

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 10 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?
47-2330	Yes ☐	Yes ☐		Yes ☐	Yes ☐
47-11236	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Seneca Foods Corporation
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Selkey Buhl, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 323 South Main St. Cedar Grove WI 53013
Mailing address City State ZIP
- 920-668-6016 ray@cedargroveswarehouse.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: 8.30.2018
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):
- ☐ \$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 # 47-2330

8. Signature: [Signature] Managing Member 8.30.2018
Signature of new owner/claimant Title, if applicable Date
- Signature: _____ Title, if applicable Date

For IDWR Office Use Only:

Received by Am Date 9-10-2018 Receipt No. 5036948 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 Am Date 2-11-2019



TWIN FALLS COUNTY
RECORDED FOR:
TITLEONE BOISE
02:51:21 PM 08-31-2018
2018013808
NO. PAGES 6 FEE: \$15.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: BH
Electronically Recorded by Simplifile

Order Number: 18313655 *PH 15D*

WARRANTY DEED

For Value Received,

Seneca Foods Corporation, a New York Corporation, the Grantor, does hereby grant, bargain sell and convey unto, Selkey Buhl, LLC, a Wisconsin limited liability company, whose current address is 323 S. Main St., Cedar Grove, WI 53013-1611, the Grantee, the following described premises, in Twin Falls County, Idaho, To Wit:

PARCEL 1

TOWNSHIP 9 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN, TWIN FALLS COUNTY, IDAHO

Section 31: A parcel of land located in the SW $\frac{1}{4}$, being more particularly described as follows:

Commencing at the West One Quarter (W $\frac{1}{4}$) corner of said Section 31, from which the Southwest corner of Section 31 bears South 00°37'00" East, 2650.92 feet;
Thence from the West One Quarter (W $\frac{1}{4}$) corner of Section 31 on a bearing of South 89°54'55" East along the North boundary of the SW $\frac{1}{4}$ of Section 31 for a distance of 902.10 feet to THE TRUE POINT OF BEGINNING;
Thence continuing South 89°54'55" East along the North boundary of the SW $\frac{1}{4}$ of Section 31 for a distance of 31.80 feet;
Thence South 00°24'45" East for a distance of 340.27 feet;
Thence South 89°54'55" East parallel with the North boundary of the SW $\frac{1}{4}$ of Section 31 for a distance of 317.55 feet;
Thence North 00°26'30" East for a distance of 340.26 feet to a point on the North boundary of the SW $\frac{1}{4}$ of Section 31;
Thence South 89°54'55" East along the North boundary of the SW $\frac{1}{4}$ of Section 31 for a distance of 146.39 feet;
Thence South 00°47'55" East for a distance of 688.95 feet;
Thence South 84°43'55" East for a distance of 261.53 feet;
Thence South 17°35'55" East for a distance of 292.39 feet;
Thence South 06°15'26" West for a distance of 281.85 feet;
Thence South 83°44'34" East for a distance of 124.64 feet;
Thence South 17°35'55" East for a distance of 74.18 feet to a point on the North right of way boundary of the Eastern Idaho Railroad;

Thence North 83°52'00" West along the North right of way boundary of the Eastern Idaho Railroad for a distance of 986.70 feet to the point of curvature of a curve left;
Thence Northwesterly along the North right of way boundary of the Eastern Idaho Railroad and along the arc of the curve left for a distance of 110.97 feet, said arc having a radius of 6925.58 feet and a chord bearing and distance of North 84°19'33" West, 110.97 feet;
Thence North 00°40'12" East for a distance of 205.98 feet;
Thence North 07°43'29" East for a distance of 389.10 feet;
Thence South 84°59'42" East for a distance of 69.23 feet;
Thence North 00°37'00" West parallel with the West boundary of the SW¼ of Section 31 for a distance of 654.95 feet to THE TRUE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO:

1. An access and utility easement, said easement being on, over, under and across a strip of land that is encompassed by the following described boundary:

Commencing at the West One Quarter (W¼) corner of Section 31;
Thence South 89°54'55" East along the North boundary of the SW¼ of Section 31 for a distance of 902.10 feet;
Thence South 00°37'00" East parallel with the West boundary of the SW¼ of Section 31 for a distance of 25.00 feet to a point on the South easement boundary of a county road and being THE TRUE POINT OF BEGINNING;
Thence continuing South 00°37'00" East parallel with the West boundary of the SW¼ of Section 31 for a distance of 629.95 feet;
Thence North 84°59'42" West for a distance of 69.23 feet;
Thence South 07°43'29" West along the West boundary of the before described parcel for a distance of 128.54 feet;
Thence South 89°20'54" East for a distance of 118.16 feet;
Thence North 00°37'00" West parallel with the West boundary of the SW¼ of Section 31 for a distance of 437.31 feet;
Thence North 00°24'45" West for a distance of 315.27 feet to a point on the South easement boundary of a county road;
Thence North 89°54'55" West along the South easement boundary of the county road for a distance of 31.71 feet to THE TRUE POINT OF BEGINNING.

AND

SUBJECT TO:

1. A 25.0 foot wide county road easement along the most North boundary of the before described parcel.
2. An easement to the Twin Falls Canal Company for the use and maintenance of the irrigation lateral that traverses through the described parcel.
3. All other easements and rights-of-way of record.

PARCEL 2

TOWNSHIP 9 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN, TWIN FALLS COUNTY, IDAHO

Section 31: A parcel of land located in the NE¼SW¼, being more particularly described as follows:

Commencing at the West One Quarter (W $\frac{1}{4}$) corner of said Section 31, from which the Southwest corner of Section 31 bears South 00°37'00" East, 2650.92 feet;
Thence from the West One Quarter (W $\frac{1}{4}$) corner of Section 31 on a bearing of South 89°54'55" East along the North boundary of the NW $\frac{1}{4}$ of Section 31 for a distance of 1402.91 feet;
Thence South 00°47'55" East for a distance of 688.95 feet;
Thence South 84°43'55" East for a distance of 261.53 feet;
Thence South 17°35'55" East for a distance of 292.39 feet to THE TRUE POINT OF BEGINNING;
Thence North 06°15'26" East for a distance of 38.15 feet;
Thence South 83°44'34" East for a distance of 239.08 feet;
Thence North 06°15'26" East for a distance of 30.00 feet;
Thence South 83°44'34" East for a distance of 82.00 feet;
Thence South 06°15'26" West for a distance of 350.00 feet;
Thence North 83°44'34" West for a distance of 321.08 feet;
Thence North 06°15'26" East for a distance of 281.85 feet to THE TRUE POINT OF BEGINNING.

AND

SUBJECT TO:

1. All easements and rights-of-way of record.

PARCEL 3

TOWNSHIP 9 SOUTH, RANGE 15 EAST OF THE BOSIE MERIDIAN, TWIN FALLS COUNTY, IDAHO

Section 31: A parcel of land located in the S $\frac{1}{2}$, being more particularly described as follows:

Commencing at the West One Quarter (W $\frac{1}{4}$) corner of said Section 31, from which the Southwest corner of Section 31 bears South 00°37'00" East, 2650.92 feet;
Thence from the West One Quarter (W $\frac{1}{4}$) corner of Section 31 on a bearing of South 89°54'55" East along the North boundary of the NW $\frac{1}{4}$ of Section 31 for a distance of 1402.91 feet to THE TRUE POINT OF BEGINNING;
Thence continuing South 89°54'55" East along the North boundary of the S $\frac{1}{2}$ of Section 31 for a distance of 1365.59 feet;
Thence South 00°50'20" East for a distance of 1452.81 feet to a point on the North right of way boundary of the Eastern Idaho Railroad;
Thence North 83°50'05" West along the North right of way boundary of the Eastern Idaho Railroad for a distance of 918.14 feet;
Thence departing the Eastern Idaho Railroad right of way on a bearing of North 17°35'55" West for a distance of 74.18 feet;
Thence South 83°44'34" East for a distance of 196.44 feet;
Thence North 06°15'26" East for a distance of 350.00 feet;
Thence North 83°44'34" West for a distance of 82.00 feet;
Thence South 06°15'26" West for a distance of 30.00 feet;
Thence North 83°44'34" West for a distance of 239.08 feet;
Thence South 06°15'26" West for a distance of 38.15 feet;
Thence North 17°35'55" West for a distance of 292.39 feet;
Thence North 84°43'55" West for a distance of 261.53 feet;
Thence North 00°47'55" West for a distance of 688.95 feet to THE TRUE POINT OF BEGINNING.

AND

SUBJECT TO:

1. A 25.0 foot wide county road easement along the North boundary of the before described parcel.
2. All easements and rights-of-way of record.

PARCEL 4

TOWNSHIP 9 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN, TWIN FALLS COUNTY, IDAHO

Section 31: A parcel of land located in the SE¼, being more particularly described as follows:

Commencing at the West One Quarter (W¼) corner of said Section 31, from which the Southwest corner of Section 31 bears South 00°37'00" East, 2650.92 feet;
Thence from the West One Quarter (W¼) corner of Section 31 on a bearing of South 89°54'55" East along the North boundary of the S½ of Section 31 for a distance of 2768.50 feet to a point on the North boundary of the SE¼ of Section 31;
Thence South 00°50'20" East for a distance of 226.80 feet to THE TRUE POINT OF BEGINNING;
Thence South 89°54'55" East parallel with the North boundary of the SE¼ of Section 31 for a distance of 530.36 feet;
Thence South 00°49'16" East for a distance of 50.57 feet;
Thence South 89°54'55" East parallel with the North boundary of the SE¼ of Section 31 for a distance of 266.14 feet;
Thence South 00°44'30" East for a distance of 1260.17 feet to a point on the North right of way boundary of the Eastern Idaho Railroad;
Thence North 83°50'05" West along the North right of way boundary of the Eastern Idaho Railroad for a distance of 800.22 feet;
Thence North 00°50'20" West for a distance of 1226.01 feet to THE TRUE POINT OF BEGINNING.

AND SUBJECT TO:

1. All easements and rights-of-way of record.

PARCEL 5

TOWNSHIP 9 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN, TWIN FALLS COUNTY, IDAHO

Section 31: A parcel of land in the S½ of said Section 31, being a part of a parcel of land described as Parcel 1 in a Warranty Deed between the Pillsbury Company (Grantor) and Seneca Foods Corporation (Grantee), recorded in the Twin Falls County Recorder's Office on December 23, 1995 as Instrument No. 1995002758, said part being described as follows:

Commencing at a ½ inch steel pin with an illegible plastic cap marking the S¼ corner of said Section 31, being also THE POINT OF BEGINNING of this land description;
Thence along the South line of the SE¼ of said Section 31, South 89°26'02" East (South 0°57' East), a distance of 44.67 feet to a point from which a ½ inch rebar with a plastic cap imprinted PLS 9858 bears North 00°03'16" West at a distance of 25.0 feet;
Thence North 00°03'16" West (North 0°32' West, Record), a distance of 565.00 feet to a ½ inch steel pin;
Thence South 89°26'02" East, a distance of 206.49 feet (South 89°57' East, 195.00 feet, Record), to a point at the center of Twin Falls Irrigation District Lateral "J", being also the beginning of a curve concave to the Northeast having a radius of 56.00 feet, a central angle of 27°19'20" and being subtended by a chord which bears South 23°55'01" East 26.45 feet, from which point a ½ inch steel pin with a plastic cap imprinted "PLS 9858" bears North 89°26'02" West at a distance of 10.9 feet;
Thence along the center of said lateral, and Southerly and Southeasterly along said curve to the left, a distance of 26.73 feet (South 52°56' East, 31.56 feet, Record) to a point of cusp, from which point a

½ inch rebar with a plastic cap imprinted "PLS 9858" bears North 00°14'58" East at a distance of 9.6 feet;

Thence North 00°14'58" East, a distance of 554.53 feet (North 0°32' West, 549.75 feet, Record) to a ½ inch steel pin marking the intersection with the Southerly right of way line of a railroad;

Thence along said Southerly right of way line, North 83°21'12" West (North 83°52' West), a distance of 1194.40 feet to a point in the center of a Twin Falls Canal Company irrigation ditch, from which point a ½ inch rebar with a plastic cap imprinted "PLS-9858" bears North 83°21'12" West at a distance of 31.27 feet, and also from which point a ½ inch rebar with a plastic cap imprinted "PLS-9858" bears South 83°21'12" East at a distance of 18.2 feet;

Thence along the center of said ditch the following meandered bearings and distances:

South 28°49'59" East, a distance of 69.00 feet;

Thence South 12°29'37" East, a distance of 56.99 feet;

Thence South 06°06'22" East, a distance of 53.23 feet;

Thence South 16°57'19" East, a distance of 42.21 feet;

Thence South 06°10'13" East, a distance of 36.65 feet;

Thence South 36°19'30" East, a distance of 49.03 feet;

Thence South 20°00'24" East, a distance of 41.66 feet;

Thence South 37°27'04" East, a distance of 41.23 feet;

Thence South 28°30'06" East, a distance of 130.63 feet;

Thence South 12°27'34" East, a distance of 94.59 feet;

Thence South 05°17'24" East, a distance of 72.38 feet;

Thence South 02°28'50" East, a distance of 74.01 feet;

Thence South 16°38'55" East, a distance of 86.65 feet;

Thence South 01°49'21" West, a distance of 58.76 feet;

Thence South 15°42'31" East, a distance of 53.24 feet;

Thence South 28°35'16" East, a distance of 54.11 feet;

Thence South 28°40'04" East, a distance of 56.25 feet to a point being 225.07 feet Northerly from the South line of the S½ of said Section 31, from which point a ½ inch steel pin with a plastic cap imprinted "PLS 1000" bears South 89°27'08" East at a distance of 19.9 feet, and from which point a ½ inch rebar with a plastic cap imprinted "PLS 9858" bears North 89°27'08" West at a distance of 7.8 feet;

Thence a line parallel with and 225.07 feet distant from the South line of the SW¼ of said Section 31, South 89°27'08" East, (South 89°57' East, Record), a distance of 604.87 feet to a ½ inch rebar with a plastic cap imprinted "PLS 9858";

Thence South 00°14'58" West, a distance of 225.08 feet (South 0°32' East, 225.00 feet, Record) to THE POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated: *August 29, 2018*

Seneca Foods Corporation, a New York Corporation

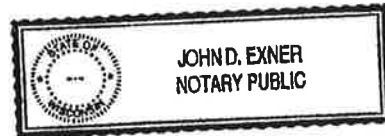
By: Aaron M. Girard

Aaron M. Girard
Senior Vice President
Logistics and Frozen

State of WISCONSIN, County of ROCK, ss.

On this 29th day of AUGUST in the year of 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Aaron M. Girard, known or identified to me to be the Senior Vice President-Logistics and Frozen of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

John D. Exner
Notary Public
Residing In: ROCK COUNTY, WISCONSIN
My Commission Expires: Permanent
(seal)





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

February 11, 2019

SELKEY BUHL LLC
323 S MAIN ST
CEDAR GROVE WI 53013-1611

Re: Change in Ownership and Notice of Security Interest for Water Right No(s): 47-2330 & 47-11236

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.

The Department also acknowledges receipt of correspondence adding security interest of the above referenced water right(s) to BMO Harris Bank N.A. The Department has modified its records to reflect the change in security interest 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) 736-3033.

Sincerely,

Denise Maline
Administrative Assistant 1

Enclosure(s)

c: Sawtooth Law Offices PLLC
BMO Harris Bank, N.A.
Evans Keane LLP
TitleOne Corporation, Boise (File #18313655)

Maline, Denise

From: Maline, Denise
Sent: Tuesday, September 11, 2018 12:41 PM
To: 'sdarling@titleonecorp.com'; 'Evan Roth'
Subject: Selkey Buhl LLC Change of Ownership (TitleOne File #18313655)
Attachments: Selkey Buhl Change of Ownership.pdf

Good afternoon Gentlemen,

I am contacting you regarding the above referenced Change of Ownership, received by the Department on September 10, 2018. We received the Change of Ownership form, cover letter from Mr. Roth, and the \$50.00 filing fee. However, the Warrant Deed was not included, as indicated in Mr. Roth's cover letter (copy attached). In order to continue processing this change, we need sufficient proof of ownership, including the legal description of the property:

*Copy of Deed, Court Decree, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question, including the
Legal Description of Property.*

Please submit the necessary information within 30 days. Otherwise, the notice and all attachments may be returned and not processed. You may submit this information to me via e-mail, if that is easiest for you.

Please contact me at the number above if you have any questions.

Thank you in advance,

Denise Maline @ 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

Boise Office

Golden Eagle Building
1101 W. River St., Ste. 110
P.O. Box 7985
Boise, Idaho 83707
Tel. (208) 629-7447

Challis Office

1301 E. Main Ave.
P.O. Box 36
Challis, Idaho 83226
Tel. (208) 879-4488
Fax (208) 879-4248

Twin Falls Office

236 River Vista Place
Suite 301
Twin Falls, Idaho 83301
Tel. (208) 969-9585

Fax (all offices)
(208) 629-7559



**SAWTOOTH LAW
OFFICES, PLLC**

David P. Claiborne *
david@sawtoothlaw.com

S. Bryce Farris
bryce@sawtoothlaw.com

Evan T. Roth
evan@sawtoothlaw.com

Daniel V. Steenson
dan@sawtoothlaw.com

Andrew J. Waldera **
andy@sawtoothlaw.com

James R. Bennetts (retired)
jim@sawtoothlaw.com

Attorneys licensed in Idaho
* Also licensed in Washington
** Also licensed in Oregon

To: IDWR Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301-5858
(208) 736-3033

From: Sawtooth Law Offices, PLLC

Re: Notice of Change in Water Right Ownership

RECEIVED

SEP 10 2018

DEPT OF WATER RESOURCES
SOUTHERN REGION

To Whom It May Concern,

Enclosed please find the necessary Notice of Change in Water Right Ownership and applicable filing fee of \$50.00. Said Notice of Change in Water Right Ownership relates to water rights 47-2330 and 47-11236. My client Selkey Buhl, LLC acquired the same from Seneca Foods Corporation on August 30, 2018, *See the enclosed Warranty Deed*. Lastly, Raymond E. Selk is the managing member of Selkey Buhl, LLC and is duly authorized by its organizational documents to execute this Notice of Change in Water Right Ownership amongst other documents on behalf of the entity. Mr. Selk's consent to this present filing and an expression of his authority to execute the same is evidence by his signature below. Please call me at 208-969-9585 if you have any questions related to this filing.

Very Truly Yours,

/s/ ETR

Evan T. Roth

Dated this 30th day of August, 2018

Raymond E. Selk, Managing Member of Selkey Buhl, LLC.

www.sawtoothlaw.com