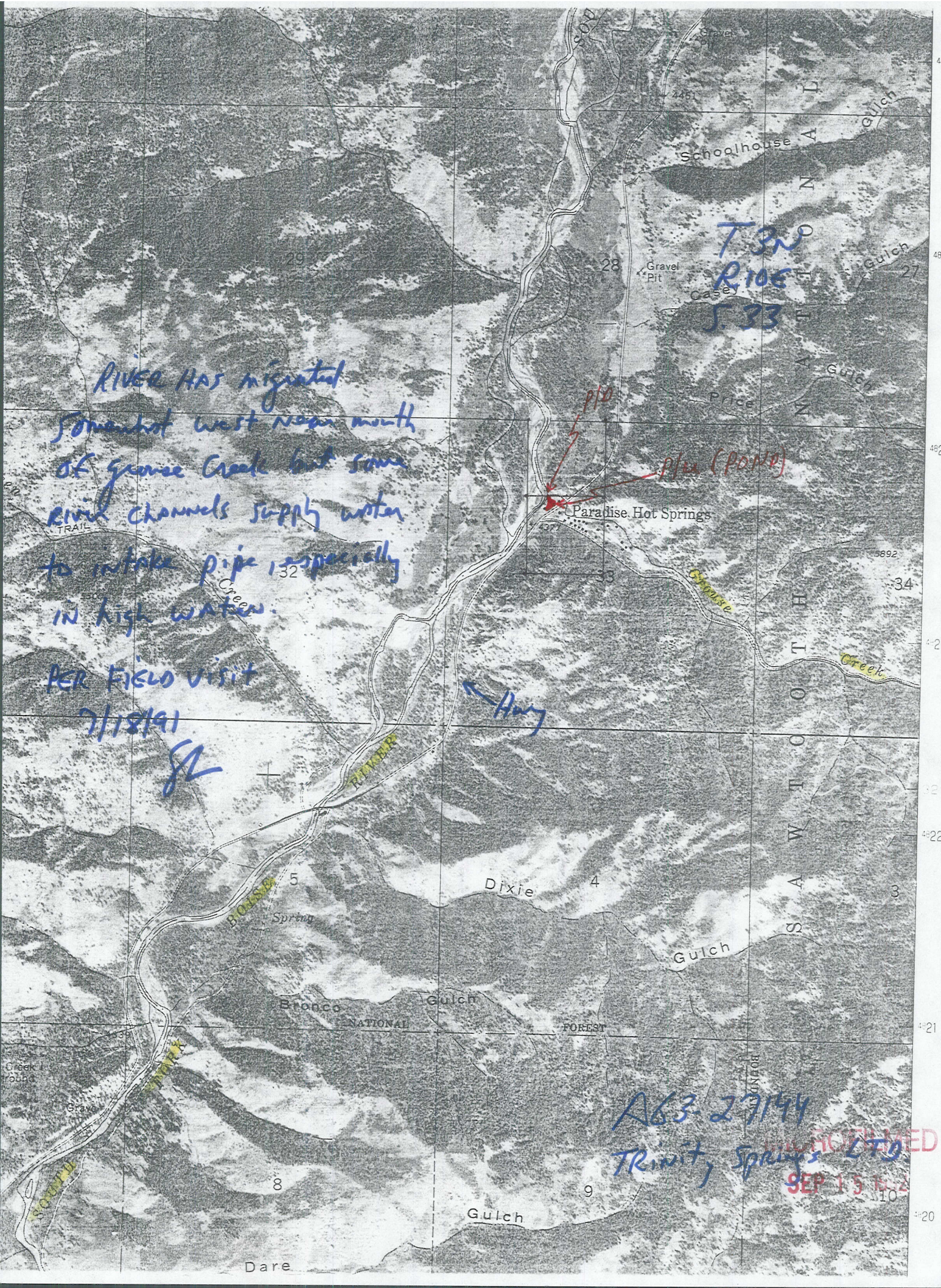
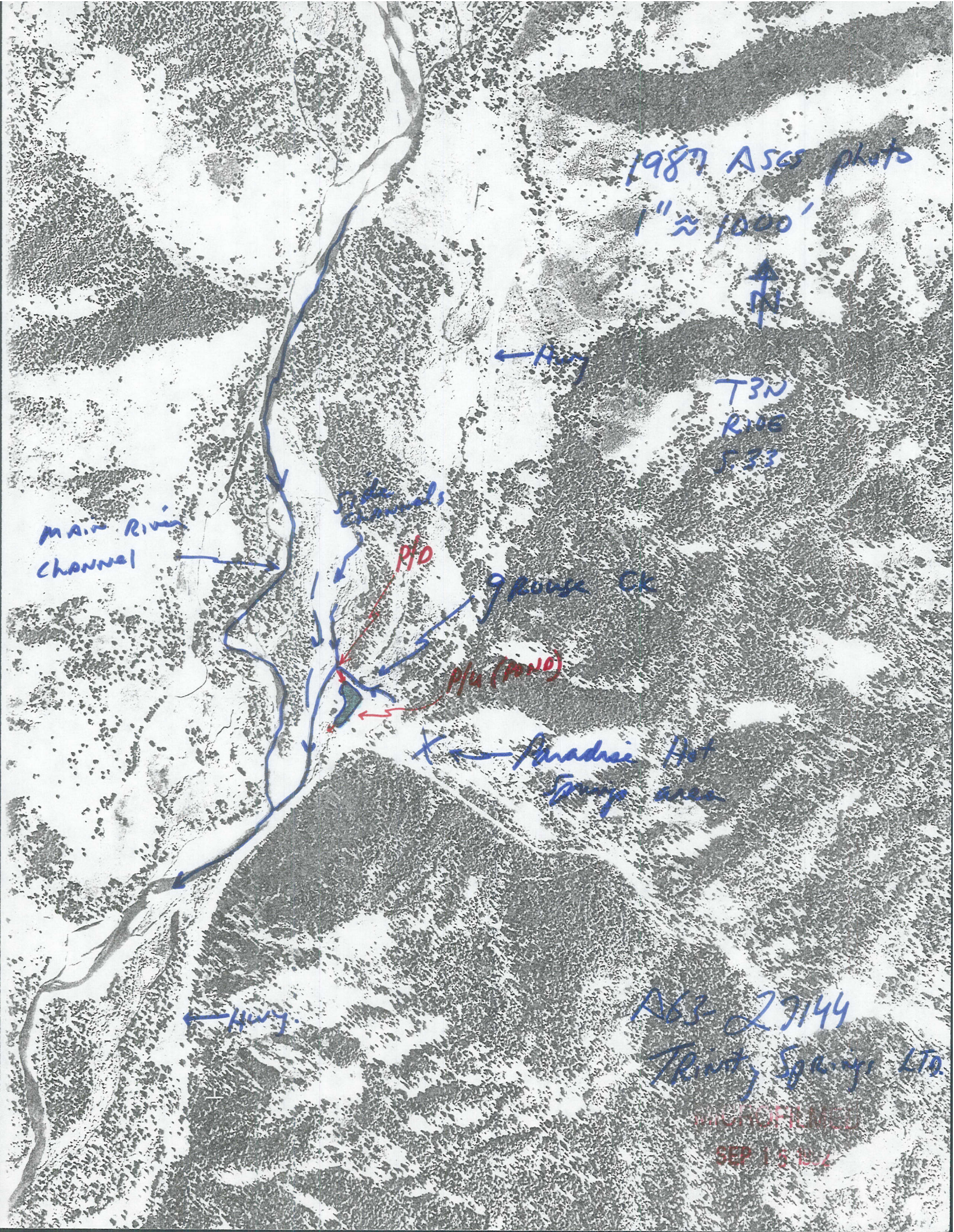
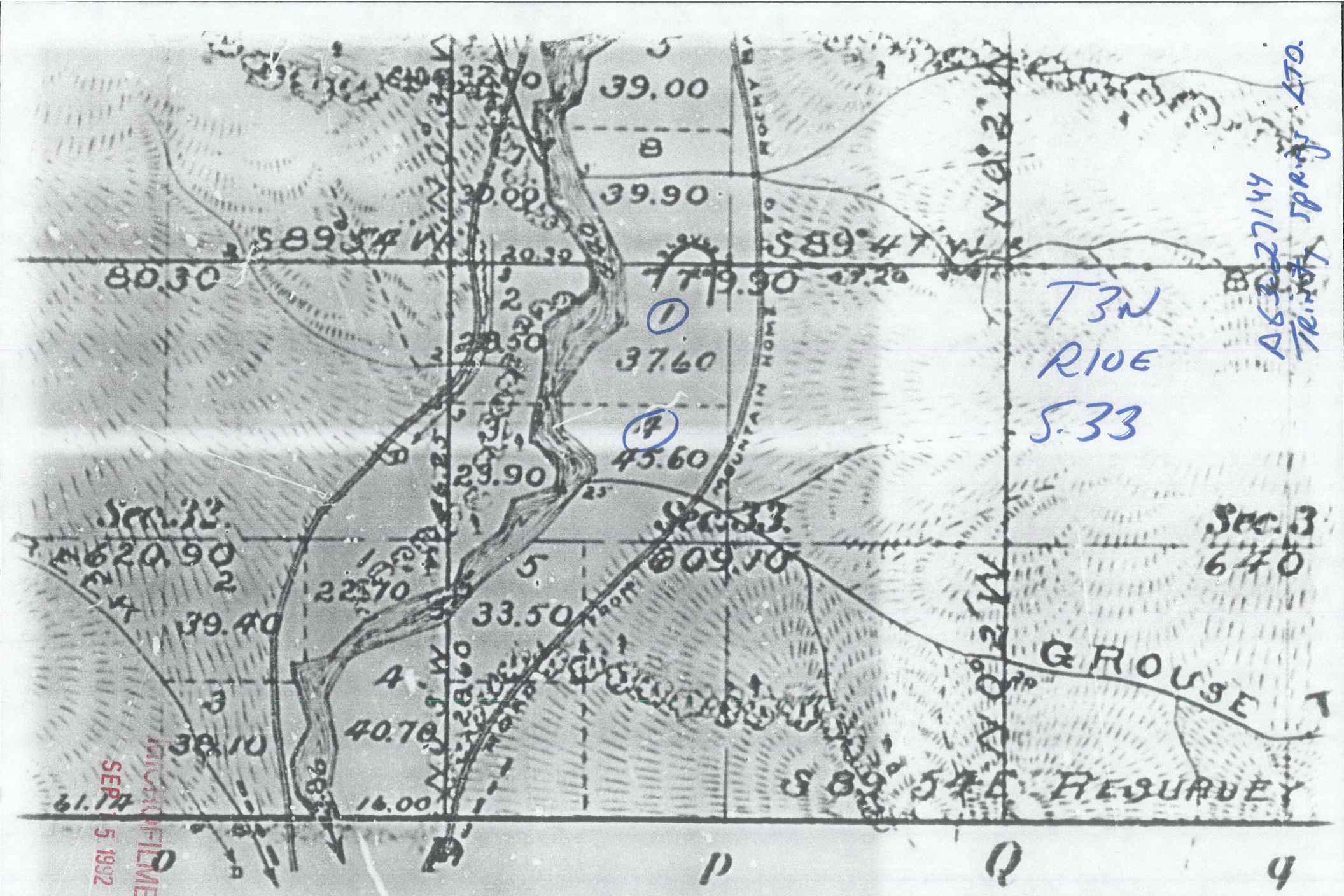

