

# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

### NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

MAR 16 2005

Department of Water Resources  
Southern Region

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<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| 37-7488               |                              |       |                       |                              |       |
| 37-20720              |                              |       |                       |                              |       |
| 37-20721              |                              |       |                       |                              |       |
| 37-20857              |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

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WATER RESOURCES

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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) Harold and Audrey Huyser  
173 Millard Road, Dietrich, ID 83324
4. New Owner/Claimant(s) Big Sky Dairy, an Idaho General Partnership  
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or  
2395 South 1500 East, Gooding, ID 83330
- New Mailing Address \_\_\_\_\_
- City, State and ZIP Code \_\_\_\_\_
- New Telephone Number ( ) \_\_\_\_\_
5. Date you acquired the property March 8, 2005

SUPPORT DATA

IN FILE # 37-07488

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<br>(cubic feet per second or acre-feet per annum) | Description<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(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

Tony Visser

Russell Visser

Michael Bosma

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 thawert Date 3/16/05 Fee 75.00  
Received by thawert Date 3/16/05 Receipt No. 5027465  
Processed by AJ Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_

GL-06032

**WARRANTY DEED**

|                                                                                                     |               |
|-----------------------------------------------------------------------------------------------------|---------------|
| STATE OF IDAHO<br>COUNTY OF LINCOLN<br>Recorded for the fee of \$<br><b>LAND TITLE &amp; ESCROW</b> | <b>178419</b> |
| <b>MAR 10 2005</b>                                                                                  |               |
| at <u>42</u> minutes past <u>1</u> P.M.                                                             |               |
| recorded by <u>Kelley Jackson</u>                                                                   |               |
| Fee: <u>15.00</u> Return to <u>above</u>                                                            |               |

*By hand.*

FOR VALUE RECEIVED,

/ also shown as Harold P. Huyser, aka H & A Land and Cattle Co.

**HAROLD HUYSER and AUDREY HUYSER**, husband and wife, and H. & A. LAND AND CATTLE, an Idaho Corporation, the "Grantors", do hereby grant, bargain, sell and convey unto **BIG SKY DAIRY**, an Idaho General Partnership, TONY VISSER, RUSSELL VISSER and MIKE BOSMA, General Partners, whose address is 2395 South 1500 East, Gooding, Idaho 83330, the "Grantee", the following described premises located in Lincoln County, Idaho, to wit:

See **Exhibit A** attached hereto.

Together with all water rights appurtenant thereto, including but not limited to the following:

Water Rights Nos. 37-7488; 37-20720; 37-20721; 37-20857; and 70 ~~100~~ shares of American Falls Reservoir District #2 surface water, and 30 shares of Big Wood Canal Company Water Shares.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. The said Grantors do hereby covenant to and with the said Grantees, that they are the owners of said premises; that they will warrant and defend the same from all lawful claims whatsoever, except as hereinabove specifically provided, and the specific exceptions listed below:

DATED THIS 8<sup>th</sup> day of March, 2005.

**"GRANTORS"**

Harold Huyser  
HAROLD HUYSER

Audrey Huyser  
AUDREY HUYSER

H. & A. LAND AND CATTLE, INC.,  
an Idaho Corporation

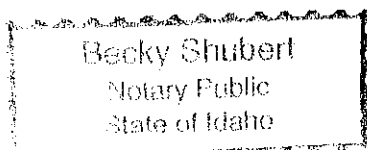
Harold Huyser  
HAROLD HUYSER, President

Audrey Huyser  
AUDREY HUYSER, Secretary

STATE OF IDAHO )  
County of Gooding ss:  
Jerome

I, Becky Shubert, a Notary Public, do hereby certify that on this 8<sup>th</sup> day of March, 2005, personally appeared HAROLD HUYSER and AUDREY HUYSER, husband and wife, individually and as the President and Secretary of H. & A. Land and Cattle, Inc., an Idaho corporation, who, being by me first duly sworn, declared that signed the foregoing document individually and as President and Secretary of the corporation, and that the statements therein contained are true.

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



Becky Shubert  
NOTARY PUBLIC for Idaho  
Residing at: Wendell ID  
Commission Expires: 02-23-2011

## EXHIBIT A

### Parcel No. 1:

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

Section 16: S½SW¼

Section 17: SW¼SE¼; S½SE¼SE¼; and S½N½SE¼SE¼, EXCEPTING therefrom the following described parcel.

A parcel of land located in the S½N½SE¼SE¼, more particularly described as follows:

Commencing at the Southeast corner of said Section 17;  
Thence North 00°00'00" West along the East boundary of the SE¼ of said Section 17 for a distance of 787.29 feet to the TRUE POINT OF BEGINNING;  
Thence continuing South 88°37'12" West for a distance of 209.54 feet;  
Thence North 00°00'00" East parallel with the East boundary of the SE¼ of said Section 17 for a distance of 210.43 feet;  
Thence North 89°58'33" East for a distance of 209.48 feet to a point on the East boundary of the SE¼ of said Section 17;  
Thence South 00°00'00" East along the East boundary of the SE¼ of said Section 17 for a distance of 205.47 feet to the TRUE POINT OF BEGINNING.

ALSO EXCEPTING a parcel of land located in a portion of S½N½SE¼SE¼, being more particularly described as follows:

Commencing at the Southeast corner of Section 17, said point lies South 00°00'54" West 2647.64 feet from the East Quarter corner of Section 17;  
Thence North 00°00'54" East 787.40 feet along the East boundary of Section 17;  
Thence South 88°37'53" West 209.54 feet to the REAL POINT OF BEGINNING;  
Thence North 00°00'54" East 210.43 feet;  
Thence South 89°59'16" West 30.03 feet along the North boundary of S½N½SE¼SE¼, Section 17;  
Thence South 05°38'45" East 122.24 feet;  
Thence South 06°43'43" East 89.57 feet;  
Thence North 88°37'51" East 7.45 feet to the REAL POINT OF BEGINNING.

Section 20: NW¼NE¼

## CONTINUATION

### EXHIBIT A

#### Parcel No. 2:

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

Section 17: A parcel of land located in the E $\frac{1}{2}$ SE $\frac{1}{4}$  more particularly described as follows:

Commencing at the Southeast corner of said Section 17;  
Thence N0°03'02" W along the East boundary of Section 17 for a distance of 992.76 feet to the Southeast corner of the N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Thence S89°55'31" W along the South boundary of the N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$  for a distance of 473.53 feet to the TRUE POINT OF BEGINNING;  
Thence S89°55'31" W along the South boundary of the N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$  for a distance of 844.42 feet to the Southwest corner of the N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Thence N0°02'27" W along the West boundary of the N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$  for a distance of 330.46 feet to the Northwest corner of the N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Thence 89°54'19"E along the North boundary of the N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$  for a distance of 327.81 feet;  
Thence S38°09'30" E for a distance of 241.26 feet;  
Thence S69°08'01" E for a distance of 393.60 feet to the TRUE POINT OF BEGINNING.

#### Parcel No. 3:

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

Section 17: S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$  EXCEPTING therefrom the following described parcel:

A parcel of land located in the E $\frac{1}{2}$ SE $\frac{1}{4}$  more particularly described as follows:

Commencing at the Southeast corner of said Section 17;  
Thence N0°03'02" W along the East boundary of Section 17 for a distance of 1323.68 feet to the Southeast corner of the S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$  and being the TRUE POINT OF BEGINNING;  
Thence S89°54'19" W along the South boundary of the S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$  for a distance of 990.08 feet;  
Thence N0°02'27" W for a distance of 330.57 feet to the North boundary of the S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Thence N89°53'07" E along the North boundary of the S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$  for a distance of 990.02 feet to the Northeast corner of the S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Thence S0°03'02" E along the East boundary of Section 17 for a distance of 330.92 feet to the TRUE POINT OF BEGINNING.

## CONTINUATION

### EXHIBIT A

#### Parcel No. 4

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

Section 20: NE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 21: W $\frac{1}{2}$ NW $\frac{1}{2}$

#### Parcel No. 5:

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

Section 20: A parcel of land located in a portion of SE $\frac{1}{4}$ NE $\frac{1}{4}$ , being more particularly described  
as follows:

Commencing at the Northeast corner of Section 20, said point lies North  
00°16'07" West 2634.10 feet from the East Quarter corner of Section 20;  
Thence South 00°16'07" East 1317.05 feet to the Northeast corner of SE $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
Section 20 and being the REAL POINT OF BEGINNING;  
Thence North 89°57'42" West 1320.57 feet to the Northwest corner of SE $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
Section 20;  
Thence South 00°09'51" East 42.58 feet along the West boundary of said  
SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Thence South 89°05'21" East 1320.91 feet to a point on the East boundary of said  
SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Thence North 00°16'07" West 62.70 feet along the East boundary of said  
SE $\frac{1}{4}$ NE $\frac{1}{4}$ , to the REAL PONT OF BEGINNING.

