RECEIVED
MAR 13 2007
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
MAR 1 2 2007
By
Clerk
Deputy Clerk

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	)	**ORDER OF PARTIAL DECREE**
	)	
Case No. 39576	)	**For Water Right: 37-07216**
	)	
	)	

On January 29, 2007, a ***Special Master's Report and Recommendation*** was filed for the above-captioned water right. No Challenges were filed to the ***Special Master's Report and Recommendation*** and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and ***SRBA Administrative Order 1***, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the ***Special Master's Report and Recommendation*** and wholly adopts them as its own.

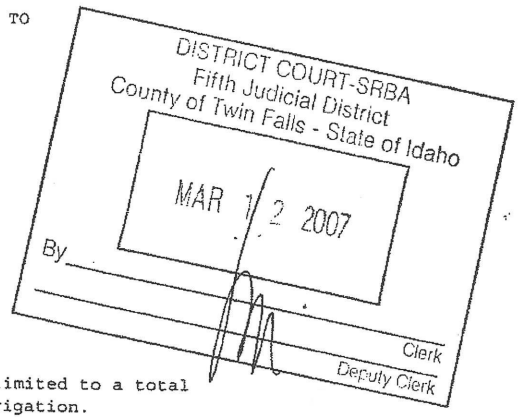
Therefore, IT IS ORDERED that the above-captioned water right be **decreed** as set forth in the attached ***Partial Decree Pursuant to I.R.C.P. 54(b)***.

DATED March 12, 2007

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

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	)	PARTIAL DECREE PURSUANT TO
	)	I.R.C.P. 54(b) FOR
Case No. 39576	)	
	)	Water Right 37-07216



NAME AND ADDRESS: BLACK CANYON BLISS LLC
PO BOX 95
RUPERT, ID 83350

SOURCE: SPRINGS TRIBUTARY: SNAKE RIVER

QUANTITY: 4.00 CFS
381.00 AFY

Right nos. 37-793, 37-7216 and 37-21721 are limited to a total combined diversion rate of 4.857 cfs for irrigation.

PRIORITY DATE: 04/02/1973

POINT OF DIVERSION: T06S R13E S08 SESWSW Within Gooding County
S17 NENWNW

2 points of diversion located in the NWNW, S17, T6S, R13E

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation	04-01 TO 11-01	2.54 CFS
		381.00 AFY
Fish Propagation	01-01 TO 12-31	4.00 CFS

The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:

Irrigation — Within Gooding County

T06S R13E S07		SESE 12.0			
S08		SWSW 7.0			
S17		NENW 8.0		NWNW 29.0	
	LOT 1	(SWNW) 20.0		SENW 5.0	
	LOT 2	(NESW) 1.0	LOT 2	(NWSW) 5.0	
S18	LOT 7	(NENE) 4.0	LOT 7	(SENE) 1.0	

92.0 Acres Total

Fish Propagation — Within Gooding County

T06S R13E S17	NENW	NWNW
S18	LOT 7 (SENE)	

Right nos. 37-793, 37-7126 and 37-21721 are limited to the irrigation of a combined total of 92 acres 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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

2007 MAR 12 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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)	CERTIFICATE OF MAILING
)	
Case No. 39576)	
_____)	Water Right(s): 37-07216

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 37-07216 was mailed on March 12, 2007, with sufficient first-class postage prepaid to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

BLACK CANYON BLISS LLC
PO BOX 95
RUPERT, ID 83350

JULIE MURPHY
Chief Deputy Clerk

COPY

2006 MAY -4 AM 9:58

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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	)	**Subcase No: 37-793, 37-7216**
	)	
Case No. 39576	)	
	)	**NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING**
	)	

IDWR has completed the following Administrative proceeding: **I.C. § 42-222 TRANSFER**

An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

[X]	Change in Ownership	[]	Split of Water Right
[]	Point of Diversion	[X]	Place of Use
[]	Period of Use	[]	Nature of Use

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: 5/4/06

T Douglas Jones
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 5/4, 2006, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
   Clerk of the District Court
   Snake River Basin Adjudication
   253 Third Avenue North
   PO Box 2707
   Twin Falls ID 83303-2707

2. Copies to:
   Chief Natural Resources Division
   Office of the Attorney General
   PO Box 44449
   Boise ID 83711-4449

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

   Black Canyon Bliss LLC
   PO Box 95
   Rupert ID 83350

   Black Canyon Farms Inc
   317 River Rd
   Bliss ID 83314

Patrisha Tuthill

Signature of person or attorney mailing the form

03/28/2006

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

RIGHT NUMBER: 37-793

NAME AND ADDRESS: BLACK CANYON BLISS LLC
PO BOX 95
RUPERT ID 83350

SOURCE: SPRINGS TRIBUTARY: SNAKE RIVER

QUANTITY: 2.000 CFS

Right nos. 37-21721, 37-21722, 37-793 and 37-7216 are limited to a total combined diversion rate of 5.50 cfs for irrigation.

