

04/17/2007

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

RIGHT NUMBER: 37-4383

NAME AND ADDRESS: BLACK BUTTE HILLS LLC
PO BOX 1607
BELLEVUE WA 98009

SOURCE: THORN CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 0.500 CFS

PRIORITY DATE: 04/01/1970

POINT OF DIVERSION:

T04S R16E S31 SWSW Lot 4 Within GOODING County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

3/15 11/15

0.500 CFS

PLACE OF USE: IRRIGATION in GOODING County

T04S R16E S31 Lot 3 NWSW 40.00

40 ACRES TOTAL

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 - Beneficial Use

Use of this right is combined with water from Big Wood Canal Co.

Use of this right is combined with water from American Falls Reservoir Dist.
No. 2.

03/17/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-4383
NAME AND ADDRESS: SOUTH COVE VENTURES LLC
C/O CHUCK HILL
PO BOX 1607
BELLEVUE WA 98009

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:
No lawful appropriation shown.

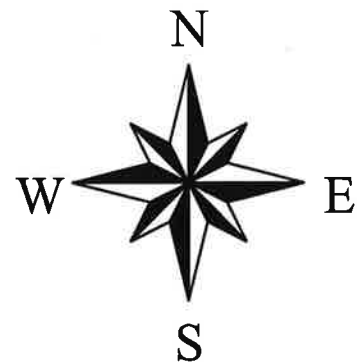
37-4383



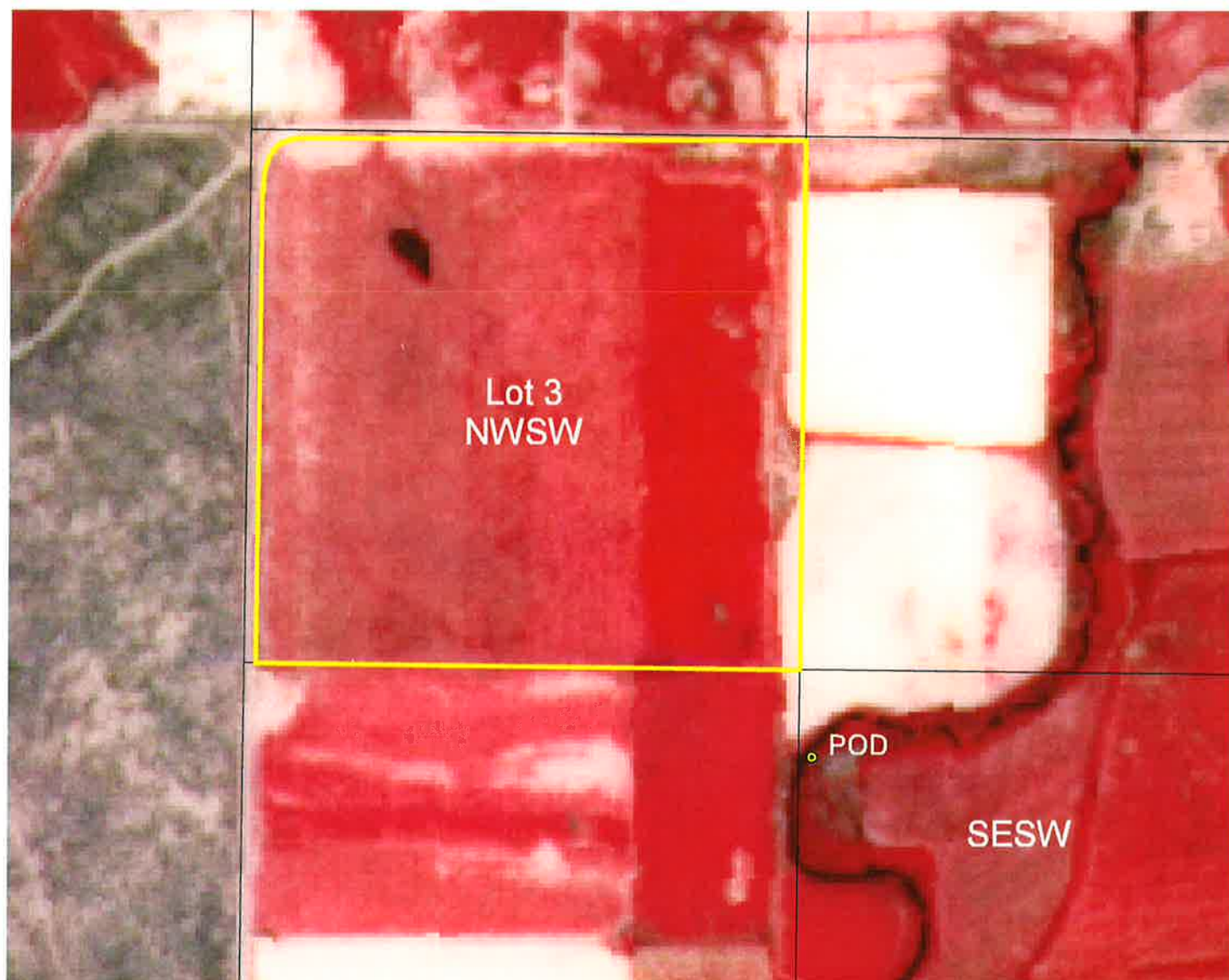
800 0 800 1600 Feet

T04S R16E S31

Map prepared by: Carter Fritschle
Date prepared: 01/24/03 - Revised 11/22/04
1987-1988 NAPP photography
Idaho Department of Water Resources



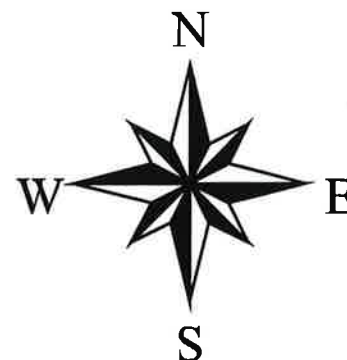
37-4383



600 0 600 1200 Feet

T04S R16E S31

Map prepared by: Carter Fritschle
Date prepared: 01/24/03
1987-1988 NAPP photography
Idaho Department of Water Resources



Contacts Data Entry Form

Claim Number 37-4383

melody *43*
Rod Gonzales Foreman 208-764-3904

SEE DEED 5

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	<i>South Cove Ventures LLC</i> PAULINE S DAMELE	655 W COUNTY LINE	GOODING	ID	83330	(208) ~~886-2797~~ <i>home 429-8963</i>
Current Owner	<i>Bruce McEaw</i> STEPHEN D DAMELE	RD <i>SEATTLE</i> ~~RD~~ WASH	GOODING	ID	83330	(208) ~~886-2797~~

sold

Date of Field Exam: 10-22-04 Time: 10 AM

Accompanied By: *FOREMAN*
Rod Gonz 215 Phone Number: 208-764-3904

Relationship to Claimant: FOREMAN

Directions to Property (if different from above) and/or update owner information:

From Gooding 5 mi North - 6 mi East - 1 1/2 mi North -
1/2 mi West to ^{future} ranch office

Lee R. Peterson
 234 S View Rd.
 Jerome, ID 83338

Date: 10-22-04

Point of Diversion and Source Data Entry Form

Claim Number 37-4383

Claimed Point of Diversion and Source

T04S R16E S31 SESW Within GOODING County Source: THORN CREEK BIG WOOD RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

T04S R16E S31 SESW Within GOODING County

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

Thorne Cr Big Wood River

	Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
POD	45	16E	31	3 ^{for}	SE SW	Gooding	Thorne Cr
					SEE color photo & GPS		

Other rights from this POD? NONE

Document how the POD and Source were verified:

Red Gonzalez and I drove around area

and we walked to POD where Pump is

located - I didn't know name of Ranch by ^{photo} new owner Red said ^{photo} he was main office

COVE 3 2450350 1314401 A0015212 1030344

Reviewer: *RG*

Date: 10-22-04

Place Of Use Data Entry Form

Claim Number 37-4383

Claimed Place Of Use

T04S R16E S31 NWSW 40.0

Total Acres 40

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

T04S R16E S31 NWSW 40.0

Total Acres 40

appears ok by Rod

Recommended Place of Use

☐ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
45	16E	31			Gooding	3	40	Irrigation

Total Acres 40 *ok as per Rod*

Document how the POU was verified:

Rod & I walked to POD & Pou he showed me this acreage

Reviewer: *[Signature]*Date: 10-22-04

Period of Use and Quantity Data Entry Form

Claim Number 37-4383

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/01	11/01	0.5	OK

Overall Diversion Rate 0.5

Overall Diversion Volume

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/01	11/01	0.5	usually but does vary as per Rod

Overall Diversion Rate 0.5

Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
<u>The above dates & volume is OK on good years</u>				

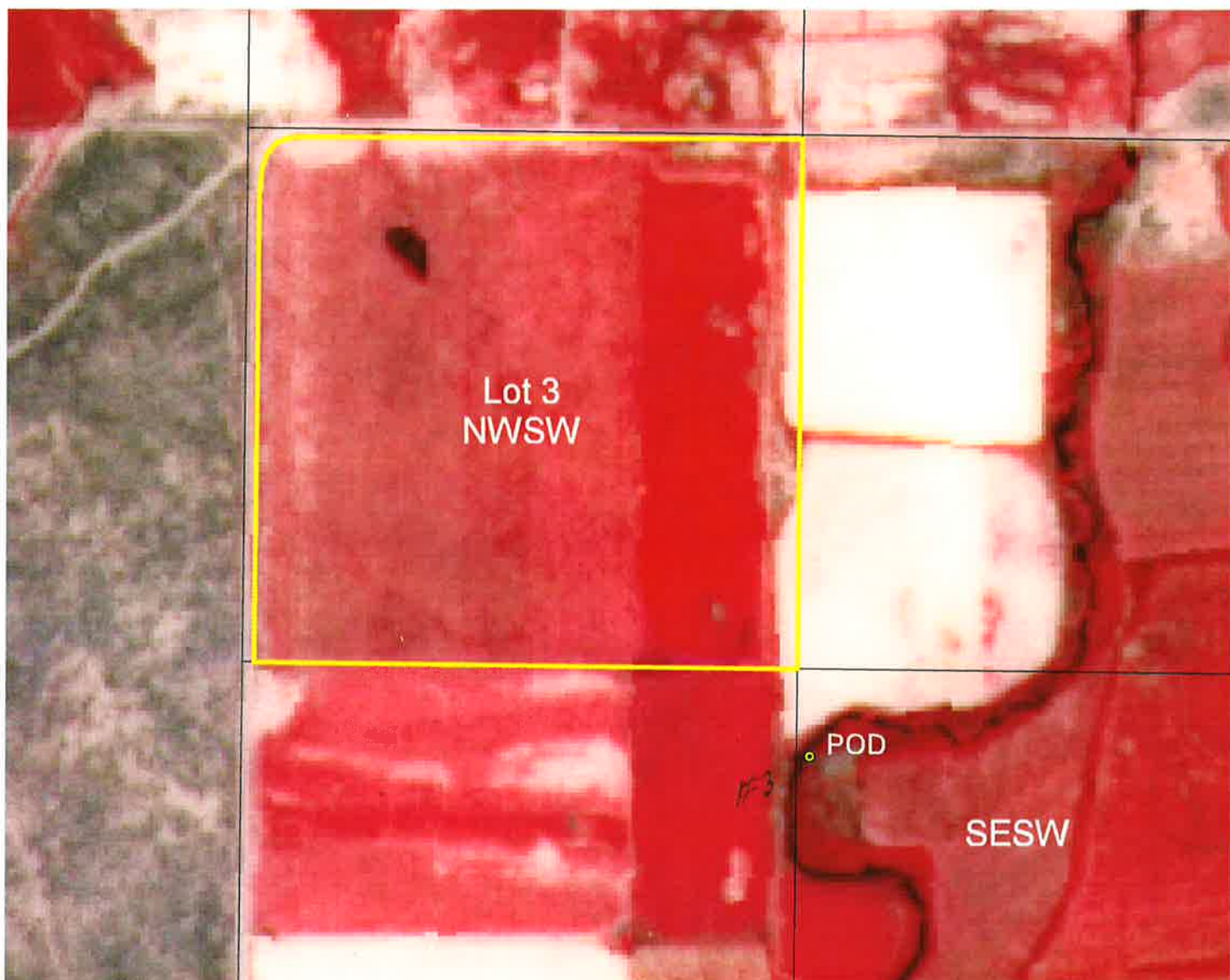
Overall Diversion Rate up & downOverall Diversion Volume same

Document how the Period of Use and/or Diversion Rate were verified:

undetermined - no measurement at this time
volume depends on the amount Amer Falls -
BWCC puts in Cr.

Reviewer: Date: 10-22-04

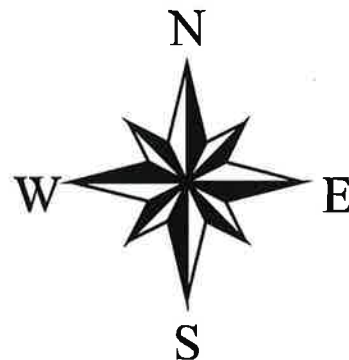
37-4383



600 0 600 1200 Feet

T04S R16E S31

Map prepared by: Carter Fritschle
Date prepared: 01/24/03
1987-1988 NAPP photography
Idaho Department of Water Resources



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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 37-4383
Date Received: 2/14/1990
Receipt No: C014702
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

PAULINE S DAMELE Phone: (208)886-2797
655 W COUNTY LINE RD
GOODING ID 83330

STEPHEN D DAMELE Phone: (208)886-2797
655 W COUNTY LINE RD
GOODING ID 83330

2. Date of Priority: 04/01/1970

3. Source: THORN CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04S	16E	31	SE SW	GOODING	

5. Description of diverting works:

PUMP, PIPE, SPRINKLER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.5	

7. Total Quantity Appropriated is:
0.5 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04S	16E	31	NW	SW	IRRIGATION	40
Section Acres						40
Total Acres						40

11. Place of use in counties: GOODING

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

A STATUTORY CLAIM WAS PREVIOUSLY SUBMITTED FOR THIS RIGHT IN JULY OF 1983 AND ASSIGNED NO. 37-04383. THIS CLAIM PRIMARILY CONSISTS OF CLAIMANT'S RE-USE OF OWN WASTEWATER WHICH FLOWS BACK INTO THORN CREEK BUT ALSO CONSISTS OF SPRING RUN OFF.

15. Basis of Claim: Statutory Claim



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 16, 2004

STEPHEN DAMELE
PAULINE DAMELE
655 W COUNTY LINE RD
GOODING ID 83330

Re: SRBA Claim(s) 37-4383, 37-4384, 37-4386, 37-4099
Decreed Water Right 37-4385

Dear Mr. and Mrs. Damele:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer records of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, reading 'Trish Fawcett'.

Trish Fawcett
Technical Records Specialist

Enc.

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.

RECEIVED
 APR 14 2004
 Department of Water Resources
 Southern Region

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 division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>37-4383</u>	_____	___	_____	_____	___
<u>37-4386</u>	_____	___	_____	_____	___
<u>37-4099</u>	_____	___	_____	_____	___
<u>37-4384</u>	_____	___	_____	_____	___
<u>37-4385</u>	_____	___	_____	_____	___

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 usually attached to your deed or on file with the county).

OR

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 **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) PAUL T. WALTON 1990 REVOCABLE TRUST
STAR ROUTE BOX 325, JACKSON, WY 83001
4. New Owner/Claimant(s) STEPHEN D. DAMELE and PAULINE S. DAMELE
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 655 WEST COUNTY LINE ROAD
- City, State and ZIP Code GOODING, ID 83330
- New Telephone Number 208 - 886-2797
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 item 1, THEN SKIP THIS ITEM AND GO TO ITEM 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 (one water right per box, you may copy this page as 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(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

x Stephen D. Damsch
x Pauline L. Damsch

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.

For Office Use Only

Received by _____	Date _____	Fee _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

#G-27422~

WARRANTY DEED

RECEIVED
APR 14 2004
Department of Natural Resources
Bureau of Land Management

For Value Received

HELEN BAER WALTON, Co-Trustee of the PAUL T. WALTON 1990 REVOCABLE TRUST AGREEMENT dated November 19, 1990

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

STEPHEN DAMELE and PAULINE DAMELE, husband and wife
Address: 26061 Gill Lane Middleton, Id 83644

Hereinafter called the Grantee, the following described premises situated in GOODING County, Idaho, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO:

TOGETHER WITH 24 SHARES OF THE AMERICAN RESERVOIR DISTRICT #2

TOGETHER WITH 764 SHARES OF BIG WOOD CANAL COMPANY WATER STOCK

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

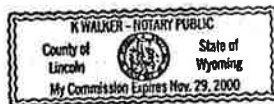
Dated: September 1, 1998

Helen Baer Walton - Co-Trustee

HELEN BAER WALTON Co-Trustee
of the PAUL T. WALTON 1990 Revocable Trust Agreement dated
November 19, 1990

STATE OF WYOMING)

COUNTY OF TERRA) ss.)



On this 3rd day of September, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared HELEN BAER WALTON Co-Trustee of the PAUL T. WALTON 1990, REVOCABLE TRUST AGREEMENT DATED November 19, 1990 known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same, as Co-Trustee, of said Trust.

K Walker
Notary Public
Residing at: JACKSON STATE BANK
My Commission expires: 11-29-00

177057
STATE OF IDAHO COUNTY OF GOODING
Filed for record at the request of Land Title & Escrow Inc.
21 min. past 4 o'clock P m. this 4th
of September, 19 98 18.00
by Penny Archibald Deputy

CONTINUATION

EXHIBIT "A"

Order Number: G-27422
PARCEL NO. 1

RECEIVED
APR 14 2004
Department of Water Resources
Southern Region

TOWNSHIP 4 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 25: S½SE¼;
Section 36: NE¼; E½NW¼;

TOWNSHIP 4 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 30: Lot 3;

Section 31: Lot 3 and that part of the NE¼SW¼ lying West of Thorn Creek.

TOWNSHIP 4 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

A parcel of land located in Sections 30 and 31, more particularly described as follows:

Commencing at the West quarter corner of Section 31 and being THE TRUE POINT
OF BEGINNING;

Thence North 0°03'51" West along the West boundary of Section 31 for a distance of
2638.23 feet to the Northwest corner of Section 31;

Thence North 0°11'51" West along the West boundary of Section 30 for a distance of
1317.80 feet to the Northwest corner of the SW¼SW¼ of Section 30;

Thence South 89°58'28" East along the North boundary of the S½SW¼ of Section 30
for a distance of 2564.64 feet to the center of Preacher Creek;

Thence along the center of Preacher Creek on the following courses:

South 29°31'14" West, 53.02 feet;

South 42°35'33" West, 75.06 feet;

South 36°04'40" West, 129.01 feet;

South 26°55'26" East, 84.12 feet;

South 25°15'58" West, 66.62 feet;

South 15°06'01" East, 136.13 feet;

South 2°32'04" East, 79.51 feet;

South 25°14'16" West, 130.95 feet;

South 3°48'48" West, 148.10 feet;

South 36°19'28" West, 29.68 feet;

South 8°57'11" West, 136.38 feet;

South 21°18'00" East, 118.28 feet;

South 59°22'56" West, 211.41 feet;

South 15°54'25" East, 168.03 feet;

- Continued -

CONTINUATION

EXHIBIT 'A'

Order Number: G-27422

South 37°32'13" East, 265.16 feet;
South 54°20'46" East, 71.47 feet;
South 32°33'05" East, 231.75 feet;
South 0°59'11" West, 86.50 feet;
South 23°17'30" West, 123.41 feet;
South 28°34'58" East, 52.36 feet;
South 66°20'07" East, 110.19 feet;
South 85°11'50" East, 94.16 feet;
North 79°05'35" East, 150.27 feet;
South 59°52'59" East, 49.79 feet;
South 31°24'39" East, 27.66 feet;
South 56°14'04" East, 34.46 feet;
North 80°02'54" East, 81.70 feet;
South 51°22'45" East, 60.87 feet;
South 9°39'12" West, 36.14 feet;
South 57°35'41" West, 139.46 feet;
South 12°59'07" West, 106.48 feet;
South 41°21'08" East, 74.18 feet;
South 89°40'27" East, 127.67 feet;
South 38°41'36" East, 67.95 feet;
North 84°13'46" East, 40.50 feet;
South 38°43'05" East, 24.13 feet;
South 4°47'47" West, 37.19 feet;
South 32°53'08" East, 78.56 feet;
South 30°57'47" West, 93.20 feet;
South 45°51'59" West, 55.04 feet;
South 61°40'56" West, 45.57 feet;
North 81°11'18" West, 130.10 feet;
South 77°27'26" West, 56.87 feet;
South 37°10'43" West, 121.42 feet;
South 17°01'36" West, 68.89 feet;
South 8°08'56" West, 70.28 feet;
South 31°55'44" West, 39.52 feet;
South 1°27'47" East, 72.37 feet;
South 35°52'58" West, 22.70 feet;
South 1°49'02" East, 57.96 feet;
South 16°03'53" West, 38.77 feet;
North 70°46'32" West, 24.10 feet;
South 52°35'08" West, 70.09 feet;
South 88°20'20" West, 71.75 feet;
South 62°01'58" West, 55.35 feet;
South 48°32'14" West, 31.94 feet;
South 3°31'48" West, 194.91 feet;
South 73°59'48" West, 49.24 feet;

- Continued -

RECEIVED

APR 14 2004

CONTINUATION

EXHIBIT "A"

Order Number: G-27422

South 88°50'28" West, 52.37 feet;
North 66°52'25" West, 48.89 feet;
North 80°09'31" West, 66.56 feet;
South 64°46'29" West, 24.43 feet;
North 87°40'00" West, 23.41 feet;
South 51°15'19" West, 25.79 feet;
South 5°40'17" West, 45.57 feet to the junction of Preacher Creek and Thorn Creek;
Thence along the center of Thorn Creek on the following courses:

South 11°39'10" West, 65.79 feet;
South 57°51'16" West, 37.67 feet;
North 63°32'31" West, 38.11 feet;
South 80°44'42" West, 22.04 feet;
South 12°01'52" West, 53.55 feet;
South 3°19'05" West, 70.74 feet;
South 6°59'19" East, 80.14 feet;
South 14°02'21" West, 68.86 feet;
South 8°10'05" West, 97.04 feet to a point on the South boundary of the NW¼ of Section 31;

Thence leaving the center of Thorn Creek North 89°52'39" West along the South boundary of the NW¼ of Section 31 for a distance of 2188.61 feet to the West quarter corner of Section 31 and being THE TRUE POINT OF BEGINNING.

SUBJECT TO a 25.0 foot wide county road right of way along the Southerly boundary of the above described parcel.

PARCEL NO. 2

TOWNSHIP 4 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

That part of the SE¼SW¼ of Section 30 and the E½NW¼, W½NE¼, and SE¼NE¼ of Section 31, lying Easterly of the following described line:

Beginning at a point South 89°58'28" East, 2564.64 feet from the Northwest corner of the SW¼SW¼ of Section 30, said point being in the center of Preacher Creek;
Thence along the center of Preacher Creek on the following courses:
South 29°31'14" West, 53.02 feet;
South 42°35'33" West, 75.06 feet;
South 36°04'40" West, 129.01 feet;
South 26°55'26" East, 84.12 feet;
South 25°15'58" West, 66.62 feet;
South 15°06'01" East, 136.13 feet;
South 2°32'04" East, 79.51 feet;
South 25°14'16" West, 130.95 feet;

- Continued -

RECEIVED

APR 14 2004

CONTINUATION

South 3°48'48" West, 148.10 feet;
South 36°19'28" West, 29.68 feet;
South 8°57'11" West, 136.38 feet;
South 21°18'00" East, 118.28 feet;
South 59°22'56" West, 211.41 feet;
South 15°54'25" East, 168.03 feet;
South 37°32'13" East, 265.16 feet;
South 54°20'46" East, 71.47 feet;
South 32°33'05" East, 231.75 feet;
South 0°59'11" West, 86.50 feet;
South 23°17'30" West, 123.41 feet;
South 28°34'58" East, 52.36 feet;
South 66°20'07" East, 110.19 feet;
South 85°11'50" East, 94.16 feet;
North 79°05'35" East, 150.27 feet;
South 59°52'59" East, 49.79 feet;
South 31°24'39" East, 27.66 feet;
South 56°14'04" East, 34.46 feet;
North 80°02'54" East, 81.70 feet;
South 51°22'45" East, 60.87 feet;
South 9°39'12" West, 36.14 feet;
South 57°35'41" West, 139.46 feet;
South 12°59'07" West, 106.48 feet;
South 41°21'08" East, 74.18 feet;
South 89°40'27" East, 127.67 feet;
South 38°41'36" East, 67.95 feet;
North 84°13'46" East, 40.50 feet;
South 38°43'05" East, 24.13 feet;
South 4°47'47" West, 37.19 feet;
South 32°53'08" East, 78.56 feet;
South 30°57'47" West, 93.20 feet;
South 45°51'59" West, 55.04 feet;
South 61°40'56" West, 45.57 feet;
North 81°11'18" West, 130.10 feet;
South 77°27'26" West, 56.87 feet;
South 37°10'43" West, 121.42 feet;
South 17°01'36" West, 68.89 feet;
South 8°08'56" West, 70.28 feet;
South 31°55'44" West, 39.52 feet;
South 1°27'47" East, 72.37 feet;
South 35°52'58" West, 22.70 feet;
South 1°49'02" East, 57.96 feet;
South 16°03'53" West, 38.77 feet;
North 70°46'32" West, 24.10 feet;

- Continued -

CONTINUATION

SCHEDULE A

RECEIVED

APR 14 2004

Geographic Information Resources
Data Management

Order Number: G-27422

RECEIVED
APR 14 2004
Department of County Assessors
Boise, Idaho

South 52°35'08" West, 70.09 feet;
South 88°20'20" West, 71.75 feet;
South 62°01'58" West, 55.35 feet;
South 48°32'14" West, 31.94 feet;
South 3°31'48" West, 194.91 feet;
South 73°59'48" West, 49.24 feet;
South 88°50'28" West, 52.37 feet;
North 66°52'25" West, 48.89 feet;
North 80°09'31" West, 66.56 feet;
South 64°46'29" West, 24.43 feet;
North 87°40'00" West, 23.41 feet;
South 51°15'19" West, 25.79 feet;
South 5°40'17" West, 45.57 feet to the junction of Preacher Creek and Thorn Creek;
Thence along the center of Thorn Creek on the following courses:
South 11°39'10" West, 65.79 feet;
South 57°51'16" West, 37.67 feet;
North 63°32'31" West, 38.11 feet;
South 80°44'42" West, 22.04 feet;
South 12°01'52" West, 53.55 feet;
South 3°19'05" West, 70.74 feet;
South 6°59'19" East, 80.14 feet;
South 14°02'21" West, 68.86 feet;
South 8°10'05" West, 97.04 feet to a point on the South boundary of the NW¼ of
Section 31;

SUBJECT TO a 25.0 foot wide county road right of way along the Southerly boundary
of the above described parcel.

PARCEL NO. 3

TOWNSHIP 4 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 31: SE¼ and that part of the E½SW¼ lying East of the centerline of Thorn Creek.

WARRANTY DEED

G040302

For Value Received

PAUL T. WALTON JR., Co-Trustee of the PAUL T. WALTON 1990 REVOCABLE TRUST AGREEMENT dated November 19, 1990

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

STEPHEN DAMELE and PAULINE DAMELE, husband and wife
Address: 26061 Gill Lane Middleton, Id 83644

Hereinafter called the Grantee, the following described premises situated in GOODING County, Idaho, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO:

TOGETHER WITH 24 SHARES OF THE AMERICAN RESERVOIR DISTRICT #2

TOGETHER WITH 764 SHARES OF BIG WOOD CANAL COMPANY WATER STOCK

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

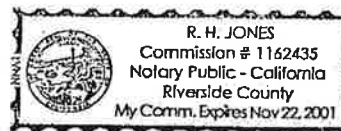
Dated: September 4, 1998

PAUL T. WALTON JR. Co-Trustee
of the PAUL T. WALTON 1990 Revocable Trust Agreement dated
November 19, 1990

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.

On this 2ND day of September, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared PAUL T. WALTON JR., co-Trustee of the PAUL T. WALTON 1990, REVOCABLE TRUST AGREEMENT DATED November 19, 1990 - known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same, as Co-Trustee, of said Trust.

R. H. Jones
Notary Public
Residing at: LAQUINTA, CA
My Commission expires: 11/22/01



177056

STATE OF IDAHO COUNTY OF GOODING
Filed for record at the request of Land Title & Escrow Inc.
20 min. past 4 o'clock P m. this 4th
September 1998 18:00
By Penny Archibald Deputy

CONTINUATION

EXHIBIT "A"

Order Number: G-27422

PARCEL NO. 1

TOWNSHIP 4 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 25: S½SE¼;

Section 36: NE¼; E½NW¼;

TOWNSHIP 4 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 30: Lot 3;

Section 31: Lot 3 and that part of the NE¼SW¼ lying West of Thorn Creek.

TOWNSHIP 4 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

A parcel of land located in Sections 30 and 31, more particularly described as follows:

Commencing at the West quarter corner of Section 31 and being THE TRUE POINT
OF BEGINNING;

Thence North 0°03'51" West along the West boundary of Section 31 for a distance of
2638.23 feet to the Northwest corner of Section 31;

Thence North 0°11'51" West along the West boundary of Section 30 for a distance of
1317.80 feet to the Northwest corner of the SW¼SW¼ of Section 30;

Thence South 89°58'28" East along the North boundary of the S½SW¼ of Section 30
for a distance of 2564.64 feet to the center of Preacher Creek;

Thence along the center of Preacher Creek on the following courses:

South 29°31'14" West, 53.02 feet;

South 42°35'33" West, 75.06 feet;

South 36°04'40" West, 129.01 feet;

South 26°55'26" East, 84.12 feet;

South 25°15'58" West, 66.62 feet;

South 15°06'01" East, 136.13 feet;

South 2°32'04" East, 79.51 feet;

South 25°14'16" West, 130.95 feet;

South 3°48'48" West, 148.10 feet;

South 36°19'28" West, 29.68 feet;

South 8°57'11" West, 136.38 feet;

South 21°18'00" East, 118.28 feet;

South 59°22'56" West, 211.41 feet;

South 15°54'25" East, 168.03 feet;

- Continued -

CONTINUATION

EXHIBIT "A"

Order Number: G-27422

South 37°32'13" East, 265.16 feet;
South 54°20'46" East, 71.47 feet;
South 32°33'05" East, 231.75 feet;
South 0°59'11" West, 86.50 feet;
South 23°17'30" West, 123.41 feet;
South 28°34'58" East, 52.36 feet;
South 66°20'07" East, 110.19 feet;
South 85°11'50" East, 94.16 feet;
North 79°05'35" East, 150.27 feet;
South 59°52'59" East, 49.79 feet;
South 31°24'39" East, 27.66 feet;
South 56°14'04" East, 34.46 feet;
North 80°02'54" East, 81.70 feet;
South 51°22'45" East, 60.87 feet;
South 9°39'12" West, 36.14 feet;
South 57°35'41" West, 139.46 feet;
South 12°59'07" West, 106.48 feet;
South 41°21'08" East, 74.18 feet;
South 89°40'27" East, 127.67 feet;
South 38°41'36" East, 67.95 feet;
North 84°13'46" East, 40.50 feet;
South 38°43'05" East, 24.13 feet;
South 4°47'47" West, 37.19 feet;
South 32°53'08" East, 78.56 feet;
South 30°57'47" West, 93.20 feet;
South 45°51'59" West, 55.04 feet;
South 61°40'56" West, 45.57 feet;
North 81°11'18" West, 130.10 feet;
South 77°27'26" West, 56.87 feet;
South 37°10'43" West, 121.42 feet;
South 17°01'36" West, 68.89 feet;
South 8°08'56" West, 70.28 feet;
South 31°55'44" West, 39.52 feet;
South 1°27'47" East, 72.37 feet;
South 35°52'58" West, 22.70 feet;
South 1°49'02" East, 57.96 feet;
South 16°03'53" West, 38.77 feet;
North 70°46'32" West, 24.10 feet;
South 52°35'08" West, 70.09 feet;
South 88°20'20" West, 71.75 feet;
South 62°01'58" West, 55.35 feet;
South 48°32'14" West, 31.94 feet;
South 3°31'48" West, 194.91 feet;
South 73°59'48" West, 49.24 feet;

- Continued -

RECEIVED
APR 14 2004
THE ATTORNEY GENERAL
STATE OF TEXAS

CONTINUATION

EXHIBIT "A"

Order Number: G-27422

South 88°50'28" West, 52.37 feet;
North 66°52'25" West, 48.89 feet;
North 80°09'31" West, 66.56 feet;
South 64°46'29" West, 24.43 feet;
North 87°40'00" West, 23.41 feet;
South 51°15'19" West, 25.79 feet;
South 5°40'17" West, 45.57 feet to the junction of Preacher Creek and Thorn Creek;
Thence along the center of Thorn Creek on the following courses:
South 11°39'10" West, 65.79 feet;
South 57°51'16" West, 37.67 feet;
North 63°32'31" West, 38.11 feet;
South 80°44'42" West, 22.04 feet;
South 12°01'52" West, 53.55 feet;
South 3°19'05" West, 70.74 feet;
South 6°59'19" East, 80.14 feet;
South 14°02'21" West, 68.86 feet;
South 8°10'05" West, 97.04 feet to a point on the South boundary of the NW¼ of Section 31;
Thence leaving the center of Thorn Creek North 89°52'39" West along the South boundary of the NW¼ of Section 31 for a distance of 2188.61 feet to the West quarter corner of Section 31 and being THE TRUE POINT OF BEGINNING.

SUBJECT TO a 25.0 foot wide county road right of way along the Southerly boundary of the above described parcel.

PARCEL NO. 2

TOWNSHIP 4 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

That part of the SE¼SW¼ of Section 30 and the E½NW¼, W½NE¼, and SE¼NE¼ of Section 31, lying Easterly of the following described line:

Beginning at a point South 89°58'28" East, 2564.64 feet from the Northwest corner of the SW¼SW¼ of Section 30, said point being in the center of Preacher Creek;
Thence along the center of Preacher Creek on the following courses:
South 29°31'14" West, 53.02 feet;
South 42°35'33" West, 75.06 feet;
South 36°04'40" West, 129.01 feet;
South 26°55'26" East, 84.12 feet;
South 25°15'58" West, 66.62 feet;
South 15°06'01" East, 136.13 feet;
South 2°32'04" East, 79.51 feet;
South 25°14'16" West, 130.95 feet;

- Continued -

CONTINUATION

South 3°48'48" West, 148.10 feet;
South 36°19'28" West, 29.68 feet;
South 8°57'11" West, 136.38 feet;
South 21°18'00" East, 118.28 feet;
South 59°22'56" West, 211.41 feet;
South 15°54'25" East, 168.03 feet;
South 37°32'13" East, 265.16 feet;
South 54°20'46" East, 71.47 feet;
South 32°33'05" East, 231.75 feet;
South 0°59'11" West, 86.50 feet;
South 23°17'30" West, 123.41 feet;
South 28°34'58" East, 52.36 feet;
South 66°20'07" East, 110.19 feet;
South 85°11'50" East, 94.16 feet;
North 79°05'35" East, 150.27 feet;
South 59°52'59" East, 49.79 feet;
South 31°24'39" East, 27.66 feet;
South 56°14'04" East, 34.46 feet;
North 80°02'54" East, 81.70 feet;
South 51°22'45" East, 60.87 feet;
South 9°39'12" West, 36.14 feet;
South 57°35'41" West, 139.46 feet;
South 12°59'07" West, 106.48 feet;
South 41°21'08" East, 74.18 feet;
South 89°40'27" East, 127.67 feet;
South 38°41'36" East, 67.95 feet;
North 84°13'46" East, 40.50 feet;
South 38°43'05" East, 24.13 feet;
South 4°47'47" West, 37.19 feet;
South 32°53'08" East, 78.56 feet;
South 30°57'47" West, 93.20 feet;
South 45°51'59" West, 55.04 feet;
South 61°40'56" West, 45.57 feet;
North 81°11'18" West, 130.10 feet;
South 77°27'26" West, 56.87 feet;
South 37°10'43" West, 121.42 feet;
South 17°01'36" West, 68.89 feet;
South 8°08'56" West, 70.28 feet;
South 31°55'44" West, 39.52 feet;
South 1°27'47" East, 72.37 feet;
South 35°52'58" West, 22.70 feet;
South 1°49'02" East, 57.96 feet;
South 16°03'53" West, 38.77 feet;
North 70°46'32" West, 24.10 feet;

- Continued -

CONTINUATION

SCHEDULE A

Order Number: G-27422

RECEIVED
APR 14 1971
COUNTY CLERK

South 52°35'08" West, 70.09 feet;
South 88°20'20" West, 71.75 feet;
South 62°01'58" West, 55.35 feet;
South 48°32'14" West, 31.94 feet;
South 3°31'48" West, 194.91 feet;
South 73°59'48" West, 49.24 feet;
South 88°50'28" West, 52.37 feet;
North 66°52'25" West, 48.89 feet;
North 80°09'31" West, 66.56 feet;
South 64°46'29" West, 24.43 feet;
North 87°40'00" West, 23.41 feet;
South 51°15'19" West, 25.79 feet;
South 5°40'17" West, 45.57 feet to the junction of Preacher Creek and Thorn Creek;
Thence along the center of Thorn Creek on the following courses:
South 11°39'10" West, 65.79 feet;
South 57°51'16" West, 37.67 feet;
North 63°32'31" West, 38.11 feet;
South 80°44'42" West, 22.04 feet;
South 12°01'52" West, 53.55 feet;
South 3°19'05" West, 70.74 feet;
South 6°59'19" East, 80.14 feet;
South 14°02'21" West, 68.86 feet;
South 8°10'05" West, 97.04 feet to a point on the South boundary of the NW¼ of
Section 31;

SUBJECT TO a 25.0 foot wide county road right of way along the Southerly boundary
of the above described parcel.

PARCEL NO. 3

TOWNSHIP 4 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 31: SE¼ and that part of the E½SW¼ lying East of the centerline of Thorn Creek.

EXCEPT # 197191