

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

RECEIVED**DEC 10 2001**

Department of Water Resources
Southern Region

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>36-2459</u>					
<u>36-2343</u>					

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

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

OR

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

3. Name and Address of Former Owner/Claimant(s) SA High & Sons
PO Box 366, Twin Falls, ID 83303
4. New Owner/Claimant(s) Walters Dairy Partnership
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 423 West Road
- City, State and ZIP Code Jerome, ID 83338
- New Telephone Number (208) 324-7518
5. Date you acquired the property 5/5/1999

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

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

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

7. Signature of New Owner(s) or Claimant(s) Maria J. Walton
(include title if applicable) Attorney

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

For Office Use Only

Received by <u>[Signature]</u>	Date <u>12/10/01</u>	Fee <u>50.00</u>
Received by <u>[Signature]</u>	Date <u>12/10/01</u>	Receipt No. <u>5024478</u>
Processed by <u>[Signature]</u> AJ	Date _____	WR _____ Date _____

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**Re-recorded to correct the legal description.

WARRANTY DEED

FOR VALUE RECEIVED,

KEITH SODERQUIST and CHRISTIE SODERQUIST, the "Grantors", do hereby grant, bargain, sell and convey unto **WALTERS DAIRY**, an Idaho general partnership, **MARK WALTERS and MARVA WALTERS**, husband and wife, and **LUIS M. BETTENCOURT**, Partners, whose address is 35 North 400 West, Jerome, Idaho, the "Grantee", the following described premises located in Jerome County, Idaho, to wit:

**TOWNSHIP 7 SOUTH, RANGE 18, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO**

Section 33: SE $\frac{1}{4}$; S $\frac{1}{2}$ SW $\frac{1}{4}$;

AND

**TOWNSHIP 8 SOUTH, RANGE 18, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO**

Section 2: Lot 4; SW $\frac{1}{4}$ NW $\frac{1}{4}$;

Section 3: Lots 1, 2 and 3; S $\frac{1}{2}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$;

Section 4: Lots 3 and 4

Together with all water rights appurtenant thereto, including, but not limited to, Water Right Nos. 36-12343, 36-02459 and 36-14778.

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

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

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RECORDED AT THE REQUEST
Land Title & Escrow, Inc.
MAY 21 11 34 AM '99
JEROME COUNTY, IDAHO
FEE 2.07 DEP MS

992624

RECORDED AT THE REQUEST
Land Title & Escrow, Inc.
MAY 25 4 23 PM '99
JEROME COUNTY, IDAHO
FEES 9.07 DEP MS

ReRecord
992704

2. Power Line Easement given by S.A. High and Nina E. High, husband and wife, to Idaho Power Company, a corporation, dated May 11, 1964, recorded June 19, 1964, in Book 168, Page 382, as Instrument Number 159757, Jerome County records, affecting the N1/2NW1/4NW1/4NE1/4 of Section 3, Township 8 South, Range 18, East Boise Meridian.
3. Power Line Easement given by Nina E. High and S.A. High to Idaho Power Company, a corporation, dated February 3, 1965, recorded May 4, 1965 in Book 168, Page 478, as Instrument Number 163617, Jerome County records, affecting Lot 2, Lot 3 and S1/2NE1/4 of Section 3, Township 8 South, Range 18, East Boise Meridian.
4. Power Line Easement given by Richard S. High and Laura G. High, husband and wife, to Idaho Power Company, a corporation, dated March 30, 1965, recorded August 16, 1965, in Book 168, Page 518, as Instrument Number 164947, Jerome County records, affecting the S1/2SE1/4 of Section 33, Township 7 South, Range 18, East Boise Meridian.
5. Power Line Easement given by S.A. High and Sons, a Partnership, to Idaho Power Company, a corporation, dated May 8, 1979, recorded May 21, 1979, as Instrument Number 241862, Jerome County records, affecting the NE1/4SE1/4 of Section 33, Township 7 South, Range 18, East Boise Meridian.
6. Right of Way Option executed by Nina High, Richard High, Laura High, Robert High, Shirley High and Lucille Medlyn to Idaho Power Company, dated January 10, 1989, recorded February 8, 1989 as Instrument Number 314651, Jerome County records. Right of Way Option Extension dated January 15, 1991, recorded January 29, 1991, as Instrument Number 910311; Jerome County records.
7. Right of Way Easement given by Nina E. High, individually, Richard High and Laura High, husband and wife, and Robert G. High and Shirley L. High, husband and wife, and Lucille Medlyn, individually, doing business as S.A. High and Sons, a partnership, Grantors, to Idaho Power Company, a corporation, Grantee, dated February 25, 1993, recorded May 20, 1993, as Instrument Number 931854, Jerome County records.
8. Mortgage in favor of S.A. High and Sons, a general partnership, recorded March 3, 1997, as Instrument Number 970770, records of Jerome County, Idaho, assigned to Richard F. High and Laura G. High a 40% interest by an assignment dated August 20, 1997, and recorded September 24, 1997, as Instrument No. 974064, records of Jerome County, Idaho; assigned to Shirley High a 40% interest by an assignment dated August 20, 1997, and recorded September 24, 1997, as Instrument No. 974065, records of Jerome County,

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Idaho; assigned to Lucille A. Hanley a 20% interest by an assignment dated August 20, 1997, and recorded September 24, 1997, as Instrument No. 974066, records of Jerome County, Idaho.

DATED THIS 5th day of May, 1999.

Keith Soderquist
KEITH SODERQUIST

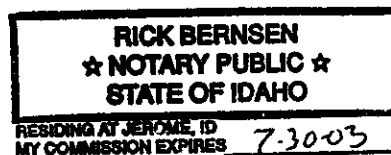
Christie Soderquist
CHRISTIE SODERQUIST

STATE OF IDAHO)
)ss.
County of Jerome)

On this 5th day of May, 1999, before me, the undersigned, a Notary Public in and for said County and State, personally appeared KEITH SODERQUIST and CHRISTIE SODERQUIST, known to me to be the persons whose names are subscribed to the within and foregoing instrument, and who acknowledged to me that they executed the same.

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

Rick Bernsen
NOTARY PUBLIC for Idaho
Residing at:
Commission Expires:



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EXHIBIT "A"

That the said MORTGAGORS, for good and valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell and convey unto the said MORTGAGEE, their heirs and assigns forever, the following real estate situated in Jerome County, State of Idaho, to-wit:

TOWNSHIP 7 SOUTH, RANGE 18, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 33: SE $\frac{1}{4}$; S $\frac{1}{4}$ SW $\frac{1}{4}$;

TOWNSHIP 8 SOUTH, RANGE 18, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 2: Lot 4; SW $\frac{1}{4}$ NW $\frac{1}{4}$;

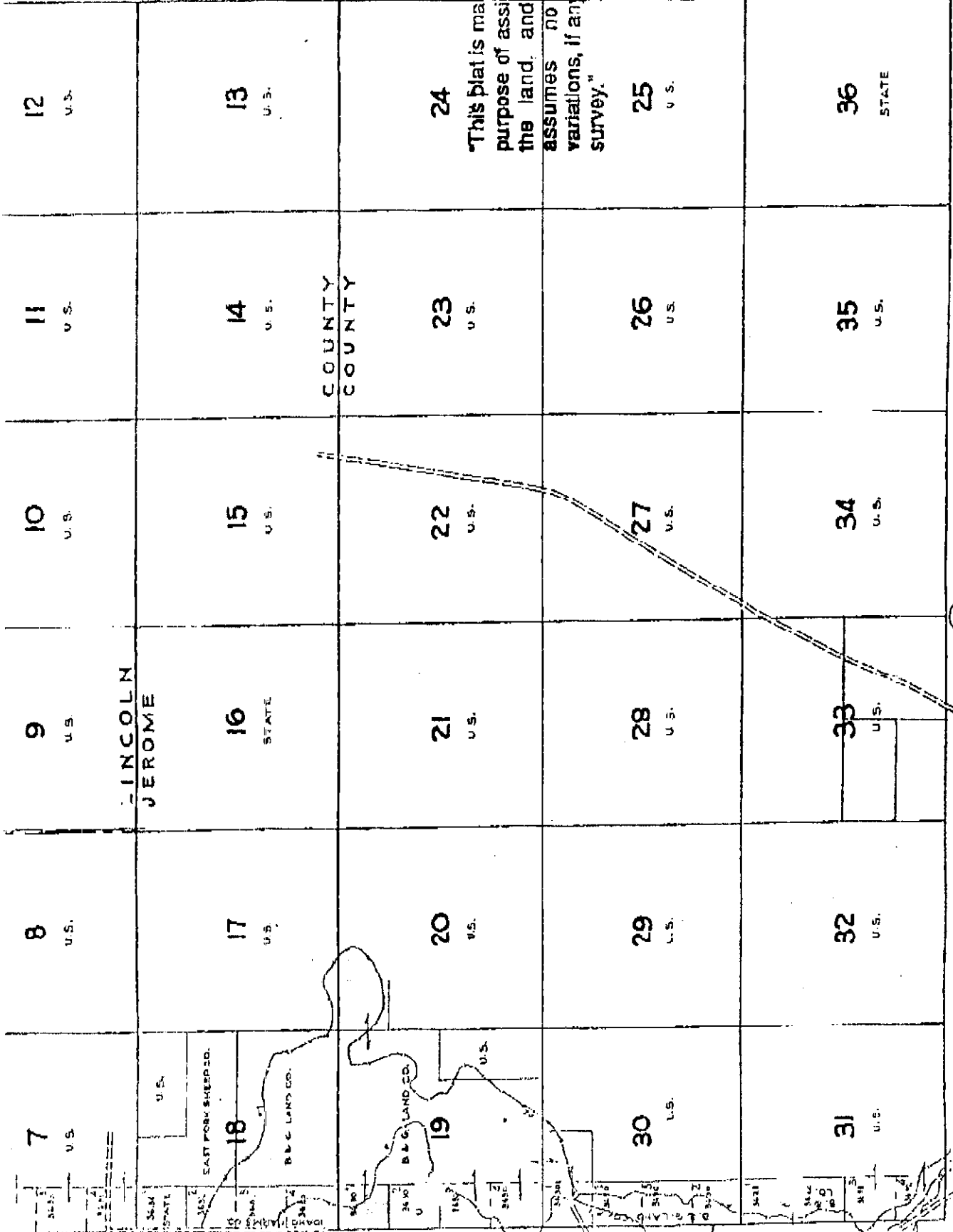
Section 3: Lots 1, 2 and 3; S $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$;

