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SEP 08 2009

WATER RESOURCES  
WESTERN REGIONSTATE 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)  
(and title if applicable) [Signature]

## For Office Use Only

Received by [Signature]  
Receipted by [Signature]  
Processed by \_\_\_\_\_ AJDate 9-8-09  
Date 9-8-09  
Date \_\_\_\_\_Fee 25.00 - \$325.00  
Receipt No. W037863 & W037882  
WR [Signature] Date 9-28-09

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

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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

of 2009.  
J. DAVID NAVARRO, Clerk  
By

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 *[Signature]*  
Deputy Clerk

