

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 37-12833
Date Received: 2/7/1989
Receipt No: S006237
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BIG SKY DAIRY Phone: (208)934-9072
2395 S 1500 E
GOODING ID 83330

2. Date of Priority: 03/31/1933

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	15E	16	SW SE SE	GOODING	

5. Description of diverting works:

5 HP PUMP, 210' WELL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
COMMERCIAL	1/01	12/31	0.705	
DOMESTIC	1/01	12/31	0.08	

7. Total Quantity Appropriated is:
0.785 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
05S	15E	16	SW	SE		COMMERCIAL	
			SW	SE		DOMESTIC	
05S	15E	21	NW	NE		DOMESTIC	

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:

TOTAL CFS CLAIMED FOR FEEDLOT = 1.33. A37-12832 & A37-12833 COMBINED, 2 WELLS, SAME OPERATION. TOTAL CFS CLAIMED FOR FEEDLOT SPLIT EQUALLY BETWEEN BOTH CLAIMS

15. Basis of Claim: Beneficial Use



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 10, 2002

BIG SKY DAIRY
2395 S 1500 E
GOODING ID 83330

Re: SRBA Claim(s) 37-84B, 37-2433, 37-12831, 37-12832, 37-12833
Decreed Water Right 37-12835

Dear Claimants:

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.

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

RECEIVED
AUG 02 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
37-12835			37-84B		
37-12833			37-4335		
37-12832			37-4334		
37-12831					
37-2433					

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) France, Inc.
2050 East 1500 South, Gooding, ID 83330
4. New Owner/Claimant(s) Big Sky Dairy
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 2395 South 1500 East, Gooding, ID 83330
 City, State and ZIP Code _____
 New Telephone Number () _____
5. Date you acquired the property August 1, 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	_____	_____

Signature of New Owner(s) or Claimant(s) Tony Visser Russell Gregory Visser
(include title if applicable) Michael Bosma

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 <u>[Signature]</u> AJ	Date <u>10/23/01</u>	WR _____ Date _____

Instrument # 191478

GOODING, GOODING, IDAHO

2001-08-01 02:04:06 No. of Pages: 5

Recorded for : LAND TITLE

HELEN EDWARDS

Fee: 15.00

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

Deane Houser

WARRANTY DEED

FOR VALUE RECEIVED,

FRANCE, INC., an Idaho corporation, and **VERN FRANCE** and **CAROL FRANCE**, husband and wife, the "Grantors", do hereby grant, bargain, sell and convey unto **BIG SKY DAIRY**, an Idaho Partnership, **TONY VISSER**, **RUSSELL VISSER** and **MICHAEL J. BOSMA**, Partners, whose address is 2395 South 1500 East, Gooding, ID 83330-5247 the "Grantee", the following described premises located in Gooding County, Idaho, to wit:

Parcel No. 1:

TOWNSHIP 5 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

SECTION 16: THE SOUTHWEST ONE-HALF OF THE SOUTHWEST QUARTER LYING ON THE WEST AND SOUTH SIDE OF THE CENTERLINE OF THE CHANNEL OF BIG WOOD RIVER.

Parcel No. 2:

SECTION 21: THE NORTHEAST QUARTER; THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, AND THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER LYING WEST OF THE BIG WOOD RIVER AND NORTH OF THE FOLLOWING DESCRIBED LINE;

BEGINNING AT A POINT IN THE WEST BOUNDARY LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER WHICH IS SOUTH 02°45' WEST, 3445 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 21;

THENCE NORTH 73°30' EAST, 45.0 FEET;

THENCE NORTH 55°00' EAST, 331.00 FEET;

THENCE NORTH 04°50' WEST, 194.50 FEET;

THENCE NORTH 65°30' EAST, 288.0 FEET;

THENCE SOUTH 71°45' EAST, 595.0 FEET TO THE WEST BANK OF THE BIG WOOD RIVER

Parcel No. 3:

SECTION 21: THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER;

Parcel No. 4:

SECTION 21: PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER LYING EAST OF BIG WOOD RIVER AND SOUTH OF THE FOLLOWING DESCRIBED LINE;

BEGINNING AT A POINT ON THE WEST BOUNDARY LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER WHICH IS SOUTH 02°45' WEST 3445 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 21;
THENCE NORTH 73°30' EAST 45.0 FEET;
THENCE NORTH 55°00' WEST 331.0 FEET;
THENCE NORTH 04°50' WEST 194.50 FEET;
THENCE NORTH 65°30' EAST, 288.0 FEET;
THENCE SOUTH 71°45' EAST 595.0 FEET TO THE WEST BANK OF BIG WOOD RIVER;
THENCE NORTHEASTERLY ALONG THE WEST BANK OF BIG WOOD RIVER TO THE POINT OF INTERSECTION WITH THE EAST BOUNDARY LINE OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER;
(SAID DIVISION LINE AS SURVEYED AND SET FORTH IN BOOK 1 OF DEEDS PAGE 387 RECORDS OF GOODING, IDAHO)

AND

THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER;

EXCEPT

(A) THAT PORTION LYING WEST OF THE DIVISION LINE BETWEEN SAID SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, AND THE SOUTH ONE-HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 21 AND NORTH OF THE PUBLIC HIGHWAY AS DESIGNATED THEREON, AS SET FORTH BY SURVEY IN BOOK 1 OF DEEDS PAGE 384, AND CONFIRMED IN DEED DATED JUNE 14, 1924 RECORDED IN BOOK 18 OF DEED PAGE 108, RECORDED JUNE 17, 1924, RECORDS OF GOODING COUNTY, IDAHO.

(B) BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 21, WHICH BEARS SOUTH 5275.12 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 21;
THENCE NORTH 84°12'40" EAST, 2975.00 FEET ALONG THE CENTER OF A COUNTY ROAD AS NOW CONSTRUCTED, SEPTEMBER 1978 TO AN ANGLE POINT IN SAID ROAD AND THE TRUE POINT OF BEGINNING;
THENCE NORTH 04°47'20" WEST, 224.90 FEET ALONG THE CENTER OF SAID COUNTY ROAD;
THENCE NORTH 85°04'26" EAST, 883.45 FEET TO THE APPROXIMATE HIGH WATER MARK OF BIG WOOD RIVER;
THENCE FOLLOWING THE APPROXIMATE HIGH WATER MARK OF BIG WOOD RIVER IN A SOUTHEASTERLY AND WESTERLY DIRECTION TO POINT OF INTERSECTION WITH THE SOUTH BOUNDARY OF SECTION 21;
THENCE WEST ALONG THE SOUTH BOUNDARY OF SECTION 21 TO THE SOUTH QUARTER CORNER OF SAID SECTION 21;
THENCE NORTH ALONG THE WEST BOUNDARY OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER TO THE CENTER OF PUBLIC HIGHWAY;
THENCE NORTH 84°12'40" EAST ALONG THE CENTER LINE OF SAID PUBLIC HIGHWAY TO THE TRUE POINT OF BEGINNING.

Parcel No. 5:

TOWNSHIP 5 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN, GOODING
COUNTY, IDAHO

SECTION 17: THE NORTH ONE-HALF OF THE NORTHEAST QUARTER;

EXCEPT THE FOLLOWING TRACTS:

(A) BEGINNING AT THE NORTHEAST CORNER OF SECTION 17;
THENCE SOUTH 405.12 FEET ALONG THE EAST BOUNDARY OF SECTION 17 TO THE TRUE
POINT OF BEGINNING;

THENCE CONTINUING SOUTH ALONG THE EAST BOUNDARY OF SECTION 17, 168.07 FEET;
THENCE NORTH 89°40'00" WEST 588.97 FEET TO THE APPROXIMATE CENTERLINE OF AN
IRRIGATION LATERAL;

THENCE ALONG THE APPROXIMATE CENTERLINE OF AN IRRIGATION LATERAL NORTH
00°22'06" WEST, 159.50 FEET;

THENCE NORTH 89°30'00" EAST 590.01 FEET TO THE TRUE POINT OF BEGINNING.

(B) PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER LYING NORTH OF
THE UNION DITCH OF THE BIG WOOD REDACTED CANAL COMPANY.

(C) PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER;

BEGINNING AT THE NORTHEAST CORNER OF SECTION 17 MARKED WITH A ½" (ONE-
HALF INCH) STEEL PIN AND SURVEY CAP, THE TRUE POINT OF BEGINNING;

THENCE SOUTH 405.12 FEET ALONG THE EASTERLY BOUNDARY OF SECTION 17;
THENCE SOUTH 89°30'00" WEST, 590.01 FEET TO THE CENTER OF AN IRRIGATION
LATERAL.

THENCE ALONG SAID CENTER OF IRRIGATION LATERAL THE FOLLOWING COURSES;

NORTH 02°51'01" EAST, 50.09 FEET;

NORTH 53°50'41" WEST, 102.62 FEET;

NORTH 25°01'36" WEST 55.28 FEET;

NORTH 06°10'33" WEST, 248.89 FEET TO THE NORTHERLY BOUNDARY OF SECTION
17;

THENCE NORTH 89°49'41" EAST, 720.52 FEET ALONG THE NORTHERLY BOUNDARY OF
SECTION 17 TO THE TRUE POINT OF BEGINNING.

The real property has certain water rights appurtenant to it, including but not limited to, the
following described water rights:

Water Right No. 37-12835

Water Right No. 37-12833

Water Right No. 37-12832

Water Right No. 37-12831
Water Right No. 37-2433
Water Right No. 37-84B
Water Right No. 37-4335
Water Right No. 37-4334

Together with 247.4 shares of stock in the Big Wood Canal Company, appurtenant thereto.

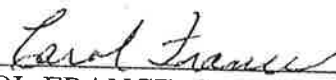
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. The said Grantors do hereby covenant to and with the said Grantees, that they are the owners of said premises; that they will warrant and defend the same from all lawful claims whatsoever, except as hereinabove specifically provided, and the specific exceptions listed below:

- TV BY: RV
RV MB
1. Taxes for 2001 and subsequent years, taxes are an accruing lien, not yet due and payable.
 2. Assessments of the American Falls Reservoir District No. 2 and the rights and powers of said District as by law provided.
 3. Assessments of the Big Wood Canal Company and the rights and powers of said Company as by law provided.
 4. Right of way for canals, laterals and waste ditches of Big Wood Canal Company.
 5. Easement dated July 21, 1941 granted by J. A. Campbell and Mabel Campbell, to American Telephone and Telegraph Company of Wyoming, its associated and allied companies, its and their respective successors, assigns, lessees and agents, a right of way to construct, operate, maintain a communication system across: SW ¼ SE ¼ Section 21, Township 5 South, Range 15, East of the Meridian, and upon, along, over and under the roads and highways adjoining said land, together with rights of ingress and egress thereof. Recorded October 14, 1941 in Book 4 Miscellaneous Page 535, records of Gooding County, Idaho.

DATED THIS 1st day of August, 2001.

"GRANTORS"
FRANCE, INC.
VERN FRANCE and CAROL FRANCE


VERN FRANCE, President


CAROL FRANCE, Secretary

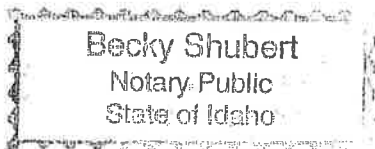
Vern France
VERN FRANCE, an individual

Carol France
CAROL FRANCE, an individual

STATE OF IDAHO)
 ss:
County of Gooding)

On this 1st day of August, 2001, before me, the undersigned, a Notary Public in and for said County and State, personally appeared VERN FRANCE, individually, and as President of FRANCE, Inc., known to me to be the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that he executed the same individually and on behalf of said corporation.

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

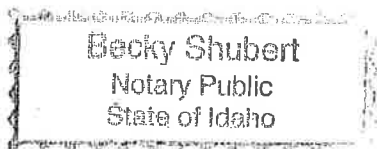


Becky Shubert
NOTARY PUBLIC for Idaho
Residing at: Wendell, ID
Commission Expires: 02-23-05

STATE OF IDAHO)
 ss:
County of Gooding)

On this 1st day of August, 2001, before me, the undersigned, a Notary Public in and for said County and State, personally appeared CAROL FRANCE, individually and as Secretary of FRANCE, Inc., known to me to be the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that she executed the same individually and on behalf of said corporation.

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



Becky Shubert
NOTARY PUBLIC for Idaho
Residing at: Wendell, ID
Commission Expires: 02-23-05



10
33.0
N

12
6.2
N

6
6.8
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8
3.5
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13
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17/16

T-106

15
3.3
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10
9.7
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14
7.8
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T-1578
20.6
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5.0

4
7.0

11
11.3
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22
11.2
N

23
11.2
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24
4.0
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973
T-1201
2.8
NHCL

2
8.1
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T-1219
5
9.9
NHCL

6
32.9
N

T-181

1.7
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7.0
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NHCL
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6 pte
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T-477

T-30

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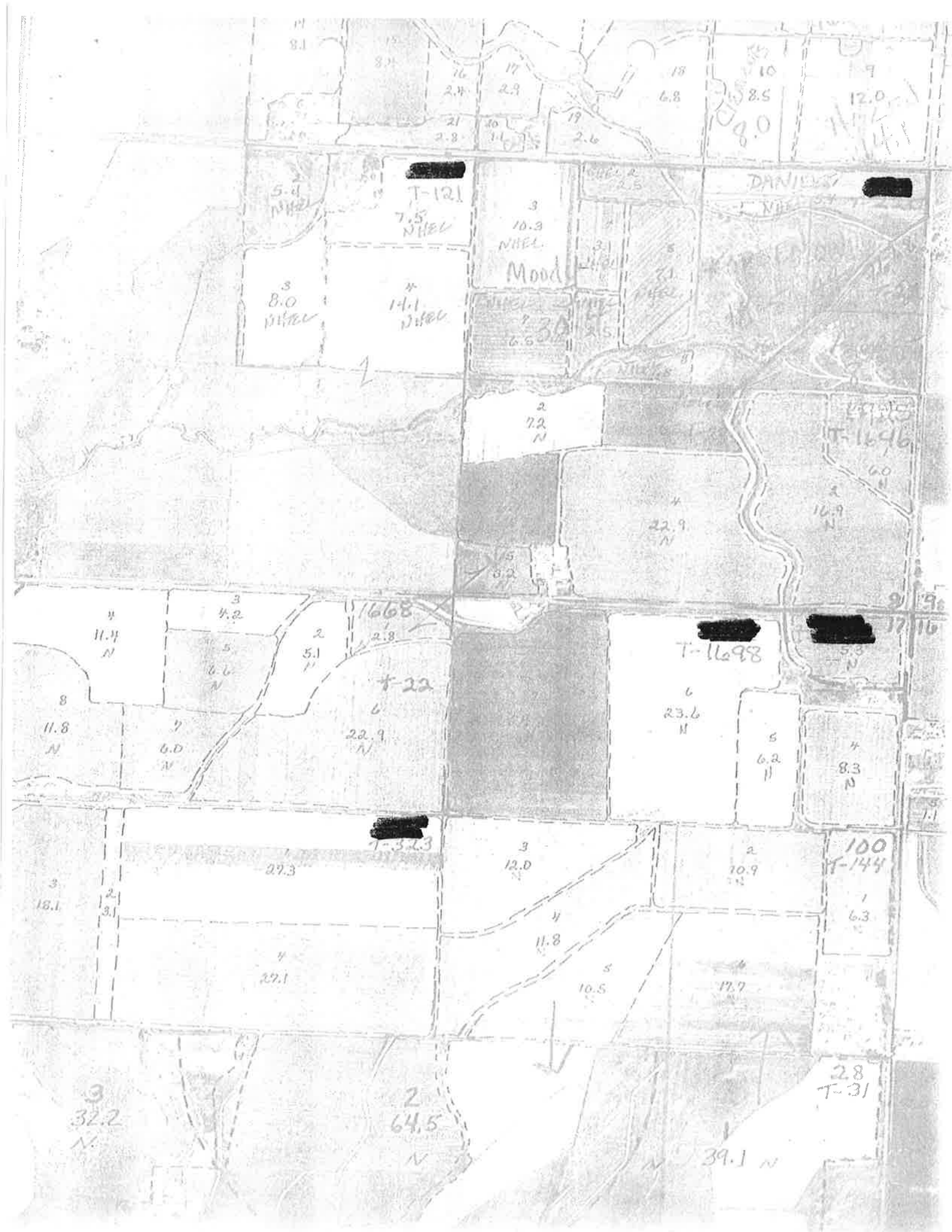
12.9

1/15
2/22

7/16
0/21



21/22
28/27



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: A37-12833
Date Received: 2/07/1989
Receipt No: S006237 + 5007124
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: FRANCE, INC.
Address: 2050 E. 1500 S.
GOODING, ID

83330

208-934-5382

RECEIVED

2. Date of Priority: MAR 31, 1933

MAY 19 1989

3. Source: GROUNDWATER

Trib. to:

Department of Water Resources
Southern Region Office

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	15E	16	SW	SE	SE		GOODING

5. Description of diverting works:
5 HP PUMP, 210' WELL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.080		
COMMERCIAL	01/01	12/31	0.705		

7. Total Quantity Appropriated is:
0.785 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
D/3 HOUSES, S/6000 BEEF

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	15E	16	SW	SE		STOCK	
			SW	SE		DOMEST	

A37-12833

Page

1

Date: 03/14/89

COPY

Orig sent to 210
11/13/02

MICROFILMED
MAR 01 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	15E	21	NW NE		DOMEST	

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:
A37-12832

14. Remarks:

TOTAL CFS CLAIMED FOR FEEDLOT = 1.33. A37-12832 & A37-12833
COMBINED, 2 WELLS, SAME OPERATION. TOTAL CFS CLAIMED FOR FEEDLOT
SPLIT EQUALLY BETWEEN BOTH CLAIMS.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not / wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Travis Lee Date:
by Carol Travis Date: 5/18/89

State of Idaho)
County of Gooding) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of May 19 89 Patricia S. Pugmire
Notary Public

Seal

Residing at HAERMAN, IDAHO
My Commission Expires 10-20-93

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: A37-12833
Date Received: 2/07/1989
Receipt No: S006237
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANCE, INC. 208-934-5382
Address: 2050 E. 1500 S.
GOODING, ID 83330

2. Date of Priority: MAR 31, 1933

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	15E	16	SW	SE	SE		GOODING

5. Description of diverting works:
5 HP PUMP, 210' WELL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.120		
STOCKWATER	01/01	12/31	1.380		

7. Total Quantity Appropriated is:
1.500 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/3 HOUSE S/6000 BEEF

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	15E	16	SW	SE		STOCK	
			SW	SE		DOMEST	

A37-12833

Page 1

Date: 02/07/89

MICROFILMED
MAR 01 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	15E	21	NW	NE		DOMEST	

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:

DWR NOTE*****TOTAL USE ALLOWED UNDER THIS CLAIM 13,000 GAL./DAY.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of
_____, Title
_____ and that the statements contained in the
Organization
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 A37-12833

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

RECEIVED
SEP 2 1988
Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) FRANCE, INC. Phone (208) 934-5382Mailing Address 2050 E, 1500 S., Gooding, Idaho Zip 833302. Date of Priority (Only one (1) per claim) March, 19333. Source of water supply (a) ground water
which is tributary to (b) _____4. Location of point of diversion is: Township 5S Range 15 ESection 16, SW 1/4 of SE 1/4 of SE 1/4, Govt. Lot _____, B.M.,County of Gooding

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. 210' deep, 5 hp pump dc/240 V

6. Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)

(Both dates are inclusive)

For domestic purposes from Jan 1 to Dec. 31 amount .12 (cfs)For stockwater purposes from Jan 1 to Dec. 31 amount 1.387. Total quantity claimed 1.50 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of
livestock) 3 households, and up to 6000 head beef cattle

MICROFILMED
MAR 01 1993

Virgin
Forest
and
Cattle

Sd
D

Gooding

X

If your answer is No, describe in Remarks below the authority you have to claim this water right.

or None (x)

14. Remarks: _____

x

Decree

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled

"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ____ do not ____

wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

Date _____

President

Title

FRANCE, INC.

Organization

President

of

FRANCE, INC.

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent *Ann France*

President, France, Inc.

Date 9-1-88

State of Idaho/or)

2, 1) SS.

County of Los Angeles)

1st day of September 19 88

SEAL

Notary Public *Henry A. Harrison*

Residing at Gooding Idaho 83330

My Commission Expires 5-1-93 MICROFILMED

Last Name	Ident No.	Copies White-State, Yellow-Claimant
...	...	...

Copies White-State, Yellow-Claimant

MAR 01 1993

Sent (LW)

✓

3/14/1989

VERN FRANCE
2050E 1500S
GOODING, ID 83330

DEAR VERN:

I'M REALLY HAPPY THAT ALL YOUR HARD WORK WITH YOUR FEEDLOT/FARM/TRUCKING OPERATION WAS RECOGNIZED. YOU DESERVED THE "HALL OF FAME" AWARD VERY MUCH, CONGRATULATIONS!

ENCLOSED PLEASE FIND YOUR AMENDED CLAIM FORMS. THE DIVERSION RATE FOR CATTLE AND BUFFALO IS BASED ON 12 GALLONS PER ANIMAL PER DAY. GENERALLY, WATER SYSTEMS ARE DESIGNED WITH A MAXIMUM RATE OF FLOW WHICH CAN PRODUCE THE FULL PEAK DAILY REQUIREMENT IN TWO HOUR TIMES. TO CONVERT THE ~GALLONS YOU USE PER DAY TO CFS, THE FOLLOWING FORMULA WAS USED:

6,000 HEAD OF CATTLE, AT 12 GALLONS PER DAY PER HEAD,
USE ~72,000 GALLONS PER DAY.

THE RATE OF DIVERSION NECESSARY TO PRODUCE 72,000
GALLONS IN A 2 HOUR PERIOD IS:

$72,000 \text{ GALLONS} / 2 \text{ HRS} \times 60 \text{ MIN} \times 450 \text{ GPM} = 1.33 \text{ CFS}$

THE RATE OF DIVERSION NECESSARY FOR 1 HOUSE = .04 CFS +
.02 CFS FOR EACH ADDITIONAL HOUSE ON THE SAME SYSTEM.

3 HOUSES REQUIRE .08 CFS.

TOTAL AMOUNT APPROPRIATED FOR THE FEEDLOT = 1.33 CFS,
WHICH WAS SPLIT EQUALLY BETWEEN THE 2 COMMERCIAL CLAIMS,
SINCE BOTH SUPPLY WATER TO THE SAME OPERATION.

TOTAL AMOUNT APPROPRIATED FOR DOMESTIC USE WAS .08 CFS
FOR 3 HOUSES ON A37-12833 AND .04 CFS FOR 1 HOUSE ON
A37-12832.

2,000 HEAD OF BUFFALO, AT 12 GALLONS PER DAY PER HEAD,
USE ~24,000 GALLONS PER DAY.

THE RATE OF DIVERSION NECESSARY TO PRODUCE 24,000
GALLONS IN A 2 HOUR PERIOD IS:

$24,000 \text{ GALLONS} / 2 \text{ HRS} \times 60 \text{ MIN} \times 450 \text{ GPM} = .44 \text{ CFS}$

THE RATE OF NECESSARY FOR 1 HOUSE = .04 CFS.

TOTAL AMOUNT APPROPRIATED FOR COMMERCIAL CLAIM A37-12831
= .44 CFS FOR THE FEEDLOT AND .04 CFS FOR THE HOUSE.

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THE FEE FOR A COMMERCIAL CLAIM IS \$50 PLUS \$100 PER CFS.
TOTAL CHARGED PER CLAIM IS:

A37-12831 = \$50 + \$44 (.44 CFS) = \$ 94.00

A37-12832 = \$50 + \$70.50 (.705 CFS) = \$120.50

A37-12833 = \$50 + \$70.50 (.705 CFS) = \$120.50

TOTAL	\$335.00
ALREADY PAID \$25 DOMESTIC FEE ON EACH	- 75
TOTAL DUE	\$260.00

ENCLOSED PLEASE FIND 2 SETS OF AMENDED CLAIM COPIES. KEEP ONE SET OF COPIES FOR YOUR RECORDS AND RETURN THE 2ND SET SIGNED AND NOTARIZED WITH A CHECK FOR THE BALANCE DUE. IF YOU HAVE ANY QUESTIONS VERN, PLEASE CONTACT ME AT 734-3578.

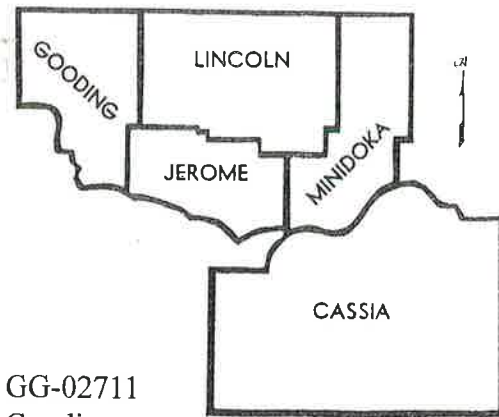
SINCERELY,

LORI WHITE
WATER AGENT

MICROFILMED
MAR 01 1993

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



August 1, 2001

REFER TO:
OFFICE:

GG-02711
Gooding

Idaho Department of Water Resources
1341 Fillmore Street, Ste 200
RE: Big Sky Dairy

Dear Sir/Madam:

Please find enclosed the original signed transfer paperwork and a copy of the recorded Warranty Deed. Your officer said there were no fees for this transfer.

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
AUG 02 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

MEMORANDUM

TO: ADJUDICATION FILE

FROM: DANIEL A. NELSON

DATE: 3-17-98

SUBJECT: FRANCE INC. CLAIMS A37-12831, A37-12832, A37-12833

On this day I have waived the above listed claims from the West ESPA Measurement District(WMD). The administration of the WMD has determined that de minimus claims are not required to be a part of the WMD. However, prior to the waiver of these water rights from the WMD a field inventory was performed. Cindy Hodges of the State Office of the Idaho Department of Water Resource performed these inventories and discovered the following information:

A37-12831 - Buffalo Well - 3 Hp pump - estimated .03 cfs

A37-12833 - Feedlot North well - 5 Hp pump - estimated .17 cfs

A37-12832 - Feedlot South well - 1.5 Hp Pump - estimated .07 cfs

If you have any questions please see waived WMD file.