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

RECEIVED

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.

RECEIVED

JUN 6 2001

DEPARTMENT OF WATER RESOURCES

1. Water Right Number(s) A61-07264A, A61-07264B, A61-07263

Adjudication Claim Number(s) \_\_\_\_\_

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 DESERT SEA FARMS, LLC

Owner/Claimant(s) 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 by Steve Roachma partner Date 3-30-2001

Owner/Claimant(s) \_\_\_\_\_ Date \_\_\_\_\_

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. 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.

MICROFILMED

Receipt # C 055033 --- 7.2.01 --- \$25.00 --- J. Miller, 2003

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 Kuna, Idaho 83634  
the following described real property in Elmore County, State of Idaho,  
more particularly described as follows, to wit:

(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

Larry Esson Desert Sea Farms, L.L.C.      Josephine Anchustegui  
Jerry Stewart      Norma Esson Stewart  
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

MICROFILM

4/25/01

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.

MICROFILMED

MAR 1, 1989

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 & ) ORDER GRANTING  
 ) EXTENSION OF TIME TO  
61-7264B IN THE NAME OF DESERT SEA ) COMPLETE TRANSFER  
 )  
FARMS LLC )  
 )  
\_\_\_\_\_ )

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.

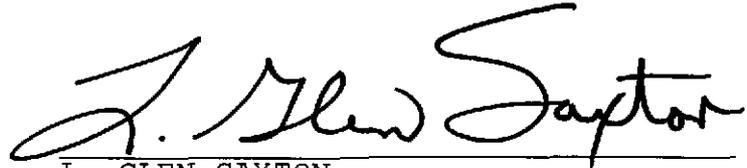
The right holder has notified the Department that the transfer has not yet been accomplished.

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 29<sup>th</sup> day of March, 2002.



L. GLEN SAXTON  
MICRO. Chief, Water Allocation Bureau

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

In Re SRBA )  
                  ) PARTIAL DECREE PURSUANT TO  
                  ) I.R.C.P. 54(b) FOR  
Case No. 39576 )  
                  ) Water Right 61-07263

NAME AND ADDRESS: DESERT SEA FARMS LLC  
905 E 13TH N  
MOUNTAIN HOME, ID 83647

SOURCE: GROUNDWATER  
QUANTITY: 2.40 CFS

THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF  
DIVERSION UNDER TRANSFER 5145 SHALL NOT EXCEED 3.60 CFS, NOR  
TOTAL COMBINED ANNUAL VOLUME OF 900.0 AF.  
RIGHT 61-07263 WHEN COMBINED WITH RIGHTS 61-07247B AND  
61-07264A & 61-07264B SHALL NOT EXCEED 11.36 CFS.

PRIORITY DATE: 04/01/1976

POINT OF DIVERSION: T02S R05E S31 LOT 01 (SESESW) Within Elmore County  
T03S R05E S06 LOT 04 (SWNWNW)

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY  
Irrigation 04-01 TO 10-31 2.40 CFS

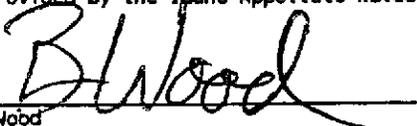
PLACE OF USE: Irrigation Within Elmore County  
T03S R05E S06 LOT 03 (NENW)39.0 LOT 04 (NWNW)44.0  
LOT 05 (SWNW)43.0 SENW 39.0  
165.0 Acres Total

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

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).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

  
Barry Wood  
Administrative District Judge  
Presiding Judge of the  
Snake River Basin Adjudication

MICROFILMED  
OCT 27 2000



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

February 3, 2003

LONE PINE DAIRY  
5592 W KUNA RD  
KUNA ID 83634

RE Change of Ownership for Water Rights 61-7264A and 61-7263

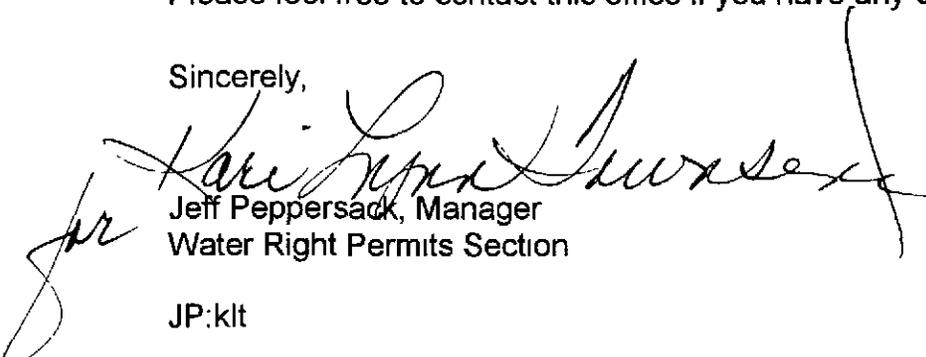
Dear Water Right Holder(s).

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

  
Jeff Peppersack, Manager  
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED

FEB 11 2003



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098  
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

April 1, 2002

DESERT SEA FARMS LLC  
905 EAST 13<sup>TH</sup> NORTH  
MOUNTAIN HOME ID 83647

RE: Order In the Matter of Transfer No. 68468 – Water Rights 61-7263, 64A/B

Dear Water Right Holder(s):

Enclosed please find Order Granting Extension of Time to Complete Transfer issued by the department in reference to the above listed information.

You should be aware that any water right can be forfeited through five (5) years of non-use including the years of non-use that may have accumulated prior to the approval of the transfer.

If you have any questions regarding this matter, please call me at 327-7940.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Peppersack". The signature is written in a cursive style.

*for* Jeff Peppersack, Manager  
Water Right Permits Section

JP:klt

Enclosure

cc: Lone Pine Dairy  
Steve Boschma  
5592 W Kuna Rd  
Kuna ID 83624

MICHAEL  
APR 1 2002

MAR 22 2002

Department of Water Resources

To: L. Glen Saxton

From: Steve Boschma

RE: Extension of completion date on Transfer No. 68468 issued March 29, 2001.

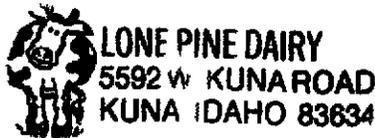
Transfer No. 68468 contains a condition of approval (item no. 4, *Conditions of Approval and Remarks*) which states:

“7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.”

Construction on our new dairy cannot begin until our current dairy facility is sold. The agricultural economy is in a dressed state, and dairies are difficult to sell. As a result, we hereby request a change in the language of the above mentioned condition of approval to allow at least an additional 3 years for completion of the new dairy. We intend to begin construction as soon as we sell our current dairy. Thank you.

Steve Boschma  
Steve Boschma

3-20-02  
Date



(208) 467-2816

MORE

2002

61-7263/7264A/7264B



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098  
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

June 18, 2001

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

LONE PINE DAIRY  
STEPHEN BOSCHMA  
5592 W KUNA RD  
KUNA ID 83642

RE Change in Ownership for Decreed Water Rights 61-7264A & 61-07263

Dear Mr Boschma:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below

↙ Filing Fee of \$25 per water right

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. We have determined that the filing fee for your notice will be \$50.00.

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

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

If you have any questions regarding this matter, please call me at 208-372-7941.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kari Lynn Townsend', is written over a horizontal line.

Kari Lynn Townsend  
Secretary

MICHAEL

SECRETARY