

10/07

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
Updated by _____
Date _____

RECEIVED

NOV 09 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

[] Water Right Number(s): 37-22065, 37-22067, 37-22069,
37-7319, 37-21285, 37-20881
37-21434, 37-21407

[] Name(s): Croy Creek Properties, LLC

[] Old Mailing Address: P.O. Box 1130, Hailey, ID 83333

[] New Mailing Address: P.O. Box 1330, Hailey, ID 83333

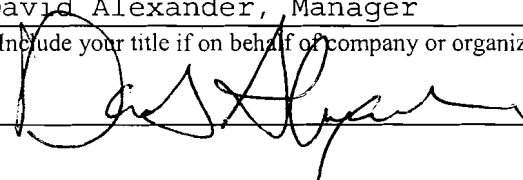
Telephone Number: (208) 788 - 9300

Email: _____

[] Signature(s) of Owner(s) _____

David Alexander, Manager

(Include your title if on behalf of company or organization)

Date: 

Send to:

IDWR Northern Region
7600 Mineral Dr., Suite 100
Coeur d'Alene, ID 83815
(208) 762-2800

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-22067 V1

WATER RIGHT NUMBER: 37-22067 V1

<u>Owner Type</u>	<u>Name and Address</u>
Security Interest	FIRST BANK OF IDAHO C/O MIKE SCHLATTER PO BOX 9000 KETCHUM, ID 83340
Original Owner	WYATT V MC ATEE PO BOX 744 HAILEY, ID 83333 (208)788-2229
Original Owner	KENT S MC ATEE PO BOX 744 HAILEY, ID 83333-0744 (208)788-2229
Current Owner	CROY CREEK PROPERTIES LLC PO BOX 1330 HAILEY, ID 83333 (208)788-9300

Priority Date: 06/01/1883

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BULLION CREEK	CROY 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	1.940 CFS	
	<u>Total Diversion:</u>	1.940 CFS	

Location of Point(s) of Diversion

BULLION CREEK	NE1/4SE1/4SW1/4	Sec. 25, Twp 02N, Rge 17E, 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	17E	25									9.0	17.0			.8	24.0		50.8	
02N	17E	26														2.3		2.3	
02N	17E	35	40.0			40.0												80.0	
02N	17E	36		19.0	7.8		40.0	40.0	40.0	40.0								186.8	

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-22067 V1

Total Acres: 319.9

Conditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of 319.9 acres in a single irrigation season. Combined Right Nos.: 37-22065, 37-22067, 37-22069, and 37-7319.
2. This right is a split from former right 37-254 .
3. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
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.

Remarks:

Comments:

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number: 37
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		319.9
Combined Water Rights: 37-7319 , 37-22065 , 37-22067 , 37-22069		

Water Supply Bank:

RECEIVED

JAN 16 2008

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPT. OF WATER RESOURCES
SOUTHERN REGION**Notice of Security Interest in a Water Right****And Request for Notification of a Change in Ownership or Any Proposed
Or Final Action to Amend, Transfer, or Otherwise Modify a Water Right**Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): see attached
Adjudication Claim No(s): see attached
2. The following **REQUIRED** information must be submitted with this form:
 - A) Evidence of the security interest. This may be a copy of a **DEED of TRUST, MORTGAGE, CONTRACT OF SALE** or other legal document indicating your interest in the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - B) A **FEE** of **\$25.00 per water right** or adjudication claim. \$150.⁰⁰
3. Name and Mailing Address of Person or Company holding Security Interest
First Bank of Idaho ATTN: Mike Schlatter
111 Main St. / PO Box 9000
Ketchum, ID 83340
4. Name of Water Right Owner/Claimant(s) Croy Creek Properties, LLC
5. Expiration Date of Notification Period 1/1/2020
6. Is this a Renewal of Request for Notification? ☐ YES ☒ NO
7. Signature(s) of Security Interest holder(s) [Signature]
(and title if applicable) Commercial Loan Officer

For Office Use Only

Received by <u>[Signature]</u>	Date <u>1/16/08</u>	Fee <u>\$150</u>
Receipted by <u>[Signature]</u>	Date <u>1/17/08</u>	Receipt No. <u>3021939</u>
Processed by <u>AJ</u>	Date _____	WR _____ Date _____

16-3776
1220

5.0454

Remitter

CROY CREEK PROPERTIES



DATE January 14, 2008

Pay IDAHO DEPT. OF WATER RESOURCES

\$ 150.00

to the order of

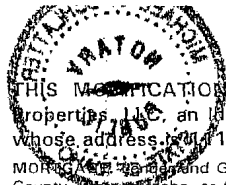
PAY EXACTLY \$150 DOL 00 CTS

Dollars

NOTICE OF SECURITY INT.
1018

DRAWER: First Bank of Idaho

ISSUED BY: MONEYGRAM PAYMENT SYSTEMS, INC. P.O. BOX 9476, MINNEAPOLIS, MN 55480
DRAWN BY: FIRST REGIONAL BANK LOS ANGELES, CA



MODIFICATION OF MORTGAGE

THIS MODIFICATION OF MORTGAGE dated January 9, 2008, is made and executed between Croy Creek Properties, LLC, an Idaho Limited Liability Company (referred to below as "Grantor") and First Bank of Idaho, fsb, whose address is 111 Main Street, P. O. Box 9000, Ketchum, ID 83340 (referred to below as "Lender").

