

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

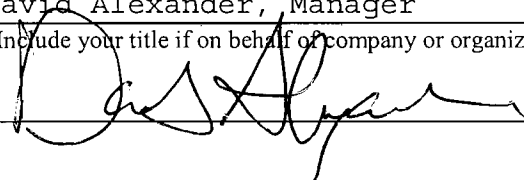
[] New Mailing Address: P.O. Box 1330, Hailey, ID 83333

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

Adjudication Recommendation Report 37-22065 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
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>
CROY CREEK	BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	6.800 CFS	
	Total Diversion:	6.800 CFS	

CROY CREEK SW1/4NE1/4NE1/4 Sec. 35, Twp 02N, Rge 17E, B.M.
BLAINE County

IRRIGATION

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-22065 V1

Total Acres: 319.9

Conditions of Approval:

1. This right is a split from former right 37-253 .
2. 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.
3. 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.
4. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, 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>
Received by <u>[Signature]</u>	Date <u>1/17/08</u>	Receipt No. <u>5021939</u>
Processed by <u>AJ</u>	Date <u></u>	WR <u></u> Date <u></u>

16-3776
1220

550454

Remitter

CROY CREEK PROPERTIES

FIRST BANK OF IDAHO

111 Main St. • P.O. Box 9000 • Ketchum, Idaho 83340 • (208) 725-0134

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

MP

99

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 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:

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, 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> </u>	<u> </u>	☐
<u>37-255</u>	<u>~~37-255~~ 37-22069</u> ^{AS}	☐	<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: _____		
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: _____	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 JAN, 2007.

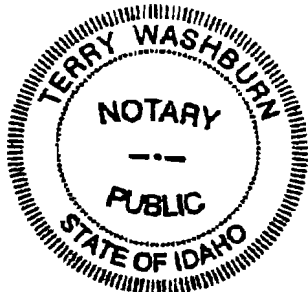
By:

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 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

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:

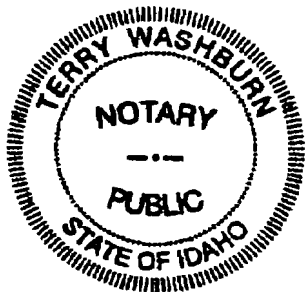
Water rights 37-253, 37-254, 37-255, and 37-7319.

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 20 07, 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

QUITCLAIM DEED

For value received, Kent S. McAtee, 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 37-20881

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

By: Kent S McAtee
Kent S. McAtee

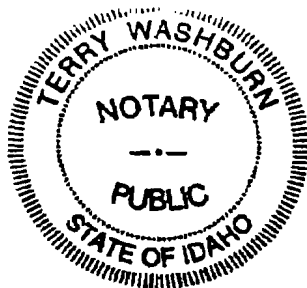
State of Idaho)
) S.S.
County of Blaine)

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.

Terry Washburn
Notary Public
In and for said State and County

6/8/07
My Commission Expires on

S
E
A
L



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,

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 37-22065
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: CROY CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	17E	35	SW NE NE	BLAINE	

5. Description of diverting works:

40 HP PUMP IN CREEK 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	6.8	

7. Total Quantity Appropriated is:
6.8 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:

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

15. Basis of Claim: Decreed

379633
6-28-95

QUITCLAIM DEED

379633

For Value Received

N.V. McAtee

Kent S. McAtee

WITNESSES

Kent McAtee

Partners in Croy Creek Ranch

do hereby convey, release, remise and forever quitclaim unto

1995 JUL 28 PM 9 59

Philip Vincent McAtee
whose current address is

P.O. Box 1808 Hailey, Idaho, 83232

MARY GREEN CLERK

FEES \$/c - MPP

the following described premises, to-wit

A parcel of land situated within Sections 25 & 36 Township 2 North, Range 17 East Boise Meridian, Blaine County, Idaho, more particularly described as follows:

Commencing at the East 1/16 Corner of Section 25 & 36 said point being the TRUE POINT OF BEGINNING;

Thence S 00 16'59" E 1262.18';

Thence N 68 26'03" W 474.20';

Thence N 31 26'17" E 100.12';

Thence 131.94' along a curve to the left with a radius of 160.00', a central angle of 47 14' 51" and a chord which bears N 07 48'52" E, 128.23';

Thence N 15 48'34" W 25.13';

Thence 89.26' along a curve to the left with a radius of 370.00', a central angle of 13 49'19" and a chord which bears N 22 43'13" W, 89.04';

Thence N 29 37'53" W 69.79';

Thence 145.08' along a curve to the right with a radius of 1070.00', a central angle of 07 46'07" and a chord which bears N 25 44'50" W, 144.97';

Thence N 21 51'46" W 101.02

Thence 237.49' along a curve to the right with a radius of 6970.00', a central angle of 01 57'08" and a chord which bears N 20 53'12" W, 237.48';

Thence N 19 54'38" W 22.38';

Thence 216.65' along a curve to the left with a radius of 1430.00', a central angle of 08 40'50" and a chord which bears N 24 15'03" E, 216.44';

Thence N 28 35'28" W 904.16';

Thence 44.26' along a curve to the right with a radius of 35.00', a central angle of 72 27'19" and a chord which bears N 07 38'12" E, 41.37';

together with their appurtenances.

(continued on attached)

Dated

Kent S McAtee
W V McAtee

6-23-95
6-23-95

STATE OF IDAHO, COUNTY OF

On this 3 day of June, 1995, before me, a Notary Public in and for the said State, personally appeared

known to me to be the person whose name subscribed to the within instrument, and acknowledged to me that executed the same

Notary Public, Idaho
Residing at
Comm. Expires

STATE OF IDAHO, COUNTY OF

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

at minutes past o'clock M.,
this day of 1995, in my office, and duly recorded in Book of Deeds at page

Ex-Officio Recorder

By Deputy

Fees \$
Mail to:

INSTRUMENT NO.

Thence 21.99' along a curve to the left with a radius of 365.00',
a central angle of 03° 27' 06" and a chord which bears
N 42° 08' 18" E, 21.99';
Thence N 40° 24' 45" E 361.52';
Thence 124.29' along a curve to the right with a radius of 420.00',
a central angle of 16° 57' 22" and a chord which bears
N 48° 53' 26" E 123.84';
Thence N 57° 22' 07" E 290.18';
Thence S 89° 30' 01" E 555.59';
Thence S 00° 19' 29" E 1315.72' to the TRUE POINT OF BEGINNING,
containing 42.21 acres, more or less.

QUITCLAIM DEED

FOR VALUE RECEIVED

Philip Vincent McAtee and Kimberly K. McAtee, husband and wife

do hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

Croy Creek Ranch Limited Partnership, an Idaho Limited Partnership

✓ whose address is: P.O. Box 744, Hallett, ID 83333

the following described premises situated in Blaine County, Idaho, to wit:

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

BLAINE CO. REQUEST

Deed

Kim McAtee

SEP 20 11:42

393457

CLERK

3⁰⁰ mpp

8-20-9

together with their appurtenances.

Dated: August 13, 1996

Philip Vincent McAtee

Philip Vincent McAtee

Kimberly K. McAtee

Kimberly K. McAtee

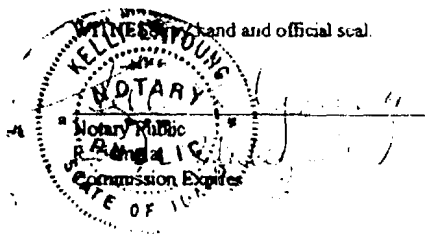
State of Idaho)

)ss.

County of Blaine)

On this 20 day of August, in the year 1996, before me, the undersigned, personally appeared Philip Vincent McAtee and Kimberly K. McAtee, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public and official seal.



RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

Bruce Collier, Esq.
KNEELAND, KORB, COLLIER & LEGG
Post Office Box 249
Ketchum, ID 83340
KKC&L File No. 3148-dd

(Space above line for Recorder's Use)

QUITCLAIM DEED

FOR VALUE RECEIVED, CROY CREEK RANCH LIMITED PARTNERSHIP, a limited partnership duly organized under the laws of the State of Idaho, as Grantor, does hereby convey, release, remise and forever quitclaim unto KENT S. MCATEE as Grantee, whose current address is Post Office Box 744, Hailey, Idaho 83333, and to Grantee's successors and assigns forever, the premises situated in Blaine County, State of Idaho, described as:

Lot 3A of the Replat of Lot 3, Block 1, Croy
Creek Ranch Subdivision, according to the
official plat thereof, recorded as Instrument
No 382432, records of Blaine County

together with their appurtenances.

DATED: 8/12/97

CROY CREEK RANCH LIMITED PARTNERSHIP, a
limited partnership

405080

Paul

BY *Kent S. McAttee*
General Partner

BLAINE CO. REQUEST
OF *Kent S. McAttee*

'97 AUG 18 PM 3 35

MARY GREEN, CLERK *ms*

FEES \$ 6.00

ACKNOWLEDGEMENT

STATE OF IDAHO)
) ss.
County of Blaine)

On this 16th day of August, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared KENT S. MCATEE, known or identified to me to be one of the general partners in the limited partnership of CROY CREEK RANCH LIMITED PARTNERSHIP, and the general partner who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said limited partnership name.

WITNESS my hand and seal the day and year in this certificate first above written.



Rubra A. McMillan
Notary Public for Harlow, Idaho
Residing at Idaho
Commission Expires 9/13/2001



Instrument # 541567
HAILEY, BLAINE, IDAHO
2006-11-08 08:43:00 No. of Pages: 1
Recorded for: BLAINE COUNTY TITLE
MARSHA RIEMANN Fee: 3.00
Ex-Officio Recorder Deputy
Index to: WTYQICORP DEED

WARRANTY DEED

FOR VALUE RECEIVED

Kent S. McAtee, a single man

GRANTOR(S), hereby grants, bargains, sells, conveys and warrants unto

Croy Creek Properties, LLC, an Idaho Limited Liability Company,

GRANTEE(S), whose current address is: PO Box 774 Hailey ID 83333

the following described premises, to wit:

Lot 3A of A Replat of Lot 3, Block 1, Croy Creek Ranch Subdivision, according to the official plat thereof, recorded as Instrument No. 382432, records of Blaine County, Idaho.

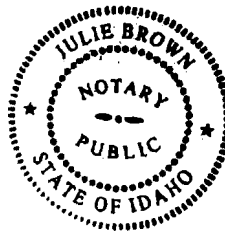
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises, that said premises are free from all encumbrances and that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

Dated this 7th day of November, 2006. Kent S. McAtee
KENT S. MCATEE

STATE OF Idaho)
COUNTY OF Blaine) ss.

On this 7th day of November, 2006, before me, the undersigned, a Notary Public, in and for said State, personally appeared Kent S. McAtee known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.
WITNESS MY HAND AND OFFICIAL SEAL.

[Signature]
Notary Public
Residing at: Gannett, ID
My commission expires: 7/9/11



Order No. 21435

WARRANTY DEED

FOR VALUE RECEIVED

W.V. McAtee and Mary Gladys McAtee, Trustees or Their Successors In Trust, Under W.V. and Mary Gladys McAtee Living Trust Dated March 23, 1994 and any amendments thereto

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

Croy Creek Ranch Limited Partnership, an Idaho Limited Partnership

GRANTEE(s) whose address is: P. O. Box 744, Hailey, ID 83333

the following described real property in Blaine County, Idaho, to wit:

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

This Warranty Deed is being recorded to correct the notary acknowledgement on Warranty Deed recorded as Instrument No. 367103.

Subject To: Taxes, easements, restrictions and encumbrances of record.

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

Dated: November 28, 1995

W.V. McAtee
W.V. McAtee

Mary Gladys McAtee
Mary Gladys McAtee

State of Idaho

}
} ss.
}

County of Blaine

On this 29th day of November, in the year 1995, before me, the undersigned, personally appeared W.V. McAtee and Mary Gladys McAtee, known or identified to me to be the person(s) whose name is/are subscribed to the within Instrument as trustee(s) of the W.V. McAtee and Mary Gladys McAtee Living Trust Dated March 23, 1994 and any amendments thereto, and acknowledged to me that he/she/they executed the same as such trustee(s).

WITNESS my hand and official seal.

Cecilia L. Kumpf
Notary Public
Residing at Hailey
Commission Expires: 1-8-96

J:\escrow\forms\wdt

95 DEC 7 PM 1 39
Blaine Green ALERT
PRESS 3

BLAINE CO. REQUEST
OFFICIAL

384969

Order No. 21435

QUITCLAIM DEED

FOR VALUE RECEIVED

Croy Creek Ranch Limited Partnership, an Idaho Limited Partnership

do hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

Philip Vincent McAtee, an unmarried man

whose address is: P. O. Box 1808, Halley, ID 83333

the following described premises situated in Blaine County, Idaho, to wit:

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

384970
BLAINE CO. REQUEST
OF
1995 DEC 7 PM 1 39
FEE \$ 3.00

This Quitclaim Deed is being recorded to correct Quitclaim Deed recorded July 10, 1995 as Instrument No. 379990 wherein Grantors executed said Deed individually.

together with their appurtenances.

Dated: November 28, 1995

Croy Creek Ranch Limited Partnership

Kent S. McAtee
Kent S. McAtee, general partner

W.V. McAtee
W.V. McAtee, general partner

Mary Gladys McAtee
Mary Gladys McAtee, general partner

State of Idaho

}
} ss.

County of Blaine

On this 29th day of November, in the year 1995, before me, the undersigned, personally appeared Kent S. McAtee, W.V. McAtee and Mary Gladys McAtee, known or identified to me to be general partners in the partnership of Croy Creek Ranch Limited Partnership, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

WITNESS my hand and official seal.

Clarence K. Kuyper
Notary Public
Residing at Halley, ID
Commission Expires: 1-2-96
J:\escrow\forms\qcd

QUITCLAIM DEED

FOR VALUE RECEIVED

Phillip Vincent McAtee shown of record as Phillip Vincent McAtee, an unmarried man

do hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

Phillip Vincent McAtee, an unmarried man and Kimberly K. Bates, an unmarried woman

whose address is: P. O. Box 1808, Halley, ID 83333

the following described premises situated in Blaine County, Idaho, to wit:

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

384971
BLAINE CO. REQUEST
OF ABANDONMENT
'95 DEC. 7 PM 1 39
H. Mary Green, CLERK
FEES \$ 3.00

together with their appurtenances.

Dated: December 5, 1995

Phillip Vincent McAtee
Phillip Vincent McAtee

State of Idaho }
 } ss.
County of Blaine }

On this 7th day of December, in the year 1995, before me, the undersigned, personally appeared Phillip Vincent McAtee; known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Deborah L. Kuehn
Notary Public
Residing at Halley, ID
Commission Expires: 1-8-98

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:
Jennifer L.K. Haemmerle
HAEMMERLE & HAEMMERLE, PLLC
P. O. Box 1800
Hailey, ID 83333

ORIGINAL
Instrument # 489483
HAILEY, BLAINE, IDAHO
2003-08-14 11:21:00 No. of Pages: 1
Recorded for: HAEMMERLE & HAEMMERLE
MARSHA RIEMANN Fee: 3.00
Ex-Officio Recorder Deputy
Index to: WTYOCORP DEED

QUITCLAIM DEED

FOR VALUE RECEIVED, KIMBERLY KAY McATEE, of Blaine County, Idaho, Grantor, does hereby convey, release, remise and forever quit claim unto PHILIP VINCENT McATEE, Grantee, whose address is P. O. Box 4841, Hailey, Idaho 83333, as his sole and separate property, all of her right, title and interest in and to the parcel of real property more particularly described as follows:

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

Together with all improvements and appurtenances;

DATED this 8th day of August, 2003.

Kimberly Kay McAtee
Kimberly Kay McAtee

STATE OF IDAHO,)
) ss.
County of Blaine.)

On this 8th day of August, 2003, before me, a Notary Public in and for said State, personally appeared Kimberly Kay McAtee, Grantor, known to me to be the person who name is subscribed to the within instrument, and acknowledged to me that she executed the same.



Susan D. Carlson
NOTARY PUBLIC for Idaho
Residing at Hailey
Commission expires 05/28/2006



Instrument # 522890
HAILEY, BLAINE, IDAHO
2005-07-13 09:15:00 No. of Pages: 1
Recorded for: BLAINE COUNTY TITLE
MARSHA REEMANN Fee: 3.00
Ex-Officio Recorder Deputy *mpp*
Index to: WYVICORP DEED

WARRANTY DEED

FOR VALUE RECEIVED

Philip Vincent McAtee, an unmarried man,

GRANTOR(S), hereby grants, bargains, sells, conveys and warrants unto

Exchange 05-2932 LLC, an Idaho Limited Liability Company

GRANTEE(S), whose current address is: 195 South Broadway, Blackfoot, ID 83221

the following described premises, to wit:

Lot 3B of 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.

And as replacement property in an I.R.C. 1031 Tax Deferred Exchange

Parcel Number: 00119000003BA

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

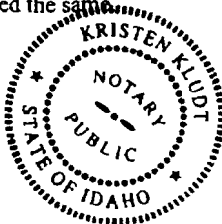
Dated this 12th day of July, 2005.

Philip Vincent McAtee
Philip Vincent McAtee

STATE OF Idaho)
) ss.
COUNTY OF Blaine)

On this 12th day of July, 2005, before me, the undersigned, a Notary Public, in and for said State,
personally appeared Philip Vincent McAtee known to me, and/or identified to me on the basis of
satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within
instrument and acknowledged to me that he/she/they executed the same.
WITNESS MY HAND AND OFFICIAL SEAL.

Kristen Kludt
Notary Public
Residing at: Ketchum
My commission expires: December 14, 2007



SPECIAL WARRANTY DEED

For Value Received **EXCHANGE 05-2932, LLC., an Idaho Limited Liability Company**

Hereinafter called Grantor, hereby grants, bargains, sells and conveys unto Ed Van, Purchaser

whose address is: 646 W Pacific Cast Hwy, Long Beach, CA 90806

Hereinafter called the Grantee, the following described premises situated in Blaine County, Idaho, to-wit:

Lot 3B of 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

Grantor does hereby covenant with Grantee, his heirs, successors and assigns, that Grantor will warrant and defend the said granted premises against the lawful claims and demands of all persons claiming by, through and under Grantor, but against no other claims and no other persons, including predecessors in title.

Dated: August 22, 2005

Exchange 05-2932, LLC., an Idaho Limited Liability Company

Exchange Services, Inc., Member

By: Shauna Romrell,
It's: President

Instrument # 524951

HAILEY, BLAINE, IDAHO

2005-08-23

03:14:00 No. of Pages: 1

Recorded for: BLAINE COUNTY TITLE

MARSHA NIEMANN

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WYTRICORP DEED

STATE OF Idaho

:ss

COUNTY OF Bingham

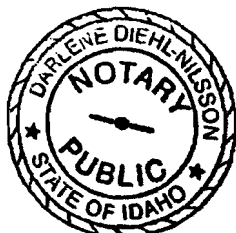
On this 22nd day of August, 2005, before me, the undersigned personally appeared Shauna Romrell, known or identified to me to be the President of the corporation who executed the instrument on behalf of said corporation as member of Exchange 05-2932, LLC., an Idaho Limited Liability Company, and acknowledged to me that she executed the same as President of the corporation, as member of Exchange 05-2932, LLC., an Idaho Limited Liability Company.

Notary Public for Idaho

Residing at Blackfoot

Commission Expires

11-26-06



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 22065</u>	☐	<u>37-21285</u>	<u>37-21285</u>	☐
<u>37-254</u>	<u>37-254 22067</u>	☐	<u> </u>	<u> </u>	☐
<u>37-255</u>	<u>37-255 22069</u>	☐	<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 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]
Cree 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: WTY/QC/CORP 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:

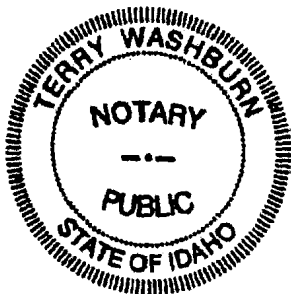
Kent S McAtee
Kent S. McAtee

State of Idaho)

) 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 37-22065
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: CROY CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
02N	17E	35	SW	NE	NE	BLAINE	

5. Description of diverting works:

40 HP PUMP IN CREEK 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	7	

7. Total Quantity Appropriated is:
7 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:

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

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)
37-00253	A37-00253				
37-00254	A37-00254				
37-00255	A37-00255				

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.

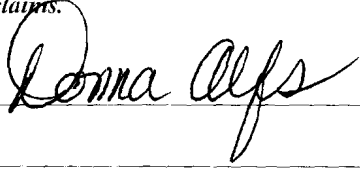
3. Name and Address of Former Owner/Claimant(s)	<u>Edward A. Van Eenenaam</u> <u>(unknown)</u>
4. New Owner/Claimant(s)	<u>Donna S. Alfs</u>
	Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address	<u>P.O. Box 850</u>
City, State and ZIP Code	<u>Ketchum, ID 83340</u>
New Telephone Number	<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**").

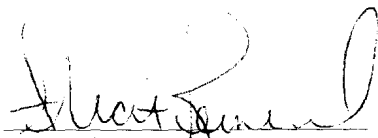
TO HAVE AND TO HOLD the said premises above bargained and described with the appurtenances, unto Grantee, its successors and assigns forever. Grantor, for itself, and its successors and assigns, does covenant, grant, bargain and agree to and with the Grantee, its successors and assigns, that at the time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

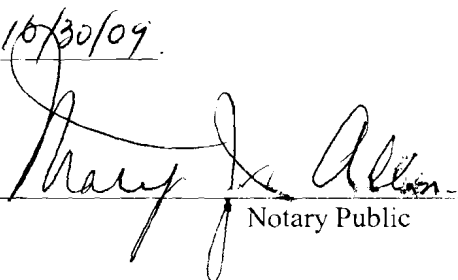
COUNTY OF ADA

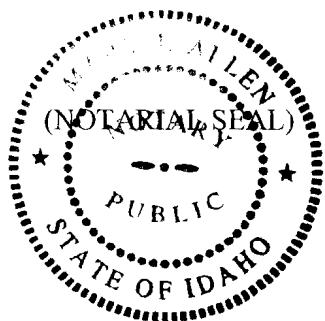
)

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: A37-00253
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: CROY CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	17E	35	SW	NE	NE		BLAINE

5. Description of diverting works:
40 HP PUMP IN CREEK 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	7.000		

7. Total Quantity Appropriated is:
7.000 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:
A37-07319, A37-00254, A37-00255

14. Remarks:

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 ☒ 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. Motter 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

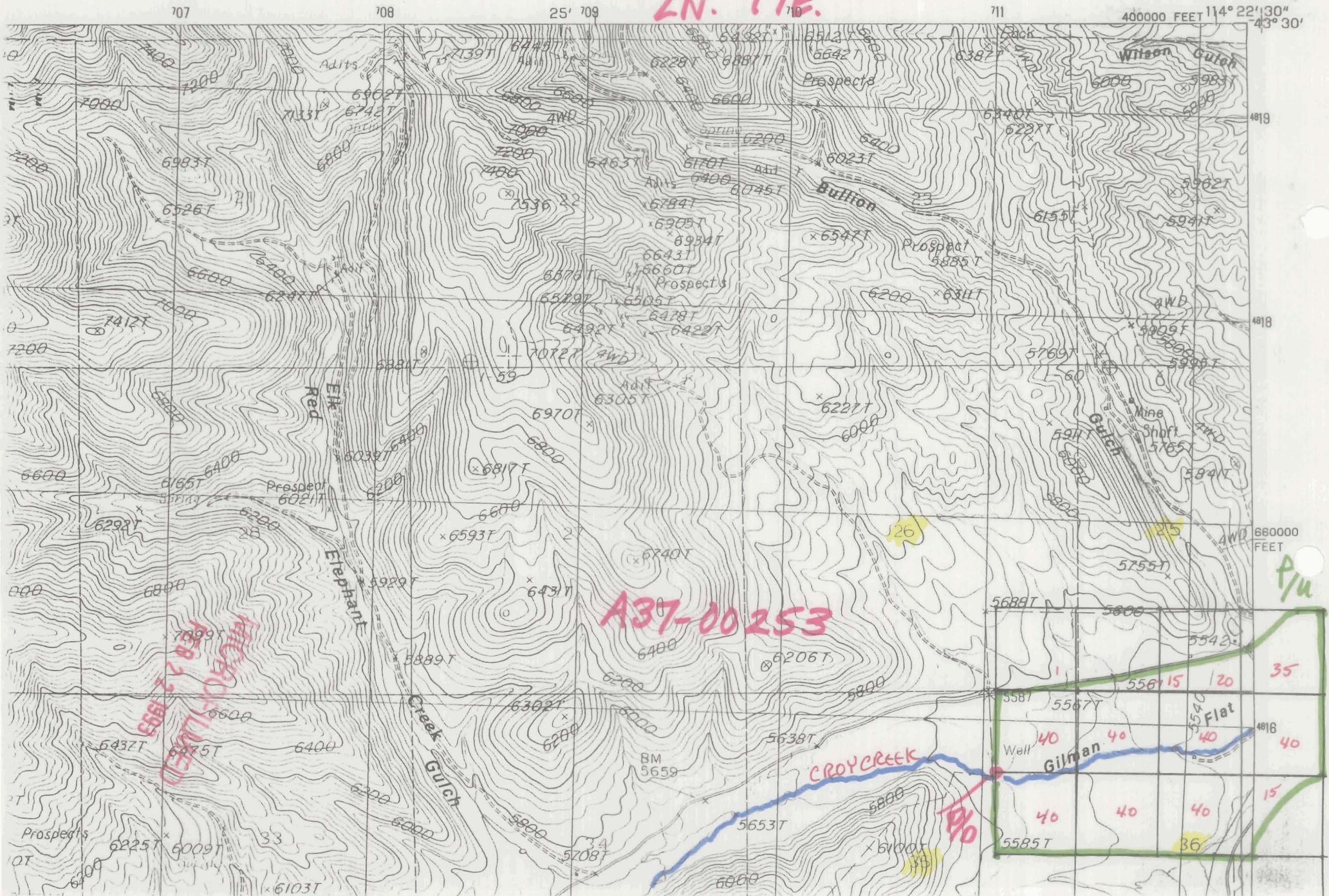
Residing at Buhl, Id
My Commission Expires 6-30-94

COPY

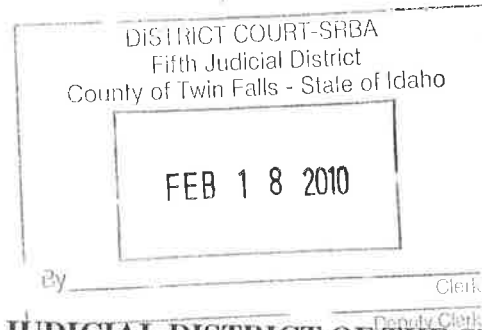
MICROFILMED
FEB 22 1993

RICHARDSON SUMMIT QUADRANGLE
IDAHO-BLAINE CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)

2N. 17E.



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
- ☐ Point of Diversion
- ☐ Period of Use

- ☐ Split of Water Right
- ☒ Place 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	
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, 37-22065 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
<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				
<u>STOCKWATER in BLAINE County</u>						
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

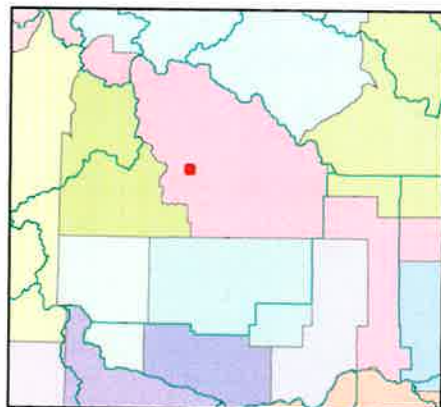
Adjudication Recommendation

37-22065

(IRRIGATION)

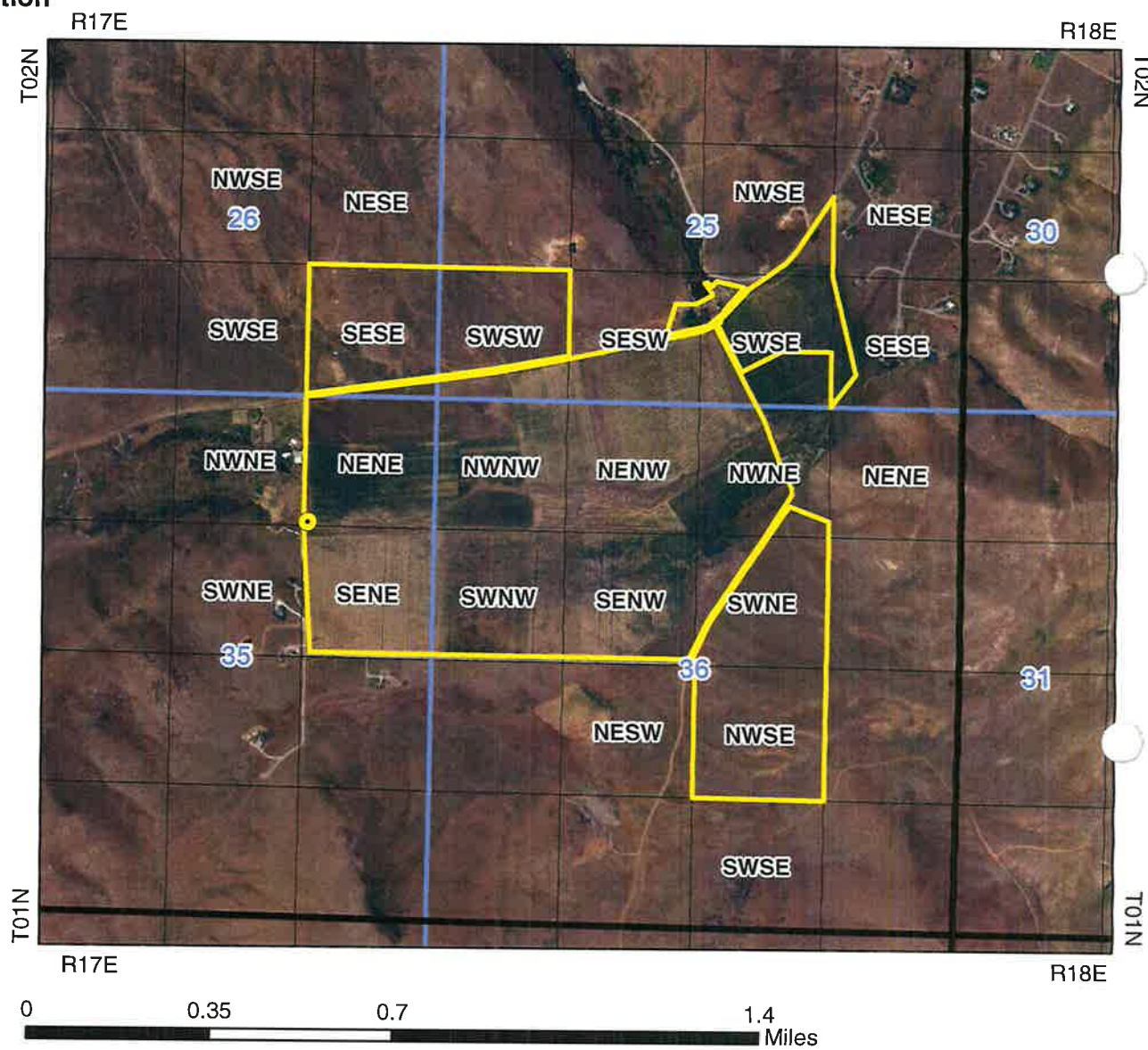
Legend

- 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. 73854

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>
37-22065	AJC/Decreed	06/01/1883	6.8 cfs	N/A		319.9	CROY CREEK

Purpose of Transfer (Changes Proposed)

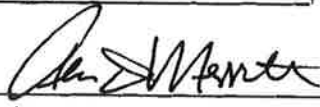
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-22065	NO	NO	YES	NO	NO	NO

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>
37-22065	37-22065	6.8 cfs	N/A	319.9	474.0		N/A	N/A		N/A
COMBINED										
TOTALS		6.8 cfs		319.9	474		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 24th day of October, 2008


 FOR _____
 Chief, Water Allocation Bureau

WATER RIGHT NO. 37-22065
As Modified by Transfer No. 73854

In accordance with the approval of Transfer No. 73854, Water Right No. 37-22065 is now described as follows.

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

Priority Date: June 01, 1883

Source: CROY CREEK

Tributary: BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/15 to	10/31	6.80 CFS
			6.80 CFS

LOCATION OF POINT(S) OF DIVERSION:

CROY CREEK SWNENE Sec. 35 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

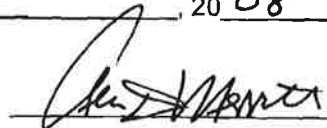
WATER RIGHT NO. 37-22065
As Modified by Transfer No. 73854

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 73854. 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, 37-22067 and 37-22069 is limited to the irrigation of 319.9 acres within the place of use described above in a single irrigation season.
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. 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.
7. The right holder shall accomplish the change authorized by this transfer within five years of the date of this approval.
8. 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

1969

Cray Creek

DRY

DRY

DRY

DRY

DRY

DRY

DRY

DRY

DRY

DRY

DRY

DRY

DRY

DRY

DRY

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DRY

DRY

DRY

DRY

DRY

DRY

DRY

DRY

DRY

DRY

DRY

DRY

DRY

Unnamed Stream

West Fork
Rock Cr.

8-23-1957

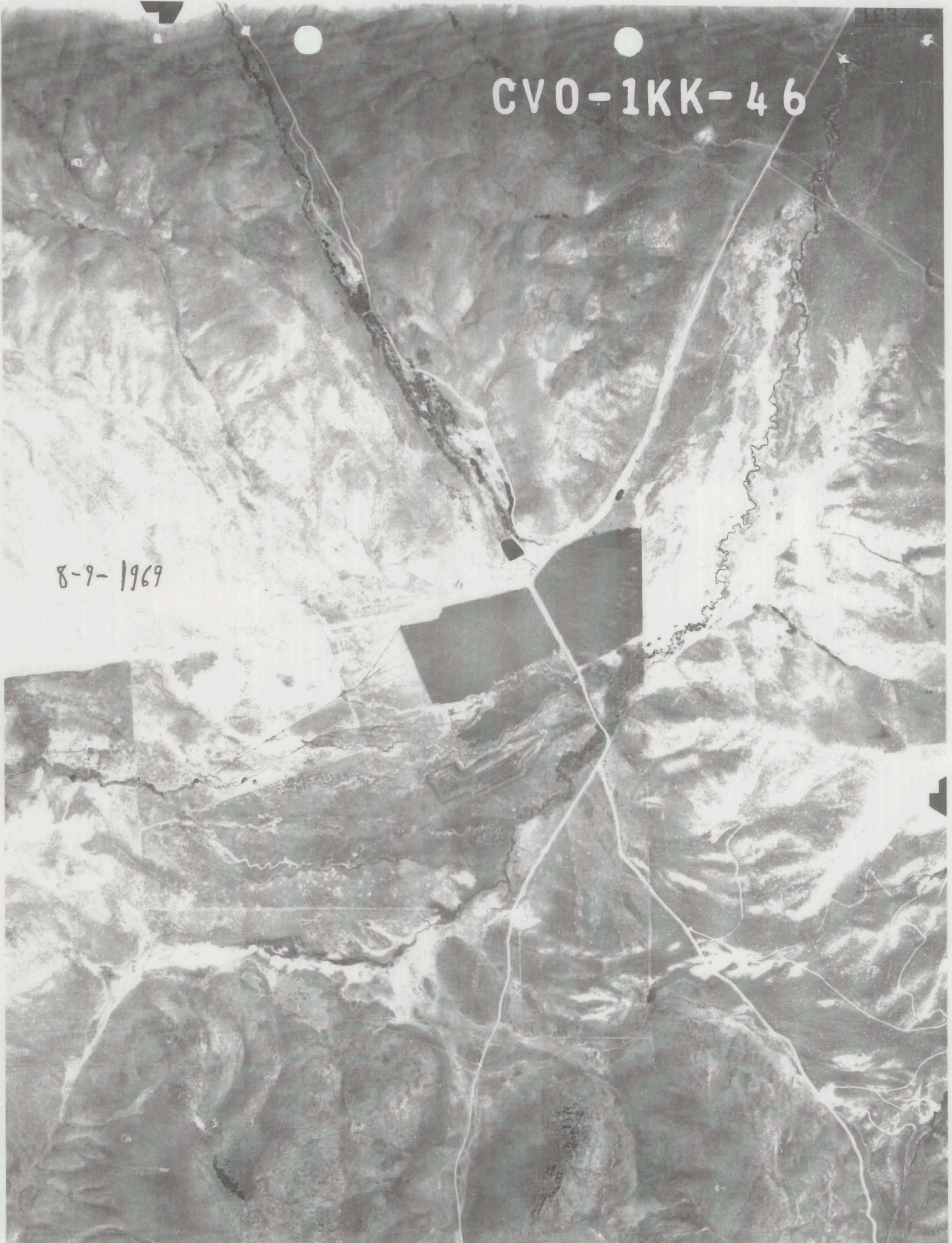




7-2-1964

CV0-1KK-46

8-9-1969



NOTICE OF ERROR REPLY

Water rights: 37-253, 37-254, and 37-255

Claimant: Wyatt V. McAtee, Kent S. McAtee
P.O. Box 744
Hailey, ID 83333

Prepared by Brockway Engineering, PLLC

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

Place of use

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

Overall the place of use accurately covers all fields. However, the northwest field on the ranch extends northward to Croy Creek road rather than stopping at the south boundary of Sections 25 and 26 as shown on the recommendation map. The map has been annotated and attached.

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

Recommended place of use does not include all land historically or currently irrigated.

DATE: 1-3-07

SIGNATURE: _____

PRINTED NAME: _____

Kent S McAtee

Kent S. McAtee

COANNED

JAN 09 2007

RECEIVED

JAN 09 2007

DEPARTMENT OF
WATER RESOURCES

RECEIVED

JAN 11 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION



Idaho Department of Water Resources

SRBA Recommendation:

37-253

37-254

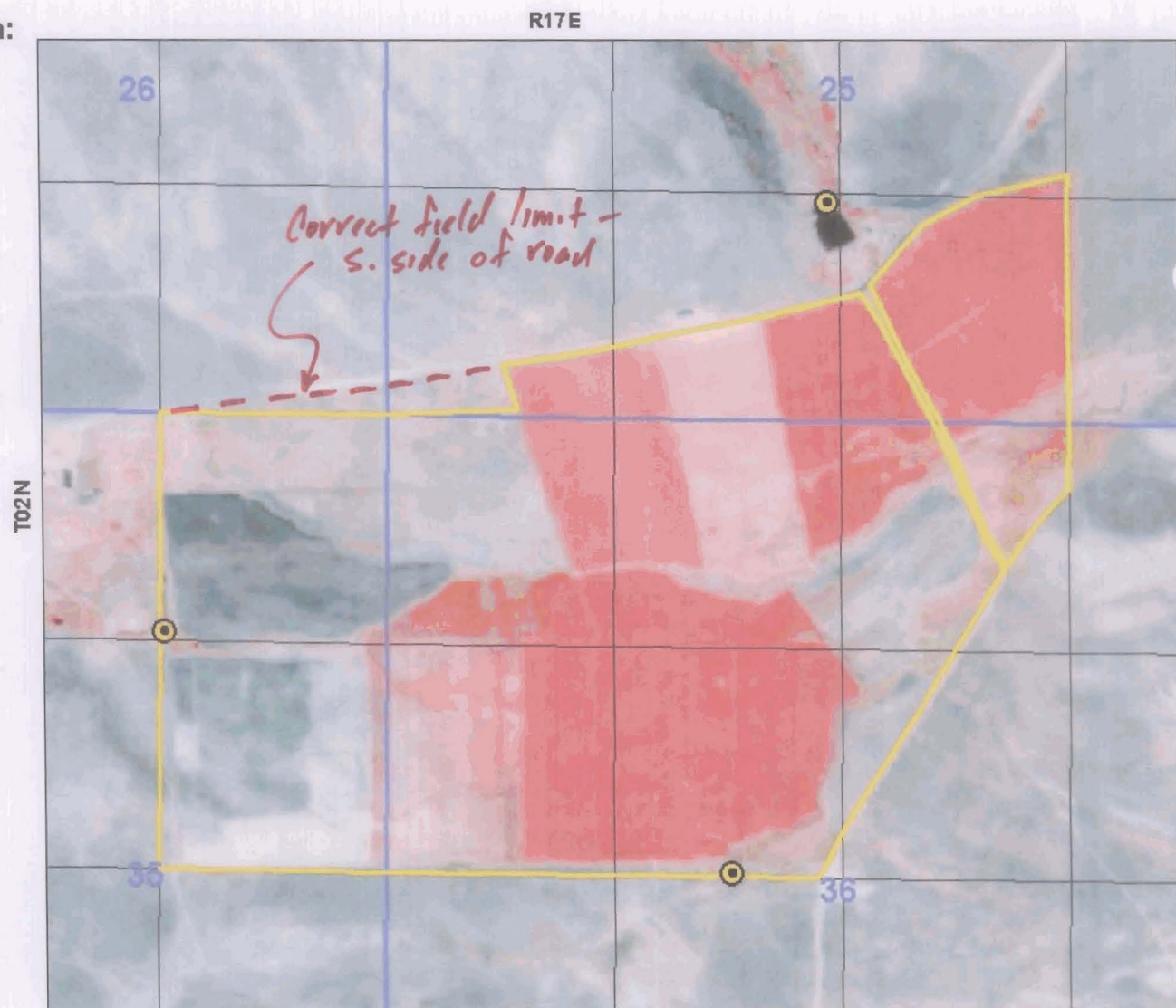
37-255

Legend

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



Blaine County
IDWR Basin 37



0 0.25 0.5 Miles

Prepared by M. Anders
On Wednesday, January 3, 2007
1987/88 Aerial Photography

JAN 09 2007

01/18/2007

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

RIGHT NUMBER: 37-22065

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

37-22065 KKC

SOURCE: CROY CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 6.800 CFS

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: 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.

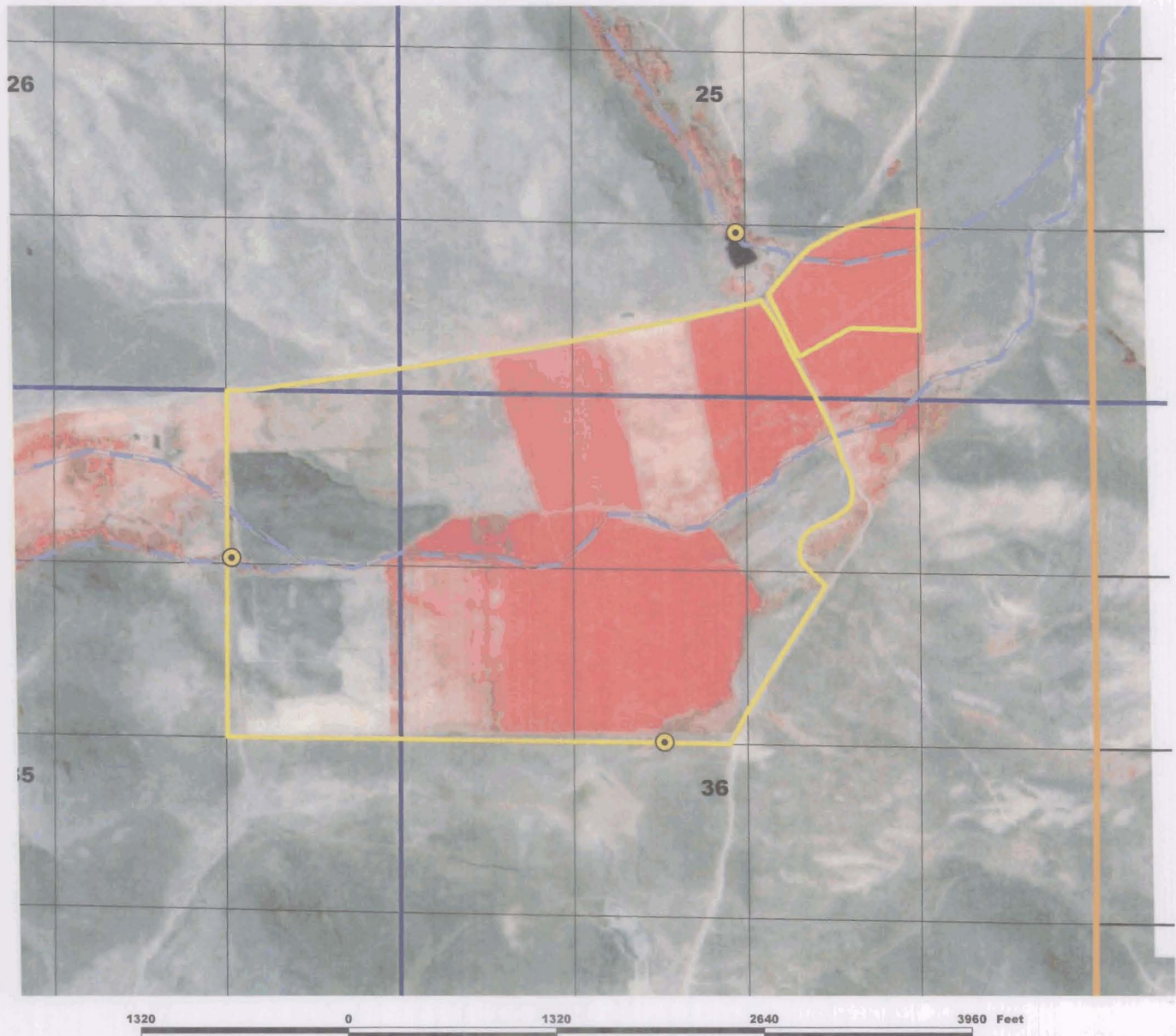
EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

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, 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

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

01/11/2007

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

RIGHT NUMBER: 37-22065

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

KKC

SOURCE: CROY CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 6.610 CFS

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	6.610 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	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			

324.2 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 324.2 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

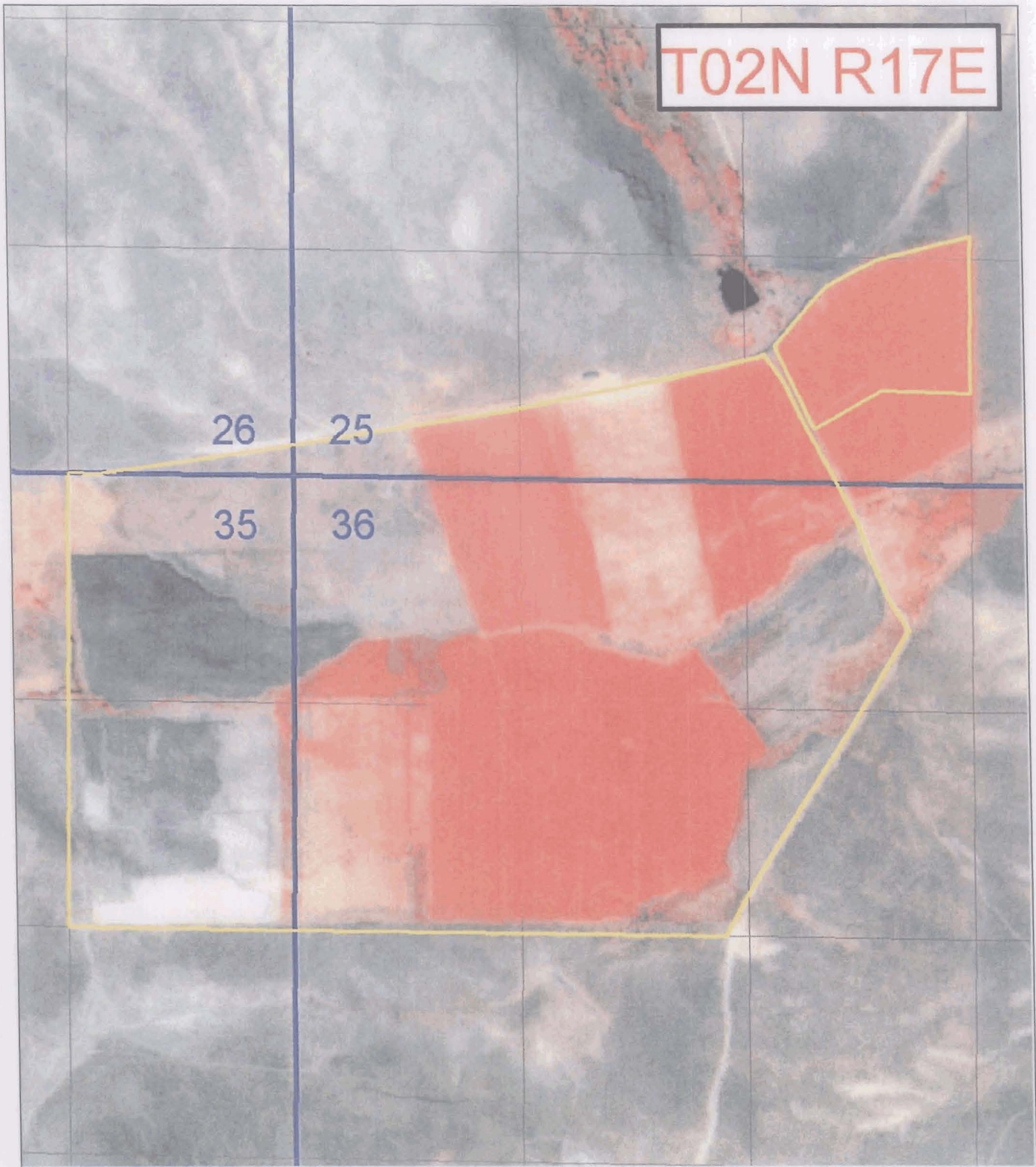
This right is a split from former right 37-253.

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

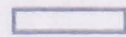
IDAHO DEPARTMENT OF WATER RESOURCES

Water Rights: 37-22065, 37-22067, 37-22069

T02N R17E



LEGEND

-  POU
-  POD
-  Township Boundaries
-  Sections
-  GCDB

528 0 528 Feet



GIS PLACE OF USE PRESENTATION
1987/1988 AERIAL PHOTOGRAPHY
DATA ENTRY: 01/11/2006
T. D. BAKER

Anders, Matthew

From: Charles G. Brockway [charles.g.brockway@brockwayeng.com]
Sent: Thursday, January 04, 2007 1:39 PM
To: Anders, Matthew
Subject: RE: Croy Creek Ranch again

Matt,

I mailed out Notice of Error forms on 37-253, 37-254, 37-255, and 37-21285. Relative to the latter, I provided a 1964 aerial photo (photo date 7/2/1964) which shows the reservoir. The owner says it probably pre-dates 1964 by a few years, but the 1957 photo doesn't show it. He's going to try to find an old-timer who might be able to testify to a date, but otherwise we may only have the photo to go by.

Chuck

Charles G. Brockway, Ph.D., P.E.
Brockway Engineering, PLLC
2016 Washington Street North, Suite 4
Twin Falls, Idaho 83301
(208) 736-8543
charles.g.brockway@brockwayeng.com

From: Anders, Matthew [mailto:Matthew.Anders@idwr.idaho.gov]
Sent: Wednesday, January 03, 2007 11:42 AM
To: Charles G. Brockway
Subject: RE: Croy Creek Ranch again

37-21285 is a beneficial use claim. No evidence of priority has been submitted, so the claim was disallowed. There's a letter in the claim file dated March 26, 2004 from Brockway Engineering that says you are working on preparing evidence of priority.

Matt

-----Original Message-----

From: Charles G. Brockway [mailto:charles.g.brockway@brockwayeng.com]
Sent: Wednesday, January 03, 2007 11:30 AM
To: Anders, Matthew
Subject: RE: Croy Creek Ranch again

Matt,

Forgot to include this about Croy Creek...

The owner dropped off a recommendation for disallowal of 37-21285. This claim was for an irrigation storage reservoir from Bullion Creek. Can you shed some light on why the disallowal? The storage reservoir has been in place and used since the late 1950s or early 1960s. The 1957 photo does not show it; the 1964 photo does.

Thanks,
Chuck

1/4/2007

Charles G. Brockway, Ph.D., P.E.
Brockway Engineering, PLLC
2016 Washington Street North, Suite 4
Twin Falls, Idaho 83301
(208) 736-8543
charles.g.brockway@brockwayeng.com

From: Anders, Matthew [mailto:Matthew.Anders@idwr.idaho.gov]
Sent: Wednesday, January 03, 2007 10:21 AM
To: charles.g.brockway@brockwayeng.com
Cc: Ciscell, Michael
Subject: RE: Croy Creek Ranch again

Chuck,

Good timing, I just finished the Croy Creek claims this morning. Attached are the recommendations the claimant will receive in a week or so.

Let me know if you have any questions.

Matt Anders

-----Original Message-----

From: Ciscell, Michael
Sent: Wednesday, January 03, 2007 10:07 AM
To: Anders, Matthew
Subject: FW: Croy Creek Ranch again

Matt,

Are you working on these? If so, could you please respond to Chuck. I se you did the review of 37-253.

Michael

-----Original Message-----

From: Charles G. Brockway [mailto:charles.g.brockway@brockwayeng.com]
Sent: Wednesday, January 03, 2007 8:34 AM
To: Ciscell, Michael
Subject: Croy Creek Ranch again

Relative to Croy Creek Ranch, I assume you're working on those since your name is on the map for 37-20881.

What is the status of 37-253, 37-254, 37-255, and 37-7319? Please e-mail me the recommendations and the maps for these rights.

Chuck

Charles G. Brockway, Ph.D., P.E.
Brockway Engineering, PLLC
2016 Washington Street North, Suite 4
Twin Falls, Idaho 83301

(208) 736-8543
charles.g.brockway@brockwayeng.com

01/06/2007

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

RIGHT NUMBER: 37-22065

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: CROY CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 6.610 CFS

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	6.610 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.

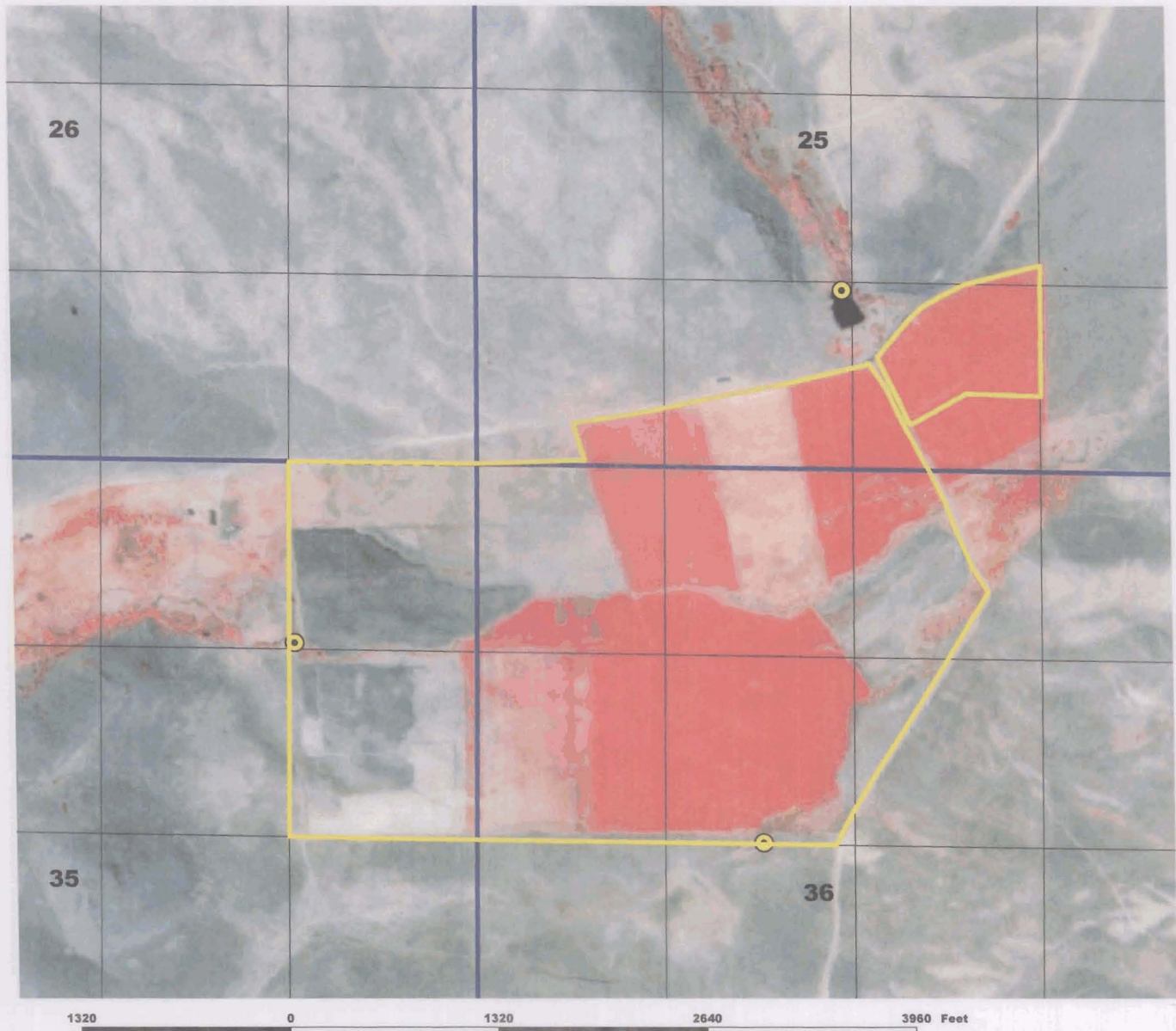
EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

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: 37-253
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: CROY CREEK TRIBUTARY: BIG WOOD RIVER
QUANTITY: 7.000 CFS
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	7.000 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.



Idaho Department of Water Resources

SRBA Recommendation:

37-253

37-254

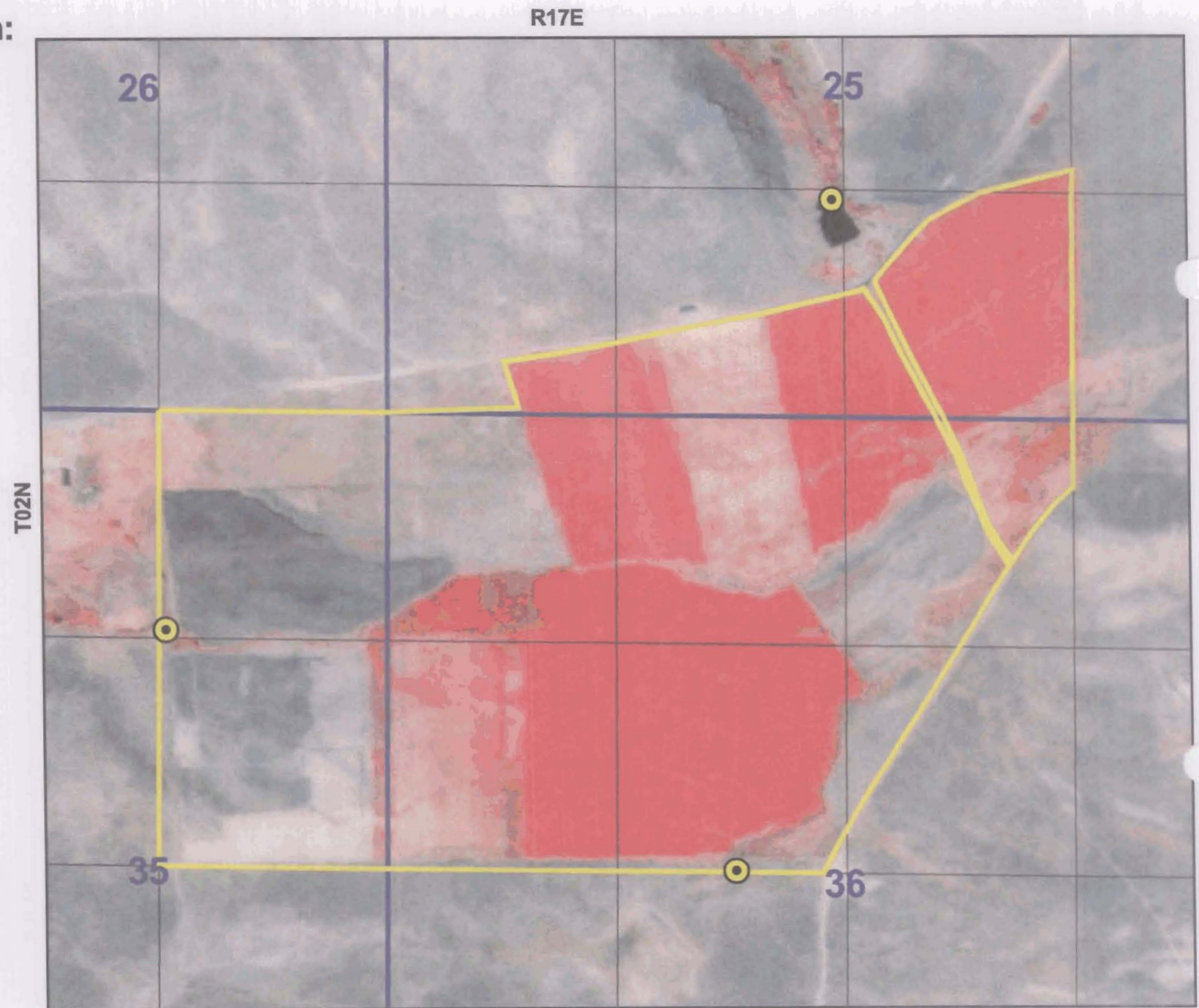
37-255

Legend

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



Blaine County
IDWR Basin 37



0 0.25 0.5 Miles

Prepared by M. Anders
On Wednesday, January 3, 2007
1987/88 Aerial Photography

Adjudication Claim Notes

Claim(s): 37-253, 37-254, 37-255, 37-7319

Background Data

37-253

- Source is Croy Creek tributary to Big Wood River
- Decreed for 7.0 cfs for Irrigation of 12 QQ
- Claimed 7.0 cfs for Irrigation of 366 acres

37-254

- Source is Bullion Creek tributary to Croy Creek
- Decreed for 2.0 cfs for Irrigation of 12 QQ
- Claimed 2.0 cfs for Irrigation of 366 acres

37-255

- Source is West Fork Rock Creek tributary to Rock Creek
- Decreed for 0.3 cfs for Irrigation of 12 QQ
- Claimed 0.3 cfs for Irrigation of 366 acres and 0.02 cfs for Stockwater

37-7319

- Source is Groundwater
- Licensed for 1.09 cfs and 395.7 AF for Irrigation of 222 acres
- Claimed 1.09 cfs and 395.7 AF for Irrigation of 222 acres

Place Of Use Data

Yellow line is the draft Place of Use created by IDWR based on historical data and records.

Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.

Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

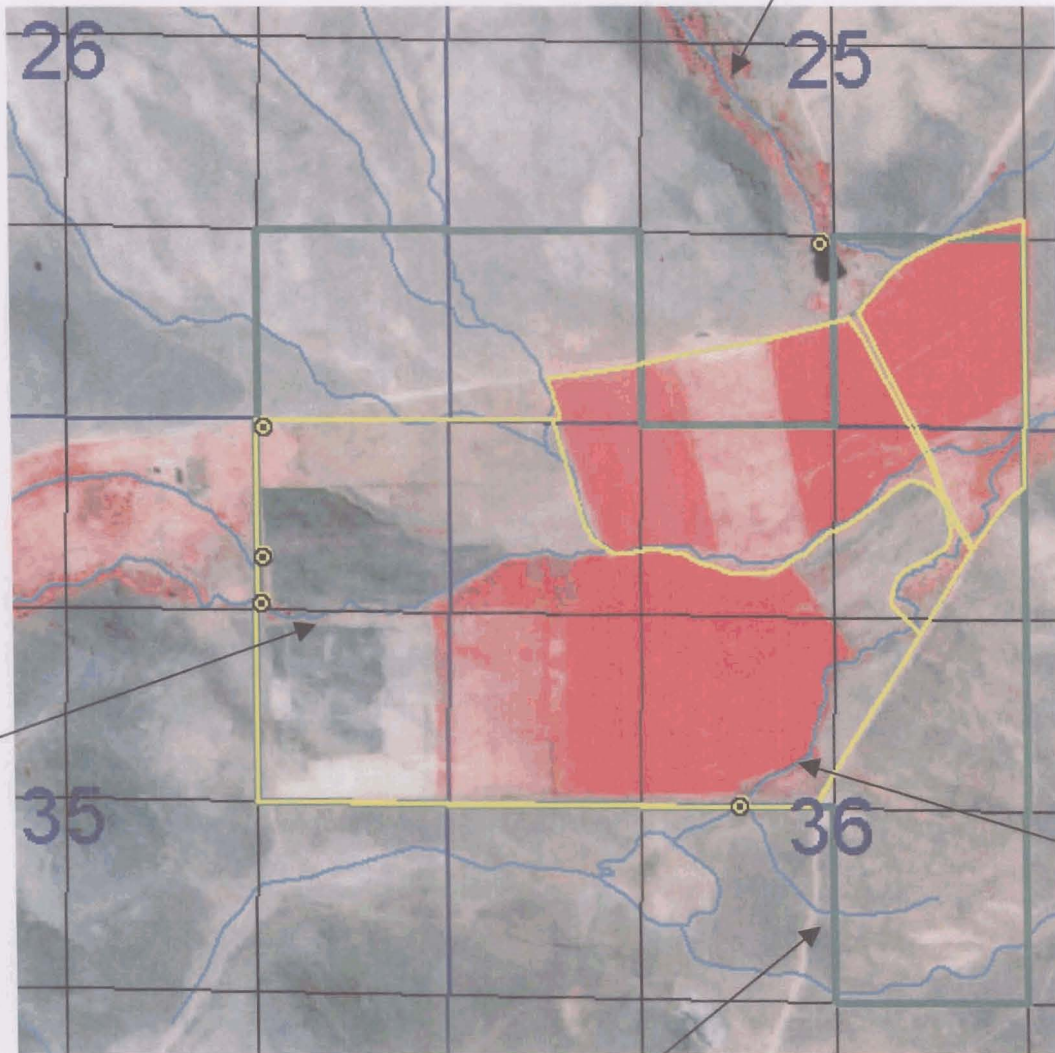
1987 Aerial Photo

Bullion Creek

Croy Creek

Unnamed
Stream listed
as West Fork
Rock Creek in
Frost decree

Decreed POU
For 37-253, 37-
254, & 37-255
(Green Line)



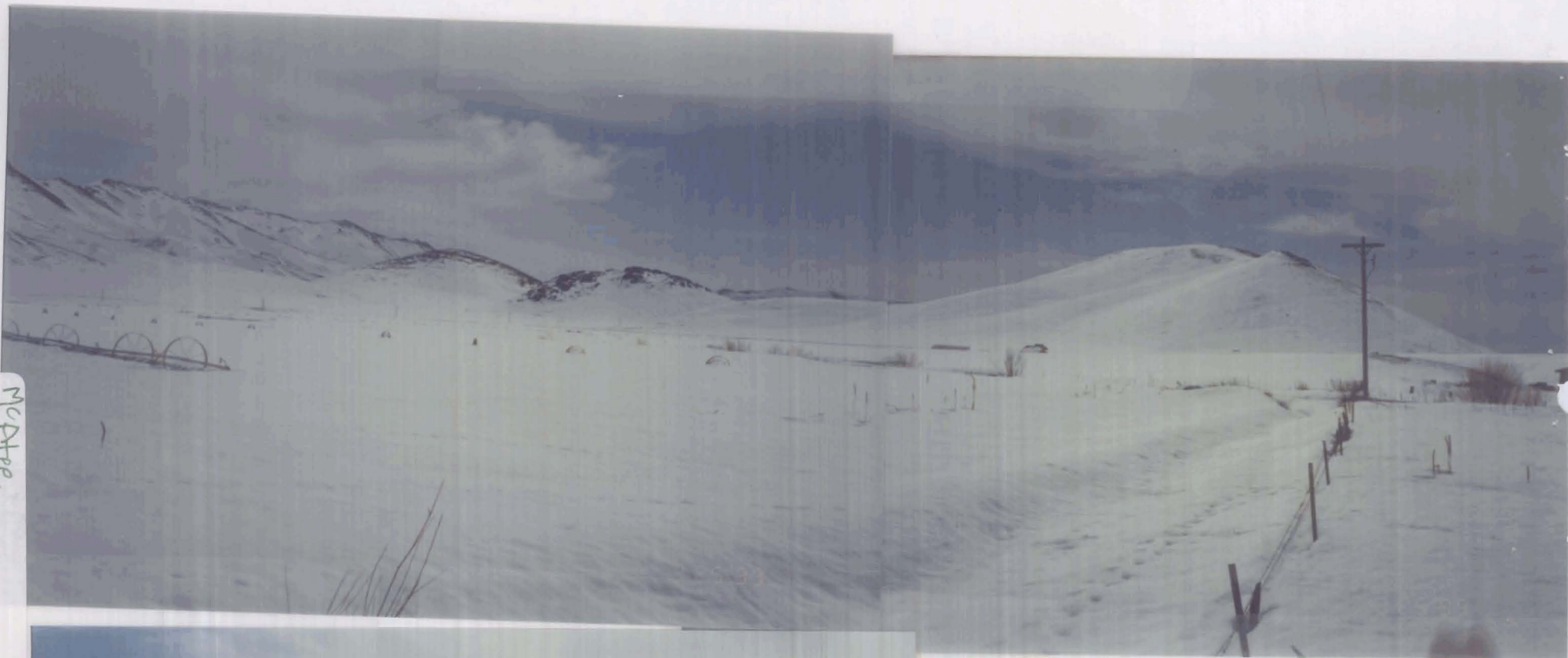
Notes

T2N R17E Sections 25, 35, & 36

- 37-253, 37-254, and 37-255 were decreed on the same POU.
- 37-7319 was transferred in 1993.
- Recommendations:
 - When combined 37-253, 37-254, 37-255 and 37-7319 are limited to 337 acres
 - 37-253: 7.0 cfs for Irrigation of 337 acres
 - 37-254: 2.0 cfs for Irrigation of 337 acres
 - 37-255
 - 0.30 cfs for Irrigation
 - 0.02 cfs for Stockwater
 - 37-7319: 1.09 cfs and 395.7 AF for Irrigation of 222 acres
- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

McAtee

37-00253, -07319



SLY
PHOTO LOOKING ^ @ FE on
McAtee & Casser Property
@ Power Pole. is well pictured below

PHOTO LOOKING NE'LY @ McAtee's
WELL; LOCATED: NE NE $\frac{1}{4}$ 35, T2N, R17E

M E M O T O F I L E

FROM: Georgia Satterlee
DATE: 31 March 1999
RE: Transfer per ptn 37-00208, A37-00208G

The application for transfer is filed by Conrad and Minna Casser. They would like to utilize their water more efficiently and they request to move the point of diversion to their property, which is Lot 1B of the Croy Creek Meadows Subdivision.

The base right, 37-00208, was split by T#3231, creating 37-00208A with 3.8 cfs for irrigation of acres not specified in portions of Section 35, T02N, R17E, and the point of diversion not identified. The split portion, 37-00208B, identifies 0.20 cfs for 8 acres in the NESW $\frac{1}{4}$ of Section 34.

In August 1993, Leslie Clarke filed a transfer T#4257, proposing to split 37-00208A into C and D portions (A37-00208D companion to water right). The application for transfer requested a change in point of diversion to the applicant's land (similar to Casser). Leslie Clarke lives on Lot 3A of Croy Creek Meadows Subdivision, $\frac{1}{2}$ mile west of the Casser's.

The application for transfer was protested by a downstream user, McAtee. As of this date, there appears to be no resolution. A letter was written to Clarke with copies forwarded to McAtee, with the hope there can be a conclusion.

The other adjudication claims associated with the base right:

A37-00208A	1.6	cfs	80	acres	
A37-00208B	0.2	cfs	4	acres	
A37-00208C	0.4	cfs	20	acres	Lot 2A
A37-00208D	0.4	cfs	20	acres	Lot 3A
A37-00208F	0.83	cfs	19.6	acres	Lot 1A ptn from A37-00208E
A37-00208G	0.77	cfs	18.4	acres	Lot 1B ptn from A37-00208E

It appears the actual irrigated acres on the Casser property is much less than claimed. Although the Casser's own the property north of Croy Creek Road, this land is not irrigated. This was confirmed by Minna Casser on March 25, 1999.

The rate and acres needs to be adjusted, i.e. 10 irrigated acres with a rate of 0.20 cfs; stockwater is incidental.

Leon Bald, Abstraction, Mailing, Stamp

J. C. Frost et al
Plaintiffs

TO

Grantor

28
Arthur Muter 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 1 st 1893	from	Cray Creek
100	"	"	"	"	Bullion Creek
15	"	"	"	"	Rock Creek

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

MICROFILMED
FEB 22 1993

A37-00253

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.

100

Journal of Management Education 30(6)

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Journal of Management Education 30(6)

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Journal of Management Education 30(6)

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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-253

WATER RIGHT NUMBER: 37-253

Owner Type Name and Address

Current Owner JOHN GILMAN

, ZZ

Priority Date: 06/01/1883

Basis: Decreed

Status: Active

Source

CROY CREEK

Tributary

BIG WOOD RIVER

Beneficial Use

IRRIGATION

From To

/ to /

Diversion Rate

7.000 CFS

Annual VolumeTotal Diversion: 7.000 CFSLocation of Point(s) of Diversion

CROY 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:Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-253

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: