

Edl, Michele

From: Jim Speck [jim@speckandaanestad.com]
Sent: Friday, October 15, 2010 4:27 PM
To: Edl, Michele
Cc: 'Ms. Donna F. Tuttle'
Subject: RE: RE: Tuttle/37-8759

Michele,

Thanks for the prompt reply! Enjoy your weekend.

Jim

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

From: Edl, Michele
Sent: Friday, October 15, 2010 4:06 PM
To: Jim Speck

Mr. Speck,

Your understanding of the field work recently completed by Southern region personnel agrees with mine.

I do have a license prepared and awaiting a signature.

If the signatory authority does not find gaps or errors in my technical review, a license could be issued next week.

Michele Edl

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

From: Jim Speck [mailto:jim@speckandaanestad.com]
Sent: Friday, October 15, 2010 3:06 PM
To: Edl, Michele
Cc: 'Ms. Donna F. Tuttle'
Subject: Re: Tuttle/37-8759

Michelle,

I understand IDWR agents have now inspected the former Cook property and determined it is not being irrigated by my client's mitigation water right. That should resolve any concern regarding licensing 37-8579.

Please

let me know when that will occur. Thank you.

Jim

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



ARTICLES OF ORGANIZATION LIMITED LIABILITY COMPANY

(Instructions on back of application)

07 DEC -4 AM 10:25
SECRETARY OF STATE
STATE OF IDAHO

1. The name of the limited liability company is:

Mallard Lane, LLC

2. The street address of the initial registered office is:

1014 W. Hemmingway Blvd., Nampa, ID 83651

and the name of the initial registered agent at the above address is:

Stacy Stewart

3. The mailing address for future correspondence is:

4160 Douglas Blvd., Granite Bay, CA 95746

4. The limited liability company will be:

Manager-managed ☐ or Member-managed ☒ (please check the appropriate box)

5. If manager-managed, list the name(s) and address(es) of at least one initial manager.
If member-managed, list the name(s) and address(es) of at least one initial member.

Name

Address

API Properties 603 LLC

4160 Douglas Blvd., Granite Bay, CA 95746

6. Signature of at least one person responsible for forming the limited liability company:

Signature: *Monika S. Thompson*

Typed Name: Monika S. Thompson

Capacity: Vice President

Signature API Properties Nevada, Inc.
a Nevada corporation

Typed Name: (sole member)

Capacity: _____

Secretary of State use only

g:\compliance\LLC forms\articlesoforganization.pdf
Revised 08/2007

Web Form

IDAHO SECRETARY OF STATE
12/04/2007 05:00
CK: 3553 CT: 189243 NH: 1088134
1 @ 100.00 = 100.00 ORGH LLC # 2
1 @ 25.00 = 25.00 EXPEDITE C # 3

W69061



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-496C V1

WATER RIGHT NUMBER: 37-496C V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ELIZABETH P COOK PO BOX 1869 KETCHUM, ID 83340 (208)788-5052
Current Owner	DONNA F TUTTLE TRUST DATED JANUARY 5 1 DONNA F TUTTLE TRUSTEE C/O JAMES P SPECK PO BOX 987 KETCHUM, ID 83340 (208)726-4421
Attorney	SPECK & AANESTAD JAMES P SPECK PO BOX 987 KETCHUM, ID 83340 (208)726-4421

Priority Date: 07/01/1883

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	0.050 CFS	
	<u>Total Diversion:</u>	0.050 CFS	

Location of Point(s) of Diversion

BIG WOOD RIVER	NE1/4NE1/4	Sec. 18, Twp 03N, 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	
03N	18E	20								2.0									2.0

Total Acres: 2

Conditions of Approval:

1. E55 Right Nos. 37-496C and 37-497A are limited to the irrigation of a combined total of 30.0 acres in a single irrigation season.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-496C V1

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.

Remarks:Comments:

1. TFAWCETT 3/7/2000 OWNERSHIP CHANGE

Comment: OWNERSHIP CHANGED SUSAN CARTER TRUST TO DONNA TUTTLE TRUST PER 1409(6) AND QUITCLAIM DEED RECD 2/11/1000.

2. csaxton 2/14/2007 Overlap

Comment: This right overlaps with 37-497A. I could not determine if the POU for 37-497A should be reduced to exclude the POU for 37-497A so I added a POU limiter.

3. djones 9/21/2010 POD shape update

Comment: Linked to correct POD for Mizer Ditch Headgate #20. Was across river at Golden Eagle diversion - wrong.

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: NONE RECEIVED

State or Federal: S

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:

Rate	Volume	Acres
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30

Combined Water Rights: 37-496C , 37-497A

Water Supply Bank: