

Remarks See attached Addendum.

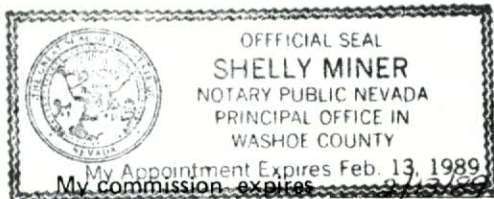


State of Idaho NEVADA)
)
County of WASHOE)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Devin E Barker
(Claimant)

Sworn to before me this 3rd day of DECEMBER, 1987.



INFORMED

MAR 10 1988

Notary Public
Residing at 3182 Shawlway Sparks NV

FOR DEPARTMENT USE ONLY

Received by M. Baldwin Date 1/5/88
 Prelim. check by J. F. Stanton Date 1-7-88
~~288.00~~ ^{800.3} fee received by M. Baldwin Date 1/5/88
 Published in Wood River Journal
 Dates 2/3 & 2/10/88

Exception filed by:

Forwarded to
claimant by:

Date _____

R# 45438

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Blaine } SS.

D., being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, 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 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 3rd day of Feb., 1988, and

the date of the last publication was on the 10th day of Feb., 1988.

Daniel J. York
Subscribed and sworn to before me this 12th day of Feb., 1988.
(SEAL)

Roberto Mc Kercher

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11
Number of Lines in Notice 38
Number of Insertions 2
Lines tabular at 5¢/Pica
38 Lines straight at 16.72 4¢/Pica
38 Subsequent lines at 12.54 3¢/Pica
TOTAL COST 29.26

RECEIVED

FEB 16 1988

Department of Water Resources
Southern Region Office

COPY OF NOTICE

(Paste Here)

Not. of Claims # 37-4440
TITLE OF NOTICE Humboldt

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Res.
BILL TO

Water right claims filed by Humboldt

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

37-4440

HUMBOLDT INVESTMENT CO.
C/O HOGUE, SPECK
& AANESTAD
P.O. BOX 987
KETCHUM, ID 83340

Source: GROUNDWATER

Diversion Pt: NWSE Sec 18 T 02N
R 18E, at site of Hailey Hot Springs

Use: IRRIGATION STORAGE
(0.690 CFS); IRRIGATION FROM
STORAGE (206.66 AF);
STOCKWATER (0.030 CFS)

Priority Date: 08/16/1950

In: SENW NESW NWSW Sec 17 T
02N R 18E SWNE SENW NESW
NESE NWSE SWSE SESE Sec 18
T 02N R 18E NESE NWSE Sec 18
T 02N R 18E FOR 173 ACRES

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, Southern Region, 2148 4th Avenue East, Twin Falls, Idaho 83301.

R. Keith Higginson, Director

Publish: Wood River Journal-
February 3 & 10, 1988.

7-8 pt. per line straight.....4¢/Pica

7-8 pt. per line tabular.....5¢/Pica

7-8 pt. per line successive

insertions.....3¢/Pica

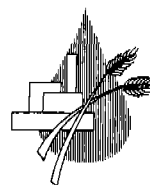
No 5768

RECEIVED

MAR 10 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use, must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Humboldt Investment Co., c/o Hogue, Speck & Aanestad,
(Name of Claimant)
P.O. Box 987, Ketchum, ID 83340 Telephone No. 726-4421
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) Aug. 16, 1950

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
ground water tributary to Croy Creek and Big Wood River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Mo., Day)
Quantity <u>0.69 cfs</u>	Use <u>Storage & irrigation</u>	Period of Use From <u>Jan 1</u>	To <u>Dec 31</u>
Quantity <u>206.66 AF</u>	Use <u>irrigation from storage</u>	Period of Use From <u>April 1</u>	To <u>Nov. 1</u>
Quantity <u>0.03 cfs</u>	Use <u>stock water</u>	Period of Use From <u>May 15</u>	To <u>Oct. 1</u>

(4) 0.69 cfs, 206.66 AF TOTAL QUANTITY USED.
(cfs, af) AF

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW 1/4 SE 1/4, Sec. 18 Twp. 2N Rge. 18 B.M., County of Blaine
Additional points of diversion: 2 additional wells are located in the same 40A tract.

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. see attached Addendum

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2N	18E	17								20	20	34							74
2N	18E	18			23					17	1				24	4	6	24	99

No. of acres 173

B) If water is used for other than irrigation, fully describe that use, being as specific as possible.

