

J- RECEIVED

FEB - 9 2005

DEPARTMENT OF WATER RESOURCES

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

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
36-2206					
36-2725A					
36-7494					
36-15058					

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) Thomas M. O'Gara Family Trust, by and through its Trustee, Thomas M. O'Gara P. O. Box 370 Ketchum, ID 83340
4. New Owner/Claimant(s) C. DeKruyf Dairy, an Idaho General Partnership
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 303 West 300 South
- City, State and ZIP Code Jerome, ID 83338
- New Telephone Number ()
5. Date you acquired the property 2/3/05

SUPPORT DATA**IN FILE #** 36-2206

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)
(include title if applicable)

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 MK Date 2-10-05 Fee \$100.00
 Receipted by MK Date 2-10-05 Receipt No. CO716718
 Processed by _____ AJ Date _____ WR _____ Date _____

#J-33904

WARRANTY DEED

Instrument # 2050645

JEROME COUNTY, JEROME, IDAHO

2005-02-04 01:42:59 No. of Pages: 6

Recorded for : LAND TITLE & ESCROW

CHERYL WATTS Fee: 18.00

Ex-Officio Recorder Deputy, S. Thomquest

For Value Received

Thomas M. O'Gara Family Trust, by and through its Trustee, Thomas M. O'Gara

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

**C. DeKruyf Dairy, an Idaho General partnership, composed of Alice Ruth DeKruyf, Mark Alan DeKruyf and Timothy Jay DeKruyf, as partners
Address: 303 West 300 South, Jerome, ID 83338**

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

SEE EXHIBIT "A" ATTACHED HERETO:

SUBJECT TO:

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

TOGETHER WITH all water and water right, ditches and ditch rights used thereon or appurtenant thereto including by not limited to 160.0 share of North Side Canal Company Water Stock and Water Right No. 36-2206, 36-2725A, 36-7494 and 36-15058.

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: February 3, 2005

Brian Barsotti

By: Brian Barsotti, Power of Attorney
of Thomas M. O'Gara, Trustee of the
Thomas M. O'Gara Family Trust

STATE OF IDAHO)
COUNTY OF Blaine) ss.

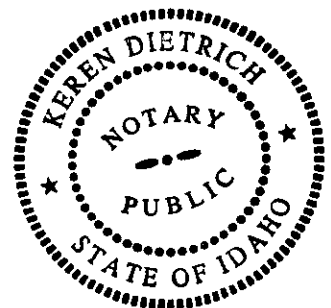
On this 3rd day of February, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared **Brian Barsotti**, known or identified to me to be the person whose name is subscribed to the within instrument, as the Attorney-In-Fact of **Thomas M. O'Gara**, who is the Trustee of the **Thomas M. O'Gara Family Trust** and acknowledged to me that **Brian Barsotti** subscribed the name of **Thomas O'Gara** thereto as principal, and his own name as Attorney-In-Fact.

Keren Dietrich

Notary Public

Residing at: Hailey, Idaho

My Commission expires: 4-21-2006



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EXHIBIT "A"

Order Number: J-33904

TRACT VII

TOWNSHIP 8 SOUTH, RANGE 18, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 25: SW $\frac{1}{4}$ SW $\frac{1}{4}$;

Section 26: SE $\frac{1}{4}$ SW $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$; S $\frac{1}{2}$ SE $\frac{1}{4}$;

Section 34: NE $\frac{1}{4}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$;

Section 35: E $\frac{1}{2}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; N $\frac{1}{2}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; S $\frac{1}{2}$ SW $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$; S $\frac{1}{2}$ SE $\frac{1}{4}$;
NW $\frac{1}{4}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$;

Section 36: W $\frac{1}{2}$;

TOWNSHIP 9 SOUTH, RANGE 18, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 3: Lot 1;

EXCEPTING THEREFROM the following described parcel of land:

TOWNSHIP 8 SOUTH, RANGE 18, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

A parcel of land located in Section 25, 26, 35 and 36, described as follows:

Commencing at the South quarter corner of said Section 36;
Thence North 0°04'18" East along the North-South center of section line of section 36
for a distance of 361.24 feet to the center of Lateral "F" of the Northside Canal
Company and being THE TRUE POINT OF BEGINNING;
Thence along the center of Lateral "F" on the following courses:
North 87°18'40" West, 56.25 feet;
South 83°34'56" West, 124.39 feet;
North 82°03'17" West, 41.45 feet;
North 62°52'07" West, 49.27 feet;

-Continued-

CONTINUATION
Exhibit "A"

Order Number: J-33904

North 54°33'45" West, 136.42 feet;
North 47°56'00" West, 39.06 feet;
North 37°08'39" West, 55.03 feet;
North 22°06'56" West, 32.73 feet;
North 03°56'45" East, 27.47 feet;
North 25°13'19" East, 29.38 feet;
North 36°06'34" East, 40.25 feet;
North 34°18'31" East, 73.73 feet;
North 11°15'59" East, 26.71 feet to the intersection with the main lateral;
Thence along the center of the main lateral on the following courses:
South 88°25'19" East, 33.02 feet;
North 38°13'04" East, 24.03 feet;
North 03°14'47" East, 156.05 feet;
North 12°03'08" East, 84.82 feet;
North 03°13'17" West, 44.52 feet;
North 47°01'11" West, 34.88 feet;
North 67°07'50" West, 189.58 feet;
North 57°53'34" West, 34.75 feet;
North 36°33'36" West, 45.21 feet;
North 20°01'16" West, 39.23 feet;
North 01°37'44" East, 51.37 feet;
North 17°18'22" East, 50.72 feet;
North 36°53'44" East, 127.44 feet;
North 18°37'59" East, 50.57 feet;
North 16°19'07" West, 26.83 feet;
North 59°55'41" West, 30.63 feet;
North 86°06'21" West, 41.05 feet;
South 72°04'44" West, 59.77 feet;
North 87°56'55" West, 48.56 feet;
North 68°16'44" West, 49.27 feet;
North 65°51'34" West, 190.49 feet;
North 56°40'00" West, 115.32 feet;
North 42°16'44" West, 144.93 feet;
North 06°57'05" West, 27.18 feet;
North 31°20'29" East, 25.31 feet;

-Continued-

CONTINUATION
Exhibit "A"

Order Number: J-33904

North 52°49'49" East, 29.09 feet;
North 67°38'38" East, 39.10 feet;
North 80°55'07" East, 56.00 feet;
North 89°15'19" East, 124.94 feet;
North 75°47'07" East, 35.61 feet;
North 56°37'14" East, 51.20 feet;
North 28°00'39" East, 31.89 feet;
North 02°28'20" East, 28.48 feet;
North 49°07'05" West, 25.23 feet;
South 86°13'58" West, 60.82 feet;
North 85°02'32" West, 166.67 feet;
South 85°35'56" West, 60.89 feet;
South 59°20'36" West, 69.00 feet;
South 67°57'16" West, 99.32 feet;
South 82°23'41" West, 41.03 feet;
North 85°14'15" West, 98.53 feet;
North 70°59'06" West, 109.28 feet;
North 26°59'19" West, 26.56 feet;
North 33°33'39" East, 119.50 feet;
North 16°47'25" East, 29.38 feet;
North 04°22'37" West, 123.94 feet;
North 20°50'24" West, 111.68 feet;
North 07°01'20" West, 46.24 feet;
North 18°35'15" East, 32.76 feet;
North 58°26'56" East, 33.91 feet;
North 73°50'57" East, 33.68 feet;
South 88°47'44" East, 36.93 feet;
South 81°18'31" East, 77.97 feet;
North 68°40'13" East, 28.42 feet;
North 29°47'42" East, 31.02 feet;
North 01°12'31" West, 31.10 feet;
North 37°00'43" West, 28.46 feet;
North 51°13'48" West, 103.84 feet;
North 40°16'39" West, 61.15 feet;
North 50°42'05" West, 64.10 feet;
North 43°54'14" West, 38.96 feet;

-Continued-

CONTINUATION
Exhibit "A"

Order Number: J-33904

North 58°18'52" West, 98.99 feet;
North 45°50'22" West, 123.02 feet;
North 29°06'13" West, 50.86 feet;
North 12°05'06" West, 26.87 feet;
North 00°58'48" West, 58.15 feet;
North 35°04'22" West, 33.04 feet;
North 55°49'41" West, 33.33 feet;
North 70°46'04" West, 34.37 feet;
North 82°13'50" West, 131.17 feet;
South 80°52'49" West, 102.96 feet;
North 86°57'06" West, 42.31 feet;
North 69°31'30" West, 38.84 feet;
North 33°32'22" West, 87.28 feet;
North 50°43'03" West, 41.00 feet;
South 83°14'04" West, 38.71 feet;
South 42°28'53" West, 87.23 feet;
South 62°02'47" West, 29.75 feet;
North 85°03'41" West, 31.96 feet;
North 68°53'13" West, 41.67 feet;
North 63°28'20" West, 68.16 feet;
North 55°13'59" West, 47.21 feet;
North 38°18'45" West, 58.93 feet;
North 30°30'44" West, 51.38 feet;
North 19°00'50" West, 31.59 feet;
North 07°29'19" West, 31.70 feet;
North 03°44'01" East, 33.01 feet;
North 13°52'02" East, 112.84 feet;
North 03°43'42" East, 39.06 feet;
North 10°46'54" West, 23.96 feet to the intersection with a fence line running
Westerly;
Thence leaving the center of the irrigation lateral and following an existing fence
line on the following courses:
North 86°58'39" West, 224.80 feet;
North 87°10'19" West, 559.84 feet;
North 87°06'31" West, 773.22 feet;

-Continued-

CONTINUATION
Exhibit "A"

Order Number: J-33904

North 00°11'49" East, 145.90 feet;
North 88°18'30" West, 610.45 feet;
North 88°43'32" West, 554.13 feet;
North 01°14'03" East, 1134.67 feet;
North 30°32'26" East, 148.33 feet;
North 36°06'36" East, 886.71 feet;
North 18°47'46" East, 190.75 feet;
North 09°08'15" East, 458.74 feet;
North 28°55'38" West, 315.38 feet to the intersection with the North
boundary of the SW¼SE¼ of Section 26;

Thence South 89°52'36" East along the North boundary of the SW¼SE¼ of Section
26 for a distance of 551.33 feet to the Southwest corner of the NE¼SE¼ of
Section 26;

Thence North 0°10'07" West along the West boundary of the NE¼SE¼ for a distance
of 1320.69 feet to the Northwest corner of the NE¼SE¼;

Thence South 89°51'55" East along the North boundary of the NE¼SE¼ for a
distance of 1320.22 feet to the East quarter corner of Section 26;

Thence South 0°23'30" East along the East boundary of the SE¼ of Section 26 for a
distance of 1320.45 feet to the Northwest corner of the SW¼SW¼ of Section
25;

Thence North 89°57'17" East along the North boundary of the SW¼SW¼ of Section
25 for a distance of 1321.48 feet to the Northeast corner of the SW¼SW¼;

Thence South 0°16'58" East along the East boundary of the SW¼SW¼ for a distance
of 1317.51 feet to the Southeast corner of the SW¼SW¼ of Section 25;

Thence North 89°49'38" East along the South boundary of Section 25 for a distance of
1318.96 feet to the North quarter corner of Section 36;

Thence South 0°04'18" West along the North-South center Section line of Section 36
for a distance of 4934.20 feet to the intersection with the center of Lateral "F"
and being THE TRUE POINT OF BEGINNING.

