

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 63-2949
Date Received: 2/28/1990
Receipt No: W009762
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: 01/09/1961

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		NE	SW	CANYON	

5. Description of diverting works:

WELL, PUMP, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	2.62	

7. Total Quantity Appropriated is:
2.62 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	NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
			NE	SW	IRRIGATION	40
					Section Acres	160
					Total Acres	160

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:

Ownership changed by DB 2/4/2002

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)

SUNRIDGE 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) Andrew Smith member
(include title if applicable) Mike Segarra 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 <u>AS</u>	Date <u>3-29-04</u>	Fee <u>N/A</u>
Receipted 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

6 HOLLIDAY
CANYON COUNTY RECORDER
BY *pm*

REQUEST *Moffatt Thomas*
TYPE *1000* FEE *1200*

**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 1st day of July 2003.

August

GRANTOR:

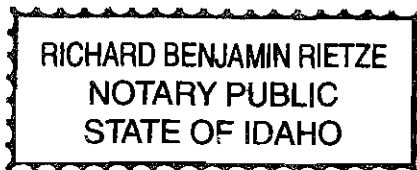
KROES DAIRY,
a California general partnership

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:

06-2194A
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.

Notary Public residing at: Nampa

My commission expires: 3-9-2006

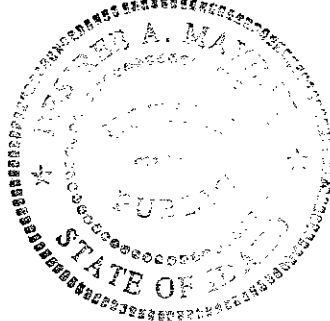


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SECTION 8:

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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

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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:

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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

SEP 31 PM 3 56

CLERK

CANYON COUNTY RECORDER

BY

C. McLaughlin

REQUEST FINDER - NAWPA
TYPE *Book Fee 4.00*

BC

200204/419

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").

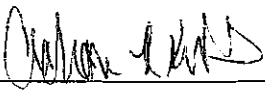
Together with all rents, remainders and reversions, and all appurtenances and hereditaments, reversions, remainders, issues and profits, improvements and fixtures, easements, mineral rights, water rights and all other permits, licenses and rights in any way appertaining to the Premises, and subject to 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:

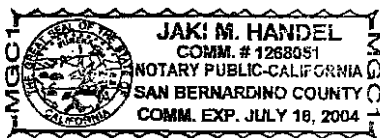
By 
RASHELLE L. KROES

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.

S
E
A
L



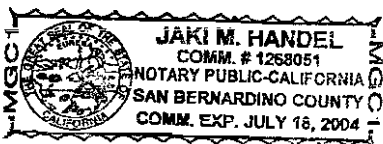
Jaki M. Handel
Residing at Ontario, CA
My Commission Expires July 18, 2004

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:

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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 HALE
CANYON CNTY RECORDER
BY *Jeffie Blum*

REQUEST *Michael James*
TYPE *Deed* FEE *900*

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

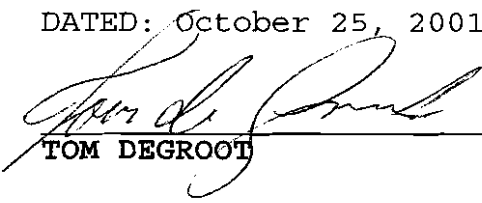
the Grantees, whose address is 14661 Haven Ave., Chino, CA 91710

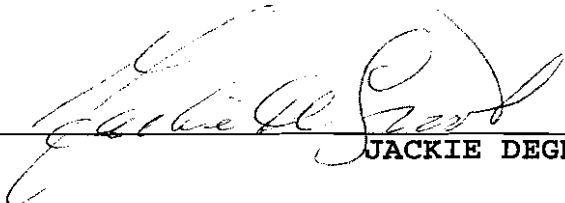
the following described premises, to-wit:

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.

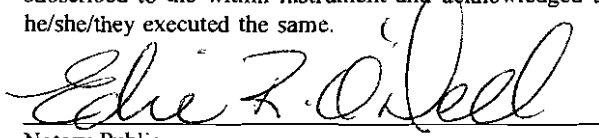
DATED: October 25, 2001


TOM DEGROOT


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.


Notary Public

Residing at Nampa, ID

My commission expires: 4/17/2003

REQUEST PIONEER-NAMPA
TYPE Blank FEE 6.00

ONLINE CHIT / REORDER

2001 OCT 30 PM 4 40

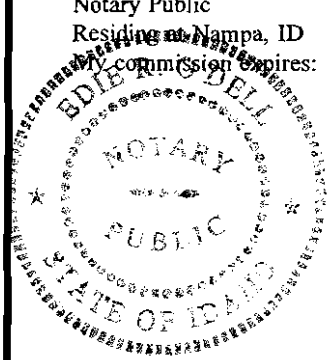
RECORDED

200145084

PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605



AK

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:

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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.



Pivot = 298.6
Flood = 395.3

13
33.2

19
30.5

22
5.4

24
4.3

T5939

3
45.4

23
77.7

2
27.5

11
34.0

10
10.8

9
35.0

8
22.7

7
10.6

T3798

7
66.8

6
68.8

T. 1S
R. 2W

12
4.4

14
25.4

18
33.3

20
19.3

21
5.0

T5939

6
74.0

5
114.1

12
76.0

16
12.0

15
22.4

14
18.6

2
25.8

T3652

6
131.0

5
131.0

T3731

3
10.8

5
19.5

Boys

Barn's

T3793

9
9.0

16

2
108.5

2
40.0

1
37.5

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36.1

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T5940

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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 63-2949
Date Received: 2/28/1990
Receipt No: W009762
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s): KROES DAIRY Phone: (909) 947-0465
14661 HAVEN
CHINO CA USA 91710

2. Date of Priority: 01/09/1961

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	NE SW	CANYON	

5. Description of diverting works:

WELL, PUMP, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	2.62	

7. Total Quantity Appropriated is:
2.62 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	NW	SW	IRRIGATION	40
			SW	SW	IRRIGATION	40
			SE	SW	IRRIGATION	40
			NE	SW	IRRIGATION	40
Section Acres						160
Total Acres						160

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:

Ownership changed by DB 2/4/2002

15. Basis of Claim: License

RECEIVED

Form 42-248/42-1409(6) July, 2000

JAN 10 2002

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIPPlease print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

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

Water Right No(s).	Adjudication Claim No(s).	Split?	Water Right No(s).	Adjudication Claim No(s).	Split?
<u>63-02825</u>		No	<u>63-8381</u>		NO
<u>63-03135</u>		No			
<u>63-03260</u>		No	Also: A02-10185 A02-021941A		
<u>63-03331</u>		No			
<u>63-2949</u>		No			

2. The following **REQUIRED** information must be submitted with this form:
- The appropriate **FILING FEE**. See instructions for fee amounts.
 - 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**.
 - 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) Tom DeGroot, Jackie DeGroot, 569 Birch Bay, Lynden, WA. 98264
Donald E. Tiegs, 10020 Big Foot Rd, Melba, ID 83641
Elmer H. Tiegs Box 12035 W. Statgecoach, Nampa, ID 83686

4. New Owner/Claimant(s)

Kroes Dairy

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

14661 Haven

City, State and ZIP Code

Chino, CA 91710

New Telephone Number

(909) 947-0465

5. Date you acquired the property _10/29/2001

63-2825, -3135,
-3260 + -3331 are
pending Transfer
approval, therefore
not changed per
this ownership change.

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

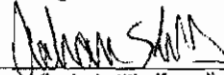
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation		
Stock		
Other		
Domestic		
Total		

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		
Other		
Domestic		
Total		

7. Signature of New Owner(s) or Claimant(s)

 Adrian Kroes General Partner
(include title if applicable)

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

200 202/419

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.

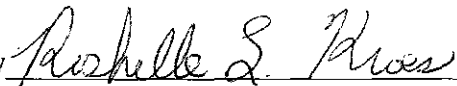
The Grantors covenant and warrant that Grantors shall defend the quiet and peaceable possession of the Premises by Grantee, its representatives, successors and assigns, forever against all claims whatsoever.

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:

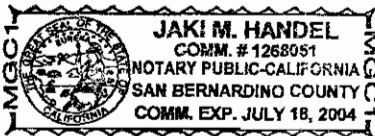
By 
RASHELLE L. KROES

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.

S
E
A
L



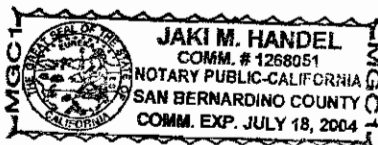
Jaki M. Handel
Residing at Ontario, CA
My Commission Expires July 18, 2004

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 JAN 29 PM 12 57

G. NOEL HALLS

CANYON COUNTY RECORDER

BY *Jeffrey D. Brown*

REQUEST *McKell*
TYPE *Mod* FEE *9"*

WARRANTY DEED

AK

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

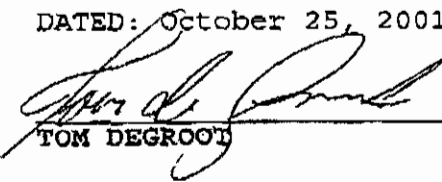
the Grantees, whose address is 14661 Haven Ave., Chino, CA 91710

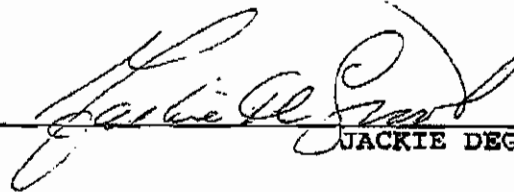
the following described premises, to-wit:

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.

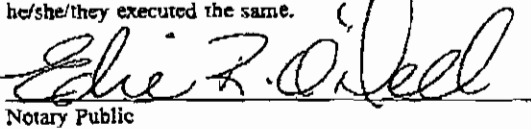
DATED: October 25, 2001


TOM DEGROOT


JACKIE DEGROOT

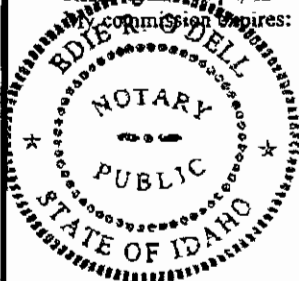
STATE OF IDAHO
COUNTY OF CANYON

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.


Notary Public

Residing in Nampa, ID

My commission expires: 4/17/2003



PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

PN 65096

Exhibit "A"

AK

[Handwritten signature]

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

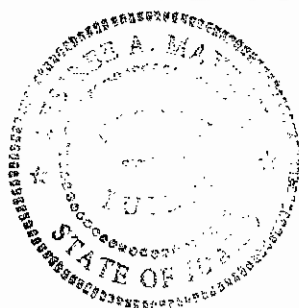
STATE OF IDAHO

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:

My commission expires:



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

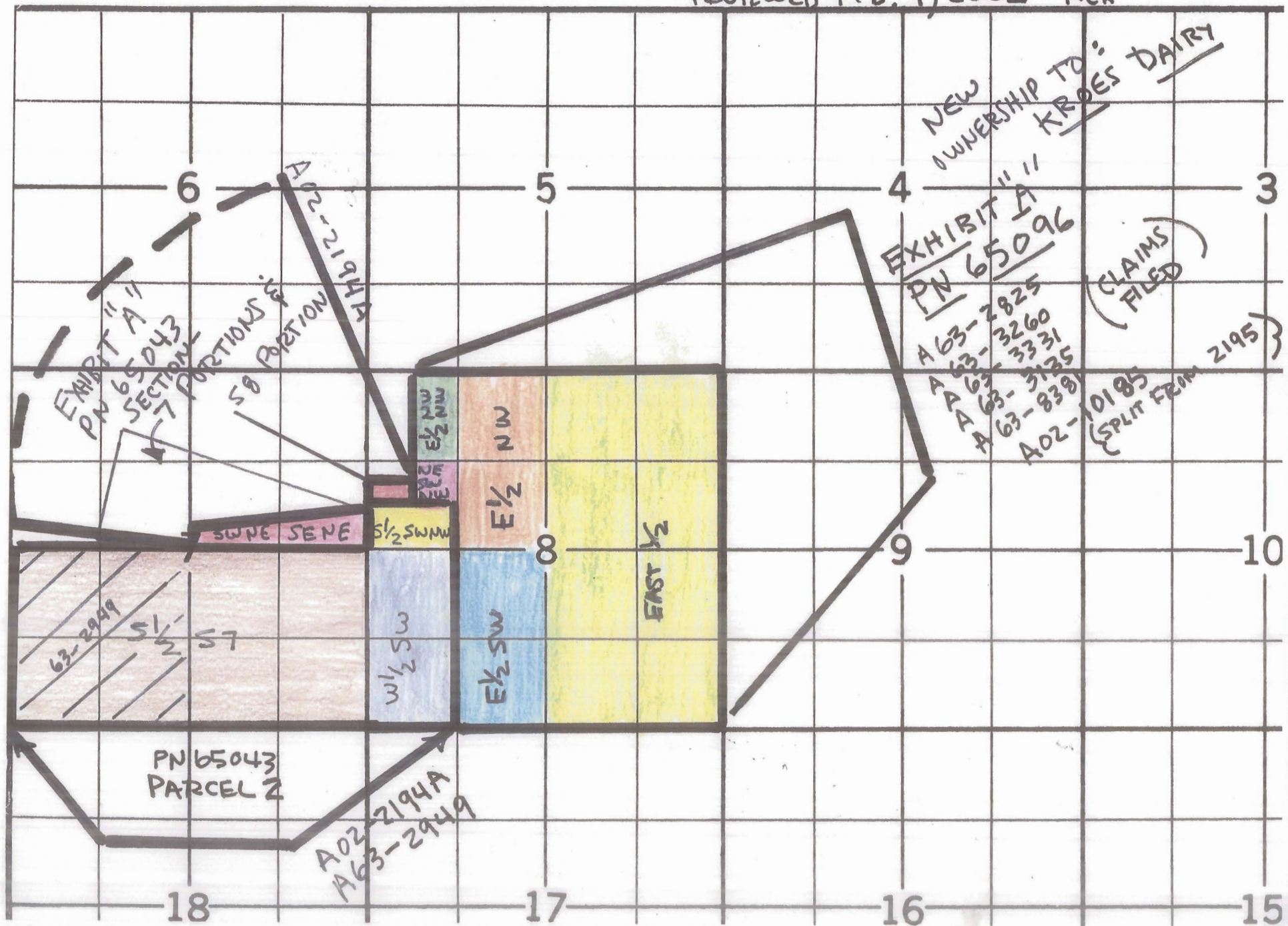
Southerly and parallel to the West boundary of said Section 7 a distance of 153 feet to the REAL POINT OF BEGINNING.

2001 01 31 PM 3 50
RECORDED
CANYON COUNTY RECORDER
BY *[Signature]*
REQUEST FINDER NAME
TYPE *[Signature]* FEE \$4.00

200145293

CARD NO.

REVIEWED FEB. 4, 2002 Rch TOWNSHIP



RECEIVED

JUL 08 1997

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: 63-02949
Adjudication Claim No(s).: A63-02949
2. The following REQUIRED information must be submitted with this form:
- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
- B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
- OR
- C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Elmer Tiegs (Tiegs Farms Inc.)
12035 Stagecoach Rd. Nampa ID
4. New Owner/Claimant(s) E. T. F. Inc.
Name Connector (Check one) ☒ and, ☐ or, ☐ and/or
New Mailing Address 12997 West Stagecoach Rd
City, State and ZIP Code Nampa, ID 83686
New Telephone Number (208) 466-9308
5. Date you acquired the property Jan. 2, 1997
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate 160 Number and type of stock _____Diversion rate in CFS 2.62 Number of homes 0 Other uses 0

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) Barbara Craven

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

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

By: Elmer H. Tiegs
Elmer H. Tiegs, President

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 300.83 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°30'58" West a distance of 78.97 feet; thence
North 57°38'37" West a distance of 115.36 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 a 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.

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 39°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 83°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 18, Township 2 North, Range 2 West of the Boise Meridian, Canyon County, Idaho:

EXCEPTING THEREFROM:

Tract 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.

9711817

RECORDED

'97 APR 16 PM 2 53

NED J KERR

CANYON CNTY RECORDER

BY

W. H. Hagg

REQUEST

Barbara C. Green

TYPE

Deed FEE *24.00*

**CONSENT IN LIEU OF SPECIAL MEETING
OF
DIRECTORS AND SHAREHOLDERS
OF
E.T.F., INC.**

THE UNDERSIGNED, being all the Directors and Shareholders of E.T.F., Inc., an Idaho corporation, do hereby consent to, adopt and approve in writing the following corporate action taken without a meeting in accordance with the provisions of the Business Corporation Act of the State of Idaho:

RESOLVED that the Corporation shall transfer to Tiegs Farms Family Limited Partnership ("Family Partnership") each of the real properties and other assets described on **Exhibit "A"**, in exchange for the transfer by Family Partnership to this Corporation of the real properties and other assets described on **Exhibit "B"**.

RESOLVED that the officers of the Corporation be, and each of them hereby is, authorized, empowered and directed to execute and deliver all such further instruments and documents in the name and on behalf of the Corporation (including, without limitation, quitclaim deeds transferring to Family Partnership the real properties described in Exhibit "A"), to pay and incur expenses, to take such further actions as shall in his and their judgment be necessary or appropriate to carry out the purposes of the foregoing resolutions, and each of them.

