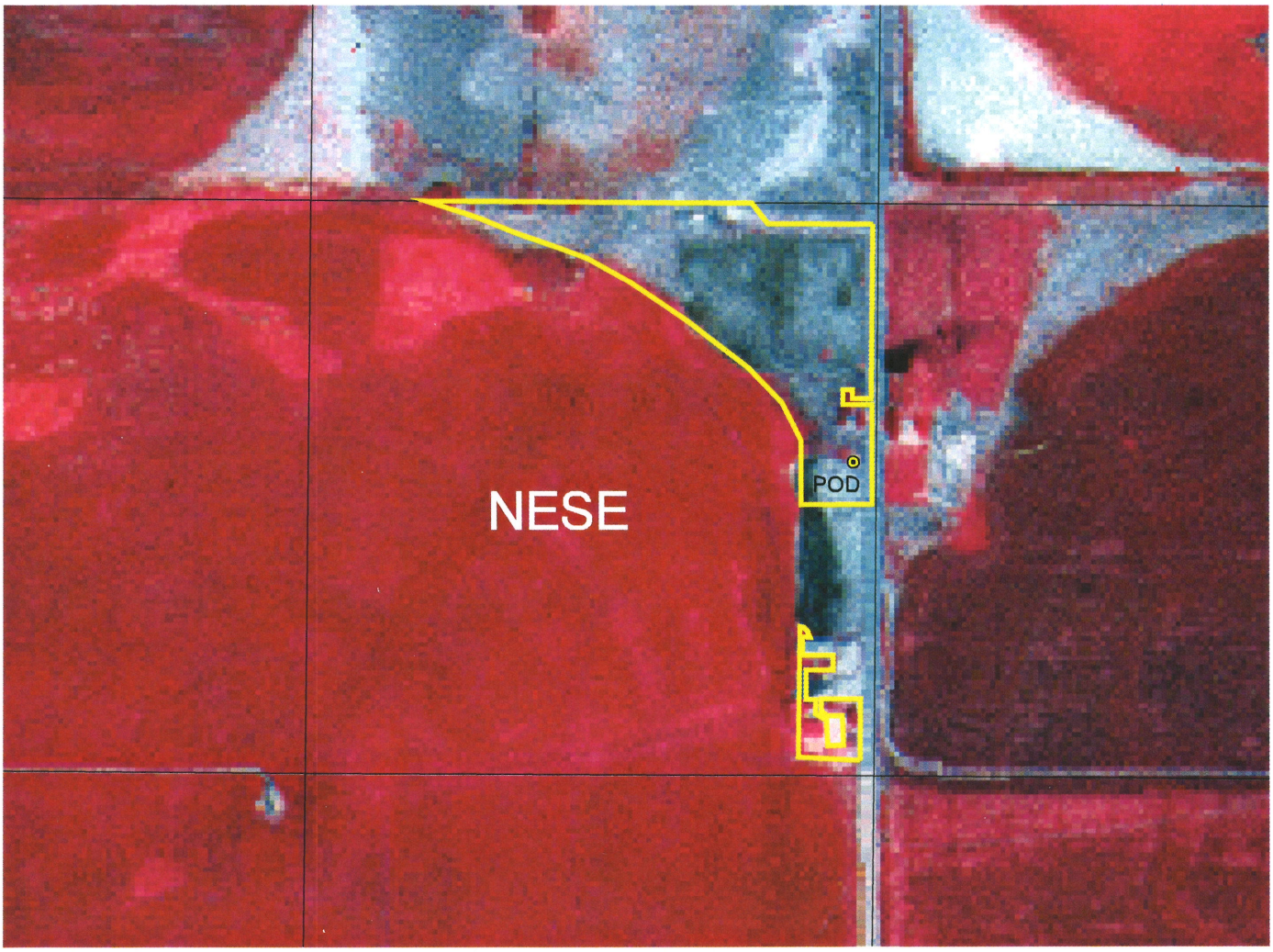
37-7419B



300 0 300 600 900 1200 1500 Feet

T06S R14E S34

N
W E
S

Map prepared by: Carter Fritschle
Date prepared: 04/11/02
1987-1988 NAPP photography
Idaho Department of Water Resources

