

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
FEB 14 2022
DEPT OF WATER RESOURCES
SOUTHERN REGION

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?
App: → 47-8353	Yes ☐	Yes ☐	47-12904	Yes ☐	Yes ☐
47-12905	Yes ☐	Yes ☐	47-8278	Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Phoenix Dairy, LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Moon Valley Development LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 2574 E 3800 N Twin Falls ID 83301
Mailing address City State Zip
- 208-420-7478 rwddutch@hotmail.com
Telephone 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: Yes 7/13/2021
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: [Signature] [Signature] 7-13-2021
Signature of new owner/claimant Title, if applicable Date

Print name

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

Print name

Received by SG Date 2/14/22 For IDWR Office Use Only: Receipt No. 5039083 Receipt Amt. \$200.00

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 DM Date 4-26-2022

SUPPORT DATA

IN FILE # 47-8278

DUPLICATE FILING



TWIN FALLS COUNTY
RECORDED FOR:
ALLIANCE TITLE - TWIN FALLS OF
03:45:03 PM 07-19-2021
2021017175
NO. PAGES 3 FEE: \$15.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: CT
Electronically Recorded by Simplifile

WARRANTY DEED

Alliance Title & Escrow, LLC Order No.:546720

FOR VALUE RECEIVED

**Phoenix-Dairy, L.L.C, an Idaho Limited Liability Company also shown of record as
Phoenix-Dairy, LLC**

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Moon Valley Development, LLC, an Idaho Limited Liability Company

whose current address is

**2066 E. 400 S.
Hazelton, ID 83335**

the grantee(s), the following described premises, in Twin Falls County, Idaho, TO WIT:

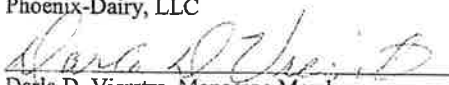
SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: July 13, 2021

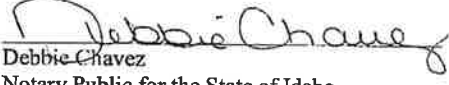
Phoenix-Dairy, LLC


Darla D. Vierstra, Managing Member

State of Idaho} ss
County of Twin Falls}

On this 19th day of July, 2021, before me, Debbie Chavez, a Notary Public in and for said state, personally appeared Darla D. Vierstra known or identified to me to be the Managing Member in the Limited Liability Company known as Phoenix-Dairy, LLC who executed the foregoing instrument in said LLC name.

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


Debbie Chavez
Notary Public for the State of Idaho
Residing at: Kimberly, ID
Commission Expires: 05-16-2023

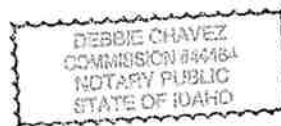


EXHIBIT "A"

546720

Parcel No. 1

Township 10 South, Range 16 East of the Boise Meridian, Twin Falls County, Idaho,
Section 14: A portion of the West half of the Southeast Quarter described as follows;

Commencing at the southeast corner of said section 14 that is marked by a railroad spike, from which the south quarter corner of said section 14 bears N89°20'22"W, a distance of 2631.02 feet,
Thence along the South Line of the Southeast Quarter of said Section 14 N89°20'22"W, a distance of 1594.51 feet to a point, said point being the TRUE POINT OF BEGINNING for this description;

Thence continuing along said South line N89°20'22"W, a distance of 1036.51 feet to the South Quarter Corner of said section that is marked by an 5/8" rebar with aluminum cap PLS 10110;

Thence departing said South line, along the North / South center of section line N00°18'16"E a distance of 2647.62 feet to the center of section marked by an 5/8" rebar with aluminum cap PLS 10110;

Thence departing said North / South center of section line, along the East / West center of section line S89°23'24"E, a distance of 1320.97 feet to its intersection with the 1/16th line of said Section 14;

Thence along said 1/16th line S00°25'22"W, a distance of 2177.75 feet to a point;

Thence departing said 1/16th line N 89°20'22"W, a distance of 279.00 feet to a point;

Thence S00°25'22"W, a distance of 471.00 feet to the POINT OF BEGINNING;

Parcel containing 77.12 acres

Parcel No. 2

Township 10 South, Range 16 East of the Boise Meridian, Twin Falls County, Idaho,
Section 14: A portion of the West Half of the Southeast Quarter described as follows;

Commencing at the southeast corner of said section 14 that is marked by a railroad spike, from which the south quarter corner of said section 14 bears N89°20'22"W, a distance of 2631.02 feet,
Thence along the South Line of the Southeast Quarter of said Section 14 N89°20'22"W, a distance of 1315.51 feet to its intersection with the 1/16th line, said point being the TRUE POINT OF BEGINNING for this description;

Thence continuing along said South line N89°20'22"W, a distance of 279.00 feet to a point;

Thence departing said South line, N00°25'22"E, a distance of 471.00 feet to a point;

Thence S89°20'24"E, a distance of 279.00 feet to a point on the 1/16th line of said Section 14;

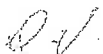
Thence along said 1/16th line S00°25'22"W, a distance of 471.00 fee to the POINT OF BEGINNING;

Parcel containing 3.02 acres

Parcel 3

Township 10 South, Range 16 East of the Boise Meridian, Twin Falls County, Idaho,
Section 14: A portion of the east half of the southeast quarter described as follows;

Commencing at the southeast corner of said section 14 that is marked by a railroad spike, from which the south quarter corner of said section 14 bears N89°20'22"W, a distance of 2631.02 feet,
Thence along the South Line of the Southeast Quarter of said Section 14 N89°20'22"W, a distance of 736.79 feet to a point, said point being the TRUE POINT OF BEGINNING for this description;



Thence continuing along said South line N89°20'22"W, a distance of 578.72 feet to its intersection with the 1/16th line;

Thence along said 1/16th line N00°25'22"E a distance of 968.20 feet to a point;

Thence S43°58'31"E, a distance of 827.16 feet to a point;

Thence S00°25'22"W, a distance of 379.60 feet to the POINT OF BEGINNING;

Parcel containing 8.95 acres

D. J.



0004230030

**STATE OF IDAHO**

Office of the secretary of state, Lawrence Denney

CERTIFICATE OF ORGANIZATION LIMITED LIABILITY COMPANY

Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: \$100.00

For Office Use Only

-FILED-

File #: 0004230030

Date Filed: 4/5/2021 12:06:17 PM

B0597-9802 04/05/2021 12:08 PM Received by ID Secretary of State Lawrence Denney

Certificate of Organization Limited Liability Company									
Select one: Standard, Expedited or Same Day Service (see descriptions below)	Expedited (+\$40; filing fee \$140)								
1. Limited Liability Company Name									
Type of Limited Liability Company	Limited Liability Company								
Entity name	Moon Valley Development LLC								
2. The complete street address of the principal office is:									
Principal Office Address	2574 E 3800 N TWIN FALLS, ID 83301								
3. The mailing address of the principal office is:									
Mailing Address	2574 E 3800 N TWIN FALLS, ID 83301-0129								
4. Registered Agent Name and Address									
Registered Agent	Registered Agent Russell Wiersma Physical Address: 428 S 200 W RUPERT, ID 83350 Mailing Address: 428 S 200 W RUPERT, ID 83350-9665								
☒ I affirm that the registered agent appointed has consented to serve as registered agent for this entity.									
5. Governors									
<table border="1"><thead><tr><th>Name</th><th>Address</th></tr></thead><tbody><tr><td>Russell Wiersma</td><td>428 S 200 W RUPERT, ID 83350</td></tr><tr><td>Ryan Mallett</td><td>958 8TH ST GOLDEN, CO 80401</td></tr><tr><td>Luke D. Dixon Revocable Trust</td><td>PO BOX 6826 KETCHUM, ID 83340</td></tr></tbody></table>		Name	Address	Russell Wiersma	428 S 200 W RUPERT, ID 83350	Ryan Mallett	958 8TH ST GOLDEN, CO 80401	Luke D. Dixon Revocable Trust	PO BOX 6826 KETCHUM, ID 83340
Name	Address								
Russell Wiersma	428 S 200 W RUPERT, ID 83350								
Ryan Mallett	958 8TH ST GOLDEN, CO 80401								
Luke D. Dixon Revocable Trust	PO BOX 6826 KETCHUM, ID 83340								
Signature of Organizer:									
<u>Ryan David Mallett</u>	<u>04/05/2021</u>								
Sign Here	Date								



0004388065

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***ANNUAL REPORT**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$0.00

*For Office Use Only***-FILED-**

File #: 0004388065

Date Filed: 8/18/2021 1:29:40 PM

Entity Name and Mailing Address:

Entity Name: PHOENIX-DAIRY, LLC

The file number of this entity on the records of the Idaho Secretary of State is: 0000051664

Address: PO BOX 5064
TWIN FALLS, ID 83303-5064

Entity Details:

Entity Status: Active-Existing

This entity is organized under the laws of: IDAHO

If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: W12457

The registered agent on record is:

Registered Agent: GREGORY S VIERSTRA
Registered Agent
Physical Address
2574 E 3800 N
TWIN FALLS, ID 83301
Mailing Address

Limited Liability Company Managers and Members

Name	Title	Business Address
Greg Vierstra	Member	2574 E 3800 N TWIN FALLS, ID 83301

The annual report must be signed by an authorized signer of the entity.

Job Title: Accountant

Brandon Fiala

Sign Here

08/18/2021

Date

B0637-0744 08/18/2021 1:29 PM Received by ID Secretary of State Lawrence Denney

Maline, Denise

From: Maline, Denise
Sent: Wednesday, April 27, 2022 9:19 AM
To: IdwrPayable
Subject: Refund Request - TitleOne Burley (Moon Valley Development)
Attachments: Refund request - TitleOne Burley (Moon Valley Dev.).pdf

Good morning,

Attached please find a refund request being submitted for processing. Please let me know if there are any questions.

Thank you,

Denise @ Southern

Denise Maline, Administrative Assistant I
Idaho Dept. of Water Resources
650 Addison Ave W Ste 500
Twin Falls ID 83301-5858
(208) 293-9908
denise.maline@idwr.idaho.gov

Idaho Department of Water Resources Receipt
Receipt ID: S039083

Payment Amount	\$200.00	Date Received	2/14/2022	Region	SOUTHERN
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Payment Type	Check	Check Number	40293
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Payer TITLEONE

Comments NOTICE OF SECURITY INTEREST FROM: RABO AGRIFINANCE LLC
FOR: MOON VALLEY DEVELOPMENT LLC.
(4) WR#'S, 47-8278, ETC.
— CHANGE OF OWNERSHIP FROM: PHOENIX DAIRY, LLC
TO: MOON VALLEY DEVELOPMENT LLC.
(4) WR#'S, 47-8278, ETC.

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$100.00	OWNERSHIP CHANGES/SECURITY INTERESTS	64140	0229	21		1155
\$100.00	OWNERSHIP CHANGES/SECURITY INTERESTS	64140	0229	21		1155



Signature Line (Department Representative)

Ownership change was previously received and processed in August, 2021. Ownership change received February 14, 2022 is a duplicate filing.

Please issue a \$100.00 refund to:

TitleOne

PO Box 177

Burley ID 83318-0177

(208) 878-3524

BM
4-26-2022



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

April 26, 2022

RABO AGRIFINANCE LLC
14767 NORTH OUTER 40 RD STE 400
CHESTERFIELD MO 63017-2003

RE: Notice of Security Interest for Water Right No(s): 47-8278, 47-12904 and 47-12905

RE: Notice of Security Interest for Application for Permit No(s): 47-8353

Dear Security Interest Holder:

The Department of Water Resources (Department) acknowledges receipt of correspondence adding security interest of the above referenced water right(s) to you. The Department has modified its records to reflect the change in security interest and has enclosed a computer-generated report for you.

The Department also received a Notice of Change in Water Right Ownership for the water rights referenced above. After further research, it was discovered that this was a duplicate filing. Water right no(s). 47-8278, 47-12904 and 47-12905 were updated per a Change in Ownership received in August, 2021, and are currently in the name of Moon Valley Development LLC. A refund request in the amount of \$100.00 has been submitted for processing and will be sent to TitleOne in Burley, Idaho under separate cover. This covers \$75.00 for the (3) water rights listed above, and \$25.00 for the Application, as there is no fee required for an Assignment of Application of Permit.

Application for Permit No. 47-8353 is currently in the *Application* stage, and is still in the name of Phoenix Dairy LLC. In order to update the records for this Application, Phoenix Dairy LLC will need to complete and submit an *Assignment of Application for Permit*. This information has been sent to them as well.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Security Interest, 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.

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

Sincerely,

Denise Maline
Administrative Assistant 1

Enclosure(s)

c: Moon Valley Development LLC
Phoenix Dairy LLC
TitleOne, Burley, Idaho (File #21420597)
Travis Thompson, attorney



211 West 13th Street
Burley, ID 83318
Ph. (208) 878-3524
Fx. (866) 582-7546
www.titleonecorp.com

Idaho Department of Water Resources
650 Addison Avenue West
Suite 500
Twin Falls, ID 83301

Date: February 11, 2022

Re: File No. 21420597
Property Address: 2066 East 400 South, Hazelton, ID 83335

RECEIVED
FEB 14 2022
DEPT OF WATER RESOURCES
SOUTHERN REGION

Greetings,

Regarding the above, I have enclosed the following:

- TitleOne Check No. 36315 in the amount of \$200.00 for Notice of Change of Ownership and Notice of Security Interest
- Original executed Notice of Change in Water Right Ownership
- Original executed Notice of Security Interest
- Copy of Warranty Deed
- Copy of Mortgage

Thank you for your business! It was a pleasure working with you. Let us know if we can answer any questions or be of further assistance.

Sincerely,
TITLEONE


Ashley Martinkus
Ag Escrow Assistant

AR/am
Enc.
FedEx