EXHIBIT "A"

**ASSETS AND LIABILITIES TRANSFERRED
BY
E.T.F., INC.
TO
TIEGS FARMS FAMILY LIMITED PARTNERSHIP**

REAL PROPERTY LEGAL DESCRIPTIONS

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°30'58" West a distance of 78.97 feet; thence
North 57°38'37" West a distance of 115.36 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 191.59 feet; thence
North 52°37'10" West a distance of 59.97 feet; thence

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 II:

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 a 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**

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.

PHOTOCOPYED FROM ORIGINAL RECORDS

EXHIBIT "B"

**ASSETS AND LIABILITIES TRANSFERRED
BY
TIEGS FARMS FAMILY LIMITED PARTNERSHIP
TO
E.T.F., INC.
REAL PROPERTY 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

AND

EXCEPTING THEREFROM:

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

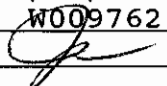
Southerly and parallel to the West boundary of said Section 7 a distance of 153 feet to the REAL POINT OF BEGINNING.

FOIA b (7)(C), (b) (7)(D), (b) (7)(F) & (b) (7)(G)

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: **A63-02949**
Date Received: 2/28/1990
Receipt No: W009762
Received By: 

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

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

2. Date of Priority: JAN 9, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	02W	7		NE	SW		CANYON

5. Description of diverting works:
WELL, PUMP, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.620		

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

8. Total consumptive use is 560.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	02W	7	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0

10. Place of Use: Continued

Section Acres 160.0

Total Acres 160.0

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.

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 29274

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

\$ 210

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.

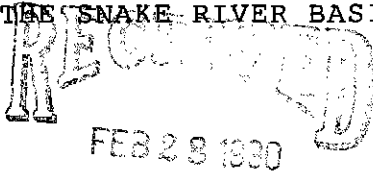
CIVIL CASE NUMBER: 39576

Ident. Number: A63-02949

Date Received: 2-28-90

Receipt No: WDD 9762

Received By: _____



Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: JAN 09, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	02W	7	NE	SW			CANYON

5. Description of diverting works:
WELL, PUMP, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.620		

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

8. Total consumptive use is 560.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	02W	7	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0

Section Acres 160.0

A63-02949

Page 1

Date: 01/03/90

10. Place of Use: Continued

Total Acres 160.0

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

14. Remarks:

E2/J

15. Basis of Claim: LICENSE

Water Right Number: 29274

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): x Elmer H. Leigs Date: Jan 3-1990
_____ Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 3rd day

of January 19 90

Seal

Helen Harrington
Notary Public

Residing at Helen Harrington, Notary Public
Residing at Boise, Idaho
My Commission Expires December 1, 1994

Water Right Number - 63-02949

Prefix Translation: WATER RIGHT

Old (D) Number - 29274

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
TIEGS

ELMER H.

1 -
2 -
3 -City- NAMPA
Phone -

State- ID Zip-

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
01/09/1961 14 WESTERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

01N 02W 7 NE SW (27) CANYON

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 2.620+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
2.620+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
01N 02W 7 NE SW 40.0 01 IRRIGATION (27) CANYON
01N 02W 7 NW SW 40.0 01 IRRIGATION (27) CANYON
01N 02W 7 SW SW 40.0 01 IRRIGATION (27) CANYON
01N 02W 7 SE SW 40.0 01 IRRIGATION (27) CANYON

Total Acres: 160.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

12-1-92

ADJUDICATION CLAIM REVIEW CHECKLIST

CLAIMANT'S NAME

Wegs, Elmer

CLAIM IDENT. NO.

A103-02949

DATE RECEIVED

2/28/94

RECEIPT #

W007767

FEE PAID \$

240

FEE REQ'D \$

240

YES

NO

Require
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ Require Info? *
2. Is a priority date entered? ☒ YES ☐ NO ☐ Require Info? *
- Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO ☐ Require Info? *
3. (a) Is a source entered? ☒ YES ☐ NO ☐ Require Info? *
- (b) Is a tributary to entered? (if required) ☒ YES ☐ NO ☐ Require Info? N/A
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO ☐ Require Info? *
5. Is there a description of the diverting works? ☒ YES ☐ NO ☐ Require Info? *
6. Are the water uses appropriate for the form?
The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim. ☒ YES ☐ NO ☐ Require Info? *
- Is the period of use included? ☒ YES ☐ NO ☐ Require Info? standard
- Is a quantity claimed for each use? ☒ YES ☐ NO ☐ Require Info? *
7. Is a total quantity claimed entered? ☒ YES ☐ NO ☐ Require Info? *
8. If required is a consumptive use entered? ☒ YES ☐ NO ☐ Require Info? N/A
- Is the consumptive use correct? ☒ YES ☐ NO ☐ Require Info? N/A
9. Are the non-irrigation uses listed showing # of homes, hd. of stock? ☒ YES ☐ NO ☐ Require Info? N/A
- If multiple domestic, is single ownership indicated? ☒ YES ☐ NO ☐ Require Info? N/A
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO ☐ Require Info? *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO ☐ Require Info? *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO ☐ Require Info? *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO ☐ Require Info? *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☐ NO ☐ Require Info? N/A
15. Is the basis of the claim indicated? ☒ YES ☐ NO ☐ Require Info? *
16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed? ☒ YES ☐ NO ☐ Require Info? N/A
- If yes, compare claim w/existing right and attach proof report noting any differences in comments. ☒ YES ☐ NO ☐ Require Info? *
- If no, was water right no. found? ☒ YES ☐ NO ☐ Require Info? *
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim? ☒ YES ☐ NO ☐ Require Info? N/A
- (If yes, attach a proof report & complete number change)
NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed. ☒ YES ☐ NO ☐ Require Info? *
18. If the claimant requested a monthly docket sheet, was the fee paid? ☒ YES ☐ NO ☐ Require Info? N/A
19. Is the claim signed by the claimant, and is the signature appropriate? ☒ YES ☐ NO ☐ Require Info? *
20. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ Require Info? *
21. Was this claim filed on time?
(Check ML3 for date mailed-not all were mailed on the planned date)
If no, was an extension of time filed & approved? ☒ YES ☐ NO ☐ Require Info? *
22. Is the fee enclosed correct? ☒ YES ☐ NO ☐ Require Info? Exempt *

YES NO

23. Is this claim being rejected and returned to claimant?
24. Can this claim be data entered?
25. Was claim modified?

If yes, do modifications require notification to claimant? . . .

