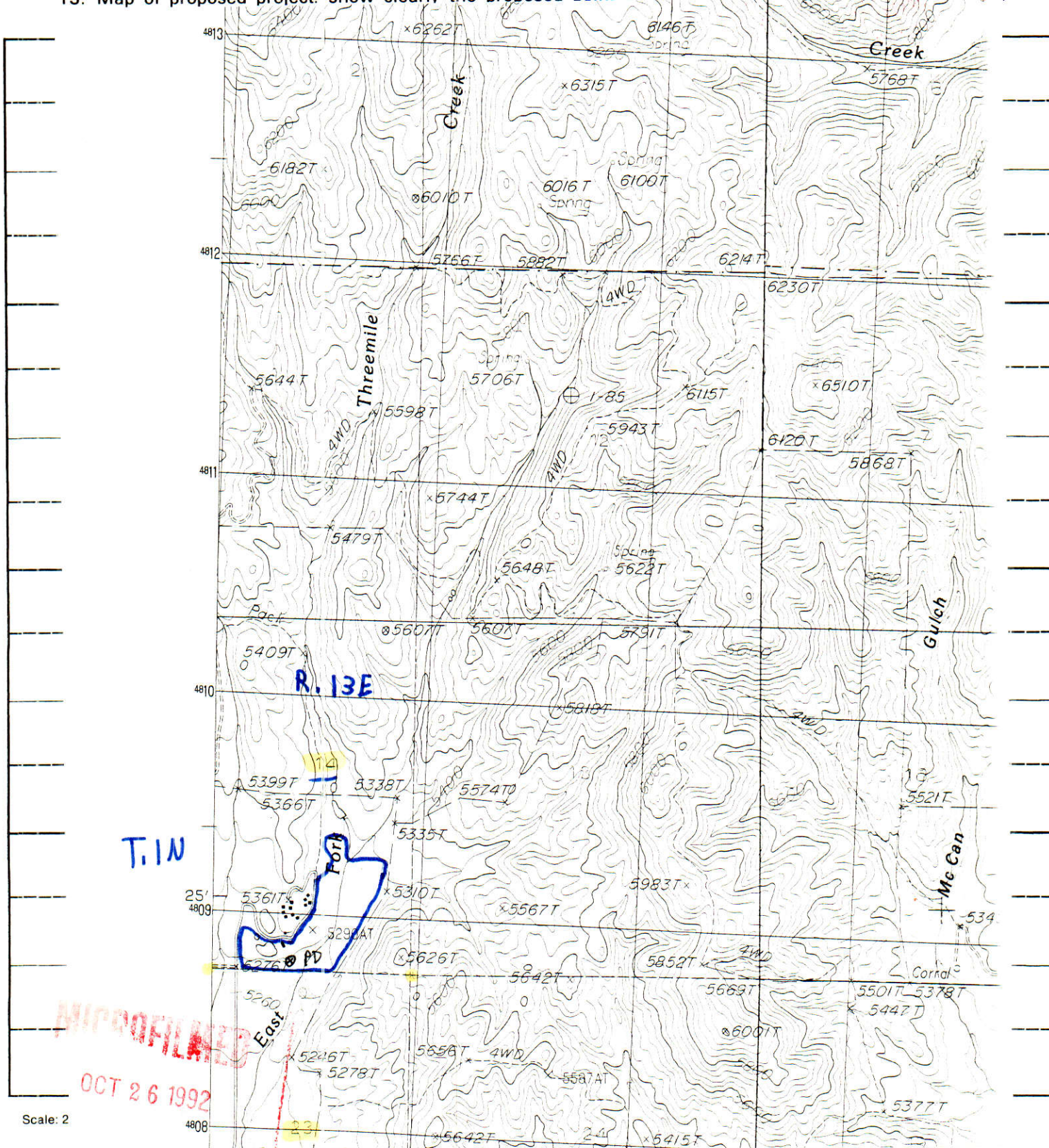


37-8609

13. Map of proposed project: show clearly the proposed point of diversion place of use section number,



BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

James T. Buchanan
(Applicant)
W. Lee Pales

FIGHTERS REGROUP IN

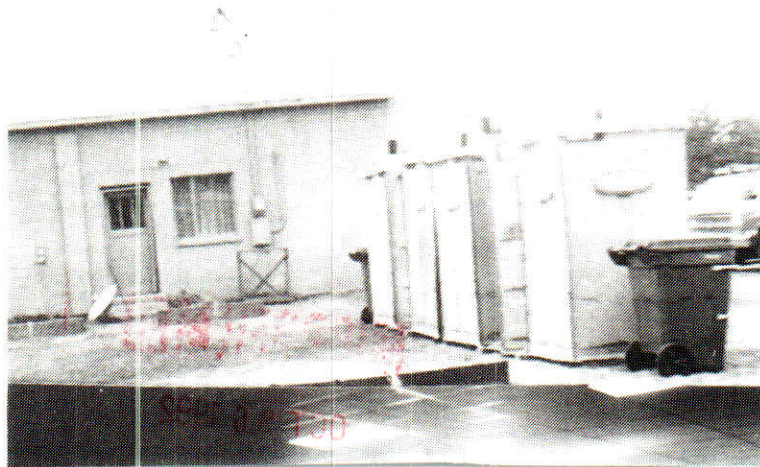
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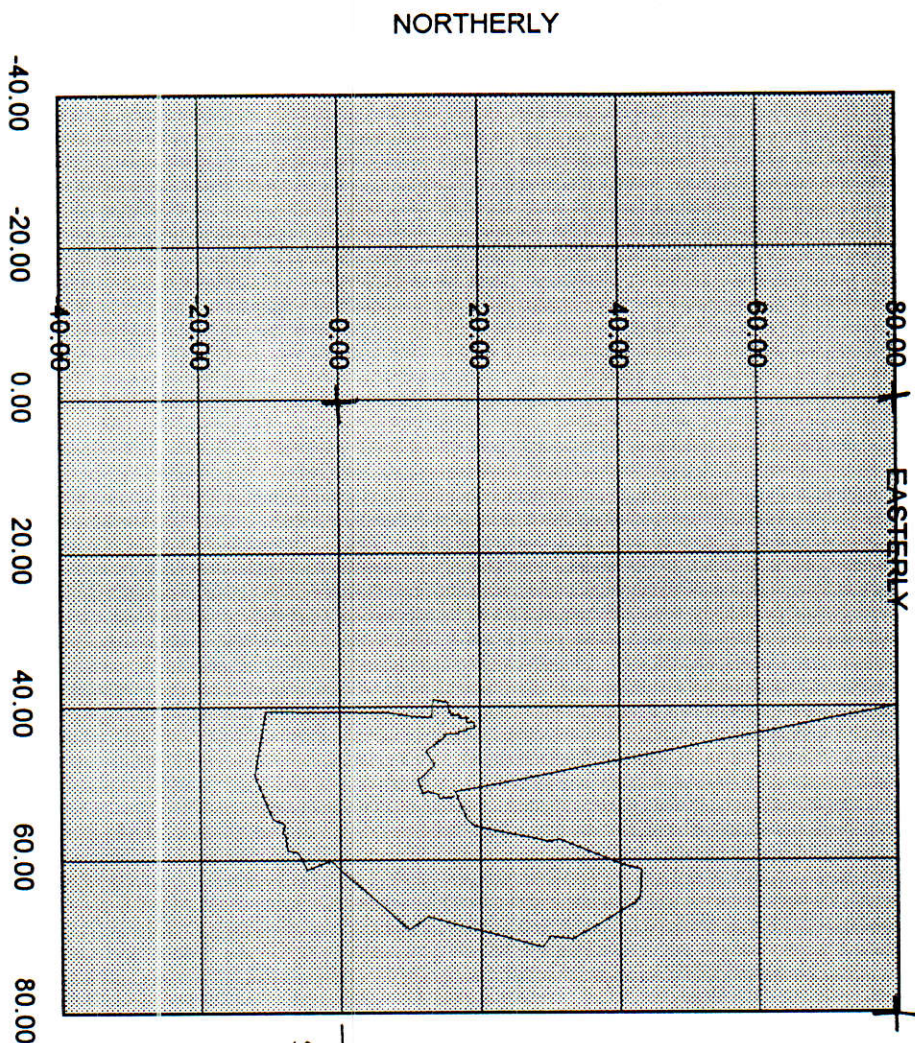
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FIGHTERS



Plot of "Rosert" reserved for
 Camas Properties Inc. in 3/11/94 deal.

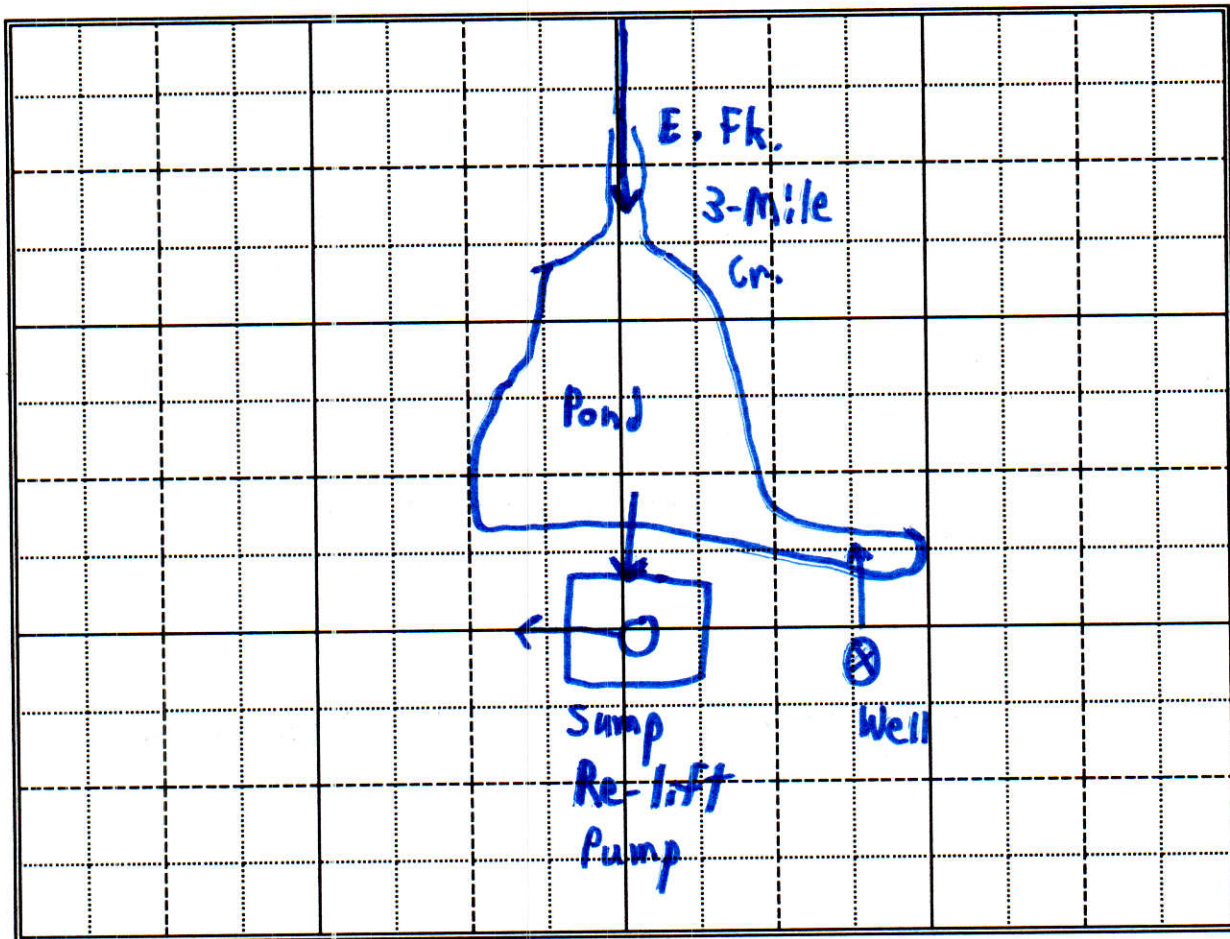


Sec. 14
 Sec. 23

MICROFILMED
 APR 10 1997

S.W. Kean
 3/26/97

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Model Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Well pump	Franklin	15	2361146010		
Re-lift pump	Westinghouse	50	SN 8002		

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

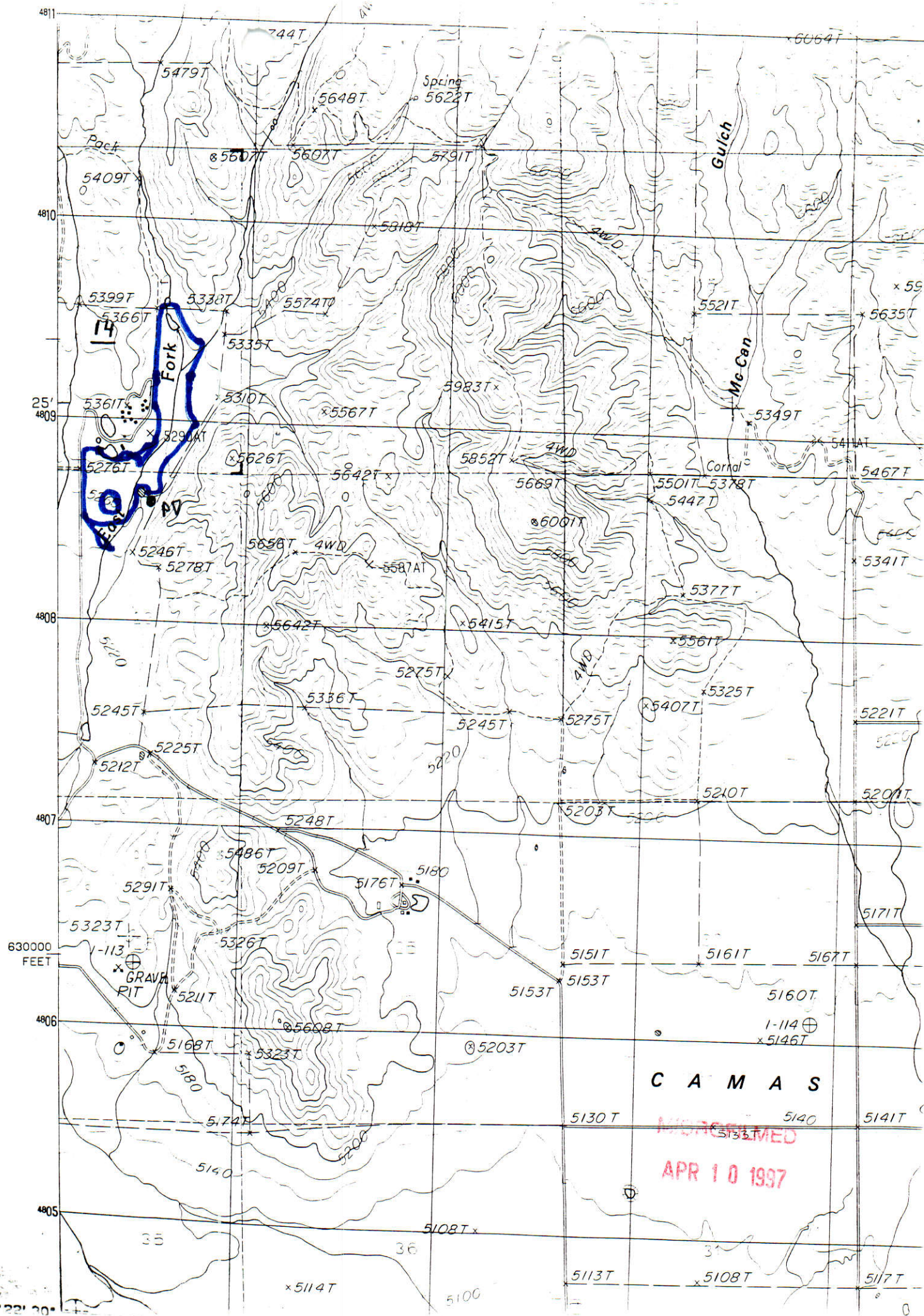
1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. **Measurements:** Not measured. Pump is rated for 150 gpm at 0 psi & 189' lift per pump installer Bob's Electric of Fern Gooding, ID. Static level is 20-30' but sucks down rapidly to just above pump. So effective pumping rate is 150 gpm.

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APR 10 1997





23	24
14	13

JAMES PROPERTIES

24

20

25

6

64



Well. Pond & Golf Course Behind



Well. Pumphouse Behind

Re-lift Pump



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APR 10 1987

37-08609



P/U - Golf Course

MICROFILMED
APR 10 1987

37-08609

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-02609

Priority: February 15, 1990

Maximum Diversion Rate:

0.33 CFS

This is to certify, that HIDDEN PARADISE PROPERTY OWNERS ASSN
DEA SOLDIER MTN RANCH & RESORT
PO BOX 279

FAIRFIELD ID 83327-0279

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated February 15, 1990; and
has submitted Proof of Beneficial Use on March 22, 1993. An examination indicates
that the works have a diversion capacity of 0.330 cfs of water from a GROUNDWATER
source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.33 CFS	

LOCATION OF POINT(S) OF DIVERSION:

NWNE , Sec. 23, Township 61N, Range 13E
CAMAS County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>		<u>ACRES</u>		<u>ACRES</u>		<u>ACRES</u>	<u>TOTAL</u>
01N	13E	14	SENE	0.5	NESE	13.3	SWSE	8.1	
			SESE	9.8					31.7
		23	NENE	0.9	NWNE	12.9			13.7

Total number of acres irrigated: 45.4

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

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APR 10 1997

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 37-08609

CONDITIONS OF APPROVAL AND REMARKS

7. This right is limited to the irrigation of 40.0 acres within the place of use described above in a single irrigation season.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual diversion volume of 140.0 af for the 40 acres upon which this right may be used.
9. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased, or used on any other place of use.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 31ST
day of MARCH, 1997.


Acting for KARL J. DREHER, Director

MICROFILMED

APR 10 1997

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DEC 13 1996

State of Idaho
Department of Water Resources

Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-08609

Date of Priority: February 15, 1990 Maximum Diversion Rate: 0.33 CFS
Comes now HIDDEN PARADISE PROPERTY OWNERS ASSN
DBA SOLDIER MTN RANCH & RESORT
PO BOX 279
FAIRFIELD ID 83327-0279 and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 37-08609, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	0.33 CFS	

LOCATION OF POINT(S) OF DIVERSION: NWNE , Sec. 23, Township 01N, Range 13E
CAMAS County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	13E	14	SENE 0.5	NESE 13.3	SWSE 8.1	31.7
			SESE 9.8			13.7
		23	NENE 0.9	NWNE 12.8		

Total number of acres irrigated: 45.4

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Boise, this 12 day of Dec, 1996.

William H. Huter
(Signature)

MICROFILMED

APR 10 1997

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-08609

FOR DEPARTMENT USE ONLY

Preliminary check by Fee = Received by # Date

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 37-08609 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right and shall only divert groundwater under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
5. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
6. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. This right is limited to the irrigation of 40.0 acres within the place of use described above in a single irrigation season.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual diversion volume of 140.0 af for the 40 acres upon which this right may be used.
9. This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased, or used on any other place of use.

Witness my hand this 31st day of MARCH, 1977.


Acting for KARL J. DREHER, Director **NOT RECORDED**
APR 10 1977

OFFICE USE ONLY
Amt. of Fee \$ 100.00
Date 3-22-93
Receipt No. CO 22039
Receipt by Jan

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 19 1993

PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 37-08609 Telephone No. 764-2506
2. Name(s) of Permit Holder(s): HIDDEN Paradise Soldier Mtn. Ranch & Resort
3. Mailing Address: P.O. Box 279 Fairfield, ID 83327
4. Source of Water: Groundwater

If GROUNDWATER, Well Driller's Name: Smith Drilling Date Drilled: 1976

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 40 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 0.80 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? ☒ Yes _____ No Installed? ☒ Yes _____ No

OR

Flow Measurement Port: Required? _____ Yes _____ No Installed? _____ Yes ☒ No

8. Fee Enclosed: \$ 100.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Bob Under or Lois VanHoover 764-2506
Name Telephone No.

Address _____

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

3-18-93
Date

William N. Carter
Signature (and title, if on behalf of a company or organization)

APR 12 1993

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 37-08609

Proposed Priority: February 15, 1990 Maximum Diversion Rate: 0.80 CFS
This is to certify, that **HIDDEN PARADISE PROPERTY OWNERS ASSN**

PO BOX 279
FAIRFIELD ID 83327

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

IRRIGATION	04/15 to 10/15	0.80 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: SESWSE , Sec. 14, Township 01N, Range 13E
CAMAS County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	13E	14	NESE 13	SWSE 11	SESE 16	40

Total number of acres irrigated: 40

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **November 1, 1993**.
2. Subject to all prior water rights.
3. A flow measurement port or other device as specified by the Department shall be installed by the right holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
4. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
5. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
6. The Director retains jurisdiction of this right and/or subsequent license issued to change, add or remove any requirement as determined to be appropriate.
7. The issuance of this right in no way grants any right-of-way or easement across the land of another.
8. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
9. This permit does not authorize the development and irrigation of new land not previously irrigated.

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OCT 26 1992

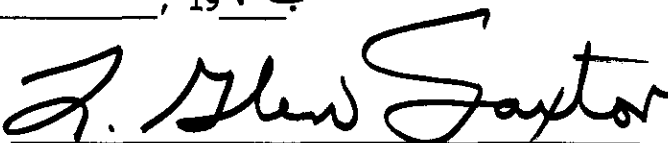
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 37-08609

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

20th day of October, 1992.

for 
R. Keith Higginson, Director

MICROFILMED

OCT 26 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

HIDDEN PARADISE PROPERTY OWNERS ASSOC. INC.

1. Name of applicant _____ Phone 764-2506
Post office address P.O. Box 279 Fairfield, ID 83327

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 14 Township 1N Range 13E B.M. Camas County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.80 for irrigation purposes from 4-15 10-15 BLM
(cfs or acre-feet per annum) 15/14 5-1 to 10-1 (both dates inclusive)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 0.80 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well No. 5, 5 HP Motor. See
attached well report. Into pond, pump from pond to buried sprinklers.

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

c. ~~Proposed~~ well diameter is 10 inches; ~~proposed~~ depth of well is 75 ~~30~~ feet.

d. Is ground water with a temperature of greater than 90°F being sought? No

7. Time required for the completion of the works and application of the water to the proposed beneficial use is
completed _____ years (minimum 1 year).

12-23-81

Allow 1 year

OCT 26 1992

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1N	13E	14													13		11	16	40

Total number of acres to be irrigated 40

10. Describe any other water rights used for the same purposes as described above. _____

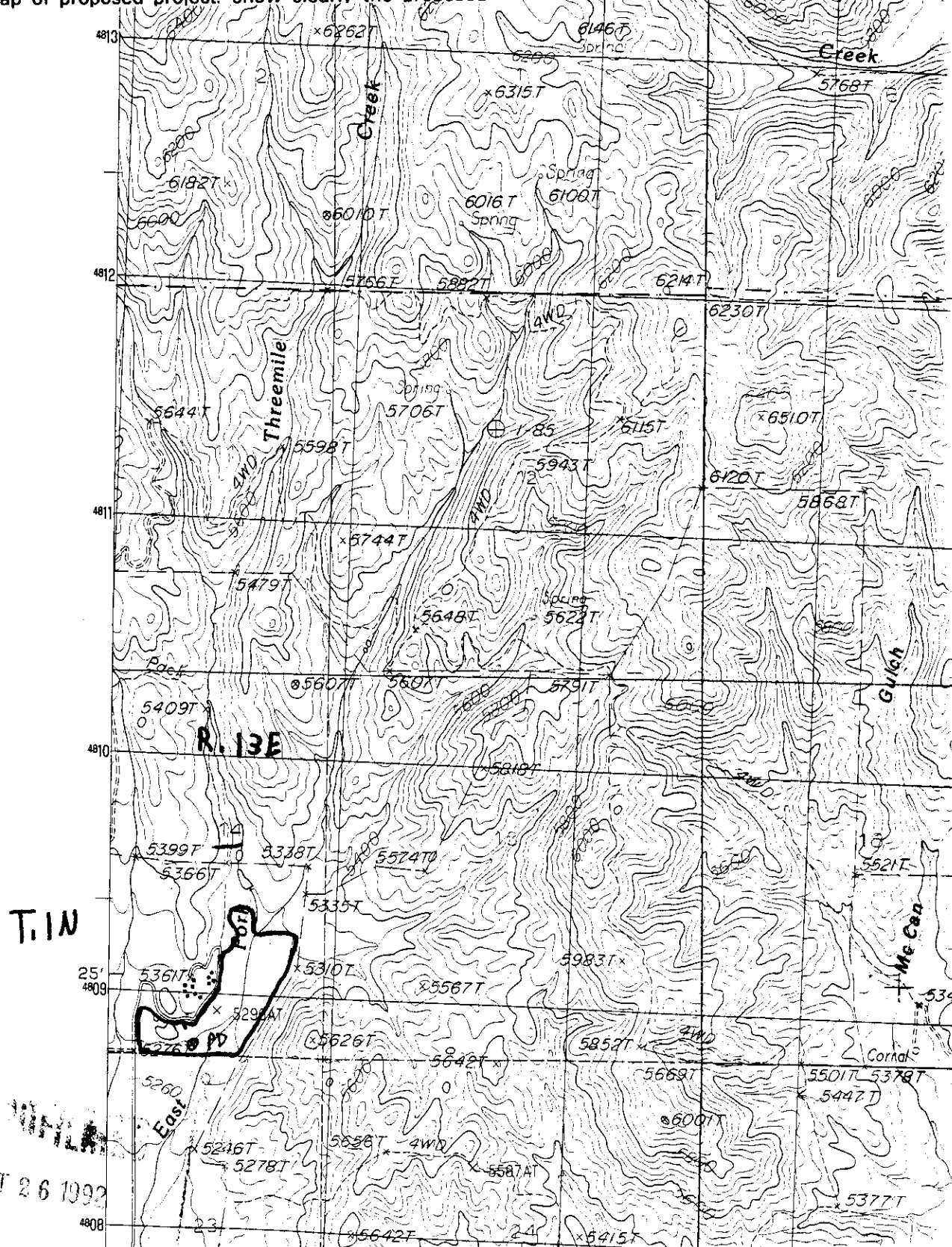
- Who owns the property at the point of diversion? /Applicant/ Camas Properties Inc.
- Who owns the land to be irrigated or place of use? /Applicant/ "
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Homeowners Assoc. maintains ranch.

12. Remarks: Supplements surface water as needed for irrigation of golf course.

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OCT 26 1992

13. Map of proposed project: show clearly the proposed point of diversion, place of use section number,



BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

James L. Buchanan
(Applicant)
Vice Pres.

Received by J. F. Stanton Date 2-15-1990 Time 11:00AM Preliminary check by LS
Fee \$ 45.00 Receipted by LW # 5011216 Date 2/15/90
Publication prepared by CZ Date 8/10/92 Published in Show Show
Publication approved 8/2 Date 9-4-92

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

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OCT 26 1992

Legal Notice

37-08609

HIDDEN PARADISE PROPERTY OWNERS ASSN.
P.O. BOX 279
FAIRFIELD, ID 83327

Source: GROUNDWATER

Diversion Pt: SESWSE Sec 14 T 01N R 13E in CAMAS County.

Use: IRRIGATION (.800 CFS)
Total Diversion: (.800 CFS)

Date Filed: 2/15/1990

In: CAMAS County
T01N R13E S14 NESE SWSE SESE
40.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mall, Boise, Idaho 83720 on or before SEPTEMBER 11, 1992.

Published: 8/18/1992 & 8/25/1992

R. Keith Higginson, Director

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8/19, 8/26

OCT 26 1992

FIGHTERS REGROUP IN

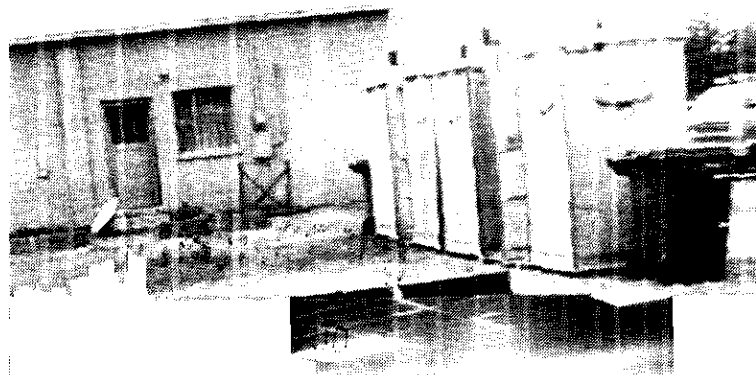
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FIGHTERS



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AUG 28 1992

Department of Water Resources

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
)
 ss.
County of Camas)

Monte Brookshire, being first duly sworn, deposes and says that he/she is the designated agent for publisher of the Snowshoe, a newspaper published every week in Fairfield, County of Camas, State of Idaho, that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement, a copy of which is hereto attached, was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 19 day of August, 19 92, and the date of the last publication was on the 26 day of August, 19 92.

Monte Brookshire

Subscribed and sworn to before me this 26 day of Aug, 19 92.

Derral Luffer
Notary Public in and for
The State of Idaho.
Residing at Fairfield.

THE SNOWSHOE
Fairfield, Idaho
Cost of Publication

Number of lines in notice 48
Number of insertions 2
Cost for advertisement \$7.60

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SEP 01 1992

Department of Water Resources
Southern Region Office

MICROFILMED

OCT 26 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

April 1, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

HIDDEN PARADISE PROPERTY OWNERS ASSN
DBA SOLDIER MTN RANCH & RESORT
PO BOX 279
FAIRFIELD ID 833270279

RE: WATER RIGHT NO. 37-08609

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license 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 unless a party petitions for reconsideration or files an exception and/or brief 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 twenty-one (21) 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. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department 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 Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department 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 Department 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.

For your records I have also enclosed a copy of your Application for Amendment of Permit, which was approved.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

MICROFILMED

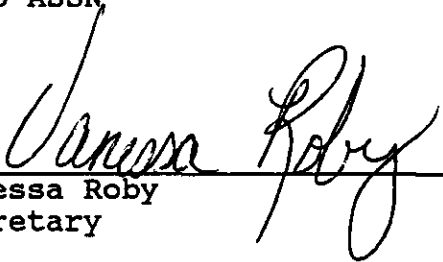
APR 10 1937

CERTIFICATE OF MAILING

I hereby certify that on the 1st day of April, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 37-08609

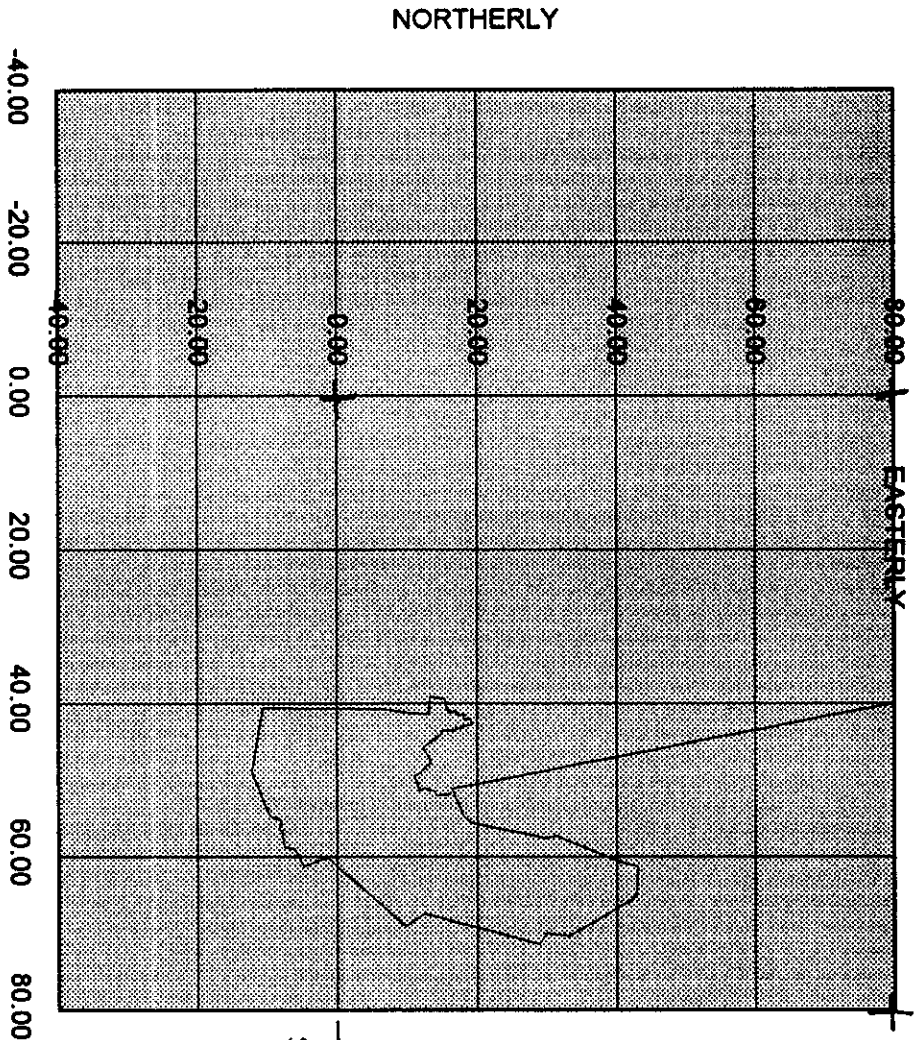
HIDDEN PARADISE PROPERTY OWNERS ASSN
DBA SOLDIER MTN RANCH & RESORT
PO BOX 279
FAIRFIELD ID 833270279



Vanessa Roby
Secretary

MICROFILMED
APR 10 1997

Plot of "Rasot" reserved for
 Camas Properties Inc. in 3/11/94 deed.



Sec. 14
 Sec. 23

MICROFILMED
 APR 10 1937

S.W. Kern
 3/26/97

M. NEAL NEWHOUSE

ATTORNEY AND COUNSELLOR-AT-LAW

1117 KIMBERLEY LANE • BOISE, IDAHO 83712 • (208) 368-9789 • FAX: (208) 331-7873

RECEIVED

February 17, 1997

FEB 19 1997

Department of Water Resources

Mr. Shelley Keen
State of Idaho Department of Water Resources
1301 North Orchard
Boise, Idaho 83720-9000

Re: Hidden Paradise Ranch/SMR Development water rights, Camas County,
Idaho

Dear Mr. Keen:

You called a couple of weeks ago to request additional documentation with respect to certain water right filings made/amended in the name of "Hidden Paradise". Your first inquiry related to the current owner(s) of the real property upon which the water rights in question had been put to beneficial use and perfected, and, secondly, of the authority of William N. Carter to file/refile or modify these water right applications and related filings with the Department on behalf of the owner(s) of that real property, and otherwise represent the right holders before the Department of Water Resources.

This letter is directed to your first inquiry. I apologize for the delay in responding, but without an active full-time title company operating in Camas County I had to personally go to the Courthouse to review the land title records. It is my understanding that insofar as is relevant to your inquiry title to the water rights passes to the grantee in a conveyance of the fee title to real property upon which it has been put to beneficial use and perfected.

