

PAINE HAMBLENTM
ATTORNEYS

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December 28, 2010

Hand Delivered

Idaho Department of Water Resources
7600 Mineral Drive, Suite 100
Coeur d'Alene, ID 83815

Re: Marina Yacht Club, LLC / Notice of Claim to a Water Right
Blackwell Island

Gentlemen:

Enclosed is a copy of the Notice of Claim to a Water Right which we have filed electronically on behalf of Hagadone Hospitality Co., together with a copy of the Claim Stub, and this firm's check in the sum of \$60.00 as the filing fee for the Notice. Please consider this letter and the enclosed documents as additional support for the Claim.

The Claimant owns the real property, where the Blackwell Island Marina, Yacht Club Sales and Service, and The Cedars Restaurant are located. Water to these developments is provided by way of a well located near the easterly side of the marina docks. The well was recently improved to address surface water influence issues as required by the Idaho Department of Environmental Quality. It is 87 feet deep, with a 1.5 horsepower submersible pump, capable of drawing .10 cfs at 60 psi. Copies of the correspondence from DEQ relating to these improvements are enclosed.

The well and the use of the water from it for commercial purposes dates back to at least 1967, as evidenced by the enclosed pictures, which show the marina and the pump house for the well in place *prior to* the construction of the Highway 95 bridge. That bridge was completed in 1967, as disclosed in a newspaper report also enclosed. It is likely that the well was actually in use prior to 1967. The claimant reserves the right to amend its claim with the submittal of additional information in that regard, if it should become available, for an earlier priority date.

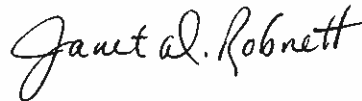
Water is used on the benefitted property for commercial purposes, currently in connection with the Blackwell Island marina, Yacht Club Sales & Service boat shop, and The Cedars restaurant operations.

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If you have any questions, or if anything further is needed, please let me know. Thank you for your consideration.

Sincerely,

PAINE HAMBLER LLP

A handwritten signature in cursive script that reads "Janet D. Robnett".

Janet D. Robnett

Enclosures

cc: John Barlow

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