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SEP 08 2009

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 Addendum A

Adjudication Claim No(s).: _____

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.

3. Name and Mailing Address of Person or Company holding Security Interest

Greener Burke Shoemaker P.A. f/k/a
Greener Banducci Shoemaker, P.A.
950 W. Bannock Street, Suite 900
Boise, ID 83702

4. Name of Water Right Owner/Claimant(s) Trinity Springs, Inc., Paradise Homes Assn, Inc,
etc.

5. Expiration Date of Notification Period N/A - no expiration date

6. Is this a Renewal of Request for Notification? ☐ YES ☒ NO

7. Signature(s) of Security Interest holder(s) [Signature]
(and title if applicable)

For Office Use Only

Received by <u>[Signature]</u>	Date <u>9-8-09</u>	Fee <u>25.00</u> - \$325.00
Receipted by <u>[Signature]</u>	Date <u>9-8-09</u>	Receipt No. <u>W037863</u> & <u>W037882</u>
Processed by <u>AJ</u>	Date _____	WR <u>271</u> Date <u>9-28-09</u>

SUPPORT DATA

IN FILE # 63-4221

ADDENDUM A

List of Water Rights Claims, Permits and Licenses

- Water Right No. 63-4327 *Disallowed*
- Water Right No. 63-8206 ✓
- Water Right No. 63-8207 ✓
- Water Right No. 63-11051 ✓
- Water Right No. 63-11053 ✓
- Water Right No. 63-27144 ✓
- Water Permit No. 63-11439 ✓
- Any and all rights, entitlement and interests associated with the cold water well at the site of common boundary between the SE1/4NE1/4 and NE1/4NE1/4 of Section 5, Township 2 North, Range 10 East, Boise Meridian
- Contract No. 2-07-10-W0943 (Industrial Water Service Contract with the U.S. Department of Interior, Bureau of Reclamation)
- Water Right No. 63-4221 ✓
- Water Right No. 63-10559 ✓
- Water Right No. 63-10560 ✓
- Water Permit No. 63-12316 ✓
- Water Permit No. 63-12317 ✓
- Water Permit No. 63-31526 ✓
- Water Permit No. 63-32016 ✓
- Any and all other rights, title and interest of Trinity Springs, Inc. to use or control water, including those associated with Paradise Lodge and Paradise Subdivision and those held in the name of Paradise Homeowners' Association.

RECEIVED

MAY 20 2009
Ada County Clerk

RECEIVED

Greener Burke Shoemaker, P.A.

JUN 01 2009

SCANNED ROUTED
IMPORTED DOCKETED

NO. _____
A.M. _____ FILED P.M. _____

MAY 28 2009

J. DAVID NAVARRO, Clerk
By JENNIFER KENNEDY
DEPUTY

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

GREENER BURKE SHOEMAKER P.A. f/k/a
GREENER BANDUCCI SHOEMAKER P.A.,

Plaintiff,

v.

CRYSTAL PARADISE HOLDINGS, INC., an
Idaho corporation, f/k/a TRINITY SPRINGS,
LTD.,

Defendant.

Case No. CV-OC-08-18755

DEFAULT JUDGMENT AND ORDER
CONFIRMING ARBITRATION AWARD
AND ATTORNEY FEES AND COSTS
AND JUDGMENT THEREON

The above-entitled matter being in default as against Defendant Crystal Paradise Holdings, Inc., f/k/a Trinity Springs, Ltd. ("CPH"), and the Court, by Order of Entry of Default, having directed entry of such default, and having reviewed and considered all of the memoranda, affidavits and pleadings on file herein, being fully advised in the premises, and good and sufficient cause appearing therefor;

The Application for Confirmation of Arbitration Award having been filed by the Plaintiff pursuant to Idaho Code §§ 7-911 and 7-914, and the Court, having considered all of the memoranda

DEFAULT JUDGMENT AND ORDER CONFIRMING ARBITRATION AWARD AND
JUDGMENT THEREON - 1

and pleadings on file herein, being fully advised in the premises, and good and sufficient cause appearing therefor,

IT IS HEREBY ORDERED, that default judgment is entered against Defendant Crystal Paradise Holdings, Inc., f/k/a Trinity Springs, Ltd.

FURTHER, IT IS ORDERED AND THIS DOES ORDER that Plaintiff's Application for Confirmation of Arbitration Award is GRANTED in all respects.

FURTHER, IT IS ORDERED AND THIS DOES ORDER that Plaintiff's Motion for Costs and Attorney Fees is GRANTED in all respects.

THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED as follows:

1. That the September 20, 2006 legal representation agreement executed by the parties is an enforceable contingency fee agreement pursuant to which an \$800,000 legal fee owing to Plaintiff became due and payable as of March 31, 2008.

2. That interest on said fee shall accrue at the legal rate of interest of 7.625%, pursuant to Idaho Code § 28-22-104, which interest shall begin to accrue as of April 1, 2008.

3. That Plaintiff is entitled to costs allowed as a matter of right in the amount of \$744.47 and discretionary costs in the amount of \$1,144.75.

~~4. That Plaintiff is entitled to attorney fees in the amount of \$133,505.22 as submitted in its motion for costs and attorney fees.~~

DATED THIS 28 day of May, 2009.

STATE OF IDAHO }
COUNTY OF ADA } ss

I, J. David Navarro, Clerk of the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Ada, do hereby certify that the foregoing is a true and correct copy of the original on file in this office. In witness whereof, I have hereunto set my hand and affixed my official seal this 28 day of May, 2009.

J. DAVID NAVARRO, Clerk
By *[Signature]*

[Signature]
Honorable Richard D. Greenwood
District Judge

DEFAULT JUDGMENT AND ORDER CONFIRMING ARBITRATION AWARD AND JUDGMENT THEREON - 2

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 28 day of May, 2009, a true and correct copy of the within and foregoing instrument was served upon:

Richard H. Greener
Fredric V. Shoemaker
Jon T. Simmons
Greener Burke Shoemaker P.A.
950 West Bannock Street, Suite 900
Boise, ID 83702
[Attorneys for Plaintiff]

- ☒ U.S. Mail
☐ Facsimile
☐ Hand Delivery
☐ Overnight Delivery

Thomas A. Banducci
Banducci Woodard Schwartzman PLLC
802 W. Bannock Street, Suite 500
Boise, ID 83702

- ☒ U.S. Mail
☐ Facsimile
☐ Hand Delivery
☐ Overnight Delivery

J. DAVID NAVARRO
Clerk of the Court

By *Mennadi*
Deputy Clerk

