

RECEIVED

OCT 05 2006

DEPARTMENT OF
WATER RESOURCES

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

AMENDED 37-549

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 **37-549**
Date Received _____
Receipt Number _____

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

Please type or print clearly

1. Name of Claimant (s) Spring Canyon Ranch LLC c/o Croy Canyon LLC Phone (650) 588-5600

Mailing Address 395 Oyster Pt Blvd #309, South San Francisco, CA Zip 94080

2. Date of Priority (Only one (1) per claim) 06/30/1882

3. Source of water supply (a) Croy Creek

which is tributary to (b) Big Wood River

4. a. Location of existing point of diversion is: Township 02N Range 18E Section 19,
NE 1/4 of SE 1/4 of NW 1/4, Govt. Lot, Recom B.M., County of Blaine

Additional points of diversion if any: Orig claim = Sec 18 SESESE

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 ditch from Croy Creek - this ditch was in operation in 1987 when the claim was made and was diverted to the property when water from Croy Creek was available. Due to many bad years of drought there has not been a significant amount of water available in the ditch to be used at the property. In addition, property owners along this ditch has now filled the ditch in. Therefore, once this amended claim has been submitted it is the intention of the applicant to move the point of diversion to a location on their property where they can then divert the water with use of a booster pump into their system. See attached historical aerial photos showing past use of the ditch to the property.

RECEIVED

JUL 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 No. 39576)
_____)

A. Subcase 37-549

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Spring Canyon Ranch LLC

Address: C/O: Croy Canyon LLC

395 Oyster Pt Blvd #309 South San Francisco, CA 94080

Daytime Phone: 650-208-3537

Name & Address of Attorney, if any:

Kevin J. Beaton, Stoel Rives LLP

101 S. Capitol Boulevard Suite 1900

Boise, ID 83702

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

Name: Spring Canyon Ranch LLC

Address: C/O: Croy Canyon LLC

395 Oyster Pt Blvd #309 South San Francisco, CA 94080

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: 190 acre permissible place of use as was claimed,
instead of 180 total combined 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): Aerial photography and
historical use indicate the irrigated area is larger than the recommended
place of use.

F. VERIFICATION (must be completed)

State of Idaho)
County of Ada)ss.

Kevin J. Beaton, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

Kevin Beaton
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:



July 12, 2007
Wanda M. White
Notary Public for Idaho
Residing at: mta - Home, Elmore City.
My Commission Expires: 9-30-08

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: 39356
Ident Number A37-00549
Date Received 10-27-88
Receipt Number CD04234



OCT 27 1988

County of _____
Southern Region Office

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

ORIGINAL

1. Name of Claimant(s): Humboldt Investment Co.
Phone: (702) 825-4144
Mailing Address: 3500 Lakeside Court
Suite 150
Reno, NV 89509
attn: Mr. Devere Barker

2. Date of Priority: June 30, 1882

3. Source of water supply (a) Croy Creek
which is tributary to (b) Big Wood River

4. a. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
2N	18E	18	SE	SE	SE	5	Blaine

Additional points of diversion if any: None.

b. If instream flow, beginning point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
-----------------	--------------	----------------	------------	------------	------------	------------	---------------

Ending point:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
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5. Description of existing diversion works: Portable pumps to
wheelines and handlines.

MICROFILMED

MAR 01 1993

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 1	November 1	4.0 cfs

7. Total Quantity Claimed: 4.0 cfs

8. Total consumptive use claimed is 282.5 acre feet per annum.

9. Non-irrigation uses: None.

10. Place of use:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>Use</u>	<u>Irrig. Acres</u>
2N	18E	17	SE	NW (Lot 4)	I	23
2N	18E	17	NE	SW	I	10
2N	18E	17	NW	SW	I	25
2N	18E	17	SW	SW	I	3
2N	18E	18	NE	SE	I	5
2N	18E	18	SW	SE	I	19
2N	18E	18	SE	SE (Lot 5)	I	28

Total number of irrigated acres: 113

11. Place of use is located in Blaine County.

12. Do you own the property listed above as place of use? Yes.

13. Describe any other water rights used at the same place and for the same purposes as described above? 37-0548, 37-2142 (same as 37-1221), 37-1222, 37-4138, 37-4440.

