

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE BEAR RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 79576

Claim ID: 13-2159

Date Received: 10.25.24

Receipt No: C119211

Claim Fee: 60.00 By: km

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

OCT 25 2024

DEPT. OF WATER RESOURCES

Please type or print clearly

1. Name of claimant(s) G & H Dairy, LLC Phone (208) 539-3799
Mailing address 3249 South 1950 East, Wendell, ID Zip 83355
Street or Box City State
Email address (optional) _____
2. Date of priority: (Only one per claim) 9/18/1946 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water () or Other () (a) Atkinson Creek
which is tributary to (b) Sinks
4. a. Location of point of diversion is: Township 15S, Range 38E, Section 4,
SE 1/4 of SE 1/4, Govt. Lot _____, BM, County of Franklin
Parcel no. _____
Additional points of diversion, if any: _____
If available, GPS Coordinates _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, County of _____
Ending point is: Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, County of _____
5. Description of existing diversion works (dams, reservoirs, ditches, wells, pumps, pipelines, headgates, etc.),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.
A system of pipelines from the point of diversion to the Dairy

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD) (cfs) (acre-feet)

For Irrigation purposes from 04/01 to 10/31 amount .10 or _____

For Domestic purposes from 01/01 to 12/31 amount .10 or _____

For Stockwater purposes from 01/01 to 12/31 amount .10 or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .10 (cfs) and/or (b) _____ (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) Dairy facilities for more than 3,200 cows, 4 homes and several mobile homes.

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15S	38E	11						S/D	S/D										

Parcel no(s). _____ Total number of acres irrigated _____

10. In which county(ies) are lands listed above as place of use located? Franklin

11. Do you own the property listed above as place of use? Yes (☒) No (☐)
If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.
13-2159 or None (☐)

13. Remarks (Include an explanation of the priority date selected):

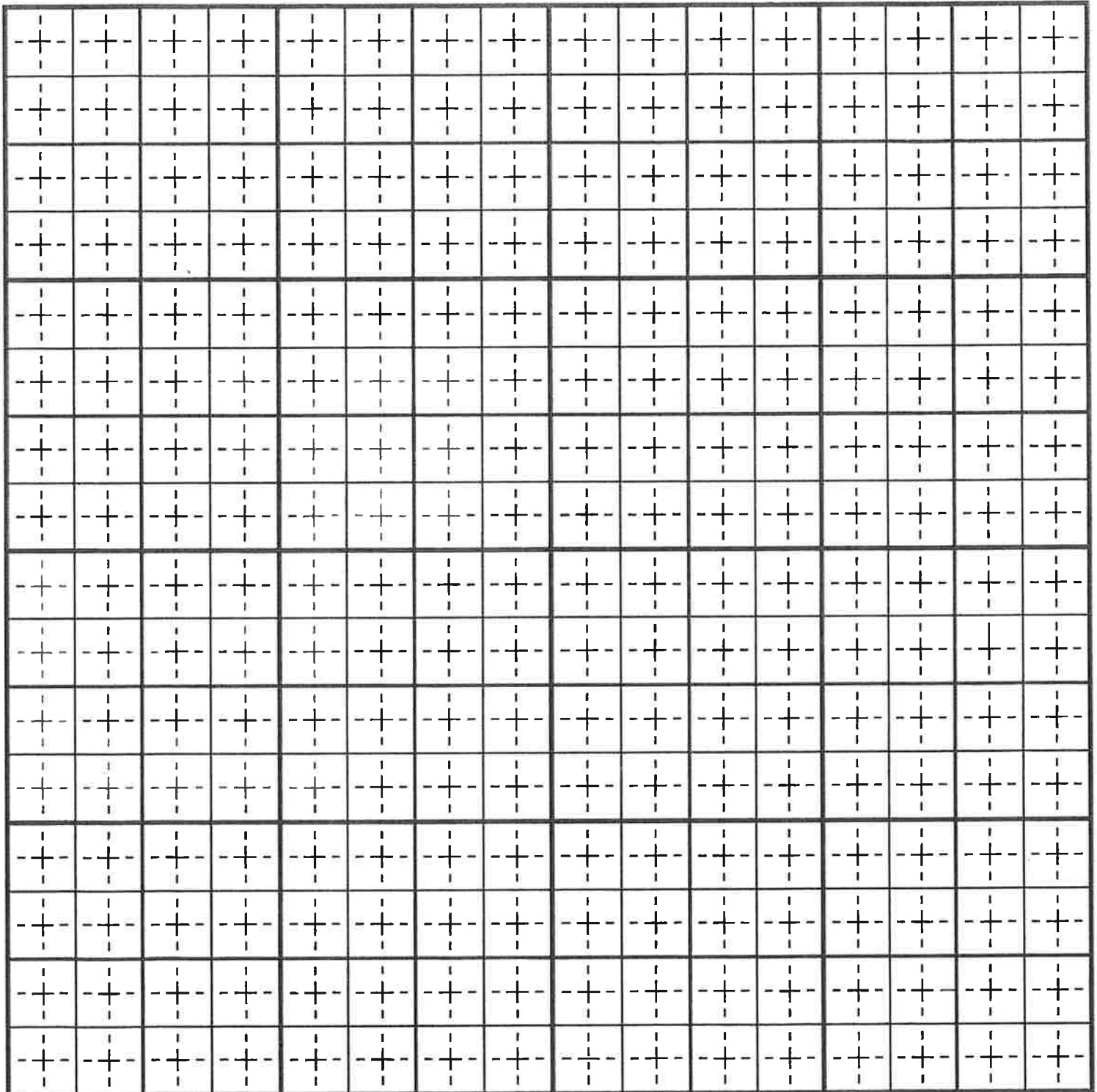
~~This water right is currently listed in a name of Hilltop Water Association and the place of use for said water right includes the property currently owned by the Claimant. Claimant does not believe Hilltop Water Association currently exists and thus the Claimant is claiming that portion of the water right which is appurtenant to the Claimant's property.~~

The place of use includes some irrigation of landscaping.

Name of claimant(s) G & H Dairy, LLC Claim ID _____

Map of Project: Attach aerial photograph or topographic map showing clearly the point of diversion, place of use, section number, township, and range number, unless unavailable. Otherwise sketch the elements above on the grid below.

Scale: 2 inches equals 1 mile



Name of claimant(s) _____ Claim ID _____

14. Basis of claim (Check one) Beneficial Use () Posted Notice () License (☒) Permit () Decree ()

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 13-2155

15. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Bear River Basin Water System Adjudication."

(b.) I/We do () do not (☒) wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1 - Deeds

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

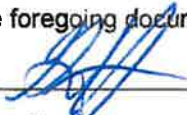
Signature of Claimant (s) _____ Date: _____

_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

Member _____ of G & H Dairy, LLC
Agent's title (Please print) Name of organization (Please print)

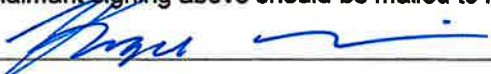
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent  Date 10/24/24

Printed Name of Authorized Agent Gilbert Hurtado

16. Notice of Appearance:

Notice is hereby given that I, (please print) S. Bryce Farris/Sawtooth Law Offices, PLLC, will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature  Date 10/25/24

Address 1101 W. River Street, Ste. 110, Boise, ID 83702

Name of claimant(s) G & H Dairy, LLC Claim ID _____

Water Right Report : 13-2159(License/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	HILLTOP WATER ASSN		DAYTON	ID	83232
Original Owner	BERGESON, E O			ZZ	

Water Right Status

Priority Date : 9/18/1946
Basis : License
Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
ATKINSON CREEK		SINKS	

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
ATKINSON CREEK	15S	38E	4	0		SE	SE	FRANKLIN	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	/	/	0.10 CFS	
STOCKWATER	/	/		
DOMESTIC	/	/		
TOTAL			0.10 CFS	

Places of Use

[Printable View](#) [Paged View](#)

Place of Use Legal Description : IRRIGATION (FRANKLIN county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
15S	38E	2			NW	SW	
15S	38E	2			SW	SW	
15S	38E	3			NE	SE	
15S	38E	3			SE	SE	
15S	38E	11			NW	NW	
15S	38E	11			SW	NW	

Irrigation Totals

Total Acres Acre Limit

Conditions

Code Conditions

AC. IRR. NOT DESCRIBED.

Dates

Licensed Date : 8/8/1952
Decreed Date :
Permit Proof Due Date :
Permit Proof Made Date :

Other Information

State or Federal :
Water District Number : 11
Generic Max Rate Per Acre : 0
Generic Max Volume Per Acre : 0

Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargement Use Priority Date :
Enlargement Statute Priority Date :
Application Received Date:
Protest Deadline Date:

Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

10/23/2024

242718 1-2

NTF-4708A

G & H DAIRY, LLC

~~1987 HIGHLAND AVE~~ 1330 ADDISON AVENUE WEST
TWIN FALLS, ID 83301

Recorded at the request of

Northern Title

a.m. AUG 29 2008 p.m. 2:58

V. ELLIOTT DARSEN, RECORDER
By: C. Darsen Deputy
FRANKLIN COUNTY IDAHO

WARRANTY DEED

CHECKETTS OXFORD MOUNTAIN FARMS, LLC, AN IDAHO LIMITED LIABILITY COMPANY,

Grantor(s) of DAYTON, County of FRANKLIN, State of IDT, hereby

CONVEY AND WARRANT to

G & H DAIRY, LLC, AN IDAHO LIMITED LIABILITY COMPANY,

Grantee(s) of TWIN FALLS, County of TWIN FALLS, State of ID for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in Franklin County, State of Idaho:

PARCEL 4:

TOWNSHIP 15 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO:

SECTION 11: COMMENCING AT THE NORTHWEST CORNER OF SECTION 11, DESIGNATED BY A MARKER DATED 1967 AND BEARING THE INSCRIPTION "SECTION Y376", WHICH MARKER IS SET IN THE TWIN LAKES CANAL COMPANY BRIDGE ABUTMENT, THENCE SOUTH 2,475 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 433 FEET; THENCE EAST 998 FEET; THENCE NORTH 433 FEET; THENCE WEST 998 FEET TO THE POINT OF BEGINNING.

Subject to easements, restrictions and rights of way of record, and taxes for the year 2008 and thereafter.

Witness, the hand(s) of said Grantor(s), this 21st day of August, 2008.

CHECKETTS OXFORD MOUNTAIN FARMS LLC

Brice E. Checketts
By: BRICE CHECKETTS, MEMBER

Marlene J. Checketts
By: MARLENE CHECKETTS, MEMBER

Ty Checketts
By: TY CHECKETTS, MEMBER

Logan Checketts
By: LOGAN CHECKETTS, MEMBER

State of Idaho)
County of Franklin)

On August 21st, 2008, personally appeared before me BRICE CHECKETTS and MARLENE CHECKETTS and TY CHECKETTS and LOGAN CHECKETTS, who being duly sworn did say that he/she is the Manager/Member of CHECKETTS OXFORD MOUNTAIN FARMS L.L.C., and that the said instrument was signed in behalf of said Limited Liability Company by the authority of its Articles of Organization and Operating Agreement, and the aforesaid individual(s) acknowledged to me that said Company executed the same.


Notary Public

Resides: Preston, Idaho
Expires: 03/12/2011



NTF-4800

G & H DAIRY, LLC, AN IDAHO LIMITED LIABILITY COMPANY
1330 ADDISON AVENUE WEST
TWIN FALL, ID 83301

243373 1-2

Recorded at the request of
NORTHERN TITLE

____ a.m. NOV 06 2008 p.m. 2:40

V. ELLIOTT LARSEN, RECORDER
By Sauna Geddes Deputy
FRANKLIN COUNTY, IDAHO

WARRANTY DEED

BRICE E. CHECKETTS and MARLENE G. CHECKETTS, HUSBAND AND WIFE,

Grantor(s) of DAYTON, County of FRANKLIN, State of IDAHO, hereby **CONVEY AND WARRANT** to

G & H DAIRY, LLC, AN IDAHO LIMITED LIABILITY COMPANY,

Grantee(s) of TWIN FALL, County of TWIN FALLS, State of ID for the sum of TEN DOLLARS AND
OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in Franklin
County, State of Idaho:

See Attached Exhibit "A"

Subject to easements, restrictions and rights of way of record, and taxes for the year 2008 and thereafter.

Witness, the hand(s) of said Grantor(s), this October 27, 2008.

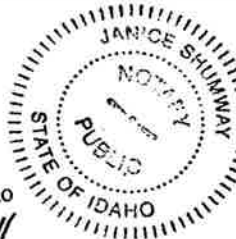
Brice E. Checketts
BRICE E. CHECKETTS

Marlene G. Checketts
MARLENE G. CHECKETTS

State of Idaho)
County of Franklin)

On October 31, 2008, personally appeared before me BRICE E. CHECKETTS and MARLENE G.
CHECKETTS the signer(s) of the within instrument, who duly acknowledged to me that they executed the
same.

Residing: Preston, Idaho
Expires: 3-12-2011



Janice Shumway
Notary Public

"EXHIBIT A"SECTION 11:
PARCEL A-2:

A parcel of land located in Section 11, Township 15 South, Range 38 East, Boise Meridian, Franklin County, Idaho, and more particularly described as follows:

Beginning at the North quarter corner of said Section 11, from which the Northeast corner of Section 11 bears South 89° 47' 45" East;
Thence South 89° 45' 47" East 376.42 feet along the North boundary of said Section 11 to a 5/8" rebar and cap labeled "A.L.S., PLS 9163";
Thence South 51° 24' 30" East 821.39 feet to a 5/8" rebar and cap;
Thence North 86° 37' 25" East 70.00 feet to a 5/8" rebar and cap at the Westerly right of way line of the Union Pacific Railroad;
Thence South 03° 22' 35" East 2173.94 feet along said Westerly right of way line to a 5/8" rebar and cap at Easterly extension of an irrigation line;
Thence North 89° 19' 14" West 614.83 feet along said irrigation line to a 5/8" rebar and cap;
Thence South 89° 39' 39" West 1292.24 feet to a 5/8" rebar and cap;
Thence North 78° 01' 26" West 194.36 feet to a 5/8" rebar and cap;
Thence North 08° 43' 58" West 20.39 feet to a 5/8" rebar and cap;
Thence North 52° 53' 33" West 358.53 feet to a 5/8" rebar and cap;
Thence North 42° 21' 05" West 431.25 feet to a 5/8" rebar and cap;
Thence North 46° 54' 15" West 92.02 feet to a 5/8" rebar and cap;
Thence North 05° 48' 33" West 140.15 feet to a 5/8" rebar and cap;
Thence North 28° 52' 03" West 61.67 feet to a 5/8" rebar and cap;
Thence North 00° 52' 24" West 912.48 feet to a 5/8" rebar and cap;
Thence North 06° 39' 10" West 64.72 feet to a 5/8" rebar and cap;
Thence North 00° 37' 32" East 667.70 feet to a 5/8" rebar and cap;
Thence North 16° 31' 51" West 60.28 feet to a 5/8" rebar and cap;
Thence North 00° 22' 28" West 131.91 feet to a 5/8" rebar and cap at the North boundary of said Section 11;
Thence South 89° 47' 45" East 1603.64 feet along said North boundary line to the Point of Beginning.

NTF-4708

G & H DAIRY, LLC

~~1087 HIGHWAY AND AVE EX~~ 1330 ADDISON AVENUE WEST
TWIN FALLS, ID 83301

a.m. AUG 29 2008 p.m. 2:54

V. ELLIOTT LARSEN, RECORDER
By C. Lam Deputy
FRANKLIN COUNTY IDAHO**WARRANTY DEED**

CHECKETTS OXFORD MOUNTAIN FARMS, LLC, AN IDAHO LIMITED LIABILITY COMPANY

Grantor(s) of DAYTON, County of FRANKLIN, State of ID, hereby **CONVEY AND WARRANT** to

G & H DAIRY, LLC, AN IDAHO LIMITED LIABILITY COMPANY,

Grantee(s) of TWIN FALLS, County of TWIN FALLS, State of ID for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in Franklin County, State of Idaho:

PARCEL 1:

A parcel of land located in the West half of Section 11, Township 15 South, Range 38 East, Boise Meridian, Franklin County, Idaho, and more particularly described as follows:

Commencing at the Northwest corner of said Section 11, from which the North quarter corner of Section 11 bears South 89° 47' 45" East;

Thence South 89° 45' 47" East 343.48 feet along the North boundary of said Section 11 to a 5/8" rebar and cap labeled "A.L.S., PLS 9163", the Point of Beginning.

Thence South 89° 45' 47" East 691.533 feet along said North boundary line to a 5/8" rebar and cap;

Thence South 00° 22' 28" East 131.91 feet to a 5/8" rebar and cap;

Thence South 16° 31' 51" East 60.28 feet to a 5/8" rebar and cap;

Thence South 00° 37' 32" West 667.70 feet to a 5/8" rebar and cap;

Thence South 06° 39' 10" East 64.72 feet to a 5/8" rebar and cap;

Thence South 00° 52' 24" East 912.48 feet to a 5/8" rebar and cap;

Thence South 28° 52' 03" East 61.67 feet to a 5/8" rebar and cap;

Thence South 05° 48' 33" East 140.15 feet to a 5/8" rebar and cap;

Thence South 46° 54' 15" East 92.02 feet to a 5/8" rebar and cap;

Thence South 42° 21' 05" East 431.25 feet to a 5/8" rebar and cap;

Thence South 52° 53' 33" East 358.53 feet to a 5/8" rebar and cap;

Thence South 08° 43' 58" East 20.39 feet to a 5/8" rebar and cap;

Thence South 85° 59' 15" West 308.86 feet to a 5/8" rebar and cap;

Thence North 89° 35' 35" West 344.42 feet to a 5/8" rebar and cap;

Thence South 71° 16' 06" West 53.42 feet to a 5/8" rebar and cap;

Thence North 89° 33' 11" West 1005.77 feet to a 5/8" rebar and cap at the East right of way line of the Westside Highway (F.A.P. S-1739(4));

Thence along said East right of way line the following four (4) courses:

Thence North 00° 06' 56" East 307.31 feet to a 5/8" rebar and cap at Highway Station 87+53.4;

Thence North 00° 07' 58" West 1151.09 feet to Highway Station PC 99+03.9, the beginning of a 85908.70 foot radius non-tangent curve concave to the East, whose center bears North 89° 49' 59" East;

Thence Northerly along said curve through a central angle of 00° 31' 59" a distance of 799.23 feet to Highway Station PT 107+03.9 (chord = North 00° 05' 59" East 799.23 feet);

Thence North 00° 23' 41" East 96.15 feet along said right of way line to a 5/8" rebar and cap;

Thence East 288.03 feet to a 5/8" rebar and cap at a fence line;

Thence North 01° 08' 49" East 322.71 feet along said fence line to the Point of Beginning.

EXCEPTING THEREFROM:

TOWNSHIP 15 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO:

SECTION 11: COMMENCING AT THE NORTHWEST CORNER OF SECTION 11, DESIGNATED BY A MARKER DATED 1967 AND BEARING THE INSCRIPTION "SECTION Y376", WHICH MARKER IS SET IN THE TWIN LAKES CANAL COMPANY BRIDGE ABUTMENT, THENCE SOUTH 2,475 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 433 FEET; THENCE EAST 998 FEET; THENCE NORTH 433 FEET; THENCE WEST 998 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM:

TOWNSHIP 15 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO:

SECTION 11: COMMENCING AT THE NORTHWEST CORNER OF SECTION 11, DESIGNATED BY A MARKER DATED 1967 AND BEARING THE INSCRIPTION "SECTION Y376", WHICH MARKER IS SET IN THE TWIN LAKES CANAL COMPANY BRIDGE ABUTMENT, THENCE EAST 52 FEET; THENCE SOUTH 340 FEET; THENCE EAST 158 FEET; THENCE NORTH 340 FEET; THENCE EAST 90 FEET; THENCE SOUTH 900 FEET; THENCE WEST 320 FEET; THENCE NORTH 900 FEET TO THE POINT OF BEGINNING.

EXCEPTING COMMENCING AT THE NORTHWEST CORNER OF SECTION 11, DESIGNATED BY A MARKER DATED 1967 AND BEARING THE INSCRIPTION "SECTION Y376", WHICH MARKER IS SET IN THE TWIN LAKES CANAL COMPANY BRIDGE ABUTMENT, THENCE EAST 210 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 340 FEET; THENCE EAST 110 FEET; THENCE NORTH 340 FEET; THENCE WEST 110 FEET TO THE POINT OF BEGINNING.

EXCEPT HIGHWAY RIGHT-OF-WAY ALONG THE WEST LINE OF SECTION 11.

EXCEPTING THEREFROM:

TOWNSHIP 15 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO:

SECTION 11: COMMENCING AT THE NORTHWEST CORNER OF SECTION 11, DESIGNATED BY A MARKER DATED 1967 AND BEARING THE INSCRIPTION "SECTION Y376", WHICH MARKER IS SET IN THE TWIN LAKES CANAL COMPANY BRIDGE ABUTMENT, THENCE EAST 320 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 280 FEET; THENCE EAST 156 FEET; THENCE NORTH 280 FEET; THENCE WEST 156 FEET, TO THE TRUE POINT OF BEGINNING.

PARCEL 2:

A parcel of land located in the Northwest quarter of the Northeast quarter of Section 11, Township 15 South, Range 38 East, Boise Meridian, Franklin County, Idaho, and more particularly described as follows:

Commencing at the North quarter corner of said Section 11, from which the Northeast corner of Section 11 bears South 89° 47' 45" East;

Thence South 89° 45' 47" East 376.42 feet along the North boundary of said Section 11 to a 5/8" rebar and cap labeled "A.L.S., PLS 9163", the Point of Beginning.

Thence South 89° 45' 47" East 421.92 feet along said North boundary line to a 5/8" rebar and cap;

Thence South 51° 24' 30" East 255.04 feet to a 5/8" rebar and cap;

Thence South 03° 22' 35" East 352.38 feet to a 5/8" rebar and cap;

Thence North 51° 24' 30" West 821.39 feet to the Point of Beginning.

TOGETHER WITH an ingress and egress easement described as follows:

Commencing at the North quarter corner of Section 11, Township 15 South, Range 38 East, Boise Meridian, Franklin County, Idaho, from which the Northeast corner of Section 11 bears South 89° 47' 45" East;

Thence South 89° 45' 47" East 798.34 feet along the North boundary of said Section 11 to a 5/8" rebar and cap labeled "A.L.S., PLS 9163", the Point of Beginning.

Thence South 89° 45' 47" East 190.00 feet;

Thence South 03° 22' 35" East 158.69 feet to a 5/8" rebar and cap;

Thence North 51° 24' 30" West 255.04 feet to the Point of Beginning.

PARCEL 3A

A parcel of land located in the Northwest quarter of the Northwest quarter of Section 11, Township 15 South, Range 38 East, Boise Meridian, Franklin County, Idaho, and more particularly described as follows:

Commencing at the Northwest corner of said Section 11, from which the North quarter corner of Section 11 bears South 89° 47' 45" East;

Thence South 89° 45' 47" East 99.41 feet along the North boundary of said Section 11 to a 5/8" rebar and cap labeled "A.L.S., PLS 9163", the Point of Beginning.

Thence South 01° 39' 12" West 46.22 feet along a fence line to a 5/8" rebar and cap;

Thence South 89° 30' 11" West 47.18 feet to a 5/8" rebar and cap at the East right of way line of the Westside Highway (F.A.P. S-1739(4));

Thence North 00° 23' 41" East 36.11 feet to Highway Station PC 111+13.1, the beginning of a 5694.58 foot radius non-tangent curve concave to the East, whose center bears South 89° 38' 45" East;

Thence Northerly along said curve through a central angle of 00° 06' 26" a distance of 10.67 feet to the North boundary of Section 11 (chord = North 00° 24' 28" East 10.67 feet);

Thence South 89° 47' 45" East 48.19 feet along said North boundary line to the Point of Beginning.

PARCEL 3

A parcel of land located in the Northwest quarter of the Northwest quarter (NW1/4NW1/4) of Section 14, Township 15 South, Range 38 East, Boise Meridian, Franklin County, Idaho, and more particularly described as follows:

Commencing at the Northwest corner of said Section 14, from which the North quarter corner of Section 14 bears South 89° 43' 31" East;

Thence South 89° 43' 31" East 18.62 feet along the North boundary of said Section 14 to a 5/8" rebar and cap labeled "A.L.S., PLS 9163" at the East right of way line of Westside Highway (F.A.P. S - 1739(4));

Thence South 00° 26' 10" West 1040.07 feet along said right of way line to a 5/8" rebar and cap, the Point of Beginning.

Thence South 00° 26' 10" West 285.86 feet along said right of way line to a 5/8" rebar and cap at the South boundary line of said NW1/4NW1/4, ;

Thence South 89° 44' 15" East 592.03 feet along said South boundary line to a 5/8" rebar and cap;

Thence North 02° 15' 00" East 326.00 feet to a 5/8" rebar and cap;

Thence North 84° 57' 30" West 242.00 feet to a 5/8" rebar and cap;

Thence South 49° 10' 00" West 112.00 feet to a 5/8" rebar and cap;

Thence North 84° 42' 00" West 160.00 feet to a 5/8" rebar and cap;

Thence West 117.53 feet to the Point of Beginning.

Subject to easements, restrictions and rights of way of record, and taxes for the year 2008 and thereafter.

Witness, the hand(s) of said Grantor(s), this August 21, 2008.

CHECKETTS OXFORD MOUNTAIN FARMS LLC

Brice Checketts
By: BRICE CHECKETTS, MEMBER

Marlene Checketts
By: MARLENE CHECKETTS, MEMBER

Ty Checketts
By: TY CHECKETTS, MEMBER

Logan Checketts
By: LOGAN CHECKETTS, MEMBER

State of Idaho)
County of Franklin)

On August 21st, 2008, personally appeared before me BRICE CHECKETTS and MARLENE CHECKETTS and TY CHECKETTS and LOGAN CHECKETTS, who being duly sworn did say that he/she is the Manager/Member of CHECKETTS OXFORD MOUNTAIN FARMS L.L.C., and that the said instrument was signed in behalf of said Limited Liability Company by the authority of its Articles of Organization and Operating Agreement, and the aforesaid individual(s) acknowledged to me that said Company executed the same.

Janice Shumway
Notary Public

Resides: Preston, Idaho
Expires: 03/12/2011



G & H DAIRY, LLC, AN IDAHO LIMITED LIABILITY COMPANY
1330 ADDISON AVENUE WEST
TWIN FALLS, ID 83301

245896

Recorded at the request of
Northern Title

____ a.m. JUL 13 2009 p.m. 2:21

**CORRECTING
WARRANTY DEED**

V. ELLIOTT LARSEN, RECORDER
By Shauna Geddes Deputy
FRANKLIN COUNTY, IDAHO

The purpose of this deed is to correct the Legal Description of the Warranty Deed recorded August 29, 2008 under instrument number 242721

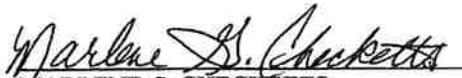
BRICE E. CHECKETTS and MARLENE G. CHECKETTS, husband and wife, Grantor(s) of PRESTON, County of FRANKLIN, State of IDAHO, hereby **CONVEY AND WARRANT** to G & H DAIRY, LLC, AN IDAHO LIMITED LIABILITY COMPANY, Grantee(s) of TWIN FALLS, County of TWIN FALLS, State of IDAHO for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in Franklin County, State of Idaho:

TOWNSHIP 15 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO:
SECTION 11: COMMENCING AT THE NORTHWEST CORNER OF SECTION 11, DESIGNATED BY A MARKER DATED 1967 AND BEARING THE INSCRIPTION "SECTION Y376", WHICH MARKER IS SET IN THE TWIN LAKES CANAL COMPANY BRIDGE ABUTMENT, THENCE EAST 52 FEET; THENCE SOUTH 340 FEET; THENCE EAST 158 FEET; THENCE NORTH 340 FEET; THENCE EAST 110 FEET; THENCE SOUTH 900 FEET; THENCE WEST 320 FEET; THENCE NORTH 900 FEET TO THE POINT OF BEGINNING.
EXCEPTING COMMENCING AT THE NORTHWEST CORNER OF SECTION 11, DESIGNATED BY A MARKER DATED 1967 AND BEARING THE INSCRIPTION "SECTION Y376", WHICH MARKER IS SET IN THE TWIN LAKES CANAL COMPANY BRIDGE ABUTMENT, THENCE EAST 210 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 340 FEET; THENCE EAST 110 FEET; THENCE NORTH 340 FEET; THENCE WEST 110 FEET TO THE POINT OF BEGINNING.
EXCEPT HIGHWAY RIGHT-OF-WAY ALONG THE WEST LINE OF SECTION 11.

Subject to easements, restrictions and rights of way of record, and taxes for the year 2008 and thereafter.

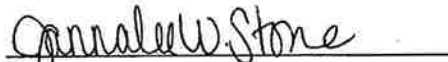
Witness, the hand(s) of said Grantor(s), this ^{July}~~May~~ 13, 2009.


BRICE E. CHECKETTS


MARLENE G. CHECKETTS

State of Idaho)
County of Franklin)

On ^{July}~~May~~ 13, 2009, personally appeared before me and BRICE E. CHECKETTS and MARLENE G. CHECKETTS the signer(s) of the within instrument, who duly acknowledged to me that they executed the same.


Notary Public

Residing: Preston, Idaho
Expires: 05-01-2015

NTF-4708D
G & H DAIRY, LLC
ATTN: JOHN GOMEZ
~~1987 HIGHWAY 200~~
TWIN FALLS, ID 83301

242722

Recorded at the request of

Northern Title

a.m. AUG 29 2008 p.m. 3:06

V. ELLIOTT LARSEN, RECORDER
By [Signature] Deputy
FRANKLIN COUNTY IDAHO

WARRANTY DEED

LOGAN CHECKETTS and LUELLA CHECKETTS,

Grantor(s) of DAYTON, County of FRANKLIN, State of IDAHO, hereby **CONVEY AND WARRANT** to

G & H DAIRY, LLC, AN IDAHO LIMITED LIABILITY COMPANY,

Grantee(s) of TWIN FALLS, County of TWIN FALLS, State of IDAHO for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in Franklin County, State of Idaho:

PARCEL 6:

TOWNSHIP 15 SOUTH, RANGE 38 EAST OF THE BOISE MERIDIAN, FRANKLIN COUNTY, IDAHO:
SECTION 11: COMMENCING AT THE NORTHWEST CORNER OF SECTION 11, DESIGNATED BY A MARKER DATED 1967 AND BEARING THE INSCRIPTION "SECTION Y376", WHICH MARKER IS SET IN THE TWIN LAKES CANAL COMPANY BRIDGE ABUTMENT, THENCE EAST 320 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 280 FEET; THENCE EAST 156 FEET; THENCE NORTH 280 FEET; THENCE WEST 156 FEET, TO THE TRUE POINT OF BEGINNING.

Subject to easements, restrictions and rights of way of record, and taxes for the year 2008 and thereafter.

Witness, the hand(s) of said Grantor(s), this 21st day of August, 2008.

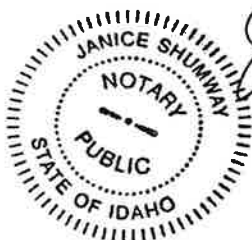
[Signature: Logan Checketts]
LOGAN CHECKETTS

[Signature: Luella Checketts]
LUELLA CHECKETTS

State of Idaho)
County of Franklin)

On August 21, 2008, personally appeared before me LOGAN CHECKETTS and LUELLA CHECKETTS the signer(s) of the within instrument, who duly acknowledged to me that they executed the same.

Residing: Preston, Idaho
Expires: 03/12/2011



[Signature: Janice Shumway]
Notary Public

Idaho Department of Water Resources Receipt

Receipt ID: C119211

Payment Amount	\$60.00	Date Received	10/25/2024	Region	STATE
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Payment Type	Check	Check Number	12833
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Payer SAWTOOTH LAW OFFICE, PLLC

Comments NOTICE OF CLAIM TO A WATER RIGHT
CIVIL CASE NUMBER # 79576
FOR: G & H DAIRY LLC
WR CLAIM OR PARCEL # 13-2159
FOR: BRBA
THE BEAR RIVER BASIN WATER SYSTEM

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$60.00	BRBA CLAIM FILING FEE	81503	0337	2		1155

124

Signature Line (Department Representative)