

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 28 2014

Department of Water Resources
Eastern Region

AMENDED

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Name of Applicant(s) Twin Rivers Dairy, Inc. Phone 208-406-6739Mailing address 326 Maple Creek Road, Franklin, ID 83237 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☒ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☒ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☒ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No RepresentativeName of Representative T.J. Budge, RACINE OLSON Phone 208-232-6101Mailing address PO Box 1391, Pocatello, ID 83204 Email tjb@racinelaw.net

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☒ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

[Signature] T.J. Budge, Attorney November 25, 2014
Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative Print Name and Title if applicable Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☒ Change nature of use ☒ Change period of use ☐ Other _____
2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.

The Applicant has purchased a 17.7 acre portion of water right 13-2236 to be changed from irrigation to commercial use and transferred to Applicant's dairy.

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JAN 23 2015

Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

AMENDED
Page

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

I.		Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part						
☐	☒	13-2236	1.03 cfs	Irrigation	04/01 to 11/01	Ground Water → remainder
☐	☐		0.24 cfs	Commercial	01/01 to 12/31	Ground Water → split portion
☐	☐					
☐	☐					
☐	☐					
☐	☐					
☐	☐					
☐	☐					
☐	☐					
☐	☐					
☐	☐					
☐	☐					
Total authorized under rights		1.27	cfs and/or	acre-feet.		

Total authorized under rights 1.27 cfs and/or _____ acre-feet.

2. Total amount of water proposed to be transferred or changed _____ cubic feet per second and/or _____ acre-feet per year.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it Attachment #5.

[illegible]

4. Place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

[illegible]**Total Acres (for irrigation use)**

X Therapy

AMENDED Page 3

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☐ ☒	13-2236	0.24 / 61.95	Commercial	1/1 to 12/31	Groundwater
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.24 cfs and/or 61.95 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.24 cubic feet per second and/or 61.95 acre-feet per annum.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
			NE	SW	16	16S	40E	Franklin	Groundwater	Existing well

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S	40E	16							C	C	C	C							
Total Acres (for irrigation use)																			

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

Existing groundwater well with 25 HP pump. Measuring device and lockable controlling works can be added if required in the future.

- b. Who owns the property at the point(s) of diversion? Applicant

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
If yes, ☐ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: _____

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
17.7 acres of land will cease being irrigated, as identified on Attachment 7A & 7B.

- e. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
Commercial use under water right no. 13-2181.

- f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- | | | |
|--------------------------|-------------------------------------|---|
| ☐ | ☒ | undergone a period of five or more consecutive years of non-use, |
| ☐ | ☒ | currently leased to the Water Supply Bank, |
| ☐ | ☒ | currently used in a mitigation plan limiting the use of water under the right, or |
| ☐ | ☒ | currently enrolled in a Federal set-aside program limiting the use of water under the rights? |

If yes, describe:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT PART 3

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ☒ Attach a map of the diversion, measurement, control, and distribution system. Label it **Attachment #7a**.
- ☒ If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use. Label it **Attachment #7b**. If the place of use currently consists of a permissible place of use, then the attachment is not required if the application contains a clear statement that the boundaries for the place of use are not proposed to be changed by the transfer and the total number of irrigated acres within the place of use before and after the transfer is clearly stated.

B. CHANGES IN NATURE OF USE (Water Balance)

- ☒ If you propose to change the nature of use or period of use of all or part of the rights(s) listed in this application, attach documentation describing the extent of historic beneficial use of the portion of the right(s) proposed to be changed. Also attach documentation showing that the portion of the right(s) to be changed will not be enlarged in rate, volume, or consumptive use through the proposed change. Label it **Attachment #8a**.

C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- ☐ If you propose to change the place of use of a supplemental irrigation right, answer below and attach supporting documentation. Label it **Attachment #8b**.

Describe how the supplemental water rights have been used historically in conjunction with other water rights at the existing place of use. Describe the time during the irrigation season that the supplemental rights have been used. Include information about the availability or reliability of the primary right(s) being supplemented, both before and after the change. If the applicant is proposing to change a supplemental irrigation right to a primary right, provide the information required on Part 3B above:

N/A

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments.

Received by _____ Date _____ Preliminary check by _____ Date _____

Fee paid _____ Date _____ Received by _____ Receipt # _____

Add'l fee paid _____ Date _____ Received by _____ Receipt # _____

RECEIVED

JAN 09 2015

Department of Water Resources
Eastern Region

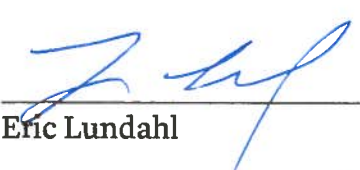
AFFIDAVIT OF ERIC LUNDAHL

ERIC LUNDAHL, being first duly sworn, deposes and states as follows:

1. I am over the age of 18, competent to testify, and state the following based on my own personal knowledge.
2. I am familiar with the property owned by Robbie Hobbs and Ken Hobbs marked in yellow and red on Exhibit A attached hereto.
3. The property marked in yellow surrounds my glass business.
4. I witnessed the land marked in yellow being irrigated in 2011. I witnessed the land marked in red being irrigated in 2010.

FURTHER YOUR AFFIANT SAITH NAUGHT.

DATED this 10th day of JANUARY 2015.


Eric Lundahl

SUBSCRIBED AND SWORN TO before me this 10th day of JANUARY,
2014.

2015

(SEAL)



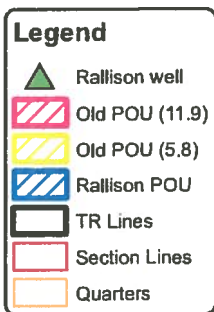

NOTARY PUBLIC FOR IDAHO

My Commission Expires: 02/14/2020

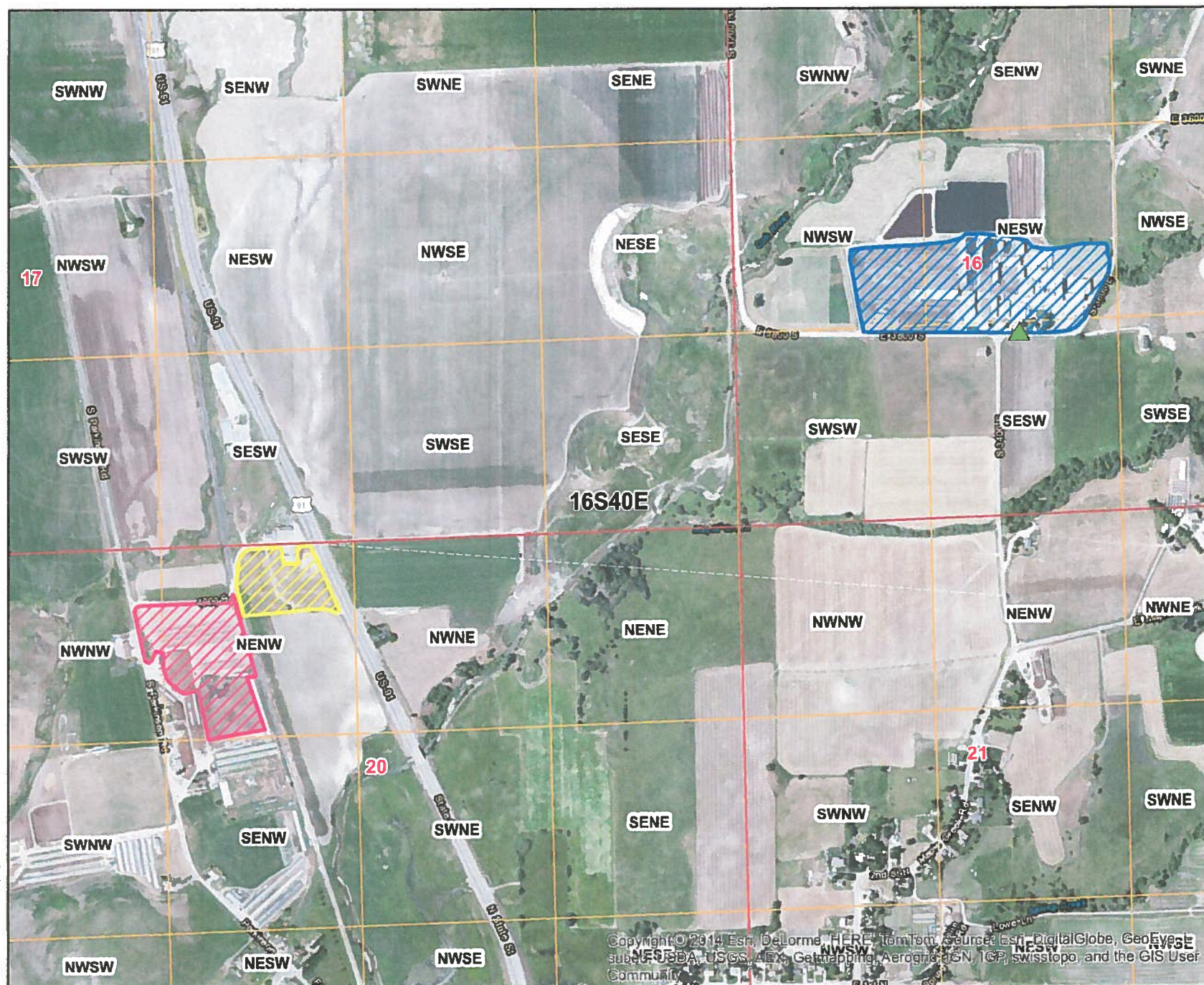
AMENDED

Exhibit A

AMENDED



AMENDED



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Township 16 South, Range 40 East of the Boise Meridian,
Franklin County, Idaho

Section 16: Commencing at a point which is 145 feet South and North 87°46' West 468 feet from the Northeast corner of Southwest quarter of said Section 16, running thence South 1°36' West 675 feet; thence North 87°46' West 700 feet; thence North 3°47' East 675 feet; thence North 87°47' East 675 feet to the place of beginning.

ALSO, Commencing at a point 820 feet South of the Northeast corner of the Southwest quarter of Section 16, running thence South 278 feet; thence South 35° West 348.75 feet; thence South 1°08' East 107 feet; thence North 88°22' West 297 feet; thence North 1°13' East 671 feet; thence South 87°47' East 487 feet to the place of beginning.

ALSO, Beginning at a point which is South 820 feet and North 87°46' West 487 feet of the Northeast corner of the Southwest Quarter of said Section 16, and running thence North 87°46' West 335 feet; thence South 2°3' West 678 feet; thence South 88°22' East 340 feet; thence North 1°13' East 671 feet to the place of beginning. EXCEPTING a right-of-way one rod wide and running East and West along the South boundary and lying on the North side of said South boundary line.

EXCEPTING: Beginning at a point 1491 feet South and 627 feet North 88°22' West from the Northeast corner of the Southwest Quarter of Section 16, running thence North 1°13' East 260 feet; thence South 88°22' East 544 feet; thence South 35° West 186.7 feet; thence South 1°08' East 107 feet; thence North 88°22' West 437 feet to the place of beginning.

Township 16 South, Range 40 East of the Boise Meridian

Section 16: Beginning at a point 1491 feet South and 627 feet North 88°22' West from the Northeast corner of the Southwest Quarter of Section 16, running thence North 1°13' East 260 feet; thence South 88°22' East 544 feet; thence South 35° West 186.7 feet; thence South 1°08' East 107 feet; thence North 88°22' West 437 feet to the place of beginning.

Township 16 South, Range 40 East of the Boise Meridian, Franklin County, Idaho

Section 16: Commencing 820 feet South and North 87°46' West 822 feet from the Northeast corner of the Southwest Quarter of said Section 16, and running thence North 87°46' West 1320 feet; thence South 321 feet; thence South 87°34' East 1310 feet; thence North 2°03' East 308 feet to the place of beginning.

ALSO, Commencing 1268 feet North and South 87°53' East 1268 feet from the Southwest corner of Section 16, and running thence North 3°41' East 341 feet; thence South 88°34' East 525.5 feet; thence South 2°03' West 337 feet, thence North 87°53' West 564 feet to the place of beginning.

EXCEPTING a right of way one rod wide running East and West along the South boundary line of above-described tract and lying on the North side of said South Boundary line.

ALSO, beginning 1288 feet North of the Southwest corner of Section 16, and running thence South 87°53' East 1268 feet; thence North 3°41' East 374 feet; thence North 87°34' West 1294.5 feet, more or less, to the West line of said Section 16; thence along said West line 365 feet, more or less, to the place of beginning.

ALSO, Beginning at a point 990 feet South of the Northwest corner of the Southwest Quarter of Section 16, and thence running South 87°34' East 527 feet; thence North 321 feet; thence South 87°46' East 955 feet; thence North 3°47' East 750 feet to the North line of said Quarter Section; thence South 89°18' West along said Quarter Section line 983 feet; thence South 1°45' West 442.5 feet; thence South 73°45' West 429 feet; thence South 3°30' West 206 feet; thence South 67°30' West 119 feet to a point on said West line of Quarter Section, North of the place of beginning; thence South on said West line 184 feet, more or less, to the place of beginning.

