

RECEIVED

MAR 12 2019

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

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
36-16800	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-16812	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: W 4 Dairy LP
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Idaho Dairy Environmental Action League Research Foundation, Inc. an Idaho Corporation
195 New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
~~238~~ River Vista Place Ste. 308 Twin Falls ID 83301
Mailing address City State ZIP
Evan: 208-969-9585 / (208) 539-4104 evan@sawtoothlaw.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: March 1, 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):
 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] President 3/1/2019
Signature of new owner/claimant Title, if applicable Date
Signature: _____ Title, if applicable Date
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by A1 Date 3/12/19 Receipt No. 5037201 Receipt Amt. \$50
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 BW Date 4-18-2019

Note: Address was corrected on this form per attached documents DM 6.13.2019

Instrument # 548985

MINIDOKA COUNTY, RUPERT, IDAHO
03-04-2019 02:01:32 PM No. of Pages: 6
Recorded for: TITLEONE - BURLEY
TONYA PAGE Fee: \$16.00
Ex-Officio Recorder Deputy Susan Aston
Electronically Recorded by Simplifile

WARRANTY DEED

FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged, W-4 Dairy Limited Partnership, an Idaho Limited Partnership, ("Grantor"), does hereby grant, bargain, sell and convey unto Idaho Dairy Environmental Action League Research Foundation, Inc., whose current mailing address is 195 River Vista Place Ste. 308, Twin Falls, Idaho 83301 ("Grantee"), the following described real property, located in Minidoka County, Idaho, to wit (the "Premises"):

See Exhibit A attached hereto and incorporated herein by this reference.

TOGETHER WITH all water and water rights and other entitlements to water appurtenant to or beneficially used upon the Premises including, but not limited to, those described on Exhibit B, and all others represented by any decree, license, permit, claim, permit application or storage entitlement, and all other ditch and canal company, water association, irrigation district, or other water delivery entity shares and entitlements to receive water from any such company, association, district or other entity, and all ditch rights, easements, and rights of way associated with any irrigation or other water well, pump, delivery ditch, canal, lateral, pipeline, or facilities used to divert, convey or deliver any water, water rights, or entitlements appurtenant to or beneficially used upon the Premises, and all minerals and mineral rights appurtenant thereto, and all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof and all estate, right, title and interest in and to the Premises, as well in law as in equity.

TO HAVE AND TO HOLD the Premises with its appurtenances unto Grantee, its successors and assigns, forever, and subject to the matters set forth on Exhibit C to this Warranty Deed attached hereto and incorporated herein (the "Permitted Exceptions"). Grantor does hereby covenant to and with Grantee, and its successors and assigns forever, that Grantor is owner in fee simple of the Premises; that Grantor has a good right to convey the fee simple; that the Premises is free from any and all liens, claims, encumbrances or other defects of title except the Permitted Exceptions; that Grantor shall and will warrant and defend the quiet and peaceful possession of said Premises by Grantee, and its successors and assigns forever, against all other claims whatsoever except as excluded or excepted herein and that Grantor and its successors and assigns will, on demand of the Grantee or its successors or assigns, execute any instrument necessary for the further assurance of the title to the Premises that may be reasonably required.

DATED effective as of the 1st day of March, 2019.

W-4 Dairy Limited Partnership,
~~W-4 Dairy~~, an Idaho Limited Partnership

By: Stacey Jackson
Stacey Jackson, General Partner

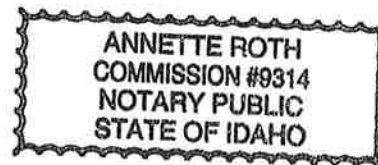
By: Brandon Whitesides
Brandon Whitesides, General Partner

By: Brent Whitesides
Brent Whitesides, General Partner

State of Idaho, County of Minidoka, ss.

On this 1st day of March in the year of 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared Stacey Jackson known or identified to me to be one of the general partners in the partnership of W-4 Dairy, an Idaho Limited Partnership and the partner who subscribed said partnership's name to the foregoing instrument, and acknowledged to me that she executed the same in said partnership name. *Limited Partnership,

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



State of Idaho, County of Minidoka, ss.

On this 1st day of March in the year of 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared Brandon Whitesides known or identified to me to be one of the general partners in the partnership of W-4 Dairy Limited Partnership, an Idaho Limited Partnership and the partner who subscribed said partnership's name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

Annette Roth

Notary Public

Residing at:

Rupert, ID

My Commission Expires: 8-4-2023

(seal)

ANNETTE ROTH
COMMISSION #9314
NOTARY PUBLIC
STATE OF IDAHO

State of Idaho, County of Minidoka, ss.

On this 1st day of March in the year of 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared Brent Whitesides known or identified to me to be one of the general partners in the partnership of W-4 Dairy Limited Partnership, an Idaho Limited Partnership and the partner who subscribed said partnership's name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

Annette Roth

Notary Public

Residing at:

Rupert, ID

My Commission Expires: 8-4-2023

(seal)

ANNETTE ROTH
COMMISSION #9314
NOTARY PUBLIC
STATE OF IDAHO

EXHIBIT A TO WARRANTY DEED

LEGAL DESCRIPTION

TOWNSHIP 7 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 17: Part of Section 17, more particularly described as follows:

Beginning at the Northwest corner of Section 17, said corner marked by a 5/8 inch rebar; Thence South 00°09'10" East along the west line of Section 17 for a distance of 2876.51 feet to the Point of Beginning;

Thence South 89°34'17" East for a distance of 25.00 feet to a ½ inch rebar;

Thence South 89°34'17" East for a distance of 335.26 feet to a ½ inch rebar;

Thence North 53°06'36" East for a distance of 358.71 feet to a ½ inch rebar;

Thence North 89°19'52" East for a distance of 1351.90 feet to a ½ inch rebar;

Thence along a non-tangent curve to the right for a distance of 981.29 feet to a ½ inch rebar, said curve having a radius of 1440.00 feet, a delta angle of 39°02'40", and a long chord bearing of South 43°06'13" East for a distance of 962.42 feet;

Thence North 48°35'30" East for a distance of 362.24 feet;

Thence along a non-tangent curve to the right for a distance of 442.36 feet to a ½ inch rebar, said curve having a radius of 1301.00 feet, a delta angle of 19°28'53", and a long chord bearing of North 48°35'30" East for a distance of 440.23 feet;

Thence along a curve to the right for a distance of 850.18 feet to a ½ inch rebar, said curve having a radius of 1301.0 feet, a delta angle of 37°26'30", and a long chord bearing of North 77°03'13" East for a distance of 835.13 feet;

Thence South 89°01'32" East for a distance of 279.79 feet to a ½ inch rebar;

Thence South 86°48'01" East for a distance of 894.18 feet to a ½ inch rebar;

Thence South 86°48'01" East for a distance of 23.96 feet to the east line of Section 17;

Thence South 00°07'38" East along said section line for a distance of 2567.29 feet to a U.S.R.S. iron pipe with brass cap on top at the Southeast Corner of Section 17;

Thence South 89°51'43" West along the south line of Section 17 for a distance of 2634.08 feet to a 5/8 inch rebar at the South ¼ Corner of Section 17;

Thence South 89°51'43" West along the south line of Section 17 for a distance of 2634.08 feet to a 5/8 inch rebar with a 3 inch aluminum cap on top at the Southwest Corner of Section 17;

Thence North 00°09'10" West along the west line of Section 17 for a distance of 2392.38 feet to the Point of Beginning.

Exhibit B to Warranty Deed

WATER RIGHTS

All water and water rights, and other entitlements to water, appurtenant to or beneficially used upon the Land, including but not limited to the following decreed water rights identified in the records of the Idaho Department of Water Resources:

- 1) 36-16800
- 2) 36-16812

The parties acknowledge and agree that water rights 36-16800 and 36-16812 are appurtenant to and beneficially used upon more than just the Land that is the subject of this transaction. Notwithstanding this fact Seller agrees that Buyer is purchasing the entirety of water rights 36-16800 and 36-16812 under this transaction and not just the portions of the water right that is appurtenant to the Land.

EXHIBIT C TO WARRANTY DEED

PERMITTED EXCEPTIONS

Taxes, including any assessments collected therewith, for the year 2019 and subsequent years.

The land described herein is located within the boundaries of Magic Valley Ground Water District and is subject to any assessments levied thereby.

Power Line Easement from The Capital Co., a Corporation, to Idaho Power Company, a corporation, dated April 21, 1955, and recorded April 27, 1955 as Instrument No. 120460 in Book 36 of Deeds, Page 31, records of Minidoka County, Idaho, over and across the NW¼ of Section 17 and W½, NE¼, W½, SE¼, N½, SW¼, and Lot 3 of Section 7, all in Township 7 South, Range 24 East of the Boise Meridian.

No. C 175526 Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE		Due no later than Oct 31, 2018 Annual Report Form 1. Mailing Address: Correct in this box if needed. IDAHO DAIRY ENVIRONMENTAL ACTION LEAGUE RESEARCH FOUNDATION INC. RICK NAEREBOUT 195 RIVER VISTA PLACE SUITE 308 TWIN FALLS ID 83301		2. Registered Agent and Address (NO PO BOX) BOB NAEREBOUT 195 RIVER VITA PLACE SUITE 308 TWIN FALLS ID 83301 3. <u>New</u> Registered Agent Signature: *		
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional).						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
DIRECTOR	RUDI DEWINKLE	3436 LYNWOOD ROAD	MELBA	ID	USA	83641
PRESIDENT	ARJE ROELOFFS	3340 SOUTH 1600 EAST	WENDELL	ID	USA	83355
DIRECTOR	LYNN KEETCH	70 CAMP STEWART ROAD	MONTPELIER	ID	USA	83254
DIRECTOR	DON TABER	195 EAST 20 NORTH	SHOSHONE	ID	USA	83352
DIRECTOR	KIM KORN	1230 EAST 1700 NORTH	TERRETON	ID	USA	83450
DIRECTOR	DON HEIDA	8109 STAR PASS RIDGE ROAD	NAMPA	ID	USA	83686
5. Organized Under the Laws of: ID C 175526		6. Annual Report must be signed.* Signature: Rick Naerebout Name (type or print): Rick Naerebout Date: 08/20/2018 Title: CEO				
Processed 08/20/2018		* Electronically provided signatures are accepted as original signatures.				

FILED EFFECTIVE



STATEMENT OF CHANGE OF 2018 AUG 27 AM 9:23
REGISTERED AGENT,
REGISTERED OFFICE,
OR BOTH
(See reverse for instructions)

SECRETARY OF STATE
STATE OF IDAHO

File #:

C175526

The undersigned entity submits the following statement for the purpose of changing its registered agent, its registered office, or both, in the State of Idaho.

1. The name of the entity is:

Idaho Dairy Environmental Action League Research Foundation, Inc.

2. The name and street address of the old registered agent and office is:

Bob Naerebout

195 River Vista Place, Suite 308

Twin Falls, Idaho 83301

3. The name and street address of the new registered agent and office in Idaho is:

Rick Naerebout

195 River Vista Place, Suite 308

(not a PO box or PMB)

Twin Falls, Idaho 83301

I consent to serve as registered agent for the above-named entity.

(Signature of new registered agent)

(Date)

Date:

Signature:

Printed:

Capacity:

NO FEE REQUIRED

Maline, Denise

From: Maline, Denise
Sent: Monday, June 03, 2019 10:03 AM
To: Evan Roth
Subject: Mailing address for Idaho Dairy Environmental Action League
Attachments: Idaho Dairy Environmental Action League.pdf

Good morning Evan,

The Department recently processed a Notice of Change in Water Right Ownership for Idaho Dairy Environmental Action League Research Foundation. Upon further review, I came across a slight discrepancy in the mailing address and contact information for this entity. It appears that the Change in Ownership form shows the phone number & mailing address for your law office; but references the Suite number (308) for Idaho Dairy Environmental. In looking at the documents attached to the Change in Ownership form, it appears that the mailing address for Idaho Dairy Environmental should match what is reflected on the Secretary of State website. I have attached the Change in Ownership form & the Secretary of State page for reference.

Can you please verify this information and let me know if my assumption is correct? This way I can update our records to be accurate.

Thank you in advance,

Denise @ IDWR Twin Falls

Denise Maline
Administrative Assistant I
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov

No response as of 6-13-2019.
Database has been updated
accordingly. *pm*



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

April 18, 2019

195

IDAHO DAIRY ENVIRONMENTAL ACTION LEAGUE RESEARCH FOUNDATION INC
236 RIVER VISTA PL STE 308
TWIN FALLS ID 83301-4078

Re: Change in Water Right Ownership: 36-16812 and 36-16800

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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,

Benny Walker
Senior Water Resource Agent

Enclosure(s)

c: TitleOne, Burley Office File No. 19326405



TitleOne
a title & escrow co.

RECEIVED

MAR 12 2019

DEPT OF WATER RESOURCES
SOUTHERN REGION

March 8, 2019

ID Dept. of Water Resources
650 Addison Ave. West
Suite 500
Twin Falls, ID 83301

RE: TitleOne File No. 19326405
Idaho Dairy Environmental Action League Research Foundation

Dear Clerk:

Enclosed with this letter please find the following:

1. The original executed Notice of Change in Water Right Ownership on Idaho Dairy Environmental Action League Research Foundation.
2. A copy of the recorded Warranty Deed.
3. TitleOne's check no. 19429 made payable to Idaho Department of Water Resources in the amount of \$50.00.

Please make the necessary changes in the records and return a copy of the report to this office.

Should you have any questions, please do not hesitate to contact Jess Davies at 208-878-3524.

Very truly yours,
TITLEONE

Nancy Garrett
Administrative Assistant

JD/nrg
Enc.
FedEx