



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

December 18, 2014

AMY RUNSER
BROCKWAY ENGINEERING PLLC
2016 N WASHINGTON ST STE 4
TWIN FALLS ID 83301

RE: Notice of Change of Water Right Ownership: 36-2087K, 36-2113K, 36-2161K, 36-2289M, 36-2311K, 36-2500K, 36-2614K, 36-7307K, 36-7362K, 36-7477, 36-7606K, 36-7779K, 36-7832K, 36-10225K and 36-15169K

Dear Interested Party:

The Department of Water Resources received a Notice of Change in Water Right Ownership from you on December 10, 2014 on behalf of the Boer's. After reviewing the request, it was determined that the Department is not able to process this request.

The warranty deed from Don and Carol McFarland dated December, 1999, conveyed the property "dry and without water shares." The water rights were not conveyed with the property. If the water rights were supposed to be conveyed with the property, K & W Dairy could quitclaim the water rights to the Boer's. Also, in the cover letter you listed and paid for 15 water rights for the ownership change but there were 29 water rights on the form.

The Department is returning Notice of Change in Water Right Ownership and the attachments. I have requested a refund which you should receive within 10 days under separate cover from the State Controller's office. If you have any questions regarding this matter, please call me at (208) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosures

c: Adrian & Linda Boer
Kevin S & Jeanna J Boer
Kenneth W & Stacy L Boer

MEMORANDUM

TO: Sascha Marston

FROM: Jean Hersley

DATE: December 18, 2014

RE: **Refund: Notice of Change in Water Right Ownership.**

Please refund \$375.00. Ownership Change for the Boer's was returned.

NAME: Brockway Engineering PLLC

ADDRESS: 2016 N Washington St Ste 4
Twin Falls ID 83301

RECEIPT #:S034443

Thank you.

Jean

RECEIVED

DEC 11 2014

DEPARTMENT OF
WATER RESOURCES

DEC 10 2014

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPT OF WATER RESOURCES
SOUTHERN REGION

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, [see #6](#) of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
36-2087K ✓	Yes ☐	Yes ☐	36-2500K ✓	Yes ☐	Yes ☐
36-2113K ✓	Yes ☐	Yes ☐	36-2614K ✓	Yes ☐	Yes ☐
36-2161K ✓	Yes ☐	Yes ☐	36-7307K ✓	Yes ☐	Yes ☐
36-2289M ✓	Yes ☐	Yes ☐	36-7362K ✓	Yes ☐	Yes ☐
36-2311K ✓	Yes ☐	Yes ☐	36-7477K ✓	Yes ☐	Yes ☐

2. Previous Owner's Name: K & W DAIRY
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): ADRIAN & LINDA BOER, KEVIN S & JEANNA J BOER, & KENNETH W & STACY L BOER
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 3751 S. 2400 E. JEROME ID 83338
Mailing address City State ZIP
- (208) 280-5040 _____
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: 10/25/2004 / 1999
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed [IRS Form W-9](#) for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed [Lessor Designation](#) form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
7. This form must be signed and submitted with the following **REQUIRED** items:
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☒ Filing fee (see instructions for further explanation):
 o \$25 per *undivided* water right.
 o \$100 per *split* water right.
 o No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: SEE ATTACHMENT _____ _____
 Signature of new owner/claimant Title, if applicable Date

Signature: _____ _____ _____
 Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by DM Date 12.10.2014 Receipt No. S034443 Receipt Amt. \$375-

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by _____ Processed by _____ Date _____

RECEIVED

DEC 10 2014

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

DEPT OF WATER RESOURCES
SOUTHERN REGION

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
36-7606K ✓	Yes ☐	Yes ☐	36-2087D	Yes ☐	Yes ☐
36-7779K ✓	Yes ☐	Yes ☐	36-2113D	Yes ☐	Yes ☐
36-7832K ✓	Yes ☐	Yes ☐	36-2161D	Yes ☐	Yes ☐
36-10225K ✓	Yes ☐	Yes ☐	36-2311D	Yes ☐	Yes ☐
36-15169K ✓	Yes ☐	Yes ☐	36-2500D	Yes ☐	Yes ☐

2. Previous Owner's Name: K & W DAIRY
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): ADRIAN & LINDA BOER, KEVIN S & JEANNA J BOER, & KENNETH W & STACY L BOER
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 3751 S. 2400 E. JEROME ID 83338
Mailing address City State ZIP
- (208) 280-5040
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: 10/25/2004 / 1999
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed [IRS Form W-9](#) for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed [Lessor Designation](#) form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
7. This form must be signed and submitted with the following **REQUIRED** items:
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☒ Filing fee (see instructions for further explanation):
 o \$25 per *undivided* water right.
 o \$100 per *split* water right.
 o No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: _____
Signature of new owner/claimant Title, if applicable Date
- Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by Dm Date 12.10.2014 Receipt No. 5034443 Receipt Amt. \$375-

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by _____ Processed by _____ Date _____

Form 2-2014-1019 Rev. 08-14

RECEIVED

DEC 10 2014

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPT OF WATER RESOURCES
SOUTHERN REGION

Notice of Change in Water Right Ownership

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Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
36-2614D	Yes ☐	Yes ☐	36-7779D	Yes ☐	Yes ☐
36-7307D	Yes ☐	Yes ☐	36-7832D	Yes ☐	Yes ☐
36-7362D	Yes ☐	Yes ☐	36-10225D	Yes ☐	Yes ☐
36-7477D	Yes ☐	Yes ☐	36-15169D	Yes ☐	Yes ☐
36-7606D	Yes ☐	Yes ☐	Same Pole	Yes ☐	Yes ☐

2. Previous Owner's Name: K & W DAIRY
Name of current water right holder claimant
3. New Owner(s)/Claimant(s): ADRIAN & LINDA BOER, KEVIN S & JEANNA J BOER, & KENNETH W & STACY L BOER
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 3751 S. 2400 E. JEROME ID 83338
Mailing address City State ZIP
(208) 280-5040
Telephone Email
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☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: _____
Signature of new owner claimant Title, if applicable Date

Signature: _____
Signature of new owner claimant Title, if applicable Date

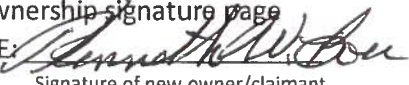
For IDWR Office Use Only:

Received by DM Date 12-10-2014 Receipt No. 5034443 Receipt Amt. \$375-

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

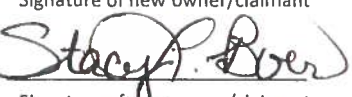
Name on W-9 _____ Approved by _____ Processed by _____ Date _____

Change of Ownership signature page

8. SIGNATURE: 
Signature of new owner/claimant

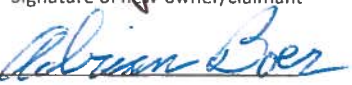
Title, if applicable

12-8-12
Date

SIGNATURE: 
Signature of new owner/claimant

Title, if applicable

12-8-12
Date

SIGNATURE: 
Signature of new owner/claimant

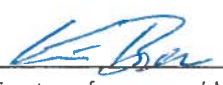
Title, if applicable

12-8-12
Date

SIGNATURE: 
Signature of new owner/claimant

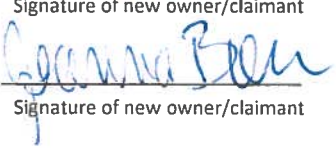
Title, if applicable

12-8-12
Date

SIGNATURE: 
Signature of new owner/claimant

Title, if applicable

12-8-12
Date

SIGNATURE: 
Signature of new owner/claimant

Title, if applicable

12-8-12
Date

Misc.

Instrument # 208422

GOODING, GOODING, IDAHO

2004-10-25 09:16:00 No. of Pages: 5

Recorded for : TITLEFACT, INC.

HELEN EDWARDS

Ex-Officio Recorder Deputy

Fee: 15.00

TitleFact, Inc.

163 Fourth Avenue North

P.O. Box 486

Twin Falls, Idaho 83303

**** SPACE ABOVE FOR RECORDER ****

QUITCLAIM DEED

For Value Received CAPELLA CORP., an Idaho corporation, does hereby convey, remise and forever quit claim unto **ADRIAN K. BOER and LINDA M. BOER, husband and wife**, whose address is: 472 South 200 West, Jerome, Idaho 83338, the following described premises, to-wit:

See Attached Exhibit "A"

together with their appurtenances.

Dated: October 19, 2004

CAPELLA CORP

By: R. Todd Blass

R. TODD BLASS, President

* * * * *

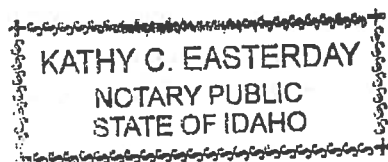
STATE OF IDAHO)

) ss.

County of Twin Falls)

On this 19TH day of October, 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared R. Todd Blass, known to me to be the Authorized Agent of CAPELLA CORP., the corporation whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same on behalf of said corporation.

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



Kathy C. Easterday
NOTARY PUBLIC FOR IDAHO
Residence: Eiler
My Commission Expires: 01-29-2007

CONTINUATION

EXHIBIT "A"

PARCEL NO. 2

TOWNSHIP 8 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 32: E $\frac{1}{2}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$; E $\frac{1}{2}$ NW $\frac{1}{4}$; W $\frac{1}{2}$ NW $\frac{1}{4}$ EXCEPTING THEREFROM a tract of land more particularly described as follows:

Beginning at the Northwest quarter corner of said Section 32;
Thence East 191 feet;
Thence South a distance of 466 feet;
Thence West 191 feet;
Thence North 466 feet to THE POINT OF BEGINNING.

Section 32: E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$; Part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ described as follows:

Commencing at the Northwest corner of said NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Thence Southerly along the Westerly boundary of said NW $\frac{1}{4}$ SW $\frac{1}{4}$, South 0°04'
East 466.0 feet;
Thence South 89°57'34" East 351.38 feet to THE TRUE POINT OF
BEGINNING;
Thence continuing South 89°57'34" East 115.62 feet;
Thence North 0°04' West 108.32 feet;
Thence South 46°51'27" West 158.29 feet to THE TRUE POINT OF
BEGINNING.

Section 32: W $\frac{1}{2}$ SW $\frac{1}{4}$, EXCEPTING THEREFROM the following described parcel of land:

Beginning at the Northwest corner of the W $\frac{1}{2}$ SW $\frac{1}{4}$, of said Section 32;
Thence East along the North line of said W $\frac{1}{2}$ SW $\frac{1}{4}$, 467 feet;
Thence South parallel with the West line of said W $\frac{1}{2}$ SW $\frac{1}{4}$, 466 feet;
Thence West parallel with the North line of said W $\frac{1}{2}$ SW $\frac{1}{4}$, 467 feet to the
West line of said W $\frac{1}{2}$ SW $\frac{1}{4}$;
Thence North along said West line, 466 feet to THE POINT OF
BEGINNING.

CONTINUATION

EXHIBIT "A"

Thence Northeasterly along the arc of the curve right for a distance of 1620.77 feet to an angle point, said arc having a radius of 1355.00 feet and a long chord bearing and distance of North 46°22'30" East 1525.86 feet;

Thence North 00°02'09" East parallel with the East boundary of the NW¼ of Section 4 for a distance of 21.74 feet to a point in the center of an irrigation canal;

Thence along the center of the irrigation canal on the following courses:

North 89°44'56" East, 326.03 feet;

South 89°19'01" East, 371.82 feet;

South 79°49'29" East, 231.51 feet;

North 80°10'42" East, 213.14 feet;

North 57°08'05" East, 193.05 feet;

North 54°04'01" East, 102.67 feet;

North 34°10'13" East, 77.09 feet;

North 45°20'45" East, 143.77 feet, more or less. to a point on the East boundary of the SW¼ of Section 33, Township 8 South, Range 15 East;

Thence leaving the center of the canal and along the East boundary of the SW¼ of Section 33, Township 8 South, Range 15 East, on a bearing of South for a distance of 341.98 feet, more or less, to THE TRUE POINT OF BEGINNING.

WARRANTY DEED

#G-28939

For Value Received

DON MCFARLAND and CAROL MCFARLAND, husband and wife

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

**CAPELLA CORP., an Idaho corporation, as to an undivided 1/2 interest AND
KEVIN S. BOER and JEANNA J. BOER, husband and wife and
KENNETH W. BOER and STACY L. BOER, husband and wife, as to an undivided
1/2 interest**

Address: 3751 S 2400 E Jerome, Idaho 83338

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

SEE EXHIBIT 'A' ATTACHED HERETO:

THIS PROPERTY IS CONVEYED DRY AND WITHOUT WATER SHARES

SUBJECT TO:

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

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 15, 1999

Don McFarland
DON MCFARLAND

Carol McFarland
CAROL MCFARLAND

183632

STATE OF IDAHO, COUNTY OF JEROME
Filed for record at the request of LAND TITLE & ESCROW
31 min. part 3 o'clock P.m. this 15th
December 1999 1500
Penny Archuleta

STATE OF IDAHO)
COUNTY OF JEROME) ss.

On this 15TH day of December, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared **DON MCFARLAND and**, known or identified to me to be the personS whose nameS subscribed to the within instrument, and acknowledged to me that THEY executed the same.

[Signature]
Notary Public

Residing at:

My Commission expires:

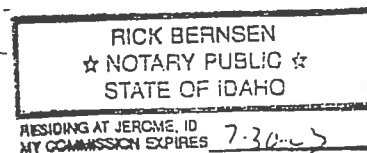


EXHIBIT "A"

Order Number: G-28939

PARCEL NO. 1

TOWNSHIP 8 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 33: SW $\frac{1}{4}$, EXCEPTING THEREFROM 25 feet for highway off the East side of said SW $\frac{1}{4}$ as acquired by Decree out of the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Gooding, Wendell Highway District, Plaintiff, vs. Fred J. Schroeder et al, dated May 30, 1917, filed June 15, 1917 and recorded in Book 1 of Judgments Page 444, Gooding County records.

FURTHER EXCEPTING THEREFROM part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, described as follows:

Beginning at the West quarter corner of Section 33;
Thence South 337.00 feet;
Thence East 637.3 feet;
Thence North 337.00 feet;
Thence West 637.3 feet to THE POINT OF BEGINNING.

Section 33: SE $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ NW $\frac{1}{4}$,

EXCEPTING THEREFROM a tract of land located in the Northwest Quarter of the Northwest Quarter of Section 33, Township 8 South, Range 15, East Boise Meridian, Gooding County, Idaho, more particularly described as follows:

Beginning at the Northwest corner of said NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence North 89°56'00" East a distance of 1006.71 feet along the Northerly boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence South 67°00'12" West a distance of 278.13 feet;
Thence South 61°38'39" West a distance of 133.64 feet;
Thence South 54°55'57" West a distance of 251.79 feet;
Thence South 46°00'09" West a distance of 130.49 feet;
Thence South 43°23'16" West a distance of 75.51 feet;
Thence South 38°54'44" West a distance of 189.10 feet;
Thence South 78°36'55" West a distance of 165.16 feet to a point on the Westerly boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence North 0°03'00" West a distance of 640.95 feet along the Westerly boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ to the point of beginning.
SUBJECT TO the rights of public roads which affect the Northerly 25.00 feet and the Westerly 25.00 feet thereof.

-Continued-

CONTINUATION

EXHIBIT "A"

Order Number: G-28939

PARCEL NO. 2

TOWNSHIP 8 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 32: E $\frac{1}{2}$ SE $\frac{1}{4}$; NE $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$; E $\frac{1}{2}$ NW $\frac{1}{4}$; W $\frac{1}{2}$ NW $\frac{1}{4}$ EXCEPTING THEREFROM a tract of land more particularly described as follows:

Beginning at the Northwest quarter corner of said Section 32;
Thence East 191 feet;
Thence South a distance of 466 feet;
Thence West 191 feet;
Thence North 466 feet to THE POINT OF BEGINNING.

Section 32: E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$; Part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ described as follows:

Commencing at the Northwest corner of said NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Thence Southerly along the Westerly boundary of said NW $\frac{1}{4}$ SW $\frac{1}{4}$, South 0°04'
East 466.0 feet;
Thence South 89°57'34" East 351.38 feet to THE TRUE POINT OF
BEGINNING;
Thence continuing South 89°57'34" East 115.62 feet;
Thence North 0°04' West 108.32 feet;
Thence South 46°51'27" West 158.29 feet to THE TRUE POINT OF
BEGINNING.

Section 32: W $\frac{1}{2}$ SW $\frac{1}{4}$, EXCEPTING THEREFROM the following described parcel of land:

Beginning at the Northwest corner of the W $\frac{1}{2}$ SW $\frac{1}{4}$, of said Section 32;
Thence East along the North line of said W $\frac{1}{2}$ SW $\frac{1}{4}$, 467 feet;
Thence South parallel with the West line of said W $\frac{1}{2}$ SW $\frac{1}{4}$, 466 feet;
Thence West parallel with the North line of said W $\frac{1}{2}$ SW $\frac{1}{4}$, 467 feet to the
West line of said W $\frac{1}{2}$ SW $\frac{1}{4}$;
Thence North along said West line, 466 feet to THE POINT OF
BEGINNING.

CONTINUATION

EXHIBIT 'A'

Order Number: G-28939

PARCEL NO. 3

TOWNSHIP 9 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 4: Lots 3 and 4; SE $\frac{1}{4}$ NW $\frac{1}{4}$;

PARCEL NO. 4

TOWNSHIP 9 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 5: Lots 1, 2, 3 and 4.

**EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL
OF LAND:**

TOWNSHIP 8 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 33: SE $\frac{1}{4}$;

AND

Parcels of land located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, Township 8 South, Range 15 East, Boise Meridian, and in the NW $\frac{1}{4}$ of Section 4, Township 9 South, Range 15 East, Boise Meridian, Gooding County, Idaho, more particularly described as follows:

Commencing at the North quarter corner of said Section 4, from which the Northwest corner of said Section 4 bears North 89°53'00" West 2636.94 feet, said North quarter corner being THE TRUE POINT OF BEGINNING;
Thence South 00°02'09" West along the East boundary of the NW $\frac{1}{4}$ of Section 4 for a distance of 2675.54 feet to the Southeast corner of the NW $\frac{1}{4}$ of Section 4;
Thence North 89°42'43" West along the South boundary of the NW $\frac{1}{4}$ of Section 4 for a distance of 1310.31 feet to the Southwest corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4;
Thence North 00°08'22" West along the West boundary of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4 for a distance of 1320.55 feet to the Southeast corner of Gov't Lot 4 of Section 4;
Thence North 89°43'20" West along the South boundary of Gov't Lot 4 of Section 4 for a distance of 1314.36 feet to the Southwest corner of Gov't Lot 4 of Section 4;
Thence North 00°18'55" West along the West boundary of the NW $\frac{1}{4}$ of Section 4 for a distance of 287.23 feet to a point on the arc of non-tangent curve right;

-Continued-

CONTINUATION

EXHIBIT "A"

Order Number: G-28939

Thence Northeasterly along the arc of the curve right for a distance of 1620.77 feet to an angle point, said arc having a radius of 1355.00 feet and a long chord bearing and distance of North 46°22'30" East 1525.86 feet;

Thence North 00°02'09" East parallel with the East boundary of the NW¼ of Section 4 for a distance of 21.74 feet to a point in the center of an irrigation canal;

Thence along the center of the irrigation canal on the following courses:

North 89°44'56" East, 326.03 feet;

South 89°19'01" East, 371.82 feet;

South 79°49'29" East, 231.51 feet;

North 80°10'42" East, 213.14 feet;

North 57°08'05" East, 193.05 feet;

North 54°04'01" East, 102.67 feet;

North 34°10'13" East, 77.09 feet;

North 45°20'45" East, 143.77 feet, more or less. to a point on the East boundary of the SW¼ of Section 33, Township 8 South, Range 15 East;

Thence leaving the center of the canal and along the East boundary of the SW¼ of Section 33, Township 8 South, Range 15 East, on a bearing of South for a distance of 341.98 feet, more or less, to THE TRUE POINT OF BEGINNING.

END OF EXHIBIT "A"

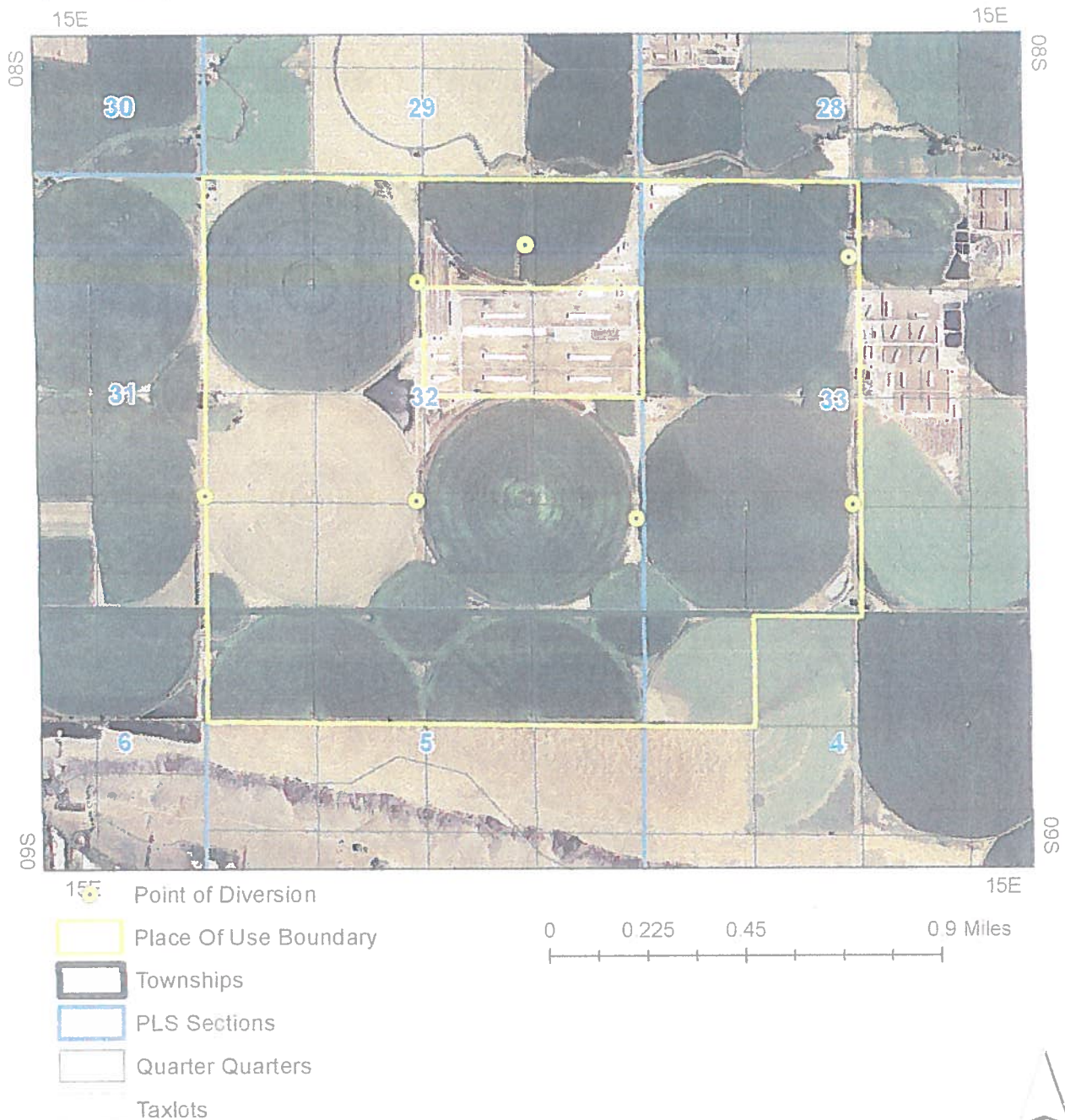
State of Idaho
Department of Water Resources

Water Right

36-15169K

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



State of Idaho
Department of Water Resources

Water Right
36-15169D

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.075 0.15 0.3 Miles



State of Idaho
Department of Water Resources

Water Right

36-15169D

COMMERCIAL

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



State of Idaho
Department of Water Resources

Water Right

36-10225K

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



State of Idaho
Department of Water Resources

Water Right
36-10225D

STOCKWATER

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-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.075 0.15 0.3 Miles



