

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

95 - 16E

33 34 Point of Diversion
4 3:

MICROFILMED
SEP 05 1990

MICROFILMED

SEP 05 1990

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.

Application for permit to appropriate the public waters of

[Signature] agent.

(Applicant)

(Applicant)

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
County of Jerome } SS.

JUN 10 1990

Department of Water Resources
Southern Region Office

Patty Nance, 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 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 6th day of June, 1990, and the date of the last publication was on the 13th day of June, 1990.

Subscribed and sworn to before me this 15th day of June, 1990.
(SEAL)

Vincent Gandhagai
NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Numer of Picas per Line

Number of Lines in Notice

Number of Insertions 2X

Lines tabular at 393.75 6¢/Pica
Lines straight at 19.69 5¢/Pica
Subsequent lines at 15.75 4¢/Pica
TOTAL COST 35.44

COPY OF NOTICE

(Paste Here)

Appl. for Water Rt.
TITLE OF NOTICE

Rainbow Dairy Assoc.
36-08539
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

BILL TO

NOTICE OF APPLICATION
FOR WATER RIGHT
The Following application(s) have been filed to appropriate the public waters of the State of Idaho:
36-08539
RAINBOW DAIRY ASSOCIATES
285 WEST 300 SOUTH
JEROME, ID 83338
Source: GROUNDWATER
Diversion Pt: NWNW Sec 3 T09S R16E
Use: IRRIGATION (.030 CFS)
STOCKWATER (.520 CFS)
COMMERICAL (.200 CFS)
DOMESTIC (.060 CFS)
Total Diversion: (.810 CFS)
Date Filed: 4/13/1990
In: T09S R16E S03 NWNW
1.0 ACRES TOTAL
The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 222 Shoshone Street East, Twin Falls, Idaho 83301 on or before JUNE 25, 1990.
R. KEITH HIGGINSON,
Director
N00006
Pub: 6-6, 13

7-8 pt. per line straight.....5¢/Pica
7-8 pt. per line tabular.....6¢/Pica
7-8 pt. per line successive
insertions.....4¢/Pica

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SEP 05 1990

No 3820

00006



P/D — well # 1
P/u — yard area around barn

RECEIVED
NOV 15 1991



P/O - well #2
 P/u - yard area
 P/u - cattle corrals (well #1)

NOV 15 1991
 FILED

53-T95-R16E

36-8539



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

RECEIVED**MAY - 8 2003**

Department of Water Resources

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
<u>36-8539</u>	<u>36-8539</u>	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐

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

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Aardema Dairy Limited Partnership
Aardema Farms Limited Partnership
144 W. 400 S. Jerome, ID 83338
4. New Owner/Claimant(s) C. DeKruyf Dairy Partnership
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 303 W. 300 S.
- City, State and ZIP Code Jerome, ID 83338
- New Telephone Number () _____
5. Date you acquired the property May 5, 2003

MICROFILMED**MAY 21 2003**

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

[Handwritten signatures]

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only
 Received by [Signature] Date 5/8/03 Fee \$25.00
 Received by [Signature] Date 5/8/03 Receipt No. C048981
 Processed by [Signature] AJ Date _____ WR _____ Date _____

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 MAY 21 2003

WARRANTY DEED

Instrument # 2032763

JEROME COUNTY, JEROME, IDAHO

2003-05-05

03:08:03 No. of Pages: 6

Recorded for : LAND TITLE & ESCROW

CHERYL WATTS

Fee: 18.00

Ex-Officio Recorder Deputy

FOR VALUE RECEIVED,

AARDEMA DAIRY LIMITED PARTNERSHIP, and AARDEMA FARMS LIMITED PARTNERSHIP, the "Grantors", do hereby grant, bargain, sell and convey unto C. DEKRUYF DAIRY PARTNERSHIP, whose address is 303 West 300 South, Jerome, Idaho 83338, the Grantee, the following described premises located in Jerome, County, Idaho, to wit:

See Exhibit A Attached hereto

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

Water Right No. 36-0536

40 Shares of North Side Canal Company, Ltd. Stock.

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

Exhibit "B" Attached hereto

st day of May, 2003.

AARDEMA FARMS LIMITED PARTNERSHIP

*Deed -
FAX - 78666
307-78666
COVET
136-839*

[Signature]
AARDEMA, Partner

[Signature]
DONALD J. AARDEMA, Partner

[Signature]
EVELYN AARDEMA, Partner

MICROFILMED

MAY 21 2003

STATE OF IDAHO)
) ss.
 County of Jerome)

On this 1st day of May, 2003, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Frans Aardema, a partner to Aardema Farms Limited PARTNERSHIP, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

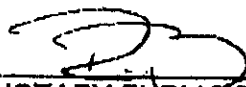
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year in this certificate first above written.


 NOTARY PUBLIC FOR IDAHO
 Residing at: Jerome
 My commission expires: 7/30/03
 RICK BERNSEN
 ★ NOTARY PUBLIC ★
 STATE OF IDAHO
 RESIDING AT JEROME, ID
 MY COMMISSION EXPIRES 7/30/03

STATE OF IDAHO)
) ss.
 County of Jerome)

On this 1st day of May, 2003, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Donald J. Aardema, partner to Aardema Farms Limited PARTNERSHIP, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

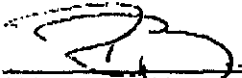

 NOTARY PUBLIC FOR IDAHO
 Residing at: Jerome
 My commission expires: 7/30/03
 RICK BERNSEN
 ★ NOTARY PUBLIC ★
 STATE OF IDAHO
 RESIDING AT JEROME, ID
 MY COMMISSION EXPIRES 7/30/03

MICROFILMED
 MAY 21 2003

STATE OF IDAHO)
) ss.
County of Jerome)

On this 1st day of May, 2003, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Evelyn Aardema, a Partner to Aardema Farms Limited PARTNERSHIP, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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


NOTARY PUBLIC FOR IDAHO

Residing at: Jerome

My commission expires: 7/30/03

RICK BERNSEN
* NOTARY PUBLIC *
STATE OF IDAHO

RESIDING AT JEROME, ID
MY COMMISSION EXPIRES

7.30.03

MICROFILMED

MAY 21 2003

EXHIBIT "A"

TRACT V

PARCEL NO. 1

TOWNSHIP 8 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 34: SW $\frac{1}{4}$ SW $\frac{1}{4}$;

PARCEL NO. 2

TOWNSHIP 9 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 3: A parcel of land located in Lot 4, described as follows:

Commencing at the Northwest corner of Section 3, a distance of 991.70 feet on a bearing of North 89°56'57" East along the North boundary of said Section 3 to THE REAL POINT OF BEGINNING;
Thence from this REAL POINT OF BEGINNING and continuing along the North boundary of said Section 3, a distance of 330.57 feet on a bearing of North 89°56'57" East to the Northeast corner of Lot 4 of Section 3;
Thence from this Northeast corner of Lot 4 of Section 3, a distance of 658.86 feet on a bearing of South 0°09'48" East along the East boundary of said Lot 4 of Section 3;
Thence a distance of 330.68 feet on a bearing of South 89°56'57" West;
Thence a distance of 658.86 feet on a bearing of North 0°09'13" West to THE REAL POINT OF BEGINNING.

PARCEL NO. 3

TOWNSHIP 9 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 3: A parcel of land located in Lot 4, described as follows:

Commencing at the Northwest corner of Section 3, a distance of 927.43 feet on a bearing of South 0°09'13" East along the West boundary of Section 3;
Thence a distance of 810.96 feet on a bearing of North 89°56'57" East to THE REAL POINT OF BEGINNING;
Thence from this REAL POINT OF BEGINNING a distance of 268.57 feet on a bearing of North 0°09'13" West;
Thence a distance of 511.42 feet on a bearing of North 89°56'57" East to the East boundary of Lot 4 of Section 3;

-Continued-

MICROFILMED

MAY 21 2003

CONTINUED
EXHIBIT "A"

Thence along the East boundary of Lot 4 of Section 3, a distance of 684.53 feet on a bearing of South 0°09'13" East to the Southeast corner of Lot 4 of Section 3;
Thence from this Southeast corner of Lot 4 of Section 3, a distance of 659.89 feet on a bearing of North 50°58'31" West to THE REAL POINT OF BEGINNING.

PARCEL NO. 4

TOWNSHIP 9 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 3: That part of Lot 4, described as follows:

Commencing at the Northwest corner of said Section 3;
Thence North 89°56'57" East along the North boundary of said Section 3, 330.56 feet to THE TRUE POINT OF BEGINNING;
Thence continuing North 89°56'57" East along the North boundary of said Section 3, 661.14 feet to a point that lies South 89°56'57" West, 330.57 feet from the Northeast corner of Lot 4;
Thence South 0°09'13" East, 658.86 feet;
Thence South 89°56'57" West, 180.74 feet;
Thence South 0°09'13" East, 268.57 feet;
Thence South 50°58'31" East, 659.89 feet to the Southeast corner of said Lot 4;
Thence South 89°58'20" West along the South boundary of said Lot 4, 798.22 feet to a point that lies North 89°58'20" East, 524.28 feet from the Southwest corner of said Lot 4;
Thence North 0°09'13" West, 684.21 feet;
Thence South 89°56'57" West, 193.72 feet;
Thence North 0°09'13" West, 658.86 feet to THE TRUE POINT OF BEGINNING.

PARCEL NO. 5

An access easement 40 feet in width being centered on the following described centerline located in Lot 4 of Section 3, Township 9 South, Range 16, East of the Boise Meridian, Jerome County, Idaho, as created by Warranty Deed recorded February 11, 1988 as Instrument Number 309711, Jerome County records and created in Warranty Deed recorded April 22, 1988 as Instrument Number 310776, Jerome County records for the benefit of Parcel No. 3 and 4 of the legal description above described:

Commencing at the Northwest corner of Section 3, a distance of 947.43 feet on a bearing of South 0°09'13" East along the West boundary of Section 3;
Thence a distance of 25.00 feet on a bearing of North 89°56'57" East to THE POINT OF BEGINNING on the centerline of said access easement 40 feet in width;
Thence from this POINT OF BEGINNING and along said centerline 40 foot wide access easement a distance of 835.15 feet on a bearing of North 89°56'57" East to the point of ending of said centerline access easement 40 feet in width.

END EXHIBIT "A"

MICROFILMED

MAY 21 2003

EXHIBIT "B"

- 1). 2003 taxes and subsequent years, taxes are an accruing lien, not yet due or payable.
- 2). Assessments of the North Side Canal Company and the rights and powers of said Company as by law provided. (2003 assessment is due and payable, but not yet delinquent)
- 3.) Right of way for roads, canals, laterals and waste ditches as contained in an Agreement by and between the State of Idaho, and the Twin Falls North Side Land and Water Company, dated August 21, 1907, recorded in Book 15 Page 589, Jerome County records.
- 4) Subject to right of ingress and egress over and across the access easement as disclosed in Warranty Deed dated January 28, 1988, recorded February 11, 1988 as Instrument Number 309711, Jerome County records, and created in Warranty Deed recorded April 22, 1988 as Instrument Number 310776, Jerome County records. (Tract V - Parcels No. 3 and 4)
- 5) Easement given by Doug Benson and Joni Benson, Grantors, to Idaho Power Company, a corporation, dated May 22, 1997, recorded January 29, 1998 as Instrument Number 980416, Jerome County records, affecting a parcel of land in the NW¼NW¼ Section 3, Township 9 South, Range 16 East, Boise Meridian. (Tract V)

(End of Exhibit "B")

MICROFILMED

MAY 21 2003

STATE OF IDAHO Department of Water Resources
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
36-8539	36-8539				

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) JACK VAN BEEK
83 W 600 S
JEROME ID 83338
4. New Owner/Claimant(s) AARDEMA DAIRY LIMITED PARTNERSHIP and
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
AARDEMA FARMS LIMITED PARTNERSHIP
New Mailing Address 144 West 400 South
City, State and ZIP Code JEROME ID 83338
New Telephone Number 208) 324-3438
5. Date you acquired the property December 26, 2002

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MAR 24 2003

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

[Handwritten Signature]
[Handwritten Signature]

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only			
Received by <i>[Signature]</i>	Date <i>2/26/03</i>	Fee _____	
Received by _____	Date _____	Receipt No. _____	
Processed by _____	Date _____	WR _____	Date _____

MICROFILMED
MAR 24 2003

COPY

J-31585

WARRANTY DEED **Instrument # 2030001**

FOR VALUE RECEIVED,

JEROME COUNTY, JEROME, IDAHO
2003-01-02 09:35:38 No. of Pages: 5
Recorded for: LAND TITLE & ESCROW
CHERYL WATTS Fee: 15.00
Ex-Officio Recorder Deputy *C. Bunch*

JOHN W. VAN BEEK and DIANNE VAN BEEK, husband and wife, the "Grantors", do hereby grant, bargain, sell and convey unto AARDEMA DAIRY LIMITED PARTNERSHIP, and AARDEMA FARMS LIMITED PARTNERSHIP, whose address is 144 West 400 South, Jerome, Idaho 83338, the Grantees, the following described premises located in Jerome, County, Idaho, to wit:

See Exhibit A Attached hereto

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

Water Right No. 36-8539
40 Shares of North Side Canal Company, Ltd. Stock.

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

1.

DATED this 26 day of December, 2002.

John W Van BEEK
JOHN W. VAN BEEK

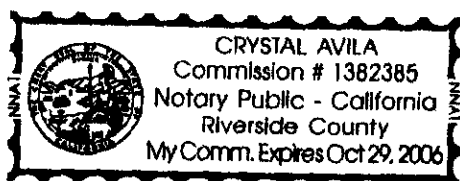
Dianne Van BEEK
DIANNE VAN BEEK

MICROFILMED
MAR 24 2003

California
STATE OF ~~IDAHO~~)
) ss.
County of Riverside)

On this 28 day of December, 2002, before me, the undersigned, a Notary Public in and for said County and State, personally appeared John W. Van Beek, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

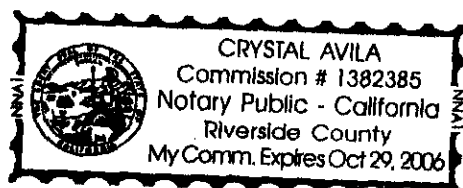


Crystal Avila
NOTARY PUBLIC FOR ~~IDAHO~~ California
Residing at: Riverside County
My commission expires: Oct. 29, 2006

California
STATE OF ~~IDAHO~~)
) ss.
County of Riverside)

On this 28 day of December, 2002, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Dianne Van Beek, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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



Crystal Avila
NOTARY PUBLIC FOR ~~IDAHO~~ California
Residing at: Riverside County
My commission expires: Oct. 29, 2006

MICROFILMED

MAR 24 2003

EXHIBIT "A"

PARCEL NO. 1

TOWNSHIP 8 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 34: SW $\frac{1}{4}$ SW $\frac{1}{4}$;

PARCEL NO. 2

TOWNSHIP 9 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 3: A parcel of land located in Lot 4, described as follows:

Commencing at the Northwest corner of Section 3, a distance of 991.70 feet on a bearing of North 89°56'57" East along the North boundary of said Section 3 to THE REAL POINT OF BEGINNING;
Thence from this REAL POINT OF BEGINNING and continuing along the North boundary of said Section 3, a distance of 330.57 feet on a bearing of North 89°56'57" East to the Northeast corner of Lot 4 of Section 3;
Thence from this Northeast corner of Lot 4 of Section 3, a distance of 658.86 feet on a bearing of South 0°09'48" East along the East boundary of said Lot 4 of Section 3;
Thence a distance of 330.68 feet on a bearing of South 89°56'57" West;
Thence a distance of 658.86 feet on a bearing of North 0°09'13" West to THE REAL POINT OF BEGINNING.

PARCEL NO. 3

TOWNSHIP 9 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 3: A parcel of land located in Lot 4, described as follows:

Commencing at the Northwest corner of Section 3, a distance of 927.43 feet on a bearing of South 0°09'13" East along the West boundary of Section 3;
Thence a distance of 810.96 feet on a bearing of North 89°56'57" East to THE REAL POINT OF BEGINNING;
Thence from this REAL POINT OF BEGINNING a distance of 268.57 feet on a bearing of North 0°09'13" West;
Thence a distance of 511.42 feet on a bearing of North 89°56'57" East to the East boundary of Lot 4 of Section 3;

MICROFILMED

MAR 24 2003

Thence along the East boundary of Lot 4 of Section 3, a distance of 684.53 feet on a bearing of South 0°09'13" East to the Southeast corner of Lot 4 of Section 3;

Thence from this Southeast corner of Lot 4 of Section 3, a distance of 659.89 feet on a bearing of North 50°58'31" West to THE REAL POINT OF BEGINNING.

PARCEL NO. 4

TOWNSHIP 9 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 3: That part of Lot 4, described as follows:

Commencing at the Northwest corner of said Section 3;

Thence North 89°56'57" East along the North boundary of said Section 3, 330.56 feet to THE TRUE POINT OF BEGINNING;

Thence continuing North 89°56'57" East along the North boundary of said Section 3, 661.14 feet to a point that lies South 89°56'57" West, 330.57 feet from the Northeast corner of Lot 4;

Thence South 0°09'13" East, 658.86 feet;

Thence South 89°56'57" West, 180.74 feet;

Thence South 0°09'13" East, 268.57 feet;

Thence South 50°58'31" East, 659.89 feet to the Southeast corner of said Lot 4;

Thence South 89°58'20" West along the South boundary of said Lot 4, 798.22 feet to a point that lies North 89°58'20" East, 524.28 feet from the Southwest corner of said Lot 4;

Thence North 0°09'13" West, 684.21 feet;

Thence South 89°56'57" West, 193.72 feet;

Thence North 0°09'13" West, 658.86 feet to THE TRUE POINT OF BEGINNING.

PARCEL NO. 5

An access easement 40 feet in width being centered on the following described centerline located in Lot 4 of Section 3, Township 9 South, Range 16, East of the Boise Meridian, Jerome County, Idaho, as created by Warranty Deed recorded February 11, 1988 as Instrument Number 309711, Jerome County records and created in Warranty Deed recorded April 22, 1988 as Instrument Number 310776, Jerome County records for the benefit of Parcel No. 3 and 4 of the legal description above described:

MICROFILMED

MAR 24 2003

Commencing at the Northwest corner of Section 3, a distance of 947.43 feet on a bearing of South $0^{\circ}09'13''$ East along the West boundary of Section 3;
Thence a distance of 25.00 feet on a bearing of North $89^{\circ}56'57''$ East to THE POINT OF BEGINNING on the centerline of said access easement 40 feet in width;
Thence from this POINT OF BEGINNING and along said centerline 40 foot wide access easement a distance of 835.15 feet on a bearing of North $89^{\circ}56'57''$ East to the point of ending of said centerline access easement 40 feet in width.

MICROFILMED

SEP 24 1986

RECEIVED

FEB 15 2002

RECEIVED

JAN 22 2002

Form 42-248/42-1409(6) July, 2000

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

Department of Water Resources
 Southern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
36-8539					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. *Received - Thank you!*
- 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) DOUG & JONI BENSON
4. New Owner/Claimant(s) JACK VAN BEEK
 Name Connector (Check one): ☐ and, ☐ or, ☐
- New Mailing Address 83 W 600 SOUTH
- City, State and ZIP Code JEROME, ID 83338
- New Telephone Number (208) 324-8904
5. Date you acquired the property 1999

MICROFILMED

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7.

Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Jack Van Beek

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by <i>[Signature]</i>	Date <u>1/23/02</u>	Fee <u>25.10</u>
Received by <i>[Signature]</i>	Date <u>1/23/02</u>	Receipt No. <u>5024555</u>
Processed by <i>[Signature]</i>	AJ Date _____	WR _____ Date _____

MICROFILMED
FEB 25 2002

WARRANTY DEED

For Value Received

992351

Douglas M. Benson and Joni L. Benson, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Jack VanBeek and Dianne VanBeek, husband and wife
Address: 213 West 400 South, Jerome, ID 83338RECORDED AT THE REQUEST
Land Title & Escrow, Inc.

MAY 5 11 14 AM '99

Hereinafter called the Grantee, the following described premises situated in Jerome County, Idaho, to-wit:

JEROME COUNTY, IDAHO

FEES 12.00 DEP 13

SEE EXHIBIT "A" attached hereto:

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto, including but not limited to 40.00 shares of capital stock in North Side Canal Company, Ltd.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 1999 and subsequent years, which are a lien, but not yet due and payable.

Assessments of the North Side Canal Company and the rights and powers of said Company as by law provided.

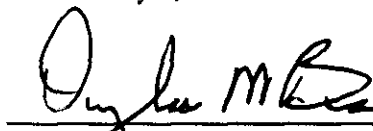
Right of way for roads, canals, laterals and waste ditches as contained in an Agreement by and between the State of Idaho, and the Twin Falls North Side Land and Water Company, dated August 21, 1907, recorded in Book 15 Page 589, Jerome County records.

Subject to right of ingress and egress over and across the access easement as disclosed in Warranty Deed dated January 28, 1988, recorded February 11, 1988 as Instrument Number 309711, Jerome County records, and created in Warranty Deed recorded April 22, 1988 as Instrument Number 310776, Jerome County records. (Parcel No. 3 and 4)

Power Line Easement given by Doug Benson and Joni Benson, Grantors, to Idaho Power Company, a corporation, dated May 22, 1997, recorded January 29, 1998 as Instrument Number 980416, Jerome County records, affecting a parcel of land in the NW¼NW¼ Section 3, Township 9 South, Range 16 East, Boise Meridian.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The 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 all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: May 3, 1999

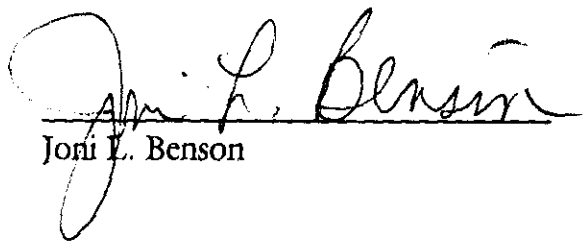


Douglas M. Benson

MICROFILMED

FEB 25 2002

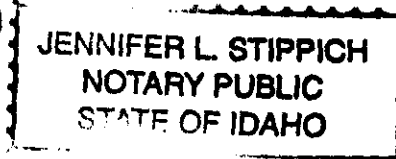



Joni L. Benson

STATE OF IDAHO)
) ss.
COUNTY OF JEROME)

On this 3rd day of May, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Douglas M. Benson and Joni L. Benson, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.


Notary Public
Residing at: Jerome 8-20-04
My Commission expires: ~~7-30-03~~



MICROFILMED
FEB 25 2002

EXHIBIT "A"

Order Number: J-28286

PARCEL NO. 1

**TOWNSHIP 8 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO**

Section 34: SW¼SW¼;

PARCEL NO. 2

**TOWNSHIP 9 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO**

Section 3: A parcel of land located in Lot 4, described as follows:

Commencing at the Northwest corner of Section 3, a distance of 991.70 feet on
a bearing of North 89°56'57" East along the North boundary of said Section
3 to THE REAL POINT OF BEGINNING;
Thence from this REAL POINT OF BEGINNING and continuing along the
North boundary of said Section 3, a distance of 330.57 feet on a bearing of
North 89°56'57" East to the Northeast corner of Lot 4 of Section 3;
Thence from this Northeast corner of Lot 4 of Section 3, a distance of 658.86
feet on a bearing of South 0°09'48" East along the East boundary of said Lot
4 of Section 3;
Thence a distance of 330.68 feet on a bearing of South 89°56'57" West;
Thence a distance of 658.86 feet on a bearing of North 0°09'13" West to THE
REAL POINT OF BEGINNING.

PARCEL NO. 3

**TOWNSHIP 9 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO**

Section 3: A parcel of land located in Lot 4, described as follows:

Commencing at the Northwest corner of Section 3, a distance of 927.43 feet on
a bearing of South 0°09'13" East along the West boundary of Section 3;
Thence a distance of 810.96 feet on a bearing of North 89°56'57" East to THE
REAL POINT OF BEGINNING;
Thence from this REAL POINT OF BEGINNING a distance of 268.57 feet on
a bearing of North 0°09'13" West;
Thence a distance of 511.42 feet on a bearing of North 89°56'57" East to the
East boundary of Lot 4 of Section 3;

CONTINUATION

EXHIBIT "A"

Order Number: J-28286

Thence along the East boundary of Lot 4 of Section 3, a distance of 684.53 feet on a bearing of South 0°09'13" East to the Southeast corner of Lot 4 of Section 3;
Thence from this Southeast corner of Lot 4 of Section 3, a distance of 659.89 feet on a bearing of North 50°58'31" West to THE REAL POINT OF BEGINNING.

PARCEL NO. 4

TOWNSHIP 9 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 3: That part of Lot 4, described as follows:

Commencing at the Northwest corner of said Section 3;
Thence North 89°56'57" East along the North boundary of said Section 3, 330.56 feet to THE TRUE POINT OF BEGINNING;
Thence continuing North 89°56'57" East along the North boundary of said Section 3, 661.14 feet to a point that lies South 89°56'57" West, 330.57 feet from the Northeast corner of Lot 4;
Thence South 0°09'13" East, 658.86 feet;
Thence South 89°56'57" West, 180.74 feet;
Thence South 0°09'13" East, 268.57 feet;
Thence South 50°58'31" East, 659.89 feet to the Southeast corner of said Lot 4;
Thence South 89°58'20" West along the South boundary of said Lot 4, 798.22 feet to a point that lies North 89°58'20" East, 524.28 feet from the Southwest corner of said Lot 4;
Thence North 0°09'13" West, 684.21 feet;
Thence South 89°56'57" West, 193.72 feet;
Thence North 0°09'13" West, 658.86 feet to THE TRUE POINT OF BEGINNING.

PARCEL NO. 5

An access easement 40 feet in width being centered on the following described centerline located in Lot 4 of Section 3, Township 9 South, Range 16, East of the Boise Meridian, Jerome County, Idaho, as created by Warranty Deed recorded February 11, 1988 as Instrument Number 309711, Jerome County records and created in Warranty Deed recorded April 22, 1988 as Instrument Number 310776, Jerome County records for the benefit of Parcel No. 3 and 4 of the legal description above described:

- Continued -

MICROFILMED

FEB 25 2002

CONTINUATION

EXHIBIT "A"

Order Number: J-28286

Commencing at the Northwest corner of Section 3, a distance of 947.43 feet on a bearing of South $0^{\circ}09'13''$ East along the West boundary of Section 3;
Thence a distance of 25.00 feet on a bearing of North $89^{\circ}56'57''$ East to THE
POINT OF BEGINNING on the centerline of said access easement 40 feet
in width;

Thence from this POINT OF BEGINNING and along said centerline 40 foot
wide access easement a distance of 835.15 feet on a bearing of North
 $89^{\circ}56'57''$ East to the point of ending of said centerline access easement 40
feet in width.

MICROFILMED
FEB 25 2002

JAN 12 1997

MICROFILMED

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 20 1997

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources
Southern RegionRECEIVED
MAY 23 1997
Department of Water ResourcesPlease print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: 36-08539
Adjudication Claim No(s).: _____
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Rainbow Dairy
4. New Owner/Claimant(s) Doug Benson & Joni Benson
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 2343-A East 3100 S
City, State and ZIP Code Jerome, ID 83338
New Telephone Number () 224-5691
5. Date you acquired the property 5-8-1997
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) Doug Benson

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

MICROFILMED

JAN 12 1998

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

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

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region
 2735 Airport Way
 Boise, ID 83705-5082
 (208) 334-2190

IDWR Northern Region
 1910 Northwest Blvd., Suite 210
 Coeur d'Alene, ID 83814-2615
 (208) 769-1450

IDWR Southern Region
 1341 Fillmore St., Suite 200
 Twin Falls, ID 83301-3380
 (208) 736-3033

IDWR Eastern Region
 900 N. Skyline Dr., Suite 4
 Idaho Falls, ID 83402-1718
 (208) 525-7161

MICROFILMED
 JAN 12 1998

STATE OF IDAHO } ss.
County of Jerome

I hereby certify the foregoing to be a full, true and correct copy of the original on file or of record in this office.

Charles M. Watts
Ex-Officio Auditor and Recorder

Colleen L. Beach
Deputy Clerk

QUITCLAIM DEED

FOR VALUE RECEIVED, STEVE BOHM aka STEVE BAUM and LISA BOHM, husband and wife, hereinafter called the "Grantors", hereby remise, release, and forever quitclaim their right, title and interest that they now have or may hereafter acquire unto DOUG BENSON, whose address is 2343-A East 3100 South, Jerome, Idaho, 83338, hereinafter called the "Grantee", the following described premises, in Jerome County, Idaho, to wit:

SEE EXHIBIT "A" ATTACHED HERETO

TO HAVE AND TO HOLD the premises, with their appurtenances unto said Grantee, and the Grantee's heirs and assigns forever.

DATED this 9th day of May, 1997.

"GRANTORS"

Steve Bohm
STEVE BOHM

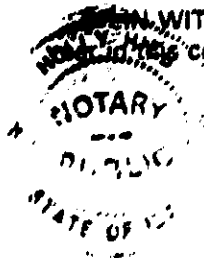
Lisa Bohm
LISA BOHM

STATE OF IDAHO

County of Minidoka ss:

On this 9th day of May, 1997, before me, the undersigned, a Notary Public in and for said County and State, personally appeared STEVE BOHM and LISA BOHM, husband and wife, known to me to be the persons whose names are subscribed to the within and foregoing instrument, and who acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and date first above written.



Harry H. H.
NOTARY PUBLIC for Idaho

Residing at: _____
Commission Expires: _____
MY COMMISSION EXPIRES 12-15-2001
NOTARY PUBLIC
RESIDING AT RUPERT, IDAHO

MICROFILMED
JAN 12 1998

PARCEL NO. 1:

TOWNSHIP 9 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO.

Section 34: SW $\frac{1}{4}$ SW $\frac{1}{4}$;

PARCEL NO. 2:

TOWNSHIP 9 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 3: A parcel of land located in Lot 4, described as follows:

Commencing at the Northwest corner of Section 3,
a distance of 991.70 feet on a bearing of
North 89°56'57" East along the North boundary
of said Section 3 to THE REAL POINT OF
BEGINNING;

Thence from this REAL POINT OF BEGINNING and
continuing along the North boundary of said
Section 3, a distance of 330.57 feet on a
bearing of North 89°56'57" East to the
Northeast corner of Lot 4 of Section 3;

Thence from this Northeast corner of Lot 4 of
Section 3, a distance of 658.86 feet on a
bearing of South 0°09'48" East along the East
boundary of said lot 4 of Section 3;

Thence a distance of 330.68 feet on a bearing of
South 89°56'57" West;

Thence a distance of 658.86 feet on a bearing of
North 0°09'13" West to THE REAL POINT OF
BEGINNING.

PARCEL NO. 3:

TOWNSHIP 9 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 3: A parcel of land located in Lot 4, described as follows:

Commencing at the Northwest corner of Section 3,
a distance of 927.43 feet on a bearing of
South 0°09'13" East along the West boundary of
Section 3;

Thence a distance of 810.96 feet on a bearing of
North 89°56'57" East to THE REAL POINT OF
BEGINNING;

Thence from this REAL POINT OF BEGINNING a distance
of 268.57 feet on a bearing of North 0°09'13"
West;

Thence a distance of 511.42 feet on a bearing of
North 89°56'57" East to the East boundary of
Lot 4 of Section 3;

Thence along the East boundary of Lot 4 of
Section 3, a distance of 681.53 feet on a
bearing of South 0°09'13" East to the
Southeast corner of Lot 4 of Section 3;

Thence from the Southeast corner of Lot 4 of
Section 3, a distance of 659.82 feet on a
bearing of North 0°09'13" West to THE REAL
POINT OF BEGINNING.

"A"

Page 1 of 2

MICROFILMED

JAN 12 1998

PARCEL NO. 4:

TOWNSHIP 9 SOUTH, RANGE 16, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 3: That part of Lot 4, described as follows:

Commencing at the Northwest corner of said
Section 3;

Thence North 89°56'57" East along the North boundary
of said Section 3, 330.56 feet to THE TRUE
POINT OF BEGINNING;

Thence continuing North 89°56'57" East along the
North boundary of said Section 3, 661.14 feet
to a point that lies South 89°56'57" West,
330.57 feet from the Northeast corner of
Lot 4;

✓ Thence South 0°09'13" East, 658.86 feet;

✓ Thence South 89°56'57" West, 180.74 feet;

✓ Thence South 0°09'13" East, 268.57 feet;

✓ Thence South 50°58'31" East, 659.89 feet to the
Southeast corner of said Lot 4;

Thence South 89°58'20" West along the South boundary
of said Lot 4, 798.22 feet to a point that
lies North 89°58'20" East, 524.28 feet from
the Southwest corner of said Lot 4;

Thence North 0°09'13" West, 684.21 feet;

Thence South 89°56'57" West, 193.72 feet;

Thence North 0°09'13" West, 658.86 feet to THE TRUE
POINT OF BEGINNING.

PARCEL NO. 5:

An access easement 40 feet in width being centered on the
following described centerline located in Lot 4 of
Section 3, Township 9 South, Range 16, East of the Boise
Meridian, Jerome County, Idaho, as created by Warranty
Deed recorded February 11, 1988 as Instrument Number
309711, Jerome County records and created in Warranty
Deed recorded April 22, 1988 as Instrument Number 110776,
Jerome County records for the benefit of Parcel No. 3 and
4 of the legal description above described:

a distance of 947.43 feet on a bearing of
South 0°09'13" East along the West boundary of
Section 3;

Thence a distance of 25.00 feet on a bearing of
North 089°56'57" East to THE POINT OF
BEGINNING on the centerline of said access
easement 40 feet in width;

Thence from this POINT OF BEGINNING and along said
centerline 40 foot wide access easement a
distance of 835.15 feet on a bearing of North
89°56'57" East to the point of ending of said
centerline access easement 40 feet in width.

"A"

For 2082

MICROFILMED
JAN 12 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08539

Priority: April 13, 1990

Maximum Diversion Rate:

0.27 CFS

Maximum Diversion Volume:¹

37.1 AF

This is to certify, that RAINBOW DAIRY ASSOC

285 W 300 S

JEROME ID 83338

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated April 13, 1990; and has submitted Proof of Beneficial Use on October 31, 1990. An examination indicates that the works have a diversion capacity of .270 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>
IRRIGATION	03/15 to 11/15	0.03 CFS	4.0 AF
STOCKWATER	01/01 to 12/31	0.22 CFS	31.3 AF
COMMERCIAL	01/01 to 12/31	0.20 CFS	0.9 AF
DOMESTIC	01/01 to 12/31	0.06 CFS	0.9 AF
	Totals	0.27 CFS	37.1 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 3, Township 09S, Range 16E
JEROME County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	16E	3	NWNW	1		1

Total number of acres irrigated: 1

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: COMMERCIAL, same as IRRIGATION use

PLACE OF USE: DOMESTIC, same as IRRIGATION use

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. 36-08539

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. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.0 afa per acre for the lands above.
6. Irrigation use under this right is authorized only in connection with a domestic use.
7. Two points of diversion located in the NWNW, S3, T9S, R16E.
8. Stockwater use is for 800 dairy cattle; domestic use is for two homes; commercial use is for a dairy barn.

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 23RD day of OCTOBER, 1991.

Acting for R. Keith Higginson, Director

RECEIVED

NOV 15 1991

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 36-08539

Proposed Priority: April 13, 1990 Maximum Diversion Rate: 0.81 CFS
This is to certify, that **RAINBOW DAIRY ASSOCIATES**
285 W. 300 S.
JEROME, ID 83338

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 10/31	0.03 CFS
STOCKWATER	01/01 to 12/31	0.52 CFS
COMMERCIAL	01/01 to 12/31	0.20 CFS
DOMESTIC	01/01 to 12/31	0.06 CFS
Totals		0.81 CFS

LOCATION OF POINT(S) OF DIVERSION: NWNW Sec. 3, Township 09S, Range 16E
JEROME County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	16E	3	NWNW	1		1
Total number of acres irrigated:						1

PLACE OF USE: STOCKWATER, same as IRRIGATION use
PLACE OF USE: COMMERCIAL, same as IRRIGATION use
PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **September 1, 1991**.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Irrigation use under this permit is authorized only in connection with a domestic use.
5. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
6. Two points of diversion located in NENE, S3, T9S, R16E.
7. Stockwater use is for 800 dairy cattle; domestic use is for two homes.
8. Commercial use is for a dairy barn.

MICROFILMED

SEP 05 1990

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 36-08539

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

13th day of August, 1990.

for *R. Keith Higginson*
R. Keith Higginson, Director

MICROFILMED

SEP 05 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Rainbow Dairy Associates Phone 324-3887

Post office address 285 West 300 St Jerome, Idaho 83338

2. Source of water supply Ground Water which is a tributary of _____

3. Location of point of diversion is 2 points NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____

Sec. 3 Township 9 S Range 16 E B.M. Jerome County; additional

points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .57 for Dairy Stockwater purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs ~~acre feet per annum~~)

Amount .20 for Commercial purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs ~~acre feet per annum~~)

Amount .06 for Domestic purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs ~~acre feet per annum~~)

Amount .03 for Irrigation purposes from MAR 15 to OCT 31 (both dates inclusive)
(cfs ~~acre feet per annum~~)

5. Total quantity to be appropriated is (a) .87 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

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

2 Existing Wells Pump + Elec Motor
Main well + backup well.

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

c. ~~Proposed~~ well diameter is 8" inches; ~~proposed~~ depth of well is 331' + 290' feet.

d. Is ground water with a temperature of greater than 90°F being sought? No

7. Time required for the completion of the works and application of the water to the proposed beneficial use is

Existing years (minimum 1 year).

