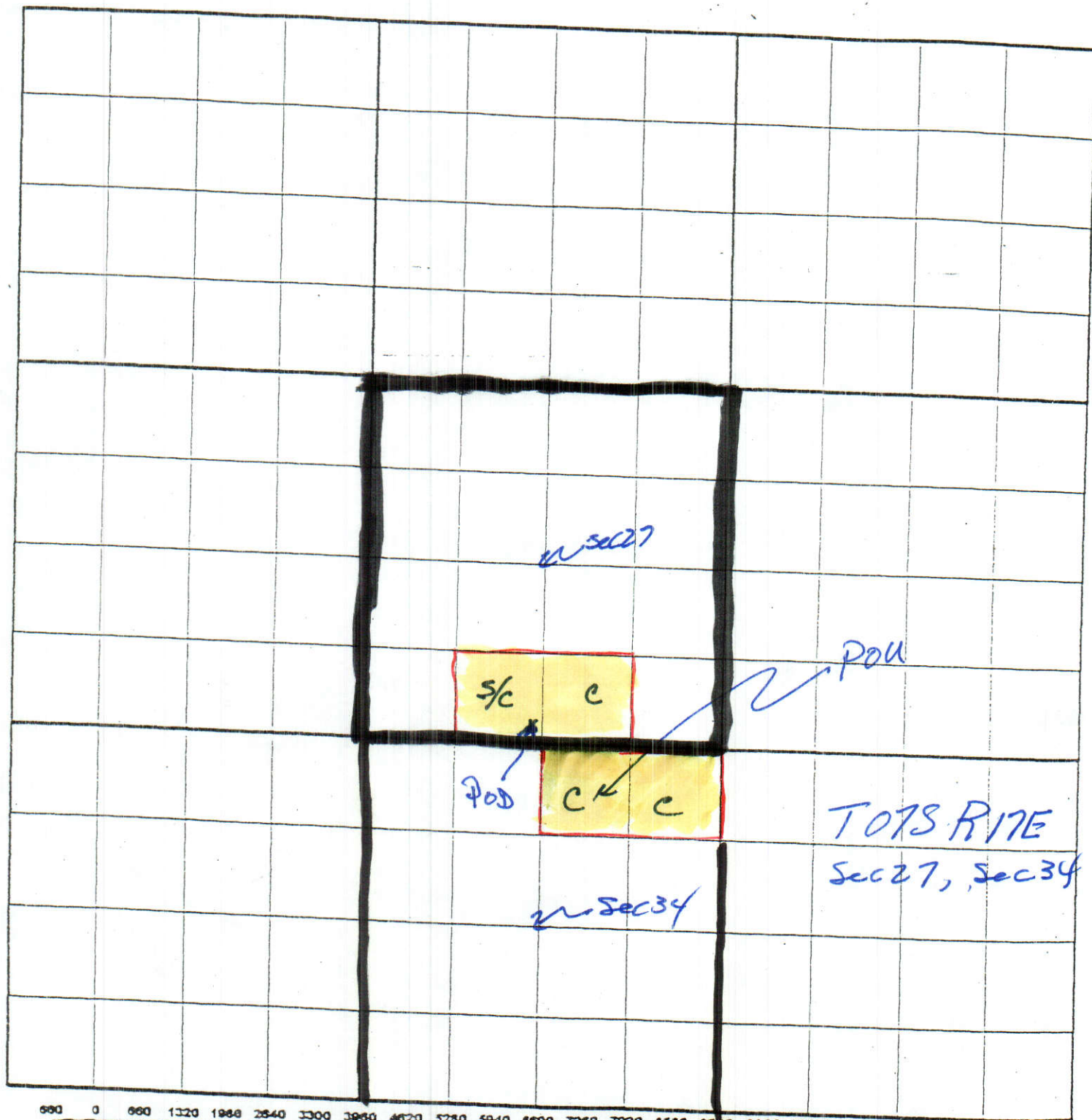


IDAHO DEPARTMENT OF WATER RESOURCES



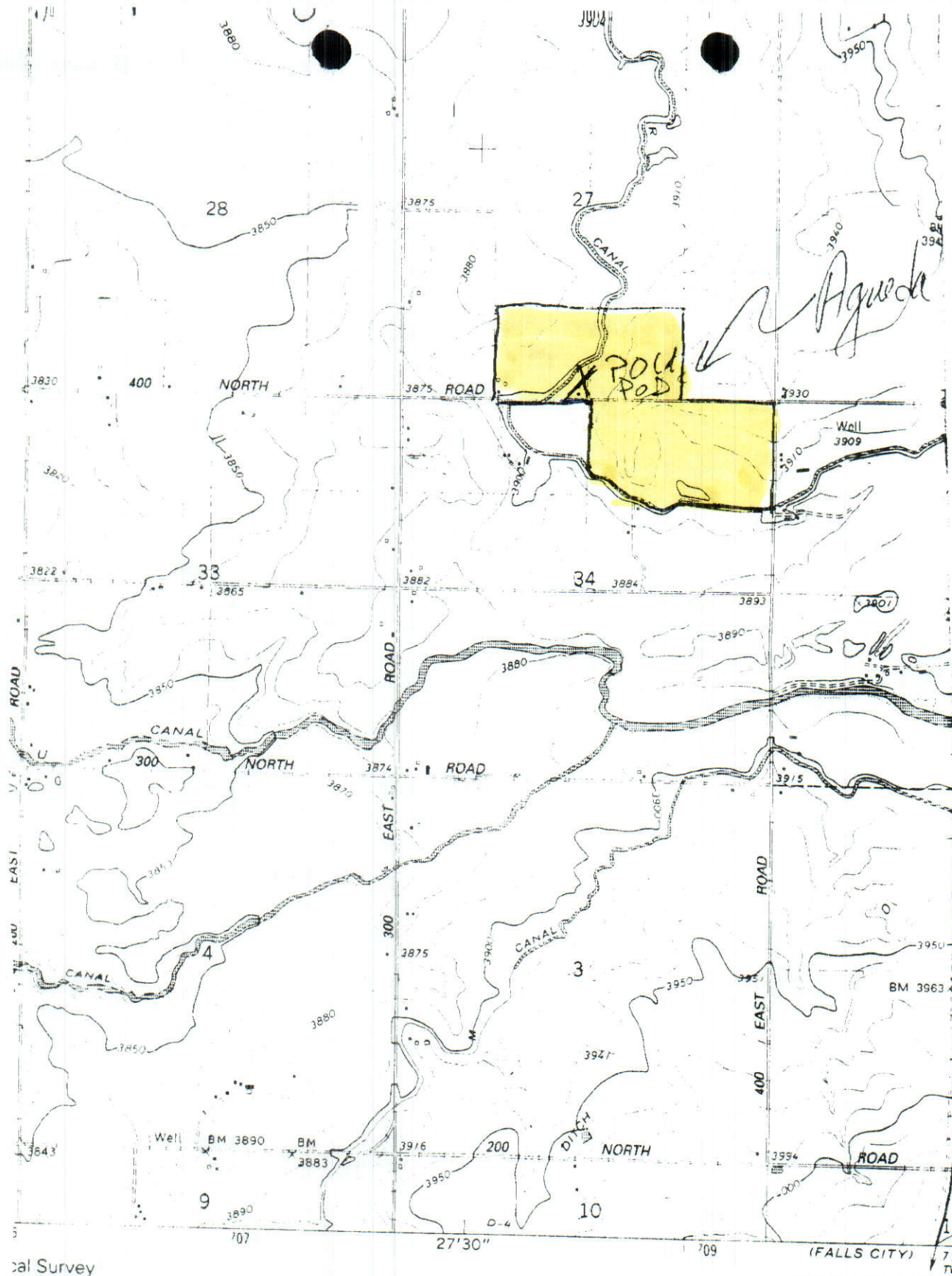
500 0 660 1320 1980 2640 3300 3960 4620 5280 5940 6600 7260 7920 8580 9240 9900 10560 Feet

MICROFILMED

NOV 17 2000

MICROFILMED

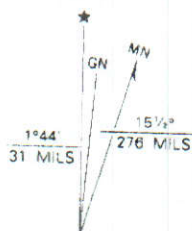
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UTM GRID AND 1992 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET

MICROFILMED

NOV 17 2006



CONTOUR INTERVAL 10 FEET
NATIONAL GEODETIC VERTICAL DATUM

T#5716

MICROFILMED

COMPLIES WITH U.S. GEOLOGICAL SURVEY STANDARDS FOR
FOR SALE BY U.S. GEOLOGICAL
DENVER, COLORADO 80225 OR RESTON

JUL 23 2003

4/06/00

NAME SEARCH

11:55:27

Enter Search Name ==>

01	AGUEDA, JOE		PPDE000006325AA
02	AGUEDA, JOE	OR	MH0717E276601DA
03	AGUEDA, JOE	OR	MH0717E276601AA
04	AGUEDA, JOE	OR	MH0717E276601BA
05	AGUEDA, JOE E		RP07S17E276601A
06	AGUEDA, JOE E		RP07S17E277110A
07	AGUEDA, JOE E		RP07S17E278402A
08	AGUEDA, JOE E		RP07S17E340130A
09	AGUEDA, JOE E		RP07S17E340731A
10	AGUEDA, SANDRA		MH0717E276601AA
11	AGUEDA, SANDRA		MH0717E276601BA
12	AGUEDA, SANDRA L		MH0717E276601DA
13	AGUEDA, SANDRA L		RP07S17E276601A
14	AGUEDA, SANDRA L		RP07S17E277110A
15	AGUEDA, SANDRA L		RP07S17E278402A
16	AGUEDA, SANDRA L		RP07S17E340130A

6601

8402

0731

0130

160 acres

More...

Record selected-->

Enter=PM Inq F1=Search F2=Tax Due Inq F3=End Job F4=Addr Toggle F13=Tax Master

Proof of Ownership

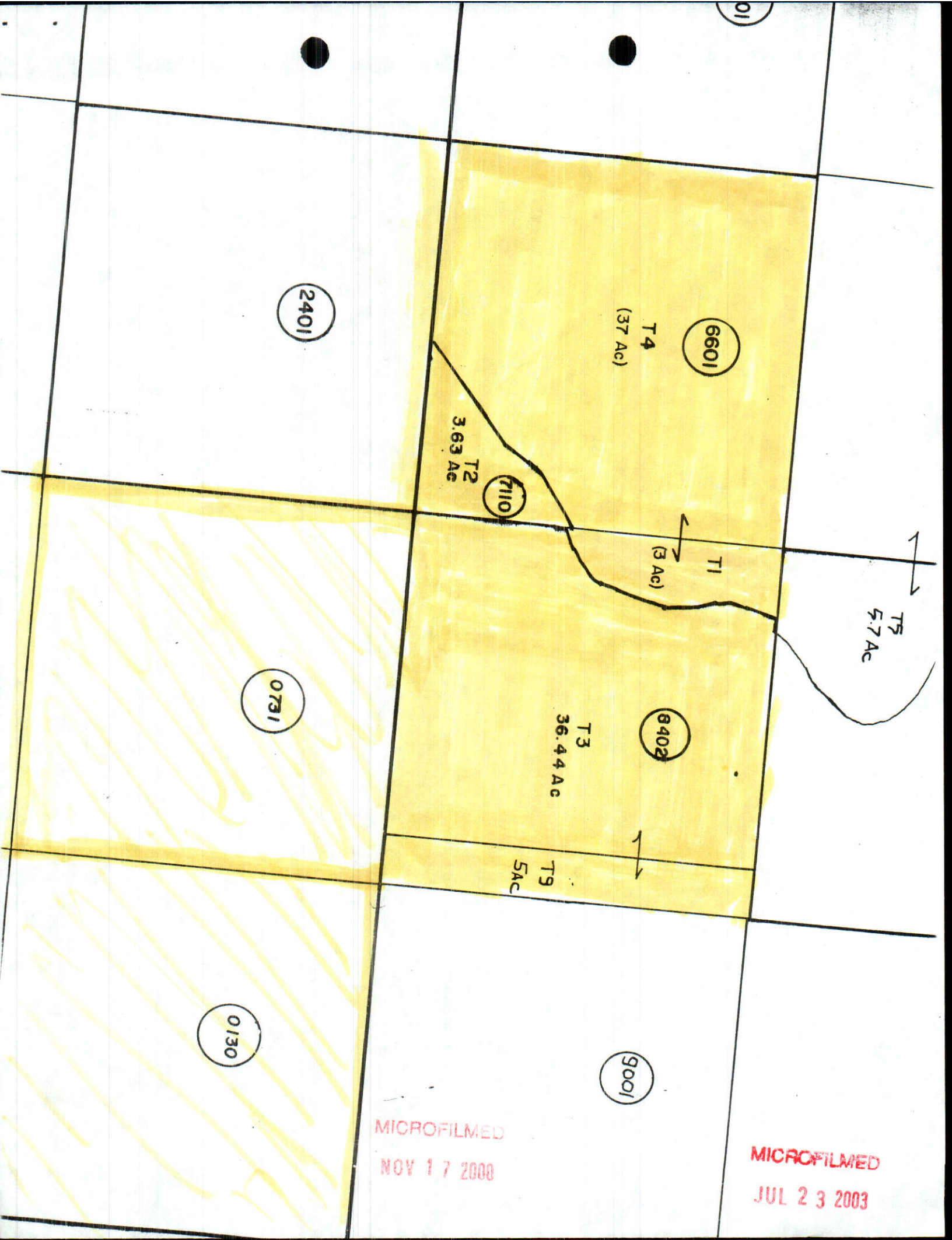
Map next page

MICROFILMED

NOV 17 2000

MICROFILMED

JUL 23 2003



6601

T4
(37 Ac)

7110

T2
3.63 Ac

T1
(3 Ac)

8402

T3
36.44 Ac

T9
5 Ac

2401

0731

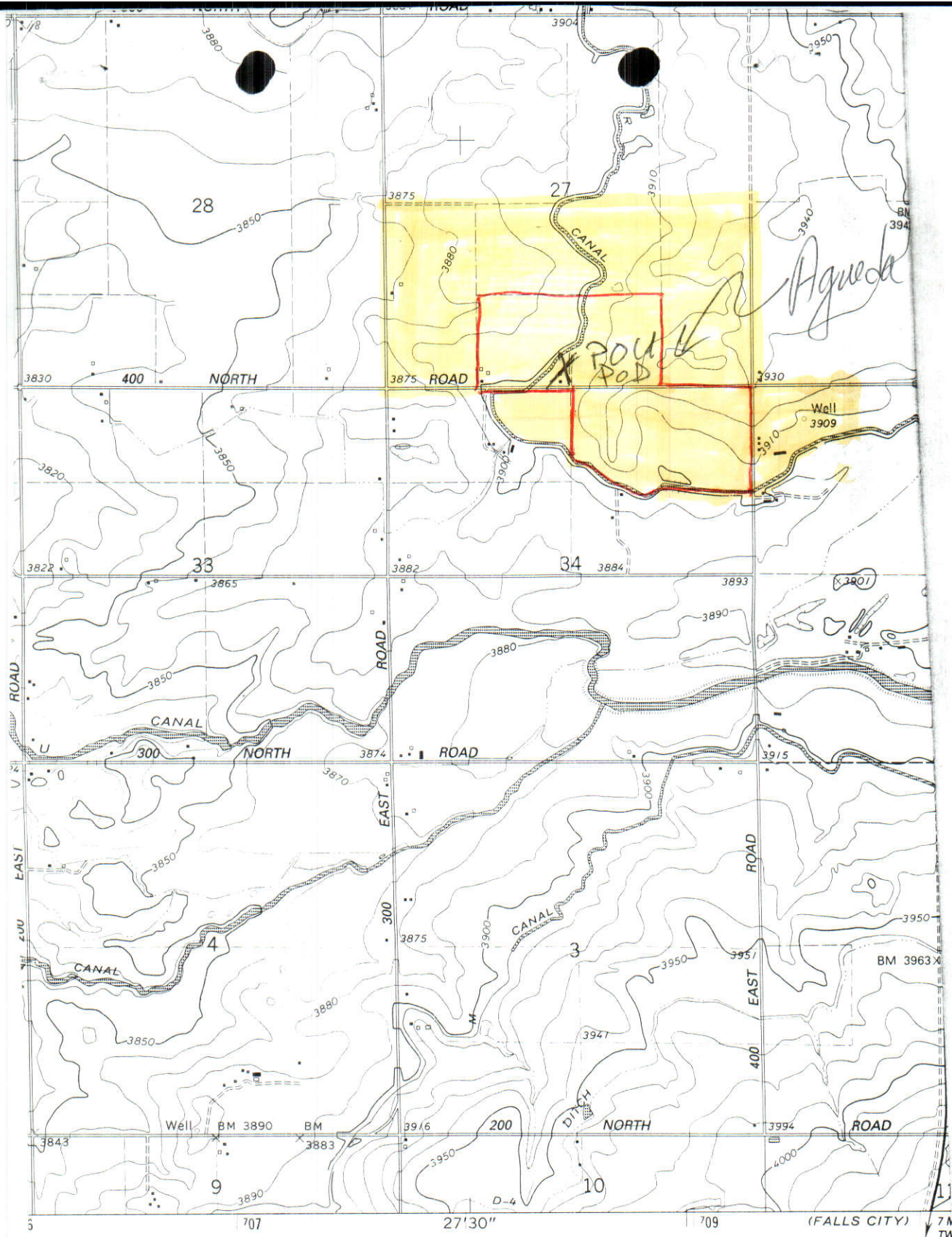
0130

9001

T5
5.7 Ac

MICROFILMED
NOV 17 2000

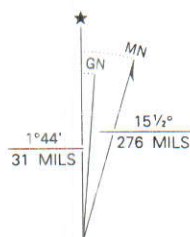
MICROFILMED
JUL 23 2003



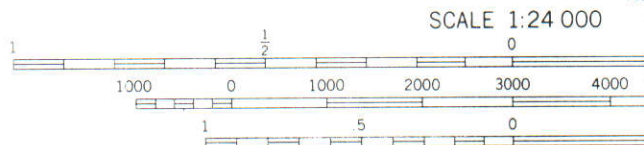
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UTM GRID AND 1992 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET



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CONTOUR INTERVAL 10 FEET
NATIONAL GEODETIC VERTICAL DATUM

COMPLIES WITH U.S. GEOLOGICAL SURVEY STANDARDS FOR
FOR SALE BY U.S. GEOLOGICAL SURVEY
DENVER, COLORADO 80225, OR RESTON, VIRGINIA
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS

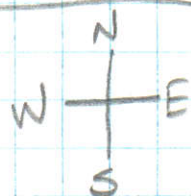
MICROFILMED

JUL 23 2003

T#5716

FIALA PROPERTY

← 550 →
LAGOON



9125#1

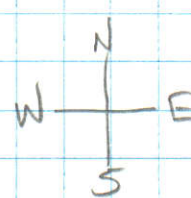
← FARM GROUND →
(13 ACRES)

CANAL

CANAL

m. Home
m. Home

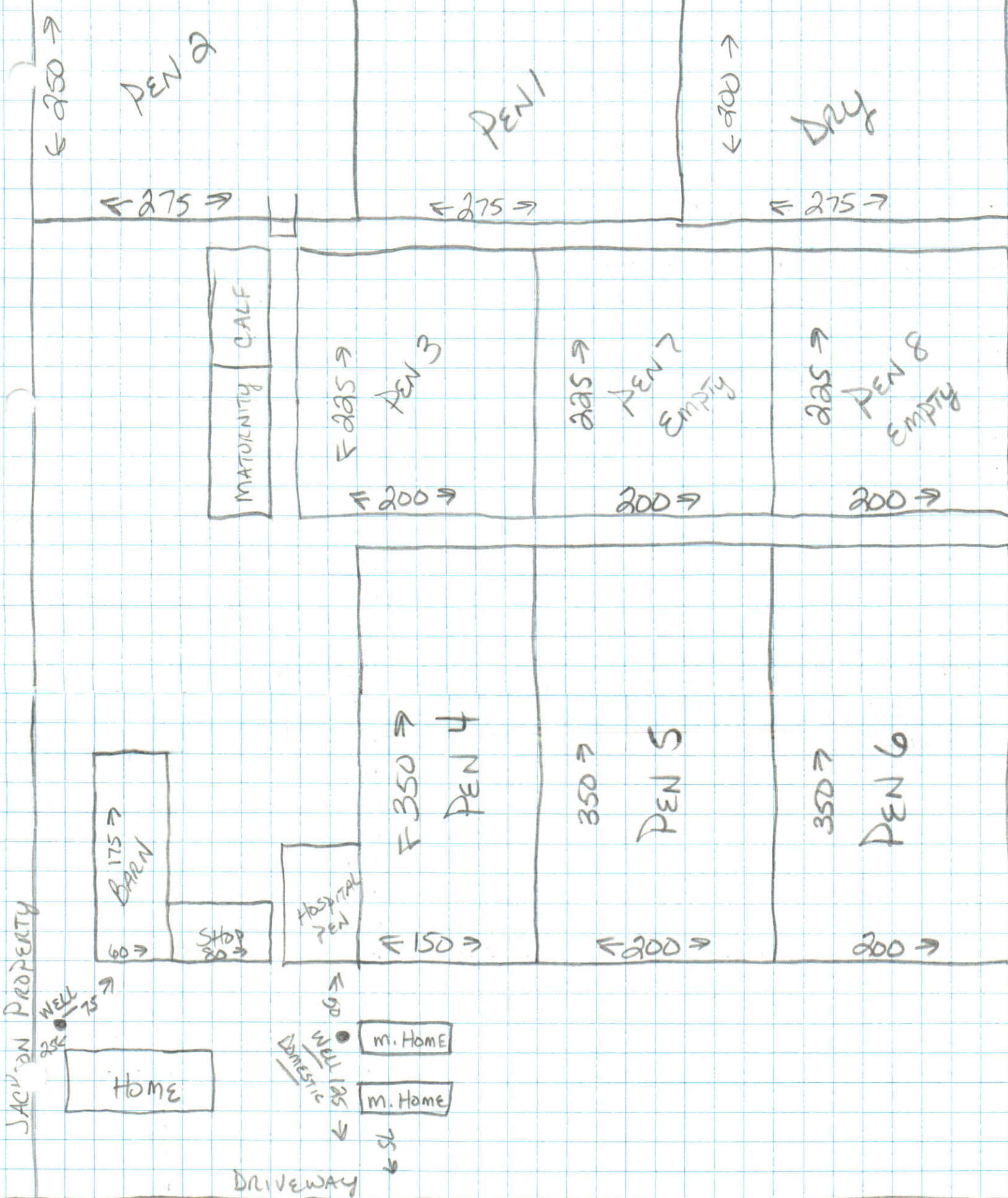
4 SQUARES = 100 FT.



JAN. 2000

(40 ACRES W)
120 ACRES EAST &
SOUTHEAST

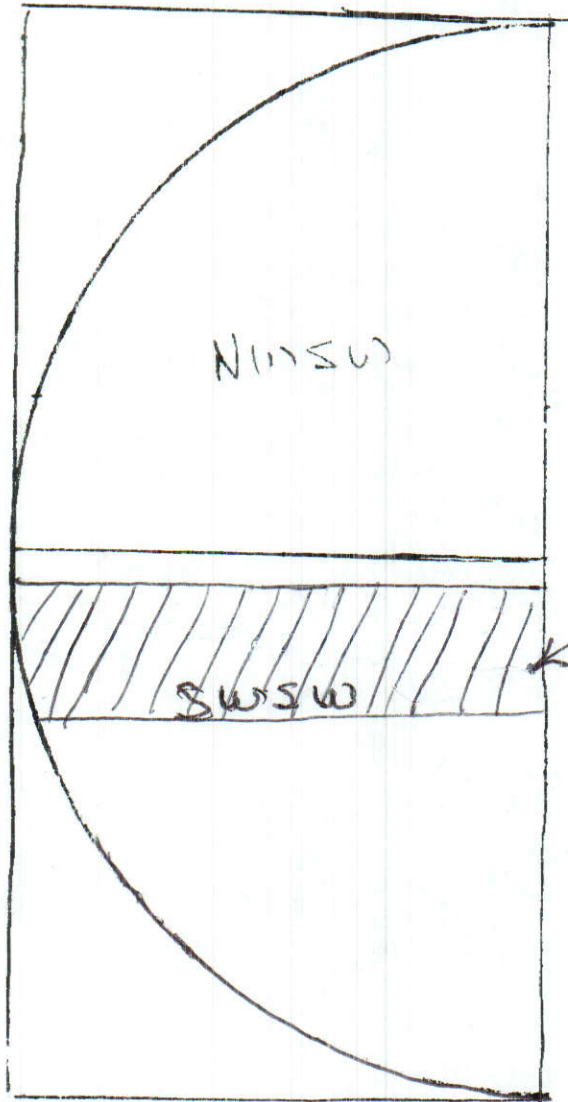
AGUEDA DAIRY
JOE & SANDRA AGUEDA
326 EAST 400 NORTH
JEROME ID. 83338



JACKSON PROPERTY

400 NORTH RD.

Andrew License SW¹/₄ SW¹/₄ NW¹/₄ SW¹/₄ Sec 30
50 acres original
TOTS RISE

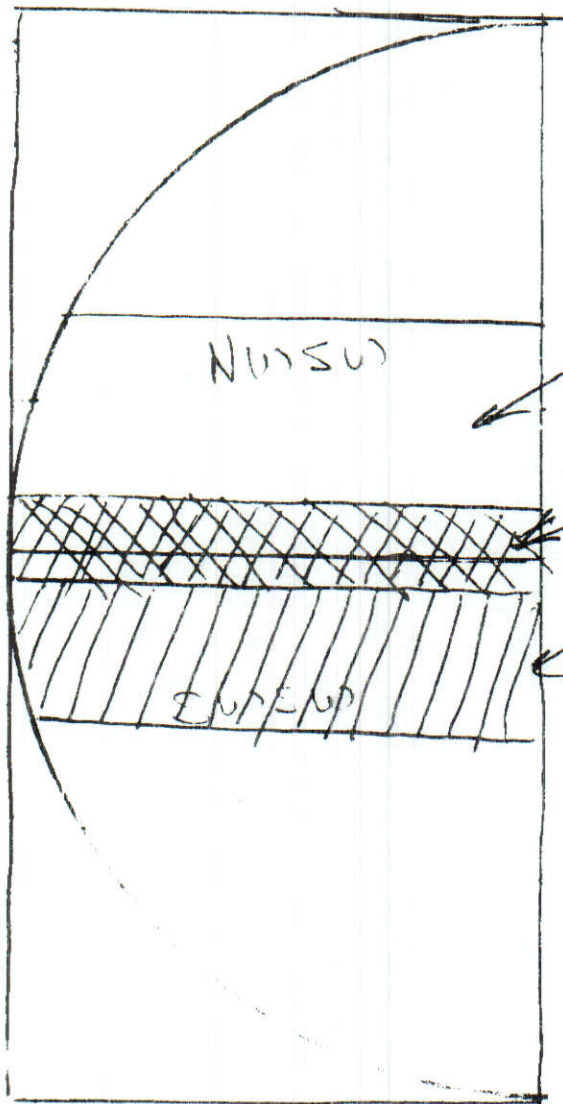


MICROFILMED
NOV 17 2000

T#5716
MICROFILMED
JUL 23 2003

Andrews License SW¹/₄ SW¹/₄ Sec 30
50 acres original
NW¹/₄ SW¹/₄

T07S R15E



↖ To Rosa (R+R Dairy)
15 acres

↖ To H Bros Dairy 6.7 acres

↖ To Agueda - 15 Acres

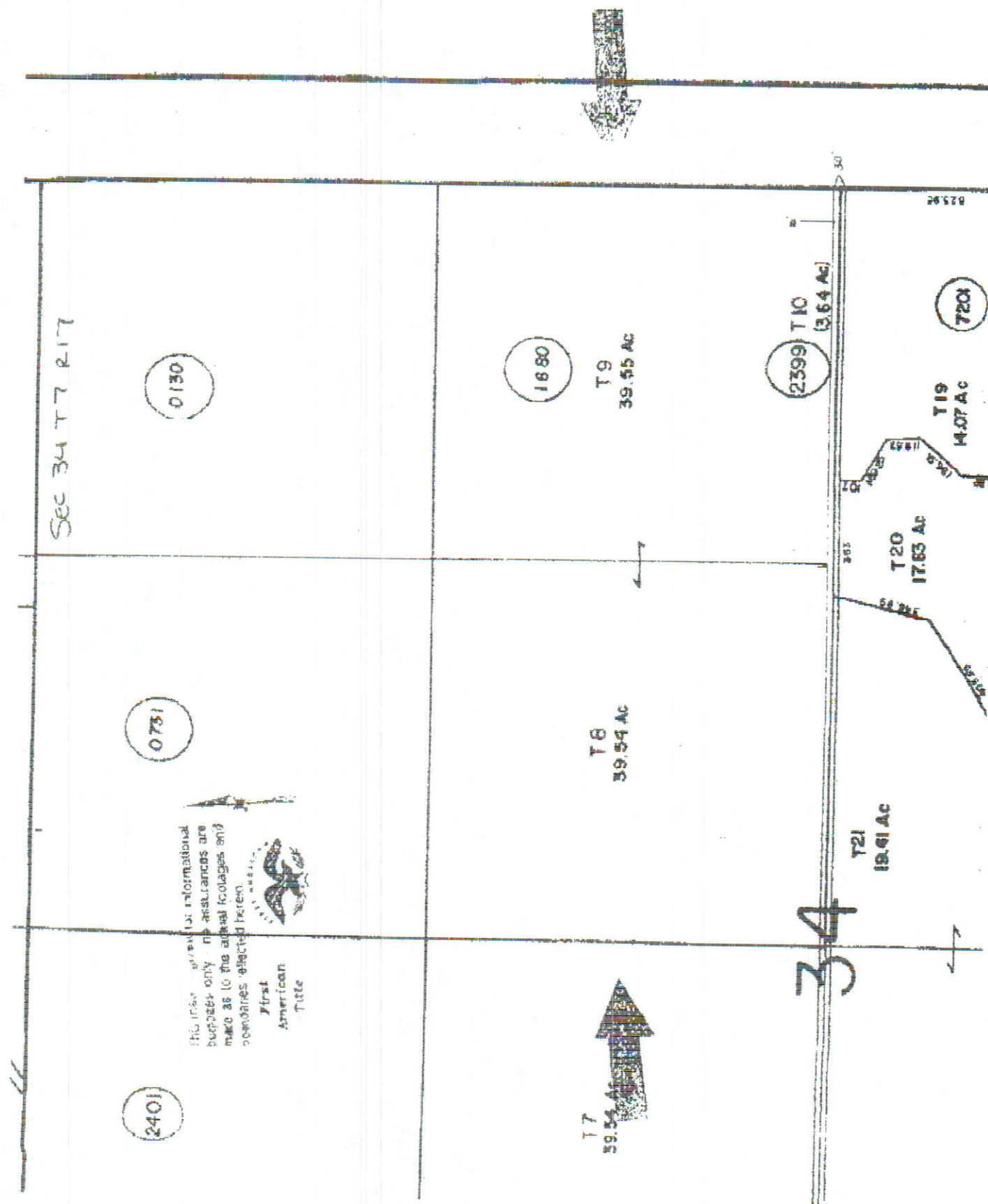
Transfer Log

MICROFILMED

NOV 17 2000

MICROFILMED T#5716

JUL 23 2003



MICROFILMED
NOV 17 2000

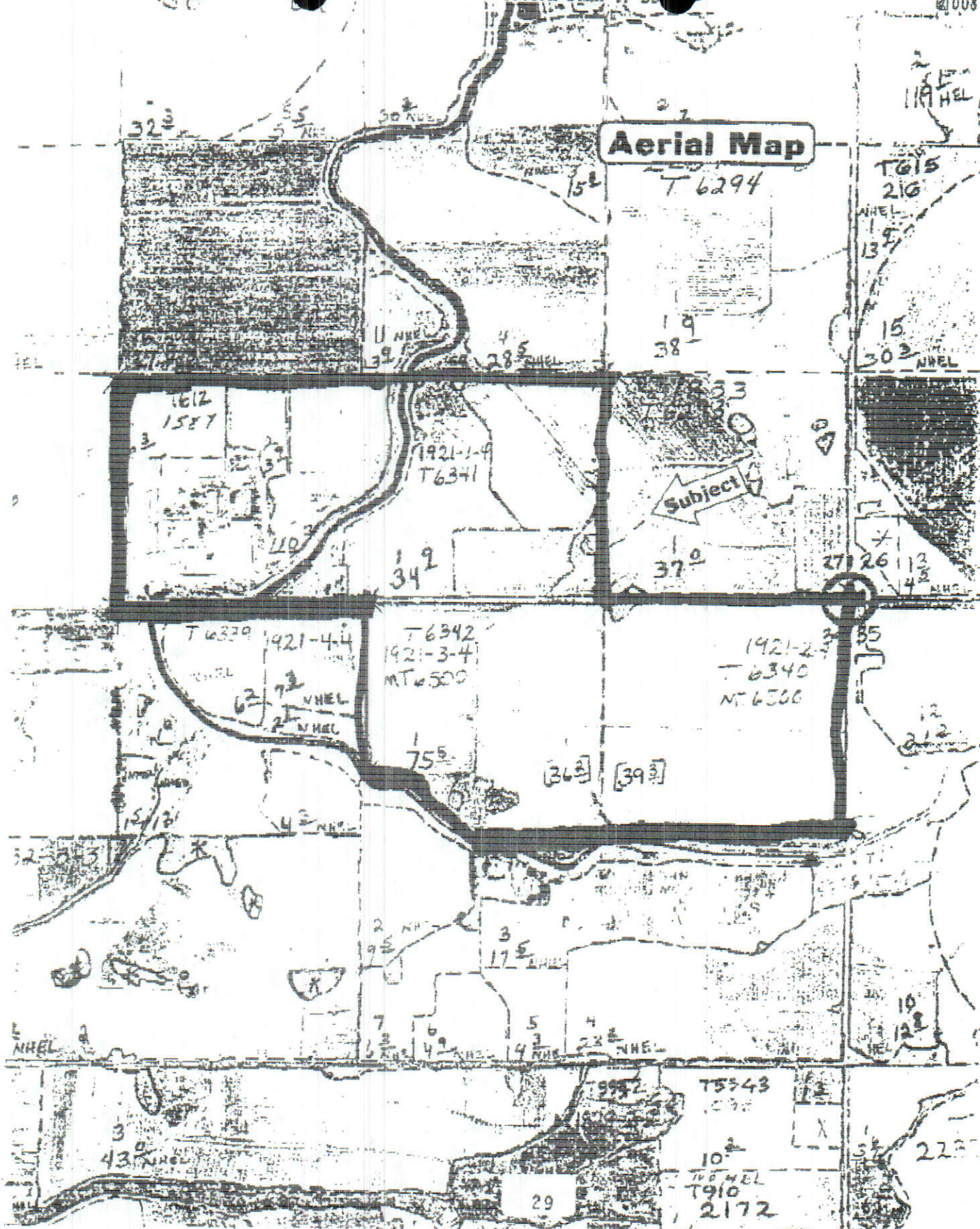
MICROFILMED
JUL 23 2003

06/23/00 FRI 12:31 FAX

0008

Western Bank TF BE

Aerial Map



MICROFILMED
NOV 17 2000

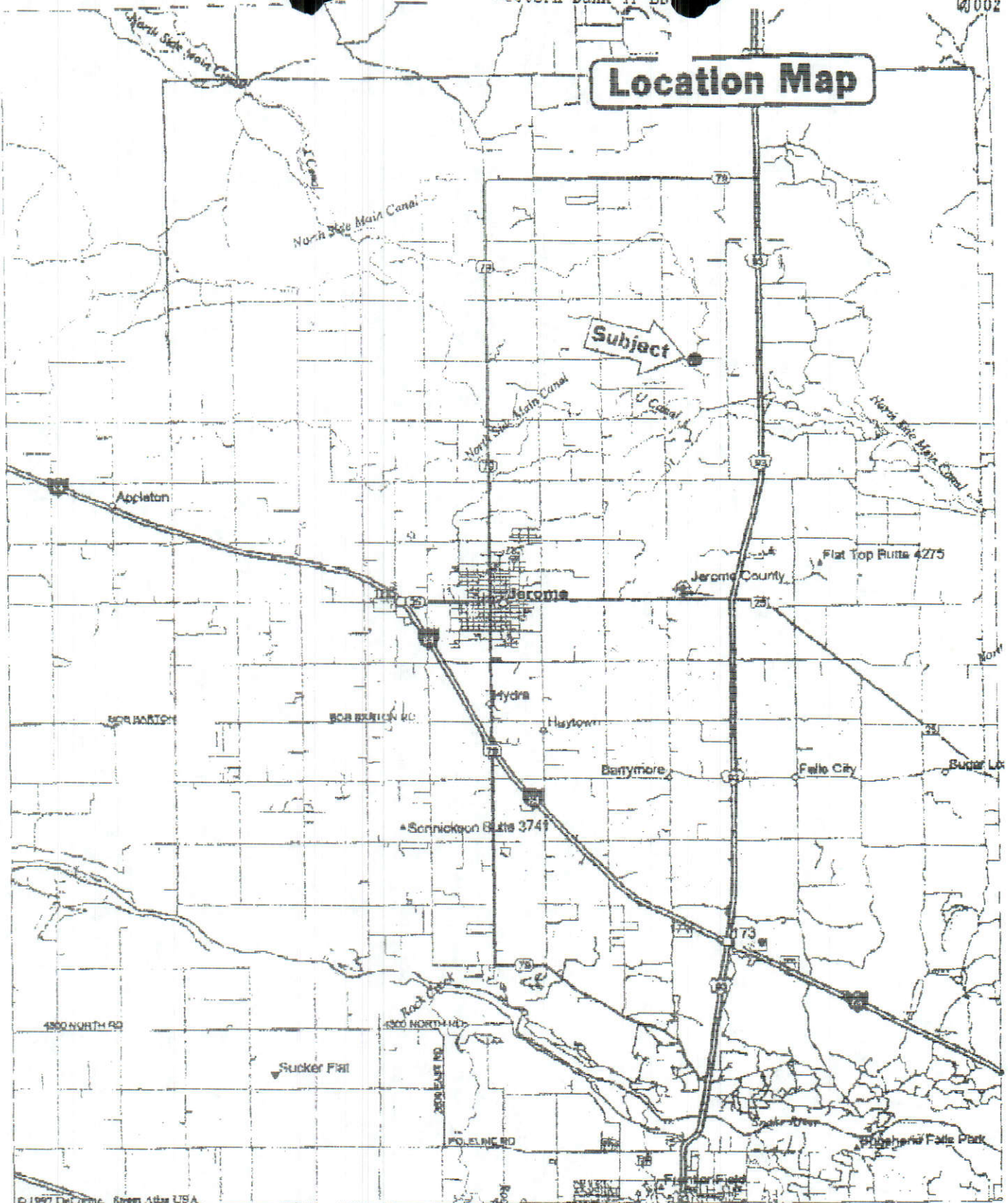
MICROFILMED
JUL 23 2003

06/23/00 FRI 12:30 FAX

Western Bank TF BB

002

Location Map



MICROFILMED
NOV 17 2000

MICROFILMED
JUL 23 2003

30843

AFFIDAVIT of PUBLICATION

State of Idaho }
County of Gooding } ss.

RECEIVED

MAY 05 2000

Department of Water Resources
Southern Region

Norma DeVoe, being first duly sworn, deposes and says that she is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, 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 supplement; that the date of the first publication of said advertisement was on the 27th day of April, 192000 and that date of the last publication was on the 4th day of

May, 192000
Norma DeVoe
4th day of May

On this 4th day of May in the year of 2000, before me, a Notary Public, personally appeared Norma DeVoe, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledge to me that she executed the same.

Shelley Sturgeon
Notary Public for Idaho
Residing at Jerome

SHELLEY STURGEON
Notary Public
State of Idaho

My commission expires: 12/3/03

GOODING COUNTY LEADER
Gooding, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2x

_____ Lines tabular at _____ 7.5¢/Pica

556.88 Lines straight at 36.20 6.5¢/Pica

556.88 Subsequent lines at 30.63 5.5¢/Pica

Affidavit Fee: 2.25

TOTAL COST 69.08

#5716- Agueda
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR

BILL TO

COPY OF NOTICE

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that an Application for Transfer has been filed with the Department of Water Resources for changes to water rights in Gooding and Jerome Counties as described below.

Transfer No. 5716 by Joe & Sondra Agueda, 326 E 400 N; JEROME ID 83338 involves Right No. 36-04157 (1.00 cfs) recorded with priority date of 06/20/1956 from ground water within Lot 3 (NWSW), S30, T07S, R15E for irrigation of 50 acres at the same site; Gooding County and Right No. 36-14860 (0.09 cfs) recorded with priority date of 12/31/1942 from ground water within SESW, S27, T07S, R17E and used at the same site for domestic (0.04 cfs) & stockwater (0.09 cfs); Jerome County. The applicants wish to divert a combined total of 0.30 cfs from two existing wells within SESW, S27 for stockwater (0.30 cfs) & domestic (0.04 cfs) uses there and also commercial uses (0.30 cfs) within SWSE, S27 & N1/2NE, S34; all T07S, R17E; Jerome County. A total of 15 irrigated acres will be dried up within SWSW, S30, T07S, R15E; Gooding County for the conversion to stockwater/commercial uses in the expansion of an existing dairy in Jerome County, the remainder (0.70 cfs) as Designated Right No. 36-04157E will continue to irrigate 35 acres at the original site; Gooding County.

Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite #200; Twin Falls ID 83301 together with a protest fee of \$25.00 on or before May 15, 2000 to be considered by the Department in its decision to grant or deny any part of the proposed change. The protestant must also send a copy of the protest to the applicant.

/s/ Karl J. Dreher, Director
PUB: 4/27 - 5/4 G30844

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NOV 17 2000

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JUL 23 2003

RECEIVED

三

MAY 05 2000

Department of Water Resources
Southern Region

Jerome De Voe being first duly sworn, deposes and says that he/she is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterrupted 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 27th day of April 4th 2000 and the date of the last publication was on the 11th day of May 2000.

Erasmus A. DeLore

On this 4th day of May,
in the year of 2000, before me, a Notary Public, personally appeared
Norma DeBe, known or identified to me to be the
person whose name subscribed to the within instrument, and being by me first duly
sworn, declared that the statements therein are true, and acknowledged to me that
s/he executed the same.

SHELLEY STURGEON
Notary Public
State of Idaho

Shelley Sturgeon
Notary Public (for Idaho)
residing at *Perone*
My commission expires: *12/31/2025*

NORTH SIDE NEWS
Jerome, Idaho

COST OF PUBLICATION

Number of Picas per Line

Number of Lines in Notice

Number of Insertions

185.63	Lines tabular at	13.92	7.5¢/Pica
1058.06	Lines straight at	68.77	6.5¢/Pica
1243.69	Subsequent lines at	68.40	5.5¢/Pica

Affidavit Fee: 2.25

TOTAL COST 153.34

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NOV 17 2000

COPY OF NOTICE

Paste Here)

T# 5,5697,5716, 5715

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

How

Bill to

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

[illegible]

RL No.	Use	Priority	POP	County
36-09545	Stockwater	04/28/1990	NWNE, S02, T08S, R16E	Jerome
36-14786	Commercial			
36-14786	Stockwater	06/01/1935	NENE, S16, T08S, R16E	Jerome
36-14789	Domestic			
36-14789	Domestic	06/10/1977	NENE, S16, T08S, R16E	Jerome

The applicant proposes to divert a combined total of 0.28 cfs from existing wells within SWNE & two (2) within SVAE (0.09 cfs for domestic use (0.04 cfs) within SENW, and water uses (0.11 cfs) within SWNE & SENW, and commercial use (0.09 cfs) within SWNE; Commercial/wastewater wastes will be land applied within SWNE & SENW, all S02, T06 NENE, S16, T08S, R16E Jerome County.

In carrying out the proposed changes bill filed with the Department of Water Resources, Southern Regic 341 Filled by ID 83301 together with a protest fee of \$25.00 more than May 15, 2000

as considered by the Dept. In its decision to grant or deny any part of the proposed change, (Each transi Karl J. Dreher, Director)

The proponent must also send copy of the protest to the applicant.

No 8365

N3084

WR5747NP

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS NUMBER INDEX

DATE: 06/28/00
PAGE: 1

WATER RIGHT
NUMBER

NAME

CFS

X36-04157

RIGHT SPLIT INTO PARTS A & B THRU APPROVED TRANSFER 5683.

X36-04157A

RIGHT SPLIT INTO PARTS C & D THRU APPROVED TRANSFER 5716.

X36-04157B

SEE RIGHT NO. 37-08911

X36-04157C

ANDREWS , KEVIN
ANDREWS , DONNA

0.57

X36-04157D

AGUEDA , JOE E
AGUEDA , SANDRA

0.30

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NOV 12 2000

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JUL 23 2003

IDAHO DEPARTMENT OF WATER RESOURCES
PREFIX/SPLIT QUERY

DATE: 06/28/00

TIME: 16:34:44

PAGE: 1

WATER RIGHT NO.	NAME	OWNER	PRIORITY DATE	STG/STS	SOURCE	USE DESC	SYSTEM
36-04157	MC ENTIRE, JACK A.	C	06/01/1956	S/	GROUNDWATER	IRR	WR
	JENSEN, O. KEITH	C					
T36-04157A1	ANDREWS, KEVIN	C	06/01/1956	S/	GROUNDWATER	IRR	WR
	ANDREWS, DONNA	C					
T36-04157B1	ROSA, EDWARD	C	06/01/1956	S/	GROUNDWATER	STOCK	WR
						COMMER	
X36-04157			00/00/0000	/Z		COMMER	WR
X36-04157A			00/00/0000	/Z		COMMER	WR
X36-04157B			00/00/0000	/Z		COMMER	WR
X36-04157C	ANDREWS, KEVIN	C	06/01/1956	S/	GROUNDWATER	IRR	WR
	ANDREWS, DONNA	C					
X36-04157D	AGUEDA, JOE E	C	06/01/1956	S/	GROUNDWATER	STOCK	WR
	AGUEDA, SANDRA	C				COMMER	

36-04157	ANDREWS, KEVIN	C	06/01/1956	D/	GROUNDWATER	P DECR	AJ
	ANDREWS, DONNA	C					
A36-04157	ANDREWS, KEVIN	C	06/01/1956	S/	GROUNDWATER	IRR	AJ
	ANDREWS, DONNA	C					
R36-04157	ANDREWS, DONNA	C	06/01/1956	D/	GROUNDWATER	P DECR	AJ
	ANDREWS, KEVIN	C					

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NOV 1 / 2000MICROFILMED
JUL 23 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5716
WATER RIGHT NO(S) . 36-04157D/36-14860

This is to certify that: **JOE E AGUEDA**
SANDRA AGUEDA
326 E 400 N
JEROME ID 83338

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 36-04157D :			
Priority: 06/01/1956			
STOCKWATER	01/01 to 12/31	0.30 CFS	45.0 AF
COMMERCIAL	01/01 to 12/31	0.30 CFS	45.0 AF
		<u>0.30 CFS</u>	<u>45.0 AF</u>
Right No. 36-14860 :			
Priority: 12/31/1942			
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
STOCKWATER	01/01 to 12/31	0.09 CFS	2.6 AF
		<u>0.09 CFS</u>	<u>3.8 AF</u>
TOTAL:		<u>* 0.39 CFS</u>	<u>48.8 AF *</u>

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 27, Township 07S, Range 17E
JEROME County

PLACE OF USE: STOCKWATER & DOMESTIC

TWN RGE SEC

07S 17E 27 SESW

PLACE OF USE: COMMERCIAL

TWN RGE SEC

07S 17E 27 SESW SWSE
34 NENE NWNE

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NOV 17 2000 JUL 23 2003

TRANSFER NO. 5716
WATER RIGHT NO(S). 36-04157D/36-14860

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
2. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
3. The dairy operation authorized under this approval shall comply with applicable county zoning and use ordinances.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- * 8. The total instantaneous diversion of water from all points of diversion under Transfer 5716 shall not exceed 0.39 cfs, nor a total combined annual volume of 48.8 af.
9. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by Right 36-04157D.
10. Commercial use under Right 36-04157D is for a dairy in the SESW, S27, T07S, R17E.
11. The quantity of water decreed for Right 36-14860 for stockwater and domestic uses is not a determination of historical beneficial use and shall not exceed 13,000 gallons per day.
12. Domestic use under Right 36-14860 is for 5 homes.
13. Two points of diversion are located within SESW, S27, T07S, R17E.

Dated this 28th day of June, 2000


Chief, Water Allocation Bureau

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JUL 23 2003

APPLICATION FOR TRANSFER OF WATER RIGHT

RECEIVED

PART 1

NAME of applicant Joe & Sonia Agueda Phone 324-6825
Department of Water Resources
Post Office address 326 E 400N Trow, Id 83338

PURPOSE OF TRANSFER

- ☒ Change point of diversion
 ☒ Add diversion point(s)
 ☒ Change place of use
☒ Change nature of use
 ☒ Change period of use
 ☒ Other Split right
- Describe the reason for the proposed changes To provide for an expansion of an existing dairy.

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

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>36-04152</u>	<u>06/01/1954</u>	<u>0.30 cfs</u>	<u>Stockwater</u>	<u>01/01</u> to <u>12/31</u>
		<u>0.30 cfs</u>	<u>Commercial</u>	<u>01/01</u> to <u>12/31</u>
<u>36-14860</u>	<u>12/31/1942</u>	<u>0.04 cfs</u>	<u>Domestic</u>	<u>01/01</u> to <u>12/31</u>

2. Total amount of water being transferred 0.30 cfs cubic feet per second and/or 45 acre-feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion:

Lot	%	%	%	Sec.	Twp.	Rge.	County	Local name for diversion
		<u>SE</u>	<u>SW</u>	<u>27</u>	<u>07S</u>	<u>17E</u>	<u>Jerome</u>	<u>Two existing wells</u>

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>07S</u>	<u>17E</u>	<u>27</u>												<u>Sc</u>			<u>C</u>		
<u>07S</u>	<u>17E</u>	<u>34</u>	<u>C</u>	<u>C</u>															

T5716

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MAY 23 2003

PART 1

T #5716

6. General Information:

a. Description of diversion system Two existing Wells one as back-up pumps and pipes to barn and corrals.

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

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Land has never had canal water - owner will make arrangements to purchase canal water as soon as these transfers are accomplished.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

MICROFILMED
NOV 17 1988
MICROFILMED
JUL 23 2003

T#5716

Page 3 of 7

TRANS NO.

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 36-04157

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	1.00 CFS	200.0 AF

SOURCE

GROUNDWATER

Priority: 06/01/1956

LOCATION OF POINT(S) OF DIVERSION: Lot 3 (SENWSW), Sec. 30, Township 07S, Range 15E
GOODING County

PLACE OF USE:

IRRIGATION

NE				NW				SW				SE				
NENE	NUNE	SUNE	SENE	NENW	NUNW	SUNW	SENW	NESW	NWSW	SWSW	SESW	NENE	NWSE	SWSE	SESE	SUM
T	P	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
07S	15E	30	:	:	:	:	:	:	:	:	:	:	:	:	:	50.0
TOTAL ACRES															50.0	

CONDITIONS/REMARKS:

Describe any other water rights used for the same purpose as described above:

To your knowledge has any portion of this water right undergone a period of five or more consecutive years of non-use? _____ If yes, describe: MICROFILMED

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Attach a copy of last year's tax notice for the property to which the water right appurtenant or other documents which show ownership. Label document as attachment A. JUL 23 2003

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

If yes, describe

Decreed right - extension approved**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**

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

1. amount 0.30 cfs/45AF for Irrigation purposes from 04/01 to 10/31
 (cfs/ac-ft) amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) amount _____ for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
			NW SW	30	07S	15E	Gardiner	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
07S	15E	30											15						15

Total acres 15**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 0.70 cfs/40AF for Irrigation purposes from 04/01 to 10/31
 (cfs/ac-ft) amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) amount _____ for _____ purposes from _____ to _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
			NW SW	30	07S	15E	Gardiner	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
07S	15E	30											20	15					35

Total acres 35

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JUL 23 2003

Page 5 of 7

PART 2

TRANS NO. T#5716

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 36-14860

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
DOMESTIC	01/01 to 12/31	0.04 CFS
STOCKWATER	10/15 to 05/01	0.09 CFS
	Totals	0.09 CFS

SOURCE

GROUNDWATER

Priority: 12/31/1942

LOCATION OF POINT(S) OF DIVERSION:SESESW, Sec. 27, Township 07S, Range 17E
JEROME CountyPLACE OF USE:

DOMESTIC

				NE				NW				SW				SE									
				NESE	NWNE	SWNE	SENE					NENW	NWNW	SWNW	SESW					NESE	NWSE	SWSE	SESE		
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
07S	17E	27	:																						

STOCKWATER

07S	17E	27	:																						
-----	-----	----	---	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

CONDITIONS/REMARKS:

1. THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. PARCEL NO. RL07S17E277201
STOCKWATER, 350 CATTLE

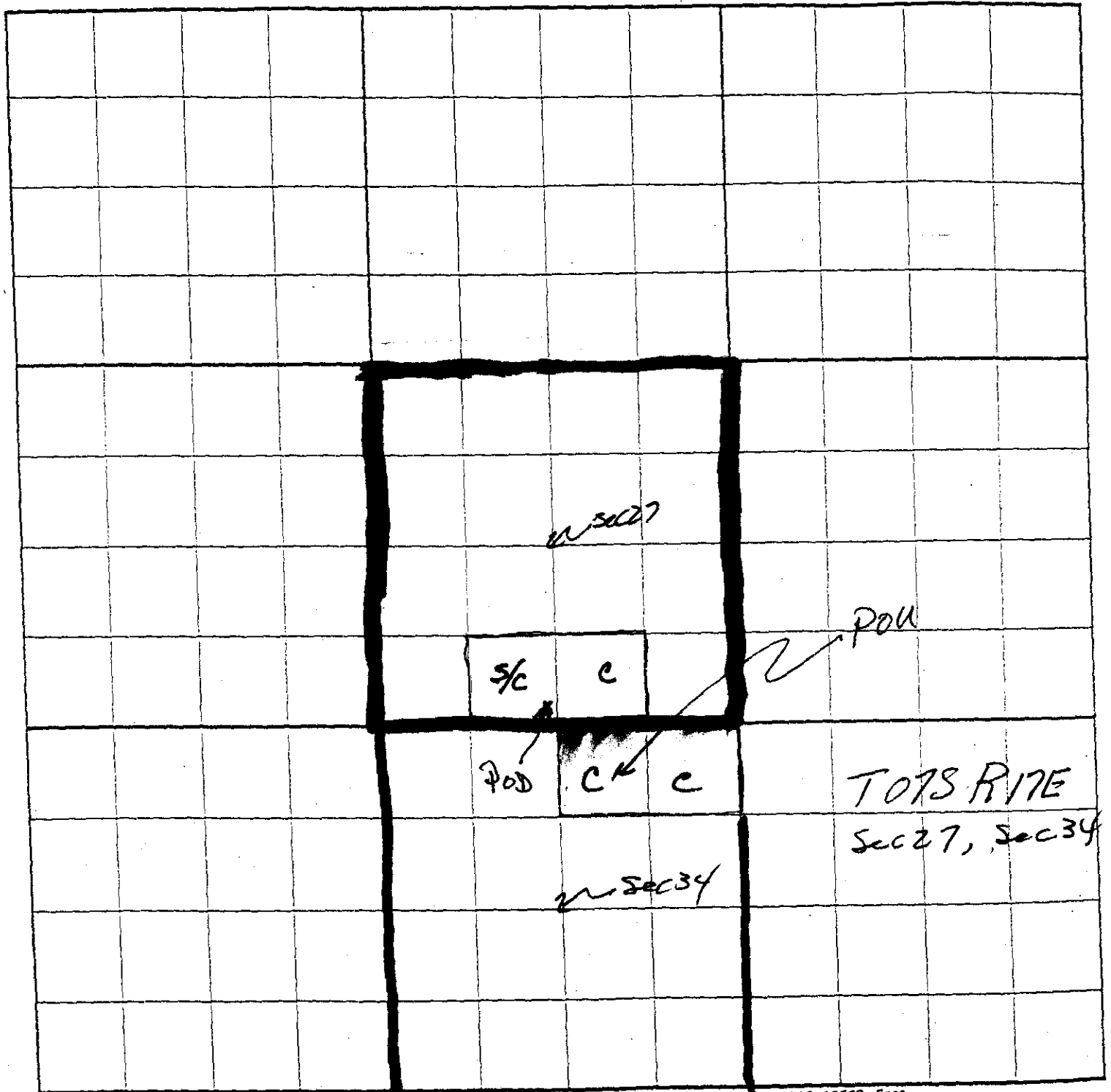
Describe any other water rights used for the same purpose as described above:

MICROFILMED
JUL 1 1986

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JUL 23 2003

IDAHO DEPARTMENT OF WATER RESOURCES



500 0 600 1200 1800 2400 3000 3600 4200 4800 5400 6000 6600 7200 7800 8400 9000 9600 Feet

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JUL 1 1984

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JUL 23 2003

PART 3

B. CHANGES IN NATURE OF USE

1.	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	Stockwater	0.30 cfs	as needed	01/01 to 12/31
	Commercial	0.30 cfs	as needed	01/01 to 12/31

2. Quantity and quality of return flows and location of discharge:

all water stays on property

3. Describe effects on other water uses resulting from the proposed change:

none

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

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



Joe Agueda Sandra C. Gude
 (Signature of Applicant)

Subscribed and sworn to before me this 6th day of April, 2000

Barbara Dirksen
 (Notary Public)

My commission expires 11-17-03

FOR DEPARTMENT USE ONLY

Transfer contains 7 pages and 11 attachments

Received by Jim Stanton Date 2/9/2000 Protest filed by None

Prelim. check by JF Fee 100.00

Receipted by _____ Date 2/9/2000 5022789

Published in North Side News & Fooding Leader Copies of protest forwarded by _____

Pub. dates 4/27 & 5/4/00 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by _____

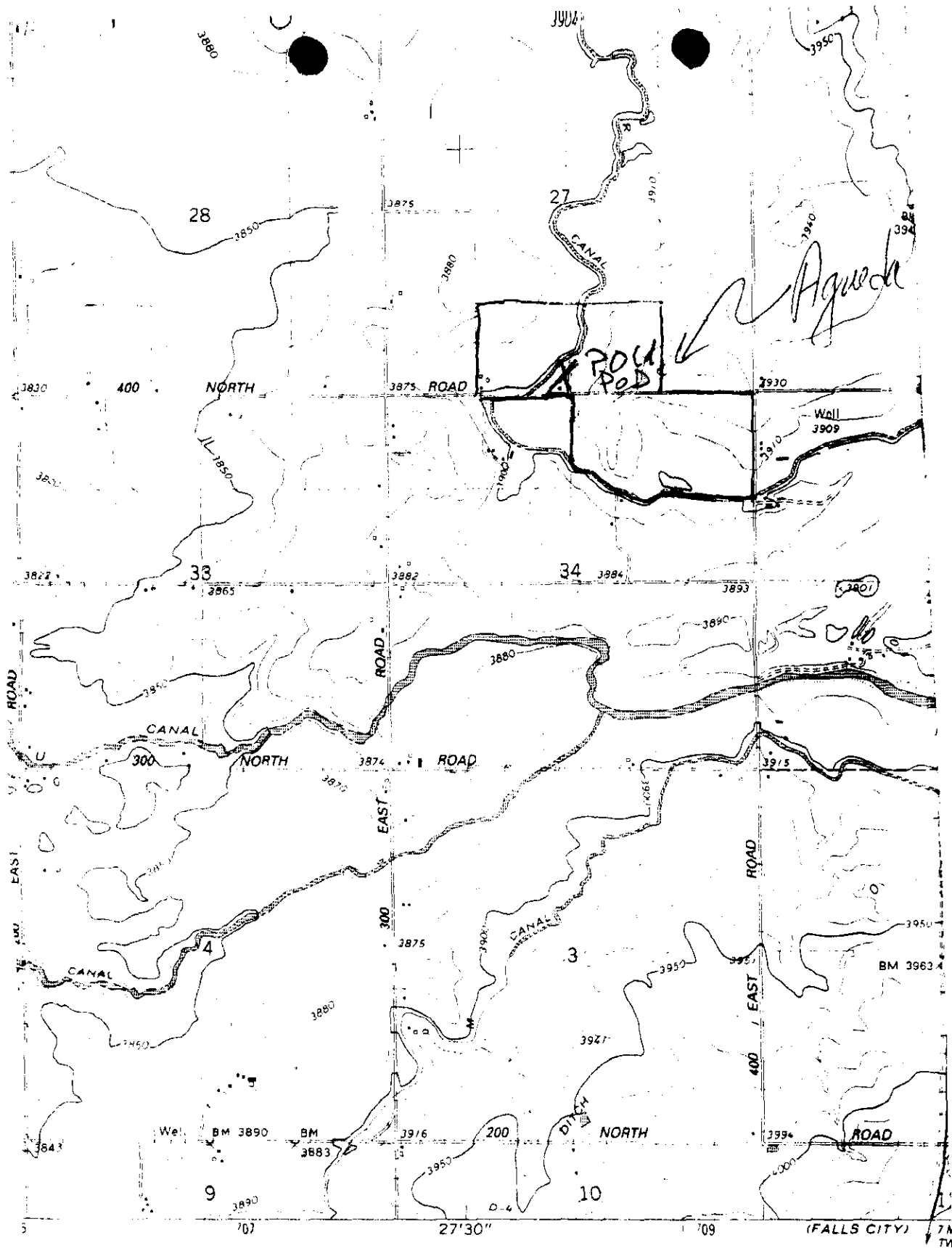
Copy of transfer sent to lien holder _____

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JUL 1 2 2003

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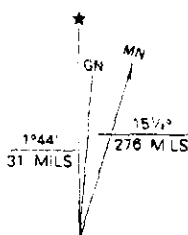
JUL 23 2003



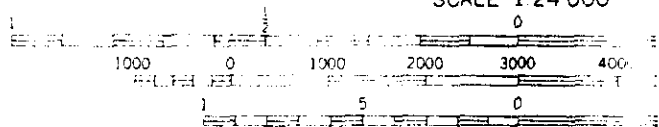
Topographic Survey

formation shown
has taken 1987 and
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central zone
reverse

can Datum of
en in USGS
corner ticks



UTM GRID AND 1992 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET



CONTOUR INTERVAL 10 FEET
NATIONAL GEODETIC VERTICAL DATUM

1#5716

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COMPLIES WITH U.S. GEOLOGICAL SURVEY STANDARDS FOR
FOR SALE BY U.S. GEOLOGICAL SURVEY
DENVER, COLORADO 80225 OR RESTON

23 2003

Enter Search Name ==>

01	AGUEDA, JOE	PPDE000006325AA
02	AGUEDA, JOE	MH0717E276601DA
03	AGUEDA, JOE OR	MH0717E276601AA
04	AGUEDA, JOE OR	MH0717E276601BA
05	AGUEDA, JOE E	RP07S17E276601A
06	AGUEDA, JOE E	RP07S17E277110A
07	AGUEDA, JOE E	RP07S17E278402A
08	AGUEDA, JOE E	RP07S17E340130A
09	AGUEDA, JOE E	RP07S17E340130A
10	AGUEDA, SANDRA	MH0717E276601AA
11	AGUEDA, SANDRA	MH0717E276601BA
12	AGUEDA, SANDRA L	MH0717E276601DA
13	AGUEDA, SANDRA L	RP07S17E276601A
14	AGUEDA, SANDRA L	RP07S17E277110A
15	AGUEDA, SANDRA L	RP07S17E278402A
16	AGUEDA, SANDRA L	RP07S17E340130A

OR

6601

8402

0731

0130

160 acres

More...

Record selected-->

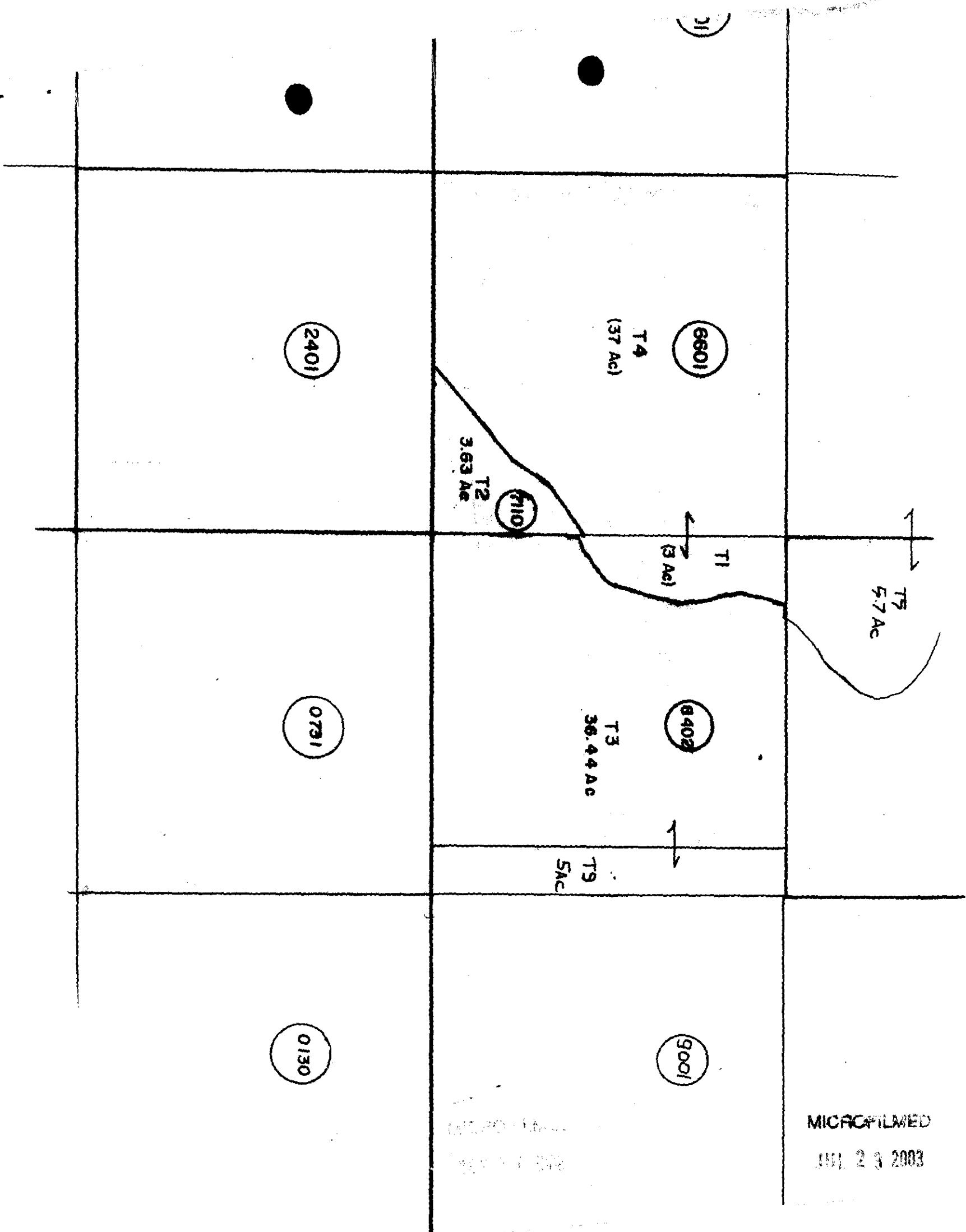
Enter=PM Inq F1=Search F2=Tax Due Inq F3=End Job F4=Addr Toggle F13=Tax Master

Proof of Ownership

Map next page

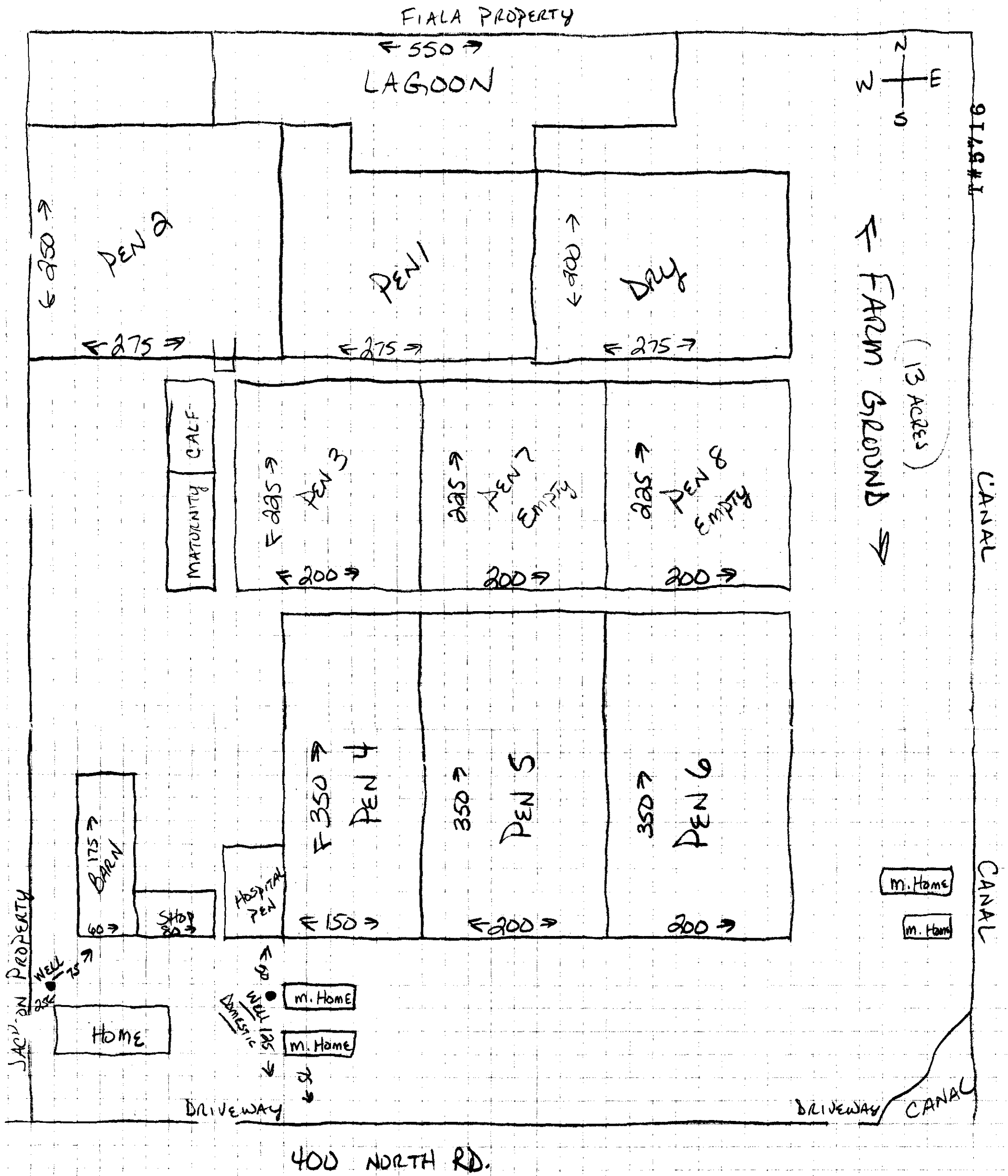
MAY 17 1960

JUL 23 2003



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JUL 23 2003

100-100-100
100-100-100



4 SQUARES = 100 FT.

JAN. 2000

(40 ACRES W)
120 ACRES EAST &
SOUTHEAST

AGUEDA DAIRY
JOE & SANDRA AGUEDA
326 EAST 400 NORTH
JEROME ID. 83338

Dairy Waste System Calculations
University of Idaho
College of Agriculture
 02/17/00

Prepared by:
 Robert Ohlensehlen

General Dairy Information

Date Plan Prepared
 02/17/00

Dairy Owner/Operator... Joe & Sondra Agueda
 Address... 326 E 400 N
 Jerome ID 83338
 Agueda Dairy

Comments:

Dairy Herd Information

					Number of		
					Animals	Animals	Units
Milking Cows.....	750	Heifers	100 to 300 lbs....	200	Cows....	880	1,232
Dry Cows.....	130		300 to 500 lbs....	200	Heifers..	1,000	700
Average Weight of Cows...	1400		500 to 700 lbs....	200	Total.....	1,880	1,932
			700 to 900 lbs....	200			
			900 to 1100 lbs...	200			

Herd Waste Information

Milking Herd:		Replacements:	
Daily Manure Produced.....	1688	959 Cu.Ft.	
Daily Bedding per Cow.....	1.47	0.74 Cu.Ft.	
% of Manure Stored as Liquid.....	15	0 Percent	
Volume of Manure Stored as Liquid...	101	0 Cu.Ft.	

Milk Parlor Water Volumes

Milkings per Day..... 2 Milk Parlor Type.. Parallel Milking Parlor No. of Stalls... 0

Gallons of Water for:

Cleaning Parlor Floor.....	500 gallons	Cleaning Cows (per hd).....	0.50 gallons
Cleaning Milkroom.....	150 gallons	Total Used to Clean Cows.....	1000 gallons
Cleaning Bulk Tank.....	500 gallons	Backflush Water Per Day.....	1000 gallons
Cleaning Pipeline.....	300 gallons	Parlor Deckflush/Wash.....	0 gallons
Cleaning Equipment.....	100 gallons	Milk Cooling Equipment Water.....	19048 gallons
		Equipment Cooling Water.....	10800 gallons

Total Water Used in Parlor..... 3550 gallons

Holding Pen Water Volumes

Number of Sprinklers in Holding Pen..... 0
 Output of Sprinklers in G.P.M..... 4.98
 Minutes Sprinklers Operated Daily..... 0
 Water Used to Flush Holding Pen..... 1,500 gallons
 Maximum Usage in a Six Month Period..... 100 %
 Total Water in Holding Pen..... 1,500 gallons

Total of All Liquids.. 5,049 gallons

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JUL 23 2003

T # 5716

Runoff Information and Volumes**Corral Areas and Runoff**

	Length	Width	Slope	Paved	Runoff Vol. (Storm+Winter)
Area 1	1,080	1,080	1	F	179,160
Area 2	0	0	0	F	0
Area 3	0	0	0	F	0
Area 4	0	0	0	F	0
Area 5	0	0	0	F	0
Area 6	0	0	0	F	0

25 Year 24 Hour Storm Value in Inches..... 1.8 inches

One in 5 Year Winter Precipitation
Value in Inches..... 1.00 inchesTotal Area for Which Runoff
Calculations Are Being Made..... 1,080,000 sq.ft.

Total Volume of All 25 yr. Storm Runoff..... 89,160 cu.ft.

Total Volume of Winter Precipitation Runoff.. 90,000 cu.ft.

Total of All Runoff..... 179,160 cu.ft.

Total Barn Water to be Stored..... 121,500 cu.ft.

Total Manure to be Stored..... 18,180 cu.ft.

All Storage Required..... 318,840 cu.ft.

Lagoon Storage Information

	Primary Storage	First Additional Storage	Second Additional Storage	
% of Waste Stored.....	100	0	0	%
% of Runoff Stored.....	100	0	0	%
Days of Storage Provided....	180			days
Number of Cells in Stg.....	2			
Length of each Cell.....	142			ft.
Width of each Cell.....	250			ft.
Depth of each Cell.....	8			ft.
Freeboard for each Cell.....	2			ft.
Wall Slope of Cell.....	2			to 1
Total Volume of Waste & Runoff Stored	330,864			cu.ft.

Conatainment Berm Percentage of Runoff Stored in Containment Berm..... 0 %

Length of Runoff Containment Berm..... ft.

Width of Runoff Containment Berm..... ft.

Depth of Runoff Containment Berm..... ft.

Volume of Runoff Conatainment Berm..... cu.ft.

Total Storage Provided..... 330,864 cu.ft.

Total Storage Required..... 318,840 cu.ft.

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NOV 17 2000

JUL 23 2003

T # 5716

Solid Separator Information

Percent of Solids Retained by Separator.....	0 %	Separator Cell Width.....	0 ft.
Days Between Cleanout of Cells.....	0 days	Separator Cell Length.....	0 ft.
Number of Separators Being Used.....	0	Separator Cell Depth.....	0 ft.
Number of Cells in each Separator.....	0	Separator Apron Length.....	0 ft.
Separator Apron Slope.....	0 to 1	Separator Floor Length.....	0 ft.
Separator Freeboard.....	0 in.	Separator Volume.....	0 cu.ft.

Solid Storage Information

Percent of Milking Herd Solids Stored.....	0 %	Storage Area	One	Two
Percent of Replacements Solids Stored....	0 %	Length	0 ft.	0 ft.
Days of Storage Provided.....	0 days	Width	0 ft.	0 ft.
Percent Stored in Area One.....	0 %	Depth	0 ft.	0 ft.
Percent Stored in Area Two.....	0 %	Storage Required....		0 cu.ft.
		Storage Provided....		0 cu.ft.

Water Use Information

	Gallons	Cu. Ft.	Acre Ft.
Milking Herd Daily Drinking Water.....	28,850		
Milking Herd Annual Drinking Water.....	10,530,250	1,407,787.4	32.32
Replacement Herd Daily Drinking Water.....	6,400		
Replacement Herd Annual Drinking Water...	2,336,000	312,299.4	7.17
Daily Barn Water Usage*.....	5,049	675	
Annual Barn Water Usage.....	1,842,885	246,375	5.66
Total of All Water Used Annually.....	14,709,135	1,966,461	45.14

* Daily Barn Water Usage Includes any Cooling Water which is not recycled.

Nutrient Management Information

Annual Excretion of Nitrogen.....	260,916 lbs.
Percent Nitrogen Loss (Volatilization).....	50 %
Annual Nitrogen to be Applied.....	130,458 lbs.
Annual Excretion of Phosphorus.....	48,657 lbs.
Annual Excretion of P ₂ O ₅	112,828 lbs.
Annual Excretion of Potassium.....	141,036 lbs.
Annual Excretion of K ₂ O	169,243 lbs.
Approximate Tons of Solids Excreted.....	352 tons
Approximate Tons of Bedding Used.....	1,708 tons

Total Acres Needed for Waste Disposal Based on Varied Uptake Levels.....

Phosphorus @ 30#/Acre.....	1622 Acres
Phosphorus @ 40#/Acre.....	1216 Acres
Phosphorus @ 50#/Acre.....	973 Acres
Nitrogen @ 100#/Acre.....	1305 Acres
Nitrogen @ 150#/Acre.....	870 Acres
Nitrogen @ 200#/Acre.....	652 Acres
Potassium @ 100#/Acre.....	1410 Acres
Potassium @ 200#/Acre.....	705 Acres
Potassium @ 300#/Acre.....	470 Acres

NOV 17 2000

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JUL 23 2003 T # 5716

Fax 324-0473



University of Idaho
**Cooperative
Extension System**

Twin Falls County Office
246 3rd Avenue East
Twin Falls, Idaho 83301
Phone: (208) 734-9590
Fax: (208) 733-9645

March 6, 2000

Del,

According to my calculations the number of animal units for Aguda Dairy is only 1272.5. The number was determined as follows:

Age Classification	Weight Classification	Total Head	Animal Units
0-3 months	100-300#	170	$170 * .25 = 42.5$
3-12 months	300-500 + 500-700	300	$300 * .4 = 120$
1-2 years	700-900 + 900 + 1100	400	$400 * .7 = 280$
Mature Cows	Milking + Dry Cows	830	$830 * 1 = 830$
			Animal Units = 1272.5

College of Agriculture

MICROFILMED

To enrich education through diversity the University of Idaho is an equal opportunity/affirmative action employer.

JUL 23 2003

T # 5716

Dairy Waste System Calculations
University of Idaho
College of Agriculture
 02/25/00

Prepared by:
 Robert Ohlenschien

General Dairy Information

Date Plan Prepared

Dairy Owner/Operator... Joe & Sondra Agueda

02/25/00

Address... 326 E 400 N

Jerome

ID 83338

Agueda Dairy

Comments:

Dairy Herd Information

					Number of	
					Animals	Animals Units
Milking Cows.....	700	Heifers	100 to 300 lbs....	170	Cows....	830 1,162
Dry Cows.....	130		300 to 500 lbs....	100	Heifers..	870 641
Average Weight of Cows...	1400		500 to 700 lbs....	200	Total....	1,700 1,803
			700 to 900 lbs....	200		
			900 to 1100 lbs...	200		

Herd Waste Information**Milking Herd:****Replacements:**

Daily Manure Produced.....	1592		878 Cu.Ft.
Daily Bedding per Cow.....	1.47		0.74 Cu.Ft.
% of Manure Stored as Liquid.....	15		0 Percent
Volume of Manure Stored as Liquid...	96		0 Cu.Ft.

Milk Parlor Water Volumes

Milkings per Day..... 2 Milk Parlor Type.. Parallel Milking Parlor No. of Stalls... 24

Gallons of Water for:

Cleaning Parlor Floor.....	500 gallons	Cleaning Cows (per hd).....	0.50 gallons
Cleaning Milkroom.....	150 gallons	Total Used to Clean Cows.....	700 gallons
Cleaning Bulk Tank.....	500 gallons	Backflush Water Per Day.....	700 gallons
Cleaning Pipeline.....	300 gallons	Parlor Deckflush/Wash.....	0 gallons
Cleaning Equipment.....	100 gallons	Milk Cooling Equipment Water....	13333 gallons
		Equipment Cooling Water.....	10800 gallons

Total Water Used in Parlor..... 5027 gallons

Holding Pen Water Volumes

Number of Sprinklers in Holding Pen.....	0
Output of Sprinklers in G.P.M.....	4.98
Minutes Sprinklers Operated Daily.....	0
Water Used to Flush Holding Pen.....	2,000 gallons
Maximum Usage in a Six Month Period.....	100 %
Total Water in Holding Pen.....	2,000 gallons

Total of All Liquids.. 7,023 gallons

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JUL 23 2003

T # 5716

Runoff Information and Volumes

Corral Areas and Runoff

	Area	Width	Slope	Paved	Runoff Vol. (Storm+Winter)
Area 1	1,080	1,000	1	F	359,160
Area 2	0	0	0	F	0
Area 3	0	0	0	F	0
Area 4	0	0	0	F	0
Area 5	0	0	0	F	0
Area 6	0	0	0	F	0

25 Year 24 Hour Storm Value in Inches..... 1.8 inches

One in 5 Year Winter Precipitation
 Value in Inches..... 3.00 inches

Total Area for Which Runoff
 Calculations Are Being Made..... 1,080,000 sq.ft.

Total Volume of All 25 yr. Storm Runoff..... 89,160 cu.ft.

Total Volume of Winter Precipitation Runoff.. 270,000 cu.ft.

Total of All Runoff..... 359,160 cu.ft.

Total Barn Water to be Stored..... 189,020 cu.ft.

Total Manure to be Stored..... 17,280 cu.ft.

All Storage Required..... 545,460 cu.ft.

Lagoon Storage Information

	Primary Storage	First Additional Storage	Second Additional Storage	
% of Waste Stored.....	100	0	0	%
% of Runoff Stored.....	100	0	0	%
Days of Storage Provided....	180			days
Number of Cells in Sto.....	2			
Length of each Cell.....	225			ft.
Width of each Cell.....	250			ft.
Depth of each Cell.....	8			ft.
Freeboard for each Cell.....	2			ft.
Wall Slope of Cell.....	2			to 1
Total Volume of Waste & Runoff Stored	545,460			cu.ft.

Containment Berm Percentage of Runoff Stored in Containment Berm..... 0 %
 Length of Runoff Containment Berm..... ft.
 Width of Runoff Containment Berm..... ft.
 Depth of Runoff Containment Berm..... ft.
 Volume of Runoff Containment Berm..... cu.ft.

Total Storage Provided..... 545,460 cu.ft.
 Total Storage Required..... 545,460 cu.ft.

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JUL 23 2003

T#5716

Dairy Waste System Calculations (Continued)

Joe & Sonda Agueda page 3

Solid Separator Information

Percent of Solids Retained by Separator.....	0 %	Separator Cell Width.....	0 ft.
Days Between Cleanout of Cells.....	0 days	Separator Cell Length.....	0 ft.
Number of Separators Being Used.....	0	Separator Cell Depth.....	0 ft.
Number of Cells in each Separator.....	0	Separator Apron Length.....	0 ft.
Separator Apron Slope.....	0 to 1	Separator Floor Length.....	0 ft.
Separator Freeboard.....	0 in.	Separator Volume.....	0 cu.ft.

Solid Storage Information

Percent of Milking Herd Solids Stored.....	0 %	Storage Area	One	Two
Percent of Replacements Solids Stored....	0 %	Length	0 ft.	0 ft.
Days of Storage Provided.....	0 days	Width	0 ft.	0 ft.
Percent Stored in Area One.....	0 %	Depth	0 ft.	0 ft.
Percent Stored in Area Two.....	0 %	Storage Required....		0 cu.ft.
		Storage Provided....		0 cu.ft.

Water Use Information

	Gallons	Cu. Ft.	Acre Ft.
Milking Herd Daily Drinking Water.....	27,100		
Milking Herd Annual Drinking Water.....	9,891,500	1,322,393.0	30.36
Replacement Herd Daily Drinking Water.....	6,170		
Replacement Herd Annual Drinking Water...	2,252,050	301,076.2	6.91
Daily Barn Water Usage*.....	7,023	939	
Annual Barn Water Usage.....	2,563,657	342,735	7.87
Total of All Water Used Annually.....	14,707,207	1,966,204	45.14

* Daily Barn Water Usage includes any Cooling Water which is not recycled.

Nutrient Management Information

Annual Excretion of Nitrogen.....	243,495 lbs.
Percent Nitrogen Loss (Volatilization).....	50 %
Annual Nitrogen to be Applied.....	121,747 lbs.
Annual Excretion of Phosphorus.....	45,408 lbs.
Annual Excretion of P_2O_5	105,295 lbs.
Annual Excretion of Potassium.....	131,619 lbs.
Annual Excretion of K_2O	157,942 lbs.
Approximate Tons of Solids Excreted.....	329 tons
Approximate Tons of Bedding Used.....	1,581 tons

Total Acres Needed for Waste Disposal Based on Varied Uptake Levels....

Phosphorus @ 30#/Acre.....	1514 Acres
Phosphorus @ 40#/Acre.....	1135 Acres
Phosphorus @ 50#/Acre.....	908 Acres
Nitrogen @ 100#/Acre.....	1217 Acres
Nitrogen @ 150#/Acre.....	812 Acres
Nitrogen @ 200#/Acre.....	609 Acres
Potassium @ 100#/Acre.....	1316 Acres
Potassium @ 200#/Acre.....	658 Acres
Potassium @ 300#/Acre.....	439 Acres

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JUN 23 2003

T # 5716

AGREEMENT FOR PURCHASE AND SALE OF WATER RIGHT

THIS AGREEMENT is made and entered into this Jan 10, 2000

by and between Del Kolitz
(hereinafter "Seller"), and ~~Agueda Dary~~ Joe & Sandra Agueda (hereinafter "Buyer").

TERMS AND CONDITIONS

1. The Sellers, in consideration of the terms contained herein, do hereby contract and agree to sell and convey to the Buyers and the Buyers do hereby agree to buy from the Sellers 15 inches of Idaho Water

License # _____ and the water appurtenant thereto, for

\$ 20 per inch.

2. The total purchase price shall be \$ 300. The entire purchase price shall be paid on the closing date described in paragraph 5 below.

3. This Agreement for Purchase and Sale of said license is

contingent upon and subject to approval of the application for transfer by the Department. If the application is not approved, this Agreement shall become null and void. A copy of the Application for Transfer of Water Right is attached hereto as Exhibit "A" and incorporated herein by said reference.

AGREEMENT FOR PURCHASE AND SALE OF WATER RIGHT - 1

MICROFILMED # 5716

JUL 23 2003

4. The closing of this transaction and delivery of the executed Assignment to Buyer and the entire purchase price to Seller shall take place at the law offices of Ling, Nielsen and Robinson, 615 H Street, Rupert, Idaho, within thirty days of Buyer's receipt of approval from the Department of the application for transfer.

5. The Buyers shall be given possession and use of the water license and the water appurtenant thereto, upon closing.

6. In the event that the Buyers are unable to close this transaction for any reason, the Buyers agree that they will execute any documents necessary to transfer the water license back to the Sellers.

7. In the event of any suit or proceeding by either party against the other party, in any way arising out of this agreement, the prevailing party shall be awarded their reasonable attorney fees and costs.

8. Each party agrees to pay one-half of any costs incurred in executing this document. *\$7500 maf DK*

9. This agreement shall be binding upon and shall inure to the benefit of the heirs, personal representatives, administrators, successors and assigns to the parties hereto.

AGREEMENT FOR PURCHASE AND SALE OF WATER RIGHT - 2

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JUL 23 2003

OTHER PROVISIONS

Legal: WR# 36-14860 T075 Rng 17E

Sec 27 SE SW Jerome Cty.

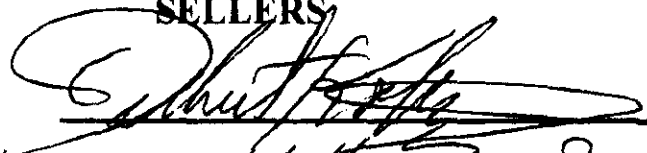
UP front money is applicable to price of water.
All moneys are refundable if
transfer is not approved.

IN WITNESS WHEREOF the parties have caused their names to be
subscribed on the dates set forth above.

SELLERS

825-5617

825-5063


1135 Valley Rd So
Edin, Ia 83325

BUYERS

324-6825

324-0473 FAX

Joe Agueda
Sandra C. Agueda
3260 E. 400 N. Jerome
Id. 83338

AGREEMENT FOR PURCHASE AND SALE OF WATER RIGHT - 3

MICROFILMED

JUL 23 2003

AGREEMENT FOR PURCHASE AND SALE OF WATER RIGHT

THIS AGREEMENT is made and entered into this 11/13/99
by and between Kevan & Donna Andrews
(hereinafter "Seller"), and Del Bohrtz (hereinafter "Buyer").

TERMS AND CONDITIONS

1. The Sellers, in consideration of the terms contained herein, do hereby contract and agree to sell and convey to the Buyers and the Buyers do hereby agree to buy from the Sellers 50 ^{maybe changed to 60"} inches of Idaho Water License # 36-04157 and the water appurtenant thereto, for

\$ 1.00 per inch.

2. The total purchase price shall be \$ 40. The entire purchase price shall be paid on the closing date described in paragraph 5 below, less earnest money paid.

3. This Agreement for Purchase and Sale of said license is contingent upon and subject to approval of the application for transfer by the Department. If the application is not approved, this Agreement shall become null and void. A copy of the Application for Transfer of Water Right is attached hereto as Exhibit "A" and incorporated herein by said reference.

AGREEMENT FOR PURCHASE AND SALE OF WATER RIGHT - 1

MICROFILMED

T # 5716

JUL 23 2003

4. The closing of this transaction and delivery of the executed Assignment to Buyer and the entire purchase price to Seller shall take place at the law offices of Ling, Nielsen and Robinson, 615 H Street, Rupert, Idaho, within thirty days of Buyer's receipt of approval from the Department of the application for transfer.

5. The Buyers shall be given possession and use of the water license and the water appurtenant thereto, upon closing.

6. In the event that the Buyers are unable to close this transaction for any reason, the Buyers agree that they will execute any documents necessary to transfer the water license back to the Sellers.

7. In the event of any suit or proceeding by either party against the other party, in any way arising out of this agreement, the prevailing party shall be awarded their reasonable attorney fees and costs.

8. Each party agrees to pay one-half of any costs incurred in executing this document.

9. This agreement shall be binding upon and shall inure to the benefit of the heirs, personal representatives, administrators, successors and assigns to the parties hereto.

AGREEMENT FOR PURCHASE AND SALE OF WATER RIGHT - 2

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JUL 23 2003

OTHER PROVISIONS

KA
Legal ~~SW~~ NW SW - 20 acres Sec 30 T07S
~~SW~~ SW SW - 30 acres Sec 30 T07S *RYSE*
50 acres *KA*

Buyer will put money into Escrow Jan
Andreas To obtain Canal Water for their
farm.

IN WITNESS WHEREOF the parties have caused their names to be
subscribed on the dates set forth above.

SELLERS

[Signature]
[Signature]

BUYERS

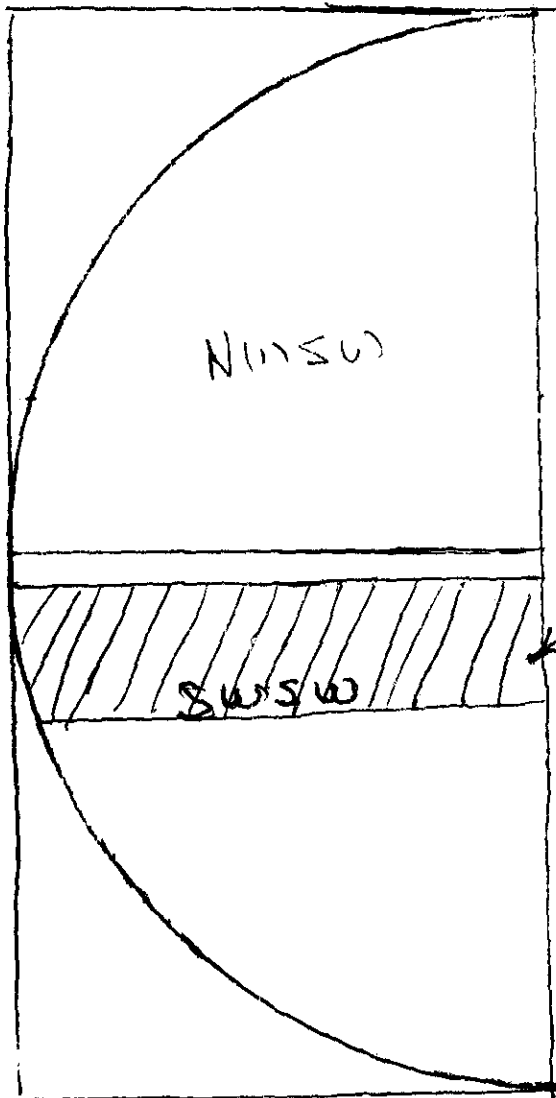
[Signature]

AGREEMENT FOR PURCHASE AND SALE OF WATER RIGHT - 3

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JUL 23 2003

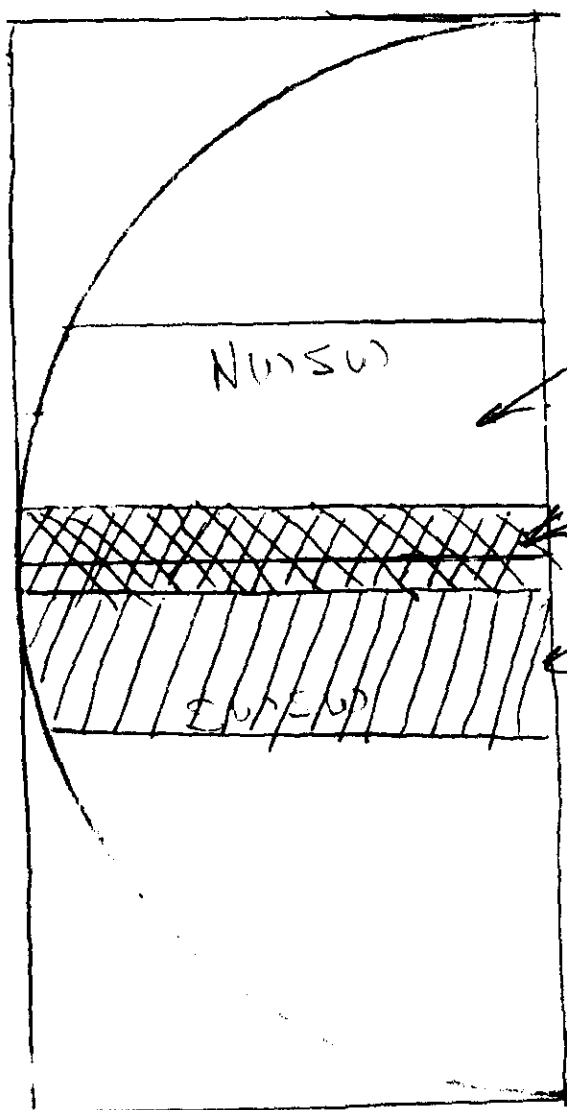
Andrew License SW¹/₄ SW¹/₄ Sec 30
50 acres original NW¹/₄ SW¹/₄
T07S R15E



NOT A COPY

T#5716
MICROFILMED
JUL 23 2003

Andrew License SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 30
NW $\frac{1}{4}$ SW $\frac{1}{4}$
50 acres
original
TOTS RISE



To Rosa (R+R Dairy)
15 acres
To H Bros Dairy 6.7 acres
To Agueda - 15 Acres

Transfer Log

MICROFILM #5716

JUL 23 2003



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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 29, 2000

JOE E AGUEDA
SANDRA AGUEDA
326 E 400 N
JEROME ID 83338

RE: TRANSFER OF WATER RIGHTS 36-04157D/36-14860 (Transfer 5716)

Dear Water Right Holder(s):

Enclosed is the copy of your approved Transfer of Water Rights for the above referenced water rights (Transfer 5716). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

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 the department if you have questions.

Sincerely,

Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

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NOV 17 2000

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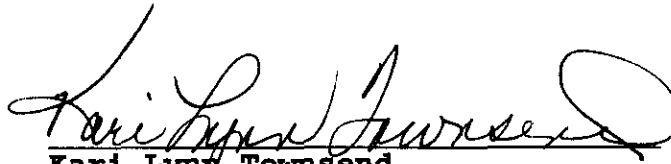
JUL 23 2003

CERTIFICATE OF MAILING

I hereby certify that on the 29th day of June, 2000 I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

RE: TRANSFER OF WATER RIGHTS 36-04157D/36-14860 (Transfer 5716)

**JOE E AGUEDA
SANDRA AGUEDA
326 E 400 N
JEROME ID 83338**


**Kari Lynn Townsend
Secretary**

MICROFILMED MICROFILMED
NOV 17 2000 JUL 23 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

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JUL 23 2003

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

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NOV 17 2000

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JUL 23 2003

TRANSFER REVIEW SHEET

(10-99)

Transfer # 5716

Date Reviewed 06-17-00

Right(s) T 36-04157A SRBA Decree - Resubmitted Supplemental Report
36-14860 SRBA Decree

☒ WRQ/Split Summary ☒ SRBA Status ☒ Run POU Comparison Report

See T 5483

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

7517 E 527 SESW Posey to Agueda.

Proof of Ownership Assessor's Record Search identifies Joe E. & Sandra L. as owners
of proposed P/U. & per region review. WR purchase Agreements. Andrews to Kritz to Agueda.

Transfer ☒ All of Right ☒ Portion of Right

Resulting Split(s) T 36-04157A - 6
36-04157C) .57 cfs 28.3 acres 113.2 afa
D) .30 cfs (15.0 "out") 45.0 afa } .39 cfs DOM/stock/comm 48.8 afa
36-14860 = .09 cfs DOM/stock 3.8 afa }

Check Transfer Against Recorded Right:

Standard Season 3-15 to 11-15 Standard Volume 4.0 / 3.0

(1) ☒ Priority (2) ☐ Use (3) ☐ Season/W61 (4) ☒ Rate (5) ☐ Volume
 (6) ☒ Source (7) ☐ P/D (8) ☐ P/U (9) ☒ Proof/Owner (10) ☒ Map
 North Snake GWDist./West ESPA WU Dist.
 (11) ☒ Water District (12) ☒ Pertinent Conditions (13) ☒ Expansion w/limits

(2) 15 Acres IRR to STOCK & COMM for dairy
 (3) Allow yr. round use for STOCK + COMM. Limit Stock Vol. 36-14860 to 198 days
 as decreed $(350 \times 12 \text{ gpd} \times 198 \text{ days}) / 325850 = 2.6 \text{ afa}$
 (5) Volume under 36-04157D limited to 3.0 afa/acre or $15 \times 3 = 45 \text{ afa rank}$
 (7) Add & change
 (8) Change P/D

2 existing wells.
 Comm/Dairy located in SESW. 36-14860 + W62 WDB
 Transfer Remarks 2 P/Ds/SESW Domestic use/5 Homes WBA

Conditions 067, 081, 082, T07, T08 T19 T17
 (Add DOM P/U to approval)

Database/Processing Notes Standard ☐ Non-standard ☒
 Copy T 36-04157C & D to "X" prefixes, Clear Part A & Delete Ts
 Copy T 36-14860 to blank prefix, delete original & T (Retain SRBA Flags)
 "T" Files Update Complete ☒ Approval Form ☒ Transfer Memo ☒
 Database Updated Following Approval ☒ Memo/Form Files Deleted ☒

06-28-00
 38

Fax # 327-7866

To: Pam Skeggs

Re: Agueda Loing

MICROFILMED
NOV 17 2000

MICROFILMED
JUL 23 2003

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with the following information. Instructions are on the back of this page.
Incomplete forms will be returned.

- Water Right No(s): 36-14860
- Adjudication Claim No(s): _____
- The following **REQUIRED** information must be submitted with this form:
 - 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
 - PLAT OF PROPERTY or SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)
OR
 - If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with 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**.
- Name and Address of Former Owner/Claimant: ALAN & JUANITA POSEY
327 EAST 400 NORTH JEROME
- New Owner/Claimant(s): Joe and Sandra Agueda
Name (Last, First, Middle Initial) and (Last, First, Middle Initial)
New Mailing Address: 326 E 400 N
City, State and ZIP Code: Jerome, Id 83388
New Telephone Number: 208 324-6825
- Date you acquired the property: JAN. 11, 1999
- Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. 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.

Number of acres you irrigate with this water right _____	Number and type of stock _____
Diversion rate in CFS _____	Number of homes you acquired _____ Other uses _____
- Signature of New Owner(s) or Claimant(s): Joe Agueda
Sandra C. Agueda
Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.
- 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.

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NOV 17 2000

MICROFILMED

JUL 23 2003

990170

J-355ZTM E16918DD

WARRANTY DEED

RECEIVED BY FIRST AMERICAN TITLE CO

JAN 12 1 43 PM '99

For Value Received Alan R. Posey and Juanita Posey, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
Joe E. Agueda and Sandra L. Agueda, husband and wife
whose address is: 126 East 400 North, Jerome, ID 83338

RECEIVED BY FIRST AMERICAN TITLE CO

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

See legal description attached hereto and made a part of

Together with 113 shares of Northside Canal Company water stock

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs
and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in
fee simple of said premises; that said premises are free from all encumbrances except current taxes, levies, and
assessments, and except U. S. Forest reservations, regulations, easements of record, and easements visible upon the premises,
and that Grantee will warrant and defend the same from all claims whatsoever.

Dated: JANUARY 11, 1999

Alan R. Posey by Juanita Posey
Alan R. Posey BY: Juanita Posey
his attorney in fact

STATE OF IDAHO

COUNTY OF JEROME

On this 11th day of January, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Juanita
Posey, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

[Signature]
Notary Public
Residing at: Jerome, ID
My commission expires: 1-1-2000

STATE OF IDAHO

COUNTY OF JEROME

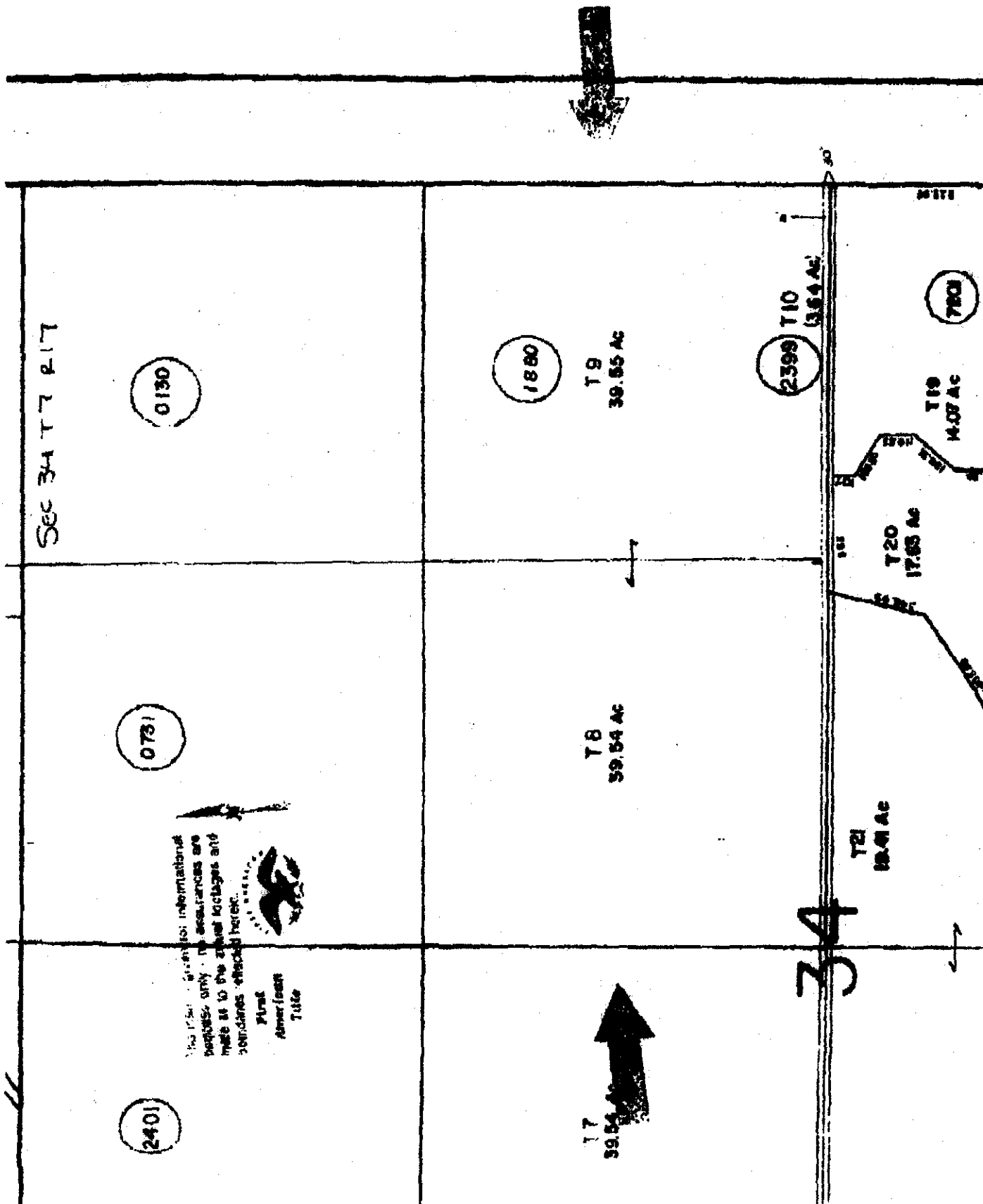
On this 11th day of January, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared
Juanita Posey, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is
subscribed to the within instrument as the attorney-in-fact of Alan R. Posey, and acknowledged to me that she subscribed the
same, of Alan R. Posey thereto as principal and her own name as attorney-in-fact

WITNESS my hand and official seal.

[Signature]
Notary Public
Residing at: Jerome, ID
My commission expires: 1-1-2000

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NOV 17 2000

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JUL 23 2003



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NOV 17 2000

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JUL 23 2003

PARCEL I:

Township 7 South, Range 17, East of the Boise Meridian, Jerome County, Idaho

Section 27: That part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, described as follows:

Commencing at the Southwest corner of said Section 27;
Thence South 89°51'34" East along the South line of Section 27 for a distance of 2642.20 feet to the South quarter corner of Section 27 to THE TRUE POINT OF BEGINNING;
Thence North 0°01'11" West, 539.79 feet to the centerline of the "R" canal;
Thence North 63°36'10" East for a distance of 73.83 feet;
Thence North 55°20'39" East for a distance of 74.86 feet;
Thence North 43°46'26" East for a distance of 47.04 feet;
Thence North 28°30'18" East for a distance of 50.33 feet;
Thence North 13°52'40" East for a distance of 234.94 feet;
Thence North 1°18'13" West for a distance of 65.93 feet;
Thence North 12°39'55" West for a distance of 111.61 feet;
Thence North 4°00'27" West for a distance of 52.23 feet;
Thence North 9°37'32" East for a distance of 60.05 feet;
Thence North 12°31'42" East for a distance of 115.30 feet to the North line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27;
Thence South 89°51'08" East along the North line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27 for a distance of 1074.54 feet to the Northeast corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence South 0°01'35" East along the East line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27 for a distance of 1320.48 feet to the South line of Section 27;
Thence North 89°51'34" West along the South line of Section 27 for a distance of 1321.10 feet to THE TRUE POINT OF BEGINNING, Except for the East 165 feet thereof.

PARCEL II:

Township 7 South, Range 17 E.B.M., Jerome County, Idaho.

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

Subject to a 25 foot road Right-of-Way along the North Boundary line.

(Continued)

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NOV 17 2000

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JUL 23 2003

AGUEDA DAIR

PAGE 03

Form No. 1056-4
All Policy Forms
J-3552TM E-16318ED

SCHEDULE C

The land referred to in this policy is situated in the State of Idaho and is described as follows: County of Jerome

PARCEL I:

Township 7 South, Range 17, East of the Boise Meridian, Jerome County, Idaho

Section 27: That part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, described as follows:

Commencing at the Southwest corner of said Section 27;
Thence South 89°51'34" East along the South line of Section 27 for a distance of 2642.20 feet to the South quarter corner of Section 27 to THE TRUE POINT OF BEGINNING;
Thence North 0°01'11" West, 839.79 feet to the centerline of the "R" canal;
Thence North 63°16'18" East for a distance of 73.83 feet;
Thence North 55°20'39" East for a distance of 74.86 feet;
Thence North 43°56'26" East for a distance of 47.04 feet;
Thence North 28°30'18" East for a distance of 50.33 feet;
Thence North 13°52'10" East for a distance of 234.94 feet;
Thence North 1°18'13" West for a distance of 65.93 feet;
Thence North 12°39'55" West for a distance of 111.61 feet;
Thence North 1°00'27" West for a distance of 52.23 feet;
Thence North 9°37'32" East for a distance of 60.25 feet;
Thence North 12°31'42" East for a distance of 115.30 feet to the North line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27;
Thence South 89°51'08" East along the North line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27 for a distance of 1074.54 feet to the Northeast corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence South 0°01'35" East along the East line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27 for a distance of 1320.45 feet to the South line of Section 27;
Thence North 89°51'34" West along the South line of Section 27 for a distance of 1421.10 feet to THE TRUE POINT OF BEGINNING, Except for the East 165 feet thereof.

PARCEL II:

Township 7 South, Range 17 E.B.M., Jerome County, Idaho.

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

Subject to a 25 foot road Right-of-way along the North Boundary line.

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JUL 23 2003

PARCEL III:

Township 7 South, Range 17 East, Boise Meridian

Section 34: NE&NE&

EXCEPTING THEREFROM that part of the NE&NE& lying south of the R Canal of
the Northside Canal Company

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NOV 17 2000

MICROFILMED

JUL 23 2003

AUTOMATIC COVER SHEET

DATE : JUN-22-00 07:35 PM

TO :

FAX #: 12083277866

FROM : DEL.KOHTZ

FAX #: 208 825 5063

8 PAGES WERE SENT**(INCLUDING THIS COVER SHEET)**MICROFILMED
NOV 17 2000MICROFILMED
JUL 23 2003

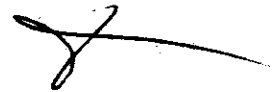
Fax # 377-7866

Attn. Pam Skaggs

6/28 - 8:03

→ Del Kotze
825-5617

Re: Shui fax



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NOV 17 2000

MICROFILMED
JUL 23 2003

06/22/2000 18:56 208 825 5863

AGUEDA DAIRY

PAGE 02

JUN-21-00 12:45 PM DEL.KOHTZ

208 825 5863

P.01

Form IDWR-01 (Rev. 10/97)

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Information on the back of this page. Incomplete forms will be returned.

- Water Right No(s): 36-14860
- Adjudication Claim No(s): _____
- The following **REQUIRED** information must be submitted with this form:
 - 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**
 - PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)
 - OR**
 - If your water right or adjudication claim is for use on more acres of irrigation, you must submit a **USDA Farm Service Agency AERIAL PHOTO** with 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**.
- Name and Address of Former Owner/Claimant: ALAN & JUANITA POSEY
327 EAST 400 NORTH JEROME
- New Owner/Claimant(s): Joe and Sandra Agueda
New Mailing Address: 326 E 400 N
City, State and ZIP Code: Jerome, Id 83388
New Telephone Number: 208 324-6825
- Date you acquired the property: JAN. 11, 1999
- Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. 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.

Number of acres you irrigate with this water right _____	Number and type of stock _____
Diversion rate in CFS _____	Number of homes you acquired _____ Other uses _____
- Signature of New Owner(s) or Claimant(s): Joe Agueda
Sandra C. Agueda
Corporations or other organizations must submit a list of directors and officers demonstrating authority to sign form.
- 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 claim.

MICROFILMED

NOV 17 2000

MICROFILMED

JUL 23 2003

06/22/2000 15:55 3248473

AGUEDA JAIKY

PAGE 07

990170

J355ZTM E16918DD

WARRANTY DEED

RECEIVED AT THE COUNTY CLERK'S OFFICE
FIRST AMERICAN TITLE CO

JAN 12 1 43 PM '99

For Value Received, Alan R. Posey and Juanita Posey, husband and wife, HEREBY

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
Jose F. Agueda and Natividad L. Agueda, husband and wife
whose address is: 326 East 400 North, Jerome, ID 83338RECEIVED
FEE \$ 97.00

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

See legal description attached hereto and made a part of

Together with 113 shares of Northside Canal Company water stock

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantee does hereby covenant to and with the said Grantor, that the Grantee is the owner in fee simple of said premises, that said premises are free from all encumbrances except current year taxes, levies, and assessments, and except U. S. Patent restrictions, restrictions of record, and encumbrances visible upon the premises, and that Grantee will warrant and defend the same from all claims whatsoever.

Dated January 11, 1999

Alan R. Posey BY Juanita Posey
Alan R. Posey BY: Juanita Posey
his attorney in fact

STATE OF IDAHO

COUNTY OF JEROME

On the 11th day of January, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Juanita Posey, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

[Signature]
Notary Public
Residing at Jerome, ID
My commission expires 4-2-2000

STATE OF IDAHO

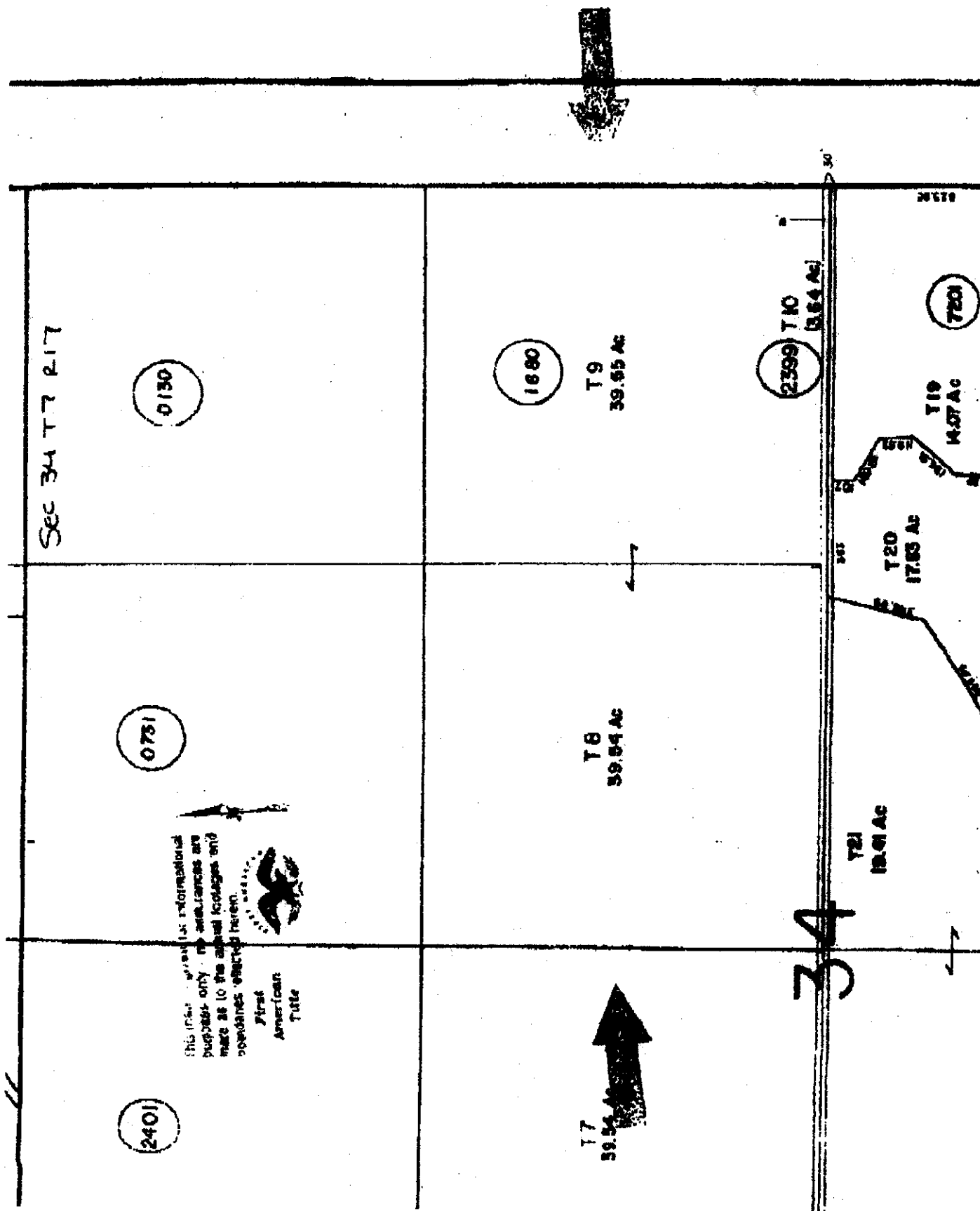
COUNTY OF JEROME

On this 11th day of January, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Juanita Posey, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument as the attorney-in-fact of Alan R. Posey, and acknowledged to me that she subscribed the same of Alan R. Posey therein as principal and her own name as attorney-in-fact.

WITNESS my hand and official seal.

[Signature]
Notary Public
Residing at Jerome, ID
My commission expires 4-2-2000

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NOV 17 2000MICROFILMED
JUL 23 2003



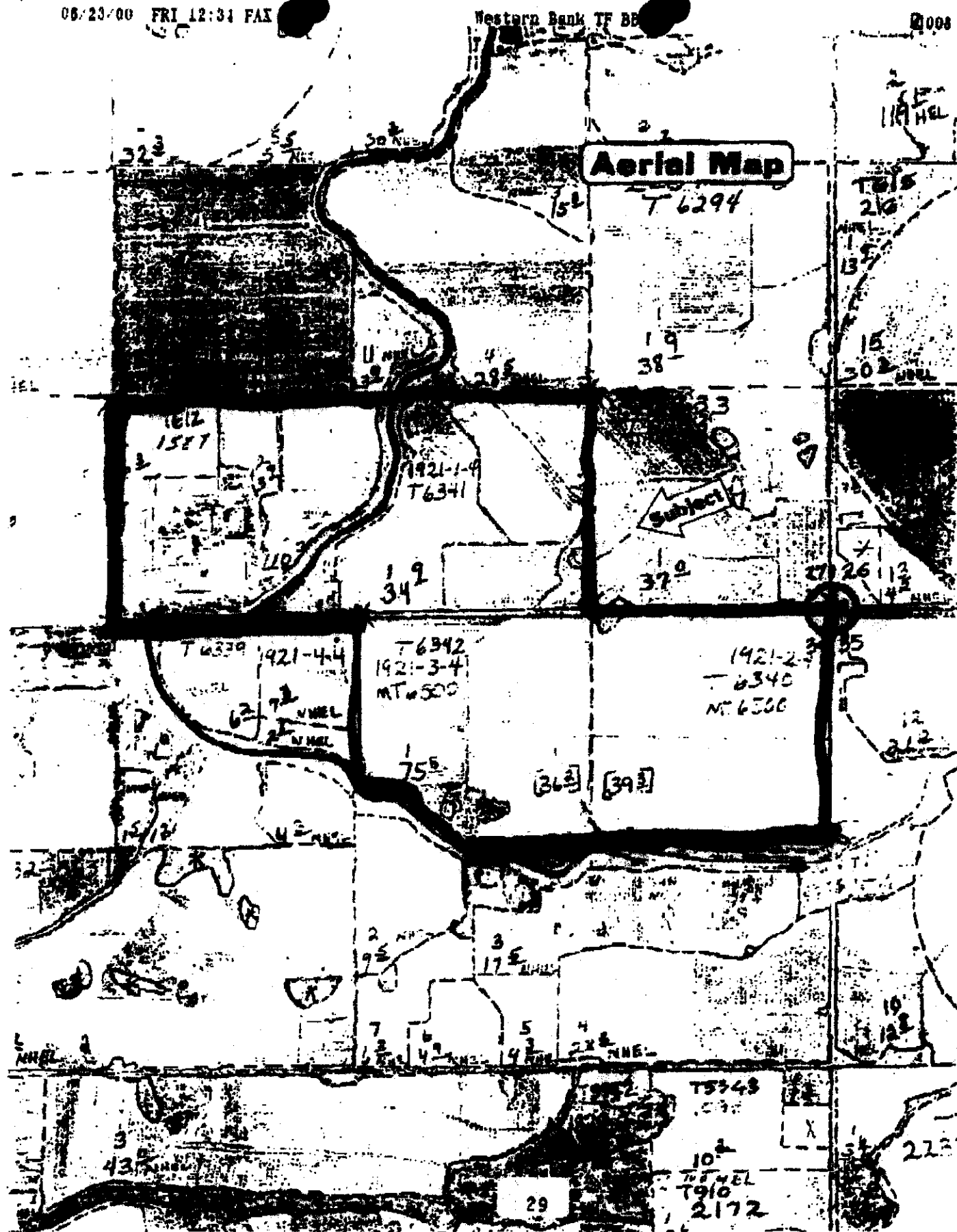
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JUL 23 2003

06/23/00 FRI 12:34 FAX

Western Bank TF BA

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NOV 17 2000

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JUL 23 2003

Form No. 1056-4
All Policy Forms
J-3552TM E-16918ED

SCHEDULE C

The land referred to in this policy is situated in the State of Idaho and is described as follows: County of Jerome

PARCEL I:

Township 7 South, Range 17, East of the Boise Meridian, Jerome County, Idaho

Section 27: That part of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, described as follows:

Commencing at the Southwest corner of said Section 27;
Thence South 89°51'34" East along the South line of Section 27 for a distance of 2642.20 feet to the South quarter corner of Section 27 to THE TRUE POINT OF BEGINNING;
Thence North 0°01'11" West, 539.79 feet to the centerline of the "R" canal;
Thence North 63°26'18" East for a distance of 73.83 feet;
Thence North 55°20'39" East for a distance of 74.86 feet;
Thence North 44°56'26" East for a distance of 47.04 feet;
Thence North 28°30'18" East for a distance of 50.33 feet;
Thence North 13°52'40" East for a distance of 234.94 feet;
Thence North 1°18'13" West for a distance of 65.93 feet;
Thence North 12°39'55" West for a distance of 111.61 feet;
Thence North 4°00'27" West for a distance of 52.23 feet;
Thence North 9°37'32" East for a distance of 60.08 feet;
Thence North 12°31'42" East for a distance of 115.30 feet to the North line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27;
Thence South 05°51'08" East along the North line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27 for a distance of 1074.54 feet to the Northeast corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence South 0°01'35" East along the East line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27 for a distance of 1320.40 feet to the South line of Section 27;
Thence North 89°51'34" West along the South line of Section 27 for a distance of 1321.10 feet to THE TRUE POINT OF BEGINNING, Except for the East 165 feet thereof.

PARCEL II:

Township 7 South, Range 17 E B.M., Jerome County, Idaho.

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

Subject to a 25 foot road Right-of-Way along the North Boundary line.

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PARCEL III:

Township 7 South, Range 17 East, Boise Meridian

Section 34: NE~~1~~NE~~4~~

EXCEPTING THEREFROM that part of the NE~~1~~NE~~4~~ lying South of the R Canal of the Northside Canal Company

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PHYSICAL DESCRIPTION OF THE SUBJECT PROPERTY

General Description:

The Aguada Dairy on June 24, 1999, which was the last day I visited the property consisted of 156.44 total acres improved with a dairy facility capable of handling 700 mature cows. The address of the dairy is 326 East 400 North, which would be 4 miles north and 3 1/2 miles east of the Jerome City Center. Many improvements have been made to the facility over the last few years including the acquisition of additional land which has almost new center pivots on them. The cropland would be considered to be good quality ground for the area. While the dairy is older it has been well maintained and it has extensive employee housing and is in generally good condition.

Legal Description:

I would refer the reader to the two Warranty Deeds located in the Addenda of the report for the specific legal description. Also, I note that on the Warranty Deed from Alan R. Posey and Juanita Posey to the Aguadas, I believe that the legal description is in error. The last page of the deed for Parcel 3 states that this legal description is Section 34: NE 1/4 NE 1/4 excepting therefrom that part of the NE 1/4 NE 1/4 lying south of the R Canal of the Northside Canal Company. I believe that the exception should be pertinent to Section 34: NW 1/4 NE 1/4. This also was confirmed by discussing this matter with the Aguadas and with the former owners, the Poseys. At the time this sale took place it was the intention of the Poseys, who at the time owned the entire NE 1/4 to only sell that property located north of the canal.

In general, a summary of the legal description would be:

Township 7 South, Range 17 East, Boise Meridian

Section 27: SE 1/4 SW 1/4, SW 1/4 SE 1/4

Section 34: NE 1/4 NE 1/4, NW 1/4 NE 1/4 excepting that portion lying south of the R Canal

No current title report was made available in the preparation in this appraisal. The legal description was obtained from the Warranty Deeds and I believe contains the error which was previously discussed. The Warranty Deeds are located in the Addenda of this report. Normal

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JUL 23 2003

easements for canal company canals, utilities and roads are assumed. I am unaware of any extraordinary easements which would affect the value of the property.

History of the Subject Property:

The property was originally purchased by the Aguedas in 1992 from Sudiks. This parcel which was approximately 40 acres contains the building sites and the dairy facilities. On January 11, 1999, the Aguedas purchased 116.44 acres of farmland adjacent to their existing dairy site from the Poseys. Purchase price for the property including the center pivot irrigation systems installed and the water rights was \$350,000. The only improvements made to this farm ground purchase from the Poseys was the addition of approximately \$5,600 worth of additional irrigation system to irrigate the pivot corners. The property is currently operated by the Aguedas. I am unaware of any current listings or offers for sale that would affect the property.

Information of Record:

Based upon my research of the Jerome County Courthouse, both the Treasurer's and Assessor's offices, the following information regarding parcel numbers, acres, assessed market value and 1999 taxes was obtained.

REAL ESTATE PROPERTY TAXES			
ASSESSORS PARCEL NO	ACRES	1999 ASSESSED MARKET VALUE	1999 TAXES
RP07S17E27S001	40.00	\$228,083.00	\$2,185.80
RP07S17E27S402	36.44	\$21,107.00	\$653.88
RP07S17E34S130	40.00	\$23,184.00	\$276.72
RP13S22E34S731	40.00	\$22,933.00	\$278.08
	156.44	\$295,317.00	\$3,402.48

Census tract numbers are not available in this are. The flood map community maps have not been printed.

Zoning:

The Agueda Dairy is located in the Jerome County agricultural zone. The use of the property for an irrigated farm and residence is allowed in that zone and the property would conform to that use. In addition, confined animal feeding operation permits, (CAFO), are required for dairies. The original dairy was grandfathered for 690 mature cows and 80 calves, including approximately 160 acres located on the previously described legal description.

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NOV 17 2000

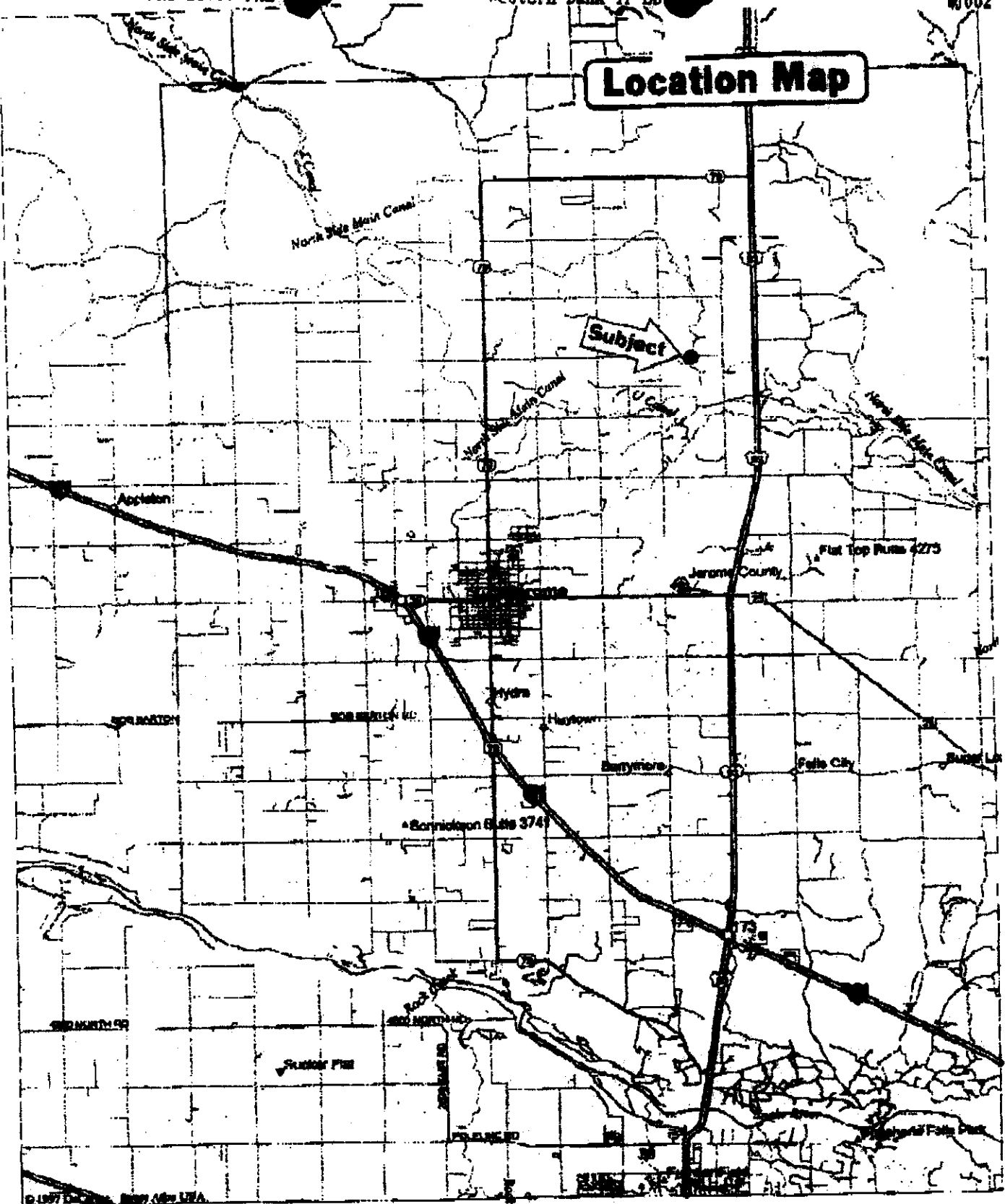
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JUL 23 2003

06/23/00 FRI 12:30 FAX

Western Bank TP BB

0002

Location Map



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JUL 23 2003

AUTOMATIC COVER SHEET

DATE : JUN-28-00 12:37 AM

TO :

FAX #: 12083277866

FROM : DEL.KOHTZ

FAX #: 208 825 5063

11 PAGES WERE SENT

(INCLUDING THIS COVER SHEET)

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NOV 17 2000

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JUL 23 2003



AGUEDA DAIRY

326 East

400 North

Jerome, ID 83338

Fax: 208/324 0473

Phone: 208/324-6825

TO: ATTEN: Pam Scaggs
BOISE WATER RESOURCES
208-327-7866

WATER RIGHT # 36-14860

Pam,

HERE'S THE LEGAL DISCRPTION YOU
NEEDED. IF YOU NEED ANYTHING ELSE, PLEASE
CALL ME. THANKS FOR YOUR TIME!

SANDRA L. AGUEDA

Sandra C. Guede



MICROFILMED

JUL 23 2003

SHEET ONE OF

EXHIBIT

TOWNSHIP 7 SOUTH, RANGE 17, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 27: SE1SW1, EXCEPTING THEREFROM that part lying East of the "R" Canal of the North Side Canal Co., Ltd.

That part of the SW1SE1 lying West of the "R" Canal of the North Side Canal Co., Ltd.

SUBJECT TO THE FOLLOWING:

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

Taxes for 1992 and subsequent years, which are not yet due and payable.

Assessments of the American Falls Reservoir District and the rights and powers of said District as by law provided.

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.

Easement for power line over the SE1SW1, together with right of ingress and egress and the right to trim trees, granted to the Idaho Power Co., by instrument dated November 14, 1936, recorded December 14, 1936 in Book 110 Page 213, Jerome County records.

Easement for power line within the SE1SW1, together with the SE1SW1 of Section 27, Township 7 South, Range 17, East Boise Meridian, with the right of ingress and egress and the right to trim trees, granted to Idaho Power Co., by instrument dated May 4, 1950, recorded June 10, 1950 in Book 142 Page 223, Jerome County records.

Mortgage given by Johnny R. Sudik and Ginny F. Sudik, husband and wife, to Farm Credit Bank of Spokane, dated June 18, 1990, recorded June 20, 1990 as Instrument Number 321396, Jerome County records. (COVERING THE ABOVE AND OTHER PROPERTY) PARTIAL RELEASE OF REAL ESTATE MORTGAGE dated December 5, 1990, recorded December 10, 1990 as Instrument Number 323453, and recorded February 1, 1991 as Instrument Number 91034, Jerome County records, releasing a mobile home.

Financing Statement No. 28771 from Johnny R. Sudik and Ginny F. Sudik, as Debtors, to Farm Credit Bank of Spokane, as Secured Party, filed June 20, 1990 as Instrument Number 321397, Jerome County records. (COVERING THE ABOVE AND OTHER PROPERTY) RELEASE filed December 7, 1990 as Instrument Number 323452, Jerome County records, releasing a mobile home.

Financing Statement from Northwest Freight & Salvage, Inc., as Debtors, to Farm Credit Bank of Spokane, as Secured Party, filed January 30, 1991 as Instrument Number 910326, Jerome County records, covering a 1981 mobile home and 1982 mobile home. (COVERING THE ABOVE AND OTHER PROPERTY)

Mortgage given by Johnny R. Sudik and Ginny F. Sudik, husband and wife, to Farm Credit Bank of Spokane, dated March 1, 1991, recorded March 1, 1991 as Instrument Number 910705, Jerome County records. (COVERING THE ABOVE AND OTHER PROPERTY)

SRBA

SUBCASE SUMMARY REPORT 36-14860

Return to SRBA Home Page

SRBA
06-16-2000

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 36-14860 FILE#: 00000
CLAIMANT: B R POSEY LIFETIME ESTATE
STATUS: PD ISSUED
WATER SOURCE: GROUNDWATER,

**** PARTIES INVOLVED ****

B R POSEY LIFETIME ESTATE C PRO SE
ALAN POSEY C PRO SE

**** ROA ENTRIES ****

12-13-1996 PARTIAL DECREE FILED
12-13-1996 CERTIFICATE OF MAILING - PARTIAL DECREE

12-13-1996

Return to SRBA Home Page

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NOV 17 2000

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JUL 23 2003
6/16/00

IDAHO DEPARTMENT OF WATER RESOURCES
PREFIX/SPLIT QUERY

DATE: 06/16/00

TIME: 10:48:00

PAGE: 1

WATER RIGHT NO.	NAME	OWNER	PRIORITY	DATE	STG/STS	SOURCE	USE DESC	SYSTEM
36-14860	POSEY LIFETIME ESTATE, B R	C		12/31/1942	D/	GROUNDWATER	P DECR	WR
	POSEY, ALAN	C						
T36-14860	JOE AND SONDRAL, AGUEDA	C		12/31/1942	D/	GROUNDWATER	DOMEST	WR

*36-14860	POSEY LIFETIME ESTATE, B R	C		12/31/1942	D/	GROUNDWATER	P DECR	AJ
	POSEY, ALAN	C						
A36-14860	POSEY LIFETIME ESTATE, B R	C		12/31/1942	J/	GROUNDWATER	DOMEST	AJ
	POSEY, ALAN	C					STOCK	

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JUL 23 2003

IDWR TRANSFER ANALYSIS SHEET

APPLICANT Joe and Sondra Agueda TRANSFER NO. 5716

1. Right number(s) 36-04157 36-14860

2. Type of right ☒ Decree ☐ License ☐ Statutory Claim
☐ SRBA Beneficial Use Claim

3. Purpose of transfer ☒ Change P/D ☐ Add P/D ☒ Change P/U
☒ Change N/U ☐ Change Source ☒ Split Right
☐ Other: _____

4. Check Existing Right: ☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period ☒ SRBA Claim
☒ Description of original point(s) of diversion
☒ Description of original place of use
☒ Overlapping rights on original place of use

Comments: _____

5. Check Proposed Right for amount of land &/or water transferred:

 Also see attached memo for more analysis information

- a. ☒ All of right
- b. ☒ Part of right (NOTE! Part B should be filled in only if part of right is owned by the applicant)
- c. ☒ Description of point(s) of diversion
- d. ☒ Description of place of use
- e. ☒ Map showing P/D & P/U after transfer
- f. ☒ Correct notarized signature and \$100 fee
- g. ☒ Proof of ownership of right &/or land from which water is transferred
- h. ☒ Expansion in use of right - Comments: None Apparent

i. X Existing rights from same source, on land water is being transferred to; right number(s): ~~35-74220~~ ~~Domestic~~ ~~Transfer~~ ~~5437~~
T35-08606 F commercial/stock/Transfer 5437

j. X SRBA claim(s) - Comments (NOTE! Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain) _____

k. X Comment letters _____ Yes X No
 If yes _____ Water District #
 _____ Lienholder, others, see #2
 _____ below for name and address

INITIAL ALLOCATION REVIEW BY John Freitag DATE 04/10/00
 SRBA SUPERVISOR REVIEW BY _____ DATE _____
 PUBLICATION REVIEW BY _____ DATE _____

1. Legal Notice electronically sent to DWR03::VAULT _____ Yes
 2. COMMENT LETTERS _____ Copy of Pg 1 to AJ _____ Yes

Watermaster recommendation requested on _____, Received on _____

Other comments letters - send to the following name(s) & address(es):

3. Transfer published correctly? ✓ Yes _____ No
 4. Affidavit of publication received? ✓ Yes _____ No
 5. Protests received? _____ Yes ✓ No; Acknowledgement sent? _____ Yes
 6. Copies made for Region file (see attached supplemental page)? _____ Yes

RECOMMENDED ACTION

1. ✓ Approve
 2. _____ Deny due to _____

 3. Conditions (special conditions in Water Districts) _____

✓ Also see attached memo for recommendation dated: 5/19/00
 4. By AD- Date 5/19/00

RECEIVED

MAY 23 2000

Department of Water Resources

MEMO

FROM: Allen Merritt *AM*

DATE: May 19, 2000

TO: Transfer File No. 5716

Water Right(s): T36-04157F
T36-14860

In the Name of: Riverview Dairy *AD*

SUBJECT: Review and Recommendation

This application moves in a piece of the old Andrews right (36-04157F for 0.30 cfs for irrigation of 15 acres) for expansion at an existing dairy. The Andrews water is being marketed by Del Kohtz. The dairy site has an existing decreed D&S right (36-14860). The transfer ties both rights together out of two existing wells and also identifies the place of use for the land application of waste water from the dairy.

The application was advertised without protest.

The application does not appear to represent 36-14860 in total and from the sketch it appears that there are now several mobile homes included at the site. I have incorporated these observations into the recommendation. The SRBA claim for A36-14860 included 1 home and 350 feeder cattle.

This equates to approximately 5.9 afa $\text{Stock limited to 198 days} = \frac{2.6 \text{ afa}}{1.2 \text{ "}} = 3.8 \text{ afa.}$

Recommendation

I recommend that this transfer be approved subject to the following conditions:

-Right 36-04157F and 36-14860 shall be changed pursuant to this transfer request but are limited as follows:

-Right 36-14860 is limited to no more that 13,000 gpd and 5.9 afa and 0.09 cfs for domestic use for one house and four mobil homes and stockwater use both located within the SESW S27, T07S, R17E.

-Right 36-04157F is limited to 0.30 cfs and 45.0 afa for stockwater and commercial uses at the dairy with places of use as described on the application.

-Both rights may be diverted from any of two existing wells as described on the application.

-When combined both rights are limited to 0.39 cfs and 50.9 afa.

-No new wells are authorized to be drilled under this approval.

-Subject to other federal, state or county requirements as may be appropriate.

-Both wells shall have measuring devices installed and use is subject to measurement and reporting to the West ESPA Measurement District.

-Applicant shall file a copy of deed showing final purchase of 36-04157F with the department as soon as purchase is final.

MICROFILMED MICROFILMED
NOV 17 2000 JUL 23 2003

FILE PROGRESS SUMMARY

APPLICANT:

FILE PROGRESS

Joe Randa

WATER RIGHT NO.

36-04157 lat

INIT.	DATE	COMMENT
rek	2/10/2000	Staffed to Jim Stanton
JF	3/30/2000	Sent back to Del Koltz for info.
JF	4/7/00	Del Koltz dropped off Transfer w/ new info
JF	4/10/00	To MB for advertising
MB	4/17/00	Adv. Sch (NS) & (GL) 4/27 & 5/4/00; 5/15/00
MB	5/8/00	Pub. aff. rec. 5/5/00
MB	5/18/00	to ADM for signoff
AD -	5/19/00	to MB to forward to S.O.

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NOV 17 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 30, 2000

Del Kohtz
1135 Valley Road South
Eden, ID 83325

Dear Mr. Kohtz:

Please find enclosed the Application for Transfer you submitted to our office in the name of Joe and Sandra Agueda involving water rights 36-04157 and 36-14860. There are some items that need to be addressed before we can proceed any further with your application.

In Part B of Part 1 on the application, for right 36-04157 you listed 45 afa for a diversion volume and a total diversion volume of 58.5 afa. I am assuming that right 36-14860 is to be for a diversion volume of 13.5 afa to make up the difference ($58.5 - 45 = 13.5$). Please note that right 36-14860 has no diversion volume associated with it. You must provide proof that right 36-14860 has historically used a diversion volume of 13.5 afa in order for a total diversion volume of 58.5 afa to be listed. Proof should include information specifically relating to the actual use of the water (# of cows, # of homes, etc. served by the right).

Proof of ownership needs to be provided for the land appurtenant to 36-14860, which is T07S, R17E, S27 SESW.

As you know acres to be irrigated with land application of wastewater need to be identified in "Lands irrigated or place of use" with a "C". This also needs to be shown on the map.

A map needs to be included which shows the Township, Range, Section lines and forty-acre tracts. I have included a copy of a map to be used as an example or for your use. Identify all Points of diversions and Places of use on this map as well.

MICROFILMED

MAY 17 2000

T#5716
MICROFILMED

MAY 23 2000

Please be aware that I have returned your Application for Transfer so you may address the issues discussed in this letter. I will give you 30 days from the date of this letter to resubmit a corrected application before I initiate a refund of your \$100 filing fee.

I strongly encourage you to send a corrected application, map, and the necessary supporting documents to this office (attn. John Freitag) as soon as possible to prevent further delays in the processing of your application. If you have any questions or need any further assistance feel free to contact me at your convenience.

Sincerely,



John Freitag
Water Resource Agent

cc: Joe and Sandra Agueda

MICROFILMED

JUL 23 2003

MICROFILMED

NOV 17 2003

T # 5716

RECEIVED

State of Idaho }
County of Jerome } ss

MAY 05 2000

Department of Water Resources

Norma Deloe

being first duly

sworn, deposes and says that he/she is the printer (publisher) of the *Journal of the Northern Idaho State 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

supplement, that the date of the first publication of said advertisement was on the 27th day of April 2000 consecutive issues in said newspaper proper and not in a

and the date of the last publication was on the 1st day of May 2000

On this 14th day of May,
in the year of 2000, before me, a Notary Public, personally appeared
Norma Drake, known or identified to me to be the
person whose name subscribed to the within instrument, and being by me first duly
sworn, declared that the statements therein are true, and acknowledged to me that
he/she executed the same.

SHELLEY STURGEON
Notary Public
State of Idaho

Shelley Sturgeon
Notary Public for Idaho
Residing at Jerome
My Commission expires: 12/31/2011

NORTH SIDE NEWS
Jerome, Idaho

COST OF PUBLICATION

Number of Picas per Line

Number of Lines in Notice

Number of Insertions

185.63 Lines tabular at 13.92 7.5¢/Price

1058.06 Lines straight at 6.54/Pica 628.77

Subsequent lines at 6840 5.54/Pic

Affidavit Fee: 2.25

TOTAL COST 153.34

1000 1 1 1000

SEP 2 9 2003
MICROFILMED

COPY OF NOTICE

(Paste Here)

T# 5,5697,5716,5715

TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTEXT

BILL, TX

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS
The following applications have been filed with the Department of Water Resources:

[illegible][illegible]

8365 N.

N308.

30843

AFFIDAVIT of PUBLICATION

State of Idaho
County of Gooding } ss.

RECEIVED

MAY 05 2000

Department of Water Resources
Southern Region

Norma DeVoe, being first duly sworn,
deposes and says that she is the printer (publisher) of the Gooding County Leader, a
newspaper published every week in Gooding, County of Gooding, 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
supplement; that the date of the first publication of said advertisement was on the
27th day of April, 192000
and that date of the last publication was on the 4th day of
May, 192000

On this 4th day of May
in the year of 2000, before me, a Notary Public, personally appeared
Norma DeVoe, known or identified to me to be the person
whose name subscribed to the within instrument, and being by me first duly sworn,
declared that the statements therein are true, and acknowledge to me that she executed
the same.

Shelley Sturgeon
Notary Public for Idaho
Residing at Jerome

SHELLEY STURGEON
Notary Public
State of Idaho

My commission expires: 12/31/03

GOODING COUNTY LEADER
Gooding, Idaho

7416/
30844

COST OF PUBLICATION

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

____ Lines tabular at _____ 7.5¢/Pica
556.88 Lines straight at 36.20 6.5¢/Pica
556.88 Subsequent lines at 30.63 5.5¢/Pica

Affidavit Fee: 2.25

TOTAL COST 69.08

5716 - Agueda
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR
BILL TO

COPY OF NOTICE

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that an
Application for Transfer has been filed
with the Department of Water
Resources for changes to water rights
in Gooding and Jerome Counties as
described below.

Transfer No. 5716 by Joe & Sondra
Agueda, 326 E 400 N; JEROME ID
83338 involves Right No. 36-04157
(1.00 cfs) recorded with priority date
of 06/01/1956 from ground water
within Lot 3 (NWSW), S30, T07S,
R15E for irrigation of 50 acres at the
same site; Gooding County and Right
No. 36-14860 (0.09 cfs) recorded with
priority date of 12/31/1942 from
ground water within SESW, S27,
T07S, R17E and used at the same
site for domestic (0.04 cfs) & stockwa-
ter (0.09 cfs); Jerome County. The
applicants wish to divert a combined
total of 0.30 cfs from two existing
wells within SESW, S27 for stockwa-
ter (0.30 cfs) & domestic (0.04 cfs)
uses there and also commercial uses
(0.30 cfs) within SWSE, S27 &
N1/2NE, S34; all T07S, R17E; Jerpme
County. A total of 15 irrigated acres
will be dried up within SWSW, S30,
T07S, R15E; Gooding County for the
conversion to stockwater/commercial
7-uses in the expansion of an existing
dairy in Jerome County, the remainder
7-(0.70 cfs) as Designated Right No. 36-
04157E will continue to irrigate 35
7-acres at the original site; Gooding
County.

Any protest against the proposed
changes must be filed with the
Department of Water Resources,
Southern Region, 1341 Fillmore St.,
Suite #200; Twin Falls ID 83301
together with a protest fee of \$25.00
on or before May 15, 2000 to be con-
sidered by the Department in its deci-
sion to grant or deny any part of the
proposed change. The protestant
must also send a copy of the protest
to the applicant.

/s/ Karl J. Dreher, Director
PUB: 4/27 - 5/4 G30844

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JUL 23 2003

RECEIVED

MAY 05 2000

Jerome DeVoe being first duly sworn, deposes and says that he/she is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterrupted published for a period of twenty-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 27th day of April, 2000, and the date of the last publication was on the 27th day of May, 2000.

On this 1st day of May in the year of 2000 before me, a Notary Public, personally appeared Mona Debe known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.

SHELLEY STURGEON
Notary Public
State of Idaho

Shelley Sturgeon
Notary Public for Idaho
residing at *Jerome*
My commission expires: *12/31/25*

COST OF PUBLICATION

Number of Insertions

185	63	Lines tabular at	13.92	7.5¢/Pica
105	806	Lines straight at	68.77	6.5¢/Pica
124	369	Subsequent lines at	68.40	5.5¢/Pica

Affidavit Fee: 2.25

TOTAL COST	153.34
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NOV 17 2000

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that three applications have been filed with the Department of Water Resources for changes to water rights in Gooding and Jerome Counties as described below.

Transfer No. 5697 by Riverview Dairy, 1795 S 500 E; JEROME ID 83338 involves Right No. T36-07460AG (0.18 cfs) recorded with priority date of 03/25/1974 from ground water within SWSW, S22, T07S, R15E; for irrigation; Gooding County and Right No. 36-14988 recorded with priority date of 12/31/1983 from ground water within SESE, S26, T08S, R17E and used there for stockwater (0.07 cfs) and Domestic (0.04 cfs); Jerome County. The applicant proposes to divert a combined total of 0.25 cfs from two existing wells within SESE, S26, T08S, R17E; Jerome County for stockwater, commercial & domestic uses in the expansion of an existing dairy located within SESE, S26, T08S, R17E; Jerome County. Dairy wastes will be land applied within NE, S35 and within NW and W½NE, both S36, T08S, R17E.

Transfer No. 5716 by Joe & Sondra Agueda, 326 E 400 N; JEROME ID 83338 involves Right No. 36-04157 (1.00 cfs) recorded with priority date of 06/01/1956 from ground water within Lot 3 (NWSW), S30, T07S, R15E for irrigation of 50 acres at the same site; Gooding County and Right No. 36-14860 (0.09 cfs) recorded with priority date of 12/31/1942 from ground water within SESW, S27, T07S, R17E and used at the same site for domestic (0.04 cfs) & stockwater (0.09 cfs); Jerome County. The applicants wish to divert a combined total of 0.30 cfs from two existing wells within SESW, S27 for stockwater (0.30 cfs) & domestic (0.04 cfs) uses there and also commercial uses (0.30 cfs) within SWSE, S27 & N½NE, S34; all T07S, R17E; Jerome County. A total of 15 irrigated acres will be dried up within SWSW, S30, T07S, R15E for the conversion to stockwater/commercial uses in the expansion of an existing dairy; the remainder (0.70 cfs) as Designated Right No. 36-04157E will continue to irrigate 35 acres at the original site.

Transfer No. 5715 by Douglas Glendenning, PO Box 228; JEROME ID 83338 involves several ground water rights as described:

<u>Rt No.</u>	<u>(cfs)</u>	<u>Use</u>	<u>Priority</u>	<u>POD</u>	<u>County</u>
36-08545	0.09	Stockwater	04/26/1990	NWNE, S02, T08S, R16E	Jerome
	0.09	Commercial			
36-14786	0.02	Stockwater	06/01/1935	NENE, S16, T08S, R16E	Jerome
	0.04	Domestic			
36-14789	0.04	Domestic	06/10/1977	NENE, S16, T08S, R16E	Jerome

The applicant proposes to divert a combined total of 0.28 cfs from existing wells within SENW & two (2) within SWNE for domestic use (0.04 cfs) within SENW, stockwater uses (0.11 cfs) within SWNE & SENW, and commercial uses (0.09 cfs) within SWNE; Commercial/stockwater wastes will be land applied within SWNE & SENW, all S02; T08S, R16E; Jerome County.

Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite #200; Twin Falls ID 83301 together with a protest fee of \$25.00 on or before May 15, 2000 to be considered by the Department in its decision to grant or deny any part of the proposed change. (Each transfer requires a separate protest.) The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the **North Side News** on 04/27 & 05/04/00.

RECORDED

FILED

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JUL 23 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 19, 2000

MAGIC VALLEY PUBLISHING
ATTN: North Side News
PO BOX 468
JEROME ID 83338

Ladies and Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper.

We have inserted the required publication dates. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Very truly yours,

Mary Baldwin

Mary Baldwin

Administrative Assistant

Enclosure

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NOV 17 2000

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JUL 23 2003

NOTICE OF PROPOSED CHANGE OF WATER RIGHTS

Notice is hereby given that an Application for Transfer has been filed with the Department of Water Resources for changes to water rights in Gooding and Jerome Counties as described below.

Transfer No. 5716 by **Joe & Sondra Agueda**, 326 E 400 N; JEROME ID 83338 involves Right No. 36-04157 (1.00 cfs) recorded with priority date of 06/01/1956 from ground water within Lot 3 (NWSW), S30, T07S, R15E for irrigation of 50 acres at the same site; Gooding County and Right No. 36-14860 (0.09 cfs) recorded with priority date of 12/31/1942 from ground water within SESW, S27, T07S, R17E and used at the same site for domestic (0.04 cfs) & stockwater (0.09 cfs); Jerome County. The applicants wish to divert a combined total of 0.30 cfs from two existing wells within SESW, S27 for stockwater (0.30 cfs) & domestic (0.04 cfs) uses there and also commercial uses (0.30 cfs) within SWSE, S27 & N½NE, S34; all T07S, R17E; Jerome County. A total of 15 irrigated acres will be dried up within SWSW, S30, T07S, R15E; Gooding County for the conversion to stockwater/commercial uses in the expansion of an existing dairy in Jerome County; the remainder (0.70 cfs) as Designated Right No. 36-04157E will continue to irrigate 35 acres at the original site; Gooding County.

Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite #200; Twin Falls ID 83301 together with a protest fee of \$25.00 on or before May 15, 2000 to be considered by the Department in its decision to grant or deny any part of the proposed change. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the **Gooding County Leader** on 04/27 & 05/04/00.

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 19, 2000

MAGIC VALLEY PUBLISHING
ATTN: Gooding County Leader
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JEROME ID 83338

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