River has migrated somewhat west near mouth of Grouse Creek but some river channels supply water to intake pipe especially in high water.
PER FIELD VISIT 7/18/91
JL
T 3N
R 10E
S 33
P/D
P/L (POND)
Paradise Hot Springs
Hwy
A63-27144
Trinity Springs
RECEIVED
SEP 15
Schoolhouse Gulch
Gravel Pit
Casey
Price
Grouse Creek
Dixie
Spring
Bronco Gulch
NATIONAL FOREST
Dare
Gulch
Creek
Trail
Ranch
4826
4825
4824
4823
4822
4821
4820


1987 ASCS photo
1" ≈ 1000'
N
← Hwy
T3N
R10E
S.33
Side Channels
Main River Channel
PFD
Rouge Ck
Pfu (Pond)
Paradise Hot Springs area
← Hwy.
A63-23144
Trinity Surveys LTD.
RECEIVED
SEP 15 1987



MICROFILMED SEP 15 1992

ublic Land 22634.94 Ac. Total number of Acres 22950.84

e of Contract	Amount of Surveys M Ch Lks	When Surveyed	Mean Declination













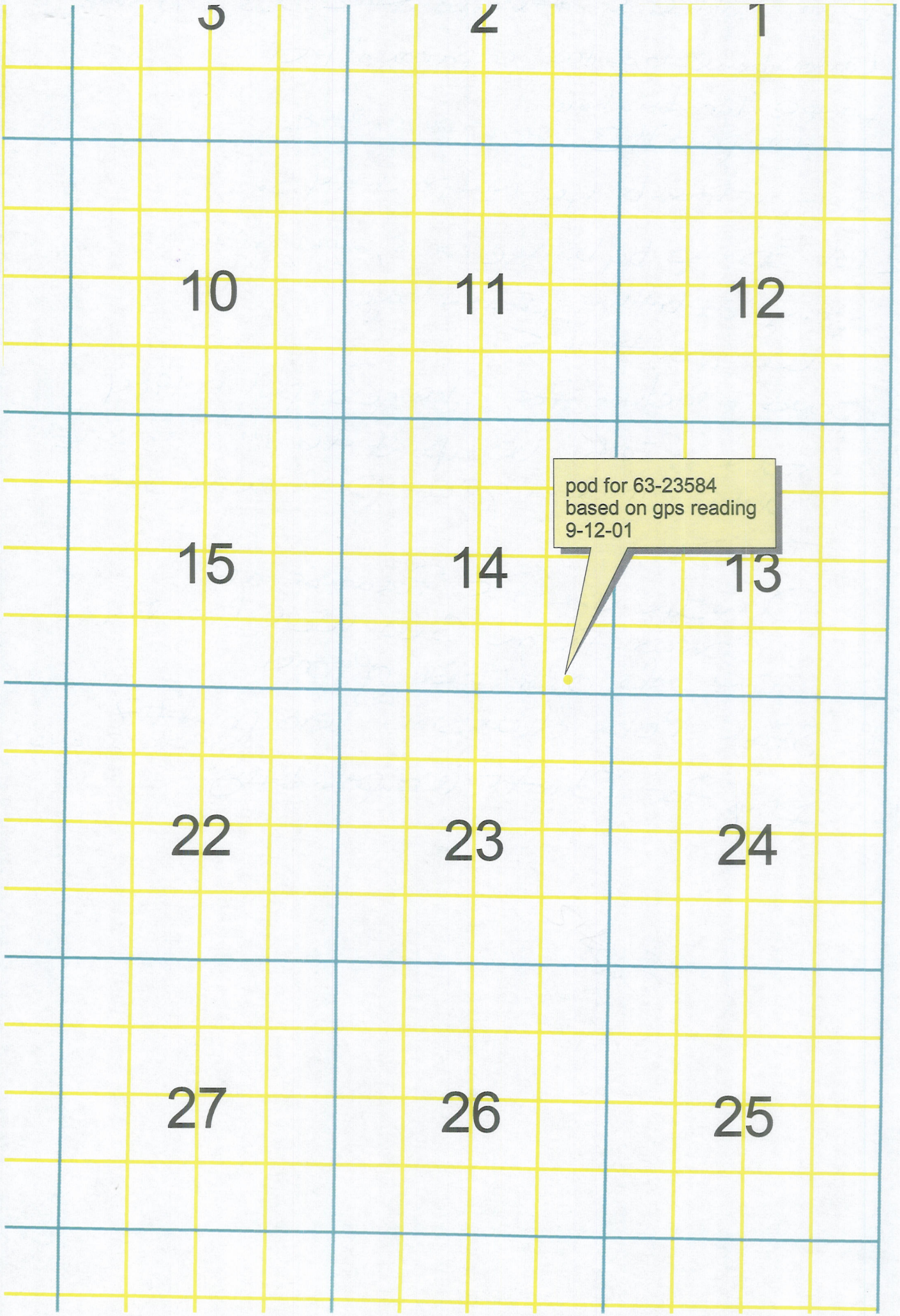











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pod for 63-23584
based on gps reading
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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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: **A63-27144**
Date Received: 8/ 6/1992
Receipt No: W015222
Received By: [signature] for DWR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TRINITY SPRINGS LTD 208-726-7734
   Address: PO BOX 1630
   KETCHUM ID 83340

2. Date of Priority: JAN 1, 1970

3. Source: GROUSE CREEK Trib. to: BOISE RIVER, SOUTH FORK
   BOISE RIVER, SOUTH FORK BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4	of 1/4	of 1/4	Lot	County
03N	10E	33	SW	NE	NW	1	ELMORE
			NW	SE	NW	4	ELMORE

5. Description of diverting works:
   APPROX. 80' OF 8" PVC PIPE FROM JUNCTION OF CK./RIVER TO POND

6. Water is used for the following purposes:

Purpose	From	To	C.F.S (or)	A.F.A.
RECREATION	01/01	12/31	1.000	
RECREATION STORAGE	01/01	12/31		3.40
DIVERSION TO STORAGE	01/01	12/31	1.000	

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
   RECREATION POND FOR MISC. RECREATION & AESTHETIC USES

MICROFILMED
SEP 15 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
03N	10E	33	SE	NW	4	REC	
			SE	NW	4	REC S	

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
NONE

14. Remarks:
SINGLE POINT OF DIVERSION ON LINE BETWEEN LOT 1 (SWNENW) AND LOT 4 (NWSENW), S33, T03N, R10E.
OUTFLOW FROM POND RETURNS TO RIVER.
POND IS AN EXCAVATED SITE & THUS INVOLVES GROUND WATER TO SOME UNQUANTIFIED EXTENT. HOWEVER, ANY GROUND WATER IN THE FLOOD PLAIN OF THE RIVER IS UNDOUBTABLY CONNECTED TO THE RIVER & THEREFORE IS CONSIDERED AS SURFACE WATER. GROUND WATER IS NOT FORMALLY SHOWN AS A SOURCE DUE TO THIS FACTOR. THE 1963 MANDATORY PERMIT STATUTE FOR GROUND WATER IS CONSIDERED N/A.
THE INTAKE PIPE IS FOUND AT THE CONFLUENCE OF GROUSE CREEK & THE SOUTH FORK BOISE RIVER PER 7/18/91 FIELD EXAM RELATED TO OTHER WATER RIGHTS. THIS CLAIM RESULTED FROM THE FIELD WORK. EXAM WAS CONDUCTED BY SL.

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: 4

MICROFILMED
SEP 15 19[illegible]2

For Organizations:

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

_____
Signature of Authorized Agent

_____
Title and Organization

_____
Date

State of Idaho)
) SS.
County of _____)

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

of _____ 19 _____

_____
Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
SEP 15 1992

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

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 A63-27144
Date Received 8/6/92
Receipt Number W 015222

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Trinity Springs, Ltd. Phone ( ) 726-7734
   Mailing Address P.O. Box 1630 Ketchum Id. ~~83340~~ Zip 83340

✓ 2. Date of Priority (Only one (1) per claim) 1/1/~~70~~ 1970

3. Source of water supply (a) Grouse Creek (and South Fork Boise River)
   which is tributary to (b) S. Fk. Boise River (and Boise River)

4. a. Location of existing point of diversion is: Township 3N Range 10E Section 33,
   SW 1/4 of NE 1/4 of NW 1/4, Govt. Lot, 01 B.M., County of Elmore
   Additional points of diversion if any: NW SE NW (Lot 04) in same section (Single point of diversion on quarter-quarter line)
   b. If instream flow, beginning point of claimed instream flow is:
   Township N/A Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
   Govt. Lot _____ B.M., County of _____
   ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of
   _____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc.) including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.

Approx. 80' of 8" PVC pipe is used to divert water from the mouth of Grouse Creek (thus mixed with Boise River water) to a pond just southeast of plc.

The pond is L shaped and can divided into roughly 2 rectangles of the following sizes: 200' x 100' x 5' and 200' x 50' x 5'. An outlet is created via a headgate at south end of pond; outflow eventually returns to river.

MICROFILMED
SEP 15 1992

— USE THIS CLAIM TO PREPARE DATA-ENTRY 8/11/92 —

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.

6. Water is claimed for the following purposes:

		(both dates are inclusive)			(cfs)		(acre feet)
For	Recreation	purposes from 1/1	to 12/31	amount	1.00	or	
For	Diversion to Storage	purposes from 1/1	to 12/31	amount	1.00	or	
For	Recreation Storage	purposes from 1/1	to 12/31	amount		or	3.4
For		purposes from	to	amount		or	

7. Total quantity claimed (a) 1.00 (cfs) and/or (b) 3.4 (acre feet)

8. Total consumptive use claimed is Ø acre feet per annum. more or less non-consumptive

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Recreation pond for misc. aesthetic & recreation purposes

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
3N	10E	33								R									
										Lot 4									

Total number of acres irrigated —

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

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

14. Remarks: Pond volume: $[(200)(100)(5) + (200)(50)(5)] \div 43560 = 3.4$ A.F.

The pond site was excavated & thus involves groundwater to some undefined extent. However, any groundwater* in the floodplain of the river is undoubtedly connected to the river & therefore can be considered hydraulically as surface water. Therefore, groundwater is not specifically listed as a source & the 1963 amendatory permit law for groundwater does not apply.

MICROFILMED
SEP 15 1982

Last Name Trinity Springs, Ltd. Ident No. ____

Copies: White-State, Yellow-Claimant

* shallow groundwater

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.

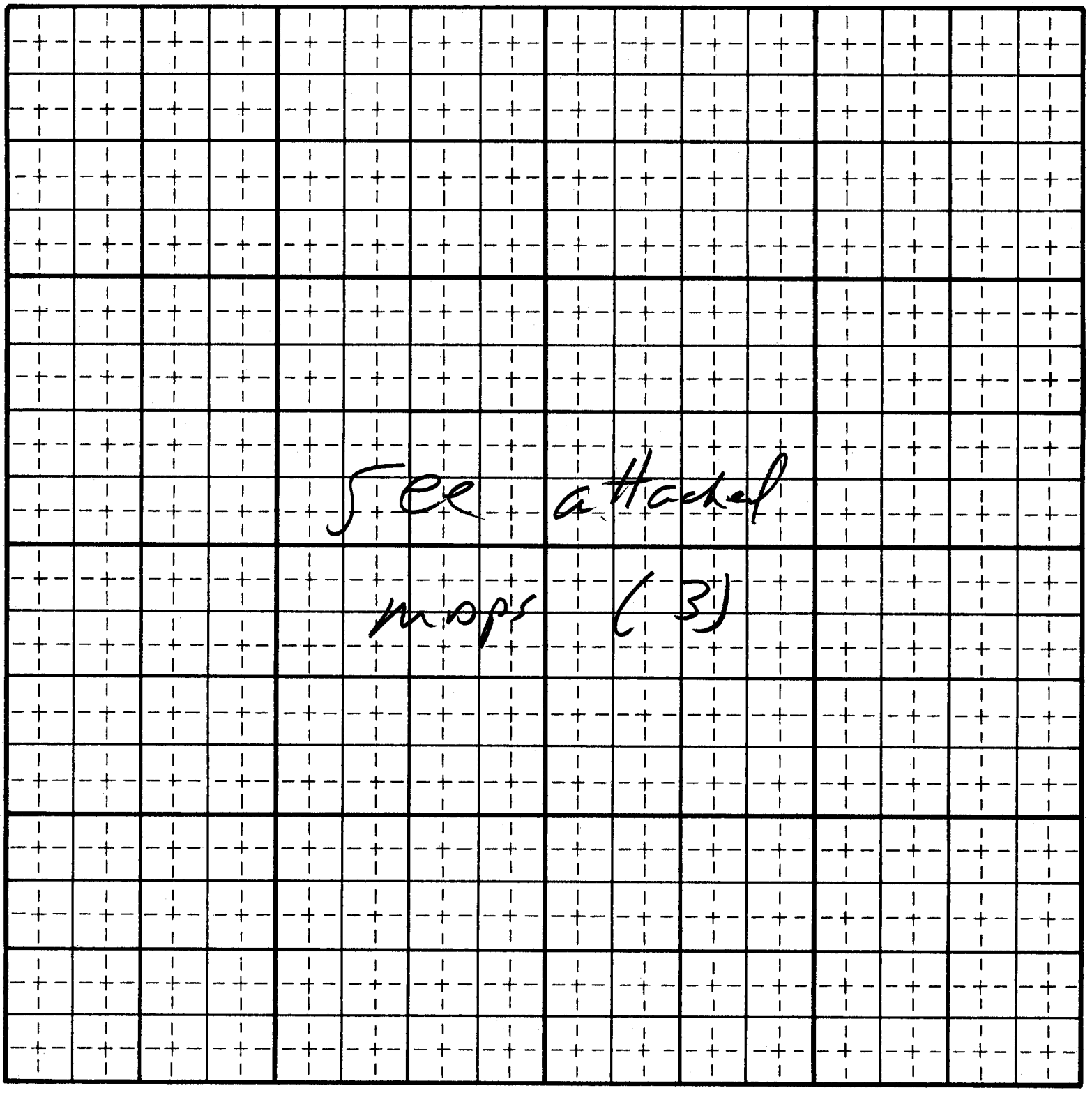
The cost of the subscription to the docket sheet is $7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

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.

SEP 932

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



MICROFILMED
SEP 15 1992

Last Name Trinity Springs Ltd Ident No. _____

Copies: White-State, Yellow-Claimant

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 _____ do not ✓ wish to receive and pay a small annual fee for monthly copies of the docket sheet. ← See back of pg 1.
Number of attachments 3

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 PRESIDENT (Title) of TRINITY SPRINGS LTD. (Organization), that I have signed the foregoing document in the space below as PRESIDENT (Title) of TRINITY SPRINGS LTD (Organization) and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Stanford S. A. Fan

Title and Organization PRESIDENT/TRINITY SPRINGS LTD. Date Aug. 6/92

State of Idaho/or _____)
) SS.
County of Ada)

Subscribed and sworn (or affirmed) before me this 6th day of August 19 92

SEAL

Notary Public David E. Tuthill

Residing at Boise Id

My Commission Expires 9/15/1992

Please Print Name

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

Signature _____

Address _____

Date _____

MICROFILMED
SEP 15 1992

Last Name Trinity Springs Ltd Ident. Number _____

Copies White-State, Yellow-Claimant

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

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: See other claim & Final same date

Date Received:

Receipt Number: given #A63-27144

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) TRINITY SPRINGS LTD Phone 208 926-7774

   Mailing Address P.O. 1630 KET. Ed. Zip 83340

2. Date of Priority (Only one (1) per claim) ~~1940~~ 1/1/~~40~~ 1970

3. Source of water supply (a) Grouse Creek & S. Fk. Boise River

   which is tributary to (b) S. Fk. Boise & Anderson Pond Reservoir & then Boise River

4. a. Location of existing point of diversion is: Township 3N Range 10E Section 33,

   SW 1/4 of NE 1/4 of NW 1/4, Govt. Lot, 1 B.M., County of Elmore

   Additional points of diversion if any: NWSENW L.4 S.33 T3N R10E

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

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

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

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.

   8" intake pipe in mouth of Grouse Ck. diverts water to a 3.4 a.f pond. Outflow headgate allows water to return to S. Fk.

MICROFILMED
SEP 15 1992

* THIS IS MORE OR LESS A DUPLICATE OF OTHER CLAIM RECEIVED ON SOME DATE. USED THIS INFO TO COMPLETE ITEMS 6 & 7 IN OTHER CLAIM. THEN USED OTHER CLAIM TO PREPARE DATA-ENTRY VERSION. *BL 8/11/92

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.

932

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) 1.00 (acre feet)

For Recreation purposes from 1/1 to 12/31 amount ~~1.5~~ or _____

For Diversion to storage purposes from 1/1 to 12/31 amount 1.00 or _____

For Recreation storage purposes from 1/1 to 12/31 amount — or 3.4

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.00 (cfs) and/or (b) 3.4 (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Recreation pond for multi-use activities

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
3N	10E	33								R									R
										1.4									

Total number of acres irrigated —

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

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

14. Remarks:

Diversion Pipe diverts co-mingled water from creek & River

Single point of diversion on QQ line between Lot 1 NENW and Lot 4 SENW, S33, T03N, R10E.

MICROFILMED
SEP 15 19[illegible]

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

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.

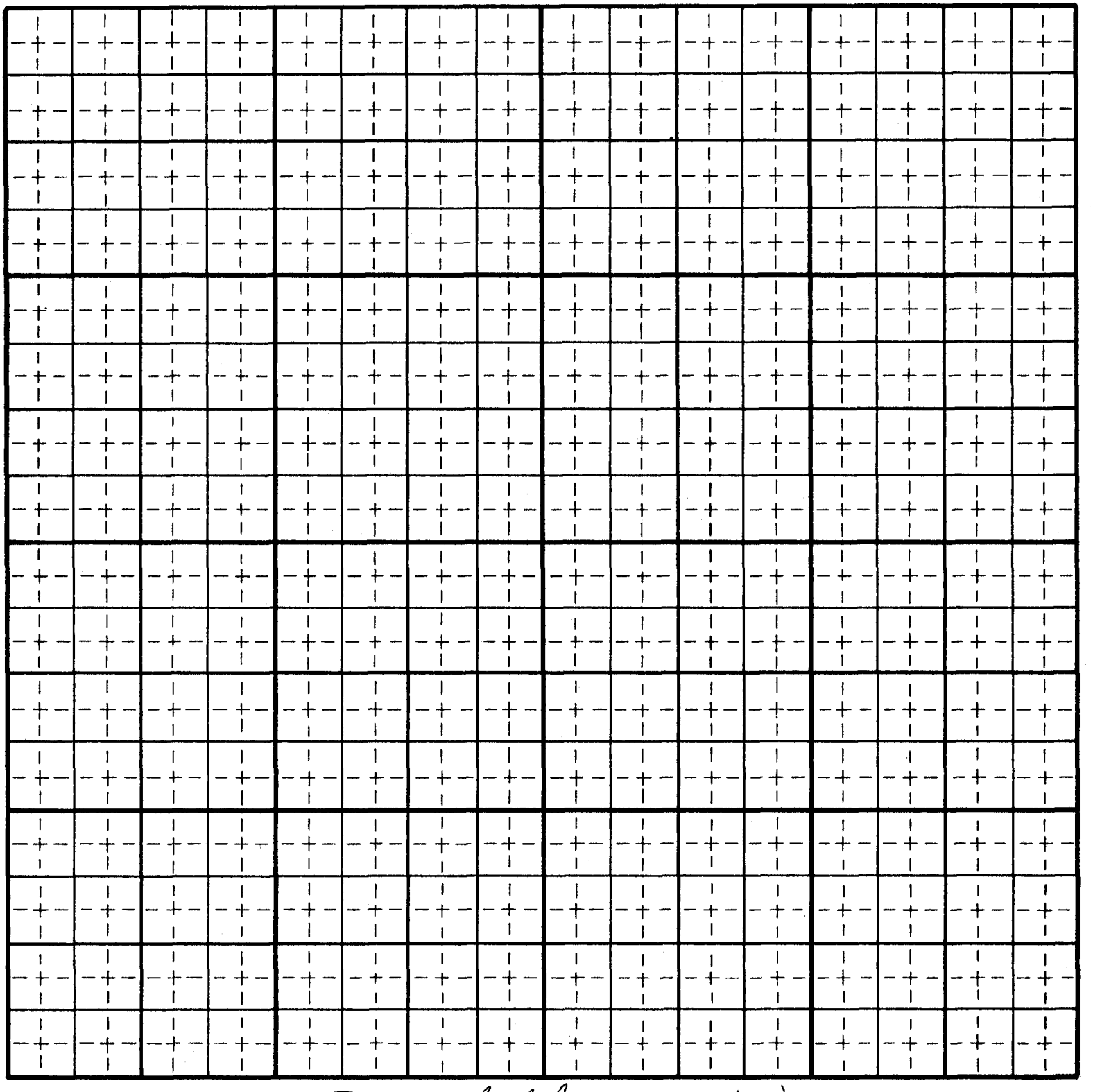
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If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from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

932

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



See attached maps (2)

MICROFILMED
SEP 15 1992

Last Name _____ Ident No. _____ *Copies: White-State, Yellow-Claimant*

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 _____ 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 PRESIDENT (Title) of TRIWITY SPRINGS (Organization), that I have signed the foregoing document in the space below as PRESIDENT (Title) of TRIWITY SPRINGS LTD. (Organization) and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization PRESIDENT / TRINITY SPRINGS LTD. Date _____

State of Idaho/or _____)
) SS.
County of Ada)

Subscribed and sworn (or affirmed) before me this 6th day of Aug 19 92

SEAL

Notary Public _____

Residing at Boise Id

My Commission Expires 9/10/1994

Please Print Name

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

Signature _____

Address _____

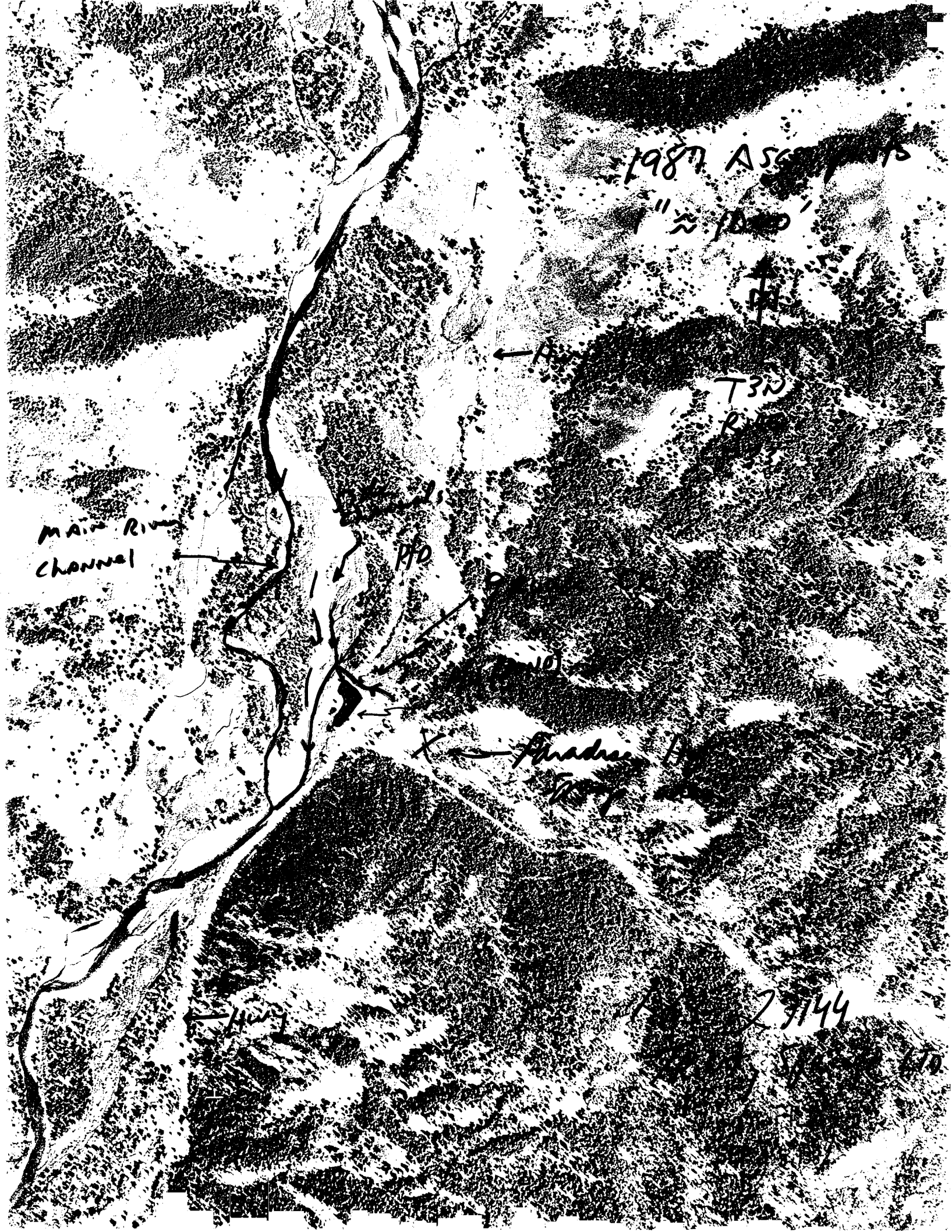
Date _____

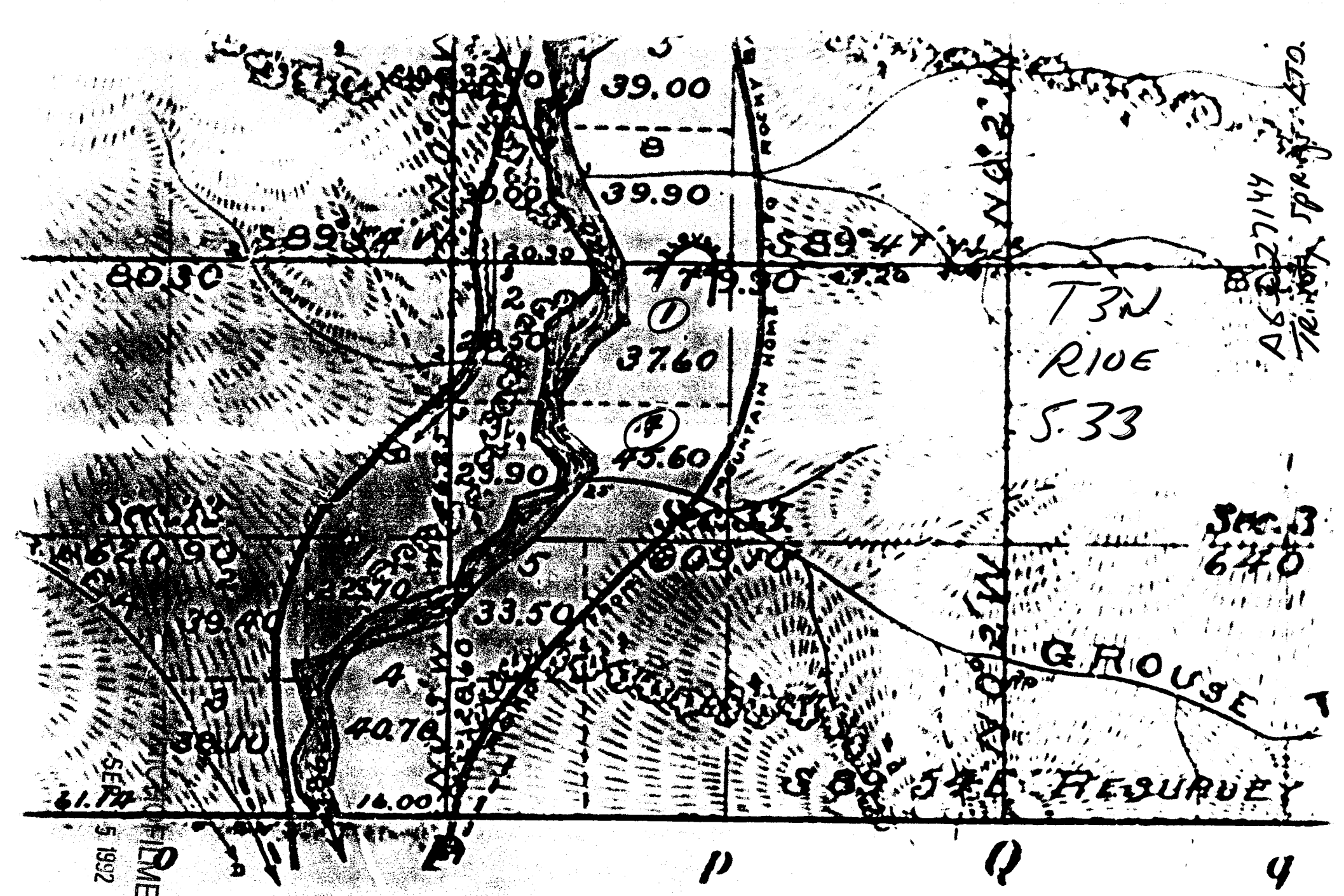
MICROFILMED
SEP 15 19[illegible]2

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant


4826
4825
4824
4823
4822
4821
4820
Paradise Hot Springs
Gravel Pit
Dixie
Gulch
Dare
Gulch
Creek
Creek
34
5
4
8
9
T.5S
R.10E
T.5S
R.9E
SEC. 5
SEC. 10
11/18/91


1987 AS
T3N
MAIN RIVER CHANNEL
PPD
HWY 1



blic Land 22634.74 A. Total number of Acres 22950.84

of Contract	Amount of Survey	When Surveyed	Area of Each Class
	M Ch Lks		

63-27144

RECEIVED
JUL 06 2004
WATER RESOURCES
WESTERN REGION

MELANIE G. RUBOCKI
Telephone: (208) 343-3434
Facsimile: (208) 343-3232
Mrubocki@perkinscoie.com

Perkins Coie

251 East Front Street, Suite 400
Boise, ID 83702-7310
PHONE: 208.343.3434
FAX: 208.343.3232
www.perkinscoie.com

July 6, 2004

VIA HAND DELIVERY
Idaho Department of Water Resources
Western Division
2735 Airport Way
Boise, ID 83705-5082

Dear Representative:

Enclosed please find an executed original and a copy Notice of Security Interest in a Water Right along with a check in the amount of $325 to cover the processing fees.

Please file the Notice of Security Interest in a Water Right and conform the copy by date stamping it and returning to our office runner. If there are any problems, please call me at 343-3434 or in my absence, please ask for my secretary, Linda Concannon.

Very truly yours,
Dictated by Melanie G. Rubocki and mailed in her absence in order to avoid delay.
Melanie G. Rubocki

MGR:lc
Enclosures

Note: Originals sent to S.O. to process.

P.D. issued (amended) 7-29-03

[37408-0007/SB041880.179]

SCANNED
JUL 08 2004

Form 42-248(6) July, 2000

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JUL 06 2004
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Security Interest in a Water Right

And Request for Notification of a Change in Ownership or Any Proposed Or Final Action to Amend, Transfer, or Otherwise Modify a Water Right

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

1. Water Right No(s).: Please see Schedule A attached

   Adjudication Claim No(s).: Please see Schedule A attached

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

   A) Evidence of the security interest. This may be a copy of a **DEED of TRUST, MORTGAGE, CONTRACT OF SALE** or other legal document indicating your interest in the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

   B) A **FEE** of $25.00 per water right or adjudication claim.

3. Name and Mailing Address of Person or Company holding Security Interest

   Dean Barney
   Trinity Springs, Ltd.
   160 7th Street West, #2C
   P.O. Box 8810
   Ketchum, Idaho 83340

4. Name of Water Right Owner/Claimant(s)

   TSL Acquisition Corp.

5. Expiration Date of Notification Period perpetual

6. Is this a Renewal of Request for Notification? ☐ YES ☒ NO

7. Signature(s) (and title if applicable)

   Dean Barney, Chief Executive Officer

For Office Use Only

Received by DB Date 7.6.04 Fee $25- Each
Receipted by DB Date 7-6-04 Receipt No. W031933
Processed by AJ Date _____ WR _____ Date _____

SCANNED
JUL 08 2004

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JUL 06 2004
WATER RESOURCES
WESTERN REGION

NOTICE OF SECURITY INTEREST IN A WATER RIGHT
SCHEDULE A

1. Water Permit No. 63-11439
2. Water Permit No. 63-12316
3. Water Permit No. 63-12317
4. Water Permit No. 63-31526
5. Water Right Decree No. 63-4221, in re SRBA Case No. 39576;
6. Water Right No. 63-4327, Notice of Claim in re SRBA Case No. 39576;
7. Water Right Decree No. 63-8206, in re SRBA Case No. 39576, Water Right License No. 63-8206, and Partial Decree No. 63-8206;
8. Water Right Decree No. 63-8207, in re SRBA Case No. 39576, Water Right License No. 63-8207, and Partial Decree No. 63-8207;
9. Water Right License No. 63-10559, and any claim, decree or partial decree in re SRBA Case No. 39576;
10. Water Right License No. 63-10560, and any claim, decree or partial decree in re SRBA Case No. 39576;
11. Water Right License No. 63-11051, and any claim, decree or partial decree in re SRBA Case No. 39576;
12. Water Right License Number 63-11053, and any claim, decree or partial decree in re SRBA Case No. 39576;
13. Water Right Decree Number 63-27144, in re SRBA Case No. 39576; and Partial Decree Number 63-27144;
14. Any and all water rights, entitlements and other interests associated with the cold water well that serves the main office building and bottling facility and is believed to be located just south of the main office building near the common boundary between the SE1/4NE1/4 and the NE1/4NE1/4 of Section 5, Township 2 North, Range 10 East, Boise Meridian.