1 year

MICROFILMED

SEP 05 1990

8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in KW. _____
 - Stockwatering; list number and kind of livestock. 800 Dairy Cows
 - Municipal; show name of municipality. Jerome County
 - Domestic; show number of households. 2
 - Other; describe fully. Commercial - dairy barn

9. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
 - If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
95	16E	3						X											1

Total number of acres to be irrigated 1 (one)

10. Describe any other water rights used for the same purposes as described above. _____
11. a. Who owns the property at the point of diversion? Rainbow Dairy Associates
- b. Who owns the land to be irrigated or place of use? ✓
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____
12. Remarks: System was developed in to present flow in August of 1985
Managing general partner is Mark Peperzak, Barney Little is also a
partner. Address is P.O. Box 13099, Boulder, CO 80301.

MICROFILMED

SEP 05 1990

Received by J. Stanton Date 4-13-90 Time 10:12 am Preliminary check by AS
Fee \$ 45.00 Received by JJ # 5012047 Date 4-13-90
Publication prepared by MB Date 5/15/90 Published in North Side News
Publication approved M. Baldwin Date 6/19/90

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. _____, and said application is hereby _____.

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 _____, 19 ____.

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. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

MICROFILMED

SEP 15 1990

AFFIDAVIT of PUBLICATION

RECEIVED

State of Idaho, }
County of Jerome } SS.

JUN 19 1990

Department of Water Resources
Southern Region Office

Patty Nance, 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 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 6th day of June, 1990, and the date of the last publication was on the 13th day of June, 1990.

Subscribed and sworn to before me this 15th

day of June, 1990.
(SEAL)

Vincent J. Gandiaga
NOTARY PUBLIC

NORTH SIDE NEWS
Jerome, Idaho

COST OF PUBLICATION

Number of Picas per Line _____
Number of Lines in Notice _____
Number of Insertions 2X

Lines tabular at _____ 6¢/Pica
393.75 Lines straight at 19.69 5¢/Pica
Subsequent lines at 15.75 4¢/Pica
TOTAL COST 35.44

COPY OF NOTICE

(Paste Here)

Appellate Court #4
TITLE OF NOTICE

Rainbow Dairy Assoc.

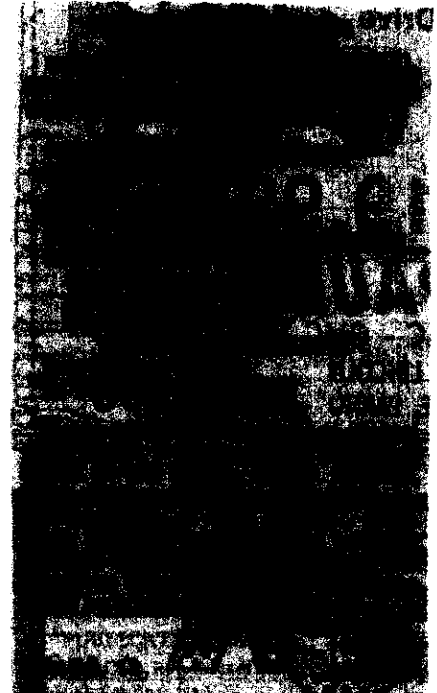
36-08339

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

BILL TO



7-8 pt. per line straight.....5¢/Pica
7-8 pt. per line tabular.....6¢/Pica
7-8 pt. per line successive
insertions.....4¢/Pica

MICROFILMED

SEP 05 1990

No 3820

00006



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 12, 2003

C DE KRUYF DAIRY PARTNERSHIP
303 W 300 S
JEROME ID 83338

RE: Change of Ownership for Water Right 36-8539

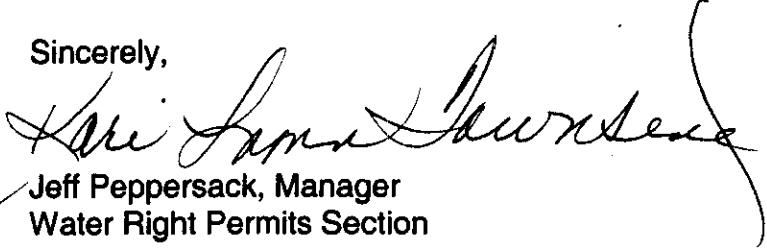
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

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

Sincerely,

for 
Jeff Peppersack, Manager
Water Right Permits Section

JP:kit

Enclosure

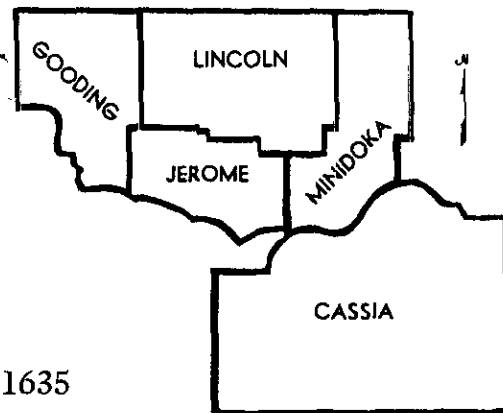
cc: Land Title & Escrow, Inc.
Laury Lamb
PO Box 349
Jerome, ID 83338

MICROFILMED
MAY 21 2003

RECEIVED
MAY - 8 2003
Department of Water Resources

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: J-31635
OFFICE: Jerome

May 7, 2003

I.D.W.R.
Kari Lynn Townsend
1301 N. Orchard
Boise, ID 83706-2237

RE: Change in Water Right Ownership
Aardema Dairy/Aardema Farms to C. DeKruyf Dairy

Dear Kari Lynn:

Enclosed please find the original form for change of water right ownership. Also enclosed is Land Title and Escrow, Inc. check #23266 in the amount of \$25.00 for the fee.

If you have any questions regarding this matter, please do not hesitate to contact this office at 208-324-3357.

Very truly yours,
LAND TITLE AND ESCROW, INC.

Laury Lamb

Laury Lamb
Escrow Assistant

encs.

MICROFILMED
MAY 21 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 20, 2003

AARDEMA DAIRY LIMITED PARTNERSHIP &
AARDEMA FARMS LIMITED
PARTNERSHIP
144 W 400 S
JEROME ID 83338

RE: Change of Ownership for Water Right 36-8539

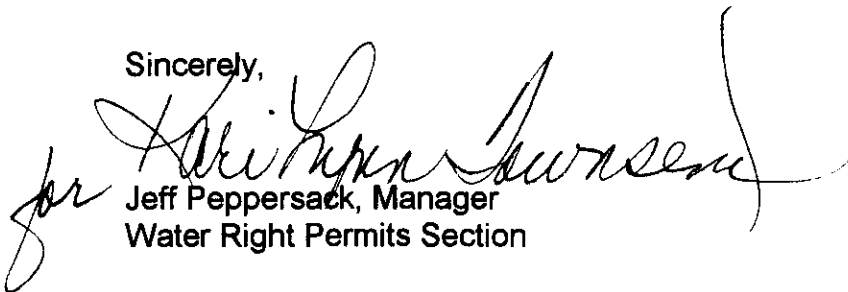
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

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

Sincerely,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

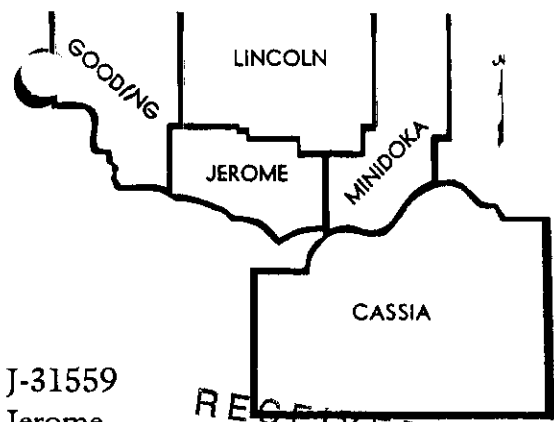
cc: Land Title & Escrow, Inc.
Attn: Laury Lamb
PO Box 349
Jerome, ID 83338

MICROFILMED

MAR 24 2003

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: J-31559
OFFICE: Jerome

RECEIVED
MAR 19 2003
Department of Water Resources

March 17, 2003

Idaho Department of Water Resources
Kari Lynn Townsend
1301 N. Orchard
Boise, ID 83706-2237

RE: Water Right Transfers Aardema/Van Beek
Water Right Transfers Van Beek/Aardema

Dear Kari Lynn :

Enclosed please find Land Title and Escrow, Inc. check #22902 in the amount of \$150.00 and [REDACTED] the fees to transfer the Water Right Ownership on the above referenced files. Also enclosed is a copy of the Partial Release Agreement from Farm Credit Services recorded December 31, 2002 as Instrument #2026685, Jerome County, Idaho.

If you have any questions regarding this matter, please do not hesitate to contact this office at 208-324-3357.

Very truly yours,
LAND TITLE AND ESCROW, INC.

Laury Lamb

Laury Lamb
Escrow Assistant

encs.

BOX 177, BURLEY, IDAHO 83318
PHONE 878-3524 - FAX 878-4435

BOX 349, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 834-8477 - FAX 834-5880

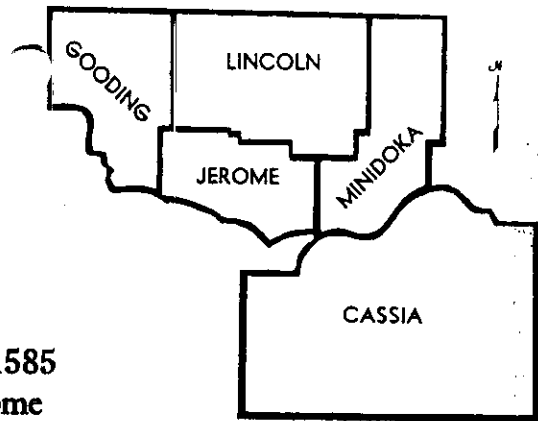
BOX 111, RUPERT, IDAHO 83350
PHONE 436-0806 - FAX 436-1188

MICROFILMED

MAR 24 2003

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: J-31585
OFFICE: Jerome

February 25, 2003

Idaho Department of water Resources
1341 Fillmore Street Suite 200
Twin falls, ID 83301-3380

RECEIVED
FEB 26 2003
Department of Water Resources
Southern Region
RECEIVED
FEB 27 2003
Department of Water Resources

RE: Transfer of Water Right Ownership
FROM: Jack Van Beek TO: Aardema Dairy limited Partnership,
and Aardema Farms Limited Partnership
Water Right No. 36-8539 Forty Shares

Gentlemen and Ladies

Enclose please find the following items that will allow for a transfer of water rights as referenced above. Executed Change of Water Right Ownership form and a copy of the Recorded Warranty Deed Instrument No. 2030001, dated December 26, 2002 and recorded on January 2, 2003. in Jerome County records conveying title to the Aardema entities.

If you have any questions regarding this matter, please do not hesitate to contact this office at 208-324-3357.

Very truly yours,
LAND TITLE AND ESCROW, INC.


Rick Bernsen, Vice President

RB:nj

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 348, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8881

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5880

BOX 111, RUPERT, IDAHO 83350
PHONE 438-0808 - FAX 438-1188

MICROFILMED

MAR 2 4 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 19, 2002

JACK VAN BEEK
83 W 600 S
JEROME ID 83338

RE: Change of Ownership for Water Right 36-8539

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

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

Sincerely,


for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED

FEB 25 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 28, 2002

JACK VAN BEEK
83 W 600 S
JEROME ID 83338

RE: Change in Ownership for Water Right 36-8539

Dear Mr. Van Beek:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

- ✓ **Evidence of Water Right Ownership:** copy of Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question
- ✓ **Legal Description of Property**

I am returning your Notice of Change in Water Right Ownership form so that you may note the highlighted area and furnish documentation as noted on the form. Please return this form with the required documentation to the address on this letterhead.

Because the Department cannot process the ownership change without proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days we will return your fee and your notice will not be processed.

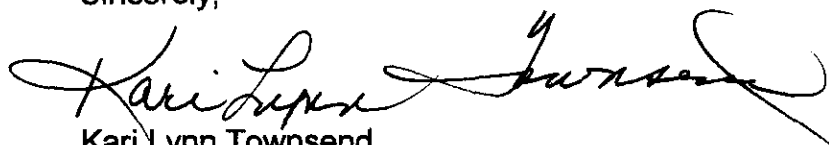
Please note that water right owners are required to report any change in water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage (<http://www.idwr.state.id.us>) on the Internet to obtain the proper forms and instructions.

MICROFILMED

FEB 25 2002

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Kari Lynn Townsend". The signature is written in dark ink and is positioned above the printed name and title.

Kari Lynn Townsend
Secretary

KLT:k

Enclosure(s)

MICROFILMED

FEB 25 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 8, 1998

DOUG AND/OR JONI BENSON
2343 A EAST 3100 S
JEROME ID 83338

RE: OWNERSHIP OF WATER RIGHT NO. 36-08539

Dear Mr & Mrs Benson:

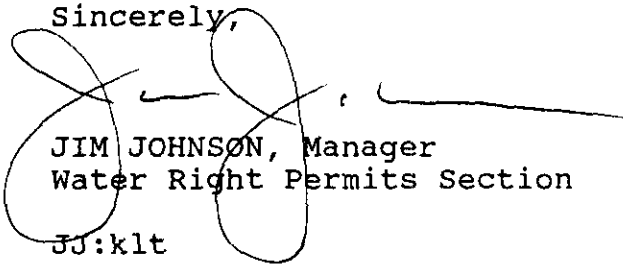
I have modified our computer records and filed the ownership change document in the above referenced permanent water right file to reflect the ownership change of the water right to you.

Please note all water right owners are required to report any change in water right ownership and any change of mailing address to the department. If you sell the water right or change your mailing address you should report the change with the department within 120 days of the change.

Failure to report these changes in a timely manner could result in a \$100 late filing fee.

You can contact any office of the department for more information. If you have any questions concerning your water right listed above you can contact me at (208)327-7947.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosure

MICROFILMED

JAN 12 1998

October 24, 1991

RAINBOW DAIRY ASSOC
285 W 300 S
JEROME ID 83338

RE: WATER RIGHT NO. 36-08539

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

SHARLA CURTIS
Technical Records Specialist

SC:blm

Enclosure

AMCROFILMED

NOV 15 1991

October 4, 1991

RAINBOW DAIRY ASSOC
285 W 300 S
JEROME ID 83338

RE: WATER RIGHT NO. 36-08539

Dear Water Right Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

SHARLA CURTIS
Technical Records Specialist

SC:blm

Enclosure

RECEIVED

NOV 15 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 36-08539

1. Owner: RAINBOW DAIRY ASSOCIATES

Phone No. 324-3882

Current Address: 285 W. 300S. JEROME, ID 83338

2. Accompanied by: _____ EXAM. DATE: 5-30-91

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: NONE

☐ Copies Attached

2. Other water rights with same point of diversion: NONE

☐ 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).

NOV 15 1991

System Description (continued)

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

- two main wells - 5 H.P. & 15 H.P. pumps
- 15 h.p. is connected to 1000 gallon storage tank and services milk barn, mobile home and 9 watering troughs and yard near milk barn
- 5 h.p. services house, yard, and one watering trough. This well can be connected to the main system to provide backup water.

☐ See Remarks on page 4 for continuation

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
1	Redjacket	15			
2	Redjacket	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
		NW	NW		3	1S	16E	Jerome	topographic map

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	16E	3						1.0											1.0
9S	16E	3						5											
9S	16E	3						C											
9S	16E	3						D											

RECORDED

NOV 15 1991

Do not use this space

Do not use this space

NOV 12 1991

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D. FLOW MEASUREMENTS

☒ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
bucket					4 gal	

2. Measurements:

We measured the output of the smaller well. It was not possible for us to physically measure the large well because of the design of the system.

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

volume measurement

2. Alternate Method for Checking Purposes:

horsepower equation

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 _____ T = _____ (6)

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

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (8)

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

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NOV 15 1991

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (1.0)(4.0) = 4.0 \text{ afa}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (0.03)(245)(1.9835) = 14.58 \text{ afa}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 4.0 \text{ afa}$

2. Volume Calculations for Other Uses:

$V(\text{stockwater}) = 800 \text{ cows} \cdot \frac{35 \text{ gal}}{\text{day}} \cdot \frac{365 \text{ days}}{\text{year}} \cdot \frac{\text{af}}{325850 \text{ gal}} = 31.4 \text{ af/year}$

$V(\text{residential}) = 8 \text{ residents} \cdot \frac{100 \text{ gal}}{\text{day}} \cdot \frac{365 \text{ days}}{\text{year}} \cdot \frac{\text{af}}{325850 \text{ gal}} = 0.89 \text{ af/year}$

$V(\text{commerce}) = 4 \text{ workers} \cdot \frac{100 \text{ gal}}{\text{worker} \cdot \text{shift}} \cdot \frac{20 \text{ shift}}{\text{day}} \cdot \frac{365 \text{ days}}{\text{year}} \cdot \frac{\text{af}}{325850 \text{ gal}} = 0.9 \text{ afa}$

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Stockwater was for ⁸⁰⁰ ~~750~~ cattle
 Commercial was for milking barn
 Irrigation for yard areas
 domestic for 2 houses

- recommendation for stockwater is based on the calculated output capacity for the well
- total rate of diversion is sum of the two well outputs.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation			0.03	4.0
Stockwater			0.22	31.4
Commercial			0.20	0.9
domestic			0.04	0.9
Totals:			0.27	37.2

2. Recommended Amendments

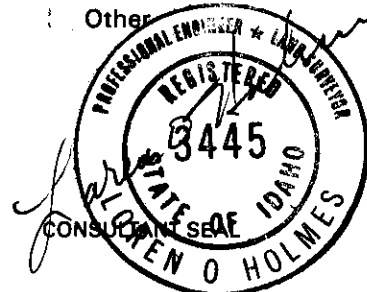
- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above

☒ None

Other

J. AUTHENTICATION

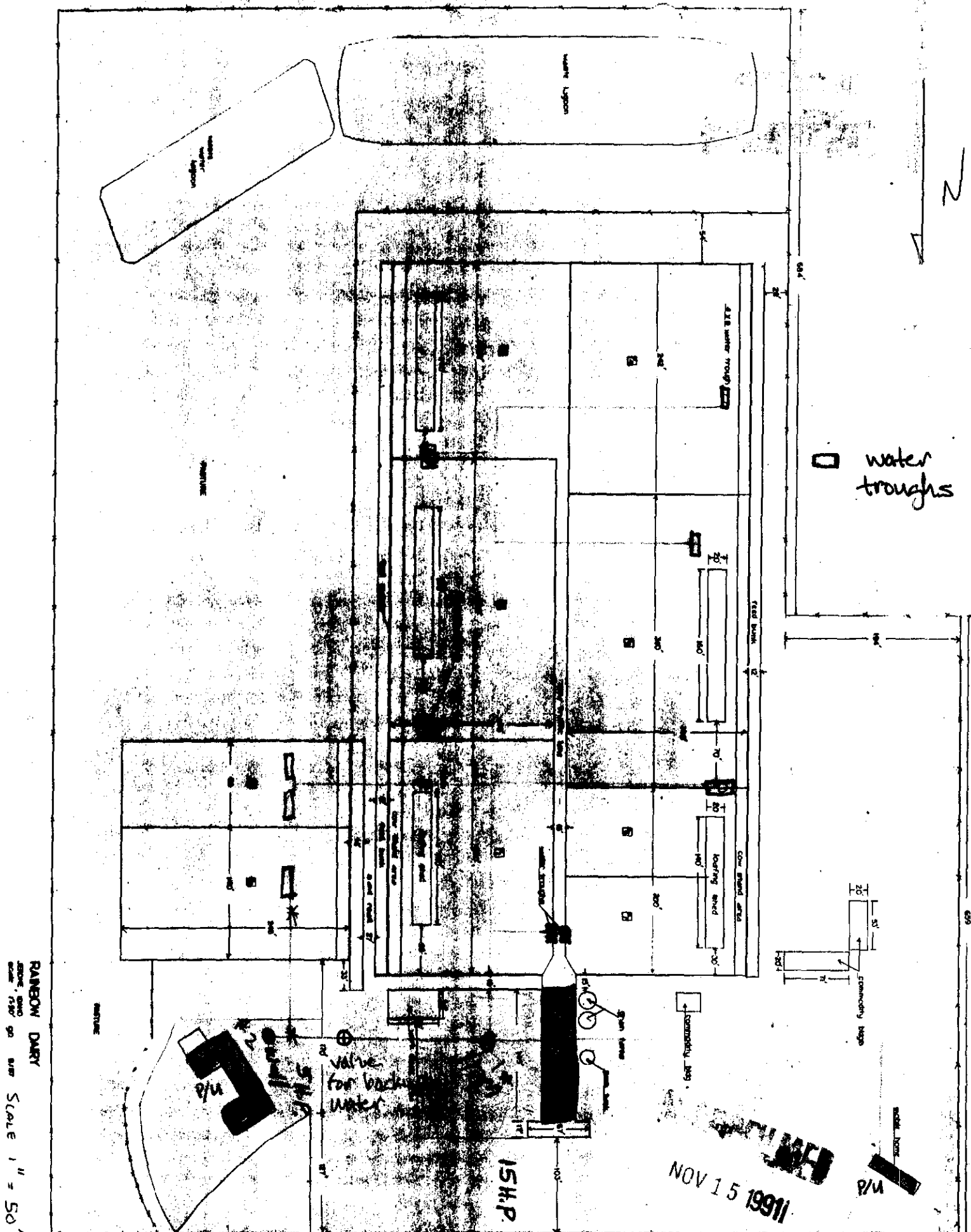
Field Examiner's Name Brian Block
 Signature Brian Block
 Certification Date 4/10/91
 Field Report Preparation Date 5/31/91



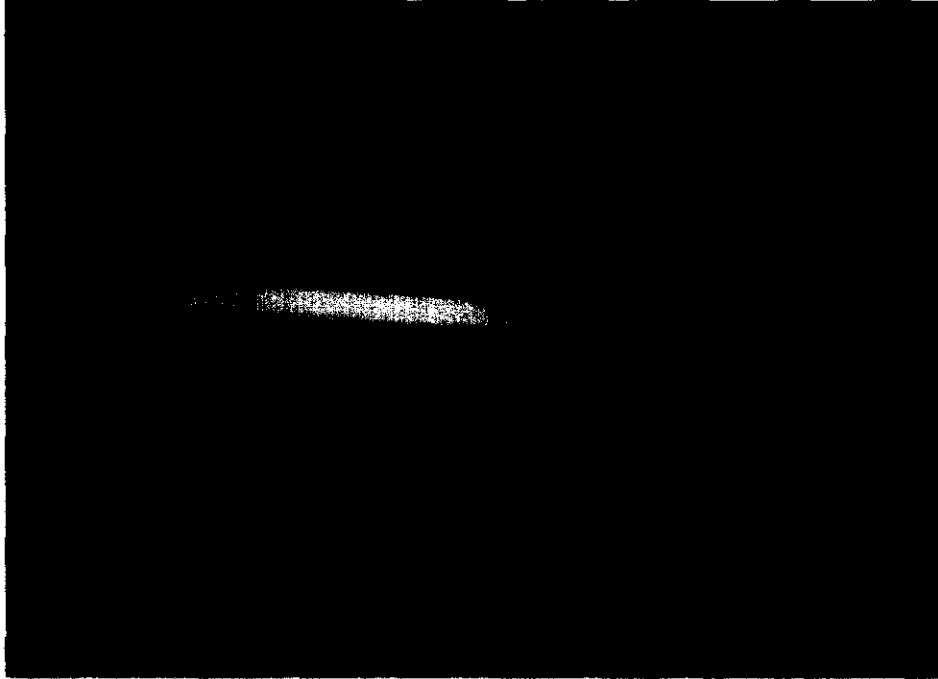
- K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

NOT RECORDED

NOV 15 1991



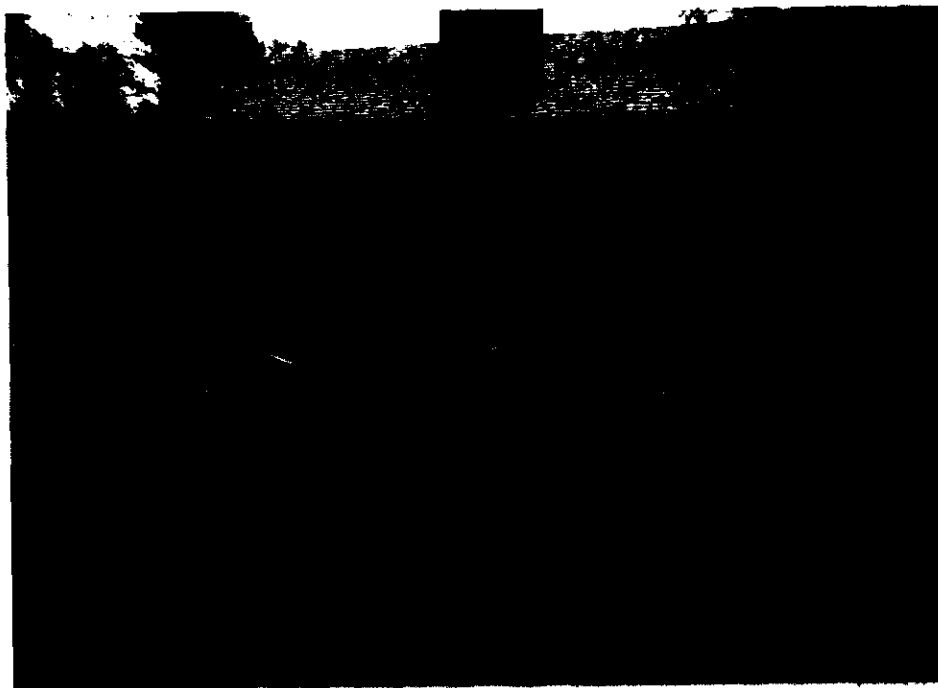
RAINBOW DART
JEROME SAND
scale 1" = 50'



P/D — well # 1

P/u — yard area around barn

NOV 15 1991



P/O - well #2
P/u - yard area
P/u - cattle corrals (well #1)

NOV 15 1991

DISCHARGE MEASUREMENT DATA:

well #2 (smaller well) :

		vol	time
measurement	#1	4 gal	30 s
	#2	4 gal	15 s

calculations :

$$Q_1 = \frac{4 \text{ gal}}{30 \text{ s}} \cdot \frac{60 \text{ s}}{1 \text{ min}} = 8.0 \text{ gpm}$$

$$Q_2 = \frac{4 \text{ gal}}{15 \text{ s}} \cdot \frac{60 \text{ s}}{1 \text{ min}} = 16.0 \text{ gpm}$$

$$Q_T = 8.0 + 16.0 = 24.0 \text{ gpm} \cdot \frac{1 \text{ cfs}}{448.8 \text{ gpm}}$$

$$= \boxed{0.053 \text{ cfs.}}$$

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NOV 15 1991

FLOW CALCULATIONS:

well #1 (large well):

DATA:

