

COPY

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho
OCT 21 2010
By _____ Clerk _____ Deputy Clerk

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

In Re SRBA

Case No. 39576

Subcase No. 37-548, 37-549, 37-1222,
37-2142, 37-4440, 37-4138,
37-4139, 37-12396

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

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

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

Dated: 9/14/10


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 10-21, 2010, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Kevin Braley
Holland & Hart LLP
PO Box 2527
Boise ID 83701

Kevin Beaton
Stoel Rives LLP
101 S Capitol Blvd Ste 1900
Boise ID 83702



Signature of person or attorney mailing the form

08/17/2010

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

RIGHT NUMBER: 37-548

NAME AND ADDRESS: WELLS FARGO BANK
1740 BROADWAY
7TH FLOOR MAC C7300-079
DENVER CO 80274

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 SWNENW Within BLAINE County
T02N R18E S18 NESWNW 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:	<u>IRRIGATION in BLAINE County</u>		
	T02N R18E S17 Lot 3 SWNW 2.90	T02N R18E S17 Lot 4 SENW	23.00
	T02N R18E S17 NESW 8.60	T02N R18E S17 NWSW	27.00
	T02N R18E S17 Lot 1 SWSW 1.10	T02N R18E S18 SWNE	15.00
	T02N R18E S18 NENW 1.20	T02N R18E S18 SENW	27.00
	T02N R18E S18 NESW 1.20	T02N R18E S18 NESE	21.00
	T02N R18E S18 NWSE 18.00	T02N R18E S18 SWSE	17.00
	T02N R18E S18 Lot 5 SESE 22.00		

185 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.

08/17/2010

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

RIGHT NUMBER: 37-549

NAME AND ADDRESS: WELLS FARGO BANK
1740 BROADWAY
7TH FLOOR MAC C7300-079
DENVER CO 80274

SOURCE: CROY CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 4.000 CFS

PRIORITY DATE: 06/30/1882

POINT OF
DIVERSION:

T02N R18E S19 NESENW 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	4.000 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T02N R18E S17 Lot 3 SWNW 2.90	T02N R18E S17 Lot 4 SENW	23.00
	T02N R18E S17 NESW 8.60	T02N R18E S17 NWSW	27.00
	T02N R18E S17 Lot 1 SWSW 1.10	T02N R18E S18 SWNE	15.00
	T02N R18E S18 NENW 1.20	T02N R18E S18 SENW	27.00
	T02N R18E S18 NESW 1.20	T02N R18E S18 NESE	21.00
	T02N R18E S18 NWSE 18.00	T02N R18E S18 SWSE	17.00
	T02N R18E S18 Lot 5 SESE 22.00		

185 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.

08/17/2010

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

RIGHT NUMBER: 37-1222

NAME AND ADDRESS: WELLS FARGO BANK
1740 BROADWAY
7TH FLOOR MAC C7300-079
DENVER CO 80274

SOURCE: DEMOCRAT GULCH CREEK

TRIBUTARY: CROY CREEK

QUANTITY: 0.400 CFS

PRIORITY DATE: 06/09/1911

POINT OF
DIVERSION:

T02N R18E S18 NESWNW 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	0.400 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T02N R18E S17 Lot 3 SWNW 2.90	T02N R18E S17 Lot 4 SENW 23.00	
	T02N R18E S17 NESW 8.60	T02N R18E S17 NWSW 27.00	
	T02N R18E S17 Lot 1 SWSW 1.10	T02N R18E S18 SWNE 15.00	
	T02N R18E S18 NENW 1.20	T02N R18E S18 SENW 27.00	
	T02N R18E S18 NESW 1.20	T02N R18E S18 NESE 21.00	
	T02N R18E S18 NWSE 18.00	T02N R18E S18 SWSE 17.00	
	T02N R18E S18 Lot 5 SESE 22.00		

185 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.

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

Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.

08/17/2010

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

RIGHT NUMBER: 37-2142

NAME AND ADDRESS: WELLS FARGO BANK
1740 BROADWAY
7TH FLOOR MAC C7300-079
DENVER CO 80274

SOURCE: HOT SPRINGS GULCH CREEK

TRIBUTARY: CROY CREEK

QUANTITY: 1.500 CFS

PRIORITY DATE: 06/24/1909

POINT OF
DIVERSION:

T02N R18E S18 SWSW Lot 4 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	1.500 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T02N R18E S17 Lot 3 SWNW	2.90	T02N R18E S17 Lot 4 SENW 23.00
	T02N R18E S17 NESW	8.60	T02N R18E S17 NWSW 27.00
	T02N R18E S17 Lot 1 SWSW	1.10	T02N R18E S18 SWNE 15.00
	T02N R18E S18 NENW	1.20	T02N R18E S18 SENW 27.00
	T02N R18E S18 NESW	1.20	T02N R18E S18 NESE 21.00
	T02N R18E S18 NWSE	18.00	T02N R18E S18 SWSE 17.00
	T02N R18E S18 Lot 5 SESE	22.00	

185 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.

This right is limited to the irrigation of 75 acres within the place of use described above in a single irrigation season.

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 - License

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

08/17/2010

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

RIGHT NUMBER: 37-4440

NAME AND ADDRESS: WELLS FARGO BANK
1740 BROADWAY
7TH FLOOR MAC C7300-079
DENVER CO 80274

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.310 CFS
59.30 AFY

The quantity of water under this right for stockwater use shall not exceed
13,000 gallons per day.

PRIORITY DATE: 12/31/1950

POINT OF
DIVERSION:

T02N R18E S18 NWNWSE Injection Within BLAINE County
T02N R18E S18 NWNWSE Within BLAINE County
T02N R18E S18 NWSESE Lot 5 Rediversion Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.030 CFS 1.40 AFY
RECREATION STORAGE	01/01 12/31	5.00 AFY
IRRIGATION	04/15 10/31	0.310 CFS 54.30 AFY

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		

STOCKWATER in BLAINE County

T02N R18E S17 Lot 3 SWNW		T02N R18E S17 Lot 4 SENW	
T02N R18E S17	NESW	T02N R18E S17	NWSW
T02N R18E S17 Lot 1 SWSW		T02N R18E S18	SWNE
T02N R18E S18	NENW	T02N R18E S18	SENW
T02N R18E S18	NESW	T02N R18E S18	NESE
T02N R18E S18	NWSE	T02N R18E S18	SWSE
T02N R18E S18 Lot 5 SESE			

RECREATION STORAGE in BLAINE County

T02N R18E S18	NESE	T02N R18E S18 Lot 5 SESE
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180 ACRES TOTAL

This right is limited to the irrigation of 15.5 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 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 - Beneficial Use

08/17/2010

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
37-4138	WELLS FARGO BANK 1740 BROADWAY 7TH FLOOR MAC C7300-079 DENVER CO 80274	Disallowed	No lawful appropriation shown.

08/17/2010

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
37-4139	WELLS FARGO BANK 1740 BROADWAY 7TH FLOOR MAC C7300-079 DENVER CO 80274	Disallowed	No lawful appropriation shown.

08/17/2010

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
37-12396	WELLS FARGO BANK 1740 BROADWAY 7TH FLOOR MAC C7300-079 DENVER CO 80274	Disallowed	No lawful appropriation shown.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

October 21, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

KEVIN BRALEY
HOLLAND & HART LLP
PO BOX 2527
BOISE ID 83701

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

Dear Counselor:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,


Trish Fawcett
Technical Records Specialist

Enclosure

cc: Kevin Beaton, Stoel Rives LLP

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RECEIVED
AUG 19 2010
DEPT. OF WATER RESOURCES
SOUTHERN REGION

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.

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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
AS A37-00548	A37-00548		AS A37-4139	A37-4139	
AS A37-00549	A37-00549		AS A37-12396	A37-12396	
AS A37-1222	A37-1222		PD A37-12397	A37-12397	
AS A37-2142	A37-2142		LLC 37-8670		
AS A37-4440	A37-4440		LLC 37-22250		
AS A37-4138	A37-4138		LLC 37-22251		

2. The following **REQUIRED** information must be submitted with this form:
- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. 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 or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Spring Canyon Ranch, LLC
C/O CROY CANYON LLC, 400 OYSTER PT BLVD #123
SOUTH SAN FRANCISCO, CA 94080
4. New Owner/Claimant(s) Wells Fargo Bank, National Association
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address MAC C7300-079, 1740 Broadway, 17th Floor
- City, State and ZIP Code Denver, CO 80274
- New Telephone Number (210) 856-7323 Email: malik.moledina@wellsfargo.com

5. Date you acquired the property July 9, 2010

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

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

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.

7. Signature(s) of New Owner(s) or Claimant(s) Wells Fargo Bank N.A.
By: Roger B. Munnick (title if applicable)
 (title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by [Signature]
 Received by [Signature]
 Processed by AJ

Date 8/19/2010
 Date 8/19/2010
 Date

Receipt Amt. \$100
 Receipt No. 5031586
 WR Date

Recording requested by,
and after recording, return to:

Kevin C. Braley
Holland & Hart LLP
P.O. Box 2527
Boise, ID 83701-2527

Instrument # 578907

HAILEY, BLAINE, IDAHO
7-9-2010 02:27:03 No. of Pages: 6
Recorded for : B C SHERIFFS DEPARTMENT
JOLYNN DRAGE Fee: 25.00
Ex-Officio Recorder Deputy
Index to: SHERIFF'S DEED

413

SHERIFF'S DEED

KNOW ALL PERSONS BY THESE PRESENCE that I, Jerry "Walt" Femling, Sheriff of Blaine County, Idaho, being duly sworn and of legal age, hereby certify that I am the Sheriff of Blaine County, Idaho, and that:

1. At the request of Plaintiff Wells Fargo Bank National Association and under and by virtue of a Writ of Execution on Judgment of Foreclosure and an Order of Sale on Foreclosure issued out of the District Court of the Fifth Judicial District of the State of Idaho, in and for the County of Blaine, in the case of *Wells Fargo Bank, National Association vs. Spring Canyon Ranch, LLC, et al.*, case no. CV 09-365 and CV 09-771, I conducted a foreclosure sale on July 6th, 2010, commencing at or about 1:00 p.m. by advertisement and sale at the Blaine County Public Safety Facility at 1650 Aviation Drive, Hailey, Idaho. The property subject to the foreclosure sale was the property described in **Exhibit A** attached hereto (the "Foreclosed Property").

2. On July 8th, 2010, I issued a Sheriff's Certificate of Sale on Foreclosure (the "Sheriff's Certificate") to Wells Fargo Bank, National Association, who made the highest and best bid in the credit amount of \$10,900,173.04 for the Foreclosed Property at the foreclosure sale, which certificate was recorded in the official records of the recorder of Blaine County, Idaho on July 8th, 2010, as Instrument Number 578885.

3. The Amended Judgment and Decree of Foreclosure entered May 11, 2010 (the "Amended Judgment"), and the Order of Sale on Foreclosure entered May 19, 2010 (the "Order of Sale"), by the District Court of the Fifth Judicial District in and for the County of Blaine, Case No. CV 09-365 and CV 09-771, provided that Defendants Spring Canyon Ranch, LLC, and GeoEngineers, Inc., and each of them, and all persons claiming under them, either as encumbrancers, purchasers or otherwise, shall be, and they were, forever barred and foreclosed of and from all right, title, claim, interest or equity of redemption they may have in and to the Foreclosed Property or any part thereof. The equity of redemption having been barred and foreclosed by the Amended Judgment and the Order of Sale, Wells Fargo Bank, is entitled to a deed to the Foreclosed Property.

NOW THEREFORE, KNOW ALL PERSONS BY THIS DEED that I, Jerry "Walt" Femling, Sheriff of Blaine County, Idaho, in consideration of the premises, have granted and sold and do hereby convey to **Wells Fargo Bank, National Association**, a National Banking Association with an address of MAC C7300-079, 1740 Broadway, 7th Floor, Denver Colorado,

EXHIBIT A

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 2½" 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 (the "Real Property").

- b. all easements, rights-of-way and appurtenances; all water, water rights, water courses and ditch rights (including stock in utilities with ditch or irrigation rights); and all other rights royalties, and profits relating to the real property, including without limitation all minerals, oil gas, geothermal and similar matters. The First Mortgage also assigned to Wells Fargo all of Spring Canyon's right, title and interest in and to all present and future leases of the Real Property and all Rents (as defined by the First Mortgage) from the Property. The First Mortgage also granted Wells Fargo a Uniform Commercial Code security interest in the Personal Property (as defined by the First Mortgage) and Rents. The Real Property, together with the rights and interests described in this paragraph are hereinafter referred to collectively as the "Mortgaged Property."
- c. The Mortgaged Property includes, in part and without limitation, the following water rights:

Idaho Water Right No. A37-00548

Idaho Water Right No. A37-00549

Idaho Water Right No. A37-01222

Idaho Water Right No. A37-02142

Idaho Water Right No. A37-04440

Idaho Water Right No. A37-04138

Idaho Water Right No. A37-04139

Idaho Water Right No. A37-12396

Idaho Water Right No. A37-12397

Idaho Water Right Application No. 37-22442

Idaho Water Right Application No. 37-22443

Idaho Water Right No. 37-8670

Idaho Water Right No. 37-22250

Idaho Water Right No. 37-22251

4838474_1.DOC

COPY

Party's Name: Wells Fargo Bank, National Association

Attorney Name & Address:

Linda B. Jones
Kevin C. Braley
HOLLAND & HART LLP
Suite 1400, U.S. Bank Plaza
101 S. Capitol Boulevard
Post Office Box 2527
Boise, Idaho 83701
Telephone: (208) 342-5000
Idaho State Bar No. 4125

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

In Re SRBA

Case No. 39576

**NOTICE OF SUBSTITUTION
OF PARTIES**

**SUBCASE NOS.: 37-548, 37-549, 37-
1222, 37-2142, 37-4138, 37-4139, 37-
4440, and 37-12396**

NOTICE IS HEREBY GIVEN: Wells Fargo Bank, National Association ("Wells Fargo") hereby notifies the Court and the parties herein that Wells Fargo, as the successor in interest to Spring Canyon Ranch, LLC, and the current owner of the subject water rights and all interest therein and the owner of the underlying land, is hereby substituted in place of Spring Canyon Ranch, LLC for all purposes in these proceedings, including, but not limited to, the resolution of the matters in this subcase.

Attached at Exhibit "A" is a true and correct copy of the Sheriff's Deed conveying all right, title, and interest in the land and the appurtenant water rights being adjudicated in these proceedings to Wells Fargo Bank.

DATED this 17th day of August, 2010..

By: 

HOLLAND & HART LLP

Linda B. Jones

Kevin C. Braley

Attorneys for Wells Fargo Bank, National
Association

CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of August 2010, I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to the following:

Original to:

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

☐ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☒ Telecopy (Fax)

Copies to:

Albert P. Barker
BARKER ROSHOLT & SIMPSON
PO Box 2139
Boise, ID 83701-2139
Telephone: (208) 336-0700
Fax: (208) 344-6034

☐ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☒ Telecopy (Fax)

Craig D. Hobdey
HOBDEY & HOBDEY
PO Box 176
Gooding, ID 83330
Telephone: (208) 934-4429
Fax: (208) 934-4420

☐ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☒ Telecopy (Fax)

Kevin J. Beaton
STOEL RIVES LLP
101 S. Capitol Blvd., Ste. 1900
Boise, ID 83702-5958
Telephone: (208) 389-9000
Fax: (208) 389-9040

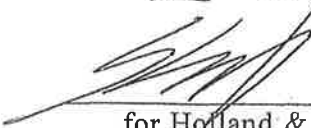
☐ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☒ Telecopy (Fax)

US Department of Justice
Environment & Natural Resources
550 West Fort Street, MSC 033
Boise, ID 83724

☒ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)

IDWR Document Depository
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098
Fax: (208) 287-6700

☐ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☒ Telecopy (Fax)


for Holland & Hart LLP

4893904_1.DOC

NOTICE OF SUBSTITUTION OF PARTIES- 3

Recording requested by,
and after recording, return to:

Kevin C. Braley
Holland & Hart LLP
P.O. Box 2527
Boise, ID 83701-2527

Instrument # 578907

HAILEY, BLAINE, IDAHO
7-9-2010 02:27:03 No. of Pages: 6
Recorded for : B C SHERIFFS DEPARTMENT
JOLYNN DRAGE Fee: 25.00
Ex-Officio Recorder Deputy
Index to: SHERIFF'S DEED

415

SHERIFF'S DEED

KNOW ALL PERSONS BY THESE PRESENCE that I, Jerry "Walt" Femling, Sheriff of Blaine County, Idaho, being duly sworn and of legal age, hereby certify that I am the Sheriff of Blaine County, Idaho, and that:

1. At the request of Plaintiff Wells Fargo Bank National Association and under and by virtue of a Writ of Execution on Judgment of Foreclosure and an Order of Sale on Foreclosure issued out of the District Court of the Fifth Judicial District of the State of Idaho, in and for the County of Blaine, in the case of *Wells Fargo Bank, National Association vs. Spring Canyon Ranch, LLC, et al.*, case no. CV 09-365 and CV 09-771, I conducted a foreclosure sale on July 6th, 2010, commencing at or about 1:00 p.m. by advertisement and sale at the Blaine County Public Safety Facility at 1650 Aviation Drive, Hailey, Idaho. The property subject to the foreclosure sale was the property described in **Exhibit A** attached hereto (the "Foreclosed Property").

