

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
JUN 01 2020
Department of Water Resources
Eastern 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 #6](#) of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
15-7353 <i>not processed</i>	Yes ☒	Yes ☐	15-7355 <i>OK</i>	Yes ☐	Yes ☐
15-7223 <i>not processed</i>	Yes ☒	Yes ☐	15-7354 <i>OK</i>	Yes ☐	Yes ☐
15-7347 <i>OK</i>	Yes ☐	Yes ☐	<i>recombined</i>		
15-7370 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
15-2121 <i>NA not processed</i>	Yes ☒	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: 2 M Ranch Scott Hendrickson
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Probst Raspberry LLC
New owner(s) as listed on the conveyance document
- Name connector ☐ and ☐ or ☐ and/or
- Mailing address: 3141 W Samaria Rd. City: Malad State: ID ZIP: 83252
- Telephone: 435-671-2255 Email: ken@probstfarms.com

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: February 6 2020
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed [IRS Form W-9](#) for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed [Lessor Designation](#) form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
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: Ken Probst Manager 5-27-20
Signature of new owner/claimant Title, if applicable Date

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

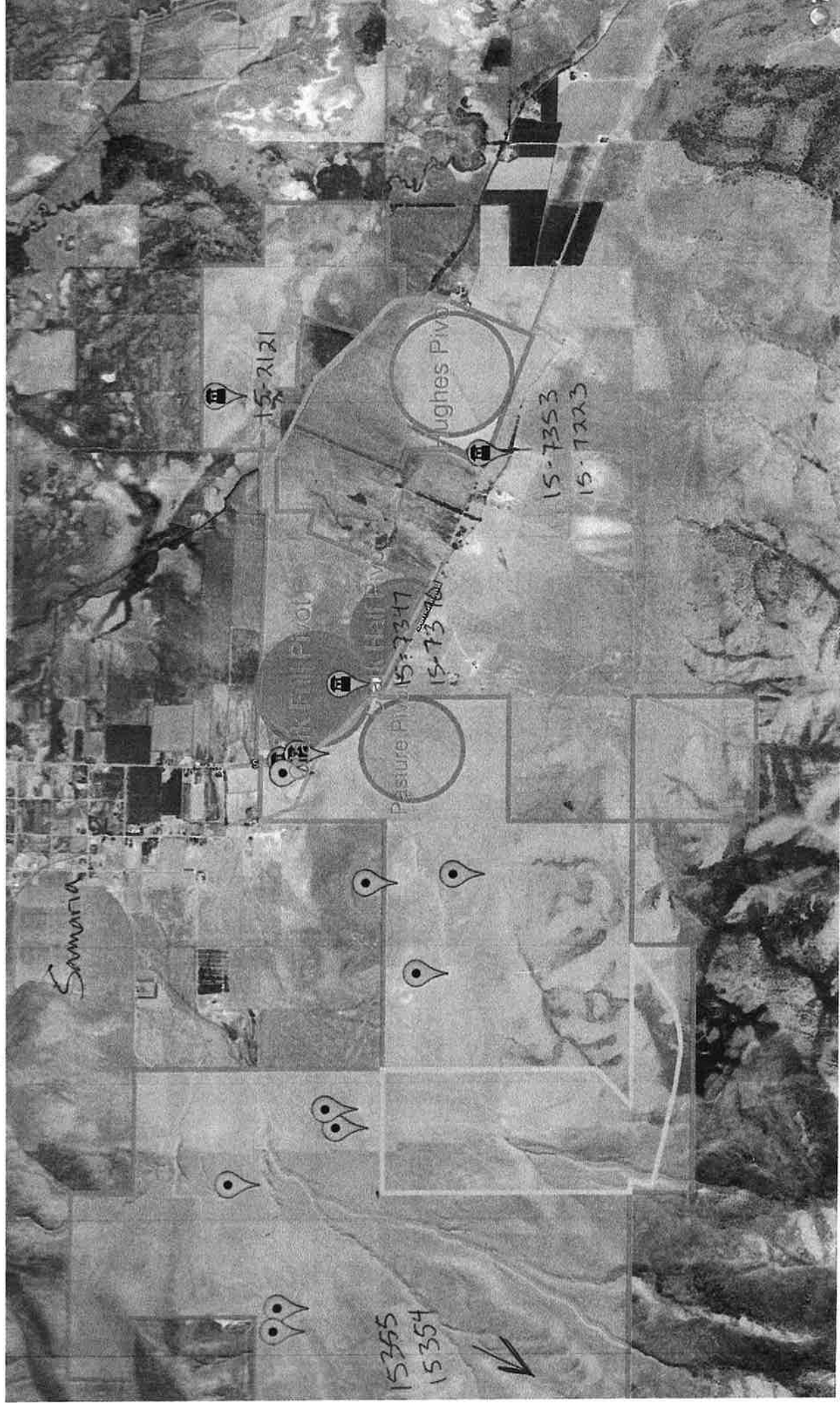
For IDWR Office Use Only:

Received by m. petter Date 6-1-20 Receipt No. E045961 Receipt Amt. 400.00

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 JB Processed by JB Date 12/9/2021

Returned 15-7353, 15-7223 + 15-2121 unprocessed
Requested \$325. - refund 12/9/2021



Samaria

Pasture Piv
15-7347
15-7340

Hughes Piv

15-7353
15-7223

15355
15354

NTO-95283
When Recorded Mail To:
Probst Raspberry LLC
3400 S 2900 W
Heber City, UT 84032

Instrument # 158972

MALAD, ONEIDA, IDAHO

2-6-2020 02:40:00 PM No. of Pages: 8

Recorded for : NORTHERN TITLE COMPANY

MATTHEW L COLTON

Fee: 15.00

Ex-Officio Recorder Deputy

WARRANTY DEED

2M Brand, LLC, a Limited Liability Company

Grantor(s) of Rockland, County of Power, State of Idaho, hereby **CONVEY AND WARRANT** to

Probst Raspberry LLC, a Utah Limited Liability Company

Grantee(s) of Heber City, County of Wasatch, State of Utah, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in Oneida County, State of ID:

See attached Exhibit A

Witness, the hand(s) of said Grantor(s), this February 6, 2020.



2M Brand, LLC, a Limited Liability Company

By: Scott Hendrickson, Member

State of ID)
County of Oneida)§

On February 6, 2020, personally appeared before me **Scott Hendrickson**, who, being by me duly sworn, did say that he is the Manager/Member of 2M Brand, LLC, a Limited Liability Company and that the said instrument was signed on behalf of said Limited Liability Company by the authority of its Articles of Organization and Operating Agreement, and the aforesaid individual acknowledged to me that said Company executed the same.

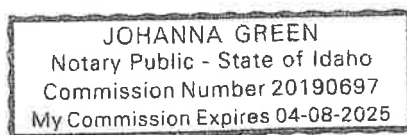

Notary Public

Exhibit "A"

Parcel 1:

A PARCEL OF GROUND LOCATED IN SECTIONS 23, 24, & 25 TOWNSHIP 15 SOUTH, RANGE 35 EAST OF THE BOISE MERIDIAN, ONEIDA COUNTY, IDAHO. DESCRIBED AS FOLLOWS:

COMMENCING AT THE ALUMINUM CAP MONUMENT FOUND AT THE SOUTHEAST CORNER OF SECTION 23, TOWNSHIP 15 SOUTH, RANGE 35 EAST OF THE BOISE MERIDIAN AS PER CORNER PERPETUATION SHEET #101368 AND RUNNING THENCE NORTH 00°08'38" WEST ALONG THE EAST LINE OF SAID SECTION AS MONUMENTED AT THE NORTHEAST CORNER OF SAID SECTION BY A REBAR WITH AN A.A.H. CAP AS NOTED IN CORNER PERPETUATION SHEET #130664 A DISTANCE OF 2,714.45 FEET TO THE POINT OF BEGINNING, A POINT ON A BOUNDARY LINE SURVEYED BY SCOTT SCHERBEL AS FOUND ON RECORD OF SURVEY #134691; AND RUNNING THENCE EASTERLY FOLLOWING SAID BOUNDARY LINE SURVEYED BY SCHERBEL THE FOLLOWING FIVE COURSES, 1) SOUTH 87°38'39" EAST (SOUTH 87°29'52" EAST BY SCHERBEL SURVEY & EAST BY RECORD OF WARRANTY DEEDS #125609 & 128389) 276.62 FEET TO A REBAR WITH SCHERBEL CAP; 2) THENCE SOUTH 87°45'03" EAST (SOUTH 87°36'44" EAST BY SCHERBEL SURVEY AND EAST BY RECORD OF WARRANTY DEEDS #125609 & 128389) 3,694.60 FEET (3694.34 FEET BY SCHERBEL SURVEY) TO A REBAR WITH SCHERBEL CAP; 3) THENCE NORTH 00°31'14" EAST 139.64 FEET (NORTH 00°39'09" EAST 139.62 FEET BY SCHERBEL SURVEY); 4) THENCE NORTH 89°37'45" EAST (NORTH 89°45'40" EAST BY SCHERBEL SURVEY AND EAST BY RECORD OF WARRANTY DEEDS #125609 & 128389) 967.61 FEET (967.44 FEET BY SCHERBEL SURVEY) TO A REBAR WITH SCHERBEL CAP; 5) THENCE SOUTH 85°25'56" EAST (SOUTH 85°18'01" EAST BY SCHERBEL SURVEY AND EAST BY RECORD OF WARRANTY DEEDS #125609 & 128389) 345.01 FEET (344.95 FEET BY SCHERBEL SURVEY) TO A REBAR FOUND AT THE EAST QUARTER CORNER OF SAID SECTION 24; THENCE SOUTH 00°04'54" EAST (SOUTH BY RECORD OF WARRANTY DEED #125609) 330.00 FEET; THENCE SOUTH 89°41'38" WEST (WEST BY RECORD OF WARRANTY DEED #125609) 1,320.00 FEET; THENCE SOUTH 00°04'54" EAST (SOUTH BY RECORD OF WARRANTY DEED #125609) 807.09 FEET; THENCE NORTH 74°39'00" WEST 467.26 FEET (472.84 FEET BY RECORD OF WARRANTY DEED #125609); THENCE SOUTH 22°45'44" WEST (SOUTH 23°00'00" WEST BY RECORD OF WARRANTY DEED #125609) 2,911.23 FEET TO A POINT IN THE NORTHEASTERLY RIGHT OF WAY LINE OF 4100 WEST STREET; THENCE NORTHERLY ALONG SAID RIGHT OF WAY LINE THE FOLLOWING EIGHT COURSES, 1) NORTH 69°13'36" WEST 60.84 FEET TO THE POINT OF CURVE OF A NON TANGENT CURVE OF WHICH THE RADIUS POINT LIES NORTH 24°23'09" EAST 15,309.22 FEET; 2) THENCE NORTHWESTERLY 495.65 FEET ALONG THE ARC OF A 15,309.22 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 01°51'18" AND A LONG CHORD THAT BEARS NORTH 64°41'12" WEST 495.63 FEET; 3) THENCE NORTH 63°45'33" WEST 412.18 FEET; 4) THENCE NORTH 63°09'26" WEST 745.24 FEET; 5) THENCE NORTH 63°11'46" WEST 1,195.50 FEET; 6) THENCE NORTHWESTERLY 422.44 FEET ALONG THE ARC OF A 1,000.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 24°12'15" AND A LONG CHORD THAT BEARS NORTH 51°05'39" WEST 419.31 FEET; 7) THENCE NORTH 38°59'31" WEST 664.95 FEET; 8) THENCE NORTHWESTERLY 584.67 FEET ALONG THE ARC OF A 1,133.00 FOOT RADIUS CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 29°34'00" AND A LONG CHORD THAT BEARS NORTH 24°12'31" WEST 578.20 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE SOUTH 87°38'39" EAST 1,128.81 FEET; THENCE NORTH 00°08'38" WEST 1,193.64 FEET TO THE AFOREMENTIONED SCHERBEL SURVEYED BOUNDARY LINE; THENCE SOUTH 87°38'39"

