

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: 13-7629

Date Received: 10.25.24

Receipt No: C119206

Claim Fee: 249.00 By: KM

RECEIVED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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) 8/20/1960 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water (✓) or Other () (a) _____

which is tributary to (b) _____

4. a. Location of point of diversion is: Township 15S, Range 38E, Section 11,
NW 1/4 of NW 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.

Existing well, pumps and pipelines which supply water to the Dairy's pivot and irrigation system

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 1.09 or 289.10

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.09 (cfs) and/or (b) 289.10 (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) _____

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		25	25		36	3.4	3.4	36									128.8

Parcel no(s). _____ Total number of acres irrigated 128.80

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.
13-7649 or None ()

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

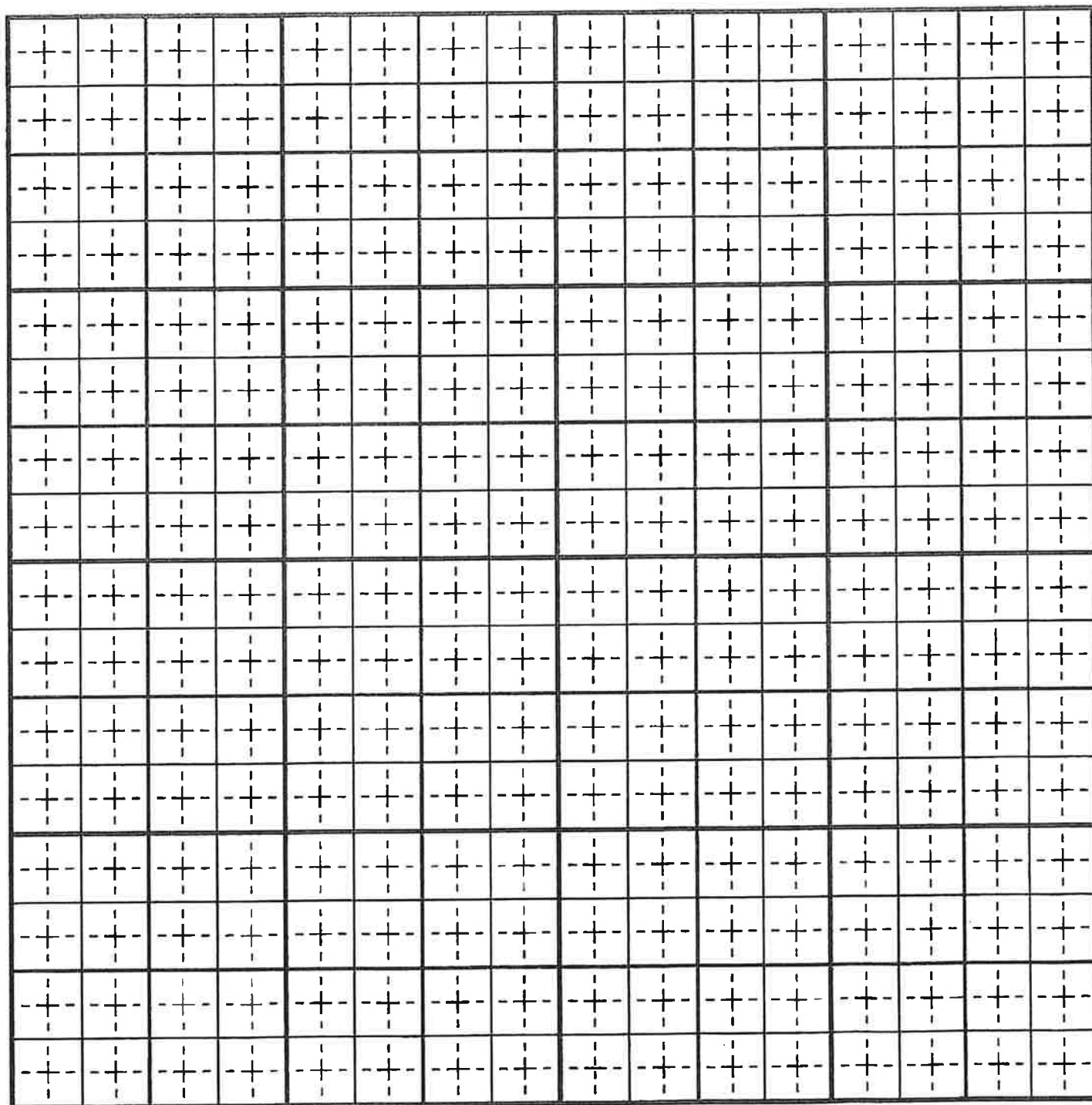
~~This water right is currently listed in a name other than the Claimant. However, Claimant owns the property where this water right is appurtenant and intends to concurrently herewith or shortly thereafter file a Notice of Change of Ownership with the Department. Attached hereto is the Deed for the property where this right is appurtenant.~~

This right is limited to 82.6 acres within the place of use.

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 13-7629

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 - attached Deed

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)

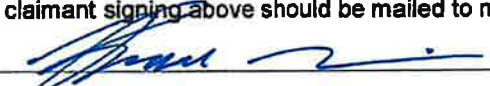
and that the statements contained in the foregoing document are true and correct.

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 : 13-7629(License/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	CHECKETTS OXFORD MOUNTAIN FARM LLC	PO BOX 200	DAYTON	ID	83232
Original Owner	BERGESON, ERVEN O		DAYTON	ID	83232
Previous Owner	J7 LLC	C/O JEFFREY C JOHNSON 247 S 950 E	DECILO	ID	83323-5040

Water Right Status

Priority Date : 8/20/1960
Basis : License
Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	15S	38E	11	0	NW	NW	NW	FRANKLIN	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	1.09 CFS	289.10 AFA
TOTAL			1.09 CFS	289.10 AFA

Places of Use

Place of Use Legal Description : IRRIGATION (FRANKLIN county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
15S	38E	11			NW	NE	25.0
15S	38E	11			SW	NE	25.0
15S	38E	11			NE	NW	36.0
15S	38E	11			NW	NW	3.4
15S	38E	11			SW	NW	3.4
15S	38E	11			SE	NW	36.0

Irrigation Totals

Total Acres	Acre Limit
128.80	82.60

Conditions

Code Conditions

- 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
- 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
- 065 The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.

- 104 If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
- R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
- T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- X27 This right is limited to the irrigation of 82.6 acres within the place of use described above in a single irrigation season.

Dates

Licensed Date : 1/24/1967
Decreed Date :
Permit Proof Due Date :
Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargement Use Priority Date :
Enlargement Statute Priority Date :
Application Received Date:
Protest Deadline Date:

Other Information

State or Federal :
Water District Number : 11
Generic Max Rate Per Acre : 0.02
Generic Max Volume Per Acre : 3.5
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

10/21/2024

State of Idaho
Department of Water Resources
Water Right

13-7629

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 10/21/2024



Legend

- Quarter Quarters
- PLS Sections
- Townships
- Place of Use Boundary
- Point of Diversion



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 DARGEN, RECORDER
By C. Dargen 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

242718 2-2

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 Shauna Geddes Deput
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.



Janice Shumway
Notary Public

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

"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.

242716-4

Recorded at the request of

Northern Title

NTF-4708

G & H DAIRY, LLC

~~1088X HIGHWAY AND AVENUE~~ 1330 ADDISON AVENUE WEST
TWIN FALLS, ID 83301

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

V. ELLIOTT LARSEN, RECORDER
By P. L. Larn 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

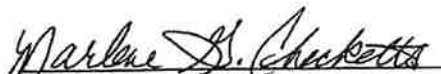
BRICE E. CHECKETTS and MARLENE G. CHECKETTS, husband and wife, Grantor(s) of PRESTON, County of FRANKLIN, State of IDAHO, hereby **CONVEY AND WARRANT** to G & H DAIRY, LLC, AN IDAHO LIMITED LIABILITY COMPANY, Grantee(s) of TWIN FALLS, County of TWIN FALLS, State of IDAHO for the sum of TEN DOLLARS AND 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

~~1087 HIGHWAY 200~~ 1330 ADDISON AVENUE WEST
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

[Signature]
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]
Notary Public

Idaho Department of Water Resources Receipt

Receipt ID: C119206

Payment Amount	\$249.00	Date Received	10/25/2024	Region	STATE
Payment Type	Check	Check Number	12828		
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 #13-7629 FOR: BRBA THE BEAR RIVER BASIN WATER SYSTEM
----------	---

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$249.00	BRBA CLAIM FILING FEE	81503	0337	2		1155



Signature Line (Department Representative)

Boise Office
1101 W. River St.
Suite 110
Boise, Idaho 83702
Tel. (208) 629-7447

Challis Office
1301 E. Main Ave.
P.O. Box 36
Challis, Idaho 83226
Tel. (208) 879-4488

Twin Falls Office
213 Canyon Crest Drive
Suite 200
Twin Falls, Idaho 83301
Tel. (208) 969-9585

Fax (all offices)
(208) 629-7559



SAWTOOTH LAW OFFICES, PLLC

RECEIVED David P. Claiborne

OCT 25 2024 S. Bryce Farris

DEPT. OF WATER RESOURCES Evan T. Roth

Daniel V. Steenson

Andrew J. Waldera

Kelsea E. Donahue

Brian A. Faria

Thomas M. Larsen

Patxi Larrocea-Phillips

Annabel J. Moore

Katie L. Vandenberg-Van Vliet

James R. Bennetts (retired)

Friday, October 25, 2024

Via Hand Delivery
Idaho Department of Water Resources
State Office
322 E Front St
PO Box 83720
Boise, ID 83720-0098

With email copy to:
Idaho Department of Water Resources
c/o Marion Beck
Marion.beck@idwr.idaho.gov

RE: **G & H DAIRY, LLC WATER RIGHT CLAIMS; BEAR RIVER BASIN
ADJUDICATION; WATER RIGHT NOS. 13-2155, 13-2159, 13-4332, 13-
4339, 13-4340, 13-7629, 13-7630, 13-7649**

Dear Sir or Madam:

Enclosed are the Water Right Claims made on behalf of G & H Dairy, LLC ("G & H Dairy") for the Bear River Basin Adjudication ("BRBA"). Please note that some of the Water Rights have yet to be changed into the name of G & H Dairy, therefore, I am enclosing the warranty deeds illustrating G & H Dairy's ownership of the property for all claims except Water Right No. 13-7649 (which is already in the name of G & H Dairy). Checks for the fees are also enclosed, in the following amounts for said water rights:

- 13-7629 and 13-7649 - \$249.00 (\$50 flat fee per claim (x2) plus \$1.00 per acre for the combined total (149 combined acres x \$1.00)¹;
- 13-7630 - \$91.00 (\$50 flat fee plus \$100 per cfs x .41 cfs)
- 13-4339 - \$77.00 (\$50 flat fee plus \$100 per cfs x .27cfs)
- 13-4332 - \$110.00 (\$50 flat fee plus \$100 per cfs x .60 cfs)
- 13-2155 - \$60.00 (\$50 flat fee plus \$100 per cfs x .10 cfs)
- 13-2159 - \$60.00 (\$50 flat fee plus \$100 per cfs x .10 cfs)

¹ These water rights have an overlapping place of use for a combined 149 acres, so one check is being issued for both rights.

- 13-4340 - \$99.00 (\$50 flat fee plus \$100 per cfs x .49 cfs)

If the above fee amounts or calculations are incorrect, please let us know. Additionally, please let us know if you have any other questions or concerns.

Very Truly Yours,



Brian A. Faria

Enclosures: Water Right Claim Packets for the above described Water Rights