

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: A37-02584
Date Received: 3/23/1990
Receipt No: X111111
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: UNITED STATES OF AMERICA, ACTING THROUGH 208-334-1577
Address: USDA, FMHA
3232 ELDER ST.
BOISE, ID 83705

2. Date of Priority: OCT 04, 1955

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	16E	4	SE	SW			CAMAS

5. Description of diverting works:
IRR. WELL, WATER RUN THRU WHEEL LINES; SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.210		

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

8. Total consumptive use is 675.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	16E	3	SW	SW		IRR	20.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	20.0
		4	SE	SW	IRR	40.0
			SW	SE	IRR	40.0
			SE	SE	IRR	40.0
					Section Acres	120.0
		9	NE	NE	IRR	40.0
			NW	NE	IRR	40.0
			SW	NE	IRR	10.0
			SE	NE	IRR	10.0
			NE	NW	IRR	30.0
					Section Acres	130.0
					Total Acres	270.0

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:
NONE

14. Remarks:

5. CON'T: TO IRRIGATE 270 ACRES. WHEELINES 2000' LONG 800' 10" MAINLINE, 800' 8" MAINLINE, 60 HP BOOSTER PUMP, 75 HP WELL PUMP

15. Basis of Claim: LICENSE

Water Right Number: 25991

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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

NOV 13 1988

GIESLER

NOV 8 1989

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

G 25991 37-2584

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) United States of America;
(USDA-Farmers Home Administration) Phone (208) 334-1577

Mailing Address STATE DIRECTOR, FmHA, 3232 ELDER ST., BOISE, ID Zip 83705

2. Date of Priority (Only one (1) per claim) 10/4/55

3. Source of water supply (a) WELL
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 1 S Range 16 E Section 4,
SE 1/4 of SW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of CAMAS

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. IRRIGATION WELL - WATER RUN

THRU WHEEL LINES TO IRRIGATE 270 ACRES. 4 wheel lines
2000' long, 800' 10" mainline, 800' 8" mainline,
60 HP Boulder Pump, 75 HP Well Pump

MICROFILMED

AUG 24 1994

FmHA Geisler

718

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4/1 to 11/1 amount 2.21 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.21 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 675 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give 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
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
1 S	16 E	4												40			40	40	120
		3											20						20
		9	40	40	10	10	30												130

Total number of acres irrigated 270

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

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

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

14. Remarks: THIS WATER RIGHT UNDER LICENSE 37-2584 (OLD G-25991)
Priority date oct. 4, 1955

Last Name FmHA

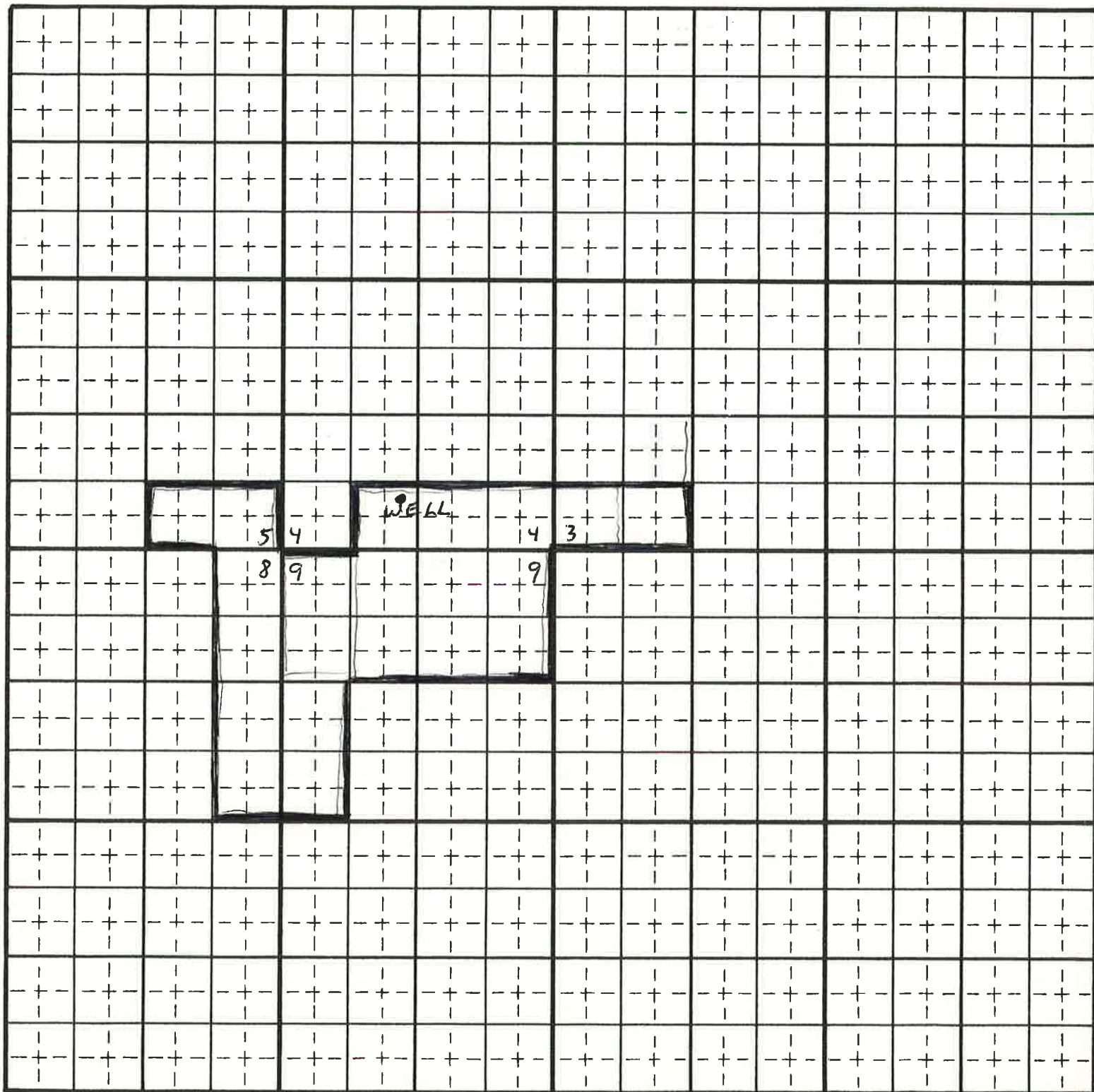
Ident No. G 25991 37-2584

Copies: White -State, Yellow-Claimant

Geisler

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

Scale: $\frac{1}{4}$ inches equals 1 mile



Last Name

Fm HIA
Gieser

Ident No.

G 25991 37 2584

MICROFILMED

Copies: White-State Yellow-Claimant
AUG 24 1994

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

Decree _____

If applicable provide IDWR Water Right Number G-25991 (37-2584)

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 1

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 Acting STATE DIRECTOR

Title

of IDAHO FARMERS HOME ADMINISTRATION, that I have signed the foregoing

Organization

document in the space below as Acting STATE DIRECTOR of FmHA

Title

Organization

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

Signature of Authorized Agent Dennis R. Nelson

DENNIS R. NELSON

Title and Organization Acting State Director, FmHA Date 5/19/89

State of Idaho/or _____)

) SS.

County of ADA)

Subscribed and sworn (or affirmed) before me this 19th day of May 19 89

SEAL

Notary Public Chris Reninger

CHRIS RENINGER

Residing at Meridian, Idaho

My Commission Expires 7/6/94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Peter Monson 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 _____

Indian Resources Section, Land of Natural Resources Section

Address U. S. Dept of Justice, P. O. Box 44378, Washington, D. C. 20026-4378

Date _____

Last Name FmHA Ident. Number G25991 37-2584

Greaser

Copies White-State, Yellow-Claimant

COPY

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

2008 FEB 6 PM 12 00

**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

Subcase No. 37-2584

Case No. 39576

**NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING**

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated:

1/22/08


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 2/6, 2008, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required 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:

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

United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Soldier Mountain Development Inc
PO Box 3212
Hailey ID 83333

Charles G Brockway
Brockway Engineering PLLC
2016 N Washington St Ste 4
Twin Falls ID 83301

Peter C Monson
US Dept of Justice
Indian Res Sec Land & Natural Resource
1961 Stout St 8th FL
Denver CO 80294



Signature of person or attorney mailing the form

01/04/2008

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

RIGHT NUMBER: 37-2584

NAME AND ADDRESS: SOLDIER MOUNTAIN DEVELOPMENT INC
PO BOX 3212
HAILEY ID 83333

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.210 CFS
945.00 AFY

PRIORITY DATE: 10/04/1955

POINT OF
DIVERSION:

T01S R16E S4 SESW Within CAMAS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	2.210 CFS 945.00 AFY

PLACE OF USE: IRRIGATION in CAMAS County

T01S R16E S03	SWSW	20.00	T01S R16E S04	SESW	40.00
T01S R16E S04	SWSE	40.00	T01S R16E S04	SESE	40.00
T01S R16E S09	NENE	40.00	T01S R16E S09	NWNE	40.00
T01S R16E S09	SWNE	10.00	T01S R16E S09	SENE	10.00
T01S R16E S09	NENW	30.00			

270 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 - License



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

February 6, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

SOLDIER MTN DEVELOPMENT INC
PO BOX 3212
HAILEY ID 83333

RE: SRBA Claim(s) 37-2584

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: Charles G. Brockway
Brockway Engineering
2016 N Washington Ste 4
Twin Falls ID 83301

Peter C. Monson
US Dept of Justice
Indian Res Sec Land & Natural Resource
1961 Stout St 8th Fl
Denver CO 80294

RECEIVED

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

OCT 23 2007
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 (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>37-2584</u>	<u>37-2584</u>	☐	<u> </u>	<u> </u>	☐
<u> </u>	<u> </u>	☐	<u> </u>	<u> </u>	☐
<u> </u>	<u> </u>	☐	<u> </u>	<u> </u>	☐
<u> </u>	<u> </u>	☐	<u> </u>	<u> </u>	☐
<u> </u>	<u> </u>	☐	<u> </u>	<u> </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): W.D. Simon, Fairfield, ID (Water Rt)
USA acting through USDA (Claim)
- 4. New Owner/Claimant(s): Soldier Mountain Development, Inc.
New Mailing Address: P.O. Box 3212
City, State, Zip Code: Hailey, ID 83333
New Telephone Number: (208) 788-1051
- 5. Date you acquired the property: August 10, 2007

SCANNED
AUG 13 2008

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: _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet 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 annum)	Description (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)

Bruce Williams, SHARE HOLDER

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: _____

SCANNED
FEB 13 2000

ORIGINAL IN RED

RECORDED FOR:
WILLIAMSON LAW OFFICES, P.
4:06:44 pm 10-03-2007
2007-080996
NO. PAGES: 2 FEE: \$6.00
ROLLIE BENNETT
COUNTY CLERK
DEPUTY: SCAN B.W.

QUITCLAIM DEED

FOR VALUE RECEIVED, SOLDIER MOUNTAIN ENTERPRISES, an Idaho General Partnership, does hereby convey, release, remise and forever quitclaim unto SOLDIER MOUNTAIN DEVELOPMENT, INC., an Idaho corporation, P.O. Box 3212, Hailey, Idaho 83333, its heirs and assigns forever, all of its right, title and interest in the following described premises situated in the County of Camas, State of Idaho, to wit:

Township 1 South, Range 16, East, Boise Meridian, Camas, County, Idaho

Section 3: SW1/4SW1/4

Section 4: S1/2SE1/4, SE1/4SW1/4

Section 5: S1/2SE1/4

Section 8: E1/2E1/2 except the West 40 feet thereof

Section 9: W1/2SW1/4, N1/2 except right of way deeded to the State of Idaho off the South side of the SE1/4SE1/4 of said Section 8, and the South side of the SW1/4SW1/4 of said Section 9, as shown in Deed recorded in Book19 Deed, page 214, Camas County records

together with its appurtenances, including all appurtenant water rights.

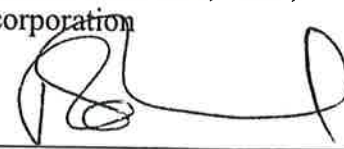
DATED this 10th day of August, 2007.

SOLDIER MOUNTAIN ENTERPRISES,
an Idaho General Partnership

GENERAL PARTNERS:

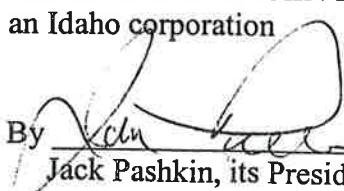
WORLDWIDE LEISURE, INC.,
a Florida corporation

By


Robert I. Earl, its President

SOLDIER MOUNTAIN DEVELOPMENT, INC.,
an Idaho corporation

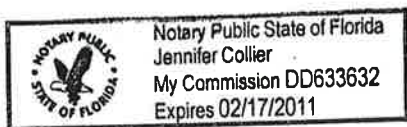
By


Jack Pashkin, its President

STATE OF FLORIDA)
) ss.
County of Orange)

On this 30th day of March, 2007, before me, a Notary Public in and for said State, personally appeared Robert I. Earl, known or identified to me, to be the President of Worldwide Leisure, Inc., the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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



Jennifer Collier
Notary Public for Florida
Residing at: 7598 W Sand Lake Dr, Orlando, FL 32819
My commission expires: 2/17/2011

STATE OF IDAHO)
) ss.
County of Blaine)

On this 10th day of August, 2007, before me, a Notary Public in and for said State, personally appeared Jack Pashkin, known or identified to me, to be the President of Soldier Mountain Development, Inc., the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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



Ned Williamson
Notary Public for Idaho
Residing at: Hailey
My commission expires: 5-15-10

QUITCLAIM DEED

FOR VALUE RECEIVED, SOLDIER MOUNTAIN ENTERPRISES, an Idaho General

Partnership, does hereby convey, release, remise and forever quitclaim unto SOLDIER MOUNTAIN DEVELOPMENT, INC., an Idaho corporation, P.O. Box 3212, Hailey, Idaho 83333, its heirs and assigns forever, all of its right, title and interest in the following described premises situated in the County of Camas, State of Idaho, to wit:

Township 1 South, Range 16, East, Boise Meridian, Camas, County, Idaho

Section 4: Lot 4, SW1/4NW1/4, W1/2SW1/4

Section 5: Lots 1 & 2, S1/2NE1/4, N1/2SE1/4

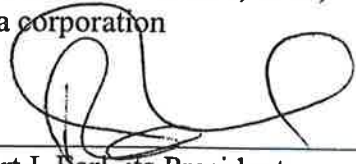
together with its appurtenances, including all appurtenant water rights.

DATED this 10th day of August, 2007.

SOLDIER MOUNTAIN ENTERPRISES,
an Idaho General Partnership

GENERAL PARTNERS:

WORLDWIDE LEISURE, INC.,
a Florida corporation

By 
Robert I. Earl, its President

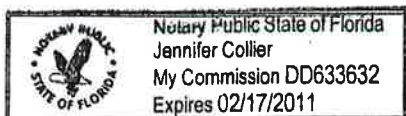
SOLDIER MOUNTAIN DEVELOPMENT, INC.,
an Idaho corporation

By 
Jack Pashkin, its President

STATE OF FLORIDA)
) ss.
County of Orange)

On this 30th day of March, 2007, before me, a Notary Public in and for said State, personally appeared Robert I. Earl, known or identified to me, to be the President of Worldwide Leisure, Inc., the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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



Jennifer Collier
Notary Public for Florida
Residing at: 7508 W. Sandlake, Orlando, FL 32819
My commission expires: 2/17/2011

STATE OF IDAHO)
) ss.
County of Blaine)

On this 10th day of August, 2007, before me, a Notary Public in and for said State, personally appeared Jack Pashkin, known or identified to me, to be the President of Soldier Mountain Development, Inc., the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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



Ned Williamson
Notary Public for Idaho
Residing at: Hailey
My commission expires: 5-15-10

**CORPORATION
WARRANTY DEED**

FOR VALUE RECEIVED

Valley Entertainment Group, Inc.

a corporation duly organized and existing under the laws of the State of Idaho, does hereby GRANT, BARGAIN, SELL and CONVEY unto

Soldier Mountain Enterprises, an Idaho General partnership

GRANTEE whose address is: P. O. Box 3212, Hailey, ID 83333

the following described real property in Camas County, Idaho, to wit:

Township 1 South, Range 16 East, Boise Meridian, Camas County, Idaho.

Section 3: SW1/4SW1/4.

Section 4: S1/2SE1/4, SE1/4SW1/4.

Section 5: S1/2SE1/4.

Section 8: E1/2E1/2 except the West 40 feet thereof.

Section 9: W1/2SW1/4, N1/2 except right of way deeded to the State of Idaho off the South side of the SE1/4SE1/4 of said Section 8, and the South side of the SW1/4SW1/4 of said Section 9, as shown in Deed recorded in Book 19 Deed, page 214, Camas County records.

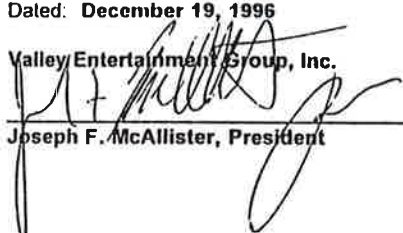
Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

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

Dated: December 19, 1996

Valley Entertainment Group, Inc.



Joseph F. McAllister, President

State of Idaho

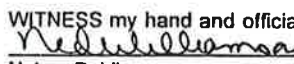
)
)ss.

County of Blaine

)

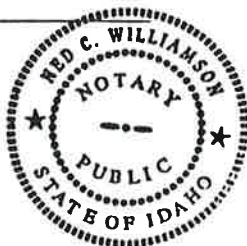
On this 19th day of December, in the year 1996, before me, the undersigned, personally appeared Joseph F. McAllister known or identified to me to be the president, or vice-president, or secretary or assistant secretary, of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

WITNESS my hand and official seal.



Notary Public

Residing at Hailey
Commission Expires: 5-15-98
J Weslow/arnoldwd



UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

QUITCLAIM DEED

The UNITED STATES OF AMERICA, acting through the Administrator of the Farmers Home Administration, United States Department of Agriculture, CONVEYS and QUITCLAIMS to

VALLEY ENTERTAINMENT GROUP, INC. an Idaho Corporation
Grantee, for the sum of TWO HUNDRED THOUSAND DOLLARS AND NO/100 (\$200,000.00)

all interest in the following described real estate situated in the County of CAMAS

State of IDAHO

, to-wit:

Township 1 South, Range 16 East, Boise Meridian, in Camas County, Idaho.
Section 3: SW $\frac{1}{4}$ SW $\frac{1}{4}$, except easement granted in Book 13 Deeds, Page 559 to the Mountain States Telephone and Telegraph Company.
Section 4: S $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, except easement granted to the Idaho Power Company in Book 20 Deeds, Page 58 on the SE $\frac{1}{4}$ SW $\frac{1}{4}$.
Section 5: S $\frac{1}{4}$ SE $\frac{1}{4}$.
Section 8: E $\frac{1}{4}$ E $\frac{1}{4}$, except the West 40 feet thereof, and except right of way deeded to the State of Idaho, off the South side of the SE $\frac{1}{4}$ SE $\frac{1}{4}$.
Section 9: W $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{4}$, except right of way deeded to the State of Idaho off the South side of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ as shown in Deed recorded in Book 19 Deeds, Page 214, records of Camas County, Idaho.

Together with all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.

Together with all water and water rights, ditches and ditch rights, used thereon or appurtenant thereto, including but not limited to rights to ground water produced from a well or wells located and to be located on the premises, especially such water under Permit for water Licence No. 25991 for 2.21 c.f.s.

The property referenced to in this Deed is subject to a Conservation Easement for the protection of Wetlands which is attached as Exhibit A, pages 1 thru 6.

69158
Recorded at the Request of
Camas Abstract
at 3:30 P.M.
April 14th, 1995
In Book 29
of Deeds Page 437
ROLLIE BENNETT
CAMAS COUNTY RECORDER
By Koree Blodgett
Fees \$ 24.00

Wherever "Farmers Home Administration", "FmHA", "Rural Development Administration", or "RDA" may appear, the term "United States of America" is substituted.

FmHA 1955-49 (Rev. 10-28-81)

SCANNED
FEB 1 2008

This deed is executed and delivered pursuant to the provisions of a sale of Government Inventory property formerly belonging to Richard B. Giesler and S. Janene Giesler, husband and wife, Case Number 12-49-519608591, Advice Number 1204912271, and the

authority set forth in 7 CFR 1900, Subpart A.

No member of Congress shall be admitted to any share or part of this deed or to any benefit that may arise therefrom.

Dated March 28, 1995.

UNITED STATES OF AMERICA (Grantor)

By Michael E. Graklanoff
MICHAEL E. GRAKLANOFF, Acting State Director
RECD, formerly Farmers Home Administration
United States Department of Agriculture

In the presence of:

ACKNOWLEDGMENT

STATE OF IDAHO
COUNTY OF ADA

On this 28th day of March, 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared Michael E. Graklanoff, known to be the Acting State Director, RECD, formerly Farmers Home Administration, USDA, and person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

In WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year last above mentioned.

Chris Reninger
CHRIS RENINGER
Notary Public in and for
State of Idaho
Residing at Meridian, Idaho
My Bond Expires 7-6-2000

Form FmHA 1955-49
(Rev. 10-28-81)

Position 5

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

QUITCLAIM DEED

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VALLEY ENTERTAINMENT GROUP, INC. an Idaho Corporation

, Grantee, for the sum of TWO HUNDRED THOUSAND DOLLARS AND NO/100 (\$200,000.00)

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Together with all water and water rights, ditches and ditch rights used thereon

T #4983

SCANNED
FEB 13 2008

This deed is executed and delivered pursuant to the provisions of a sale of Government Inventory property formerly belonging to Richard B. Giesler and S. Janene Giesler, husband and wife, Case Number 12-49-519608591, Advice Number 1204912271, and the

authority set forth in 7 CFR 1900, Subpart A.

No member of Congress shall be admitted to any share or part of this deed or to any benefit that may arise therefrom.

Dated March 28, ...

, 19 95 .

UNITED STATES OF AMERICA (Grantor)

By

Michael E. Graklanoff
MICHAEL E. GRAKLANOFF, Acting State Director

RECD, formerly Farmers Home Administration
United States Department of Agriculture

In the presence of:

SCANNED
Feb 13 2008

This deed is executed and delivered pursuant to the provisions of a sale of Government Inventory property formerly belonging to Richard B. Giesler and S. Janene Giesler, husband and wife, Case Number 12-49-519608591, Advice Number 1204912271, and the

authority set forth in 7 CFR 1900, Subpart A.

No member of Congress shall be admitted to any share or part of this deed or to any benefit that may arise therefrom.

Dated March 28, 1995

UNITED STATES OF AMERICA (Grantor)

By Michael E. Graklanoff
MICHAEL E. GRAKLANOFF, Acting State Director
RECD, formerly Farmers Home Administration
United States Department of Agriculture

In the presence of:

SCANNED
FEB 17 1996

RECEIVED

OCT 23 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

October 23, 2007

Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

Re: Water Right Change of Ownership
37-2584

Enclosed please find a Notice of Change in Water Right Ownership pertaining to the above-reference water right now owned by Soldier Mountain Development, Inc. Included with the form are deeds demonstrating conveyance of the property and appurtenant water rights. 37-2584 is pending in the SRBA and therefore I understand no fee will be assessed.

Cordially,

Charles G. Brockway, P.E.

Cc: Ned Williamson

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

SCANNED
FEB 13 2008

03/29/2006

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

RIGHT NUMBER: 37-2584

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDA FARM SERVICE AGENCY
9173 W BARNES STE B
BOISE ID 83709-1555

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.210 CFS
945.000 AFY

PRIORITY DATE: 10/04/1955

POINT OF DIVERSION:

T01S R16E S4 SESW Within CAMAS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

2.210 CFS
945.00 AFY

PLACE OF USE:

IRRIGATION Within CAMAS County

T01S R16E S03	SWSW	20.00	T01S R16E S04	SESW	40.00
T01S R16E S04	SWSE	40.00	T01S R16E S04	SESE	40.00
T01S R16E S09	NENE	40.00	T01S R16E S09	NWNE	40.00
T01S R16E S09	SWNE	10.00	T01S R16E S09	SENE	10.00
T01S R16E S09	NENW	30.00			

270 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 - License



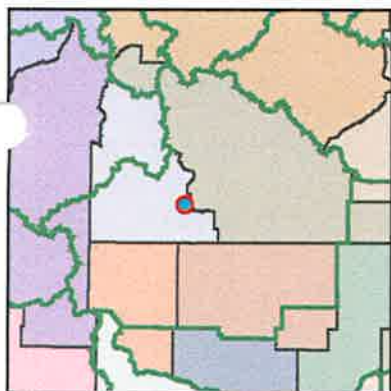
Idaho Department of Water Resources

Adjudication Claim:

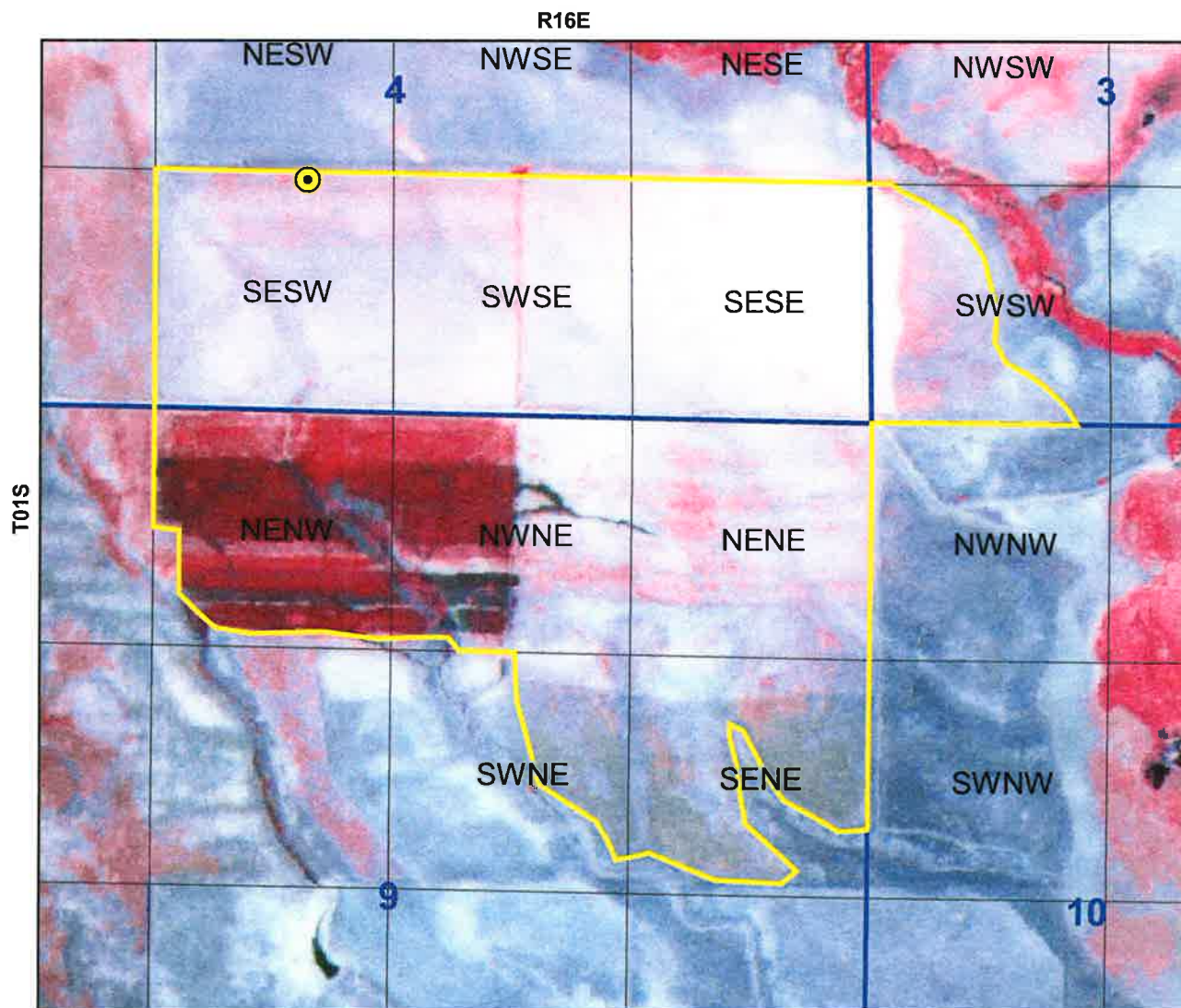
37-2584

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Camas County
IDWR Basin 37



0 0.4 0.8 Miles

Prepared by S. Clelland
On Wednesday, March 29, 2006
1987/88 Aerial Photography

33 34

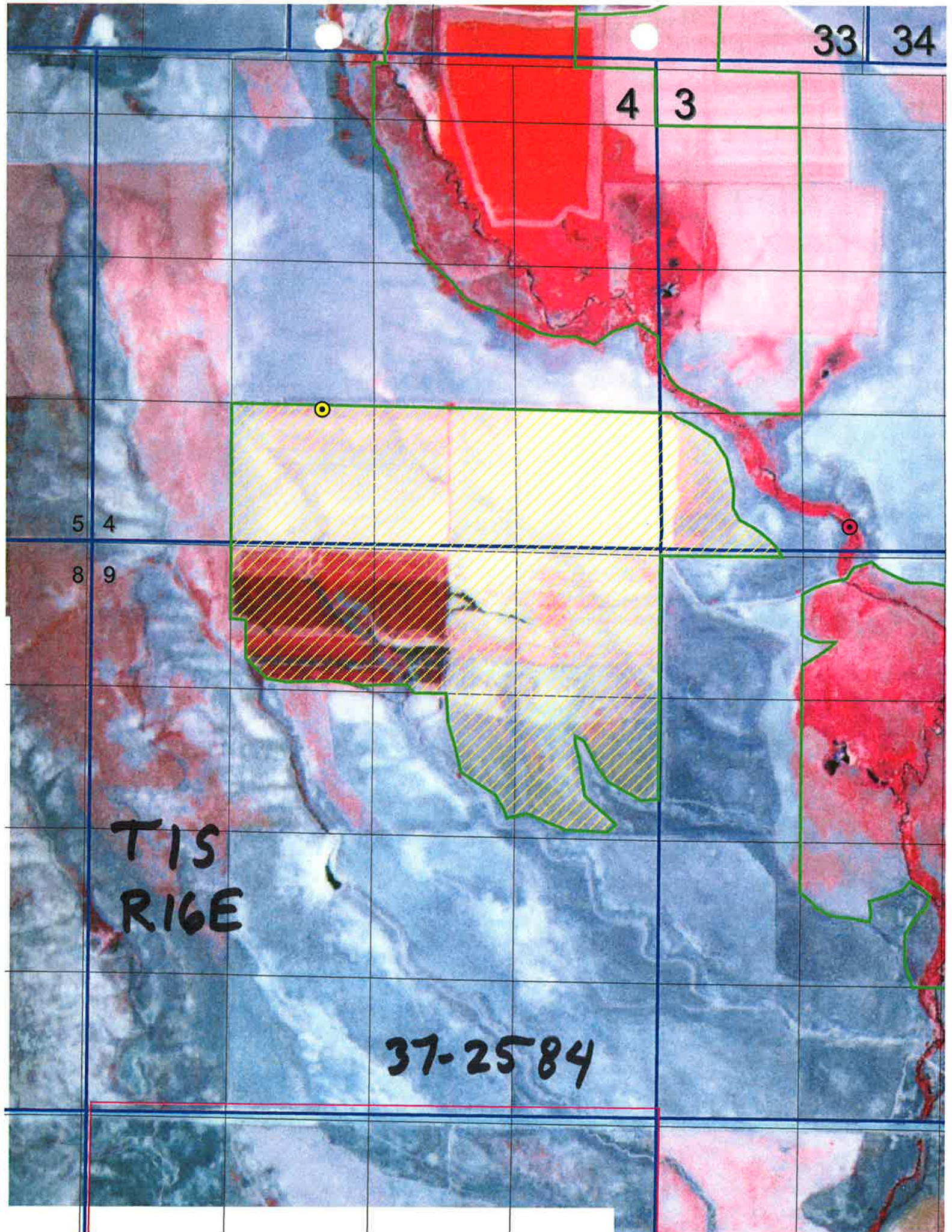
4 3

5 4

8 9

TIS
RIGE

37-2584



State of Idaho License and Certificate of Water Right

Water License No. G-25991

Amount 2.21 c.f.s.

Water District No.

Priority Oct. 11, 1955

THIS IS TO CERTIFY that

W. D. SIMON

of Fairfield, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 4, 1955; that Permit No. G-25991 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2.21 second feet, was issued thereunder on September 18, 1961, showing that said works were completed on the 26th day of September, 1960; and that on the 26th day of September, 1960, W. D. SIMON

of Fairfield, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean flow, for the purpose of irrigation & domestic use, under Use Permit No. G-25991 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 11 of Licenses at page 7163, on the 18 day of September, 1961;

The right hereby confirmed dates from October 4, 1955;

The Point of Diversion is located

in the SE 1/4 SW 1/4, Sec. 4, Tp. 1 S, R. 16 E., B. M. Camas 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 2.21 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 S.	16 E.	3	SE 1/4 SE 1/4	40	10
		4	SE 1/4 SE 1/4	40	30
			SE 1/4 SE 1/4	40	30
			SE 1/4 SE 1/4	40	40
		9	NE 1/4 NE 1/4	40	40
			NE 1/4 NE 1/4	40	40
			SE 1/4 NE 1/4	40	40
			SE 1/4 NE 1/4	40	30
			NE 1/4 NW 1/4	40	40
			NE 1/4 NW 1/4	40	40
			SE 1/4 NW 1/4	40	40
			SE 1/4 NW 1/4	40	40
			NW 1/4 SW 1/4	40	40
			SE 1/4 SW 1/4	40	40
Total number of acres to be irrigated:					500

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

18 day of September, 1961.

s/ RALPH W. THOMAS

Deputy State Reclamation Engineer.

(SEAL)

37 2584

Position 5

Form FmHA 1955-49
(Rev. 10-28-81)

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

QUITCLAIM DEED

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Section 4: S $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, except easement granted to the Idaho Power Company in Book 20 Deeds, Page 58 on the SE $\frac{1}{4}$ SW $\frac{1}{4}$.
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Together with all water and water rights, ditches and ditch rights used thereon

MICHC

APR 1 1982

No Change of Ownership
was submitted for this
ownership.

3/29/06

SOC

T #4983

Water Right No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Application for Extension of Time to Avoid Forfeiture
of a Water Right

Section 42-222 of the Idaho Code provides that a water right shall be lost and forfeited and the water revert to the state upon the failure of a water user to apply the water to beneficial use for a period of five (5) years. The Director may allow an additional five (5) year period of non-use without forfeiture upon a showing of reasonable cause.

Complete fully the following application and submit it to the Department of Water Resources, Statehouse, Boise, Idaho, 83720, with the statutory fee.

1. Name of water right holder United States of America. USDA, Farmers Home Admini-
Post office address 3232 Elder Street, Boise, Idaho 83705 stration
2. The right was obtained or is evidenced by: (Formerly owned by Richard Giesler)
n/a
 - a. Decree to _____ in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court, County of _____. Fully describe decree _____
 - b. License No. 37-2584 issued by the Department of Water Resources. (old G-25991)
 - c. Claim No. via A37-02584 on file with the Department of Water Resources.
3. Source of water Ground Water (Well) tributary to n/a
(Name of stream or source)
4. Date of priority of right 10/04/55
5. Amount of water a. 2.21 c.f.s. and/or
b. 675 805 ¹²⁻¹⁻⁷² acre feet/annum
6. Water is used for Irrigation from 4/15 to 10/15

(Purpose) (Month-Day) (Month-Day)
7. Location of point of diversion is SE 1/4 SW 1/4 of Section 4
Township 1S, Range 16E, B.M., in Camas County;
Additional points of diversion, if any _____
8. Lands irrigated or place of use:

Twp.	Rge.	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	
1S	16E	4											40			40	40		120
		3										20							20
		9	40	40	10	10	30												130

Total number of acres irrigated 270

DO NOT SCAN

JUN 30 1993

JUN 30 1993

DO NOT SCAN

9. Give last date when water was applied to beneficial use 1987 crop year October 1
Length of extension of time requested 5 years, or until October 1, 1997
(Date)

10. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and reasons for non-use This property has been in government inventory since 1985. It was rented in 1986 & 1987. Since that time FmHA has anticipated its sale. However, changes in the law regarding former owner's rights & wetlands issues have kept a moratorium against its sale. An extension is requested to protect the future owner's priority date for this water.

I hereby assert that no one will be injured by such extension. The information contained in this application is true to the best of my knowledge.

ACTING COUNTY SUPERVISOR

(Signature of Applicant)

Subscribed and sworn to before me this 25th day of November, 19 92.

Patricia A. Isaac
(Notary Public)

My commission expires 3-6-94

Residing at Jerome, Idaho

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby APPROVED said application subject to the following conditions or reasons.

Permit holder must resume use of water under this permit on or before
October 1, 1997.

Witness my hand this 7th day of June, 19 93.

L. Glen Saxton
XXXXXXXXXX

L. Glen Saxton, Chief, Water Allocations

For Department Use Only

Received by MTS Date 11-30-92 Time 10 Am Preliminary check by MB
Fee \$ 50.00 Receipted by MTS Date 11-30-92 Publication prepared by SLB
Published in The Shoshone Dates 3/30 & 4/6/93
Publication approved by TMB Date 5-21-93 Protests filed by: _____

Copies of protests forwarded by _____ Hearing held by _____ Date _____
Recommended for // Approval // Denial by _____

JUN 30 1993