

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

OCT 05 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

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

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
36-2070P	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-7529F	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-2230J	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Northside Dairy
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): B&H Land, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- PO Box 123 Rupert ID 83350
Mailing address City State ZIP
- 208-436-0292 _____
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: _____
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.

SUPPORT DATA

IN FILE #

36-2070P

8. Signature: [Signature] Member, B&H Land, LLC 9-30-16
Signature of new owner/claimant Title, if applicable Date
- Signature: [Signature] Member, B&H Land, LLC 9-30-16
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only: DM

Received by DM Date 10-19-2016 Receipt No. 5035774 Receipt Amt. \$25-
 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 _____ Date _____



LINCOLN COUNTY
Recorded for:
TITLEONE - BURLEY
02:59:15 PM 09-30-2016
0000197787
No. Pages 3 Fee: \$16.00
BRENDA FARNWORTH
County Clerk
Deputy: ST
Electronically Recorded by Simplifile

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

Order Number: 16277642

WARRANTY DEED

For Value Received,

Northside Dairy, an Idaho general partnership and Paul Ciocca and Dawna M. Ciocca, husband and wife, the Grantor, do hereby grant, bargain sell and convey unto, B&H Land, LLC, an Idaho limited liability company, whose current address PO Box 123, Rupert, ID 83350, the Grantee, the following described premises, in Lincoln County, Idaho and Minidoka County, Idaho, To Wit:

TRACT A

PARCEL NO. 1

TOWNSHIP 7 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

Section 33: Part of the E $\frac{1}{2}$, more particularly described as follows:

Beginning at the South $\frac{1}{4}$ corner of Section 33, said corner marked by a U.S.R.S. iron pipe with brass cap; Thence North 00°00'50" East along the west line of the SE $\frac{1}{4}$ for a distance of 435.00 feet to a $\frac{1}{2}$ inch rebar which shall be the Point of Beginning;
Thence North 00°00'50" East along the west line of the SE $\frac{1}{4}$ for a distance of 2205.88 feet to a 5/8 inch rebar at the Center $\frac{1}{4}$ corner of Section 33;
Thence North 00°00'50" East along the west line of the NE $\frac{1}{4}$ for a distance of 2637.67 feet to a 5/8 inch rebar at the North $\frac{1}{4}$ corner of Section 33;
Thence North 89°59'53" East along the north line of Section 33 for a distance of 2636.45 feet to a 5/8 inch rebar at the Northeast corner of Section 33;
Thence South 00°19'58" East along the east line of Section 33 for a distance of 2635.61 feet to a 5/8 inch rebar at the East $\frac{1}{4}$ corner of Section 33;
Thence South 00°22'37" West along the east line of Section 33 for a distance of 1321.25 feet to a U.S.B.R. iron pipe with brass cap at the Southeast corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence South 00°22'37" West along the east line of Section 33 for a distance of 1321.25 feet to a U.S.R.S. iron pipe with brass cap at the Southeast corner of Section 33;
Thence South 89°59'11" West along the south line of Section 33 for a distance of 2235.66 feet;
Thence North 00°00'50" East (North, rec.) for a distance of 25.00 feet to a $\frac{1}{2}$ inch rebar;
Thence North 00°00'50" East (North, rec.) for a distance of 410.00 feet to a $\frac{1}{2}$ inch rebar;
Thence South 89°59'11" West (West, rec.) for a distance of 400.00 feet to the Point of Beginning.



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

Instrument # 537882
MINIDOKA COUNTY, RUPERT, IDAHO
09-30-2016 02:58:02 PM No. of Pages: 3
Recorded for: TITLEONE - BURLEY
PATTY TEMPLE Fee: \$16.00
Ex-Officio Recorder Deputy Susan Aston
Electronically Recorded by Simplifile

Order Number: 16277642

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PARCEL NO. 1

TOWNSHIP 7 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

Section 33: Part of the E $\frac{1}{4}$, more particularly described as follows:

Beginning at the South $\frac{1}{4}$ corner of Section 33, said corner marked by a U.S.R.S. iron pipe with brass cap; Thence North 00°00'50" East along the west line of the SE $\frac{1}{4}$ for a distance of 435.00 feet to a $\frac{1}{2}$ inch rebar which shall be the Point of Beginning;
Thence North 00°00'50" East along the west line of the SE $\frac{1}{4}$ for a distance of 2205.88 feet to a 5/8 inch rebar at the Center $\frac{1}{4}$ corner of Section 33;
Thence North 00°00'50" East along the west line of the NE $\frac{1}{4}$ for a distance of 2637.67 feet to a 5/8 inch rebar at the North $\frac{1}{4}$ corner of Section 33;
Thence North 89°59'53" East along the north line of Section 33 for a distance of 2636.45 feet to a 5/8 inch rebar at the Northeast corner of Section 33;
Thence South 00°19'58" East along the east line of Section 33 for a distance of 2635.61 feet to a 5/8 inch rebar at the East $\frac{1}{4}$ corner of Section 33;
Thence South 00°22'37" West along the east line of Section 33 for a distance of 1321.25 feet to a U.S.B.R. iron pipe with brass cap at the Southeast corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence South 00°22'37" West along the east line of Section 33 for a distance of 1321.25 feet to a U.S.R.S. iron pipe with brass cap at the Southeast corner of Section 33;
Thence South 89°59'11" West along the south line of Section 33 for a distance of 2235.66 feet;
Thence North 00°00'50" East (North, rec.) for a distance of 25.00 feet to a $\frac{1}{2}$ inch rebar;
Thence North 00°00'50" East (North, rec.) for a distance of 410.00 feet to a $\frac{1}{2}$ inch rebar;
Thence South 89°59'11" West (West, rec.) for a distance of 400.00 feet to the Point of Beginning.



TitleOne
a title & escrow co.

Order Number: 16277642

WARRANTY DEED

For Value Received,

Northside Dairy, an Idaho general partnership and Paul Ciocca and Dawna M. Ciocca, husband and wife, the Grantor, do hereby grant, bargain sell and convey unto, B&H Land, LLC, an Idaho limited liability company, whose current address PO Box 123, Rupert, ID 83350, the Grantee, the following described premises, in Lincoln County, Idaho and Minidoka County, Idaho, To Wit:

TRACT A

PARCEL NO. 1

**TOWNSHIP 7 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO**

Section 33: Part of the E½, more particularly described as follows:

Beginning at the South ¼ corner of Section 33, said corner marked by a U.S.R.S. iron pipe with brass cap; Thence North 00°00'50" East along the west line of the SE¼ for a distance of 435.00 feet to a ½ inch rebar which shall be the Point of Beginning;
Thence North 00°00'50" East along the west line of the SE¼ for a distance of 2205.88 feet to a 5/8 inch rebar at the Center ¼ corner of Section 33;
Thence North 00°00'50" East along the west line of the NE¼ for a distance of 2637.67 feet to a 5/8 inch rebar at the North ¼ corner of Section 33;
Thence North 89°59'53" East along the north line of Section 33 for a distance of 2636.45 feet to a 5/8 inch rebar at the Northeast corner of Section 33;
Thence South 00°19'58" East along the east line of Section 33 for a distance of 2635.61 feet to a 5/8 inch rebar at the East ¼ corner of Section 33;
Thence South 00°22'37" West along the east line of Section 33 for a distance of 1321.25 feet to a U.S.B.R. iron pipe with brass cap at the Southeast corner of the NE¼SE¼;
Thence South 00°22'37" West along the east line of Section 33 for a distance of 1321.25 feet to a U.S.R.S. iron pipe with brass cap at the Southeast corner of Section 33;
Thence South 89°59'11" West along the south line of Section 33 for a distance of 2235.66 feet;
Thence North 00°00'50" East (North, rec.) for a distance of 25.00 feet to a ½ inch rebar;
Thence North 00°00'50" East (North, rec.) for a distance of 410.00 feet to a ½ inch rebar;
Thence South 89°59'11" West (West, rec.) for a distance of 400.00 feet to the Point of Beginning.

PARCEL NO. 2:
TOWNSHIP 7 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 35: SE $\frac{1}{4}$

PARCEL NO. 3:
TOWNSHIP 7 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 35: SW $\frac{1}{4}$

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 and protective covenants of record, 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: September 29, 2016.

Northside Dairy, an Idaho general partnership

By

Paul Ciocca, Its Managing Partner

Paul Ciocca

Dawna M. Ciocca
Dawna M. Ciocca

State of Idaho, County of Jerome, ss.

On this 29th day of September in the year of 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared Paul Ciocca known or identified to me to be the Managing Partner of the partners in the partnership of Northside Dairy and the managing partner who subscribed said partnership's name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

Larry Roberts, Notary Public

Residing at: Wink Tails, ID

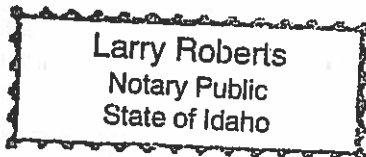
My Commission Expires: 6-30-21

(seal)

Larry Roberts
Notary Public
State of Idaho

State of Idaho, County of Cassia)ss.

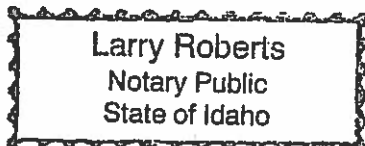
On this 29th day of September, 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared Dawn Ciocca, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.



[Signature]
Notary Public
Residing at: Turn Falls, ID
My Commission expires: 6-30-21

State of Idaho, County of Cassia)ss.

On this 29th day of September, 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared Dawn M. Ciocca, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



[Signature]
Notary Public
Residing at: Turn Falls, ID
My Commission expires: 6-30-21



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 3, 2016

B & H LAND LLC
PO BOX 123
RUPERT ID 83350

MCFINNEY AGRI-FINANCE LLC
PO BOX 1598
TWIN FALLS ID 83303-1598

RE: Change of Ownership and Notice of Security Interest in a Water Right for Water Right Nos. 36-2070P, 36-2118, 36-2195A, 36-2230J, 36-2322, 36-2323, 36-2570, 36-2587, 36-4264, 36-7296, 36-7529F, 36-11643, 36-15186, 36-15226 and 36-16206

Dear Water Right Holders and Party Holding a Security Interest:

The department acknowledges receipt of correspondence changing ownership of and adding a security interest holder to the above referenced water rights. The department has modified its records to reflect the changes and has enclosed computer-generated reports for your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited 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 Sections 42-222 and 42-223, Idaho Code.

Also, please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enclosure(s)

Cc: TitleOne (16277642)