

Transfer No. 73968

Name of Applicant William & Jennifer Jenkins Phone 543.2158

Post Office address 3427 N 1400 E Buhl ID 83316-6327

RECEIVED

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use

AUG 21 2007

DEPT. OF WATER RESOURCES
SOUTHERN REGION

- ☒ Change nature of use ☒ Change period of use ☐ Other

2. Describe the reason for the proposed changes Commercial and street water use.
To dig up Avenue for Cerebral pit and add water Aug to 70 tanks
Doing

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
76 18 47-16871	8/4/54	.05	Commercial/stock	01-01 to 12-31
47-16869	12/06/61	.12	Commercial/stock	01-01 to 12-31
47-16869	4/3/61	.01	Commercial/stock	01-01 to 12-31
47-14343	5/1/35	.07	stock/ ~~Commercial~~	01-01 to 12-31
47-14343	5/1/35	.04	Domestic	01-01

2. Total amount of water being transferred 19 cubic feet per second and/or 33.9 acre-feet per annum.

3. Source of water Ground water tributary to _____

- 4. Point(s) of Diversion:**

Lot	¼	¼	¼	Sec	Twp	Rge	County	Local name for diversion
		NE	SE	2	11S	14E	Twin Falls	New Well / Jantlis
								To Be Drilled
	SE ¼	NE	SE	2	11S	14E	Twin Falls	existing well

5. Lands irrigated or place of use:

[illegible]

Total Acres *11/4*

PART 1

6. General Information:

- a. Description of diversion system The water is being pumped from a well and will be pumped out at a new location to be drilled upon approval of this application
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
_____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
This land is being dried up for gravel use in Tular Falls County. The proposed change is for stock water and commercial use at the Jewks Dairy.
- d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20_____.

For the Director

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

Current Water Right No. 47-16871

Priority Date: 08/08/1954

Origin: Adjudication Recommendation

Basis: License

Status: Active

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 7/12/07
 DEPT. OF WATER RESOURCES
 SOUTHERN REGION

Source: GROUND WATER**Tributary to:**

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	1.97 CFS	865.8 AFA	
	Total Diversion	1.97 CFS	865.8 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWSW	11S 18E	32	TWIN FALLS
GROUND WATER	SWNW	11S 18E	32	TWIN FALLS
GROUND WATER	SWNE	11S 18E	31	TWIN FALLS

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE					
11S	18E	31	1.6		8.5	38.0							2.6	40.0	26.0	38.0	37.0	191.7	
11S	18E	32					39.0			7.0								46.0	

Total Acres: 237.7

Conditions/Remarks:

1. 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.
2. The right holder shall maintain a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
3. Right Nos. 47-16867, 47-16869 and 47-16871 are limited to the irrigation of a combined total of 237.7 acres in a single irrigation season.
4. The rights listed below are limited to a total combined annual diversion volume of 950.8 af.
 Combined Right Nos.: 47-16867, 47-16869, 47-16871
5. Use of this right is combined with water from Twin Falls Canal Co.

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

Transfer No. _____
Receipt No. _____

Current Water Right No. 47-16871

6. Right 47-16871 is limited to the irrigation of 216.3 acres within the place of use described above in a single irrigation season.
7. The rights listed below are limited to a total combined diversion rate of 4.34 cfs. Combined Right Nos.: 47-16867, 47-16869, 47-16871
8. 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.

Documentation of Ownership of the Current Place of Use

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

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

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

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

Current Water Right No. 47-16869

Priority Date: 11/06/1961

Origin: Adjudication Recommendation

Basis: License

Status: Active

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SOUTHERN REGION

Source: GROUND WATER

Tributary to:

Beneficial Use	From To	Diversion Rate	Volume	Subuse Code
IRRIGATION	03/15 11/15	4.34 CFS	948.8 AFA	
Total Diversion		4.34 CFS	948.8 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWNE 11S 18E 31 TWIN FALLS

GROUND WATER SWSW 11S 18E 32 TWIN FALLS

GROUND WATER SWNW 11S 18E 32 TWIN FALLS

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
11S 18E 31	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	191.7
	1.6		8.5	38.0					2.6				40.0	26.0	38.0	37.0	
11S 18E 32							39.0			7.0							46.0

Total Acres: 237.7

Conditions/Remarks:

- Right 47-16869 is limited to the irrigation of 237 acres within the place of use described above in a single irrigation season.
- Use of this right is combined with water from Twin Falls Canal Co.
- 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.
- The rights listed below are limited to a total combined annual diversion volume of 950.8 af.
Combined Right Nos.: 47-16867, 47-16869, 47-16871
- 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.

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

Current Water Right No. 47-16869

6. The right holder shall maintain a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. Right Nos. 47-16867, 47-16869 and 47-16871 are limited to the irrigation of a combined total of 237.7 acres in a single irrigation season.
8. The rights listed below are limited to a total combined diversion rate of 4.34 cfs. Combined Right Nos.: 47-16867, 47-16869, 47-16871

Documentation of Ownership of the Current Place of Use

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

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

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

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

Transfer No. _____
 Receipt No. _____

Current Water Right No. 47-16867

Priority Date: 04/03/1961

Origin: Adjudication Recommendation

Basis: License

Status: Active

Source: GROUND WATER

Tributary to:

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.31 CFS	154.7 AFA	
Total Diversion		0.31 CFS	154.7 AFA	

Source and Point(s) of Diversion:

GROUND WATER	SWNE	11S	18E	31	TWIN FALLS
GROUND WATER	SWNW	11S	18E	32	TWIN FALLS
GROUND WATER	SWSW	11S	18E	32	TWIN FALLS

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	
11S 18E 31	1.6		8.5	38.0								2.6	40.0	26.0	38.0	37.0	191.7
11S 18E 32							39.0				7.0						46.0

Total Acres: 237.7

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. Right 47-16867 is limited to the irrigation of 109.3 acres within the place of use described above in a single irrigation season.
3. The rights listed below are limited to a total combined annual diversion volume of 950.8 af.
Combined Right Nos.: 47-16867, 47-16869, 47-16871
4. Right Nos. 47-16867, 47-16869 and 47-16871 are limited to the irrigation of a combined total of 237.7 acres in a single irrigation season.
5. Use of this right is combined with water from Twin Falls Canal Co.

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 SOUTHERN REGION

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

Transfer No. _____

Receipt No. _____

Current Water Right No. 47-16867

6. 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.
7. The rights listed below are limited to a total combined diversion rate of 4.34 cfs.
Combined Right Nos.: 47-16867, 47-16869, 47-16871
8. The right holder shall maintain a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Documentation of Ownership of the Current Place of Use

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

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

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

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

Transfer No. _____
Receipt No. _____

Current Water Right No. 47-14343

Priority Date: 05/01/1935
Origin: Water Right
Basis: Decreed
Status: Active

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SOUTHERN REGION

Source: GROUND WATER

Tributary to:

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	1/01	12/31	0.07 CFS		
DOMESTIC	1/01	12/31	0.04 CFS		
Total Diversion			0.07 CFS		

Source and Point(s) of Diversion:

GROUND WATER SENESE 11S 14E 2 TWIN FALLS

PLACE OF USE: STOCKWATER

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
11S	14E	2	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
															X				

PLACE OF USE: DOMESTIC

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
11S	14E	2	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
															X				

Conditions/Remarks:

- 11S14E027200 80 CATTLE
- THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

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

Transfer No. _____
Receipt No. _____

Current Water Right No. 47-14343

Documentation of Ownership of the Current Place of Use

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

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

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.05 for Irrigation purposes from 3-15 to 11-15
 (cfs/ac-ft)
 amount .12 for Irrigation purposes from 3-15 to 11-15
 (cfs/ac-ft)
 amount .01 for Irrigation purposes from 3-15 to 11-15
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NE	31	11s	18E	TF	
		SW	NW	32	11s	18E	TF	
		SW	SW	32	11s	18E	TF	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11s	18E	32							5.5			1							6.5

Total acres 6.5

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount 1.92 cfs for Irrigation purposes from 3-15 to 11-15
 (cfs/ac-ft)
 amount 4.22 cfs for Irrigation purposes from 3-15 to 11-15
 (cfs/ac-ft)
 amount 0.30 for Irrigation purposes from 3-15 to 11-15
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NE	7	31	11s	18E	TF
		SW	NW		32	11s	18E	TF
		SW	SW		32	11s	18E	TF

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11s	18E	31	1.6		4.5	38.0								2.6	40	26	38	37	191.7
																			8
11s	18E	32							33.5			6							39.5

Total acres 231.2

PART 3**B. CHANGES IN NATURE OF USE**

- | <u>New Nature of Use</u> | <u>Amount(cfs/af-ft)</u> | <u>Hours/days/year</u> | <u>Period of Use</u> |
|-----------------------------------|--------------------------|------------------------|-----------------------------|
| <u>Conservation - stock water</u> | <u>.12</u> | | <u>1-01</u> to <u>12-31</u> |
| <u>Conservation - stock water</u> | <u>.05</u> | | <u>1-01</u> to <u>12-31</u> |
- Quantity and quality of return flows and location of discharge: NO Return Flow in Lagoon's will hold water from Dwy
- Describe effects on other water uses resulting from the proposed change:
Land will be dried up for Gravel pit, proposed use will be consumed on Dwy site by Cattle.

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.

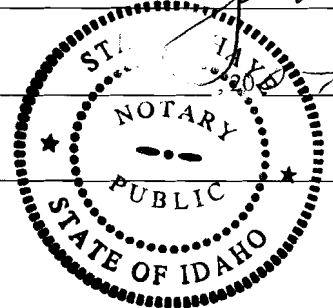
I understand that any willful misrepresentations made in this application may result in voiding its approval.

William D. [Signature] Janene C. [Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 14th day of July

[Signature]
(Notary Public)

My commission expires 8/25 2012

**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by P. SKINNER Date 8/1/2007 Protest filed by _____

Prelim. Check by _____ Fee \$100.00 5029651

Received by P. SKINNER Date 8/3/2007

Published in _____ Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendations requested on _____ Recommended for ☐ approval ☐ denial

_____ received _____ by _____

Copy of transfer sent to lien holder _____

Jenks Day site
Sec 2 Township 11S Range 14E
* new well location (& old location well)



Image © 2007 DigitalGlobe

© 2005 Google

Pointer 42°29'45.69" N 114°46'17.05" W

Streaming ||||| 100%

Eye alt 2982 ft

Mathews Ranch Inc. SW 1/4 NW 1/4 Sec 32 Twp 11s Range 18 E. 6.5 Acres Total

1. Acre From NW of the SW 1/4
5.5 Acres from SW of the NW 1/4 TO be divided up



Image © 2007 DigitalGlobe

© 2005 Google

Pointer 42°25'14.47" N 114°22'45.24" W

Streaming ||||| 100%

Eye alt 10778 ft

42479fc

TitleFact, Inc.

163 Fourth Avenue North

P.O. Box 486

Twin Falls, Idaho 83303

Twin Falls County, Idaho

Recorded for:

TITLEFACT

01:45pm May 28, 1999

1999-010174

No. of Pages: 1 Fee: \$3.00

ROBERT S. FORT

Ex-Officio Recorder

Deputy: LR

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

WARRANTY DEED

FOR VALUE RECEIVED GENE R. STOTZ AND MARY J. STOTZ, husband and wife, hereinafter called the grantor, hereby grants, bargains, sells and conveys unto WILLIAM H. JENKS and JANENE C. JENKS, husband and wife, hereinafter called grantee, whose address is: 3427 North 1400 East, Buhl, Idaho 83316, the following described premises, in Twin Falls County, Idaho, to-wit:

Township 11 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho

Section 2: N½SE¼

SUBJECT TO: Twin Falls Highway District right of way

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

Dated: May 27, 1999

Gene R. Stotz
GENE R. STOTZ

Mary J. Stotz
MARY J. STOTZ

* * * * *

STATE OF IDAHO
County of Twin Falls

On this 27th day of May, 1999, before me, a Notary Public in and for said State, personally appeared GENE R. STOTZ AND MARY J. STOTZ, husband and wife, known or identified to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they are executed the same.

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

Frances E. Clifton
Notary Public for Idaho
Residing in: Twin Falls
Commission Expires: 01-20-2004

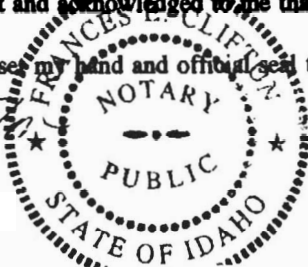


EXHIBIT A

Legal Description: For Water Rights to property owned by Mathers Ranches Inc.

