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RECEIVED
APR 27 2015
Department of Water Resources
Eastern Region

*Attorneys for Thomas Leno, Cedar Ridge Dairy LLC,
and Four Sisters Dairy, LLC*

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION FOR
TRANSFER NOS. 79357, 79380, & 79384
(in the name of Thomas & Dorothy Leno);
79466 (in the name of Four Sisters Dairy,
LLC)

**NOTICE OF CLOSING ORDER IN THE
MATTER OF THE ESTATE AND
PERSON OF DOROTHY MAE LENO**

TO: THE HEARING OFFICER, PARTIES, AND ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that Travis L. Thompson, on behalf of Thomas Leno, Cedar Ridge Dairy LLC and Four Sisters Dairy LLC (the "Applicants") is hereby providing a copy of the following documents filed *In the Matter of the Estate and Person of Dorothy Mae Leno* (Twin Falls County Dist. Ct., Fifth Jud. Dist., Case No. CV-2011-5466) (attached hereto as Exhibit A):

- 1) *Approval of Final Accounting, Decree of Distribution and Closing Order*
- 2) *Final Accounting and Distribution*

At the beginning of the hearings in the above-referenced transfer applications, Mr. Coleman, attorney for Protestants Margaret Winsryg and Leroy Elliott, raised an objection

regarding the status of the Estate of Mrs. Leno and whether or not the Department had proper jurisdiction over the proposed water right transfers.

As set forth in the *Closing Order*, Mrs. Leno's husband, Mr. Thomas Leno, was recognized as the surviving heir and was entitled to the distribution of her estate. Mr. Leno is the sole owner of the water right (#47-17589) subject to the agreement with Cedar Ridge Dairy LLC, and has the necessary authority to sell and transfer the water right under Idaho law.

DATED this 22nd day of April, 2015.

BARKER ROSHOLT & SIMPSON LLP



Travis L. Thompson

Attorneys for Thomas Leno, Cedar Ridge Dairy, LLC, and Four Sisters Dairy, LLC

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of April, 2015, I served a true and correct copy of the foregoing *Notice of Service*, by depositing same in the United States mail, postage prepaid, addressed to the following:

James Cefalo, Hearing Officer
IDWR – Eastern Regional Office
900 N. Skyline Dr., Suite A
Idaho Falls, Idaho 83402-1718
james.cefalo@idwr.idaho.gov

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Attorney for Margaret Winsryg & Leroy Elliot
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Travis L. Thompson

Exhibit A

✓ M. LYNN DUNLAP, P.C. SBN 3200

Attorney at Law

415 Addison Avenue

P.O. Box 2754

Twin Falls ID 83303-2754

Telephone: (208) 734-5885

Facsimile: (208) 736-2074

Attorney for Petitioner

DISTRICT COURT
TWIN FALLS CO. IDAHO
FILED

2014 AUG 26 PM 5:00

BY _____ CLERK

DEPUTY

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

In the Matter of the Estate and Person of

DOROTHY MAE LENO,

Deceased

Case No. CV-2011-5466

**APPROVAL OF FINAL
ACCOUNTING, DECREE OF
DISTRIBUTION AND CLOSING
ORDER**

THIS MATTER came before the Court on the Personal Representative's motion for the Court's approval of the final accounting, decree of distribution, and closing of this estate.

No party appeared to contest the petition. The Court finds that all required notices have been given or waived, the estate has been administered according to the laws of this State and the orders of this Court, and the estate should be closed.

NOW, THEREFORE, IT IS HEREBY ORDERED AND DECREED as follows:

1. The Estate of Dorothy Mae Leno is hereby formally probated.

2. The appointment of Thomas Glen Leno as Personal Representative of the estate is hereby confirmed.

3. The persons entitled to distribution of the Estate is the surviving heir, Thomas Glen Leno.

4. That any accounting by the Personal Representative has been submitted to the heirs.

5. The Personal Representative is hereby directed to distribute any remaining funds of the estate as is outlined in the Final Accounting.

6. Upon making such delivery and distribution and duly filing receipts with the Court, the Personal Representative shall be fully and finally released and discharged from his trust, and any and all liability arising in connection with the performance of his duties as Personal Representative and the administration of this estate shall be closed.

Dated this 24 day of August, 2014.

51 CALVIN H. CAMPBELL
Honorable Calvin H. Campbell
Magistrate Judge

M. LYNN DUNLAP, P.C. SBN 3200
Attorney at Law
415 Addison Avenue
P.O. Box 2754
Twin Falls ID 83303-2754
Telephone: (208) 734-5885
Facsimile: (208) 736-2074

Attorney for Petitioner

DISTRICT COURT
TWIN FALLS CO., IDAHO
FILED

2014 JUL 29 PM 2:23

BY _____

CLERK

DEPUTY

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

In the Matter of the Estate and Person of

DOROTHY MAE LENO,

Deceased

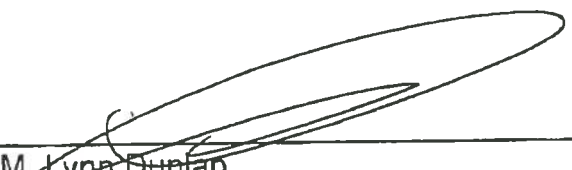
Case No. CV-2011-5466

**FINAL ACCOUNTING AND
DISTRIBUTION**

COMES NOW the Personal Representative, Lynn Dunlap, by and through his counsel of record, M. Lynn Dunlap, and submits the following final accounting of the assets, income and expenses of the estate which have come into the Personal Representative's possession or knowledge, together with the Personal Representative's proposed distribution of the estate. The time for creditors to file claims has expired and the estate is in a position for distribution and closing.

ESTIMATED ESTATE VALUE PER INVENTORY & APPRAISEMENT:

REALTY	<u>\$44,961.00</u>
VEHICLES	<u>\$3,500.00</u>
ESTATE PERSONAL PROPERTY	<u>\$1,500.00</u>

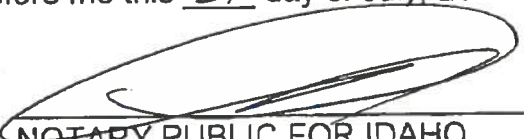
TOTAL**\$49,961.00**Dated this 29 day of July, 2014.
M. Lynn Dunlap

Attorney for Personal Representative

VERIFICATIONSTATE OF IDAHO)
 : ss
County of TWIN FALLS)

Thomas Glen Leno, being first duly sworn upon oath deposes and states that:

I am the Personal Representative in this matter; I have read the within and foregoing FINAL ACCOUNTING & PROPOSED DISTRIBUTION; the statements therein contained are true to the best of my knowledge and belief.


Thomas Glen LenoSUBSCRIBED AND SWORN, before me this 29 day of July, 2014.
NOTARY PUBLIC FOR IDAHOResiding At Twin Falls, ID
Commission Exp. 4/3/14