

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

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MAR 18 2005

Department of Water Resources
Southern Region

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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 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
37-2679					
37-7005					
37-10538					

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) Magic Acres, L.L.C., an Idaho Limited Liability Company
P.O. Box 850, Wendell, ID 83355
4. New Owner/Claimant(s) Big Sky Dairy, an Idaho General Partnership
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 1660 East 2400 South 2395 South 1500 East
- City, State and ZIP Code Gooding, ID 83330
- New Telephone Number () _____
5. Date you acquired the property March 2005

SUPPORT DATA

IN FILE # 37-2679

6

If the change in ownership affects entire water right for each water right 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)

Big Sky Dairy, an Idaho General Partnership

Tony Visser

Michael Bosma

Russell Gregory Visser by Michael Bosma, Attorney in Fact

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 <u>H. Ward</u>	Date <u>3/18/05</u>	Fee <u>50.00</u>
Received by <u>H. Ward</u>	Date <u>3/18/05</u>	Receipt No. <u>5027473</u>
Processed by _____	Date _____	WR _____ Date _____

KAD

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6/28/05

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\$ 25.00

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Southern Region

STATE OF IDAHO COUNTY OF LINCOLN Recorded at the request of LAND TITLE & ESCROW MAR 11 2005 at <u>3:00</u> minutes past <u>3:00</u> P. recorded by <u>Helen Jackson Dep</u> Fee: <u>3.00</u> Return to	178442
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QUITCLAIM DEED

FOR VALUE RECEIVED, **MAGIC ACRES, L.L.C.**, an Idaho limited liability company, hereinafter referred to as "Grantor", do hereby convey, release, remise and forever quitclaim unto **BIG SKY DAIRY**, an Idaho general partnership, hereinafter "Grantee", whose address is 1660 E. 2400 S., Gooding, Idaho, 83330, all of its right, title and interest in and to the following State of Idaho water rights as claimed in the Snake River Basin Adjudication:

*2395 S. 1500 E.

TS
MB
IDWR No. 37-2679

IDWR No. 37-7005

TS
MB
IDWR No. 37-10538, subject to a Well Agreement recorded as Instrument No. 177457, records of Lincoln County, Idaho

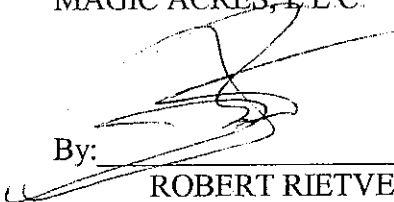
To have and to hold the said premises and their appurtenances unto the said Grantee, its successors and assigns, forever.

DATED this 11 day of March, 2005

**Tony Visser, Russell Visser, and
Michael Bosma, General Partners

"GRANTOR"

MAGIC ACRES, L.L.C.

By: 

ROBERT RIETVELD

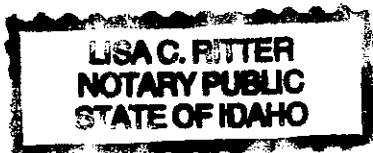
Its: Member

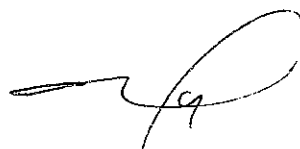
STATE OF IDAHO)

County of Gooding)
SS

On this 11 day of March, 2005, before me, a Notary Public for the State of Idaho, personally appeared ROBERT RIETVELD, known or identified to me, to be the managing member of MAGIC ACRES, L.L.C., and the member who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that he executed the same in said limited liability company name.

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




NOTARY PUBLIC

Residing at Hagerman, ID
My commission expires 10/8/10

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Department of Water Resources
Southern Region

WARRANTY DEED

FOR VALUE RECEIVED, MAGIC ACRES, L.L.C., an Idaho limited liability company, hereinafter referred to as "Grantor," does hereby grant, bargain, sell and convey unto **BIG SKY DAIRY**, an Idaho general partnership, whose address is ~~1660 E/2400 S~~, Gooding, Idaho, 83330, hereinafter referred to as "Grantee," the following described real property situated in Lincoln County, Idaho, to-wit: *2395 South 1500 East

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE

Together with all water rights appurtenant thereto, including , but not necessarily limited to, water evidenced by IDWR Water Right Nos. 37-7005, 37-2679, and 37-10538 which is subject to a Well Agreement recorded as instrument No. 177457, records of Lincoln County, Idaho.

To have and to hold the said premises and their appurtenances unto the said Grantee, its successors and assigns, forever.

The said Grantor does hereby covenant to and with the said Grantee that it is the owner in fee simple of said premises; that said premises are free from all encumbrances, except all matters of record and easements which are apparent; and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED this 11 day of March, 2005.

**Tony Visser, Russell Visser, and
Michael Bosma, General Partners

MAGIC ACRES, L.L.C.

By:

ROBERT RIETVELD

Its: Member

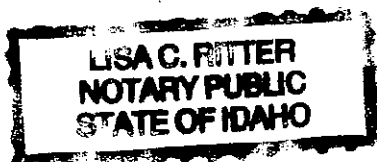
STATE OF IDAHO COUNTY OF LINCOLN Recorded at the request of LAND TITLE & ESCROW MAR 11 2005 at <u>23</u> minutes past <u>3 P.</u> recorded by <u>Nela Jackson</u> Fee <u>6.00</u> Return to <u>above</u>	178441
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By hand

STATE OF IDAHO)
County of Gooding)ss.

On this 11 day of March, 2005, before me, a Notary Public, in and for said County and State, personally appeared ROBERT RIETVELD, known or identified to me to be a member of MAGIC ACRES, L.L.C., the limited liability company that executed the foregoing instrument, and acknowledged to me that such limited liability company 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 OF IDAHO
Residing at: Hegeimer, ID
My commission expires: 10/8/10

(41m/tealest/wd lic magic acres)

EXHIBIT "A"

Order Number: GL-06071

TOWNSHIP 6 SOUTH, RANGE 18, EAST OF THE BOISE MERIDIAN, LINCOLN
COUNTY, IDAHO

Section 21: E½NW¼; S½, EXCEPT the following:

Beginning at the South Quarter corner for Section 21, the TRUE POINT OF
BEGINNING;

Thence North 0°06'05" West 1030.00 feet along the Westerly boundary of the
SW¼SE¼;

Thence North 89°53'55" East 139.68 feet;

Thence Southeasterly 711.58 feet along the Arc of a Curve left having a Radius of
1249.12 feet and a Chord of South 26°16'43" East 702.00 feet;

Thence North 47°24'06" East 20.00 feet;

Thence Southeasterly 107.99 feet along the Arc of a Curve left having a Radius of
1229.12 feet and a Chord of South 45°06'55" East 107.95 feet;

Thence South 42°22'04" West 20.00 feet;

Thence Southeasterly 581.88 feet along the Arc of a Curve left having a Radius of
1249.12 feet and a Chord of South 60°58'39" East 576.64 feet;

Thence South 0°42'29" West 56.35 feet to the Southerly boundary of SW¼SE¼;

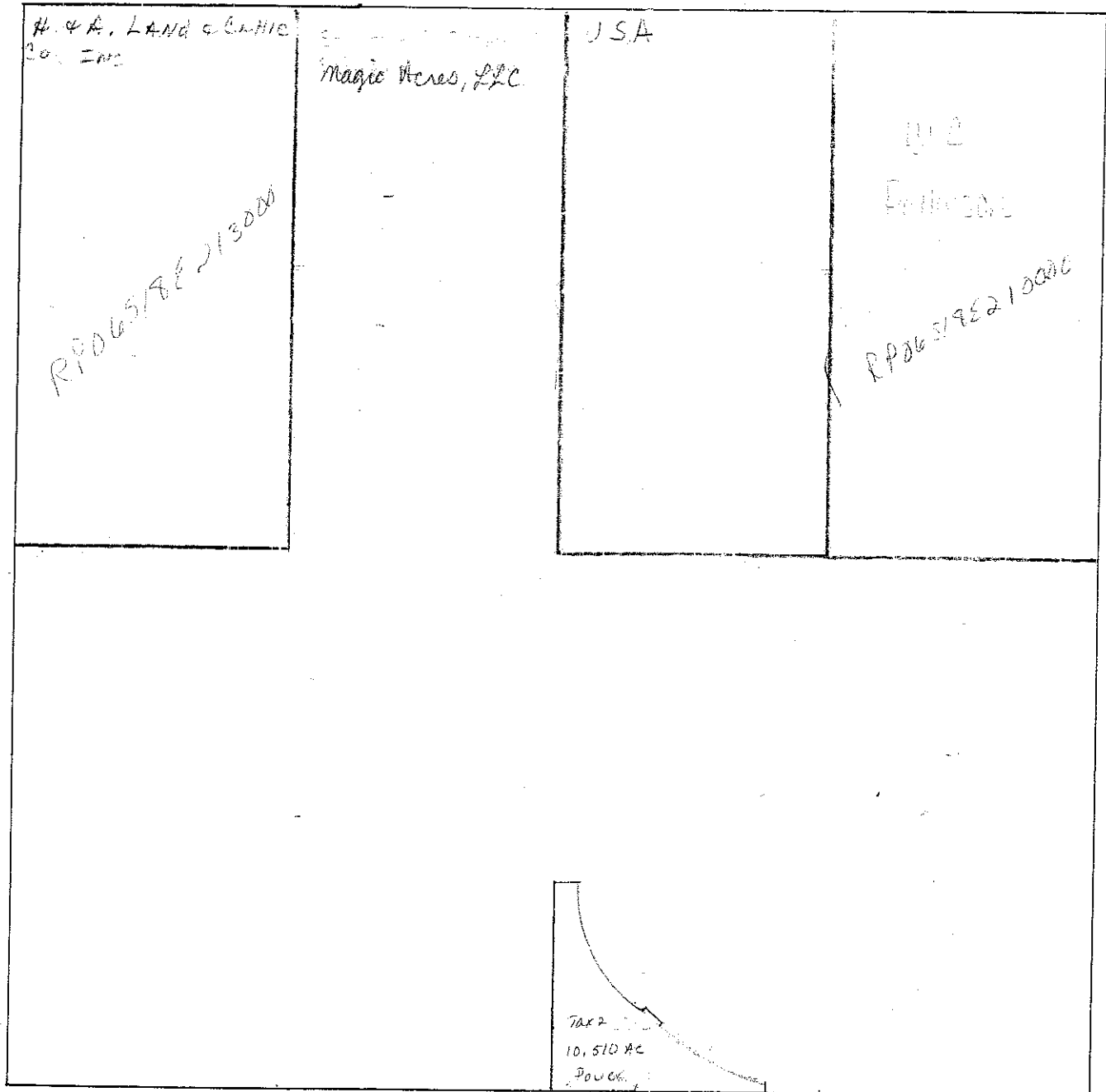
Thence North 89°17'31" West 1030.00 feet along said Southerly boundary to the
TRUE POINT OF BEGINNING;

TV
RV
MB

Section 27: N½NW¼;

Section 28: N½NE¼;

21-6-18



28-6-18

William Sweet

Magie Acres L.C. &

Donald E + Beverly Taber

USA

27-6-18

view
Hustor
1.01
100
100
100

Smaller Acres LLC

Donald E & Beverly Taber

Donald E &
Beverly Taber

Taber, Christopher
& ux

James L. Meservey
% Double M Farms

TAX 1
2 AC
HAND
275.52'

E