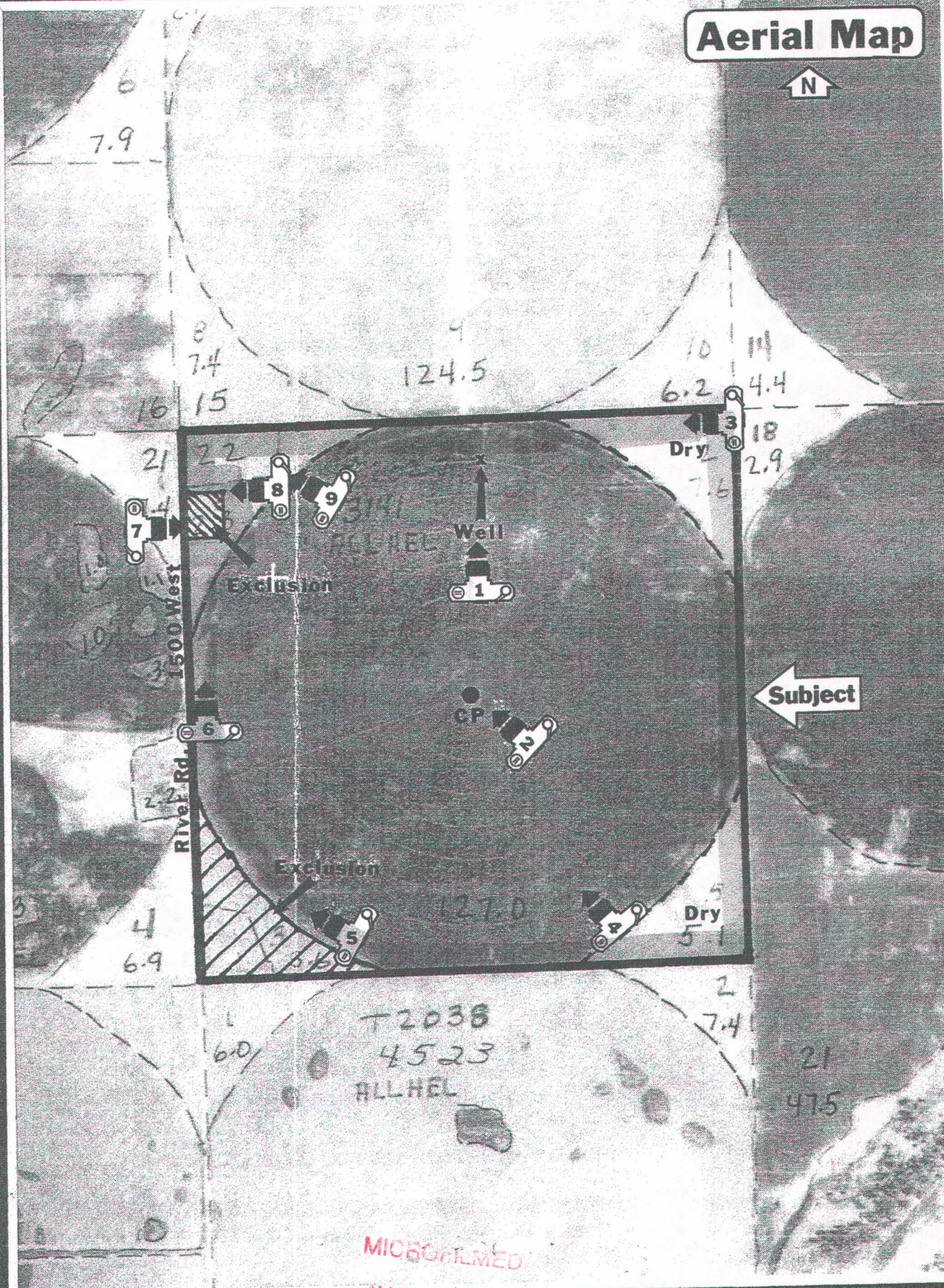


KELSEY COMPANY, LTD.



MICROFILMED

MAR 10 2004

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

RECEIVED

FEB 18 2004

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

Department of Water Resources
Snake River Region

RECEIVED
FEB 23 2004

Department of Water Resources

1. Water Right Number(s) 35-12924 and 35-2897
Adjudication Claim Number(s) _____
2. The following REQUIRED information must be submitted with this form.

paid \$50
E029542
2-18-04
JC

 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Thompson Brothers LLC.
493 South 1200 West Panguitch, ID 83262
4. New Owner/Claimant(s) WILLIAM Lex & Corlene L. Carter
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address 907 S. 1500 W. Panguitch, ID 83262
City, State and ZIP Code _____
New Telephone Number (208) 684 - 3378
5. Date you acquired the property Dec 31, 2002
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated 132 Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) [Signature] MICROFILMED Date 12-6-03
MAR 10 2004 Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights, and, if a required claim for the water right has not been filed, to file the needed claim.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures, or if you have questions about completing this form, please contact your nearest IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believe there are water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector "and", "or" or "and/or". If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign, however only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. If the property you have purchased is only a portion of the property owned by the former owner/seller, you may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

IDWR Southern Region, 1341 Fillmore St. N., Twin Falls, ID 83301-3380 (208) 736-3031

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N Skyline Dr., Suite A, Idaho Falls, ID 83402-1710 (208) 525-7161

B46757

520937

WARRANTY DEED

For Value Received **THOMPSON BROTHERS, L.L.C.**, a limited liability corporation

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

WILLIAM LEX CARTER AND CARLENE L CARTER, husband and wife

whose address is: 878 West Highway 39, Blackfoot ID 83221

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

Township 4 South, Range 33 E.B.M., Bingham County, Idaho

Section 22: NW $\frac{1}{4}$, EXCEPTING THEREFROM: Beginning at the W $\frac{1}{4}$ corner of Section 22, and running thence N. 00°11'13" E. 660.00 feet along the W. line of said Section 22; thence S. 89°43'54" E. 99.00 feet; thence S. 33°27'43" E. 265.06 feet; thence S. 44°33'38" E. 274.96 feet; thence S. 55°47'44" E. 266.10 feet; thence S. 00°11'13" W. 96.00 feet to the East-West center Section line; thence N. 89°43'54" W. 660.00 feet along said East-West center Section line to the point of beginning. **ALSO EXCEPT:** The West 25 feet thereof for County Road. **ALSO EXCEPT:** Part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, Township 4 South, Range 33 E.B.M., Bingham County, Idaho, described as: Beginning at a point that is S. 00°11'13" W. 319.05 feet along the section line and S. 89°42'46" E. 21.00 feet to the Point of Beginning from the NW corner of said Section 22 and running thence S. 89°42'46" E. 221.00 feet; thence S. 00°11'13" W. 196.54 feet; thence N. 89°42'46" W. 221.00 feet; thence N. 00°11'13" E. 196.54 feet to the Point of Beginning.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee and to 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 said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: December 23, 2002

Thompson Brothers, L.L.C.

BY: Kurt S. Thompson
Kurt S Thompson, Manager/Member

Daryl K. Thompson
Daryl K Thompson, Manager/Member

STATE OF Idaho

FILED IN AMERICAN TITLE COMPANY

MICROFILMED
MAR 10 2004

RECORDED AT THE REQUEST OF

2003 JAN -2 PM 4:32

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEE 3.15 DEP C

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: December 23, 2002

Thompson Brothers, LLC.

BY: Kurt S. Thompson
Kurt S Thompson, Manager/Member

Daryl K Thompson
Daryl K Thompson, Manager/Member

STATE OF Idaho

ss.

COUNTY OF BINGHAM

On this ^{31st} day of December, 2002, before me Lori Day, personally appeared ~~Chris S Thompson, Ron S Thompson, Paul D Thompson, Kurt S Thompson, Daryl K Thompson and John L Thompson~~, known or identified to me (or proved to me on the oath of), to be the managers and/or members of Thompson Brothers, LLC, the limited liability company that executed the instrument or the persons who executed the instrument on behalf of said limited liability company and acknowledged to me that such limited liability company executed the same.

Lori Day
Notary Public of Idaho
Residing at Blackfoot, Idaho
Commission Expires: 10/21/03



520937

AMERICAN TITLE COMPANY

RECORDED AT THE REQUEST OF

2003 JAN -2 PM 4:32

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEE 2.00 DEP 0

MICROFILMED
MAR 10 2003

246757

COPY

524026

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO

FEE

DEP

WARRANTY DEED 2003 MAR 18 PM 3:19

For Value Received Thompson Brothers, L.L.C., a limited liability corporation

RECORDED AT THE REQUEST OF

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

William Lex Carter and Carlene L. Carter, husband and wife

FIRST AMERICAN TITLE COMPANY

whose address is: 878 West Highway 39, Blackfoot, ID 83221,

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

Part of the NW $\frac{1}{4}$ /NW $\frac{1}{4}$ of Section 22, Township 4 South, Range 33 E.B.M., Bingham County, Idaho, described as: Beginning at a point that is S. 00°11'13" W. 319.05 feet along the section line and S. 89°42'46" E. 21.00 feet to the Point of Beginning from the NW corner of said Section 22 and running thence S. 89°42'46" E. 221.00 feet; thence S. 00°11'13" W. 196.54 feet; thence N. 89°42'46" W. 221.00 feet; thence N. 00°11'13" E. 196.54 feet to the Point of Beginning.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee and to 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 said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: March 18, 2003

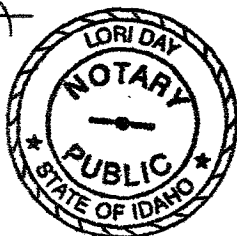
Thompson Brothers, L.L.C.

BY: Kurt S. Thompson
Kurt S Thompson, Manager/MemberDaryl K. Thompson
Daryl K Thompson, Manager/Member

STATE OF Idaho)
) ss.
COUNTY OF BINGHAM)

On this 18th day of March, 2003, before me Lori Day, personally appeared Kurt S Thompson and Daryl K Thompson, known or identified to me (or proved to me on the oath of), to be the managers/members of Thompson Brothers, L.L.C., the limited liability company that executed the instrument or the persons who executed the instrument on behalf of said limited liability company and acknowledged to me that such limited liability company executed the same.

Lori Day
Notary Public of Idaho
Residing at Blackfoot, Idaho
Commission Expires: 10/2/03



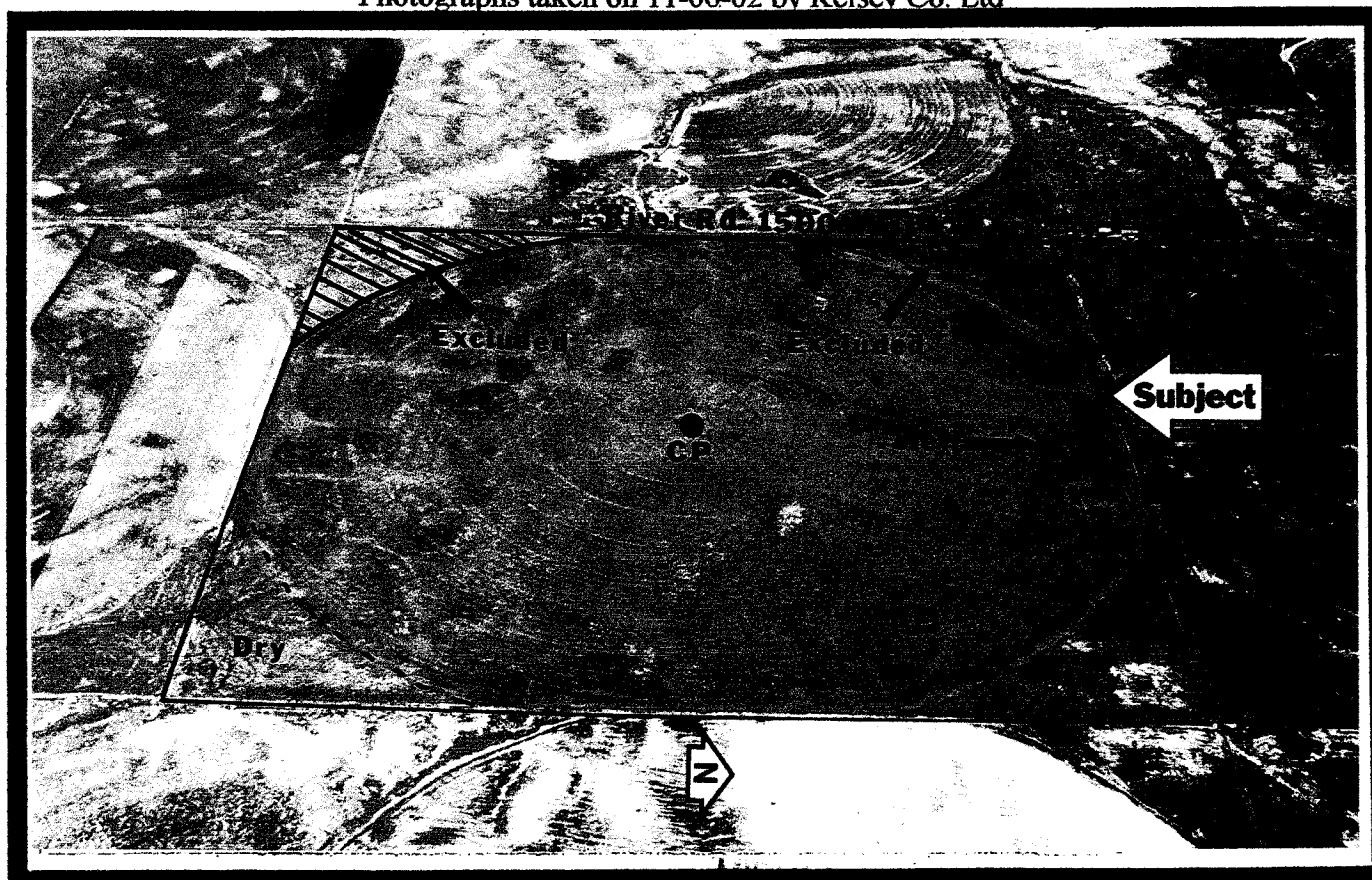
MICROFILMED

524026

MAR 18 2003



Upper - West looking East toward Snake River - Note exclusions
Lower - East looking West - Note dry corners; surrounding cropland
Photographs taken on 11-06-02 by Kelsey Co. Ltd



MAR 10 2004

KELSEY COMPANY, LTD.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

)
)
)
)
ORDER OF PARTIAL DECREE

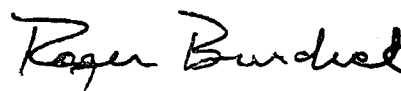
For Water Right 35-02897

On November 30, 2001, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 35-02897 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED February 25, 2002.



ROGER S. BURDICK

Presiding Judge

Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 35-02897

DISTRICT COURT-SRBA	
Fifth Judicial District	
County of Twin Falls - State of Idaho	
FEB 25 2002	
By _____	Clerk
_____	Deputy Clerk

NAME AND ADDRESS: THOMPSON FARMS
493 S 1200 W
PINGREE, ID 83262

SOURCE: GROUNDWATER

QUANTITY: 1.74 CFS

USE OF THIS RIGHT WITH RIGHT NO. 35-12924 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 1.74 CFS, A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 528 AF.

PRIORITY DATE: 06/03/1958

POINT OF DIVERSION: T04S R33E S22 NWNENW Within Bingham County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	1.74 CFS

PLACE OF USE:	Irrigation	Within Bingham County
	T04S R33E S22	NENW 33.0 NWNW 33.0 SWNW 33.0 SENW 33.0
	132.0 Acres Total	

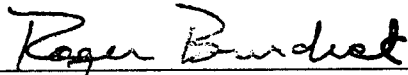
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 107 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHT NO. 35-12924 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 132 ACRES IN A SINGLE
IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

2002 FEB 25 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 35-02897

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 35-02897 was mailed
on February 25, 2002, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

STATE OF IDAHO
Represented by:
NATURAL RESOURCES DIV CHIEF
STATE OF IDAHO
ATTORNEY GENERAL'S OFFICE
PO BOX 44449
BOISE, ID 83711-4449

THOMPSON FARMS
493 S 1200 W
PINGREE, ID 83262
Phone: 208-684-4254

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

MICROFILMED
MAR 10 2004

PAGE 1
02/25/02



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 23, 2004

WILLIAM LEX CARTER
CARLENE L CARTER
907 S 1500 W
PINGREE ID 83262

RE: Change of Ownership for Water Rights 35-2897 and 35-12924

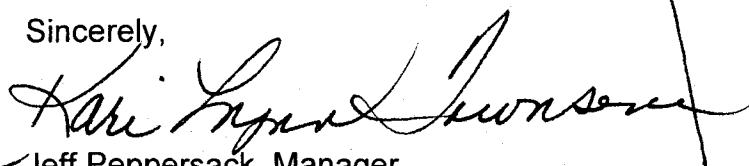
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

for 
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED
MAR 10 2004

RECEIVED

DEC 09 2003

Department of Water Resources
Eastern District

To Whom it may Concern,

12-6-03

Enclosed is a copy of a change of water rights. We purchased this 155 acres and then broke out 1 acre and have built a home on it. We have drilled a domestic well for the house.

Please let me know if you need any additional information.

Thanks!

MICROFILMED

MAR 10 2004