

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 37-21368

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: July 20, 1901

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

4. a. Location of point of diversion is:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>	<u>Lot</u>	<u>County</u>
1S	15E	32	SW	NE	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	0.38 cfs

7. Total Quantity Claimed: 0.38 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 37-21366.

14. Remarks:

15. Basis of Claim: Decree

IDWR Water Right Number: 37-595A (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

12/4/07

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

37-21368 AmendedNoticeOfClaim.wpd

Ident No. 37-21368

12/4/07

SCANNED
DEC 12 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.

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**

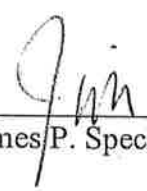
Dear Janet:

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 37-21368

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: July 20, 1901

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

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	SW	NE	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	0.38 cfs

7. Total Quantity Claimed: 0.38 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 37-21366.

14. Remarks:

15. Basis of Claim: Decree

IDWR Water Right Number: 37-595A (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.

BLCAK BUTTE HILLS LLC

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

[illegible]

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

Notary Public for _____
Residing at _____
Commission Expires _____

Last Name: Black Butte Hills LLC

37-21368 AmendedNoticeOfClaim.wpd

Ident No. 37-21368

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.

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 37-21368
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: 07/20/1901

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01S	15E	32	SE NW NE	CAMAS	
01S	15E	31	NW SE NW	CAMAS	
01S	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	0.43	

7. Total Quantity Appropriated is:
0.43 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
			NE	SW	IRRIGATION	20
			NW	SW	IRRIGATION	5
			NW	SE	IRRIGATION	20
					Section Acres	125
					Total Acres	125

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 37-595A.

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

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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number	37-593A	
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	0.36 cfs	80 acres
Stock		
Domestic		
Other		
Total	0.36 cfs/80 acres	

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 <u>37-594A</u>		
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	<u>0.53 cfs</u>	<u>125 acres</u>
Stock		
Domestic		
Other		
Total	<u>0.53 cfs/125 acres</u>	

7. Signature of New Owner(s) or Claimant(s) SOUTH COVE VENTURES, L.L.C.
(include title if applicable) By: 
Chuck Hill, president

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 <u>g. wright</u>	Date <u>9/29/04</u>	Fee <u>25.00</u>
Received by <u>g. wright</u>	Date <u>9/29/04</u>	Receipt No. <u>5027084</u>
Processed by <u>AJ</u>	Date	WR Date

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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number <u>37-595A</u>		
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	<u>0.42 cfs</u>	<u>125 acres</u>
Stock		
Domestic		
Other		
Total	<u>0.42 cfs/125 acres</u>	

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

7. Signature of New Owner(s) or Claimant(s) SOUTH COVE VENTURES, L.L.C.
(include title if applicable)

By: 
Chuck Hill, President

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

For Office Use Only

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

WARRANTY DEED

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

W I T N E S S E T H:

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

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

SUBJECT TO:

Those exceptions listed on Title Commitment
Number C040033, of First American Title Company as
Exceptions numbers 2 through 5, 10, 11, 13, 14, 15,
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

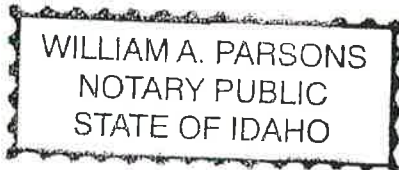
PARSONS, SMITH & STONE, LLP
LAW
BURLEY, IDAHO

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 Rollie 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

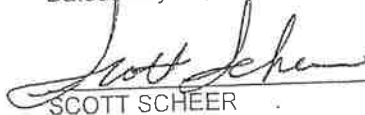
Section 34: NW $\frac{1}{4}$ SW $\frac{1}{4}$

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

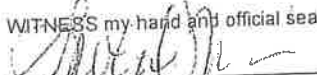

SCOTT SCHEER

STATE OF IDAHO

COUNTY OF ^{SS} 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, Id.
4125 PI
May 11, 2004
In Book 34 - Page 3
of Deeds
ROLLIE BENNETT
CAMAS COUNTY RECORDER
By Bobbie D. Wallis
Fees \$ 3.00

077152

WARRANTY DEED

For Value Received

SCOTT SCHEER

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

^{I.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:

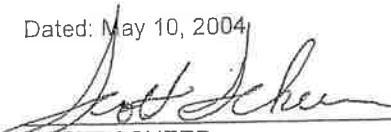
Township 1 South, Range 15 East, Boise Meridian, Camas County, Idaho

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

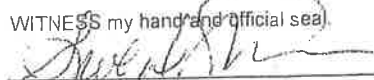

SCOTT SCHEER

STATE OF IDAHO

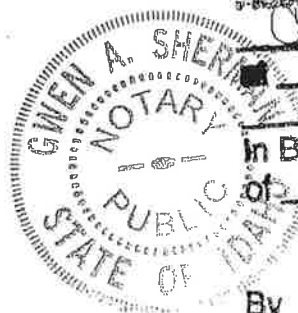
COUNTY OF Gooding

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
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 36
of Deeds
ROLLIE BENNETT
CAMAS COUNTY RECORDER
By Kerri Blodgett
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:

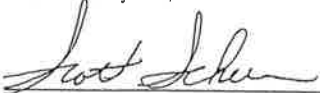
Township 1 South, Range 15 East, Boise Meridian, Camas County, Idaho

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.


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

3.27.06



077151
Recorded at the Request of
Camas County Title
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: A37-00595A
Date Received: 11/16/89
Receipt No: 4010485
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: T. JACK SCHEER 208-934-8392
Address: 510 OREGON
GOODING, ID 83330

2. Date of Priority: JUL 20, 1901

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	15E	31	NW	SE	NW		CAMAS
		32	SE	NW	NE		CAMAS
			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	1.390		

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

8. Total consumptive use is 1012.5 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	29	NE	SE		IRR	40.0
			SW	SE		IRR	40.0

A37-00595A

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	29	SE	SE		IRR	40.0
Section Acres							120.0
		32	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
Section Acres							160.0
		33	NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			NE	SW		IRR	20.0
			NW	SW		IRR	5.0
			NW	SE		IRR	20.0
Section Acres							125.0
Total Acres							405.0

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, -00593A, -00594A, -00596, -02207

14. Remarks:

SOURCE GIVEN INCORRECTLY AS UPPER MALAD R.; SEE USGS MAP.
AC. IRRIG. NOT SPECIFIED. FARM = 360 ACRES

THIS CLAIM REPRESENTS A SPLIT OF 37-00595, CLAIMING 5 TRACTS OR
200/360 X 2.5 CFS = 1.39 CFS.

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 Tcheer 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 Baunhoff
Notary Public

Seal

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

A37-00595A

405 ACW



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 21368

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

MAY 15 2008

NAME AND ADDRESS:

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

SOURCE:

CAMAS CREEK TRIBUTARY: BIG WOOD RIVER

QUANTITY:

0.38 CFS

PRIORITY DATE:

07/20/1901

POINT OF DIVERSION:

T01S R15E S32

SWNE Within Camas County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
Irrigation

PERIOD OF USE
04-15 TO 10-31

QUANTITY
0.38 CFS

PLACE OF USE:

Irrigation

T01S R15E S33

NWNE 39.0
NESW 16.0
NWSE 21.0

Within Camas County
SWNE 40.0
NESE 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: 37-21368

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

SOURCE: CAMAS CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 0.380 CFS

PRIORITY DATE: 07/20/1901

POINT OF DIVERSION:

T01S R15E S32 SWNE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.380 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



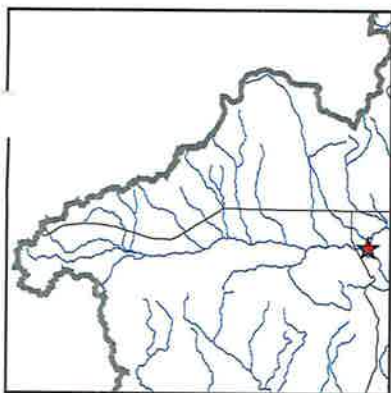
Idaho Department of Water Resources

SRBA Recommendation:

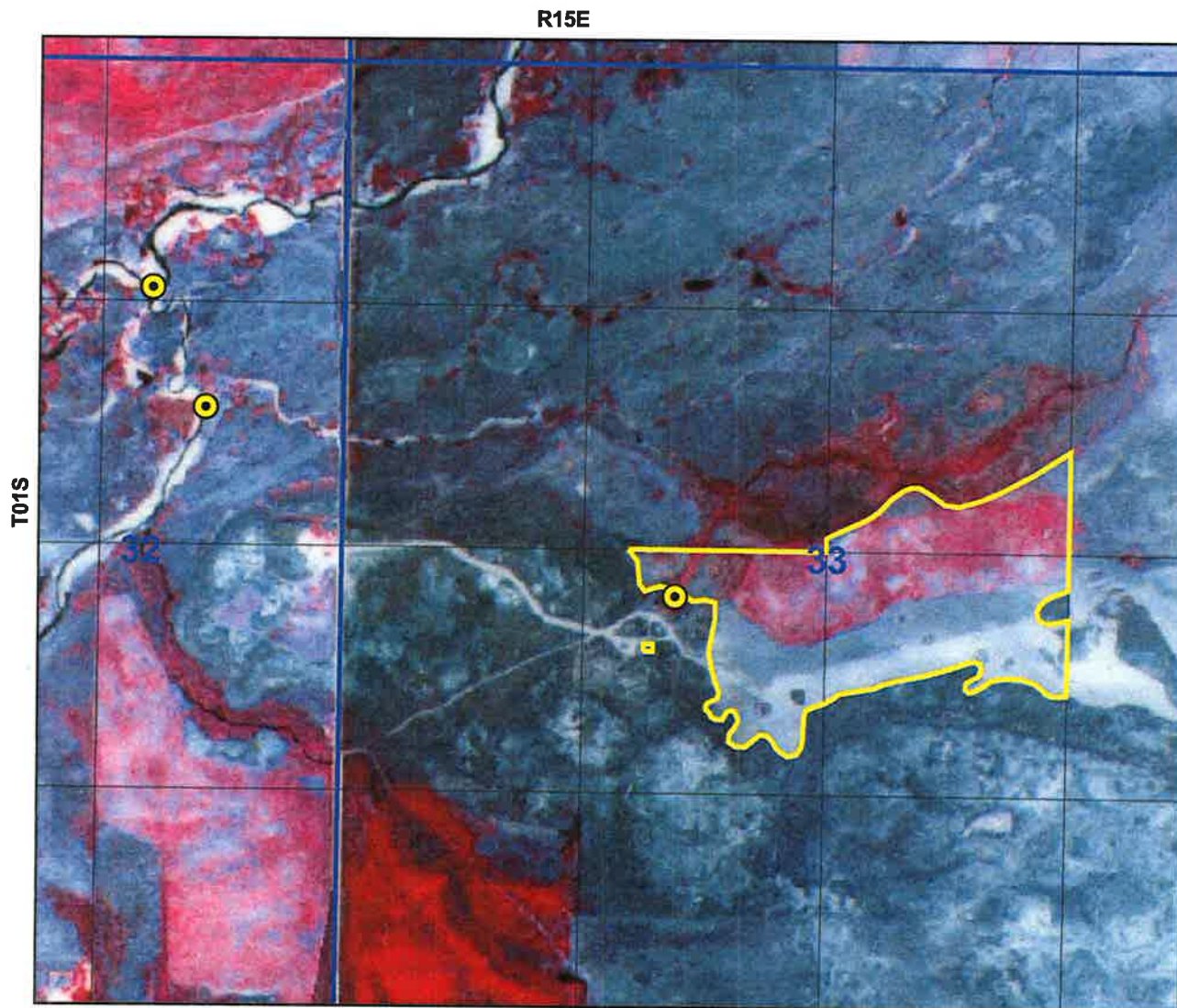
37-596
37-21364
37-21366
37-21368

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

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-595

WATER RIGHT NUMBER: 37-595

Owner Type Name and Address
 Current Owner SARAH RYAN
 GOODING, ID 83330
 (208)934-8392

Priority Date: 07/20/1901

Basis: Decreed

Status: Active

Source Tributary
 CAMAS CREEK BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	2.500 CFS	
	<u>Total Diversion:</u>	2.500 CFS	

Location of Point(s) of Diversion
 CAMAS CREEK

Place of Use
 IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	15E	29															X		
01S	15E	32						X	X										
01S	15E	33			X	X		X			X	X					X		

Conditions of Approval:

1. SOURCE DECREED INCORRECTLY AS UPPER MALAD R.; SEE USGS MAP. AC. IRRIG. NOT SPECIFIED. FARM = 360 AC.

Remarks:Comments: