

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

Adjudication Claim 37-212A

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	EDWARD LAWSON LAWSON LASKI CLARK & POGUE PLLC 675 SUN VALLEY RD STE A PO BOX 3310 KETCHUM, ID 83340 (208)725-0055
Current Owner	WHITETAIL A CLUB FOR ALL SEASONS LLC 501 W LAKE ST MC CALL, ID 83638 (208)630-0250
Previous Owner	SUN VALLEY VENTURES LLC PO BOX 5500 KETCHUM, ID 83340-5500 (208)726-8304
Original Owner	SIMPSON FAMILY LTD PARTNERSHIP BOX 336 KETCHUM, ID 83340 (208)726-3249

Priority Date: 6/23/1888

Basis: Decreed

Status: Closed

Source
WARM SPRINGS CREEK

Tributary
BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/15	11/01	2.800 CFS	
	<u>Total Diversion</u>		2.800 CFS	

Source and Point(s) of Diversion

WARM SPRINGS CREEK SWSE Sec. 11, Twp 04N, Rge 17E, BLAINE County

Place Of Use

IRRIGATION within BLAINE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	17E	11															8.0	11.0	19.0
04N	17E	12											5.0						5.0

POU Total Acres: 24.0

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

Conditions of Approval:

- | | |
|------------|---|
| 1. General | WATER USED FOR WARM SPRINGS GOLF COURSE. 3.28 TOTAL CFS USED FOR THE 24 ACRES FROM THIS DECREE AND THE LICENSE. |
|------------|---|

Comments:

Dates and Other Information

Claim Received Date: 10/21/1988
State or Federal: S
Mitigation Plan: False

Combined Use Limits

N/A

Verification Log

SubCase:

SubCaseNumber: 37-212A
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent: mciscell
Basis of Claim: Decreed
Date Filed: 1/15/2008
Objection Status: Active

Water Supply Bank:

N/A

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

RECEIVED
 SEP 11 2006
 DEPT. OF WATER RESOURCES
 SOUTHERN REGION

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, if the change in ownership is limited to a portion of 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
_____	37-212A	___	_____	_____	___
_____	37-2621	___	_____	_____	___
_____	37-4337	___	_____	_____	___
_____	37-20381	___	_____	_____	___
_____	_____	___	_____	_____	___

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 usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit 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 OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Sun Valley Ventures, LLC
P.O. Box 5500, Ketchum, Idaho 83340
4. New Owner/Claimant(s) Whitetail, A Club For All Seasons, LLC
 Name Connector (Check one): ☐ and, ☐ or ☐ and/or
- New Mailing Address 501 West Lake Street
- City, State and Zip Code McCall, ID 83638
- New Telephone Number (208) 634-2244
5. Date you acquired the property 05/01/2006

6. **IF THE CHANGE IN OWNERSHIP AFFECTS THE ENTIRE WATER RIGHTS FOR EACH WATER RIGHT OR ADJUDICATION CLAIM NUMBER LISTED IN ITEM 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change of 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 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(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 per 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 per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New owner(s) or Claimant(s) **WHITETAIL, A CLUB FOR ALL SEASONS, LLC**
(include title if applicable)

By: _____

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 _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

156888-6
②
Recording Requested By and
When Recorded Return to:

Stephen A. Hardesty
Hawley Troxell Ennis & Hawley LLP
P.O. Box 1617
Boise, ID 83701-1617

Instrument # 534863

HAILEY, BLAINE, IDAHO
2006-05-01 04:11:00 No. of Pages: 7
Recorded for: FIRST AMERICAN TITLE
MARSHA RIEMANN Fee: 21.00
Ex-Officio Recorder Deputy
Index for GRANT DEED *mp*

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

GRANT DEED

THIS GRANT DEED, made this 1st day of May, 2006, by and between SUN VALLEY VENTURES LLC, a California limited liability company ("Grantor"), and WHITETAIL, A CLUB FOR ALL SEASONS, LLC, an Idaho limited liability company, whose address is 501 West Lake Street, McCall, Idaho 83638 ("Grantee").

WITNESSETH:

FOR VALUE RECEIVED, Grantor does hereby grant, sell and convey to Grantee, his heirs, successors and assigns forever, all that certain real property located in Blaine County, State of Idaho, more particularly described on EXHIBIT "A" attached hereto and incorporated herein by this reference.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, including any and all improvements located thereon; the reversion and reversions, remainder and remainders, rents, issues and profits thereof (collectively "Premises").

Grantor hereby covenants with Grantee that the Premises are free from all encumbrances made by Grantor and that Grantor will warrant and defend the Premises against the lawful claims of all persons claiming by, through or under Grantee; subject, however, to the rights of all persons in possession.

TO HAVE AND TO HOLD all and singular the Premises, together with the appurtenances unto Grantee, his heirs, successors and assigns forever.

The Premises are sold and conveyed to Grantee, "AS IS AND WHERE IS AND WITH ALL FAULTS, IF ANY." Except as provided above, Grantor makes no warranties either express or implied in fact or by operation of law concerning the Premises.

GRANT DEED - 1 -

42477.0001,873105.9

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

GRANTOR:

SUN VALLEY VENTURES LLC

By: Marronnier, LLC, a Managing Member

By:


Stephen A. Roth, Manager

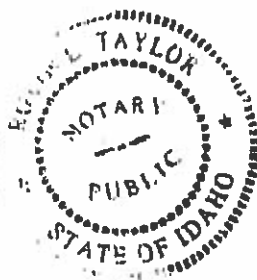
STATE OF IDAHO

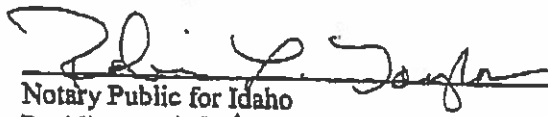
County of Blaine

)
) ss.
)

On this 1st day of May, 2006, before me, ROBIN L. TAYLOR, a Notary Public in and for said State, personally appeared Stephen A. Roth, known or identified to me to be the Manager of Marronnier, LLC, which is a Managing Member of Sun Valley Ventures LLC, a California limited liability company, and acknowledged to me that he is the Manager who subscribed said company name to the foregoing instrument, and acknowledged to me that he executed the within instrument on behalf of said company, and that such company executed the same in said company name.

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




Notary Public for Idaho
Residing at Hailey
My commission expires 3/11/2010

GRANT DEED - 2 -

42477.0001.873105.3

EXHIBIT "A"
(attached hereto)

GRANT DEED - 3 -

42477.0001.873105.3

Exhibit "A"

Parcel 1:

A PARCEL OF LAND IN SECTION 12, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, more particularly described as follows:

COMMENCING at a brass cap marking the Southeast corner of said Section 12, said corner lying S. 00°31'53" W., 2668.94 feet from the West ¼ corner of said Section 12; thence N. 07°54'41" E., 968.69 feet to a point on the Northerly bank of Warm Springs Creek, said point being the TRUE POINT OF BEGINNING; thence leaving said Northerly bank N. 52°30'21" E., 14.14 feet along the boundary common to Tax Lot 6312; thence N. 07°30'21" E., 104.21 feet along said common boundary; thence N. 14°22'29" W., 40.00 feet to a point on the Southeasterly boundary of Owen Simpson Subdivision, according to the official plat thereof, recorded as Instrument No. 192109, records of Blaine County, Idaho; thence following said Southeasterly boundary N. 76°11'31" E., 276.40 feet, more or less, to the Southerly boundary of Warm Springs Road; thence along said Southerly boundary of Warm Springs Road by the following courses: S. 77°34'30" E., 192.53 feet; thence 478.19 feet along a curve to the right, said curve having a central angle of 08°32'48", a radius of 3205.76 feet, and a chord length of 477.75 feet that bears S. 71°34'50" E., thence S. 67°18'26" E., 234.29 feet, thence leaving said Southerly boundary 253.89 feet along a curve to the left, said curve having a central angle of 23°42'49", a radius of 613.43 feet, and a chord length of 252.08 that bears N. 88°42'36" W., thence S. 79°56'08" W., 15.60 feet; thence S. 88°42'36" W. 150.00 feet; thence N. 39°41'17" W., 51.99 feet; thence N. 47°45'44" W. 95.15 feet; thence N. 72°33'47" W., 177.43 feet, thence S. 14°08'46" W., 223.19 feet to a point on the Northerly bank of Warm Springs Creek; thence along said Northerly bank by the following courses; N. 56°11'08" W., 178.35 feet; thence N. 78°01'26" W., 101.20 feet; thence N. 88°42'01" W., 148.87 feet to the TRUE POINT OF BEGINNING.
(Tax Lot 7638)

Parcel 2:

A PARCEL OF LAND IN SECTION 12, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, more particularly described as follows:

COMMENCING at a brass cap marking the Southeast corner of said Section 12, said corner lying S. 00°31'53" W., 2668.94 feet from the West ¼ corner of said section 12; thence N. 52°26'13" E., 956.46 feet to a point on the Northerly bank of Warm Springs Creek, said point being the TRUE POINT OF BEGINNING; thence along said Northerly bank by the following courses; N. 33°41'24" W., 162.25 feet; thence N. 45°00'00" W.,

106.07 feet; thence N. 56°11'07" W., 76.81 feet; thence leaving said Northerly bank N. 14°08'46" E., 223.19 feet; thence S. 72°33'47" E., 177.43 feet; thence S. 47°45'44" E., 95.15 feet; thence S. 39°41'17" E., 51.99 feet; thence N. 88°42'36" E., 150.00 feet; thence S. 34°38'29" E., 47.81 feet; thence S. 40°55'36" W., 218.55 feet; thence S. 50°04'55" W., 172.91 feet to the TRUE POINT OF BEGINNING.
(Tax Lot 7639)

Parcel 3:

A PARCEL OF LAND IN SECTION 12, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO more particularly described as follows:

COMMENCING at a brass cap marking the Southeast Corner of Said Section 12, said corner lying S. 00°31'53" W., 2668.94 feet from the West ¼ corner of said Section 12; thence N. 52°26'13" E., 956.46 feet to a point on the Northerly bank of Warm Springs Creek, said point being the TRUE POINT OF BEGINNING; thence along said Northerly bank by the following courses: S. 29°57'00" E., 242.36; thence S. 65°58'23" E., 69.22; thence S. 64°13'10" E., 131.45 feet; thence S. 70°53'00" E., 181.81 feet; thence S. 43°29'50" E., 150.15 feet; thence S. 33°35'21" E., 56.51 feet, more or less, to the Westerly most corner of WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 2, according to the official plat thereof, recorded as Instrument No. 135346, records of Blaine County, Idaho; thence leaving said Northerly bank N. 61°07'48" E., 25.79 feet along the Northwesterly boundary said WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 2 to the Southerly most corner of WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 3, according the official plat thereof, recorded as Instrument No. 141402, records of Blaine County, Idaho; thence N. 18°54'09" W., 129.05 feet along the Southwesterly boundary of said WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 3 to the Southeast corner of Tax Lot 5105; thence along the exterior boundary of said Tax Lot 5105 by the following courses: S. 81°22'42" W., 77.94 feet, thence N. 08°37'18" W., 134.00 feet; thence N. 81°22'42" E., 85.75 feet to a point on the Westerly boundary of WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 4, according the official plat thereof, recorded as Instrument No. 147288, records of Blaine County, Idaho; thence N. 00°03'08" E., 18.20 feet along said Westerly boundary to the South corner of WARM SPRINGS TOWNHOUSE CONDOMINIUMS, according to the official plat thereof, recorded as Instrument No. 129077, records of Blaine County, Idaho; thence N. 40°19'52" W., 145.72 feet along the Southwesterly boundary to the West Corner of said WARM SPRINGS TOWNHOUSE CONDOMINIUMS, thence N. 40°03'09" W., 55.19 feet; thence N. 03°12'52" W., 171.00 feet; thence N. 53°24'52" W., 102.90 feet; thence N. 34°38'52" W., 140.00 feet, thence S. 40°55'32" W., 218.55 feet; thence S. 50°04'55" W., 172.91 feet to the TRUE POINT OF BEGINNING.
(Tax Lot 7640)

Parcel 4:

A PARCEL OF LAND IN SECTION 12, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, more particularly described as follows:

COMMENCING at a brass cap marking the Southeast corner of said Section 12, said corner lying S. 00°31'53" W., 2668.94 feet from the West ¼ corner of said Section 12; thence N. 70°37'44" E., 1415.83 feet to the East corner of WARM SPRINGS TOWNHOUSE CONDOMINIUMS, according to the official plat thereof, recorded as Instrument No. 129077, records of Blaine County, Idaho, said corner being the TRUE POINT OF BEGINNING; thence N. 89°56'55" W., 94.41 feet along the Northerly boundary of said WARM SPRINGS TOWNHOUSE CONDOMINIUMS to the West corner of said WARM SPRINGS TOWNHOUSE CONDOMINIUMS; thence N. 40°03'09" W., 55.19 feet, thence N 03°12'52" W., 171.00 feet; thence N. 53°24'52" W., 102.90 feet; thence N. 34°38'48" W., 187.80 feet; thence N. 79°56'08" E., 15.60 feet; thence 253.89 feet along a curve to the right, said curve having a central angle of 23°42'49", a radius of 613.43 feet, and a chord length of 252.08 feet that bears S. 88°12'27" E., more or less, to a point on the Southerly boundary of Warm Springs Road; thence S. 68°42'30" E., 66.64 feet, more or less, along said Southerly boundary to the Northwest corner of WARM SPRINGS TENNIS CONDOMINIUMS NO. 2, according to the official plat thereof, recorded as Instrument No. 208961, records of Blaine County, Idaho, thence S. 00°03'08" W., 38.55 feet along the Westerly boundary of said WARM SPRINGS TENNIS CONDOMINIUMS NO. 2, to a point on the northerly boundary of WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 6, according to the official plat thereof recorded as Instrument No. 163389, records of Blaine County, Idaho; thence along the boundary of said WARM SPRING TOWNHOUSE CONDOMINIUMS NO. 6 by the following courses: S. 86°11'23" W., 59.46 feet to the Northwest corner; thence S. 03°48'44" E., 73.00 feet to the West corner common to said WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 6 and WARM SPRINGS TENNIS CONDOMINIUMS, according to the official plat thereof, recorded as Instrument No. 199114, records of Blaine County, Idaho; thence along the boundary of said WARM SPRINGS TENNIS CONDOMINIUMS by the following courses: S 03°48'44" E., 80 feet to the Westerly corner; thence S. 62°11'14" E., 55.23 feet to a point on the Westerly boundary of said WARM SPRINGS TENNIS CONDOMINIUMS NO. 2; thence S. 00°03'08" W., 69.02 feet along said Westerly boundary to the West corner common to said WARM SPRINGS TENNIS CONDOMINIUMS NO. 2 and COUNTRY CLUB TOWNHOUSES, according to the official plat, thereof recorded as Instrument No. 315898, records of Blaine County, Idaho; thence S. 00°03'08" W., 109.59 feet along the Westerly boundary of said COUNTRY CLUB TOWNHOUSES to the TRUE POINT OF BEGINNING.

SUBJECT TO a 30 - foot wide Roadway Easement serving Tax Lot 5991 and Warm Springs Townhouse Condominiums, as depicted within the official plat thereof, recorded as Instrument No. 129077, records of Blaine County, Idaho.

(Tax Lot 7641)

Parcel 8

A parcel of land within the SE1/4SE1/4 of Section 11, Township 4 North, Range 17 East, Boise Meridian, Ketchum, Blaine County, Idaho and more particularly described as follows:

Commencing at a brass cap marking the East Quarter Corner of said Section 11; thence S. 02°47'00"W, 1318.87 feet to the northeast corner of Sun River Condominium and the TRUE POINT OF BEGINNING; thence S. 74°02'46" E, 46.11 feet along the southerly boundary of Bald Mountain Road to a northwesterly corner of Tax Lot No. 6312; thence following the westerly boundary of Tax Lot No. 6312 a distance of 42.26 feet along a curve to the left with a central angle of 105°16'10", a radius of 23.00 feet and a long chord of 36.56 feet that bears S. 16°15'18" W; thence S. 00°59'08" W, 49.95 feet along the westerly boundary of Tax Lot No. 6312 to the southwest corner of Tax Lot No. 6312; thence N. 76°59'06" W, 35.64 feet along the northerly boundary of the Warm Springs Golf Course property to the southeast corner of Sun River Condominium; thence N. 15°10'07" E, 79.03 feet along the east boundary of Sun River Condominium to the TRUE POINT OF BEGINNING. (Tax Lot 7776)

Parcel 9

TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN SECTION 12,
Ketchum, Blaine County, Idaho

A parcel of land within a portion of SE1/4SW1/4 Section 12, Ketchum, Blaine County, Idaho, said parcel being more particularly described by metes and bounds as follows:

Commencing at a brass cap marking the SW Corner of said Section 12, thence N. 89°32'53" E., 1304.81 feet, more or less, to a BLM aluminum cap marking the West 1/16 corner common to said Sec. 12 and Sec. 13 and said aluminum cap being the True Point of Beginning.

Thence N. 00°04'35" E., 137.41 feet, more or less, along the westerly boundary of said SE1/4SW1/4 Sec. 12 to a point on the northeasterly bank of Warm Springs Creek, said point also on the southwesterly boundary of Parcel 4 as described in that Warranty Deed recorded as Instrument No. 480648, records of Blaine County, Idaho; thence along said Parcel 4 by the following courses: S. 43°29'50" E., 45.75 feet; thence S. 33°35'21" E., 56.51 feet, more or less, to the westerly most corner of WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 2, according to the official plat thereof, recorded as Instrument No. 135346, records of Blaine County, Idaho; thence S. 33°56'52" E., 67.91 feet, more or less, along the southwesterly boundary of said WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 2 to a point on the southerly boundary of said Sec. 12; thence S89°32'23" W, 100.86 feet, more or less, along said southerly boundary of Sec. 12 to the True Point of Beginning.

(Tax Lot 7926)



11
SE
SE



SWSW 12

Title:

Date: 09-11-2006

Scale: 1 inch = 1000 feet

File: Untitled.des

+Tract 1: 3.609 Acres: 157224 Sq Feet: Closure = n01.2317e 2.21 Feet: Precision = 1/1236: Perimeter = 2735 Feet
+Tract 2: 2.730 Acres: 118927 Sq Feet: Closure = n39.1558w 0.00 Feet: Precision = 1/301356: Perimeter = 1482 Feet
+Tract 3: 4.461 Acres: 194303 Sq Feet: Closure = n33.4044e 0.01 Feet: Precision = 1/362717: Perimeter = 2309 Feet
+Tract 4: 1.684 Acres: 73356 Sq Feet: Closure = n85.4405e 0.71 Feet: Precision = 1/2005: Perimeter = 1432 Feet
+Tract 5: 0.065 Acres: 2849 Sq Feet: Closure = n55.0328w 23.42 Feet: Precision = 1/11: Perimeter = 253 Feet
+Tract 6: 0.167 Acres: 7294 Sq Feet: Closure = n00.0015e 3.00 Feet: Precision = 1/135: Perimeter = 405 Feet
Net Area= 12.717 Acres: 553954 Sq Feet

001=/sw,sw,nw,12,04n,17e

033=s34.3829e 47.81

065=n03.1252w 171

002=/s00.3153w 2668.94

034=s40.5536w 218.55

066=n53.2452w 102.9

003=/n07.5441e 968.69

035=s50.0455w 172.91

067=n34.3848w 187.80

004=n52.3021e 14.14

036=@0+

068=n79.5608e 15.60

005=n07.3021e 104.21

037=/sw,sw,nw,12,04n,17e

069: Rt, R=613.43, Arc=253.89, Delta=23.4249

006=n14.2229w 40.

038=/s00.3153w 2668.94

Bng=s88.1227e, Chd=252.08

007=n76.1131e 276.40

039=/n52.2613e 956.46

070=s68.4230e 66.64

008=s77.3430e 192.53

040=s29.5700e 242.36

071=s00.0308w 38.55

009: Rt, R=3205.76, Arc=478.19, Delta=08.3248

041=s65.5823e 69.22

072=s86.1123w 59.46

010=s67.1826e 234.29

042=s64.1310e 131.45

073=s03.4844e 73

011: Lt, R=613.43, Arc=253.89, Delta=23.4249

043=s70.5300e 181.81

074=s03.1811e 80

012=s79.5608w 15.60

044=s43.2950e 150.15

075=s62.1114e 55.23

013=s88.4236w 150

045=s33.3521e 56.51

076=s00.0308w 69.02

014=n39.4117w 51.99

046=n61.0748e 25.79

077=s00.0308w 109.59

015=n47.4544w 95.15

047=n18.5409w 129.05

078=@0+

016=n72.3347w 177.43

048=s81.2242w 77.94

079=/se,se,ne,11,04n,17e

017=s14.0846w 223.19

049=n08.3718w 134.

080=/s02.4700w 1318.87

018=n56.1108w 178.35

050=n81.2242e 85.75

081=s74.0246e 46.11

019=n78.0126w 101.20

051=n00.0308e 18.20

082: Lt, R=23, Arc=42.26, Delta=105.1610

020=n88.4201w 148.87

052=n40.1952w 145.72

Bng=s16.1518w, Chd=36.56

021=@0+

053=n40.0309w 55.19

083=s00.5908w 49.95

022=/sw,sw,nw,12,04n,17e

054=n03.1252w 171.00

084=n76.5906w 35.64

023=/s00.3153w 2668.94

055=n53.2452w 102.90

085=n15.1007e 79.03

024=/n52.2613e 956.46

056=n34.3852w 140.

086=@0+

025=n33.4124w 162.25

057=s40.5532w 218.55

087=/sw,sw,12,04n,17e

026=n45.0000w 106.07

058=s50.0455w 172.91

088=/n89.3253e 1304.81

027=n56.1107w 76.81

059=@0+

089=n00.0435e 134.41

028=n14.0846e 223.19

060=/sw,sw,nw,12,04n,17e

090=s43.2950e 45.75

029=s72.3347e 177.43

061=/s00.3153w 2668.94

091=s33.3521e 56.51

030=s47.4544e 95.15

062=/n70.3744e 1415.83

092=s33.5652e 67.91

031=s39.4117e 51.99

063=n89.5655w 94.41

093=s89.3223w 100.86

032=n88.4236e 150

064=n40.0309w 55.19

Hahn, Carrie

From: Hahn, Carrie
Sent: Wednesday, September 20, 2006 10:30 AM
To: 'Jim Speck'
Subject: RE: Whitetail ownership change

No, I haven't received it as of today. I just need the exhibit "A" to see if there are parcels 4,5,6 and 7.

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

From: Jim Speck [mailto:jim@speckkandaanestad.com]
Sent: Wednesday, September 20, 2006 10:09 AM
To: Hahn, Carrie
Cc: jeanl@speckkandaanestad.com
Subject: RE: Whitetail ownership change

Carrie,

Did you receive the second deed from my assistant, Jean? Is it what you need?

Jim

James P. Speck
SPECK & AANESTAD
A Professional Corporation
120 East Avenue
P.O. Box 987
Ketchum, ID 83340
208.726.4421
208.726.0752 (fax)
jim@speckkandaanestad.com

CONFIDENTIAL COMMUNICATION

This email message and any attachments are intended only for the use of the addressee named above and may contain information that is privileged and confidential. If you are not the intended recipient, any dissemination, distribution, or copying is strictly prohibited. If you received this email message in error, please immediately notify the sender by replying to this email message or by telephone. Thank you.

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

From: Hahn, Carrie
Sent: Monday, September 18, 2006 2:23 PM
To: jimspeck@cox-internet.com

Dear Jim,

I am working on the ownership change from Sun Valley Ventures to Whitetail. I seem to be missing documentation in Section 11 for the ownership change. The Grant deed I received in the package jumps from parcel 4 to parcel 8 in the exhibit "A" and I am wondering if I am missing some pages. Could you please resend this document to me?

Thanks,
Carrie Hahn

Attachment(s): _AVG certification_.txt

Hahn, Carrie

From: Jean Latham [jeanl@speckandaanestad.com]
Sent: Wednesday, September 20, 2006 3:29 PM
To: Hahn, Carrie
Cc: 'Jim Speck'
Subject: Re: Whitetail/Warm Springs GC

Carrie: Attached is the Grant Deed IDWR from Creekside I, LLC to Whitetail, A Cub For All Seasons, LLC transferring parcels 5, 6, and 7 that IDWR has requested in

Please let me know if you need anything further.

Thank you.

Jean Latham, Legal Assistant to
James P. Speck

--

No virus found in this outgoing message.
Checked by AVG Free Edition.

Version: 7.1.405 / Virus Database: 268.12.3/447 - Release Date: 9/13/2006

9/21/2006

Recording Requested By and
When Recorded Return to:

Stephen A. Hardesty
Hawley Troxell Ennis & Hawley LLP
P.O. Box 1617
Boise, ID 83701-1617

Instrument # 534862

HAILEY, BLAINE, IDAHO

2006-05-01

04:18:00 No. of Pages: 6

Recorded for : FIRST AMERICAN TITLE

MARSHA RUEMANN

Fee: 18.00

Ex-Officio Recorder Deputy

Printed: GRANT DEED

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

GRANT DEED

THIS GRANT DEED, made this 1st day of May, 2006, by and between CREEKSIDE I, LLC, an Idaho limited liability company ("Grantor"), and WHITETAIL, A CLUB FOR ALL SEASONS, LLC, an Idaho limited liability company, whose address is 501 West Lake Street, McCall, Idaho 83638 ("Grantee").

WITNESSETH:

FOR VALUE RECEIVED, Grantor does hereby grant, sell and convey to Grantee, his heirs, successors and assigns forever, all that certain real property located in Blaine County, State of Idaho, more particularly described on EXHIBIT "A" attached hereto and incorporated herein by this reference.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, including any and all improvements located thereon; the reversion and reversions, remainder and remainders, rents, issues and profits thereof (collectively "Premises").

Grantor hereby covenants with Grantee that the Premises are free from all encumbrances made by Grantor and that Grantor will warrant and defend the Premises against the lawful claims of all persons claiming by, through or under Grantee; subject, however, to the rights of all persons in possession.

TO HAVE AND TO HOLD all and singular the Premises, together with the appurtenances unto Grantee, his heirs, successors and assigns forever.

The Premises are sold and conveyed to Grantee, "AS IS AND WHERE IS AND WITH ALL FAULTS, IF ANY." Except as provided above, Grantor makes no warranties either express or implied in fact or by operation of law concerning the Premises.

GRANT DEED - 1 -

42477.0001.873115.3

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

GRANTOR:

CREEKSIDE I, LLC

By: Marronnier, LLC, its Manager

By: 
Stephen A. Roth, Manager

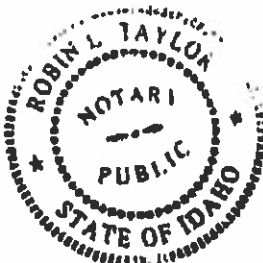
STATE OF IDAHO)

) ss.

County of Blaine)

On this 1st day of May, 2006, before me, ROBIN L. TAYLOR, a Notary Public in and for said State, personally appeared Stephen A. Roth, known or identified to me to be the Manager of Marronnier, LLC, the Manager of the limited liability company of Creekside I, LLC, and the Manager who subscribed said company name to the foregoing instrument, and acknowledged to me that Creekside I, LLC executed the same in said company name.

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




Notary Public for Idaho
Residing at Boise
My commission expires 3/11/2010

GRANT DEED - 2 -

EXHIBIT "A"

(attached hereto)

GRANT DEED - 3.

42477.0001.873/15.3

Legal Descriptions
Order No. 156898

Exhibit "A"

Parcel 5:

A PARCEL OF LAND IN HES 292, SECTION 11, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, more particularly described as follows:

COMMENCING at a brass cap marking the Southwest corner of Section 12; thence N. 00°31'53" East, 422.22 feet along the North - South section line between said Section 11 and Section 12 to the Southerly boundary of Homestead Entry Survey No. 292 and the TRUE POINT OF BEGINNING; thence S. 80°11'09" W., 2,210.80 feet along the Southerly boundary of H.E.S. 292 to the Southeast corner of Tax Lot 3082; thence N. 00°12'52" E., 766.29 feet along the Easterly boundary of Tax Lots 3082 and 2784 to a point on the Northerly bank of Warm Springs Creek; thence S. 54°08'10" E., 183.59 feet along the Southwesterly boundary of Tax Lot 5103 to the Southwest corner of Lot 12, WARM SPRINGS CREEKSIDE SUBDIVISION, according to the official plat thereof on file with the Blaine County Recorder in Hailey, Idaho; thence along said Southerly boundary of WARM SPRINGS CREEKSIDE SUBDIVISION by the following courses and distances: S. 46°53'48" E., 73.97 feet; thence S. 57°01'48" E., 75.36 feet; thence S. 61°14'48" E., 74.58 feet; thence S. 65°56'12" E., 101.10 feet; S. 89°10'07" E., 100.62; thence N. 72°56'28" E., 98.55 feet; thence N. 74°47'57" E., 97.10 feet; thence N. 80°37'22" E., 76.20 feet; N. 79°40'19" E., 75.99; thence N. 80°31'07" E., 76.18 feet; thence N. 86°07'24" E., 77.89 feet; thence N. 70°13'18" E., 75.00 feet; thence N. 69°54'47" E., 65.71 feet; thence N. 66°04'53" E., 169.10 feet; thence N. 40°37'18" E., 140.80 feet to the Easterly corner of Lot 25, WARM SPRINGS CREEKSIDE SUBDIVISION; thence N. 37°26'22" E., 69.30 feet along the Southeasterly boundary of Tax Lot 5761; thence N. 54°49'22" E., 42.80 feet along the Southeasterly boundary of Tax Lot 6012; thence N. 54°49'22" E., 26.30 feet along the Southeasterly boundary of ROCKVIEW WEST CONDOMINIUMS, according to the official plat thereof on file with the Blaine County Recorder in Hailey, Idaho; thence N. 67°53'22" E., 60.05 feet along the Southerly boundary of said ROCKVIEW WEST CONDOMINIUM; thence N. 67°53'22" E., 15.05 feet along the Southerly boundary of the FERN TREE WEST SUBDIVISION, according to the official plat thereof on file with the Blaine County Recorder in Hailey, Idaho; thence N. 76°58'22" E., 76.50 feet along said Southerly boundary of the FERN TREE WEST SUBDIVISION; thence N. 84°33'20" E., 65.76 feet along said Southerly boundary of the FERN TREE WEST SUBDIVISION; thence N. 64°08'33" E., 69.09 feet along said Southerly boundary of the FERN TREE WEST SUBDIVISION; thence N. 84°35'49" E., 131.28 feet along the Southerly boundary of the ROCKVIEW SUBDIVISION, according to the official plat thereof on file with the Blaine County Recorder in Hailey, Idaho; thence S. 06°28'11" E., 19.22 feet along the Southerly boundary of said ROCKVIEW SUBDIVISION; thence S. 88°21'58" E., 65.30 feet along

the Southerly boundary of said ROCKVIEW SUBDIVISION; thence N. 87°22'22" E., 63.82 feet along the Southerly boundary of Tax Lot 4102; thence S. 02°03'03" W., 10.00 feet along the Westerly boundary of Tax Lot 5765; thence S. 84°33'52" E., 81.76 feet along the Southerly boundary of Tax Lot 5765; thence S. 79°49'03" E., 22.19 feet to the Southwest corner of that parcel of land recorded as Instrument No. 148900; thence S. 77°51'39" E., 14.00 feet along the Southerly boundary of said parcel; thence S. 77°51'39" E., 39.39 feet along the Southerly boundary of that parcel of land recorded as Instrument No. 222504 to the Easterly boundary of said Section 11; thence S. 00°31'53" W., 571.56 feet along said Easterly boundary to the TRUE POINT OF BEGINNING.
(Tax Lot 7643)

Parcel 6:

A PARCEL OF LAND IN SECTION 12, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, more particularly described as follows:

COMMENCING at a brass cap marking the Southwest corner of Section 12, and said corner being the TRUE POINT OF BEGINNING; thence N. 00°31'53" E., 993.78 feet along the Westerly boundary of said Section 12 to the Southerly boundary of that parcel of land recorded as Instrument No. 222504; thence S. 77°51'39" E., 52.66 feet along said Southerly boundary; thence S. 72°17'39" E., 76.24 feet along said Southerly boundary; thence along the Northerly bank of Warm Springs Creek by the following courses and distances: S. 88°42'01" E., 148.87 feet; thence S. 78°01'26" E., 101.20 feet; thence S. 56°11'07" E., 255.16 feet; thence S. 45°00'00" E., 106.07 feet; thence S. 33°41'24" E., 162.25 feet; thence S. 29°57'00" E., 242.36 feet; thence S. 65°58'23" E., 69.22 feet; thence S. 64°13'10" E., 131.45 feet along the Northerly bank of Warm Springs Creek and also the Southerly boundary of that parcel of land recorded as Instrument No. 148523; thence S. 70°53'00" E., 181.81 feet along said Northerly bank and Southerly boundary; thence S. 43°29'23" E., 113.01 feet along said Northerly bank and Southerly boundary to the Easterly boundary of the SW1/4SW1/4 of said section 12; thence S. 00°26'50" W., 128.28 feet along said Easterly boundary to the Southeast corner of said SW1/4SW1/4; thence S. 89°12'53" W., 1309.44 feet along the Southerly boundary of said SW1/4SW1/4 to the TRUE POINT OF BEGINNING.
(Tax Lot 7642)

Parcel 7:

A PARCEL OF LAND LOCATED WITHIN THE NE1/4NW1/4 OF SECTION 13, TOWNSHIP 4 NORTH, RANGE 17 EAST, AND THE SE1/4SW1/4 OF SECTION 12, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, lying South and West of the Northeasterly bank of Warm Springs Creek, more particularly described as follows:

COMMENCING at a brass cap marking the Center North 1/16 corner of Section 13, running thence S. 89°37'23" W., 660.46 feet along the Southerly boundary of said NE1/4NW1/4 of Section 13 to a brass cap marking the 1/64 corner, said corner being the TRUE POINT OF BEGINNING; thence S. 89°37'23" W., 664.71 feet, along the Southerly boundary to the Northwest 1/16 corner; thence N. 00°58'45" E., 1329.70 feet, to the West 1/16 corner common to Section 12 and 13; thence N. 89°25'00" E., 107.46 feet along the Northerly boundary of Section 13 to a point on the Southwesterly boundary of Warm Springs Townhouse No. 2, said plat being on file of the Blaine County Recorder; thence S. 33°57'00" E. 104.38 feet along the boundary to the Northwesterly corner of tax lot 6571; thence S. 50°57'00" E., 180.00 feet along the Southwesterly boundary of Tax Lot 6571; thence S. 45°32'00" E., 240.00 feet to the Westerly corner of Tax lot 3172; thence S. 45°40'00" E., 142.60 feet along the Southwesterly boundary of Tax Lot 3172; thence S. 43°45'00" E., 61.00 feet along the Southwesterly boundary of Tax Lot 3172 to the Westerly corner of Tax Lot 3217; thence S. 40°54'00" E., 60.10 feet along the Southwesterly boundary of Tax Lot 3217 to the Westerly corner of Tax Lot 3362 thence S. 31°01'09" E., 87.55 feet to a point on the Westerly boundary of Lot 1, Block 5, SUN VALLEY SUBDIVISION 1st ADDITION REVISED; thence S. 12°53'25" E., 202.98 feet along the Westerly boundary to a point on the East bank of Warm Springs Creek; thence S. 12°00'43" W., 34.06 feet along said bank; thence S. 19°51'48" W., 21.70 feet along said bank; thence S 10°50'24" W., 22.88 feet along said bank; thence S. 02°30'16" W., 90.75 feet along said bank; thence S. 36°41'25" E., 7.24 feet along said bank; thence S. 06°06'43" W., 38.05 feet along said bank; thence S. 05°12'50" E., 37.44 feet along said bank; thence S. 23°16'16" E., 49.10 feet along said bank; thence S. 30°12'13" E., 45.25 feet along said bank; thence S. 31°29'18" E., 31.73 feet along said bank; thence S. 17°08'10" E., 36.19 feet along said bank; thence S. 02°42'17" E., 32.00 feet along said bank; thence S. 14°19'32" W., 24.42 feet along said bank; thence S. 22°56'00" W., 27.91 feet along said bank; thence S. 00°38'03" E., 20.18 feet along said bank to the Southerly boundary of said NE1/4NW1/4 of Section 13; thence S. 89°37'23" W., 143.94 feet along the boundary to the TRUE POINT OF BEGINNING.
(Tax Lot 6980)



Title:

Date: 09-21-2006

Scale: 1 inch = 2000 feet

File:

Tract 1: 10.214 Acres: 444933 Sq Feet: Closure = n21.1049e 35.20 Feet: Precision = 1/87: Perimeter = 3064 Feet

001=~~sw,12.04n,17e~~

007=~~s57.0148e 75.36~~

013=~~n80.3722e 76.20~~

002=~~n00.3153e 422.22~~

008=~~s61.1448e 74.58~~

014=~~n79.4019e 75.99~~

003=~~s80.1109w 890.80~~

009=~~s65.5612e 101.10~~

015=~~s00.00w 450~~

004=~~n00.1252e 766.29~~

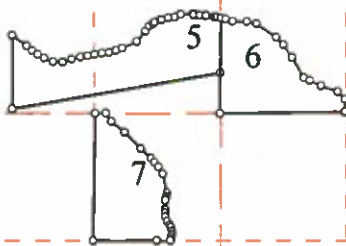
010=~~s89.1007e 100.62~~

005=~~s54.0810e 183.59~~

011=~~n72.5628e 98.55~~

006=~~s46.5348e 73.97~~

012=~~n74.4757e 97.10~~



Title: _____ Date: 09-21-2006

Scale: 1 inch = 2000 feet

File: whitetail.des

+Tract 1: 26.844 Acres: 1169340 Sq Feet: Closure = n34.5307w 0.51 Feet: Precision = 1/11656: Perimeter = 5982 Feet
 +Tract 2: 18.953 Acres: 825601 Sq Feet: Closure = n74.4912e 0.02 Feet: Precision = 1/249922: Perimeter = 4072 Feet
 +Tract 3: 18.349 Acres: 799267 Sq Feet: Closure = n84.3642w 0.01 Feet: Precision = 1/557885: Perimeter = 3843 Feet
 Net Area= 64.146 Acres: 2794208 Sq Feet

001=/sw,12.04n,17e	030=s06.2811e 19.22	059=s89.3723w 664.71
002=/n00.3153e 422.22	031=s88.2158e 65.30	060=n00.5845e 1329.70
003=s80.1109w 2210.80	032=n87.2222e 63.82	061=n89.2500e 107.46
004=n00.1252e 766.29	033=s02.0303w 10	062=s33.5700e 104.38
005=s54.0810e 183.59	034=s84.3352e 81.76	063=s50.5700e 180.
006=s46.5348e 73.97	035=s79.4903e 22.19	064=s45.3200e 240.
007=s57.0148e 75.36	036=s77.5139e 14	065=s45.4000e 142.6
008=s61.1448e 74.58	037=s77.5139e 39.39	066=s43.4500e 61.
009=s65.5612e 101.10	038=s00.3153w 571.56	067=s40.5400e 60.10
010=s89.1007e 100.62	039=@0+	068=s31.0109e 87.55
011=n72.5628e 98.55	040=/sw,12.04n,17e	069=s12.5325e 202.98
012=n74.4757e 97.10	041=n00.3153e 993.78	070=s12.0043w 34.06
013=n80.3722e 76.20	042=s77.5139e 52.66	071=s19.5148w 21.7
014=n79.4019e 75.99	043=s72.1739e 76.24	072=s10.5024w 22.88
015=n80.3107e 76.18	044=s88.4201e 148.87	073=s02.3016w 90.75
016=n86.0724e 77.89	045=s78.0126e 101.2	074=s36.4125e 7.24
017=n70.1318e 75	046=s56.1107e 255.16	075=s06.0643w 38.05
018=n69.5447e 65.81	047=s45.0000e 106.07	076=s05.1250e 37.44
019=n66.1453e 169.10	048=s33.4124e 162.25	077=s23.1616e 49.10
020=n40.3718e 140.80	049=s29.5700e 242.36	078=s30.1313e 45.25
021=n37.2622e 69.30	050=s65.5823e 69.22	079=s31.2918e 31.73
022=n54.4922e 42.80	051=s64.1310e 131.45	080=s17.0810e 36.19
023=n54.4922e 26.30	052=s70.5300e 181.81	081=s02.4217e 32.
024=n67.5322e 60.05	053=s43.2923e 113.01	082=s14.1932w 24.42
025=n67.5322e 15.05	054=s00.2650w 128.28	083=s22.5600w 27.91
026=n76.5822e 76.50	055=s89.1253w 1309.44	084=s00.3803e 20.18
027=n84.3320e 65.76	056=@0+	085=s89.3723w 143.94
028=n64.0833e 69.09	057=/sw,nw,nw,13.04n,17e	
029=n84.3549e 131.28	058=s89.3723w 660.46	

2240.80
 1320
 89080

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 37-212A
Date Received: 10/21/1988
Receipt No: S003125
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SUN VALLEY VENTURES LLC Phone: (208)726-8304
PO BOX 5500
KETCHUM ID 83340-5500

2. Date of Priority: 06/23/1888

3. Source: WARM SPRINGS CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	17E	11	SW SE	BLAINE	

5. Description of diverting works:

WING WALL, PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	11/01	2.8	

7. Total Quantity Appropriated is:
2.8 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
----------	-------	---------	----------------	-----	-------

04N	17E	11	SW	SE	IRRIGATION	8
			SE	SE	IRRIGATION	11
					Section Acres	19
04N	17E	12	SW	SW	IRRIGATION	5
					Section Acres	5
					Total Acres	24

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:

WATER USED FOR WARM SPRINGS GOLF COURSE. 3.28 TOTAL CFS USED FOR THE 24 ACRES FROM THIS DECREE AND THE LICENSE.

15. Basis of Claim: Decreed

RECEIVED

DEC 27 2004

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

Department of Water Resources
Southern Region

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>37-212</u>	<u>A37-212</u>	☐	<u>37-833N</u>	<u>A37-20381</u>	☐
<u>37-2621</u>	<u>A37-2621</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): Simpson Family Limited Partnership
4. New Owner/Claimant(s): Sun Valley Ventures, LLC
- New Mailing Address: P.O. Box 5500
- City, State, Zip Code: Ketchum, ID 83340-5500
- New Telephone Number: 208-726-4830
5. Date you acquired the property: March 18, 2003 (warranty deed date)

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number: _____

<u>Water Use</u>	<u>Diversion Rate or Volume</u> (cubic feet per second or acre-feet annum)	<u>Description</u> (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other: _____	_____	_____
TOTAL	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number: _____

<u>Water Use</u>	<u>Diversion Rate or Volume</u> (cubic feet per second or acre-feet annum)	<u>Description</u> (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other: _____	_____	_____
TOTAL	_____	_____

7. Signature of New Owner(s) or Claimant(s):
(include title, if applicable)

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: _____

BCT 03011624

RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

Heller Ehrman White & McAuliffe LLP
333 Bush Street
San Francisco, CA 94104-2878
Attn: K. William Neuman, Esq.

Instrument # 480648

HALEY, BLAINE, IDAHO

2003-03-21

01:06:00 No. of Pages: 12

Recorded for : BLAINE COUNTY TITLE

MARSHA RIEMANN

Fee: 38.00

Ex-Officio Recorder Deputy

Index to: WTYOCORP DEED

(Space Above This Line For Recorder's Use)

WARRANTY DEED

The Simpson Family Limited Partnership, an Idaho limited partnership, Michael W. Simpson Family Trust B, Michael W. Simpson Family Trust C, Mary Lou Simpson, Kelly Jo Allison and Patrick E. Simpson, collectively hereinafter called the "Grantor", of c/o Dennis Lallman of Lallman, Feltman Peterson & Co, Post Office Box 989, Ketchum, Idaho 83340, for good and valuable consideration, the receipt of which is hereby acknowledged, hereby grants, bargains, sells and conveys unto Sun Valley Ventures LLC., a California limited liability company, whose current address is 1420 Montgomery Street, San Francisco, California 94133, hereinafter called the "Grantee", the premises and real property situated in Blaine County, Idaho, described in Exhibit "A" attached hereto and incorporated herein by this reference (the "Premises").

TOGETHER WITH all improvements, water, water rights, mineral rights, ditches, ditch rights, easements, hereditaments, appurtenances and other rights benefiting the Premises (the "Appurtenances").

SUBJECT TO:

1. Liens for taxes and assessments not yet due and payable;
2. Reservations and exceptions in any patents from the United States or any patent or deed from the State of Idaho;
3. Building and zoning ordinances and regulations;
4. Any facts which an inspection or correct survey would disclose; and
5. Those matters shown as exceptions in the Commitment for Title Insurance issued to Grantee by Stewart Title Guaranty Company, dated March 13, 2003, bearing order no. 03011624, as amended and supplemented through the date of this Warranty Deed.

TO HAVE AND TO HOLD, the Premises, and their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. Grantor, for themselves and their heirs and assigns, does hereby covenant to and with the said Grantee, its heirs and assigns, that (1) the Grantor is the owner in fee simple of the Premises; (2) Grantor has the right to convey the

Premises; (3) the Premises are free from all liens and encumbrances except as above described; and (4) Grantor warrants and will defend the quiet and peaceable possession of the Premises by the Grantee, its heirs and assigns forever, against all lawful claims whatsoever.

DATED THIS 18 day of March, 2003.

MICHAEL W. SIMPSON FAMILY
TRUST B

Kelly Jo Allison
Kelly Jo Allison, Trustee

MICHAEL W. SIMPSON FAMILY
TRUST C

Kelly Jo Allison
Kelly Jo Allison, Trustee
Bonnie Jo Simpson
Bonnie Jo Simpson, Trustee

SIMPSON FAMILY LIMITED PARTNERSHIP,
AN IDAHO LIMITED PARTNERSHIP

By Kelly Jo Allison
Kelly Jo Allison, general partner

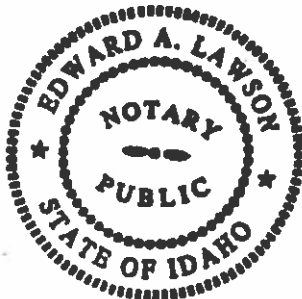
Patrick E. Simpson
PATRICK E. SIMPSON

Kelly Jo Allison
KELLY JO ALLISON

Mary Lou Simpson by Kelly Allison her
MARY LOU SIMPSON A.I.F.

State of Idaho)
) ss.
County of Blaine)

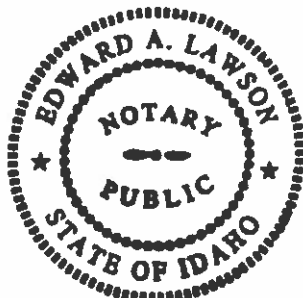
On this 18 day of March, in the year of 2003, before me, a Notary Public in and for said State, personally appeared Kelly Jo Allison, known or identified to me to be a general partner in the partnership of Simpson Family Limited Partnership, an Idaho limited partnership, the general partner or one of the general partners who subscribed said limited partnership name to the foregoing instrument, and acknowledged to me that she executed the same in said limited partnership name.



E. Lawson
Notary Public for Idaho
Residing at Blaine County
My Commission expires 5-26-06

State of Idaho)
)ss.
County of Blaine)

On this 18 day of March, 2003, before me, a Notary Public in and for said State, personally appeared Kelly Jo Allison, known or identified to me to be the Trustee, or one of the Trustees of Michael W. Simpson Family Trust B under trust agreement dated April 16, 19 97, and acknowledged to me that by said Trustee's signature on the foregoing instrument, the foregoing named Trust executed the same.

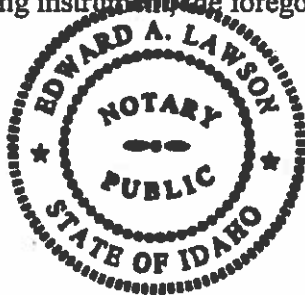


E. Lawson
Notary Public for Idaho
Residing at Blaine County
My Commission expires 5-26-06

State of Idaho)
)ss.
County of Blaine)

On this 18 day of March, 2003, before me, a Notary Public in and for said State, personally appeared Kelly Jo Allison, known or identified to me to be the Trustee, or one of the Trustees of Michael W. Simpson Family Trust C under trust agreement dated ~~*March 18, 19 2003~~ and acknowledged to me that by said Trustee's signature on the foregoing instrument, the foregoing named Trust executed the same.

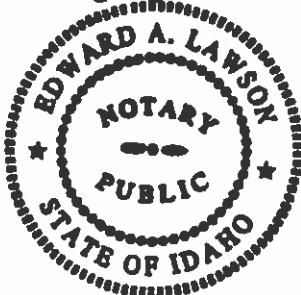
*April 16, 1997



E. Lawson
Notary Public for Idaho
Residing at Blaine County
My Commission expires 5-26-06

State of Idaho)
)ss.
County of Blaine)

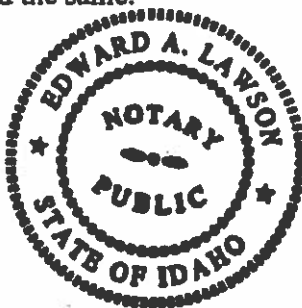
On this 18 day of March, 2003, before me, a Notary Public in and for said State, personally appeared Bonnie Jo Simpson, known or identified to me to be the Trustee, or one of the Trustees of Michael W. Simpson Family Trust C under trust agreement dated ~~March 18, 2003~~ ^{April 16, 1997} and acknowledged to me that by said Trustee's signature on the foregoing instrument, the foregoing named Trust executed the same.



E. Lawson
Notary Public for Idaho
Residing at Blaine County
My Commission expires 5-26-06

State of Idaho)
) ss.
County of Blaine)

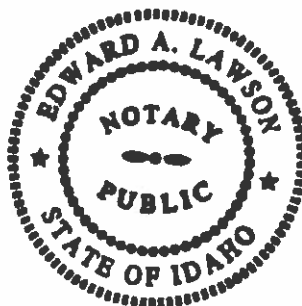
On this 18 day of March, in the year of 2003, before me, a Notary Public in and for said State, personally appeared Kelly Jo Allison, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



Edward A. Lawson
Notary Public for Idaho
Residing at Blaine County
My Commission expires 5-26-06

State of Idaho)
) ss.
County of Blaine)

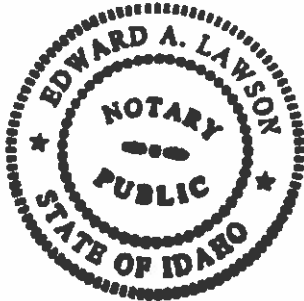
On this 18 day of March, in the year of 2003, before me, a Notary Public in and for said State, personally appeared Patrick E. Simpson, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.



Edward A. Lawson
Notary Public for Idaho
Residing at Blaine County
My Commission expires 5-26-06

State of Idaho)
) SS
County of Blaine)

On this 18 day of March, in the year of 2003, before me, a Notary Public in and for said State, personally appeared Kelly Jo Allison, known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of Mary Lou Simpson and acknowledged to me that she subscribed the name of Mary Lou Simpson thereto as principal, and her own name as attorney in fact.



EA Lawson
Notary Public for Idaho
Residing at Blaine County
My Commission expires 5-26-06

SCHEDULE A

Order Number: 03011624

LEGAL DESCRIPTION

PARCEL 1:

A PARCEL OF LAND LOCATED WITHIN THE NE1/4NW1/4 OF SECTION 13, TOWNSHIP 4 NORTH, RANGE 17 EAST, AND THE SE1/4SW1/4 OF SECTION 12, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, lying South and West of the Northeasterly bank of Warm Springs Creek, more particularly described as follows:

COMMENCING at a brass cap marking the Center North 1/16 corner of Section 13, running thence S. 89°37'23" W., 660.46 feet along the Southerly boundary of said NE1/4NW1/4 of Section 13 to a brass cap marking the 1/64 corner, said corner being the TRUE POINT OF BEGINNING; thence S. 89°37'23" W., 664.71 feet, along the Southerly boundary to the Northwest 1/16 corner; thence N. 00°58'45" E., 1329.70 feet, to the West 1/16 corner common to Section 12 and 13; thence N. 89°25'00" E., 107.46 feet along the Northerly boundary of Section 13 to a point on the Southwesterly boundary of Warm Springs Townhouse No. 2, said plat being on file of the Blaine County Recorder; thence S. 33°57'00" E. 104.38 feet along the boundary to the Northwesterly corner of Tax Lot 6571; thence S. 50°57'00" E., 180.00 feet along the Southwesterly boundary of Tax Lot 6571; thence S. 45°32'00" E., 240.00 feet to the Westerly corner of Tax Lot 3172; thence S. 45°40'00" E., 142.60 feet along the Southwesterly boundary of Tax Lot 3172; thence S. 43°45'00" E., 61.00 feet along the Southwesterly boundary of Tax Lot 3172 to the Westerly corner of Tax Lot 3217; thence S. 40°54'00" E., 60.10 feet along the Southwesterly boundary of Tax Lot 3217 to the Westerly corner of Tax Lot 3362 thence S. 31°01'09" E., 87.55 feet to a point on the Westerly boundary of Lot 1, Block 5, SUN VALLEY SUBDIVISION 1ST ADDITION REVISED; thence S. 12°53'25" E., 202.98 feet along the Westerly boundary to a point on the East bank of Warm Springs Creek; thence S. 12°00'43" W., 34.06 feet along said bank; thence S. 19°51'48" W., 21.70 feet along said bank; thence S. 10°50'24" W., 22.88 feet along said bank; thence S. 02°30'16" W., 90.75 feet along said bank; thence S. 36°41'25" E., 7.24 feet along said bank; thence S. 06°06'43" W., 38.05 feet along said bank; thence S. 05°12'50" E., 37.44 feet along said bank; thence S. 23°16'16" E., 49.10 feet along said bank; thence S. 30°12'13" E., 45.25 feet along said bank; thence S. 31°29'18" E., 31.73 feet along said bank; thence S. 17°08'10" E., 36.19 feet along said bank; thence S. 02°42'17" E., 32.00 feet along said bank; thence S. 14°19'32" W., 24.42 feet along said bank; thence S. 22°56'00" W., 27.91 feet along said bank; thence S. 00°38'03" E., 20.18 feet along said bank to the Southerly boundary of said NE1/4NW1/4 of Section 13; thence S. 89°37'23" W., 143.94 feet along the boundary to the TRUE POINT OF BEGINNING.
(Tax Lot 6980)

PARCEL 2:

A PARCEL OF LAND IN SECTION 12, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, more particularly described as follows:

COMMENCING at a brass cap marking the Southeast corner of said Section 12,
Continued on next page

Continuation of Schedule A - Legal Description
Order Number: 03011624

said corner lying S. 00°31'53" W., 2668.94 feet from the West 1/4 corner of said Section 12; thence N. 07°54'41" E., 968.69 feet to a point on the Northerly bank of Warm Springs Creek, said point being the TRUE POINT OF BEGINNING; thence leaving said Northerly bank N. 52°30'21" E., 14.14 feet along the boundary common to Tax Lot 6312; thence N. 07°30'21" E., 104.21 feet along said common boundary; thence N. 14°22'29" W., 40.00 feet to a point on the Southeasterly boundary of Owen Simpson Subdivision, according to the official plat thereof, recorded as Instrument No. 192109, records of Blaine County, Idaho; thence following said Southeasterly boundary N. 76°11'31" E., 276.40 feet, more or less, to the Southerly boundary of Warm Springs Road; thence along said Southerly boundary of Warm Springs Road by the following courses: S. 77°34'30" E., 192.53 feet; thence 478.19 feet along a curve to the right, said curve having a central angle of 08°32'48", a radius of 3205.76 feet, and a chord length of 477.75 feet that bears S. 71°34'50" E.; thence S. 67°18'26" E., 234.29 feet; thence leaving said Southerly boundary 253.89 feet along a curve to the left, said curve having a central angle of 23°42'49", a radius of 613.43 feet, and a chord length of 252.08 feet that bears N. 88°42'36" W.; thence S. 79°56'08" W., 15.60 feet; thence S. 88°42'36" W. 150.00 feet; thence N. 39°41'17" W., 51.99 feet; thence N. 47°45'44" W. 95.15 feet; thence N. 72°33'47" W., 177.43 feet; thence S. 14°08'46" W., 223.19 feet to a point on the Northerly bank of Warm Springs Creek; thence along said Northerly bank by the following courses; N. 56°11'08" W., 178.35 feet; thence N. 78°01'26" W., 101.20 feet; thence N. 88°42'01" W., 148.87 feet to the TRUE POINT OF BEGINNING.
(Tax Lot 7638)

PARCEL 3:

A PARCEL OF LAND IN SECTION 12, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, more particularly described as follows:

COMMENCING at a brass cap marking the Southeast corner of said Section 12, said corner lying S. 00°31'53" W., 2668.94 feet from the West 1/4 corner of said Section 12; thence N. 52°26'13" E., 956.46 feet to a point on the Northerly bank of Warm Springs Creek, said point being the TRUE POINT OF BEGINNING; thence along said Northerly bank by the following courses; N. 33°41'24" W., 162.25 feet; thence N. 45°00'00" W., 106.07 feet; thence N. 56°11'07" W., 76.81 feet; thence leaving said Northerly bank N. 14°08'46" E. 223.19 feet; thence S. 72°33'47" E., 177.43 feet; thence S. 47°45'44" E., 95.15 feet; thence S. 39°41'17" E., 51.99 feet; thence N. 88°42'36" E., 150.00 feet; thence S. 34°38'29" E., 47.81 feet; thence S. 40°55'36" W., 218.55 feet; thence S. 50°04'55" W., 172.91 feet to the TRUE POINT OF BEGINNING.
(Tax Lot 7639)

PARCEL 4:

A PARCEL OF LAND IN SECTION 12, 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE
Continued on next page

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COUNTY, IDAHO more particularly described as follows:

COMMENCING at a brass cap marking the Southeast corner of said Section 12, said corner lying S. 00°31'53" W., 2668.94 feet from the West 1/4 corner of said Section 12; thence N. 52°26'13" E., 956.46 feet to a point on the Northerly bank of Warm Springs Creek, said point being the TRUE POINT OF BEGINNING; thence along said Northerly bank by the following courses: S. 29°57'00" E., 242.36 feet; thence S. 65°58'23" E., 69.22 feet; thence S. 64°13'10" E., 131.45 feet; thence S. 70°53'00" E. 181.81 feet; thence S. 43°29'50" E., 150.15 feet; thence S. 33°35'21" E., 56.51 feet, more or less, to the Westerly most corner of WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 2, according to the official plat thereof, recorded as Instrument No. 135346, records of Blaine County, Idaho; thence leaving said Northerly bank N. 61°07'48" E., 25.79 feet along the Northwesterly boundary said WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 2 to the Southerly most corner of WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 3, according to the official plat thereof, recorded as Instrument No 141402, records of Blaine County, Idaho; thence N. 18°54'09" W., 129.05 feet along the Southwesterly boundary of said WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 3 to the Southeast corner of Tax Lot 5105; thence along the exterior boundary of said Tax Lot 5105 by the following courses: S. 81°22'42" W., 77.94 feet; thence N. 08°37'18" W., 134.00 feet; thence N. 81°22'42" E., 85.75 feet to a point on the Westerly boundary of WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 4, according to the official plat thereof, recorded as Instrument No. 147288, records of Blaine County, Idaho; thence N. 00°03'08" E., 18.20 feet along said Westerly boundary to the South corner of WARM SPRINGS TOWNHOUSE CONDOMINIUMS, according to the official plat thereof, recorded as Instrument No. 129077, records of Blaine County, Idaho; thence N. 40°19'52" W., 145.72 feet along the Southwesterly boundary to the West corner of said WARM SPRINGS TOWNHOUSE CONDOMINIUMS, thence N. 40°03'09" W., 55.19 feet; thence N. 03°12'52" W., 171.00 feet; thence N. 53°24'52" W., 102.90 feet; thence N. 34°38'52" W., 140.00 feet; thence S. 40°55'32" W., 218.55 feet; thence S. 50°04'55" W., 172.91 feet to the TRUE POINT OF BEGINNING.

