

T70370

SCANNED

FEB 11 2003

**Pristine Springs
T09S R17E**

IJK Raceways

DEPS Raceways

Sunnybrook Hatchery

Sunnybrook Springs

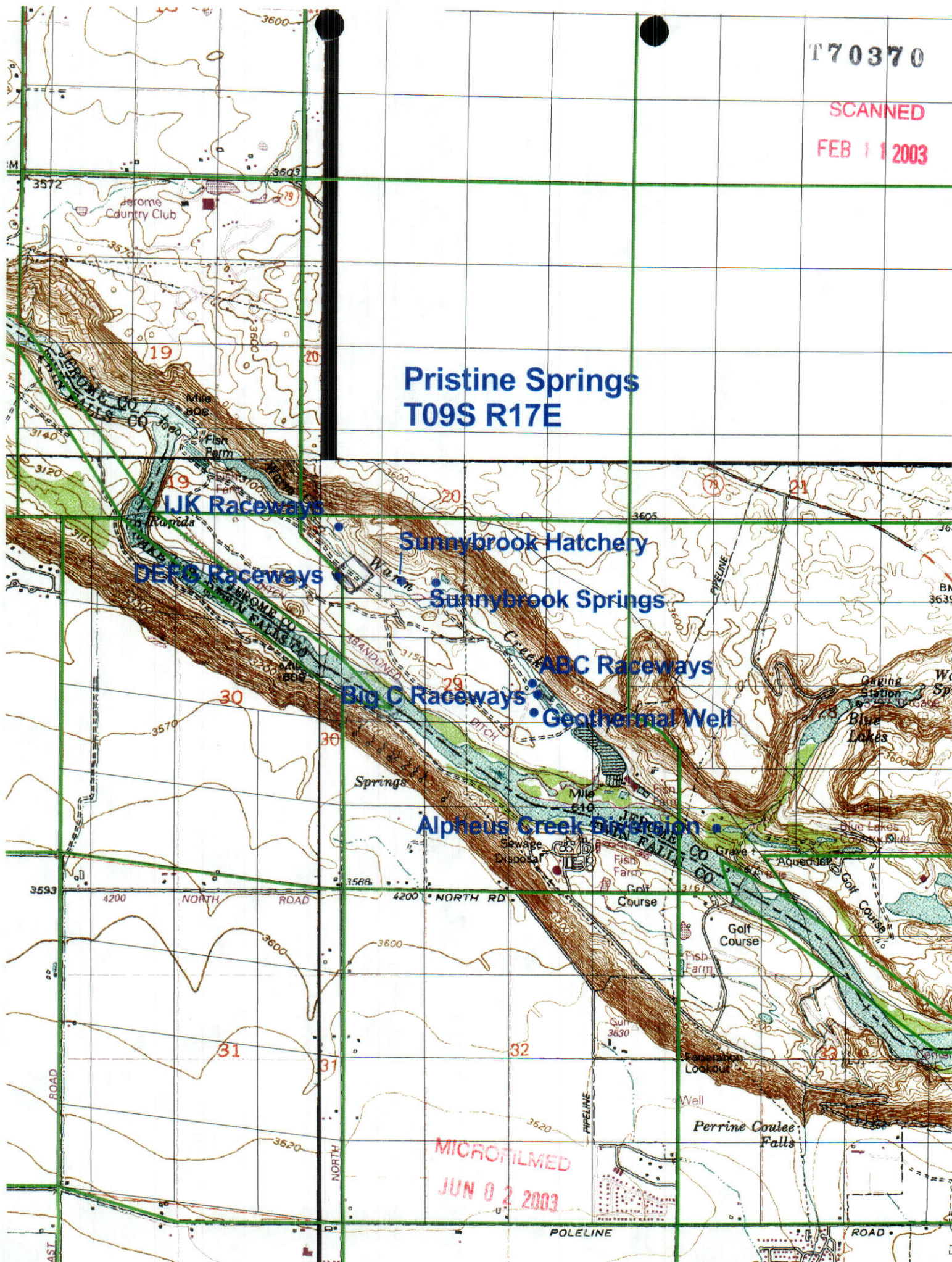
ABC Raceways

Big C Raceways

Geothermal Well

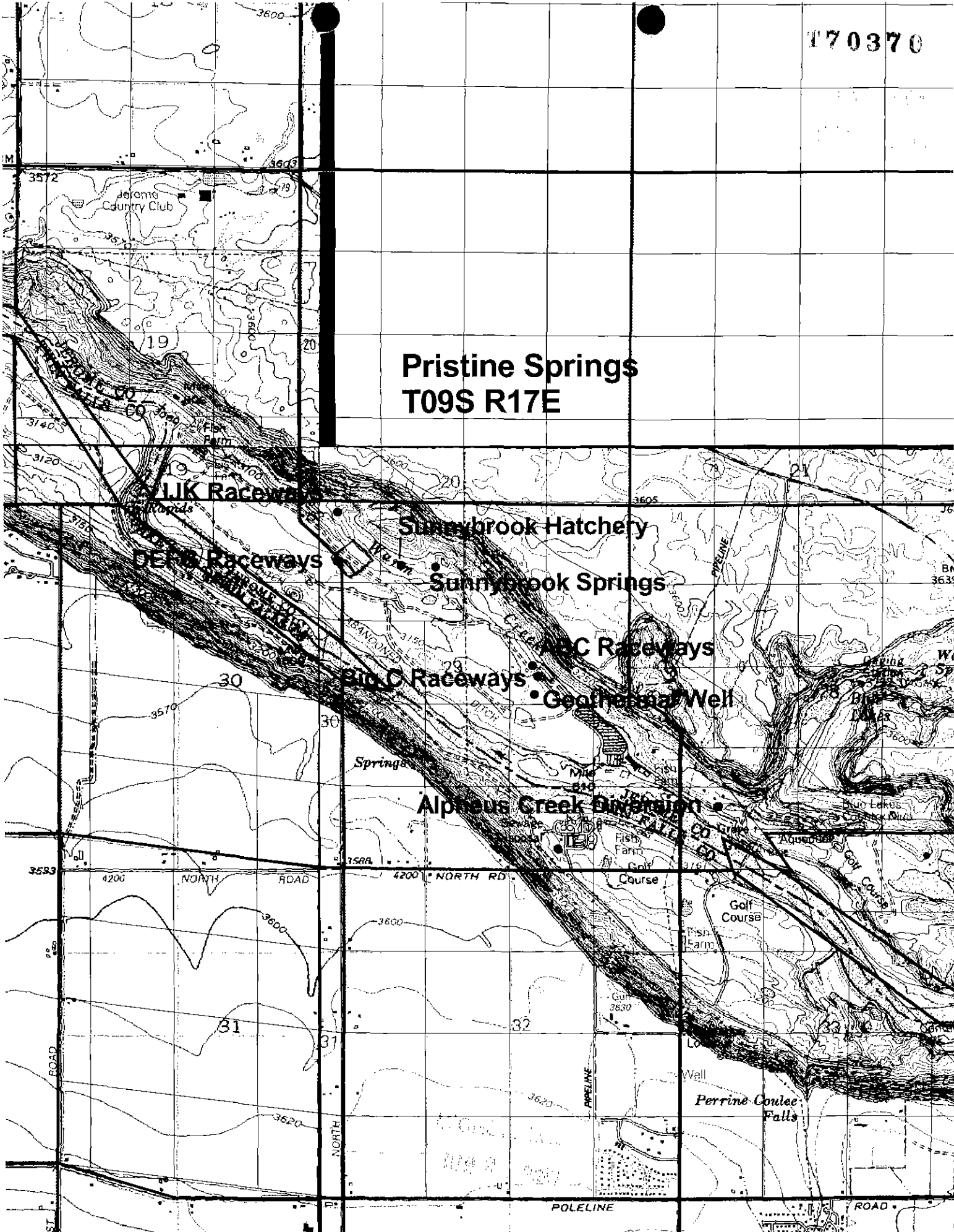
Alpheus Creek Diversion

MICROFILMED
JUN 02 2003



170370

Pristine Springs T09S R17E



Transfer No. 70370
Receipt No. S025232

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

1. Applicant Information PRISTINE SPRINGS INCORPORATED
P.O. BOX 2632
TWIN FALLS ID 83301
(208)734-5444

Will this transfer result in an ownership change? _____ Yes ____X__ No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acres	Total	Source
36-7130	WR/Decreed	4.50	3,257.9			GROUND WATER

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
36-7130	NO	NO	YES	NO	NO	NO

Describe the reason for the proposed changes

Incorporate additional fish ponds built adding to our place of use.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

B. Describe the effects on other water uses resulting from the proposed change

5. Total Amounts Transferred

	Rate	Acres	Total	Volume
36-7130	4.50 cfs			3,257.9 af
TOTAL	4.50 cfs			3,257.9 af

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JUN 12 2007

4 PGS
NOT SCANNED this side

Transfer No. 70370
Receipt No. S025232

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

(Signature of Applicant)

(Title or Office)

Subscribed and sworn to before me this _____ day of _____, 20_____.

(Notary Public)

My commission expires _____

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JAN 10 2000
JAN 10 2000

Transfer No. 70370
Receipt No. S025232

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 36-7130

Priority Date: May 06, 1970
Origin: Water Right
Basis: Decreed
Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
FISH PROPAGATION	1/01	12/31	4.50 CFS	3,257.9 AFA	
Total Diversion			4.50 CFS	3,257.9 AFA	

Source and Point(s) of Diversion:

GROUND WATER L14 (SWSWNE) Sec. 29 Twp 09S Rge 17E JEROME County

PLACE OF USE: FISH PROPAGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S	17E	29			X														
					L 14														

Conditions/Remarks:

1. FACILITY VOLUME 40,320 CU. FT.
2. FISH PROPAGATION, COMMERCIAL FISH HATCHERY
3. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
4. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

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JUL 13 2007

Page 4

Documentation of Ownership of the Current Place of Use
Tax Notice

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Adding POU for additional fish ponds.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

Transfer No. 70370
Receipt No. S025232

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 36-7130

Priority Date: May 06, 1970

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
FISH PROPAGATION	01/01 12/31	4.50 CFS	3,257.9 AFA	
	Total Diversion	4.50 CFS	3,257.9 AFA	

Source and Point(s) of Diversion:

GROUND WATER L14 (SWSWNE) Sec. 29 Twp 09S Rge 17E JEROME County

Describe the proposed diversion system

Point of Diversion # 1 Artesian well, hot water, pipeline to concrete raceways

PLACE OF USE: FISH PROPAGATION

[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 15, 2003

PRISTINE SPRINGS INC
PO BOX 2632
TWIN FALLS ID 83301

RE: Transfer No.: 70370 - Water Right 36-7130 - Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's homepage on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

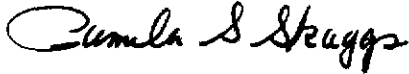
Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

ENCLOSURE

APR 15 2003

If you have any questions, please contact me at 208-327-7940.

Sincerely,



for Jeff Peppersack, Manager
Water Rights Permits Section

JP:klt

Enclosure(s)

cc: HAEMMERLE & HAEMMERLE PLLC
PO BOX 1800
HAILEY ID 83333

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JUN 11 2007

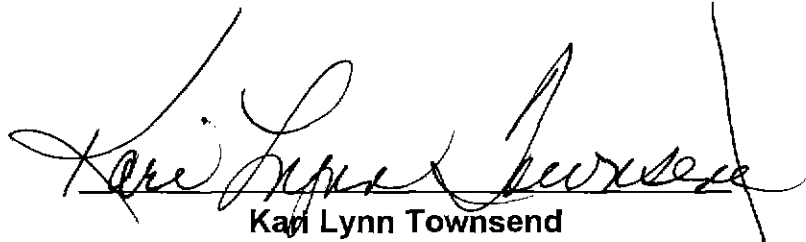
CERTIFICATE OF SERVICE

I hereby certify that on April 15, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 70370 - WATER RIGHT 36-7130

**PRISTINE SPRINGS INC
PO BOX 2632
TWIN FALLS ID 83301**

**HAEMMERLE & HAEMMERLE PLLC
PO BOX 1800
HAILEY ID 83333**



**Karl Lynn Townsend
Secretary**

APPROVED BY:

DATE: 4/15/2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

REC'D - 10/15/00
JAN 12 2001

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

RECEIVED
JUN 12 2008

HAEMMERLE & HAEMMERLE, P.L.L.C.

Attorneys & Counselors at Law

Fritz X. Haemmerle
Jennifer L. K. Haemmerle

P. O. Box 1800
Hailey, ID 83333

400 South Main Street, Suite 102
Tel: (208) 578-0520
Fax: (208) 578-0564

February 10, 2003

RECEIVED

FEB 12 2003

Department of Water Resources
Southern Region

Idaho Department of Water Resources
c/o Allen Merritt
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

RECEIVED

FEB 14 2003

Department of Water Resources

Re: *Correspondence Relating to Pristine Springs, Inc.*

Dear Mr. Merritt:

I am in receipt of a letter dated February 7, 2003, from you to Pristine Springs, Inc. The letter is in reference to calibration devices on hot wells. In the future, please be advised that I am the representative for Pristine Springs, Inc. As such, I respectfully request that you send any correspondence relating to any water right belonging to Pristine Springs, Inc., to my Office.

If you have any questions, please do not hesitate to call. Thank you.

Sincerely,

HAEMMERLE & HAEMMERLE, P.L.L.C.



Fritz X. Haemmerle

FXH: fxh
cc: client

WR database updated - 4.4.03 - Kari Taylor



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

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 24, 2003

PRISTINE SPRINGS INCORPORATED
P.O. BOX 2632
TWIN FALLS ID 83301

RE: Application for Transfer No. 70370 (Water Right No. 36-7130)

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right transfer application. Please refer to the above referenced transfer number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the North Side News on 3/6/ & 3/13/03. Submittal of protests to this application will be allowed for a period ending ten days after the second publication. (March 24, 2003)

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved.

In addition, please provide a list of names, titles and addresses of all corporate directors and officers. (Rule 035.03.b, i).

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Mary A. Baldwin
Administrative Assistant I

cc:
FRITZ X. HAEMMERLE
HAEMMERLE AND HAEMMERLE P.L.L.C
PO BOX 1800
HAILEY ID 83333

RECEIVED

FEB 27 2003

NOTICE OF PROPOSED CHANGE TO WATER RIGHTS

Notice is hereby given that two Applications for Transfer have been filed with the Idaho Department of Water Resources for changes to water rights within Jerome County:

PRISTINE SPRINGS INCORPORATED, P.O. BOX 2632; TWIN FALLS ID 83301 filed Application No. 70370 on 9/19/02 for diversion of 4.5 cfs from ground water. Transfer is proposing to increase place of use due to additional fish ponds. Location of new place of use is 2 1/2 miles West and 1 1/4 miles North of the Perrine Memorial Bridge; on the North side of the Snake River (also known as Pristine Springs Incorporated).

BLUE LAKES COUNTRY CLUB INC., 1940 BLUE LAKES GRADE, PO BOX 582; TWIN FALLS ID 83303-0582 filed Application No. 70391 on 11/14/02 for diversion of a combined total of 1.90 cfs from Alpheus Creek. Transfer is proposing to tie points of diversion for existing water rights together and create a permissible place of use for all rights. Location is 1 mile west and 1/2 mile North of the Perrine Memorial Bridge on the North side of the Snake River. Place of use also known as Blue Lakes Country Club.

For specific details regarding the application(s), please contact IDWR Southern Regional Office at 208-736-3033 or visit www.idwr.state.id.us with detail provided under "New Water Right Applications". Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St.-Suite 200; Twin Falls, ID 83301 with a protest fee of \$25.00 for each application on or before March 24, 2003. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the North Side News on 3/6 & 3/13/03.

OK
1/20/03
2/26/03

WATER RIGHTS
JAN 10 2003

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE STREET-STE# 200
TWIN FALLS ID 83301
Phone: 736-3033
Fax#: 736-3037

February 27, 2003

ATTN: Norma
MAGIC VALLEY PUBLISHING
North Side News
PO BOX 468
JEROME ID 83338

Dear Norma:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues).

If you cannot publish the notice on the proposed dates, please contact us immediately at 736-3033. An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Sincerely



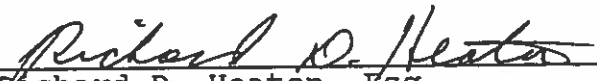
Mary A. Baldwin
Administrative Assistant

MAILED 100

MAR 7 2003

CERTIFICATE OF AUTHENTICITY

I, RICHARD D. HEATON, Attorney at Law, do hereby certify that the above and foregoing WARRANTY DEED, recorded June 15, 1990, as Instrument No. 321331 records of Jerome County, Idaho is a true and accurate reproduction of the original of said Warranty Deed which is in my care, custody and control.

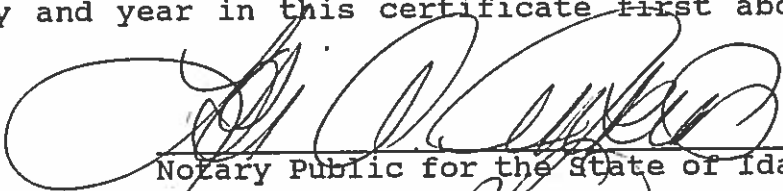

Richard D. Heaton, Esq.

STATE OF IDAHO)
) ss
COUNTY OF ADA)

On this 28th day of January 1991, before me, the undersigned, a Notary Public in and for said State, personally appeared RICHARD D. HEATON, Attorney at Law, known to me the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he 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.

(Seal)


Notary Public for the State of Idaho

Residing at: BOSCO

My commission expires: 7/12/95

PLEASE RECORD AND RETURN TO:

Robert C. Paine, Esq.
Paine & Pica
Attorneys at Law
P. O. Box 1196
Twin Falls, ID 83303-1196

REC'D
Land Title & Escrow, Inc.
JUN 15 4 10 PM '90
JEROME CO. IDAHO
FEES/2.000000
F. J. J.

321331

RECEIVED

(Record below this line)

APR 24 1991

Department of Water Resources
Southern Region Office

WARRANTY DEED

36-0200
2603B
7130

FOR VALUE RECEIVED, PROFESSIONAL INVESTORS LIFE INSURANCE COMPANY, an Oklahoma corporation, authorized to do business in the State of Idaho, hereinafter called "Grantor," does hereby grant, bargain, sell and convey unto RONALD C. YANKE, whose mailing address is 4414 S. Gekeler Lane, P. O. Box 5404, Boise, ID 83705, hereinafter called "Grantee," the following described premises, in Jerome County, State of Idaho, to-wit:

The real property which is pertinent to this Warranty Deed is more particularly described in Exhibit "A" attached hereto and by such reference made a part hereof as if set out in full herein.

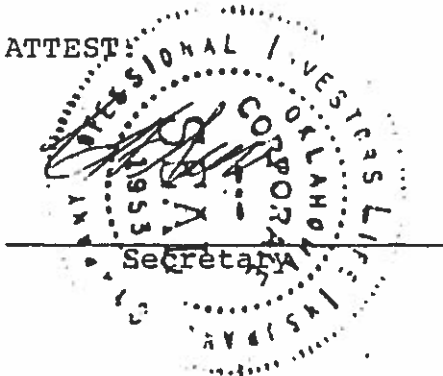
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from

0011-96

encumbrances except as disclosed in the policy of Title Insurance and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED this 14th day of June, 1990.

ATTEST



PROFESSIONAL INVESTORS LIFE
INSURANCE COMPANY, an Oklahoma
corporation doing business in
the State of Idaho.

By

William L. McClure
Its Authorized Agent

STATE OF Oklahoma)
County of Tulsa) ss.

On this 14th day of June, 1990, before me, a
Notary Public in and for said State personally appeared
William L. McClure, known to me to be
the President of said corporation and the
person who executed the within Warranty Deed on behalf of said
corporation and acknowledged to me that as such corporate
officer he/she executed the same for the purposes therein
stated.



Karen A. Schatz
NOTARY PUBLIC FOR Oklahoma
Residing: 9933 E 16th St Tulsa OK 74128
Commission expires: 4-7-93

TOWNSHIP 9 SOUTH, RANGE 17, EAST OF THE 115E MERIDIAN,
JEROME COUNTY, IDAHO

Section 29: A tract of land located in Lots 8, 9, 10, 11, 12, 14, 15, 16 and 19, described as follows:

Commencing at the North one-sixteenth corner between Sections 29 and 30;

Thence running South 71°48' East for 4,082.0 feet to a large lava boulder marked by a chiseled cross, said lava boulder being THE REAL POINT OF BEGINNING;

Thence along the Westerly boundary of a tract of land owned by Percy Green and Harold S. Miller known as the Blue Lakes Trout Farm Property on the following courses:

South 59°18' West for 380.0 feet;

Thence South 48°30' East for 430.0 feet;

Thence South 35°45' East for 320.0 feet;

Thence South 22°41' West for 190.0 feet;

Thence South 11°37' West for 131.0 feet, more or less, to the Mean High Water Mark of the right bank of the Snake River;

Thence running along the High Water Mark of the Snake River in the Northwesterly directions for 1690 feet, more or less, to the West line of Lot 10 of said Section 29;

Thence North along the West line of Lots 18 and 14 of said Section 29 for 1,480.0 feet;

Thence North 54°00' West for 710.0 feet, more or less, to the centerline of a fork in an existing road;

Thence Northwesterly along the centerline of the North fork of said road for 695 feet;

Thence South 86°00' West for 375.0 feet;

Thence North 88°00' West for 440 feet;

Thence North 86°00' West for 154.0 feet, more or less, to the centerline of a fork in an existing road;

Thence Northwesterly along the centerline of the West fork of said road for 1,786.0 feet, more or less, to the West line of Lot 10 of said Section 29;

Thence North along said West line for 175.00 feet, more or less, to the Northwest corner of said Section 29, being a United States Geodetic Survey Brass Cap;

Thence East along the North line of Lot 10 of said Section 29 for 210.67 feet to the Northwesterly boundary of Sunnybrook Subdivision No. 1;

Thence South 32°57' West along said Northwesterly boundary for 44.10 feet to the Western most point of said subdivision;

Thence Southeasterly along the Southwesterly boundary of said Subdivision for the following 18 courses and distances:

South 81°20.4' East, 100.80 feet;

South 71°52.8' East, 175.88 feet;

South 54°34' East, 96.84 feet;

South 24°53' East, 101.97 feet;

South 81°21.8' East, 116.07 feet;

South 47°33' East, 104.00 feet;

South 38°33.4' East, 102.21 feet;

South 65°54.3' East, 98.96 feet;

South 37°13.5' East, 50.03 feet;

South 86°43.9' East, 83.81 feet;

EXHIBIT "A"

North 77°42' East, 100.00 feet;
 South 47°33' East, 10.00 feet;
 South 26°42' West, 85.00 feet;
 South 32°51.4' East, 118.04 feet;
 South 80°09.6' East, 99.46 feet;
 South 64°51.7' East, 102.43 feet;
 South 49°00.4' East, 99.50 feet;
 North 39°00' East, 40.0 feet, more or less,
 to the centerline of an existing road;
 Thence Easterly along the centerline of said road
 for 560.0 feet;
 Thence North 64°37' East for 400.00 feet;
 Thence South 44°00' East, 3,385.00 feet, more or
 less, to THE REAL POINT OF BEGINNING.

TOWNSHIP 9 SOUTH, RANGE 17, EAST OF THE BOISE MERIDIAN,
 JEROME COUNTY, IDAHO

Section 19: A tract of land located in Lot 13, described as
 follows:

Beginning at the Southeast corner of Lot 13 of said
 Section 19;
 Thence North along the East line of said Lot 13 for
 310.0 feet;
 Thence West and parallel to the South line of said
 Lot 13 for 69.0 feet to THE REAL POINT OF
 BEGINNING;
 Thence continuing West and parallel to the South
 line of said Lot 13 for 868.5 feet, more or
 less, to the Mean High Water Mark of the right
 bank of the Snake River;
 Thence running along the High Water Mark of the
 Snake River in the Northeasterly direction for
 1950.6 feet, more or less, to the North line of
 Lot 13 of said Section 19;
 Thence East along the North line of said Lot 13 for
 335.8 feet, more or less, to a point 69.0 feet
 West of the East line of said Lot 13;
 Thence South 69.0 feet West of and parallel to the
 East line of said Lot 13, 1010.0 feet, more or
 less, to THE REAL POINT OF BEGINNING.

TOGETHER WITH a 50 foot wide ditch and access road
 easement thru Lots 19, 18, 17, 15 and 16 of Section
 29, Lots 13, 8 and 9 of Section 30, Lot 13 and the
 SEKSEK of Section 19, all in Township 9 South,
 Range 17, East of the Boise Meridian. Said
 Easement being 20 feet on the South side and 30
 feet on the North Side of the existing centerline.

TOGETHER WITH a 50 foot wide ditch and access road
 easement thru Lot 10 of Section 29, Lot 8 of
 Section 30, the SEKSEK and Lot 13 of Section 19,
 all in Township 9 South, Range 17, East of the
 Boise Meridian. Said easement being 20 feet on the
 South side and 30 feet on the North side of the
 existing centerline.

TOGETHER WITH the right of ingress and egress over
 and across all existing roadways leading to and
 from the above described tracts of land.

The above described Tracts of land are based on the
 Dependent Resurvey of Sections 19, 20, 28, 29, 30
 and 33 of Township 9 South, Range 17, East of the
 Boise Meridian, as approved April 17, 1910 by the
 Surveyor General and a supplemental plat of
 Sections 28, 29 and 30 approved August 16, 1923.
 Also based on a survey plat of Sunnybrook
 Subdivision No. 1 as filed with the office of Clerk
 and Recorder, Jerome County, Idaho.

MEMORANDUM

DATE: 23-Jan-1989

FROM: Loren Holmes *LH*

TO: Water right files:

36-7130✓
36-8094
36-8137
47-7478
47-7492
47-7606
47-7714
47-7745
47-7758
47-7813
47-7872
47-7875
47-7964
47-7966
47-7969

SUBJECT: CSI Agreement -- Moratorium

The above listed water rights are affected by the CSI agreement.

The agreement and moratorium order are filed in the Decree drawer as decree file 36-J.

The file also contains a memorandum regarding department action on the permits.

36-1130

- N O T I C E -

BEFORE TAKING ACTION ON THIS FILE, PLEASE REFER TO THE
"MORATORIUM AGREEMENT" DATED JULY 22, 1987, COPIES OF WHICH HAVE
BEEN PLACED IN WATER RIGHT FILES 36-7130 AND 47-7606.

10-03-88 lgs

INTER-DEPARTMENT MEMO — 1

FROM LH
TO File
SUBJECT All new correspondence

DATE 10/15/86

Copies of any new correspondence should be sent to:

Terry Uhling, Esquire
P.O. Box 1906
Twin Falls, ID 83301

SIGNATURE

36-7130

36-7130

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

I, N.O.C. Dietrich, acting for and on behalf of Seacrest Industries Corporation, a Delaware Corporation, hereby assign to Aqua Life Corporation of Rock Creek Canyon Road, Twin Falls, Idaho, 83301.

All my right, title and interest in and to Permit No. 32030/36-2603 and 36-7130 to appropriate the public waters of the State of Idaho

The following described portion of my right, title and interest in and to Permit No. _____ to appropriate the public water of the State of Idaho.

(Describe that portion of the permit being assigned to listing the acreage within each 40 acre subdivision, the point of diversion and the amount of water in cubic feet per second for direct diversion, or acre feet for storage)

Made this 18th day of July, 1977.

SEACREST INDUSTRIES CORPORATION

By:

N.O.C. Dietrich
Its President

The State of Texas §
 §
County of Dallas §

On this 18th day of July, 1977, personally appeared before me the signer of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Jaune Collins
Notary Public residing at

Dallas, Texas

Seal

My Commission Expires

RECEIVED

FEB 15 1973

Department of Water Administration
Southern District Office

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 36-7130 Priority May 6, 1970 Amount 6.0 cfs

THIS IS TO CERTIFY, that IRA BURTON PERRINE, JR.
of Twin Falls, Idaho, has complied with the terms and conditions of Permit
No. 36-7130 issued pursuant to Application for Permit dated May 6, 1970,
and has submitted proof to the Department of Water Administration on February 3, 1971,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 6.45 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 6.0 cfs for Fish from Jan. 1 to Dec. 31 (both dates inclusive)

Amount _____ for Propagation from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 6.0 cfs of water be diverted at
any one time, said waters to be diverted within ~~the~~ _____

Lot 10 & Lot 11, Section 29, Twp. 9 S, Rge. 17 E, B.M.

in the county of Jerome; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 4,380 acre feet per year ~~xx~~ _____

~~XXXXXXXXXXXX~~

Description and location of place of use:

TWP.	RANGE	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	
9 S	17 E	20									X	X	X	X					
		29					X	(Lot 10)											
		19													X	X	X	X	

Total number of acres irrigated _____

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 12 day of
February, 19 73.


Director