

RECEIVED

APR 20 2016

WATER RESOURCES  
WESTERN 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? |
|-----------------------|------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 63-9193               | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Loyal L. Hower Trust, Jonne M. Hower and L. Linn Hower Co-Trustees  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): S&W Seed Company  
New owner(s) as listed on the conveyance document      Name connector ☐ and ☐ or ☐ and/or
- 7108 N Fresno St., Ste. 380      Fresno      CA      93720  
Mailing address      City      State      ZIP
- 1-559-884-2535  
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: 3/25/16
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 # 63-9193

8. Signature: [Signature]      Chief Financial Officer      3/28/16  
Signature of new owner/claimant      Title, if applicable      Date
- Signature: \_\_\_\_\_      Title, if applicable      Date

## For IDWR Office Use Only:

Received by RW      Date 4/20/16      Receipt No. W044078      Receipt Amt. \$50.00

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 X      Approved by [Signature]      Processed by [Signature]      Date 5/3/16

STATE 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? |
|-----------------------|------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 63-19496              | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Estate of J. Mildred Hower, Jonne M. Hower and L. Linn Hower Co-Personal Representative  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): S&W Seed Company  
New owner(s) as listed on the conveyance document      Name connector ☐ and ☐ or ☐ and/or
- 7108 N Fresno St., Ste. 380      Fresno      CA      93720  
Mailing address      City      State      ZIP
- 1-559-884-2535  
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: 3/25/16
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]      Chief Financial Officer      3/28/16  
Signature of new owner/claimant      Title, if applicable      Date

Signature: \_\_\_\_\_      Title, if applicable      Date

**For IDWR Office Use Only:**

Received by RN      Date 4/20/16      Receipt No. W044078      Receipt Amt. \$50.00

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 X      Approved by [Signature]      Processed by [Signature]      Date 5/3/16



AXID-0215865 TT

|                            |         |
|----------------------------|---------|
| <b>2016-011240</b>         |         |
| RECORDED                   |         |
| <b>03/25/2016 04:23 PM</b> |         |
| CHRIS YAMAMOTO             |         |
| CANYON COUNTY RECORDER     |         |
| Page 2 SDUPUS              | \$13.00 |
| TYPE: DEED                 |         |
| NEXTITLE - WASHINGTON      |         |
| ELECTRONICALLY RECORDED    |         |

### WARRANTY DEED

#### FOR VALUE RECEIVED

The Estate of J. Mildred Hower, L. Linn Hower and Jonne M. Hower as Co-Personal Representatives, GRANTOR, does hereby GRANT, BARGAIN, SELL and CONVEY unto:

S&W Seed Company, a Nevada Corporation GRANTEE, whose current address is: 12550 W. Explorer Dr., Boise, ID 83713 the following described real property in Canyon County, State of Idaho more particularly described as follows, to wit:

COMMENCING at the Northwest corner of Lot 1 in Section 18, Township 2 North, Range 1 West of the Boise Meridian, Canyon County, Idaho;  
thence East along the North boundary line of said Lot 1, a distance of 544 feet to the Real Point of Beginning;  
thence South and parallel to the West boundary line of said Lot 1, a distance of 179 feet;  
thence West and parallel to the North boundary line of said Lot 1, a distance of 106 feet;  
thence South and parallel to the West boundary line of said Lot 1, a distance of 156 feet;  
thence East and parallel to the North boundary line of Lot 1, a distance of 172 feet;  
thence North and parallel to the West boundary line of said Lot 1, a distance of 156 feet;  
thence West and parallel to the North boundary line of said Lot 1, a distance of 26 feet;  
thence North and parallel to the West boundary line of said Lot 1, a distance of 179 feet,  
more or less, to a point in the North boundary line of said Lot 1;  
thence West a distance of 40 feet, more or less, along the North boundary line of Lot 1 to the Real Point of Beginning.

*Hause*

TO HAVE AND TO HOLD the said premises, with their appurtenances, including but not limited to all water rights and ditch or irrigation company shares, unto said Grantee, and Grantee's heirs and assigns forever. And Grantor does hereby covenant to and with said Grantee that Grantors are the owners in fee simple of said premises, that said premises 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 reservations, restrictions, dedications, easements, rights of way and agreements, if any, of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year which are not yet due and payable and the Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: 3-25-16

Estate of J. Mildred Hower, L. Linn Hower and Jonne M. Hower as Co-Personal Representatives,

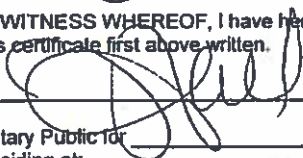
BY: *L. Linn Hower*  
L. Linn Hower  
Co-Personal Representative

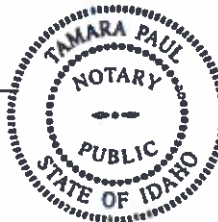
BY: *Jonne M. Hower*  
Jonne M. Hower  
Co-Personal Representative

STATE OF: Idaho)  
COUNTY OF \_\_\_\_\_)

On this 25 day of March, in the year of 2016, before me the undersigned Notary Public in and for said State, personally appeared Jenne M. Hower & L. Linn Hower, known or identified to me (or proved to me on the oath of ....), to be the person whose name is subscribed to the within instrument as co-personal representatives, and acknowledged to me that he/she/they executed the same as such co-personal representatives.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

  
\_\_\_\_\_  
Notary Public for \_\_\_\_\_  
Residing at: RESIDING IN BOISE, IDAHO  
My commission expires: COMMISSION EXPIRES: 09/09/2021





NX1D-0215765 TT

### WARRANTY DEED

#### FOR VALUE RECEIVED

The Loyal L. Hower Trust, L. Linn Hower and Jonne M. Hower, Co-Trustees GRANTOR does hereby GRANT, BARGAIN, SELL and CONVEY unto:

S&W Seed Company, a Nevada Corporation GRANTEE, whose current address is: 12550 W. Explorer Dr., Boise, ID 83713 the following described real property in Canyon County, State of Idaho more particularly described as follows, to wit:

The Northeast Quarter Northwest Quarter, Section 18, Township 2 North, Range 1 West of the Boise Meridian, Canyon County, Idaho.

AND

Lot 1 in Section 18, Township 2 North, Range 1 West of the Boise Meridian, Canyon County, Idaho. ✓

EXCEPTING the following described real property, to-wit:

COMMENCING at the Northwest corner of Lot 1 in Section 18, Township 2 North, Range 1 West of the Boise Meridian, Canyon County, Idaho;  
thence East along the North boundary line of said Lot 1, a distance of 544 feet to the Real Point of Beginning;  
thence South and parallel to the West boundary line of said Lot 1, a distance of 179 feet;  
thence West and parallel to the North boundary line of said Lot 1, a distance of 108 feet;  
thence South and parallel to the West boundary line of said Lot 1, a distance of 156 feet;  
thence East and parallel to the North boundary line of Lot 1, a distance of 172 feet;  
thence North and parallel to the West boundary line of said Lot 1, a distance of 156 feet;  
thence West and parallel to the North boundary line of said Lot 1, a distance of 26 feet;  
thence North and parallel to the West boundary line of said Lot 1, a distance of 179 feet,  
more or less, to a point in the North boundary line of said Lot 1;  
thence West a distance of 40 feet, more or less, along the North boundary line of Lot 1 to the Real Point of Beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances, including but not limited to all water rights and ditch or irrigation company shares, unto said Grantee, and Grantee's heirs and assigns forever. And Grantor does hereby covenant to and with said Grantee that Grantor is the owner in fee simple of said premises, that said premises 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 reservations, restrictions, dedications, easements, rights of way and agreements, if any, of record, and general taxes and assessments, (including Irrigation and utility assessments, if any) for the current year which are not yet due and payable and the Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: 3-29-16

The Loyal L. Hower Trust, L. Linn Hower and Jonne M. Hower, Co-Trustees

BY: L. Linn Hower  
L. Linn Hower  
Co-Trustee

BY: Jonne M. Hower  
Jonne M. Hower  
Co-Trustee

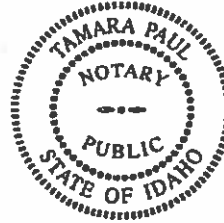
|                            |         |
|----------------------------|---------|
| <b>2016-011233</b>         |         |
| RECORDED                   |         |
| <b>03/25/2016 04:18 PM</b> |         |
| CHRIS YAMAMOTO             |         |
| CANYON COUNTY RECORDER     |         |
| Pgs=2 BJBROWN              | \$13.00 |
| TYPE: DEED                 |         |
| NEXTITLE - WASHINGTON      |         |
| ELECTRONICALLY RECORDED    |         |

State of Idaho )  
County of Ada, ss.

On this 25 day of March, in the year of 2016, before me the undersigned Notary Public in and for said state, personally appeared L. Linn Hower and Jonne M. Hower, known or identified to me as the person whose name(s) is/are subscribed to the within instrument as trustee(s) of the The Loyal L. Hower Trust, and acknowledged to me that he/she/they executed the same as such trustee(s).

Notary Public Idaho

Residing at: RESIDING IN: BOISE, IDAHO  
My Commission Expires: COMMISSION EXPIRES: 06/08/2021







State of Idaho

## DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

May 3, 2016

S&W SEED COMPANY  
7108 N FRESNO ST STE 380  
FRESNO CA 93720

**RE: Notice of Ownership Change in Water Right No's:**

**63-9193 & 63-19496**

Dear Applicants,

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water rights to you. 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.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right, to the Department. Notice of the change must be provided to the Department within 120 days of the change. Change reporting forms are available from any office of the Department, or at [www.idwr.idaho.gov](http://www.idwr.idaho.gov).

Thank you for your patience and cooperation. Please call me if you have any questions concerning the enclosed information.

Sincerely,

Chad Jones  
Office Specialist II  
Western Regional Office  
208-334-2190

Enclosures