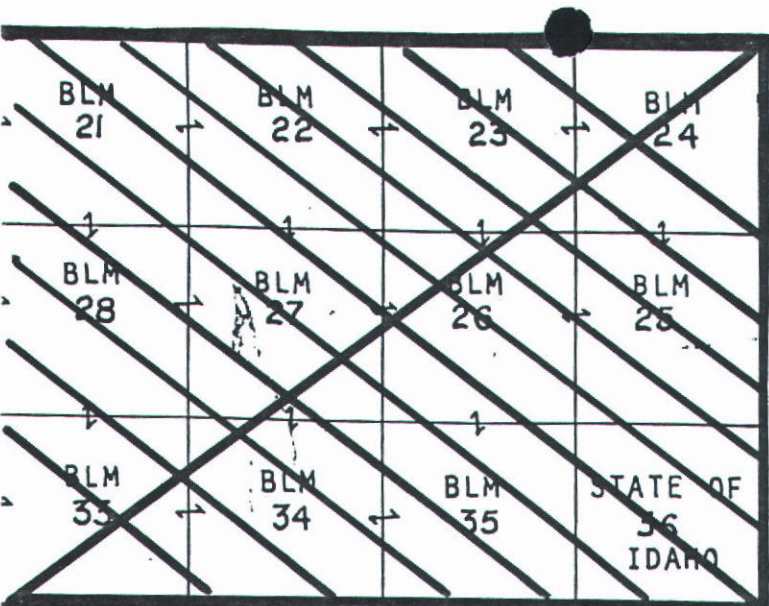
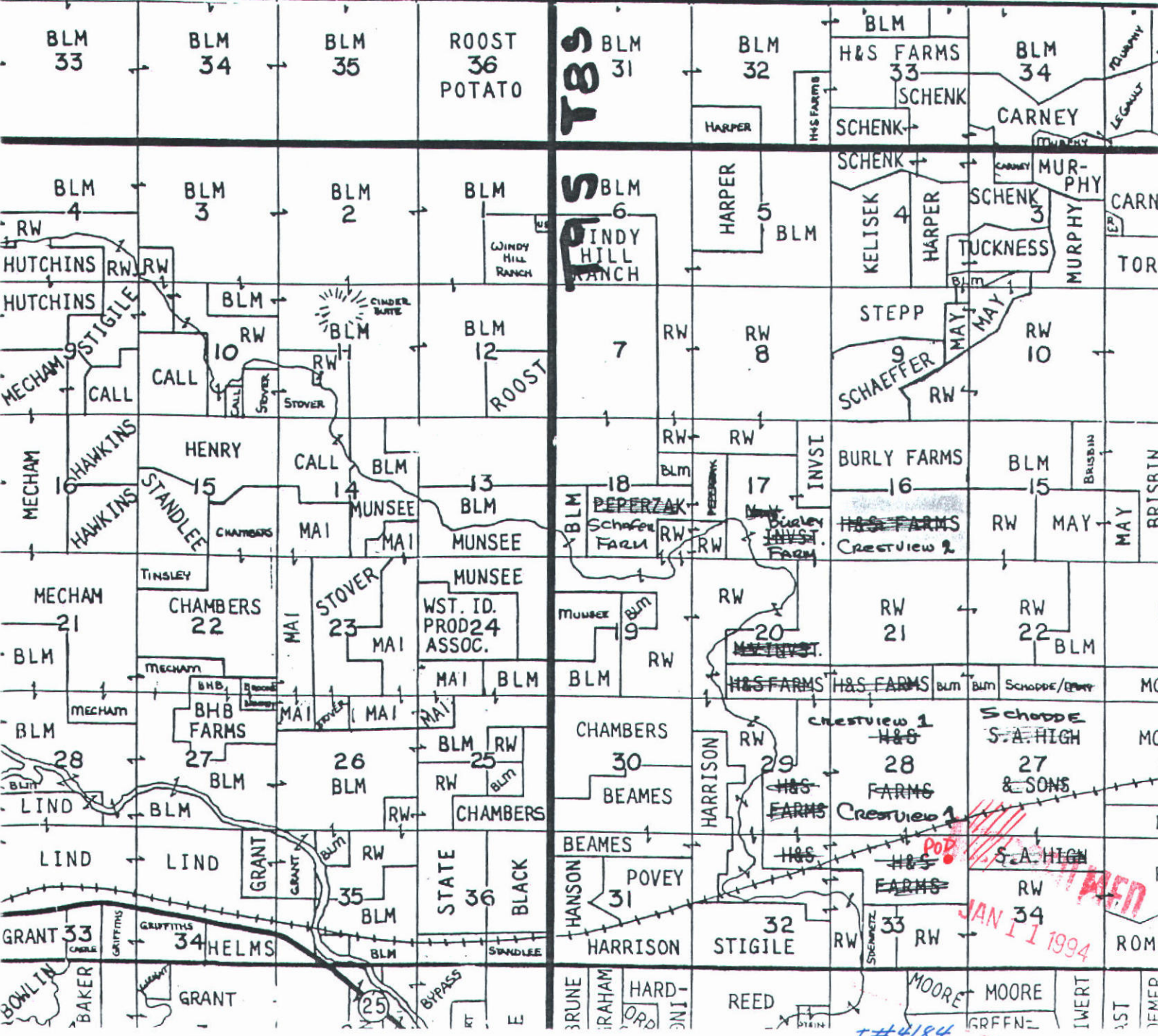


R20E



WE HAVE TAKEN EXTREME CARE TO INSURE ACCURACY. HOWEVER, WE ASSUME NO RESPONSIBILITY FOR ERRORS OR OMISSIONS.

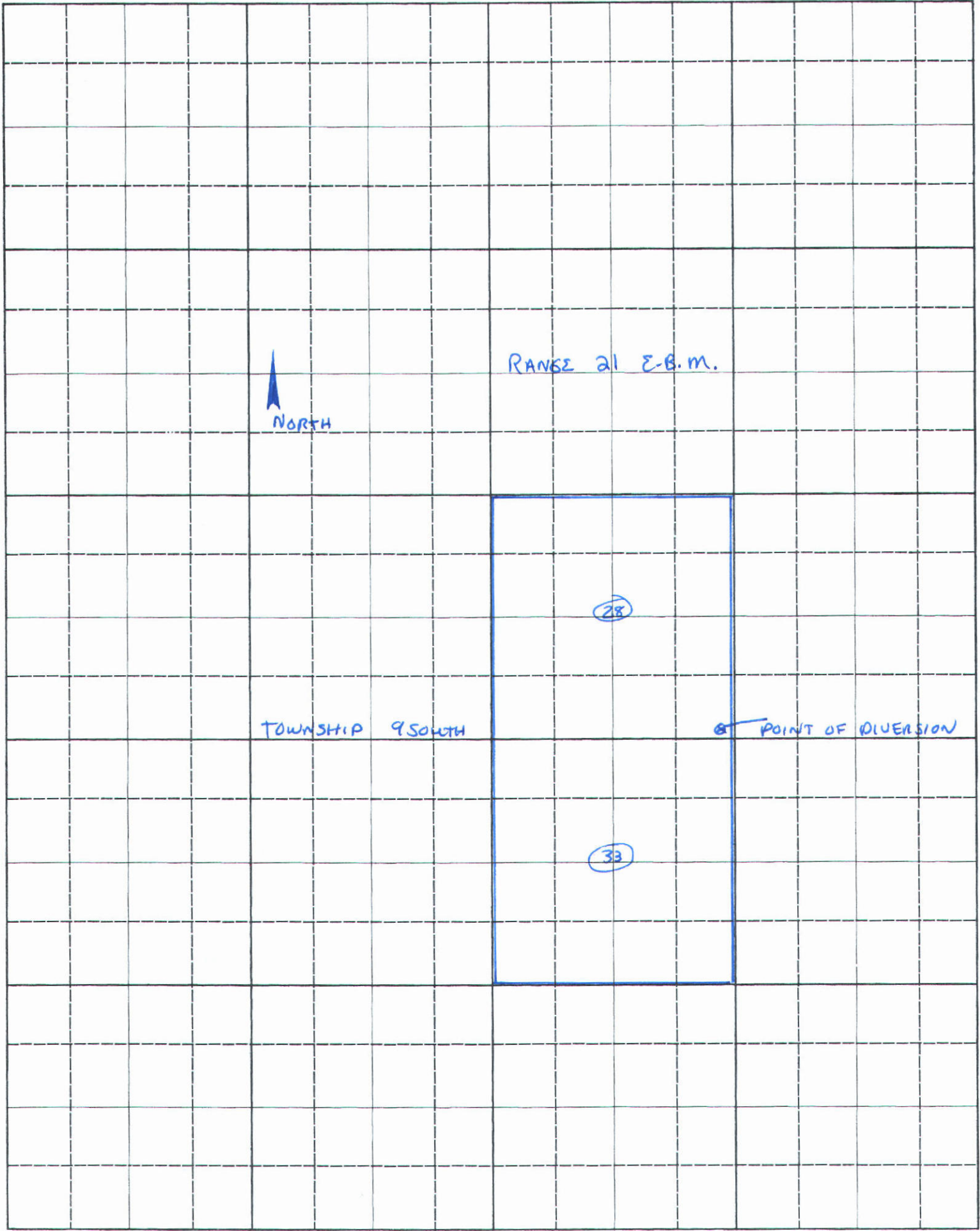
R21E



JAN 11 1994

T#4184

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.


(Applicant)

RECORDED

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Jerome } SS.

L. L. LANGDON
ASST. PUBLISHER

_____, being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for Two consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 12th day of November 1981, and the date of the last publication was on the 19th day of November, 1981.

L. L. Langdon

Subscribed and sworn to before me this 20th day of November, 1981.
(SEAL)

Darla Bratt

NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Numer of Picas per Line 13
Number of Lines in Notice 38
Number of Insertions 2

Lines tabular at 4¢ / Pica

Lines straight at 14.82 3¢ / Pica

Subsequent lines at 9.88 2¢ / Pica

TOTAL COST 24.70

MICROFILMED

COPY OF NOTICE

(Paste Here)

Permit #36-8014
TITLE OF NOTICE

Dr.

PLAINTIFF ATTORNEY

Crestview Farm
DEFENDANT

PLAINTIFF

Dept of Water
BIA TO

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application has been submitted for permit to appropriate the public waters of the State of Idaho:

36-8014

CRESTVIEW FARM ASSOC. NO. 1,
C/O AURORA CAPITAL CORP., P.O.
BOX 221, TWIN FALLS, ID 83301

Source: GROUNDWATER

Date Filed: 11-04-1981

Amount: 0.75 CFS

Diversion Point: SESE Sec 28 T 09S
R 21E, JEROME Co.

Use: STOCKWATER (0.65 CFS)
from 01-01 to 12-31

DOMESTIC (0.10 CFS) from
01-01 to 12-31

Place of Use: SESE Sec 28 T 09S R
21E

Diversion Means: WELL, PUMP,
MOTOR

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, ID 83301 and received on or before NOVEMBER 30, 1981.

A. KENNETH DUNN

Director

11-12-2tc

RECEIVED

NOV 23 1981

Department of Water Resources
Southern District Office

al mayer

AFFIDAVIT of PUBLICATION

State of Idaho }
County of Jerome } ss.

RECEIVED

AUG 26 1993

Patty Nance

Department of Water Resources
Southern Region Office

being first duly sworn, deposes and says that she is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for

2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the

18 day of August, 1993,

and the date of the last publication was on the 25 day of

August, 1993.

Patty Nance

Subscribed and sworn to before me this 25th day of

August, 1993.

(SEAL)

Norma D. Use
NOTARY PUBLIC

1286/5875
NORTH SIDE NEWS
Jerome, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2X'S

Lines tabular at _____ 6¢/Pica

682 Lines straight at \$34.10 5¢/Pica

Subsequent lines at 27.28 4¢/Pica

TOTAL COST \$61.38

JAN 11 1994

MICROFILMED

COPY OF NOTICE

(Paste Here)

Notice of Proposed
Change Water Right
36-08014
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Department of
Water Resources

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that AURORA FARMS, INC of Westminster, CO has applied to the Department of Water Resources to change place of use for stockwater and further classified as Transfer # 4184.

The right to be changed authorizes diversion of water from two wells located in S33, T09S, R21E within Jerome County. The right is recorded in part as follows:

WATER RIGHT RECOMMENDED IN SNAKE RIVER BASIN ADJUDICATION:

Water Right No. 36-08014
Name: Milner Kimama Investment Group
Basis of Right: Licensed Water Right No. 36-08014
Source: groundwater
Priority Date: 11/04/1981
Amount of Water: 0.26 cfs
Use:
Stockwater (0.12 cfs)
Domestic (0.10 cfs)
Commercial (0.04 cfs)
Point of Diversion:
NE1/4NE1/4NE1/4, S33, T09S, R21E; Jerome County
Place of Use: Stockwater and commercial use within S28, T09S, R21E; Domestic use within S33, T09S, R21E.

TO BE CHANGED AS FOLLOWS

This water right will be used for stockwater within SW1/4SW1/4, S27, T09S, R21E and NW1/4NW1/4, S34, T09S, R21E; commercial use within SE1/4SE1/4, S28, T09S, R21E; and domestic use within NE1/4NE1/4, S33, T09S, R21E.

Any protest against approval of the above proposal must be filed with the DEPARTMENT OF WATER RESOURCES, 222 SHOSHONE ST. E., TWIN FALLS ID 83301 on or before September 7, 1993.

R. Keith Higginson, Director

Published in North Side News on 8/18 & 8/25/93.

IDAHO DEPARTMENT OF WATER RESOURCES
 1301 N. Orchard St.
 Boise, ID 83706-2237
 (208) 334-7900

To

CRESTVIEW FARM ASSOC. NO. 1
 C/O AURORA CAPITAL CORP.
 P.O. BOX 2469
 TWIN FALLS, ID 83301

UNDELIVERED

NOV 15 1991



*W/1019
 address*

*6-26-91
 Resent to:
 P.O. BOX 221
 Twin Falls, ID 83301
 Data Base Changed*

RECEIVED
 JUN 11 1991

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 36-8014

1. Owner: Milner-Kimama Investment Group Phone No. 438-5437

Current Address: 2709 E. 800 S., Hazelton, ID 83335

2. Accompanied by: Grent Osterhout EXAM. DATE: 5-17-90

Address: Same Phone No. _____

Relationship to Permit Holder: Manager

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 36-8113

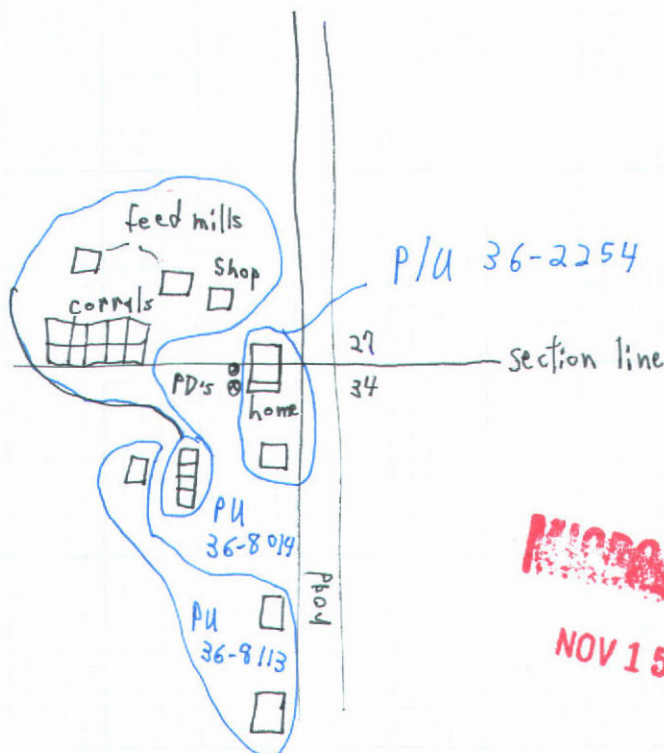
☒ Copies Attached

2. Other water rights with same point of diversion: 36-8113, 36-2254 (Domestic well)

☒ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).

36-8014



Corrals west of wells.



Feed mill & shop area.

MICROFILMED

NOV 15 1991

36-8014



Well #1, Well #2 in shed,



Well #2

UNRECORDED

NOV 15 1991

Measured
on
S-17

(*)

Barely

ID
732

WHA

153.7

(*)

WHA
S1

2070

28/27
33/34

home 4-plex home

home

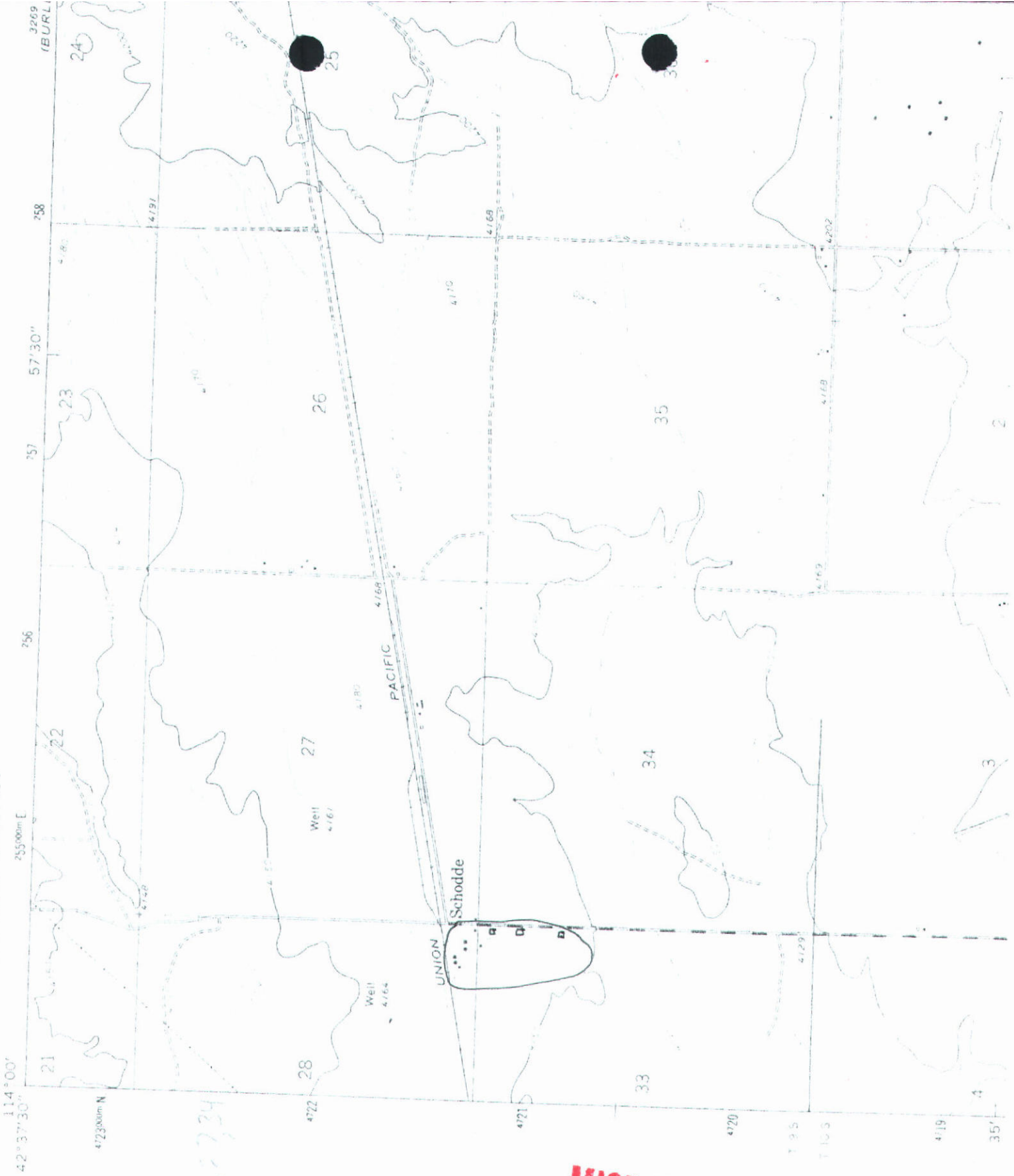
home

home
office

Scale 8" = 1 mile

NOV 15 1991

GEOLOGICAL SURVEY



NOV 15 1991

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 36-08014

RECEIVED
JUN 22 1998
Department of Water Resources
1998 JUN 18 PM 3:58
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME & ADDRESS: SUNRISE ORGANIC FARMS INC
12050 N PECOS STE 200
WESTMINSTER CO 80234-2711

SOURCE: GROUNDWATER

QUANTITY: 0.26 CFS
10.2 AFY

USE OF THIS RIGHT WITH RIGHT NOS. 36-08113 AND 36-02254B IS
LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.33 CFS.

PRIORITY DATE: 11/04/1981

POINT OF DIVERSION: T09S R21E S33 NENENE Within JEROME County

TWO POINTS OF DIVERSION LOCATED IN THE NENENE, S33,
T09S, R21E.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
STOCKWATER	01-01 12-31	0.12 CFS
COMMERCIAL	01-01 12-31	6.7 AFY
DOMESTIC 1 HOUSE	01-01 12-31	0.04 CFS
		1.1 AFY
		0.1 CFS
		2.4 AFY

COMMERCIAL USE IN A FEEDMILL AND SHOP.

PLACE OF USE:	STOCKWATER	Within JEROME County
	T09S R21E S28	SESE
	COMMERCIAL	Within JEROME County
	T09S R21E S28	SESE
	DOMESTIC	Within JEROME County
	T09S R21E S33	NENE

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

SRBA PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-08014

PAGE 1
JUN-2-1998

MICROFILMED
JAN 12 1998

This
Right has been
Decreed in the
SRBA.

MICRO. (11/11/11)

1/11/11 - 1/11/11

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4184
WATER RIGHT NO. 36-08014

This is to certify that: **AURORA FARMS INC**
1333 W 120TH AVE
STE 317
WESTMINSTER CO 80234

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.12 CFS	6.7 AF
COMMERCIAL	01/01 to 12/31	0.04 CFS	1.1 AF
DOMESTIC	01/01 to 12/31	0.10 CFS	2.4 AF
	Totals	0.26 CFS	10.2 AF

SOURCE

GROUNDWATER

Priority: 11/04/1981

LOCATION OF POINT(S) OF DIVERSION:

NENENE , Sec. 33, Township 09S, Range 21E
JEROME County

PLACE OF USE: STOCKWATER

TWN RGE SEC

09S 21E 27	SWSW
34	NWNW

PLACE OF USE: COMMERCIAL

TWN RGE SEC

09S 21E 28	SESE
------------	------

PLACE OF USE: DOMESTIC

TWN RGE SEC

09S 21E 33	NENE
------------	------

CONDITIONS/REMARKS:

MICROFILMED

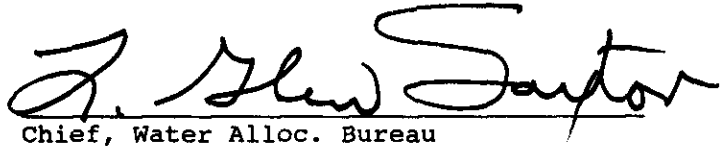
JAN 11 1994

TRANSFER NO. 4184
WATER RIGHT NO. 36-08014

CONDITIONS/REMARKS:

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
3. The change approved by this transfer is subject to the terms of the court's final decree of this right in the ongoing Snake River Basin Adjudication.
4. Stockwater use is for 500 head; commercial use is for a feed mill; domestic use is for 4 homes.
5. Two points of diversion located in NENENE, S33, T9S, R21E.

Dated this 1st day of December, 1993.


Chief, Water Alloc. Bureau


JAN 11 1994

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES4184
RECEIVED
Transfer No. 4184APPLICATION FOR TRANSFER OF WATER RIGHT
JUN 29 1993

PART 1

Department of Water Resources
Southern Region OfficeName of applicant AURORA FARMS, INC. Phone 438-8864Post Office address 1333 W. 120TH AVE. STE. 317, WESTMINSTER, CO 80234

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes STOCK MOVEDRECEIVED
NOV 01 1993

Department of Water Resources

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
- | | | | | |
|----------|-----------|------|------------|--------------|
| 36-08014 | 11-4-1981 | 0.12 | STOCKWATER | 1/1 to 12/31 |
| | | 0.10 | Domestic | " to " |
| | | 0.04 | Commercial | " to " |
| | | | | to |
2. Total amount of water being transferred 0.26 cubic feet per second and/or 10.2 acre-feet per annum.
3. Source of water GROUNDWATER tributary to _____
4. Point(s) of Diversion: No Change

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	NE	NE	33	9S	21E	JEROME	2 points of diversion

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	21E	34						S											
		27										S							
		28																C	
		33	D																

JAN 11 1994

Total acres N/A

PART 1

6. General Information:

a. Description of diversion system EXISTING WELL AND PUMP

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

N/A

d. Remarks:

STOCKWATER TRANSFER ONLY - 500 HEAD BEEF CATTLE

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

RECEIVED

JAN 11 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 36-08014 issued by the Idaho Department of Water Resources.
- c. Claim No. 36-08014 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☒ Warranty Deed

☐ Other _____

3. Source of water GROUNDWATER tributary to _____

4. Date or priority 11-4-1981

5. Water is used for the following purpose:

amount 0.12 for STOCKWATER purposes from 1/1 to 12/31
(cfs/ac-ft)

amount 0.10 for DOMESTIC purposes from 1/1 to 12/31
(cfs/ac-ft)

amount 0.04 for COMMERCIAL purposes from 1/1 to 12/31
(cfs/ac-ft)

6. Total amount of water under right 0.26 cubic feet per second and/or 10.2 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	NE	NE	33	9S	21E	JEROME	CRESTVIEW #1, 2 points of diversion

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
9S	21E	28																S	
9S	21E	33	D																
9S	21E	28																C	

Total acres N/A

9. Describe any other water rights used for the same purpose as described above N/A

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 0.12 for STOCKWATER purposes from 1/1 to 12/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	NE	NE	33	9S	21E	JEROME	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
9S	21E	28																S	

Total acres N/A**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 0.10 for DOMESTIC purposes from 1/1 to 12/31
 (cfs/ac-ft)
 amount 0.04 for COMMERCIAL purposes from 1/1 to 12/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	NE	NE	33	9S	21E	JEROME	CRESTVIEW #1

3. Lands irrigated or place of use:

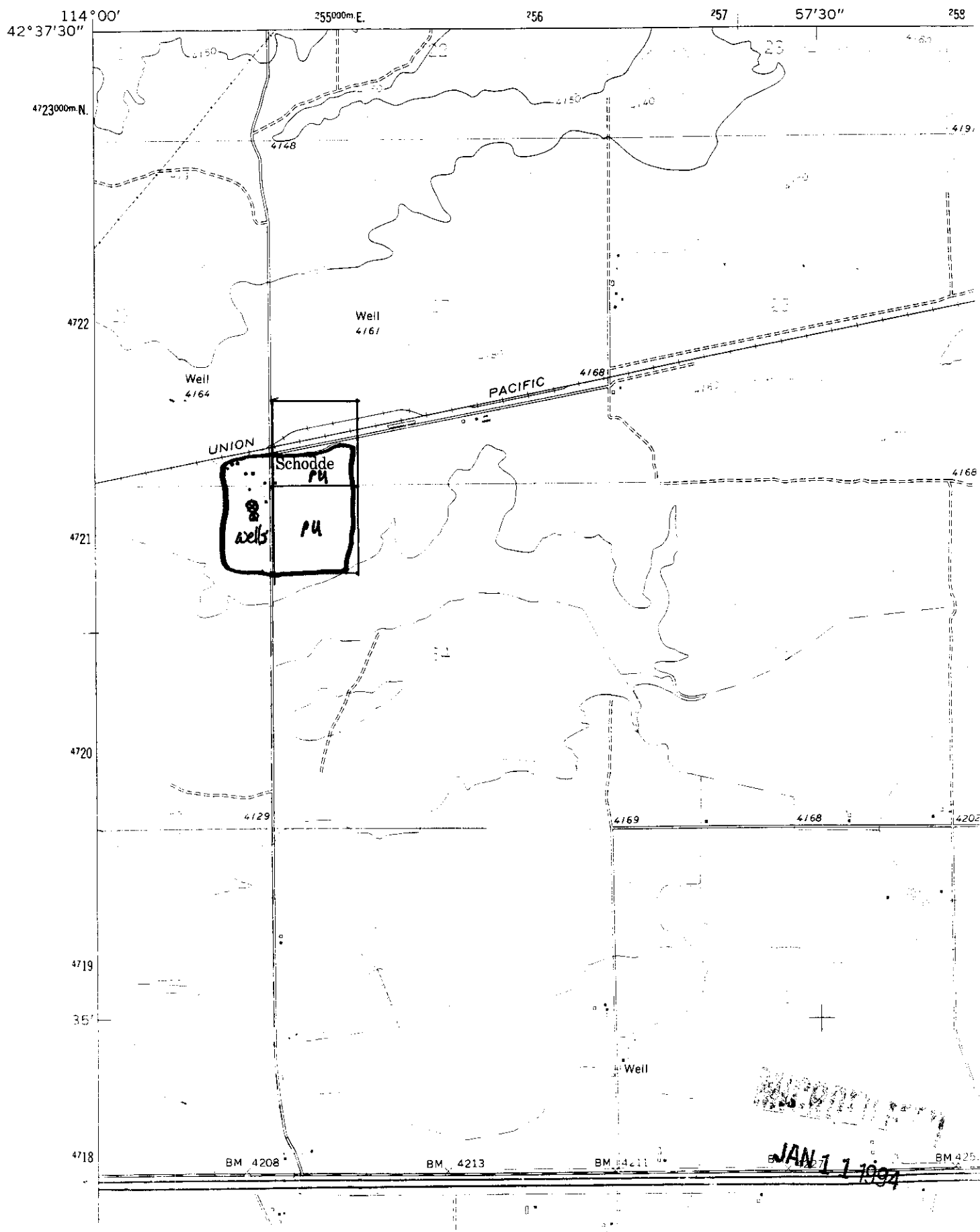
Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
9S	21E	33	D																
9S	21E	28																	

Total acres N/A

RECORDED
 JAN 11 1994

3169 U NE
(HAZELTON NE)

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



T # 4184

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**

SCALE: 2 inches equal 1 mile. Draw plan in ink.

RECORDED
JAN 11 1994

PART 3**B. CHANGES IN NATURE OF USE**

1	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
	<u>N/A</u>			_____ to _____
				_____ to _____
2. Quantity and quality of return flows and location of discharge:				
	<u>N/A</u>			
3. Describe effects on other water uses resulting from the proposed change:				
	<u>N/A</u>			

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 28th day of June, 19 93.

Agent

(Signature of Applicant)

My commission expires 12-17-97

(Notary Public)

FOR DEPARTMENT USE ONLY

Transfer contains <u>6</u> pages and <u>2</u> attachments	
Received by <u>DJ</u> Date <u>6/29/93</u>	Protest filed by _____
Prelim. check by <u>J.F. Stanton</u> Fee <u>30 \$015923</u>	
Receipted by <u>DJ</u> Date <u>6/29/93</u>	
Published in <u>North Side News</u>	Copies of protest forwarded by _____
Pub. dates <u>8/18 & 8/25/93</u>	Hearing held by _____ Date _____
Watermaster recommendation requested on <u>N/A</u>	Recommended for ☐ approval ☐ denial
_____ rec'd.	by _____
Copy of transfer sent to lien holder _____	

RECORDED

JAN 11 1994

930126

01-05-1993

11:52AM

FROM BASD/H TWIN FALLS IDAHO TO

13248961 P.02

RECORDED AT REQUEST
of Land Title & Escrow, Inc.
JAN 7 3 08 PM '93
JEROME COUNTY, IDAHO
FEES 36.00 SEP

COPY

WARRANTY DEED

FOR VALUE RECEIVED, IDAHO CONSOLIDATED DAIRY FARMS, a general partnership, hereinafter called "Grantor," hereby grants, bargains, sells and conveys unto AURORA FARMS, INC., a Colorado Corporation, whose mailing address is 1333 S. 120th Ave., Ste. 317, Westminster, Colorado 80234, hereinafter called "Grantee," the following described premises, in Jerome County, Idaho, to wit:

SEE EXHIBIT "A"

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

SEE EXHIBIT "B"

Together with the fixtures attached thereto including, but not limited to, the following, to wit:

SEE EXHIBIT "C"

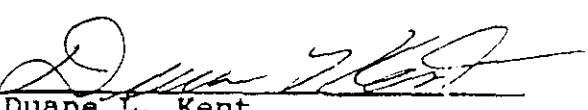
Together with the mobile homes attached thereto including, but not limited to, the following, to wit:

SEE EXHIBIT "D"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to 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 they are free from encumbrances, except as described above, and subject to, any restrictions, easements or rights-of-way of record and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED this 5 day of January, 1993.

IDAHO CONSOLIDATED DAIRY FARMS,
a California general partnership

By: 
Duane L. Kent
Its: Managing General Partner

RECORDED AT REQUEST
of Land Title & Escrow, Inc.
JAN 5 2 44 PM '93
JEROME COUNTY, IDAHO
FEES 36.00 SEP

This Warranty Deed is being re-recorded to correct the legal description.

WARRANTY DEED
FILED 441 WARD DEED

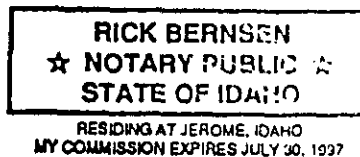
JAN 11 1994

STATE OF IDAHO)
)
County of Jerome) ss.

On this 5th day of January, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared Duane L. Kent, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he 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.

Rick Bernsen
NOTARY PUBLIC
Residing: Jerome Idaho
My Commission Expires: 7-30-97



WARRANTY DEED
FILED 144 WARDEED

-2-

RECORDED
JAN 11 1994

Thence North 89°43'25" East, 1,318.92 feet to
a point on the Easterly boundary of said
Section 17;
Thence North 0°06'32" West, 3,060.73 feet
along the Easterly boundary of said
Section 17;
Thence North 89°46'14" East, 945.00 feet
parallel with the Northerly boundary of
said Section 16;
Thence North 0°06'32" West, 140.00 feet
parallel with the Westerly boundary of
said Section 16 to the Northerly boundary
of said Section 16;
Thence South 89°46'14" West, 945.00 feet
along the Northerly boundary of said
Section 16 to THE POINT OF BEGINNING.

Parcel No. 2.:

TOWNSHIP 9 SOUTH, RANGE 21, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 16: That part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, described as follows:

Beginning at the Northeast corner of Section
16;

Thence West along the North line of Section
16, a distance of 674 feet;

Thence South parallel with the East line of
Section 16, 327 feet;

Thence East parallel with the North line of
Section 16, 674 feet, more or less, to
the East line;

Thence North along said East line, 327 feet to
THE POINT OF BEGINNING.

EXCEPTING THEREFROM the highway.

CRESTVIEW

Parcel No. 1.:

TOWNSHIP 9 SOUTH, RANGE 21, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 20: SE $\frac{1}{4}$ SW $\frac{1}{4}$; S $\frac{1}{2}$ SE $\frac{1}{4}$;

Section 21: S $\frac{1}{2}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$;

Microfilm

JAN 11 1994

Section 28: All of Section 28;
Section 29: $E\frac{1}{2}NE\frac{1}{2}$; $SE\frac{1}{2}$;
Section 32: $N\frac{1}{2}NE\frac{1}{2}$;
Section 33: $N\frac{1}{2}NW\frac{1}{2}$; $SE\frac{1}{2}NW\frac{1}{2}$; $NE\frac{1}{2}$;

Parcel No. 2.:

TOWNSHIP 9 SOUTH, RANGE 21, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 16: $S\frac{1}{2}$;

EXCEPTING THEREFROM the highway.

SCHAFER FARM

Parcel No. 2.:

TOWNSHIP 9 SOUTH, RANGE 21, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 17: $SW\frac{1}{2}NW\frac{1}{2}$; $NW\frac{1}{2}SW\frac{1}{2}$;

Section 18: $N\frac{1}{2}SE\frac{1}{2}$; $E\frac{1}{2}SW\frac{1}{2}$; $SW\frac{1}{2}SE\frac{1}{2}$;

SCHODDE FARM

Parcel No. 1.:

TOWNSHIP 9 SOUTH, RANGE 21, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 22: $SE\frac{1}{2}SW\frac{1}{2}$; $S\frac{1}{2}SE\frac{1}{2}$;

Section 27: $E\frac{1}{2}$; $NW\frac{1}{2}SW\frac{1}{2}$; $S\frac{1}{2}NW\frac{1}{2}$; $NW\frac{1}{2}NW\frac{1}{2}$; $S\frac{1}{2}SW\frac{1}{2}$;

$NE\frac{1}{2}SW\frac{1}{2}$, EXCEPTING THEREFROM the following
described parcel of land:

From a point of Beginning located at 714.75
feet, more or less, North from the
Southwest corner of Section 27, to the

RECORDED

JAN 11 1994

point of intersection of said Section line or County road center line with the North boundary of the Oregon Short Line Railroad North Side Branch right of way; Thence running North along the Section line or center line of said County road, 275.27 feet;
Thence North 78°46' East and parallel to the said railroad right of way center line, 2691.57 feet, more or less, to the point of intersection with the North-South mid-section line;
Thence South along said mid-section line 275.27 feet, more or less, to the point of intersection with the North railroad right-of-way boundary;
Thence South 78°46' West and along said North railroad right-of-way boundary, 2691.57 feet, more or less, to THE POINT OF BEGINNING.

AND EXCEPTING THEREFROM railroad rights of way.

TOGETHER WITH a permanent easement and right of way, including the perpetual right to enter upon the excepted portion of the above described property in the SW $\frac{1}{4}$ of Section 27, Township 9 South, Range 21, East of the Boise Meridian, for the purpose of constructing, maintaining and repairing underground pipelines for irrigation water as set forth in Easement Agreement recorded May 15, 1963 in Book 174 Page 53 as Instrument Number 154714, Jerome County records.

Section 34: N $\frac{1}{2}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ NE $\frac{1}{4}$;

Parcel No. 2.:

TOWNSHIP 9 SOUTH, RANGE 21, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 27: NE $\frac{1}{2}$ NW $\frac{1}{4}$;

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JAN 11 1994

EXHIBIT "B"

BURLEY FARM

<u>WATER RIGHT NO.</u>	<u>PURPOSE</u>
36-08005 ✓	IRRIGATION
36-08011 ✓	STOCKWATER DOMESTIC
A36-02310 ✓	IRRIGATION
A36-02376 ✓	IRRIGATION
A36-07351 ✓	IRRIGATION

CRESTVIEW I

<u>WATER RIGHT NO.</u>	<u>PURPOSE</u>
A36-10907 ✓	DOMESTIC
A36-02254 ✓	IRRIGATION DOMESTIC
36-08113 ✓	DOMESTIC
36-08014 ✓	STOCKWATER COMMERCIAL DOMESTIC
A36-02284 ✓	IRRIGATION

CRESTVIEW II

<u>WATER RIGHT NO.</u>	<u>PURPOSE</u>
A36-02430 ✓	IRRIGATION
A36-08008 ✓	IRRIGATION

RECORDED
JAN 11 1994

SCHAFFER FARM

WATER RIGHT NO.

36-08016 ✓

36-08004 ✓

A36-02319 ✓

PURPOSE

STOCKWATER
DOMESTIC

IRRIGATION

IRRIGATION

SCHODDE FARM

WATER RIGHT NO.

A36-02248 ✓

A36-02249 ✓

36-07688 ✓

A36-14601 ✓

PURPOSE

IRRIGATION

IRRIGATION

IRRIGATION

DOMESTIC

DAIRY HEIFER

36-8163 ✓

DOMESTIC

RECORDED

JAN 11 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08014

Priority: November 4, 1981

Maximum Diversion Rate:

0.26 CFS

Maximum Diversion Volume:¹

10.2 AF

This is to certify, that CRESTVIEW FARM ASSOC. NO. 1

C/O AURORA CAPITAL CORP.

BOX 17160

BOULDER CO 80308

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 4, 1981; and has submitted Proof of Beneficial Use on September 1, 1982. An examination indicates that the works have a diversion capacity of .330 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.12 CFS	6.7 AF
COMMERCIAL	01/01 to 12/31	0.04 CFS	1.1 AF
DOMESTIC	01/01 to 12/31	0.10 CFS	2.4 AF
	Totals	0.26 CFS	10.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 33, Township 09S, Range 21E
JEROME County

PLACE OF USE: STOCKWATER

TWN RGE SEC

09S 21E 28 SESE

PLACE OF USE: COMMERCIAL, same as STOCKWATER use

PLACE OF USE: DOMESTIC

TWN RGE SEC

09S 21E 33 NENE

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.

RECORDED

NOV 15 1991

State of Idaho
Department of Water Resources

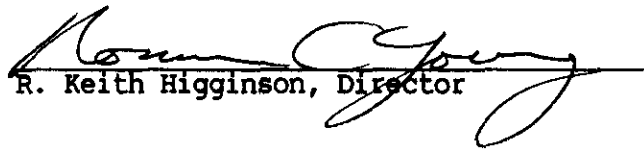
WATER RIGHT LICENSE

WATER RIGHT NO. 36-08014

CONDITIONS/REMARKS:

4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Stockwater use is for 500 head; commercial use is for a feed mill; domestic use is for 4 homes.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 24TH day of OCTOBER, 1991.

Acting for  R. Keith Higginson, Director

RECEIVED

NOV 15 1991

State of Idaho
Department of Water Resources

RECEIVED
JUL 18 1991

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 36-08014

Department of Water Resources

Date of Priority: November 4, 1981

Maximum Diversion Rate:

Maximum Diversion Volume:¹

0.26 CFS
10.2 AF

APPROVED

Comes now
CRESTVIEW FARM ASSOC. NO. 1
C/O AURORA CAPITAL CORP.
P.O. BOX 2469
TWIN FALLS, ID 83303

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 36-08014, and requests that the permit be changed as follows:

Source: **GROUNDWATER**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.12 CFS	6.7 AF
COMMERCIAL	01/01 to 12/31	0.04 CFS	1.1 AF
DOMESTIC	01/01 to 12/31	0.10 CFS	2.4 AF
	Totals	0.26 CFS	10.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 33, Township 09S, Range 21E
JEROME County

PLACE OF USE: STOCKWATER
TWN RGE SEC

09S 21E 28 SESE

PLACE OF USE: COMMERCIAL, same as STOCKWATER use

PLACE OF USE: DOMESTIC
TWN RGE SEC

09S 21E 33 NENE

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Hayden, ID, this 15 day of July, 1991.

[Signature]
(Signature)

MINISTERIAL

NOV 15 1991

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 36-08014

FOR DEPARTMENT USE ONLY

Preliminary check by SC Fee = \$20.00

Receipted by mt Date 7/18/91 #C021232

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 36-08014 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Stockwater use is for 500 head; domestic use is for 4 homes.

