



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 31, 2005

AVELAR'S DAIRY
3835 N 1300 E
BUHL ID 83316

RE: Change of Ownership for Water Right 47-12822B

Dear Water Right Holder(s):

Our letter of December 29, 2004 (copy enclosed) requesting the required fee for the above referenced ownership change remains unanswered. Therefore, I am returning the ownership change request. A copy of your ownership change information will be kept in our files for reference.

If, at a later date, you wish to reinstate this request you may send the enclosed ownership change request form along with the required fee and we will be happy to complete the request for you.

If you have any questions regarding this matter, please contact Kari Lynn Townsend at 208-287-4952.

Sincerely,

Kandice L. McDermott
Records Analyst

/klm
enclosure

47-12822B - deeded

RECEIVED
MAR 27 2001
Department of Water Resources
Southern Region

**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
47-12822B					
47-04286					
47-04287	} copied to AJ				
47-04288					

RECEIVED

JUL - 6 2001

2. The following **REQUIRED** information must be submitted with this form:

Department of Water Resources

- 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) Craig A and Susan L. Moore
2467 Stadium Blvd, Twin Falls ID 83301
4. New Owner/Claimant(s) AVELAR'S DAIRY
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 3835 N. 1300 E.
- City, State and ZIP Code BUHL, ID. 83316
- New Telephone Number (208) 543-4441
5. Date you acquired the property 3-26-01

45249ML

TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

**** SPACE ABOVE FOR RECORDER ****

Twin Falls County, Idaho

Recorded for:
TITLEFACT

03:34pm Mar. 26, 2001
2001 - 005305

No. of Pages: 2 Fee: \$6.00
ROBERT S. FORT
Ex-Officio Recorder
Deputy: CD

WARRANTY DEED

FOR VALUE RECEIVED **CRAIG A. MOORE and SUSAN L. MOORE**, husband and wife, hereinafter called the grantor, hereby grants, bargains, sells and conveys unto **AVELARS DAIRY, a partnership** hereinafter called grantee, whose address is: 3835 North 1300 East, Buhl, Idaho 83316, the following described premises, in **Twin Falls County, Idaho**, to-wit:

Township 10 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho

Section 1: A parcel of land being portions of the S $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ and more particularly described as follows:
COMMENCING at the Northwest corner of said Section 1, from which the West one-quarter (W $\frac{1}{4}$) corner of

Section 1 bears South 00°10'55" East 2872.83 feet;

THENCE South 00°10'55" East along the West boundary of the NW $\frac{1}{4}$ of Section 1 for a distance of 1548.95 feet to the Northwest corner of the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 1;

THENCE North 89°57'13" East along the North boundary of the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 1 for a distance of 660.82 feet to the TRUE POINT OF BEGINNING;

THENCE continuing North 89°57'13" East along the North boundary of the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 1 for a distance of 1985.32 feet to the Northeast corner of the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 1;

THENCE South 00°03'35" East along the East boundary of the W $\frac{1}{2}$ of Section 1 for a distance of 3044.23 feet to a point on the Northerly right-of-way boundary of the Union Pacific Railroad;

THENCE North 63°41'55" West along the Northerly right-of-way boundary of the Union Pacific Railroad for a distance of 329.33 feet to the point of curve of a curve left;

THENCE Northwesterly along the Northerly right-of-way boundary of the Union Pacific Railroad on the arc of the curve left for a distance of 650.28 feet to the Point of Tangent, said arc having a radius of 5729.58 feet and a long chord bearing and distance of North 66°57'00" West 655.60 feet;

THENCE North 70°12'05" West along the Northerly right-of-way boundary of the Union Pacific Railroad for a distance of 1570.26 feet;

THENCE leaving the railroad right of way on a bearing of North 00°24'46" East for a distance of 458.21 feet;

THENCE North 28°48'00" East for a distance of 344.55 feet;

THENCE North 18°57'21" East for a distance of 35.03 feet;

THENCE North 03°08'45" East for a distance of 327.80 feet;

THENCE North 01°05'25" East for a distance of 763.74 feet;

THENCE North 37°53'00" East for a distance of 283.77 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO: An easement for the use and maintenance of any and all ditches located within the boundaries of the before-described parcel.

AND

Township 10 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho

Section 1: A parcel of land located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ and more particularly described as follows:
COMMENCING at the Northwest corner of said Section 1, from which the West one-quarter (W $\frac{1}{4}$) corner of

Section 1 bears South 00°10'55" East 2872.83 feet;

THENCE South 00°10'55" East along the West boundary of the NW $\frac{1}{4}$ of Section 1 for a distance of 1973.70 feet to a point on the approximate center of an irrigation ditch and being the TRUE POINT OF BEGINNING;

THENCE along the center of the irrigation ditch on the following courses:

North 65°01'30" East, 135.38 feet;

North 63°14'13" East, 107.41 feet;

North 63°27'50" East, 135.66 feet;

North 63°41'00" East, 106.48 feet;

THENCE leaving the center of the irrigation ditch on a bearing of South 01°05'25" West for a distance of 773.52 feet;

THENCE North 87°24'46" West for a distance of 136.55 feet;

THENCE South 01°45'05" West for a distance of 112.95 feet;

THENCE North 89°08'55" West for a distance of 278.78 feet to a point on the West boundary of the NW $\frac{1}{4}$ of Section 1;

THENCE North 00°10'55" West along the West boundary of the NW $\frac{1}{4}$ of Section 1 for a distance of 662.63 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO:

1. A 25.0-foot-wide county road easement along the most westerly boundary of the before described parcel.

2. An easement for the use and maintenance of any and all ditches located within the boundaries of the before-described parcel.

AND

Township 10 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho

Section 1: A parcel of land located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ more particularly described as follows: COMMENCING at the Northwest corner of said Section 1, from which the West one-quarter (W $\frac{1}{4}$) corner of

Section 1 bears South 00°10'55" East 2872.83 feet;

THENCE South 00°10'55" East along the West boundary of the NW $\frac{1}{4}$ of Section 1 for a distance of 1548.95 feet to the Northwest corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 1 and being the TRUE POINT OF BEGINNING;

THENCE North 89°57'13" East along the North boundary of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 1 for a distance of 660.82 feet;

THENCE South 37°53'00" West for a distance of 283.77 feet;

THENCE South 01°05'25" West for a distance of 763.74 feet;

THENCE South 03°08'45" West for a distance of 327.80 feet;

THENCE South 18°57'21" West for a distance of 35.03 feet;

THENCE North 49°58'26" West for a distance of 33.48 feet;

THENCE South 89°40'30" West for a distance of 142.02 feet;

THENCE North 01°45'05" East for a distance of 348.29 feet;

THENCE South 87°24'46" East for a distance of 136.55 feet;

THENCE North 01°05'25" East for a distance of 773.52 feet to the center of an irrigation ditch;

THENCE along the center of the irrigation ditch on the following courses:

South 63°41'00" West 106.48 feet;

South 63°27'50" West 135.66 feet;

South 63°14'13" West 107.41 feet;

South 65°01'30" West 135.38 feet to a point on the West boundary of the NW $\frac{1}{4}$ of Section 1;

THENCE North 00°10'55" West along the West boundary of the NW $\frac{1}{4}$ of Section 1 for a distance of 424.75 feet to the TRUE POINT OF BEGINNING.

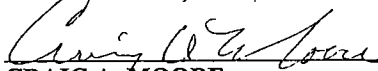
TOGETHER WITH a non-exclusive easement for vehicle access, farm equipment, livestock access, utilities, and irrigation pipeline as reflected in Warranty Deed from Craig A. Moore and Susan L. Moore, husband and wife, to Seapac of Idaho, Inc., recorded January 21, 1998, as Instrument No. 1998-001060, records of Twin Falls County, Idaho.

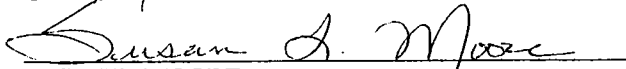
SUBJECT TO:

1. A 25.0-foot-wide county road easement along the most westerly boundary of the before-described parcel.
2. An easement for the use and maintenance of any and all existing ditches locate within the boundaries of the before-described parcel.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and 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 are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: March 26, 2001


CRAIG A. MOORE

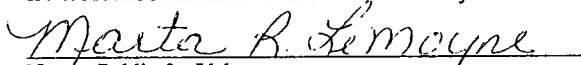

SUSAN L. MOORE

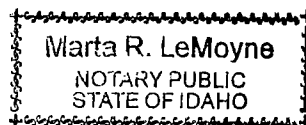
* * * * *

STATE OF IDAHO
County of Twin Falls

On this 26th day of March, 2001, before me, a Notary Public in and for said State, personally appeared CRAIG A. MOORE and SUSAN L. MOORE, husband and wife, known or identified to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

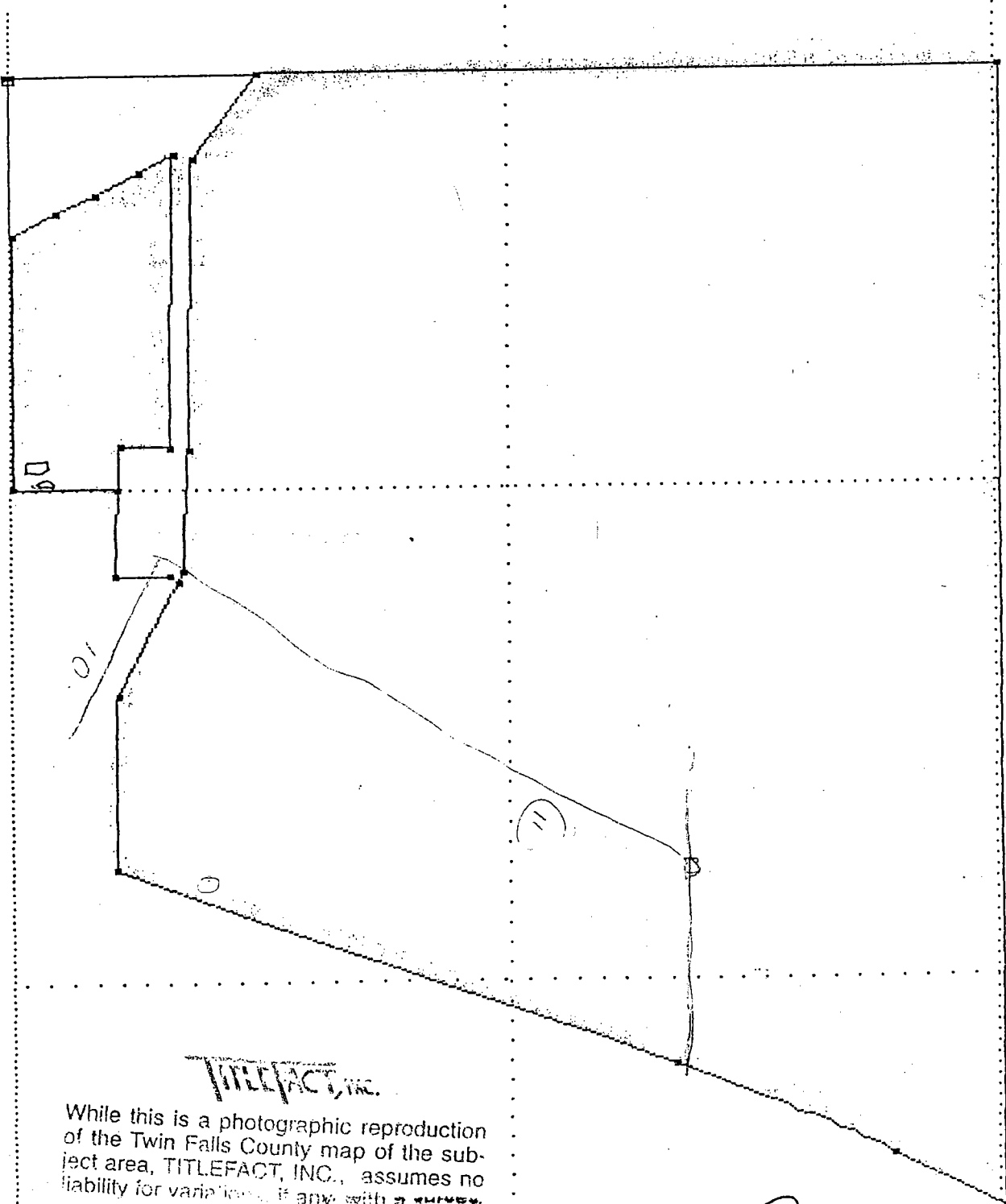
IN WITNESS HEREOF I have hereunto set my hand and official seal the day and year first above written.


Marta R. LeMoyne
Notary Public for Idaho
Residing at Buhl
Commission expires: 9-9-2005



Plat of Deed Calls for:
TITLEFACT INC POB 486 TWIN FALLS ID 83303

208)733-3821



While this is a photographic reproduction of the Twin Falls County map of the subject area, TITLEFACT, INC., assumes no liability for variations, if any, with a survey.

CM
FA

FARM SERVICE AGENCY
AERIAL MAP