2. On July 8th, 2010, I issued a Sheriff's Certificate of Sale on Foreclosure (the "Sheriff's Certificate") to Wells Fargo Bank, National Association, who made the highest and best bid in the credit amount of \$10,900,173.04 for the Foreclosed Property at the foreclosure sale, which certificate was recorded in the official records of the recorder of Blaine County, Idaho on July 8th, 2010, as Instrument Number 578885.

3. The Amended Judgment and Decree of Foreclosure entered May 11, 2010 (the "Amended Judgment"), and the Order of Sale on Foreclosure entered May 19, 2010 (the "Order of Sale"), by the District Court of the Fifth Judicial District in and for the County of Blaine, Case No. CV 09-365 and CV 09-771, provided that Defendants Spring Canyon Ranch, LLC, and GeoEngineers, Inc., and each of them, and all persons claiming under them, either as encumbrancers, purchasers or otherwise, shall be, and they were, forever barred and foreclosed of and from all right, title, claim, interest or equity of redemption they may have in and to the Foreclosed Property or any part thereof. The equity of redemption having been barred and foreclosed by the Amended Judgment and the Order of Sale, Wells Fargo Bank, is entitled to a deed to the Foreclosed Property.

NOW THEREFORE, KNOW ALL PERSONS BY THIS DEED that I, Jerry "Walt" Femling, Sheriff of Blaine County, Idaho, in consideration of the premises, have granted and sold and do hereby convey to **Wells Fargo Bank, National Association**, a National Banking Association with an address of MAC C7300-079, 1740 Broadway, 7th Floor, Denver Colorado,



IN WITNESS WHEREOF, the grantor, as Sheriff of aforesaid, hereunder signs this deed
this 9th day of July, 2010.

By Ginger M. Clement
Ginger M. Clement, Deputy

STATE OF IDAHO)
) ss:
County of Blaine)

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



Notary Public
Residing at Hailey, Idaho
Comm. Expires

SHERIFF'S DEED - 2

EXHIBIT A

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 2½" 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 BEB, Consolidated Survey No. 2755, all situated in the MINERAL HILL MINING DISTRICT, BLAINE COUNTY, IDAHO (the "Real Property").

- b. all easements, rights-of-way and appurtenances; all water, water rights, water courses and ditch rights (including stock in utilities with ditch or irrigation rights); and all other rights royalties, and profits relating to the real property, including without limitation all minerals, oil gas, geothermal and similar matters. The First Mortgage also assigned to Wells Fargo all of Spring Canyon's right, title and interest in and to all present and future leases of the Real Property and all Rents (as defined by the First Mortgage) from the Property. The First Mortgage also granted Wells Fargo a Uniform Commercial Code security interest in the Personal Property (as defined by the First Mortgage) and Rents. The Real Property, together with the rights and interests described in this paragraph are hereinafter referred to collectively as the "Mortgaged Property."
- c. The Mortgaged Property includes, in part and without limitation, the following water rights:

Idaho Water Right No. A37-00548

Idaho Water Right No. A37-00549

Idaho Water Right No. A37-01222

Idaho Water Right No. A37-02142

Idaho Water Right No. A37-04440

Idaho Water Right No. A37-04138

Idaho Water Right No. A37-04139

Idaho Water Right No. A37-12396

Idaho Water Right No. A37-12397

Idaho Water Right Application No. 37-22442

Idaho Water Right Application No. 37-22443

Idaho Water Right No. 37-8670

Idaho Water Right No. 37-22250

Idaho Water Right No. 37-22251

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RECEIVED

OCT 05 2006

DEPARTMENT OF
WATER RESOURCES

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

AMENDED 37-4138

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

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

CIVIL CASE NUMBER: 39576
Ident. Number 37-4138
Date Received _____
Receipt Number _____

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

Amended

Please type or print clearly

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

2. Date of Priority (Only one (1) per claim) 12/31/1948

3. Source of water supply (a) Hailey Hot Springs
which is tributary to (b) Democrat Creek

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

Additional points of diversion if any: 02N18E18NWSESE, and 02N18E18NESWSE

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. Springs emit into existing ditches and reservoirs; booster pump at
lower reservoir to main line and hand lines - all of the water not utilized for the hot water development overflows
into the current surface water system and is utilized as irrigation water. In addition, after the water is used in the
hot water development the water is discharged back into the lower reservoir to be used in the irrigation system.

6. Water is claimed for the following purposes:

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

For Irrigation purposes from 04/15 to 10/15 amount 1.05 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.05 (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 XX Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number 37-4138

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

Last Name _____ Ident. No. _____

16. Signature (s)

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

Number of attachments _____

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

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

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

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

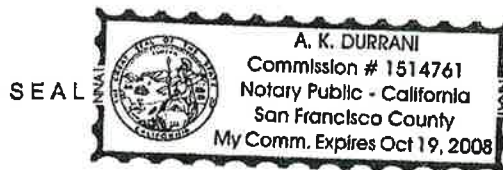
And that the statements contained in the foregoing document are true and correct.

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-4138

WATER RIGHT NUMBER: 37-4138

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	STOEL RIVES LLP ATTN: KEVIN J BEATON 101 S CAPITOL BLVD STE 1900 BOISE, ID 83702 (208)389-9000
Security Interest	WELLS FARGO BANK 1740 BROADWAY 7TH FLOOR MAC C7300-079 DENVER, CO 80274
Previous Owner	CROCKER TRUST C/O DONALD CROCKER SUCCESSOR CO-TRUSTEE PO BOX 974 KETCHUM, ID 83340 (208)726-9485
Original Owner	HUMBOLDT INVESTMENT CO ATTN: MR DEVERE BARKER 3500 LAKESIDE CT STE 150 RENO, NV 89509 (702)825-4144
Previous Owner	HELEN & BENJAMIN CROCKER TRUST C/O HELEN CROCKER TRUSTEE PO BOX 974 KETCHUM, ID 83340 (208)726-9485
Current Owner	SPRING CANYON RANCH LLC C/O CROY CANYON LLC 400 OYSTER PT BLVD #123 SOUTH SAN FRANCISCO , CA 94080 (650) 588-5600

Priority Date: 12/31/1948

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
HAILEY HOT SPRINGS	DEMOCRAT CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/15	1.050 CFS	
	<u>Total Diversion:</u>	1.050 CFS	

Location of Point(s) of Diversion

HAILEY HOT SPRINGS BLAINE County	NW1/4NW1/4SE1/4	Sec. 18, Twp 02N, Rge 18E, B.M.
HAILEY HOT SPRINGS BLAINE County	NW1/4SE1/4SE1/4	Sec. 18, Twp 02N, Rge 18E, B.M.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-4138

HAILEY HOT SPRINGS

NE1/4SW1/4SE1/4

Sec. 18, Twp 02N, Rge 18E, B.M.

BLAINE County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
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 Acres: 190

Conditions of Approval:

1. SOURCE IS SAME AS 37-04139. MEASURED FLOW OF ALL THE HOT SPRINGS IS 1.35 CFS AND DURING IRRIGATION SEASON ENTIRE FLOW IS USED BY 37-04139 AND THIS CLAIM. WATER FROM THIS CLAIM IS COMMINGLED WITH THAT FROM THE RIGHTS IDENTIFIED IN PARA 13 ABOVE, AND ALL IS USED ON THE SAME PLACE FOR IRRIGATION. IRRIGATED ACRES WERE INCORRECTLY LOCATED AND CALCULATED AT TIME STATUTORY CLAIM WAS FILED. CONFORMED ATTORNEY MAILING ADDRESS DMS ***** OWNERSHIP CHANGE MADE 5/19/95 BY TLB.
| CORRECTED DATA ENTRY BY DELETING SPECK AS 'O' ATTORNEY FOR FORMER OWNER.

Remarks:Comments:

SubCase:

SubCase Number: 37-4138
 Class: 1
 SF5 Filed Date:
 Special Master Recom Signed Date:
 Attorney Assigned:
 Adjudication Agent: manders
 Basis of Claim: Beneficial Use
 Date Filed: 1/15/2008 Objection Status: Active
 Date Filed: 7/12/2007 Objection Status: Active

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-4138

WATER RIGHT NUMBER: 37-4138

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HUMBOLDT INVESTMENT CO PO BOX 326 SUN VALLEY, ID 83353

Priority Date: 06/01/1948
 Basis: Statutory Claim
 Status: Active

<u>Source</u>	<u>Tributary</u>
WARM SPRINGS	BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	1.050 CFS	
	<u>Total Diversion:</u>	1.050 CFS	

Location of Point(s) of Diversion

WARM SPRINGS	NW1/4SE1/4	Sec. 18, Twp 02N, Rge 18E, B.M.
BLAINE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	17			20.0						30.0	20.0				40.0			110.0
02N	18E	18														5.0	25.0		30.0

Total Acres: 140

Conditions of Approval:Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-4138

SubCase:

SubCase Number: 37-4138

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date:

Attorney Assigned:

Adjudication Agent: manders

Basis of Claim: Beneficial Use

Date Filed: 1/15/2008 Objection Status: Active

Date Filed: 7/12/2007 Objection Status: Active

Water Supply Bank:

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 37-4138
Date Received: 10/5/2006
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: 12/31/1948

3. Source: HAILEY HOT SPRINGS , HAILEY HOT SPRINGS , HAILEY HOT SPRINGS Trib. to:
DEMOCRAT CREEK , DEMOCRAT CREEK , DEMOCRAT CREEK

4. Point of Diversion:

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

5. Description of diverting works:

SPRINGS EMIT INTO EXISTING DITCHES AND RESERVOIRS; BOOSTER PUMP AT LOWER RESERVOIR TO MAIN LINE AND HAND LINES--ALL OF THE WATER NOT UTILIZED FOR THE HOT WATER DEVELOPMENT OVERFLOWS INTO THE CURRENT SURFACE WATER SYSTEM AND IS UTILIZED AS IRRIGATION WATER. IN ADDITION, AFTER THE WATER IS USED IN THE HOT WATER DEVELOPMENT THE WATER IS DISCHARGED BACK INTO THE LOWER RESERVOIR TO BE USED IN THE IRRIGATION SYSTEM.

6. Water is used for the following purposes:

Purpose	From To	C.F.S.	(or) A.F.A
IRRIGATION	04/15 10/15	1.05	

7. Total Quantity Appropriated is:
1.05 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	SW		IRRIGATION	1
			NE	SE		IRRIGATION	21.4
			NW	SE		IRRIGATION	19
			SW	SE		IRRIGATION	17.5
			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:

SOURCE IS SAME AS 37-04139. MEASURED FLOW OF ALL THE HOT SPRINGS IS 1.35 CFS AND DURING IRRIGATION SEASON ENTIRE FLOW IS USED BY 37-04139 AND THIS CLAIM. WATER FROM THIS CLAIM IS COMMINGLED WITH THAT FROM THE RIGHTS IDENTIFIED IN PARA 13 ABOVE, AND ALL IS USED ON THE SAME PLACE FOR IRRIGATION. IRRIGATED ACRES WERE INCORRECTLY LOCATED AND CALCULATED AT TIME STATUTORY CLAIM WAS FILED.

15. Basis of Claim: Statutory Claim



STOEL RIVES
LLP
ATTORNEYS AT LAW
WATER RESOURCES

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

October 4, 2006

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

Via HAND DELIVERY

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

Re: Spring Canyon Ranch LLC

Dear Danni:

Please find enclosed for filing the following:

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

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



Danni Smith
October 4, 2006
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 37-4138

OCT 8 2006

DEPARTMENT OF
WATER RESOURCESIN 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 37-4138
Date Received
Receipt Number

d.o. 20 10-12-06

**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) 588-5600
Mailing Address 395 Oyster Pt Blvd #309, South San Francisco, CA Zip 94080
2. Date of Priority (Only one (1) per claim) 12/31/1948
3. Source of water supply (a) Hailey Hot Springs
which is tributary to (b) Democrat Creek
4. a. Location of existing point of diversion is: Township 02N Range 18E Section 18,
NW 1/4 of NW 1/4 of SE 1/4, Govt. Lot, B.M., County of Blaine
Additional points of diversion if any: 02N18E18NWSESE, and 02N18E18NESWSE
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. Springs emit into existing ditches and reservoirs; booster pump at
lower reservoir to main line and hand lines -- all of the water not utilized for the hot water development overflows
into the current surface water system and is utilized as irrigation water. In addition, after the water is used in the
hot water development the water is discharged back into the lower reservoir to be used in the irrigation system.

SCANNED

OCT 11 2006

6. Water is claimed for the following purposes:

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

For Irrigation purposes from 04/15 to 10/15 amount 1.05 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.05 (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 XX Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number 37-4138

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

SCANNED

OCT 11 2008

Last Name _____ Ident. No. _____

16. Signature (s)

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

Number of attachments _____

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

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

of Spring Canyon Ranch, LLC that I have signed the foregoing

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

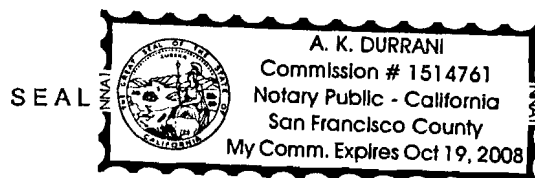
And that the statements contained in the foregoing document are true and correct.

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 08 2006

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 37-4138
Date Received: 10/27/1988
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
C/O CROY CANYON LLC
395 OYSTER PT BLVD #309
SOUTH SAN FRANCISCO CA 94080

2. Date of Priority: 12/31/1948

3. Source: HAILEY HOT SPRINGS Trib. to: DEMOCRAT CREEK

4. Point of Diversion:

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

5. Description of diverting works:

CONCRETE CISTERN, INJECTED INTO DEMOCRAT CK., FORMING RESERVOIR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	1.05	

7. Total Quantity Appropriated is:
1.05 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	23

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	28

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:

SOURCE IS SAME AS 37-04139. MEASURED FLOW OF ALL THE HOT SPRINGS IS 1.35 CFS AND DURING IRRIGATION SEASON ENTIRE FLOW IS USED BY 37-04139 AND THIS CLAIM. WATER FROM THIS CLAIM IS COMMINGLED WITH THAT FROM THE RIGHTS IDENTIFIED IN PARA 13 ABOVE, AND ALL IS USED ON THE SAME PLACE FOR IRRIGATION. IRRIGATED ACRES WERE INCORRECTLY LOCATED AND CALCULATED AT TIME STATUTORY CLAIM WAS FILED.

CONFORMED ATTORNEY MAILING ADDRESS DMS ***** OWNERSHIP CHANGE MADE 5/19/95 BY TLB.