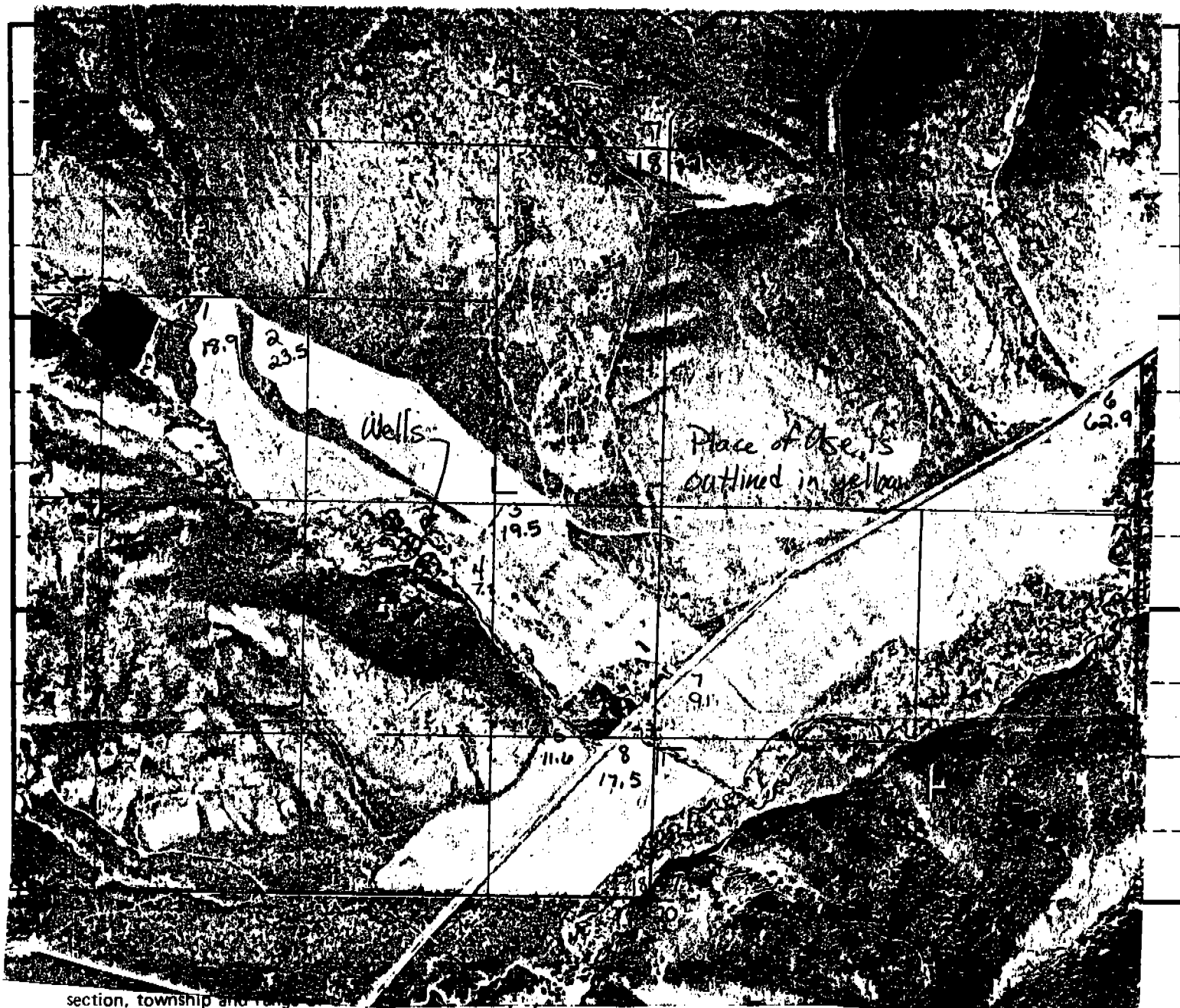
MICROFILMED

MAR 10 1988

NOTE: Include here the type and number of stock watered: 100 head of cattle

(7) If you are claiming water as a member of an organization, list name of organization:
Humboldt Investment Co., a Nevada general partnership.

(8) Remarks See attached Addendum.



State of Idaho NEVADA)

) ss.

