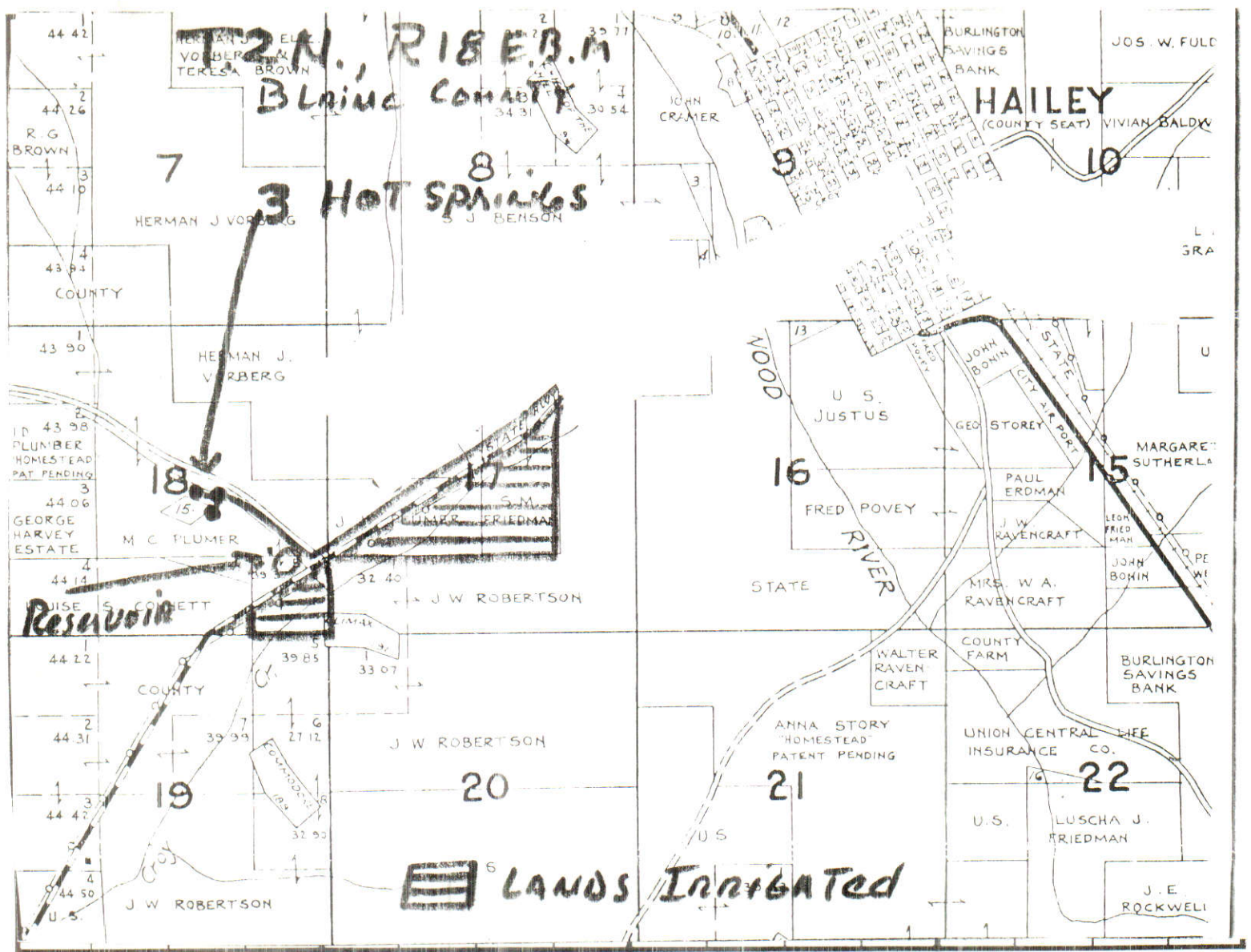


(8) Remarks Water is combined for irrigation use with Warm Springs Creek flows.
(Frost Decree - J.J. Plummer Right #37-0548 with priority of 6/1/80.)



