

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 36-16219
Date Received: 6/25/2004
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

GLANBIA FOODS Phone: (208) 733-7555
1373 FILLMORE ST
TWIN FALLS ID 83301

2. Date of Priority: 05/26/1971

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
08S	21E	24	NE	SE	SW	JEROME	
08S	21E	24	NE	NE	SE	JEROME	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.33	1600

7. Total Quantity Appropriated is:
0.33 C.F.S. and/or 1600 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
08S	21E	24	NE	SW		IRRIGATION	40
			SE	SW		IRRIGATION	40
			NE	SE		IRRIGATION	32.8
			NW	SE		IRRIGATION	11.2
			Section Acres				
08S	21E	25	NE	NE		IRRIGATION	40
			NW	NE		IRRIGATION	40
			SW	NE		IRRIGATION	31
			NE	NW		IRRIGATION	40
			Section Acres				
08S	22E	25	SE	NE		IRRIGATION	20
			SE	NW		IRRIGATION	14
			Section Acres				
08S	22E	30	NW	NW	1	IRRIGATION	40
			SW	NW	2	IRRIGATION	35
			NW	SW	3	IRRIGATION	16
			Section Acres				
Total Acres						400	

11. Place of use in counties: JEROME, MINIDOKA

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

13. Other Water Rights Used:

14. Remarks:

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.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 36-16123.

RIGHTS 36-16213, 36-16215, 36-16217 AND 36-16219 ARE LIMITED TO COMBINED DIVERSION RATE OF 4.92 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1600.0 AF.

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 27.3 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON AND WHEN COMBINED WITH RIGHTS 36-16213, 36-16215 AND 36-16217 IS LIMITED TO 400.0 ACRES.

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NOS. 36-16213 AND 36-16215 PURSUANT TO SECTION 42-1426, IDAHO CODE.

RIGHTS 36-16212, 36-16213, 36-16214, 36-16215, 36-16216, 36-16217, 36-16218, AND 36-16219 ARE DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE. THIS RIGHT IS FOR AN ENLARGEMENT OF 27.3 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

15. Basis of Claim: Beneficial Use

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

RECEIVED

JUN 28 2004

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	<i>Glanbia</i> Water Right No(s).	Adjudication Claim No(s).	Split
<u>36-16111</u>		✓ →	<u>36-16213</u>		
<u>36-16112</u>		✓ →	<u>36-16215</u>		
<u>36-16115</u>		✓ →	<u>36-16217</u>		
<u>36-16123</u>		✓ →	<u>36-16219</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) Marilyn L. Phillips, Vernon C Phillips
282 N 750 W, Paul, Idaho 83347
4. New Owner/Claimant(s) Glanbia Foods, Inc
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 1373 Fillmore Street
 City, State and ZIP Code Twin Falls, Idaho 83301
 New Telephone Number (208) 733-7555
5. Date you acquired the property April 4, 2004

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>36-16111</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>519.6 AFA</u>	<u>129.9 acres</u>
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	<u>519.6 AFA</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>36-16112</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>779.2 AFA</u>	<u>194.8 acres</u>
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	<u>779.2 AFA</u>	

7. Signature of New Owner(s) or Claimant(s) See Next Page for additional rights
(include title if applicable)

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

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by AJ Date _____ WR _____ Date _____

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	192 AFA	48.0 acres
Stock		
Domestic		
Other		
Total	192 AFA	

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	109.2 AFA	27.3 acres
Stock		
Domestic		
Other		
Total	109.2 AFA	

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)
- Barney Kuege
V.P. Technical Service

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 <u>[Signature]</u>	Date <u>6/28/04</u>	Fee <u>300.00</u>
Receipted by <u>[Signature]</u>	Date <u>6/28/04</u>	Receipt No. <u>0026806</u>
Processed by <u>AJ</u>	Date	WR
		Date

