

10/07

For Office Use Only
Updated by _____
Date _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

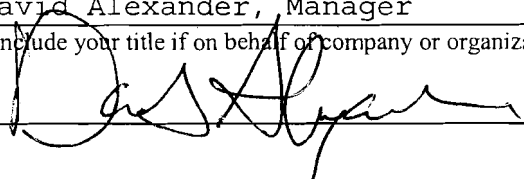
[] New Mailing Address: P.O. Box 1330, Hailey, ID 83333

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

Adjudication Recommendation Report 37-22069 V1

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

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	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	0.290 CFS	
STOCKWATER	01/01 to 12/31	0.020 CFS	
	<u>Total Diversion:</u>	0.290 CFS	

UNNAMED STREAM SE1/4SE1/4NW1/4 Sec. 36, Twp 02N, Rge 17E, B.M.
BLAINE County

IRRIGATION

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-22069 V1

02N 17E 36	19.0	7.8	40.0	40.0	40.0	40.0											186.8
------------	------	-----	------	------	------	------	--	--	--	--	--	--	--	--	--	--	-------

Total Acres: 319.9

STOCKWATER

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																		
02N	17E	35	X			X														
02N	17E	36		X	X		X	X	X	X										

Conditions of Approval:

1. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
2. This right is a split from former right 37-255 .
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.
5. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
6. 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.

Remarks:Comments:

1. mvanbussum 2/12/2007 Conditions
Comment: Added N08 condition.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-22069 V1

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:
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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESJAN 16 2008
DEPT. 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>
Received by <u>[Signature]</u>	Date <u>1/17/08</u>	Receipt No. <u>5021939</u>
Processed by <u>AJ</u>	Date _____	WR _____ Date _____

Remitter

CROY CREEK PROPERTIES

FIRST BANK of IDAHO

111 Main St. • P.O. Box 9000 • Ketchum, Idaho 83340 • 208-725-1330

DATE January 14, 2008

Pay IDAHO DEPT. OF WATER RESOURCES
to the order of

\$ 150.00

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
DRAWEE: 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 endorser 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

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

LENDER:

FIRST BANK OF IDAHO, FSB

X [Signature]
Authorized Signer

COPY

Form 42-248/42-1409 (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>	☒ ^{AD}	<u>37-21285</u>	<u>37-21285</u>	☐
<u>37-254</u>	<u>~~37-254~~ 37-22067</u>	☒ ^{AD}	<u> </u>	<u> </u>	☐
<u>37-255</u>	<u>~~37-255~~ 37-22069</u>	☒ ^{AD}	<u> </u>	<u> </u>	☐
<u>37-7319</u>	<u>37-7319</u>	☐	<u> </u>	<u> </u>	☐
<u>37-20881</u>	<u>37-20881</u>	☐	<u> </u>	<u> </u>	☐

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

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

OR

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

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

<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)

[Signature]
Chey 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

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 FEB, 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.

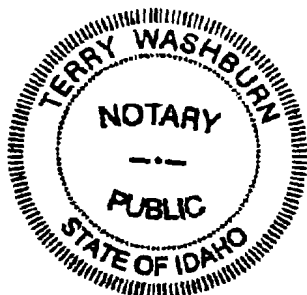


Notary Public
In and for said State and County

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: _____

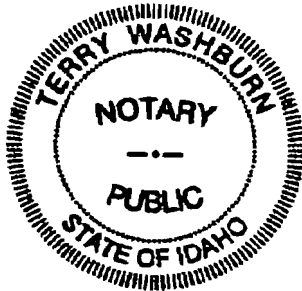
Kent S. McAtee

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

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



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, circular official stamp.

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 37-22069
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: WEST FORK ROCK 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	36	SE	SE	NW	BLAINE	

5. Description of diverting works:

EARTH DAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.29	
STOCKWATER	01/01	12/31	0.02	

7. Total Quantity Appropriated is:

0.29 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	NW	NE	IRRIGATION	30
			SW	NE	IRRIGATION	15
			NE	NW	IRRIGATION	40
			NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
					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? Yes

13. Other Water Rights Used:

14. Remarks:

Claim amended to add stockwater and to increase the claimed place of use to match the other overlapping claims. kkc

SOURCE DECREED AS ROCK CR., BUT LAND IS NOT REACHABLE BY STREAM. TRUE SOURCE IS AN UNNAMED STREAM. Source stream is also known as Little Rock Creek.

This right is a split from former right 37-255 .

15. Basis of Claim: Decreed

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

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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 22065</u>	☐	<u>37-21285</u>	<u>37-21285</u>	☐
<u>37-254</u>	<u>37-254 22067</u>	☐			☐
<u>37-255</u>	<u>37-255 22069</u>	☐			☐
<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 1330
City, State, Zip Code: Hailey, ID 83333
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]
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: WTYQCICORP 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:

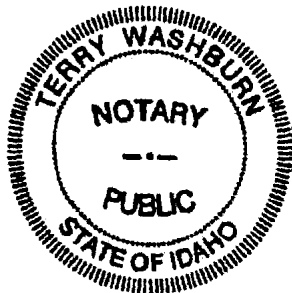
Water rights 37-253, 37-254, 37-255, and 37-7319.

