

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: OCT-24-1997

PAGE: A-105

RIGHT NUMBER: 37-10209
NAME & ADDRESS: 4-BROS DAIRY INC
425 N 250 W
SHOSHONE ID 83352

SOURCE: GROUNDWATER

QUANTITY: 0.05 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 12/31/1946

POINT OF DIVERSION: T05S R17E S07 SWSENE Within LINCOLN County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.05 CFS

PLACE OF USE: STOCKWATER Within LINCOLN County
T05S R17E S07 SENE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. 05S17E077200A
STOCKWATER, 150 HEAD

Claim proofread by: _____

Date: _____

OCT 31 1997

D 7-29-98

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: A37-10209

Date Received: 6/22/1988

Receipt No: M000164

Received By: ownership change J

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: 4-BROS DAIRY INC
Address: 425 N 250 W
SHOSHONE ID

83352

2. Date of Priority: DEC 31, 1946

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	17E	7	SW	SE	NE		LINCOLN

5. Description of diverting works:
6"WELL 220' DEEP 1.5 HP. MOTOR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/150 HD.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	17E	7	SE	NE		STOCK	

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:

IRRIGATION FROM AMERICAN FALLS RES. DIST. #2.

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

NOV 21 1996

DATE OF CLOSING: 11-20-96

LEGAL DESCRIPTION OF PROPERTY: Township 5S Range 17E Department of Water Resources
Section 7, 1/4 of 1/4 of 1/4 Govt. Lot , BM. Southwest Region
Lot , Block , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☒ Water Right Number(s)
Assigned by IDWR: A37-10209 *STK*

☐ Name and Address of Former Owner/Claimant(s)(Seller): Donald B. Sandy and Jessie A. Sandy

☒ New Owner/Claimant (Purchaser): 4-Bros. Dairy, Inc.

☒ New Mailing Address: 425 N 250 W, Shoshone, Idaho 83352

☐ New Telephone Number: () -

☒ Does the change in ownership result in a splitting of the water right owned/claimed? yes x no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☒ Attach proof of ownership, describe proof attached: Copy of warranty Deed attached

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) *James Fitzgerald, President* Date 11-19-96
Cheryl Fitzgerald, Secretary Date 11-19-96

☐ Signature of Former Owner/Claimant(s): _____ Date _____
_____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date: _____ By: _____

Further Action Needed:

Further Action Taken
Date: _____ By: _____

Final Review and Data-Entry
Date: 3/26/97 By: *[Signature]*
Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

WARRANTY DEED

#L-24144

For Value Received

DONALD B. SANDY and JESSIE A. SANDY, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

4-BROS. DAIRY, INC., an Idaho corporation
Address: 425 N 250 W, Shoshone, ID 83352

Hereinafter called the Grantee, the following described premises situated in Lincoln County, Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto, including but not limited to 83 acres of American Falls Reservoir District #2, and also including any licensed domestic or irrigation water rights, licenses with the State of Idaho, including but not limited to No. A37-10209.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 1996 and subsequent years, which are a lien, but not yet due and payable.

Assessments of the Big Wood Canal Company and the rights and powers of said Company as by law provided.

Right of way for canals, laterals and waste ditches of Big Wood Canal Company.

Power Line Easement given by Donald Sandy and A. W. Sandy, to Idaho Power Company, a corporation, dated April 9, 1941, recorded September 18, 1941 as Instrument Number 81156, Lincoln County records, affecting the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 7, Township 5 South, Range 17 East, Boise Meridian.

Financing Statements, Seed and Farm Laborer's liens against crops which are filed in the office of the Secretary of State.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: November 19, 1996

Donald B. Sandy
DONALD B. SANDY

Jessie A. Sandy
JESSIE A. SANDY

STATE OF IDAHO)
COUNTY OF GOODING) ss.)

On this 19th day of November, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared DONALD B. SANDY and JESSIE A. SANDY, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.


SANDRA MOORE
NOTARY PUBLIC
STATE OF IDAHO
Jerome County, Idaho
Commission Expires 02-15-2000

Sandra Moore
Notary Public
Residing at: Jerome
My Commission expires: 02-15-2000

161576

STATE OF IDAHO COUNTY OF LINCOLN Recorded at the request of <u>Donald B. Sandy & Jessie A. Sandy</u>
NOV 20 1996
at <u>33</u> minutes past <u>12</u> P. M. recorded by <u>Nelson Erickson, Rep.</u> Fee: <u>6.00</u> Return to: <u>above</u>

By hand.

TOWNSHIP 5 SOUTH, RANGE 17 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

Section 7: SE $\frac{1}{4}$ NE $\frac{1}{4}$; That portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ lying North of the right-of-way of the 4 Mile North road of the Shoshone Highway District, EXCEPT that portion of land as shown in Warranty Deed to Wood River Center Grange No. 87, recorded November 21, 1914 in Book 26 Deeds at Page 83, Lincoln County records, more particularly described as follows:

Beginning at the Northwest corner of said NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence East along the North boundary of said
NE $\frac{1}{4}$ SE $\frac{1}{4}$, 9 rods;
Thence South, 18 rods;
Thence West, 9 rods;
Thence North 18 rods to THE POINT OF BEGINNING.

Section 8:

W $\frac{1}{2}$ NW $\frac{1}{4}$

[Handwritten signature]

[Handwritten signature]

J. A. S.
D. B. S.



Land Title and Escrow, Inc.

P.O. Box 473
Gooding, ID 83330



Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, Id 83301

RECEIVED

NOV 21 1996

Idaho Department of Water Resources
Southeast Region

AJ0749NP
No. R37-10209

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 03/26/97
PAGE: 1

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OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	4-BROS DAIRY INC 425 N 250 W SHOSHONE ID 83352	12/31/1946	STOCKWATER	01-01 12-31	0.05 CFS	
TOTAL DIVERSION:					0.05 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T05S R17E S07 SWSENE

LINCOLN County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE										
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:
05S	17E	7	:																							:

POU County: LINCOLN

Non-Irrigation Uses: STOCKWATER, 150 HEAD

Other Rights: IRRIGATION FROM AMERICAN FALLS RES. DIST. #2.

Remarks: GEN PARCEL NO. 05S17E077200A

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Comments: Date: 03/26/1997 User-ID: JROBERTS Subject: OWNERSHIP CHANGE
FORM AND WARRANTY DEED RECEIVED FROM DONALD AND JESSIE SANDY TO
4-BROS DAIRY INC. A37-10209 ALSO CHANGED. jr

Audit: 03/26/97 JROBERTS



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 26, 1997

4-BROS DAIRY INC
425 N 250 W
SHOSHONE ID 83352

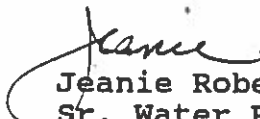
Re: Ownership Change for Adjudication Claim #A37-10209
SANDY/4-BROS DAIRY INC

Dear Claimant(s):

Pursuant to notification that you presently own the property in which the above referenced Adjudication Claim is appurtenant, the Department has changed the record of the current owner as you requested. Please find enclosed a copy of the computer record of the claim noting the change in claimant.

Please review the record and if you have any corrections or questions, please feel free to call this office.

Sincerely,


Jeanie Robertson
Sr. Water Resource Agent

/jr
Enclosures

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: A37-10209
Date Received: 6/22/1988
Receipt No: M000164
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DONALD B. SANDY 208-886-7565
Address: 440 N. 375 W.
SHOSHONE, ID 83352

AND/OR

Name: JESSIE A. SANDY 208-886-7565
Address: 440 N. 375 W.
SHOSHONE, ID 83352

2. Date of Priority: DEC 31, 1946

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	17E	7	SW	SE	NE		LINCOLN

5. Description of diverting works:
6"WELL 220' DEEP 1.5 HP. MOTOR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/150 HD.

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	17E	7	SE NE		STOCK	

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:

IRRIGATION FROM AMERICAN FALLS RES. DIST. #2.

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

Water Right Number:

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):

Donald P. Sandy

Date: 6-22-88

Date: _____

State of Idaho)

County of

Lincoln

) SS.

Subscribed and sworn (or affirmed) before me this 22 day

of Jan 19 88

John Dal Carter
Notary Public

Seal

Residing at Bow Id

My Commission Expires 6/2/94

A37-10209

Page 2

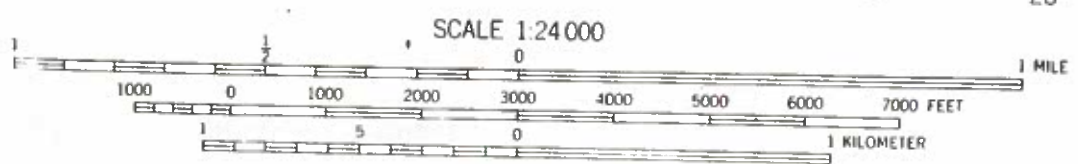
Date: 06/22/88

MICROFILMED
FEB 24 1993



by the Geological Survey
 tion with the Soil Conservation Service
 graph prepared from 1:78,000-scale
 raphs taken August 25, 1978
 d 10,000-foot grid ticks
 ate system, central zone
 (mercator)
 niversal Transverse Mercator grid ticks
 27 North American datum
 / rectified by optical scanning

A37-10209



WATER RIGHT NUMBER - A37-10209

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - LAST NAME - - - - +

+ - FIRST NAME - - +

+ - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
SANDY

DONALD B.

1 - 440 N. 375 W.

2 -

3 -

CITY- SHOSHONE

STATE- ID ZIP- 83352

PHONE - 208-886-7565

1 - 440 N. 375 W.

2 -

3 -

CITY- SHOSHONE

STATE- ID ZIP- 83352

PHONE - 208-886-7565

SANDY

JESSIE A.

+ - - PRIORITY DATE - - +
12/31/1946

+ - - - REGION - - - +
ERROR IN REGION

+ - - - STAGE - - - +
J - BENEFICIAL USE

+ - - - STATUS - - - - +

+ - - - - SOURCE - - - - - +
GROUNDWATER

+ - - - - - TRIBUTARY - - - - - +

+ - - - - - POINT OF DIVERSION - - - - - +
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

05S 17E 7 SW SE NE (63) LINCOLN

+ - - - - - WATER USE - - - - - +
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME

04 - STOCKWATER 01/01 12/31 0.050

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.050 0.0

+ - - - - - PLACE OF USE - - - - - +
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY

05S 17E 7 SE NE 04 STOCKWATER (63) LINCOLN

+ - - DIVERSION MEANS - 6" WELL 220' DEEP 1.5 HP. MOTOR.

+ - - NON-IRRIGATION USE - S/150 HD.

+ - - OTHER RIGHTS FOR SAME USE - IRRIGATION FROM AMERICAN FALLS RES. DIST. #2.

+ - - - - - REMARKS - - - - - +
NO REMARKS FOUND.

+ - - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.

MICROFILMED
OCT 25 1994

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

CERTIFIED
MAR 22 1992
WATER EXAMINER