



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

May 30, 2007

BC PROPERTIES LLC
PO BOX 28
DRIGGS ID 83422

RE: Notice of Change of Water Right Ownership (NCO) for
22-568B, 22-7105 and Notice of Completed Administrative Proceeding
(NCAP)

Dear Sir or Madam:

The Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for a portion of the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated with new water right numbers reflecting the division of the water right(s).

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure



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May 30, 2007

JERALD & KERRY GEE
2364 E HWY 33
SUGAR CITY ID 83448

RE: Notice of Change of Water Right Ownership (NCO) for
22-568B, 22-7105 and Notice of Completed Administrative Proceeding
(NCAP)

Dear Mr. & Mrs. Gee:

The Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for a portion of the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated with new water right numbers reflecting the division of the water right(s).

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

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Respectfully,

Jennifer Crabtree
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Enclosure

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

In Re SRBA)

Water Rights: 22-7105 SPLIT
INTO 22-13722 & 22-13723

Case No. 39576)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

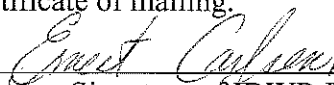
IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party SPLIT GEE—GEE/ BC PROPERTIES
- ☐ I.C. § 42-222 transfer
- | | |
|---|--|
| ☐ point of diversion | ☐ place of use |
| ☐ period of use | ☐ nature of use |
| ☐ split of water right | ☐ change in ownership |

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: May 30, 2007



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on June 4, 2007, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
JERALD & KERRY GEE
2364 E HWY 33
SUGAR CITY ID 83448

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
JERALD & KERRY GEE BC PROPERTIES LLC
2364 E HWY 33 PO BOX 28
SUGAR CITY ID 83448 DRIGGS ID 83422

4. One copy to:

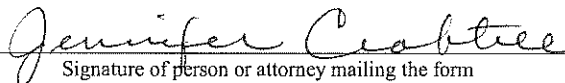
Each party in the subcase, or attorney of record
N/A

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

RECEIVED

APR 13 2007

Department of Water Resources
Eastern Region

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

needs
KRM

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
22-568 B		yes			
22-7105		yes			

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).

OR

- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former
Owner/Claimant(s)

Jerrell/Kerry GEE
2364E HWY 33

4. New Owner/Claimant(s)

SUGAR CITY, ID 83448

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

BC Properties LLC

City, State and ZIP Code

PO BOX
28

Driggs, Idaho 83422-Box 28

New Telephone Number

(208) 351-2633

5. Date you acquired the property _____

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s) _____

Ken J. Clark

BL Properties member

(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____ Date _____
 Receipted by _____ Date _____
 Processed by _____ AJ Date _____

Receipt Amt. _____
 Receipt No. _____
 WR _____ Date _____



ARTICLES OF ORGANIZATION LIMITED LIABILITY COMPANY

(Instructions on back of application)

FILED EFFECTIVE
2007 FEB 26 AM 10:37
SECRETARY OF STATE
STATE OF IDAHO

1. The name of the limited liability company is:

BC PROPERTIES LLC

2. The street address of the initial registered office is:

241 N. 350 W., Driggs, Idaho 83422

and the name of the initial registered agent at the above address is:

Ken Chambers

3. The mailing address for future correspondence is:

P.O. Box 28, Driggs, ID 83422

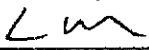
4. Management of the limited liability company will be vested in:

Manager(s) ☐ or Member(s) ☒ (please check the appropriate box)

5. If management is to be vested in one or more manager(s), list the name(s) and address(es) of at least one initial manager. If management is to be vested in the member(s), list the name(s) and address(es) of at least one initial member.

Name	Address
<u>Ken Chambers</u>	<u>P.O. Box 28, Driggs, ID 83422</u>
<u>Lucra Investments Inc.</u>	<u>750 N. 150 E., Teton, ID 83452</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

6. Signature of at least one person responsible for forming the limited liability company:

Signature: 

Typed Name: Chad Marlowe

Capacity: Organizer

Signature:

Typed Name:

Capacity:

Secretary of State use only

g:\compform\LLC\form\articles\organization.p65
Revised 07/2002

IDAHO SECRETARY OF STATE
02/26/2007 05:00
CK: 1004 CT: 204190 BH: 1035911
1 @ 100.00 = 100.00 ORGAN LLC # 2

Web Form

W59728

RECORDING REQUESTED BY
First American Title Company

185905 MAR 15 07 PM 1 57

AND WHEN RECORDED MAIL TO:
First American Title Company
81 North Main Street/P.O. Box 42
Driggs, ID 83422

Instrument # 185905

TETON COUNTY, IDAHO

2007-03-15 01:57:00 No. of Pages: 2

Recorded for : FIRST AMERICAN

MARY LOU HANSEN

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

Fee: 6.00

ag Nelson

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **197465-T (km)**

Date: **March 05, 2007**

For Value Received, **C. Kerry Gee and Kathleen F. Gee, Trustees, under the Kerry & Kathleen Gee Living Trust, dated October 22, 2003**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **BC Properties, LLC, an Idaho Limited Liability Company**, hereinafter called the Grantee, whose current address is **450 North 150 East, Teton, ID 83452**, the following described premises, situated in **Teton County, Idaho**, to-wit:

Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho

Section 5: W $\frac{1}{2}$ SW $\frac{1}{4}$

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 03/05/2007

Warranty Deed
- continued

File No.: 197465-T (km)

C. Kerry Gee and Kathleen F. Gee, Trustees,
under the Kerry & Kathleen Gee Living Trust,
dated October 22, 2003

C. Kerry Gee
C. Kerry Gee, Trustee

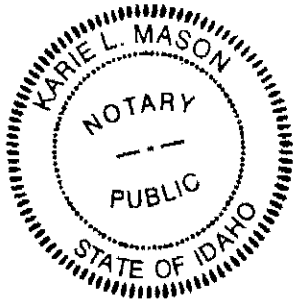
Kathleen F. Gee
Kathleen F. Gee, Trustee

STATE OF Idaho)

ss.

COUNTY OF Teton)

On this 8 day of March, 2007, before me, a Notary Public in and for said State, personally appeared **C. Kerry Gee and Kathleen F. Gee**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument as trustees of the **C. Kerry Gee and Kathleen F. Gee, Trustees, under the Kerry & Kathleen Gee Living Trust, dated October 22, 2003** Trust, and acknowledged to me that they executed the same as such trustee.



Karie L. Mason

Notary Public of Idaho

Residing at: Victor

Commission Expires: 8-19-2010

IDAHO DEPARTMENT OF WATER RESOURCES
DIRECTOR'S REPORT OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-7105

Split Right: See Nos. 22-13722 & 22-13723

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

05/30/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-13723

NAME AND ADDRESS: BC PROPERTIES LLC
PO BOX 28
DRIGGS ID 83422

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.660 CFS
218.00 AFY

PRIORITY DATE: 10/10/1974

POINT OF
DIVERSION: T05N R45E S5 NESESE Within TETON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/15	0.660 CFS 218.00 AFY

PLACE OF USE: IRRIGATION in TETON County

T05N R45E S05	NWSW	39.00	T05N R45E S05	SWSW	35.00
---------------	------	-------	---------------	------	-------

74 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 74 acres in a single irrigation season. Combined Right Nos.: 22-13721 & 22-13723.

This right is limited to the irrigation of 72.5 acres within the place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a split from former right 22-7105 .

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Use of water under this right is combined with water from Leigh Creek Canal.