EAST (SOUTH 87°29'52" EAST BY SCHERBEL SURVEY) 78.07 FEET TO THE POINT OF BEGINNING.

Parcel 2:

A PARCEL OF GROUND LOCATED IN THE EAST HALF OF SECTION 23, TOWNSHIP 15 SOUTH, RANGE 35 EAST OF THE BOISE MERIDIAN, ONEIDA COUNTY, IDAHO. DESCRIBED AS FOLLOWS:

COMMENCING AT THE ALUMINUM CAP MONUMENT FOUND AT THE SOUTHEAST CORNER OF SECTION 23, TOWNSHIP 15 SOUTH, RANGE 35 EAST OF THE BOISE MERIDIAN AS PER CORNER PERPETUATION SHEET #101368 AND RUNNING THENCE NORTH 00°08'38" WEST ALONG THE EAST LINE OF SAID SECTION AS MONUMENTED AT THE NORTHEAST CORNER OF SAID SECTION BY A REBAR WITH AN A.A.H. CAP AS NOTED IN CORNER PERPETUATION SHEET #130664 A DISTANCE OF 2,714.45 FEET TO A POINT ON A BOUNDARY LINE SURVEYED BY SCOTT SCHERBEL AS FOUND ON RECORD OF SURVEY #134691; THENCE NORTH 87°38'39" WEST (NORTH 87°29'52" WEST BY SAID SCHERBEL SURVEY) 78.07 FEET TO THE TRUE POINT OF BEGINNING; AND THENCE CONTINUING NORTH 87°38'39" WEST (NORTH 87°29'52" WEST BY SCHERBEL SURVEY) ALONG SAID LINE 1,208.04 FEET TO A REBAR WITH SCHERBEL CAP; THENCE SOUTH 02°20'04" EAST 104.56 FEET (SOUTH 02°00'39" EAST 104.60 FEET BY SCHERBEL SURVEY) TO A REBAR WITH SCHERBEL CAP; THENCE SOUTH 89°40'33" WEST 78.84 FEET (SOUTH 89°51'27" WEST 79.09 FEET BY SCHERBEL SURVEY) TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF 4100 WEST STREET AS ESTABLISHED BY EXISTING FENCE LINES; THENCE SOUTHERLY ALONG SAID RIGHT OF WAY LINE THE FOLLOWING FOUR COURSES, 1) SOUTH 08°18'28" EAST 314.91 FEET; 2) THENCE SOUTH 08°11'49" EAST 267.09 FEET; 3) THENCE SOUTH 08°01'58" EAST 493.63 FEET; 4) THENCE SOUTHERLY 27.54 FEET ALONG THE ARC OF A 1,133.00 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 01°23'33" AND A LONG CHORD THAT BEARS SOUTH 08°43'45" EAST 27.54 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE SOUTH 87°38'39" EAST 1,128.81 FEET; THENCE NORTH 00°08'38" WEST 1,193.64 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM:

A PARCEL OF GROUND LOCATED IN SECTIONS 23, 24, & 25 TOWNSHIP 15 SOUTH, RANGE 35 EAST OF THE BOISE MERIDIAN. DESCRIBED AS FOLLOWS:

COMMENCING AT THE ALUMINUM CAP MONUMENT FOUND AT THE SOUTHEAST CORNER OF SECTION 23, TOWNSHIP 15 SOUTH, RANGE 35 EAST OF THE BOISE MERIDIAN FROM WHICH THE REBAR WITH AN A.A.H. CAP FOUND AT THE NORTHEAST CORNER OF SAID SECTION BEARS NORTH 00°08'38" WEST 5,296.58 FEET, AND RUNNING THENCE NORTH 00°08'38" WEST 2,714.45 FEET TO A POINT ON A BOUNDARY LINE SURVEYED BY SCOTT SCHERBEL AS FOUND ON RECORD OF SURVEY #134691; AND RUNNING THENCE WESTERLY FOLLOWING SAID BOUNDARY LINE THE FOLLOWING THREE COURSES, 1) NORTH 87°38'39" WEST (NORTH 87°29'52" WEST PER SCHERBEL SURVEY) 1,286.11 FEET; 2) THENCE SOUTH 02°20'04" EAST 104.56 FEET (SOUTH 02°00'39" EAST 104.60 FEET PER SCHERBEL SURVEY); 3) THENCE SOUTH 89°40'33" WEST 78.84 FEET (SOUTH 89°51'27" WEST PER SCHERBEL SURVEY) TO THE EAST RIGHT-OF-WAY LINE OF 4100 WEST STREET; THENCE SOUTH 08°09'14" EAST ALONG SAID RIGHT-OF-WAY LINE 309.63 FEET TO THE TRUE POINT OF BEGINNING; AND THENCE CONTINUING SOUTH 08°09'14" EAST ALONG SAID RIGHT-OF-WAY LINE 339.02 FEET; THENCE NORTH 80°37'31" EAST 520.02 FEET; THENCE NORTH 31°30'00" EAST 426.20 FEET; THENCE SOUTH 81°49'54" WEST 791.88 FEET TO THE POINT OF BEGINNING.

Parcel 3:

A parcel of land located in Section 27, Township 15 South, Range 35 East, Boise Meridian, Oneida County, Idaho and further described as follows:

Beginning at the North quarter corner of Section 34, Township 15 South, Range 35 East, Boise Meridian, from which the Northwest corner of Section 34 bears North 89° 59' 50" West 2646.57 feet; Thence North 89° 59' 50" West 790.35 feet along the North line of said Section 34 to a 5/8" rebar with cap; Thence North 46° 32' 43" East 1088.75 feet more or less to the meridional center line of said Section 27; Thence South 748.86 feet along said center line to the True Point of Beginning.

Township 15 South, Range 35 East, Boise Meridian

Section 20: Southeast quarter of the Southeast quarter

Section 21: Southwest quarter

Section 28: All

Section 29: North half of the Northeast quarter; South half of the North half; South half

Section 30: East half of the Southeast quarter

Section 32: North half of the Northwest quarter of the Northwest quarter

Township 15 South, Range 35 East, Boise Meridian;

Section 26; Northwest quarter; Northeast quarter.

Parcel 4:

A parcel of land situated in Oneida County, Idaho, described as follows:

Township 15 South, Range 35 East, Boise Meridian;

Section 16: South half of the Southeast quarter; Southeast quarter of the Southwest quarter.

Section 21: East half

Section 22: West half

Section 26: Southwest quarter

Section 27: East half

Section 35: Northeast quarter

A parcel of land located in Section 34, Township 15 South, Range 35 East Boise Meridian, Oneida County, Idaho and further described as follows:

All of the North-half of the North-half of said Section 34 lying North and East of the following described fence line:

Beginning at the Northeast corner of said Section 34 from which the North quarter corner of Section 34 bears North 89° 57' 49" West 2651.18 feet; thence South 43.00 feet along the East line of said Section 34 to the intersection of a fence line, the True Point of Beginning; thence along said fence line the following ten courses:

thence South 56° 17' 41" West 1592.50 feet to a 5/8" rebar with cap labeled, "A.A. Hudson, PLS 4735"; South 76° 25' 56" West 451.46 feet to a 5/8" rebar with cap; South 82° 45' 08" West 248.13 feet to a 5/8" rebar with cap; South 89° 16' 53" West 278.55 feet to a 5/8" rebar with cap; North 81° 19' 32" West 677.95 feet to a 5/8" rebar with cap; North 76° 56' 02" West 261.30 feet to a 5/8" rebar with cap; North 77° 12' 37" West 696.81 feet to a 5/8" rebar with cap; North 77° 54' 03" West 843.70 feet to a 5/8" rebar with cap; North 77° 02' 25" West 418.80 feet to a 5/8" rebar with cap; North 12° 00' 44" East 493.73 feet to a 5/8" rebar with cap set on the North line of said Section 34; thence North 89° 59' 50" West 274.82 feet along said North line to the Northwest corner of Section 34.

Subject to a right of way described as follows: Beginning at the point an existing roadway (which runs through the property owned by M.J. Davis Memorial Limited Partnership) intersects the Southerly

Section line of Section 27 and the Northerly Section line of Section 34, Township 15 South, Range 35 East, Boise Meridian; thence running in a Southeasterly direction along said existing roadway to the Northeast property line (and an existing fence line) of the above described property; thence following said roadway and existing fence line to the Northeast corner of Section 34, Township 15 South, Range 35 East, Boise Meridian.

Said Easement may be modified by the above parties by mutual agreement.

Parcel 5:

All that part of the following described tract lying South and West of Samaria Road located in Sections 23, 24 and 25, Township 15 South, Range 35 East of the Boise Meridian, Oneida County, Idaho, and described as follows:

Commencing at the Southwest Corner of the Southeast Quarter of Section 23, above Township and Range; thence North 2640 feet; thence East 6600 feet; thence South 1026 feet; thence North 74°39' West 472.84 feet; thence South 23°00' West 194.24 rods; thence West 708 feet; thence South 12°35' West 2742.5 feet to the South line of the North Half of the Southwest Quarter of said Section 25; thence West 968 feet; thence North 12°45'

East 2742.5 feet to the Forty Subdivision line; thence West 611 feet to the Southwest Corner of the Northwest Quarter of the Northwest Quarter of said Section 25; thence North 1320 feet to the Northwest Corner of Section 25; thence West 2640 feet to the Place of Beginning.

Excepting therefrom the following three tracts:

1. Commencing at the Southwest Corner of the Northwest Quarter of the Southwest Quarter of Section 25, Township 15 South, Range 35 East, Boise Meridian; thence running North 12°45' East 1924.12 feet; thence South 68°26' East 947 feet; thence South 12°35' West 1566.2 feet; thence West 964.14 feet to Point of Beginning.
2. Commencing at the Corner between Sections 23 and 25, Township 15 South, Range 35 East, Boise Meridian; thence running South 68°20'56" East 886.55 feet for the True Point of Beginning; thence running South 63°21'10" East 208 feet; thence South 63°12'49" East 464.57 feet; thence South 64°06'21" East 320.47 feet; thence South 63°33'46" East 615.19 feet; thence South 23°00'00" West 214.17 feet; thence West 740.79 feet; thence South 12°38'26" West 1125.82 feet; thence North 68°26' West 947 feet; thence North 12°45'00" East 777.67 feet; thence North 15°09'25" East 303.06 feet; thence North 15°10'34" East 624.17 feet to the True Point of Beginning.
3. Commencing at a point on the Southern Right of Way boundary of Samaria Road (a County Road) which intersects with the Eastern boundary of Section 23, Township 15 South, Range 35 East, Boise Meridian (the Point of Beginning); thence running South along the Eastern boundary of Sections 23 and 26 to the Quarter Corner of the Northeast Quarter of the Southeast Quarter of the Northeast Quarter of Section 26; thence East 570 feet; thence North 07°23'55" East 97 feet; thence North 15°09'25" East 303.06 feet; thence North 15°10'34" East 624.17 feet; thence Northwesterly along the Southern Right of Way boundary of Samaria Road to the Point of Beginning.

PARCEL 6

A PARCEL OF LAND LOCATED IN SECTION 25, TOWNSHIP 15 SOUTH, RANGE 35 EAST AND SECTION 30, TOWNSHIP 15 SOUTH, RANGE 36 EAST, BOISE MERIDIAN, ONEIDA COUNTY, IDAHO, AND FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 25 FROM WHICH THE SOUTHEAST CORNER OF SECTION 25 BEARS SOUTH 00°22'29" EAST 2632.69 FEET; THENCE NORTH 494.91 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SAMARIA ROAD.

THENCE NORTH 69°19'48" WEST 288.69 FEET ALONG SAID RIGHT OF WAY LINE TO A 5/8" REBAR WITH CAP LABELED "A.A. HUDSON, PLS 4735" SET ON A FENCE LINE, THE TRUE POINT OF BEGINNING.
THENCE NORTH 26°15'00" EAST 259.48 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;
THENCE NORTH 27°37'05" EAST 111.48 FEET ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;
THENCE SOUTH 61°56'48" EAST 292.35 FEET TO A 5/8" REBAR WITH CAP;
THENCE SOUTH 06°07'03" WEST 86.02 FEET TO A 5/8" REBAR WITH CAP;
THENCE SOUTH 23°52'53" WEST 248.48 FEET ALONG A FENCE LINE TO A 5/8" REBAR WITH CAP SET ON SAID RIGHT OF WAY LINE;
THENCE NORTH 69°19'48" WEST 336.34 FEET ALONG SAID RIGHT OF WAY LINE TO THE TRUE POINT OF BEGINNING. T-5501

PARCEL 7

A PARCEL OF LAND LOCATED IN SECTIONS 24 AND 25, TOWNSHIP 15 SOUTH, RANGE 35 EAST AND SECTIONS 19 AND 30, TOWNSHIP 15 SOUTH, RANGE 36 EAST, BOISE MERIDIAN, ONEIDA COUNTY, IDAHO AND FURTHER DESCRIBED AS FOLLOWS:
BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 25, FROM WHICH THE NORTHEAST CORNER OF SECTION 25 BEARS NORTH 00° 02' 42" WEST 2635.10 FEET;
THENCE NORTH 00° 02' 42" WEST 477.73 FEET (NORTH 474.10 FEET BY RECORD) TO THE NORTH RIGHT OF WAY LINE OF A COUNTY ROAD;
THENCE NORTH 69° 31' 32" WEST 420.74 FEET (NORTH 70° 00' WEST 430.15 FEET BY RECORD) ALONG SAID RIGHT OF WAY LINE TO A 5/8" REBAR WITH CAP LABELED, "A.A. HUDSON, PLS 4735", THE TRUE POINT OF BEGINNING;
THENCE NORTH 26° 27' 21" EAST 1611.86 FEET (NORTH 28° 13' EAST 1616.55 FEET BY RECORD) ALONG A FENCE LINE TO A 5/8" REBAR WITH CAP;
THENCE NORTH 71° 26' 02" WEST 830.42 FEET (NORTH 71° 30' WEST 850.00 FEET BY RECORD) ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;
THENCE NORTH 23° 19' 44" EAST 2424.61 FEET (NORTH 22° 55' 30" EAST 2445.9 FEET BY RECORD) ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;
THENCE NORTH 14° 29' 40" EAST 37.30 FEET TO THE SOUTHERLY DEED LINE OF THE PARCEL OF LAND OWNED BY MARCENE H. AND THOMAS C. WILLIAMS AS RECORDED UNDER INSTRUMENT NUMBER 135471 IN THE OFFICIAL RECORDS OF ONEIDA COUNTY;
THENCE SOUTH 62° 06' 00" EAST 1055.72 FEET ALONG SAID DEED LINE TO A 5/8" REBAR WITH CAP;
THENCE SOUTH 49° 08' 30" EAST 1124.96 FEET ALONG SAID DEED LINE TO A 5/8" REBAR WITH CAP;
THENCE SOUTH 45° 10' 00" EAST 81.05 FEET ALONG SAID DEED LINE TO A 5/8" REBAR WITH CAP SET AT A FENCE CORNER;
THENCE NORTH 87° 55' 22" EAST 52.50 FEET (EAST 80.00 FEET BY RECORD) ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;
THENCE NORTH 18° 52' 57" EAST 1208.23 FEET (NORTH 17° 21' 50" EAST 1211.98 FEET BY RECORD) ALONG SAID FENCE LINE TO A FOUND 1" PIPE;
THENCE SOUTH 81° 35' 58" EAST 421.78 FEET TO A 5/8" REBAR WITH CAP SET AT A FENCE CORNER;
THENCE SOUTH 81° 35' 58" EAST 732.42 FEET ALONG A FENCE LINE TO A 5/8" REBAR WITH CAP;
THENCE SOUTH 00° 08' 35" EAST 1047.29 FEET (SOUTH 1° 17' EAST 1047 FEET BY RECORD) ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;

THENCE SOUTH 89° 00' 44" WEST 2406.84 FEET (SOUTH 87° 58' WEST 2410.00 FEET BY RECORD) ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;
 THENCE SOUTH 00° 21' 45" WEST 1282.01 FEET (SOUTH 00° 37' EAST 1283 FEET BY RECORD) ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;
 THENCE NORTH 87° 56' 36" EAST 982.03 FEET (NORTH 86° 53' EAST 980.5 FEET BY RECORD) ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP;
 THENCE SOUTH 31° 26' 00" WEST 2299.03 FEET (SOUTH 30° 30' WEST 2303.00 FEET BY RECORD) ALONG SAID FENCE LINE TO A 5/8" REBAR WITH CAP SET ON SAID NORTH RIGHT OF WAY LINE OF A COUNTY ROAD;
 THENCE NORTH 69° 31' 32" WEST 1343.26 FEET (NORTH 70° 00' WEST 1390.39 FEET BY RECORD) ALONG SAID RIGHT OF WAY LINE TO A FOUND 5/8" REBAR WITH CAP
 LABELED, PLS 4735;
 THENCE NORTH 23° 52' 53" EAST 247.45 FEET TO A FOUND 5/8" REBAR WITH CAP
 LABELED, PLS 4735;
 THENCE NORTH 06° 07' 03" EAST 86.02 FEET TO A FOUND 5/8" REBAR WITH CAP LABELED, PLS 4735;
 THENCE NORTH 61° 56' 48" WEST 292.35 FEET TO A FOUND 5/8" REBAR WITH CAP
 LABELED, PLS 4735;
 THENCE SOUTH 27° 27' 39" WEST 113.01 FEET TO A FOUND 5/8" REBAR WITH CAP
 LABELED, PLS 4735;
 THENCE SOUTH 26° 18' 39" WEST 258.07 FEET TO A FOUND 5/8" REBAR WITH CAP
 LABELED, PLS 4735 SET ON SAID NORTH RIGHT OF WAY LINE;
 THENCE NORTH 69° 31' 32" WEST 132.86 FEET ALONG SAID RIGHT OF WAY LINE TO THE TRUE POINT OF BEGINNING.

PARCEL 8:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 15 SOUTH, RANGE 36 EAST, BOISE MERIDIAN, ONEIDA COUNTY, IDAHO. RUNNING THENCE SOUTH 16 RODS; THENCE SOUTH 86° WEST 41 RODS 11 FEET; THENCE SOUTH 6°10' EAST 35 RODS 11 FEET; THENCE SOUTH 20°15' WEST 117 RODS 8 FEET TO A POINT 5 RODS 8 FEET SOUTH OF THE CENTER OF SAID SECTION 30; THENCE NORTH 5 RODS 8 FEET; THENCE SOUTH 20°15' WEST 28 RODS 6 FEET; THENCE NORTH 69°30' WEST 74 RODS 8 FEET; THENCE EAST 15 RODS; THENCE NORTH 29°15' EAST 112 RODS 8 FEET; THENCE WEST 58 RODS 6 FEET; THENCE NORTH 60 RODS 12-1/2 FEET TO THE NORTH LINE OF SAID SECTION 30; THENCE EAST 148 RODS TO THE POINT OF BEGINNING.

SUBJECT TO AN ACCESS EASEMENT 2 RODS WIDE LOCATED ADJACENT TO A CANAL RUNNING NORTHWESTERLY ACROSS PROPERTY.

EXCEPTING THEREFROM

A parcel of land located in Section 30, Township 15 South, Range 36 East, Boise Meridian, Oneida County, Idaho and further described as follows:
 Beginning at the Northeast corner of said Section 30 from which the North quarter corner of Section 30 bears South 89° 47' 19" West 2631.98 feet;
 Thence South 89° 46' 02" West 1293.02 feet along a fence line to a found 5/8" rebar with cap labeled, PLS 4735;
 Thence South 00° 49' 44" West 279.11 feet along said fence line to a found 5/8" rebar with cap labeled, PLS 4735;
 Thence South 89° 08' 27" West 724.27 feet along said fence line to a found 5/8" rebar with cap labeled, PLS 4735;

Thence South $11^{\circ} 37' 46''$ East 166.93 feet along said fence line to a found 5/8" rebar with cap labeled, PLS 4735;
 Thence South $07^{\circ} 10' 36''$ East 140.14 feet along said fence line to a found 5/8" rebar with cap labeled, PLS 4735;
 Thence South $10^{\circ} 10' 43''$ East 238.99 feet along said fence line to a found 5/8" rebar with cap labeled, PLS 4735, the True Point of Beginning;
 Thence South $44^{\circ} 50' 53''$ East 39.45 feet to a found 5/8" rebar with cap labeled, PLS 4735;
 Thence South $21^{\circ} 35' 57''$ West 744.08 feet along a fence line to a found 5/8" rebar with cap labeled, PLS 4735;
 Thence North $68^{\circ} 47' 58''$ West 26.49 feet to a found 5/8" rebar with cap labeled, PLS 4735;
 Thence North $20^{\circ} 52' 12''$ East 760.09 feet to the True Point of Beginning.

ALSO:
 BEGINNING 80 RODS WEST TO THE SOUTHEAST CORNER OF SECTION 19, TOWNSHIP 15 SOUTH, RANGE 36 EAST OF THE BOISE MERIDIAN, ONEIDA COUNTY, IDAHO; THENCE RUNNING NORTH 37 RODS 11-1/2 FEET; THENCE SOUTH $87^{\circ} 15'$ WEST 80-1/4 RODS; THENCE SOUTH 34 RODS; THENCE EAST 80 RODS TO THE POINT OF BEGINNING. SUBJECT TO BOUNDARY LINE AGREEMENT RECORDED JANUARY 11, 2007 UNDER INSTRUMENT NO. 140256.

ALSO;
 EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 15 SOUTH, RANGE 36 EAST OF THE BOISE MERIDIAN, ONEIDA COUNTY, IDAHO.

PARCEL 9:
 TOWNSHIP 15 SOUTH, RANGE 36 EAST, BOISE MERIDIAN, ONEIDA COUNTY, IDAHO
 SECTION 19: LOT 2, SOUTHEAST QUARTER OF THE NORTHWEST QUARTER; SOUTHWEST QUARTER OF THE NORTHEAST QUARTER; THE NORTH 31 RODS OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, BEING T-1071; AND THE NORTH 36 RODS OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, BEING T-1072

LESS AND EXCEPTING ANY PORTION LYING WITHIN DEEP CREEK RESERVOIR.

ALSO, AN UNRESTRICTED EASEMENT 30 FEET IN WIDTH FOR GENERAL INGRESS AND EGRESS PURPOSES, AND THE INSTALLATION OF BURIED UTILITIES OVER AND TO THEIR RESPECTIVE PROPERTIES. THE LOCATION OF THE EASEMENT IS GENERALLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 15 SOUTH, RANGE 35 EAST, BOISE MERIDIAN, ONEIDA COUNTY, IDAHO. AT A POINT WHERE AN EXISTING ROAD INTERSECTS 4700 SOUTH, AN ONEIDA COUNTY ROAD, AND RUNNING THENCE ALONG THE EXISTING ROAD IN A SOUTHERLY DIRECTION FOLLOWING THE SECTION LINE THROUGH THE PROPERTY OF FLINDERS, PRICE AND PENTZ, TO A POINT WHERE THE ROAD ENTERS OTHER REAL PROPERTY OF FLINDERS IN THE NORTHWEST QUARTER SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 15 SOUTH, RANGE 36 EAST, BOISE MERIDIAN, ONEIDA COUNTY, IDAHO.



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

December 09, 2021

PROBST RASPBERRY LLC
3141 W SAMARIA RD
MALAD CITY ID 83252-6619

Re: Change in Ownership for Water Right No(s): 15-7347, 15-7370, 15-4146 (Complete) 15-7353, 15-7223, 15-2121 (Not Complete)

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.

The department completed the ownership change for the water rights we had sufficient evidence of ownership to complete. The others are being returned unprocessed and a refund has been initiated for the filing fee paid for \$325.00. Water right number 15-7347, 15-7370 and 15-4146 (15-4146 recombined 15-7354, 15-7355-department found the split complete was not necessary, so the water rights were recombined). On July 2, 2020, and August 24, 2020, the department requested additional information in order to complete 15-7353 and 15-7223 as of the date of this letter the information has not been received therefore the water rights were not updated. If later you want to have those water rights updated, please resubmit an ownership change application, filing fee and include all the required information. Water right number 15-2121 is currently in the name of BLM, it does appear the place of use covers a portion of your property, however for the department to update that water right a chain of title back to BLM or a current release signed by BLM would be required.

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) 497-3787.

Sincerely,

Jonie Barg
Technical Records Specialist 1

Enclosure(s)

cc: ZIONS FIRST NATIONAL BANK
NORTHWEST FARM CREDIT SERVICES FLCA

Barg, Jonie

From: Barg, Jonie
Sent: Thursday, December 9, 2021 9:49 AM
To: IdwrPayable
Subject: Refund Request
Attachments: Receipt

Good morning!

I have a refund request as follows:

Receipt number: E045961
Amount: \$325.00
Payable to: KEVIN PROBST
3141 W SAMARIA RD
MALAD ID 83252

Reason: Ownership change submitted for 7 water right. Total filing fee received \$400.00 (3 split/4 nonsplit). The department requested additional information to complete some of the water rights, however the information was not received and therefore the ownership change could not be complete. The applicant is entitled to a partial refund of \$325.00.

Thank you so much for your time. Let me know if you have any questions.

Have a great day!!!



IDAHO DEPARTMENT OF
WATER RESOURCES

Jonie Barg | Technical Records Specialist

900 N Skyline Drive Ste. A, Idaho Falls, ID 83402

Phone number: (208) 525-7161

Fax number: (208) 525-7177

Email: jonie.barg@idwr.idaho.gov

Website: www.idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718
Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

August 24, 2020

**** 2nd Request

PROBST RASPBERRY LLC
3141 W SAMARIA RD
MALAD ID 83252

Dear Sir/Madam:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership.

The department has sufficient evidence to complete the ownership change for all the water rights except 15-7353 and 15-7223. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

**** **Evidence of Ownership:** The current owner of the water rights 15-7353 and 15-7223 is Peoa River Valley Ranch please provide a full chain of title from Peoa River Valley Ranch to 2M Brand for your portion of the water rights. The chain of title would be a copy of the recorded deed or other legal document deeding the water right and/or place of use of the water right to 2M Brand. I have attached a copy of the proof reports for water rights 15-7353 and 15-7223 for your convenience.

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

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact the Department if you have any questions.

Sincerely,

Jonie Barg
Technical Records Specialist

SCANNED

AUG 24 2020

Barg, Jonie

From: Barg, Jonie
Sent: Thursday, July 02, 2020 8:17 AM
To: 'ken@probstfarms.com'
Subject: Ownership Change Deficiency Letter
Attachments: 15-7223 and 15-7353.pdf

Dear Sir/Madam:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership.

The department has sufficient evidence to complete the ownership change for all the water rights except 15-7353 and 15-7223. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

**** **Evidence of Ownership:** The current owner of the water rights 15-7353 and 15-7223 is Peoa River Valley Ranch please provide a full chain of title from Peoa River Valley Ranch to 2M Brand for your portion of the water rights. The chain of title would be a copy of the recorded deed or other legal document deeding the water right and/or place of use of the water right to 2M Brand. I have attached a copy of the proof reports for water rights 15-7353 and 15-7223 for your convenience.

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

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact the Department if you have any questions.

Sincerely,



Jonie Barg
Idaho Department of Water Resources
900 N Skyline Ste A
Idaho Falls ID 83402
phone: (208) 525-7161
fax: (208) 525-7177
email: jonie.barg@idwr.idaho.gov

Protect your Enthusiasm from the Negativity of others. ~ H Jackson Brown Jr. ~