

RECEIVE
OCT 16 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Transfer No. 73156

Receipt No. 5028278

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

1. Applicant Information ROTH INVESTMENTS, LLC
PO BOX 634
JEROME ID 83338
(208)324-9721

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
36-14759	WR/Decreed	0.04				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
36-14759	NO	YES	YES	YES	NO	NO

Describe the reason for the proposed changes

The current point of diversion for right 36-14759 has recently been abandoned, since the property is now provided water by the City of Jerome. Rather than have the water right go unused, we want to transfer the right to a home site developed the last couple of years on our dairy operation.

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
36-14759	0.04 cfs			
TOTAL	0.04 cfs			

Transfer No. 73156

Receipt No. 5028978

**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.

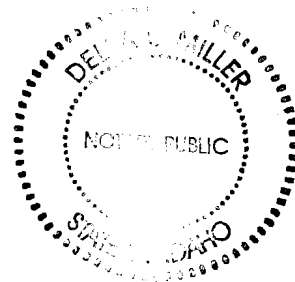
Donna Roth Haberstyn
(Signature of Applicant)

Manager
(Title of Office)

Subscribed and sworn to before me this 13th day of October, 2006.

Debra C. Miller
(Notary Public)

My commission expires March 15, 2012



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

Current Water Right No. 36-14759

Priority Date: July 15, 1955

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>
DOMESTIC	1/01 12/31	0.04 CFS		
STOCKWATER	1/01 12/31	0.02 CFS		
	Total Diversion	0.04 CFS		

Source and Point(s) of Diversion:

GROUND WATER SESE Sec. 18 Twp 08S Rge 17E JEROME County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 17E 18																	X

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 17E 18																	X

Conditions/Remarks:

1. THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. RL08S17E189001 STOCKWATER, 4 CALVES

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?
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

City of Jerome now supplies water to this property, the well has been recently abandoned and will no longer be used

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 3A**

Proposed Water Right No. 36-14759

Priority Date: July 15, 1955

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>
DOMESTIC	01/01 12/31	0.04 CFS		
STOCKWATER	01/01 12/31	0.02 CFS		
Total Diversion		0.04 CFS		

Source and Point(s) of Diversion:

GROUND WATER SWNESW Sec. 11 Twp 08S Rge 17E JEROME County

GROUND WATER SWNESW Sec. 11 Twp 08S Rge 17E JEROME County

Describe the proposed diversion system

Point of Diversion # 1 Existing well D0008595

Point of Diversion # 2 Existing well D0008596

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S 17E 11												X					

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
08S 17E 11												X					



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

This form can be used to notify the Department
of a change in address for Department records
(Please print or type)

- [] Name(s): Roth Investments LLC
by Donna Roth Haberstyger
- [] Old Mailing Address: 17400 NE 88th St
Vancouver WA 98682
- [] New Mailing Address: P.O. Box 634
Jerome Id 83338
- Telephone Number: (208) 324 9721
- [] Signature(s) Donna Roth Haberstyger
(must be signed by all
individuals listed unless
you have authority to sign
on their behalf) for Roth Investments LLC
(include your title if on behalf of company or organization)
- Date: 10-11-06

When complete, please mail or FAX this form to the IDWR office nearest you:

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
FAX: (208) 769-1454

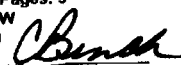
IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
FAX: (208) 334-2348

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
FAX: (208) 525-7177

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
FAX: (208) 736-3037

No. W 9832	Due no later than Sep 30, 2006 Annual Report Form		2. Registered Agent and Address (NO PO BOX)
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. ROTH INVESTMENTS, L.L.C. DONNA ROTH HABERSETZER 840 SIMONS WAY JEROME ID 83338		DONNA ROTH HABERSETZER 840 SIMONS WAY JEROME ID 83338 3. <u>New</u> Registered Agent Signature:*
4. Limited Liability Companies: Enter Names and Addresses of Managers or Members.			
<u>Office Held</u>	<u>Name</u>	<u>Street or PO Address</u>	<u>City</u> <u>State</u> <u>Country</u> <u>Zip</u>
MANAGER	DONNA ROTH	539 S 800 E	JEROME ID 83338
MANAGER	JOHN MICHAEL ROTH	8154 NE 182ND AVE	VANCOUVERWA 98682
5. Organized Under the Laws of: IDAHO W 9832	6. Annual Report must be signed.* Signature: Donna Roth Habersetzter Name (type or print): Donna Roth Habersetzter Date: 07/17/2006 Title: Manager		
Processed 07/17/2006		*Electronically provided signatures are accepted as original signatures.	

WARRANTY DEED

Instrument # 2054739
 JEROME COUNTY, JEROME, IDAHO
 2005-08-31 02:39:50 No. of Pages: 3
 Recorded for : LAND TITLE & ESCROW
 CHERYL WATTS Fee: 9.00
 Ex-Officio Recorder Deputy 

For Value Received

Jay Alan Hartwell, Marsha Ann Lockard, and Larry James Hartwell, as general personal representatives of THE ESTATE OF DONNA MAE HARTWELL, deceased

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

**ROTH INVESTMENTS, LLC ,
 Address: 324 S. 800 E., Jerome, ID 83338**

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

**TOWNSHIP 8 SOUTH, RANGE 17 EAST OF THE BOISE MERIDIAN,
 JEROME COUNTY, IDAHO**

Section 18: That part of the SE¼SE¼, more particularly described as follows:

Beginning at the Northeast corner of the SE¼SE¼;
Thence running West on the North boundary of said SE¼SE¼ to the Northwest corner;
Thence running South on the West boundary a distance of 400 feet;
Thence running Easterly, parallel with the North boundary of said SE¼SE¼, to the East boundary;
Thence running Northerly on the East boundary, a distance of 400 feet to the Northeast corner; being the North 400 feet of the SE¼SE¼ of Section 18, Township 8 South, Range 17 East Boise Meridian, Jerome County Idaho.

SUBJECT TO:

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

2005 taxes and subsequent years, taxes are an accruing lien, not yet due or payable.

Right of way for roads, canals, laterals and waste ditches as contained in an Agreement by and between the State of Idaho, and the Twin Falls North Side Land and Water Company, dated August 21, 1907, recorded in Book 15 Page 589, Jerome County records.

Agreement by and between Jerome Highway District, party of the first part, and Jerome Water Company, party of the second part, dated January 12, 1951, recorded September 13, 1956 in Book 161 Page 89 as Instrument Number 130134, Jerome County records, granting an easement and right of way for pipe line for transporting domestic water along streets, roads and highways, constructed or to be constructed in Section 18, Township 8 South, Range 17, East Boise Meridian, together with right of ingress and egress, granted to the Jerome Water Company.

Subject to the right of the Grantor for use of irrigation ditches and waste ditches as at present constructed across and over the land conveyed as set forth in Warranty Deed given by Susie M. Dewhirst, a widow, to Albert James Hartwell and Donna M. Hartwell, husband and wife, dated July 19, 1961, recorded July 27, 1961 in Book 167 Deeds Page 577 as Instrument No. 147558, records of Jerome County, Idaho.

Subject to rights of way for road.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 12.47 shares of capital stock in North Side Canal Company, Ltd.

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.

JAY ALAN. HARTWELL, Personal Representative

MARSHA ANN LOCKARD, Personal Representative

Larry James Hartwell S.P.
LARRY JAMES HARTWELL, Personal Representative

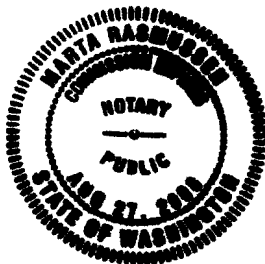
STATE OF IDAHO)
) ss.
COUNTY OF Jerome)

On this ____ day of August, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared Jay Alan Hartwell, known or identified to me to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Donna Mae Hartwell, and acknowledged to me that he executed the same as such Personal Representative.

Notary Public
Residing at:
My Commission expires:

STATE OF *Washington*)
) ss.
COUNTY OF *Whatcom*)

On this *30th* day of August, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared ~~Marsha Ann Lockard~~, known or identified to me to be the person whose name is subscribed to the within instrument as ~~Personal Representative of the Estate of Donna Mae Hartwell~~, and acknowledged to me that he executed the same as such Personal Representative.
Larry James Hartwell
me



Marta Rasmussen

Notary Public in & for the state of Washington
Residing at: *Bellingham*
My Commission expires: *08/27/08*

STATE OF)
) ss.
COUNTY OF)

On this ____ day of August, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared Larry James Hartwell, known or identified to me to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Donna Mae Hartwell, and acknowledged to me that he executed the same as such Personal Representative.

Notary Public
Residing at:
My Commission expires:

JAY ALAN HARTWELL
JAY ALAN HARTWELL, Personal Representative

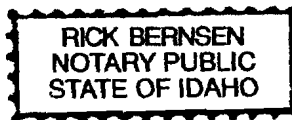
MARSHA ANN LOCKARD
MARSHA ANN LOCKARD, Personal Representative

LARRY JAMES HARTWELL, Personal Representative

STATE OF IDAHO)
) ss.
COUNTY OF Jerome)

On this 29th day of August, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared Jay Alan Hartwell, known or identified to me to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Donna Mae Hartwell, and acknowledged to me that he executed the same as such Personal Representative.

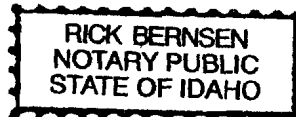
RICK BERNSEN
Notary Public
Residing at: Jerome, ID
My Commission expires: 7-30-09



STATE OF IDAHO)
) ss.
COUNTY OF Jerome)

On this 29th day of August, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared Marsha Ann Lockard, known or identified to me to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Donna Mae Hartwell, and acknowledged to me that he executed the same as such Personal Representative.

RICK BERNSEN
Notary Public
Residing at: Jerome, ID
My Commission expires: 7-30-09



STATE OF)
) ss.
COUNTY OF)

On this ____ day of August, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared Larry James Hartwell, known or identified to me to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of Donna Mae Hartwell, and acknowledged to me that he executed the same as such Personal Representative.

Notary Public
Residing at:

WARRANTY DEED

#GJ-33186

For Value Received

Instrument # 2943563
JEROME COUNTY, JEROME, IDAHO
2994-06-30 02:39:32 No. of Pages: 2
Recorded for: LAND TITLE & ESCROW
CHERYL WATTS Fee: 6.00
Ex-Officio Recorder Deputy *C. Bunch*

DANNY RAY FORSYTH and GINGER FORSYTH, husband and wife
also shown of record as Danny R. Forsyth

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

ROTH INVESTMENTS, L.L.C., an Idaho limited partnership
Address: 17400 NE 88th Street, Vancouver, WA 98682

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

SEE EXHIBIT "A" ATTACHED HERETO:c

SUBJECT TO:

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

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

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: June 30, 2004

Danny Ray Forsyth
DANNY RAY FORSYTH

Ginger Forsyth
GINGER FORSYTH

STATE OF IDAHO)
COUNTY OF JEROME) ss.

On this 30th day of June, 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared DANNY RAY FORSYTH and GINGER FORSYTH, 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.

[Signature]
Notary Public
Residing at: June, ID
My Commission expires: 7/2007

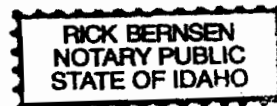


EXHIBIT A

TRACT I

PARCEL NO. 1

TOWNSHIP 8 SOUTH, RANGE 17, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 1: W $\frac{1}{2}$ SW $\frac{1}{4}$;

Section 2: SE $\frac{1}{4}$;

TOGETHER WITH easement rights as set forth in Irrigation Easement recorded January 3, 1988 as Instrument Number 314166, records of Jerome County, Idaho, over, upon and across the following described property:

W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 1, Township 8 South, Range 17, East of the Boise Meridian, Jerome County, Idaho.

EXCEPT U.S. Highway No. 93 right-of-way.

PARCEL NO. 2:

TOWNSHIP 8 SOUTH, RANGE 17 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 2: SW $\frac{1}{4}$ SW $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$;

EXCEPT U.S. Highway No. 93 right-of-way.

Section 10: E $\frac{1}{2}$;

Section 11: W $\frac{1}{2}$ lying West of U.S. Highway No. 93;

Section 14: W $\frac{1}{2}$ NW $\frac{1}{4}$ lying West of U.S. Highway No.93; NW $\frac{1}{4}$ SW $\frac{1}{4}$ lying West of U.S. Highway No. 93;

Section 15: N $\frac{1}{2}$; N $\frac{1}{2}$ S $\frac{1}{2}$; EXCEPTING that portion of the following described property lying within said Section 15:

A portion of the Southeast $\frac{1}{4}$ of Section 16 and a portion of the Southwest $\frac{1}{4}$ of Section 15 all in Township 8 South, Range 17 East Boise Meridian, Jerome County, Idaho, more particularly described as follows:

Commencing at the Southwest corner of said Section 15;
Thence North 0°02'00" West, along the westerly boundary of said Section 15,
1,324.06 feet to the Northwest corner of the S $\frac{1}{2}$ of the S $\frac{1}{2}$ of said Section
15 and the REAL POINT OF BEGINNING;
Thence South 0°02'00" East, 71.10 feet;
Thence North 79°56'24" West, 1,473.27 feet;
Thence North 82°35'42" East, 413.76 feet;
Thence North 67°39'05" East, 176.46 feet;
Thence North 55°47'46" East, 44.86 feet;
Thence South 79°56'24" East, 1,910.39 feet, more or less, to the Northerly
boundary of said S $\frac{1}{2}$ S $\frac{1}{2}$ of Section 15;
Thence North 89°53'47" West, along the Northerly boundary of said S $\frac{1}{2}$ S $\frac{1}{2}$ of
Section 15, 1,041.10 feet, more or less, to the REAL POINT OF
BEGINNING.

END OF EXHIBIT A