

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 37-22156
Date Received: 2/7/2007
Receipt No:
Received By:

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

1. Name of Claimant(s)

GLORIA CAMILLE MCCRAY 1965 TRUST Phone: (208)788-6353

PO BOX 3234
KETCHUM ID USA 83340

2. Date of Priority: 05/14/1909

3. Source: SEAMANS CREEK Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	19E	31	NW NE SW	BLAINE	

5. Description of diverting works:

TWO PONDS EXCAVATED ALONG SEAMANS CREEK PROVIDE HABITAT FOR FISH AND WILDLIFE. SEAMANS CR FLOWS INTO ONE END OF POND SYSTEM AND OUT THE OTHER END. NO HEADGATES OR OUTLET WORKS TO CONTROL THE FLOW OF WATER THROUGH THE PONDS. POND SYSTEM HAS AN AVERAGE DEPTH OF THREE FEET AND A SURFACE AREA OF APPROX 12,300 SQ FT.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
WILDLIFE STORAGE	01/01	12/31		0.3
AESTHETIC STORAGE	01/01	12/31		0.3

7. Total Quantity Appropriated is:
0.3 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
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02N	19E	31	NE	SW	AESTHETIC STORAGE
			NE	SW	WILDLIFE STORAGE

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:

Place of use also known as Lot 28 Muldoon Ranch Subdivision No. 2.

No priority date listed in decree, priority date is date of decree.

This claim is for a proportionate share of 37-1201 which is entitled to the whole of water one-third of the time after the first 3 cfs.

Ponds were constructed before 11-19-1987 and the change in use is an accomplished transfer allowed by 42-1425, I.C.

DJ, 2-8-2007: Note to file: Hard copy received is a facsimile, original claim not in possession. File set to Temporary pending receiving original. Attorney Barsotti contacted.

15. Basis of Claim: Decreed



ERO Resources Corp.
3314 Grace Street
Boise, ID 83703-5836
(208) 373-7983
Fax: 373-7985
Denver • Boise • Durango
www.eroresources.com
eroboise@eroresources.com

RECEIVED
JAN 30 2007
DEPARTMENT OF
WATER RESOURCES

January 30, 2007

Idaho Department of Water Resources
322 E. Front Street
Boise, ID 83720
HAND DELIVERED

RE: Gloria Camille McCray 1965 Trust

Dear Sir or Madam:

Enclosed, please find Notice of Claim to a Water Right for the Gloria Camille McCray 1965 Trust. A check for \$202.00 is included to cover the filing fee (\$100), late fee (\$100) and variable fee (\$2).

If you have any questions please call me at 373-7983.

Sincerely,

A handwritten signature in blue ink that reads "Paul E. Drury". The signature is fluid and cursive.

Paul E. Drury, P.E.

RECEIVED
FEB 01 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

RECEIVED

JAN 30 2007

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

Should questions arise during the processing of this application please contact
Paul E. Drury P.E. - ERO Resources Corp. (208) 373-7983

DEPARTMENT OF
WATER RESOURCES

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

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1-30-07

C083171

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

FEB 01 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Please type or print clearly

1. Name of Claimant(s) Gloria Camille McCray 1965 Trust
Mailing Address PO Box 3234, Ketchum, ID
2. Date of Priority (Only one (1) per claim) May 14, 1909
3. Source of water supply (a) Seamans Creek

Phone (208) 788-6353Zip 83340Which is tributary to (b) Sinks

4. a. Location of point of diversion is: Township 02N Range 19E Section 31
NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____, B.M., County of Blaine

Additional points of diversion if any: _____

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

Township _____ Range _____ Section _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of
_____ $\frac{1}{4}$, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.

Two ponds excavated along Seaman's Creek provide habitat for fish and wildlife. Seaman's Creek flows into one end of the pond system and out the other end. There are no head gates or outlet works to control the flow of water through the ponds. The pond system has an average depth of three feet and a surface area of approximately 12,300 square feet.

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)
 For Storage purposes from 1/1 to 12/31 amount _____ or 0.3
 For Wildlife purposes from 1/1 to 12/31 amount _____ or 0.3
 For Aesthetic purposes from 1/1 to 12/31 amount _____ or 0.3

7. Total quantity claimed (a) _____ (cfs) and/or (b) 0.3 (acre feet)

8. Total consumptive use claimed is N/A acre feet per annum.

9. Non-irrigation uses; describe fully. (Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) Two ponds for storage, wildlife and aesthetic use.

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	¼	
02N	19E	31									WJ								

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? Blaine

12. Do you own the property listed above as place of use? Yes X No _____
 If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
 _____ or None (X)

14. Remarks:

a. Point of diversion and place of use is Lot 28 of Muldoon Ranch Subdivision No. 2.

b. No priority date listed, Date of priority is date of decree.

c. This claim is for a proportionate share of 37-1201 which is entitled to the whole of water one third of the time after the first 3 cfs.

d. Ponds were constructed prior to November 19, 1987 and the change in use is an accomplished transfer allowed by Chapter 42-1425 of Idaho Code.

Last Name Gloria Camille McCray 1965 Trust Ident. Number _____

15. Basis of Claim (Check One) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X

If applicable provide IDWR Water Right Number 37-1201

Court Blaine County Case Number _____ Decree Date May 14, 1909

Plaintiff vs Defendant Joslyn v. Daly

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." I/We do X do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments _____

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

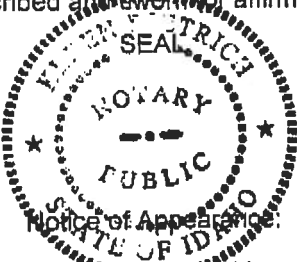
Signature of Claimant(s) Brian Barsotti Trustee Date 1/30/07
OF the Gloria Camille McCray 1965 Trust Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____ that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 30th day of January 20 07



Notary Public Kellen Dietrich
Residing at Hailey, Idaho
My Commission Expires 6-6-2012

- 17.

Notice of Appearance:

Please Print Name

Notice is hereby given that I, Brian Barsotti will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

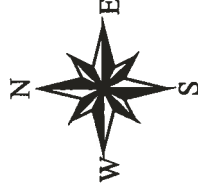
Signature Brian Barsotti

Address 215 Picabo St., Suite 304, PO Box 370, Ketchum, ID 83340

Date 1/30/07

Last Name Gloria Camille McCray 1965 Trust Ident. Number _____

Gloria Camille McCray 1965 Trust



Prepared By: ERO Resources, Corp.
Date Prepared: January 30, 2007
Data Source: IDWR Data Library
Notes: Quarter Quarter Section
Lines are Approximate

Idaho Department of Water Resources Receipt

Receipt ID C083171

Payment Amount \$202.00 Date Received 1/30/2007 4:23:09 PM Region State Status
Payment Type Check Check Number 1002

Payer SHAW DAVID B

Comment ADJUDICATION FILING FEE

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$202.00	ADJUDICATION FILING FEE	0337		41503	1155



Signature Line (Dept. Representative)



ERO Resources Corp.
3314 Grace Street
Boise, ID 83703-5836
(208) 373-7983
Fax: 373-7985
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JAN 30 2007

DEPARTMENT OF
WATER RESOURCES

January 30, 2007

Idaho Department of Water Resources
322 E. Front Street
Boise, ID 83720
HAND DELIVERED

RE: Gloria Camille McCray 1965 Trust

Dear Sir or Madam:

Enclosed, please find Notice of Claim to a Water Right for the Gloria Camille McCray 1965 Trust. A check for \$202.00 is included to cover the filing fee (\$100), late fee (\$100) and variable fee (\$2).

If you have any questions please call me at 373-7983.

Sincerely,

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Paul E. Drury, P.E.

RECEIVED

JAN 30 2007

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

Should questions arise during the processing of this application please contact
Paul E. Drury P.E. - ERO Resources Corp. (208) 373-7983

DEPARTMENT OF
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1-30-07
C083171

NOTICE OF CLAIM
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ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant(s) Gloria Camille McCray 1965 Trust Phone (208) 788-6353
Mailing Address PO Box 3234, Ketchum, ID Zip 83340
2. Date of Priority (Only one (1) per claim) May 14, 1909
3. Source of water supply (a) Seamans Creek
Which is tributary to (b) Sinks
4. a. Location of point of diversion is: Township 02N Range 19E Section 31,
NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____, B.M., County of Blaine
Additional points of diversion if any: _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of
_____ $\frac{1}{4}$, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc.),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed
and as enlarged and the depth of each well.

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10. Description of place of use:

a. If water is for Irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
02N	19E	31									WJ								

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? Blaine12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks:

a. Point of diversion and place of use is Lot 28 of Muldoon Ranch Subdivision No. 2.b. No priority date listed. Date of priority is date of decree.c. This claim is for a proportionate share of 37-1201 which is entitled to the whole of water one third of the time after the first 3 cfs.d. Ponds were constructed prior to November 19, 1987 and the change in use is an accomplished transfer allowed by Chapter 42-1425 of Idaho Code.Last Name Gloria Camille McCray 1965 Trust Ident. Number _____

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile.

Last Name Gloria Camille McCray 1965 Trust Ident. Number

15. Basis of Claim (Check One) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
 Decree X
 If applicable provide IDWR Water Right Number 37-1201
 Court Blaine County Case Number _____ Decree Date May 14, 1909
 Plaintiff vs Defendant Joslyn v. Daly

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." I/We do X do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.
 Number of Attachments _____

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

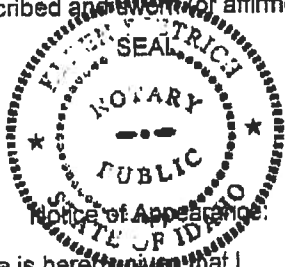
Signature of Claimant(s) Brian Barsotti Trustee Date 1/30/07
OF the Gloria Camille McCray 1965 Trust Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
 of _____, that I have signed the foregoing
 Organization
 document in the space below as _____ of _____
 Title Organization
 and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____
 Title and Organization _____

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

Subscribed and sworn (or affirmed) before me this 30th day of January 20 07



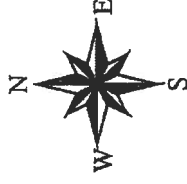
Notary Public Kellen Dietrich
 Residing at Hailey, Idaho
 My Commission Expires 6-6-2012

17. Notice of Appearance:
 Notice is hereby given that I, Brian Barsotti Please Print Name
 claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
 should be mailed to me at the address listed below.

Signature Brian Barsotti
 Address 215 Picabo St., Suite 304, PO Box 370, Ketchum, ID 83340
 Date 1/30/07

Last Name Gloria Camille McCray 1965 Trust Ident. Number _____

Gloria Camille McCray 1965 Trust



Prepared By: ERO Resources, Corp.
Date Prepared: January 30, 2007
Data Source: IDWR Data Library
Notes: Quarter Quarter Section
Lines are Approximate

Idaho Department of Water Resources Receipt

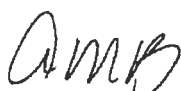
Receipt ID C083171

Payment Amount \$202.00 Date Received 1/30/2007 4:23:09 PM Region State Status
Payment Type Check Check Number 1002

Payer SHAW DAVID B
Comment ADJUDICATION FILING FEE

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$202.00	ADJUDICATION FILING FEE	0337		41503	1155


Signature Line (Dept. Representative)



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

February 12, 2007

DAVID B SHAW
ERO RESOURCES CORP
3314 GRACE ST
BOISE ID 83703-5836

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #37-1201B

Dear Dave,

There was an overpayment of fees when this claim was filed. The refund process has been initiated with the State Auditor's Office. You should receive a check in the near future.

Sincerely,

Donald V. Staff, MPA
Adjudication Bureau Chief

DVS:ss:region

RECEIVED
MAR 05 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

SCANNED
FEB 12 2007

REFUND REQUEST

TO: S. Sherman to Log In
 FOR: C. Fritschle/D. Allen
 FROM: S. Sherman Date: 2-12-07
 SUBJ: Receipt No. CO83171 (Please attach ARQ2 Receipt copy immediately behind blue form)

RE: PayOR David B. Shaw
 Address ERO Resources Corp
3314 Grace St.
Boise ID 83703-5836

Claimant(s) if NOT Payor Gloria Camille McCray 1965 Trust
 Refund Amount \$100.- Claim Location (Region/Claimant) (state of c)

Extension Filed? Y/N NA Copy Attached? Y/N NA
 Late Fees Paid? Y/N NA Late Fee Receipt # CO83171

S.O. Verified Ext. by on D.B. Query by

Refund Generated By () Agent () Claimant () Sal

Refund Category:
 insufficient fees / claim incomplete / withdrawn (o-pmt)

Date of Last Correspondence (copy attached) N/A

Claim No.	Use*	Fees Paid	Correct Fee	Rec't #
<u>37-12013</u>	<u>53, 16, 52</u>	<u>\$100.-</u>	<u>0</u>	<u>CO83171</u>
		<u>\$202.-</u>	<u>102.-</u>	
		\$		
		\$		
		\$		
		\$		
Total	<u>202</u>	<u>\$100.-</u>	<u>\$ 102.-</u>	

*Incomplete claims or insufficient fees for irrigation use will generally NOT be refunded. D.E. claim in AJSP1 at minimum.

Detailed Reason(s) for Refund Attached Y/N (N)
B.37 Pt. II no D.R. yet, so no late fee is due.

Region AJ Spvsr. Approval [Signature] S.O. AJ Spvsr. Approval
 C. Fritschle Approval [Signature] Hold To Fiscal 2-12-07
D. Shaeff Logged 2-12-07
 Data Base Modified? Y/N NA A &/or R Records By on