SCANNED
JUL 0 6 2004

2003 JUL 29 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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	)	AMENDED PARTIAL DECREE PURSUANT TO
	)	I.R.C.P. 54(b) FOR
Case No. 39576	)	
	)	Water Right 63-27144

NAME AND ADDRESS: TRINITY SPRINGS LTD
PO BOX 1630
KETCHUM, ID 83340

SOURCE: SOUTH FORK BOISE RIVER TRIBUTARY: BOISE RIVER
GROUSE CREEK TRIBUTARY: SOUTH FORK BOISE RIVER

QUANTITY: 1.00 CFS
3.40 AFY

PRIORITY DATE: 01/01/1970

POINT OF DIVERSION: T03N R10E S33 LOT 1 (SWNENW) Within Elmore County
LOT 4 (NWSENW)

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Recreation	01-01 TO 12-31	1.00 CFS
Recreation Storage	01-01 TO 12-31	3.40 AFY
Diversion to Storage	01-01 TO 12-31	1.00 CFS

PLACE OF USE:

Recreation Within Elmore County
T03N R10E S33 LOT 4 (NENW) LOT 4 (SENW)

Recreation Storage Within Elmore County
T03N R10E S33 LOT 4 (NENW) LOT 4 (SENW)

Diversion to Storage Within Elmore County
Same as Recreation Storage

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. 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

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

When Recorded Return To:

Christopher H. Meyer
Givens Pursley LLP
P.O. Box 2720
Boise, ID 83701
208-388-1200

RECEIVED
JUL 06 2004
WATER RESOURCES
WESTERN REGION

WATER RIGHT GRANT DEED AND ASSIGNMENT

Trinity Springs, Ltd., an Idaho corporation, whose address is 160 7th Street W. #2C, P.O. Box 8810, Ketchum, Idaho 83340 ("Grantor"), does hereby grant, bargain, sell, assign and convey unto TSL Acquisition Corp., a Delaware corporation, whose address is c/o AMCON Distributing Company, Attention: Chief Financial Officer, 7405 Irvington Road, Omaha, Nebraska 68164-7940 ("Grantee"), and to Grantee's heirs, successors and assigns forever, all of Grantor's right, title and interest in all of Grantor's water rights, claims to water rights, water right permits, water right licenses and applications for water rights, not otherwise conveyed by any other deed (collectively the "Water Rights"), including but not limited to each of the following:

1. Water Right No. 63-4221

   (a) that certain water right evidenced and represented by Water Right Decree Number 63-4221 issued to Grantor or Grantor's predecessor in interest (if any) by the Fifth Judicial District, the State of Idaho, in and for the County of Twin Falls, in re SRBA Case No. 39576; and

   (b) Idaho Water Right Decree Number 63-4221.

2. Water Right No. 63-4327

   (a) that certain claim for a water right evidenced and represented by Notice of Claim to Water Right No. 63-4237 filed by Grantor or Grantor's predecessor in interest (if any) in the Fifth Judicial District, the State of Idaho, in and for the County of Twin Falls, in re SRBA Case No. 39576.

3. Water Right No. 63-8206

   (a) that certain water right evidenced and represented by Water Right Decree Number 63-8206 issued to Grantor or Grantor's predecessor in interest (if any) by the Fifth Judicial District, the State of Idaho, in and for the County of Twin Falls, in re SRBA Case No. 39576;

   (b) Idaho Water Right License Number 63-8206; and

   (c) Idaho Partial Decree Number 63-8206.

4. Water Right No. 63-8207

   (a) that certain water right evidenced and represented by Water Right Decree Number 63-8207 issued to Grantor or Grantor's predecessor in interest (if

SCANNED
JUL 06 2004

any) by the Fifth Judicial District, the State of Idaho, in and for the County of Twin Falls, in re SRBA Case No. 39576;

(b) Idaho Water Right License Number 63-8207; and

(c) Idaho Partial Decree Number 63-8207.

5. Water Right No. 63-10559

(a) that certain water right evidenced and represented by Water Right License Number 63-10559 issued to Grantor or Grantor's predecessor in interest (if any) by the State of Idaho;

(b) Idaho Water Right License Number 63-10559 ("License"); and

(c) any claim, decree or partial decree (including any amendments thereto) with respect to said water right or license filed in or issued pursuant to the Snake River Basin Adjudication, Fifth Judicial District, in the State of Idaho, in and for the County of Twin Falls, In re SRBA Case No. 39576.

6. Water Right No. 63-10560

(a) that certain water right evidenced and represented by Water Right License Number 63-10560 issued to Grantor or Grantor's predecessor in interest (if any) by the State of Idaho;

(b) Idaho Water Right License Number 63-10560 ("License"); and

(c) any claim, decree or partial decree (including any amendments thereto) with respect to said water right or license filed in or issued pursuant to the Snake River Basin Adjudication, Fifth Judicial District, in the State of Idaho, in and for the County of Twin Falls, In re SRBA Case No. 39576.

7. Water Right No. 63-11051

(a) that certain water right evidenced and represented by Water Right License Number 63-11051 issued to Grantor or Grantor's predecessor in interest (if any) by the State of Idaho;

(b) Idaho Water Right License Number 63-11051; and

(c) any claim, decree or partial decree (including any amendments thereto) with respect to said water right or license filed in or issued pursuant to the Snake River Basin Adjudication, Fifth Judicial District, in the State of Idaho, in and for the County of Twin Falls, In re SRBA Case No. 39576.

8. Water Right No. 63-11053

(a) that certain water right evidenced and represented by Water Right License

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JUL 0 8 2004

Number 63-11053 issued to Grantor or Grantor's predecessor in interest (if any) by the State of Idaho;

(b) Idaho Water Right License Number 63-11053 ("License"); and

(c) any claim, decree or partial decree (including any amendments thereto) with respect to said water right or license filed in or issued pursuant to the Snake River Basin Adjudication, Fifth Judicial District, in the State of Idaho, in and for the County of Twin Falls, In re SRBA Case No. 39576.

9. Water Right No. 63-27144

(a) that certain water right evidenced and represented by Water Right Decree Number 63-27144 issued to Grantor or Grantor's predecessor in interest (if any) by the Fifth Judicial District, the State of Idaho, in and for the County of Twin Falls, in re SRBA Case No. 39576; and

(b) Idaho Partial Decree Number 63-27144.

10. Any and all water rights, entitlements and other interests associated with the cold water well that serves the main office building and bottling facility and is believed to be located just south of the main office building near the common boundary between the SE1/4NE1/4 and the NE1/4NE1/4 of Section 5, Township 2 North, Range 10 East, Boise Meridian.

SUBJECT TO: the security interest of Trinity Springs, Ltd. ("Trinity"), to secure the performance of certain obligations of TSL Acquisition Corp. ("TSL") and AMCON Distributing Company ("AMCON") relating to the transaction contemplated by certain Asset Purchase Agreement, dated April 24, 2004, among Trinity, TSL, and AMCON.

Grantor retains no other residual or reversionary interest in any of the Water Rights.

Grantor hereby covenants and warrants to Grantee as follows:

(a) that Grantor has not conveyed any of the Water Rights to anyone other than Grantee;

(b) that each of the Water Rights is free from all liens, claims or encumbrances done, made or suffered by Grantor or its agents, excepting Grantor's security interest referenced herein;

(c) that the undersigned is authorized to convey the Water Rights by this deed;

Grantor makes no other guarantees or warranties as to the Water Rights.

SCANNED
JUL 0 3 2006

IN WITNESS WHEREOF, the undersigned authorized officer of Grantor, acting on behalf of Grantor, has caused his name to be hereunto subscribed this 17 day of June, 2004.

GRANTOR: TRINITY SPRINGS, LTD.,
an Idaho corporation

By: _____
Name: Dean Bahney
Title: CEO

SCANNED
JUL 0 8 2004

State of Idaho)
) ss.
County of Ada)

On this 17 day of JUNE, in the year 2004, before me, a Notary Public in and for said County and State, personally appeared DEAN BARNEY, known or identified to me to be C.E.O. of Trinity Springs, Ltd. the Idaho corporation that executed the instrument or the person who executed the 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 seal, the day and year in this certificate first above written.

Cathy Sparks

Notary Public for Idaho
Residing at Boise
My Commission Expires 11-7-06

CATHY SPARKS NOTARY PUBLIC STATE OF IDAHO

SCANNED
JUL 0 8 2004

Idaho Department of Water Resources Receipt

Receipt ID W031933

Payment Amount $325.00 **Date Received** 7/6/2004 4:46:35 PM **Region** Western **Status**

Payment Type Check **Check Number** 1020

Payer PERKINS COIE LLP

Comment NOTICE OF SECURITY INTEREST 63-11439, 63-12316, 63-12317, 63-31526, 63-4221, 63-4327, 63-8206, 63-8207, 63-10559, 63-10560, 63-11051, 63-11053 & 63-27144

Fee Detail

Amount	Description	Fund	FD	PCA	SO
$325.00	OWNERSHIP CHANGES/SECURITY INTERESTS	0229	21	62140	1155

Signature Line (Dept. Representative)

SCANNED
JUL 0 6 2004

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

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NOV 07 2003
WATER RESOURCES
WESTERN REGION

April 29, 2003

RECEIVED
NOV - 6 2003
Department of Water Resources

Correct

TRINITY SPRINGS LTD
PO BOX 8810
KETCHUM ID 83340-7139

Decreed 7/03
CID updated 11-6-03. .ps

RE: Snake River Basin Adjudication (SRBA)
Water Rights #63-4327, ~~63-8206, 63-27144,~~ 63-11051 AND 63-11053

Recommended disallowed

cc: W.A.
— no chg necessary

Dear Water Right Holders:

Mail sent to you by the SRBA District Court was returned undeliverable. We have enclosed the returned mail. 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.

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 before returning this letter, list any other water rights you have, and return this letter by May 12, 2003. 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. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water rights 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 records.

Sincerely,

Sally

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

SCANNED
NOV 06 2003

######

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

NOTE: RON LLOYD, PRESIDENT & CEO replaces MARK JOHNSON

Water Right Holder's Signature

Suzanne M. Kuzyk
Controller - Trinity Springs Ltd. 11/4/03

Telephone No.

208-726-7734

IDAHO DEPARTMENT OF WATER RESOURCES 10/25/2001

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

NAME AND ADDRESS: TRINITY SPRINGS LTD
PO BOX 1630
KETCHUM ID 83340

SOURCE: GROUSE CREEK — TRIBUTARY: SOUTH FORK BOISE RIVER
SOUTH FORK BOISE RIVER — TRIBUTARY: BOISE RIVER

QUANTITY: 1.00 CFS
3.4 AFY

PRIORITY DATE: 01/01/1970

POINT OF DIVERSION:

T03N R10E S33 SWNENW Lot 1 Within ELMORE County

T03N R10E S33 NWSENW Lot 4 Within ELMORE County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
RECREATION	01/01 12/31	1.000 CFS
RECREATION STORAGE	01/01 12/31	3.40 AFY
DIVERSION TO STORAGE	01/01 12/31	1.000 CFS

PLACE OF USE: RECREATION Within ELMORE County

T03N R10E S33 Lot 4 NENW T03N R10E S33 Lot 4 SENW

RECREATION STORAGE Within ELMORE County

T03N R10E S33 Lot 4 NENW T03N R10E S33 Lot 4 SENW

DIVERSION TO STORAGE same as RECREATION STORAGE

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: Beneficial Use

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	TRINITY SPRINGS LTD PO BOX 1630 KETCHUM ID 83340 (208) 726-7734	01/01/1970	RECREATION	01-01	12-31	1.000 CFS	
			RECREATION STORAGE	01-01	12-31		3.40 AFA
			DIVERSION TO STORAGE	01-01	12-31	1.000 CFS	
					TOTAL DIVERSION:	1.000 CFS	3.40

Water Source: GROUSE CREEK
BOISE RIVER, SOUTH FORK

Tributary to: BOISE RIVER, SOUTH FORK
BOISE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T03N R10E S33 Lot01(SWNENW) Lot04(NWSENW)

ELMORE County

Place of use Legal Description for: RECREATION

		NE				NW				SW				SE			
		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
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	Lt Ac	Lt Ac	Lt Ac	Lt Ac
03N	10E 33								04-R								

Place of use Legal Description for: RECREATION STORAGE

		NE				NW				SW				SE			
		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
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	Lt Ac	Lt Ac	Lt Ac	Lt Ac
03N	10E 33								04-R								

POU County: ELMORE

Non-Irrigation Uses: RECREATION POND FOR MISC. RECREATION & AESTHETIC USES

Other Rights: NONE

Remarks: GEN SINGLE POINT OF DIVERSION ON LINE BETWEEN LOT 1 (SWNENW) AND LOT 4 (NWSENW), S33, T03N, R10E.
OUTFLOW FROM POND RETURNS TO RIVER.
POND IS AN EXCAVATED SITE & THUS INVOLVES GROUND WATER TO SOME UNQUANTIFIED EXTENT. HOWEVER, ANY GROUND WATER IN THE FLOOD PLAIN OF THE RIVER IS UNDOUBTABLY CONNECTED TO THE RIVER & THEREFORE IS CONSIDERED AS SURFACE WATER. GROUND WATER IS NOT FORMALLY SHOWN AS A SOURCE DUE TO THIS FACTOR. THE 1963 MANDATORY PERMIT STATUTE FOR GROUND WATER IS CONSIDERED N/A.
THE INTAKE PIPE IS FOUND AT THE CONFLUENCE OF GROUSE CREEK & THE SOUTH FORK BOISE RIVER PER 7/18/91 FIELD EXAM RELATED TO OTHER WATER RIGHTS. THIS CLAIM RESULTED FROM THE FIELD WORK. EXAM WAS CONDUCTED BY SL.