(Tax Lot 7640)

PARCEL 5:

A PARCEL OF LAND IN SECTION 12, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, more particularly described as follows:

COMMENCING at a brass cap marking the Southeast corner of said Section 12, said corner lying S. 00°31'53" W., 2668.94 feet from the West 1/4 corner of said Section 12; thence N. 70°37'44" E., 1415.83 feet to the East corner of WARM SPRINGS TOWNHOUSE CONDOMINIUMS, according to the official plat thereof, recorded as Instrument No. 129077, records of Blaine County, Idaho, said corner being the TRUE POINT OF BEGINNING; thence N. 89°56'55" W., 94.41 feet along the Northerly boundary of said WARM SPRINGS TOWNHOUSE CONDOMINIUMS to the West corner so said WARM SPRINGS TOWNHOUSE CONDOMINIUMS; thence N.

Continued on next page

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40°03'09" W., 55.19 feet; thence N. 03°12'52" W., 171.00 feet; thence N. 53°24'52" W., 102.90 feet; thence N. 34°38'48" W., 187.80 feet; thence N. 79°56'08" E., 15.60 feet; thence 253.89 feet along a curve to the right, said curve having a central angle of 23°42'49", a radius of 613.43 feet, and a chord length of 252.08 feet that bears S. 88°12'27" E., more or less, to a point on the Southerly boundary of Warm Springs Road; thence S. 68°42'30" E., 66.64 feet, more or less, along said Southerly boundary to the Northwest corner of WARM SPRINGS TENNIS CONDOMINIUMS NO. 2, according to the official plat thereof, recorded as Instrument No. 208961, records of Blaine County, Idaho; thence S. 00°03'08" W., 38.55 feet along the Westerly boundary of said WARM SPRINGS TENNIS CONDOMINIUMS NO. 2 to a point on the Northerly boundary of WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 6, according to the official plat thereof, recorded as Instrument No. 163389, records of Blaine County, Idaho; thence along the boundary of said WARM SPRING TOWNHOUSE CONDOMINIUMS NO. 6 by the following courses: S. 86°11'23" W., 59.46 feet to the Northwest corner; thence S. 03°48'44" E., 73.00 feet to the West corner common to said WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 6 and WARM SPRINGS TENNIS CONDOMINIUMS, according to the official plat thereof, recorded as Instrument No. 199114, records of Blaine County, Idaho; thence along the boundary of said WARM SPRINGS TENNIS CONDOMINIUMS by the following courses: S. 03°48'44" E., 80.00 feet to the Westerly corner; thence S. 62°11'14" E., 55.23 feet to a point on the Westerly boundary of said WARM SPRINGS TENNIS CONDOMINIUMS NO. 2; thence S. 00°03'08" W., 69.02 feet along said Westerly boundary to the West corner common to said WARM SPRINGS TENNIS CONDOMINIUMS NO. 2 and COUNTRY CLUB TOWNHOUSES, according to the official plat, thereof recorded as Instrument No. 315898, records of Blaine County, Idaho; thence S. 00°03'08" W., 109.59 feet along the Westerly boundary of said COUNTRY CLUB TOWNHOUSES to the TRUE POINT OF BEGINNING.

SUBJECT TO a 30-foot wide Roadway Easement serving Tax Lot 5991 and Warm Springs Townhouse Condominiums, as depicted within the official plat thereof, recorded as Instrument No. 129077, records of Blaine County, Idaho.
(Tax Lot 7641)

PARCEL 6:

A PARCEL OF LAND IN SECTION 12, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, more particularly described as follows:

COMMENCING at a brass cap marking the Southwest corner of Section 12, and said corner being the TRUE POINT OF BEGINNING; thence N. 00°31'53" E., 993.78 feet along the Westerly boundary of said Section 12 to the Southerly boundary of that parcel of land recorded as Instrument No. 222504; thence S. 77°51'39" E., 52.66 feet along said Southerly boundary; thence S. 72°17'39" E., 76.24 feet along said Southerly boundary; thence along the Northerly bank of Warm Springs Creek by the following courses and distances: S. 88°42'01" E., 148.87 feet; thence S. 78°01'26" E., 101.20 feet; thence S. 56°11'07" E., 255.16 feet; thence S. 45°00'00" E., 106.07 feet; thence S. 33°41'24" E., 162.25 feet; thence S. 29°57'00" E., 242.36 feet; thence S. 65°58'23" E.,

Continued on next page

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Order Number: 03011624

69.22 feet; thence S. 64°13'10" E., 131.45 feet along the Northerly bank of Warm Springs Creek and also the Southerly boundary of that parcel of land recorded as Instrument No. 148523; thence S. 70°53'00" E., 181.81 feet along said Northerly bank and Southerly boundary; thence S. 43°29'23" E., 113.01 feet along said Northerly bank and Southerly boundary to the Easterly boundary of the SW1/4SW1/4 of said Section 12; thence S. 00°26'50" W., 128.28 feet along said Easterly boundary to the Southeast corner of said SW1/4SW1/4; thence S. 89°12'53" W., 1309.44 feet along the Southerly boundary of said SW1/4SW1/4 to the TRUE POINT OF BEGINNING.
(Tax Lot 7642)

PARCEL 7:

A PARCEL OF LAND IN HES 292, SECTION 11, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, more particularly described as follows:

COMMENCING at a brass cap marking the Southwest corner of Section 12; thence N. 00°31'53" East 422.22 feet along the North-South section line between said Section 11 and Section 12 to the Southerly boundary of Homestead Entry Survey No. 292 and the TRUE POINT OF BEGINNING; thence S. 80°11'09" W., 2,210.80 feet along the Southerly boundary of H.E.S. 292 to the Southeast corner of Tax Lot 3082; thence N. 00°12'52" E., 766.29 feet along the Easterly boundary of Tax Lots 3082 and 2784 to a point on the Northerly bank of Warm Springs Creek; thence S. 54°08'10" E., 183.59 feet along the Southwesterly boundary of Tax Lot 5103 to the Southwest corner of Lot 12, WARM SPRINGS CREEKSIDE SUBDIVISION, according to the official plat thereof on file with the Blaine County Recorder in Hailey, Idaho; thence along said Southerly boundary of WARM SPRINGS CREEKSIDE SUBDIVISION by the following courses and distances: S. 46°53'48" E., 73.97 feet; thence S. 57°01'48" E., 75.36 feet; thence S. 61°14'48" E., 74.58 feet; thence S. 65°56'12" E., 101.10 feet; S. 89°10'07" E., 100.62 feet; thence N. 72°56'28" E., 98.55 feet; thence N. 74°47'57" E., 97.10 feet; thence N. 80°37'22" E., 76.20 feet; N. 79°40'19" E., 75.99 feet; thence N. 80°31'07" E., 76.18 feet; thence N. 86°07'24" E., 77.89 feet; thence N. 70°13'18" E., 75.00 feet; thence N. 69°54'47" E., 65.71 feet; thence N. 66°04'53" E., 169.10 feet; thence N. 40°37'18" E., 140.80 feet to the Easterly corner of Lot 25, WARM SPRINGS CREEKSIDE SUBDIVISION; thence N. 37°26'22" E., 69.30 feet along the Southeasterly boundary of Tax Lot 5761; thence N. 54°49'22" E., 42.80 feet along the Southeasterly boundary of Tax Lot 6012; thence N. 54°49'22" E., 26.30 feet along the Southeasterly boundary of ROCKVIEW WEST CONDOMINIUMS, according to the official plat thereof on file with the Blaine County Recorder in Hailey, Idaho; thence N. 67°53'22" E., 60.05 feet along the Southerly boundary of said ROCKVIEW WEST CONDOMINIUM; thence N. 67°53'22" E., 15.05 feet along the Southerly boundary of the FERN TREE WEST SUBDIVISION, according to the official plat thereof on file with the Blaine County Recorder in Hailey, Idaho; thence N. 76°58'22" E., 76.50 feet along said Southerly boundary of the FERN TREE WEST SUBDIVISION; thence N. 84°33'20" E., 65.76 feet along said Southerly boundary of the FERN TREE WEST SUBDIVISION; thence N. 64°08'33" E.,

Continued on next page

Continuation of Schedule A - Legal Description
Order Number: 03011624

69.09 feet along said Southerly boundary of the FERN TREE WEST SUBDIVISION; thence N. 84°35'49" E., 131.28 feet along the Southerly boundary of the ROCKVIEW SUBDIVISION, according to the official plat thereof on file with the Blaine County Recorder in Hailey, Idaho; thence S. 06°28'11" E., 19.22 feet along the Southerly boundary of said ROCKVIEW SUBDIVISION; thence S. 88°21'58" E., 65.30 feet along the Southerly boundary of said ROCKVIEW SUBDIVISION; thence N. 87°22'22" E., 63.82 feet along the Southerly boundary of Tax Lot 4102; thence S. 02°03'03" W., 10.00 feet along the Westerly boundary of Tax Lot 5765; thence S. 84°33'52" E., 81.76 feet along the Southerly boundary of Tax Lot 5765; thence S. 79°49'03" E., 22.19 feet to the Southwest corner of that parcel of land recorded as Instrument No. 148900; thence S. 77°51'39" E., 14.00 feet along the Southerly boundary of said parcel; thence S. 77°51'39" E., 39.39 feet along the Southerly boundary of that parcel of land recorded as Instrument No. 222504 to the Easterly boundary of said Section 11; thence S. 00°31'53" W., 571.56 feet along said Easterly boundary to the TRUE POINT OF BEGINNING.

(Tax Lot 7643)

PARCEL 8

A parcel of land within the SE1/4SE1/4 of Section 11, Township 4 North, Range 17 East, Boise Meridian, Ketchum, Blaine County, Idaho and more particularly described as follows:

Commencing at a brass cap marking the East Quarter Corner of said Section 11; thence S02°47'00"W, 1318.87 feet to the northeast corner of Sun River Condominium and the TRUE POINT OF BEGINNING; thence S74°02'46"E, 46.11 feet along the southerly boundary of Bald Mountain Road to a northwesterly corner of Tax Lot No. 6312; thence following the westerly boundary of Tax Lot No. 6312 a distance of 42.26 feet along a curve to the left with a central angle of 105°16'10", a radius of 23.00 feet and a long chord of 36.56 feet that bears S16°15'18"W; thence S00°59'08"W, 49.95 feet along the westerly boundary of Tax Lot No. 6312 to the southwest corner of Tax Lot No. 6312; thence N76°59'06"W, 35.64 feet along the northerly boundary of the Warm Springs Golf Course property to the southeast corner of Sun River Condominium; thence N15°10'07"E, 79.03 feet along the east boundary of Sun River Condominium to the TRUE POINT OF BEGINNING. (TL 7776)

RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

Heller Ehrman White & McAuliffe LLP
333 Bush Street
San Francisco, CA 94104-2878
Attn: K. William Neuman, Esq.

Instrument # 480652

HAILEY, BLAINE, IDAHO
2003-03-21 01:10:00 No. of Pages: 6
Recorded for: BLAINE COUNTY TITLE
MARSHA RIEMANN Fee: 18.00
Ex-Officio Recorder Deputy
Index to: WTYOC/CORP DEED

(Space Above This Line For Recorder's Use)

QUITCLAIM DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the Simpson Family Limited Partnership, an Idaho limited partnership, Michael W. Simpson Family Trust B, Michael W. Simpson Family Trust C, Mary Lou Simpson, Kelly Jo Allison and Patrick E. Simpson, hereby bargain, sell, remise, release, convey and forever quitclaim to Sun Valley Ventures LLC., a California limited liability company, whose address is 1420 Montgomery Street, San Francisco, California 94133, all of their right, title and interest which they have, if any, in the real property and easements or other interests in real property in the State of Idaho, County of Blaine as more fully described in Exhibit "A" attached hereto.

DATED this 18 day of March, 2003

Simpson Family Limited Partnership, an Idaho
limited partnership

By: Kelly Jo Allison
Kelly Jo Allison, general partner

Michael W. Simpson Family Trust B

By: Kelly Jo Allison
Kelly Jo Allison, Trustee

Michael W. Simpson Family Trust C

By: Kelly Jo Allison
Kelly Jo Allison, Trustee

By: Bonnie Jo Simpson
Bonnie Jo Simpson, Trustee

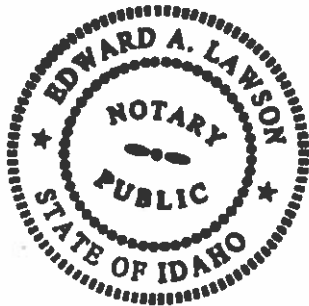
Kelly Jo Allison
Kelly Jo Allison

Patrick E. Simpson
Patrick E. Simpson

Mary Lou Simpson by Kelly Jo Allison her A.I.F.
Mary Lou Simpson

State of Idaho)
) ss.
County of Blaine)

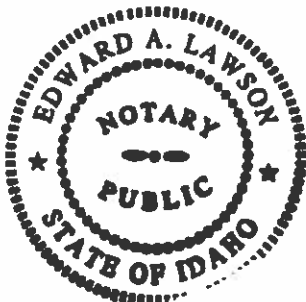
On this 18 day of March, in the year of 2003, before me, a Notary Public in and for said State, personally appeared Kelly Jo Allison, known or identified to me to be a general partner in the partnership of Simpson Family Limited Partnership, an Idaho limited partnership, the general partner or one of the general partners who subscribed said limited partnership name to the foregoing instrument, and acknowledged to me that she executed the same in said limited partnership name.



Edward A. Lawson
Notary Public for Idaho
Residing at Blaine County
My Commission expires 5/26/06

State of Idaho)
)ss.
County of Blaine)

On this 18 day of March, 2003, before me, a Notary Public in and for said State, personally appeared Kelly Jo Allison, known or identified to me to be the Trustee, or one of the Trustees of Michael W. Simpson Family Trust B under trust agreement dated April 16, 1997, and acknowledged to me that by said Trustee's signature on the foregoing instrument, the foregoing named Trust executed the same.



Edward A. Lawson
Notary Public for Idaho
Residing at Blaine County
My Commission expires 5-26-06

State of Idaho)
)ss.
County of Blaine)

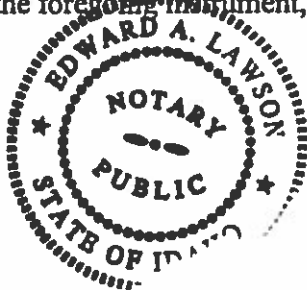
On this 18 day of March, 2003, before me, a Notary Public in and for said State, personally appeared Kelly Jo Allison, known or identified to me to be the Trustee, or one of the Trustees of Michael W. Simpson Family Trust C under trust agreement dated April 16, 1997, and acknowledged to me that by said Trustee's signature on the foregoing instrument, the foregoing named Trust executed the same.



EA Lawson
Notary Public for Idaho
Residing at Blaine County
My Commission expires 5-26-06

State of Idaho)
)ss.
County of Blaine)

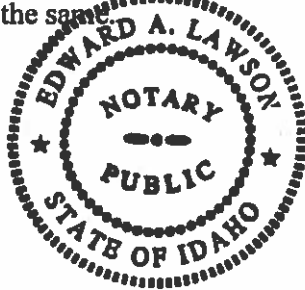
On this 18 day of March, 2003, before me, a Notary Public in and for said State, personally appeared Bonnie Jo Simpson, known or identified to me to be the Trustee, or one of the Trustees of Michael W. Simpson Family Trust C under trust agreement dated April 16, 1997, and acknowledged to me that by said Trustee's signature on the foregoing instrument, the foregoing named Trust executed the same.



EA Lawson
Notary Public for Idaho
Residing at Blaine County
My Commission expires 5-26-06

State of Idaho)
) ss.
County of Blaine)

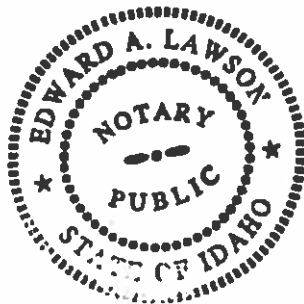
On this 16 day of March, in the year of 2003, before me, a Notary Public in and for said State, personally appeared Kelly Jo Allison, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



Edward A. Lawson
Notary Public for Idaho
Residing at Blaine County
My Commission expires 5-26-06

State of Idaho)
) ss.
County of Blaine)

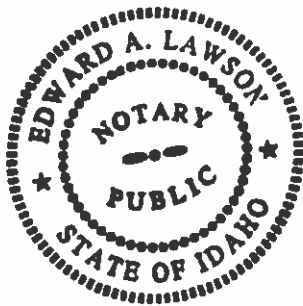
On this 18 day of March, in the year of 2003, before me, a Notary Public in and for said State, personally appeared Patrick E. Simpson, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.



Edward A. Lawson
Notary Public for Idaho
Residing at Blaine County
My Commission expires 5-26-06

State of Idaho)
) SS
County of Blaine)

On this 18 day of March, in the year of 2003, before me, a Notary Public in and for said State, personally appeared Kelly Jo Allison, known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of Mary Lou Simpson and acknowledged to me that she subscribed the name of Mary Lou Simpson thereto as principal, and her own name as attorney in fact.



E. A. Lawson
Notary Public for Idaho
Residing at Blaine County
My Commission expires 5-26-06

Exhibit "A"

1. Lease Agreement dated November 1, 1994 by and between Jack and Mary Lou Simpson, as 'lessors' and Warm Springs Inc., as 'lessee,' including, but not limited to a Right of First Purchase in favor of lessee.
2. Memorandum of Lease recorded March 19, 2003 as Instrument No. 480501, records of Blaine County, Idaho.
3. Roadway Easement as depicted on the official plat of Warm Springs Townhouse Condominiums, recorded January 22, 1968 as Instrument No. 129077, records of Blaine County, Idaho.
4. Easements and Reservations, together with the terms and provisions thereof, as contained in that certain Warranty Deed by and between, Owen Simpson and Josephine Simpson, husband and wife, grantors and Jack E. Simpson and Mary Lou Simpson, husband and wife, recorded October 6, 1972, as Instrument No. 145905, and corrected by instrument recorded March 22, 1973, as Instrument No. 148523, records of Blaine County, Idaho.
5. Easement, together with terms and provisions thereof, as contained in that certain Easement recorded October 11, 1972, as Instrument No. 145945, corrected by Warranty Deed recorded March 7, 1973, as Instrument No. 148353, records of Blaine County, Idaho.
6. Private Roadway and Utility Easement, recorded May 7, 1976, as Instrument No. 165890, records of Blaine County, Idaho.
7. Water Line Easement in favor of the City of Ketchum, recorded August 23, 1978, as Instrument No. 185873, records of Blaine County, Idaho.
8. Water Line Easement in favor of the City of Ketchum, recorded August 23, 1978, as Instrument No. 185874, records of Blaine County, Idaho.
9. Easements, together with terms and provisions thereof, as contained in that certain Quitclaim Deed by and between Owen and Josephine Simpson, husband and wife, grantors and Jack E. Simpson and Mary Lou Simpson, husband and wife, grantees, recorded December 27, 1983, as Instrument No. 246736, records of Blaine County, Idaho.
10. Easements, together with terms and provisions thereof, as contained in that certain Quitclaim Deed by and between Owen and Josephine Simpson, husband and wife, grantors and Jack E. Simpson and Mary Lou Simpson, husband and wife, grantees, recorded December 27, 1983, as Instrument No. 246737, records of Blaine County, Idaho.
11. Easement depicted in that certain Warranty Deed, recorded June 6, 1989, as Instrument No. 306216, records of Blaine County, Idaho.

This document is being re-recorded to
correct the name of "Buyer", shown below.

RECORDING REQUESTED BY

AND WHEN RECORDED RETURN TO:

Heller Ehrman White & McAuliffe LLP
333 Bush Street
San Francisco, CA 94104-2878
Attn: K. William Neuman, Esq.

Instrument # 484230
HAILEY, BLAINE, IDAHO
2003-05-21 11:20:00 No. of Pages: 8
Recorded for: BLAINE COUNTY TITLE
MARSHA RIEMANN Fee: 24.00
Ex-Officio Recorder Deputy
Index to: BILL OF SALE

480650

(Space Above This Line For Recorder's Use)

BILL OF SALE, ASSIGNMENT AND CONVEYANCE

Pursuant to that certain Purchase and Sale and Assignment Agreement dated as of March 4, 2003 ("Agreement") by and among Simpson Family Limited Partnership, Michael W. Simpson Trust B, Michael W. Simpson Trust C, Kelly Jo Allison, Patrick E. Simpson and Mary Lou Simpson (collectively, the "Sellers") and ~~Sun Valley Ventures LLC~~ a California limited liability company ("Buyer"), as the successor in interest to the original buyer named in the Agreement, and in connection with the purchase and sale of that certain Property (as defined in the Agreement), Sellers for themselves and their successors and assigns do hereby grant, transfer, assign, sell and convey to Buyer and its successors and assigns, all of Sellers' right, title and interest in and to the following assets (collectively, the "Assets"):

1. All personal property owned by Sellers in connection with its operation, use, maintenance and ownership of the Property, including inventory, supplies and materials, relating to the restaurant, tennis and golf course business conducted directly by or under the Contracts (as defined below) held by Seller ("Business") (but specifically excluding the art work located in the restaurant that is located on the Property);
2. All of Sellers' right title and interest in all leases, licenses, rental agreements pursuant to which any party has been afforded any rights of occupancy at the Property (collectively, the "Contracts"), which Contracts are listed on Exhibit "A" attached hereto;
3. All franchise, licenses (including beer and wine and liquor licenses), permits, registrations, consents and other certificates of any regulatory, administrative or other governmental agency or body issued to or held by Sellers necessary or incidental to the conduct of the Business to the extent the same are transferable;
4. All proprietary rights, proprietary knowledge, marks, trademarks, trade names (including Warm Springs Ranch Restaurant and Warm Springs Ranch Golf Course), symbols, service marks, logos, copyrights, and patents and all applications therefore, registrations thereof and all licenses or other rights to use any of the foregoing assets; and
5. All other transferable intangible Property, miscellaneous rights, benefits or privileges of any kind or character with respect to the Property.

TO HAVE AND TO HOLD said Assets, together with all rights belonging or pertaining to the same in any way, to Buyer, its successors and assigns, absolutely forever.

BILL OF SALE, ASSIGNMENT AND CONVEYANCE - I

*Sun Valley Ventures LLC,

Sellers represent and warrant that (i) the Contracts are presently in full force and effect with respect to the Property (unless noted as expired, in which case Seller represents and warrants that such Contract has expired on its face and is not subject to renewal or extension rights by any party to such Contracts, and this assignment is limited to any rights or obligations Seller may have under such expired Contract), (ii) the copy of each Contract or extensions earlier delivered to Buyer by Sellers' agent is a true and correct and complete copy of such Contract, without subsequent amendment or extension, (iii) there exists no material uncured default by any party to any such Contract, (iv) Seller holds legal title to all the Personal Property, free and clear of any liens or encumbrances, and (v) Seller has not previously transferred any of the Assets to any other party.

Each Seller further covenants that it will execute and deliver such additional instruments of transfer and will take such other action as Buyer reasonably requests in order to more effectively transfer any of the Assets herein granted, transferred, assigned, sold and delivered to Buyer.

[Remainder of Page Intentionally Left Blank – Execution Page Follows]

DATED this 18 day of March, 2003.

Simpson Family Limited Partnership

By: Kelly Jo Allison
Name: Kelly Jo Allison
Title: General Partner

Michael W. Simpson Family Trust C

By: Kelly Jo Allison
Name: Kelly Jo Allison
Title: CO-TRUSTEE
By: Bonnie Jo Simpson
Name: Bonnie Jo Simpson
Title: CO-TRUSTEE

Michael W. Simpson Family Trust B

By: Kelly Jo Allison
Name: Kelly Jo Allison
Title: Trustee

Kelly Jo Allison
Kelly Jo Allison

Patrick E. Simpson
Patrick E. Simpson

Mary Lou Simpson by
Mary Lou Simpson Kelly Allison her
A.I.F.

EXHIBIT "A" TO BILL OF SALE

Contracts

Contracts currently in Effect:

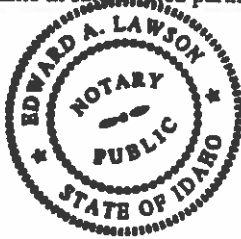
1. Warm Springs Restaurant Stock Purchase Agreement, effective September 30, 2000, by and among Robert Dunn and Kelly Jo Allison and Bonnie Jo Simpson, in their capacity as co-trustees of the Michael W. Simpson Family Trust C, and Simpson Family Limited Partnership pertaining to the stock in Warm Springs Ranch, Inc.
2. Lease Agreement, dated November 1, 1994, between Jack and Mary Lou Simpson and Warm Springs Ranch, Inc., for the Warm Springs Restaurant;
3. \$450,000 Promissory Note, dated November 3, 2000 made by Robert Dunn in favor of the Michael W. Simpson Family Trust C;
4. General Security and Pledge Agreement, dated November 3, 2000, by Robert Dunn in favor of the Michael W. Simpson Family Trust C; and
5. Assignment of Lease (Warm Springs Ranch Restaurant) dated November 6, 2000, by Warm Springs Ranch, Inc. to the Michael W. Simpson Trust C.

Expired Contracts:

1. Warm Springs Tennis Courts Lease Agreement dated October 21, 1999, by and between Kelly J. Allison and Patrick E. Simpson and Mark Scribner (expired on its face);
2. Lease of Warm Springs Golf Course effective as of October 1, 2000, by and between the Simpson Family Limited Partnership and Warm Springs Ranch, Inc. (expired on its face);
3. Real Estate Lease [for Golf Course Sleigh Ride], effective as of October 13, 2000, by and between the Simpson Family Limited partnership and Lawrence Kimball (expired on its face); and
4. Real Estate Lease [for Yurt Restaurant], effective as of November 1, 2000, by and between the Simpson Family Limited Partnership and Colleen Crain, dba A Winter's Feast (expired on its face).

State of Idaho)
) ss.
County of Blaine)

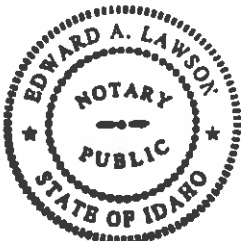
On this 18 day of March, in the year of 2003, before me, a Notary Public in and for said State, personally appeared Kelly Jo Allison, known or identified to me to be a general partner in the partnership of Simpson Family Limited Partnership, an Idaho limited partnership, the general partner or one of the general partners who subscribed said limited partnership name to the foregoing instrument, and acknowledged to me that she executed the same in said limited partnership name.



Edward A. Lawson
Notary Public for Idaho
Residing at Blaine County
My Commission expires 5-26-06

State of Idaho)
)ss.
County of Blaine)

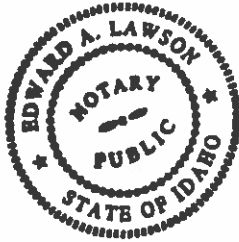
On this 18 day of March, 2003, before me, a Notary Public in and for said State, personally appeared Kelly Jo Allison, known or identified to me to be the Trustee, or one of the Trustees of Michael W. Simpson Family Trust B under trust agreement dated April 16, 19 97, and acknowledged to me that by said Trustee's signature on the foregoing instrument, the foregoing named Trust executed the same.



Edward A. Lawson
Notary Public for Idaho
Residing at Blaine County
My Commission expires 5-26-06

State of Idaho)
)ss.
County of Blaine)

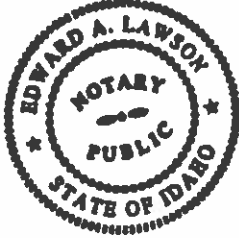
On this 18 day of March, 2003, before me, a Notary Public in and for said State, personally appeared Kelly Jo Allison, known or identified to me to be the Trustee, or one of the Trustees of Michael W. Simpson Family Trust C under trust agreement dated April 16, 1997, and acknowledged to me that by said Trustee's signature on the foregoing instrument, the foregoing named Trust executed the same.



Edward A. Lawson
Notary Public for Idaho
Residing at Blaine County
My Commission expires 5-26-06

State of Idaho)
)ss.
County of Blaine)

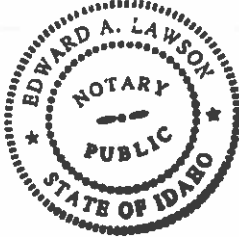
On this 18 day of March, 2003, before me, a Notary Public in and for said State, personally appeared Bonnie Jo Simpson, known or identified to me to be the Trustee, or one of the Trustees of Michael W. Simpson Family Trust C under trust agreement dated April 16, 1997, and acknowledged to me that by said Trustee's signature on the foregoing instrument, the foregoing named Trust executed the same.



Edward A. Lawson
Notary Public for Idaho
Residing at Blaine County
My Commission expires 5-26-06

State of Idaho)
) ss.
County of Blaine)

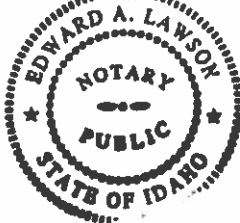
On this 15 day of March, in the year of 2003, before me, a Notary Public in and for said State, personally appeared Kelly Jo Allison, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



E. A. Lawson
Notary Public for Idaho
Residing at Blaine County
My Commission expires 5-26-06

State of Idaho)
) ss.
County of Blaine)

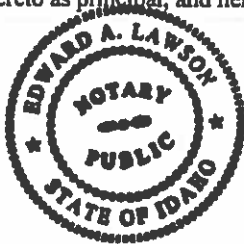
On this 18 day of March, in the year of 2003, before me, a Notary Public in and for said State, personally appeared Patrick E. Simpson, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.



E. A. Lawson
Notary Public for Idaho
Residing at Blaine County
My Commission expires 5-26-06

State of Idaho)
) SS
County of Blaine)

On this 18 day of March, in the year of 2003, before me, a Notary Public in and for said State, personally appeared Kelly Jo Allison, known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of Mary Lou Simpson and acknowledged to me that she subscribed the name of Mary Lou Simpson thereto as principal, and her own name as attorney in fact.



EA Lawson
Notary Public for Idaho
Residing at Blaine County
My Commission expires 5-26-06

This document prepared by (and after recording
return to):)

Firm/Company: Heller Ehrman White &
McAuliffe LLP)
Address: 333 Bush Street, 30th Floor)
City, State, Zip: San Francisco, CA 94104)
Phone: (415) 772-6064)
Attn: K. William Neuman)

Instrument # 501738

HAILEY, BLAINE, IDAHO

2004-04-12 11:27:00 No. of Pages: 14

Recorded for : HAWLEY TROXELL ENNIS & HAWLEY

MARSHA RIEMANN

Fee: 42.00

Ex-Officio Recorder Deputy

Index to: WTYOCORP DEED

—Above This Line Reserved For Official Use Only—

QUITCLAIM DEED (LLC to LLC)

KNOW ALL MEN BY THESE PRESENTS THAT:

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, Warm Springs Ranch and Restaurant, LLC, an Idaho limited liability company hereinafter referred to as "Grantor", does hereby bargain, sell, remise, release, convey and forever quitclaim to Sun Valley Ventures LLC, a California limited liability company, hereinafter referred to as "Grantee", all right, title and interest which Grantor had, if any, in that certain real property in the State of Idaho, County of Blaine consisting of approximately seventy-six (76) gross acres known as Tax Lot Nos. 6980, 7638, 7639, 7640, 7641, 7642 and 7643, as more fully described in Exhibit "A" attached hereto. This Quitclaim Deed extends to quitclaiming and releasing unto Grantee all right, title and interest which Grantor had, if any, in that certain Contract which is the subject of that certain Notice of Contract recorded as Instrument No. 479910, on March 10, 2003 in the Official Records of Blaine County, Idaho.

IN WITNESS WHEREOF, this Quitclaim Deed was executed by the undersigned Grantor on this the 4th day of February, 2004.

WARM SPRINGS RANCH AND RESTAURANT, LLC,
an Idaho limited liability company

BY: Willow Investments, LLC, an Idaho limited liability
company, its Manager

By:  Stephen A. Roth, its Manager

STATE OF IDAHO)
) ss.
COUNTY OF BLAINE)

On this 4th day of February, 2004, before me, ROBIN L. TAYLOR, the undersigned Notary Public in and for said state, personally appeared Stephen A. Roth, known or identified to me to be the person whose name is subscribed to the within instrument as Manager of Willow Investments, LLC, and acknowledged to me that he executed the same as such Manager of Willow Investments, LLC, in its capacity as the Manager of Warm Springs Ranch and Restaurant, LLC.

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



Robin L. Taylor
Name: ROBIN L. TAYLOR
Notary Public for Idaho
Residing at Trailer
My commission expires 3/11/2004

EXHIBIT "A"

Legal Description of the Real Property

[See the Immediately Following Eleven Pages of Legal Description of the Real Property]

Benchmark Associates, P.A.

ENGINEERING, PLANNING, SURVEYING & MAPPING

P.O. Box 733 - 100 B^{ldg} Drive

Ketchum, Idaho 83340

208/726-9512 • Fax 208/726-9514

LEGAL DESCRIPTION

PARCEL 1, WARM SPRINGS RANCH AREA KETCHUM, IDAHO

TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN
SECTION 12, KETCHUM, BLAINE COUNTY, IDAHO

Commencing at a brass cap marking the SE Corner of said Section 12, said corner lying S00°31'53"W, 2668.94 feet from the W1/4 Corner of said Section 12; thence N07°54'41"E, 968.69 feet to a point on the northerly bank of Warm Springs Creek, said point being the True Point of Beginning.

Thence leaving said northerly bank N52°30'21"E, 14.14 feet along the boundary common to Tax Lot 6312;
thence N07°30'21"E, 104.21 feet along said common boundary;
thence N14°22'29"W, 40.00 feet to a point on the southeasterly boundary of Owen Simpson Subdivision, according to the official plat thereof, recorded as Instrument No. 192109, records of Blaine County, Idaho;
thence following said southeasterly boundary N76°11'31"E, 276.40 feet, more or less, to the southerly boundary of Warm Springs Road;
thence along said southerly boundary of Warm Springs Road by the following courses: S77°34'30"E, 192.53 feet;
thence 478.19 feet along a curve to the right, said curve having a central angle of 08°32'48", a radius of 3205.76 feet, and a chord length of 477.75 feet that bears S71°34'50"E;
thence S67°18'26"E, 234.29 feet;
thence leaving said southerly boundary 253.89 feet along a curve to the left, said curve having a central angle of 23°42'49", a radius of 613.43 feet, and a chord length of 252.08 feet that bears N88°12'27"W;
thence S79°56'08"W, 15.60 feet;
thence S88°42'36"W, 150.00 feet;
thence N39°41'17"W, 51.99 feet;
thence N47°45'44"W, 95.15 feet;
thence N72°33'47"W, 177.43 feet;

continued

Page 1 of 2



Benchmark Associates, P.A.

ENGINEERING, PLANNING, SURVEYING & MAPPING

P.O. Box 733 • 100 Bell Drive

Ketchum, Idaho 83340

208/726-9512 • Fax 208/726-9514

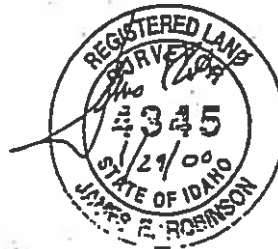
LEGAL DESCRIPTION

PARCEL 1, WARM SPRINGS RANCH AREA
KETCHUM, IDAHO

continued

thence S14°08'46"W, 223.19 feet to a point on the northerly bank of Warm Springs Creek;
thence along said northerly bank by the following courses:
N56°11'08"W, 178.35 feet;
thence N78°01'26"W, 101.20 feet;
thence N88°42'01"W, 148.87 feet to the True Point of Beginning.

Said Parcel 1 contains approximately 3.58 acres.



Page 2 of 2

99\99159-P1.dsc

Benchmark Associates, P.A.

ENGINEERING, PLANNING, SURVEYING & MAPPING

P.O. Box 733 • 100 Bell Drive

Ketchum, Idaho 83340

208/726-9512 • Fax 208/726-9514

LEGAL DESCRIPTION

PARCEL 2, WARM SPRINGS RANCH AREA KETCHUM, IDAHO

TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN
SECTION 12, KETCHUM, BLAINE COUNTY, IDAHO

Commencing at a brass cap marking the SE Corner of said Section 12, said corner lying S00°31'53"W, 2668.94 feet from the W1/4 Corner of said Section 12; thence N52°26'13"E, 956.46 feet to a point on the northerly bank of Warm Springs Creek, said point being the True Point of Beginning.

Thence along said northerly bank by the following courses:

N33°41'24"W, 162.25 feet;
thence N45°00'00"W, 106.07 feet;
thence N56°11'07"W, 76.81 feet;
thence leaving said northerly bank N14°08'46"E, 223.19 feet;
thence S72°33'47"E, 177.43 feet;
thence S47°45'44"E, 95.15 feet;
thence S39°41'17"E, 51.99 feet;
thence N88°42'36"E, 150.00 feet;
thence S34°38'29"E, 47.81 feet;
thence S40°55'36"W, 218.55 feet;
thence S50°04'55"W, 172.91 feet to the True Point of Beginning.

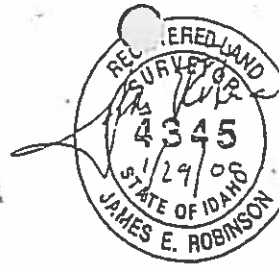
Said Parcel 2 contains approximately 2.73 acres.

99\99159-P2.dsc



Benchmark Associates

ENGINEERING, PLANNING, SURVEYING & MAPPING
P.O. Box 733 : 100 Bell Drive
Ketchum, Idaho 83340
208/726-9512 : Fax 208/726-9514



LEGAL DESCRIPTION

PARCEL 3, WARM SPRINGS RANCH AREA KETCHUM, IDAHO

TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN
SECTION 12, KETCHUM, BLAINE COUNTY, IDAHO

Commencing at a brass cap marking the SE Corner of said Section 12, said corner lying S00°31'53"W, 2668.94 feet from the W1/4 Corner of said Section 12; thence N52°26'13"E, 956.46 feet to a point on the northerly bank of Warm Springs Creek, said point being the True Point of Beginning.

Thence along said northerly bank by the following courses:
S29°57'00"E, 242.36 feet;
thence S65°58'23"E, 69.22 feet;
thence S64°13'10"E, 131.45 feet;
thence S70°53'00"E, 181.81 feet;
thence S43°29'50"E, 150.15 feet;
thence S33°35'21"E, 56.51 feet, more or less, to the westerly most corner of Warm Springs Townhouse Condominiums No. 2, according to the official plat thereof, recorded as Instrument No. 135346, records of Blaine County, Idaho;
thence leaving said northerly bank N61°07'48"E, 25.79 feet along the northwesterly boundary of said Warm Springs Townhouse Condominiums No. 2 to the southerly most corner of Warm Springs Townhouse Condominiums No. 3, according to the official plat thereof, recorded as Instrument No. 141402, records of Blaine County, Idaho;
thence N18°54'09"W, 129.05 feet along the southwesterly boundary of said Warm Springs Townhouse Condominiums No. 3 to the southeast corner of Tax Lot 5105;
thence along the exterior boundary of said Tax Lot 5105 by the following courses: S81°22'42"W, 77.94 feet;
thence N08°37'18"W, 134.00 feet;
thence N81°22'42"E, 85.75 feet to a point on the westerly boundary of Warm Springs Townhouse Condominiums No. 4, according to the official plat thereof, recorded as Instrument No. 147288, records of Blaine County, Idaho;
thence N00°03'08"E, 18.20 feet along said westerly boundary to the south corner of Warm Springs Townhouse Condominiums, according to the official plat thereof, recorded as Instrument No. 129077, records of Blaine County, Idaho;
thence N40°19'52"W, 145.72 feet along the southwesterly boundary to the west corner of said Warm Springs Townhouse Condominiums;

continued

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Ketchum, Idaho 83340
208/726-9512 : Fax 208/726-9514

PARCEL 3, WARM SPRINGS RANCH AREA KETCHUM, IDAHO

continued

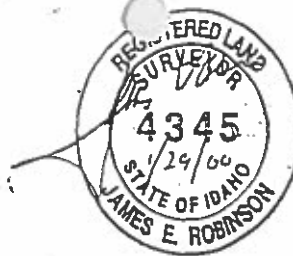
thence N40°03'09"W, 55.19 feet;
thence N03°12'52"W, 171.00 feet;
thence N53°24'52"W, 102.90 feet;
thence N34°38'52"W, 140.00 feet;
thence S40°55'32"W, 218.55 feet;
thence S50°04'55"W, 172.91 feet to the True Point of Beginning.

Said described parcel contains approximately 4.46 acres.



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P.O. Box 733 : 100 Bell Drive
Ketchum, Idaho 83340
208/726-9512 : Fax 208/726-9514



LEGAL DESCRIPTION

PARCEL 4, WARM SPRINGS RANCH AREA
KETCHUM, IDAHO

TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN
SECTION 12, KETCHUM, BLAINE COUNTY, IDAHO

Commencing at a brass cap marking the SE Corner of said Section 12, said corner lying S00°31'53"W, 2668.94 feet from the W1/4 Corner of said Section 12; thence N70°37'44"E, 1415.83 feet to the east corner of Warm Springs Townhouse Condominiums, according to the official plat thereof, recorded as Instrument No. 129077, records of Blaine County, Idaho, said corner being the True Point of Beginning.

Thence N89°56'55"W, 94.41 feet along the northerly boundary of said Warm Springs Townhouse Condominiums to the west corner of said Warm Springs Townhouse Condominiums;
thence N40°03'09"W, 55.19 feet;
thence N03°12'52"W, 171.00 feet;
thence N53°24'52"W, 102.90 feet;
thence N34°38'48"W, 187.80 feet;
thence N79°56'08"E, 15.60 feet;
thence 253.89 feet along a curve to the right, said curve having a central angle of 23°42'49", a radius of 613.43 feet, and a chord length of 252.08 feet that bears S88°12'27"E, more or less, to a point on the southerly boundary of Warm Springs Road;
thence S68°42'30"E, 66.64 feet, more or less, along said southerly boundary to the northwest corner of Warm Springs Tennis Condominiums No. 2, according to the official plat thereof, recorded as Instrument No. 208961, records of Blaine County, Idaho;
thence S00°03'08"W, 38.55 feet along the westerly boundary of said Warm Springs Tennis Condominiums No. 2 to a point on the northerly boundary of Warm Springs Townhouse Condominiums No. 6, according to the official plat thereof, recorded as Instrument No. 163389, records of Blaine County, Idaho;
thence along the boundary of said Warm Springs Townhouse Condominiums No. 6 by the following courses: S86°11'23"W, 59.46 feet to the northwest corner;
thence S03°48'44"E, 73.00 feet to the west corner common to said Warm Springs Townhouse Condominiums No. 6 and Warm Springs Tennis Condominiums, according to the official plat thereof, recorded as Instrument No. 199114, records of Blaine County, Idaho;

continued

Page 1 of 2

Benchmark Associates

ENGINEERING, PLANNING, SURVEYING & MAPPING
P.O. Box 733 : 100 Bell Drive
Ketchum, Idaho 83340
208/726-9512 : Fax 208/726-9514

LEGAL DESCRIPTION

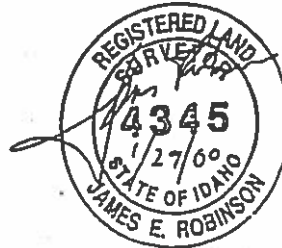
PARCEL 4, WARM SPRINGS RANCH AREA
KETCHUM, IDAHO

Continued

thence along the boundary of said Warm Springs Tennis Condominiums by the following courses: S03°48'44"E, 80.00 feet to the westerly corner;
thence S62°11'14"E, 55.23 feet to a point on the westerly boundary of said Warm Springs Tennis Condominiums No. 2;
thence S00°03'08"W, 69.02 feet along said westerly boundary to the west corner common to said Warm Springs Tennis Condominiums No. 2 and Country Club Townhouses, according to the official plat thereof, recorded as Instrument No. 315898, records of Blaine County, Idaho;
thence S00°03'08"W, 109.59 feet along the westerly boundary of said Country Club Townhouses to the True Point of Beginning.

Subject to a 30-foot wide Roadway Easement serving Tax Lot 5991 and the Warm Springs Townhouse Condominiums, as depicted within the official plat thereof, recorded as Instrument No. 129077, records of Blaine County, Idaho

Said described parcel contains approximately 1.68 acres.



Page 2 of 2

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P.O. Box 240 • 210 Lewis Street

Kimberly, Idaho 83340

208/725-2512

15A6

GOLF COURSE - SIMPSON

1 parcel of land in Section 11,
B. M., Blaine County, Idaho, more particularly described
as follows: T4N, R17E, S22E

SECTION 11, H. E. S. 292: TAX LOT 5766

Commencing at a brass cap marking the southwest corner of Section 12; thence $N0^{\circ}31'53"E$, 422.22 feet along the north-south section line between said Sec. 11 and Sec. 12 to the southerly boundary of Homestead Entry Survey No. 292 and the TRUE POINT OF BEGINNING.

Thence $S80^{\circ}11'09"W$, 2210.80 feet along the southerly boundary of H. E. S. 292 to the southeast corner of Tax Lot 3082;

thence $N0^{\circ}12'52"E$, 766.29 feet along the easterly boundary of Tax Lots 3082 and 2784 to a point on the northerly bank of Warm Springs Creek;

thence $S54^{\circ}08'10"E$, 183.59 feet along the southwesterly boundary of Tax Lot 5103 to the southwest corner of Lot 12, Warm Springs Creekside Subdivision, according to the official plat thereof on file with the Blaine County Recorder in Hailey, Idaho;

thence along said southerly boundary of Warm Springs Creekside Subdivision by the following courses and distances:

$S46^{\circ}53'48"E$, 73.97 feet;
thence $S57^{\circ}01'48"E$, 75.36 feet;
thence $S61^{\circ}14'48"E$, 74.58 feet;
thence $S65^{\circ}56'12"E$, 101.10 feet;
thence $S89^{\circ}10'07"E$, 100.62 feet;
thence $N72^{\circ}56'28"E$, 98.55 feet;
thence $N74^{\circ}47'57"E$, 97.10 feet;
thence $N80^{\circ}37'22"E$, 76.20 feet;
thence $N79^{\circ}40'19"E$, 75.99 feet;
thence $N80^{\circ}31'07"E$, 76.18 feet;

TAX LOT 5766 thence $N86^{\circ}07'24''E$, 77.89 feet;
 thence $N70^{\circ}13'18''E$, 75.00 feet;
 thence $N69^{\circ}54'47''E$, 65.71 feet;
 thence $N66^{\circ}04'53''E$, 169.10 feet;
 thence $N40^{\circ}37'18''E$, 140.80 feet to the
 easterly corner of Lot 25, Warm Springs
 Creekside Subdivision;

 thence $N37^{\circ}26'22''E$, 69.30 feet along the southeasterly
 boundary of Tax Lot 5761;

 thence $N54^{\circ}49'22''E$, 42.80 feet along the southeasterly
 boundary of Tax Lot 6012;

 thence $N54^{\circ}49'22''E$, 26.30 feet along the southeasterly
 boundary of Rockview West Condominium, according to the
 official plat thereof on file with the Blaine County
 Recorder in Hailey, Idaho;

 thence $N67^{\circ}53'22''E$, 60.05 feet along the southerly
 boundary of said Rockview West Condominium;

 thence $N67^{\circ}53'22''E$, 15.05 feet along the southerly
 boundary of the Fern Tree West Subdivision, according to
 the official plat thereof on file with the Blaine County
 Recorder in Hailey, Idaho;

 thence $N76^{\circ}58'22''E$, 76.50 feet along said southerly
 boundary of the Fern Tree West Subdivision;

 thence $N84^{\circ}33'20''E$, 65.76 feet along said southerly
 boundary of the Fern Tree West Subdivision;

 thence $N64^{\circ}08'33''E$, 69.09 feet along said southerly
 boundary of the Fern Tree West Subdivision;

 thence $N84^{\circ}35'49''E$, 131.28 feet along the southerly
 boundary of the Rockview Subdivision, according to the
 official plat thereof on file with the Blaine County
 Recorder in Hailey, Idaho;

 thence $S6^{\circ}28'14''E$, 19.22 feet along the southerly
 boundary of said Rockview Subdivision;

 thence $S88^{\circ}21'58''E$, 65.30 feet along the southerly
 boundary of said Rockview Subdivision;

 thence $N87^{\circ}22'22''E$, 63.82 feet along the southerly
 boundary of Tax Lot 4102;

 thence $S2^{\circ}03'03''W$, 10.00 feet along the westerly boundary
 of Tax Lot 5765;

 thence $S84^{\circ}33'52''E$, 81.76 feet along the southerly
 boundary of Tax Lot 5765;

 thence $S79^{\circ}49'03''E$, 22.19 feet to the southwest corner
 of that parcel of land recorded as instrument No. 148900;

thence $S77^{\circ}51'59''E$, 14.00 feet along the southerly boundary of said parcel;

thence $S77^{\circ}51'39''E$, 39.39 feet along the southerly boundary of that parcel of land recorded as instrument No. 222504 to the easterly boundary of said Sec. 11;

thence $S0^{\circ}31'53''W$, 571.56 feet along said easterly boundary to the TRUE POINT OF BEGINNING.

Containing 26.84 acres.

PUGHNER ENGINEERING

P.O. Box 240 • 210 Lewis Street
Ketchum, Idaho 83340
208/725-2512

15 Feb. '83

GOLF COURSE - SIMPSON

A parcel of land in Section 12, T4N, R17E, 2
E. M., Blaine County, Idaho, more particularly described
as follows:

SECTION 12: TAX LOT 5990

Commencing at a brass cap marking the southwest corner
of Section 12, and said corner being the TRUE POINT OF
BEGINNING.

Thence $N0^{\circ}31'53''E$, 993.78 feet along the westerly boundary
of said Sec. 12 to the southerly boundary of that parcel
of land recorded as instrument No. 222504;

thence $S77^{\circ}51'39''E$, 52.66 feet along said southerly
boundary;

thence $S72^{\circ}17'39''E$, 76.24 feet along said southerly
boundary;

thence along the northerly bank of Warm Springs Creek by
the following courses and distances:

thence $S88^{\circ}42'01''E$, 148.87 feet;

thence $S78^{\circ}01'26''E$, 101.20 feet;

thence $S56^{\circ}11'07''E$, 255.16 feet;

thence $S45^{\circ}00'00''E$, 106.07 feet;

thence $S33^{\circ}41'24''E$, 162.25 feet;

thence $S29^{\circ}57'00''E$, 242.36 feet;

thence $S65^{\circ}58'23''E$, 69.22 feet;

thence $S64^{\circ}13'10''E$, 131.45 feet along the
northerly bank of Warm Springs Creek and
also the southerly boundary of that parcel
of land recorded as instrument No. 148523;

thence $S70^{\circ}53'00''E$, 181.81 feet along said
northerly bank and southerly boundary;

thence $S43^{\circ}29'23''E$, 113.01 feet along said
northerly bank and southerly boundary to the
easterly boundary of the $SW\frac{1}{4}SW\frac{1}{4}$ of said Sec. 12;

thence $S0^{\circ}26'50''W$, 128.28 feet along said easterly boundary
to the southeast corner of said $SW\frac{1}{4}SW\frac{1}{4}$;

thence $S89^{\circ}12'53''W$, 1309.44 feet along the southerly
boundary to the TRUE POINT OF BEGINNING.



Instrument # 505116
HAILEY, BLAINE, IDAHO
2004-08-15 02:40:00 No. of Pages: 4
Recorded for : BLAINE COUNTY TITLE
MARSHA RIEMANN Fee: 12.00
Ex-Officio Recorder Deputy
Index to: WYCKOCORP DEED *msp*

QUITCLAIM DEED

THIS INDENTURE, Made this 28th day of April, 2004 between

THE SIMPSON FAMILY LIMITED PARTNERSHIP, AN IDAHO LIMITED PARTNERSHIP,
MICHAEL W. SIMPSON FAMILY TRUST B, MICHAEL W. SIMPSON FAMILY TRUST C,
MARY LOU SIMPSON, KELLY JO ALLISON AND PATRICK E. SIMPSON as Grantor and

SUN VALLEY VENTURES LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

as Grantee

whose current address is 1420 MONTGOMERY STREET, SAN FRANCISCO, CA 94133

WITNESSETH That said Grantor for and in consideration in lawful money of the United States of America, in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does by these premises remise, release and forever QUITCLAIM, unto the said Grantee and to its heirs and assigns all that certain lot, piece or parcel of land, bounded and particularly described as follows, to-wit:

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

Parcel Number:

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.
TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the Grantee and to its heirs and assigns forever.
IN WITNESS WHEREOF, The said Grantor has hereunto set its hand and seal the day and year first above written.

MICHAEL W. SIMPSON FAMILY TRUST B

Kelly Jo Allison
Kelly Jo Allison, Trustee

Patrick E. Simpson
PATRICK E. SIMPSON

MICHAEL W. SIMPSON FAMILY TRUST C

Kelly Jo Allison
Kelly Jo Allison, Trustee

Kelly Jo Allison
KELLY JO ALLISON

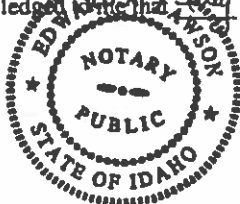
SIMPSON FAMILY LIMITED PARTNERSHIP,
AN IDAHO LIMITED PARTNERSHIP
BY:

Kelly Jo Allison
Kelly Jo Allison, general partner

Mary Lou Simpson
MARY LOU SIMPSON

State of Idaho)
) ss.
County of Blaine)

On this 11 day of June, in the year of 2004, before me, a Notary Public in and for said State, personally appeared Patrick E. Simpson, Kelly Jo Allison and Mary Lou Simpson, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged that they executed the same.

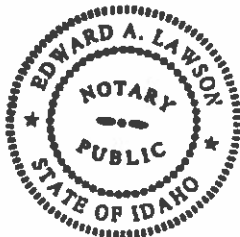


EA Lawson
Notary Public for Idaho
Residing at Blaine County
My Commission expires 5/26/06

STATE OF Idaho)
) ss.
County of Blaine)

On this 11 day of June, 2004, before me, a Notary Public in and for said State, personally appeared Kelly Jo Allison, known to me to be the Trustee of Michael W. Simpson Family Trust whose name is subscribed to the within instrument and acknowledged to me that she subscribed to the within instrument as the said Trustee of the Michael W. Simpson Family Trust.

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

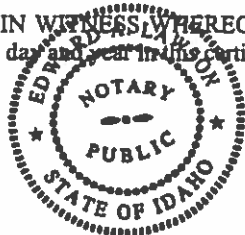


EA Lawson
Notary Public for Idaho
Residing at Blaine County
Commission expires 5-26-06

STATE OF Idaho)
) ss.
County of Blaine)

On this 11 day of June, 2004, before me, a Notary Public in and for said State, personally appeared Kelly Jo Allison, known to me to be the Trustee of Michael W. Simpson Family Trust whose name is subscribed to the within instrument and acknowledged to me that she subscribed to the within instrument as the said Trustee of the Michael W. Simpson Family Trust C

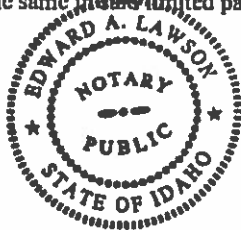
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



SA Lawson
Notary Public for Idaho
Residing at Blaine County
Commission expires 5-26-06

State of Idaho)
) ss.
County of Blaine)

On this 11 day of June, in the year of 2004, before me, a Notary Public in and for said State, personally appeared Kelly Jo Allison, known or identified to me to be a general partner in the partnership of Simpson Family Limited Partnership, a limited partnership, the general partner or one of the general partners who subscribed said limited partnership name to the foregoing instrument, and acknowledged to me that she executed the same in said limited partnership name.



SA Lawson
Notary Public for Idaho
Residing at Blaine County, Idaho
My Commission expires 5-26-06

LEGAL DESCRIPTION

WARM SPRINGS RANCH : PARCEL 9
KETCHUM, BLAINE COUNTY, IDAHO

TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN
SECTION 12, Ketchum, Blaine County, Idaho

A parcel of land within a portion of SE1/4 SW1/4 Section 12, Ketchum, Blaine County, Idaho, said parcel being more particularly described by metes and bounds as follows:

Commencing at a brass cap marking the SW Corner of said Section 12, thence N89°32'53"E, 1304.81 feet, more or less, to a BLM aluminum cap marking the West 1/16 corner common to said Sec. 12 and Sec. 13 and said aluminum cap being the True Point of Beginning.

Thence N00°04'35"E, 137.41 feet, more or less, along the westerly boundary of said SE1/4 SW1/4 Sec. 12 to a point on the northeasterly bank of Warm Springs Creek, said point also on the southwesterly boundary of Parcel 4 as described in that Warranty Deed recorded as Instrument No. 480648, records of Blaine County, Idaho;
thence along said Parcel 4 by the following courses: S43°29'50"E, 45.75 feet;
thence S33°35'21"E, 56.51 feet, more or less, to the westerly most corner of WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 2, according to the official plat thereof, recorded as Instrument No. 135346, records of Blaine County, Idaho;
thence S33°56'52"E, 67.91 feet, more or less, along the southwesterly boundary of said WARM SPRINGS TOWNHOUSE CONDOMINIUMS NO. 2 to a point on the southerly boundary of said Sec. 12;
thence S89°32'23"W, 100.86 feet, more or less, along said southerly boundary of Sec. 12 to the True Point of Beginning.

NOTE: This deed is being executed in order to convey a remnant parcel that was inadvertently left off the legal description described in that certain Warranty Deed recorded March 21, 2003 as Instrument No. 480648, records of Blaine County, Idaho.

This document prepared by (and after recording
return to):

Firm/Company: Heller Shuman White &
McAuliffe LLP
Address: 333 Bush Street, 30th Floor
City, State, Zip: San Francisco, CA 94104
Phone: (415) 772-6064
Attn: K. William Neuman

Instrument # 501738

HAILEY, BLAINE, IDAHO
2004-04-12 11:27:00 No. of Pages: 14
Recorded for: HAWLEY TROXELL ENNIS & HAWLEY
KARSHA RIEMANN Fee: \$2.00
Ex-Office Recorder Deputy
Imported by: WTTROXELL 0500

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**QUITCLAIM DEED
(LLC to LLC)**

KNOW ALL MEN BY THESE PRESENTS THAT:

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, Warm Springs Ranch and Restaurant, LLC, an Idaho limited liability company hereinafter referred to as "Grantor", does hereby bargain, sell, remise, release, convey and forever quitclaim to Sun Valley Ventures LLC, a California limited liability company, hereinafter referred to as "Grantee", all right, title and interest which Grantor had, if any, in that certain real property in the State of Idaho, County of Blaine consisting of approximately seventy-six (76) gross acres known as Tax Lot Nos. 6980, 7638, 7639, 7640, 7641, 7642 and 7643, as more fully described in Exhibit "A" attached hereto. This Quitclaim Deed extends to quitclaiming and releasing unto Grantee all right, title and interest which Grantor had, if any, in that certain Contract which is the subject of that certain Notice of Contract recorded as Instrument No. 479910, on March 10, 2003 in the Official Records of Blaine County, Idaho.

IN WITNESS WHEREOF, this Quitclaim Deed was executed by the undersigned Grantor on this the 4th day of February, 2004.

WARM SPRINGS RANCH AND RESTAURANT, LLC,
an Idaho limited liability company

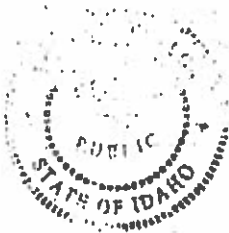
BY: Willow Investments, LLC, an Idaho limited liability
company, its Manager

By:  Stephen A. Roth, its Manager

STATE OF IDAHO)
) ss.
COUNTY OF BLAINE)

On this 4th day of February, 2004, before me, Robin L. Taylor the undersigned Notary Public in and for said state, personally appeared Stephen A. Roth, known or identified to me to be the person whose name is subscribed to the within instrument as Manager of Willow Investments, LLC, and acknowledged to me that he executed the same as such Manager of Willow Investments, LLC, in its capacity as the Manager of Warm Springs Ranch and Restaurant, LLC.

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



Robin L. Taylor
Name: ROBIN L. TAYLOR
Notary Public for Idaho
Residing at Idaho
My commission expires 3/11/2004

EXHIBIT "A"

Legal Description of the Real Property

[See the Immediately Following Eleven Pages of Legal Description of the Real Property]

• Quitclaim Deed - Page 1 •

Benchmark Associates, P.A.

ENGINEERING, PLANNING, SURVEYING & MAPPING

P.O. Box 733 - 100 Bell Drive

Ketchum, Idaho 83340

208/726-9512 • Fax 208/726-9514

LEGAL DESCRIPTION

PARCEL 1, WARM SPRINGS RANCH AREA
KETCHUM, IDAHOTOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN
SECTION 12, KETCHUM, BLAINE COUNTY, IDAHO

Commencing at a brass cap marking the SE Corner of said Section 12, said corner lying $300^{\circ}31'53''$ W, 2668.94 feet from the W1/4 Corner of said Section 12; thence $N07^{\circ}54'41''$ E, 968.69 feet to a point on the northerly bank of Warm Springs Creek, said point being the True Point of Beginning.

Thence leaving said northerly bank $N52^{\circ}30'21''$ E, 14.14 feet along the boundary common to Tax Lot 6312;
thence $N07^{\circ}30'21''$ E, 104.21 feet along said common boundary;
thence $N14^{\circ}22'29''$ W, 40.00 feet to a point on the southeasterly boundary of Owen Simpson Subdivision, according to the official plat thereof, recorded as Instrument No. 192109, records of Blaine County, Idaho;
thence following said southeasterly boundary $N76^{\circ}11'31''$ E, 276.40 feet, more or less, to the southerly boundary of Warm Springs Road;
thence along said southerly boundary of Warm Springs Road by the following courses: $S77^{\circ}34'30''$ E, 192.53 feet;
thence 478.19 feet along a curve to the right, said curve having a central angle of $08^{\circ}32'48''$, a radius of 3205.76 feet, and a chord length of 477.75 feet that bears $S71^{\circ}34'50''$ E;
thence $S67^{\circ}18'26''$ E, 234.29 feet;
thence leaving said southerly boundary 253.89 feet along a curve to the left, said curve having a central angle of $23^{\circ}42'49''$, a radius of 613.43 feet, and a chord length of 252.08 feet that bears $N68^{\circ}12'27''$ W;
thence $S79^{\circ}56'08''$ W, 15.60 feet;
thence $S88^{\circ}42'36''$ W, 150.00 feet;
thence $N39^{\circ}41'17''$ W, 51.99 feet;
thence $N47^{\circ}45'44''$ W, 95.15 feet;
thence $N72^{\circ}33'47''$ W, 177.43 feet;

continued

Page 1 of 2



Benchmark Associates, P.A.

ENGINEERING, PLANNING, SURVEYING & MAPPING
P.O. Box 733 - 100 Bell Drive
Ketchum, Idaho 83340
208/726-9512 • Fax 208/726-9514

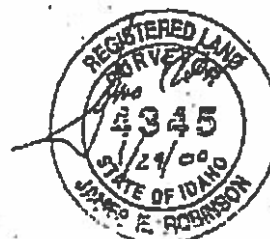
LEGAL DESCRIPTION

PARCEL 1, WARM SPRINGS RANCH AREA
KETCHUM, IDAHO

continued

thence S14°08'46"W, 223.19 feet to a point on the northerly bank of
Warm Springs Creek;
thence along said northerly bank by the following courses:
N56°11'08"W, 178.35 feet;
thence N78°01'26"W, 101.20 feet;
thence N88°42'01"W, 148.87 feet to the True Point of Beginning.

Said Parcel 1 contains approximately 3.58 acres.



Page 2 of 2

99\99159-71.dsc

*Parcel 2
Steps*

Benchmark Associates, P.A.

ENGINEERING, PLANNING, SURVEYING & MAPPING

P.O. Box 733 • 100 Bell Drive

Ketchum, Idaho 83340

208/726-9312 • Fax 208/726-9314

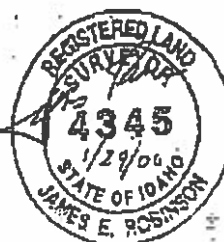
LEGAL DESCRIPTION**PARCEL 2, WARM SPRINGS RANCH AREA
KETCHUM, IDAHO****TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN
SECTION 12, KETCHUM, BLAINE COUNTY, IDAHO**

Commencing at a brass cap marking the SE Corner of said Section 12, said corner lying S00°31'53"W, 2668.94 feet from the W1/4 Corner of said Section 12; thence N52°26'13"E, 956.46 feet to a point on the northerly bank of Warm Springs Creek, said point being the True Point of Beginning.

Thence along said northerly bank by the following courses:
N33°41'24"W, 162.25 feet;
thence N45°00'00"W, 106.07 feet;
thence N56°11'07"W, 76.81 feet;
thence leaving said northerly bank N14°08'46"E, 223.19 feet;
thence S72°33'47"E, 177.43 feet;
thence S47°45'44"E, 95.15 feet;
thence S39°41'17"E, 51.99 feet;
thence N88°42'36"E, 150.00 feet;
thence S34°38'29"E, 47.81 feet;
thence S40°55'36"W, 218.55 feet;
thence S50°04'55"W, 172.91 feet to the True Point of Beginning.

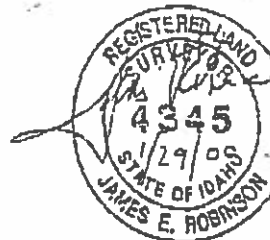
Said Parcel 2 contains approximately 2.73 acres.

99\99159-P2.dsc



Benchmark Associates

ENGINEERING, PLANNING, SURVEYING & MAPPING
P.O. Box 733 : 100 Bell Drive
Ketchum, Idaho 83340
208/726-9512 : Fax 208/726-9514



LEGAL DESCRIPTION

PARCEL 3, WARM SPRINGS RANCH AREA KETCHUM, IDAHO

TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN
SECTION 12, KETCHUM, BLAINE COUNTY, IDAHO

Commencing at a brass cap marking the SE Corner of said Section 12, said corner lying S00°31'53"W, 2668.94 feet from the W1/4 Corner of said Section 12; thence N52°26'13"E, 956.46 feet to a point on the northerly bank of Warm Springs Creek, said point being the True Point of Beginning.

Thence along said northerly bank by the following courses:
S29°57'00"E, 242.36 feet;
thence S65°58'23"E, 69.22 feet;
thence S64°13'10"E, 131.45 feet;
thence S70°53'00"E, 181.81 feet;
thence S43°29'50"E, 150.15 feet;
thence S33°35'21"E, 56.51 feet, more or less, to the westerly most corner of Warm Springs Townhouse Condominiums No. 2, according to the official plat thereof, recorded as Instrument No. 135346, records of Blaine County, Idaho;
thence leaving said northerly bank N61°07'48"E, 25.79 feet along the northwesterly boundary of said Warm Springs Townhouse Condominiums No. 2 to the southerly most corner of Warm Springs Townhouse Condominiums No. 3, according to the official plat thereof, recorded as Instrument No. 141402, records of Blaine County, Idaho;
thence N19°54'09"W, 129.05 feet along the southwesterly boundary of said Warm Springs Townhouse Condominiums No. 3 to the southeast corner of Tax Lot 5105;
thence along the exterior boundary of said Tax Lot 5105 by the following courses: S81°22'42"W, 77.94 feet;
thence N08°27'18"W, 134.00 feet;
thence N41°22'42"E, 85.75 feet to a point on the westerly boundary of Warm Springs Townhouse Condominiums No. 4, according to the official plat thereof, recorded as Instrument No. 147288, records of Blaine County, Idaho;
thence N00°03'08"E, 18.20 feet along said westerly boundary to the south corner of Warm Springs Townhouse Condominiums, according to the official plat thereof, recorded as Instrument No. 129077, records of Blaine County, Idaho;
thence N40°19'52"W, 145.72 feet along the southwesterly boundary to the west corner of said Warm Springs Townhouse Condominiums;

continued

Benchmark Associates

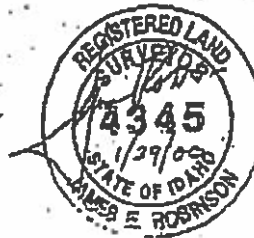
ENGINEERING, PLANNING, SURVEYING & MAPPING
P.O. Box 735 : 100 Bell Drive
Ketchum, Idaho 83340
208/726-9512 : Fax 208/726-9514

PARCEL 3, WARM SPRINGS RANCH AREA
KETCHUM, IDAHO

continued

thence N40°03'09"W, 55.19 feet;
thence N03°12'52"W, 171.00 feet;
thence N53°24'52"W, 102.90 feet;
thence N34°38'52"W, 140.00 feet;
thence S40°55'32"W, 218.55 feet;
thence S50°04'55"W, 172.91 feet to the True Point of Beginning.

Said described parcel contains approximately 4.46 acres.



Benchmark Associates

ENGINEERING, PLANNING, SURVEYING & MAPPING
 P.O. Box 733 : 100 Bell Drive
 Ketchum, Idaho 83340
 208/726-9512 : Fax 208/726-9514

**LEGAL DESCRIPTION**

**PARCEL 4, WARM SPRINGS RANCH AREA
 KETCHUM, IDAHO**

**TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN
 SECTION 12, KETCHUM, BLAINE COUNTY, IDAHO**

Commencing at a brass cap marking the SE Corner of said Section 12, said corner lying S00°31'53"W, 2658.94 feet from the W1/4 Corner of said Section 12; thence N70°37'44"E, 1415.83 feet to the east corner of Warm Springs Townhouse Condominiums, according to the official plat thereof, recorded as Instrument No. 129077, records of Blaine County, Idaho, said corner being the True Point of Beginning.

Thence N89°56'55"W, 94.41 feet along the northerly boundary of said Warm Springs Townhouse Condominiums to the west corner of said Warm Springs Townhouse Condominiums;
 thence N40°03'09"W, 55.19 feet;
 thence N03°12'52"W, 171.00 feet;
 thence N53°24'52"W, 102.90 feet;
 thence N34°38'48"W, 187.80 feet;
 thence N79°56'08"E, 15.50 feet;
 thence 253.89 feet along a curve to the right, said curve having a central angle of 32°42'49", a radius of 613.43 feet, and a chord length of 212.08 feet that bears S88°12'27"E, more or less, to a point on the southerly boundary of Warm Springs Road;
 thence S66°42'50"E, 66.64 feet, more or less, along said southerly boundary to the northwest corner of Warm Springs Tennis Condominiums No. 2, according to the official plat thereof, recorded as Instrument No. 129261, records of Blaine County, Idaho;
 thence S00°03'08"W, 38.85 feet along the westerly boundary of said Warm Springs Tennis Condominiums No. 2 to a point on the northerly boundary of Warm Springs Townhouse Condominiums No. 6, according to the official plat thereof, recorded as Instrument No. 163389, records of Blaine County, Idaho;
 thence along the boundary of said Warm Springs Townhouse Condominiums No. 6 by the following courses: S86°11'23"W, 21.41 feet to the northwest corner;
 thence S03°49'44"E, 73.00 feet to the west corner common to said Warm Springs Townhouse Condominiums No. 6 and Warm Springs Tennis Condominiums, according to the official plat thereof, recorded as Instrument No. 129114, records of Blaine County, Idaho;

continued

Page 1 of 2

*Parcel 5
 Simpson*

Benchmark Associates

ENGINEERING, PLANNING, SURVEYING & MAPPING
P.O. Box 733 : 100 Bell Drive
Ketchum, Idaho 83340
208/726-9512 : Fax 208/726-9514

LEGAL DESCRIPTION

**PARCEL 4, WARM SPRINGS RANCH AREA
KETCHUM, IDAHO**

Continued

thence along the boundary of said Warm Springs Tennis Condominiums by the following courses: S03°48'44"E, 80.00 feet to the westerly corner;

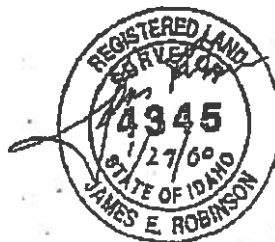
thence S82°11'14"E, 55.23 feet to a point on the westerly boundary of said Warm Springs Tennis Condominiums No. 2;

thence S00°03'08"W, 69.02 feet along said westerly boundary to the west corner common to said Warm Springs Tennis Condominiums No. 2 and Country Club Townhouses, according to the official plat thereof, recorded as Instrument No. 315898, records of Blaine County, Idaho;

thence S00°03'08"W, 109.59 feet along the westerly boundary of said Country Club Townhouses to the True Point of Beginning..

Subject to a 30-foot wide Roadway Easement serving Tax Lot 5991 and the Warm Springs Townhouse Condominiums, as depicted within the official plat thereof, recorded as Instrument No. 129077, records of Blaine County, Idaho

Said described parcel contains approximately 1.68 acres.



Page 2 of 2

99\99159-P4.dsc

C. A. ENGINEER III

P.O. Box 240 • 210 Lewis Street
Pocatello, Idaho 83340
208/725-2512

15 R 6 E

GOLF COURSE - SIMPSON

A parcel of land in Section 11,
E. M., Blaine County, Idaho, more particularly described
as follows:

SECTION 11, E. E. S. 292; TAX LOT 5766

Commencing at a brass cap marking the southwest corner
of Section 11; thence N0°51'53"E, 422.22 feet along the
north-south section line between said Sec. 11 and Sec.
12 to the southerly boundary of Homestead Entry Survey
No. 201 and the TRUE POINT OF BEGINNING.

thence S40°11'09"E, 2210.80 feet along the southerly
boundary of E. E. S. 292 to the southeast corner of Tax
Lot 3082;

thence N0°42'52"E, 766.29 feet along the easterly boundary
of Tax Lots 3082 and 2784 to a point on the northerly
bank of Warm Springs Creek;

thence S54°04'10"E, 153.59 feet along the southwesterly
boundary of Tax Lot 5103 to the southwest corner of Lot
12, 2nd Blaine Creek Subdivision, according to the
official plat thereof on file with the Blaine County
Recorder in Pocatello, Idaho;

thence along said southerly boundary of Warm Springs
Creek Subdivision by the following courses and
distances:

S46°53'48"E, 73.97 feet;
thence S57°01'48"E, 75.36 feet;
thence S61°14'48"E, 74.58 feet;
thence S65°56'12"E, 101.10 feet;
thence S89°10'07"E, 100.62 feet;
thence N72°56'28"E, 98.55 feet;
thence N74°47'57"E, 97.10 feet;
thence N80°37'22"E, 76.20 feet;
thence N79°40'19"E, 75.99 feet;
thence N80°31'07"E, 76.18 feet;

GOLF COURSE - SIMPSON

Page 2

TAX LOT 5766 thence $N86^{\circ}07'24"E$, 77.89 feet;
 thence $N70^{\circ}13'18"E$, 75.00 feet;
 thence $N69^{\circ}54'47"E$, 65.71 feet;
 thence $N66^{\circ}04'53"E$, 169.10 feet;
 thence $N40^{\circ}37'18"E$, 140.80 feet to the
 easterly corner of Lot 25, Warm Springs
 Creekside Subdivision;

thence $N37^{\circ}26'22"E$, 69.30 feet along the southeasterly
 boundary of Tax Lot 5761;

thence $N54^{\circ}49'22"E$, 42.80 feet along the southeasterly
 boundary of Tax Lot 6012;

thence $N54^{\circ}49'22"E$, 26.30 feet along the southeasterly
 boundary of the Fern Tree West Condominium, according to the
 official plat thereof on file with the Blaine County
 Recorder in Hailey, Idaho;

thence $N61^{\circ}53'22"E$, 60.05 feet along the southerly
 boundary of said Rockview West Condominium;

thence $N61^{\circ}53'22"E$, 15.05 feet along the southerly
 boundary of the Fern Tree West Subdivision, according to
 the official plat thereof on file with the Blaine County
 Recorder in Hailey, Idaho;

thence $N61^{\circ}53'22"E$, 76.50 feet along said southerly
 boundary of the Fern Tree West Subdivision;

thence $N61^{\circ}53'22"E$, 65.76 feet along said southerly
 boundary of the Fern Tree West Subdivision;

thence $N61^{\circ}53'22"E$, 69.09 feet along said southerly
 boundary of the Fern Tree West Subdivision;

thence $N61^{\circ}53'22"E$, 51.30 feet along the southerly
 boundary of the Rockview Subdivision, according to the
 official plat thereof on file with the Blaine County
 Recorder in Hailey, Idaho;

thence $N61^{\circ}53'22"E$, 19.22 feet along the southerly
 boundary of said Rockview Subdivision;

thence $N61^{\circ}53'22"E$, 65.30 feet along the southerly
 boundary of said Rockview Subdivision;

thence $N61^{\circ}53'22"E$, 63.82 feet along the southerly
 boundary of Tax Lot 4102;

thence $S8^{\circ}03'03"W$, 10.00 feet along the westerly boundary
 of Tax Lot 5765;

thence $S84^{\circ}33'52"E$, 81.76 feet along the southerly
 boundary of Tax Lot 5765;

thence $S79^{\circ}49'03"E$, 22.19 feet to the southwest corner
 of that parcel of land recorded as instrument No. 148900;

GOLF COURSE - SIMPSON

TAX LOT 5766

Page 3

thence $577^{\circ}51'39''$ E, 14.00 feet along the southerly
boundary of said parcel;

thence $577^{\circ}51'39''$ E, 39.39 feet along the southerly
boundary of said parcel of land recorded as instrument
No. 222801 to the easterly boundary of said Sec. 11;

thence $S 87^{\circ}07'07''$ W, 571.56 feet along said easterly
boundary to the TRUE POINT OF BEGINNING.

Containing 26.84 acres.

CHINER ENGINEERING

Box 240 • 210 Lewis Street
 Pocatello, Idaho 83340
 208/725-2512

15 Feb '87

GOLF COURSE - SIMPSON

Land in Section 12, T4N, R17E,
 Blaine County, Idaho, more particularly described.

SECTION 12: TAX LOT 5990

Commencing at a brass cap marking the southwest corner
 of Section 12, and said corner being the TRUE POINT OF
 BEGINNING.

thence S77°51'39"E, 52.66 feet along the westerly boundary
 of said Sec. 12 to the southerly boundary of that parcel
 of land recorded as Instrument No. 222504;

thence S77°51'39"E, 52.66 feet along said southerly
 boundary;

thence S72°17'39"E, 76.24 feet along said southerly
 boundary;

thence along the northerly bank of Warm Springs Creek by
 the following courses and distances:

thence S88°42'01"E, 148.87 feet;

thence S78°01'26"E, 101.20 feet;

thence S56°11'07"E, 255.16 feet;

thence S45°00'00"E, 106.07 feet;

thence S33°41'24"E, 162.25 feet;

thence S29°57'00"E, 242.36 feet;

thence S65°58'23"E, 69.22 feet;

thence S64°13'10"E, 131.45 feet along the
 northerly bank of Warm Springs Creek and
 also the southerly boundary of that parcel
 of land recorded as Instrument No. 148523;

thence S64°13'10"E, 181.81 feet along said
 northerly bank and southerly boundary;

thence S64°13'10"E, 113.01 feet along said
 northerly bank and southerly boundary to the
 easterly boundary of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Sec. 12;

thence S64°13'10"E, 128.25 feet along said easterly boundary
 to the southeast corner of said SW $\frac{1}{4}$ SW $\frac{1}{4}$;

thence S89°12'53"W, 1309.44 feet along the southerly
 boundary to the TRUE POINT OF BEGINNING,

State of Idaho)
) ss.
 County of Blaine)

On this 11 day of June, in the year of 2004, before me, a Notary Public in and for said State, personally appeared Mary Lou Simpson, known to me to be the person whose name is subscribed to the within instrument, and she acknowledged to me that she executed the same.



E. A. Hansen
 Notary Public for Idaho
 Residing at Blaine County
 My Commission expires 5/24/06

STATE OF Idaho)
) ss.
 County of Blaine)

On this 11 day of June, 2004, before me, a Notary Public in and for said State, personally appeared Edith A. Hansen, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she subscribed to the within instrument as the joint Trustee of the Michael W. Simpson Family Trust &

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



E. A. Hansen
 Notary Public for Idaho
 Residing at Blaine County
 Commission expires 5-26-06

STATE OF Idaho)
 County of Blaine) ss.

On this 11 day of June, 2004, before me, a Notary Public in and for the State of Idaho, personally appeared Shirley Jo Allison, known to me to be the person whose name is subscribed to the within instrument, and that she subscribed to the within instrument as the Michael W. Simpson Family Trust.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 11th day of June, 2004.



Shirley Jo Allison

Notary Public for Idaho
 Residing at Blaine County
 Commission expires 5-24-06

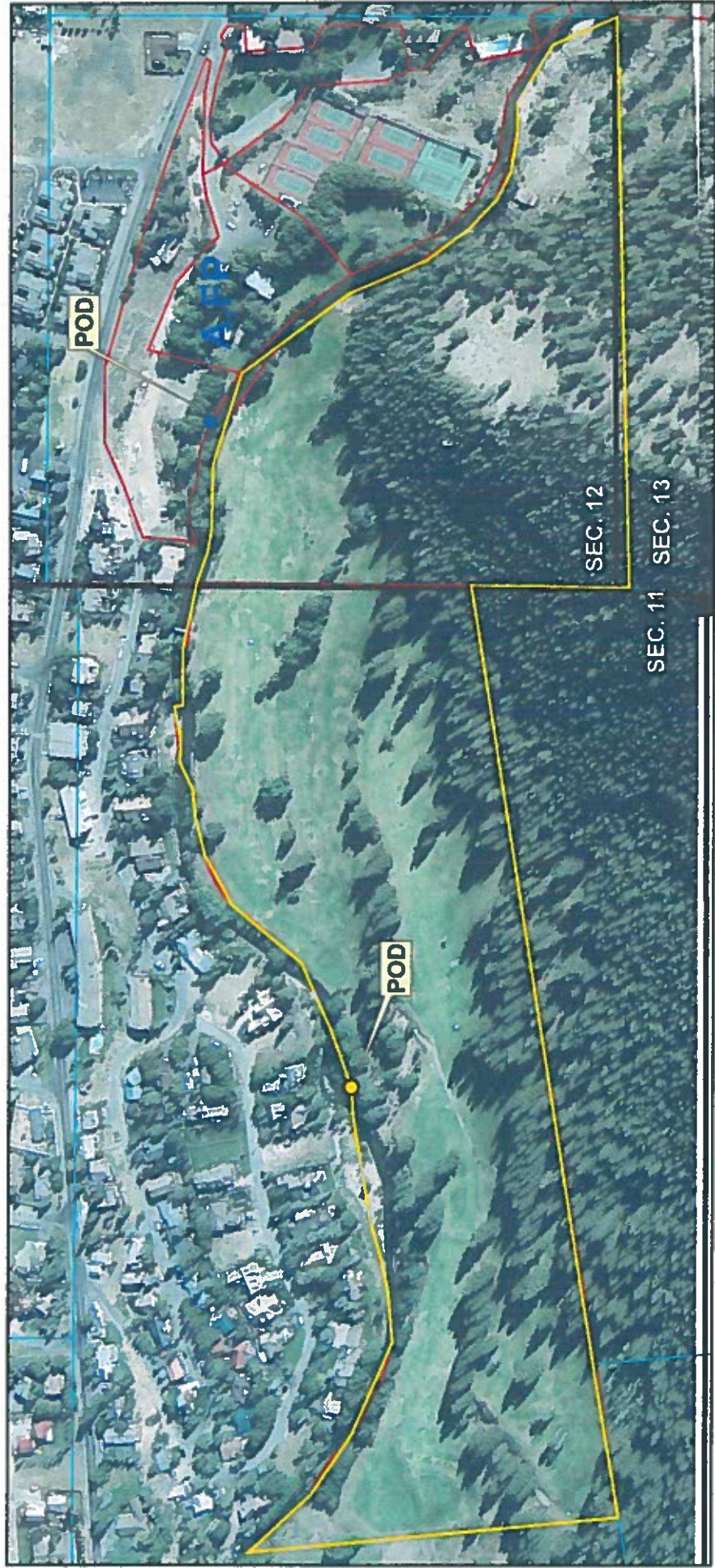
State of Idaho)
 County of Blaine) ss.

On this 11 day of June, in the year of 2004, before me, a Notary Public in and for the State of Idaho, personally appeared Shirley Jo Allison, known or identified to me to be a general partner of Shirley Jo Allison Partnership, a limited partnership, and the general partner of said partnership who subscribed said limited partnership name, and acknowledged to me that she was the general partner of said partnership name.



Shirley Jo Allison

Notary Public for Idaho
 Residing at Blaine County, Idaho
 Commission expires 5-24-06



WARM SPRINGS GOLF COURSE T. 04N. R. 17E

LEGEND	
POD	
WATER RIGHT #'S	
●	37-212A, 37-2621, 37-20381
●	37-8304, 37-4337
□	POU 37-212A, 37-2621, 37-20381
□	Creek
□	Property Boundary
□	Sections Lines
□	4n17e QQ Lines

SCHEDULE A

Order Number: 03011624

LEGAL DESCRIPTION

PARCEL 1:

A PARCEL OF LAND LOCATED WITHIN THE NE1/4NW1/4 OF SECTION 13, TOWNSHIP 4 NORTH, RANGE 17 EAST, AND THE SE1/4SW1/4 OF SECTION 12, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, lying South and West of the Northeastly bank of Warm Springs Creek, more particularly described as follows:

COMMENCING at a brass cap marking the Center North 1/16 corner of Section 13, running thence S. 89°37'23" W., 660.46 feet along the Southerly boundary of said NE1/4NW1/4 of Section 13 to a brass cap marking the 1/64 corner, said corner being the TRUE POINT OF BEGINNING; thence S. 89°37'23" W., 664.71 feet, along the Southerly boundary to the Northwest 1/16 corner; thence N. 00°58'45" E., 1329.70 feet, to the West 1/16 corner common to Section 12 and 13; thence N. 89°25'00" E., 107.46 feet along the Northerly boundary of Section 13 to a point on the Southwesterly boundary of Warm Springs Townhouse No. 2, said plat being on file of the Blaine County Recorder; thence S. 33°57'00" E. 104.38 feet along the boundary to the Northwesterly corner of Tax Lot 6571; thence S. 50°57'00" E., 180.00 feet along the Southwesterly boundary of Tax Lot 6571; thence S. 45°32'00" E., 240.00 feet to the Westerly corner of Tax Lot 3172; thence S. 45°40'00" E., 142.60 feet along the Southwesterly boundary of Tax Lot 3172; thence S. 43°45'00" E., 61.00 feet along the Southwesterly boundary of Tax Lot 3172 to the Westerly corner of Tax Lot 3217; thence S. 40°54'00" E., 60.10 feet along the Southwesterly boundary of Tax Lot 3217 to the Westerly corner of Tax Lot 3362 thence S. 31°01'09" E., 87.55 feet to a point on the Westerly boundary of Lot 1, Block 5, SUN VALLEY SUBDIVISION 1ST ADDITION REVISED; thence S. 12°53'25" E., 202.98 feet along the Westerly boundary to a point on the East bank of Warm Springs Creek; thence S. 12°00'43" W., 34.06 feet along said bank; thence S. 19°51'48" W., 21.70 feet along said bank; thence S. 10°50'24" W., 22.88 feet along said bank; thence S. 02°30'16" W., 90.75 feet along said bank; thence S. 36°41'25" E., 7.24 feet along said bank; thence S. 06°06'43" W., 38.05 feet along said bank; thence S. 05°12'50" E., 37.44 feet along said bank; thence S. 23°16'16" E., 49.10 feet along said bank; thence S. 30°12'13" E., 45.25 feet along said bank; thence S. 31°29'18" E., 31.73 feet along said bank; thence S. 17°08'10" E., 36.19 feet along said bank; thence S. 02°42'17" E., 32.00 feet along said bank; thence S. 14°19'32" W., 24.42 feet along said bank; thence S. 22°56'00" W., 27.91 feet along said bank; thence S. 00°38'03" E., 20.18 feet along said bank to the Southerly boundary of said NE1/4NW1/4 of Section 13; thence S. 89°37'23" W., 143.94 feet along the boundary to the TRUE POINT OF BEGINNING.
(Tax Lot 6980)

PARCEL 2:

A PARCEL OF LAND IN SECTION 12, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, more particularly described as follows:

COMMENCING at a brass cap marking the Southeast corner of said Section 12,
Continued on next page

LEGAL DESCRIPTION

WARM SPRINGS RANCH : PARCEL 9
KETCHUM, BLAINE COUNTY, IDAHOTOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN
SECTION 12, Ketchum, Blaine County, Idaho

A parcel of land within a portion of SE1/4 SW1/4 Section 12, Ketchum, Blaine County, Idaho, said parcel being more particularly described by metes and bounds as follows:

Commencing at a brass cap marking the SW Corner of said Section 12, thence northerly, 120.61 feet, more or less, to a BLM aluminum cap marking the West 1/16 corner common to said Sec. 12 and Sec. 13 and said aluminum cap being the True Point of Beginning.

Thence N00°04'35"E, 137.41 feet, more or less, along the westerly boundary of said Section 12, to a point on the northerly bank of Warm Springs Creek, said point being the point of beginning of Parcel 9 as described in that Warranty Deed between AS MAGNOLIA HOLDINGS, Inc. and Blaine County, Idaho;

Thence S00°00'00"E, 45.75 feet;

Thence S00°00'00"E, 45.75 feet, more or less, to the westerly most corner of WARM SPRINGS TOWNSHIP COMMUNITIES NO. 2, according to the official plat thereof;

Thence S00°00'00"E, 45.75 feet, more or less, along the southwesterly boundary of said WARM SPRINGS TOWNSHIP COMMUNITIES NO. 2 to a point on the southerly boundary of said Sec. 12;

Thence S00°00'00"E, 100.66 feet, more or less, along said southerly boundary of Sec. 12 to the True Point of Beginning.

That said parcel is a portion of a remnant parcel that was previously owned by AS MAGNOLIA HOLDINGS, Inc. and Blaine County, Idaho, that certain Warranty Deed recorded March 21, 2003 as Instrument No. 400046, records of Blaine County, Idaho.

Continuation of Schedule A - Legal Description
Order Number: 03011624

69.09 feet along said Southerly boundary of the PERN TREE WEST SUBDIVISION; thence N. 84°35'49" E., 131.28 feet along the Southerly boundary of the ROCKVIEW SUBDIVISION, according to the official plat thereof on file with the Blaine County Recorder in Hailey, Idaho; thence S. 06°28'11" E., 19.22 feet along the Southerly boundary of said ROCKVIEW SUBDIVISION; thence S. 88°21'58" E., 65.30 feet along the Southerly boundary of said ROCKVIEW SUBDIVISION; thence N. 87°22'22" E., 63.82 feet along the Southerly boundary of Tax Lot 4102; thence S. 02°03'03" W., 10.00 feet along the Westerly boundary of Tax Lot 5765; thence S. 84°33'52" E., 81.76 feet along the Southerly boundary of Tax Lot 5765; thence S. 79°49'03" E., 22.19 feet to the Southwest corner of that parcel of land recorded as Instrument No. 148900; thence S. 77°51'39" E., 14.00 feet along the Southerly boundary of said parcel; thence S. 77°51'39" E., 39.39 feet along the Southerly boundary of that parcel of land recorded as Instrument No. 222504 to the Easterly boundary of said Section 11; thence S. 00°31'53" W., 571.56 feet along said Easterly boundary to the TRUE POINT OF BEGINNING.
(Tax Lot 7643)

PARCEL 8

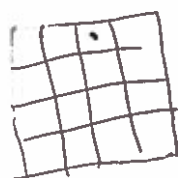
A parcel of land within the SE1/4SE1/4 of Section 11, Township 4 North, Range 17 East, Boise Meridian, Ketchum, Blaine County, Idaho and more particularly described as follows:

Commencing at a brass cap marking the East Quarter Corner of said Section 11; thence S02°47'00"W, 1318.87 feet to the northeast corner of Sun River Condominium and the TRUE POINT OF BEGINNING; thence S74°02'46"E, 46.11 feet along the southerly boundary of Bald Mountain Road to a northwesterly corner of Tax Lot No. 6312; thence following the westerly boundary of Tax Lot No. 6312 a distance of 42.26 feet along a curve to the left with a central angle of 105°16'10", a radius of 23.00 feet and a long chord of 36.56 feet that bears S16°15'18"W; thence S00°59'08"W, 49.95 feet along the westerly boundary of Tax Lot No. 6312 to the southwest corner of Tax Lot No. 6312; thence N76°59'06"W, 35.64 feet along the northerly boundary of the Warm Springs Golf Course property to the southeast corner of Sun River Condominium; thence N15°10'07"E, 79.03 feet along the east boundary of Sun River Condominium to the TRUE POINT OF BEGINNING. (TL 7776)



Title:		Date: 12-29-2004
Scale: 1 inch = 2000 feet	File: simpson1.des	
Tract 1: 18.359 Acres: 799718 Sq Feet: Closure = s73.1111e 1.30 Feet: Precision = 1/2961: Perimeter = 3843 Feet		
001=n89.3723w 660.46	011=s40.5400e 60.10	021=s23.1616e 49.10
002=s89.3723w 664.71	012=s31.0109e 87.55	022=s30.1213e 45.25
003=s89.3723w 664.71	013=s12.5325e 202.98	023=s31.2918e 31.73
004=n00.5845e 1329.70	014=s12.0043w 34.06	024=s17.0810e 36.19
005=n89.2500e 107.46	015=s19.5148w 21.70	025=s02.4217e 32
006=s33.5700e 104.35	016=s10.5024w 22.88	026=s17.1932w 24.42
007=s50.5700e 180	017=s02.3016w 90.75	027=s22.5600w 27.91
008=s45.3211e 240.	018=s36.4125e 7.24	028=s00.3803e 20.18
009=s45.4000e 142.60	019=s06.0643w 38.05	029=s89.3723w 143.94
010=s43.4500e 61	020=s05.1250e 37.44	

Parcel 1
ord 0311624



04N17E
Sec 13
NENW

37-11886
37-4436
37-12972

GM
LLC
Howard
Goodman



Title:		Date: 12-29-2004
Scale: 1 inch = 2000 feet	File:	
Tract 1: 3.585 Acres: 156155 Sq Feet: Closure = n70.0845w 0.01 Feet: Precision = 1/439083: Perimeter = 2785 Feet		
001=s/12.04n,17e	008=s77.3430e 192.53	015=n47.4544w 95.15
002=s/00.3153w 2668.94	009: Rt, R=3205.76, Arc=478.19, Delta=8.3248 Bng=s71.3450e, Chd=s77.75	016=n72.3347w 177.43
003=n07.5441e 968.69	010=s67.1826e 234.29	017=s14.0846w 223.19
004=n52.3021e 14.14	011: Lt, R=613.43, Arc=253.89, Delta=23.4249 Bng=n88.1227w, Chd=252.08	018=n56.1108w 178.35
005=n07.3021e 104.21	012=s79.5608w 15.60	019=n78.0126w 101.20
006=n14.2229w 40.00	013=s88.4236w 150.	020=n88.4201w 148.87
007=n76.1131e 276.40	014=n39.4117w 51.99	

Parcel 2

order 0311 G 24

Simpson family -

San Valley

Parcel 2
Wann Spring

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: A37-00212A
Date Received: 10/21/1988
Receipt No: S003125
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: SIMPSON FAMILY LIMITED PARTNERSHIP 208-726-3249
Address: BOX 336
KETCHUM ID 83340

2. Date of Priority: JUN 23, 1888

3. Source: WARM SPRINGS CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	17E	11		SW	SE		BLAINE

5. Description of diverting works:
WING WALL, PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	11/01	2.800		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	17E	11	SW	SE		IRR	8.0
			SE	SE		IRR	11.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	19.0
		12	SW	SW	IRR	5.0
					Section Acres	5.0
					Total Acres	24.0

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:
A37-02621

14. Remarks:
WATER USED FOR WARM SPRINGS GOLF COURSE. 3.28 TOTAL CFS USED
FOR THE 24 ACRES FROM THIS DECREE AND THE LICENSE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs Decree Defendant

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: A37-00212A
Date Received: 10/21/1988
Receipt No: S003125
Received By: W

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SIMPSON FAMILY LIMITED PARTNERSHIP 208-726-3249
Address: BOX 336
KETCHUM, ID 83340

2. Date of Priority: JUN 23, 1888

3. Source: WARM SPRINGS CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	17E	11	SW	SE			BLAINE

5. Description of diverting works:
WING WALL, PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	11/01	2.800		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	17E	11	SW	SE		IRR	8.0
			SE	SE		IRR	11.0
Section Acres							19.0

COPY

MICROFILMED
FEB 22 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	17E	12	SW	SW		IRR	5.0
Section Acres							5.0
Total Acres							24.0

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:
A37-02621

14. Remarks:
WATER USED FOR WARM SPRINGS GOLF COURSE. 3.28 TOTAL CFS USED
FOR THE 24 ACRES FROM THIS DECREE AND THE LICENSE.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

Decree Plaintiff

vs

Decree Defendant

COPY

MICROFILMED
FEB 22 1993

(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.

MICROFILMED
FEB 22 1993

status Conference

3-3-2010

37- 212A et al Helios 2621 4337 18885 etc

update Laoki & Barker talked. need
to write up an agreement/Resolution.

Barker - issue = measurement monitoring.
going to withdraw from separate streams agreement.
new. April 7. status Conf.

10/29/2009

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

RIGHT NUMBER: 37-212A

NAME AND ADDRESS: HELIOS DEVELOPMENT LLC
C/O EDWARD A LAWSON
PO BOX 3310
KETCHUM ID 83340

VERIFIED BY

KKC
10-29-09

SOURCE: WARM SPRINGS CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 1.120 CFS

The rights listed below are limited to a total combined diversion rate of 1.12 cfs. Combined Right Nos.: 37-212A, 37-2621 and 37-20381.

PRIORITY DATE: 06/23/1888

POINT OF
DIVERSION:

T04N R17E S11 NWSESE Within BLAINE County
T04N R17E S12 NWSWSW 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	1.120 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T04N R17E S11	SWSE	4.30	T04N R17E S11	SESE	16.00
T04N R17E S12	SWSW	7.60			

27.9 ACRES TOTAL

Place of use does not include federal public lands.

Right Nos. 37-212A, 37-2621 and 37-20381 are limited to the irrigation of a combined total of 27.9 acres in a single irrigation season.

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

Property is also known as Homestead Entry Survey No. 292.

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

10/29/2009

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

RIGHT NUMBER: 37-212A

NAME AND ADDRESS: HELIOS DEVELOPMENT LLC
C/O EDWARD A LAWSON
PO BOX 3310
KETCHUM ID 83340

SOURCE: WARM SPRINGS CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 1.120 CFS

The rights listed below are limited to a total combined diversion rate of 1.12 cfs. Combined Right Nos.: 37-212A, 37-2621 and 37-20381.

A measuring device of a type acceptable to the Department shall be installed to measure the amount of water discharged back into Warm Springs Creek at TWP 4N, RNG 17E Sec 12 SESWSW

PRIORITY DATE: 06/23/1888

POINT OF
DIVERSION:

T04N R17E S11 NWSESE Within BLAINE County

T04N R17E S12 NWSWSW 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	1.120 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T04N R17E S11	SWSE	4.30	T04N R17E S11	SESE	16.00
T04N R17E S12	SWSW	7.60			

27.9 ACRES TOTAL

Place of use does not include federal public lands.

Right Nos. 37-212A, 37-2621 and 37-20381 are limited to the irrigation of a combined total of 27.9 acres in a single irrigation season.

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

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

10/29/2009

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

RIGHT NUMBER: 37-212A

NAME AND ADDRESS: HELIOS DEVELOPMENT LLC
C/O EDWARD A LAWSON
PO BOX 3310
KETCHUM ID 83340

SF-5

VERIFIED BY: KKC
3-18-10

SOURCE: WARM SPRINGS CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 1.120 CFS

The rights listed below are limited to a total combined diversion rate of 1.12 cfs. Combined Right Nos.: 37-212A, 37-2621 and 37-20381.

A measuring device of a type acceptable to the Department shall be installed to measure the amount of water discharged back into Warm Springs Creek at TWP 4N, RNG 17E Sec 12 SESWSW

PRIORITY DATE: 06/23/1888

POINT OF
DIVERSION:

T04N R17E S11 NWSESE Within BLAINE County
T04N R17E S12 NWSWSW 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	1.120 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T04N R17E S11	SWSE	4.30	T04N R17E S11	SESE	16.00
T04N R17E S12	SWSW	7.60			

27.9 ACRES TOTAL

Place of use does not include federal public lands.

Right Nos. 37-212A, 37-2621 and 37-20381 are limited to the irrigation of a combined total of 27.9 acres in a single irrigation season.

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

Property is also known as Homestead Entry Survey No. 292.

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

10/23/2009

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

RIGHT NUMBER: 37-212A

NAME AND ADDRESS: HELIOS DEVELOPMENT LLC
C/O EDWARD A LAWSON
PO BOX 3310
KETCHUM ID 83340

SOURCE: WARM SPRINGS CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 1.120 CFS

The rights listed below are limited to a total combined diversion rate of 1.12 cfs. Combined Right Nos.: 37-212A, 37-2621 and 37-20381.

PRIORITY DATE: 06/23/1888

POINT OF
DIVERSION:

T04N R17E S11 NWSWSW Within BLAINE County

T04N R17E S11 NWSESE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

1.120 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T04N R17E S11

SWSE

4.30

T04N R17E S11

SESE

16.00

T04N R17E S12

SWSW

7.60

27.9 ACRES TOTAL

Place of use does not include federal public lands.

Right Nos. 37-212A, 37-2621 and 37-20381 are limited to the irrigation of a combined total of 27.9 acres in a single irrigation season.

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

Property is also known as Homestead Entry Survey No. 292.

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

Christensen, Kelly

From: Bromley, Chris
Sent: Monday, September 14, 2009 9:27 AM
To: Christensen, Kelly
Subject: FW: 37-4337 (Helios)

Kelly,

In the next couple of weeks, will you please pass along the Helios recs to Laski? He's going to work on getting you an amended claim in 37-4337.

Thanks,

Chris

From: Jim Laski [mailto:jrl@lawsonlaski.com]
Sent: Monday, September 14, 2009 9:17 AM
To: Bromley, Chris
Subject: RE: 37-4337 (Helios)

I think we would like another look – last time around we had some issue re the flow limitations and how/why Kelly came up with them – we may owe Kelly our comments on those. I'll also take a look at 4337 and see what we need to do.

Thanks

Jim

James R. Laski
Lawson Laski Clark & Pogue, PLLC
675 Sun Valley Road, Suite A
PO Box 3310
Ketchum, ID 83340
208-725-0055
208-725-0076 fax

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From: Bromley, Chris [mailto:Chris.Bromley@idwr.idaho.gov]
Sent: Friday, September 11, 2009 9:40 AM
To: Jim Laski
Subject: 37-4337 (Helios)

9/21/2009

Jim,

Kelly confirmed that he hasn't received an amended claim for this one. If you could get us an amended claim, then we could get the updates made to the Director's report. Kelly's done some work on it in anticipation that an amended claim would be filed.

Would you like to have another look at the draft ADRs before we finalize at the end of October?

Thanks,

Chris

9/21/2009

Christensen, Kelly

From: Christensen, Kelly
Sent: Friday, July 24, 2009 9:20 AM
To: 'Jim Laski'; Bromley, Chris; Kelly, Vicki
Subject: 37-212A Helios

Attachments: 37-212A HELIOS July 2009 proposed recom.doc

After receiving your last e-mail I have been in communication with the State office and this is what we have come up with.

37-212 was decreed to 6 40-acre tracts at 5.60 cfs which gives a duty of water of 0.023 cfs/acre.

The irrigation application method has been sprinkler irrigation for approximately 40 to 50 years and normally the department will recognize only up to one inch per acre for a sprinkler system.

The remarks included in the license for 37-2621 states ".48 CFS IS TO BE SUPPLEMENTAL OR IN LIEU OF DECREED RIGHTS. THE TOTAL FROM ALL SOURCES NOT TO EXCEED 1 MINERS INCH PER ACRE.

The consensus is that we could recognize the golf course irrigation on a 24 hour basis, do away with the daily volume limitation and recognize the historic decreed duty of water even though it exceeds the limitations placed on it through 37-2621. $24.7 \text{ ac} * 0.023 = 0.568$ or rounded to 0.57 cfs.

Therefore the proposal for 37-212A would be structured as the attachment and the other associated rights modified to reflect the modifications to this right.

It is our hope to be able to submit an ADR by the end of the month so please reply with any additional comments so that we will have time to consider them prior to finalizing our report.

Thanks.



37-212A HELIOS
July 2009 prop...

Kelly K Christensen
Sr Water Resource Agt
Boise, Western Region
(208)-334-2190

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-212A

WATER RIGHT NUMBER: 37-212A

Owner Type Name and Address
Current Owner HELIOS DEVELOPMENT LLC
C/O EDWARD A LAWSON
PO BOX 3310
KETCHUM, ID 83340
(208)725-0055

*7-24-09 9:20AM
email attachment*

Priority Date: 06/23/1888

Basis: Decreed

Status: Active

Source Tributary
WARM SPRINGS 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	0.57 CFS	
	<u>Total Diversion:</u>	0.57 CFS	

Location of Point(s) of Diversion

WARM SPRINGS CREEK NW1/4SE1/4SE1/4 Sec. 11, Twp 04N, Rge 17E, B.M.
BLAINE County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	17E	11															4.3	16.0	20.3
04N	17E	12											4.4						4.4

Total Acres: 24.7

Conditions of Approval:

1. *should be deleted* The rights listed below are limited to a total combined diversion rate of 1.48 cfs.
Combined Right Nos.: 37-212A, 37-2621 and 37-20381.
2. E52 The rights listed below are limited to a total combined diversion rate of 0.57 cfs.
Combined Right Nos.: 37-212A, 37-2621 and 37-20381.
3. J02 Property is also known as Homestead Entry Survey No. 292.
4. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
5. U42 Place of use does not include federal public lands.
6. E55 Right Nos. 37-212A, 37-2621 and 37-20381 are limited to the irrigation of a combined total of 27.9 acres in a single irrigation season.

Water Supply Bank:

Christensen, Kelly

From: Christensen, Kelly
Sent: Thursday, July 23, 2009 2:34 PM
To: 'Jim Laski'
Cc: Bromley, Chris; Kelly, Vicki
Subject: RE: Helios Water -- revised recommendations

What is the normal irrigation practice for this golf course? I was on the understanding that the irrigation only occurred after golfing hours and that normally equates to approximately 8 hours which is a non-binding standard applied to golf courses. If the irrigation practices for this golf course are different, then those practices would be considered in any analysis.

Kelly

From: Jim Laski [mailto:jrl@lawsonlaski.com]
Sent: Thursday, July 23, 2009 2:26 PM
To: Bromley, Chris
Cc: Christensen, Kelly; Kelly, Vicki
Subject: RE: Helios Water -- revised recommendations

Chris -- do you have any support for the proposition that golf course irrigation is always limited to 8 hours??? This seems awfully arbitrary to me.

Let me know

Jim

James R. Laski
Lawson Laski Clark & Pogue, PLLC
675 Sun Valley Road, Suite A
PO Box 3310
Ketchum, ID 83340
208-725-0055
208-725-0076 fax

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From: Bromley, Chris [mailto:Chris.Bromley@idwr.idaho.gov]
Sent: Tuesday, July 21, 2009 8:38 AM
To: Jim Laski
Cc: Christensen, Kelly; Kelly, Vicki

9/21/2009

Christensen, Kelly

From: Christensen, Kelly
Sent: Tuesday, July 21, 2009 12:48 PM
To: Bromley, Chris; Kelly, Vicki
Subject: RE: Helios Water -- revised recommendations

37-11885 has been updated to show a total diversion rate of 0.06 cfs

37-212A -- The original decree lists the POU as 40-acre tracts not a Homestead entry or other similar parcel. The right was decreed to 6 40-acre tracts and the golf course falls within 3 of those tracts and the found acreage is 24.7 acres. Thus $5.60 \text{ cfs} / 240 \text{ acres} = 0.023 \text{ cfs/acre}$ which is based upon gross acreage. Approximately 26 acres within the 6 tracts are Forest Service property. I suppose an argument could be made for greater than 1 in per acre but arguing that 1/2 of the decreed right is appurtenant to the 24.7 acres is a bit of a reach. I would view it as an unrecorded transfer consolidating the rate for approximately 120 acres down to 24.7 acres. Which considering a sprinkler irrigation system it would be hard to justify more than 1 in per acre.

As a side note, when 37-2621 was licensed, it included the following language 1. .48 CFS IS TO BE SUPPLEMENTAL OR IN LIEU OF DECREED RIGHTS. THE TOTAL FROM ALL SOURCES NOT TO EXCEED 1 MINERS INCH PER ACRE. Thus there already is prescient for limiting 37-212A to 1 inch per acre.

In an effort to keep the remarks section uncluttered I did not include a combined remark limiting 37-212A and 37-2612 to the 24.7 acres. In an effort to clarify the 1 af per day limit maybe I will have to add another combined POU remark for 37-212A and 37-2621. I tried to limp though with the following remark although I really don't like it. Maybe I should just delete it as allocations has historically ignored the last portion of adj memo 44 and Application processing memo 60 where it states that a condition limiting the daily volume of water diverted must be included.

Modified combined volume limit language. 1. Use of the rights listed below is limited to a total combined daily volume of 1 af per day when associated with the place of use for rights 37-212A and 37-2621. Combined rights 37-212A, 37-2621, and 37-20381 The remark to be added to all 3 rights.

Please look this over and comment, I would like to think that something like this would finally resolve the last issues but I suspect that it will just cause things to blow up completely.

kkc

From: Bromley, Chris
Sent: Tuesday, July 21, 2009 8:38 AM
To: 'Jim Laski'
Cc: Christensen, Kelly; Kelly, Vicki
Subject: RE: Helios Water -- revised recommendations

Jim,

See my comments below in blue. I've cc'd Kelly and Vicki.

Thanks,

Chris

From: Jim Laski [mailto:jrl@lawsonlaski.com]
Sent: Friday, July 17, 2009 8:47 AM
To: Bromley, Chris
Subject: Helios Water -- revised recommendations

9/21/2009

Hi Chris –

Per our conversation of yesterday morning, below is a summary of our comments and concerns with respect to the draft recommendations on the Helios water rights:

37-212A: This is a decreed right, ½ of Decree 212 which allowed 280 inches with a June 23, 1888 priority – thus the claim was 2.8 cfs, based on the decree

- New recommendation is 24.7 acres which appears to be OK so long as the combined total is 27.9 acres;

Kelly says he has this on his draft. We may have a mix up with what you received and what Kelly has. I'll pass along the rec with the combined use language.

- The quantity was reduced to 1.48 cfs which is not acceptable particularly in light of the total combined daily volume limitation of 1 AF per day (which is not a typical condition on an irrigation right). The effect of this limitation is to limit irrigation to 8 hrs a day (at 1.48 cfs) for which there is no basis. Stated otherwise, there is a proposed reduction from historic ability to use 2.8 cfs to irrigate 24 hours a day to a new ability to use only .5 cfs to irrigate over 24 hrs a day. This is unprecedented and will not work.

This is standard for golf courses. Golf courses can't irrigate during the daytime hours, so we recognize the ability to irrigate during the evening.

37-2621: - This water right recommendation is missing a source – should be spring / warm spring creek trib to big wood river

- This also contains the combined quantity limitation language referenced above to which we object
- Place of use is 24.7 acres, but there is a condition limiting use to 24 of the 24.7 acres. I think this is an error, should be 24.7 of 24.7 acres

On source, Kelly will get that fixed.

On acres, 24 acres is what it was licensed for, so that's the extent to which we can recommend.

37-4337: was claimed for fish propagation

- Is recommended for aesthetic – which is fine so long as this does not preclude the use for commercial rearing of fish to sell at a restaurant – can we include a condition or comment that states this???
- For some reason, the quantity is reduced from 6 cfs over the summer down to 2 cfs from October through April. Is there any basis or authority for such reduction? If so, please let us know.

The reduction is based on watermaster records. The records show that by September, the diversion rate drops to 2 cfs.

Here's a possible explanatory remark:

"Aesthetic use under this right recognizes the historic practice of patrons catching fish from the ponds established under this right for consumption at the restaurant."

37-11885: ground water

- The right is recommended for .04 cfs for commercial use and .02 for irrigation, but the combined quantity is limited to .04 cfs. Shouldn't this be .06 cfs??

Kelly will increase the combined use to .06.

37-20381: - This water comes from the the Rockwell Bypass right referred to in the explanation as 37-833. As such It should contain language in the conditions referencing Rockwell .v Coffin – see for example water

right number 37-833F:

Kelly has these conditions in the most recent version of the rec.

Pursuant to a call in times of scarcity, this right is senior to all other rights that did not result from saved water in the Rockwell By-Pass, as established by and subject to the provisions included within the Rockwell vs. Coffin decree issued on 29 July, 1949.

Rockwell By-Pass owners must maintain the by-pass for the entire length of the by-pass capable of carrying 17.36 cfs of water during the irrigation season.

The saved water shall be made available to the Rockwell By-Pass saved water right holders any time the Rockwell By-Pass is being used to deliver water to Broadford Slough right holders. The Rockwell saved water rights shall be curtailed when calls for senior water rights from the Broadford Slough cannot be delivered

- This also contains the combined daily volume limitations referenced above to which we object.

This is a golf course right and should look the same as -212A. It can go 24/7 diversion rate north of Warm Springs. Kelly will look at the remarks to make sure that can be done.

If you have any questions regarding the forgoing, please give me a call to discuss. Obviously we would like to sort out as many issues as possible prior to the formal recommendation so that we might obviate the need for objections.

Thanks for your assistance on this.
Jim

James R. Laski
Lawson Laski Clark & Pogue, PLLC
675 Sun Valley Road, Suite A
PO Box 3310
Ketchum, ID 83340
208-725-0055
208-725-0076 fax

IRS Circular 230 Notice: To ensure compliance with requirements imposed by the U.S. Internal Revenue Service, we inform you that any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, by any taxpayer for the purpose of (1) avoiding tax-related penalties under the U.S. Internal Revenue Code, or (2) promoting, marketing or recommending to another party any tax-related matters addressed herein.

Confidentiality Notice: The information in this e-mail (including attachments, if any) is considered confidential and is intended only for the recipient(s) listed above. Any review, use, disclosure, distribution or copying of this e-mail is prohibited except by or on behalf of the intended recipient. If you have received this email in error, please notify me immediately by reply email, delete this email, and do not disclose its contents to anyone. Thank you.

9/21/2009

Christensen, Kelly

From: Christensen, Kelly
Sent: Tuesday, June 30, 2009 10:05 AM
To: 'Albert Barker'; hobdeycraig@hotmail.com; 'jimspeck@cox-internet.com'; sspencer@fs.fed.us; 'David.Negri@usdoj.gov'; 'jrl@lawsonlaski.com'
Cc: Kelly, Vicki; Bromley, Chris
Subject: Preliminary Amended Director's report for 37-212A, 37-2621, and 37-20381 Helios
Attachments: 37-20831 Helios V2 Layout.doc; 37-20381 HELIOS V2 ADR.doc; 37-212A 2621 Helios V2 Layout.doc; 37-2621 HELIOS V2 ADR.doc; 37-212A HELIOS V2 ADR.doc

Attached are the recommendations for the rights associated with the golf course and the grounds around the restaurant. The remaining 2 rights for the restaurant and storage ponds will follow in a second e-mail. Please note that there is a quantity remark limiting the combined rights to 1 af per day. This remark is associated with the golf course irrigation practice of irrigating 8 hours per day in the off hours at 3 inches per acre. This would effectively be 1 inch per acre if recognized over a 24 hour period. Neither 37-212A or 37-2621 is being recommended for irrigation of ground north of Warm Springs Creek.



37-20831 Helios V2 Layout.doc ... 37-20381 HELIOS V2 ADR.doc (29...

VERIFIED BY 



37-212A 2621 Helios V2 Layout.... 37-2621 HELIOS V2 ADR.doc (28 ... 37-212A HELIOS V2 ADR.doc (28 ...

Kelly K Christensen
Sr Water Resource Agt
Boise, Western Region
(208)-334-2190

Christensen, Kelly

From: Christensen, Kelly
Sent: Tuesday, June 30, 2009 10:18 AM
To: 'Albert Barker'; 'hobdeycraig@hotmail.com'; 'jimspeck@cox-internet.com'; 'sspencer@fs.fed.us'; 'David.Negri@usdoj.gov'; 'jrl@lawsonlaski.com'
Cc: Kelly, Vicki; Bromley, Chris
Subject: Preliminary Amended Director's report for 37-4337, and 37-11885 Helios
Attachments: 37-11885 HELIOS V2 ADR.doc; 37-11885 Helios V2 Layout.doc; 37-4337 HELIOS V2 ADR.doc; 37-4337 Helios V2 layout.doc

Attached are the Amended Director's Report for the storage ponds and the restaurant uses. The diversion rate for the ponds is based upon historic delivery records received from the watermaster for this area. The recommendation for 37-4337 was changed from fish propagation to aesthetics as the department did not consider stocking approximately 100 trout for restaurant patron fishing as falling within the fish propagation use. The storage components were included in the recommendation to better describe the historic and current use.



37-11885 HELIOS V2 ADR.doc (27... 37-11885 Helios V2 Layout.doc ... 37-4337 HELIOS V2 ADR.doc (27 ... 37-4337 Helios V2 layout.doc (...)

Absent any comments I expect to submit the ADR reports for all 5 rights by July 17, 2009.

Kelly K Christensen
Sr Water Resource Agt
Boise, Western Region
(208)-334-2190

VERIFIED BY 

06/30/2009

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

RIGHT NUMBER: 37-4337

NAME AND ADDRESS: HELIOS DEVELOPMENT LLC
C/O EDWARD A LAWSON
PO BOX 3310
KETCHUM ID 83340

VERIFIED BY KKC
6-30-09
Prelim ADR

SOURCE: WARM SPRINGS CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 6.000 CFS

PRIORITY DATE: 01/01/1952

POINT OF
DIVERSION:

T04N R17E S12 NWSWSW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
AESTHETIC	05/01 09/30	6.000 CFS
	10/01 04/30	2.000 CFS
DIVERSION TO STORAGE	01/01 12/31	1.36 AFY
AESTHETIC STORAGE	01/01 12/31	1.36 AFY

PLACE OF USE: AESTHETIC in BLAINE County

T04N R17E S12 SWSW

AESTHETIC STORAGE in BLAINE County

T04N R17E S12 SWSW

DIVERSION TO STORAGE in BLAINE County

T04N R17E S12 SWSW

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 - Beneficial Use

06/30/2009

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

RIGHT NUMBER: 37-212A

NAME AND ADDRESS: HELIOS DEVELOPMENT LLC
C/O EDWARD A LAWSON
PO BOX 3310
KETCHUM ID 83340

VERIFIED BY KKC
6-30-09
Preliminary ADR

SOURCE: WARM SPRINGS CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 1.480 CFS

Use of the rights listed below is limited to a total combined daily volume of 1 af per day. Combined rights 37-212A, 37-2621, and 37-20381.

The rights listed below are limited to a total combined diversion rate of 1.48 cfs. Combined Right Nos.: 37-212A, 37-2621 and 37-20381.

PRIORITY DATE: 06/23/1888

POINT OF
DIVERSION:

T04N R17E S11 NWSESE 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	1.480 CFS
PLACE OF USE:	<u>IRRIGATION in BLAINE County</u>		
	T04N R17E S11 SWSE 4.30	T04N R17E S11 SESE	16.00
	T04N R17E S12 SWSW 4.40		

24.7 ACRES TOTAL

Place of use does not include federal public lands.

Right Nos. 37-212A, 37-2621 and 37-20381 are limited to the irrigation of a combined total of 27.9 acres in a single irrigation season.

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

Property is also known as Homestead Entry Survey No. 292.

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

06/30/2009

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

RIGHT NUMBER: 37-2621

NAME AND ADDRESS: HELIOS DEVELOPMENT LLC
C/O EDWARD A LAWSON
PO BOX 3310
KETCHUM ID 83340

VERIFIED BY: AKC
6-30-09
Preliminary ADR

SOURCE:

QUANTITY: 0.480 CFS

Use of the rights listed below is limited to a total combined daily volume of 1 af per day. Combined rights 37-212A, 37-2621, and 37-20381.

The rights listed below are limited to a total combined diversion rate of 1.48 cfs. Combined Right Nos.: 37-212A, 37-2621 and 37-20381.

PRIORITY DATE: 08/06/1959

POINT OF
DIVERSION:

T04N R17E S12 SWSW Injection Within BLAINE County
T04N R17E S12 SWSW Rediversion Within BLAINE County
T04N R17E S12 SWSW Rediversion 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	0.480 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T04N R17E S11	SWSE	4.30	T04N R17E S11	SESE	16.00
T04N R17E S12	SWSW	4.40			

24.7 ACRES TOTAL

Place of use does not include federal public lands.

This right is limited to the irrigation of 24 acres within the place of use described above in a single irrigation season.

Right Nos. 37-212A, 37-2621 and 37-20381 are limited to the irrigation of a combined total of 27.9 acres in a single irrigation season.

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

Property is also known as Homestead Entry Survey No. 292.

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 - License

06/30/2009

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

RIGHT NUMBER: 37-20381

NAME AND ADDRESS: HELIOS DEVELOPMENT LLC
C/O EDWARD A LAWSON
PO BOX 3310
KETCHUM ID 83340

VERIFIED BY

KKC
6-30-09
Preliminary ADR

SOURCE: WARM SPRINGS CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 0.500 CFS

Use of the rights listed below is limited to a total combined daily volume of 1 af per day. Combined rights 37-212A, 37-2621, and 37-20381.

Right Nos. 37-212A, 37-2621 and 37-20381 are limited to a total combined diversion rate of 1.48 cfs.

PRIORITY DATE: 11/12/1936

POINT OF
DIVERSION:

T04N R17E S11 NWSESE Within BLAINE County
T04N R17E S12 NWSWSW 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	0.500 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T04N R17E S11	SWSE	4.30	T04N R17E S11	SESE	16.00
T04N R17E S12	SWSW	7.60			

27.9 ACRES TOTAL

Place of use does not include federal public lands.

Right Nos. 37-212A, 37-2621 and 37-20381 are limited to the irrigation of a combined total of 27.9 acres in a single irrigation season.

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.

Property is also known as Homestead Entry Survey No. 292.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This claim is based upon a portion of 37-833. This claim also identifies a change of source from the Big Wood River to Warm Springs Creek, a tributary of the Big Wood .

Right includes accomplished change in source pursuant to Section 42-1425, Idaho Code.

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

06/30/2009

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

RIGHT NUMBER: 37-11885

NAME AND ADDRESS: HELIOS DEVELOPMENT LLC
C/O EDWARD A LAWSON
PO BOX 3310
KETCHUM ID 83340

VERIFIED BY

KKC

6-30-09

Preliminary ADR

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

PRIORITY DATE: 10/01/1961

POINT OF
DIVERSION:

T04N R17E S12 NESWSW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	01/01 12/31	0.040 CFS
		3.00 AFY
IRRIGATION	04/15 10/31	0.020 CFS
		1.80 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T04N R17E S12 SWSW 0.50

COMMERCIAL in BLAINE County

T04N R17E S12 SWSW

0.5 ACRES TOTAL

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 - Beneficial Use

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)
_____)

A. Subcase 37-212A

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Helios Development LLC c/o: Stan Castleton

Address: P.O. Box 4151 Park City, UT 84060

Daytime Phone: 435-655-3288

Name & Address of Attorney, if any:

Edward Lawson

Lawson and Laski PLLC

P.O. Box 3310

Ketchum, ID 83340

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Helios Development LLC c/o: Stan Castleton

Address: P.O. Box 4151 Park City, UT 84060

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: 36.2 acres, instead of 24.0 acres as was recommended.
10. ☐ **I object because:**
☐ This water right Should not exist.

☐ This water right was not recommended, but Should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTIONS(S):** Historically, a higher amount of acres were irrigated at the place of use than the acres recommended for irrigation.

LAWSON & LASKI, PLLC
ATTORNEYS AT LAW

RECEIVED

NOV 16 2007
675 SUN VALLEY ROAD, SUITE A
DEPT. OF AGRICULTURE, BOX 3310
WATER RIGHTS DIVISION, 83340
TELEPHONE: 208-725-0055
FACSIMILE: 208-725-0076
WWW.LAWSONLASKI.COM

November 13, 2007

Via Federal Express

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
Post Office Box 2707
Twin Falls, Idaho 83303-2707

Re: *Water rights: 37-212A, 37-20381, 37-11883, 37-11885*
Our File No.: 10612-001

Dear Sir/Madam:

Enclosed for filing in the above captioned matter is a Motion to File an Amended Notice of Claim including amended Notice of Claim to a Water Right for each of the referenced Subcases. Additionally enclosed are four checks in the amount of \$50.00. Please file the enclosed Motions and return a file-marked copy to me in the stamped self-addressed envelope enclosed for that purpose. Thank you in advance for your assistance.

Sincerely,

LAWSON & LASKI, PLLC



Brooke A. Hartmann

Cc (w/encl): Client
IDWR Document Depository ✓
US Department of Justice
Environment & Nat'l Resources Division
Chief, Natural Resources Division
Office of the Attorney General
Dr. Charles E. Brockway

RECEIVED

NOV 16 2007

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

In Re SRBA

Case 39576

) Subcase 37-212A
)
) (Insert water right number)

) STANDARD FORM 4
)
)

) MOTION TO FILE:
)

) ☐ LATE NOTICE OF CLAIM
)

) ☒ AMENDED NOTICE OF CLAIM
)

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late or amended Notice of Claim.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

☒ I have read **SRBA Administrative Order 1, Rules of Procedure** (amended Sept. 30, 1996).

My name is _____

My address is _____

My phone number is: Work _____ Home _____

I am an attorney representing Helios Development LLC

My name is Edward A. Lawson, Brooke A. Hartmann

My address is 1675 Sun Valley Road, Suite A
Post Office Box 3310 Ketchum, ID 83340

My phone number is 208-725-0055

MOTION TO FILE A LATE NOTICE OF CLAIM

A *Motion to File a Late Notice of Claim* will require a hearing before the Presiding Judge.

☐ I did not file a Notice of claim to the use of water in the SRBA because:

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☐ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

I have attached:

- ☐ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.
- ☐ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on _____
(Insert Date and Time)
at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A *Motion to File an Amended Notice of Claim* may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

- ☒ I must amend my Notice of Claim to the use of water in the SRBA because:

Actual total acreage of irrigated area is
36.2 acres as opposed to 24 acres.

- ☒ I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

An Aerial Irrigation Determination Map of the Land
owned by Helios Development LLC

I have attached:

- ☒ An amended Notice of Claim (available from IDWR).

- ☐ Payment of the following additional fees required by IDWR:

no additional fees are required.
see attached amended Notice of Claim

VERIFICATION (Must be completed)

State of Idaho

County of Blaine

Edwarr A. Lawson, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

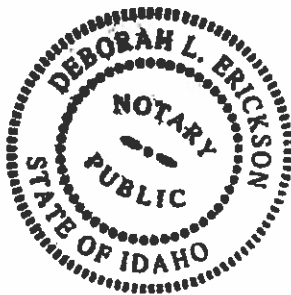
That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Signature of person filing motion

Edwarr A. Lawson

Attorney signing in representative capacity

Subscribed and sworn to before me on November 13, 2007
(Insert Date)



Deborah Erickson
Notary Public for Idaho
Residing at: Hailey, ID
My Commission expires: 10-09-10

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on November 13th, 199²⁰⁰⁷, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid 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:

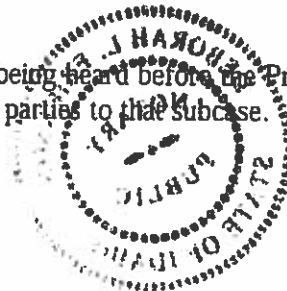
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

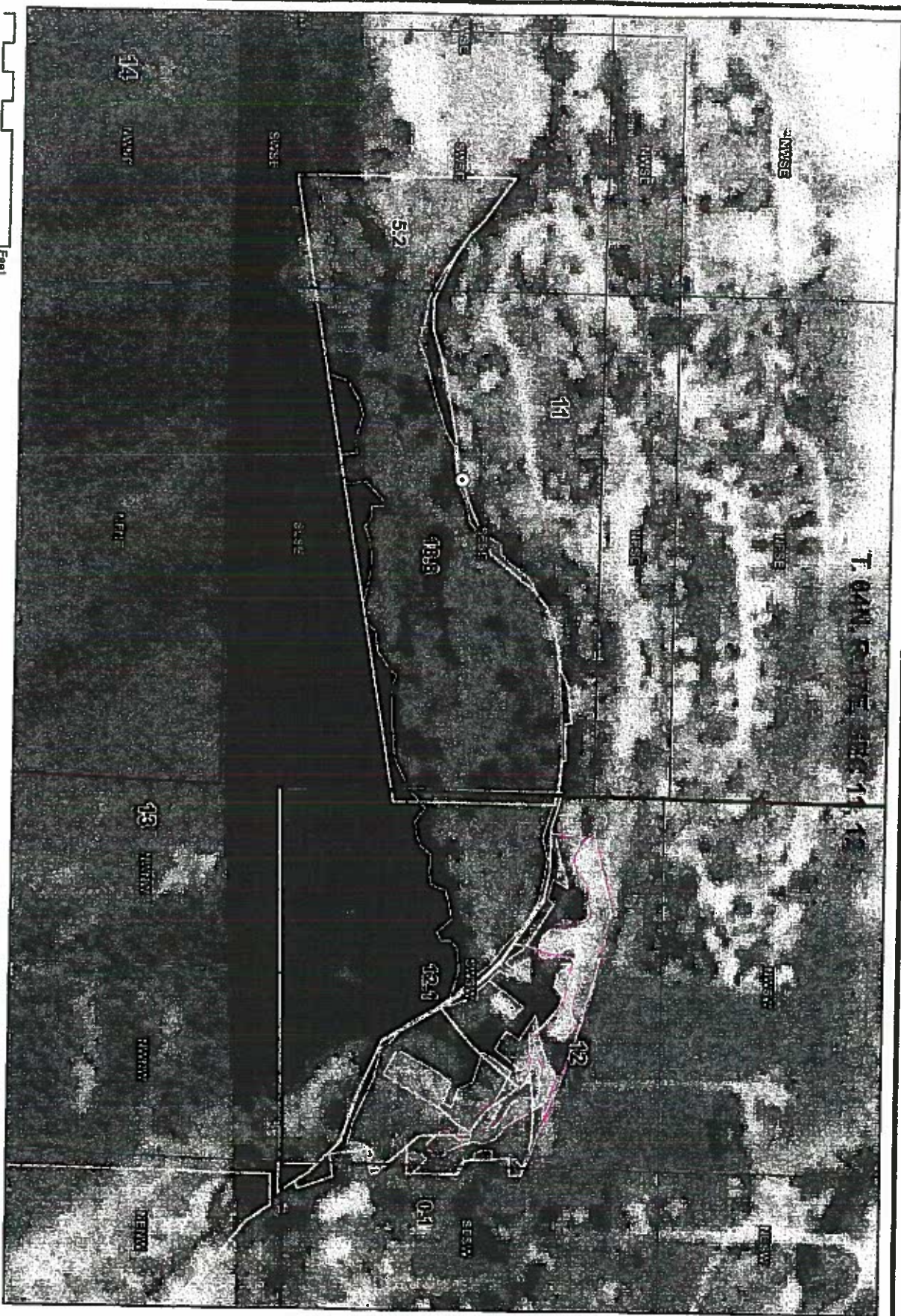
3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert Names/address of parties)



A handwritten signature in black ink, appearing to be "W. J. [unclear]".

Signature of person or attorney mailing the form



BROCKWAY ENGINEERING, PLLC
ALA - NOV. 13, 2007

HELIOS DEVELOPMENT LLC
Amended Claim for 37-212A, 37-20381
1987 FSA Aerial

Legend
☐ Sections
☐ 104176

37-212A, 37-20381 P.O.D.
1987 Irigated Acres = 36.2 ac.
Helios Development LLC Property Boundary

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FORM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number

Date Received

Receipt Number

4-15-09
CO 88470

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

Please type or print clearly

1. Name of Claimant (s) Helios Development LLC c/o: Stan Castleton Phone 435-655-3288
Mailing Address P.O. Box 4151 Park City, UT Zip 84060
2. Date of Priority (Only one (1) per claim) 6/23/1888
3. Source of water supply (a) Warm Springs Creek
which is tributary to (b) Big Wood River
4. a. Location of existing point of diversion is: Township 04N. Range 17E. Section 11,
1/4 of SE 1/4 of SE 1/4, Govt. Lot, B.M., County of Blaine
Additional points of diversion if any: _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc.),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed
and as enlarged and the depth of each well. Existing headgate allows Warm Springs Creek to fill irrigation pond
with submersable pump. Water is then pumped through pressurized irrigation system.

6. Water is claimed for the following purposes:

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

For Irrigation purposes from 04/01 to 11/01 amount 2.8 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.8 (cfs) and / or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; described fully (e.g. Domestic: list number of households served; Stockwater: type and number of livestock, etc.) _____

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 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
04N	17E	11															5.2	18.8	24
04N	17E	12											12.1	0.1					12.2

Total number of acres irrigated 36.2

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

13. Describe any other water rights used at the same place and for the same purposes as described above.

37-20381, 37-2621

Or None ☐

14. Remarks:

Last Name _____ Ident. No. _____

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree XX

If applicable provide IDWR Water Right Number 37-212A

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Counsel Title
or Helios Development, LLC that I have signed the foregoing

Document in the space below as Counsel Organization Title of Helios Development LLC Organization

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

Signature of Authorized Agent [Signature]
Title and Organization Counsel - Helios Development LLC Date 11.13.07

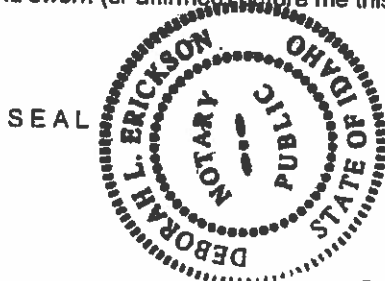
State of Idaho / or _____)
County of Blaine) ss.

Subscribed and sworn (or affirmed) before me this 13th day of November, 2007.

Notary Public Deborah Erickson

Residing at Hailey, ID

My Commission Expires 10.09.10



Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Edward A. Lawson 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 [Signature]

Address Lawson & Laski PLLC
PO Box 3310 Ketchum ID 83340

Date November 13, 2007

Last Name _____ Ident. Number _____

RECEIVED

JUN 11 2009

WATER RESOURCES
WESTERN REGION

Edward A. Lawson, ISB No. 2440
James R. Laski, ISB No. 5429
Kirstin K. Dutcher, ISB No. 6762
LAWSON LASKI CLARK & POGUE, PLLC
675 Sun Valley Road, Suite A
P.O. Box 3310
Ketchum, ID 83340
Telephone: (208) 725-0055
Facsimile: (208) 725-0076

Attorneys for Helios Development, LLC

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

Water Right Nos. 37-20381

AFFIDAVIT OF PATRICK
SIMPSON

STATE OF IDAHO,)
County of Blaine) ss.

PATRICK SIMPSON, being first duly sworn upon oath, deposes and states as follows:

1. My family owned and operated Warm Springs Ranch (the "Ranch") from 1952 through 2004. I managed the golf course for over twenty (20) years commencing in 1974 and I was involved in the management of the Ranch until 2004 and as such, I have personal knowledge of the facts stated herein.

2. In regards to water right 37-20381, paragraph 8 of my March 26, 2009 affidavit is incorrect. Water available from the Rockwell Bypass right was delivered to the Ranch several years before 1988. Although it was my grandfather Owen Simpson (deceased) and my father Jack Simpson (deceased) who managed the paperwork for the Ranch's water rights, I remember

water being delivered under the Rockwell Bypass right to the Ranch as early as the 1960s. Specifically, I remember the water being delivered in the 70s and 80s when I took over managing the Warm Springs' Golf Course in 1974. This is supported by copies from District 37 Watermaster's decree book which shows that 25 inches was delivered to the Ranch as early as 1953.

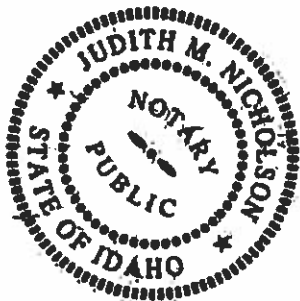
3. Attached as Exhibit A is a true and correct copy of a compilation of the Rockwell Bypass Water Right from the District 37 Watermaster's decree book which lists water from the Rockwell Bypass as being delivered to Owen Simpson from 1953 through 1996.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

Patrick E. Simpson
Patrick Simpson

STATE OF IDAHO)
) ss.
County of Blaine)

SUBSCRIBED AND SWORN before me this 9th day of June, 2009.



Judith M. Nicholson
Name: Judith M. Nicholson
Notary Public for Idaho
Residing at Boise
My commission expires 8/14/2011

HISTORY OF ROCKWELL BY-PASS WATER

[illegible]

CANAL RIGHTS, and WATER RIGHTS IN BANK, BIG TOOD RIVER ABOVE MACH RESERVOIR									
1945									
DATE	NAME	LOCATION	DATE	DATE	DATE	DATE	DATE	DATE	DATE
1	Wineflow	John Feldman	1945	1945	1945	1945	1945	1945	1945
2	Gooding	John Feldman	1945	1945	1945	1945	1945	1945	1945
3	Gooding	John Feldman	1945	1945	1945	1945	1945	1945	1945
4	Gooding	John Feldman	1945	1945	1945	1945	1945	1945	1945
5	Gooding	John Feldman	1945	1945	1945	1945	1945	1945	1945
6	Gooding	John Feldman	1945	1945	1945	1945	1945	1945	1945
7	Gooding	John Feldman	1945	1945	1945	1945	1945	1945	1945
8	Gooding	John Feldman	1945	1945	1945	1945	1945	1945	1945
9	Gooding	John Feldman	1945	1945	1945	1945	1945	1945	1945
10	Gooding	John Feldman	1945	1945	1945	1945	1945	1945	1945
11	Gooding	John Feldman	1945	1945	1945	1945	1945	1945	1945
12	Gooding	John Feldman	1945	1945	1945	1945	1945	1945	1945
13	Gooding	John Feldman	1945	1945	1945	1945	1945	1945	1945
14	Gooding	John Feldman	1945	1945	1945	1945	1945	1945	1945
15	Gooding	John Feldman	1945	1945	1945	1945	1945	1945	1945
16	Gooding	John Feldman	1945	1945	1945	1945	1945	1945	1945
17	Gooding	John Feldman	1945	1945	1945	1945	1945	1945	1945
18	Gooding	John Feldman	1945	1945	1945	1945	1945	1945	1945
19	Gooding	John Feldman	1945	1945	1945	1945	1945	1945	1945
20	Gooding	John Feldman	1945	1945	1945	1945	1945	1945	1945

Douglas T. Knight

CANALS and WATER in SAME
BIG WOOD RIVER above MAGIC RESERVOIR

1953

CANAL	CANAL NAME	OWNER	DECREED TO	DATE	INCHES	CUMULATIVE	PRIORITY
Winslow #	John Keldhusen	Base-Line Ry-Pass			159.2		
Gooding	John Feldhusen	Broadford Slough Ry-Pass			232.5		
	D. Sid Smith	Fred W. Gooding		6-1-1882	40		10
	D. Sid Smith	Fred W. Gooding		6-1-1885	200	4.80	40-B
	Eugene Flowers	Permits: Sammill only					
	Union Pacific Railroad	Horace O. Lewis		4-25-1881	1,250	25.00	3
	Ketchum	Horace C. Lewis		10-5-1883	325		25-A
	McCoy	Horace C. Lewis		10-5-1883	200	10.50	25-B
	Howard E. Reinheimer	George W. McCoy		5-1-1883	200		17-A
	Oscar Smith Farmlun	Miss Belle Green		5-1-1883	350	11.80	17-B
	R. R. McDonald	W. M. Price		6-1-1884	15	.30	30-F
	Earl Wetherhead	J. M. Rhodes		5-30-1894	250	5.00	85
	Owen Simpson	August & Peter Farmlun		6-23-1888	280		65-A
	Rev. Mark Lloyd	Horace C. Lewis		6-23-1888	200	9.70	65-B & C
	Rev. Mark Lloyd	Horace C. Lewis		8-2-1889	100	11.70	73
	Jack Lane	James H. Banning		6-1-1884	200	4.00	30-D
	J. E. Walsh	James F. McCoy		6-1-1900	60	1.20	90
	James F. McCoy	Martin Barry		6-1-1887	200	4.00	51-A
	Dorothea-Dean	M. H. Gomstock		12-13-1887	500	14.00	60-AB
	R. G. Pries	R. J. Blakely		213 A. P. from Prairie Lakes, License R-410			
	R. H. Wright	Samuel S. Wilson		5-31-1883	110	2.20	20
	Rete Mendicola	Benjamin F. Miller		6-16-1907	150	3.00	97
	Fred & Hedley Board	Hugh Oramer		7-30-1888	800	16.00	68
	Eric Lemall	Charles Board		5-31-1900	200	4.00	89
	Donald Seigel	A. B. Ivie		6-1-1887	260	5.20	55-D
	Donald Seigel	W. J. Kneebone		7-1-1889	120	7.60	71
	Rupert House	Douglas T. Knight		9-15-1913	8	.16	License
	Andrew Knight	Lyman Peters		11-3-1925	92	2.00	License
	Walter Schodde	Geasey H. Knight		6-2-1884	150	3.00	31
	Kitpatrick-Brathere	This right does not take priority cut due to Ry-Pass effect of the ditch.		6-1-1888	200	4.00	63-A
	Walter Schodde	James W. Butch		6-1-1884	260		30-F
	Kitpatrick-Brathere	Frank R. Gooding		6-1-1884	160	8.40	30-F

Just here down 21' from sewage disposal at Sanitary.

CANAL NO.	F	ITY	PRESENT OWNER	DECEASED TO	DATE	INCHES HAILEY	ABOVE HAILEY	BELOW HAILEY	TRIBUTARIES	TOTAL
22	81	QQ	E. Cha. McGurry	Annie B. Froeger	6-15-1891	200	237.08			826.35
66	82		J. D. Anderson	Samuel M. Blair	5-1-1892	100		521.27		828.35
55-D	83-A		Minnie B. Florer	Minnie B. Florer	5-15-1892	80		522.87		829.95
55-O	83-BC		Minnie B. Florer	Minnie B. Florer	5-15-1892	160		526.07		833.15
20	84-A		M. W. Price	Thomas Miser	7-1-1892	100	275.08			835.15
5	84-B		Mrs. Dan Miser	Jacob Miser	7-1-1892	140	277.88			837.95
36	86		Edw. Weatherhead	J. M. Rhodes	5-30-1894	250	282.88			842.95
55-F	87		J. R. Williams	John Edwards, et al	5-1-1896	25		526.57		843.45
50	88		Leonard Lawson	Thomas C. Ivers, et al	5-15-1896	50		527.57		844.45
14	89		John Brown	Henry J. Elliott	8-9-1899	320		533.97		850.85
9	90		Fred Board (Abandoned)	Charles Board	5-31-1900	200	286.88			854.85
15	91		James McCoy (Abandoned)	James F. McCoy	6-1-1900	60	288.08			856.05
55-G	92-A & C		G. E. Allred	Albert Baldwin	5-1-1901	180		537.57		859.65
50	92-B		See Canal File No. 55-C	Hiram Mackay	6-1-1901	700		551.57		873.65
15	93		John Brown	H. J. Elliott	6-1-1901	160		554.77		876.85
50	94		J. E. Arkoosh	R. F. & Rosa B. Buller	5-1-1902	300		560.77		883.85
33	95-A		Elaine County	Thomas J. Jones	5-20-1902	320		567.17		889.25
15	95-BE		Dr. E. W. Fox	Annie I. Miller, et al	8-1-1902	300		573.17		895.25
36	96		See Canal File No. 145	Annie I. Miller, et al	8-1-1902	4700		667.17		989.25
12	97		J. R. Williams	Thomas Werry	8-15-1902	150		670.17		992.25
55-C	98		R. H. Wright (Abandoned)	Benjamin F. Miller	6-16-1907	150	291.08			995.25
55-C			Base Line Canal Co.,	Base Line Canal Co.,	4-1-1921	1500		700.59		1025.60
			Carl Schoessler	Fred Fator	+ Developed	160		Water developed by drainage.		
			Upper Wood River Valley Water-users Association		+ Saved	561.6		Water developed by Base-Line Ry-Pass		
			John Feldhusen		+ Saved	10.6		Water developed by Base-Line Ry-Pass		
			Wm. Sherbine		+ Saved	10.6		Water developed by Base-Line Ry-Pass		
15-F			George McGonigal		+ Saved	84.6		Water developed by Base-Line Ry-Pass		
55-G			Upper Wood River Water-Users Association		+ Saved	84.6		Water developed by Base-Line Ry-Pass		
55-F			Base-Line Canal Co.,		+ Saved	525		Water developed by Extension Ry-Pass		
			George Allred		+ Saved	300		Water developed by Extension Ry-Pass		
			John Feldhusen		+ Saved	75		Water developed by Extension Ry-Pass		
				I. E. Rockwell	+ Saved	121.5-232.5		Water developed by Broadford Slough Ry-Pass.		
0			Dorothea Dean			213		Acres feet from Prairie Lakes		

Total 97.9 acre feet—1945 observations.

Reservoir No. 1, 17 acre area can be lowered 1 1/2', would produce 76.5 acre feet.
 Reservoir No. 2, 10.7 acre area can be lowered 2', would produce 21.4 acre feet.
 Reservoir No. 3, 8.6 acre area, unable to fill.

C. R. Marvel

CANALS and WATER in SAME

BITT WOOD RIVER above MARIOTT RESERVOIR

Dated August, 1958

NO.	CANAL NAME	OWNER	DEED NO	DATE	INCHES	TOTAL	CUMULATIVE	PRIORITY
1	Winlow	John Feldman	Base Line By-Pass	7-1-1892	10	10		
		John Feldman	Broadford Slough By-Pass	3-26-1885	169.2			
	Gooding	D. Sid Smith	Fred W. Gooding	6-1-1882	187.5			
		D. Sid Smith	Fred W. Gooding	6-1-1885	40	.80		10-1-1885
	Womack	Eugene Flowers	Permit By-Pass	7-1-1892	200	4.80		10-1-1885
	Lewis	Union Pacific R. R.	Horace O. Lewis	4-25-1888	1.250	25.00		3-1-1888
	Ketchum	Union Pacific R. R.	Horace O. Lewis	10-5-1888	325			25-1-1888
	McCoy	Ketchum Springs Water Co.,	Horace O. Lewis	10-5-1888	200	10.50		25-1-1888
		Howard K. Reinheimer	George W. McCoy	5-1-1888	240			17-1-1888
	Price	Oscar Smith Farnum	Miss Belle Green	5-1-1888	350	11.8		17-1-1888
	Rhodes	Abandoned	W. M. Price	6-1-1888	15	.30		30-1-1888
	Farnum	Theo. Grunauer	J. M. Rhodes	5-30-1888	250	5.00		85-1-1888
		Owen Simpson	Broadford Slough By-Pass	3-26-1885	25	.50		10-1-1885
		Owen Simpson	Oscar & Peter Farnum	6-23-1888	280			65-1-1888
	Borning	Rev. Mark Lloyd	Horace O. Lewis	6-23-1888	200	10.20		65-1-1888
		Rev. Mark Lloyd	Horace O. Lewis	8-2-1888	100	12.20		73-1-1888
	Spring	Jack Lane	James H. Boring	6-1-1888	200	4.00		30-1-1888
	Comstock	Abandoned	San Valley Sewage Disposal	3-26-1885	21			90-1-1885
		United Projects Inc.,	James F. McCoy	6-1-1890	60	1.20		90-1-1890
	Wilson	Gould Brothers	Martin Barry	5-1-1887	200	4.00		51-1-1887
	Betty	Gould Brothers	M. H. Comstock	12-13-1887	500	11.00		60-1-1887
	Cramer	Gould Brothers	R. J. Blakely	213 acre feet from Prairie Lakes, License R-110	110	2.20		20-1-1887
	Board	Abandoned	Samuel S. Wilson	5-31-1888	150	3.00		97-1-1888
	Ivle	Abandoned	Benjamin R. Miller	6-15-1907	800	16.00		68-1-1907
	Kneebone	Abandoned	Hugh Cramer	7-30-1888	200	4.00		89-1-1888
	Peters	Abandoned	Charlie Board	5-31-1908	260	5.20		55-1-1908
	Knight	Abandoned	A. S. Ivle	6-1-1887	120	7.60		71-1-1887
		Abandoned	James H. Brown	7-1-1888	8	.16		License
		Abandoned	W. J. Kneebone	11-15-1913	92	2.00		License
		Abandoned	Douglas T. Knight	11-3-1925	150	3.00		30-1-1925
		Abandoned	Lyman Peters	6-3-1888	200	4.00		62-1-1888
		Abandoned	George H. Knight	6-1-1888	260	5.20		71-1-1888
		Abandoned	This right does not take priority but due to By-Pass effect of the ditch.	6-1-1888	160	8.16		39-1-1888
		Abandoned	James W. Smith	6-1-1888	84.5	1.69		10-1-1888
		Abandoned	Frank E. Gooding	6-1-1888	200	5.69		21-1-1888
		Abandoned	W. T. Hiley	3-21-1888				
		Abandoned	Thomas Mizer	7-1-1888				
		Abandoned	Margaret Southland	7-1-1888				

[illegible]

DIVISION OF THE RAM MACKAY WATER
Listed in Canal No. 55 James A. Wheeler, et al.,

OWNER	DECREED TO	INCHES	PERCENT
W. R. Patterson	Hiram Mackay	174	18.32
Jack Barker	Hiram Mackay	160	16.84
Adolph Brun	Hiram Mackay	64.5	6.79
Clyde Baldwin	Hiram Mackay	92	9.68
Clyde Baldwin	Hiram Mackay	47.5	5.00
Merritt Baldwin	Hiram Mackay	66	6.95
Merritt Baldwin	Hiram Mackay	78	8.21
William Sherbine, Jr.	Hiram Mackay	144	15.16
Fred Gunnington	Hiram Mackay	124	13.05
	TOTAL	950	100.00
Carl Schoesaler		50 (6-1-1901 Priority only)	

DIVISION OF BASE-LINE BY-PASS WATER

Effective when entire flow of River is diverted into By-Pass.
Upper Big Wood River Water-users Association 561.6
John Feldhusen, Winslow Ditch No. 6 169.2
George McConigal, Brown Ditch No. 55-F 84.6
William Sherbine, Base-line Ditch No. 55-C 284.6
TOTAL 900.0

DIVISION OF EXTENSION BY-PASS WATER

Effective after June 15, 1883 water rights have expired.
Upper Wood River Water-users Association 525
Base Line Canal Co., 55-C 300
George Allred, in Canal No. 55-F 75
TOTAL 900.0

BROADFORD SLOUGH BY-PASS

232.5 inches decreed to I. E. Rockwell; effective only as long as Broadford Slough By-Pass is properly maintained.
John Feldhusen, Winslow Ditch No. 6. 187.5
Owen Simpson, Farnum Ditch No. 6. 25.0
W. R. Watts, Cove Ditch No. 33. 20.0
TOTAL 232.5

DRAG LINE DITCH

Entire flow of Drag Line Ditch, but not to exceed 6.00 c.f.s., 6 days after all of the flow of the Big Wood River has diverted into Base-line By-Pass.
Owner, Upper Big Wood River Water-users Association.

HIG WOOD RIVER above M. J. RESERVOIR
CANALS and WATER in SAME
1964

CANAL NO.	CANAL NAME	PRESENT USER	PRESENT OWNER	ORIGINAL DECEDENT TO	DATE OF DECREE	TOTAL INCHES	CUMULATIVE TOTAL C.F.S.	PRIORITY
C	Winslow	John Feldhusen John Feldhusen	John Feldhusen John Feldhusen	Base Line By-Pass Broadford Slough By-Pass	# ###	169.2 187.5 172.5		
E	Gooding	Weigle & Sons Weigle & Sons	Weigle & Sons Weigle & Sons	Fred W. Gooding Fred W. Gooding	6-1-1882 6-1-1885	40 200	.80 4.80	10 40-B
F	Womack	Flower Brothers	Flower Brothers	Permit - Sawmill only				
J	Lewis	Union Pacific RR	Union Pacific RR	Horace C. Lewis	4-25-1881	1,250	25.00	3
K	Ketchum	Union Pacific RR Ketchum Springs Water Co.	Union Pacific RR Ketchum Springs Water Co.	Horace C. Lewis Horace C. Lewis	10-5-1883 10-5-1883	325 200	10.50	25-A 25-B
M	McCoy	Howard E. Reinheimer Oscar Smith Farnlun	Howard E. Reinheimer Oscar Smith Farnlun	George W. McCoy Miss Belle Green	5-1-1883 5-1-1883	240 350	11.80	17-A 17-B
P	Price	Abandoned	Abandoned	W.M. Price	6-1-1884	15	.30	30-F
R	Rhodes	Theo. Gruener	Theo. Gruener	J.M. Rhodes	5-30-1894	250	5.00	85
F	Farnlun	Owen Simpson Owen Simpson Rev. Mark Lloyd Rev. Mark Lloyd	Owen Simpson Owen Simpson Rev. Mark Lloyd Rev. Mark Lloyd	Broadford Slough By-Pass Oscar & Peter Farnlun Horace C. Lewis Horace C. Lewis	### 6-23-1888 6-23-1888 8-2-1889	25 280 200 100	.50 10.20 12.20	44-A 84-B 84-A
B	Bonning	Jack Lane Jack Lane	Jack Lane Jack Lane	Jack H. Bonning Sun Valley Sewage Disposal	6-1-1884	200 21	4.0 4.	

USER	OWNER	DECREED TO	INCHES	PRIORITY
W.R. Patterson	W.R. Patterson	Hiram Mackay	174	18.32
Richard Dick	Jack Barker	Hiram Mackay	160	16.84
Michael Bren	Adolph Bren	Hiram Mackay	64.5	6.79
Glyde Baldwin	Glyde Baldwin	Hiram Mackay	92	9.68
Glyde Baldwin	Glyde Baldwin	Hiram Mackay	47.5	5.00
Merritt Baldwin	Merritt Baldwin	Hiram Mackay	66	6.95
Merritt Baldwin	Merritt Baldwin	Hiram Mackay	78	8.21
William Shervine Jr.	Edith Winger	Hiram Mackay	144	15.16
Carl Schoessler	Mrs Fred Cunningham	Hiram Mackay	124	13.05
		TOTAL	950	100.00
Carl Schoessler	Carl Schoessler	Hiram Mackay	50	6-1-1901 priority only.

DIVISION OF BASELINE HY-PASS WATER
 Effective when entire flow of River is diverted into By-Pass.
 Upper Big Wood River Water-users Association 561.6
 John Feldhusen, Winslow Ditch No. 0 169.2
 Mary McDonigal, Brow Ditch No. 55-F 84.6
 William Shervine, Baseline Ditch NO 55-G 84.6
 TOTAL 900.0

DIVISION OF EXTENSION HY-PASS WATER
 Effective after June 15, 1883 water rights have expired.
 Upper Wood River Water-Users Association 525
 George Allred, in Canal no 55-F 75
 Base line Canal Co. 55-C 300
 Total 900.0

BROADFORD SLOUGH HY-PASS
 232.5 inches decreed to I.E. Rockwell; effective only as long as Broadford Slough By-Pass is properly Maintained.
 John Feldhusen, Winslow Ditch No. 0 187.5
 Owen Simpson, Farnum Ditch No. 6 25.0
 W.R. Watts, Cove Ditch No. 33 20.0
 Total 232.5

DRAG LINE DITCH
 Entire flow of Drag Line Ditch, but not to exceed 6.00 c.f.s. 6 days after all of the flow of the Big Wood River has diverted into Base-Line by-Pass Owner, Upper Big Wood Water Users Association.

HIG WOOD RIVER JOVE MAGIC RESERVOIR
CANALS AND WATER IN SAME
1967

CANAL NO	PRESENT OWNER-USER	ORIGINAL DECEASED TO	DATE OF DEGREE	#	TOTAL INCHES	CUMULATIVE TOTAL CFS	PRIORITY
C	Winslow John Feldhusen	Baseline By-Pass			169.2		
	<i>Chas. J. Davis</i>	Broadford Slough By-Pass	###		169.2		
E	Gooding Ralph Faulkner	44" 1/2 by on Fred W. Gooding	6-1-1882	10	140	440	10
E	Gooding Lorraine Curtis	Fred W. Gooding	6-1-1885	10-B	200	4.80	10-B
F	~~Flower Brothers~~	~~Permit-Samill-only~~					
1	Lewis	~~Slater Dairy Corp~~	4-25-1881	1250	25.00		3
2	Ketchum	~~Slater Dairy Corp~~	10-5-1883	525	10.50		25A-B
3	McCoy	Howard E. Reinheimer	5-1-1883	240	4.80		17-A
	Oscar Smith Farmum	Miss Belle Green	5-1-1883	350	11.80		17-B
5	Rhodes Theo Gruener	J.M. Rhode	5-30-1894	250	5.00		85
6	Farmum Owen Simpson	Broadford Slough By-Pass	###	25	.50		65-A
	Owen Simpson	Oscar & Peter Farmum	6-23-1888	280	6.10		65-B-C
	Walter E. Stewart	Horace C. Lewis	6-23-1888	170	10.20		73
	Walter E. Stewart	Horace C. Lewis	8-2-1889	200	12.20		
				280	90		

5:11:15 Detention 75 ft

0-1-1880

0-1-1880

PRIORIT	CANAL	CANAL	OWNER	DECEED	DATE OF	INCHES	OWNER	CANAL
NO. 2222	NO. 1	NAME	TO	TO	DECEE		CFS	CFS
15-A	Winslow	John Faldhussen	Baseline By-Pass	11-12-1911	159.2	3.38	4.33	4.33
45-B1	Gooding	Fred W. Gooding	Broadford Slough	6-1-1882	40.0	.80		.80
3-A	Gooding	Fred W. Gooding	Fred W. Gooding	6-1-1885	134.0			
30-A	Lewis	Horace C. Lewis	Horace C. Lewis	4-25-1881	1250	25.00	4.00	4.80
22-A	Ketchum	Howard E. Reinheimer	George W. McCoy	10-5-1883	525	10.50	10.50	25.00
22-B	McCoy	Oscar Smith Farnlum	Mrs. Belle Green	5-1-1883	240	4.80	4.80	10.50
90-A	Rhodes	Theo. Gruener	J.M. Rhodes	5-1-1883	350	7.00	7.00	4.80
70-A	Farnlum	Owen Simpson	Braddford Slough	5-30-1884	250	5.00	5.00	11.80
70-B1	Farnlum	Walter Stewart	Oscar & Peter Farnlum	6-23-1888	25	.50	.50	5.00
78-A1	Farnlum	Walter Stewart	Horace C. Lewis	6-23-1888	280	6.10	6.10	.50
5-D	Bonning	Jack Lane	Horace C. Lewis	8-2-1889	170	3.40	3.40	9.50
6-A	Bonning	Jack Lane	Jack H. Bonning	6-1-1884	200	4.00	4.00	11.30
5-A	Comstock	James F. McCoy	Martin Barry	5-1-1887	200	4.00	4.00	4.00
5-A	Comstock	James F. McCoy	James F. McCoy	6-1-1900	60	5.20	5.20	5.20
5-A	Comstock	James F. McCoy	M.H. Comstock	12-13-1887	500	10.00	10.00	15.20
5-A	Comstock	James F. McCoy	R.J. Blakely	License R-410	Prairie Lake			
13	Cramer	Fred Bleckman	Hugh Cramer	7-30-1888	800	16.00	16.00	16.00
13-A	Blechnan	Fred Blechnan	Breadford Slough	6-1-1837	50	1.00	1.00	1.00
15	Ivie	James H. Brown	A.S. Ivie	7-1-1889	260	5.20	5.20	5.20
15	Ivie	James H. Brown	James H. Brown	7-1-1889	110	7.40	7.40	7.40
15	Ivie	James H. Brown	James H. Brown	7-1-1889	90	.20	.20	7.60
16	Kneebone	James H. Brown	James H. Brown	9-15-1913	8	.16	.16	.16
16	Kneebone	James H. Brown	James H. Brown	11-13-1925	92	2.00	2.00	2.00

BROADFORD SLOUGH BY-PASS

232.5 inches decreed to I.E. Rockwell; effective only as long as Broadford Slough By-Pass is properly maintained.

W.R. Watts 15.0
 John Feldhusen, Winslow Ditch #C 22.5
 Belhissington, Farlum Ditch #6 25.0
 Bellevue - Cove Ditch #33 20.0
 Cemetery Dist. (Hawin) 14 ft.
 Earl Dwyer
 Fred Blackman
 7 Don Anderson Total 75.0
 232.5

Sold 10" to Don Anderson

DRAG LINE DITCH Entire flow of Drag Line Ditch, but not to exceed 6.00 cfs 6 days after all of the flow of the Big Wood River has divereted into Baseline By-Pass. Owner, Upper Big Wood Water Users Association.

6 ###	Owen Simpson	I.E. Rockwell	+Saved	25	Water Developed by Broadford Slough By-Pass
33 ###	Blaine County Cemetery	I.E. Rockwell	+Saved	20	" "
33 ###	W.R. Watts	I.E. Rockwell	+Saved	15	" "
10 License	#410 Gould Brothers	R.J. Blakeley		213	Acresfeet from Prairie Lakes

Reservoir No. 1, 17 acre area can be lowered 4 1/2' would produce 76.5 acre feet.
 Reservoir No. 2, 10.7 acre area can be lowered 2' would produce 21.4 acre feet.
 Reservoir No. 3, 8.5 acre area, unable to find: Total 97.9 acre feet 1945 observation.

+ = Decreed subsequent to the "S.C. Frost, etal, vs. Alturas Water Company, etal Decree."

BIG WOOD RIVER ABOVE MAGIC RESERVOIR - DECREE WATER RIGHTS - 1972

NAL	CANAL NAME	PRIORITY NO	PRESENT OWNER	DECREED TO	DATE OF DECREE	INCHES	OWNER CFS	CANAL CUMULATIVE CFS
	Winslow	Y1	John Faldhuisen	Broadford Slough		37.5	.75	.75
	Gooding	45B1	Lorraine Curtis	Fred W. Gooding	6-1-1885	12.0	.24	.24
	Gooding	45B2	~~Egan W. Gooding~~	Fred W. Gooding	6-1-1885	4.0	.08	.32
	~~Gooding~~	W1	Sprenger Land Invest	Baseline By-Pass		159.2	3.18	3.18
	~~Gooding~~	L5A	Sprenger Land Invest	Fred W. Gooding	6-1-1882	40.0	3.98	3.98
	~~Gooding~~	45B2	Sprenger Land Invest	Fred W. Gooding	6-1-1885	184.0	7.66	7.66
	Pump	Y7	Don Anderson	Broadford		10.0	.20	.20
	Levis	3A	Sun Valley Corp	Horace C. Lewis	4-25-1881	~~184.0~~	~~13.64~~	~~23.64~~
	~~Levis~~	3B	~~Sun Valley Corp~~	~~Horace C. Lewis~~	~~4-25-1881~~	~~184.0~~	~~13.64~~	~~23.64~~
	Ketchum	30-A	Sun Valley Corp	Horace C. Lewis	10-5-1883	525.0	10.50	10.50
	McCoy	22-A	Mrs. Howard W. Reinheimer	George W. McCoy	5-1-1883	240.0	4.80	4.80
	McCoy	22-B	Oscar Smith Farnlum	Mrs. Belle Green	5-1-1883	350.0	7.00	11.80
	Rhodes	90-A	Theo Gruner Estate	J.M. Rhodes	5-30-1894	250.0	5.00	5.00
	Rhodes	W1-1	Theo Gruner Estate	Baseline Bypass	saved	10.0	5.20	5.20
	Farnlum	Y2	Owen Simpson	Broadford Slough		25.0	.50	.50
	Farnlum	70-A	Owen Simpson	O & P Farnlum	6-23-1888	280.0	6.10	6.10

CANAL NO	CANAL NAME	PRIORITY NO	PRESENT OWNER	DECEASED TO	DATE OF DECREE	INCHES	OWNER CFS	CANAL TOTAL
C	Winslow	45-B1	John Feldhusen	John Feldhusen	6-1-1885	37.5	.75	.75
E	Gooding	45-B2	Dr. Egan W. Drenker	Fred W. Gooding	6-1-1885	4.0	.08	.08
E	Gooding	45-B3	M.A. Madsen	Fred W. Gooding	6-1-1885	4.0	.08	.16
E	Gooding	45-B4	Robert Beal	Fred W. Gooding	6-1-1885	2.0	.04	.20
E	Gooding	45-B5	Robert L. Vanskike	Fred W. Gooding	6-1-1885	2.0	.04	.24
E	Gooding	45-B6	Wes McDorman	Fred W. Gooding	6-1-1885	2.0	.04	.28
1P	Tom	W-1	Br. Ivan Gustafsen	Fred W. Gooding	6-1-1885	2.0	.04	.32
1P	Tom	15-A	Sprenger Land Invest Co	Baseline Bypass				
1P	Tom	45-B7	Sprenger Land Invest Co	Fred W. Gooding	6-1-1882	159.2	3.18	3.18
			Sprenger Land Invest Co	Fred W. Gooding	6-1-1885	40.0	3.98	3.98
						184.0	7.66	7.66
2P	Pump	Y-7	Don Anderson	Broadford Bypass		10.0	.20	.20
3P	Lewis	3-A	Sun Valley Corp	Horace C. Lewis	4-25-1881	1182.0	23.64	23.64
2	SVPump	3-B	Sun Valley Corp	Horace C. Lewis	4-25-1881	68.0	1.36	1.36
3	Ketchum	30-A	Sun Valley Corp	Horace C. Lewis	10-5-1883	525.0	10.50	10.50
3	McCoy	22-A	Mrs Howard Reinheimer	George W. McCoy	5-1-1883	240.0	4.80	4.80
3	McCoy	22-B	Oscar Smith Farnlum	Mrs Belle Green	5-1-1883	350.0	7.00	11.80
5	Rhodes	90-A	Theo Gruner Est	J.M. Rhodes	5-30-1894	250.0	5.00	5.00
5	Rhodes	W1-1	Theo Gruner Est	Baseline By-Pass		10.0	5.20	5.20
6	Farnlum	Y-2	Owen Simpson	Broadford Slough		25.0	.50	.50
6	Farnlum	70-A	Owen Simpson	O. & P. Farnlum	6-23-1888	280.0	6.10	6.10
7	Bonning	35-B	Jack Lane	Owen Simpson	8-6-1859	150.2	3.2	
			Jack H. Bonning		6-1-1884	200.0	4.00	4.00

BIG WOOD RIVER ABOVE MAGIC RESERVOIR - DECREED WATER RIGHTS

1974-75

ANAL ID	CANAL NAME	PRIORITY NO	PRESENT OWNER	DECREED TO	DATE OF DECREE	INCHES	OWNER CFS	CANAL TOTAL
	Gus #1 Pump	45-B6	Dr. Ivan Gustafsen Trans.#37-0276	Fred W. Gooding	6-1-1885	2.0	.04	.04
	Winslow	Y-1	John Feldhusen	Broadford Slough		37.5	.75	.75
	Gooding	45-B1	Dr. Egan W. Drenker	Fred W. Gooding	6-1-1885	4.0	.08	.08
	Gooding	45-B2	M.A. Madsen	Fred W. Gooding	6-1-1885	4.0	.08	.16
	Gooding	45-B3	Robert Beal	Fred W. Gooding	6-1-1885	2.0	.04	.20
	Gooding	45-B4	Robert L. VanSkike	Fred W. Gooding	6-1-1885	2.0	.04	.24
	Gooding	45-B5	Wes McDorman	Fred W. Gooding	6-1-1885	2.0	.04	.28
P	Tom	W-1	Sprenger Land Invest Co.	Baseline ByPass		159.2	3.18	3.18
P	Tom	15-A	Sprenger Land Invest Co.	Fred W. Gooding	6-1-1882	40.0	3.98	3.98
P	Tom	45-B7	Sprenger Land Invest Co.	Fred W. Gooding	6-1-1885	184.0	7.66	7.66
P	Pump	Y-7	Don Anderson	Broadford Bypass		10.0	.20	.20
	Lewis	3-A	Sun Valley Corp	Horace C. Lewis	4-25-1881	1182.0	23.64	23.64
P	SV Pump	3-B	Sun Valley Grrp	Horace C. Lewis	4-25-1881	68.0	1.36	1.36
	Ketchum	30-A	Sun Valley Corp	Horace C. Lewis	10-5-1883	525.0	10.50	10.50
	McCoy	22-A	Mrs. Howard Reinheimer	George W. McCoy	5-1-1883	240.0	4.80	4.80
	McCoy	22-B	Oscar Smith Farnlum	Mrs. Belle Green	5-1-1883	350.0	7.00	11.80
	Rhodes	90-A	Theo Gruner Est.	J.M. Rhodes	5-30-1894	250.0	5.00	5.00
	Rhodes	W1-1	Theo Gruner Est.	Baseline By-Pass		10.0	5.20	5.20
	Farnlum	Y-2	Owen Simpson	Broadford Slough		25.0	.50	.50
	Farnlum	70-A	Owen Simpson	O & P Farnlum	6-23-1888	280.0	6.10	6.10
	Farnlum	Permit #G-28093	Owen Simpson	Owen Simpson	8-6-1959	150.0	3.00	
	Bonning	35-D	Jack Lane	Jack H. Bonning	6-1-1884	200.0	4.00	4.00

Priority Date Sept 1, 1920
Upper Wood River Water Users

Baseline By-Pass 561.6 Water developed by
Baseline By-Pass

Upper Wood River Water Association
Priority Date: July 24 - 1924

Extension By-Pass 525.0 Water developed by
Extension By-Pass

DRAGLINE DITCH - engine flow of Dragline ditch but not to exceed 6.0 CFS can be used
beginning 6 days after all flow of Big Wood River has been diverted into the Baseline
By-Pass owners are"

Priority Date: June 23, 1934
Upper Big Wood River Water Association

Broadford Slough By-Pass water:

Y1	John Feldhusen	37.5
Y2	Owen Simpson	25.0
Y3	Bellevue Cemetery	20.0
Y4	W.R. Watts	15.0
Y5	E.V. McHan	75.0
Y6	Fred Blechman	50.0
Y7	Don Anderson	10.0

232.5 inches

V	55-C	Carl Schoessler	Fred Fator	Developed	160.0	Water developed by drainage
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This water good only as long as the river is connected.

CANAL NO	CANAL NAME	PRIORITY NO	PRESNET OWNER	STATE W.R.NO.	ORIGINALLY DECREEED TO	DATE OF PRIORITY	INCHES	OWNER C.F.S.	CANAL TOTAL
3	McCoy	22-A	Pete Reinheimer	37-0457	George W. McCoy	5-1-1883	240.0	4.80	4.80
3	McCoy	22-B	Weyyakin Partners	37-0289	Belle Green	5-1-1883	350.0	7.00	11.80
5	Rhodes Rhodes	90-A W-2	Koenig & Grabber Koenig & Grabber	37-0574 37-0892	J.M. Rhodes Baseline By-Pass	5-30-1894 9-1-1920	250.0 10.0	5.00 5.20	5.00 5.20
6	Farnlum Farnlum	Y-2 70-A	Owen Simpson Owen Simpson	37-0833 37-0892	Rockwell By-Pass O & P Farnlum	6-23-1888 6-23-1888	25.0 280.0	.50 6.10	.50 6.10
6-A	Spring	Permit	Owen Simpson	#38093	Owen Simpson	8-6-1959	150.0	3.00	3.00
7	Bonning	35-D	Lane Sheep Company	37-0081	Jack H. Bonning	6-1-1884	200.0	4.00	4.00
10	Comstock	56-A	Richard Lindsey	37-0048	Martin Barry	5-1-1887	165.0	3.30	3.30
10	Comstock	56-A1	John McDonald	37-0048	Martin Barry	5-1-1887	25.0	.50	3.80
10	Comstock Comstock	Y-10 56-A2	Bob Bloomfield Bob Bloomfield	37-0048	Rockwell by-Pass Martin Barry	5-1-1887	10.0 10.0	.20 .40	4.00 4.20
10	Comstock Comstock	65-A 95-A	Glen-Dale Ranches Glen-Dale Ranches	37-0154 37-0459	M.H. Comstock James F. McCoy	12-13-1887 6-1-1900	478.0 60.0	9.56 10.76	15.06 16.26
9	Gimlet	Permit	Gimlet Property Owners Association	37-7638	Gimlet Property Owners	6-1-1980	500.0	10.0	10.0

CANAL NO.	CANAL NAME	PRIORITY NO.	PRESENT OWNER	STATE W.R. NO.	ORIGINALLY DECREEED TO	DATE OF DECREE	INCHES	OWNER C.F.S.	CANAL TOTAL
1-P-1	Candy	45-B1	Walter Candy	0276	Fred W. Gooding	6-1-1885	12.0	.24	.24
1-P-2	Candy	45-B2	Robert Beal	0276	Fred W. Gooding	6-1-1885	2.0	.04	.04
1-P-3	Gus	45-B3	Ivan Gustafsen	0276	Fred W. Gooding	6-1-1885	2.0	.04	.04
1-P-4	Tom	15-A	Sprenger Land Inv.	0274	Fred W. Gooding	6-1-1882	40.0	.80	.80
1-P-5	Tom	45-B	Sprenger Land Inv.	0276	Fred W. Gooding	6-1-1885	184.0	4.48	4.48
1-P-6	Tom	W-1	Sprenger Land Inv.	0892	Baseline By-Pass	9-1-1920	159.2	7.66	7.66
1-P-7	Don	Y-8	Don Anderson	0833	Rockwell By-Pass	11-12-1926	10.0	.20	.20
1-P-8	Lewis	3-A	Sun Valley Corp.	0415	Horace C. Lewis	4-25-1881	1250.0	25.00	25.00
1-P-9	Ketchum	30-A	Sun Valley Corp.	0416	Horace C. Lewis	10-5-1883	825.0	8.50	8.50
1-P-10	Ketchum	30-A1	Sun Valley Corp.	0417	Horace C. Lewis	10-5-1883	200.0	10.50	10.50
1-P-11	McCoy	22-A	Pete Reinheimer	0457	George W. McCoy	5-1-1883	240.0	4.80	4.80
1-P-12	McCoy	22-B	Weyyakin Partners	0289	Belle Green	5-1-1883	350.0	7.00	11.80
1-P-13	Rhodes	90-A	Koenig & Grabber	0574	J.M. Rhodes	5-30-1894	250.0	5.00	5.00
1-P-14	Rhodes	W-2	Koenig & Grabber	0892	Baseline By-Pass	9-1-1920	10.0	5.20	5.20
1-P-15	Farnlum	70-A	Owen Simpson	0833	A. & P. Farnlum	6-23-1888	280.0	5.60	5.60
1-P-16	Farnlum	Y-3	Owen Simpson	0833	Rockwell By-Pass	11-12-1926	25.0	6.10	6.10
1-P-17	Bonning	35-D	Lane Sheep Co.	0081	Jack H. Bonning	6-1-1884	200.0	4.00	4.00

DIVER NO	DIVER R NAME	OWNER	DIST. 37 DECREE BOOK ABOVE MAGIC RES. as of:	PRIORITY DATE	INCHES	C.F.S.	OWNER/CFS CANAL/2
00-P	D CANDY	WALTER W. CANDY	45-B1 37-0276	06-01-1885	12.00	0.24	0.24
00-P1	D BUS	IVAN GUSTAFSEN	45-B2 37-0276	06-01-1885	2.00	0.04	0.04
00-P2	D SMITH	ROBERT SMITH	9-A2 37-0158	07-01-1881	30.00	0.60	0.60
00-P3	D TOM	RIVER ROCK LTD.	15-A 37-0274	06-01-1882	40.00	0.80	0.80
00-P3	D TOM	RIVER ROCK LTD.	45-B4 37-0276	06-01-1885	184.00	3.68	4.48
00-P3	X TOM	RIVER ROCK LTD.	800-BY 37-0892	09-01-1920	159.20	3.18	4.
00-P4	X DAN	159.20" GOOD ONLY WHEN ALL WATER IN BASELINE BY-PASS	800-BY 37-0892	09-01-1920	159.20	3.18	4.
00-P4	D DON	DON ANDERSON	159.20" GOOD ONLY WHEN ALL WATER IN BASELINE BY-PASS	09-01-1920	159.20	3.18	4.
01	D LEWIS	SUN VALLEY INC.	3-A 37-0415	11-12-1936	10.00	0.20	0.20
02	D KETCHUM	SUN VALLEY INC.	30-A1 37-0417	04-25-1881	1250.00	25.00	25.00
02	D KETCHUM	SUN VALLEY, INC	30-A 37-0416	10-05-1883	200.00	4.00	4.00
03	D MCCOY	IDA PARKS FOUNDY BOWCUT	22-A 37-0457	10-05-1883	325.00	6.50	6.50
03	D MCCOY	WEYAKIN PARTNERS	22-B 37-0289	05-01-1883	240.00	4.80	4.80
04	D RICHES	LOWEN SIMPSON	90-A 37-0574	05-01-1883	350.00	7.00	7.00
04	D FARNLUM	LOWEN SIMPSON	70-A 37-0892	05-30-1894	250.00	5.00	5.00
04	X FARNLUM	LOWEN SIMPSON	800-BY 37-0892	06-23-1888	280.00	5.60	5.60
04	X FARNLUM	10.00" GOOD ONLY WHEN ALL WATER IN BY-PASS	800-BY 37-0892	09-01-1920	10.00	0.20	0.20
06-P5	D FARNLUM	LOWEN SIMPSON	750-RD 37-	11-12-1936	25.00	0.50	0.50
07	D BONNING	EDWARD DOWNE, JR.	35-D 37-0081	06-01-1884	200.00	4.00	4.00
09	X GIMLET	GIMLET PROP. OWNERS	700-PE 37-7638	06-01-1980	500.00	10.00	10.00
10	D COMSTOCK	GLEN B. GUILD, PRTNSHIP	65-A 37-0154	12-13-1887	478.00	9.56	9.56
10	D COMSTOCK	GLEN B. GUILD, PRTNSHIP	95-A 37-0459	06-01-1900	60.00	1.20	10.74

OWNER	PRINUK. S.I. ID	UK1B	SEE TO	DATE	INCHES	C.F.S.	OWNER/C	CANAL/C	
00-P	D CANDY	WALTER W. CANDY	45-B1	37-0276	FRED W. GOODING	06-01-1885	'12.00	0.24	O.
00-P1	D GUS	IVAN GUSTAFSEN	45-B2	37-0276	FRED W. GOODING	06-01-1885	'2.00	0.04	O.
00-P2	D SMITH	ROBERT SMITH	9-A2	37-0158	E. CRAMER	07-01-1881	'30.00	0.60	O.
00-P3	D TOM	RIVER ROCK LTD.	15-A	37-0274	FRED W. GOODING	06-01-1882	'40.00	0.80	O.
00-P3	D TOM	RIVER ROCK LTD.	45-B4	37-0276	FRED W. GOODING	06-01-1885	'184.00	3.48	4.
00-P3	X TOM	RIVER ROCK LTD.	B00-BY	37-0892	BASELINE BY-PASS	09-01-1920	'159.20	3.18	
159.20" GOOD ONLY WHEN ALL WATER IN BASELINE BY-PASS									
00-P4	D DON	DON ANDERSON	750-RD	37-	ROCKWELL BY-PASS	11-12-1936	'10.00	0.20	O.
00A.	X DAN'S	DAN OLMSTEAD	700-PE	37-8248	DAN OLMSTEAD	09-20-1985	'500.00	10.00	
NON-CONSUMPTIVE USE ONLY BUT MAKE CHARGES									
01 .	D LEWIS	SUN VALLEY INC.	3-A	37-0415	HORACE C. LEWIS	04-25-1881	'1250.00	25.00	25.
02 ,	D KETCHUM	SUN VALLEY INC.	30-A1	37-0417	HORACE C. LEWIS	10-05-1883	'200.00	4.00	4.
02	D KETCHUM	SUN VALLEY, INC	30-A	37-0416	HORACE C. LEWIS	10-05-1883	'325.00	6.50	10.
03	D MCCOY	IDA PARKS FOUNDATION	22-A	37-0457	GEORGE W. MCCOY	05-01-1883	'240.00	4.80	4.
03	D MCCOY	WEVAKIN PARTNERS	22-B	37-0289	BELLE GREEN	05-01-1883	'350.00	7.00	11.
05 ..	PATRICK SIMPSON	PATRICK SIMPSON	90-A	37-0574	J.M. RHODES	05-30-1894	'250.00	5.00	5.
06	D FARNLUM	PATRICK SIMPSON	70-A	37-0892	A. AND P. FARNLUM	06-23-1888	'280.00	5.60	5.
06 X	FARNLUM	PATRICK SIMPSON	B00-BY	37-0892	BASELINE BY-PASS	09-01-1920	'10.00	0.20	
10.00" GOOD ONLY WHEN ALL WATER IN BY-PASS									
06-P	D GOLF	PARTICK SIMPSON	750-RD	37-	ROCKWELL BY-PASS	11-12-1936	'25.00	0.50	O.
07	D BONNING	EDWARD DOWNE, JR.	35-D	37-0081	JAMES H. BONNING	06-01-1884	'200.00	4.00	4.C
09	X GIMLET	GIMLET PROP. OWNERS	700-PE	37-7638	GIMLET PROP. OWNERS	06-01-1980	'500.00	10.00	
NON-CONSUMPTIVE USE ONLY BUT MAKE CHARGES TO WALLY WRIGHT /									

DIVER		DIST. 37 DECREE BOOK ABOVE MAGIC RES. as of:		08/01/86	
R NAME	OWNER	PRIOR. ST. ID	ORIG DECREE TO	DATE	PRIORITY
				INCHES	C.F.S.
					OWNER/CFS CANAL/CFS
D FARNLUM	PATRICK SIMPSON	90-A 37-0574	J. M. RHODES	05-30-1894	250.00 5.00 10.60 10.60
D FARNLUM	PATRICK SIMPSON	750-RO 37-	ROCKWELL BY-PASS	11-12-1936	25.00 0.50 0.50 0.50
D BONNING	EDWARD DOMNE, JR.	35-D 37-0081	JAMES H. BONNING	06-01-1884	200.00 4.00 4.00 4.00
X BIMLET	BIMLET PROP. OWNERS	700-PE 37-7638	BIMLET PROP. OWNERS	06-01-1930	500.00 10.00
NON-CONSUMPTIVE USE CHARGES OF 15% OF TOTAL DIVERTED, TO WALLY WRIGHT					
D COMSTOCK	GLEN B. GOULD, PARTNERSHIP	65-A 37-0154	M. H. COMSTOCK	12-13-1887	475.00 9.56 9.56 9.56
D COMSTOCK	GLEN B. GOULD, PARTNERSHIP	95-A 37-0458	JAMES F. MCDONALD	06-01-1900	40.00 1.20 10.76 10.76
D COMSTOCK	GLEN B. GOULD, PARTNERSHIP	65-A 37-0154	M. H. COMSTOCK	12-13-1887	475.00 9.56 9.56 9.56
D COMSTOCK	JOHN McDONALD	56-A 37-0048	MARTIN BARRY	05-01-1887	25.00 0.50 0.50 11.26
D COMSTOCK	RICHARD LINDSEY	56-A 37-0048	MARTIN BARRY	05-01-1887	165.00 3.30 3.30 14.36
D COMSTOCK	ROBERT BLOOMFIELD	56-A 37-0048	MARTIN BARRY	05-01-1887	10.00 0.20 0.20 14.76
D COMSTOCK	ROBERT BLOOMFIELD	750-RO 37-	ROCKWELL BY-PASS	11-12-1936	10.00 0.20 0.40 14.96
D RINKER	HARRY S. RINKER	65-A 37-0154	M. H. COMSTOCK	12-13-1887	22.00 0.44 0.44 0.44
D RINKER	RICHARD BERTEA	19-E 37-0310	HENRY HEWETT	03-24-1883	20.00 0.40 0.40 0.84
X RINKER	WOOD RIVER PROPERTIES	700-PE 37-8722	WOOD RIVER PROPERTIES	03-25-1980	1000.00 20.00
NON-CONSUMPTIVE USE, CHARGE 15% OF TOTAL DIVERTED, TO HARRY RINKER					
X MORTIMER	LEE MORTIMER	700-PE 37-8722	LEE MORTIMER	05-09-1984	50.00 1.00
NON-CONSUMPTIVE USE CHARGE 15% OF TOTAL DIVERTED, TO LEE MORTIMER					
D CRAMER	FREDRICK BLECHMAN	73-A 37-0159	HUGH CRAMER	07-30-1888	400.00 8.00 8.00 8.00
X CRAMER	FREDRICK BLECHMAN	750-RO 37-	ROCKWELL BY-PASS	11-12-1936	50.00 1.00
D CRAMER	HEATHERLAND SUBDIVISION	73-A 37-0159	HUGH CRAMER	07-30-1888	400.00 8.00 8.00 16.00
D ATKIN	DON ATKINSON	60-D 37-0337	G. S. IVIE	06-01-1887	10.00 0.20 0.20 0.20
D MAY	DEXTER HAYWARD	76-A 37-0100	JAMES N. DRAHMAN	07-01-1889	9.00 0.18 0.18 0.18
D KNEEDING	WALTER SCHMIDT	800-L 37-	W. K. KNEEDING	09-15-1913	8.00 0.16 0.16 0.16

DIVER NO	DIVER NAME	OWNER	DIST. 37 DECREE BOOK ABOVE MAGIC RES. as of:	03/31/87	PRIORITY	DATE	INCHES	C.F.8.	OWNER/CFS CANAL
03	D MCCOY	WEYVAKIN PARTNERS	22-B	37-0289	BELLE GREEN	05-01-1883	350.00	7.00	7.00 1
06	D FARNLUM	PATRICK SIMPSON	70-A	37-0892	A. AND P. FARNLUM	06-23-1888	280.00	5.60	5.60
06	D FARNLUM	PATRICK SIMPSON	90-A	37-0574	J. M. RHODES	05-30-1894	250.00	5.00	10.60 1
06	D FARNLUM	PATRICK SIMPSON	750-RD	37-	ROCKWELL BY-PASS	11-12-1936	25.00	0.50	0.50
07	D BONNING	EDWARD DOWNE, JR.	35-D	37-0081	JAMES H. BONNING	06-01-1884	200.00	4.00	4.00
09	X GIMLET	GIMLET PROP. OWNERS	700-PE	37-7638	GIMLET PROP. OWNERS	06-01-1980	500.00	10.00	10.00
		NON-CONSUMPTIVE USE CHARGES OF 15% OF TOTAL DIVERTED, TO WALLY WRIGHT							
10	D COMSTOCK	BLAN B. SQUID, PARTNERSHIP	65-A	37-0154	M. H. COMSTOCK	12-13-1887	302.00	6.04	6.04
10	D COMSTOCK	HARRY S RINKER	65-A2	37-0154	M H COMSTOCK	12-13-1887	174.00	3.52	3.52
10	D COMSTOCK	JOHN McDONALD	56-A1	37-0048	MARTIN BARRY	05-01-1887	25.00	0.50	0.50 1
10	D COMSTOCK	RICHARD LINDSEY	56-A	37-0048	MARTIN BARRY	05-01-1887	165.00	3.30	3.30 1
10	D COMSTOCK	ROBERT BLOOMFIELD	56-A2	37-0048	MARTIN BARRY	05-01-1887	10.00	0.20	0.20 1
10	D COMSTOCK	ROBERT BLOOMFIELD	750-RD	37-	ROCKWELL BY-PASS	11-12-1936	10.00	0.20	0.40 1
10	X COMSTOCK	ROBERT SHERWOOD	700-PE	37-8278	HELEN FASSETT	09-25-1986	200.00	4.00	4.00
		NON-CONSUMPTIVE USE CHG. 15% OF TOTAL DIVERTED							
11	D RINKER	HARRY S RINKER	65-A1	37-0154	M. H. COMSTOCK	12-13-1887	22.00	0.44	0.44
11	D RINKER	RICHARD BERTEA	19-E1	37-0310	HENRY HENETT	03-24-1883	20.00	0.40	0.40
11-A	X RINKER	WOOD RIVER PROPERTIES	700-PE	37-8722	WOOD RIVER PROPERTIES	03-25-1980	1000.00	20.00	20.00
		NON-CONSUMPTIVE USE, CHARGE 15% OF TOTAL DIVERTED, TO HARRY RINKER							
12	X MORT	LEE MORTIMER	700-PE	37-8176	LEE MORTIMER	05-09-1984	50.00	1.00	1.00
		NON-CONSUMPTIVE USE CHARGE 15% OF TOTAL DIVERTED, TO LEE MORTIMER							
13	D CRAMER	FREDRICK BLECHMAN	73-A1	37-0159	HUGH CRAMER	07-30-1888	400.00	8.00	8.00
13	X CRAMER	FREDRICK BLECHMAN	750-RD	37-	ROCKWELL BY-PASS	11-12-1936	50.00	1.00	1.00

6 1/2'

HELIOS DEVELOPMENT LLC - WARM SPRINGS GOLF COURSE

WATER FEATURE VOLUMES- PRELIMINARY

NOTE: DIMENSIONS (AREA/DEPTH/VOLUME) ARE APPROXIMATE, AND WERE MADE BY
BROCKWAY ENGINEERING IN OCTOBER OF 2008

BROCKWAY ENGINEERING, PLLC

*from Jaske e-mail
6-9-09 10:20 AM.*

<u>FEATURE</u>	<u>LENGTH</u> FT.	<u>WIDTH</u> FT.	<u>AREA</u> FT ²	<u>DEPTH</u> FT.	<u>VOLUME</u> FT ³	<u>VOLUME</u> ACRE*FT.
Pond #1			3137.33	7	21961.31	0.50
Pond #2			445.41	4	1781.64	0.04
Pond #3			2209.91	4	8839.64	0.20
Pond #4			4241.2	5	21206	0.49
Pond #5			1848.19	3	5544.57	0.13
Total(s)			11882.04			1.36

<u>FEATURE</u>	<u>LENGTH</u> FT.	<u>WIDTH</u> FT.	<u>AREA</u> FT ²	<u>DEPTH</u> FT.	<u>VOLUME</u> FT ³	<u>VOLUME</u> ACRE*FT.
Ditch 1	265.64	10	2656.4	3	7969.2	0.18
Ditch 2	175.63	8	1405.04	1.5	2107.56	0.05
Ditch 3	28.59	4	114.36	1	114.36	0.00
Ditch 4	56.31	4	225.24	1	225.24	0.01
Ditch 5	84.43	4	337.72	1	337.72	0.01
Ditch 6	50.89	4	203.56	1	203.56	0.00
Ditch Return	503.13	4	2012.52	1	2012.52	0.05
Total(s)			6954.84		12970.16	0.30



1 inch equals 120 feet

- Legend**
- Well-37-11885
 - Diversion
 - Ditch
 - Ponds
 - 104n17e

**HELIOS DEVELOPMENT LLC
DIVERSION SYSTEM
2004 NAIP AERIAL PHOTOGRAPH**

BROCKWAY ENGINEERING, PLLC.
ALR - OCT. 20, 2008

Christensen, Kelly

From: Christensen, Kelly
Sent: Friday, September 25, 2009 11:03 AM
To: Bromley, Chris; Fritschle, Carter; Kelly, Vicki
Subject: 37-212a ET AL Helios reply to Laski

Following is my assessment of the department's position after the recent round of communication. At the end of the narrative is a table showing various calculations comparing my findings vs Brockway's calculations followed by a quick table showing the affect of changing the rate per acre by 0.001 cfs/acre increments. I was not in intending on including the table at the end. It just shows the results in changing various inputs. Basically for every change of 3.5 acres in the "Potential irrigated acres" the recommended rate will vary from 0.02 cfs to 0.03 cfs for the recommended POU.

After reviewing the Helios claims with the state office I have been directed as follows.

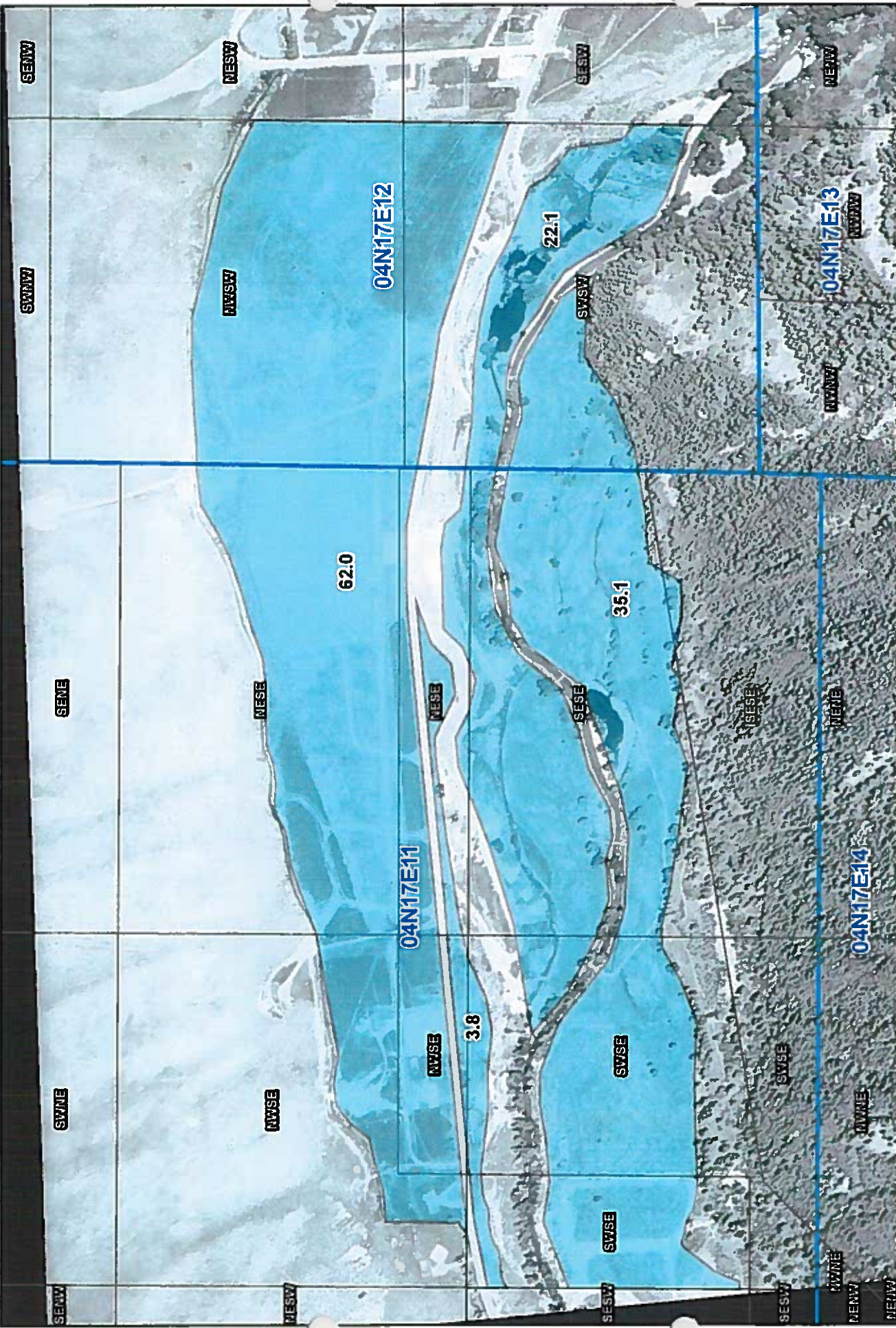
1. 37-20381 should be recommended for disallowal as the department cannot recognize an unrecorded transfer under 42-1425.
2. Recognize 37-212A at the decreed rate as the license remarks for 37-2621 is not binding regarding the rate for 37-212. After reviewing the options on how to determine the diversion rate we are willing to go with the method as proposed by Brockway Engineering. In reviewing the supporting information, primarily the aerial photo which includes their shape file of the "Potentially irrigated acres", it appears that their shape excluded ground that was or potentially could be irrigated. The most obvious area was approximately 3 acres of the currently recommended POU located in the South West side of the golf course. After noticing that I reviewed other areas and found a second area of concern which is the ground south of the center 3.8-acre shape and to Warm Springs Creek. Brockway Engineering found 126 acres which equates to approximately 0.046 cfs per acre. I found 140 acres which equates to 0.04 cfs per acre.
3. 37-212A and 37-2621 are only associated with the irrigation of the golf course and not the ground north of Warm Springs Creek. With the disallowal of 37-20381 there is no right associated with those 3.2 acres. To recognize 37-212A for the 3.2 acres, an amendment would be necessary to add the point of diversion for the ditch north of Warm Springs Creek.
4. When 37-2621 was licensed it included the remark, ".48 CFS IS TO BE SUPPLEMENTAL OR IN LIEU OF DECREED RIGHTS. THE TOTAL FROM ALL SOURCES NOT TO EXCEED 1 MINERS INCH PER ACRE." Therefore when 37-212A and 37-2612 are combined they are limited to the recommended decreed rate associated with 37-212A.

CALCULATIONS BASED UPON VARYING INPUTS ASSOCIATED WITH THE HELIS PROPERTY

Decreed Rate	5.6 cfs	
Proposed acres	Resultant rate per acre	
123 ac	0.046 cfs/ac	Brockway
140 ac	0.040 cfs/ac	IDWR

Acre difference based upon 0.001 cfs/ac

0.041 cfs/ac 136.6 ac (it takes a change of approximately 3.5 acres
to change the rate/ac by 0.001 cfs/ac



1 inch equals 500 feet

HELIOS DEVELOPMENT LLC POTENTIAL FROST DECREE IRRIGATED AREA 1964 FSA AERIAL PHOTOGRAPH

Legend

- Frost Decree Irrigation=123.0 ac.
- Sections
- 104n17e

HELIOS DEVELOPMENT**PRELIMINARY****Irrigation Water Right Analysis using Frost Decree Flow Rate**

Brockway Engineering

37-212A

Frost Decree Flow Rate (cfs):	Frost Decree Flow Rate (in/ac.):	1964 Potentially Irrigated Acres:	1964 Flow Rate Per Area (in/ac.):
5.6 ✓	280.0	123.0 <i>133.6/40</i>	2.3 <i>0.046 cfs/ac</i> <i>.042 cfs/ac to 0.04 cfs/ac</i>
Recommended Combined Limit Acres:	Flow Rate (in/ac.) Using 1964 Irrigated Area:	Potential REC Flow Rate (cfs) Using 1964 Irrigated Area:	
<i>27.9</i> <i>24.7</i>	63.5 <i>*.042 = 1.03 cfs</i> <i>.04 = .988 cfs</i> Recommended Combined Limit	1.27 <i>1.03 to</i> <i>.99 cfs</i>	
Licensed Flow Rate (cfs):	Acres:		
0.48	27.9		

37-20381- Rockwell Right

Decreed Flow Rate (cfs):	Recommended Combined Limit Acres:
0.5	27.9

TOTAL Potential REC Diversion Rate:

(cfs):

(in/ac.):

Golf Course Pump Flow Rate- per K.C. IDWR:

2.25
1.784.0
3.2

Rate variation @ changing thousands cfs/acre

Both sides of Warm Springs Creek

Golf course only

27.9	0.04	1.12	24.7	0.04	0.99
	0.041	1.14		0.041	1.01
	0.042	1.17		0.042	1.04
	0.043	1.20		0.043	1.06
	0.044	1.23		0.044	1.09
	0.045	1.26		0.045	1.11

A change in 0.001 cfs/acre changes the overall diversion rate by 0.02 cfs to 0.03 cfs (depending on rounding)

Kelly K Christensen
Sr Water Resource Agt
Boise, Western Region
(208)-334-2190

5-6-09

Helios: Status Conf.

Set Sept. 9, 2009 status conf.

Motion Lamund to add 2 P/Ds. ~~ST-212A~~

20381 Rockwell Bypass

RMK no Fed land irrigated.

{B.W. canal - wants copy of Amund dir Rpt.

Hobley

Do field work & prepare Rpt prior to May 29



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

RECEIVED

APR 01 2009

WATER RESOURCES
WESTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

March 31, 2009

HELIOS DEVELOPMENT LLC
C/O EDWARD A LAWSON
PO BOX 3310
KETCHUM ID 83340

Re: Snake River Basin Adjudication (SRBA) ✓
Returned Checks for Amended Claims #37-212A, 37-11885 and 37-20381

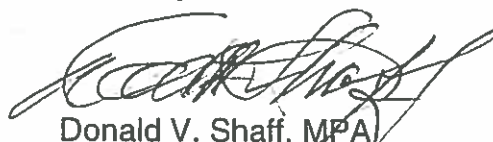
Dear Mr. Lawson:

IDWR received your checks #2738, 2739 and 3741 on February 11, 2009, long after your Motions to File Amended Claim were granted and shortly after the partial decree for amended claim 37-11885 was issued. The checks over a year old would never clear the bank and is the reason they are being returned.

Please submit another payment for claim fees to IDWR at your earliest convenience. Please write the amended claim numbers on your checks.

Thank you for attending to this matter.

Sincerely,



Donald V. Shaff, MPA
Adjudication Bureau Chief

DVS:ss:region

Enclosures

Checks Referenced Above

SCANNED

MAR 31 2009

LAWSON & LASKI, PLLC
ATTORNEYS AT LAW

Kirstin K. Dutcher
KKD@LAWSONLASKI.COM

675 SUN VALLEY ROAD, SUITE A
POST OFFICE BOX 3310
KETCHUM, IDAHO 83340
TELEPHONE: 208-725-0055
FACSIMILE: 208-725-0076
WWW.LAWSONLASKI.COM

March 26, 2009

Received
3-26-09 @ 4:18

SENT VIA EMAIL ONLY

Kelly Christensen
Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082
Fax: (208) 334-2348
Email: Kelly.Christensen@idwr.idaho.gov

Re: Helios Development, LLC
Water Right NOS: 37-212A, 37-2621, 37-20381, 37-4337, 37-11885

Dear Kelly:

Pursuant to the SRBA's deadline for claimant to provide additional information to the IDWR, please see the enclosed information. If you have any questions, please feel free to contact me.

37-212A

- Affidavit of Patrick Simpson regarding the Irrigation System to the northern area of the property with attached 2004 Shapefile of Helios' Diversion System on the Warm Springs Ranch
- 1987 Infrared shapefile with the place of use boundary reduced so as to not irrigate any USFS land (34.5 acres)
- Copy of USDA Photos

37-2621

- Affidavit of Patrick Simpson regarding the Spring

37-4337

- Affidavit of Patrick Simpson regarding the Fish Ponds with Attachment

Mr. Kelly Christensen

March 26, 2009

Page 2

- Water Master's delivery records from 1977 through 1987 which shows that 6.1 cfs was delivered to water right

37-11885

- Affidavit of Patrick Simpson regarding the Restaurant Well
- 2004 Shapefile of location of 8" Well
- Estimated Restaurant Well Annual Volume Use calculations provided by Brockway Engineer, PLLC

Thank you,

LAWSON & LASKI, PLLC

A handwritten signature in black ink, appearing to read "Kirstin K. Dutcher". The signature is fluid and cursive, with the first name "Kirstin" being more prominent than the last name "Dutcher".

Kirstin K. Dutcher

Cc: Client
Charles E. Brockway/Zach Latham

Enclosures

AFFIDAVIT
OF
PATRICK SIMPSON

Attorneys for Helios Development, LLC

IN Re SRBA

**AFFIDAVIT OF PATRICK
SIMPSON**

County of Blaine

AFFIDAVIT OF PATRICK SIMPSON - 1

round and we stocked the ponds with about 100 Rainbow trout that were approximately 12 inches or longer. We also stocked about 100 California Golden trout that were approximately 16 to 18 inches. These fish came from the Hagerman Valley and was stocked annually.

3. In or about 1953, we opened Warm Springs Ranch Restaurant (the "Restaurant"). In those days, the ponds were the main attraction for the Restaurant because guests would catch fish and the Restaurant would cook the fish for them. In addition, the Restaurant would serve fish from the ponds. At that time, I was still a boy, but it was my job to catch the fish for the Restaurant. On a busy night there would be around 30 people fishing for their dinner.

4. Several years later, after the Ranch ceased allowing guests to catch their dinner, we continued to stock the ponds for raising and rearing fish and for aesthetic purposes. During the time we owned the Ranch, the aesthetics of the ponds were enjoyed by Ranch guests as they entered and exited the Restaurant and dined on the patio.

5. In or about 1961, the Restaurant operated using water from a well located on the Ranch (the "Restaurant Well"). See water right no. 37-11885. From 1961 through 1998, water from this well was used for commercial purposes in the Restaurant including: cooking, drinking and washing dishes, linens and cleaning the interior and exterior of the Restaurant. The Restaurant Well also provided water to the golf shop.

6. The Restaurant Well was also used for irrigation purposes for the area immediately surrounding the Restaurant.

7. The Ranch also has an irrigation system ("Irrigation System") for the golf course. The source of this Irrigation System is a combined water right which includes: Warm Springs' creek (37-212A), Rockwell Bypass (37-20381), and a spring (37-2621) located on the property ("Combined Water Right"). In addition to the main golf course pump, the system included two

EXHIBIT



1 inch equals 120 feet

Legend

Well- 37-11885

Diversion

EXHIBIT
Ponds

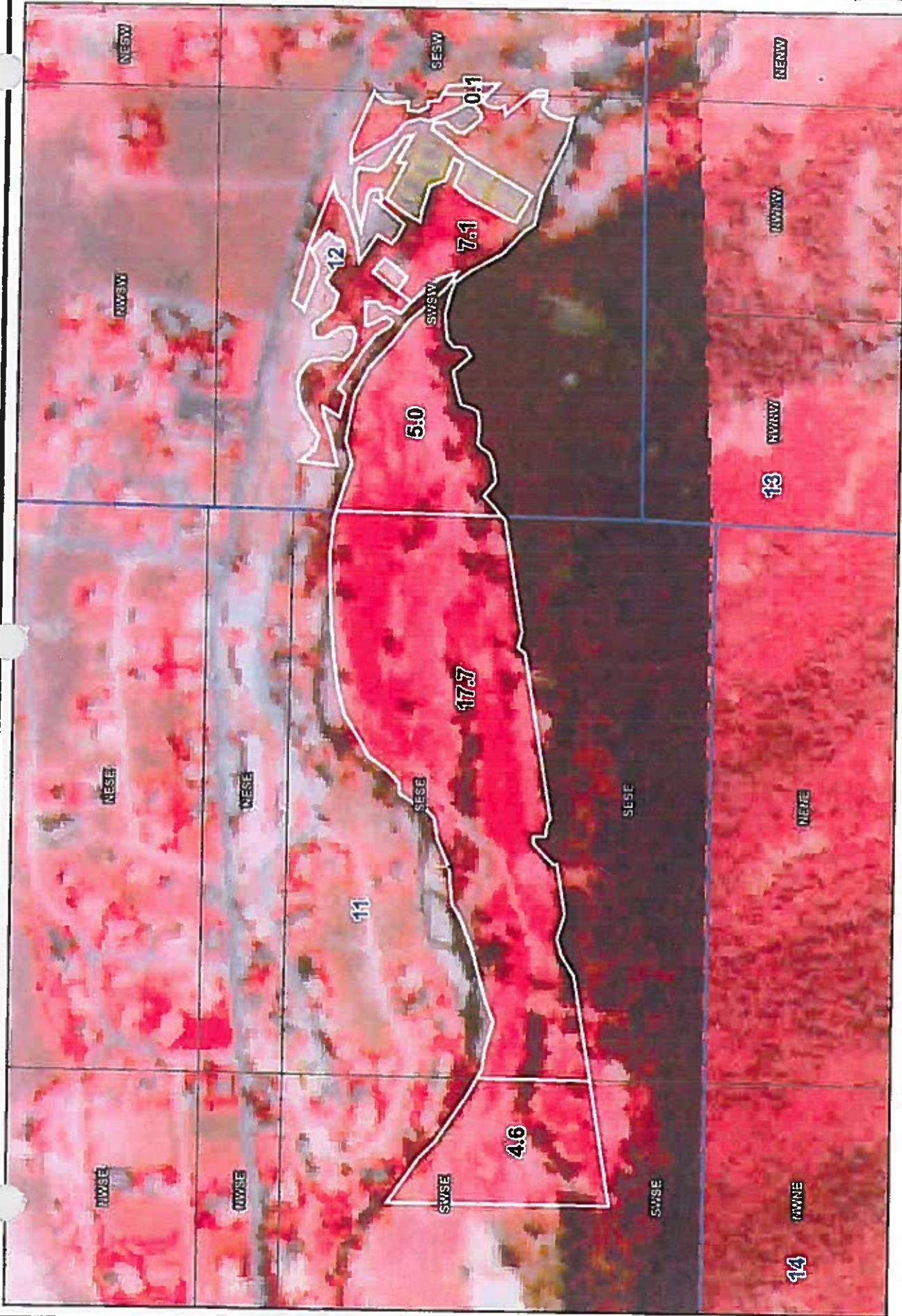
04N17E

HELIOS DEVELOPMENT LLC
DIVERSION SYSTEM
2004 NAIP AERIAL PHOTOGRAPH

BROCKWAY ENGINEERING, PLLC.
ALR - OCT. 20, 2008

1987

INFRARED SHAPEFILE



0 200 400 Feet

HELIOS DEVELOPMENT LLC
AMENDED CLAIM - 37-212A, 37-20381
T.04N R.17E. SEC.11, 12
1987 INFRARED AERIAL PHOTOGRAPH

Legend
Sections
1987 Irrigated Acres = 34.5 ac.
80m17e

BROCKWAY ENGINEERING, PLLC.
ALR (2L) - 3/26/09

37-212A, 37-20381 P.O.D.

USDA
PHOTOGRAPHS

USDA
JULY 2, 1964



Assume
1964

A
AUGUS. 9, 1969



USDA
AUGUST 29, 1984



DA
AUG. 29, 1984



Page 7
1984.

Does
not
show
road

Aug
1984

USC
AUGUST 29, 1984



Reserve
Sept 1969
1969

U
SEPTEMBER 4, 1977



Maple
Camping
Labeled Aug 29, 1984

U
SEPTEMBER 4, 1977



Sept
1977



Matche
Aug
1969



69

**WATER MASTER
DELIVERY RECORDS**

1977

MCCOY #3							FARNLUM #6						
DAY	APRIL	MAY	JUNE	JULY	AUGUST	SEPT	APRIL	MAY	JUNE	JULY	AUGUST	SEPT	
1		6.7	12.1	10.2	11.8	1.0		0	1.0	2.0	1.0	1.0	
2		7.1	12.3	10.6	11.4	1.0		2.0	1.5	2.0	1.0	1.0	
3		7.1	12.7	11.0	11.0	1.0		1.5	2.0	2.0	1.0	1.0	
4		8.5	12.5	11.4	11.0	1.0		1.0	2.0	2.0	1.0	1.0	
5		6.0	12.3	11.8	10.6	1.0		1.0	2.0	2.0	1.0	1.0	
6		6.0	12.1	12.7	10.8	1.0		1.0	2.0	2.0	1.0	1.0	
7		6.0	12.2	12.2	11.0	1.0		1.0	2.0	2.0	1.0	1.0	
8		6.0	12.7	11.8	11.0	1.0		1.0	2.5	2.0	1.0	1.0	
9		9	12.7	11.8	11.0	1.0		1.0	3.0	2.0	1.0	1.0	
10		1	13.4	11.4	11.0	1.0		1.0	3.5	2.0	1.0	1.0	
11		1	13.3	10.6	11.0	1.0		1.0	2.0	2.0	1.0	1.0	
12		12	13.0	5.7	10.6	1.0		1.0	2.0	2.0	1.0	1.0	
13		13	12.1	6.4	10.6	1.0		1.0	2.0	2.0	1.0	1.0	
14		14	11.1	6.5	10.4	1.0		1.0	2.0	2.0	1.0	1.0	
15		15	10.8	6.7	10.2	1.0		1.0	2.0	2.0	1.0	1.0	
16		16	10.8	5.7	1.0	1.0		1.0	2.0	2.0	1.0	1.0	
17		17	10.6	5.7	1.0	1.0		1.0	2.0	2.0	1.0	1.0	
18		18	10.6	4.9	1.0	1.0		1.0	2.0	2.0	1.0	1.0	
19		19	10.6	5.2	1.0	1.0		1.0	2.0	2.0	1.0	1.0	
20		20	11.4	6.4	1.0	1.0		1.0	2.0	2.0	1.0	1.0	
21		21	11.4	6.4	1.0	1.0		1.0	2.0	2.0	1.0	1.0	
22		22	11.4	6.4	1.0	1.0		1.0	2.0	2.0	1.0	1.0	
23		23	11.4	6.4	1.0	1.0		1.0	2.0	2.0	1.0	1.0	
24	8	24	11.4	11.4	1.0	2.0		1.0	3.0	1.0	1.0	1.0	
25	5.2	25	12.7	11.6	1.0	2.0		1.0	3.0	1.0	1.0	1.0	
26	5.2	26	12.7	11.8	1.0	2.0		1.0	2.0	1.0	1.0	1.0	
27	5.2	27	12.0	11.6	1.0	2.0		1.0	2.0	1.0	1.0	1.0	
28	6.0	28	11.5	11.4	1.0	2.0		1.0	2.0	1.0	1.0	1.0	
29	6.7	29	11.0	11.4	1.0	2.0		1.0	2.0	1.0	1.0	1.0	
30	6.7	30	11.0	11.4	1.0	2.0		1.0	2.0	1.0	1.0	1.0	
31	6.7	31	11.0	11.4	1.0	2.0		1.0	2.0	1.0	1.0	1.0	
T	41.8	234.0	359.3	295.1	179.4	36.8		31.5	60.5	52.0	31.0	30.0	

1978.

1978.

FARNHAM #6							BONNING #7						
DAY	APRIL	MAY	JUNE	JULY	AUGUST	SEPT	APRIL	MAY	JUNE	JULY	AUGUST	SEPT	
1				11.3	11.3	.5			5.6	5.2	0	0	
2				11.3	11.3	.5			5.6	5.2			
3				11.3	11.3	.5			5.6	5.2			
4				11.3	11.3	.5			5.6	5.2			
5				11.3	11.3	.5			5.6	5.2			
6			0	11.3	11.3	.5			5.3	1.5			
7			11.3	11.3	11.3	.5			5.0	1.5			
8			11.3	11.3	11.3	.5			4.3	1.5			
9			11.3	11.3	11.3	.5			4.3	1.5			
10			11.3	11.3	11.3	.5			5.2	1.5			
11			11.3	11.3	11.3	.5			5.2	1.5			
12			11.3	11.3	11.3	.5			5.0	1.5			
13			11.3	11.3	11.3	.5			4.3	1.5			
14			11.3	11.3	11.3	.5		0	5.0	1.5			
15			11.3	11.3	11.3	.5		3.6	5.2	1.5			
16			11.3	11.3	11.3	.5		3.6	4.3	1.5			
17			11.3	11.3	11.3	.5		3.6	4.3	1.5			
18			11.3	11.3	11.3	.5		3.6	4.3	1.5			
19			11.3	11.3	11.3	.5		3.6	4.3	1.5	0		
20			11.3	11.3	11.3	.5		3.6	4.2	1.5			
21			11.3	11.3	11.3	.5		4.0	4.2	1.5			
22			11.3	11.3	11.3	.5		4.5	4.2	1.5			
23			11.3	11.3	11.3	.5		5.0	5.2	1.5			
24			11.3	11.3	11.3	.5		5.0	5.2	1.5			
25			11.3	11.3	11.3	.5		5.0	4.3	1.5			
26			11.3	11.3	11.3	.5		5.0	4.3	1.5			
27			11.3	11.3	11.3	.5		5.1	4.3	1.5			
28			11.3	11.3	11.3	.5		5.2	5.2	1.5			
29			11.3	11.3	11.3	.5		5.0	3.0	1.5			
30			11.3	11.3	11.3	.5		5.0	4.1	0			
31			11.3	11.3	11.3	.5		5.4	5.2	0			
T			271.2	350.3	101.9	11.6		75.0	192.8	42.4	0	0	

1979

BONNING #7											
DAY	APRIL	MAY	JUNE	JULY	AUGUST	SEPT	DAY	APRIL	MAY	JUNE	JULY
1							1				
2							2				
3							3				
4							4				
5							5				
6							6				
7							7				
8							8				
9							9				
10							10				
11							11				
12							12				
13							13				
14							14				
15							15				
16							16				
17							17				
18							18				
19							19				
20							20				
21							21				
22							22				
23							23				
24							24				
25							25				
26							26				
27							27				
28							28				
29							29				
30							30				
31							31				
T							T				

SIMPSON #6

DAY	APRIL	MAY	JUNE	JULY	AUGUST	SEPT	DAY	APRIL	MAY	JUNE	JULY
1							1				
2							2				
3							3				
4							4				
5							5				
6							6				
7							7				
8							8				
9							9				
10							10				
11							11				
12							12				
13							13				
14							14				
15							15				
16							16				
17							17				
18							18				
19							19				
20							20				
21							21				
22							22				
23							23				
24							24				
25							25				
26							26				
27							27				
28							28				
29							29				
30							30				
31							31				
T							T				

1980

FARNLUM #6		New # 6-A Spring				Old: Bonnin. #7				LANE #7- New #				DAY	
APRIL	MAY	JUNE	JULY	AUGUST	SEPT	APRIL	MAY	JUNE	JULY	AUGUST	SEPT				
1			6.1	6.1	6.1			2.5				1			
2			1												
3															
4															
5		6.1													
6		1													
7															
8															
9															
10								2.5							
11								-0-							
12															
13															
14															
15															
16															
17															
18								-0-							
19								2.0							
20								2.5							
21								2.0							
22								1							
23															
24															
25															
26															
27															
28															
29															
30															
31		6.1	6.1	6.1	6.1		2.5	3.0							
T		164.7	189.1	189.1	183.0		36.6	62.5							

1981

1981

MCCOY #3													FARNLUM #6												
DAY	APRIL	MAY	JUNE	JULY	AUGUST	SEPT	APRIL	MAY	JUNE	JULY	AUGUST	SEPT	DAY	APRIL	MAY	JUNE	JULY	AUGUST	SEPT						
1				10.6	7.0	5.7			6.1	6.1		5.7	1			6.1	6.1		5						
2				7.0	7.0	5.7			7.0	5.6		5.7	2			7.0	5.6		1						
3				7.0	7.0	5.7						5.7	3												
4				7.0	7.0	5.7						5.7	4												
5				7.0	7.0	5.7						5.7	5												
6				5.7	7.0	5.7						5.7	6												
7				5.7	7.0	5.7						5.7	7												
8				5.7	7.0	5.7						5.7	8												
9				5.7	7.0	5.7						5.7	9												
10				5.7	7.0	5.7						5.7	10												
11				5.7	7.0	5.7						5.7	11												
12				5.7	7.0	5.7						5.7	12												
13				5.7	7.0	5.7						5.7	13												
14				5.7	7.0	5.7						5.7	14												
15				5.7	7.0	5.7						5.7	15												
16				5.7	7.0	5.7						5.7	16												
17				5.7	7.0	5.7						5.7	17												
18				5.7	7.0	5.7						5.7	18												
19				5.7	7.0	5.7						5.7	19												
20				9.8	5.7	5.7						5.7	20												
21				9.8	5.7	5.7						5.7	21												
22				9.8	5.7	5.7						5.7	22				5.6								
23				9.8	5.7	5.7						5.7	23				5								
24				9.8	5.7	5.7						5.7	24				1								
25				9.8	5.7	5.7						5.7	25												
26			10.0	9.8	5.7	5.7						5.7	26												
27			10.0	9.8	5.7	5.7						5.7	27												
28			10.6	7.0	5.7	5.7						5.7	28												
29			10.6	9.8	5.7	5.7						5.7	29												
30			10.6	7.0	5.7	5.7						5.7	30			6.1									
31													31		6.1		5	1							
T			63.6	233.8	193.6	171.0			169.0	163.0	123.1	15.5	T		169.0	163.0	123.1	15.5	15.0						

1982

DAY	MCCOY #3					FARNLUM #6						
	APRIL	MAY	JUNE	JULY	AUGUST	SEPT	APRIL	MAY	JUNE	JULY	AUGUST	SEPT
1			6.0	5.7	8.0	5.7			6.1	6.1	6.1	2.5
2			8.0	5.7	5.7	5.7			6.1	6.1	2.5	2.5
3			8.0	5.7	5.7	5.7			6.1	6.1	2.5	2.5
4			7.0	5.7	5.7	5.7			6.1	6.1	2.5	2.5
5			7.0	5.7	5.7	5.7			6.1	6.1	2.5	2.5
6			7.0	5.7	5.7	5.7			6.1	6.1	2.5	2.5
7			7.0	5.7	5.7	5.7			6.1	6.1	2.5	2.5
8			7.0	5.7	5.7	5.7			6.1	6.1	2.5	2.5
9			7.0	5.7	5.7	5.7			6.1	6.1	2.5	2.5
10			7.0	5.7	5.7	5.7			6.1	6.1	2.5	2.5
11			7.0	5.7	5.7	5.7			6.1	6.1	2.5	2.5
12			7.0	5.7	5.7	5.7			6.1	6.1	2.5	2.5
13			7.5	5.7	5.7	5.7			6.1	6.1	2.5	2.5
14			8.0	5.7	5.7	5.7			6.1	6.1	2.5	2.5
15			8.0	5.7	5.7	5.7			6.1	6.1	2.5	2.5
16			8.0	5.7	5.7	5.7			6.1	6.1	2.5	2.5
17			8.0	5.7	5.7	5.7			6.1	6.1	2.5	2.5
18			8.0	5.7	5.7	5.7			6.1	6.1	2.5	2.5
19			8.0	6.4	5.7	5.7			6.1	6.1	2.5	2.5
20			8.0	6.4	5.7	5.7			6.1	6.1	2.5	2.5
21			8.0	7.0	5.7	5.7			6.1	6.1	2.5	2.5
22			8.0	7.0	5.7	5.7			6.1	6.1	2.5	2.5
23			8.0	8.0	5.7	4.9			6.1	6.1	2.5	2.5
24			8.0	8.0	5.7	4.9			6.1	6.1	2.5	2.5
25			8.0	8.0	5.7	4.9			6.1	6.1	2.5	2.5
26			8.0	8.0	5.7	4.0			6.1	6.1	2.5	2.5
27			8.0	8.0	5.7	4.0			6.1	6.1	2.5	2.5
28			5.7	8.0	5.7	4.0			6.1	6.1	2.5	2.5
29			5.7	8.0	5.7	4.0			6.1	6.1	2.5	2.5
30			5.7	8.0	5.7	4.0			6.1	6.1	2.5	2.5
31			5.7	8.0	5.7	4.0			6.1	6.1	2.5	2.5
T			221.6	201.4	176.7	160.1			65.5	183.0	189.1	75.0

1983

1983

FARNHAM #6													
DAY	APRIL	MAY	JUNE	JULY	AUGUST	SEPT	APRIL	MAY	JUNE	JULY	AUGUST	SEPT	DAY
1				5.7	7.0	4.0			6.1	6.1	2.8	2.5	1
2				5.7	7.0	4.0			6.1	6.1	2.8	2.5	2
3				5.7	7.0	4.0			6.1	6.1	2.8	2.5	3
4				5.7	7.0	4.0			6.1	6.1	2.8	2.5	4
5				5.7	7.0	4.0			6.1	6.1	2.8	2.5	5
6			-0-	4.0	7.0	4.0			6.1	6.1	2.8	2.5	6
7			8.0	4.0	7.0	7.0			6.1	6.1	2.8	2.5	7
8			8.0	5.7	7.0	7.0			6.1	6.1	2.8	2.5	8
9			8.0	5.7	7.0	7.0			6.1	6.1	2.8	2.5	9
10			8.0	5.7	7.0	7.0			6.1	6.1	2.8	2.5	10
11			8.0	5.7	7.0	7.0			6.1	6.1	2.8	2.5	11
12			8.0	5.7	7.0	7.0			6.1	6.1	2.8	2.5	12
13			8.0	5.7	7.0	7.0			6.1	6.1	2.8	2.5	13
14			8.0	5.7	4.0	7.0			6.1	6.1	2.8	2.5	14
15			8.0	4.9	4.0	7.0			6.1	6.1	2.8	2.5	15
16			8.0	4.9	4.0	6.0			6.7	6.1	2.5	2.5	16
17			8.0	5.7	4.0	7.0			6.1	6.1	2.5	2.5	17
18			8.0	5.7	4.0	7.0			6.1	6.1	2.5	2.5	18
19			8.0	5.7	7.0	7.0			6.1	6.1	2.5	2.5	19
20			7.0	7.0	7.0	7.0			6.1	6.1	2.5	2.5	20
21			7.0	7.0	7.0	7.0			6.1	6.1	2.5	2.5	21
22			6.0	7.0	7.0	7.0		-0-	6.1	6.1	2.5	2.5	22
23			6.0	7.0	7.0	7.0		6.1	6.1	6.1	2.5	2.5	23
24			7.0	8.0	7.0	7.0		6.1	6.1	6.1	2.5	2.5	24
25			7.0	8.0	7.0	6.4		6.1	6.1	2.8	2.5	2.5	25
26			7.0	8.0	7.0	6.4		6.1	6.1	2.8	2.5	2.5	26
27			7.0	8.0	7.0	6.4		6.1	6.1	2.8	2.5	2.5	27
28			7.0	8.0	7.0	6.4		6.1	6.1	2.8	2.5	2.5	28
29			6.0	7.0	4.0	7.0		6.1	6.1	2.8	2.5	2.5	29
30			6.0	7.0	4.0	7.0		6.1	6.1	2.8	2.5	2.5	30
31				7.0	4.0			6.1	6.1	2.8	2.5		31
T			177.0	192.3	193.0	189.6		-54.9	183.0	166.0	82.0	75.0	T

1984

DAY	MCCOY #3						FARNLUM #6						DAY
	APRIL	MAY	JUNE	JULY	AUGUST	SEPT	APRIL	MAY	JUNE	JULY	AUGUST	SEPT	
1			5.7	5.7	5.7	5.7			1.1	1.0	1.0	2.0	1
2			5.7	5.7	5.7	5.7			1.1	1.0	1.0	2.0	2
3			4.0	5.7	4.0	5.7			1.1	1.0	1.0	2.0	3
4			4.0	4.0	4.0	5.7			1.1	1.6	1.0	2.0	4
5			4.0	4.0	4.0	5.7			1.1	1.6	1.0	2.0	5
6			4.0	4.0	4.0	5.7			1.1	1.6	1.0	2.0	6
7			4.0	4.0	4.0	5.7			1.1	1.6	1.0	2.0	7
8			4.0	4.0	4.0	5.7			1.1	1.6	1.0	2.0	8
9			4.0	4.0	4.0	2.8			1.1	1.6	1.0	2.0	9
10			4.0	4.0	4.0	2.8			1.1	1.0	1.0	2.0	10
11			4.0	4.0	4.0	2.8			1.1	1.0	1.0	2.0	11
12			4.0	4.0	4.0	2.8			1.1	1.0	1.0	2.0	12
13			4.0	7.0	5.7	2.8			1.1	1.3	1.0	2.0	13
14			4.0	7.0	5.7	2.8			1.1	1.3	1.0	2.0	14
15			4.0	6.0	5.7	2.8			1.1	1.3	1.0	2.0	15
16			4.0	6.0	5.7	2.8			1.1	1.3	2.0	2.0	16
17			4.0	4.0	5.7	2.8			1.1	1.3	2.0	2.0	17
18			4.0	4.0	5.7	2.8			1.1	1.3	2.0	2.0	18
19			4.0	4.0	5.7	2.8			1.1	1.3	2.0	2.0	19
20			4.0	5.7	5.7	4.0			1.8	1.3	2.0	2.0	20
21			4.0	5.7	5.7	4.0			1.8	1.3	2.0	2.0	21
22			4.0	5.7	5.7	4.0			1.8	1.3	2.0	2.0	22
23			4.0	5.7	5.7	4.0		-0	1.8	1.3	2.0	2.0	23
24		-0	4.0	5.7	5.7	4.0		1.1	1.8	1.3	2.0	2.0	24
25		5.7	4.0	5.7	5.7	4.0		1.1	1.8	1.3	2.0	2.0	25
26		5.7	4.0	5.7	5.7	4.0		1.1	1.8	1.3	2.0	2.0	26
27		5.7	4.0	5.7	5.7	4.0		1.1	1.8	1.3	2.0	2.0	27
28		5.7	4.0	5.7	5.7	4.0		1.1	1.8	1.3	2.0	2.0	28
29		5.7	5.7	4.0	5.7	4.0		1.8	1.0	1.0	2.0	2.0	29
30		5.7	5.7	4.0	5.7	4.0		1.8	1.0	1.0	2.0	2.0	30
31		5.7	5.7	4.0	5.7	4.0		1.8	1.0	1.0	2.0	2.0	31
T		39.9	129.5	157.1	159.7	119.2		10.9	39.1	39.4	46.0	60.0	T

1985

FARNIUM #6				GIMIET #9									
DAY	APRIL	MAY	JUNE	JULY	AUGUST	SEPT	APRIL	MAY	JUNE	JULY	AUGUST	SEPT	DAY
1			1.0	.5	.5	.5		10.0	10.0	10.0	10.0	5.4	1
2			1.0	.5	.5	.5		10.0	10.0	10.0	20.0	8.0	2
3			1.0	.5	.5	.5		10.0	12.0	10.0	20.0	8.0	3
4			1.0	.5	.5	.5		10.0	12.0	10.0	20.0	7.2	4
5			1.0	.5	.5	.5		10.0	12.0	10.0	20.0	7.2	5
6			1.0	.5	.5	.5		10.0	12.0	10.0	20.0	8.5	6
7			1.0	.5	.5	.5		10.0	12.0	10.0	20.0	8.5	7
8		1.0	1.0	.5	.5	.5		10.0	12.0	10.0	20.0	8.5	8
9		1.0	1.0	.5	.5	.5		10.0	12.0	10.0	-0-	8.5	9
10		1.0	1.0	.5	.5	.5		10.0	12.0	10.0		8.5	10
11		1.0	1.0	.5	.5	.5		10.0	12.0	10.0		12.1	11
12		1.0	1.0	.5	.5	.5		10.0	12.0	10.0		12.1	12
13		1.0	1.0	.5	.5	.5		10.0	12.0	10.0		13.1	13
14		1.0	.5	.5	.5	.5		10.0	14.0	10.0	8.0	13.1	14
15		1.0	.5	.5	.5	.5		10.0	14.0	10.0	8.0	13.1	15
16		1.0	.5	.5	.5	.5		10.0	14.0	10.0	8.0	11.5	16
17		1.0	3.8	.5	.5	.5		10.0	14.0	10.0	8.0	11.5	17
18		1.0	3.8	.5	.5	.5		10.0	14.0	10.0	8.0	11.5	18
19		1.0	3.9	.5	.5	.5	10.0	10.0	10.0	10.0	8.0	11.5	19
20		1.0	3.9	.5	.5	.5	10.0	10.0	10.0	10.0	8.0	11.0	20
21		1.0	2.5	.5	.5	.5	10.0	10.0	10.0	10.0	-0-	11.0	21
22		1.0	2.5	.5	.5	.5	10.0	10.0	10.0	10.0		11.0	22
23		1.0	2.5	.5	.5	.5	10.0	10.0	10.0	10.0		11.0	23
24		1.0	.5	.5	.5	.5	10.0	10.0	10.0	10.0		11.0	24
25		1.0	.5	.5	.5	.5	10.0	10.0	10.0	10.0		10.0	25
26		1.0	.5	.5	.5	.5	10.0	10.0	10.0	10.0	6.2	10.0	26
27		1.0	.5	.5	.5	.5	10.0	10.0	10.0	10.0	6.2	9.7	27
28		1.0	.5	.5	.5	.5	10.0	10.0	10.0	10.0	6.2	9.7	28
29		1.0	.5	.5	.5	.5	10.0	10.0	10.0	10.0	6.2	9.7	29
30		1.0	.5	.5	.5	.5	10.0	10.0	10.0	10.0	5.4	9.7	30
31		1.0		.5	.5	.5		10.0		10.0	5.4		31
T		24.0	40.9	15.5	15.5	15.0	120.0	310.0	342.0	310.0	241.6	301.6	T

786

FARNLUM #0-P5							FARNLUM #6						
DAY	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	
1			.5	.5	.5	.5		1.0	2.0	2.0	3.0	1.0	1
2			.5	.5	.5	.5		1.0	2.0	2.0	3.0	1.0	2
3			.5	.5	.5	.5		1.0	2.0	2.0	3.0	1.0	3
4			.5	.5	.5	.5		1.0	2.0	2.0	2.0	1.0	4
5			.5	.5	.5	.5		1.0	2.0	2.0	2.0	2.0	5
6			.5	.5	.5	.5		1.0	2.0	2.0	2.0	2.0	6
7			.5	.5	.5	.5		1.0	2.0	2.0	2.0	2.0	7
8			.5	.5	.5	.5		1.0	2.0	2.0	2.0	2.0	8
9			.5	.5	.5	.5		1.0	2.0	2.0	2.0	2.0	9
10			.5	.5	.5	.5		1.0	2.0	2.0	2.0	1.0	10
11			.5	.5	.5	.5		1.0	2.0	2.0	2.0	1.0	11
12			.5	.5	.5	.5		1.0	2.0	2.0	2.0	1.0	12
13			.5	.5	.5	.5		1.0	2.0	2.0	2.0	1.0	13
14			.5	.5	.5	.5		1.0	2.0	2.0	2.0	1.0	14
15			.5	.5	.5	.5		1.0	2.0	2.0	2.0	1.0	15
16			.5	.5	.5	.5		1.0	2.0	2.0	2.0	1.0	16
17			.5	.5	.5	.5		1.0	2.0	2.0	2.0	1.0	17
18			.5	.5	.5	.5		1.0	2.0	2.0	2.0	1.0	18
19		.5	.5	.5	.5	.5		1.0	2.0	2.0	2.0	1.0	19
20		.5	.5	.5	.5	.5		1.0	2.0	2.0	2.0	1.0	20
21		.5	.5	.5	.5	.5		2.0	2.0	2.0	2.0	1.0	21
22		.5	.5	.5	.5	.5		2.0	2.0	2.0	1.0	1.0	22
23		.5	.5	.5	.5	.5		2.0	2.0	2.0	1.0	1.0	23
24		.5	.5	.5	.5	.5		2.0	2.0	2.0	1.0	1.0	24
25		.5	.5	.5	.5	.5		2.0	2.0	4.0	1.0	1.0	25
26		.5	.5	.5	.5	.5		2.0	2.0	4.0	1.0	1.0	26
27		.5	.5	.5	.5	.5		2.0	2.0	4.0	1.0	1.0	27
28		.5	.5	.5	.5	.5	1.0	2.0	2.0	4.0	1.0	1.0	28
29		.5	.5	.5	.5	.5	1.0	2.0	2.0	4.0	1.0	1.0	29
30		.5	.5	.5	.5	.5	1.0	2.0	2.0	4.0	1.0	1.0	30
31		.5		.5	.5	.5		2.0		4.0	1.0		31
T		6.5	15.0	15.5	15.5	12.5	3.0	42.0	60.0	72.0	55.0	30.0	T

TOTAL cfs 65.0

TOTAL cfs 262.0

1981

McCOY #3										FARNLUM #06-P6									
DAY	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	1	2	3	4	5	6	7
1		12.0	4.0	5.7	4.0	1.0		.5	.5	.5	.5	.5							
2		12.0	4.0	5.7	4.0	1.0		.5	.5	.5	.5	.5							
3		12.0	4.0	5.7	4.0	1.0		.5	.5	.5	.5	.5							
4		8.7	4.0	5.7	4.0	1.0		.5	.5	.5	.5	.5							
5		8.7	4.0	5.7	4.0	1.0		.5	.5	.5	.5	.5							
6	1.0	7.0	4.0	4.5	3.5	1.0		.5	.5	.5	.5	.5							
7	1.0	7.0	4.0	4.5	3.5	1.0		.5	.5	.5	.5	.5							
8	1.0	11.8	4.0	4.9	3.5	1.0		.5	.5	.5	.5	.5							
9	1.0	11.8	4.0	4.9	3.5	1.0		.5	.5	.5	.5	.5							
10	1.0	11.8	4.0	4.9	3.5	1.0		.5	.5	.5	.5	.5							
11	1.0	12.0	4.0	4.9	3.5	1.0		.5	.5	.5	.5	.5							
12	1.0	12.0	4.0	4.9	3.5	1.0		.5	.5	.5	.5	.5							
13	1.5	12.0	3.5	4.9	3.5	1.0		.5	.5	.5	.5	.5							
14	1.5	12.0	3.5	4.9	3.5	1.0		.5	.5	.5	.5	.5							
15	2.0	12.0	3.5	4.9	3.5	1.0		.5	.5	.5	.5	.5							
16	2.0	12.0	2.8	4.0	3.5	1.0		.5	.5	.5	.5	.5							
17	4.0	12.0	2.8	4.0	3.5	1.0		.5	.5	.5	.5	.5							
18	4.0	14.0	2.8	4.0	3.0	1.0		.5	.5	.5	.5	.5							
19	4.0	14.0	5.7	4.0	3.0	1.0		.5	.5	.5	.5	.5							
20	4.0	11.4	5.7	4.0	1.0	1.0		.5	.5	.5	.5	.5							
21	4.0	11.4	5.7	5.7	1.0	1.0		.5	.5	.5	.5	.5							
22	9.8	9.8	4.0	7.0	1.0	1.0		.5	.5	.5	.5	.5							
23	9.8	9.8	4.0	7.0	1.0	1.0		.5	.5	.5	.5	.5							
24	9.8	9.8	4.0	5.7	1.0	1.0		.5	.5	.5	.5	.5							
25	9.8	10.6	4.0	5.7	1.0	1.0		.5	.5	.5	.5	.5							
26	9.8	10.6	4.0	5.7	1.0	1.0		.5	.5	.5	.5	.5							
27	11.4	-0-	5.7	5.7	1.0	1.0		.5	.5	.5	.5	.5							
28	11.4		5.7	4.0	1.0	1.0		.5	.5	.5	.5	.5							
29	12.0		5.7	4.0	1.0	1.0		.5	.5	.5	.5	.5							
30	12.0		5.7	4.0	1.0	1.0		.5	.5	.5	.5	.5							
31			5.7	4.0	1.0	1.0		.5	.5	.5	.5	.5							
T	129.8	288.2	122.3	154.3	137.0	30.0	4.5	15.5	15.0	15.5	15.5	15.0	15.0	15.0	15.0	15.0	15.0	15.0	15.0

TOTAL CFS 806.6

TOTAL CFS

81.0

1981

FARNLUM #06													COMSTOCK #10												
DAY	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER							
1	1.0	1.0	2.0	2.0	1.0	1.0			4.8	4.0	2.8	1.0			4.8	4.0	2.8	1.0							
2	1.0	1.0	2.0	2.0	1.0	1.0			4.8	4.0	2.8	1.0			4.8	4.0	2.8	1.0							
3	1.0	1.0	2.0	2.0	1.0	1.0			4.8	4.0	2.0	1.0			4.8	4.0	2.0	1.0							
4	1.0	1.0	2.0	2.0	1.0	1.0			4.0	4.0	2.0	1.0			4.0	4.0	2.0	1.0							
5	1.0	1.0	2.0	2.0	1.0	1.0			4.0	4.0	1.0	-0-			4.0	4.0	1.0	-0-							
6	1.0	1.0	2.0	1.0	1.0	1.0			4.0	4.0	1.0	1.0			4.0	4.0	1.0	1.0							
7	1.0	1.0	2.0	1.0	1.0	1.0			4.0	4.0	1.0	1.0			4.0	4.0	1.0	1.0							
8	1.0	2.0	2.0	1.0	1.0	1.0			5.7	4.9	1.0	1.0			5.7	4.9	1.0	1.0							
9	1.0	2.0	2.0	1.0	1.0	1.0			5.7	4.9	1.0	1.0			5.7	4.9	1.0	1.0							
10	1.0	2.0	2.0	1.0	1.0	1.0	2.0	5.7	4.9	1.0	1.0	1.0		2.0	5.7	4.9	1.0	1.0							
11	1.0	2.0	2.0	1.0	1.0	1.0	2.0	5.7	4.9	1.0	1.0	1.0		2.0	5.7	4.9	1.0	1.0							
12	1.0	2.0	2.0	1.0	1.0	1.0	2.0	5.7	3.5	1.0	1.0	1.0		2.0	5.7	3.5	1.0	1.0							
13	1.0	2.0	2.0	1.0	1.0	1.0	2.0	5.7	3.5	1.0	1.0	1.0		2.0	5.7	3.5	1.0	1.0							
14	1.0	2.0	2.0	1.0	1.0	1.0	2.0	5.7	3.5	1.0	1.0	1.0		2.0	5.7	3.5	1.0	1.0							
15	1.0	2.0	2.0	1.0	1.0	1.0	2.1	5.7	3.5	1.0	1.0	1.0		2.1	5.7	3.5	1.0	1.0							
16	1.0	2.0	2.0	1.0	1.0	1.0	2.1	5.7	3.5	1.0	1.0	1.0		2.1	5.7	3.5	1.0	1.0							
17	1.0	2.0	2.0	1.0	1.0	1.0	2.1	5.7	3.5	1.0	1.0	1.0		2.1	5.7	3.5	1.0	1.0							
18	1.0	2.0	2.0	1.0	1.0	1.0	2.1	6.4	3.5	1.0	1.0	1.0		2.1	6.4	3.5	1.0	1.0							
19	1.0	2.0	2.0	1.0	1.0	1.0	2.1	6.4	3.5	1.0	1.0	1.0		2.1	6.4	3.5	1.0	1.0							
20	1.0	2.0	2.0	1.0	1.0	1.0	2.1	5.7	3.5	1.0	1.0	1.0		2.1	5.7	3.5	1.0	1.0							
21	1.0	2.0	2.0	1.0	1.0	1.0	2.1	5.7	3.5	1.0	1.0	1.0		2.1	5.7	3.5	1.0	1.0							
22	1.0	2.0	2.0	1.0	1.0	1.0	3.0	4.0	2.0	2.0	2.0	2.0		3.0	4.0	2.0	2.0	2.0							
23	1.0	2.0	2.0	1.0	1.0	1.0	3.0	4.0	2.0	2.0	2.0	2.0		3.0	4.0	2.0	2.0	2.0							
24	1.0	2.0	2.0	1.0	1.0	1.0	3.0	4.0	2.0	2.0	2.0	2.0		3.0	4.0	2.0	2.0	2.0							
25	1.0	2.0	2.0	1.0	1.0	1.0	3.0	4.0	2.0	2.0	2.0	2.0		3.0	4.0	2.0	2.0	2.0							
26	1.0	2.0	2.0	1.0	1.0	1.0	3.0	4.0	2.0	2.0	2.0	2.0		3.0	4.0	2.0	2.0	2.0							
27	1.0	2.0	2.0	1.0	1.0	1.0	3.0	4.0	2.0	2.0	2.0	2.0		3.0	4.0	2.0	2.0	2.0							
28	1.0	2.0	2.0	1.0	1.0	1.0	3.0	4.0	2.0	2.0	2.0	2.0		3.0	4.0	2.0	2.0	2.0							
29	1.0	2.0	2.0	1.0	1.0	1.0	4.0	4.0	2.8	1.0	1.0	1.0		4.0	4.0	2.8	1.0	1.0							
30	1.0	2.0	2.0	1.0	1.0	1.0	4.0	4.0	2.8	1.0	1.0	1.0		4.0	4.0	2.8	1.0	1.0							
31		2.0		1.0	1.0			4.0		1.0				4.0		1.0									
T	30.0	55.0	60.0	36.0	31.0	30.0	53.7	151.6	102.2	38.6	4.0		53.7	151.6	102.2	38.6	4.0		T						

TOTAL CFS 353.4

TOTAL CFS 242.0

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CANAL NAME	FARNLUM
CANAL NUMBER	06-P6YEAR
OWNER	PATRICK SIMPSON
PAGE	1
USER	PATRICK SIMPSON
DATE	1988

=====

DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE
1	0.50	0.50	0.50	0.50	0.50	0.50	1
2	0.50	0.50	0.50	0.50	0.50	0.50	2
3	0.50	0.50	0.50	0.50	0.50	0.50	3
4	0.50	0.50	0.50	0.50	0.50	0.50	4
5	0.50	0.50	0.50	0.50	0.50	0.50	5
6	0.50	0.50	0.50	0.50	0.50	0.50	6
7	0.50	0.50	0.50	0.50	0.50	0.50	7
8	0.50	0.50	0.50	0.50	0.50	0.50	8
9	0.50	0.50	0.50	0.50	0.50	0.50	9
10	0.50	0.50	0.50	0.50	0.50	0.50	10
11	0.50	0.50	0.50	0.50	0.50	0.50	11
12	0.50	0.50	0.50	0.50	0.50	0.50	12
13	0.50	0.50	0.50	0.50	0.50	0.50	13
14	0.50	0.50	0.50	0.50	0.50	0.50	14
15	0.50	0.50	0.50	0.50	0.50	0.50	15
16	0.50	0.50	0.50	0.50	0.50	0.50	16
17	0.50	0.50	0.50	0.50	0.50	0.50	17
18	0.50	0.50	0.50	0.50	0.50	0.50	18
19	0.50	0.50	0.50	0.50	0.50	0.50	19
20	0.50	0.50	0.50	0.50	0.50	0.50	20
21	0.50	0.50	0.50	0.50	0.50	0.50	21
22	0.50	0.50	0.50	0.50	0.50	0.50	22
23	0.50	0.50	0.50	0.50	0.50	0.50	23
24	0.50	0.50	0.50	0.50	0.50	0.50	24
25	0.50	0.50	0.50	0.50	0.50	0.50	25
26	0.50	0.50	0.50	0.50	0.50	0.50	26
27	0.50	0.50	0.50	0.50	0.50	0.50	27
28	0.50	0.50	0.50	0.50	0.50	0.50	28
29	0.50	0.50	0.50	0.50	0.50	0.50	29
30	0.50	0.50	0.50	0.50	0.50	0.50	30
31	0.50	0.50	0.50	0.50	0.50	0.50	31

YEARLY C.F.S. 69.00

YEARLY ACRE FEET 136.85

TOTAL NUMBER OF DAYS 153

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DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE
=====							
OWNER PATRICK SIMPSON				PAGE 1 USER PATRICK SIMPSON			
=====							
CANAL NAME	FARNLUM			CANAL NUMBER 06			
				YEAR 1988			

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DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE
1	2.00	2.00	2.00	2.00	2.00	2.00	1
2	2.00	2.00	2.00	2.00	2.00	2.00	2
3	2.00	2.00	2.00	2.00	2.00	2.00	3
4	2.00	2.00	2.00	2.00	2.00	2.00	4
5	1.00	2.00	2.00	2.00	2.00	2.00	5
6	1.00	2.00	2.00	2.00	2.00	2.00	6
7	1.00	2.00	2.00	2.00	2.00	2.00	7
8	1.00	2.00	2.00	2.00	2.00	2.00	8
9	1.00	2.00	2.00	2.00	2.00	2.00	9
10	1.00	2.00	2.00	2.00	2.00	2.00	10
11	2.00	2.00	2.00	2.00	2.00	2.00	11
12	2.00	2.00	2.00	2.00	2.00	2.00	12
13	2.00	2.00	2.00	2.00	2.00	2.00	13
14	2.00	2.00	2.00	2.00	2.00	2.00	14
15	2.00	2.00	2.00	2.00	2.00	2.00	15
16	2.00	2.00	2.00	2.00	2.00	2.00	16
17	2.00	2.00	2.00	2.00	2.00	2.00	17
18	2.00	2.00	2.00	2.00	2.00	2.00	18
19	2.00	2.00	2.00	2.00	2.00	2.00	19
20	2.00	2.00	2.00	2.00	2.00	2.00	20
21	2.00	2.00	2.00	2.00	2.00	2.00	21
22	2.00	2.00	2.00	2.00	2.00	2.00	22
23	2.00	2.00	2.00	2.00	2.00	2.00	23
24	2.00	2.00	2.00	2.00	2.00	2.00	24
25	2.00	2.00	2.00	2.00	2.00	2.00	25
26	2.00	2.00	2.00	2.00	2.00	2.00	26
27	2.00	2.00	2.00	2.00	2.00	2.00	27
28	2.00	2.00	2.00	2.00	2.00	2.00	28
29	2.00	2.00	2.00	2.00	2.00	2.00	29
30	2.00	2.00	2.00	2.00	2.00	2.00	30
31	2.00	2.00	2.00	2.00	2.00	2.00	31
TOTAL	47.00	62.00	60.00	52.00	54.00	60.00	TOTAL

YEARLY C.F.S. 335.00
YEARLY ACRE FEET 664.44
TOTAL NUMBER OF DAYS 180

WATER DISTRICT #37 & 37-H

CANAL NAME FRANKLIN CANAL NUMBER 6 1989

OWNER PATRICK SIMPSON

DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE
1	1.00	1.00	1.00	1.70	0.50	0.50	1
2	1.00	1.00	1.00	1.70	0.50	0.50	2
3	1.00	1.00	1.00	1.70	0.50	0.50	3
4	1.00	1.00	1.00	1.70	0.50	0.50	4
5	1.00	1.00	1.00	1.70	0.50	0.50	5
6	1.00	1.00	1.00	1.70	0.50	0.50	6
7	1.00	1.00	1.00	1.70	0.50	0.50	7
8	1.00	1.00	1.00	1.70	0.50	0.50	8
9	1.00	1.00	1.00	1.60	0.50	0.50	9
10	1.00	1.00	1.00	1.60	0.50	0.50	10
11	1.00	1.00	1.00	1.60	0.50	0.50	11
12	1.00	1.00	1.00	1.60	0.50	0.50	12
13	1.00	1.00	1.00	1.60	0.50	0.50	13
14	1.00	1.00	1.00	1.60	0.50	0.50	14
15	1.00	1.00	1.00	1.50	0.50	0.50	15
16	1.00	1.00	1.00	1.60	0.50	0.50	16
17	1.00	1.00	1.00	1.60	0.50	0.50	17
18	1.00	1.00	1.00	1.60	0.50	0.50	18
19	1.00	1.00	1.00	1.60	0.50	0.50	19
20	1.00	1.00	1.00	1.60	0.50	0.50	20
21	1.00	1.00	1.00	1.60	0.50	0.50	21
22	1.00	1.00	1.00	1.50	0.50	0.50	22
23	1.00	1.00	1.00	1.50	0.50	0.50	23
24	1.00	1.00	1.00	1.50	0.50	0.50	24
25	1.00	1.00	1.00	1.50	0.50	0.50	25
26	1.00	1.00	1.00	1.50	0.50	0.50	26
27	1.00	1.00	1.00	1.50	0.50	0.50	27
28	1.00	1.00	1.00	1.50	0.50	0.50	28
29	1.00	1.00	1.00	1.50	0.50	0.50	29
30	1.00	1.00	1.00	1.50	0.50	0.50	30
31	1.00	1.00	1.00	1.50	0.50	0.50	31
TOTAL	3.00	32.60	30.70	38.30	15.50	15.00	

YEARLY C.F.S. 135.10

YEARLY ACRE FEET 267.198

TOTAL NO. OF DAYS 156

YEARLY MEAN 0.87

WATER DISTRICT #37 & 37-H

CANAL NAME FRANKLIN CANAL NUMBER DE-P6 1989

OWNER PATRICK SIMPSON

DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE
1			0.50	0.50	0.50	0.50	1
2			0.50	0.50	0.50	0.50	2
3			0.50	0.50	0.50	0.50	3
4			0.50	0.50	0.50	0.50	4
5			0.50	0.50	0.50	0.50	5
6			0.50	0.50	0.50	0.50	6
7			0.50	0.50	0.50	0.50	7
8			0.50	0.50	0.50	0.50	8
9			0.50	0.50	0.50	0.50	9
10			0.50	0.50	0.50	0.50	10
11			0.50	0.50	0.50	0.50	11
12			0.50	0.50	0.50	0.50	12
13			0.50	0.50	0.50	0.50	13
14			0.50	0.50	0.50	0.50	14
15			0.50	0.50	0.50	0.50	15
16			0.50	0.50	0.50	0.50	16
17			0.50	0.50	0.50	0.50	17
18			0.50	0.50	0.50	0.50	18
19			0.50	0.50	0.50	0.50	19
20			0.50	0.50	0.50	0.50	20
21			0.50	0.50	0.50	0.50	21
22			0.50	0.50	0.50	0.50	22
23			0.50	0.50	0.50	0.50	23
24			0.50	0.50	0.50	0.50	24
25			0.50	0.50	0.50	0.50	25
26			0.50	0.50	0.50	0.50	26
27			0.50	0.50	0.50	0.50	27
28			0.50	0.50	0.50	0.50	28
29			0.50	0.50	0.50	0.50	29
30			0.50	0.50	0.50	0.50	30
31			0.50	0.50	0.50	0.50	31
TOTAL	0.00	10.00	15.00	15.50	15.50	15.00	

YEARLY C.F.S. 71.00

YEARLY ACRE FEET 140.58

TOTAL NO. OF DAYS 142

YEARLY MEAN 0.50

WATER DISTRICT #37 & 37-H

CANAL NAME FARNLUN CANAL NUMBER 06-1990
OWNER PATRICK STIMPSON

DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE
1							1
2							2
3							3
4							4
5							5
6							6
7							7
8							8
9							9
10							10
11							11
12							12
13							13
14							14
15							15
16							16
17							17
18							18
19							19
20							20
21							21
22							22
23							23
24							24
25							25
26							26
27							27
28							28
29							29
30							30
31							31
TOTAL	0.00	10.50	84.00	73.40	16.00	21.50	

YEARLY C.F.S. 155.40
YEARLY ACRE FEET 327.492
TOTAL NO. OF DAYS 143
YEARLY MEAN 1.16

WATER DISTRICT #37 & 37-H

CANAL NAME FARNLUN CANAL NUMBER 06-1990
OWNER PATRICK STIMPSON

DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE
1							1
2							2
3							3
4							4
5							5
6							6
7							7
8							8
9							9
10							10
11							11
12							12
13							13
14							14
15							15
16							16
17							17
18							18
19							19
20							20
21							21
22							22
23							23
24							24
25							25
26							26
27							27
28							28
29							29
30							30
31							31
TOTAL	29.00	17.50	15.00	15.50	15.50	15.00	

YEARLY C.F.S. 107.50
YEARLY ACRE FEET 212.85
TOTAL NO. OF DAYS 180
YEARLY MEAN 0.60

WATER DISTRICT #37 & 37-M

CANAL NAME FARNLIP CANAL NUMBER 06 1991

OWNER PATRICK SIMPSON

DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE
1	1.00	1.00	1.00	1.00	1.00	1.00	1
2	1.00	1.00	1.00	1.00	1.00	1.00	2
3	1.00	1.00	1.00	1.00	1.00	1.00	3
4	1.00	1.00	1.00	1.00	1.00	1.00	4
5	1.00	1.00	1.00	1.00	1.00	1.00	5
6	1.00	1.00	1.00	1.00	1.00	0.71	6
7	1.00	1.00	1.00	1.00	1.00	0.71	7
8	1.00	1.00	1.00	1.00	1.00	0.71	8
9	1.00	1.00	1.00	1.00	1.00	1.00	9
10	1.00	1.00	1.00	1.00	1.00	1.00	10
11	1.00	1.00	1.00	1.00	1.00	1.00	11
12	1.00	1.00	1.00	1.00	1.00	1.00	12
13	1.00	1.00	1.00	1.00	1.00	1.00	13
14	1.00	1.00	1.00	1.00	1.00	1.00	14
15	1.00	1.00	1.00	1.00	1.00	1.00	15
16	1.00	1.00	1.00	1.00	1.00	1.00	16
17	1.00	1.00	1.00	1.00	1.00	1.00	17
18	1.00	1.00	1.00	1.00	1.00	1.00	18
19	1.00	1.00	1.00	1.00	1.00	1.00	19
20	1.00	1.00	1.00	1.00	1.00	1.00	20
21	1.00	1.00	1.00	1.00	1.00	1.00	21
22	1.00	1.00	1.00	1.00	1.00	1.00	22
23	1.00	1.00	1.00	1.00	1.00	1.00	23
24	1.00	1.00	1.00	1.00	1.00	1.00	24
25	1.00	1.00	1.00	1.00	1.00	1.00	25
26	1.00	1.00	1.00	1.00	1.00	1.00	26
27	1.00	1.00	1.00	1.00	1.00	0.71	27
28	1.00	1.00	1.00	1.00	1.00	0.71	28
29	1.00	1.00	1.00	1.00	1.00	0.71	29
30	1.00	1.00	1.00	1.00	1.00	0.71	30
31	1.00	1.00	1.00	1.00	1.00	1.00	31
TOTAL	30.00	31.00	30.00	31.00	31.00	27.97	

YEARLY C.F.S. 180.97
 YEARLY ACRE FEET 358.3206
 TOTAL NO. OF DAYS 189
 YEARLY MEAN 0.99

WATER DISTRICT #37 & 37-M

CANAL NAME GOLF CANAL NUMBER 06-P 1991

OWNER PATRICK SIMPSON

DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE
1			2.00	2.00	0.50	0.50	1
2			2.00	2.00	0.50	0.50	2
3			2.00	2.00	0.50	0.50	3
4			2.00	2.00	0.50	0.50	4
5			2.00	2.00	0.50	0.50	5
6			2.00	2.00	0.50	0.50	6
7			2.00	2.00	0.50	0.50	7
8			2.00	2.00	0.50	0.50	8
9			2.00	2.00	0.50	0.50	9
10			2.00	2.00	0.50	0.50	10
11			2.00	2.00	0.50	0.50	11
12			2.00	2.00	0.50	0.50	12
13			2.00	2.00	0.50	0.50	13
14			2.00	2.00	0.50	0.50	14
15			2.00	2.00	0.50	0.50	15
16			2.00	2.00	0.50	0.50	16
17			2.00	2.00	0.50	0.50	17
18			2.00	2.00	0.50	0.50	18
19			2.00	2.00	0.50	0.50	19
20			2.00	2.00	0.50	0.50	20
21			2.00	2.00	0.50	0.50	21
22			2.00	2.00	0.50	0.50	22
23			2.00	2.00	0.50	0.50	23
24			2.00	2.00	0.50	0.50	24
25			2.00	2.00	0.50	0.50	25
26			2.00	2.00	0.50	0.50	26
27			2.00	2.00	0.50	0.50	27
28			2.00	2.00	0.50	0.50	28
29			2.00	2.00	0.50	0.50	29
30			2.00	2.00	0.50	0.50	30
31			2.00	2.00	0.50	0.50	31
TOTAL	0.00	4.00	68.00	32.00	15.50	15.00	

YEARLY C.F.S. 188.50
 YEARLY ACRE FEET 234.43
 TOTAL NO. OF DAYS 185
 YEARLY MEAN 1.03

WATER DISTRICT #37 & 37-H

CANAL NAME GOLF CANAL NUMBER 06-P 1992

OWNER PATRICK SIMPSON

DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE
1	0.50	0.50	0.50	0.50	0.50	0.50	1
2	0.50	0.50	0.50	0.50	0.50	0.50	2
3	0.50	0.50	0.50	0.50	0.50	0.50	3
4	0.50	0.50	0.50	0.50	0.50	0.50	4
5	0.50	0.50	0.50	0.50	0.50	0.50	5
6	0.50	0.50	0.50	0.50	0.50	0.50	6
7	0.50	0.50	0.50	0.50	0.50	0.50	7
8	0.50	0.50	0.50	0.50	0.50	0.50	8
9	0.50	0.50	0.50	0.50	0.50	0.50	9
10	0.50	0.50	0.50	0.50	0.50	0.50	10
11	0.50	0.50	0.50	0.50	0.50	0.50	11
12	0.50	0.50	0.50	0.50	0.50	0.50	12
13	0.50	0.50	0.50	0.50	0.50	0.50	13
14	0.50	0.50	0.50	0.50	0.50	0.50	14
15	0.50	0.50	0.50	0.50	0.50	0.50	15
16	0.50	0.50	0.50	0.50	0.50	0.50	16
17	0.50	0.50	0.50	0.50	0.50	0.50	17
18	0.50	0.50	0.50	0.50	0.50	0.50	18
19	0.50	0.50	0.50	0.50	0.50	0.50	19
20	0.50	0.50	0.50	0.50	0.50	0.50	20
21	0.50	0.50	0.50	0.50	0.50	0.50	21
22	0.50	0.50	0.50	0.50	0.50	0.50	22
23	0.50	0.50	0.50	0.50	0.50	0.50	23
24	0.50	0.50	0.50	0.50	0.50	0.50	24
25	0.50	0.50	0.50	0.50	0.50	0.50	25
26	0.50	0.50	0.50	0.50	0.50	0.50	26
27	0.50	0.50	0.50	0.50	0.50	0.50	27
28	0.50	0.50	0.50	0.50	0.50	0.50	28
29	0.50	0.50	0.50	0.50	0.50	0.50	29
30	0.50	0.50	0.50	0.50	0.50	0.50	30
31	0.50	0.50	0.50	0.50	0.50	0.50	31
TOTAL							15.00

YEARLY C.F.S. 81.00
 YEARLY ACRE FEET 160.38
 TOTAL NO. OF DAYS 162
 YEARLY MEAN 0.50

WATER DISTRICT #37 & 37-H

CANAL NAME FARNLUM CANAL NUMBER 06 1992

OWNER PATRICK SIMPSON

NON-CONSUMPTIVE

DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE
1	1.00	1.00	1.00	0.71	0.71	1.00	1
2	1.00	1.00	1.00	0.71	0.71	1.00	2
3	1.00	1.00	1.00	0.71	0.71	1.00	3
4	1.00	1.00	1.00	0.71	0.71	1.00	4
5	1.00	1.00	1.00	0.71	0.71	1.00	5
6	1.00	1.00	1.00	0.71	0.71	1.00	6
7	1.00	1.00	1.00	0.71	1.00	1.00	7
8	1.00	1.00	1.00	0.71	1.00	1.00	8
9	1.00	1.00	1.00	0.71	1.00	1.00	9
10	1.00	1.00	1.00	0.71	1.00	1.00	10
11	1.00	1.00	1.00	0.71	1.00	1.00	11
12	1.00	1.00	1.00	0.71	1.00	1.00	12
13	1.00	1.00	1.00	0.71	1.00	1.00	13
14	1.00	1.00	1.00	0.71	1.00	1.00	14
15	1.00	1.00	1.00	0.71	1.00	1.00	15
16	1.00	1.00	1.00	0.71	1.00	1.00	16
17	1.00	1.00	1.00	0.71	1.00	1.00	17
18	1.00	1.00	1.00	0.71	1.00	1.00	18
19	1.00	1.00	1.00	0.71	1.00	1.00	19
20	1.00	1.00	1.00	0.71	1.00	1.00	20
21	1.00	1.00	1.00	0.71	1.00	1.00	21
22	1.00	1.00	1.00	0.71	1.00	1.00	22
23	1.00	1.00	1.00	0.71	1.00	1.00	23
24	1.00	1.00	1.00	0.71	1.00	1.00	24
25	1.00	1.00	1.00	0.71	1.00	1.00	25
26	1.00	1.00	1.00	0.71	1.00	1.00	26
27	1.00	1.00	1.00	0.71	1.00	1.00	27
28	1.00	1.00	1.00	0.71	1.00	1.00	28
29	1.00	1.00	1.00	0.71	1.00	1.00	29
30	1.00	1.00	1.00	0.71	1.00	1.00	30
31	1.00	1.00	1.00	0.71	1.00	1.00	31
TOTAL							30.00

YEARLY C.F.S. 168.21
 YEARLY ACRE FEET 333.0558
 TOTAL NO. OF DAYS 183
 YEARLY MEAN 0.92

WATER DISTRICT #37 & 37-M

CANAL NAME FARM LUN CANAL NUMBER 06 1993

OWNER PATRICK SIMPSON NON-CONSUMPTIVE

DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE	DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE
1	1.00	1.00	1.00	2.00	1.42	0.71	1	1	2.84	2.84	2.84	2.84	2.84	0.50	1
2	1.00	1.00	1.00	1.42	1.00	0.71	2	2	2.84	2.84	2.84	2.84	2.84	0.50	2
3	1.00	1.00	1.00	1.42	1.00	0.71	3	3	2.84	2.84	2.84	2.84	2.84	0.50	3
4	1.00	1.00	1.00	1.42	0.71	0.71	4	4	2.84	2.84	2.84	2.84	2.84	0.50	4
5	1.00	1.00	1.00	1.42	0.71	0.71	5	5	2.84	2.84	2.84	2.84	2.84	0.50	5
6	1.00	1.00	1.00	1.42	1.00	0.71	6	6	2.84	2.84	2.84	2.84	2.84	0.50	6
7	1.00	1.00	1.00	1.42	1.00	0.71	7	7	2.84	2.84	2.84	2.84	2.84	0.50	7
8	1.00	1.00	1.00	1.42	1.00	0.71	8	8	2.84	2.84	2.84	2.84	2.84	0.50	8
9	1.00	1.00	1.00	1.42	1.00	0.71	9	9	2.84	2.84	2.84	2.84	2.84	0.50	9
10	1.00	1.00	1.00	1.42	1.00	0.71	10	10	2.84	2.84	2.84	2.84	2.84	0.50	10
11	1.00	1.00	1.00	1.42	1.00	0.71	11	11	2.84	2.84	2.84	2.84	2.84	0.50	11
12	1.00	1.00	1.00	1.42	1.00	0.71	12	12	2.84	2.84	2.84	2.84	2.84	0.50	12
13	1.00	1.00	1.00	1.42	1.00	0.71	13	13	2.84	2.84	2.84	2.84	2.84	0.50	13
14	1.00	1.00	1.00	1.42	1.00	0.71	14	14	2.84	2.84	2.84	2.84	2.84	0.50	14
15	1.00	1.00	1.00	1.42	1.00	0.71	15	15	2.84	2.84	2.84	2.84	2.84	0.50	15
16	1.00	1.00	1.00	1.42	1.00	0.71	16	16	2.84	2.84	2.84	2.84	2.84	0.50	16
17	1.00	1.00	1.00	1.42	1.00	0.71	17	17	2.84	2.84	2.84	2.84	2.84	0.50	17
18	1.00	1.00	1.00	1.42	0.71	0.71	18	18	2.84	2.84	2.84	2.84	2.84	0.50	18
19	1.00	1.00	1.00	1.42	0.71	0.71	19	19	2.84	2.84	2.84	2.84	2.84	0.50	19
20	1.00	1.00	1.00	1.42	0.71	0.71	20	20	2.84	2.84	2.84	2.84	2.84	0.50	20
21	1.00	1.00	2.00	1.42	0.71	0.71	21	21	2.84	2.84	2.84	2.84	2.84	0.50	21
22	1.00	2.00	2.00	1.42	0.71	0.71	22	22	2.84	2.84	2.84	2.84	2.84	0.50	22
23	1.00	2.00	2.00	1.42	0.71	0.71	23	23	2.84	2.84	2.84	2.84	2.84	0.50	23
24	1.00	2.00	2.00	1.42	0.71	0.71	24	24	2.84	2.84	2.84	2.84	2.84	0.50	24
25	1.00	2.00	2.00	1.42	0.71	0.71	25	25	2.84	2.84	2.84	2.84	2.84	0.50	25
26	1.00	2.00	2.00	1.42	0.71	0.71	26	26	2.84	2.84	2.84	2.84	2.84	0.50	26
27	1.00	2.00	2.00	1.42	0.71	0.71	27	27	2.84	2.84	2.84	2.84	2.84	0.50	27
28	1.00	2.00	2.00	1.42	0.71	0.71	28	28	2.84	2.84	2.84	2.84	2.84	0.50	28
29	1.00	2.00	2.00	1.42	0.71	0.71	29	29	2.84	2.84	2.84	2.84	2.84	0.50	29
30	1.00	2.00	2.00	1.42	0.71	0.71	30	30	2.84	2.84	2.84	2.84	2.84	0.50	30
31	1.00	2.00	2.00	1.42	0.71	0.71	31	31	2.84	2.84	2.84	2.84	2.84	0.50	31
TOTAL	29.00	31.00	40.00	44.60	26.78	21.16	TOTAL	TOTAL	0.00	0.00	49.70	88.04	10.84	15.00	TOTAL

YEARLY C.F.S. 192.54
 YEARLY ACRE FEET 381.2292
 TOTAL NO. OF DAYS 182
 YEARLY MEAN 1.06

YEARLY C.F.S. 163.58
 YEARLY ACRE FEET 323.8884
 TOTAL NO. OF DAYS 98
 YEARLY MEAN 1.67

WATER DISTRICT #37 & 37-M

CANAL NAME FARNLUM 1994 CANAL NUMBER 06

OWNER PATRICK SIMPSON

DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE
1	1.00	1.00	1.00	1.00	1.00	1.00	1
2	1.00	1.00	1.00	1.00	1.00	1.00	2
3	1.00	1.00	1.00	1.00	1.00	1.00	3
4	1.00	1.00	1.00	1.00	1.00	1.00	4
5	1.00	1.00	1.00	1.00	1.00	1.00	5
6	1.00	1.00	1.00	1.00	1.00	1.00	6
7	1.00	1.00	1.00	1.00	1.00	1.00	7
8	1.00	1.00	1.00	1.00	1.00	1.00	8
9	1.00	1.00	1.00	1.00	1.00	1.00	9
10	1.00	1.00	1.00	1.00	1.00	1.00	10
11	1.00	1.00	1.00	1.00	1.00	1.00	11
12	1.00	1.00	1.00	1.00	1.00	1.00	12
13	1.00	1.00	1.00	1.00	1.00	1.00	13
14	1.00	1.00	1.00	1.00	1.00	1.00	14
15	1.00	1.00	1.00	1.00	1.00	1.00	15
16	1.00	1.00	1.00	1.00	1.00	1.00	16
17	1.00	1.00	1.00	1.00	1.00	1.00	17
18	1.00	1.00	1.00	1.00	1.00	1.00	18
19	1.00	1.00	1.00	1.00	1.00	1.00	19
20	1.00	1.00	1.00	1.00	1.00	1.00	20
21	1.00	1.00	1.00	1.00	1.00	1.00	21
22	1.00	1.00	1.00	1.00	1.00	1.00	22
23	1.00	1.00	1.00	1.00	1.00	1.00	23
24	1.00	1.00	1.00	1.00	1.00	1.00	24
25	1.00	1.00	1.00	1.00	1.00	1.00	25
26	1.00	1.00	1.00	1.00	1.00	1.00	26
27	1.00	1.00	1.00	1.00	1.00	1.00	27
28	1.00	1.00	1.00	1.00	1.00	1.00	28
29	1.00	1.00	1.00	1.00	1.00	1.00	29
30	1.00	1.00	1.00	1.00	1.00	1.00	30
31	1.00	1.00	1.00	1.00	1.00	1.00	31
TOTAL	30.00	31.00	30.00	31.00	31.00	30.00	

YEARLY C.F.S. 183.00

YEARLY ACRE FEET 362.34

TOTAL NO. OF DAYS 183

YEARLY MEAN 1.00

WATER DISTRICT #37 & 37-M

CANAL NAME GOLF 1994 CANAL NUMBER 06-P

OWNER PATRICK SIMPSON

DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE
1	0.50	0.50	0.50	0.50	0.50	0.50	1
2	0.50	0.50	0.50	0.50	0.50	0.50	2
3	0.50	0.50	0.50	0.50	0.50	0.50	3
4	0.50	0.50	0.50	0.50	0.50	0.50	4
5	0.50	0.50	0.50	0.50	0.50	0.50	5
6	0.50	0.50	0.50	0.50	0.50	0.50	6
7	0.50	0.50	0.50	0.50	0.50	0.50	7
8	0.50	0.50	0.50	0.50	0.50	0.50	8
9	0.50	0.50	0.50	0.50	0.50	0.50	9
10	0.50	0.50	0.50	0.50	0.50	0.50	10
11	0.50	0.50	0.50	0.50	0.50	0.50	11
12	0.50	0.50	0.50	0.50	0.50	0.50	12
13	0.50	0.50	0.50	0.50	0.50	0.50	13
14	0.50	0.50	0.50	0.50	0.50	0.50	14
15	0.50	0.50	0.50	0.50	0.50	0.50	15
16	0.50	0.50	0.50	0.50	0.50	0.50	16
17	0.50	0.50	0.50	0.50	0.50	0.50	17
18	0.50	0.50	0.50	0.50	0.50	0.50	18
19	0.50	0.50	0.50	0.50	0.50	0.50	19
20	0.50	0.50	0.50	0.50	0.50	0.50	20
21	0.50	0.50	0.50	0.50	0.50	0.50	21
22	0.50	0.50	0.50	0.50	0.50	0.50	22
23	0.50	0.50	0.50	0.50	0.50	0.50	23
24	0.50	0.50	0.50	0.50	0.50	0.50	24
25	0.50	0.50	0.50	0.50	0.50	0.50	25
26	0.50	0.50	0.50	0.50	0.50	0.50	26
27	0.50	0.50	0.50	0.50	0.50	0.50	27
28	0.50	0.50	0.50	0.50	0.50	0.50	28
29	0.50	0.50	0.50	0.50	0.50	0.50	29
30	0.50	0.50	0.50	0.50	0.50	0.50	30
31	0.50	0.50	0.50	0.50	0.50	0.50	31
TOTAL	0.00	2.50	15.00	15.50	15.50	15.00	

YEARLY C.F.S. 63.50

YEARLY ACRE FEET 125.73

TOTAL NO. OF DAYS 127

YEARLY MEAN 0.50

WATER DISTRICT #37 & 37-M

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CANAL NAME	FARNLUM	CANAL NUMBER 06	1995
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=====

OWNER PATRICK SIMPSON

=====

DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE
1	1.00	1.00	1.00	1.00	1.00	0.50	1
2	1.00	1.00	1.00	1.00	1.00	0.50	2
3	1.00	1.00	1.00	1.00	1.00	0.50	3
4	1.00	1.00	1.00	1.00	1.00	0.50	4
5	1.00	1.00	1.00	1.00	1.00	0.50	5
6	1.00	1.00	1.00	1.00	1.00	0.50	6
7	1.00	1.00	1.00	1.00	1.00	0.50	7
8	1.00	1.00	1.00	1.00	1.00	0.50	8
9	1.00	1.00	1.00	1.00	1.00	0.50	9
10	1.00	1.00	1.00	1.00	1.00	0.50	10
11	1.00	1.00	1.00	1.00	1.00	0.50	11
12	1.00	1.00	1.00	1.00	1.00	0.50	12
13	1.00	1.00	1.00	1.00	1.00	0.50	13
14	1.00	1.00	1.00	1.00	1.00	0.50	14
15	1.00	1.00	1.00	1.00	1.00	0.50	15
16	1.00	1.00	1.00	1.00	1.00	0.50	16
17	1.00	1.00	1.00	1.00	1.00	0.50	17
18	1.00	1.00	1.00	1.00	0.50	0.50	18
19	1.00	1.00	1.00	1.00	0.50	0.50	19
20	1.00	1.00	1.00	1.00	0.50	0.50	20
21	1.00	1.00	1.00	1.00	0.50	0.50	21
22	1.00	1.00	1.00	1.00	0.50	0.50	22
23	1.00	1.00	1.00	1.00	0.50	0.50	23
24	1.00	1.00	1.00	1.00	0.50	0.50	24
25	1.00	1.00	1.00	1.00	0.50	0.50	25
26	1.00	1.00	1.00	1.00	0.50	0.50	26
27	1.00	1.00	1.00	1.00	0.50	0.50	27
28	1.00	1.00	1.00	1.00	0.50	0.50	28
29	1.00	1.00	1.00	1.00	0.50	0.50	29
30	1.00	1.00	1.00	1.00	0.50	0.50	30
31		1.00		1.00	0.50		31

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TOTAL	30.00	31.00	30.00	31.00	24.00	15.00
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YEARLY C.F.S. 161.00

YEARLY ACRE FEET 318.78

TOTAL NO. OF DAYS 183

YEARLY MEAN 0.88

WATER DISTRICT #37 & 37-M

=====							
CANAL NAME		FARNLUM		CANAL NUMBER 06		1996	
=====							
OWNER PATRICK SIMPSON				NON-CONSUMPTIVE			
=====							
DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE
=====							
1	1.00	1.00	1.00	1.00	1.00	1.00	1
2	1.00	1.00	1.00	1.00	1.00	1.00	2
3	1.00	1.00	1.00	1.00	1.00	1.00	3
4	1.00	1.00	1.00	1.00	1.00	1.00	4
5	1.00	1.00	1.00	1.00	1.00	1.00	5
6	1.00	1.00	1.00	1.00	1.00	1.00	6
7	1.00	1.00	1.00	1.00	1.00	1.00	7
8	1.00	1.00	1.00	1.00	1.00	1.00	8
9	1.00	1.00	1.00	1.00	1.00	1.00	9
10	1.00	1.00	1.00	1.00	1.00	1.00	10
11	1.00	1.00	1.00	1.00	1.00	1.00	11
12	1.00	1.00	1.00	1.00	1.00	1.00	12
13	1.00	1.00	1.00	1.00	1.00	1.00	13
14	1.00	1.00	1.00	1.00	1.00	1.00	14
15	1.00	1.00	1.00	1.00	1.00	1.00	15
16	1.00	1.00	1.00	1.00	1.00	1.00	16
17	1.00	1.00	1.00	1.00	1.00	1.00	17
18	1.00	1.00	1.00	1.00	1.00	1.00	18
19	1.00	1.00	1.00	1.00	1.00	1.00	19
20	1.00	1.00	1.00	1.00	1.00	1.00	20
21	1.00	1.00	1.00	1.00	1.00	1.00	21
22	1.00	1.00	1.00	1.00	1.00	1.00	22
23	1.00	1.00	1.00	1.00	1.00	1.00	23
24	1.00	1.00	1.00	1.00	1.00	1.00	24
25	1.00	1.00	1.00	1.00	1.00	1.00	25
26	1.00	1.00	1.00	1.00	1.00	1.00	26
27	1.00	1.00	1.00	1.00	1.00	1.00	27
28	1.00	1.00	1.00	1.00	1.00	1.00	28
29	1.00	1.00	1.00	1.00	1.00	1.00	29
30	1.00	1.00	1.00	1.00	1.00	1.00	30
31		1.00		1.00	1.00		31
=====							
TOTAL	30.00	31.00	30.00	31.00	31.00	30.00	

YEARLY C.F.S. 183.00

YEARLY ACRE FEET 362.34

TOTAL NO. OF DAYS 183

YEARLY MEAN 1.00

WATER DISTRICT #37 & 37-M

=====

CANAL NAME	GOLF	CANAL NUMBER 06-P	1996
=====			
OWNER	PATRICK SIMPSON		
=====			

DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE
1			1.00	2.00	0.50	0.50	1
2			1.00	2.00	0.50	0.50	2
3			1.00	2.00	0.50	0.50	3
4			1.00	2.00	0.50	0.50	4
5			1.00	2.00	0.50	0.50	5
6			1.00	2.00	0.50	0.50	6
7			2.00	2.00	0.50	0.50	7
8			2.00	2.00	0.50	0.50	8
9			2.00	2.00	0.50	0.50	9
10		2.00	2.00	2.00	0.50	0.50	10
11		2.00	2.00	2.00	0.50	0.50	11
12		2.00	2.00	2.00	0.50	0.50	12
13		2.00	2.00	2.00	0.50	0.50	13
14		2.00	2.00	2.00	0.50	0.50	14
15		2.00	2.00	2.00	0.50	0.50	15
16		2.00	2.00	2.00	0.50	0.50	16
17		2.00	2.00	2.00	0.50	0.50	17
18		2.00	2.00	2.00	0.50	0.50	18
19		2.00	2.00	2.00	0.50	0.50	19
20		2.00	2.00	2.00	0.50	0.50	20
21		2.00	2.00	2.00	0.50	0.50	21
22		1.42	2.00	2.00	0.50	0.50	22
23		1.42	2.00	2.00	0.50	0.50	23
24		1.00	2.00	2.00	0.50	0.50	24
25		1.00	2.00	2.00	0.50	0.50	25
26		1.00	2.00	2.00	0.50	0.50	26
27		1.00	2.00	2.00	0.50	0.50	27
28		1.00	2.00	2.00	0.50	0.50	28
29		1.00	2.00	0.50	0.50	0.50	29
30		1.00	2.00	0.50	0.50	0.50	30
31		1.00		0.50	0.50	0.50	31
=====							
TOTAL	0.00	34.84	54.00	57.50	15.50	15.00	

YEARLY C.F.S. 176.84

YEARLY ACRE FEET 350.14

TOTAL NO. OF DAYS 144

YEARLY MEAN 1.23

WATER DISTRICT #37 & 37-M

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CANAL NAME	GOLF	CANAL NUMBER 06-P	1995
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=====

OWNER PATRICK SIMPSON

=====

DATE	APRIL	MAY	JUNE	JULY	AUG.	SEPT.	DATE
1			1.74	2.00	1.00	1.00	1
2			1.74	2.00	1.00	1.00	2
3			1.74	2.00	1.00	1.00	3
4			1.74	2.00	1.00	1.00	4
5			2.00	2.00	1.00	1.00	5
6			2.00	2.00	1.00	1.00	6
7			2.00	2.00	1.00	1.00	7
8			2.00	2.00	1.00	1.00	8
9			1.74	2.00	1.00	1.00	9
10			1.74	2.00	1.00	1.00	10
11			1.74	2.00	1.00	1.00	11
12		1.60	1.74	2.00	1.00	1.00	12
13		1.60	1.74	2.00	1.00	1.00	13
14		1.60	1.74	2.00	1.00	1.00	14
15		1.60	1.74	2.00	1.00	1.00	15
16		1.60	2.00	2.00	1.00	1.00	16
17		1.60	2.00	2.00	1.00	1.00	17
18		1.60	2.00	2.00	1.00	1.00	18
19		1.60	2.00	2.00	1.00	1.00	19
20		1.60	2.00	2.00	1.00	1.00	20
21		1.60	2.00	2.00	1.00	1.00	21
22		1.60	2.00	2.00	1.00	1.00	22
23		1.60	2.00	2.00	1.00	1.00	23
24		1.60	2.00	1.00	1.00	1.00	24
25		1.60	2.00	1.00	1.00	1.00	25
26		1.60	2.00	1.00	1.00	1.00	26
27		1.60	2.00	1.00	1.00	1.00	27
28		1.60	2.00	1.00	1.00	1.00	28
29		1.60	2.00	1.00	1.00	1.00	29
30		1.60	2.00	1.00	1.00	1.00	30
31		1.74		1.00	1.00		31

=====

TOTAL	0.00	32.14	57.14	54.00	31.00	30.00
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YEARLY C.F.S. 204.28

YEARLY ACRE FEET 404.47

TOTAL NO. OF DAYS 142

YEARLY MEAN 1.44

**SHAPEFILE
OF
RESTAURANT WELL LOCATION**



1 inch equals 120 feet

**HELIOS DEVELOPMENT LLC
WATER RIGHT 37-11885
PLACE OF USE MAP
2004 NAIP AERIAL PHOTOGRAPH**

Legend

-  Helios Development LLC POU for 11885
-  Well- POD for 37-11885
-  04N17E

**ESTIMATED
RESTAURANT WELL
ANNUAL VOLUMN USE CALCULATIONS**

Helios Development LLC

Brockway Engineering

CEB Nov 13, 2008

Estimated Annual Volume Use from Well-Commercial Warm Springs Ranch Inn

Water right claim 37-11885

Number of Patrons	225	
Water use/patron (IDWR Field Examiner's Handbook)	10	gal/day
Water use/patron bar and lounge (IDWR Field Examiner's Handbook)	2	gal/day

No of days /year operating 365

Annual Vol	985500	gal
	131751.3	ft^3
	3.02	af

Irrigation

Acres	0.5	acre
Annual use/acre	3.5	af/acre
Total annual use	1.75	

Total Annual Use	4.77	acre feet
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**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

A. Subcase: 37-02621

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America, Acting through the USDA Forest Service

Address: 550 West Fort Street MSC 033
Boise, Idaho 83724

Daytime Phone: (208) 342-7741

Name & Address of Attorney, if any:

David L. Negri

550 West Fort Street MSC 033
Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Helios Development LLC
C/O Stan Castleton

Address: P.O. Box 4151
Park City, UT 84060

D. I object to the following elements as recommended in the Director's Report.
(Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be:

2. ☐ **Source**

Should be:

3. ☐ **Quantity**

Should be:

4. ☐ **Priority Date**

Should be:

5. ☒ **Point of Diversion**

Should be: See E below.

6. ☐ **Instream Flow Beginning and Ending Point**

Should be:

7. ☐ **Purpose(s) of Use**

Should be:

8. ☐ **Period of Year**

Should be:

9. ☒ **Place of Use**

Should be: See E below.

10. **I object because:**

☐ This water right Should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTIONS(S):

The point of diversion in the SESE Sec 11 and places of use in the SESE and SWSE Sec 11, T4N, R17E, as shown on the Directors Report recommendation could be on National Forest System (NFS) land. These quarter-quarters are split ownership with private land and NFS land. The place of use in Sec 11 Lot 6 is NFS land.

Edward A. Lawson, ISB No. 2440
James R. Laski, ISB No. 5429
Kirstin K. Dutcher, ISB No. 6762
LAWSON & LASKI, PLLC
675 Sun Valley Road, Suite A
P.O. Box 3310
Ketchum, ID 83340
Telephone: (208) 725-0055
Facsimile: (208) 725-0076

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

AFFIDAVIT OF ROBERT DUNN

ROBERT DUNN, being first duly sworn upon oath, deposes and states as follows:

2. During the time I worked at the Restaurant, the fish pond, located outside the Restaurant, was stocked annually with trout. Aesthetically, the pond was enjoyed by Ranch guests as they entered and exited the Restaurant and dined on the patio.

3. To my knowledge, the Restaurant utilized water for commercial purposes from a well which is located on the Ranch from 1961 through 1998 (See water right no. 37-11885). From the time I started working at the Restaurant through 1998, water from this well was used for commercial purposes in the Restaurant including: cooking, drinking and washing dishes, linens and the exterior and interior of the Restaurant. During the period that I worked at the Restaurant, the legal occupancy was 225.

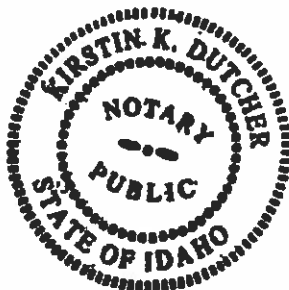
4. In or about 1998, the Restaurant connected to City Water; however, the well was maintained as a back up until the Restaurant closed in 2006. Attached is a copy of the City of Ketchum, Idaho Residential or Commercial Building Water/Sewer Application signed by my employer Michael Simpson.

FURTHER YOUR AFFIANT SAYETH NAUGHT.


Robert Dunn

STATE OF IDAHO)
) ss.
County of Blaine)

SUBSCRIBED AND SWORN before me this 16th day of September, 2008.




Name: Kirstin K. Dutcher
Notary Public for Idaho
Residing at 115-B S. Riverwoods Rd. Ketchum, ID
My commission expires 12/23/09

PC
11-20-00

CITY OF KETCHUM, IDAHO
RESIDENTIAL OR COMMERCIAL BUILDING WATER/SEWER APPLICATION
PHONE 726-7825

Name of Applicant _____ Phone _____
Project Name 11,000 sq ft. Ranch Building Permit No. _____
Project Address 1801 W. E. Rd
Name of Property Owner Mike Simpson Phone _____
Mailing Address of Owner Box 5507 Ketchum
Legal Description of Property _____

DESCRIPTION OF IMPROVEMENTS

Residential _____ Commercial 1 Other _____
Total No. of Units _____
Irrigation System _____ Swimming Pool _____
Backflow Device Required _____ Not Required _____
Plumbers Name (Must have current City of Ketchum Bond and License) _____
Phone _____

Approximate Date(s) of Connection:

Water _____ Sewer _____
Size of Connection: Water 1 1/2" Sewer _____

CONNECTION FEES

	<u>Water</u>		<u>Sewer</u>
Standard Connection	\$ <u>460.00</u>	Inspection	\$ <u>Existing</u>
Fire Line Connection	\$ _____	Other	\$ _____
Other	\$ _____	SubTotal	\$ _____
SubTotal	\$ _____		

Total Fees Due \$ 460.00

In consideration of the granting of this permit, the undersigned agrees to accept and abide by the special rules and regulations printed on the reverse side of this form, and all other rules and regulations of the City of Ketchum, Idaho, and any State or Federal Laws pertinent to this type of construction.

Dated 9/8/98 Signed Michael Simpson

DO NOT WRITE BELOW THIS LINE - DEPARTMENTAL USE ONLY

Application Approved and Permit Issued:

Date 7/5/99 Issuing Officer [Signature]

WATER

SEWER

Inspected By _____ Date _____ Inspected By _____ Date _____
Water Meter No. _____ Account No. 01-9
Backflow Device _____

Copies to: White/Customer Yellow/Billing Agent Pink/W-S Dept.

THIS PERMIT EXPIRES IF WATER CONNECTION AND WATER SERVICE CHARGES DO NOT BEGIN WITHIN TWELVE (12) MONTHS OF THE APPROVAL DATE.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-4337 V1

WATER RIGHT NUMBER: 37-4337 V1

Owner Type
Current OwnerName and Address
HELIOS DEVELOPMENT LLC
C/O STAN CASTLETON
PO BOX 4151
PARK CITY, UT 84060
(435)655-3288*Thurs Oct 16
Helio Dev. 9:30 AM*

Priority Date: 01/01/1952

Basis: Beneficial Use

Status: Active

Source

WARM SPRINGS CREEK

Tributary

BIG WOOD RIVER

Beneficial Use

FISH PROPAGATION

From To

01/01 to 12/31

Diversion Rate

1.000 CFS

Annual VolumeTotal Diversion:

1.000 CFS

Location of Point(s) of Diversion

WARM SPRINGS CREEK

SW1/4SW1/4

Sec. 12, Twp 04N, Rge 17E, B.M.

BLAINE County

Place of Use

FISH PROPAGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	17E	12											X						

Conditions of Approval:

1. 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.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-4337

WATER RIGHT NUMBER: 37-4337

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HELIOS DEVELOPMENT LLC C/O STAN CASTLETON PO BOX 4151 PARK CITY, UT 84060 (435)655-3288
Previous Owner	WHITETAIL A CLUB FOR ALL SEASONS LLC 501 W LAKE ST MC CALL, ID 83638 (208)630-0250
Original Owner	WARM SPRINGS RANCH C/O JACK SIMPSON PO BOX 336 KETCHUM, ID 83340 (208)726-3249
Previous Owner	SUN VALLEY VENTURES LLC PO BOX 5500 KETCHUM, ID 83340-5500 (208)726-8304

Priority Date: 01/01/1952

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
WARM SPRINGS CREEK	BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
FISH PROPAGATION	1/01 to 12/31	6.000 CFS	
	<u>Total Diversion:</u>	6.000 CFS	

Location of Point(s) of Diversion

WARM SPRINGS CREEK	SW1/4SW1/4	Sec. 12, Twp 04N, Rge 17E, B.M.
BLAINE County		

Place of Use

FISH PROPAGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	17E	12																	
													X						

Conditions of Approval:

1. TROUT KEPT IN PONDS FOR AESTHETIC PURPOSES.

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)
_____)

A. Subcase 37-4337

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Helios Development LLC c/o: Stan Castleton

Address: P.O. Box 4151 Park City, UT 84060

Daytime Phone: 435-655-3288

Name & Address of Attorney, if any:

Edward Lawson

Lawson and Laski PLLC

P.O. Box 3310

Ketchum, ID 83340

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Helios Development LLC c/o: Stan Castleton

Address: P.O. Box 4151 Park City, UT 84060

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: 6.0 cfs as was claimed, instead of 1.0 cfs as was recommended.
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____
- 10 ☐ **I object because:**
☐ This water right Should not exist.

☐ This water right was not recommended, but Should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTIONS(S):** Historically, diversion rate used for fish propagation and aesthetic uses is larger than the diversion rate recommended.



1 inch equals 500 feet

**HELIOS DEVELOPMENT LLC
POTENTIAL FROST DECREE IRRIGATED AREA
1964 FSA AERIAL PHOTOGRAPH**

Legend

- Frost Decree Irrigation=123.0 ac.
- Sections
- t04n17e

RECOMMENDED PLACE OF USE FOR 37-4337



PLACE OF USE
TWP 04N, RNG 17E, SEC 12
Data Entry on June 30, 2009

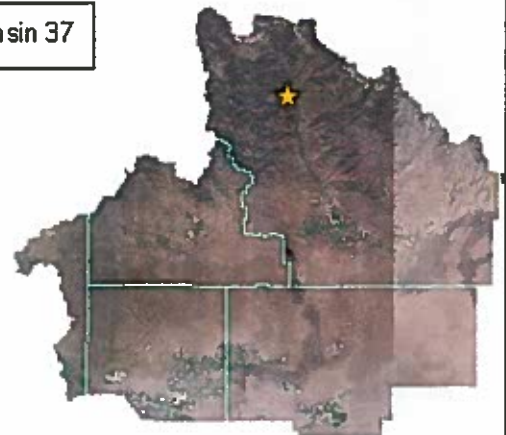
★ LOCATION IN BASIN

- Recommended point of diversion
- Recommended place of use
- Township lines
- Section lines
- Quarter/quarter lines

GIS PLACE OF USE PRESENTATION
2004 AERIAL PHOTOGRAPHY
BY KELLY K CHRISTENSEN



Basin 37



RECOMMENDED PLACE OF USE FOR 37-11885



PLACE OF USE
TWP 04N, RNG 17E, SEC 12
Data Entry on June 25, 2009

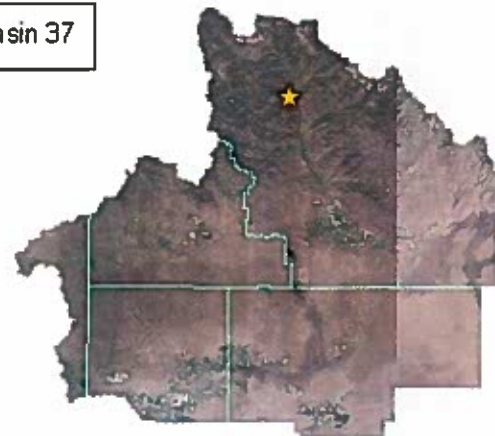
★ LOCATION IN BASIN

- Recommended point of diversion
- Recommended place of use
- Township lines
- Section lines
- Quarter/quarter lines

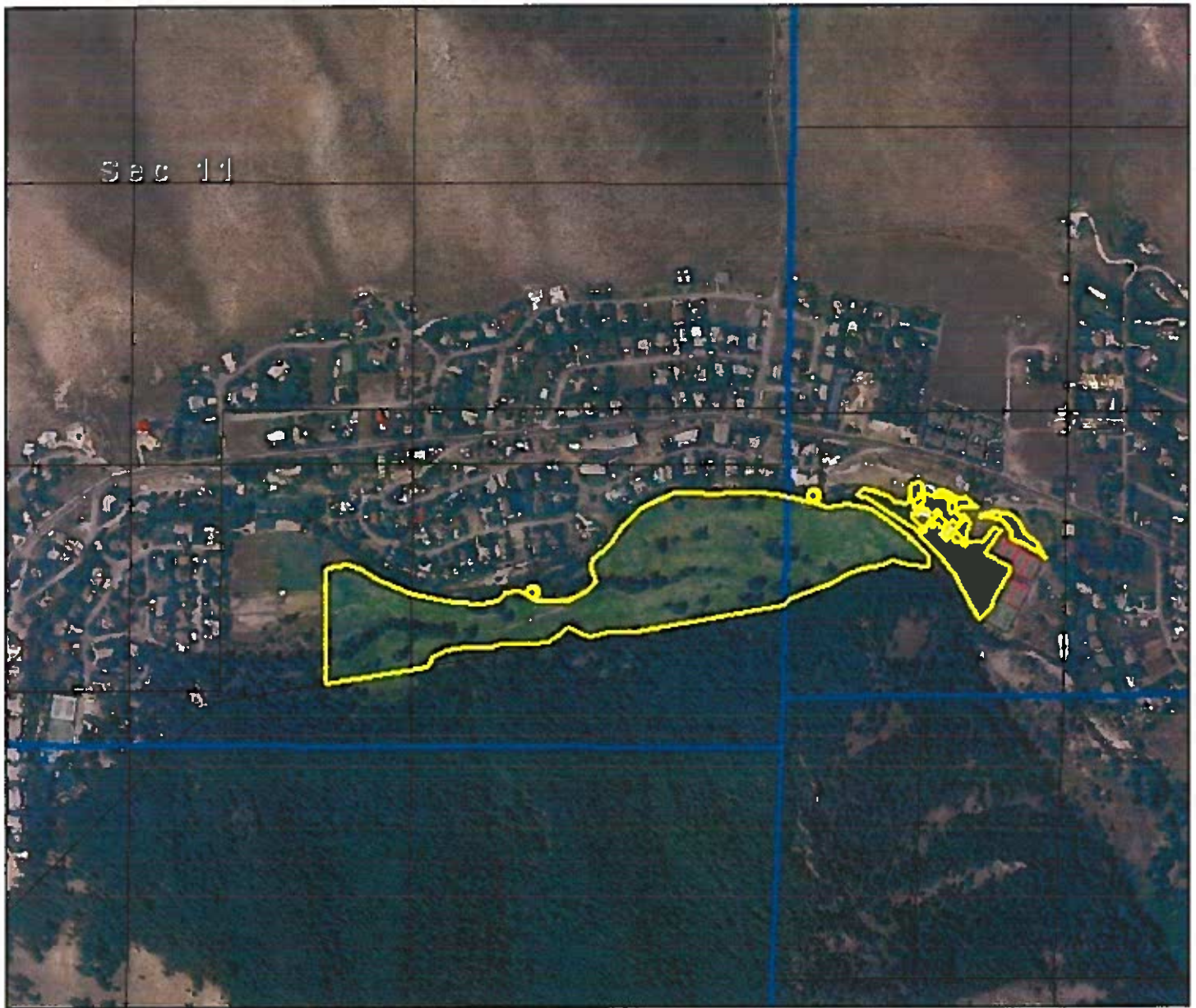
GIS PLACE OF USE PRESENTATION
2004 AERIAL PHOTOGRAPHY
BY KELLY K CHRISTENSEN



Basin 37



RECOMMENDED PLACE OF USE FOR 37-20831



PLACE OF USE
TWP 04N, RNG 17E, SEC 11 and 12
Data Entry on June 24, 2009

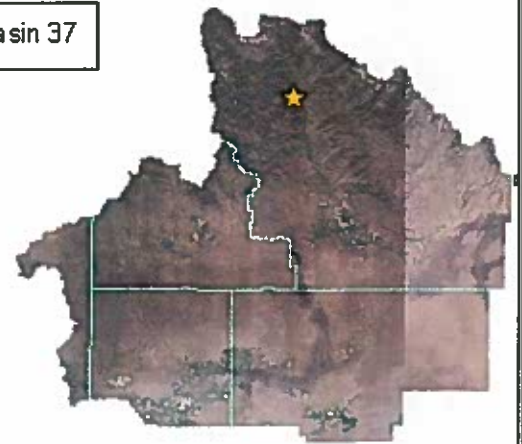
★ LOCATION IN BASIN

- ★ Recommended point of diversion
- Yellow outline Recommended place of use
- Blue line Township lines
- Blue line Section lines
- Blue line Quarter/quarter lines

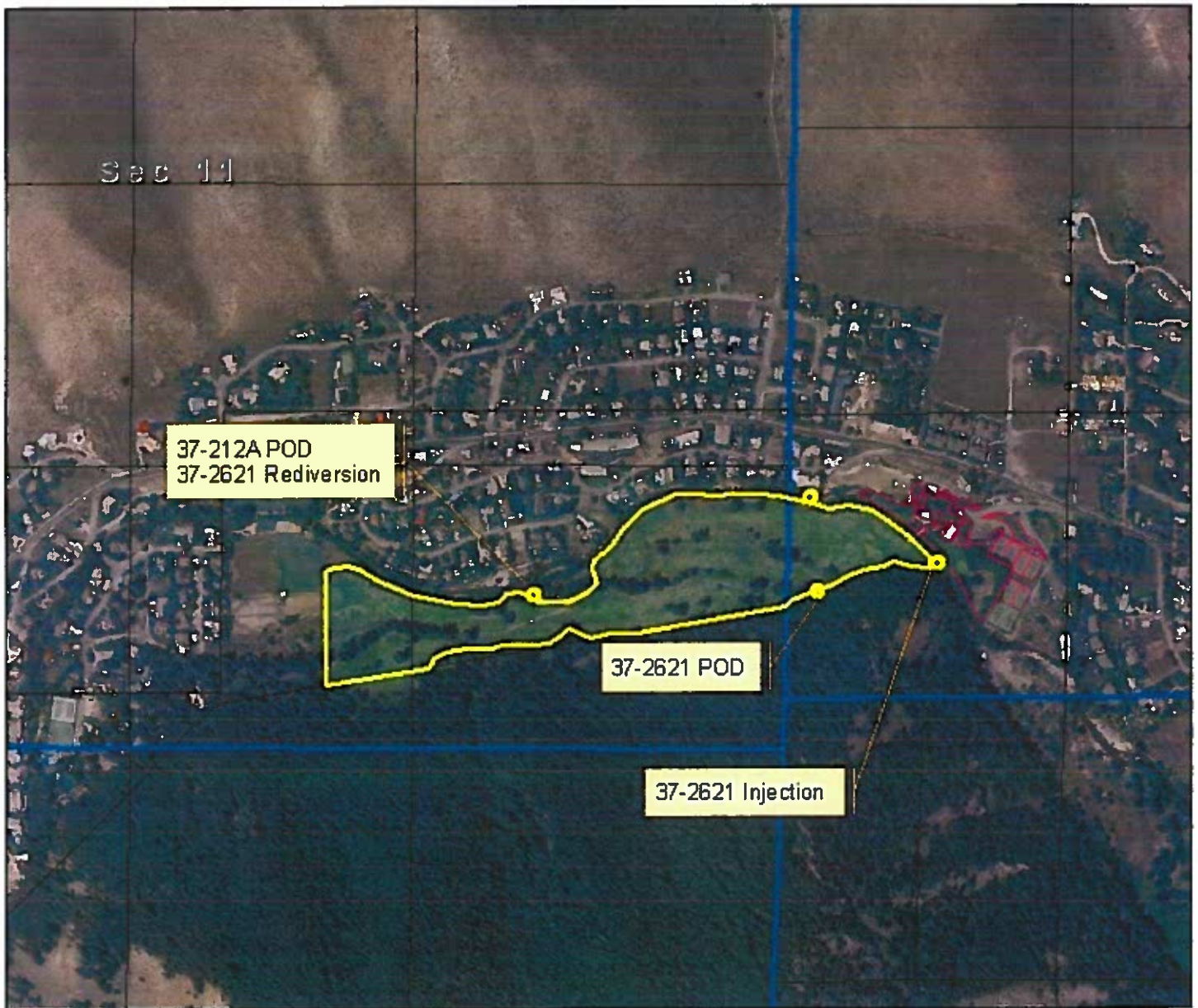
*GIS PLACE OF USE PRESENTATION
2004 AERIAL PHOTOGRAPHY
BY KELLY K CHRISTENSEN*



Basin 37



RECOMMENDED PLACE OF USE FOR 37-212A and 37-2621



PLACE OF USE
TWP 04N, RNG 17E, SEC 11 and 12
Data Entry on June 24, 2009

★ LOCATION IN BASIN

- ★ Recommended point of diversion
- Yellow outline Recommended place of use
- Orange line Township lines
- Blue line Section lines
- Grey line Quarter/quarter lines

GIS PLACE OF USE PRESENTATION
2004 AERIAL PHOTOGRAPHY
BY KELLY K CHRISTENSEN



Basin 37



MEMORANDUM

RECEIVED

FEB 11 2009

DEPARTMENT OF
WATER RESOURCES

RECEIVED

APR 01 2009

WATER RESOURCES
WESTERN REGION

Date: 02/09/09
From: Julie Murphy, SRBA Deputy Clerk
To: IDWR
Subject: Fees for filings of *Amended Notice of Claim*

When the assistants to the special masters process orders granting motions to amend claims, they often forget to let me know about it. Time passes, the note I gave them to notify me when an order is processed gets buried in the file under successive filings and understandably they forget... and I don't see their orders prior to mailing. Consequently, the checks for fees I'm holding do not get forwarded to you with the orders. I, also, have been very negligent for not following up on any sort of a regular basis. In the future, I am determined to implement an effective way of resolving this problem. In the meantime, I am forwarding checks to you for amended claim fees, together with documentation showing the water right numbers, (listed below) claimant names and dates orders were filed.

I apologize for the delay and any extra work or inconvenience this may cause. If you have any questions or simply feel the urge to rail on me for my negligence, feel free to call me☺!! Thanks.

- ✓ Claim No. 01-00083X - \$4500.00 ✓
- ✓ Claim No. 37-00212A - \$50.00 ✓
- ✓ Claim No. 37-20381 - \$50.00 ✓
- ✓ Claim No. 37-11145 - \$4.00 ✓
- ✓ Claim No. 37-11885 - \$50.00 ✓
- ✓ Claim No. 73-00002A - \$172.00 *Pd Springe Truck*
- ✓ Claim No. 74-00741 - \$193.00 ✓
- ✓ Claim No. 74-15861 - \$100.00 ✓

SCANNED

MAR 31 2009

Idaho Dept of Water Resources
Permit review notes and narrative

Date: 11-20-2008

File: 37-212A Heliosfield exam 11-20-2008 notes pics.doc

Prepared by Kelly K Christensen

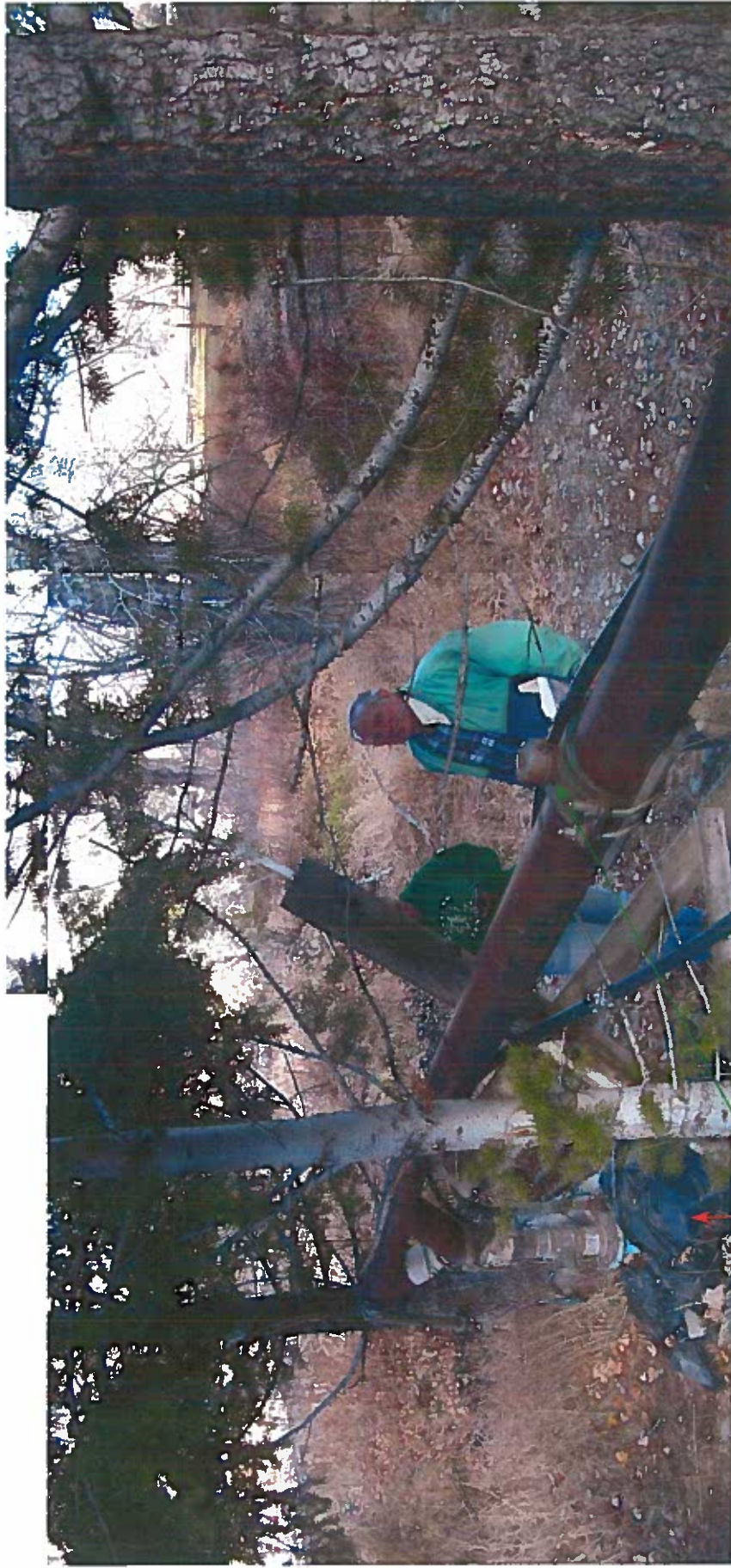


3 picture pan set

GPS 2468931, 1387628

November 20, 2008

You are looking south on the right to east on the left across a small channel that follows the hill contour eventually reaching Warm Springs Creek. Per Chuck Brockway this is probably where the springs were located just uphill from this point. The hillside is a portion of the POU that Brockway identified as irrigated at the settlement conference October 16, 2008 in Hailey. As I understood Brockway on this day, he now is not asserting that this ground should be a part of the recommended POU.



Picture set looking north
GPS 2468533; 1387621

Pump 40 HP SN 1180694 Uniclosed US Electrical Motors
(Same Serial number as the pump identified in the 1966 field exam for 37-2621)
Badger propeller meter ser 33025, 0 to 1000 gpm range

This picture shows the pump covered in plastic and the delivery line. Department site tag A0009773 was found at this location.



This shows the headgate for the diversion for the pump system shown in the previous photo set. Water flows through the control works to a pond and if not diverted returns to the river through a buried overflow structure. The pond is approximately 100 ft from this location. The actual diversion for irrigation is through the pump system, not the water diverted at this location.

On November 20, 2008 I conducted a field examination of the Helios property. I was accompanied by Angie Grimm (western Region agent), Chuck Brockway Sr.(consultant for claimant) and Kirstin Dutcher (attorney for claimant). The first system reviewed was the diversion system for 37-2621. Based upon the narrative found in the back file for the water right prepared by Eldon McEldovney September 23, 1965 that described the spring and ditch system, the ditch shown in the first photo appears to be the same system. The ditch still follows the base of the hill easterly from the area assumed to be the multiple spring locations. The current ditch generally appears to be smaller in depth and width than historically described. There is also a significant amount of debris in several areas including sections of trees sawed into approximately 18" lengths. This debris does not however appear to be that old, probably well after 1987. I was unable to determine when the last time that the springs flowed. Mr. Brockway in walking the hillside stated that he felt that the area above the ditch probably was where the springs originated. This was approximately 20 feet above the ditch. The ditch would be required to keep the spring water off of the golf course playing area. This same hillside was the same area asserted by Mr Brockway as being irrigated under 37-212A and possibly 37-2621 and 37-20381 (amended claims not received at this time but it is asserted that all three rights are diverted and delivered through the same irrigation system). After observing the ground together, Mr. Brockway decided that this ground probably has not being irrigated. The terrain along the southern border of the golf course is similar in manner to this area. Basically, wherever the trees start, the hillside begins and the ground is not being irrigated. As of this date the information currently available is that the HES boundary is basically the tree line and any ground south of that area is Forest Service property. The two isolated tree covered areas within the golf course that were previously excluded appear to be irrigated. One is on the west central area of the POU and the other area is the line of trees running east from the holding pond near the point of diversion. The northern boundary is basically the riparian area around Warm Springs Creek.

The diversion system is basically the same system that existed in 1965 that was identified in the licensing field examination for 37-2621. I found the same serial number on the pump as recorded in that examination. The licensing field examination included information that the delivery mainline splits with one line supplies water to the golf course and the other line runs north across Warm Springs Creek to apparently irrigate ground north of the Creek. The claimants did not assert any irrigation north of Warm Springs Creek although probably the irrigated ground under 37-212 was primarily north of Warm Springs Creek.

It appears in the 1957 aerial photo that there was a point of diversion from Warm Springs Creek in NW¼ of Sec 14. In a limited search I did not find any Warm Springs Creek source rights with a 1957 or earlier priority date in that area other than 37-212. That delivery system appears to irrigate ground even north of the Warm Springs Road and within the decreed POU for 37-212.

It is asserted that claim 37-20381 is a part of 37-883 (Rockwell Bypass water). To the best of my knowledge there are no department records documenting that a portion of that right is appurtenant to this ground.

Farrum 0-P5

06-P6

37-212A etal

Helios

Watermaster data
regarding ditch

(Golf Course div)

1986

.5 cfs

87 all

.5 cfs

88

.5 cfs

89

.5 cfs

90

1.0 cfs Apr .5 rest

91

1.0 cfs

92

.5 cfs

93

2.84 cfs

94

.5 cfs

95

2.00 cfs July

96

2.00 cfs (mostly)

7-4337 Helios
Water Master data
Fish Prop diversion

Fairburn #6

- 1977 July 7 peak 3.0 cfs Ave = 2.0 cfs June 1.67 in July
- 1978 All of July some June Aug 11.3 cfs same
- 1980 All ^{Aug} July some June 6.1 cfs
- 1981 All May, June ~~and July~~ 6.1 July 5.6
- 1982 All June July 6.1
- 1983 All June most July 6.1 ~~July~~
- 1984 All Sept some Aug 2.0 peak delivery 1 to 1.8 in June & July
- 1985 most ^{may} June 1.0 cfs 4 days of 3.8 to 3.9 2 days of 2.5
rest of yr .5 cfs
- 1986 July 24 days @ 2 cfs 7 days @ 4 Aug 3 days @ 3 18 @ 2 cfs rest 1
- 1987 All ~~July~~ most May 2.00 cfs
- 1988 most all yr 2.00 cfs Peak
- 1989 Peak use 1.7 cfs for 9 days June 1.0 cfs $\frac{1}{2}$ July Aug = .5
- 1990 ~~Apr 6 days May 1.0 cfs rest .5 cfs~~
June 2.7 cfs to 2.9 cfs most July Aug .5
- 91 June, 11 days in July 2.0 cfs rest @ .5 cfs
- 92 Apr May ^{ext} $\frac{1}{2}$ June 1.00 cfs
- 93 past June/July 2.00 cfs mostly 1.42 cfs July
94. 1.00 cfs
- 95 1.00 cfs
- 96 1.00 cfs

37-212 Helio

decreed to August Farnham Pdf pg 15

280" = 5.60 cfs. June 23, 1888 decreed pg 9

Decreed POB Sec 12 W $\frac{1}{2}$ SW $\frac{1}{4}$; Sec 11 SE $\frac{1}{4}$ Pdf pg 56

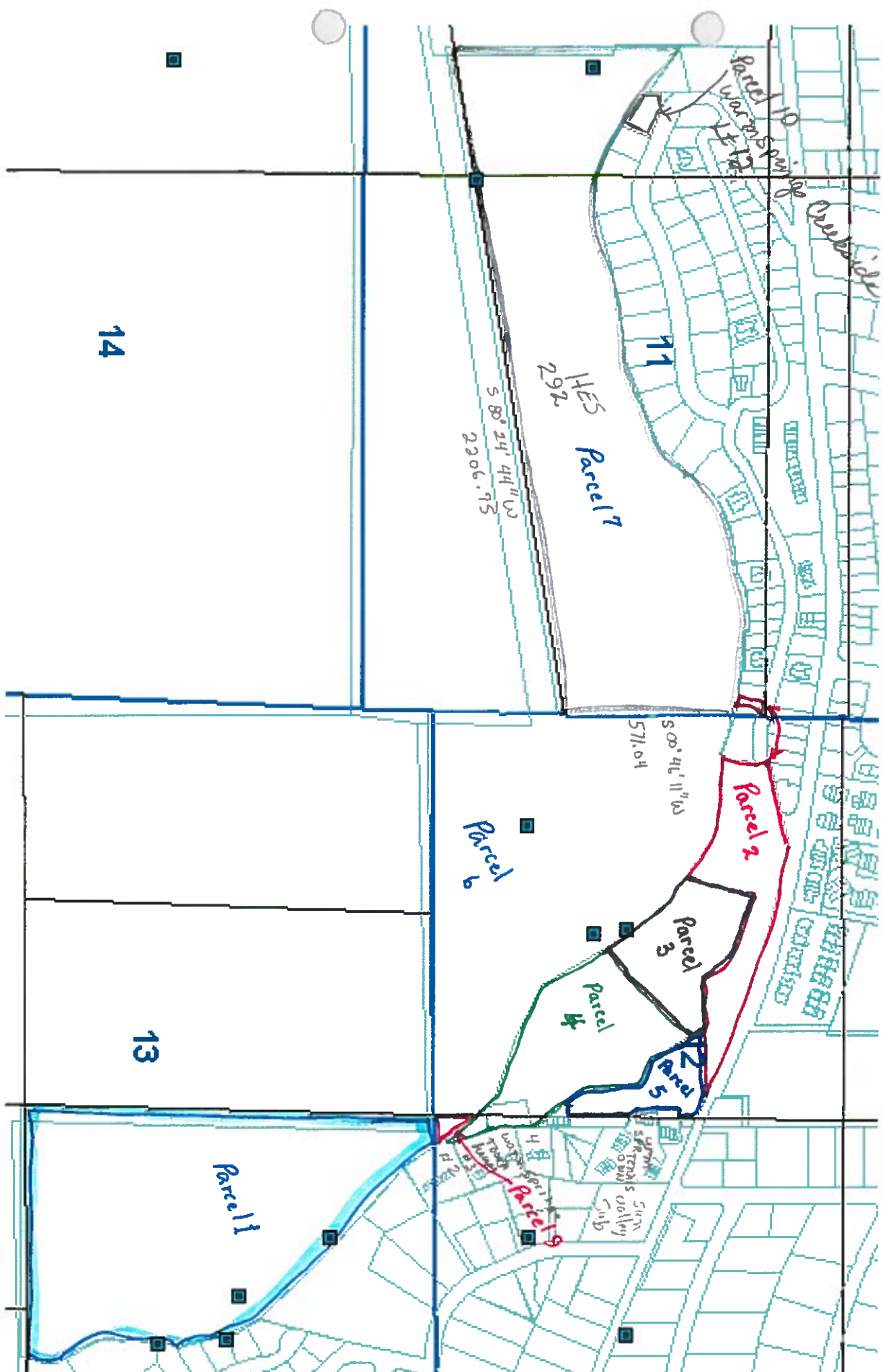
(decreed pg 17)

37-2621 Obj by Forest Service re: Possible overlap with Forest Service Property.

Same POB as 37-212.

37-2621

Sprinkler system in in 1965. (PC Doc Pg 27)
Water is pumped from a pond filled from Warm Springs Cr. Not stated specifically but it appears to be the same system as 37-212



MAPQUEST.

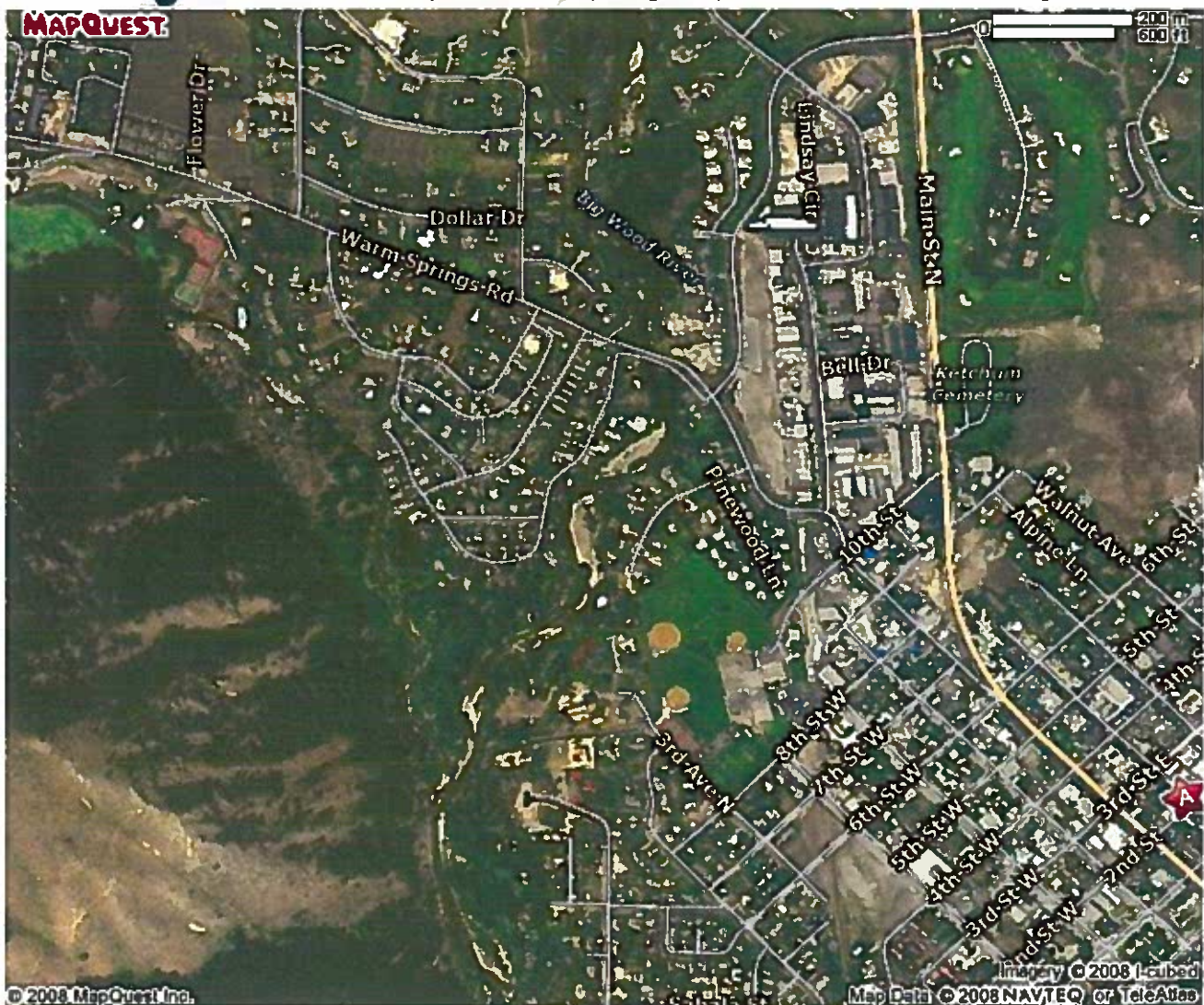
for file: Helios 37-

Nov 20 2008
Field team

A: Ketchum, ID



Call **1-800-FREE411** (1-800-373-3411) and get MapQuest Directions via text message.



RECEIVED
SEP 27 1965

Department of Reclamation

Permit G-28093
Owen Simpson

Source: Springs at base of a Mountain entering a man made ditch. The springs enter through a 30' area of the ditch. The ditch is .15 mile long & flows eastward, with a depth of 5' to 3', bottom of 18" to 24" and a crest of 30" to 48". The Spring water flows into Warm Springs Creek.

P.D. Mr. Simpson uses Exchange water which he takes out of Warm Spring Creek, west of stream about .3 mile. At this point River water enters into a 300' x 75' holding pond. Just how the water enters the pond is not visible due to Spring floods. From this pond the water is pumped into an enclosed Sprinkler system.

The Golf course which is irrigated with this water was not used in 1965 Nor was the system turned on.

U.S. Enclosed Motor
40 HP Ser. # 1180694
Byron Jackson Pump 4"
Type MHL Ser. # 359964
800 GPM 150 HD
6" Steel intake x 60' Discharge 4" Tapered to 6"
with a Y. North fork of Yerosses River in 6" Steel line
South fork 30' to center ground Sprinkler lines.

Report of 23 Sept 1965

Donald W. McEldowney

State of Idaho

License and Certificate of Water Right

Water License No. G-28093 Priority August 6, 1959 Amount 0.48 c.f.s.

THIS IS TO CERTIFY that OWEN SIMPSON

of Ketchum, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated August 6, 1959; that Permit No. G-28093 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 0.48 second feet, was issued thereunder on October 18, 1966, showing that said works were completed on the 31st day of July, 1964; and that on the 31st day of July, 1964

OWEN SIMPSON

of Ketchum, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a subterranean spring

a tributary of for the purpose of irrigation under Use Permit No. G-28093 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 13 of Licenses, at Page 8568, on the 18th day of October, 1966.

The right hereby confirmed dates from August 6, 1959.

The Point of Diversion is located

in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 12, Twp. 4 N, R. 17 E, B.M. Blaine County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.48 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N	17 E	11	SW $\frac{1}{4}$ SE $\frac{1}{4}$	35	4
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	37	15
		12	SW $\frac{1}{4}$ SW $\frac{1}{4}$	37	<u>5</u>
Total number of acres to be irrigated: 24					
Note: 0.48 c.f.s. is to be supplemental or in lieu of decreed rights, the total from all sources not to exceed 1 miner's inch per acre.					

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 18th day of October, 1966.

R. Keith Higin
State Reclamation Engineer.

PDF Pg 7

G-28093

28093

37-11885
37-4337,
37-212A,
37-20385
37-2621,
PODs



Christensen, Kelly

From: Christensen, Kelly
Sent: Tuesday, January 06, 2009 9:24 AM
To: 'Kristin Dutcher (kkd@lawsonlaski.com)'; Brockway Engineering (charles.e.brockway@brockwayeng.com)
Cc: Kelly, Vicki; Bromley, Chris
Subject: Brief review of recommendation status for 37-212A etal Helios
Attachments: 37-4337 fish prop Helios discussion.doc

This is a brief summary where I stand as far as completing recommendations for the rights generally associated with the Helios claims generally associated with the golf course system. It does not necessarily represent a final determination but rather where some of undocumented issues still exist.

Attached is the department's current understanding and analysis of the claimed fish propagation use claimed under 37-4337.



37-4337 fish prop
Helios discu...

The restaurant was claimed through 37-11885. That claim was amended in 2007 to change the POU and POD legal descriptions. For some **unknown** reason the priority date was also amended to 1968. This moves this claim into conflict with a commercial use and the mandatory permit statute. The claim will need another amendment to correct the priority date prior to a recommendation as a valid right. Additional information would be necessary assuming that the priority date issue is resolved.

Regarding the three irrigation rights associated with the pump and buried pipeline system. After additional research it does appear that 37-20385 (based upon a portion of 37-833) has historically recognized for use at the golf course by the watermaster for B37.

37-2621 was licensed for the irrigation of 24 acres from a spring source and when combined with a portion of 37-212 the two rights were to be limited to one inch per acre. The claim identified Warm Springs Creek as the source and stated in remarks that a transfer was done before 1969 (1960) therefore the source is now Warm Springs Creek. The recommendation should have shown the source as springs with a point of diversion where the springs enter the ditch, a point of injection where the water was injected into Warm Springs Creek, and a point of redirection where Warm Springs Creek is diverted into the pond and pump station. This right is valid so far as water is being injected into Warm Springs Creek.

37-212A was claimed at 2.8 cfs and was amended in 2007 to reflect a 36.2 acre POU. The field examination in October of 2008 did not include a review of the POU north of Warm Springs Creek nor was the irrigation system discussed. Additional information is needed regarding that portion of the POU.

Irrigation system: As I understand it, it is a 40 Hp system constructed prior to 1965 with a buried pipeline and sprinkler system for a 24 acre golf course. The system capacity is approximately 800 GPM (1.78 cfs). Historically a second buried line supplied water to ground north of Warm Springs Creek but that ground was not identified as being irrigated in the field examination for 37-2621 that was conducted in 1966. No information exists to support irrigation for that ground since 1966.

Kelly K Christensen
Sr Water Resource Agt
Boise, Western Region
(208)-334-2190

37-4337 Helios claimed for Fish Propagation at 6.00 cfs

Based upon currently available information it does not appear that the use claimed for 37-4337 meets the Fish Propagation Use parameters. I understand the use as being; water is diverted from Warm Springs Creek and currently runs through 5 small ponds where fish are stocked to allow restaurant patrons to catch them. The fish could then be prepared for them in the restaurant as their meal. As a side note the claim identified 3 ponds and in remarks stated "trout kept in ponds for aesthetic purposes". The original statutory claim restated the remark and identified 2 ponds as being developed.

In analyzing a beneficial use system where fish are maintained in ponds or raceways the identification of use becomes an issue. Historically fish propagation has been used to identify systems where fish are raised from a juvenile to marketable size whether for commercial sale or alternatively stocking purposes.

Fish propagation is recommended for a diversion rate only, no volume to be included as a part of the right. To determine the beneficial use diversion rate the following factors are considered. The main factors are the stocking rate as associated with the required change of water within the facility to maintain an adequately oxygenated environment for the fish. Additional concerns are fish species, water quality and water temperature. Additional factors may affect the stocking rate such as type of facility (raceways vs earthen ponds) and if any methods of artificial oxygenation are utilized. Evaporative losses associated with the pond surface area may also have an impact on the required diversion rate.

Department administrative memo 15 includes guidelines provided by Idaho Fish and Game Department state that earthen ponds should not exceed $\frac{1}{2}$ pound per cubic ft of water. For 1 acre foot of storage facilities this would equate to approximately 21,000 lbs of fish.

There is a point where raising fish is considered a recreational or commercial use rather than fish propagation. Where ponds are constructed and stocked for private fishing purposes, that use is normally considered a recreational use. If the operation is for limited public fishing where fees are involved, the use would generally be considered a commercial use. To recognize a recreational or commercial use both a diversion to storage and a storage volume needs to a part of the claimed use.

Assuming a significantly smaller stocking rate than a fish propagation use, the required diversion rate to maintain an adequate oxygen level would also be considerably less.

If the use is to be recognized as other than fish propagation then the claim would need to be amended to reflect a storage component, diversion to storage volume, and a diversion rate based upon the required refresh rate.

Questions:

1. Were the ponds used for fishing during the winter months?
2. What are the dimensions (volume) of the ponds?
3. What were the type, stocking rate, and size of fish?
4. What was the average annual consumption of fish?
5. Were any Fish and Game permits acquired?

37-212A Questions

1. 37-212 was decreed to ground on both sides of Warm Springs Cr @ 5.60 cfs. This claim is for only for the Salf course south of Warm Springs Creek. The claimed rate of 2.80 cfs. ~~What is the basis for claiming this rate?~~ The historic delivery system does not appear to have the capacity to deliver that rate. A theoretical calculation based upon 40 HP & 60 PSI ~~suggests~~ ^{indicates} a capacity of 1.60 cfs. ~~The~~ info in the licensing field exam for 37-2621 ~~indicates~~ ^{indicates} that the capacity is 800 GPM or 1.78 cfs. Currently available info identifies the system capacity ^{as being} ~~at~~ between 1.60 cfs and 1.78 cfs.

In 1966 the irrigated POU was agreed to be 24 ac. Again based upon currently available info I find that there is approximately 25 to 26 irrigated acres. A majority of the amended POU does not appear to have ever been irrigated and several additional acres appear to be south of the property boundary owned by Helio.

Idaho Dept of Water Resources
Claim review notes and narrative

Date: 10-21-2008

File: 37-212A Helios POU settlement issues

Prepared by Kelly K Christensen

ISSUE: Government tax lot identification and property boundaries

In reviewing the place of use notes as discussed in Hailey on October 16, 2008 I have found some potential discrepancies.

First, there appears to be a question regarding the government lot identification. Researching the BLM website (see attached plat clip and web site identification) it appears that in 1978 4N, 17E, Sec 11 was modified. This will have a direct bearing on how the recommended is conditioned regarding any Forest Service overlap issues.

Second, in reviewing the grant deed instrument # 543557 received by the department on May 31 2007 in conjunction with an ownership change request it appears that Helios does not own any ground as identified as Gov lot 7 on the attached plat map. Grant deed parcel 7 identifies the southern border of that parcel as the HES 292 southern boundary. This would have an impact on the recommended place of use (POU). Additional information regarding the ownership/split ownership of Gov lot 7 is needed.

37-20381 was claimed as an unrecorded transfer based upon a part of 37-833. 37-833 is associated with the Rockwell bypass. Upon further review there does not appear that there is sufficient information available to recognize this right.

37-2621 was a licensed right based upon a diversion ditch carrying spring water from the spring and into Warm Spring Creek with the actual diversion for irrigation purposes utilizing the same irrigation system as 37-212.

For this right to be valid the spring diversion system must

Copied from application for permit

Note: This water developed by increasing flow of spring that never reached or ran into Warm Springs. Large portion of land to be irrigated is being developed as a golf course, and balance of land being developed as subdivision.

still exist and being carrying water to Warm Springs Creek. It should be identified with a point of diversion, a point of injection, and a point of redirection. Technically there should also be a measurement device at the point of injection into Warm Springs Creek. Currently it has a later in time priority date, the same source and is limited to the same diversion rate as the decreed right. Under these criteria it has no practical value. The only way the right would have value is if the springs were identified as the source and Warm Springs Creek was flowing less than the decreed rate allowing the diversion of the additional spring flow. With a 1959 priority date it would be cut off by the water master on priority date cuts. That is unless this right was to be declared "saved" water with a time immemorial priority date. Personally I think that this one should be recommended for disallowal also.

37-212A was decreed for ^{5.6}2.8 cfs probably for the irrigation as was licensed by 37-2621. That is approximately what I have found, maybe a few acres more. By 1965 the irrigation was by a sprinkler system. A field examiner letter to the file for 37-2621 suggests that the system capacity at that time was around 800 gpm or 1.78 cfs.

I do not recall the discussion regarding the diversion rate to be recommended on this group. Was it to be limited to one inch per acre? A consideration is to treat this like many other golf course rights that receive greater than an inch per acre but be limited to limited hours within any given day. (Non golfing use hours)

Watermaster delivery records summary for Farnlum #6-P6:

Basically it shows a diversion of 0.5 cfs from 1986 thru 1989.

1.00 cfs in 1991 and 1992

0.5 cfs in 1992

2.84 cfs in 1993

0.5 cfs in 1994

2.00 cfs in July of 1995

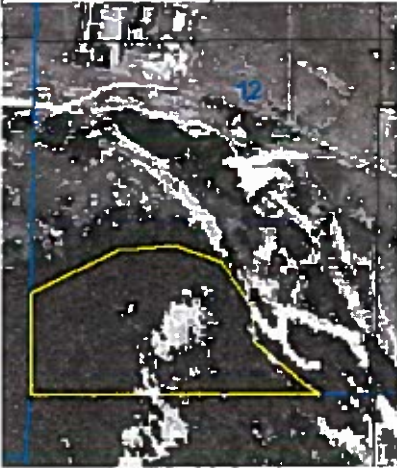
2.0 cfs in 1996

37-4337 additional information needed. It is not clear just where the ponds are located, the point of diversion, or the ditch route for the system. The quad map attached shows two ponds, are they the claimed ponds? There was

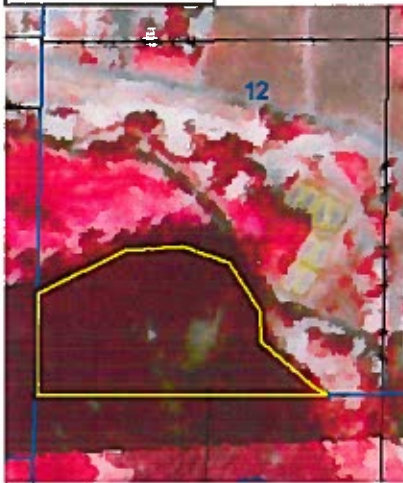
http://www.glorerecords.blm.gov/SurveySearch/Survey_Detail.asp?dmid=42917&Index=9&QryID=60612.04

In reviewing the available aerial photography I am having a difficult time identifying any irrigation in the area indicated below in Sec 12 SWSW. Irrigation in the tree covered area is ambiguous. Also the quad map suggests that the entire area is higher in elevation and therefore would not be a part of the irrigated place of use.

1969 aerial photo



1987 aerial photo



1992 aerial photo

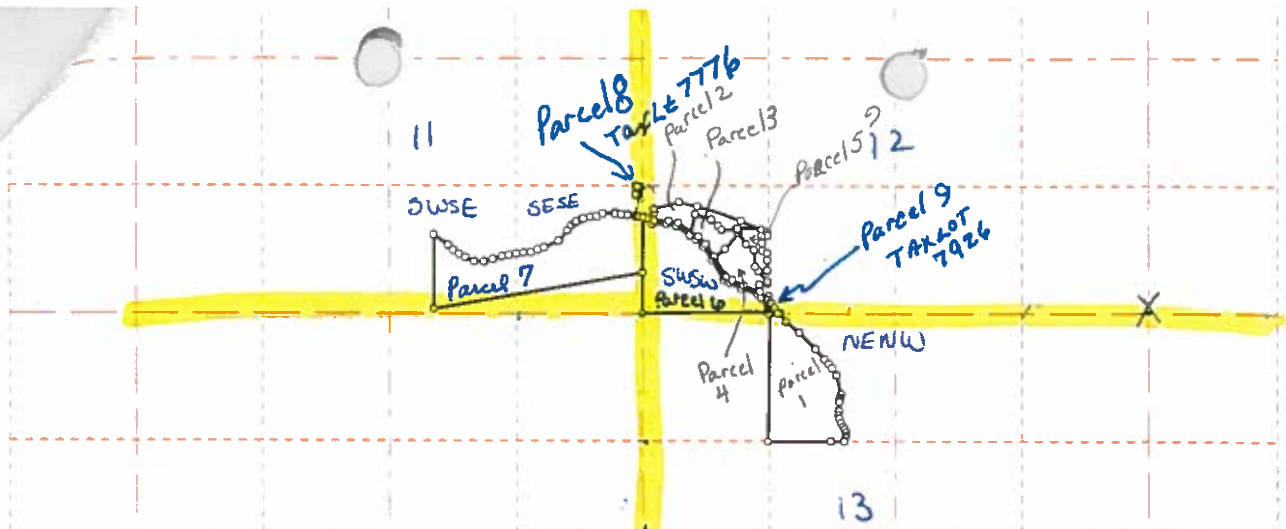


Quad map



2004 aerial photo





Title:		Date: 06-26-2007
Scale: 1 inch = 2000 feet	File: whitetail2.des	

#31

2468931

1387628

3 Putum Pan looking south on right to east on left. across a small channel that defines the lease of hill. to WM springs Cr. No evidence of water

Pump

40HP

SN

1180694

uni closed

no Electrical Motors

Flow Meter Badger Propeller Measure right.
MDIM 6" meter range 10000 of gal
0 to 1,000 GPM

SN#

33025

(A0009773)

#32

2468533

1387621

2 Pies looking NE to ENE on Rt @ Pump

#34

2468928

1387788

2 Pies of

Pond div

Information obtained from the BLM web site for tax lot information.

http://www.glorerecords.blm.gov/SurveySearch/Survey_Detail.asp?dmid=42917&Index=9&QryID=60612.04

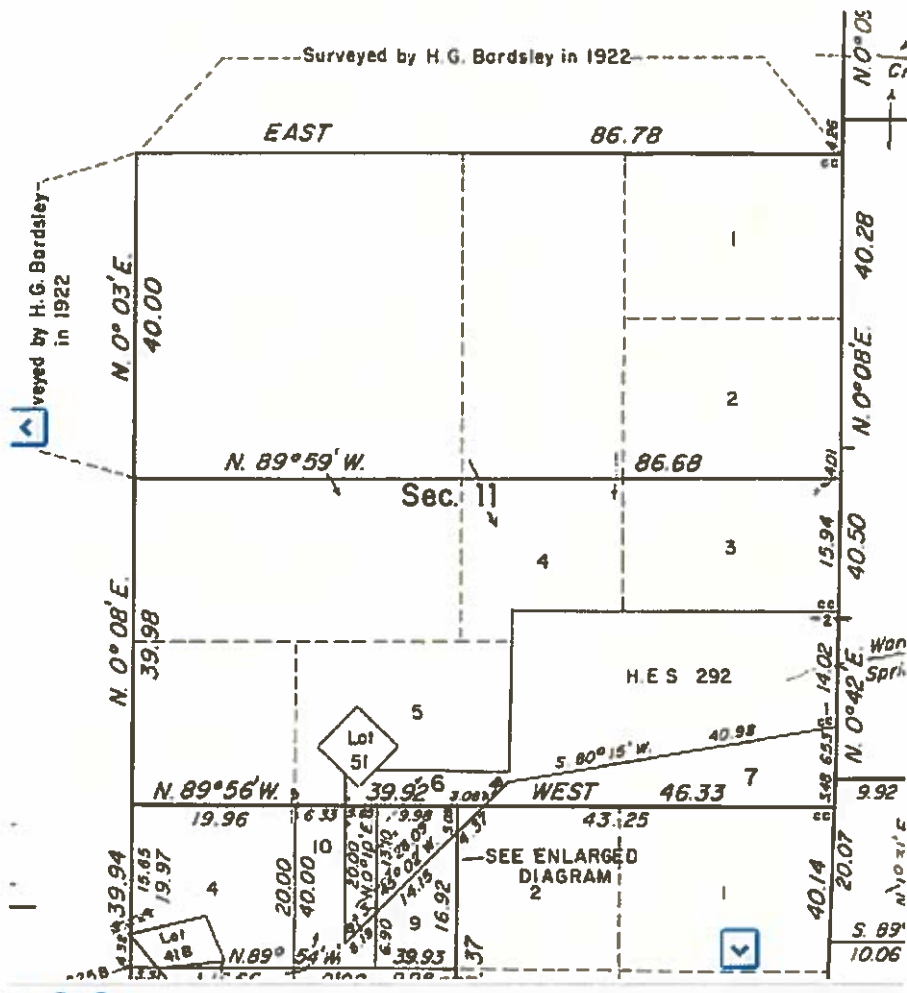
UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Washington, D.C. January 3, 1978

This plat is strictly conformable to the approved field notes, and the survey, having been correctly executed in accordance with the requirements of law and the regulations of this Bureau, is hereby accepted.

For the Director

Bernard W. Fisher

Chief, Division of Cadastral Survey



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-2621 V1

WATER RIGHT NUMBER: 37-2621 V1

Owner Type Name and Address
 Current Owner HELIOS DEVELOPMENT LLC
 C/O STAN CASTLETON
 PO BOX 4151
 PARK CITY, UT 84060
 (435)655-3288

Priority Date: 08/06/1959

Basis: License

Status: Active

Source Tributary
 WARM SPRINGS 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	0.480 CFS	
	<u>Total Diversion:</u>	0.480 CFS	

Location of Point(s) of Diversion

WARM SPRINGS CREEK SW1/4SW1/4 Sec. 12, Twp 04N, Rge 17E, B.M.
 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	
04N	17E	11															.6	15.0	15.6
																	1.6		
04N	17E	12											4.4						4.4

Total Acres: 24

Conditions of Approval:

1. R30 This right shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.
2. 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.
3. E51 Right Nos. 37-212A, 37-2621 and 37-20381 are limited to a total combined diversion rate of 2.8 cfs.
4. E55 Right Nos. 37-212A, 37-2621 and 37-20381 are limited to the irrigation of a combined total of 24 acres in a single irrigation season.

Comments:

1. csaxton 2/2/2007 From Claim (1)

Comment: .48 CFS IS TO BE SUPPLEMENTAL OR IN LIEU OF DECREED RIGHTS.

Sept 25
 field notes - 1965
 Following docs.
 Copied from PC Docs

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-2621

WATER RIGHT NUMBER: 37-2621

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HELIOS DEVELOPMENT LLC C/O STAN CASTLETON PO BOX 4151 PARK CITY, UT 84060 (435)655-3288

Priority Date: 08/06/1959

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
WARM SPRINGS CREEK	BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 11/01	0.480 CFS	
	<u>Total Diversion:</u>	0.480 CFS	

Location of Point(s) of Diversion

WARM SPRINGS CREEK	SW1/4SW1/4	Sec. 12, Twp 04N, Rge 17E, B.M.
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	
04N	17E	11															8.0	11.0	19.0
04N	17E	12											5.0						5.0

Total Acres: 24

Conditions of Approval:

- 016 See remarks for additional conditions of approval.
- .48 CFS IS TO BE SUPPLEMENTAL OR IN LIEU OF DECREED RIGHTS.
THE TOTAL FROM ALL SOURCES NOT TO EXCEED 1 MINERS INCH PER ACRE. THE ORIGINAL PERMIT WAS ON A SPRING BUT THE TRANSFER WAS DONE BEFORE 1969 (1960) THEREFORE SOURCE IS NOW WARM SPRINGS CREEK

Remarks:Comments:

State of Idaho

License and Certificate of Water Right

Water License No. G-28093 Priority August 6, 1959 Amount 0.48 c.f.s.

THIS IS TO CERTIFY that OWEN SIMPSON

of Ketchum, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated August 6, 1959; that Permit No. G-28093 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 0.48 second feet, was issued thereunder on October 18, 1966, showing that said works were completed on the 31st day of July, 1964; and that on the 31st day of July, 1964

OWEN SIMPSON

of Ketchum, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of a subterranean spring

a tributary of for the purpose of irrigation under Use Permit No. G-28093 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 13 of Licenses, at Page 8568, on the 18th day of October, 1966.

The right hereby confirmed dates from August 6, 1959.

The Point of Diversion is located

in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 12, Twp. 4 N, R. 17 E, B.M. Blaine County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.48 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Partly-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N	17 E	11	SW $\frac{1}{4}$ SE $\frac{1}{4}$	35	4
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	37	15
		12	SW $\frac{1}{4}$ SW $\frac{1}{4}$	37	<u>5</u>
Total number of acres to be irrigated: 24					
Note: 0.48 c.f.s. is to be supplemental or in lieu of decreed rights, the total from all sources not to exceed 1 miner's inch per acre.					

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 18th day of October, 1966.

R. Keith Higgins
State Reclamation Engineer.

27 2021

Pc Docs
Pg 7
28093

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. G-28093This proof is for Corp. of Works & Bene. Use In Water District No. _____1. Name of applicant Owen Simpson2. Source of water supply: Subterranean water *spring*3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12
T 4N R 17E County of Blaine4. Describe works as they exist, giving dimensions and capacities of same: _____

_____5. Water is used for: Irrigation6. State whether or not water has been turned into works of diversion: _____

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 11; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 12; NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 13, all in 4N-17E,
making a total of 117 acres to be irrigated.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: Allow 1 ft. not to exceed actual springflow. Check decreed right tothis should not be a G permit

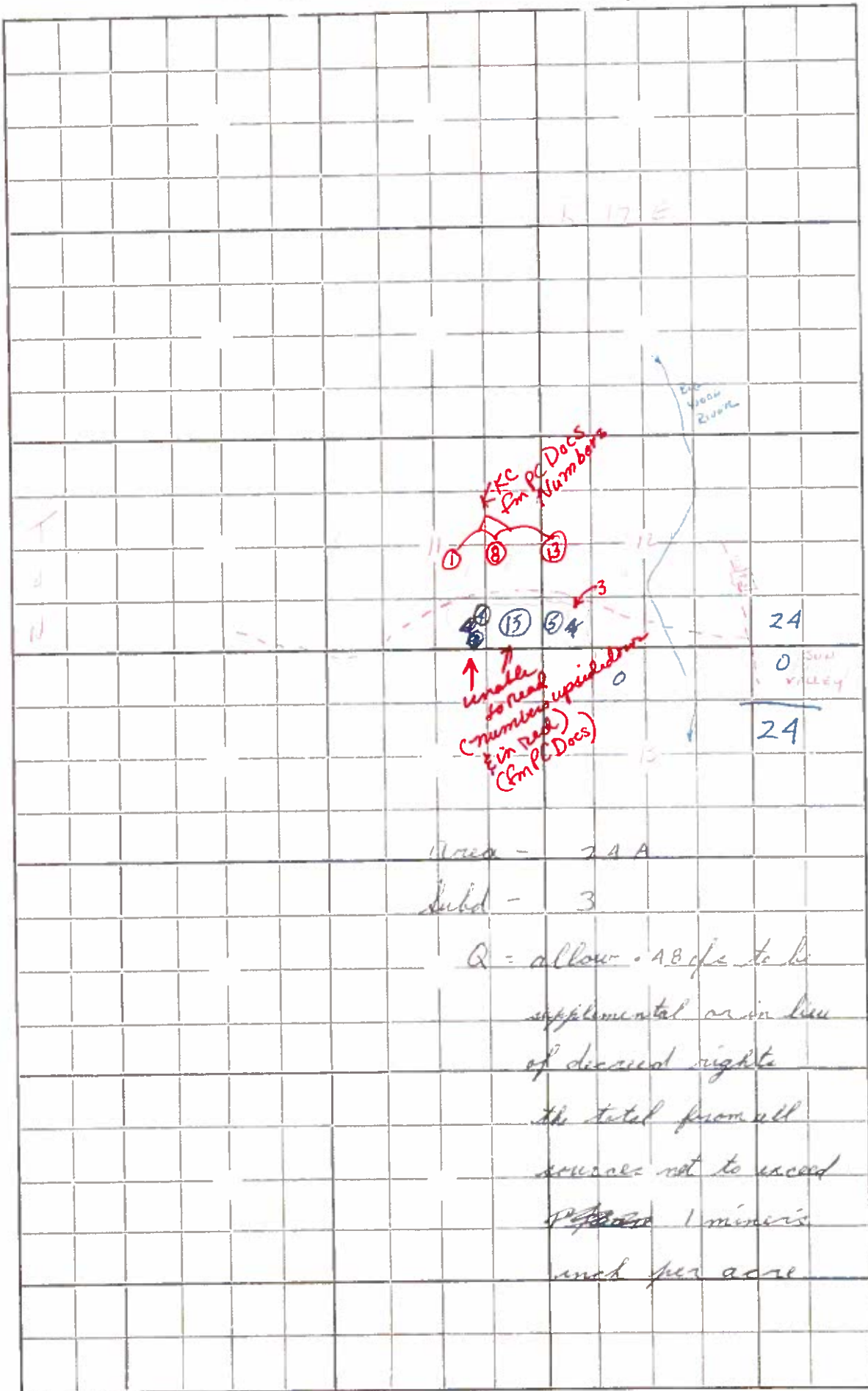
I rest decree give August and Peter Earlin
280" 6-23-88 for W $\frac{1}{2}$ SW $\frac{1}{4}$ -12 + SE $\frac{1}{4}$ -11 4N-17E

This examination was made on the 21st day of June, 1961(Signed) Don Water

Examiner.

Pe Does
Pg 25

28093



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

28093

RECEIVED

SEP 27 1965

Department of Reclamation

Permit G-28093
Owen Simpson

Source: Springs at base of a Mountain entering a man made ditch. The springs enter through a 30' area of the ditch. The ditch is .15 mile long & flows eastward, with a depth of 5' to 3', bottom of 18" to 24" and a crest of 30" to 48". The spring water flows into Warm Springs Creek.

P.D. Mr. Simpson uses Exchange water which he takes out of Warm Spring Creek, west of up stream about .3 mile. At this point River water enters into a 300' x 75' holding pond. Just how the water enters the pond is not visible due to Spring floods. From this pond the water is pumped into an enclosed sprinkler system.

The Golf course which is irrigated with this water was not used in 1965 nor was the system turned on.

U.S. Enclosed Motor

40 HP Ser.# 1180694

Byron Jackson Pump 4"

Type MHL Ser.# 359964

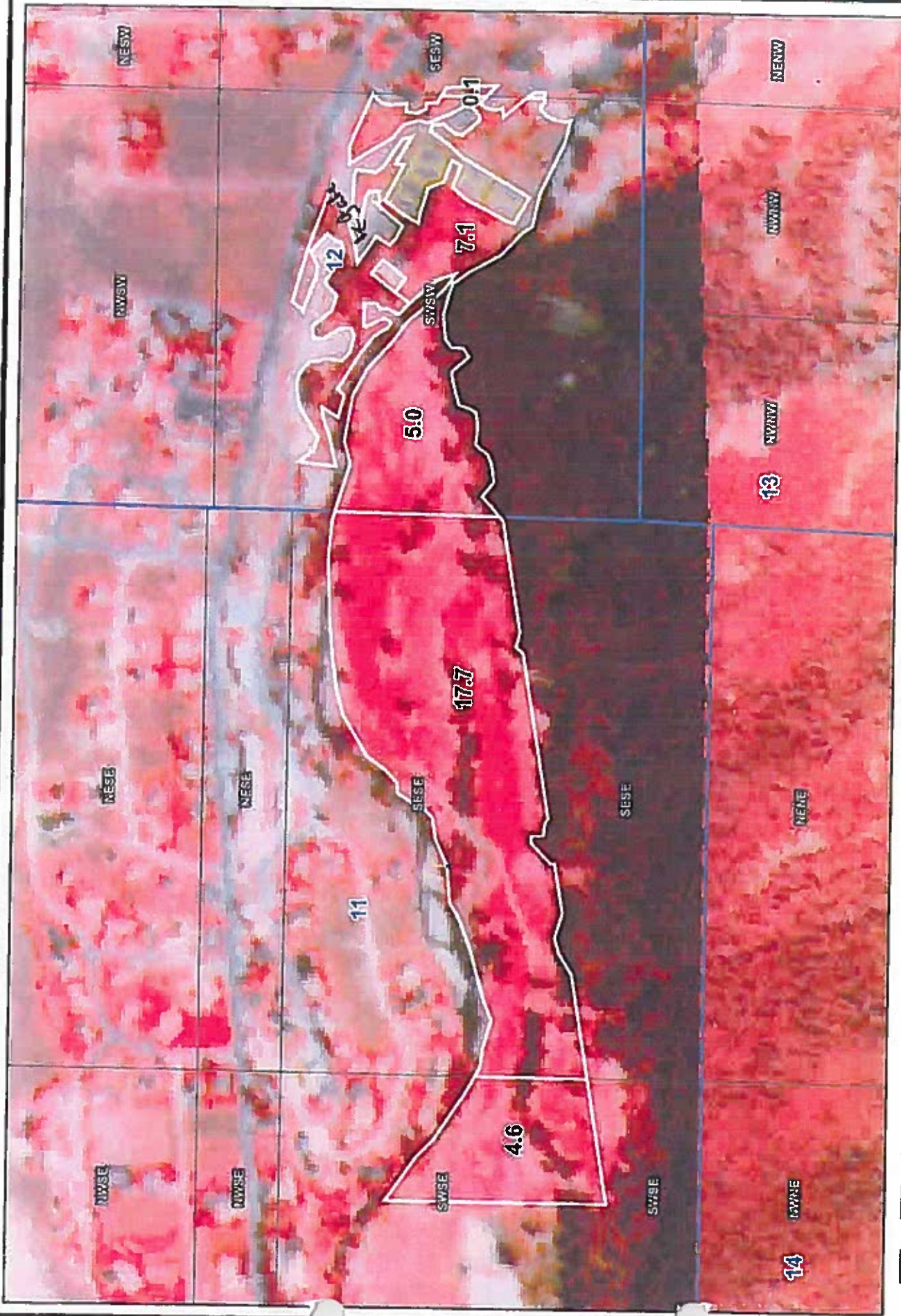
800 GPM 150 HD

6" Steel intake x 60' Discharge 4" Tapered to 6"
with a Y. North fork of Y-crosses River in 6" Steel line
South fork 30' to underground sprinkler lines.

Report of 23 Sept 1965

Donald W. McEldowney

Pc Docs
Pg 27



HELIOS DEVELOPMENT LLC
AMENDED CLAIM - 37-212A, 37-20381
T.04N R.17E. SEC.11, 12
1987 INFRARED AERIAL PHOTOGRAPH

Legend
Sections
1987 Infringed Acres = 34.5 ac.
104m17e

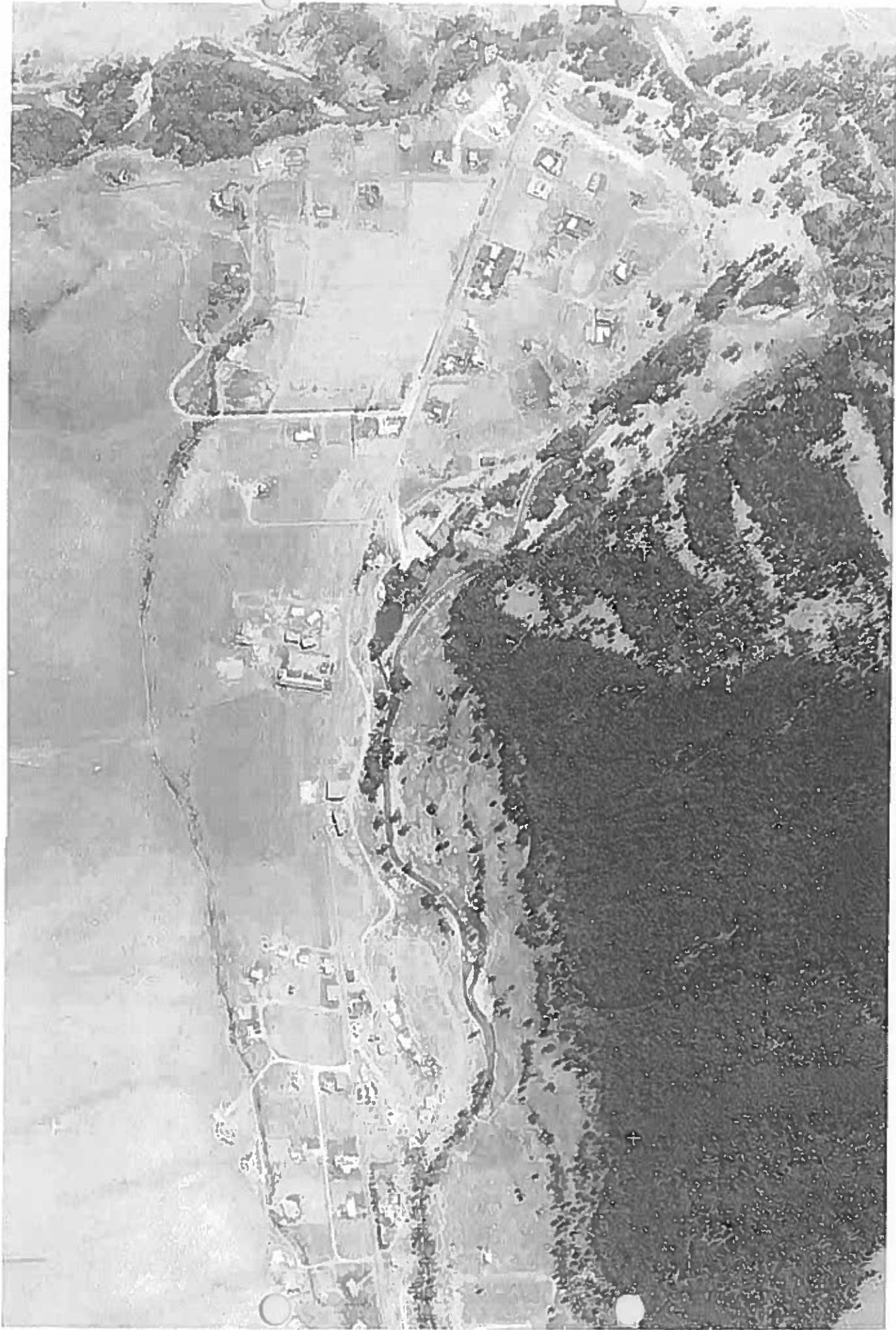
37-212A, 37-20381 P.O.D.

BROCKWAY ENGINEERING, PLLC.
ALR (2L) - 3/28/09

USDA
JULY 2, 1964



USDA
AUGUST 9, 1969



USDA
AUGUST 29, 1984



USDA
AUGUST 29, 1984



USDA
AUGUST 29, 1984



USDA
SEPTEMBER 4, 1977



USDA
SEPTEMBER 4, 1977



From Loski E-mail 6-9-09 10:20AM



1 inch equals 120 feet

- Legend**
- Well- 37-11885
 - Diversion
 - Ditch
 - Ponds



**HELIOS DEVELOPMENT LLC
DIVERSION SYSTEM
2004 NAIP AERIAL PHOTOGRAPH**

LAWSON & LASKI, PLLC
ATTORNEYS AT LAW

COPY
RECEIVED
NOV 16 2007
675 SUN VALLEY ROAD, SUITE A
DEPARTMENT OF BOX 3310
WATER RIGHTS DIVISION 83340
TELEPHONE: 208-725-0055
FACSIMILE: 208-725-0076
WWW.LAWSONLASKI.COM

November 13, 2007

Via Federal Express

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
Post Office Box 2707
Twin Falls, Idaho 83303-2707

Re: *Water rights: 37-212A, 37-20381, 37-11883, 37-11885*
Our File No.: 10612-001

Dear Sir/Madam:

Enclosed for filing in the above captioned matter is a Motion to File an Amended Notice of Claim including amended Notice of Claim to a Water Right for each of the referenced Subcases. Additionally enclosed are four checks in the amount of \$50.00. Please file the enclosed Motions and return a file-marked copy to me in the stamped self-addressed envelope enclosed for that purpose. Thank you in advance for your assistance.

Sincerely,

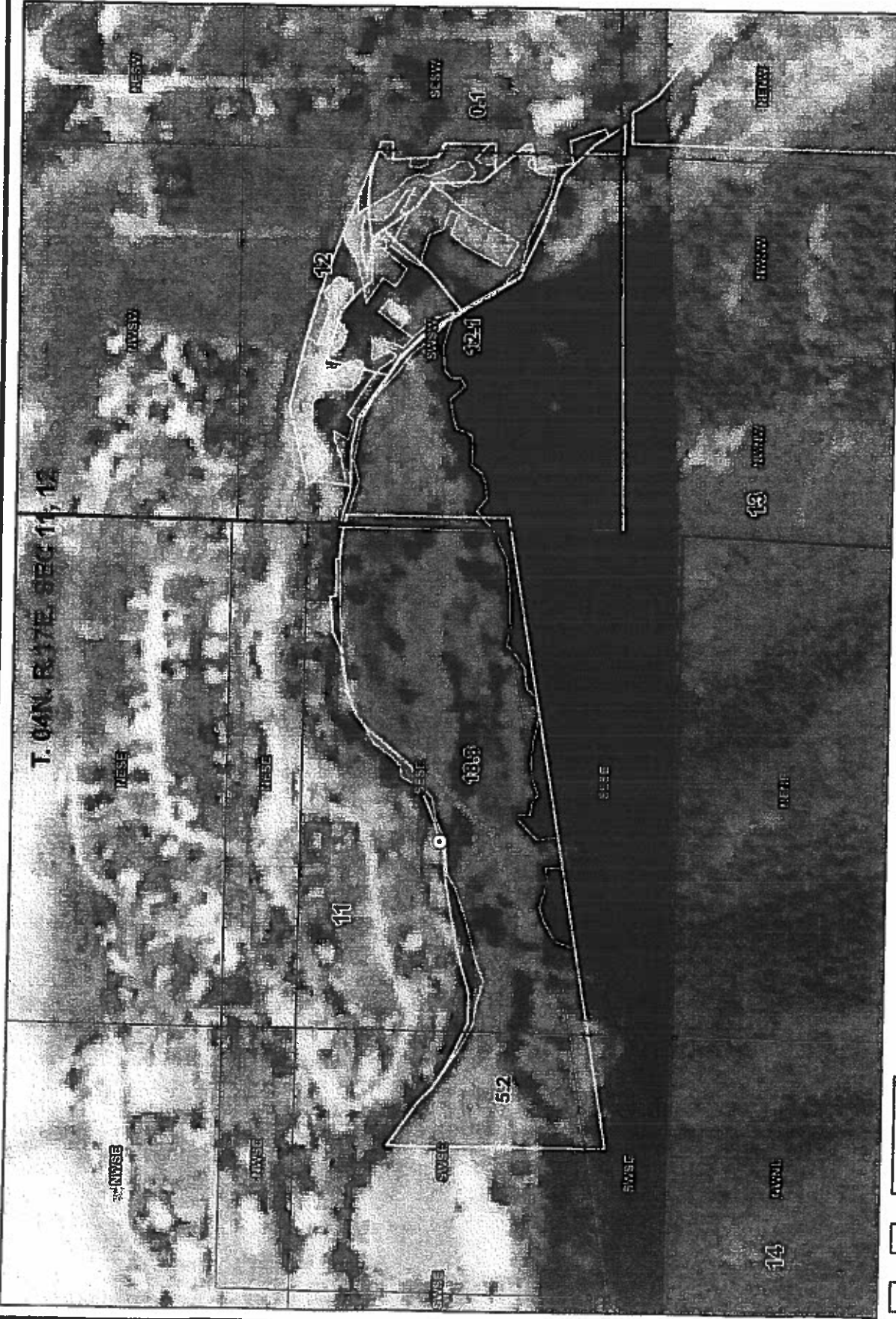
LAWSON & LASKI, PLLC



Brooke A. Hartmann

Cc (w/encl): Client
IDWR Document Depository ✓
US Department of Justice
Environment & Nat'l Resources Division
Chief, Natural Resources Division
Office of the Attorney General
Dr. Charles E. Brockway

SCANNED
NOV 21 2007
SCANNED
NOV 21 2007





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

October 12, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

HELIOS DEVELOPMENT LLC
C/O STAN CASTLETON
PO BOX 4151
PARK CITY UT 84060

RE: SRBA Claim(s) 37-212a, 37-2621, 37-4337, 20381

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

cc: James S Speck
Speck & Aanestad
PO Box 987
Ketchum ID 83340

Edward A Lawson
Lawson & Laski
PO Box 3110
Ketchum ID 83340



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

SOUTHERN REGION

June 4, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
~~Interim~~ Director

EDWARD A LAWSON
LAWSON & LASKI PLLC
PO BOX 3310
KETCHUM ID 83340

Re: Notice of Change in Water Right Ownership / Helios Development LLC
Your File No.: 10612-001

Dear Mr. Lawson:

The Department of Water Resources acknowledges receipt of the Notice of Change in Water Right Ownership you recently submitted on behalf of your client, Helios Development LLC. The Snake River Basin Adjudication Court has not yet decreed all of the water rights listed on the owner change form except for 37-8304; consequently, no fee is due to process the owner change. I am herein returning your firm's check #2590 in the amount of \$175.00.

Water right 37-8304 has not been licensed, so an *Assignment of Permit* is required to complete this ownership change. Enclosed is an assignment form for your use. Please note that there is a \$25 per water right fee to process Assignments of Permit.

Thank you for your prompt attention to this matter and please feel free to contact this office if you have any questions.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosures

COPY

LAWSON & LASKI, PLLC
ATTORNEYS AT LAW

Edward A. Lawson
cal@LawsonLaski.com

675 SUN VALLEY ROAD, SUITE A
POST OFFICE BOX 3310
KETCHUM, IDAHO 83340
TELEPHONE: 208-725-0055
FACSIMILE: 208-725-0076
WWW.LAWSONLASKI.COM

May 30, 2007

RECEIVED

MAY 31 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Certified Mail Return Receipt Requested

IDWR Southern Region
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

Re: Notice of Change of Water Right Ownership
Our File No.:10612-001

Dear Sir/Madam:

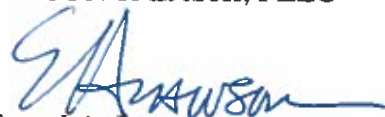
Enclosed please find an original Notice of Change In Water Right Ownership which we are filing on behalf of the new owner, Helios Development, LLC.

Also enclosed is our check payable to you in the amount of \$175.00 which represents your filing fee for the seven water rights.

Please advise if you require any additional information.

Sincerely,

LAWSON & LASKI, PLLC


Edward A. Lawson

Cc: client

12/18/2006

RECEIVED

JAN 05 2007

DEPARTMENT OF
WATER RESOURCES

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 01/05/2007

Water right number: 37-212A

WHITETAIL A CLUB FOR ALL SEASONS
501 WEST LAKE STREET
MC CALL ID 83638
Telephone Number: (208)630-0250

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

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

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

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 1-05-07

SIGNATURE:

Please print your name:

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED

JAN 08 2007



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION
September 21, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

WHITETAIL A CLUB FOR ALL SEASONS LLC
501 WEST LAKE STREET
MCCALL ID 83638

Re: SRBA Claim #37-212A, #37-2621, #37-4337, #37-20381

Dear Claimant,

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the records of current ownership to you. Please find the enclosed copies of the computer records of the claims noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Carrie Hahn', is written over a light-colored background.

Carrie Hahn
Office Specialist

Enc.

JAMES P. SPECK
jlspeck@cox-internet.com
DOUGLAS J. AANESTAD
aanestad@cox-internet.com

SPECK & AANESTAD
A PROFESSIONAL CORPORATION
ATTORNEYS
120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

RECEIVED

SEP 15 2006

DEPARTMENT OF
WATER RESOURCES

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

September 13, 2006

Kari Lynn Townsend
Idaho Department of Water Resources
322 E. Front St.
P. O. Box 83720
Boise ID 83720-0098

Re: Whitetail, A Club For All Seasons, LLC
Notice of Change in Water Right Ownership;
Water Rights: 37-212A, 37-2621, 37-4337 and 37-20381

Dear Kari:

Jim Speck asked that I send you a copy of a second Quitclaim Deed for the above-referenced Notice of Change in Water Right Ownership.

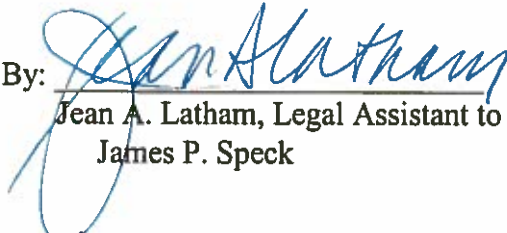
Please call our office if you have any further questions concerning this matter.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By:


Jean A. Latham, Legal Assistant to
James P. Speck

Enclosure

RECEIVED

SEP 15 2006

DEPARTMENT OF
WATER RESOURCESRecording Requested By and
When Recorded Return to:Stephen A. Hardesty
Hawley Troxell Ennis & Hawley LLP
P.O. Box 1617
Boise, ID 83701-1617

Instrument # 534862

HAILEY, BLAINE, IDAHO

2006-05-01

04:10:00 No. of Pages: 6

Recorded for: FIRST AMERICAN TITLE

MARSHA RIEMANN

Fee: 18.00

Ex-Office Recorder Deputy

Instrument: GRANT DEED

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

GRANT DEED

THIS GRANT DEED, made this 1st day of May, 2006, by and between CREEKSIDE I, LLC, an Idaho limited liability company ("Grantor"), and WHITETAIL, A CLUB FOR ALL SEASONS, LLC, an Idaho limited liability company, whose address is 501 West Lake Street, McCall, Idaho 83638 ("Grantee").

WITNESSETH:

FOR VALUE RECEIVED, Grantor does hereby grant, sell and convey to Grantee, his heirs, successors and assigns forever, all that certain real property located in Blaine County, State of Idaho, more particularly described on EXHIBIT "A" attached hereto and incorporated herein by this reference.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, including any and all improvements located thereon; the reversion and reversions, remainder and remainders, rents, issues and profits thereof (collectively "Premises").

Grantor hereby covenants with Grantee that the Premises are free from all encumbrances made by Grantor and that Grantor will warrant and defend the Premises against the lawful claims of all persons claiming by, through or under Grantee; subject, however, to the rights of all persons in possession.

TO HAVE AND TO HOLD all and singular the Premises, together with the appurtenances unto Grantee, his heirs, successors and assigns forever.

The Premises are sold and conveyed to Grantee, "AS IS AND WHERE IS AND WITH ALL FAULTS, IF ANY." Except as provided above, Grantor makes no warranties either express or implied in fact or by operation of law concerning the Premises.

GRANT DEED - 1 -

42477.0001.873115.3

IN WITNESS WHEREOF, the Grantor has hereunto executed this Grant Deed as of the day and year first above written.

GRANTOR:

CREEKSIDE I, LLC

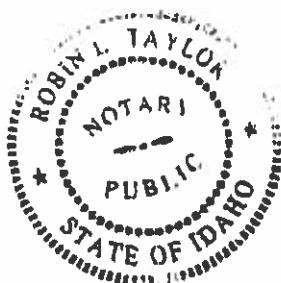
By: Marronnier, LLC, its Manager

By: 
Stephen A. Roth, Manager

STATE OF IDAHO)
) ss.
County of Blaine)

On this 1st day of May, 2006, before me, ROBIN L. TAYLOR, a Notary Public in and for said State, personally appeared Stephen A. Roth, known or identified to me to be the Manager of Marronnier, LLC, the Manager of the limited liability company of Creekside I, LLC, and the Manager who subscribed said company name to the foregoing instrument, and acknowledged to me that Creekside I, LLC executed the same in said company name.

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




Notary Public for Idaho
Residing at Boise
My commission expires 3/11/2010

EXHIBIT "A"

(attached hereto)

GRANT DEED - 3 -

42477.0001.873115.3

Legal Descriptions
Order No. 156898

Exhibit "A"

Parcel 5:

A PARCEL OF LAND IN HES 292, SECTION 11, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, more particularly described as follows:

COMMENCING at a brass cap marking the Southwest corner of Section 12; thence N. 00°31'53" East, 422.22 feet along the North - South section line between said Section 11 and Section 12 to the Southerly boundary of Homestead Entry Survey No. 292 and the TRUE POINT OF BEGINNING; thence S. 80°11'09" W., 2,210.80 feet along the Southerly boundary of H.E.S. 292 to the Southeast corner of Tax Lot 3082; thence N. 00°12'52" E., 766.29 feet along the Easterly boundary of Tax Lots 3082 and 2784 to a point on the Northerly bank of Warm Springs Creek; thence S. 54°08'10" E., 183.59 feet along the Southwesterly boundary of Tax Lot 5103 to the Southwest corner of Lot 12, WARM SPRINGS CREEKSIDE SUBDIVISION, according to the official plat thereof on file with the Blaine County Recorder in Hailey, Idaho; thence along said Southerly boundary of WARM SPRINGS CREEKSIDE SUBDIVISION by the following courses and distances: S. 46°53'48" E., 73.97 feet; thence S. 57°01'48" E., 75.36 feet; thence S. 61°14'48" E., 74.58 feet; thence S. 65°56'12" E., 101.10 feet; S. 89°10'07" E., 100.62; thence N. 72°56'28" E., 98.55 feet; thence N. 74°47'57" E., 97.10 feet; thence N. 80°37'22" E., 76.20 feet; N. 79°40'19" E., 75.99; thence N. 80°31'07" E., 76.18 feet; thence N. 86°07'24" E., 77.89 feet; thence N. 70°13'18" E., 75.00 feet; thence N. 69°54'47" E., 65.71 feet; thence N. 66°04'53" E., 169.10 feet; thence N. 40°37'18" E., 140.80 feet to the Easterly corner of Lot 25, WARM SPRINGS CREEKSIDE SUBDIVISION; thence N. 37°26'22" E., 69.30 feet along the Southeasterly boundary of Tax Lot 5761; thence N. 54°49'22" E., 42.80 feet along the Southeasterly boundary of Tax Lot 6012; thence N. 54°49'22" E., 26.30 feet along the Southeasterly boundary of ROCKVIEW WEST CONDOMINIUMS, according to the official plat thereof on file with the Blaine County Recorder in Hailey, Idaho; thence N. 67°53'22" E., 60.05 feet along the Southerly boundary of said ROCKVIEW WEST CONDOMINIUM; thence N. 67°53'22" E., 15.05 feet along the Southerly boundary of the FERN TREE WEST SUBDIVISION, according to the official plat thereof on file with the Blaine County Recorder in Hailey, Idaho; thence N. 76°58'22" E., 76.50 feet along said Southerly boundary of the FERN TREE WEST SUBDIVISION; thence N. 84°33'20" E., 65.76 feet along said Southerly boundary of the FERN TREE WEST SUBDIVISION; thence N. 64°08'33" E., 69.09 feet along said Southerly boundary of the FERN TREE WEST SUBDIVISION; thence N. 84°35'49" E., 131.28 feet along the Southerly boundary of the ROCKVIEW SUBDIVISION, according to the official plat thereof on file with the Blaine County Recorder in Hailey, Idaho; thence S. 06°28'11" E., 19.22 feet along the Southerly boundary of said ROCKVIEW SUBDIVISION; thence S. 88°21'58" E., 65.30 feet along

the Southerly boundary of said ROCKVIEW SUBDIVISION; thence N. $87^{\circ}22'22''$ E., 63.82 feet along the Southerly boundary of Tax Lot 4102; thence S. $02^{\circ}03'03''$ W., 10.00 feet along the Westerly boundary of Tax Lot 5765; thence S. $84^{\circ}33'52''$ E., 81.76 feet along the Southerly boundary of Tax Lot 5765; thence S. $79^{\circ}49'03''$ E., 22.19 feet to the Southwest corner of that parcel of land recorded as Instrument No. 148900; thence S. $77^{\circ}51'39''$ E., 14.00 feet along the Southerly boundary of said parcel; thence S. $77^{\circ}51'39''$ E., 39.39 feet along the Southerly boundary of that parcel of land recorded as Instrument No. 222504 to the Easterly boundary of said Section 11; thence S. $00^{\circ}31'53''$ W., 571.56 feet along said Easterly boundary to the TRUE POINT OF BEGINNING.
(Tax Lot 7643)

Parcel 6:

A PARCEL OF LAND IN SECTION 12, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, more particularly described as follows:

COMMENCING at a brass cap marking the Southwest corner of Section 12, and said corner being the TRUE POINT OF BEGINNING; thence N. $00^{\circ}31'53''$ E., 993.78 feet along the Westerly boundary of said Section 12 to the Southerly boundary of that parcel of land recorded as Instrument No. 222504; thence S. $77^{\circ}51'39''$ E., 52.66 feet along said Southerly boundary; thence S. $72^{\circ}17'39''$ E., 76.24 feet along said Southerly boundary; thence along the Northerly bank of Warm Springs Creek by the following courses and distances: S. $88^{\circ}42'01''$ E., 148.87 feet; thence S. $78^{\circ}01'26''$ E., 101.20 feet; thence S. $56^{\circ}11'07''$ E., 255.16 feet; thence S. $45^{\circ}00'00''$ E., 106.07 feet; thence S. $33^{\circ}41'24''$ E., 162.25 feet; thence S. $29^{\circ}57'00''$ E., 242.36 feet; thence S. $65^{\circ}58'23''$ E., 69.22 feet; thence S. $64^{\circ}13'10''$ E., 131.45 feet along the Northerly bank of Warm Springs Creek and also the Southerly boundary of that parcel of land recorded as Instrument No. 148523; thence S. $70^{\circ}53'00''$ E., 181.81 feet along said Northerly bank and Southerly boundary; thence S. $43^{\circ}29'23''$ E., 113.01 feet along said Northerly bank and Southerly boundary to the Easterly boundary of the SW1/4SW1/4 of said section 12; thence S. $00^{\circ}26'50''$ W., 128.28 feet along said Easterly boundary to the Southeast corner of said SW1/4SW1/4; thence S. $89^{\circ}12'53''$ W., 1309.44 feet along the Southerly boundary of said SW1/4SW1/4 to the TRUE POINT OF BEGINNING.
(Tax Lot 7642)

Parcel 7:

A PARCEL OF LAND LOCATED WITHIN THE NE1/4NW1/4 OF SECTION 13, TOWNSHIP 4 NORTH, RANGE 17 EAST, AND THE SE1/4SW1/4 OF SECTION 12, TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO, lying South and West of the Northeasterly bank of Warm Springs Creek, more particularly described as follows:

COMMENCING at a brass cap marking the Center North 1/16 corner of Section 13, running thence S. 89°37'23" W., 660.46 feet along the Southerly boundary of said NE1/4NW1/4 of Section 13 to a brass cap marking the 1/64 corner, said corner being the TRUE POINT OF BEGINNING; thence S. 89°37'23" W., 664.71 feet, along the Southerly boundary to the Northwest 1/16 corner; thence N. 00°58'45"E., 1329.70 feet, to the West 1/16 corner common to Section 12 and 13; thence N. 89°25'00" E., 107.46 feet along the Northerly boundary of Section 13 to a point on the Southwesterly boundary of Warm Springs Townhouse No. 2, said plat being on file of the Blaine County Recorder; thence S. 33°57'00" E. 104.38 feet along the boundary to the Northwesterly corner of tax lot 6571; thence S. 50°57'00" E., 180.00 feet along the Southwesterly boundary of Tax Lot 6571; thence S. 45°32'00" E., 240.00 feet to the Westerly corner of Tax lot 3172; thence S. 45°40'00" E., 142.60 feet along the Southwesterly boundary of Tax Lot 3172; thence S. 43°45'00" E., 61.00 feet along the Southwesterly boundary of Tax Lot 3172 to the Westerly corner of Tax Lot 3217; thence S. 40°54'00" E., 60.10 feet along the Southwesterly boundary of Tax Lot 3217 to the Westerly corner of Tax Lot 3362 thence S. 31°01'09" E., 87.55 feet to a point on the Westerly boundary of Lot 1, Block 5, SUN VALLEY SUBDIVISION 1st ADDITION REVISED; thence S. 12°53'25" E., 202.98 feet along the Westerly boundary to a point on the East bank of Warm Springs Creek; thence S. 12°00'43" W., 34.06 feet along said bank; thence S. 19°51'48" W., 21.70 feet along said bank; thence S 10°50'24" W., 22.88 feet along said bank; thence S. 02°30'16" W., 90.75 feet along said bank; thence S. 36°41'25" E., 7.24 feet along said bank; thence S. 06°06'43" W., 38.05 feet along said bank; thence S. 05°12'50" E., 37.44 feet along said bank; thence S. 23°16'16" E., 49.10 feet along said bank; thence S. 30°12'13" E., 45.25 feet along said bank; thence S. 31°29'18" E., 31.73 feet along said bank; thence S. 17°08'10" E., 36.19 feet along said bank; thence S. 02°42'17" E., 32.00 feet along said bank; thence S. 14°19'32" W., 24.42 feet along said bank; thence S. 22°56'00" W., 27.91 feet along said bank; thence S. 00°38'03" E., 20.18 feet along said bank to the Southerly boundary of said NE1/4NW1/4 of Section 13; thence S. 89°37'23" W., 143.94 feet along the boundary to the TRUE POINT OF BEGINNING.
(Tax Lot 6980)

RECEIVED

SEP 15 2006

DEPARTMENT OF
WATER RESOURCES

Claimants Names:

Whitetail, A Club For All Seasons, LLC

Attorney Name & Address:

James P. Speck, ISB#2067

Speck & Aanestad

A Professional Corporation

120 East Avenue

P. O. Box 987

Ketchum, Idaho 83340

(208) 726-4421

FAX: (208) 726-0752

**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

NOTICE OF APPEARANCE

DESCRIPTIVE SUMMARY

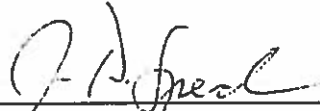
This is a notice of appearance by counsel on behalf of the claimant and purchaser of the water right identified below.

NOTICE OF APPEARANCE

The law firm of Speck & Aanestad, A Professional Corporation, hereby enters its appearance in the action on behalf of Claimant, Whitetail, A Club For All Seasons, LLC, for the following water right which is not the subject of a subcase: 37-212A.

DATED this 7 day of September, 2006.

SPECK & AANESTAD
A Professional Corporation

By 
James P. Speck

CERTIFICATE OF SERVICE

I hereby certify that on the 8 day of September, 2006, I served a true and correct copy of the foregoing NOTICE OF APPEARANCE on the following persons in the manner designated below:

Chief, Natural Resources Division
Office of the Attorney General, State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

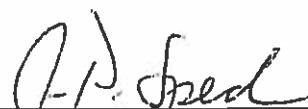
- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid

The United States Department of Justice
Environmental and Natural Resources
Division
550 West Fort Street
Box 33
Boise, ID 83724

- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid

Idaho Department of Water Resources
Document Depository
P.O. Box 83720
Boise, ID 83720-0098

- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid


JAMES P. SPECK

interoffice memo

Date: 9/12/2006
To: memo to the file
Cc:
From: chahn
RE: ownership change

01-18-2005

I had some questions about ownership changes Simpson Family Limited Partnership to Sun Valley Ventures. There were two parcels, Parcel 1 and Parcel 6, I thought should include domestic rights 37-11886 and 37-11884 as part of the ownership change.

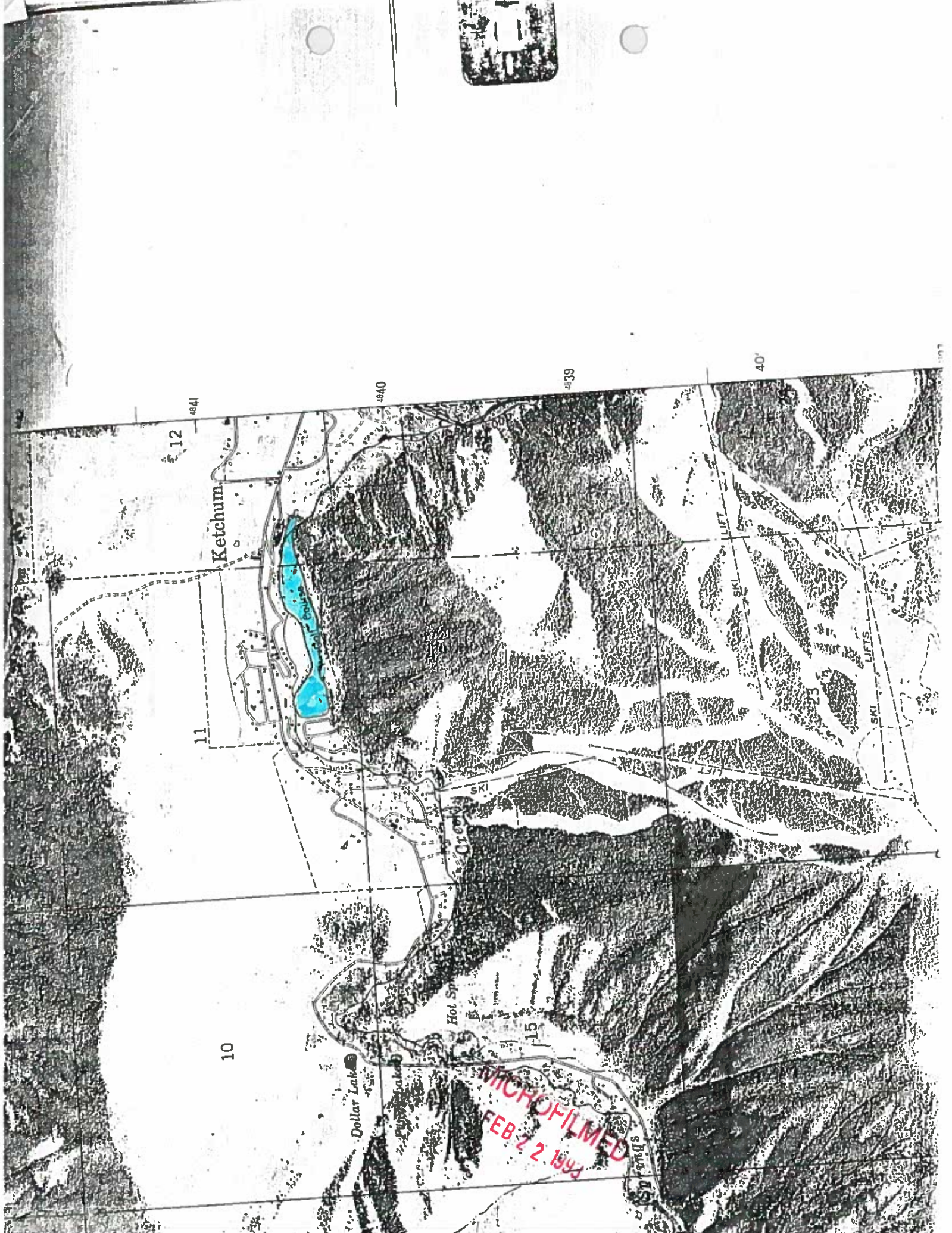
09-12-06

Ownership change Sun Valley Ventures to Whitetail. Deed convey .065 in section 11. Water right claim is for 19 acres.

Solved

= done 9/21/06

ch



Ketchum

10

11

12

Dollar Lake

Hot Springs

15

39

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41

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FEB 22 1993

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SD-0601-2 Last Name: SIMPSON

STATE

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
-	SIMPSON						
-	DENINE	C	A37-00561B	05/02/1884	LITTLE WOOD	0.480	01 IRR
-	RICHARD	C	A37-02657B	07/21/1961	GROUNDWATER	2.500	01 IRR
-	DENINE	C	A37-02657B	07/21/1961	GROUNDWATER	2.500	01 IRR
-	RICHARD	C	A37-11730	10/10/1947	GROUNDWATER	0.070	43 DOMEST
-							04 STOCK
-	DENINE	C	A37-11730	10/10/1947	GROUNDWATER	0.070	43 DOMEST
-							04 STOCK
-	ROBERT L.	C	A37-12071	01/01/1951	GROUNDWATER	0.040	43 DOMEST
-	SIMPSON FAMILY LIMITED PARTNERSHIP						
-		C	A37-00212A	06/23/1888	WARM SPRING	2.800	01 IRR
-		C	A37-02621	08/06/1959	WARM SPRING	0.480	01 IRR

?

END OF DATA...ENTER MENU OPTION AND/OR PRESS ENTER TO CONTINUE
(Enter=Continue) (GOLD7=This Query)

(Menu _____)

*Claims filed
in the SRBA*

1.00 Thursday Ed Lawson

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

JAMES P. SPECK
jimspeck@cox-internet.com
DOUGLAS J. AANESTAD
aanestad@cox-internet.com

September 7, 2006

RECEIVED
SEP 11 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls, Idaho 83301

Re: *Whitetail, A Club For All Seasons, LLC*
Notice of Change in Water Right Ownership
Our File No.: 307/060048

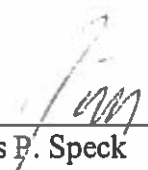
Dear Allen:

Enclosed you will find the original and one copy of the Notice of Change in Water Right Ownership for Water Right Nos., 37-212A, 37-2621, 37-4337 and 37-20381. Please receipt date-stamp the copy and return it to me in the postage prepaid, self-addressed envelope included for that purpose. Please call me right away if you have any questions or concerns about this notice.

Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS/jal
Enclosures
cc: Clients (w/encl.)
Steve Hardesty (w/encl.)
F:\WPDATA\JIM\Whitetail\Correspondence\Merritt.09-07.wpd



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

January 18, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

SUN VALLEY VENTURES LLC
PO BOX 5500
KETCHUM ID 83340-5500

Re: SRBA Claim #37-212A, #37-2621, #37-20381, #37-4337

Dear Claimant,

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the records of current ownerships to you. Please find the enclosed copies of the computer records of the claims noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

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

Carrie Hahn
Office Specialist

Enc.

Transmittal

To: Carrie Hahn

From: Jeff Rau

Address: IDWR Southern Region Office

Fax:

Pages:

Phone:

Date: 1/4/2005

Re: Warm Springs

CC:

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply**

● **Comments:**

Following is a cleaner copy of the warranty deed for Warm Springs to Sun Valley Ventures LLC. I apologize for the first set being so blurry and difficult to read. Please let me know if you have any questions. Thank you and have a great day.

Signed,



RECEIVED
JAN 04 2005
Department of Water Resources
Southern Region



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED
DEC 27 2004
Department of Water Resources
Southern Region

December 23, 2004

Idaho Department of Water Resources
Attn: Allen Merritt
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

Re: Water Right Change of Ownership & Assignment of Permit
Sun Valley Ventures, LLC

Dear Allen:

Enclosed are the Change of Ownership forms for the water rights associated with the Warm Springs Ranch parcel. Some of the rights were in the name of Simpson Family Limited Partnership and one was in the name of Warm Springs Ranch. I have included an aerial photo exhibit as required in Section #2 of the change of ownership forms. Since these rights are still pending in the adjudication, there should be no fee for this ownership change.

We have also included an Assignment of Permit for Permit #37-8304 in the name of Patrick Simpson. Mr. Simpson has signed the document and it has been notarized. A \$25 filing fee is included with this form.

We trust that you will find the documents in order and acceptable for processing. Please contact our office if you have any questions. Thank you and have a great day.

Sincerely,

Jeffrey S. Rau, P.E.

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

Attachment: Change of Ownership Forms (2)
Warranty Deed
Aerial Photo Exhibit
Assignment of Permit 37-8304 & \$25 Filing Fee

Cc: Jim Ruscitto
File

409 NORTH MAIN STREET
HAILEY, IDAHO 83333
208/788-2427
208/788-3918 - FAX

THE ROARK LAW FIRM

FAX

RECEIVED

NOV 18 2004

To: Jeff Rau	From: Ali @ Office of James W. Phillips
Fax: 208/736-8506	Pages: ___, Including Cover
Phone:	Date: 11/18/2004
RE: Sun Valley Ventures - Deeds and Bill of Sale	cc:

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

ATTACHMENT/S:

MESSAGE:

Jeff:

Should you have any questions regarding the attached, please advise. Additional copy will follow via US Mail. Thank you.

RECEIVED

DEC 27 2004

Department of Water Resources
Southern Region

THIS FACSIMILE TRANSMISSION MAY CONTAIN CONFIDENTIAL AND PRIVILEGED INFORMATION. ITS CONTENTS ARE INTENDED ONLY FOR THE USE OF THE PERSON TO WHOM IT IS ADDRESSED ABOVE. ANY OTHER USE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE CONTACT THE ROARK LAW FIRM AT (208) 788-2427 IMMEDIATELY AND DESTROY ALL COPIES OF THIS TRANSMISSION AND ATTACHMENTS.