to those lands in Section 23 recently repurchased from VM Diamond Ranch LLC.

Reservoirs

There are a number of small reservoirs associated with the golf course and resort. I am not sure whether all the reservoirs are filled from the East Fork of Threemile Creek or if some are associated with other sources. Application for permit 37-08846 was filed to establish a right to store **additional** water from the East Fork of Threemile Creek by enlarging existing storage facilities. However, permit 37-07459, which was the initial filing for storage on the property, lapsed in 1981. The existing storage needs to be covered by a water right, either by interpreting application 37-08846 as covering all East Fork storage, by seeking the reinstatement of lapsed permit 37-07459, or by filing a new application for permit. It looks like you applied for sufficient volume on 37-08846 to cover all of your ponds. Moreover, you would gain no priority advantage by seeking to have 37-07459 reinstated. Therefore, I recommend using permit 37-08846 to cover the storage in all your East Fork reservoirs. If you have reservoirs filled from sources other than the East Fork, you should probably file a new application for permit.

MICROFILMED
NOV 22 1996

Additional golf course development

You indicated to me that you are considering expanding the golf course onto those lands in Section 23 recently repurchased from VM Diamond Ranch LLC. The water rights on those lands are apparently not being used now. If those rights are not transferred to the existing golf course, they will face forfeiture after five years of non-use. If you intend to maintain the rights for use on the future golf course expansion, you should file an application for extension of time to avoid forfeiture a few months before the five-year non-use period has ended. In this way, you may be able to avoid forfeiture for over nine years. Maintaining the existing rights is critical because of the current moratorium on approvals of new consumptive use rights.

Please complete the ownership change notifications as soon as possible. As for the other issues, I will be expecting you to call when you have had time to collect the additional information you need to decide how to proceed. Meanwhile, I will hold application 37-08846. If you have any questions, please contact me at 208-327-7946.

Respectfully,

A handwritten signature in black ink, reading "Shelley Walter Keen". The signature is fluid and cursive, with the first name "Shelley" being the most prominent.

Shelley Walter Keen
Water Rights Supervisor

SWK

c: Allen Merritt

MICROFILMED
NOV 22 1995

FEB 8 - 1990

Date Received 1-18-1990

Department of Water Resources
Southern Region

JAN 18 1990

State of Idaho

Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

RECEIVED

JAN 19 1990

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Hidden Paradise Property Owners' Assn. () 764-2506
Name of Claimant Phone Number

P. O. Box 279 Fairfield ID 83327
Mailing Address City State Zip

Camas 1-19-1990 (per approved extension)
County(s) where place of use is located Date claim originally due

37-2227, 2048, 0368, 0409, 2076, 2455, 2157, 4424 & possibly others
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

The person who was responsible for getting the necessary documentation together so
that the claims could be filed did not do her job. We only recently became aware of
this, so do not have enough time before the deadline to complete the paperwork. We
are working as fast we can, but this is 1/1 a large ranch with many water rights.

Claimant requests an extension to February 19, 19 90

David T. Bushland 1-18-, 19 90
Signature Date of request

Vice Pres.
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☒ granted] [☐ denied] for the following reasons:

and if granted the filing deadline is extended to February 19, 19 90

Signed this 5 day of February, 19 90

Director or his designated agent

DAVID B. SHAW

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

MICROFILMED
FEB 22 1993

6 FEBRUARY 1990

HIDDEN PARADISE RANCH HOME OWNERS ASSOCIATION.

BOARD OF DIRECTORS.

PRESIDENT:	GLEN ROMIG 8811 San Marino Dr. Boise, Idaho, 83705 -----375-4874
Vice Pres.	DARRELL L. BURCHARD P.O.BOX 279 Fairfield, Idaho 83327-----764-2506
Vice Pres.	WILLIAM MARTIN 5950 Fairview Ave. Boise, Idaho 83705-----322-5950
Secretary.	MILTON KLEIN 2275 Sunny Lane Star, idaho -----286-7451
Treasure	Ken AGENBROAD 10800 W. Hollandale Dr. Boise, Idaho -----375-9540

MICROFILMED
FEB 22 1993

FEBRUARY 15, 1990

MEMO TO FILE

TO: DON SHAFF

FROM: STEVE CLELLAND

RE: REFUND ON RECEIPT S011216
HIDDEN PARADISE RANCH

THE CHECK TO PAY THIS ACCOUNT HAD TO BE PREPARED IN ADVANCE BY THE BOARD OF DIRECTORS. ATTACHED FIND THE COPY OF THE FEE ESTIMATES I SENT WITH MR. DARRELL L. BURCHARD, THE VICE PRESIDENT OF HIDDEN PARADISE RANCH.

THE CHECK WAS FOR \$1500 AND THE FINAL TOTAL FEES WERE \$1461, A DIFFERENCE OF \$39. THIS AMOUNT SHOULD BE REFUNDED TO HIDDEN PARADISE RANCH. I HAVE ALSO ATTACHED A COPY OF THE RECEIPT WHICH SHOWS THE OVERPAYMENT TO BE REFUNDED.

IF YOU HAVE ANY QUESTIONS LET ME KNOW.

MICROFILMED
FEB 22 1993