

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 63-3049C
Date Received: 2/23/1990
Receipt No: C014914
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JANICE DE GROOT
10394 MELMONT RD
MELBA ID USA 83641

Phone: (208)495-2131

CHARLES DE GROOT
10394 MELMONT RD
MELBA ID USA 83641

Phone: (208)495-2131

2. Date of Priority: 05/31/1955

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	02W	17	SE NE	CANYON	
01N	02W	17	SW SE	CANYON	
01N	02W	17	NE SE	CANYON	

5. Description of diverting works:

FOUR WELLS, PUMPS & MAINLINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	2.3	1117.7
STOCKWATER	1/01	12/31	0.35	72.3
COMMERCIAL	1/01	12/31	0.35	97.8

7. Total Quantity Appropriated is:

2.65 C.F.S. and/or 1287.8 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	02W	17	NE	SW	STOCKWATER	
			NW	SE	STOCKWATER	
			NE	SE	STOCKWATER	
			NE	NE	IRRIGATION	40
			NW	NE	IRRIGATION	40
			SW	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NE	NW	IRRIGATION	33
			NW	NW	IRRIGATION	32
			SW	NW	IRRIGATION	40
			NE	SW	IRRIGATION	37
			NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
			SW	SE	IRRIGATION	37
			SE	NW	IRRIGATION	40
			SE	SE	IRRIGATION	36
			NW	NE	COMMERCIAL	
			SW	NE	COMMERCIAL	
			SE	NE	COMMERCIAL	
			NE	NW	COMMERCIAL	
			NW	NW	COMMERCIAL	
			SW	NW	COMMERCIAL	
			NE	SW	COMMERCIAL	
			NW	SW	COMMERCIAL	
			SW	SW	COMMERCIAL	
			NE	SE	COMMERCIAL	
			NW	SE	COMMERCIAL	
			SW	SE	COMMERCIAL	
			SE	SE	COMMERCIAL	
			NE	NE	COMMERCIAL	
			SE	NW	COMMERCIAL	
			SE	SW	COMMERCIAL	
					Section Acres	535
					Total Acres	535

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

CLAIM AMENDED PER TRANSFER NO. 5409 APPROVED 08/05/1999.

SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY OF APPROVED TRANSFER NO. 5409 IN FILE.

THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF DIVERSION UNDER TRANSFER 5409 SHALL NOT EXCEED 8.43 CFS, NOR A TOTAL COMBINED ANNUAL VOLUME OF 2700.4 AF.

RIGHTS 63-02823C AND 63-03049C WHEN COMBINED SHALL NOT EXCEED A TOTAL DIVERSION RATE OF 1.13 CFS FOR STOCKWATER AND COMMERCIAL USES AT A DAIRY, A TOTAL ANNUAL MAXIMUM DIVERSION VOLUME OF 123.4 AF FOR STOCKWATER USE, 167.1 AF FOR COMMERCIAL USE AND 2407.5 AF AT THE FIELD HEADGATE FOR IRRIGATION OF 535.0 ACRES.

THE WATER USED FOR COMMERCIAL PURPOSES UNDER THIS APPROVAL IS APPLIED TO AND IRRIGATES LAND LISTED IN THE PLACE OF USE TO SATISFY WATER QUALITY REQUIREMENTS. WATER SHALL NOT IRRIGATE GROWING PLANTS UNLESS THE WATER IS FIRST BENEFICIALLY USED IN THE DAIRY AS AUTHORIZED BY THESE WATER RIGHTS.

AFTER SPECIFIC NOTIFICATION BY THE DEPARTMENT, THE RIGHT HOLDER SHALL MEASURE THE DIVERSION OR SHALL ENTER INTO AN AGREEMENT WITH THE DEPARTMENT TO DETERMINE THE AMOUNT OF WATER DIVERTED FROM POWER RECORDS AND SHALL ANNUALLY REPORT THE INFORMATION TO THE DEPARTMENT.

THE DAIRY IS LOCATED WITHIN THE NESW AND THE N1/2SE, S17, T01N, R02W.

TWO POINTS OF DIVERSION ARE LOCATED WITHIN NESE, S17, T01N, R02W.

Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.

The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

15. Basis of Claim: License

RECEIVED
APR 02 2004
WATER RESOURCES
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
<u>63-3049C</u>					
<u>63-2823C</u>					
<u>02-2363</u>					
<u>02-2196</u>					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. → **NO FEE REQUIRED**
DAN 1-30-03.
- 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)

Kenneth D Reigs
10305 Melmont Rd

4. New Owner/Claimant(s)

Melba, Idaho 83641

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

New Mailing Address

Charles & Janise De Groot

City, State and ZIP Code

10394 Melmont Rd Melba, Id 83641

New Telephone Number

(208) 495-2131

5. Date you acquired the property

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) Charles De Hart
(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	<u>DN</u>	Date	<u>4-2-04</u>
Received by		Date	
Processed by		Date	
	AJ	Date	
		WR	
		Date	

NO Fee
REQUIRED
DAN

①
(PN 52200)

INSTRUMENT NO. 9950244

WARRANTY DEED

(CORPORATE FORM)

K.P. INC., a corporation organized and existing under the laws of the State of Idaho, with its principal office at Melba of County of Canyon grantor, hereby CONVEYS or GRANTS and WARRANTS TO **CHARLES DEGROOT and JANICE DEGROOT, husband and wife** grantee of **1400 Phipps Road, Outlook WA 98938** for the sum of --TEN AND OTHER GOOD AND VALUABLE CONSIDERATION DOLLARS, the following described tract(s) of land in **CANYON** County, State of Idaho:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE.

TOGETHER WITH APPURTANENT WATER RIGHTS

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this December 16, 1999.

K.P. INC.

BY

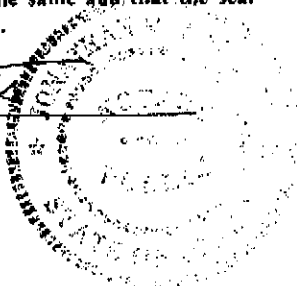
Kenneth H. Tiegs
ITS PRESIDENT

STATE OF IDAHO

COUNTY OF CANYON

On this 28th day of December, 1999, before me, a notary public appeared **KENNETH TIEGS** who being by me duly sworn did say, each for him/herself, that he/she, the said **KENNETH TIEGS** is the president of **K.P. INC.**, a corporation, and that the within and foregoing instrument was signed on behalf of said corporation by authority of a resolution of its board of directors and said **KENNETH TIEGS** duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of said corporation.

Sten H. Helt
Notary Public
Residing at MERIDIAN, Idaho
My commission expires: 4-25-2000



09 DEC 29 PM 4 11
C HOEL MALES
CANYON CLAY RECORDER
BY Clay H. Helt
dg

RECORDED

009950244

REQUEST PIONEER — NAMPA
TYPE Deed FEB 6-00

PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

PN77916

C. D. G.
JAL

Exhibit "A"

The Northeast Quarter of Section 20, Township 1 North, Range 2 West
of the Boise Meridian in Canyon County, Idaho;

EXCEPTING THEREFROM:

A parcel lying in the North half of the Northeast Quarter of
Section 20, Township 1 North, Range 2 West, Boise Meridian, Canyon
County, Idaho, being more particularly described as follows:

Beginning at the Northeast corner of said Section 20; thence
North 90°00'00" West, 1190.00 feet along the Section line (the
centerline of Melmont Road) to a point, said point being the REAL
POINT OF BEGINNING; thence continuing North 90°00'00" West, 660.00
feet along said Section line to a point; thence
South 00°00'00" West, 660.00 feet to a point; thence
South 90°00'00" East, 660.00 feet to a point; thence
North 00°00'00" East, 660.00 feet to a point; the REAL POINT
OF BEGINNING.

200417087

RECORDED

MAR 31 PM 12 16

G. NOEL HALES

CANYON COUNTY RECORDER

*[Signature]*REQUEST FINDER-NMMPA
TYPE ~~Doc Fee~~ 6.00

ANT 7916

INSTRUMENT NO. 2004/7087

WARRANTY DEED

FOR VALUE RECEIVED THE TRUSTEES OF THE PK TRUST C.D.G.,

the Grantors, do hereby grant, bargain, sell and convey unto CHARLES DE GROOT and JANICE DE GROOT, husband and wife

the Grantees, whose address is 10394 BELMONT ROAD, MELBA, ID 83641

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE;

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that hhe are the owners in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 2004 and subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: March 22, 2004

THE TRUSTEES OF THE PK TRUST

BY: Bruce L. Tieg
BRUCE L. TIEGS, TRUSTEEBY: Susan L. Huter, TTEE
SUSAN L. HUTER, TRUSTEESTATE OF IDAHO
COUNTY OF CANYON

On this 22 day of March, 2004, before me, a notary public, personally appeared BRUCE L. TIEGS and SUSAN L. HUTER, known to me to be the person(s) whose name(s) is/are subscribed to the within instrument as TRUSTEES of THE PK TRUST and acknowledged to me that they executed the same as such TRUSTEES.