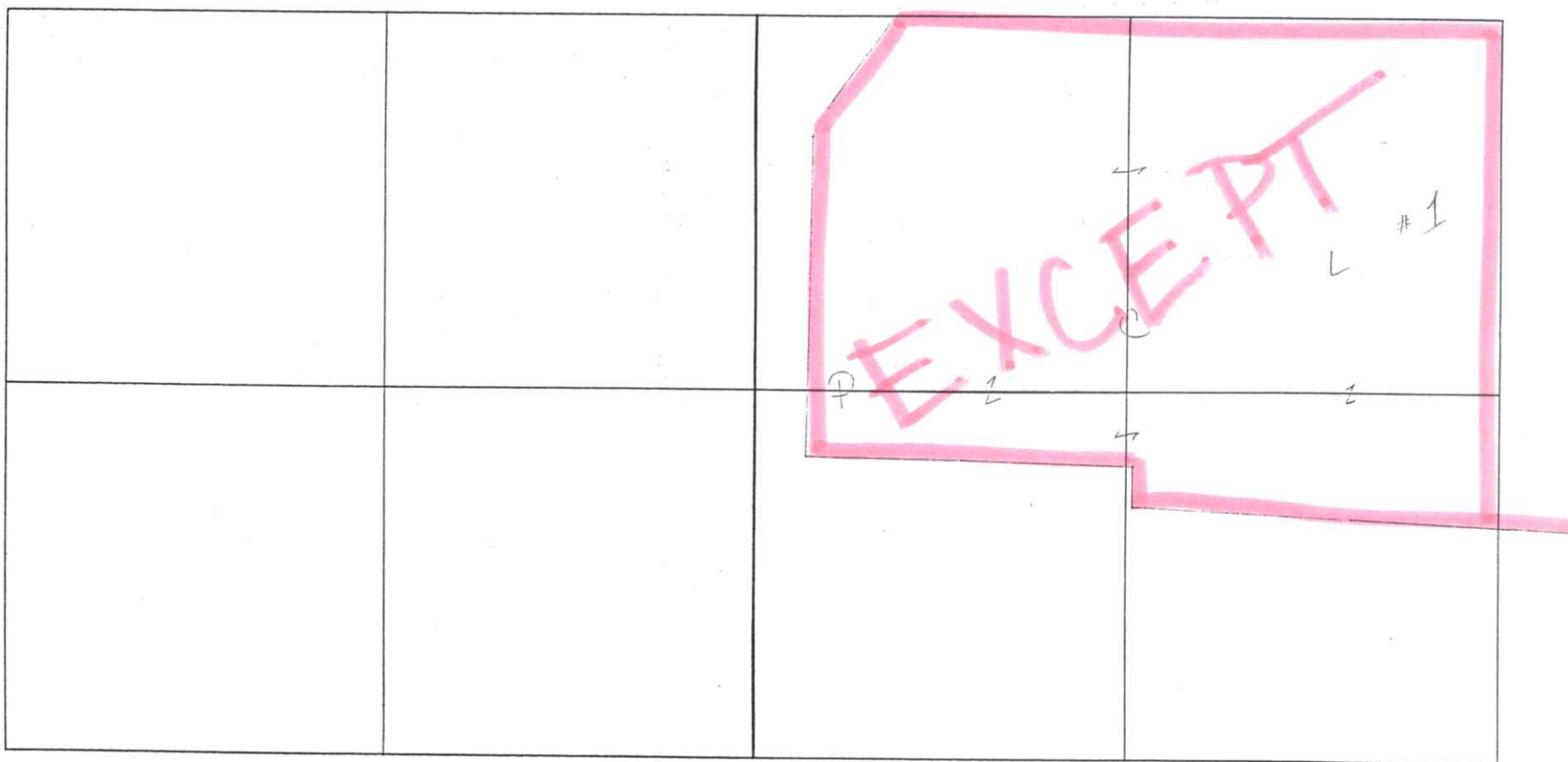
End of Exhibit "A"

SOUTH HALF



"This plat is made solely for the purpose of assisting in locating the land, and the company assumes no liability for variations, if any, with an actual survey."

NORTH HALF



"This plat is made solely for the purpose of assisting in locating the land, and the company assumes no liability for variations, if any, with an actual survey."

[illegible]

the land, and the company assumes no liability for variations, if any, with an actual survey."

SEE
NORTH HALL

SEE
LORTH
HOLE

1999

402 T

PC 43
1986

FIGURE 1

1994. 201

3.

3.

1

1

6

0.06

1

the plaintiff's obligation in looking the land over, and the company **assumes** no liability for variations, if **any**, with an actual survey."