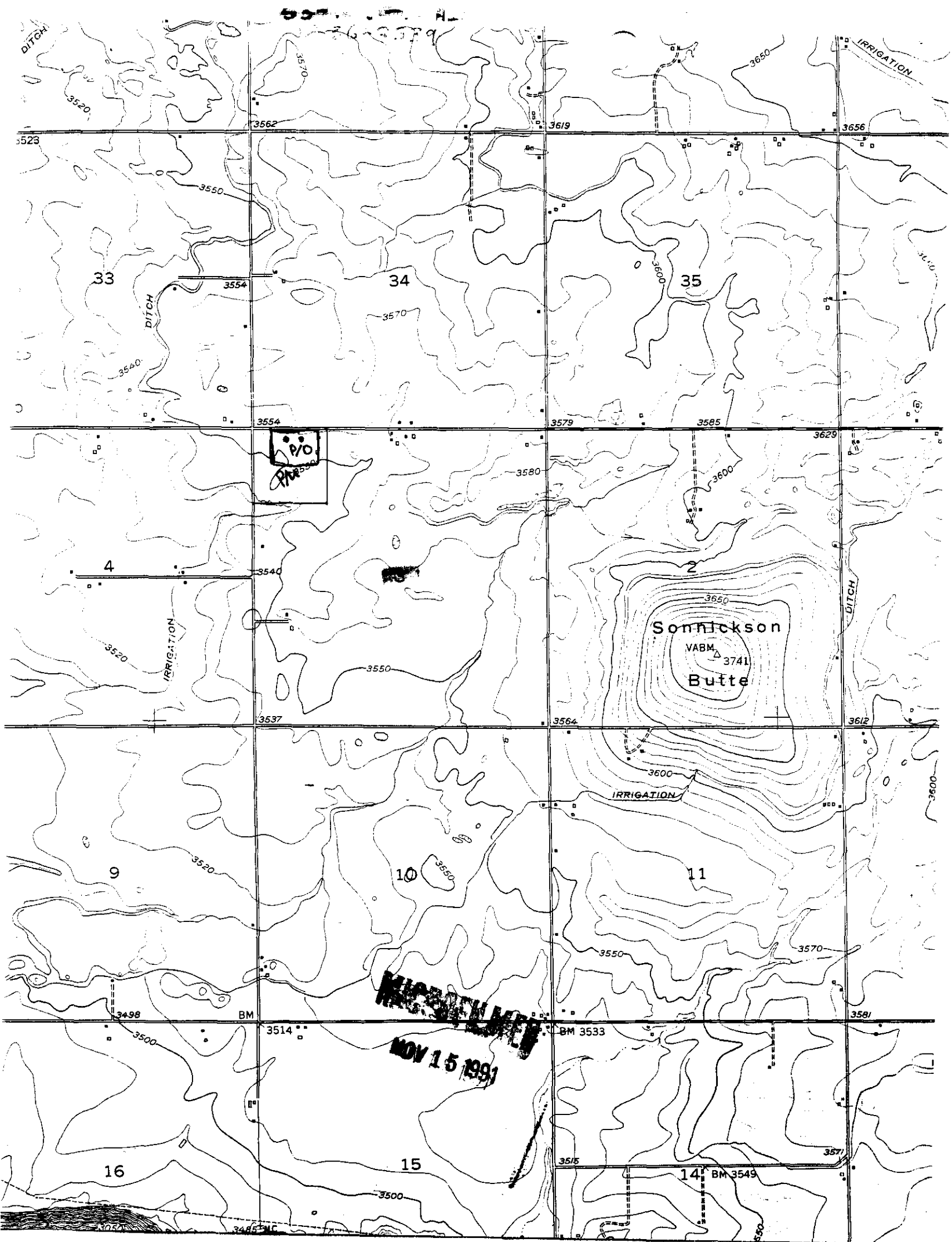
well depth = 331' (from permit)
horsepower = 15 hp (smith drilling)
pressure = 40 psi (from gauge)
efficiency = 0.7 (estimate)

CALCULATION:

$$Q = \frac{8.8 (\text{eff})(\text{hp})}{\text{well depth} + 2.31 (\text{psi})}$$

$$= \frac{8.8 (0.7) (15)}{331 + 2.31 (40)} = \boxed{0.22 \text{ cfs}}$$

NOV 15 1991



December 7, 1990

RAINBOW DAIRY ASSOCIATES
285 W. 300 S.
JEROME, ID 83338

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08539

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)734-3578.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

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DEC 17 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 36-8539

Date: 12-03-90

General Considerations:

- ☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change _____ If yes, prepare a data entry
☐ Proof received timely
☒ Reinstated

Source of Water:

- ☐ Surface water
☒ Groundwater
 _____ 1. well log in file
 _____ 2. drilling permit
 _____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

- ☒ Rate of diversion appropriate for uses
☒ Is rate or volume and fee appropriate?
_____ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

- ☒ Is a measuring device or access port required?
☒ Has one been installed?
_____ Waiver or modification of measuring device requested

Remarks:

Proof acceptable

N/A Priority Calculation:
Date proof received _____

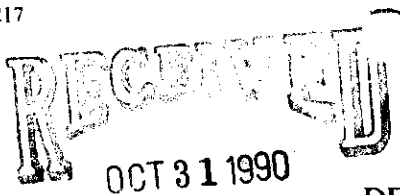
Date proof due _____ - _____

No. of days late _____ = _____

Priority date _____ + _____

NEW PRIORITY DATE _____ = _____

JB
SEND FILES TO DATA ENTRY AND THEN TO MICROFILM



For Office Use Only
Amt. of Fee \$ 100.00
Date 10/31/90
Receipt No. 4018747
Received by J. Dawson

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Department of Water Resources
PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 36-08539 Telephone No. 324-3882

Name(s) of Permit Holder(s): Rainbow Dairy Associates

Post Office Address: 285 W. 3005. Jerome, Id. 83338

Source of Water: Ground water

If ground water, well driller's name: _____ Date drilled: _____

Extent of Use:
Domestic 2 (No. of households) Irrigation 1 (No. of acres)
Stockwater 800 (No. and type of stock) Other commercial use -
dairy barn

Total rate and/or volume for which proof is submitted .81 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 3-19-80

One of the following may be a condition of approval of your permit:

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

OR

Flow Measurement Port: Required? Yes ☒ No Installed? Yes ☐ No

Fee Enclosed: \$ #100 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

Steven Bohm 208-324-5572
Name Telephone No.
277 W. 3005. Jerome, Id. 83338
Address

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The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

DEC 17 1990

10-18-90 Steven Bohm Manager for Aurora Capital
Date Signature (and title if on behalf of a company or organization)

S T A T E O F I D A H O

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
August 13, 1990

RAINBOW DAIRY ASSOCIATES
285 W. 300 S.
JEROME, ID 83338

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 36-08539

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

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SEP 05 1990

Rainbow Dairy Associates

Form No. 202a
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY AS DATE 4-27-90 APPLICATION NUMBER 36-08539

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☒ County
- ☒ Quantity (flow and/or volume)
- ☒ Period of Use
- ☒ Nature of proposed use (Include description of use.)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map
- ☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt ***PROPOSED PRIORITY DATE 4-13-90

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
- ☐ Overlapping point of diversion
- ☐ Yes ☒ No Field check required
- ☐ Field check by _____
- ☐ Yes ☒ No Field report attached
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☒ No Send dam safety information
- ☐ Yes ☒ No Send power requirement letter
- ☐ Yes ☒ No Send fish farm requirement letter
- ☐ Yes ☒ No Power residency affidavit
- ☐ Yes ☒ No Power efficiency form
- ☒ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☒ See reverse side for additional information

SWAN FALLS HOLD? _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested _____

RECEIVED
JUL 17 1990

Department of Water Resources

PROCESSING ☒ Yes ☐ No In form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO ☒ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No ~~Publication dates & paper~~, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 6/25/90
☐ Yes ☒ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☐ Yes ☒ No Access port required Flow Task Force Memo
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what Dist. _____
☒ Yes ☐ No Special conditions of approval or cover letter below. _____
016

See below for additional information

Date of priority recommended 4/13/90
By Loren O. Halum Date 7/10/90

STATE OFFICE REVIEW

P23

P16

46 41

See below for additional information

By kw Date 8/2/90

ADDITIONAL INFORMATION

App. in Trust Area - DCM I

17-May-1990

RAINBOW DAIRY ASSOCIATES
285 WEST 300 SOUTH
JEROME ID 83338

Re: Application for Permit No. 36-08539

Dear Applicant (s):

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned the above referenced identification number. Please refer to this number in all further correspondence.

This office will be advertising the application in the North Side News on 6/6 & 6/13/90. A period of ten days following the second publication will be allowed for the submittal of protests.

If the 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.

If the application is not protested, it will be forwarded to our State Office in about five weeks. 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. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Very truly yours,

MICROFILMED

SEP 05 1990

Gary Funderburg
Sr. Water Resource Agent

GF:MB

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region
222 Shoshone Street East
Twin Falls, ID 83301
(208)734-3578

MAY 15, 1990

NORTH SIDE NEWS
P.O. BOX 468
JEROME, ID 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. 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 JUNE 25, 1990.

Yours truly,

Mary Baldwin
Secretary/Office Coordinator

Enclosure

MICROFILMED

SEP 05 1990

36-08539

RAINBOW DAIRY ASSOCIATES
285 WEST 300 SOUTH
JEROME, ID 83338

Source: GROUNDWATER

Diversion Pt: NWNW Sec 3 T 09S R 16E

Use: IRRIGATION	(.030 CFS)
STOCKWATER	(.520 CFS)
COMMERCIAL	(.200 CFS)
DOMESTIC	(.060 CFS)
Total Diversion:	(.810 CFS)

Date Filed: 4/13/ 1990

In: T09S R16E S03 NWNW

1.0 ACRES TOTAL

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SEP 05 1990

The permit(s) will be subject to all prior water rights. Protests may be submitted base on the criteria of Sec. 42-03A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 222 Shoshone Stre East, Twin Falls, Idaho 83301 on or before JUNE 25, 1990.

R. Keith Higginson, Director

Published 6/ 6/1990 & 6/13/1990

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SEP 05 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

11-May-1990

R. KEITH HIGGINSON
Director

Idaho Dept. of Health & Welfare
P.O. Box 1626
Twin Falls, ID 83303-1626

Re: Application(s) for Permit

Gentlemen:

Please find enclosed copy(ies) of an Application(s) for Permit for your information and files.

If you have any questions or if this office can be of further assistance, please feel free to contact us.

Very truly yours,

A handwritten signature in dark ink, appearing to be 'GF' or similar initials.

Gary Funderburg
Sr. Water Resource Agent

GF:MB

Enclosure(s)

RECEIVED

SEP 07 1990

3/79

IDENT. NO. 36-08539

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]