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

15. Basis of Claim: Statutory Claim

**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
37-549	37-549	☐			☐
37-1222	37-1222	☐			☐
37-4138	37-4138	☐			☐
37-4139	37-4139	☐			☐
37-4440	37-4440	☐			☐

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
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 #309
SOUTH SAN FRANCISCO, CA 94080
New Telephone Number: _____
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: _____

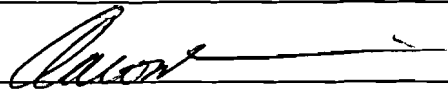
<u>Water Use</u>	<u>Diversion Rate or Volume</u> (cubic feet per second or acre-feet annum)	<u>Description</u> (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other: _____	_____	_____
TOTAL	_____	_____

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:  _____
Received by: _____
Processed by: _____ AJ

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

Fee: _____
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: WTYQ/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.

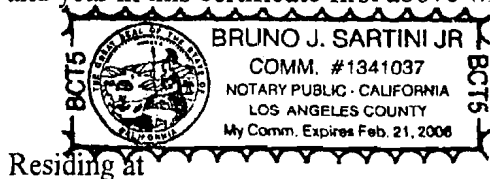
DONALD W. CROCKER, successor trustee
of the BENJAMIN S. CROCKER AND
HELEN NAN CROCKER TRUST "D"

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.



Bruno J. Sartini Jr.
Notary Public

My Commission Expires: 02-21-2006

*Donald W. Crocker

EXHIBIT "A"

Parcel 1

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

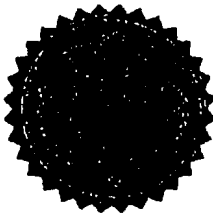
PAGE 1

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.



4095022 8300

060046527

Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 4454371

DATE: 01-18-06

FILED EFFECTIVE



APPLICATION FOR REGISTRATION OF FOREIGN LIMITED LIABILITY COMPANY

(Instructions on back of application)

06 JAN 25 PM 12:51

SECRETARY OF STATE
STATE OF IDAHO

1. The name of the limited liability company is:

Spring Canyon Ranch, LLC

2. If the name of the limited liability company is not permissible or is not available in Idaho, the name the foreign limited liability company will use in Idaho is:

3. The jurisdiction under whose laws the limited liability company is organized is:
- Delaware
-
- and the date of its formation was:
- January 18, 2008

4. The name and address of the registered agent in Idaho is:

National Registered Agents, Inc., 1423 Tyrell Lane, Boise, Idaho 83708

5. The address of the limited liability company's office in the jurisdiction under whose laws it is organized is:

c/o National Registered Agents, Inc., 180 Greentree Dr., Suite 101, Dover, DE 19904

6. The address of the limited liability company's principal office, if other than the address in #5 above, is:

170 Croy Creek, Hailey, Idaho 83333

7. The address to which correspondence should be addressed is:

c/o Pacific Coast Capital Partners, LLC, 150 California Street, 22nd Floor, San Francisco, CA 9411116 CROY CANYON, LLC 385 Croy - Bird Blk Suite 309South See Farming, ID 83400

8. Signature of a manager, if any, or a member
-
- If there are no managers.

Signature

William R. LindsayTyped Name PCCP LB Sun Valley Ranch, LLCManager ☒ Member ☐

Secretary of State use only

1/25/2006 05:00
 CK: 35710 CT: 1154 BH: 934124
 1 @ 100.00 = 100.00 REGFORLLC # 8
 1 @ 20.00 = 20.00 EXPEDITE C # 9

Web Font

IDAHO SECRETARY OF STATE
 01/25/2006 05:00
 CK: 35710 CT: 1154 BH: 934124
 1 @ 100.00 = 100.00 REGFORLLC # 8
 1 @ 20.00 = 20.00 EXPEDITE C # 9

W46749

CROFT CANNON, LLC

2100 S. 10TH AVE. SUITE 200 TWIN FALLS, ID 83301-4000 FAX (208) 733-9150

RECEIVED
APR 20 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

April 17, 2006

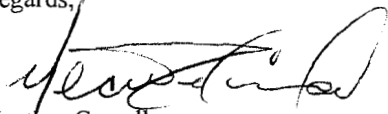
Allen Merritt
Idaho Department of Water Resources
Southern Region Office
1341 Fillmore, Suite 200
Twin Falls, ID 83301

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

100 OYSTER BAY TROUBLE VALLEY, SUITE 300, NORTH SAN JOSE, CA 95050 (650) 381-7600 / FAX (650) 381-9150

May 2, 2006

RECEIVED

MAY 04 2006

DEPT. OF WATER RESOURCES
SOUTHERN REGION

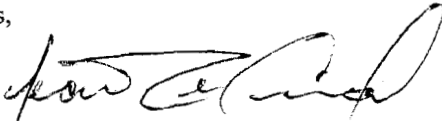
Allen Merritt
Idaho Department of Water Resources
Southern Region office
1341 Fillmore, Suite 200
Twin Falls, ID 83301

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

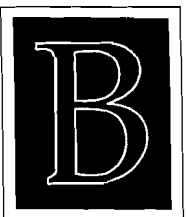
Dear Allen:

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: A37-04138
Date Received: 10/27/1988
Receipt No: C004234
Received By: *O/C HLB*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HELEN & BENJAMIN CROCKER TRUST 208-726-9485
Address: C/O HELEN CROCKER
TRUSTEE
PO BOX 974
KETCHUM ID 83340

AND

Name: CROCKER TRUST 208-726-9485
Address: C/O DONALD CROCKER
SUCCESSOR CO-TRUSTEE
PO BOX 974
KETCHUM ID 83340

2. Date of Priority: DEC 31, 1948

3. Source: HAILEY HOT SPRINGS Trib. to: DEMOCRAT CREEK

4. Point of Diversion:

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

5. Description of diverting works:

CONCRETE CISTERN, INJECTED INTO DEMOCRAT CK., FORMING RESERVOIR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.050		

7. Total Quantity Appropriated is:

1.050 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
			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(01220), 37-02142(01221), 37-00548, 01222, 04440

14. Remarks:

SOURCE IS SAME AS 37-04139. MEASURED FLOW OF ALL THE HOT SPRINGS IS 1.35 CFS AND DURING IRRIGATION SEASON ENTIRE FLOW IS USED BY 37-04139 AND THIS CLAIM. WATER FROM THIS CLAIM IS COMMINGLED WITH THAT FROM THE RIGHTS IDENTIFIED IN PARA 13 ABOVE, AND ALL IS USED ON THE SAME PLACE FOR IRRIGATION. IRRIGATED ACRES WERE INCORRECTLY LOCATED AND CALCULATED AT TIME STATUTORY CLAIM WAS FILED.

CONFORMED ATTORNEY MAILING ADDRESS DMS

OWNERSHIP CHANGE MADE 5/19/95 BY TLB.

15. Basis of Claim: STATUTORY CLAIM

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

BLAINE CO. REQUEST
Sun Valley Title Co.
JUN 8 PM 3 54
P.O. Box 46
Sun Valley, Idaho 83353

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 at 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 WADSWORTH

On this 20th day of April 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 partner(s) who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

Notary Public

Residing in SUN VALLEY, IDAHO
SUN VALLEY, IDAHO 83353

STATE OF IDAHO, COUNTY OF

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

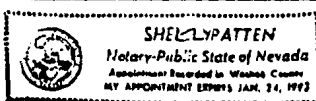
at _____ minutes past _____ o'clock M.,
this _____ day of _____
19 _____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

By _____

Deputy.

Fees \$
Mail to:



Chicago Title Insurance
Company of Idaho



INSTRUMENT No.

NOV 28 1990



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

DEC 28 1993

Department of Water Resources

DATE OF CLOSING: 12/15/93

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM _____
Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet.

RECEIVED

DEC 28 1993

Department of Water Resources
Southern Region Office

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

☐ Water Right Number(s) See attached quitclaim deed
Assigned by IDWR: _____

☐ Name and Address of Former Owner/Claimant(s)(Seller): Crystal Hot Springs Limited Partnership

☐ New Owner/Claimant (Purchaser): 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

☐ New Mailing Address: P.O. Box 974
Ketchum, Idaho 83340

☐ New Telephone Number: (208) 726-9185

☐ 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:

☐ Attach proof of ownership, describe proof attached: Attached Quitclaim Deed-recorded copy

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

☐ Signature of New Owner/Claimant(s) Helen Nan Crocker, Trustee Date 12/15/93

Date

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

Date

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date:

By:

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date:

By:

Claim Numbers of Split, if any:

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

NOV 28 1996



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

NOV 28 1995

Corrected copy
has

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: A37-04138
Date Received: 12/21/1988
Receipt No: C004234
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HUMBOLDT INVESTMENT CO. 702-825-4144
Address: 3500 LAKESIDE CT., SUITE 150
ATTN: MR. DEVERE BARKER
RENO, NV 89509

2. Date of Priority: DEC 31, 1948

3. Source: HAILEY HOT SPRINGS Trib. to: DEMOCRAT CREEK

4. Point of Diversion:

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

5. Description of diverting works:
CONCRETE CISTERN, INJECTED INTO DEMOCRAT CK., FORMING RESERVOIR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.050		

7. Total Quantity Appropriated is:
1.050 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

A37-04138

Page 1

Date: 01/12/90

MICROFILMED

MAR 01 1995

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(01220), 37-02142(01221), 37-00548, 01222, 04440

14. Remarks:

SOURCE IS SAME AS 37-04139. MEASURED FLOW OF ALL THE HOT SPRINGS IS 1.35 CFS AND DURING IRRIGATION SEASON ENTIRE FLOW IS USED BY 37-04139 AND THIS CLAIM. WATER FROM THIS CLAIM IS COMMINGLED WITH THAT FROM THE RIGHTS IDENTIFIED IN PARA 13 ABOVE, AND ALL IS USED ON THE SAME PLACE FOR IRRIGATION. IRRIGATED ACRES WERE INCORRECTLY LOCATED AND CALCULATED AT TIME STATUTORY CLAIM WAS FILED.

15. Basis of Claim: STATUTORY CLAIM

MICROFILMED
MAR 01 1993

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
_____ 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 _____

MICROFILMED
MAR 01 1993

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

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Address: 3500 LAKESIDE CT., SUITE 150
ATTN: MR. DEVERE BARKER
RENO, NV 89509

2. Date of Priority: DEC 31, 1948

3. Source: HAILEY HOT SPRINGS Trib. to: DEMOCRAT CREEK

4. Point of Diversion:

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

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IRRIGATION	04/15	10/15	1.050		

7. Total Quantity Appropriated is:
1.050 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

A37-04138

Page 1

Date: 01/25/89

MICROFILMED

MAR 6 1 1993

10. Place of Use: Continued

Township 02N	Range 18E	Section 17	1/4 SW	of 1/4 SW	Lot	Use IRR	Acres 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(01220), 37-02142(01221), 37-00548, 01222, 04440

14. Remarks:

SOURCE IS SAME AS 37-04139. MEASURED FLOW OF ALL THE HOT SPRINGS IS 1.35 CFS AND DURING IRRIGATION SEASON ENTIRE FLOW IS USED BY 37-04139 AND THIS CLAIM. WATER FROM THIS CLAIM IS COMMINGLED WITH THAT FROM THE RIGHTS IDENTIFIED IN PARA 13 ABOVE, AND ALL IS USED ON THE SAME PLACE FOR IRRIGATION. IRRIGATED ACRES WERE INCORRECTLY LOCATED AND CALCULATED AT TIME STATUTORY CLAIM WAS FILED.

15. Basis of Claim: STATUTORY CLAIM

MICROFILMED

MAR 01 1953

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 _____

17. Notice of Appearance:

Notice is hereby given that I, _____ will be

Print Name

acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED
MAR 6 1 1993

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 A37-04138
Date Received 10-27-88
Receipt Number 0004234

RECEIVED

OCT 27 1988

Department of Water Resources
Section of Water Rights

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: 1948
3. Source of water supply (a) Hailey Hot Springs
which is tributary to (b) Democrat Creek
4. a. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>$\frac{1}{4}$</u>	<u>$\frac{1}{4}$</u>	<u>$\frac{1}{4}$</u>	<u>Lot</u>	<u>County</u>
2N	18E	18	NW	NW	SW		Blaine

Additional points of diversion if any: None.

- b. If instream flow, beginning point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>$\frac{1}{4}$</u>	<u>$\frac{1}{4}$</u>	<u>$\frac{1}{4}$</u>	<u>Lot</u>	<u>County</u>
-----------------	--------------	----------------	---------------------------------	---------------------------------	---------------------------------	------------	---------------

Ending point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>$\frac{1}{4}$</u>	<u>$\frac{1}{4}$</u>	<u>$\frac{1}{4}$</u>	<u>Lot</u>	<u>County</u>
-----------------	--------------	----------------	---------------------------------	---------------------------------	---------------------------------	------------	---------------

MICROFILMED
MAR 6 1 1993

5. **Description of existing diversion works:** The flow from several naturally flowing hot springs is captured in a concrete cistern, and then injected into Democrat Creek. The flow of Democrat Creek is dammed into a reservoir. Water is pumped from the reservoir to handlines and wheelines.

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

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 1	November 1	1.05 cfs

7. **Total Quantity Claimed:** 1.05 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>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

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), 37-0548, 37-1222, 37-4440.

14. **Remarks:** Source is same as 37-4139. Measured flow of all the hot springs is 1.35 cfs, and during irrigation season entire flow is used by 37-4139 and this claim. Water from this claim is commingled with that from the rights identified in para. 13, above, and all is used on the same place for irrigation. Irrigated acres were incorrectly located and calculated at time statutory claim was filed.

Last Name: Humboldt

Ident No. _____

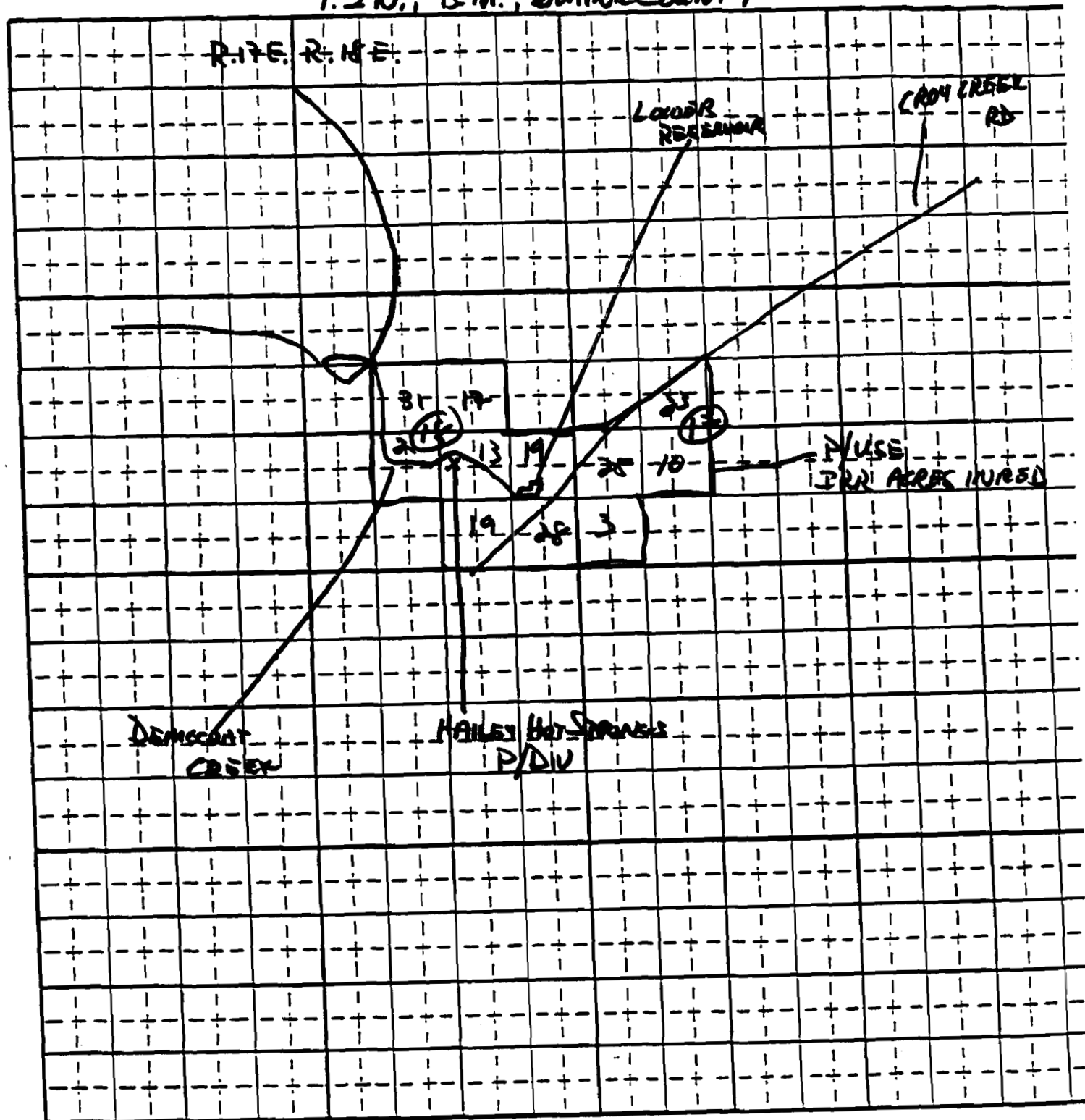
MICROFILMED

MAR 01 1993

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

Scale: 2 inches equals 1 mile

T. 2 N., R. 10 E., BLAINE COUNTY



MICROFILMED

Last Name

HUMPHREY

Ident No.

MAR 11 1964
U.S. GEOLOGICAL SURVEY

15. Basis of Claim: Beneficial Use
IDWR Water Right Number: 37-4138
Court:
Case Number:
Decree Date:
Plaintiff v. 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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments 0

[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 Phillips) ss.

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

Notary Public Buckley M. Beck
Residing at Sun Valley
Commission Expires 11/17/93

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

Date: _____

Last Name: Humboldt
a2:\hmbldt6.clm

Ident No.: _____

MICROFILMED
MAR 6 1 1990

RECEIVED

JUL 16 2007

DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA

A. Subcase 37-4138

(Insert water right number)

Case No. 39576

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Spring Canyon Ranch LLC

Address: C/O: Croy Canyon LLC

395 Oyster Pt Blvd #309 South San Francisco, CA 94080

Daytime Phone: 650-208-3537

Name & Address of Attorney, if any:

Kevin J. Beaton, Stoel Rives LLP

101 S. Capitol Boulevard Suite 1900

Boise, ID 83702

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

Name: Spring Canyon Ranch LLC

Address: C/O: Croy Canyon LLC

395 Oyster Pt Blvd #309 South San Francisco, CA 94080

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

1. ☐ **Name and Address**
Should be: _____
2. ☒ **Source**
Should be: Hailey Hot Springs as was claimed, instead of
disallowed as was recommended.
3. ☒ **Quantity**
Should be: 1.05 cfs as was claimed, instead of disallowed as was
recommended.
4. ☒ **Priority Date**
Should be: 12/31/1948 as was claimed, instead of disallowed as
was recommended.
5. ☒ **Point of Diversion**
Should be: T.02N R.18E Sec.18 NWNWSE, T.02N R.18E Sec.18 NESWSE,
T.02N R.18E Sec.18 NWSESE as was claimed, instead of
disallowed as was recommended.
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☒ **Purpose(s) of Use**
Should be: Irrigation as was claimed, instead of disallowed as
was recommended.
8. ☒ **Period of Year**
Should be: 04/01 - 11/01 as was claimed, instead of disallowed
as was recommended.
9. ☒ **Place of Use**
Should be: 190 acre permissible place of use as was claimed,
instead of disallowed as was recommended.

10 ☐ I object because:

☐ This water right Should not exist.

☒ This water right was not recommended, but Should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTIONS(S): Historical use and aerial
photography show hot water source was used in the irrigation system, see
above.

F. VERIFICATION (must be completed)

State of Idaho)

)ss.

County of Ada)

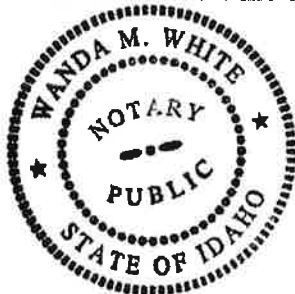
Kevin J. Beaton, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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

(Signature of person filing objection)

Kevin Beaton
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:



July 12, 2007
Wanda M. White
Notary Public for Idaho
Residing at: Wata Home, Elmore City
My Commission Expires: 9-30-08

RECEIVED

JAN 16 2008

DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA

Case No. 39576

A. Subcase 37-04138
(Insert water right number)

STANDARD FORM 2
RESPONSE TO OBJECTION

Please print or type the following information:

B. NAME AND ADDRESS OF PERSON RESPONDING

Name: United States of America acting through the Department of Interior,
Bureau of Land Management, Idaho State Office
Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657
Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax
United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

**C. NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO
WHICH YOU ARE RESPONDING**

Name: Spring Canyon Ranch, LLC; c/o Croy Canyon, LLC
Address: 395 Oyster Pt Blvd #309; South San Francisco, CA 94080
Name: Kevin J. Beaton (attorney for objector)
Address: 101 S. Capitol Blvd, Ste 1900; Boise, Idaho 83702
Name:
Address:

D. I am responding to the objections to the following elements. (Please check the appropriate box(es)).

1. ☐ Name and Address
2. ☐ Source
3. ☐ Quantity
4. ☐ Priority Date
5. ☐ Point(s) of Diversion
6. ☐ Instream Flow Description
7. ☐ Purpose(s) of Use
8. ☐ Period of Year
9. ☒ Place of Use See attached.

11. **Recommendation:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

REASONS SUPPORTING RESPONSE:

Claimant's objection seeks to overcome disallowance and describe a place of use as SENW, S17, T02N, R18E. This legal land description contains both public (Lot 7) and private (Lot 4) land. Any recommendation of this place of use should be described as Lot 4 (SENW) in order to make it clear only private land is intended.

E.

VERIFICATION (Must be Completed)

State of Idaho

)

) ss.

County of ADA

)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing response)

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

Fredric W. Price
(Signature of person filing response)

Larry A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

June, at
Parma, ID, 2008

Casey R. O'Brien
Casey R. O'Brien



Notary Public for State of Idaho

Residing at: Nampa, ID.

My Commission Expires: 10-31-2009

INSTRUCTIONS FOR MAILING

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

F.

CERTIFICATE OF MAILING

I certify that on Jan 15, 2008, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original to:

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

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

Spring Canyon Ranch, LLC; c/o Croy Canyon, LLC
395 Oyster Pt Blvd #309; South San Francisco, CA 94080

3. One copy to the party who filed the objection at the following address:

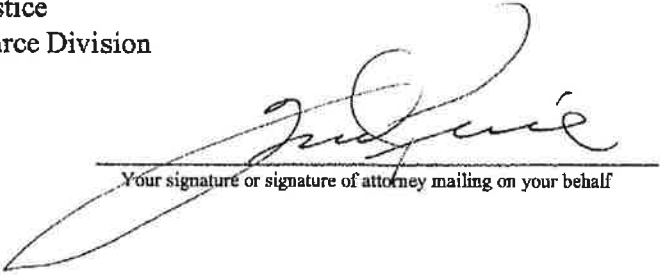
Spring Canyon Ranch, LLC; c/o Croy Canyon, LLC
395 Oyster Pt Blvd #309; South San Francisco, CA 94080
Kevin J. Beaton (attorney for objector)
101 S. Capitol Blvd, Ste 1900; Boise, Idaho 83702

4. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724


Your signature or signature of attorney mailing on your behalf

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

W.R. NUMBER	NAME AND ADDRESS	CLAIM DISPOSITION	REASON
37-4044	PAUL V OLSEN PO BOX 185 CAREY ID 83320 EMILY OLSEN PO BOX 296 CAREY ID 83320	Disallowed	No lawful appropriation shown.
37-4076A	ECCLES WINDOW ROCK RANCH LLC PO BOX 3028 SALT LAKE CITY UT 84110	Disallowed	No lawful appropriation shown.
37-4133	SYRINGA RANCH TRUST C/O PAUL WASSENAAR LAW OFFICES 225 BROADWAY STE 1900 SAN DIEGO CA 92101	Disallowed	No lawful appropriation shown.
37-4138	SPRING CANYON RANCH LLC C/O CROY CANYON LLC 395 OYSTER PT BLVD #309 SOUTH SAN FRANCISCO CA 94080	Disallowed	No lawful appropriation shown.
37-4139	SPRING CANYON RANCH LLC C/O CROY CANYON LLC 395 OYSTER PT BLVD #309 SOUTH SAN FRANCISCO CA 94080	Disallowed	No lawful appropriation shown.
37-4141	GERALD B BASHAW PO BOX 767 PICABO ID 83348 AUDREY BASHAW PO BOX 381 BELLEVUE ID 83313-0381	Disallowed	No lawful appropriation shown. No evidence of priority date.
37-4142	GERALD B BASHAW PO BOX 767 PICABO ID 83348 AUDREY BASHAW PO BOX 381 BELLEVUE ID 83313-0381	Disallowed	No lawful appropriation shown. No evidence of priority.
37-4151	IDAHO FOUNDATION FOR PARKS & LANDS INC 5657 WARM SPRINGS AVE BOISE ID 83716-8700	Disallowed	No beneficial use found.
37-4238	CARRIE SHAW PO BOX 3638 HAILEY ID 83333	Disallowed	No lawful appropriation shown.
37-4242	CARL B JOHNSTON 350 BROADFORD RD BELLEVUE ID 83313 JAMES H BILBRAY 3155 SORREL LAS VEGAS NV 89101	Disallowed	No lawful appropriation shown.
37-4254	ROTHSCHILD MINING CORP PO BOX 1767 SUN VALLEY ID 83353	Disallowed	No lawful appropriation shown.
37-4266	SUN VALLEY RANCH LLC PO BOX 40380 KETCHUM ID 83340	Disallowed	Insufficient evidence of delivery of the water right.

RECEIVED

OCT 05 2006

DEPARTMENT OF
WATER RESOURCES

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

AMENDED 37-4138

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

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

CIVIL CASE NUMBER: 37-4138
Ident. Number 39576
Date Received _____
Receipt Number _____

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

Please type or print clearly

1. Name of Claimant (s) Spring Canyon Ranch LLC c/o Croy Canyon LLC Phone (650) 588-5600
Mailing Address 395 Oyster Pt Blvd #309, South San Francisco, CA Zip 94080
2. Date of Priority (Only one (1) per claim) 12/31/1948
3. Source of water supply (a) Hailey Hot Springs
which is tributary to (b) Democrat Creek
4. a. Location of existing point of diversion is: Township 02N Range 18E Section 18
NW 1/4 of NW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Blaine
Additional points of diversion if any: 02N18E18NWSESE, and 02N18E18NESWSE
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. Springs emit into existing ditches and reservoirs: booster pump at
lower reservoir to main line and hand lines - all of the water not utilized for the hot water development overflows
into the current surface water system and is utilized as irrigation water. In addition, after the water is used in the
hot water development the water is discharged back into the lower reservoir to be used in the irrigation system.

6. Water is claimed for the following purposes:

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

For Irrigation purposes from 04/15 to 10/15 amount 1.05 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.05 (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 XX Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number 37-4138

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

Last Name _____ Ident. No. _____

16. Signature (s)

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

Number of attachments _____

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

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

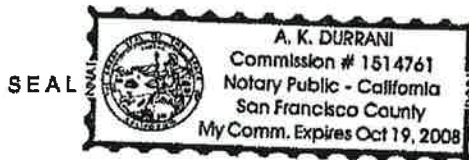
For Organizations: I do solemnly swear or affirm that I am Vice President Title
or Spring Canyon Ranch, LLC that I have signed the foregoing
Document in the space below as Vice President of Spring Canyon Ranch, LLC
Organization Title Organization

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

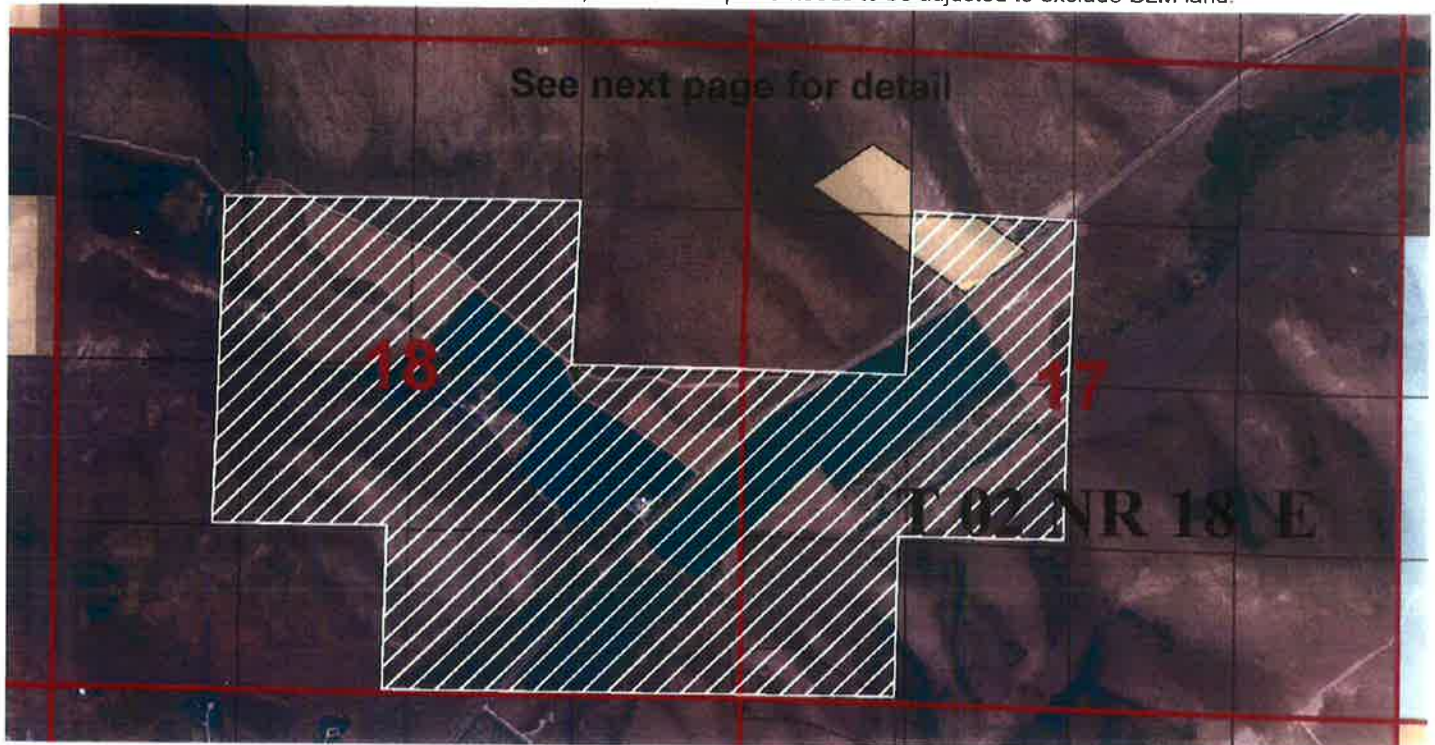
Date 10-3-06

37-04138 & 37-12396
Spring Canyon Ranch LLC

-Objection seeks to overcome a disallowance of a 190 acres as claimed. The claim identifies a place of use as a quarter quarter (T02N R18E S17 SENW). However, the use on private land lies within Lot 4 (SENW).

-If claimant is able to overcome the disallowance, then those acres in the SENW should be described as a lot in T02N R18E S17 Lot 4 (SENW) as BLM owns land in the portion of SENW quarter quarter listed on the claim that is Lot 7.

-If the claimant is able to overcome the disallowance, then the shapefile needs to be adjusted to exclude BLM land.



37-04138 & 37-12396
Spring Canyon Ranch LLC



-Objection seeks to overcome a disallowance of a 190 acres as claimed. The claim identifies a place of use as a quarter quarter (T02N R18E S17 SENW). However, the use on private land lies within Lot 4 (SE NW).

-If claimant is able to overcome the disallowance, then those acres in the SENW should be described as a lot in T02N R18E S17 Lot 4 (SE NW) as BLM owns land in the portion of SENW quarter listed on the claim that is Lot 7.

-If the claimant is able to overcome the disallowance, then the shapefile needs to be adjusted to exclude BLM land.

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

In Re SRBA

Case No. 39576

) **Subcase No.: 37-4138**
) **(Formerly Disallowed)**

) **STANDARD FORM 5**

) **STIPULATED ELEMENTS OF A**
) **WATER RIGHT**

_____)
This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT / OBJECTOR:

Linda B. Jones
Attorney for Wells Fargo Bank

Date

RESPONDENT:

United States on behalf of the
Bureau of Land Management

David L. Negri
Attorney, U.S. Department of Justice
Environment and Natural Resources

Date

IDWR CONCURRENCE:

Kelly K. Christensen 1-18-11
Kelly K. Christensen Date
Sr. Water Resource Agent

IDWR CONCURRENCE:

Christopher M. Bromley Date
Deputy Attorney General
Attorney for IDWR

11/24/2010

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

RIGHT NUMBER: 37-4138

NAME AND ADDRESS: WELLS FARGO BANK
1740 BROADWAY
7TH FLOOR MAC C7300-079
DENVER CO 80274

KKC

SOURCE: HAILEY HOT SPRINGS

TRIBUTARY: DEMOCRAT GULCH

QUANTITY: 0.150 CFS

Right Nos. 37-4138 and 37-4139 are limited to a total combined diversion rate of 0.15 cfs.

The rights listed below are limited to 3.50 af per acre for irrigation purposes in a single irrigation season. Combined Right Nos.: 37-548, 37-549, 37-1222, 37-2142, 37-4138, 37-4440 and 37-12396.

PRIORITY DATE: 12/31/1948

POINT OF
DIVERSION:

T02N R18E S18 NWNWSE Injection Within BLAINE County
T02N R18E S18 NWNWSE Within BLAINE County
T02N R18E S18 NWSESE Lot 5 Rediversion 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	0.150 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T02N R18E S17 Lot 3 SWNW 2.90	T02N R18E S17 Lot 4 SENW	23.00
	T02N R18E S17 NESW 8.60	T02N R18E S17 NWSW	27.00
	T02N R18E S17 Lot 1 SWSW 1.10	T02N R18E S18 SWNE	15.00
	T02N R18E S18 NENW 1.20	T02N R18E S18 SENW	27.00
	T02N R18E S18 NESW 1.20	T02N R18E S18 NESE	21.00
	T02N R18E S18 NWSE 18.00	T02N R18E S18 SWSE	17.00
	T02N R18E S18 Lot 5 SESE 22.00		

185 ACRES TOTAL

This right is limited to the irrigation of 65.4 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 185 acres in a single irrigation season. Combined Right Nos.: 37-548, 37-549, 37-1222, 37-2142, 37-4138, and 37-4440.

Place of use does not include federal public lands.

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 - Beneficial Use

11/24/2010

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

RIGHT NUMBER: 37-4138

NAME AND ADDRESS: WELLS FARGO BANK
1740 BROADWAY
7TH FLOOR MAC C7300-079
DENVER CO 80274

*Superseded
2-2-11
KRC*

SOURCE: HAILEY HOT SPRINGS

TRIBUTARY: DEMOCRAT GULCH

QUANTITY: 0.150 CFS

Right Nos. 37-4138 and 37-4139 are limited to a total combined diversion rate of 0.15 cfs.

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PRIORITY DATE: 12/31/1948

POINT OF
DIVERSION:

T02N R18E S18 NWNWSW Injection Within BLAINE County
T02N R18E S18 NWNWSW Within BLAINE County
T02N R18E S18 NWSESE Lot 5 Rediversion Within BLAINE County

KRC

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/15 10/31	0.150 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T02N R18E S17 Lot 3 SWNW	2.90	T02N R18E S17 Lot 4 SENW 23.00
	T02N R18E S17 NESW	8.60	T02N R18E S17 NWSW 27.00
	T02N R18E S17 Lot 1 SWSW	1.10	T02N R18E S18 SWNE 15.00
	T02N R18E S18 NENW	1.20	T02N R18E S18 SENW 27.00
	T02N R18E S18 NESW	1.20	T02N R18E S18 NESE 21.00
	T02N R18E S18 NWSE	18.00	T02N R18E S18 SWSE 17.00
	T02N R18E S18 Lot 5 SESE	22.00	

185 ACRES TOTAL

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Place of use does not include federal public lands.

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

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

11/24/2010

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

RIGHT NUMBER: 37-4138

NAME AND ADDRESS: WELLS FARGO BANK
1740 BROADWAY
7TH FLOOR MAC C7300-079
DENVER CO 80274

VERIFIED BY *KKC*
12-30-10

SOURCE: HAILEY HOT SPRINGS

TRIBUTARY: DEMOCRAT GULCH

QUANTITY: 0.150 CFS

updated 2-2-11

Right Nos. 37-4138 and 37-4139 are limited to a total combined diversion rate of 0.15 cfs.

The rights listed below are limited to 3.50 af per acre for irrigation purposes in a single irrigation season. Combined Right Nos.: 37-548, 37-549, 37-1222, 37-2142, 37-4138, 37-4440 and 37-12396.

PRIORITY DATE: 12/31/1948

POINT OF
DIVERSION:

T02N R18E S18 *8* NWNWSW Injection Within BLAINE County
T02N R18E S18 NWNWSW Within BLAINE County
T02N R18E S18 NWSESE Lot 5 Rediversion 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	0.150 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S17 Lot 3 SWNW	2.90	T02N R18E S17 Lot 4 SENW	23.00
T02N R18E S17 NESW	8.60	T02N R18E S17 NWSW	27.00
T02N R18E S17 Lot 1 SWSW	1.10	T02N R18E S18 SWNE	15.00
T02N R18E S18 NENW	1.20	T02N R18E S18 SENW	27.00
T02N R18E S18 NESW	1.20	T02N R18E S18 NESE	21.00
T02N R18E S18 NWSE	18.00	T02N R18E S18 SWSE	17.00
T02N R18E S18 Lot 5 SESE	22.00		

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This right is limited to the irrigation of 65.4 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 185 acres in a single irrigation season. Combined Right Nos.: 37-548, 37-549, 37-1222, 37-2142, 37-4138, and 37-4440.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

HAILEY HOT SPRINGS

This source has historically been claimed through 37-4138 and 37-4139.

In the early 1900s approximately 0.50 cfs was piped to the Hiawatha Hotel and used there for heating the hotel and for a swimming pool year round use. The water was used continuously until the hotel burned down in 1978. Heating use was primarily for the winter months and the pool use was year round. Any excess spring water was utilized on the Canyon Springs Ranch property for irrigation.

The irrigation use has been claimed through 37-⁴¹3138 (amended) for 1.05 cfs for irrigation during 4-15 thru 10-15. The claimed priority date is 12/31/1948.

In 1980 statutory claim 37-4139 was filed for the Hotel hot water use. The claimed priority date is 12/31/1929. In 1986 a transfer was filed for 37-4139 asserting that since the hotel burned down in 1978 the hot water was being used for recreational storage and fish propagation in a reservoir. The uses as transferred were 0.30 cfs 4-15 thru 10-1 for recreation and fish propagation, 0.50 cfs 10-1 thru 4-15 again for recreation and propagation uses, and 3 af year round for storage for those uses. The claim was amended for fish propagation storage and recreation storage year round at 277 af and diversion to storage at 0.50 cfs. During the Aug 14, 2009 settlement conference it was agreed that the lower pond volume was 5 af. Fish propagation has been determined by the court to exclude any volume amounts.

ASSUMPTIONS BASED UPON AVAILABLE INFORMATION

The Hotel initiated the beneficial use of the Hailey Hot Springs water and continued that use until it burnt down in 1978. Any water in excess of the hotel and/or swimming pool needs was allowed to spill over at the point of diversion thereby being available for other uses. The pond development was documented by a 1957 aerial photo showing the pond. The springs output is not known. That amount in excess of the Hotel use would be available for irrigation use and as the water would be comingled with Democrat Gulch Creek water which is diverted downstream from the Hot Springs for irrigation, thus the Hot Springs was also being diverted for irrigation.

ADDENDUM TO CLAIM

5(B). Three (3) flowing warm water artesian wells feed through buried pipelines into a concrete cistern which also encases naturally, flowing hot springs (see Claims Nos. 37-4138 and 37-4139). The combined flow from the cistern is then dumped into Democrat Creek which flows into a reservoir situated in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 18, T.2N., R.18E., B.M., Blaine County, Idaho. The reservoir also collects water from water rights Nos. 37-0548, 0549, 1220, 1221, 1222 and 2142. This water is then pumped from the reservoir into a sprinkler irrigation system. Prior to installation of the sprinkler system, the water was taken from the reservoir for flood irrigation.

The three (3) wells each have eight inch (8") casings and are drilled to depths of one-hundred feet (100'), one-hundred-twenty-five feet (125') and one-hundred feet (100'), respectively.

W.R.
From Back file 37-4440
Pg 15

MAILED
MAR 10 1988

**Water Information Bulletin No. 30
Part 13
Geothermal Investigations in Idaho**

**A Preliminary Geologic Reconnaissance
of the Geothermal Occurrences of the
Wood River Drainage Area**



**Idaho Department of Water Resources
April 1985**

WATER INFORMATION BULLETIN NO. 30
GEOTHERMAL INVESTIGATIONS IN IDAHO

Part 13

A Preliminary Geologic Reconnaissance
of the Geothermal Occurrences
of the Wood River Drainage Area

by

John E. Anderson
and
Kim Bideganeta

With a Section on Stable Isotope Investigations
of Selected Thermal and Nonthermal Waters

by

John C. Mitchell

Work performed under U.S. Department of Energy Contract
No. DE-AS07-77ET28407
Modification No. A009

Idaho Department of Water Resources
Statehouse
Boise, Idaho
02-30-831

April 1985

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The geothermal resource at Magic Hot Springs is probably controlled by deep, convective circulation of waters along major faults, being heated by an unknown heat source at depth, eventually migrating upward and discharging at the surface at or near the intersection of these major structures.

Hailey Hot Springs

Hailey Hot Springs is located about three kilometers west of Hailey on the north side of Croy Creek in Democrat Gulch, T.2N., R.18E., Section 18dbb. The area is accessible by traveling west from Hailey and up Croy Creek by improved gravel road to Democrat Gulch. The spring is located about 550 meters north of this road, immediately next to the creek channel of Democrat Gulch.

The geothermal resource at this location consists of several tightly grouped spring discharges, with a cumulative flow of 265 l/m (68 gpm) at 59°C. Prior to their development, these springs discharged through the alluvial material of Democrat Gulch. Just a few feet west of the springs is a highly jointed exposure of Milligen Formation carbonates which presumably is an outcrop of the thermal water conduit.

Much of the area of spring discharge has been enclosed by a concrete headbox with the hot water funneled into a buried pipe distribution system for swimming pool and space heating use in Hailey at the Hiawatha Hotel. Recently the hotel burned leaving the subsequent use of the resource questionable. A major rehabilitation of the collection system would be necessary if the system were to be reactivated.

Geology

The rocks exposed in the area of Hailey Hot Springs are the carbonates and argillites of the Milligen and Wood River Formations overlain on the west by Challis Volcanics (Figure 7).

The alluvial covered valley floor is nearly 210 meters wide at the springs, and is flanked on the east by a narrow deposit of elevated terrace gravels. The relief is moderate in the area with most of the slopes covered with sagebrush and bunch grasses.

North of the hot springs about 850 meters, at an elevation of approximately 6,000 feet, the Hailey conglomerate, the basal member of the Wood River Formation, is exposed. Other units of the Wood River Formation, as described by Batchelder and Hall (1978), are visible to the top of the hill, showing approximately 35 meters of vertical section. As the Wood River Formation is part of a thrust plate, the stratigraphic sequence that is normally seen in the Milligen Formation below the Wood River is absent.

11/24/2010

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

RIGHT NUMBER: 37-4138

NAME AND ADDRESS: WELLS FARGO BANK
1740 BROADWAY
7TH FLOOR MAC C7300-079
DENVER CO 80274

Prelim
11-24-2010

SOURCE: HAILEY HOT SPRINGS

TRIBUTARY: DEMOCRAT GULCH

QUANTITY: 0.150 CFS

Right Nos. 37-4138 and 37-4139 are limited to a total combined diversion rate of 0.15 cfs.

PRIORITY DATE: 12/31/1948

POINT OF
DIVERSION:

T02N R18E S18 NWNWSW Injection Within BLAINE County

T02N R18E S18 NWNWSW Within BLAINE County

T02N R18E S18 NWSESE Lot 5 Rediversion 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	0.150 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T02N R18E S17 Lot 3 SWNW	2.90	T02N R18E S17 Lot 4 SENW	23.00
T02N R18E S17 NESW	8.60	T02N R18E S17 NWSW	27.00
T02N R18E S17 Lot 1 SWSW	1.10	T02N R18E S18 SWNE	15.00
T02N R18E S18 NENW	1.20	T02N R18E S18 SENW	27.00
T02N R18E S18 NESW	1.20	T02N R18E S18 NESE	21.00
T02N R18E S18 NWSE	18.00	T02N R18E S18 SWSE	17.00
T02N R18E S18 Lot 5 SESE	22.00		

185 ACRES TOTAL

This right is limited to the irrigation of 65.4 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 185 acres in a single irrigation season. Combined Right Nos.: 37-548, 37-549, 37-1222, 37-2142, 37-4138, 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 - Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-4138 V2

WATER RIGHT NUMBER: 37-4138 V2

Owner Type Name and Address
Current Owner WELLS FARGO BANK
1740 BROADWAY
7TH FLOOR MAC C7300-079
DENVER, CO 80274

Attorney STOEL RIVES LLP
ATTN: KEVIN J BEATON
101 S CAPITOL BLVD STE 1900
BOISE, ID 83702
(208)389-9000

Initial Rec'd Disallow

Priority Date: 12/31/1948
Basis: Beneficial Use
Status: Active

Source Tributary
HAILEY HOT SPRINGS DEMOCRAT GULCH CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	0.150 CFS	
	<u>Total Diversion:</u>	0.150 CFS	

OK 11-23-10

Location of Point(s) of Diversion

HAILEY HOT SPRINGS	L5 (NW1/4SE1/4SE1/4)	Sec. 18, Twp 02N, Rge 18E, B.M.
BLAINE County	(Rediversion)	
HAILEY HOT SPRINGS	NW1/4NW1/4SW1/4	Sec. 18, Twp 02N, Rge 18E, B.M.
BLAINE County	(Injection)	
HAILEY HOT SPRINGS	NW1/4NW1/4SW1/4	Sec. 18, Twp 02N, Rge 18E, B.M.
BLAINE County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	17							2.9	23.0	8.6	27.0	1.1						62.6
									L 3	L 4			L 1						
02N	18E	18			15.0		1.2			27.0	1.2				21.0	18.0	17.0	22.0	122.4
																		L 5	

Total Acres: 185

Conditions of Approval:

1. K06 This right is limited to the irrigation of 8 acres within the place of use described above in a single irrigation season.
2. E56 The rights listed below are limited to the irrigation of a combined total of 185 acres in a single irrigation season. Combined Right Nos.: 37-548, 37-549, 37-1222, 37-2142, 37-4138, and 37-4440.
3. E51 Right Nos. 37-4138 and 37-4139 are limited to a total combined diversion rate of 0.15 cfs.
4. C18 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.

95 ac (south of rd.)

Probably should reflect East acres only 76+ Per 1987

Pg 75

map associated with
Steve Clelland claim review
in 1989 or 1990

REVIEW

A37-00548

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-4138 V1

02N 18E 18		17.0		31.0		2.0		19.0	13.0	19.0	28.0		129.0
											L 5		

Total Acres: 190

Conditions of Approval:

1. P11 No lawful appropriation shown: There are a number of circumstances in which a claim is proposed to be disallowed on this basis. This is most commonly included for a claim based on beneficial use or posted notice that is proposed to be disallowed because the right claimed is not within an exception to the mandatory permit statute, and beneficial use of water prior to the mandatory permit statute was not confirmed. This is also included where a claim is proposed to be disallowed because the claim is to water that is not public water subject to appropriation. This is also included where a right was determined not to exist in a prior adjudication.
2. P01 No lawful appropriation shown.

Remarks:

Comments:

1. DSMITH 4/3/1995 DATA ENTRY

Comment: CONFORMED ATTORNEY ADDRESS DMS

2. TBACKLUN 5/19/1995 COPIED FROM REMARKS

Comment: SOURCE IS SAME AS 37-04139. MEASURED FLOW OF ALL THE HOT SPRINGS IS 1.35 CFS AND DURING IRRIGATION SEASON ENTIRE FLOW IS USED BY 37-04139 AND THIS CLAIM. WATER FROM THIS CLAIM IS COMMINGLED WITH THAT FROM THE RIGHTS IDENTIFIED IN PARA 13 ABOVE, AND ALL IS USED ON THE SAME PLACE FOR IRRIGATION. IRRIGATED ACRES WERE INCORRECTLY LOCATED AND CALCULATED AT TIME STATUTORY CLAIM WAS FILED. ***** OWNERSHIP CHANGE MADE 5/19/95 BY TLB. HUMBOLDT-FORMER OWNER, CROCKER TRUST-NEW OWNER. WARRANTY AND QUITCLAIM DEED INCLUDED.

3. SSHERMAN 7/15/1999 ADDRESS CHANGE

Comment: ADDRESS CHANGE BY CLAIMANT LETTER.

4. SSHERMAN 11/3/1999 DATA ENTRY

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

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.

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

Water right number 37-4138
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

RECEIVED
JAN 18 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

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

Entire recommendation for disallowment of 37-4138.

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

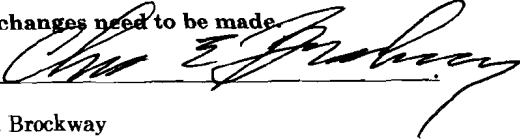
Change the recommendation for 37-4138 to match the entire claim for 37-4138.

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

Ample evidence of lawful appropriation outlined in claim for 37-4138 has been provided.

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

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.

01/04/2007

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

RIGHT NUMBER: 37-4138
NAME AND ADDRESS: SPRING CANYON RANCH LLC
C/O CROY CANYON LLC
395 OYSTER PT BLVD #309
SOUTH SAN FRANCISCO CA 94080

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

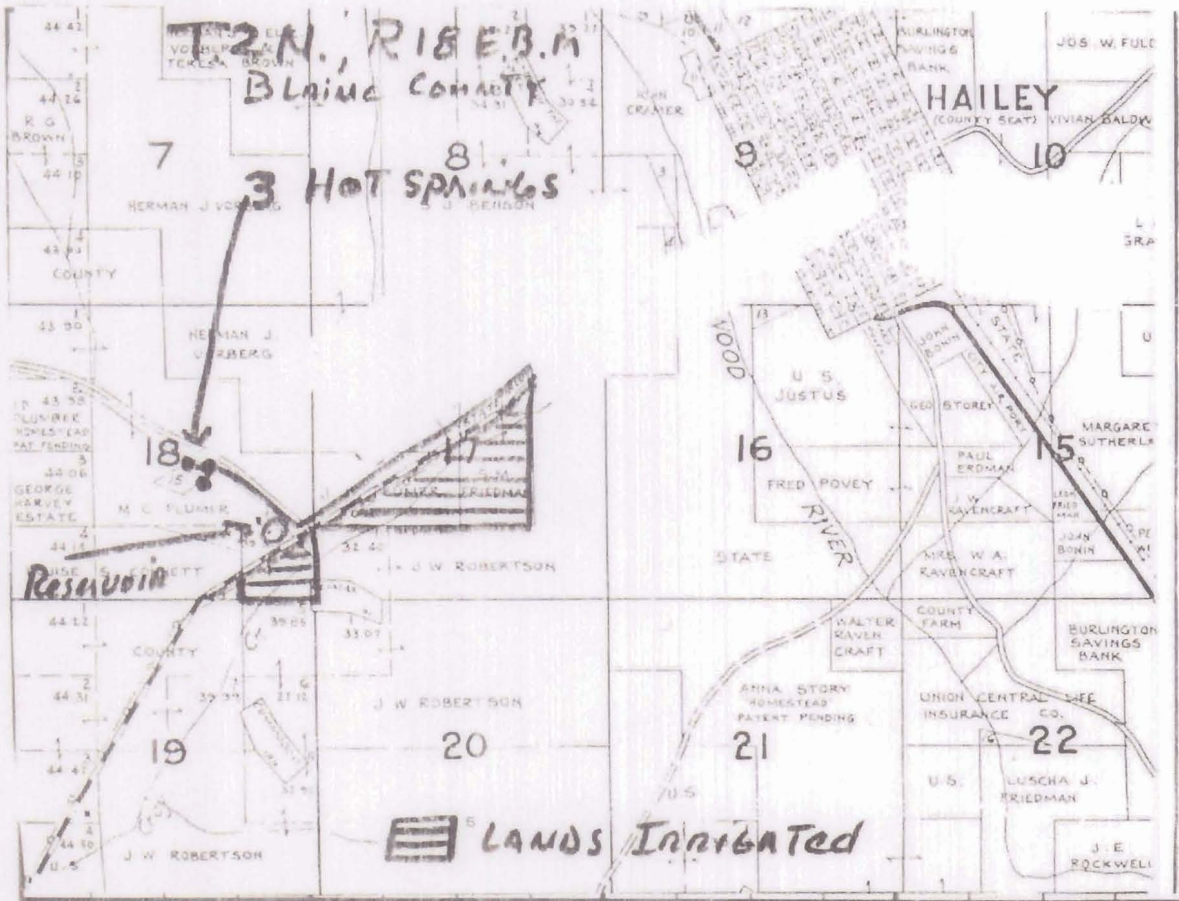
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

No lawful appropriation shown.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

No lawful appropriation shown: There are a number of circumstances in which a claim is proposed to be disallowed on this basis. This is most commonly included for a claim based on beneficial use or posted notice that is proposed to be disallowed because the right claimed is not within an exception to the mandatory permit statute, and beneficial use of water prior to the mandatory permit statute was not confirmed. This is also included where a claim is proposed to be disallowed because the claim is to water that is not public water subject to appropriation. This is also included where a right was determined not to exist in a prior adjudication.

(8) Remarks Water is combined for irrigation use with Warm Springs Creek flows.
(Frost Decree - J.J. Plummer Right #37-0548 with priority of 6/1/80.)



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Blaine) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Humboldt Investments by
Dennis E. Burke
(Claimant)

Sworn to before me this 21 day of April, 1980.

John A. Burke
Notary Public
Residing at Hailey, Idaho

My commission expires MAY 14, 1981

FOR DEPARTMENT USE ONLY

Received by <u>mauga</u>	Date <u>4/24/80</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>gs</u>	Date <u>4-25-80</u>		claimant by:	
\$20.00 fee received by <u>mauga</u>	Date <u>4/24/80 # 1645</u>			
Published in <u>Wood River Journal</u>				
Dates <u>5/18 & 5/22/80</u>				



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)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RETURN SERVICE REQUESTED

4/15/05

U.S. POSTAGE
1650 PB3524253
33816 00.370 APR 15 2005
4648 MAILED FROM ZIP CODE 83301

RETURNED TO SENDER
UNDELIVERABLE AS ADDRESSED
FORWARDING ORDER EXPIRED.

RECEIVED
APR 25 2005
Department of Water Resources
Southern Region





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

April 15, 2005

37-4138

HELEN & BENJAMIN CROCKER TRUST

C/O HELEN CROCKER

PO BOX 974

KETCHUM ID 83340

RESPONSE DEADLINE
JUNE 17, 2005

Re: Evidence of Priority

Dear Claimant:

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, in the coming year, conduct reviews and/or field exams for the claims in your area. Since the priority date of a beneficial use water right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the Department. If you have received this correspondence from the previous owner of the property it is required that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Enclosed you will find a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: The Department will not recommend the court decree the notice **as claimed** if no evidence of a priority date is submitted – it may be disallowed. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement does **not** need to be in the form of a notarized affidavit as described in the brochure, but must relate first hand knowledge of the water right in question and include dates, quantities of water and extent of water use.

Submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding Notice of Claim number (i.e. 37-____). If you have questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Douglas Jones'.

Douglas Jones, P.E.
Water Rights Supervisor

Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-4138

WATER RIGHT NUMBER: 37-4138

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CROCKER TRUST C/O DONALD CROCKER SUCCESSOR CO-TRUSTEE PO BOX 974 KETCHUM, ID 83340 (208)726-9485
Original Owner	HUMBOLDT INVESTMENT CO ATTN: MR DEVERE BARKER 3500 LAKESIDE CT STE 150 RENO, NV 89509 (702)825-4144
Current Owner	HELEN & BENJAMIN CROCKER TRUST C/O HELEN CROCKER TRUSTEE PO BOX 974 KETCHUM, ID 83340 (208)726-9485

Priority Date: 12/31/1948

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
HAILEY HOT SPRINGS	DEMOCRAT CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/15	1.050 CFS	
	<u>Total Diversion:</u>	1.050 CFS	

Location of Point(s) of Diversion

HAILEY HOT SPRINGS	NW1/4NW1/4SW1/4	Sec. 18, Twp 02N, Rge 18E, B.M.
BLAINE County		

Place of UseIRRIGATION Within BLAINE County

T02N R18E S17 Lot 4 SENW	23.0	T02N R18E S17	NESW	10.0
T02N R18E S17	NWSW 25.0	T02N R18E S17	SWSW	3.0
T02N R18E S18	SWNE 17.0	T02N R18E S18	SENE	31.0
T02N R18E S18	NESW 2.0	T02N R18E S18	NESE	19.0
T02N R18E S18	NWSE 13.0	T02N R18E S18	SWSE	19.0
T02N R18E S18 Lot 5 SESE	28.0			
Total Acres: 190				

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 37-4138

Remarks:

1. General SOURCE IS SAME AS 37-04139. MEASURED FLOW OF ALL THE HOT SPRINGS IS 1.35 CFS AND DURING IRRIGATION SEASON ENTIRE FLOW IS USED BY 37-04139 AND THIS CLAIM. WATER FROM THIS CLAIM IS COMMINGLED WITH THAT FROM THE RIGHTS IDENTIFIED IN PARA 13 ABOVE, AND ALL IS USED ON THE SAME PLACE FOR IRRIGATION. IRRIGATED ACRES WERE INCORRECTLY LOCATED AND CALCULATED AT TIME STATUTORY CLAIM WAS FILED.
CONFORMED ATTORNEY MAILING ADDRESS DMS ***** OWNERSHIP CHANGE MADE 5/19/95 BY TLB.
| CORRECTED DATA ENTRY BY DELETING SPECK AS 'O' ATTORNEY FOR FORMER OWNER.

Comments:



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

April 15, 2005

37-4440

CROCKER TRUST

C/O DONALD CROCKER

PO BOX 974

KETCHUM ID 83340

RESPONSE DEADLINE
JUNE 17, 2005

Re: Evidence of Priority

Dear Claimant:

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, in the coming year, conduct reviews and/or field exams for the claims in your area. Since the priority date of a beneficial use water right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the Department. If you have received this correspondence from the previous owner of the property it is required that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Enclosed you will find a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: The Department will not recommend the court decree the notice **as claimed** if no evidence of a priority date is submitted – it may be disallowed. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement does **not** need to be in the form of a notarized affidavit as described in the brochure, but must relate first hand knowledge of the water right in question and include dates, quantities of water and extent of water use.

Submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding Notice of Claim number (i.e. 37-_____). If you have questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor

Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-4440

WATER RIGHT NUMBER: 37-4440

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BENJAMIN & HELEN CROCKER TRUST C/O HELEN NAN CROCKER TRUSTEE PO BOX 974 KETCHUM, ID 83340-0974 (208)726-9485
Original Owner	HUMBOLDT INVESTMENT CO ATTN: MR DEVERE BARKER 3500 LAKESIDE CT STE 150 RENO, NV 89509 (702)825-4144
Current Owner	CROCKER TRUST C/O DONALD CROCKER SUCCESSOR CO-TRUSTEE PO BOX 974 KETCHUM, ID 83340 (208)726-9485

Priority Date: 08/16/1950

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
RECREATION	1/01 to 12/31		500.00 AF
IRRIGATION	4/01 to 11/01	0.690 CFS	
STOCKWATER	5/15 to 10/01	0.030 CFS	
	<u>Total Diversion:</u>	0.720 CFS	206.66 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NW1/4SE1/4	Sec. 18, Twp 02N, Rge 18E, B.M.
BLAINE County		

Place of UseRECREATION Within BLAINE County

T02N R18E S18 NWSE

IRRIGATION Within BLAINE County

T02N R18E S17 Lot 4 SENW	23.0	T02N R18E S17	NESW	10.0
T02N R18E S17	NWSW 25.0	T02N R18E S17	SWSW	3.0
T02N R18E S18	SWNE 17.0	T02N R18E S18	SENW	31.0
T02N R18E S18	NESW 2.0	T02N R18E S18	NESE	19.0
T02N R18E S18	NWSE 13.0	T02N R18E S18	SWSE	19.0

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-4440

T02N R18E S18 Lot 5 SESE 28.0

Total Acres: 190

STOCKWATER Within BLAINE County

T02N R18E S18 NWSE

Conditions of Approval:

Remarks:

1. General PRIORITY BASED UPON DATE OF COMPLETION OF THE WELLS ACCORDING TO THE WELL DRILLER. THE RESERVOIR ALSO COLLECTS THE WATERS FOR THE RIGHTS NAMED IN ITEM 13, ABOVE AND THE COMMINGLED WATERS ARE PUMPED TO HANDLINES AND WHEELINES FOR IRRIGATION.
CONFORMED ATTORNEY MAILING ADDRESS DMS ***** OWNERSHIP CHANGE MADE 5/19/95 BY TLB.
| CORRECTED DATA ENTRY BY DELETING SPECK AS 'O' ATTORNEY FOR FORMER OWNER.

Comments:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RETURN SERVICE REQUESTED

 RETURNED TO SENDER
UNDELIVERABLE AS ADDRESSED
FORWARDING ORDER EXPIRED.

1050 P83524253
3361 \$00.370 APR 15 2005
4752 MAILED FROM ZIP CODE 83301

RECEIVED
APR 25 2005
Department of Water Resources
Southern Region



Water Right Number - R37-04138

Prefix Translation: RESEARCH

Old (D) Number -

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

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

HELEN & BENJAMIN

1 - PO BOX 974

2 -

3 -

City- KETCHUM

State- ID Zip- 83340

Phone - 208-726-9485

*** O - ORIGINAL OWNER ***
SPECK

JAMES P

1 - HOGUE SPECK & AANESTAD

2 - PO BOX 987

3 -

City- KETCHUM

State- ID Zip- 83340

Phone - 208-000-0000

HUMBOLT INVESTMENT CO

1 - 3500 LAKESIDE CT SUITE 150

2 - ATTN: MR DEVERE BARKER

3 -

City- RENO

State- NV Zip- 89509

Phone - 702-825-4144

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
12/31/1948 17 SOUTHERN S - STATUTORY CLAIM+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
HAILEY HOT SPRINGS DEMOCRAT CREEK+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
02N 18E 18 NW NW SW (13) BLAINE+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 1.050+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.050 475.0+ - - - - 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

NOV 28 1996

Total Acres: 190.0

NOV 28 1996

Water right number - R37-04138

Prefix Translation: RESEARCH

- + - - Diversion Means - CONCRETE CISTERN, INJECTED INTO DEMOCRAT CK., FORMING RESERVOIR
- + - - Non-Irrigation Use -
- + - - Other Rights for Same Use - A37-00549, A37-02142, A37-00548, A37-01222 & A37-04440

+ - - - - - Remarks - - - - - +

SOURCE IS SAME AS 37-04139. MEASURED FLOW OF ALL THE HOT SPRINGS IS 1.35 CFS AND DURING IRRIGATION SEASON ENTIRE FLOW IS USED BY 37-04139 AND THIS CLAIM. WATER FROM THIS CLAIM IS COMMINGLED WITH THAT FROM THE RIGHTS IDENTIFIED IN PARA 13 ABOVE, AND ALL IS USED ON THE SAME PLACE FOR IRRIGATION. IRRIGATED ACRES WERE INCORRECTLY LOCATED AND CALCULATED AT TIME STATUTORY CLAIM WAS FILED.

OWNERSHIP CHANGE MADE 5/19/95 BY TLB. HUMBOLDT-FORMER OWNER, CROCKER TRUST-NEW OWNER. WARRANTY AND QUITCLAIM DEED INCLUDED.

+ - - - - - Old Water Right Numbers - - - - - +

A3704138

+ - - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +

00/00/0000

+ - - - - - Comments - - - - - +

Date: 04/03/1995 User Id: DSMITH Subject: DATA ENTRY
CONFORMED ATTORNEY ADDRESS DMS

Date: 05/19/1995 User Id: TBACKLUN Subject: COPIED FROM REMARKS

SOURCE IS SAME AS 37-04139. MEASURED FLOW OF ALL THE HOT SPRINGS IS 1.35 CFS AND DURING IRRIGATION SEASON ENTIRE FLOW IS USED BY 37-04139 AND THIS CLAIM. WATER FROM THIS CLAIM IS COMMINGLED WITH THAT FROM THE RIGHTS IDENTIFIED IN PARA 13 ABOVE, AND ALL IS USED ON THE SAME PLACE FOR IRRIGATION. IRRIGATED ACRES WERE INCORRECTLY LOCATED AND CALCULATED AT TIME STATUTORY CLAIM WAS FILED.

OWNERSHIP CHANGE MADE 5/19/95 BY TLB. HUMBOLDT-FORMER OWNER, CROCKER TRUST-NEW OWNER. WARRANTY AND QUITCLAIM DEED INCLUDED.

+ - - Audit Fields - - +

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	- 10/27/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- F000000	Water District	- 37
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND	Presumption Flag	-
				Notice of Error Flag	-

NOV 28 1995

RECEIVED

OCT 11 1953

**SPECIAL POWER OF ATTORNEY
(WATER RIGHTS)**

RECEIVED
OCT 11 1953
SOL. 11 1953

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 11 1953

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

A37-04139

inf Rec. Fish claim
5 50 \$105

A37-04138

190

50 240

A37-01222

same

unrecipited 50 50

A37-00548

same

50 50

A37-00549

same

400 just storage 50
381 450

BU

A37-12316

same

~~BU~~

A37-04440

same

69 - 50 119

Don.

A37-12397

25

MICROFILMED

2896 acf. MAR U 1 1989

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page.

1/24/89

589.

400

check for

989 -

need \$100.

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

OF

ATTORNEYS

120 EAST AVENUE

POST OFFICE BOX 987

KETCHUM, IDAHO 83340

(208) 726-4421

TELECOPIER (208) 726-0752

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

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

October 26, 1988

CERTIFIED MAIL

Mr. Jim Stanton
Idaho Department of Water Resources
2148 4th Avenue East
Twin Falls, Idaho 83301

Re: Snake River Basin Adjudication
Notices of Claims for Water Rights
Humboldt Investment Co.

Dear Jim:

Enclosed please find Snake River Basin Adjudication
Claims which have been prepared for Humboldt Investment Co. for
the following-described water rights:

- 1) 37-4139; 100
- 2) 37-4138; 500
- 3) 37-4440; 100
- 4) 37-1222; 50
- 5) 37-0548; 50
- 6) 37-0549 (same as 37-1220); 50
- 7) Beneficial Use Claim - Upper Reservoir 400
- 8) Domestic Well. 25

Enclosed please also find a Special Power of Attorney
which authorize me to sign these forms on behalf of NMS Leasing,
Inc. and Cove Ranch, Inc. and check in the amount of \$989.00 to
cover the filing fees for these claims. The variable fee includes
\$100.00 per cfs or part thereof for the recreation claims and
\$10.00 per cfs for the fish propagation claim.

If you have any questions, please give me a call.

Sincerely yours,

HOGUE, SPECK & AANESTAD

James P. Speck
James P. Speck

JPS/jal
Enclosures
cc: Humboldt Investment Co.

11/17/87 - called Speck, left message w/ SA. Gave fees per claim and said
I needed \$100 or he could call me

MICROFILMED
MAR 01 1993

GENERAL INFORMATION

Claim number: A37-04138

LAST: HUMBOLDT INVESTMENT CO.

FIRST: _____

ADDRESS: 3500 LAKESIDE CT.

ATTN: MR DEVERE BARICKER

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 U 1 1993

PRIORITY DATE REVIEW SHEET

CLAIM NUMBER: A37-04138A. SRBA CLAIM # A37-04138 PRIORITY DATE: 12/31/1948 STAGE 5B. IDWR RECORD # 37-04138 PRIORITY DATE: 6/1/1948 STAGE 5C. REVIEW - FIELD EXAM NEEDED? Y(~~X~~) N(✓)ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.REMARKS: MAY BE BETTER CLAIMED AS
BENEFICIAL USE due to expansionRECOMMENDED PRIORITY DATE: / / REVIEWED BY DATE

MICROFILMED

MAR 01 1993

POINT OF DIVERSION AND SOURCE REVIEW SHEET

CLAIM # A37-04/38

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>NW</u>	<u>SW</u>	—	<u>BLAINE</u>

SOURCE: HAILEY HOT SPRINGS TRIB: DEMOCRAT CREEK

B. IDWR RECORD POINT OF DIVERSION RECORD 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>BLAINE</u>

SOURCE: WARM SPRINGS TRIB: BIG WOOD RIVERC. REVIEW - FIELD EXAM NEEDED? Y ☒ N()

		ATTACHED	OR	SEE FILE
VERIFIED	() TOPO MAP/ORTHO-PQ	YES() NO()		_____
WITH:	() 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
—	—	—	—	—	—	—	_____
—	—	—	—	—	—	—	_____
—	—	—	—	—	—	—	_____

SOURCE: _____ TRIB: _____

REVIEWED BY _____ DATE _____

===== MICROFILMED =====

MAR U 1 1993

PLACE OF USE REVIEW SHEET (IRRIGATION)

CLAIM # A37-04138FIELD EXAM REQUIRED: Y(~~X~~) N()PRESUMPTION FLAG: Y(~~X~~) N()ROOT WATER RIGHT NUMBERS 37-04138

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 / 23</u>		- - - - / -	<u>25</u>	-	-
<u>-00549 / 23</u>		- - - - / -	-	-	-
<u>-01222 / 23</u>		- - - - / -	-	-	-
<u>-04440 / 23</u>		- - - - / -	-	-	-
<u>-12396 / 23</u>		- - - - / -	-	-	-
<u>-04138 / 23</u>		- - - - / -	-	-	-
<u>- - - - / -</u>		- - - - / -	-	-	-
<u>- - - - / -</u>		- - - - / -	-	-	-
TOTAL ACRES					
	-		-	-	-

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

REMARKS:

REVIEWED BY _____

DATE _____

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TWP RGE SEC 1/4 1/4

S.R.B.A.
#/ACRESI.D.W.R
#/ACRESLANDSAT FIELD RECOMM.
DATA EXAM. ACRES

2N 18E 17 NE SW A37-00548/ 10	-	28		
-00549/ 10	-			
-01222/ 10	-			
-04440/ 10	37-04440/ 20			
-12396/ 10	-			
-04138/ 10	-04138/ 30			
-	-			
-	-			
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
2N 18E 17 NW SW A37-00548/ 25			34		
-00549/ 25					
-01222/ 25					
-04440/ 25	37-04440/ 34				
-12396/ 25					
-04138/ 25	-04138/ 20				
-	-				
-	-				
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
2N 18E 17 SW SW A37-00548/ 3			6		
-00549/ 3					
-01222/ 3					
-04440/ 3					
-12396/ 3					
-04138/ 3					
-	-				
-	-				
TOTAL ACRES					

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TWP RGE SEC 1/4 1/4

S.R.B.A.
#/ACRESI.D.W.R
#/ACRESLANDSAT
DATAFIELD
EXAM.RECOMM.
ACRES

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 18 SW NE A37-00548/ 17</u>					
<u>-01222/ 17</u>					
<u>-04440/ 17</u>		<u>37-04440/ 23</u>			
<u>-12396/ 17</u>					
<u>-04138/ 17</u>					
<u>- /</u>					
<u>- /</u>					
<u>- /</u>					
<u>TOTAL ACRES</u>					

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 18 SE NW A37-00548/ 31</u>					
<u>-01222/ 31</u>					
<u>-04440/ 31</u>		<u>37-04440/ 17</u>			
<u>-12396/ 31</u>					
<u>-04138/ 31</u>					
<u>- /</u>					
<u>- /</u>					
<u>- /</u>					
<u>TOTAL ACRES</u>					

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 18 NE SW A37-00548/ 2</u>					
<u>-01222/ 2</u>					
<u>-04440/ 2</u>		<u>37-04440/ 1</u>			
<u>-12396/ 2</u>					
<u>-04138/ 2</u>					
<u>- /</u>					
<u>- /</u>					
<u>- /</u>					
<u>TOTAL ACRES</u>					

MICROFILMED

MAR 01 1993

TWP RGE SEC 1/4 1/4

S.R.B.A.
#/ACRESI.D.W.R
#/ACRESLANDSAT
DATAFIELD
EXAM.RECOMM.
ACRES

2N 18E 18 NE SE A37-00548 / 19	- /	23		
-00549 / 5	- /			
-01222 / 19	- /			
-04440 / 19	37-04440 / 24			
-12396 / 19	- /			
-04138 / 19	- /			
- /	- /			
- /	- /			
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
2N 18E 18 NW SE A37-00548 / 13	- /		17		
-01222 / 13	- /				
-04440 / 13	37-04440 / 4				
-12396 / 13	- /				
-04138 / 13	- /				
- /	- /				
- /	- /				
- /	- /				
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
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					

MICROFILMED

MAR 01 1993

TWP RGE SEC 1/4 1/4

S.R.B.A.
#/ACRESI.D.W.R
#/ACRESLANDSAT
DATAFIELD
EXAM.RECOMM.
ACRES

2N 18E 18 SE SE A37-00548/ 28		— — — — / —	23	—	—
— -00549/ 28		— — — — / —			
— -01222/ 28		— — — — / —			
— -04440/ 28		— — — — / —			
— -12396/ 28		— — — — / —			
— -04138/ 28		— — — — / —			
— — — — / —		— — — — / —			
— — — — / —		— — — — / —			
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					

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					

MICROFILMED
MAR 01 1993

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

	PURPOSES	MONTH/DAY	RATE
FOR	<u>IRRIGATION</u>	FROM <u>4-15</u> TO <u>10-15</u>	<u>1.05</u> CFS
FOR	_____	FROM <u>-</u> TO <u>-</u>	_____ CFS
FOR	_____	FROM <u>-</u> TO <u>-</u>	_____ CFS

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

	PURPOSES	MONTH/DAY	RATE
FOR	<u>IRRIGATION</u>	FROM <u>4-15</u> TO <u>10-15</u>	<u>1.05</u> CFS
FOR	_____	FROM <u>-</u> TO <u>-</u>	_____ CFS
FOR	_____	FROM <u>-</u> TO <u>-</u>	_____ CFS

PRESUMPTION FLAG: E

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>	_____ CFS
FOR	_____	FROM <u>-</u> TO <u>-</u>	_____ CFS
FOR	_____	FROM <u>-</u> TO <u>-</u>	_____ CFS

REVIEWED BY _____

DATE _____

=====

MICROFILMED
MAR U 1 1993

DIVERSION AMOUNT REVIEW SHEET

CLAIM # A37-04138A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y ☒ N ()SRBA CLAIMED RATE: 1.05 CFS IDWR ROOT RIGHT RATE: 1.05 CFS

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

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 review.

OTHER RIGHTS LISTED IN CLAIM:

SEE
A37-00548D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1. IRRIGATION RATE.

ACRES 190 X 0.02 CFS/ACRE = 3.8 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 190 X CONSUMPTIVE RATE FOR AREA 2.5 A.F./ACRE =TOTAL CONSUMPTIVE USE 475 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 6 1 1985

BASIS OF CLAIM ISSUES REVIEW SHEET

CLAIM # A37-04138

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	(/)
FORFEIT/ABANDON _____	()	(/)
EXCESSIVE AMOUNT _____	()	(/)
THIS SRBA CLAIM CFS/ACRE <u>0.006</u>		
OTHER SRBA CLAIMS CFS/ACRE _____		

SEE A37-00248

**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 6 1 1985

ADDITIONAL ACREAGE FORM

TWN.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2N	18E	17								474 23	10	25	3						61
		18			17					31	2				19	13	19	475 28	129

TOTAL NUMBER OF ACRES 190REMARKS: _____

REVIEWED BY _____

DATE _____

MICROFILMED
MAR 01 1993



6005T
REVIEW
666T AT 61
A37-00548

UNRECORDED

Water Right Number - 37-04138

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

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

*** C - CURRENT OWNER ***

HUMBOLT INVESTMENT CO.

1 - P.O. BOX 326

2 -

3 -

City- SUN VALLEY

State- ID Zip- 83403

Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - +
06/01/1948 17 S - STATUTORY CLAIM+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
WARM SPRINGS BIG WOOD RIVER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

02N 18E 18 NW SE (13) BLAINE 272.0 386.0 29.0 0.6

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

01 - IRRIGATION 04/15 10/15 1.050

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

02N	18E	17	SW NE	20.0	01	IRRIGATION	(13) BLAINE
02N	18E	17	NE SW	30.0	01	IRRIGATION	(13) BLAINE
02N	18E	17	NW SW	20.0	01	IRRIGATION	(13) BLAINE
02N	18E	17	NW SE	40.0	01	IRRIGATION	(13) BLAINE
02N	18E	18	SW SE	5.0	01	IRRIGATION	(13) BLAINE
02N	18E	18	SE SE	25.0	01	IRRIGATION	(13) BLAINE

Total Acres: 140.0

+ - - Diversion Means - POND & PUMP

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

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

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MAR 6 1 1993

Field Exam Fee	-	
Swan Falls	-	
Temporary Right	-	P
DLE/Carey Act	-	
Water District	-	37
Transfer/Amended	-	

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MAR 11 1993

CLAIMANT'S NAME Humboldt - Or street Co. CLAIM IDENT. NO. A37-04138DATE RECEIVED 10-27-88 CK # COO4234 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? ☒ ☐
 (b) Is a tributary to entered? (if required) N/A ☒ ☐
4. Is the legal description of the p.d. sufficient? ☒ ☐
5. Is there a description of the diverting works? ☒ ☐
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? ☒ ☐
 Is a quantity claimed for each use? ☒ ☐
7. Is a total quantity claimed entered? ☒ ☐
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? ☒ ☐
11. Is (are) the county(ies) entered? ☒ ☐
12. Is the ownership of p.u. checked? ☒ ☐
13. Are other water rights listed or "none" indicated? ☒ ☐
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? ☒ ☐
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?) ☒ ☐
- Has the claim been signed, sealed, and dated by a notary? ☒ ☐
- Was this claim filed on time, or was an extension granted? ☒ ☐
- 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? ☒ ☐

Claim checked by: Rat

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MAR U 1 1993

Comments: _____

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

FIELD REPORT LOGCLAIM NUMBER: A37-04138

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT RECEIVED	COMPLETED REVIEW	COMPLETED DATA ENTRY
PRIORITY DATE	YES		SCC 5-14-90	
POINT OF DIV.				
SOURCE				
PLACE OF USE	OK		SCC 6-11-90	
DIV. AMOUNT				
CONSUMPTIVE USE				
USES				
PERIOD OF USE				
BASIS OF CLAIM	V			

REMARKS:

SEE A37-00548

MICROFILMED
MAR 01 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A37-04138	02N	18E	18	NW	NW	SW		BLAINE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: HAILEY HOT SPRINGS

TRIB: DEMOCRAT CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
37-04138	02N	18E	18		NW	SE		BLAINE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

37-04139
37-04440

A37-04440 R37-04139
A37-04139 R37-04440

SOURCE: WARM SPRINGS

TRIB: BIG WOOD RIVER

C. FIELD EXAM REQUIRED?

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

REMARKS:

MICROFILMED
MAR 6 1 1993

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

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

SOURCE: _____ TRIB: _____

REVIEWED BY: _____ DATE: _____

MICROFILMED
MAR 11 1993

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

Water Right Number - A37-04138

Adj. Flag Translation: Adjudication Temporary Work Area

Old (D) Number -

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

+ - First Name - - +

+ - - - - Address - - - - -

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

1 - 3500 LAKESIDE CT., SUITE 150
2 - ATTN: MR. DEVERE BARKER
3 -
City- RENO State- NV Zip- 8950
Phone - 702-825-4144

*** A - ATTORNEY ***
SPECK

JAMES P.

1 - P.O. BOX 987
2 -
3 -
City- KETCHUM State- ID Zip- 83340
Phone - 208-000-0000

+ - - Priority Date - - +
12/31/1948

+ - - - Region - - - +
17

+ - - - Stage - - - +
S - STATUTORY CLAIM

+ - - - Status - - - +

+ - - - - Source - - - - - +
HAILEY HOT SPRINGS

+ - - - - Tributary - - - - - +
DEMOCRAT CREEK

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

02N 18E 18 NW NW SW (13) BLAINE

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

01 - IRRIGATION 04/15 10/15 1.050

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
1.050 475.0

+ - - - - 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

Total Acres: 190.0

MICROFILMED
MAR 11 1993

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	- 03/02/1987	Old Judicial District	-
Claim Received Date	- 10/27/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- C004234	Water District	- 37
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND		

Old (D) Number -

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

State- ID Zip- 833

+ - - - Status -

+ - - - - Tributary - - - - -
BIG WOOD RIVER

1.050

Total Acres: 140.0

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

Adj. flag translation: Standard Water Right Number

+ - Decree Date - +
00/00/0000

05/28/88 CONVERT

[illegible]

Field Exam Made - 00/00/0000
Protested Date - 00/00/0000
Hearing Date - 00/00/0000
Verified Date - 03/02/1987
Receipt Number -
Appl Received - 00/00/0000

Field Exam Fee	-	
Swan Falls	-	
Temporary Right	-	P
DLE/Carey Act	-	
Water District	-	37
Transfer/Amended	-	

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MAR 11 1993

R PROOF

CVR

MAPS

PHOTOS

MISC

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:47
05/13/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A37-04133

LAST: HUMBOLET INVESTMENT CO. FIRST:
ADDRESS: 3500 LAKESIDE CT., SUITE 150
ATTN: MR. DEVERE BARKER
CITY: RENO STATE: NV ZIP: 89509
PHONE NUMBER: 702-325-4114

OWNER CODE: C

LAST: SPECK FIRST: JAMES P.
ADDRESS: P.O. BOX 937
CITY: KETCHUM STATE: ID ZIP: 83340
PHONE NUMBER: 208-000-0000

OWNER CODE: A

FIELD EXAM REQUIRED? FIELD
VERIFICATION REQUIRED DUE TO REMARKS? DATABASE EXAMINER
Y

CLAIM REMARKS: SOURCE IS SAME AS 37-04139. MEASURED FLOW OF ALL THE HOT SPRINGS
IS 1.35 CFS AND DURING IRRIGATION SEASON ENTIRE FLOW IS USED BY
37-04139 AND THIS CLAIM. WATER FROM THIS CLAIM IS COMMINGLED
WITH THAT FROM THE RIGHTS IDENTIFIED IN PARA 13 ABOVE, AND ALL IS
USED ON THE SAME PLACE FOR IRRIGATION. IRRIGATED ACRES WERE
INCORRECTLY LOCATED AND CALCULATED AT TIME STATUTORY CLAIM WAS
FILED.

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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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A. AJ CLAIM: # A37-04138 PRIORITY DATE: 12-31-1948 STAGE: S
B. WR RECORD: # 37-04138 PRIORITY DATE: 06-01-1948 STAGE: S

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

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? YES / NO
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
A37-04138	02N	18E	18	NW	NW	SW		BLAINE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: HAILEY HOT SPRINGS

TRIB: DEMOCRAT CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
37-04138	02N	18E	18		NW	SE		BLAINE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

37-04139
37-04440
-
-

A37-04440	A37-04440
A37-04139	A37-04139
R37-04139	R37-04139
R37-04440	R37-04440

SOURCE: WARM SPRINGS

TRIB: BIG WOOD RIVER

C. FIELD EXAM REQUIRED?

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

REMARKS:

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=====

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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A. ROOT WATER RIGHT NUMBERS: A37-04138
R37-04138

B. POB LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	A3 #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
02N	18E	17	SE	NW	4	HUMBOLDT INVESTMENT CO.	A37-04138	/23.0	-	/	
						HUMBOLDT INVESTMENT CO.	A37-01222	/23.0	-	/	
						HUMBOLDT INVESTMENT CO.	A37-00548	/23.0	-	/	
						HUMBOLDT INVESTMENT CO.	A37-00549	/23.0	-	/	
						HUMBOLDT INVESTMENT CO.	A37-04440	/23.0	37-04440	/20.0	
						SPECK, JAMES P.	A37-12396	/23.0	-	/	
						HUMBOLDT INVESTMENT CO.	R37-00548	/23.0	-	/	
						HUMBOLDT INVESTMENT CO.	R37-00549	/23.0	-	/	
						HUMBOLDT INVESTMENT CO.	R37-01222	/23.0	-	/	
						HUMBOLDT INVESTMENT CO.	R37-04138	/23.0	-	/	
						HUMBOLDT INVESTMENT CO.	R37-04440	/23.0	-	/	
						SPECK, JAMES P.	R37-12396	/23.0	-	/	
02N	18E	17	NE	SW		HUMBOLDT INVESTMENT CO.	A37-04138	/10.0	37-04138	/30.0	28.0
						HUMBOLDT INVESTMENT CO.	A37-01222	/10.0	-	/	
						HUMBOLDT INVESTMENT CO.	A37-00548	/10.0	37-00548	/	
						HUMBOLDT INVESTMENT CO.	A37-00549	/10.0	-	/	
						HUMBOLDT INVESTMENT CO.	A37-04440	/10.0	37-04440	/20.0	
						SPECK, JAMES P.	A37-12396	/10.0	-	/	
						HUMBOLDT INVESTMENT CO.	R37-00548	/10.0	-	/	
						HUMBOLDT INVESTMENT CO.	R37-00549	/10.0	-	/	
						HUMBOLDT INVESTMENT CO.	R37-01222	/10.0	-	/	
						HUMBOLDT INVESTMENT CO.	R37-04138	/10.0	-	/	
						HUMBOLDT INVESTMENT CO.	R37-04440	/10.0	-	/	
						SPECK, JAMES P.	R37-12396	/10.0	-	/	
02N	18E	17	NW	SW		HUMBOLDT INVESTMENT CO.	A37-04138	/25.0	37-04138	/20.0	34.0
						HUMBOLDT INVESTMENT CO.	A37-01222	/25.0	-	/	
						HUMBOLDT INVESTMENT CO.	A37-00548	/25.0	37-00548	/	
						HUMBOLDT INVESTMENT CO.	A37-00549	/25.0	-	/	
						HUMBOLDT INVESTMENT CO.	A37-04440	/25.0	37-04440	/34.0	
						SPECK, JAMES P.	A37-12396	/25.0	-	/	
						HUMBOLDT INVESTMENT CO.	R37-00548	/25.0	-	/	
						HUMBOLDT INVESTMENT CO.	R37-00549	/25.0	-	/	
						HUMBOLDT INVESTMENT CO.	R37-01222	/25.0	-	/	
						HUMBOLDT INVESTMENT CO.	R37-04138	/25.0	-	/	
						HUMBOLDT INVESTMENT CO.	R37-04440	/25.0	-	/	
						SPECK, JAMES P.	R37-12396	/25.0	-	/	
02N	18E	17	SW	SW		HUMBOLDT INVESTMENT CO.	A37-04138	/ 3.0	-	/	
						HUMBOLDT INVESTMENT CO.	A37-01222	/ 3.0	-	/	
						HUMBOLDT INVESTMENT CO.	A37-00548	/ 3.0	-	/	
						HUMBOLDT INVESTMENT CO.	A37-00549	/ 3.0	-	/	
						HUMBOLDT INVESTMENT CO.	A37-04440	/ 3.0	-	/	
						SPECK, JAMES P.	A37-12396	/ 3.0	-	/	
						HUMBOLDT INVESTMENT CO.	R37-00548	/ 3.0	-	/	
						HUMBOLDT INVESTMENT CO.	R37-00549	/ 3.0	-	/	

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				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.	A37-04138	/17.0	-	/	12.0
				HUMBOLDT INVESTMENT CO.	A37-01222	/17.0	-	/	
				HUMBOLDT INVESTMENT CO.	A37-00548	/17.0	37-00548	/	
				HUMBOLDT INVESTMENT CO.	A37-04440	/17.0	37-04440	/ 23.0	
				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.	A37-04138	/31.0	-	/	23.0
				HUMBOLDT INVESTMENT CO.	A37-01222	/31.0	-	/	
				HUMBOLDT INVESTMENT CO.	A37-00548	/31.0	37-00548	/	
				HUMBOLDT INVESTMENT CO.	A37-04440	/31.0	37-04440	/17.0	
				SPECK , JAMES P.	A37-12396	/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.	A37-04138	/ 2.0	-	/	4.0
				HUMBOLDT INVESTMENT CO.	A37-01222	/ 2.0	-	/	
				HUMBOLDT INVESTMENT CO.	A37-00548	/ 2.0	37-00548	/	
				HUMBOLDT INVESTMENT CO.	A37-04440	/ 2.0	37-04440	/ 1.0	
				SPECK , JAMES P.	A37-12396	/ 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.	A37-04138	/19.0	-	/	33.0
				HUMBOLDT INVESTMENT CO.	A37-01222	/19.0	-	/	
				HUMBOLDT INVESTMENT CO.	A37-00548	/19.0	37-00548	/	
				HUMBOLDT INVESTMENT CO.	A37-00549	/ 5.0	-	/	
				HUMBOLDT INVESTMENT CO.	A37-04440	/19.0	37-04440	/24.0	
				SPECK , JAMES P.	A37-12396	/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.	A37-04138	/13.0	-	/	17.0
				HUMBOLDT INVESTMENT CO.	A37-01222	/13.0	-	/	
				HUMBOLDT INVESTMENT CO.	A37-00548	/13.0	37-00548	/	
				HUMBOLDT INVESTMENT CO.	A37-04440	/13.0	37-04440	/ 4.0	
				SPECK , JAMES P.	A37-12396	/13.0	-	/	
				HUMBOLDT INVESTMENT CO.	R37-00548	/13.0	-	/	
				HUMBOLDT INVESTMENT CO.	R37-01222	/13.0	-	/	

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HUMBOLDT INVESTMENT CO.	A37-04138	19.0	-
HUMBOLDT INVESTMENT CO.	R37-04138	19.0	-
SPECK , JAMES P.	R37-12396	19.0	-

02N 18E 18 SW SE	HUMBOLDT INVESTMENT CO.	A37-04138	19.0	37-04138	5.0	19.0
	HUMBOLDT INVESTMENT CO.	A37-01222	19.0	37-01222		
	HUMBOLDT INVESTMENT CO.	A37-00549	19.0	-		
	HUMBOLDT INVESTMENT CO.	A37-00549	19.0	37-00549		
	HUMBOLDT INVESTMENT CO.	A37-04440	19.0	37-04440	6.0	
	SPECK , JAMES P.	A37-12396	19.0	-		
	HUMBOLDT INVESTMENT CO.	R37-00549	19.0	-		
	HUMBOLDT INVESTMENT CO.	R37-00549	19.0	-		
	HUMBOLDT INVESTMENT CO.	R37-01222	19.0	-		
	HUMBOLDT INVESTMENT CO.	R37-04138	19.0	-		
	HUMBOLDT 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.	A37-04138	28.0	-		
	HUMBOLDT INVESTMENT CO.	A37-01222	28.0	-		
	HUMBOLDT INVESTMENT CO.	A37-00549	28.0	37-00549		
	HUMBOLDT INVESTMENT CO.	A37-00549	28.0	-		
	HUMBOLDT INVESTMENT CO.	A37-04139		37-04139		
	HUMBOLDT INVESTMENT CO.	A37-04440	28.0	37-04440	24.0	
	SPECK , JAMES P.	A37-12396	28.0	-		
	HUMBOLDT INVESTMENT CO.	R37-00549	28.0	-		
	HUMBOLDT INVESTMENT CO.	R37-00549	28.0	-		
	HUMBOLDT INVESTMENT CO.	R37-01222	28.0	-		
	HUMBOLDT INVESTMENT CO.	R37-04138	28.0	37-04138	25.0	
	HUMBOLDT INVESTMENT CO.	R37-04139		-		
	HUMBOLDT INVESTMENT CO.	R37-04440	28.0	-		
	SPECK , JAMES P.	R37-12396	28.0	-		

TOTAL ACRES	A37-04138	190.00	55.00	170.00
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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

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PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: _____

REVIEWED BY: _____

DATE: _____

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A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A37-04138 IRRIGATION	FROM 04-15 TO 10-15	1.050 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.050 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
37-04138 IRRIGATION	FROM 04-15 TO 10-15	1.050 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.050 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

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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*** 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. **

FIELD
DATABASE EXAMINER
Y

MEASUREMENT METHOD . SEE ATTACHED CALCULATIONS.

OTHER RIGHTS LISTED IN CLAIM: 37-00549(01220), 37-02142(01221), 37-00548, 01222, 04440

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

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	

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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	HUMBOLDT INVESTMENT CO.	FROM 04-01	TO 11-01	.300 CFS	
R37-04139	DIVERSION TO STORAGE	HUMBOLDT INVESTMENT CO.	FROM 11-01	TO 04-01	.500 CFS	
R37-04139	RECREATION STORAGE	HUMBOLDT INVESTMENT CO.	FROM 01-01	TO 12-31		277.00 AF/A
R37-04139	FISH PROP. STORAGE	HUMBOLDT 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)

1b. CALCULATIONS

DOS 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(____)

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
IRRIGATION	04-15 10-15	DATABASE EXAMINER 1.050	DATABASE EXAMINER	DATABASE EXAMINER 475.0
TOTAL FOR THIS RIGHT		1.050		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: 37-04138

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 1.050	EXAMINER _____	CFS
-----------------------------------	-------------------	-------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A37-04138	1.050	R37-04138	1.050	37-04138	1.050
A37-04138	R37-04138	1.050	R37-04138	1.050	37-04138	1.050
TOTAL CFS		2.100	2.100		1.050	

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: _____

MICROFILMED

OCT 26 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:01:47
05/28/99

PAGE: 15
QUICKLOOK INFORMATION

CLAIM NUMBER: A37-04138

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								
CONSUMPTIVE USE								
PURPOSES								
PERIOD OF USE								
BASIS OF CLAIM	Y							
REMARKS	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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OCT 26 1994