

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 01 2015

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?
37-13166	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-22198	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-22662	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Adam Clingerman, Pasquale Miele, Sebastian Nardecchia
 Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Idaho Dairy Solutions, LLC
 New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or

<u>P.O. Box 554</u>	<u>Meridian</u>	<u>ID</u>	<u>83680</u>
Mailing address	City	State	ZIP
<u>Telephone</u>	<u>Email</u>		

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: February 6, 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):
 - ☐ \$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 # 37-13166

- | | | |
|----------------------------------|--|------------------|
| 8. Signature: <u>Ryan McHugh</u> | <u>Manager - Idaho Dairy Solutions</u> | <u>5.28.2015</u> |
| 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 Ami Date 6-1-15 Receipt No. C100515 Receipt Amt. 75.00

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 _____ Approved by _____ Processed by Amh Date 8-19-15

Camas County Sheriff

Received 2-6 2015

Time 11:30 AM PM

Candice M. McHugh (ISB #5908)
380 S. 4th St., Ste. 103
Boise, ID 83702
Telephone: (208) 287-0991
Facsimile: (208) 287-0864
cmchugh@mchughbromley.com

Attorneys for Idaho Dairy Solutions, LLC

CAMAS COUNTY
Recorded for:
MCHUGH BROMLEY PLLC
11:33:56 am 02-06-2015
2015-086408
No. Pages: 5 Fee: \$22.0
KORRI BLODGETT
County Clerk
Deputy: BWALTON

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO IN AND FOR THE COUNTY OF CAMAS**

PSB CREDIT SERVICES INC., a Minnesota
corporation,

Plaintiff,

vs.

ADAM B. CLINGERMAN, SEBASTIAN
NARDECCHIA, PASQUALE MIELE,
ANDREA HAUCK, ADAM CLINGERMAN
AND PAM CLINGERMAN, TRUSTEES OF
THE CLINGERMAN FAMILY TRUST
DATED FEBRUARY 15, 2008, AND ANY
AMENMENTS THERETO, DAVID E.
COATES AND ALL UNKNOWN HEIRS,
AND/OR UNKNOWN DEVISEES OF LINDA
L. MILLER, DECEASED, INCLUDING
STEVEN MILLER, NANCY MILLER,
JAMES MILLER AND ANDREW MILLER,

Defendants.

CASE NO. CV 2013-04

SHERIFF'S DEED

THIS INDENTURE is made this 6th day of February, 2015, between the Sheriff
of Camas County, Idaho and Idaho Dairy Solutions, LLC, an Idaho limited liability
company.

WHEREAS, in and by that certain *Judgment and Decreed of Foreclosure* entered by the
District Court of the Fifth Judicial District of the State of Idaho, in and for the County of Camas on
October 24, 2013, and recorded on October 31, 2013 as Camas County Recorder's Instrument

No. 2013-085579 (the "Judgment") in a certain action then pending in said Court, in which PSB CREDIT SERVICES, INC., ("PSB") was Plaintiff against the Defendants ADAM B. CLINGERMAN, SEBASTIAN NARDECCHIA, PASQUALE MIELE, ANDREA HAUCK, ADAM CLINGERMAN AND PAM CLINGERMAN, TRUSTEES OF THE CLINGERMAN FAMILY TRUST DATED FEBRUARY 15, 2008, AND ANY AMENMENTS THERETO, DAVID E. COATES AND ALL UNKNOWN HEIRS, AND/OR UNKNOWN DEVISEES OF LINDA L. MILLER, DECEASED, INCLUDING STEVEN MILLER, NANCY MILLER, JAMES MILLER AND ANDREW MILLER., (collectively the "Defendants"), as stated in the caption above and a copy of which Judgment was delivered to the Camas County Sheriff for execution, it was, among other things, ordered, adjudged, and decreed that the real property described in said Judgment and as specifically described on Exhibit A attached hereto and made part hereof (the "Property"), be sold at public auction by said Sheriff in the manner required by law and according to the course and practice of said Court that any of the parties to the action might become the purchaser at such sale; and that said Sheriff execute in favor of the purchaser the usual Certificate of Sale and upon expiration of any applicable redemption period a Deed as required by law; and

WHEREAS, the Sheriff did on January 6, 2014, after public notice had been given as required by the laws of this state and the course of practice of this Court, duly sell the Property at public auction in Camas, Idaho, pursuant to said Judgment and under applicable provisions of law, to PSB for the sum of \$490,549.60, lawful money of the United States of America, it being the highest sum bid for the same; and

WHEREAS, the Sheriff thereupon made and issued a *Sheriff's Certificate of Sale on Foreclosure* due form and caused it to be recorded in the Camas County Recorder's Office in Camas, Idaho, as Instrument No. 2014-085699 on January 13, 2014; and

WHEREAS, the Judgment gave Defendants Coates and Miller the right to redeem the property; and

WHEREAS, Defendants Coates and Miller assigned their rights of redemption in the Property to Idaho Dairy Solutions, LLC on January 5, 2015, by Instrument No. 2015-086376, recorded January 15, 2015, records of Camas County, Idaho; and

WHEREAS, Idaho Dairy Solutions, LLC exercised its rights of redemption in the Property after those rights were assigned to it by the Defendants by tendering the redemption amount to PSB and filing a Notice of Redemption dated January 5, 2015, recorded as Instrument No. 2015-086375 on January 14, 2015, records of Camas County, Idaho; and

WHEREAS, PSB issued a Certificate of Redemption on January 5, 2015, to Idaho Dairy Solutions, LLC which was recorded January 28, 2015, as Instrument No. 2015-086399, records of Camas County, Idaho; and

WHEREAS, the Property consists of more than twenty (20) acres and more than one year has elapsed since the date of the foreclosure sale by the Sheriff of Camas County, and the time for any further redemption has expired and no further redemption has been made so that all parties holding such rights are forever foreclosed from any right of redemption.

NOW, THEREFORE, the **Sheriff of Camas County**, in order to carry into effect the sale so made by him in pursuance of said Judgment and in conformity to the statutes in such case made and provided, and also in consideration of the matters set forth herein and the redemption and payment by **Idaho Dairy Solutions, LLC** as the successor in interest of the Defendants, the receipt of which is hereby acknowledged, by these presents does hereby grant, bargain, sell and convey unto **Idaho Dairy Solutions, LLC, an Idaho limited liability company**, and to its successors and assigns forever, the following described real property situated in the County of Camas, State of Idaho, to wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE PART HEREOF
BY INCORPORATION BY REFERENCE,

TOGETHER WITH all tenements, hereditaments, fixtures, water rights, and
appurtenances thereunto belonging, and in anywise appertaining, and the reversion(s),
remainder(s), rent(s), issue(s), and profit(s) thereof.

TO HAVE AND TO HOLD, the above-mentioned and described Property together with
its tenements, hereditaments, fixtures and appurtenances hereby conveyed to **Idaho Dairy
Solutions, LLC, an Idaho limited liability company**, and its successors and assigns forever.

IN WITNESS WHEREOF, the Sheriff of Camas County as Grantor, has hereunto set his
hand the day and year first above written.

SHERIFF _____
SHERIFF OF CAMAS COUNTY, IDAHO

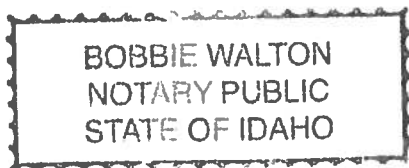
By: Vickie Chess
Civil Deputy

STATE OF IDAHO)
 : ss
County of Camas)

I, Bobbie D. Walton, a Notary Public in and for state and country, do
hereby certify that on this 6 day of Feb, 2015, personally appeared before
me, Vickie Chess, whose name is subscribed to the foregoing document
who, being first duly sworn on oath, declared that she is the Civil Deputy of Camas County, Idaho,
that she executed the foregoing document in her authorized capacity and that by her signature on
the document, the entity upon whose behalf of which she acted, executed this document and that
the statements contained therein are true and correct.

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

(SEAL)



Bobbie Walton
NOTARY PUBLIC FOR IDAHO
Residing at: Fairfield, Id.
Commission expires: 4-22-17

EXHIBIT A
REAL PROPERTY
DESCRIPTION

a) The following described real property ("Real Property") located in Camas County, Idaho

Township 1 South, Range 16 East, Boise Meridian, Camas County, Idaho

Section 9 E 1/2SW 1/4, SE 1/4, EXCEPT Highway right of way

Section 15 NE 1/4, N 1/2NW 1/4, SW 1/4NW 1/4, NW 1/4SW 1/4, EXCEPT Highway right of way

Section 10, W 1/2SW 1/4, SW 1/4SE 1/4, E 1/2SE 1/4
EXCEPT Highway right of way

AND EXCEPT

Township 1 South, Range 16 East, Boise Meridian, Camas County, Idaho

Section 10, A parcel of land located in the SW 1/4SE 1/4, being more particularly described as follows:

COMMENCING at the South Quarter corner of said Section 10, said South Quarter corner being located 23 feet right of Station 659+55 of State Highway No. 20 per said Highway plans;

THENCE along the West boundary of said SW 1/4SE 1/4 North 00°13'03" East 83.00 feet to a point on the Northerly right of way of said State Highway No. 20, said point being the REAL POINT OF BEGINNING;

THENCE along the West boundary of said SW 1/4SE 1/4 North 00°13'03" East 1,235.19 feet to the Northwest corner of said SW 1/4SE 1/4;

THENCE North 89°52'54" East along the North boundary of said SW 1/4SE 1/4 332.63 feet;

THENCE South 0°13'03" West 1,238.01 feet to the Northerly right of way of said State Highway No. 20;

THENCE along said Northerly right of way North 89°38'26" West 332.63 feet to the REAL POINT OF BEGINNING.

b) All erected or affixed buildings, improvements and fixtures, all easements, rights of way, and appurtenances, all water, water rights, irrigation rights and ditch rights that pertain to the Real Property, including the water rights evidenced by Water Right No. 37-13166, Water Right No. 37-22662, and Water Right No. 37-22198, Idaho Department of Water Resources and those evidenced by any and all stock certificates and all other rights, royalties and profits relating to the Real Property including, without limitation, all minerals, oil, gas, geothermal and similar matters;

State of Idaho
Department of Water Resources

Water Right
37-13166

STOCKWATER STORAGE

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

16E



0 0.045 0.09 0.18 Miles

⊙ Point of Diversion

Place Of Use Boundary



Townships

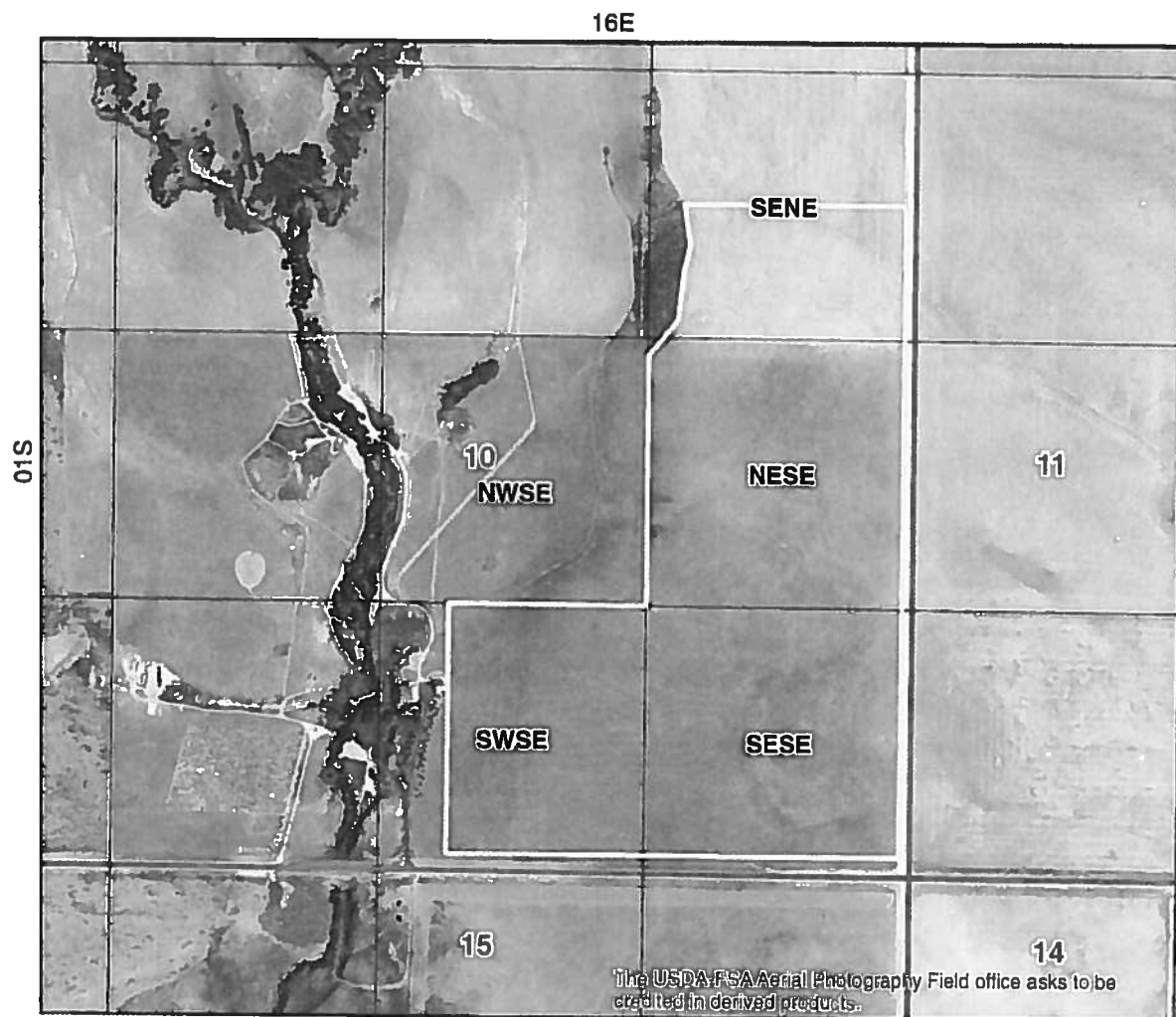


PLS Sections



State of Idaho
Department of Water Resources
Attachment To Transfer No. 79409
Right: 37-22198

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



- Point of Diversion
- Place Of Use Boundary

- Townships
- PLS Sections
- Quarter Quarters

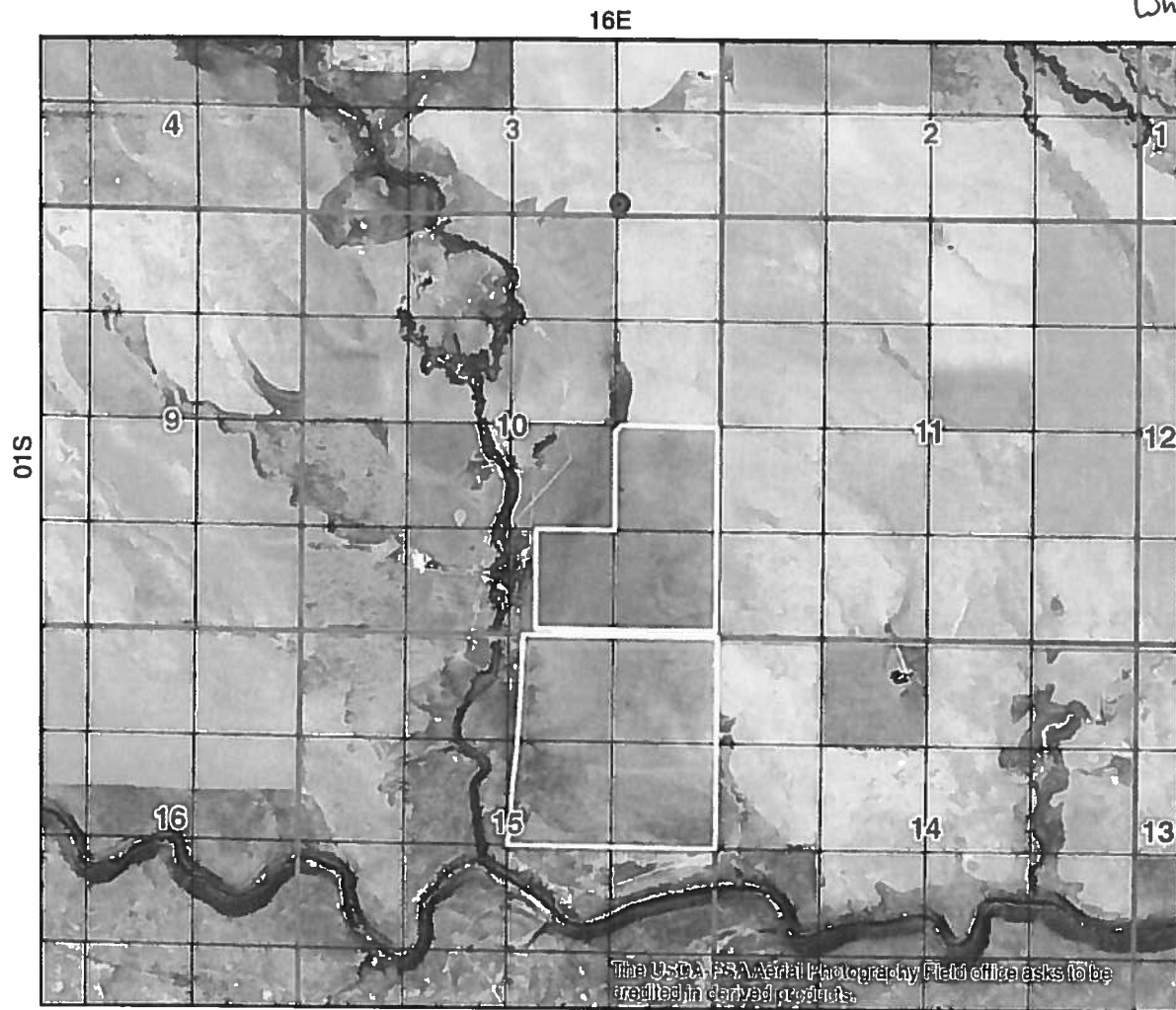
0 0.1 0.2 0.4 Miles



State of Idaho
Department of Water Resources
Attachment To Transfer No. 79409
Right: 37-22662

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.

Black +
White



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.275 0.55 1.1 Miles



IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-22662

WATER RIGHT NUMBER: 37-22662

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	FRANK G MATHEWS 1104 IMPERIAL LN BOISE, ID 83704 (208)376-2915
Original Owner	JULIA COATES FAIRFIELD, ID 83327
Previous Owner	EVERETT COATES ESTATE RT 1 BOX 1140 FAIRFIELD, ID 83327 (208)764-2669
Current Owner	ADAM CLINGERMAN 2411 OLD CROW CANYON RD STE 105 SAN RAMON, CA 94583 (925)837-7400
Current Owner	SEBASTIAN NARDECCHIA 2411 OLD CROW CANYON RD STE 105 SAN RAMON, CA 94583 (925)837-7400
Current Owner	PASQUALE MIELE 2411 OLD CROW CANYON RD STE 105 SAN RAMON, CA 94583 (925)837-7400

Priority Date: 10/28/1955

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
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GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 10/31	0.450 CFS	176.40 AF
	<u>Total Diversion:</u>	0.450 CFS	176.40 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SE1/4SE1/4	Sec. 3,	Twp 01S,	Rge 16E, B.M.
CAMAS County				

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals			
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
01S	16E	10																	37.0	30.0	38.0	105.0
01S	16E	15	37.0	34.0	35.0	39.0																145.0

Total Acres: 250

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 37-22662

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:

Dates and Other Information:

Licensed Date:
Decreed Date: 9/24/2010
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: And
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank: