

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

OCT 25 2021

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Department of Water Resources
Eastern 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?
35-14681 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-14682 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Foster Land and Cattle
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Idaho Falls Farm LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 1318 Dale Street Raleigh NC 27605
Mailing address City State Zip
- 252-523-0800 JMCKAY@INTLFARMING.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: April 30, 2020
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: *Jim Walker* MANAGER 10-14-2021
Signature of new owner/claimant Title, if applicable Date

JIM WALKER
Print name

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

Print name

For IDWR Office Use Only:

Received by M. Pettit Date 10-25-21 Receipt No. E047485 Receipt Amt. 50.00

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 11/4/2021

SUPPORT DATA

IN FILE # 35-14681

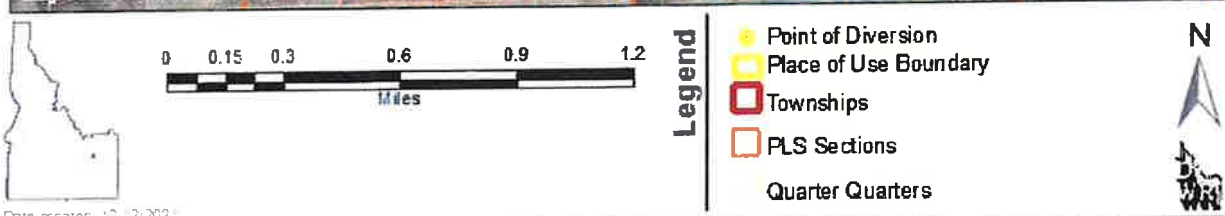
State of Idaho
Department of Water Resources

Water Right

35-14681

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



State of Idaho
Department of Water Resources

Water Right

35-14682

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 10/12/2021



Legend

- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters



AFTER RECORDING MAIL TO:

David W. Green
Brooks, Pierce, McLendon,
Humphrey & Leonard, L.L.P.
1700 Wells Fargo Capitol Center
150 Fayetteville Street
Raleigh, North Carolina 27601
Post Office Box 1800 (27602)

Instrument # 451500

RIGBY, JEFFERSON, IDAHO

04-30-2020 12:16:21 PM

Recorded for: FIRST AMERICAN TITLE INSURANCE COMPANY -

COLLEEN C POOLE

Ex-Officio Recorder Deputy: LK

Index To: DEED

Electronically Recorded by Simplifile

No. of Pages: 7

Fee: \$15.00

Space Above This Line for Recorder's Use Only

WARRANTY DEED

For Value Received, **Foster Land and Cattle, an Idaho general partnership** (hereinafter called "**Grantor**"), whose address is Post Office Box 40, Ririe, Idaho 83443, hereby grants, bargains, sells and conveys unto **Idaho Falls Farms LLC, a Delaware limited liability company** (hereinafter called "**Grantee**"), whose current address is 1318 Dale Street, Raleigh, North Carolina 27605, all of Grantor's right, title and interest in and to that certain real property described on **Exhibit A** attached hereto and made a part hereof, together with **(a)** all buildings, structures and other improvements of any and every nature located on such real property and all fixtures attached or affixed, actually or constructively, to such real property or to any such buildings, structures or other improvements; **(b)** all rights, ways and easements appurtenant to, related to, or used in connection with such real property, including, without limitation, all air rights, wind rights, all water and water rights and solar rights, all ditches and ditch rights, all reservoir and storage rights, all springs and spring rights, all wells and all groundwater rights and all surface water rights; **(c)** all of Grantor's right, title and interest in and to the land underlying and the air space overlying any public or private ways or streets crossing or abutting such real property; **(d)** all of Grantor's right, title and interest in and to oil, gas and other mineral rights related to such real property; and **(e)** all other appurtenances, easements, licenses, privileges and other property interests belonging or appurtenant to such real property (the real property described on Exhibit A, and all of the foregoing items in clauses (a) through (e) above, now or hereafter existing, are referred to collectively as the "**Property**"); and warrants the title to the Property, subject only to the matters set forth on **Exhibit B** attached hereto and made a part hereof (hereinafter called the "**Permitted Encumbrances**"). For purposes of this Warranty Deed, "water rights" include, without limitation, all of Grantor's rights, title and interest in each of the items described on **Exhibit C** attached hereto and made a part hereof.

TO HAVE AND TO HOLD the Property unto Grantee and to Grantee's heirs and assigns forever. And Grantor does hereby covenant to and with Grantee, that Grantor is the owner in fee simple of the Property; that the Property is free from all encumbrances except the Permitted Encumbrances, and that Grantor will warrant and defend the same from all claims whatsoever.

[signature appears on following page]

Dated as of the 30th day of April, 2020.

GRANTOR:

Foster Land and Cattle,
an Idaho general partnership

By: Brad Foster

Name: Brad Foster

Title: partner

STATE OF IDAHO

COUNTY OF Bonneville

On this 27 day of April, 2020, before me, a Notary Public in and for said State, personally appeared Bradley Foster, as Partner of **Foster Land and Cattle, an Idaho general partnership**, and known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he, being duly authorized, executed the same for the purposes stated therein and in the capacity indicated.

[Affix Notary Seal]



Peter Christofferson
Notary Public for the State of Idaho

Residing at: Idaho Falls, Idaho

My Commission Expires: December 21, 2021

Exhibit A
Legal Description

TRACT 1:
TOWNSHIP 4 NORTH, RANGE 35 EAST OF THE BOISE MERIDIAN, JEFFERSON COUNTY, IDAHO
SECTION 10: SOUTH 1/2

TRACT 2:
TOWNSHIP 4 NORTH, RANGE 35 EAST OF THE BOISE MERIDIAN, JEFFERSON COUNTY, IDAHO
SECTION 11: ALL

EXCEPTING THEREFROM:
PART OF THE EAST HALF OF THE EAST HALF OF THE EAST HALF ($E\frac{1}{2}$ $E\frac{1}{2}$ $E\frac{1}{2}$) OF SECTION 11, TOWNSHIP
4 NORTH,
RANGE 35 EAST OF THE BOISE MERIDIAN, JEFFERSON COUNTY, IDAHO DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 11 AND RUNNING THENCE SOUTH $89^{\circ}58'29''$
WEST 174.00 FEET ALONG THE SECTION LINE TO AN EXISTING FENCE LINE EXTENDED; THENCE NORTH
 $00^{\circ}14'34''$ WEST 5281.20 FEET ALONG SAID EXISTING FENCE TO THE NORTH LINE OF SAID SECTION 11;
THENCE NORTH $89^{\circ}45'51''$ EAST 183.00 FEET TO THE NORTHEAST CORNER OF SAID SECTION 11;
THENCE SOUTH $00^{\circ}08'42''$ EAST 5281.85 FEET TO THE POINT OF BEGINNING.

TRACT 3:
TOWNSHIP 4 NORTH, RANGE 35 EAST OF THE BOISE MERIDIAN, JEFFERSON COUNTY, IDAHO
SECTION 15: WEST 1/2

EXCEPTING THEREFROM: THE SOUTH 30 FEET.
ALSO EXCEPTING THEREFROM: THE WEST 55 FEET.

TRACT 4:
TOWNSHIP 4 NORTH, RANGE 35 EAST OF THE BOISE MERIDIAN, JEFFERSON COUNTY, IDAHO
SECTION 16: ALL

TRACT 5:
TOWNSHIP 4 NORTH, RANGE 35 EAST OF THE BOISE MERIDIAN, JEFFERSON COUNTY, IDAHO
SECTION 20: ALL

Exhibit B

Permitted Encumbrances

1. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.

TRACT 1 EXCEPTIONS:

2. 2020 taxes are an accruing lien, not yet due and payable until the fourth Monday in November of the current year. The first one-half is not delinquent until after December 20 of the current year, the second one-half is not delinquent until after June 20 of the following year.
3. Reservations in United States Patent, recorded in Book 141, of Patents, Page 94.
4. Right-of-way or easement of 400 N.. As approximately shown on survey for Idaho Falls Farms LLC made by Clint M. Jolley, P.L.S. No. 15571, of HLE, Inc., dated April 21, 2020 and designated as Job No. 2020-525.
5. Easement granted to Utah Power & Light Company, recorded November 15, 1966, as Instrument No. 142793. As approximately shown on survey for Idaho Falls Farms LLC made by Clint M. Jolley, P.L.S. No. 15571, of HLE, Inc., dated April 21, 2020 and designated as Job No. 2020-525.
6. Easement granted to Utah Power & Light Company, recorded April 30, 1974, as Instrument No. 170364. As approximately shown on survey for Idaho Falls Farms LLC made by Clint M. Jolley, P.L.S. No. 15571, of HLE, Inc., dated April 21, 2020 and designated as Job No. 2020-525.
7. Easement for A 30 Foot Roadway granted to Linden J. Butikofer and Lois J. Butikofer, recorded July 07, 2008, as Instrument No. 369576. As approximately shown on survey for Idaho Falls Farms LLC made by Clint M. Jolley, P.L.S. No. 15571, of HLE, Inc., dated April 21, 2020 and designated as Job No. 2020-525.

TRACT 2 EXCEPTIONS:

8. 2020 taxes are an accruing lien, not yet due and payable until the fourth Monday in November of the current year. The first one-half is not delinquent until after December 20 of the current year, the second one-half is not delinquent until after June 20 of the following year.
9. Reservations in United States Patent, recorded in Book 113, of Patents, Page 156.
10. Reservations in United States Patent, recorded in Book 141, of Patents, Page 95.
11. Right-of-way or easement of County Roads. As approximately shown on survey for Idaho Falls Farms LLC made by Clint M. Jolley, P.L.S. No. 15571, of HLE, Inc., dated April 21, 2020 and designated as Job No. 2020-525.
12. Easement granted to Utah Power & Light Company, recorded June 18, 1957, in Book 154 of Miscellaneous, page 590. As approximately shown on survey for Idaho Falls Farms LLC made by Clint M. Jolley, P.L.S. No. 15571, of HLE, Inc., dated April 21, 2020 and designated as Job No. 2020-525.

13. Easement granted to Utah Power & Light, recorded September 17, 1959, in Book 166 of Miscellaneous, page 81. As approximately shown on survey for Idaho Falls Farms LLC made by Clint M. Jolley, P.L.S. No. 15571, of HLE, Inc., dated April 21, 2020 and designated as Job No. 2020-525.

14. Easement for Pole Line granted to Utah Power & Light Company, recorded November 15, 1966, as Instrument No. 142792. As approximately shown on survey for Idaho Falls Farms LLC made by Clint M. Jolley, P.L.S. No. 15571, of HLE, Inc., dated April 21, 2020 and designated as Job No. 2020-525.

15. Easement for Pole Line granted to Utah Power & Light Company, recorded April 30, 1974, as Instrument No. 170363. As approximately shown on survey for Idaho Falls Farms LLC made by Clint M. Jolley, P.L.S. No. 15571, of HLE, Inc., dated April 21, 2020 and designated as Job No. 2020-525.

16. Easement for Roadway granted to Linden J. Butikofer and Lois J. Butikofer, recorded May 7, 2008, as Instrument No. 368129. As approximately shown on survey for Idaho Falls Farms LLC made by Clint M. Jolley, P.L.S. No. 15571, of HLE, Inc., dated April 21, 2020 and designated as Job No. 2020-525.

17. All matters, and any rights, easements, interests or claims which may exist by reason thereof, disclosed by survey recorded April 25, 2012, as Instrument No. 397375. As approximately shown on survey for Idaho Falls Farms LLC made by Clint M. Jolley, P.L.S. No. 15571, of HLE, Inc., dated April 21, 2020 and designated as Job No. 2020-525.

TRACT 3 EXCEPTIONS:

18. 2020 taxes are an accruing lien, not yet due and payable until the fourth Monday in November of the current year. The first one-half is not delinquent until after December 20 of the current year, the second one-half is not delinquent until after June 20 of the following year.

19. Reservations in United States Patent, recorded in Book 37, of Patents, Page 190.

20. Reservations in United States Patent, recorded in Book 37, of Patents, Page 215.

21. Right-of-way or easement of 400 N.. As approximately shown on survey for Idaho Falls Farms LLC made by Clint M. Jolley, P.L.S. No. 15571, of HLE, Inc., dated April 21, 2020 and designated as Job No. 2020-525.

TRACT 4 EXCEPTIONS:

22. 2020 taxes are an accruing lien, not yet due and payable until the fourth Monday in November of the current year. The first one-half is not delinquent until after December 20 of the current year, the second one-half is not delinquent until after June 20 of the following year.

23. Rights-of-way for ditches, tunnels and telephone and transmission lines constructed by authority of the United States, as granted to the United States under provisions of Section 58-604, Idaho Code.

24. Exceptions and reservations contained in Deed from the State of Idaho, wherein mineral rights are reserved to the State under provisions of §§ 47-701 and 47-701A. Idaho Code.

25. Right-of-way or easement of 1800 E. and 300 N.. As approximately shown on survey for Idaho Falls Farms LLC made by Clint M. Jolley, P.L.S. No. 15571, of HLE, Inc., dated April 21, 2020 and designated as Job No. 2020-525.

26. Easement granted to Utah Power & Light Company, recorded September 13, 1977, as Instrument No. 187939. As approximately shown on survey for Idaho Falls Farms LLC made by Clint M. Jolley, P.L.S. No. 15571, of HLE, Inc., dated April 21, 2020 and designated as Job No. 2020-525.

27. Easement granted to Utah Power & Light Company, recorded February 17, 1978, as Instrument No. 190520. As approximately shown on survey for Idaho Falls Farms LLC made by Clint M. Jolley, P.L.S. No. 15571, of HLE, Inc., dated April 21, 2020 and designated as Job No. 2020-525.

28. Oil and Gas Lease upon the terms, conditions and covenants contained therein: Recorded: June 12, 2007, as Instrument No. 359278 Lessor: State of Idaho Lessee: Pan American Energy, LLC. The lessee's interest under the lease has been assigned to Doina Capital, LLC by assignment recorded June 17, 2010, as Instrument No. 385200.

TRACT 5 EXCEPTIONS:

29. 2020 taxes are an accruing lien, not yet due and payable until the fourth Monday in November of the current year. The first one-half is not delinquent until after December 20 of the current year, the second one-half is not delinquent until after June 20 of the following year.

30. Reservations in United States Patent, recorded in Book 133, of Patents, Page 70.

31. Reservations in United States Patent, recorded as Instrument No. 167611.

32. Rights-of-way for ditches, constructed by authority of the United States, as granted to the United States under provisions of Section 58-604, Idaho Code.

33. Easement granted to Utah Power & Light Company, recorded November 06, 1975, as Instrument No. 177455. As approximately shown on survey for Idaho Falls Farms LLC made by Clint M. Jolley, P.L.S. No. 15571, of HLE, Inc., dated April 21, 2020 and designated as Job No. 2020-525.

34. Easement granted to Utah Power & Light Company, recorded November 06, 1975, as Instrument No. 177456. As approximately shown on survey for Idaho Falls Farms LLC made by Clint M. Jolley, P.L.S. No. 15571, of HLE, Inc., dated April 21, 2020 and designated as Job No. 2020-525.

35. Easement for A 60 Foot Road and Utility Right of Way granted to Jefferson County, recorded August 03, 1976, as Instrument No. 181456. As approximately shown on survey for Idaho Falls Farms LLC made by Clint M. Jolley, P.L.S. No. 15571, of HLE, Inc., dated April 21, 2020 and designated as Job No. 2020-525.

36. Easement for Underground Right of Way granted to PacifiCorp d/b/a Rocky Mountain Power, recorded March 30, 2011, as Instrument No. 390783. As approximately shown on survey for Idaho Falls Farms LLC made by Clint M. Jolley, P.L.S. No. 15571, of HLE, Inc., dated April 21, 2020 and designated as Job No. 2020-525. Notice of Mortgage recorded July 13, 2011, as Instrument No. 392494.

37. Any facts, rights, interests or claims that may exist or arise by reason of the following matters disclosed by a survey for Idaho Falls Farms LLC made by Clint M. Jolley, P.L.S. No. 15571, of HLE, Inc., dated April 21, 2020 and designated as Job No. 2020-525: (A) Fence on the west side of Tract 4 crosses the boundary line onto subject property. Ownership unknown; (B) End gun on the north side of Tract 2 crosses the boundary line onto adjoining property by as much as 24.2'; (C) Fence line on the northeast and southeast sides of Tract 2 cross the boundary line onto adjoining property. Ownership unknown; and (D) Transformer in the center of Tract 3 is without an easement

Exhibit C

Water Right No. 35-13403
Water Right No. 35-13933
Water Right No. 35-13935
Water Right No. 35-13937
Water Right No. 35-13939
Water Right No. 35-13941
Water Right No. 35-13949
Water Right No. 35-13951
Water Right No. 35-7216B
Water Right No. 35-2877
Water Right No. 35-9069
Water Right No. 35-7192A



0004425796



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 #: 0004425796

Date Filed: 9/23/2021 10:00:36 AM

Entity Name and Mailing Address:

Entity Name: Idaho Falls Farms LLC
Foreign Name (name in home jurisdiction): Idaho Falls Farms LLC
The file number of this entity on the records of the Idaho Secretary of State is: 0003643509
Address: CARL YOUNGER
1318 DALE ST
RALEIGH, NC 27605-1350

Entity Details:

Entity Status: Active-Existing
This entity is organized under the laws of: DELAWARE
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was:

The registered agent on record is:

Registered Agent: PARACORP INCORPORATED
Commercial Registered Agent
Physical Address
921 S ORCHARD ST
STE G
BOISE, ID 83705
Mailing Address
921 S ORCHARD ST
STE G
BOISE, ID 83705

Agent or Address Change

☐ Select if you are appointing a new agent.

Limited Liability Company Managers and Members

Name	Title	Business Address
IFC CORE FARMLAND REIT LLC	Member	1318 DALE STREET RALEIGH, CA 27605

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

Job Title: MANAGER

Jim Walker

Sign Here

09/23/2021

Date

B0650-1646 09/23/2021 10:00 AM Received by ID Secretary of State Lawrence Denney



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

November 04, 2021

IDAHO FALLS FARMS LLC
1318 DALE ST
RALEIGH NC 27605-1350

Re: Change in Ownership for Water Right No(s): 35-14681 & 35-14682

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.

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: THE BANK OF COMMERCE
CONTERRA AGRICULTURAL CAPITAL LLC
BROCKWAY ENGINEERING
WATER DISTRICT 120
BONNEVILLE JEFFERSON GROUND WATER DISTRICT

RECEIVED

OCT 25 2021

Dept of Water Resources
Eastern Region



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

October 20, 2021

James Cefalo
Idaho Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

Re: Idaho Falls Farm LLC

Dear Mr. Cefalo:

Idaho Falls Farm LLC purchased a farm previously owned by Foster Land and Cattle in 2020. Due to the timing of the a transfer (April 2020) by Foster Land and Cattle pertaining to water rights 35-7192 and 35-9069 the ownership change submit (May 2020) to IDWR did not include water rights 35-14681 and 35-14682.

At this time Idaho Falls Farm LLC desires IDWR to update the ownership of 35-14681 and 35-14682. Water right reports, IDWR aerial maps and the original deed conveying this property previously owned by Foster Land and Cattle are attached to this letter.

Please copy our office on all correspondence regarding these water right changes.

Sincerely,

Greg Sullivan, M.S., Engineer

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

Cc: Toby McKay
Enc: Notice of Change of Water Right Ownership, Water Right Reports, Aerial Maps,
Warranty Deed, Annual Report, Brockway Engineering Check # 16641 for \$50.00