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

AMENDED 37-12396

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

CIVIL CASE NUMBER: 39576

Ident. Number

Date Received

Receipt Number

AMENDED

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) 12/31/1947

3. Source of water supply (a) Democrat Creek & Lambs Gulch

which is tributary to (b) Croy Creek

4. a. Location of existing point of diversion is: Township 02N Range 18E Section 18

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

Additional points of diversion if any: 02N18E18NWSESE, 02N18E18NWNWSE, 02N18E18NESWSE and

02N18E18SWNENW

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

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

Govt. Lot B.M.; County of

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Reservoir used to store water for stock, recreation, and irrigation. The irrigation water was diverted into existing ditches from multiple points along Democrat Creek and from the booster pump at the lower reservoir into the main lines and hand lines.

6. Water is claimed for the following purposes:

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

For Irrigation Storage purposes from 01/01 to 12/31 amount _____ or 1273

For Stockwater purposes from 01/01 to 12/31 amount 0.03 or _____

For Recreation Storage purposes from 01/01 to 12/31 amount _____ or 2172

For Irrigation from Storage purposes from 04/01 to 11/01 amount 3.00 or _____

For Diversion to Storage purposes from 01/01 to 12/31 amount 10.00 or _____

7. Total quantity claimed (a) 13.03 (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.) (see remarks) _____

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:

Stock drink from the reservoir and creek. The reservoir is used for recreational activities (i.e. fishing, etc.).

Due to the unreliability of the Creek the dam helps to extend the irrigation season through the storage of spring

runoff and the small flow throughout the year. The entire flow of Democrat Creek and a portion of the flow for

Lembs Gulch enters the reservoir for storage. The dam has been estimated to be built in 1947.

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

If applicable provide IDWR Water Right Number 37-12396

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

For Individuals: I/We do solemnly swear or affirm under penalty of perjury 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 under penalty of perjury that I am

Kevin J. Beaton _____ of Steel Rives LLP _____,

Title

Organization

that I have signed the foregoing document in the space below as

Attorney _____ of Spring Canyon Ranch, LLC _____,

Title

Organization

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

Signature of Authorized Agent Kevin Beaton Date 10-30-09

Title and Organization Attorney, Steel Rives LLP

16. Notice of Appearance:

Notice is hereby given that I, Kevin J. Beaton, will be acting as attorney at law of 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 Kevin Beaton Date 10-30-09

Address 101 S. Capitol Blvd., Ste. 1900

Boise, ID 83702