

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.

RECEIVED
NOV 27 2000
 Department of Water Resources
 Southern Region

1. Water Right No(s): 36-02622

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** showing the location of the place of use of the water right(s) or claims(s). (These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with 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 Sun Valley Farms, a partnership

4. New Owner/Claimant(s) Notch Butte Dairy, LLC
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 406 East 700 North

City, State and ZIP Code Jerome, Idaho 83338

New Telephone Number (208) 324-4996

5. Date you acquired the property November 16, 2000

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. 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.

Number of acres you irrigate with this water right _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) or Claimant(s) Jeffrey Thomas Sauer member
Notch Butte Dairy LLC

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.

CBunch

J-29780

WARRANTY DEED

FOR VALUE RECEIVED,

SUN VALLEY FARMS, a partnership comprised of **RUSSELL E. SMITH and JACQUELINE SMITH**, husband and wife; **L. CLIFFORD SMITH and SARAGENE SMITH**, husband and wife; and **TIM S. GARRARD and CARMEN GARRARD**, husband and wife, and **TIM S. GARRARD and CARMEN GARRARD**, husband and wife, individually, the "Grantor", does hereby grant, bargain, sell and convey unto **NOTCH BUTTE DAIRY, LLC**, an Idaho Limited Liability Company, **JEFFREY THOMAS SAUER and NANCY L. SAUER**, husband and wife, **DOUGLAS JAMES BLEVINS and CHERI LYNNE BLEVINS**, husband and wife, and **BRYAN SAUER and JENNIFER SAUER**, husband and wife, Members, husband and wife, whose address is 406 East 700 North, Jerome, Idaho, the "Grantee", the following described premises located in Jerome County, Idaho, to wit:

Township 7 South, Range 17 East of the Boise Meridian, Jerome County, Idaho

Section 14: SW¼; S½NW¼

Section 15: E½SE¼

Section 23: W½

TOGETHER WITH that part of the SW¼SE¼ of Section 14, Township 7 South, Range 17 East, Boise Meridian, and part of the N½NE¼ of Section 23, Township 7 South, Range 17 East, Boise Meridian, Jerome County, Idaho, described as follows:

Beginning at the Northeast corner of Section 23, Township 7 South, Range 17 East, Boise Meridian, said corner marked by a U.S. BLM iron pipe with brass cap; Thence North 89°18'49" West for a distance of 1959.53 feet to a ½" rebar which shall be THE TRUE POINT OF BEGINNING;

Thence South 00°04'36" East for a distance of 143.66 feet to a ½" rebar;

Thence North 89°04'39" West for a distance of 249.51 feet to a ½" rebar;

Thence North 83°24'45" West for a distance of 232.52 feet to a ½" rebar on the East right of way of State Highway 93;

Thence North 00°04'36" West along the East right of way of State Highway 93 for a distance of 133.41 feet to a ½" rebar;

Thence South 84°43'09" East for a distance of 197.23 feet to a ½" rebar;

Thence South 89°32'20" East for a distance of 284.06 feet to THE TRUE POINT OF BEGINNING

Together with all water rights appurtenant thereto, including, but not limited to water license Nos. 36-02377, 36-02388, 36-02622, and 36-07833, 36-14492, 36-14493

Janet Kennedy, husband and wife, to Idaho Power Company, a corporation, dated January 25, 1979, recorded January 25, 1979 in Book 184 Page 1794 as Instrument Number 238885, Jerome County records, affecting the $W\frac{1}{2}W\frac{1}{2}$ of Section 23 and the $W\frac{1}{2}SW\frac{1}{4}$ of Section 14, Township 7 South, Range 17, East Boise Meridian.

10. Underline Power Line Easement given by Belko Farms, Byron O. Belmont, Robert Kenny and James L. O'Brien to Idaho Power Company, a corporation, dated March 10, 1979, recorded August 27, 1979 as Instrument Number 243952, Jerome County records, affecting the $N\frac{1}{2}NE\frac{1}{4}$ of Section 23, Township 7 South, Range 17, East Boise Meridian.
11. Power Line Easement given by Byron O. Belmont, Robert F. Kennedy and James R. O'Brien, Partners, to Idaho Power Company, a corporation, dated February 6, 1980, recorded November 5, 1980 as Instrument Number 253281, Jerome County records, affecting a portion of the $NE\frac{1}{4}NW\frac{1}{4}$ of Section 23, Township 7 South, Range 17, East Boise Meridian.
12. Conditions and restrictions as to access, ingress or egress for vehicular travel between the $NW\frac{1}{4}NE\frac{1}{4}$ and the $W\frac{1}{2}SE\frac{1}{4}$ of Section 14, Township 7 South, Range 17 East, Boise Meridian and restrictions as to buildings and structures next to right of way contained in Quitclaim Deed from Robert F. Kennedy and Janet E. Kennedy, husband and wife; James R. O'Brien and Jennie A. O'Brien, husband and wife, and Byron Belmont, to The State of Idaho, Acting by and through its Idaho Transportation Board for the Division of Highways, dated September 21, 1984, recorded February 4, 1986 as Instrument Number 295655, Jerome County records, and also in Quitclaim Deed recorded February 4, 1986 as Instrument Number 295656, Jerome County records, and Quitclaim Deed recorded February 4, 1986 as Instrument Number 295657, Jerome County records.
13. Conditions and restrictions as to easements of access, ingress or egress for vehicular travel between the $E\frac{1}{2}W\frac{1}{2}$ of Section 23 and the $E\frac{1}{2}SW\frac{1}{4}$ and the $SE\frac{1}{4}NW\frac{1}{4}$ of Section 14, Township 7 South, Range 27 East, Boise Meridian and restrictions as to buildings and structures next to right of way contained in Quitclaim Deed from Robert F. Kennedy and Janet E. Kennedy, husband and wife; James R. O'Brien and Jennie A. O'Brien, husband and wife, and Byron Belmont, to the State of Idaho, acting by and through its Idaho Transportation Board for the Division of Highways, dated September 21, 1984, recorded February 4, 1986 as Instrument Number 295658, Jerome County records, and also in Quitclaim Deed recorded February 4, 1986 as Instrument Number 295659, Jerome County records, and Quitclaim Deed recorded February 4, 1986 as Instrument Number 295660, Jerome County records.
14. Assignment of Lease Agreement with Right of Reassignment dated February 13, 1998, recorded February 19, 1998 as Instrument Number 980798, Jerome County records.

15. Access easement disclosed in Warranty Deed recorded February 19, 1998 as Instrument Number 980795, Jerome County records, affecting a portion of the SW 1/4 SE 1/4 of Section 14, Township 7 South, Range 17 East Boise Meridian, and a portion of the N 1/2 NE 1/4 of Section 23, Township 7 South, Range 17 East Boise Meridian, Jerome County, Idaho.

DATED THIS 16th day of November, 2000.

"GRANTOR"

SUN VALLEY FARMS, a partnership

Russell E. Smith
RUSSELL E. SMITH

L. Clifford Smith
L. CLIFFORD SMITH

Tim S. Garrard
TIM S. GARRARD

Tim S. Garrard
TIM S. GARRARD, individually

Jacqueline Smith
JACQUELINE SMITH

Saragene Smith
SARAGENE SMITH

Carmen Garrard
CARMEN GARRARD

Carmen Garrard
CARMEN GARRARD, individually

STATE OF IDAHO)

ss:

County of Jerome)

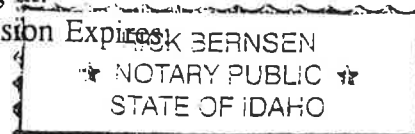
On this 16th day of November, 2000, before me, the undersigned, a Notary Public in and for said County and State, personally appeared RUSSELL E. SMITH and JACQUELINE SMITH, husband and wife, partner in SUN VALLEY FARMS, a partnership, known to me to be the persons whose names are subscribed to the within and foregoing instrument, and who acknowledged to me that they executed the same on behalf of said partnership.

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

[Signature]
NOTARY PUBLIC for Idaho

Residing at:

Commission Expires:



RESIDING AT JEROME, ID
MY COMMISSION EXPIRES 7/30/02

County of Jerome)

On this 16th day of November, 2000, before me, the undersigned, a Notary Public in and for said County and State, personally appeared L. CLIFFORD SMITH and SARAGENE SMITH, husband and wife, partners in SUN VALLEY FARMS, a partnership, known to me to be the persons whose names are subscribed to the within and foregoing instrument, and who acknowledged to me that they executed the same on behalf of said partnership.

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

NOTARY PUBLIC for Idaho

Residing at:

Commission Expires:

County of Jerome)

RICK BERNSEN
 ★ NOTARY PUBLIC ★
 STATE OF IDAHO
 RESIDING AT JEROME, ID
 MY COMMISSION EXPIRES 7-30-07

On this 16th day of November, 2000, before me, the undersigned, a Notary Public in and for said County and State, personally appeared TIM S. GARRARD and CARMEN GARRARD, husband and wife, individually and as partners in SUN VALLEY FARMS, a partnership, known to me to be the persons whose names are subscribed to the within and foregoing instrument, and who acknowledged to me that they executed the same individually and on behalf of said partnership.

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

NOTARY PUBLIC for Idaho

Residing at:

Commission Expires:

RICK BERNSEN
★ NOTARY PUBLIC ★
STATE OF IDAHO
RESIDING AT JEROME, ID
MY COMMISSION EXPIRES 7-30-03

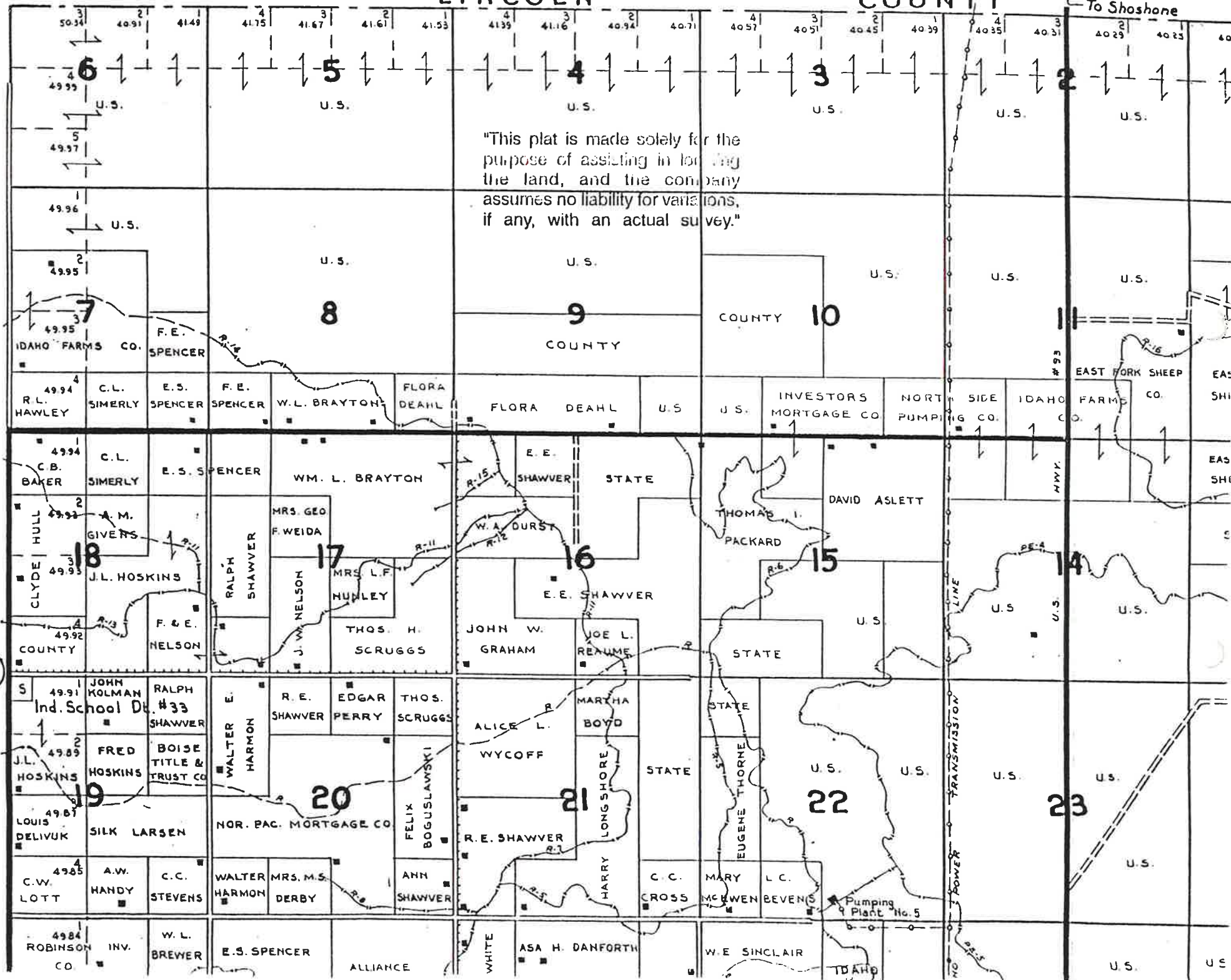
LINCOLN

COUNTY

To Shoshone

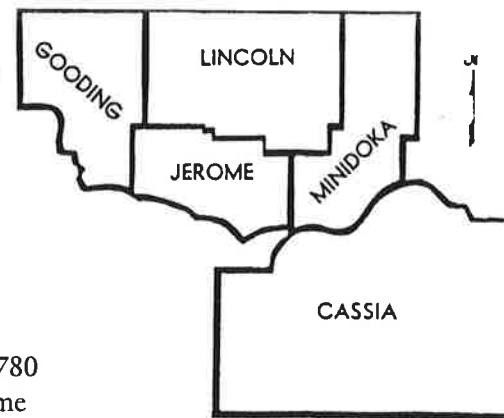
"This plat is made solely for the purpose of assisting in locating the land, and the company assumes no liability for variations, if any, with an actual survey."

3



Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: J-29780
OFFICE: Jerome

November 24, 2000

IDWR - Southern Region
ATTN: Trish
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380

RE: SUN VALLEY FARMS/NOTCH BUTTE DAIRY, LLC

Dear Trish:

In connection with the above referenced file, enclosed herewith you will find the following:

1. *Original* Notice of Change of Water Right Ownership Forms for Water Right No. 36-14492, 36-02377, 36-02388, 36-02622, 36-07833, and 36-14493 dated November 16, 2000.
2. *Copy of Warranty Deed* recorded November 17, 2000 as Instrument No. 2005101 under Jerome County Records.
3. Plat Map.

Thank you for your assistance! Should you have any questions regarding this matter, please do not hesitate to contact me at 208-324-3357.

Very truly yours,
LAND TITLE AND ESCROW, INC.


Jenni Stippich
Escrow Department

Enclosures

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

RECEIVED
NOV 27 2000
Department of Water Resources
Southern Region

NOV 22 2000

Department of Water Resources
Southern Region

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

#537-9318

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>36-02377</u>	<u>A36-02377</u>	☒	_____	_____	_____
