

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
NOV 30 2018
DEPT OF WATER RESOURCES
SOUTHERN 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?
43-2481	Yes ☐	Yes ☐		Yes ☐	Yes ☐
43-2567A	Yes ☐	Yes ☐		Yes ☐	Yes ☐
Not Processed	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Evans Grain & Elevator Co.
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Spring Farms General Partnership
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 2886 East 400 North American Falls, ID 83311
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: NOV. 15, 2018
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):
 o \$25 per *undivided* water right.
 o \$100 per *split* water right.
 o 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] Partner 11/14/2018
 Signature of new owner/claimant Title, if applicable Date

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

For IDWR Office Use Only:

Received by DM Date 11/30/2018 Receipt No. 5037050 Receipt Amt. \$1050 (\$50 for this Notice)
5037051
5037052

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 AI Date 8/23/2019

*** RETURNED**

CHRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT.

SPECIAL WARRANTY DEED

CASSIA COUNTY
RECORDED FOR:
TITLEONE - BURLEY
11:36:38 AM 11-16-2018
2018-004514
NO. PAGES: 3 FEE: \$15.00
JOSEPH W. LARSEN
COUNTY CLERK
DEPUTY: CVELASQUEZ
Electronically Recorded by Simplifile

FOR VALUE RECEIVED, EVANS GRAIN & ELEVATOR CO., a Utah corporation, the Grantor, does hereby grant, bargain sell and convey unto **BLACK DIAMOND REAL PROPERTY, LLC, an Idaho limited liability company**, whose address is 2886 E. 400 N., American Falls, Idaho 83211, and **GIFFORD SPRING REAL ESTATE, LLC, an Idaho limited liability company**, whose address is 210 Churchill Drive, Burley, Idaho 83318, collectively, the Grantee, the following described premises, in Cassia County, Idaho, TO WIT:

See Legal Description attached hereto as Exhibit A.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And said Grantors does hereby covenant to and with the said Grantees, that it is the owners in fee simple of said premises; that they are free from all encumbrances EXCEPT: Subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes, assessments, including irrigation and utility easements (if any) for the current year, which are not due and payable, and that Grantors will warrant and defend the same from lawful claims against all claiming by, through or under the Grantor, but not otherwise.

Dated: November 15, 2018

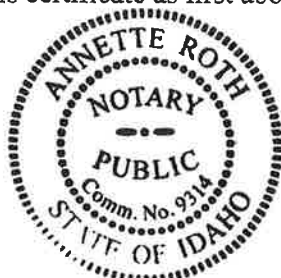
GRANTOR:

Evans Grain & Elevator Co., a Utah corporation

By: S. Bradford Kapple
S. Bradford Kapple, CEO

STATE OF UTAH)
)ss.
COUNTY OF WEBER)

On this 15 day of November, 2018, before me, a Notary Public in and for said State, personally appeared S. Bradford Kapple, known or identified to me to be the person whose name is subscribed to the within instrument as the CEO of Evans Grain & Elevator Co., a Utah corporation, and acknowledged to me that he executed the same as such President of the corporation. In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate as first above written.



Annette Roth
Notary Public
Residing at Rupert, ID
My Commission Expires 8-4-2023

EXHIBIT A

LEGAL DESCRIPTION

TOWNSHIP 9 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 19: Part of Section 19, more particularly described as follows:

Beginning at the Southeast Corner of Section 19, said corner marked by a 5/8 inch rebar with a 3 inch aluminum cap on top which shall be the Point of Beginning;

Thence North 89°47'00" West along the south line of Section 19 for a distance of 2622.74 feet to a U.S. GLO iron pipe at the South ¼ Corner;

Thence North 00°22'13" East along the west line of the SE¼ for a distance of 1320.00 feet to the Southeast Corner of Gov't Lot 3;

Thence South 89°53'44" West along the south line of Gov't Lot 3 for a distance of 1350.88 feet to the Southwest Corner of Gov't Lot 3;

Thence North 00°28'40" East along the west line of Gov't Lot 3 for a distance of 526.67 feet to a ½ inch rebar;

Thence South 55°31'23" East for a distance of 604.10 feet to a ½ inch rebar;

Thence South 65°43'42" East for a distance of 373.63 feet to a ½ inch rebar;

Thence North 86°44'37" East for a distance of 562.69 feet to a ½ inch rebar;

Thence North 28°58'05" East for a distance of 466.72 feet to a ½ inch rebar;

Thence North 68°34'17" East for a distance of 175.98 feet to a ½ inch rebar;

Thence North 75°29'38" East for a distance of 1057.88 feet to a ½ inch rebar;

Thence North 87°12'25" East for a distance of 553.19 feet to a ½ inch rebar;

Thence South 73°58'22" East for a distance of 623.34 feet to a ½ inch rebar on the east line of Section 19;

Thence South 00°09'19" West along said line for a distance of 1982.95 feet to the Point of Beginning.

TOWNSHIP 9 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 20: NW¼SE¼; S½SE¼

Section 21: W½SW¼; SE¼SW¼

Section 28: NE¼NW¼; NE¼; NE¼SE¼ and Part of the NW¼SE¼, more particularly described as follows:

Beginning at the East quarter Corner of Section 28, said corner marked by a US GLO iron pipe with brass cap; Thence South 89°44'44" West along the north line of the NE¼SE¼ of Section 28 for a distance of 1315.43 feet to the Northeast corner of the NW¼SE¼ which shall be the Point of Beginning;

Thence South $00^{\circ}31'43''$ West along the east line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ for a distance of 1003.47 feet to a $\frac{1}{2}$ inch rebar;

Thence North $89^{\circ}25'52''$ West for a distance of 26.84 feet;

Thence along a non-tangent curve to the left for a distance of 1731.75 feet to a $\frac{1}{2}$ inch rebar on the west line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, said curve having a radius of 1360.92 feet, a delta angle of $72^{\circ}54'29''$, and a long chord bearing of North $52^{\circ}17'13''$ West for a distance of 1617.26 feet;

Thence North $00^{\circ}29'17''$ East along the west line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ for a distance of 8.02 feet to the Northwest corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$;

Thence North $89^{\circ}44'44''$ East along the north line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ for a distance of 1315.43 feet to the Point of Beginning.

SAVE AND EXCEPT the following described tracts:

Tract No. 1:

Beginning at the East quarter Corner of Section 28, said corner marked by a US GLO iron pipe with brass cap; Thence South $00^{\circ}34'08''$ West along the east line of Section 28 for a distance of 1022.37 feet to a $\frac{1}{2}$ inch rebar which shall be the Point of Beginning;

Thence South $00^{\circ}34'08''$ West along the east line of Section 28 for a distance of 1069.73 feet;

Thence along a non-tangent curve to the right for a distance of 1079.05 feet, said curve having a radius of 1124.51 feet, a delta angle of $54^{\circ}58'46''$, and a long chord bearing of North $43^{\circ}21'38''$ West for a distance of 1038.12 feet to the north line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$;

Thence South $89^{\circ}49'43''$ West along the north line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ for a distance of 594.19 feet to the Southwest corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$;

Thence North $00^{\circ}31'43''$ East along the west line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ for a distance of 329.75 feet to a $\frac{1}{2}$ inch rebar;

Thence South $89^{\circ}25'52''$ East for a distance of 1314.59 feet to the Point of Beginning.

Tract No. 2:

Beginning at the East $\frac{1}{4}$ Corner of Section 28, said corner marked by a U.S. G.L.O. iron pipe with brass cap which shall be the Point of Beginning;

Thence South $00^{\circ}34'08''$ West along the east line of Section 28 for a distance of 1022.37 feet to a $\frac{1}{2}$ inch rebar;

Thence North $89^{\circ}25'52''$ West for a distance of 947.35 feet to a $\frac{1}{2}$ inch rebar;

Thence North $31^{\circ}10'04''$ East for a distance of 1861.60 feet to a $\frac{1}{2}$ inch rebar on the east line of Section 28;

Thence South $00^{\circ}35'38''$ West along said line for a distance of 580.01 feet to the Point of Beginning.



TitleOne
a title & escrow co.

ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT.

CASSIA COUNTY
RECORDED FOR:
TITLEONE - BURLEY
11:36:38 AM 11-16-2018
2018-004517
NO. PAGES: 3 FEE: \$15.00
JOSEPH W. LARSEN
COUNTY CLERK
DEPUTY: CVELASQUEZ
Electronically Recorded by Simplifile

File # 18316363-2

Quitclaim Deed

For value received, **Black Diamond Real Property, LLC, an Idaho limited liability company,**

Does hereby convey, release, remise, and forever quit claim unto

Gifford Spring Real Estate, LLC, an Idaho limited liability company,

whose current address is 210 Churchill Drive, Burley, ID 83318,

the following described premises:

SEE ATTACHED EXHIBIT 'A' FOR LEGAL DESCRIPTION

To have and to hold the said premises, unto the said grantees, its successors and assigns forever.

Date: November 15, 2018

Black Diamond Real Property, LLC, an Idaho limited
Liability company

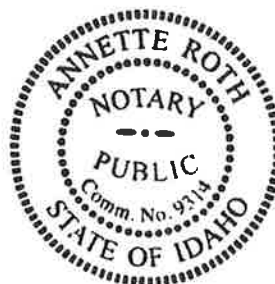
BY: Patricia A. Webb
Patricia A. Webb, Member

BY: Douglas C. Webb
Douglas C. Webb, Member

State of Idaho County of Cassia, ss.

On this 15 day of November in the year of 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Patricia A. Webb known or identified to me to be a member of Black Diamond Real Property, LLC the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company executed the same.

Annette Roth
Notary Public
Residing at: Rupert, Id
My Commission Expires: 8-4-2023
(seal)



State of Idaho County of Cassia, ss.

On this 15 day of November in the year of 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Douglas C. Webb. Webb known or identified to me to be a member of Black Diamond Real Property, LLC the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company executed the same.

Annette Roth

Notary Public

Residing at: Rupert, Id

My Commission Expires: 8-4-2023

(seal)

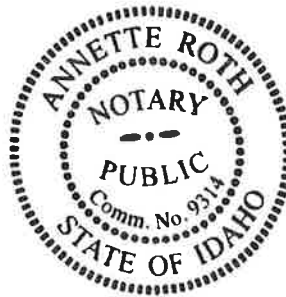


Exhibit A

TRACT A

TOWNSHIP 9 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

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

Section 21: W $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 28: NE $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$ and Part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, more particularly described as follows:

Beginning at the East quarter Corner of Section 28, said corner marked by a US GLO iron pipe with brass cap; Thence South 89°44'44" West along the north line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 28 for a distance of 1315.43 feet to the Northeast corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ which shall be the Point of Beginning;

Thence South 00°31'43" West along the east line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ for a distance of 1003.47 feet to a $\frac{1}{2}$ inch rebar;

Thence North 89°25'52" West for a distance of 26.84 feet;

Thence along a non-tangent curve to the left for a distance of 1731.75 feet to a $\frac{1}{2}$ inch rebar on the west line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, said curve having a radius of 1360.92 feet, a delta angle of 72°54'29", and a long chord bearing of North 52°17'13" West for a distance of 1617.26 feet;

Thence North 00°29'17" East along the west line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ for a distance of 8.02 feet to the Northwest corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$;

Thence North 89°44'44" East along the north line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ for a distance of 1315.43 feet to the Point of Beginning.

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Thence South 00°34'08" West along the east line of Section 28 for a distance of 1069.73 feet;

Thence along a non-tangent curve to the right for a distance of 1079.05 feet, said curve having a radius of 1124.51 feet, a delta angle of 54°58'46", and a long chord bearing of North 43°21'38" West for a distance of 1038.12 feet to the north line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$;

Thence South 89°49'43" West along the north line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ for a distance of 594.19 feet to the Southwest corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$;

Thence North 00°31'43" East along the west line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ for a distance of 329.75 feet to a $\frac{1}{2}$ inch rebar;

Thence South 89°25'52" East for a distance of 1314.59 feet to the Point of Beginning.

Tract No. 2:

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Thence South 00°34'08" West along the east line of Section 28 for a distance of 1022.37 feet to a $\frac{1}{2}$ inch rebar;

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CASSIA COUNTY
RECORDED FOR:
TITLEONE - BURLEY
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NO. PAGES: 3 FEE: \$15.00
JOSEPH W. LARSEN
COUNTY CLERK
DEPUTY: CVELASQUEZ
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File # 18316363-2

Quitclaim Deed

For value received, ,

Gifford Spring Real Estate, LLC, an Idaho limited liability company

Does hereby convey, release, remise, and forever quit claim unto

Black Diamond Real Property, LLC, an Idaho limited liability company

whose current address is 2886 East 400 North, American Falls, ID 83211,

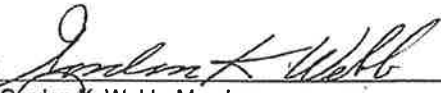
the following described premises:

SEE ATTACHED EXHIBIT 'A' FOR LEGAL DESCRIPTION

To have and to hold the said premises, unto the said grantees, its successors and assigns forever.

Date: November 15, 2018

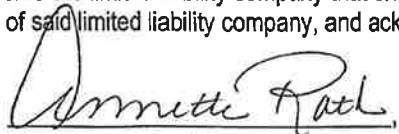
Gifford Spring Real Estate, LLC, an Idaho limited
Liability company

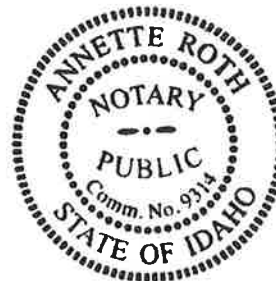
BY: 
Gordon K. Webb, Member

BY: 
Paula D. Webb, Member

State of Idaho County of Cassia, ss.

On this 15 day of November in the year of 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Gordon K. Webb known or identified to me to be a member of Gifford Spring Real Estate, LLC the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company executed the same.


Notary Public
Residing at: Rupert, Id
My Commission Expires: 8-4-2023
(seal)



State of Idaho County of Cassia, ss.

On this 15 day of November in the year of 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Paula D. Webb known or identified to me to be a member of Gifford Spring Real Estate, LLC the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company executed the same.

Annette Roth

Notary Public

Residing at:

Reupert, Id

My Commission Expires: 8-4-2023

(seal)

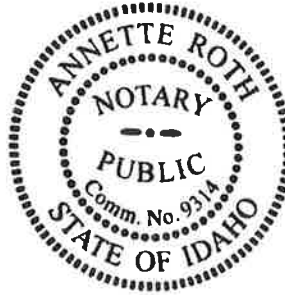


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TRACT A

TOWNSHIP 9 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

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File # 18316363-2

Quitclaim Deed
For Idaho Department of Water Water Rights

For value received, **Black Diamond Real Property, LLC**, an Idaho limited liability company, and **Gifford Spring Real Estate, LLC**, an Idaho limited liability company

Does hereby convey, release, remise, and forever quit claim unto

Spring Farms General Partnership, an Idaho general partnership

whose current address is 2886 East 400 North, American Falls; ID 83311

the following described Idaho Department of Water Resources Water Right Numbers 43-2481, 43-2567A, 43-2567B, 43-2568, 43-2579, 43-7046, 43-7047, 43-7052, 43-7088A, 43-13440, 43-13442, 43-13444, 43-13446, 43-13550, 43-13552, 43-13564, 43-13566, 43-13568, 43-13570, 43-13572 and 43-13574 all of which are appurtenant and will remain as a place of use to the following described real property:

SEE ATTACHED EXHIBIT 'A' FOR LEGAL DESCRIPTION

To have and to hold the said Water Rights, unto the said grantees, its successors and assigns forever.

Date: November 15, 2018

Black Diamond Real Property, LLC, an Idaho limited
Liability company

BY: Patricia A. Webb
Patricia A. Webb, Member

BY: Douglas C. Webb
Douglas C. Webb, Member

Gifford Spring Real Estate, LLC, an Idaho limited
Liability company

BY: Gordon K. Webb
Gordon K. Webb, Member

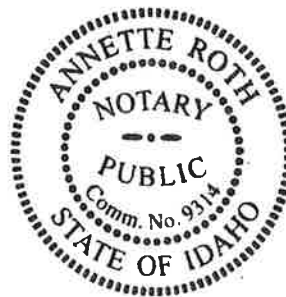
BY: Paula D. Webb
Paula D. Webb, Member

State of Idaho County of Cassia, ss.

On this 15 day of November in the year of 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Patricia A. Webb known or identified to me to be a member of Black Diamond Real Property, LLC the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledged to me that such limited liability company executed the same.

Annette Roth
Notary Public

Residing at: Rupert, ID
My Commission Expires: 8-4-2023
(seal)

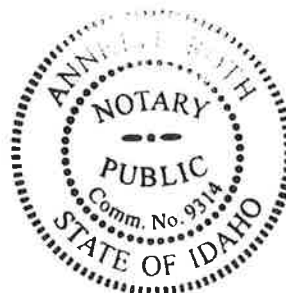


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Annette Roth
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State of Idaho County of Cassia, ss.

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Annette Roth

Notary Public

Residing at:

Rupert, ID

My Commission Expires: 8-4-2023

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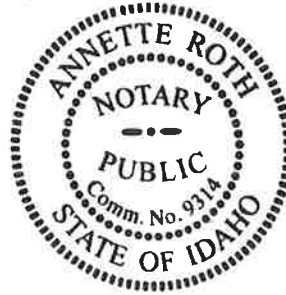


Exhibit A

TRACT A

TOWNSHIP 9 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 19: SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 30: All

Section 31: All SAVE AND EXCEPT the following described tracts:

Tract No. 1:

Beginning at the Southwest corner of the SE $\frac{1}{4}$ of said Section 31; Thence South 89°58' East for 600.65 feet along the Section line to a point, said point also lying North 89°58' West for 2,047.21 feet from the Southeast corner of said Section 31; Thence North 30°01'48" West for 75.55 feet to the True Point of Beginning, said point marked with a steel pin;
Thence North 30°01'00" West for 270.00 feet to a point marked by a steel pin;
Thence North 59°59'00" East for 280.00 feet to a point marked by a steel pin;
Thence South 30°01'00" East for 270.00 feet to a point marked by a steel pin;
Thence South 59°59'00" West for 280.00 feet to the True Point of Beginning.

Tract No. 2:

Beginning at a point from the Northeast corner of said tract of land, which point bears North 59°41' West a distance of 3,601.7 feet from the Southeast corner of said Section 31;
Thence South 30°19' East, a distance of 52.2 feet to the Southeast corner of said tract;
Thence South 59°41' West, a distance of 20.0 feet to the Southwest corner of said tract;
Thence North 30°19' West, a distance of 58.3 feet to the Northwest corner of said tract;
Thence North 76°26' East, a distance of 21.0 feet to the Northeast corner of said tract and the Point of Beginning.

Tract No. 3:

Beginning at the Southwest corner of the tract for Raft River Electric Inc., as shown on Plat No. 1640-74 dated November 7, 1974, said corner marked by an iron rod which bears North 83°24'20" East for 566.6 feet from the South quarter corner of said Section 31, evidenced by an iron rod set by Kenneth Hess, L.S.; Thence North 30°01'00" West along the West boundary of said tract 72.0 feet to the True Point of Beginning;
Thence South 59°59'00" West for 47.7 feet to the center of traveled way for the Cassia County Road known as Yale Cutoff Road;
Thence along the said center of travel way North 28°59'00" West for 68.0 feet;
Thence North 29°53'00" West for 130.0 feet to a point that lies at the intersection of said center of traveled way and the extension of the North boundary of said tract;
Thence North 59°59'00" East for 46.3 feet along said extension of the North boundary to the Northwest corner of said tract;
Thence South 30°01'00" East for 198.0 feet to the True Point of Beginning.

Tract No. 4:

All of that portion deeded to the State of Idaho for highway purposes.

Tract No. 5:

All that portion of the Yale Road right-of-way for highway purposes.

Tract No. 6:

All right-of-ways for public use.

TOWNSHIP 9 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 25: Part of the SE $\frac{1}{4}$, more particularly described as follows:

Beginning at the South 1/16 corner between Section 25, Township 9 South, Range 27 East of the Boise Meridian, and Section 30, Township 9 South, Range 28 East of the Boise Meridian, which shall be the Point of Beginning;
Thence North 89°41' West, along the South 1/16th line of Section 25, a distance of 786.7 feet;
Thence North 20°24' West, 170.7 feet;
Thence North 09°45' West, 236.3 feet;
Thence North 00°18' East, 102.7 feet;
Thence South 89°41' East, 393.2 feet;
Thence South 00°18' West, 165.0 feet;
Thence South 89°41' East, 495.0 feet to the East line of Section 25;
Thence South 330.0 feet to the Point of Beginning.

Section 25: Part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, more particularly described as follows:

Beginning at the Southeast corner of said Section 25, which shall be the Point of Beginning;
Thence West along section line for 752.51 feet;
Thence North 05°34' East for 920.2 feet;
Thence North 08°15' West for 400.1 feet;
Thence South 89°41' East (East rec.) for 709.7 feet to the East line of said Section 25;
Thence South 00°28'50" East (South rec.) along the East section line for 1307.94 feet (1320 feet rec.) to the Point of Beginning.

Section 36: Part of the NE $\frac{1}{4}$, more particularly described as follows:

Beginning at the Northeast corner of said Section 36, which shall be the Point of Beginning;
Thence South 00°08'39" West (South rec.) along section line for 1394.94 feet (1,440 feet, more or less, rec.) to a point;
Thence North 28°14' West for 1583.3 feet to a point on the North line of said Section 36;
Thence East along the North line of Section 36 for 752.51 feet to the Point of Beginning.

Section 36: That part of the E $\frac{1}{2}$ SE $\frac{1}{4}$, more particularly described as follows:

Beginning at a point on the East line of said Section 36, 742 feet North of the Southeast corner;
Thence North 35°30' West for 709.5 feet;
Thence North parallel with the East boundary line of said section 990 feet;
Thence West parallel to the South boundary line of said Section, 512 feet;
Thence North 72°28' East 314 feet;
Thence North 31°03' East 171 feet;
Thence North 5°12' West 85 feet, more or less, to the North line of said E $\frac{1}{2}$ SE $\frac{1}{4}$;
Thence East along the said North line, 525 feet, more or less, the Northeast corner of said E $\frac{1}{2}$ SE $\frac{1}{4}$;
Thence South along the East line of said E $\frac{1}{2}$ SE $\frac{1}{4}$ 1,898 feet, more or less, to the Point of Beginning.

TRACT B

PARCEL NO. 1:
TOWNSHIP 9 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 28: W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and that portion of the S $\frac{1}{2}$ SE $\frac{1}{4}$ lying North of U.S. Highway No. 30 N.

SAVE AND EXCEPT the following described tracts:

Tract No. 1: All that portion deeded to the State of Idaho for highway purposes.

Tract No. 2:

Beginning at the E $\frac{1}{4}$ section corner of said Section 28, said corner marked by a U.S. GLO iron pipe with brass cap; Thence South 00°32'23" West along the East line of Section 28 for a distance of 1335.08 feet to the NE corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 28 which shall be the Point of Beginning;
Thence South 00°32'23" West along the East line of Section 28 for a distance of 756.90 feet;
Thence along a non-tangent curve to the right for a distance of 1079.81 feet to a point on the North line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$, said curve having a radius of 1124.51 feet with a central angle of 55°01'05" with a long chord bearing of North 43°21'37" West for a distance of 1038.80 feet;
Thence North 89°52'19" East along said North line for a distance of 720.35 feet to the Point of Beginning.

Tract No. 3:

Beginning at the East quarter Corner of Section 28, said corner marked by a US GLO iron pipe with brass cap; Thence South 89°44'44" West along the north line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 28 for a distance of 1315.43 feet to the Northeast corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ which shall be the Point of Beginning;
Thence South 00°31'43" West along the east line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ for a distance of 1003.47 feet to a $\frac{1}{2}$ inch rebar;
Thence North 89°25'52" West for a distance of 26.84 feet;
Thence along a non-tangent curve to the left for a distance of 1731.75 feet to a $\frac{1}{2}$ inch rebar on the west line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, said curve having a radius of 1360.92 feet, a delta angle of 72°54'29", and a long chord bearing of North 52°17'13" West for a distance of 1617.26 feet;
Thence North 00°29'17" East along the west line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ for a distance of 8.02 feet to the Northwest corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence North 89°44'44" East along the north line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ for a distance of 1315.43 feet to the Point of Beginning.

Section 29: ALL EXCEPTING THEREFROM that portion deeded to the State of Idaho for highway purposes.

Section 32: All that portion of said Section lying North of U.S. Highway No. 30 N.

EXCEPTING THEREFROM that portion deeded to the State of Idaho for highway purposes.

Section 33: All that portion of said Section lying North of U.S. Highway No. 30 N.

EXCEPTING THEREFROM that portion deeded to the State of Idaho for highway purposes.

PARCEL NO. 2:

TOWNSHIP 9 SOUTH, RANGE 28 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 28: Part of the E $\frac{1}{2}$ SE $\frac{1}{4}$, more particularly described as follows:

Beginning at the East quarter Corner of Section 28, said corner marked by a US GLO iron pipe with brass cap; Thence South 00°34'08" West along the east line of Section 28 for a distance of 1022.37 feet to a $\frac{1}{2}$ inch rebar which shall be the Point of Beginning;
Thence South 00°34'08" West along the east line of Section 28 for a distance of 1069.73 feet;
Thence along a non-tangent curve to the right for a distance of 1079.05 feet, said curve having a radius of 1124.51 feet, a delta angle of 54°58'46", and a long chord bearing of North 43°21'38" West for a distance of 1038.12 feet to the north line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence South 89°49'43" West along the north line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ for a distance of 594.19 feet to the Southwest corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence North 00°31'43" East along the west line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ for a distance of 329.75 feet to a $\frac{1}{2}$ inch rebar;
Thence South 89°25'52" East for a distance of 1314.59 feet to the Point of Beginning.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

August 23, 2019

SPRING FARMS GENERAL PARTNERSHIP
2886 E 400 N
AMERICAN FALLS ID 83211-4800

RE: Water Right No(s): 43-2567 A, 43-2481 Change in Ownership

Dear Interested Parties:

The Idaho Department of Water Resources (Department) received a Notice of Change in Water Right Ownership (Notice) from you on 11/30/2018 for the above referenced water rights. The Notice could not be processed because the place of use of the water rights is not fully described in the conveyance documents provided. It appears that a portion of the place of use is on land owned by Evans Grain & Elevator Co. In order to update these rights, we either need documentation showing that you own the water rights in their entirety, or if the rights should be split, we need the additional filing fee required for processing split rights.

On 4/30/2019, the Department requested the required information and/or additional fees from you. As of the date of this letter, the Department has not received additional information or fees.

The Department is returning your Notice of Change in Water Right Ownership and the attachments. A refund of \$50 has been requested and will be mailed to TitleOne Corporation under separate cover from the Idaho State Controller's Office. You may re-submit your request with the appropriate documents and fees.

If you have any questions regarding this matter, please contact the Southern Region office at (208) 736-3033.

Sincerely,

Allison Inouye
Water Resource Agent

Enclosure(s)

c: TITLEONE – BURLEY (File No. 18316363-2)
NORTHWEST FARM CREDIT SERVICES FLCA

Inouye, Allison

From: Inouye, Allison
Sent: Friday, August 23, 2019 3:01 PM
To: Marston, Sascha
Subject: Refund request

Hi Sascha,
Could you please issue a (partial) refund for a returned Ownership Change?

Receipt #: S037052
Payer: TITLEONE CORPORATION
Amount: \$50
Address:
TITLEONE CORPORATION
PO BOX 177
BURLEY ID 83318-0177

Thank you!

Allison Inouye
Water Resource Agent
Southern Regional Office | Idaho Dept. of Water Resources
p (208) 736-3033 | f (208) 736-3037
Allison.Inouye@idwr.idaho.gov

Inouye, Allison

From: Inouye, Allison
Sent: Thursday, July 11, 2019 11:18 AM
To: 'Annette Roth'
Subject: RE: Spring Farms General Partnership Water Right Ownership

Good morning Annette,
I was just going through the pile on my desk and wanted to check in with you about the status of this one?

Thanks,
Allison

Allison Inouye
Water Resource Agent
Southern Regional Office | Idaho Dept. of Water Resources
p (208) 736-3033 | f (208) 736-3037
Allison.Inouye@idwr.idaho.gov

From: Annette Roth [mailto:aroth@TitleOneCorp.com]
Sent: Friday, June 14, 2019 5:17 PM
To: Inouye, Allison <Allison.Inouye@idwr.idaho.gov>
Subject: RE: Spring Farms General Partnership Water Right Ownership

Hi Allison,

Yes I am working on this, I apologize that this taking so long. I will try and have something back to you next week.

Thanks

Annette Roth

Senior Escrow Officer Ag Team
TitleOne
PO Box 177
211 W. 13th St.
Burley, Idaho 83318
TitleOneCorp.com

P: 208-881-0087
F: 866-781-5520

From: Inouye, Allison <Allison.Inouye@idwr.idaho.gov>
Sent: Friday, June 14, 2019 1:36 PM
To: Annette Roth <aroth@TitleOneCorp.com>
Subject: RE: Spring Farms General Partnership Water Right Ownership

Hi Annette,
I spoke with Doug Webb on June 3 about this issue and he indicated that Evans Grain & Elevator had conveyed those water rights in their entirety, even though they retained some of the land. He thought he had a deed showing that but wasn't able to find it so he called me back and said that you would be looking into it. I just wanted to check in to see if that is correct and if so, if you've been able to make any progress.

Thanks!

Allison

Allison Inouye
Water Resource Agent
Southern Regional Office | Idaho Dept. of Water Resources
p (208) 736-3033 | f (208) 736-3037
Allison.Inouye@idwr.idaho.gov

From: Annette Roth [<mailto:aroeth@TitleOneCorp.com>]
Sent: Thursday, May 30, 2019 10:55 AM
To: Inouye, Allison <Allison.Inouye@idwr.idaho.gov>
Subject: RE: Spring Farms General Partnership Water Right Ownership

Thanks Allison,

I will check this out and get back with you.

Annette Roth

Senior Escrow Officer Ag Team
TitleOne
PO Box 177
211 W. 13th St.
Burley, Idaho 83318
TitleOneCorp.com

P: 208-881-0087
F: 866-781-5520

From: Inouye, Allison <Allison.Inouye@idwr.idaho.gov>
Sent: Thursday, May 30, 2019 10:04 AM
To: Annette Roth <aroeth@TitleOneCorp.com>
Subject: Spring Farms General Partnership Water Right Ownership

Hi Annette,

Attached is the letter we sent to Spring Farms General Partnership. It looks to me like water rights 43-2481 & 43-2567A should be split because (if I'm looking at the deeds correctly) Evans Grain & Elevator Co still owns a portion of the land covered by those water rights. Feel free to reach out with any questions. I appreciate you looking into this!

Best,
Allison

Allison Inouye
Water Resource Agent
Southern Regional Office | Idaho Dept. of Water Resources
p (208) 736-3033 | f (208) 736-3037
Allison.Inouye@idwr.idaho.gov

BEWARE OF CYBER-FRAUD! Before wiring any funds, call the intended recipient at a number you know is valid to confirm the instructions and be wary of any request to change wire instructions you already received.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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Brad Little
Governor

Gary Spackman
Director

April 30, 2019

SPRING FARMS GENERAL PARTNERSHIP
2886 E 400 N
AMERICAN FALLS ID 83211-4800

Re: Change in Ownership for Water Right No(s): 43-2567B, 43-2568, 43-2579, 43-7046, 43-7047, 43-7052, 43-7088A, 43-13440, 43-13442, 43-13444, 43-13446, 43-13550, 43-13552, 43-13564, 43-13566, 43-13568, 43-13570, 43-13572, 43-13574 (*processed*)

Change in Ownership for Water Right No(s): 43-2481, 43-2567A (*not processed*)

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. For 19 of the rights specifically listed above, the Department has modified its records and has enclosed a computer-generated report for you.

Water right numbers 43-2481 and 43-2567A were not updated because during our review of the documentation you submitted, we found discrepancies between that documentation and the legal description of the place of use for the water rights. I have enclosed a copy of the water rights for your reference. More details are as follows:

- The place of use includes 0.5 acres in Lot 2 (SWNE) of Section 19, Twp 9S, Rng 28E. The deeds provided do not show ownership by Black Diamond Real Property LLC or Gifford Spring Real Estate LLC of any land within that tract.
- The place of use includes 2 acres in Lot 3 (NESW), 26 acres in the NESE, and 31 acres in the NWSE of Section 19, Twp 9S, Rng 28E. The deeds provided indicate that Black Diamond Real Property LLC owns a portion of these tracts. Tax parcel data available to the Department indicates that Evans Grain & Elevator Co owns the remainder of those tracts. If that is correct, only the portion of the water rights that are appurtenant to the property owned by Black Diamond Real Property LLC can subsequently be conveyed to Spring Farms General Partnership. I have enclosed an aerial photograph showing Section 19 for your reference.

It appears that water rights 43-2481 and 43-2567A should be split based on ownership. In order to do this, we would need to receive the additional filing fee of \$150 (the fee to split a water right is \$100/right and \$25/right was submitted with the initial filing). In addition, we would need clarification about specifically how the water rights should be split. Because the Department cannot process the ownership change for rights 43-2481 & 43-2567A without the proper documentation and fee, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary documentation and fee by **May 30, 2019**, we will initiate a refund of the filing fee to TitleOne and your notice will not be processed for these two rights.

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) 736-3033.

Sincerely,



Allison Inouye
Water Resource Agent

Enclosure(s)

cc: Northwest Farm Credit Services FLCA
TitleOne – Burley (File No. 18316363)



Attachment to 4/30/19 letter to Spring Farms General Partnership