

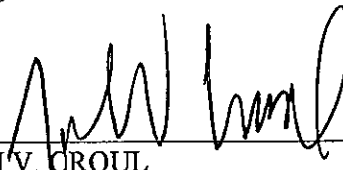
Ownership which I filed with IDWR in February, 2000 on behalf of the new owner/Claimant of the water right which is the subject of this Subcase and other appurtenant water rights.

3. Claimant retained legal counsel to review the appurtenant water rights as part of our due diligence in purchasing the ranch. I was advised that the water right records for the claims in the SRBA were all correct.

4. Attached hereto as **Exhibit B** is a copy of the IDWR printout of the claim for 37-2553B which was sent to me after the ownership records were changed. It matches the record reviewed by my attorneys and shows it is appurtenant to the ranch.

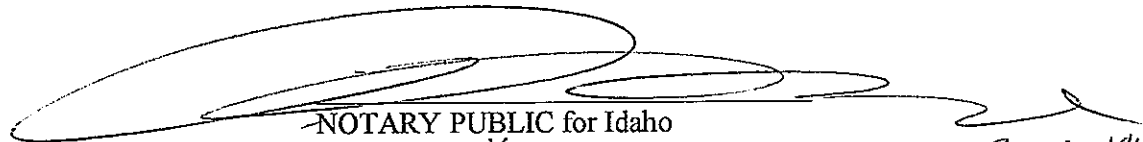
5. The copy of the SRBA recommendation for 37-2553B which was sent to me in February or March 2007 showed Three Creeks Ranch, L.L.C. as the owner and I simply did not review the rest of the elements. It was not until I retained legal counsel at the end of December, 2009 to look into changing the water rights to provide for a proposed new pond that the errors in the rest of the elements of the recommendation for 37-2553B were brought to my attention.

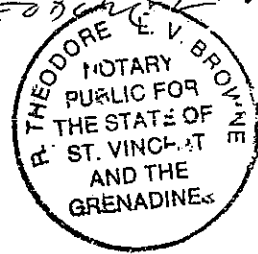
DATED this 29 day of JANUARY, 2010.



JOHN V. CROUL

SUBSCRIBED AND SWORN TO before me this 29 day of JANUARY, 2010.


NOTARY PUBLIC for Idaho
Residing at: KINGSTOWN
Comm. Expires: SEPTEMBER 11, 2011
R. THEODORE V. BROWNE



CERTIFICATE OF SERVICE

I hereby certify that on the 3 day of February, 2010, I served a true and correct copy of the foregoing AFFIDAVIT OF JOHN V. CROUL IN SUPPORT OF MOTION TO FILE LATE OBJECTION on the following persons in the manner designated below:

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

- ☒ United States Mail, Postage Prepaid
☐ Hand Delivery
☐ Facsimile, with copy by United States Mail, Postage Prepaid

Three Creeks Ranch LLC
1901 Bayadere Terrace
Corona Del Mar, CA 92625

- ☒ United States Mail, Postage Prepaid
☐ Hand Delivery
☐ Facsimile, with copy by United States Mail, Postage Prepaid

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

- ☒ United States Mail, Postage Prepaid
☐ Hand Delivery
☐ Facsimile, with copy by United States Mail, Postage Prepaid

The United States Department of Justice
Environmental and Natural Resources
Division
550 West Fort Street
Box 33
Boise, ID 83724

- ☒ United States Mail, Postage Prepaid
☐ Hand Delivery
☐ Facsimile, with copy by United States Mail, Postage Prepaid

Idaho Department of Water Resources
Document Depository
P.O. Box 83720
Boise, ID 83720-0098

- ☒ United States Mail, Postage Prepaid
☐ Hand Delivery
☐ Facsimile, with copy by United States Mail, Postage Prepaid


JAMES P. SPECK

BROWNE AND BROWNE
BARRISTERS, SOLICITORS AND
NOTARY PUBLIC

R. Theodore L.V. Browne
LLB(UWI); LL.M (Leicester) J.D.
(Blackstone); L.E.C. (High
Wooding)



Rochanne T. L.V. Browne
LLB (Hons) LL.M (Nottingham School)
Barrister (Gray's Inn)

White Chapel, P.O.Box 1, Kingstown, St. Vincent & the Grenadines
Tel: 457-2238 Fax: 457-1660 Email: rbrowne999@yahoo.com or kbrowne@yahoo.com

The Logical Legal Choice!!!