**Water Right # 47-16871
Priority Date 08-08-1954
NW1/4 of the SW 1/4 Sec 32 11S 18E
SW1/4 of the NW 1/4 Sec 32 11S 18E**

**Water Right # 47-16869
Priority Date 11/06/1961
NW 1/4 of the SW1/4 Sec 32 11S 18E
SW1/4 of the NW 1/4 Sec 32 11S 18E**

**Water Right # 47-16867
Priority Date 04/03/1961
NW 1/4 of the SW1/4 Sec 32 11S 18E
SW1/4 of the NW 1/4 Sec 32 11S 18E**

	A	B	C	D	E	F	G
1	Milk Cows				Hefiers		
2		1400	1200	1000	800	600	400
3	Holstine	35	30	25	20	15	10
4							
5	Jersey	35	30	25	20	15	10
6	33.9 AF	After this transfer					
7	30264	Gallons per day		NMP at 1000 # Jersey Cows equal 1210Hd			
8	With milk b						
9	33.9AF	30264 Gal per day		Jenks			
10							
11	Jersey	1000	700	17500			
12	Parlor/Barn			5030			
13	Hefiers	400	170	1750			
14		600	170	2550			
15		800	170	3400			
16				30230			
17							

CONTRACT FOR SALE OF WATER RIGHTS

THIS AGREEMENT is made and entered into this 23 day of July, 2007

By and between MATHERS RANCHES INC., hereinafter referred as seller, STAN HAYE of

SNAKE RIVER MANAGEMENT, INC., hereinafter referred to as their Brokerage

Agent," and WILLIAM and JANENE JENKS husband and wife hereinafter referred as Buyers

RECITALS

A. Seller owns water rights appurtenant to six and half (6.5) acres of land describe as follows

47-16869, 47-16867 and 47-16871 and desires to split six and one half (6.5) acres of the water right from degreed water rights to sell .

The water rights are presently appurtenant to six and one half (6.5) acres of land located

In Twin Falls County, Idaho more particularly described as follows:

SW1/4 NW 1/4 Section 32 Township 11 South, Range 18 East. Of the Boise Meridian

The nature of use of this water right is for Irrigation purposes. (See exhibit A)

B. Buyers own real property located in Twin Falls County, Idaho more Particularly described as:

The North 1/2 of the SE1/4 of the Section 2 Township 11 South Range 14 East Of the Boise Meridian.

C. The parties wish to agree upon terms and conditions whereby Sellers will sell to Buyers

And buyers will purchase from Seller that portion of the Seller's water rights and make them

Appurtenant to real property of the Buyers more particularly described above, with the

Nature of use of the water is for Dairy (consumptive use). Such water rights are described as in (see exhibit A)

IT IS THEREFORE AGREED, in consideration of these recitals and promises and

Covenants hereafter contained as follows

1. Seller agrees to sell the water rights described in recital Exhibit A above for the total

Purchase price of NINETEEN THOUSAND –FIVE HUNDRED DOLLARS
(\$19500.00)

2. The parties acknowledge that this agreement is contingent upon the approval of the Transfer of the water rights to the Buyers in accordance with this agreement.

The transfer will be deemed complete upon the full approval of the transfer by the Idaho Department of Water Resources and the lapse of any protest or appeal period Allowed by law or if any protest or appeal of the final approval is timely filed, upon The final resolution of the appeal or protest upholding the validity of the transfer.

3. Within ten (10) days of this execution of this agreement the parties shall execute an Application with the department of water Resources and all other necessary documents To initiate transfer of the water rights from Seller to Buyers in accordance with this Agreement.

The parties shall fully cooperate to perform all actions and matters necessary to insure the Approval of the application, including making appearances at any hearing or conference That may be required.

All costs fees and expenses incurred in the filing and processing of the application for Transfer shall be borne exclusively by the Brokerage Agent. However any unforeseen legal

Or hydrology costs that are incurred do to appeal or demands by The Idaho department of Water Resource to the transfer source property is the responsibility of the Buyers.

If final approval of the transfer by the Idaho department of water Resources has not been provided by the

1st Day of July 2009 all protests and appeals resolved or barred by lapse of time

This Agreement shall be null and void.

4. Seller warrants to Buyers that:

(a) Seller has good title to the water rights and has the lawful authority to enter Into this Agreement.

(b) The real property to which the water rights are now appurtenant is not Encumbered by any mortgage, deed of trust or other lien, or that any mortgagee deed of Trust beneficiary or other lien holder has consented in writing to the transfer of the Water rights free of their liens.

5. Buyers shall diligently pursue the application for the transfer of water rights in Order that the application will receive consideration in the quickest possible time.

6. Should either party be in default under this Agreement, the other party shall give Notice by certified mail to the other of the nature of every claimed event of default at The address provided bellow.

If the default is not timely cured within (10) days of the receipt of the notice,

The party giving the notice may:

- (a) Pursue any other remedy to which that party may be entitled under the laws of the state of Idaho.

7. The day of closing shall be a regular business day not more than ten (10) days after the

Final approval of the water rights transfer applied for pursuant to this agreement by the

Idaho Department of Water Resource and the lapse of any time to file by lawful protest

Or appeal, closing shall occur at the office of the Twin Falls Title and Escrow

Company, Twin Falls Idaho. Any costs at closing shall be equally divided by the seller and buyer Limited to \$100.00 dollars each

8. The parties acknowledge that the terms, conditions and covenants of this agreement shall

Supersede any prior negotiations and agreements of the parties, that there is no other

Agreements not contained in this agreement and that this Agreement shall be the final

Expression of the agreement of the parties and shall control. No modifications of this

Agreement shall be valid unless writing and executed by all parties hereto. No amendment

Or modification of this Agreement shall be effective unless it is made in writing

Executed by all parties.

9. Seller has agreed to pay a commission to the Brokerage agent Stan Haye of Snake

River Management, based on the sale price of the water rights. Due and payable upon the closing of this Agreement

Buyers are not obligated for the payment of any commission to Stan Haye, Snake River Management, Inc. without a separate written agreement to that effect.

10. The parties advised that they should seek the advise of legal counsel of their own Choosing prior to entering this Agreement.

11. Buyers cannot assign their interest in this Agreement to any third party

12. If default be made by either party hereto in keeping or performing any of the Convents, conditions or agreements conditions or agreements herin agreed to be kept by Them and the other party is required to employ an attorney to enforce any of the Convents, conditions or agreements herin contained, then and in such event, the party in Default agrees to pay, in addition to all other sumes herrin agreed to be paid by them a Reasonable attorneys fee together with any costs and disbursements that may be in cured In forcing this Agreement.

13. The parties hereto acknowledge and agree that time is and shall be, the essence of each

and every term and condition contained herein.

14. This agreement shall be binding upon and shall insure to the benifitof and be binding Upon heirs, successors and assigns of the parties

STATE OF IDAHO)

) SS.

County of Twin Falls)

On this 14 day of July, 2007, before me, a Notary Public, in and for said County and State, personally appeared William & Janene Jenks, husband and wife that known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledge to me that executed the same

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



[Signature]
NOTARY PUBLIC FOR IDAHO
Residing at: Twin Falls
My Commission expires: 8-25-12

STATE OF IDAHO)

) SS.

County of Twin Falls)

On this 18th day of July, 2007, before me, a Notary Public, in and for said County and State, personally appeared STAN HAYE, known or identified to me to be the PRESIDENT of that corporation that executed the instrument. On behalf of said corporation and acknowledge to me that such corporation executed the same

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



[Signature]
NOTARY PUBLIC FOR IDAHO
Residing at: Twin Falls
My Commission expires: 3/26/10

FSA-578 (02-01-91)

REPORT OF COMMODITIES

PROGRAM YEAR 2006

FARM NUMBER: 1491

FARM SUMMARY

DATE: 05-31-2006

Operator Name and Address ID

Original: 7

MATHERS RANCH INC 8275

Revision: _____

3485 E 3100 N

KIMBERLY, ID 83341-5251

Cropland: 163.6

Farmland: 360.0

NOTE: The authority for collecting the following information is Pub.L 107-76. This authority allows for the collection of information without prior OMB approval mandated by the Paperwork Reduction Act of 1995. The data will be used to determine eligibility for assistance. Furnishing the data is voluntary, however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the provisions of the Act.

Producer Name	ID	C/C	Share	C/C	Share	C/C	Share	C/C	Share
MATHERS RANCH INC	8275	ALFAL	1.0000	GRASS	1.0000	TRICL	1.0000	MIXFG	1.0000

Crop Type	Prac	IU	Reported	Determined	Crop Type	Prac	IU	Reported	Determined	Crop Type	Prac	IU	Reported	Determined
ALFAL	I	FG	93.95		GRASS ORG	I	FG	34.92		MIXFG AGM	I	FG	46.38	
TRICL	I	FG	10.90											

OPERATOR'S CERTIFICATION: I certify to the best of my knowledge and belief that the acreage of crops and land uses listed herein are true and correct, and that all required crops and land uses have been reported for the farm as applicable. The signing of this form gives FSA representatives authorization to enter and inspect crops and land uses on the above identified land.

Operator's Signature

Date

5-31-06

This program or activity will be conducted on a nondiscriminatory basis without regard to race, color, religion, national origin, sex, age, marital status, or disability.

FSA-578(02-01-91)

REPORT OF COMMODITIES

PROGRAM YEAR 2006

FARM NUMBER: 1491

FARM AND TRACT DETAIL LISTING

DATE: 05-31-2006

Operator Name and Address ID
 MATHERS RANCH INC 8275
 3485 E 3100 N
 KIMBERLY, ID 83341-5251

Original: _____

Revision: _____

Cropland: 163.6

Farmland: 360.0

Tract Number	CLU/ Field	Irr Prc	C/C	Var/ Type	Int Use	Lnd Use	Rpt Unt	Reported Quantity	Determined Quantity	Crp Lnd	O/ M	C/C Stat	Prod Share	Prod ID	RMA Unt	Opt Unt
2823	1	Ir	MIXFG	AGM	Forage		A	29.68		Y	I	1.0000	8275			
	2	Ir	GRASS	ORG	Forage		A	23.29		Y	I	1.0000	8275			
	3	Ir	ALFAL		Forage		A	93.95		Y	I	1.0000	8275			
	4	Ir	MIXFG	AGM	Forage		A	16.70		Y	I	1.0000	8275			
	5	Ir	GRASS	ORG	Forage		A	11.63		Y	I	1.0000	8275			
	6	Ir	TRICL		Forage		A	10.90		Y	I	1.0000	8275			

C/C	Type	Prac	IU	Non-Irrig	Irrigated	C/C	Type	Prac	IU	Non-Irrig	Irrigated	C/C	Type	Prac	IU	Non-Irrig	Irrigated
ALFAL	I	FG			93.95	GRASS	ORG	I	FG			34.92	MIXFG	AGM	I	FG	46.38
TRICL	I	FG			10.90												

Photo Number/Legal Description: 31,32-11-18

Cropland: 163.6 Reported on Cropland: 186.15 Difference: 22.55 Reported on Non-Cropland: .00

added new point A
 Need to update w/
 GPS

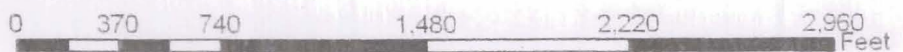
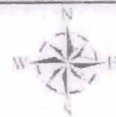
2006 1002



Date: April 24, 2006

2004 Photography

1 inch equals 660 feet



ATTN. Cory



TWIN FALLS CANAL COMPANY

357 6TH AVE WEST
POST OFFICE BOX 326
TWIN FALLS, IDAHO 83303-0326



May 9, 2007

RECEIVED
JUN 28 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

RE: Mathers Ranch, Inc. Water Shares

To whom it may Concern,

There are no Twin Falls Canal Company Water Shares on the following property that Mather's Ranch, Inc. owns.

SE1/4 SE1/4
E1/2 SW1/4 NE1/4 That land lying South of High Line Canal
NW1/4 SE1/4
SW1/4 SE1/4
SE1/4 SW1/4
All in Section 31, Township 11, Range 18

And

SW1/4 NW1/4
NW1/4 SW1/4
Section 32, Township 11, Range 18

RECEIVED
JUN 28 2007
DEPT. OF WATER RESOURCES
SOUTHERN REGION

All 100.00 shares are appurtenant to the NE1/4 SE1/4 & SE1/4 NE1/4 in Section 31, Township 11, Range 18.

If you have any questions please call me at (208) 733- 6731

Sincerely

Kay Puschel
Water Records Specialist