14. Remarks: 37-0549, decreed to J. J. Plumer in S.C. Frost et al. v. Alturus Water Co. et ux. and 37-1220 described in Connett v. Plumer et al., Blaine County District Court, dated April 29, 1929, are the same right. See also United States Fidelity & Guaranty Co. v. Plumer et al., United States District Court, District of Idaho, dated April 6, 1911, and the Assignment of Judgment therein, dated March 31, 1913, and the Release of Judgment Lien therein, dated April 15, 1913. Place of use is claimed pursuant to Idaho Code §42-1416(1) to the extent it differs from the decree and any subsequent, recorded or approved changes or transfers.

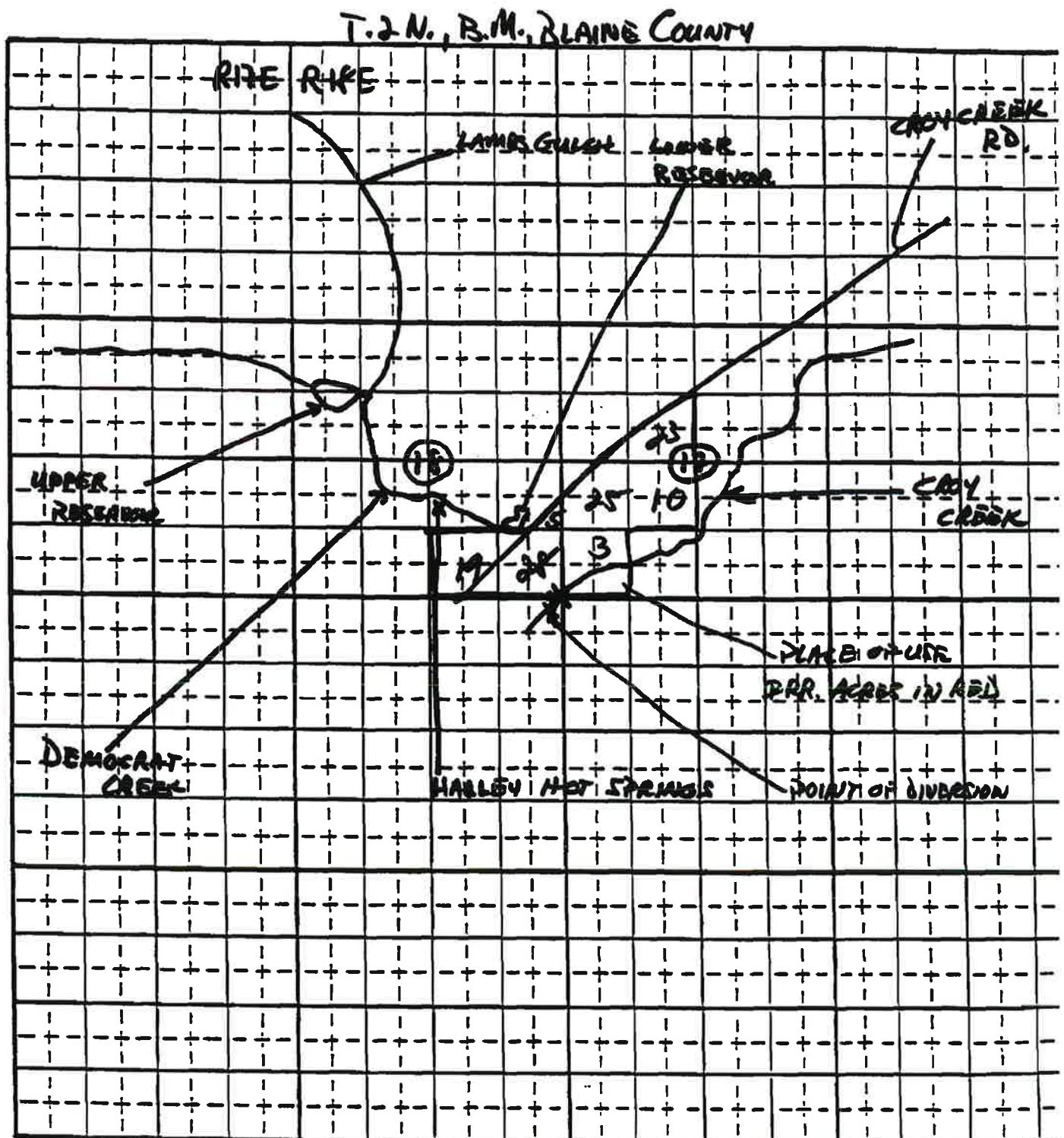
Last Name: Humboldt

Ident No. _____

MICROFILMED
MAR 01 1993

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

Scale: 2 inches equals 1 mile



MICROFILMED

MAR 01 1993

Copies: White-Sans, Yellow-Crimant

Last Name

HUMBOLDT

Ident No.

15. Basis of Claim: Decree

IDWR Water Right Number: 37-0549 (same as 37-1220)

Court: Lincoln County

Case Number:

Decree Date: December 13, 1909

Plaintiff v. Defendant:

S.C. Frost et al. v. Alturus Water Co. et ux.

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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments 0

[For Organizations] I do solemnly swear or affirm that I am a general partner of Humboldt Investment Co., a general partnership, that I have signed the foregoing document in the space below as general partner of the partnership and that the statements contained in the foregoing document are true and correct.

Signature of General Partner: James P. Speck, his attorney-in-fact

Devere Barker

Date _____

State of Idaho)

County of Bonne) ss.

Subscribed and sworn before me this 25th day of October, 1988.

Notary Public Ruby Marie Becker

Residing at Sun Valley

Commission Expires 1/17/89

17. Notice of Appearance:

Notice is hereby given that I, James P. Speck, will be acting as attorney at law 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 the address listed below.

Signature: James P. Speck

James P. Speck
Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, ID 83340

Date: 10/25/88

Last Name: Humboldt
a2:\hmbldt2.clm

Ident No.: _____

MICROFILMED

MAR 01 1993

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 4.00 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 4.00 (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	
02N	18E	17							2.8	24.5	8.2	28.0	1.0						64.5
02N	18E	18								23	10	25	3		7.0		4.5	20.9	32.4
															5		19	28	

Total number of Irrigatable acres 96.9

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 XX 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.

See attached Or None ☐

14. Remarks:

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

If applicable provide IDWR Water Right Number 37-549

Court _____ Case Number _____ Decree Date 12/13/1909

Plaintiff vs Defendant S.C. Frost et al v. Alturus Water

original claim

113

Last Name _____ Ident. No. _____

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 Vice President

Of Spring Canyon Ranch, LLC that I have signed the foregoing

Document in the space below as Vice President of Spring Canyon Ranch, LLC

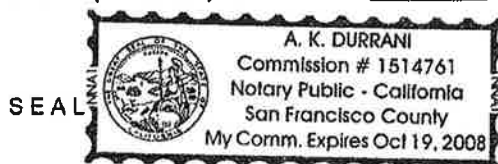
And that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent [Signature]

Title and Organization VP, Spring Canyon Ranch, LLC Date 9/27/06

State of ~~Idaho~~ / or California)
County of San Francisco) ss.

Subscribed and sworn (or affirmed) before me this 27th day of September, 2006.



Notary Public A. K. DURRANI
Residing at 150 California St., San Francisco, CA 94111
My Commission Expires Oct. 19, 2008

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Kevin J. Beaton 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 101 S. Capitol Blvd., Ste. 1900, Boise, ID 83702

Date 10-3-06

11/23/2010

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

RIGHT NUMBER: 37-549

NAME AND ADDRESS: WELLS FARGO BANK
1740 BROADWAY
7TH FLOOR MAC C7300-079
DENVER CO 80274

KKC

SOURCE: CROY CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: ~~4.00~~ 3.11 CFS

The rights listed below are limited to 3.50 af per acre for irrigation purposes in a single irrigation season. Combined Right Nos.: 37-548, 37-549, 37-1222, 37-2142, 37-4138, 37-4440 and 37-12396.

PRIORITY DATE: 06/30/1882

POINT OF
DIVERSION:

T02N R18E S19 NESENW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	4.00 1.910 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S17 Lot 3 SWNW	3.40 2.90	T02N R18E S17 Lot 4 SENW	22.00 23.00
T02N R18E S17 NESW	8.20 8.60	T02N R18E S17 NWSW	26.00 27.00
T02N R18E S17 Lot 1 SWSW	0.90 1.10	T02N R18E S18 SWNE	15.00
T02N R18E S18 NENW	1.10	T02N R18E S18 SENW	25.00
T02N R18E S18 NESW	0.40	T02N R18E S18 NESE	31.00 7.30
T02N R18E S18 NWSE	19.00	T02N R18E S18 SWSE	16.00 4.60
T02N R18E S18 Lot 5 SESE	22.00 21.00		

~~180~~ 95.5 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of ~~180~~ 185 acres in a single irrigation season. Combined Right Nos.: 37-548, 37-549, 37-1222, 37-2142, 37-4138, and 37-4440.

Place of use does not include federal public lands.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

11/23/2010

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

RIGHT NUMBER: 37-549

NAME AND ADDRESS: WELLS FARGO BANK
1740 BROADWAY
7TH FLOOR MAC C7300-079
DENVER CO 80274

VERIFIED BY *KKC*

updated 2-2-11

12-30-10

SOURCE: CROY CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: ~~4.00~~ 1.910 CFS

The rights listed below are limited to 3.50 af per acre for irrigation purposes in a single irrigation season. Combined Right Nos.: 37-548, 37-549, 37-1222, 37-2142, 37-4138, 37-4440 and 37-12396.

PRIORITY DATE: 06/30/1882

POINT OF
DIVERSION:

T02N R18E S19 NESEW 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	4.00 <u>1.910</u> CFS

PLACE OF USE: IRRIGATION in BLAINE County

T02N R18E S17 Lot 3 SWNW	3.40 <u>2.90</u>	T02N R18E S17 Lot 4 SENW	22.00 <u>23.00</u>
T02N R18E S17 NESW	8.20 <u>8.60</u>	T02N R18E S17 NWSW	26.00 <u>27.00</u>
T02N R18E S17 Lot 1 SWSW	0.90 <u>1.10</u>	T02N R18E S18 SWNE	15.00
T02N R18E S18 NENW	1.10	T02N R18E S18 SENW	25.00
T02N R18E S18 NESW	0.40	T02N R18E S18 NESE	21.00 <u>7.30</u>
T02N R18E S18 NWSE	19.00	T02N R18E S18 SWSE	16.00 <u>4.60</u>
T02N R18E S18 Lot 5 SESE	22.00 <u>21.00</u>		

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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



Received
2-1-11
e-mail

1 inch equals 825 feet

SPRING CANYON RANCH
DITCH FROM CROY CREEK
FSA 1990 AERIAL

BROCKWAY ENGINEERING, PLLC.
ALR - Feb. 1, 2011

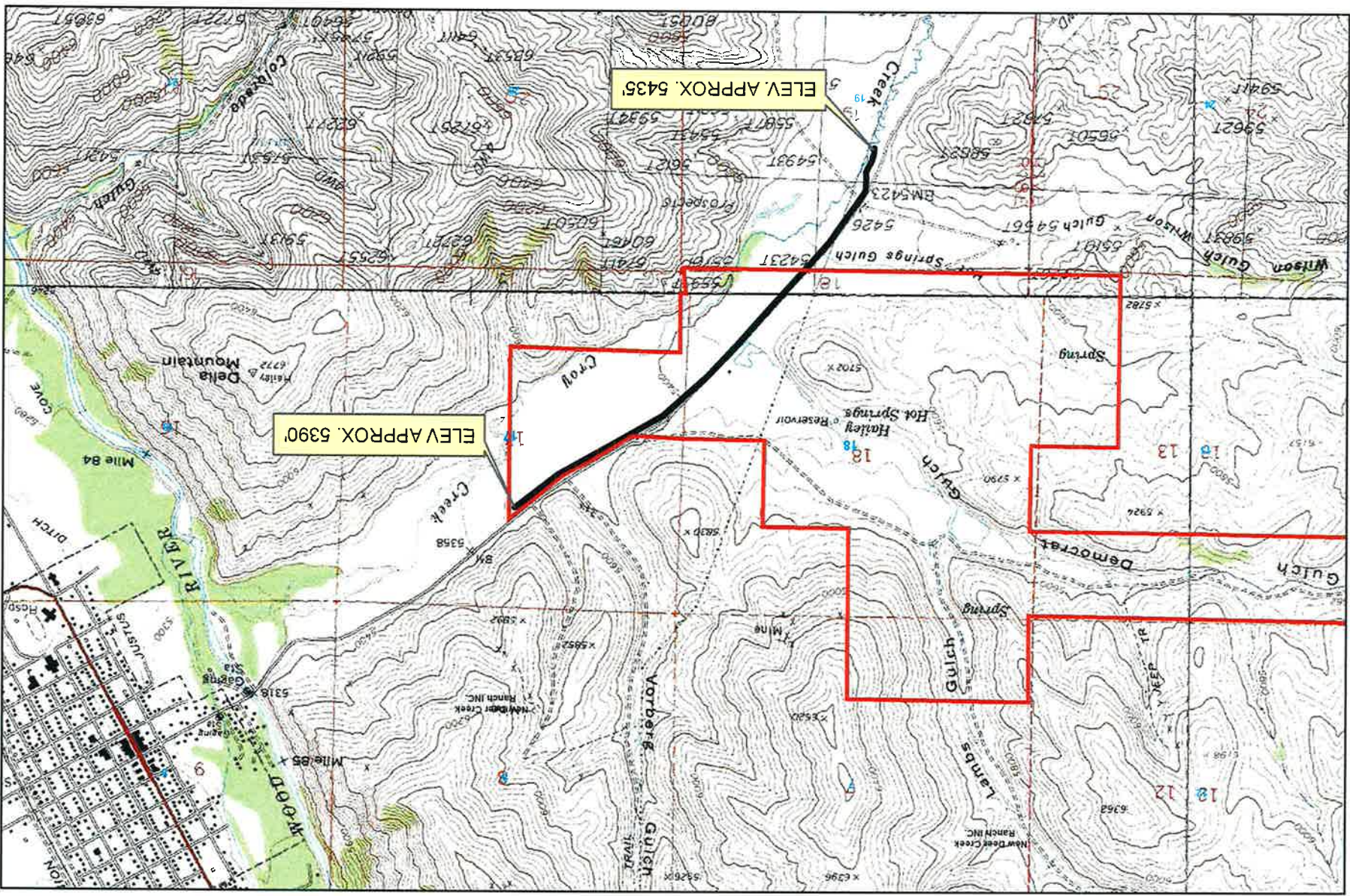
Legend
— Ditch_CC



SPRING CANYON RANCH DITCH FROM CROY CREEK TOPOGRAPHICAL MAP 7.5'

Legend

-  Property Boundary
-  Ditch Approx. 8,000 feet



Spring Canyon Ranch Estimated transmission loss Croy Creek Ditch
 Ditch from Croy Creek cfs
 Discharge 3 cfs

Length ft	Bottom ft	Side slope z:1	Depth ft	Wetted P ft	Area ft ²	Velocity ft/sec	Rate Seepage ft ³ /ft ² /day	Total seepage cfs
8000		1	2	0.5	3.24	0.75	2.00	4 1.20

Estimated irrigated area	95.5 acres
Headgate delivery	1 miners inch/acre
	0.02 cfs/acre
Total headgate delivery	1.91 cfs
Transmission loss	1.20
Diversion (headgate+seepage)	3.11 cfs

Hydraulic analysis-(Manning)
 n= 0.025 Delta Elev= 40 ft L= 1800 ft
 S= 0.022222
 q max= 14 cfs from Manning Table Brockway shared spreadsheet

For 37- 5 49

Received
 2-1-11 e-mail

Christensen, Kelly

From: Christensen, Kelly
Sent: Friday, January 28, 2011 10:42 AM
To: Charles G. Brockway; 'Linda Jones'; 'Sherman_Beazer@blm.gov'; 'fwprice@blm.gov'; Bromley, Chris; Kelly, Vicki
Subject: 37-549 Conveyance Loss

I looked back at this one and some value of conveyance loss would likely be reasonable as the POD is now approximately 1/4 mile from the recommended POU. As I do not have any ditch parameters I have no idea what that value might be. Could you provide conveyance loss calculations for this ditch reach? I have included an attachment for everybody to see the relationship of this right with the POU in general.



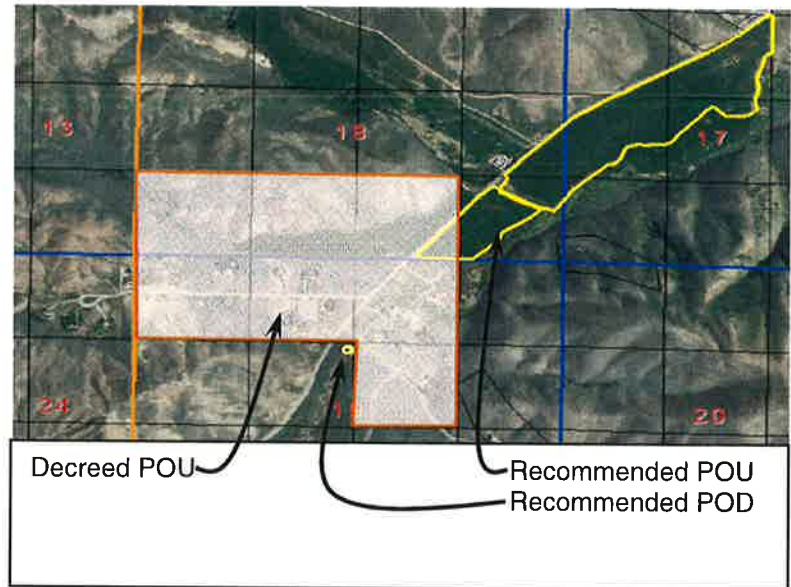
37-549
onveyance Loss.doc

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

37-549 Conveyance Loss

The historic PODs are not known however the current recommended POD may have been one of the decreed PODs. It is unlikely that this POD would have had conveyance losses associated with it as the historic POU would likely have been at or very near to this POD. It is likely that other PODs would have required conveyance losses from their location to the decreed POU.

The recognized POD is roughly $\frac{1}{4}$ mile from the recommended POU. Ditch dimensions are not known; therefore no value has been calculated.



IDWR CONCURRENCE:

Kelly K. Christensen 1-18-11
Kelly K. Christensen Date
Sr. Water Resource Agent

IDWR CONCURRENCE:

Christopher M. Bromley Date
Deputy Attorney General
Attorney for IDWR

11/23/2010

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

RIGHT NUMBER: 37-549

NAME AND ADDRESS: WELLS FARGO BANK
1740 BROADWAY
7TH FLOOR MAC C7300-079
DENVER CO 80274

SOURCE: CROY CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: ~~4.00~~ 1.910 CFS

The rights listed below are limited to 3.50 af per acre for irrigation purposes in a single irrigation season. Combined Right Nos.: 37-548, 37-549, 37-1222, 37-2142, 37-4138, 37-4440 and 37-12396.

PRIORITY DATE: 06/30/1882

KKC

POINT OF
DIVERSION:

T02N R18E S19 NESENW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/15 10/31	4.00 1.910 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T02N R18E S17 Lot 3 SWNW	3.40	2.90	T02N R18E S17 Lot 4 SENW	22.00	23.00
T02N R18E S17 NESW	8.20	8.60	T02N R18E S17 NWSW	26.00	27.00
T02N R18E S17 Lot 1 SWSW	0.90	1.10	T02N R18E S18 SWNE	15.00	
T02N R18E S18 NENW	1.10		T02N R18E S18 SENW	25.00	
T02N R18E S18 NESW	0.40		T02N R18E S18 NESE	21.00	7.30
T02N R18E S18 NWSE	19.00		T02N R18E S18 SWSE	16.00	4.60
T02N R18E S18 Lot 5 SESE	22.00	21.00			

~~180~~ 95.5 ACRES TOTAL

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Place of use does not include federal public lands.

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-549 V2

WATER RIGHT NUMBER: 37-549 V2

Owner Type Name and Address
 Current Owner WELLS FARGO BANK
 1740 BROADWAY
 7TH FLOOR MAC C7300-079
 DENVER, CO 80274

Attorney STOEL RIVES LLP
 ATTN: KEVIN J BEATON
 101 S CAPITOL BLVD STE 1900
 BOISE, ID 83702
 (208)389-9000

Priority Date: 06/30/1882

Basis: Decreed

Status:

Source Tributary
 CROY CREEK BIG WOOD RIVER

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION 04/15 to 10/31 1.910 CFS 95.5 AF

Total Diversion: ~~4.000 CFS~~ ← $95.5 \times .02 \text{ cfs/ac} = 1.91 \text{ cfs}$

Location of Point(s) of Diversion

CROY CREEK NE1/4SE1/4NW1/4 Sec. 19, Twp 02N, Rge 18E, 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	
02N	18E	17							2.9	23.0	8.6	27.0	1.1						62.6
									L 3	L 4			L 1						
02N	18E	18													7.3		4.6	21.0	32.9
																		L 5	

Total Acres: 95.5

Conditions of Approval:

1. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. E56 The rights listed below are limited to the irrigation of a combined total of 185 acres in a single irrigation season. Combined Right Nos.: 37-548, 37-549, 37-1222, 37-2142 and 37-4440.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

updated
 11-23-10
 KKC

decree P/U
 = 320 ac
 UNrecorded transfer
 to 95.5 ac
 $95.5 \times .02 \text{ cfs/ac} = 1.91 \text{ cfs}$

37-4138 add.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-549 V2

WATER RIGHT NUMBER: 37-549 V2

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WELLS FARGO BANK 1740 BROADWAY 7TH FLOOR MAC C7300-079 DENVER, CO 80274
Attorney	STOEL RIVES LLP ATTN: KEVIN J BEATON 101 S CAPITOL BLVD STE 1900 BOISE, ID 83702 (208)389-9000

Priority Date: 06/30/1882

Basis: Decreed

Status:

<u>Source</u>	<u>Tributary</u>
CROY CREEK	BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15	to 10/31	1.910 CFS	
	<u>Total Diversion:</u>		4.000 CFS	1.91 AF

Location of Point(s) of Diversion

CROY CREEK	NE1/4SE1/4NW1/4	Sec. 19, Twp 02N, Rge 18E, B.M.
BLAINE County		

Place of Use

IRRIGATION

updated 11-23-10 P/U limited to the 95 acres south of the road

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	17							2.9	23.0	8.6	27.0	1.1						62.6
									L 3	L 4			L 1						
02N	18E	18			15.0		1.2			27.0	1.2				21.0	18.0	17.0	22.0	122.4
																		L 5	

Total Acres: 185

*shape limit updated.*Conditions of Approval:

1. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. E56 The rights listed below are limited to the irrigation of a combined total of 185 acres in a single irrigation season. Combined Right Nos.: 37-548, 37-549, 37-1222, 37-2142, and 37-4440.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. K06 This right is limited to the irrigation of 95.5 acres within the place of use described above in a single irrigation season.

del 11-23-10

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WELLS FARGO BANK 1740 BROADWAY 7TH FLOOR MAC C7300-079 DENVER, CO 80274

Status:

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15	10/31	1.910 CFS	
	<u>Total Diversion:</u>		4.000 CFS	1.91 AF

Place of Use

Total Acres: 185

1. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. E56 The rights listed below are limited to the irrigation of a combined total of 185 acres in a single irrigation season. Combined Right Nos.: 37-548, 37-549, 37-1222, 37-2142, and 37-4440. 4138
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
4. K06 This right is limited to the irrigation of 95.5 acres within the place of use described above in a single irrigation season.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-549 V2

WATER RIGHT NUMBER: 37-549 V2

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SPRING CANYON RANCH LLC C/O CROY CANYON LLC 400 OYSTER PT BLVD #123 SOUTH SAN FRANCISCO, CA 94080 (650) 588-5600
Previous Owner	BENJAMIN & HELEN CROCKER TRUST 87 VIRGINIA ST APT 12 SEATTLE, WA 98101-1034 (206)448-9501
Attorney	STOEL RIVES LLP ATTN: KEVIN J BEATON 101 S CAPITOL BLVD STE 1900 BOISE, ID 83702 (208)389-9000

Priority Date: 06/30/1882

Basis: Decreed

Status:

<u>Source</u>	<u>Tributary</u>
CROY CREEK	BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	4.000 CFS	
	<u>Total Diversion:</u>	4.000 CFS	

Location of Point(s) of Diversion

CROY CREEK	NE1/4SE1/4NW1/4	Sec. 19, Twp 02N, Rge 18E, 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	
02N 18E 17							2.9 L 3	23.0 L 4		8.6	27.0	1.1 L 1					62.6
02N 18E 18			15.0		1.2			27.0		1.2				21.0	18.0	17.0 L 5	122.4

Total Acres: 185

Conditions of Approval:

1. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. E56 The rights listed below are limited to the irrigation of a combined total of 180 acres in a single irrigation season. Combined Right Nos.: 37-548, 37-549, 37-1222, 37-2142, and 37-4440.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Part of
Decree

549
17ac

548
Not Part
17
2.9
23
42.9ac

1222
17ac

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-549 V1

WATER RIGHT NUMBER: 37-549 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SPRING CANYON RANCH LLC C/O CROY CANYON LLC 395 OYSTER PT BLVD #309 SOUTH SAN FRANCISCO, CA 94080 (650) 588-5600
Attorney	STOEL RIVES LLP 101 S CAPITOL BLVD STE 1900 BOISE, ID 83072 (208)389-9000

Priority Date: 06/30/1882

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
CROY CREEK	BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to	10/31	4.000 CFS	
	<u>Total Diversion:</u>		4.000 CFS	

Location of Point(s) of Diversion

CROY CREEK	NE1/4SE1/4NW1/4	Sec. 19, Twp 02N, Rge 18E, B.M.
BLAINE County		

Place of Use

IRRIGATION

*BLM ob Resp. Lt 4 desc. BLM owns Lt 7
wants to maintain Lt 4
only in Lt 4
Need Lt identification*

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	18E	17							3.4 L 3	22.0 L 4	8.2	26.0	.9 L 1						60.5
02N	18E	18			15.0			1.1		25.0	.4				21.0	19.0	16.0	22.0 L 5	119.5

Total Acres: 180

Conditions of Approval:

1. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
2. E56 The rights listed below are limited to the irrigation of a combined total of 180 acres in a single irrigation season. Combined Right Nos.: 37-548, 37-549, 37-1222, 37-2142, and 37-4440.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in

*needs acre limit
claim for 96.9 ac*

