



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

May 24, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

OMERTA INVESTMENTS, LLC
3040 N 44TH ST. #3
PHOENIX, AZ 85018

RE: Change in Ownership for Water Right No. 61-10860, 61-2207A, 61-2207B,
61-7097, 61-7114, 61-10564, 61-10770, 61-7115, 61-7206D, 61-7262A, 61-7262B,
61-7299, 61-10561

Dear Interested Party:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

_____ **Filing Fee** of \$25 per water right

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed. Since water right no: 61-10860 has been disallowed we cannot process it. Therefore, we have determined that the filing fee for your notice will be \$300.

The Department cannot process the ownership change without proper documentation; we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days, we will return your notice and all attachments and your notice will not be processed.

Please feel free to contact the Department if you have any questions.

Sincerely,

Brian Cox
Technical Reviewer

Enclosure

WA
DEV

RECEIVED
FEB 28 2001
WESTERN REGION

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

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

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
61-10860			61-10770		
			61-7115		
61-2207A			61-7206D		
61-2207B			61-7262A		
61-7097			61-7262B		
61-7114			61-7299		
61-10564			61-10561		

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 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) James C. Hilliard and Barbara G. Hilliard
P.O. Box 711 Mountain Home, ID 83647
4. New Owner/Claimant(s) Omerta Investments, LLC
Name Connector (Check one: ☐ and, ☐ or, ☐ and/or)
New Mailing Address 3040 N. 44th St. #3
City, State and ZIP Code Phoenix, AZ 85018
New Telephone Number (602) 388-1520
5. Date you acquired the property 2-27-01

SUPPORT DATA

IN FILE # 61-2207A

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

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

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

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

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 _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date: _____

08-757

WARRANTY DEED**FOR VALUE RECEIVED**

James C. Hilliard and Barbara G. Hilliard, husband and wife

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto
Omerta Investments, LLCGRANTEE(S), whose current address is: 3040 N 44th St #3
the following described real property in Elmore
more particularly described as follows, to wit:

Phoenix, AZ 85018

County, State of Idaho,

(See Attached)

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever, except those of record.

Dated: February 21, 2007

James C. Hilliard

Barbara G. Hilliard

James C. Hilliard

BARBARA G. HILLIARD

STATE OF Idaho, County of Elmore, ss.

On this 21st day of February
in the year of 07, before me, the undersigned, a Notary
Public in and for said State, personally appeared
James C. Hilliard, Barbara G. Hilliard

known or identified to me to be the person 8 whose names
are they subscribed to the within instrument, and
acknowledged to me that they executed the same.

Signature: Erin R. RembertName: Erin R. Rembert
(type or print)Residing at: Mountain HomeMy commission expires: 10/6/2011

LEGAL DESCRIPTION

TRACT I:

A parcel of land lying in portions of the West 1/2 of Sections 11 and 14, and all of the West 1/2 of Section 23, all in Township 5 South, Range 6 East, Boise Meridian, Elmore County, Idaho, said parcel being more particularly described as follows: Commencing at the 1/4 corner common to Sections 11 and 14, T5S, R6E, B.M., Elmore County, Idaho; thence South 0°00'23" East 560.00 feet along the East line of said West 1/2 of Section 14 to the REAL POINT OF BEGINNING; thence continuing, South 0°00'23" East 4,712.49 feet to the 1/4 corner common to said Sections 14 and 23; thence South 0°07'06" West, 5,412.34 feet to the 1/4 corner common to said Section 23 and Section 26; thence North 87°01'24" West 2,696.04 feet to the Southwest corner of said Section 23; thence North 0°23'11" East 5,279.40 feet to the Northwest corner of said Section 23; thence North 0°03'43" East 4,779.82 feet along the west line of said Section 14; thence North 89°46'10" East 1,281.46 feet; thence North 0°00'23" West 517.00 feet; thence North 89°46'10" East 100.00 feet; thence South 0°00'23" East 610.22 feet; thence South 89°42'14" East 895.84 feet; thence North 0°00'23" West 20.00 feet; thence South 89°42'14" East 385.00 feet to the REAL POINT OF BEGINNING.

Tract II (A):

Township 4 South, Range 6 East, Boise Meridian, Elmore County, Idaho

SECTION 26: NW1/4NE1/4
NE1/4NW1/4
SW1/4NE1/4
SE1/4NW1/4

Tract II (B):

Township 4 South, Range 6 East, Boise Meridian, Elmore County, Idaho

SECTION 26: W 1/2SE1/4
SE1/4SW1/4

(See Attached)

LEGAL DESCRIPTION

Tract II (C):

Township 4 South, Range 6 East, Boise Meridian, Elmore County,
Idaho

SECTION 35: W 1/2

Township 5 South, Range 5 East, Boise Meridian, Elmore County,
Idaho

SECTION 2: U S Government Lots 3 and 4,
SAVE AND EXCEPT that portion
deeded
to the Glenns Ferry Highway
District
for roadway purposes.

SECTION 2: N1/2SW1/4

SECTION 2: S1/2NW1/4

TRACT III:

Township 4 South, Range 6 East, Boise Meridian, Elmore County,
Idaho

SECTION 23: N1/2SE1/4, SE1/4SE1/4,
E1/2SW1/4SE1/4,
E1/2E1/2W1/2SW1/4SE1/4, E1/2E1/2SE1/4SW1/4,
W1/2W1/2SW1/4SE1/4,
W1/2E1/2W1/2SW1/4SE1/4

SECTION 24: SE1/4, E1/2SW1/4, SW1/4SW1/4,
NW1/4SW1/4

SECTION 25: All

SECTION 26: E1/2NE1/4

SECTION 36: N1/2NE1/4