

DE ✓

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 07 2011

DEPT. 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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
37-675A	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: France, Inc.
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Big Sky Dairy, an Idaho Partnership
Name of each new owner as listed on the conveyance document
- New owner continued Name connector ☐ and ☐ or ☐ and/or
- 2395 South 1500 East
- Mailing address
- Gooding ID 83330-5247
- City State ZIP
- (208)934-9072 bigskydairy@yahoo.com
- 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: August 1, 2001
6. 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):
 - \$25 per *undivided* water right.
 - \$100 per *split* water right.
 - No fee is required for pending adjudication claims.

7. Signature: [Signature] Title, if applicable: _____ Date: 7-6-11
- Signature: _____ Title, if applicable: _____ Date: _____
- Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 7/8/11 Receipt No. 5032016 Receipt Amt. \$25.00

Approved by _____ Processed by _____ Date _____

Instrument # 191478

GOODING, GOODING, IDAHO

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

Recorded for: LAND TITLE

HELEN EDWARDS

Ex-Officio Recorder Deputy

Index to: DEED, WARRANTY

Fee: 15.00

Diane 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 SOUTH ONE-HALF OF THE SOUTHEAST 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 SOUTHEAST QUARTER; THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, AND THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST 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 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' 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 SOUTHEAST QUARTER OF THE NORTHWEST QUARTER;

Parcel No. 4:

SECTION 21: PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST 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

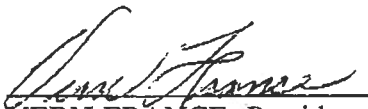
Together with 247.4 shares of stock in the Big Wood Canal Company, appurtenant thereto.

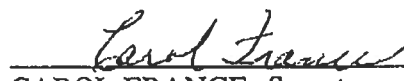
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. The said Grantors do hereby covenant to and with the said Grantees, that they are the owners of said premises; that they will warrant and defend the same from all lawful claims whatsoever, 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 $\frac{1}{4}$ SE $\frac{1}{4}$ 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

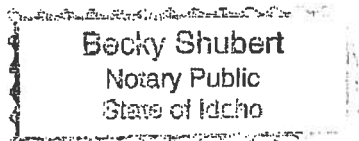
Vern France
VERN FRANCE, an individual

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.

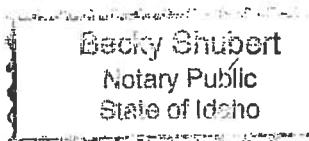


Becky Shubert
NOTARY PUBLIC for Idaho
Residing at: Wendell, ID
Commission Expires: 02-23-05

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