

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 37-548
Date Received: 12/21/1988
Receipt No: C004234
Received By:

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

1. Name of Claimant(s)

SPRING CANYON RANCH LLC Phone: (650) 588-5600

C/O CROY CANYON LLC
395 OYSTER PT BLVD #309
SOUTH SAN FRANCISCO CA USA 94080

2. Date of Priority: 06/01/1880

3. Source: DEMOCRAT CREEK , LAMBS GULCH CREEK , DEMOCRAT CREEK , LAMBS GULCH CREEK ,
DEMOCRAT CREEK , LAMBS GULCH CREEK , DEMOCRAT CREEK , LAMBS GULCH CREEK , DEMOCRAT
CREEK , LAMBS GULCH CREEK Trib. to: CROY CREEK , CROY CREEK , CROY CREEK , CROY
CREEK , CROY CREEK , CROY CREEK , CROY CREEK , CROY CREEK , CROY CREEK , CROY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	18E	18	NW SE SE	BLAINE	
02N	18E	18	NW SE SE	BLAINE	
02N	18E	18	NE SW NW	BLAINE	
02N	18E	18	NE SW NW	BLAINE	
02N	18E	18	NW NW SE	BLAINE	
02N	18E	18	NW NW SE	BLAINE	
02N	18E	18	NW SW SE	BLAINE	
02N	18E	18	NW SW SE	BLAINE	
02N	18E	18	SW NE NW	BLAINE	
02N	18E	18	SW NE NW	BLAINE	

5. Description of diverting works:

EXISTING DITCHES FROM STREAMS AND RESERVOIRS; BOOSTER PUMP AT LOWER RESERVOIR TO MAIN LINE AND HAND LINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	3.8	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	18E	17	SW	NW	IRRIGATION	2.8
			SE	NW	IRRIGATION	24.5
			NE	SW	IRRIGATION	8.2
			NW	SW	IRRIGATION	28
			SW	SW	IRRIGATION	1
Section Acres						64.5
02N	18E	18	SE	NE	IRRIGATION	16.1
			NE	NW	IRRIGATION	1.2
			SE	NW	IRRIGATION	27.3
			NE	SE	IRRIGATION	21.4
			NW	SE	IRRIGATION	19
			SW	SE	IRRIGATION	17.5
			NE	SW	IRRIGATION	1
			SE	SE	IRRIGATION	22
Section Acres						125.5
Total Acres						190

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

ORIGINALLY DECREED TO J. J. PLUMER. SOURCE IDENTIFIED IN DECREE AS WARM SPRINGS CREEK AND DECLARED TO BE A "DRY STREAM" SO THAT UPPER USERS CAN APPROPRIATE THE ENTIRE FLOW. BASED UPON THE ORIGINAL PLACE OF USE (WHICH INCLUDED SWSW & SESW, S. 7, T2N, R18E) AND MAPS, WARMS SPRINGS CREEK IS MOST LIKELY THE COMBINED FLOW OF DEMOCRAT CREEK AND LAMBS GULCH (WHICH DRAIN ONLY POSSIBLE IRRIGABLE LAND IN SEC. 7!). DECREE IS FOR THE "ENTIRE FLOW". WATER IS NOW AND HAS FOR MANY YEARS BEEN USED BY ALLOWING LAMBS GULCH TO FLOW INTO DEMOCRAT CREEK (ALSO KNOWN AS DEMOCRAT GULCH), AND THEN INTO A LOWER RESERVOIR FROM WHICH IT IS PUMPED TO HANDLINES AND WHEELINES FOR IRRIGATION. THERE ARE NO OTHER USES OF THIS STREAM. CLAIMANT USES ENTIRE FLOW OF LAMBS GULCH AND DEMOCRAT CREEK DURING IRRIGATION SEASON. PLACE OF USE IS CLAIMED PURSUANT TO IDAHO CODE SS.42-1416(1) TO THE EXTENT IT DIFFERS FROM THE DECREE.

15. Basis of Claim: Decreed



ALC 000000
OCT 05 2006
MAIL ROOMS

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

October 4, 2006

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

Via HAND DELIVERY

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

Re: Spring Canyon Ranch LLC

Dear Danni:

Please find enclosed for filing the following:

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

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



Danni Smith
October 4, 2006
Page 2

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

Very truly yours,

Kevin J. Beaton

KJB:ww

Enclosures

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

AMENDED 37-548

RECEIVED

OCT 05 2006

FIFTH JUDICIAL DISTRICT
CLERK OF COURT
TWIN FALLS, IDAHO

RECEIVED

SEP 28 2006

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FORM
THE SNAKE RIVER BASIN WATER SYSTEMCIVIL CASE NUMBER: 39576
Ident. Number 37-548
Date Received
Receipt Number

d.p. ss 10-11-06

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

Please type or print clearly

1. Name of Claimant (s) Spring Canyon Ranch LLC c/o Croy Canyon LLC Phone (650) 588-5600Mailing Address 395 Oyster Pt Blvd #309, South San Francisco, CA Zip 940802. Date of Priority (Only one (1) per claim) 06/01/18803. Source of water supply (a) Democrat Gulch & Lambs Gulchwhich is tributary to (b) Croy Creek4. a. Location of existing point of diversion is: Township 02N Range 18E Section 18,NW 1/4 of SE 1/4 of SE 1/4, Govt. Lot, B.M., County of BlaineAdditional points of diversion if any: 02N18E18NESWNW, 02N18E18NWNWSE, 02N18E18NESWSE, and02N18E18SWNENW

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. Existing ditches from streams and reservoirs; booster pump at lower
reservoir to main line and hand lines

COPY

SCANNED

OCT 05 2006

6. Water is claimed for the following purposes:

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

For Irrigation purposes from 04/01 to 11/01 amount 3.80 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.80 (cfs) and / or (b) _____ (acre feet)

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

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

10. Description of place of use:

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

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

Total number of Irrigatable acres 190.0

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

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

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

See attached Or None ☐

14. Remarks:

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

If applicable provide IDWR Water Right Number 37-548

Court _____ Case Number _____ Decree Date 12/13/1909

Plaintiff vs Defendant _____

COPY

SCANNED

OCT 06 2006

Last Name _____ Ident. No. _____

16. Signature (s)

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

Number of attachments _____

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

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

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

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

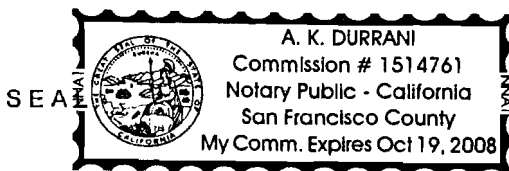
And that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature] _____

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

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

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



Notary Public A. K. DURRANI

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

My Commission Expires Oct. 19, 2008

Please Print Name

17. Notice of Appearance:

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

Signature [Signature]

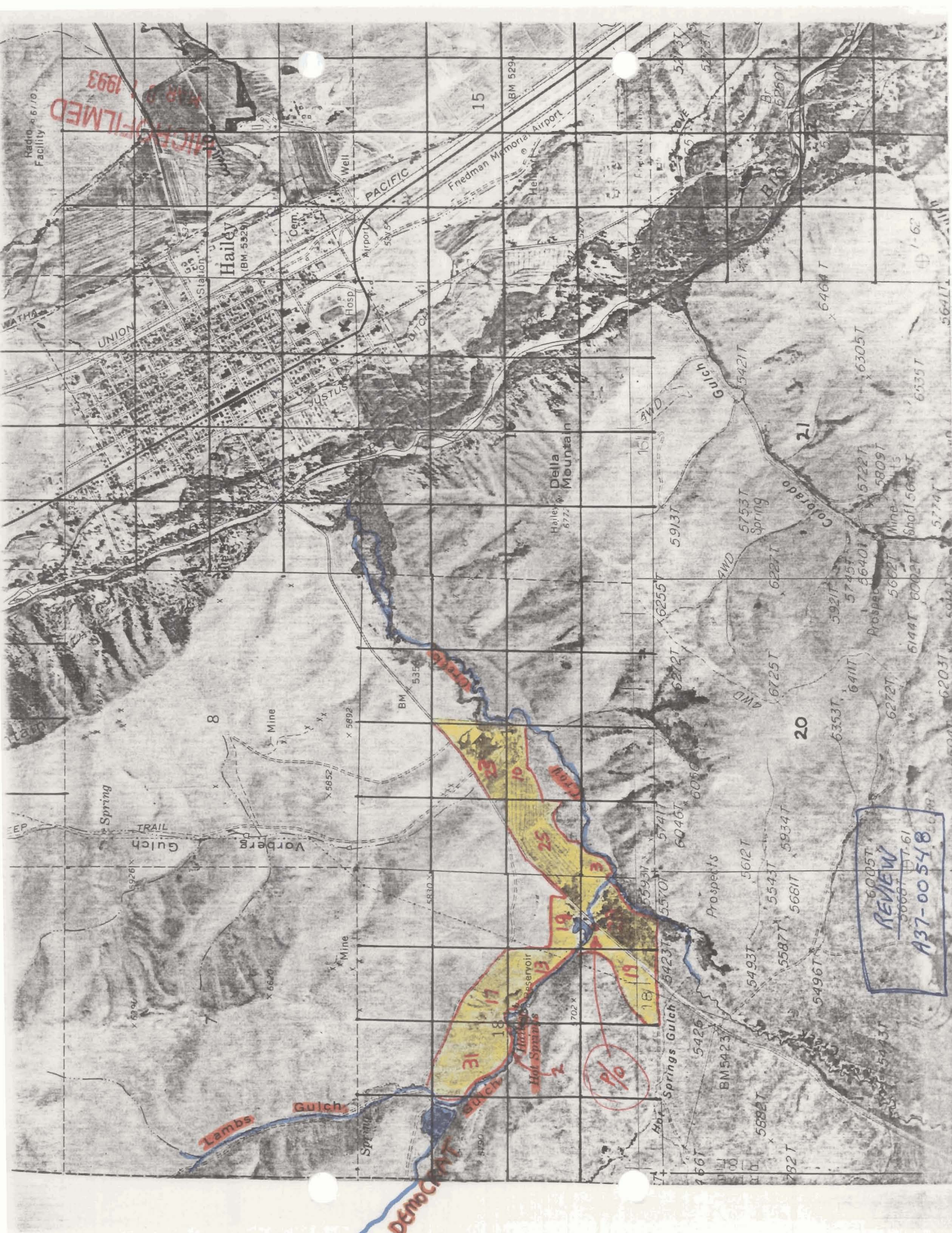
Address 101 S. Capitol Blvd., Ste. 1900, Boise, ID 83702

Date 10-3-06

COPY

SCANNED

OCT 16 2006



MICROFILMED
MAR 31 1993

REVIEW
6005T
3668T
DT. 61
A37-00548

DEMOCRAT

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
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**NOTICE OF CLAIM TO A WATER RIGHT
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1. Name of Claimant(s)

SPRING CANYON RANCH LLC
C/O CROY CANYON LLC
395 OYSTER PT BLVD #309
SOUTH SAN FRANCISCO CA 94080

2. Date of Priority: 06/01/1880

3. Source: DEMOCRAT CREEK , LAMBS GULCH CREEK Trib. to: CROY CREEK , CROY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	18E	18	NW SE SE	BLAINE	
02N	18E	18	NW SE SE	BLAINE	

5. Description of diverting works:

ENTIRE FLOW OF LAMBS GULCH INTO DEMOCRAT CK, DAMMED, RESERVOIR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	3.8	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	18E	17	NE	SW	IRRIGATION	10
			NW	SW	IRRIGATION	25
			SW	SW	IRRIGATION	3
			SE	NW	4	IRRIGATION
					Section Acres	61
02N	18E	18	SW	NE	IRRIGATION	17
			SE	NW	IRRIGATION	31
			NE	SW	IRRIGATION	2
			NE	SE	IRRIGATION	19
			NW	SE	IRRIGATION	13
			SW	SE	IRRIGATION	19
			SE	SE	5	IRRIGATION
					Section Acres	129
					Total Acres	190

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

ORIGINALLY DECREED TO J. J. PLUMER. SOURCE IDENTIFIED IN DECREE AS WARM SPRINGS CREEK AND DECLARED TO BE A "DRY STREAM" SO THAT UPPER USERS CAN APPROPRIATE THE ENTIRE FLOW. BASED UPON THE ORIGINAL PLACE OF USE (WHICH INCLUDED SWSW & SESW, S. 7, T2N, R18E) AND MAPS, WARMS SPRINGS CREEK IS MOST LIKELY THE COMBINED FLOW OF DEMOCRAT CREEK AND LAMBS GULCH (WHICH DRAIN ONLY POSSIBLE IRRIGABLE LAND IN SEC. 7!). DECREE IS FOR THE "ENTIRE FLOW". WATER IS NOW AND HAS FOR MANY YEARS BEEN USED BY ALLOWING LAMBS GULCH TO FLOW INTO DEMOCRAT CREEK (ALSO KNOWN AS DEMOCRAT GULCH), AND THEN INTO A LOWER RESERVOIR FROM WHICH IT IS PUMPED TO HANDLINES AND WHEELINES FOR IRRIGATION. THERE ARE NO OTHER USES OF THIS STREAM. CLAIMANT USES ENTIRE FLOW OF LAMBS GULCH AND DEMOCRAT CREEK DURING IRRIGATION SEASON. PLACE OF USE IS CLAIMED PURSUANT TO IDAHO CODE SS.42-1416(1) TO THE EXTENT IT DIFFERS FROM THE DECREE.

***** OWNERSHIP CHANGE MADE 5/19/95 BY TLB.

| CORRECTED DATA ENTRY BY DELETING SPECK AS 'O' ATTORNEY FOR FORMER OWNER.

15. Basis of Claim: Decreed

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

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

RECEIVED
APR 20 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

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

Water Right No.(s)	Adjudication Claim No.(s)	Split	Water Right No.(s)	Adjudication Claim No. (s)	Split
<u>37-548</u>	<u>37-548</u>	☐	<u> </u>	<u> </u>	☐
<u>37-12396</u>	<u>37-12396</u>	☐	<u> </u>	<u> </u>	☐
<u>37-12397</u>	<u> </u>	☐	<u> </u>	<u> </u>	☐
<u> </u>	<u> </u>	☐	<u> </u>	<u> </u>	☐
<u> </u>	<u> </u>	☐	<u> </u>	<u> </u>	☐

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

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

OR

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

3. Name and Address of Former Owner/Claimant(s):

Benjamin & Helen Crocker Trust

c/o Donald Crocker (successor)

4. New Owner/Claimant(s):

Spring Canyon Ranch, LLC

New Mailing Address:

C/O CROY CANYON LLC

City, State, Zip Code:

395 OYSTER PT. BLVD

New Telephone Number:

SOUTH SAN FRANCISCO, CA 94108

5. Date you acquired the property:

02/16/2006

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number: _____

<u>Water Use</u>	<u>Diversion Rate or Volume</u> (cubic feet per second or acre-feet annum)	<u>Description</u> (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other: _____	_____	_____
TOTAL	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number: _____

<u>Water Use</u>	<u>Diversion Rate or Volume</u> (cubic feet per second or acre-feet annum)	<u>Description</u> (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other: _____	_____	_____
TOTAL	_____	_____

7. Signature of New Owner(s) or Claimant(s):
(include title, if applicable)

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

FOR OFFICE USE ONLY

Received by: H
Received by: _____
Processed by: _____ AJ

Date: 5/4/06
Date: _____
Date: _____

Fee: 2500
Receipt No: _____
WR: _____ Date: _____

2 .

This instrument was prepared by:

Robert Maynard, Esq.
Perkins Coie LLP
251 East Front Street, Suite 400
Boise, ID 83702-7310

After recording mail to:

Stephen L. Englert, Esq.
Epstein, Englert, Staley & Coffey
425 California Street, 13th Floor
San Francisco, CA 94104

Instrument # 532348

HAILEY, BLAINE, IDAHO

2006-02-22 02:05:00 No. of Pages: 6

Recorded for : SUN VALLEY TITLE

MARSHA RIEMANN

Fee: 18.00

Ex-Officio Recorder Deputy *mp*

Index to: WTYQC/CORP DEED

For Recorder's Use Only

SPECIAL WARRANTY DEED

This **SPECIAL WARRANTY DEED**, made this 16th day of February 2006, from Donald W. Crocker, successor trustee of the Benjamin S. Crocker and Helen Nan Crocker Trust "D" dated March 24, 1973 ("Grantor") to Spring Canyon Ranch, LLC, a Delaware limited liability company, having an address of 170 Croy Creek, Hailey, Idaho 83333 ("Grantee").

WITNESSETH, that Grantor, in consideration of Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration paid by Grantee, does hereby grant, bargain, sell, convey and confirm unto Grantee, and the heirs or successors and assigns of Grantee:

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the County of Blaine and State of Idaho, as further described on "Exhibit A" attached hereto and made a part hereof (the "Property");

TOGETHER with all right, title and interest, if any, of Grantor in and to any streets and roads abutting the Property to the center lines thereof, and all access rights of Grantor in and to the Property (collectively, the "Access Rights"); and

TOGETHER with the hereditaments and appurtenances and all the estate and rights of Grantor in and to the Property, including, without limitation to the extent they are owned and are transferable, timber rights, mineral rights and water rights (collectively, the "Property Rights");

SUBJECT only to taxes, assessments and other governmental charges not yet delinquent, and the following exceptions: (i) easements, quasi-easements, licenses, covenants, rights-of-way and other similar restrictions, including any other agreements, conditions, restrictions or other matters which would be shown by a current title report or other similar report or listing, including, without limitation, those exceptions listed on "Exhibit B" attached hereto and made a part hereof; (ii) any conditions that may be shown by a current survey, title report or

physical inspection; (iii) zoning, building and other similar restrictions of public record; (iv) other than matters created by Grantor, such encroachments, boundary line disputes, access restrictions or absence of access, adverse possession claims, easements, covenants, use restrictions, zoning restrictions and other third-party rights which are common to rural lands; and (v) U.S. Patent reservations or exceptions (collectively, the "Permitted Exceptions").

GRANTOR hereby binds itself and its successors to warrant and forever defend the right and title unto Grantee, its assigns and successors, subject to the Permitted Exceptions, for all purposes, against the claims of all persons owning, holding or claiming by, through or under Grantor, but against none other, and Grantor hereby represents and warrants further that it has no knowledge that such warranties are untrue as against the claims of any persons owning, holding or claiming, by, through or under any holders in title to the Property prior to Grantor.