1.27 acres Surface of POND.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 17, 2001

Trinity Springs Ltd
Mark Johnson
P.O. Box 1630
Ketchum, ID 83340

Re: Water rights for Trinity Springs, Paradise Homeowners Association, and Eugenia Landon.

Dear Mark:

Thank you for meeting with me, your help was needed and appreciated. I have gone over all the rights for the above-mentioned parties, and have come up with the following information:

Rights under the name of Eugenia Landon-

63-8207 This is a licensed right, with a claim filed in the SRBA, from Dixie Gulch Creek for domestic use. This right was licensed for use at was the Moon Mountain Lodge. This right will be recommended as it was licensed. What Trinity will need to do – change of ownership. We have a warranty deed going from Landon to Bell and Acker, but will need further documentation going to Trinity. Additionally I understand this right has not been used due to the disrepair of pipes. Once this right has been decreed, you will need to use the right within a five-year period or forfeiture may occur.

63-8206 This is a licensed right, with a claim filed in the SRBA, from a hot spring for heating use at Moon Mountain Lodge. This right was originally developed to serve the 10 cabins that never materialized. Trinity will need to take the same steps as mentioned in 63-8207.

63-11051 This is a licensed right, no claim needed in the SRBA, from a spring for domestic use at the Moon Mountain Lodge. Springbox is described as being located approximately 20' from Dixie Gulch. Trinity will need to take the same steps as mentioned for the above rights. There is a $25 fee associated with change of ownership for this right.

63-11053 This is a licensed right, no claim needed in the SRBA, from a spring for commercial use at the Moon Mountain Lodge. This right also included the pool behind the Moon Mountain Lodge. It appears that this is the same spring used for bottling and described in right 63-8206. Trinity will need to take the same steps as mentioned for the above rights. There is a $25 fee associated with change of ownership for this right.

63-4327 This is a beneficial use right, with a claim filed in the SRBA, from a spring same source as 63-8206 and 63-11053. Landon filed this right with a 1900 priority date for heating, domestic, and recreation use for Moon Mountain Lodge. The recreation portion of this right is no longer valid. Licensed right 63-2806, which has a 1975 priority date, has already covered the heating portion of this right. If Trinity wishes to submit evidence of priority to substantiate the 1900 priority date, I can recommend the heating component under this right with an earlier priority date and disallow the 63-8206 right. Also, I can recommend the domestic portion of this right. Trinity will need to provide evidence of priority and change of ownership.

Rights under Trinity Springs LTD

63-27144 This is a beneficial use right, with a claim filed in the SRBA, from Grouse Creek and the South Fork Boise River. This right covers recreation/storage and diversion to storage. This right is for the pond

on the west side of the road. Trinity needs to provide evidence of priority for this right, date claimed is 1/1/1970.

63-11439 This is an application for permit for commercial bottling. No SRBA claim is needed for this right.

Rights under Paradise Homeowners Association

63-4221 This is a beneficial use right from Grouse Creek, with a claim filed in the SRBA. This right will be recommended for 3.7 acres of irrigation and cooling for the pool and tubs. Paradise or Trinity will need to submit evidence to support 1913 priority date. This right will stay in the name of Paradise unless Trinity wants a change of ownership, in which case this right will likely be split.

63-10559 This is a licensed right, no SRBA claim needed, from groundwater for commercial use at the lodge, shop and domestic use for 51 homes. This right will stay in the name of Paradise unless Trinity wants a change of ownership, in which case this right will likely be split, there would be a $100 fee associated with splitting this right.

63-10560 This is a licensed right, no SRBA claim needed, from springs for recreation, heating and domestic use associated with the lodge, shop, 11 cabins, 43 homes and swimming pool. . This right will stay in the name of Paradise unless Trinity wants a change of ownership, in which case this right will likely be split, there would be a $100 fee associated with splitting this right.

It appears that there are no water rights associated with the Landon home. If surface water is used, a water right is needed. If use occurred prior to 1971 a SRBA claim can be filed, otherwise an application for permit is needed. Also there is no right associated with the "shed" located next to the bridge. The same applies, if heating has been a use in the shed prior to 1971, you may want to file an SRBA claim for this also.

I realize this information is confusing to say the least. Please contact me if you have any questions, and return necessary documents by October 15, 2001.

Sincerely,

Sue Bock
Sr. Water Resource Agent

Enclosure: water right profiles, change of ownership form.

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 15, 2001

Re: Claim No(s). 63-27144

TRINITY SPRINGS LTD
PO BOX 1630
KETCHUM, ID 83340

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is **NOT** to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the **"Priority Date"** as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

Enclosed is a pamphlet entitled **"Evidence of Priority"** which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify claims in this area are now being conducted by Department personnel. Please contact this office as soon as possible to schedule a field exam appointment convenient for you.

The required evidence supporting the priority date(s) must be submitted by **October 15, 2001,** referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

JS:lh
Enclosures

Form 42-1409(10)-1
5/89

Approved

Date Received 8/6/92

RECEIVED
AUG 18 1992
Department of Water Resources

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

RECEIVED
AUG 20 1992
Department of Water Resources
Western Regional Office

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.

X TRINITY SPRINGS — 208 726 7734
Name of Claimant — Phone Number

X P.O. 16030 — KETCHUM — ID. — 83340
Mailing Address — City — State — Zip

Gimore — 12-7-1989
County(s) where place of use is located — Date claim originally due

A63-27144
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:

Did not own property at that time.

Claim filed 8/6/92 as result of 7/18/91 field exam related to other water rights.

X Claimant requests an extension to 8/6/92, 19 ____

X Stamford L. Cram — ____, 19 ____
Signature — Date of request

X PRESIDENT
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 August 6, 19 92

Signed this 18 day of August, 19 92

Director or his designated agent
DAVID B. SHAW

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

MICROFILMED
AUG 0 2 1994

3-3-92

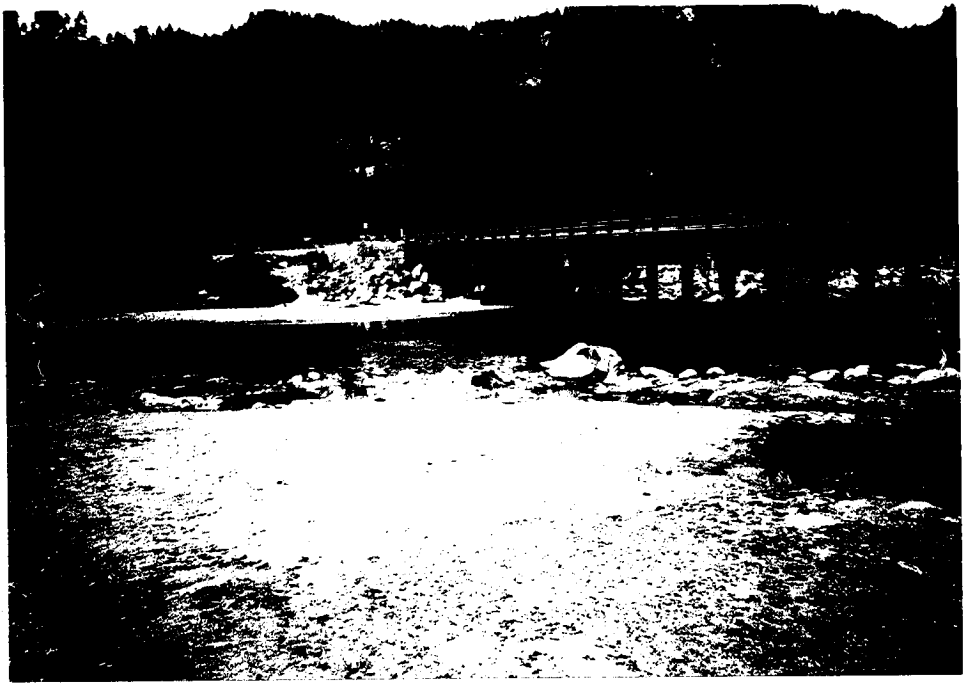
To whom it may Concern

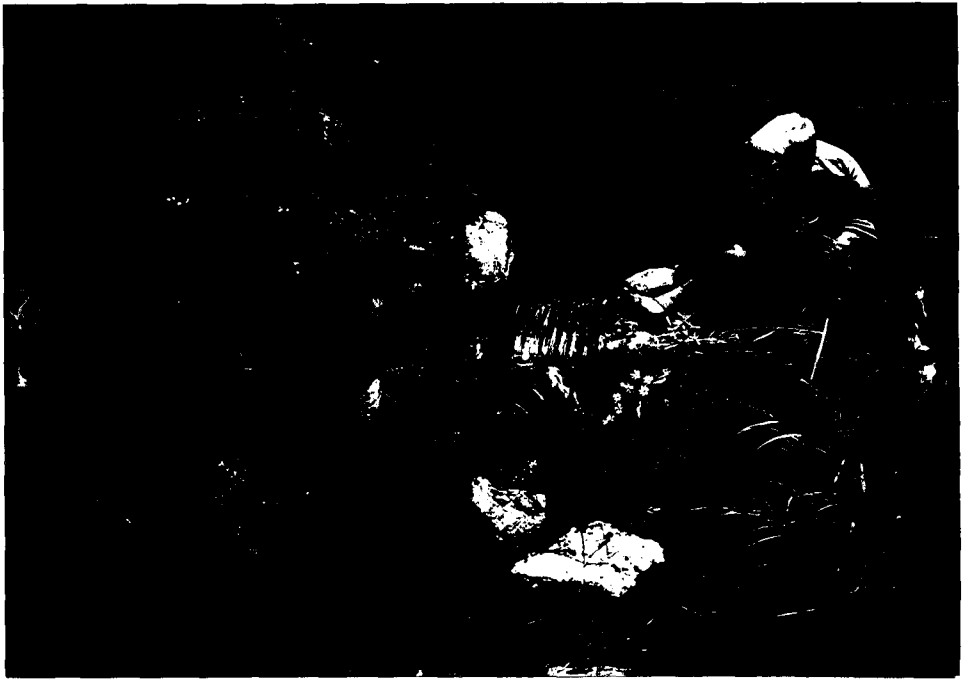
I-Elmer Mead - living on the origanal wagon town property have been in this area since befor 1910 working for mr Willis Carrie and later for his son Jim. The pond at that time had sub water in it deep enough for ducks & geese and still does. The fresh water is supplide by ground creek and the south forks of the Boise river. Sincerely yours

