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STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

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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): _____
Adjudication Claim No(s): A45-10562
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 ORE-IDA Foods Inc
PO Box 10, Boise, ID 83707
4. New Owner/Claimant(s) Chris Drakos
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 203 E 1100 S
City, State and ZIP Code Burley, ID 83318
New Telephone Number (208) 678-2668
- X 5. Date you acquired the property 12-30-1992
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.
- X 7. Signature of New Owner or Claimant(s) Coupling Power of Attorney
(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..

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INSTRUCTIONS

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

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

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

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

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

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

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

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3433

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

222544

WARRANTY DEED

DEED, made this 30th day of December, 1992, between ORE-IDA FOODS, INC., a Delaware corporation qualified to do business in Idaho, whose address is Box 10, Boise, Idaho 83707 ("Grantor") and CHRIS DRAKOS, Box 793, Blackfoot, Idaho 83221 ("Grantee").

W I T N E S S E T H:

The Grantor for and in consideration of Ten Dollars (\$10.00) lawful money of the United States of America and other good and valuable consideration to the Grantor in hand paid by the Grantee, receipt and sufficiency hereof is hereby acknowledged, has granted, bargained, sold and by these presents does grant, bargain and sell, convey and confirm unto the Grantee and to the heirs and assigns of the Grantee forever, all of the following described real estate in the County of Cassia, State of Idaho, to-wit:

Particularly described on Schedule A attached hereto and made a part hereof by reference.

SUBJECT TO:

1. Taxes, levies and assessments subsequent to 1992.
2. Assessments of the Southwest Irrigation District and the rights and powers of said District as by law provided.
3. Easement from Cassia County, State of Idaho, by and through the Cassia County Commissioners, to Idaho Power Company, dated August 13, 1951 and recorded August 24, 1951 as Instrument No. 173307 in Book 14 of Miscellaneous on page 326, records of Cassia County, Idaho, over and across Parcel No. 1.

1 4. Mineral Deed from Mrs. Gennie
2 Buttars, a widow to Fred Foss, dated May 15,
3 1952 and recorded June 6, 1952 as Instrument
4 No. 175767 in Book 54 of Deeds, Page 546,
5 records of Cassia County, Idaho, for an
undivided one-half interest in and to all of
the oil, gas, and other minerals. (SE $\frac{1}{4}$ of
Section 2, Township 12 South, Range 22 East
of the Boise Meridian).

6 5. Power Line Easement from Victor R.
7 Smith and Donna A. Smith, his wife to Idaho
8 Power Company, a corporation, dated July 28,
9 1953, and recorded April 8, 1955 as
Instrument No. 185776 in Book 15 of
Miscellaneous, on Page 250, records of Cassia
county, Idaho, granting an easement over and
across the S $\frac{1}{2}$ NW $\frac{1}{4}$ and the SW $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 33,
Township 11 South, Range 23 East, Boise
Meridian.

11 6. Power Line Easement from Ore-Ida
12 Foods Co. to Idaho Power Company, a
13 corporation, dated March 21, 1972 and
14 recorded July 3, 1972 as Instrument No. 63849
15 on Film No. 76, records of Cassia County,
Idaho, over and across a portion of the
SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, Township 12 South,
Range 23 East, Boise Meridian.

16 7. Notice of Intent to Preserve executed
17 by Ladd Petroleum Corporation dated September
18 17, 1984, and recorded September 24, 1984 as
Instrument No. 16 3826 on Film No. 167,
records of Cassia County, Idaho.

19 TOGETHER with all and singular the tenements,
20 hereditaments and appurtenances thereunto belonging or in
21 anywise appertaining, the reversion and reversions, remainder
22 and remainders, rents, issues and profits thereof and all
23 estate, right, title and interest in and to said real estate as
24 well in law as in equity of the Grantor.

25 To have and to hold all and singular the above-
26 described real estate, together with appurtenances unto the

1 Grantee and to the heirs and assigns of the Grantee forever.

2 The Grantor shall and will warrant and by these
3 presents will forever defend the real estate in the quiet and
4 peaceful possession of the Grantee and the heirs and assigns of
5 the Grantee against all and every person and persons whomsoever
6 lawfully claiming the same except as to the aforesaid listed
7 exceptions.

8 The Grantor additionally conveys to the Grantee,
9 without warranty, express or implied, water rights evidenced by
10 water license numbers A45-02615, A45-02600, A45-04037, and A45-
11 02382. The Grantor transfers by this deed any interest it may
12 have into such water rights without said warranty as to
13 quantity, quality, or legal right thereto. The Grantor
14 additionally conveys to the Grantee, without implied or express
15 warranty any and all other water rights that may be appurtenant
16 to the real estate described on Schedule A with the same
17 reservations as specified to the identified license numbers.
18 The conveyance of the water rights are further subject to the
19 proceedings pending in the District Court of the Fifth Judicial
20 District of the State of Idaho in and for the County of Twin
21 Falls, in case number 39576, known as "In RE: The general
22 adjudication of rights to the use of Water to the Snake River
23 Basin Water System.

24 IN WITNESS WHEREOF, the Grantor has executed this deed
25 the day and first above written by ^{CHARLES}~~Chuck~~ C. White, Vice
26 President Finance, as duly authorized by the Directors of the

1 Grantor.

2 ORE-IDA FOODS, INC.

3 BY Chuck C. White
4 Vice President Finance

5 STATE OF IDAHO)
6 County of Ada) ss

7 On this _____ day of _____, in the year 19____,
8 before me, the undersigned, a Notary Public in and for said
9 State, personally appeared CHUCK C. WHITE, known or identified
10 to me to be the Vice President Finance of ORE-IDA FOODS, INC.,
11 the corporation that executed the instrument or the person who
12 executed the instrument on behalf of said corporation, and
13 acknowledged to me that such corporation executed the same.

14 Notary Public for Idaho
15 Residing at _____
16 My commission expires on _____

17 *See Attached*

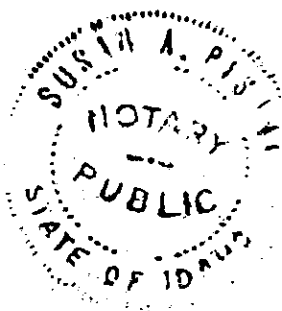
PARSONS, SMITH, STONE & FLETCHER
LAWYERS
BURLEY, IDAHO

STATE OF IDAHO

COUNTY OF ADA

}
}
} ss

On this 30th day of December, 1992, before me, Susan A. Pisani, a Notary Public, personally appeared Charles C. White, personally known to me to be the Vice President Finance of Ore-Ida Foods, Inc., the person who executed the instrument on behalf of said corporation and acknowledged to me that such corporation executed the same. This certificate is prepared on a separate page and is attached to a Warranty Deed consisting of 5 pages and is attached to that document by means of a staple. If this certificate is detached from this described document, it is VOID.




Notary Public

Residing in: Ada County

Commission Expires: March 19, 1997

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SCHEDULE A

PARCEL NO. 1:

TOWNSHIP 12 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 6: ALL

PARCEL NO. 2:

TOWNSHIP 12 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 2: Beginning at the Southeast corner of said Section 2;
Thence West 1452 feet to the centerline of the Oakley-Burley Highway;
Thence Northeasterly along said centerline 2,619.3 feet to the East boundary line of the SE $\frac{1}{4}$ of said Section 2;
Thence South 2,180 feet to the Point of Beginning.

EXCEPTING that portion deeded to the State of Idaho for highway purposes.

PARCEL NO. 3:

TOWNSHIP 12 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 1: That portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ lying South and East of State Highway 27, EXCEPTING the South 1 rod.

Section 1: That portion of the SW $\frac{1}{4}$ lying South and East of State Highway 27.

Section 11: NE $\frac{1}{4}$, EXCEPTING that portion deeded to the State of Idaho for highway purposes.