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 37-22069
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)

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

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

2. Date of Priority: 06/01/1883

3. Source: WEST FORK ROCK 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	36	SE SE NW	BLAINE	

5. Description of diverting works:

EARTH DAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.3	
STOCKWATER	01/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.3 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	35
					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:

Claim amended to add stockwater and to increase the claimed place of use to match the other overlapping claims. kkc

SOURCE DECREED AS ROCK CR., BUT LAND IS NOT REACHABLE BY STREAM. TRUE SOURCE IS AN UNNAMED STREAM. Source stream is also known as Little Rock Creek.

This right is a split from former right 37-255 .

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

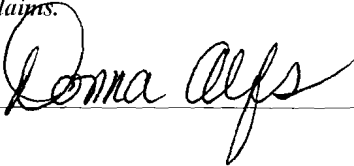
March 16, 2006

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 _____

Receipt Amt. _____

Received by _____

Date _____

Receipt No. _____

Processed by _____ AJ

Date _____

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**").

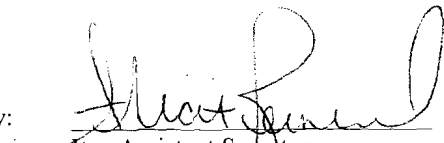
TO HAVE AND TO HOLD the said premises above bargained and described with the appurtenances, unto Grantee, its successors and assigns forever. Grantor, for itself, and its successors and assigns, does covenant, grant, bargain and agree to and with the Grantee, its successors and assigns, that at the time 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

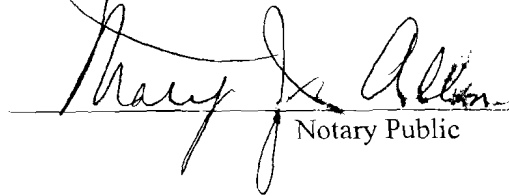
)

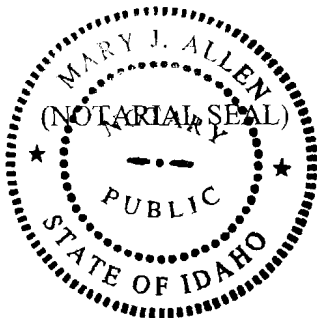
The foregoing instrument was acknowledged before me this 16th day of March, 2006, by Alicia Reinhard, as Assistant Secretary of Pioneer 1031 Company, an Idaho corporation, Member of Pioneer Exchange Accommodation Titleholder #90, LLC, an Idaho limited liability company.

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 37-255
Date Received: 9/15/1988
Receipt No: S002190
Received By:

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

1. Name of Claimant(s)

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

AMENDED

2. Date of Priority: 06/01/1883

3. Source: WEST FORK ROCK 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	36	SE SE NW	BLAINE	

5. Description of diverting works:

EARTH DAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.3	
STOCKWATER	01/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.3 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	35
				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:

Claim amended to add stockwater and to increase the claimed place of use to match the other overlapping claims. kkc

SOURCE DECREED AS ROCK CR., BUT LAND IS NOT REACHABLE BY STREAM. TRUE SOURCE IS AN UNNAMED STREAM. Source stream is also known as Little Rock Creek.

15. Basis of Claim: Decreed

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 _____

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

RECEIVED

MAR 21 2003

**Department of Water Resources
Southern Region**

Please type or print clearly

1. Name of Claimant (s) Kent S. McAtee Phone (208) 788-2229

Mailing Address P.O. Box 744, Hailey, ID Zip 83333

2. Date of Priority (Only one (1) per claim) 6/1/1883

3. Source of water supply (a) W. Fork Rock Creek

which is tributary to (b) Croy Creek

4. a. Location of existing point of diversion is: Township 2N Range 17E Section 36,

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

Additional points of diversion if any: _____

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. _____

Check and pump

3. Water is claimed for the following purposes:

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

For Irrigation purposes from 4/15 to 10/31 amount 0.30 or _____

For Stockwater purposes from 1/1 to 12/31 amount 0.02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.30 (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: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater - 50 head max.

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for together 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	17E	25											15	20			35		70
02N	17E	26																1	1
02N	17E	35	40			40													80
2N	17E	36		40	15		40	40	40	40									215

Total number of acres irrigated 366

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 x 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.

37-253, 37-254, 37-7319 Or None ☐

14. Remarks:

Source stream is also known as Little Rock Creek.

Last Name _____ Ident. No. _____

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 37-255
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

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

Signature of Claimant (s) Kent S. McCreary

Date 3-14-03

Date _____

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

Title _____

Of _____, that I have signed the foregoing

Organization _____

Document in the space below as _____ of _____

Title _____

Organization _____

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

Signature of Authorized Agent _____

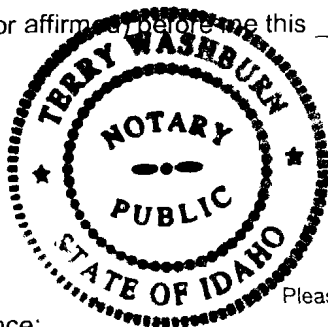
Title and Organization _____

Date _____

State of Idaho / or _____)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 14th day of March, 2003

SEAL



Notary Public Terry Washburn

Residing at Carey, Idaho

My Commission Expires 6/8/07

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

Address _____

Date _____

Last Name _____ Ident. Number _____

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: A37-00255
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: UNNAMED STREAM Trib. to: CROY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	17E	36	SE	SE	NW		BLAINE

5. Description of diverting works:
EARTH DAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.300		

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

8. Total consumptive use is 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	36	NW	NE		IRR	40.0
			SW	NE		IRR	15.0
			SE	NW		IRR	40.0
						Section Acres	95.0
						Total Acres	95.0

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, A37-00254, A37-07319

14. Remarks:
SOURCE DECREED AS ROCK CR., BUT LAND IS NOT REACHABLE BY STREAM.
TRUE SOURCE IS AN UNNAMED STREAM.

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

COF 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: 2

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. Mester 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

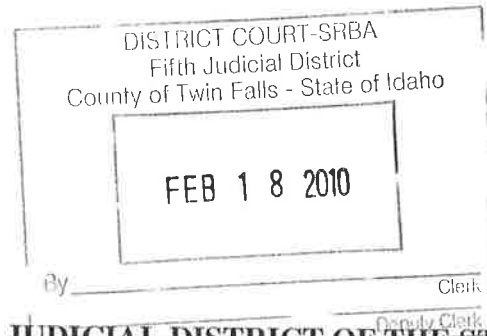
COPY

MICROFILMED
FEB 22 1993

400000 FEET $114^{\circ}22'30''$
 $-43^{\circ}30'$



COPY



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: 37-22065, 37-22067,
37-22069

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: I.C. § 42-222 TRANSFER

An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

- | | |
|--|--|
| ☐ Change in Ownership | ☐ Split of Water Right |
| ☐ Point of Diversion | ☒ Place of Use |
| ☐ Period of Use | ☐ Nature of Use |

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: 2/17/10


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 2-18, 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 W Fort St MSC 033
Boise ID 83724

Croy Creek Properties
PO Box 1330
Hailey ID 83333



Signature of person or attorney mailing the form

02/16/2010

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

RIGHT NUMBER: 37-22065

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

SOURCE: CROY CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 6.800 CFS

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 06/01/1883

POINT OF
DIVERSION:

T02N R17E S35 SWNE 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		6.800 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>				
	T02N R17E S25	SWSW	39.00	T02N R17E S25	SESW 20.00
	T02N R17E S25	NWSE	5.00	T02N R17E S25	SWSE 27.00
	T02N R17E S25	SESE	4.00	T02N R17E S26	SESE 39.00
	T02N R17E S35	NENE	40.00	T02N R17E S35	SENE 37.00
	T02N R17E S36	NWNE	27.00	T02N R17E S36	SWNE 39.00
	T02N R17E S36	NENW	40.00	T02N R17E S36	NWNW 40.00
	T02N R17E S36	SWNW	39.00	T02N R17E S36	SENW 38.00
	T02N R17E S36	NWSE	40.00		

474 ACRES TOTAL

This right when combined with Rights 37-7319, 37-22067 and 37-22069 is limited to the irrigation of 319.9 acres within the place of use described above in a single irrigation season.

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

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.

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.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 37-253 .

02/16/2010

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

RIGHT NUMBER: 37-22067

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

SOURCE: BULLION CREEK

TRIBUTARY: CROY CREEK

QUANTITY: 1.940 CFS

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

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	
<u>PLACE OF USE: IRRIGATION in BLAINE County</u>					
T02N R17E S25	SWSW	39.00	T02N R17E S25	SESW	20.00
T02N R17E S25	NWSE	5.00	T02N R17E S25	SWSE	27.00
T02N R17E S25	SESE	4.00	T02N R17E S26	SESE	39.00
T02N R17E S35	NENE	40.00	T02N R17E S35	SENE	37.00
T02N R17E S36	NWNE	27.00	T02N R17E S36	SWNE	39.00
T02N R17E S36	NENW	40.00	T02N R17E S36	NWNW	40.00
T02N R17E S36	SWNW	39.00	T02N R17E S36	SENW	38.00
T02N R17E S36	NWSE	40.00			

474 ACRES TOTAL

This right when combined with Rights 37-7319, 37-22065 and 37-22069 is limited to the irrigation of 319.9 acres within the place of use described above in a single irrigation season.

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

The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 .

02/16/2010

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

RIGHT NUMBER: 37-22069

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

SOURCE: UNNAMED STREAM

TRIBUTARY: CROY CREEK

QUANTITY: 0.290 CFS

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

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

PRIORITY DATE: 06/01/1883

POINT OF
DIVERSION:

T02N R17E S36 SESENW 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	0.290 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T02N R17E S25	SWSW	39.00	T02N R17E S25	SESW	20.00
T02N R17E S25	NWSE	5.00	T02N R17E S25	SWSE	27.00
T02N R17E S25	SESE	4.00	T02N R17E S26	SESE	39.00
T02N R17E S35	NENE	40.00	T02N R17E S35	SENE	37.00
T02N R17E S36	NWNE	27.00	T02N R17E S36	SWNE	39.00
T02N R17E S36	NENW	40.00	T02N R17E S36	NWNW	40.00
T02N R17E S36	SWNW	39.00	T02N R17E S36	SENW	38.00
T02N R17E S36	NWSE	40.00			

STOCKWATER in BLAINE County

T02N R17E S25	SWSW	T02N R17E S25	SESW
T02N R17E S25	NWSE	T02N R17E S25	SWSE
T02N R17E S25	SESE	T02N R17E S26	SESE
T02N R17E S35	NENE	T02N R17E S35	SENE
T02N R17E S36	NWNE	T02N R17E S36	SWNE
T02N R17E S36	NENW	T02N R17E S36	NWNW
T02N R17E S36	SWNW	T02N R17E S36	SENW
T02N R17E S36	NWSE		

474 ACRES TOTAL

This right when combined with Rights 37-7319, 37-22065 and 37-22067 is limited to the irrigation of 319.9 acres within the place of use described above in a single irrigation season.

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.

The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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 37-255 .



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

February 18, 2010

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

CROY CREEK PROPERTIES
PO BOX 1330
HAILEY ID 83333

RE: SRBA Claim(s) 37-7319, 37-22065, 37-22067, 37-22069

Dear Claimant:

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



Idaho Department of Water Resources

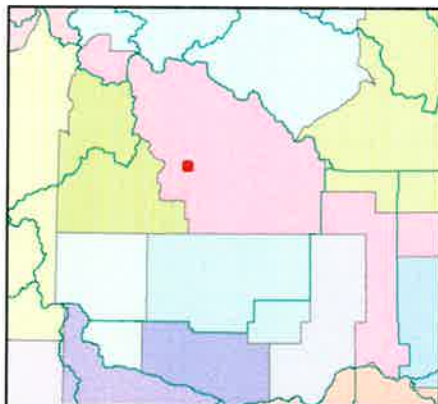
Adjudication Recommendation

37-22069

(IRRIGATION)

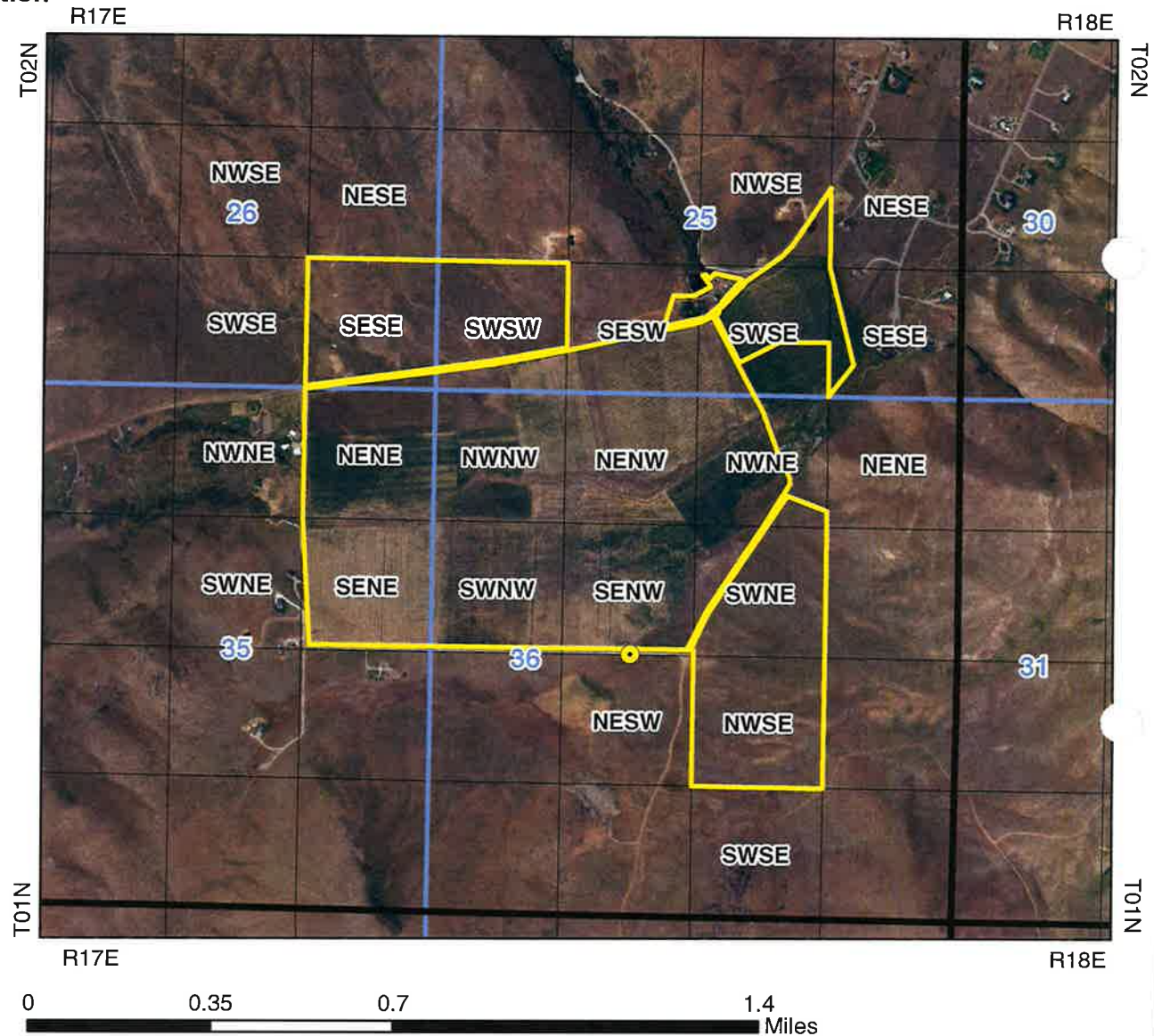
Legend

- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters



**Blaine County
IDWR Basin 37**

Prepared by Trish Fawcett
On February 16, 2010
2004 Aerial Photography



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73856

This is to certify that: CROY CREEK PROPERTIES LLC
 PO BOX 1330
 HAILEY ID 83333
 (208)788-9300

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-22069	AJC/Decreed	06/01/1883	0.29 cfs	N/A		319.9	UNNAMED STREAM

Purpose of Transfer (Changes Proposed)

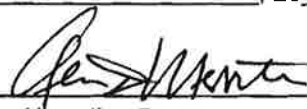
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-22069	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
37-22069	37-22069	0.29 cfs	N/A	319.9	474.0		N/A	N/A		N/A
COMBINED										
TOTALS		0.29 cfs		319.9	474		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 29th day of October, 20 08


 For Chief, Water Allocation Bureau

WATER RIGHT NO. 37-22069
As Modified by Transfer No. 73856

In accordance with the approval of Transfer No. 73856, Water Right No. 37-22069 is now described as follows.

Right Holder: CROY CREEK PROPERTIES LLC
 PO BOX 1330
 HAILEY ID 83333

Priority Date: June 01, 1883

Source: UNNAMED STREAM

Tributary: CROY CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15 to	10/31	0.29 CFS
STOCKWATER	01/01 to	12/31	0.02 CFS
			0.29 CFS

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM SESENW Sec. 36 Twp 02N Rge 17E 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									39.0	20.0			5.0	27.0	4.0		95.0
02N 17E 26															39.0		39.0
02N 17E 35	40.0			37.0													77.0
02N 17E 36		27.0	39.0		40.0	40.0	39.0	38.0					40.0				263.0

Total Acres: 474

PLACE OF USE: STOCKWATER

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									X	X			X	X	X		
02N 17E 26															X		
02N 17E 35	X			X													
02N 17E 36		X	X		X	X	X	X					X				

WATER RIGHT NO. 37-22069
As Modified by Transfer No. 73856

CONDITIONS OF APPROVAL

1. This right is limited to a specific 319.9 acres within the 474 acre place of use authorized through approval of Transfer 73856. The specific 319.9 acres to be irrigated by the right holder shall be identified prior to use by submittal of a land list and a representative electronic shape file or map sufficient to allow creation of an electronic shape file to be associated with this right in the Department's Geographic Information System database. Prior to any material change to the 319.9 acres to be irrigated within the 474 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to IDWR. Notification of the change shall be accomplished prior to the irrigation season in which the change will occur.
2. This right when combined with Rights 37-7319, 37-22065 and 37-22067 is limited to the irrigation of 319.9 acres within the place of use described above in a single irrigation season.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 37.
5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
6. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
7. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
9. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 24th day of October, 20 08



For Chief, Water Allocation Bureau

01/18/2007

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

RIGHT NUMBER: 37-22069

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

37-22069 KKC

SOURCE: UNNAMED STREAM

TRIBUTARY: CROY CREEK

QUANTITY: 0.290 CFS

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

PRIORITY DATE: 06/01/1883

POINT OF DIVERSION:

T02N R17E S36 SESENW 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	0.290 CFS
STOCKWATER	01/01 12/31	0.020 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			

STOCKWATER in BLAINE County

T02N R17E S25	SWSW	T02N R17E S25	SESW
T02N R17E S25	NWSE	T02N R17E S25	SWSE
T02N R17E S35	NENE	T02N R17E S35	SENE
T02N R17E S36	NWNE	T02N R17E S36	SWNE
T02N R17E S36	NENW	T02N R17E S36	NWNW
T02N R17E S36	SWNW	T02N R17E S36	SENW

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.

