

11/20/2003

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

RIGHT NUMBER: 23-4003

NAME AND ADDRESS: CONANT VALLEY RANCH  
PO BOX 5546  
ORANGE CA 92705

CONANT VALLEY RANCH  
2350 SWAN VALLEY HWY  
SWAN VALLEY ID 83449

SOURCE: PRITCHARD CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.020 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1911

POINT OF DIVERSION:

T02N R43E S31 NWSESE Begin of Stream Flow Within BONNEVILLE County

T02N R43E S32 NWSNW End of Stream Flow Within BONNEVILLE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| STOCKWATER            | 01/01 12/31          | 0.020 CFS       |

PLACE OF USE: STOCKWATER Within BONNEVILLE County

|               |      |               |      |
|---------------|------|---------------|------|
| T02N R43E S31 | NESE | T02N R43E S31 | SESE |
| T02N R43E S32 | SWNW | T02N R43E S32 | NWSW |

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

11/20/2003

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

RIGHT NUMBER: 23-4003

NAME AND ADDRESS: CONANT VALLEY RANCH  
PO BOX 5546  
ORANGE CA 92705  
  
CONANT VALLEY RANCH  
2350 SWAN VALLEY HWY  
SWAN VALLEY ID 83449

SOURCE: PRITCHARD CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.020 CFS

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PRIORITY DATE: 05/01/1911

POINT OF DIVERSION:

T02N R43E S31 NWSESE Begin of Stream Flow Within BONNEVILLE County  
T02N R43E S32 NWSWNW End of Stream Flow Within BONNEVILLE County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| STOCKWATER            | 01/01 12/31          | 0.020 CFS       |

PLACE OF USE: STOCKWATER Within BONNEVILLE County

|               |      |               |      |
|---------------|------|---------------|------|
| T02N R43E S31 | NESE | T02N R43E S31 | SESE |
| T02N R43E S32 | SWNW | T02N R43E S32 | NWSW |

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

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 23-4003  
Date Received: 11/2/1989  
Receipt No: E011096  
Received By:

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CONANT VALLEY RANCH Phone:  
PO BOX 5546  
ORANGE CA USA 92705

CONANT VALLEY RANCH Phone:  
2350 SWAN VALLEY HWY  
SWAN VALLEY ID USA 83449

2. Date of Priority: 05/01/1911

3. Source: PRITCHARD CREEK , PRITCHARD CREEK Trib. to: SNAKE RIVER , SNAKE RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 Lot | County     | Type            |
|----------|-------|---------|--------|--------|---------|------------|-----------------|
| 02N      | 43E   | 31      | SE     | SE     |         | BONNEVILLE | Beginning Point |
| 02N      | 43E   | 32      | SW     | NW     |         | BONNEVILLE | Ending Point    |

5. Description of diverting works:  
in-stream stockwater

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| STOCKWATER | 01/01 | 12/31 | 0.02   |            |

7. Total Quantity Appropriated is:  
0.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

Number of other uses: 150

10. Place of use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use        | Acres |
|----------|-------|---------|--------|--------|-----|------------|-------|
| 02N      | 43E   | 31      | NE     | SE     |     | STOCKWATER |       |
|          |       |         | SE     | SE     |     | STOCKWATER |       |
| 02N      | 43E   | 32      | SW     | NW     |     | STOCKWATER |       |
|          |       |         | NW     | SW     |     | STOCKWATER |       |

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:

14. Remarks:

CLAIM AMENDED TO IN-STREAM STOCKWATER ONLY. INITIAL CLAIM PREDATES 23-00105 (1916 PRIORITY) FROM 1951 DECREE.

15. Basis of Claim: Beneficial Use

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: \_\_\_\_\_

For Organizations:

I do solemnly swear or affirm that I am Anthony H. Osterkamp Jr of Conant Valley Ranch, that I have signed the foregoing

document in the space below as General Partner of

Conant Valley Ranch and that the statements contained in the foregoing document are true and correct.

Anthony H. Osterkamp Jr  
Signature of Authorized Agent

General Partner Conant Valley Ranch  
Title and Organization

11-19-03  
Date

State of Idaho )  
County of BONNEVILLE ) SS.

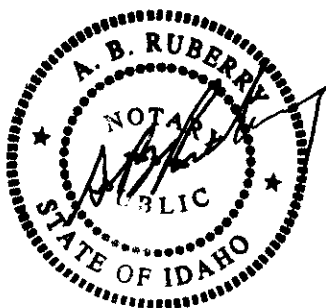
Subscribed and sworn (or affirmed) before me this 19<sup>th</sup>  
of NOV 20 03

Allen B. Ruberry

Notary Public

Residing at IDAHO FALLS IDAHO

My commission Expires 9/23/09



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

DEC 10 1991

Ident. Number: A23-04003

Date Received: 11/ 2/1989

Receipt No: E011096

Received By: \_\_\_\_\_

Department of Water Resources

Eastern District Office

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: FAMA DAIRY  
Address: P.O. BOX 5546  
ORANGE CA

714-633-1770

92667

2. Date of Priority: MAY 1, 1911

3. Source: PRITCHARD CREEK

Trib. to: SNAKE RIVER

4. Point of Diversion:

| Township | Range                 | Section | 1/4 of | 1/4 of | 1/4 | Lot | County     |
|----------|-----------------------|---------|--------|--------|-----|-----|------------|
| 01N      | <del>42E</del><br>43E | 6       |        | NW     | NE  |     | BONNEVILLE |

5. Description of diverting works:

18.6 ACRE-FOOT RESERVOIR AND OPEN DITCHES

6. Water is used for the following purposes:

| Purpose                 | From  | To    | C.F.S | (or) | A.F.A. |
|-------------------------|-------|-------|-------|------|--------|
| IRRIGATION              | 04/01 | 11/01 | 8.000 |      |        |
| IRRIGATION STORAGE      | 02/01 | 11/01 |       |      | 18.60  |
| IRRIGATION FROM STORAGE | 04/01 | 11/01 |       |      | 18.60  |

7. Total Quantity Appropriated is:

8.000 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

1080.0 Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

10. Place of Use:

| Township | Range                 | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-----------------------|---------|--------|-----|-----|-----|-------|
| 02N      | <del>42E</del><br>43E | 30      | SW     | SW  |     | IRR | 15.0  |
|          |                       |         | SE     | SW  |     | IRR | 22.0  |

A23-04003

Page

1

Date: 10/24/91

MICROFILMED

NOV 10 1992

A2304003

10. Place of Use: Continued

| Township | Range                 | Section | 1/4 of        | 1/4 | Lot | Use | Acres |
|----------|-----------------------|---------|---------------|-----|-----|-----|-------|
| 02N      | <del>42E</del><br>43E | 30      | SW            | SE  |     | IRR | 18.0  |
|          |                       |         | Section Acres |     |     |     | 55.0  |
|          |                       | 31      | NE            | NE  |     | IRR | 28.0  |
|          |                       |         | NW            | NE  |     | IRR | 40.0  |
|          |                       |         | SW            | NE  |     | IRR | 40.0  |
|          |                       |         | SE            | NE  |     | IRR | 40.0  |
|          |                       |         | NE            | NW  |     | IRR | 40.0  |
|          |                       |         | NW            | NW  |     | IRR | 40.0  |
|          |                       |         | SW            | NW  |     | IRR | 35.0  |
|          |                       |         | SE            | NW  |     | IRR | 3.0   |
|          |                       |         | NE            | SE  |     | IRR | 28.0  |
|          |                       |         | NW            | SE  |     | IRR | 40.0  |
|          |                       |         |               |     |     | IRR | 12.0  |
|          |                       |         | Section Acres |     |     |     | 306.0 |
|          |                       | 32      | SW            | NW  |     | IRR | 18.0  |
|          |                       |         | SE            | NW  |     | IRR | 3.0   |
|          |                       |         | NE            | SW  |     | IRR | 25.0  |
|          |                       |         | NW            | SW  |     | IRR | 25.0  |
|          |                       |         | Section Acres |     |     |     | 71.0  |
|          |                       |         | Total Acres   |     |     |     | 432.0 |

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:  
A23-04004

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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: \_\_\_\_\_

MICROFILMED

NOV 10 1992

**For Organizations:**

I do solemnly swear or affirm that I am Attorney of  
FUMA Dairy Title  
Organization, that I have signed the foregoing  
document in the space below as Attorney of  
FUMA Dairy Title  
Organization and that the statements contained in the  
foregoing document are true and correct.

D. Wooten / Kyle  
Signature of Authorized Agent  
att. for FUMA dairy  
Title and Organization  
Dec. 9, 1991  
Date

State of Idaho )  
County of Bonneville ) SS.

Subscribed and sworn (or affirmed) before me this 9th day  
of December 19 91

Lila Cochran  
Notary Public

Seal

Residing at Idaho Falls

My Commission Expires 6/17/93

**17. Notice of Appearance:**

Notice is hereby given that I, C. Timothy Hopkins will be  
acting as attorney at law on behalf 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 me at the address listed below.

Signature D. Wooten / Kyle  
Address P. O. Box 51219, Idaho Falls, ID 83405

Date December 9, 1991

MICROFILMED

04/03/2002

## Contacts Data Entry Form

Water Right No. 23-4003

Owner Type \_\_\_\_\_ Full Name \_\_\_\_\_ Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_

Current Owner FAMA DARY

Name connector: and \_\_\_\_\_, or \_\_\_\_\_, and/or \_\_\_\_\_

Current Owner % TO CONANT VALLEY RANCH, FILED 6/23/03

Current Owner \_\_\_\_\_

Representing Attorney: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Accompanied By: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Relationship to Claimant: \_\_\_\_\_

Date of Field Exam: \_\_\_\_\_ Time: \_\_\_\_\_

Directions to Property (if different from above) and/or update owner information:

FILED AS 842-243 IC CLAIM. EVIDENCE OF PRIORITY  
ROAD. REQUEST SENT 7/8/03, CC ATTACHED.

10/1/03 RE: OLD RESERVOIR HAS BEEN REMOVED THROUGH A TROUT  
UNLIMITED PROJECT WITH USDA-USFS. LANDS ARE RECLAIMED,  
RESEASONED AND THE DAM REMOVED.

GARDEN CR AND PRITCHARD CRs ARE ADDRESSED BY PAUBAUS FRIED, VS  
L. CHANDALL, 1951, P's III & IV TO M.E. TOLIVORE AS BOO" (16th), 1/22/1916.  
BUT A PDR SEARCH IS UNDERWAY. THEREFORE, THIS CLAIM CANNOT BE  
RECOMMENDED AS FRIED - SUGGEST AMENDMENT TO IN-STREAM STOCK  
WATER. SEE 23-105 THIS PREDATES THE DECREE, 1951.

FE INDICATED: POU/POD, MORGANS, SYSTEM DELIVERY  
OVERLAP w/ OTHER RTS. - DISALLOW?

Reviewer: \_\_\_\_\_

Date: \_\_\_\_\_

9 NOV 03: CLAIM AMENDED TO IN-STREAM STOCKWATER ONLY -

## Priority Date Data Entry Form

Claim Number: \_\_\_\_\_

Water Right Priority Date: \_\_\_\_\_

Water Right Basis: \_\_\_\_\_

Claimed Priority Date: \_\_\_\_\_

5/1/1911

Claimed Basis: \_\_\_\_\_

STAT.

Recommended Priority Date: \_\_\_\_\_

Recommended Basis \_\_\_\_\_

BU

☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

EVIDENCE REQ'D - REQUEST SENT 7/8/03.

Reviewer: \_\_\_\_\_

Date: \_\_\_\_\_

04/03/2002

# Point of Diversion and Source Data Entry Form

Claim Number: \_\_\_\_\_

Water Right Point of Diversion: T\_\_\_\_, R\_\_\_\_, Sec.\_\_\_\_,\_\_\_\_,\_\_\_\_,\_\_\_\_. County: \_\_\_\_\_

Source: \_\_\_\_\_ Tributary: \_\_\_\_\_

Claimed Point of Diversion: T\_\_\_\_, R\_\_\_\_, Sec.\_\_\_\_,\_\_\_\_,\_\_\_\_,\_\_\_\_. County: \_\_\_\_\_

Source: \_\_\_\_\_ Tributary: \_\_\_\_\_

Recommended Point of Diversion: T\_\_\_\_, R\_\_\_\_, Sec.\_\_\_\_,\_\_\_\_,\_\_\_\_,\_\_\_\_. County: \_\_\_\_\_

Source: \_\_\_\_\_ Tributary: \_\_\_\_\_

\_\_\_\_ Use Claimed POD and Source as Recommended POD and Source

| Twp              | Rge | Sec | Gov Lot | QQQ of QQ of Q | County | Source |
|------------------|-----|-----|---------|----------------|--------|--------|
| GPS Coordinates: |     |     |         |                |        |        |
| GPS Coordinates: |     |     |         |                |        |        |
| GPS Coordinates: |     |     |         |                |        |        |
| GPS Coordinates: |     |     |         |                |        |        |
| GPS Coordinates: |     |     |         |                |        |        |
| GPS Coordinates: |     |     |         |                |        |        |
| GPS Coordinates: |     |     |         |                |        |        |

Other rights from this POD? \_\_\_\_\_

Document how the POD and Source were verified and/or Pump and Motor data:

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Transfers Changing POD \_\_\_\_\_

Reviewer: \_\_\_\_\_

Date: \_\_\_\_\_

## Place Of Use Data Entry Form

Claim Number: \_\_\_\_\_

\_\_\_\_\_ Use Claimed POU as Recommended POU

## Claimed Place of Use

| Twp | Rge | Sec | QQ | Q | County | Lot Num | Acres | Purpose of Use |
|-----|-----|-----|----|---|--------|---------|-------|----------------|
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |

Total Acres \_\_\_\_\_

## Recommended Place of Use

| Twp | Rge | Sec | QQ | Q | County | Lot Num | Acres | Purpose of Use |
|-----|-----|-----|----|---|--------|---------|-------|----------------|
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |
|     |     |     |    |   |        |         |       |                |

Total Acres \_\_\_\_\_

Document how the POU was verified:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Transfers Changing POU \_\_\_\_\_

Reviewer: \_\_\_\_\_

Date: \_\_\_\_\_

# Period of Use and Quantity Data Entry Form

Claim Number: \_\_\_\_\_

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity**Water Right Period of Use and Diversion Rate**

| Water Use | Start | End   | Rate  | Volume |
|-----------|-------|-------|-------|--------|
| _____     | _____ | _____ | _____ | _____  |
| _____     | _____ | _____ | _____ | _____  |
| _____     | _____ | _____ | _____ | _____  |

Overall Diversion Rate \_\_\_\_\_ Overall Diversion Volume \_\_\_\_\_

**Claimed Period of Use and Diversion Rate**

| Water Use | Start | End   | Rate  | Volume |
|-----------|-------|-------|-------|--------|
| _____     | _____ | _____ | _____ | _____  |
| _____     | _____ | _____ | _____ | _____  |
| _____     | _____ | _____ | _____ | _____  |

Overall Diversion Rate \_\_\_\_\_ Overall Diversion Volume \_\_\_\_\_

**Recommended Period of Use and Diversion Rate**

| Water Use | Start | End   | Rate  | Volume |
|-----------|-------|-------|-------|--------|
| _____     | _____ | _____ | _____ | _____  |
| _____     | _____ | _____ | _____ | _____  |
| _____     | _____ | _____ | _____ | _____  |

Overall Diversion Rate \_\_\_\_\_ Overall Diversion Volume \_\_\_\_\_

Document how the Period of Use and/or Diversion Rate were verified:

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Reviewer: \_\_\_\_\_

Date: \_\_\_\_\_

July 8, 2003

**Conant Valley Ranch  
2350 Swan Valley Hwy  
Swan Valley ID 83449**

**RE: EVIDENCE OF PRIORITY FOR WATER RIGHT CLAIMS 23-10269, 23-04003 and 23-04004**

Dear Claimant (s):

The Idaho Department of Water Resources is nearing the end of water rights review in Basin 23. The Notice(s) of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice of Claim indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Claim. The date the water was first put to beneficial use, known as the priority date, has not been confirmed by License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

***Your claims, as referenced above: 23-10269, claims a Priority Date of April 15, 1950, from a well; 23-04003, claims a priority date of May 1, 1911, from Pritchard Creek; 23-04004, claims a priority date of May 1, 1911, from Garden Creek.***

It is important that each element of the Notice of Claim be verified. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice of Claim and the pamphlet entitled **"Evidence of Priority"**. The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled **"What Kind of Evidence is Required"** and **"Some Examples of Documents Which May Be Evidence of the Priority Date"**.

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other elements of the Notice of Claim have been or soon will be conducted by Department personnel.

.....  
**The Department will not recommend the Notice of Claim be decreed by the court if evidence of a priority date is not submitted. The Notice of Claim will be disallowed.**  
.....

Please submit the documentation supporting the priority date **within 30 days of the date of this letter, referencing all documents with the corresponding claim number.** If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact this office.

Respectfully submitted,

Allen B. Ruberry  
Sr. Water Resource Agent  
Adjudication Bureau

cc: File

Enclosure: Brochure on "Evidence of Priority"  
Notice of Claims (copies) 23-10269, 23-04003, 23-04004.

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

INSTRUCTIONS FOR FILING  
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, **the seller should be able to provide you with the water right or adjudication claim number(s).** Please enter the number(s) at **Item 1.** Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner/claimant(s) of the water right(s) at **Item 3.**
4. The name, mailing address, and telephone numbers of the new owner/claimant(s) is entered at **Item 4.** Please indicate the relationship between multiple owners by using the connector "and", "or", or "and/or." If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign; however, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may have purchased only a portion of the water right(s) held by the seller. If this 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. For each water right requiring a split between owners, fill in the appropriate spaces in the box(es) at **Item 6.** Copy the page as many times as necessary to fully describe each water right after the change. Include documentation as necessary to describe nonstandard agreements or arrangements regarding division of the water right(s). **If the water right(s) will not be split, skip Item 6 and go to Item 7.**
7. The new owner(s) must sign the form in the space(s) provided at **Item 7.** If an "and" connector is used at Item 4, all parties must sign this form. If an "and/or" or "or" connector is used, all parties may sign; however, only one of the named parties is required to sign. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.
8. The filing fee is \$25 per water right, except for those water rights which will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right to be divided. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

De 6/26/2003

# 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, 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<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| 23-4003               |                              |       | 23-10265              |                              |       |
| 23-4004               |                              |       | 23-10266              |                              |       |
| 23-7019               |                              |       | 23-10267              |                              |       |
| 23-2058               |                              |       | 23-10268              |                              |       |
| 23-10269              |                              |       |                       |                              |       |

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 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)

FAMA DAIRY

4. New Owner/Claimant(s)

Canant Valley Ranch

Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

City, State and ZIP Code

New Telephone Number

5. Date you acquired the property

PO BOX 5546 ORANGE CAL 92705  
2350 SWAN VALLEY Rd SWAN Valley  
(208) 483-2693 Id 83449  
1998

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<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

7. Signature of New Owner(s) or Claimant(s) *[Signature]* - Conant Valley Ranch  
(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 *De* Date 6/25/2003 Fee \$100  
 Received by *DC* Date 6/25/2003 Receipt No. E028929  
 Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_

## CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Pancher1, Inc. (name of claimant)  
of Howe, Idaho 83244, claims a right to the diversion and beneficial use of  
(mailing address)  
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- The extent and nature of said claim is as follows:
- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Pritchard Creek  
, tributary to, Snake River
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- |        |             |     |                   |                |      |               |    |               |
|--------|-------------|-----|-------------------|----------------|------|---------------|----|---------------|
| Amount | <u>8.00</u> | Use | <u>Irrigation</u> | Period of Use: | From | <u>Apr. 1</u> | To | <u>Nov. 1</u> |
| Amount | <u></u>     | Use | <u></u>           | Period of Use: | From | <u></u>       | To | <u></u>       |
| Amount | <u></u>     | Use | <u></u>           | Period of Use: | From | <u></u>       | To | <u></u>       |
- (cfs, gpm or a/f) (dom., irri., stock, etc.) (both dates inclusive)

- (3) Total quantity of water claimed: 8.00 cubic feet per second, or \_\_\_\_\_ acre feet per annum, and/or \_\_\_\_\_ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) May, 1911
- A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)  
NW ¼ NE ¼, Sec. 6 Twp. 1N Rge. 42E B. M. County of Bonneville  
 Additional points of diversion: \_\_\_\_\_

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. 18.6 AF reservoir and open ditches

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

Total No. of acres 432

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- (7) If you are claiming water as a member of an organization, list name of organization: \_\_\_\_\_

[illegible]

Received by me Date 12-30-75 Exception filed by: \_\_\_\_\_ Forwarded to \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by dyh Date 12-30-75 claimant by: \_\_\_\_\_  
\$10.00 fee received by me Date 12-30-75 #15547  
Approved for publication by me 1-14-76  
Published in The Post Register  
Dates Jan 8 + Jan 13, 1976

962827

## QUITCLAIM DEED

FOR VALUABLE CONSIDERATION RECEIVED, FAMA DAIRY, a  
California partnership, the Grantor, does hereby REMISE, RELEASE and forever  
QUITCLAIM, unto CONANT VALLEY RANCH, a California partnership, the Grantee,  
whose current address is P. O. Box 5546, Orange, CA 92863, the following described  
real estate situated in Bonneville County, State of Idaho, to-wit:

Township 2 North, Range 43, East of the Boise  
Meridian, Bonneville County, Idaho

Section 19: Government Lot 5, SW $\frac{1}{4}$  SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$   
LESS portion deeded to State of Idaho for road.

Section 30: Government Lots 1, 2, 4, 5, 6, 7, 8,  
W $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ W $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$  LESS Portion deeded to  
State of Idaho for road.

Section 31: Government Lots 1 and 5, E $\frac{1}{2}$ NW $\frac{1}{4}$ ,  
W $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$  LESS Portion deeded to  
State of Idaho for road.

Section 32: Government Lot 5, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$   
LESS portion deeded to Bonneville County for road,  
also excepting the following: Beginning at the  
Southeast corner of the Southwest Quarter SW $\frac{1}{4}$  of  
said Section 32, Township 2 North, Range 43, East of  
the Boise Meridian, running thence North 0°03' West  
1529.89 feet to the true point of beginning, thence  
continuing North 0°03' West 593.84 feet; thence South  
40°59' West 448.30 feet; thence South 49°02' East  
385.37 feet to the point of beginning.

## ALSO LESS

Beginning at the Southwest corner of Section 32,  
Township 2 North, Range 43, East of the Boise

|             |          |
|-------------|----------|
| TRUMENT NO. | 962827   |
| TE          | 3-11-98  |
| IT. CODE    | 220      |
| HE NO.      | 13073-03 |
|             | 122      |

STATE OF IDAHO )  
COUNTY OF BONNEVILLE ) ss  
I hereby certify that the within  
instrument was recorded.  
-old Longmore,  
County Recorder  
*Paula L. Longmore* Deputy  
Deputy of

962827

BONNEVILLE COUNTY  
RECORDER

98 MAR 11 PM 4 42

FIRST AMERICAN TITLE CO.  
Box 3432  
Idaho Falls, Idaho 83402

4.41533

Meridian, Bonneville County, Idaho, running thence North 3960 feet; thence East 363.94 feet to Corner No. 1, the true point of beginning of subject tract; said Corner No. 1, being in the North right of way boundary of U.S. Highway No. 26; running thence South 35°23' East 335.0 feet to Corner No. 2; thence 380.02 feet on the arc of a curve of 1008.14 feet radius (5°41' curve to the East) to corner No. 3; thence South 57°13'75" East 1412.49 feet to Corner No. 4; thence 616.89 feet on the arc of a curve of 768.21 feet radius (7°27.5' curve to the East) to Corner No. 5; thence North 00°52'33" West 1269 feet to the South bank of the South Fork of the Snake River; thence Westerly along the South bank of the South Fork of the Snake River to a point 150 feet East of Corner No. 1; thence 150 feet West to Corner No. 1, the true point of beginning.

Containing no fewer than 1,025 acres.

TOGETHER WITH, all irrigation pumps and motors related to such property and all water and water rights, ditch and ditch rights appurtenant thereto, whether represented by license, permit or otherwise; all mineral, oil, gas, coal, and geothermal rights appurtenant thereto; and all leases, permits, licenses or privileges appurtenant or non-appurtenant thereto now held by Mortgagor or hereafter issued, extended or renewed to it by the United States of America or any of its departments or agencies in any way related to said property.

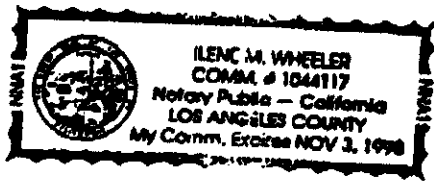
SUBJECT TO, all easements, rights of way, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions and accruing taxes, of record.

STATE OF CALIFORNIA )  
 ) ss.  
County of Orange )

ON THIS 13<sup>th</sup> day of February, 1998, before me, Irene  
M. Wheeler, a Notary Public in and for said State, personally appeared  
ANTHONY H. OSTERKAMP, JR., known or identified to me to be one of the partners  
in the partnership of FAMA DAIRY, and the partner or one of the partners who  
subscribed said partnership name to the within and foregoing instrument, and  
acknowledged to me that he executed the same in said partnership name.

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

S  
E  
A  
L



Irene M. Wheeler  
Notary Public for California  
Residing at: Newark, CA.  
My Commission Expires: 11-3-98

TOGETHER, with all tenements, hereditaments and appurtenances  
thereunto belonging.

In construing this Deed and where the context so requires, the singular  
includes the plural and the masculine, the feminine and neuter.

DATED: February 13, 1998.

FAMA DAIRY

By: Anthony H. Osterkamp, Jr.  
Anthony H. Osterkamp, Jr., Partner

RECEIVED

MAR 18 1992

HOPKINS, FRENCH, CROCKETT, SPRINGER & HOOPES  
LAWYERS

SALISBURY BUILDING-428 PARK AVENUE  
P. O. BOX 51219  
IDAHO FALLS, IDAHO 83405-1219  
(208) 523-4445  
FAX (208) 523-4474

Department of Water Resources

SEVEN EASTERN DISTRICT OFFICE  
(1941-1984)

TED C. SPRINGER  
(1943-1984)

ROBERT A. deGROOT  
REGISTERED PATENT AGENT

C. TIMOTHY HOPKINS  
GREGORY L. CROCKETT  
D. FREDRICK HOOPES  
LARRY S. LARSON  
PAUL B. RIPPEL  
TERESA L. STURM  
STEVEN K. BROWN  
JAMES P. HILLMAN\*  
DAVID H. SHIPMAN  
KATHERINE STEELE MORIARTY  
\*ADMITTED TO PRACTICE IN OHIO ONLY

March 17, 1992

Ms. Jo Thompson  
Department of Water Resources  
150 Shoup Ave., Suite 15  
Idaho Falls, ID 83402

Re: Fama Dairy--Power of Attorney

Dear Jo:

In accordance with our telephone conversation earlier today, you will find that we have enclosed a copy of a Special Power of Attorney authorizing my signature on matters related to notices of claims to water rights on behalf of Fama Dairy.

If you require any additional information regarding this matter, we would be pleased to hear from you.

Very truly yours,

  
C. Timothy Hopkins

lc  
Encl.

MICROFILMED

NOV 10 1992

RECEIVED  
MAR 18 1992

Department of Water Resources  
Eastern District Office

SPECIAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That Fama Dairy, a California partnership, by and through Anthony H. Osterkamp, Jr., a general partner, of the County of Orange, State of California, does hereby constitute, make and appoint C. Timothy Hopkins, lawyers, of the City of Idaho Falls, County of Bonneville, State of Idaho, its true and lawful attorney-in-fact, for it, on its behalf, and in its name, place and stead to prepare, file, sign on its behalf, receive notices with respect to and in all matters deal with a Notice of Claim to a Water Right for the waters of Garden Creek, Pritchard Creek, Snake River and all ground water located in the County of Bonneville, State of Idaho, with full power to deal with the State of Idaho Department of Water Resources with respect thereto.

The rights, powers and authority of said attorney-in-fact granted hereby shall commence and shall be in full force and effect on and after August 1, 1989, and such rights, powers and authority shall remain in full force and effect thereafter until the same have been revoked in writing. This Power of Attorney

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shall not be affected by the subsequent disability or incapacity of the principal as provided in Idaho Code Section 15-5-501.

Dated this 28 day of September, 1989.

FAMA DAIRY, a California partnership

Anthony H. Osterkamp, Jr.  
Anthony H. Osterkamp, Jr.,  
a general partner

STATE OF CALIFORNIA

County of Orange

)  
) ss.  
)

Lila Cochran On this 28 day of September, 1989, before me, State, personally appeared Anthony H. Osterkamp, known or identified to me to be one of the partners of Fama Dairy, a California partnership, and the partner who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same.

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

Lila Cochran  
Notary Public for California  
Residing at: IDAHO FALLS  
My Commission Expires: 6-17-93

(SEAL)

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NOV 10 1992

Log for claim 23-04003

Spatial Dynamics BTD

6/6/01

| TR             | SEC | QQ   | Acres<br>Claimed | Acres<br>Found | COMMENT       |
|----------------|-----|------|------------------|----------------|---------------|
| 02n43e         | 30  | SWSW | 15               | 35             | Indiscernible |
| 02n43e         | 30  | SESW | 22               | 33             | Indiscernible |
| 02n43e         | 30  | SWSE | 18               | 11             |               |
| 02n43e         | 31  | NENE | 28               | 7.8            |               |
| 02n43e         | 31  | NWNE | 40               | 36             |               |
| 02n43e         | 31  | SWNE | 40               | 40             |               |
| 02n43e         | 31  | SENE | 40               | 40             |               |
| 02n43e         | 31  | NENW | 40               | 40             |               |
| 02n43e         | 31  | NWNW | 35               | 33             |               |
| 02n43e         | 31  | SWNW | 3                | 1.3            |               |
| 02n43e         | 31  | SENW | 28               | 31             |               |
| 02n43e         | 31  | NESE | 40               | 19             |               |
| 02n43e         | 31  | NWSE | 12               | 8.6            |               |
| 02n43e         | 32  | SWNW | 18               | 20             | Indiscernible |
| 02n43e         | 32  | SENW | 3                | 1.2            |               |
| 02n43e         | 32  | NESW | 25               | 20             |               |
| 02n43e         | 32  | NWSW | 25               | 23             |               |
| <b>Totals:</b> |     |      | 432              | 399.9          |               |