Note: Modifications made must be explained in comments stating where the information for any changes was found.

Claim reviewed by: [Signature] Date 1-25-95

Claim data entered by: _____ Date _____

IF REQUIRED INFORMATION IS INCOMPLETE SEE INSTRUCTIONS TO DECIDE WHETHER THE CLAIM NEEDS TO BE RETURNED OR IF IT CAN BE MODIFIED. IF IT MUST BE RETURNED INSTRUCTIONS WILL SPECIFY WHICH FORM LETTER TO USE.

Comments: _____

09/05/2006

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

RIGHT NUMBER: 63-2949

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.620 CFS
720.000 AFY

PRIORITY DATE: 01/09/1961

POINT OF DIVERSION:

T01N R02W S7 NESW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	2.620 CFS 720.00 AFY

PLACE OF USE: IRRIGATION Within CANYON County

T01N R02W S07	NESW	40.00	T01N R02W S07	NWSW	40.00
T01N R02W S07	SWSW	40.00	T01N R02W S07	SESW	40.00

160 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



Idaho Department of Water Resources

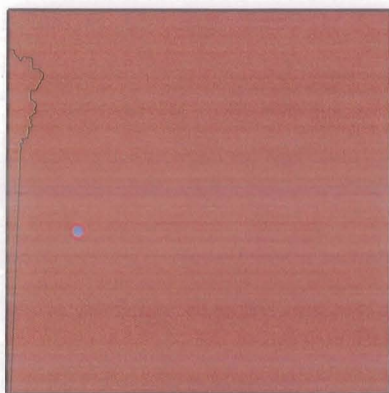
SRBA Recommendation:

63-2949

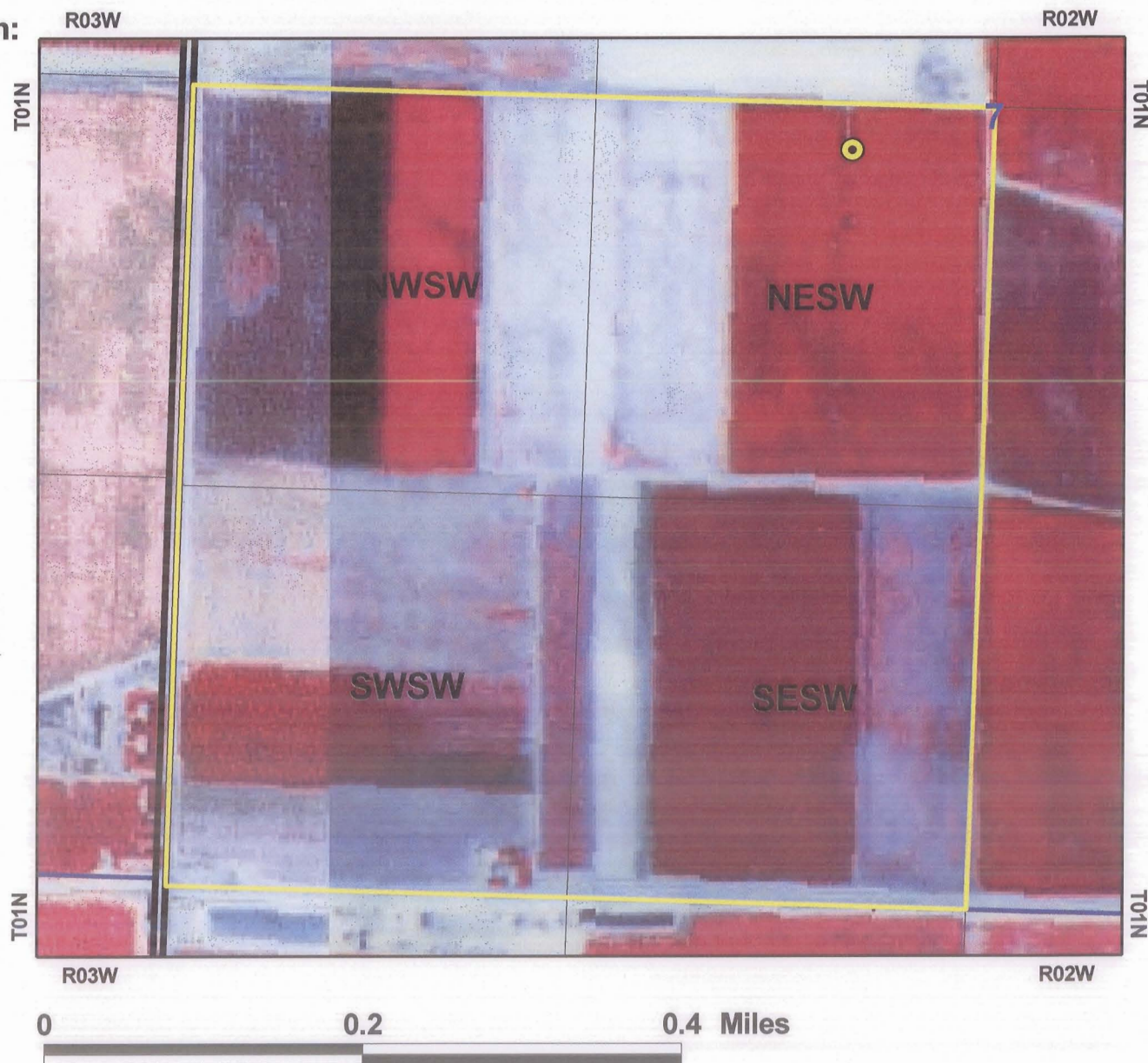
(Irrigation)

Legend

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



Canyon County
IDWR Basin 63



Prepared by S. Egbert
On Tuesday, September 5, 2006
1987/88 Aerial Photography

AJ5809NP
No. A63-02949

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/09/00
PAGE: 35

```
=====
OWNER          PRIORITY    USE PERIOD    DIVERSION    DIVERSION
CODE          NAME & ADDRESS    DATE          WATER USE    FROM    TO    RATE    VOLUME
-----
C  ELMER H TIEGS          01/09/1961  IRRIGATION    03-15  11-15    2.620 CFS
   BOX 12035 WEST STAGECOACH RD
   NAMPA ID 83686
   (208) 466-1698
                                     TOTAL DIVERSION: 2.620 CFS
                                     CONSUMPTIVE USE: 560.00 AFA
=====
```

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T01N R02W S07 NESW

CANYON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
01N	02W	7	:											40	40	40	40			:	160.0
																			TOTAL ACRES	160.0	

POU County: CANYON

Other Rights: NAMPA-MERIDIAN IRR. DIST. & HAT BUTTE MUTUAL.

Other Water Rights Listing Overlapping Place(s) of Use:
A02-02194A

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 01/03/90 HARRINGT 09/28/94 JSHURTE 03/30/95 POST-STD

Water Right Number - 63-02949

Prefix Translation: WATER RIGHT

Old (D) Number - 29274

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
TIEGS

ELMER H.

1 -
2 -
3 -
City- NAMPA
Phone -

State- ID Zip-

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
01/09/1961 14 WESTERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.
01N 02W 7 NE SW (27) CANYON+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 2.620+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
2.620+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
01N 02W 7 NE SW 40.0 01 IRRIGATION (27) CANYON
01N 02W 7 NW SW 40.0 01 IRRIGATION (27) CANYON
01N 02W 7 SW SW 40.0 01 IRRIGATION (27) CANYON
01N 02W 7 SE SW 40.0 01 IRRIGATION (27) CANYON

Total Acres: 160.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

07/13/95 00:02:10
Page 2

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 05/20/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 08/28/1979	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000	Name Connector	-	POU Ownership Flag	-
Presumption Flag	-				

License and Certificate of Water Right

Water License No. G-29274

Amount 2.62 c.f.s.

Water District No. _____

Priority January 9, 1961

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 January 9, 1961; that Permit No. G-29274 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2.62 second feet, was issued thereunder on July 21, 1965, showing that said works were completed on the 7th day of August, 1964; and that on the 7th day of August, 1964,

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 a well

, a tributary of subterranean flow, for the purpose of irrigation

, under Use Permit No. G-29274 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

13 of Licenses at page 8186, on the 21 day of July, 1965;

The right hereby confirmed dates from January 9, 1961;

The Point of Diversion is located

in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 7, 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 2.62 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	7	SW $\frac{1}{4}$	160	160

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

21 day of July, 1965.

RALPH W. THOMAS

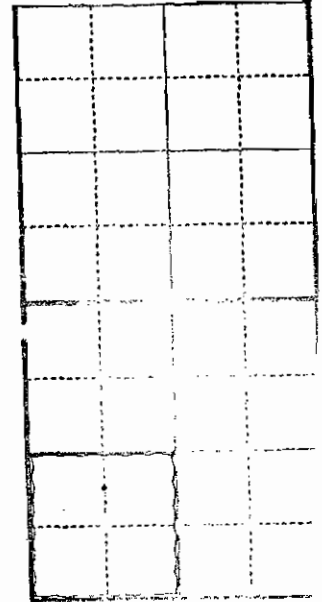
Deputy State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT
To Appropriate the Subterranean Water of The State of Idaho

Application No. G- 37272
Permit No. G- 29274
District No.

1. Name of Applicant: Elmer H. Tiegs
Postoffice address: Rt. #3, Nampa County: Canyon State: Idaho
2. Quantity of water claimed:
- (a) Rate of withdrawal in cubic feet per second 3.2 or Idaho
Miners' inches 160 or gallons per minute
- (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the center
N $\frac{1}{2}$ $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 7
Twp. 1 N , Rge. 2 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 $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
- (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Well, pump and ditches
8. Estimated cost of works: \$ 25,000
9. (a) Is reservoir to be used? no
(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 onhand: \$
(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) 3.2 (cubic feet per second, inches or gallons per minute) is for new lands.



Twp.	Range	Sec.	NE¼	NW¼	SW¼	SE¼	Totals
			NE¼ NW¼ SW¼ SE¼	NE¼ NW¼ SW¼ SE¼	NE¼ NW¼ SW¼ SE¼	NE¼ NW¼ SW¼ SE¼	
1 N	2 W	7			40 40 40 40		160
			Application for Amendment POINT OF DIVERSION Permit No. G-29274 Comes now ELMER H. TIEGS, and represent to the State Reclamation Engineer of the State of Idaho: That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-29274. That the point of diversion is described in said Permit as being located: Center N½SW¼, Sec. 7, T. 1 N., R. 2 W., E. M. That he now requests that the point of diversion be changed to a point located NE¼SW¼, Sec. 7, T. 1 N., R. 2 W. That the reason for desiring to make such change is as follows: Error in determining section line. That no one will be injured by such change, and that such change will be made at Permit Holder's own risk. Signed at Boise, Idaho, this 9 day of July, 1963. s/ ELMER H. TIEGS Date of Receipt at Department of Reclamation 7-9-63 APPROVAL OF STATE RECLAMATION ENGINEER I, RALPH W. THOMAS, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-29274. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it be a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby s/ RALPH W. THOMAS Deputy State Reclamation Engineer				
Recorded: July 10, 1964							

Permit No. G-29274
CERTIFICATE OF COMPLETION OF WORKS

✓
TO ALL WHOM IT MAY CONCERN;

This is to certify that ELMER H. TIEGS of Nampa, County of Canyon, State of Idaho, the holder of Permit No. G-29274, issued upon Application No. G-37272, bearing date of priority of January 9, 1961, authorizing the diversion of 3.2 second feet of waters of a well, 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 2.62 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 7, T. 1 N., R. 2 W., B. M.; and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit:

SW $\frac{1}{4}$, Sec. 7, T. 1 N., R. 2 W., B.M.

Witness my hand this 21st day of July, A. D. 1965

s/ RALPH W. THOMAS, Deputy
State Reclamation Engineer

Proof of Completion of Works Made: August 7, 1964

LICENSE ISSUED FOR 2.62 SEC. FT.
LICENSE PAGE NO. 5186

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

Permit No. G-29274This 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
3. Location of point of diversion: Is in the _____ Center of N₂ of SW₄ of Section 7
T. 1 N. R. 2 W.B.M. County of Canyon
4. Describe works as they exist, giving dimensions and capacities of same: 150 HP U.S. Motor
869.174, Peerless Pump 171096, 380" column well 700' x 6"
10" discharge into 30" x 7" tower and pipe line with orchard valves
into concrete ditches.
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):

SW₄ Sec. 7., Twp. 1 N., Rge. 2 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

May question this measurement. They feel the pump will deliver more water than measured. The butterfly valve at flange appears to be broken and could be restricting flow.

Measured by Spouting Motor 5 Rev 3 Min 50 Sec. = 2.15 cfsThis examination was made on the 3rd day of June, 1964

(Signed)

Layne Johnson

Examiner.

29274

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
JUN 12 1904

Department of Agriculture

Elmer Tiegs

Rt. #1

Nampa, Idaho

Permit No. G-29274

Examination for Completion of Works & Beneficial Use

County Canyon

Sec. 7 T. 1N R. 2 W. B.M.

Quantity: 2.2 acres

Source: well

P.D.: Sec 7, T. 1N - R. 2 W. B.M.

Use: Irrigation

Filed:

Due:

Extension:

Protest:

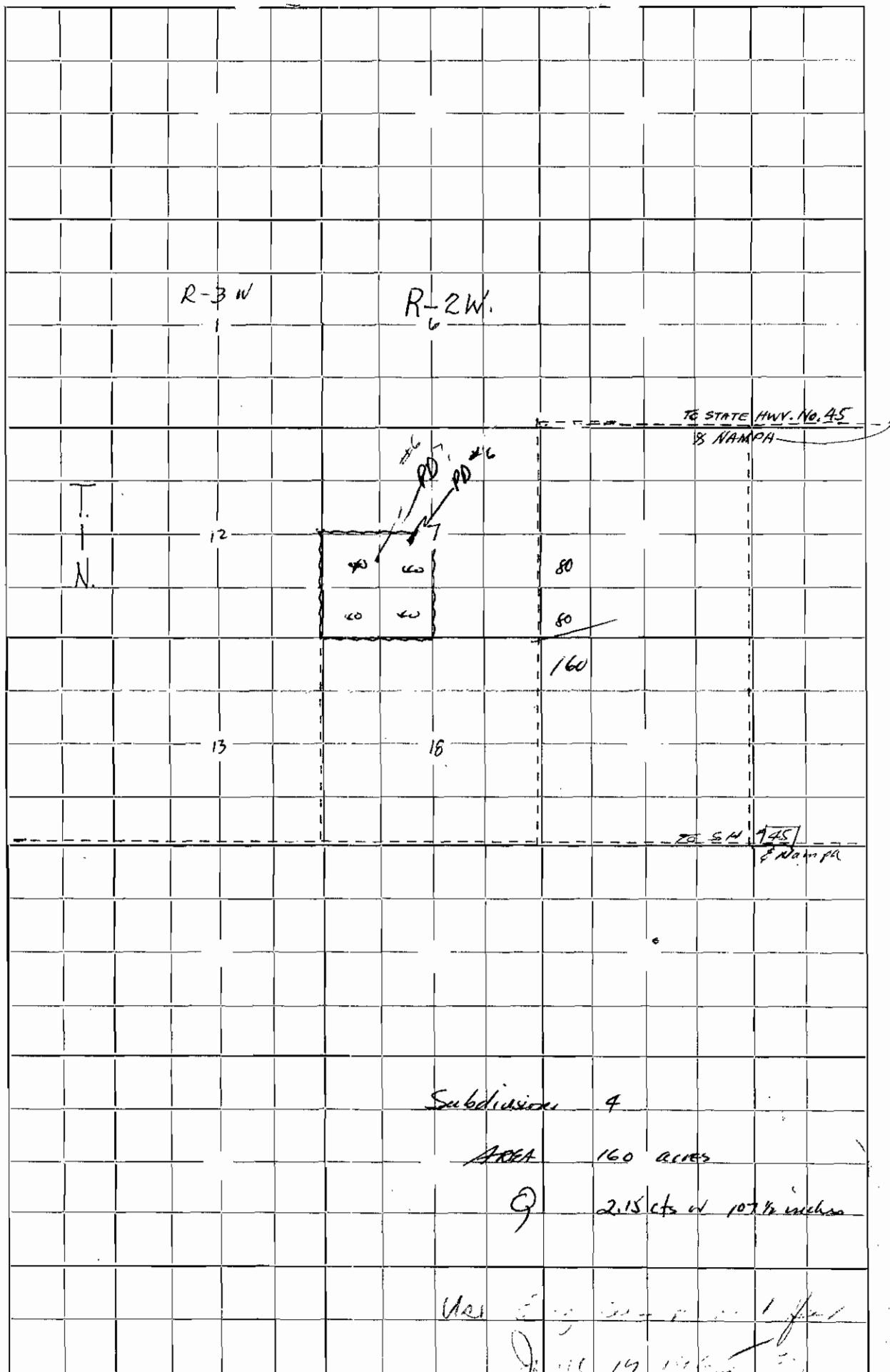
Completion of Works:

Other Rights:

150-46
X 40
Demand for
END

OFFICE 2000 ft. or higher

5-3-3 = 8.15 ch
2-21 = 2.1 ch



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

29274

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-29274

REPORT ON PROOF OF Completion of Works & Beneficial Use

Elmer Tiegs, Rt. #1, Nampa, Idaho

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

Permit No. G-29274This proof is for Comp. of Works & Bene. Use

In Water District No. _____

1. Name of applicant Elmer H. Tieg2. Source of water supply: Subterranean3. Location of point of diversion: Is in the NE 1/4 SW 1/4 Pump #6 of Section 7T. 1N R. 2W County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same: 150 HP OS Motor
869174, Peerless Pump # 171096, 430' x 10' Column, 10" discharge reduced
to 8" at flange, 10' x 8" pipe with check valve for 15' tower, to open ditch
pipe line to concrete ditches with orifice valve control in bottom.

5. Water is used for: Irrigation6. 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):

SW 1/4, Section 7, T1N-R2W, making a total of 160 acres to be irrigated.

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

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

Remarks: Mr. Kenneth Gray and Elmer Tieg along

Measured by Sparling Meter 3 Kcs. 1" 53.1 = 2.62 cfs.

This examination was made on the 17th day of June, 19 65(Signed) Leopoldum Examiner.

Elmer H. Tiegs
Route # 3
Nampa, Idaho
Permit No. G-29274

Examination for Comp. of Works & Bana. Use

County Canyon

Sec. 7 T. 1N R. 2W

Quantity: 2.2

Source: WELL

P. D.: 165.0 SEC 7-T 1N-R 2W

Use: IRRIGATION

Filed:

Due:

Extension:

Protest:

Completion of Works:

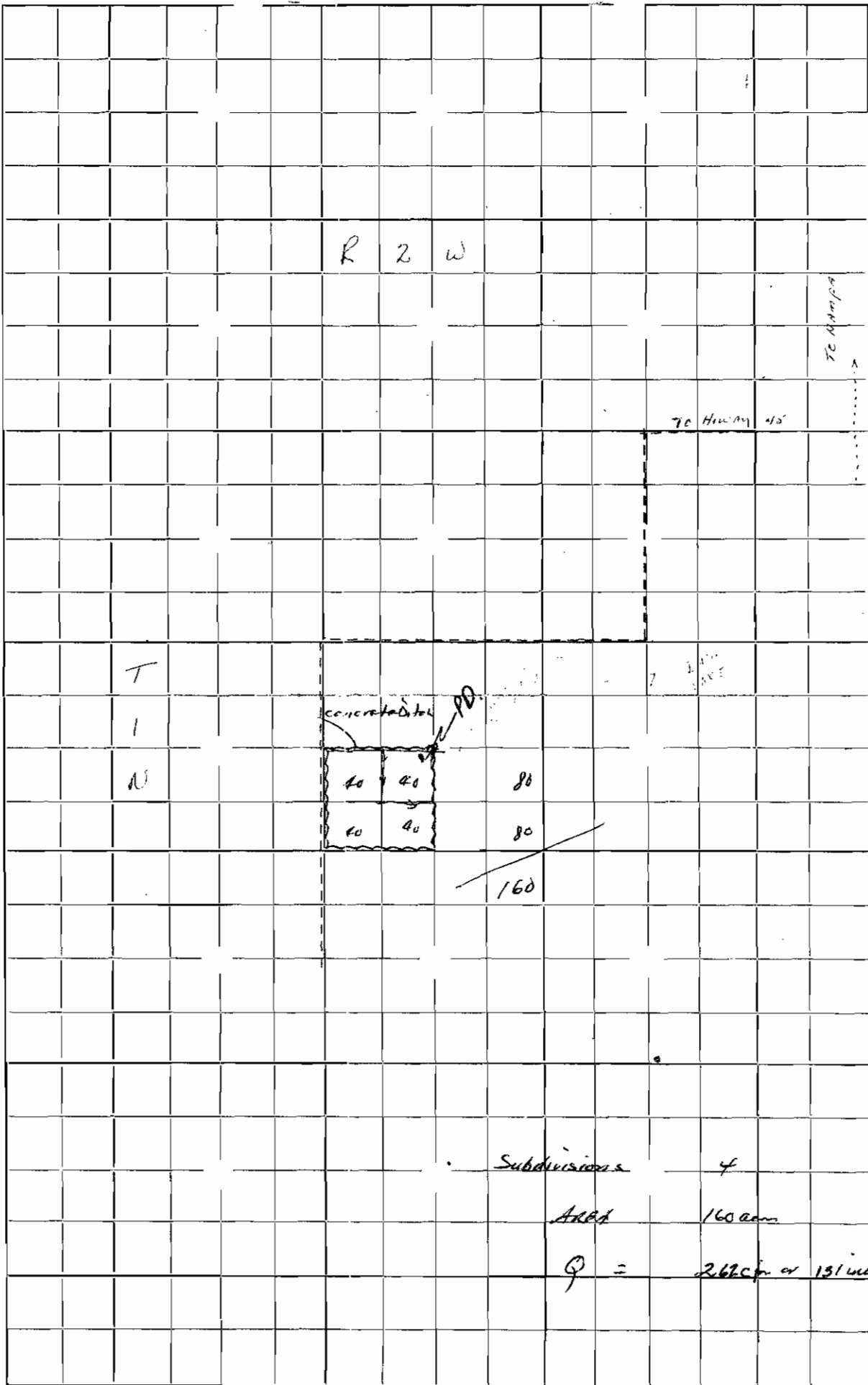
Other Rights: NONE

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
JUN 18 1965

Department of Reclamation



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

29774

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-29274

REPORT ON PROOF OF Completion of Works & Bene. Use

Elmer H. Tiegs
Route # 3
Nampa, Idaho



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,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB: db

Enclosure



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

February 5, 2002

KROES DAIRY
14661 HAVEN
CHINO CA 91710

Re: Notice of Claim to a Water Right No. 02-2194A, 02-10185, 63-2949 & 63-8381

Dear Claimants:

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

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

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,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist I
Adjudication Section
Western Region Office

DB: db

Enclosure