Form 42-248/42-1409(6) Rev. 7/21

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAY 06 2022
DEPT OF WATER RESOURCES
SOUTHERN REGION

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "*Yes*" in the "*Split?*" column. If the water right is leased to the Water Supply Bank, check "*Yes*". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
See attached list	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Hurtado Land & Livestock, LLC
   Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Evard, L.L.C.
   New owner(s) as listed on the conveyance document Name connector ☐ **and** ☐ **or**

   134 E. Highway 81 — Mailing address
   Burley — City
   ID — State
   83318 — Zip
   208-654-2733 — Telephone
   office@gibbygroup.com — Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
   - ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
   - ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: April 29, 2022.

6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
   - If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.

7. This form must be signed and submitted with the following **REQUIRED** items:
   - ☐ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
   - ☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
   - ☐ Filing fee (see instructions for further explanation):
     - $25 per *undivided* water right.
     - $100 per *split* water right.
     - No fee is required for pending adjudication claims.
   - ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
   - ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: _____ Manager — Title, if applicable — 4/29/2022 — Date
   Signature of new owner/claimant
   Monte Quast
   Print name

   SUPPORT DATA
   IN FILE # 43-2501

   Signature: _____ — Signature of new owner/claimant — Title, if applicable — Date
   Print name

For IDWR Office Use Only:

Receipted by SG Date 5/6/22 Receipt No. 5039224 Receipt Amt. $550.00

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by _____ Processed by _____ Date _____

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

New Owner: Evard, L.L.C.

List of Water Rights

43-2501
43-10137A
43-10137B
43-10137C
43-10138
43-10139
43-10140
43-10141
43-10142
43-10143
43-10144
43-10145
43-13270
43-13271
43-13272
43-13273
43-13274
43-13275
43-13276
43-13277
43-13278
43-13279

ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT.

CASSIA COUNTY
RECORDED FOR:
TITLEONE - BURLEY
02:29:36 PM 04-29-2022
2022-001945
NO. PAGES: 1 FEE: $15.00
JOSEPH W. LARSEN
COUNTY CLERK
DEPUTY: EV
Electronically Recorded by Simplifile

WHEN RECORDED MAIL TO:

Erik J. Bolinder
Exceed Legal PLLC
421 S. 8th Street
Boise, Idaho 83702

Evan T. Roth
Sawtooth Law Offices, PLLC
213 Canyon Crest Dr. Ste. 200
Twin Falls, ID 83301

22449264

WATER RIGHT QUITCLAIM DEED

FOR VALUE RECEIVED, Hurtado Land & Livestock, LLC, an Idaho limited liability company ("Grantor"), does hereby convey, release and quitclaim unto Evard, L.L.C., an Idaho limited liability company ("Grantee"), whose address is 134 East Highway 81, Burley, Idaho 83318, all of Grantor's right, title, and interest in and to those certain water rights represented in the records of the Idaho Department of Water Resources by the following water right numbers: 43-2501, 43-10137A, 43-10137B, 43-10137C, 43-10138, 43-10139, 43-10140, 43-10141, 43-10142, 43-10143, 43-10144, 43-10145, 43-13270, 43-13271, 43-13272, 43-13273, 43-13274, 43-13275, 43-13276, 43-13277, 43-13278, and 43-13279.

TO HAVE AND TO HOLD such water rights unto the Grantee, its successors, and assigns, forever.

IN WITNESS WHEREOF, the Grantor has executed this conveyance as of the 29 day of April, 2022.

Hurtado Land & Livestock, LLC,
an Idaho limited liability company

By: _____
Jesus Hurtado, Member

STATE OF IDAHO)
) ss.
County of Jerome)

On this 29 day of April, before me, the undersigned, personally appeared Jesus Hurtado, known or identified to me to be the authorized Member of Hurtado Land & Livestock, LLC, an Idaho limited liability company (the "Company"), and the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that he executed the same on behalf of the Company.

ANNETTE ROTH
COMMISSION #9314
NOTARY PUBLIC
STATE OF IDAHO

_____
Notary Public for the State of Idaho
Residing at Rupert ID
My Commission expires: 8-4-2023

CASSIA COUNTY
RECORDED FOR:
TITLEONE - BURLEY
02:29:36 PM 04-29-2022
2022-001944
NO. PAGES: 6 FEE: $15.00
JOSEPH W. LARSEN
COUNTY CLERK
DEPUTY: EV
Electronically Recorded by Simplifile

ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT.

WHEN RECORDED MAIL TO:

Erik J. Bolinder
Exceed Legal PLLC
421 S. 8th Street
Boise, Idaho 83702

Evan T. Roth
Sawtooth Law Offices, PLLC
213 Canyon Crest Dr. Ste. 200
Twin Falls, ID 83301

2244926 4

SPECIAL WARRANTY DEED

For and in consideration of and other good and valuable consideration, Hurtado Land & Livestock, LLC, an Idaho limited liability company ("Grantor") whose address of record is 2306 East 3600 South, Wendell, Idaho 83355, hereby grants and conveys to Evard, L.L.C., an Idaho limited liability company ("Grantee") whose address of record is 134 E. Highway 81, Burley, Idaho 83318, the real property located in Cassia County, Idaho, legally described as:

> See legal description set forth in Exhibit A attached and incorporated by this reference (the "Property").

together with all right, title and interest of Grantor in and to all improvements located on the Property; all easements, if any, benefiting the Property; and all rights, benefits, privileges and appurtenances pertaining to the Property ("Appurtenances").

SUBJECT TO current real property taxes; the Permitted Exceptions as set forth on Exhibit B attached hereto and incorporated by this reference; all zoning ordinances and regulations and any other laws, ordinances or governmental regulations restricting or regulating the use, occupancy or enjoyment of the Property; and all matters visible upon or about the Property or that would be disclosed by an accurate survey of the Property.

TO HAVE AND TO HOLD the Property and its Appurtenances unto said Grantee and its successors and assigns forever, and Grantor and Grantor's heirs shall and will warrant and, by these presents, forever defend the described property in the quiet and peaceable possession of Grantee, Grantee's heirs, and assigns against Grantor and Grantor's heirs and against all and every person and persons whomever, lawfully claiming the same.

[Signature Page Follows]

Dated this ___ day of April, 2022.

GRANTOR:

Hurtado Land & Livestock, LLC., an Idaho limited liability company

By: _____
Jesus Hurtado, Member

ACKNOWLEDGEMENT

STATE OF IDAHO)
)ss
County of Jerome)

On this 29 day of April, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Jesus Hurtado, known or identified to me to be the authorized Member of Hurtado Land & Livestock, LLC, an Idaho limited liability company (the "Company"), and the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that he executed the same on behalf of the Company.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, the day and year in this certificate first above written.

_____
NOTARY PUBLIC for Idaho
Residing at: Rupert ID
Commission Expires: 8-4-2023

ANNETTE ROTH
COMMISSION #9314
NOTARY PUBLIC
STATE OF IDAHO

EXHIBIT A
LEGAL DESCRIPTION OF REAL PROPERTY

PARCEL NO. 1:
TOWNSHIP 11 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 17: W½; SE¼; S½NE¼

Section 18: E½E½; SW¼SE¼; SE¼SW¼

Section 19: E½; Lots 2, 3 and 4; E½SW¼; SE¼NW¼

Section 20: W½; NE¼; W½SE¼

Section 29: All

Section 30: E½; NE¼NW¼; Lot 1

Section 31: E½E½; NW¼NE¼

Section 32: N½; SW¼

PARCEL NO. 2:
TOWNSHIP 11 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 20: E½SE¼

Section 21: All

Section 27: NW¼

Section 28: N½ and SW¼

Section 33: NW¼

PARCEL NO. 3:
TOWNSHIP 11 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 27: SW¼, EXCEPTING that portion deeded to the State of Idaho for highway purposes.

Section 28: SE¼

PARCEL NO. 4:
TOWNSHIP 11 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 3: That part of the W½ lying South and West of U.S. Highway 30 South, also known as Highway 81, SAVE AND EXCEPT the Highway 30 South, also known as Highway81

right-of-way.

Section 4: E½E½

Section 9: E½E½

Section 10: W½, EXCEPT that portion deeded to the State of Idaho for highway purposes.

Section 15: W½, EXCEPT that portion deeded to the State of Idaho for highway purposes.

PARCEL NO. 5:
TOWNSHIP 10 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 33: Part of the SE¼ and SW¼NE¼ lying South of the Southwest right-of-way of U.S. Highway 30 South (also known as Highway 81), more particularly described as follows:

Beginning at the Southeast corner of said Section 33 which shall be the Point of Beginning;
Thence North 89°53'56" West along section line for 2650.12 feet to the South quarter section corner of said Section 33;
Thence North 0°37'47" East along the quarter section line for 2657.18 feet to the Northwest corner of the SE¼ of said Section 33;
Thence North 0°37'47" East along the quarter section line for 220.57 feet to a point on the Southwest right-of-way of U.S. Highway 30 South (also known as Highway 81);
Thence South 59°21'41" East along said right-of-way for 436.21 feet to a point on the South line of said SW¼NE¼;
Thence continuing South 59°21'41" East along said right-of-way for 2353.47 feet to a point of curvature;
Thence continuing along said right-of-way along an arc of a curve to the right for 274.75 feet to a point on the East line of Section 33, said curve has a radius of5530.00 feet, a central angle of 2°50'48", and a long chord bearing South 57°56'17" East for 274.72 feet;
Thence South 0°38'06" West along section line for 1314.81 feet to the Point of Beginning.

TOWNSHIP 10 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 34: Part of the W½W½ of said Section 34, lying South of the right-of-way of U.S. Highway 30 South also known as Highway 81, more particularly described as follows:

Beginning at the SW corner of said W½W½ which shall be the Point of Beginning;
Thence North 89°52'14" East along section line for a distance of 1316.40 feet, more or less, to a point on the SE corner of said W½W½;
Thence North 00°23'14" East along the East line of said W½W½ for a distance of 116.39 feet, more or less, to a point on the South right-of-way of U.S. Highway 30 South also known as Highway 81;
Thence along said right-of-way along the arc of a curve to the left for 1787.38 feet, more or less, to a point on the West line of said W½W½, said curve has a radius of 5530 feet, a central angle of 18°31'08" and a long chord bearing North 47°47'53" West for 1779.61 feet;

Thence South 00°02'56" East along section line for a distance of 1314.81 feet, more or less, to the Point of Beginning.

TOWNSHIP 10 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 34: Part of the SE¼SW¼, lying South of the right-of-way of U.S. Highway 30 South also known as Highway 81, more particularly described as follows:

Commencing at the Southwest corner of the SE¼SW¼ of Section 34;
Thence North 342 feet to the U.S. Highway #30 South;
Thence Southeasterly along the boundary line of said highway 439 feet to a point 267 feet East of the Point of Beginning;
Thence 267 feet to the Point of Beginning.

EXHIBIT B
PERMITTED EXCEPTIONS

Those certain Permitted Exceptions provided in Schedule B, Part II of that certain Commitment for Title Insurance from Stewart Title Guaranty Company, Commitment No. 22449264, dated as of April 29, 2022, incorporated herein by reference.

IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858
Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

June 2, 2022

EVARD LLC
134 E HIGHWAY 81
BURLEY ID 83318-5427

Re: Change in Ownership for Water Right No(s): 43-2501, 43-10137A, 43-10137B, 43-10137C, 43-10138, 43-10139, 43-10140, 43-10141, 43-10142, 43-10143, 43-10144, 43-10145, 43-13270, 43-13271, 43-13272, 43-13273, 43-13274, 43-13275, 43-13276, 43-13277, 43-13278 and 43-13279

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you. You will notice that Rabo Agrifinance LLC has been copied on the letter because they have a security interest in the water rights referenced above. The Department can remove the security interest from the water right record upon written authorization from Rabo Agrifinance LLC.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 293-9908.

Sincerely,

Denise Maline

Denise Maline
Administrative Assistant 1

Enclosure(s)

c: TitleOne, Burley, Idaho (File #22449264)
Rabo AgriFinance LLC, Chesterfield, MO (Loan #'s: 22111853 and 22108960)
Water District 143

TitleOne
a title & escrow co.

211 West 13th Street
Burley, ID 83318
Ph. (208) 881-0087
Fx. (866) 582-7546
www.titleonecorp.com

RECEIVED
MAY 06 2022
DEPT OF WATER RESOURCES
SOUTHERN REGION

ID Dept. of Water Resources
650 Addison Ave. West, Ste. 500
Twin Falls, ID 83301

Date: 05/05/2022

Escrow No. 22449264
EVARD, L.L.C.

Dear Clerk:

Enclosed with this letter please find the following documents in connection with the above referred to transaction:

- The original executed Notice of Change In Water Right Ownership
- A copy of the original recorded Special Warranty Deed
- A copy of the original recorded Water Right Quitclaim Deed
- TitleOne check no. 41651 made payable to Idaho Department of Water Resources in the amount of $550.00

Please make the necessary changes in the records to indicate the new owner for future water assessments and notices. Please send a receipted copy to this office.

Should you have any questions, please do not hesitate to contact Ashley Martinkus at 208-878-3524.

Best regards,
TITLEONE

Nancy Garrett
Ag Escrow Assistant

AR/nrg
Enc.
FedEx