Browne & Browne

Barristers-Solicitors-Notary Public

R. Theodore L.V. Browne & Réchanne T.L.V. Browne

White Chapel, P.O. Box 1, Kingstown, St. Vincent and the Grenadines

Tel/Fax: Office 457-2238 • Resid: 457-1707

13973

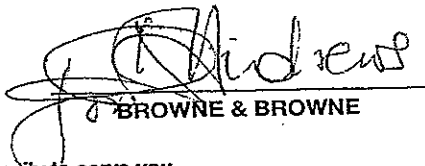
29th January 2010

Received from John Croulin
the sum of twenty US
dollars and _____ cents
for and on behalf of the notarisation of a
document

QUICK-PRINT

Amt. Paid: \$ US 20.00

Bal. Due: \$ _____


BROWNE & BROWNE

Thank you for giving us the opportunity to serve you.

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
FEB 10 2000
Department of Water Resources
Southern Region

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

1. Water Right No(s).: 37-07811; 37-02553B/A37-02553B1; A37-04341
Adjudication Claim No(s).: _____

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

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant THREE CREEKS RANCH PARTNERSHIP
P.O. BOX 3609, KETCHUM, ID 83340

New Owner/Claimant(s) THREE CREEKS RANCH L.L.C.

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address 1901 BAYADERE TERRACE

City, State and ZIP Code CORONA DEL MAR, CA 92625

New Telephone Number (714) 545-7101 EXT. 2101

5. Date you acquired the property _____

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) Three Creeks Ranch L.L.C.
[Signature]

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

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

EXHIBIT A

COUNTY RECORDER'S CERTIFICATE

State of Idaho)
County of Blaine) Instrument No. 91465

This is to certify that the foregoing survey was filed in the Office of the Recorder of Blaine County, Idaho, on this day of July recorded in the Records of Survey.

Ex-officio Recorder

Deputy

LEGEND

- FOUND 5/8" REBAR
- SET 5/8" REBAR
- BRASS CAP
- ALUMINUM CAP



400 200 0 200 400
SCALE 1" = 400'

