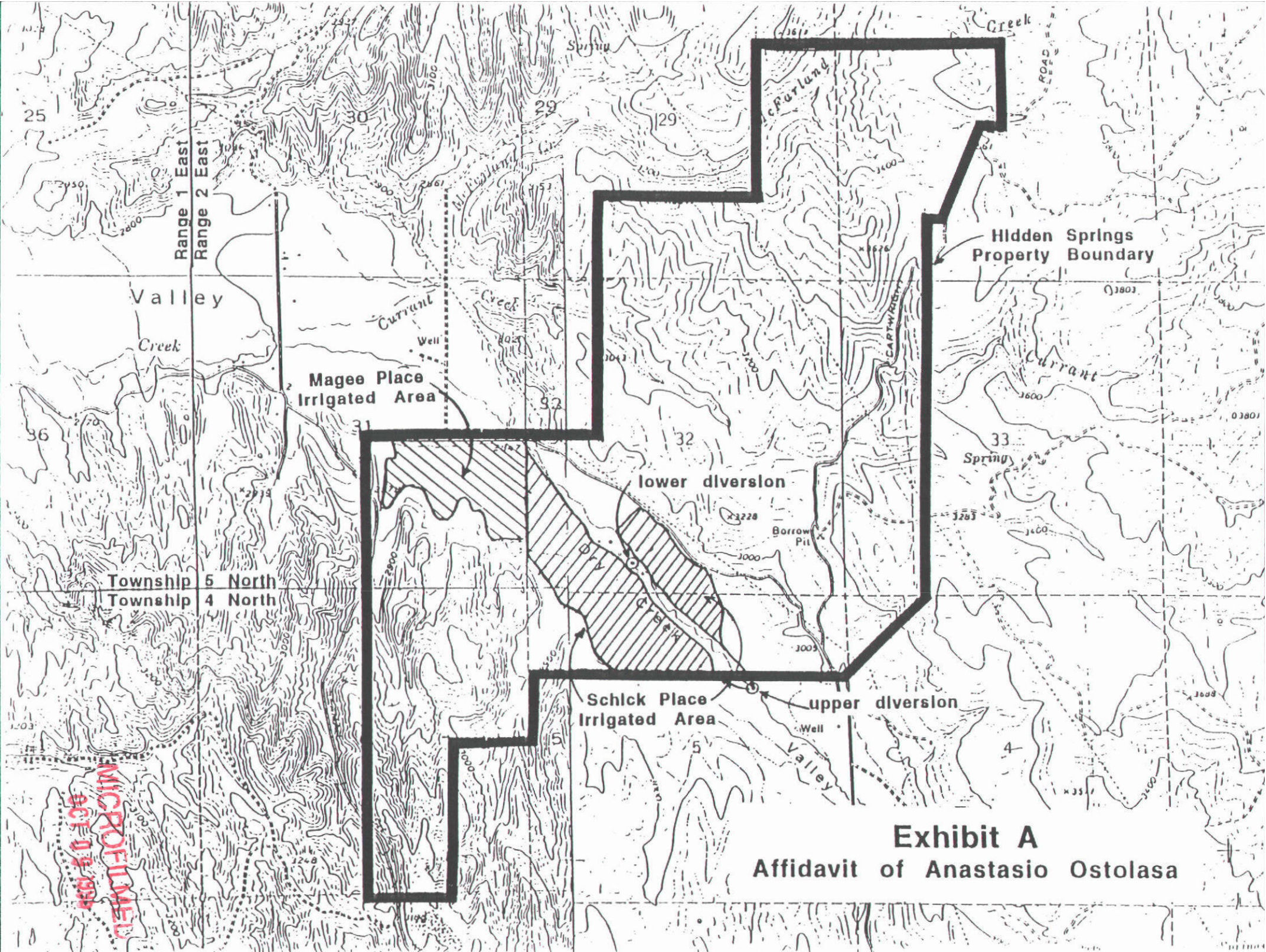




RECEIVED

NOV 28 1995

WATER RESOURCES
WESTERN REGION

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: A63-22825
Date Received: 9/ 8/1989
Receipt No: C011308
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: GROSSMAN/HIDDEN SPRINGS DEVELOPMENT LLC 208-342-7339
Address: 118 S 5TH ST
BOISE ID 83702

2. Date of Priority: JUL 15, 1949

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	02E	32	SE	SW			ADA

5. Description of diverting works:
WELL 40' DEEP, 4" CASING, 3 HP PUMP, APPROX. 20' 1" PIPE TO HOUSE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	08/01	11/30	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOUSEHOLD; STOCKWATER, UP TO 200 HEAD BEEF CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	02E	32	SE	SW		DOMEST	
			SE	SW		STOCK	

MICROFILMED
OCT 09 1996

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE

14. Remarks:
ADDRESS CHANGE REC'D 04/11/1994 SS.
CHANGE OF OWNERSHIP 11/17/1995 CF.

15. Basis of Claim: BENEFICIAL USE

RECEIVED

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

NOV 16 1995

Department of Water Resources

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

CIVIL CASE NUMBER: 39576

Identification No. A63-22825

Date Received 6/4

Receipt Number

NOTICE OF CLAIM
TO A
WATER RIGHT

AMENDMENT

AMENDMENT

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Grossman/Hidden Springs Development, LLC Phone (208) 342-7339Mailing Address 118 South 5th Street, Boise, Idaho Zip 837022. Date of Priority (Only one per claim) July 15, 1949 Month/Day/Year3. Source of water supply (Check one) (X) Groundwater or Other () (a) _____

Name or kind of source

which is tributary to (b) N/A4. Location of point of diversion is: Township 5N. Range 2E.Section 32, _____ 1/4 of SE 1/4 of SW 1/4, Govt. Lot _____, BM.,County of Ada

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Well is approximately 40-feet deep, 4" diameter casing, non-submersible 3h.p. 1" diameter pipe to house which is approximately 20 feet from well

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For <u>domestic</u> purposes from	<u>1/1</u> ^{Month/Day}	to	<u>12/31</u> ^{Month/Day}	amount	<u>.04</u> ^(cfs)
(Both dates are inclusive)					
For <u>stockwater</u> purposes from	<u>8/1</u>	to	<u>11/30</u>	amount	<u>.04</u>

7. Total quantity claimed .04 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: type and Number of livestock) Domestic: one household, Stockwater: up to 200 head of cattleMICROFILMED
001-579956

RECEIVED

NOV 1 8 1982

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

RECEIVED

NOV 16 1995

Department of Water Resources

10. Place of use is: Township: 5 N. Range 2 E.Section 32, SE 1/4 of SW 1/4, Govt. Lot _____, B.M.,County of Ada for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? Ada12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. None (X)

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

By signing I/We acknowledge reading the notice on the back of this claim form.

16. Signature (s) _____

I/We wish to receive for a small annual fee monthly copies of the docket sheet.

Number of Attachments _____

YES _____ NO X

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am The Managerof Idaho Ranch Development, LLC, that I have signed the foregoing

Organization

document in the space below as Authorized Agent of Grossman/Hidden Springs Development, LLC

Title

Organization

LLC

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

Signature of Authorized Agent _____ (Samuel L. Grossman) Date _____

Title and Organization Manager/Idaho Ranch Development, LLCState of Idaho/or _____)
County of S. M. GARNER) SS.Subscribed and sworn (affirmed) before me this 14th day of NOVEMBER 1995Notary Public S. M. GarnerResiding at BoiseMy Commission Expires 8.2.97Last Name Grossman/Hidden Springs Ident No. A63-22825

Copies: White-State, Yellow-Claimant

MICROFILMED
OCT 09 1996

NOV 1 1988

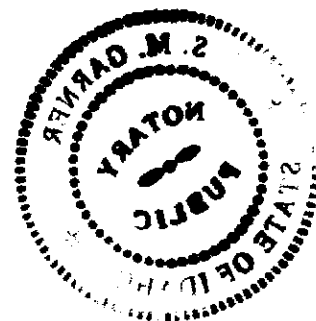
NOTICE TO SUBSCRIBERS

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.



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: **A63-22825**
Date Received: 9/ 8/1989
Receipt No: C011308
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: CHARING CROSS ASSOCIATES 602-285-1300
Address: C/O MARK E WINKLEMAN
3101 N CENTRAL AVE NO 1390
PHOENIX AZ 85012

2. Date of Priority: JUL 15, 1949

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	02E	32		SE	SE		ADA

5. Description of diverting works:
WELL 40' DEEP, 4" CASING, 3HP PUMP, 1" PIPE TO HOUSE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	08/01	11/30	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOUSEHOLD; STOCKWATER, UP TO 200 HEAD BEEF CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use
05N	02E	32	SE	SW		DOMEST
			SE	SW		STOCK

MICROFILMED
JUL 29 1994

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE

14. Remarks:
ADDRESS CHANGE REC'D 04/11/1994 SS.

15. Basis of Claim: BENEFICIAL USE

MICROFILMED

JUL 29 1994

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: A63-22825
Date Received: 9/08/1989
Receipt No: C011308
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: CHARING CROSS ASSOCIATES 602-249-0670
Address: C/O JOHN V. SOTELO, SR. V.P.
1703 WEST BETHANY HOME RD.
PHOENIX, AZ 85015

2. Date of Priority: JUL 15, 1949

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	02E	32	SE	SE			ADA

5. Description of diverting works:
WELL 40' DEEP, 4" CASING, 3HP PUMP, 1" PIPE TO HOUSE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	08/01	11/30	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOUSEHOLD; STOCKWATER, UP TO 200 HEAD BEEF CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	02E	32	SE	SW		DOMEST	
			SE	SW		STOCK	

A63-22825

Page 1

Date: 07/17/90

MICROFILMED

SEP 08 1992

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

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: A63-22825
Date Received: 9/08/1989
Receipt No: C011308
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARING CROSS ASSOCIATES 602-249-0670
Address: C/O JOHN V. SOTELO, SR. V.P.
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PHOENIX, AZ 85015

2. Date of Priority: JUL 15, 1949

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	02E	32		SE	SE		ADA

5. Description of diverting works:
WELL 40' DEEP, 4" CASING, 3HP PUMP, 1" PIPE TO HOUSE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	08/01	11/30	0.040		

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0.040 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOUSEHOLD; STOCKWATER, UP TO 200 HEAD BEEF CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	03E	32	SE	SW		DOMEST	
			SE	SW		STOCK	

A63-22825

Page 1

Date: 06/12/90

UNRECORDED

SEP 08 1992

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
_____, that I have signed the foregoing
document in the space below as _____ of
_____, and that the statements contained in the
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

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: 39576Ident. Number A63-22825Date Received 9-08-89Receipt Number 2011308

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

Please type or print clearly

- Name of Claimant (s) Charing Cross Associates Phone (602) 249-0670
Attn: John V. Sotelo, Sr. Vice President
Mailing Address 1703 West Bethany Home Road, Phoenix, AZ Zip 85015
- Date of Priority (Only one (1) per claim) July 15, 1949
- Source of water supply (a) groundwater
which is tributary to (b) N/A
- Location of point of diversion is: Township 5 N. Range 2 E.
Section 32, 1/4 of SE 1/4 of SE 1/4, Govt. Lot _____, B.M.,
County of Ada
Additional points of diversion if any: _____
- Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Well is approximately 40-feet deep,
4" diameter casing, non-submersible 3 h.p. electric pump, 1" diameter pipe to
house which is approximately 20 feet from well
- Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)
(Both dates are inclusive)
For domestic purposes from 1/1 to 12/31 amount .04 (cfs)
For stockwater purposes from 8/1 to 11/30 amount .04
- Total quantity claimed .04 (cfs)
- Total consumptive use claimed is de minimus
- Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of
livestock) Domestic: one household, Stockwater: up to 200 head of beef cattle

NOT RECORDED
Copies: White-State, Yellow-Claimant

SEP 08 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

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By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

10. Place a "D" for domestic and "S" for stockwater use in the corresponding place of use below.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
5 N.	2 E.	32												D, S				

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (x)

14. Remarks: _____

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

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

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

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

X For Organizations: I do solemnly swear or affirm that I am General Partner

of Charing Cross Associates _____ Title _____
_____ Organization _____
document in the space below as General Partner of Charing Cross Associates
_____ Title _____ Organization _____

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

Signature of Authorized Agent [Signature] _____

Title and Organization Charing Cross Associates General Partner Date _____

State of ~~Idaho~~ Arizona)
County of Maricopa) SS.

Subscribed and sworn (or affirmed) before me this 5th day of September 19 89

SEAL

Notary Public Charing Cross Associates

Residing at Phoenix Arizona

My Commission Expires _____ My Commission Expires Oct. 24, 1989

Last Name Charing Cross Associates _____ Copies White State, Yellow Claimant

SEP 08 1992

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

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If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Charing Cross

CLAIM IDENT. NO.

A63-22825

DATE RECEIVED

9/8/89

CK #

C044308

AMOUNT \$

25⁰⁰

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ Required Info? *
2. Is a priority date entered? ☒ YES ☐ NO ☐ Required Info? *
- Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO ☐ Required Info? *
- See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO ☐ Required Info? *
3. (a) Is a source entered? ☒ YES ☐ NO ☐ Required Info? *
- (b) Is a tributary to entered? (if required) ☒ YES ☐ NO ☐ Required Info? *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO ☐ Required Info? *
5. Is there a description of the diverting works? ☒ YES ☐ NO ☐ Required Info? *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO ☐ Required Info? *
- Is the period of use included? ☒ YES ☐ NO ☐ Required Info? *
- Is a quantity claimed for each use? ☒ YES ☐ NO ☐ Required Info? *
7. Is a total quantity claimed entered? ☒ YES ☐ NO ☐ Required Info? *
8. If required is a consumptive use entered? ☒ YES ☐ NO ☐ Required Info? *
- Is the consumptive use correct? ☒ YES ☐ NO ☐ Required Info? *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☒ YES ☐ NO ☐ Required Info? *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO ☐ Required Info? *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO ☐ Required Info? *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO ☐ Required Info? *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO ☐ Required Info? *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☐ NO ☐ Required Info? *
15. Is the basis of the claim indicated? ☒ YES ☐ NO ☐ Required Info? *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO ☐ Required Info? *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO ☐ Required Info? *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ Required Info? *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ Required Info? *
20. Is the fee enclosed correct? ☒ YES ☐ NO ☐ Required Info? *
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO ☐ Required Info? *
22. Should this claim be data entered? ☒ YES ☐ NO ☐ Required Info? *

Claim checked by:

B

Date: 6/17/90

Claim must be returned to claimant:

(Yes) ☒ (No) ☐

Claimant must be notified of modifications:

(Yes) ☒ (No) ☐

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Date:

Date: 6/12/90

Checked by:

Date:

Comments:

* NOTICE OF APPEAL

NOTIFIED

SEP 08 1992

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 63-22825

NAME & ADDRESS: GROSSMAN/HIDDEN SPRINGS DEVELOPMENT LLC
C/O GROSSMAN FAMILY PROPERTIES
5215 DRY CREEK RD
BOISE ID 83703-9621

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 07/15/1949

POINT OF DIVERSION: T05N R02E S32 SESW Within ADA County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	08-01 11-30	0.04 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within ADA County
T05N R02E S32 SESWDOMESTIC Within ADA County
T05N R02E S32 SESW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. S0132130000
PROPERTY ALSO KNOWN AS 5219 DRY CREEK.

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	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE PROCEEDINGS
Case No. 39576	)	
	)	Water Rights 63-22825, 63-22826
	)	and 63-22827

IDWR has completed the following Administrative Proceeding:

☒	Change of Address
☐	Substitution of Party
☐	I.C. 42-222 Transfer

CHANGE OF ADDRESS

Name of Claimant: GROSSMAN/HIDDEN SPRINGS DEVELOPMENT LLC
New Address: C/O GROSSMAN FAMILY PROPERTIES
5215 DRY CREEK RD
BOISE ID 83703-9621
Phone: (208) 338-3838

Claimant's Water Rights: 63-22825, 63-22826 and 63-22827

The Claimant has filed Objections or Responses to the following water
rights:

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
4/13/1999

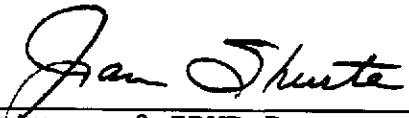
63-22825, 63-22826 and 63-22827

PAGE 1

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached Amended Director's Reports for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the Notice of Completed Administrative Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: April 13, 1999



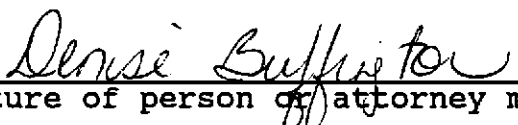
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on *April 13, 1999* I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

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:
Each party in the subcase, or attorney of record:

SCOTT L CAMPBELL
PO BOX 1539
BOISE ID 83701
3. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
4. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person or attorney mailing the form



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

RECEIVED

MAR 30 1999

→ Denise B. Willows NCAP per 7/c 4-7-99

DIRK KEMPTHORNE
GOVERNOR

February 26, 1999

KARL J. DREHER
DIRECTOR

GROSSMAN/HIDDEN SPRINGS DEVELOPMENT LLC
C/O GROSSMAN FAMILY PROPERTIES
5215 DRY CREEK RD
BOISE ID 83703-9621

Re: Snake River Basin Adjudication (SRBA)
Adjudication Claims #A63-00383, A63-22824, A63-22826,
A63-22827, A63-30271 & 63-22825
Change of Address

Records modified 4-7-99

Dear Claimant:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your water right(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by March 12, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water right(s) referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the water right record.

RECEIVED

MAR 01 1999

GFP

SS:region

Sincerely,

Sally

Sally Sherman
Technical Records Specialist
Adjudication Bureau

#####

The address is correct as shown above or as otherwise changed.

D. A. O'Say
Claimant Signature

208-938-9838

Telephone No.

RECEIVED

NOV 16 1995

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM^{Dep}

[] Water Right Number(s): A63-22824, A63-22825, A63-22826 and A63-22827

[] Name and Address of

Former Claimant: Charing Cross Associates, c/o John V. Sotelo,

Sr. V.P., Grossman Company Properties, 1703 West

Bethany Home Rd., Phoenix, AZ 85015

[] New Claimant(s): Grossman/Hidden Springs Development, LLC

[] New Mailing Address: 118 South 5th Street

Boise, ID 83702

New Telephone Number: (208) 342 - 7339

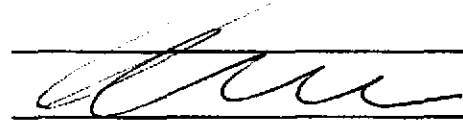
[] Does the change in ownership result in a splitting of the
water right claimed? yes XX no

If yes, then describe the portion of the water right that is
now claimed by the new owner:

[] Attach proof of ownership

Describe proof attached: Warranty Deed

[] Signature of New Claimant(s):



Date: 11-14-95

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 11-17-95

By: CA

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date:

By:

Claim Numbers of Split, if any:

*Modified A63-22824 + A63-22825
d.e. A63-22826 and A63-22827
ss 11-17-1995*

MICROFILMED
OCT 09 1996

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NOV 16 1995

Department of Public Administration

94110949

STEWART TITLE CO.

ADVISORY BOARD

J. DAVID NAVARRO

BOISE ID

1859000392

This Special Warranty Deed is being re-recorded solely for purposes of correcting the legal description.

When recorded, return to:
M. Virginia Perry
3101 North Central Avenue, Suite 1390
Phoenix, Arizona 85012

'94 DEC 23 11:10

FEE 6.00
RECORDED

[Signature]

SPECIAL WARRANTY DEED

For Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, CHARING CROSS ASSOCIATES, an Arizona limited partnership ("Grantor"), hereby grants, sells and conveys to GROSSMAN/HIDDEN SPRINGS DEVELOPMENT L.L.C., an Arizona limited liability company ("Grantee"), located at 3101 North Central Avenue, Suite 1390, Phoenix, Arizona 85012, that real property located in the City of Eagle, in ADA County, Idaho and legally described on Exhibit "A" attached hereto and incorporated herein by this reference, together with all water, air and mineral rights (including any grandfathered ground water or other groundwater or surface water rights), interests, privileges and easements appurtenant thereto and any and all improvements thereon (the "Property"), SUBJECT TO: those matters of record as of this date or observable by inspection or survey.

Notwithstanding any warranty which may otherwise be implied from the use of any word, phrase or clause herein, Grantor warrants title to the Property, subject to the matters referred to above, only against its own acts, but not the acts of any others.

DATED as of this 1st day of May, 1994.

CHARING CROSS ASSOCIATES, an Arizona
limited partnership

By *[Signature]*
Its General Partner

STATE OF ARIZONA)
County of Maricopa) ss.

The foregoing instrument was acknowledged before me this 15th day of December, 1994, by Charles Carlise, the General Partner of CHARING CROSS ASSOCIATES, an Arizona limited partnership, on behalf of said Partnership.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

[Signature]
Notary Public
8417 E. Rockwell Dr
Residing at
Chandler, Az 85225

My commission expires:



D:\WPDATA\DATA\MARK\WORKS\MS\October 7, 1994

95025269

Re-record

ADVISORY BOARD
J. DAVID NAVARRO
BOISE ID

STEWART TITLE

'95 APR 17 AM 10 32

FEE 6.00

RECORDED AT THE REQUEST OF

MICROFILMED
OCT 09 1996

RECEIVED

NOV 16 1995

Department of

CORRECTED LEGAL DESCRIPTION
APRIL 11, 1995

1859000393

EXHIBIT "A"

In Ada County, Idaho

Township 4 North, Range 2 East, Boise Meridian

In Section 4: Northwest half of Lot 4
In Section 5: Lots 1, 2, 3 and 4
In Section 6: Lots 1 and 2; West 1/2 Southeast Quarter; South 1/2 Northeast Quarter

Township 5 North, Range 2 East, Boise Meridian

In Section 29: Southeast Quarter Northwest Quarter; Southwest Quarter Northwest Quarter; West 1/2 Southwest Quarter, Northeast Quarter Southwest Quarter; Except that portion lying East of the centerline of the County Road

In Section 29: Southeast Quarter Northeast Quarter; Southeast Quarter Southwest Quarter; Southwest Quarter Southeast Quarter; East 1/2 Southeast Quarter

In Section 31: Southeast Quarter

In Section 32: East 1/2; East 1/2 West 1/2; West 1/2 Southwest Quarter

In Section 33: West 1/2 West 1/2

EXCEPTING Therefrom all of the oil, gas and other minerals as reserved in Deeds recorded JULY 9, 1941, MARCH 13, 1942 AND SEPTEMBER 18, 1972, as Instrument Nos. 206007, 211002, and 820468 respectively, Official Records.

A63-22824

A63-22825

A63-22826

A63-22827

MICROFILMED
OCT 09 1996

Claimant: Grossman/Hidden Springs Development LLC

Michael C. Creamer
GIVENS PURSLEY & HUNTLEY LLP
277 North Sixth Street, Suite 200
P.O. Box 2720
Boise, Idaho 83701
(208) 388-1200
(208) 388-1201 (facsimile)

RECEIVED
NOV 16 1995
Department of State

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

In the SRBA

Case No. 39576

NOTICE OF APPEARANCE

DESCRIPTIVE SUMMARY

This document is a Notice of Appearance by Michael C. Creamer of the firm Givens Pursley & Huntley LLP entering his appearance as counsel for Grossman/Hidden Springs Development LLC in the above matter.

NOTICE OF APPEARANCE

TO: ALL PARTIES

YOU WILL PLEASE take notice that Michael C. Creamer of the firm Givens Pursley & Huntley LLP, hereby enters his appearance of said attorney of record for Grossman/Hidden Springs Development LLC in the above matter.

AB3-22824, AB3-22825,
AB3-22826 & AB3-22827
MICROFILMED
OCT 09 1996

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NOV 16 1995

Department of Water Resources

DATED this 13th day of November, 1995.

GIVENS PURSLEY & HUNTLEY LLP



Michael C. Creamer

Attorneys for Grossman/Hidden Springs
Development LLC

A63-22824, A63-22825,
A63-22826 & A63-22827

MICROFILMED
OCT 09 1996

RECEIVED

NOV 16 1995

Department of Water Resources

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 13th day of November, 1995, I caused to be served a true and correct copy of the foregoing via U.S. Mail, and addressed to the following:

Court Certificate of Mailing Dated September 12, 1995.

Michael A. Cramer

A63-22824, A63-22825,
A63-22826 & A63-22827

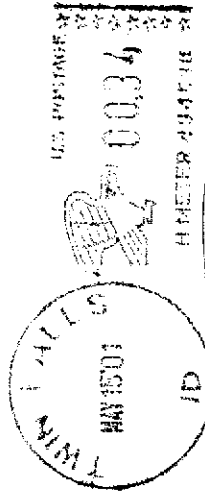
MICROFILMED
OCT 09 1996

STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

RECEIVED

MAY 25 2001

WATER RESOURCES
WESTERN REGION



63-22285



UNDELIVERABLE AS ADDRESSED-
NO FORWARDING ORDER ON FILE

6/1/01

RECEIVED

MAY 25 2001

WATER RESOURCES
WESTERN REGION

NAME AND ADDRESS:

GROSSMAN/HIDDEN SPRINGS
DEVELOPMENT LLC
C/O GROSSMAN FAMILY TRUST
5075 DRY CREEK RD
BOISE, ID 83703-9621



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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 63-22825

2001 MAY 15 AM 9:13
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: GROSSMAN/HIDDEN SPRINGS
DEVELOPMENT LLC
C/O GROSSMAN FAMILY TRUST
5215 DRY CREEK RD
BOISE, ID 83703-9621

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 07/15/1949

POINT OF DIVERSION: T05N R02E S32 SESW Within Ada County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS
	Stockwater	08-01 TO 11-30	0.04 CFS

PLACE OF USE:	Stockwater		Within Ada County
	T05N R02E S32	SESW	
	Domestic		Within Ada County
	T05N R02E S32	SESW	

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

ELAM & BURKE
A Professional Association
ATTORNEYS AND COUNSELORS AT LAW
Established in 1928

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

SCOTT L. CAMPBELL

RECEIVED

APR 20 1999

WATER RESOURCES
WESTERN REGION

TELEPHONE
208-343-5454

FACSIMILE
208-384-5844

April 19, 1999

Denise Buffington
Records Clerk
Adjudication Section - Western Region
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082

Re: Grossman/Hidden Springs Development, LLC
Water Right Nos. 63-22825, 63-22826, and 63-22827

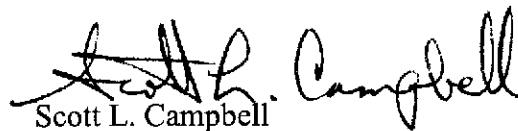
Dear Ms. Buffington:

We are in receipt of your letter dated April 13, 1999, concerning the recent address change of the claimant to the above-referenced water rights. The purpose of this letter is to advise the Department that this firm no longer represents Grossman/Hidden Springs Development, LLC, in these water rights matters.

Thank you for your assistance in this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,

ELAM & BURKE
A Professional Association


Scott L. Campbell

SLC:thm G:\Thm\WPDATA\SLC\SRBA w-r\Grossman3-ltr.wpd

cc: Grossman/Hidden Springs Development, LLC

✓ Records modified to remove atty. name 4-28-99.

DATE: 04/07/99
PAGE: 1

Misc: Water District Number: Field Inspection Flag: Presumption Flag:

AJ0749NP
No. 63-22825

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 04/07/99
PAGE: 2

Comments: Date: 04/20/1994 User-ID: SSHERMAN Subject: ADDRESS CHANGE
ADDRESS CHANGE REC'D 04/11/1994.

Date: 04/07/1999 User-ID: SSHERMAN Subject: ADDRESS CHANGE
ADDRESS CHANGE BY CLAIMANT LETTER.

Audit: 04/07/99 SSHERMAN



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

April 13, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RE: Water Right No. 63-22825, 63-22826 & 63-22827

Grossman/Hidden Springs Development LLC
c/o Grossman Family Properties
5215 Dry Creek Rd
Boise ID 83703-9621

Dear Claimant(s):

Enclosed is a copy of the above referenced water right which reflects your change in address. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

Please note that the address has also been changed on claim numbers A63-30271, A63-22824, and A63-00383.

If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Records Clerk
Adjudication Section
Western Region

DB:db

Enclosures

cc: Scott Campbell

DATE: 07/15/98
PAGE: 1

•

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

AJ0749NP
No. R63-22825

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 07/15/98
PAGE: 2

Comments: Date: 04/20/1994 User-ID: SSHERMAN Subject: ADDRESS CHANGE
ADDRESS CHANGE REC'D 04/11/1994.

Audit: 07/15/98 CHALKER

AJ5809NP
No. R63-22825

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/01/98
PAGE: 247

OWNER CODE NAME & ADDRESS
Grossman/Hicklen C
Springs Development
3101 N CENTRAL AVE NO 1390
PHOENIX AZ 85012
(602) 285-1300

118 S 5th St

Boise ID

83702

Water Source: GROUNDWATER

Tributary to:

Point(s) of Diversion: T05N R02E S32

ADA COUNTY

Place of use Legal Description for: STOCKWATER

NE
NENE NUNE SUNE SENE : NENW NUNW SUNW SENW : NENE NUNW SUNW SENE :
T R S : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac :
05N 02E 32 : : : : : S : : : : :
SE

Place of use Legal Description for: DOMESTIC

NE
NENE NUNE SUNE SENE : NENW NUNW SUNW SENW : NENE NUNW SUNW SENE :
T R S : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac :
05N 02E 32 : : : : : D : : : : :
SE

POU County: ADA

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:
M11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
M13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Remarks: EXP PARCEL NO. S0132130000

Dates: Exam Made Date:

Misc: Water District Number:

Comments: Date: 04/20/1994 User-ID: SSHERMAN Subject: ADDRESS CHANGE

Verified Date:

Field Inspection Flag:
Presumption Flag:

Objection Filed Date:

PRIORITY DATE WATER USE
07/15/1949 STOCKWATER
DOMESTIC
USE PERIOD FROM TO
08-01 11-30
01-01 12-31
DIVERSION RATE
0.04 CFS
0.04 CFS
DIVERSION VOLUME
0.04 CFS
TOTAL DIVERSION:

Stage: BENEFICIAL USE

AJ5809NP
No. R63-22825

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/01/98
PAGE: 248

Comments: Date: 04/20/1994 User-ID: SSSHERMAN Subject: ADDRESS CHANGE
ADDRESS CHANGE REC'D 04/11/1994.

Date: 09/11/1997 User-ID: CORR4 Subject: COPIED FROM REMARKS
PARCEL NO. S0132130000
PROPERTY ALSO KNOWN AS 5219 DRY CREEK

Audit: 09/10/93 DUNN1 09/12/93 DUNN1 04/20/94 SSSHERMAN 03/30/95 POST-STD
08/15/97 AJU3-DSH 09/11/97 CORR4

GARY G. ALLEN
JOSEPH H. BAIRD
CHRISTOPHER J. BEESON
MICHAEL C. CREAMER
ROY L. EIGUREN
JEFFREY C. FEREDAY
JULIE KLEIN FISCHER
RAYMOND D. GIVENS
L. W. GRANT, III
J. BART GREEN
ROBERT C. HUNTLEY, JR.
KARL T. KLEIN
DAVID R. LOMBARDI
KENNETH R. MCCLURE
CHRISTOPHER H. MEYER
L. EDWARD MILLER
PATRICK J. MILLER
JUDSON B. MONTGOMERY
TERRY L. MYERS
RAMONA S. NEAL
STEVEN L. OLSEN
W. HUGH O'RIORDAN
ROBERT L. PHILLIPS
KENNETH L. PURSLEY
GREGORY J. VIETZ
CONLEY WARD
STEVEN R. WEEKS
STEPHANIE C. WESTERMEIER

LAW OFFICES
GIVENS PURSLEY & HUNTLEY, LLP
A LIMITED LIABILITY PARTNERSHIP
SUITE 200, PARK PLACE
277 NO. 6TH STREET
POST OFFICE BOX 2720
BOISE, IDAHO 83701

JAMES A. MCCLURE
JUDITH K. HOLCOMBE
OF COUNSEL

TELEPHONE
(208) 342-8571

FACSIMILE
(208) 343-9492

November 17, 1995

RECEIVED
NOV 20 1995

Department of Water Resources

MICHAEL C. CREAMER
DIRECT DIAL
(208) 388-1247

Ms. Diana R. Delaney
Chief Deputy Clerk
Snake River Basin Adjudication
253 3rd Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

Matter: SRBA Water Rights
Subject: Notice of Appearance
Our file: 3906-4

RECEIVED
NOV 28 1995
WATER RESOURCES
WESTERN REGION

Dear Diana:

Enclosed for filing please find six original Affidavits of Anastasio Ostolasa, as well as a copy of each affidavit. The six affidavits are duplicate originals which are being provided so that each subcase to which the affidavit pertains will have its own original affidavit. Please return the six conformed copies to me in the enclosed envelope. If you have have any questions, please feel free to call. Thank you for your assistance.