MORTGAGE No. 379602 and Grantor have entered into a Mortgage dated October 19, 2007 (the "Mortgage") which has been recorded in Blaine County, State of Idaho, as follows:

Recorded , 2008 in the office of the Blaine County Clerk as Instrument number

REAL PROPERTY DESCRIPTION. The Mortgage covers the following described real property located in Blaine County, State of Idaho:

Lots 1, 4 and 5 of CROY CREEK RANCH SUBDIVISION, according to the official plat thereof, record as Instrument 379602, Records of Blaine County, Idaho.

Lot 3A of A Replat of Lot 3, Block 1, CROY CREEK RANCH SUBDIVISION, according to the official plat thereof, record as Instrument 382432, Records of Blaine County, Idaho.

Parcel A of SUNSET MEADOW ESTATES SUBDIVISION, according to the official plat thereof, record as Instrument 299102, Records of Blaine County, Idaho.

Parcel A of BULLION CREEK SUBDIVISION, according to the official plat thereof, record as Instrument 398295 and a Plat copy recorded as Instrument No. 402814, Records of Blaine County, Idaho

The Real Property or its address is commonly known as None Assigned, Blaine County, ID 83333. The Real Property tax identification number is RP001190000010; RP00119000003A; RP001190000040; RP001190000050; RP0007700000A0.

MODIFICATION. Lender and Grantor hereby modify the Mortgage as follows:

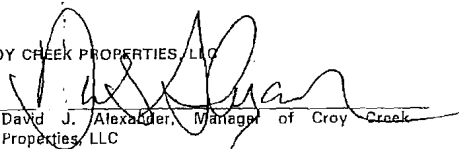
Increasing loan amount from \$1,000,000.00 to \$5,900,000.00. Extending maturity date from January 19, 2008 to January 19, 2011. All other terms and conditions remain the same.

CONTINUING VALIDITY. Except as expressly modified above, the terms of the original Mortgage shall remain unchanged and in full force and effect and are legally valid, binding, and enforceable in accordance with their respective terms. Consent by Lender to this Modification does not waive Lender's right to require strict performance of the Mortgage as changed above nor obligate Lender to make any future modifications. Nothing in this Modification shall constitute a satisfaction of the promissory note or other credit agreement secured by the Mortgage (the "Note"). It is the intention of Lender to retain as liable all parties to the Mortgage and all parties, makers and endorers to the Note, including accommodation parties, unless a party is expressly released by Lender in writing. Any maker or endorser, including accommodation makers, shall not be released by virtue of this Modification. If any person who signed the original Mortgage does not sign this Modification, then all persons signing below acknowledge that this Modification is given conditionally, based on the representation to Lender that the non-signing person consents to the changes and provisions of this Modification or otherwise will not be released by it. This waiver applies not only to any initial extension or modification, but also to all such subsequent actions.

GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF MORTGAGE AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF MORTGAGE IS DATED JANUARY 9, 2008.

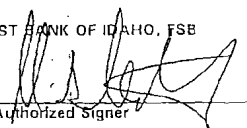
GRANTOR:

CROY CREEK PROPERTIES, LLC

By: 
David J. Alexander, Manager of Croy Creek Properties, LLC

LENDER:

FIRST BANK OF IDAHO, FSB

X 
Authorized Signer

COPY

RECORDATION REQUESTED BY:

First Bank of Idaho, fsb
Ketchum Office
111 Main Street
P. O. Box 9000
Ketchum, ID 83340

WHEN RECORDED MAIL TO:

First Bank of Idaho, fsb
Ketchum Office
111 Main Street
P. O. Box 9000
Ketchum, ID 83340

SEND TAX NOTICES TO:

First Bank of Idaho, fsb
Ketchum Office
111 Main Street
P. O. Box 9000
Ketchum, ID 83340

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

MODIFICATION OF MORTGAGE

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MORTGAGE. The Grantor and Grantor have entered into a Mortgage dated October 19, 2007 (the "Mortgage") which has been recorded in Blaine County, Idaho, as follows:

Recorded _____, 2008 in the office of the Blaine County Clerk as Instrument number _____

REAL PROPERTY DESCRIPTION. The Mortgage covers the following described real property located in Blaine County, State of Idaho:

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MODIFICATION. Lender and Grantor hereby modify the Mortgage as follows:

Increasing loan amount from \$1,000,000.00 to \$5,900,000.00. Extending maturity date from January 19, 2008 to January 19, 2011. All other terms and conditions remain the same.

CONTINUING VALIDITY. Except as expressly modified above, the terms of the original Mortgage shall remain unchanged and in full force and effect and are legally valid, binding, and enforceable in accordance with their respective terms. Consent by Lender to this Modification does not waive Lender's right to require strict performance of the Mortgage as changed above nor obligate Lender to make any future modifications. Nothing in this Modification shall constitute a satisfaction of the promissory note or other credit agreement secured by the Mortgage (the "Note"). It is the intention of Lender to retain as liable all parties to the Mortgage and all parties, makers and endorers to the Note, including accommodation parties, unless a party is expressly released by Lender in writing. Any maker or endorser, including accommodation makers, shall not be released by virtue of this Modification. If any person who signed the original Mortgage does not sign this Modification, then all persons signing below acknowledge that this Modification is given conditionally, based on the representation to Lender that the non-signing person consents to the changes and provisions of this Modification or otherwise will not be released by it. This waiver applies not only to any initial extension or modification, but also to all such subsequent actions.

GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF MORTGAGE AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF MORTGAGE IS DATED JANUARY 9, 2008.

GRANTOR:

CROY CREEK PROPERTIES, LLC

By: _____

David J. Alexander, Manager of Croy Creek Properties, LLC

LENDER:

FIRST BANK OF IDAHO, FSB

X _____

Authorized Signer

COPY

Form 42-24842-1409(5) July, 2000

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 division of the existing water right or adjudication claim record will be required.

Water Right No.(s)	Adjudication Claim No.(s)	Split	Water Right No.(s)	Adjudication Claim No. (s)	Split
<u>37-253</u>	<u>~~37-253~~ 37-22065</u>	☐ ^{AS}	<u>37-21285</u>	<u>37-21285</u>	☐
<u>37-254</u>	<u>~~37-254~~ 37-22067</u>	☐ ^{AS}			☐
<u>37-255</u>	<u>~~37-255~~ 37-22069</u>	☐ ^{AS}			☐
<u>37-7319</u>	<u>37-7319</u>	☐			☐
<u>37-20881</u>	<u>37-20881</u>	☐			☐

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

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

OR

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

3. Name and Address of Former Owner/Claimant(s): Kent S. McAtee or
Croy Creek Ranch Ltd. Partnership
4. New Owner/Claimant(s): Croy Creek Properties, LLC
 New Mailing Address: P.O. Box 1130
 City, State, Zip Code: Bellevue, ID 83313
 New Telephone Number: (208) 788-9300
5. Date you acquired the property: December 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: _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet annum)	Description (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: _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet annum)	Description (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)

[Signature]
Cray Creek Properties LLC

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: _____
Date: _____
Date: _____

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

QUITCLAIM DEED

For value received, Croy Creek Ranch Limited Partnership, an Idaho Limited Partnership, as grantor, hereby quitclaims unto Croy Creek Properties, LLC, an Idaho Limited Liability Company, the grantee, all of the grantor's right, title, and interest in and to the following described water rights situated in Blaine County, Idaho, on record with the Idaho Department of Water Resources:

Water right 37-21285.

Grantor has caused this quitclaim deed to be executed this 4 day of JAN, 2007.

By: Kent S McAtee
Kent S. McAtee, General Partner
Croy Creek Ranch Limited Partnership

State of Idaho)
) S.S.
County of Blaine)

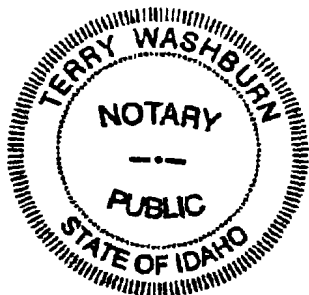
On this 4 day of January, in the year of 20 07, before me, a Notary Public, personally appeared Kent S McAttee, proved to me on The basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.


Notary Public
In and for said State and County

6/8/07

My Commission Expires on _____

S
E
A
L



QUITCLAIM DEED

For value received, Wyatt V. McAtee or Kent S. McAtee, as grantor, hereby quitclaim unto Croy Creek Properties, LLC, an Idaho Limited Liability Company, the grantee, all of the grantor's right, title, and interest in and to the following described water rights situated in Blaine County, Idaho, on record with the Idaho Department of Water Resources:

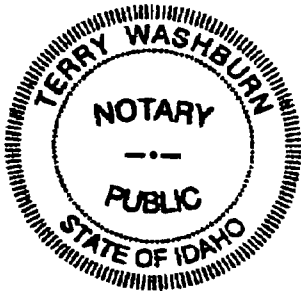
Water rights 37-253, 37-254, 37-255, and 37-7319.

Grantor has caused this quitclaim deed to be executed this 4 day of JAN, 2007.

By: Kent S McAtee
Kent S. McAtee

State of Idaho)
County of Blaine) S.S.

On this 4 day of January, in the year of 2007, before me, a Notary Public, personally appeared Kent S McAtee, proved to me on The basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.



S
E
A
L

Terry Washburn
Notary Public
In and for said State and County
6/8/07
My Commission Expires on

RECEIVED

JAN 16 2008

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Enclosed is our application for Notice of Security Interest in a Water Right.

Please call or email me to confirm receipt.

Michael Schlatter
First Bank of Idaho
208-622-1167 direct
208-725-0341 fax
111 Main St - PO Box 9000
Ketchum, ID 83340
mschlatter@firstbankidaho.com

Fawcett, Trish

From: Fawcett, Trish
Sent: Wednesday, January 16, 2008 12:08 PM
To: 'mschlatter@firstbankidaho.com'
Subject: Notice of Security Interest / Croy Creek Properties

Mr. Schlatter,

I am in receipt of the Notice of Security Interest in a Water Right you recently submitted on Croy Creek Properties LLC. We will add First Bank of Idaho as the security interest holder to our records and send you confirmation when data entry is complete. Please feel free to call or email with any questions you may have. Thank You!

Trish Fawcett
Technical Records Specialist
IDWR Southern Region
1341 Fillmore St Suite 200
Twin Falls ID 83301
Phone 208.736.3033
Fax 208.736.3037
trish.fawcett@idwr.idaho.gov

1/16/2008



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

January 18, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

MIKE SCHLATTER
FIRST BANK OF IDAHO
PO BOX 9000
KETCHUM ID 83340

RE: #37-22065, #37-22067, 37-22069, 37-7319, 37-20881
and #37-21285

Dear Mr. Schlatter,

Pursuant to a Notice of Security Interest in a Water Right that was submitted to the Department, we have added security interests to the above water right claims. Please find the enclosed copies of the proof reports of the water rights noting the addition of the security interest. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Carrie Hahn', is written over a faint, larger signature that appears to be 'C. L. Otter'.