TO HAVE AND TO HOLD the Property, the Access Rights and the Property Rights, unto Grantee, their heirs or successors and assigns of Grantee, forever.

IN WITNESS WHEREOF, Grantor has duly executed this deed by its duly authorized officer or representative on the day and year first above written.

DONALD W. CROCKER, successor trustee
of the BENJAMIN S. CROCKER AND
HELEN NAN CROCKER TRUST "D"

By: _____
Name: DONALD W. CROCKER
Its: Trustee

STATE OF California)
County of Los Angeles) ss.
)

On this 16 day of February, 2006, before me, a notary public in and for said State, personally appeared and known to be to be the Trustee of the Trust that executed this instrument or the persons who executed the instrument on behalf of said Trust, and acknowledged to me that such Trust executed the same.

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



Residing at _____

Bruno J. Sartini Jr.
Notary Public

My Commission Expires: 02-21-2006

*Donald W. Crocker

EXHIBIT "A"

Parcel I

A parcel of land lying within SECTIONS 11, 13 AND 14, TOWNSHIP 2 NORTH, RANGE 17 EAST, AND SECTIONS 7, 17 AND 18, TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY IDAHO, and being more particularly described as follows:

Commencing at the BLM brass cap marking the Southwest corner of said Section 18, which point is the REAL POINT OF BEGINNING; thence

**N 88°33'43" W, 1332.85 feet to a 5/8" bar by L. S. 3621 marking the 1/16th corner; thence
N 00°15'20" E, 2649.19 feet to a 5/8" bar by L. S. 3621 marking the center east 1/16th corner; thence
S 88°42'55" E, 1329.50 feet to the BLM brass cap marking the west ¼ corner of said Sections 13 and 18; thence**

N 00°09'19" E, 1310.14 feet to a BLM brass cap; thence

N 88°15'33" W, 2655.51 feet to a 5/8" bar marking the center north 1/16th corner of Section 13; thence

N 89°49'47" W, 2662.82 feet to a 5/8" bar marking the 1/16th corner of said Sections 13 and 14; thence

S 00°12'41" W, 1279.45 feet to a 5/8" bar with aluminum cap marking the ¼ corner of Sections 13 and 14; thence

S 89°40'00" W, 5293.11 feet to the 5/8" bar with aluminum cap marking the ¼ corner of Sections 14 and 15, thence

N 00°18'28" W, 2636.52 feet to the 2" aluminum cap by L. S. 792 marking the section corner common to Sections 10, 11, 14 and 15; thence

N 00°09'45" E, 2648.30 feet to the 2" aluminum cap marking the ¼ corner of Sections 10 and 11; thence

N 89°39'22" E, 5317.87 feet to the 2 ½" aluminum cap marking the ¼ corner of Sections 11 and 12; thence

S 00°10'54" W, 2727.02 feet to the 2" aluminum cap marking the section corner common to Sections 11, 12, 13 and 14; thence

N 89°03'30" E, 2666.04 feet to the 2" aluminum cap marking the ¼ corner of Sections 12 and 13; thence

S 87°50'15" E, 2654.34 feet to the BLM brass cap marking the section corner common to Sections 12, 13, 7 and 18; thence

N 00°13'40" W, 1326.38 feet to the 5/8" bar marking the 1/16th corner common to Sections 12 and 7; thence

S 89°11'32" E, 2805.46 feet to the 5/8" bar marking the center south 1/16th corner of said Section 7; thence

S 00°03'58" W, 1313.77 feet to the aluminum cap marking the ¼ corner common to Sections 7 and 18; thence

S 00°22'06" W, 1312.08 feet to the 5/8" bar marking the center north 1/16th corner of said Section 18; thence

S 89°42'53" E, 1325.37 feet to the 5/8" bar marking the northeast 1/16th corner of said Section 18; thence

S 00°48'36" W, 1319.34 feet to the 5/8" bar marking the center east 1/16 corner of said Section 18; thence

S 89°24'01" E, 1315.22 feet to the BLM brass cap marking the ¼ corner of Sections 18 and 17; thence

S 88°24'27" E, 790.65 feet to the 5/8" bar on the south side of Croy Creek Road; thence
N 58°17'12" E, 1070.44 feet to the 5/8" bar on the south side of Croy Creek Road; thence
N 54°32'25" E, 665.75 feet to the 5/8" bar on the south side of Croy Creek Road; thence
N 50°09'06" E, 474.75 feet along said road to the 5/8" bar on the center section line; thence
S 00°09'41" W, 1303.55 feet to the bar marking the center section corner of Section 17; thence
S 00°16'05" W, 1319.97 feet to the BLM brass cap marking the center South 1/16th corner of said
Section 17; thence
N 88°23'58" W, 2600.76 feet to the 5/8" bar marking the 1/16 corner of said Sections 17 and 18;
thence
S 00°04'54" W, 918.49 feet to the 5/8" bar on the north line of the Climax Lode Mining Claim;
thence
S 87°15'00" W, 87.77 feet to the 5/8" bar marking the northwest corner of the Climax Lode Mining
Claim; thence
S 05°45'15" E, 398.62 feet to a point on the westerly boundary of Climax Lode Mining Claim and
the south boundary of said Section 18; thence
N 89°32'52" W, 2596.48 feet to the BLM brass cap marking the ¼ corner of Sections 18 and 19;
thence
N 89°32'07" W, 2782.46 feet to the REAL POINT OF BEGINNING.

Also known as Tax Lot 6973.

AND

Parcel II

Those patented mining claims as described in Sections 3, 10 and 11 in Township 2 North, Range 17
East, Boise Meridian, Blaine County, Idaho, as follows:

IDAHO DEMOCRAT, MARQUISE, VERMONT, IDAHO REPUBLICAN AND BELMONT, all
Consolidated Survey No. 1342; GLADYS B., DEWEY, MCKINLEY, SPANISH, all Consolidated
Survey No. 2747; and SEE BEE, Consolidated Survey No. 2755, all situated in the MINERAL
HILL MINING DISTRICT, BLAINE COUNTY, IDAHO.

EXHIBIT B TO DEED

TITLE EXCEPTIONS

1. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) Indian treaty or aboriginal rights, including, but not limited to, easements or equitable servitudes; or (d) water rights, claims or title to water, whether or not the matters excepted under (a), (b), (c) or (d) are shown by the public records.
2. Property taxes, including any assessments collected with taxes, levied for the year 2006, which are a lien not yet payable.
3. Matters as shown on that certain survey, recorded January 22, 1990 as Instrument No. 315447, records of Blaine County, Idaho.
4. An Easement with rights incidental thereof as set forth in a Power Line Easement
Granted to: IDAHO POWER COMPANY
Recorded: August 17, 1962
Book No.: 176 of Deeds
Page No.: 410, records of Blaine County, Idaho.
5. An easement with rights incidental thereof as set forth in an Underground Power Line Easement
Granted to: IDAHO POWER COMPANY
Recorded: July 7, 1995
Instrument No. 379908, records of Blaine County, Idaho.
6. Any rights, interest or claims which may exist or arise by reason of matters shown on an A.L.T.A./A.C.S.M SURVEY for Haas & Haynie Corporation, dated October, 2005 and prepared by Benchmark Associates, P.A., including, but not limited to, the following:
 - a) The fact that the metes and bounds legal description of the centerline of the Powerline Easement as shown in Item 3 above, lies to the west of the overhead power line's actual location.
 - b) The fact that an underground Powerline Easement exists within portions of Section 18.
 - c) The fact that a septic system and wells exists along Croy Creek Road.
 - d) The fact that there is a well located outside the boundary line of said property.
 - e) The fact that there are existing buildings located on said property.

- f) The fact that a Cable TV utility exists on said property.
- g) The fact that there are Reservoirs and a Hot Springs located on said property.
- h) The fact that there are fences located on said property.
- i) The fact that there are fences located outside the boundary line of said property.
- j) The fact that there are telephone risers located on said property.

Delaware

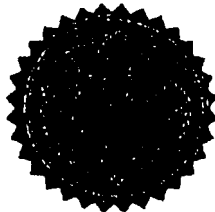
PAGE 1

The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "SPRING CANYON RANCH, LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE EIGHTEENTH DAY OF JANUARY, A.D. 2006.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "SPRING CANYON RANCH, LLC" WAS FORMED ON THE SEVENTEENTH DAY OF JANUARY, A.D. 2006.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE NOT BEEN ASSESSED TO DATE.



Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

4095022 8300

AUTHENTICATION: 4454371

060046527

DATE: 01-18-06

BROCKWAY ENGINEERING, LLC

1000 EAST 10TH AVENUE SUITE 200 TWIN FALLS, IDAHO 83301 (208) 588-5600 FAX (208) 588-5711

RECEIVED
APR 20 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

April 17, 2006

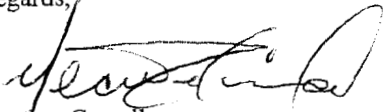
Allen Merritt
Idaho Department of Water Resources
Southern Region Office
1341 Fillmore, Suite 200
Twin Falls, ID 83301

Re: Change of Ownership & Permit Assignments

Dear Allen:

Enclosed please find a check for \$75.00 as well as a letter and attachments from Brockway Engineering. Please note that the permit assignments are being completed by the prior applicant and will be forthcoming.

Regards,



Heather Carroll
Controller

CROY CANYON, LLC

1341 CRYSTAL BLVD SUITE 200 - SOUTH SAN FRANCISCO, CA 94080 (415) 584-4007 / FAX (415) 584-4150

May 2, 2006

RECEIVED

MAY 04 2006

DEPT. OF WATER RESOURCES
SOUTHERN REGION

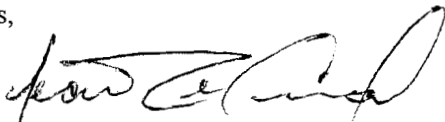
Allen Merritt
Idaho Department of Water Resources
Southern Region office
1341 Fillmore, Suite 200
Twin Falls, ID 83301

Re: Assignment of Permit #s 37-8659 & 37-8670

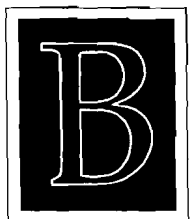
Dear Allen:

In reference to my letter dated April 17th, 2006 that accompanied check 1017 for \$75.00, enclosed please find two completed assignment of permit forms

Regards,



Heather Carroll
Controller



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

March 27, 2006

Allen Merritt
Idaho Department of Water Resources
Southern Region Office
1341 Fillmore, Suite 200
Twin Falls, ID 83301

RECEIVED

APR 20 2006

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Re: Spring Canyon Ranch, LLC - Change of Ownership & Permit
Assignments

Dear Allen:

Please find the enclosed change of ownership forms and permit assignment forms for the water rights to the land now owned by Spring Canyon Ranch, LLC. An attached warranty deed for the property is also included. This warranty deed is applicable to all of the water rights at the property regardless of the current owner that is listed with IDWR.

I have included a check for a total of \$75.00 to cover the costs of the change of ownership forms and the assignments of permit appurtenant to the rights at the ranch. If any other costs are needed during the processing of these documents please call our office to discuss the matter. Our client wishes that these changes be processed as soon as possible and if or any other agent have any questions regarding the enclosed documents, please feel free to give our office a call.

Sincerely,

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

Daren T. Nelson, Hydrologist

Attachments: Three (3) change of ownership forms
Two (2) Permit Assignments
Warranty Deed
Brockway Engineering Check # _____

cc: Paul Fay



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 9, 2006

SPRING CANYON RANCH LLC
C/O CROY CANYON LLC
395 OYSTER PT BLVD #309
SOUTH SAN FRANCISCO CA 94080

Re: SRBA Claim #37-2142, #37-12396, #37-4440, #37-4139, #37-4138,
#37-1222, #37-549, #37-548

Dear Claimant,

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the records of current ownership to you. Please find the enclosed copies of the computer records of the claims noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

Carrie Hahn
Office Specialist

Enc.

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A37-00548

Date Received: 12/21/1988

Receipt No: C004234

Received By: o/c HLB

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

1. Name: BENJAMIN & HELEN CROCKER TRUST 208-726-9185
Address: C/O DONALD & HELEN CROCKER
PO BOX 974
KETCHUM ID 83340

2. Date of Priority: JUN 1, 1880

3. Source: LAMBS GULCH Trib. to: CROY CREEK
DEMOCRAT CREEK CROY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	18E	18	NW	SE	SE		BLAINE

5. Description of diverting works:

ENTIRE FLOW OF LAMBS GULCH INTO DEMOCRAT CK, DAMMED, RESERVOIR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.800		

7. Total Quantity Appropriated is:

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

8. Total consumptive use is 475.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	18E	17	SE	NW	4	IRR	23.0
			NE	SW		IRR	10.0
			NW	SW		IRR	25.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	18E	17	SW	SW		IRR	3.0
						Section Acres	61.0
		18	SW	NE		IRR	17.0
			SE	NW		IRR	31.0
			NE	SW		IRR	2.0
			NE	SE		IRR	19.0
			NW	SE		IRR	13.0
			SW	SE		IRR	19.0
			SE	SE	5	IRR	28.0
						Section Acres	129.0
						Total Acres	190.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

37-00549, 37-02142, 37-01222, 37-04138, 37-04440

14. Remarks:

ORIGINALLY DECREED TO J. J. PLUMER. SOURCE IDENTIFIED IN DECREE AS WARM SPRINGS CREEK AND DECLARED TO BE A "DRY STREAM" SO THAT UPPER USERS CAN APPROPRIATE THE ENTIRE FLOW. BASED UPON THE ORIGINAL PLACE OF USE (WHICH INCLUDED SWSW & SESW, S. 7, T2N, R18E) AND MAPS, WARMS SPRINGS CREEK IS MOST LIKELY THE COMBINED FLOW OF DEMOCRAT CREEK AND LAMBS GULCH (WHICH DRAIN ONLY POSSIBLE IRRIGABLE LAND IN SEC. 7!). DECREE IS FOR THE "ENTIRE FLOW". WATER IS NOW AND HAS FOR MANY YEARS BEEN USED BY ALLOWING LAMBS GULCH TO FLOW INTO DEMOCRAT CREEK (ALSO KNOWN AS DEMOCRAT GULCH), AND THEN INTO A LOWER RESERVOIR FROM WHICH IT IS PUMPED TO HANDLINES AND WHEELINES FOR IRRIGATION. THERE ARE NO OTHER USES OF THIS STREAM. CLAIMANT USES ENTIRE FLOW OF LAMBS GULCH AND DEMOCRAT CREEK DURING IRRIGATION SEASON. PLACE OF USE IS CLAIMED PURSUANT TO IDAHO CODE SS.42-1416(1) TO THE EXTENT IT DIFFERS FROM THE DECREE.

***** OWNERSHIP CHANGE MADE 5/19/95 BY TLB.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree 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.

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)
) SS.
County of _____)

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

22-10104

WARRANTY DEED

For Value Received

HUMBOLT INVESTMENT COMPANY, a Nevada General Partnership

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

CRYSTAL HOT SPRINGS LIMITED PARTNERSHIP, an Idaho Limited Partnership

the grantee s, whose current address is P.O. Box 46, Sun Valley, Idaho 83353

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

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

PLATTE CO. REQUEST
Sun Valley Title Co.
90 JUN 8 PM 3 54
730 G CO

320444

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

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

Dated: April 20, 1990

HUMBOLT INVESTMENT COMPANY

BY: Devere L. Barker

Devere L. Barker

STATE OF NEVADA
COUNTY OF WASHINGTON

On this 20th day of MAY in the year 1990, before me, a Notary Public, personally appeared

DEVERE L. BARKER
known or identified to me to be one of the partners in the partnership of HUMBOLT INVESTMENT CO.

and the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said partnership name.

Notary Public

Residing at 2022, 20th St., N.W.
SUN VALLEY, N.M. 87051

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 _____

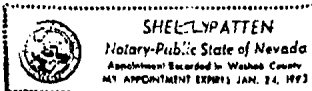
Ex-Officio Recorder

By _____

Deputy

Fees \$
Mail to:

INSTRUMENT NO.



Chicago Title Insurance
Company of Idaho

EXHIBIT A

PARCEL I:

TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY,
STATE OF IDAHO

SECTION 7: Lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$

SECTION 17: N $\frac{1}{4}$ SW $\frac{1}{4}$; That portion of Government Lot 3 and Lot 4
described as follows:

COMMENCING at the point where the Hailey to Fairfield Road
intersects the East boundary of said Lot 4; running
THENCE South along the East line of Lot 4 to the Southeast
corner thereof;

THENCE West along the South line of said Lot 3 and 4 to where the
Hailey to Fairfield Road intersects that line;

THENCE Easterly along the Southerly side of the right-of-way of
the said Hailey to Fairfield Road to the PLACE OF BEGINNING.

SECTION 18: Lots 1, 2, 3, 4, & 5, E $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{4}$ SW $\frac{1}{4}$
and SW $\frac{1}{4}$ SE $\frac{1}{4}$; EXCEPTING therefrom any portion of the Climax
Patented Mining Claim located on the above described property.

and

PARCEL II:

TOWNSHIP 2 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY,
STATE OF IDAHO

SECTION 11: S $\frac{1}{4}$

SECTION 13: E $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{4}$ NW $\frac{1}{4}$

SECTION 14: N $\frac{1}{4}$

and the following described patented mining claims, to wit:

Idaho Democrat, Marquise, Vermont, Idaho Republican, and Belmont,
all Consolidated Survey No. 1342; Gladys B., Dewey, McKinley,
Spanish, See Bee, all Consolidated Survey No. 2755, and all
situated in the Mineral Hill Mining District of Blaine County,
Idaho; and an undivided one-half interest in and to the Veteran,
Survey No. 1149, and Jumbo, Survey 1150, Patented Lode Mining
Claims in Mineral Hill Mining District.

TOGETHER WITH ANY AND ALL WATER RIGHTS APPURTENANT THERETO.

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and
encumbrances as shown of record, if any.