State of Idaho
Department of Water Resources

Water Right

36-10225D

COMMERCIAL

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



State of Idaho
Department of Water Resources

Water Right
36-7832K

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

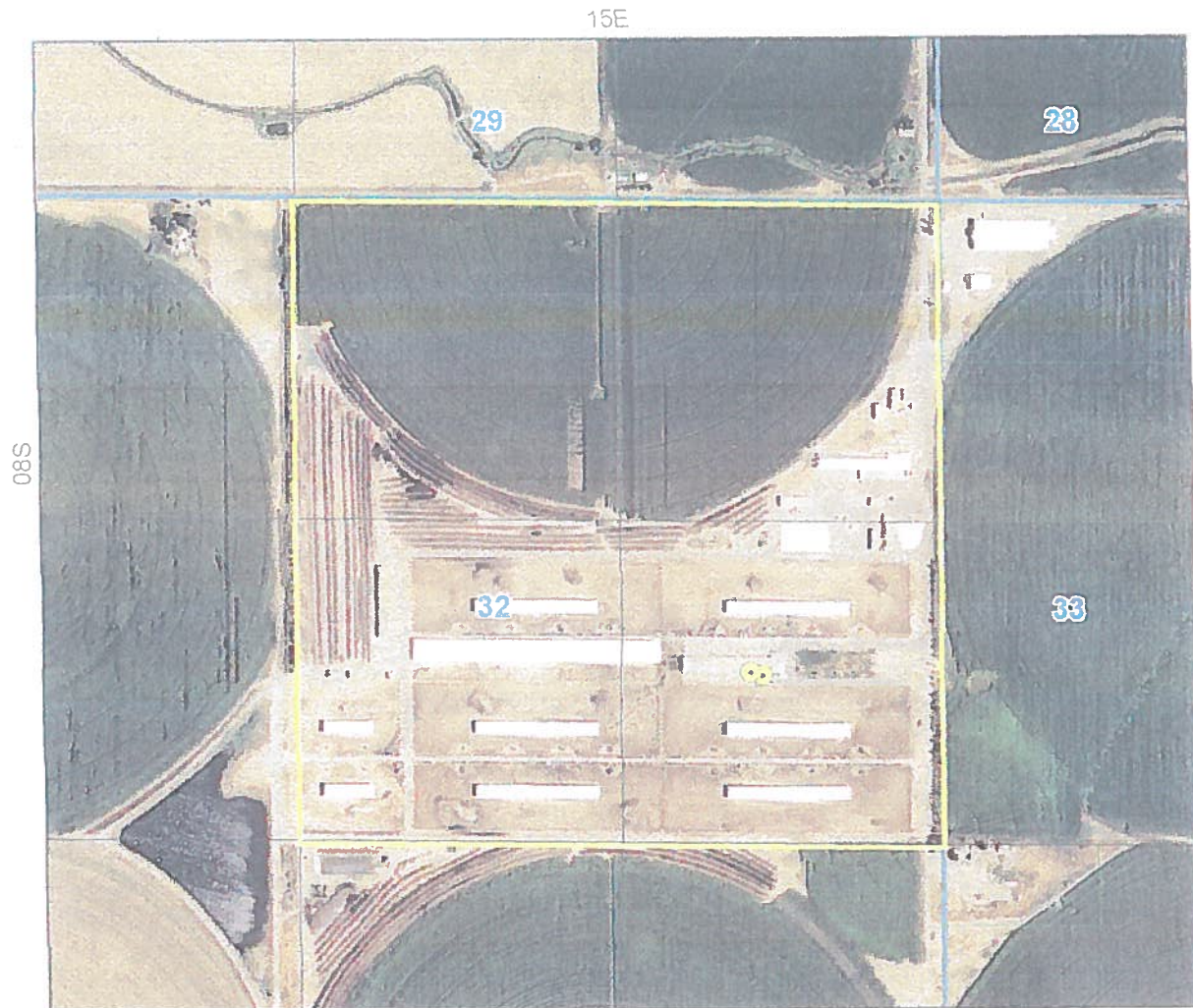


State of Idaho
Department of Water Resources

Water Right
36-7832D

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.075 0.15 0.3 Miles



State of Idaho
Department of Water Resources

Water Right

36-7832D

COMMERCIAL

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



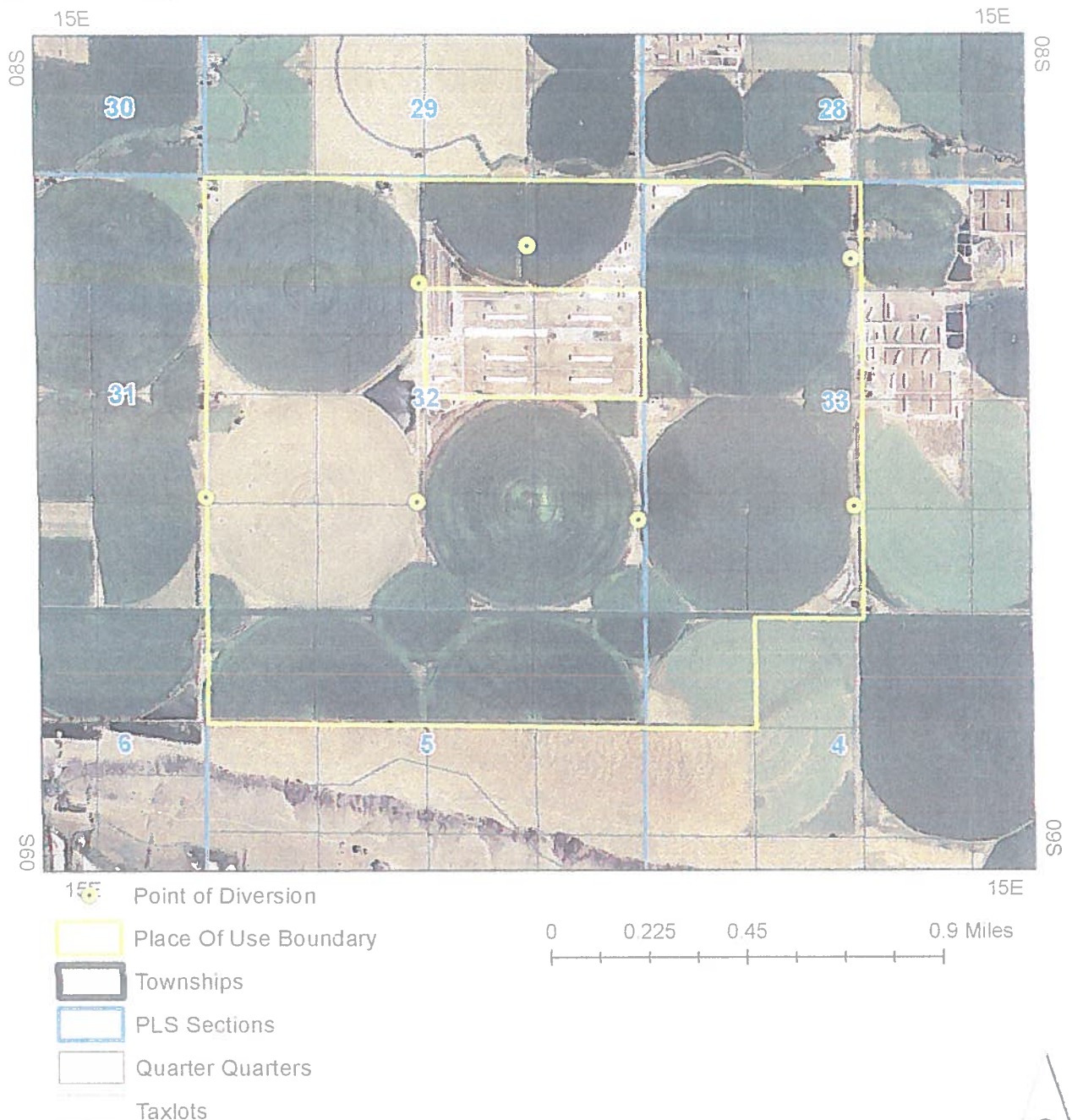
State of Idaho
Department of Water Resources

Water Right

36-7779K

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

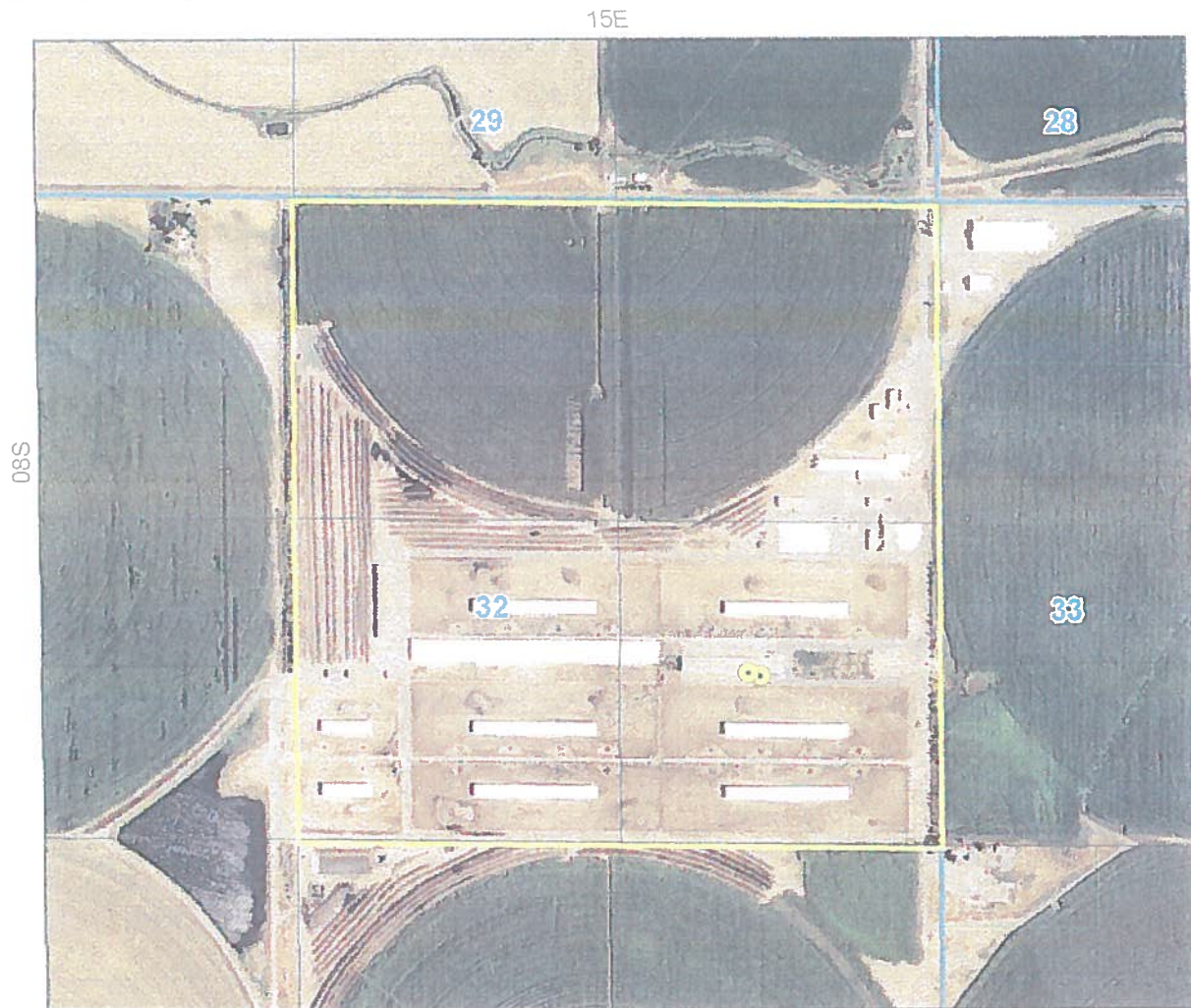


State of Idaho
Department of Water Resources

Water Right
36-7779D

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.075 0.15 0.3 Miles



State of Idaho
Department of Water Resources

Water Right

36-7779D

COMMERCIAL

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



State of Idaho
Department of Water Resources

Water Right

36-7606K

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



State of Idaho
Department of Water Resources

Water Right
36-7606D

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Taxlots

0 0.075 0.15 0.3 Miles



Water Right
36-7606D

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



State of Idaho
Department of Water Resources

Water Right 36-7477K

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



State of Idaho
Department of Water Resources

Water Right

36-7477D

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.075 0.15 0.3 Miles



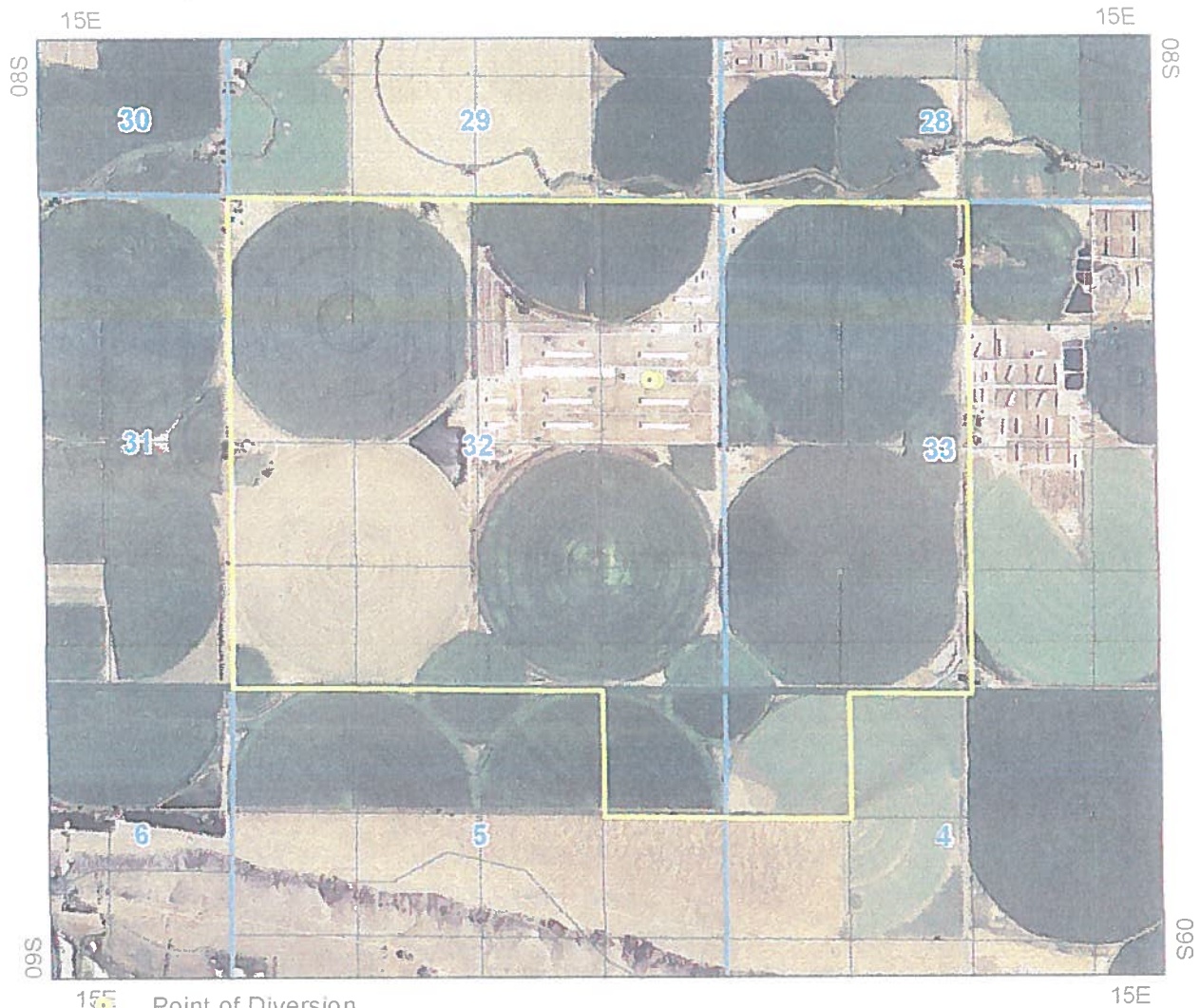
State of Idaho
Department of Water Resources

Water Right

36-7477D

COMMERCIAL

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.225 0.45 0.9 Miles



State of Idaho
Department of Water Resources

Water Right 36-7362K

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

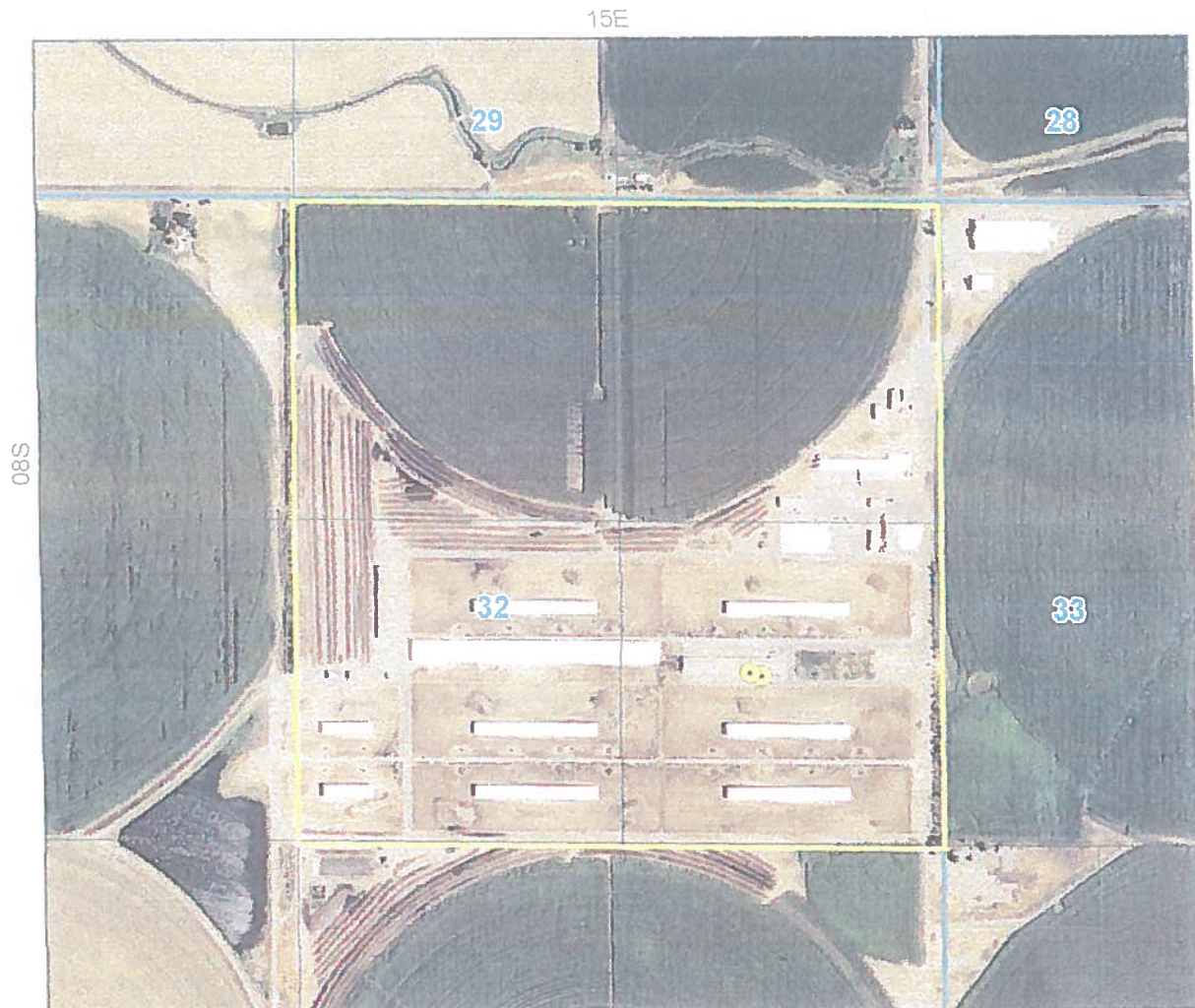


State of Idaho
Department of Water Resources

Water Right 36-7362D

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.075 0.15 0.3 Miles



State of Idaho
Department of Water Resources

Water Right

36-7362D

COMMERCIAL

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



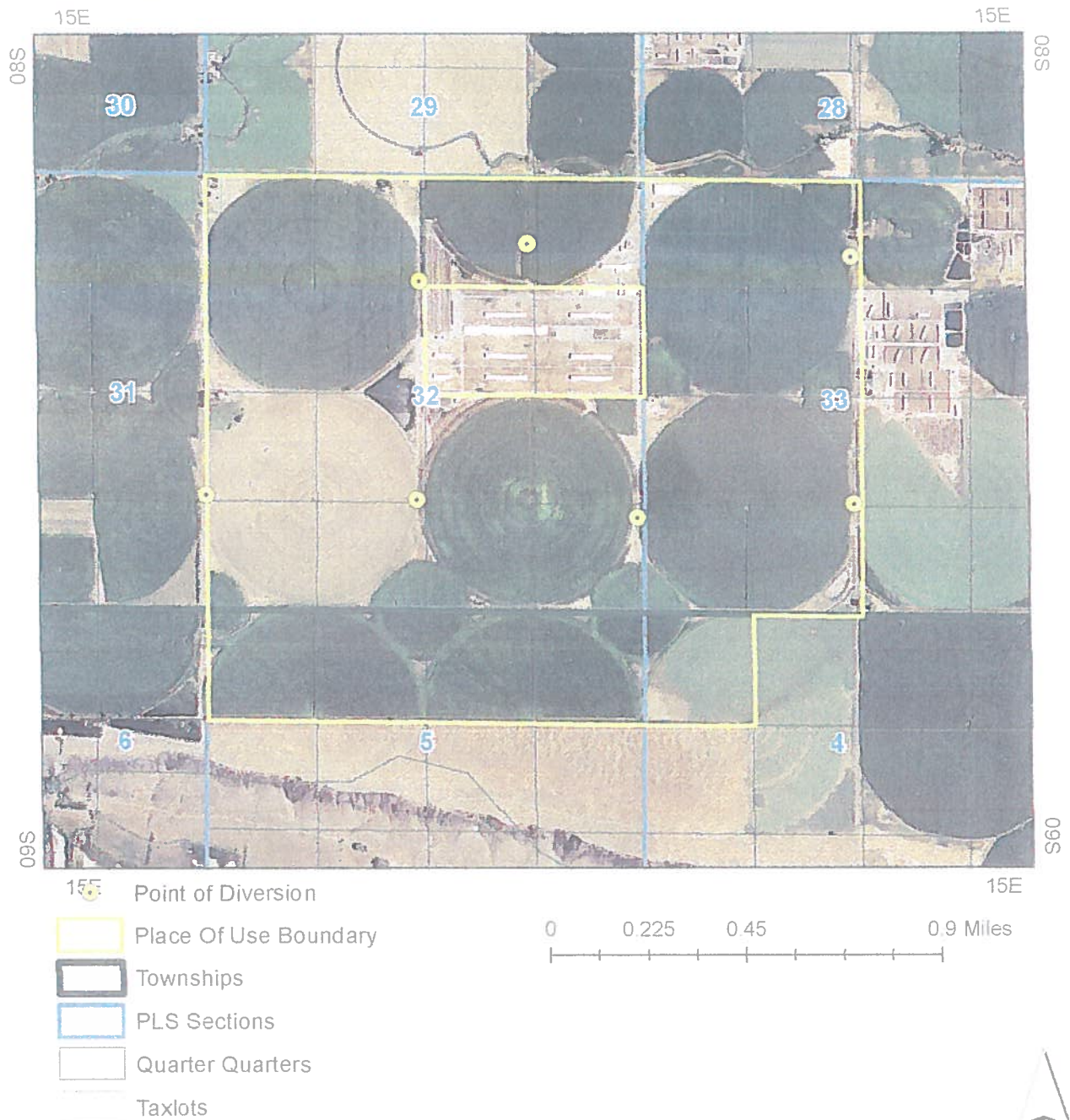
State of Idaho
Department of Water Resources

Water Right

36-7307K

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



State of Idaho
Department of Water Resources

Water Right
36-7307D

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.075 0.15 0.3 Miles



State of Idaho
Department of Water Resources

Water Right 36-7307D

COMMERCIAL

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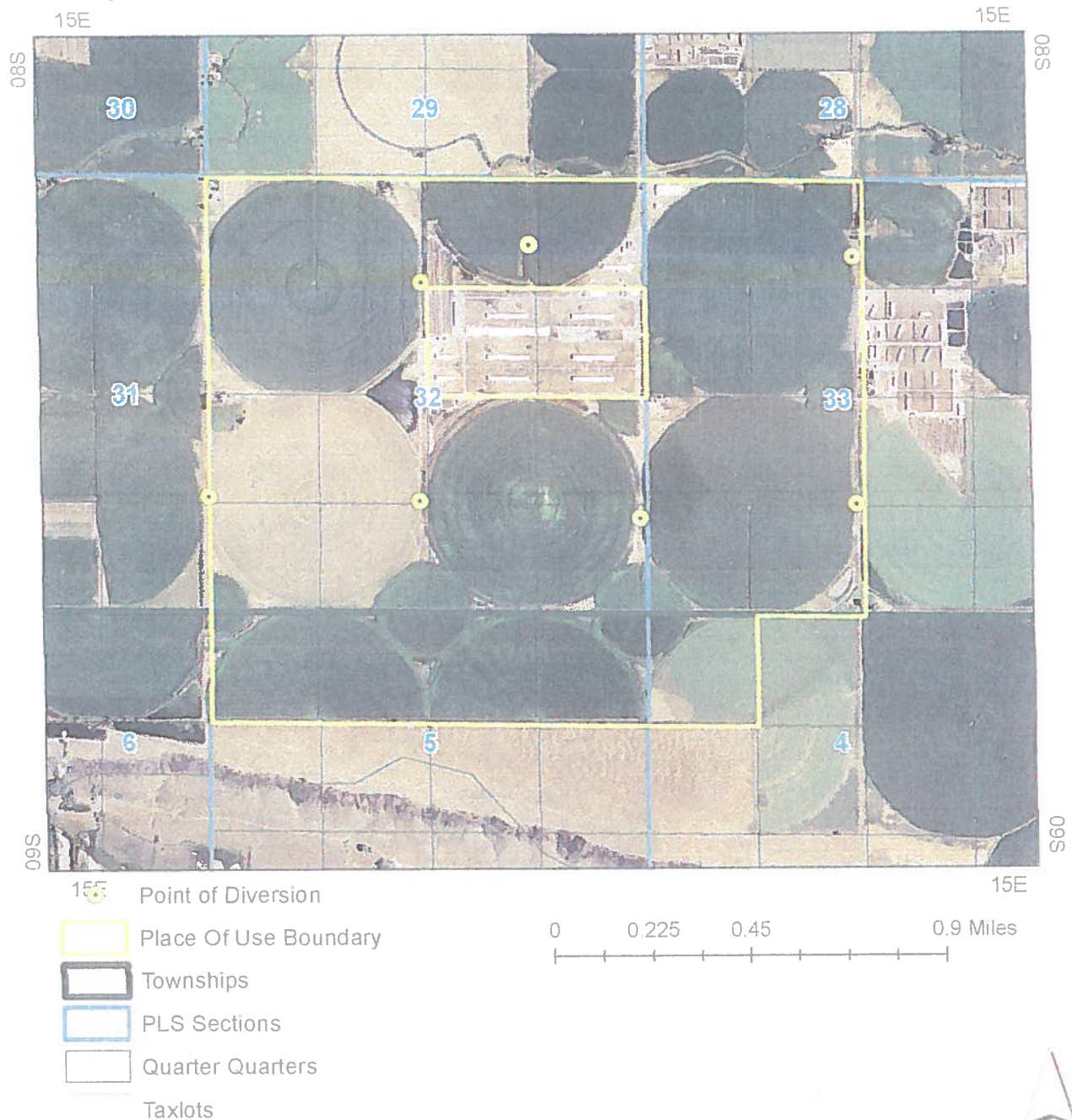
State of Idaho
Department of Water Resources

Water Right

36-2614K

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

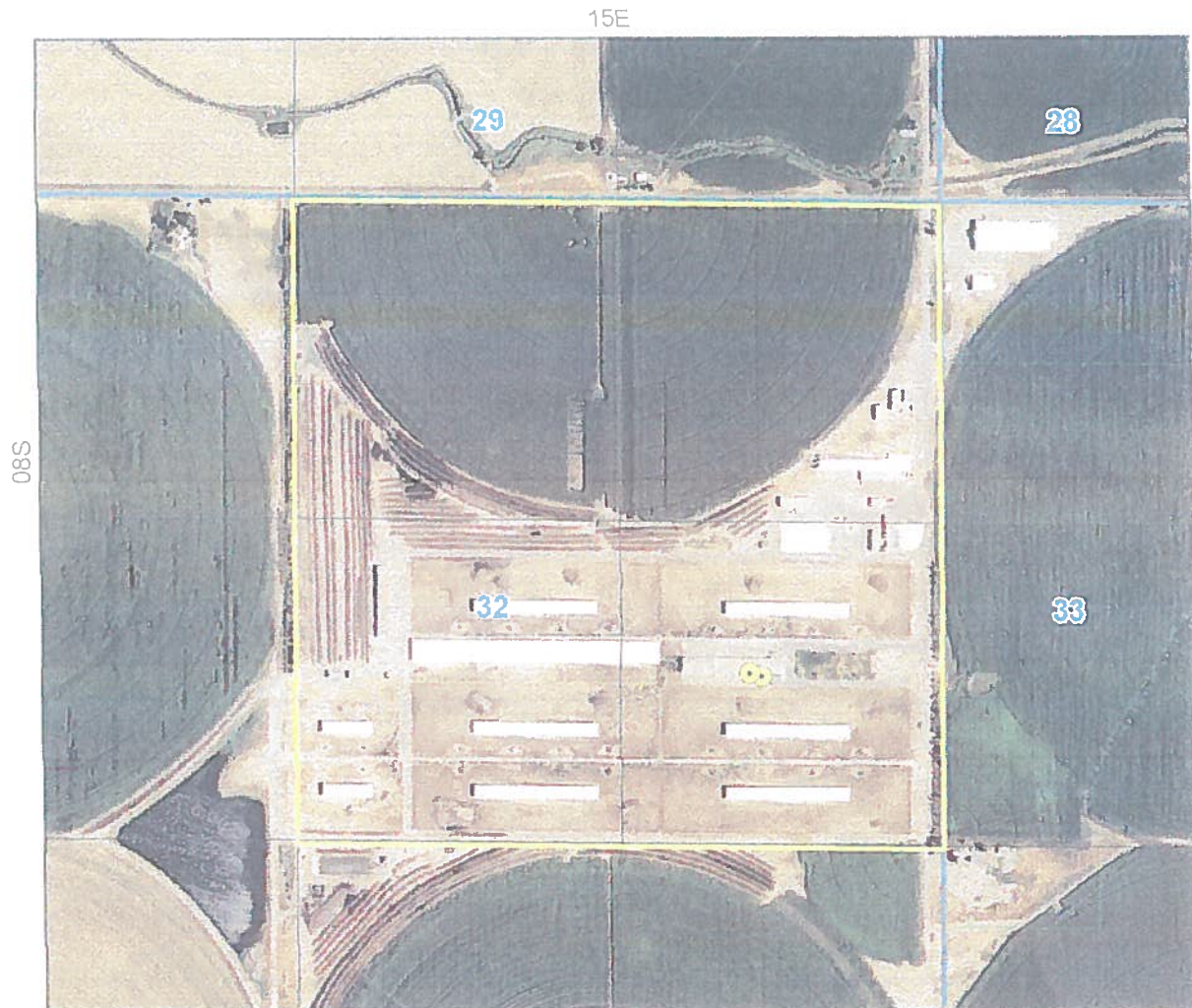


State of Idaho
Department of Water Resources

Water Right
36-2614D

STOCKWATER

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-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.075 0.15 0.3 Miles



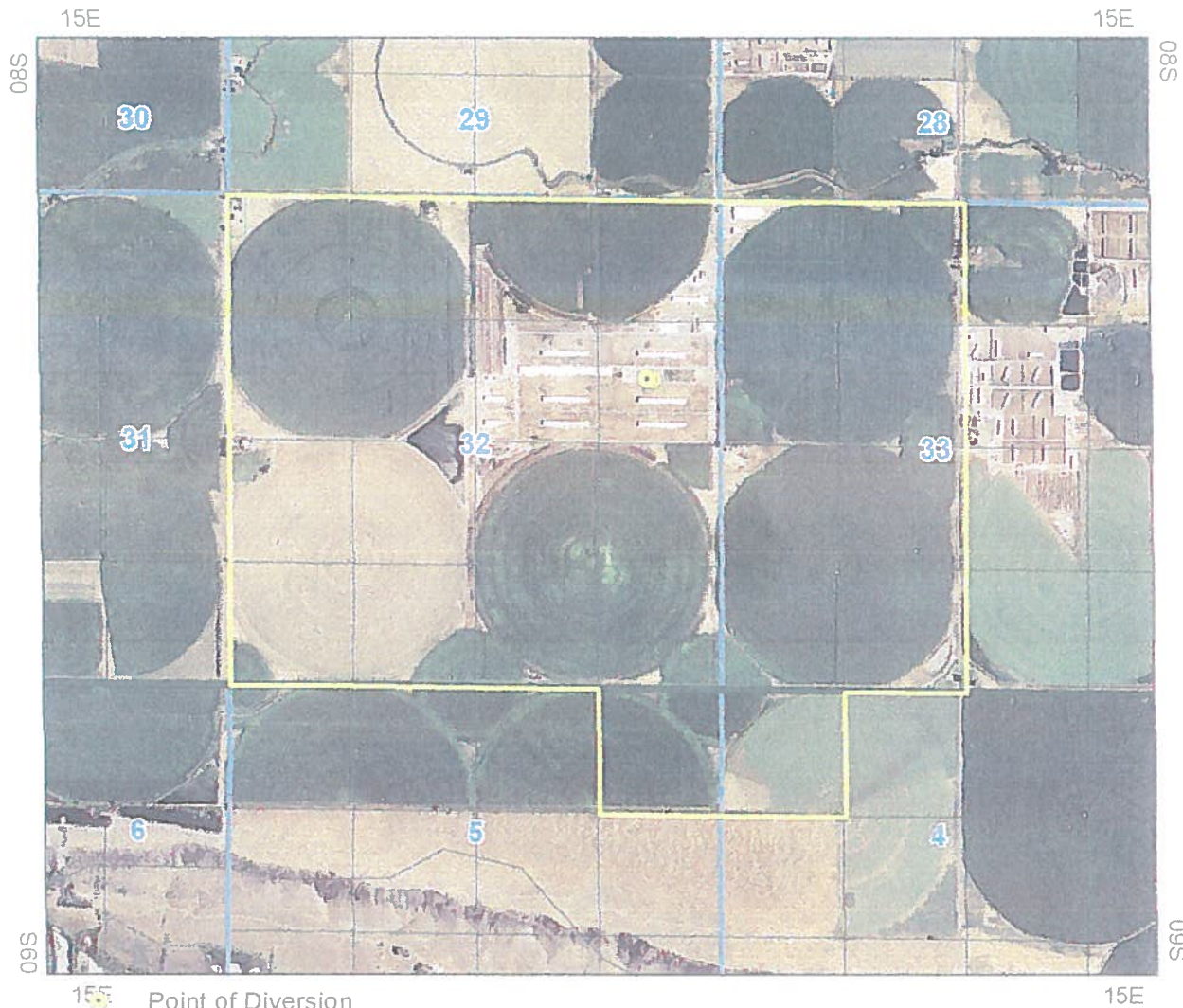
State of Idaho
Department of Water Resources

Water Right

36-2614D

COMMERCIAL

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.225 0.45 0.9 Miles



State of Idaho
Department of Water Resources

Water Right

36-2500K

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

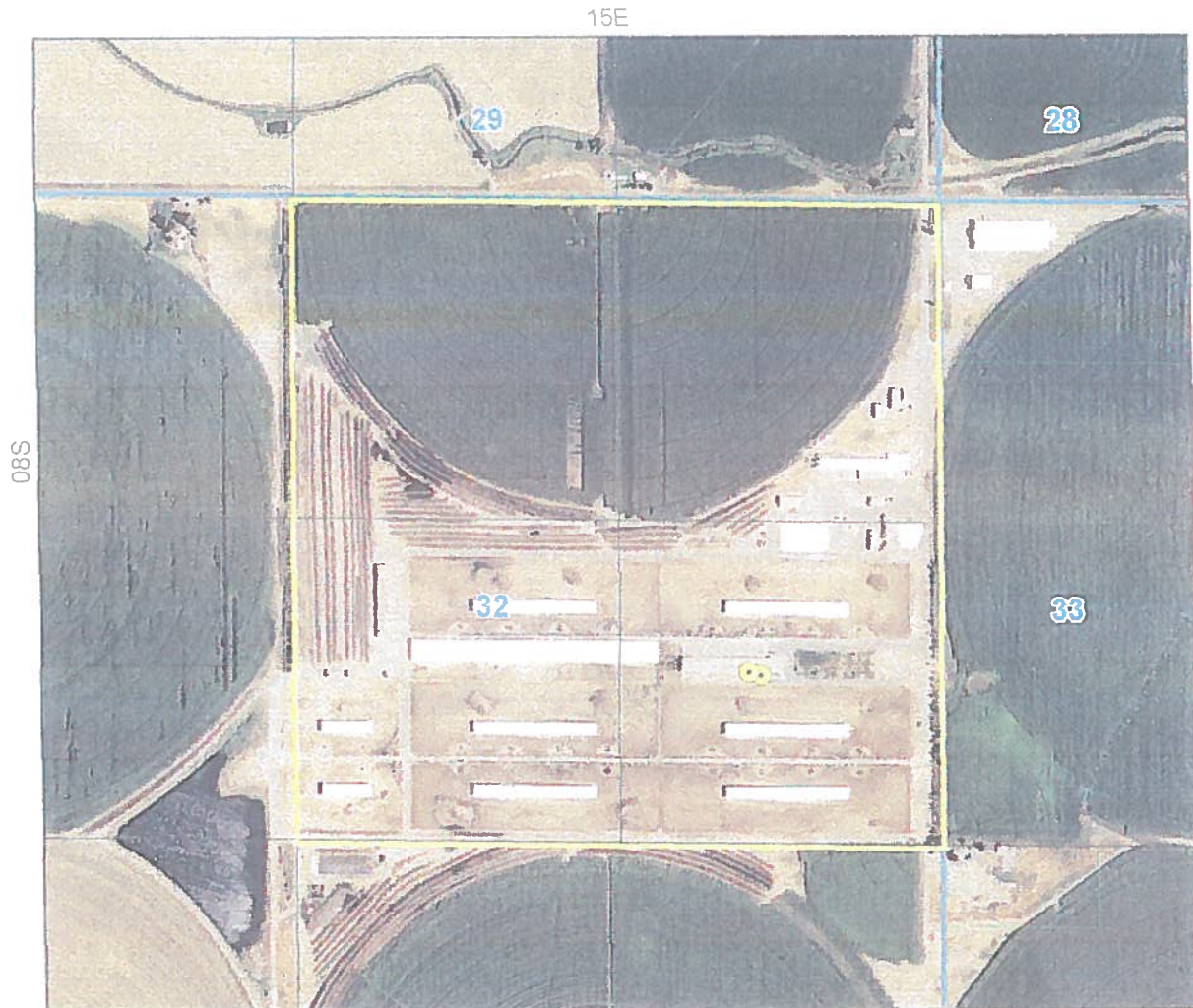


State of Idaho
Department of Water Resources

Water Right
36-2500D

STOCKWATER

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-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.075 0.15 0.3 Miles



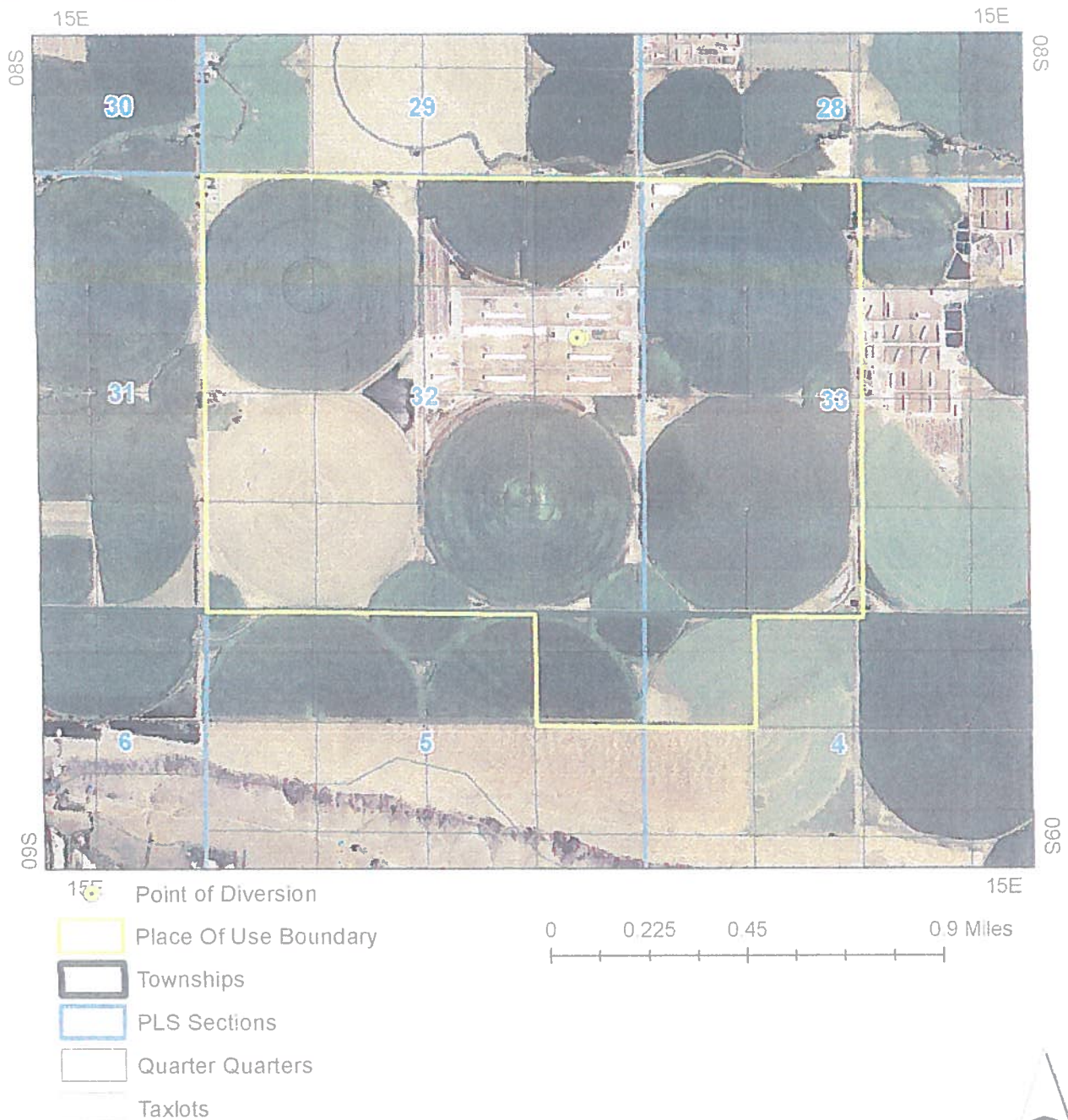
State of Idaho
Department of Water Resources

Water Right

36-2500D

COMMERCIAL

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



State of Idaho
Department of Water Resources

Water Right

36-2311K

IRRIGATION

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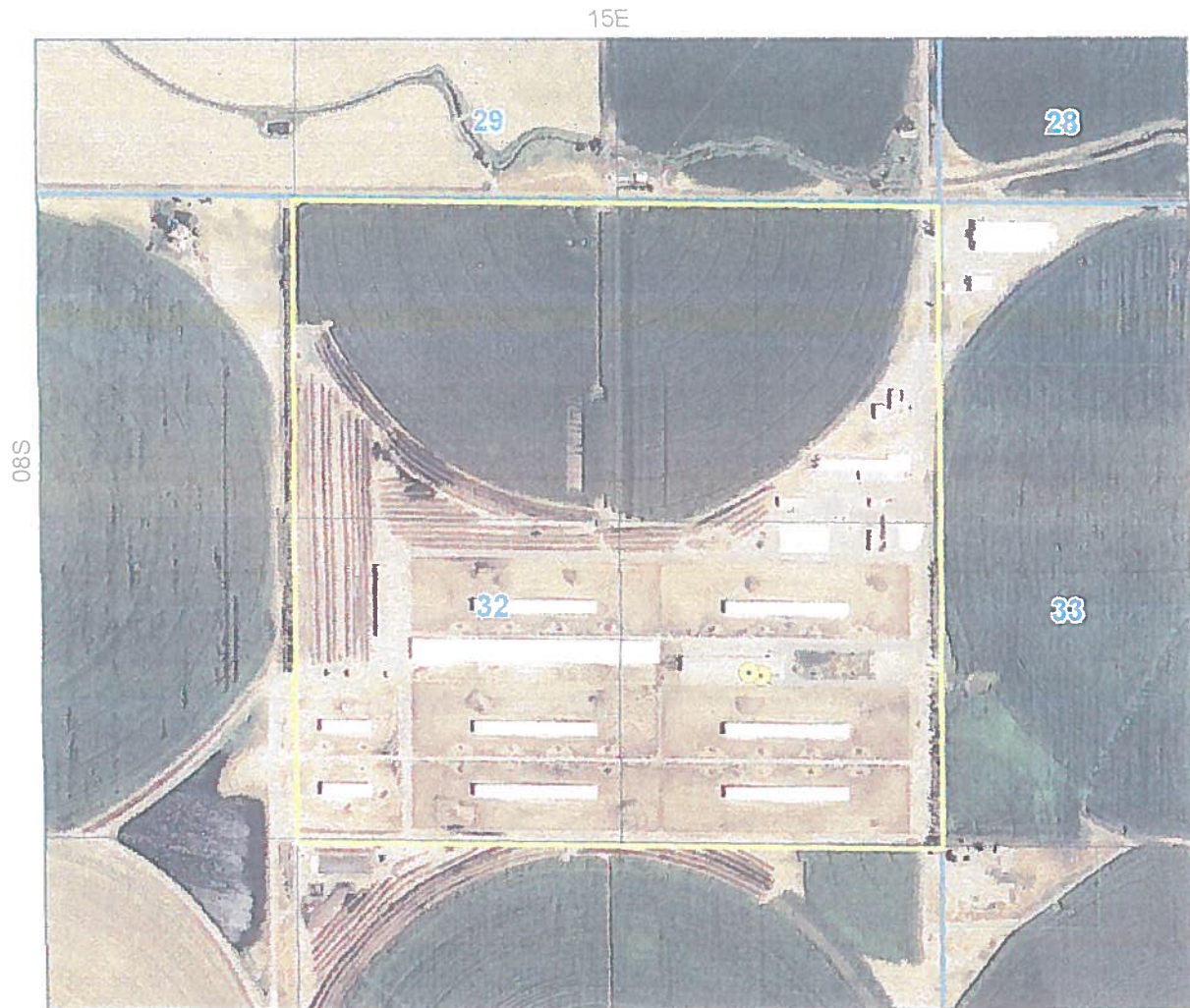
State of Idaho
Department of Water Resources

Water Right

36-2311D

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.075 0.15 0.3 Miles



State of Idaho
Department of Water Resources

Water Right

36-2311D

COMMERCIAL

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State of Idaho
Department of Water Resources

Water Right

36-2289M

IRRIGATION

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State of Idaho
Department of Water Resources

Water Right

36-2161K

IRRIGATION

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-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.225 0.45 0.9 Miles



State of Idaho
Department of Water Resources

Water Right
36-2161D

STOCKWATER

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-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.075 0.15 0.3 Miles



A horizontal scale bar with tick marks at 0, 0.075, 0.15, and 0.3 miles.

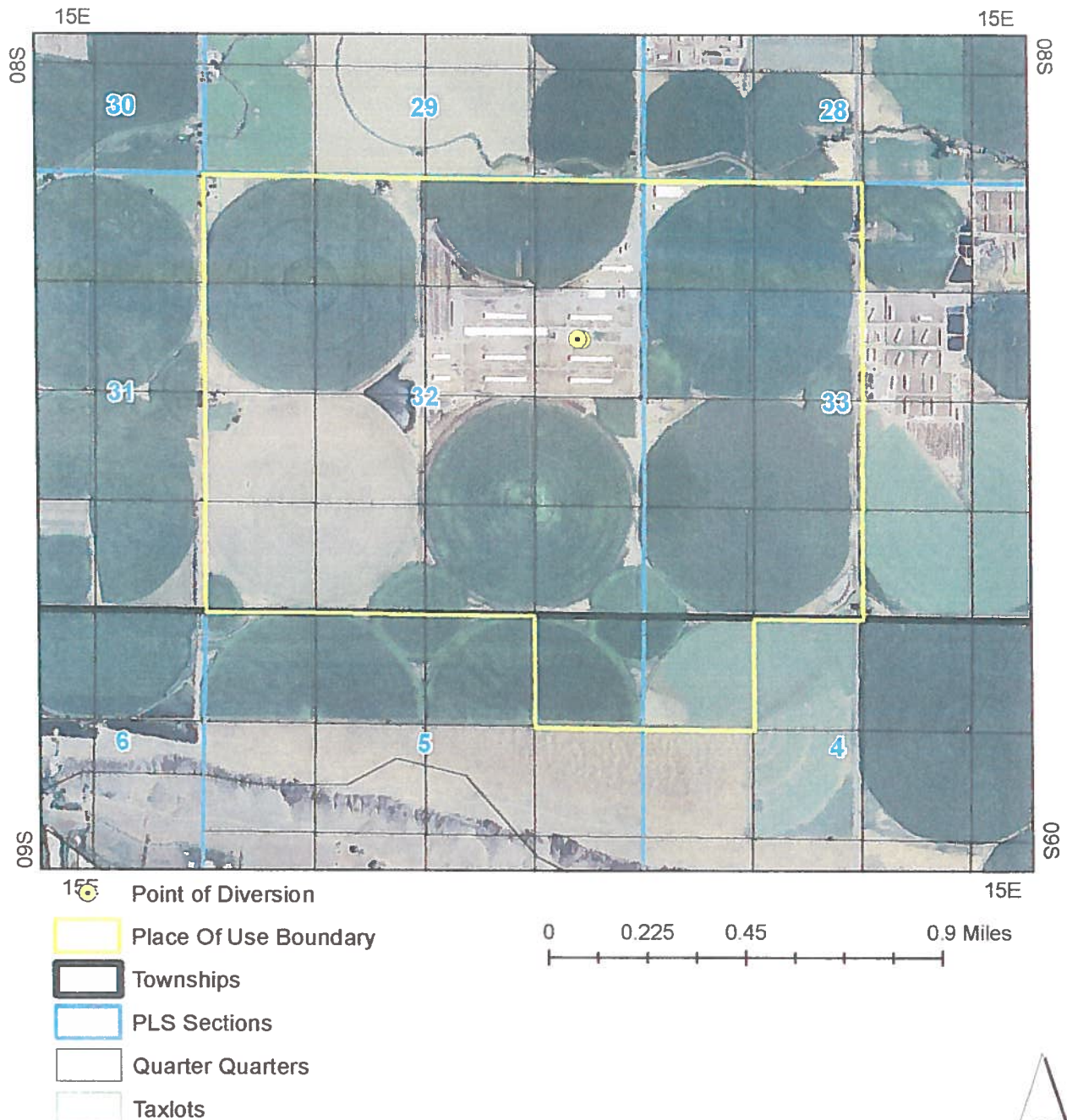


State of Idaho
Department of Water Resources

Water Right 36-2161D

COMMERCIAL

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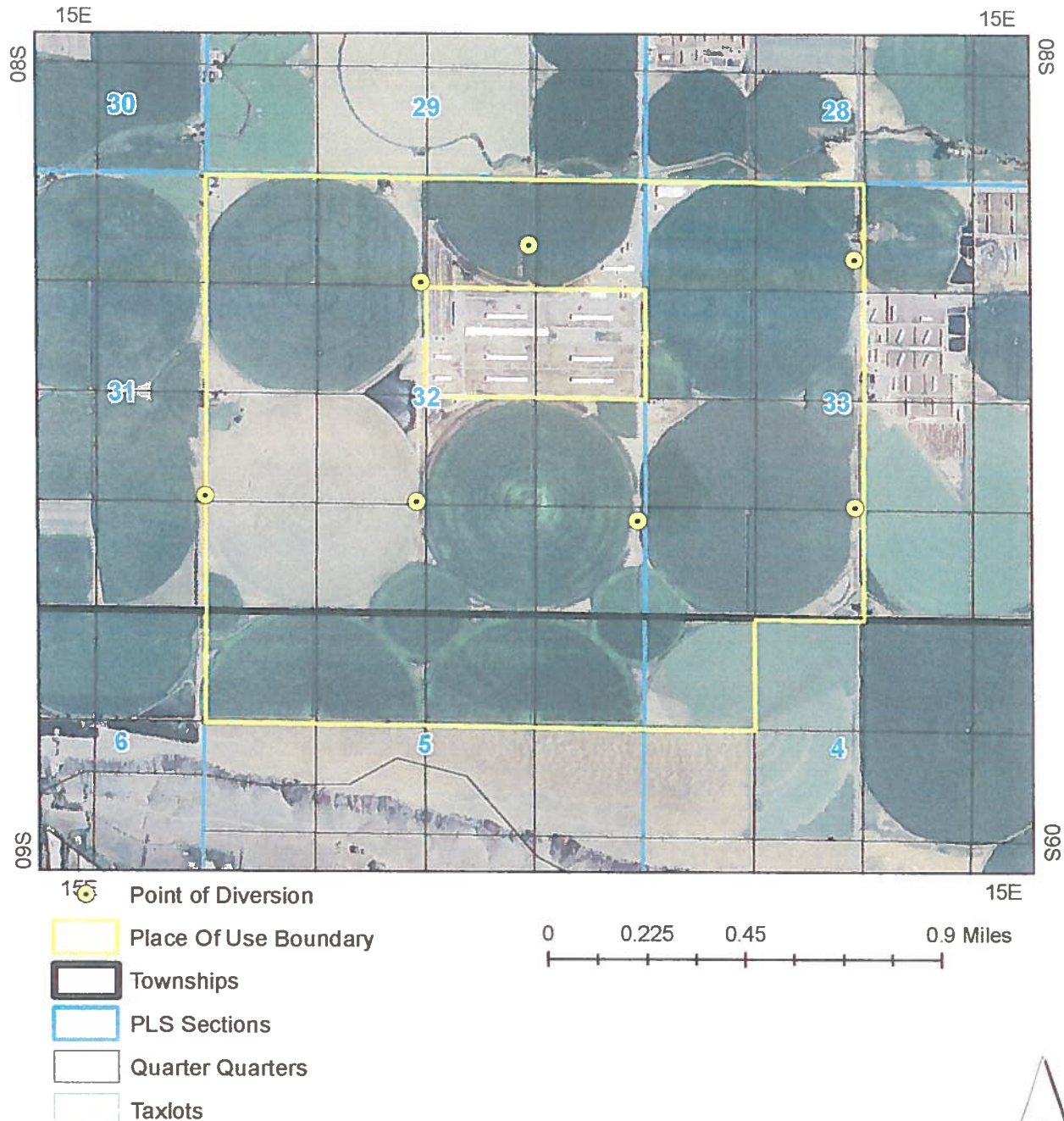


State of Idaho
Department of Water Resources

Water Right 36-2113K

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

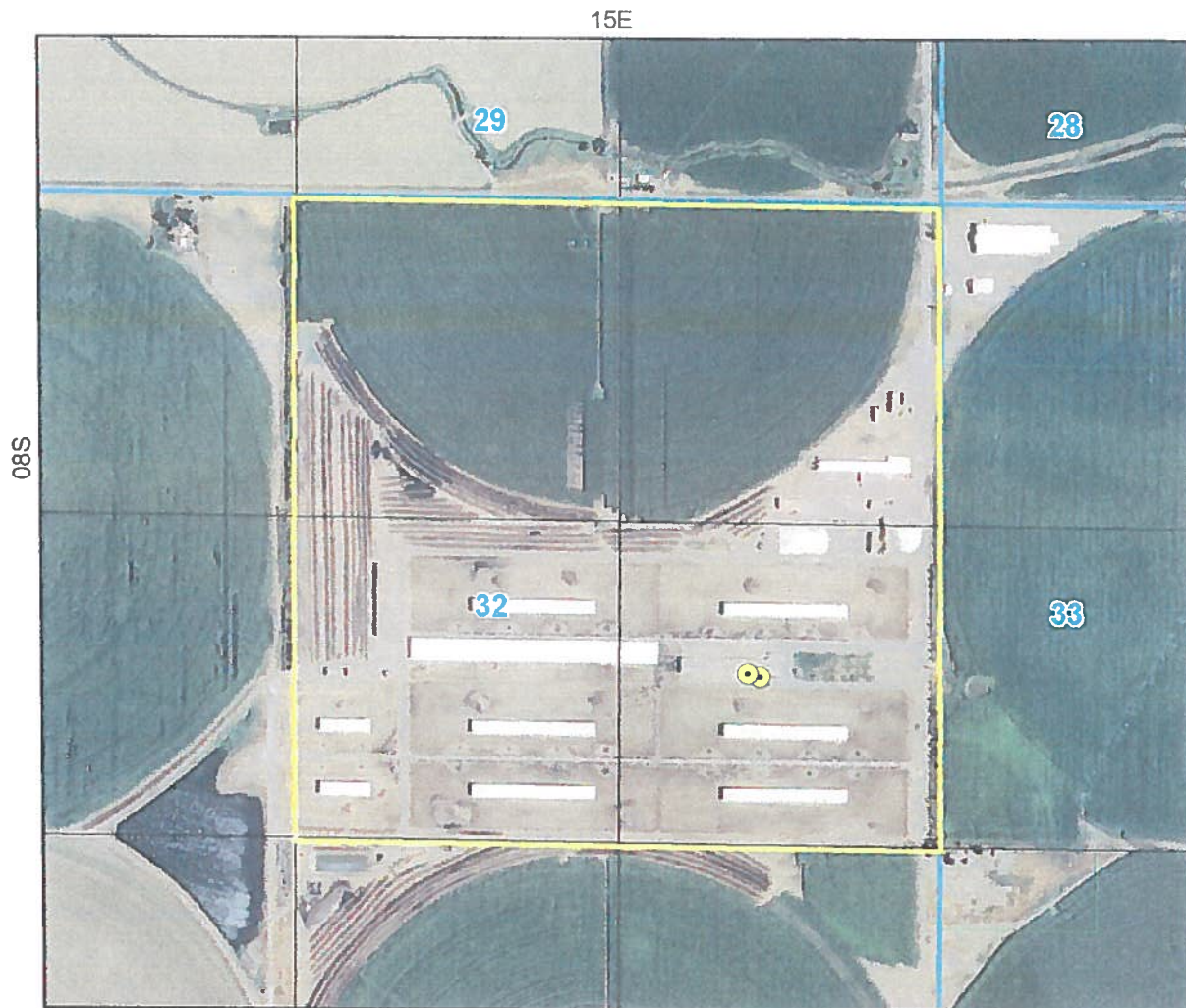


State of Idaho
Department of Water Resources

Water Right
36-2113D

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.075 0.15 0.3 Miles

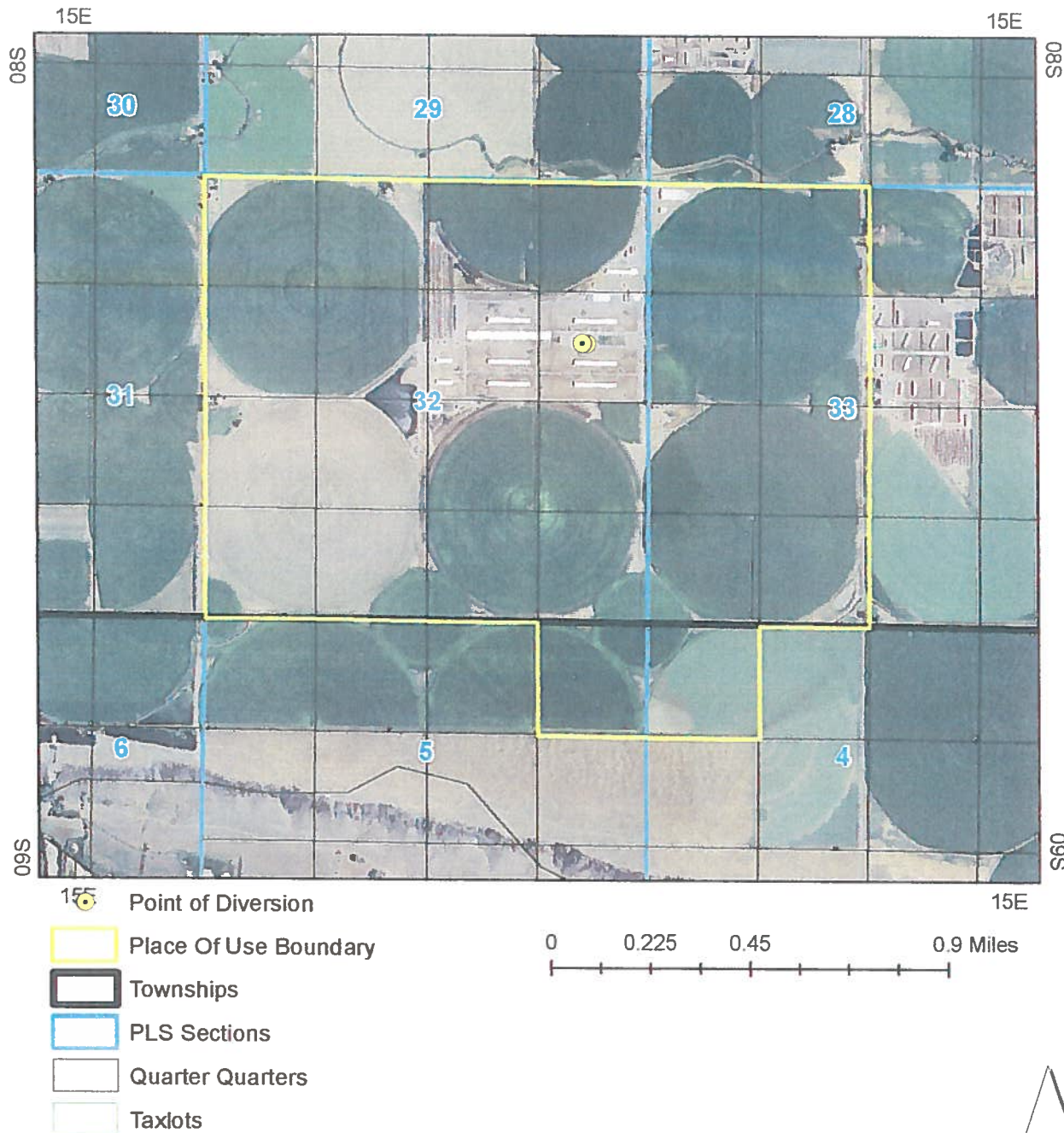


State of Idaho
Department of Water Resources

Water Right
36-2113D

COMMERCIAL

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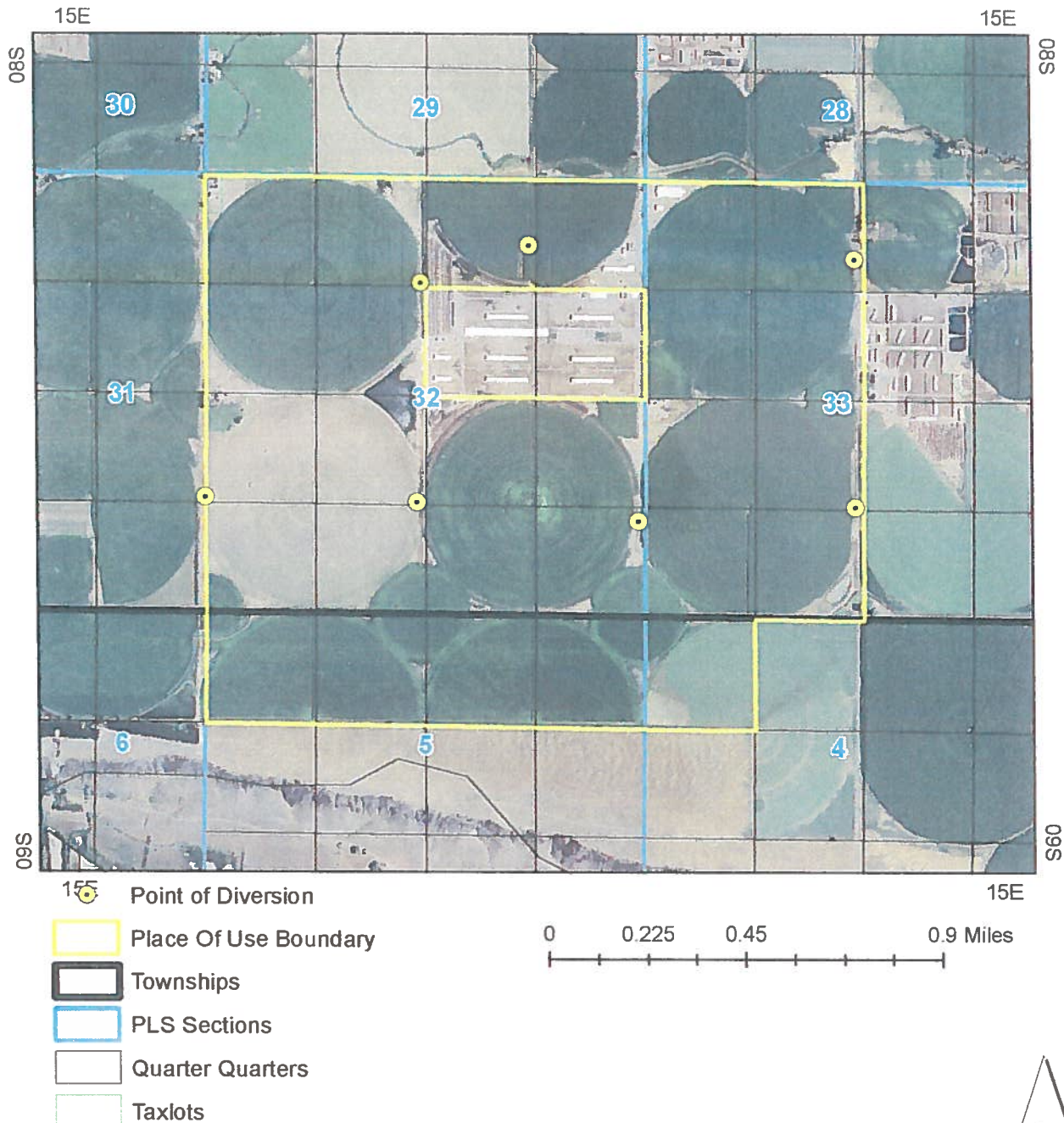


State of Idaho
Department of Water Resources

Water Right 36-2087K

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

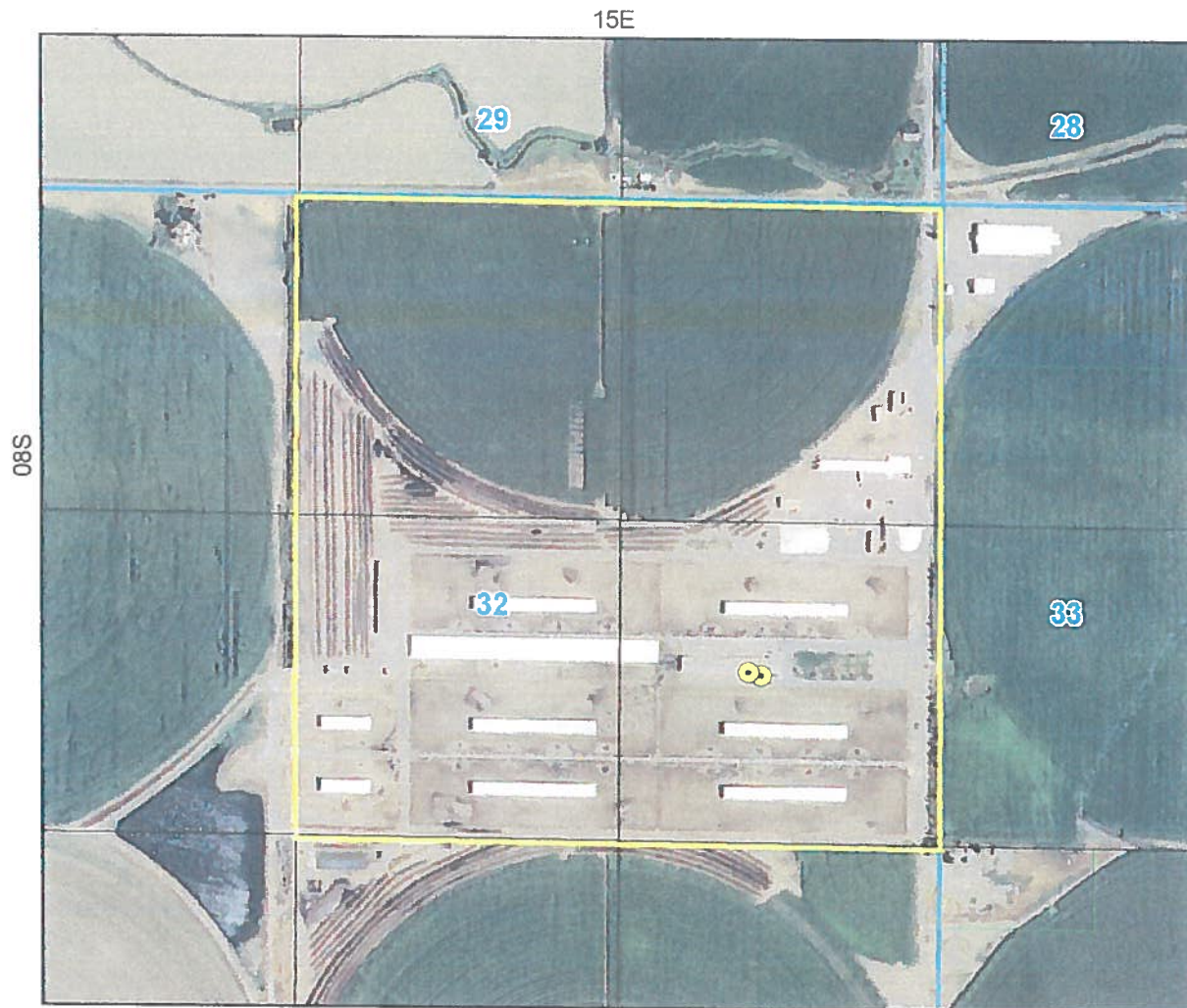


State of Idaho
Department of Water Resources

Water Right
36-2087D

STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Taxlots

0 0.075 0.15 0.3 Miles

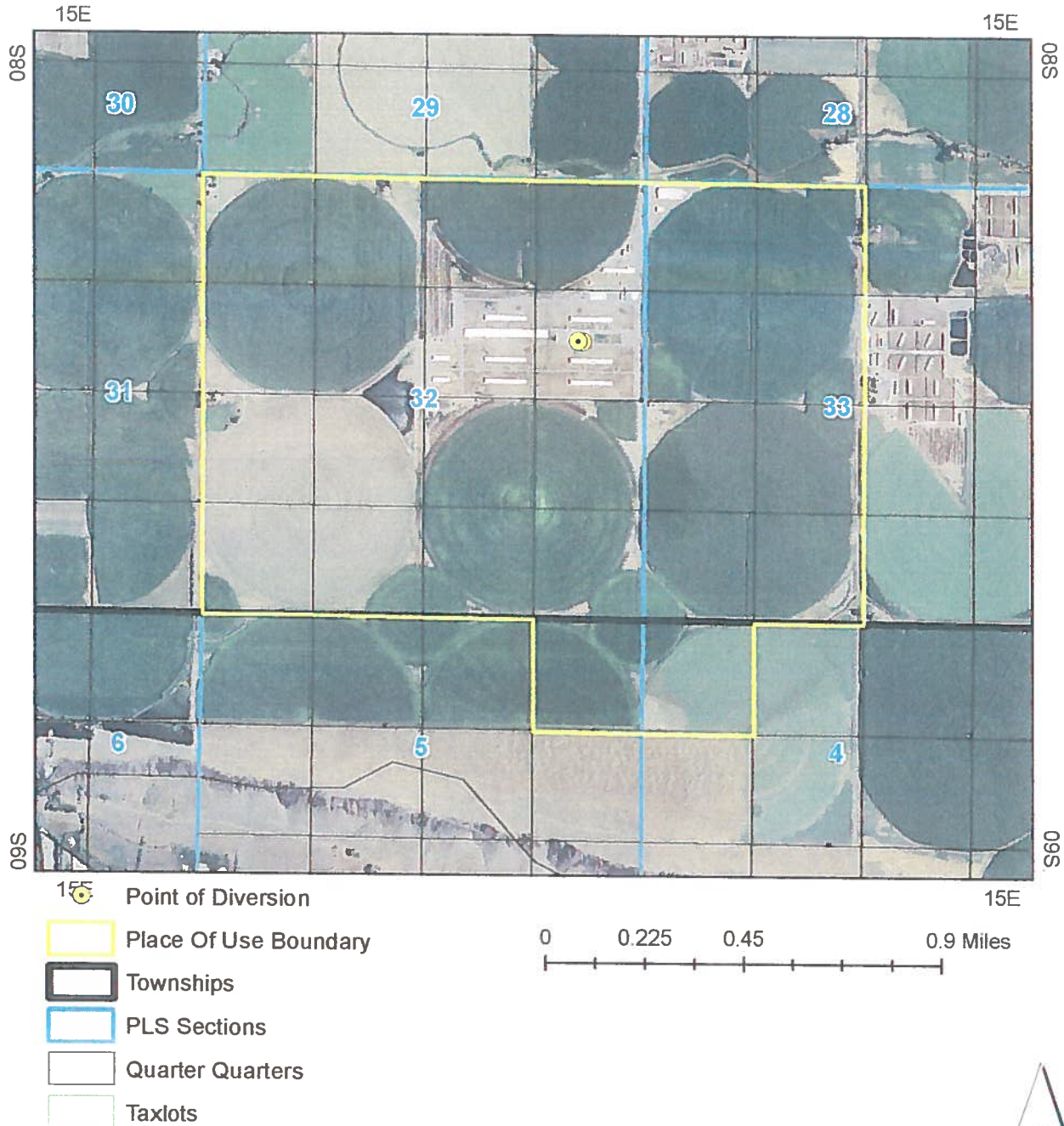


State of Idaho
Department of Water Resources

Water Right 36-2087D

COMMERCIAL

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BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

DEC 10 2014

DEPT OF WATER RESOURCES
SOUTHERN REGION

RECEIVED

DEC 11 2014

DEPARTMENT OF
WATER RESOURCES

December 8, 2014

Mr. Allen Merritt
Idaho Department of Water Resources
650 Addison Ave. W, Ste 500
Twin Falls, ID 83301-5858

Re: Change of ownership Boer's

Dear Allen:

Enclosed are changes of ownership applications for the Boers. We are seeking to change all water right appurtenant to this location into the name of the current owners. We are also submitting to the Boise IDWR office, applications for water supply bank lease for portion of these water rights. The water rights are currently in the name of K & W Dairy the current land owners are; Adrian & Linda Boer, Kevin & Jeanna Boer, and Kenneth & Stacy Boer.

There are 15 water right listed on these forms; 36-2087K, 36-2113K, 36-2161K, 36-2289M, 36-2311K, 36-2500K, 36-2614K, 36-7307K, 36-7362K, 36-7477K, 36-7606K, 36-7779K, 36-7832K, 36-10225K, & 36-15169K. Included with these applications are the appurtenant deeds, maps, & fees.

If you have any question or need more information please call the office at (208) 736-8543.

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

Sincerely,

Amy Runser

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WASHINGTON
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TWIN FALLS,
IDAHO 83301

208•736•8543

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Enc. Applications, Check amount of \$375, Aerial Maps, & Deeds
cc: Adrian Boer