

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: 13-4339

Date Received: 10.25.24

Receipt No: C119208

Claim Fee: 77.00 By: RECEIVED

OCT 25 2024

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

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) 7/1/1945 (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,  
SW 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 wells, pumps and pipelines which supply water to the Dairy operations  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. Water is claimed for the following purposes:

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

For Stockwater purposes from 01/01 to 12/31 amount .23 or \_\_\_\_\_

For Domestic purposes from 01/01 to 12/31 amount .04 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) .27 (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, 3 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 |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |     |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |     |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |     |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |     |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |     |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |     |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |    |     |    |    |    |    |    |    |    |    |    |    |        |

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.  
13-4340, 13-4332 or None ( )

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

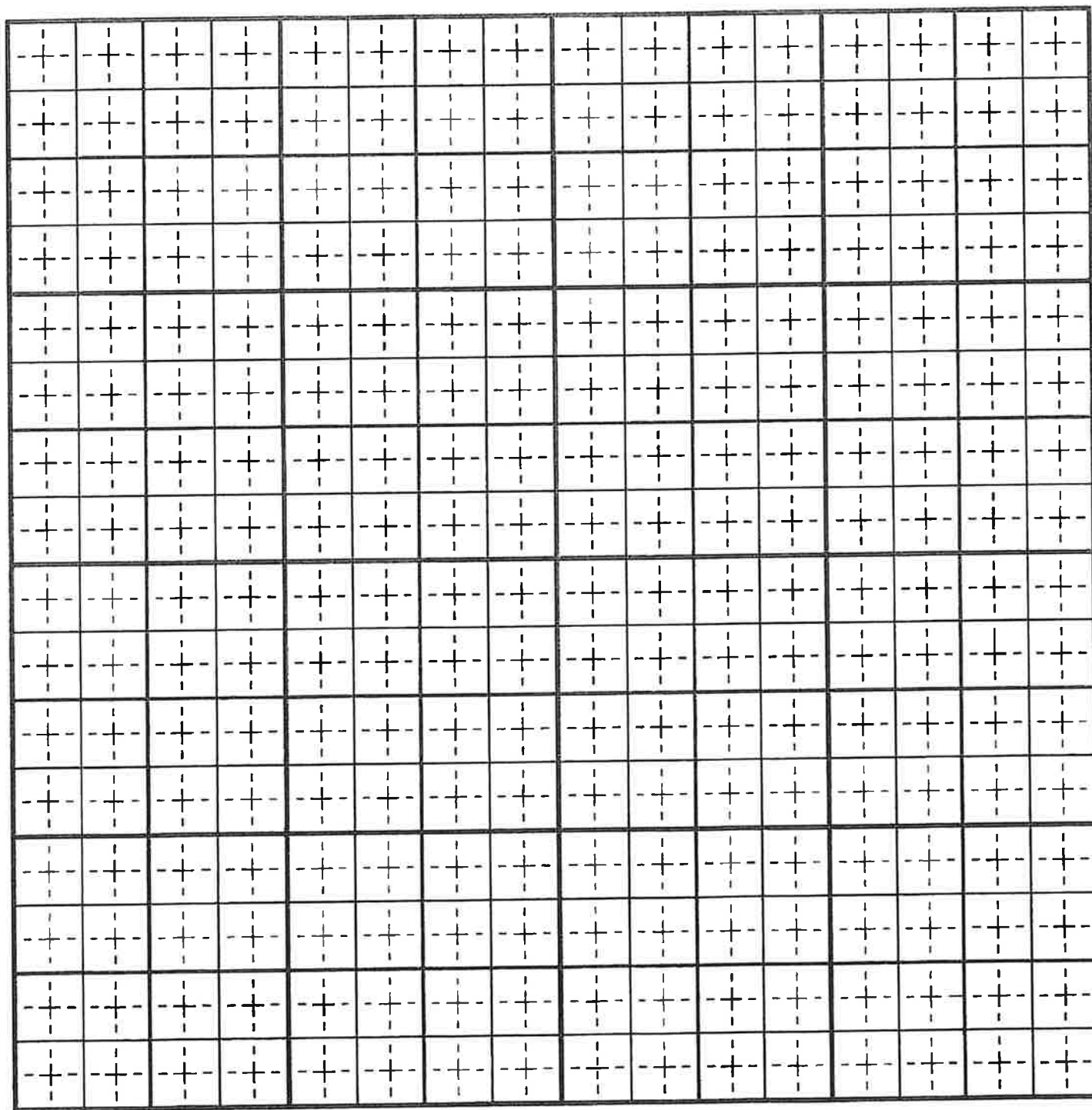
~~This water right is currently listed in a name other than the Claimant. However, Claimant owns the property where this water right is appurtenant and intends to concurrently herewith or shortly thereafter file a Notice of Change of Ownership with the Department. Attached hereto is the Deed for the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

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 13-4339

**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)

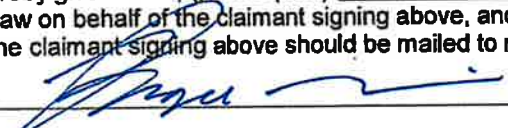
and that the statements contained in the foregoing document are true and correct.

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 : 13-4339( Statutory Claim/Active)

### Water Right Owners

| Owner Type    | Name             | Address             | City   | State | Postal Code |
|---------------|------------------|---------------------|--------|-------|-------------|
| Current Owner | CHECKETTS, BRICE | 2250 N WESTSIDE HWY | DAYTON | ID    | 83232       |

### Water Right Status

Priority Date : 7/1/1945  
Basis : Statutory Claim  
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         | SW  | SW | NW | FRANKLIN |                |

### Water Uses

| Beneficial Use | From | To    | Diversion Rate | Volume |
|----------------|------|-------|----------------|--------|
| STOCKWATER     | 1/01 | 12/31 | 0.23 CFS       |        |
| DOMESTIC       | 1/01 | 12/31 | 0.04 CFS       |        |
| <b>TOTAL</b>   |      |       | 0.27 CFS       |        |

### Places of Use

### Place of Use Legal Description : STOCKWATER (FRANKLIN county)

| Township | Range | Section | Lot | QQQ | QQ | Q  | Acres |
|----------|-------|---------|-----|-----|----|----|-------|
| 15S      | 38E   | 11      |     |     | NW | NW |       |

### Dates

Licensed Date :  
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

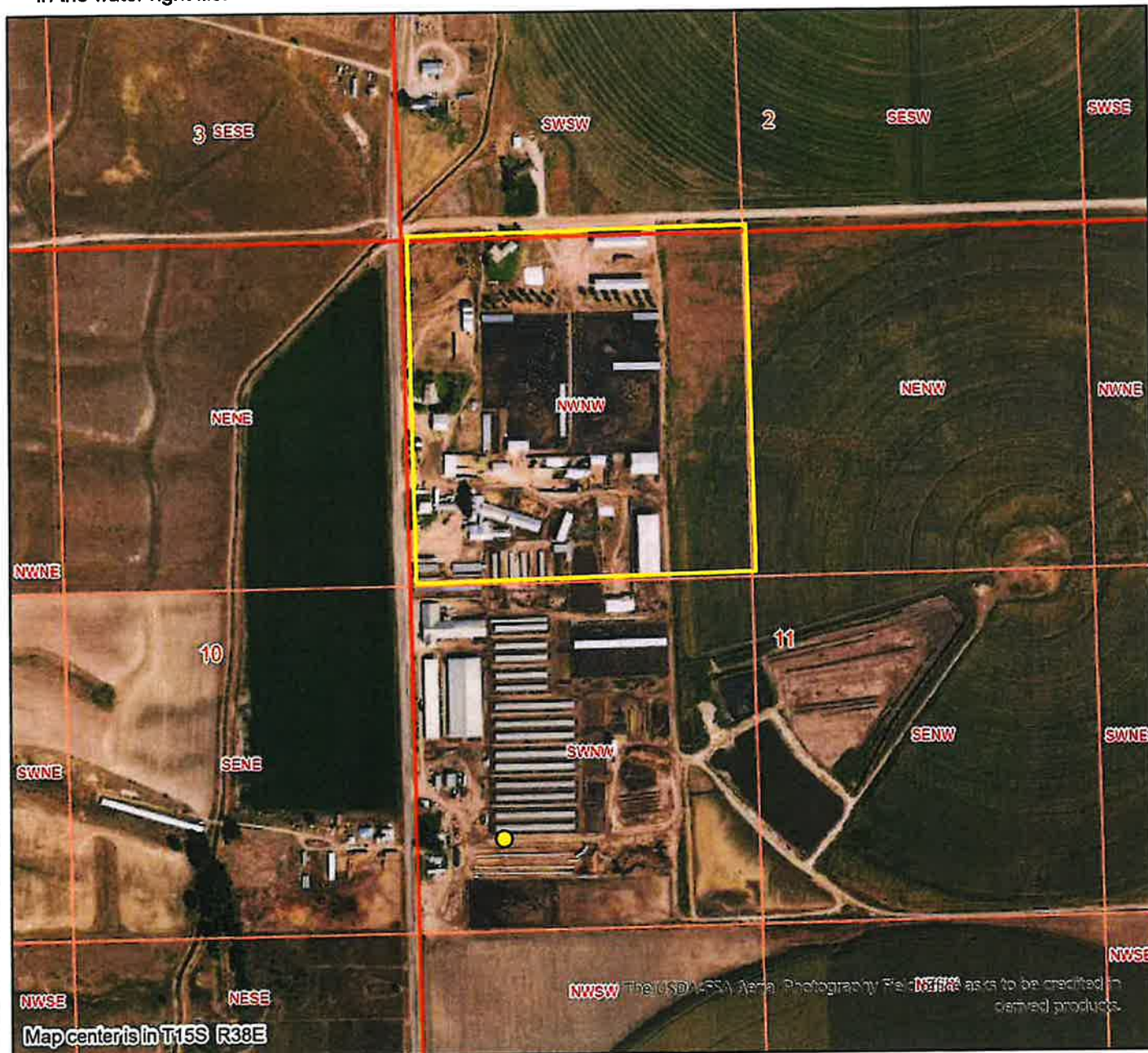
State or Federal :  
Water District Number : 11  
Generic Max Rate Per Acre : 0  
Generic Max Volume Per Acre : 0  
Civil Case Number :  
Decree Plaintiff :  
Decree Defendant :  
Swan Falls Trust or Nontrust :  
Swan Falls Dismissed :  
DLE Act Number :  
Cary Act Number :  
Mitigation Plan: False

State of Idaho  
Department of Water Resources  
**Water Right**

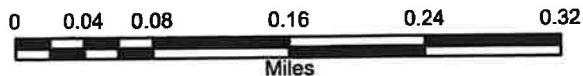
13-4339

STOCKWATER

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 HANSEN, RECORDER  
By C. Davis 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. 240

V. ELLIOTT LARSEN, RECORDER  
By Shauna 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.



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

~~10877 HIGHWAY 1330~~ 1330 ADDISON AVENUE WEST  
TWIN FALLS, ID 83301

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

V. ELLIOTT LARSEN, RECORDER  
By C. Rasmussen 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

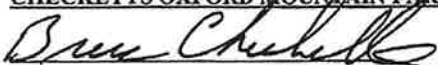
A parcel of land located in the Northwest quarter of the Northwest quarter (NW1/4NW1/4) of Section 14, Township 15 South, Range 38 East, Boise Meridian, Franklin County, Idaho, and more particularly described as follows:

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

  
By: BRICE CHECKETTS, MEMBER

  
By: TY CHECKETTS, MEMBER

  
By: MARLENE CHECKETTS, MEMBER

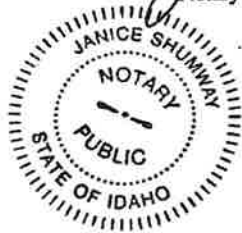
  
By: LOGAN CHECKETTS, MEMBER

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



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\*\*\*

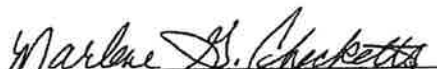
BRICE E. CHECKETTS and MARLENE G. CHECKETTS, husband and wife, Grantor(s) of PRESTON, County of FRANKLIN, State of IDAHO, hereby **CONVEY AND WARRANT** to G & H DAIRY, LLC, AN IDAHO LIMITED LIABILITY COMPANY, Grantee(s) of TWIN FALLS, County of TWIN FALLS, State of IDAHO for the sum of TEN DOLLARS AND 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 <sup>July</sup>~~May~~ 13, 2009.

  
BRICE E. CHECKETTS

  
MARLENE G. CHECKETTS

State of Idaho )  
County of Franklin )

On <sup>July</sup>~~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: 09-01-2015

NTF-4708D

G & H DAIRY, LLC

ATTN: JOHN GOMEZ

~~1987 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.

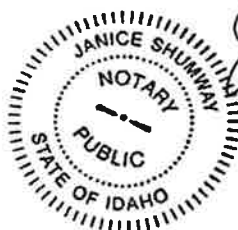
[Signature: Logan Checketts]  
LOGAN CHECKETTS

[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: C119208

---

|                |                                                                                                                                                                         |               |            |        |       |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|------------|--------|-------|
| Payment Amount | \$77.00                                                                                                                                                                 | Date Received | 10/25/2024 | Region | STATE |
| Payment Type   | Check                                                                                                                                                                   | Check Number  | 12830      |        |       |
| Payer          | SAWTOOTH LAW OFFICE, PLLC                                                                                                                                               |               |            |        |       |
| Comments       | NOTICE OF CLAIM TO A WATER RIGHT<br>CIVIL CASE NUMBER # 79576<br>FOR: G & H DAIRY LLC<br>WR CLAIM OR PARCEL # 13-4339<br>FOR: BRBA<br>THE BEAR RIVER BASIN WATER SYSTEM |               |            |        |       |

Fee Details

| Amount  | Description           | PCA   | Fund | Fund Detail | Subsidiary | Object |
|---------|-----------------------|-------|------|-------------|------------|--------|
| \$77.00 | BRBA CLAIM FILING FEE | 81503 | 0337 | 2           |            | 1155   |

---

KM

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

OCT 25 2024

DEPT. OF WATER RESOURCES

David P. Claiborne

S. Bryce Farris

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)<sup>1</sup>;
- 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)

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

**www.sawtoothlaw.com**

*Attorneys licensed in Idaho, Oregon, Washington and Texas*

- 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