



P. O. Box 685
Picabo, Idaho 83348
(208) 788-4424 • Fax (208) 788-2375

RECEIVED

JAN 26 2007

DEPARTMENT OF
WATER RESOURCES

1.23.07

STEVE CIELLAND
ID. DEPT. OF WATER RES.
P.O. Box 83720
BOISE, ID. 83720-0098

RECEIVED

JAN 26 2007

DEPARTMENT OF
WATER RESOURCES

DEAR STEVE,
AS PER OUR CONVERSATION IN SUN VALLEY 12.4.06.
ENCLOSED PLEASE FIND CHANGE OF OWNERSHIP
FORM, DEED W/ LEGAL DESCRIPTION, MAPS AND
PRELIMINARY RECOMMENDATION SHEETS FOR WATER
RIGHT NO'S 37-7558 AND 3713108. PLEASE
CALL WITH ANY QUESTIONS. I ALSO INCLUDED
\$25⁰⁰ FILING FEE FOR EACH RIGHT TOTAL \$50⁰⁰.

REGARDS,

ROB STRUTHERS

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

RECEIVED

JAN 26 2007

DEPARTMENT OF
WATER RESOURCES

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
37-7558					
37-13108					

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

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

L L BRECKENRIDGE CO

4. New Owner/Claimant(s)

B BAR B INC.

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

New Mailing Address

P.O. Box 685

City, State and ZIP Code

PICABO, ID. 83348

New Telephone Number

208-788-4424

5. Date you acquired the property

4.4.1990

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) *Ken Buechler* PRESIDENT
(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 *AMB* Date *1.26.07* Fee *50.00*
 Received by *AMB* Date *1.26.07* Receipt No. *1083145*
 Processed by _____ AJ Date _____ WR _____ Date _____

WARRANTY DEED

FOR VALUE RECEIVED, L.L. Breckenridge Company, Inc. hereinafter called "Grantor", hereby grants, bargains, sells and conveys unto B Per B, Inc. whose mailing address is 062 Picabo Road, Picabo, Idaho 83348, the following described premises in Blaine County, Idaho, to wit,

See Exhibit A.

TO HAVE AND TO HOLD the said premises, with their appurtenances including but not limited to water rights, unto the said Grantee and to the Grantee's successors and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner and fee simple of said premises; that they are free from encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED this 7th day of April, 1990.

L.L. BRECKENRIDGE COMPANY, INC.

By John H. Breckenridge
John H. Breckenridge, President

ALSO:

Miriam B. Breckenridge
Miriam B. Breckenridge
Secretary

WARRANTY DEED

MAY 8 1990

970124

Legal Description:Blaine County:

Township 1 South, Range 20 East, Boise Meridian

Section 33: SW1/4 SE1/4, SE1/4 SW1/4, E1/2 SE1/4

Section 34: S1/2, S1/2 NE1/4, SE1/4 NW1/4, Fr. SW1/4 NW1/4 being
Tax Lot 5403

containing 608.06 acres.

Township 2 South, Range 20 East, Boise Meridian

Section 4: S1/2, Lots 1, 2, 3, S1/2 N1/2

Section 9: E1/2, E1/2 W1/2, NW1/4 NW1/4

containing 1129.04 acres, more or less.

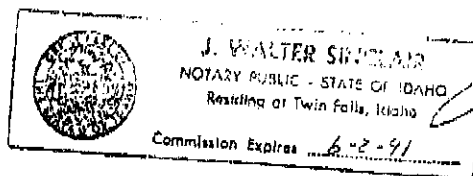
STATE OF IDAHO)

County of Twin Falls)

) ss.

On this 4/21 day of April, 1990, before me, the undersigned, a Notary Public in and for said State, personally appeared John H. Breckenridge and Miriam B. Breckenridge, known to me to be the President and Secretary of L.L. Breckenridge Company, Inc., the corporation whose name is subscribed to the foregoing instrument, and acknowledged to me that they executed the same on behalf of said corporation.

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



NOTARY PUBLIC

My Commission Expires: 6-2-91

RECEIVED
TWIN FALLS, IDAHO
JUN 11 AM 11 54
JUL 11 AM 11 54
JUL 11 AM 11 54

319463

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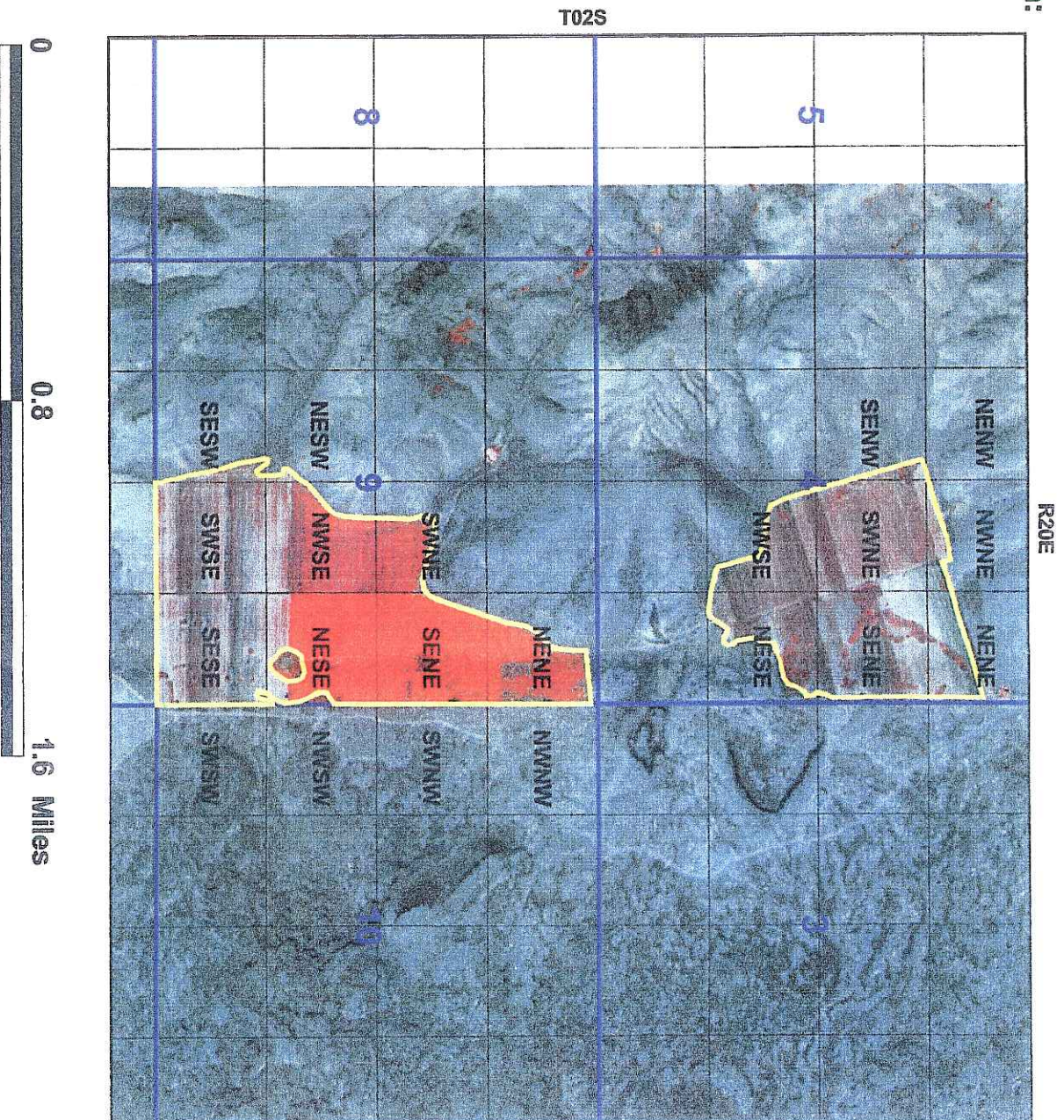
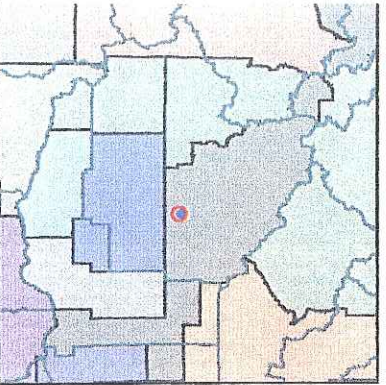
H. 1990

(WARRDEED.LLB.JWS/kba)

WARRANTY DEED\2

37-7558
(Irrigation)

Place of Use
Townships
PLS Sections
Quarter Quarters



Prepared by M. Ciscell
On Wednesday, November 29, 2006
1987/88 Aerial Photography

11/29/2006

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

RIGHT NUMBER: 37-7558
NAME AND ADDRESS: L L BRECKINRIDGE CO
RFD #6
PO BOX 9254
TWIN FALLS ID 83301

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 6.270 CFS
1,075.20 AFY

Right Nos. 37-7558 and 37-13108 are limited to a total combined diversion rate of 6.27 cfs.

PRIORITY DATE: 02/07/1977

POINT OF DIVERSION: T02S R20E S9 SWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.200 CFS 10.20 AFY
IRRIGATION	04/15 10/31	6.270 CFS 1,065.00 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T02S R20E S04 Lot 1 NENE	14.00	T02S R20E S04 Lot 2 NWNE	5.60
T02S R20E S04 SWNE	40.00	T02S R20E S04 SENE	38.00
T02S R20E S04 SENW	2.70	T02S R20E S04 NESE	22.00
T02S R20E S04 NWSE	21.00	T02S R20E S09 NENE	23.00
T02S R20E S09 SWNE	13.00	T02S R20E S09 SENE	38.00
T02S R20E S09 NESW	1.00	T02S R20E S09 SESW	4.00
T02S R20E S09 NESE	36.00	T02S R20E S09 NWSE	34.00
T02S R20E S09 SWSE	40.00	T02S R20E S09 SESE	40.00

STOCKWATER same as IRRIGATION

372.3 ACRES TOTAL

This right is limited to the irrigation of 355 acres within the place of use described above in a single irrigation season.

Right Nos. 37-7558 and 3713108 are limited to the irrigation of a combined total of 372.3 acres in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

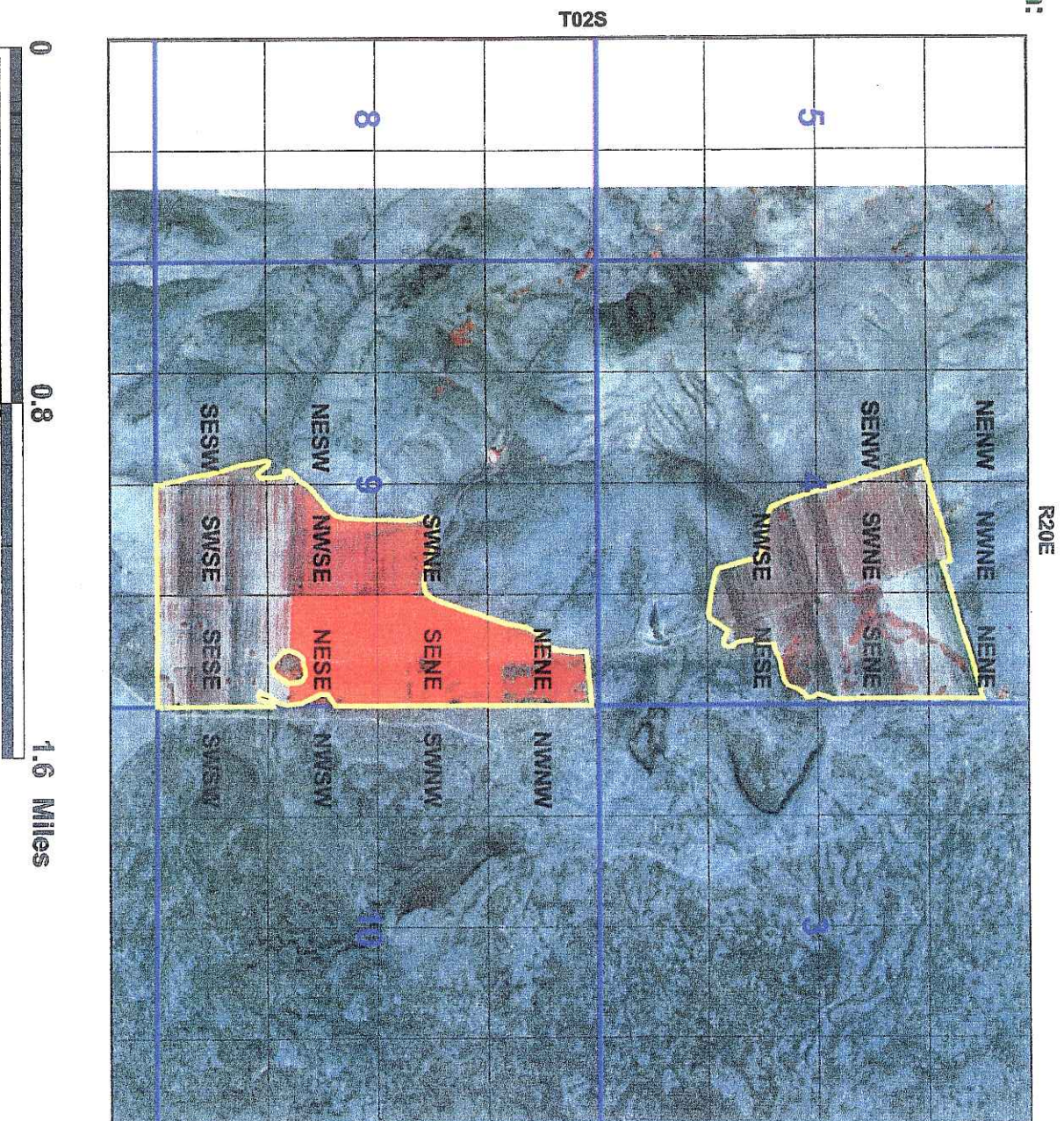
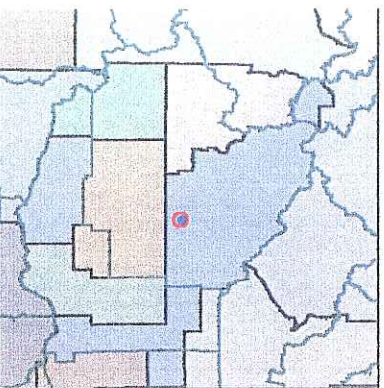
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right No. 37-13108 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.

37-13108
(Irrigation)

Place of Use
Townships
PLS Sections
Quarter Quarters



Prepared by M. Ciscell
On Wednesday, November 29, 2006
1987/88 Aerial Photography

11/29/2006

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

RIGHT NUMBER: 37-13108

NAME AND ADDRESS: L L BRECKINRIDGE CO
RFD #6
PO BOX 9254
TWIN FALLS ID 83301

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.290 CFS
60.60 AFY

Right Nos. 37-7558 and 37-13108 are limited to a total combined diversion rate of 6.27 cfs.

PRIORITY DATE: 09/22/1986

This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.

POINT OF DIVERSION: T02S R20E S9 SESWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.290 CFS 60.60 AFY

PLACE OF USE: IRRIGATION in BLAINE County

T02S R20E S04 Lot 1 NENE	14.00	T02S R20E S04 Lot 2 NWNE	5.60
T02S R20E S04 SWNE	40.00	T02S R20E S04 SENE	38.00
T02S R20E S04 SENW	2.70	T02S R20E S04 NESE	22.00
T02S R20E S04 NWSE	21.00	T02S R20E S09 NENE	23.00
T02S R20E S09 SWNE	13.00	T02S R20E S09 SENE	38.00
T02S R20E S09 NESW	1.00	T02S R20E S09 SESW	4.00
T02S R20E S09 NESE	36.00	T02S R20E S09 NWSE	34.00
T02S R20E S09 SWSE	40.00	T02S R20E S09 SESE	40.00

372.3 ACRES TOTAL

Right Nos. 37-7558 and 3713108 are limited to the irrigation of a combined total of 372.3 acres in a single irrigation season.

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.

This right is based upon an enlargement of Right No. 37-7558 pursuant to Section 42-1426, Idaho Code.

* EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is for an enlargement of 17.3 acres within the place of use described for this right.

Idaho Department of Water Resources Receipt

Receipt ID C083145

Payment Amount \$50.00 Date Received 1/26/2007 11:40:01 AM Region State Status
Payment Type Check Check Number 5438

Payer B BAR B INC HORSESHOE S RANCH INC

Comment 37-7558 37-13108

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$50.00	OWNERSHIP CHANGES/SECURITY INTERESTS	0229	21	56140	1155



Signature Line (Dept. Representative)