

RECEIVED

OCT 01 2021

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**Notice of Security Interest in a Water Right**
and a request to be notified of a change in ownership or any proposed
or final action to amend, transfer, or otherwise modify the water right(s)

Attach pages with additional information. Incomplete forms will be returned.

1.	Water Right/Claim No.	Water Right/Claim No.	Water Right/Claim No.	Water Right/Claim No.
	36-2502			
	36-2475			
	36-10722			
	36-8636			

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

A) Evidence of the security interest. This may be a copy of a **DEED of TRUST, MORTGAGE, CONTRACT OF SALE** or other legal document indicating your interest in the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION**.B) A **FEE of \$25.00 per** water right or adjudication claim.

3. Name and Mailing Address of Person or Company Holding Security Interest

Conterra Agricultural Capital, LLC

5465 Mills Civic Parkway, Suite 201

West Des Moines, Iowa 50266

Phone 855-381-3451

Email taylor.petersen@conterraag.com

4. Name of Water Right Owner/Claimant(s)

Hilltop Dairy, LLC

5. Expiration Date of Notification Period

October 1, 2023

6. Is this a Renewal of Request for Notification?

☐ YES☒ NO

7. Signature(s) of Security Interest Holder(s)

Title, if applicable

Mark A. Smith
Mark A. Smith, COO & General Counsel

For Office Use Only

Received by SGDate 10/1/21Receipt No. 5038858Fee \$100.00

Processed by AJ

Date

WR DMDate 1-14-2022

SUPPORT DATA

IN FILE # 36-2475

Instrument # 274723
GOODING COUNTY, GOODING, IDAHO
09-24-2021 14:09:18 No. of Pages: 4
Recorded for: TITLEONE - BURLEY
DENISE GILL Fee: \$45.00
Ex-Officio Recorder Deputy: JG
Electronically Recorded by Simplifile

Recording Requested By/Return To:
Conterra Agricultural Capital, LLC
Taylor Petersen
5465 Mills Civic Parkway, Suite 201
West Des Moines, IA 50266

-----[Space Above This Line For Recording]-----

ASSIGNMENT OF MORTGAGE

Loan # **R4004**

For Value Received, the undersigned holder of a Mortgage (herein "Assignor") whose address is **5465 Mills Civic Parkway, Suite 201, West Des Moines, IA 50266**, does hereby grant, sell, assign, transfer and convey, unto **Rooster Capital IV LLC, a Delaware limited liability company**, (herein "Assignee"), whose address is **5465 Mills Civic Parkway, Suite 201, West Des Moines, IA 50266**, a certain Mortgage dated **September 23, 2021**, made and executed by **Silverline Farms, LLC, an Idaho limited liability company and Hilltop Dairy, LLC, an Idaho limited liability company** to and in favor of **Conterra Agricultural Capital, LLC, an Iowa limited liability company**, upon the following described property situated in **Gooding County, State of Idaho**:

See Exhibit "A" attached hereto and made a part hereof.

such Mortgage having been given to secure payment of _____ which Mortgage is of record in the Real Property Records of Gooding County, State of Idaho, together with the note(s) and obligations therein described, the money due and to become due thereon with interest, and all rights accrued or to accrue under such Mortgage.

This transaction is only an assignment and transfer of the debt and the lien securing the debt. No new or additional indebtedness is involved in this transaction.

TO HAVE AND TO HOLD the same unto Assignee, its successor and assigns, forever, subject only to the terms and conditions of the above-described Mortgage.

IN WITNESS WHEREOF, the undersigned Assignor has executed this Assignment of Mortgage on September 23, 2021.

Conterra Agricultural Capital, LLC

Mark A. Smith 9/23/2021
Signature Date
Mark A. Smith, COO & General Counsel
Sarah Smith
Witness

STATE OF IOWA
COUNTY OF POIK

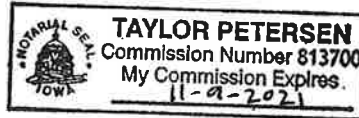
Before me, the undersigned authority, on this day personally appeared
MARK A. SMITH, COO & General Counsel

, known or proved to me according to law to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she/they voluntarily executed the same for the purposes of consideration therein expressed, and in the capacity stated.

Given under my hand and seal this 23rd day of September, 20 21.

Taylor Petersen
Notary, State of Iowa

Printed Name: Taylor Petersen
My Commission Expires: 11-9-2021



This Instrument Prepared By:
PeirsonPatterson, LLP.

Multistate Mortgage Assignment - Single Family

Exhibit A

Legal Description:

TRACT A - HILLTOP DAIRY, LLC

PARCEL NO. 1

TOWNSHIP 8 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 22: NE $\frac{1}{4}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ NE $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$; All that part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ lying South and West of the W-15 Lateral of the North Side Canal Company, Ltd. and The E $\frac{1}{2}$ SE $\frac{1}{4}$ which lies North of the right-of-way of the North Side Canal Company, Ltd. lateral, known as Lateral W-9

SAVE AND EXCEPT that portion deeded to the State of Idaho for highway purposes by Right-of-Way Deed recorded August 3, 1942 as Instrument Number 84835, records of Gooding County, Idaho.

ALSO EXCEPTING that portion deeded to the State of Idaho for road purposes as set forth in Deed recorded April 29, 1942 in Book 33 of Deeds at Page 343.

PARCEL NO. 2:

TOWNSHIP 8 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 23: Part of the E $\frac{1}{2}$ NW $\frac{1}{4}$, more particularly described as follows:

Commencing at the Northeast corner of said E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 23, marked by a found $\frac{1}{2}$ inch pin; Thence along the East line of the E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 23, South 00°45'02" West a distance of 437.63 feet to the intersection of the centerline of a canal, from which a set 5/8 inch x 30 inch rebar bears South 00°45'02" West, a distance of 10.00 feet, being the POINT OF BEGINNING;
Thence continuing along the East line of the E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 23, South 00°45'02" West, a distance of 2199.59 feet to the Southeast corner of the E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 23, marked by a set 5/8 inch x 30 inch rebar;
Thence along the South line of the E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 23, North 89°16'04" West, a distance of 1325.34 feet to the Southwest corner of the E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 23, marked by a set 5/8 inch x 30 inch rebar;
Thence along the West line of the E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 23, North 00°43'27" East, a distance of 2078.75 feet to the intersection with the centerline of the aforementioned canal, from which a set 5/8 inch x 30 inch rebar bears South 00°45'02" West, a distance of 10.00 feet;
Thence along the meandered centerline of said canal the following bearings and distances:
South 89°58'59" East, a distance of 173.12 feet;
Thence North 81°17'32" East, a distance of 114.53 feet to the beginning of a curve tangent to said line;
Thence Easterly a distance of 119.12 feet along the curve concave to the South, having a radius of 402.64 feet and a central angle of 16°57'04";
Thence South 81°45'24" East tangent to said curve, a distance of 142.95 feet;
Thence South 85°29'54" East, a distance of 184.75 feet;
Thence South 80°26'01" East, a distance of 123.05 feet;
Thence South 83°32'52" East, a distance of 108.75 feet;
Thence North 85°30'31" East, a distance of 141.46 feet;
Thence North 63°37'41" East, a distance of 37.96 feet;
Thence North 56°50'56" East, a distance of 230.13 feet to the POINT OF BEGINNING.

EASEMENT NO. 1:

An Easement for ingress and egress for the benefit of Parcel No. 2 as created in Grant of Easement recorded June 29, 2007 as Instrument Number 222235, records of Gooding County, Idaho, over the following described land:

A twenty foot wide strip of land, as extended or contracted in Gooding County, Idaho, being part of the E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 23, Township 8 South, Range 14 East of the Boise Meridian, the easternmost line being more particularly described as follows:

Commencing at the Northeast corner of the NW $\frac{1}{4}$ of said Section 23, being also the POINT OF BEGINNING;

Thence along the East line of the NW $\frac{1}{4}$ of Section 23, South 00°45'02" West, a distance of 437.63 feet to the centerline of North Side Canal Co. Ltd lateral W-9, being also the TERMINUS of the easement.

TRACT B - SILVERLINE FARMS, LLC

PARCEL NO. 1:

TOWNSHIP 8 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 20: SW $\frac{1}{4}$; S $\frac{1}{2}$ NW $\frac{1}{4}$

PARCEL NO. 2:

TOWNSHIP 8 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 29: Part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, more particularly described as follows:

Beginning at the Northwest corner for Section 29 the TRUE POINT OF BEGINNING;

Thence South 0°01'04" East 453.47 feet along the Westerly boundary of said Section 29;

Thence South 89°56'28" East 654.58 feet along an existing fence;

Thence South 71°25'55" East 702.18 feet along said fence to the Easterly boundary of NW $\frac{1}{4}$ NW $\frac{1}{4}$;

Thence North 0°02'43" East 673.50 feet along said Easterly boundary to the Northeast corner of NW $\frac{1}{4}$ NW $\frac{1}{4}$;

Thence North 89°48'58" West 1320.89 feet along the Northerly boundary of Section 29 to the TRUE POINT OF BEGINNING.



0004053306

**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 #: 0004053306

Date Filed: 11/4/2020 5:48:40 PM

Entity Name and Mailing Address:

Entity Name: HILLTOP DAIRY, LLC
The file number of this entity on the records of the Idaho Secretary of State is: 0000527689
Address: DANIEL VANDERHAM
3349 S 1500 E
WENDELL, ID 83355-3242

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: W174256

The registered agent on record is:

Registered Agent: DANIEL VANDERHAM
Registered Agent
Physical Address
3349 S 1500 E
WENDELL, ID 83355
Mailing Address

Limited Liability Company Managers and Members

Name	Title	Business Address
+ Daniel Vanderham	Manager	3349 S 1500 E WENDELL, ID 83355

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

Daniel Vanderham

Sign Here

11/04/2020

Date

Job Title: Manager

B004053306 11/04/2020 5:48 PM RECEIVED BY ID SECRETARY OF STATE LAWRENCE DENNEY



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

January 14, 2022

CONTERRA AGRICULTURAL CAPITAL LLC
5465 MILLS CIVIC PKWY STE 201
WDM IA 50266-5320

RE: Notice of Security Interest for Water Right No(s): 36-2475, 36-2502, 36-8636 & 36-10722

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.

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

Denise Maline
Administrative Assistant 1

Enclosure(s)

c: Hilltop Dairy LLC
TitleOne, Burley (File #21419807)



RECEIVED

OCT 01 2021

DEPT. OF WATER RESOURCES
SOUTHERN REGION

237 N. Lincoln
Jerome, ID 83338
Ph. (208) 324-5613
Fx. (866) 310-3443
www.titleonecorp.com

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

Date: 09/30/2021

Escrow No. 21419807
Silverline Farms, LLC and Hilltop Dairy, LLC

Dear Clerk:

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

- Original Notice of Security Interest in a Water Right for 7 water rights
- TitleOne check no. 37575 made payable to Idaho Dept. of Water Resources in the amount of \$175.00 for transfer fees
- Original Notice of Security Interest in a Water Right for 4 water rights
- TitleOne check no. 37574 made payable to Idaho Dept. of Water Resources in the amount of \$100.00 for the transfer fees

Please make the necessary changes to indicate the new security entity for future water assessments and notices.
Please send receipted copies to this office attention Ashley Martinkus, TitleOne, P. O. Box 177, Burley, ID 83318.

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

Very truly yours,
TITLEONE

Nancy Garrett
Ag Dept. Assistant

AR/nrg
Enc.
FedEx