

RECEIVED

NOV 12 2015

Form 42-248/42-1409(6) Rev. 1/15

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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?
See Exhibit A	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: The Brandsma Family Trust
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): South View Dairy LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
P.O. Box 200 Wendell ID 83355
Mailing address City State ZIP
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: July 23, 2015

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.

SUPPORT DATA

IN FILE # 36-16010

- ☐ 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: William J. DeJong William J. DeJong, Manager 7/23/15
Signature of new owner/claimant Title, if applicable Date
Signature: Rene E. DeJong Rene E. DeJong 7/23/15
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by DM Date 11-18-2015 Receipt No. S035/02 Receipt Amt. \$375-
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 _____

Exhibit A

36-16010
36-16012
36-16014
36-16016
36-16018
36-16020
36-16022
36-16024
36-16026
36-16028
36-16030
36-16032
36-16034
36-16036
36-16038

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

Instrument # 252209
GOODING COUNTY, GOODING, IDAHO
07-23-2016 15:31:14 No. of Pages: 4
Recorded for: TITLEONE - JEROME
DENISE GILL Fee: \$19.00
Ex-Officio Recorder Deputy: MJS
Electronically Recorded by Simplifile

15253018

WARRANTY DEED

FOR VALUE RECEIVED,

THE BRANDSMA FAMILY TRUST, Hill Brandsma and Ann Brandsma as Co-Trustees, the "Grantor", does hereby grant, bargain, sell and convey unto **CAPELLA CORP., an Idaho Corporation**, whose address is P.O. Box 486, Twin Falls, Idaho 83303, the "Grantee", the following described premises located in Gooding County, Idaho, to wit:

TOWNSHIP 8 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 29: NW1/4NE1/4; E1/2NW1/4; E1/2SW1/4; SW1/4SE1/4; SW1/4NE1/4; NW1/4SE1/4

EXCEPTING THEREFROM:

A parcel of land for county road right of way purposes being generally described as a strip of land adjacent to and along the South boundary of the SE1/4SW1/4 and the SW1/4SE1/4 Section 29, Township 8 South, Range 15 East Boise Meridian in Gooding County, Idaho and being more specifically described as follows:

The South 30 feet of the SE1/4SW1/4 and the SW1/4SE1/4 except the South 25 feet thereof from Bob Barton Highway Project Station 181+13.67 left to Project Station 207+55.60 left.

The above described project parcel ID No. GG-06543 from Project Station 181+13.67 left to Station 207+55.60 left contains an area of 1.82 acres more or less, of which 1.52 acres more or less is acknowledged as the existing 25 foot wide county road right of way and 0.30 acres more or less is the new rights of way.

(Basis of Bearings: The South section line from the Southwest section corner of Section 29 to the Southeast section corner of Section 29 all in T.8S., R.15E., BM, Gooding County, Idaho, said section line being on a bearing of North 89°04'33" West)

Together with one hundred eighty-one (181) shares of North Side Canal Company stock, and Water Rights Nos.: 36-16010, 36-16012, 36-16014, 36-16016, 36-16018, 36-16020, 36-16022, 36-16024, 36-16026, 36-16028, 36-16030, 36-16032, 36-16034, 36-16036, 36-16038, and all other water rights appurtenant thereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its successors and assigns forever. The said Grantor does hereby covenant to and with the

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TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its successors 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 hereinabove specifically provided, and the specific exceptions listed below:

1. Taxes and assessments for 2015 and subsequent years;
2. Liens, levies and assessments of any and all irrigation districts, including but not limited to the North Side Canal Company and the rights, powers, and easements of said company as provided by law.
3. Right-of-way for canals, laterals and waste ditches and the rights of access thereto for maintenance of said North Side Canal Company.
4. Right of way for ditches, tunnels, telephone and distribution lines constructed by authority of the United States, as granted to the United States under provisions of Section 58-604 Idaho Code.
5. An easement for the purpose shown below and rights incidental thereto as set forth in Grant of Easement.
Granted to: North Side Canal Company, LTD
Purpose: Pertaining to an easement for conveyance of all irrigation and drainage water of Lateral No. S-24 in Section 29, Township 8 South, Range 15 East Boise Meridian
Recorded: November 13, 1972
Instrument No.: 42700
6. An easement for the purpose shown below and rights incidental thereto as set forth in a document.
Granted to: Idaho Power Company, a corporation
Purpose: Public Utilities
Recorded: October 11, 1977
Instrument No.: 66885
7. Restrictive Covenant executed by Dave Crosby and Debbie Crosby, dated September 30, 1986, recorded October 2, 1986, as Instrument Number 124127, Gooding County records, agreeing to a permanent restrictive covenant over the SW1/4NE1/4 of Section 29, Township 8 South, Range 15 East Boise Meridian, wherein it is agreed that no North Side Canal water or waste water shall cross the above described land to supply any other land and that no waste water will be run on the above described land.
8. Terms and Conditions of Easements as shown on instruments recorded April 17, 1986, as Instrument Nos. 120707 and 120709, for utilities and ingress and egress to the NW1/4SE1/4 of Section 29, Township 8 South, Range 15 East Boise Meridian.

9. The effect of Abandonment of Ditch Easement and Headgate executed by Ruby Crosby and Barbara Crosby Veenstra, dated April 9, 1987, as Instrument Number 127099, Gooding County records, abandoning Headgate No. 18S located on Lateral Canal No. 23 across the NW1/4SE1/4 of Section 29, Township 8 South, Range 15 East Boise Meridian and which headgate and ditch provide irrigation water to the SE1/4NE1/4 of Section 29.
10. Highway right of way over Section 4 as set forth in Official Minutes executed by Idaho Transportation Board recorded March 26, 2012 as Instrument Number 240628, Gooding County records.
11. All matters, and any rights, easements, interests or claims as disclosed by Survey recorded May 6, 2013 as Instrument No. 244688.
12. All matters, and any rights, easements, interests or claims as disclosed by Survey recorded May 6, 2013 as Instrument No. 244689.

DATED THIS 23rd day of July, 2015

"GRANTOR"

THE BRANDSMA FAMILY TRUST

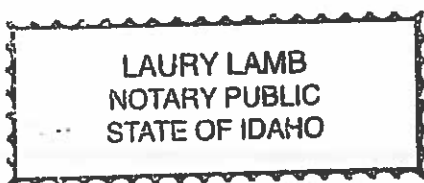

HILL BRANDSMA, Co-Trustee


ANN BRANDSMA, Co-Trustee

STATE OF IDAHO)
 ss:
County of Jerome)

On this 23 day of July, 2015, before me, the undersigned, a Notary Public in and for said County and State, personally appeared HILL BRANDSMA, as Co-Trustee of THE BRANDSMA FAMILY TRUST, known to me to be the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that he executed the same in such capacity.

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

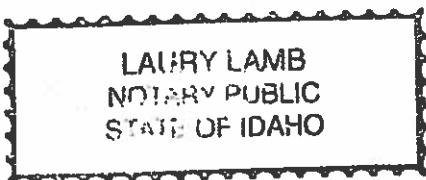



NOTARY PUBLIC for Idaho
Residing at: Jerome, ID
Commission Expires: 4/2/2016

STATE OF IDAHO)
 ss:
County of Jerome)

On this 23 day of July, 2015, before me, the undersigned, a Notary Public in and for said County and State, personally appeared ANN BRANDSMA, as Co-Trustee of THE BRANDSMA FAMILY TRUST, known to me to be the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that he executed the same in such capacity.

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



Laurie Lamb
NOTARY PUBLIC for Idaho
Residing at: Jerome, ID
Commission Expires: 4/2/2016

Instrument # 252956
GOODING COUNTY, GOODING, IDAHO
10-20-2015 11:16:39 No. of Pages: 1
Recorded for: TITLEFACT, INC.
DENISE OILL Fee: \$10.00
Ex-Officio Recorder Deputy: MJS
Electronically Recorded by Simplifile

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

**** SPACE ABOVE FOR RECORDER ****

QUITCLAIM DEED

For Value Received CAPELLA CORP., an Idaho Corporation, does hereby convey, remise and forever quit claim unto SOUTH VIEW DAIRY, LLC, an Idaho Limited Liability Company whose address is: P.O. Box 200, Wendell, Idaho 83355, the following described premises, to-wit:

TOWNSHIP 8 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 29: NW $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ NW $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$

EXCEPTING THEREFROM:

A parcel of land for county road right of way purposes being generally described as a strip of land adjacent to and along the South boundary of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 29, Township 8 South, Range 15 East Boise Meridian in Gooding County, Idaho and being more specifically described as follows:

The South 30 feet of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ except the South 25 feet thereof from Bob Barton Highway Project Station 181+13.67 left to Project Station 207+55.60 left.

The above described project parcel ID No. GG-06543 from Project Station 181+13.67 left to Station 207+55.60 left is acknowledged as the existing 25 foot wide county road right of way.

(Basis of Bearings: The South section line from the Southwest section corner of Section 29 to the Southeast section corner of Section 29 all in Township 8 South, Range 15 East Boise Meridian, Gooding County, Idaho, said section line being on a bearing of North 89°04'33" West)

together with their appurtenances.

Dated: October 16, 2015

Capella Corp.

By: 

R. Todd Blass

* * * * *

STATE OF IDAHO
County of Twin Falls

On this 16th day of October, 2015, before me, the undersigned, Notary Public in and for said State, personally appeared R. Todd Blass, known to me to be the President of the corporation that executed this instrument, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in



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 13, 2015

SOUTH VIEW DAIRY LLC
PO BOX 200
WENDELL ID 83355

RE: Change of Ownership for Water Right Nos. 36-16010, 36-16012, 36-16014, 36-16016, 36-16018, 36-16020, 36-16022, 36-16024, 36-16026, 36-16028, 36-16030, 36-16032, 36-16034, 36-16036 and 36-16038

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,

A handwritten signature in cursive script, reading 'Trish Fawcett'.

Trish Fawcett
Technical Records Specialist

Enclosure(s)

Cc: Metropolitan Life Insurance Co.
TitleOne (File 15253018)



237 N. Lincoln
Jerome, ID 83338
Ph. (208) 324-3357
Fx. (866) 310-3443
www.titleonecorp.com

Date: August 10, 2015

Re: Escrow No. 15253018

Idaho Dept of Water Resources
Attn: Trish
650 Addison Ave W., Ste 500
Twin Falls, ID 83301

RECEIVED

NOV 12 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

In connection with the above referenced transaction, I am enclosing the following:

- Check No. ²³⁰⁸~~4873~~ in the amount of \$375.00
- Copy of recorded Warranty Deed, Instrument No. 252209, Jerome County, Idaho
- Original signed Notice of Change in Water Right Ownership

If you have any questions, please do not hesitate to contact me.

Sincerely,

Laury Jo Lamb
(208) 324-3357
llamb@titleonecorp.com