Section 4: Lots 3 and 4

TOGETHER WITH all the improvements, privileges and appurtenances therunto belonging and all rights of homestead exemption; together with all ditch and water rights of every nature, however, evidenced, used on the said land or belonging to the same or said MORTGAGORS, which may be hereafter acquired or used upon said land.

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7 South
18 East

This plat is made solely for the purpose of assisting in locating the land and the company assumes no liability for variations, if any, with an actual survey.

PAVED
STATE
IMPROV
DIRT R
INTER
RAILRO
TRAILS
INTER
SCHOOL

MADE BY CHAS. F. METZGER

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 36-02343

1997 FEB 16 AM 11:18
DISTRICT COURT 12334
TWIN FALLS, IDAHO
JUDGE: _____

NAME & ADDRESS: S A HIGH & SONS
PO BOX 366
TWIN FALLS ID 83303-0366

SOURCE: GROUNDWATER

QUANTITY: 3.57 CFS
1144.0 AFY

PRIORITY DATE: 01/06/1958

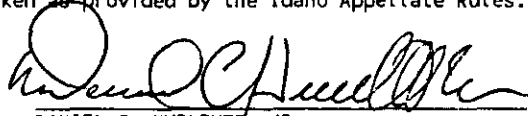
POINT OF DIVERSION: T08S R18E S03 NWSENE Within JEROME County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	3.57 CFS 1144.0 AFY

PLACE OF USE: IRRIGATION Within JEROME County
T08S R18E S02 Lot 4 (NWNW)33 S03 Lot 1 (NENE)40 Lot 2 (NWNE)40 Lot 3 (NENW)30
286 ACRES TOTAL

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 27, 2001

WALTERS DAIRY PARTNERSHIP
423 WEST RD
JEROME ID 83338

RE: Change of Ownership for Water Rights 36-2343 and 36-2459

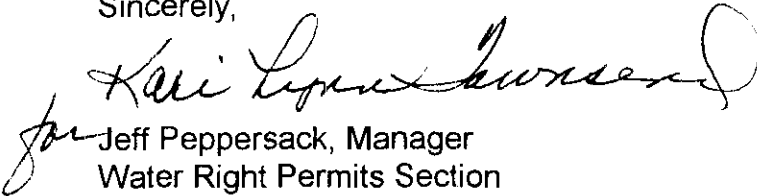
Dear Water Right Holder(s):

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

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

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

Sincerely,


for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

RECORDED

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