267
22-10104 0649

⑦

WARRANTY DEED

For Value Received
HUMBOLDT
~~MURRAY~~ INVESTMENT COMPANY, a Nevada General Partnership

the grantor do es hereby grant, bargain, sell and convey unto
CRYSTAL HOT SPRINGS LIMITED PARTNERSHIP, an Idaho Limited Partnership

the grantee s, whose current address is P.o. Box 46, Sun Valley, Idaho 83353

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

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

THIS WARRANTY DEED IS BEING RE-RECORDED TO
CORRECT THE SPELLING OF THE GRANTORS NAME,
6-8-90 #320444.

320444
30 APR 19 PM 3 07
Sun Valley Title Co.
RECEIVED
320838

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

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

Dated: April 20, 1990

HUMBOLDT
MURRAY INVESTMENT COMPANY
BY: Devere E. Barker
Devere E. Barker

STATE OF NEVADA
COUNTY OF WASHOE

On this 20th day of April in the
year 1990, before me, a Notary Public, personally appeared

DEVERE E. BARKER
known or identified to me to be (one of) the partner(s) in the partnership of

HUMBOLDT INVESTMENT CO.
and the partner(s) who subscribed said partnership name to the foregoing
instrument, and acknowledged to me that he executed the same
in said partnership name

Shelly Patten
Notary Public
Residing at 3122 SHARPLEY WAY
SPARKS, NV 89431

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the
request of

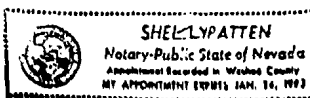
at _____ minutes past _____ o'clock M.,
this _____ day of _____
19 _____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

By _____ Deputy

Fees \$
Mail to:

INSTRUMENT NO.



Chicago Title Insurance
Company of Idaho

EXHIBIT A

PARCEL I:

TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY,
STATE OF IDAHO

SECTION 7: Lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$

SECTION 17: N $\frac{1}{4}$ SW $\frac{1}{4}$; That portion of Government Lot 3 and Lot 4
described as follows:

COMMENCING at the point where the Hailey to Fairfield Road
intersects the East boundary of said Lot 4; running
THENCE South along the East line of Lot 4 to the Southeast
corner thereof;

THENCE West along the South line of said Lot 3 and 4 to where the
Hailey to Fairfield Road intersects that line;

THENCE Easterly along the Southerly side of the right-of-way of
the said Hailey to Fairfield Road to the PLACE OF BEGINNING.

SECTION 18: Lots 1, 2, 3, 4, & 5, E $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{4}$ SW $\frac{1}{4}$
and SW $\frac{1}{4}$ SE $\frac{1}{4}$; EXCEPTING therefrom any portion of the Climax
Patented Mining Claim located on the above described property.

and

PARCEL II:

TOWNSHIP 2 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY,
STATE OF IDAHO

SECTION 11: S $\frac{1}{4}$

SECTION 13: E $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{4}$ NW $\frac{1}{4}$

SECTION 14: N $\frac{1}{4}$

and the following described patented mining claims, to wit:

Idaho Democrat, Marquise, Vermont, Idaho Republican, and Belmont,
all Consolidated Survey No. 1342; Gladys B., Dewey, McKinley,
Spanish, See Bee, all Consolidated Survey No. 2755, and all
situated in the Mineral Hill Mining District of Blaine County,
Idaho; and an undivided one-half interest in and to the Veteran,
Survey No. 1149, and Jumbo, Survey 1150, Patented Lode Mining
Claims in Mineral Hill Mining District.

TOGETHER WITH ANY AND ALL WATER RIGHTS APPURTENANT THERETO.

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and
encumbrances as shown of record, if any.

22-11768
RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Brian Barsotti, Esq.
P O Box 10013
Ketchum, Idaho 83340

BLAINE CO. REQUEST

OF ~~SUN VALLEY TITLE~~

1993 DEC 16 P 4:00

360209

MARY GREEN, CLERK

FEES \$ 900

mp

Deed

(Space above this line for Recorder's use)

QUITCLAIM DEED

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, **CRYSTAL HOT SPRINGS LIMITED PARTNERSHIP**, an Idaho limited partnership, hereby bargains, sells, remises, releases, conveys and forever quitclaims to Helen Nan Crocker, Trustee and Donald W. Crocker, successor co-trustee of the Benjamin S. Crocker and Helen Nan Crocker Trust "D" dated March 24, 1973 *hnc* whose address is P.O. Box 974 Ketchum, Idaho 83340 all of its right, title and interest which it has, if any, in the following water and water rights:

(a) Idaho Water Right No. 37-00548 for 3.8 cfs of the Warm Springs Creek with priority date of June 1, 1880, and claimed in In Re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System, Twin Falls District Court Case No. 39576 (hereinafter referred to as "Adjudication"), as Claim No. A37-00548;

(b) Idaho Water Right No. 37-00549 for 4.0 cfs of Croy Creek with priority date of June 30, 1882, and claimed in the Adjudication as Claim No. A37-00549;

(c) License Right No. 37-02142 for 1.50 cfs of Hot Springs Gulch with priority date unknown; no claim was made in the Adjudication for this license by Seller;

(d) Idaho Water Right No. 37-04138 for 1.05 cfs of Warm Springs Creek with priority date of December 31, 1948, and claimed in the Adjudication as Claim No. A37-04138;

(e) Idaho Water Right No. 37-01222 for 0.40 cfs of Democrat Creek with priority date of June 9, 1911, and claimed in the Adjudication as Claim No. A37-01222;

(f) Idaho Water Right No. 37-04139 for 0.50 cfs. This is a 1926 statutory claim and is claimed in the Adjudication as Claim No. A37-04139;

(g) Idaho Water Right No. 37-04440 for 0.72 cfs of groundwater with priority date of August 16, 1950, and is claimed in the Adjudication as Claim No. A37-04440;

(h) Idaho Water Right No. 37-12396 for 3.0 cfs of Democrat Creek with a priority date of December 31, 1947, and claimed in the Adjudication as Claim No. A37-12396;

(i) Idaho Water Right No. 37-12397 for the beneficial use rights to a domestic well for 0.04 cfs of groundwater with priority date of December 31, 1950, and claimed in the Adjudication as Claim No. A37-12397;

(j) Idaho Water Right No. 37-08659 for 2.50 cfs of groundwater with priority date of August 3, 1990, original proof due 11/1/92 but extended until 11/1/95;

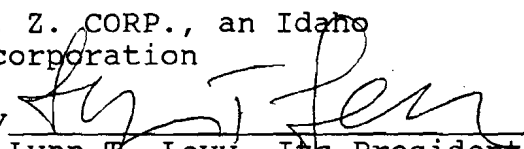
(k) Idaho Water Right No. 37-08670 for 4.0 cfs of groundwater with priority date of August 13, 1990, original proof due 11/1/96.

DATED this 15th day of December, 1993.

CRYSTAL HOT SPRINGS LIMITED
PARTNERSHIP, an Idaho limited
partnership

By its general partner:

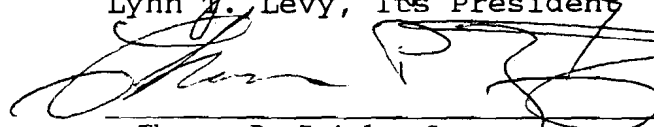
L. Z. CORP., an Idaho
corporation

By 
Lynn T. Levy, Its President

STATE OF IDAHO)

County of Blaine)

ss.:


Thomas P. Zeigler, Secretary

On this _____ day of _____, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared **LYNN T. LEVY**, known to me to be the President of L. Z. CORP., an Idaho corporation, the general partner of **CRYSTAL HOT SPRINGS LIMITED PARTNERSHIP**, an Idaho limited partnership, and the person who executed the foregoing instrument on behalf of said corporation, in its capacity as the general partner of said limited partnership, and acknowledged to me that said corporation executed the same in said partnership name.

WITNESS my hand and seal the day and year in this certificate first above written.

Notary Public for Idaho
Residing at _____

Form 42-1409(7)



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

OCT 03 1994

Department of Water Resources
Southern Region Office

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

DATE OF CLOSING: N/A

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____ SEE ATTACHED DEEDS
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

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

X Water Right Number(s) 37-00548/A37-00548; 37-00549/A37-00549; 37-04138/A37-04138;
Assigned by IDWR: 37-01222/A37-01222; 37-04139/A37-04139; 37-04440/A37-04440;

X Name and Address of Former Owner/Claimant(s)(Seller): 37-012396/A37-012396; 37-012397/A37-012397
CRYSTAL HOT SPRINGS LIMITED PARTNERSHIP
P. O. BOX 46
SUN VALLEY ID 83353

X New Owner/Claimant (Purchaser): HELEN ANN CROCKER & DONALD W. CROCKER, TRUSTEES
OF THE BENJAMINS CROCKER & HELEN ANN CROCKER
TRUST "D" DATED MAR 24, 1973

X New Mailing Address: P.O. BOX 974
KETCHUM, ID 83340

X New Telephone Number: (208) 726-9185

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

X Attach proof of ownership, describe proof attached: WARRANTY DEED AND QUITCLAIM DEED

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

X Signature of New Owner/Claimant(s) Helen Ann Crocker, TRES Date 9/27/94

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

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 5/16/95 By: HLB

Claim Numbers of Split, if any:

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

STATE OF IDAHO

COUNTY OF BLAINE

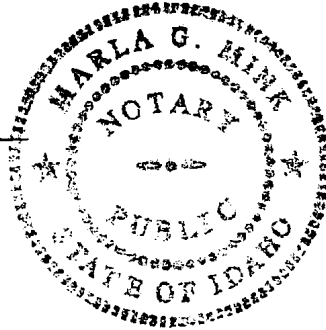
ON THIS 15TH DAY OF DECEMBER, 1993, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED LYNN T. LEVY AND THOMAS P. ZEIGLER, KNOWN OR IDENTIFIED TO ME TO BE THE PRESIDENT AND SECRETARY OF L.Z. CORPORATION AND THE GENERAL PARTNER OF **CRYSTAL HOT SPRINGS LIMITED PARTNERSHIP**, AN IDAHO LIMITED PARTNERSHIP, AND THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT ON BEHALF OF SAID CORPORATION IN ITS CAPACITY AS THE GENERAL PARTNER OF SAID LIMITED PARTNERSHIP AND ACKNOWLEDGED TO ME THAT SAID CORPORATION EXECUTED THE SAME IN SAID PARTNERSHIP NAME.

Marla G. Mink

NOTARY PUBLIC

RESIDING AT BELLEVUE, ID

COMMISSION EXPIRES: 12/1/94



WARRANTY DEED

FOR VALUE RECEIVED **Crystal Hot Springs Limited Partnership, an Idaho Limited partnership**

the grantor, does hereby grant, bargain, sell and convey unto

Helen Nan Crocker, Trustee and Donald W. Crocker, successor co-trustee of the Benjamin S. Crocker and Helen Nan Crocker Trust "D" dated March 24, 1973

the grantees, whose current address is **Box 974
Ketchum, ID 83340**

the following described premises, in **BLAINE COUNTY, IDAHO**, to wit:

See Exhibit "A" attached hereto and made a part hereof

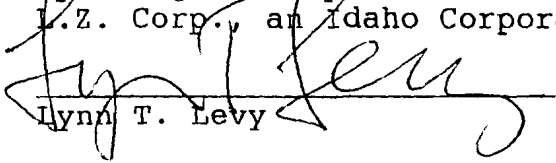
SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any.

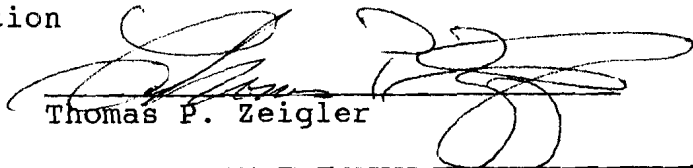
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that it is the owner in fee simple of said premises; that it is free from all incumbrances

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

Dated: December 13, 1993

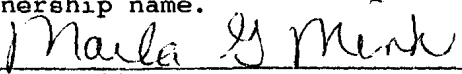
Crystal Hot Springs Limited Partnership
By its general partner
L.Z. Corp., an Idaho Corporation


Lynn T. Levy


Thomas P. Zeigler

STATE OF IDAHO, COUNTY OF BLAINE

On this 13th day of December, 1993, before me a Notary Public in and for said State, personally appeared Lynn T. Levy, and Thomas P. Zeigler known or identified to me to be the President and Secretary of L.Z. Corp., an Idaho corporation and the general partner of Crystal Hot Springs Limited Partnership, an Idaho Limited partnership and the person who executed the within instrument on behalf of said corporation in its capacity as the general partner of said limited partnership and acknowledged to me that said corporation executed the same in said partnership name.


Notary Public

Residing at Belleme

Comm. expires 12-1-94



OF **SUN VALLEY TITLE**

1993 DEC 15 P 4:16

MARY GREEN, CLERK *mp*
FILES \$6.00

360167

Seal

EXHIBIT "A" ATTACHED TO AND MADE A PART HEREOF WARRANTY DEED FROM
CRYSTAL HOT SPRINGS LIMITED PARTNERSHIP TO HELEN NAN CROCKER,
TRUSTEE OF TRUST "D"

TOWNSHIP 2 NORTH, RANGE 18 EAST OF THE BOISE MERIDIAN, BLAINE
COUNTY, STATE OF IDAHO:

SECTION 7: Lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$

SECTION 17: N $\frac{1}{2}$ SW $\frac{1}{4}$; That portion of Government Lots 3 and 4
described as follows:

COMMENCING at the point where the Hailey to
Fairfield Road intersects the East boundary of
said Lot 4; running
Thence South along the East line of Lot 4 to
the Southeast corner thereof;
Thence West along the South line of said Lot 3
and 4 to where the Hailey to Fairfield Road
intersects that line;
Thence Easterly along the Southerly side of
the right-of-way of the said Hailey to
Fairfield Road to the TRUE POINT OF BEGINNING.

SECTION 18: Lots 1, 2, 3, 4 and 5, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$,
E $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPTING therefrom any
portion of the Climax Patented Mining Claim
located on the above described property.

TOWNSHIP 2 NORTH, RANGE 17 EAST OF THE BOISE MERIDIAN, BLAINE
COUNTY, STATE OF IDAHO:

SECTION 11: S $\frac{1}{2}$

SECTION 13: E $\frac{1}{2}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$

SECTION 14: N $\frac{1}{2}$

LTA
J.P.C.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

May 19, 1995

BENJAMIN & HELEN CROCKER TRUST
HELEN NAN & DONALD CROCKER/ TRUSTEES
PO BOX 974
KETCHUM, ID 83340

RE: SRBA CLAIMS A37-00548, A37-00549, A37-04138, A37-01222,
A37-04139, A37-04440, A37-12396, & A37-12397
CRYSTAL HOT SPRINGS

DEAR CLAIMANTS:

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH
THE ABOVE-REFERENCED ADJUDICATION CLAIMS, WE HAVE CHANGED THE
DEPARTMENT'S RECORDS AS YOU HAVE REQUESTED. **THIS COPY IS FOR
YOUR RECORDS.** PLEASE REVIEW THE RECORDS THE ACCURACY.

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

SINCERELY,

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/TLB
ENCLOSURES

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A37-00548
Date Received: 10/27/1988 *rat*
Receipt No: C004234
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HUMBOLDT INVESTMENT CO. 208-825-4144
Address: ATTN: MR. DEVERE BARKER
3500 LAKESIDE COURT, SUITE 150
RENO, NV 89509

2. Date of Priority: JUN 01, 1880

3. Source: LAMBS GULCH Trib. to: CROY CREEK
DEMOCRAT CREEK CROY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	18E	18	NW	SE	SE		BLAINE

5. Description of diverting works:
ENTIRE FLOW OF LAMBS GULCH INTO DEMOCRAT CK, DAMMED, RESERVOIR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.800		

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

8. Total consumptive use is 475.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02N	18E	17	SE	NW	4	IRR	23.0
			NE	SW		IRR	10.0

A37-00548

Page 1

Date: 02/24/89

MICROFILMED

MAR 01 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	18E	17	NW	SW		IRR	25.0
			SW	SW		IRR	3.0
						Section Acres	61.0
		18	SW	NE		IRR	17.0
			SE	NW		IRR	31.0
			NE	SW		IRR	2.0
			NE	SE		IRR	19.0
			NW	SE		IRR	13.0
			SW	SE		IRR	19.0
			SE	SE	5	IRR	28.0
						Section Acres	129.0
						Total Acres	190.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

37-00549, 37-02142, 37-01222, 37-04138, 37-04440

14. Remarks:

ORIGINALLY DECREED TO J. J. PLUMER. SOURCE IDENTIFIED IN DECREE AS WARM SPRINGS CREEK AND DECLARED TO BE A "DRY STREAM" SO THAT UPPER USERS CAN APPROPRIATE THE ENTIRE FLOW. BASED UPON THE ORIGINAL PLACE OF USE (WHICH INCLUDED SWSW & SESW, S. 7, T2N, R18E) AND MAPS, WARMS SPRINGS CREEK IS MOST LIKELY THE COMBINED FLOW OF DEMOCRAT CREEK AND LAMBS GULCH (WHICH DRAIN ONLY POSSIBLE IRRIGABLE LAND IN SEC. 7!). DECREE IS FOR THE "ENTIRE FLOW". WATER IS NOW AND HAS FOR MANY YEARS BEEN USED BY ALLOWING LAMBS GULCH TO FLOW INTO DEMOCRAT CREEK (ALSO KNOWN AS DEMOCRAT GULCH), AND THEN INTO A LOWER RESERVOIR FROM WHICH IT IS PUMPED TO HANDLINES AND WHEELINES FOR IRRIGATION. THERE ARE NO OTHER USES OF THIS STREAM. CLAIMANT USES ENTIRE FLOW OF LAMBS GULCH AND DEMOCRAT CREEK DURING IRRIGATION SEASON. PLACE OF USE IS CLAIMED PURSUANT TO IDAHO CODE SS.42-1416(1) TO THE EXTENT IT DIFFERS FROM THE DECREE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

Decree 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.

Number of attachments: _____

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)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

DATA ENTRY BY: Rat 2-24-89

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: 39356
Ident Number A37-06548
Date Received 10-27-88
Receipt Number 0004234



OCT 1988

Devere Barker
1028
10-27-88

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s): Humboldt Investment Co.
Phone: (702) 825-4144
Mailing Address: 3500 Lakeside Court
Suite 150
Reno, NV 89509
attn: Mr. Devere Barker
2. Date of Priority: June 1, 1880
3. Source of water supply (a) Lambs Gulch & Democrat Creek
which is tributary to (b) Croy Creek
4. a. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
2N	18E	18	NW	SE	SE		Blaine

Additional points of diversion if any: None.