By way of background, in the late 1970's an Idaho corporation by the name of Crandlemire Land and Livestock Co. purchased four adjoining farms and ranches in Camas County, Idaho and assembled them as one parcel of approximately 4000 acres. This parcel was named "Hidden Paradise Ranch".

Water right letter, page 1

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In 1979 Crandlemire Land and Livestock Co. sold the Hidden Paradise Ranch to Howard W. Mylander and Jacquelyn L. Mylander. The Mylander's concept (Crandlemire was somehow involved as well, perhaps as a seller under contract with deed in escrow, since it also signed the John Hancock mortgage hereinafter described) was to develop the Ranch into a private resort, whose members would purchase undivided interests in the real property. The rights of members to use the resort were protected by recorded covenants encumbering the Ranch property. The covenants provided that not more than 500 memberships/undivided interests would be sold. Funding for the purchase from Crandlemire and for improving the resort (an ongoing process to this day; the resort now consists of a twelve hole golf course with another nine holes under construction, a clubhouse, cabins, a swimming pool, barn and horse pasture, etc.) was obtained initially by a June 7, 1979 \$1,260,000.00 borrowing by the Mylanders from John Hancock Mutual Life Insurance Company which was secured by a first mortgage on the entire Ranch and then, after the Covenants were recorded on July 8, 1979, by the sale of undivided interests in the Ranch to members. The subsequent foreclosure of this first mortgage becomes very important to establishing the present Ranch owners' title, as will become obvious later in this letter.

In the mid 1980's the Mylander's sold the Ranch to Briden Associates, an Idaho limited partnership. Shortly thereafter the principals of Briden sold all of the partnership interests in Briden to the Mylander's, who then resold these partnership interests to Theron D. Nelson. Theron Nelson as general partner then changed the name of limited partnership to Hidden Paradise Development. Note that during this period, title to the Ranch stayed in the same entity, ie Briden Associates/Hidden Paradise Development, with, however, a number of recorded undivided interests in the Ranch from time to time continually sold and conveyed to new members of the resort.

By 1989 Hidden Paradise Ranch and its owner were in financial trouble. The John Hancock mortgage was in default, and a foreclosure was pending. About 200-250 recorded undivided interests had been sold to members of the Resort and Briden/Hidden Paradise owned the remaining 250-300 undivided interests. In an effort to protect their interest several members of the resort formed a new corporation called Camas

Properties, Inc. and on July 31, 1989 Hidden Paradise Development, by Theron D. Nelson, general partner, deeded its interest in the entire ranch, its interest then consisting of approximately 250 out of 500 undivided interests, to Camas Properties, Inc. A copy of the recorded deed is enclosed as "Attachment 1".

Shortly before the mortgage foreclosure action was filed John Hancock Mutual Life Insurance Company sold and assigned the mortgage and associated debt to Bighorn Mortgage Corporation. Bighorn Mortgage Corporation then proceeded to commence foreclosure proceedings against Camas Properties, Inc., the holders of the undivided interests and all other junior lienholders and encumbrancers. In defense Camas Properties, Inc. filed a Chapter 11 Debtor's proceeding under the Bankruptcy Act, which temporarily stayed the foreclosure proceeding while the parties attempted to work out a plan for reorganization of the Ranch. Insofar as relevant to your inquiry the approved Plan of Reorganization allowed Bighorn to go to judgement and foreclosure sale, but gave the Debtor, Camas Properties, Inc., an extended five year period of time to redeem the Ranch provided it made regular monthly interest payments of the judgement debt (which by this time exceeded \$2,000,000, as it included several years of interest, and attorneys fees and costs of suit). In my view this arrangement is more correctly called a lease with option to purchase in Camas Properties, Inc.

The Sheriff's Sale was held on September 1, 1992, with Bighorn Mortgage Corporation the purchaser. As the mortgage was senior to not only the undivided interests held by Camas Properties, Inc. but also senior to all of the members' undivided interests, the legal fee title to the entire 3300 acre Ranch then passed to Bighorn, subject only to the one year state redemption right and the five year Reorganization Plan option to purchase held by Camas Properties, Inc. When the one year state redemption period expired, and on October 7th, 1993, the Sheriff of Camas County deeded the Ranch to Bighorn Mortgage Corporation as the purchaser at the foreclosure sale. A copy of the Amended Sheriff's Deed is enclosed as Attachment 2.

Camas Properties, Inc. was successful in raising sufficient funds to exercise its option to purchase the Ranch from Bighorn Mortgage Company on March 11, 1994. A copy of the "Limited Warranty Deed"

executed by Bighorn Mortgage is enclosed as Attachment 3. The legal description in this deed is the legal description of the entire Hidden Paradise Ranch.

The day before this deed was signed and delivered to Camas Properties, Inc. the Bankruptcy Court issued its Order that upon such redemption/purchase by Camas Properties, Inc. title to the Ranch would be in Camas Properties, Inc. free and clear of all liens and encumbrances, including the undivided interests of members of the resort. A copy of this Order is enclosed as Attachment 4. Hence, on March 11, 1994, fee simple title to the entire 4000+ acre Hidden Paradise Ranch was in Camas Properties, Inc.

Camas Properties, Inc. had raised the funds necessary to redeem the Ranch by agreeing to sell to two other parties all but approximately the 70-100 acres upon which the resort itself is situated. These two sales closed on the same day and immediately after Camas' redemption/purchase from Bighorn closed. Approximately 2000 acres of the Ranch (considered to be the "working ranch") was sold to VM Diamond, L.L.C., an Idaho limited liability company whose three members are Jerry Mobley and Virginia Vanderpool and a corporation under her control. The remaining approximately 2000 acres was sold to SMR Development, L.C., a limited liability company whose seven members include William N. Carter. The President of Camas Properties, Inc. is also William N. Carter.

As of today, Camas Properties, Inc. still owns the 70-100 acre resort (now named Soldier Mountain Ranch and Resort), VM Diamond, L.L.C. still owns all but 50 acres of the working ranch (which 50 acres SMR Development, L.C. now owns by its exercise of an option to purchase on May 27, 1994, and upon which it is in the process of designing and constructing a 9 hole golf course). SMR still owns approximately 1000 acres of the Ranch. I believe you have the legal description of the portion of the Ranch still owned by SMR Development, L.C. but if not you may obtain the same by contacting Mr. Rex Harding, JUB Engineers, Inc. 800 Falls Avenue, Twin Falls, Idaho 83301; telephone (208) 733-2414..

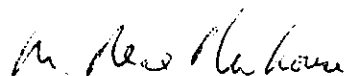
Sales from its 2000 acres of the Ranch by SMR Development have been from the unirrigated hillsides of its property. On the hillsides SMR developed two subdivisions (a total of almost 100 one acre lots, of

which over 20 have been sold to date) and it also sold eleven parcels of approximately 40 acres each. It is not believed any of the lots or parcels sold by SMR Development, L.C. have any surface water rights for irrigation since there was no application to beneficial use on these dry hillsides. The water rights with which you are concerned, to the best of my understanding, are on the portions of the Ranch which are still owned either by Camas Properties, Inc., SMR Development, L.C. or VM Diamond, L.L.C. I understand these same three owners have also perfected underground water rights for domestic and livestock water, and irrigation. The domestic wells owned/developed and in process by SMR Development, L.C. are to provide domestic water to the subdivision lots and lots in future subdivisions that might be developed on the Ranch, as well as for the irrigation of the golf course expansion.

I hope this lengthy title explanation is of assistance. I shall be happy to try and answer any further questions that you have, or that this letter has raised. I do not know what water right filings have been made with your office, so I cannot tie the filings to specific parcels of the (former) Hidden Paradise Ranch.

Certificates of authority to act for the present owners of this property, Camas Properties, Inc., an Idaho corporation, and SMR Development, L.C., an Idaho limited liability company are being circulated for signature among the Board of Directors and the Members, respectively, and you should have those documents shortly.

Very truly yours,



M. Neal Newhouse

cc William N. Carter
Robert J. Duncan
Rex Harding

RECEIVED

MAR 06 1997

Department of Water Resources

CERTIFICATE
of
CORPORATE RESOLUTION
of
CAMAS PROPERTIES, INC.

I, CARL AGENBROAD, Secretary of CAMAS PROPERTIES, INC., a corporation incorporated under the laws of the State of Idaho (the "Corporation"), do hereby certify that the following resolution is a full, true and correct copy of a resolution of the Board of Directors of the Corporation, duly and regularly passed and adopted by consent in lieu of a meeting by its Board of Directors in which action all of the Directors voted unanimously for its adoption:

IT IS HEREBY RESOLVED, that the President of this Corporation is hereby authorized and directed to execute on behalf of this Corporation and file with the State of Idaho Department of Water Resources and with any other applicable federal or State of Idaho agencies with responsibility for determining, establishing and recognizing rights of the Corporation to the surface and underground waters of the State of Idaho on the Soldier Mountain Ranch and Resort (formerly Hidden Paradise Ranch and Resort) any and all water right claims, proofs of application to beneficial use, and any and all modifications or amendments thereto and other related documents, in connection with the "Snake River Adjudication" of water rights, or otherwise, and including claims and proofs by the Corporation to both surface and underground waters, and to do, on behalf of this Corporation any other acts that may be necessary in connection therewith.

IT IS HEREBY FURTHER RESOLVED that any and all claims to surface and underground waters applied or to be applied to beneficial use on the Corporation's real property located in Camas County, Idaho, proofs of application thereof to beneficial use, and modifications and amendments thereto, and

CERTIFICATE OF CORPORATE RESOLUTION - 1

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other related documents heretofore filed by the President of the Corporation on it behalf in connection with the "Snake River Adjudication" of water rights, or otherwise, with the State of Idaho Department of Water Resources or other state and federal agencies are hereby approved and ratified as the acts of this Corporation.

I further certify that WILLIAM N. CARTER is the President of this Corporation, and the undersigned is the Secretary of this Corporation.

IN WITNESS WHEREOF, I have hereunto set my hand as the Secretary of said Corporation, this 5 day of March, 1997.

Carl Agenbrood
Secretary

CERTIFICATE OF CORPORATE RESOLUTION ⁴¹²PROFILMED
APR 16 1997

3/11/94

68362
285164WARRANTY DEED

FOR VALUABLE CONSIDERATION RECEIVED, CAMAS PROPERTIES, INC., an Idaho corporation (hereinafter the "GRANTOR"), hereby grants, bargains, sells, conveys and confirms unto SMR DEVELOPMENT, L.C., an Idaho limited liability company (hereinafter the "GRANTEE"), its successors and assigns forever, the property located in the County of Camas, State of Idaho more particularly described on Exhibit "1" attached hereto, and by this reference made a part hereof (hereinafter the "Property");

TOGETHER WITH all and singular the buildings, structures, improvements, tenements, hereditaments, easements, covenants and appurtenances thereunto belonging or in anywise appertaining, and the reversions, remainders, rents, issues and profits thereof; and

SUBJECT TO the Exceptions to Title described on Exhibit "2" attached hereto, and by this reference made a part hereof, and rights-of-way and easements visible on inspection of the Property.

Subject to those exceptions to title to which this conveyance is expressly made subject and those made, suffered or done by the GRANTEE, the GRANTOR covenants to the GRANTEE, its successors and assigns, that the GRANTEE shall enjoy the quiet and peaceful possession of the Property, and GRANTOR warrants to the GRANTEE, its successors and assigns, that GRANTOR is the owner of the Property in fee simple and has the right and authority to convey the same to GRANTEE, and it will defend the same from all lawful claims arising by, through and under the GRANTOR whatsoever.

The current address of the GRANTEE is:

SMR DEVELOPMENT, L.C.
P.O. Box 9201
Boise, Idaho 83707

IN WITNESS WHEREOF, this WARRANTY DEED has been duly executed, by and on behalf of GRANTOR by its President whose signature is

WARRANTY DEED, page 1

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attested to by its Secretary, who have been duly authorized to sign on behalf of GRANTOR by its Board of directors, effective the 11 day of March, 1994.

GRANTOR
CAMAS PROPERTIES, INC.

by William N. Carter
President

ATTEST:

William F. Martin
Secretary

STATE OF IDAHO)
) ss:
County of Boise)

On this 11 day of March, 1994, before me,
William F. Martin, a Notary Public in and for the
State of Idaho, personally appeared William N. Carter and William F.
Martin, known or identified to me to be the President and the Secretary,
respectively, of the Corporation that executed this instrument or the
persons who executed this instrument on behalf of said Corporation, and
acknowledged to me that such Corporation 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.

William F. Martin
Notary Public for the State of Idaho
Residing at 1000 2nd St. N.
My Commission Expires on 12/1/91

WARRANTY DEED, page 2

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Page 1

March 7, 1994

LEGAL DESCRIPTION
FORLand to be sold to *SMR DEVELOPMENT, L.L.C.*

INCLUDING: (15) 40 Acre +/- Parcels

EXCLUDING: Land Sold to V M Diamond Ranch L.L.C. and
Resort acreage

Parcels of land situated in Township 1 North, Range 13 East, Boise
Meridian, County of Camas, State of Idaho. More particularly described
as follows:

Section 11

SE 1/4 SW 1/4

S 1/2 SE 1/4

Section 13

NW 1/4

N 1/2 SW 1/4

SW 1/4 SW 1/4

Section 14

ALL

Section 15

E 1/2 E 1/2

Section 23

That portion of the NW 1/4, NE 1/4, SW 1/4, N 1/2 N 1/2 SE 1/4
SW 1/4, lying East of the existing County Road which runs
northerly and southerly.

W 1/2 NE 1/4

NE 1/4 NE 1/4

NE 1/4 SE 1/4

N 1/2 N 1/2 SW 1/4 SE 1/4

Continued on Page 2

EXHIBIT 'C' TO DEED

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Page 2

LEGAL DESCRIPTION for Land to be sold to NU CAMAS L.L.S. Cont.

That portion of the S 1/2 N 1/2 SW 1/4 SE 1/4 which lies South of the existing County Road which runs easterly and westerly.

S 1/2 SW 1/4 SE 1/4 excepting that portion lying North of the existing County Road which runs easterly and westerly and excepting that portion lying West of the existing County Road which runs northerly and southerly.

SE 1/4 SE 1/4 excepting that portion lying North of the existing County Road which runs easterly and westerly.

Section 24

NW 1/4 NW 1/4

Section 26

NW 1/4 excepting that portion lying West of the existing County Road.

N 1/2 NE 1/4 excepting that portion lying North of the existing County Road which runs easterly and westerly.

Also excepting the following described parcel known as the RESORT:

(following page)

MICROFILMED

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March 7, 1994

Par. 5, Exhibit 5

LEGAL DESCRIPTION

RESORT

A parcel of land situated in Sections 14 and 23, Township 1 North, Range 13 East, Boise Meridian, County of Camas, State of Idaho. More particularly described as follows:

Commencing at a point S 09°-54'-21" E, 4262.79 feet from the North 1/4 Corner of Section 14, said Township and Range being the TRUE POINT OF BEGINNING;

Thence N 65°-32'-47" E., 267.68 feet, ✓
Thence N 33°-44'-28" E., 96.16 feet, ✓
Thence N 10°-55'-13" E., 703.46 feet, ✓
Thence N 06°-28'-35" W., 109.91 feet, ✓
Thence N 18°-47'-56" E., 383.61 feet, ✓
Thence N 22°-46'-03" E., 208.51 feet, ✓
Thence N 13°-40'-41" E., 220.92 feet, ✓
Thence S 87°-59'-15" E., 229.46 feet, ✓
Thence S 45°-22'-52" E., 79.34 feet, ✓
Thence S 28°-03'-44" E., 663.81 feet, ✓
Thence S 06°-59'-32" W., 219.37 feet, ✓
Thence S 53°-00'-32" E., 112.29 feet, ✓
Thence S 17°-04'-39" W., 795.86 feet, ✓
Thence S 13°-27'-44" W., 324.40 feet, ✓
Thence S 32°-11'-53" E., 207.95 feet, ✓
Thence S 38°-59'-17" W., 942.18 feet, ✓
Thence S 19°-36'-22" E., 241.07 feet, ✓
Thence S 61°-29'-58" W., 173.58 feet, ✓
Thence S 08°-11'-28" W., 104.11 feet, ✓
Thence S 82°-16'-16" W., 140.89 feet, ✓
Thence S 14°-35'-31" W., 29.25 feet, ✓
Thence N 70°-00'-41" W., 83.54 feet, ✓
Thence S 19°-55'-28" W., 124.11 feet, ✓
Thence S 66°-52'-07" W., 415.06 feet, ✓
Thence N 79°-18'-18" W., 562.56 feet, ✓
Thence N 00°-24'-56" E., 1145.91 feet, ✓
Thence N 10°-18'-44" E., 245.13 feet, ✓
Thence N 01°-22'-37" E., 173.44 feet, ✓
Thence N 85°-51'-54" W., 150.84 feet, ✓
Thence N 08°-41'-21" E., 144.39 feet, ✓
Thence N 81°-48'-14" E., 79.13 feet, ✓
Thence N 48°-16'-49" E., 43.49 feet, ✓
Thence N 07°-08'-35" W., 59.94 feet, ✓
Thence N 75°-44'-59" E., 22.77 feet, ✓

Continued on Page 2

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Page 2

LEGAL DESCRIPTION RESORT CONT.

Thence N 38°-49'-11" E., 20.50 feet, —
Thence N 00°-32'-50" E., 16.66 feet, —
Thence N 13°-28'-40" W., 40.76 feet, —
Thence N 89°-16'-51" E., 44.33 feet, —
Thence N 00°-38'-50" W., 68.07 feet, —
Thence N 88°-40'-07" E., 52.25 feet, —
Thence S 00°-05'-29" W., 68.93 feet, —
Thence S 89°-59'-24" E., 19.16 feet, —
Thence S 01°-09'-39" E., 74.27 feet, —
Thence S 73°-11'-21" E., 23.36 feet, —
Thence S 00°-13'-50" E., 118.25 feet, —
Thence S 53°-12'-36" E., 63.26 feet, —
Thence S 22°-49'-39" E., 32.76 feet, —
Thence S 41°-44'-53" E., 47.34 feet, —
Thence S 30°-11'-24" E., 102.04 feet, —
Thence N 57°-51'-51" E., 151.10 feet, —
Thence S 40°-08'-06" E., 92.38 feet, —
Thence S 43°-57'-44" E., 59.04 feet, —
Thence S 09°-17'-33" E., 47.12 feet, —
Thence N 72°-40'-16" E., 143.84 feet, —
Thence N 16°-40'-06" W., 55.25 feet, —
Thence N 10°-22'-08" E., 105.73 feet, —
Thence N 79°-23'-03" E., 34.73 feet, —
Thence N 03°-28'-34" W., 137.35 feet TO THE TRUE POINT OF

BEGINNING. Excepting that portion in the E 1/2 E 1/2 NW 1/4 Section 23, lying West of the existing County Road which runs northerly and southerly.

TOGETHER WITH an ingress, egress easement 60 feet wide, 30 feet each side of centerline of the existing roads. Also all water, water rights, ditches, ditch rights, and any and all irrigation rights appurtenant to said land, or in anywise connected there with.

SUBJECT TO all valid outstanding reservations, easements, right of ways, restrictions, dedications, mineral leases, mineral reservations and mineral conveyances of record.

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EXHIBIT "2" TO WARRANTY DEED

EXCEPTIONS TO TITLE

1. General taxes and assessments for the year 1994, which are a lien not yet due and payable.
2. Master Declaration of Easements, Covenants and Servitudes for Hidden Paradise Ranch of even date with this Warranty Deed, recorded the 11 day of March, 1994, as instrument number 68356, records of Camas County, Idaho.
5. Right of way for three ditches over and across the E1/2 SW1/4 of Section 14, Township 1 North, Range 13 East, Boise Meridian, as set out in Decree recorded in Book 1 Order and Decrees, page 435 and Book 3 of Miscellaneous, page 74, records of Camas County, Idaho.
6. Road Easement dated July 14, 1987, executed by Darrell L. Burchard as Manager of Hidden Paradise Association, to Camas County, Idaho, for perpetual road easement and right-of-way over the SE1/4 of Section 23, Township 1 North, Range 13 East, Boise Meridian, recorded July 14, 1987 in Book 4 of Miscellaneous, page 726, as Recorder's Instrument Number 63275, records of Camas County, Idaho.
7. Right-of-way Easement dated July 16, 1984, executed by Hidden Paradise Ranch Property Owner's Association, Inc. to Prairie Power Cooperative, a cooperative corporation, recorded July 18, 1984 in Book 25 of Deeds, page 33, as Recorder's Instrument Number 60291, records of Camas County, Idaho.

68362

WARRANTY DEED, page 4

Recorded at the Request of
Camas Abstract
at 4:58 M
3-11 19 94
In Book 25
of Deeds Page 764
F.L. LEE BENNETT
CAMAS COUNTY RECORDER
By Andy C. [Signature]
Fees \$ 21.00

WARRANTY DEED

(WITH RESERVED COVENANT RESTRICTING USE)

FOR VALUABLE CONSIDERATION RECEIVED, VM DIAMOND RANCH, L.L.C., an Idaho limited liability company (hereinafter the "GRANTOR"), hereby grants, bargains, sells, conveys and confirms unto SMR Development, L.C., an Idaho limited liability company (hereinafter "GRANTEE"), its successors and assigns forever, a parcel of land situated in Township 1 North, Range 13 East, Boise Meridian, County of Camas, State of Idaho, more particularly described as follows:

Section 23

SE 1/4 NE 1/4 NW 1/4 excepting that portion lying West of the Existing Channel of the West Fork of Threemile Creek. Also excepting that portion lying East of the existing County Road which runs northerly and southerly.

E1/2 SE1/4 NW1/4, E1/2 NE1/4 SW1/4, N1/2 NE1/4 SE1/4 SW1/4 excepting that portion lying East of the existing County Road which runs northerly and southerly.

(hereinafter the "Property");

TOGETHER WITH all and singular the improvements, tenements, hereditaments, easements, covenants and appurtenances thereunto belonging or in anywise appertaining, and the reversions, remainders, rents, issues and profits thereof; and

SUBJECT TO the Exceptions to Title described on Exhibit "1" attached hereto, and by this reference made a part hereof and rights-of-way and easements visible on inspection of the Property, and the following covenant and servitude hereby reserved by GRANTOR:

COVENANT

For the benefit of the adjacent property owned by GRANTOR located in the County of Camas, State of Idaho

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and more particularly described as that portion of the W1/2 of Section 23, Township 1 North, Range 13 East, Boise Meridian which is not the Property, and excepting that portion of said Section 23 lying East of the existing County Road which runs northerly and southerly (the "Adjacent Property"), and so long as the use of such Adjacent Property is restricted by an agricultural zoning designation thereon under the Camas County Zoning Ordinance, the use of the Property by GRANTEE, its successors and assigns, is restricted to the operation of a golf course thereon and otherwise for agricultural purposes, and no dwellings, structures or improvements (other than fences) shall be placed on the Property except as related to the operation of a golf course.

This Covenant is binding upon, and benefits, the GRANTOR, THE GRANTEE, and their respective successors and assigns to the Adjacent Property and the Property.

Subject to those exceptions to title to which this conveyance is expressly made subject and those made, suffered or done by the GRANTEE, the GRANTOR covenants to the GRANTEE, its successors and assigns, that the GRANTEE shall enjoy the quiet and peaceful possession of the Property, and GRANTOR warrants to the GRANTEE, its successors and assigns, that GRANTOR is the owner of the Property in fee simple and has the right and authority to convey the same to GRANTEE, and it will defend the same from all lawful claims arising by, through and under the GRANTOR whatsoever.

The current address of the GRANTEE is:

SMR Development, L.C.
4477 Emerald Street, Suite C-250,
Boise, Idaho 83706

IN WITNESS WHEREOF, this WARRANTY DEED has been duly executed
by and on behalf of GRANTOR by all its members, who have been duly
authorized to sign on behalf of GRANTOR by its members, the ____ day of
____, 1994.

GRANTOR
VM DIAMOND RANCH, L.L.C.

by Jerry Mobley
Member

by Vigmina Vanderpool
Member

by V. L. Vanderpool Company, Inc.
Member

by Vigmina Vanderpool
President

Attest:

Jerry Mobley
Secretary

STATE OF IDAHO)
) ss:
County of Ada)

On this 3rd day of May, 1994, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared VIRGINIA L. VANDERPOOL and JERRY MOBLEY, known or identified to me to Members of the limited liability company that executed this instrument or the persons who executed this instrument on behalf of said limited liability company, and acknowledged to me that such company 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.

Kelly Coates
Notary Public for the State of Idaho
Residing at Boise Idaho
My Commission Expires on 11/10/ 1999

STATE OF IDAHO)
) ss:
County of Ada)

On this 3rd day of May, 1994, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Virginia Vanderpool and Jerry Mobley, known or identified to me to be the President and the Secretary, respectively, of the Corporation that executed this instrument or the persons who executed this instrument on behalf of said Corporation as a Member of the limited liability company that executed this instrument, and acknowledged to me that such Corporation executed the same as a Member of such limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Kelly Coates
Notary Public for the State of Idaho
Residing at Boise Idaho
My Commission Expires on 11/10 1999

RECORDED

APR 10 1997

EXHIBIT "1" TO WARRANTY DEED

EXCEPTIONS TO TITLE

1. General taxes and assessments for the year 1994, which are a lien not yet due and payable.
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68531

Recorded at the Request of

CAMAS ABSTRACTat 4:15 P.M.5-27, 19 94In Book 29of DEEDS Page 114

ROLLIE BENNETT

CAMAS COUNTY RECORDER

By [Signature]Fees \$ 15.00

WARRANTY DEED, page 5

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RECEIVED

FEB 19 1997

Department of Water Resources

PARSONS, SMITH, STONE & FLETCHER
137 West 13th Street
P.O. Box 910
Burley, Idaho 83318
(208) 678-8382
Attorneys for Plaintiff

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF CAMAS

BIGHORN MORTGAGE CORPORATION,

Plaintiff,

v.

CRANDLEMIRE LAND AND CATTLE CO.,
INC.; HOWARD W. MYLANDER &
JACQUELYN L. MYLANDER, husband and
wife; JERRY F. ADAMSON; CARL S.
AGENBROAD; KEN AGENBROAD;
JOEL H. & CAROLYN F. APIGAN,
husband and wife; MALCOLM T. &
PATRICIA A. ARENBURG, husband and
wife; DONNA L. ARNOLD; THOMAS
BABBETT; BILL BAILEY; DANIEL & SHARON
BARD, husband and wife; JOSEPH W.
BARRY; CARL L. & ALICE L. BOSCHULT,
husband and wife; PAUL P. &
MYRTLE M. BOSCHULT, husband and
wife; EUGENE W. & ANITA M. BATES,
husband and wife; HELEN BAUSCHER;
WILLIAM A. & JUDY BAUSCHER,
husband and wife; DALE & CATHERINE
BELIVEAU, husband and wife;
DONALD E. & MARILYN D. BENSON,
husband and wife; DONALD R. &
DELORIS G. BENSON, husband and

Case No. 2355

AMENDED SHERIFF'S DEED

68108

Recorded at the Request of

HAROLD A. LEE

at 11:45 A M

10-7, 19 93

In Book 28

of DEEDS Page 644

ROLLIE BENNETT
CAMAS COUNTY RECORDER

By [Signature]

Fees \$ 33.00

Page 1 - Amended Sheriff's Deed

ATTACHMENT 2

2 BERLAND, husband and wife; BRANDIE)
3 BERNARD, ERIC BERNARD, RHONDA)
4 BERNARD, REX K. & BEULAH B. BETTS,)
5 husband and wife; FRANK C. & IRENE)
6 BEVINGTON, husband and wife;)
7 JOHN L. (JEFF) & PAULETTE BLAIN,)
8 husband and wife; BLUE LAKES)
9 DEVELOPMENT; CARL & ALICE)
10 BOSCHULT, husband and wife;)
11 BRYCE T. & GAYLE B. BRADLEY,)
12 husband and wife; VAUGHN D. & CAROL)
13 A. BRAUER, husband and wife; BILLY)
14 B. & PEGGY G. BRITT, husband and)
15 wife; DENISE BROTHERS; DONALD J.)
16 & ALFREDA BROWN, husband and wife;)
17 JAMES M. BUCHANAN; JANIS M.)
18 BUCHANAN; DARRELL & ALVERNA)
19 BURCHARD, husband and wife; LARELL)
20 & PEGGY BURGESS, husband and wife;)
21 BURGESS INTERNATIONAL; ERWIN C. &)
22 CATHLEEN B. BURROWS, husband and)
23 wife; CAREY BUSTER; DOUGLAS & JANIE)
24 BUTLER, husband and wife; DENNIS L.)
25 & CHRISTANNE BUYERS; BUYERS FAMILY)
26 TRUST; CLARK & MARY FLORENCE BYRAM,)
husband and wife; B. G. & MARY F.)
BYRD, husband and wife; HARRY R. &)
FRANCES R. CALDWELL, husband and)
wife; CAMAS PROPERTIES, INC., an)
Idaho Corporation; CANADIAN AMERI-)
CAN RESORTS; WILLIAM N. CARLIN;)
WILLIAM N. CARTER; SHIRLEY M.)
CASHERO; CERTIFIED FOUNDATION)
SERVICE; MAURICE CHANDLER; ROYCE)
CHIGBROW; CITIZENS NATIONAL BANK;)
DUANE & KAREN COBB, husband and)
wife; RODNEY C. & KAREN L. COLE,)
husband and wife; COMMUNITY)
CHRISTIAN CHURCH OF CASCADE;)
ROBERT W. COMPTON; KENNETH C. &)
BERNADETTE COPPS, husband and wife,)
LORENE CORDES; HENRY D. & SALLY C.)
CORDES, husband and wife; C.M. &)
FAYE W. CORLETT, husband and wife;)
J. VANCE & JOYCE COX, husband and)
wife; ROGER CRANDLEMIRE; BROOKS)
CRANDLEMIRE; MIKE & DARLENE DAHLEI-)
MER; DON DARTER; DATA WEST, INC.;)
JACK D. DAUGHERTY; LARRY & ROBERTA)
Dengerude, husband and wife;)

RECORDED
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2 DIXON, must 1 and wife; JOSEPH M.)
3 DOBBINS; MIKE & DARLENE DOBLERMAN,
4 husband and wife; SAMUEL T. &
5 MELODY E. DONELSON, husband and
6 wife; EDDY & LINDA DOSSEY, husband
7 and wife; FRANCIS J & ALMA DRAKE,
8 husband and wife; ROBERT J. DUNCAN;
9 HARRY DURALL; GALEN EARNEST; DAVID
10 W. EGGERS; MORRIS & PAMELA EICKOFF
11 husband and wife; DONALD E. & DONNA
12 ESPENSON, husband and wife; BRENT
13 & ANN ESTEP, husband and wife; GUY
14 R. & MILDRED FAIRBROTHER, husband
15 and wife; FARMERS & MERCHANTS STATE
16 BANK; FEDERAL SAVINGS & LOAN
17 INSURANCE CORPORATION; RON FERNLEY;
18 FIFTH SEASON, a Washington Corp.;
19 JOHN E. & CAROL L. FILMORE, husband
20 and wife; MARVIN L. & MARY L.
21 FOSTER, husband and wife; MARVIN &
22 SHIRLEY FRANCE; EDWARD & GLORIA
23 FRISBIE, husband and wife; GEM
24 STATE DEVELOPMENT CENTER, INC.;
25 GEORGE FOX COLLEGE; GIFFORD INVEST
26 MENTS, a partnership; GENE GIOVANI
NI; CHARLES B. & GWEN GOLDBERG,
husband and wife; RALPH & LORRAINE
F. GORDON, III husband and wife;
GREENLEAF FRIENDS ACADEMY; WANDA L.
GROOT; H. & L. ENTERPRISES; H & H
PROPERTIES, a partnership; HAKEN
AGENCY; WILLIAM HALL, JR.; ROBERT
ROSES HALL; WILLIAM S. & ANKE S.
HALL, husband and wife; E. ALBERT
& MURVA E. HAUTAMAKI, husband and
wife; RAYMOND E. & CHARLOTTE
HAVLICAK, husband and wife;
WILLIAM E. HAWKINS; GREGORY JOHN &
DIANNE HEDGE COCK, husband and wife;
VICTOR D. & ANN MARIE HERLACHER,
husband and wife; HI HORSE, INC.;
HIDDEN PARADISE RANCH SHARE ASSO-
CIATION; HIDDEN PARADISE RANCH
PROPERTY OWNERS ASSOCIATION;
HIDDEN PARADISE DEVELOPMENT, a
limited partnership; CLIFFORD HILL;
CLIFF HOBSON; DALE HOBSON; GARTH &
BARBARA JUNE HONEYCUTT, husband and
wife; HOPKINS FINANCIAL SERVICES;
MIKE HOSTETLER; ROSEMARY HOWELL;

MICROFILMED

APR 10 1987

2 B. ROLL, JR. and wife; FRANK &)
MARTY HUNTER, husband and wife;)
3 IDAHO FIRST NATIONAL BANK OF)
McCALL; ROBERT GLADE & MARIE)
4 INGERSOL, husband and wife; INTER-)
NAL REVENUE SERVICE; NORMAN JACOX;)
5 DONALD & CINDY JACOX, husband and)
wife; RICHARD L. & MARIA JEFFRIES,)
6 husband and wife; PETER C. & AMY)
JENKINS, husband and wife; ARLIE &)
7 MARY L. JOHNSON; HARMON JOHNSON;)
TRUSTEE OF W. KIP JOHNSON, M.D.,)
8 INC., EMPLOYERS RETIREMENT PLAN &)
TRUST; KIM G. & LOIS A. JOHNSON,)
9 husband and wife; LEROY D. & RUTH)
JOHNSON, husband and wife; CURTIS)
10 D. & SUE JOHNSON, husband and wife;)
DENNIS JURAK; DARRELL KAMMER; JESS)
11 KENNISON; JOHN KENNISON, ALAN R. &)
JANET A. KERNANEN, husband and wife;)
12 J.R. KIRKMAN; JOHN A. & JACQUELYN)
KLINNERT, husband and wife;)
13 KENNETH & NANCY KOCH, husband)
and wife; HARRY A. & SANDRA KOEHLER)
14 husband and wife; JOHN KORMMENHOEK,)
TRUSTEE OF THE BANKRUPTCY ESTATE OF)
15 RODNEY D. & KATHERINE LEDBETTER;)
LAKE FORK ESTATE, a General Partner)
16 ship; DAVID KING & PAMELA LANDER,)
husband and wife; MARTIN J. &)
17 ROSALIE J. LANDHOLM, husband and)
wife; RICHARD ALLEN LANTZ; JAMES R.)
18 & CATHY LARSON, husband and wife;)
RODNEY D. & KATHERINE D.)
19 LEDBETTER, husband and wife;)
CHARLES S. & RUTH A. LORSUNG,)
20 husband and wife; LOREN D. &)
CAROLYN B. LEMANS, husband and wife,)
21 DONALD H. & LINDA T. LEUTHMERS,)
husband and wife; DONALD L. & MARY)
22 K. LEUTHMERS, husband and wife;)
PATRICIA LEWIS; ROGER LEWIS; JOHN &)
23 KAREN LINDSAY, husband and wife;)
LLOYD G. & ANNABETH LOCKHART; DELANO)
24 R. & NINA K. LOCKHART, husband and)
wife; FRANKLIN R. LOZEN; JOHN LYONS;)
25 M & B ENTERPRISES; HOWARD F. &)
CAROLYN MANLY, husband and wife;)
26 WILLIAM F. & EDITH S. MARTIN,)
husband and wife; JOAN H. MAY;)

RECORDED
JUL 10 1987

2 MCMENEMY; LAWRENCE C. & CAROL SUE)
MECHAM, husband and wife; CHARLES)
3 MILLER; JOHN C. & GAIL MITCHELL,)
husband and wife; GERALD MOON; E.)
4 STEVENSON & SUSAN K. MORRIS,)
husband and wife; MOSES MOUNTAIN,)
5 INC.; WILLIAM & MARY MUMFORD,)
husband and wife; DUANE T. & RENATE)
6 MYERS, husband and wife; THOM E. &)
CHRISTINA S. MYERS, husband and)
7 wife; LEVIS NALLEY; N.A.M.A.C., INC.;)
HOWARD NAU; MICHAEL A. & KOLYNNE)
8 M. NELSON, husband and wife; DALE)
E. & SHARON J. NELSON, husband and)
9 wife; GERALD T. & LINDA M. NELSON,)
husband and wife; THERON NELSON,)
10 JACKSON H. & KAY D. NEWELL, husband)
and wife; CHARLES & JANET M.)
11 NEWSOME, husband and wife; LOIS)
NORAKER; THOMAS & JOLENE NORTHCOTT)
husband and wife; ARTHUR NOWOK;)
12 FRED K. & ELZO O'BRIEN, husband)
and wife; EVELYN M. OLSON; JIM)
13 PARKINSON; WADE B. PATTERSON;)
VIRGIL PENNELL; RAY & LOLA)
14 PERSHALL, husband and wife;)
CHARLES HOWARD & DELLA NORINE)
15 PERSONS, husband and wife; WILLIAM)
AND ANTIONETTE PERZICHILLE, husband)
16 and wife; BARRY PETERS; CHARLES)
KENT PETERSON; LYNN A. & BONNIE L.)
17 PETERSON, husband and wife; H.)
CLAYTON POULTON; JAMES PURYEAR;)
18 LAURA QUAYLE; STEVEN RAMSEY; GLEN)
RAUCH; CLOYD DIXON RAUCH, III;)
19 R.C. COMPANY; ROBERT & LOIS RENFRO,)
husband and wife; RESORT MANAGEMENT)
20 CORPORATION, a Washington Corp.;)
DOROTHY REYNOLDS; LEW & DARLENE)
21 RIGGAN, husband and wife; FREDRICK)
& GLORIA RINGEL, husband and wife;)
22 GLENN & MARY ROMIG, husband and)
wife; RANDY M. & LINDA RONNING,)
23 husband and wife; BOB RUSSELL;)
TY A. & KRISTINA O. SALNESS,)
24 husband and wife; ROBERT L. &)
LOUISE M. SCHARNHORST, husband)
25 and wife; RONALD SCHRODER;)
RONALD SCHROSTER; J. K. & KATHLEEN)
26 SCRIVER, husband and wife; RONALD)

2 husband and wife; BRYON & VICKI)
SEVERSON; SHAMROCK INVESTMENT;)
3 MICHAEL SHARP; DANIEL B. & CONNIE)
R. SHELDON, husband and wife;)
4 DANIEL V. & JANE C. SHEPPEL,)
husband and wife; FRANK & OREL)
5 SHERER, husband and wife; ROGER)
& KATHLEEN SHERER, husband and)
6 wife; KATHLEEN SHERER; SALLY)
SHERER; WILLIAM B. & ROBIN B.)
7 SILVIUS, husband and wife; ROBERT)
L. & BETTY R. SINGER, husband and)
8 wife; ROBERT E. & MARGARET SMITH,)
husband and wife; SANDRA L. SMITH;)
9 ELSIE R. SMITH, personal representa)
tive to Estate of Raymond Smith)
10 ELSIE R. SMITH; GLENN SNODGRASS;)
KENNETH & MICHELLE SNYDER, husband)
and wife; JOHN SPOLJARIC; GREGARY)
11 D. STRONG; ST. JOE VALLEY CLINIC,)
PA PROFIT SHARING PLAN & TRUST ON)
12 BEHALF OF D. G. HENRICKSEN ACCT.;)
DALE E. & MARILYN J. STANLEY,)
13 husband and wife; STATE OF IDAHO)
DEPARTMENT OF REVENUE & TAXATION;)
14 HENRY W. & MARY D. STAUB, JR.,)
husband and wife; CLIFFORD R. &)
15 SHARA DENE STEPHENSON, husband and)
wife; STEWART GEM SHOP; GERALD &)
16 LOU JANE STRATING, husband and)
wife; RONALD C. & BARBARA STRENG,)
17 husband and wife; GREGORY STRONG;)
SHANNA STRONG; EVELYN M. STRONG;)
18 H. WESLEY STRONG; HAROLD & JUDITH)
STROUD, husband and wife; SUN TREND)
19 INC. WALTER SWARTHOUT; KIM SULLIVAN;)
TETON MANAGEMENT CORPORATION; W. LEE)
20 & CARLA THOMAS, husband and wife;)
WILLIAM & PAULINE THOMPSON, husband)
21 and wife; MARTIN & NORENE THORNE,)
husband and wife; THRIFTWAY LUMBER)
22 COMPANY, an Idaho Corporation;)
LOUIS & ANDREA TIGGAS, husband and)
23 wife; TIGGAS & PERZICHILLI, a)
partnership; DAVID E. & BETTY M.)
24 TRIERWEILER, husband and wife;)
TRIPLE F. INVESTMENTS; HALLIE)
25 URQUART; DENNIS D. & MELTON D.)
UTLEY, husband and wife; JAMES &)
26 NANCY VERAUGSTRAETE; CASE & GRE)

RECORDED
APR 10 1977

2 DELMAR A. & PATRICIA A. WARKENTINE,)
3 husband and wife; DAVID WATKINS;)
4 KENNETH & LINNEA WECKWORTH,)
5 husband and wife; RICHARD & MONIC)
6 WEINMANN, husband & wife, DAVID)
7 WENDLAND; TONY J. WENSMAN; WEST ONE)
8 BANK; WESTERN NATIONAL CORPORATION;)
9 KENNETH LEE WICHMAN; HARMON R. &)
10 ANN JANE WIERANGA, husband and)
11 wife; JIM WILLHITE; KENNETH & JUDY)
12 M. WILLARD, husband and wife;)
13 DALE WILLIE; ARTHUR N. & SHARON)
14 WILSON, husband and wife; ALLEN &)
15 KARLA WIRTH, husband and wife;)
16 MARTIN W. & BERNICE H. WITT,)
17 husband and wife; RICHARD K.)
18 WITZKA; RICHARD R. WITZKA; G.)
19 ANTHONY & KATHERINE WOLFF, husband)
20 and wife; ROBERT O. & ETHEL WOLFE,)
21 husband and wife; EVERETT R. WOODS;)
22 DAVID B. YORK; DAVID YOUNGER;)
23 DENISE YOUNGER; MICHELE YOUNGER;)
24 VALGENE & ARLENE YOUNGER,)
25 husband and wife; & ALLEN)
26 T. ZELL; JOHN ZOLLINGER; JAMES B.)
 LYONS, UNKNOWN HEIRS OR DEVISEES)
 OF THE FOREGOING PARTIES AND ALL)
 UNKNOWN OWNERS OF THE FOLLOWING)
 DESCRIBED REAL ESTATE:)
 Parcel No. 1.)
 Township 1 North, Range 13 East,)
 Boise Meridian, in Camas County,)
 Idaho.)
 Section 11: SE $\frac{1}{4}$ SW $\frac{1}{4}$)
 Section 14: W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$)
 Section 15: E $\frac{1}{2}$ E $\frac{1}{2}$)
 Section 22: E $\frac{1}{2}$)
 Section 23: All that part of the)
 W $\frac{1}{2}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ lying West of the)
 county road.)
 Section 26: All that part of the)
 NW $\frac{1}{4}$ lying West of the county road.)
 Section 27: NE $\frac{1}{4}$)
 Parcel No. 2.)
 Township 1 North, Range 13 East,)
 Boise Meridian, in Camas County,)
 Idaho.)

MICROFILMED
APR 10 1967

1 Section 23: SE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$, EXCEPT)
2 that portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ lying)
3 West of the county road.)
4 Section 24: S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$)
5 Section 25: All)
6 Section 26: N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$,)
7 NE $\frac{1}{4}$ SE $\frac{1}{4}$ and all that part of the)
8 NW $\frac{1}{4}$ lying East of the county road.)
9 Township 1 North, Range 14 East,)
10 Boise Meridian, in Camas County,)
11 Idaho.)
12 Section 19: Lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$)
13 Section 30: Lots 3, 4, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$)
14 Parcel No. 3.)
15 Township 1 North, Range 13 East,)
16 Boise Meridian, in Camas County,)
17 Idaho.)
18 Section 11: S $\frac{1}{2}$ SE $\frac{1}{4}$)
19 Section 13: NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$)
20 Section 14: E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$)
21 Section 23: NE $\frac{1}{4}$ NE $\frac{1}{4}$)
22 Section 24: NW $\frac{1}{4}$ NW $\frac{1}{4}$)
23 Defendants.)

24 DEED, made this 8th day of October 1993, between
25 Harold P. Lee, Sheriff of the County of Camas, State of Idaho,
26 and BIGHORN MORTGAGE CORPORATION, an Idaho Corporation, of Rt.
#1, Murtaugh, Idaho 83344.

Under and by virtue of a Writ of Execution issued July
24, 1992, issued on a Judgment entered in the above case in
favor of the Plaintiff and against the Defendants, the
undersigned was commanded to sell the real estate described in
the Judgment, all of which appears from the Writ of Execution to
which reference is hereby made and which is fully described on
Exhibit "A" hereto. The undersigned did sell the real property
at Sheriff's Sale on September 1, 1992, to Bighorn Mortgage

1 Corporation, a corporation, and issued to said purchaser a
2 Certificate of Sale, as required by law and filed a duplicate of
3 such certificate in the office of the County Recorder of Camas
4 County, Idaho, on September 8, 1992, at Instrument Number 67539.

5 More than one (1) year has expired since such sale
6 without any redemption of the property having been made and
7 Bighorn Mortgage Corporation is now the legal owner and the
8 holder of such Certificate of Sale executed by the undersigned
9 on September 8, 1992, to Bighorn Mortgage Corporation.

10 NOW, THEREFORE, WITNESSETH that Harold P. Lee, Sheriff,
11 by virtue of such Writ of Execution, Certificate of Sale, and in
12 pursuance of the applicable statutes of the State of Idaho has
13 granted, bargained, sold, conveyed and confirmed and by these
14 presents does grant, bargain, sell, convey and confirm unto
15 Bighorn Mortgage Corporation, its successors and assigns all of
16 the estate, right, title and interest of the Defendants, of, in,
17 and to all of the real property described on Exhibit "A"
18 attached hereto and made a part thereof by reference together
19 with all the hereditaments and appurtenances thereunto
20 belonging, to have and to hold such property with appurtenances,
21 to Bighorn Mortgage Corporation.

22 IN WITNESS WHEREOF, I have executed this deed the day
23 and year first above written.

24 
25 Harold P. Lee
26 Sheriff Camas County

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STATE OF IDAHO)
) ss
County of CAMAS)

On this 20th day of Oct., in the year
1993, before me, the undersigned, a Notary Public in and for
said State, personally appeared HAROLD P. LEE, known or
identified to me to be the person whose name is subscribed to
the within instrument as Sheriff of Camas County, Idaho, and
acknowledged to me that he executed the same as such Sheriff.

Derral Hubler
Notary Public for Idaho
Residing at Farfield Id.
My commission expires on 6-19-94

PANDUNG, SMITH, SILVER & FLEISCHER
LAWYERS
BURLEY, IDAHO

Parcel No. 1.

Township 1 North, Range 13 East, Boise
Meridian, in Camas County, Idaho.

Section 11: SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 14: W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$

Section 15: E $\frac{1}{2}$ E $\frac{1}{2}$

Section 22: E $\frac{1}{2}$

Section 23: All that part of the W $\frac{1}{2}$ and SW $\frac{1}{4}$
SE $\frac{1}{4}$ lying West of the county road.

Section 26: All that part of the NW $\frac{1}{4}$ lying West
of the county road.

Section 27: NE $\frac{1}{4}$

Parcel No. 2.

Township 1 North, Range 13 East, Boise
Meridian, in Camas County, Idaho.

Section 23: SE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$, EXCEPT that
portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ lying West
of the county road.

Section 24: S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$

Section 25: All

Section 26: N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and all that
part of the NW $\frac{1}{4}$ lying East of the county
road.

Township 1 North, Range 14 East, Boise
Meridian, in Camas County, Idaho.

Section 19: Lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$

Section 30: Lots 3, 4, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$

Parcel No. 3.

Township 1 North, Range 13 East, Boise
Meridian, in Camas County, Idaho.

Section 11: S $\frac{1}{2}$ SE $\frac{1}{4}$

Section 13: NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 14: E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$

Section 23: NE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 24: NW $\frac{1}{4}$ NW $\frac{1}{4}$

Together with all water rights, grazing rights,
tenements, hereditaments, appurtenances, fixtures and
improvements thereto.

RECORDED

APR 10 1977

RECEIVED

FEB 19 1997

LIMITED WARRANTY DEED

Department of Water Resources

THIS INDENTURE, made this 11 day of MARCH, 1994,
between BIGHORN MORTGAGE CORPORATION, an Idaho Corporation, of
Rt. #1 Murtaugh, County of Cassia, State of Idaho, hereinafter
called the "Grantor" and CAMAS PROPERTIES, INC., an Idaho
Corporation, of 7878 Ustick Road, Boise, County of Ada, State of
Idaho 83704, hereinafter called the "Grantee".

W I T N E S S E T H

The Grantor for and in consideration of the sum of Ten
Dollars (\$10.00), lawful money of the United States of America,
and other good and valuable consideration, to the Grantor in hand
paid by the Grantee, the receipt whereof is hereby acknowledged,
has granted, bargained and sold and by these presents, does
grant, bargain and sell, convey and confirm unto the Grantee all
of the following described real estate situated in the County of
Camas, State of Idaho, to-wit: See Exhibit "A" attached hereto
and incorporated by reference herein.

TOGETHER with all and singular the tenements,
hereditaments and appurtenances thereunto belonging or in
anywise appertaining, the reversion and reversions, remainder and
remainders, rents, issues and profits thereof, and all estate,
right, title and interest in and to the said property as well in
law as in equity of the Grantor.

TO HAVE AND TO HOLD, all and singular the above-mentioned
and described premises, together with appurtenances, unto the
Grantee and to the Grantee's successors and assigns forever.

Grantor purchased the above property at a Sheriff's sale conducted on the 1st day of September, 1992, by the Sheriff of Camas County, Idaho. The Sheriff of Camas County issued a Certificate of Sale which was recorded as Instrument Number 67539 on the 8th day of September 1992, in the office of the Camas County Recorder. The Sheriff of Camas County issued a Sheriff's Deed to the Grantor which was recorded as Instrument No. 68085 on the 20th day of September, 1993. The Sheriff issued an Amended Sheriff's Deed which was recorded as Instrument No. 68108 on the 7th day of October, 1993, in the office of the Camas County Recorder. Grantor hereby makes a limited warranty that no lien, encumbrance, or defect in title to the above described premises has been incurred or created by the Grantor or through the authority of Grantor on or after the 1st day of September 1992. Grantor makes no warranty of title, express or implied, except as expressly set forth in this paragraph.

IN WITNESS WHEREOF, BIGHORN MORTGAGE CORPORATION, has caused these presents to be signed by Howard E. Conrad its President, at Burley, Idaho, pursuant to corporate resolution, and its corporate seal to be hereto affixed the day and year first above written.

BIGHORN MORTGAGE CORPORATION

by Samuel L. Brown
Title: President

ATTEST:

Title: Secretary

STATE OF IDAHO)

County of Cassia)

ss

On this 11th day of March, in the year 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Howard E. Conrad, known or identified to me to be the President of BIGHORN MORTGAGE CORPORATION, the corporation that executed the instrument or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

Sharon D. Welster
Notary Public for Idaho
Residing at Burley
My commission expires on 12/1/94

STATE OF IDAHO)

County of Cassia)

ss

On this 11 day of March, in the year 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Guy R. Fairbrother, known or identified to me to be the Secretary of BIGHORN MORTGAGE CORPORATION, the corporation that executed the instrument or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

[Signature]
Notary Public for Idaho
Residing at Burley
My commission expires on 5/15/94

LAWYERS
BURLEY, IDAHO

68355

Recorded at the Request of

CAMAS ABSTRACT

at 4:50 P M

3-11, 19 94

In Book 28

of DEEDS Page 754

L. J. BENNETT

CAMAS COUNTY RECORDER

By [Signature]

Parcel No. 1.

Township 1 North, Range 13 East, Boise
Meridian, in Camas County, Idaho.

Section 11: SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 14: W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 15: E $\frac{1}{2}$ E $\frac{1}{2}$ Section 22: E $\frac{1}{2}$ Section 23: All that part of the W $\frac{1}{2}$ and SW $\frac{1}{4}$
SE $\frac{1}{4}$ lying West of the county road.Section 26: All that part of the NW $\frac{1}{4}$ lying West
of the county road.Section 27: NE $\frac{1}{4}$

Parcel No. 2.

