

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: A37-07408
Date Received: 10/26/1989
Receipt No: 1100 5002
Received By: MEESD JPC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LEWIS M. DAVENPORT
Address: 1737 E. 1800 S.
GOODING, ID 83330
208-934-5604

2. Date of Priority: NOV 18, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	14E	13	NE	SE	SE		CAMAS
		14	NE	NE	NE		CAMAS
			NE	NE	SE		CAMAS

5. Description of diverting works:
3 WELLS 16" CASINGS 431', 535', 356' DEEP 2 WITH 150HP, ONE 75 HP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	9.460		

7. Total Quantity Appropriated is:
9.460 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 1182.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	14E	13	NE	NW		IRP	39.0

A37-07408

Page 1

10/26/89

MICROFILMED
FEB 24 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01S	14E	13	NW		NW		IRR	39.0
			SW		NW		IRR	40.0
			SE		NW		IRR	40.0
			NE		SW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	39.0
			SE		SW		IRR	39.0
			NE		SE		IRR	39.0
			NW		SE		IRR	40.0
			SW		SE		IRR	39.0
			SE		SE		IRR	39.0

Section Acres 473.0

Total Acres 473.0

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:
A3707393

14. Remarks:
THIS RT. WHEN COMBINED WITH RT. NO. 37-7393 SHALL NOT PROVIDE
MORE THAN 12.13 CFS.

15. Basis of Claim: LICENSE

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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *[Signature]* Date: 10-26-89
Date:

State of Idaho)
County of Lamar) SS.

Subscribed and sworn (or affirmed) before me this 26 day
of Oct 19 89

[Signature]
Notary Public

Seal

Residing at Bain Id
My Commission Expires 4/3/94

US 20

(A-57)
A-303

GALE BUTLER

(A-83)
A-391

L.M. ORVEDPORT

1889
A

(A-85)
A-307

(A-24)
A-239

GILWIN

595 P

(A-307)
A-307

(A-307)
FROSTENSON FARMS

(A-307)
A-307

FROSTENSON FARMS
(A.N. HARRISON)

1033

(A-80)

A-307

(A-81)

A-307

FROSTENSON FARMS

CRAIG TUCKER

RECEIVED
FEB 14 1959

(A-254)
A-201

Tom. SPACKMAN

A-298

S.E. FROSTENSON
(AND HUNT)

(A-89)
A-298

(A-87)

542

I-7

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 37-7408
Date Received: 10/26/1989
Receipt No: M005002
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

SOUTH COVE VENTURES LLC Phone: (425)688-9303

PO BOX 1607
BELLEVUE WA USA 98009

2. Date of Priority: 11/18/1974

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01S	14E	14	NE NE NE	CAMAS	
01S	14E	14	NE NE SE	CAMAS	
01S	14E	13	NE SE SE	CAMAS	

5. Description of diverting works:

3 WELLS 16" CASINGS 431',535',356' DEEP 2 WITH 150HP, ONE 75 HP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	9.46	

7. Total Quantity Appropriated is:
9.46 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
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01S	14E	13	SW	NW	IRRIGATION	40
			SE	NW	IRRIGATION	40
			NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	39
			SE	SW	IRRIGATION	39
			NW	SE	IRRIGATION	40
			SW	SE	IRRIGATION	39
			SE	SE	IRRIGATION	39
			NE	SE	IRRIGATION	39
			NE	NW	IRRIGATION	39
			NW	NW	IRRIGATION	39
Section Acres						473
Total Acres						473

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:

14. Remarks:

THIS RT. WHEN COMBINED WITH RT. NO. 37-7393 SHALL NOT PROVIDE MORE THAN 12.13
 CFS
 ***** LIENHOLDER ADDED 10/28/94 ADM
 | ADDRESS CHANGE FOR LIENHOLDER 7/30/1999 SS

15. Basis of Claim: License

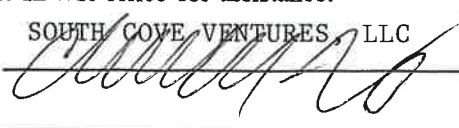
RECEIVED

MAY 15 2000

Department of Water Resources
Southern RegionSTATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: 37-07408 , 37-07393
 Adjudication Claim No(s).: A37-07408 , A37-07393
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Lewis M. Davenport
1737 E. 1800 South, Gooding, ID 83330
4. New Owner/Claimant(s) South Cove Ventures, LLC
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address P. O. Box 1607
 City, State and ZIP Code Bellevue, WA 98004
 New Telephone Number (425) 688-9303
5. Date you acquired the property 4-27-2000 & 5-3-2000
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) By SOUTH COVE VENTURES, LLC

- (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

73859

Warranty Deed

For Value Received

LEWIS M. DAVENPORT, III and NITA DAVENPORT

the grantors, do hereby Grant, Bargain Sell, and Convey unto

SOUTH COVE VENTURES, LLC,

a limited liability company duly organized and existing under the laws of the State of Washington,
the grantee, whose current address is P.O. Box 1607, Bellevue, Washington, 98004

the following described real estate, situated in Camas County, Idaho, to-wit:

Township 1 South, Range 14, East of the Boise Meridian in Camas County, Idaho,
Section 13: SW $\frac{1}{4}$ and NW $\frac{1}{4}$ EXCEPT the North 40 feet thereof for highway right-of-way.

Section 14: E $\frac{1}{2}$ EXCEPT the North 40 feet thereof for highway right-of-way.

Together with all water rights appurtenant thereto, including, but not limited to, (1) Water Right No. 37-07393, claimed as A37-07393 in In Re the General Adjudication of Rights to the Use of Water From the Snake River Basin Water System, Twin Falls District Court Case No. 39576 (the "SRBA"), and (2) 6.32 cfs of Water Right No. 37-07408, claimed as A37-08408 in the SRBA, for the irrigation of 316 acres within the property described above.

SUBJECT TO:

Real estate taxes for the year 2000 which are an accruing lien but not yet due or payable.

A power line easement granted to Prairie Power Cooperative, Inc., recorded July 15, 1992, Instrument No. 66777, Book 5, Miscellaneous, Page 149, records of Camas County, Idaho.

Taxes, assessments, easements, claims of easement or encumbrances, liens or claim of liens not shown as existing liens on the public records. Any facts, interest, rights or claims not shown by public records. Unpatented mining claim, reservations or exceptions in patents or in acts authorizing the issuance thereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, the they are the owners 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

Recorded at the Request of
GOODING TITLE
 2145 P
 4-27 2000
 Book 32 90
 DEEDS
 CAMAS
 Fee \$ 6.00

reservations, restrictions, easements of record, and easements visible upon the premises, and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: 4-27, 2000

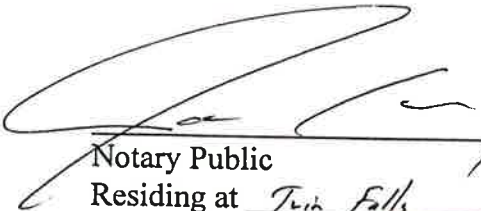

LEWIS M. DAVENPORT, III

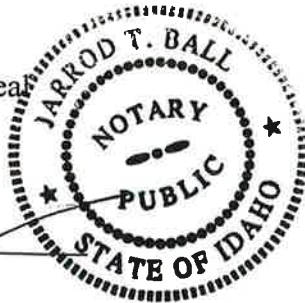

NITA DAVENPORT

STATE OF IDAHO)
) ss.
County of Gooding)

On this 27th day of April, 2000, before me, a notary public, appeared Lewis M. Davenport, III and Nita Davenport, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

WITNESS my hand and official seal


Notary Public
Residing at Twin Falls
Commission Expires: 7-25-2002



RECEIVED

MAY 10 2000

After Recording Return to:

Winston & Cashatt, MXB
250 Northwest Blvd., Suite 107A
Coeur d'Alene, Idaho 83814

Recorded at the Request of
Gooding Title
9:40 AM
May 1st 2000
32 97
Deeds
RECORDED
by Korpe Blodgett
Fees \$ 6.00

13372

QUITCLAIM DEED

For Value Received Lewis M. Davenport, III and Nita Davenport, husband and wife, do hereby convey, release, remise and forever quitclaim unto New Covenant Farms, Inc., an Idaho nonprofit corporation, whose current address is 1737 E. 1800 South, Gooding, Idaho, 83330, the following described premises, to-wit:

Township 1 South, Range 14, East of the Boise Meridian, Camas County, Idaho.
Section 13: SE ¼.

Together with all water rights appurtenant thereto, including, but not limited to 3.14 cfs of Water Right No. 37-07408, claimed as A37-08408 in In Re the General Adjudication of Rights to the Use of Water From the Snake River Basin Water System, Twin Falls District Court Case No. 39576, for the irrigation of 157 acres within the property described above.

SUBJECT TO road rights of way along the South and East boundaries.

AND SUBJECT TO:

Real estate taxes for the year 2000 which are an accruing lien but not yet due or payable.

A power line easement granted to Prairie Power Cooperative, Inc., recorded July 15, 1992, Instrument No. 66777, Book 5, Miscellaneous, Page 149, records of Camas County, Idaho.

Taxes, assessments, easements, claims of easement or encumbrances, liens or claim of liens not shown as existing liens on the public records. Any facts, interest, rights or claims not shown by public records. Unpatented mining claim, reservations or exceptions in patents or in acts authorizing the issuance thereof.

Dated: April 28th, 2000.


LEWIS M. DAVENPORT, III

Nita Davenport
NITA DAVENPORT

STATE OF IDAHO)

SS:

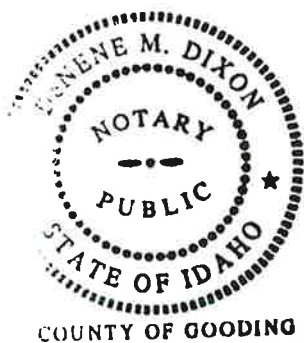
County of ~~Camas~~ Gooding)

On this 28th day of April, 2000, before me, a notary public in and for the said State, personally appeared LEWIS M. DAVENPORT, III and NITA DAVENPORT, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same.

DeTene M. Dixon
Notary Public in and for the State of Idaho

Residing at Wendell, ID

My Commission Expires: 3-13-2004



Warranty Deed

For Value Received

NEW COVENANT FARMS, INC.

a nonprofit corporation duly organized and existing under the laws of the State of Idaho, the grantor, does hereby Grant, Bargain Sell, and Convey unto

SOUTH COVE VENTURES, LLC,

a limited liability company duly organized and existing under the laws of the State of Washington, the grantee, whose current address is P.O. Box 1607, Bellevue, Washington, 98004

the following described real estate, situated in Camas County, Idaho, to-wit:

Township 1 South, Range 14, East of the Boise Meridian, Camas County, Idaho.
Section 13: SE ¼.

Together with all water rights appurtenant thereto, including, but not limited to 3.14 cfs of Water Right No. 37-07408, claimed as A37-08408 in In Re the General Adjudication of Rights to the Use of Water From the Snake River Basin Water System, Twin Falls District Court Case No. 39576, for the irrigation of 157 acres within the property described above.

SUBJECT TO road rights of way along the South and East boundaries.

AND SUBJECT TO:

Real estate taxes for the year 2000 which are an accruing lien but not yet due or payable.

A power line easement granted to Prairie Power Cooperative, Inc., recorded July 15, 1992, Instrument No. 66777, Book 5, Miscellaneous, Page 149, records of Camas County, Idaho.

Taxes, assessments, easements, claims of easement or encumbrances, liens or claim of liens not shown as existing liens on the public records. Any facts, interest, rights or claims not shown by public records. Unpatented mining claim, reservations or exceptions in patents or in acts authorizing the issuance thereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, the it 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 it will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, the Grantor, pursuant to a resolution of its board of directors has caused its corporate name to be hereunto subscribed by its President this 3rd day of May, 2000.

GRANTOR

NEW COVENANT FARMS, INC.

By: [Signature] PRES
Lewis M. Davenport, III
President

STATE OF IDAHO)
) ss.
County of Gooding)

On this 3rd day of May, 2000, before me, a notary public, appeared Lewis M. Davenport, III, known or identified to me to be the president of the nonprofit corporation that executed the instrument or the person who executed the instrument on behalf of said nonprofit corporation, and acknowledged to me that such nonprofit corporation executed the same.

WITNESS my hand and official seal.



[Signature]
Notary Public
Residing at Trin Falls, ID
Commission Expires: 7-25-2002

73876

Recorded at the Office of
GOODING Title
at 2:20 P.M.
MAY 3rd 2000
in Book 32 99
of Deeds
CASS COUNTY RECORDER
By KORRI BLODGETT
Fees \$ 6.00

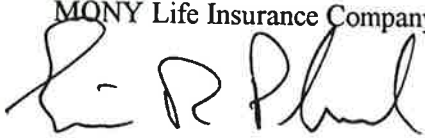
Loan No. 640221 - Gooding County

IDAHO SATISFACTION OF MORTGAGE

MONY LIFE INSURANCE COMPANY, a New York corporation formerly known as the Mutual Life Insurance Company of New (hereinafter referred to as the "Mortgagee"), as owner and holder, certifies that certain Idaho Mortgage and Security Agreement dated October 13, 1994, recorded on October 17, 1994, in the Official Records of Gooding County, Idaho, as Instrument No. 158987, and that certain Common Default Agreement dated July 12, 1996, recorded on July 12, 1996, in the Official Records of Gooding County, Idaho, as Instrument No. 166201 (hereinafter collectively referred to as the "Mortgage"), made and executed by **LEWIS M. DAVENPORT** (also appearing of record as Louis Davenport) and **NITA DAVENPORT**, husband and wife (hereinafter collectively referred to as the "Mortgagor") in favor of Mortgagee, encumbering certain real property situated in Gooding County, Idaho, as more particularly described therein, together with the Promissory Note evidencing a debt of Seven Hundred Thousand and 00/100 Dollars (\$700,000.00) thereby secured, is fully paid, satisfied and discharged. Said Mortgage covers the real property located in **Gooding** County, Idaho, and more particularly described in Exhibit "A" attached hereto and made a part hereof by this reference.

IN WITNESS WHEREOF, **MONY Life Insurance Company** has caused this instrument to be signed by its Assistant Director of Agricultural Investments this 12 day of April, 2000.

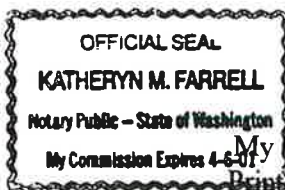
MONY Life Insurance Company

By: 
Erin R. Plumb, Assistant Director
of Agricultural Investments

STATE OF WASHINGTON
~~BENTON~~
COUNTY OF ~~FRANKLIN~~

On this 12 day of April, 2000, before me appeared Erin R. Plumb, to me personally known, who, being by me duly sworn, did say that he is an Assistant Director of Agricultural Investments of **MONY Life Insurance Company**, a New York corporation formerly known as The Mutual Life Insurance Company of New York, and that said instrument was signed on behalf of said corporation by authority of its Board of Directors, and that he acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in said County and State the day and year last above written.




Notary Public, State of Washington
My Commission Expires: 4-6-01
Printed Name of Notary: KATHYRN M. FARRELL

This Instrument Prepared By:
David M. Brown, Chief Counsel
MONYLife Insurance Company
10475 Park Meadows Dr. - Suite 500
Littleton, CO 80124

Instrument # 185591

GOODING GOODING, IDAHO

2000-04-27

04:24:52 No. of Pages: 4

Recorded for : GOODING TITLE

HELEN EDWARDS

Fee: 12.00

Ex-Officio Recorder Deputy

Index to: MORTGAGE, SATISFACTION OF

EXHIBIT A
MONY Loan No. 840288
Lewis M. & Nita Devenport
Gooding County

PARCEL I:

Township 6 South, Range 14 East of the Boise Meridian, Gooding County, Idaho.

Section 1: West 29 acres of Lot 3, EXCEPT tract described as follows:

BEGINNING at the Southeast corner of said West 29 acres of Lot 3;

Thence North 990 feet;

Thence West 22 feet;

Thence South 990 feet;

Thence East 22 feet to the POINT OF BEGINNING.

PARCEL II:

Township 6 South, Range 15 East of the Boise Meridian, Gooding County, Idaho.

Section 1: W1/2SW1/4, EXCEPT that portion Deeded to the State of Idaho by Warranty Deed, dated January 8, 1965, recorded May 25, 1965 as Instrument No. 14844, records of Gooding County, Idaho.

Section 2: E1/2SE1/4

EXCEPTING THEREFROM that part of the SE1/4SE1/4, Section 2, lying and situate South and West of the Big Wood Canal Company Canal.

AND EXCEPTING THEREFROM the following described parcel of land:

BEGINNING at the East Quarter corner of Section 2;

Thence South 89° 40' 55" West, 812.46 feet along the Northerly boundary of the Northeast Quarter of the Southeast Quarter to THE TRUE POINT OF BEGINNING;

Thence South 89° 40' 55" West along the North boundary of the Northeast Quarter of the Southeast Quarter, 513.00 feet to the Northwest corner of the Northeast Quarter of the Southeast Quarter;

Thence South 0° 21' 04" East, 235.00 feet along the Westerly boundary of the Northeast Quarter of the Southeast Quarter;

Thence North 88° 20' 31" East, 513.13 feet;

Thence North 0° 21' 04" West, 223.00 feet to THE TRUE POINT OF BEGINNING.

EXHIBIT A
MONY Loan No. 840288
Lewis M. & Nita Devenport
Gooding County

PARCEL III:

Township 6 South, Range 15 East of the Boise Meridian, Gooding County, Idaho.

Section 5: NE1/4SW1/4, SE1/4NW1/4 and Part of Lot 3,
described as follows:

BEGINNING at the Northeast corner of said Lot 3;
Thence South 0° 02' 55" West, 777.61 feet along the Easterly boundary of said Lot 3 to the center of Cemetery Road as shown on the Plat of Little Wood Villa on file in the office of the County Recorder of Gooding County, Idaho and THE TRUE POINT OF BEGINNING;
Thence South 0° 02' 55" West, 553.53 feet to the Southeast corner of said Lot 3;
Thence South 89° 47' 49" West, 1326.25 feet to the Southwest corner of said Lot 3;
Thence North 0° 02' 15" East, 200.04 feet along the Westerly boundary of said Lot 3 to the centerline of 10th Avenue as shown on the Plat of Woodworth Addition to the Town of Gooding, filed in the office of the County Recorder of Gooding County, Idaho on May 17, 1909, projected Eastwardly;
Thence North 89° 55' 17" East, 40.00 feet along said projected centerline;
Thence North 0° 02' 15" East, 77.96 feet parallel with and 40.00 feet Easterly from the Westerly boundary of said Lot 3 to a point 122.00 feet Southerly at right angles to the Southerly boundary of said Cemetery Road;
Thence North 84° 02' 17" East, 202.39 feet parallel with the Southerly boundary of said Cemetery Road to the intersection with the Southerly boundary of a tract of land conveyed to Wesley Harold Meils by Deed recorded in Book 45 of Deeds, page 422 of the records of Gooding County, Idaho;
Thence North 89° 55' 17" East, 55.00 feet parallel with the centerline of said 10th Avenue;
Thence North 77° 41' 04" East, 51.16 feet to the Southwest corner of a tract of land conveyed to Bobby D. Rice by Deed recorded in Book 45 of Deeds, Page 240 of the records of Gooding County, Idaho;
Thence North 89° 55' 17" East, 75.00 feet parallel with the centerline of said 10th Avenue to the Southeast corner of said Rice Tract;
Thence North 0° 04' 43" West, 7.70 feet parallel with the centerline of Oregon Street as shown on the Plat of said Woodworth Addition to the Southwest corner of a tract of land conveyed to Athol Ray Clements by Deed recorded in Book 48 of Deeds, Page 258 of the records of Gooding County, Idaho;

EXHIBIT A
MONY Loan No. 840288
Lewis M. & Nita Devenport
Gooding County

Thence North 89° 55' 17" East, 100.00 feet parallel with the centerline of said 10th Avenue;
Thence South 0° 04' 43" East, 91.10 feet parallel with the centerline of said Oregon Street to the Northerly boundary of a Right of Way Easement and Agreement, recorded April 4, 1960 in Book 8 of Miscellaneous, Page 159 of the records of Gooding County, Idaho, (which point is 25.00 feet North of the centerline of 10th Avenue extended);
Thence North 89° 47' 49" East, 125.00 feet along said Northerly boundary to an angle point;
Thence North 0° 04' 43" West, 267.37 feet along the Westerly boundary of said Easement to the center of said Cemetery Road;
Thence North 84° 40' 05" East, 50.21 feet along the center of said Cemetery Road;
Thence South 0° 04' 43" East, 290.27 feet;
Thence North 84° 40' 05" East, 602.47 feet;
Thence North 0° 02' 55" East, 290.33 feet to the center of county (Cemetery) road;
Thence North 84° 40' 05" East, 30.13 feet to THE TRUE POINT OF BEGINNING.

SUBJECT TO the right of said Cemetery Road which affects the Northerly 31.71 feet thereof, AND

SUBJECT TO a Right of Way Easement, recorded April 4, 1960 in Book 8 of Miscellaneous, page 159 of the records of Gooding County, Idaho.

PARCEL IV:

Township 5 South, Range 15 East of the Boise Meridian, Gooding County, Idaho.

Section 18: Lot 1; E1/2NW1/4;
Lot 2, EXCEPT a tract described as follows:

BEGINNING at the West Quarter corner of said Section 18, THE TRUE POINT OF BEGINNING;
Thence East along the South boundary of said Lot 2 for 417.42 feet;
Thence North parallel to the West boundary of said Section 18 for 208.72 feet;
Thence West parallel to the South boundary of said Lot 2 for 417.42 feet to a point on the West boundary of said Section 18;
Thence South along the West boundary of said Section 18 for 208.72 feet to THE TRUE POINT OF BEGINNING.

Loan No. 640221 - Camas County

IDAHO SATISFACTION OF MORTGAGE

MONY LIFE INSURANCE COMPANY, a New York corporation formerly known as the Mutual Life Insurance Company of New (hereinafter referred to as the "Mortgagee"), as owner and holder, certifies that certain Idaho Mortgage and Security Agreement dated October 13, 1994, recorded on October 17, 1994, in the Official Records of Camas County, Idaho, as Instrument No. 68850, and that certain Common Default Agreement dated July 12, 1996, recorded on July 12, 1996, in the Official Records of Camas County, Idaho, as Instrument No. 70226 (hereinafter collectively referred to as the "Mortgage"), made and executed by **LEWIS M. DAVENPORT** (also appearing of record as Louis Davenport) and **NITA DAVENPORT**, husband and wife (hereinafter collectively referred to as the "Mortgagor") in favor of Mortgagee, encumbering certain real property situated in Camas County, Idaho, as more particularly described therein, together with the Promissory Note evidencing a debt of Seven Hundred Thousand and 00/100 Dollars (\$700,000.00) thereby secured, is fully paid, satisfied and discharged. Said Mortgage covers the real property located in Camas County, Idaho, and more particularly described in Exhibit "A" attached hereto and made a part hereof by this reference.

IN WITNESS WHEREOF, **MONY Life Insurance Company** has caused this instrument to be signed by its Assistant Director of Agricultural Investments this 12 day of April, 2000.

MONY Life Insurance Company

By: 
Erin R. Plumb, Assistant Director
of Agricultural Investments

STATE OF WASHINGTON

BENTON
COUNTY OF FRANKLIN

On this 12 day of April, 2000, before me appeared Erin R. Plumb, to me personally known, who, being by me duly sworn, did say that he is an Assistant Director of Agricultural Investments of **MONY Life Insurance Company**, a New York corporation formerly known as The Mutual Life Insurance Company of New York, and that said instrument was signed on behalf of said corporation by authority of its Board of Directors, and that he acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in said County and State the day and year last above written.



This Instrument Prepared By:
David M. Brown, Chief Counsel
MONYLife Insurance Company
10475 Park Meadows Dr. - Suite 500
Littleton, CO 80124


Notary Public, State of Washington
My Commission Expires: 4-6-01
Printed Name of Notary: KATHRYN M. FARRELL

EXHIBIT A
MONY Loan No. 840288
Lewis M. & Nita Devenport

1983

Recorded at the Request of
Jocelyn C. Title
3:10
April 27
7
RELEASES
FOLLIE S. JETT
CAMAS COUNTY RECORDER
By *Jocelyn C. Title*
Fees \$ 7.00

Tract No. 1:

Township 1 South, Range 14 East, Boise Meridian, Camas County, Idaho.

Section 13: NW¼ EXCEPT a portion of land described as follows:

Starting at a point on the south right-of-way boundary line of the State Highway running east and west along the North side of the above said NW¼, Section 13, Township 1 South, Range 14 E.B.M., said point being 600 feet East of the intersection of the West boundary line of said State highway; thence South 371 feet, thence East 265 feet; thence North 364 feet and to the said South right-of-way boundary line of the State Highway; and thence west along said south right-of-way boundary line 103 feet, thence North 7 feet; thence west 162 feet to the place of beginning. AND EXCEPT the North 40' of the NW¼ for Highway right-of-way.

Township 1 South, Range 14 East, Boise Meridian, Camas County, Idaho

Section 14: NE¼ EXCEPT the North 40' of the NE¼ for Highway right-of-way.

Tract No. 2:

Township 1 South, Range 14., East Boise Meridian, Camas County, Idaho.

Section 13: SW¼.

Township 1 South, Range 14 East, Boise Meridian, Camas County, Idaho.

Section 14: SE¼

Tract No. 3:

Township 1 South, Range 14 East, Boise Meridian, Camas County, Idaho.

Section 13: SE¼.

Township 1 South, Range 14 East, Boise Meridian, Camas County, Idaho.

Section 13: A parcel of land described as follows:

Starting at a point on the South right-of-way boundary line of the State Highway running east and west along the north side of the above said NW¼ Section 13, Township 1 South, Range 14 E.B.M., said point being 600 feet east of the intersection of the West boundary line of said Section 13 and the South boundary line of said State Highway; thence south 371 feet; thence east 265 feet; thence North 364 feet to the said south right-of-way boundary line 103 feet; thence North 7 feet; thence West 162 feet to the place of beginning.

Claimants Names:

South Cove Ventures, LLC

Attorney Name & Address:

**James P. Speck
Speck & Aanestad
A Professional Corporation
120 East Avenue
P. O. Box 987
Ketchum, Idaho 93340
(208) 726-4421
FAX: (208) 726-0752**

RECEIVED
MAY 15 2000
Department of Water Resources
Boise, Idaho

**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

Case No. 39576

)
)
)
)
)
)

NOTICE OF APPEARANCE

DESCRIPTIVE SUMMARY

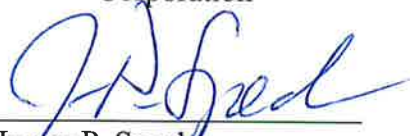
This is a notice of appearance by counsel on behalf of the new claimant and purchaser of the water right claims identified below.

NOTICE OF APPEARANCE

The law firm of Speck & Aanestad, A Professional Corporation, hereby enters its appearance in the action on behalf of Claimant, South Cove Ventures, LLC, for the following water right claims which are not the subject of any subcases: A37-07408, A37-07393.

DATED this 11 day of May, 2000.

SPECK & AANESTAD
A Professional Corporation

By 
James P. Speck

CERTIFICATE OF SERVICE

I hereby certify that on the 11 day of May, 2000, I served a true and correct copy of the foregoing NOTICE OF APPEARANCE on the following persons in the manner designated below:

Chief, Natural Resources Division
Office of the Attorney General, State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

- ☒ United States Mail, Postage Prepaid
☐ Hand Delivery
☐ Facsimile, with copy by United States Mail, Postage Prepaid

The United States Department of Justice
Environmental and Natural Resources
Division
550 West Fort Street
Box 33
Boise, ID 83724

- ☒ United States Mail, Postage Prepaid
☐ Hand Delivery
☐ Facsimile, with copy by United States Mail, Postage Prepaid

Idaho Department of Water Resources
Document Depository
P.O. Box 83720
Boise, ID 83720-0098

- ☒ United States Mail, Postage Prepaid
☐ Hand Delivery
☐ Facsimile, with copy by United States Mail, Postage Prepaid


JAMES P. SPECK

37-7408

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JUL 11 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

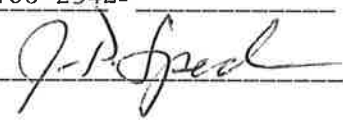
[] Water Right Number(s): _____

[] Name(s): South Cove Ventures, L.L.C.
c/o Chuck Hill

[] Old Mailing Address: P.O. Box 1607
Bellevue, WA 98009

[] New Mailing Address: South Cove Ventures, L.L.C.
c/o Gregory Vik
P.O. Box 1607, Bellevue, WA 98009

Telephone Number: (425) 460-2542- _____

[] Signature(s) of Owner(s) 

James P. Speck, Attorney for South Cove Ventures, L.L.
(Include your title if on behalf of company or organization)

Date: 8-8-07

Send to:

IDWR Northern Region
7600 Mineral Dr., Suite 100
Coeur d'Alene, ID 83815
(208) 762-2800

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

03/08/2006

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

RIGHT NUMBER: 37-7408

NAME AND ADDRESS: SOUTH COVE VENTURES LLC
PO BOX 1607
BELLEVUE WA 98009

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 9.460 CFS
1,419.000 AFY

The rights listed below are limited to a total combined diversion rate of 12.13 cfs. Combined Right Nos.: 37-7393 and 37-7408.

PRIORITY DATE: 11/18/1974

POINT OF DIVERSION:

T01S R14E S13 SESESE Within CAMAS County

T01S R14E S14 NENENE Within CAMAS County

T01S R14E S14 SESENE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 11/01

QUANTITY
9.460 CFS
1,419.00 AFY

PLACE OF USE: IRRIGATION Within CAMAS County

T01S R14E S13	NENW	39.00	T01S R14E S13	NWNW	39.00
T01S R14E S13	SWNW	40.00	T01S R14E S13	SENW	40.00
T01S R14E S13	NESW	40.00	T01S R14E S13	NWSW	40.00
T01S R14E S13	SWSW	39.00	T01S R14E S13	SESW	39.00
T01S R14E S13	NESE	39.00	T01S R14E S13	NWSE	40.00
T01S R14E S13	SWSE	39.00	T01S R14E S13	SESE	39.00

473 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 - License



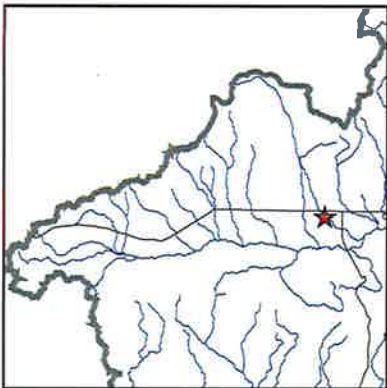
Idaho Department of Water Resources

Adjudication Claim:

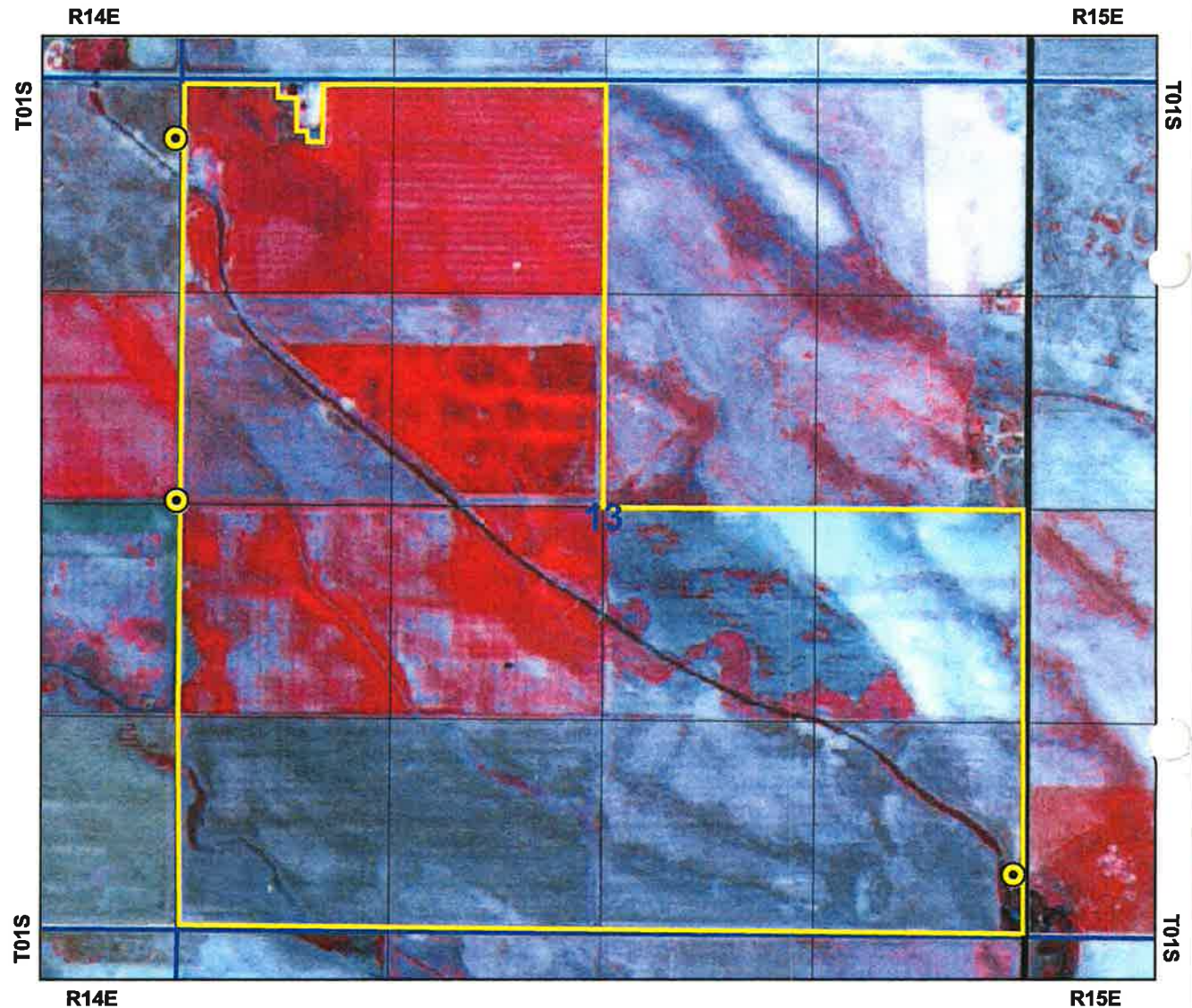
37-7408

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Camas County
IDWR Basin 37



0 0.5 1 Miles

Prepared by M. Anders
On Wednesday, March 8, 2006
1987/88 Aerial Photography

Adjudication Claim Notes

Claim(s): 37-7408

Background Data

- Source is Groundwater
- Licensed for 9.46 cfs on 473 acres
- Claimed for 9.46 cfs on 473 acres

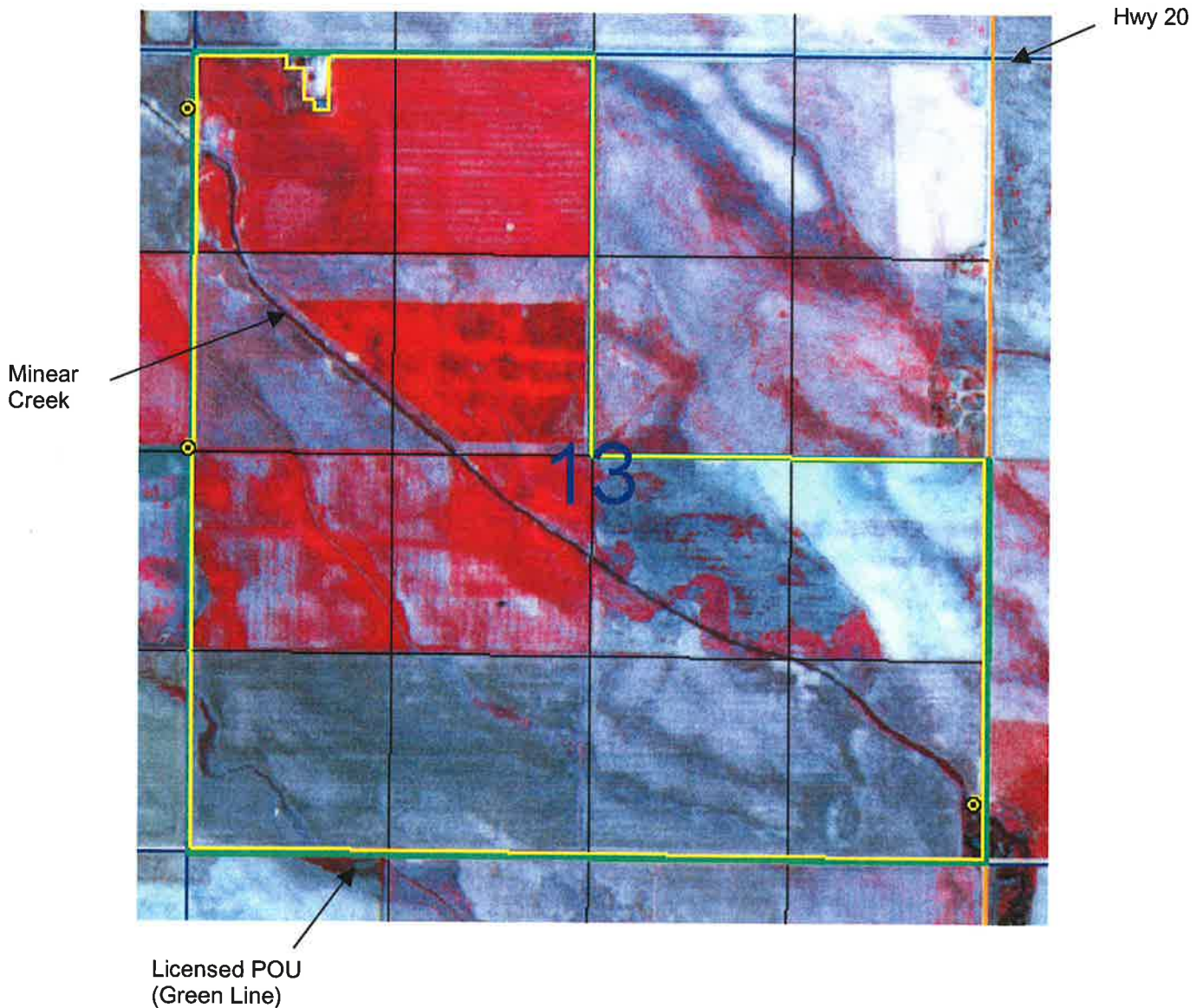
Place Of Use Data

Yellow line is the draft Place of Use created by IDWR based on historical data and records.

Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.

Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

1987 Aerial Photo



Notes

T1S R14E Section 13

- Found 469 acres
- PODs digitized based on license documents and USGS map

- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 37-7408 Priority November 18, 1974 Amount 9.46 cfs

THIS IS TO CERTIFY, that LEWIS &/or DIANNE DAVENPORT
of Gooding, Idaho, has complied with the terms and conditions of Permit
No. 37-7408 issued pursuant to Application for Permit dated November 18, 1974,
and has submitted proof to the Department of Water Resources on October 9, 1979,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 12.13 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>November 1</u> at <u>9.46 cfs</u> and <u>1419 acre feet</u>		
	from _____ to _____ at _____ cfs and _____		
	from _____ to _____ at _____ cfs and _____		

(both dates inclusive)

Subject, however, to the condition that no more than 9.46 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1419 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14,
SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, Twp. 1S, Rge. 14E, B.M. in the County of Camas

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
1S	14E	13					39	39	40	40	40	40	39	39	473

Total number of acres irrigated 473

This right when combined with Right No. 37-7393 shall not provide more than 12.13 cfs

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 24 day of
July, 19 81.

Director

MICROFILMED

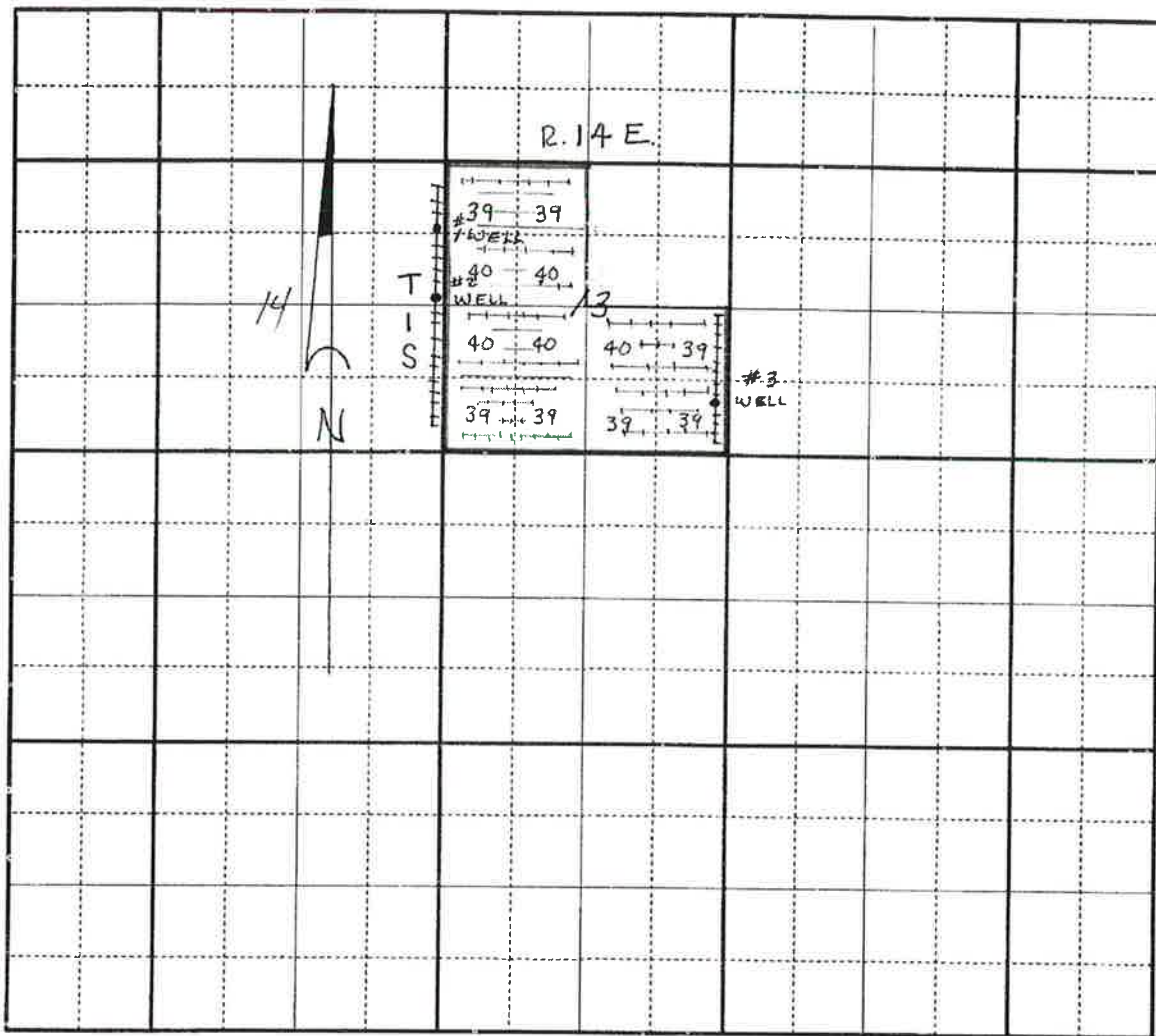
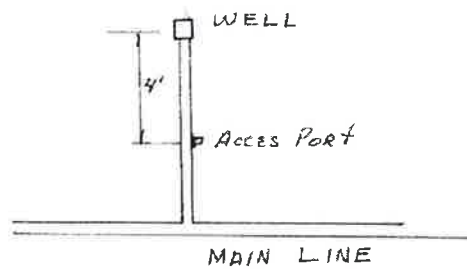


Diagram of System





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

August 15, 2001

RE: OWNERSHIP CHANGE, FOR ADJUDICATION CLAIM 37-7408 and 37-7393

Dear Mr. Speck:

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

Sincerely,

A handwritten signature in cursive script, appearing to read 'Dorothy L. Worley', is written over the typed name.

Dorothy L. Worley
SRBA Office Specialist

Enclosure
DLW

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
DOUGLAS J. AANESTAD
BENJAMIN W. WORST

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

May 11, 2000

RECEIVED

MAY 15 2000

Department of Water Resource
Southern Region

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls ID 83301

**RE: Notice of Change of Water Right Ownership for 37-07408 and 37-07393
(SRBA Claims A37-07408 and A37-07393)**

Dear Allen:

Enclosed you will find the original and a copy of the above-referenced Notice of Change of Water Right Ownership signed by my client, South Cove Ventures, LLC., the new owner and claimant. The former claimant and owner was Mr. Lewis M. Davenport. The water rights were acquired by two separate transactions closing April 27, 2000 and May 3, 2000. Copies of the Warranty Deeds, Quitclaim Deed and Idaho Satisfaction of Mortgage are included. The last document should be sufficient for you to remove Mony Life Insurance Company as a mortgagee from the SRBA claims.

Finally, I have also prepared, signed and enclosed the original and one copy of my firm's Notice of Appearance on behalf of South Cove Ventures, LLC for SRBA Claims A37-07408 and A37-07393. Please return the copies of the Notice of Change of Water Right Ownership and Notice of Appearance to me in the stamped and self-addressed stamped envelope included for that purpose after they have been receipt date stamped by the Department.

Kindly call me if you have any questions. Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:rsd
enclosures

cc: Chuck Hill, w/encl.
Bill Norris, w/encl.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 28, 1994

David M Brown
The Mutual Life Insurance Co of New York
One Mid Rivers Mall Dr
Suite 120
St Peters, MO 63376

RE: Lienholder addition to SRBA Records A37-07393, A37-07408 & A37-07463

Dear Mr. Brown:

copy in this file →

In response to your October 10, 1994 letter our office has changed the electronic record for the above listed Snake River Basin Adjudication (SRBA) claims. Please find enclosed copies of proof reports for these changed records.

Your letter also referenced stock certificates from the Big Wood Canal Co. Since our department does not deal with these records I recommend that you contact the Big Wood Canal Co. directly.

In checking our database I found A37-11206 in the name of L. M. Davenport. Please find a proof report for this claim for your review. Please note that since this claim was not specifically listed in your "Exhibit B" this record was not changed.

If you have questions please feel free to contact our office.

Sincerely,

Allen Merritt
Acting Southern Region Manager

CC: Lewis M Davenport, 1737 E 1800 S, Gooding, ID 83330

RECORDED
NOV 27 1996