- b. If instream flow, beginning point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
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Ending point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
-----------------	--------------	----------------	------------	------------	------------	------------	---------------

MICROFILMED

MAR 01 1993

5. **Description of existing diversion works:** Entire flow of Lambs Gulch now allowed to flow into Democrat Creek, which is dammed into a reservoir from which water is pumped to handlines and wheellines.

6. **Water is claimed for following purposes:**

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 1	November 1	3.80 cfs

7. **Total Quantity Claimed:** 3.8 cfs

8. **Total consumptive use claimed is** 475 acre feet per annum.

9. **Non-irrigation uses:** None.

10. **Place of use:**

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>½</u>	<u>½</u>	<u>Use</u>	<u>Irrig. Acres</u>
2N	18E	17	SE	NW (Lot 4)	I	23
2N	18E	17	NE	SW	I	10
2N	18E	17	NW	SW	I	25
2N	18E	17	SW	SW	I	3
2N	18E	18	SW	NE	I	17
2N	18E	18	SE	NW	I	31
2N	18E	18	NE	SW	I	2
2N	18E	18	NE	SE	I	19
2N	18E	18	NW	SE	I	13
2N	18E	18	SW	SE	I	19
2N	18E	18	SE	SE (Lot 5)	I	28

Total number of irrigated acres: 190

Last Name: Humboldt **Ident No.** _____

MICROFILMED
MAR 01 1993

HOGUE, SPECK & AANESTAD

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP

A PROFESSIONAL ASSOCIATION
OF
ATTORNEYS
120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
TELECOPIER (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567

February 22, 1989



CERTIFIED MAIL

Department of Water Resources

Ms. Helen Harrington
Idaho Department of Water Resources
1301 N. Orchard St.
Statehouse Mail
Boise, Idaho 83706

RE: Snake River Basin Adjudication - Notice of Claim
for Humboldt Investment Co. - Water Right No. 37-0548

Dear Ms. Harrington:

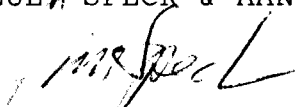
Enclosed you will find a revised second page for the above-referenced Claim. I apologize for the delay. As we discussed, the Department requires a quantification of the amount claimed for each Claim, even though the original decree is for the "entire flow" of the stream and the stream was also then decreed to be a "dry stream". Accordingly, the new page claims 3.8 cfs.

Will you please confirm receipt and filing of this Claim. Would you also check on the receipt and filing on my client's Claim for Water Right No. 37-0549 (which is the same as Water Right No. 37-1220). Finally, what is the identification number given to the Domestic Well Claim filed by my client? Is it A37-12397?

Please let me hear from you as soon as receive this letter. Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD


James P. Speck

JPS/rlk
cc: Mr. Devere Barker(w/encl.)

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MAR 01 1993

5. Description of existing diversion works: Entire flow of Lambs Gulch now allowed to flow into Democrat Creek, which is dammed into a reservoir from which water is pumped to handlines and wheellines.

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 1	November 1	Entire flow

7. Total Quantity Claimed: Entire flow

8. Total consumptive use claimed is 475 acre feet per annum.

9. Non-irrigation uses: None.

10. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>Use</u>	<u>Irrig. Acres</u>
2N	18E	17	SE	NW (Lot 4)	I	23
2N	18E	17	NE	SW	I	10
2N	18E	17	NW	SW	I	25
2N	18E	17	SW	SW	I	3
2N	18E	18	SW	NE	I	17
2N	18E	18	SE	NW	I	31
2N	18E	18	NE	SW	I	2
2N	18E	18	NE	SE	I	19
2N	18E	18	NW	SE	I	13
2N	18E	18	SW	SE	I	19
2N	18E	18	SE	SE (Lot 5)	I	28

Total number of irrigated acres: 190

replaced.

Last Name: Humboldt

Ident No. _____

MICROFILMED

MAR 01 1993

11. Place of use is located in Blaine County.

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

13. Describe any other water rights used at the same place and for the same purposes as described above? 37-0549 (same as 37-1220), 37-2142 (same as 37-1221), 37-1222, 37-4138, 37-4440.

14. Remarks: Decreed to J. J. Plumer in S.C. Frost et al. v. Alturus Water Co. et ux. Source identified in decree as Warm Springs Creek and declared to be a "dry stream" so that upper users can appropriate the entire flow. Based upon the original place of use (which included SW $\frac{1}{4}$ SW $\frac{1}{4}$ & SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 7, T.2N., R.18E.) and maps, Warm Springs Creek is most likely the combined flow of Democrat Creek and Lambs Gulch (which drain only possible irrigable land in Sec. 7!). Decree is for the "entire flow". Water is now, and has for many years been used by allowing Lambs Gulch to flow into Democrat Creek (also known as Democrat Gulch), and then into a lower reservoir from which it is pumped to handlines and wheellines for irrigation. There are no other users of this stream. Claimant uses entire flow of Lambs Gulch and Democrat Creek durring irrigation season. Place of use is claimed pursuant to Idaho Code §42-1416(1) to the extent it differs from the decree.

Last Name: Humboldt

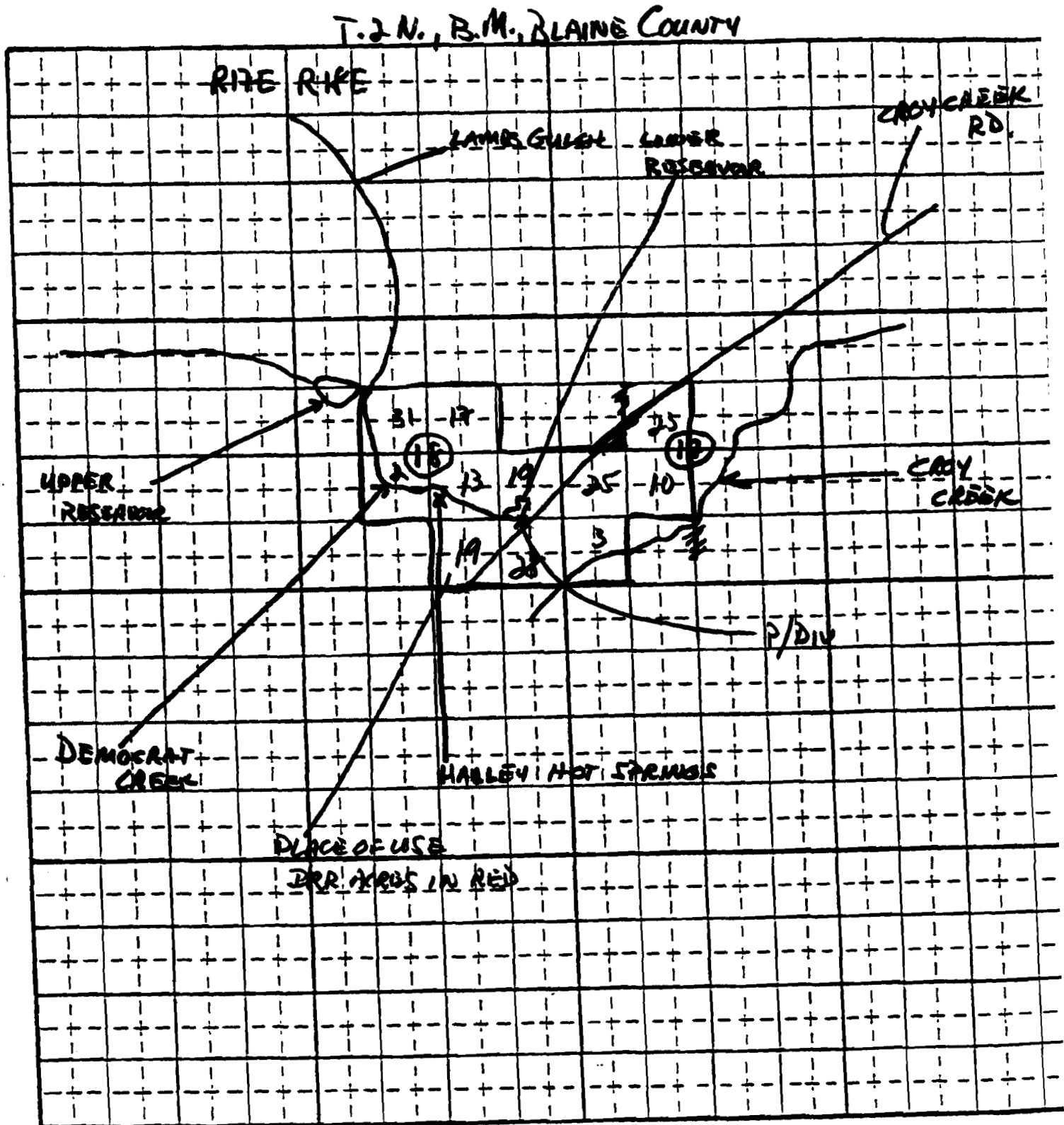
Ident No. _____

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MAR 01 1993

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

Scale: 2 inches equals 1 mile



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MAR 01 1993

Copies: White-Slate, Yellow-Caiman

Last Name

HUMOLDT

Ident No.

15. Basis of Claim: Decree

IDWR Water Right Number: 37-0548

Court: Lincoln County

Case Number:

Decree Date: December 13, 1909

Plaintiff v. Defendant:

S.C. Frost et al. v. Alturus Water Co. et ux.

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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments 1

[For Organizations] I do solemnly swear or affirm that I am a general partner of Humboldt Investment Co., a general partnership, that I have signed the foregoing document in the space below as general partner of the partnership and that the statements contained in the foregoing document are true and correct.

Signature of General Partner: Devere Barker, by James P. Speck, his attorney-in-fact

Devere Barker

Date _____

State of Idaho)
County of Blaine) ss.

Subscribed and sworn before me this 25th day of October, 1988.

Notary Public Ruby Ann Becker
Residing at Sun Valley
Commission Expires 11/7/92

17. Notice of Appearance:

Notice is hereby given that I, James P. Speck, will be acting as attorney at law 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 the address listed below.

Signature: James P. Speck

James P. Speck
Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, ID 83340

Date: 10/25/88

Last Name: Humboldt

Ident No.: _____

a2:\hmbldt3.clm

MICROFILMED

MAR 01 1993

RECEIVED

OCT 27 1988

Department of Water Resources
Southern Region Office

SPECIAL POWER OF ATTORNEY
(WATER RIGHTS)

HUMBOLDT INVESTMENT CO., a Nevada general partnership (the "Partnership"), of Reno, Nevada, by and through its general partner, Devere Barker, designates and appoints JAMES P. SPECK, of Ketchum, Idaho, as the Partnership's attorney in fact and agent (subsequently called "Agent") to act in the Partnership's name and for the Partnership's benefit for the specific purposes stated herein only. The Partnership grants to its Agent full power and authority to do everything necessary in exercising any of the powers herein granted as fully as the Partnership might or could do if personally present and fully competent, hereby ratifying and confirming all that the Partnership's Agent shall lawfully do or cause to be done by virtue of this Special Power of Attorney and the powers herein granted.

1. SPECIFIC GRANT OF POWER. The Partnership's agent shall have power to exercise or perform any act, power, duty, right or obligation whatsoever that the Partnership now has or may hereafter acquire, RELATING ONLY TO the preparation and filing of claims for water rights in Twin Falls County District Court Civil No. 39576, In Re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System, and the preparation and filing of applications for permits to or transfers of water rights, or claims to water rights, with the Idaho Department of Water Resources.

2. REVOCABILITY. This Special Power of Attorney is revocable, provided, that insofar as any governmental agency, bank, trust company, insurance company, transfer agent, or other person shall rely upon this power, this power may be revoked only by a notice in writing executed by me or the Partnership's Agent and delivered to such person or institution.

3. INTERPRETATION. This instrument is to be construed and interpreted as a Special Power of Attorney and shall be limited in accordance herewith.

4. THIRD-PARTY RELIANCE. Third parties may rely upon the representations of the Agent as to all matters relating to any power granted to the Partnership's Agent, and no person who may act in reliance upon the representations of the Agent or the authority granted to the Partnership's Agent shall incur any liability to the Partnership as a result of permitting the Agent to exercise any power.

MICROFILMED

MAR 01 1993

5. GOVERNING LAW. This Special Power of Attorney is executed and delivered in the State of Idaho and the laws of the State of Idaho shall govern all questions as to the validity of this power and as to the construction of its provisions.

6. COUNTERPARTS. This Special Power of Attorney may be executed in counterparts. Each executed counterpart of this Special Power of Attorney shall have the force and effect of this original.

IN WITNESS WHEREOF, the Partnership has executed this Special Power of Attorney this 18 day of Oct 1988, 1988.

HUMBOLDT INVESTMENT CO.

By: Devere Barker
Devere Barker, general partner

STATE OF NEVADA)
) ss.
County of WASHOE)

On this 18TH day of OCTOBER, 1988, before me, the undersigned notary public in and for said state, personally appeared Devere Barker, known to me to be a general partner of the partnership whose name is subscribed to the within Special Power of Attorney, and acknowledged to me that said partnership executed the same.

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



Shelly Miner
Notary Public for _____
Residing at: 3182 SHARI WAY
SPARKS, NV 89431

Date: 01/16/07

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

RECEIVED

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: Date

JAN 18 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Water right number 37-0548

Name Spring Canyon Ranch LLC
 C/O Croy Canyon LLC
Address Line 1 395 Oyster Pt. Blvd #309
City, State Zip South San Francisco, CA 94080
Telephone Number (650)-588-5600

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source) :

Diversion Rate and Place of Use

2. Describe the changes you wish to make in the proposed recommendation:

The diversion rate should be 3.8 cfs, and the place of use should be 190 acres.

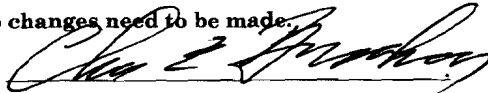
3. Give a brief explanation as to why you disagree with these portions:

Diversion rate should be changed to 3.8 cfs and the place of use should be changed to 190 acres as was claimed.

 I AGREE with this proposed recommendation: no changes need to be made.

DATE: 01/18/07

SIGNATURE:



Please print your name: Charles E. Brockway

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED

Due to the extremely short period for review and reply, and the considerable number of related preliminary recommendations currently under review by our firm, the undersigned must categorically object to, and disagree with, any and all portions of the recommendation which may be contrary to, or inconsistent with, the claim which has been filed for the above-referenced water right.

Anders, Matthew

From: Anders, Matthew
Sent: Wednesday, January 24, 2007 12:52 PM
To: 'KJBEATON@stoel.com'
Subject: FW: NOE responses - Spring Canyon Ranch

Kevin,

The final Director's Report for Basin 37 is scheduled to go out this week. It is waiting in line behind a couple other reports that are being printed and assembled, so it could be anytime. I can (and I am willing) work on the Spring Canyon Ranch, LLC claims up until the report is generated. However, I have done all that I can with the information I have for the Spring Canyon Ranch, LLC claims. I will work on them more if I get additional information before the final Director's Report. Below is the email I sent to Brockway Engineering listing what I need.

Feel free to call me at 208-287-4937 if you have any questions.

Thanks!

Matt

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

From: Anders, Matthew
Sent: Monday, January 22, 2007 8:45 AM
To: 'charles.e.brockway@brockwayeng.com'
Subject: NOE responses - Spring Canyon Ranch

Chuck,

Below are my responses the Notice of Error for Spring Canyon Ranch, LLC.

Place of Use

I found 180 acres of Irrigation on the 1987 aerial photo. Please submit a map outlining the 190 acres that are irrigated and I will review the claim again.

37-2142

The location of POD in SWSWSW Section 18 was unclear on the aerial photos, so I put the POD in the location indicated the map submitted with the original claim in 1994. Please send me a map indicating where the POD is located and I will review the claim again.

37-4138

No evidence of priority submitted. Also, the use and water being claimed appear to be covered by 37-4440. Please submit evidence of priority and a narrative that clearly distinguishes claim 37-4138 from 37-4440, and I will review the claim again.

37-4139

No evidence of priority submitted. The Recreation Storage being claimed appears to be covered by 37-4440. Please submit evidence of priority for all the claimed uses and a narrative that clearly distinguishes the Recreation Storage in claim 37-4139 from the Recreation Storage in 37-4440, and I will review the claim again.

37-4440

Based on the USGS Topo map and aerial photos, the pond has a surface area of 1.6 acres. Work has been done at that ranch by IDWR and it appears that the pond is about 3 ft deep. Using those data, I calculated the volume of the pond to be 5 AF.

The well logs submitted as evidence of priority indicate that the wells produce 140 gal/min (0.31 cfs). Please submit evidence that indicates the wells produce the claimed diversion rate of 0.69 cfs and I will review the claim again.

Diversion for irrigation is limited to 4/15-10/31. This claim may need to be amended to add Diversion to Storage if the claimant wants to divert groundwater year-round for Recreation Storage.

37-12396

No evidence of priority submitted. Please submit evidence of priority and I will review the claim again.

Thanks!

Matt

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

Ph. 208-287-4937

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

From: Beaton, Kevin J. [mailto:KJBEATON@stoel.com]
Sent: Wednesday, January 24, 2007 8:59 AM
To: Anders, Matthew
Subject: Spring Canyon Ranch, LLC Water Rights

Matt:

Recall we spoke a few weeks ago regarding the referenced water right claims in Basin 37. Chuck Brockway submitted Notices of Error in response to IDWR's Preliminary Recommendations on the subject claims to IDWR's Twin Falls office last week. What is the possibility of discussing IDWR's preliminary recommendations before they are finalized in the Director's recommendation? We would of course prefer to resolve this dispute prior to the more formal SRBA process. If that is a possibility who would we need to talk to at IDWR. Any help or insight you could provide would be much appreciated.

Regards,
Kevin Beaton
208-387-4214

01/04/2007

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

RIGHT NUMBER: 37-548

NAME AND ADDRESS: SPRING CANYON RANCH LLC
C/O CROY CANYON LLC
395 OYSTER PT BLVD #309
SOUTH SAN FRANCISCO CA 94080

SOURCE: DEMOCRAT GULCH CREEK
LAMBS GULCH CREEK

TRIBUTARY: CROY CREEK
TRIBUTARY: DEMOCRAT GULCH CREEK

QUANTITY: 3.600 CFS

PRIORITY DATE: 06/01/1880

POINT OF DIVERSION:

T02N R18E S18 SWNE Within BLAINE County
T02N R18E S18 NESWN Lot 2 Within BLAINE County
T02N R18E S18 NWNWSE Within BLAINE County
T02N R18E S18 NESWSE Within BLAINE County
T02N R18E S18 NWSESE Lot 5 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	3.600 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T02N R18E S17 Lot 3 SWNW	3.40	T02N R18E S17 Lot 4 SENW	22.00
T02N R18E S17 NESW	8.20	T02N R18E S17 NWSW	26.00
T02N R18E S17 Lot 1 SWSW	0.90	T02N R18E S18 SWNE	15.00
T02N R18E S18 NENW	1.10	T02N R18E S18 SENW	25.00
T02N R18E S18 NESW	0.40	T02N R18E S18 NESE	21.00
T02N R18E S18 NWSE	19.00	T02N R18E S18 SWSE	16.00
T02N R18E S18 Lot 5 SESE	22.00		

180 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 180 acres in a single irrigation season. Combined Right Nos.: 37-548, 37-549, 37-1222, 37-2142 and 37-4440.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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



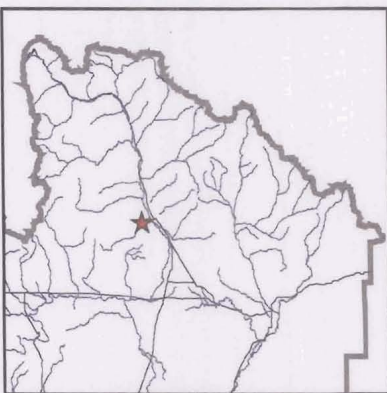
Idaho Department of Water Resources

SRBA Recommendation:

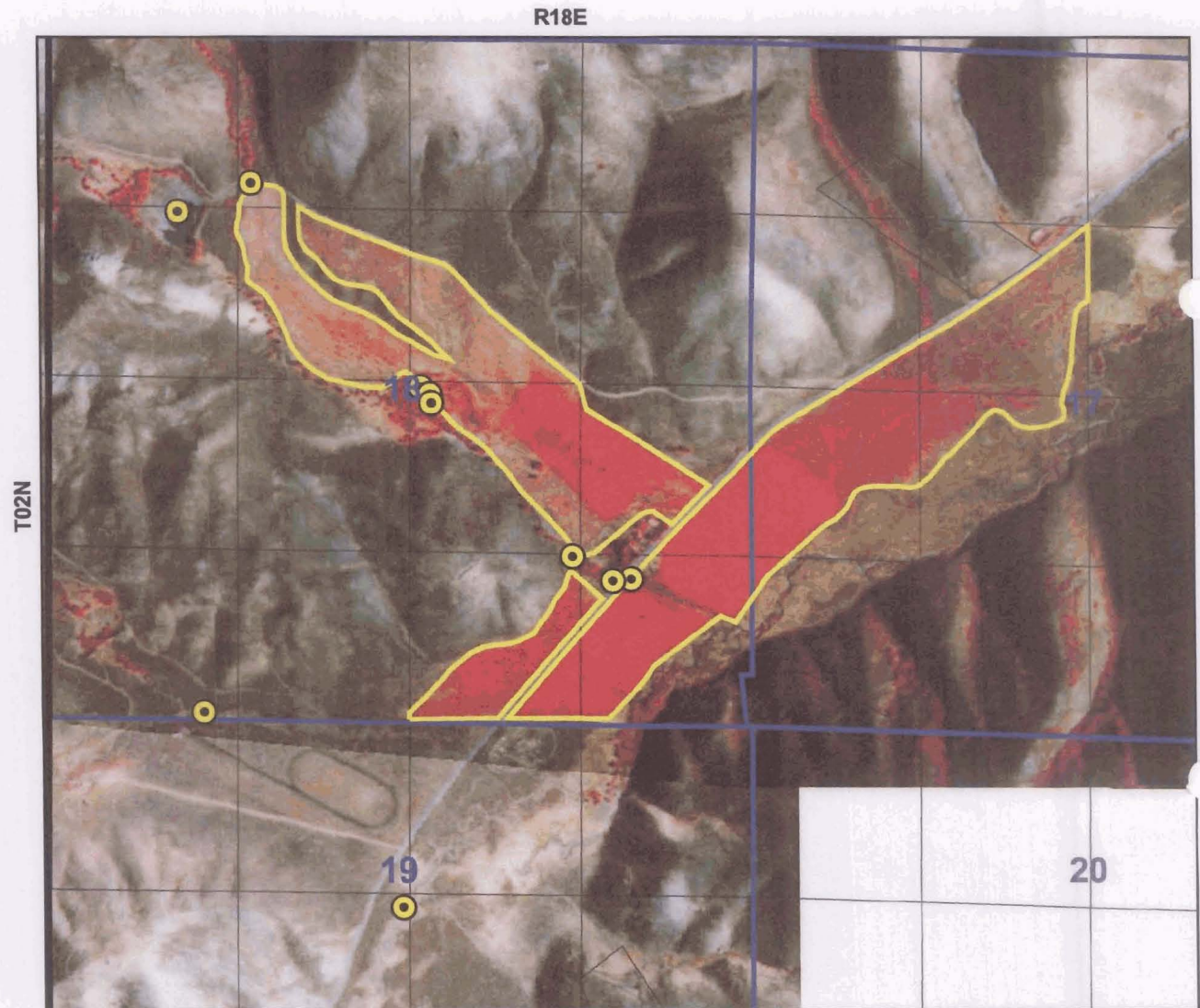
37-548
37-549
37-1222
37-2142
37-4440

Legend

-  Point of Diversion
-  B37_big_wood_draft_pod1.shp
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Blaine County
IDWR Basin 37



0 0.25 0.5 Miles

Prepared by M. Anders
On Thursday, January 4, 2007
1987/88 Aerial Photography

Adjudication Claim Notes

Claim(s): 37-548, 37-549, 37-1222, 37-2142, 37-4138, 37-4139, 37-4440, 37-12396

Background Data

37-548

- Source is Democrat Gulch Creek tributary to Croy Creek and Hailey Hot Springs tributary to Democrat Gulch Creek
- Decreed for entire flow of stream for Irrigation of 12 QQ
- Claimed 3.8 cfs for Irrigation of 190 acres

37-549

- Source is Croy Creek tributary to Big Wood River
- Decreed for 4.0 cfs for Irrigation of 8 QQ
- Claimed 4.0 cfs for Irrigation of 190 acres

37-1222

- Source is Democrat Gulch Creek tributary to Croy Creek
- Decreed for 0.4 cfs for Irrigation of 8 QQ
- Claimed 0.4 cfs for Irrigation of 190 acres

37-2142

- Source is Hot Springs Gulch Creek tributary to Croy Creek
- Licensed for 1.5 cfs for Irrigation of 75 acres
- Claimed 1.5 cfs for Irrigation of 122.4 acres

37-4138

- Beneficial Use Claim
- Source is Hailey Hot Springs tributary to Democrat Creek
- Claimed 1.05 cfs for Irrigation of 190 acres

37-4139

- Beneficial Use Claim
- Source is Hailey Hot Springs tributary to Big Wood River
- Claimed 0.50 cfs for Diversion to Storage, 277 AF for Fish Propagation Storage, and 277 AF for Recreation Storage

37-4440

- Beneficial Use Claim
- Source is Groundwater
- Claimed 0.69 cfs for Irrigation, 0.03 cfs for Stockwater, and 500 AF for Recreation

37-12396

- Beneficial Use Claim
- Source is Democrat Gulch Creek and Lambs Gulch Creek tributary to Croy Creek
- Claimed 3.0 cfs for Irrigation from Storage, 0.03 cfs for Stockwater, 1273 AF for Irrigation Storage, and 2172 AF for Recreation Storage

Place Of Use Data

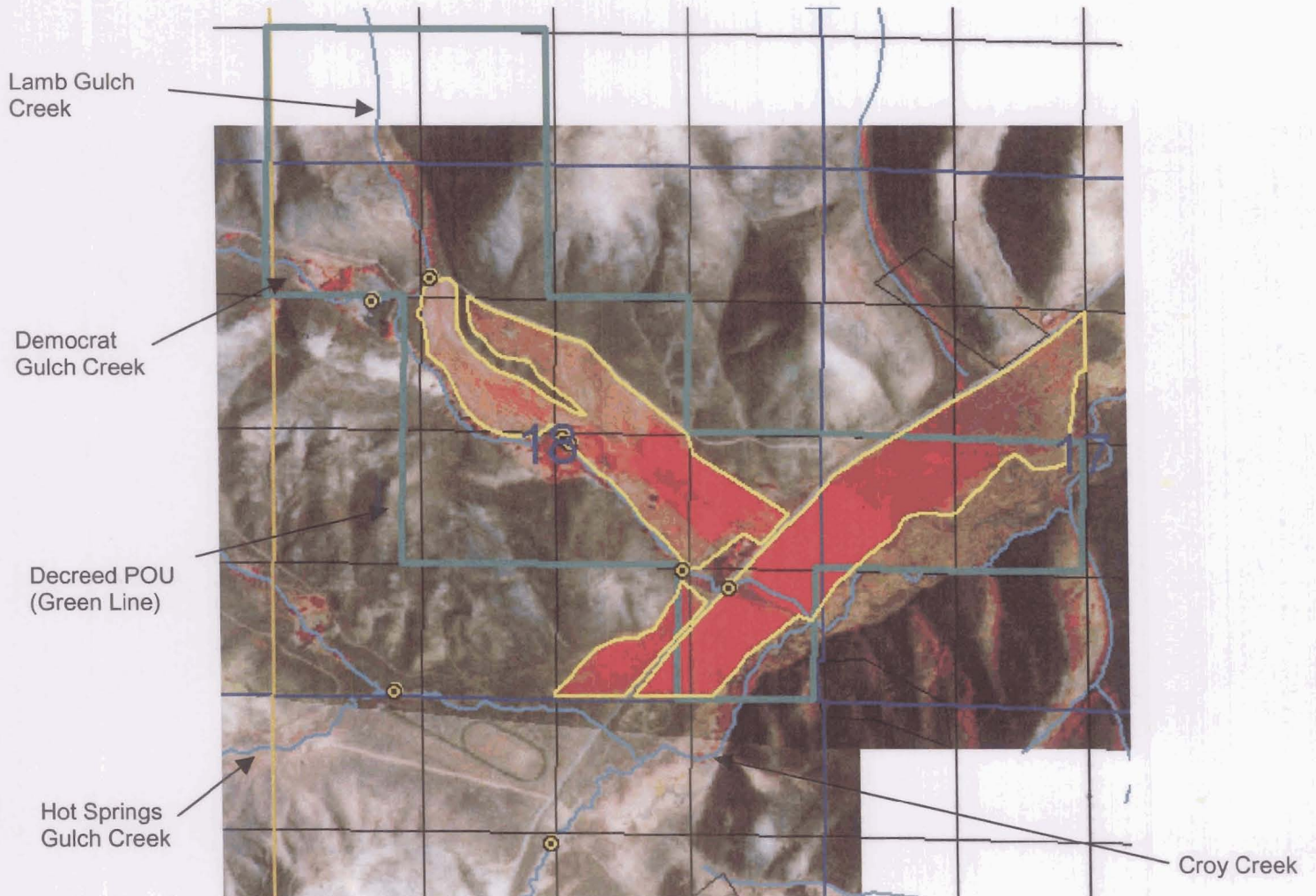
Yellow line is the draft Place of Use created by IDWR based on historical data and records.

Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.

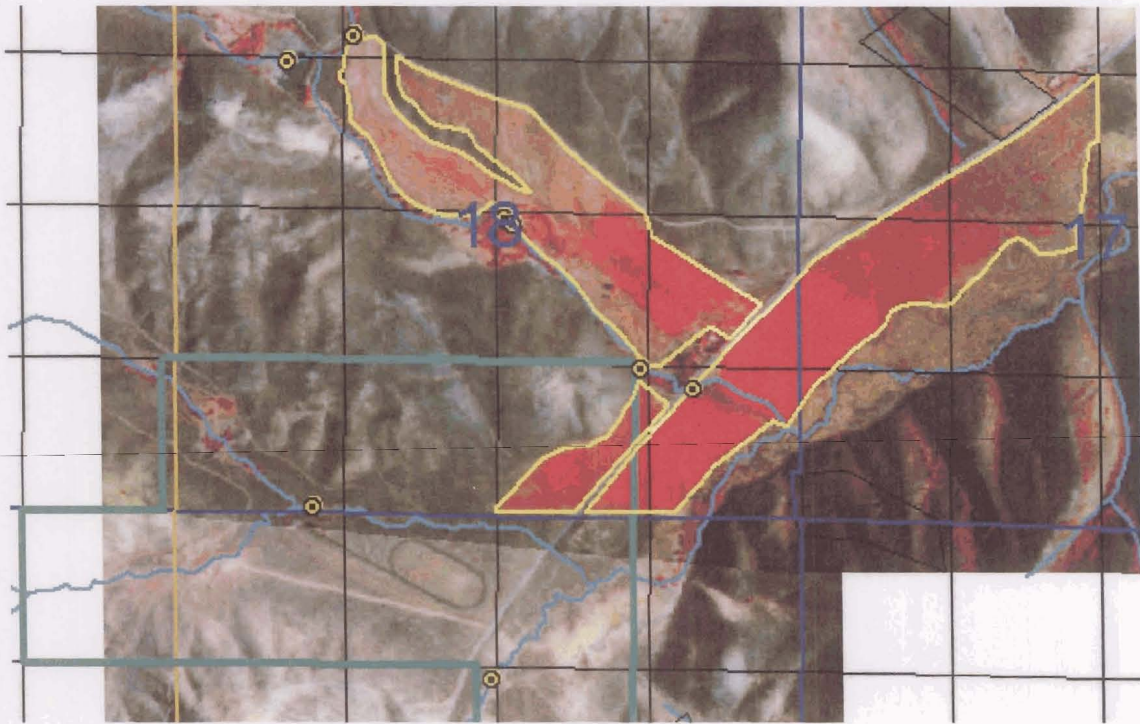
Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

1987 Aerial Photo

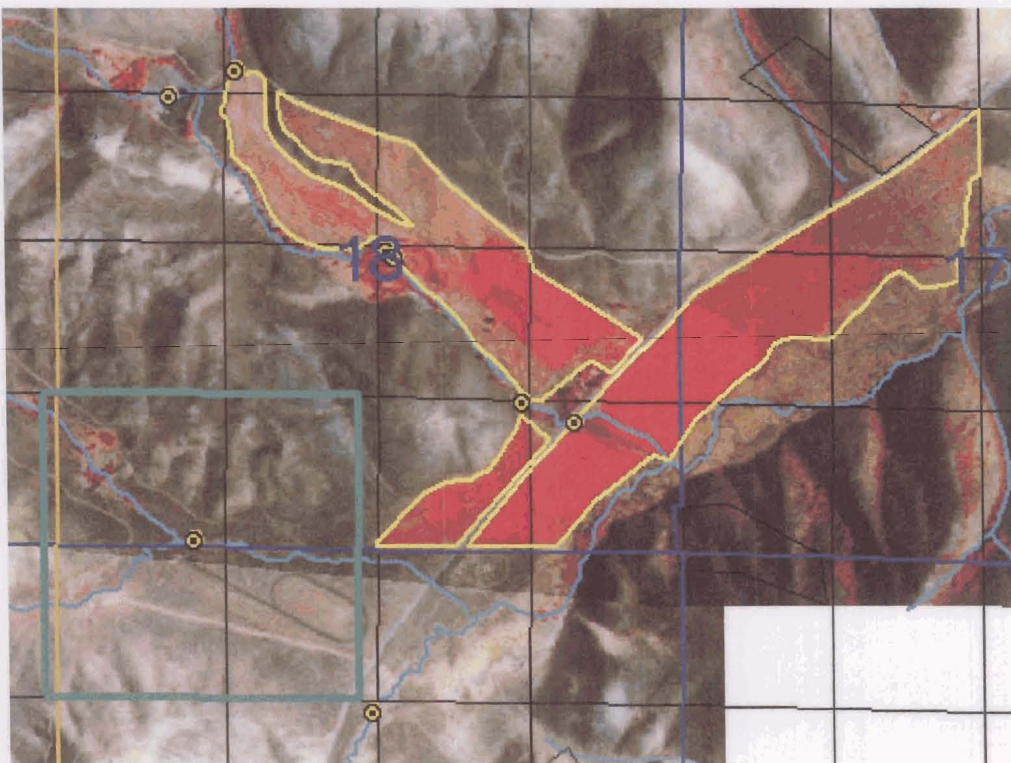
37-548



37-549 and 37-1222



37-2142



Notes

T2N R18E Sections 17 & 18

- 37-548
 - Decreed source is Warm Springs Creek. There is not a stream with this name on the USGS map. Based on the location of the decreed POU, the Sources at the time of the Frost decree are currently named Lambs Gulch Creek and Democrat Gulch Creek
 - Decreed for entire stream.
 - 11/06 unable to conduct field exam to measure diversion rate because of too much snow. Decided to recommend claim at 0.02 cfs/acre.
- 37-549 and 37-1222
 - 37-549 was decreed in the Frost Decree (1909). 37-1222 was decreed in Plumer vs. Connett (1929) on the same POU as 37-549. The water for 37-549 is also listed in Plumer vs. Connett, so 37-549 was not superceded by 37-1222.
 - In Plumer vs. Connett, the source for 37-1222 is listed as the North Fork of Croy Creek. Based on the location of the decreed POU, the most likely source for a gravity delivery would be the unnamed stream that joins Croy Creek in NWNE Section 19. That would mean an accomplished transfer changed the source to Democrat Gulch.
- 37-4138
 - No evidence of priority submitted
 - Claiming Irrigation from Hailey Hot Springs since 1948
 - This use and water is covered in 37-4440
- 37-4139
 - No evidence of priority submitted
 - Claimed Diversion to Storage and Recreation Storage from Springs since 1926 for the pond is SE Section 18.
 - These uses are covered in 37-4440
- 37-4440
 - Evidence of Priority
 - Submitted well logs for 5 wells drilled in 1950
 - Diversion rate
 - 11/06 unable to conduct field exam to measure diversion rate because of too much snow.
 - 2 well logs from the wells drilled in 1950 indicate a discharge rate totaling 140 gpm (0.31 cfs)
 - Decided to start with 0.31 (well logs) and let the claimant prove a higher diversion rate
 - There was a survey done of a reservoir in Section 18 that was 2 AF. Unclear if that was the reservoir SE Section 18 or the reservoir NW Section 18.
 - Doug Jones is familiar with the property. He said pond in SE Section 18 is 1.5 acres and is roughly 3 ft deep. This is approximately 5.0 AF of storage.
 - Diversion to Storage
 - If the claimant wants to divert water groundwater year-round for Recreation Storage, they will need to amend claim to include Diversion to Storage.

- This is a geothermal artesian well, so we will want to limit the Diversion to Storage rate as much as possible to conserve the resource.
- 37-12396
 - No evidence of priority submitted
 - Claimed Storage in pond in NW Section 18
- According to claim the water is commingled and delivered by pumps to sprinklers. So it appears this is a PPU
- Recommendations:
 - 180-acre PPU with combined use limit of 180 acres
 - 37-548
 - 3.6 cfs for Irrigation
 - Source
 - Lambs Gulch Creek tributary to Democrat Gulch Creek
 - Democrat Gulch Creek tributary to Croy Creek
 - 37-549
 - 4.0 cfs for Irrigation
 - Accomplished transfer for POU
 - 37-1222
 - 0.40 cfs for Irrigation
 - Accomplished transfer for Source, POD, and POU
 - Source is Democrat Gulch Creek tributary to Croy Creek
 - 37-2142
 - 1.5 cfs for Irrigation of 75 acres within PPU
 - 37-4138
 - Disallowed - no evidence of priority submitted
 - 37-4139
 - Disallowed - no evidence of priority submitted
 - 37-4440
 - 0.31 cfs and 59.3 AF
 - 0.31 cfs and 54.3 AF for Irrigation of 15.5 acres within PPU
 - 0.03 cfs and 1.4 AF for Stockwater
 - 5.0 AF for Recreation Storage
 - PODs
 - At well
 - Injection to Democrat Gulch Creek
 - Rediversion from Pond
 - 37-12396
 - Disallowed - no evidence of priority submitted
- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-548

WATER RIGHT NUMBER: 37-548

Owner Type Name and Address
 Current Owner JOSEPH J PLUMMER
 HC 61 BOX 3060
 CHALLIS, ID 83226

Priority Date: 06/01/1880

Basis: Decreed

Status: Active

Source Tributary
 DEMOCRAT GULCH CREEK CROY CREEK
 HAILEY HOT SPRINGS DEMOCRAT GULCH CREEK

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION / to /

Total Diversion:Location of Point(s) of Diversion

DEMOCRAT GULCH CREEK

HAILEY HOT SPRINGS

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	7											X	X					
													L 4						
02N	18E	17									X	X							
02N	18E	18			X		X	X			X	X			X	X		X	
								L 1											

Conditions of Approval:

1. RT. DECREE FROM WARM SPRINGS CR., BUT STREAM IS NOT ON QUAD MAP. SOURCES CODED APPEAR PROBABLE BASED ON USGS MAP.
RT. IS FOR ENTIRE FLOW OF "WARM SPRINGS CREEK".

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 37-548

Comments:Dates and Other Information:

Licensed Date:
Decreed Date: 12/13/1909
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Alturas Water Co, et al
Decree Plaintiff: S C Frost, et al
Civil Case Number:
Judicial District: Fourth District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

Water Supply Bank:



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

February 9, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RECEIVED

FEB 17 2005

Department of Water Resources
Southern Region

Crocker Trust
c/o Scott Crocker
1128 Shattuck
Berkeley, CA 94707
Phone: (510) 559-3171

Re: Request for reconsideration of *Order Requiring Measuring Devices ... in Water District 37, Croy Creek and Tributaries*, dated November 16, 2004.

Dear Scott,

The purpose of this letter is documentation of recent phone conversations pertaining to the above referenced Order, and providing written guidance on the steps necessary to be compliant with the Order; given the special circumstances of your situation. As we discussed in previous phone conversations, IDWR is waiving the requirements for installation of measuring devices for the 2005 irrigation season. Payment of the minimum charge assessed by Water District 37 will be required for this year to be compliant with the November 16, 2004 Order.

In return for payment of this minimum charge, the watermaster will visit the Crocker Trust property and determine locations of diversions, and appropriate device(s), if any, that are needed to perform proper regulation of waters in the Croy Creek stream. By payment of this assessment charge to the water district, the watermaster can also be called upon to regulate flows in Croy Creek to assure your valid right out of Croy Creek is filled.

A listing of water right claims we have on file in the Croy Creek drainage for the Crocker Trust are shown in the attached table. Of these rights, only 37-549 with Croy Creek as the source, appears to be a candidate for a measuring device. A measuring device for this right would be used to determine what amount is short. This right is the last right on Croy Creek, and is senior in priority to another immediate upstream right. Without a measuring device on the point of diversion for 37-549, it would not be possible to determine if the allowed diversion rate is being fully filled, and if the upstream right should be curtailed.

It appears the remaining surface water rights shown in the table would not provide any benefit to the water district or the right holder by installing controlling works and measuring devices at the diversion points. There does appear to be some discrepancy in the beneficial use descriptions between what we have on record and what you have described on the phone. These discrepancies could be corrected through the Snake River Basin Adjudication process currently being done in the Croy Creek drainage. A representative from IDWR's Adjudication Bureau would likely accompany the watermaster in a site visit to the Crocker Trust property to evaluate the beneficial use conditions.

I have enclosed a pamphlet with some explanation of how water rights work in Idaho to help in clarifying the terminology and information in this letter. We hope to meet with you or a

IDWR – February 9, 2005

ATTACHMENT –Table: WATER RIGHTS FOR THE CROCKER TRUST ON CROY CREEK

Water Right Number	Priority Date	Source	Beneficial Use	Max. Rate or Volume
37-548	06/01/1880	DEMOCRAT CREEK LAMBS GULCH CREEK	IRRIGATION - 190 ACRES	3.80 CFS
37-549	06/30/1882	CROY CREEK	IRRIGATION – 130 ACRES	4.00 CFS
37-1222	06/09/1911	DEMOCRAT GULCH CREEK	IRRIGATION - 190 ACRES	0.40 CFS
37-2142	06/24/1909	HOT SPRINGS GULCH CREEK	IRRIGATION – 75 ACRES	1.50 CFS
37-4138	12/31/1948	HAILEY HOT SPRINGS	IRRIGATION –190 ACRES	1.05 CFS
37-4139	12/31/1926	HAILEY HOT SPRINGS	DIVERSION TO STORAGE	0.50 CFS
			FISH PROPAGATION STORAGE	277.0 AF
			RECREATION STORAGE	277.0 AF
37-4440	08/16/1950	GROUND WATER	RECREATION	500 AF
			IRRIGATION – 190 ACRES	0.69 CFS
			STOCKWATER	0.03 CFS
37-12396	12/31/1947	DEMOCRAT CREEK	RECREATION STORAGE	2172.0 AF
			IRRIGATION STORAGE	1273.0 AF
			STOCKWATER	0.03 CFS
			IRRIGATION FROM STORAGE	3.00 CFS
37-12397	12/31/1950	GROUND WATER	DOMESTIC	0.04 CFS
CFS = CUBIC FEET PER SECOND, AF = ACRE-FEET				

representative of the Crocker Trust at the Croy Creek property later this season for the site visit described above. The watermaster or an IDWR representative will contact you later this spring or early summer to make an appointment. Please don't hesitate to call at 208-287-4957 if you have any questions.

Respectfully,

A handwritten signature in black ink, appearing to read "Steve Burrell". The signature is fluid and cursive, with the first name "Steve" written in a larger, more prominent script than the last name "Burrell".

Steve Burrell
Water Distribution Section

Attachment /1/: Table

Enclosure /1/: IDAHO WATER RIGHTS A PRIMER A Water Users Information Guide

c: Kevin Lakey, Watermaster, WD 37 – Shoshone (w/o enclosure)
IDWR - Twin Falls (w/o enclosure)
Water District 37 2005 file (w/o enclosure)

Water Right Number - R37-00548

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
CROCKER TRUST

BENJAMIN & HELEN

1 - C/O DONALD & HELEN CROCKER
2 - TRUSTEES
3 - PO BOX 974
City- KETCHUM State- ID Zip- 83340
Phone - 208-726-9185*** O - ORIGINAL OWNER ***
HUMBOLDT INVESTMENT CO1 - ATTN: MR DEVERE BARKER
2 - 3500 LAKESIDE COURT SUITE 150
3 -
City- RENO State- NV Zip- 89509
Phone - 208-825-4144
1 - HOGUE SPECK & AANESTAD
2 - PO BOX 987
3 -
City- KETCHUM State- ID Zip- 83340
Phone - 208-000-0000

SPECK

JAMES P

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/01/1880 ERROR IN REGION D - DECREED+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
LAMBS GULCH CROY CREEK
DEMOCRAT CREEK CROY CREEK+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
02N 18E 18 NW SE SE (13) BLAINE+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 3.800+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
3.800 475.0+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
02N 18E 17 SE NW 4 23.0 01 IRRIGATION (13) BLAINE
02N 18E 17 NE SW 10.0 01 IRRIGATION (13) BLAINE
02N 18E 17 NW SW 25.0 01 IRRIGATION (13) BLAINE
02N 18E 17 SW SW 3.0 01 IRRIGATION (13) BLAINE
02N 18E 18 SW NE 17.0 01 IRRIGATION (13) BLAINE
02N 18E 18 SE NW 31.0 01 IRRIGATION (13) BLAINE
02N 18E 18 NE SW 2.0 01 IRRIGATION (13) BLAINE
02N 18E 18 NE SE 19.0 01 IRRIGATION (13) BLAINE
02N 18E 18 NW SE 13.0 01 IRRIGATION (13) BLAINE
02N 18E 18 SW SE 19.0 01 IRRIGATION (13) BLAINE
02N 18E 18 SE SE 5 28.0 01 IRRIGATION (13) BLAINE

Prefix Translation: RESEARCH

05/19/95 TBACKLUN

+ Adjudication Rights Dates and Flags Area +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 12/21/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- F000000	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	-
				Notice of Error Flag	-

Water Right Number - 37-00548

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

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

+ - First Name - - +

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

*** C - CURRENT OWNER ***

PLUMMER

J. J.

1 -

2 -

3 -

City-

State-

Zip-

Phone -

+ - - Priority Date - - +

06/01/1880

+ - - Region - - - +

17

+ - - Stage - - - +

D - DECREED

+ - - Status - - - +

+ - - Source - - - - - +

HAILEY HOT SPRINGS

DEMOCRAT GULCH

+ - - Tributary - - - - - +

DEMOCRAT GULCH

CROY CREEK

+ - - Point of Diversion - - - - - +

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

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

01 - IRRIGATION

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

+ - - Place of Use - - - - - +

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
02N	18E	7	SW SW	4		01	IRRIGATION	(13) BLAINE
02N	18E	7	SE SW			01	IRRIGATION	(13) BLAINE
02N	18E	17	NE SW			01	IRRIGATION	(13) BLAINE
02N	18E	17	NW SW			01	IRRIGATION	(13) BLAINE
02N	18E	18	SW NE			01	IRRIGATION	(13) BLAINE
02N	18E	18	NE NW			01	IRRIGATION	(13) BLAINE
02N	18E	18	NW NW	1		01	IRRIGATION	(13) BLAINE
02N	18E	18	SE NW			01	IRRIGATION	(13) BLAINE
02N	18E	18	NE SW			01	IRRIGATION	(13) BLAINE
02N	18E	18	NE SE			01	IRRIGATION	(13) BLAINE
02N	18E	18	NW SE			01	IRRIGATION	(13) BLAINE
02N	18E	18	SE SE			01	IRRIGATION	(13) BLAINE

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

MICROFILMED

MAR 0 1 1993

Water right number - 37-00548

Adj. flag translation: Standard Water Right Number

+ - - - - - Remarks - - - - - +
 RT. DECREED FROM WARM SPRINGS CR., BUT STREAM IS NOT ON QUAD MAP.
 SOURCES CODED APPEAR PROBABLE BASED ON USGS MAP.
 RT. IS FOR ENTIRE FLOW OF "WARM SPRINGS CREEK".

+ - - - - - Conditions of Approval - - - - - +
 No Conditions of Approval found.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - - - +
 S. C. FROST, ET. AL. ALTURAS WATER COMPANY, ET. AL. 12/13/1909

+ - - Microfilm Rolls -

+ - - Audit Fields - 02/11/86 05/28/88 CONVERT

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

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

 MICROFILMED
 MAR 0+1 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SNAKE RIVER BASIN ADJUDICATION CLAIM VERIFICATION REPORT

FIELD REPORT LOGCLAIM NUMBER: A37-00548

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT RECEIVED	COMPLETED REVIEW	COMPLETED DATA ENTRY
PRIORITY DATE	N		SCC 2/16/90	
POINT OF DIV.	N			
SOURCE	N			
PLACE OF USE	N *			
DIV. AMOUNT	N			
CONSUMPTIVE USE	N			
USES	N		SCC 2/16/90	
PERIOD OF USE	N		SCC 2/16/90	
BASIS OF CLAIM	N			

REMARKS: * MAY BE PART OF EXAM FOR OTHER CLAIMS.THIS CLAIM IS THE MASTER REVIEW FILE FOR:A37-00549A37-01222A37-04138A37-04440A37-12396

MICROFILMED
MAR 01 1993

GENERAL INFORMATION

Claim number: A37-00548

LAST: HUMBOLDT INVESTMENT CO.

FIRST: ATT: MR. DEVERE BARKER

ADDRESS: 3500 LAKESIDE COURT, SUITE 150

CITY: RENO

STATE: NV

ZIP: 89509

PHONE: (702) 825-4144

OWNER CODE: C

OWNER CONNECTOR: _____

LAST: _____

FIRST: _____

ADDRESS: _____

CITY: _____

STATE: _____

ZIP: _____

PHONE: (____) ____-____

OWNER CODE: _____

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____ PHONE NUMBER (____) ____-____

DATE OF FIELD EXAM: ____/____/____ APPOINTMENT MADE? Y(____) N(____), TIME: _____

ACCOMPANIED BY: _____ PHONE NUMBER (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS: _____

MICROFILMED
MAR 01 1993

PRIORITY DATE REVIEW SHEET

CLAIM NUMBER: A37-00548A. SRBA CLAIM # A37-00548 PRIORITY DATE: 6/1/1880 STAGE DB. IDWR RECORD # 37-00548 PRIORITY DATE: 6/1/1880 STAGE DC. REVIEW - FIELD EXAM NEEDED? Y() N(☒)ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(☒)
IF YES EXPLAIN.

REMARKS:

RECOMMENDED PRIORITY DATE:

6/1/1880

REVIEWED BY

SCC

DATE

2/16/90MICROFILMED
MAR 01 1993

POINT OF DIVERSION AND SOURCE REVIEW SHEET

CLAIM # A37-00548

A. SRBA CLAIM POINT OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
<u>2N</u>	<u>18E</u>	<u>18</u>	<u>NW</u>	<u>SE</u>	<u>SE</u>		<u>BLAINE</u>

SOURCE: LAMBS GULCH
DEMOCRAT CREEK TRIB: CROY CREEK

B. IDWR RECORD POINT OF DIVERSION RECORD AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>		<u>None Given</u>

SOURCE: HAILEY HOT SPRINGS
DEMOCRAT GULCH TRIB: DEMOCRAT GULCH
CROY CREEK

C. REVIEW - FIELD EXAM NEEDED? Y() N(☒)

VERIFIED WITH:		ATTACHED	OR	SEE FILE
(☒) TOPO MAP/ORTHO-PQ	YES(☒)	NO()		
() ASCS MAP	YES()	NO()		
() WATERMASTER RECORDS	YES()	NO()		
() FIELD EXAM	YES()	NO()		
() OTHER	YES()	NO()		

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
<u>2N</u>	<u>18E</u>	<u>18</u>	<u>NW</u>	<u>SE</u>	<u>SE</u>	<u>05</u>	<u>13</u>

SOURCE: HAILEY HOT SPRINGS
DEMOCRAT CREEK TRIB: DEMOCRAT CREEK
CROY CREEK

REVIEWED BY SCU DATE 5-14-90

MICROFILMED
MAR 01 1993

PLACE OF USE REVIEW SHEET (IRRIGATION)

CLAIM # A37-00548FIELD EXAM REQUIRED: Y() N(☒)PRESUMPTION FLAG: Y(☒) N()ROOT WATER RIGHT NUMBERS 37-00548

TWP RGE SEC 1/4 1/4	S.R.B.A. #/ACRES	I.D.W.R #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
<u>2N 18E 17 SE NW A37-00548</u> / <u>23</u>		<u>-</u> / <u>25</u>			
<u>64</u> <u>-00549</u> / <u>23</u>		<u>-</u> / <u>-</u>			
<u>-01222</u> / <u>23</u>		<u>-</u> / <u>-</u>			
<u>-04440</u> / <u>23</u>		<u>-</u> / <u>-</u>			
<u>-12396</u> / <u>23</u>		<u>-</u> / <u>-</u>			
<u>-04138</u> / <u>23</u>		<u>-</u> / <u>-</u>			
<u>-</u> / <u>-</u>		<u>-</u> / <u>-</u>			
<u>-</u> / <u>-</u>		<u>-</u> / <u>-</u>			
		<u>NONE GIVEN</u> / <u>-</u>			
TOTAL ACRES	<u>23</u>				

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
 IF YES SEE ATTACHED SHEET:

REMARKS:

REVIEWED BY SCCDATE 5-14-90

MICROFILMED
 MAR 01 1993

TWP RGE SEC 1/4 1/4	S.R.B.A. #/ACRES	I.D.W.R #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
---------------------	---------------------	--------------------	-----------------	----------------	------------------

2N 18E 17 NE SW 437-00548/ 10	-	28			
-00549/ 10	-				
-01222/ 10	-				
-04440/ 10	37-04440/ 20				
-12396/ 10	-				
-04138/ 10	37-04138/ 30				
-	-				
-	-				
TOTAL ACRES	10				

TWP RGE SEC 1/4 1/4	S.R.B.A. #/ACRES	I.D.W.R #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
2N 18E 17 NW SW 437-00548/ 25	-	34			
-00549/ 25	-				
-01222/ 25	-				
-04440/ 25	37-04440/ 34				
-12396/ 25	-				
-04138/ 25	37-04138/ 20				
-	-				
-	-				
TOTAL ACRES	25				

TWP RGE SEC 1/4 1/4	S.R.B.A. #/ACRES	I.D.W.R #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
2N 18E 17 SW SW 437-00548/ 3	-	6			
-00549/ 3	-				
-01222/ 3	-				
-04440/ 3	-				
-12396/ 3	-				
-04138/ 3	-				
-	-				
-	-				
TOTAL ACRES	3				

MICROFILMED
MAR 01 1993

TWP	RGE	SEC	1/4	1/4	S.R.B.A. #/ACRES	I.D.W.R #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
-----	-----	-----	-----	-----	---------------------	--------------------	-----------------	----------------	------------------

2N	18E	18	SW	NE	A37-00548/ 17	-	12		
					-01222/ 17	-			
					-04440/ 17	37-04440/ 23			
					-12396/ 17	-			
					-04138/ 17	-			
					-	-			
					-	-			
					-	-			
TOTAL ACRES					17				

TWP	RGE	SEC	1/4	1/4	S.R.B.A. #/ACRES	I.D.W.R #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
2N	18E	18	SE	NW	A37-00548/ 31	-	23		
					-01222/ 31	-			
					-04440/ 31	37-04440/ 17			
					-12396/ 31	-			
					-04136/ 31	-			
					-	-			
					-	-			
					-	-			
TOTAL ACRES					31				

TWP	RGE	SEC	1/4	1/4	S.R.B.A. #/ACRES	I.D.W.R #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
2N	18E	18	NE	SW	A37-00548/ 2	-	4		
					-01222/ 2	-			
					-04440/ 2	37-04440/ 1			
					-12396/ 2	-			
					-04138/ 2	-			
					-	-			
					-	-			
					-	-			
TOTAL ACRES					2				

MICROFILMED
MAR 01 1993

TWP RGE SEC 1/4 1/4	S.R.B.A. #/ACRES	I.D.W.R #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
---------------------	---------------------	--------------------	-----------------	----------------	------------------

2N 18E 18 NE SE A37-00548/ 19	-	-	53		
-00549/ 5	-	-			
-01222/ 19	-	-			
-04440/ 19	37-04440/ 24				
-12396/ 19	-	-			
-04138/ 19	-	-			
-	-	-			
-	-	-			
TOTAL ACRES	19				

TWP RGE SEC 1/4 1/4	S.R.B.A. #/ACRES	I.D.W.R #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
2N 18E 18 NW SE A37-00548/ 13	-	-	17		
-01222/ 13	-	-			
-04440/ 13	37-04440/ 4				
-12396/ 13	-	-			
-04136/ 13	-	-			
-	-	-			
-	-	-			
-	-	-			
TOTAL ACRES	13				

TWP RGE SEC 1/4 1/4	S.R.B.A. #/ACRES	I.D.W.R #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
2N 18E 18 SW SE A37-00548/ 19	-	-	19		
-00549/ 19	-	-			
-01222/ 19	-	-			
-04440/ 19	37-04440/ 6				
-12396/ 19	-	-			
-04138/ 19	37-04138/ 5				
-	-	-			
-	-	-			
TOTAL ACRES	19				

MICROFILMED
MAR 01 1993

TWF RGE SEC 1/4 1/4

S.R.B.A.
#/ACRES

I.D.W.R
#/ACRES

LANDSAT
DATA

FIELD
EXAM.

RECOMM.
ACRES

2N 18E 18 SE SE A37-00548 / 28	- /	33
45 -00549 / 28	- /	
-01222 / 28	- /	
-04440 / 28	- /	
-12396 / 28	- /	
-04136 / 28	- /	
- /	- /	
- /	- /	
TOTAL ACRES	28	

TWP	RGE	SEC	1/4	1/4	S.R.B.A. #/ACRES	I.D.W.R #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
—	—	—	—	—	— / —	— / —	—	—	—
					— / —	— / —			
					— / —	— / —			
					— / —	— / —			
					— / —	— / —			
					— / —	— / —			
					— / —	— / —			
					— / —	— / —			
TOTAL ACRES									

TWP	RGE	SEC	1/4	1/4	S.R.B.A. #/ACRES	I.D.W.R #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
—	—	—	—	—	— / —	— / —	—	—	—
—	—	—	—	—	— / —	— / —	—	—	—
—	—	—	—	—	— / —	— / —	—	—	—
—	—	—	—	—	— / —	— / —	—	—	—
—	—	—	—	—	— / —	— / —	—	—	—
—	—	—	—	—	— / —	— / —	—	—	—
—	—	—	—	—	— / —	— / —	—	—	—
—	—	—	—	—	— / —	— / —	—	—	—
TOTAL ACRES									

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MAR 01 1993

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MAR 01 1993

MAR 01 1993

A. S.R.B.A CLAIMED USES:

PURPOSES	MONTH/DAY	RATE
FOR <u>IRRIGATION</u>	FROM <u>4-1</u> TO <u>11-1</u>	<u>3.8</u> CFS
FOR _____	FROM ____ TO ____	____ CFS
FOR _____	FROM ____ TO ____	____ CFS

B. I.D.W.R. RECORDED USES:

PURPOSES	MONTH/DAY	RATE
FOR <u>IRRIGATION</u>	FROM ____ TO ____	____ CFS <u>NONE GIVEN</u>
FOR _____	FROM ____ TO ____	____ CFS
FOR _____	FROM ____ TO ____	____ CFS

"ENTIRE FLOW OF WARM SPRINGS CREEK"

PRESUMPTION FLAG: D

PERIOD OF USE:

IS PERIOD OF USE WITHIN THE RECOMMENDED SEASON?

Y(☒) N()

RECOMMENDED AS CLAIMED?

Y(☒) N()

RECOMMEND TO IDWR STANDARDS OR OTHER?

Y() N(☒)

REMARKS:

=====

RECOMMENDED USES:

PURPOSES	MONTH/DAY	RATE
FOR <u>IRRIGATION</u>	FROM <u>4-1</u> TO <u>11-1</u>	<u>3.8</u> CFS
FOR _____	FROM ____ TO ____	____ CFS
FOR _____	FROM ____ TO ____	____ CFS

REVIEWED BY SCC

DATE 2/16/90

=====

MICROFILMED
MAR 01 1993

CLAIM # A37-00548

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y() N(☒)

SRBA CLAIMED RATE: 3.8 CFS IDWR ROOT RIGHT RATE: NONE CFS GIVEN
IF NO or IF STATUTORY CLAIM or BENEFICIAL USE field exam required. "ENTIRE Flow"

IS FLOW MEASUREMENT REQUIRED? Y() N(☒)

B. FLOW MEASUREMENTS

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS

C. ARE OTHER WATER RIGHTS USED? Y(☒) N() If YES complete overlap rev

OTHER RIGHTS LISTED IN CLAIM: A37-00549 A37-04138 _____

Not an AS claim? → 37-02142 → A37-04440 _____
A37-01222 → A37-12396 _____

A37-12396
STORAGE
37-02142

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1. IRRIGATION RATE.

ACRES _____ X 0.02 CFS/ACRE = _____ CFS.
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

IF YES EXCESSIVE WATER USE FORM FILED AND ATTACHED? Y() N(☒)

2. ANNUAL IRRIGATION CONSUMPTIVE USE & FIELD HEADGATE DIVERSION VOLUME.

ACRES _____ X CONSUMPTIVE RATE FOR AREA _____ A.F./ACRE =

TOTAL CONSUMPTIVE USE _____ ACRE FEET/ANNUM

ACRES _____ X FIELD APPLIC. RATE FOR AREA _____ A.F./ACRE =

TOTAL FIELD APPLIC. _____ ACRE FEET/ANNUM

E. RATE/VOLUME CALCULATIONS: (OTHER USES)

CONTACT OWNER? Y() N() SEE ATTACHED SHEET? Y() N()

RECOMMENDED DIVERSION RATE: _____ CFS

RECOMMENDED CONSUMPTIVE USE: _____ AF/ANNUM

RECOMMENDED FIELD HEADGATE APPLICATION: _____ AF/ANNUM

REVIEWED BY _____ DATE _____

MICROFILMED

MAR 01 1993

BASIS OF CLAIM ISSUES REVIEW SHEET

CLAIM # A37-00548

A. CHECK ONLY THE FOLLOWING THAT APPLY:

ACCEPTED AS CLAIMED	NEEDS REVIEW
------------------------	-----------------

OWNERSHIP _____
 FORFEIT/ABANDON _____
 EXCESSIVE AMOUNT _____

()
 ()
 ()

THIS SRBA CLAIM CFS/ACRE

0.02

OTHER SRBA CLAIMS CFS/ACRE

_____-_____
 _____-_____
 _____-_____

SEE ATTACHED
 SHEET

**Excessive water use form filed and ATTACHED? Y(E) N(E)

B. SPLIT WATER RIGHT REVIEW

ROOT RIGHT	#	_____-_____	SPLITS	#	_____-_____	_____ CFS
		_____ CFS		#	_____-_____	_____ CFS
				#	_____-_____	_____ CFS
				#	_____-_____	_____ CFS
				#	_____-_____	_____ CFS
					TOTAL	CFS _____

**Do the sum of the parts equal the whole?

Y() N()

**IF NO is the written review sheet ATTACHED?

Y() N()

REMARKS: _____

AUTHENTICATION:

SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____

TITLE: _____

MICROFILMED
 MAR 01 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 3.800 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then field exam required. ***

** If an amount smaller than the original diversion rate is **

** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD

DATABASE EXAMINER

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

Y

B.

FLOW MEASUREMENT

MEASUREMENT METHOD , SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(Y) N() IF YES COMPLETE OVERLAP REVIEW.

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

RIGHT	SOURCE	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A37-00548	LAMBS GULCH	3.800	0.020		
	DEMOCRAT CREEK				
A37-12396	DEMOCRAT CREEK	3.000	0.015	2172.00	11.43
A37-04440	GROUNDWATER	0.720	0.003	206.66	1.08
A37-01222	DEMOCRAT GULCH	0.400	0.002		
A37-04138	HAILEY HOT SPRINGS	1.050	0.005		

OTHER RIGHTS LISTED IN CLAIM: 37-00549, 37-02142, 37-01222, 37-04138, 37-04440

MICROFILMED

MAR 0 1 1993

Water Right Number - A37-00548

Adj. Flag Translation: Adjudication Temporary Work Area

Old (D) Number -

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

+ - First Name - - +

+ - - - - Address - - - - -

*** C - CURRENT OWNER ***
HUMBOLDT INVESTMENT CO.

1 - ATTN: MR. DEVERE BARKER
2 - 3500 LAKESIDE COURT, SUITE 150
3 -
City- RENO State- NV Zip- 89509
Phone - 208-825-4144

*** A - ATTORNEY ***
SPECK

JAMES P.

1 - HOGUE, SPECK & AANESTAD
2 - P.O. BOX 987
3 -
City- KETCHUM State- ID Zip- 83340
Phone - 208-000-0000

+ - - Priority Date - - +
06/01/1880

+ - - - Region - - - +

+ - - - Stage - - - +
D - DECREED

+ - - - Status - - - +

+ - - - - Source - - - - -
LAMBS GULCH
DEMOCRAT CREEK

+ - - - - Tributary - - - - -
CROY CREEK
CROY CREEK

TwN	Rng	Sec	Tract	Lot	RFlg	County (Blank if no Index Code)
02N	18E	18	NW SE SE		(13)	BLAINE

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	11/01	3.800	

+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Consumptive Use - +	+ - KW Usage - +
3.800		475.0	

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
02N	18E	17	SE NW	4	23.0	01	IRRIGATION	(13) BLAINE
02N	18E	17	NE SW		10.0	01	IRRIGATION	(13) BLAINE
02N	18E	17	NW SW		25.0	01	IRRIGATION	(13) BLAINE
02N	18E	17	SW SW		3.0	01	IRRIGATION	(13) BLAINE
02N	18E	18	SW NE		17.0	01	IRRIGATION	(13) BLAINE
02N	18E	18	SE NW		31.0	01	IRRIGATION	(13) BLAINE
02N	18E	18	NE SW		2.0	01	IRRIGATION	(13) BLAINE
02N	18E	18	NE SE		19.0	01	IRRIGATION	(13) BLAINE
02N	18E	18	NW SE		13.0	01	IRRIGATION	(13) BLAINE
02N	18E	18	SW SE		19.0	01	IRRIGATION	(13) BLAINE
02N	18E	18	SE SE	5	28.0	01	IRRIGATION	(13) BLAINE

MICROFILMED
MAR 0 1 1993

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water right number - A37-00548 Adj. flag translation: Adjudication Temporary Work Area

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

Total Acres: 190.0

+ - - Diversion Means - ENTIRE FLOW OF LAMBS GULCH INTO DEMOCRAT CK, DAMMED, RESERVOIR

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - 37-00549, 37-02142, 37-01222, 37-04138, 37-04440

+ - - - - Remarks - - - - -
ORIGINALLY DECREED TO J. J. PLUMER. SOURCE IDENTIFIED IN DECREE AS WARM SPRINGS CREEK AND DECLARED TO BE A "DRY STREAM" SO THAT UPPER USERS CAN APPROPRIATE THE ENTIRE FLOW. BASED UPON THE ORIGINAL PLACE OF USE (WHICH INCLUDED SWSW & SESW, S. 7, T2N, R18E) AND MAPS, WARMS SPRINGS CREEK IS MOST LIKELY THE COMBINED FLOW OF DEMOCRAT CREEK AND LAMBS GULCH (WHICH DRAIN ONLY POSSIBLE IRRIGABLE LAND IN SEC. 7!). DECREE IS FOR THE "ENTIRE FLOW". WATER IS NOW AND HAS FOR MANY YEARS BEEN USED BY ALLOWING LAMBS GULCH TO FLOW INTO DEMOCRAT CREEK (ALSO KNOWN AS DEMOCRAT GULCH), AND THEN INTO A LOWER RESERVOIR FROM WHICH IT IS PUMPED TO HANDLINES AND WHEELINES FOR IRRIGATION. THERE ARE NO OTHER USES OF THIS STREAM. CLAIMANT USES ENTIRE FLOW OF LAMBS GULCH AND DEMOCRAT CREEK DURING IRRIGATION SEASON. PLACE OF USE IS CLAIMED PURSUANT TO IDAHO CODE SS.42-1416(1) TO THE EXTENT IT DIFFERS FROM THE DECREE.

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields -

+ - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 12/21/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- C004234	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-		

MICROFILMED
MAR 0 1 1993

Water Right Number - 37-00548 Adj. Flag Translation: Standard Water Right Number Old (D) Number -

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

*** C - CURRENT OWNER ***
PLUMMER

J. J.

1 -
2 -
3 -
City-
Phone - State- Zip-

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - +
06/01/1880 17 D - DECREED

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
HAILEY HOT SPRINGS DEMOCRAT GULCH
DEMOCRAT GULCH CROY CREEK

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

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

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

+ - - - - Place of Use - - - - - +							+ - - - - Description - - - - - +		+ - - - - County - - - - - +	
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County		
02N	18E	7	SW SW	4		01	IRRIGATION	(13)	BLAINE	
02N	18E	7	SE SW			01	IRRIGATION	(13)	BLAINE	
02N	18E	17	NE SW			01	IRRIGATION	(13)	BLAINE	
02N	18E	17	NW SW			01	IRRIGATION	(13)	BLAINE	
02N	18E	18	SW NE			01	IRRIGATION	(13)	BLAINE	
02N	18E	18	NE NW			01	IRRIGATION	(13)	BLAINE	
02N	18E	18	NW NW	1		01	IRRIGATION	(13)	BLAINE	
02N	18E	18	SE NW			01	IRRIGATION	(13)	BLAINE	
02N	18E	18	NE SW			01	IRRIGATION	(13)	BLAINE	
02N	18E	18	NE SE			01	IRRIGATION	(13)	BLAINE	
02N	18E	18	NW SE			01	IRRIGATION	(13)	BLAINE	
02N	18E	18	SE SE			01	IRRIGATION	(13)	BLAINE	

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

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MAR 0 1 1993

Water right number - 37-00548

Adj. flag translation: Standard Water Right Number

+ - - - - Remarks - - - - -
RT. DECREED FROM WARM SPRINGS CR., BUT STREAM IS NOT ON QUAD MAP.
SOURCES CODED APPEAR PROBABLE BASED ON USGS MAP.
RT. IS FOR ENTIRE FLOW OF "WARM SPRINGS CREEK".

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date
S. C. FROST, ET. AL. ALTURAS WATER COMPANY, ET. AL. 12/13/1909

+ - - Audit Fields - 02/11/86 05/28/88 CONVERT

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

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

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MAR 01 1993

CLAIMANT'S NAME Humbolt Inve^{ment} Co. CLAIM IDENT. NO. A37-00548
DATE RECEIVED 10-27-88 CK # CO04234 AMOUNT \$ _____

1. Is the name and address complete with zip code? YES _____ NO _____
2. Is a priority date entered? YES _____ NO _____

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?

A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS. _____

3. (a) Is a source entered? YES _____ NO _____

(b) Is a tributary to entered? (if required) N/A _____

4. Is the legal description of the p.d. sufficient? YES _____ NO _____

5. Is there a description of the diverting works? YES _____ NO _____

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. _____

Is the period of use included? YES _____ NO _____

Is a quantity claimed for each use? YES _____ NO _____

7. Is a total quantity claimed entered? YES _____ NO _____

8. If required is a consumptive use entered? N/A _____

Is the consumptive use correct? N/A _____

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. N/A _____

10. Is (are) the place(s) of use and purpose(s) indicated? YES _____ NO _____

11. Is (are) the county(ies) entered? YES _____ NO _____

12. Is the ownership of p.u. checked? YES _____ NO _____

13. Are other water rights listed or "none" indicated? YES _____ NO _____

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.) N/A _____

15. Is the basis of the claim indicated? YES _____ NO _____

16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) YES _____ NO _____

Has the claim been signed, sealed, and dated by a notary? YES _____ NO _____

Was this claim filed on time, or was an extension granted? YES _____ NO _____

Is the fee enclosed correct? Exempt _____

If this claim is based on an existing water right, has the identification number been entered? N/A _____

Should this claim be receipted and data entered? YES _____ NO _____

Claim checked by: _____

Comments: _____

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MAR 01 1993

R PROOF

CVR

MAPS

PHOTOS

MISC

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:42
05/19/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A37-00548

LAST: HUMBOLDT INVESTMENT CO. FIRST:
ADDRESS: ATTN: MR. DEVERE BARKER
3500 LAKESIDE COURT, SUITE 150
CITY: RENO STATE: NV ZIP: 89509
PHONE NUMBER: 208-825-4144

OWNER CODE: C

LAST: SPECK FIRST: JAMES P.
ADDRESS: HOGUE, SPECK & AANESTAD
P.O. BOX 987
CITY: KETCHUM STATE: ID ZIP: 83340
PHONE NUMBER: 208-000-0000

OWNER CODE: A

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

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OCT 24 1994

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OCT 24 1994

A. AJ CLAIM: # A37-00548 PRIORITY DATE: 06-01-1880 STAGE: D
B. WR RECORD: # 37-00548 PRIORITY DATE: 06-01-1880 STAGE: D

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE FIELD EXAMINER
Y

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

REMARKS: _____

=====

RECOMMENDED PRIORITY DATE:
 - - -

REVIEWED BY _____ DATE _____

=====

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A37-00548	02N	18E	18	NW	SE	SE		BLAINE

OTHER AJ CLAIMS WITH SAME AJ POD

WR RECORDS IN SAME 40 ACRE TRACT

R37-00548

NONE

SOURCE: LAMBS GULCH
DEMOCRAT CREEK

TRIB: CROY CREEK
CROY CREEK

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

NONE

NONE

SOURCE: HAILEY HOT SPRINGS
DEMOCRAT GULCH

TRIB: DEMOCRAT GULCH
CROY CREEK

C. FIELD EXAM REQUIRED?

	DUE TO POD DISCREPANCY? (Y/N)	DUE TO SOURCE DISCREPANCY? (Y/N)	DATABASE	FIELD EXAMINER
			Y	_____
			Y	_____

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: _____ TRIB: _____
REVIEWED BY: _____ DATE: _____

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OCT 24 1954

A. ROOT WATER RIGHT NUMBERS: A37-00548
R37-00548

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECORD ACRES
02N	18E	17	SE	NW	4	HUMBOLDT INVESTMENT CO. SPECK , JAMES P. HUMBOLDT INVESTMENT CO. HUMBOLDT INVESTMENT CO. HUMBOLDT INVESTMENT CO. HUMBOLDT INVESTMENT CO. HUMBOLDT INVESTMENT CO. HUMBOLDT INVESTMENT CO. HUMBOLDT INVESTMENT CO. HUMBOLDT INVESTMENT CO. HUMBOLDT INVESTMENT CO. SPECK , JAMES P.	A37-00548 /23.0 A37-12396 /23.0 A37-00549 /23.0 A37-04440 /23.0 A37-01222 /23.0 A37-04138 /23.0 R37-00548 /23.0 R37-00549 /23.0 R37-01222 /23.0 R37-04138 /23.0 R37-04440 /23.0 R37-12396 /23.0	- / - / - / 37-04440 /20.0 - / - / - / - / - / - / - / - /			
02N	18E	17	NE	SW		HUMBOLDT INVESTMENT CO. SPECK , JAMES P. HUMBOLDT INVESTMENT CO. HUMBOLDT INVESTMENT CO. HUMBOLDT INVESTMENT CO. HUMBOLDT INVESTMENT CO. HUMBOLDT INVESTMENT CO. HUMBOLDT INVESTMENT CO. HUMBOLDT INVESTMENT CO. HUMBOLDT INVESTMENT CO. HUMBOLDT INVESTMENT CO. SPECK , JAMES P.	A37-00548 /10.0 A37-12396 /10.0 A37-00549 /10.0 A37-04440 /10.0 A37-01222 /10.0 A37-04138 /10.0 R37-00548 /10.0 R37-00549 /10.0 R37-01222 /10.0 R37-04138 /10.0 R37-04440 /10.0 R37-12396 /10.0	37-00548 / - / - / 37-04440 /20.0 - / 37-04138 /30.0 - / - / - / - / - / - /	28.0		
02N	18E	17	NW	SW		HUMBOLDT INVESTMENT CO. SPECK , JAMES P. HUMBOLDT INVESTMENT CO. HUMBOLDT INVESTMENT CO. HUMBOLDT INVESTMENT CO. HUMBOLDT INVESTMENT CO. HUMBOLDT INVESTMENT CO. HUMBOLDT INVESTMENT CO. HUMBOLDT INVESTMENT CO. HUMBOLDT INVESTMENT CO. HUMBOLDT INVESTMENT CO. SPECK , JAMES P.	A37-00548 /25.0 A37-12396 /25.0 A37-00549 /25.0 A37-04440 /25.0 A37-01222 /25.0 A37-04138 /25.0 R27-00548 /25.0 R37-00549 /25.0 R37-01222 /25.0 R37-04138 /25.0 R37-04440 /25.0 R37-12396 /25.0	37-00548 / - / - / 37-04440 /34.0 - / 37-04138 /20.0 - / - / - / - / - / - /	34.0		
02N	18E	17	SW	SW		HUMBOLDT INVESTMENT CO. SPECK , JAMES P. HUMBOLDT INVESTMENT CO. HUMBOLDT INVESTMENT CO. HUMBOLDT INVESTMENT CO. HUMBOLDT INVESTMENT CO. HUMBOLDT INVESTMENT CO. HUMBOLDT INVESTMENT CO. HUMBOLDT INVESTMENT CO. HUMBOLDT INVESTMENT CO. HUMBOLDT INVESTMENT CO.	A37-00548 / 3.0 A37-12396 / 3.0 A37-00549 / 3.0 A37-04440 / 3.0 A37-01222 / 3.0 A37-04138 / 3.0 R37-00548 / 3.0 R37-00549 / 3.0	- / - / - / - / - / - / - / - /			

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OCT 24 1994

				HUMBOLDT INVESTMENT CO.	R37-01222	/ 3.0	-	/	
				HUMBOLDT INVESTMENT CO.	R37-04138	/ 3.0	-	/	
				HUMBOLDT INVESTMENT CO.	R37-04440	/ 3.0	-	/	
				SPECK , JAMES P.	R37-12396	/ 3.0	-	/	
02N 18E 18	SW	NE		HUMBOLDT INVESTMENT CO.	A37-00548	/17.0	37-00548	/	12.0
				HUMBOLDT INVESTMENT CO.	A37-04440	/17.0	37-04440	/23.0	
				HUMBOLDT INVESTMENT CO.	A37-01222	/17.0	-	/	
				HUMBOLDT INVESTMENT CO.	A37-04138	/17.0	-	/	
				SPECK , JAMES P.	A37-12396	/17.0	-	/	
				HUMBOLDT INVESTMENT CO.	R37-00548	/17.0	-	/	
				HUMBOLDT INVESTMENT CO.	R37-01222	/17.0	-	/	
				HUMBOLDT INVESTMENT CO.	R37-04138	/17.0	-	/	
				HUMBOLDT INVESTMENT CO.	R37-04440	/17.0	-	/	
				SPECK , JAMES P.	R37-12396	/17.0	-	/	
02N 18E 18	SE	NW		HUMBOLDT INVESTMENT CO.	A37-00548	/31.0	37-00548	/	23.0
				SPECK , JAMES P.	A37-12396	/31.0	-	/	
				HUMBOLDT INVESTMENT CO.	A37-04440	/31.0	37-04440	/17.0	
				HUMBOLDT INVESTMENT CO.	A37-01222	/31.0	-	/	
				HUMBOLDT INVESTMENT CO.	A37-04138	/31.0	-	/	
				HUMBOLDT INVESTMENT CO.	R37-00548	/31.0	-	/	
				HUMBOLDT INVESTMENT CO.	R37-01222	/31.0	-	/	
				HUMBOLDT INVESTMENT CO.	R37-04138	/31.0	-	/	
				HUMBOLDT INVESTMENT CO.	R37-04440	/31.0	-	/	
				SPECK , JAMES P.	R37-12396	/31.0	-	/	
02N 18E 18	NE	SW		HUMBOLDT INVESTMENT CO.	A37-00548	/ 2.0	37-00548	/	4.0
				SPECK , JAMES P.	A37-12396	/ 2.0	-	/	
				HUMBOLDT INVESTMENT CO.	A37-04440	/ 2.0	37-04440	/ 1.0	
				HUMBOLDT INVESTMENT CO.	A37-01222	/ 2.0	-	/	
				HUMBOLDT INVESTMENT CO.	A37-04138	/ 2.0	-	/	
				HUMBOLDT INVESTMENT CO.	R37-00548	/ 2.0	-	/	
				HUMBOLDT INVESTMENT CO.	R37-01222	/ 2.0	-	/	
				HUMBOLDT INVESTMENT CO.	R37-04138	/ 2.0	-	/	
				HUMBOLDT INVESTMENT CO.	R37-04440	/ 2.0	-	/	
				SPECK , JAMES P.	R37-12396	/ 2.0	-	/	
02N 18E 18	NE	SE		HUMBOLDT INVESTMENT CO.	A37-00548	/19.0	37-00548	/	33.0
				SPECK , JAMES P.	A37-12396	/19.0	-	/	
				HUMBOLDT INVESTMENT CO.	A37-00549	/ 5.0	-	/	
				HUMBOLDT INVESTMENT CO.	A37-04440	/19.0	37-04440	/24.0	
				HUMBOLDT INVESTMENT CO.	A37-01222	/19.0	-	/	
				HUMBOLDT INVESTMENT CO.	A37-04138	/19.0	-	/	
				HUMBOLDT INVESTMENT CO.	R37-00548	/19.0	-	/	
				HUMBOLDT INVESTMENT CO.	R37-00549	/ 5.0	-	/	
				HUMBOLDT INVESTMENT CO.	R37-01222	/19.0	-	/	
				HUMBOLDT INVESTMENT CO.	R37-04138	/19.0	-	/	
				HUMBOLDT INVESTMENT CO.	R37-04440	/19.0	-	/	
				SPECK , JAMES P.	R37-12396	/19.0	-	/	
				HUMBOLDT INVESTMENT CO.			37-04139	/	
02N 18E 18	NW	SE		HUMBOLDT INVESTMENT CO.	A37-00548	/13.0	37-00548	/	17.0
				SPECK , JAMES P.	A37-12396	/13.0	-	/	
				HUMBOLDT INVESTMENT CO.	A37-04440	/13.0	37-04440	/ 4.0	
				HUMBOLDT INVESTMENT CO.	A37-01222	/13.0	-	/	
				HUMBOLDT INVESTMENT CO.	A37-04138	/13.0	-	/	
				HUMBOLDT INVESTMENT CO.	R37-00548	/13.0	-	/	
				HUMBOLDT INVESTMENT CO.	R37-01222	/13.0	-	/	

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				HUMBOLT INVESTMENT CO.	R37-04138	/13.0	-	/	
				HUMBOLT INVESTMENT CO.	R37-04440	/13.0	-	/	
				SPECK , JAMES P.	R37-12396	/13.0	-	/	
02N 18E 18	SW	SE		HUMBOLDT INVESTMENT CO.	A37-00548	/19.0	-	/	19.0
				SPECK , JAMES P.	A37-12396	/19.0	-	/	
				HUMBOLDT INVESTMENT CO.	A37-00549	/19.0	37-00549	/	
				HUMBOLT INVESTMENT CO.	R37-04440	/19.0	37-04440	/	6.0
				HUMBOLDT INVESTMENT CO.	A37-04440	/19.0	-	/	
				HUMBOLDT INVESTMENT CO.	A37-01222	/19.0	37-01222	/	
				HUMBOLDT INVESTMENT CO.	A37-04138	/19.0	37-04138	/	5.0
				HUMBOLDT INVESTMENT CO.	R37-00548	/19.0	-	/	
				HUMBOLDT INVESTMENT CO.	R37-00549	/19.0	-	/	
				HUMBOLT INVESTMENT CO.	R37-01222	/19.0	-	/	
				HUMBOLT INVESTMENT CO.	R37-04138	/19.0	-	/	
				SPECK , JAMES P.	R37-12396	/19.0	-	/	
				CONNETT , LOUISE S.			37-01220	/	
				CONNETT , LOUISE S.			37-01221	/	
02N 18E 18	SE	SE	5	HUMBOLDT INVESTMENT CO.	A37-00548	/28.0	-	/	
				HUMBOLDT INVESTMENT CO.	A37-04138	/28.0	37-04138	/	25.0
				HUMBOLDT INVESTMENT CO.	A37-04139	/	37-04139	/	
				SPECK , JAMES P.	A37-12396	/28.0	-	/	
				HUMBOLDT INVESTMENT CO.	A37-00549	/28.0	-	/	
				HUMBOLT INVESTMENT CO.	R37-04440	/28.0	37-04440	/	24.0
				HUMBOLDT INVESTMENT CO.	A37-04440	/28.0	-	/	
				HUMBOLDT INVESTMENT CO.	A37-01222	/28.0	-	/	
				HUMBOLDT INVESTMENT CO.	R37-00548	/28.0	37-00548	/	
				HUMBOLDT INVESTMENT CO.	R37-00549	/28.0	-	/	
				HUMBOLT INVESTMENT CO.	R37-01222	/28.0	-	/	
				HUMBOLT INVESTMENT CO.	R37-04138	/28.0	-	/	
				HUMBOLT INVESTMENT CO.	R37-04139	/	-	/	
				SPECK , JAMES P.	R37-12396	/28.0	-	/	
TOTAL ACRES				A37-00548		190.00			170.00

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

PRESUMPTION FLAG:

REMARKS:

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OCT 24 1994

RECOMMENDATIONS:

TOTAL ACRES: _____

REVIEWED BY: _____

DATE: _____

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A37-00548 IRRIGATION	FROM 04-01 TO 11-01	3.800 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		3.800 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
37-00548 IRRIGATION	FROM TO	3.800 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	_____
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	_____
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	_____

D. PERIOD OF USE:

RECOMMEND AS CLAIMED? Y(____) N(____)

RECOMMEND TO WR STANDARDS OR OTHER? Y(____) N(____) Explain in remarks, below.

REMARKS:

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 3.800 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED? FIELD
DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) DATABASE EXAMINER
Y

B. FLOW MEASUREMENT

MEASUREMENT METHOD , SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: 37-00549, 37-02142, 37-01222, 37-04138, 37-04440

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A37-00548	LAMBS GULCH	HUMBOLDT INVESTMENT CO.	3.800	0.020		
A37-12396	DEMOCRAT CREEK	SPECK , JAMES P.	3.000	0.015	2172.00	11.43
A37-04440	GROUNDWATER	HUMBOLDT INVESTMENT CO.	0.720	0.003	206.66	1.08
A37-01222	DEMOCRAT GULCH	HUMBOLDT INVESTMENT CO.	0.400	0.002		
A37-04138	HAILEY HOT SPRINGS	HUMBOLDT INVESTMENT CO.	1.050	0.005		
R37-00548	LAMBS GULCH	HUMBOLDT INVESTMENT CO.	3.800	0.020		
R37-00549	DEMOCRAT CREEK					
R37-00549	CROY CREEK	HUMBOLDT INVESTMENT CO.	4.000	0.035		
R37-01222	DEMOCRAT GULCH	HUMBOLT INVESTMENT CO.	0.400	0.002		
R37-04138	HAILEY HOT SPRINGS	HUMBOLT INVESTMENT CO.	1.050	0.005		
R37-04440	GROUNDWATER	HUMBOLT INVESTMENT CO.	0.720	0.003	206.66	1.08
R37-12396	DEMOCRAT CREEK	SPECK , JAMES P.	3.000	0.015	2172.00	11.43

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LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A37-04440	RECREATION	HUMBOLDT INVESTMENT CO.	FROM 01-01 TO 12-31		500.00 AF/A
A37-04440	STOCKWATER	HUMBOLDT INVESTMENT CO.	FROM 05-15 TO 10-01	.030 CFS	
R37-04440	RECREATION	HUMBOLT INVESTMENT CO.	FROM 01-01 TO 12-31		500.00 AF/A
R37-04440	STOCKWATER	HUMBOLT INVESTMENT CO.	FROM 05-15 TO 10-01	.030 CFS	
A37-04139	DIVERSION TO STORAGE	HUMBOLDT INVESTMENT CO.	FROM 04-01 TO 11-01	.300 CFS	
A37-04139	DIVERSION TO STORAGE	HUMBOLDT INVESTMENT CO.	FROM 11-01 TO 04-01	.500 CFS	
A37-04139	RECREATION STORAGE	HUMBOLDT INVESTMENT CO.	FROM 01-01 TO 12-31		277.00 AF/A
A37-04139	FISH PROP. STORAGE	HUMBOLDT INVESTMENT CO.	FROM 01-01 TO 12-31		277.00 AF/A
R37-04139	DIVERSION TO STORAGE	HUMBOLT INVESTMENT CO.	FROM 04-01 TO 11-01	.300 CFS	
R37-04139	DIVERSION TO STORAGE	HUMBOLT INVESTMENT CO.	FROM 11-01 TO 04-01	.500 CFS	
R37-04139	RECREATION STORAGE	HUMBOLT INVESTMENT CO.	FROM 01-01 TO 12-31		277.00 AF/A
R37-04139	FISH PROP. STORAGE	HUMBOLT INVESTMENT CO.	FROM 01-01 TO 12-31		277.00 AF/A

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 475.0 AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

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RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
IRRIGATION	04-01 11-01	3.800		475.0
TOTAL FOR THIS RIGHT		3.800		475.0

REVIEWED BY: _____ DATE: _____

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 37-00548

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE	EXAMINER	CFS
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SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A37-00548	3.800	37-00548	
A37-00548	R37-00548	3.800	37-00548	
TOTAL CFS		7.600		

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE	FIELD EXAMINER
N	_____

REMARKS:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____
NAME OF FIELD EXAMINER: _____ TITLE: _____

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:42
05/19/90

PAGE: 14
QUICKLOOK INFORMATION

CLAIM NUMBER: A37-00548

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y							
POINT OF DIV	Y							
SOURCE	Y							
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE								
PURPOSES								
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 NAPP PHOTOS = 4
 FIELD EXAM = 5
 OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

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