

RECEIVED

JUL 19 2021

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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?
36-15511	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: IDAHO AGRI INVESTMENTS LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): H & H DAIRY LLC
New owner(s) as listed on the conveyance document
- 174 W 400 S JEROME ID 83338-5948
Mailing address City State Zip
- 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: June 30, 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 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 SG Date 7/19/21 Receipt No. 5038704 Receipt Amt. \$25.00

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 [Signature] Date 8-23-21

21417330

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged IDAHO AGRI INVESTMENTS, LLC, an Idaho limited liability company, hereinafter the "Grantor", does hereby grant, bargain, sell, and convey unto H&H DAIRY, LLC, an Idaho limited liability company, whose address is

174 West 400 South Jerome, ID 83308 the "Grantee", the following described premises located in Gooding County, Idaho, to wit:

See Exhibit A

Together with all water rights appurtenant thereto.

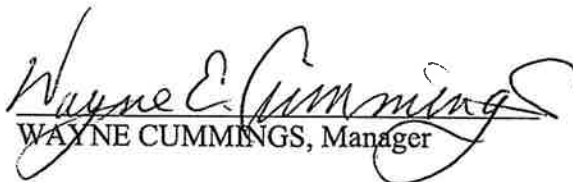
TO HAVE AND TO HOLD, unto Grantee, their successors, heirs and assigns forever.

SUBJECT TO the following: (a) general taxes and assessments, which are not yet due and payable.

Grantor warrants that it is the owner in fee simple of the Real Property, that the Grantor has not conveyed any interest in the Real Property to any person other than Grantee, and that the Property is free from all encumbrances created or suffered by Grantor, except the Permitted Exceptions, and that Grantor will warrant and defend the same against all lawful claims of all persons claiming by, through or under Grantor.

IN WITNESS WHEREOF, the parties have executed the within instrument as of the 30 day of JUNE, 2021.

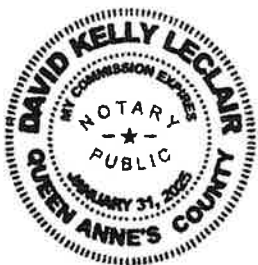
"GRANTOR"
IDAHO AGRI INVESTMENTS, LLC


WAYNE CUMMINGS, Manager

STATE OF MARYLAND)
County of QUEEN ANNES) ss:

On this 30 day of JUNE, 2021, before me, the undersigned, a Notary Public in and for said County and State, personally appeared WAYNE CUMMINGS, in his capacity as Manager of IDAHO AGRI INVESTMENTS, LLC, an Idaho limited liability company, known to me to be 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.



David Kelly Leclair
NOTARY PUBLIC
Residing at: 788 DEEP LANDING RD CHESTERTOWN MD 21620
Commission Expires: 01/31/2025

Exhibit A

PARCEL NO. 1

TOWNSHIP 7 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 34: NE $\frac{1}{4}$ NE $\frac{1}{4}$; EXCEPT the SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$.

PARCEL NO. 2

TOWNSHIP 7 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 34: SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$.

PARCEL NO. 3

TOWNSHIP 7 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 34: SE $\frac{1}{4}$ NE $\frac{1}{4}$; EXCEPTING THEREFROM that part of the E $\frac{1}{2}$ NE $\frac{1}{4}$, described as follows:

Beginning at the East quarter corner for section 34 marked with a $\frac{1}{2}$ " steel pin;
Thence West 924.36 feet along the Southerly boundary of the E $\frac{1}{2}$ NE $\frac{1}{4}$ to the TRUE POINT OF BEGINNING;
Thence West 395.12 feet along said Southerly boundary to the Southwest corner of the E $\frac{1}{2}$ NE $\frac{1}{4}$;
Thence North 0°19'14" West, 415.07 feet along the Westerly boundary of the E $\frac{1}{2}$ NE $\frac{1}{4}$;
Thence Southeasterly 581.80 feet along a curve left having a radius of 570.00 feet and a chord of South 45°32'11" East, 556.87 feet;
Thence South 25.00 feet to the TRUE POINT OF BEGINNING.
Subject to a 25.00 feet in width county road right of way along the Southerly boundary.
Subject to a 20.00 feet in width access easement along the Westerly boundary.

PARCEL NO. 4

TOWNSHIP 7 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 35: That part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, more particularly described as follows:

Commencing at the Northwest corner of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ and running thence South along the West boundary line of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 594 feet;
Thence East a distance of 733.33 feet;
Thence North a distance of 594 feet to the North boundary line of said NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence West along the North boundary line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, 733.33 feet to THE POINT OF BEGINNING.

AND ALL that part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 35, Township 7 South, Range 15 East, Boise Meridian, lying North of the "W" Canal of the North Side Canal Company as now constructed (as of July 12, 1977).

PARCEL NO. 5

An easement for ingress and egress and utilities for the benefit of Parcel No. 4 as created in Warranty Deed dated March 19, 1999, and recorded March 22, 1999 as Instrument No. 179679, records of Gooding County, Idaho, over and across the following described property:

The West 15 feet of the following described property:

Township 7 South, Range 15 East of the Boise Meridian, Gooding County, Idaho
Section 35: That part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, more particularly described as follows:

Commencing at the Northwest corner of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ and running thence South along the West boundary line of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 594 feet, THE TRUE POINT OF BEGINNING;
Thence East on a line parallel with the North boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 300 feet;
Thence South to a point 25 feet North of the South boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence West on a line 25 feet North of and parallel to the South boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$, 300 feet to the West boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence North along said West boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ to THE POINT OF BEGINNING.

PARCEL NO. 6

TOWNSHIP 7 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 35: That part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ more particularly described as follows:

Commencing at the Northwest corner of said NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence South along the West boundary line of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 594 feet, THE TRUE POINT OF BEGINNING;
Thence East on a line parallel with the North boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 300 feet;
Thence South to a point 25 feet North of the South boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence West on a line 25 feet North of and parallel to the South boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ 300 feet to the West boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence North along said West boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ to THE POINT OF BEGINNING.

PARCEL NO. 7

Easement for ingress and egress for the benefit of Parcel 6 as disclosed in Warranty Deed dated July 25, 1977, recorded November 17, 1982, as Instrument No. 97862, records of Gooding County, Idaho across the South 25 feet of the N $\frac{1}{2}$ NW $\frac{1}{4}$ and along the East 25 feet of the E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$.



0004108756

**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 #: 0004108756

Date Filed: 12/28/2020 4:12:01 PM

B0563-5139 12/28/2020 4:13 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)	Standard (filing fee \$100)				
1. Limited Liability Company Name					
Type of Limited Liability Company	Limited Liability Company				
Entity name	H&H Dairy LLC				
2. The complete street address of the principal office is:					
Principal Office Address	174 WEST 400 SOUTH JEROME, ID 83338				
3. The mailing address of the principal office is:					
Mailing Address	174 W 400 S JEROME, ID 83338-5948				
4. Registered Agent Name and Address					
Registered Agent	Registered Agent GILBERT HURTADO Physical Address: 174 WEST 400 SOUTH JEROME, ID 83338 Mailing Address: 174 W 400 S JEROME, ID 83338-5948				
☒ 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>GILBERT HURTADO</td><td>174 W 400 S JEROME, ID 83338-5948</td></tr></tbody></table>		Name	Address	GILBERT HURTADO	174 W 400 S JEROME, ID 83338-5948
Name	Address				
GILBERT HURTADO	174 W 400 S JEROME, ID 83338-5948				
Signature of Organizer:					
<u>GILBERT HURTADO</u>	<u>12/28/2020</u>				
Sign Here	Date				



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

August 23, 2021

H & H DAIRY LLC
174 W 400 S
JEROME ID 83338-5948

Re: Change in Ownership for Water Right No: 36-15511

Dear Water Right Holders:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right to you. The Department has modified its records 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 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.

Also please note, Rabo Agrifinance LLC is identified as a security interest holder on your water right. If this is no longer correct, it can be removed from the right upon written notice from the security interest holder that the interest has been terminated.

Additionally, Patrick D Brown is listed as the attorney of record on this water right. If this is no longer the case, the attorney can be removed by contacting the Department through written correspondence indicating that the attorney is no longer associated with this water right.

If you have any questions concerning the enclosed information, please contact me at (208) 736-3033.

Sincerely,

Bill Mills

Water Resource Agent, Senior

Enclosure

c: RABO AGRIFINANCE LLC; PATRICK D BROWN; TITLONE, JEROME;
WATER DISTRICT 130



237 N. Lincoln
Jerome, ID 83338
Ph. (208) 324-3357
Fx. (866) 310-3443
www.titleonecorp.com

Idaho Department of Water Resources
650 Addison Ave W, STE 500
Twin Falls, ID 83301

RECEIVED
JUL 19 2021
DEPT OF WATER RESOURCES
SOUTHERN REGION

Date: 07/16/2021

Escrow No. 21417330
Buyer: H&H Dairy, LLC
Seller: Idaho Agri Investments

Greetings,

Enclosed please find the following documents in connection with the above referred to transaction.

- TitleOne Check no. 36223 in the amount of \$25.00
- Notice of Change in Water Right Ownership
- Copy of Recorded Special Warranty Deed Instrument no. 273800

Please make the necessary changes and return to:

TitleOne Jerome
237 N. Lincoln
Jerome, ID 83338

Should you have any questions please do not hesitate to call the number listed above.

Best Regards,

Alyssa Olsen
Ag Escrow Assistant