

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

CIVIL CASE NUMBER: 39356

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

Ident Number 37-21366

Date Received _____

Receipt Number _____

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

1. Name of Claimant(s): Black Butte Hills LLC
Phone: 1-425-460-2542
Mailing Address: P. O. Box 1607
Bellevue, WA 98009

2. Date of Priority: June 1, 1897

3. Source of water supply (a) Spring Creek
which is tributary to (b) Camas Creek

4. a. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>¼</u>	<u>¼</u>	<u>¼</u>	<u>Lot</u>	<u>County</u>
1S	15E	32	NW	SE	NE		Camas

Additional points of diversion if any:

5. Description of existing diversion works:

SCANNED
DEC 12 2007

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 15	October 31	0.36 cfs

7. Total Quantity Claimed: 0.36 cfs

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

9. Non-irrigation uses:

10. Place of use:

<u>TWP</u>	<u>RGE</u>	<u>SEC</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>TOTALS</u>
1S	15E	33		39	40						16				21	21			137
TOTALS																			137.0

11. Place of use is located in Camas County.

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

13. Describe any other water rights used at the same place and for the same purposes as described above?
37-596, 37-21364 and 37-21368.

14. Remarks:

Last Name: Black Butte Hills LLC

37-21366 AmendedNoticeOfClaim.wpd

Ident No. 37-21366

12/4/07

RECORDED
DEC 7 2007

15. Basis of Claim: Decree

IDWR Water Right Number: 37-593A (split)

Court:

Case Number:

Decree Date: December 13, 1909

Plaintiff v. Defendant: SC Frost v. Alturus Water Company

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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments -

[For organizations] I do solemnly swear or affirm under penalty of perjury that I am the PRESIDENT of Black Butte Hills LLC, that I have signed the foregoing document in the space below in such capacity on behalf of the limited liability company and that the statements contained in the foregoing document are true and correct.

BLACK BUTTE HILLS LLC

Signature of Claimant(s)

By:

Greg Vik, PRESIDENT

Date DEC. 4, 2007

State of Washington)
) ss.
County of King)

Subscribed and sworn before me this 4th day of DECEMBER, 2007.

Notary Public for STATE OF WASHINGTON

Residing at KIRKLAND, WA

Commission Expires 4/29/08



Last Name: Black Butte Hills LLC

37-21366 AmendedNoticeOfClaim.wpd

Ident No. 37-21366

12/4/07

DEC 11 2007

17. Notice of Appearance:

Notice is hereby given that I, James P. Speck, will be acting as attorney at law 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 the address listed below.

Signature: _____

James P. Speck
Speck & Aanestad
A Professional Corporation
P.O. Box 987
Ketchum, ID 83340

Date: _____, 2007.

Last Name: Black Butte Hills LLC

37-21366 AmendedNoticeOfClaim.wpd

Ident No. 37-21366

12/4/07

SCANNED
DEC 11 2007

RECEIVED
DEC 12 2007
DEPARTMENT OF
WATER RESOURCES
TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

SPECK & AANESTAD
A PROFESSIONAL CORPORATION
ATTORNEYS
120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
jim@speckandaanestad.com
DOUGLAS J. AANESTAD
doug@speckandaanestad.com

December 11, 2007

SRBA District Court
P. O. Box 2707
Twin Falls ID 83303-2707

Attention: Janet Connell

Re: Black Butte Hills LLC - SRBA Subcases
Nos. 37-596, 37-21364, 37-21366 and 37-21368

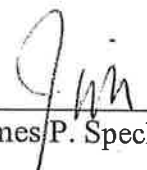
Dear Janet:

Pursuant to the order granting Motion to File Amended Notices of Claims, I am enclosing the original and one copy each of Amended Notices of Claim for the above-referenced subcases. Please file stamp the copies and return them to me in the postage prepaid self-addressed envelope included for that purpose.

Kindly call me if there are any questions. Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
James P. Speck

JPS:jal

Enclosures

cc: Greg Vik (w/encls.)
Rod Gonsales (w/encls.)
Steve Clelland (w/encls.)
Chris Bromley (w/encls.)

SCANNED
DEC 12 2007

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

CIVIL CASE NUMBER: 39356

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

Ident Number 37-21366

Date Received _____

Receipt Number _____

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

1. Name of Claimant(s): Black Butte Hills LLC
Phone: 1-425-460-2542
Mailing Address: P. O. Box 1607
Bellevue, WA 98009

2. Date of Priority: June 1, 1897

**3. Source of water supply (a) Spring Creek
which is tributary to (b) Camas Creek**

4. a. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>¼</u>	<u>¼</u>	<u>¼</u>	<u>Lot</u>	<u>County</u>
1S	15E	32	NW	SE	NE		Camas

Additional points of diversion if any:

5. Description of existing diversion works:

6. Water is claimed for following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Irrigation	April 15	October 31	0.36 cfs

7. Total Quantity Claimed: 0.36 cfs

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

9. Non-irrigation uses:

10. Place of use:

<u>TWP</u>	<u>RGE</u>	<u>SEC</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>TOTALS</u>
1S	15E	33																	
TOTALS																			137.5

11. Place of use is located in Camas County.

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

13. Describe any other water rights used at the same place and for the same purposes as described above?
37-596, 37-21364 and 37-21368.

14. Remarks:

15. Basis of Claim: Decree

IDWR Water Right Number: 37-593A (split)

Court:

Case Number:

Decree Date: December 13, 1909

Plaintiff v. Defendant: SC Frost v. Alturus Water Company

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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet. Number of attachments -

[For organizations] I do solemnly swear or affirm under penalty of perjury that I am the _____ of Black Butte Hills LLC, that I have signed the foregoing document in the space below in such capacity on behalf of the limited liability company and that the statements contained in the foregoing document are true and correct.

BLCAL BUTTE HILLS LLC

Signature of Claimant(s) By: _____ Date _____
Greg Vik, _____

State of Washington)
) ss.
County of King)

Subscribed and sworn before me this ____ day of _____, 2007.

Notary Public for _____
Residing at _____
Commission Expires _____

Last Name: Black Butte Hills LLC

37-21366 AmendedNoticeOfClaim.wpd

Ident No. 37-21366

11/6/07

17. Notice of Appearance:

Notice is hereby given that I, James P. Speck, will be acting as attorney at law 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 the address listed below.

Signature: _____

James P. Speck
Hogue, Speck & Aanestad
P.O. Box 987
Ketchum, ID 83340

Date: _____, 1995.

Last Name: Black Butte Hills LLC

37-21366 AmendedNoticeOfClaim.wpd

Ident No. 37-21366

11/6/07

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 37-21366
Date Received: 11/10/2004
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SOUTH COVE VENTURES LLC Phone: (425)460-2504
C/O CHUCK HILL
PO BOX 1607
BELLEVUE WA 98009

2. Date of Priority: 06/01/1897

3. Source: SPRING CREEK Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02S	15E	32	NW SE NE	CAMAS	

5. Description of diverting works:

DITCHES, FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	0.36	

7. Total Quantity Appropriated is:
0.36 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
01S	15E	33	NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
					Section Acres	80
					Total Acres	80

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 right is a split from former right 37-593A.

15. Basis of Claim: Decreed

RECEIVED

SEP 22 2004

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

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.

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
	37-593A	☒			☐
	37-594A	☒			☐
	37-595A	☒			☐
	37-596	☐			☐
37-13032		☐			☐

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) Scott T. Scheer, Rte. 1, Box 1080, Fairfield, ID, 83327
4. New Owner/Claimant(s) South Cove Ventures, L.L.C.
- Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address c/ Chuck Hill, P.O. Box 1607
- City, State and ZIP Code Bellevue, WA, 98009
- New Telephone Number (425) 460-2504
5. Date you acquired the property May 10, 2004

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	_____	

By: Chuck Hill, President

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

1 WARRANTY DEED

2 THIS INDENTURE, made this 10 day of May, 2004,
3 between ALONZO B. LEAVELL, a/k/a A. B. LEAVELL, ("Grantor"),
4 and, SOUTH COVE VENTURES L.L.C., a Washington Limited Liability
5 Company, whose address is c/o Chuck Hill, P O Box 1607,
6 Bellevue, Washington 98009, ("Grantee").

7 W I T N E S S E T H:

8 The Grantor for and in consideration of the sum of
9 Ten Dollars (\$10.00), lawful money of the United States of
10 America, and other good and valuable consideration, to the
11 Grantor in hand paid by the Grantee, the receipt whereof is
12 hereby acknowledged, has granted, bargained, and sold and by
13 these presents does grant, bargain and sell, convey and confirm
14 unto the Grantee, and to the successors and assigns of Grantee
15 forever, all of the following described real estate situated in
16 the County of Camas, State of Idaho, to-wit:

17
18 That property more particularly set forth on
19 Exhibit A attached hereto and made a part
20 Hereof by reference, consisting of Parcels
21 1 through 12.

22 SUBJECT TO:

23 Those exceptions listed on Title Commitment
24 Number C040033, of First American Title Company as
25 Exceptions numbers 2 through 5, 10, 11, 13, 14, 15,
26 16, 17, 18, 19, 24, 25, and 26.

TOGETHER with all water rights, claims to water, and
pending water transfers, including, but not limited to the

1 following: SRBA Claims Nos. 37-593A, 37-594A, 37-595A, 37-13256
2 and 37-12007, Water Rights Nos. 37-10103 and 37-2315.

3 TOGETHER with all and singular the tenements,
4 hereditaments and appurtenances thereunto belonging or in
5 anywise appertaining, the reversion and reversions, remainder
6 and remainders, rents, issues and profits thereof, and all
7 estate, right, title and interest in and to said property as
8 well in law as in equity of the Grantor.

9 TO HAVE AND TO HOLD, all and singular the above-
10 mentioned and described premises, together with appurtenances
11 unto the Grantee and to the successors and assigns of Grantee
12 forever.

13 The Grantor shall and will warrant and by these
14 presents will forever defend the said premises in the quiet and
15 peaceable possession of the Grantee, and the successors and
16 assigns of Grantee against all and every person and persons
17 whomsoever lawfully claiming the same, except as aforesaid.

18 IN WITNESS WHEREOF, the Grantor has executed this
19 Deed the day and year first above written.
20

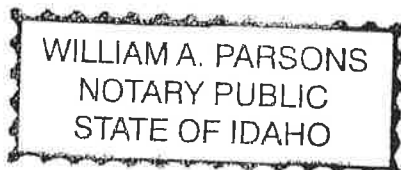
21 
22 Alonzo B. Leavell
23
24
25
26

1 STATE OF IDAHO)

2 County of Cassia)

ss

3 On this 10 day of May, in the year of 2004,
4 before me, the undersigned, a Notary Public in and for said
5 State, personally appeared ALONZO B. LEAVELL, a/k/a A. B.
6 LEAVELL, known or identified to me to be the person whose name
7 is subscribed to the within instrument, and acknowledged to me
8 that said person executed the same.



William A. Parsons
Notary Public for Idaho

Residing at Burley

My Commission Expires: 7/20/04

EXHIBIT "A"

PARCEL 1

Township 2 South, Range 16 East of the Boise Meridian, Camas County, Idaho

Section 16: SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 17: NW $\frac{1}{4}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$

PARCEL 2

Township 2 South, Range 16 East of the Boise Meridian, Camas County, Idaho

Section 16: SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 17: NE $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ NE $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$

PARCEL 3

Township 1 South, Range 15 East of the Boise Meridian, Camas County, Idaho

Section 27: W $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$; W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$; W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$; S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$; S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$

PARCEL 4

Township 2 South, Range 16 East of the Boise Meridian, Camas County, Idaho

Section 18: Lot 3; SE $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 19: Lot 1

PARCEL 5

Township 2 South, Range 15 East of the Boise Meridian, Camas County, Idaho

Section 13: NW $\frac{1}{4}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 14: NW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NE

Section 24: NW $\frac{1}{4}$ NE $\frac{1}{4}$

(continued)

PARCEL 6

Township 1 South, Range 15 East of the Boise Meridian, Camas County, Idaho

Section 33: NE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 34: SE $\frac{1}{4}$ NW $\frac{1}{4}$

PARCEL 7

Township 1 South, Range 15 East of the Boise Meridian, Camas County, Idaho

Section 27: E $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$;
N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NE $\frac{1}{4}$;
SW $\frac{1}{4}$ SW $\frac{1}{4}$

SUBJECT TO a 60 foot road right of way South of Camas Creek and parallel to Camas Creek.

TOGETHER WITH an easement for road right of way 10 feet wide over and across the Northeast Quarter of said Section 27, the centerline of said right of way being described as follows:

BEGINNING at a point 5 feet North of the East Quarter corner of said Section 27;
Thence West and parallel with the South boundary of the Northeast Quarter to a point 5 feet North of the Southwest corner of said Northeast Quarter to the point of termination.

AND TOGETHER WITH an easement for road right of way 8 1/4 feet wide over and across the Northwest Quarter of the Southeast Quarter and the Northeast Quarter of the Southwest Quarter of said Section 27, described as follows:

COMMENCING at a point 8 1/4 feet West of the Northeast corner of Northwest Quarter of the Southeast Quarter;

THENCE South and parallel with the East boundary of the Northwest Quarter of the Southeast Quarter to a point 8 1/4 feet North of the South boundary of the Northwest Quarter of the Southeast Quarter;

THENCE West and parallel with the South boundary of the Northwest Quarter of the Southeast Quarter to a point on the center Section line 8 1/4 feet North of the Southwest corner of the Northwest Quarter of the Southwest Quarter;

THENCE in a Southwesterly direction across the Northeast Quarter of the Southwest Quarter to a point on the South boundary of the Northeast Quarter of the Southwest Quarter 8 1/4 feet West of the Southeast corner of the Northeast Quarter of the Southwest Quarter of said Section 27 to the point of termination.

PARCEL 8

Township 2 South, Range 16 East of the Boise Meridian, Camas County, Idaho

Section 18: Lot 4; NE $\frac{1}{4}$ SW $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 19: NE $\frac{1}{4}$ NW $\frac{1}{4}$

(continued)

PARCEL 9

Township 2 South, Range 15 East of the Boise Meridian, Camas County, Idaho

Section 13: SW $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 14: NE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 24: NE $\frac{1}{4}$ NE $\frac{1}{4}$

PARCEL 10

Township 1 South, Range 15 East of the Boise Meridian, Camas County, Idaho

Section 33: SE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 34: NE $\frac{1}{4}$ NW $\frac{1}{4}$

PARCEL 11

Township 1 South, Range 15 East, Boise Meridian, Camas County, Idaho

Section 33: The West one-half of the Northeast Quarter

Section 34: The West one-half of the Northwest Quarter

PARCEL 12

Township 1 South, Range 15, East of the Boise Meridian, Camas County, Idaho

Section 27: The Northwest Quarter of the Southeast Quarter

077163

Recorded at the Request of
Camas County Title
at 5:00 P M
May 11th, 2004
in Book 34 Page 343
of Deeds
ROLLIE BENNETT
CAMAS COUNTY RECORDER
By Rolli Bennett
Fees \$ 24.00

WARRANTY DEED

For Value Received

SCOTT SCHEER

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto

SOUTH COVE VENTURES L.L.C. a Washington limited liability company

the grantee(s), whose current address is

P.O. Box 1607, Bellevue, WA 98009

the following described premises, to-wit:

Township 1 South, Range 15 East, Boise Meridian, Camas County, Idaho

Section 33: N $\frac{1}{2}$ SE $\frac{1}{4}$

Township 1 South, Range 15 East, Boise Meridian, Camas County, Idaho

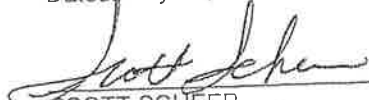
Section 34: NW $\frac{1}{4}$ SW $\frac{1}{4}$

SUBJECT to highway right of way as set out in document recorded November 29, 1952 in Book 3 of Miscellaneous, page 94 as Instrument No. 30320.

Together with any and all water rights appurtenant thereto, including, but not limited to, the following: Those portions of SRBA Claims Nos. 37-594A, 37-595A and 37-596 appurtenant to the above-described property

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) 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 he/she/they will warrant and defend the same from all claims whatsoever.

Dated: May 10, 2004

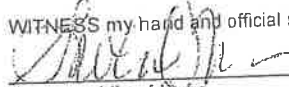

SCOTT SCHEER

STATE OF IDAHO

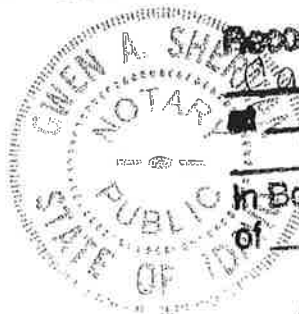
COUNTY OF Gooding

On This 11 day of May, in the year 2004, before me, a Notary Public in and for said State, personally appeared SCOTT SCHEER, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.


Notary Public of Idaho
Residing at Twin Falls, Idaho
Commission Expires: July 25, 2008

Gooding
3-27-06



Recorded at the Request of
Camas County Title
4125 PI
May 11, 2004
In Book 34 Page 3
of Deeds
ROLLIE BENNETT
CAMAS COUNTY RECORDER
By Bobbie D. Walker
Fees \$ 300

077152

WARRANTY DEED

For Value Received

SCOTT SCHEER

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto

^{L.L.C.}
SOUTH COVE VENTURES, a Washington limited liability company

the grantee(s), whose current address is

P.O. Box 1607, BELLEVUE, WA 98009

the following described premises, to-wit:

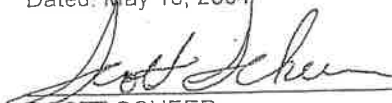
Township 1 South, Range 15 East, Boise Meridian, Camas County, Idaho

Section 33: N $\frac{1}{2}$ SW $\frac{1}{4}$

Together with any and all water rights appurtenant thereto, including, but not limited to, the following: Those portions of SRBA Claims Nos. 37-594A, 37-595A and 37-596 appurtenant to the above-described property, and all of Water Right No. 37-13032.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) 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 he/she/they will warrant and defend the same from all claims whatsoever.

Dated: May 10, 2004

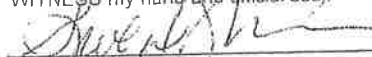

SCOTT SCHEER

STATE OF IDAHO

COUNTY OF Gooding

On This 11 day of May, in the year 2004, before me, a Notary Public in and for said State, personally appeared SCOTT SCHEER, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.


Notary Public of Idaho
Residing at Twin Falls, Idaho Buhl
Commission Expires: July 25, 2008 3-27-06

077153
Recorded at the Request of
Camas County Title
4:30 PM
May 11th, 2004
In Book 34 Page 32
of Deeds
ROLLIE BENNETT
CAMAS COUNTY RECORDER
By Rollie Bennett
Fees \$ 3.00

WARRANTY DEED

For Value Received

SCOTT SCHEER

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto

ALONZO B. LEAVELL, a married man as his sole and separate property

the grantee(s), whose current address is

P.O. BOX 54, GOODING, ID 83330

the following described premises, to-wit:

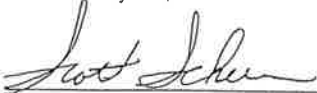
Township 1 South, Range 15 East, Boise Meridian, Camas County, Idaho

Section 33: The West one-half of the Northeast Quarter

Section 34: The West one-half of the Northwest Quarter

I HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) 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 he/she/they will warrant and defend the same from all claims whatsoever.

Dated: May 10, 2004



SCOTT SCHEER

STATE OF IDAHO

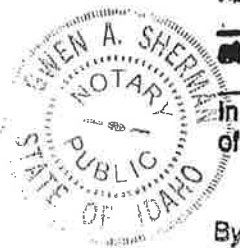
: ss

COUNTY OF GOODING

On This 11 day of May, in the year 2004, before me, a Notary Public in and for said State, personally appeared SCOTT SCHEER, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.


Gwen A. Sherman
Notary Public of Idaho
Residing at Twin Falls, Idaho
Commission Expires: July 25, 2008.

Buhl, Id
3.27.06

077151
Recorded at the Request of
Camas County Title
4:29 P M
May 11th, 2004
In Book 34 Page 325
of Deeds
ROLLIE BENNETT
CAMAS COUNTY RECORDER
By Rolli Bennett
Fees \$ 3.00

50⁰⁰

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: A37-00593A
Date Received: 11/16/89
Receipt No: 5010485
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: T. JACK SCHEER
Address: 510 OREGON
GOODING, ID 83330
208-934-8392
2. Date of Priority: JUN 01, 1897
3. Source: SPRING CREEK
Trib. to: CAMAS CREEK
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 02S | 15E | 32 | NW | SE | NE | | CAMAS |
5. Description of diverting works:
DITCHES, FLOOD IRRIGATION
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/15 | 10/15 | 0.500 | | |
7. Total Quantity Appropriated is:
0.500 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 275.0 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	15E	32	NE	NE		IRR	12.0
			SE	NE		IRR	18.0
Section Acres							30.0

A37-00593A

Page 1

Date: 10/24/89

MICROFILMED
FEB 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	15E	33	NW	NE		IRR	40.0
			SW	NE		IRR	40.0
Section Acres							80.0
Total Acres							110.0

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:

A37-00591A, -00592A, -00594A, -00595A, -00596, -02207

14. Remarks:

ACRES IRRIG. NOT SPECIFIED, FARM = 239.5 ACRES
CAMAS CREEK, SPRING CREEK & BLISS SPRING WATER USED ON PROPERTY.

THIS CLAIM REPRESENTS A SPLIT OF 37-00593. THE CLAIMANT OWNS
2 OF THE ORIGINAL TRACTS LISTED IN THE DECREE. AND THEREFORE
CLAIMS 80/240 X 1.5 CFS = 0.5 CFS. THE WATER IS DIVERTED FROM
CAMAS CREEK DOWNSTREAM FROM THE CONJUNCTION OF SPRING CREEK AND
CAMAS CREEK. THIS POD PUTS THE WATER ON THE LANDS LISTED IN
THIS CLAIM.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

S. C. FROST, ET. AL.

Decree Plaintiff

vs

ALTURAS WATER COMPANY, ET. AL.

Decree 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: 2

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): T. Jack Scherer Date: 10/24/89

Date: _____

State of Idaho)
County of Camas) SS.

Subscribed and sworn (or affirmed) before me this 24th day
of October 19 89

Anna Baumhoff
Notary Public

Seal

Residing at Anna Baumhoff, Notary Public
Residing at Boise, Idaho
My Commission Expires Expires December 7, 1994

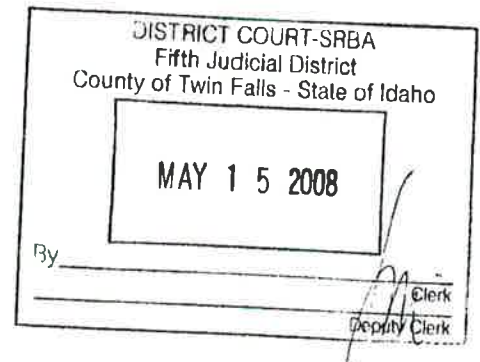
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 37-21366



NAME AND ADDRESS: BLACK BUTTE HILLS LLC
C/O GREGORY VIK
PO BOX 1607
BELLEVUE, WA 98009

SOURCE: SPRING CREEK TRIBUTARY: CAMAS CREEK

QUANTITY: 0.36 CFS

PRIORITY DATE: 06/01/1897

POINT OF DIVERSION: T01S R15E S32 NWSENE Within Camas County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
Irrigation		04-15 TO 10-31	0.36 CFS

PLACE OF USE:	Irrigation	Within Camas County
	T01S R15E S33	NWNE 39.0 SWNE 40.0 NESW 16.0 NESE 21.0 NWSE 21.0
	137.0 Acres Total	

The rights listed below are limited to the irrigation of a combined total of 137 acres in a single irrigation season. Combined Right Nos.: 37-596, 37-21364, 37-21366, & 37-21368.

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

09/28/2006

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

RIGHT NUMBER: 37-21366

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

SOURCE: SPRING CREEK

TRIBUTARY: CAMAS CREEK

QUANTITY: 0.360 CFS

PRIORITY DATE: 06/01/1897

POINT OF DIVERSION:

T01S R15E S32 NWSENE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.360 CFS

PLACE OF USE:

IRRIGATION Within CAMAS County

T01S R15E S33

SWNE

8.00

T01S R15E S33

NESW

16.00

T01S R15E S33

NWSE

21.00

45 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 45 acres in a single irrigation season. Combined Right Nos.: 37-596, 37-21364, 37-21366, & 37-21368.

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

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

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



Idaho Department of Water Resources

SRBA Recommendation:

37-596

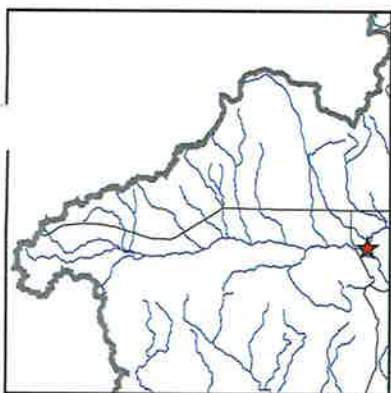
37-21364

37-21366

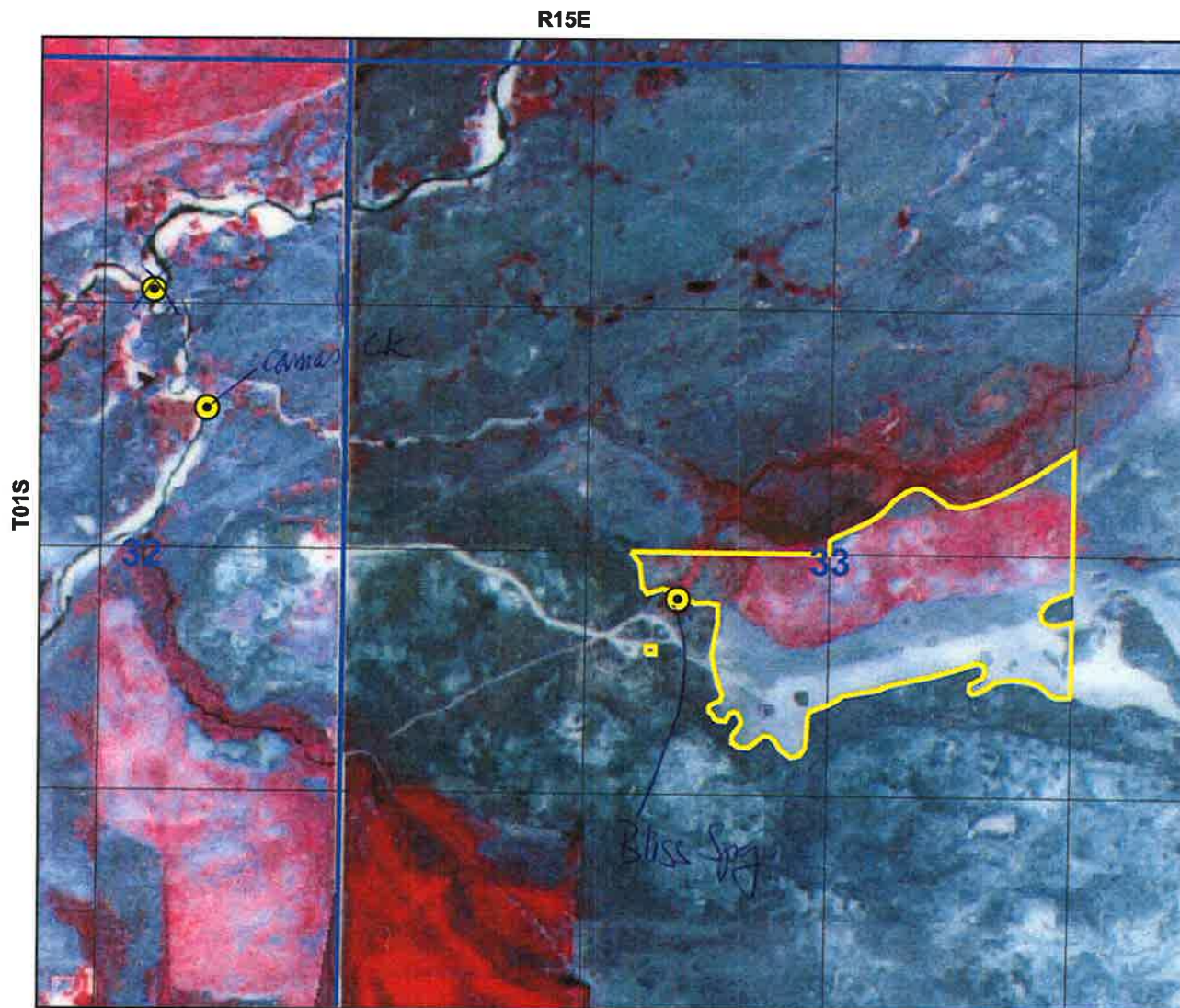
37-21368

Legend

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



Camas County
IDWR Basin 37



0 0.25 0.5 Miles



Prepared by M. Anders
On Thursday, September 28, 2006
1987/88 Aerial Photography

Water Right Report 37-593

WATER RIGHT NUMBER: 37-593

Current Owner MARY S RYAN

, ID 83330
(208)934-8392

Status: Active

Tributary

CAMAS CREEK

Annual Volume

1.500 CFS

Total Diversion: 1.500 CFS

SPRING CREEK

IRRIGATION

[illegible]

Conditions of Approval:

1. AC. IRRIG. NOT SPECIFIED. FARM = 239.5 AC.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-593

Comments:Dates and Other Information:

Licensed Date:
Decreed Date: 12/13/1909
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Alturas Water Co, et al
Decree Plaintiff: S C Frost, et al
Civil Case Number:
Judicial District: Fourth District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
----------------	---------------------------	-----------------	---------------------------	-----------------	---------------

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

Water Supply Bank:

Water Right Number - 37-00593

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

RYAN

MARY S.

1 -

2 -

3 -

City-

State-

Zip-

Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
06/01/1897 17 D - DECREED+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
SPRING CREEK CAMAS CREEK+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 1.500+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.500

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
01S	15E	29	NE SE		40	01	IRRIGATION	25 CAMAS
01S	15E	29	SE SE		40	01	IRRIGATION	25 CAMAS
01S	15E	29	NE NW	SUSF	40	01	IRRIGATION	25 CAMAS
01S	15E	32	SE NW	NENE	40	01	IRRIGATION	25 CAMAS
01S	15E	33	SW SW			01	IRRIGATION	25 CAMAS
02S	15E	4	NW NW			01	IRRIGATION	25 CAMAS

Total Acres:

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
AC. IRRIG. NOT SPECIFIED. FARM = 239.5 AC.+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

2 TRACTS

$$80/240 \times 1.5 = 0.5 \text{ cfs}$$
MICROFILMED
FEB 23 1993

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 08/26/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 37
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 12/13/1909				

MICROFILMED
FEB 23 1993