Witness my hand this 24TH day of OCTOBER, 1991.

Acting for

R. Keith Higginson, Director

NOV 15 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

To appropriate the public waters of the State of Idaho

1. Name of applicant Crestview Farm Associates #1 Phone 734-6347

Post office address c/o Aurora Capital Corp. P.O. Box 221, Twin Falls, Idaho 83301

2. Source of water supply groundwater which is a tributary of _____

3. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 28 Township 9 South

Range 21E B.M. Jerome County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .65 for 1000 head Dairy Stock purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .10 for domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. .75 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. _____

Existing well, pump and electric motor

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 28 Township 9 South
Range 21E B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

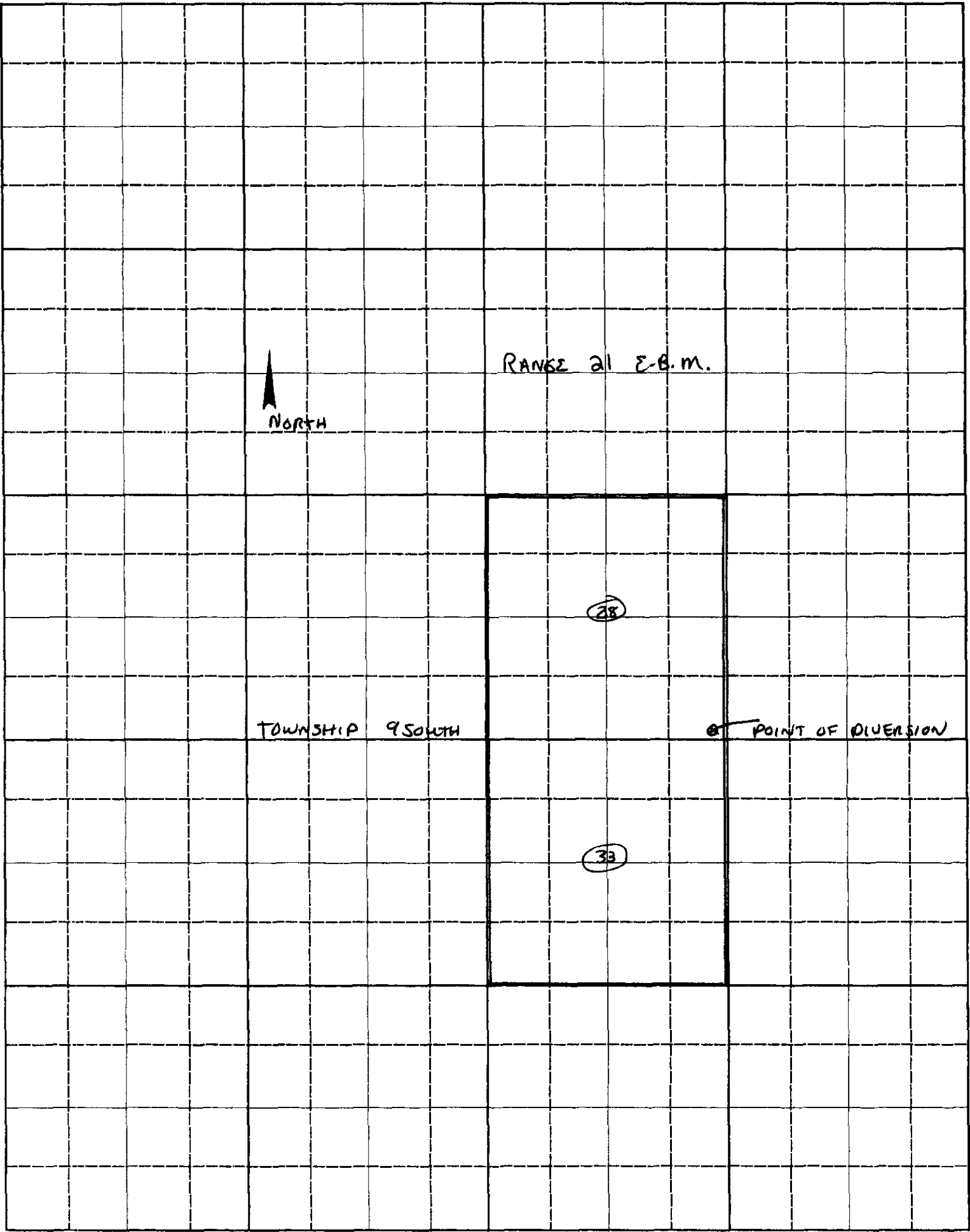
(3) List number of each kind of livestock to be watered 1000 head of dairy cattle

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 4 families.

(5) If water is to be used for other purposes describe: _____

MICROFILMED

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.


(Applicant)

Proposed Priority 11/4/1981

Received by maria Date 11/4/81 Time 4:30 p
Preliminary check by ADM Fee \$ 45.⁰⁰ 20637
Receipted by maria Date 11/4/81
Publication prepared by maria Date 11/6/81
Published in north side river
Publication dates 11/12 + 11/19/81
Publication approved maria Date 11/10/81
Protests filed by: None

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by ADM RC

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 36-8014, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 19 87.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 4th day of January, 1982.

J. Glen Saxon
Chief, Operations Bureau

MICROFILMED

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Jerome } SS.

E. L. LANGDON
ASST. PUBLISHER

being first duly sworn,
deposes and says that he is the printer (publisher) of the Jerome
North Side News, a newspaper published every week in Jerome, County
of Jerome, State of Idaho; that said newspaper has been continuously
and uninterruptedly published for a period of seventy-eight consecu-
tive weeks prior to the first publication of the annexed notice, and is
a newspaper qualified to publish legal notices as provided by act of
the 1919 session of the legislature of the State of Idaho, known as
House Bill 145; that the annexed advertisement was published once

each week for Two consecutive issues in said newspaper
proper and not in a supplement; that the date of the first publication
of said advertisement was on the 12th day of November
1981, and the date of the last publication was on the 19th
day of November, 1981.

E. L. Langdon

Subscribed and sworn to before me this 20th
day of November, 1981.
(SEAL)

Darla Bratt

NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Numer of Picas per Line 13
Number of Lines in Notice 38
Number of Insertions 2

Lines tabular at 4¢ / Pica
Lines straight at 14.82 3¢ / Pica
Subsequent lines at 9.88 2¢ / Pica

TOTAL COST 24.70

MICROFILM

COPY OF NOTICE

(Paste Here)

Permit #36-8014
TITLE OF NOTICE

Plaintiff

PLAINTIFF ATTORNEY

Crestview Farm
DEFENDANT

PLAINTIFF

Dept of Water
BUT TO

that the
following application has been submit-
ted for permit to appropriate the public
waters of the State of Idaho:

CRESTVIEW FARM ASSOC. NO. 1,
C/O AURORA CAPITAL CORP., P.O.
BOX 221, TWIN FALLS, IDAHO 83301
Source: GROUNDWATER
Date Filed: 1-04-1981
Amount: 0.75 CFS
Diversion Point: SESE Sec 28 T 09S R
21E, JEROME, IDAHO
Use: STOCKWATER SALES CFS
from 01-01 to 12-31
DOMESTIC 12-10 CFS from
01-01 to 12-31

Place of Use: SESE Sec 28 T 09S R
21E
Diversion Means: WELL, PUMP,
MOTOR

If issued, the permit will be subject
to all prior water rights. Protests
against the granting of any permit
must be filed with the Director of the
Idaho Department of Water Resources,
Twin Falls, ID 83301 and decision on
or before November 30, 1981.

RECEIVED

NOV 23 1981

Idaho Department of Water Resources
Southern District Office

This
Right has been
Decreed in the
SRBA.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 1, 1993

AURORA FARMS INC
1333 W 120TH AVE
STE 317
WESTMINSTER CO 80234

RE: Transfer of Water Right No. 36-08014

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 4184). Please be sure to thoroughly review the "CONDITIONS/REMARKS:" as listed on the transfer.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jim Johnson', written over the printed name.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

A faint, rectangular stamp or mark, possibly a date or administrative mark, located in the bottom right area of the page.

JAN 11 1994

WR0749NF
No. T36-08014

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 11/24/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	AURORA FARMS INC 1333 W 120TH AVE STE 317 WESTMINSTER CO 80234 (208) 438-8864	11/04/1981	STOCKWATER	01-01 12-31	0.12 CFS	6.7 AFA
			COMMERCIAL	01-01 12-31	0.04 CFS	1.1 AFA
			DOMESTIC	01-01 12-31	0.10 CFS	2.4 AFA
				TOTAL DIVERSION:	0.26 CFS	10.2 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T09S R21E S33 NE NE NE

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE							
T	R	S	:	NENE	NNWE	SWNE	SENE	:	NENW	NNWN	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
			:	Lt Ac	Lt Ac	Lt Ac	Lt Ac	:	Lt Ac	Lt Ac	Lt Ac	Lt Ac	:	Lt Ac	Lt Ac	Lt Ac	Lt Ac	:	Lt Ac	Lt Ac	Lt Ac	Lt Ac	:
09S	21E	27	:					:					:					:					:
09S	21E	34	:					:					:			S		:					:
			:					:		S			:					:					:

Place of use Legal Description for: COMMERCIAL

								NE				NW				SW				SE																	
								NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE											
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	Lt	Ac	Lt	Ac				
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	:	---	---	---	---	---	---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---
D9S	21E	28	:													:									:								C				

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE									
				NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	:	---	---	---	---	:	---	---	---	---	:	---	---	---	---	---	:	
09S	21E	33	:	D				:					:					:						:	

Pou County: JEROME

Conditions of Approval:

- T07 - The change authorized by this transfer shall be accomplished
- within one (1) year of the date of this approval.
- T08 - Failure to comply with the conditions of this transfer is cause
- for the director to issue an order to show cause why the approval
- of the transfer should not be rescinded.
- T16 - The change approved by this transfer is subject to the terms of
- the court's final decree of this right in the ongoing Snake
- River Basin Adjudication.

Remarks: Stockwater use is for 500 head; commercial use is for a feed mill; domestic use is for 4 homes.
Two points of diversion located in NENENE, S33, T9S, R21E.

WR0749NP
No. T36-08014

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 11/24/93
PAGE: 2

=====

Dates:	App. Received: 06/29/1993	Priority Date: 11/04/1981
	Proof Due Date:	Proof Made Date:
	Exam Made Date:	Exam Sent to S.O.:
	Licensed Date:	

Misc: Water District Number: Field Exam Fee: R (Received)

Comments: Date: 07/22/1993 User-ID: BALDWIN Subject: TRANSFER #4184
Trans. #4184 was filed to change the place of use under this
right.

Audit: 11/24/93 SKAGGS

TRANSFER REVIEW SHEET

Transfer # 4184

Date Reviewed 11/23/93

Right(s) 36-8014 _____

B:Change P/D C:Add P/D D:Change P/U E:Change Nature of Use
F:Change Period of Use G:Other H:Change P/D & Add P/D
I:Change P/D & P/U J:Add P/D & Change P/U

Proof of Ownership Warranty Deed _____

Transfer ✓ All of Right _____ Portion of Right (Part B _____)

Resulting Split(s) _____

Check Transfer Against Right

- (1) ✓ Priority (2) ✓ Use (3) ✓ Season (4) ✓ Rate (5) ✓ Volume
(6) ✓ Source (7) ✓ P/D (8) ✓ P/U (9) ✓ Proof/Owner (10) ✓ Map
(11) N/A Water District (12) ✓ Pertinent Conditions (13) N/A Expansion

Transfer Remarks _____

Conditions T07/T08/T16

Database/Processing Notes drop T

STATE OF IDAHO *Ann. & Farms Inc*
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: J. E. Stanton

1. Right number 36-08014 Applicant _____
2. Type of right: ☐ Decree ☒ License ☒ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☒ Other Move stockwater use to new PD & PU
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☐ All of right.
 - b. ☒ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred.
 - h. ☒ Check for expansion in use of right. Comments None
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) N/A - not irrigation
 - j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No
If yes, what district? _____

RECEIVED
NOV 01 1993

Department of Water Resources

FINAL PROCESSING REVIEW BY: LA

1. Watermaster recommendation requested on N/A Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* _____

4. By Loren O. Hansen Date 10/12/93

AFFIDAVIT of PUBLICATION

State of Idaho } ss.
County of Jerome }

RECEIVED
JUN 21 1993

Patty Nance, Department of Water Resources, being first duly sworn, deposes and says that she is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for

2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 18 day of August, 1993 and the date of the last publication was on the 25 day of August, 1993.

Patty Nance

Subscribed and sworn to before me this 25th day of August, 1993.

(SEAL)

Norma D. Ure
NOTARY PUBLIC

1286/5875
NORTH SIDE NEWS
Jerome, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2X 3

Lines tabular at _____ 6¢/Pica
682 Lines straight at \$34.10 5¢/Pica
Subsequent lines at 27.28 4¢/Pica
TOTAL COST \$61.38

JAN 11 1994

COPY OF NOTICE

(Paste Here)

Notice of Proposed
Change Water Right
36-08014
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Department of
Water Resources

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

Notice is hereby given that AURORA FARM, INC. of Westminster, CO has applied to the Department of Water Resources to change place of use for stockwater and further classified as Transfer & C&M.

The right to be changed authorizes diversion of water from two wells located in R23, T09S, R21E within Jerome County. The right is recorded in part as follows:

WATER RIGHT RECOMMENDED IN SNAKE RIVER BASIN ADJUDICATION:

Water Right No. 36-08014
Name: Milner Kincaid Investment Group
Basis of Right: Licensed Water Right No. 36-08014
Source: groundwater
Priority Date: 11/04/1981
Amount of Water: 0.28 cfs
Use:

Stockwater (0.12 cfs)
Domestic (0.10 cfs)
Commercial (0.06 cfs)
Point of Diversion: NE1/4NE1/4, S33, T09S, R21E; Jerome County
Place of Use: Stockwater and commercial use within S28, T09S, R21E; Domestic use within S33, T09S, R21E.

TO BE CHANGED AS FOLLOWS

This water right will be used for stockwater within SW1/4SW1/4, S27, T09S, R21E and NW1/4NE1/4, S34, T09S, R21E; commercial use within SE1/4NE1/4, S28, T09S, R21E; and domestic use within NE1/4NE1/4, S33, T09S, R21E.

Any protest against approval of the above proposal must be filed with the DEPARTMENT OF WATER RESOURCES, 222 S. W. 4th St., TULSA, OK 74103 on or before September 7, 1993.

R. Keith Higinson, Director

Published in North Side News on 8/18 & 8/25/93.

AURORA CAPITAL CORPORATION

August 16, 1993

RECEIVED

AUG 19 1993

Department of Water Resources
Southern Region Office

Mr. James E. Stanton
Sr. Water Resource Agent
State of Idaho
Department of Water Resources
222 Shoshone Street East
Twin Falls ID 83301

RE: Transfer Nos. 4184 and 4185

Dear Mr. Stanton:

Enclosed please find a list of the corporate officers and addresses of same. If you need further corporate information, do not hesitate to contact me.

Sincerely,



Donna J. Getman
Corporate Secretary

\dg

Enclosure

RECEIVED

JAN 11 1994

RECEIVED

AUG 19 1993

Department of Water Resources
Southern Region Office

INSTRUCTIONS ON REVERSE SIDE

100373	Idaho Corporation Annual Report Form		2. Registered Agent and Office NOT A P.O. BOX		
Return To	Due No Later Than November 1, 1993		GREGORY S MCDONALD		
Secretary of State. Room 203, Statehouse Boise, ID 83720	1. Mailing Address — Please Correct, If Not Correct		2536 KIMBERLY RD		
FIRST NOTICE * NO FEE REQUIRED	AURORA FARMS, INC. MARCUS B PEPERZAK 1333 W 120TH AVE STE 317 WESTMINSTER CO 80234		TWIN FALLS ID 83301 3. Incorporated Under The Laws of CO NO: 100373		
Names and Addresses of Officers and Directors					
MUST BE PRINTED OR TYPED					
	<u>Name</u>	<u>Street or P.O. Address</u>	<u>City</u> <u>State</u> <u>Zip</u>		
President:	Marcus B. Peperzak	1333 West 120th Ave, Ste 317	Westminster CO 80234		
Secretary:	Donna J. Getman	1333 West 120th Ave, Ste 317	Westminster CO 80234		
Directors:	Marcus B. Peperzak	"same"			
	Barney Little	"same"			
	Massoud Ghadiani	"same"			
Nature of Business	6. I certify that this Annual Report has been examined by me and is to the best of my knowledge true, correct and complete.				
Farm	Signature		Date July 9, 1993		
	Name (Typed or Printed)	Marcus B. Peperzak	Title Chairman & CEO		

RECEIVED JUL 26 1993

JAN 11 1994

NOTICE OF PROPOSED CHANGE OF
WATER RIGHTS

Notice is hereby given that AURORA FARMS, INC of Westminster, CO has applied to the Department of Water Resources to change place of use for stockwater and further classified as Transfer # 4184.

The right to be changed authorizes diversion of water from two wells located in S33, T09S, R21E within Jerome County. The right is recorded in part as follows:

WATER RIGHT RECOMMENDED IN
SNAKE RIVER BASIN ADJUDICATION:

Water Right No. 36-08014
Name: Milner Kimama Investment Group
Basis of Right: Licensed Water Right No. 36-08014
Source: groundwater
Priority Date: 11/04/1981
Amount of Water: 0.26 cfs
Use:
Stockwater (0.12 cfs)
Domestic (0.10 cfs)
Commercial (0.04 cfs)
Point of Diversion:
NE1/4NE1/4NE1/4, S33, T09S, R21E; Jerome County
Place of Use: Stockwater and commercial use within S28, T09S, R21E; Domestic use within S33, T09S, R21E.

TO BE CHANGED AS FOLLOWS

This water right will be used for stockwater within SW1/4SW1/4, S27, T09S, R21E and NW1/4NW1/4, S34, T09S, R21E; commercial use within SE1/4SE1/4, S28, T09S, R21E; and domestic use within NE1/4NE1/4, S33, T09S, R21E.

Any protest against approval of the above proposal must be filed with the DEPARTMENT OF WATER RESOURCES, 222 SHOSHONE ST. E., TWIN FALLS ID 83301 on or before September 7, 1993.

R. Keith Higginson, Director

Published in North Side News on 8/18 & 8/25/93.

RECORDED

JAN 11 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

9-Aug-1993

R. KEITH HIGGINSON
Director

NORTHSIDE NEWS
PO BOX 468
JEROME ID 83338

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

RECORDED

JAN 11 1994

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that AURORA FARMS, INC of Westminster, CO has applied to the Department of Water Resources to change place of use for stockwater and further classified as **Transfer # 4184**.

The right to be changed authorizes diversion of water from two wells located in S33, T09S, R21E within Jerome County. The right is recorded in part as follows:

WATER RIGHT RECOMMENDED IN SNAKE RIVER BASIN ADJUDICATION:

Water Right No. 36-08014

Name: Milner Kimama Investment Group

Basis of Right: Licensed Water Right No. 36-08014

Source: groundwater

Priority Date: 11/04/1981

Amount of Water: 0.26 cfs

Use:

Stockwater (0.12 cfs)

Domestic (0.10 cfs)

Commercial (0.04 cfs)

Point of Diversion: NE1/4NE1/4NE1/4, S33, T09S, R21E; Jerome County

Place of Use: Stockwater and commercial use within S28, T09S, R21E;

Domestic use within S33, T09S, R21E.

TO BE CHANGED AS FOLLOWS

This water right will be used for stockwater within SW1/4SW1/4, S27, T09S, R21E and NW1/4NW1/4, S34, T09S, R21E; commercial use within SE1/4SE1/4, S28, T09S, R21E; and domestic use within NE1/4NE1/4, S33, T09S, R21E.

Any protest against approval of the above proposal must be filed with the DEPARTMENT OF WATER RESOURCES, 222 SHOSHONE ST. E., TWIN FALLS ID 83301 on or before September 7, 1993.

R. Keith Higginson, Director

Published in North Side News on 8/18 & 8/25/93.

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JAN 11 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

09-Aug-1993

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

AURORA FARMS INC
1333 W 120TH AVE STE 317
WESTMINSTER CO 80234

Re: Application for Transfer Nos. 4184 (36-08014B); 4185
(36-08011B)

Dear Applicant:

We regret to inform you that due to a scheduling problem, the publications on the above referenced transfer applications have been changed to 8/18 & 8/25/93. Ten days will be allowed after the second publication date for the submittal of protests.

We apologize for any inconvenience this delay may have caused you. If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

Mary Baldwin
Secretary/Office Coordinator



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

22-Jul-1993

R. KEITH HIGGINSON
Director

AURORA FARMS INC
1333 W 120TH AVE STE 317
WESTMINSTER CO 80234

Re: Application for Transfer Nos. 4184 (36-08014B); 4185 (36-08011B)

Dear Applicant:

The Department of Water Resources acknowledges receipt of your Applications for Transfer.

This office has scheduled advertising the applications in the North Side News for 8/4 and 8/11/93. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If an application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

The department's review process may have to include field investigation and verification of the claims which is required as part of the Snake River Basin Adjudication.

In order to complete regional review, a list of corporate officers and addresses should be submitted to this office.

State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

Please feel free to contact this office if you have any questions regarding this procedure.

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

[Handwritten signature]

JAN 11 1994

October 29, 1991

CRESTVIEW FARM ASSOC. NO. 1
C/O AURORA CAPITAL CORP.
BOX 17160
BOULDER CO 80308

RE: WATER RIGHT NO. 36-08014

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

SHARLA CURTIS
Technical Records Specialist

SC:blm

Enclosure

RECEIVED
NOV 15 1991

MEMORANDUM

TO: File No(s): 36-08014
FROM: Brenda Miller
DATE: July 11, 1991
RE: Address Update

=====

The computer records have been updated to reflect the owner's current address. The new address is:

Aurora Capital Corporation
Box 17160
Boulder, CO 80308

Also, the pre-licensing correspondence was forwarded to them from the former Twin Falls address personnel. Call up in 10 days.

RECEIVED
NOV 15 1991

IDAHO DEPARTMENT OF WATER RESOURCES

1301 N. Orchard St.
Boise, ID 83706-2237
(208) 334-7900

CRESTVIEW FARM ASSOC. NO. 1
C/O AURORA CAPITAL CORP.
P.O. BOX 2469
TWIN FALLS, ID 83301

1991 JUN 11
RECEIVED

Department of Water Resources

June 5, 1991

CRESTVIEW FARM ASSOC. NO. 1
C/O AURORA CAPITAL CORP.
P.O. BOX 2469
TWIN FALLS, ID 83303

RE: WATER RIGHT NO. 36-08014

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the actual use of water found by a representative of our department at the time of the field examination. The enclosed application for amendment contains this information. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 15 days.

Please note that the date of priority of this right has been advanced due to late submittal of the examination fee &/or exam fee information sheet.

The claim you filed on this right under the ongoing Snake River Basin Adjudication contains the same information that you listed on the original permit. Therefore, you should also amend your claim to match the information on the proposed license. Enclosed for your signature is the Amended Claim form with the license information already listed.

Once I receive the signed amended claim along with the application for amendment of the permit and its fee, the water right license will be issued and your claim to this right will be included in the Director's Report summarizing the water used in the Snake River Basin. (See the attached table for a summary of the water appropriation process.)

Sincerely,

SHARLA CURTIS
Technical Records Specialist

SC:blm

NOV 15 1991

LICENSE REVIEW CHECKLIST

Permit No. 36-8014

Name/Address change? ok ☒

Priority date Advance? yes ☒ no ☐

Memo to advance ☒
Order to reinstate needed? yes ☐ no ☒

Total cfs Limited by fee ok

Limited by capacity ☐

Total volume Limited by flow ☐

Capacity Chart checked for AF rate/ac N/A $25(2.22) = 40 \text{ cfs}$

Actual measurement checked 20 x 0.8 x .8 / 334 + 2.3 / 45 = .32 \text{ cfs}
Theoretical checked ☐
If greater than permit, check for other rts ☐

Source Changed? yes ☐ no ☒
If so, is memo needed to clarify? ☐

P/D Verify with map ☒ permit ☒
More than one per 1/4? Remember remark ☐
Check p/d overlap N/A

Uses Check irrigation period of use w/ chart N/A

P/U Verify with map ☒ permit ☒
> 5 acres irrigated, run overlap N/A

Remarks More than one p/d in 1/4
Description of non-irrig uses ☒
Special overlap condition ☐

Conditions -

Measuring device ☒
W.Master control ☒
Overlap ☒
Water quality ☒
Other ☒

Dates/Misc. -

Water Dist ☒
App Rec'd ☒
Proof Rec'd ☒

CHECK FOR ADJ. CLAIM Needed according to proof filed ☐
Filed - needs amended ☒
Add'l fee required ☒
Not filed - ☐
Not needed ☐

Comments/Changes to Examiner's Recommendations:

NOV 15 1991

License ☐ 10-day ☐ 30-day ☒

Back of field report signed? ☒
Reviewer J. Curth Date 5/12/91 Review time 8 min.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

36-8014

Permit No.

RECEIVED

APR 19 1991

Department of Water Resources

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index MM 8-6-86 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system

☐ Increase rate of flow or volume

☐ Other: _____

Check of P/U index MM 8-6-86 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☐ Other: _____

Aerial Photo

Required? ☐ yes ☒ no If yes: ☒ copy attached?

Scheduling Letter sent? _____ (Initial and date)

☐ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☐ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed 5-21-90 JF Clinton (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent DR 2/27/91 (Initial and date)

Exam Reviewed by Manager of Regional Office LD 4/16/91 (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office _____ (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

CHECKLIST

4124

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

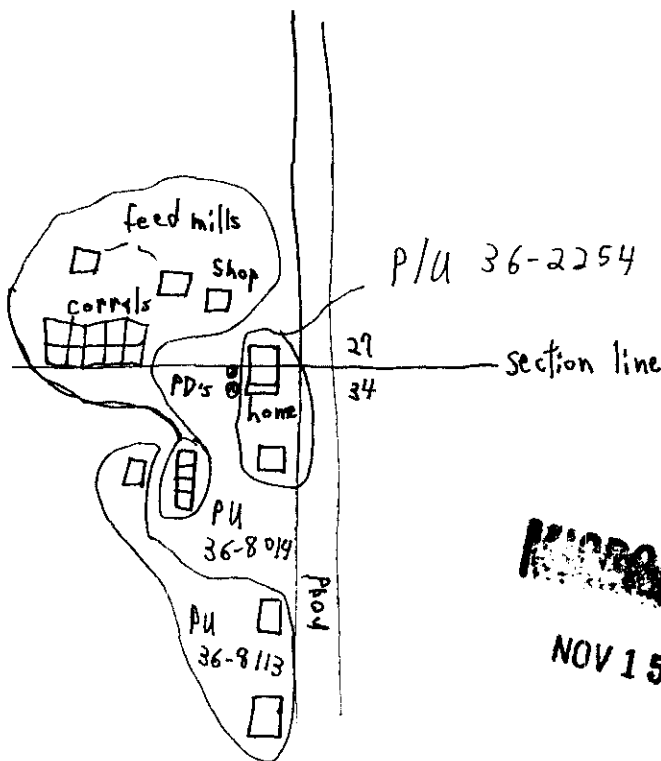
1. Owner: Milner-Kimmons Investment Group Permit No. 36-8014
Current Address: 3709 E. 800 S., Hazelton, ID 83335 Phone No. 438-5437
2. Accompanied by: Grant Osterhout EXAM. DATE: 5-17-90
Address: Same Phone No. _____
Relationship to Permit Holder: Manager
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 36-8113 ☒ Copies Attached
2. Other water rights with same point of diversion: 36-8113, 36-2254 (Domestic well)
☒ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required). ☒ Aerial Photo Attached (required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Wells submersible pump, lines to 5 homes & 4-plex, plus feed lot. Also backup well. Also small office, feed mill.

Two of the domestic uses are licensed under 36-2254. This permit will cover the 4-plex for domestic use (no lawn).

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		20			
		5			

*Code to correspond with No. on map and aerial photo

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	NE	NE	33	9S	21E	Jerome	2 points

6. **Place(s) of Use:**

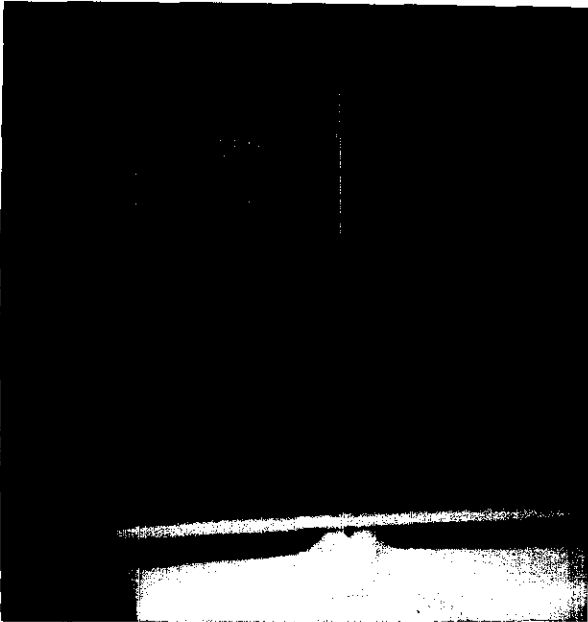
Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	21E	28																C 2,5	
		33	D																

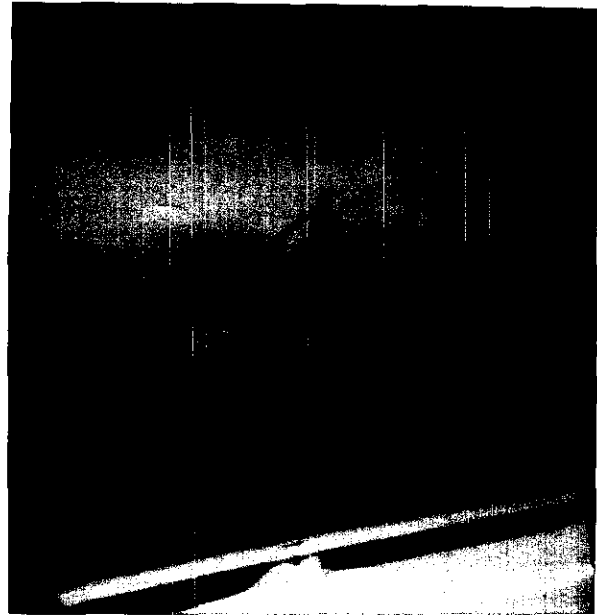
Do not use this space

NOV 15 1991

36-8014



Corrals west of Wells.

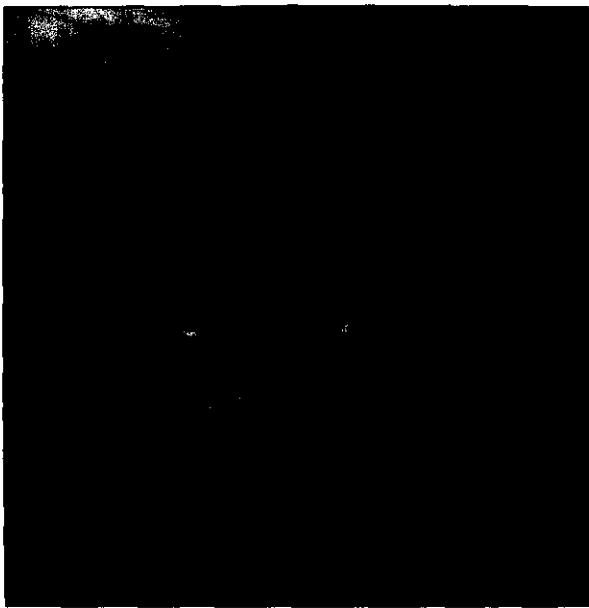


Feed mill & shop area.

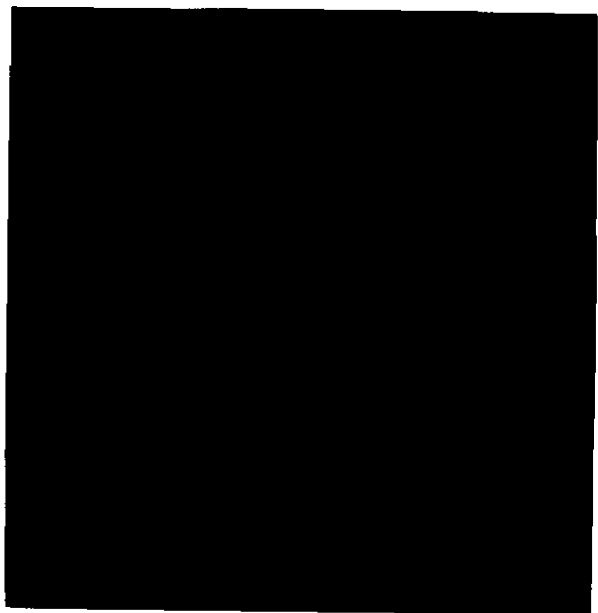
MICROFILMED

NOV 15 1991.

36-8014



Well #1, Well #2 in shed.



Well #2

RECEIVED

NOV 15 1991

Measured
on
S-17

Bauer

White

153.7

W
S

2070

28/27
33/34

home 4-plex home

home

home

SEARCHED INDEXED
SERIALIZED FILED

NOV 15 1991

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

Not measured. Main pump rated 150 gpm at 45 psi + 334' lift by Smith Drilling.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

Domestic - 34 homes w/4 wns, ~~4 wns~~ = ~~4 x 0.6 AFA~~ = ~~2.4 AFA~~

Stock - 500 hd x .0134 AFA/hd = 6.72 AFA

Commercial - 1000 gpd x 365 days/ann = 1.1 AFA

MAINTAINED
NOV 15 1991

H. REMARKS AND OVERLAP REVIEW ANALYSIS

~~Two~~ 3 homes ~~office~~ are in use now due to dairy buyout program. Feedlot served 500 dairy heifers (non-milking). Facility is still in place but unused since 1987. Same well serves feedlot in ~~SW/SW~~ Sec. 27 under a different permit. Intention is to drill a separate well in Sec. 27, see Permit 36-8163. Recommend licensing for uses in Sec. 28 & 33 only at this time. System also served feed mill in SE/SE Sec. 28. Used about 1000 gpd according to Mr. Osterhout. Add commercial use to right. Also for restroom in shop. Wells are within feet of the section line - appear to be in NE 1/4 NE 1/4 Sec. 33. Not to exceed 0.33 cfs when combined with Rt. 36-8163 & domestic portion of Lic. 36-2254.

Reviewer's Note: Total diversion rate and volume less than originally applied for. DR 2/6/91

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic ⁴ (8)	1-1	12-31	0.10	~~2.4~~ 2.4
Stockwater	1-1	12-31	0.11	6.72
Commercial	1-1	12-31	0.04	1.1
Totals:			0.25	~~15.6~~ 10.5

2. Recommended Amendments

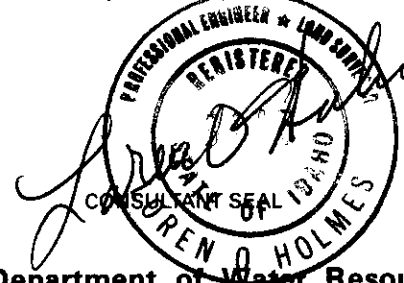
- ☒ Change P.D. as reflected above ☒ Add P.D. as reflected above
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above

☐ None

☒ Other Add beneficial use

J. AUTHENTICATION

Field Examiner's Name J.E. Stanton
Signature J.E. Stanton
Certification Date 4/10/91
Field Report Preparation Date 5-21-90



K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

RECEIVED

NOV 15 1991

GEOLOGICAL SURVEY

114 100
42° 30' 30" N
114 100

255000 E

758

57° 30' N

756

756

12

423000 N

4191

422000 N

Well
416

26

26

Well
416

PACIFIC

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Schodde

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421

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420

4173

4173

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35

NOV 15 1991

RECEIVED

AUG 5 1986

Department of Water Resources
Bozeman, Montana 59717

RECEIVED

AUG 6 1986

Department of Water Resources

4/86

For Office Use Only

Fee Received 100.00

Date 8/5/86

Receipt # 38648

Receipt by Tom Ballman

Sent to S.O. 8/5/86

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

1. Permit No. 36-8014

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: Crestview Farm Assoc DBA Milner Kimball Inv. Group

3. Post Office Address: P.O. Box 2469

Twin Falls, ID 83303 Telephone No. 734-6347

4. Source of Water: Ground

5. Extent of Use:

Domestic 4 (No. of households) Stockwater 1000 (No. and type of stock)

Irrigation _____ (acres) Other/Remark small cattle

and they consume part of the .75 cfs

6. Total rate &/or volume for which proof is submitted .75 cfs _____ acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

Dec 1981

8. Person to contact to accompany the department representative during the field examination:

NOV 15 1991

Larry Hamby (Name)

P.O. Box 2469 Twin Falls, ID 83303 (Address)

438-2136 829-5816 (Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

Date

Signature of Permit Holder (and title, if appropriate)

8/5/86 Larry Hamby Farm Operator 438-2136 829-5816
Hamby Corp



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720

36-8014
CRESTVIEW FARM ASSOC. #1
C/O AURORA CAPITAL CORP
P.O. BOX 221
TWIN FALLS, ID 83301

138306

April 17, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee to the department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

NOV 15 1991

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region

Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region

Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

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NOV 15 1991



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

October 29, 1982

Aurora Capital Corp.
P.O. Box 221
Twin Falls, Idaho 83301

RECEIVED
NOV 3 1982
DEPARTMENT OF WATER RESOURCES

Re: Permits - 36-8003, 36-8004, 36-8005, 36-8007, 36-8008, 36-8011, 36-8012,
36-8013, 36-8014, 36-8015, 36-8016, 36-8017, 36-7949

Gentlemen:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

Field examinations must be done while the system is in operation. For this reason we concentrate on irrigation permits during the summer months and do examinations on permits for other uses during the non-irrigating months.

If you have any questions regarding the field examination, please contact our office.

Sincerely,

Gary L. Funderburg
Sr. Water Resource Agent

LOH:GFL:marya

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NOV 15 1982

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 36-8014.

Name(s) of Permit Holder: Crestview Farm Associates #1

Post Office Address: c/o Aurora Capital Corp. P.O. Box 221,
Twin Falls, Idaho 83301 Tel. No. 734-6347

Source of Water: Ground Water

Extent of Use: ☒ Domestic 4 (number of households) .10 cfs
☒ Stockwater 1000 (number and type of stock) .65 cfs
☐ Irrigation (acres) .75 cfs
☐ Other _____

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☒ No

Access Port: Required? ☒ Yes ☐ No Installed? ☐ Yes ☒ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

8/31/82

Date

[Handwritten Signature]
Signature of Permit Holder

RECEIVED

SEP 1 1982

Department of Water Resources
Sawtooth District Office

UNRECORDED

NOV 15 1991



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

PLACE
TEN CENT
STAMP
HERE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

CRESTVIEW FARM ASSOC. #1
C/O AURORA CAPITAL CORP
P.O. BOX 221
TWIN FALLS, ID 83301

JANUARY 13, 1982

RE: PERMIT NO. 36-8014

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

BE SURE TO NOTE THE SPECIAL CONDITION REQUIRING YOU TO INSTALL A MEASURING DEVICE, OR AN ACCESS PORT TO PROVIDE FOR THE INSTALLATION OF MEASURING EQUIPMENT BY THE DEPARTMENT. ENCLOSED PLEASE FIND A LIST OF MEASURING DEVICE OPTIONS, AND SPECIFICATIONS FOR THE INSTALLATION OF THE ACCESS PORT.

WE HAVE ENCLOSED A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET CRESTVIEW FARM ASSOCIATES #1

INITIAL REVIEW BY: ADM

APPLICATION NUMBER: 36-8014

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No
☐ Yes ☒ No
☐ Yes ☒ No
☐ Yes ☒ No*

Field check by: _____

Date: _____

Comments: _____

Field check required.

Critical groundwater area.

Request dam safety information. Sent by: _____ Date: _____

In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☒ No
☐ Yes ☒ No

Platted by: ADM Map No. BB-77

Other rights on same place of use. None

- ☒ Yes ☐ No*
☐ Yes ☒ No

In form for advertising.

Final date for protests: 11/30/81 ✓

Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 11/23/81 ✓
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.

- ☐ Yes ☒ No
☒ Yes ☐ No
☐ Yes ☒ No

Measuring device required.

Access port required.

Will water be delivered by watermaster? If yes, what district? _____

Date of priority recommended. 11/4/81

Special conditions of approval or cover letter. OIC

By: ADM

Date: 12/2/81

STATE OFFICE REVIEW:

SLW/LO3

OIC

- ☐ See attached sheet for more information.

By: [Signature]

Date: 12/29/81

RECEIVED

DEC 4 1981

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

36-8014

CRESTVIEW FARM ASSOC. #1

C/O AURORA CAPITAL CORP, P.O. BOX 221, TWIN FALLS, ID 83301

Source: GROUNDWATER

Date Filed: 11/04/1981

Amount: 0.75 CFS

Diversion Point: SESE Sec 28 T 09S R 21E, JEROME Co.

Use: STOCKWATER	(0.65 CFS)	from 01/01 to 12/31
DOMESTIC	(0.10 CFS)	from 01/01 to 12/31

Place of Use: SESE Sec 28 T 09S R 21E

Diversion Means: WELL, PUMP, MOTOR

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before NOVEMBER 30, 1981.

R. KENNETH DUNN

Director

Published 11/12 & 11/19/81.

MICROFILMED

**NOTICE OF APPLICATION
FOR WATER RIGHT**

Notice is hereby given that the following application has been submitted for permit to appropriate the public waters of the State of Idaho:

36-8014

CRESTVIEW FARM ASSOC. NO. 1,
C/O AURORA CAPITAL CORP., P.O.
BOX 221, TWIN FALLS, ID 83301

Source: GROUNDWATER

Date Filed: 11-04-1981

Amount: 0.75 CFS

Diversion Point: SESE Sec 28 T 09S
R 21E, JEROME Co.

Use: STOCKWATER (0.65 CFS)
from 01-01 to 12-31

DOMESTIC (0.10 CFS) from
01-01 to 12-31

Place of Use: SESE Sec 28 T 09S R
21E

Diversion Means: WELL, PUMP,
MOTOR

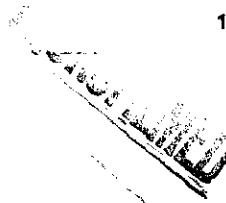
If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, ID 83301 and received on or before **NOVEMBER 30, 1981**.

A. KENNETH DUNN

Director

11-12-2tc

*mark
11/10/81*



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

NOVEMBER 6, 1981

North Side News
P. O. Box 468
Jerome, Idaho 83338

Gentlemen,

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before NOVEMBER 30, 1981.

Yours truly,

Mary A. Hill
Secretary

Encl.

MICROFILMED