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Blaine) ss.

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.

Humboldt Investments by
Dennis E. Burke
(Claimant)

Sworn to before me this 21 day of April, 1980.

John A. Burke
Notary Public
Residing at Hailey, Idaho

My commission expires MAY 14, 1981

FOR DEPARTMENT USE ONLY

Received by <u>maripa</u>	Date <u>4/24/80</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>JS</u>	Date <u>4-25-80</u>		claimant by:	
\$20.00 fee received by <u>maripa</u>	Date <u>4/24/80 # 16415</u>			
Published in <u>Wood River Journal</u>				
Dates <u>5/15 & 5/22/80</u>				

AFFIDAVIT OF PUBLICATION

State of Idaho, }
 County of Blaine } SS.

GORDON O. GLASMANN

, 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 15 day of May, 1980, and the date of the last publication was on the 22 day of May, 1980.

Subscribed and sworn to before me this 23 day of May, 1980.

(SEAL)

NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Number of Lines in Notice 31
 Number of Insertions 2
 Lines tabular at 39c
31 Lines straight at 26c 8.06
31 Subsequent lines at 15c 4.65
 TOTAL COST 12.71

COPY OF NOTICE

(Paste Here)

Permit 37-4138

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
1041 Blue Lakes Blvd N TF.

NOTICE OF CLAIM TO WATER RIGHT

NOTICE IS HEREBY GIVEN, That the following claim to water right has been established by diversion and application to beneficial use:

37-4138

HUMBOLT INVESTMENT CO.

P. O. Box 326, Sun Valley, Idaho 83353

Source: Warm Springs tributary to Wood River

Priority Date: 04 / 15 / 1948

Amount: 1.05 cfs

Diversion Point: NWSE Sec 18 T 02N R 18E, Blaine Co.

Use: Irrigation (1.05 cfs) from 04 / 15 to 10 / 15

Place of Use: SWSE SESE Sec 18 T 02N R 18E SWNE NESW NWSW NWSE Sec 17 T 02N R 18E for 140 acres.

Diversion Means: Pond & Pump

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

C. STEPHEN ALLRED

Director

Publish: Wood River Journal--
 May 15th and 22nd, 1980.

8 pt. per line, straight	26c
8 pt. per line, tabular	39c
8 pt. per line, successive insertions	15c

RECEIVED
Nº 1353

JUN 1 1980

Depart. of Water Resources
MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 23 1980

Department of Water Resources
Southern District Office

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 Humbolt Investment Co., a partnership

(Name of Claimant)

P.O. Box 326, Sun Valley, Idaho 83353

(Mailing Address)

Telephone No. (208) 726-5355

(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) 1948 - Irrigation

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)
Warm Springs tributary to 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, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>1.05</u>	Use <u>irrigation</u>	Period of Use From <u>Apr. 15</u>	To <u>Oct. 15</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

- (4) 1.05 TOTAL QUANTITY USED.

(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NW ¼ SE ¼, Sec. 18 Twp. 2 N. Rge. 18 E. B.M., County of Blaine

Additional points of diversion:

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. Pond & pump

- (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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2 N.	18E.	18															5	25	30
2 N.	18E.	17			20						30	20				40			110

No. of acres 140

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

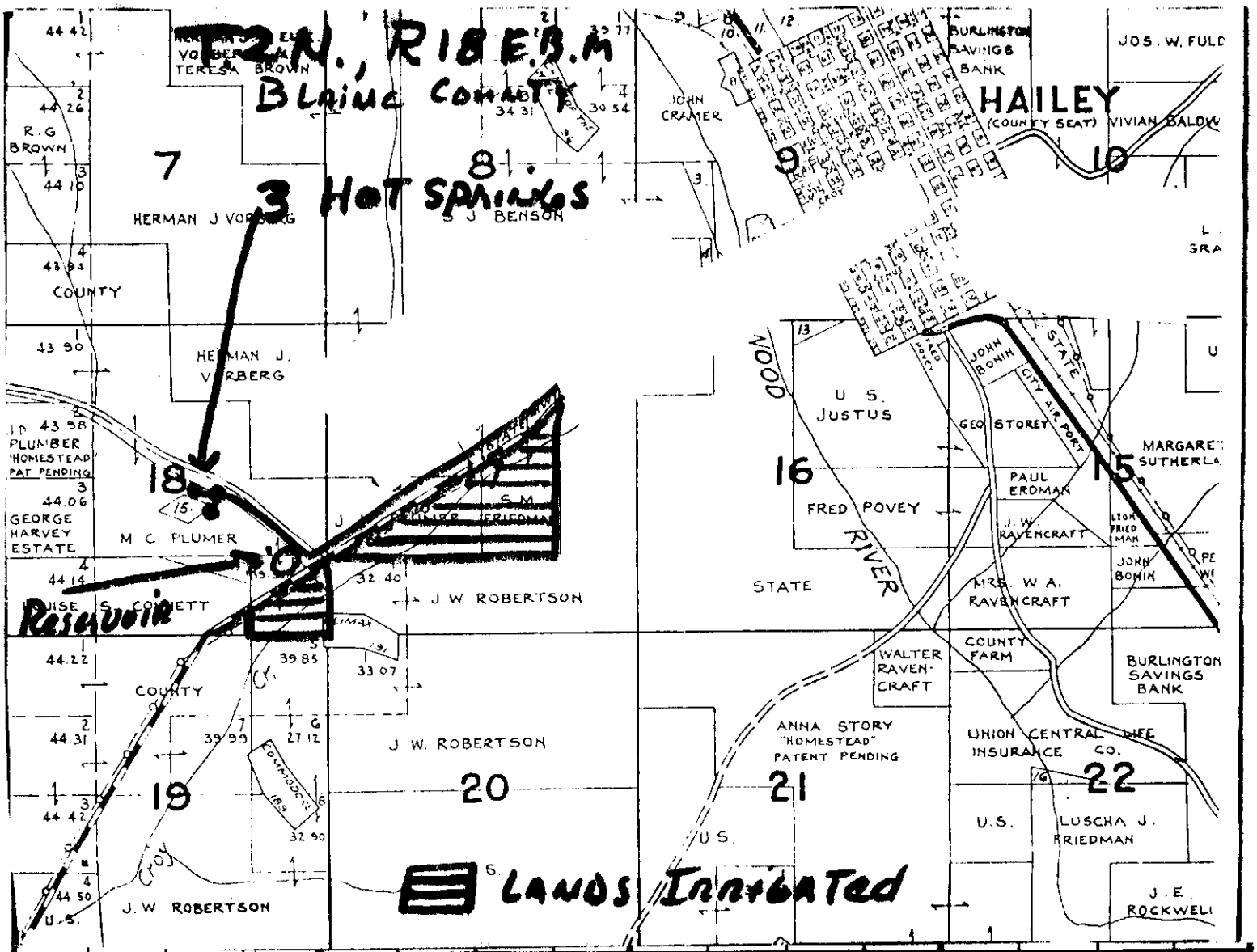
NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:

Humbolt Investment Co., a partnership

MILWAUKEE

(8) Remarks Water is combined for irrigation use with Warm Springs Creek flows.
(Frost Decree - J.J. Plummer Right #37-0548 with priority of 6/1/80.)



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Blaine) ss.

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.

Humbolt Investments by
Dennis E. Barker
(Claimant)

Sworn to before me this 21 day of April, 1980.

John A. Barker
Notary Public
Residing at Hailey, Idaho

My commission expires May 14, 1981

FOR DEPARTMENT USE ONLY

Received by <u>maria</u>	Date <u>4/24/80</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>JS</u>	Date <u>4-28-80</u>		claimant by:	
\$20.00 fee received by <u>maria</u>	Date <u>4/24/80</u> # <u>16415</u>			
Published in <u>Wood River Journal</u>				
Dates <u>5/15 + 5/22/80</u>				

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
POWER OF ATTORNEY

MAY 14 1980

Department of Water Resources
Southern District Office

The undersigned hereby nominates and appoints John A. Rosholt, whose address is P. O. Box 1906, Twin Falls, Idaho 83301, as Attorney-in-Fact with full authority to act for and on behalf of the undersigned with the Department of Water Resources of the State of Idaho in all matters pertaining to applications and claims for water in Blaine County, Idaho. Such acts shall include, but not be limited to the filing of applications, claims, receiving all notices, the signing and filing of applications, claims, and amendments pertaining to said water rights in Blaine County, Idaho.

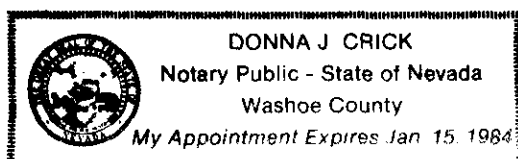
DATED this 6th day of MAY, 1980.

Devere E. Barker
Devere E. Barker
A General Partner
Humbolt Investment

STATE OF NEVADA)
) ss.
County of WASHOE)

On this 6th day of MAY, 1980, before me, the undersigned, a Notary Public in and for said County and State, personally appeared DEVERE E. BARKER, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

WITNESS my hand and official seal.



Donna J. Crick
NOTARY PUBLIC FOR WASHOE COUNTY
Residing at: RENO NEVADA

MICROFILMED

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Blaine } SS.

GORDON O. GLASMANN

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 15 day of May, 1980, and the date of the last publication was on the 22 day of May, 1980.

[Signature]

Subscribed and sworn to before me this 23 day of May, 1980.

(SEAL)

[Signature]
NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

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COPY OF NOTICE

(Paste Here)

Permit 37-4138
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water Resources
1041 Blue Blod N T.F.

[Faded text area]

8 pt. per line, straight	25c
8 pt. per line, tabular	39c
8 pt. per line, successive insertions	35c

RECEIVED
No. 153

JUN 1 1980

Department of
So. MICROFILMED

22-11708

736-00411

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 \$ 90⁰⁰

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

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3578

MAY 30, 1980

HUMBOLT INVESTMENT CO
P.O. BOX 326
SUN VALLEY ID 83353

RE: Claim No. 37-4138

Dear Claimant:

The Department of Water Resources has completed the advertising of your 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 and the evidence which you included in your claim.

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. Please refer to the claim identification number when corresponding with this office.

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

Yours truly,


LOREN O. HOLMES
Southern Region Supervisor

Enclosure

MICROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: J E Stanton

Right Number 37-4138 Applicant HUMBOLT 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 Loren O. Helmer Date 6-13-80

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By W. Hansen Date 6/19/80

MICROFILMED

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

32-4138-

HUMBOLT INVESTMENT CO

P.O. BOX 326, SUN VALLEY, ID 83353

Source: WARM SPRINGS tributary to WOOD RIVER

Priority Date: 04/15/1948

Amount: 1.05 CFS

Diversion Point: NWSE Sec 18 T 02N R 18E, BLAINE Co.

Use: IRRIGATION (1.05 CFS) from 04/15 to 10/15

Place of Use: SWSE SESE Sec 18 T 02N R 18E SWNE NESW NWSW NWSE
Sec 17 T 02N R 18E FOR 140 ACRES

Diversion Means: *Pond + Pump*
~~CHECK DAM & DITCH~~

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

C. STEPHEN ALLRED

Director

Published 5/15 & 5/22/80.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

MAY 9, 1980

Wood River Journal
P.O.Box 988
Hailer 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.

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 JUNE 2, 1980.

Yours truly,

Mary A. Hill
Secretary

Encl.

MICROFILMED