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MAR 17 2010  
DEPT. OF WATER RESOURCES  
SOUTHERN REGION

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

| Water Right No(s) | Adjudication Claim No(s) | Split(s) | Water Right No(s) | Adjudication Claim No(s) | Split(s) |
|-------------------|--------------------------|----------|-------------------|--------------------------|----------|
| 36-2557           |                          |          |                   |                          |          |
| 36-16199          |                          |          |                   |                          |          |
| 36-2074A          |                          |          |                   |                          |          |
| 36-7015B          |                          |          |                   |                          |          |
| WR 36-25168       |                          |          |                   |                          |          |

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):  
**PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) **JAMES SCHAEFFER AND DIANNE SCHAEFFER  
DAN SCHAEFFER AND TAMERA SCHAEFFER**

4. New Owner/Claimant(s) **IDAHO SUPREME POTATOES**  
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address **614 EAST 800 NORTH**

City, State and ZIP Code **FIRTH, IDAHO 83236**

New Telephone Number **(208) 346-6841** Email: \_\_\_\_\_

5. Date you acquired the property \_\_\_\_\_
6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right will not be split, skip this area and proceed to line 7) |                                                                            |                                                              |
|----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Use                                                                                                            | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| <b>Totals</b>                                                                                                        |                                                                            |                                                              |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| <b>Totals</b>                                                                                                        |                                                                            |                                                              |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| <b>Totals</b>                                                                                                        |                                                                            |                                                              |

*For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.*

7. ☒ Signature(s) of New Owner(s) or Claimant(s) Fedako Supreme Potatoes Inc. by Will H. Ferguson Pres.  
(title if applicable)
- \_\_\_\_\_  
(title if applicable)

**IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.**

**For IDWR Office Use Only:**

Received by JPB  
 Received by JPB  
 Processed by \_\_\_\_\_ AJ

Date 3-12-10  
 Date 3-12-10  
 Date \_\_\_\_\_

Receipt Amt. \$100.00 275. -  
 Receipt No. EC3643  
 WR \_\_\_\_\_ Date \_\_\_\_\_

only 4 listed - \$100 - (5 Security Interest)

# WARRANTY DEED

#23337

For Value Received

**James Schaeffer, also known as James K. Schaeffer and Dianne Schaeffer, also known as Dianne Rae Schaeffer, and Diane N. Schaeffer, husband and wife  
Dan Schaeffer and Tamera Schaeffer, husband and wife and  
Roger Schaeffer, a married man contracting with his sole and separate property**

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

**IDAHO SUPREME POTATOES, INC., an Idaho Corporation,  
Address: 614 EAST 800 NORTH, FIRTH, ID. 83236**

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

**PARCEL NO. 1:**

**TOWNSHIP 8 SOUTH, RANGE 22 EAST, BOISE MERIDIAN,  
MINIDOKA COUNTY, IDAHO**

**SECTION 28: N½, EXCEPTING THEREFROM the following described tract:**

Beginning at the Southwest corner of said N½ of said Section 28;  
Thence East along the South boundary of said N½ a distance of 320 feet;  
Thence North parallel with the West boundary of said N½ a distance of 320 feet;  
Thence West parallel with the South boundary of said N½ a distance of 320 feet to the West boundary of said N½;  
Thence South along the West boundary of said N½ a distance of 320 feet to the POINT OF BEGINNING.