Sincerely,


Michael C. Creamer

Enclosure
MCC:mc
cc: IDWR, Adjudication Bureau

MICROFILMED
OCT 09 1996

Party's Name:

Grossman/Hidden Springs Development, LLC

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NOV 20 1995

Attorneys' Names and Address

Michael C. Creamer

GIVENS PURSLEY & HUNTLEY

277 North 6th Street, Suite 200

P.O. Box 2720

Boise, Idaho 83701-2720

(208) 342-6571

(208) 343-8920 (facsimile)

3906\4\PLEADING\OSTOLASA.AFF

Department of Water Resources

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

RE: CLAIM NOS. A63-00383,
A63-30271, A63-22824, A63-
22825, A63-22826 AND A63-
22827

**AFFIDAVIT OF
ANASTASIO OSTOLASA**

DESCRIPTIVE SUMMARY

This document is the Affidavit of Anastasio Ostolasa, in which Mr. Ostolasa describes the nature and extent of water rights which are appurtenant to lands in Section 5, T4N, R2E, B.M., and Sections 31 and 32, T5N, R2E, B.M., and which have been claimed in the SRBA as A63-00383, A63-30271, A63-22824, A63-22825, A63-22826 and A63-22827. The Affidavit is being filed in support of the above-referenced claims.

**MICROFILMED
OCT 09 1996**

STATE OF IDAHO)
 : ss.
COUNTY OF ADA)

Anastasio Ostolasa, being first duly sworn upon oath, deposes and states as follows:

1. I reside at 5219 West Dry Creek Road, Boise, Idaho, Ada County. I am 77 years old.
2. Since June 4, 1927, I have resided on property located in the Dry Creek valley, which is referred to herein as the "Hidden Springs Property". This property was called the "7L Ranch" by its earlier owners, Earl and John Dechambeau ("Dechambeau Brothers"), but "Hidden Springs" is the name given to the property by its current owner Grossman/Hidden Springs Development, LLC ("Grossman").
3. That portion of the Hidden Springs Property situated in the North 1/2, North 1/2, Section 5, T4N, R2E, B.M., and the Southwest 1/4, and the Southwest 1/4, Southeast 1/4 of Section 32, T5N, R2E, B.M., will be referred to hereafter as the "Schick Place". That portion of the Hidden Springs Property that is situated in the Southeast 1/4, Section 31, T5N, R2E, B.M., will be referred to hereafter as the "Magee Place".
4. The Schick Place and the Magee Place are situated in the bottomlands along Dry Creek, and make up the majority of the irrigated lands within the Hidden Springs Property. Originally, the Schick Place and the Magee Place were separate parcels owned by Phillip Schick and Art Magee, respectively. These parcels subsequently came under common ownership as part of what now is

the larger Hidden Springs Property. Exhibit A to this Affidavit is a map that fairly represents the location of the Hidden Springs Property, the Schick Place irrigated area and the Magee Place irrigated area, and the location of the points of diversion of the various water rights discussed herein.

5. Grossman purchased the Hidden Springs Property from its prior owners, Mr. Doug Porter and his associates ("Porter"), in approximately 1979. Before Porter owned the Hidden Springs Property, it was owned by two brothers named Earl and John DeChambeau (the "Dechambeau Brothers"). The Dechambeau Brothers purchased land which included the Schick Place and the Magee Place from the widow of Frank Parsons, Anne Parsons, in 1942. Mr. Parsons purchased the Magee Place and it became part of the Hidden Springs Property in 1941. Mr. Parsons owned the Schick Place for many years prior to 1941.

6. I was born on August 26, 1918, in Boise, Idaho. My father, Costan Ostolasa was employed at the time on the Spring Valley Ranch, which is situated between Boise and Horseshoe Bend. My father began working for Frank Parsons on the Schick Place on June 4, 1927. My family moved onto the Schick Place at that time, and we lived in a ranch house that was furnished by Mr. Parsons. Until his death in 1956, my father was responsible for the operation and management of the Schick Place and the Magee Place, and for the care of the livestock. After my father's death, I took over his responsibilities and worked for the Dechambeau Brothers, who by then were the owners.

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OCT 09 1996

7. I have lived and worked on the Hidden Springs Property continuously since June 4, 1927, except between November, 1941 and December, 1945, when I served in the U.S. Armed Forces.
8. The Hidden Springs Property now is farmed by Charlie Gibson. However, I still live on the Hidden Springs Property, in the house that Mr. Dechambeau had built for my wife and me when he owned the property. I continue to oversee the property, and assist with the irrigation and haying each year. Therefore, I remain acquainted with the crops that are raised, the stock that are run on the place, and how the irrigation water is used.
9. I began working with my father on the Hidden Springs Property in managing the stock, crops and irrigation, when I was about 15 years old. I helped with planting, irrigating and harvesting, and tending the livestock. When the Dechambeau Brothers bought the Hidden Springs Property in about 1942 from Mr. Parsons, they continued to run it essentially the same as Mr. Parsons had before them. This included running approximately 200 head of beef cows with calves, and several dairy cows and saddle horses. The livestock on the Hidden Springs Property water from Dry Creek or the drains and springs, or water supplied by our wells. When Mr. Parsons owned the Hidden Springs Property, we also had up to 14 draft horses, which pulled the farm machinery and hay wagons. After the Dechambeau Brothers bought the property, we used motorized haying equipment.
10. We irrigate grass and alfalfa hay and grain crops out of Dry Creek, and would usually take two full cuttings of hay each year, and part of a third. The

balance of the third hay crop is pastured. The average hay yield from the Hidden Springs Property is somewhat over three tons per acre per year. When we used the horses to hay we needed a crew of about 14 men, but after the Dechambeau Brothers bought the property, the haying crew was reduced to about three men, which usually included the Dechambeau Brothers' sons, and later, my own sons, Robert, David and Johnny Ostolasa.

11. I have always understood that the Schick Place had the most senior water right on Dry Creek, and we always have taken our water first with the full knowledge of everyone downstream. This right is for 140 inches of water, and is referred to hereafter as the Schick Right, since it is my understanding that Mr. Schick, who first homesteaded the Schick Place, developed this water right and obtained a judgment for it in court.
12. The Schick Right has been claimed in the Snake River Basin Adjudication by Grossman as Claim No. A63-00383. I have seen Claim No. A63-00383, and, with one exception, I believe that it describes the way the water claimed has been diverted and used on the Hidden Springs Property during the years I have been associated with the Property. The one exception is that the claim states that the upper diversion was moved upstream in 1975, when in fact it was moved downstream a short distance at that time.
13. Pedro ("Pete") Echanove has owned land downstream from the Hidden Springs Property for many years, and has water rights to his property that can be diverted from Dry Creek, or its tributary, Currant Creek. As long as I have

- lived on the Hidden Springs Property, Mr. Echanove has respected the senior priority of the Schick Right, and has usually taken his water from Dry Creek.
14. The Schick Right is diverted at two places on Dry Creek on the Schick Place. Prior to 1975, we used two rock and brush diversion structures across Dry Creek to divert the water. One diversion structure was located on the upper end of the Schick Place, and the other was located downstream on the lower end of the Schick Place, and above the Magee Place. Each spring we would rebuild these diversions by replacing the rock and brush. To my knowledge, the locations of these rock and brush diversions, were the same when we used them as when they originally had been built.
15. In 1975, Dechambeau hired a man named Weaver out of Eagle, Idaho to build more permanent diversion structures and headgates on Dry Creek to replace these two rock and brush structures. The upper diversion was reconstructed a short distance downstream from its original diversion point, because the streambanks were better suited for the structures. The lower diversion was reconstructed about 300 feet upstream from its original location at the same time, and for the same reason that the banks were better suited for tying in the structure. These changes in 1975 did not affect the amount of water that could be diverted, the amount of land that we irrigated, or the location of any of the distribution ditches or drains on the Hidden Springs Property. The approximate locations of the upper and lower diversions since 1975 are shown in Exhibit A attached hereto.

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OCT 09 1996

16. Weaver did not use treated wood when he replaced the diversion structures in 1975, and they held up only a short time. When these diversions washed out in 1980, Weaver came back out and rebuilt them in the same locations, but with better materials. These rebuilt diversion structures are still in place and being used.
17. As presently constructed, the upper diversion is located in the Southwest 1/4, Northeast 1/4, Section 5, T5N, R2E. The diversion dam consists of a concrete-bottomed drop structure about seven feet wide, and diverts water to lands lying on the north and south sides of Dry Creek. The ditch on the north side is approximately four feet wide and two feet deep at the head. The ditch on the south side is approximately three feet wide and three feet deep at the head.
18. As presently constructed, the lower diversion is located in the Southeast 1/4, Southwest 1/4, Section 32, T5N, R2E. The diversion structure consists of a concrete-bottomed drop structure, about six feet deep and six and a half feet wide, and diverts water to lands on the south side of Dry Creek through a ditch approximately four feet wide and three feet deep.
19. During the irrigation season, as much water as possible is diverted from the upper diversion, since the more water that can be applied on the upper end of the Hidden Springs Property, the better the subirrigation is on the lower end. Irrigating usually begins right after April 1st each year, although in some years we will start earlier, depending on the spring weather. A lot of water comes down Dry Creek then, and there usually is plenty of water for the

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OCT 09 1996

Schick Place, the Magee Place, and others downstream, until about the end of May, when the flow in Dry Creek usually starts to drop. During the period of high water, we divert as much water as our ditches will carry, which I believe is at least 1000 inches, or 20 cfs. This water is diverted whenever it is available using both the upper and lower diversions, to increase and maintain the subsurface water, and to extend the hay production period when natural flow in Dry Creek declines.

20. Grossman has claimed a water right to divert this high water in the Snake River Basin Adjudication as Claim No. A63-22824. I have seen this Claim and believe that it describes the way the water claimed has been diverted and used on the Hidden Springs Property for many years.
21. I recall that beginning in the late 1920s or early 1930s, if the Schick Place had been furnished the water it needed, my father also would let water in the lower diversion pass down to the Magee Place so that land could be irrigated. Since then, and especially once Mr. Parsons bought the Magee Place and joined it with the Schick Place, Dry Creek water has been diverted at the lower diversion on the Schick Place to irrigate approximately 65 acres on the Magee Place. To my knowledge, no one ever challenged our right to divert this water to the Magee Place or attempted to prevent us from diverting it.
22. Grossman has claimed a right to the water diverted to the Magee Place in the Snake River Basin Adjudication as Claim No. A63-30271, with a priority date of 1930. I have seen this Claim and believe that it describes the way the water

claimed has been diverted and used on the Hidden Springs Property since approximately 1930.

23. There are several drains on the Hidden Springs Property, which have existed as long as I have been familiar with it. These drains usually have some water flowing in them all year, although sometimes they will freeze over. As soon as irrigation begins in the spring, the sub comes up and the flow in the drains increases significantly. These drains put water into a ditch that flows down to the Magee Place. The drains usually are cleaned out every six years or so.
24. In about 1973, before the Dechambeau Brothers sold the Hidden Springs Property to Doug Porter and his associates, the Dechambeau Brothers had Mr. Weaver from Eagle, Idaho come out and dig out a small pond located on the lower end of the Schick Place, above the Magee Place in the Southwest 1/4, Southwest 1/4, of Section 32, T5N, R2E, B.M. This pond receives water from the drain on the south side of the Schick Place, and the surrounding sub. When the pond was constructed, the Dechambeau Brothers put a pump in the pond and attempted to irrigate part of the Magee Place out of it. However, we could pump for only about eight hours before the pond would go out, and it then would take about three days for the pond to fill up again. As a result, we did not pump from the pond for irrigation thereafter, although the pump still is in place, and the livestock continue to use the pond for water.
25. There are two groundwater wells being used on the Hidden Springs Property. One well is located just outside my house, which is situated in the Southeast 1/4, Southwest 1/4, Section 32, T5N, R2E, B.M. This well provides my water

for domestic use and irrigation of my lawn, and water for my animals. The second well is situated next to the brick house located on the Magee Place in the Southeast 1/4, Southeast 1/4, Section 31, T5N, R2E, B.M. This second well supplies water for domestic use and landscape, and for the stock.

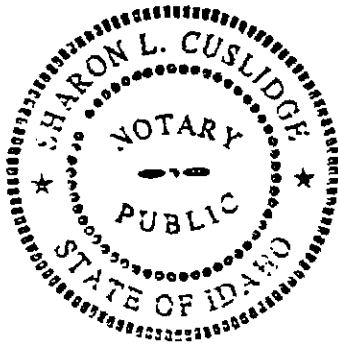
26. There also is a spring in the Southwest 1/4, Southwest 1/4, Section 32, T5N, R2E, B.M., which was developed for domestic use for the house that my two sisters now live in. The spring was serving this same house when my family first moved onto the Schick Place in 1927, and has been used for domestic use, lawn watering and for the stock.
27. Grossman has claimed a right to the above-described two wells and the spring in the Snake River Basin Adjudication as Claim Nos. A63-22825, A63-22827 and A63-22826, respectively. I have seen these Claims and, with one exception, I believe that they describe the way the water claimed has been diverted and used on the Hidden Springs Property. The one exception is that Claim No. A63-22825 describes the point of diversion for my well as being in the Southeast 1/4, Southeast 1/4, of Section 32, T5N, R2E, B.M. I believe that my house, and the well, actually are situated in the Southeast 1/4, Southwest 1/4, Section 32, T5N, R2E, B.M.
28. To my knowledge, the water rights used on the Hidden Springs Property have been used the way I have described during every year, and to the fullest extent possible, whenever the water was available during the past 68 years.

Further your Affiant saith not.

DATED this 10 day of November, 1995

Anastasio Ostolasa
Anastasio Ostolasa

SUBSCRIBED AND SWORN TO before me this 10 day of Nov., 1995.



Sharon L. Cusledge
Notary Public For Idaho
Residing at Boise, Idaho
My commission expires: 1/27/2001

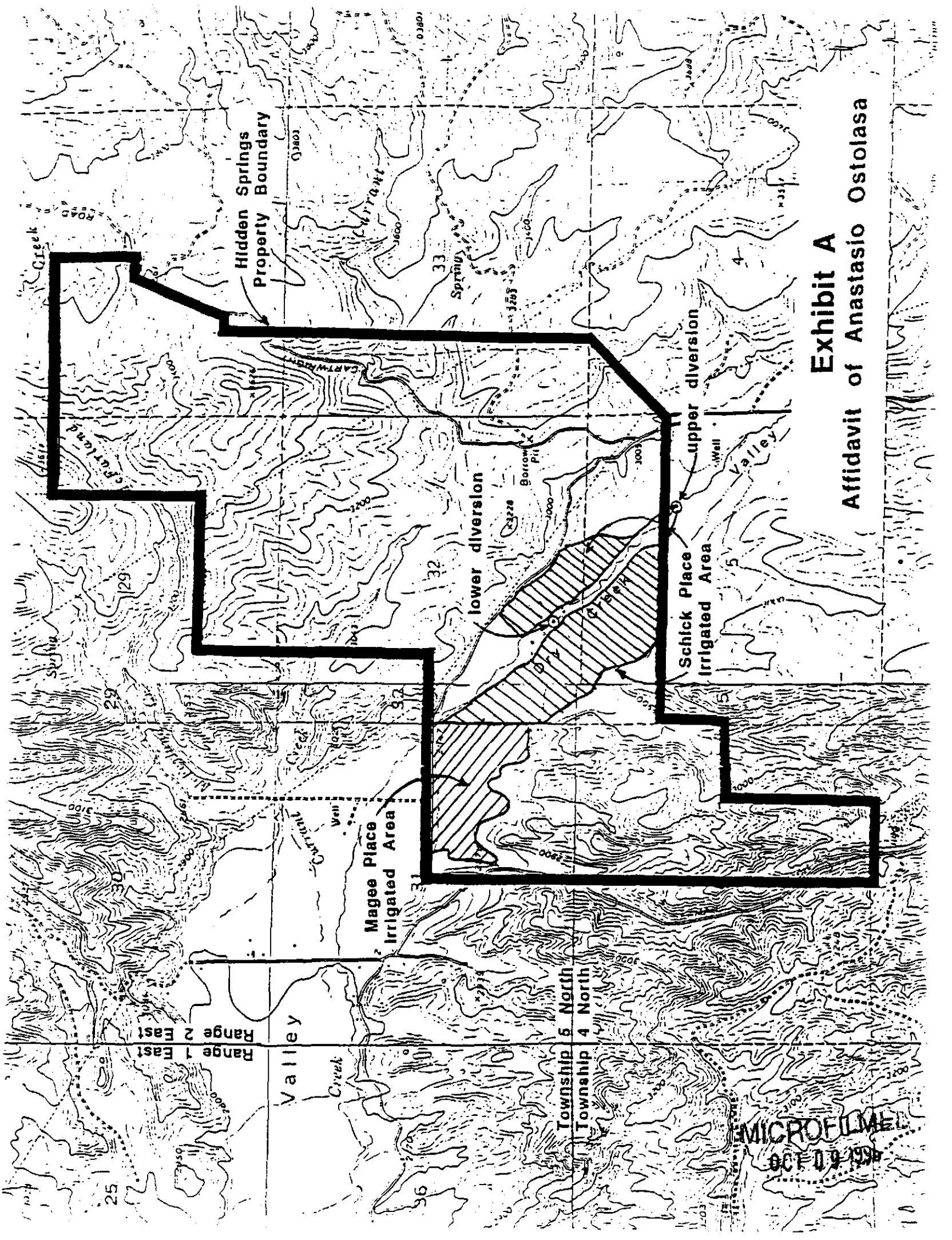


Exhibit A
Affidavit of Anastasio Ostolasa

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OCT 19 1994



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

PHILIP E. BATT
GOVERNOR

November 20, 1995

KARL J. DREHER
DIRECTOR

MICHAEL C CREAMER
GIVENS PURSLEY & HUNTLEY LLP
PO BOX 2720
BOISE ID 83701-2720

RE: Snake River Basin Adjudication (SRBA)
Adjudication Proof Reading Reports
#A63-22824, A63-22825, A63-22826 & A63-22827
Grossman/Hidden Springs Development LLC
Your File: 3906-4

Dear Mr. Creamer:

As you requested in your November 15, 1995, letter, enclosed are Proof Reading Reports for Notices of Claim #A63-22824, #A63-22825, #A63-22826 and #A63-22827 showing the modifications we have made.