Elmer Mead

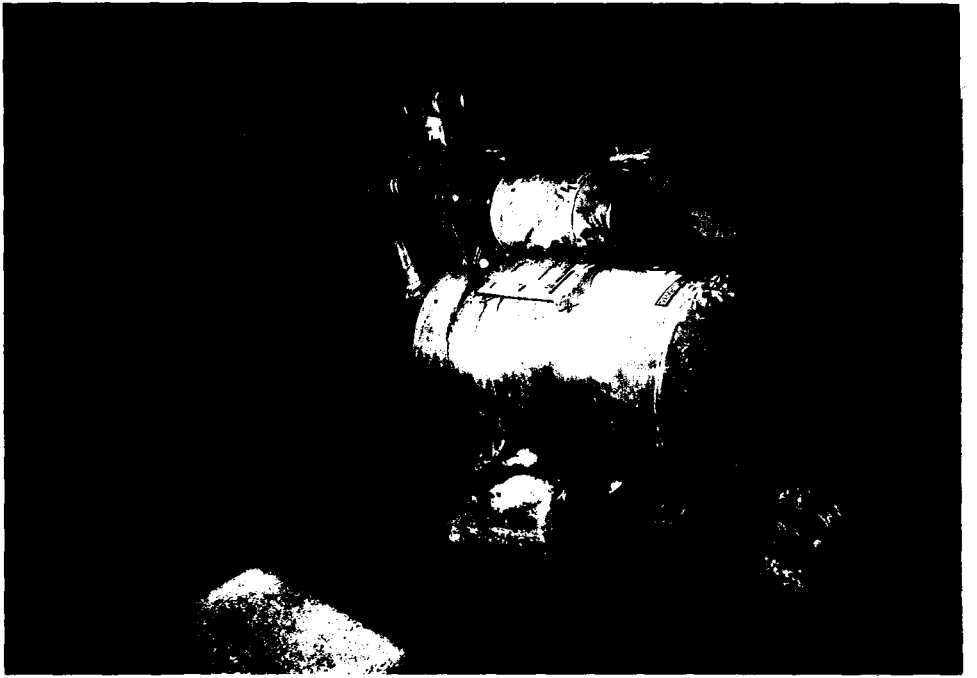
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A63-27144