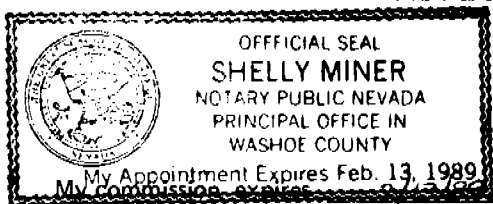
County of WASHOE)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Dwaine E Barker

(Claimant)

Sworn to before me this 3rd day of DECEMBER, 1987.



RECORDED

MAR 10 1988

Shelly Miner
Notary Public
Residing at 3182 Shaw Way Sparks NV

FOR DEPARTMENT USE ONLY

Received by M. Baldwin Date 1/5/88
Prelim. check by J. F. Clinton Date 1-7-88
288.00 fee received by M. Baldwin Date 1/5/88
Published in Wood River Journal
Dates 2/3 + 2/10/88

Exception filed by:

Forwarded to
claimant by:

Date

R#
45438

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Blaine } SS.

D., being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, 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 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 3rd day of Feb., 1988, and

the date of the last publication was on the 10th day of Feb., 1988.

Daniel J. York

Subscribed and sworn to before me this 12th day of Feb., 1988.
(SEAL)

Roberta Mc Kercher

NOTARY PUBLIC

WOOD RIVER JOURNAL
Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 11
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TOTAL COST 29.26

RECEIVED

FEB 17 1988

Department of the State
Southern Region Office

COPY OF NOTICE

(Paste Here)

Not. of Claims # 37-4440
TITLE OF NOTICE Humboldt

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Res.
BILL TO

WOOD RIVER JOURNAL
R 18E, at site of Hailey Hot Springs
U.S. GEOLOGICAL SURVEY
SITING
STUDY
TWIN FALLS
0.25
NESE NW 1/4
T 18N R 18E
Resources: Southern Region
2148 4th Avenue East, Twin Falls
Idaho 83301
Publish: Wood River Journal
Feb. 1988
7-8 pt. per line straight.....4¢/Pica
7-8 pt. per line tabular.....5¢/Pica
7-8 pt. per line successive
insertions.....3¢/Pica

OK MB 2/25/88

No 5768

RECEIVED

MAR 10 1988

22-11708

736-0041

34
12/15/93

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Brian Barsotti, Esq.
P O Box 10013
Ketchum, Idaho 83340

BLAINE CO. REQUEST

OF ~~SUN VALLEY TITLE~~

1993 DEC 16 P 4:00

360209

MARY GREEN, CLERK

FEES \$ 902

mp

Deed

(Space above this line for Recorder's use)

QUITCLAIM DEED

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, CRYSTAL HOT SPRINGS LIMITED PARTNERSHIP, an Idaho limited partnership, hereby bargains, sells, remises, releases, conveys and forever quitclaims to Helen Nan Crocker, Trustee and Donald W. Crocker, successor co-trustee of the Benjamin S. Crocker and Helen Nan Crocker Trust "D" dated March 24, 1973 *hnc*

whose address is P.O. Box 974 Ketchum, Idaho 83340 all of its right, title and interest which it has, if any, in the following water and water rights:

(a) Idaho Water Right No. 37-00548 for 3.8 cfs of the Warm Springs Creek with priority date of June 1, 1880, and claimed in In Re the General Adjudication of Rights to the Use of Water from the Snake River Basin Water System, Twin Falls District Court Case No. 39576 (hereinafter referred to as "Adjudication"), as Claim No. A37-00548;

(b) Idaho Water Right No. 37-00549 for 4.0 cfs of Croy Creek with priority date of June 30, 1882, and claimed in the Adjudication as Claim No. A37-00549;

(c) License Right No. 37-02142 for 1.50 cfs of Hot Springs Gulch with priority date unknown; no claim was made in the Adjudication for this license by Seller;

(d) Idaho Water Right No. 37-04138 for 1.05 cfs of Warm Springs Creek with priority date of December 31, 1948, and claimed in the Adjudication as Claim No. A37-04138;

(e) Idaho Water Right No. 37-01222 for 0.40 cfs of Democrat Creek with priority date of June 9, 1911, and claimed in the Adjudication as Claim No. A37-01222;

(f) Idaho Water Right No. 37-04139 for 0.50 cfs. This is a 1926 statutory claim and is claimed in the Adjudication as Claim No. A37-04139;

(g) Idaho Water Right No. 37-04440 for 0.72 cfs of groundwater with priority date of August 16, 1950, and is claimed in the Adjudication as Claim No. A37-04440;

(h) Idaho Water Right No. 37-12396 for 3.0 cfs of Democrat Creek with a priority date of December 31, 1947, and claimed in the Adjudication as Claim No. A37-12396;

(i) Idaho Water Right No. 37-12397 for the beneficial use rights to a domestic well for 0.04 cfs of groundwater with priority date of December 31, 1950, and claimed in the Adjudication as Claim No. A37-12397;

(j) Idaho Water Right No. 37-08659 for 2.50 cfs of groundwater with priority date of August 3, 1990, original proof due 11/1/92 but extended until 11/1/95;

(k) Idaho Water Right No. 37-08670 for 4.0 cfs of groundwater with priority date of August 13, 1990, original proof due 11/1/96.

DATED this 15th day of December, 1993.

CRYSTAL HOT SPRINGS LIMITED
PARTNERSHIP, an Idaho limited
partnership

By its general partner:

L. Z. CORP., an Idaho
corporation

By

Lynn T. Levy, Its President

STATE OF IDAHO)

County of Blaine)

ss.: Thomas P. Zeigler

Thomas P. Zeigler, Secretary

On this 15th day of December, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared LYNN T. LEVY, known to me to be the President of L. Z. CORP., an Idaho corporation, the general partner of CRYSTAL HOT SPRINGS LIMITED PARTNERSHIP, an Idaho limited partnership, and the person who executed the foregoing instrument on behalf of said corporation, in its capacity as the general partner of said limited partnership, and acknowledged to me that said corporation executed the same in said partnership name.

WITNESS my hand and seal the day and year in this certificate first above written.

Notary Public for Idaho
Residing at _____

realtest\hopewtr.qcd

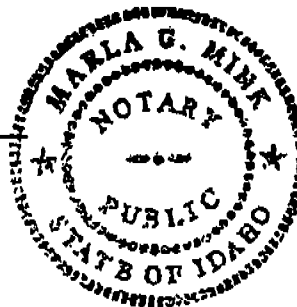
STATE OF IDAHO

COUNTY OF BLAINE

ON THIS 15TH DAY OF DECEMBER, 1993, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED LYNN T. LEVY AND THOMAS P. ZEIGLER, KNOWN OR IDENTIFIED TO ME TO BE THE PRESIDENT AND SECRETARY OF L.Z. CORPORATION AND THE GENERAL PARTNER OF CRYSTAL HOT SPRINGS LIMITED PARTNERSHIP, AN IDAHO LIMITED PARTNERSHIP, AND THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT ON BEHALF OF SAID CORPORATION IN ITS CAPACITY AS THE GENERAL PARTNER OF SAID LIMITED PARTNERSHIP AND ACKNOWLEDGED TO ME THAT SAID CORPORATION EXECUTED THE SAME IN SAID PARTNERSHIP NAME.

Marla G. Mink

NOTARY PUBLIC
RESIDING AT BELLEVUE, ID
COMMISSION EXPIRES: 12/1/94





State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

February 25, 1988

Mailing Address:
Southern Region
2148 4th Ave. East
Twin Falls, Idaho 83301
(208) 734-3578

Humboldt Investment Co.
c/o James P. Speck
Hogue, Speck, & Aanestad
P.O. Box 987
Ketchum, ID 83340

Re: Claim No. 37-4440

Dear Mr. Speck:

The Department of Water Resources has completed the advertising of the claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time.

We are enclosing a copy of your claim for your records. If you have questions or if this office can be of further assistance, please feel free to contact us.

Enclosed please find Receipt No. 45438 in the amount of \$200.00.

Very truly yours,

Allen Merritt, P.E.
Water Resources Engineer

AM:MB

Enclosures

RECEIVED

MAR 10 1988

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

37-4440

HUMBOLDT INVESTMENT CO.

C/O HOGUE, SPECK, & ARNESTAD, P. O. BOX 987, KETCHUM, ID 83340

Source: GROUNDWATER

Diversion Pt: NWSE Sec 18 T 02N R 18E, at site of Hailey Hot Springs

Use: IRRIGATION STORAGE	(0.690 CFS)
IRRIGATION FROM STORAGE	(206.66 AF)
STOCKWATER	(0.030 CFS)

Priority Date: 08/16/1950

In: SENW NESW NWSW Sec 17 T 02N R 18E SWNE SENW NESW NESE NWSE SWSE SESE
Sec 18 T 02N R 18E NESE NWSE Sec 18 T 02N R 18E FOR 173 ACRES

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, Southern Region, 2140 4th Avenue East, Twin Falls, Idaho 83301.

R. Keith Higginson

Published 2/3 & 2/10/88.

MAR 10 1988

**NOTICE OF CLAIMS
TO WATER RIGHTS**

The following claim(s) have been
filed on water right(s) created by
diversion and beneficial use:

37-4440

HUMBOLDT INVESTMENT CO.
C/O HOGUE, SPECK
& AANESTAD
P.O. BOX 987
KETCHUM, ID 83340

Source: GROUNDWATER

Diversion Pt: NWSE Sec 18 T 02N
R 18E, at site of Hailey Hot Spr-
ings

Use: IRRIGATION STORAGE
(0.690 CFS); IRRIGATION FROM
STORAGE (206.66 AF);
STOCKWATER (0.030 CFS)

Priority Date: 08/16/1950

In: SENW NESW NWSW Sec 17 T
02N R 18E SWNE SENW NESW
NESE NWSE SWSE SESE Sec 18
T 02N R 18E NESE NWSE Sec 18
T 02N R 18E FOR 173 ACRES

Exceptions to a claim may be filed
with the Director, Dept. of Water
Resources, Southern Region,
2148 4th Avenue East, Twin Falls,
Idaho 83301.

R. Keith Higginson, Director

Publish: Wood River Journal--
February 3 & 10, 1988.

OK
MB
1/26/88

MICROFILMED

MAR 10 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

2148 4th Avenue, East
Twin Falls, Idaho 83301
(208) 734-3578

JANUARY 15, 1988

Wood River Journal
P.O. Box 988
Hailey, ID 83333

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a sales proof to this office for review before the first publication date. 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 billings to this office before FEBRUARY 22, 1988.

Yours truly,

Mary A. Baldwin
Secretary/Office Coordinator

Encl.

INDEXED

MAR 10 1988

STAFF ANALYSIS SUPPLEMENT

1) Water District _____ Basin # 37

2) Local Description: (of one P/D)

☐

At the above street address

☐_____ miles N/S _____ and _____ miles E/W _____
of _____ (City or landmark).☒Other (describe): at site of Hilkey Hot Springs

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION

OF

ATTORNEYS

120 EAST AVENUE

POST OFFICE BOX 987

KETCHUM, IDAHO 83340

(208) 726-4421

TELECOPIER (208) 726-0752

HAILEY OFFICE:

16 WEST CROY STREET

SUITE K

POST OFFICE BOX 460

HAILEY, IDAHO 83333

(208) 788-3567

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP

RECEIVED

JAN 5 1988

Department of Water Resources
Southern Region Office

January 4, 1988

Mr. Jim Stanton
Idaho Department of Water Resources
2148 Fourth Avenue East
Twin Falls, ID 83001

RE: Humboldt Investment Co. - Claim to Water Right

Dear Jim:

Enclosed you will find a claim to a water right which I have prepared on behalf of Humboldt Investment Co., together with our check for the filing fee in the sum of \$200.00. Please let me know when you will publish this claim. Kindly call me if you have any questions.

Thank you.

HOGUE, SPECK & AANESTAD

Jms

James P. Speck

JPS/dd

cc: Devere Barker

MAILED

MAR 10 1988

ADDENDUM TO CLAIM

5(B). Three (3) flowing warm water artesian wells feed through buried pipelines into a concrete cistern which also encases naturally, flowing hot springs (see Claims Nos. 37-4138 and 37-4139). The combined flow from the cistern is then dumped into Democrat Creek which flows into a reservoir situated in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 18, T.2N., R.18E., B.M., Blaine County, Idaho. The reservoir also collects water from water rights Nos. 37-0548, 0549, 1220, 1221, 1222 and 2142. This water is then pumped from the reservoir into a sprinkler irrigation system. Prior to installation of the sprinkler system, the water was taken from the reservoir for flood irrigation.

The three (3) wells each have eight inch (8") casings and are drilled to depths of one-hundred feet (100'), one-hundred-twenty-five feet (125') and one-hundred feet (100'), respectively.

RECEIVED

MAR 10 1988

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JF Stanton

Right Number 37-4440 Applicant HUMBOLDT INVESTMENT CO

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☒ Exceptions processed.

By Adm Date 2/29/88

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By sc Date 3/2/88

RECEIVED
MAR 02 1988

Department of Water Resources