Section 12: NW $\frac{1}{4}$

TOWNSHIP 11 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 33: ALL

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RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

FILM 240

1992 DEC 31 P 3:02

222544

CASSIA COUNTY, IDAHO
FRANK B. KEARNEY
RECORDER

FEE 18.00 DEPUTY KM

LAND TITLE & ESCROW

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JAN 30 2001

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 45-10562

NAME AND ADDRESS: ORE-IDA FOODS INC
PO BOX 10
BOISE, ID 83707

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 05/18/1959

POINT OF DIVERSION: T11S R23E S33 SESENE Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS

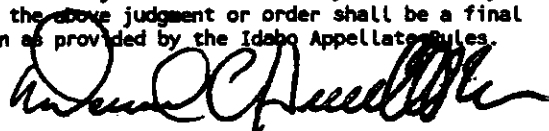
PLACE OF USE: Domestic Within Cassia County
T11S R23E S33 SENE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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

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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

January 19, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CHRIS DRAKOS
203 E 1100 S
BURLEY ID 83318

RE: Change of Ownership for Water Right 45-10562

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 the department if you have questions.

Sincerely,

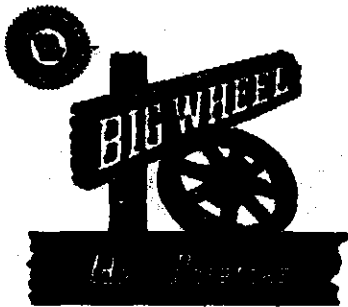
for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

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LAMBERT PRODUCE COMPANY, INC.

PHONE 208/785-4334
P. O. BOX 793
BLACKFOOT, IDAHO 83221

JANUARY 7, 1998

BIG WHEEL
U.S. NO. 1
CHUCK WAGON
BAKERS - U.S. NO. 1
OLD WEST
U.S. NO. 2
CHAMP
U.S. NO. 2



POWER OF ATTORNEY

TO WHOM IT MAY CONCERN:

I, CHRIS DRAKOS, PRESIDENT OF LAMBERT PRODUCE COMPANY INC.
OF BLACKFOOT, IDAHO, DO HEREBY AND APPOINT MR. CORY KING TO
REPRESENT ME AND LAMBERT PRODUCE CO INC. THE POWER OF ATTORNEY
TO SIGN AND ADMINISTER ALL PAPERS REGARDING WATER RIGHTS.

SIGNED: Chris Drakos

CHRIS DRAKOS, PRESIDENT

STATE OF IDAHO)
) ss
COUNTY OF BINGHAM

I, BLAYNE D BIRD, A NOTARY OF PUBLIC, DO HEREBY CERTIFY THAT ON THIS
7TH. DAY OF JANUARY 1998, personally appeared before me, CHRIS DRAKOS,
WHO, BEING AT THE FIRST DULY SWORN, DECLARED THAT HE IS THE PRESIDENT
OF LAMBERT PRODUCE CO INC., AND SIGNED THE FOREGOING DOCUMENT OF THE
CORPORATION, AND THAT THE STATEMENTS CONTAINED ARE TRUE.

Blayne D Bird
NOTARY PUBLIC

RESIDING IN: Blackfoot, Idaho
MY COMMISSION EXPIRES

MY COMMISSION EXPIRES
MARCH 28, 2003

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JAN 30 2001

TOTAL P.01



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

December 27, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CHRIS DRAKOS
203 E 1100 S
BURLEY ID 83318

RE: Change in Ownership for Water Right 45-10562

Dear Mr. Drakos:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership.

Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

_____ **Filing Fee** of \$25 per water right

_____ **Filing Fee** of \$100 per water right for changes resulting from division of a water right

_____ **Signature**

_____ **Notarized Signature** for Assignment of Permit

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

_____ **Evidence of Security Interest:** copy of Deed of Trust, Mortgage, Contract of Sale or other legal document indicating your interest in the property and water rights in question

_____ **Security Interest Expiration Date**

☒ **Legal Description of Property**

_____ **Plat of Property or Survey Map** usually on file with the county

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____ **USDA Farm Service Agency (formerly ASCS) Aerial Photo** with irrigated
acres outlined and point(s) of diversion clearly marked

____ **Description of Portion of Water Right** resulting from division of water right

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

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

Please feel free to contact the Department if you have any questions.

Sincerely,



Kari Lynn Townsend
Secretary

KLT:k

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