

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 63-31477
Date Received: 2/28/1990
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SUNRIDGE DAIRY LLC
4890 DRY LAKE RD
NAMPA ID USA 83686

Phone: (208) 442-7316

2. Date of Priority: 07/09/1958

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	7	SE	NE		CANYON	
01N	02W	6	NE	SW		CANYON	
01N	02W	6	NW	NW		CANYON	

5. Description of diverting works:

3 WELLS, PUMPS, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.32	

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

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	7	SW	NE	IRRIGATION	11
			SE	NE	IRRIGATION	15
					Section Acres	26
					Total Acres	26

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:

This claim is the result of a split due to change in ownership for a portion of 63-3134A. DB 4/22/2002

Ownership changed by DB 3/30/2004

15. Basis of Claim: License

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAR 29 2004 NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

WATER RESOURCES
WESTERN REGIONPlease 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 Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	63-2949			63-8381	
	63-2825			63-31477	
	63-3135			02-10185	
	63-3260			02-2194	A
	63-3331				

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)

KROES DAIRY & DE GROOT
CHINO, CA LYNDEN, WA

4. New Owner/Claimant(s)

JUNRIDGE DAIRY LLC

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

New Mailing Address

4890 DRY LAKE RD

City, State and ZIP Code

NAMPA, ID 83686

New Telephone Number

208 442-7316 FAX 442-7320

5. Date you acquired the property

8-14-2003

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.

N/A

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) William S. [Signature] member
(include title if applicable)

Mike [Signature] member

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 AS Date 3-29-04 Fee N/A
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

SunRidge Dairy LLC

4890 Dry Lake Road
Nampa, Idaho 83686
(208) 442-7316 (208) 442-7320 Fax

Adrian Kroes

Mike Siegersma

200356947

RECORDED

2003 SEP 15 PM 2 35

G. NOEL HALE

CANYON COUNTY RECORDER

BY *J. M. Hale*

REQUEST

Moffatt Thomas

TYPE *1000* FEE *1.00*

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

Moffatt, Thomas, Barrett, Rock & Fields, Chartered
Attention: Robert B. Burns
101 S. Capitol Boulevard, 10th Floor
P.O. Box 829
Boise, Idaho 83701-0829

QUITCLAIM DEED

FOR VALUE RECEIVED, the receipt and sufficiency of which are hereby acknowledged, KROES DAIRY, a California general partnership ("Grantor"), does hereby convey, release, remise, and forever quitclaim unto SUNRIDGE DAIRY, LLC, an Idaho limited liability company ("Grantee"), the address of which is 4890 Dry Lake Road, Nampa, Idaho 83686, all of Grantor's interest in the following described real property:

See Exhibit A attached hereto and incorporated herein by this reference;

TOGETHER WITH all and singular the tenements, hereditaments, appurtenances thereunto belonging or in anywise appertaining, including all water rights, shares, and certificates, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereto.

TO HAVE AND TO HOLD all and singular the said premises, together with the appurtenances, unto the Grantee, and to Grantee's heirs and assigns forever.

IN WITNESS WHEREOF, this deed has been executed and delivered to be effective as of the 14th day of ~~July~~ *August* 2003.

GRANTOR:

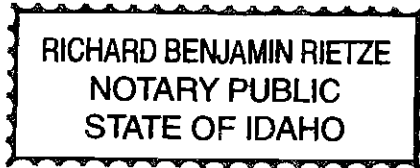
KROES DAIRY,
a California general partnership

By *Adrian R. Kroes*
Adrian R. Kroes, General Partner

STATE OF IDAHO)
) ss.
County of Canyon)

On this 14th day of August, 2003, before me
Richard Benjamin Rietze, personally appeared **ADRIAN R. KROES**, known or identified to
me (or proved to me on the oath of _____), to be one of the
partners in the partnership of KROES DAIRY, and the partner or one of the partners who
subscribed said partnership name to the 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.



Richard Benjamin Rietze
NOTARY PUBLIC FOR IDAHO
Residing at Nampa
My Commission Expires Nov 26, 2008

EXHIBIT A

PARCEL I:

A portion of the Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 7 and a portion of the Southwest Quarter of the Northwest Quarter of Section 8, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho:

SECTION 7:

BEGINNING at the Southeast corner of the Southeast Quarter of the Northeast Quarter of Section 7; thence

North 89° 54'43" West along the South boundary of said Southeast Quarter of the Northeast Quarter and of the Southwest Quarter of the Northeast Quarter a distance of 2637.71 feet to the Southwest corner of said Southwest Quarter of the Northeast Quarter; thence North 0° 44'25" East along the West boundary of said Southwest Quarter of the Northeast Quarter a distance of 258.09 feet; thence

North 83° 01'11" East a distance of 1299.95 feet; thence

North 74° 53'54" East a distance of 82.76 feet; thence

North 82° 39'40" East a distance of 560.45 feet; thence

South 89° 22'54" East a distance of 161.04 feet; thence

North 78° 39'54" East a distance of 111.01 feet; thence

North 85° 16'45" East a distance of 229.64 feet; thence

North 88° 02'28" East a distance of 217.40 feet to a point on the East boundary of said Southeast Quarter of the Northeast Quarter; thence

South 0° 47'27" West along said East boundary a distance of 559.73 feet to the POINT OF BEGINNING.

SECTION 8:

COMMENCING at the Southwest corner of the Southwest Quarter of the Northwest Quarter of Section 8; thence

North 0° 47'27" East along the West boundary of said Southwest Quarter of the Northwest Quarter a distance of 656.20 feet to the Southwest corner of the Northwest Quarter of said Southwest Quarter of the Northwest Quarter, which point is the TRUE POINT OF BEGINNING; thence continuing

North 0° 47'27" East along said West boundary a distance of 308.00 feet; thence

South 88° 17'54" East a distance of 661.50 feet to a point on the East boundary of said Northwest Quarter of the Southwest Quarter of the Northwest Quarter; thence

South 0° 43'41" West along said East boundary a distance of 297.00 feet to the Southeast corner of said Northwest Quarter of the Southwest Quarter of the Northwest Quarter; thence

North 89° 15'04" West along the South boundary of said Northwest Quarter of the Southwest Quarter of the Northwest Quarter a distance of 661.74 feet to the TRUE POINT OF BEGINNING.

PARCEL II:

The West Half of the Southwest Quarter; the South Half of the Southwest Quarter of the Northwest Quarter, Section 8, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho;

AND

The South Half of Section 7, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho;

EXCEPTING THEREFROM:

COMMENCING at the Southwest corner of Section 7, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho, and running

Easterly along the South boundary line thereof 1,054 feet to the REAL POINT OF BEGINNING; thence continuing

Easterly along said South boundary line 159 feet; thence Northerly and parallel with the West boundary of said Section 7 a distance of 153 feet; thence

Westerly and parallel to the South boundary line of said Section 7 a distance of 159 feet; thence

Southerly and parallel to the West boundary of said Section 7 a distance of 153 feet to the REAL POINT OF BEGINNING.

PARCEL III:

The East Half; the East Half of the Southwest Quarter; the East Half of the Northwest Quarter; the East Half of the Northwest Quarter of the Northwest Quarter; the Northeast Quarter of the Southwest Quarter of the Northwest Quarter of Section 8, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

EXCEPT THE FOLLOWING:

COMMENCING at the South Quarter corner of Section 8, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho; thence

North 89° 06'04" West 1330.82 feet along the South line of Section 8 to the West Sixteenth corner; thence

North 00° 40'12" East 2062.40 feet along the West boundary of the East Half of the Southwest Quarter of Section 8 to the TRUE POINT OF BEGINNING; thence continuing

North 00° 40'12" East 100.00 feet to a point; thence

South 89° 13'40" East 120.20 feet to a point; thence

South 00° 40'12" West 100.00 feet to a point; thence

North 89° 13'40" West 120.20 feet to the TRUE POINT OF BEGINNING.

① PN 65043 INSTRUMENT NO. 200145293

WARRANTY DEED

(CORPORATE FORM)

B.M.K., INC., a corporation organized and existing under the laws of the State of Idaho, with its principal office at Nampa of County of Canyon grantor, hereby CONVEYS or GRANTS and WARRANTS TO **KROES DAIRY, a California Partnership** grantee of 14661 Haven Avenue, Chino, CA 91710 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.

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 October 31, 2001.

B.M.K., INC.

BY

ITS

Barbara Craven
Pres.

STATE OF IDAHO

County of Canyon

On this 31st day of October, 2001, before me, a Notary Public in and for the State, personally appeared Barbara Craven known to me to be the President of B.M.K., 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 Barbara Craven did duly acknowledge to me that said corporation executed the same.

K. Sree A. Mayden
Notary Public residing at: Nampa

My commission expires: 3-9-2006

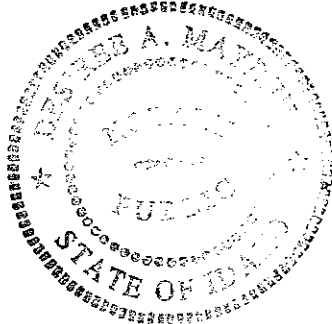


Exhibit "A"

PARCEL I:

A portion of the Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 7 and a portion of the Southwest Quarter of the Northwest Quarter of Section 8, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho:

SECTION 7:

BEGINNING at the Southeast corner of the Southeast Quarter of the Northeast Quarter of Section 7; thence

North 89° 54'43" West along the South boundary of said Southeast Quarter of the Northeast Quarter and of the Southwest Quarter of the Northeast Quarter a distance of 2637.71 feet to the Southwest corner of said Southwest Quarter of the Northeast Quarter; thence

North 0° 44'25" East along the West boundary of said Southwest Quarter of the Northeast Quarter a distance of 258.09 feet; thence

North 83° 01'11" East a distance of 1299.95 feet; thence

North 74° 53'54" East a distance of 82.76 feet; thence

North 82° 39'40" East a distance of 560.45 feet; thence

South 89° 22'54" East a distance of 161.04 feet; thence

North 78° 39'54" East a distance of 111.01 feet; thence

North 85° 16'45" East a distance of 229.64 feet; thence

North 88° 02'28" East a distance of 217.40 feet to a point on the East boundary of said Southeast Quarter of the Northeast Quarter; thence

South 0° 47'27" West along said East boundary a distance of 559.73 feet to the POINT OF BEGINNING.

SECTION 8:

COMMENCING at the Southwest corner of the Southwest Quarter of the Northwest Quarter of Section 8; thence

North 0° 47'27" East along the West boundary of said Southwest Quarter of the Northwest Quarter a distance of 656.20 feet to the Southwest corner of the Northwest Quarter of said Southwest Quarter of the Northwest Quarter, which point is the TRUE POINT OF BEGINNING; thence continuing

North 0° 47'27" East along said West boundary a distance of 308.00 feet; thence

South 88° 17'54" East a distance of 661.50 feet to a point on the East boundary of said Northwest Quarter of the Southwest Quarter of the Northwest Quarter; thence

South 0° 43'41" West along said East boundary a distance of 297.00 feet to the Southeast corner of said Northwest Quarter of the Southwest Quarter of the Northwest Quarter; thence

North 89° 15'04" West along the South boundary of said Northwest Quarter of the Southwest Quarter of the Northwest Quarter a distance of 661.74 feet to the TRUE POINT OF BEGINNING.

PARCEL 2:

The West Half of the Southwest Quarter; the South Half of the Southwest Quarter of the Northwest Quarter, Section 8, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho;

AND

The South Half of Section 7, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho;

EXCEPTING THEREFROM:

COMMENCING at the Southwest corner of Section 7, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho, and running

Easterly along the South boundary line thereof 1,054 feet to the REAL POINT OF BEGINNING; thence continuing

Easterly along said South boundary line 159 feet; thence Northerly and parallel with the West boundary of said Section 7 a distance of 153 feet; thence

Westerly and parallel to the South boundary line of said Section 7 a distance of 159 feet; thence

Southerly and parallel to the West boundary of said Section 7 a distance of 153 feet to the REAL POINT OF BEGINNING.

200145293

RECORDED

2001 OCT 31 PM 3 55

G. H. L. HALLS

CANYON COUNTY RECORDER

BY

C. McLaughlin

REQUEST FINDER-NAMPA
TYPE *2001* FEE *4.00*

BC

200204419

WARRANTY DEED

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **ADRIAN R. KROES and RASHELLE L. KROES**, husband and wife (the "Grantors"), grant, warrant, bargain, sell, transfer, convey and assign to **KROES DAIRY**, a California general partnership (the "Grantee"), whose mailing address is 14661 Haven Avenue, Chino, California, 91710, all of Grantors' right, title and interest in and to the real property located in Canyon County, Idaho, more particularly described in the attached Exhibit A (the "Premises").

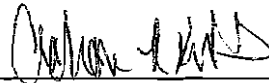
Together with all rents, remainders and reversions, and all appurtenances and hereditaments, reversions, remainders, issues and profits, improvements and fixtures, easements, mineral rights, water rights and all other permits, licenses and rights in any way appertaining to the Premises, and subject to such rights, easements, covenants, reservations, restrictions, and encumbrances of record.

Grantors, for themselves, their representatives, successors, and assigns, covenants and warrants that Grantors are the owners in fee simple of the Premises and that the Premises are free from all encumbrances except taxes, levies, and assessments for the year 2001 and all subsequent years.

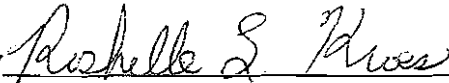
The Grantors covenant and warrant that Grantors shall defend the quiet and peaceable possession of the Premises by Grantee, its representatives, successors and assigns, forever against all claims whatsoever.

In witness whereof, Grantors have caused this Warranty Deed to be executed and delivered this 8th day of Jan, 2002.