243175 4-12

Recorded at the request of

Orval J. Rallison

188162

2889 01 22957

11:10 a.m. MAY 06 1993 p.m.

WARRANTY DEED

LEFAE E. JOHNSON, RECORDER

By Sharon HOO Deputy
FRANKLIN COUNTY, IDAHO

FOR VALUE RECEIVED

ORVAL J. RALLISON and VAUNDA RALLISON, husband and wife,
the grantors, do hereby grant, bargain, sell and convey unto
RALLISON'S DOUBLE "R" FARMS, INC., an Idaho Corporation,
whose current address is: c/o Orval J. Rallison, Secretary
3487 East 3800 South
Franklin, Idaho 83237

the grantee, the following described premises, in Franklin County,
Idaho, to-wit:

PLEASE SEE EXHIBIT "A" ATTACHED HERETO AND MADE
A PART HEREOF BY REFERENCE

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

DATED this 5th day of May, 1993.

Orval J. Rallison
ORVAL J. RALLISON
Vaunda J. Rallison
VAUNDA RALLISON

STATE OF IDAHO)
COUNTY OF FRANKLIN) ss.

On this 5th day of May, 1993, before me, a Notary Public in
and for said State, personally appeared ORVAL J. RALLISON and
VAUNDA RALLISON, 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.

Donna J. Johnson
NOTARY PUBLIC
Residing at: Preston, Idaho
My Commission Expires: 7-7-94

79518

243175

Recorded at the request of

188162

Orval J. Rallison

#2882.00

123314

11:10 a.m. MAY 06 1993 p.m.

WARRANTY DEED

LARA E. JOHNSON, RECORDER

By Stacy HOD Deputy
FRANKLIN COUNTY, IDAHO

FOR VALUE RECEIVED

ORVAL J. RALLISON and VAUNDA RALLISON, husband and wife,
the grantors, do hereby grant, bargain, sell and convey unto
RALLISON'S DOUBLE "R" FARMS, INC., an Idaho Corporation,
whose current address is: c/o Orval J. Rallison, Secretary
3487 East 3800 South
Franklin, Idaho 83237

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And the said Grantors do hereby covenant to and with the said
Grantee, that they are the owners in fee simple of said premises;
that they are free from all encumbrances and that they will warrant
and defend the same from all lawful claims whatsoever.

DATED this 5th day of May, 1993.

Orval J. Rallison
ORVAL J. RALLISON

Vaunda O. Rallison
VAUNDA RALLISON

STATE OF IDAHO)

COUNTY OF FRANKLIN)

ss.

On this 5th day of May, 1993, before me, a Notary Public in
and for said State, personally appeared ORVAL J. RALLISON and
VAUNDA RALLISON, 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.

Dennis J. Johnson
NOTARY PUBLIC

Residing at: Preston, Idaho
My Commission Expires: 7-7-94

WARRANTY DEED - Page 1

79518

188162

243175 6-12

EXHIBIT "A"

Township 16 South, Range 40 East of the Boise Meridian,
Franklin County, Idaho

Section 16: Commencing at a point which is 145 feet South and North 87°46' West 468 feet from the Northeast corner of Southwest quarter of said Section 16, running thence South 1°36' West 675 feet; thence North 87°46' West 700 feet; thence North 3°47' East 675 feet; thence North 87°47' East 675 feet to the place of beginning.

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EXCEPTING: Beginning at a point 1491 feet South and 627 feet North 88°22' West from the Northeast corner of the Southwest Quarter of Section 16, running thence North 1°13' East 260 feet; thence South 88°22' East 544 feet; thence South 35° West 186.7 feet; thence South 1°08' East 107 feet; thence North 88°22' West 437 feet to the place of beginning.

243175 7-12

#2869.00 209571

209571¹²

Recorded at the request of

Orval J. Rallison

10:30

a.m. APR 12 2000

p.m.

WARRANTY DEED

FOR VALUE RECEIVED

V. ELLIOTT LARSEN, RECORDER
By Camille Larsen Deputy
FRANKLIN COUNTY, IDAHO

ORVAL J. RALLISON and VAUNDA O. RALLISON, husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto

RALLISON'S DOUBLE "R" FARMS, INC., an Idaho Corporation,

whose current address is: c/o Douglas R. Rallison, Secretary
326 Maple Creek Road
Franklin, ID 83237

the grantee, the following described premises, in Franklin County, Idaho, to-wit:

Township 16 South, Range 40 East of the Boise Meridian

Section 16: Beginning at a point 1491 feet South and 627 feet North 88°22' West from the Northeast corner of the Southwest Quarter of Section 16, running thence North 1°13' East 260 feet; thence South 88°22' East 544 feet; thence South 35° West 186.7 feet; thence South 1°08' East 107 feet; thence North 88°22' West 437 feet to the place of beginning.

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

DATED this 11 day of APRIL, 2000.

Orval J. Rallison
ORVAL J. RALLISON

Vaunda O. Rallison
VAUNDA O. RALLISON

79518

209571²⁻²

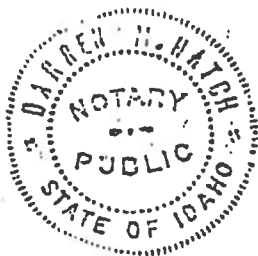
243175 8-12

STATE OF IDAHO)
) ss.
COUNTY OF FRANKLIN)

On this 11 day of April, 2000, before me, a Notary Public in and for said State, personally appeared ORVAL J. RALLISON and VAUNDA O. RALLISON, 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.



NOTARY PUBLIC
Residing at: Franklin Idaho
My Commission Expires: 1 June 05



443175 9-12

188154

2874 00

Recorded at the request of

Orval J. Rallison

11:10 a.m. MAY 05 1993 p.m.

WARRANTY DEED

LERAE E. JOHNSON, RECORDER

By Sharon Hill Deputy
FRANKLIN COUNTY, IDAHO

FOR VALUE RECEIVED

DAVID J. RALLISON and SHERRI D. RALLISON, husband and wife;
and DOUGLAS R. RALLISON and SHERRIE L. RALLISON, husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto

RALLISON'S DOUBLE "R" FARMS, INC., an Idaho Corporation,

whose current address is: c/o Orval J. Rallison, Secretary
3487 East 3800 South
Franklin, Idaho 83237

the grantee, the following described premises, in Franklin County,
Idaho, to-wit:

PLEASE SEE EXHIBIT "A" ATTACHED HERETO AND
MADE A PART HEREOF BY REFERENCE

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

DATED this 5th day of May, 1993.

David J. Rallison
DAVID J. RALLISON

Sherrri D. Rallison
SHERRI D. RALLISON

Douglas R. Rallison
DOUGLAS R. RALLISON

Sherrrie L. Rallison
SHERRIE L. RALLISON

188154

243175 10-12

2.3

STATE OF IDAHO)

) ss.

COUNTY OF FRANKLIN)

On this 5th day of May, 1993, before me, a Notary Public in and for said State, personally appeared DAVID J. RALLISON and SHERRI D. RALLISON, 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.

NOTARY PUBLIC

Residing at: Preston, Idaho

My Commission Expires: 7-7-94

STATE OF IDAHO)

) ss.

COUNTY OF FRANKLIN)

On this 5th day of May, 1993, before me, a Notary Public in and for said State, personally appeared DOUGLAS R. RALLISON and SHERRI L. RALLISON, 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.

NOTARY PUBLIC

Residing at: Preston, Idaho

My Commission Expires: 7-7-94

188154

33

243175 11-12

EXHIBIT "A"

Township 16 South, Range 40 East of the Boise Meridian, Franklin County, Idaho

Section 16: Commencing 820 feet South and North 87°46' West 822 feet from the Northeast corner of the Southwest Quarter of said Section 16, and running thence North 87°46' West 1320 feet; thence South 321 feet; thence South 87°34' East 1310 feet; thence North 2°03' East 308 feet to the place of beginning.

ALSO, Commencing 1268 feet North and South 87°53' East 1268 feet from the Southwest corner of Section 16, and running thence North 3°41' East 341 feet; thence South 88°34' East 525.5 feet; thence South 2°03' West 337 feet, thence North 87°53' West 564 feet to the place of beginning.

EXCEPTING a right of way one rod wide running East and West along the South boundary line of above-described tract and lying on the North side of said South Boundary line.

ALSO, beginning 1288 feet North of the Southwest corner of Section 16, and running thence South 87°53' East 1268 feet; thence North 3°41' East 374 feet; thence North 87°34' West 1294.5 feet, more or less, to the West line of said Section 16; thence along said West line 365 feet, more or less, to the place of beginning.

ALSO, Beginning at a point 990 feet South of the Northwest corner of the Southwest Quarter of Section 16, and thence running South 87°34' East 527 feet; thence North 321 feet; thence South 87°46' East 955 feet; thence North 3°47' East 750 feet to the North line of said Quarter Section; thence South 89°18' West along said Quarter Section line 983 feet; thence South 1°45' West 442.5 feet; thence South 73°45' West 429 feet; thence South 3°30' West 206 feet; thence South 67°30' West 119 feet to a point on said West line of Quarter Section, North of the place of beginning; thence South on said West line 184 feet, more or less, to the place of beginning.

8



42872

Robert H. Haworth
129523

#2867
RiteWood Inc.
193842

72

243175 12-12

Robert H. Haworth
40-169 #2865.00

Robert Haworth
#2865.01 226124
842107

3470

Frank Priestley

Ramon Weight 167 1/2

Leo Marx
Richard

Robert H. Haworth

#2877.01
David L. Hawkes
1530.94
202832

Ritewood Inc.
 @ 18'455 @ 2878.03
 34.37 Ac
 T27

153094
Jerry Hawkes
#2877.00

Robert H. Haworth
T19

Barry Hawkes
226002 #2876.02
DE 226096

Douglas Wright
203802 Doug.
Doug Wright
203802 2978

Jerry Hawkins
#287600

Berry Hawk
2816.01

Jerry W. Hawthorn
146 471

8 Kingsford Richard
53-718 126709
T22
Tom. Linf 1942 T24 74
1955

Deon W. Deon W. Kingstford
Kingstford 193147
186536 Family Trust
194695
Family Trust
194695
430201 D.R. 1906

#2941
Ramon
Wright Frost
157-878
167739

17254
#2437.02

7 9 5 1 8

**FIRST AMENDMENT TO
WATER RIGHT PURCHASE AND SALE AGREEMENT**

On February 24, 2014, **Twin Rivers Dairy, Inc.** ("Buyer") and **Ken D. Hobbs** and **Robert J. Hobbs** ("Sellers") entered into a Water Right Purchase and Sale Agreement. Certain paragraphs in the original Agreement are amended to read as follows:

1. Pursuant to a Water Right Purchase and Sale Agreement between Sellers and Buyer, Sellers have agreed to sell to Buyer, and Buyer has agreed to purchase from Sellers, a portion of Idaho water right no. 13-2236, consisting of:

Water Right #	13-2236
Source	Ground Water
Tributary	n/a
Priority Date	09/22/1961
Beneficial Use	Irrigation
Diversion Rate	.24 cfs
Volume	61.95 ac-ft
Acres	17.7
Place of Use	See Exhibit A attached hereto

The above-described portion of Idaho water right no. 13-2236 is referred to herein as the "Water Right."

(Signatures on following page)

SELLERS:

Ken D. Hobbs

Ken D. Hobbs

Date: 11/21/14

Robert J. Hobbs

Robert J. Hobbs

Date: 11/21/14

BUYER: Twin Rivers Dairy, Inc.

By: Douglas R. Rallison

Douglas R. Rallison, President

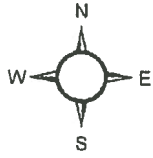
Date: 11/21/14

Attest: Sherrie L. Rallison

Sherrie L. Rallison, Secretary

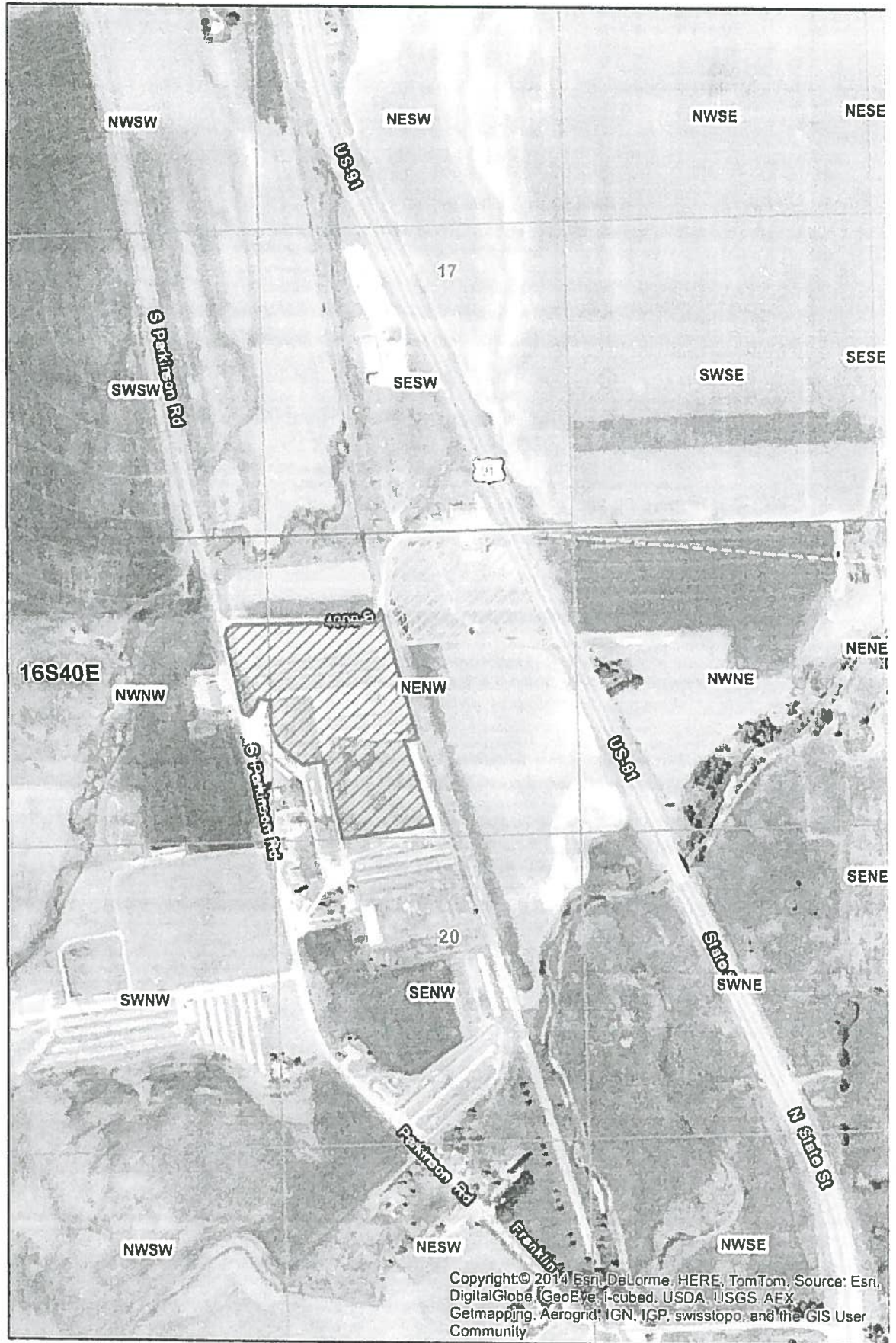
Date: 11/21/14

Exhibit A



Legend

- By tracks
- Development
- TR Lines
- Section Lines
- Quarters



R RACINE
OLSON
NYE
BUDGE
BAILEY

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DEC 19 2014

Department of Water Resources
Eastern Region

AFFIDAVIT OF ROBERT J. HOBBS

ROBERT J. HOBBS, being first duly sworn, deposes and states as follows:

1. I am over the age of 18, competent to testify, and state the following based on my own personal knowledge.
2. I and my brother Ken D. Hobbs own Idaho Water Right No. 13-2236.
3. My brother and I recently signed a Purchase and Sale Agreement to sell a 17.7 acre/0.24 cfs/61.95 af portion of water right no. 13-2236 to Twin Rivers Dairy, Inc. Attached hereto as Exhibit A is a map depicting the land to which this portion of water right is appurtenant.
4. All of the land depicted in Exhibit A has been irrigated within the last five years. The land marked in yellow was last irrigated in 2011. The land marked in red was last irrigated in 2010.

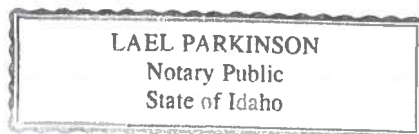
FURTHER YOUR AFFIANT SAITH NAUGHT.

DATED this 18 day of December, 2014.


Robert J. Hobbs

SUBSCRIBED AND SWORN TO before me this 18 day of December, 2014.

(SEAL)




NOTARY PUBLIC FOR IDAHO
My Commission Expires: 9-15-2015

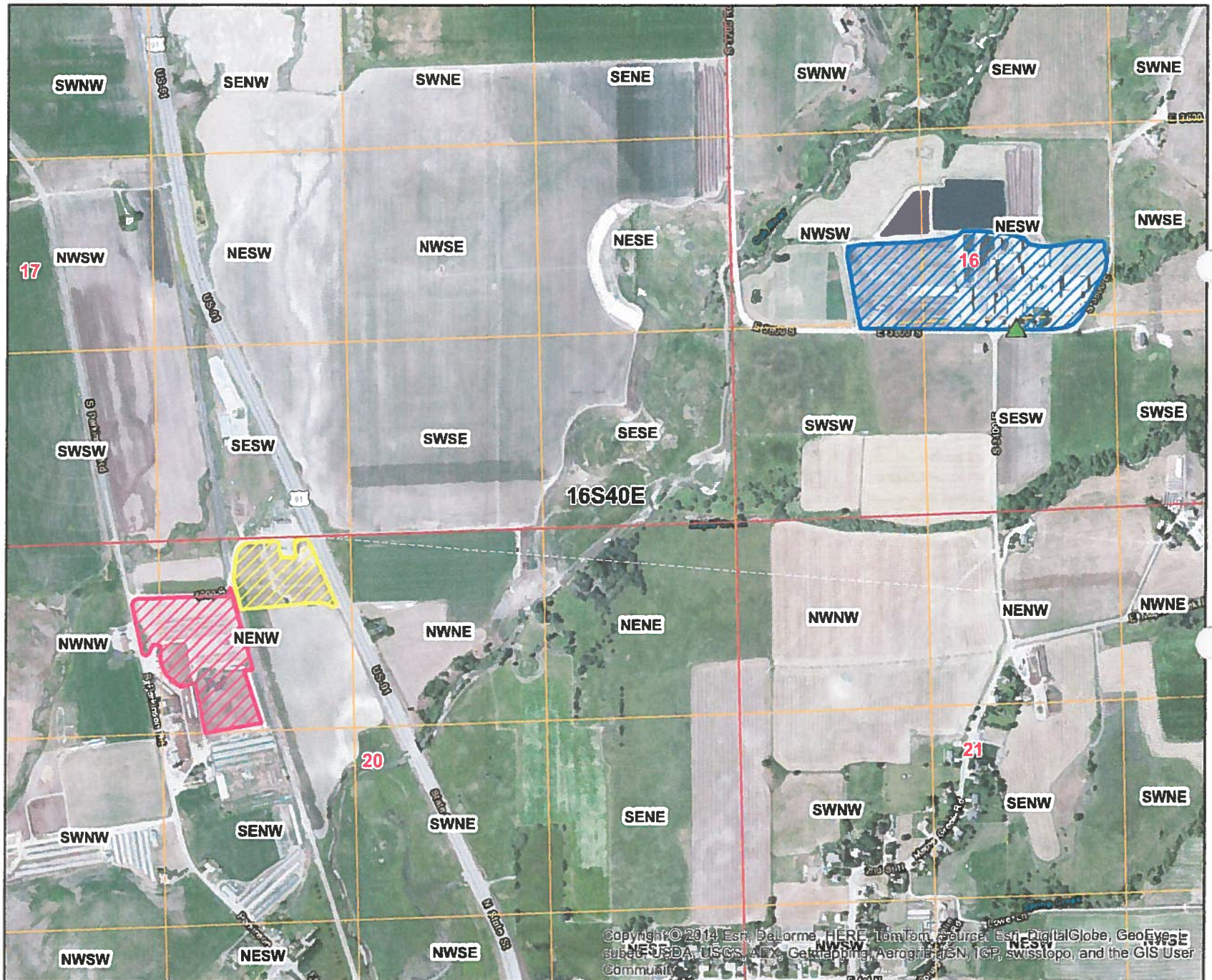
Exhibit A

Attachment 7A and 7B



Legend

- Rallison well
- Old POU (11.9)
- Old POU (5.8)
- Rallison POU
- TR Lines
- Section Lines
- Quarters



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