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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 57-07116

1998 FEB -9 PM 1:09

DISTRICT COURT - SRBA
TWIN FALLS, IDAHO

NAME & ADDRESS: ORE-IDA FOODS INC
PO BOX 10
BOISE ID 83707

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS
1.8 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL
NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 04/05/1974

POINT OF DIVERSION: T03N R05W S06 NWSE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	COMMERCIAL	01-01 12-31	0.04 CFS
			1.2 AFY
	DOMESTIC	01-01 12-31	0.04 CFS
			0.6 AFY

COMMERCIAL USE FOR STORAGE HUMIDIFIERS
DOMESTIC USE IN THE SCALEHOUSE

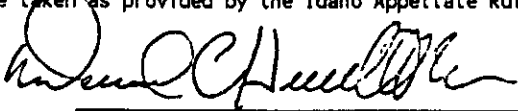
PLACE OF USE:	COMMERCIAL	Within Owyhee County
	T03N R05W S06	NWSE
	DOMESTIC	Within Owyhee County
	T03N R05W S06	NWSE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

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.


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 57-07116

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FEB-4-1998

MICROFILMED

OCT 01 1998

IDAHO DEPARTMENT OF WATER RESOURCES
PREFIX/SPLIT QUERY

DATE: 09/11/00

TIME: 11:25:30

PAGE: 1

WATER RIGHT NO.	NAME	OWNER	PRIORITY DATE	STG/STS	SOURCE	USE DESC	SYSTEM
57-07116	ORE IDA FOODS INC.	C	04/05/1974	L/	GROUNDWATER	COMMER DOMEST	WR

57-07116	ORE-IDA FOODS INC	C	04/05/1974	D/	GROUNDWATER	P DECR	AJ
A57-07116	ORE-IDA FOODS INC	C	04/05/1974	L/	GROUNDWATER	COMMER DOMEST	AJ



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

September 11, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

R D OFFUTT COMPANY
DAVID A LUTGEN
PO BOX 7160
FARGO ND 58106-7160

RE: Change of Ownership for License 57-07116 (ACL Company)

Dear Mr. Lutgen:

The Notice of Change of Water Right Ownership form that you sent to our Western Regional office has been forwarded to me for processing. My initial review of this paperwork indicates that we did not receive a legal document indicating ownership of this property as requested on the ownership change form. I have enclosed a copy for your reference.

In addition to the proof of ownership, we now require a \$25.00 filing fee for the processing of ownership changes on water rights. This became effective on July 1, 2000 with the enactment, by the legislature, of House Bill No. 545 (see enclosed notice).

We will be happy to complete the processing of your request upon receipt in this office of the required documentation and filing fee.

If you have any questions regarding this matter, please call me at 208-327-7941.

Sincerely,

Kari Lynn Townsend
Secretary

KLt:k

Enclosures

R.D. OFFUTT COMPANY

Executive Offices
1600 Radisson Tower
P.O. Box 7160
Fargo, North Dakota 58106-7160
(701) 476-2450

RECEIVED

AUG 11 2000

**WATER RESOURCES
WESTERN REGION**

August 8, 2000

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082

RECEIVED

AUG 16 2000

Department of Water Resources

Re: ACL Company, LLC

Enclosed is a completed Notice of Change of Water Right Ownership for property owned by ACL Company, LLC in Homedale, Idaho.

If you need further information, please contact me at 701-476-2455 or Mr. John Landa at 218-732-0397. Thank you.

Very truly yours,
R.D. OFFUTT COMPANY



David A. Lutgen
Manager-Accounting & Administration

Cc: John Landa

RECEIVED

AUG 11 2000

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.NO
fee
received

1. Water Right No(s).: License 57-07116
Adjudication Claim No(s).: A57-07116
2. The following REQUIRED information must be submitted with this form:
 - 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 attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Ore-Ida Foods, Inc.
P. O. Box 10, Boise, Idaho 83707
4. New Owner/Claimant(s) ACL Company, LLC
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 2829 S. University Drive, P. O. Box 7160
City, State and ZIP Code Fargo, North Dakota 58106-7160
New Telephone Number (701) 476-2455
5. Date you acquired the property JANUARY 19, 1996
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 you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
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 or Claimant(s) William D. Knoll, Secy
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

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. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

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 believes there are water rights for the property but the numbers are unknown, you may wish to contact 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. 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) 736-3033

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 83402-1718 (208) 525-7161

DATE: 05/04/98
PAGE: 1

Water Source:	GROUNDWATER	Tributary to:	Stage:	LICENSE
Point(s) of Diversion:	T03N R05W S06	NWSE		OWAYHEE County
Place of use	Legal Description for: COMMERCIAL			
	NE	NW	SW	SE
NE NE NE	NW NE S	NW NW NW	SW NW NW	SE SE SE
T R S	Lt Ac Lt Ac Lt Ac	Lt Ac Lt Ac Lt Ac	Lt Ac Lt Ac Lt Ac	Lt Ac Lt Ac Lt Ac
03N 05W 6	:	:	:	:

Audit: 02/20/85 05/01/88 CONVERT 07/20/89 CURTIS

AJ5809NP
No. 57-07116

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/04/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ORE-IDA FOODS INC	04/05/1974	COMMERCIAL DOMESTIC	01-01 12-31 01-01 12-31	0.04 CFS 0.04 CFS	1.20 AFA 0.60 AFA
				TOTAL DIVERSION: CONSUMPTIVE USE:	0.04 CFS	1.80 AFA 1.20 AFA

Water Source: GROUNDWATER Tributary to: Stage: LICENSE
Point(s) of Diversion: T03N R05W S06 NWSE OMYHEE County

Place of use Legal Description for: COMMERCIAL

NE		NW		SW		SE	
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SESW
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
03N	05W	6	:	:	:	:	:

Place of use Legal Description for: DOMESTIC

NE		NW		SW		SE	
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SESW
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
03N	05W	6	:	:	:	:	:

POU County: OMYHEE

Non-Irrigation Uses: COMMERCIAL, STORAGE HUMIDIFICATION; DOMESTIC, SCALEHOUSE.

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
		07/17/1992	
Misc:	Water District Number:	Field Inspection Flag:	Presumption Flag: