



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

January 3, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

G & G DAIRY
PO BOX 36
JEROME ID 83338

RE: Decreed water right 36-08215
Water right permit 36-08735

Dear Claimants:

Thank you for submitting a Notice of Change of Water Right Ownership for the above rights. Both records, however, were already in the name of G & G Dairy. The form you submitted did show a different mailing address than what was shown in our records. Both rights listed above now have the correct mailing address. Enclosed please find print outs of both records showing your address as it was listed on the change of ownership form. Should you have any questions, please feel free to contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

enc.

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
DEC 30 1999
 Department of Water Resources
 Southam Bldg

1. Water Right No(s): 36-08215 + 36-08735
 Adjudication Claim No(s): A36-08215 + A36-08735

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 Giltner Dairy, LLC

4. New Owner/Claimant(s) G+G Dairy, an Idaho general partnership
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
 New Mailing Address P.O. 36
 City, State and ZIP Code Jerome, IDAHO 83336
 New Telephone Number () _____

5. Date you acquired the property 12-28-99

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 _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ 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) William C. Giltner Date 12-27-99
 Date _____
 (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.

WARRANTY DEED

#J-28984

For Value Received

Giltner Dairy, L.L.C., an Idaho Limited Liability Company

Robert W. Giltner, Jr. - President

Scott R. Giltner - Vice President

Tani C. Giltner - Secretary/Treasurer

9 9 6 4 7: 2

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

G & G Dairy, a Partnership

William Giltner - Partner

Suzanne J. Giltner - Partner

Mike Griffith - Partner

Jill Griffith - Partner

Address: 175 East 100 South, Jerome, ID 83338

RECORDED AT THE REQUEST
OF **Land Title & Escrow, Inc.**

DEC 28 3 19 PM '99

JEROME COUNTY, IDAHO

FEES 12.00 DEP CB

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, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 67.50 shares of capital stock in the North Side Canal Company, Ltd.**

SUBJECT TO:

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

Assessments of the North Side Canal Company and the rights and powers of said Company as by law provided.
Right of way for roads, canals, laterals and waste ditches as contained in an Agreement by and between the State of Idaho, and the Twin Falls North Side Land and Water Company, dated August 21, 1907, recorded in Book 15 Page 589, Jerome County records.

Power Line Easement granted to Idaho Power Company, a corporation, dated April 24, 1978, recorded November 11, 1978 as Instrument Number 237218, Jerome County records, affecting a portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3, Township 9 South, Range 17, East Boise Meridian. (Parcel No. 3)

Subject to a county road right of way along the Westerly 25 feet and reservation of a mobile home situated on the said property as revealed in Warranty Deed given by Lloyd Gulick and Lily Gulick, husband and wife, to Arthur Van Holland and Clara Van Holland, husband and wife, dated November 15, 1979, recorded November 19, 1979 as Instrument Number 245624, Jerome County records. (Covering a portion of Parcel No. 1 and 3)

Subject to an easement for road and utilities as disclosed in Warranty Deed dated October 11, 1983, recorded October 28, 1983 as Instrument Number 277140, Jerome County records. (Covering a portion of Parcel No. 1 and 2)

Subject to a 25.00 foot easement along the South boundary for a public road as disclosed in Warranty Deed given by Leroy A. Dean and Gala Dean, husband and wife, to Arthur Van Holland and Clara Van Holland, husband and wife, dated June 28, 1984, recorded September 5, 1986 as Instrument Number 300961, Jerome County records. (Parcel No.5)

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 21st 1999} December 28, 1999

Giltner Dairy, L.L.C.

BY:

Robert W. Giltner, Jr.
Robert W. Giltner, Jr., President

BY:

Scott R. Giltner
Scott R. Giltner, Vice President

EXHIBIT "A"

Order Number: J-28984

PARCEL NO. 1

TOWNSHIP 9 SOUTH, RANGE 17, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 3: SE $\frac{1}{4}$ NW $\frac{1}{4}$ and that part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, described as follows:

Commencing at the Northwest corner of said Section 3;
Thence South 0°02'00" West along the West boundary of said Section 3, 1325.61 feet to the Northwest corner of SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence South 89°46'52" East along the North boundary of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, 870.26 feet to THE TRUE POINT OF BEGINNING;
Thence South 0°02'00" West, 904.17 feet;
Thence South 89°41'26" East, 437.96 feet to the East boundary of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, said point lies North 0°02'00" East, 416.22 feet from the Southeast corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence North along the East boundary of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ to the Northeast corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence West along the North boundary of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ to THE TRUE POINT OF BEGINNING.

PARCEL NO. 2

Together with an easement for road and utilities 25.00 feet on each side of the following described centerline located in part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3, Township 9 South, Range 17, East Boise Meridian, as created by Warranty Deed dated October 11, 1983, recorded October 28, 1983 as Instrument Number 277140, Jerome County records, and Warranty Deed dated June 28, 1984, recorded September 5, 1986 as Instrument Number 300961, Jerome County records, described as follows:

Commencing at the Northwest corner of said Section 3;
Thence South 0°02'00" West, along the West boundary of said Section 3, 2228.41 feet to THE TRUE POINT OF BEGINNING;
Thence South 89°41'26" East, 1308.22 feet.

CONTINUATION

EXHIBIT "A"

Order Number: J-28984

PARCEL NO. 3

TOWNSHIP 9 SOUTH, RANGE 17, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 3: A part of the S½NW¼, described as follows:

Commencing at the Northwest corner of said Section 3;
Thence South 00°02'00" West, 1,325.61 feet to THE REAL POINT OF
BEGINNING;
Thence South 89°46'52" East, 1,130.26 feet along the North boundary of said
S½NW¼ of Section 3;
Thence South 26°30'51" West, 455.03 feet;
Thence South 19°02'53" East, 296.61 feet;
Thence North 89°41'26" West, 514.56 feet;
Thence North 65°10'44" West, 185.80 feet;
Thence North 89°44'09" West, 341.08 feet to the West boundary of said Section
3;
Thence North 00°02'00" East, 609.51 feet along the West boundary of said
Section 3 to THE REAL POINT OF BEGINNING.

EXCEPTING THEREFROM that part of the SW¼NW¼, described as follows:

Commencing at the Northwest section corner of said Section 3;
Thence South 0°02'00" West, along the West boundary of said Section 3, 1325.61
feet to the Northwest corner of the SW¼NW¼;
Thence South 89°46'52" East, 870.26 feet along the North boundary of said
SW¼NW¼ of Section 3, to THE TRUE POINT OF BEGINNING;
Thence South 89°46'52" East, 260.00 feet;
Thence South 26°30'51" West, 455.03 feet;
Thence South 19°02'53" East, 296.61 feet;
Thence North 89°41'26" West, 154.07 feet;
Thence North 0°02'00" East, 687.70 feet to THE TRUE POINT OF
BEGINNING.

CONTINUATION

EXHIBIT "A"

Order Number: J-28984

PARCEL NO. 4

TOWNSHIP 9 SOUTH, RANGE 17, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 3: That part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, described as follows:

Commencing at the Northwest section corner of said Section 3;
Thence South 0°02'00" West, along the West boundary of said Section 3,
1935.12 feet to THE TRUE POINT OF BEGINNING;
Thence South 89°44'09" East, 341.08 feet;
Thence South 65°10'44" East, 185.80 feet;
Thence South 89°41'26" East, 360.49 feet;
Thence South 0°02'00" West, 69.96 feet;
Thence North 89°46'52" West, 870.26 feet to a point on the West boundary of
said Section 3;
Thence North 0°02'00" East, along the West boundary of said Section 3, 148.15
feet to THE TRUE POINT OF BEGINNING.

PARCEL NO. 5

TOWNSHIP 9 SOUTH, RANGE 17, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 3: That part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, described as follows:

Commencing at the Northwest Section corner of said Section 3;
Thence South 0°02'00" West, along the West boundary of Section 3, 2083.27
feet to THE TRUE POINT OF BEGINNING;
Thence South 89°46'52" East, 870.26 feet;
Thence South 0°02'00" West, 146.51 feet;
Thence North 89°41'26" West, 870.26 feet to a point on the West boundary of
said Section 3;
Thence North 0°02'00" East, along the West boundary of said Section 3, 145.14
feet to THE TRUE POINT OF BEGINNING.

3-a-17

LOT 3

"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."

LOT Δ

Lot 2

۱۰

Р С Л

PCL#2

Р. С.

"14"

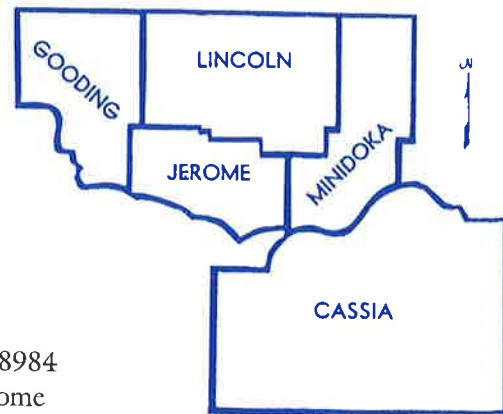
PCU#

523.23'
11.83°41'26" W

$$\begin{array}{r} 784.32 \\ \hline 4.83 \overline{) 47126.41} \end{array}$$

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: J-28984
OFFICE: Jerome

December 29, 1999

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

RE: GILTNER DAIRY, L.L.C./G & G DAIRY

To Whom It May Concern:

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

1. **Notice of Change of Water Right Ownership** dated December 27, 1999.
2. *Copy of Warranty Deed* recorded December 28, 1999 as Instrument No. 996472 under Jerome County Records.
3. *Copy of Plat Map.*

Please transfer the indicated water rights as necessary.

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 348, 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
DEC 30 1999
Department of Water Resources
Southern Region