<u>36-02388</u>	<u>A36-02388</u>	☒	_____	_____	_____
<u>36-02622</u>	<u>A36-02622</u>	☒	_____	_____	_____
<u>36-07833</u>	<u>A36-07833</u>	☒	_____	_____	_____
_____	_____	_____	_____	_____	_____

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) Sun Valley Farms
4. New Owner/Claimant(s) 6491 US HWY 93 Jerome ID 83338
Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah corporation sole.
- New Mailing Address NATURAL RESOURCE SERVICE DIVISION
100 FLOOR EAST
100 NORTH TEMPLE
- City, State and ZIP Code PO BOX 1111
- New Telephone Number (801) 240-4656
5. Date you acquired the property 1998 FEBRUARY 2

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 <u>36-02377</u>		
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	<u>1.25 cfs</u>	<u>307</u>
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	<u>1.25 cfs</u>	

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 <u>36-02388</u>		
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	<u>~~4.4~~ 1.48</u>	<u>307</u>
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	<u>1.48</u>	

Corporation of the Presiding Bishop of The Church of
Jesus Christ of Latter-day Saints, a Utah corporation sole.

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

MAJ *Tony F. Randal*
2000 NOV 20 AUTHORIZED AGENT

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 _____

537-9318

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 <u>36-02622</u>		
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	<u>1.37 cfs</u>	<u>307</u>
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	<u>1.37 cfs</u>	

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 <u>36-07833</u>		
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	<u>0.96 cfs</u>	<u>307</u>
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	<u>0.96 cfs</u>	

7.

Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Corporation of the Presiding Bishop of The Church of
Jesus Christ of Latter-day Saints, a Utah corporation sole.

2000 NOV 20

Jeff R. Rude
AUTHORIZED AGENT

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 _____

Calculate us for Sun Valley Farms

OCT 18 2000

TOTS R17E S13

SWSW 40

SESW 40

Section total = 80

This data was prepared by Center for Sustainability at the University of Wisconsin -

S14

NWSE 39

SWSE 39

SESE 34

Section total = 112

25-30% of the forest with the forested areas at the bottom of the section.

S23

NENE 37

NWNE 38

Section total = 75

K.1 S24

NW NW 40

Section total = 40

Total in acres = 307 acres

$$\frac{307 \text{ ac}}{915 \text{ ac}} = 0.3355$$

$$36 - 02377 = 3.72 \times 0.3355 = 1.25 \text{ cfs}$$

$$36 - 02388 = 4.42 \times 0.3355 = 1.48 \text{ cfs}$$

$$36 - 02622 = 4.07 \times 0.3355 = 1.37 \text{ cfs}$$

$$36 - 07833 = 2.87 \times 0.3355 = 0.96 \text{ cfs}$$

$$\text{Total} = \underline{5.06 \text{ cfs}}$$

537-9318

25887~

WARRANTY DEED

537-9318 ID JEROME CO.
JEROME ADDITION III

For Value Received

SUN VALLEY FARMS, a partnership, comprised of RUSSELL E. SMITH and JACQUELINE SMITH, husband and wife; L. CLIFFORD SMITH and SARAGENE SMITH, husband and wife; and TIM S. GARRARD and CARMEN GARRARD, husband and wife

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

CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole
Address: c/o Farm Management Company 139 East South Temple, Suite 110
Salt Lake City, Utah 84111

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

SEE EXHIBIT "A" ATTACHED HERETO:

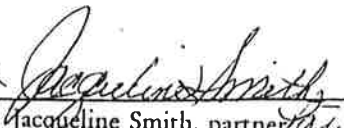
TOGETHER WITH ALL WATER AND WATER RIGHTS APPURTENANT THERETO, INCLUDING BUT NOT LIMITED TO WATER LICENSE #36-02388, 36-02377, 36-02622 AND 36-07833

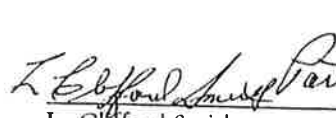
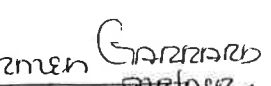
SUBJECT TO:

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

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: February 2, 1998

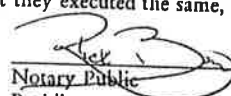

SUN VALLEY FARMS, a Partnership Russell E. Smith, partner  Jacqueline Smith, partner

 L. Clifford Smith, partner  Saragene Smith, partner  Tim S. Garrard, partner  Carmen Garrard, partner

STATE OF IDAHO)
COUNTY OF Jerome) ss.

On this 13th day of February, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared Russell E. Smith, Jacqueline Smith, L. Clifford Smith, Saragene Smith, Tim S. Garrard and Carmen Garrard, as partners of Sun Valley Farms, a partnership, 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, as partners of said Partnership.

RICK BERNSEN
★ NOTARY PUBLIC ★
STATE OF IDAHO
RESIDING AT JEROME, ID
MY COMMISSION EXPIRES 7-30-03


Notary Public
Residing at: Jerome, Idaho
My Commission expires: 7-30-03

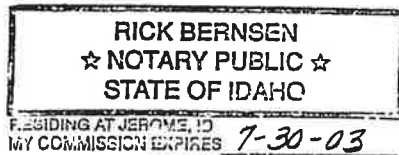
RECORDED
JEROME COUNTY, IDAHO
FEB 13 3 23 PM '98
FEE \$9.00
JULY 15
QUEST
of Land Title & Escrow, Inc.

980795

#537-9318

STATE OF IDAHO)
) ss.
COUNTY OF JEROME)

On this 19th day of February, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Jacqueline Smith, known or identified to me to be the partner or one of the partners in the Partnership of Sun Valley Farms, and the partner or one of the partners who subscribed said Partnership name to the foregoing instrument, and acknowledged to me that she executed the same in said Partnership name.




Notary Public

EXHIBIT "A"

537-9318

Order Number: J-25887

PARCEL NO. 1

TOWNSHIP 7 SOUTH, RANGE 17, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 13: S $\frac{1}{2}$ SW $\frac{1}{4}$

Section 14: W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPT State Highway 93.

Section 23: N $\frac{1}{2}$ NE $\frac{1}{4}$, EXCEPT State Highway 93.