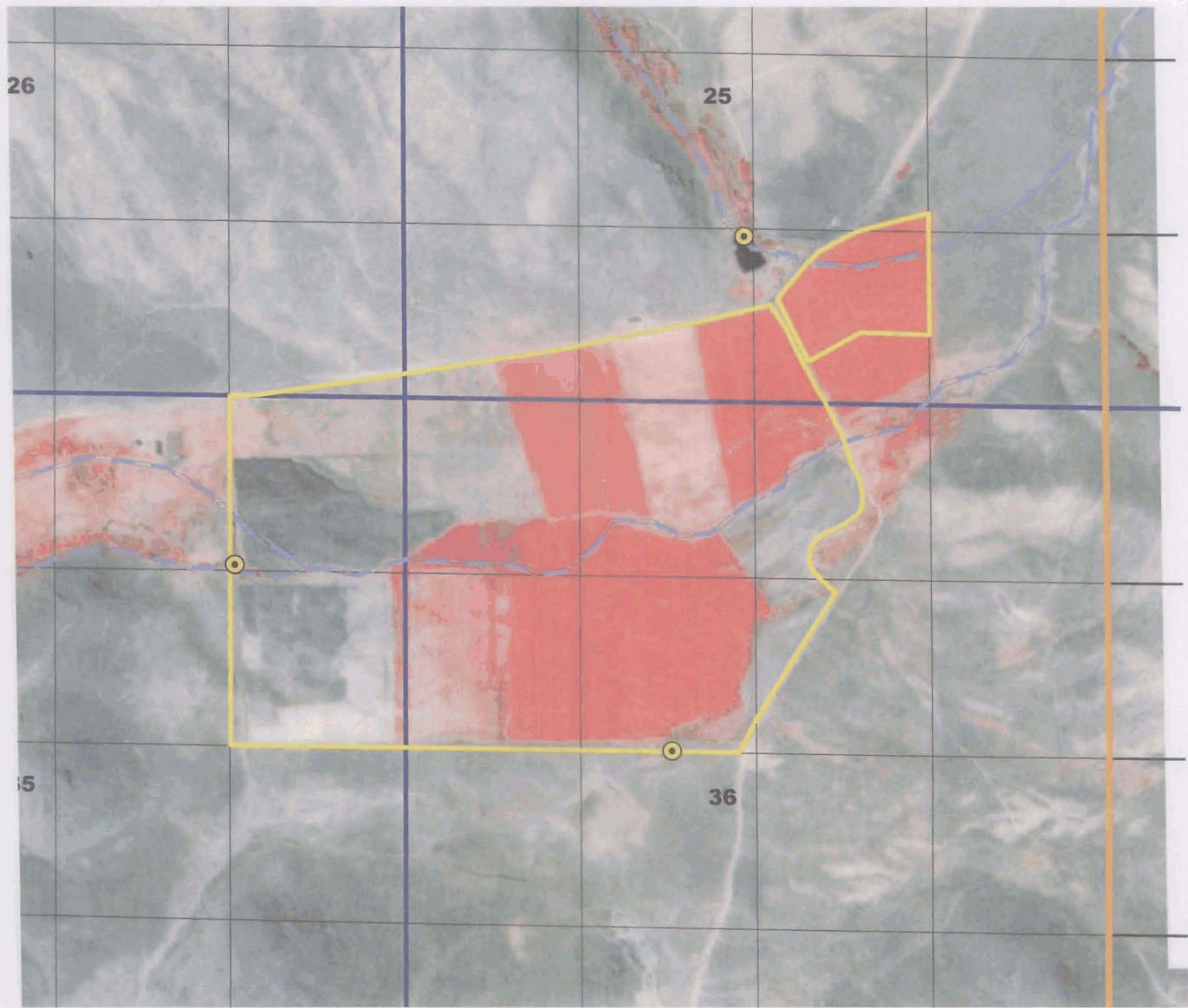
EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 37-255 .

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

Basin 37



	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: 37-22069

NAME AND ADDRESS: KENT S MC ATEE
PO BOX 744
HAILEY ID 83333-0744

WYATT V MC ATEE
PO BOX 744
HAILEY ID 83333

SOURCE: UNNAMED STREAM

TRIBUTARY: CROY CREEK

QUANTITY: 0.280 CFS
The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/01/1883

POINT OF DIVERSION:

T02N R17E S36 SESENW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	0.280 CFS
STOCKWATER	01/01 12/31	0.020 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

STOCKWATER in BLAINE County

T02N R17E S25	SWSW	T02N R17E S25	SESW
T02N R17E S25	NWSE	T02N R17E S25	SWSE
T02N R17E S35	NENE	T02N R17E S35	SENE
T02N R17E S36	NWNE	T02N R17E S36	SWNE
T02N R17E S36	NENW	T02N R17E S36	NWNW
T02N R17E S36	SWNW	T02N R17E S36	SENW

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.