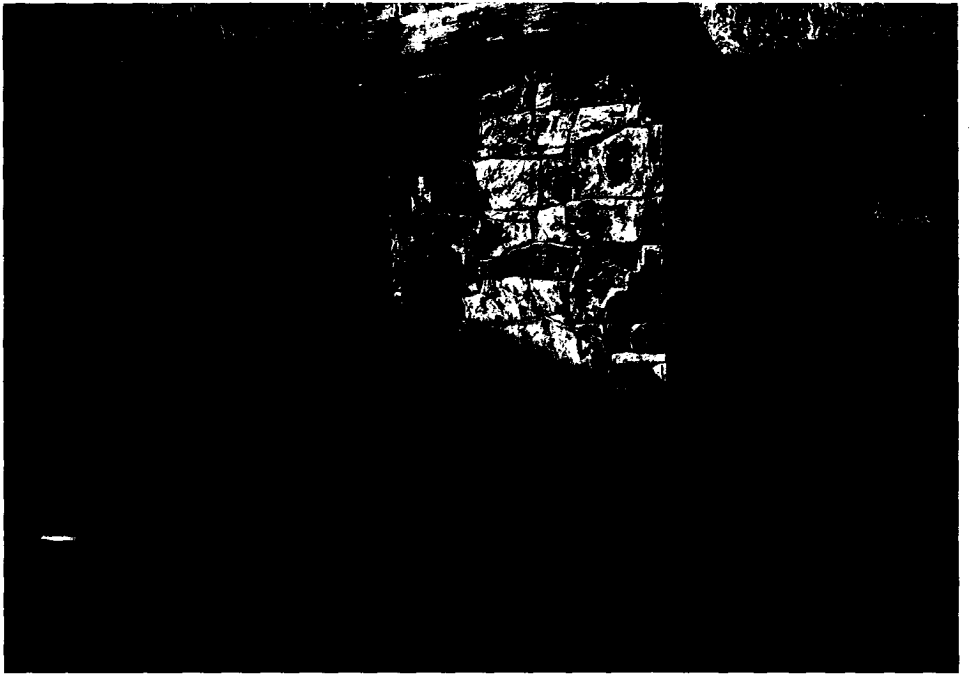






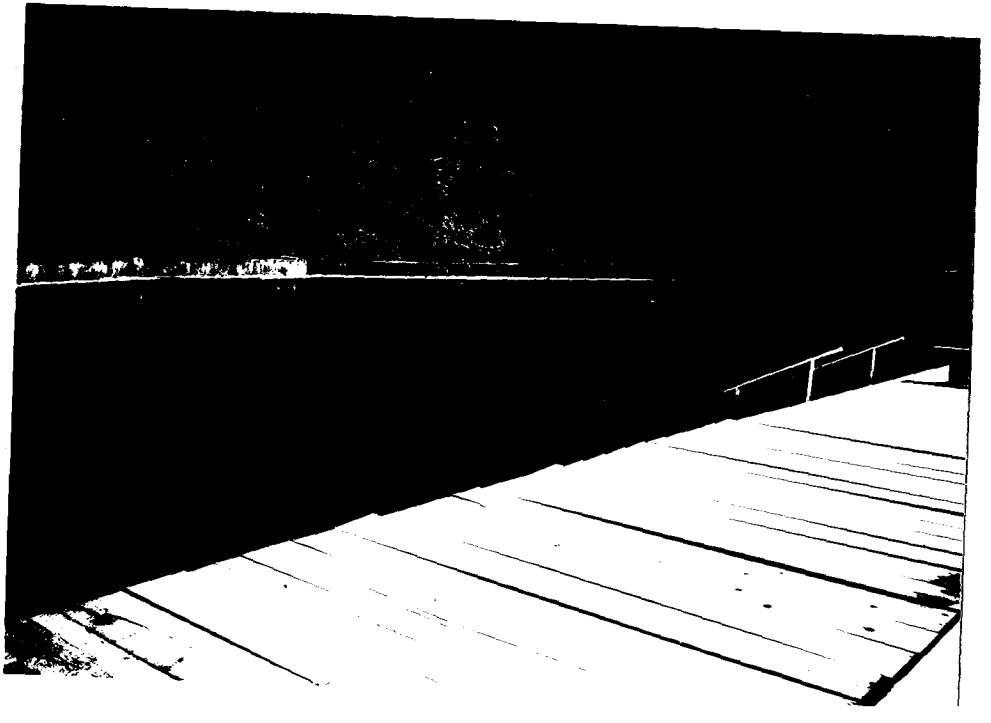




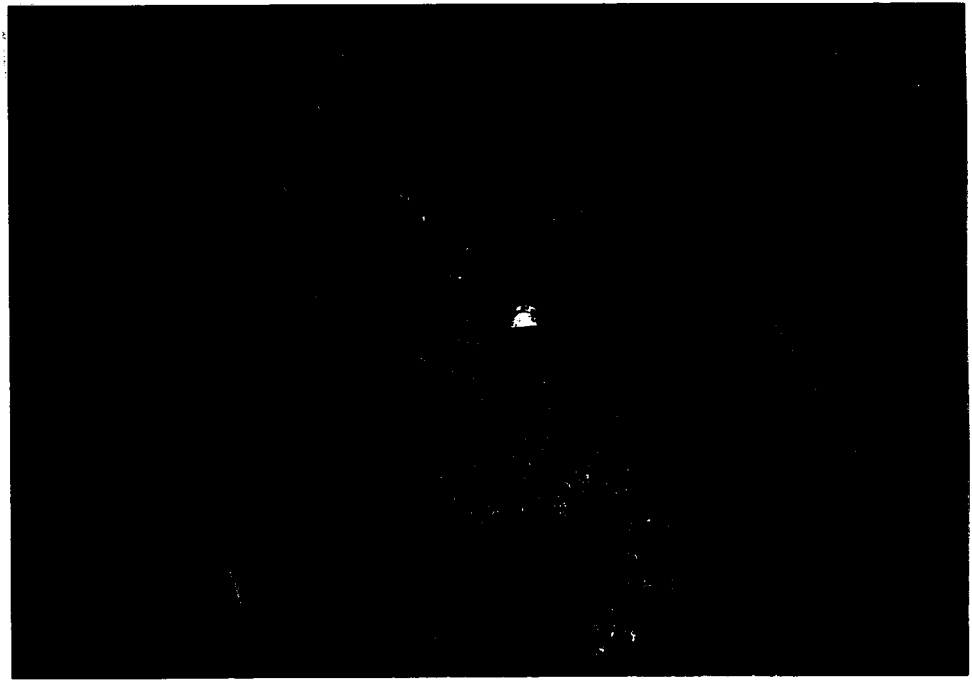












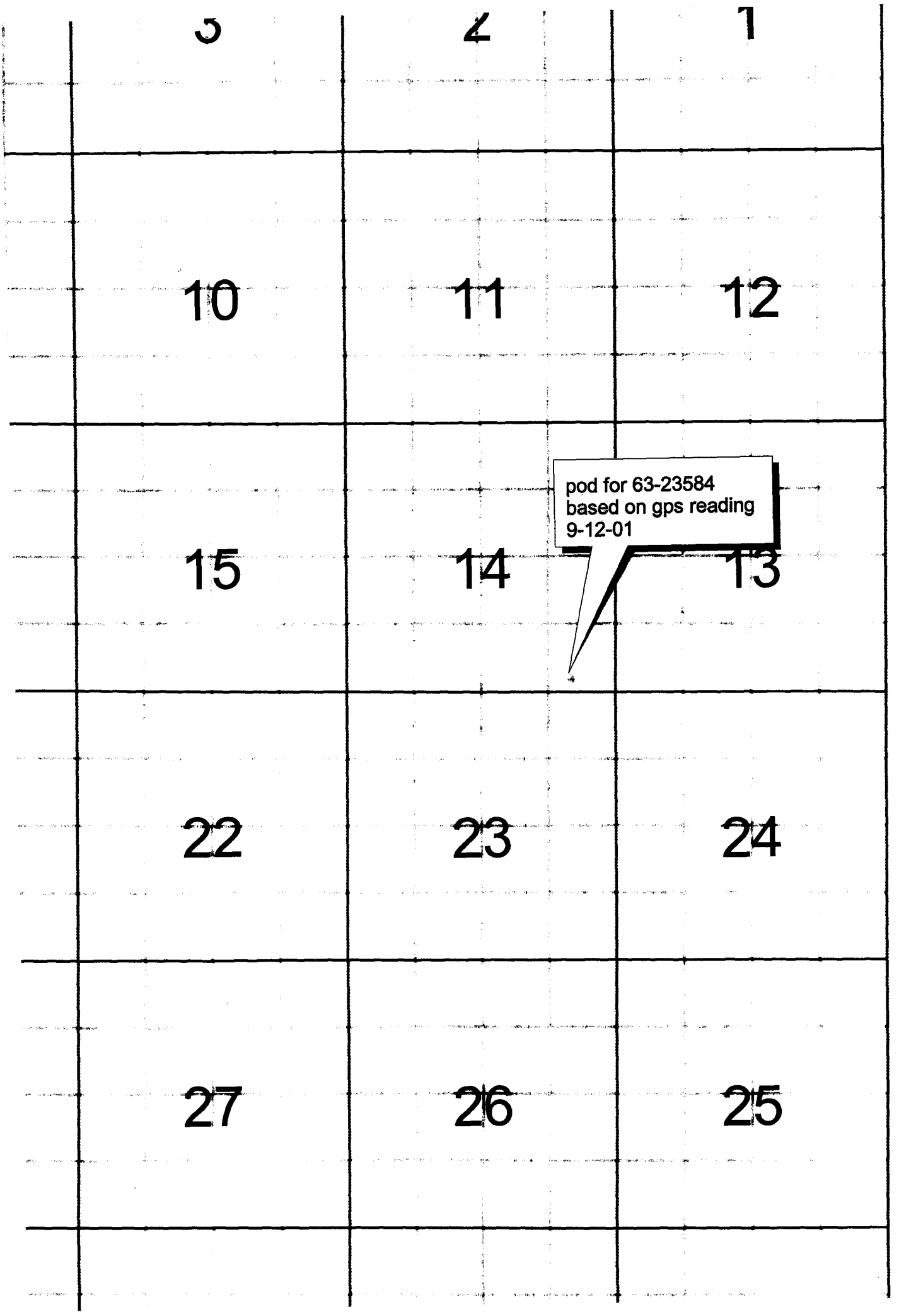

3
2
1
10
11
12
15
14
13
pod for 63-23584
based on gps reading
9-12-01
22
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25

Photo #1 Dixie Gulch Creek ~~#~~ waypoint #2 Sec 5, 2N, 10, SWNE

#2 London house 63-11051 comparison of pool

#3 pump London house
waypoint #3 Sec 5, 2N, 10, SWNE

Photo #4 Spring up from bridge waypoint #4 Base

~~#5~~ hot spring by bridge Sec 5, 2N, 10, SENE.

#6 spring at bottling plant + lodge
waypoint #5

#7 pond - include for storage? put in 1984

#8 Grouse Creek Waypoint #6 3N, 10, 33 SENE
pool is 1 million gallons - pool belongs to
Trinity
Domestic use for Paradise all
comes from G.W. well located
on the other side of road.

#9 S Fork Boise diversion waypoint #7
3N, 10 Sec 33 NENW

#10 Spring for Shoot waypoint #8

Sp #2

TRINITY
Source Matters.

12th Sept

FAX COVER SHEET

TO: Sue Bock
Idaho Dept. of Water Resources

FAX: 208-334-2348

FROM: Donna Mahoney for Mark Johnson

DATE: August 23, 2001

NUMBER PAGES INCLUDING COVER: 2

SUBJECT: Directions to Trinity Springs source.

Also confirming appointment on September 12, 2001 at 9:30 a.m. with Mark Johnson. Please contact Donna Mahoney at Trinity Springs if there is any conflict with this appointment date and time.

Thank you!

Heating → Sq Footage - liveable
of Floors
→ inside temp

Trinity Springs Ltd. Main Office:
Phone: 208.726.7734 • Fax: 208.726.8015
P.O. Box 1630, 200 South Main Street, Ketchum, ID 83340

Trinity Springs Source & Plant:
Phone: 208.653.2363 • Fax: 208.653.2391
HC 97, Box 390, Pine/Featherville Road, Paradise, ID 83647

www.trinityspringsltd.com

Order No. 4923

WARRANTY DEED

FOR VALUE RECEIVED

RICHARD AUG, a single person, MURLIN E. AUG, a single person, LERRY HEATH and JANICE HEATH, husband and wife, WILLIAM C. WINTER and JULIE A. WINTER, husband and wife, and ROBERT G. McCREA and SHIRLEY A. McCREA, husband and wife

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

TRINITY SPRINGS LTD., an Idaho corporation

GRANTEE(s) whose address is: **P.O. Box 1630, Ketchum, ID 83340**

the following described real property in **Elmore** County, Idaho, to wit:

Lot 5 in Block 3 of BALLANTYNE CAMP SUBDIVISION NO. 4, Elmore County, Idaho, according to the official plat thereof, filed for record in the office of the County Recorder, Elmore County, Idaho.

TOGETHER WITH all water rights and/or water claims appurtenant to subject property.

274991

ELMORE COUNTY, IDAHO, ss
Request of FIRST AMERICAN
Time 2:51 P.M.
Date JUL 02 1993
Book _____ of _____
Page _____
DOLORES ROBISON
Recorder
By Merla L Decker
Deputy
Fee 6.00

Subject To: Taxes, easements and restrictions of record.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: **July 1, 1993**

Richard Aug
RICHARD AUG

Murlin E. Aug
MURLIN E. AUG

William C. Winter
WILLIAM C. WINTER

Robert G. McCrea by Janice B Heath his attorney in fact
ROBERT G. McCREA

Lerry D Heath
LERRY HEATH

Janice Heath
JANICE HEATH

Julie A. Winter
JULIE A. WINTER

Shirley A. McCrea by Janice B Heath her attorney in fact
SHIRLEY A. McCREA

State of **Idaho**

County of **Elmore**

On this July 2, 1993, before me, a notary public in and for said State, personally appeared **RICHARD AUG, MURLIN E. AUG, LERRY HEATH, JANICE HEATH, WILLIAM C. WINTER, and JULIE A. WINTER** personally 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.

Debra K Sanders
Notary Public
Residing at **Mountain Home, Idaho**
Commission Expires: 2-18-98

SANDERS NOTARY PUBLIC IDAHO

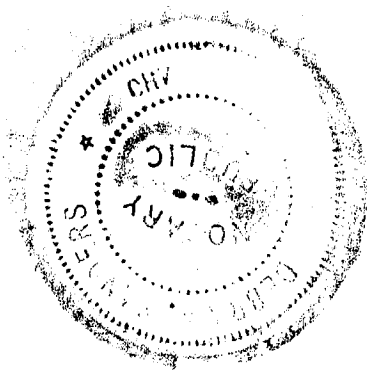
e:\wd

State of Idaho

County of Elmore

On this 2nd day of July, 1993, before me, the undersigned, a Notary Public in and for said State personally appeared JANICE R. HEATH, known or identified to me to be the person whose name is subscribed to the within instrument as Attorney In Fact for ROBERT G. McCREA and SHIRLEY A. McCREA, and acknowledged to me that she has subscribed the names of ROBERT G. McCREA and SHIRLEY A. McCREA thereto as principal and her own name as Attorney In Fact.

Notary Public for Idaho
Residing At: Mountain Home, Idaho
My Commission Expires:_____



WARRANTY DEED

For Value Received

EUGENIA C. LANDON, a widow

The grantor , do es hereby grant, bargain, sell and convey unto
JOCK SCOTT BELL and ADA DEANE BELL, husband and wife; and STANFORD L. ACKER and KAREN ANNE ACKER, husband and wife
the grantee , whose current address is

the following described premises, in Elmore County Idaho, to-wit:

See EXHIBIT "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees . their heirs and assigns forever. And the said Grantor do es hereby covenant to and with the said Grantee s that she the owner in fee simple of said premises; that they are free from all incumbrances except those of record.

and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: November 16, 1990

Eugenia C. Landon
EUGENIA C. LANDON

STATE OF IDAHO, COUNTY OF ELMORE
On this 16th day of November , 1990 , before me, a notary public in and for the said State, personally appeared
Eugenia C. Landon
known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that executed the same.

DENNIS H. WETHERELL NOTARY PUBLIC STATE OF IDAHO

Notary Public
Residing at Mountain Home , Idaho
Comm. Expires 5-15-92

STATE OF IDAHO, COUNTY OF
I hereby certify that this instrument was filed for record at the request of
at minutes past o'clock M.,
this day of
19 , in my office, and duly recorded in Book of Deeds at Page

Ex-Officio Recorder
By Deputy.
Fees $
Mail to:

INSTRUMENT No.

IDL-392 (9-82)

EXHIBIT "A"

11/20/90

PARCEL ONE:

A tract of land in the Northeast Quarter of Section 5, Township 2 North, Range 10 East, Boise Meridian, Elmore County, Idaho, more particularly described as follows:

BEGINNING at the Northwest corner of Lot 5, Block 1, Ballantyne Camp, Subdivision No. 4, according to the official plat thereof on file with the Elmore County Recorder's Office, Mountain Home, Idaho; thence South 83 degrees 51'05" East, along the Northeasterly boundary of said Ballantyne Camp, Subdivision No. 4, 85.25 feet to a steel pin; thence South 70 degrees 21'35" East, along said boundary 96.17 feet to a steel pin; thence South 58 degrees 32'05" East, along said boundary 95.18 feet to a steel pin; thence South 53 degrees 53'35" East along said boundary 173.91 feet to an iron pipe: thence South 19 degrees 24'07" East, along said boundary 35.16 feet to a steel pin; thence South 66 degrees 43'45" East, along said boundary 103.77 feet to the most Easterly lot corner of Lot 5, Block 3, said Ballantyne Camp No. 4, thence North 46 degrees 57' East 1164.94 feet to a point on the East section line of Section 5, Township 2 North, Range 10 East, Boise Meridian, thence North 0 degrees 03' West along said section line 288.00 feet to the Southeast corner of the "Edna Ballantyne Tract"; thence North 77 degrees 46' West along the Southerly boundary of said tract, 145.65 feet to a point on the Easterly right-of-way of the County Road; thence along said right-of-way line on a curve to the right with a radius of 1298.24 feet, a central angle of 10 degrees 28', and whose long chord bears South 50 degrees 27' West 236.83 feet to a point; thence South 55 degrees 41' West along said right-of-way line 201.79 feet to a point; thence South 56 degrees 20' West along said right-of-way line 571.53 feet to a point; thence along said right-of-way line on a curve to the right with a radius of 4322.18 feet, a central angle of 6 degrees 11'36" and whose long chord bears South 59 degrees 25'48" West 466.98 feet to a point; thence South 27 degrees 28'24" East 30.90 feet to the place of beginning.

SAVE AND EXCEPT the following described portion thereof:

Beginning at the Section corner common to Sections 32 and 33, Township 3 North, Range 10 East, and Sections 4 and 5, Township 2 North, Range 10 East, Boise Meridian; thence South 19 degrees 06'28" West, 434.73 feet to a point on the Easterly right-of-way of the Pine-Featherville Road; thence South 75 degrees 06'00" East, 151.12 feet to a point; thence South 2 degrees 55'40" West, 269.12 feet to a point; thence North 83 degrees 13'21" West, 466.16 feet to a point on the Easterly right-of-way of the Pine-Featherville Road, thence along a curve to the left, 416.10 feet to the Point of Beginning.

PARCEL TWO:

A triangular parcel of land lying adjacent and contiguous to the above-described Parcel One and extending therefrom in an Easterly direction to the East boundary line of Section 5, Township 2 North, Range 10 East, Boise Meridian. A Metes and Bounds description of said parcel shall be prepared by the parties and shall be substituted hereto when available.

261456

ELMORE COUNTY, IDAHO, ss
Request of
GUARANTY TITLE, INC.
Time 2:22 P.M.
Date November 20, 1990
Book _____ of _____
Page _____
RAMONA YRAZABAL
By Marla L Becker
Deputy
Fee $9.00