

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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APR 04 2001
WATER RESOURCES
WESTERN REGION

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

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1. Water Right Number(s) A61-07264A, A61-07264B, A61-07263
Adjudication Claim Number(s) _____
DEPARTMENT OF WATER RESOURCES

2. The following REQUIRED information must be submitted with this form.

- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
- AND
- B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
- OR
- C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) DESERT SEA FARMS, LLC
905 EAST 13TH NORTH
MOUNTAIN HOME, ID 83647

4. New Owner/Claimant(s) LONE PINE DAIRY
Name connector (Check one): [] AND, [] OR, [] AND/OR
New Mailing Address 5592 W KUNA ROAD
City, State and ZIP Code KUNA, IDAHO 83624
New Telephone Number (208) 467-2816

5. Date you acquired the property 3-30-01

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) by Stepto Roachma partners Date 3-30-2001
Date _____

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

SCANNED
DEC 14 2004

MICROFILMED
MAR 11 2003

Receipt # C 055033 --- 7.2.01 --- \$25.00 --- J. Mui

WARRANTY DEED

FOR VALUE RECEIVED

Desert Sea Farms, L.L.C.

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto Lone Pine Dairy

GRANTEE(S), whose current address is: 5592 W Kuna Rd the following described real property in more particularly described as follows, to wit:

Kuna, Idaho 83634 Elmore County, State of Idaho,

(See Attached)

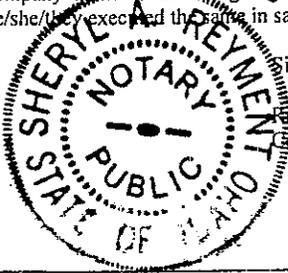
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever, except those of record.

Dated: March 30, 2001

Handwritten signatures of Larry Esson, Josephine Anchustegui, Jerry H. Stewart, Norma Esson Stewart, and Beverly Esson Stewart.

STATE OF IDAHO)
COUNTY OF ELMORE)

On this 30th day of March in the year 2001, before me a Notary Public, personally appeared Larry Esson, Josephine Anchustegui, Jerry H. Stewart, Norma Esson Stewart, Beverly Esson Stewart Known or identified to me to be one of the members in the limited liability company of Desert Sea Farms, LLC And the member or one of the members who subscribed said limited liability company name in the foregoing instrument, and acknowledged to me that he/she/they executed the same in said limited liability company name.



Signature: Sheryl A. Stewart
Residing at: Mountain Home
Comm Exp: 12-27-05

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MAR 11 2003

LEGAL DESCRIPTION

TRACT I:

Township 2 South, Range 5 East, Boise Meridian, Elmore County, Idaho

Section 31: NE1/4

N1/2S1/2 and

U. S. Government Lots 1,2,3, and 4 SAVE AND EXCEPT the South 30 feet as disclosed in Right of Way Deeds, recorded August 17, 1982 as Instrument Numbers 210060 and 210061, records of Elmore County, Idaho.

Section 32: W1/2W1/2NW1/4

NE1/4SW1/4NW1/4 and NE1/4NW1/4NW1/4 SAVE AND

EXCEPT the East 30 feet as disclosed in Right of Way Deed, recorded August 17, 1982 as Instrument No. 210062, records of Elmore County, Idaho.

Township 3 South, Range 5 East, Boise Meridian, Elmore County, Idaho

Section 6: U. S. Government Lots 3,4, and 5

SE1/4NW1/4 SAVE AND EXCEPT the North 30 feet as disclosed in Right of Way Deed, recorded August 17, 1982, as Instrument No. 210064, records of Elmore County, Idaho.

TRACT II:

Township 2 South, Range 5 East, Boise Meridian, Elmore County, Idaho

Section 32: SE1/4SW1/4NW1/4 and SE1/4NW1/4NW1/4 SAVE AND

EXCEPT the East 30 feet as disclosed in Right of Way Deed, recorded August 17, 1982, as Instrument No. 210062, records of Elmore County, Idaho.

TOGETHER WITH all water rights and ditch rights appurtenant to said property.

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MAR 11 2003

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF TRANSFER NO. 68468)
OF WATER RIGHTS 61-7263, 61-7264A &)
61-7264B IN THE NAME OF DESERT SEA)
FARMS LLC)

ORDER GRANTING
EXTENSION OF TIME TO
COMPLETE TRANSFER

On March 29, 2001 the Department approved Application for Transfer 5784 (renumbered to 68468) with a condition that:

The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

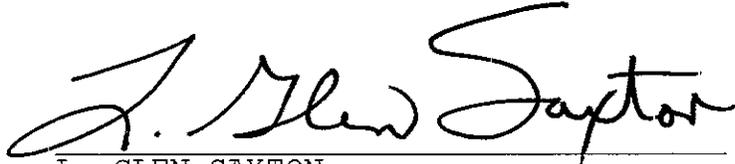
The right holder has notified the Department that the transfer has not yet been accomplished.

The right holder has requested an extension of time for completion of the transfer and has shown reasonable cause for the delay.

IT IS, THEREFORE, HEREBY ORDERED that the right holder of Transfer No. 68468 is granted an extension to March 29, 2003 in which to accomplish the transfer.

IT IS FURTHER HEREBY ORDERED that this extension does not stay the accumulation of the 5 year period associated with forfeiture of a water right for non-use.

Dated this 29th day of March, 2002.



GLEN SAXTON
Chief, Water Allocation Bureau

MAR 11 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 68468

This is to certify that: STEVE BOSCHMA
5592 KUNA RD
KUNA ID 83634

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document. The right holder shall accomplish the authorized change within one (1) year of the date of this approval. Failure of the right holder to comply with the conditions of approval for each water right affected by this transfer is cause for the Director to rescind approval of all or part of the transfer.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
61-7264A	WR/License	06/10/1976	10.74 cfs	2416.5 af	537.0	537.0	GROUND WATER
61-7263	WR/License	04/01/1976	2.4 cfs		165.0	165.0	GROUND WATER
61-7264B	AJC/License	06/10/1976	0.4 cfs	90 af	20.0	20.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
61-7264A	NO	NO	YES	YES	YES	YES
61-7263	NO	NO	YES	YES	NO	NO
61-7264B	NO	NO	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
61-7264A	61-7264A	10.74 cfs	2225 af	446.0	631.0		N/A	N/A		N/A
61-7263	61-7263	2.4 cfs	660 af	165.0	631.0		N/A	N/A		N/A
61-7264B	61-7264B	0.4 cfs	90 af	20.0	631.0		N/A	N/A		N/A
TOTALS		11.36 cfs	2975 af	631.0	631.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 29th day of March, 2001

J. Glen Saylor

Chief, Water Allocation Bureau

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MAR 29 2001

SCANNED
DEC 13 2004

**WATER RIGHT NO. 61-7263
As Modified by Transfer No. 68468**

In accordance with the approval of Transfer No. 68468, Water Right No. 61-7263 is now described as follows

Right Holder: DESERT SEA FARMS LLC
905 E 13TH N ST
MOUNTAIN HOME ID 83647

Priority Date: 04/01/1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	2.40 CFS	660.0 AF
			2.40 CFS	660.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER Lot 4 SWNWNW Sec. 6 Twp 03S Rge 05E ELMORE County
GROUND WATER Lot 3 SESESW Sec. 31 Twp 02S Rge 05E ELMORE County
GROUND WATER Lot 3 NWNE Sec. 31 Twp 02S Rge 05E ELMORE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S 05E 31	39.0			40.0					40.0	40.0	39.0	33.0	40.0	40.0	35.0	42.0	388.0
											L4	L3			L2	L1	
02S 05E 32					39.0	39.0											78.0
03S 05E 6					39.0	43.0	45.0	38.0									165.0
					L3	L4	L5										

Total Acres: 631

CONDITIONS OF APPROVAL

- 1 The total instantaneous diversion of water from all points of diversion under Transfer 68468 shall not exceed 11.36 cfs, nor total combined annual volume of 2975.0 af.
- 2 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the department from all authorized points of diversion which will allow determination of the total rate of diversion
- 3 After specific notification by the department, the right holder shall measure the diversion 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.
- 4 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval

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MAR 29 2001

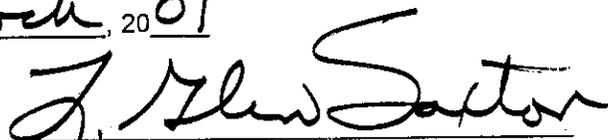
WATER RIGHT NO. 61-7263
As Modified by Transfer No. 68468

CONDITIONS OF APPROVAL

5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code
7. Right 61-7263 when combined with Rights 61-7247B, 61-7264A and 61-7264B shall not exceed a total diversion rate of 11.36 cfs
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
10. This right is limited to the irrigation of 165.0 acres within the place of use described above in a single irrigation season.
11. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 10-25-2000.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 29th day of March, 2001



Chief, Water Allocation Bureau

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MAR 29 2001

WATER RIGHT NO. 61-7264A
As Modified by Transfer No. 68468

In accordance with the approval of Transfer No. 68468, Water Right No. 61-7264A is now described as follows

Right Holder: DESERT SEA FARMS LLC
 905 E 13TH N ST
 MOUNTAIN HOME ID 83647

Priority Date: 06/10/1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to	11/15	9.47 CFS	2,007.0 AF
STOCKWATER	01/01 to	12/31	1.27 CFS	218.0 AF
COMMERCIAL	01/01 to	12/31	1.27 CFS	218.0 AF
			10.74 CFS	2,225.0 AF

LOCATION OF POINT(S) OF DIVERSION:

- GROUND WATER Lot 4 SWNWNW Sec. 6 Twp 03S Rge 05E ELMORE County
- GROUND WATER Lot 3 SESESW Sec 31 Twp 02S Rge 05E ELMORE County
- GROUND WATER Lot 3 NWNE Sec. 31 Twp 02S Rge 05E ELMORE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals	
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
02S 05E 31	39.0			40.0					40.0	40.0	39.0	33.0	40.0	40.0	35.0	42.0	388.0	
02S 05E 32					39.0	39.0					L4	L3			L2	L1	78.0	
03S 05E 6					39.0	43.0	45.0	38.0										165.0
					L3	L4	L5											

Total Acres: 631

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE													
02S 05E 31		X	X														

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MAR 29 2001

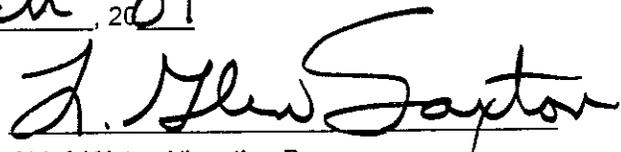
WATER RIGHT NO. 61-7264A
As Modified by Transfer No. 68468

CONDITIONS OF APPROVAL

12. Commercial use is for a dairy located within W1/2NE, S31, T02S, R05E
13. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by this water right

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources

Dated this 29th day of March, 2001


Chief, Water Allocation Bureau

MICROFILMED

MAR 29 2001

WATER RIGHT NO. 61-7264B
 As Modified by Transfer No. 68468

In accordance with the approval of Transfer No. 68468, Water Right No. 61-7264B is now described as follows.

Right Holder: DESERT SEA FARMS LLC
 905 E 13TH N ST
 MOUNTAIN HOME ID 83647

Priority Date: 06/10/1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	0.40 CFS	90.0 AF
			0.40 CFS	90.0 AF

LOCATION OF POINT(S) OF DIVERSION:

- GROUND WATER Lot 4 SWNWNW Sec. 6 Twp 03S Rge 05E ELMORE County
- GROUND WATER Lot 3 SESESW Sec. 31 Twp 02S Rge 05E ELMORE County
- GROUND WATER Lot 3 NWNE Sec 31 Twp 02S Rge 05E ELMORE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S 05E 31	39.0			40.0					40.0	40.0	39.0	33.0	40.0	40.0	35.0	42.0	388.0
02S 05E 32					39.0	39.0											78.0
03S 05E 6					39.0	43.0	45.0	38.0									165.0
					L3	L4	L5										

Total Acres: 631

CONDITIONS OF APPROVAL

- The total instantaneous diversion of water from all points of diversion under Transfer 68468 shall not exceed 11.36 cfs, nor total combined annual volume of 2975.0 af.
- Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the department from all authorized points of diversion which will allow determination of the total rate of diversion.
- After specific notification by the department, the right holder shall measure the diversion 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.
- The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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MAR 29 2001

WATER RIGHT NO. 61-7264B
As Modified by Transfer No. 68468

CONDITIONS OF APPROVAL

5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
8. This right is limited to the irrigation of 20.0 acres within the place of use described above in a single irrigation season
9. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 29th day of March, 2001


Chief, Water Allocation Bureau

MICROFILMED
MAR 29 2001

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

In Re SRBA)
)
Case No 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 61-07264B

2002 AUG 15 PM 4: 58
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

RECEIVED

AUG 16 2002

Department of Water Resources

NAME AND ADDRESS: LONE PINE DAIRY
5592 W KUNA RD
KUNA, ID 83634

SOURCE: GROUNDWATER

QUANTITY: 0.40 CFS
90.00 AFY

THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF
DIVERSION UNDER TRANSFER 68468 SHALL NOT EXCEED 11.36 CFS. NOR
TOTAL COMBINED ANNUAL VOLUME OF 2975.0 AF

PRIORITY DATE: 06/10/1976

POINT OF DIVERSION: T02S R05E S31 LOT 3 (SESESW) Within Elmore County
NWNE
T03S R05E S06 LOT 4 (SNNWNW)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.40 CFS 90.00 AFY

PLACE OF USE:	Irrigation	Within Elmore County
	T02S R05E S31	NENE 39.0 SENE 40.0
		NESW 40.0 NWSW 40.0
	LOI 4 (SWSW) 39.0	LOI 3 (SESW) 33.0
		NESE 40.0 NWSE 40.0
	LOI 2 (SWSE) 35.0	LOI 1 (SESE) 42.0
	S32	NWNW 39.0 SWNW 39.0
	T03S R05E S06 LOT 3 (NENW) 39.0	LOI 4 (NWNW) 43.0
	LOI 5 (SNNW) 45.0	SENE 38.0
	631.0 Acres Total	

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 20 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES OF
WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6)

RECEIVED
AUG 19 2002

MEMORANDUM

TO: FILE 61-07264

FROM: VAULT

RE: TRANSFER # 5784

DATE: 7-20-00

=====

**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 61-07263

MICROFILMED
MAR 29 2001

SCANNED
DEC 13 2004