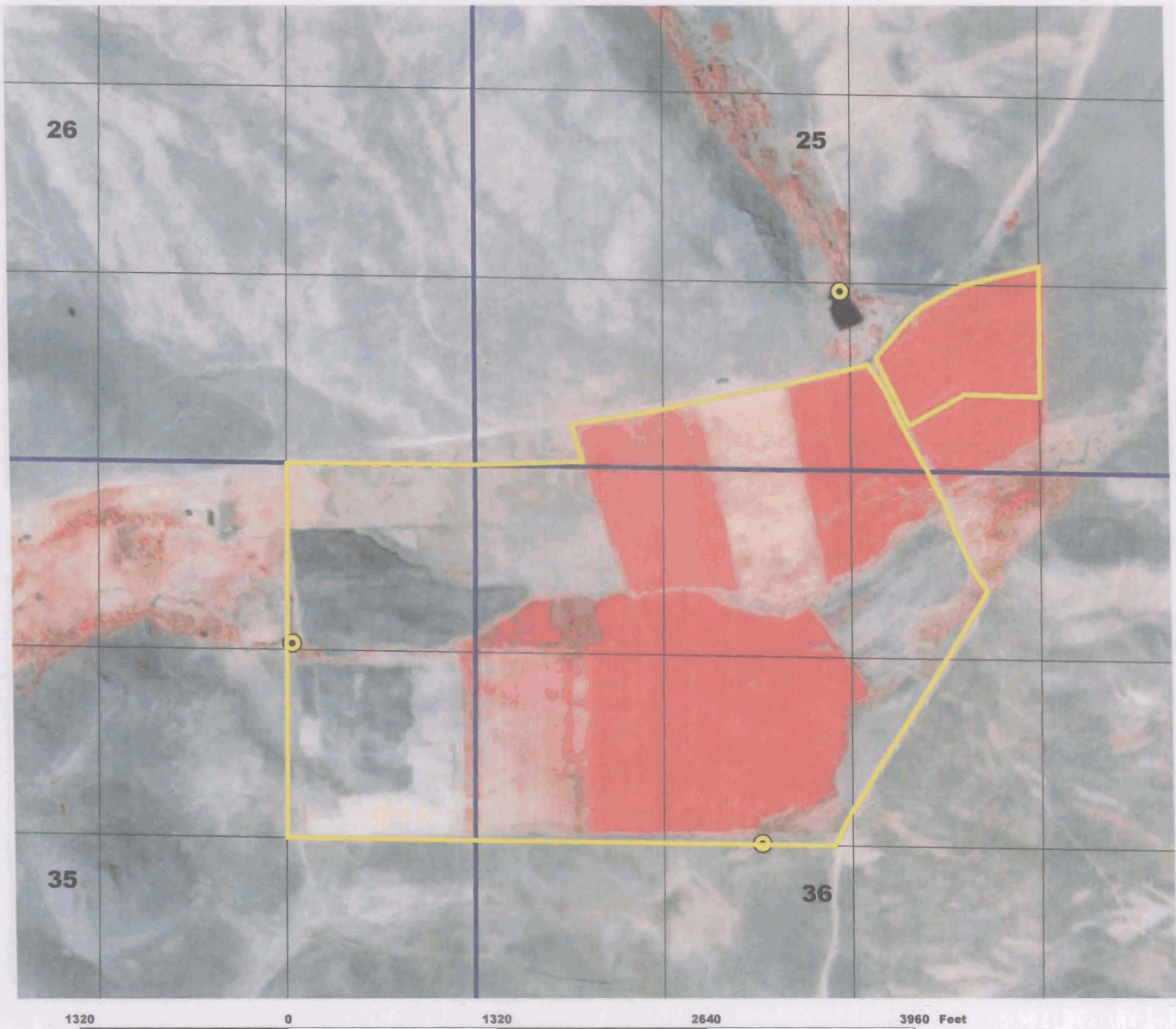
EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 37-255 .

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



5041
MAR 07 2013

01/03/2007

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

RIGHT NUMBER: 37-255

NAME AND ADDRESS: KENT S MC ATEE
PO BOX 744
HAILEY ID 83333-0744

WYATT V MC ATEE
PO BOX 744
HAILEY ID 83333

SOURCE: UNNAMED STREAM

TRIBUTARY: CROY CREEK

QUANTITY: 0.300 CFS

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

PRIORITY DATE: 06/01/1883

POINT OF DIVERSION:

T02N R17E S36 SESENW 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	0.300 CFS
STOCKWATER	01/01 12/31	0.020 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

STOCKWATER in BLAINE County

T02N R17E S25	SWSW	T02N R17E S25	SESW
T02N R17E S25	NWSE	T02N R17E S25	SWSE
T02N R17E S35	NENE	T02N R17E S35	SENE
T02N R17E S36	NWNE	T02N R17E S36	SWNE
T02N R17E S36	NENW	T02N R17E S36	NWNW
T02N R17E S36	SWNW	T02N R17E S36	SENW

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

01/03/2007

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

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.

CONVERSATION MEMORANDUM

NAME OF PARTY HOWARD KESTIE (DEPARTMENT OF
EMPLOYEE COREY SKINNER LANDS 934-5606 DATE JAN/05/96
FILE A37-00255

RE: TODAY I TALKED WITH HOWARD KESTIE
OF THE DEPARTMENT OF LANDS. MR. KESTIE
WAS INQUIRING ABOUT WATER THAT MAY BE DIVERTED
FROM STATE LANDS BY KENT MCATTEE IN
SECTION 36 OF TOWN, RITE.

AFTER SEARCHING, I WAS ABLE TO FIND
AN ADJUDICATION CLAIM THAT FIT MR.
KESTIE'S DESCRIPTION. (A37-00255). I
TOLD MR. KESTIE THAT THE ONLY DIVERSIONS
IN SECTION 36 THAT WE HAVE RECORD OF
WERE IN THE NENE $\frac{1}{4}$ AND THE SESENW $\frac{1}{4}$.
THE SESENW $\frac{1}{4}$ CLAIM WAS MADE BY KENT
MCATEE AND APPEARED TO BE THE ONE
HE (MR. KESTIE) WAS INQUIRING ABOUT.

MR. KESTIE WAS CONCERNED THAT THE
DIVERSION MAY BE ON STATE GROUND (NAMELY
THE SW $\frac{1}{4}$ OF SECTION 36), BUT I TOLD
HIM THAT MR. MCATEE CLAIMED THE
DIVERSION AS BEING IN THE SESENW $\frac{1}{4}$ OF
SECTION 36.

MICROFILMED

NOV 22 1996

CONVERSATION MEMORANDUM

NAME OF PARTY HOWARD KESTIE (DEPARTMENT OF LANDS)
EMPLOYEE COREY SKINNER

DATE JAN 11 1996
FILE A37-00255

RE: TODAY I TALKED WITH HOWARD KESTIE ABOUT
OUR JANUARY 5, 1996 CONVERSATION. IT SEEMS
HOWARD WAS CONCERNED WITH AN ILLEGAL DIVERSION
(A SMALL DAM BUILT IN MID TO LATE '70's) ON
STATE GROUND (THE SW 1/4 OF SECTION 36, T02N, R17E).
APPARANTLY THE DAM WAS BUILT UPSTREAM OF
MCATEE'S DIVERSION. AROUND 1978 MCATEE
COMPLAINED TO THE DEPARTMENT OF LANDS ABOUT
THE DAM INTERFERING WITH HIS WATER RIGHT
(I ASSUME A37-00255) ACCORDING TO MR. KESTIE.

MICROFILMED

NOV 22 1996

Form 310, Administration, 1909, 2000

J. C. Frost et al
Plaintiffs

Grantor

TO

25
Arthur Mates Co et al
Defendants

Grantee

No
Character of Instrument,

Water Decree

Date of Instrument,

Dec 13, 1909

Date of Record,

Dec 23, 1906

Book 6 of Judgments Page 447 to 535

Consideration, \$

Are Signatures Sealed?

Witnesses

Acknowledgment

Regular

Granting Words

Covenant, if any

Description and Remarks:

In the Dist. Court of the 4th Jud. Dist. of 2d Mo
in and for Logan Co.

Big Wood River and its Tributaries
Water Decree

Decreed to John Gilman

350 inches from June 1st 1883 from Crook Creek
100 " " " " " " " " Bullion Creek
~~100 " " " " " " " " " "~~

for the irrigation of
520 acres including the
Preemption land described
in the within Abstract

MICROFILMED
FEB 22 1993

A37-00255

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-255

WATER RIGHT NUMBER: 37-255

Owner Type Name and Address
 Current Owner JOHN GILMAN
 , ZZ

Priority Date: 06/01/1883

Basis: Decreed

Status: Active

Source Tributary
 WEST FORK ROCK CREEK ROCK CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	0.300 CFS	
	<u>Total Diversion:</u>	0.300 CFS	

Location of Point(s) of Diversion
 WEST FORK ROCK CREEK

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											X				X		
02N	17E	26																X	
02N	17E	35	X			X													
02N	17E	36		X	X		X	X	X	X					X				

Conditions of Approval:

1. SOURCE DECREED AS ROCK CR., BUT LAND IS NOT REACHABLE BY STREAM. USGS MAP SHOWS LAND COULD BE IRRIG. FROM WEST FORK ROCK CR.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-255

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: