

RECEIVED

JAN 11 2006

DEPARTMENT OF
WATER RESOURCES

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

RECEIVED

DEC 27 2005

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

Department of Water Resources
 Southern Region

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, if the change in ownership is limited to a portion of 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
<u>37-12044 P.D.</u>	_____	_____	_____	<u>37-7395</u>	_____
_____	<u>37-2211</u>	_____	_____	_____	_____
_____	<u>37-11989</u>	_____	_____	_____	_____
_____	<u>37-12000</u>	_____	_____	_____	_____
_____	<u>37-20568</u>	_____	_____	_____	_____

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) are for ten or more acres of irrigation, you must submit 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 South Cove Ventures, LLC
- Owner/Claimant(s) Post Office Box 1607, Bellevue Washington 98009
4. New Owner/Claimant(s) Black Butte Hills LLC
 Name Connector (Check one): ☐ and, ☐ or ☐ and/or
- New Mailing Address Post Office Box 1607
- City, State and Zip Code Bellevue, Washington 98009
- New Telephone Number (425) 688-9304
5. Date you acquired the property July 11, 2005

6.

IF THE CHANGE IN OWNERSHIP AFFECTS THE ENTIRE WATER RIGHTS FOR EACH WATER RIGHT OR ADJUDICATION CLAIM NUMBER LISTED IN ITEM 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.

If the change of 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	
7. Signature of New owner(s) or Claimant(s) (include title if applicable)	<u>BLACK BUTTE HILLS, LLC</u>
	By: <u></u> 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></u>	Date <u>12/27/05</u>	Fee <u>25.00</u>
Received by <u>D. Chahn</u>	Date <u>1/9/06</u>	Receipt No. <u>5028274</u>
Processed by _____	AJ Date _____	WR _____ Date _____

1040070
RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

James P. Speck, Esq.
SPECK & AANESTAD
A Professional Corporation
Post Office Box 987
Ketchum, Idaho 83340

Recorded at the Request of
Camas County Title
at 3:55 P.M.
July 13, 2005
in Book 35 Page 321
of Deeds
By Rollie Bennett
CAMES COUNTY RECORDER
By B. D. Walker
Fees \$ 12.00

78639

(Space above line for Recorder's use)

WARRANTY DEED

FOR VALUE RECEIVED, SOUTH COVE VENTURES, L.L.C., a Washington limited liability company, whose address is c/o Chuck Hill, P.O. Box 1607, Bellevue, WA, 98009 ("Grantor" whether one or more), hereby grants, bargains, sells and conveys unto BLACK BUTTE HILLS LLC, a Washington limited liability company, whose current address is c/o Charles E. Hill, P.O. Box 1607, Bellevue, WA, 98009 ("Grantee", whether one or more), that certain real property situated in Camas County, Idaho and described in Exhibit A attached hereto and incorporated herein by this reference;

TOGETHER WITH the any and all water rights appurtenant thereto including, but not limited to, 37-7395, 37-2211, 37-11989, 37-12000 and 37-12044, and excepting and excluding the following portions of 37-7395 which are the subject of pending applications for transfer of water right: (1) 0.12 cfs for the irrigation of 1 acre on Lot 1, Block 1, Magic Ranch Subdivision #11; (2) 0.25 cfs for the irrigation of 2 acres on Lot 1, Magic Ranch Subdivision #2; (3) 0.37 cfs for the irrigation of 3 acres on Lot 1, Magic Ranch Subdivision #1; (4) 0.025 cfs for the irrigation of 2 acres on Lot 3, Magic Ranch Subdivision #3; and (5) 0.025 cfs for the irrigation of 2 acres on Lot 4, Magic Ranch Subdivision #1;

SUBJECT TO all easements and restrictions of record;

TO HAVE AND TO HOLD, the said real property, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said real property, that said real property is free from all encumbrances except as above-described, and that the Grantor will warrant and defend the same from all lawful claims whatsoever.

This Warranty Deed may be executed in one or more counterparts, all of which together shall constitute one and the same Warranty Deed.

IN WITNESS WHEREOF, Grantor has executed this Warranty Deed as of the dates set forth below.

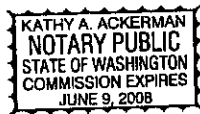
SOUTH COVE VENTURES, L.L.C.

Date: July 11, 2005

By: Charles E. Hill
Charles E. Hill, President

STATE OF WASHINGTON)
) ss.
County of King)

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate first above written.



Kathy A. Ackerman
Notary Public for Washington
Residing at: ISSA quah
Comm. Expires: 6/9/08

EXHIBIT "A"

PARCEL 1:

Township 2 South, Range 17 East, Boise Meridian, Camas County, Idaho

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

SUBJECT TO a road right of way 35 feet in width along the West boundary of the SW $\frac{1}{4}$ SW $\frac{1}{4}$.

EXCEPTING THEREFROM the Northerly 20 feet of the SW $\frac{1}{4}$ SW $\frac{1}{4}$.

Township 2 South, Range 17 East, Boise Meridian, Camas County, Idaho

Section 11: NE $\frac{1}{4}$ NW $\frac{1}{4}$

Township 2 South, Range 17 East, Boise Meridian, Camas County, Idaho

Section 11: NW $\frac{1}{4}$ SE $\frac{1}{4}$ lying West of the Highway

Lot 3 Block 2 MAGIC RANCH SUBDIVISION No. 11, filed in the office of the Camas County, Idaho Recorder as Instrument No. 76224.

PARCEL 2:

Township 2 South, Range 17 East, Boise Meridian, Camas County, Idaho

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

Township 2 South, Range 17 East, Boise Meridian, Camas County, Idaho

Section 11: SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ excepting therefrom that portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ lying West of the Highway;

Township 2 South, Range 17 East, Boise Meridian, Camas County, Idaho

Section 11: NE $\frac{1}{4}$ NE $\frac{1}{4}$;

Township 2 South, Range 17 East, Boise Meridian, Camas County, Idaho

Section 11: NW¼NE¼;

Lots 2 and 3 MAGIC RANCH SUBDIVISION No. 1, Camas County, Idaho,
according to the official plat filed in the office of the Camas County as Instrument No.
76003.

Lots 1, 2, 4 and 5 MAGIC RANCH SUBDIVISION No. 3 , filed in the office of the
Camas County, Idaho Recorder as Instrument No. 76005, and replatted as Instrument
No. 76784.

Lots 1 and 2 Block 2 MAGIC RANCH SUBDIVISION No. 11 , filed in the office of
the Camas County, Idaho Recorder as Instrument No. 76224.

PARCEL 3:

Lots 2A, 2B, 3 and 4A Block 1 MAGIC RANCH SUBDIVISION No. 2, Camas
County, Idaho, according to the official plat filed in the office of the Camas County as
Instrument No. 76004 and replatted as Instrument No. 76797.

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

James P. Speck, Esq.
SPECK & AANESTAD
A Professional Corporation
Post Office Box 987
Ketchum, Idaho 83340

Instrument # 522876
HAILEY, BLAINE, IDAHO
2005-07-12 04:23:00 No. of Pages: 5
Recorded for: SUN VALLEY TITLE
MARSHA NIEMANN Fee: 15.00
Ex-Officio Recorder Deputy *mp*
Index to: WTYDCORP DEED

04-20381
(Space above line for Recorder's use)

WARRANTY DEED

FOR VALUE RECEIVED, SOUTH COVE VENTURES, L.L.C., a Washington limited liability company, whose address is c/o Chuck Hill, P.O. Box 1607, Bellevue, WA, 98009 ("Grantor" whether one or more), hereby grants, bargains, sells and conveys unto BLACK BUTTE HILLS LLC, a Washington limited liability company, whose current address is c/o Charles E. Hill, P.O. Box 1607, Bellevue, WA, 98009 ("Grantee", whether one or more), that certain real property situated in Blaine County, Idaho and described in Exhibit A attached hereto and incorporated herein by this reference;

TOGETHER WITH the any and all water rights appurtenant thereto including, but not limited to, 37-7395, 37-2211, 37-11989, 37-12000 and 37-12044, and excepting and excluding the following portions of 37-7395 which are the subject of pending applications for transfer of water right: (1) 0.12 cfs for the irrigation of 1 acre on Lot 1, Block 1, Magic Ranch Subdivision #11; (2) 0.25 cfs for the irrigation of 2 acres on Lot 1, Magic Ranch Subdivision #2; (3) 0.37 cfs for the irrigation of 3 acres on Lot 1, Magic Ranch Subdivision #1; (4) 0.025 cfs for the irrigation of 2 acres on Lot 3, Magic Ranch Subdivision #3; and (5) 0.025 cfs for the irrigation of 2 acres on Lot 4, Magic Ranch Subdivision #1;

SUBJECT TO all easements and restrictions of record;

TO HAVE AND TO HOLD, the said real property, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said real property, that said real property is free from all encumbrances except as above-described, and that the Grantor will warrant and defend the same from all lawful claims whatsoever.

This Warranty Deed may be executed in one or more counterparts, all of which together shall constitute one and the same Warranty Deed.

IN WITNESS WHEREOF, Grantor has executed this Warranty Deed as of the dates set forth below.

By: Charles E. Hill
Charles E. Hill, President

Kathy A. Ackerman
Notary Public for Washington
Residing at: ISSaquah
Comm. Expires: 6/9/08

EXHIBIT "A"

Parcel I:

TOWNSHIP 2 South, RANGE 17, East, Boise MERIDIAN, BLAINE COUNTY, IDAHO:

SECTION 1: SW $\frac{1}{4}$ SW $\frac{1}{4}$

AND

A parcel of land lying within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ being more particularly described as follows:

Commencing at the brass cap marking the W $\frac{1}{4}$ corner of said Section 1, being the REAL POINT OF BEGINNING; thence

South 89°59'00" East 659.90 feet to the 5/8" bar marking the center W 1/16 corner of said SECTION 1; thence

South 89°59'00" East 594.90 feet to a point on the Fred Evans Sub boundary, as platted and recorded in the Blaine County Recorder's Office; thence

South 63°13'00" West 327.40 feet along said sub boundary to a point; thence

South 79°18'00" West 90.94 feet to the NW corner of said sub; thence

South 01°47'00" West 246.79 feet to the SW corner of said sub; thence

South 88°13'00" East 88.81 feet along said sub to a point; thence

North 67°14'00" East 140.00 feet along said sub to a point; thence

North 82°55'00" East 240.00 feet to the SE corner of said sub; thence

South 00°18'00" East 987.35 feet to the SW 1/16 corner of said SECTION 1; thence

North 89°59'00" West 1,322.64 feet to the South 1/16 corner common to SECTIONS 1 AND 2; thence

North 00°10'00" West 1,317.36 feet to the REAL POINT OF BEGINNING

Shown as Tax Lot No. 7239 on the Blaine County Assessors Rolls

AND

A parcel of land lying within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ being more particularly described as follows:

Commencing at the brass cap marking the W $\frac{1}{4}$ corner of said SECTION 1, being the REAL POINT OF BEGINNING; thence

North 00°21'00" West 393.09 feet, more or less, along the W boundary of said SECTION 1 to a point on the SE boundary of the West Magic Airstrip, as

described in Instrument No. 138824, Blaine County Recorder's Office; thence

North 56°58'00" East 783.85 feet, more or less, along said West Magic Airstrip to

a point on the extension of the Westerly boundary of West Side Sub as platted and recorded in the Blaine County Recorder's Office; thence South 00°22'00" East 820.59 feet along said westerly boundary to the 5/8" bar marking the SW corner of said West Side Sub; thence North 89°59'00" West 659.9 feet to the REAL POINT OF BEGINNING

Shown as Tax Lot No. 7240 on the Blaine County Assessors Rolls

Parcel II:

TOWNSHIP 2 South, RANGE 17 East, Boise MERIDIAN, BLAINE COUNTY, IDAHO:

SECTION 12: NW¼:

Parcel III:

TOWNSHIP 2 SOUTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO:

SECTION 12: SW ¼ NE ¼
NE ¼ SW ¼
SE ¼ SW ¼

Parcel IV:

TOWNSHIP 2 SOUTH, RANGE 17 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO:

SECTION 12: NW ¼ SW ¼
SW ¼ SW ¼
NW ¼ SE ¼

Parcel V:

A parcel of land located in the Northwest Quarter of the Southwest Quarter of Section 1, Township 2 South, Range 17 East, Boise Meridian, Blaine County, Idaho, more particularly described as follows:

COMMENCING at the aluminum cap marking the West Quarter corner of said Section 1, corner record #72124, from which the Southwest corner of said Section

1 bears South 00°25'31" East, 2634.29 feet;
THENCE North 89°49'39" East along the North boundary of said NW4 SW4 of said Section 1 for a distance of 480.46 feet to the point of beginning;
THENCE North 89°49'39" East along the North boundary of said NW4 SW4 of said Section 1 for a distance of 178.67 feet to found 5/8 inch bar and being the southwest corner of the West Side Subdivision;
THENCE North 89°49'52" East along the North boundary of said NW4 SW4 of said Section 1 for a distance of 594.71 feet to found 1/2 inch bar on the northerly boundary of the Fred Evans Subdivision;
THENCE the following courses and distances along the subdivision boundary of the Fred Evans Subdivision;
THENCE South 62°55'04" West for a distance of 326.85 feet to a found 1/2 inch bar;
THENCE South 78°54'23" West for a distance of 91.51 feet to a found 5/8 inch bar and plastic cap;
THENCE South 01°44'31" West for a distance of 245.46 feet to a found 1/2 inch bar;
THENCE South 88°14'34" East for a distance of 89.68 feet to a found 1/2 inch bar being an angle point in the southerly boundary of said Fred Evans Subdivision;
THENCE North 67°16'02" East for a distance of 101.64 feet along the southerly boundary of said Fred Evans Subdivision;
THENCE South 01°28'40" West for a distance of 297.26 feet to a point on a nontangential curve;
THENCE northwesterly 42.68 feet along a curve to the left having a radius of 470.00 feet and a central angle of 5°12'12" and having a long chord bearing North 37°46'09" West for a distance of 42.67 feet;
THENCE North 40°22'15" West a distance of 137.90 feet to a point of curve to the left having a radius of 1,293.25 and a central angle of 14°21'22" and having a long chord bearing North 47°32'56" West for a distance of 323.19 feet;
THENCE North 33°27'08" West a distance of 375.37 feet to a POINT OF BEGINNING.