Carrie Hahn
Clerk

Enclosures

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 37-22067
Date Received: 9/15/1988
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CROY CREEK PROPERTIES LLC Phone: (208)788-9300
PO BOX 1330
HAILEY ID USA 83333

2. Date of Priority: 06/01/1883

3. Source: BULLION CREEK Trib. to: CROY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	17E	25	NE SE SW	BLAINE	

5. Description of diverting works:

8' EARTH DAM AND 30 HP PUMP TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	1.94	

7. Total Quantity Appropriated is:

1.94 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	17E	25	SW SW	IRRIGATION	15
			SE SW	IRRIGATION	20
			SW SE	IRRIGATION	25
Section Acres					60

02N	17E	26	SE	SE	IRRIGATION	1
					Section Acres	1
02N	17E	35	NE	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
					Section Acres	80
02N	17E	36	SW	NE	IRRIGATION	15
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
			NW	NE	IRRIGATION	30
					Section Acres	205
					Total Acres	346

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:

POND IS NOT FOR STORAGE BUT SERVES AS A PUMPING POND.

This right is a split from former right 37-254 .

15. Basis of Claim: Decreed

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-22067 V1

WATER RIGHT NUMBER: 37-22067 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	WYATT V MC ATEE PO BOX 744 HAILEY, ID 83333 (208)788-2229
Original Owner	KENT S MC ATEE PO BOX 744 HAILEY, ID 83333-0744 (208)788-2229
Current Owner	CROY CREEK PROPERTIES LLC PO BOX 1330 HAILEY, ID 83333 (208)788-9300

Priority Date: 06/01/1883

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BULLION CREEK	CROY 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	1.890 CFS	
	<u>Total Diversion:</u>	1.890 CFS	

Location of Point(s) of Diversion

BULLION CREEK	NE1/4SE1/4SW1/4	Sec. 25, Twp 02N, Rge 17E, 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	17E	25											5.3	17.0		.8	24.0		47.1
02N	17E	35	40.0			40.0													80.0
02N	17E	36		23.0	8.1		40.0	40.0	40.0	40.0									191.1

Total Acres: 318.2

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-22067 V1

1. E56 The rights listed below are limited to the irrigation of a combined total of 318.2 acres in a single irrigation season. Combined Right Nos.: 37-22065, 37-22067, 37-22069, and 37-7319.
2. This right is a split from former right 37-254 .
3. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
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.

Remarks:

Comments:

Water Supply Bank:

**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 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
37-253	37-253 <u>22065</u>	☐	37-21285	37-21285	☐
37-254	~~37-254~~ <u>22067</u>	☐			☐
37-255	~~37-255~~ <u>22069</u>	☐			☐
37-7319	37-7319	☐			☐
37-20881	37-20881	☐			☐

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): | <u>Kent S. McAtee or</u>
<u>Croy Creek Ranch Ltd. Partnership</u> |
| 4. New Owner/Claimant(s): | <u>Croy Creek Properties, LLC</u> |
| New Mailing Address: | <u>P.O. Box 1330</u> |
| City, State, Zip Code: | <u>Hailey, ID 83333</u> |
| New Telephone Number: | <u>(208) 788-9300</u> |
| 5. Date you acquired the property: | <u>December 2006</u> |

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: _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet annum)	Description (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: _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet annum)	Description (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)

[Signature]
Crazy Creek Properties LLC

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: _____

Date: _____

Fee: _____

Received by: _____

Date: _____

Receipt No: _____

Processed by: _____ AJ

Date: _____

WR: _____ Date: _____

QUITCLAIM DEED

Instrument # 543552

HAILEY, BLAINE, IDAHO

2007-01-05

03:10:00 No. of Pages: 1

Recorded for : BLAINE COUNTY TITLE

MARSHA RIEMANN

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WTYQC/CORP DEED

UMP

For value received, Wyatt V. McAtee or Kent S. McAtee, as grantor, hereby quitclaim unto Croy Creek Properties, LLC, an Idaho Limited Liability Company, the grantee, all of the grantor's right, title, and interest in and to the following described water rights situated in Blaine County, Idaho, on record with the Idaho Department of Water Resources:

Water rights 37-253, 37-254, 37-255, and 37-7319.

Grantor has caused this quitclaim deed to be executed this 4 day of JAN, 2007.

By:

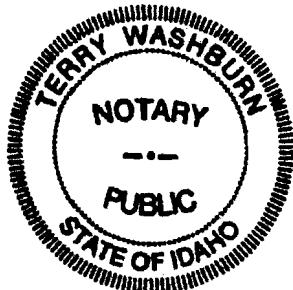
Kent S McAtee
Kent S. McAtee

State of Idaho)

) S.S.

County of Blaine)

On this 4 day of January, in the year of 2007, before me, a Notary Public, personally appeared Kent S McAtee, proved to me on The basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.



S
E
A
L

Terry Washburn
Notary Public

In and for said State and County

6/8/07

My Commission Expires on

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 37-22067
Date Received: 9/15/1988
Receipt No:
Received By:

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

1. Name of Claimant(s)

WYATT V MC ATEE Phone: (208)788-2229
PO BOX 744
HAILEY ID USA 83333

KENT S MC ATEE Phone: (208)788-2229
PO BOX 744
HAILEY ID USA 83333-0744

2. Date of Priority: 06/01/1883

3. Source: BULLION CREEK Trib. to: CROY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	17E	25	NE SE SW	BLAINE	

5. Description of diverting works:

8' EARTH DAM AND 30 HP PUMP TO SPRINKLERS

6. Water is used for the following purposes:

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

7. Total Quantity Appropriated is:
2 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	17E	25	SW SW	IRRIGATION	15
			SW SE	IRRIGATION	35

			SE	SW	IRRIGATION	20
					Section Acres	70
02N	17E	26	SE	SE	IRRIGATION	1
					Section Acres	1
02N	17E	35	NE	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
					Section Acres	80
02N	17E	36	NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	15
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
					Section Acres	215
					Total Acres	366

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:

POND IS NOT FOR STORAGE BUT SERVES AS A PUMPING POND.

This right is a split from former right 37-254 .

15. Basis of Claim: Decreed

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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

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)
<u>37-00253</u>	<u>A37-00253</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>37-00254</u>	<u>A37-00254</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>37-00255</u>	<u>A37-00255</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) 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)	<u>Edward A. Van Eenenaam</u>
	<u>(unknown)</u>
4. New Owner/Claimant(s)	<u>Donna S. Alfs</u>
	Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address	<u>P.O. Box 850</u>
City, State and ZIP Code	<u>Ketchum, ID 83340</u>
New Telephone Number	<u>(208) 720-5859</u>

5. Date you acquired the property March 16, 2006

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)  (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 _____ Date _____
 Received by _____ Date _____
 Processed by _____ AJ Date _____

Receipt Amt. _____
 Receipt No. _____
 WR _____ Date _____

Recording Requested By and
When Recorded Return to:

DONNA S. ALFS
PO Box 850
Ketchum, ID 83340

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (this "Deed"), made as of the 16th day of March, 2006, is between **PIONEER EXCHANGE ACCOMMODATION TITLEHOLDER #90, LLC**, an Idaho limited liability company ("**Grantor**"), and **DONNA S. ALFS, A SINGLE WOMAN** ("**Grantee**"), whose legal address is: PO Box 850, Ketchum, ID 83340.

WITNESSETH, That Grantor, for and in consideration of One Dollar and No/100 (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto Grantee, its successors and assigns forever, all the real property, together with improvements, located in the County of Valley, State of Idaho, more particularly described as follows:

Lot 3B A REPLAT OF LOT 3, BLOCK 1, CROY CREEK RANCH SUBDIVISION, according to the official plat thereof, recorded September 21, 1995, as Instrument No. 382432, records of Blaine County, Idaho

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of Grantor, either in law or equity, of in and to the above bargained premises, with the hereditaments, easements, rights of way and appurtenances, and with all of Grantor's interest, if any, in and to any and all minerals, water, ditches, wells, reservoirs and drains, and all water, ditch, well, reservoir and drainage rights which are appurtenant to, located on, now or hereafter acquired under or above or used in connection with the property (collectively, the "**Property**").

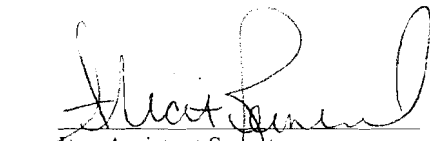
TO HAVE AND TO HOLD the said premises above bargained and described with the appurtenances, unto Grantee, its successors and assigns forever. Grantor, for itself, and its successors and assigns, does covenant, grant, bargain and agree to and with the Grantee, its successors and assigns, that at the time of the ensealing and delivery of these presents, Grantor is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature whatsoever, as of September 30, 2005 .

The Grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of Grantee, its successors and assigns, against all and every person or persons claiming the whole or any part thereof BY, THROUGH OR UNDER Grantor.

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed as of the date set forth above.

PIONEER EXCHANGE ACCOMMODATION TITLEHOLDER #*, LLC,
an Idaho limited liability company

By: Pioneer 1031 Company, Member

By: 
Its: Assistant Secretary

STATE OF IDAHO

)

) ss.

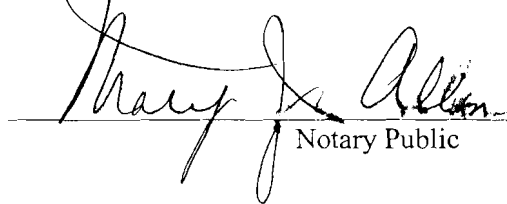
COUNTY OF ADA

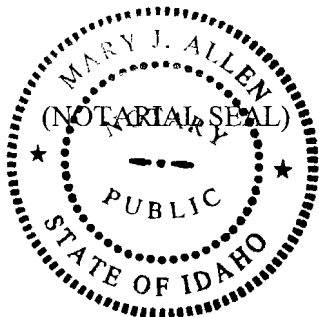
)

The foregoing instrument was acknowledged before me this 16th day of March, 2006, by Alicia Reinhard, as Assistant Secretary of Pioneer 1031 Company, an Idaho corporation, Member of Pioneer Exchange Accommodation Titleholder #90, LLC, an Idaho limited liability company.

WITNESS my hand and official seal.

My commission expires: 10/30/09.


Notary Public



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: A37-00254
Date Received: 9/15/1988
Receipt No: S002190
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KENT S. MC ATEE 208-788-2229
Address: BOX 744
HAILEY, ID 83333

OR
Name: W.V. MC ATEE 208-788-2229
Address: BOX 744
HAILEY, ID 83333

2. Date of Priority: JUN 01, 1883

3. Source: BULLION CREEK Trib. to: CROY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	17E	25	NE	SE	SW		BLAINE

5. Description of diverting works:
8' EARTH DAM AND 30 HP PUMP TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.000		

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

8. Total consumptive use is 888.0 Acre Feet Per Annum.

9. Non-irrigation uses:

COPY

MICROFILMED
FEB 22 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres	
02N	17E	25	SW	SW		IRR	15.0	
			SE	SW		IRR	20.0	
			SW	SE		IRR	35.0	
						Section Acres	70.0	
		26	SE	SE		IRR	1.0	
							Section Acres	1.0
		35	NE	NE		IRR	40.0	
			SE	NE		IRR	40.0	
						Section Acres	80.0	
		36	NW	NE		IRR	40.0	
			SW	NE		IRR	15.0	
			NE	NW		IRR	40.0	
			NW	NW		IRR	40.0	
			SW	NW		IRR	40.0	
SE	NW			IRR	40.0			
				Section Acres	215.0			
				Total Acres	366.0			

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:

A37-00253, A37-00255, A37-07319

14. Remarks:

POND IS NOT FOR STORAGE BUT SERVES AS A PUMPING POND.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 12/13/1909

S. C. FROST, ET. AL.

Decree Plaintiff

vs

ALTURAS WATER COMPANY, ET. AL.

Decree Defendant

COPY

MICROFILMED
FEB 22 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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): Kent S. McOtes Date: 9/15/88

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of September 19 88

Roxanne Storey
Notary Public

Seal

Residing at Buhl, Id
My Commission Expires 6-30-94

[illegible]

01/18/2007

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

RIGHT NUMBER: 37-22067

NAME AND ADDRESS: CROY CREEK PROPERTIES LLC
PO BOX 1330
HAILEY ID 83333

001-111-111 KKC

SOURCE: BULLION CREEK

TRIBUTARY: CROY CREEK

QUANTITY: 1.940 CFS

PRIORITY DATE: 06/01/1883

POINT OF DIVERSION:

T02N R17E S25 NESESW 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	1.940 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T02N R17E S25	SWSW	9.00	T02N R17E S25	SESW	17.00
T02N R17E S25	NWSE	0.80	T02N R17E S25	SWSE	24.00
T02N R17E S26	SESE	2.30	T02N R17E S35	NENE	40.00
T02N R17E S35	SENE	40.00	T02N R17E S36	NWNE	19.00
T02N R17E S36	SWNE	7.80	T02N R17E S36	NENW	40.00
T02N R17E S36	NWNW	40.00	T02N R17E S36	SWNW	40.00
T02N R17E S36	SENW	40.00			

319.9 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 319.9 acres in a single irrigation season. Combined Right Nos.: 37-22065, 37-22067, 37-22069, and 37-7319.

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.

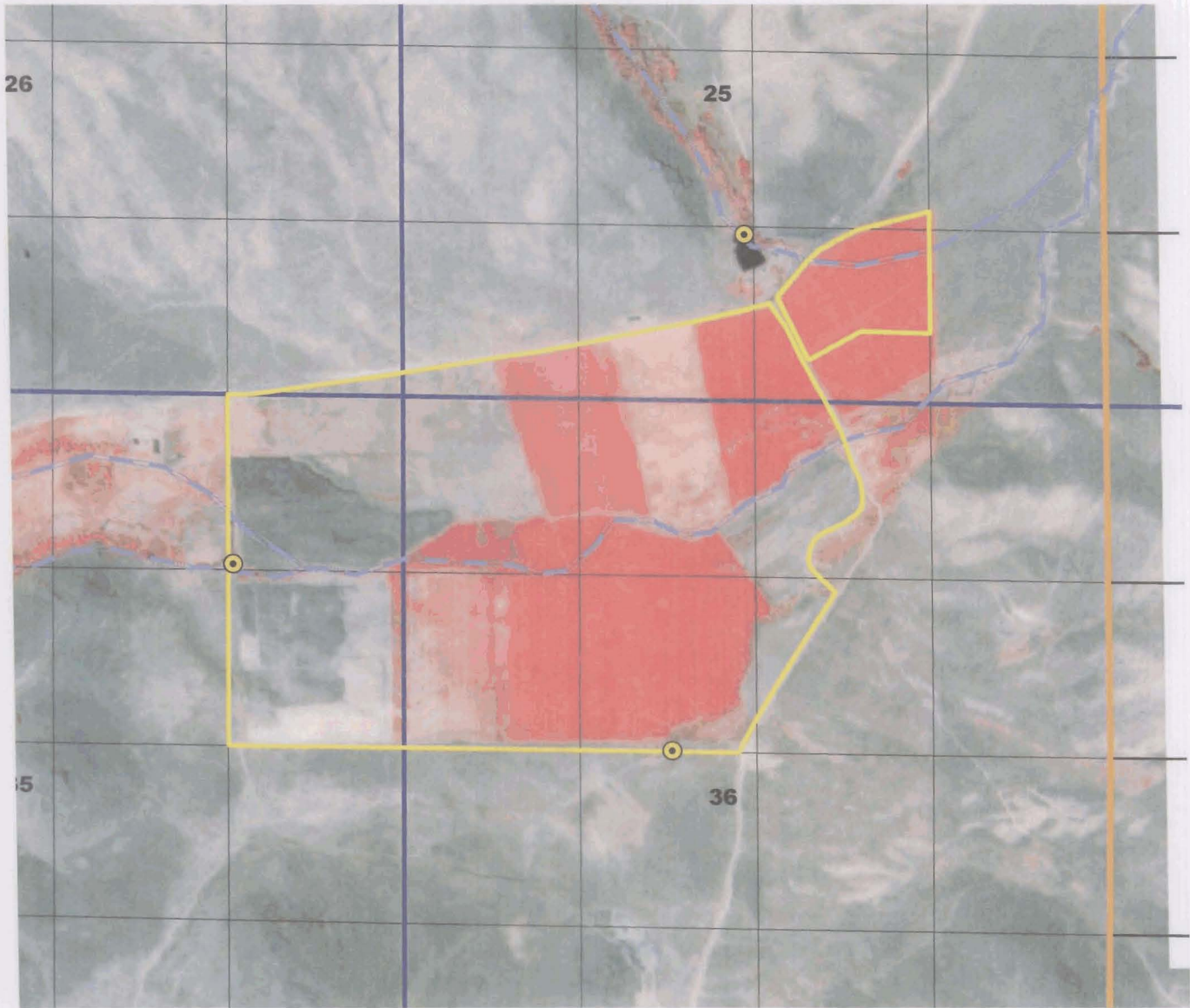
EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 37-254 .

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

Idaho Department of Water Resources

RECOMMENDED PLACE OF USE FOR 37-22065, 37-22067, & 37-22069,

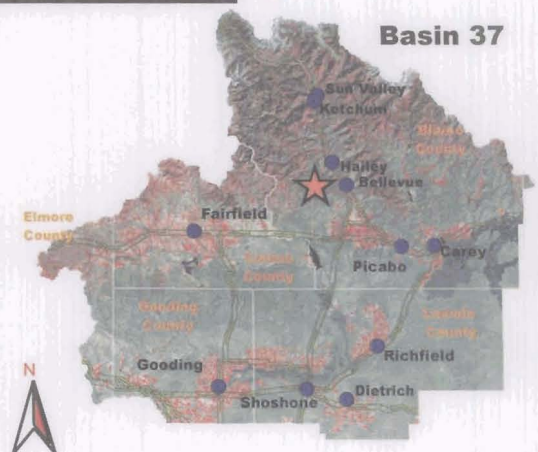


1320 0 1320 2640 3960 Feet

PLACE OF USE
TWP 2N, RNG 17E, SEC 25, 26, & 36
Data entry on January 18, 2007

- RECOMMENDED POINT OF DIVERSION
- RECOMMENDED PLACE OF USE
- TOWNSHIP LINES
- SECTION LINES
- QUARTER/QUARTER LINES
- LOCATION IN BASIN

GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN



	Proportionate share	acres
Croy Creek Prop	0.971	319.9
Alfs	0.029	9.4

37-253	7	37-254	2	37-255	0.3
Croy Creek		Croy Creek		Croy Creek	
Prop	Alfs	Prop	Alfs	Prop	Alfs
37-22065	37-22066	37-22067	37-22068	37-22069	37-22070
6.80	0.20	1.94	0.06	0.29	0.01

		storage	Irr fm Storage
Historic POU	106	10	2
Croy Creek Prop	96.6	9.1	1.8
Alfs	9.4	0.9	0.2

01/06/2007

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

RIGHT NUMBER: 37-22067

NAME AND ADDRESS: WYATT V MC ATEE
PO BOX 744
HAILEY ID 83333

KENT S MC ATEE
PO BOX 744
HAILEY ID 83333-0744

KKC

SOURCE: BULLION CREEK

TRIBUTARY: CROY CREEK

QUANTITY: 1.890 CFS

PRIORITY DATE: 06/01/1883

POINT OF DIVERSION:

T02N R17E S25 NESESW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	1.890 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T02N R17E S25	SWSW	5.30	T02N R17E S25	SESW	17.00
T02N R17E S25	NWSE	0.80	T02N R17E S25	SWSE	24.00
T02N R17E S35	NENE	40.00	T02N R17E S35	SENE	40.00
T02N R17E S36	NWNE	23.00	T02N R17E S36	SWNE	8.10
T02N R17E S36	NENW	40.00	T02N R17E S36	NWNW	40.00
T02N R17E S36	SWNW	40.00	T02N R17E S36	SENW	40.00

318.2 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 318.2 acres in a single irrigation season. Combined Right Nos.: 37-22065, 37-22067, 37-22069, and 37-7319.

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.

