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DEPT. OF WATER RESOURCES
SOUTHERN REGION

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

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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 division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
PD 37-10603					

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 usually attached to your deed or on file with the county).
OR
 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 **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)	Elmer D. Jones 526 N 550 W Shoshone, ID 83352
4. New Owner/Claimant(s)	4-Bros. Dairy, Inc Name Connector (Check one): [] and, [] or, [] and/or
New Mailing Address	425 North 250 West
City, State and ZIP Code	Shoshone, ID 83352
New Telephone Number	()
5. Date you acquired the property	December 28, 2007

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 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 (one water right per box, you may copy this page as 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 (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

7. Signature of New Owner(s) or Claimant(s) 4-BROS DAIRY INC by ANDREW FITZBERALD
(include title if applicable) Andrew Fitzgerald

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.

For Office Use Only

Received by [Signature]
 Received by [Signature]
 Processed by _____ AJ

Date 1/2/08
 Date 1/3/08
 Date _____

Fee \$25
 Receipt No. 5029906
 WR _____ Date _____

PERSONAL REPRESENTATIVE'S DEED

#GL-08783

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DEPT. OF WATER RESOURCES
SOUTHERN REGION

Heather Young, as Personal Representative of the Estate of Elmer Daniel Jones, also known as Elmer Jones, deceased, pursuant to Letters Testamentary filed under Case No.CV-07-73, Lincoln County Magistrate Division, recorded December 17, 2007, as instrument #184186, Lincoln County, Idaho.

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

4-Bros. Dairy Inc., an Idaho Corporation
Address: 425 North 250 West, Shoshone, Id 83352

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

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

Section 1: S½NW¼; N½SW¼

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 135 acres of American Falls No. 2 Capital Stock and water right # 37-10603

SUBJECT TO:

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

J.P.F.
Taxes subsequent to the year 2007, which are not yet due or 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.

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

Power Line Easement given by Charlie E. Jones and Nellie F. Jones, husband and wife, to Idaho Power Company, a corporation, dated May 20, 1942, recorded November 5, 1942 in Book 5 Page 209 as Instrument Number 82989, Lincoln County records, affecting the SW¼NW¼ of Section 1, Township 5 South, Range 16, East Boise Meridian.

Power Line Easement given by Waldo C. Jones and Elmer Jones, his brother, to Idaho Power Company, a corporation, dated September 19, 1967, recorded August 27, 1968 as Instrument Number 121607, Lincoln County records, affecting the SW¼NW¼ of Section 1, 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 27, 2007

Heather Young
Heather Young, as Personal Representative
of the Estate of Elmer Daniel Jones, deceased

STATE OF IDAHO COUNTY OF LINCOLN Recorded at the request of LAND TITLE & ESCROW	184245
DEC 28 2007	
at 38 minutes past 3P M	
recorded by <i>Emilia Ruben</i>	
Fee: 6-	Return to: <i>by hand</i>

STATE OF IDAHO)
) ss.
COUNTY OF Gooding)

On this 27th day of December, 2007, before me, the undersigned, a Notary Public in and for said State, personally appeared Heather Young, known or identified to me to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Elmer Daniel Jones, who acquired title as Elmer Jones, and acknowledged to me that she executed the same as such Personal Representative.

Betty Shubert
Notary Public
Residing at: Jerome ID
My Commission expires: 02-23-2011