04/11/2002

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-7419B

NAME AND ADDRESS: BIG SKY DAIRY
1700 E 2428 S
GOODING ID 83330

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.14 CFS
28.0 AFY

PRIORITY DATE: 01/29/1975

POINT OF DIVERSION:

T06S R14E S34 NENESE Within GOODING County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	0.140 CFS 28.00 AFY

PLACE OF USE: IRRIGATION Within GOODING County

T06S R14E S34 NESE 7.0

7 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

USE OF THIS RIGHT IS COMBINED WITH WATER FROM NORTH SIDE CANAL CO. LTD.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5489
WATER RIGHT NO. 37-07419B

This is to certify that: **SARA BATCHELDER**
2375 S 1600 E
GOODING ID 83330

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
IRRIGATION	03/15 to 11/15	0.14 CFS	28.0 AF

SOURCE
GROUNDWATER

Priority: 01/29/1975

LOCATION OF POINT(S) OF DIVERSION: NENESE , Sec. 34, Township 06S, Range 14E
GOODING County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
06S	14E	34	NESE	7			7
				Total number of acres irrigated:			7

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

MICROFILMED
JUN 16 2000

TRANSFER NO. 5489
WATER RIGHT NO. 37-07419B

CONDITIONS OF APPROVAL AND REMARKS

6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. Irrigation under Right 37-07419B includes lawns associated with two homes.
8. The portion of Right 37-07419B no longer authorized is 0.06 cfs, 2.8 acres and 11.2 afa.

Dated this 8th day of May, 2000.

L. Glen Saxton
Chief, Water Allocation Bureau

MICROFILMED
JUN 16 2000

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 37-7419B
Date Received: 3/21/89
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BIG SKY DAIRIES Phone: (208)934-4757
1700 E 2428 S
GOODING ID 83330

2. Date of Priority: 01/29/1975

3. Source: GROUND WATER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County	Type
06S	14E	34	SE	SW	GOODING	

5. Description of diverting works:

WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.196	

7. Total Quantity Appropriated is:
0.196 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
06S	14E	34	NE	SE		IRRIGATION	9.8
						Section Acres	9.8
						Total Acres	9.8

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

14. Remarks:

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

SEE REFERENCE RIGHT A37-07480
CLAIM SPLIT BASED UPON WARRANTY DEED 153759 AND SIGNED CHANGE OF OWNERSHIP FORM. MAP PREPARED IN OFFICE. KKC 2-11-98

15. Basis of Claim: License

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

SOUTHERN REGION

August 29, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BIG SKY DAIRY
1700 E 2428 S
GOODING ID 83330

Re: SRBA Claim(s) 37-7419B
Decreed Water Right 37-12911

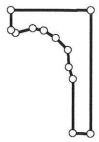
Gentlemen:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer records of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.



Title:	Date: 04-17-2001
Scale: 1 inch = 2000 feet	File: GW98.wll

Tract 1: 9.685 Acres: 421887 Sq Feet: Closure = s00.3954w 0.50 Feet: Precision =1/8153: Perimeter = 4091 Feet

001=s0e 1292.31	006=n45.5809w 182.47	011=n0.2027w 211.83
002=n88.1400w 184.00	007=n57.5941w 143.57	012=n89.5203e 836.26
003=n0.0257e 565.85	008=n78.3015w 118.57	
004=n20.0420w 131.30	009=s73.3532w 187.02	
005=n2.3927w 179.16	010=n57.3559w 58.82	

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

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

RECEIVED
APR 17 2001
Department of Water Resources
Southern Region

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
37-12911		___			___
37-7419B		___			___
		___			___
		___			___
		___			___

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

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

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

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

   OR

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

3. Name and Address of Former Owner/Claimant(s): Sara Batchelder
   2375 South 1600 East
   Gooding, ID 83330

4. New Owner/Claimant(s)
   Name Connector (Check one): [ ] and, [ ] or, [ ] and/or
   Big Sky Dairy, an Idaho General Partnership composed of Tony Visser, Michael J. Bosma and Russell Visser

   New Mailing Address: 1700 East 2428 South, Gooding, ID 83330

   City, State and ZIP Code

   New Telephone Number: ( )_____

5. Date you acquired the property: April 12, 2001

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

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

Water Right and/or Adjudication Claim Number _____

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

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

Water Right and/or Adjudication Claim Number _____

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

7. Signature of New Owner(s) or Claimant(s) Tony Vissie
(include title if applicable) Big Sky Dairy

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 [illegible] Date 4/17/01 Fee 25.00
Receipted by [illegible] Date 4/17/01 Receipt No. 5023818
Processed by _____ AJ Date _____ WR _____ Date _____

WARRANTY DEED

#GG-02550

For Value Received

Sara Bullers, who acquired title as Sara Batchelder, and Tom Bullers, wife and husband

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

Big Sky Dairy,an Idaho General Partnership composed of Tony Visser, Michael J. Bosma, and Russell Visser
Address: 2395 South 1500 East, Gooding, ID 83330

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

TOWNSHIP 6 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 34: A parcel of land located in the NE¼SE¼, described as follows:
Commencing at the East quarter corner of said Section 34 and being THE TRUE POINT OF BEGINNING;
Thence South along the East boundary of the NE¼SE¼ for a distance of 1292.31 feet;
Thence North 88°14'00" West for a distance of 184.00 feet;
Thence North 0°02'57" East for a distance of 565.85 feet;
Thence North 20°04'20" West for a distance of 131.30 feet;
Thence North 2°39'27" West for a distance of 179.16 feet;
Thence North 45°58'09" West for a distance of 182.47 feet;
Thence North 57°59'41" West for a distance of 143.57 feet;
Thence North 78°30'15" West for a distance of 118.57 feet;
Thence South 73°35'32" West for a distance of 187.02 feet;
Thence North 57°35'59" West for a distance of 58.82 feet;
Thence North 0°20'27" West for a distance of 211.33 feet to a point on the North boundary of the NE¼SE¼ of Section 34;
Thence North 89°52'03" East along the North boundary of the NE¼SE¼ for a distance of 836.26 feet to the East quarter corner of Section 34 and being THE TRUE POINT OF BEGINNING.

SUBJECT TO:
All reservations in patents or deeds in the chain of title.

Taxes for 2001 and subsequent years, taxes are an accruing lien, not yet due or payable.

Right of way for canals, laterals and waste ditches of the North Side Canal Company, Ltd.

Power Line Easement given by Twin V Ranch, Inc., to Idaho Power Company, a corporation, dated September 26, 1977, recorded March 1, 1978 as Instrument Number 69046, Gooding County records, affecting the NE¼SE¼ of Section 34, Township 6 South, Range 14, East Boise Meridian.

Easement along Easterly boundary for County Road as disclosed by Quitclaim Deed by and between Sara Batchelder DBA American Cargo Transport, Grantor, and Sara Batchelder, An Unmarried Woman, dated December 18, 1996, recorded December 26, 1996 as Instrument No. 169083, Gooding County Records, Idaho.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to Idaho Department of Water Resources, Right No. 37-12911 and No. 37-7419B.

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 incumberances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: **April 12, 2001**

Sara Bullers

Sara Bullers

Tom Bullers

Tom Bullers

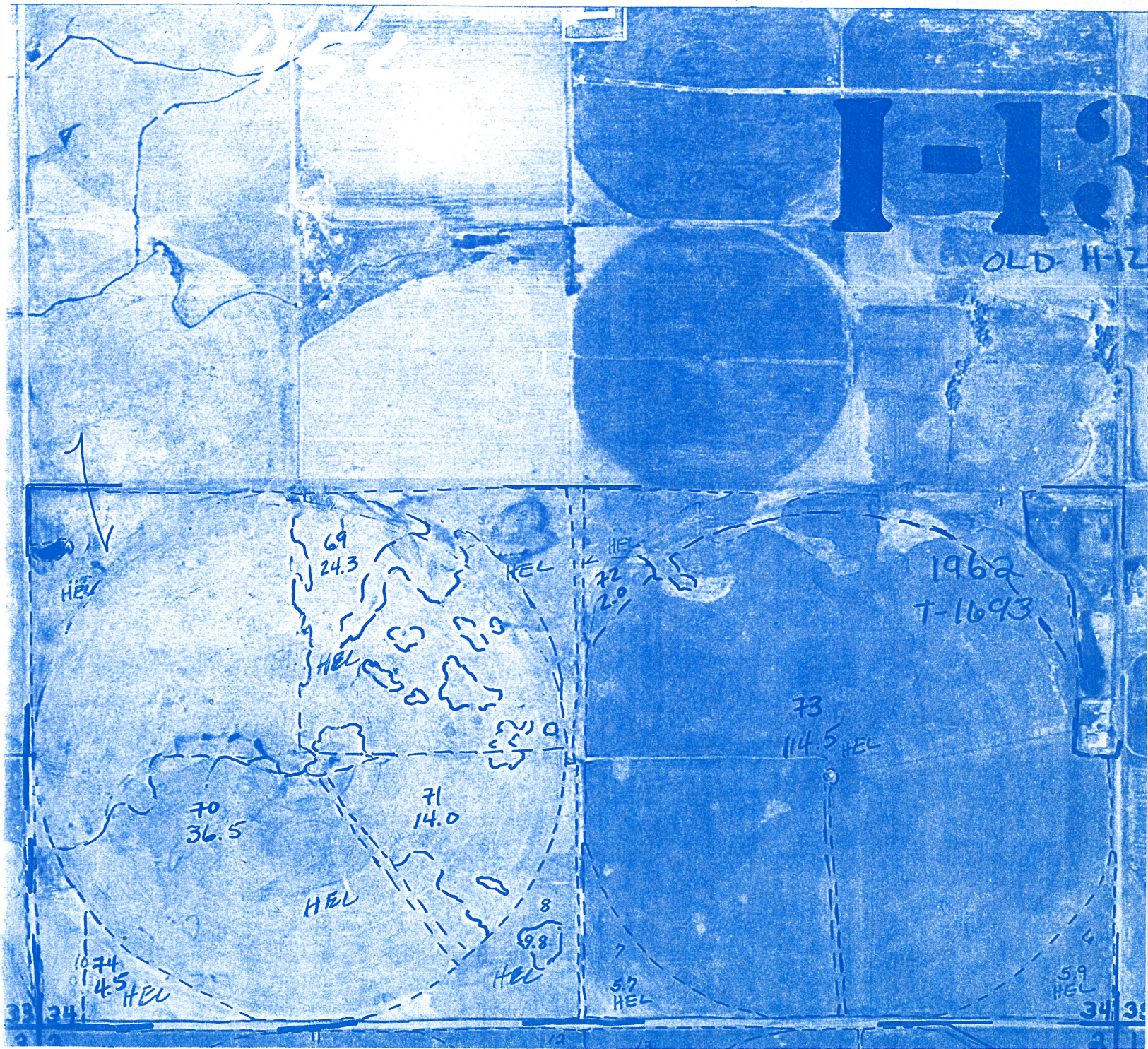
Instrument # 190097
GOODING, GOODING, IDAHO
2001-04-12 02:57:49 No. of Pages: 2
Recorded for : LAND TITL
HELEN EDWARDS Fee: 6.00
Ex-Officio Recorder Deputy Liane Horner
Index to: DEED, WARRANTY

STATE OF IDAHO)
) ss.
COUNTY OF Gooding)

On this 12th day of **April, 2001**, before me, the undersigned, a Notary Public in and for said State, personally appeared **Sara Bullers and Tom Bullers**, 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.

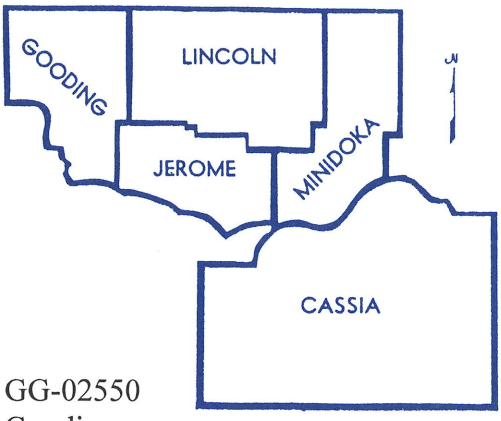
Becky Shubert
Notary Public
Residing at: Wendell, ID
My Commission expires: 02-23-05

Becky Shubert
Notary Public
State of Idaho


OLD H-12
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T-1693
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Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



April 13, 2001

REFER TO:
OFFICE: GG-02550
Gooding

Idaho Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301

RE: Water Transfer

Dear Sir/Madam:

Please find enclosed our check #10258 in the amount of $25.00 representing transfer charges on the above referenced. I have also enclosed the notice of change forms, and a copy of the recorded Warranty Deed.

If you have any questions, please do not hesitate to call.

Very Truly Yours,

LAND TITLE AND ESCROW, INC.

Becky Shubert

Becky Shubert
(208)934-8477
P.O. Box 473, 706 Main Street
Gooding, Idaho 83330

RECEIVED
APR 17 2001
Department of Water Resources
Southern Region

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 349, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0606 - FAX 436-1199

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: **A37-07419B**
Date Received: 3/21/1989
Receipt No: X777777
Received By: _____

COPY FOR YOUR FILES | **NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW** | **COPY FOR YOUR FILES**

1. Name: SARA BATCHELDER 208-934-8889
   Address: 2375 S 1600 E
   GOODING ID 83330

2. Date of Priority: JAN 29, 1975

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
06S	14E	34	SE SW		GOODING

5. Description of diverting works:
   WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.196		

7. Total Quantity Appropriated is:
   0.196 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
06S	14E	34	NE SE		IRR	9.8
				Section Acres		9.8

10. Place of Use: Continued

Total Acres 9.8

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:
SEE REFERENCE RIGHT A37-07480.
CLAIM SPLIT BASED UPON WARRANTY DEED 153759 AND SIGNED CHANGE OF OWNERSHIP FORM. MAP PREPARED IN OFFICE. KKC 2-11-98

15. Basis of Claim: LICENSE

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Kelly K Christensen

CUSTOMER:
SARA BATCHELDER

DATE: February 12, 1998 7:22 am

SUBJECT: CHANGE OF OWNERSHIP FOR A37-10320, A37-12911 AND SPLIT OF A37-07419 → A & B
phone () walk-in(X)

Dan Nelson referred her to me as she had a right in excess of the measurment district threshold of 0.24 cfs. I reviewed A37-12911 and discussed the uses with her. She indicated that this right was originally for a 2,000 head feed lot but that it probably had not been used for approximately 10 years. She stated that she probably would not use that right in that manner. She stated that the uses from that source is for approx 30 head of stock and two homes. She indicated that the two homes were built approximately at the same time and had always been on the same system. She thought that the current pump in the well is 1.5 hp. She ammended the claim to reflect that information. We discussed the partial forfeiture issues relating to this use as she started thinking about working with a dairy utilize an additional portion of the right.

I then assisted her with the paper work for changing ownership on A37-10320.

I reviewed the warranty deed for A37-07419 and determined that the portion that she purchased was the "pivot corner" located in the NESE quarter totaling approximately 9.8 acres. The right was split proportionately. She stated that some of her ground has been irrigated from McFarland's system but that the agreement at the time of sale was for her to eventually transfer her use to the well described in A37-12911. We discussed the possibility of her filing an extension of time to avoid forfeiture for a portion of the right as she plans on irrigating only 4 or 5 acres total. I informed her that she needs to file a transfer to use that well.

After she got home she called to discuss the possibility of McFarland wanting to keep a portion of the feedlot right. I suggested that she contact him.

Form 42-248/42-1409(6) February 3, 1997

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

1. Water Right No(s).: SPLIT A37-07419 ALL A37-12911

   Adjudication Claim No(s).: _____

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

   A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

   AND

   B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

   OR

   C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant: DON MC FARLAND

4. New Owner/Claimant(s): SARA BATCHELDER
   Name Connector (Check one): [ ] and, [ ] or, [ ] and/or
   New Mailing Address: 2375 S. 1600 E
   City, State and ZIP Code: GOODING, ID 83330
   New Telephone Number: (208) 934-8889

5. Date you acquired the property: 8-18-93

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

   Number of acres you irrigate 9.8 Number and type of stock 30 CATTLE/HORSES

   Diversion rate in CFS .198 Number of homes 2 Other uses _____

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

7. Signature of New Owner or Claimant(s): Sara Batchelder

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

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

COPY

153759 G-20018

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of Land Title & Escrow Inc.

17 min. past 4 o'clock p m. this 18

of Aug, 1993 21.00

JOHN A. MYERS Recorder

By Arlinda Sites Deputy

Recorded at the request of
Benoit, Alexander, Sinclair,
Harwood & High
126 2nd Avenue North, P.O. Box 366
Twin Falls, Idaho 83303-0366

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTIFICATION OF CONTRACT OF SALE

COMES NOW McFarland Agricultural Company, Don McFarland, Carol McFarland, Kelly Human, Lori Human, Suzanne Vance, Kristy Lucas, and Maurisa McFarland, the Sellers and, Sara Batchelder dba American Cargo Transport, Purchaser, to put the public on notice that they have entered into a contract of sale wherein the Purchaser purchased the property described on Exhibit "A" hereto from the Sellers.

SELLERS:

McFARLAND AGRICULTURAL COMPANY

By Don McDonald
Don McFarland, President

ATTEST:

Carol McFarland
Secretary

Don McDonald
DON McFARLAND

Carol McFarland
CAROL McFARLAND

NOTIFICATION OF CONTRACT OF SALE\1

TAX NOTICE TO:
2375 S 1600 E
Gooding, ID 83330

KELLY HUMAN

LORI HUMAN

SUZANNE VANCE

KRISTY LUCAS

MAURISA McFARLAND

BUYER:

SARA BATCHELDER
dba American Cargo Transport

STATE OF IDAHO)
) ss.
County of Gooding)

On this 16th day of August, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared DON McFARLAND and CAROL McFARLAND known to me to be the President and Secretary of McFARLAND AGRICULTURAL COMPANY, the corporation whose name is subscribed to the foregoing instrument, and acknowledged to me that they executed the same on behalf of the corporation.

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

JANET A. GORRELL
☆ NOTARY PUBLIC ☆
STATE OF IDAHO
RESIDING AT GOODING, ID
MY COMMISSION EXPIRES 2-28-1999

NOTARY PUBLIC
Residence: Gooding, Idaho
My Commission Expires: 2-28-1999

STATE OF IDAHO)
) ss.
County of GOODING)

On this 16th day of August, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared DON McFARLAND, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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

JANET A. GORRELL
☆ NOTARY PUBLIC ☆
STATE OF IDAHO
RESIDING AT GOODING, ID
MY COMMISSION EXPIRES 2-28-1999

Janet A. Gorrell
NOTARY PUBLIC
Residence: Gooding, ID
My Commission Expires: 2-28-1999

STATE OF IDAHO)
) ss.
County of GOODING)

On this 16th day of August, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared CAROL McFARLAND, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

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

JANET A. GORRELL
☆ NOTARY PUBLIC ☆
STATE OF IDAHO
RESIDING AT GOODING, ID
MY COMMISSION EXPIRES 2-28-1999

Janet A. Gorrell
NOTARY PUBLIC
Residence: Gooding, ID
My Commission Expires: 2-28-1999

STATE OF IDAHO)
County of Gooding) ss.
)

On this 16th day of August, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared KELLY HUMAN, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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

JANET A. GORRELL
☆ NOTARY PUBLIC ☆
STATE OF IDAHO
RESIDING AT GOODING, ID
MY COMMISSION EXPIRES 2-28-1999

Janet A. Gorrell
NOTARY PUBLIC
Residence: Gooding, Idaho
My Commission Expires: 2-28-1999

STATE OF IDAHO)
County of Gooding) ss.
)

On this 16th day of August, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared LORI HUMAN, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

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

JANET A. GORRELL
☆ NOTARY PUBLIC ☆
STATE OF IDAHO
RESIDING AT GOODING, ID
MY COMMISSION EXPIRES 2-28-1999

Janet A. Gorrell
NOTARY PUBLIC
Residence: Gooding, Idaho
My Commission Expires: 2-28-1999

STATE OF IDAHO)
) ss.
County of JEROME)

On this 16TH day of August, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared SUZANNE VANCE, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

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 E. Haberman
NOTARY PUBLIC
Residence: JEROME IDAHO
My Commission Expires: 9/1994

STATE OF North Carolina)
) ss.
County of Forsyth)

On this 11th day of August, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared KRISTY LUCAS, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

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

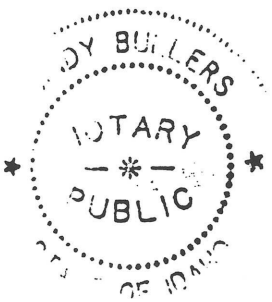
OFFICIAL SEAL
NOTARY PUBLIC — NORTH CAROLINA
COUNTY OF FORSYTH
S. WHITNEY CRUMP
My Commission Expires JUNE 1, 1994

S. Whitney Crump
NOTARY PUBLIC
Residence: Forsyth County
My Commission Expires: 6-1-94

STATE OF IDAHO)
) ss.
County of Gooding)

On this 16th day of August, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared MAURISA McFARLAND, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

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

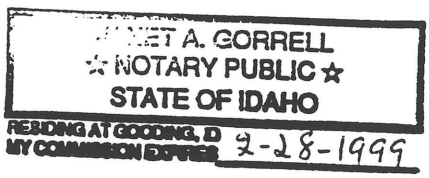


Cindy Bullers
NOTARY PUBLIC
Residence: Gooding, Id
My Commission Expires: 5/99

STATE OF IDAHO)
) ss.
County of Gooding)

On this 18th day of August, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared Sara Batchelder dba American Cargo Transport, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

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



Janet A. Gorrell
NOTARY PUBLIC
Residence: Gooding, ID
My Commission Expires: 2-28-1999

(MC-17\SALE.NOT/JWS/DF)

EXHIBIT "A"

TOWNSHIP 6 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO.

Section 34: A parcel of land located in the NE¼SE¼, described as follows:

Commencing at the East ¼ corner of said Section 34 and being THE TRUE POINT OF BEGINNING;
Thence South along the East boundary of the NE¼SE¼ for a distance of 1292.31 feet;
Thence North 88°14'00" West for a distance of 184.00 feet;
Thence North 0°02'57" East for a distance of 565.85 feet;
Thence North 20°04'20" West for a distance of 131.30 feet;
Thence North 2°39'27" West for a distance of 179.16 feet;
Thence North 45°58'09" West for a distance of 182.47 feet;
Thence North 57°59'41" West for a distance of 143.57 feet;
Thence North 78°30'15" West for a distance of 118.57 feet;
Thence South 73°35'32" West for a distance of 187.02 feet;
Thence North 57°35'59" West for a distance of 58.82 feet;
Thence North 0°20'27" West for a distance of 211.33 feet to a point on the North boundary of the NE¼SE¼ of Section 34;
Thence North 89°52'03" East along the North boundary of the NE¼SE¼ for a distance of 836.26 feet to the East ¼ corner of Section 34 and being THE TRUE POINT OF BEGINNING.

Subject to a 25.00 foot wide county road easement along the Easterly boundary of described parcel.

37-7419 B

State of Idaho

Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 37-7419 Priority Jan. 29, 1975 Amount 2.40 cfs

THIS IS TO CERTIFY, that TWIN V RANCHES

of Gooding, Idaho, has complied with the terms and conditions of Permit No. 37-7419 issued pursuant to Application for Permit dated January 29, 1975, and has submitted proof to the Department of Water Resources on June 20, 1975, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 6.68 cfs of water from a ground water source, tributary to _____, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from March 15 to Nov. 15	at 2.40 cfs and	480 acre feet or 4.0 af per acre
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 2.40 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 480 acre feet per year, said waters to be diverted within the SE¼SW¼ of Sec. 34, Twp. 6 S, Rge. 14 E, B.M. in the County of Gooding

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	14E	34									40	40			40				120

Total number of acres irrigated 120

A measuring device of a type approved by this Department shall be permanently maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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 30 day of July, 19 75.

Director