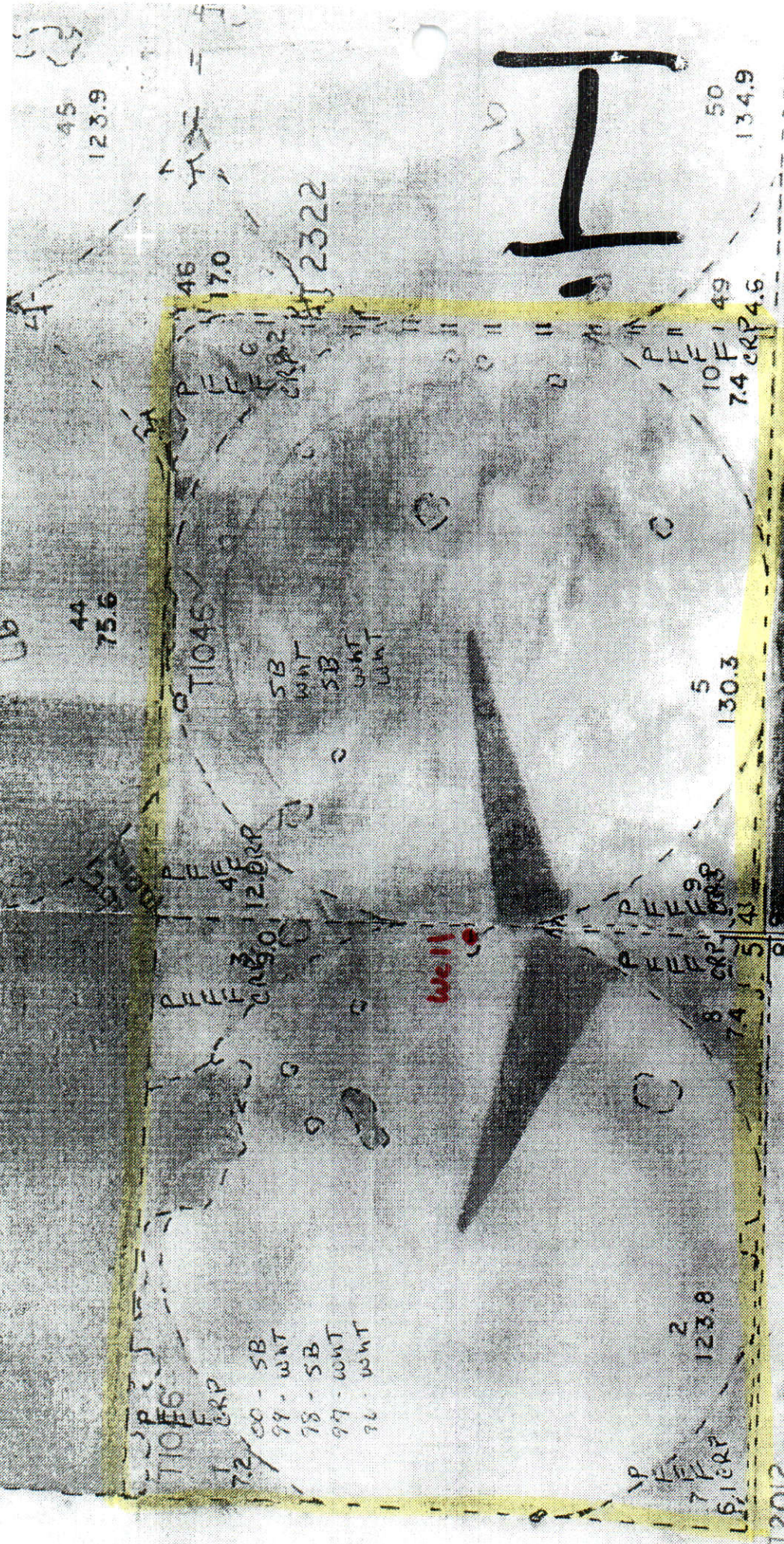


AERIAL MAP PARCEL 5



MICROFILMED
MAR 11 2003

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JAN 23 2003

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JAN 21 2003

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

Department of Water Resources

Department of Water Resources
Southern Region

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

1. Water Right No(s): 36-2195A
Adjudication Claim No(s): _____
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question. WITH ATTACHED LEGAL DESCRIPTION.
 - AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant THE PRUDENTIAL INSURANCE COMPANY OF AMERICA
7108 N. FRESNO STREET #400 FRESNO, CA 93700
4. New Owner/Claimant(s) B & H FARMING, A PARTNERSHIP
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address BOX 123
City, State and ZIP Code RUPERT, IDAHO 83350
New Telephone Number (208) 436-0292
5. Date you acquired the property 12-17-2002
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) X B & H Farming Date _____
X Ron's Bank Date 12/17/02
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

Receipt # S025457 --- \$25.00 --- 1.21.03 --- T. FAULST

MICROFILMED

MAR 11 2003

48156SM

462741

TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

Instrument # 462741
MINIDOKA COUNTY, RUPERT, IDAHO
2002-12-17 04:16:11 No. of Pages: 2
Recorded for : RUPERT LAND TITLE
DUANE SMITH Fee: 6.00
Ex-Officio Recorder Deputy Li

**** SPACE ABOVE FOR RECORDER ****

QUITCLAIM DEED

For Value Received **THE PRUDENTIAL INSURANCE COMPANY OF AMERICA**, who acquired title as **Prudential Insurance Company of America**, does hereby convey, remise and forever quit claim unto **B & H FARMING, a Partnership**, whose address is: P. O. Box 123, Rupert, ID 83350, the following described premises, to-wit:

WATER RIGHTS 36-2195A OVER THE FOLLOWING DESCRIBED PROPERTY:

PARCEL NO. 1:

TOWNSHIP 7 SOUTH, RANGE 24 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

SECTION 4: SW1/4

PARCEL NO. 2:

TOWNSHIP 7 SOUTH, RANGE 24 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

SECTION 5: SE1/4

together with their appurtenances.

Dated: December 12, 2002

THE PRUDENTIAL INSURANCE COMPANY OF AMERICA

BY: R.T. Robertson
R.T. ROBERTSON, Vice-President

* * * * *

STATE OF _____
County of _____

On this _____ day of December, 2002, before me, the undersigned, Notary Public in and for said State, personally appeared **R.T. ROBERTSON**, known or identified to me to be the Vice President of the corporation that executed this instrument, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

Notary Public for _____
Residing at: _____
My Commission expires: _____

See attached

RECEIVED

JAN 21 2003

Department of Water Resources
Southern Region

MICROFILMED

MAR 17 2003

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Fresno

On December 12, 2002, before me, Linda Matthews, Notary Public, personally appeared R.T. Robertson, personally known to me, to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.



WITNESS my hand and official seal.

Linda Matthews
Signature of Notary

CAPACITY CLAIMED BY SIGNER

☒ Corporate Officer

Vice President

Title

DESCRIPTION OF ATTACHED DOCUMENT

Quitclaim Deed

TITLE OR TYPE OF DOCUMENT

SIGNER IS REPRESENTING:

The Prudential Insurance Company of America

(Including Notary Acknowledgments)

2

No. of Pages

December 12, 2002

DATE OF DOCUMENT

MICROFILMED

MAR 11 2003

RECEIVED

JAN 21 2003

Department of Water Resources
Southern Region

16632

462740

Case No. 48156SM

TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

Instrument # 462740
MINIDOKA COUNTY, RUPERT, IDAHO
2002-12-17 04:14:27 No. of Pages: 2
Recorded for : RUPERT LAND TITLE
DUANE SMITH Fee: 6.00
Ex-Officio Recorder Deputy Li

**** SPACE ABOVE FOR RECORDER ****

WARRANTY DEED

FOR VALUE RECEIVED **THE PRUDENTIAL INSURANCE COMPANY OF AMERICA**, who acquired title as **Prudential Insurance Company of America**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **B & H FARMING, a Partnership**, hereinafter called Grantee, whose address is: P.O. Box 123, Rupert, ID 83350, the following described premises in Minidoka County, Idaho; to-wit:

PARCEL NO. 1:
TOWNSHIP 7 SOUTH, RANGE 24 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

SECTION 4: SW1/4

PARCEL NO. 2:
TOWNSHIP 7 SOUTH, RANGE 24 EAST, BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

SECTION 5: SE1/4

SUBJECT TO:

- All reservations in patents of deeds in the chain of title.
- Taxes for 2002 and subsequent years, a lien, but not yet due or payable.
- Assessments if any, levied or to be levied by the Magic Valley Ground Water District.

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

Dated: December 12, 2002

THE PRUDENTIAL INSURANCE COMPANY OF AMERICA

BY: R.T. Robertson
R.T. ROBERTSON, Vice-President

* * * * *

STATE OF _____
County of _____

On this _____ day of December, 2002, before me, the undersigned, Notary Public in and for said State, personally appeared **R.T. ROBERTSON** known or identified to me to be the Vice President of the corporation that executed this instrument, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

Notary Public for _____
Residing at: _____
My Commission expires: _____

See attached

RECEIVED
MICROFILMED JAN 21 2003
MAR 11 2003 Department of Water Resources
Southern Region

45
123.9

146
170

2322

Handwritten 'H' and other markings

50
134.9

10
7.4
149
4.6

5
130.3

AERIAL MAP PARCEL 5

100 - SB
99 - WNT
78 - SB
97 - WNT
76 - WNT

T2012

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MAR 11 2003

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

In Re SR8A)
)
Case No. 39576)
)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR JUL 15 AM 11:32

Water Right 36-02195A

DISTRICT COURT-SR8A
TWIN FALLS CO., IDAHO

NAME & ADDRESS: ACEQUIA INC
PO BOX 226
SUN VALLEY ID 83353

SOURCE: GROUNDWATER

QUANTITY: 3.61 CFS
1280.0 AFY

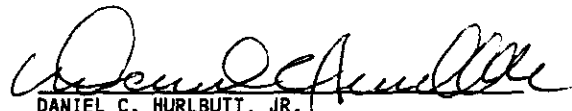
PRIORITY DATE: 02/25/1953

POINT OF DIVERSION: T07S R24E S05 SENESE Within MINIDOKA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	3.61 CFS 1280.0 AFY

PLACE OF USE:	IRRIGATION	Within MINIDOKA County			
	T07S R24E S04	NESW 40.0	NWSW 40.0	SWSW 40.0	SESW 40.0
	S05	NESE 40.0	NWSE 40.0	SWSE 40.0	SESE 40.0
	320.0 ACRES TOTAL				

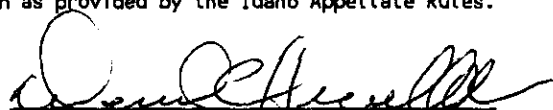
DATED: JUL 15 1997


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

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.

DATED: JUL 15 1997

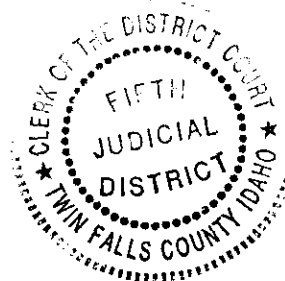

DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

MICROFILMED

MAR 11 2003

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-02195A

State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a full,
true and correct copy of the original on
file in the above entitled action.
ROBERT S. FORT
CLERK OF THE DISTRICT COURT
By 
DEPUTY CLERK



PAGE 1
JUN-10-1997

2001 DEC -3 PM 4:31

FILED
TWIN FALLS CO., IDAHO
IT-SRBA

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	)	Water Right 36-02195A
	)	
	)	ORDER AMENDING IRRIGATION PERIOD OF USE
	)	ELEMENT IN PARTIAL DECREE and
Case No. 39576	)	INCORPORATING INTO PARTIAL DECREES AN
	)	EXPRESS STATEMENT REGARDING GENERAL
	)	PROVISIONS, <i>NUNC PRO TUNC</i>

A *Partial Decree* was entered for the above-captioned irrigation water right on July 15, 1997. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, on June 24, 1999, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of Use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this *Supplemental Director's Report*.

THEREFORE, IT IS ORDERED that the period of use element for the irrigation portion of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 03-15 to 11-15

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court at a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

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.

Dated December 3, 2001.



ROGER BURDICK

Presiding Judge

Snake River Basin Adjudication

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 JUL 15 AM 11:32

Water Right 36-02195A

CLERK OF THE DISTRICT COURT
TWIN FALLS, IDAHO

NAME & ADDRESS: ACEQUIA INC
PO BOX 226
SUN VALLEY ID 83353

SOURCE: GROUNDWATER

QUANTITY: 3.61 CFS
1280.0 AFY

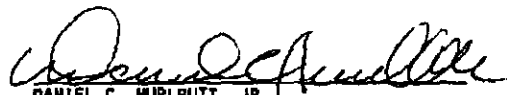
PRIORITY DATE: 02/25/1953

POINT OF DIVERSION: T07S R24E S05 SESESE Within MINIDOKA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		Irrigation Season	3.61 CFS 1280.0 AFY

PLACE OF USE:	IRRIGATION	Within MINIDOKA County				
T07S R24E S04	NESW 40.0	NWSW 40.0	SWSW 40.0	SESW 40.0		
S05	NESE 40.0	NWSE 40.0	SWSE 40.0	SESE 40.0		
320.0 ACRES TOTAL						

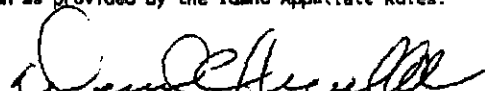
DATED: JUL 15 1997


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

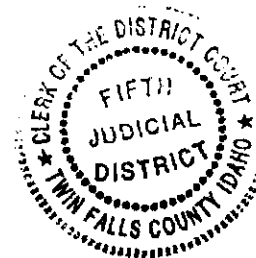
RULE 54(b) CERTIFICATE

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.

DATED: JUL 15 1997


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

State of Idaho
County of Twin Falls ss.
I, Robert S. Fort, certify the foregoing to be a full,
true and correct copy of the original on
file in the above entitled action.
ROBERT S. FORT
CLERK OF THE DISTRICT COURT
By [Signature]
DEPUTY CLERK



PAGE 1
JUN-10-1997

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JUN 11 2002

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JUL 17 1997

Department of Water Resources
Adjudication Bureau

1997 JUL 15 AM 11:32

DISTRICT COURT-SEDA
TWIN FALLS, IDAHO
FILED

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

) ORDER OF PARTIAL DECREE

Case No. 39576

) For Water Right 36-02195A
)
)
)

On May 15, 1997, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 14a, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 36-02195A be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED July 15, 1997.


DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

ORDER OF PARTIAL DECREE
6/25/97

MICROFILMED
JUN 11 2002

Idaho Department of Water Resources Receipt

Receipt ID C072092

Payment Amount \$25.00 Date Received 12/26/2003 11:24:24 AM Region State Status
Payment Type Check Check Number 004567

Payer B & H FARMING

Comment CHANGE IN WATER RIGHT OWNERSHIP NO. 36-2195A

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$25.00	OWNERSHIP CHANGES/SECURITY INTERESTS	0229	21	56140	1155


Signature Line (Dept. Representative)

DEBBIE ALLEN . . .

PLEASE ARRANGE FOR FULL REFUND OF \$25.00 ON THIS RECEIPT FOR:

B & H FARMING
PO BOX 123
RUPERT ID 83350

THE REQUEST FOR OWNERSHIP CHANGE RECEIVED IN DECEMBER 2003 DUPLICATED AN OWNERSHIP CHANGE THAT WAS COMPLETED IN JANUARY 2003.

THANK YOU,


KARI LYNN
12-29-2003

MICROFILMED

JAN 15 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 31, 2003

B & H FARMING A PARTNERSHIP
BOX 123
RUPERT ID 83350

RE: Change of Ownership for Water Right 36-2195A

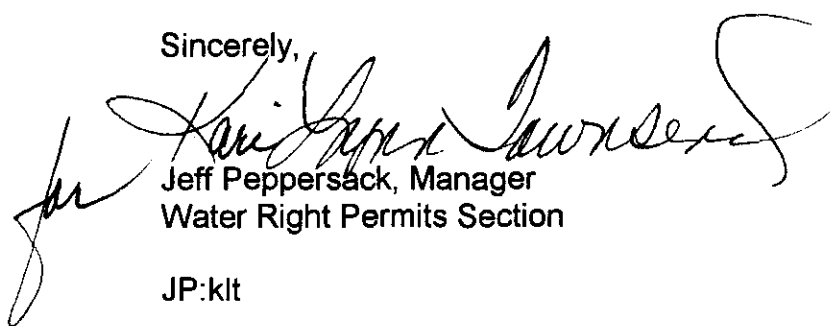
Dear Water Right Holder(s):

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

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

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

Sincerely,



Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED

MAR 11 2003