**PARCEL NO. 2:**

**TOWNSHIP 8 SOUTH, RANGE 22 EAST, BOISE MERIDIAN,  
MINIDOKA COUNTY, IDAHO**

**SECTION 29: N½S½.**

**PARCEL NO. 3:**

**TOWNSHIP 8 SOUTH, RANGE 22 EAST, BOISE MERIDIAN,  
MINIDOKA COUNTY, IDAHO**

**SECTION 29: S½S½.**

**Certified To Be True And Exact  
Copy Of The Original Document  
Land Title & Escrow, Inc.**

By: A. Rementeis

**PARCEL NO. 4:**

**TOWNSHIP 8 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,  
MINIDOKA COUNTY, IDAHO**

**SECTION 30: SE¼**

**TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto**

**SUBJECT TO:**

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

**Taxes for 2010 and subsequent years, a lien, but not yet due or payable.**

**Assessments levied or to be levied by Magic Valley Groundwater District, if any.**

**A Telephone Line Easement, dated June 13, 1958, executed by Frank McFarland, to Project Mutual Telephone Cooperative Association, Inc., a corporation, recorded June 16, 1958 in Book 36 of Deeds, Page 331, Minidoka County records, granting a right of way and easement for the erection and continued maintenance of telephone communication lines and other equipment over, on and across the following location in Minidoka County, Idaho: S½ in Section 29, Township 8 South, Range 22 East, Boise Meridian, (6 poles 1 anchor and guy); together with all rights of ingress and egress. (Parcel Nos. 2, 3)**

**Instrument # 506597**

**MINIDOKA COUNTY, RUPERT, IDAHO  
2-25-2010 02:46:32 No. of Pages: 3  
Recorded for : RUPERT LAND TITLE  
DUANE SMITH Fee: 9.00  
Ex-Officio Recorder Deputy**

X Watson

**A Power Line Easement, dated April 18, 1958, executed by Frank McFarland and Dorothy McFarland, husband and wife, to Idaho Power company a corporation, recorded October 13, 1958 in Book 36 of Deeds, Page 389, Minidoka County records, granting a right of way and easement for the erection and continued maintenance of electrical transmission lines and other equipment over, on and across the following location in Minidoka County, Idaho: E½SW¼ and W½SE¼ of Section 29, Township 8 South, Range 22 East, Boise Meridian; together with all rights of ingress and egress. (Parcel Nos. 2, 3)**

**A Power Line Easement, dated October 25, 1962, executed by George Brandon and Fern Brandon, his wife, to Idaho Power Company, a corporation, recorded March 18, 1963 as Document No. 163641, Minidoka County records, granting a right of way and easement for the erection and continued maintenance of electrical transmission lines and other equipment over the herein described real property, together with all rights of ingress and egress. (Parcel No. 1)**

**A Power Line Easement, dated August 13, 1965, executed by George Brandon and Fern Brandon, his wife, to Idaho Power Company, a corporation, recorded March 3, 1966 as Document No. 182719, Minidoka County records, granting a right of way and easement for the erection and continued maintenance of electrical transmission lines and other equipment over the herein described real property, together with all rights of ingress and egress. (Parcel No. 1)**

**Easement for Construction and Maintenance of Highway from George Brandon and Fern Brandon, husband and wife, to the Minidoka County Highway District, dated July 30, 1966 and recorded August 4, 1966 as Document No. 185602, Minidoka County records, over and across a strip of ground in the NW¼ of Section 28, Township 8 South, Range 22 East, Boise Meridian. (Parcel No. 1)**

**A Power Line Easement, dated March 10, 1970, executed by Mac J. Brandon and Janice I. Brandon, and Fern Brandon and George B. Brandon, to Idaho Power Company, recorded April 6, 1970 as Document No. 208865, Minidoka County records, granting a right of way and easement for the erection and continued maintenance of electrical transmission lines and other equipment over the herein described real property, together with all rights of ingress and egress. (Parcel No. 1)**

**A Power Line Easement, dated October 27, 1970, executed by Mac F. Brandon and Janice I. Brandon, his wife, and George Brandon and Fern Brandon, his wife, to Idaho Power Company, recorded November 18, 1970 as Document No. 213048, Minidoka County records, granting a right of way and easement for the erection and continued maintenance of electrical transmission lines and other equipment over the herein described real property, together with all rights of ingress and egress. (Parcel No. 1)**

**An Easement For Construction And Maintenance Of Highway, dated April 21, 1977, executed by Frank McFarland and Dorothy McFarland, husband and wife, to the Minidoka County Highway District, recorded July 7, 1977 as Document No. 272464, Minidoka County records, granting a right of way and easement for the construction and continued operation, maintenance and repair of a highway by, over, on and across the following location in Minidoka County, Idaho: Beginning at the Southwest corner of Section 29, Township 8 South, Range 22 East, Boise Meridian; Thence North 2,640 feet; Thence East 30 feet; Thence South 2,640 feet; Thence West 30 feet to the Point of Beginning; together with all rights of ingress and egress. (Parcel Nos. 2, 3, 4)**

**A Power Line Easement, dated January 23, 1980, executed by W. Lee Bennett and Patricia A. Bennett, his wife, to Idaho Power Company, a corporation, recorded July 7, 1980 as Document No. 305109, Minidoka County records, granting a right of way and easement for the erection and continued maintenance of electrical transmission lines and other equipment over, on and across the following location in Minidoka County, Idaho: A parcel of land in the NE¼SW¼, Section 29, Township 8 South, Range 22 East, Boise Meridian, Minidoka County, Idaho, more particularly described as follows: A 10.0 foot strip of land being 5.0 feet on each side of the following described survey line: Commencing at the South ¼ corner of said Section 29 and running thence West along the South boundary of said Section 29 for 330 feet; Thence North and parallel with the East boundary of the SE¼SW¼, Section 29 for 1290 feet to the REAL POINT OF BEGINNING; Thence North 12°15' East for 500 feet; Thence North 12°27' West for 440 feet more or less to the point of terminus; together with all rights of ingress and egress. (Parcel Nos. 2, 3)**

**A Power Line Easement, dated August 29, 2005, executed by James Schaeffer and Dianne Schaeffer, his wife, to Idaho Power Company, a corporation, recorded September 9, 2005 as Document No. 480183, Minidoka County records, granting a right of way and easement for the erection and continued maintenance of electrical transmission lines and other equipment over the herein described real property, together with all rights of ingress and egress.**

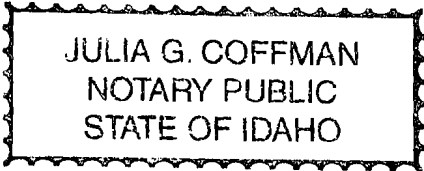
TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: February 23, 2010

James Schaeffer  
James Schaeffer  
Dianne Schaeffer  
Dianne Schaeffer  
Dan Schaeffer  
Dan Schaeffer  
Tamera Schaeffer  
Tamera Schaeffer  
R. Schaeffer  
Roger Schaeffer

STATE OF IDAHO )  
 ) ss.  
COUNTY OF MINIDOKA )

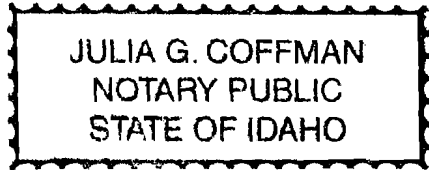
On this 23<sup>rd</sup> day of February, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared James Schaeffer and Dianne Schaeffer, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Julia G. Coffman  
Notary Public  
Residing at: RUPERT, ID.  
My Commission expires: 6-20-2014

STATE OF IDAHO )  
 ) ss.  
COUNTY OF MINIDOKA )

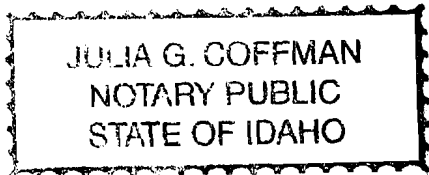
On this 23<sup>rd</sup> day of February, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared Dan Schaeffer and Tamera Schaeffer, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Julia G. Coffman  
Notary Public  
Residing at: RUPERT, ID.  
My Commission expires: 6-20-2014

STATE OF IDAHO )  
 ) ss.  
COUNTY OF MINIDOKA )

On this 23<sup>rd</sup> day of February, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared Roger Schaeffer, 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.



Julia G. Coffman  
Notary Public  
Residing at: RUPERT, ID.  
My Commission expires: 6-20-2014