PRIORITY DATE: 04/01/1888

POINT OF DIVERSION: T06S R13E S17 NENW Within GOODING County

T06S R13E S17 NENWNW Within GOODING County

T06S R13E S17 NESESE Within GOODING County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	2.000 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T06S R13E S07		SESE	12.00	T06S R13E S08		SWSW	7.00
T06S R13E S17		NENW	8.00	T06S R13E S17		NWNW	29.00
T06S R13E S17 Lot	1	SWNW	20.00	T06S R13E S17		SENW	5.00
T06S R13E S17 Lot	2	NESW	1.00	T06S R13E S17 Lot	2	NWSW	5.00
T06S R13E S18 Lot	7	NENE	4.00	T06S R13E S18 Lot	7	SENE	1.00

92 ACRES TOTAL

Right nos. 37-21721, 37-21722, 37-793 and 37-7216 are limited to the irrigation of a combined total of 127 acres 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 - Decreed

Sources are also known as Montana Mining Company Ditch Spring No. 9, Montana Mining Company Ditch Spring No. 10 and Montana Mining Company Ditch Spring No. 11.

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

03/28/2006

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

RIGHT NUMBER: 37-7216

NAME AND ADDRESS: BLACK CANYON BLISS LLC
PO BOX 95
RUPERT ID 83350

SOURCE: SPRINGS TRIBUTARY: SNAKE RIVER

QUANTITY: 4.000 CFS
381.00 AFY

Right nos. 37-21721, 37-21722, 37-793 and 37-7216 are limited to a total combined diversion rate of 5.50 cfs for irrigation.

PRIORITY DATE: 04/02/1973

POINT OF DIVERSION: T06S R13E S8 SESWSW Within GOODING County

T06S R13E S17 NENWNW Within GOODING County

2 points of diversion located in the NWNW, S17, T6S, R13E.

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 11/01	2.540 CFS 381.00 AFY
FISH PROPAGATION	01/01 12/31	4.000 CFS

The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE:

IRRIGATION Within GOODING County

T06S R13E S07	SESE	12.00	T06S R13E S08	SWSW	7.00
T06S R13E S17	NENW	8.00	T06S R13E S17	NWNW	29.00
T06S R13E S17 Lot 1	SWNW	20.00	T06S R13E S17	SENW	5.00
T06S R13E S17 Lot 2	NESW	1.00	T06S R13E S17 Lot 2	NWSW	5.00
T06S R13E S18 Lot 7	NENE	4.00	T06S R13E S18 Lot 7	SENE	1.00

FISH PROPAGATION Within GOODING County

T06S R13E S17	NENW	T06S R13E S17	NWNW
T06S R13E S18 Lot 7	SENE		

92 ACRES TOTAL

Right nos. 37-21721, 37-21722, 37-793 and 37-7216 are limited to the irrigation of a combined total of 127 acres 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

Source in T06S, R13E, S17, NENWNW is also known as Montana Mining Company Ditch Spring No. 11.

The facility volume for this right & Right 37-7712 shall not exceed 132,132 cubic feet.

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for irrigation of the lands above.

Use of water under this right is subject to policies set forth in the State of Idaho Water Plan, including Policy No. 5G.

Measuring devices of a type approved by this Department shall be maintained at the point of diversion and point of effluent discharge.

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

May 4, 2006

BLACK CANYON BLISS LLC
PO BOX 95
RUPERT ID 83350

RE: SRBA Claim(s) 37-793, 37-7216, 37-7712, 37-21319

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Black Canyon Farms Inc
317 River Rd
Bliss ID 83314

42-1409(6) July, 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
MAR 06 2006
Department of Water Resources
Southern Region

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

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
37-789			37-21319		
37-793					
37-7216					
37-7218					
37-7712					

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.

Name and Address of Former Owner/Claimant(s): Black Canyon Farms, Inc.
317 River Road
Bliss, ID 83314

New Owner/Claimant(s): Black Canyon Bliss, LLC
Name Connector (Check one): [ ] and, [ ] or, [ ] and/or

New Mailing Address: P. O. Box 95

City, State and ZIP Code: Rupert, ID 83350

New Telephone Number: (208) 436-9373

Date you acquired the property: February 28, 2006

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		

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

BLACK CANYON BLISS, LLC

By: Rodney A Jentzsch — By: A D Coats

Rodney A. Jentzsch, Member — David Coats, Member

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 3/6/06 Fee 25.00

Receipted by _____ Date _____ Receipt No. _____

Processed by _____AJ Date _____ WR _____ Date _____

6.35055(
EC-1449

Recording Requested By and
When Recorded Return to:

Black Canyon Bliss, LLC
c/o Rodney Jentzsch
20108 Fifth Street
Rupert, Idaho 83350

Instrument # 215261
GOODING, GOODING, IDAHO
2006-03-01 01:51:36 No. of Pages: 8
Recorded for : LAND TITLE JEROME
DENISE M. GILL Fee: 24.00
Ex-Officio Recorder Deputy

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

SPECIAL WARRANTY DEED

BLACK CANYON FARMS, INC., an Idaho corporation, hereinafter referred to as "**Grantor**," for valuable consideration given by BLACK CANYON BLISS, LLC, an Idaho limited liability company, hereinafter referred to as "**Grantee**," whose pertinent mailing address is 20108 Fifth Street, Rupert, Idaho 83350, does hereby grant, sell, transfer and convey unto said Grantee, its successors and assigns, the following described premises situate in the County of Gooding, State of Idaho, to-wit:

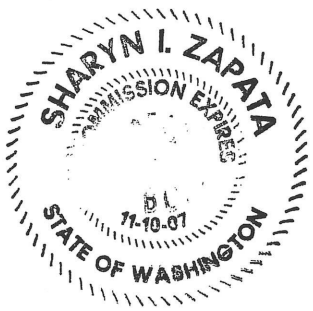
> Described on Exhibit "A" attached hereto and incorporated herein by this reference ("**Premises**").

To have and to hold the same, together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining.

The Grantor hereby covenants with the Grantee that said Premises are free from all encumbrances made by it and that it will warrant and defend said Premises against the lawful claims of all persons claiming by, through or under it; **subject, however,** to all easements or other matters of record or that would appear from a survey or careful examination of the Premises, including, but not limited to, the rights of all persons in possession, if any, and those matters set forth on EXHIBIT "B" attached hereto and incorporated herein by this reference.

THE PREMISES ARE SOLD AND CONVEYED TO GRANTEE AS IS, WHERE IS, AND WITH ALL FAULTS, INCLUDING BOTH LATENT AND PATENT DEFECTS. OTHER THAN AS EXPRESSLY SET FORTH HEREIN, NO WARRANTIES, EXPRESSED OR IMPLIED, ARE MADE BY GRANTOR CONCERNING THE PREMISES. GRANTEE, BY ACCEPTING THIS DEED, RELEASES GRANTOR FROM ANY AND ALL LIABILITY RELATING TO ANY ASPECT OR CONDITION OF THE PREMISES, KNOWN OR UNKNOWN, FORESEEABLE OR UNFORESEEABLE, ACTUAL OR CONTINGENT, ARISING BY STATUTE, COMMON LAW OR OTHERWISE.

IN WITNESS WHEREOF, this Special Warranty Deed has been duly executed by and on behalf of Grantor this 24th day of February, 2006



GRANTOR:

BLACK CANYON FARMS, INC.,
an Idaho corporation

By: William J. Stevenson
Name: William J. Stevenson
Title: President
(a duly authorized officer)

STATE OF WASHINGTON)
) ss.
County of KING)

On this 24th day of February, 2006, before me, SHARYN I. ZAPATA, a Notary Public in and for said State, personally appeared WILLIAM J. STEVENSON, known to me to be the President of BLACK CANYON FARMS, INC., the corporation that executed the within instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

WITNESS MY HAND and official seal hereto affixed the day, month and year in this certificate first above written.

Notary Public for the State of Washington
Residing at RENTON
My commission expires 11-10-2007

EXHIBIT "A"

Order Number: G-35055

TOWNSHIP 6 SOUTH, RANGE 13, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 7: SE¼SE¼;

Section 8: SW¼SW¼;

Section 17: Lots 1 and 2; N½NW¼; SE¼NW¼;

Section 18: Lot 7

EXCEPTING THEREFROM a tract of land in part of SE¼SE¼ of Section 7 and Lot 7 of Section 18 in said Township 6 South, Range 13, East Boise Meridian described as follows:

Beginning at a point in the East line of Section 18, Township 6 South, Range 13, East Boise Meridian, which point bears South 686.4 feet from the Northeast corner of said Section 18;
Thence South along said East line 610.7 feet;
Thence North 67°56' West, 561.0 feet;
Thence North 71°13' West, 295.6 feet;
Thence North 27°34' West, 405.9 feet;
Thence North 46°01' West, 557.3 feet;
Thence North 13°05' West, 100.0 feet;
Thence North 12°03' East, 145.0 feet, more or less, to a point in the North line of Government Lot 7 of said Section 18;
Thence East along said North line, 56.0 feet, more or less, to the Southwest corner of the SE¼SE¼ of Section 7, Township 6 South, Range 13, East Boise Meridian;
Thence North along the West line of said SE¼SE¼, 190.0 feet;
Thence North 17°42' East, 310.0 feet;
Thence North 02°45' West, 265.3 feet;
Thence North 07°02' East, 420.4 feet;
Thence North 48°03' East, 225.0 feet, more or less, to a point in the North line of the SE¼SE¼ of said Section 7;
Thence East along the North line of said SE¼SE¼, 220.0 feet;
Thence South 69°04' East, 75.0 feet;
Thence North 89°50' East, 168.7 feet;
Thence South 64°18' East, 70.6 feet;
Thence South 83°13' West, 235.6 feet;
Thence South 03°25' West, 74.5 feet;
Thence South 17°51' East, 466.7 feet;

Thence South 03°15' East, 334.0 feet;
Thence South 00°35' East, 123.8 feet;
Thence South 19°11' East, 201.8 feet;
Thence South 33°25' East, 159.9 feet;
Thence South 13°36' East, 398.0 feet;
Thence South 54°33' East, 392.2 feet to THE POINT OF BEGINNING as described in Book 49 Deeds Page 238, records of Gooding County, Idaho.

FURTHER EXCEPTING THEREFROM

Section 17: A portion of Government Lot 2 more particularly described as follows:

Commencing at a found brass cap monument marking the Southeast corner of said Section 17;
Thence Westerly along the Southerly line of said Section 17 North 89°47'53" West a distance of 2642.32 feet to the South quarter corner from which a brass cap Witness Corner/Meander Corner bears South 89°47'53" East a distance of 66.09 feet;
Thence Northerly along the mid-Section line of said Section 17 North 00°07'02" West a distance of 2649.77 feet to a found steel pin monumenting the Center quarter corner of said Section 17;
Thence Southerly along said mid-Section line South 00°07'02" East a distance of 910.06 feet to a point on the center line of an existing gravel road and the POINT OF BEGINNING;
Thence along the center line of said gravel road the following courses:
North 84°32'10" West a distance of 341.05 feet;
North 74°17'39" West a distance of 78.53 feet;
North 82°30'13" West a distance of 89.20 feet;
South 73°01'23" West a distance of 87.28 feet;
South 31°55'02" West a distance of 22.80 feet;
South 09°47"04" East a distance of 34.58 feet;
South 36°38'33" West a distance of 23.53 feet;
Thence leaving said center line South 14°52'57" East a distance of 280.79 feet to a found steel pin;
Thence North 89°27'38" East a distance of 535.75 feet to a set steel pin on said North-South mid-Section line;
Thence Northerly along said mid-Section line North 00°07'02" West a distance of 298.75 feet to the POINT OF BEGINNING.

Order Number: G-35055

FURTHER EXCEPTING that portion of the following described property lying in Government Lot 2 in Section 17, more particularly described as follows:

Section 17: Commencing at a found brass cap monument marking the Southeast corner of said Section 17;

Thence Westerly along the Southerly boundary line of said Section 17 North 89°47'53" West 114.78 feet to a point on the Southerly right of way line of Old U.S. Highway 30, being the POINT OF BEGINNING;

Thence continuing along the Southerly line of Section 17 North 89°47' 53" West 2527.54 feet to the S¼ corner of said Section 17 from which a brass cap Witness Corner/Meander Corner bears South 89°47'53" East 66.09 feet;

Thence continuing along said Southerly line North 89°47'53" West 289.78 feet more or less to the mean high water line on the right bank of the Snake River;

Thence along said high water line the following courses:
North 48°22'53" West 401.20 feet;

Thence North 31°04'53" West 1222.40 feet;

Thence North 14°20'40" West 118.51 feet;

Thence leaving said high water line on the right bank of the Snake River North 89°27'38" East 711.50 feet to a set steel pin:

Thence continuing North 89°27'38" East 535.75 feet to a set steel pin on the North-South midsection line of said Section 17;

Thence Northerly along said mid-section line North 00°07'02" West 333.71 feet to a point on the Southerly line of Parcel No. 2 as shown on that certain Record of Survey recorded as Instrument No. 188492;

Thence along the Southerly line of said Parcel No. 2 the following courses:
South 35°43'29" East 9.65 feet to a found PK Nail in corner fence post;

Thence North 48°38'25" East 707.56 feet to a found steel pin more less to a point on said Southerly right of way line of Old U.S. Highway 30;

Thence Southeasterly along the Southerly line of said Old U.S. Highway 30 the following course:

South 36°06'28" East 1090.31 feet;

Thence South 37°12'28" East 284.00 feet;

Thence South 42°17'28" East 117.00 feet;

Thence South 46°31'28" East 170.00 feet;

Thence South 47°15'28" East 1182.20 feet;

Thence South 40°07'28" East 170.47 feet to the POINT OF BEGINNING.

EXHIBIT "B"

1. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; or (c) Indian treaty or aboriginal rights, including, but not limited to, easements or equitable servitudes.

2. Taxes for 2006 and subsequent years.

3. Assessments of the North Snake Ground Water District and the rights and powers of said Company as by law provided.

4. Effects of Deed in favor of Twin Falls Land and Water Company as recorded in Book F at Page 260, records of Gooding County, Idaho.

5. Power Line Easement given by Paul C. Purdy and Ardetta Purdy, husband and wife, to Idaho Power Company, a corporation, dated October 6, 1959, recorded February 17, 1960 in Book 8 Page 141 as Instrument Number 140045, Gooding County records, affecting the NW¼NW¼ of Section 17, Township 6 South, Range 13 East, Boise Meridian.

6. Power Line Easement given by Lynn E. Stevenson, a single person, to Idaho Power Company, a corporation, dated December 3, 1971, recorded April 11, 1972 as Instrument Number 39931, Gooding County records, affecting the NW¼NW¼ and the NE¼NW¼ of Section 17, Township 6 South, Range 13 East, Boise Meridian.

7. Power Line Easement given by Lynn E. Stevenson, a single person, to Idaho Power Company, a corporation, dated March 17, 1972, recorded October 10, 1972 as Instrument Number 42241, Gooding County records, affecting the NW¼NW¼ and the NE¼NW¼ of Section 17, Township 6 South, Range 13 East, Boise Meridian.

8. Terms and Conditions of Judgment in the Case of William I. Feustel and A. Gerilyn Feustel, husband and wife, Plaintiffs, Counterdefendants vs. Lynn Stevenson, a single man and Gerald R. Stevenson, Defendants, Counterclaimants, dated April 24, 1978, recorded November 2, 1979 as Instrument No. 79672, Gooding County records, pertaining to a pipeline and measuring device affecting Lot 6, Section 7, Township 6 South, Range 13 East, Boise Meridian, and SW¼SW¼ Section 8, N½NW¼, SE¼NW¼, SE¼NW¼, Lots 1 and 2, of Section 17, and Lot 7 of Section 18, Township 6 South, Range 13 East, Boise Meridian.

9. Power Line Easement given by Lynn E. Stevenson, a single person, to Idaho Power Company, a corporation, dated November 16, 1981, recorded May 18, 1984 as Instrument Number 108269, Gooding County records, affecting a portion of the NW¼SE¼ and Lot 2, Section 17, and Lot 7 of Section 18, all Township 6 South, Range 13 East, Boise Meridian.

10. Power Line Easement given by Lynn E. Stevenson, a single person, to Idaho Power Company, a corporation, dated February 2, 1984, recorded September 27, 1984 as Instrument Number 110750, Gooding County records, affecting the NW¼NW¼ and Lot 1 of Section, Township 6 South, Range 13 East, Boise Meridian.

11. Power Line Easement given by Lynn E. Stevenson, sole owner, to Idaho Power Company, a corporation, dated January 18, 1988, recorded March 31, 1988 as Instrument Number 131605, Gooding County records, affecting a portion of the NW¼SE¼ of Section 17, Township 6 South, Range 13 East, Boise Meridian.

12. Power Line Easement given by Lynn E. Stevenson, sole owner, to Idaho Power Company, a corporation, dated January 18, 1988, recorded March 31, 1988 as Instrument Number 131606, Gooding County records, affecting a portion of the SE¼NW¼ of Section 17, Township 6 South, Range 13 East, Boise Meridian.

13. Power Line Easement given by Lynn E. Stevenson, sole owner, to Idaho Power Company, a corporation, dated January 18, 1988, recorded March 31, 1988 as Instrument Number 131607, Gooding County records, affecting a portion of the SW¼SE¼ and NW¼SE¼ of Section 17, Township 6 South, Range 13 East, Boise Meridian.

14. Power Line Easement given by Lynn E. Stevenson, sole owner, to Idaho Power Company, a corporation, dated August 8, 1989, recorded February 13, 1990 as Instrument Number 139778, Gooding County records, affecting a portion of the SW¼SW¼ of Section 8, Township 6 South, Range 13 East, Boise Meridian.

15. Any adverse claim based on the assertion that the location of the Snake River has moved.

16. Any adverse claim based on the assertion that some of said land is now or at any time has been within the boundaries of the Snake River or any other navigable body of water or by reason of the fact or claim that any portion or portions thereof have been rendered unnavigable by artificial means or have accreted to such portions so created.

17. Any rights, interest or easements in favor of the public which exist or are claimed to exist over any part of said land covered by water.

18. Lack of a right of access to and from the land, located in a portion of the property located in the SE¼SE¼, Section 7, Township 6 South, Range 13 East, of the Boise Meridian. Right of access to and from the land, if any, is not established of record and assurance of such right of access is excluded from coverage.

19. Road right-of-way and easement between the State of Idaho by and through the Idaho Transportation Department and A. Gerilyn Feustal and Tom E. King dated April 1, 1997 and recorded April 16, 1997 as Instrument No. 170463, Gooding County Records affecting a portion of the SE¼SE¼ Section 7, Township 6 South, Range 13 East, of the Boise Meridian.

20. Effect, if any, of Affidavit of Gerilyn Feustal recorded April 16, 1997 as Instrument No. 170464, Gooding County records affecting a portion of the SE¼SE¼ of Section 7, Township 6 South, Range 13 East, of the Boise Meridian, and a portion of Lot 7 in Section 18, Township 6, Range 13 East, of the Boise Meridian.

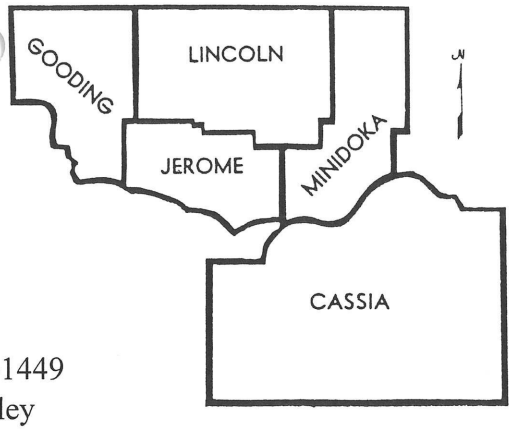
21. Powerline and Access Road Easement between James Michael Victor and Susan Victor, husband and wife, and Idaho Power Company dated November 8, 1999 and recorded December 2, 1999 as Instrument No. 183521, Gooding County records affecting a portion of the SW¼ of Section 8, Township 6, Range 13 East, of the Boise Meridian.

22. Power Line Easement given by Black Canyon Farms, Inc. to Idaho Power Company, a corporation dated January 7, 2003, recorded January 24, 2003 as Instrument Number 198861, Gooding County records, affecting a portion of the N½SW¼ of Section 8 and the N½SE¼ of Section 7, Township 6 South, Range 13 East, Boise Meridian.

23. Easements set forth in Quitclaim Deed to Black Canyon Farms, Inc. and Lynn E. Stevenson, a single man, dated April 15, 2003 and recorded April 15, 2003, Gooding County records, affecting a portion of Section 17, Township 6, Range 13 East, Boise Meridian.

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: EC-1449
OFFICE: Burley

March 3, 2006

RECEIVED
MAR 0 6 2006
Department of Water Resources
Southern Region

ID Dept. of Water Resources
1341 Fillmore St., Suite 200
Twin Falls, ID 83303

Dear Clerk:

Enclosed with this letter please find an original executed Notice of Change In Water Right Ownership on property in Gooding County, Idaho along with Land Title and Escrow's trust account check in the amount of $25.00 for the transfer fee.

Please make the necessary changes in the records to indicate the new owner as Black Canyon Bliss, LLC for future water notices and assessments. Please send a receipt copy to this office.

Should you have any questions concerning this matter, please do not hesitate to contact me.

Very truly yours,
Land Title and Escrow, Inc.

Nancy Garrett

Nancy Garrett
Reconveyance Department

/nrg
enc.

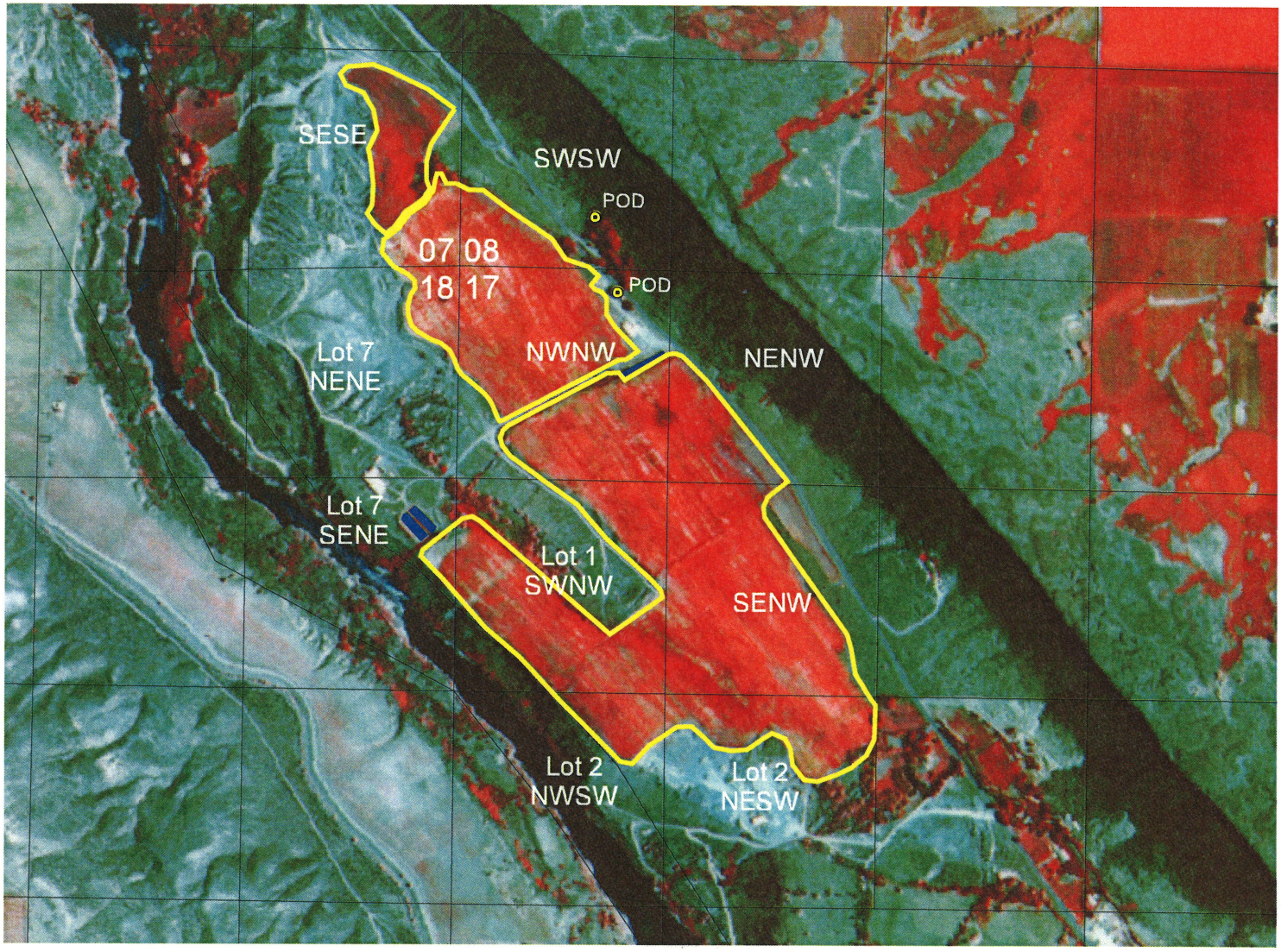
BOX 177, BURLEY, IDAHO 83318
PHONE 878-3524 • FAX 878-4435

BOX 349, JEROME, IDAHO 83338
PHONE 324-3357 • FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 • FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0606 • FAX 436-1199

37-7216



2000 0 2000 4000 Feet

T06S R13E S07 S08 S17 & S18

N
W E
S

Map prepared by: Carter Fritschle
Date prepared: 03/02/05
1987-1988 NAPP photography
Idaho Department of Water Resources

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-07216

Priority: April 2, 1973 — Maximum Diversion Rate: 4.00 CFS; Maximum Diversion Volume: 381.0 AF

This is to certify, that LYNN E. STEVENSON
STAR RT. BOX 3
BLISS ID 833140000 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 2, 1973; and has submitted Proof of Beneficial Use on April 27, 1978. An examination indicates that the works have a diversion capacity of 6.560 cfs of water from:

SPRINGS tributary to SNAKE RIVER

source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	04/01 to 11/01	2.54 CFS	381.0 AF
FISH PROPAGATION	01/01 to 12/31	4.00 CFS	
	Totals	4.00 CFS	381.0 AF

LOCATION OF POINT(S) OF DIVERSION: SWSW , Sec. 8, Township 06S, Range 13E
NWNW , Sec. 17, Township 06S, Range 13E
GOODING County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
06S	13E	7	SESE	12					12
		8	SWSW	5					5
		17	NENW	7	NWNW	30	SWNW	21	
			SENW	30	NESW	3	NWSW	16	107
		18	NENE	3					3

Total number of acres irrigated: 127

PLACE OF USE: FISH PROPAGATION

TWN	RGE	SEC			
06S	13E	17	NENW	NWNW	
		18	SENE		

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used.

MICROFILMED
MAY 18 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-07216

CONDITIONS/REMARKS:

The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.

2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.
6. Measuring devices of a type approved by this Department shall be maintained at the point of diversion and point of effluent discharge.
7. Use of water under this right is subject to policies set forth in the State of Idaho Water Plan, including Policy No. 5G.
8. The facility volume for this right & Right 37-7712 shall not exceed 132,132 cubic feet.
9. 2 points of diversion located in the NWNW, S17, T6S, R13E.

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 27th day of April, 1992.

Acting for R. Keith Higginson, Director

MICROFILMED
MAY 18 1992

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 37-7216
Date Received: 3/24/1989
Receipt No: S006664
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BLACK CANYON FARMS INC Phone:
C/O JERRY JARAMILLO
317 RIVER RD
BLISS ID USA 83314

2. Date of Priority: 04/02/1973

3. Source: SPRINGS Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	13E	8	SW SW	GOODING	
06S	13E	17	NW NW	GOODING	

5. Description of diverting works:

Pipeline to fish ponds to pump and sprinkler system, then any water not consumed flows into the Snake River.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	2.54	381
FISH PROPAGATION	01/01	12/31	4	

7. Total Quantity Appropriated is:
4 C.F.S. and/or 381 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
06S	13E	7	SE	SE		IRRIGATION	12
						Section Acres	12
06S	13E	8	SW	SW		IRRIGATION	5
						Section Acres	5
06S	13E	17	NE	NW		IRRIGATION	7
			NW	NW		IRRIGATION	30
			SW	NW		IRRIGATION	21
			SE	NW		IRRIGATION	30
			NE	SW		IRRIGATION	3
			NW	SW		IRRIGATION	16
			NE	NW		FISH PROPAGATION	
			NW	NW		FISH PROPAGATION	
						Section Acres	107
06S	13E	18	SE	NE		FISH PROPAGATION	
			NE	NE		IRRIGATION	3
						Section Acres	3
						Total Acres	127

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:

See remarks for additional conditions of approval.

15. Basis of Claim: License

Form No. 42-1409 (2) a 1/88

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 37-7216
Date Received 6-30-04
Receipt Number C074356

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
JUN 30 2004
Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Black Canyon Farms, Inc. Phone (208) 352-4687, or/ 352-4692

   Mailing Address c/o Jerry Jaramillo, 317 River Rd., Bliss, ID Zip 83314

2. Date of Priority (Only one (1) per claim) 04/02/1973

3. Source of water supply (a) Springs
   which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 6 South Range 13 East Section 8,
   SW 1/4 of SW 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Gooding
   Additional points of diversion if any: NW¼NW¼, Sec. 17, T 6 S, R 13 E, B.M.

   b. If instream flow, beginning point of claimed instream flow is:
   Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
   Govt. Lot _____ B.M., County of _____
   ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of
   _____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.
   Pipeline to fish ponds to pump and sprinkler system, then any water not consumed flows into Snake River

6. Water is claimed for the following purposes:

		(both dates are inclusive)			(cfs)		(acre feet)
For	irrigation	purposes from 04/01	to	11/01	amount 2.54	or	381.0
For	fish propagation (FP)	purposes from 01/01	to	12/31	amount 4.00	or	
For		purposes from	to		amount	or	
For		purposes from	to		amount	or	

7. Total quantity claimed (a) 4.00 (cfs) and/or (b) 381.0 (acre feet)

8. Total consumptive use claimed is 381.0 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.)

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6 S	13 E	7																12	12
		8											5						5
		17					FP 7	FP 30	21	30	3	16							107
		18	3			FP													3

Total number of acres irrigated 107

11. In which county (ies) are lands listed above as place of use located? Gooding

12. Do you own the property listed above as place of use? Yes X No
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
37-789 and -793 (irrigation) and 37-7217 & 37-7712 (fish propagation) or None ( )

14. Remarks:

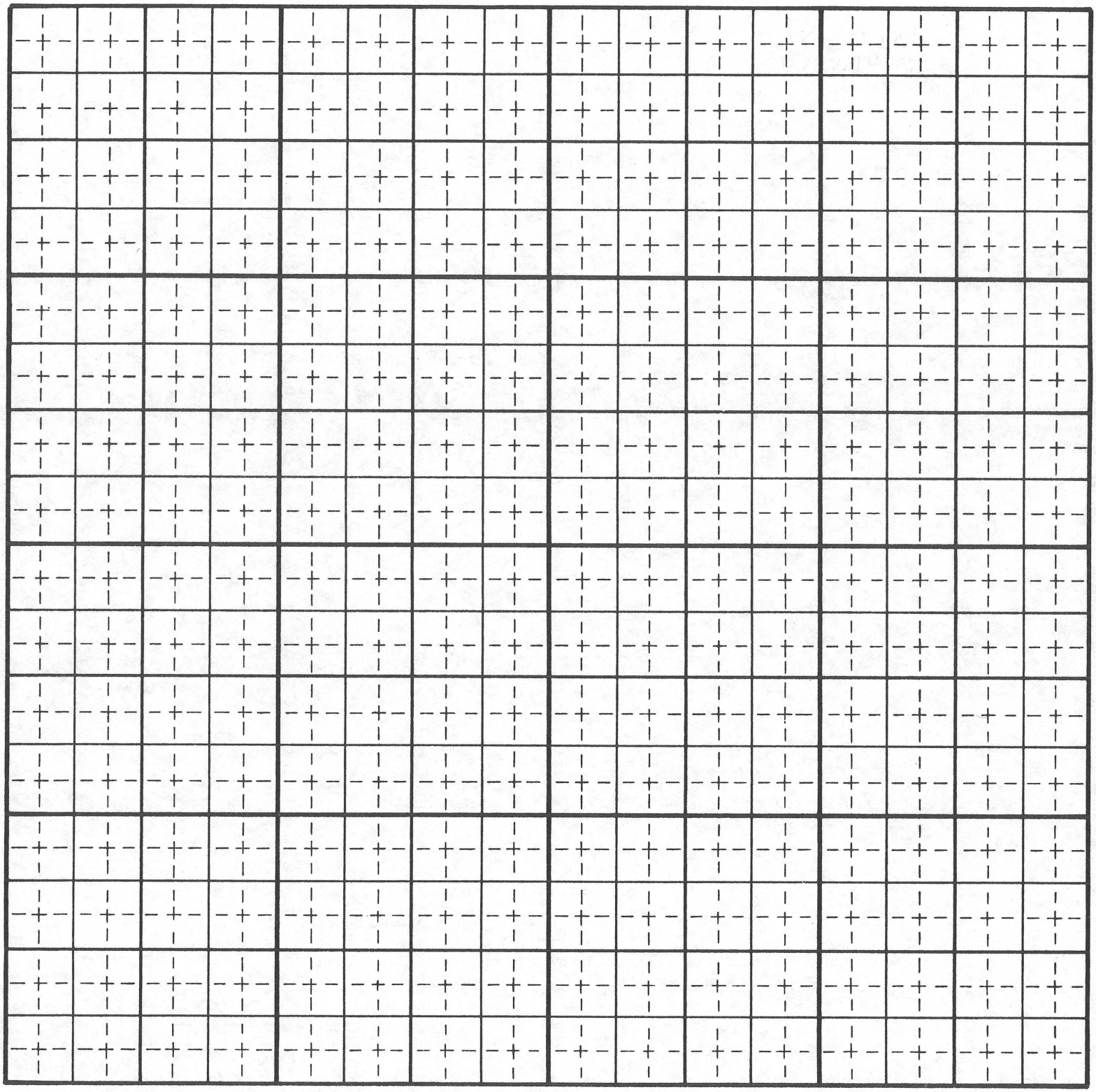
Last Name Black Canyon Farms, Inc. Ident No. 37-7216

BW

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



($ee maps accompanying Claim No. 37-789)

Last Name Black Canyon Farms, Inc. Ident No. 37-7216

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License XX Permit _____
Decree _____
If applicable provide IDWR Water Right Number 37-7216
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am President (Title) of Black Canyon Farms, Inc., an Idaho corporation (Organization), that I have signed the foregoing document in the space below as President (Title) of such corporation (Organization) and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Jerry Jaramillo

Title and Organization President of Black Canyon Farms, Inc. Date _____

State of Idaho/or _____)
) SS.
County of Gooding)

Subscribed and sworn (or affirmed) before me this 11 day of June 19 2004.

SEAL

MARK E. BOLDUC NOTARY PUBLIC STATE OF IDAHO

Notary Public _____
Mark E. Bolduc
Residing at Hagerman (Hagerman)
My Commission Expires 06-08-06

Please Print Name

17. Notice of Appearance: Thomas A. Miller of
Notice is hereby given that I, Hawley Troxell Ennis & Hawley LLP will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____
P O Box 1617, Boise, ID 83701
Address Suite 1000, 877 Main St., Boise, ID 83702

Date June 30, 2004

Last Name Black Canyon Farms, Inc. Ident. Number 37-7216

Copies White-State, Yellow-Claimant