WARRANTY DEED

For Value Received

Instrument # 2042368

JEROME COUNTY, JEROME, IDAHO

2004-04-29

04:17:46 No. of Pages: 1

Recorded for : LAND TITLE & ESCROW

CHERYL WATTS

Fee: 3.00

Ex-Officio Recorder Deputy

Chenck

CLEORA W. MAXFIELD, a widow

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

GERALD ARCHIE MAXFIELD, a married man

Address: 1113 Ruby Dr. Rupert, Id 83350

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

The NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 25, Township 8 South,
Range 21 East of the Boise Meridian, located in Jerome
County, Idaho, excepting therefrom the northern 5 acres
thereof; containing approximately 35 acres more or less.

SUBJECT TO:

Accruing taxes, levies, and assessments; easements and
right-of-ways of record, if any.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And 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: April 24, 1981

Cleora W. Maxfield

CLEORA W. MAXFIELD

STATE OF IDAHO, COUNTY OF CASSIA

On this *29th* day of June, 1981
before me, a notary public in and for said State, personally appeared

Cleora W. Maxfield

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged
to me that she executed the same.

Mary E. Olson
Notary Public

Residing at

Burley, Idaho.

Instrument No.

THIS INDENTURE, Made this 12th day of March

in the year of our Lord one thousand nine hundred and seventy nine

between CLEORA W. MAXFIELD

of Paul County of Jerome

State of Idaho the party of the first part, and

GERALD ARCHIE MAXFIELD of 1113 Ruby Dr. Rupert, Id 83350

of Paul County of Minidoka

State of Idaho the party of the second part,

WITNESSETH, That the said party of the first part, for and in consideration of the sum of

TEN AND NO/100----- DOLLARS,
and other good and valuable consideration
of the United States of America, to her in hand paid by the

said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained

and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said party

of the second part, and to his heirs and assigns forever, all the following described real estate,

situated in Jerome

County

Instrument # 2042369

JEROME COUNTY, JEROME, IDAHO

2004-04-29

04:19:23 No. of Pages: 2

Recorded for: LAND TITLE & ESCROW

CHERYL WATTS

Fee: 6.00

Ex-Officio Recorder Deputy

Bench

State of Idaho, to wit:

S.M. C. 1117
The E½ of the SW¼ of Section 24, Township 8
South, Range 21, E.B.M.; containing approximately
80 acres more or less.

The W½ of the SE¼ of Section 24, Township 8
South, Range 21, E.B.M.; containing approximately
80 acres more or less.

The SW¼ of the NE¼ of Section 24, Township 8
South, Range 21, E.B.M.; containing approximately
40 acres more or less.

S.M. C. 1117 S.M. C. 1117
The Northern 5 acres of the NW¼ of the NE¼ of
Section 24, Township 8 South, Range 21, E.B.M.;
containing approximately 5 acres more or less.

S.M. C. 1117 S.M. C. 1117
The NE¼ of the NW¼ of Section 25, Township 8
South, Range 21, E.B.M.; containing approximately
40 acres more or less.

SUBJECT to all existing patent reservations,
easements, rights of way, protective covenants, zoning
ordinances, and applicable building codes, laws and
regulations.

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title, and interest in and to the said property, as well in law as in equity, of the said part y of the first part:

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the part y of the second part, and to his heirs and assigns forever. And the said part y of the first part, and her heirs, the said premises in the quiet and peaceable possession of the said part y of the second part, heirs and assigns, against the said party of the first part, and her heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said part y of the first part ha vehereunto set her hand and seal the day and year first above written

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

Cleora W. Maxfield [Seal]
[Seal]
[Seal]
[Seal]

STATE OF IDAHO, }
County of Minidoka } ss.

On this 12th day of March in the year 19 79 , before me

Tracy McEnith

a Notary Public

in and for said State, personally appeared CLEORA W. MAXFIELD

known to me to be the person whose name is subscribed to the within 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.



Notary Public
Residing at _____ Idaho.

Instrument # 2042370

JEROME COUNTY, JEROME, IDAHO

2004-04-29 04:21:35 No. of Pages: 3

Recorded for : LAND TITLE & ESCROW

CHERYL WATTS Fee: 9.00

Ex-Officio Recorder Deputy

WARRANTY DEED

FOR VALUE RECEIVED, GERALD ARCHIE MAXFIELD and ROBYN MAXFIELD, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto V. CALLAN PHILLIPS and MARILYN PHILLIPS, husband and wife, the Grantees, whose current address is Route 1, Box 1222, Paul, Idaho, the following described premises, to-wit:

East Half of the Southwest Quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$) of Section 24, Township 8 South, Range 21 East of the Boise Meridian, West Half of the Southeast Quarter (W $\frac{1}{2}$ SE $\frac{1}{4}$) of Section 24, Township 8 South, Range 21 East of the Boise Meridian, Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 24, Township 8 South, Range 21 East of the Boise Meridian, Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 25, Township 8 South, Range 21 East of the Boise Meridian, Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 25, Township 8 South, Range 21 East of the Boise Meridian

save and except those liens, claims or encumbrances described on Exhibit "A" attached hereto and by this reference made a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the Grantees that they are the owners in fee of said premises, that said premises are free from all encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 27th day of February, 1987.

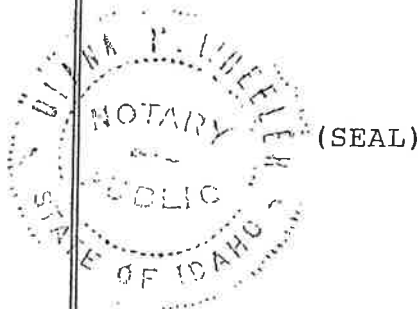
Gerald Archie Maxfield
Gerald Archie Maxfield

Robyn Maxfield
Robyn Maxfield

STATE OF IDAHO)
) ss.
County of Minidoka)

On this 27th day of February, 1987, before me, the undersigned, a Notary Public in and for said State, personally appeared GERALD ARCHIE MAXFIELD and ROBYN MAXFIELD, known to me to be the persons whose name are subscribed to the within instrument, and acknowledged to me that they 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.



Diana M. Wheeler
Notary Public for Idaho
Residing at Rupert, Idaho

3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts which a correct survey or inspection of the premises would disclose and which are not shown by the public records.
4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.
6. Unpatented mining claims; reservations or exceptions in patents or state grants or in Acts authorizing the issuance thereof, water rights, claims or title to water.
7. Taxes for 1987 and subsequent years, which are not yet due and payable.
10. Power Line Easement given by Merrill Maxfield and Cleora W. Maxfield, husband and wife, to Idaho Power Company, a corporation, dated June 6, 1961, recorded July 3, 1961 in Book 168 Page 106 as Instrument Number 147342, Jerome County records, affecting the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24, Township 8 South, Range 21, East Boise Meridian.
11. Reservations contained in United States Patent dated December 22, 1966, recorded February 12, 1968 in Book 182 of Deeds Page 831 as Instrument Number 175063, Jerome County records, whereby the United States reserves all oil and gas from lands in Parcel 2, together with right to prospect for, mine, and remove such deposits; and the right to occupy and use any or all of that portion of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25 lying within 25 feet on the Northerly and 125 feet on the Southerly side of the center line of the transmission line right of way of the Idaho Power Co.
12. Power Line Easement given by Merrill Maxfield and Cleora Maxfield, husband and wife, to Idaho Power Company, a corporation, dated October 8, 1970, recorded November 18, 1970 in Book 184 Page 417 as Instrument Number 186830, Jerome County records, over and across the N $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, Township 8 South, Range 21, East Boise Meridian.
13. Power Line Easement given by Merrill Maxfield and Cleora W. Maxfield, husband and wife, to Idaho Power Company, a corporation, dated May 23, 1971, recorded November 15, 1971 in Book 184 Page 501 as Instrument Number 191543, Jerome County records, affecting the property beginning at the center of Section 24, Township 8 South, Range 21, East Boise Meridian, an easement along the center Section line south for 1350 feet.
14. Terms and conditions of a Water Agreement between Gerald Archie Maxfield and Robyn Maxfield, husband and wife, and Newell K. Maxfield and Joanne Maxfield, husband and wife, dated April 24, 1981, recorded June 3, 1981 as Instrument Number 258141, Jerome County records. ASSIGNED to Randy A. Hanshew and Sharon K. Hanshew, husband and wife, by an Assignment dated April 28, 1981, recorded June 3, 1981 as Instrument Number 258142, Jerome County records. CONSENT TO WATER AGREEMENT dated April 24, 1981, recorded June 3, 1981 as Instrument Number 258143, Jerome County records. ASSIGNED to V. Callen Phillips and Marilyn L. Phillips, husband and wife, by an Assignment dated June 21, 1983, recorded June 23, 1983 as Instrument Number 274363, Jerome County records.
15. Terms and conditions of an unrecorded Contract of Sale by and between Cleora W. Maxfield, as Seller, and Gerald Archie Maxfield, as Buyer

Instrument # 2042371

JEROME COUNTY, JEROME, IDAHO

2004-04-29

04:23:27 No. of Pages: 3

Recorded for : LAND TITLE & ESCROW

CHERYL WATTS

Fee: 9.00

Ex-Officio Recorder Deputy

#J-33127

WARRANTY DEED

471707

For Value Received

V. CALLAN PHILLIPS and MARILYN PHILLIPS, also known as MARILYN ^L PHILLIPS, husband and wife _{M.L.P.}

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

DELBERT KOHTZ and FRAN KOHTZ, husband and wife dba IDAHO WATER CO.
Address: 1135 Valley Rd. So. Eden, Id 83325

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

SEE EXHIBIT "A" ATTACHED HERETO:

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 Water Right No.'s 36-16111, 36-16112, 36-16115, 36-16123

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

Dated: April 9, 2004

V. Callan Phillips
V. CALLAN PHILLIPS

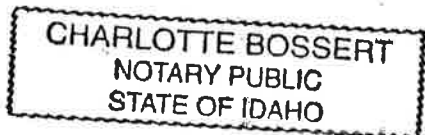
Marilyn Phillips
MARILYN PHILLIPS

STATE OF IDAHO)

) ss.

COUNTY OF MINIDOKA)

On this 9th day of April, 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared V. CALLAN PHILLIPS and MARILYN PHILLIPS, 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.



Charlotte Bossert
Notary Public

Residing at:

My Commission expires: 9/15/04

EXHIBIT "A"

Order Number: J-33127

PARCEL NO. 1:

TOWNSHIP 8 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 24: E $\frac{1}{2}$ SE $\frac{1}{4}$;

Section 25: NE $\frac{1}{4}$ NE $\frac{1}{4}$;

TOWNSHIP 8 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 25: Part of Farm Tract B, described as follows:

Beginning at Corner No. 2 of Tract B (NE corner SE $\frac{1}{4}$ NE $\frac{1}{4}$) in Section 25, Township 8 South, Range 21 East, Boise Meridian, said corner marked by a USBR iron pipe with brass cap which shall be the POINT OF BEGINNING;
Thence South 00°06'45" West along the East line of Section 25 for a distance of 493.39 feet;
Thence North 50°21'42" West for a distance of 327.08 feet;
Thence North 88°50'53" West for a distance of 314.58 feet;
Thence South 57°13'33" West for a distance of 545.47 feet;
Thence South 44°05'49" West for a distance of 581.32 feet;
Thence South 50°38'46" West for a distance of 510.65 feet;
Thence North 89°56'46" West for a distance of 493.20 feet;
Thence North 00°18'59" East for a distance of 477.82 feet;
Thence North 64°22'09" West for a distance of 494.69 feet;
Thence South 68°31'10" West for a distance of 308.28 feet;
Thence North 88°34'57" West for a distance of 532.54 feet to the West line of Tract B;
Thence North 00°02'25" West along the West line of Tract B for a distance of 717.58 feet to a $\frac{1}{2}$ " rebar at Corner No. 4 of Tract B;
Thence North 89°56'34" East along the North line of Tract B for a distance of 937.86 feet to a USBR iron pipe with a $\frac{5}{8}$ " rebar alongside at Corner No. 3 of Tract B;
Thence North 89°54'56" East along the North line of Tract B for a distance of 2643.85 feet to the POINT OF BEGINNING.

PARCEL NO. 2:

TOWNSHIP 8 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 24: East half of the Southwest Quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$); West half of the Southeast Quarter (W $\frac{1}{2}$ SE $\frac{1}{4}$); Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$);

Section 25: Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$); Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$);

PARCEL NO. 3:

TOWNSHIP 8 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 30: Lot 1

PARCEL NO. 4:

TOWNSHIP 8 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 30: Part of Farm Unit B, described as follows:

Beginning at Corner No. 2 of Tract B (Northwest corner of SW $\frac{1}{4}$ NW $\frac{1}{4}$) in Section 30 of Township 8 South, Range 22 East, Boise Meridian, said corner marked by a USBR iron pipe with brass cap which shall be the POINT OF BEGINNING;
Thence South 89°58'29" East along the North line of Tract B for a distance of 1406.93 feet to a USBR iron pipe with brass cap at Corner No. 1 of Tract B;
Thence South 01°30'50" West along the East line of Tract B for a distance of 373.81 feet;
Thence North 89°58'29" West for a distance of 271.23 feet;
Thence South 48°59'06" West for a distance of 515.33 feet;
Thence South 54°49'03" West for a distance of 381.23 feet;
Thence North 39°38'21" West for a distance of 353.64 feet;
Thence North 50°21'42" West for a distance of 260.70 feet to the West line of Section 30;
Thence North 00°06'45" East along the West line of Section 30 for a distance of 493.39 feet to the POINT OF BEGINNING.

Instrument # 471707

MINIDOKA COUNTY, RUPERT, IDAHO
2004-04-09 04:06:51 No. of Pages: 3

Recorded for : RUPERT LAND TITLE

DUANE SMITH

Fee: 9.00

Ex-Officio Recorder Deputy

Cil

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

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 36-16219



NAME AND ADDRESS: GLANBIA FOODS
1373 FILLMORE ST
TWIN FALLS, ID 83301

SOURCE: GROUNDWATER

QUANTITY: 0.33 CFS
1600.00 AFY

RIGHTS 36-16213, 36-16215, 36-16217 AND 36-16219 ARE LIMITED TO
COMBINED DIVERSION RATE OF 4.92 CFS, A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1600.0 AF.

PRIORITY DATE: 05/26/1971

THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A
PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED
AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS
BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO
SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE
SUPERIOR RIGHT.

POINT OF DIVERSION: T08S R21E S24 NESESW Within Jerome County
NENESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.33 CFS 1600.00 AFY

PLACE OF USE:	Irrigation	Within Jerome County
	T08S R21E S24	NESW 40.0 SESW 40.0
		NESE 32.8 NWSE 11.2
	S25	NENE 40.0 NWNE 40.0
		SWNE 31.0 NENW 40.0
	R22E S25	SENE 20.0 SENW 14.0
	S30 LOT 1	(NWNW)40.0 LOT 2 (SWNW)35.0
	LOT 3	(NWSW)16.0
	400.0 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 27.3 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON AND
WHEN COMBINED WITH RIGHTS 36-16213, 36-16215 AND 36-16217 IS
LIMITED TO 400.0 ACRES.

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

THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NOS. 36-16213,
AND 36-16215 PURSUANT TO SECTION 42-1426, IDAHO CODE.

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. I.C. SECTION 42-1412(6).

Mitigation
for
37-21136
Maded to WR
1/26/06