

EBM.

Sixth Half

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JAN 09 2002

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PC L #3

"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."

2-4-40'

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>36-14285</u>	_____	_____	_____	_____	_____
<u>36-2305</u>	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

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Department of Water Resources

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) Riley and Ruth Walters
230 N 800 E, Jerome, ID 83338
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 Nov 22, 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) Marcus J. Walten
(include title if applicable) Pastor

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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WARRANTY DEED

995937

For Value Received

C. Riley Walters and Ruth A. Walters, husband and wife

RECORDED AT THE REQUEST
Land Title & Escrow, Inc

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

Nov 23 3 10 PM '99

Walters Dairy, an Idaho General Partnership
Address: 423 West Road, Jerome, ID 83338

JEROME COUNTY, IDAHO

FEES 3.00% DEP CB

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

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

Section 4: E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$

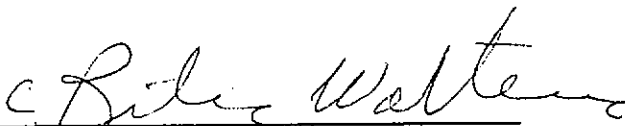
**TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.

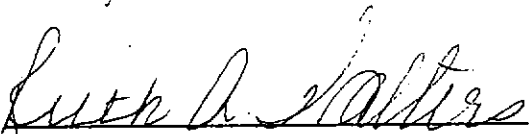
SUBJECT TO:

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

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: November 22, 1999

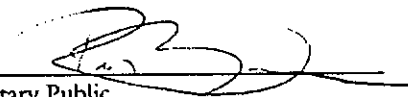

C. Riley Walters


Ruth A. Walters

STATE OF IDAHO)
) ss.
COUNTY OF JEROME)

On this 22nd day of November, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared C. Riley Walters and Ruth A. Walters, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

MICROFILMED
JAN 09 2002


Notary Public
Residing at Jerome, ID
My Commission expires: 7-30-03

7-30-03

SCHEDULE A

Order Number: J-28906

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

Section 17: That part of the $N\frac{1}{2}N\frac{1}{2}SE\frac{1}{4}$, described as follows:

Beginning at the Northeast corner of the $SE\frac{1}{4}$ of said Section 17, which point shall be known as THE TRUE POINT OF BEGINNING;
Thence South $0^{\circ}03'00''$ East along the East boundary of said $SE\frac{1}{4}$, 412.19 feet;
Thence North $89^{\circ}39'17''$ West, 2637.08 feet to a point on the West boundary of said $SE\frac{1}{4}$;
Thence North $0^{\circ}04'14''$ West along the West boundary of said $SE\frac{1}{4}$, 412.42 feet to the Northwest corner of the $SE\frac{1}{4}$;
Thence South $89^{\circ}38'59''$ East along the North boundary of said $SE\frac{1}{4}$, 2637.23 feet to THE TRUE POINT OF BEGINNING.

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

Section 17: That part of the $N\frac{1}{2}N\frac{1}{2}SE\frac{1}{4}$, described as follows:

Commencing at the Northeast corner of the $SE\frac{1}{4}$ of said Section 17;
Thence South $0^{\circ}03'00''$ East, 412.19 feet along the Easterly boundary of said $SE\frac{1}{4}$ to THE TRUE POINT OF BEGINNING;
Thence North $89^{\circ}39'17''$ West, 2637.08 feet to the Westerly boundary of said $SE\frac{1}{4}$;
Thence South $0^{\circ}04'14''$ East, 247.81 feet along the Westerly boundary of said $SE\frac{1}{4}$ to the Southwest corner of the $N\frac{1}{2}N\frac{1}{2}SE\frac{1}{4}$;
Thence South $89^{\circ}39'17''$ East, 2637.00 feet along the Southerly boundary of said $N\frac{1}{2}N\frac{1}{2}SE\frac{1}{4}$ to a point on the Easterly boundary of said $SE\frac{1}{4}$;
Thence North $0^{\circ}03'00''$ West, 247.81 feet along the Easterly boundary of said $SE\frac{1}{4}$ to THE TRUE POINT OF BEGINNING.

PARCEL NO. 2

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

Section 5: Government Lot 2; $S\frac{1}{2}NE\frac{1}{4}$; $N\frac{1}{2}SE\frac{1}{4}$; $SE\frac{1}{4}SE\frac{1}{4}$; that part of the $NE\frac{1}{4}SW\frac{1}{4}$ and $SW\frac{1}{4}SE\frac{1}{4}$ lying North and East of the Main Canal of the North Side Canal Co., Ltd.

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-Continued-

SOUTH HALF

59944'± 140.0' MICROFILMED JAN 09 2002 P SECTION 1 TWP. 3 S. RGE. 18 E. C			
	POL#3		L = 2

"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."

Section 18 400'

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-02305

DEC 16 AM 11:17
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME & ADDRESS: RILEY WALTERS
RUTH WALTERS
230 N 800 E
JEROME ID 83338

SOURCE: GROUNDWATER

QUANTITY: 4.4 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-14285 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.40 CFS.

USE OF THIS RIGHT WITH RIGHT NO. 36-14285 IS LIMITED TO A
TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1096 AF.

PRIORITY DATE: 07/12/1956

POINT OF DIVERSION: T08S R18E S04 NENESE Within JEROME County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	4.4 CFS

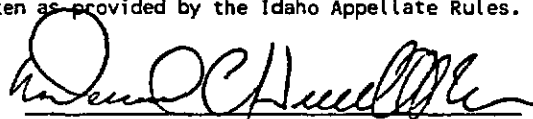
PLACE OF USE:	IRRIGATION	Within JEROME County
	T08S R18E S04	NESW 40 NWSW 17 SWSW 18 SESW 40 NESE 39 NWSE 40 SWSE 40 SESE 40
	274 ACRES TOTAL	

USE OF THIS RIGHT WITH RIGHT NO. 36-14285 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 274 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 254 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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 36-2305 and 36-14285

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

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JAN 09 2002