

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 17 2010

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?
37-59C	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>		Yes <input type="checkbox"/>
37-613	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>		Yes <input type="checkbox"/>
37-614	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>		Yes <input type="checkbox"/>
37-7591	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>		Yes <input type="checkbox"/>
37-10421	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>		Yes <input type="checkbox"/>

2. Previous Owner's Name: Richard A. Dinges

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Magic Valley Growers, LTD

Name of each new owner as listed on the conveyance document

New owner continued

Name connector

☐ and

☐ or

☐ and/or

P. O. Box 850

Mailing address

Wendell,

ID

83355

City

State

ZIP

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: 12-17-2010

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.

Magic Valley Growers, LTD.

7. Signature: [Signature]

Signature of new owner/claimant

Title, if applicable

Date

12-17-2010

Signature: _____

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by BW

Date 12-29-2010

Receipt No. 5031732

Receipt Amt. \$125

Approved by _____

Processed by _____

Date _____

SUPPORT DATA

QUITCLAIM DEED

#L-39842

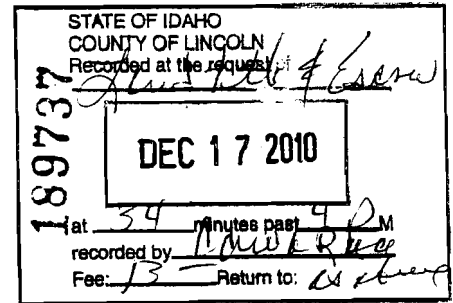
For Value Received

Richard A. Dinges and Billee Dinges, husband and wife

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

Magic Valley Growers, LTD

Whose address is: P. O. Box 850, Wendell, ID 83355



Hereinafter called the grantee, the following described premises, in **Gooding** County, Idaho to-wit:

Together with all water and water rights, ditches and ditch rights used thereon or appurtenant thereto, including but not limited to the following water rights attached to the property described herein:

Water right No. 37-59C for 130.00 inches, Water right No. 37-613 for 160.00 inches, Water right No. 37-614 for 40 inches, Water right No. 37-7591 and Water right No. 37-10421, and 135.12 inches of supplemental American Falls No. 2 water and 1 share of Big Wood Canal Company

Parcel No. 1:

TOWNSHIP 5 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

Section 29: S $\frac{1}{2}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$, EXCEPTING THEREFROM the following described tracts:

- a. Right of way of Idaho Irrigation Company for ditch, dam and borrow pits, as shown by deed recorded in Book 7 of Deeds Page 406, Lincoln County records. (Tracts I and II)
- b. Tract of land conveyed to the Board of Trustees of School District No. 2 of Lincoln County, as set forth in Deed recorded February 9, 1918 in Book 30 Deeds Page 157, Lincoln County records.
- c. Tract of land located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ described as follows:

Beginning at a point which is North 63°30' West, 1764 feet from the quarter section corner between Section 28 and 29, Township 5 South, Range 16 East, Boise Meridian;
Thence South 87°24' West, 71.6 feet;
Thence North 80°30' West, 202 feet;
Thence North 23°00' East, 194.6 feet;
Thence South 71°00' East, 235 feet;
Thence South 9°30' East, 134.7 feet to THE POINT OF BEGINNING, as set forth in Book 29 of Deeds at Page 494.

- d. Tract of land located in the S $\frac{1}{2}$ SE $\frac{1}{4}$, described as follows:

Beginning at a point on the North side of the Railroad right of way of the Oregon Short Line Railroad Company (Union Pacific), where the same intersects the section line between Sections 28 and 29, Township 5 South, Range 16 East, Boise Meridian;
Thence Southwesterly along the North boundary line of said right of way 1375 feet more or less to a point where said right of way intersects the West boundary of a public road or highway being THE TRUE POINT OF BEGINNING;
Thence Southwesterly along the North boundary line of said Railroad right of way 450 feet;

Thence in a Northerly direction at a right angle to said railroad right of way 25 feet;
Thence Northeasterly parallel with said railroad right of way 450 feet;
Thence Southeasterly 25 feet to THE TRUE POINT OF BEGINNING.

Parcel No. 2:

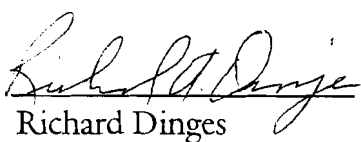
TOWNSHIP 5 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

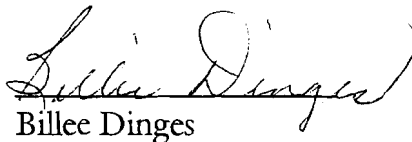
Section 32: NE $\frac{1}{4}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, EXCEPTING THEREFROM the following described tract:

Beginning at the Northwest corner of said NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence South along the West boundary of said NE $\frac{1}{4}$ NW $\frac{1}{4}$, 466.3 feet;
Thence East 38.2 feet;
Thence South 85° 14' East, 457.5 feet;
Thence North 19° 23' West, 297.2 feet;
Thence North 7° 41' West, 225 feet more or less to the North boundary of said Section 32;
Thence West along latter North boundary 364.2 feet more or less to THE TRUE POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

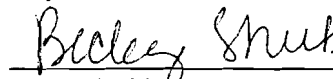
Dated: December 14, 2010

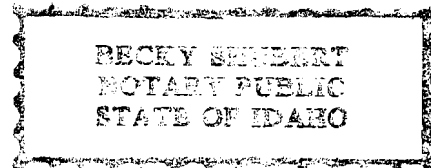

Richard Dinges


Billee Dinges

STATE OF IDAHO)
) ss.
COUNTY OF Jerome)

On this 17th day of December, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared Richard Dinges and Billee Dinges, 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: Jerome ID
My Commission expires: 02-23-2011



WARRANTY DEED

#L-39842

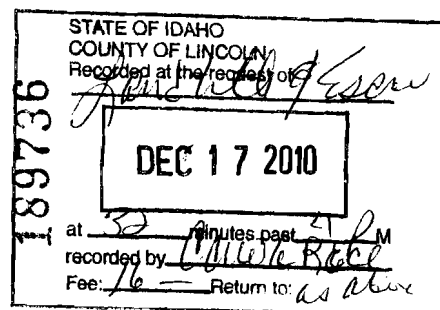
For Value Received

Richard A. Dinges and Billee Dinges, husband and wife

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

Magic Valley Growers, LTD

Address: P. O. Box 850, Wendell, ID 83355-0850



Hereinafter called the Grantee, the following described premises situated in **Lincoln** County, Idaho, to-wit:

Parcel No. 1:

TOWNSHIP 5 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

Section 29: S $\frac{1}{2}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$, EXCEPTING THEREFROM the following described tracts:

- a. Right of way of Idaho Irrigation Company for ditch, dam and borrow pits, as shown by deed recorded in Book 7 of Deeds Page 406, Lincoln County records. (Tracts I and II)
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- c. Tract of land located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ described as follows:

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Thence South 87°24' West, 71.6 feet;
Thence North 80°30' West, 202 feet;
Thence North 23°00' East, 194.6 feet;
Thence South 71°00' East, 235 feet;
Thence South 9°30' East, 134.7 feet to THE POINT OF BEGINNING, as set forth in Book 29 of Deeds at Page 494.

- d. Tract of land located in the S $\frac{1}{2}$ SE $\frac{1}{4}$, described as follows:

Beginning at a point on the North side of the Railroad right of way of the Oregon Short Line Railroad Company (Union Pacific), where the same intersects the section line between Sections 28 and 29, Township 5 South, Range 16 East, Boise Meridian;
Thence Southwesterly along the North boundary line of said right of way 1375 feet more or less to a point where said right of way intersects the West boundary of a public road or highway being THE TRUE POINT OF BEGINNING;
Thence Southwesterly along the North boundary line of said Railroad right of way 450 feet;
Thence in a Northerly direction at a right angle to said railroad right of way 25 feet;
Thence Northeasterly parallel with said railroad right of way 450 feet;
Thence Southeasterly 25 feet to THE TRUE POINT OF BEGINNING.

Parcel No. 2:

TOWNSHIP 5 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

Section 32: NE $\frac{1}{4}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, EXCEPTING THEREFROM the following described tract:

Beginning at the Northwest corner of said NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence South along the West boundary of said NE $\frac{1}{4}$ NW $\frac{1}{4}$, 466.3 feet;
Thence East 38.2 feet;
Thence South 85°14' East, 457.5 feet;
Thence North 19°23' West, 297.2 feet;
Thence North 7°41' West, 225 feet more or less to the North boundary of said Section 32;
Thence West along latter North boundary 364.2 feet more or less to THE TRUE POINT OF BEGINNING.

SUBJECT TO:

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

Taxes subsequent to the year 2010, a lien, but not yet due and payable.

Assessments of the American Falls Reservoir District No. 2 and the rights and powers of said District as by law provided.

Assessments of the Big Wood Canal Company and the rights and powers of said Company as by law provided.

Assessments of the Little Wood River Company and the rights and powers of said Company as by law provided.

Right of way for canals, laterals and waste ditches of Big Wood Canal Company.

Right of way as disclosed in Warranty Deed given by C. A. Smith, unmarried, Douglas E. Hitchcock and May S. Hitchcock, parties of the first part, and Shoshone Highway District, party of the second part, dated October 26, 1918, recorded June 23, 1919 in Book 29, Page 494 as Instrument Number 51492, Lincoln County records.

Right of ways as disclosed in Corporation Special Warranty Deed given by Equitable Savings and Loan Association, an Oregon Corporation, to Portland Mortgage Co., an Oregon Corporation, and its successors and assigns, dated May 28, 1931, recorded June 6, 1932 in Book 37 Page 155 as Instrument Number 68688, Lincoln County records.

Right of Way Easement in favor of The American Telephone and Telegraph Company of Wyoming, dated August 13 1941, recorded October 14, 1941 in Book 5 Page 159, as Instrument Number 81264, Lincoln County records, affecting NE¼NW¼ of Section 32, Township 5 South, Range 16 East, Boise Meridian. (Tract II)

Right of Way Easement in favor of The American Telephone and Telegraph Company of Wyoming, dated September 1, 1941, recorded January 5, 1942 in Book 5 Page 177, as Instrument Number 81612, Lincoln County records, affecting Section 32, Township 5 South, Range 16 East, Boise Meridian. (Tract II)

Right of Way Easement in favor of The Mountain States Telephone and Telegraph Co., dated December 8, 1941, recorded May 22, 1942 in Book 5 Page 201, as Instrument Number 82447, Lincoln County records, affecting the S½SE¼ and SE½SW¼ of Section 29, Township 5 South, Range 16 East, Boise Meridian.

Power Line Easement in favor of Idaho Power Company, a corporation, dated December 3, 1947, recorded April 16, 1948 in Book 5 Page 296 as Instrument Number 91677, Lincoln County records, affecting SE¼ of Section 29, Township 5 South, Range 16 East, Boise Meridian.

Power Line Easement in favor of Idaho Power Company, a corporation, dated March 23, 1949, recorded April 30, 1949 in Book 5 Page 337 as Instrument Number 93346, Lincoln County records, affecting the NE¼NW¼ of Section 32, Township 5 South, Range 16 East, Boise Meridian.

Terms and conditions of Contract between Oregon Short Line Railroad Company, Union Pacific Railroad Company, parties of the first part, and C. C. Metts, an individual, party of the second part, dated February 28, 1951, recorded July 6, 1951 in Book 5 Page 397 as Instrument Number 96769, Lincoln County records.

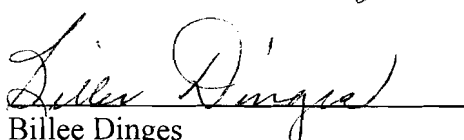
Terms and conditions of Contract between Oregon Short Line Railroad Company, Union Pacific Railroad Company, parties of the first part, and Elton Eslinger, an individual, party of the second part, dated February 2, 1967, recorded March 25, 1968 as Instrument Number 120933, Lincoln County records.

Terms and conditions of Agreement by and between Elton Eslinger and Enid Eslinger, husband and wife, Owners, and the Gooding Highway District, District, dated April 11, 1966, recorded June 24, 1970 as Instrument Number 123545, Lincoln County records, affecting the SW¼NE¼ of Section 29, Township 5 South, Range 16 East, Boise Meridian.

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 17, 2010


Richard A. Dinges


Billee Dinges

STATE OF IDAHO)
) ss.
COUNTY OF Jerome)

On this 17th day of **December, 2010**, before me, the undersigned, a Notary Public in and for said State, personally appeared **Richard A. Dinges and Billee Dinges**, 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.

Becky Schubert
Notary Public
Residing at: Jerome ID
My Commission expires: 02-23-2011

