

RECEIVED

APR 17 2009

DEPARTMENT OF  
WATER RESOURCES

\$290.9

Transfer No. 75432

Receipt No. 088499

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1**

**1. Applicant Information** FOSTER FAMILY FARMS INC  
3018 W 1700 S  
ABERDEEN ID 83210  
(208)397-5232

Will this transfer result in an ownership change? X Yes        No

**2. Current Water Right****Part 2 Attached for Each Right**

|          | Origin/Basis      | Rate | Volume | Acre Limit | Total Acres | Source       |
|----------|-------------------|------|--------|------------|-------------|--------------|
| 35-7837C | WR/License        | 2.59 | 600.0  |            | 150.0       | GROUND WATER |
| 35-8370B | WR/License        | 1.44 | 448.0  | 112.0      | 192.0       | GROUND WATER |
| 35-13263 | WR/Beneficial Use | 0.36 |        |            | 338.0       | GROUND WATER |

**3. Purpose of Transfer (Change Proposed)****Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

| Right    | Split | POD | POU | Add POD | Period of Use | Nature of Use |
|----------|-------|-----|-----|---------|---------------|---------------|
| 35-7837C | NO    | NO  | YES | NO      | NO            | NO            |
| 35-8370B | YES   | NO  | YES | NO      | NO            | NO            |
| 35-13263 | NO    | YES | YES | NO      | NO            | NO            |

**Describe the reason for the proposed changes**

Applicant has recently purchased water right # 35-13263 and would like to adjust the POD to reflect actual use. Applicant also proposes to combine the POU for all water rights involved.

**4. FOR CHANGES IN NATURE OF USE ONLY**

**A. Describe the expected quantity of the return flows and location of discharge after the proposed change**

**B. Describe the effects on other water uses resulting from the proposed change**

**5. Total Amounts Transferred**

|              | Rate            | Acre Limit   | Total Acres  | Volume          |
|--------------|-----------------|--------------|--------------|-----------------|
| 35-7837C     | 2.59 cfs        | 150.0        | 244.0        | 600.0 af        |
| 35-13890     | 0.93 cfs        | 72.0         | 244.0        | 288.0 af        |
| 35-13263     | 0.36 cfs        | 22.0         | 244.0        | 88.0 af         |
| <b>TOTAL</b> | <b>3.88 cfs</b> | <b>244.0</b> | <b>244.0</b> | <b>976.0 af</b> |

RECEIVED

APR 22 2009

Department of Water Resources  
Eastern Region

75432

Transfer No. 75432

Receipt No. \_\_\_\_\_

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 1**

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Marc Foster

(Signature of Applicant)

Sec/Tres

(Title or Office)

Transfer No. 75432

Receipt No. \_\_\_\_\_

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2**

**Current Water Right No.** 35-7837C

Priority Date: February 16, 1979

Origin: Water Right

Basis: License

Status: Active

**Source:** GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-----------------------|-----------------------|---------------|--------------------|
| IRRIGATION            | 4/01 10/31            | 2.59 CFS              | 600.0 AFA     |                    |
|                       | Total Diversion       | 2.59 CFS              | 600.0 AFA     |                    |

Source and Point(s) of Diversion:

GROUND WATER                      NWNWNE                      Sec. 8   Twp 06S   Rge 30E   BINGHAM County

**PLACE OF USE:**    IRRIGATION

| Twp Rge Sec | NE |      |    |    | NW   |      |      |      | SW |    |    |    | SE |    |    |    | Totals |
|-------------|----|------|----|----|------|------|------|------|----|----|----|----|----|----|----|----|--------|
|             | NE | NW   | SW | SE | NE   | NW   | SW   | SE   | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 06S 30E 8   |    | 26.0 |    |    | 31.0 | 31.0 | 31.0 | 31.0 |    |    |    |    |    |    |    |    | 150.0  |

Total Acres: 150

Conditions/Remarks:

1. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.
3. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Page 4

Documentation of Ownership of the Current Place of Use  
Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?  
YES

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

The POU for several water rights will be permissible.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?  
NO

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2**

**Current Water Right No.** 35-8370B

Priority Date: April 29, 1985  
Origin: Water Right  
Basis: License  
Status: Active

**Source:** GROUND WATER

| <u>Beneficial Use</u> | <u>From To</u>  | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-----------------|-----------------------|---------------|--------------------|
| IRRIGATION            | 4/01 10/31      | 1.44 CFS              | 448.0 AFA     |                    |
|                       | Total Diversion | 1.44 CFS              | 448.0 AFA     |                    |

Source and Point(s) of Diversion:

GROUND WATER                      SWSE                      Sec. 5 Twp 06S Rge 30E BINGHAM County

GROUND WATER                      NWNE                      Sec. 8 Twp 06S Rge 30E BINGHAM County

**PLACE OF USE:** IRRIGATION

| Twp | Rge | Sec | NE   |     |      |     | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |      |      |      |       |
|-----|-----|-----|------|-----|------|-----|----|----|----|----|----|----|----|----|----|----|----|----|--------|------|------|------|-------|
|     |     |     | NE   | NW  | SW   | SE  | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |      |      |      |       |
| 06S | 30E | 5   |      |     |      |     |    |    |    |    |    |    |    |    |    |    |    |    | 30.0   | 30.0 | 30.0 | 30.0 | 120.0 |
| 06S | 30E | 8   | 30.0 | 4.0 | 30.0 | 8.0 |    |    |    |    |    |    |    |    |    |    |    |    |        |      |      |      | 72.0  |

Total Acres: 192

Conditions/Remarks:

1. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
2. The Director retains jurisdiction of the right and may change, add, or remove any requirement as determined to be appropriate.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

5. The total instantaneous diversion of water from all points of diversion under Transfer 5427 shall not exceed 2.42 cfs, nor a total combined annual volume of 768.0 af.  
Right 35-08370B is limited to the irrigation of 112.0 acres in the place of use described above in a single irrigation season.  
Rights 35-02758B and 35-08370B when combined shall not exceed a total diversion rate of 2.42 cfs.  
All water rights within Basin 35 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
6. Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
7. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
9. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

Documentation of Ownership of the Current Place of Use  
Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?  
YES

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

The POU for three water rights will be permissible.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?  
NO

Transfer No. 75432

Receipt No. \_\_\_\_\_

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 2**

**Current Water Right No.** 35-13263

Priority Date: June 01, 1981

Origin: Water Right

Basis: Decreed

Status: Active

**Source:** GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-----------------------|-----------------------|---------------|--------------------|
| IRRIGATION            | 4/01 10/31            | 0.36 CFS              |               |                    |
|                       | Total Diversion       | 0.36 CFS              |               |                    |

Source and Point(s) of Diversion:

GROUND WATER      SWSW      Sec. 8 Twp 06S Rge 30E BINGHAM County

GROUND WATER      SWSE      Sec. 8 Twp 06S Rge 30E BINGHAM County

**PLACE OF USE:** IRRIGATION

| Twp | Rge | Sec | NE |    |    |      | NW |    |    |    | SW |    |    |      | SE   |      |      |      | Totals |      |      |       |
|-----|-----|-----|----|----|----|------|----|----|----|----|----|----|----|------|------|------|------|------|--------|------|------|-------|
|     |     |     | NE | NW | SW | SE   | NE | NW | SW | SE | NE | NW | SW | SE   | NE   | NW   | SW   | SE   |        |      |      |       |
| 06S | 30E | 8   |    |    |    | 22.0 |    |    |    |    |    |    |    | 40.0 | 40.0 | 39.0 | 39.0 | 40.0 | 40.0   | 39.0 | 39.0 | 338.0 |

Total Acres: 338

Conditions/Remarks:

1. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. USE OF THIS RIGHT WITH RIGHT NO. 35-07243 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.57 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1352 AF.

3. THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.
4. USE OF THIS RIGHT WITH RIGHT NO. 35-07243 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 338 ACRES IN A SINGLE IRRIGATION SEASON.
5. THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 35-07243 PURSUANT TO SECTION 42-1426, IDAHO CODE.
6. RIGHT NO. 35-07243 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.  
THIS RIGHT IS FOR AN ENLARGEMENT OF 22 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

Documentation of Ownership of the Current Place of Use  
Warranty Deed

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?  
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

The POU for three water rights will be permissible.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?  
NO

Transfer No. 75432

Receipt No. \_\_\_\_\_

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 3A**

**Proposed Water Right No.** 35-7837C

Priority Date: February 16, 1979

Origin: Water Right

Basis: Decreed

Status: Active

**Source:** GROUND WATER

| <u>Beneficial Use</u> | <u>From To</u>  | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-----------------|-----------------------|---------------|--------------------|
| IRRIGATION            | 04/01 10/31     | 2.59 CFS              | 600.0 AFA     |                    |
|                       | Total Diversion | 2.59 CFS              | 600.0 AFA     |                    |

Source and Point(s) of Diversion:

GROUND WATER      NWNWNE      Sec. 8   Twp 06S   Rge 30E   BINGHAM County

Describe the proposed diversion system**PLACE OF USE:**    IRRIGATION

| Twp Rge Sec | NE   |      |      |      | NW   |      |      |      | SW |    |    |    | SE |    |    |    | Totals |
|-------------|------|------|------|------|------|------|------|------|----|----|----|----|----|----|----|----|--------|
|             | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 06S 30E 8   | 30.0 | 30.0 | 30.0 | 30.0 | 31.0 | 31.0 | 31.0 | 31.0 |    |    |    |    |    |    |    |    | 244.0  |

Total Acres: 244

Transfer No. 75432

Receipt No. \_\_\_\_\_

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 3A**

**Proposed Water Right No.** 35-13890

Priority Date: April 29, 1985

Origin:

Basis: License

Status: Pending  
Transfer**Source:** GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-----------------------|-----------------------|---------------|--------------------|
| IRRIGATION            | 04/01 10/31           | 0.93 CFS              | 288.0 AFA     |                    |
|                       | Total Diversion       | 0.93 CFS              | 288.0 AFA     |                    |

Source and Point(s) of Diversion:

GROUND WATER      NWNWNE      Sec. 8   Twp 06S   Rge 30E   BINGHAM County

Describe the proposed diversion system**PLACE OF USE:**    IRRIGATION

| Twp | Rge | Sec | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE   |      |      |      | Totals |
|-----|-----|-----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|     |     |     | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   |        |
| 06S | 30E | 8   | 30.0 | 30.0 | 30.0 | 30.0 | 31.0 | 31.0 | 31.0 | 31.0 | 31.0 | 31.0 | 31.0 | 31.0 | 31.0 | 31.0 | 31.0 | 31.0 | 244.0  |

Total Acres: 244

Transfer No. 75432

Receipt No. \_\_\_\_\_

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 3A**

**Proposed Water Right No.** 35-13263

Priority Date: June 01, 1981

Origin: Water Right

Basis: License

Status: Pending  
Transfer**Source:** GROUND WATER

| <u>Beneficial Use</u> | <u>From To</u>  | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-----------------|-----------------------|---------------|--------------------|
| IRRIGATION            | 04/01 10/31     | 0.36 CFS              | 88.0 AFA      |                    |
|                       | Total Diversion | 0.36 CFS              | 88.0 AFA      |                    |

Source and Point(s) of Diversion:

GROUND WATER                      NWNWNE                      Sec. 8   Twp 06S   Rge 30E   BINGHAM County

Describe the proposed diversion system

Point of Diversion # 1 well and pump for pivot irrigation

**PLACE OF USE:**    IRRIGATION

| Twp Rge Sec | NE   |      |      |      | NW   |      |      |      | SW |    |    |    | SE |    |    |    | Totals |
|-------------|------|------|------|------|------|------|------|------|----|----|----|----|----|----|----|----|--------|
|             | NE   | NW   | SW   | SE   | NE   | NW   | SW   | SE   | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 06S 30E 8   | 30.0 | 30.0 | 30.0 | 30.0 | 31.0 | 31.0 | 31.0 | 31.0 |    |    |    |    |    |    |    |    | 244.0  |

Total Acres: 244

Transfer No. 75432

Receipt No. \_\_\_\_\_

**IDAHO DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 3B**

PORTION OF RIGHT No. 35-8370B Left Behind

Priority Date: April 29, 1985

Origin:

Basis: License

Status: Pending  
Transfer**Source:** GROUND WATER

| <u>Beneficial Use</u> | <u>From To</u>  | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-----------------|-----------------------|---------------|--------------------|
| IRRIGATION            | 04/01 10/31     | 0.51 CFS              | 160.0 AFA     |                    |
|                       | Total Diversion | 0.51 CFS              | 160.0 AFA     |                    |

Source and Point(s) of Diversion:

GROUND WATER SWSE Sec. 5 Twp 06S Rge 30E BINGHAM County

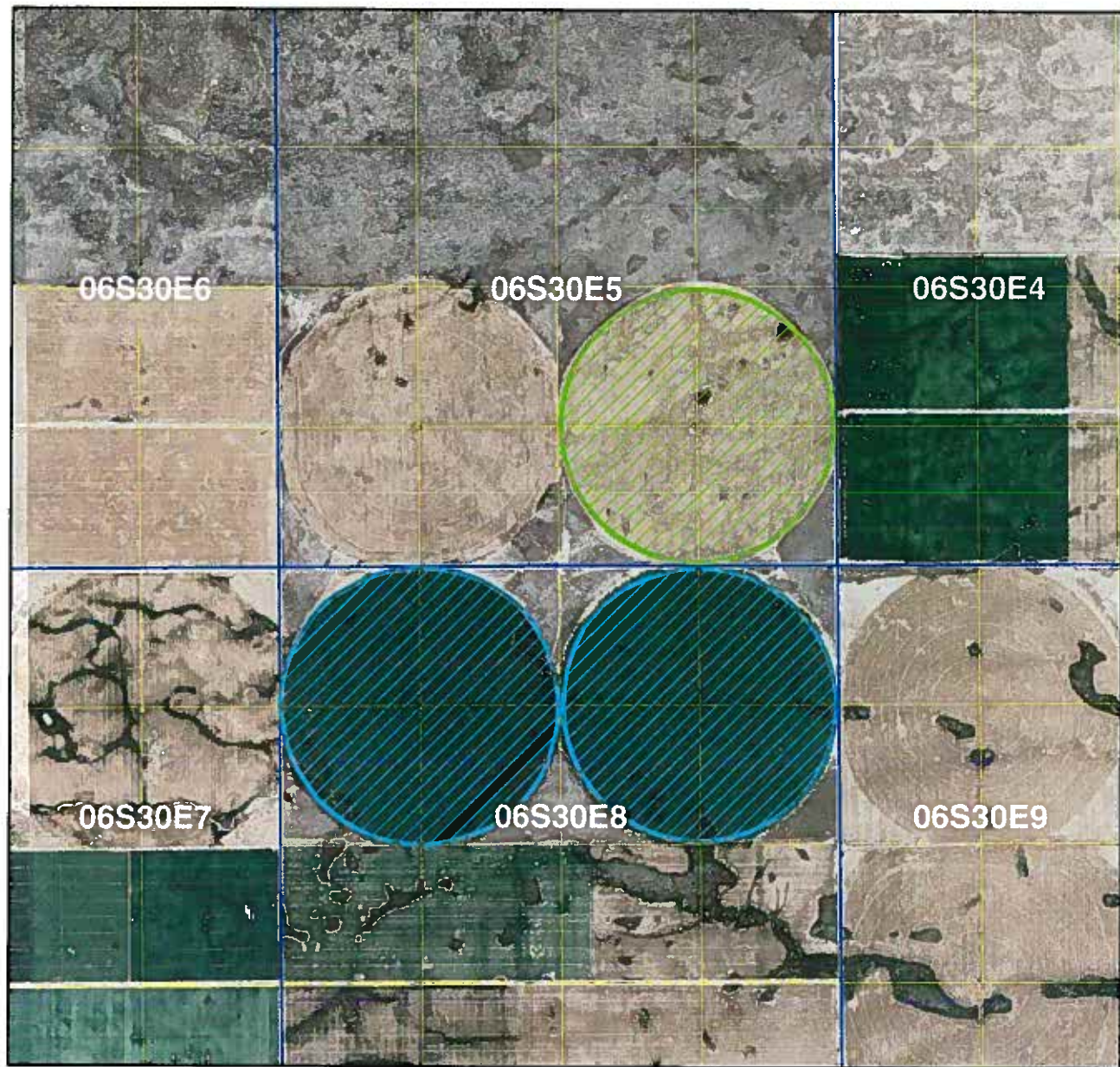
GROUND WATER NWNE Sec. 8 Twp 06S Rge 30E BINGHAM County

**PLACE OF USE:** IRRIGATION

| Twp Rge Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE   |      |      |      | Totals |
|-------------|----|----|----|----|----|----|----|----|----|----|----|----|------|------|------|------|--------|
|             | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE   | NW   | SW   | SE   |        |
| 06S 30E 5   |    |    |    |    |    |    |    |    |    |    |    |    | 30.0 | 30.0 | 30.0 | 30.0 | 120.0  |

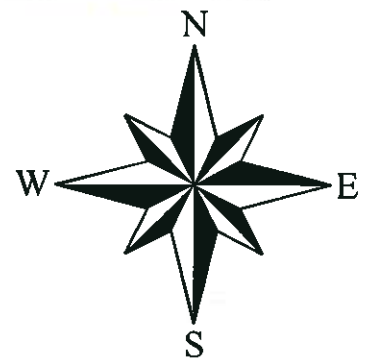
Total Acres: 120

# Proposed Water Use Transfer #75432



## Legend

-  35-13263, 35-7837 & 35-13890
-  35-13889 & 35-2758B
-  Township/Range
-  Sections
-  QQ



0 0.1 0.2 0.4 0.6 0.8 Miles

Imagery: NAIP 2006

Idaho Department of Water Resources

Map Prepared by Heather Bohac, March 3, 2009

75432

WA

# Idaho Department of Water Resources Receipt

Receipt ID: C088499

Payment Amount \$290.00 Date Received 4/17/09 12:35 Region STATE  
Payment Type Check Check Number 16955  
Payer FOSTER FARMS

Comments Application for Transfer of Water Right #'s 35-7837C, 35-8370B & 35-13263 for Foster Family Farms Inc

## Fee Details

| Amount   | Description | Fund | Fund Detail | PCA   | Subobject |
|----------|-------------|------|-------------|-------|-----------|
| \$290.00 | TRANSFERS   | 0229 | 21          | 56105 | 1155      |

SRX

Signature Line (Department Representative)

RECEIVED  
APR 22 2009  
Department of Water Resources  
Eastern Region

75432

COPY

NOTICE OF CONTRACT

Notice is hereby given that there is an Escrow Contract of Sale between Vern Inskeep and Darlene Inskeep, Trustees of the VERN AND DARLENE INSKEEP LIVING TRUST DATED AUGUST 30, 1996, who is hereinafter referred to as "Vendor"; and LAVA ROCK RANCH, an Idaho General Partnership, also of Aberdeen, Bingham County, Idaho, who are hereinafter referred to as "Purchaser", dealing with the following described real property:

TOWNSHIP 6 SOUTH, RANGE 30 EAST, BOISE MERIDIAN  
Section 5: SE $\frac{1}{4}$   
Section 8: N $\frac{1}{2}$

DATED: This 23rd day of November, 1999<sup>9 M7</sup>.

VENDOR

Vern Inskeep  
VERN INSKEEP, Trustee

Darlene Inskeep  
DARLENE INSKEEP, Trustee

PURCHASER

LAVA ROCK RANCH, an Idaho  
General Partnership

Marc B Foster  
MARC B. FOSTER, Partner

Bruce C Foster  
BRUCE C. FOSTER, Partner

STATE OF IDAHO )  
County of Power ) ss.

On this 23rd day of November, 1999, before me, a Notary Public in and for said State of Idaho, personally appeared VERN INSKEEP and DARLENE INSKEEP, known to me to be the persons whose names are subscribed to the within instrument as Trustees of the VERN AND DARLENE INSKEEP LIVING TRUST DATED APRIL 30, 1996, and acknowledged to me that they executed the same as such Trustees of the VERN AND DARLENE INSKEEP LIVING TRUST DATED APRIL 30, 1996.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

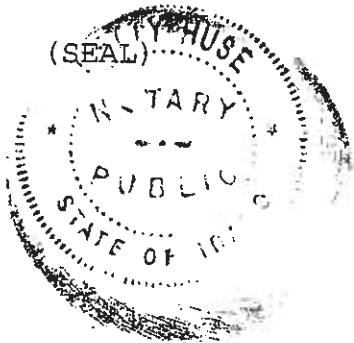
Betty Kure  
Notary Public for State of Idaho  
Residing at: American Falls  
Commission Expires: 2-12-2004



75432

STATE OF IDAHO )  
 ) ss.  
County of Power )

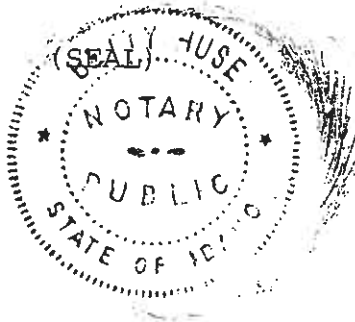
On this 29th day of November, 1999, before me, a Notary Public in and for said State of Idaho, personally appeared MARC B. FOSTER, known to me to be one of the partners in the partnership of LAVA ROCK RANCH, an Idaho General Partnership, and one of the partners who subscribed said partnership named to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.



Betty Huse  
Notary Public for State of Idaho  
Residing at: American Falls  
Commission Expires: 2-12-2004

STATE OF IDAHO )  
 ) ss.  
County of Power )

On this 26th day of November, 1999, before me, a Notary Public in and for said State of Idaho, personally appeared BRUCE C. FOSTER, known to me to be one of the partners in the partnership of LAVA ROCK RANCH, an Idaho General Partnership, and one of the partners who subscribed said partnership named to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.



Betty Huse  
Notary Public for State of Idaho  
Residing at: American Falls  
Commission Expires: 2-12-2004

LavaRock.NOT  
Foster

# FOSTER FARMS

Bruce & Marc Foster  
2084 S. 2900 W.  
Aberdeen, ID 83210

208-681-6222 Bruce 208-681-5222 Marc  
208-397-5575 Fax

## Bill Of Sales March 28, 2008

Seller: Darlene Inskeep  
P.O. Box 205  
Aberdeen, ID 83210

Buyer: Foster Family Farms, Inc.  
2084 S. 2900 W.  
Aberdeen, ID 83210

|                     |                               |
|---------------------|-------------------------------|
| Water Right No.     | 35-13263                      |
| Source:             | Ground Water                  |
| Quantity:           | .36 CFS                       |
| Priority Date:      | 06-01-1981                    |
| Point of Diversion: | T06S R30E S08 SWSW Bingham Co |
| Period of Use:      | 04-01 to 10-31                |
| Place of Use:       | T06S R30E S08 SENE 22 AGES    |
| Price:              | \$22,000.00                   |

Seller: Darlene Inskeep  
Darlene Inskeep

Date: 04-21-08

Buyer: Foster Family Farms Inc Sec 2900  
Foster Family Farms, Inc.

Date: 4-15-08

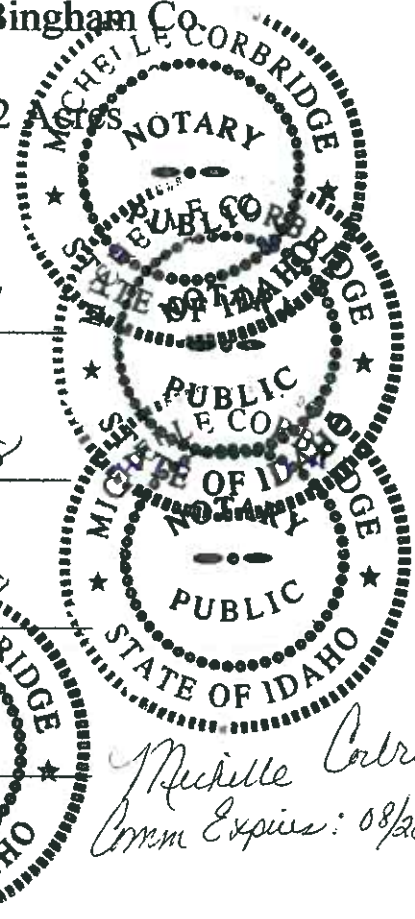
Marc Foster  
Marc Foster

Date: 4-15-08

Bruce Foster  
Bruce Foster

Date: 4-15-08

75432





# CERTIFICATE OF ORGANIZATION LIMITED LIABILITY COMPANY

(Instructions on back of application)

2009 JAN 16 AM 8:46

SECRETARY OF STATE  
STATE OF IDAHO

FILED EFFECTIVE

1. The name of the limited liability company is:

Lava Rock Ranch, LLC

2. The complete street and mailing addresses of the initial designated/principal office:

2084 S. 2900 W. Aberdeen, Idaho 83210

(Street Address)

(Mailing Address, if different than street address)

3. The name and complete street address of the registered agent:

Bruce Foster

2084 S. 2900 W. Aberdeen, Idaho 83210

(Name)

(Street Address)

4. The name and address of at least one member or manager of the limited liability company:

Name

Address

Bruce Foster

2084 S. 2900 W. Aberdeen, Idaho 83210

Marc Foster

3018 W. 1700 S. Aberdeen, Idaho 83210

5. Mailing address for future correspondence (annual report notices):

2084 S. 2900 W. Aberdeen, Idaho 83210

6. Future effective date of filing (optional):

Signature of organizer(s). (An organizer is a member, or is acting in behalf of a member or members).

Signature

*Bruce C Foster*

Typed Name:

Bruce Foster

Signature

*Marc Foster*

Typed Name:

Marc Foster

Secretary of State use only

IDAHO SECRETARY OF STATE  
01/16/2009 05:00  
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### FOSTER FAMILY FARMS INC.

3018 W 1700 S  
 ABERDEEN, ID 83210

**Type of Business:** CORPORATION, GENERAL BUSINESS

**Status:** GOODSTANDING, ANREPT SENT 01 Jul 2008

**State of Origin:** IDAHO

**Date of Origination/Authorization:** 22 Sep 1977

**Current Registered Agent:** MARC FOSTER  
 3018 W 1700 S  
 ABERDEEN, ID 83210

**Organizational ID / Filing Number:** C56523

**Number of Authorized Stock** 1  
**Shares:**

**Date of Last Annual Report:** 21 Jul 2008

#### Original Filing:

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**Filed 22 Sep 1977** INCORPORATION

#### Amendments:

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**Amendment Filed 27 Jul 1979** OTHER - R/A

**Amendment Filed 28 Feb 1994** REINSTATEMENT

**Amendment Filed 08 Mar 1995** REINSTATEMENT

#### Annual Reports:

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