Grantor:

By 
ADRIAN R. KROES

Grantor:

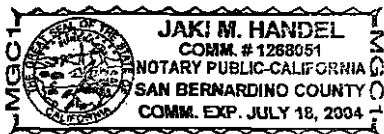
By 
RASHELLE L. KROES

STATE OF California)
)ss.
County of San Bernardino

On this 8th day of Jan, 2002, before me the undersigned, a Notary Public, personally appeared **Adrian R. Kroes**, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same.

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

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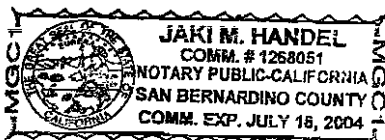
Jaki M. Handel
Residing at Ontario, CA
My Commission Expires July 18, 2004

STATE OF California)
)ss.
County of San Bernardino

On this 8th day of Jan, 2002, before me the undersigned, a Notary Public, personally appeared **Rashelle L. Kroes**, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same.

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

S
E
A
L



Jaki M. Handel
Residing at Ontario, CA
My Commission Expires July 18, 2004

Exhibit "A"

The East Half; the East Half of the Southwest Quarter; the East Half of the Northwest Quarter; the East Half of the Northwest Quarter of the Northwest Quarter; the Northeast Quarter of the Southwest Quarter of the Northwest Quarter; of Section 8, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

EXCEPT THE FOLLOWING:

COMMENCING at the South Quarter corner of Section 8, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho; thence

North 89° 06'04" West 1330.82 feet along the South line of Section 8 to the West Sixteenth corner; thence

North 00° 40'12" East 2062.40 feet along the West boundary of the East Half of the Southwest Quarter of Section 8 to the TRUE POINT OF BEGINNING; thence continuing

North 00° 40'12" East 100.00 feet to a point; thence

South 89° 13'40" East 120.20 feet to a point; thence

South 00° 40'12" West 100.00 feet to a point; thence

North 89° 13'40" West 120.20 feet to the TRUE POINT OF BEGINNING.

200204419

RECORDED

2002 JUN 29 PM 12 57

G NOEL MALES
CANYON CNTY RECORDER
BY *Jeffrey Blum*

REQUEST *McKell*
TYPE *Shed* FEE *9.00*

PN 65096

AK

WARRANTY DEED

FOR VALUE RECEIVED TOM DEGROOT and JACKIE DEGROOT, husband and wife

the Grantors, do hereby grant, bargain, sell and convey unto ADRIAN R. KROES and RASHELLE L. KROES, husband and wife

the Grantees, whose address is 14661 Haven Ave., Chino, CA 91710

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 they 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 2001 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: October 25, 2001

[Signature]
TOM DEGROOT

[Signature]
JACKIE DEGROOT

STATE OF IDAHO
COUNTY OF CANYON

On this 27th day of OCTOBER, 2001, before me, a notary public, personally appeared **TOM DEGROOT and JACKIE DEGROOT**, known or identified to me to be the person(s) who(se) name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

[Signature]
Notary Public

Residing at Nampa, ID

My commission expires: 4/17/2003



REQUEST PIONEER-NAMPA
TYPE WELL FEE 600

GRADY J. KELLY
CANYON CHIT RECORDER
by Jackie O'Neil

2001 OCT 30 PM 4 40

RECORDED

200145084

PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

AK

[Handwritten signature]

Exhibit "A"

The East Half; the East Half of the Southwest Quarter; the East Half of the Northwest Quarter; the East Half of the Northwest Quarter of the Northwest Quarter; the Northeast Quarter of the Southwest Quarter of the Northwest Quarter; of Section 8, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

EXCEPT THE FOLLOWING:

COMMENCING at the South Quarter corner of Section 8, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho; thence

North 89° 06'04" West 1330.82 feet along the South line of Section 8 to the West Sixteenth corner; thence

North 00° 40'12" East 2062.40 feet along the West boundary of the East Half of the Southwest Quarter of Section 8 to the TRUE POINT OF BEGINNING; thence continuing

North 00° 40'12" East 100.00 feet to a point; thence

South 89° 13'40" East 120.20 feet to a point; thence

South 00° 40'12" West 100.00 feet to a point; thence

North 89° 13'40" West 120.20 feet to the TRUE POINT OF BEGINNING.



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Flood = 295.3

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T5939

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3.0

22.7

10.6

12.0

22.4

18.6

10

9

8

7

6

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10.8

3.0

22.7

10.6

12.0

22.4

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10.8

3.0

22.7

10.6

12.0

22.4

18.6

T. 1S
R. 2W

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 63-31477
Date Received: 2/28/1990
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

KROES DAIRY
14661 HAVEN AVE
CHINO CA USA 91710

Phone: (909) 947-0465

2. Date of Priority: 07/09/1958

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	7	SE	NE		CANYON	
01N	02W	6	NE	SW		CANYON	
01N	02W	6	NW	NW		CANYON	

5. Description of diverting works:

3 WELLS, PUMPS, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.32	

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

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	7	SW	NE	IRRIGATION	11
			SE	NE	IRRIGATION	15
					Section Acres	26
					Total Acres	26

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:

This claim is the result of a split due to change in ownership for a portion of 63-3134A. DB 4/22/2002

15. Basis of Claim: License

SPLIT TREE

CLAIMS 63-03134A

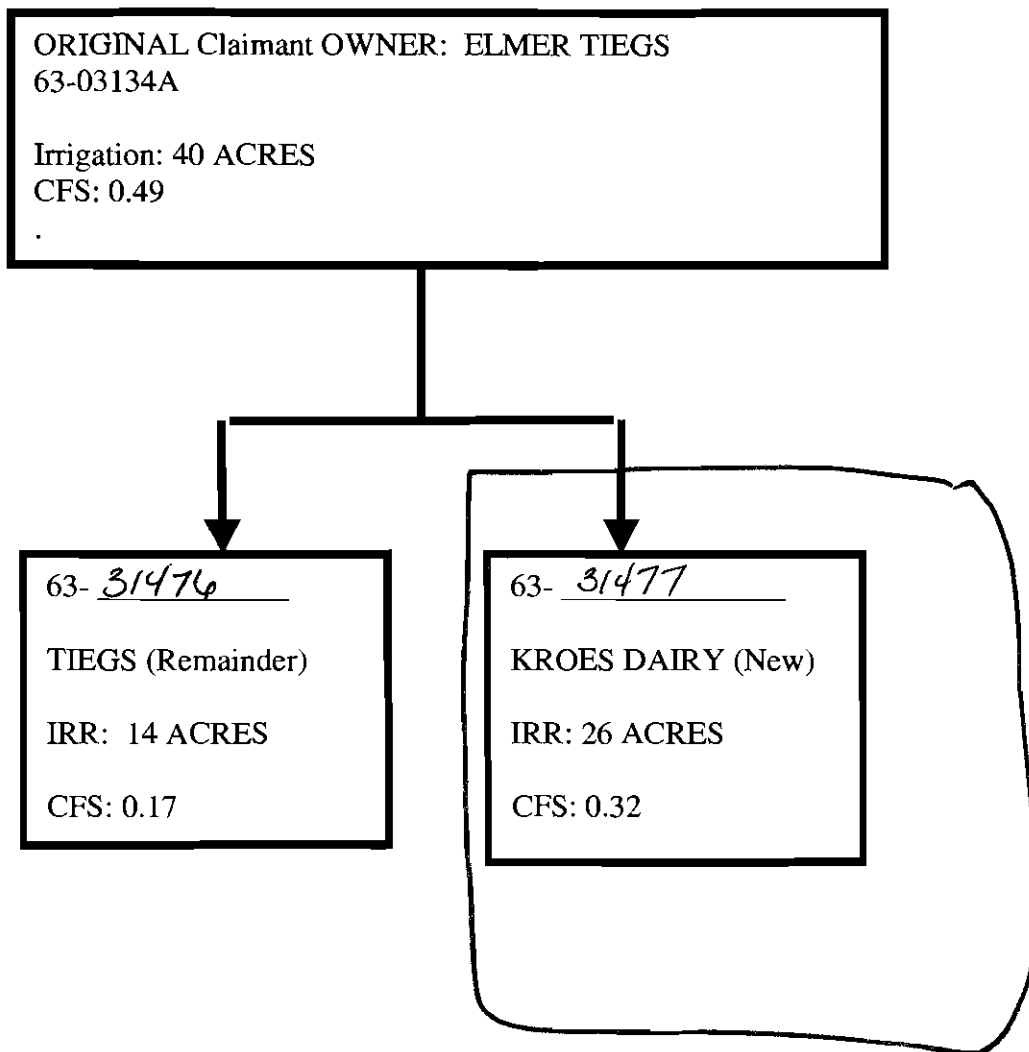
AGENT: Ron Howerton

Date: 4/22/02

63-Elmer Tiegs 31476 = IRR FACTOR CFS @ 14 ACRES = 0.17 CFS

63-Kroes Dairy 31477 = IRR FACTOR CFS @ 26 ACRES = 0.32 CFS

TOTALS = 40ACRES @ 0.49 FS = 0.01225 FACTOR



2/28/90

KROES DAIRY SPLIT: 63-31477

THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, 10. Place of Use: Continued
IN AND FOR THE COUNTY OF TWIN FALLS

RE THE GENERAL ADJUDICATION
RIGHTS TO THE USE OF WATER FROM
SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: ~~A63-03134A~~ NEWA
Date Received: 2/28/1990
Receipt No: X777777
Received By:

Township Range Section 1/4 of 1/4 Lot Use Acres

~~Section Acres 14.0~~

7 SW NE IRR 11.0
SE NE IRR 15.0

Section Acres 26.0

Total Acres ~~40.0~~

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

Name: ELMER H. TIEGS 208-466-1698
Address: BOX 12035 WEST STAGECOACH RD
NAMPA ID 83686 KROES DAIRY

Date of Priority: JUL 9, 1958

Source: GROUNDWATER Trib. to:

Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	02W	6	NW	NW	NW	16	CANYON
			NE	SW	SW	17	CANYON
		7	SE	NE	NE	36	CANYON

Description of diverting works:
3 WELLS, PUMPS, DITCHES

Water is used for the following purposes:

Purpose	From	To	C.F.S. (or)	A.F.A.
IRRIGATION	03/15	11/15	~~0.490~~ 0.32	

Total Quantity Appropriated is:
~~0.490~~ C.F.S. (and/or) 0.32

Total consumptive use is Acre Feet Per Annum.

Non-irrigation uses:

Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	02W	6	NE	SE		IRR	9.0
			NW	SE		IRR	5.0

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:
NAMPA-MERIDIAN IRR. DIST., HAT BUTTE MUTUAL & A63-03275.

14. Remarks:
THIS CLAIM IS A RESULT OF A SPLIT DUE TO CHANGE IN OWNERSHIP

15. Basis of Claim: LICENSE

Water Right Number: 27466

DELETE

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

RECEIVED

APR 10 2002

WATER RESOURCES
WESTERN REGION

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
63-3134-A	63-3134-A	X	_____	_____	_____
_____	_____	_____	_____	_____	_____

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) B.M.K., Inc.
12997 West Stagecoach Rd, Nampa, ID 83686
4. New Owner/Claimant(s) KROES DAIRY
Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address 14661 Haven A venue
- City, State and ZIP Code Chino, CA 91710
- New Telephone Number (909) 947-0465
5. Date you acquired the property October 30, 2001

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 <u>63-3134-A</u>		
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	<u>0.32 CFS</u>	<u>26 acres</u>
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	<u>0.32 CFS</u>	

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) _____
(include title if applicable)

Adrian R. Kroes for Kroes Dairy, ~~Inc~~

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 DB Date 4-10-02
 Received by _____ Date _____
 Processed by _____ AJ Date _____

Fee N/A
 Receipt No. _____
 WR _____ Date _____

①

PN 65043 INSTRUMENT NO. 200145293

WARRANTY DEED

(CORPORATE FORM)

B.M.K., INC., a corporation organized and existing under the laws of the State of Idaho, with its principal office at Nampa of County of Canyon grantor, hereby CONVEYS or GRANTS and WARRANTS TO **KROES DAIRY, a California Partnership** grantees of 14661 Haven Avenue, Chino, CA 91710 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.

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 October 31, 2001.

B.M.K., INC.

BY

ITS

Barbara Craven
Pres.

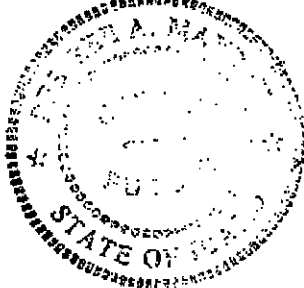
STATE OF IDAHO

County of Canyon

On this 31st day of October, 2001, before me, a Notary Public in and for the State, personally appeared Barbara Craven known to me to be the President of B.M.K., 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 Barbara Craven did duly acknowledge to me that said corporation executed the same.

Notary Public residing at: Nampa

My commission expires: 3-9-2006



PN65043

Exhibit "A"

PARCEL I:

A portion of the Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 7 and a portion of the Southwest Quarter of the Northwest Quarter of Section 8, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho:

SECTION 7:

BEGINNING at the Southeast corner of the Southeast Quarter of the Northeast Quarter of Section 7; thence

North 89° 54'43" West along the South boundary of said Southeast Quarter of the Northeast Quarter and of the Southwest Quarter of the Northeast Quarter a distance of 2637.71 feet to the Southwest corner of said Southwest Quarter of the Northeast Quarter; thence

North 0° 44'25" East along the West boundary of said Southwest Quarter of the Northeast Quarter a distance of 258.09 feet; thence

North 83° 01'11" East a distance of 1299.95 feet; thence

North 74° 53'54" East a distance of 82.76 feet; thence

North 82° 39'40" East a distance of 560.45 feet; thence

South 89° 22'54" East a distance of 161.04 feet; thence

North 78° 39'54" East a distance of 111.01 feet; thence

North 85° 16'45" East a distance of 229.64 feet; thence

North 88° 02'28" East a distance of 217.40 feet to a point on the East boundary of said Southeast Quarter of the Northeast Quarter; thence

South 0° 47'27" West along said East boundary a distance of 559.73 feet to the POINT OF BEGINNING.

SECTION 8:

COMMENCING at the Southwest corner of the Southwest Quarter of the Northwest Quarter of Section 8; thence

North 0° 47'27" East along the West boundary of said Southwest Quarter of the Northwest Quarter a distance of 656.20 feet to the Southwest corner of the Northwest Quarter of said Southwest Quarter of the Northwest Quarter, which point is the TRUE POINT OF BEGINNING; thence continuing

North 0° 47'27" East along said West boundary a distance of 308.00 feet; thence

South 88° 17'54" East a distance of 661.50 feet to a point on the East boundary of said Northwest Quarter of the Southwest Quarter of the Northwest Quarter; thence

South 0° 43'41" West along said East boundary a distance of 297.00 feet to the Southeast corner of said Northwest Quarter of the Southwest Quarter of the Northwest Quarter; thence

North 89° 15'04" West along the South boundary of said Northwest Quarter of the Southwest Quarter of the Northwest Quarter a distance of 661.74 feet to the TRUE POINT OF BEGINNING.

PARCEL 2:

The West Half of the Southwest Quarter; the South Half of the Southwest Quarter of the Northwest Quarter, Section 8, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho;

AND

The South Half of Section 7, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho;

EXCEPTING THEREFROM:

COMMENCING at the Southwest corner of Section 7, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho, and running

Easterly along the South boundary line thereof 1,054 feet to the REAL POINT OF BEGINNING; thence continuing

Easterly along said South boundary line 159 feet; thence Northerly and parallel with the West boundary of said Section 7 a distance of 153 feet; thence

Westerly and parallel to the South boundary line of said Section 7 a distance of 159 feet; thence

Southerly and parallel to the West boundary of said Section 7 a distance of 153 feet to the REAL POINT OF BEGINNING.

200145293

RECORDED

2001 OCT 31 PM 3 56

CANYON COUNTY

CLERK

C. M. Laughlin

REQUEST FINDER NAME
TYPE DATE FEB 4 00

BC

8
INSTRUMENT NO. 200145294When Recorded Return To:

PN 65043

MORTGAGE

THIS MORTGAGE is made and entered into as of the 30th day of October, 2001, by KROES DAIRY, a California general partnership ("Kroes"), whose address is 14661 Haven Avenue, Chino, California 91710, and B.M.K., INC., an Idaho corporation ("BMK"), whose address is 12997 West Stagecoach Road, Nampa, Idaho 83686.

Kroes irrevocably mortgages to BMK that property in the County of Canyon, State of Idaho, described in the attached Exhibit A, together with all existing or subsequently erected or affixed buildings, improvements and fixtures; all easements, rights of way, and appurtenances; all water, water rights, and ditch rights; and the rents, issues and profits of said property (collectively, the "Property"), subject however, to the right, power and authority hereinafter given to and conferred upon BMK to collect and apply such rents, issues and profits

This Mortgage is given to secure payment of an indebtedness evidenced by a promissory note of even date, executed by Kroes in the sum of Seven Hundred Fifty Thousand Dollars (\$750,000).

Kroes warrants that : (a) Kroes holds good and marketable title of record to the Property in fee simple, free and clear of all liens and encumbrances other than those set forth in the description of the Property or in any title insurance policy, title report, or final title opinion issued in favor of, and accepted by, BMK in connection with this Mortgage, and (b) Kroes has the full right, power, and authority to execute and deliver this Mortgage to BMK. Subject to the exception in the preceding sentence, Kroes warrants and will forever defend the title to the Property against the lawful claims of all persons. If any action or proceeding is commenced that questions Kroes's title or the interest of Trustee or BMK under this Mortgage, Kroes shall defend the action at Kroes's expense. Kroes may be the nominal party in such proceeding, but BMK shall be entitled to participate in the proceeding and to be represented in the proceeding by counsel of BMK's own choice, and Kroes will deliver, or cause to be delivered, to BMK such instruments as BMK may request from time to time to permit such participation. Kroes warrants that the Property and Kroes's use of the Property complies with all existing applicable laws, ordinances, and regulations of governmental authorities.

1. To protect the security of this Mortgage, Kroes agrees:

1.1 To keep the Property in good condition and repair; not to remove or demolish any building thereon; to complete or restore promptly and in good and workmanlike manner

any building which may be constructed, damaged or destroyed thereon and to pay when due all claims for labor performed and materials furnished therefor; to comply with all laws affecting the Property or requiring any alterations or improvements to be made thereon; not to commit or permit waste thereof; not to commit, suffer or permit any act upon the Property in violation of law.

1.2 To procure and maintain policies of insurance with standard extended coverage endorsements on a replacement basis for the full insurable value covering all improvements on the Property in an amount sufficient to avoid application of any coinsurance clause, and with a standard mortgagee clause in favor of BMK, together with such other insurance as BMK may reasonably require. Policies shall be written in form, amounts, coverages and basis reasonably acceptable to BMK and issued by a company or companies reasonably acceptable to BMK. Kroes, upon request of BMK, will deliver to BMK from time to time the policies or certificates of insurance in form satisfactory to BMK, including stipulations that coverages will not be canceled or diminished without at least ten (10) days' prior written notice to BMK.

1.3 To promptly notify BMK of any loss or damage to the Property. BMK may make proof of loss if Kroes fails to do so within fifteen (15) days of the casualty. Whether or not BMK's security is impaired, BMK may, at its election, receive and retain the proceeds of any insurance and apply the proceeds to the reduction of the indebtedness, payment of any lien affecting the Property, or the restoration and repair of the Property. If BMK elects to apply the proceeds to restoration and repair, Kroes shall repair or replace the damaged or destroyed improvements in a manner satisfactory to BMK. BMK shall, upon satisfactory proof of such expenditure, pay or reimburse Kroes from the proceeds for the reasonable cost of repair or restoration if Kroes is not in default under this Mortgage. Any proceeds which have not been disbursed within 180 days after their receipt and which BMK has not committed to the repair or restoration of the Property shall be used first to pay any amount owing to BMK under this Mortgage, then to pay accrued interest, and the remainder, if any, shall be applied to the principal balance of the indebtedness secured by this Mortgage. If BMK holds any proceeds after payment in full of such indebtedness, such proceeds shall be paid to Kroes as Kroes's interests may appear.

1.4 To appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of BMK; and to pay all costs and expenses, including cost of evidence of title and attorney's fees in a reasonable sum, in any such action or proceeding in which BMK or Trustee may appear.

1.5 To pay: at least ten (10) days before delinquency, all taxes and assessments affecting the Property; when due, all encumbrances, charges and liens, with interest, on the Property or any part thereof, which appear to be prior or superior hereto; all costs, fees and expenses of this trust.

1.6 To pay immediately and without demand all sums expended by BMK pursuant to the provisions hereof.

1.7 Should Kroes fail to make any payment or to do any act as herein provided, then BMK, but without obligation so to do and without notice to or demand upon Kroes and without releasing Kroes from any obligation hereof, may: make or do the same in such manner and to such extent as either may deem necessary to protect the security hereof, BMK or Trustee being authorized to enter upon the Property for such purposes; appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of BMK or Trustee; pay, purchase, contest or compromise any encumbrance, charge or lien which in the judgment of either appears to be prior or superior hereto; and, in exercising any such powers, or in enforcing this Mortgage by judicial foreclosure, pay necessary expenses, employ counsel and pay his reasonable fees.

1.8 All advances made or costs and expenses incurred by BMK or Trustee hereunder shall be repaid, when not otherwise specified, on demand of the party making such advances or incurring such costs and expenses and until so repaid shall be secured hereby.

2. It is mutually agreed that:

2.1 If all or any part of the Property is condemned by eminent domain proceedings or by any proceeding or purchase in lieu of condemnation, BMK may at its election require that all or any portion of the net proceeds of the award be applied to the indebtedness or the repair or restoration of the Property. The net proceeds of the award shall mean the award after payment of all reasonable costs, expenses, and attorneys' fees incurred by Trustee or BMK in connection with the condemnation. If any proceeding in condemnation is filed, Kroes shall promptly notify BMK in writing, and Kroes shall promptly take such steps as may be necessary to defend the action and obtain the award. Kroes may be the nominal party in such proceeding, but BMK shall be entitled to participate in the proceeding and to be represented in the proceeding by counsel of its own choice, and Kroes will deliver or cause to be delivered to BMK such instruments as may be requested by it from time to time to permit such participation.

2.2 By accepting payment of any sum secured hereby after its due date, BMK does not waive the right either to require prompt payment when due of all other sums so secured or to declare default for failure so to pay.

2.3 Upon written request of BMK stating that all obligations secured hereby have been paid or otherwise satisfied and upon surrender of this Mortgage and said note to Trustee for cancellation and retention and upon payment of its fees, Trustee shall reconvey, without warranty, the property then held hereunder. The recitals in any reconveyance executed under this Mortgage of any matters or facts shall be conclusive proof of the truthfulness thereof. The grantee in such reconveyance may be described as "the person or persons legally entitled thereto."

2.4 As additional security, Kroes hereby gives to and confers upon BMK the right, power and authority, during the continuance of this Mortgage, to collect the rents, issues and profits of the Property, reserving unto Kroes the right, prior to any default by Kroes in payment

of any indebtedness secured hereby or in performance of any agreement hereunder, to collect and retain such rents, issues and profits as they become due and payable. Upon any such default, BMK may at any time without notice, either in person, by agent, or by a receiver to be appointed by a court, and without regard to the adequacy of any security for the indebtedness hereby secured, enter upon and take possession of the Property or any part thereof, in BMK's own name sue for or otherwise collect such rents, issues and profits, including those past due and unpaid, and apply the same, less costs and expenses of operation and collection, including reasonable attorney's fees, upon any indebtedness secured hereby, and in such order as BMK may determine. The entering upon and taking possession of the Property, the collection of such rents, issues and profits and the application thereof as aforesaid, shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.

2.5 BMK may, at its option, declare immediately due and payable all sums secured by this Mortgage upon the sale or transfer, without the BMK's prior written consent, of all or any part of the Property, or any interest in the Property. A "sale or transfer" means the conveyance of the Property or any right, title, or interest therein; whether legal, beneficial, or equitable; whether voluntary or involuntary; whether by outright sale, deed, installment sale contract, land contract, contract for deed, deed of trust, or mortgage.

2.6 In the event of default in payment of any indebtedness secured hereby or in performance of any agreement hereunder, all sums secured hereby shall immediately become due and payable at the option of BMK. Upon default, BMK may commence an action to foreclose this Mortgage or exercise any other remedy herein or by law provided or permitted.

2.8 This Mortgage applies to, inures to the benefit of, and binds all parties hereto, their heirs, legatees, devisees, administrators, executors, successors and assigns. The term BMK shall mean the holder and owner of the note secured hereby; or, if the note has been pledged, the pledgee thereof. In this Mortgage, whenever the context so requires, the masculine gender includes the feminine and/or neuter, and the singular number includes the plural.

IN WITNESS WHEREOF, Kroes has executed this Mortgage as of the day and year first written above.

GRANTOR:

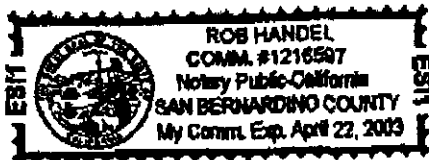
KROES DAIRY

By: 
Adrian R. Kroes, General Partner

STATE OF CALIFORNIA)
) ss.
County of SAN BERNARDINO

On this 30 day of October, 2001, before me Rob Handel
personally appeared ADRIAN R. KROES AND RAYMOND L. KROES known or identified to me (or proved to
me on the oath of SATISFACTORY EVIDENCE), to be one of the partners in the partnership of
KROES DAIRY, and the partner or one of the partners who subscribed said partnership name to the
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.



Rob Handel
NOTARY PUBLIC FOR SAN BERNARDINO CALIFORNIA
Residing at 3695 S. ACHARD RD. - ONTARIO, CA.
My Commission Expires April 22, 2003

POOR COPY

EXHIBIT A

Description of the Property

The following real property located in Canyon County, Idaho, together with water licenses 63-2949 and 2-2194A and 300 shares of Hat Butte Canal Company stock:

The West Half of the Southwest quarter, the South Half of the Southwest quarter of the Northwest quarter, Section 8, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho;
AND

The South Half of Section 7, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho;
AND

This parcel is a portion of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 8, Township 1 North, Range 2 West of the Boise Meridian and is more particularly described as follows:

BEGINNING at the Southwest corner of said SW $\frac{1}{4}$ NW $\frac{1}{4}$;

Thence North 0° 47' 27" East along the West boundary of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 656.20 feet to the Southwest corner of the NW $\frac{1}{4}$ of said SW $\frac{1}{4}$ NW $\frac{1}{4}$, which point is the **TRUE POINT OF BEGINNING**;

Thence continuing North 0° 47' 27" East along said West boundary a distance of 308.00 feet;

Thence South 89° 17' 56" East a distance of 661.50 feet to a point on the East boundary of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$;

Thence South 0° 43' 41" West along said East boundary a distance of 297.20 feet to the Southeast corner of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$;

Thence North 89° 15' 06" West along the South boundary of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 661.74 feet to the **TRUE POINT OF BEGINNING**;

AND

This parcel is a portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, Township 1 North, Range 2 West of the Boise Meridian and is more particularly described as follows:

BEGINNING at the Southwest corner of said SE $\frac{1}{4}$ NE $\frac{1}{4}$;

Thence North 89° 34' 43" West along the South boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ and of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 2637.71 feet to the Southwest corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$;

Thence North 0° 44' 25" East along the West boundary of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 258.09 feet;

Thence North 23° 01' 11" East a distance of 1297.93 feet;

Thence North 74° 53' 56" East a distance of 82.76 feet;

Thence North 82° 59' 40" East a distance of 560.45 feet;

Thence South 89° 22' 54" East a distance of 161.04 feet;

Thence North 79° 33' 54" East a distance of 311.51 feet;

Thence North 89° 15' 45" East a distance of 229.64 feet;

Thence North 88° 02' 26" East a distance of 217.40 feet to a point on the East boundary of said SE $\frac{1}{4}$ NE $\frac{1}{4}$;

Thence South 0° 47' 27" West along said East boundary a distance of 355.73 feet to the **POINT OF BEGINNING**;

POOR COPY

Exhibit "A"

PARCEL I:

A portion of the Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 7 and a portion of the Southwest Quarter of the Northwest Quarter of Section 8, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho:

SECTION 7:

BEGINNING at the Southeast corner of the Southeast Quarter of the Northeast Quarter of Section 7; thence

North 89° 54'43" West along the South boundary of said Southeast Quarter of the Northeast Quarter and of the Southwest Quarter of the Northeast Quarter a distance of 2637.71 feet to the Southwest corner of said Southwest Quarter of the Northeast Quarter; thence

North 0° 44'25" East along the West boundary of said Southwest Quarter of the Northeast Quarter a distance of 258.09 feet; thence

North 83° 01'11" East a distance of 1299.95 feet; thence

North 74° 53'54" East a distance of 82.76 feet; thence

North 82° 39'40" East a distance of 560.45 feet; thence

South 89° 22'54" East a distance of 161.04 feet; thence

North 78° 39'54" East a distance of 111.01 feet; thence

North 85° 16'45" East a distance of 229.64 feet; thence

North 88° 02'28" East a distance of 217.40 feet to a point on the East boundary of said Southeast Quarter of the Northeast Quarter; thence

South 0° 47'27" West along said East boundary a distance of 559.73 feet to the POINT OF BEGINNING.

SECTION 8:

COMMENCING at the Southwest corner of the Southwest Quarter of the Northwest Quarter of Section 8; thence

North 0° 47'27" East along the West boundary of said Southwest Quarter of the Northwest Quarter a distance of 656.20 feet to the Southwest corner of the Northwest Quarter of said Southwest Quarter of the Northwest Quarter, which point is the TRUE POINT OF BEGINNING; thence continuing

North 0° 47'27" East along said West boundary a distance of 308.00 feet; thence

South 88° 17'54" East a distance of 661.50 feet to a point on the East boundary of said Northwest Quarter of the Southwest Quarter of the Northwest Quarter; thence

South 0° 43'41" West along said East boundary a distance of 297.00 feet to the Southeast corner of said Northwest Quarter of the Southwest Quarter of the Northwest Quarter; thence

North 89° 15'04" West along the South boundary of said Northwest Quarter of the Southwest Quarter of the Northwest Quarter a distance of 661.74 feet to the TRUE POINT OF BEGINNING.

PARCEL 2:

The West Half of the Southwest Quarter; the South Half of the Southwest Quarter of the Northwest Quarter, Section 8, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho;

AND

The South Half of Section 7, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho;

EXCEPTING THEREFROM:

COMMENCING at the Southwest corner of Section 7, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho, and running

Easterly along the South boundary line thereof 1,054 feet to the REAL POINT OF BEGINNING; thence continuing

Easterly along said South boundary line 159 feet; thence Northerly and parallel with the West boundary of said Section 7 a distance of 153 feet; thence

Westerly and parallel to the South boundary line of said Section 7 a distance of 159 feet; thence

Southerly and parallel to the West boundary of said Section 7 a distance of 153 feet to the REAL POINT OF BEGINNING.

200145294

RECORDED

2001 OCT 31 PM 3 56

CANYON COUNTY

CLERK

BY *C. McLaughlin*

REQUEST PIONEER NAME
TYPED OFF FEE \$21.00

BC

200(30) 262

CORPORATE DEED

FOR VALUE RECEIVED, E.T.F., INC., an Idaho corporation ("Grantor") does hereby grant, bargain, sell and convey unto B.M.K., INC., an Idaho corporation ("Grantee") whose address is 12997 West Stagecoach Road, Nampa, Idaho 83686, that certain real property situated in Canyon County, Idaho, more particularly described in Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with their appurtenances, unto the said Grantee, its successors and assigns forever.

The said Grantor does hereby covenant to and with the said Grantee that it is the owner in fee simple of said premises and that they are free and clear from all encumbrances, SUBJECT TO AND EXCEPTING the following: current taxes, assessments, encumbrances of record, and easements of record of which may be identified by an inspection of the Property.

TOGETHER WITH, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anyway appertaining, and the reversion or reversions, remainder and remainders, rents, issues and profits thereof; and also all the estate, right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity, of the said Grantor of, in or to the said premises, and every part and parcel thereof, with the appurtenances.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the said Grantee and to its successors and assigns forever.

EXHIBIT "A"

PARCEL 1:

In Section 31, Township 2 North, Range 2 West of the Boise Meridian, Canyon County, Idaho:

BEGINNING at the Northwest corner of Government Lot 3, THE REAL POINT OF BEGINNING; thence

South 89°06'27" East along the North boundary of said Government Lot 3 a distance of 854.95 feet; thence
South 5°00'00" West a distance of 374.96 feet; thence
South 12°55'25" West a distance of 149.02 feet; thence
North 82°33'12" West a distance of 252.41 feet; thence
North 77°29'53" West a distance of 202.42 feet; thence
North 73°09'27" West a distance of 361.75 feet to a point on the West boundary of said Government Lot 3; thence
North 0°51'53" East along the said West boundary a distance of 350.79 feet to the REAL POINT OF BEGINNING.

AND

That portion of Lot 3, Lot 4 and the Southeast quarter of the Northwest quarter in Section 5, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho and lot 4, Section 31, Township 2 North, Range 2 West of the Boise Meridian, Canyon County, Idaho, lying South and West of the following described line:

BEGINNING at a point that is

South 0°52'27" West along the East boundary from the Northeast corner of the said Southeast Quarter of the Northwest Quarter a distance of 300.88 feet to the REAL POINT OF BEGINNING of said line; thence
North 67°31'05" West a distance of 211.05 feet; thence
North 65°30'52" West a distance of 78.97 feet; thence
North 57°38'37" West a distance of 115.35 feet; thence
North 55°25'07" West a distance of 234.79 feet to a point on the North boundary of said Southeast Quarter of the Northwest Quarter; thence continuing
North 55°25'07" West a distance of 23.96 feet; thence
North 54°54'28" West a distance of 112.11 feet; thence
North 51°45'14" West a distance of 119.19 feet; thence
North 49°17'31" West a distance of 197.98 feet; thence
North 52°55'29" West a distance of 513.63 feet; thence
North 52°55'28" West a distance of 55.73 feet; thence
North 40°40'58" West a distance of 108.42 feet; thence
North 28°52'43" West a distance of 193.15 feet; thence
North 33°26'57" West a distance of 60.62 feet; thence
North 73°45'07" West a distance of 191.69 feet; thence
North 52°37'10" West a distance of 59.97 feet; thence

EXHIBIT "A"

continuing

North 52°37'10" West a distance of 157.29 feet; thence
North 53°23'06" West a distance of 236.11 feet; thence
North 55°11'55" West a distance of 273.91 feet; thence
North 60°11'41" West a distance of 162.99 feet; thence
North 60°58'30" West a distance of 172.60 feet to the West boundary of
Government Lot 4, Section 31, Township 2 North, Range 2 West of the Boise
Meridian, Canyon County, Idaho the POINT OF TERMINATION of said line.

Parcel 11:

Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho;

Section 6: Lots 5, 6, 6 and the East Half of the Southwest quarter and the
Southeast quarter

EXCEPT:

BEGINNING at the Northeast corner of said Southeast quarter the REAL POINT OF
BEGINNING; thence

South 0°58'46" West along the East boundary of the said Southeast
quarter, a distance of 254.31 feet; thence

South 75°29'17" West a distance of 174.22 feet; thence
South 79°55'27" West a distance of 241.97 feet; thence
South 88°28'35" West a distance of 280.23 feet; thence
North 84°07'17" West a distance of 111.48 feet; thence
North 78°38'13" West a distance of 358.97 feet; thence
North 79°59'05" West a distance of 185.05 feet; thence
North 82°45'12" West a distance of 472.38 feet; thence
North 75°36'00" West a distance of 86.72 feet; thence
North 71°12'20" West a distance of 331.18 feet; thence
North 74°16'13" West a distance of 279.95 feet to a point on
the North boundary of the said Southeast quarter; thence
South 89°17'47" East along the said North boundary a distance of 2,472.21
feet to the REAL POINT OF BEGINNING.

A PORTION OF PARCEL III

Township 1 North, Range 3 West of the Boise Meridian, Canyon County, Idaho

Section 12: BEGINNING at the Northeast corner of the Northeast quarter of the Northeast quarter the REAL POINT OF BEGINNING; thence

South 0°37'35" West along the East boundary of said Northeast quarter of the Northeast quarter a distance of 200.98 feet; thence

North 88°46'10" West a distance of 234.91 feet; thence

North 58°15'20" West a distance of 73.30 feet; thence

North 57°43'10" West a distance of 309.90 feet to a point on the North boundary of said Northeast quarter of the northeast quarter; thence

South 89°23'00" East along said North boundary a distance of 558.04 feet to the REAL POINT OF BEGINNING.

PLUMBING & WATERWORKS, INC.

EXHIBIT "A"

PARCEL IV:

A portion of the Southwest quarter of the Northeast quarter and the Southeast quarter of the Northeast quarter of Section 7 and a portion of the Southwest quarter of the Northwest quarter of Section 8, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho:

Section 7: BEGINNING at the Southeast Corner of the Southeast Quarter of the Northeast Quarter of Section 7; thence

North 89°54'43" West along the south boundary of said

SE1/4 NE1/4 and of the SW1/4 NE1/4 a distance of 2637.71 feet to the Southwest Corner of said SW1/4 NE1/4; thence

North 0°44'25" East along the west boundary of said SW1/4 NE1/4 a distance of 258.09 feet; thence

North 83°01'11" East a distance of 1299.95 feet; thence

North 74°53'54" East a distance of 82.76 feet; thence

North 82°39'40" East a distance of 560.45 feet; thence

South 89°22'54" East a distance of 161.04 feet; thence

North 78°39'54" East a distance of 111.01 feet; thence

North 85°16'45" East a distance of 229.64 feet; thence

North 88°02'28" East a distance of 217.40 feet to a point

on the east boundary of said SE1/4 NE1/4; thence

South 0°47'27" West along said east boundary a distance of 559.73 feet to the POINT OF BEGINNING.

Section 8: COMMENCING at the Southwest Corner of the Southwest Quarter of the Northwest Quarter of Section 8; thence

North 0°47'27" East along the west boundary of said SW1/4 NW1/4 a distance of 656.20 feet to the Southwest Corner of the NW1/4 of said SW1/4 NW1/4, which point is the TRUE POINT OF BEGINNING; thence

continuing North 0°47'27" East along said west boundary a distance of 308.00 feet; thence

South 88°17'54" East a distance of 661.50 feet to a point on the east boundary of said NW1/4 SW1/4 NW1/4; thence

South 0°43'41" West along said east boundary a distance of 297.00 feet to the southeast corner of said NW1/4 SW1/4 NW1/4; thence

North 89°15'04" West along the south boundary of said NW1/4 SW1/4 NW1/4 a distance of 661.74 feet to the TRUE POINT OF BEGINNING.

AND ALSO

The West Half of the Southwest quarter; the South Half of the Southwest quarter of the Northwest quarter, Section 8, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho;

AND

The South Half of Section 7, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho;

EXCEPTING THEREFROM:

COMMENCING at the Southwest corner of Section 7, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho, and running

Easterly along the South boundary line thereof 1,054 feet to the REAL POINT OF BEGINNING; thence continuing

Easterly along said South boundary line 159 feet; thence Northerly and parallel with the West boundary of said Section 7 a distance of 153 feet; thence Westerly and parallel to the South boundary line of said Section 7 a distance of 159 feet; thence

Southerly and parallel to the West boundary of said Section 7 a distance of 153 feet to the REAL POINT OF BEGINNING.

EXHIBIT "A"

PARCEL VI:

That portion of the Southwest quarter of the Northeast quarter of Section 16, Township 2 North, Range 2 West of the Boise Meridian, Canyon County, Idaho, lying East of the New York Canal.

PARCEL VII:

The Southeast quarter of the Southwest quarter of Section 15, Township 2 North, Range 2 West of the Boise Meridian, Canyon County, Idaho.

PARCEL VIII:

The Southwest quarter of the Northwest quarter of Section 16, Township 2 North, Range 2 West of the Boise Meridian, Canyon County, Idaho.

PARCEL IX:

The Northeast quarter of the Northwest quarter of Section 22, Township 2 North, Range 2 West of the Boise Meridian, Canyon County, Idaho;

EXCEPTING THEREFROM:

A parcel of land located in a portion of the Northeast quarter of the Northwest quarter of Section 22, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

Commencing at the Northeast corner of said Northeast quarter of the Northwest quarter of Section 22, being a 5/8" Still Pin with an Aluminum Cap and the North quarter corner of said Section 22; thence

South 00°15'00" West along the East line of said Northeast quarter of the Northwest quarter, a distance of 641.49 feet to a steel pin being the Northeast corner of said parcel and the TRUE POINT OF BEGINNING, thence continuing

South 00°15'00" West along said East line, a distance of 127.00 feet to a Steel pin, being the Southeast corner of said parcel, from whence the Center quarter corner of said section bears

South 00°15'00" West, a distance of 1,872.50 feet; thence leaving said East line,

North 89°45'00" West, a distance of 259.79 feet to a steel pin being the Southwest corner of said Parcel; thence

North 00°15'00" East, a distance of 155.29 feet to a steel pin being the Northwest corner of said parcel; thence

South 33°32'07" East, a distance of 261.33 feet to the TRUE POINT OF BEGINNING.

EXHIBIT "A"

ALSO EXCEPTING THEREFROM:

The North 925 feet of the West 360 feet of the Northeast quarter of the Northwest quarter of the Northeast quarter of the Northwest quarter of Section 22, Township 2 North, Range 2 West of the Boise Meridian, Canyon County, Idaho.

ALSO EXCEPTING THEREFROM:

This parcel is a portion of the Northeast quarter of the Northwest quarter, Section 22, Township 2 North, Range 2 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

BEGINNING at the Northeast corner of the said Northeast quarter of the Northwest quarter; thence

South 0°15'00" West along the East boundary of the said Northeast quarter of the Northwest quarter, a distance of 303.00 feet; thence

North 89°50'00" West parallel with the North boundary of the said Northeast quarter of the Northwest quarter, a distance of 193.00 feet; thence

North 0°15'00" East parallel with the said East boundary, a distance of 303.00 feet to a point on the said North boundary; thence

South 89°50'00" East along the said North boundary a distance of 193.00 feet to the TRUE POINT OF BEGINNING.

PARCEL X:

An easement for the location of repair and maintenance of a pipeline as constructed on March 20, 1989, said easement recorded March 21, 1989 as Instrument No. 8904940, records of Canyon County, Idaho.

Said easement runs approximately from the Southwest corner of that property described in PARCEL I, being in Government Lot 3 of Section 31, Township 2 North, Range 2 West of the Boise Meridian, Canyon County, Idaho and running thence in a Southerly direction across said Lot 3 and across Lot 4 of Section 31, Township 2 North, Range 2 West and continuing in a Southerly direction across Government Lot 4 of Section 6, Township 1 North, Range 2 West until such line crosses the North line of the property described in the above described PARCEL II.

PARCEL XI:

The East half of the Northeast quarter of Section 13, Township 2 North, Range 2 West of the Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM:

Lot 4 in the Northeast quarter of the Northeast quarter south of the reservoir in Section 18, Township 2 North, Range 2 West of the Boise Meridian, Canyon County, Idaho.

EXHIBIT "A"

PARCEL XII:

The Northeast quarter of the Southwest quarter and the Northwest quarter of the Southeast quarter North of the Canal of Section 15, Township 2 North, Range 2 West of the Boise Meridian, Canyon County, Idaho;

EXCEPTING THEREFROM:

The East 145 feet of the North 800 feet and less Tax 3 of Section 15, Township 2 North, Range 2 West of the Boise Meridian, Canyon County, Idaho.

200130262

RECORDED

2001 JUL 30 PM 2 12

G NOEL HALLS
CANYON CITY RECORDER

REQUEST *BMK*
TYPE *DEED* FOR *3000*

200100275

THIS FORM FURNISHED COURTESY OF:

ALLIANCE TITLE & ESCROW CORP.

READ & APPROVED BY GRANTEE(S):

SPACE ABOVE THIS LINE FOR RECORDING DATA

Order No.: 00024266 JG/CH

QUITCLAIM DEED

FOR VALUE RECEIVED TIEGS FAMILY FARMS LIMITED PARTNERSHIP

do(es) hereby CONVEY, RELEASE, REMISE and FOREVER QUIT CLAIM unto GRANTOR(S)
Idaho corporation RTF, INC., an

GRANTEE(S)
whose current mailing address is: 12997 W. STAGE COACH RD, NAMPA, ID 83686
the following described property located in CANYON County, State of Idaho,
more particularly described as follows, to wit:

As set forth on the attached EXHIBIT "A", which by reference
becomes a part hereof.

together with their appurtenances.

Dated: December 21, 2000

TIEGS FAMILY FARMS LIMITED PARTNERSHIP

By: William B. Cunningham, General Manager

STATE OF IDAHO
COUNTY OF ADA

On this 3RD day of JANUARY 2001, before me a Notary Public,
personally appeared WILLIAM B. CUNNINGHAM known or
identified to me to be the partner(s) in the partnership of Tieg's Family Farms Limited
Partnership and the partner(s) who subscribed said partnership name to the foregoing
instrument, and acknowledged to me that he/she/they executed the same in said
partnership name.

Sandra L. Childs
Notary Public

My commission expires: 9/17/2002

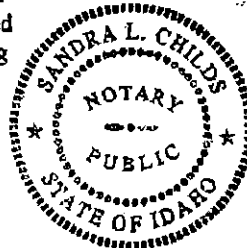


EXHIBIT "A"

PARCEL I:

The South Half of Section 7, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho, EXCEPTING THEREFROM THE FOLLOWING DESCRIBED REAL PROPERTY, TO-WIT:

Commencing at the Southwest corner of Section 7, Township 1 North, Range 2 West of the Boise Meridian in Canyon County, Idaho, and running Easterly along the South boundary line thereof, 1054 feet to the Real Point of Beginning; thence continuing Easterly along said South boundary line, 159 feet; thence Northerly and parallel with the West boundary of said Section 7, a distance of 153 feet; thence Westerly and parallel to the South boundary line of said Section 7, 159 feet; thence Southerly and parallel to the West boundary of said Section 7, a distance of 153 feet to the Real Point of Beginning.

PARCEL II:

The West Half of the Southwest Quarter; the South Half of the Southwest Quarter of the Northwest Quarter, Section 8, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho.

200100275

RECORDED

91 JAN 3 PM 1 2P

NOEL HALES

CANYON CNTY RECORDER

BY *John A. Hales*

REQUEST *William Clements*

TYPE *See 600* FEB 600

200100276

THIS FORM FURNISHED COURTESY OF:

ALLIANCE TITLE & ESCROW CORP.

READ & APPROVED BY GRANTEE(S): _____

SPACE ABOVE THIS LINE FOR RECORDING DATA

Order No.:00024266 JG/CH

QUITCLAIM DEED

FOR VALUE RECEIVED TIEGS FARMS, INC., an Idaho corporation

GRANTOR(S)

do(es) hereby CONVEY, RELEASE, REMISE and FOREVER QUIT CLAIM unto TIEGS FARMS
FAMILY LIMITED PARTNERSHIP, an Idaho limited partnership

GRANTEE(S)

whose current mailing address is: 12997 W. STAGE COACH RD, NAMPA, ID 83686
the following described property located in CANYON County, State of Idaho,
more particularly described as follows, to wit:

As set forth on the attached EXHIBIT "A", which by reference
becomes a part hereof.

together with their appurtenances.

Dated: December 21, 2000

TIEGS FARMS, INC.

By: William B. Cunningham, President

State of IDAHO

County of ADA

On this 3RD day of JANUARY in the year 2001, before me, a
Notary Public personally appeared WILLIAM B CUNNINGHAM
known or identified to me to be the PRESIDENT of the corporation that
executed the instrument or the person who executed the instrument on behalf of said
corporation, and acknowledged to me that such corporation executed the same.

Sandra L. Childs
Notary Public

comm expires: 9/17/2002

residing at: BOISE, IDAHO

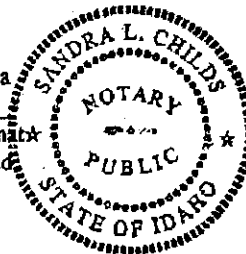


EXHIBIT "A"

LEGAL DESCRIPTIONS

PARCEL IV:

A portion of the Southwest quarter of the Northeast quarter and the Southeast quarter of the Northeast quarter of Section 7 and a portion of the Southwest quarter of the Northwest quarter of Section 8, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho:

Section 7: BEGINNING at the Southeast Corner of the Southeast Quarter of the Northeast Quarter of Section 7; thence

North 89°54'43" West along the south boundary of said

SE1/4 NE1/4 and of the SW1/4 NE1/4 a distance of 2637.71 feet to the Southwest Corner of said SW1/4 NE1/4; thence

North 0°44'25" East along the west boundary of said SW1/4 NE1/4 a distance of 258.09 feet; thence

North 83°01'11" East a distance of 1299.95 feet; thence

North 74°53'54" East a distance of 82.76 feet; thence

North 82°39'40" East a distance of 360.45 feet; thence

South 89°22'54" East a distance of 161.04 feet; thence

North 78°39'54" East a distance of 111.01 feet; thence

North 85°16'45" East a distance of 229.64 feet; thence

North 88°02'28" East a distance of 217.40 feet to a point

on the east boundary of said SE1/4 NE1/4; thence

South 0°47'27" West along said east boundary a distance of 559.73 feet to the POINT OF BEGINNING.

Section 8: COMMENCING at the Southwest Corner of the Southwest Quarter of the Northwest Quarter of Section 8; thence

North 0°47'27" East along the west boundary of said SW1/4 NW1/4 a distance of 656.29 feet to the Southwest Corner of the NW1/4 of said SW1/4 NW1/4, which point is the TRUE POINT OF BEGINNING; thence

continuing North 0°47'27" East along said west boundary a distance of 308.00 feet; thence

South 88°17'54" East a distance of 661.50 feet to a point on the east boundary of said NW1/4 SW1/4 NW1/4; thence

South 0°43'41" West along said east boundary a distance of 297.00 feet to the southeast corner of said NW1/4 SW1/4 NW1/4; thence

North 89°15'04" West along the south boundary of said NW1/4 SW1/4 NW1/4 a distance of 661.74 feet to the TRUE POINT OF BEGINNING.

AND ALSO

The West Half of the Southwest quarter; the South Half of the Southwest quarter of the Northwest quarter, Section 8, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho;

AND

The South Half of Section 7, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho;

EXCEPTING THEREFROM:

COMMENCING at the Southwest corner of Section 7, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho, and running

Easterly along the South boundary line thereof 1,054 feet to the REAL POINT OF BEGINNING; thence continuing

Easterly along said South boundary line 159 feet; thence Northerly and parallel with the West boundary of said Section 7 a distance of 153 feet; thence

Westerly and parallel to the South boundary line of said Section 7 a distance of 159 feet; thence

Southerly and parallel to the West boundary of said Section 7 a distance of 153 feet to the REAL POINT OF BEGINNING.

200100276

RECORDED

01 JAN 3 PM 1 28 '91

NOEL HALE

CANYON CNTY RECORDER CA

BY *[Signature]* BY

REQUESTED *[Signature]* RE

TYPED *[Signature]* BY

9711819

DEED

ORIGINAL

3.4

FOR VALUE RECEIVED, TIEGS FARMS FAMILY LIMITED PARTNERSHIP, an Idaho limited partnership ("Grantor") does hereby grant, bargain, sell and convey unto E.T.F., INC., an Idaho corporation ("Grantee") whose address is 12997 West Stagecoach Road, Nampa, Idaho 83686, that certain real property situated in Canyon County, Idaho, more particularly described in Exhibit A attached hereto and made a part hereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with their appurtenances, unto the said Grantee, its successors and assigns forever.

The said Grantor does hereby covenant to and with the said Grantee that it is the owner in fee simple of said premises and that they are free and clear from all encumbrances, SUBJECT TO AND EXCEPTING the following: current taxes, assessments, encumbrances of record, and easements of record or which may be identified by an inspection of the Property.

TOGETHER WITH, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and also all the estate, right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity, of the said Grantor of, in or to the said premises, and every part and parcel thereof, with the appurtenances.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the said Grantee and to its successors and assigns forever.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand and seal as of the 2nd day of January 1997.

TIEGS FARMS FAMILY LIMITED PARTNERSHIP

By: William B. Cunningham
William B. Cunningham, General Partner

By: Bonnie Cunningham
Bonnie Cunningham, General Partner

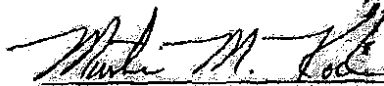
STATE OF IDAHO)

ss.

County of Canyon)

On this 7th day of April, 1997, before me, a Notary Public in and for said State, personally appeared WILLIAM ^{AK} CUNNINGHAM and BONNIE CUNNINGHAM, known or identified to me to be the general partners of TIEGS FARMS FAMILY LIMITED PARTNERSHIP who subscribed said partnership name on the foregoing instrument, and acknowledged to me that they 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.



Notary Public for Idaho

Residing at Nampa, Idaho

My Commission Expires: 11/5/98

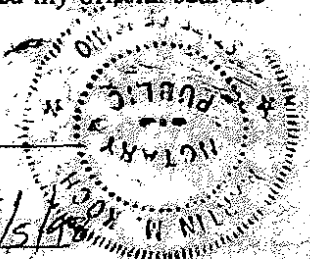


EXHIBIT "A"

LEGAL DESCRIPTIONS

PARCEL IV:

A portion of the Southwest quarter of the Northeast quarter and the Southeast quarter of the Northeast quarter of Section 7 and a portion of the Southwest quarter of the Northwest quarter of Section 8, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho:

Section 7: BEGINNING at the Southeast Corner of the Southeast Quarter of the Northeast Quarter of Section 7; thence

North 89°54'43" West along the south boundary of said

SE1/4 NE1/4 and of the SW1/4 NE1/4 a distance of 2637.71 feet to the Southwest Corner of said SW1/4 NE1/4; thence

North 0°44'25" East along the west boundary of said SW1/4 NE1/4 a distance of 258.09 feet; thence

North 83°01'11" East a distance of 1299.95 feet; thence

North 74°53'54" East a distance of 82.76 feet; thence

North 82°39'40" East a distance of 560.45 feet; thence

South 89°22'54" East a distance of 161.04 feet; thence

North 78°39'54" East a distance of 111.01 feet; thence

North 85°16'45" East a distance of 229.64 feet; thence

North 88°02'28" East a distance of 217.40 feet to a point

on the east boundary of said SE1/4 NE1/4; thence

South 0°47'27" West along said east boundary a distance of 559.73 feet to the POINT OF BEGINNING.

Section 8: COMMENCING at the Southwest Corner of the Southwest Quarter of the Northwest Quarter of Section 8; thence

North 0°47'27" East along the west boundary of said SW1/4 NW1/4 a distance of 656.20 feet to the Southwest Corner of the NW1/4 of said SW1/4 NW1/4, which point is the TRUE POINT OF BEGINNING; thence

continuing North 0°47'27" East along said west boundary a distance of 308.00 feet; thence

South 88°17'54" East a distance of 661.50 feet to a point on the east boundary of said NW1/4 SW1/4 NW1/4; thence

South 0°43'41" West along said east boundary a distance of 297.00 feet to the southeast corner of said NW1/4 SW1/4 NW1/4; thence

North 89°15'04" West along the south boundary of said NW1/4 SW1/4 NW1/4 a distance of 661.74 feet to the TRUE POINT OF BEGINNING.

AND ALSO

The West Half of the Southwest quarter; the South Half of the Southwest quarter of the Northwest quarter, Section 8, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho;

AND

The South Half of Section 7, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho;

EXCEPTING THEREFROM:

COMMENCING at the Southwest corner of Section 7, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho, and running

Easterly along the South boundary line thereof 1,054 feet to the REAL POINT OF BEGINNING; thence continuing

Easterly along said South boundary line 159 feet; thence Northerly and parallel with the West boundary of said Section 7 a distance of 153 feet; thence Westerly and parallel to the South boundary line of said Section 7 a distance of 159 feet; thence

Southerly and parallel to the West boundary of said Section 7 a distance of 153 feet to the REAL POINT OF BEGINNING.

9711819

RECORDED

97 APR 16 PM 2 53

NED J KERR

CANYON CNTY RECORDER

BY W. H. Kerr

REQUEST Deed Fee
TYPE Deed Fee 12.00

INSTRUMENT NO. 8709030

CORRECTED WARRANTY DEED

FOR VALUE RECEIVED, ELMER H. TIEGS and ESTHER W. TIEGS, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto TIEGS FAMILY FA'S LIMITED PARTNERSHIP, of Route 4, Box 4233, Nampa, Idaho, 83651, the Grantee, the following described premises, situated in Canyon County, State of Idaho, to-wit:

PARCEL I:

The South Half of Section 7, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho, EXCEPTING THEREFROM THE FOLLOWING DESCRIBED REAL PROPERTY, TO-WIT:

Commencing at the Southwest corner of Section 7, Township 1 North, Range 2 West of the Boise Meridian in Canyon County, Idaho, and running Easterly along the South boundary line thereof, 1054 feet to the Real Point of Beginning; thence continuing Easterly along said South boundary line, 159 feet; thence Northerly and parallel with the West boundary of said Section 7, a distance of 153 feet; thence Westerly and parallel to the South boundary line of said Section 7, 159 feet; thence Southerly and parallel to the West boundary of said Section 7, a distance of 153 feet to the Real Point of Beginning.

PARCEL II:

The West Half of the Southwest Quarter; the South Half of the Southwest Quarter of the Northwest Quarter, Section 8, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho.

THIS WARRANTY DEED is intended to correct the legal description contained in that certain Warranty Deed, dated December 29, 1983, and recorded on December 30, 1983, as Instrument No. 995680, records of the County Recorder of Canyon County, Idaho.

1 TO HAVE AND TO HOLD The said premises, with their
2 appurtenances unto the said Grantee, its successors and assigns
3 forever. And the said Grantors do hereby covenant to and with
4 the said Grantee, that they are the owners in fee simple of said
premises; that said premises are free from all encumbrances, and
that they will warrant and defend the same from all lawful claims
whatsoever.

5 Dated this 26th day of March, 1987.

6 Elmer H. Tiegs
7 Elmer H. Tiegs

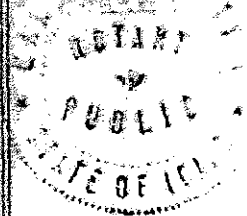
8 Esther W. Tiegs
9 Esther W. Tiegs

10 STATE OF IDAHO)
11) ss.
12 County of Canyon)

13 On this 26th day of March, 1987, before me, the
14 undersigned, a Notary Public in and for said State, personally
15 appeared ELMER H. TIEGS and ESTHER W. TIEGS, husband and wife,
16 known to me to be the persons whose names are subscribed to the
17 within instrument, and acknowledged to me that they executed the
18 same.

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

22 Carol A. McIntyre
23 Notary Public for Idaho
24 Residing at: Caldwell, Idaho



RECORDED
BY Deed FILE 11-00
GIGRAY-MILLER-D-W ATTYS

RECORDED
BY Carroll
CANTON-RECORDER

87 APR 28 PM 3 37

RECORDED

8709030

INSTRUMENT NO.
995680

WARRANTY DEED

For Value Received ELMER TIEGS and ESTHER TIEGS, husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto TIEGS FAMILY FARMS, a limited partnership,

of Route 4, Box 4233, Nampa, Idaho, 83651
the grantee, the following described premises, situated in Canyon
County, State of Idaho, to-wit:

The South Half of Section 7; the East Half of
the Southwest Quarter of Section 8, all situate
in Township 1 North, Range 2 West of the Boise
Meridian, Canyon County, Idaho.

REQUEST
TYPE Deed FOR 2.00
SILVIA MILLER-D-W ATTYS

BY S. J. Shoultz
CANYON COUNTY RECORDER

DEC 30 3 49 PM '83

FILED

995680

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its successors ~~here~~ and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that said premises are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.
Dated: December 29, 1983.

Elmer H. Tieg
Esther W. Tieg

STATE OF IDAHO, COUNTY OF CANYON) ss.

On this 29 day of December, 19 83,
before me, a notary public in and for said State, personally appeared
ELMER TIEGS and ESTHER TIEGS,
husband and wife,

known to me to be the persons, who se names are
subscribed to this instrument, and acknowledged to me that
they executed the same.

Norma Weston
Notary Public

Residing at Caldwell, Idaho

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the
request of
at _____ minutes past _____ o'clock m., this
day of _____ 19____
in my office, and duly recorded in Book _____ of Deeds at
page _____

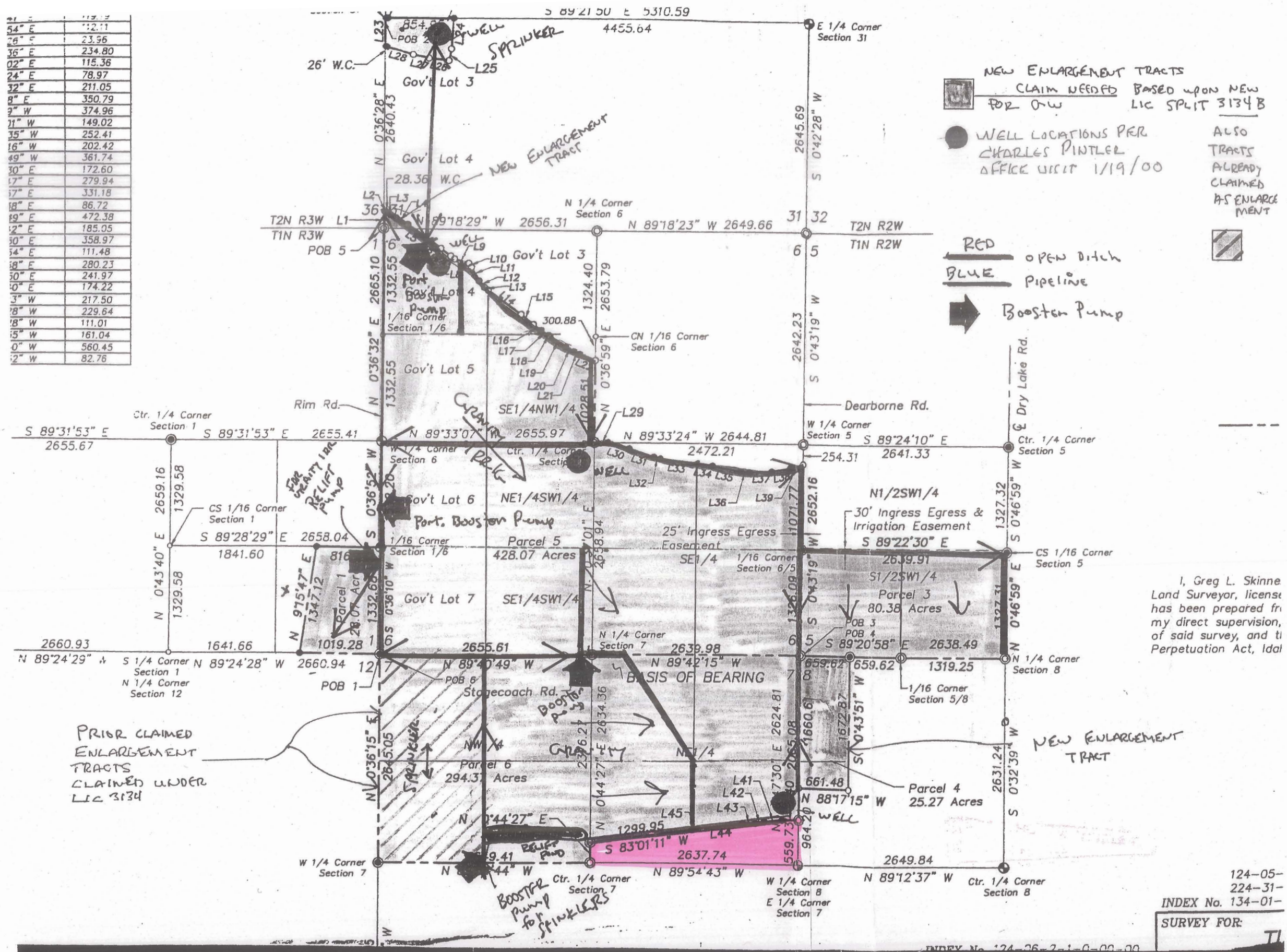
Ex-Officio Recorder

By _____

Deputy

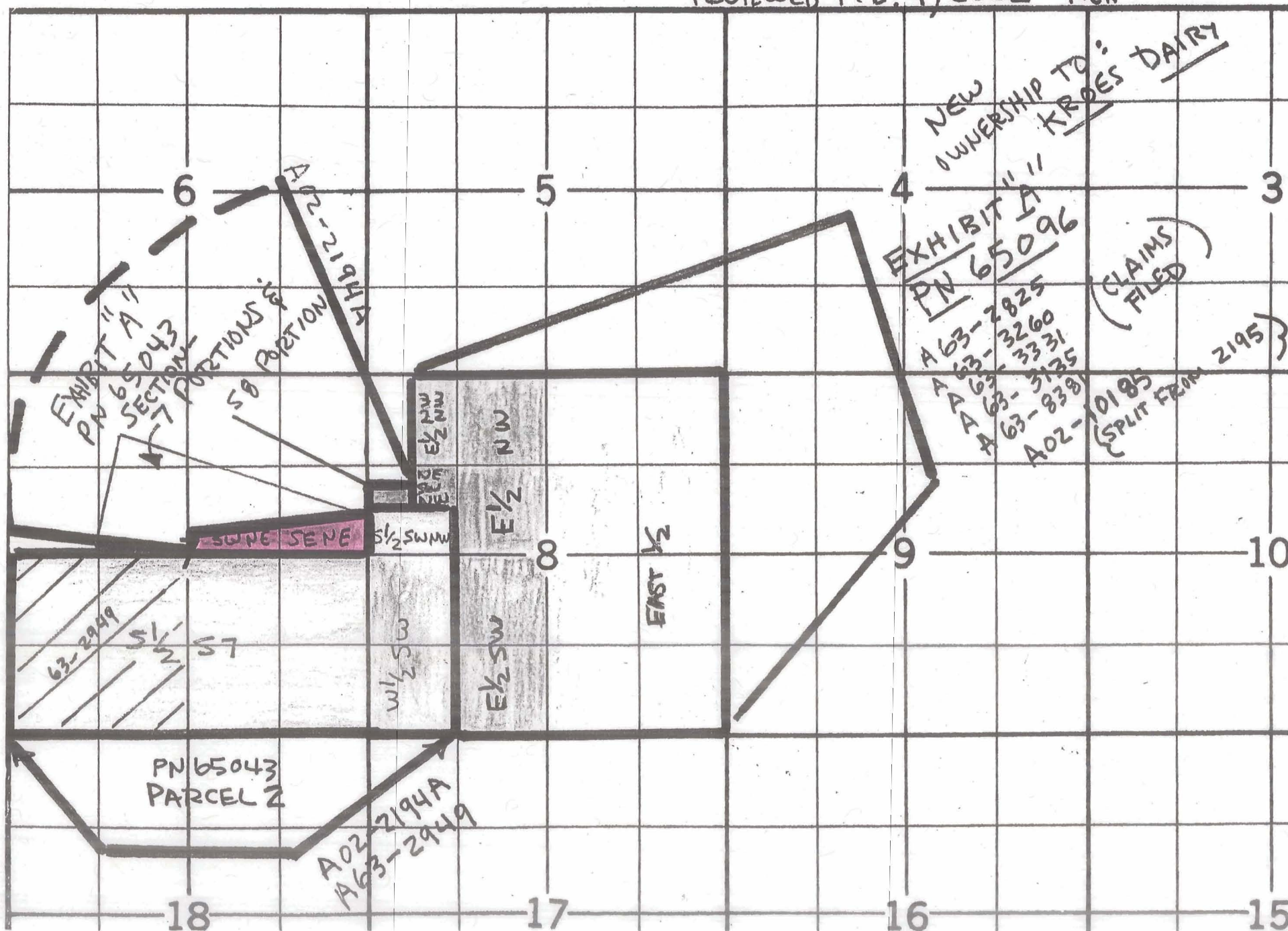
Fees \$
Mail to:

54" E	12.11
26" E	23.96
36" E	234.80
02" E	115.36
24" E	78.97
32" E	211.05
8" E	350.79
7" W	374.96
21" W	149.02
35" W	252.41
16" W	202.42
49" W	361.74
30" E	172.60
17" E	279.94
17" E	331.18
18" E	86.72
19" E	472.38
12" E	185.05
30" E	358.97
34" E	111.48
18" E	280.23
30" E	241.97
0" E	174.22
3" W	217.50
18" W	229.64
18" W	111.01
15" W	161.04
0" W	560.45
2" W	82.76



CARD NO.

REVIEWED FEB. 4, 2002 RCH TOWNSHIP



T 5940

5 H
17.1

4 H
92.5

3 H
64.8

11
13.7

12
10.2

T. 1 North

10
71.5

11
76.7

8 H
37.6

9 H
36.1

12
7

T 5940

13 H
33.2

12
4.4

6
7.8

14
25.4

18
33.3

19 H
30.5

20 NH
19.3

16 H
16.5

15
3.3 NH

23 H
77.7

22 H
5.4

21 NH
5.0

24 NH
4.3

T 5939

T 5939

20.5

2
27.5

3 H
45.4

4 H
27.5

11
34.0

10
10.8

9
33.0

8 H
22.7

7
10.6

6
90.2

5
96.0

12
7

13
7.8

18
17.4

7.0

T 3798

T 36

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: A63-03134A
Date Received: 2/28/1990
Receipt No: X777777
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: ELMER H TIEGS 208-466-1698
Address: BOX 12035 WEST STAGECOACH RD
NAMPA ID 83686

2. Date of Priority: JUL 9, 1958

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	02W	6	NW	NW	16		CANYON
			NE	SW	17		CANYON
		7	SE	NE	36		CANYON

5. Description of diverting works:
3 WELLS, PUMPS, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.490		

7. Total Quantity Appropriated is:
0.490 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	02W	6	NE	SE		IRR	9.0
			NW	SE		IRR	5.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	14.0
		7	SW	NE	IRR	11.0
			SE	NE	IRR	15.0
					Section Acres	26.0
					Total Acres	40.0

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:

NAMPA-MERIDIAN IRR. DIST., HAT BUTTE MUTUAL & A63-03275.

14. Remarks:

THIS CLAIM IS A RESULT OF A SPLIT DUE TO CHANGE IN OWNERSHIP.

15. Basis of Claim: LICENSE

Water Right Number: 27466

09/06/2006

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

RIGHT NUMBER: 63-31477

NAME AND ADDRESS: SUNRIDGE DAIRY LLC
4890 DRY LAKE RD
NAMPA ID 83686

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.320 CFS
117.000 AFY

PRIORITY DATE: 07/09/1958

POINT OF DIVERSION:

T01N R02W S6 NWNW Within CANYON County

T01N R02W S6 NESW Within CANYON County

T01N R02W S7 SENE Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.320 CFS
117.00 AFY

PLACE OF USE: IRRIGATION Within CANYON County

T01N R02W S07 SWNE 11.00 T01N R02W S07 SENE 15.00

26 ACRES TOTAL

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

This right is a split from former right 63-3134A.

Idaho Department of Water Resources

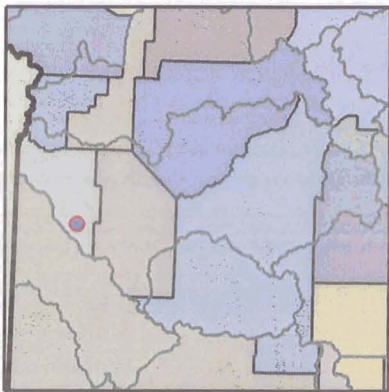
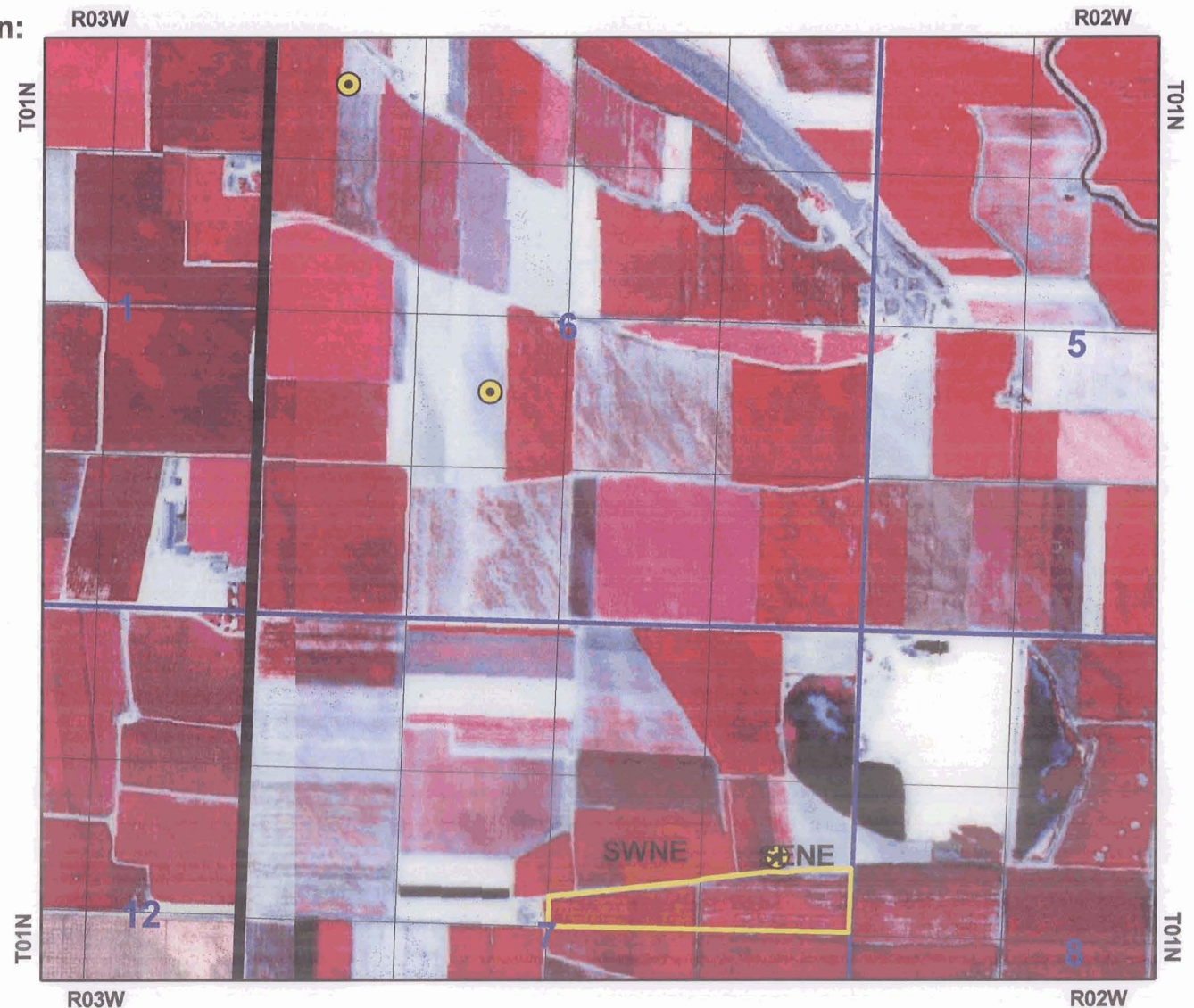
SRBA Recommendation:

63-31477

(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters

Canyon County
IDWR Basin 63

0 0.6 1.2 Miles

Prepared by S. Egbert
On Wednesday, September 6, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31477 V1

WATER RIGHT NUMBER: 63-31477 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ELMER H TIEGS BOX 12035 W STAGECOACH RD NAMPA, ID 83686 (208)466-1698
Original Owner	KROES DAIRY 14661 HAVEN AVE CHINO, CA 91710
Current Owner	SUNRIDGE DAIRY LLC 4890 DRY LAKE RD NAMPA, ID 83686

Priority Date: 07/09/1958

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.320 CFS	117.00 AF
	<u>Total Diversion:</u>	0.320 CFS	117.00 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4	Sec. 7,	Twp 01N,	Rge 02W, B.M.
CANYON County				
GROUND WATER	NE1/4SW1/4	Sec. 6,	Twp 01N,	Rge 02W, B.M.
CANYON County				
GROUND WATER	NW1/4NW1/4	Sec. 6,	Twp 01N,	Rge 02W, B.M.
CANYON County				

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	02W	7			11.0	15.0													26.0

Total Acres: 26

Conditions of Approval:

1. P21 This right is a split from former right 63-3134A.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31477 V1

2. C18 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.

Remarks:Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	9/6/2006 12:24:00 PM	segbert			Active
POD	9/6/2006 12:24:20 PM	segbert			Active
Source	9/6/2006 12:24:38 PM	segbert			Active
POU	9/6/2006 12:24:52 PM	segbert			Active
Use	9/6/2006 12:25:07 PM	segbert			Active
Season	9/6/2006 12:26:05 PM	segbert			Active
Quantity	9/6/2006 12:27:05 PM	segbert			Active
Summary			09/06/2006	segbert	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	9/6/2006 12:24:21 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31477 V1

Source	9/6/2006 12:24:38 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	9/6/2006 12:24:53 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Summary	9/6/2006 12:35:52 PM	segbert	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
General	9/6/2006 12:24:01 PM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
Use	9/6/2006 12:25:08 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31477 V1

Season	9/6/2006 12:26:06 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	9/6/2006 12:27:05 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required?
POD	9/6/2006 11:18:43 AM	segbert	Updated shape
POD	9/6/2006 11:19:02 AM	segbert	Updated shape
POD	9/6/2006 11:19:17 AM	segbert	Updated shape
POU	9/6/2006 11:19:47 AM	segbert	Updated shape for Active POU

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31477

WATER RIGHT NUMBER: 63-31477

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ELMER H TIEGS BOX 12035 W STAGECOACH RD NAMPA, ID 83686 (208)466-1698
Original Owner	KROES DAIRY 14661 HAVEN AVE CHINO, CA 91710
Current Owner	SUNRIDGE DAIRY LLC 4890 DRY LAKE RD NAMPA, ID 83686

Priority Date: 07/09/1958 ✓

Basis: License ✓

Status: Active ✓

<u>Source</u>	<u>Tributary</u>
GROUND WATER ✓	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION ✓	03/15	11/15	0.320 CFS	117.0
	3-1		<u>Total Diversion:</u> 0.320 CFS	4.5 x acres

<u>Location of Point(s) of Diversion</u>		
GROUND WATER	SE1/4NE1/4 ✓	Sec. 7, Twp 01N, Rge 02W, B.M.
CANYON County		
GROUND WATER	NE1/4SW1/4 ✓	Sec. 6, Twp 01N, Rge 02W, B.M.
CANYON County		
GROUND WATER	NW1/4NW1/4 ✓	Sec. 6, Twp 01N, Rge 02W, B.M.
CANYON County		

Place of Use
IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	02W	7			11.0	15.0													26.0

Total Acres: 26

Conditions of Approval:

1. This claim is the result of a split due to change in ownership for a portion of 63-3134A. DB 4/22/2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31477

2. Ownership changed by DB 3/30/2004

Remarks:Comments:Dates and Other Information:

Claim Received Date: 2/28/1990
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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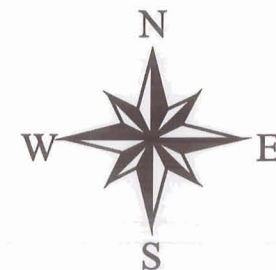
Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

KROES DAIRY SPLIT
Date Prepared: 04-22-02
Prepared By: Ron Howerton



T01N, R02W
S07



-  **Point of Diversion**
-  **Place of use**
-  **Section**
-  **Quarter/Quarter**

26.0 Acres

1987 NAPP

0 0.25 0.5 0.75 Miles

State of Idaho

License and Certificate of Water Right

Water License No. G-27466Amount 8.56 c.f.s.

Water District No. _____

Priority July 9, 1958

THIS IS TO CERTIFY that ELMER H. TIEGS
 of Nampa, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated July 9, 19 58; that Permit No. G-27466
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
8.56 second feet, was issued thereunder on July 15, 19 64, showing that said works
 were completed on the 17th day of May, 19 63; and that on the 17th
 day of May, 19 63,

ELMER H. TIEGS
 of Nampa, State of Idaho, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of 3 wells
a tributary of subterranean flow, for the purpose of irrigation
under Use Permit No. G-27466 of the Department of Reclamation
 and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
 and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
12 of Licenses at page 869, on the 15 day of July, 19 64;

The right hereby confirmed dates from July 9, 19 58;

The Point of Diversion is located NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 6; SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 7
 in the -- $\frac{1}{4}$ -- $\frac{1}{4}$, Sec. --, Tp. 1 N., R. 2 W., B. M. Canyon County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
 aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
 not exceed 8.56 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 N.	2 W.	6	NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	30
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	35
			N $\frac{1}{2}$ S $\frac{1}{2}$	160	160
			S $\frac{1}{2}$ SE $\frac{1}{4}$	80	80
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
		7	NE $\frac{1}{4}$	160	160
			E $\frac{1}{2}$ NW $\frac{1}{4}$	80	80
			Total number of acres to be irrigated:		
			625		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
 of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
15th day of July, 19 64.

s/ RALPH W. THOMAS
 Deputy State Reclamation Engineer.

(SEAL)

63 2134

State of Idaho

License and Certificate of Water Right

Water License No. G-26779Amount 3.26 c.f.s.

Water District No. _____

Priority February 28, 1957

THIS IS TO CERTIFY that LAURA L. MARTIN
 of Jerome, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated February 28, 19 57; that Permit No. G-26779
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.26 second feet, was issued thereunder on July 15, 1964, showing that said works
 were completed on the 7th day of January, 19 64; and that on the 7th
 day of January, 19 64,

LAURA L. MARTIN
 of Jerome, State of Idaho, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of a well
 , a tributary of subterranean flow , for the purpose of irrigation
 , under Use Permit No. G-26779 of the Department of Reclamation
 and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
 and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
12 of Licenses at page 7870, on the 15 day of July, 19 64;

The right hereby confirmed dates from February 28, 19 57;

The Point of Diversion is located

in the SE 1/4 NE 1/4, Sec. 22, Tp. 7 S, R. 17 E, B. M. Jerome County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
 aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
 not exceed 3.26 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 S	17 E	22	NE 1/4 NE 1/4	40	40
			NW 1/4 NE 1/4	40	37
			SE 1/4 NE 1/4	40	40
			E 1/2 SE 1/4	80	80
			SW 1/4 SE 1/4	40	35
			NE 1/4 NW 1/4	40	3
			Total number	of acres to be irrigated:	235

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
 of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
15th day of July, 19 64.

RALPH W. THOMAS

Deputy State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 35399
 Permit No. G- 27466
 District No.

Elmer H. Ties
 Rt. 4, 1/2
 Nampa, Idaho

1. Name of Applicant: **ELMER H. TIES**
 Postoffice address: **Rt. 4, 1/2** County: **Canyon** State: **Idaho**
2. Quantity of water claimed: **18.2 cubic feet per second**
 (a) Rate of withdrawal in cubic feet per second. **18.2** or Idaho
 Miners' inches **910** or gallons per minute.
 (b) Annual withdrawal in acre feet per annum
3. Source of water supply: **Subterranean wells**
4. Location of point of diversion or well is in the **NE 1/4 NW 1/4 and NE 1/4 SW 1/4 Sec. 6; SE 1/4 NE 1/4 Sec. 7, Twp. 1 N., Rge. 2 W.B.M.**
NE 1/4 NE 1/4 and NW 1/4 NW 1/4 Sec. 12, Twp. 1 N., Rge. 3 W.B.M.
 Twp. **1 N.**, Rge. **3 W.B.M.**, County of **Canyon**
5. Water is to be used for: **Irrigation**
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the **1/4 of the 1/4 of Section**, Twp. **1 N.**, Rge. **3 W.B.M.**
 - (b) Waste water or sewage effluent is to be returned to
 at a point in the **1/4 of the 1/4 of Section**, Twp. **1 N.**, Rge. **3 W.B.M.**
7. Kind of works: **Wells, pumps pipe and ditch**
8. Estimated cost of works: **\$ 110,000**
9. (a) Is reservoir to be used? **Holding pond about 25 AF**
 (b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is **5** years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
 (b) Amount of capital stock: \$ (c) Amount paid in: \$
 (d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
 (b) Treasury stock: (c) Bonds to be issued:
 (d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: **none**
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) **18.2** (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks: Well in NW1/4 Sec. 12 started producing in 1956. Both wells in Sec. 6 started producing in 1958.

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

/s/ Elmer H. Tiegs
Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: July 9, 1958 - 4:00 P. M.

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-27466

Recorded in Book 97 Page 27466 Approved August 5, 1958

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before February 5, 1961

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before August 5, 1963

Witness my hand this 5th day of August, 1958

/s/ GEO. M. CARTER
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLER, Governor of the State of Idaho, and JAS. H. YOUNG, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 5th day of August, 1958.

Countersigned:

STATE OF IDAHO

(SEAL)

By /s/ JAS. H. YOUNG
Secretary of State.

By /s/ ROBERT E. SMYLER
Governor

12.

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
1 N.	2 W.	6					30	40	40		40	40	40		40	40	40	40	390
		7	40	40	40	40	40			40									240
1 N.	3 W.	12	40	40	40	40	40	20	20	40									280
																			910

TO WHOM IT MAY CONCERN:

Permit No. G-27466
CERTIFICATE OF COMPLETION OF WORKS

This is to certify that ELMER H. TIEGS of Nampa, County of Canyon, and State of Idaho, the holder of Permit No. G-27466, issued upon Application No. G-35399, bearing date of priority of July 9, 1958, authorizing the diversion of 18.2 second feet of waters of wells, County of Canyon, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 8.56 second feet of the waters of three wells from subterranean flow; that the points of diversion of said waters NW1/4, NE1/4, Sec. 6; SE1/4, Sec. 7, T. 1 N., R. 2 W., S. 1 E.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

625 acres in NW1/4, S1/4, N1/4, S1/4, SE1/4, Sec. 6; NE1/4, E1/4, Sec. 7, T. 1 N., R. 2 W., S. 1 E.

Witness my hand this 15th day of July, A. D. 1964

/s/ RALPH W. THOMAS, Deputy
State Reclamation Engineer

Proof of Completion of Works Made: May 17, 1963

PLATE ISSUED FOR 8.56 SEC. FT.
LICENSE PAGE NO. 7869

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. G-27466

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Elmer H. Tiegs
2. Source of water supply: Subterranean
NW 1/4 & NE 1/4 Sec. 6., SE 1/4 Sec. 7.,
3. Location of point of diversion: Is in the NW 1/4 & NW 1/4 of Section 12
1 N. 2 W. B.M.
T. 1 N. R. 3 W. B.M. County of Canyon
4. Describe works as they exist, giving dimensions and capacities of same: 2 - 150 HP US Motor
#1 1146294, Layne-Bowler Pump #26202, 380' x 10' Glum. disch into 20' x 35' x 6'
Pond to open ditch. #3 - 100 HP US Motor #1145202, Layne-Bowler #25116, 8"
disch into 50' x 25' x 6' pond to open ditch. #5 - 150 HP US Motor #1180016,
Layne-Bowler pump #26219, 10" discharge into a 25' x 40' x 5' pond then to
open ditch
5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: Yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

NW 1/4, S 1/4, N 1/4, SE 1/4, SE 1/4 Sec. 6., NE 1/4, E 1/4, NW 1/4 Sec. 7., Twp. 1 N., Rge. 2 W. B.M.
1/2 of Sec. 12., Twp. 1 N., Rge. 3 W. B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Kenneth Gray Irrigator along

The NW 1/4 Sec. 12, 1 N., 3 W. is to be irrigated from the Hot Butte Pits. There
was a well drilled but not in the locations filed on. This portion of
permit is to be omitted from license.

#3 - Spraying Motor 100 cfs 50 dm = 20 cfs.

#4 Profile - 8' - 10" = 4:22 1/2" = 1480 GPM = 165' = 3.30 cfs.

#5 Profile - 7 1/2" - 10" = 4:32" = 1470 GPM x 143" = 3.26 cfs.

This examination was made on the 2nd day of June, 1964

(Signed)

Layne-Bowler

Examiner.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 31, 2004

SUNRIDGE DAIRY LLC
4890 DRY LAKE RD
Nampa ID 83686

Re: Notice of Claim to a Water Right No. 63-2825, 63-2949, 63-3135, 63-3260, 63-3331,
63-8381 & 63-31477

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflect the change in ownership of the land and appurtenant water rights, covered under the original filing.

Please note that the enclosed Notice of Claim to a Water Right is not a final determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

In addition, a copy of this ownership change has also been forwarded to our State Office to process the change on claim numbers 02-2194A and 02-10185.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB: db

Enclosure

Moffatt Thomas

MOFFATT THOMAS BARRETT ROCK & FIELDS, CHTD.

RECEIVED

APR 24 2002

WATER RESOURCES
WESTERN REGION

April 23, 2002

US Bank Plaza Building
101 S Capitol Blvd 10th Fl
PO Box 829
Boise Idaho 83701 0829

208 345 2000
800 422 2889
208 385 5384 Fax
www.moffatt.com

Eugene C. Thomas	Glenna M. Christensen	James L. Martin
John W. Barrett	Gerald T. Husch	C. Clayton Gill
R. B. Rock	Scott L. Campbell	Stephanie A. Balzarini
Richard C. Fields	Michael G. McPeck	David P. Gardner
Robert E. Bakes	Kirk R. Helvie	Julian E. Gabiola
John C. Ward	Robert B. Burns	Paul C. Swainston
D. James Manning	James C. Dale	Angela D. Schaer
Gary T. Dance	Michael E. Thomas	Casey C. Robertson
Larry C. Hunter	Patricia M. Olsson	Ray J. Chacko
Morgan W. Richards	James C. deGlee	Bradley J. Dixon
Mark A. Ellison	Bradley J. Williams	Keasa L. Hollister
Randall A. Peterman	Lec Radford	
Mark S. Prusynski	Michael O. Roe	Willis C. Moffatt,
Stephen R. Thomas	David S. Jensen	1907-1980

Jan Shurte

Idaho Department of Water Resources, Western Region Office
2735 Airport Way
Boise, Idaho 83705-5082

Re: Water Right Number 63-03134-A

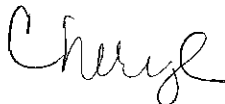
Kroes Dairy Change in Water right Ownership
MTBR&F File No. 18993.0000

Dear Jan:

Enclosed is a copy of my letter sent on April 9, 2002 requesting a Change in Water Right Ownership on the above-referenced water right. Apparently, I should have asked you to conform a copy of my letter and return it to me, showing that you had received our request. I erroneously assumed we would be receiving something back from the Idaho Department of Water Resources indicating the change in water right ownership had been effectuated. Please date conform the enclosed copy of my April 9th letter to your office and return it to me in the enclosed pre-addressed, stamped envelope.

If you have any questions please contact me directly at 385-5333.

Very truly yours,



Cheryl Dunham
Legal Assistant to
Scott L. Campbell

/cd

Enclosures

✓ Orig. 4-24-02

Ownership chg done + mailed 4/22/02.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 23, 2002

KROES DAIRY
14661 HAVEN AVE
CHINO CA 91710

Re: Original Notice of Claim to a Water Right No. 63-3134A

Renumbered Notice of Claim to a Water Right No. 63-31477

Dear Claimants:

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This Change of Ownership required a split of the original claim resulting in renumbering this claim, using a new water right number to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time. You will be notified of any future action taken on this claim.

Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

Adjudication Section
Western Region

DB: db

Enclosure

cc: Scott L Campbell @ Moffatt, Thomas, Barrett, Rock & Fields

Moffatt Thomas

MOFFATT THOMAS BARRETT ROCK & FIELDS, CHTD.

Eugene C. Thomas
John W. Barrett
R. B. Rock
Richard C. Fields
Robert E. Bakes
John C. Ward
D. James Manning
Gary T. Dance
Larry C. Hunter
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Dean C. Sorensen
Kelly M. Garrity
Bradley J. Dixon

Willis C. Moffatt,
1907-1980

April 9, 2002

US Bank Plaza Building
101 S Capitol Blvd 10th Fl
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Boise Idaho 83701 0829

208 345 2000
800 422 2889
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www.moffatt.com

RECEIVED

APR 10 2002

**WATER RESOURCES
WESTERN REGION**

Jan Shurte ✓

Idaho Department of Water Resources, Western Region Office
2735 Airport Way
Boise, Idaho 83705-5082

Re: Water Right Number 63-03134-A

Kroes Dairy Change in Water right Ownership
MTBR&F File No. 18993.0000

Dear Jan:

Enclosed is a Notice of Change in Water Right Ownership and the supporting documentation for same. I hope I have included all of the documentation you need to make this change. All other water rights for the attached property identified and attached to the Warranty Deed to Kroes Dairy have already been changed, or are pending change due to transfer.

I want to thank you for all your help in identifying the water rights and claims for the properties purchased by our client, Kroes Dairy. I have attached a summary of the water right changed, pending water right changes, and the attached change in water right ownership per the documentation you provided me when we last met to go over this matter.

If there is anything else you need please contact me directly at 385-5333.

Very truly yours,



Cheryl Dunham
Legal Assistant to
Scott L. Campbell

/cd

Enclosures

MEMORANDUM

RECEIVED

APR 10 2002

WATER RESOURCES
WESTERN REGION

TO: SLC/File

FROM: CLD

RE: Kroes Dairy - Change of Water Right Ownership
MTBR&F File No. 18-993.0000

DATE: April 9, 2002

Scott, this is the information I have so far on the adjudication claims. When all is done, there will be a total of 9 adjudication claims, identified as:

A02-2194A - Notice of Claim to a Water Right Acquired under State Law received - ownership in the name of Kroes Dairy

A63-2949 - Notice of Claim to a Water Right Acquired under State Law received - ownership in the name of Kroes Dairy

A63-8381 - Notice of Claim to a Water Right Acquired under State Law received - ownership in the name of Kroes Dairy

A02-10185 - Notice of Claim to a Water Right Acquired under State Law received - ownership in the name of Kroes Dairy

A63-2825 - Adjudication Claim Report shows current owners as Jackie & Tom De Groot - change of ownership Application No. #69605 has been submitted and is currently pending transfer submitted to change place of use. Transfer was submitted in the name of Adrian Kroes.

A63-3260 - Adjudication Claim Report shows current owners as Jackie & Tom De Groot - change of ownership Application No. #69605 has been submitted and is currently pending transfer submitted to change place of use. Transfer was submitted in the name of Adrian Kroes.

A63-3331 - Adjudication Claim Report shows current owners as Jackie & Tom De Groot - change of ownership Application No. #69605 has been submitted and is currently pending transfer submitted to change place of use. Transfer was submitted in the name of Adrian Kroes.

A63-3135 - Adjudication Claim Report shows current owners as Jackie & Tom De Groot - change of ownership Application No. #69605 has been submitted and is currently pending transfer submitted to change place of use. Transfer was submitted in the name of Adrian Kroes.

A63-3134A - submitted on 04/09/02 for change in ownership.