[Signature]
Notary Public
Residing at Nampa, Idaho
My commission expires: ~~4/17/2009~~ 4/20/2007

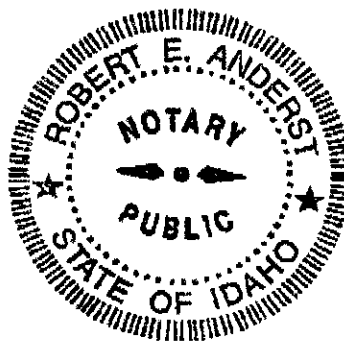
PIONEER TITLE COMPANY
OF CANYON COUNTY100 10TH AVE SOUTH
NAMPA, IDAHO 83651423 SOUTH KIMBALL
CALDWELL, ID 83605

EXHIBIT "A"

A parcel of land lying in the Southwest Quarter of the Southeast Quarter of Section 17, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho, and more particularly described as follows:

BEGINNING at the brass cap marking the Southeast corner of the said Southeast Quarter of Section 17; thence

South $89^{\circ} 45' 07''$ West 2,002.48 feet along the Southerly boundary of the said Southeast Quarter of Section 17, which is also the centerline of Melmont Road, to a point, also said point being the REAL POINT OF BEGINNING; thence continuing

South $89^{\circ} 45' 07''$ West 30.00 feet along the said Southerly boundary of the Southeast Quarter of Section 17 to a point; thence

North $0^{\circ} 36' 20''$ West 438.77 feet to an iron pin; thence

South $53^{\circ} 38' 50''$ East 228.62 feet to an iron pin; thence

South $0^{\circ} 36' 20''$ East 94.42 feet to an iron pin; thence

North $88^{\circ} 08' 15''$ West 152.82 feet to a point; thence

South $0^{\circ} 36' 20''$ East 213.66 feet to the POINT OF BEGINNING.

C.D.G.

gas

~~HH~~
d/4-4

PN 52200

WARRANTY DEED

(CORPORATE FORM)

NWA DEVELOPMENT I, INC., a corporation organized and existing under the laws of the State of Washington, with its principal office at Kennewick of County of Benton grantor, hereby CONVEYS or GRANTS and WARRANTS TO **CHARLES DEGROOT AND JANICE DEGROOT, husband and wife** grantee of **1400 Phipps Road, Outlook, WA 98938** for the sum of —TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION OF AN IRC 1031 EXCHANGE ON BEHALF OF THE GRANTEEES HEREIN, the following described tract(s) of land in Canyon County, State of Idaho:

The North one-half of the Southeast Quarter of Section 17, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this February 24, 2000.

NWA DEVELOPMENT I, INC.

BY

Scot T. Hansen

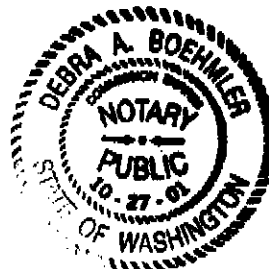
ITS PRESIDENT

STATE OF WASHINGTON
COUNTY OF BENTON

On this 24 day of February, 2000, before me, a notary public appeared **SCOT T. HANSEN** who being by me duly sworn did say, each for him/herself, that he/she, the said **SCOT T. HANSEN** is the president of **NWA DEVELOPMENT I, INC.**, a corporation, and that the within and foregoing instrument was signed on behalf of said corporation by authority of a resolution of its board of directors and said **SCOT T. HANSEN** did duly acknowledge to me that said corporation executed the same and that the seal affixed is the seal of said corporation.

Debra A. Boehmler
Debra A. Boehmler

Notary Public
Residing at West Richland Washington
My commission expires: 10-27-01



REQUEST PIONEER-NAMPA
TYPE Debra A. Boehmler

CANYON CNTY RECORDER
BY *Debra A. Boehmler*

G NOEL HALES

00 FEB 25 PM 4 19

RECORDED

200006804

Received Time Feb. 24, 3:20PM

Exhibit "A"

TRACT I:

All of Section 17, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM:

Beginning at the brass cap marking the Southeast corner of the Southeast Quarter of Section 17; thence

South 89° 45' 07" West 2,002.48 feet along the Southerly boundary of the said Southeast Quarter of Section 17, which is also the centerline of Melmont Road, to a point, also said point being the REAL POINT OF BEGINNING; thence continuing

South 89° 45' 07" West 30.00 feet along the said Southerly boundary of the Southeast Quarter of Section 17 to a point; thence

North 0° 36' 20" West 438.77 feet to an iron pin; thence

South 53° 38' 50" East 228.62 feet to an iron pin; thence

South 0° 36' 20" East 94.42 feet to an iron pin; thence

North 88° 08' 15" West 152.82 feet to a point; thence

South 0° 36' 20" East 213.66 feet to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:

A tract of land situated in the Southwest Quarter of Section 17, Township 1 North, Range 2 West of the Boise Meridian, County of Canyon and more particularly described as follows:

COMMENCING at the section corner common to Sections 17, 18, 19 and 20; thence

North 90° 00' 00" East a distance of 1036.84 feet along the Southerly boundary; of said Southwest Quarter to the POINT OF BEGINNING; thence continuing

North 90° 00' 00" East a distance of 273.27 feet along the Southerly boundary of said Southwest Quarter; thence

North 2° 36' 22" West a distance of 316.38 feet; thence

South 86° 39' 07" West a distance of 273.00 feet; thence

South 2° 36' 22" East a distance of 300.42 feet parallel with the Easterly boundary of this parcel to the POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM

The North One-Half of the Southeast Quarter of said Section 17.

256



T01N R02W S17

T01N R02W S20