

COPY

2001 NOV 23 PM 1:23

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
FILED

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

In Re SRBA

Case No. 39576

SUBCASE NO. 36-2488

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: I.C. § 42-222 TRANSFER

An Administrative Proceeding pursuant to I.C. § 42-222 has been completed. The following changes have been made to the water right(s):

☒ Change in Ownership

☒ Point of Diversion

☐ Period of Use

☐ Split of Water Right

☒ Place of Use

☐ Nature of Use

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 11/15/01


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 11/23, 2001, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Lloyd Anderson
Erma Anderson
PO Box 86
Wendell ID 83355
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Dewit Dairy
2011 Bob Barton Hwy
Wendell ID 83355
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

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

07/03/2001

RIGHT NUMBER: 36-2488

NAME AND ADDRESS: DEWIT DAIRY
2011 BOB BARTON HWY
WENDELL, ID 83355

SOURCE: GROUND WATER

QUANTITY: 1.3 CFS
260 AFY

PRIORITY DATE: 06/10/1961

POINT OF DIVERSION: T08S R15E S34 SENE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03-15 11-15	1.30 CFS 260.00 AFY

PLACE OF USE:

<u>IRRIGATION Within GOODING County</u>			
T08S R15E S34	NWNE	32.5	T08S R15E S34 SWNE 32.5

65 ACRES TOTAL

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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



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

November 23, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DEWIT DAIRY
2011 BOB BARTON HWY
WENDELL ID 83355

RE: SRBA Claim(s) 36-2488

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Lloyd and Erma Anderson

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.

RECEIVED
 JUN 28 2001
 Department of Water Resources
 Southern Region

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
36-2468					

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) Lloyd H Anderson and Norma G Anderson
Po box 86 Wendell ID 83355-0086
4. New Owner/Claimant(s) Dewitt Darny
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 2011 Bob Barton
- City, State and ZIP Code Wendell ID. 83355
- New Telephone Number (208) 536-6291
5. Date you acquired the property 12/31/00

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	_____	_____

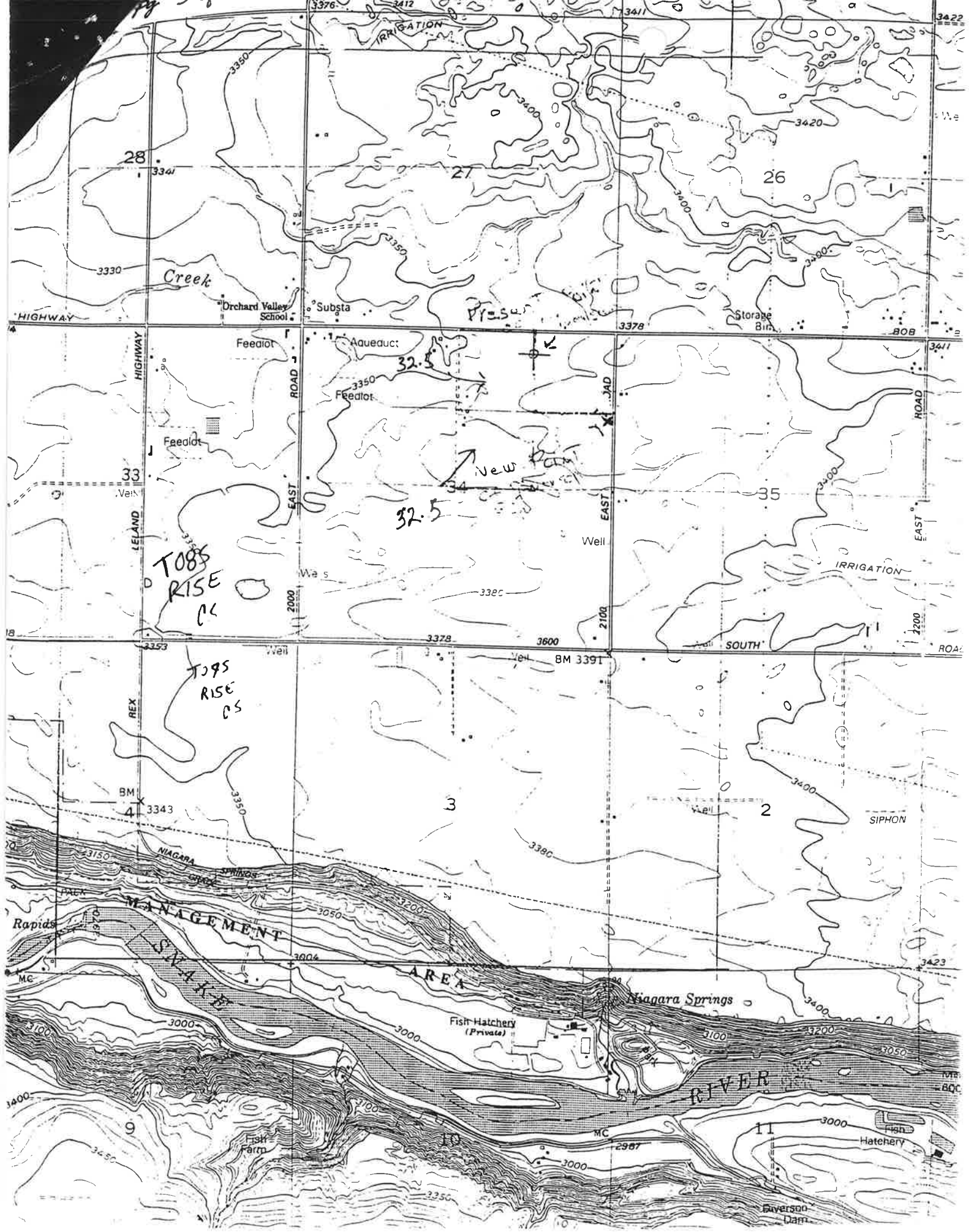
DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(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 _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____



WARRANTY DEED

#CL-781{GG-02449}

For Value Received

LLOYD N. ANDERSEN and ERMA ANDERSEN, husband and wife

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

TONY DEWIT and MELINDA DEWIT, husband and wife dba DeWit Dairy
Address: 2051 Bob Barton Hwy, Wendell, ID 83355

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

TOWNSHIP 8 SOUTH, RANGE 15 EAST, OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 34: W½NE¼

SUBJECT TO:

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

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 80.0 shares of capital stock in North Side Canal Company, Ltd.

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: December 28, 2000

Lloyd N. Andersen by Erma Andersen
LLOYD N. ANDERSEN

Erma Andersen
ERMA ANDERSEN

STATE OF IDAHO)
) ss.
COUNTY OF JEROME)

On this ___ day of December, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared ERMA ANDERSEN, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Notary Public
Residing at: _____
My Commission expires: _____

STATE OF IDAHO)
) ss.
COUNTY OF JEROME)

On this 28TH day of DECEMBER, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared ERMA G. ANDERSEN, known or identified to me to be the person whose name is subscribed to the within instrument, as the Attorney-In-Fact of LLOYD N. ANDERSEN and acknowledged to me that SHE subscribed the name of LLOYD N. ANDERSEN thereto as principal, and her own name as Attorney-In-Fact.

Notary Public
Residing at: _____
My Commission expires: _____

WARRANTY DEED

#CL-781{GG-02449}

For Value Received

LLOYD N. ANDERSEN and ERMA ANDERSEN, husband and wife

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

DEWIT DAIRY, an Idaho Partnership consisting of TONY DEWIT & MELINDA DEWIT, Partners
~~TONY DEWIT and MELINDA DEWIT, husband and wife dba Dewit Dairy~~
 Address: 2051 Bob Barton Hwy, Wendell, ID 83355
 2011

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

TOWNSHIP 8 SOUTH, RANGE 15 EAST, OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 34: W $\frac{1}{2}$ NE $\frac{1}{4}$

SUBJECT TO:

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

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 80.0 shares of capital stock in North Side Canal Company, Ltd.

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: December 28, 2000

Lloyd N. Andersen by Emma Andersen
 LLOYD N. ANDERSEN

Erma Andersen
 ERMA ANDERSEN

STATE OF IDAHO)

COUNTY OF JEROME) ss.

Instrument # 188822

GOODING, GOODING, IDAHO

2000-12-28

04:11:35

No. of Pages: 1

Recorded for: LAND TITLE

HELEN EDWARDS

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

On this 28th day of December, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared ERMA ANDERSEN, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

[Signature]
 Notary Public

Residing at: Jerome

My Commission expires: 02-15-06

STATE OF IDAHO)

COUNTY OF JEROME) ss.

SANDY L MOORE
 NOTARY PUBLIC
 STATE OF IDAHO

On this 28th day of DECEMBER, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared ERMA G. ANDERSEN, known or identified to me to be the person whose name is subscribed to the within instrument, as the Attorney-In-Fact of LLOYD N. ANDERSEN and acknowledged to me that SHE subscribed the name of LLOYD N. ANDERSEN thereto as principal, and her own name as Attorney-In-Fact.

[Signature]
 Notary Public

Residing at: Jerome

My Commission expires: 02-15-06

SANDY L MOORE
 NOTARY PUBLIC
 STATE OF IDAHO