

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
 Boise, ID 83720-0098

ADDRESS SERVICE
REQUESTED

FIRST CLASS



RECEIVED
NOV 30 2005
DEPARTMENT OF
WATER RESOURCES

UNDELIVERABLE AS ADDRESSED

UNDELIVERABLE AS ADDRESSED

EQUITABLE AGRI BUSINESS INC
C/O TODD HANSEN REGIONAL MGR
3203 W MARCH LN STE 110
STOCKTON CA 95219

1261
M

9-2-2194A
Preliminary
Report



Dept. of Water Resources

Adjudication Bureau

P. O. Box 83720

Boise, ID 83720-0098



ADDRESSEE
UNKNOWN!

UNITED STATES POSTAL SERVICE
PITNEY BOWES
02 1A
\$ 00.83⁰
000431 0839 NOV 18 2005
MAILED FROM ZIP CODE 83702



ADDRESS SERVICE
REQUESTED

RECEIVED

NOV 29 2005

DEPARTMENT OF
WATER RESOURCES

Q2-2194A
Preliminary
Report

FD

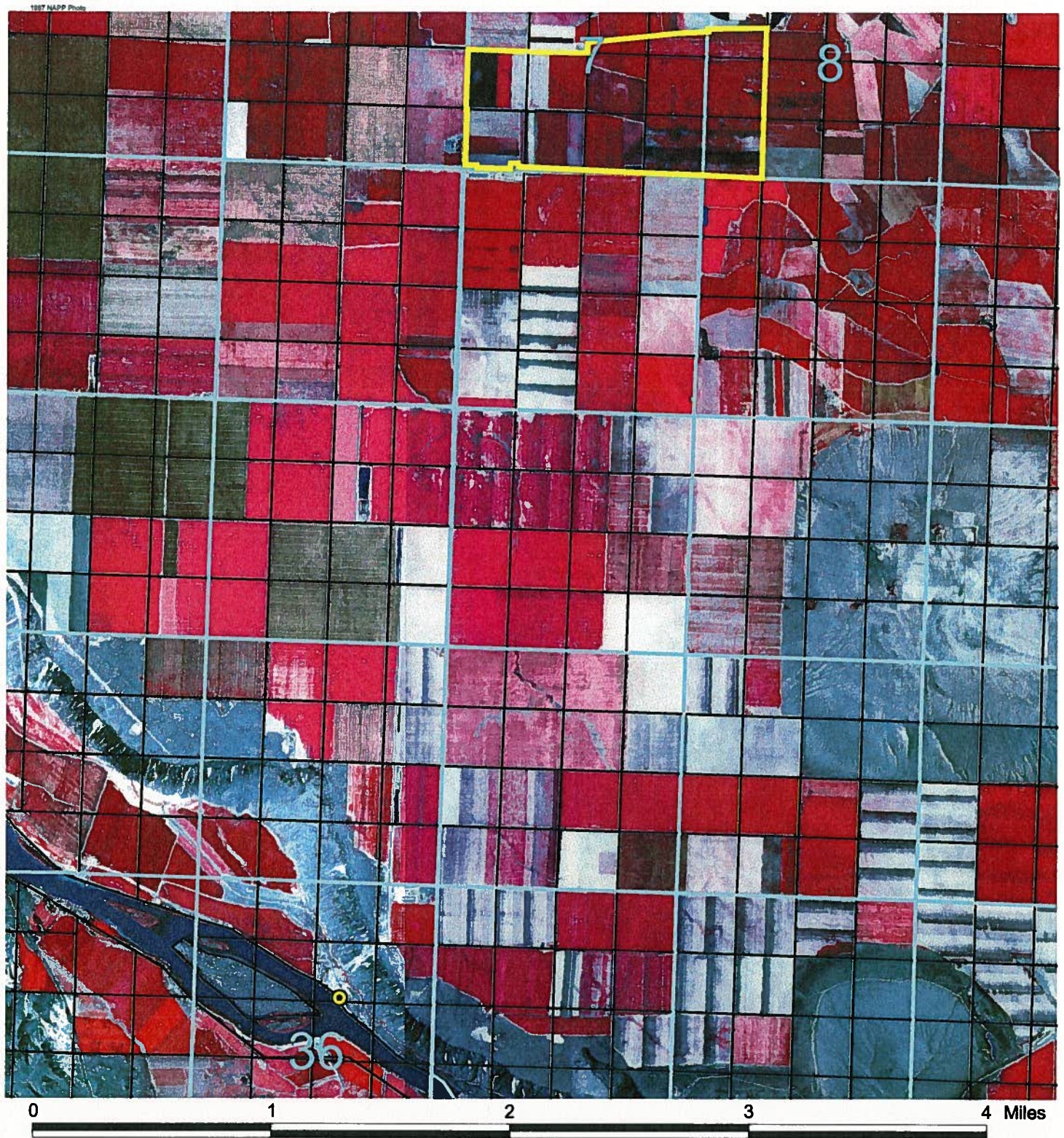
clerk

WILLIAM J STRACK

PO BOX 981

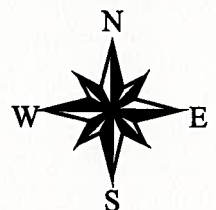
CALDWELL ID 83606

Idaho Department of Water Resources



Claim Number: 02-02194A
Legal: T01N, R03W S36
T01N, R02W, S7 & 8
Reviewed By: SJR 3/30/05

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



03/31/2005

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

RIGHT NUMBER: 2-2194A

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

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 6.000 CFS
1,966.500 AFY

Rights 2-2172, 2-2177, 2-2184, 2-2185, 2-2191A, 2-2191B, 2-2192, 2-2193, 2-2194A, 2-2196, 2-2199, 2-2208, 2-2280, 2-2363, 2-2368, 2-2422, 2-7010, 2-7011, 2-7078, 2-7081, 2-10184, 2-10185 2-10218, 2-10219, 2-10220 and 2-10221 when combined shall not exceed a total diversion rate of 74.30 cfs.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1966.5 AF. COMBINED RIGHT NOS.: 63-2949, 63-3134, 63-31477.

PRIORITY DATE: 01/11/1963

POINT OF DIVERSION:

T01N R03W S36 SWSWNE Lot 7 Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	6.000 CFS 1,966.50 AFY

The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within CANYON County

T01N R02W S07	SWNE	10.0	T01N R02W S07	SENE	15.0
T01N R02W S07	NESW	39.0	T01N R02W S07 Lot 3	NWSW	39.0
T01N R02W S07 Lot 4	SWSW	38.0	T01N R02W S07	SESW	39.0
T01N R02W S07	NESE	40.0	T01N R02W S07	NWSE	38.0
T01N R02W S07	SWSE	36.0	T01N R02W S07	SESE	40.0
T01N R02W S08	SWNW	25.0	T01N R02W S08	NWSW	39.0
T01N R02W S08	SWSW	39.0			

437 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: License

Rights 2-2172, 2-2177, 2-2184, 2-2185, 2-2191A, 2-2191B, 2-2192, 2-2193, 2-2194A, 2-2196, 2-2199, 2-2208, 2-2280, 2-2363, 2-2368, 2-2422, 2-7010, 2-7011, 2-7078, 2-7081, 2-10184, 2-10185 2-10218, 2-10219, 2-10220 and 2-10221 are diverted from the point of diversion described above.

Water Right 2-2194A

1

03/31/2005

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

Right includes accomplished change in place of use pursuant to Section
42-1425, Idaho Code.

A
State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 30900/02-2194 Priority Jan. 11, 1963 Amount 12.88 cfs
(part)

THIS IS TO CERTIFY, that THE TRAVELERS INSURANCE CO.
of Portland, Oregon, has complied with the terms and conditions of Permit
No. 30900/02-2194 issued pursuant to Application for Permit dated January 11, 1963
and has submitted proof to the Department of Water Administration on November 17, 1967
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 88.02 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from the Snake River

tributary of the Columbia River, is hereby confirmed in the following amounts:
Amount 12.88 cfs for irrigation from March 15 to Nov. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 12.88 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NW $\frac{1}{4}$ SE $\frac{1}{4}$ (Lot # 7), Sec. 36, Twp. 1 N, Rge. 3 W, B. M.

in the county of Canyon; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 3,640.5 acre feet per year or _____
4.5 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
1 N	2 W	7					40	40			40	40	40	40	40	40	39	40	399
		8										40	40						80
1 N	3 W	1									40			40					80
		12		40	39	39	40	19	33	40									250

Total number of acres irrigated: 809

Subject to the condition that the maximum rate of diversion shall not exceed 88.02 cfs
when combined with other licensed rights diverted through this system.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 23 day of

March, 19 72.


Director

2-11-74
Part A

Rights

- ✕ 2-2172 - 2.5
- ✕ 2-2177 - 5.18
- ✕ 2-2184 - 5.33
- ✕ 2-2185 - 6.4
- ✓ 2-2191A - 0.17
- ✓ 2-2191B - 8.47
- ✕ 2-2192 - 2.64
- ✓ 2-2193 - 4.46
- ✓ 2-2194A - 6.0
- ✓ 2-2194B > 2-10056 < 2-10220 - 7.12
- ✓ 2-2194C < 2-10221 - 0.88
- ✓ 2-2195 < 2-10184 - 0.01
- ✓ 2-2195 < 2-10185 - 2.49
- ✕ 2-2196 - 2.5
- ✕ 2-2199 - 1.56
- ✕ 2-2208 - 5.0
- ✓ 2-2280 - 0.8
- ✓ 2-2363 - 2.6
- ✕ 2-2368 - 9.86
- ✓ 2-2422 - 1.74
- ✕ 2-7010 - 0.8
- ✓ 2-7011 - 12.8
- ✓ 2-7078 - 2.4
- ✓ 2-7081 - 1.39
- ✕ 2-10218 and - 1.3
- ✓ 2-10219 - 0.16

are diverted from the point of diversion described above.

DATE 1/3/84

FILE _____

NAME OF PARTY Kat ButteEMPLOYEE John K Noyescopy
from
2-2280
claim
file

RE: Reviewing Kat Butte ownership with
Don Brandt attached claims have a total
of 94.82 CFS less permits 02-2363 & 02-7363 of
4.66 CFS equal 90.16 CFS claimed in 1983. Don lic
02-2194 shows a total diversion rate of
88.02 CFS, no indication in S.O file on how
measurement was arrived at or method of
calculation appears to be excessive.

Ekwal Chapman did a measurement of sparkling
meters on the system & arrived at 67.28 CFS.
Brandt agency sent a letter to this office showing
measurement taken by John Hower - 68.36 CFS
measurement made in 1983. This is the figure
it's used until a better figure is arrived at.
90% of the measurement made on this system
are from sparkling meter out of the canal or
by counting the sprinkler heads.

Method of limiters

90.16 CFS total - 68.36 = 21.80 CFS needing
limiters - Starting with latest rights

	Priority	CFS
02-2081	4/29/71	1.39
02-7078	5/24/68	2.4
02-7011	3/1/68	12.8
02-7010	3/11/68	.80
02-2368	4/8/65	9.96

TOTAL 27.25 CFS
 21.80 needed.

MICROFILMED

AUG 16 1984

CONVERSATION MEMORANDUM

DATE 10/11/84

FILE _____

NAME OF PARTY Hat Butte

EMPLOYEE John K. Moyer

RE: Reviewed Hat Butte ownership with
Don Brandt. Measured water 7/20/84 under
pressure of canal running over - Brintant 74.07 cfs
computed cfs 74.3. Idaho Tower 68.36 cfs
Eng report on 02-2194 reads 88.02 cfs
Can not find supporting data on this st.
Use 74 cfs for total capacity of system.
Rights total 94.82 cfs - 74 cfs = 20.82 cfs.
Limited sta. 02-7363, 02-2363, 02-7078,
02-7081, 02-7010, 02-7011.

copy from
 7-2194A
 claim file

RECEIVED

MAR 30 2004

Department of Water Resources

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	Sunridge		✓ 63-8381	Sunridge	
✓ 63-2825	Sunridge		✓ 63-31477	Phen Sunridge	
✓ 63-3135	Sunridge		✓ 02-10185	Kroes	Deed to Sunridge
✓ 63-3260	Sunridge		✓ 02-2194	A	Kroes Deed to Sunridge
✓ 63-3331	Sunridge				

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

SunRidge Dairy LLC

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

Adrian Kroes

Mike Siegersma

200356947

RECORDED

2003 SEP 15 PM 2 35

G NOEL HALES
CANYON CNTY RECORDER
BY *gmlane*

REQUEST *Moffatt Thomas*
TYPE *and* 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 14th day of ~~July~~ *August* 2003.

GRANTOR:

KROES DAIRY,
a California general partnership

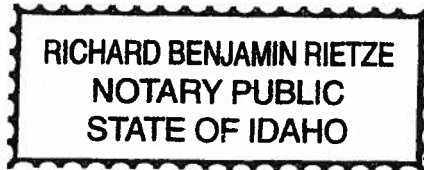
By *Adrian R. Kroes*

Adrian R. Kroes, General Partner

STATE OF IDAHO)
) ss.
County of Canyon)

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

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



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

EXHIBIT A

PARCEL I:

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

SECTION 7:

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

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

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

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

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

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

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

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

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

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

SECTION 8:

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

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

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

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

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

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

PARCEL II:

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

AND

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

EXCEPTING THEREFROM:

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

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

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

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

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

PARCEL III:

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

EXCEPT THE FOLLOWING:

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

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

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

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

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

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

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

① PN 65043 INSTRUMENT NO. 200145293

WARRANTY DEED
(CORPORATE FORM)

B.M.K., INC., a corporation organized and existing under the laws of the State of Idaho, with its principal office at Nampa of County of Canyon grantor, hereby CONVEYS or GRANTS and WARRANTS TO **KROES DAIRY, a California Partnership** grantee of 14661 Haven Avenue, Chino, CA 91710 for the sum of —TEN AND OTHER GOOD AND VALUABLE CONSIDERATION DOLLARS, the following described tract(s) of land in CANYON County, State of Idaho:

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

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

In witness whereof, the grantor has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this October 31, 2001.

B.M.K., INC.

BY

ITS

Barbara Craven
Pres.

STATE OF IDAHO

County of Canyon

On this 31st day of October, 2001, before me, a Notary Public in and for the State, personally appeared Barbara Craven known to me to be the President of B.M.K., INC., a corporation and that the within and foregoing instrument was signed on behalf of said corporation by authority of a resolution of its board of directors and said Barbara Craven did duly acknowledge to me that said corporation executed the same.

Donna A. Chapman
Notary Public residing at: Nampa

My commission expires: 3-9-2006

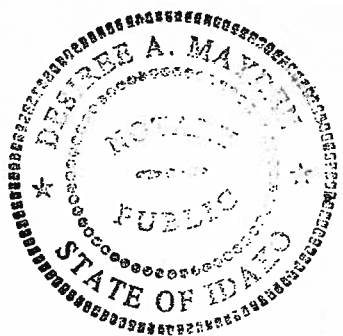


Exhibit "A"

PARCEL I:

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

SECTION 7:

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

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

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

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

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

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

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

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

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

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

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

SECTION 8:

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

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

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

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

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

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

PARCEL 2:

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

AND

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

EXCEPTING THEREFROM:

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

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

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

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

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

200145293

RECORDED

2001 OCT 31 PM 3 56

G. NOEL HALE

CANYON CNTY RECORDER

BY

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

BC

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").

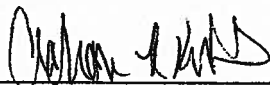
Together with all rents, remainders and reversions, and all appurtenances and hereditaments, reversions, remainders, issues and profits, improvements and fixtures, easements, mineral rights, water rights and all other permits, licenses and rights in any way appertaining to the Premises, and subject to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

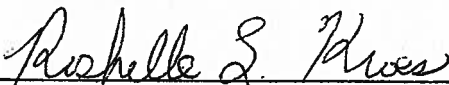
The Grantors covenant and warrant that Grantors shall defend the quiet and peaceable possession of the Premises by Grantee, its representatives, successors and assigns, forever against all claims whatsoever.

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:

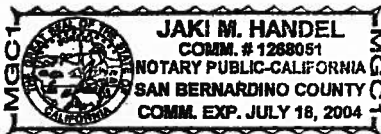
By 
RASHELLE L. KROES

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



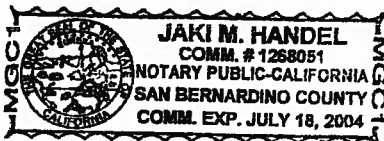
Jaki M. Handel
Residing at Ontario, CA
My Commission Expires July 18, 2004

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.

CUU204419

RECORDED

2002 JUN 29 PM 12 57

G NOEL HALES

CANYON CNTY RECORDER

BY

Jeffer DeWitt

REQUEST

TYPE

Wheat

FEE

9.00

INSTRUMENT NO. 200145084

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

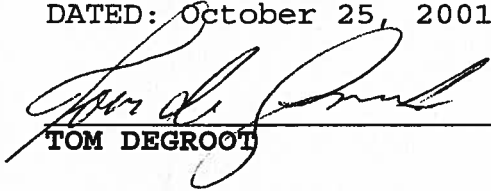
the Grantees, whose address is 14661 Haven Ave., Chino, CA 91710

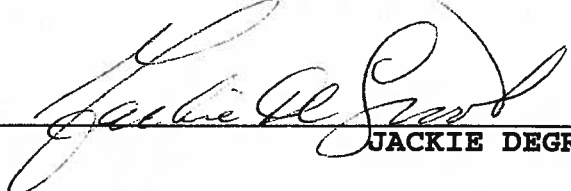
the following described premises, to-wit:

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.