SURVEYOR'S CERTIFICATE

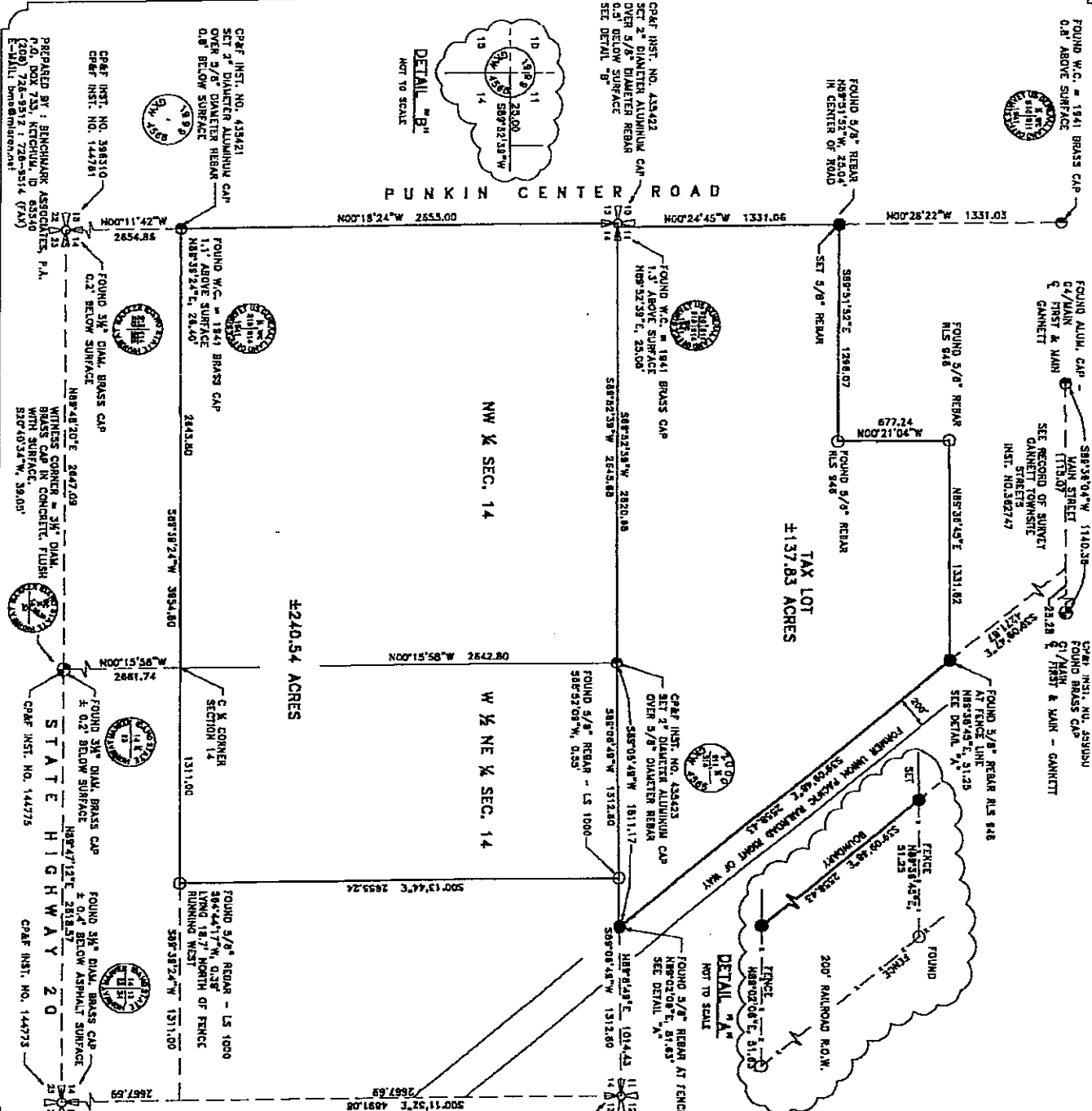
I do hereby certify that I am a Registered Professional Land Surveyor, licensed by the State of Idaho, and that this map under my signature and seal is a true and correct copy of the original map as shown to me by the owner of the land surveyed, and that I am a duly qualified and licensed Surveyor under the laws of the State of Idaho, and that this map is an accurate representation of said survey.

RECORD OF SURVEY

THREE CREEK RANCH

LOCATED WITHIN SECTIONS 11 & 14,
TOWNSHIP 1 SOUTH, RANGE 19 EAST,
BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

PREPARED FOR JOHN B. CHOL
A RECORD OF SURVEY DRAWN BY DCS
PROJECT NO. 98455 DATE: 1/8/2000 CO-ORD FILE 98455.CRD



DETAIL "B"
NOT TO SCALE

DETAIL "A"
NOT TO SCALE

SEE RECORD OF SURVEY
FOR BILL KUMAMIAN
INST. NO. 2211320
BASIS OF BEARING

DESCRIPTIONS BASED ON SURVEY 1/6/2000

A parcel of land located within the Southwest Quarter and the Southeast Quarter of Section 11, Township 1 South, Range 19 East, Boise Meridian, Blaine County, Idaho, more particularly described as follows:

Commencing at a 1999 aluminum cap marking the Southwest Corner of said Section 11;
Thence N89°52'39"E, 25.00 feet to the TRUE POINT OF BEGINNING, a point on the east boundary of Punkin Center Road S89°52'39"W, 0.08 feet from a 1941 brass cap Witness Corner;

Thence N00°24'45"W, 1331.06 feet along the east boundary of Punkin Center Road to an iron pin; thence S89°51'52"E, 1298.07 feet to an iron pin; thence N00°21'04"W, 677.24 feet to an iron pin; thence N89°36'45"E, 1331.62 feet to an iron pin and the southwesterly boundary of the former Union Pacific Railroad Right of Way; thence S39°09'48"E, 2558.43 feet along said Right of Way boundary to an iron pin on the south boundary of said Section 11; thence S89°06'49"W, 1611.17 feet along the south boundary of said Section 11 to the South Quarter Corner of said Section 11; thence S89°52'39"W, 2620.68 feet along the south boundary of said Section 11 to the TRUE POINT OF BEGINNING.

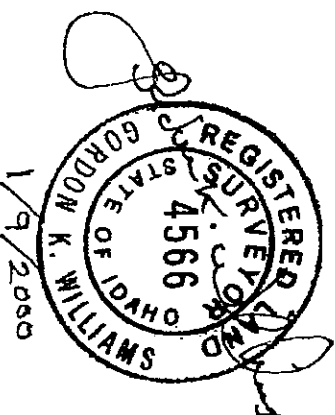
The above described parcel contains approximately 137.83 acres.

All of the Northwest Quarter and all of the West Half of the Northeast Quarter of Section 14, Township 1 South, Range 19 East, Boise Meridian, Blaine County, Idaho, more particularly described as follows:

Commencing at a 1999 aluminum cap marking the Northwest Corner of said Section 14 and the TRUE POINT OF BEGINNING;

Thence N89°52'39"E, 2645.68 feet along the north boundary of said Section 14 to the North Quarter Corner of said Section 14; thence N89°06'49"E, 1312.80 feet along the north boundary of said Section 14 to the Northeast Corner of the W1/2, NE1/4 of said Section 14; thence S00°13'44"E, 2655.24 feet to the Southeast Corner of the W1/2, NE1/4 of said Section 14; thence S89°39'24"W, 3954.80 feet to the West Quarter Corner of said Section 14; thence N00°18'24"W, 2653.00 feet to the TRUE POINT OF BEGINNING.

The above described parcel contains approximately 240.54 acres.



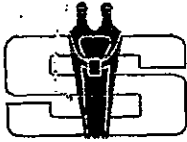
RECORD OF SURVEY

THREE CREEK RANCH

LOCATED WITHIN SECTIONS 11 & 14,
TOWNSHIP 1 SOUTH, RANGE 19 EAST,
BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

PREPARED FOR: JOHN B. CROUL

A RECORD OF SURVEY DRAWN BY DCS. PLOT FILE 9948.DWG
PROJECT NO. 9948 DATE 1/8/2000 CO-ORD FILE 9948.CRD



THIS AGREEMENT MAY BE EXECUTED IN COPIES, AND AS EXECUTED SHALL CONSTITUTE ONE AGREEMENT, BINDING ALL PARTIES, EVEN THOUGH ALL THE PARTIES DO NOT SIGN THE ORIGINAL OR THE SAME COUNTERPART.

Order No. 99009356
This form furnished by
Blaine County Title Associates

WARRANTY DEED

For Value Received THREE CREEKS RANCH PARTNERSHIP

the Grantor hereby grants, bargains, sells, conveys and warrants unto THREE CREEKS RANCH L.L.C.,
an Idaho Limited Liability Company

the Grantee whose current address is: 1901 BAYADERE TERRACE, CORONA DEL MAR, CA 92625

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE
INCORPORATED HEREIN.

IN WITNESS WHEREOF

BLAINE COUNTY TITLE

Deed

RECORDED

435948

MARSHA RIEMANN

1/8" mpp

1/27/2000

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

Dated: January 20, 2000

THREE CREEKS RANCH PARTNERSHIP

By *Robert Lieder* (Partnership Name)

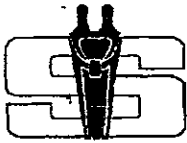
ROBERT LIEDER, GENERAL PARTNER

By _____

State of *Florida*

County of *Palm Beach*

SS.



THIS AGREEMENT MAY BE EXECUTED IN COUNTERPART,
AND AS EX. ITED SHALL CONSTITUTE ONE AGREEMENT,
BINDING ON ALL PARTIES, EVEN THOUGH ALL THE
PARTIES DO NOT SIGN THE ORIGINAL OR THE SAME
COUNTERPART.

Order No. 99009356
This form furnished by
Blaine County Title Associates

WARRANTY DEED

For Value Received **THREE CREEKS RANCH PARTNERSHIP**

the Grantor hereby grants, bargains, sells, conveys and warrants unto **THREE CREEKS RANCH L.L.C.,**
an Idaho Limited Liability Company

the Grantee whose current address is: **1901 BAYADERE TERRACE, CORONA DEL MAR, CA 92625**

the following described premises, to-wit:

**SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE
INCORPORATED HEREIN.**

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

Dated: **January 20, 2000**

THREE CREEKS RANCH PARTNERSHIP

(Partnership Name)

By Pete Delisser
PETE DELISSER, GENERAL PARTNER

By _____

State of Florida
County of Seminole ss.



THIS INSTRUMENT MAY BE EXECUTED IN COUNTERPARTY,
AND AS EXECUTED SHALL CONSTITUTE ONE AGREEMENT,
BINDING IN ALL PARTIES, EVEN THOUGH ALL THE
PARTIES DO NOT SIGN THE ORIGINAL OR THE SAME
COUNTERPART.

C No. 99009356
This form furnished by
County Title Associates

WARRANTY DEED

For Value Received **THREE CREEKS RANCH PARTNERSHIP**

the Grantor hereby grants, bargains, sells, conveys and warrants unto **THREE CREEKS RANCH L.L.C.**,
an Idaho Limited Liability Company

the Grantee whose current address is: 1901 DAYAKINE TERRACE, CORONA DEL MAR, CA 92625

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE
INCORPORATED HERIN.

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

Dated: January 20, 2000

THREE CREEKS RANCH PARTNERSHIP

By *James Todd* (Partnership Name)
JAMES TODD, GENERAL PARTNER
By _____

State of **HAMILTON**
County of **BERMUDA** m.

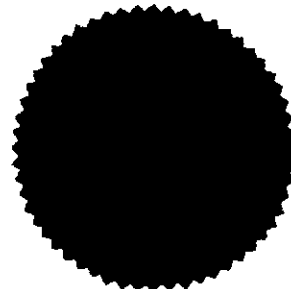
On this **25th** day of **January**, 2000, before me, the
undersigned, a Notary Public, in and for said State, personally appeared **JAMES TODD**

known to me, as identified to me on the basis of satisfactory
evidence, to be **GENERAL PARTNER** of the Partnership that executed
the within instrument and acknowledged to me that such partnership executed the same.

WITNESS MY HAND AND OFFICIAL SEAL

Luciano Alcardi
Notary Public
Residing at: **HAMILTON, BERMUDA**
Commission Expires: **N/A**

(SBAL)
Luciano Alcardi
Notary Public
Marshall & Company
"Sofia House"
48 Church Street
Hamilton
Bermuda
My commission is indefinite.



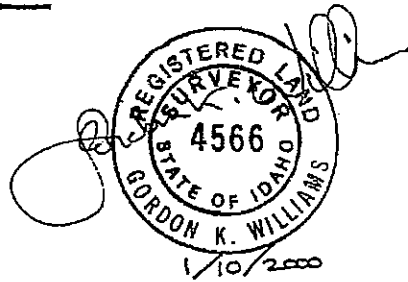
Benchmark Associates, P.A.

ENGINEERING, PLANNING, SURVEYING & MAPPING

P.O. Box 733 • 100 Bell Drive

Ketchum, Idaho 83340

208/726-9512 • Fax 208/726-9514



THREE CREEK RANCH in Section 11, T1S, R19E, B.M.

A parcel of land located within the Southwest Quarter and the Southeast Quarter of Section 11, Township 1 South, Range 19 East, Boise Meridian, Blaine County, Idaho, more particularly described as follows;

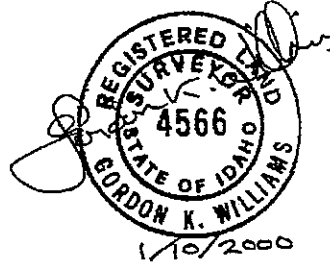
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Thence N00°24'45"W, 1331.06 feet along the east boundary of Punkin Center Road to an iron pin; thence S89°51'52"E, 1298.07 feet to an iron pin; thence N00°21'04"W, 677.24 feet to an iron pin; thence N89°36'45"E, 1331.62 feet to an iron pin and the southwesterly boundary of the former Union Pacific Railroad Right of Way; thence S39°09'48"E, 2558.43 feet along said Right of Way boundary to an iron pin on the south boundary of said Section 11; thence S89°06'49"W, 1611.17 feet along the south boundary of said Section 11 to the South Quarter Corner of said Section 11; thence S89°52'39"W, 2620.68 feet along the south boundary of said Section 11 to the TRUE POINT OF BEGINNING.

The above described parcel contains approximately 137.83 acres.

Benchmark Associates, P.A.

ENGINEERING, PLANNING, SURVEYING & MAPPING
P.O. Box 733 • 100 Bell Drive
Ketchum, Idaho 83340
208/726-9512 • Fax 208/726-9514



THREE CREEK RANCH in Section 14, T1S, R19E, B.M.

All of the Northwest Quarter and all of the West Half of the Northeast Quarter of Section 14, Township 1 South, Range 19 East, Boise Meridian, Blaine County, Idaho, more particularly described as follows;

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The above described parcel contains approximately 240.54 acres.

TOGETHER WITH ALL WATER RIGHTS APPURTENANT TO THE REAL PROPERTY,
INCLUDING, BUT NOT LIMITED TO THE FOLLOWING DESCRIBED RIGHTS:

<u>Status</u>	<u>Number</u>	<u>Priority</u>	<u>.CFS</u>	<u>Acreage</u>	<u>Source</u>
1. License	37-07811	12/05/1979	3.360	168.0	Groundwater
2. License	37-02553B/ A37-02553B	06/28/1954	2.00	230.0	Surface Water
3. Statutory Claim	A37-04341	06/01/1944	0.880	30.0	Surface Water

THE ABOVE DESCRIBED WATER RIGHTS AND ANY OTHER WATER RIGHTS
APPURTENANT TO THE PROPERTY ARE SUBJECT TO THE FINAL OUTCOME OF ALL
PROCEEDINGS IN AND THE PROVISIONS, TERMS AND CONDITIONS OF THE
DECREE TO BE ENTERED IN IN RE: THE GENERAL ADJUDICATION OF RIGHTS
TO THE USE OF WATER FROM THE SNAKE RIVER BASIN WATER SYSTEM, TWIN
FALLS DISTRICT COURT CASE NO. 39576 (~~the~~ SRBA~~s~~). SELLER WARRANTS
THAT NONE OF THE ABOVE RIGHTS ARE SUBJECT TO FORFEITURE.

realstat\water\rights.fn

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 37-2553B
Date Received: 11/28/1990
Receipt No: S012856
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

THREE CREEKS RANCH L.L.C. Phone: (714)545-7101x2101

1901 BAYADERE TERRACE
CORONA DEL MAR CA USA 92625

2. Date of Priority: 06/28/1954

3. Source: DRAINAGE DITCH , DRAINAGE DITCH , DRAINAGE DITCH Trib. to: LOVING CREEK
, LOVING CREEK , LOVING CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
01S	19E	14	NE	NW		BLAINE	
01S	19E	14	NW	NW		BLAINE	
01S	19E	14	NW	NE		BLAINE	

5. Description of diverting works:

DITCH, GRAVITY IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	2	920

7. Total Quantity Appropriated is:

2 C.F.S. and/or 920 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01S	19E	14	NW	NE	IRRIGATION	30
			SW	NE	IRRIGATION	40
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
					Section Acres	230
					Total Acres	230

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:

30 ACRES OVERLAPPED WITH A37-04341

15. Basis of Claim: License