Section 24: NW $\frac{1}{4}$ NW $\frac{1}{4}$

EXCEPTING THEREFROM that part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, Township 7 South, Range 17 East, Boise Meridian, and part of the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 23, Township 7 South, Range 17 East, Boise Meridian, Jerome County, Idaho, described as follows:

Beginning at the Northeast corner of Section 23, Township 7 South, Range 17 East, Boise Meridian, said corner marked by a U.S. BLM iron pipe with brass cap;

Thence North 89°18'49" West for a distance of 1959.53 feet to a $\frac{1}{2}$ " rebar which shall be THE TRUE POINT OF BEGINNING;

Thence South 00°04'36" East for a distance of 143.66 feet to a $\frac{1}{2}$ " rebar;

Thence North 89°04'39" West for a distance of 249.51 feet to a $\frac{1}{2}$ " rebar;

Thence North 83°24'45" West for a distance of 232.52 feet to a $\frac{1}{2}$ " rebar on the East right of way of State Highway 93;

Thence North 00°04'36" West along the East right of way of State Highway 93 for a distance of 133.41 feet to a $\frac{1}{2}$ " rebar;

Thence South 84°43'09" East for a distance of 197.23 feet to a $\frac{1}{2}$ " rebar;

Thence South 89°32'20" East for a distance of 284.06 feet to THE TRUE POINT OF BEGINNING.

PARCEL NO. 2

ACCESS EASEMENT

Part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, Township 7 South, Range 17 East, Boise Meridian, and part of the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 23, Township 7 South, Range 17 East Boise Meridian, Jerome County, Idaho, described as follows:

Beginning at the Northeast corner of Section 23, Township 7 South, Range 17 East Boise Meridian, said corner marked by a U.S. BLM iron pipe with brass cap;

Thence North 89°18'49" West for a distance of 1959.53 feet to a $\frac{1}{2}$ " rebar which shall be THE POINT OF BEGINNING;

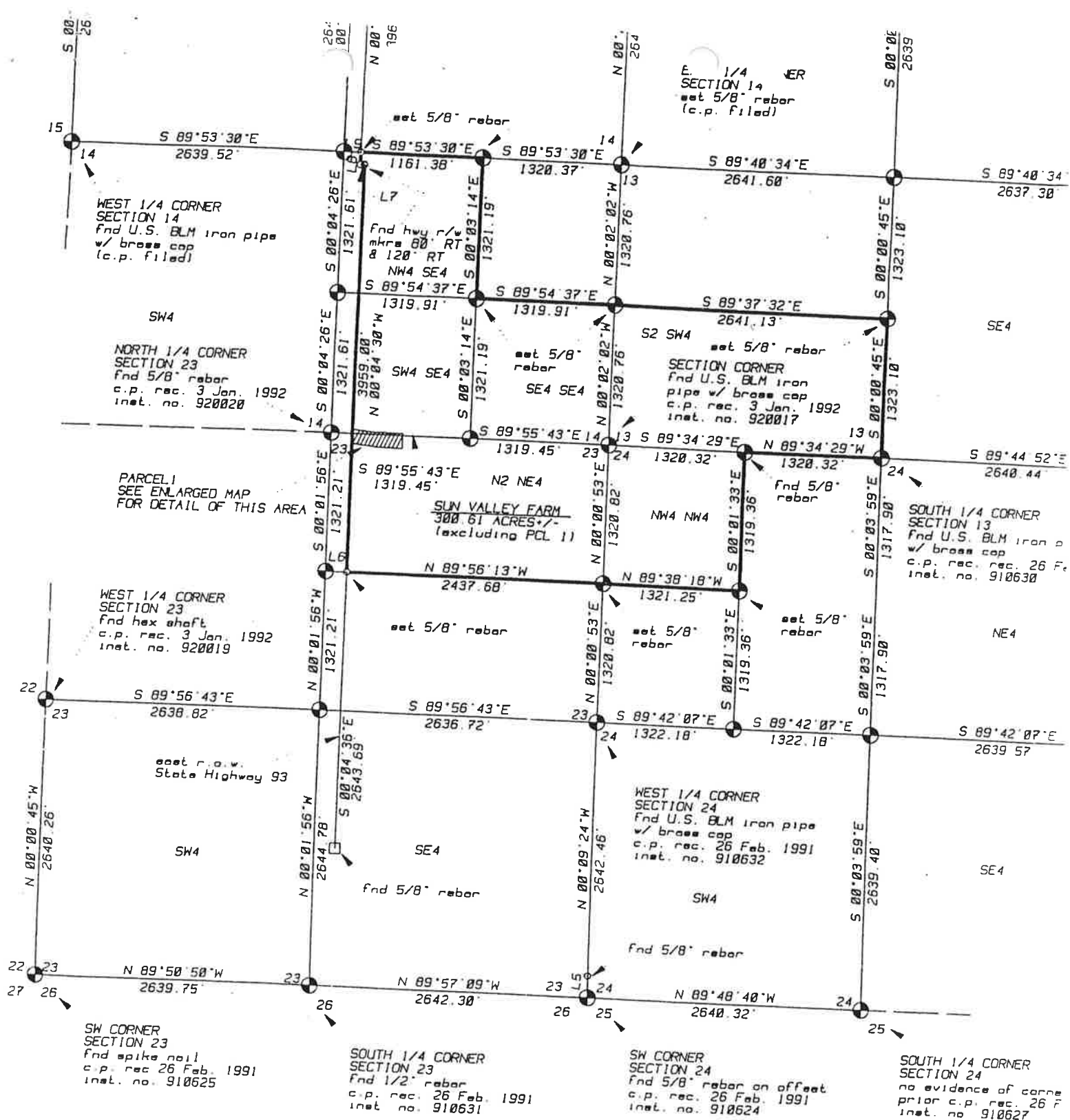
Thence South 00°04'36" East for a distance of 16.96 feet;

Thence North 89°37'39" West for a distance of 480.44 feet to the East right of way of State Highway 93;

Thence North 00°04'36" West along said State Highway right of way for a distance of 34.27 feet to a $\frac{1}{2}$ " rebar;

Thence South 84°43'09" East for a distance of 197.23 feet to a $\frac{1}{2}$ " rebar;

Thence South 89°32'20" East for a distance of 284.06 feet to THE TRUE POINT OF BEGINNING.



STATE HIGHWAY 93

NORTH 1/4 CORNER
SECTION 13
fnd U.S. BLM iron pipe
w/ brass cap
(c.p. filed)

ENLARGED MAP

Scale 1" = 60'

PROPERTY SURVE
REC. 26 FEB. 1
DWLS # 2114-90

PROPERTY SURVEY
REC. 3 JAN. 1971
DWLS # 2385-91

PROPERTY SURVE
REC. 18 OCT. 11
CRITSER-ZIMMER

PROPERTY SURVE
REC. 13 SEPT
CRITSER LAND S

PROPERTY SURVE
REC. 16 APR. 11
EHM

RIGHT-OF-WAY S
REC. 27 SEPT
ITD

- - SET IRON 1
- - NO CORNER

OTHER SURV
AS NOTED

CERTIFICA

I, Steven C. Pearson,
Land Surveyor, Idaho, do
certify that this Record
is a true and correct copy
of the original as shown
to me by the person or persons
claiming to be the owner of the
same, and that this map is a
true and correct copy of the
original as shown to me by the
person or persons claiming to be
the owner of the same.

BASIS OF BEARING = GP

SECTIONS 13
T. 7 S., R.
FROM C.

PROPERTY SURVEY
for
SUN VALLEY FARMS

#537-9318

DESERT WEST LAND



HWY 93

4
121
15
51

14
121
NHSL

13
281
NHSL

12
96
NHSL

8
55
NHSL

10
6
NHSL

#531-9318

T622
221

7
71e

Not Included

14 | 13
23 | 24

9
402

15
11082

T520
139

10
344

8
154

N
W ← → E
S

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY SAINTS

RECEIVED
NOV 22 2000
Department of Water Resources
Southern Region

REAL ESTATE DIVISION
Twelfth Floor East
50 East North Temple Street
Salt Lake City, Utah 84150-6320
Phone: 1-801-240-3840
Facsimile: 1-801-240-2913

Reference reply to:
(801) 240-4656
November 20, 2000
537-9318

IDWR SOUTHERN REGION
1341 FILLMORE ST SUITE 200
TWIN FALLS ID 83301-3380

Attention Ms. Vicki Hancock:

Enclosed is the completed "Notice of Change in Water Right Ownership" for the 320 acres purchased from Sun Valley Farms that becomes part of Jerome ID Farm (537-9318). Should there be questions or additional information needed, please call me.

Sincerely yours,



M. Glade Pincock
LDS Water Resources Group Leader

Copy: Farm Management Co.
139 East South Temple, Suite 110
Salt Lake City, UT 84111

537-9318

AJ5856NP

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

DATE: OCT-16-2000

PAGE: A-5

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-02622

NAME & ADDRESS: SUN VALLEY FARMS
6491 US HWY 93
JEROME ID 83338

SOURCE: GROUNDWATER

QUANTITY: 4.07 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 12.10 CFS, AND A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 3660 AF. COMBINED RIGHT NOS.: 36-02377,
36-02388 & 36-07833.

PRIORITY DATE: 08/19/1965

POINT OF DIVERSION: T07S R17E S14 SESESW Within JEROME County
S23 NENENE
NENENW

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		03-15 11-30	4.07 CFS

PLACE OF USE:	IRRIGATION	Within JEROME County
T07S R17E S13	SWSW 40	SESW 40
S14	SWNW 40	SESW 38
	SWSW 39	SESW 34
	SESE 34	
S15	NESE 38	SESE 40
S23	NENE 37	NWNE 38
	SWNW 40	SESW 40
	SWSW 40	SESW 40
S24	NWNW 40	
915 ACRES TOTAL		

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 291 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 915 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 36-02377, 36-02388 &
36-07833.

AJ5856NP

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

DATE: OCT-16-2000
PAGE: A-6

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-02622 (CONT)

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 - DECREE

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 36-02377, 36-07833, & 36-02388



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

February 16, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LDS CHURCH REAL ESTATE DIVISION
12TH FLOOR EAST
50 E NORTH TEMPLE ST
SALT LAKE CITY UT 84150

NOTCH BUTTE DAIRY LLC
406 E 700 N
JEROME ID 8338

- 15560 15558 15561 15563
15559 15557 15562 15564

RE: SRBA Claim(s) 36-02377, 36-02388, 36-02622, 36-07833

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: Sun Valley Farms

36-15561 Notch Butte
36-15562 LDS Church

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

02/05/2001

WATER RIGHT NO. 36-2622

Owner Type
Current Owner
Name and Address
SUN VALLEY FARMS
6491 US HWY 93
JEROME, ID 83338
(208)324-5912

Priority Date: 08/19/1965
Basis: Decreed
Status: Active

Source
GROUND WATER

Tributary to

Beneficial Use
IRRIGATION

From
3/15

To
11/30

Diversion Rate
4.07 CFS

Volume

Subuse Code

Total Diversion

4.07 CFS

1.37 to LDS church
2.70 retained by Sun Valley

Location of Point(s) of Diversion:

GROUND WATER	SESESW	Sec. 14	Township 07S	Range 17E	JEROME County
GROUND WATER	NENENE	Sec. 23	Township 07S	Range 17E	JEROME County
GROUND WATER	NENENW	Sec. 23	Township 07S	Range 17E	JEROME County

IRRIGATION Use:
Acre Limit: 915

Place(s) of use:

Place of Use Legal Description: IRRIGATION

JEROME County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
07S	17E	13		SWSW	40		SESW	40						
		14		SWNW	40		SENW	38						
				NESW	39		NWSW	38		SWSW	39		SESW	34
				NWSE	39		SWSE	39		SESE	34			
		15		NESE	38		SESE	40						
		23		NENE	37		NWNE	38						
				NENW	30		NWNW	40		SWNW	40		SENW	40
				NESW	40		NWSW	32		SWSW	40		SESW	40
		24		NWNW	40									

Total Acres: 915

Conditions of Approval:

1. C18 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

Water Right 36-2622

307 ac to LDS
608 Sun Valley Farms

LDS Church
all other PWS
Notch Butte Dairy

BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

2. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Remarks:

1. Quantity *8.04 notch*
406 LDS USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 12.10 CFS, AND A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 3660 AF. COMBINED RIGHT NOS.: 36-02377, 36-02388 & 36-07833.
2. Place of Use - Irrigation *2432 notch*
1228 LDS THIS RIGHT IS LIMITED TO THE IRRIGATION OF 291 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. *97.6 LDS Church*
193.4 Sun Valley Farms USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 915 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 36-02377, 36-02388 & 36-07833. *1608 notch*
3. Explanatory *307 LDS* THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 36-02377, 36-07833, & 36-02388

Comments:

Author	Date	Subject	Comment
KCHRISTE	12/19/97	REFORMAT	FOR PARTIAL DECREE
AJU10-DS	12/21/99	AJU10 CONDITION UPDATE	CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Dates:

Licensed Date:
Claim Received Date: 03/15/1990
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date: 01/15/1998
Date Filed with Court:
Objection Filed Date:
SF5 Filed:
Special Master Recom Signed Date:

Element Reviewed/Verified Dates: No dates found

Other Information:

Receipt Number(s): S011548
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
PresumptionFlag:
Notice of Error Flag:NONE RECEIVED
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Water Right 36-2622