Please contact me if you have any questions.

Sincerely,

Carter Fritschle
Water Rights Supervisor
Adjudication Bureau

CF:ss:region

Enclosures:

Adjudication Proof Reading Reports as Referenced Above

MICROFILMED
OCT 09 1996

GARY G. ALLEN
JOSEPH H. BAIRD
CHRISTOPHER J. BEESON
MICHAEL C. CREAMER
ROY L. EIGUREN
JEFFREY C. FEREDAY
JULIE KLEIN FISCHER
RAYMOND D. GIVENS
L. W. GRANT, III
J. BART GREEN
ROBERT C. HUNTLEY, JR.
KARL T. KLEIN
DAVID R. LOMBARDO
KENNETH R. MCCLURE
CHRISTOPHER H. MEYER
L. EDWARD MILLER
PATRICK J. MILLER
JUDSON B. MONTGOMERY
TERRY L. MYERS
RAMONA S. NEAL
STEVEN L. OLSEN
W. HUGH O'RIORDAN
ROBERT L. PHILLIPS
KENNETH L. PURSLEY
GREGORY J. VIETZ
CONLEY WARD
STEVEN R. WEEKS
STEPHANIE C. WESTERMEIER

LAW OFFICES
GIVENS PURSLEY & HUNTLEY, LLP
A LIMITED LIABILITY PARTNERSHIP

SUITE 200, PARK PLACE
277 NO. 6TH STREET
POST OFFICE BOX 2720
BOISE, IDAHO 83701

JAMES A. MCCLURE
JUDITH K. HOLCOMBE
OF COUNSEL

TELEPHONE
(208) 342-6571

FACSIMILE
(208) 343-9492

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NOV 16 1995

Department of Water Resources

November 15, 1995

Mr. Carter Fritschle
Water Rights Supervisor
Adjudication Bureau
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720-9000

Re: Snake River Basin Adjudication - SRBA Claim Nos. A63-22824, A63-22825, A63-22826 and A63-22827.

Our File: 3906-4

Dear Mr. Fritschle:

Enclosed, please find the following documents:

Change in Ownership of Notice of Claim with attached warranty deed;
Notice of Appearance of Michael C. Creamer on behalf of Grossman/Hidden Springs Development, LLC;
Amended Notice of Claim A63-22824; and
Amended Notice of Claim A63-22825.

The Change in Ownership of Notice of Claim form regarding the above-referenced claims is in response to your letter of September 12, 1995. This Notice requests that the claims be changed to reflect that the new Claimant is Grossman/Hidden Springs Development, LLC. The Change in Ownership Notice is supported by a copy of the Warranty Deed conveying the property and water rights. Please also change these claims to indicate that I will be the attorney of record representing Grossman/Hidden Springs Development, LLC regarding these Claims. My Notice of Appearance already has been filed with the Court in Twin Falls.

MICROFILMED
OCT 09 1998

November 15, 1995
Page 2

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Department of Energy

The Amended Notice of Claim for A63-22824 describes the use of that right to correspond with the place of use claimed in Claim Nos. A63-00383 and A63-30271, which our recent research shows to be the actual way in which these rights historically have been exercised. The Amended Claim reduces the number of acres claimed under A63-22824 from 240 to 210 acres. Because of the reduced acreage claimed by this Amendment, I understand that no additional filing fees are required. This Amended Claim also reflects that Grossman/Hidden Springs Development, LLC is the current Claimant.

Finally, the Amended Claim for A63-22825 is intended to correct an apparent clerical error that was made in the original description of the point of diversion. Although the home and well are situated close to the quarter-section line, we believe the correct point of diversion for A63-22825 is the SE1/4, SW1/4, Section 32, T5N, R2E, B.M.. The Amended Claim also reflects that Grossman/Hidden Springs Development, LLC is the current Claimant.

I would appreciate your providing me with copies of the proof sheets for each of the above Claims once the requested revisions have been made. If you have any questions regarding these matters, please contact me immediately.

Sincerely,



Michael C. Creamer

MCC/mc
Enclosures

cc: Ennis Dale
Terry Scanlan

390614\FRITSCHL.L01

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DEC 09 1996



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 19, 1994

MARK E WINKLEMAN
CHARING CROSS ASSOCIATES
3101 N CENTRAL AVE NO 1390
PHOENIX AZ 85012

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APR 21 1994

WATER RESOURCES
WESTERN REGION

RE: Snake River Basin Adjudication (SRBA)
Notice(s) of Claim No. A63-22824, A63-22825,
A63-22826 & A63-22827
Change of Address Notification

Dear Claimant:

IDWR has received your notice of the change of address of the water right claim(s) referenced above. Our records have been changed accordingly.

If you sold the property, please contact our office toll-free at 1/800-451-4129.

Sincerely,

Idaho Department of Water Resources
Adjudication Bureau

SO:region

MICROFILMED

JUL 29 1994

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

In Re Snake River Basin Adjudication Case)
No. 39576)

Notice of Filing Director's Report
Part II & III; United States' and
Tribal Non-consumptive Claims.

TO: ALL CLAIMANTS OF RIGHTS TO THE USE OF WATER IN THE SNAKE RIVER BASIN
YOU ARE HEREBY NOTIFIED OF THE FOLLOWING:

THE DIRECTOR'S REPORT PART II & III FOR THE UNITED STATES' AND TRIBAL NON-CONSUMPTIVE CLAIMS HAS BEEN FILED
WITH THE DISTRICT COURT. THIS NOTICE CONTAINS IMPORTANT INFORMATION ABOUT THE DIRECTOR'S REPORT, AND
DEADLINES AND FURTHER PROCEEDINGS ON THESE WATER RIGHT CLAIMS.

IMPORTANT NOTICE REGARDING YOUR WATER RIGHT

THIS CONTAINS YOUR LEGAL NOTICE OF THE DIRECTOR'S REPORT OF U.S. AND TRIBAL
NON-CONSUMPTIVE CLAIMS IN THE SNAKE RIVER BASIN ADJUDICATION
THESE CLAIMS COULD AFFECT YOUR WATER RIGHT

66095

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720

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APR 8 5 1984

Presorted
First Class Mail
U.S. Postage Paid
Boise, Idaho
Permit No. 1

CHARING CROSS ASSOCIATES
C/O JOHN V SOTELD, SR VP
1703 WEST BETHANY HOME RD
PHOENIX AZ 85015

Please change the above contact and address to:

Charing Cross Associates
c/o Mark E. Winkleman
3101 North Central Avenue, #1390
Phoenix, AZ 85012
(602/285-1300)

MICROFILMED

JUL 29 1984

ALB3-22824 + R
22825 + R
22826 + R
22827 + R

(+ R records
where applicable.)
4-9-94

WHERE DIRECTOR'S REPORT IS AVAILABLE FOR INSPECTION

complete copy of the Director's Report Part II is available for inspection at the SRBA District Court, all offices of IDWR, and the office
the District Court Clerk for each county within the Snake River Basin listed below:

1 County
Main
se 83702

Butte County
248 W. Grand
Arco 83213

Custer County
801 Main
Challis 83226

Jerome County
300 N. Lincoln
Jerome 83338

Nez Perce County
1230 Main
Lewiston 83501

Twin Falls County
425 Shoshone St. N.
Twin Falls 83303

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

In Re Snake River Basin Adjudication Case)
No. 39576)

Notice of Filing Director's Report of the
Shoshone Bannock 1990 Fort Hall
Indian Water Right Agreement.

TO: ALL CLAIMANTS OF RIGHTS TO THE USE OF WATER IN THE SNAKE RIVER BASIN
YOU ARE HEREBY NOTIFIED OF THE FOLLOWING:

THE DIRECTOR'S REPORT OF THE SHOSHONE BANNOCK 1990 FORT HALL INDIAN WATER RIGHT AGREEMENT HAS BEEN FILED
WITH THE DISTRICT COURT. THIS NOTICE CONTAINS IMPORTANT INFORMATION ABOUT THE DIRECTOR'S REPORT, AND
DEADLINES AND FURTHER PROCEEDINGS ON THESE WATER RIGHT CLAIMS.

IMPORTANT NOTICE REGARDING YOUR WATER RIGHT

THIS CONTAINS YOUR LEGAL NOTICE OF THE DIRECTOR'S REPORT OF THE SHOSHONE
BANNOCK 1990 FORT HALL INDIAN WATER RIGHT AGREEMENT
IN THE SNAKE RIVER BASIN ADJUDICATION
THESE CLAIMS COULD AFFECT YOUR WATER RIGHT

57944

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720

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APR 05 1994

Presorted
First Class Mail
U.S. Postage Paid
Boise, Idaho
Permit No. 1

mark w

~~CHARING CROSS ASSOCIATES
C/O JOHN V SOTELLO, SR VP
1703 WEST BETHANY HOME RD
PHOENIX AZ 85013~~

Please change the above contact and address to:

Charing Cross Associates
c/o Mark E. Winkleman
3101 North Central Avenue, #1390
Phoenix, AZ 85012
(602/285-1300)

AG 3-22824
{ 22825
22826
22827

+ R records
MICROFILMED

JUL 29 1994

WHERE DIRECTOR'S REPORT IS AVAILABLE FOR INSPECTION

A complete copy of the Director's Report is available for inspection at the SRBA District Court, all offices of IDWR, and the office of the District Court Clerk for each county within the Snake River Basin listed below:

Ada County
50 Main
Boise 83702

Butte County
248 W. Grand
Arco 83213

Custer County
801 Main
Challis 83226

Jerome County
300 N. Lincoln
Jerome 83338

Nez Perce County
1230 Main
Lewiston 83501

Twin Falls County
425 Shoshone St. N.
Twin Falls 83303

DATE: 04/20/94
PAGE: 1

Audit: 04/20/94 SSHERMAN

MICROFILMED
JUL 29 1994

ELAM, BURKE AND BOYD
ATTORNEYS AND COUNSELORS AT LAW

KEY FINANCIAL CENTER
702 WEST IDAHO
POST OFFICE BOX 1539
BOISE, IDAHO 83701

TELEPHONE
208-343-5454
TELECOPIER
208-384-5844

July 6, 1990

RECEIVED
JUL 09 1990

Department of Water Resources
Western Regional Office

Department of Water Resources
Western Region
Attn: Ron Howerton
2735 Airport Way
Boise, Idaho 83705

RE: Water Rights: Snake River Basin Adjudication
Claimant: Charing Cross Associates
ID No.: A63-22825;
A63-22826; and
A63-22827

Dear Mr. Howerton:

Per your instructions, I enclose a portion of the ortho-photoquad map showing that the above-described water right claims lie along Dry Creek in Township 5 North, Range 2 East of Ada County. During our telephone conversation of July 6, you and I determined that the Department of Water Resources incorrectly recorded the "place of use" for these water rights as being in T5N, R3E. It is my understanding that once you verify that the claims are in T5N, R2E; then, the Department will issue Amended Notices of Claim to Water Right which will correctly describe the "place of use" for each of the three water right claims. The Amended Notices of Claim may be sent to this office.

Should you have any questions, feel welcome to call me at 343-5454.

I appreciate your assistance in making these corrections.

Very truly yours,

ELAM, BURKE AND BOYD

Sally S. Finlayson
Sally S. Finlayson
Legal Assistant

SSF/ljb

WRC/CLM

SEP 08 1990

ELAM, BURKE AND BOYD

ATTORNEYS AND COUNSELORS AT LAW

700 IDAHO TOWER, TENTH FLOOR

POST OFFICE BOX 1559

BOISE, IDAHO 83701

TELEPHONE 208-343-5454

TELECOPIER 208-354-5844

SCOTT L. CAMPBELL

CANYON COUNTY OFFICE

1120 SIXTH STREET SOUTH

POST OFFICE DRAWER E

NAMPA, IDAHO 83653

TELEPHONE 208-466-9222

September 8, 1989

Carter Fritschle
Sr. Water Resource Agent
Adjudication Bureau
Department of Water Resources
1301 North Orchard
Boise, Idaho 83720

HAND DELIVERED

Re: Charing Cross Associates/Water Right Filings in
Snake River Basin Adjudication

Dear Carter:

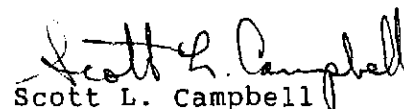
I have enclosed four Notices of Claim for Water Right for filing as adjudication claims. I have also enclosed a check in the amount of \$365 to cover the filing fees for these claims.

Please return to me the carbon copies of the claim forms, together with a receipt reflecting acceptance of the monies and claims by the Department of Water Resources.

If you have any questions regarding this matter, please contact me.

Very truly yours,

ELAM, BURKE & BOYD


Scott L. Campbell

SLC:jc
Enclosures
cc John V. Sotelo

MICROFILMED
SEP 9 1992
SEP 08 1992

WATER RIGHT NUMBER - A63-22825 PREFIX TRANSLATION: ADJUDICATION CLAIM OLD (D) NUMBER -
+ - - - - LAST NAME - - - - + + - FIRST NAME - - - - + + - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
CHARING CROSS ASSOCIATES
1 - C/O JOHN V. SOTELO, SR. V.P.
2 - 1703 WEST BETHANY HOME RD.
3 -
CITY- PHOENIX STATE- AZ ZIP- 85015
PHONE - 602-249-0670

*** A - ATTORNEY ***
CAMPBELL
SCOTT L.
1 - P.O. BOX 1539
2 -
3 -
CITY- BOISE STATE- ID ZIP- 83701
PHONE - 208-343-5454

+ - - - - PRIORITY DATE - - - + + - - - - REGION - - - + + - - - - STAGE - - - + + - - - - STATUS - - - - +
07/15/1949 14 WESTERN J - BENEFICIAL USE
+ - - - - SOURCE - - - - + + - - - - TRIBUTARY - - - - - +

GROUNDWATER
+ - - - - POINT OF DIVERSION - - - - - STREAM INDEX (BLANK IF NO INDEX CODE)

TWN	RNG	SEC	TRACT	LOT	RFLG	COUNTY	PERIOD FROM	PERIOD TO	WATER USE	DIVERSION RATE	DIVERSION VOLUME
05N	02E	32	SE SE			(1) ADA					
							01/01	12/31		0.040	
							08/01	11/30		0.040	

+ - - - - TOTAL DIV. RATE - - - + + - - - - TOTAL DIV. VOLUME - - - + + - - - - TOTAL DIV. CAPACITY - - - + + - - - - TOTAL CONSUMPTIVE USE - - - + + - - - - KW USAGE - - - +
0.040

TWN	RNG	SEC	TRACT	LOT	ACRES	PLACE OF USE	DESCRIPTION	COUNTY
05N	02E	32	SE SW			04 STOCKWATER		(1) ADA
05N	02E	32	SE SW			43 DOMESTIC		(1) ADA

+ - - - - DIVERSION MEANS - WELL 40' DEEP, 4" CASING, 3HP PUMP, 1" PIPE TO HOUSE
+ - - - - NON-IRRIGATION USE - DOMESTIC, 1 HOUSEHOLD; STOCKWATER, UP TO 200 HEAD BEEF CATTLE
+ - - - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - REMARKS - - - - - NO REMARKS FOUND.
+ - - - - OLD WATER RIGHT NUMBERS - - - - - NO OLD WATER RIGHT NUMBERS FOUND.
MICROFILMED
OCT 09 1998

WATER RIGHT NUMBER - A63-22825
PREFIX TRANSLATION: ADJUDICATION CLAIM

CIVIL CASE NUMBER	-	39576
OLD CASE NUMBER	-	
OLD JUDICIAL DISTRICT	-	
TEMPORARY RIGHT	-	P
WATER DISTRICT	-	
FEDERAL/STATE INDICATOR	-	S
PRESUMPTION FLAG	-	

house approx 20' from well

AUG 02 1991

CERTIFIED
AUG 23 1993
WATER EXAMINER

MICROFILMED
OCT 9 1976