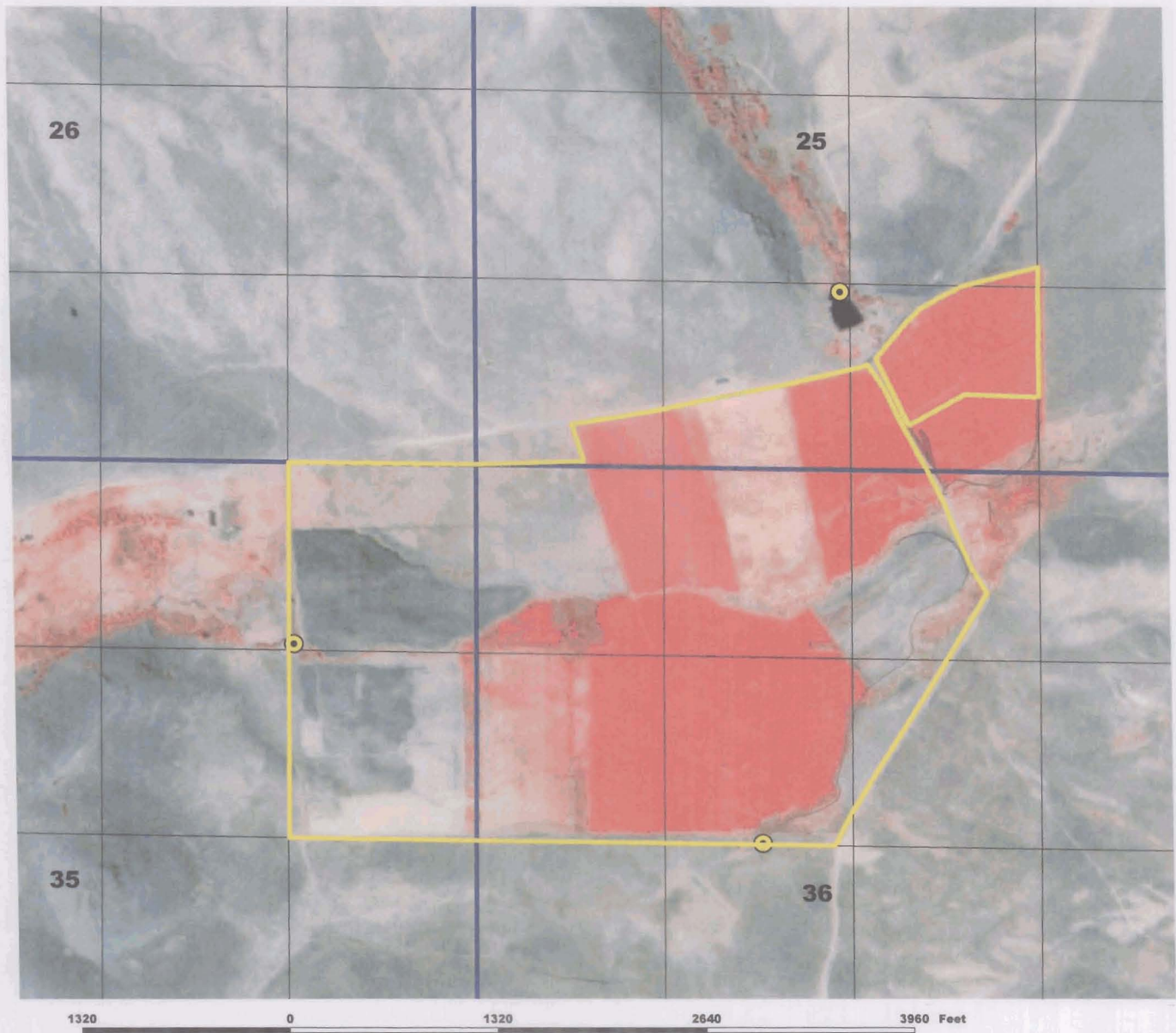
EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 37-254 .

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

Idaho Department of Water Resources

**RECOMMENDED PLACE OF USE FOR
37-22065, 37-22067, & 37-22069.**



PLACE OF USE
TWP 2N, RNG 17E, SEC 25, 35, & 36
Data entry on January 6, 2007

- RECOMMENDED POINT OF DIVERSION
- RECOMMENDED PLACE OF USE
- TOWNSHIP LINES
- SECTION LINES
- QUARTER/QUARTER LINES



LOCATION IN BASIN

GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN



01/02/2007

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

RIGHT NUMBER: 37-254
NAME AND ADDRESS: WYATT V MC ATEE
PO BOX 744
HAILEY ID 83333

KENT S MC ATEE
PO BOX 744
HAILEY ID 83333-0744

SOURCE: BULLION CREEK TRIBUTARY: CROY CREEK
QUANTITY: 2.000 CFS
PRIORITY DATE: 06/01/1883
POINT OF DIVERSION:

T02N R17E S25 NESESW 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	2.000 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T02N R17E S25	SWSW	5.10	T02N R17E S25	SESW	17.00
T02N R17E S25	NWSE	0.80	T02N R17E S25	SWSE	34.00
T02N R17E S35	NENE	40.00	T02N R17E S35	SENE	40.00
T02N R17E S36	NWNE	32.00	T02N R17E S36	SWNE	8.10
T02N R17E S36	NENW	40.00	T02N R17E S36	NWNW	40.00
T02N R17E S36	SWNW	40.00	T02N R17E S36	SENW	40.00

337 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 337 acres in a single irrigation season. Combined Right Nos.: 37-253, 37-254, 37-255, and 37-7319.

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.

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. see below

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

4/12/99 10:00 AM

NAME:

RE:

KENT & VINCE MC ATEE

APPT.

REVIEW SEVERAL CLAIMS

They came to discuss D&S claims from B37 & B85 and review the irrigation rights for the farm in B37 on Croy Creek. D&S claims and rights were all in good shape. May need to file two SRBA claims for lots being developed with the 10,000 gal. fire tank. Irrigation uses from Croy Creek and groundwater are claimed under SRBA claims 37-00911, 37-02555, 37-07319, 37-08725 (permit), 37-00253, 37-00254, 37-00255.

Also reviewed the pending transfers as protested by McAtees. They say they have a verbal agreement with Clark in 37-00208D and would want the same deal with Casser in 37-00208G. I suggested they get the agreement in writing and submit a copy to IDWR when they are ready to withdraw the protest to the transfers.

Water Right Report 37-254

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHN GILMAN ZZ

Status: Active

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	2.000 CFS	
	<u>Total Diversion:</u>	2.000 CFS	

Place of Use
IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
02N	17E	25																	
02N	17E	26																	
02N	17E	35	X			X													
02N	17E	36		X	X		X	X	X						X				

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-254

Comments:Dates and Other Information:

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

Combined Use Limits:Element Reviewed/Verified Dates:

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

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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Water Supply Bank: