

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JUN 01 2016

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?
47-4286	Yes ☐	Yes ☐		Yes ☐	Yes ☐
47-4288	Yes ☐	Yes ☐		Yes ☐	Yes ☐
47-12822 B	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Avelars Dairy: 47-4286, 47-4288 / Craig Moore: 47-12822 B
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): SEAPAC OF IDAHO, INC.
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- P.O. BOX 546 BUHL ID 83316
Mailing address City State ZIP
208-326-3100 SEAPAC@SEAPACOFIDAHO.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: APRIL 10, 2001

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: On File at IDWR
- ☐ 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): **SUPPORT DATA**
- o \$25 per *undivided* water right.
- o \$100 per *split* water right. **IN FILE # 47-4286**
- 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] [Signature] 6/1/16
Signature of new owner/claimant Title, if applicable Date
- Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by DM Date 6-1-2016 Receipt No. 5035495 Receipt Amt. \$100-

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 _____

TF 28643

Twin Falls County, Idaho
Recorded for:
FIRST AMERICAN TITLE CO.
02:23pm Apr. 10, 2001
2001-006233
No. of Pages: 4 Fee: \$12.00
ROBERT B. FORT
Ex-Officio Recorder
Deputy: CD

WARRANTY DEED

FOR VALUE RECEIVED,

AVELAR'S DAIRY, an Idaho Partnership, JOE E. AVELAR, ANTONIO G. AVELAR and CECILIA M. AVELAR, Partners, the "Grantor", does hereby grant, bargain, sell and convey unto SEAPAC OF IDAHO, INC., an Idaho corporation, whose address is P.O. Box 546 Buhl, Idaho, the "Grantee", the following described premises located in Twin Falls County, Idaho, to wit:

See Exhibit "A" attached hereto and by this reference made a part hereof.

Together with 137.21 shares of stock in the Twin Falls Canal Company and Water Rights No. 47-12822B, 47-04286 and 47-04288 now appurtenant thereto. Water Right No. 47-04287 is expressly excluded from this Warranty Deed and shall remain owned by the Grantor.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. The said Grantor does hereby covenant to and with the said Grantee, that it is the owner of said premises; that it will warrant and defend the same from all lawful claims whatsoever, except as herein above specifically provided, and the specific exceptions listed below:

1. Taxes for the year 2001 and all subsequent years, which are an accruing lien, due and payable on or before December 20th of said year. Liability for added assessments and subsequent tax billings, if any, pursuant to Idaho Code Section 63-403 and 63-3906.
2. Unpatented mining claims; reservations or exceptions in patents or in Acts Authorizing the issuance thereof, water rights, claims or title to water, whether or not said matters are shown by the public records.
3. Grant of easement from Annabel Reike and Milo L. Reike to the Twin Falls Canal Company recorded October 3, 1947, as Instrument No. 374862, in Book 155 of Deeds, page 323, records of Twin Falls County, Idaho. (within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 1, Township 10 South, Range 15 E., B.M.)
4. Easement from C.M. Rector and Fanny Lee Rector to Twin Falls Canal Company recorded January 16, 1948, as Instrument No. 377905, in Book 156 of Deeds, page 157, records of Twin Falls County, Idaho. (within the SW $\frac{1}{4}$ of Section 1, Township 10 South, Range 15 E., B.M.)

5. Easement Agreement by and between Joseph L. Rand and Ellen M. Rand Revocable Living Trust created by Trust Instrument dated May 9, 1996; and Craig A. Moore and Susan L. Moore, husband and wife, said Agreement dated January 7, 1997, recorded January 7, 1998, as Instrument No. 1998-000268, records of Twin Falls County, Idaho, assignment of Easement from Craig A. Moore and Susan L. Moore to Seapac of Idaho, Inc. by Assignment recorded January 7, 1998, as Instrument No. 1998-000273, records of Twin Falls County, Idaho.
6. Easement Agreement between Craig A. Moore and Susan L. Moore, husband and wife, and Seapac of Idaho, Inc., an Idaho corporation, recorded January 7, 1998, as Instrument No. 1998-000272, records of Twin Falls County, Idaho.

DATED THIS 10th day of April, 2001.

"GRANTOR"

AVELAR'S DAIRY,
an Idaho Partnership

By Joe E. Avelar
JOE E. AVELAR, Partner

By Antonio G. Avelar
ANTONIO G. AVELAR, Partner

By Cecilia M. Avelar
CÉCILIA M. AVELAR, Partner

Exhibit "A"

Township 10 South, Range 15 East, Boise Meridian Twin Falls County, Idaho

Section 1: A parcel of land being portions of the S½NW¼ and SW¼, and more particularly described as follows:

Commencing at the Northwest corner of said Section 1, from which the W¼ corner of Section 1 bears South 00°10'55" East 2872.83 feet;
Thence South 00°10'55" East along the West boundary of the NW¼ of Section 1 for a distance of 1548.95 feet to the Northwest corner of the S½NW¼ of Section 1;
Thence North 89°57'13" East along the North boundary of the S½NW¼ of Section 1 for a distance of 660.82 feet to the TRUE POINT OF BEGINNING;
Thence continuing North 89°57'13" East along the North boundary of the S½NW¼ of Section 1 for a distance of 1985.32 feet to the Northeast corner of the S½NW¼ of Section 1;
Thence South 00°03'35" East along the East boundary of the W½ of Section 1 for a distance of 3044.23 feet to a point on the Northerly right of way boundary of the Union Pacific Railroad;
Thence North 63°41'55" West along the Northerly right of way boundary of the Union Pacific Railroad for a distance of 329.33 feet to the point of curve of a curve left;
Thence Northwesterly along the Northerly right of way boundary of the Union Pacific Railroad on the arc of the curve left for a distance of 650.28 feet to the Point of Tangent, said arc having a radius of 5729.58 feet and a long chord bearing and distance of North 66°57'00" West 655.60 feet;
Thence North 70°12'05" West along the Northerly right of way boundary of the Union Pacific Railroad for a distance of 1570.26 feet;
Thence leaving the railroad right of way on a bearing of North 00°24'46" East for a distance of 458.21 feet;
Thence North 28°48'00" East for a distance of 344.55 feet;
Thence North 18°57'21" East for a distance of 35.03 feet;
Thence North 03°08'45" East for a distance of 327.80 feet;
Thence North 01°05'25" East for a distance of 763.74 feet;
Thence North 37°53'00" East for a distance of 283.77 feet to the TRUE POINT OF BEGINNING

AND

Township 10 South, Range 15 East, Boise Meridian Twin Falls County, Idaho

Section 1: A parcel of land located in the SW¼NW¼ and NW¼SW¼, and more particularly described as follows:

Commencing at the Northwest corner of said Section 1, from which the W¼ corner of Section 1 bears South 00°10'55" East 2872.83 feet;
Thence South 00°10'55" East along the West boundary of the NW¼ of Section 1 for a distance of 1973.70 feet to a point on the approximate center of an irrigation ditch and being the TRUE POINT OF BEGINNING;
Thence along the center of the irrigation ditch on the following courses;
North 65°01'30" East, 135.38 feet;
North 63°14'13" East, 107.41 feet;
North 63°27'50" East, 135.66 feet;
North 63°41'00" East, 106.48 feet;
Thence leaving the center of the irrigation ditch on a bearing of South 01°05'25" West for a distance of 773.52 feet;
Thence North 87°24'46" West for a distance of 136.55 feet;
Thence South 01°45'05" West for a distance of 112.95 feet;
Thence North 89°08'55" West for a distance of 278.78 feet to a point on the West boundary of the NW¼ of Section 1;
Thence North 00°10'55" West along the West boundary of the NW¼ of Section 1 for a distance of 662.63 feet to the TRUE POINT OF BEGINNING.

(TF28643 PFD/TF28643/16)

45249ML

TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

*** SPACE ABOVE FOR RECORDER ***

Twin Falls County, Idaho

Recorded for:
TITLEFACT

03:34pm Mar. 26, 2001
2001 - 005305

No. of Pages: 2 Fee: \$6.00
ROBERT S. FORT
Ex-Officio Recorder
Deputy: CD

WARRANTY DEED

FOR VALUE RECEIVED CRAIG A. MOORE and SUSAN L. MOORE, husband and wife, hereinafter called the grantor, hereby grants, bargains, sells and conveys unto AVELARS DAIRY, a partnership hereinafter called grantee, whose address is: 3835 North 1300 East, Buhl, Idaho 83316, the following described premises, in Twin Falls County, Idaho, to-wit:

Township 10 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho

Section 1: A parcel of land being portions of the S $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ and more particularly described as follows: COMMENCING at the Northwest corner of said Section 1, from which the West one-quarter (W $\frac{1}{4}$) corner of

Section 1 bears South 00°10'55" East 2872.83 feet;

THENCE South 00°10'55" East along the West boundary of the NW $\frac{1}{4}$ of Section 1 for a distance of 1548.95 feet to the Northwest corner of the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 1;

THENCE North 89°57'13" East along the North boundary of the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 1 for a distance of 660.82 feet to the TRUE POINT OF BEGINNING;

THENCE continuing North 89°57'13" East along the North boundary of the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 1 for a distance of 1985.32 feet to the Northeast corner of the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 1;

THENCE South 00°03'35" East along the East boundary of the W $\frac{1}{4}$ of Section 1 for a distance of 3044.23 feet to a point on the Northerly right-of-way boundary of the Union Pacific Railroad;

THENCE North 63°41'55" West along the Northerly right-of-way boundary of the Union Pacific Railroad for a distance of 329.33 feet to the point of curve of a curve left;

THENCE Northwesterly along the Northerly right-of-way boundary of the Union Pacific Railroad on the arc of the curve left for a distance of 650.28 feet to the Point of Tangent, said arc having a radius of 5729.58 feet and a long chord bearing and distance of North 66°57'00" West 655.60 feet;

THENCE North 70°12'05" West along the Northerly right-of-way boundary of the Union Pacific Railroad for a distance of 1570.26 feet;

THENCE leaving the railroad right of way on a bearing of North 00°24'46" East for a distance of 458.21 feet;

THENCE North 28°48'00" East for a distance of 344.55 feet;

THENCE North 18°57'21" East for a distance of 35.03 feet;

THENCE North 03°08'45" East for a distance of 327.80 feet;

THENCE North 01°05'25" East for a distance of 763.74 feet;

THENCE North 37°53'00" East for a distance of 283.77 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO: An easement for the use and maintenance of any and all ditches located within the boundaries of the before-described parcel.

AND

Township 10 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho

Section 1: A parcel of land located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ and more particularly described as follows: COMMENCING at the Northwest corner of said Section 1, from which the West one-quarter (W $\frac{1}{4}$) corner of

Section 1 bears South 00°10'55" East 2872.83 feet;

THENCE South 00°10'55" East along the West boundary of the NW $\frac{1}{4}$ of Section 1 for a distance of 1973.70 feet to a point on the approximate center of an irrigation ditch and being the TRUE POINT OF BEGINNING,

THENCE along the center of the irrigation ditch on the following courses:

North 65°01'30" East, 135.38 feet;

North 63°14'13" East, 107.41 feet;

North 63°27'50" East, 135.66 feet;

North 63°41'00" East, 106.48 feet;

THENCE leaving the center of the irrigation ditch on a bearing of South 01°05'25" West for a distance of 773.52 feet;

THENCE North 87°24'46" West for a distance of 136.55 feet;

THENCE South 01°45'05" West for a distance of 112.95 feet;

THENCE North 89°08'55" West for a distance of 278.78 feet to a point on the West boundary of the NW $\frac{1}{4}$ of Section 1;

THENCE North 00°10'55" West along the West boundary of the NW $\frac{1}{4}$ of Section 1 for a distance of 662.63 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO:

1. A 25.0-foot-wide county road easement along the most westerly boundary of the before described parcel.

Parcel (3)

2. An easement for the use and maintenance of any and all ditches located within the boundaries of the before-described parcel.

AND

Township 10 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho

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

COMMENCING at the Northwest corner of said Section 1, from which the West one-quarter (W $\frac{1}{4}$) corner of Section 1 bears South 00°10'55" East 2872.83 feet;

THENCE South 00°10'55" East along the West boundary of the NW $\frac{1}{4}$ of Section 1 for a distance of 1548.95 feet to the Northwest corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 1 and being the TRUE POINT OF BEGINNING;

THENCE North 89°57'13" East along the North boundary of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 1 for a distance of 660.82 feet;

THENCE South 37°53'00" West for a distance of 283.77 feet;

THENCE South 01°05'25" West for a distance of 763.74 feet;

THENCE South 03°08'45" West for a distance of 327.80 feet;

THENCE South 18°57'21" West for a distance of 35.03 feet;

THENCE North 49°58'26" West for a distance of 33.48 feet;

THENCE South 89°40'30" West for a distance of 142.02 feet;

THENCE North 01°45'05" East for a distance of 348.29 feet;

THENCE South 87°24'46" East for a distance of 136.55 feet;

THENCE North 01°05'25" East for a distance of 773.52 feet to the center of an irrigation ditch;

THENCE along the center of the irrigation ditch on the following courses:

South 63°41'00" West 106.48 feet;

South 63°27'50" West 135.66 feet;

South 63°14'13" West 107.41 feet;

South 65°01'30" West 135.38 feet to a point on the West boundary of the NW $\frac{1}{4}$ of Section 1;

THENCE North 00°10'55" West along the West boundary of the NW $\frac{1}{4}$ of Section 1 for a distance of 424.75 feet to the TRUE POINT OF BEGINNING.

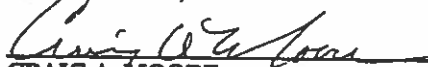
TOGETHER WITH a non-exclusive easement for vehicle access, farm equipment, livestock access, utilities, and irrigation pipeline as reflected in Warranty Deed from Craig A. Moore and Susan L. Moore, husband and wife, to Seapac of Idaho, Inc., recorded January 21, 1998, as Instrument No. 1998-001060, records of Twin Falls County, Idaho.

SUBJECT TO:

1. A 25.0-foot-wide county road easement along the most westerly boundary of the before-described parcel.
2. An easement for the use and maintenance of any and all existing ditches locate within the boundaries of the before-described parcel.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: March 26, 2001


CRAIG A. MOORE

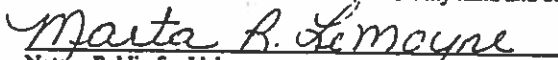

SUSAN L. MOORE

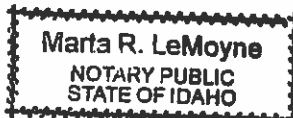
* * * * *

STATE OF IDAHO
County of Twin Falls

On this 26th day of March, 2001, before me, a Notary Public in and for said State, personally appeared CRAIG A. MOORE and SUSAN L. MOORE, husband and wife, known or identified to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS HEREOF I have hereunto set my hand and official seal the day and year first above written.


Marta R. LeMoyne
Notary Public for Idaho
Residing at Buhl
Commission expires: 9-9-2005





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

June 8, 2016

SEAPAC OF IDAHO INC
PO BOX 546
BUHL ID 83316

RE: Change of Ownership for Water Right Nos. 47-4286, 47-4288, 47-12822A, 47-12822B

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s). The department has modified its records to reflect the change in ownership 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)