

10/07

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
Updated by _____
Date _____

RECEIVED

NOV 09 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

[] Water Right Number(s): 37-22065, 37-22067, 37-22069,
37-7319, 37-21285, 37-20881
37-21434, 37-21407

[] Name(s): Croy Creek Properties, LLC

[] Old Mailing Address: P.O. Box 1130, Hailey, ID 83333

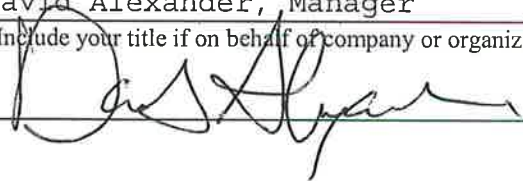
[] New Mailing Address: P.O. Box 1330, Hailey, ID 83333

Telephone Number: (208) 788 - 9300

Email: _____

[] Signature(s) of Owner(s) _____

David Alexander, Manager
(Include your title if on behalf of company or organization)

Date: 

Send to:

IDWR Northern Region
7600 Mineral Dr., Suite 100
Coeur d'Alene, ID 83815
(208) 762-2800

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

Adjudication Recommendation Report 37-20881 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	KENT S MC ATEE PO BOX 744 HAILEY, ID 83333-0744 (208)788-2229
Security Interest	FIRST BANK OF IDAHO C/O MIKE SCHLATTER PO BOX 9000 KETCHUM, ID 83340
Current Owner	CROY CREEK PROPERTIES LLC PO BOX 1330 HAILEY, ID 83333 (208)788-9300

Priority Date: 06/01/1883
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	CROY CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.020 CFS	
	<u>Total Diversion:</u>		0.02 AF

Location of Point(s) of Diversion

UNNAMED STREAM	NE1/4SE1/4SE1/4	Sec. 26,	Twp 02N,	Rge 17E, B.M.
BLAINE County	(Beginning of Reach)			
UNNAMED STREAM	NE1/4SE1/4SE1/4	Sec. 26,	Twp 02N,	Rge 17E, B.M.
BLAINE County	(Beginning of Reach)			
UNNAMED STREAM	SE1/4NW1/4NW1/4	Sec. 36,	Twp 02N,	Rge 17E, B.M.
BLAINE County	(Ending of Reach)			
UNNAMED STREAM	SW1/4SE1/4SE1/4	Sec. 26,	Twp 02N,	Rge 17E, B.M.
BLAINE County	(Beginning of Reach)			
UNNAMED STREAM	SE1/4SE1/4SE1/4	Sec. 26,	Twp 02N,	Rge 17E, B.M.
BLAINE County	(Beginning of Reach)			
UNNAMED STREAM	SE1/4SE1/4SE1/4	Sec. 26,	Twp 02N,	Rge 17E, B.M.
BLAINE County	(Ending of Reach)			

STOCKWATER

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-20881 V1

		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N 17E 25												X						
02N 17E 26																	X	
02N 17E 36						X												

Conditions of Approval:

1. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.
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. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.

Remarks:Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal:
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Water Supply Bank:

RECEIVED

JAN 16 2008

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPT. OF WATER RESOURCES
SOUTHERN REGION**Notice of Security Interest in a Water Right****And Request for Notification of a Change in Ownership or Any Proposed
Or Final Action to Amend, Transfer, or Otherwise Modify a Water Right**Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): See attached
Adjudication Claim No(s): see attached
2. The following **REQUIRED** information must be submitted with this form:
 - A) Evidence of the security interest. This may be a copy of a **DEED of TRUST, MORTGAGE, CONTRACT OF SALE** or other legal document indicating your interest in the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - B) A **FEE** of **\$25.00 per water right** or adjudication claim. \$150.⁰⁰
3. Name and Mailing Address of Person or Company holding Security Interest
First Bank of Idaho ATTN: Mike Schlatter
111 Main St. / PO Box 9000
Ketchum, ID 83340
4. Name of Water Right Owner/Claimant(s) Croy Creek Properties, LLC
5. Expiration Date of Notification Period 1/1/2020
6. Is this a Renewal of Request for Notification? ☐ YES ☒ NO
7. Signature(s) of Security Interest holder(s) [Signature]
(and title if applicable) Commercial Loan Officer

For Office Use OnlyReceived by [Signature]
Received by [Signature]
Processed by AJDate 1/16/08
Date 1/17/08
Date _____Fee \$150
Receipt No. 5021939
WR _____ Date _____

RECORDATION REQUESTED BY:

First Bank of Idaho, fsb
Ketchum Office
111 Main Street
P. O. Box 9000
Ketchum, ID 83340

WHEN RECORDED MAIL TO:

First Bank of Idaho, fsb
Ketchum Office
111 Main Street
P. O. Box 9000
Ketchum, ID 83340

SEND TAX NOTICES TO:

First Bank of Idaho, fsb
Ketchum Office
111 Main Street
P. O. Box 9000
Ketchum, ID 83340

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

MODIFICATION OF MORTGAGE

THIS MODIFICATION OF MORTGAGE dated January 9, 2008, is made and executed between Croy Creek Properties, LLC, an Idaho Limited Liability Company (referred to below as "Grantor") and First Bank of Idaho, fsb, whose address is 111 Main Street, P. O. Box 9000, Ketchum, ID 83340 (referred to below as "Lender").

MORTGAGE and Grantor have entered into a Mortgage dated October 19, 2007 (the "Mortgage") which has been recorded in Blaine County, Idaho, as follows:

Recorded

2008 in the office of the Blaine County Clerk as instrument number

REAL PROPERTY DESCRIPTION. The Mortgage covers the following described real property located in Blaine County, State of Idaho:

Lots 1, 4 and 5 of CROY CREEK RANCH SUBDIVISION, according to the official plat thereof, record as Instrument 379602, Records of Blaine County, Idaho.

Lot 3A of A Replat of Lot 3, Block 1, CROY CREEK RANCH SUBDIVISION, according to the official plat thereof, record as Instrument 382432, Records of Blaine County, Idaho.

Parcel A of SUNSET MEADOW ESTATES SUBDIVISION, according to the official plat thereof, record as Instrument 299102, Records of Blaine County, Idaho.

Parcel A of BULLION CREEK SUBDIVISION, according to the official plat thereof, record as Instrument 398295 and a Plat copy recorded as Instrument No. 402814, Records of Blaine County, Idaho.

The Real Property or its address is commonly known as None Assigned, Blaine County, ID 83333. The Real Property tax identification number is RP001190000010; RP00119000003A; RP001190000040; RP001190000050; RP0007700000A0.

MODIFICATION. Lender and Grantor hereby modify the Mortgage as follows:

Increasing loan amount from \$1,000,000.00 to \$5,900,000.00. Extending maturity date from January 19, 2008 to January 19, 2011. All other terms and conditions remain the same.

CONTINUING VALIDITY. Except as expressly modified above, the terms of the original Mortgage shall remain unchanged and in full force and effect and are legally valid, binding, and enforceable in accordance with their respective terms. Consent by Lender to this Modification does not waive Lender's right to require strict performance of the Mortgage as changed above nor obligate Lender to make any future modifications. Nothing in this Modification shall constitute a satisfaction of the promissory note or other credit agreement secured by the Mortgage (the "Note"). It is the intention of Lender to retain as liable all parties to the Mortgage and all parties, makers and endorers to the Note, including accommodation parties, unless a party is expressly released by Lender in writing. Any maker or endorser, including accommodation makers, shall not be released by virtue of this Modification. If any person who signed the original Mortgage does not sign this Modification, then all person consents to the changes and provisions of this Modification or otherwise will not be released by it. This waiver applies not only to any initial extension or modification, but also to all such subsequent actions.

GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF MORTGAGE AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF MORTGAGE IS DATED JANUARY 9, 2008.

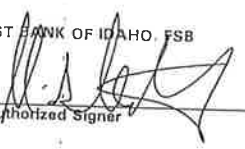
GRANTOR:

CROY CREEK PROPERTIES, LLC

By: 
David J. Alexander, Manager of Croy Creek Properties, LLC

LENDER:

FIRST BANK OF IDAHO, FSB

X 
Authorized Signer

COPY

Form 42-248/42-1409(5) July, 2000

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

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>37-253</u>	<u>~~37-253~~ 37-22065</u> ☐ ^{AD}		<u>37-21285</u>	<u>37-21285</u>	☐
<u>37-254</u>	<u>~~37-254~~ 37-22067</u> ☐ ^{AD}		<u> </u>	<u> </u>	☐
<u>37-255</u>	<u>~~37-255~~ 37-22069</u> ☐ ^{AD}		<u> </u>	<u> </u>	☐
<u>37-7319</u>	<u>37-7319</u>	☐	<u> </u>	<u> </u>	☐
<u>37-20881</u>	<u>37-20881</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): Kent S. McAtee or
Croy Creek Ranch Ltd. Partnership
4. New Owner/Claimant(s): Croy Creek Properties, LLC
New Mailing Address: P.O. Box 1130
City, State, Zip Code: Bellevue, ID 83313
New Telephone Number: (208) 788-9300
5. Date you acquired the property: December 2006

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)

[Signature]
Crazy Creek Properties LLC

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: _____
Received by: _____
Processed by: _____ AJ

Date: _____
Date: _____
Date: _____

Fee: _____
Receipt No: _____
WR: _____ Date: _____

QUITCLAIM DEED

For value received, Croy Creek Ranch Limited Partnership, an Idaho Limited Partnership, as grantor, hereby quitclaims unto Croy Creek Properties, LLC, an Idaho Limited Liability Company, the grantee, all of the grantor's right, title, and interest in and to the following described water rights situated in Blaine County, Idaho, on record with the Idaho Department of Water Resources:

Water right 37-21285.

Grantor has caused this quitclaim deed to be executed this 4 day of JAN, 2007.

By:

Kent S McAtee
Kent S. McAtee, General Partner
Croy Creek Ranch Limited Partnership

State of Idaho)
County of Blaine) S.S.

On this 4 day of January, in the year of 20 07, before me, a Notary Public, personally appeared Kent S McAtee, proved to me on The basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.

Terry Washburn
Notary Public
In and for said State and County
6/8/07
My Commission Expires on

S
E
A
L



QUITCLAIM DEED

For value received, Wyatt V. McAtee or Kent S. McAtee, as grantor, hereby quitclaim unto Croy Creek Properties, LLC, an Idaho Limited Liability Company, the grantee, all of the grantor's right, title, and interest in and to the following described water rights situated in Blaine County, Idaho, on record with the Idaho Department of Water Resources:

Water rights 37-253, 37-254, 37-255, and 37-7319.

Grantor has caused this quitclaim deed to be executed this 4 day of JAN, 2007.

By:

Kent S. McAtee

State of Idaho)
) S.S.
County of Blaine)

On this 4 day of January, in the year of 2007, before me, a Notary Public, personally appeared Kent S McAfee, proved to me on The basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.



S
E
A
L


Notary Public
In and for said State and County

6/8/07

My Commission Expires on _____

QUITCLAIM DEED

For value received, Kent S. McAtee, as grantor, hereby quitclaims unto Croy Creek Properties, LLC, an Idaho Limited Liability Company, the grantee, all of the grantor's right, title, and interest in and to the following described water rights situated in Blaine County, Idaho, on record with the Idaho Department of Water Resources:

Water right 37-20881

Grantor has caused this quitclaim deed to be executed this 4 day of Jan, 2007

By: Kent S McAtee
Kent S. McAtee

State of Idaho)
) S.S.
County of Blaine)

On this 4 day of January, in the year of 2007, before me, a Notary Public, personally appeared Kent S McAtee, proved to me on The basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.

Terry Washburn
Notary Public

In and for said State and County

6/8/07

My Commission Expires on

S
E
A
L



RECEIVED

JAN 16 2008

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Enclosed is our application for Notice of Security Interest in a Water Right.

Please call or email me to confirm receipt.

Michael Schlatter
First Bank of Idaho
208-622-1167 direct
208-725-0341 fax
111 Main St - PO Box 9000
Ketchum, ID 83340
mschlatter@firstbankidaho.com



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

January 18, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

MIKE SCHLATTER
FIRST BANK OF IDAHO
PO BOX 9000
KETCHUM ID 83340

RE: #37-22065, #37-22067, 37-22069, 37-7319, 37-20881
and #37-21285

Dear Mr. Schlatter,

Pursuant to a Notice of Security Interest in a Water Right that was submitted to the Department, we have added security interests to the above water right claims. Please find the enclosed copies of the proof reports of the water rights noting the addition of the security interest. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

Carrie Hahn
Clerk

Enclosures

Fawcett, Trish

From: Fawcett, Trish
Sent: Wednesday, January 16, 2008 12:08 PM
To: 'mschlatter@firstbankidaho.com'
Subject: Notice of Security Interest / Croy Creek Properties

Mr. Schlatter,

I am in receipt of the Notice of Security Interest in a Water Right you recently submitted on Croy Creek Properties LLC. We will add First Bank of Idaho as the security interest holder to our records and send you confirmation when data entry is complete. Please feel free to call or email with any questions you may have. Thank You!

Trish Fawcett
Technical Records Specialist
IDWR Southern Region
1341 Fillmore St Suite 200
Twin Falls ID 83301
Phone 208.736.3033
Fax 208.736.3037
trish.fawcett@idwr.idaho.gov

1/16/2008

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-20881 V1

WATER RIGHT NUMBER: 37-20881 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	KENT S MC ATEE PO BOX 744 HAILEY, ID 83333-0744 (208)788-2229
Current Owner	CROY CREEK PROPERTIES LLC PO BOX 1330 HAILEY, ID 83333 (208)788-9300

Priority Date: 06/01/1883

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	CROY CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.020 CFS	
<u>Total Diversion:</u>			0.02 AF

Location of Point(s) of Diversion

UNNAMED STREAM	NE1/4SE1/4SE1/4	Sec. 26, Twp 02N, Rge 17E, B.M.
BLAINE County	(Beginning of Reach)	
UNNAMED STREAM	NE1/4SE1/4SE1/4	Sec. 26, Twp 02N, Rge 17E, B.M.
BLAINE County	(Beginning of Reach)	
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BLAINE County	(Ending of Reach)	
UNNAMED STREAM	SW1/4SE1/4SE1/4	Sec. 26, Twp 02N, Rge 17E, B.M.
BLAINE County	(Beginning of Reach)	
UNNAMED STREAM	SE1/4SE1/4SE1/4	Sec. 26, Twp 02N, Rge 17E, B.M.
BLAINE County	(Beginning of Reach)	
UNNAMED STREAM	SE1/4SE1/4SE1/4	Sec. 26, Twp 02N, Rge 17E, B.M.
BLAINE County	(Ending of Reach)	

Place of Use

STOCKWATER

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	17E	25											X						

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-20881 V1

02N 17E 26					X	
02N 17E 36			X			

Conditions of Approval:

1. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.
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. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.

Remarks:

Comments:

Water Supply Bank:

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

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Water Right No.(s)	Adjudication Claim No.(s)	Split	Water Right No.(s)	Adjudication Claim No. (s)	Split
<u>37-253</u>	<u>37-253 22065</u>	☐	<u>37-21285</u>	<u>37-21285</u>	☐
<u>37-254</u>	<u>37-254 22067</u>	☐	<u> </u>	<u> </u>	☐
<u>37-255</u>	<u>37-255 22069</u>	☐	<u> </u>	<u> </u>	☐
<u>37-7319</u>	<u>37-7319</u>	☐	<u> </u>	<u> </u>	☐
<u>37-20881</u>	<u>37-20881</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): Kent S. McAtee or
Croy Creek Ranch Ltd. Partnership
- 4. New Owner/Claimant(s): Croy Creek Properties, LLC
New Mailing Address: P.O. Box 1330
City, State, Zip Code: Hailey, ID 83333
New Telephone Number: (208) 788-9300
- 5. Date you acquired the property: December 2006

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)

[Signature]
Cray Creek Properties LLC

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.

Received by: _____	FOR OFFICE USE ONLY		Fee: _____
Received by: _____	Date: _____	Date: _____	Receipt No: _____
Processed by: _____	Date: _____	Date: _____	WR: _____ Date: _____

QUITCLAIM DEED

Instrument # 543553

HAILEY, BLAINE, IDAHO

2007-01-05 03:11:00 No. of Pages: 1

Recorded for : BLAINE COUNTY TITLE

MARSHA RIEMANN

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WTYIOCCORP DEED

411P

For value received, Kent S. McAtee, as grantor, hereby quitclaims unto Croy Creek Properties, LLC, an Idaho Limited Liability Company, the grantee, all of the grantor's right, title, and interest in and to the following described water rights situated in Blaine County, Idaho, on record with the Idaho Department of Water Resources:

Water right 37-20881

Grantor has caused this quitclaim deed to be executed this 4 day of Jan, 2007

By: Kent S McAtee
Kent S. McAtee

State of Idaho)
County of Blaine) S.S.

On this 4 day of January, in the year of 2007, before me, a Notary Public, personally appeared Kent S McAtee, proved to me on The basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.

Terry Washburn
Notary Public
In and for said State and County

6/8/07
My Commission Expires on



S
E
A
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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 THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 37-20881
Date Received: 3/21/2003
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

KENT S MC ATEE Phone: (208)788-2229
PO BOX 744
HAILEY ID USA 83333-0744

2. Date of Priority: 06/01/1883

3. Source: UNNAMED STREAM Trib. to: CROY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
02N	17E	26	NE	SE	SE	BLAINE	Beginning Point
02N	17E	36	SE	NW	NW	BLAINE	Ending Point

5. Description of diverting works:

unnamed stream carrying runoff for stockwater.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.02 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

Number of other uses: 50

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
02N	17E	25	SW	SW	STOCKWATER	
02N	17E	26	SE	SE	STOCKWATER	
02N	17E	36	NW	NW	STOCKWATER	

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:

fees paid by Brockway Engineering

15. 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 THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FORM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number

37-20881

Date Received

3-21-03

Receipt Number

5025604

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
MAR 21 2003
Department of Water Resources
Southern Region

Please type or print clearly

1. Name of Claimant (s) Kent S. McAtee Phone (208) 788-2229

Mailing Address P.O. Box 744, Hailey, ID Zip 83333

2. Date of Priority (Only one (1) per claim) 6/1/1883

3. Source of water supply (a) Unnamed Stream

which is tributary to (b) Croy Creek

4. a. Location of existing point of diversion is: Township _____ Range _____ Section _____,
_____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: _____

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

Township 2N Range 17E Section 26, NE 1/4 of SE 1/4 of SE 1/4,

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

ending point is: Township 2N Range 17E Section 36, SE 1/4 of NW 1/4 of

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

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.

Unnamed stream carrying runoff for stockwater.

6. Water is claimed for the following purposes:

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

For Stockwater purposes from 1/1 to 12/31 amount 0.02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.02 (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: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater - 50 head max.

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for together 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	17E	26																S	
02N	17E	25											S						
02N	17E	36						S											

Total number of acres irrigated _____

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

12. Do you own the property listed above as place of use? Yes x No _____
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:

Last Name _____ Ident. No. _____

15. Basis of Claim (check one) Beneficial Use x Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
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) Kent S Mateer Date 3-14-03

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Of _____, that I have signed the foregoing
Organization

Document in the space below as _____ of _____
Title Organization

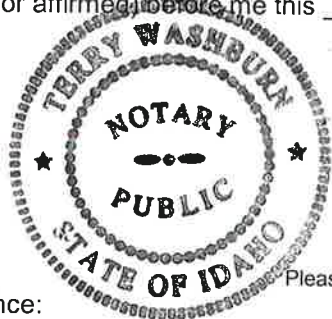
And that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 14th day of March, 2003

SEAL



Notary Public Terry Washburn
Residing at Carey, Idaho
My Commission Expires 6/8/07

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

Address _____

Date _____

Last Name _____ Ident. Number _____

12/19/2006

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

RIGHT NUMBER: 37-20881

NAME AND ADDRESS: KENT S MC ATEE
PO BOX 744
HAILEY ID 83333-0744

SOURCE: UNNAMED STREAM

TRIBUTARY: CROY CREEK

QUANTITY: 0.020 AFY

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

PRIORITY DATE: 06/01/1883

POINT OF DIVERSION:

T02N R17E S26 NESESE Begin of Stream Flow Within BLAINE County
T02N R17E S26 NESESE Begin of Stream Flow Within BLAINE County
T02N R17E S26 SWSESE Begin of Stream Flow Within BLAINE County
T02N R17E S26 SESESE Begin of Stream Flow Within BLAINE County
T02N R17E S26 SESESE End of Stream Flow Within BLAINE County
T02N R17E S36 SENWNW End of Stream Flow Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE:

STOCKWATER in BLAINE County

T02N R17E S25	SWSW	T02N R17E S26	SESE
T02N R17E S36	NWNW		

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

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Adjudication Claim Notes

Claim(s): 37-2123

Background Data

- Beneficial Use Claim
- Source is Unnamed Stream tributary to Croy Creek
- Claimed 0.02 cfs for In-stream Stockwater

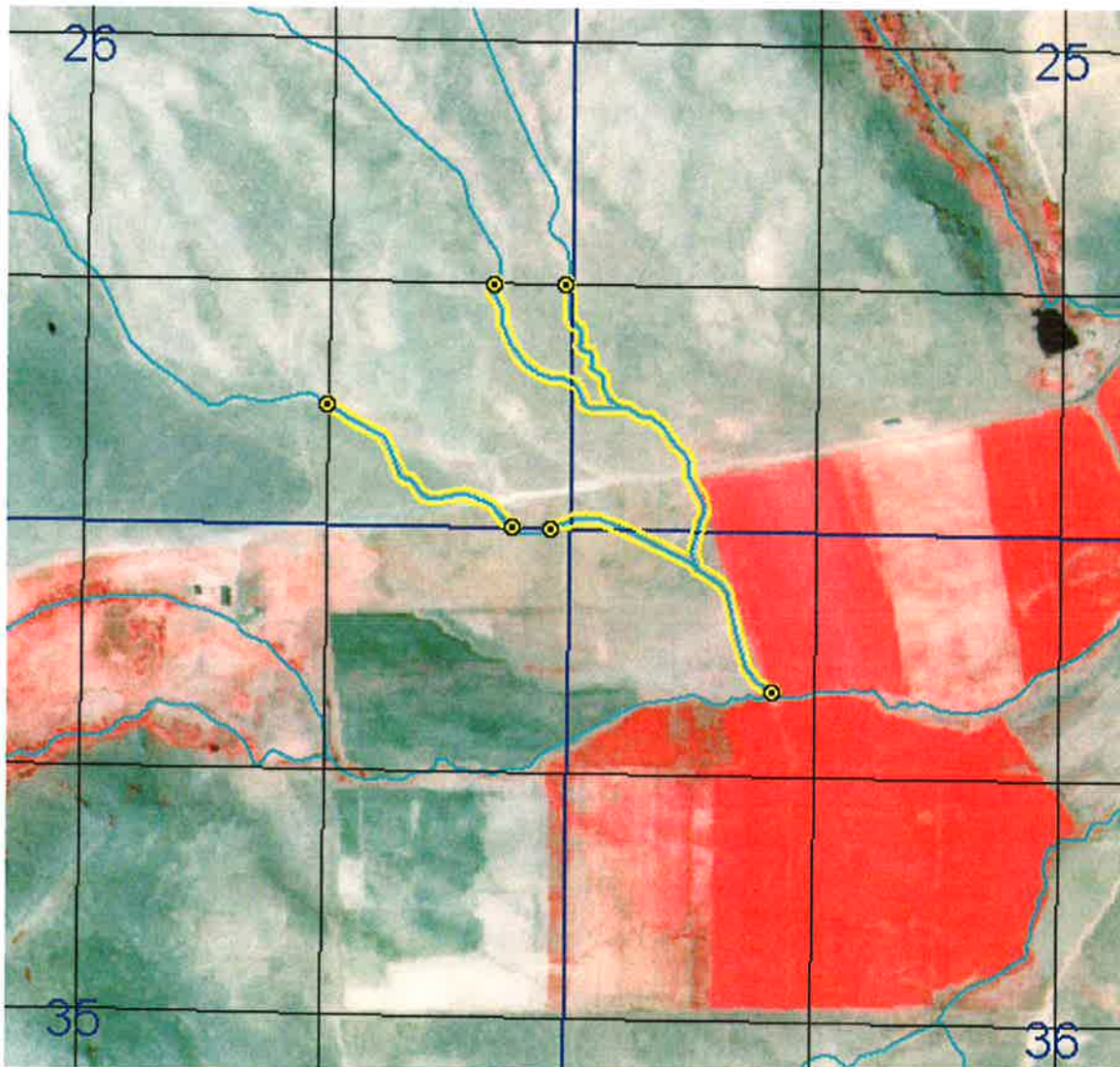
Place Of Use Data

Yellow line is the draft Place of Use created by IDWR based on historical data and records.

Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.

Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

1987 Aerial Photo





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

DEPT INTERNET WEB SITE: www/idwr.state.id.us

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 24, 2003

CHARLES G BROCKWAY P.E.
BROCKWAY ENGINEERING
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301

RE: KENT MC ATEE LATE CLAIMS

Dear Chuck

Enclosed is the instream stockwater claim as data entered and receipt for the filing fees. Please review the data entered claim to confirm that the data entry is correct.

I am returning the irrigation claim, as there was apparently some miscommunication during our phone conversation. The variable fees are waived as they were paid through the other claims for the same ground. Also, the late fee is not being assessed, as the department has not served second round notice for basin 37. However, the filing fee of \$50.00 has not been waived. Before I can accept the irrigation claim (37-255) the \$50.00 filing fee must be submitted.

Sorry about the miscommunication.

Sincerely

Kelly K Christensen
Sr Water Resource Agent
E-mail address: kchriste@idwr.state.id.us

enclosures



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

MAR 21 2003

Department of Water Resources
Southern Region

March 19, 2003

Mr. Kelly Christensen
Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

Re: SRBA Claims – McAtee

Dear Kelly:

Enclosed are two (2) SRBA claims for the McAtee property on Croy Creek west of Hailey. One claim was necessary to record the usage under decreed irrigation right 37-255 which was inadvertently not claimed previously. The second claim is for in-stream stockwater from an unnamed stream running on to the property from the north.

The irrigation claim should not require a fee since all acres have previously been claimed under 37-253 and 37-254. I am enclosing \$25 for the stockwater claim.

Thank you and please call if you have any questions.

Cordially,

Charles G. Brockway, P.E.

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

cc: Kent McAtee
David Alexander

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506