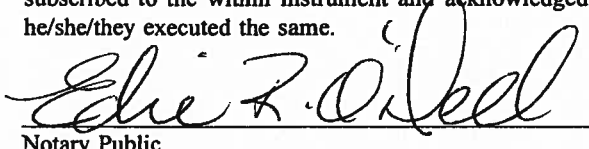
DATED: October 25, 2001

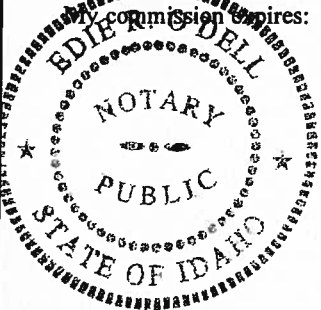

TOM DEGROOT


JACKIE DEGROOT

STATE OF IDAHO
COUNTY OF CANYON

On this 29th 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



REQUEST PIONEER-NAMPA
TYPE WARRANT FEE 600

2001 OCT 30 PM 4 40
G. NOEL HALLS
CANYON CNTY RECORDER
BY Joelle Alvar

RECORDED

200145084

PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

PN 65096

AK

[Handwritten signature]

Exhibit "A"

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

EXCEPT THE FOLLOWING:

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

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

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

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

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

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

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

37.6

6

7

36.1

2
40.0

37.5

5

T5940

13
33.2

Pipe
Floor

19
30.5

22
5.4

24
4.3

T5939

3
45.4

2

27.5

11
34.0

CORN

10
0.8

5
4

151

14
18.6

2
5.8

1.8

9

T3798

7
66.8

6
68.8

5
131.0

16

DOWN - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 02-02194A Date: 4-25-02

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	1N	2W	7			10	15					39	-3	-4	39	40	38	36	40	334
GIS						10	15					40	41	37	38	40	40	38	39	338
Claim			8							25				39	39					103
GIS										20				40	39					99
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1Total Claimed Acres: 437

Overlapping FOU Claim #'s:

Total GIS Acres: 437

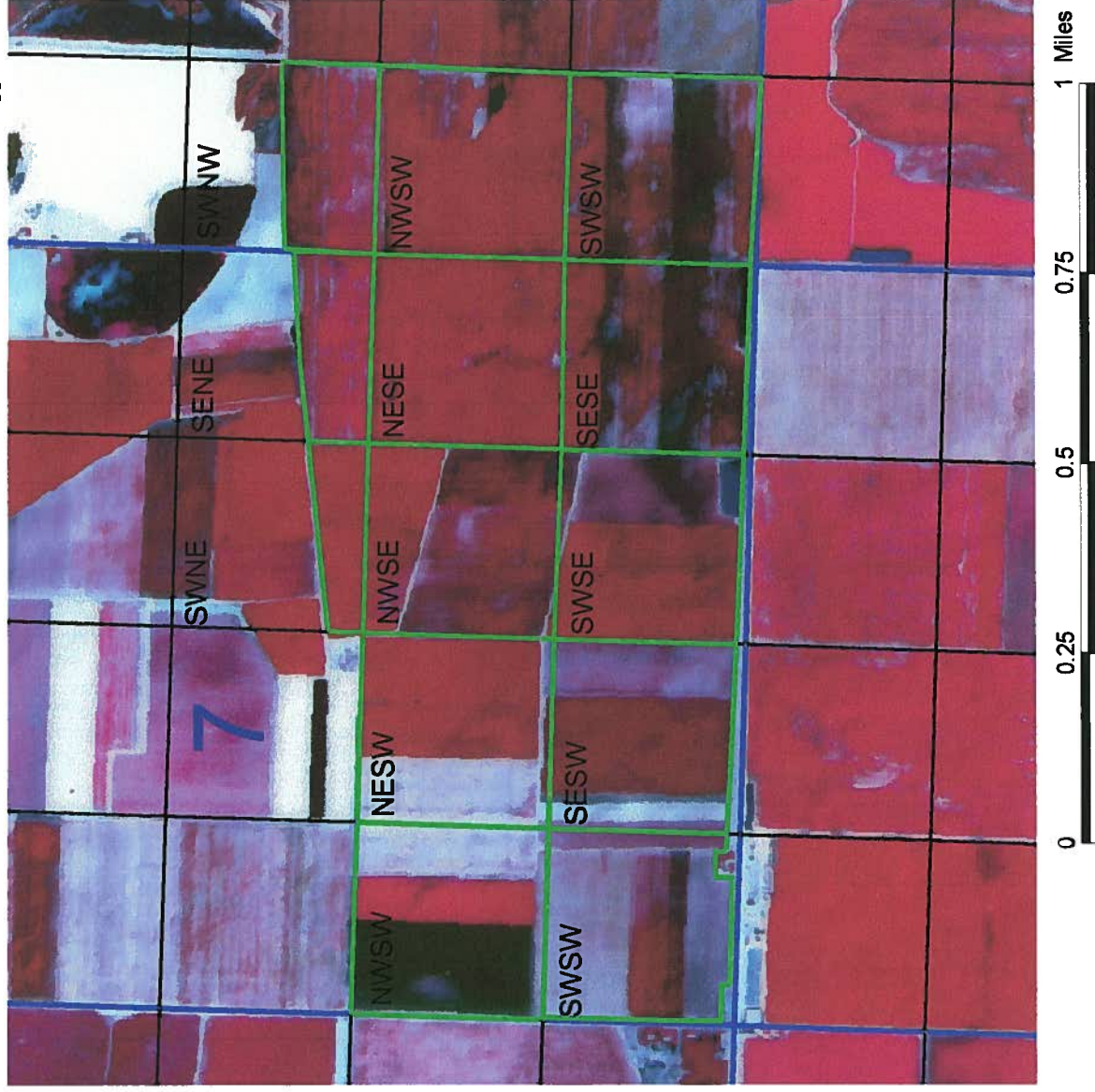
COMMENTS:

POD per claim map & image interp.POD estimated in g.g.

Idaho Department of Water Resources

Claim Number: 02-02194A
Legal: T01N, R02W, S7 & 8
Reviewed By:

1987 Napp Photo



Point of Diversion
(Located Outside of View)



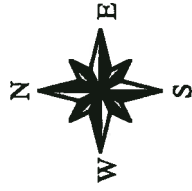
Place of Use



Section Lines



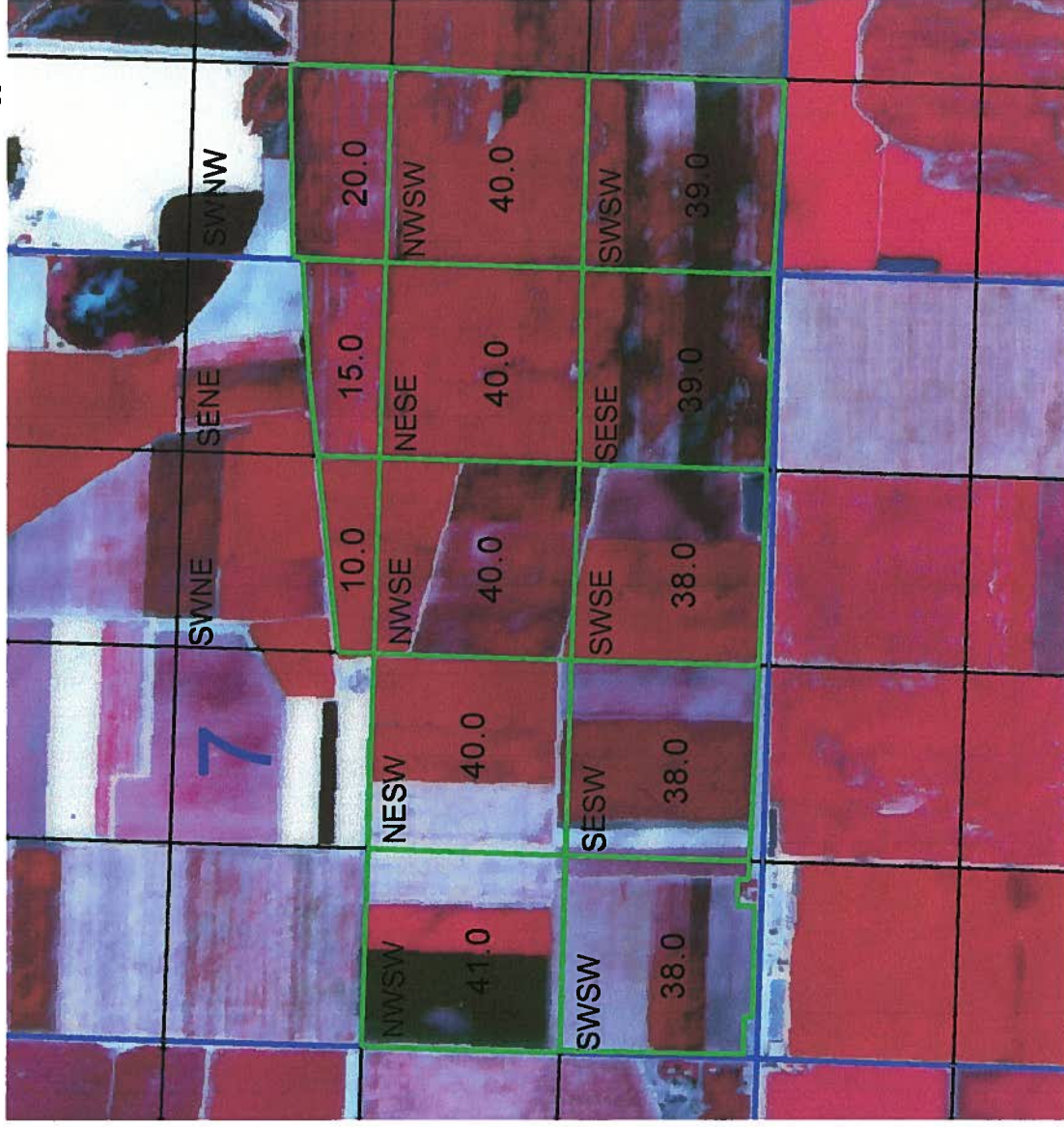
Quarter Quarter Lines



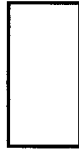
Idaho Department of Water Resources

Claim Number: 02-02194A
 Legal: T01N, R02W, S7 & 8
 Reviewed By:

1987 Napp Photo



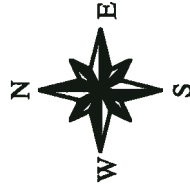
Point of Diversion
 (Located Outside of View)



Place of Use

Section Lines

Quarter Quarter Lines



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 02-2194A
Date Received: 7/8/1997
Receipt No: W022753
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: 01/11/1963

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01N	03W	36	NW SE 7	CANYON	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	6	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
01N	02W	7	↖SW	NE	IRRIGATION	10	
			↖SE	NE		IRRIGATION	15
			↖NW	SW	3	IRRIGATION	39
			↖SW	SW		4	IRRIGATION
			↖SE	SW	IRRIGATION		39
			↖NE	SE	IRRIGATION	40	
			↖NW	SE	IRRIGATION	38	
			↖SW	SE	IRRIGATION	36	
			↖NE	SW	IRRIGATION	39	
			↖SE	SE	IRRIGATION	40	
Section Acres						334	
01N	02W	8	NW	SW	IRRIGATION	39	
			SW	NW	IRRIGATION	25	
			SW	SW	IRRIGATION	39	
Section Acres						103	
Total Acres						437	

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

EQUITABLE AGRI BUSINESS HOLDS A LIEN ON THIS LAND. I HAVE INCLUDED A LETTER FROM THEM IN THE FILE AND LISTED THEM ON THE CLAIM AS LIENHOLDER. I DID HOWEVER, INFORM MR. RASMUSSEN, V.P. THAT THIS WOULD NOT GUARANTEE THAT A TRANSFER WOULD NOT OCCUR WITHOUT THEIR KNOWLEDGE.

See remarks for additional conditions of approval.

15. Basis of Claim: License

RECEIVED

Form 42-248/42-1409(8) July, 2000

JAN 10 2002**WATER RESOURCES
WESTERN REGION**

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

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

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

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

Also:
A02-10185
A02-02194A

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. Tieg, 10020 Big Foot Rd, Melba, ID 83641
Elmer H. Tieg, 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 _____

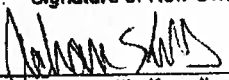
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation		
Stock		
Other		
Domestic		
Total		

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 _____

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

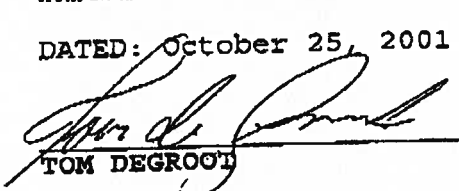
the Grantees, whose address is 14661 Haven Ave., Chino, CA 91710

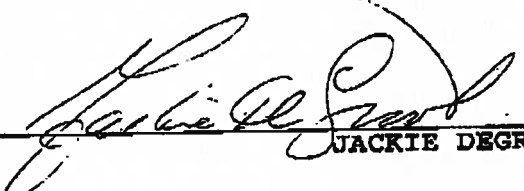
the following described premises, to-wit:

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.

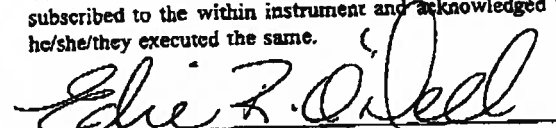
DATED: October 25, 2001


TOM DEGROOT


JACKIE DEGROOT

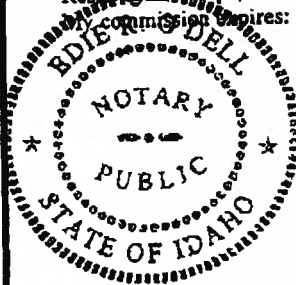
STATE OF IDAHO
COUNTY OF CANYON

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

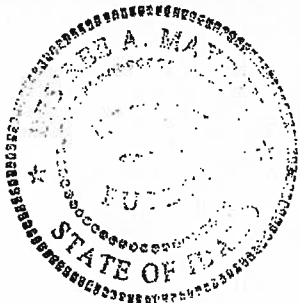
ITS

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: NampaMy commission expires: 3-9-2006

PN65043

Exhibit "A"

PARCEL I:

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

SECTION 7:

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

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

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

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

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

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

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

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

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

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

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

SECTION 8:

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

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

North 0° 47'27" East along said West boundary a distance of 308.00 feet; thence South 88° 17'54" East a distance of 661.50 feet to a point on the East boundary of said Northwest Quarter of the Southwest Quarter of the Northwest Quarter; thence

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

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

PARCEL 2:

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

AND

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

EXCEPTING THEREFROM:

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

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

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

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

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

2001 OCT 31 PM 3 56
RECORDED
CANYON COUNTY RECORDER
BY *[Signature]*
REQUEST FEE \$1.00
TYPE *[Signature]*

200145293

BC

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: A02-02194A
Date Received: 7/ 8/1997
Receipt No: W022753
Received By: RS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: E T F INC 208-466-9308
Address: C/O BARBARA CRAVEN
12997 W STAGE COACH RD
NAMPA ID 83686

2. Date of Priority: JAN 11, 1963

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	03W	36		NW	SE	7	CANYON

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	6.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	02W	7	SW	NE		IRR	10.0
			SE	NE		IRR	15.0
			NE	SW		IRR	39.0
			NW	SW	3	IRR	39.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	02W	7	SW		SW	4	IRR	38.0
			SE		SW		IRR	39.0
			NE		SE		IRR	40.0
			NW		SE		IRR	38.0
			SW		SE		IRR	36.0
			SE		SE		IRR	40.0
							Section Acres	334.0
		8	SW		NW		IRR	25.0
			NW		SW		IRR	39.0
			SW		SW		IRR	39.0
							Section Acres	103.0
							Total Acres	437.0

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:

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 30900

16. Signature(s)

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am President of
Title
E.T.F. Inc., that I have signed the foregoing
Organization
document in the space below as President of
Title
E.T.F. Inc. and that the statements contained in the
Organization
foregoing document are true and correct. Barbara Caven

Signature of Authorized Agent

Title and Organization

Date _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 5 day
of July 19 97 Ron Haver

Notary Public

Seal

Residing at Ron Howerton
Residing at Boise, Idaho
My Commission Expires December 8, 2000

FILE

CLAIM/WR NO: A02-02194A
AGENT: RON HOWERTON
DATE: July 8, 1997
REF: ETF INC BARBARA CRAVEN

1. NO LATE FEE CHARGED, FILED OTHER CLAIMS ON TIME.
2. BARBARA CRAVEN WILL FILE TRANSFER WITH LORI GRAVES, LORI WILL SCHEDULE.
3. A TRANSFER WILL BE NEEDED FROM THE NWNW, ^{SW}~~SE~~NW S7; TO THE SWNE SENE S7 AND SWNW S8.
4. THE TRANSFER WILL ALSO NEED TO REFLECT GROUNDWATER THAT COVERS THE SWNE SENE S7 AND SWNW S8, A SWAP BACK TO THE GROUND IN THE NWNW, SENW S7. UNKNOWN WATER RIGHT NUMBER AT THIS TIME. BARBARA'S SISTER OWNS THE RIGHT.
5. LATER AFTER A OWNERSHIP CHANGE OF A SEPARATE 2ND WELL, THEY WANT TO FILE A PPOU TO THE LANDS COVERED BY THIS CLAIM A02-02194A. THE OWNERSHIP CHANGE IS FOR CLAIM A63-02949.

CARD NO.

EXHIBIT 11
65096
4

(CLAIMS)

[illegible]

~~A02-2194A~~

Part 102

[illegible]

15
VET
27

34 EAST

mn	$\frac{3}{4}$
----	---------------

ms 43

$$3 \text{ } S^{2,1m}$$
 $s_{1/2}$ SWNW

3N3S 3N3S

6702 5157

PN 65043
PARCEL 2

A63-27949
A63-27949

Water Right Number - A02-02194A

Prefix Translation:

ADJUDICATION CLAIM

Old (D) Number -

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

*** C - CURRENT OWNER ***

TIEGS

ELMER

1 - RT. 4 BOX 4233

2 -

3 -

City- NAMPA

State- ID Zip- 83651

Phone -

TRAVELERS INSURANCE CO.

THE

1 -

2 -

3 -

City-

State- Zip-

Phone -

+ - - Priority Date - - +

01/11/1963

+ - - - Region - - - +

ERROR IN REGION

+ - - - Stage - - - +

L - LICENSE

+ - - - Status - - - +

+ - - - - Source - - - - +

SNAKE RIVER

+ - - - - Tributary - - - - +

COLUMBIA RIVER

+ - - - - Point of Diversion - - - - - +

Twn Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

01N 03W 36 SW NE 7 (27) CANYON

+ - - - - Water Use - - - - - +

Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

03/15

11/15

6.000

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +

6.000

+ - - - - Place of Use - - - - - +

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
01N	02W	7	NW NW	1	39.0	01	IRRIGATION	(27) CANYON
01N	02W	7	SW NW	2	39.0	01	IRRIGATION	(27) CANYON
01N	02W	7	NE SW	3	39.0	01	IRRIGATION	(27) CANYON
01N	02W	7	NW SW	3	39.0	01	IRRIGATION	(27) CANYON
01N	02W	7	SW SW	4	38.0	01	IRRIGATION	(27) CANYON
01N	02W	7	SE SW		39.0	01	IRRIGATION	(27) CANYON
01N	02W	7	NE SE		40.0	01	IRRIGATION	(27) CANYON
01N	02W	7	NW SE		38.0	01	IRRIGATION	(27) CANYON
01N	02W	7	SW SE		36.0	01	IRRIGATION	(27) CANYON
01N	02W	7	SE SE		40.0	01	IRRIGATION	(27) CANYON
01N	02W	8	NW SW		39.0	01	IRRIGATION	(27) CANYON
01N	02W	8	SW SW		39.0	01	IRRIGATION	(27) CANYON

Total Acres: 465.0

+ - - Diversion Means -

ADD 8
SW
NW
25

57 ADD
SWNE
10

SENE
15

Water right number - A02-02194A

Prefix Translation: ADJUDICATION CLAIM

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SOURCE(S) OUTSIDE BASIN.

+	Remarks	+
	SOURCE OUTSIDE SNAKE RIVER BASIN 63-2949 (GROUNDWATER).	

```

+-----Old Water Right Numbers-----+
No Old Water Right Numbers found.

```

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - Decree Plaintiff - - +	+ - - - Decree Defendant - - +	+ - Decree Date - +
		00/00/0000

+-----+
 -Comments-
 +-----+

+ - - Audit Fields - 12/11/84 04/30/88 CONVERT 09/22/90 RGTHE

+ Water Rights Dates and Flags Area +

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	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 02
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000	Name Connector	-	POU Ownership Flag	-
Presumption Flag	-				

WR0743NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

07/08/97 14:30:22

Page 1

Water Right Number - 02-02194

Prefix Translation: WATER RIGHT

Old (D) Number -

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

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
00/00/0000 ERROR IN REGION

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +

Twn Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
SPLIT INTO 02-2194A & 02-2194B.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - -Comments- - - - - +
No Comments Found

+ - - Audit Fields - 11/23/87 04/30/88 CONVERT

+ - - - - Water Rights Dates and Flags Area - - - - - +

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 - 00/00/0000	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended -

WR0743NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

07/08/97 14:30:22
Page 2

Water right number - 02-02194

Prefix Translation: WATER RIGHT

+ - - - - - Water Rights Dates and Flags Area - - - - - +

Decree Date	- 00/00/0000	Name Connector	-	POU Ownership Flag-
Presumption Flag	-			

Form No. 42-1409

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF

SHAKE DIVISION FROM BASE OF MILLER
AND TO DIVIDE CHANINAGE BASIN
WATER

**NOTICE OF CLAIM
TO A
WATER RIGHT**

<u>02-01-01</u>	
I.D. No.	Map No.
<u>8-10</u>	<u>2-201</u>
Fee Paid	Receipt No.

Notice is hereby given that TRAVELERS INSURANCE/OR FLNER TIEGS

(Name of Claimant)

Box 4233 Nampa, ID 83651

(Mailing Address)

(Zip Code)

Telephone No. 800-1234

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 1/11/1950

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River tributary to Columbia River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity 6.00 Use irrigation Period of Use From 3/15 To 11/1
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) 6.00 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source 10' 5'
Sec. 36, Twp. 14, Rge. 3W, B.M., Canyon County

Additional Points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.

Wans. pipeline, ditches

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

T	R	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
14	24	7					40	40			40	40	40	40	40	40	30	40	300
		8									40	40							80

Total no. of acres 470

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks

(9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case.

☒ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. 30000/100-111-100

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

SEPT. 28, 1981

(Date)

Individual

Clarence H. ...
(Signature of Claimant)

Organization

(Signature of Spouse)

State of IDAHO

County of ADA

Organization

Seal

(Signature of Authorized Agent)

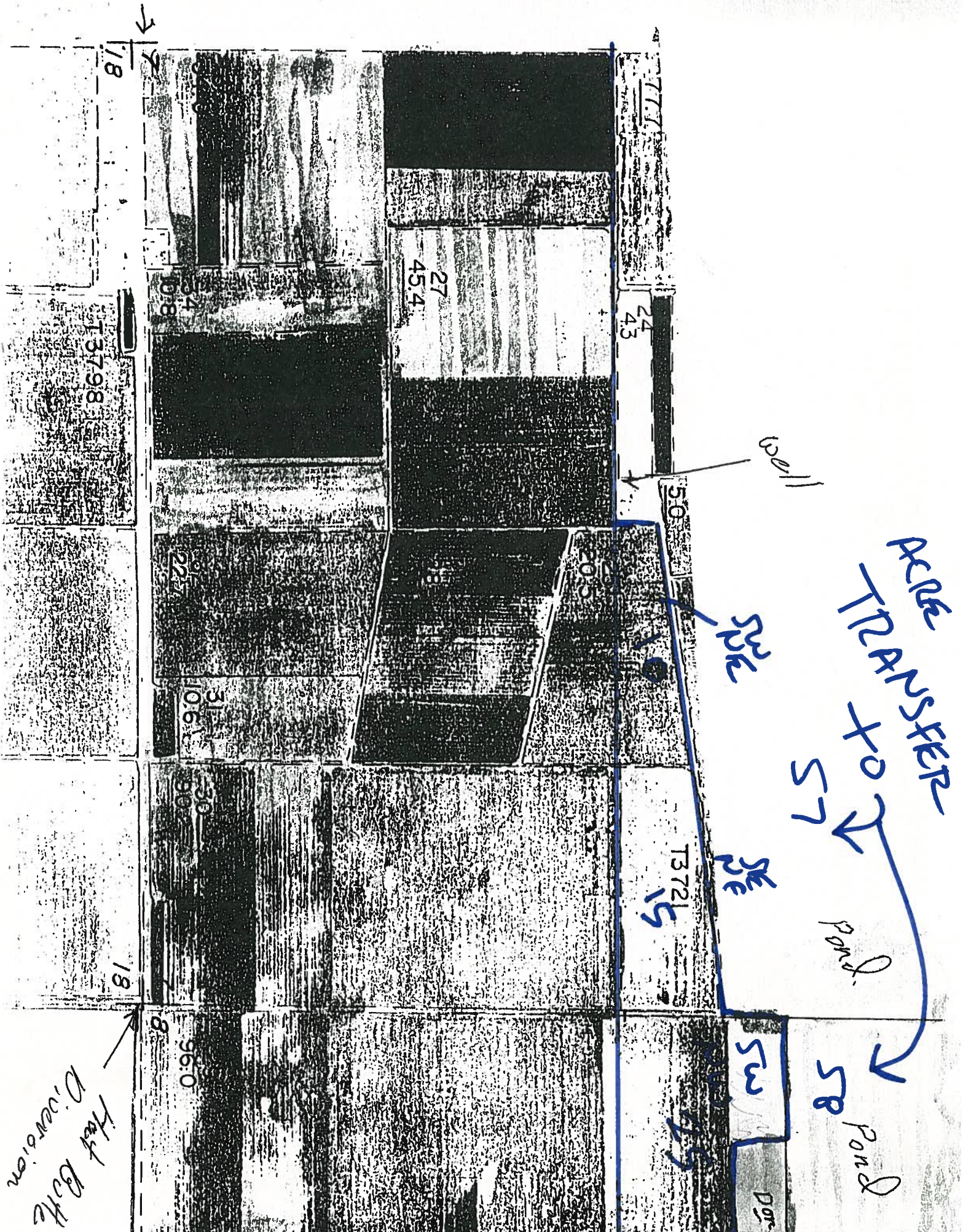
On this 28 day of SEPTEMBER, in the year 1981, before me a notary public, personally appeared CLARENCE H. ...

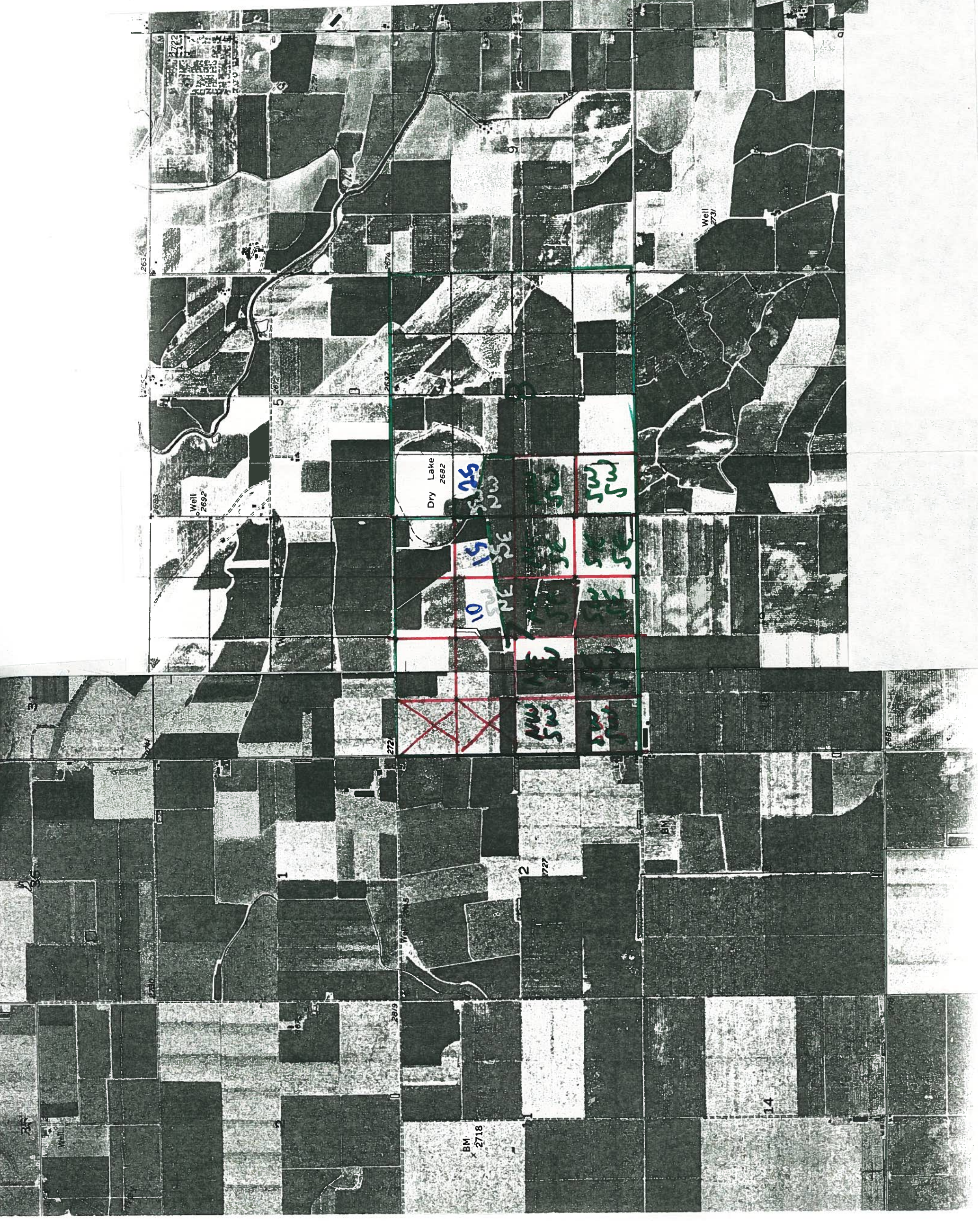
known to me to be the person(s) whose name(s) are subscribed to the above instrument and acknowledged to me that (he, she, they, corporation, partnership or executed the same).

My commission expires 1981

Notary Public residing at ...

Head Butte
- Division







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 black ink that reads "Denise Buffington". The signature is written in a cursive, flowing style.

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB: db

Enclosure

EQUITABLE AGRI-BUSINESS, INC.



3203 West March Lane, Suite 110
Stockton, CA 95219
(209) 951-4980
(209) 951-3038 (Fax)

June 2, 1997

Idaho Department of Water Resources

~~900 N. Skyline Drive~~ 2735 Airport Way
~~Idaho Falls, ID 83402-1781~~ Boise, ID 83705

Re: License No. 02-02194A
Tiegs Farms, Inc.

To Whom It May Concern:

Please be advised that The Equitable Life Assurance Society of the United States holds a first lien on real estate security which also encumbers the above captioned water licenses.

We would appreciate you so noting our lien in your records. We will also notify your agency upon the payment in full of the above captioned loan which will release our security interest in these licenses.

If you have any questions, please contact this office.

Sincerely,

Todd Hansen
Regional Manager

TH:ab

Accepted By:

By: [Signature]

Date: June 11, 1998

*Note.

I have enclosed a copy of this letter in the file and put the company name in the data base as leinholder. However, this is not a guarantee that a transfer will not occur without your knowledge.

Steven A. Parker
Vice President - Western Region

J.L. Rasmussen
Assistant Regional Vice President

Charles T. McElligott
Assistant Regional Vice President

Todd D. Hansen
Regional Manager

Tiegs Farms, Inc.

By: Will B. Cunningham
Its: President

By: Bonnie C. Cunningham
Its: Secretary

Tiegs Family Limited Partnership

By: Will B. Cunningham
Its: General Partner

By: Bonnie C. Cunningham
Its: General Partner

EQUITABLE AGRI-BUSINESS, INC.



3203 West March Lane, Suite 110
Stockton, CA 95219
(209) 951-4980
(209) 951-3038 (Fax)

RECEIVED

JUN 11 1998

WATER RESOURCES
WESTERN REGION

Steven A. Parker
Vice President - Western Region

J.L. Rasmussen
Assistant Regional Vice President

Charles T. McElligott
Assistant Regional Vice President

Todd D. Hansen
Regional Manager

June 9, 1998

Idaho Department of Water Resources
275 Airport Way
Boise, ID 83705

Attn: Susan Bock

Re: Our Loan No; F-199302
License No. 02-02194A
Teigs Farms, Inc.

Dear Ms. Bock:

Enclosed are the two copies of the letter I spoke with you about today. As you will note, they were erroneously addressed to the Eastern Regional Office.

Please execute and return one copy to this office. The other copy is for you files.

If you have any questions or additional requirements, please contact this office.

Sincerely,

J. L. Rasmussen
Asst. Regional Vice President

JLR:ab

cc: Robb Steinke
Area Investment Manager
P. O. Box 2362
Twin Falls, ID 83303-2362
Telephone # (208) 733-0044
e:mail robbsteinke@safelink.net

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
SNAKE RIVER FROM BASE OF MILNER
DAM TO OREGON XXXXXXXXXXXX
BORDER.

NOTICE OF CLAIM TO A WATER RIGHT

02-2194A I.D. No.	Map No.
\$ <u>10</u> Fee Paid	<u>20241</u> Receipt No.

Notice is hereby given that TRAVELERS INSURANCE&/OR ELMER TIEGS
(Name of Claimant)

Rt. 4, Box 4233, Nampa, ID 83651
(Mailing Address) (Zip Code)

Telephone No. 466-1698

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 1/11/1963

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River tributary to Columbia River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity 6.00 Use irrigation Period of Use From 3/15 To 11/15
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) 6.0 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source SW SW NW 1/4 NE SE Lot 7
Sec. 36, Twp. 1N, Rge. 3W, B.M., Canyon County

Additional Points: SE 1 2720(1) 439.5

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.

Pumps, pipeline, ditches Sprinkler irr

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

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	2W	7					40	40			40	40	40	40	40	40	39	40	399
		8					39	39			39	39	39	39	40	39	36	40	387
											40	40							80
											39	39							78

Total no. of acres 479 465

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks Source outside Snake River Basin
63-2949 (G.W.)

(9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case.

KEYPUNCHED

CW
10-1984

☒ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. 30900/02-2194 Part

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

SEPT. 28, 1981
(Date)

Individual Elmer H. Tieg
(Signature of Claimant)

Organization _____
(Signature of Spouse)

State of IDAHO

Organization _____

County of ADA

ss.

Seal

(Signature of Authorized Agent)

On this 28 day of SEPTEMBER, in the year 1981 before me
a notary public, personally appeared ELMER TIEGS

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporate partnership or _____) executed the same.

My commission expires LIFE

Notary Public residing at BOISE

IN THE DISTRICT COURT OF THE JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF

IN THE MATTER OF THE GENERAL DETERMINATION OF RIGHTS TO THE USE OF
SNAKE RIVER FROM BASE OF MILLER DAM TO OREGON DRAINAGE BASIN BORDER.

NOTICE OF CLAIM
TO A
WATER RIGHT

02-2194A

I.D. No.

Map No.

\$10

20241

Fee Paid

Receipt No.

Notice is hereby given that TRAVELERS INSURANCE/OR ELMER TIEGS
(Name of Claimant)
Rt. 4, Box 4233, Nampa, ID 83651 Telephone No. 456-1698
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 1/11/1963
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Snake River tributary to Columbia River
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | | | | | | |
|----------|----------------|-----|-------------------------------------|--------------------|------------------------|----|------------|
| Quantity | 6.00 | Use | irrigation | Period of Use From | 3/15 | To | 11/15 |
| | (CFS, GPD, AF) | | (Domestic, irrigation, stock, etc.) | | (Mo., Day) | | (Mo., Day) |
| | | | | | (Both dates inclusive) | | |
| Quantity | | Use | | Period of Use From | | To | |
| | (CFS, GPD, AF) | | (Domestic, irrigation, stock, etc.) | | (Mo., Day) | | (Mo., Day) |
| | | | | | (Both dates inclusive) | | |
| Quantity | | Use | | Period of Use From | | To | |
| | (CFS, GPD, AF) | | (Domestic, irrigation, stock, etc.) | | (Mo., Day) | | (Mo., Day) |
| | | | | | (Both dates inclusive) | | |
| Quantity | | Use | | Period of Use From | | To | |
| | (CFS, GPD, AF) | | (Domestic, irrigation, stock, etc.) | | (Mo., Day) | | (Mo., Day) |
| | | | | | (Both dates inclusive) | | |
- (4) 6.0 TOTAL QUANTITY CLAIMED. Lot 7 NW 1/4 SE 1/4
- (5) A) Point of Diversion: Give location of point where water is diverted from its source Sec. 36, Twp. 1N, Rge. 3W, B.M., Canyon County
Additional Points:
B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Pumps, pipeline, ditches

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

T	R	SEC.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
1N	2W	7						40	40		40	40	40	40	40	40	39	40	399
		8										40	40						80

Total no. of acres 479

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
- NOTE: Include here the type and number of stock watered:
- (7) If you are claiming water as a member of an organization, list name of organization:
- (8) Remarks
- (9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case.
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. 30900/02-2194 Part

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual Elmer H Tiegs
(Signature of Claimant)
Organization
(Signature of Spouse)
Seal
(Signature of Authorized Agent)
On this 28 day of SEPTEMBER, in the year 1981 before me
a notary public, personally appeared ELMER TIEGS
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or) executed the same.
My commission expires Notary Public residing at

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by JKN

Date 10/11/84

Right No. 02-2194A

Claimant Tranelora Gmz.

Recommendation differs from claim: ☒ Yes ☐ No ☐ Disallow
(Document any differences)

Claim Details Verified Against:

Check (X or ✓) those searched. Circle records used for recommendation.
Include copies or memos where applicable to explain findings.

☒ License

☐ Previous Statutory Claim.

☐ Permits, valid or lapsed. Number(s) if different than above _____

☐ Decree. Name & date _____

☐ Conveyance Loss Calculations. See printout included.

☐ Title abstract. ☐ In file. Or, Name & location _____

☐ County records. ☐ In file. Or, Name & location _____

☐ Affidavits. ☐ In file.

☐ Posted Notices, Water Locations Notices. ☐ In file.

☐ Deed Records. ☐ In file. Or, Name & location _____

☐ Patent Records. ☐ In file. Or, Name & location _____

☐ Metzker Maps. Identify _____

☒ A.S.C.S. Records. Year & Photograph No. 1977 attached

☐ Irrigation Company/District Records. ☐ In file. Or Name & location _____

☐ Historical Books. Name(s) & location _____

☐ Interview(s). Attach conversation memorandum.

☐ Other _____

☐ _____

Field Exam Made: ☒ Yes ☐ No Date _____

☐ Adj. Report in file ☐ Beneficial Use Report in License (S.O.) File

Measurement 74 cfs. Amount recommended 6.0 cfs.

Type of measuring device: AA Flow meter Meter No. _____

Condition _____ Date 7/20/84 Time _____

Adjudication Photo(s) Used: Name or No. _____

Field Photographs Taken ☐ Yes ☒ No

Memorandum in file ☐ Yes ☒ No

Remarks See 02-2194A for measurement & etc.

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM
REPORT OF EXAMINERS

Claim No. 02-2194A

1. Name of Applicant Travelers Ins. & Elmer Tieg

2. Priority 1/11/03

3. Source of Water Snake R.

4. (Quantity) (Domestic, Irri., Stock Water, etc.) (Period of Use)
_____ cfs Use _____ From _____ to _____

600 cfs Use gr. From 3/15 to 11/15

_____ cfs Use _____ From _____ to _____

5. Location of Point of Diversion: 47 SW NE of Section 36

Twp. 1N, Rge. 3W, County of Canyon

6. Describe Diversion Works: Pumping plant -

Sprinkler irr

7. Describe Location of Use:

TWP	RGE	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SE $\frac{1}{4}$ SW				SW $\frac{1}{4}$ SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>1N</u>	<u>2W</u>	<u>7</u>						<u>39</u>	<u>39</u>		<u>39</u>	<u>39</u>	<u>38</u>	<u>39</u>	<u>40</u>	<u>38</u>	<u>36</u>	<u>40</u>	<u>387</u>
		<u>8</u>										<u>39</u>	<u>39</u>						<u>78</u>

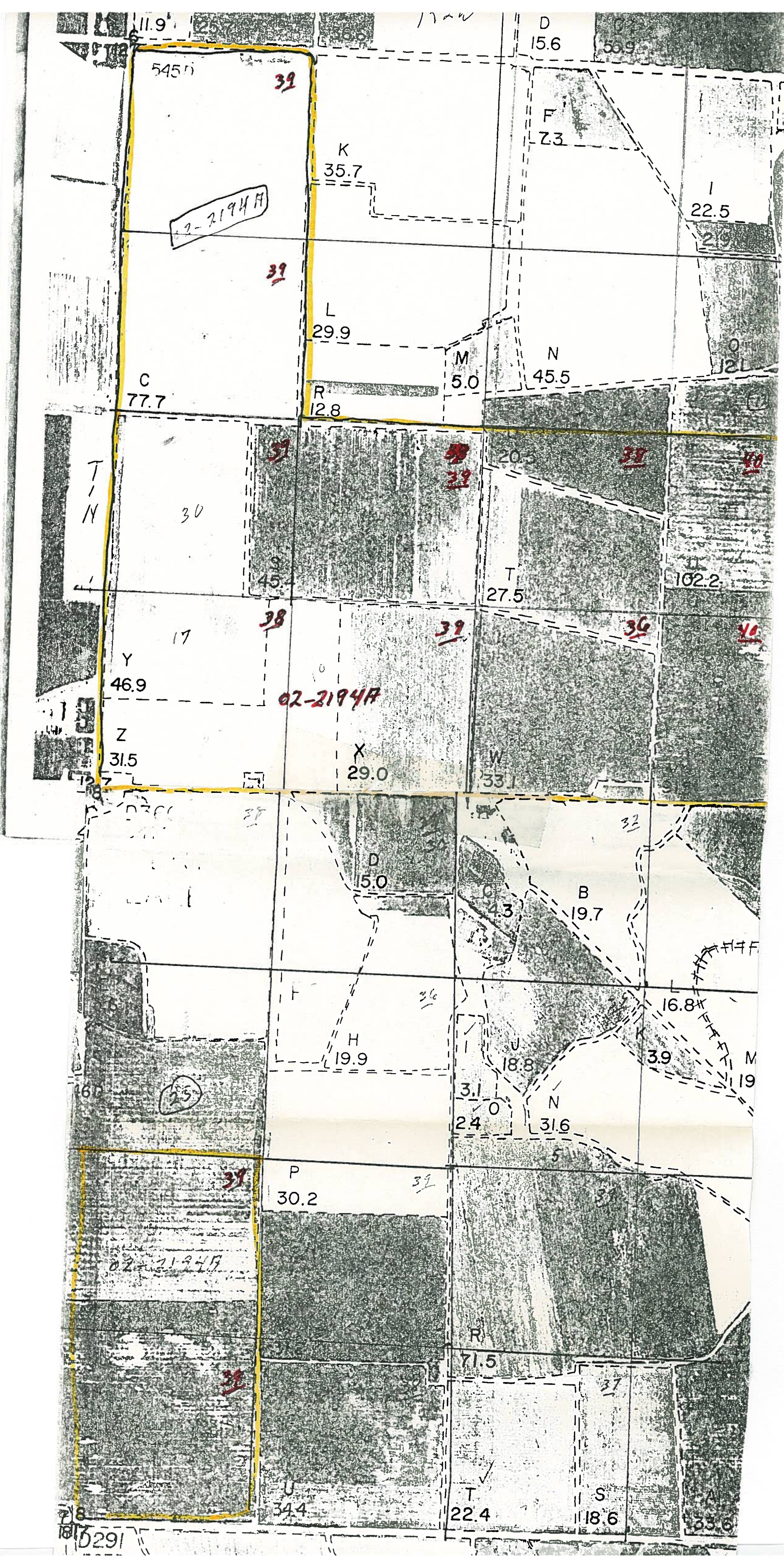
TWP.			RGE.			COUNTY			SCALE: 1" = 1 MILE									

8. Purpose other than irrigation: none

9. Remarks:

This examination was made on the 6 day of Dec, 19 83.

(Signed) John K. Meyer
Examiner



545.0

39

02-2194A

39

K
35.7

D
15.6

F
7.3

I
22.5

L
29.9

M
5.0

N
45.5

R
12.8

C
77.7

T
N

30

39

39

20.5

38

40

S
4.5

T
27.5

102.2

Y
46.9

17

38

39

36

40

02-2194A

Z
31.5

X
29.0

W
33.1

D
5.0

G
4.3

B
19.7

F

H
19.9

U
18.8

K
3.9

M
19

O
2.4

N
31.6

L
16.8

P
30.2

32

R
71.5

U
34.4

T
22.4

S
18.6

33.6

02291

CONVERSATION MEMORANDUM

DATE 10/11/84

FILE _____

NAME OF PARTY Hat ButteEMPLOYEE John K Moyer

RE: Reviewed Hat Butte ownership with
Don Brandt. Measured water 7/20/84 under
pressure of Canal running over - Brintant 74.07 cfs
computed cfs 94.3. Idaho Power 68.36 cfs
Eng report on 02-2194 reads 88.02 cfs
can not find supporting data on this st.
Use 74 cfs for total capacity of system.

Rights total 94.82 cfs - 74 cfs = 20.8 diff.
limited sta. 02-7363, 02-2363, 02-7078,
02-7081, 02-7010, 02-7011.

760 Kintle

Ed Lat 7 SW NE Dec 36
IN R3

Claim	ESS	applicant	Dec	T	R	acres	Price
02-2191	8.64	D. Skopsberg	2	1N	3W	603	11/1/6
02-2208	5.0	Wittler	34, 31	2N	3W	377	2/20/6
02-2193	4.46	J. Brandt	11	1N	3W	234	1/1/63
02-2185	6.41	J. Olson	18	1N	2W	620	1/7/63
02-2197A	9.3	H. Breach	14, 29	1N	2W	708	12/13/6
02-2177	5.18	W. J. Lake F element	13	1N	3W	3144	1/5/6
02-7010	.80	" "	13	1N	3W	3144	3/1/6
02-2172	2.5	" "	13	1N	3W	298	2/26/6
02-2184	5.33	" "	12	1N	3W	304	1/7/6
02-2197B	2.08	Trey	24	1N	2W	156	12/13/6
02-2194A	6.0	E "	7, 8	1N	2W	465	11/1/6
02-2195	2.5	D "	8	1N	2W	402	1/14/6
02-2368	9.86	D. Allen	36	2N	3W	493	4/8/6
02-2280	1.50 1.78	" "	36	2N	3W	39	3/2/6
02-2422	1.74	" "	36	2N	3W	87	5/12/6
02-2192	2.64	H. Starn	1	2N	3W	151	1/11/6
02-2199	1.56	" "	1	1N	3W	78	1/24/6
02-7078	2.4	" "	1	1N	3W	153	5/29/6
02-2194B	1.12	J. Hosti	1	1N	3W	78	1/11/6
02-7363	1.48	" "	1, 12	1N	3W	73	10/9/5
02-2194C	6.56	" "	1, 12	1N	3W	328	1/11/6
02-7011	12.8	B.M.K.	26, 27, 35	2N	3W	731	3/1/63
02-7081	1.34	" "	11	1N	3W	72	4/29/5
02-2363	3.2	" "	17, 20	1N	2W	160	3/5/63
02-2196	2.5	K. Aug.	17	1N	2W	160	1/12/63
Total		Total system capacity		74 ESS		need to make for	
Capacity		74		74		74	

#4: 600 HP, US Motor #1299581
Layne Pump #46282
12" disch. - 12" check valve

#1: 600HP, US Motor #1299579
12" disch. - 12" check valve
Layne Pump #46382

#5: 600 HP, US Motor #1299580
Layne Pump #46283
12" disch. - 12" check valve

#2: 600 HP, US Motor #1304623
Layne Pump #46281
12" disch. - 12" check valve

#6: 600 HP, US Motor #1299582
Layne Pump #46284
12" disch. - 12" check valve
4" pipe and gate valve in
drain pipe

#3: 600 HP, US Motor #1304624
Layne Pump #46383
12" disch. - 12" check valve
4" pipe and gate valve in
disch. pipe

#7: 300HP, US Motor #1305718
Layne Pump #46440
10" disch. - 10" check valve
10" gate valve

All pumps have a 2" pipe and gate valve bypassing check valve for back flushing pump. Penstock is 36" x 1800'; approximate head 486' into concrete canal 4' bottom x 12' top x 3 1/2' deep, and graduates down in size along its length. All diversions are measured through Sparling Meters.

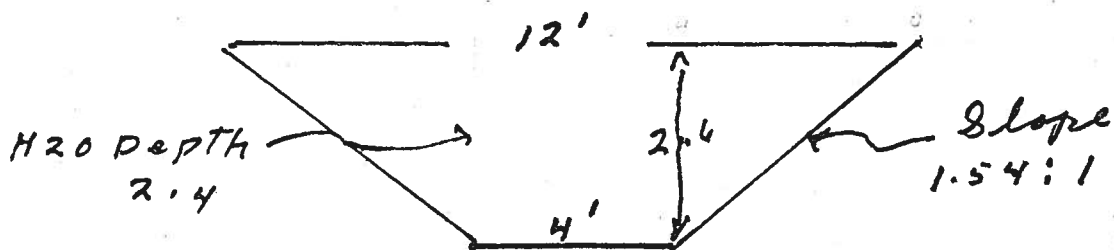
See underneath

30897

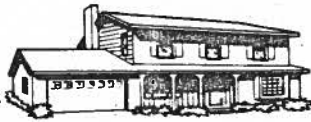
Hatt Butte

1984

Motor						
Number	HP	Serial #	Make	Serial #	Make	
10	300	1305718	U.S. Motor	46640	Jayne Bowler	
9	600	B1403245	"	46284	"	"
8	600	J1420421	"	46283	"	"
7	600	1299581		46282	"	"
6	600	D7001720		52484	"	"
5	600	D7005215		54460	"	"
1	600	D7001187		46382	"	"
2	600	1299579		54459	"	"
3	600	D7001186		46281	"	"
4	600	D7013791		46383	"	"



AA Meter Readings



BRANDT AGENCY

INSURANCE - REAL ESTATE

PHONE 466-7821

203 11TH AVENUE SOUTH

NAMPA, IDAHO 83651

December 22, 1983

RECEIVED
DEC 22 1983

Department of Water Resources
Western Regional Office

Mr. John Noyes
Idaho Dept. of Water Resources
Statehouse
Boise, Idaho

Dear John:

12.25
The West End Project has 12 - 600 H.P. pumps at the river theoretically producing 5500 inches, actually probably putting out 4800 due to wear on the pumps.

10.69
68.36
ESS
Hat Butte has 9 - 600 N.P. and one 300 H.P. at the river. The actual production as tested by the Idaho Power Company was 30,682 gallons per minute. Some of these pumps have been worked over since that time so they are probably producing a little more.

Basin has 6 - 600 H.P., 2 - 300 H.P. at the river tested by the power company at 22,218 gallons per minute. Again these have been worked over and may be producing more now.

49.50 ESS
Very truly yours,

BRANDT AGENCY

John H. Brandt

JHB/ama

43-2949

State of Idaho
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 1/4 SW 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 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)

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 30900/02-2194 Priority Jan. 11, 1963 Amount 12.88 cfs
(part)

THIS IS TO CERTIFY, that THE TRAVELERS INSURANCE CO.
of Portland, Oregon, has complied with the terms and conditions of Permit
No. 30900/02-2194 issued pursuant to Application for Permit dated January 11, 1963,
and has submitted proof to the Department of Water Administration on November 17, 1967,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 88.02 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from the Snake River
tributary of the Columbia River, is hereby confirmed in the following amounts:

Amount 12.88 cfs for irrigation from March 15 to Nov. 15 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 12.88 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NW $\frac{1}{4}$ SE $\frac{1}{4}$ (Lot # 7), Sec. 36, Twp. 1 N, Rge. 3 W, B.M.

in the county of Canyon; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 3,640.5 acre feet per year or _____
4.5 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
1 N	2 W	7						40	40		40	40	40	40	40	40	39	40	✓ 399
		8										40	40						✓ 80
1 N	3 W	1									40			40					✓ 80
		12		40	39	39	40	19	33	40									250

Total number of acres irrigated 809

Subject to the condition that the maximum rate of diversion shall not exceed 88.02 cfs
when combined with other licensed rights diverted through this system.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 23 day of

March, 19 72.


Director

2. 21. 72

MEMORANDUM

TO: File 02-2194A

DATE: 10/19/81

SUBJECT: Conversation with Elmer Tiegs

FROM: Don Shaff *DS*

Mr. Tiegs was in the office on 9/28/1981 to file a Snake River claim to a water right for his private ground. He said this license which was issued for 12.88 cfs on 809 acres, was not divided evenly when the land was sold. He said he kept 300 inches and Rosti took 400 inches of the right. (The right was issued for only 644 inches.) The division of this right between Tiegs and Rosti should be made with this formula in mind rather than a normal prorata division of the previous right.*

In addition Tiegs owns privately the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 8. This land is now irrigated but is not shown as having Snake River water. Tiegs said it should have water and part of it may come out when the Tiegs Farms rights are reviewed.

*PART OF ROSTI'S 400 INCHES COMES FROM ANOTHER RIGHT.

have eight - no seven

01 Water Right Number - A02-2194A

02 Old (D) Number - 30900

03001 - TIEGS
03002 - THE TRAVELERS INSURANCE CO.

LAST NAME

04001 - ELMER
04002 -

FIRST NAME

05001 - C
05002 - D

ORIG. OWNER
[Signature]

06 Add Line 1 - RT. 4 BOX 4233

07 Add Line 2 -

08 Add Line 3 -

09 City - NAMPA

10 State - ID

11 ZIP - 83651

12 Stase - L LICENSE

13 Status -

14001 - SNAKE RIVER

SOURCE

15001 - COLUMBIA RIVER

TRIBUTARY OF

16 Diversion Means - PUMPS, PIPELINE, DITCHES & SPRINKLER SYSTEM.

17 County - 27 CANYON

18 Diversion Capacity - .000

19 Total Diversion Rate - 6.000

20 Total Diversion Volume - .00

21 Water District - 02

Tract

Sec

Twn

Rng

Lot

DIVERSION POINTS

Rpts

STREAM INDEX FIELDS

22001 - SWNE 23001 - 36 24001 - 01N 25001 - 03W 26001 - 07 27001 - 28001 - 0 272.0 0.0 0.0 0.0 0.0 0 0 0 439.5

29 Non-Irrigation Use -

Use Code / Use	Twn	Rng	PLACE OF USE	Sec	Tract	Acres	Lot
30001 - 01 IRRIGATION	31001 - 01N	32001 - 02W	33001 - 07	34001 - NWNW	35001 - 39	36001 - 01	
30002 - 01 IRRIGATION	31002 - 01N	32002 - 02W	33002 - 07	34002 - SWNW	35002 - 39	36002 - 02	
30003 - 01 IRRIGATION	31003 - 01N	32003 - 02W	33003 - 07	34003 - NESW	35003 - 39	36003 -	
30004 - 01 IRRIGATION	31004 - 01N	32004 - 02W	33004 - 07	34004 - NWSW	35004 - 39	36004 - 03	
30005 - 01 IRRIGATION	31005 - 01N	32005 - 02W	33005 - 07	34005 - SWSW	35005 - 38	36005 - 04	
30006 - 01 IRRIGATION	31006 - 01N	32006 - 02W	33006 - 07	34006 - SESW	35006 - 39	36006 -	
30007 - 01 IRRIGATION	31007 - 01N	32007 - 02W	33007 - 07	34007 - NESE	35007 - 40	36007 -	
30008 - 01 IRRIGATION	31008 - 01N	32008 - 02W	33008 - 07	34008 - NWSE	35008 - 38	36008 -	
30009 - 01 IRRIGATION	31009 - 01N	32009 - 02W	33009 - 07	34009 - SWSW	35009 - 36	36009 -	
30010 - 01 IRRIGATION	31010 - 01N	32010 - 02W	33010 - 07	34010 - SESE	35010 - 40	36010 -	
30011 - 01 IRRIGATION	31011 - 01N	32011 - 02W	33011 - 08	34011 - NWSW	35011 - 39	36011 -	
30012 - 01 IRRIGATION	31012 - 01N	32012 - 02W	33012 - 08	34012 - SWSW	35012 - 39	36012 -	
Total Acres: 465							

Period From

Period To

Use Code / Use

WATER USE

Diversion Rate

Diversion Volume

37001 - 0315 38001 - 1115 39001 - 01 IRRIGATION

40001 - 6.000 41001 - 0.00

42 Decree Plaintiff Name -

43 Decree Defendant Name -

REMARKS

44001 - SOURCE OUTSIDE SNAKE RIVER BASIN 63-2949 (GROUNDWATER).

Approval Conditions: 45001 -

46 Other Rights for Same Use -- SOURCE(S) OUTSIDE BASIN.

also check A02-2371 } missing, no owners
A02-2372 } ~~no~~ OK as is