

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: A37-04327
Date Received: 10/27/1988
Receipt No: C003080
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: NATURAL ENERGY RESOURCES INC

Address: PO BOX 448

SUN VALLEY ID

83353

2. Date of Priority: JAN 1, 1962

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	17E	15		NE	NE		BLAINE

5. Description of diverting works:

WELL, PUMP, 6" CASING

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
HEATING	01/01	12/31	0.020		
RECREATION	01/01	12/31	0.020		

7. Total Quantity Appropriated is:

0.040 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

G/HOME & BATHING POOL, R/SWIMMING POOL

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	17E	11	NE	SW		REC	
			NE	SW		HEAT	
			SW	SW		REC	

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	17E	11	SW		SW		HEAT	
			SE		SW		REC	
			SE		SW		HEAT	
			NE		SE		REC	
			NE		SE		HEAT	
			NW		SE		REC	
			NW		SE		HEAT	
			SW		SE		REC	
			SW		SE		HEAT	
			SE		SE		REC	
			SE		SE		HEAT	
		12	NE		NE		REC	
			NE		NE		HEAT	
			NW		NE		REC	
			NW		NE		HEAT	
			SW		NE		REC	
			SW		NE		HEAT	
			SE		NE		REC	
			SE		NE		HEAT	
			NE		NW		REC	
			NE		NW		HEAT	
			SE		NW		REC	
			SE		NW		HEAT	
			NE		SW		REC	
			NE		SW		HEAT	
			NW		SW		REC	
			NW		SW		HEAT	
			SW		SW		REC	
			SW		SW		HEAT	
			SE		SW		REC	
			SE		SW		HEAT	
			NE		SE		REC	
			NE		SE		HEAT	
			NW		SE		REC	
			NW		SE		HEAT	
			SW		SE		REC	
			SW		SE		HEAT	
			SE		SE		REC	
			SE		SE		HEAT	
		13	NE		NE		REC	
			NE		NE		HEAT	
			NW		NE		REC	
			NW		NE		HEAT	
			SW		NE		REC	
			SW		NE		HEAT	
			SE		NE		REC	
			SE		NE		HEAT	
			NE		NW		REC	

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres	
04N	17E	13	NE	NW		HEAT		
			SE	NW		REC		
		14	SE	NW		HEAT		
			SE	SW		HEAT		
			SE	SW		REC		
			NE	SE		HEAT		
			NE	SE		REC		
			NW	SE		HEAT		
			NW	SE		REC		
			SW	SE		HEAT		
			SW	SE		REC		
			NE	NW		REC		
			NE	NW		HEAT		
			NW	NW		HEAT		
			NW	NW		REC		
			SW	NW		HEAT		
			SW	NW		REC		
			SE	NW		HEAT		
			SE	NW		REC		
			15	NE	NE		HEAT	
				SE	NE		HEAT	
			18	NE	NW		HEAT	
		NE		NW		REC		
		NW		NW		HEAT		
		NW		NW		REC		
		SW		NW		HEAT		
		SW		NW		REC		
		SE		NW		HEAT		
		SE		NW		REC		
		NE		SW		HEAT		
		NE		SW		REC		
			NW	SW		HEAT		
NW	SW			REC				
SW	SW			HEAT				
SW	SW			REC				
SE	SW			HEAT				
SE	SW			REC				

*typo
Should be
SESE*

*typo
need to add Rec
NENE
SENE*

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
37-2451, 37-7163, 37-1232

14. Remarks:
PROPERTY LOCATED AT POINT OF DIVERSION IS OWNED BY CLAIMANT;
OTHER PROPERTIES IN KETCHUM SERVED BY THE HOT WATER HEAT

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14. Remarks: Continued
SYSTEM ARE NOT OWNED BY CLAIMANT.

15. Basis of Claim: STATUTORY CLAIM

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CHANGE IN OWNERSHIP

Page 1

This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim.

[] Water Right Number(s): A37-04327

[] Name and Address of
Former Claimant(s): Dorothy Brandt (Deceased)

P.O. Box 2327

Ketchum, Idaho 83340

[] New Claimant(s): Natural Energy Resources, Inc.

James N. Cimino, Secretary
P.O. Box 448

[] New Mailing Address: Sun Valley, Idaho 83353

New Telephone Number: (208) 622 - 4556

[] Does the change in ownership result in a splitting of the
water right claimed? yes x no
If yes, then describe the portion of the water right that is
now claimed by the new owner:

[] Attach proof of ownership

Describe proof attached: Deeds and Assignments

(Proof of ownership must describe either the property
conveyed or include the claim number. Proof of ownership is
not required if this form is signed by the former claimant.)

[] Signature of New Claimant(s):

James N. Cimino
Natural Energy Resources, Inc.
an Idaho corporation

Its Secretary

Date: September 23, 1992

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Southern Region Office

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CHANGE IN OWNERSHIP

Page 2

[] Signature of Former Claimant(s): _____

Date: _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

After form has been completed, please return to the nearest IDWR office below:

WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705
(208) 334-2190

EASTERN REGIONAL OFFICE
150 SHOUP SUITE #15
IDAHO FALLS, IDAHO 83402
(208) 525-7161

STATE OFFICE
1301 N. ORCHARD ST.
STATEHOUSE MAIL
BOISE, IDAHO 83720
(208) 327-7906

SOUTHERN REGIONAL OFFICE
222 SHOSHONE STREET EAST
TWIN FALLS, ID 83301
(208) 734-3578

NORTHERN REGIONAL OFFICE
1910 NORTHWEST BLVD. SUITE 210
COEUR D'ALENE, IDAHO 83814
(208) 765-4639

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JAN 11 1981

HAWLEY TROXELL ENNIS & HAWLEY

ATTORNEYS AND COUNSELORS

FIRST INTERSTATE CENTER

SUITE 1000

POST OFFICE BOX 1617

BOISE, IDAHO 83701

TELEPHONE

(208) 344-6000

FAX

(208) 342-3829

POCATELLO OFFICE

125 NORTH GARFIELD

POST OFFICE BOX 4167

POCATELLO, IDAHO 83205

TELEPHONE

(208) 233-0845

BRIAN L. BALLARD

September 24, 1992

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Department of Water Resources
Southern Region Office

Idaho Department of Water Resources
Southern Regional Office
222 Shoshone Street East
Twin Falls, Idaho 83301

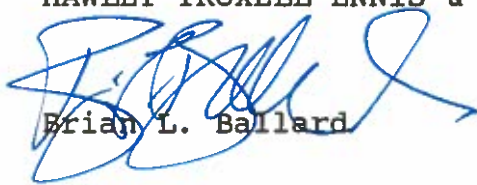
Re: Water Right Number A37-04327

Gentlemen:

Enclosed please find a Change in Ownership form for the above-referenced water right number. Please contact me if you have any questions or comments.

Very truly yours,

HAWLEY TROXELL ENNIS & HAWLEY


Brian L. Ballard

BLB/lkc

Enclosures

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ASSIGNMENT

Department of Water Resources
Secretary's Office

FOR GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, CARBON HILL HOT SPRINGS, INC., an Idaho corporation, as Grantor, the owner of the following described real property located in Blaine County, Idaho, to wit:

(SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY THIS REFERENCE)

hereby assigns and transfers to NATURAL ENERGY RESOURCES, INC., an Idaho corporation, whose address is P.O. Box 448, Sun Valley, Idaho 83353, as Grantee, all of Grantor's right, title and interest, if any, in and to the water rights and water right permits appurtenant to the above-described property, including, without limitation, the following:

<u>WATER RIGHT NO.</u>	<u>PRIORITY DATE</u>
A37-01232	06/30/1880
A37-02451	06/30/1936
A37-07163	09/01/1972
A37-04327	01/01/1962
(permit) 37-08282	10/14/1986

together with all of Grantor's rights in any delivery system now in place to facilitate the delivery of said water rights.

DATED this 23rd day of September, 1992.

CARBON HILL HOT SPRINGS, INC.

By: [Signature]
Its: Secretary

STATE OF IDAHO)
County of Blaine) ss.

On this 23rd day of September, 1992, before me, the undersigned, a Notary Public in and for said State, personally appeared James N. Cimino, known or identified to me to be the Secretary of CARBON HILL HOT SPRINGS, INC., the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



[Signature]
Notary Public for Idaho
Residing at Hailey
My commission expires 2.23.93

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EXHIBIT "A"

All that part of the Carbon Hill Millsite, Climax Millsite and Hot Springs Lode Claim, Patented, located in Sections 14 and 15, Township 4 North, Range 17 E., B.M., Blaine County, Idaho, and more particularly described as follows:

COMMENCING at Corner No. 1 of Carbon Hill Millsite;
THENCE S. 38°46'36" E., 162.12 feet;
THENCE S. 71°35'10" W., 143.94 feet;
THENCE S. 38°30'53" E., 331.85 feet to a point on line 2-3 of Carbon Hill Millsite;
THENCE S. 75°02'25" W., 150.05 feet;
THENCE S. 75°07'04" W., 150.36 feet to Corner No. 3 of said Carbon Hill Millsite;
THENCE N. 81°16'51" W., 207.53 feet to Corner No. 4 of Carbon Hill Millsite;
THENCE N. 6°11'05" W., 21.02 feet;
THENCE N. 74°24'53" W., along the centerline of Warm Springs Creek 265.24 feet to a point on the South boundary of Climax Millsite;
THENCE S. 79°33'52" W., 261.80 feet to Corner No. 3 of Climax Millsite;
THENCE N. 39°14'16" W., 425.68 feet to Corner No. 2 of Climax Millsite;
THENCE N. 79°36'29" E., 432.23 feet;
THENCE S. 41°50'42" E., 85 feet;
THENCE N. 79°36'29" E., 150 feet to a point on the East boundary of Climax Millsite;
THENCE S. 41°50'42" E., 79.74 feet to Corner No. 7 of Carbon Hill Millsite;
THENCE N. 74°10'30" E., 442.47 feet to Corner No. 1 of Carbon Hill Millsite, the Point of Beginning.

EXCEPT

A parcel of land lying within Sections 14 and 15, Township 4 North, Range 17 E., B.M., Blaine County, Idaho, being more particularly described as follows:

COMMENCING at the BLM brass cap marking the Section corner common to Sections 10, 11, 14 and 15;
THENCE S. 1°12'35" W., 1025.33 feet to the 1" bar by Forsgren and Perkins in 1973 marking Corner No. 1 of the Carbon Hill Millsite being the True Point of Beginning.
THENCE N. 77°01'07" E., 4.97 feet to a fence corner;
THENCE S. 38°10'49" E., 169.98 feet to a fence corner;
THENCE S. 65°33'27" W., 120.84 feet to a fence corner;
THENCE N. 32°07'44" W., 182.92 feet to a point on the North boundary of the Carbon Hill Millsite as surveyed by Sawtooth Engineers;
THENCE N. 74°10'30" E., 101.20 feet along said North boundary to the True Point of Beginning.

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Department of Water Resources
Southern Region

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CORPORATION
WARRANTY DEED

FOR VALUE RECEIVED,

SECURITY PACIFIC NATIONAL BANK, a National Banking Association

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a corporation duly organized and existing under the laws of the State of _____, grantor, does hereby
Grant, Bargain, Sell and Convey unto

CARBON HILL HOT SPRINGS, INC., an Idaho Corporation

whose address is: P. O. Box 297; Ketchum, Idaho 83340

grantee, the following described real estate, situated in Blaine County, Idaho, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

306014
Blaine Co. REQUEST
of
89 MAY 31 PM 2 26
MARTY GREEN, CLERK
FEES \$6.00

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the 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 incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its Secretary.

SECURITY PACIFIC NATIONAL BANK

Dated: May 24, 1989

By Donald W. Smith
V.P. PRESIDENT.

ATTEST: [Signature]
SECRETARY.

STATE OF CALIFORNIA

COUNTY OF Los Angeles

SS.

On May 30, 1989

Gerald P. Gamble

before me, the undersigned, a Notary Public in and for said State, personally appeared _____ personally known to me or presented to me in the best of satisfactory evidence to be the Vice President, President, and Donald W. Smith
and who to me to be the Vice President, Secretary and the Commission that executed the within Instrument, known to me to be the person who executed the within Instrument on behalf of the Corporation therein named, and acknowledged to me that such Corporation executed the within Instrument pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.



Sue Henwood
(Notary Public's Signature)

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EXHIBIT "A"

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EXCEPT

A parcel of land lying within Sections 14 and 15, Township 4 North, Range 17 E., B.M., Blaine County, Idaho, being more particularly described as follows:

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THENCE S. 38°10'49" E., 169.98 feet to a fence corner;
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THENCE N. 74°10'30" E., 101.20 feet along said North boundary to the True Point of Beginning.

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Southern District of Idaho
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Order NO. 22-8775

WARRANTY DEED IN LIEU OF FORECLOSURE

FOR GOOD AND VALUABLE CONSIDERATION RECEIVED, GUYER SPRINGS LAND CO., a Delaware corporation, and GUYER SPRINGS WATER CO., a Delaware corporation, jointly the "Grantor," hereby grants and conveys unto SECURITY PACIFIC NATIONAL BANK, a national banking association, the "Grantee," with its principal place of business at 333 South Hope Street, Los Angeles, California 90071, all right, title and interest of Grantor in the real property of the Grantor located in the County of Blaine, State of Idaho, more particularly described in Exhibit "A" attached hereto and incorporated herein by reference (hereinafter referred to as "Subject Property").

TOGETHER with all and singular the buildings, structures, improvements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversions, remainders, rents, issues and profits thereof;

TOGETHER with all water rights, including, but not limited to, License and Certificate of Water Right No. 18318 issued to Carl E. Brandt by the State of Idaho with a priority date of June 30, 1936, which water right is known and referred to as License No. 37-2451; and Application for Permit No. 37-7163 filed by P.C. Brandt with the State of Idaho with a priority date of September 1, 1972; and a water right for domestic water for heating and recreation as described in that Claim to Water Right No. 37-4327 filed by Dave Brandt and Dorothy Brandt with the

WARRANTY DEED IN LIEU OF FORECLOSURE - 1

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State of Idaho with a priority date of 1962; and any other water rights, whether licenses, permits, claims to a water right, or applications for a water right pertaining to the Subject Property;

SUBJECT TO those exceptions to title set forth in Exhibit "B" attached hereto and incorporated by this reference.

SUBJECT TO those exceptions to title to which this conveyance is expressly made and those made, suffered or done by the Grantee, the Grantor covenants to the Grantee, its successors and assigns, that the Grantee shall enjoy the quiet and peaceful possession of the above-described premises, and Grantor warrants to the Grantee, its successors and assigns, that Grantor is the owner of said premises in fee simple and has the right and authority to convey the same to Grantee, and it will defend the same from all lawful claims by, through and under the Grantor.

TO HAVE AND TO HOLD, unto the said Grantee, its successors and assigns forever.

This Warranty Deed in Lieu of Foreclosure (hereinafter referred to as "Deed"), is given in lieu of foreclosure of the Deed of Trust executed by GUYER SPRINGS LAND CO., a Delaware corporation and GUYER SPRINGS WATER CO., a Delaware corporation, jointly as Grantors, to SECURITY PACIFIC NATIONAL BANK, a national banking association, as Beneficiary, dated December 30, 1986, recorded December 31, 1986, as Instrument No. 280685, records of Blaine County, Idaho, covering the Subject Property (the "Deed of Trust"); provided, however, that Grantee's Deed of

WARRANTY DEED IN LIEU OF FORECLOSURE - 2

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Trust lien in and to the Subject Property shall not be deemed to have merged into this Deed, but shall survive the execution, delivery and recording of this Deed, and Grantee expressly reserves and retains its priority of lien in and to the Subject Property for the purpose of protecting Grantee against any third party liens, claims or interest, known or unknown, disclosed or undisclosed, liquidated or unliquidated, of whatever kind or nature.

It is expressly covenanted and agreed by and between the parties hereto that by accepting delivery of and/or by recording this Deed (1) Grantee will thereby release Grantor from any liability for any and all promissory notes, debts, obligations, costs or charges, the payment of which was secured by the Deed of Trust, and any deficiency judgment related thereto, and (2) Grantee does not assume any liability arising out of or in connection with the ownership or use of the Subject Property by the Grantor or their predecessors in interest.

Grantor intends by this Deed to vest the absolute and unconditional title to the Subject Property in Grantee, and to forever estop and bar Grantor and Grantor's heirs, executors or administrators or anyone claiming or having any right, title or interest of any nature whatsoever, either in law or in equity, or in possession or in expectancy, in and to the Subject Property, or any part thereof.

WARRANTY DEED IN LIEU OF FORECLOSURE - 3

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Department of Water Resources
Southern Region Office
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IN WITNESS WHEREOF, the Grantor has duly executed this instrument this FIRST day of JULY, 1988.

GUYER SPRINGS LAND CO.

By [Signature]
its President

GUYER SPRINGS WATER CO.

By [Signature]
its President

STATE OF IDAHO)
County of Blaine) ss.

On this 1st day of July, 1988, before me, [Signature] a Notary Public in and for said State, personally appeared [Signature] known or identified to me to be the president of GUYER SPRINGS LAND CO., the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

[Signature]
Notary Public for Idaho
Residing at [Signature] Idaho
My commission expires on Feb 1, 1993

WARRANTY DEED IN LIEU OF FORECLOSURE - 4

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OCT 24 1994
Department of Water Resources
Southern Region Office

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STATE OF IDAHO)
County of Blaine) ss.

On this 1st day of July, 1988, before me,
James J. [Signature], Notary Public in and for
said State, personally appeared Mark H. [Signature],
known or identified to me to be the president of GUYER SPRINGS
WATER CO., the corporation that executed the within instrument or
the person who executed the instrument on behalf of said
corporation, and acknowledged to me that such corporation
executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal the day and year in this certificate
first above written.

James J. [Signature]
Notary Public for Idaho
Residing at Ben Valley, Idaho
My commission expires on 4-1, 1993

WARRANTY DEED IN LIEU OF FORECLOSURE - 5

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OCT 24 1994
Department of Water Resources
Southern Region Office

All that part of the Carbon Hill Millsite, Climax Millsite and Hot Springs Lode Claim, Patented located in Sections 14 & 15, Township 4 North, Range 17 E.B.M., Blaine County, Idaho, and more particularly described as follows:

Commencing at Corner No. 1 of Carbon Hill Millsite;
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THENCE S. 71°35'10" W., 143.94 feet;
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THENCE S. 75°02'25" W., 150.05 feet;
THENCE S. 75°07'04" W., 150.36 feet to Corner No. 3 of said Carbon Hill Millsite;
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THENCE N. 74°10'30" E., 442.47 feet to Corner No. 1 of said Carbon Hill Millsite, the Point of Beginning.

EXCEPTING THEREFROM:

A parcel of land lying within Sections 14 and 15, Township 4 North, Range 17 E., B.M., Blaine County, Idaho, being more particularly described as follows:

Commencing at the BLM brass cap marking the Section corner common to Sections 10, 11, 14 and 15;
THENCE S. 1°12'35" W., 1025.33 feet to the X bar by Forsgren and Perkins in 1973 marking Corner No. 1 of the Carbon Hill Millsite being the True Point of Beginning;

THENCE N. 77°01'07" E., 4.97 feet to a fence corner;
THENCE S. 33°10'49" E., 169.98 feet to a fence corner;
THENCE S. 65°33'27" W., 120.84 feet to a fence corner;
THENCE N. 12°07'44" W., 182.92 feet to a point on the North boundary of the Carbon Hill Millsite as surveyed by Sawtooth Engineers;
THENCE N. 74°10'30" E., 101.20 feet along said North boundary to the True Point of Beginning.

EXHIBIT A

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Department of Water OCT 24 1994
Southern Region Office

3. Reservations in U.S. Patents, Recorded in Book 99 of Patents at Page 630, are as follows:

FIRST: That the premises hereby granted, with the exception of the surface may be entered by the proprietor of any other vein, lode, or ledge, the top of which lies outside of the boundary of said granted premises, should the same in its dip be found to penetrate, intersect, or extend into said premises, for the purpose of extracting and removing the ore from such other vein, lode, or ledge.

SECOND: That the premises hereby granted shall be held subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local laws, customs, and decisions of courts. And there is reserved from the lands hereby granted a right of way for ditches or canals constructed by the authority of the United States.

THIRD: That in the absence of necessary legislation by Congress, the legislature of Idaho may provide rules for working the mining claim or preclaim hereby granted involving easements, drainage, and other necessary means to complete development.

EXHIBIT B - P. 2

BLAINE CO.
REQUEST FOR
PROPOSAL
FOR
FEE
DEPUTY

296394
Sun Valley Title Co.

RECEIVED
SEP 29 1994
MICROFILMED
OCT 24 1994
Department of Water Resources
Southern Region Office

RECEIVED

SEP 25 1992

Department of Water Resources
Southern Region Office

POOR ORIGINAL

Order No. 22-8123

QUITCLAIM DEED

For Value Received

DOROTHY I. BRANDT, a widow, and DAVID C. BRANDT, a single man,
do hereby convey, release, remise and forever quitclaim unto
GUYER SPRINGS LAND CO., a Delaware Corporation,
whose current address is c/o H.R.C.A. - Idaho, 180 First St., Ketchikan, Alaska
the following described premises, to-wit:

SECTIONS 14 and 15, TOWNSHIP 4 NORTH, RANGE 17 EAST OF THE BEND
MERIDIAN, BLAINE COUNTY, IDAHO:

A parcel of land more particularly described as follows:

Commencing at the Section corner common to Sections 14, 15, 16
and 15, Township 4 North, Range 17 East;
thence S 0°12'00" W, 1,020.94 feet to corner of said
Millites;
thence S 77°01'07" W, 18.56 feet;
thence S 74°10'30" W, 101.20 feet;
thence S 32°07'44" E, 338.95 feet to the true point of beginning;
thence S 51°29'07" W, 3.36 feet;
thence N 38°30'53" W, 185.15 feet;
thence N 71°35'10" E, 124.64 feet;
thence S 32°07'44" E, 177.72 feet to the true point of beginning.

together with their appurtenances.

Dated: December 14, 1986

Dorothy I. Brandt
Dorothy I. Brandt

David C. Brandt
David C. Brandt

STATE OF IDAHO

On this
before me, a Notary
Public, personally appeared
and David

STATE OF IDAHO

COUNTY OF ADA

On this 14th day of December, 1986, before me, the
undersigned, a Notary Public in and for said county of
state, personally appeared David C. Brandt, known to me
or identified to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me
that he executed the same.

WITNESS my hand and official seal.

known to me to be
subscribed to the
instrument.

[Signature]
Notary Public for Idaho
Residing at Ketchikan

Notary Public for Idaho
Residing at Ketchikan

MICROFILMED
OCT 24 1994

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: A37-04327

Date Received: 10/27/1988

Receipt No: C003080 *let*

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SECURITY PACIFIC NATIONAL BANK 213-345-4489
Address: 333 S. HOPE ST.
LOS ANGELES, CA 90071-0000

2. Date of Priority: JAN 01, 1962

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	17E	15	NE	NE			BLAINE

5. Description of diverting works:
WELL, PUMP, 6" CASING

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
HEATING	01/01	12/31	0.020		
RECREATION	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
G/HOME & BATHING POOL, R/SWIMMING POOL

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	17E	11	NE	SW		REC	
			NE	SW		HEAT	

A37-04327

Page 1

Date: 02/16/89

MICROFILMED
FEB 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	17E	11	SW		SW		REC	
			SW		SW		HEAT	
			SE		SW		REC	
			SE		SW		HEAT	
			NE		SE		REC	
			NE		SE		HEAT	
			NW		SE		REC	
			NW		SE		HEAT	
			SW		SE		REC	
			SW		SE		HEAT	
			SE		SE		REC	
			SE		SE		HEAT	
		12	NE		NE		REC	
			NE		NE		HEAT	
			NW		NE		REC	
			NW		NE		HEAT	
			SW		NE		REC	
			SW		NE		HEAT	
			SE		NE		REC	
			SE		NE		HEAT	
			NE		NW		REC	
			NE		NW		HEAT	
			SE		NW		REC	
			SE		NW		HEAT	
			NE		SW		REC	
			NE		SW		HEAT	
			NW		SW		REC	
			NW		SW		HEAT	
			SW		SW		REC	
			SW		SW		HEAT	
			SE		SW		REC	
			SE		SW		HEAT	
			NE		SE		REC	
			NE		SE		HEAT	
			NW		SE		REC	
			NW		SE		HEAT	
		SW		SE		REC		
		SW		SE		HEAT		
		SE		SE		REC		
		SE		SE		HEAT		
		13	NE		NE		REC	
			NE		NE		HEAT	
			NW		NE		REC	
			NW		NE		HEAT	
			SW		NE		REC	

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
04N	17E	13	SW NE		HEAT		
			SE NE		REC		
			SE NE		HEAT		
			NE NW		REC		
			NE NW		HEAT		
			SE NW		REC		
			SE NW		HEAT		
			SE SW		HEAT		
			SE SW		REC		
			NE SE		HEAT		
			NE SE		REC		
			NW SE		HEAT		
			NW SE		REC		
		SW SE		HEAT			
		SW SE		REC			
		14	NE NW		HEAT		
			NE NW		REC		
			NW NW		HEAT		
			NW NW		REC		
			SW NW		HEAT		
			SW NW		REC		
			SE NW		HEAT		
			SE NW		REC		
			15	NE NE		HEAT	
				SE NE		HEAT	
		18	NE NW		HEAT		
			NE NW		REC		
			NW NW		HEAT		
			NW NW		REC		
			SW NW		HEAT		
			SW NW		REC		
			SE NW		HEAT		
			SE NW		REC		
			NE SW		HEAT		
			NE SW		REC		
			NW SW		HEAT		
			NW SW		REC		
			SW SW		HEAT		
			SW SW		REC		
			SE SW		HEAT		
			SE SW		REC		

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
37-2451, 37-7163, 37-1232

14. Remarks:
PROPERTY LOCATED AT POINT OF DIVERSION IS OWNED BY CLAIMANT;
OTHER PROPERTIES IN KETCHUM SERVED BY THE HOT WATER HEAT
SYSTEM ARE NOT OWNED BY CLAIMANT.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of

Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of

Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEMCIVIL CASE NUMBER: 39576
Ident. Number A37-04327
Date Received 10-25-88
Receipt Number 0003080NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAWRECEIVED
OCT 25 1988

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Security Pacific National Bank Phone (213) 345-4489
Mailing Address 333 South Hope Street, Los Angeles, CA Zip 90007-100002. Date of Priority (Only one (1) per claim) January 1, 19623. Source of water supply (a) Groundwater
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 4N Range 17E Section 15,
NE 1/4 of NE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of BlaineAdditional points of diversion if any: None

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

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.Well, motor and pump and 6" casing.

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FEB 23 1993

COPY

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Heating purposes from Jan. 1 to Dec. 31 amount .02 or _____

For Recreation purposes from Jan. 1 to Dec. 31 amount .02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .04 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is -0- acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Swimming pool (10'x20'x5'), bath pool and residential heat,
ties also into a spring which supplies hot water heat to certain users in

10. Description of place of use: Ketchum.

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 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
			See chart attached as Exhibit A																

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 X
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
37-2451 (License #18318), 37-7163 (permit), 37-1232 (decree) or None ()

14. Remarks:
Property located at point of diversion is owned by claimant; other
properties in Ketchum served by the hot water heat system are not
owned by claimant.

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FEB 23 1993

Last Name _____ Ident No. A37-0A327

Copies: White -State, Yellow-Claimant

EXHIBIT A

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	17E	11									HC R		HC R	HC R	HC R	HC R	HC R	HC R	
4N	17E	12	HC R	HC R	HC R	HC R	HC R			HC R	HC R	HC R	HC R	HC R	HC R	HC R	HC R	HC R	
4N	17E	13	HC R	HC R	HC R	HC R	HC R			HC R					HC R	HC R	HC R	HC R	
4N	17E	14					HC R	HC R	HC R	HC R									
4N	17E	15	HC			HC													
4N	18E	18					HC R	HC R	HC R	HC R	HC R	HC R	HC R	HC R					

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FEB 23 1993

A37-04327

Scale: 2 inches equals 1 mile

[illegible]

1994
MICROFILMED

FEB 23 1993

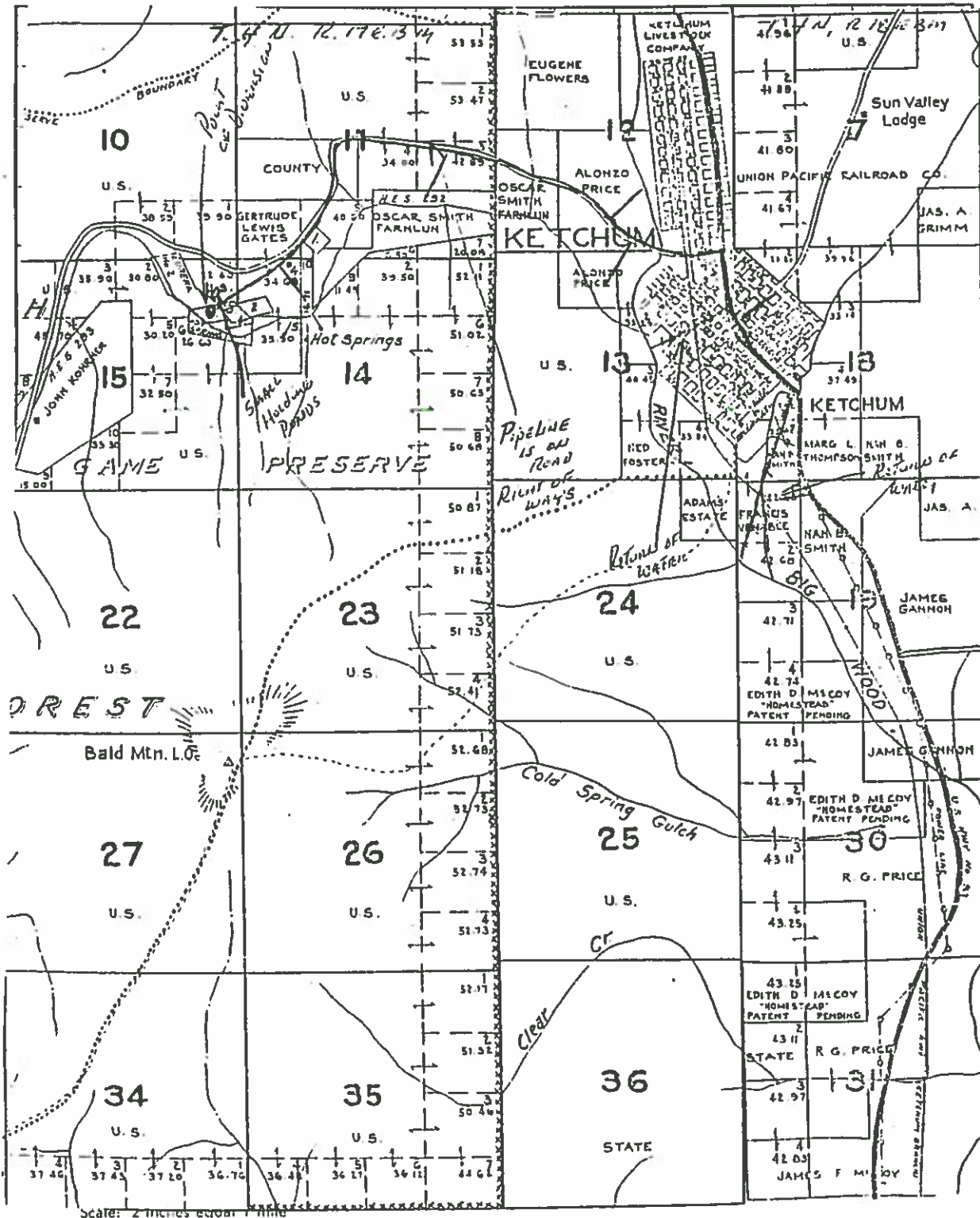
COPY
White-State, Yellow-Claimant

Ident No. A37-04327

Copies: White-State, Yellow-Claimant

EXHIBIT B

11. Map of proposed project:



BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

(Applicant)

A37-04327

37 7163

COPY
MICROFILM
FEB 23 1995

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 37-4327
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X
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) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am an attorney
of Hawley Troxell Ennis & Hawley , that I have signed the foregoing
document in the space below as attorney in fact of Security Pacific National Bank
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Rita L Berry
Title and Organization attorney, Hawley Troxell Date October 25, 1988
Ennis & Hawley
(See Special Power of Attorney attached)

State of Idaho/ADA)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 25th day of October 19 88

SEAL

Notary Public Opal G. Nally

Residing at Boise, Idaho

My Commission Expires 6/21/91

Please Print Name

17. Notice of Appearance: Rita L. Berry of Hawley
Notice is hereby given that I, Troxell Ennis & Hawley 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 Rita L Berry

Address P.O. Box 1617, Boise, Idaho 83701

Date October 25, 1988

Last Name _____ Ident. Number A37-04327

COPY

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FEB 23 1993

Copies White-State, Yellow-Claimant

SPECIAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That SECURITY PACIFIC NATIONAL BANK, a national banking association, with its principal place of business in Los Angeles, County of Los Angeles, State of California, has made, constituted and appointed, and by these presents does make, constitute and appoint RITA L. BERRY, of the firm of Hawley Troxell Ennis & Hawley, of Boise, County of Ada, State of Idaho, its true and lawful attorney for and in its name, place and stead, and for its use and benefit to complete, sign, deliver and acknowledge such documents as may be necessary or proper to evidence Security Pacific National Bank's water rights or other claims to water as required by the case of *In Re General Adjudication of Rights to the Use of Water from the Snake River Basin Water System*, Civil Case No. 39576, in the District Court of the Fifth Judicial District of the State of Idaho, in and for the County of Twin Falls, including, but not limited to, one or more Notice of Claim to Water Right.

Giving and granting unto its said attorney full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the premises, as fully to all intents and purposes as it might or could do if personally present (with full power of substitution or revocation), hereby ratifying and confirming all that its said

MICROFILMED

FEB 23 1993

SPECIAL POWER OF ATTORNEY - 1 A37-04327

attorney (or his substitute or substitutes) shall lawfully do or cause to be done by virtue of these presents.

DATED this 21st day of October, 1988.

SECURITY PACIFIC NATIONAL BANK

By [Signature]
Gerald G. Gamble
Its Vice President

STATE OF CALIFORNIA)
County of Los Angeles) ss.

On this 21st day of October, 1988, before me, JOAN E. MERINO, a Notary Public in and for said State, personally appeared GERALD G. GAMBLE, known or identified to me to be the vice president of SECURITY PACIFIC NATIONAL BANK, the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Joan E. Merino
Notary Public for California
Residing at Los Angeles, California
My commission expires on Aug., 1989

SPECIAL POWER OF ATTORNEY - 2 A97-04327

MICROFILMED

FEB 23 1993

01/11/2007

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

RIGHT NUMBER: 37-4327

NAME AND ADDRESS: NATURAL ENERGY RESOURCES INC
PO BOX 448
SUN VALLEY ID 83353

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

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

PRIORITY DATE: 01/01/1962

POINT OF DIVERSION:

T04N R17E S15 NENE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
Domestic use is for 1 home and includes space heating and use in swimming pool.		

PLACE OF USE: DOMESTIC in BLAINE County

T04N R17E S15 NENE

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Review and Narrative

1/8/2007

Sandy Hemenway

A37-04327, 37-1232, 37-2451, and 37-7163 are all tied into one system. 37-2451 is an expansion of 37-01232. 37-7163 and 37-4327 contribute to the capacity of the entire system.

37-01232 Natural Energy Resources Inc., Priority Date 6/30/1880

Source: Guyer Hot Springs Tributary: Warm Springs Creek

POD: 4N, 17E, Sec 15 NENE

POU: 4N, 17E, Sec 11, 12, 13, 14, 15, 18

Appropriated Quantity: 4.0cfs

Field Exam Results:

Use: Heating 1/1-12/31; Domestic 1/1-12/31; Commercial 1/1-12/31

Non-irrigation: G/heating, C/bathing

System: Dam, reservoirs, pipelines; Diagram in 37-2451 & 37-01232 files show a collector channel that diverts into 3 separate concrete collection boxes that diverts to one single 10" (unknown type) pipe that crosses Warm Springs Creek. Just below the concrete boxes running parallel is buried 4" plastic pipe acting as a collector. This water is diverted by means of 3" (unknown type) pipe across Warm Springs Creek to a separate concrete collection box (in diagram referenced as "B") with (2) 1.5 Hp pumps that merge flow into the 10" pipe going to the system (in the diagram referenced as "A"). There is an overflow from site "B" that open discharges back to Warm Springs Creek (on diagram referenced as "C"). 10" pipe reduces to 6" (unknown type) pipe extending 2 ¾ miles to the village of Ketchum and the Bald Mountain Hot springs Resort. "Pipeline is road right of ways" (notation on 5/11/1983 map submitted). There is also a flume across Warm Springs Creek, conveying the water to a plunge at the site of the Old Guyer Hotel and near the POD conveying water to the cabins immediately adjacent for heating and domestic purposes.

System Measurement: measurement shown with exam in file 37-2451

Purpose of permit: initial filing for use

Change of Ownership: 3/10/1993, changed to Natural Energy Resources, Inc. James N. Cimino, Secretary, PO Box 448, Sun Valley, Idaho 83353 (208) 622-4556 (copy of letter in 37-4327 file)

****NOTE:** claimant owns POD. Claimant does not own property served.

37-2451 Natural Energy Resources Inc., Priority Date 6/30/1936

Source: Guyer Hot Springs Tributary: Warm Springs Creek

POD: 4N, 17E, Sec 15 NENE

POU: 4N, 17E, Sec 11, 12, 13, 14, 15, 18

Appropriated Quantity: 1.0cfs

Purpose of Permit: Expansion to the system conducted by the Bonin Brothers, and full amount utilized in the system with completion of project on 6/29/1941.

Field Exam Results:

Use: Heating 1/1-12/31; Domestic 1/1-12/31; Commercial 1/1-12/31

Non-irrigation: G/homes, C/natatorium (hand written note in the file, from an unknown source stated use as heating the lodge, bathing plunge---natatorium, 3 miles of pipeline to Ketchum heating for 40 cabins, and domestic use) **aka Bald Mountain Hot Springs Resort -**

System: Dam, reservoirs, pipelines; a collector channel that diverts into 3 separate concrete collection boxes that diverts to one single 10" (unknown type) pipe that crosses Warm Springs Creek. Just below the concrete boxes running parallel is buried 4" plastic pipe acting as a collector. This water is diverted by means of 3" (unknown type) pipe across Warm Springs Creek to a separate concrete collection box (in diagram referenced as "B") with (2) 1.5 Hp pumps that merge flow into the 10" pipe going to the system (in the diagram referenced as "A"). There is an overflow from site "B" that open discharges back to Warm Springs Creek (on diagram referenced as "C"). 10" pipe reduces to 6" (unknown type) pipe extending 2 ¾ miles to the village of Ketchum and the Bald Mountain Hot springs Resort. "Pipeline is road right of ways" (notation on 5/11/1983 map submitted). There is also a flume across Warm Springs Creek, conveying the water to a plunge at the site of the Old Guyer Hotel and near the POD conveying water to the cabins immediately adjacent for heating and domestic purposes.

System Measurement: On the same diagram are measurements taken 4/3/1985 site "A" 1.01cfs, "B" 0.16cfs, "C" 0.0, Total Q 1.01cfs; 10/23/1986 site "A" 1.02cfs, "B" 0.07cfs, and "C" .05cfs, **Total Q 1.07cfs.**

Change of Ownership: 3/10/1993, changed to Natural Energy Resources, Inc. James N. Cimino, Secretary, PO Box 448, Sun Valley, Idaho 83353 (208) 622-4556 (copy in 37-4327 file)

****NOTE:**claimant owns POD. Claimant does not own property served.

37-07163 Natural Energy Resources Inc., Priority Date 9/1/1972

Source: Brandt's Hot Spring Tributary: Warm Springs Creek

POD: 4N, 17E, Sec 15 NENE

POU: 4N, 17E, Sec 11, 12, 13, 14, 15, 18

Appropriated Quantity: 3.0cfs

Field Exam Results: 12/3/1980 Dave Brant, total Q measured = 1.13cfs (spring meter =1.02cfs) with 55 houses using water for heating and 1 public pool. Recommended 1.13cfs heating, 1.13cfs commercial (pool) **total 1.13cfs.**

Use: Heating 1/1-12/31

Non-irrigation: G/homes, businesses, pools, serving 65 homes in Ketchum.

System: per permit 2 small reservoirs, pipeline, concrete dam, 10', 600 gallon capacity; per 12/3/1980 Dave Brant's field exam: spring water is collected into a concrete collector then diverted into pipeline to the POU; small pump is used to supply part of this water.

Purpose of permit: to obtain right to flow from hot springs for heat system to serve additional 100 homes or businesses.

Location: Apparently this spring is just west of the Guyer Spring; appears to be used in the same pipeline.

Change of Ownership: 3/10/1993, changed to Natural Energy Resources, Inc. James N. Cimino, Secretary, PO Box 448, Sun Valley, Idaho 83353 (208) 622-4556 (copy in 37-4327 file).

****NOTE:** claimant owns POD. Claimant does not own property served.

37-04327 Natural Energy Resources Inc., Priority Date 1/1/1962

Source: Groundwater Tributary: -----

POD: 4N, 17E, Sec 15 NENE

POU: 4N, 17E, Sec 11, 12, 13, 14, 15, 18

Appropriated Quantity: 0.040 cfs

Use: Heating 1/1-12/31 (0.020cfs); Recreation 1/1-12/31 (0.020cfs)

Non-irrigation: G/home & bathing pool (10' X 20' X 5'), R/swimming pool

Change of Ownership: 3/10/1993, changed to Natural Energy Resources, Inc. James N. Cimino, Secretary, PO Box 448, Sun Valley, Idaho 83353 (208) 622-4556 (copy in 37-4327 file).

System: 6" casing, 47' deep well, 13' static, **30gpm (0.078 or 0.08 cfs)**, driller Billy Morts 8/21/1961.

****NOTE:** On WR claim, claimant stated that this system is tied into the spring, which supplies water to the City of Ketchum. Claimant owns POD. Claimant does not own property served.

Contacts:

Ed Lawson, attorney (208) 725-0055

Craig Phelan (CPA) 138 Canyon Dr. Ketchum, Idaho 83340 (208) 726-3799

Corporation:

Natural Energy Resources, Inc.

PO Box 976

Ketchum, Idaho 83340

(208) 622-4556

Registered Agent:

Edward A. Lawson

319 Walnut Ave.

Ketchum, ID 83340

Officers of Corporation:

Robert Cimino, President PO Box 363328, San Juan, PR 00936/2419 Warm Springs Rd. Ketchum, Idaho 83340 (208) 726-1885

David Cimino, Vice President

James Cimino, Secretary, PO Box 448 Sun Valley, Idaho 83353 (208) 622-4556

Review for 37-7163
as per examiner -
37-1232 - decree
37-2451 - license

Carl E. Brandt
37-2451 - ~~Buyer~~ Hot Springs - 1.0 cfs
for domestic, bathroom & heating -
see copy attached.

~~Supplier~~
37-1232 - Buyer Hot ~~Springs~~ Sulfer Springs
Co. vs. Mizer (2-10-1914)
see copy attached.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that DAVE & OR DOROTHY BRANOT.

(Name of Claimant)

Bx 232 Ketchum, IDAHO

(Mailing Address)

(Zip Code)

Telephone No. 726-3447

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) 1962.

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

GROUNDWATER

tributary to ✓

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, sf)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>0.02</u>		Use <u>HEATING</u>		Period of Use From <u>JAN 1</u>	To <u>DEC 31</u>
Quantity <u>0.02</u>		Use <u>RECREATION</u>		Period of Use From <u>"</u>	To <u>"</u>
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____

- (4) 0.04 cfs. TOTAL QUANTITY USED.
(cfs, sf)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

N 1/4 12E 1/4, Sec. 15 Twp. 4N Rge. 17E, County of BLAINE.

Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. well, motor & pump. 6" casing

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NEX				NWK				SWK				SEK				TOTAL
			NEX	NWK	SWK	SEK	NEX	NWK	SWK	SEK	NEX	NWK	SWK	SEK	NEX	NWK	SWK	SEK	
<u>4N</u>	<u>17E</u>	<u>15</u>	<u>X</u>																

No. of acres _____

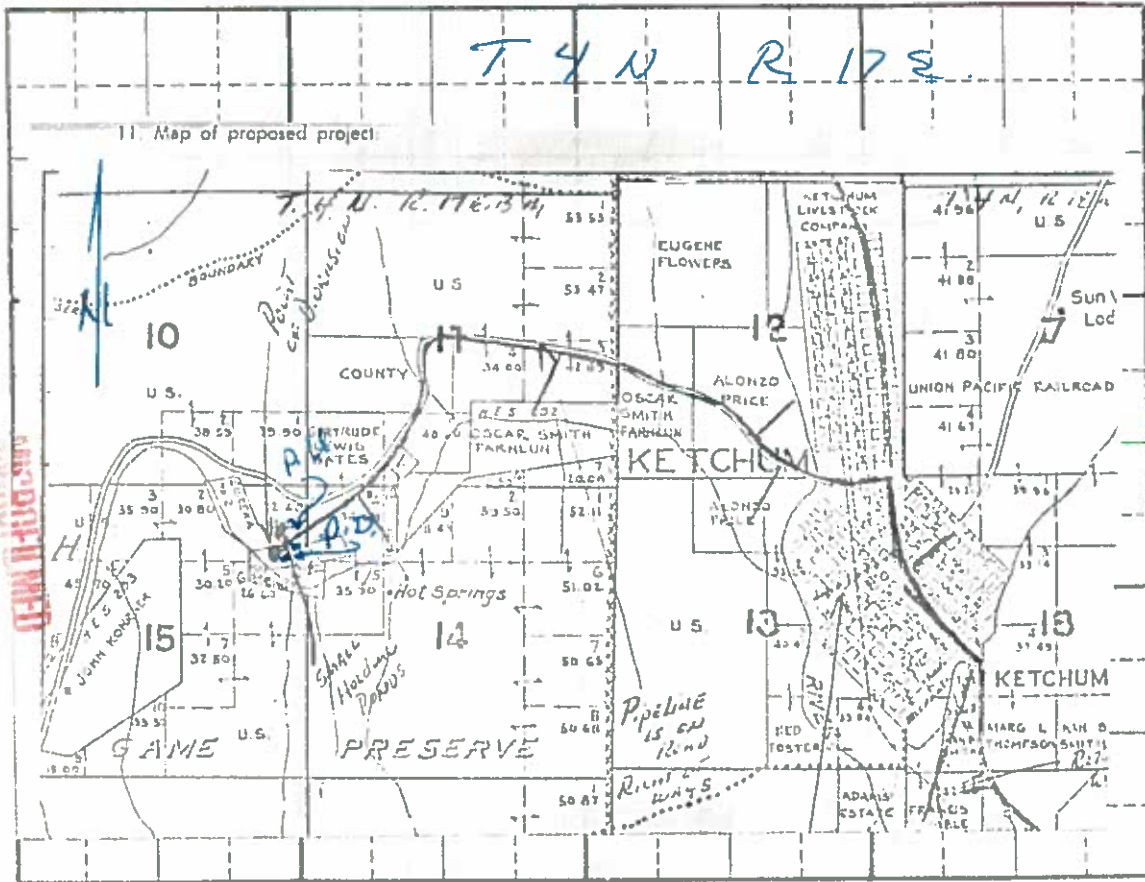
- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

10' x 20' x 5' Swimming Pool
Heats House and is THEN ALSO USED for
Small Bath Pool, this also is a spray which
supplies water to city of Ketchum.

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks _____



Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of Lewis & Clark

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

[Signature]
(Claimant)

Sworn to before me this 11 day of March, 1983.

[Signature]
Notary Public
Residing at Shoshone, id 83352

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by [Signature] Date 5/12/83 Exception filed by: _____ Date _____
Prelim. check by [Signature] Date 5-18-83 Forwarded to claimant by: _____ Date _____
\$30.00 fee received by [Signature] Date 5/16/83 # 27938
Published in Wood River Journal
Dates 6/30 & 7/17/83



DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

10-Mar-1993

Mr. James N. Cimino, Secretary
Natural Energy Resources Inc
PO Box 448
Sun Valley, ID

RE: Ownership Change for Adjudication Claims A37-01232, -02451,
-07163, -04327.

Dear Mr. Cimino:

Pursuant to the notification that you presently own the property in which the above-referenced Adjudication Claims are appurtenant, the Department has changed the record of the current owner as you requested. Please find enclosed copies of the computer record of the claims noting the change in claimant.

If you have any questions please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Frank'.

Francis G. Hitchcock
Water Resource Agent, Sr.

FH/abh

Enclosures

MICROFILMED
OCT 24 1994

Water Right Number - R37-04327

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
NATURAL ENERGY RESOURCES INC1 - PO BOX 448
2 -
3 -
City- SUN VALLEY State- ID Zip- 83353
Phone -*** O - ORIGINAL OWNER ***
BRANDT

DOROTHY

1 -
2 -
3 -
City- X State- ID Zip- 0
Phone - 208-000-0000

BRANDT

DAVE

1 -
2 -
3 -
City- X State- ID Zip- 0
Phone - 208-000-0000

SECURITY PACIFIC NATIONAL BANK

1 - 333 S. HOPE ST.
2 -
3 -
City- LOS ANGELES State- CA Zip- 900710000
Phone - 213-345-4489+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
01/01/1962 17 SOUTHERN S - STATUTORY CLAIM+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
04N 17E 15 NE NE (13) BLAINE+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
22 - HEATING 01/01 12/31 0.020
46 - RECREATION 01/01 12/31 0.020+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.040 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
04N 17E 11 NE SW 22 HEATING (13) BLAINE
04N 17E 11 SW SW 22 HEATING (13) BLAINE
04N 17E 11 SE SW 22 HEATING (13) BLAINE
04N 17E 11 NE SE 22 HEATING (13) BLAINEMICROFILMED
OCT 24 1994

Water right number - R37-04327

Prefix Translation: RESEARCH

+	Tw	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County	+
	04N	17E	11	NW SE			22	HEATING	(13) BLAINE	
	04N	17E	11	SW SE			22	HEATING	(13) BLAINE	
	04N	17E	11	SE SE			22	HEATING	(13) BLAINE	
	04N	17E	12	NE NE			22	HEATING	(13) BLAINE	
	04N	17E	12	NW NE			22	HEATING	(13) BLAINE	
	04N	17E	12	SW NE			22	HEATING	(13) BLAINE	
	04N	17E	12	SE NE			22	HEATING	(13) BLAINE	
	04N	17E	12	NE NW			22	HEATING	(13) BLAINE	
	04N	17E	12	SE NW			22	HEATING	(13) BLAINE	
	04N	17E	12	NE SW			22	HEATING	(13) BLAINE	
	04N	17E	12	NW SW			22	HEATING	(13) BLAINE	
	04N	17E	12	SW SW			22	HEATING	(13) BLAINE	
	04N	17E	12	SE SW			22	HEATING	(13) BLAINE	
	04N	17E	12	NE SE			22	HEATING	(13) BLAINE	
	04N	17E	12	NW SE			22	HEATING	(13) BLAINE	
	04N	17E	12	SW SE			22	HEATING	(13) BLAINE	
	04N	17E	12	SE SE			22	HEATING	(13) BLAINE	
	04N	17E	13	NE NE			22	HEATING	(13) BLAINE	
	04N	17E	13	NW NE			22	HEATING	(13) BLAINE	
	04N	17E	13	SW NE			22	HEATING	(13) BLAINE	
	04N	17E	13	SE NE			22	HEATING	(13) BLAINE	
	04N	17E	13	NE NW			22	HEATING	(13) BLAINE	
	04N	17E	13	SE NW			22	HEATING	(13) BLAINE	
	04N	17E	13	SE SW			22	HEATING	(13) BLAINE	
	04N	17E	13	NE SE			22	HEATING	(13) BLAINE	
	04N	17E	13	NW SE			22	HEATING	(13) BLAINE	
	04N	17E	13	SW SE			22	HEATING	(13) BLAINE	
	04N	17E	14	NE NW			22	HEATING	(13) BLAINE	
	04N	17E	14	NW NW			22	HEATING	(13) BLAINE	
	04N	17E	14	SW NW			22	HEATING	(13) BLAINE	
	04N	17E	14	SE NW			22	HEATING	(13) BLAINE	
	04N	17E	15	NE NE			22	HEATING	(13) BLAINE	
	04N	17E	15	SE NE			22	HEATING	(13) BLAINE	
	04N	17E	18	NE NW			22	HEATING	(13) BLAINE	
	04N	17E	18	NW NW			22	HEATING	(13) BLAINE	
	04N	17E	18	SW NW			22	HEATING	(13) BLAINE	
	04N	17E	18	SE NW			22	HEATING	(13) BLAINE	
	04N	17E	18	NE SW			22	HEATING	(13) BLAINE	
	04N	17E	18	NW SW			22	HEATING	(13) BLAINE	
	04N	17E	18	SW SW			22	HEATING	(13) BLAINE	
	04N	17E	18	SE SW			22	HEATING	(13) BLAINE	
	04N	17E	11	NE SW			46	RECREATION	(13) BLAINE	
	04N	17E	11	SW SW			46	RECREATION	(13) BLAINE	
	04N	17E	11	SE SW			46	RECREATION	(13) BLAINE	
	04N	17E	11	NE SE			46	RECREATION	(13) BLAINE	
	04N	17E	11	NW SE			46	RECREATION	(13) BLAINE	
	04N	17E	11	SW SE			46	RECREATION	(13) BLAINE	
	04N	17E	11	SE SE			46	RECREATION	(13) BLAINE	

MICROFILMED
OCT 24 1994

Water right number - R37-04327

Prefix Translation: RESEARCH

+ - - - - - Place of Use - - - - - +								
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
04N	17E	12	NE NE			46	RECREATION	(13) BLAINE
04N	17E	12	NW NE			46	RECREATION	(13) BLAINE
04N	17E	12	SW NE			46	RECREATION	(13) BLAINE
04N	17E	12	SE NE			46	RECREATION	(13) BLAINE
04N	17E	12	NE NW			46	RECREATION	(13) BLAINE
04N	17E	12	SE NW			46	RECREATION	(13) BLAINE
04N	17E	12	NE SW			46	RECREATION	(13) BLAINE
04N	17E	12	NW SW			46	RECREATION	(13) BLAINE
04N	17E	12	SW SW			46	RECREATION	(13) BLAINE
04N	17E	12	SE SW			46	RECREATION	(13) BLAINE
04N	17E	12	NE SE			46	RECREATION	(13) BLAINE
04N	17E	12	NW SE			46	RECREATION	(13) BLAINE
04N	17E	12	SW SE			46	RECREATION	(13) BLAINE
04N	17E	12	SE SE			46	RECREATION	(13) BLAINE
04N	17E	13	NE NE			46	RECREATION	(13) BLAINE
04N	17E	13	NW NE			46	RECREATION	(13) BLAINE
04N	17E	13	SW NE			46	RECREATION	(13) BLAINE
04N	17E	13	SE NE			46	RECREATION	(13) BLAINE
04N	17E	13	NE NW			46	RECREATION	(13) BLAINE
04N	17E	13	SE NW			46	RECREATION	(13) BLAINE
04N	17E	13	SE SW			46	RECREATION	(13) BLAINE
04N	17E	13	NE SE			46	RECREATION	(13) BLAINE
04N	17E	13	NW SE			46	RECREATION	(13) BLAINE
04N	17E	13	SW SE			46	RECREATION	(13) BLAINE
04N	17E	14	NE NW			46	RECREATION	(13) BLAINE
04N	17E	14	NW NW			46	RECREATION	(13) BLAINE
04N	17E	14	SW NW			46	RECREATION	(13) BLAINE
04N	17E	14	SE NW			46	RECREATION	(13) BLAINE
04N	17E	18	NE NW			46	RECREATION	(13) BLAINE
04N	17E	18	NW NW			46	RECREATION	(13) BLAINE
04N	17E	18	SW NW			46	RECREATION	(13) BLAINE
04N	17E	18	SE NW			46	RECREATION	(13) BLAINE
04N	17E	18	NE SW			46	RECREATION	(13) BLAINE
04N	17E	18	NW SW			46	RECREATION	(13) BLAINE
04N	17E	18	SW SW			46	RECREATION	(13) BLAINE
04N	17E	18	SE SW			46	RECREATION	(13) BLAINE

Total Acres:

- + - - Diversion Means - WELL, PUMP, 6" CASING
- + - - Non-Irrigation Use - G/HOME & BATHING POOL, R/SWIMMING POOL
- + - - Other Rights for Same Use - 37-2451, 37-7163, 37-1232

MICROFILMED
OCT 24 1994-MEC

Water right number - R37-04327

Prefix Translation: RESEARCH

+ - - - - - Remarks - - - - - +
PROPERTY LOCATED AT POINT OF DIVERSION IS OWNED BY CLAIMANT;
OTHER PROPERTIES IN KETCHUM SERVED BY THE HOT WATER HEAT
SYSTEM ARE NOT OWNED BY CLAIMANT.

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - - Comments - - - - - +
Date: 03/10/1993 User Id: HITCHCOC Subject: COPIED FROM REMARKS
PROPERTY LOCATED AT POINT OF DIVERSION IS OWNED BY CLAIMANT;
SYSTEM ARE NOT OWNED BY CLAIMANT. OTHER PROPERTIES IN KETCHUM SERVED BY THE HOT WATER HEAT
OWNERSHIP CHANGE 03-10-1993 BY FH.

+ - - Audit Fields - - +
03/10/93 HITCHCOC

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing - 00/00/0000	Field Inspection Made - 00/00/0000	Civil Case Number - 39576
Objection Filed Date - 00/00/0000	Field Inspection Flag -	Old Case Number -
Response Filed Date - 00/00/0000	Verified Date - 00/00/0000	Old Judicial District -
Claim Received Date - 10/27/1988	Last Amended Date - 00/00/0000	Temporary Right - P
	Receipt Number - C003080	Water District -
	POU Ownership Flag - N	Federal/State Indicator - S
	Name Connector -	Presumption Flag -
		Notice of Error Flag -

MICROFILMED
OCT 24 1994

Water Right Number - 37-04327

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***

SECURITY PACIFIC NATIONAL BANK

1 - ATTN: JOSEPH BOYSTOCK

2 - HEALTH CARE FINANCE DEPT.

3 - 333 S. HOPE ST.

City- LOS ANGELES

State- CA Zip- 900710000

Phone -

*** O - ORIGINAL OWNER ***

BRANDT

DAVE

1 -

2 -

3 -

City-

State-

Zip-

Phone -

BRANDT

DOROTHY

1 -

2 -

3 -

City-

State-

Zip-

Phone -

+ - - Priority Date - - +
01/01/1962+ - - Region - - - +
17+ - - Stage - - - +
S - STATUTORY CLAIM

+ - - Status - - - +

+ - - Source - - - - - +
GROUNDWATER

+ - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

04N 17E 15 NE NE (13) BLAINE

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

22 - HEATING 01/01 12/31 0.020

46 - RECREATION 01/01 12/31 0.020

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.040+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

04N 17E 15 NE NE 22 HEATING (13) BLAINE

Total Acres:

Diversion Means - WELL, PUMP

Non-Irrigation Use - G/HOME & BATHING POOL, R/SWIMMING POOL

Other Rights for Same Use -

FEB 23 1989
MICROFILMED

Water right number - 37-04327

Adj. flag translation: Standard Water Right Number

+ - - - - Remarks - - - - -
No Remarks found.

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Microfilm Rolls -

+ - - Audit Fields - 02/26/87 05/28/88 CONVERT

+ - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Start Work Date - 00/00/0000	Verified Date - 00/00/0000	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended -
Decree Date - 00/00/0000		

MICROFILMED
FEB 23 1993