Township 1 North, Range 13 East, Boise
Meridian, in Camas County, Idaho.

Section 23: SE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$, EXCEPT that
portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ lying West
of the county road.Section 24: S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$

Section 25: All

Section 26: N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and all that
part of the NW $\frac{1}{4}$ lying East of the county
road.

Township 1 North, Range 14 East, Boise
Meridian, in Camas County, Idaho.

Section 19: Lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$ Section 30: Lots 3, 4, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$

Parcel No. 3.

Township 1 North, Range 13 East, Boise
Meridian, in Camas County, Idaho.

Section 11: S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 13: NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 14: E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 23: NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24: NW $\frac{1}{4}$ NW $\frac{1}{4}$

Together with all water rights, grazing rights,
tenements, hereditaments, appurtenances, fixtures and
improvements thereto.

RECORDED

APR 10 1977

EXHIBIT A

M. Neal Newhouse
Attorney and Counselor-at-Law
1117 Kimberley Lane
Boise, Idaho 83712
Telephone: (208) 368-9789

U.S. DISTRICT COURT
IDAHO
FEB 12 -9 A 11:24
FILED

IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF IDAHO

In re:	)	Case No. 91-01183
	)	
CAMAS PROPERTIES, INC.,	)	ORDER CLEARING TITLE TO HIDDEN
	)	PARADISE RANCH.
	)	
Debtor.	)	
_____	)	

Debtor's motion to clear title to Hidden Paradise Ranch having come on regularly for hearing before this Court, and the Court being fully advised in the premises, and good cause appearing,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that on the date of this Order the only liens or encumbrances on Hidden Paradise Ranch located in Camas County, Idaho and more particularly described on Exhibit "A" attached hereto (the "Ranch") which are created or recognized by the Third Amended Plan of Reorganization, as corrected (the "Plan"), heretofore confirmed by this Court on August 31, 1992, are the following:

(1) The title to the Ranch is currently in Bighorn Mortgage Corporation ("Bighorn"), and the only lien or encumbrance thereon arising under the Plan is the right of the Debtor, Camas Properties, Inc. ("Camas") to reacquire the Ranch from Bighorn, granted it by Paragraph 9 of Article III of the Plan; and

(2) if Camas reacquires the Ranch from Bighorn, title in Camas will be clear and marketable, free and clear of any and all liens and encumbrances and rights to claim liens and encumbrances that arise as a result of the Plan, notwithstanding any terms and provisions of the Plan to the contrary.

(3) Without limiting the generality of the foregoing subparagraphs, Bighorn's title is, and after its reacquisition, Camas' title to the Hidden Paradise Ranch will be, free and clear of:

(i) the Declaration of Covenants, Conditions and Restrictions for Hidden Paradise Ranch, as amended and restated, for the benefit of Class VII creditors (as defined by the Plan), recorded as instruments numbered 45445, 64325 and 65292, records of Camas County Idaho; and

(ii) the mortgages held by Class IV creditors (as defined by the Plan) and recorded as instruments number 46068, 64810 and 64811, and instrument number 46546 , records of Camas County, Idaho; and

(iii) the rights, claims and interests, if any, of any other classes of creditors listed in the Plan (save and except the claim of Class II creditor Camas County, Idaho, for taxes and assessments on the Ranch).

Dated: this 10 day of March, 1994.

Bankruptcy Judge

Fees \$ 9⁰⁰

By [Signature]

CAMAS COUNTY RECORDER

ROLLIE BENNETT

In Book 5 of ORDERS Page 49

at 3-10, 1994

CAMAS ABSTRACT

Recorded at the Request of

68356

3.9.94
[Signature]

ORDER CLEARING TITLE, page 2

MICROFILMED

APR 10 1997

Parcel No. 1.

Township 1 North, Range 13 East, Boise
Meridian, in Camas County, Idaho.

Section 11: SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 14: W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$

Section 15: E $\frac{1}{2}$ E $\frac{1}{2}$

Section 22: E $\frac{1}{2}$

Section 23: All that part of the W $\frac{1}{2}$ and SW $\frac{1}{4}$
SE $\frac{1}{4}$ lying West of the county road.

Section 26: All that part of the NW $\frac{1}{4}$ lying West
of the county road.

Section 27: NE $\frac{1}{4}$

Parcel No. 2.

Township 1 North, Range 13 East, Boise
Meridian, in Camas County, Idaho.

Section 23: SE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$, EXCEPT that
portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ lying West
of the county road.

Section 24: S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$

Section 25: All

Section 26: N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and all that
part of the NW $\frac{1}{4}$ lying East of the county
road.

Township 1 North, Range 14 East, Boise
Meridian, in Camas County, Idaho.

Section 19: Lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$

Section 30: Lots 3, 4, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$

Parcel No. 3.

Township 1 North, Range 13 East, Boise
Meridian, in Camas County, Idaho.

Section 11: S $\frac{1}{2}$ SE $\frac{1}{4}$

Section 13: NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 14: E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$

Section 23: NE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 24: NW $\frac{1}{4}$ NW $\frac{1}{4}$

Together with all water rights, grazing rights,
tenements, hereditaments, appurtenances, fixtures and
improvements thereto.

RECORDED

APR 10 1937

EXHIBIT A



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

January 15, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

BILL CARTER
7878 USTICK RD
BOISE ID 83704

RE: SMR Water Rights

Dear Bill:

I am sending you two more items for you to complete and return. The last time you stopped by, I forgot to give them to you.

Both items relate to your adjudication claim on right 37-02227, which was the 16-acre right originally issued to Bessie Smith. First, as I mentioned to you previously, claim A37-02227 is still in the name of Hidden Paradise Ranch Owners Association. You need to complete the enclosed ownership change form and submit it with the required supporting documentation to put the claim in the name of SMR, which would be consistent with your other recent filing on the same property (beneficial use claim A37-19832).

Second, you need to sign the enclosed amended claim to make the place of use on A37-02227 consistent with the right 37-08609 and claim A37-19832. The amended claim form shows SMR as the owner in anticipation of your completion of the ownership change form. Please note that your signature on the amended claim form must be notarized. If you want to stop by here, I will be happy to notarize it for you.

No fee is required for either the ownership change or the amended claim. Once you submit the ownership change form and the amended claim form, the Department will be able to act on the following items.

- Issuing the license for water right 37-08609, the ground water use on the golf course.
- Data entry of adjudication claim A37-19832, which is the beneficial use claim you recently brought to me.
- Processing of application 37-08846 to cover 20 acre feet of storage on the East Fork of Threemile Creek.

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APR 10 1997

Bill Carter
January 15, 1997
Page 2

Please complete the ownership change form and the amended claim as soon as possible. If you have any questions, please contact me at 208-327-7946.

Respectfully,

A handwritten signature in black ink that reads "Shelley Walter Keen". The signature is written in a cursive style with a large, stylized 'S' and 'K'.

Shelley Walter Keen
Water Rights Supervisor

MICROFILMED
APR 10 1997

B/U FIELD EXAM REVIEW

Cindy Zimmerman

Permit #: 37-8609 Name: Hidden Paradise POA Date: 11/20/96 ✓ Lots ✓

NAME	Chng	Same	Or Address Change? <u>new owners per SWK; no assignment.</u>
SOURCE	_____	✓	Clarify source _____ Prelim. Order to Void - Source change.
P/D	✓	_____	Amendment Needed? <u>change to NE NW NE, S23</u> P39 Overlap(s) <u>none</u> <u>add: S14 SE NE-0.5; S23 NE NE-0.9; NW NE-12.8.</u>
P/U	✓	_____	Amendment Needed? <u>change acres: S14 NESE-13.3; SWSE-8.1; SESE-9.8</u> P41 PPU <u>40 within 15.4 ac</u> Overlap(s) <u>A37-02227 - surface water</u> (Gov't use special ¶s) _____ *P/D & P/U Amend? P37
RATE	_____	✓	Permit/proof fee limits <u>0.80</u> / <u>1.0</u> Measured Quantity <u>50 gpm = 0.33 cfs</u> Theoretical Quantity = _____ cfs <u>40 ac x 0.02 cfs/ac = 0.80, limited by capacity to 0.33 cfs.</u> (HP) $\frac{8.8 \times 0.70 \times 15}{189 + (2.31 \times 10)} = \frac{92.4}{212.1} = 0.44 \text{ cfs.}$
	_____	✓	Recommended capacity <u>0.33</u> cfs Recommended rate <u>0.33</u> cfs
VOLUME	✓	_____	Season: <u>(B / 3.5)</u> <u>4/15-10/15</u> = <u>184</u> days Calculations: <u>15.4 ac x 3.5 AF/ac = 158.9 AF. (total land base)</u> Flow limit: <u>0.33 cfs x 184 days/yr. x 1.9835 = 120.4</u> AF Recommended volume <u>158.9-120.4</u> AF * in remarks
USES	_____	✓	Same Nature of Use? _____ P46 Amendment Needed? _____
REMARKS	_____	✓	Multiple p/d's in same 1/4? Use W32 <u>① P/U Golf course. ② W87 ③ W88</u>
CONDITIONS	_____	_____	Measuring Device (R01) or Lockable Controlling Works (R02) Watermaster Control (R04) - WD # _____ <u>RMK</u> Irrigation rate/annual volume overlap <u>065</u> GW irrigation replaces surface water (050) <u>065</u> GW irrigation supplements surface water (065) Water Quality _____ Other <u>R55, R56, 053</u>

PRIORITY App Rcd 2/15/90 Due 11/1/93 Rcd 3/19/93
 Receipt# 1027039 Fee OK? Yes/No
 Order to Reinstate Needed? Yes/No Done? _____ Advanced to: _____
 Priority 2/15/90 Examined 5/16/95

COMMENTS: limited by capacity

USE	CFS	VOLUME
<u>Gr.</u>	<u>0.33</u>	<u>—</u>
TOTAL	<u>0.33</u>	<u>—</u>

SRBA Overlap A37-02227
 Adjustment Memo ✓
 LICENSE LTR: P49
 #1 AMEND LTR: P37/P38
 #2 AMEND LTR: P42/P47

MEMORANDUM

DATE: November 20, 1996
TO: File No. 37-08609
FROM: Cindy Zimmerman S.
SUBJECT: Review of Beneficial Use Field Report

~~~~~

The following adjustments<sup>1</sup> were made on the field report:

G. Volume Calculations.

1. Irrigation = acres x AF/acre  
total ppu = 45.4 x 3.5  
= **158.9** AF

H. Recommendations.

1. Recommended amounts:

| Beneficial Use | Period of Use            | Rate of diversion | Annual Volume     |
|----------------|--------------------------|-------------------|-------------------|
| Irrigation     | <b><u>4/15-10/15</u></b> | 0.33              | <b><u>9.9</u></b> |

I recommend the licensing conditions include the following remarks concerning permissible place of use, annual volume and rate per acre:

1. This right is limited to the irrigation of **40.0** acres within the place of use described above in a single irrigation season.
2. This right when combined with all other rights shall provide no more than **0.02 cfs** per acre nor exceed a combined annual diversion volume of **158.9 af** for the lands above.

Examiner: Jim Stanton  
Examined: 5/16/95

<sup>1</sup>Adjustments made are **bolded and underlined**.

MICROFILMED

APR 16 1997



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000  
Phone: (208) 327-7900 FAX: (208) 327-7866

---

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

May 28, 1996

BILL CARTER  
7878 USTICK RD  
BOISE ID 83704

RE: Camas Properties Inc. Water Rights

Dear Bill:

I have prepared the following summary and recommendations after reviewing the water right records for the lands associated with Camas Properties Inc. As you read, please note that there are some areas where establishing a clear picture of your water rights will probably require you to collect some additional information. Also, in some cases you will need to make choices based on your plans.

**Ownerships**

You told me that Hidden Paradise Ranch Owners Association is defunct. If so, all HPPOA claims filed in the SRBA need ownership change notifications. The claims are:

1. A37-13367
2. A37-13365
3. A37-13364
4. A37-13366
5. A37-02227

You also indicated to me that 1-3 above are appurtenant to land now owned by VM Diamond Ranch LLC. Numbers 4 and 5 should apparently be changed to Camas Properties Inc.

Also, based on the May 3, 1994, Warranty Deed conveying property in Section 23 from VM Diamond Ranch LLC to SMR Development, it appears that SMR Development should file ownership change notifications for portions of the SRBA claims on rights appurtenant to that land. The claims are:

1. A37-00368
2. A37-00409
3. A37-02076

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APR 10 1997

I have enclosed some ownership change forms for you to complete and return to IDWR.

In addition, permit 37-08609 in the name of HPPOA should be assigned to Camas Properties Inc. I have enclosed an assignment form for you.

### Irrigation of the Golf Course

It is not clear to me how much surface water is actually being used to irrigate the golf course. In order to ascertain whether your actual use is covered by existing water rights, you will need to find out how much surface water is actually being used.

According to our records, right 37-02227 has been claimed in the SRBA as appurtenant to the golf course, but it is good for only 16 acres of irrigation. When he reviewed groundwater permit 37-08609, IDWR examiner Jim Stanton found 45.4 acres of irrigation on the golf course. He said that right 37-08609 has been used to irrigate the golf course when the surface water becomes unavailable every summer. It appears then, that surface water is being used to irrigate more of the golf course than right 37-02227 allows.

Department records show that the decreed place of use for irrigation right 37-00409 includes the West½ of the NE¼ and the NW¼SW¼ of Section 23. The golf course is now located on some of these lands. However, SRBA claim A37-00409 does not include the West½ of the NE¼ and the NW¼SW¼ of Section 23. You need to investigate the history of the ownership and use of right 37-00409 to determine if it would be appropriate for you to claim in the SRBA that a portion of 37-00409 is appurtenant to the golf course lands.

If it becomes apparent that your current use of surface water on golf course lands exceeds your water rights, you may be able to cover your use by transferring the rights appurtenant to those lands in Section 23 recently repurchased from VM Diamond Ranch LLC.

### Reservoirs

There are a number of small reservoirs associated with the golf course and resort. I am not sure whether all the reservoirs are filled from the East Fork of Threemile Creek or if some are associated with other sources. Application for permit 37-08846 was filed to establish a right to store **additional** water from the East Fork of Threemile Creek by enlarging existing storage facilities. However, permit 37-07459, which was the initial filing for storage on the property, lapsed in 1981. The existing storage needs to be covered by a water right, either by interpreting application 37-08846 as covering all East Fork storage, by seeking the reinstatement of lapsed permit 37-07459, or by filing a new application for permit. It looks like you applied for sufficient volume on 37-08846 to cover all of your ponds. Moreover, you would gain no priority advantage by seeking to have 37-07459 reinstated. Therefore, I recommend using permit 37-08846 to cover the storage in all your East Fork reservoirs. If you have reservoirs filled from sources other than the East Fork, you should probably file a new application for permit.

MICROFILMED

### Additional golf course development

You indicated to me that you are considering expanding the golf course onto those lands in Section 23 recently repurchased from VM Diamond Ranch LLC. The water rights on those lands are apparently not being used now. If those rights are not transferred to the existing golf course, they will face forfeiture after five years of non-use. If you intend to maintain the rights for use on the future golf course expansion, you should file an application for extension of time to avoid forfeiture a few months before the five-year non-use period has ended. In this way, you may be able to avoid forfeiture for over nine years. Maintaining the existing rights is critical because of the current moratorium on approvals of new consumptive use rights.

Please complete the ownership change notifications as soon as possible. As for the other issues, I will be expecting you to call when you have had time to collect the additional information you need to decide how to proceed. Meanwhile, I will hold application 37-08846. If you have any questions, please contact me at 208-327-7946.

Respectfully,



Shelley Walter Keen  
Water Rights Supervisor

SWK

c: Allen Merritt

MICROFILMED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**BENEFICIAL USE FIELD REPORT**

RECEIVED  
JUL 08 1995

Department of Water Resources

**A. GENERAL INFORMATION**

Permit No. 37-08609 8609

1. Owner: Soldier Mountain Ranch & Resort Phone No. 764-2506

Current Address: PO Box 279, Fairfield, ID 83327

2. Accompanied by: Jack Altemose EXAM DATE: 5-16-95

Address: PO Box 127, Fairfield, ID Phone No. Same

Relationship to Permit Holder: manager

3. Source: Groundwater tributary to \_\_\_\_\_

**B. OVERLAP REVIEW**

1. Other water rights with the same place of use: A37-02227

2. Other water rights with the same point of diversion: \_\_\_\_\_

**C. DIVERSION AND DELIVERY SYSTEM**

1. Point(s) of Diversion:

| Ident No. | Gov't Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Method of Determination/Remarks |
|-----------|-----------|-----|-----|-----|------|------|------|--------|---------------------------------|
|           |           | NE  | NW  | NE  | 23   | 1N   | 13E  | Camas  | Aerial photo                    |
|           |           |     |     |     |      |      |      |        |                                 |
|           |           |     |     |     |      |      |      |        |                                 |
|           |           |     |     |     |      |      |      |        |                                 |

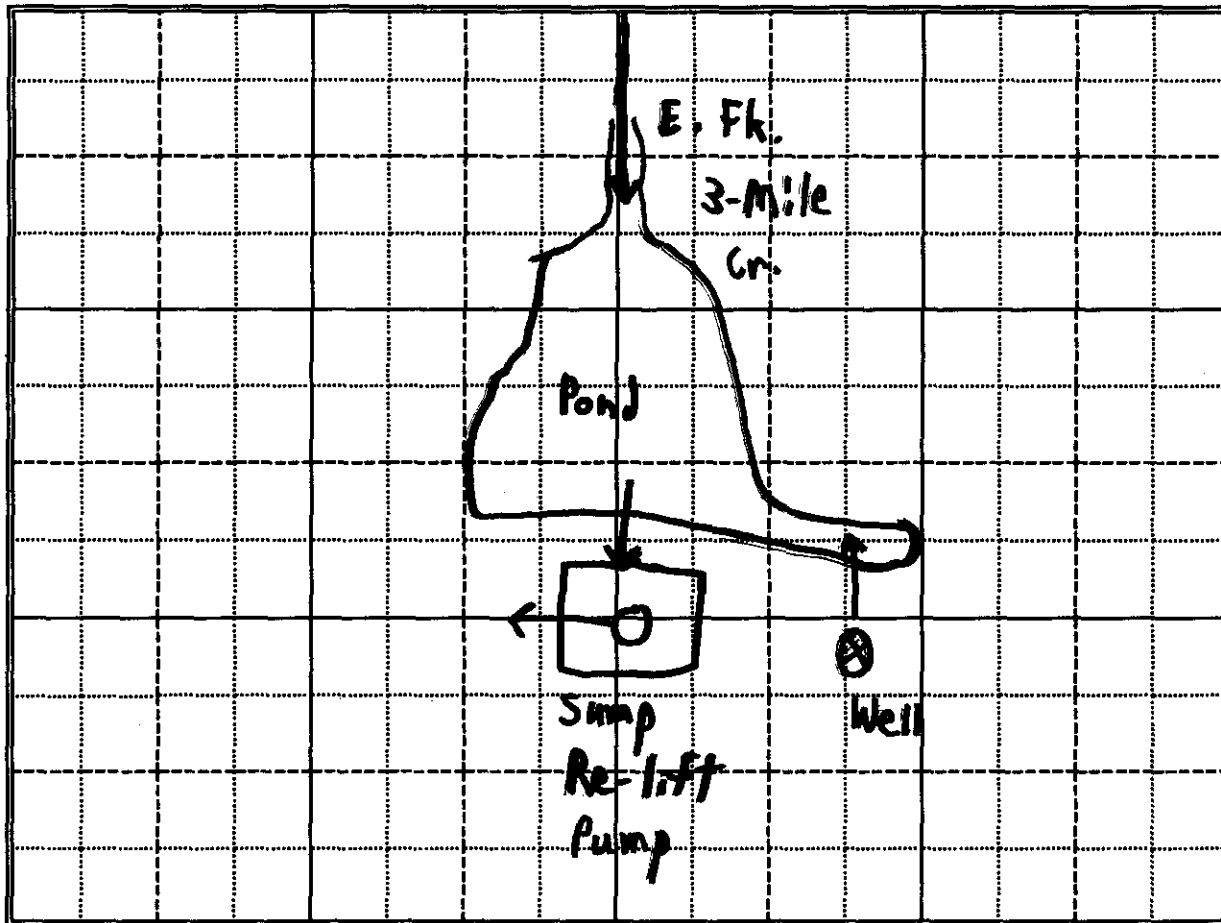
2. Place(s) of Use: \*PPU not to exceed 40 ac/annum Indicate Method of Determination Aerial photo, dot grid

| TWP | RGE | SEC | NE  |      |    |     | NW |    |    |    | SW |    |    |    | SE |      |     |     | Totals |
|-----|-----|-----|-----|------|----|-----|----|----|----|----|----|----|----|----|----|------|-----|-----|--------|
|     |     |     | NE  | NW   | SW | SE  | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW   | SW  | SE  |        |
| 1N  | 13E | 14  |     |      |    | 0.5 |    |    |    |    |    |    |    |    |    | 13.3 | 8.1 | 9.8 | 31.7   |
|     |     | 23  | 0.9 | 12.8 |    |     |    |    |    |    |    |    |    |    |    |      |     |     | 13.7   |
|     |     |     |     |      |    |     |    |    |    |    |    |    |    |    |    |      |     |     | 45.4 * |
|     |     |     |     |      |    |     |    |    |    |    |    |    |    |    |    |      |     |     |        |
|     |     |     |     |      |    |     |    |    |    |    |    |    |    |    |    |      |     |     |        |
|     |     |     |     |      |    |     |    |    |    |    |    |    |    |    |    |      |     |     |        |
|     |     |     |     |      |    |     |    |    |    |    |    |    |    |    |    |      |     |     |        |

NOT REFILED

APR 10 1997

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = \_\_\_\_\_

\_\_\_\_ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

\_\_\_\_ Aerial Photo Attached (required for irrigation of 10+ acres)

\_\_\_\_ Photo of Diversion and System Attached

4.

| Well or Diversion Identification No.* | Motor Make   | Hp | Model Motor Serial No. | Pump Make | Pump Serial No. or Discharge Size |
|---------------------------------------|--------------|----|------------------------|-----------|-----------------------------------|
| Well pump                             | Franklin     | 15 | 2361146010             |           |                                   |
| Re-lift pump                          | Westinghouse | 50 | SN 8002                |           |                                   |
|                                       |              |    |                        |           |                                   |

\*Code to correspond with No. on map and aerial photo

#### D. FLOW MEASUREMENTS

1.

| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------|-----------|------------|------|-------------|
|                       |      |      |           |            |      |             |
|                       |      |      |           |            |      |             |

2. Measurements: Not measured. Pump is rated for 150 gpm at 0 psi + 189' lift per pump installer Bob's Electric of Tama Gooding, ID. Static level is 20-30', but sucks down rapidly to just above pump. So effective pumping rate is 150 gpm.

MAKROFILMED

423 10 1587

#### E. NARRATIVE/REMARKS/COMMENTS

Well, submersible motor & pump. Pumps open discharge into pond. Water then runs into a concrete sump under a pumping station. A re-lift pump then pressurizes a sprinkler system for watering of a 9-hole golf course. The inlet for the sump is 2' under the full-pool level of the pond. When surface flows go down in summer, the well is used to keep the pond full, it can take 2 days of well pumping to fill the pond so that the sprinklers can be run overnight, so there is storage involved in the operation of this system. I am not recommending irrigation storage as a use, however, since they are merely trading storage in the aquifer for storage in their pond. If needed, the pond would be filled & emptied numerous times during the summer. This does not fit into the single-filling concept normally associated with storage rights. The well is totally supplemental to the surface-water use, & may not be used at all in wet years.

~~Driller's log shows well was drilled in 1977, although the use is listed as domestic.~~ No well log on file. Golf course was built in 1981 according to pump installer. The 1977 aerial photo shows buildings, ponds, & apparently irrigation on this property. The limited groundwater supply near the pump controls the amount of water that can be diverted thru this well. There appears to be adequate information available to allow licensing of this well, so recommend measuring-device requirement be waived. There are no other wells close to this one, except for other wells owned by the resort.

Have conditions of permit approval been met? ☐ yes ☒ no

MICROFILMED  
APR 10 1987

**F. FLOW CALCULATIONS**

Additional Computation Sheets Attached

~~Measured Method:~~ *System Design:*  
*150 gpm = 0.33 cfs*

**G. VOLUME CALCULATIONS**

## 1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 40 \times 3.5 = 140$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.33 \times 92 \times 1.9835 = 61.0$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$$

## 2. Volume Calculations for Other Uses:

**H. RECOMMENDATIONS**

## 1. Recommended Amounts

| Beneficial Use    | Period of Use |             | Rate of Diversion<br>Q (cfs) | Annual Volume<br>V (afa) |
|-------------------|---------------|-------------|------------------------------|--------------------------|
|                   | From          | To          |                              |                          |
| <i>Irrigation</i> | <i>6-15</i>   | <i>9-15</i> | <i>0.33</i>                  | <i>61.0</i>              |
|                   |               |             |                              |                          |
|                   |               |             |                              |                          |
|                   |               |             |                              |                          |
|                   |               |             |                              |                          |
| Totals:           |               |             | <i>0.33</i>                  | <i>61.0</i>              |

## 2. Recommended Amendments

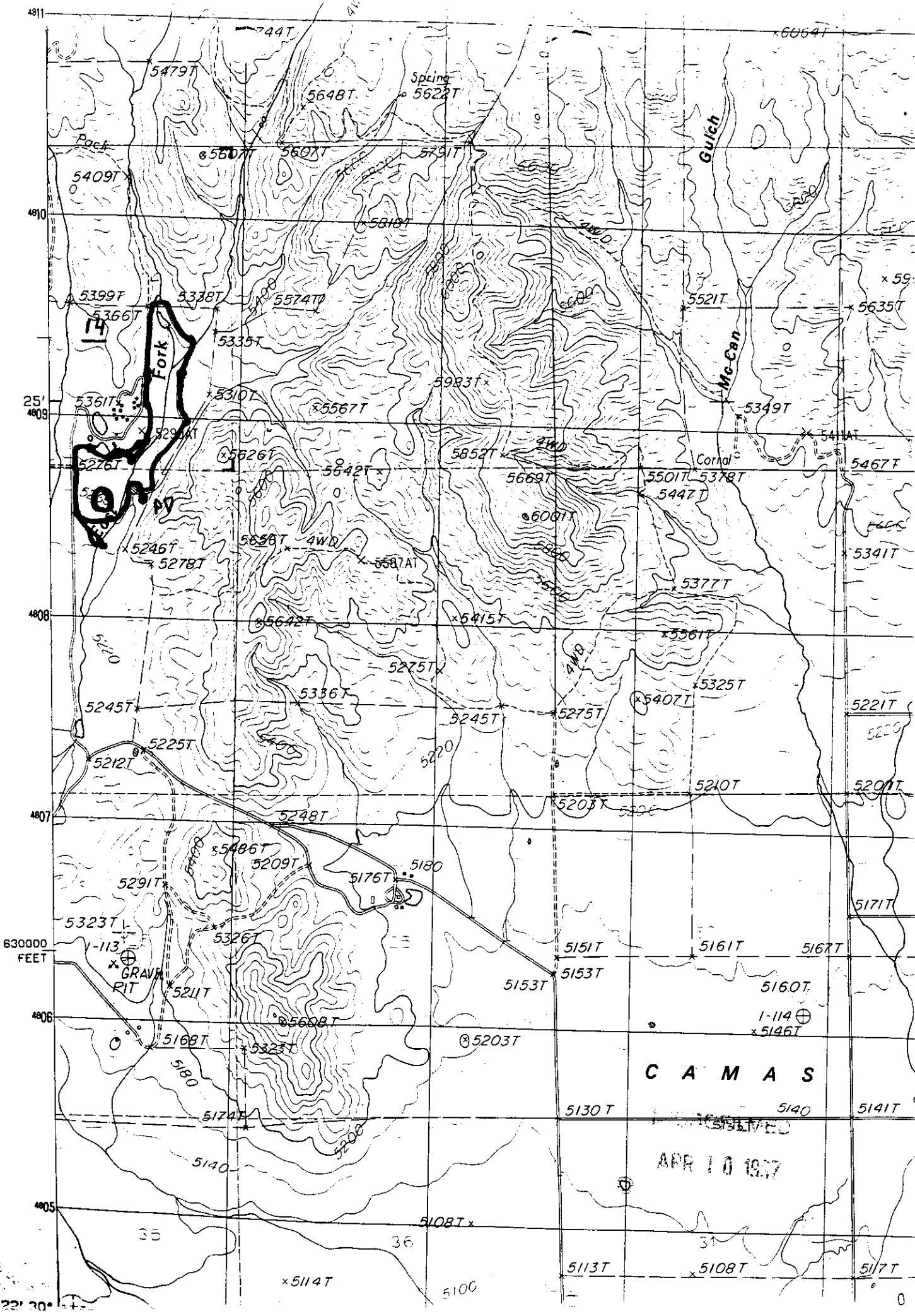
☒ Change P.D. as reflected above    ☐ Add P.D. as reflected above    ☐ None  
☒ Change P.U. as reflected above    ☐ Add P.U. as reflected above    ☐ Other

**I. AUTHENTICATION**Field Examiner's Name *J. E. Stanton* Date *6-22-95*

Reviewer \_\_\_\_\_ Date \_\_\_\_\_

SEAL

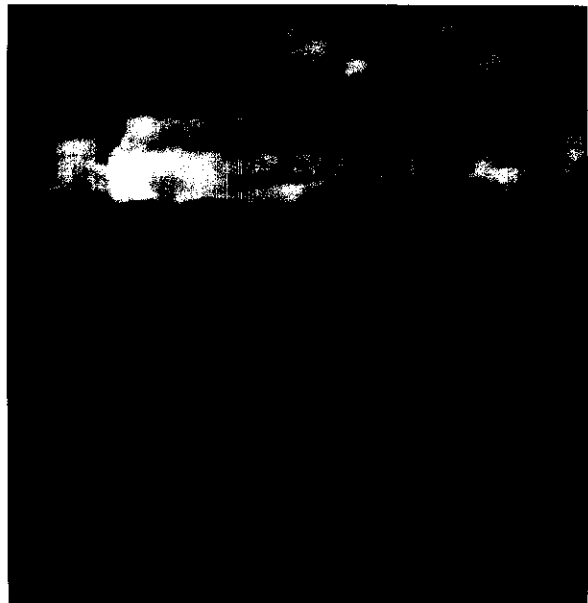
REPROFILMED  
APR 10 1997







Well, Pond + Golf Course Behind



Well, Pumphouse Behind

Re-lift Pump



MICROFILMED

APR 10 1967

37-08609



P/U - 60/F Course

MICROFILMED  
APR 10 1987

27-08609

March 26, 1993

HIDDEN PARADISE PROPERTY OWNERS ASSN  
DBA SOLDIER MTN RANCH & RESORT  
PO BOX 279  
FAIRFIELD ID 83327

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 37-08609

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)736-3033.

Sincerely,

Karen L. Gustafson  
Secretary/Records Manager

c: IDWR - Region

APR 12 1993



State of Idaho  
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

October 21, 1992

HIDDEN PARADISE PROPERTY OWNERS ASSN  
PO BOX 279  
FAIRFIELD ID 83327-0279

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 37-08609

Dear Permit Holder(s):

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of measuring device options.

You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your permit may cause a reduction of surface water flow. Siting your well as far as possible from surface water channels and casing your well so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to regulate your water use.

This permit authorizes the appropriation of trust water. Trust water is defined as that portion of a particular hydropower water right which exceeds certain minimum stream flows established by

**MICROFILMED**  
OCT 26 1992

state action, and is held in trust by the State of Idaho for the use and benefit of the people within the state. Conditions pertaining to a term review, annual use fee and jurisdiction of the permit are trust water conditions.

Sincerely,

*Brenda L. Miller*

BRENDA L. MILLER  
Water Resource Agent

BLM:cz

Enclosure

RECEIVED  
OCT 26 1992

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
State Office  
1301 North Orchard St.

---

Statehouse Mail  
Boise, Idaho 83720  
(208) 327-7900

AUGUST 12, 1992

The Snowshoe  
Box 360  
Fairfield, ID 83327

Dear Legal Dept.:

Enclosed you will find legal notices which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before SEPTEMBER 11, 1992.

Yours truly,

CINDY ZIMMERMAN  
Clerical Specialist

Encl.

**MICROFILMED**  
**OCT 26 1992**

NOTICE OF APPLICATION FOR TRUST WATER RIGHT

37-08609

HIDDEN PARADISE PROPERTY OWNERS ASSN.  
P.O. BOX 279  
FAIRFIELD, ID 83327

Source: GROUNDWATER

Diversion Pt:                SESWSE    Sec 14 T 01N R 13E in CAMAS County.

Use: IRRIGATION                                ( .800 CFS)  
Total Diversion: ( .800 CFS)

Date Filed: 2/15/1990

In: CAMAS County  
T01N R13E S14                NESE                SWSE                SESE

40.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before SEPTEMBER 11, 1992.

R. Keith Higginson, Director

Published: 8/18/1992 & 8/25/1992

MICROFILMED

OCT 26 1992

MEMORANDUM

TO: File No. 37-08609 in the Name of Hidden Paradise Property  
Owners Association Inc.  
FROM: Gary Spackman *Gary*  
DATE: July 9, 1992  
RE: Exemption from the Moratorium; Pre-1984 Development

Application for permit no. 37-08609 was filed with the Department of Water Resources on February 15, 1990. The application states that the well was completed in December, 1981, and implies that beneficial use was complete prior to October, 1984. We apparently did not recognize the application as one which could be processed out of sequence with respect to other applications within the Swan Falls impact area. As a result, the application was held without processing until it was considered with other applications of similar priority which were held because of Swan Falls.

In the interim, the Department of Water Resources created the Big Wood River Groundwater Management Area. The Department mailed a letter to Hidden Paradise requesting a mitigation plan, a hydrologic study or a withdrawal of the application. After the notice of the Groundwater Management Area was sent, Hidden Paradise contacted me, and I discovered that the application represents pre-existing development. The applicant submitted information showing that the well was drilled and completed before October, 1984. I inquired further about the extent of beneficial use. On June 25, 1992, Leo Van Hoover visited with me, and showed me aerial photos, dated August, 1983, depicting approximately half of the golf course. The aerial photos show the fairways being irrigated.

The water use represented by application no. 37-8609 was developed prior to October, 1984, and could have been processed out of sequence in the Swan Falls processing. The Department failed to recognize the pre-existing beneficial use. The water use is exempt from the Big Wood River Groundwater Management Area requirements.

I also propose that the application should be approved despite the Snake River Basin Moratorium. Had the Department recognized the pre-existing beneficial use, the application would have been processed prior to the imposition of the moratorium or the creation of the Big Wood River Groundwater Management Area.

cc: Southern Region  
Leo Van Hoover

**RECEIVED**

OCT 26 1992

**HIDDEN PARADISE RANCH**

DATE: June 24, 1992

TO: Mr. Gary Spackman

PRESENTING: Department of Water Resources, Water Permits

REGARDING: Application permit number 37-8607

FROM: Leo Van Hoover

REPRESENTING: Hidden Paradise Ranch

NUMBER OF PAGES BEING SENT(INCLUDING COVER SHEET): 01

RECEIVING TELECOPY NUMBER: (208) 327-7866

IF YOU HAVE ANY PROBLEMS RECEIVING THIS TRANSMISSION, PLEASE  
CALL (208) 764-2506 THANK YOU.

COMMENTS:

Ms. J. Seifert, THANK YOU for being so timely in sending  
the fax to me.

**MICROFILMED**

**OCT 26 1992**

**HIDDEN PARADISE RANCH**

June 24, 1992

State of Idaho  
Department of Water resources  
Mr. Gary Spackman, Manager  
Water Rights Permits Section  
Statehouse Mail  
Boise, Idaho 832720-9000

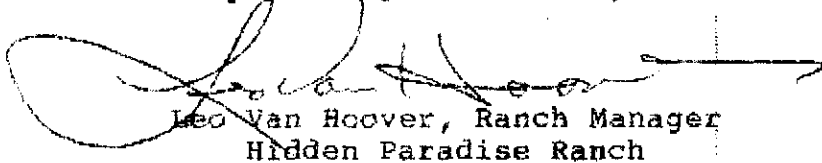
Dear Mr. Spackman,

I am in receipt of your letter dated June 9, 1992, referencing application for permit number 37-8609, in the letter you refer to your letter dated March 6, 1992 which references the same application. I did not receive that letter. Your secretary, Ms. J. Seifert was very kind and faxed the letter to me today.

The irrigation was well underway in 1984. I have an aerial photo which I will bring to your office tomorrow as well as an old brochure from the early eighties. Both will affirm the fact of irrigation. By 1984 hundreds of people were using the golf course. I sincerely hope this will answer all of your questions.

The fact that I had not heard from you did not concern me since I had stated in my letter of December 20, 1992 that if I did not hear back from you I would assume that everything was in order. I just returned home to find your letter of June 9, 1992. I am sure you can imagine my surprise. I tried to call but you left early, that is when your secretary came to my assistance. I hope this delay in response has not caused any problems. I will see you tomorrow and I look forward to meeting you in person, you have always been so helpful in our phone conversations.

Respectfully Submitted,



Leo Van Hoover, Ranch Manager  
Hidden Paradise Ranch

**MICROFILMED****OCT 26 1992**



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

June 9, 1992

Hidden Paradise Property  
Owners Association Inc.  
c/o Darrell L. Burchard  
P.O. Box 279  
Fairfield, ID 83327

RE: Application for Permit No. 37-8609

**SECOND NOTICE OF PENDING ORDER VOIDING APPLICATION**

Dear Mr. Burchard:

During the middle part of December, I mailed you a notice of Pending Order Voiding Application. Leo Van Hoover spoke to me about the resort, and sent me a letter to establish prior use. I responded to Mr. Hoover's letter on March 6, 1992, and told him we needed additional information. He has not responded to my letter.

This letter is a notice that if Hidden Paradise Property Owners Association Inc. does not submit the requested information within fifteen (15) days of the date of this letter, your application for permit will be voided.

Respectfully,

A handwritten signature in cursive script that reads 'Gary Spackman'.

GARY SPACKMAN, Manager  
Water Right Permits Section

GS:js

cc: Southern Region

RECEIVED  
OCT 26 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

March 6, 1992

Leo Van Hoover  
Hidden Paradise Ranch  
Fairfield, ID 83327

RE: Application for Permit No. 37-8609 in the Name of Hidden  
Paradise Property Owners Association Inc.

Dear Mr. Hoover:

I am sorry for this late response to your letter dated  
December 20, 1991. I have reviewed your letter with the  
information we have, and have also reviewed our rules and  
regulations.

Your letter states that well number five was drilled and  
completed on December 23, 1981. Your letter does not indicate  
when the nine-hole golf course was completed and finally  
irrigated. Before the Department can process your application,  
we must know what the extent of irrigation was during or prior to  
the summer of 1984. Any aerial photographs that you can obtain  
of the area or verification of irrigation will help. Please send  
the information as expeditiously as possible.

Sincerely,

GARY SPACKMAN, Manager  
Water Right Permits Section

GS:js

cc: Southern Region

MAILED

OCT 26 1992

MEMORANDUM

TO: File No. 37-8609 in the Name of Hidden Paradise Property  
Owners Association Inc.  
FROM: Gary Spackman *Gary*  
DATE: March 5, 1992  
  
RE: Big Wood River Ground Water Management Area and its Affect  
on Processing of Application No. 37-8609

On December 24, 1991, I received correspondence from Hidden Paradise Ranch in Fairfield, Idaho, which indicates that the well proposed by application no. 37-08609 was completed in December 1981. The letter does not state, however, when the water was first used for the golf course.

Application for permit to appropriate water no. 37-08609 was filed in February, 1990. It was apparently held without processing in the Swan Falls files, even though there was some indication of pre-existing development. Paragraph number four on page eight of the Swan Falls Water Right Policy & Implementation Plan states: "Applications filed after July 1, 1985, to validate water use in the trustwater area for projects which were developed prior to October 1, 1984, will also not be processed in sequence with other filings for trustwater. The depletion caused by such projects is assumed to have already occurred and need not be counted against the 20,000 acres per year limitation for the year in which the processing occurred, but all other public interest requirements of 42-203C, Idaho Code, must be evaluated." It appears that application no. 37-08609 qualifies for the above exception to Swan Falls processing.

The Big Wood River Ground Water Management Area was created in June of 1991. Some applications for permit were held pending resolution of the Big Wood River ground water-surface water relationship dispute. This application does not appear to be one that was held for resolution of the management area question, but was held for Swan Falls purposes.

I suggest the following action:

1. Determine what the extent of irrigation was prior to October 1, 1984. I will write a letter to the applicant asking for further information. Once the information comes in, we should check any aerial photos we have that date the October 1, 1984 deadline.

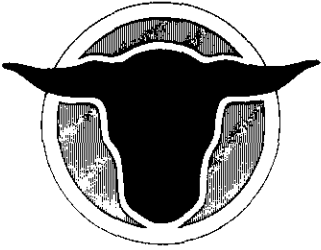
**RECEIVED**  
**OCT 26 1992**

File No. 37-08609  
March 5, 1992  
Page - 2

2. Upon confirmation of beneficial use prior to October 1, 1984, we should prepare an advertisement to be published in the local paper. In addition to the normal notice language, the following sentence should be added to the advertisement: Water use proposed by this application was developed prior to October 1, 1984, and, as a result, is not subject to the restrictions of the Big Wood River Ground Water Management Area.

3. Upon publication and resolution of any protests, and evaluation of the criteria of both 42-203A and 42-203C the Department can approve the application.

MICROFILMED  
OCT 26 1992



# HIDDEN PARADISE RANCH

Fairfield, Idaho 83327 • (208) 764-2506

**RECEIVED**

December 20, 1991 DEC 24 1991

Department of Water Resources

State of Idaho  
Department of Water Resources  
Mr. Gary Spackman  
1301 North Orchard  
Statehouse Mail  
Boise, Idaho 83720-9000

Re: Application for Permit No. 37-8609  
Letter From Mr. Spackman Dated 12-13-91

Dear Mr. Spackman,

Hidden Paradise Ranch completed the well addressed in the above mentioned application on December 23, 1981, according to the information I have been provided. The well provides irrigation water for a forty acre nine hole golf course. The water is pumped by a five horse power electric pump at the approximate rate of .8 cubic feet per seconds.

I hope this letter will satisfy the inquiry on the application.

If you have additional questions or instructions please advise me or Lois Van Hoover, either by mail or by phone 764-2506.

If I do not hear from you I will assume that this letter satisfies the Departments concerns on permit number 37-8609 in the Big Wood Ground Water Management Area.

Respectfully Submitted,

Leo Van Hoover  
Ranch Manager

**MICROFILMED**

OCT 26 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

December 13, 1991

Hidden Paradise Property Owners Assoc. Inc.  
c/o Darrell L. Burchard, Vice President  
P.O. Box 279  
Fairfield, ID 83327

RE: Application for Permit No. 37-8609

NOTICE OF PENDING ORDER VOIDING APPLICATION

Dear Mr. Burchard:

The Department of Water Resources sent you a letter several weeks ago informing you about the designation of the Big Wood Ground Water Management Area. We informed you of the creation of the ground water management area because you have an application for permit to appropriate water pending before the Department of Water Resources which proposes diversion of water within the Ground Water Management Area.

The letter also informed you that you were required to submit information to the Department regarding your application. A copy of the letter is enclosed for your reference.

The letter gave you thirty (30) days to submit a schedule for completion of required studies or acquisition of mitigation water. You have not responded to the inquiry.

This letter is a notice that if you do not submit the requested information within fifteen (15) days of the date of this letter, your application for permit will be voided.

Respectfully,

GARY SPACKMAN, Manager  
Water Right Permits Section

GS:js

Enclosure

RECEIVED

OCT 26 1992



State of Idaho

## DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

August 30, 1991

Hidden Paradise Property Owners Assoc. Inc.  
c/o Darrell L. Burchard, Vice President  
P.O. Box 279  
Fairfield, ID 83327

Dear Mr. Burchard:

The Department of Water Resources recently designated a ground water management area which encompasses the upper Big Wood River Valley, the Bellevue Triangle, a portion of the Silver Creek drainage, and the Camas Prairie. Our records show that you have filed an application for permit to appropriate water with the Department which proposes a point of diversion within the ground water management area.

The Department intends to process pending applications within the ground water management area. Any applicant who proposes consumptive use, other than domestic use not exceeding one-half acre of irrigation, must show that his proposed use will not reduce flows in the Big Wood River or Silver Creek, or he must propose a reasonable plan to mitigate the reduction in flow.

Our records show that you have applied for a consumptive use of water. Prior to processing your application, or conducting a hearing if the application is protested, you must submit the following information:

1. Hydrologic evaluation of the ground water aquifer at the proposed point of diversion and its relationship to surface water, including timing of potential impacts.
2. If the hydrologic evaluation results in a conclusion that a well can be constructed without impact, a prospectus discussing well construction methods and standards must be submitted which will be implemented to prevent depletion of surface flow.
3. If the hydrologic evaluation results in a conclusion that a well cannot be constructed without depleting surface flow, a plan of mitigation and/or compensation must be submitted that will replace depletions of surface water caused by proposed ground water withdrawal.

**MICROFILMED**

OCT 26 1992

If you do not wish to submit the above information, you may withdraw your application by completing the enclosed withdrawal form. If your application includes a domestic component, and you wish to limit the application to domestic use, please inform the Department.

Failure to respond to this inquiry within thirty (30) days, with either the withdrawal or a schedule for submittal of the above information, is cause for the Department to void the application for failure to submit requested information.

Respectfully,

A handwritten signature in cursive script that reads "Gary Spackman".

GARY SPACKMAN, Manager  
Water Right Permits Section

GS:js

MICROFILMED

OCT 26 1992

15-May-1990

HIDDEN PARADISE PROPERTY OWNERS ASSOC. INC.  
C/O DARRELL L BURCHARD VICE PRESIDENT  
PO BOX 279  
FAIRFIELD ID 83327

Re: Application for permit No. 37-08609

Dear Applicant (s):

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

Because your application proposes to appropriate water which has been identified as "trust water" in the Swan Falls agreement, it will be processed under rules and regulations for water appropriation that have been adopted as required by law.

Under the rules, applications will be processed at a rate which allows development of 20,000 acres per year. The oldest applications will be processed first, provided that applicants are willing and able to proceed.

For this reason, it is not possible to estimate at this time when action will be taken on your application.

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

Very truly yours,

Gary Funderburg  
Sr. Water Resource Agent

GF:MB

**MICROFILMED**

**OCT 26 1992**

( FEBRUARY 1990

HIDDEN PARADISE RANCH HOME OWNERS ASSOCIATION.

BOARD OF DIRECTORS.

PRESIDENT: GLEN ROMIG  
8811 San Marino Dr.  
Boise, Idaho, 83705 -----375-4874

Vice Pres. DARRELL L. BURCHARD  
P.O.BOX 279  
Fairfield, Idaho 83327-----764-2506

Vice Pres. WILLIAM MARTIN  
5950 Fairview Ave.  
Boise, Idaho 83705-----322-5950

Secretary. MILTON KLEIN  
2275 Sunny Lane  
Star, idaho -----286-7451

Treasure Ken AGENBROAD  
10800 W. Hollandale Dr.  
Boise, Idaho -----375-9540

MICROFILMED

OCT 26 1988

37-08609

# 3

Located by Log  
Depth water 71'  
Casing 6"  
water 5 H.P.  
Submersible

water use - Domestic  
Very good well.  
UNTIL 1989, Now Just  
HANDLES LODGE & GUEST HOUSE  
NO SPRINKLERS

Idaho  
Water Resources

## DRILLER'S REPORT

RECEIVED

SEP 27 1976

Director, Department of Water Resources within 30  
abandonment of the well. Department of Water Resources  
Southern District Office

## 7. WATER LEVEL

Static water level 71 feet below land surface  
Flowing? ☐ Yes ☒ No G.P.M. flow \_\_\_\_\_  
Temperature \_\_\_\_\_ ° F. Quality \_\_\_\_\_  
Artesian closed-in pressure \_\_\_\_\_ p.s.i.  
Controlled by ☐ Valve ☐ Cap ☐ Plug

## 8. WELL TEST DATA

☒ Pump ☐ Bailer ☐ Other

| Discharge G.P.M. | Draw Down | Hours Pumped |
|------------------|-----------|--------------|
| 50GPM            | some      | 24           |
|                  |           |              |
|                  |           |              |

## 9. LITHOLOGIC LOG

| Hole<br>Diam. | Depth |     | Material                       | Water |    |
|---------------|-------|-----|--------------------------------|-------|----|
|               | From  | To  |                                | Yes   | No |
| 8             | 0     | 42  | Decomposed Granite-top soil    |       | X  |
|               | 42    | 138 | Broken Granite/clay/decomposed |       | X  |
| 6             | 138   | 143 | Hard Gray XXXX Limestone       |       | X  |
|               | 143   | 147 | Broken Gray Limestone          |       | X  |
|               | 147   | 206 | Med H. Gray Broken limestone   |       | X  |
|               | 206   | 228 | Med H. Gray Broken limestone   |       | X  |
|               | 228   | 307 | Broken Brown Granite           |       | X  |
|               | 307   | 317 | Hard Granite                   |       | X  |

## 3. PROPOSED USE

☒ Domestic ☐ Irrigation ☐ Test ☐ Other (specify type)  
☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection

## 4. METHOD DRILLED

☐ Cable ☒ Rotary ☐ Dug ☐ Other

## 5. WELL CONSTRUCTION

Diameter of hole 6 inches Total depth 220 feet  
Casing schedule: ☒ Steel ☐ Concrete

| Thickness    | Diameter        | From       | To         |
|--------------|-----------------|------------|------------|
| .250 inches  | 6 5/8 OD inches | + 1 feet   | - 138 feet |
| _____ inches | _____ inches    | _____ feet | _____ feet |
| _____ inches | _____ inches    | _____ feet | _____ feet |
| _____ inches | _____ inches    | _____ feet | _____ feet |
| _____ inches | _____ inches    | _____ feet | _____ feet |

Was casing drive shoe used? ☒ Yes ☐ No  
Was a packer or seal used? ☐ Yes ☒ No  
Perforated? ☐ Yes ☒ No  
How perforated? ☐ Factory ☐ Knife ☐ Torch  
Size of perforation \_\_\_\_\_ inches by \_\_\_\_\_ inches

| Number             | From       | To         |
|--------------------|------------|------------|
| _____ perforations | _____ feet | _____ feet |
| _____ perforations | _____ feet | _____ feet |
| _____ perforations | _____ feet | _____ feet |

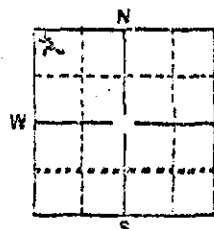
Well screen installed? ☐ Yes ☒ No  
Manufacturer's name \_\_\_\_\_  
Type \_\_\_\_\_ Model No. \_\_\_\_\_  
Diameter \_\_\_\_\_ Slot size \_\_\_\_\_ Set from \_\_\_\_\_ feet to \_\_\_\_\_ feet  
Diameter \_\_\_\_\_ Slot size \_\_\_\_\_ Set from \_\_\_\_\_ feet to \_\_\_\_\_ feet

Gravel packed? ☐ Yes ☒ No Size of gravel \_\_\_\_\_  
Placed from \_\_\_\_\_ feet to \_\_\_\_\_ feet

Surface seal depth 18 Material used in seal ☐ Cement grout  
☒ Pudding clay ☐ Well cuttings  
Casing procedure used ☐ Slurry pit ☐ Temporary surface casing  
☒ Overbore to seal depth

## 6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name \_\_\_\_\_

Lot No. \_\_\_\_\_ Block No. \_\_\_\_\_

County \_\_\_\_\_ Camas

NW 1/4 NW 1/4 Sec. 24 T. 1N R. 13E PMEW

USE ADDITIONAL SHEETS IF NECESSARY

FORWARD THE WHITE COPY TO THE DEPARTMENT

## 10.

Work started 5/27/76 finished 6/18/76

## 11. DRILLERS CERTIFICATION

SMITH DRILLING & PUMP CO., INC.

Firm Name \_\_\_\_\_ Firm No. 11

Address 328 West Avenue A, Jerome Date 6/24/76

Signed by (Firm Official) \_\_\_\_\_

and \_\_\_\_\_

(Operator) Joe A. Davis Jr

SW 1/4

14

1N

13E

37-08609