

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
OCT 18 2019
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?
35-14593 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-14594 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-14595 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Gardner Farms and D. Case, LLC and D. Cooper, LLC
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Global Ag Properties II USA LLC
New owner(s) as listed on the conveyance document

2004 Fox Drive Suite L Champagne Illinois 61820
Mailing address City State ZIP
208 908-3848
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: October 11, 2019

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.

SUPPORT DATA

IN FILE # 35-14593

8. Signature: *Robert L. Jamies* Attorney October 11, 2009
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 *B* Date 10/18/2019 Receipt No. 1045398 Receipt Amt. \$75 -
 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 *CR* Date 10/18/2019

393029 Alliance Title

SPECIAL WARRANTY DEED FOR WATER RIGHTS

D. Case, LLC, an Idaho limited liability company, and D. Cooper, LLC, an Idaho limited liability company (collectively, "Grantors") hereby sell, grant, and convey unto Global Ag Properties II USA LLC, a Delaware limited liability company, whose address is 2004 Fox Drive Suite L, Champaign, Illinois 61820 ("Grantee") all of Grantors' right, title and interest in Idaho water right number 35-14593 as described in *Exhibit A* attached hereto (the "Water Right").

Grantors hereby covenant and warrant to Grantee that: (a) Grantors are the owners in fee simple of the Water Right; (b) Grantors have not conveyed any part of the Water Right to any person or entity other than Grantee; (c) the Water Right is free from all liens, claims, or encumbrances; and (d) Grantors have the authority to convey the Water Right to Grantee. Grantors makes no other covenants or warranties as to the Water Right.

DATED this 11 day of October, 2019.

D. Case, LLC

By: [Signature]
Doug Case, Member

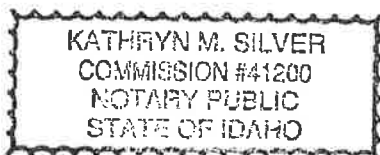
D. Cooper, LLC

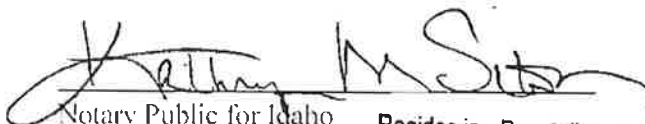
By: [Signature]
David Cooper, Member

ACKNOWLEDGMENT

STATE OF IDAHO)
 : ss.
COUNTY OF BINGHAM)

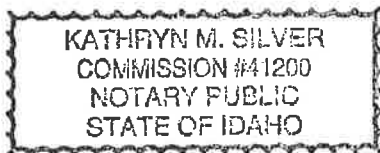
This record was acknowledged before me on October 11, 2019 by Doug Case
as the sole member of D. Case, LLC.




Notary Public for Idaho Resides in: Pocatello, ID
Commission expires _____ Commission Expires:
05/06/2022

STATE OF IDAHO)
 : ss.
COUNTY OF BINGHAM)

This record was acknowledged before me on October 11, 2019 by David
Cooper as the sole member of D. Cooper, LLC.



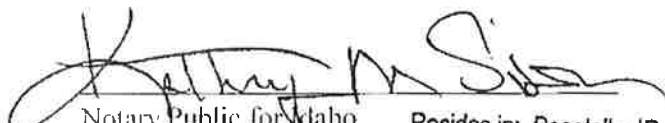

Notary Public for Idaho Resides in: Pocatello, ID
Commission expires _____ Commission Expires:
05/06/2022

Exhibit A

Water Right no. 35-14593



[Home](#) / [Water Rights](#) / [Research](#) / [Search Water Rights](#)

WATER RIGHT REPORT

10/1/2019

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 35-14593

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	D CASE LLC 198 W 500 N BLACKFOOT, ID 83221-5736
Current Owner	D COOPER LLC 578 N 100 W BLACKFOOT, ID 83221-5714

Priority Date: 03/09/1965

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	5/15	9/15	3.11 CFS	736 AFA
Total Diversion			3.11 CFS	736 AFA

Location of Point(s) of Diversion:

GROUND WATER|SWNE|Sec. 33|Township 04S|Range 30E|BINGHAM County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04S	30E	32		NENE	31		NWNE	30		SWNE	30		SENE	32
		33		NENW	31		NWNW	30						

Total Acres: 184

Conditions of Approval:

1. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of April 1 and an ending date of October 31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before May 15 and after September 15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 3/6/2002.
2. R05 Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
3. 214 Prior to the diversion and use of water under Transfer approval 82408, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
4. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
5. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
6. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. T19 Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates:

Licensed Date:

Decreed Date: 03/06/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Lee Radford
PARSONS BEHLE & LATIMER
900 Pier View Drive, Suite 206
Idaho Falls, Idaho 83402
(208) 522-6700

Instrument # 700352

BINGHAM COUNTY, IDAHO
2018-09-12 01:16:56 PM No. of Pages: 4
Recorded for: PARSONS BEHLE & LATIMER IDAHO
PAMELA W. ECKHARDT Fee: \$15.00
Ex-Officio Recorder Deputy JPulley
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

(Space Above For Recorder's Use)

WARRANTY DEED

For value received **GARDNER FARMS**, an Idaho general partnership ("Grantor"), conveys, grants, bargains, and sells to **D. COOPER, LLC**, an Idaho limited liability company, whose address is 578 N. 100 W., Blackfoot, Idaho 83221, and to **D. CASE, LLC**, an Idaho limited liability company, whose address is 198 W. 500 N., Blackfoot, Idaho 83221, as tenants in common (together referred to as "Grantee"), and their successors and assigns forever, the following described real property situated in Bingham County, State of Idaho:

Township 1 South; Range 34 East, Boise Meridian, Bingham County, Idaho.

Section 1 Southwest Quarter

Section 2 Southeast Quarter

SUBJECT TO taxes and assessments for the year 2018 and all previous and subsequent years, together with any and all existing easements, rights-of-way, reservations, restrictions, and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

This conveyance shall include any and all estate, right, title, interest, appurtenances, tenements, hereditaments, reversions, remainders, easements, rents, issues, profits, rights-of-way, and water rights in anywise appertaining to the real property herein described.

The Grantor covenants to the Grantee that Grantor is the owner in fee simple of said real property, that the real property is free from all encumbrances, excepting those as may be herein set forth, and excepting those of record and those revealed on any survey or inspection of the premises, and that Grantor will warrant and defend the same from all lawful claims.

WARRANTY DEED - 1
4826-1020-0176v1

Location prior to
recent transfer of
water rights. OK per
JB.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 11th day of September, 2018.

GRANTOR:

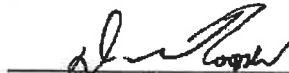
GARDNER FARMS, a general partnership



L. Gardner, LLC

By: Lance Gardner

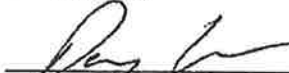
Its: Member



D. Cooper, LLC

By: David Cooper

Its: Member



D. Case, LLC

By: Doug Case

Its: Member

STATE OF IDAHO)
)
COUNTY OF Bingham)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared **LANCE GARDNER**, the Member of **L. GARDNER, LLC**, known to me to be the person whose name is subscribed to the foregoing Warranty Deed dated September 11, 2018, and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said corporation.

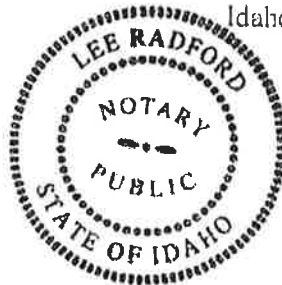
GIVEN UNDER MY HAND AND SEAL OF OFFICE this 11th day of September 2018.



Notary Public, in and for the State of
Idaho

My Commission Expires:

11/6/2023



STATE OF IDAHO)
)
COUNTY OF Bingham)

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared **DAVID COOPER**, the Member of **D. COOPER, LLC**, known to me to be the person whose name is subscribed to the foregoing Warranty Deed dated September 11, 2018, and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 11th day of September 2018.



Notary Public, in and for the State of
Idaho

My Commission Expires:

11/6/2023

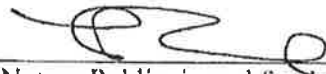


STATE OF IDAHO)

COUNTY OF Bingham)

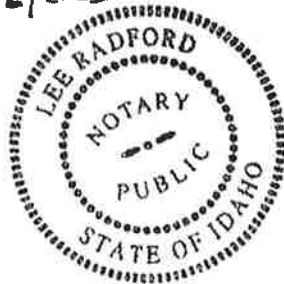
BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared **DOUG CASE**, the Member of **D. CASE, LLC**, known to me to be the person whose name is subscribed to the foregoing Warranty Deed dated September 11, 2018, and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 11th day of September 2018.



Notary Public, in and for the State of
Idaho

My Commission Expires: 11/6/2023



RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Thomas J. Budge
Racine Olson, PLLP
201 E. Center Street; P.O. Box 1391
Pocatello, Idaho 83204

Instrument # 711228

BINGHAM COUNTY, IDAHO
2019-10-11 12:52:33 PM No. of Pages: 10
Recorded for: ALLIANCE TITLE - BLACKFOOT OFF
PAMELA W. ECKHARDT Fee: \$15.00
Ex-Officio Recorder Deputy DWootton
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

THIS INSTRUMENT IS A
CORRECTION OF INSTRUMENT NO. 705745
AND SHOULD BE RECORDED AS SUCH.
IT HAS NOT BEEN EXCLUDED AS TO ITS
EFFECT OR AS TO ITS EFFECT UPON THIS TITLE

393029-2 Alliance Title

(Space above for Recorder's use)

CORRECTION SPECIAL WARRANTY DEED FOR WATER RIGHTS

THIS DEED CORRECTS AND SUPERSEDES THE SPECIAL WARRANTY DEED FOR WATER RIGHTS DATED APRIL 3, 2019 AND RECORDED APRIL 5, 2019, AS INSTRUMENT NO. 705745 IN THE OFFICIAL RECORDS OF BINGHAM COUNTY, IDAHO.

WHEREAS, D. Case, LLC, and D. Cooper, LLC, conveyed to Global Ag Properties II USA LLC, a Delaware limited liability company, all of Idaho water right nos. 35-14594 and 35-14595 (the "Water Rights") under the Special Warranty Deed for Water Rights dated April 3, 2019, and recorded April 5, 2019, as Instrument no. 705745 in the official records of Bingham County, Idaho; and

WHEREAS, Gardner Farms, an Idaho general partnership, held title to the Water Rights at the time of such conveyance;

THEREFORE, Gardner Farms, D. Case, LLC, and D. Cooper, LLC, execute this Correction Deed for the purpose of recognizing Gardner Farms rather than D. Case, LLC and D. Cooper, LLC as the Grantor of the Water Rights.

Gardner Farms, an Idaho general partnership ("Grantor") hereby sells and conveys unto **Global Ag Properties II USA LLC**, a Delaware limited liability company, whose address is 2004 Fox Drive Suite L, Champaign, Illinois 61820 ("Grantee") all of Grantor's right, title and interest in Idaho water right numbers 35-14594 and 35-14595 as described in *Exhibit A* attached hereto (the "Water Rights").

Grantor hereby covenants and warrants to Grantee that: (a) Grantor is the owner in fee simple of the Water Rights; (b) Grantor has not conveyed any part of the Water Rights to any person or entity other than Grantee; (c) the Water Rights are free from all liens, claims, or encumbrances; and (d) Grantor has the authority to convey the Water Rights to Grantee.

Grantor makes no other covenants or warranties as to the Water Rights.

DATED this 10 day of October, 2019.

Gardner Farms, a general partnership



L. Gardner, LLC

By: Lance Gardner

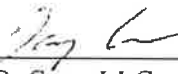
Its: Member



D. Cooper, LLC

By: David Cooper

Its: Member



D. Case, LLC

By: Doug Case

Its: Member

ACKNOWLEDGMENT

STATE OF IDAHO)
 : ss.
COUNTY OF BINGHAM)

This record was acknowledged before me on October 10, 2019 by Lance
Gardner, as Member of L. Gardner, LLC.



Victoria Purser
Notary Public for Idaho
Commission expires 8/15/2025

STATE OF IDAHO)
 : ss.
COUNTY OF BINGHAM)

This record was acknowledged before me on October 10, 2019 by David
Cooper, as Member of D. Cooper, LLC.



Victoria Purser
Notary Public for Idaho
Commission expires 8/15/2025

STATE OF IDAHO)
 : ss.
COUNTY OF BINGHAM)

This record was acknowledged before me on October 10, 2019 by Doug Case,
as Member of D. Case, LLC.



Victoria Purser
Notary Public for Idaho
Commission expires 8/15/2025

Exhibit A

Water Right nos. 35-14594 and 35-14595

IDAHO Department of Water Resources



WATER RIGHT REPORT

3/20/2019

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 35-14594

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GARDNER FARMS 166 W 265 N BLACKFOOT, ID 83221-5182 2086042289
Original Owner	ERMA S FRANDSEN , ID
Original Owner	YOSHIHISA UGAKI 191 N 400 W BLACKFOOT, ID 83221 2087851722

Priority Date: 03/09/1965

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	5/15	9/15	0.32 CFS	76 AFA
Total Diversion			0.32 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SWSW	Sec. 27	Township 04S	Range 30E	BINGHAM County
GROUND WATER	SWSW	Sec. 27	Township 04S	Range 30E	BINGHAM County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04S	30E	28		NENE	19									

Total Acres: 19

Conditions of Approval:

1. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of April 1 and an ending date of October 31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before May 15 and after September 15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 3/6/2002.
2. R05 Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
3. 214 Prior to the diversion and use of water under Transfer approval 82408, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
4. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
5. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
6. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. T19 Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates:

Licensed Date:

Decreed Date: 03/06/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: Or

Water District Number: 120

Generic Max Rate per Acre: 0.02

Generic Max Volume per Acre: 4

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

IDAHO Department of Water Resources



WATER RIGHT REPORT

3/20/2019

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 35-14595

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GARDNER FARMS 166 W 265 N BLACKFOOT, ID 83221-5182 2086042289
Original Owner	ERMA S FRANSEN , ID
Original Owner	YOSHIHISA UGAKI 191 N 400 W BLACKFOOT, ID 83221 2087851722

Priority Date: 03/09/1965

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	5/15	9/15	0.37 CFS	88 AFA
Total Diversion			0.37 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NESE	Sec. 26	Township 04S	Range 30E	BINGHAM County
GROUND WATER	SWSE	Sec. 35	Township 04S	Range 30E	BINGHAM County
GROUND WATER	SWNW	Sec. 36	Township 04S	Range 30E	BINGHAM County
GROUND WATER	SWSW	Sec. 36	Township 04S	Range 30E	BINGHAM County
GROUND WATER	SWSW	Sec. 01	Township 05S	Range 30E	BINGHAM County

Place(s) of use:

Place of Use Legal Description: IRRIGATION BINGHAM County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04S	30E	25		NWSE	22									

Total Acres: 22

Conditions of Approval:

1. X61 The period of use for the irrigation described in this approval may be extended to a beginning date of April 1 and an ending date of October 31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before May 15 and after September 15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 3/6/2002.
2. R05 Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.
3. 214 Prior to the diversion and use of water under Transfer approval 82423, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
4. 213 Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
5. R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
6. T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. T19 Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates:

Licensed Date:

Decreed Date: 03/06/2002

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: Or

Water District Number: 120

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False



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

October 18, 2019

GLOBAL AG PROPERTIES USA LLC
C/O WESTCHESTER GROUP INVESTMENT MANAGEMENT INC
2004 FOX DR STE L
CHAMPAIGN IL 61820-7346

Re: Change in Ownership for Water Right No(s): 35-14593, 35-14594, 14595

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) 497-3779.

Sincerely,

Cher Ramos
Technical Records Specialist 1

Enclosure(s)

cc: Water District 120
Aberdeen-American Falls Ground Water District
Rob Harris- Holden Kidwell Hahn & Crapo



Holden Kidwell
Hahn & Crapo P.L.L.C.
LAW OFFICES

1000 Riverwalk Drive, Suite 200
PO Box 50130
Idaho Falls, Idaho 83405

Tel: (208) 523-0620
Fax: (208) 523-9518
www.holdenlegal.com

Email: rharris@holdenlegal.com

October 15, 2019

Jonie Barg
Idaho Department of Water Resources
Eastern Region Office
900 N. Skyline Dr., Ste. A
Idaho Falls, ID 83402

RECEIVED
OCT 18 2019
Department of Water Resources
Eastern Region

Re: Notice of Change in Water Right Ownership for Water Right Nos. 35-14593, 35-14594, 35-14595.

Dear Jonie:

Enclosed for processing is a *Notice of Change in Water Right Ownership* for the above-referenced water rights. I emailed you a few weeks ago concerning previously processed ownership changes for the above rights, and it appeared to me that there was an error in the Department's database where 35-14595 should have had its ownership updated to Global Ag Properties II USA, LLC. The short version of what I now understand occurred is that Gardner Farms moved its farming assets to D. Case, LLC, and D. Cooper, LLC, and that led to a gap in the chain of title for 35-14594 and 35-14595. Accordingly, the parties have executed a *Correction Special Warranty Deed for Water Rights* wherein Gardner Farms has now conveyed Water Right Nos. 35-14594 and 35-14595 to my client. Additionally, the parties closed last week on the purchase of Water Right No. 35-14593 as evidenced by the enclosed *Special Warranty Deed for Water Rights* executed by D. Case, LLC and D. Cooper, LLC, to whom the assets of Gardner Farms had previously been transferred to as shown on the enclosed *Warranty Deed* (Instrument No. 700352).

We have included a filing fee in the amount of \$75.00 to process these changes. Please let me know if you have any questions or concerns. We appreciate your assistance on this matter.

Best regards,

Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosures

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