

RECEIVED

JUL 09 2014

DEPT OF WATER RESOURCES
SOUTHERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

79466

MINIMUM REQUIREMENTS CHECKLIST
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at www.idwr.idaho.gov.

Name of Applicant(s) Four Sisters Dairy, LLCCheck whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☐ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☒ ☐ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application.
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☒ ☐ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the applicant as the current water right owner. **
- ☐ ☐ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). **
** Additional fee(s) required for water right ownership changes; see fee schedule.
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☐ ☒ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☒ ☐ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.) Additional fee required for proposed changes to nature of use; see fee schedule.
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☐ #9 Other. Please describe: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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DEPT OF WATER RESOURCES
SOUTHERN REGION

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

Name of Applicant(s) Four Sisters Dairy, LLC Phone _____Mailing address PO BOX 105 TWIN FALLS, ID. 83303 Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No RepresentativeName of Representative Greg Sullivan Brockway Engineering, PLLC Phone (208)736-8543Mailing address 2016 North Washington St. Suite 4 Twin Falls, Idaho 83301 Email greg.sullivan@brockwayeng.com

- ☐ Send all correspondence for this application to the representative and not to the applicant.
OR
- ☒ Send original correspondence to the applicant and copies to the representative.
- ☒ The representative may submit information for the applicant but is not authorized to sign for the applicant.
OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

Thereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement of the water right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

[Signature]
Signature of Applicant or Authorized Representative

Henry C. Hoffinger, Jr. Member 7/2/14
Print Name and Title if applicable Date

Signature of Applicant or Authorized Representative

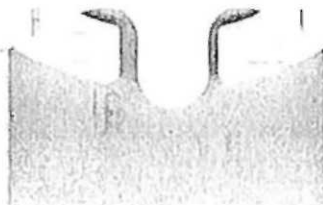
Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**.

This transfer will add one point of diversion for this water right and update the commercial place of use.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

I.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	47-2306B	0.59/250	Stockwater/Commerical	1/1 to 12/31	Ground Water
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 0.59 cfs and/or 250 acre-feet.

2. Total amount of water proposed to be transferred or changed 0.59 cubic feet per second and/or 250 acre-feet per annum.

3. Point(s) of Diversion:

- ☐ No changes to point(s) of diversion are proposed - the following chart is therefore not completed. (Proceed to #4.)
- ☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA. Label it **Attachment #5**.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #
	2		NW	NE	6	11S	16E	Twin Falls	Ground Water	New Well
			SE	NE	6	11S	16E	Twin Falls	Ground Water	
			SE	NE	6	11S	16E	Twin Falls	Ground Water	

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed - the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	16E	6	S/C	S/C	S/C	S/C													
Total Acres (for irrigation use)																			

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

**APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued**

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future:

1 new well and 2 existing wells will be hydraulically connected.

- b. Who owns the property at the point(s) of diversion? Four Sisters Dairy, LLC

If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system:

- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? If yes, ☐ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it **Attachment #6**. List the name of the entity and type of lien: None

It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.

- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer:
Acres will be dried up and no longer irrigated.

- e. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use:
A portion of 47-17622 is being transferred into this dairy facility with Transfer 79380.

- f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe:

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 47-2306B

Current Owner: LUIS M BETTENCOURT & SHARON BETTENCOURT 2008 TRUST
HENRY CALVIN HAFLIGER JR

Priority Date: 1/31/1957

Origin: Water Right

Status: Active

Basis: Decreed

Source

GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.59 CFS	250 AF
COMMERCIAL	01/01 to 12/31	0.59 CFS	250 AF
	<u>Total Diversion</u>	0.59 CFS	250 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4SE1/4NE1/4	Sec. 6,	Twp 11S,	Rge 16E B.M.
TWIN FALLS County				
GROUND WATER	NW1/4SE1/4NE1/4	Sec. 6,	Twp 11S,	Rge 16E B.M.
TWIN FALLS County				

Place of Use

STOCKWATER Within TWIN FALLS County

T11S R16E S6	Lot 1	NENE	T11S R16E S6	Lot 2	NWNE
T11S R16E S6		SWNE	T11S R16E S6		SENE

COMMERCIAL Within TWIN FALLS County

T10S R16E S31		SESE	T11S R16E S5	Lot 4	NWNW
T11S R16E S5		SWNW	T11S R16E S5		NWSW
T11S R16E S6	Lot 1	NENE	T11S R16E S6	Lot 2	NWNE
T11S R16E S6		SWNE	T11S R16E S6		SENE
T11S R16E S6		NESE	T11S R16E S6		NWSE
T11S R16E S6		SWSE	T11S R16E S6		SESE
T11S R16E S7		NENE	T11S R16E S7		SENE

Conditions of Approval:

1. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare, and all applicable dairy operation standards of the Idaho Department of Agriculture. The dairy operation authorized under this approval shall comply with applicable city and county zoning and land use ordinances.
2. The right holder shall retain all shares of the Salmon River Canal Company associated with the place of use prior to approval of previous Transfer 5148, and shall continue to use the shares on remaining irrigated acres under Right 47-02306A.
3. The total instantaneous diversion of water from all points of diversion under Transfer 5475 shall not exceed 0.59 cfs, nor a total combined annual volume of 250.0 af for stockwater and commercial uses.
4. 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.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Prior to diversion of water under this approval, a totalizing measuring device of a type approved by this Department shall be installed and maintained on each of the wells authorized under Rights 47-02306A and 47-02306B. The volume of water diverted from each well shall be measured and recorded monthly and reported annually to the Department. The static water levels of the dairy wells shall be measured and recorded twice each year in April and October and reported annually to the Department. The annual reports may be subject to reporting fee requirements.

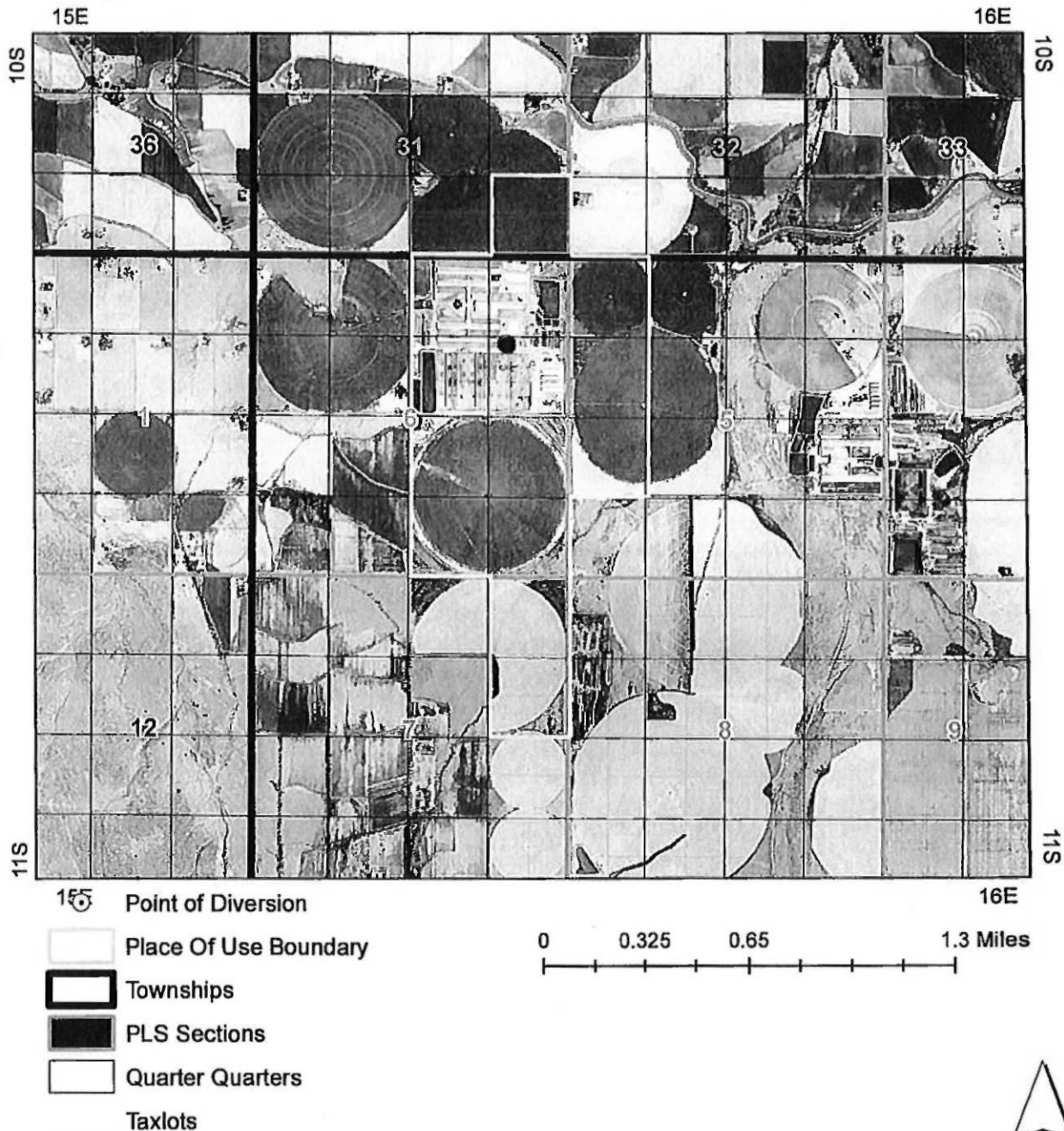
Decreed Date: 6/2/2009

State of Idaho
Department of Water Resources

Water Right
47-2306B

COMMERCIAL

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.



Map produced on July 01, 2014

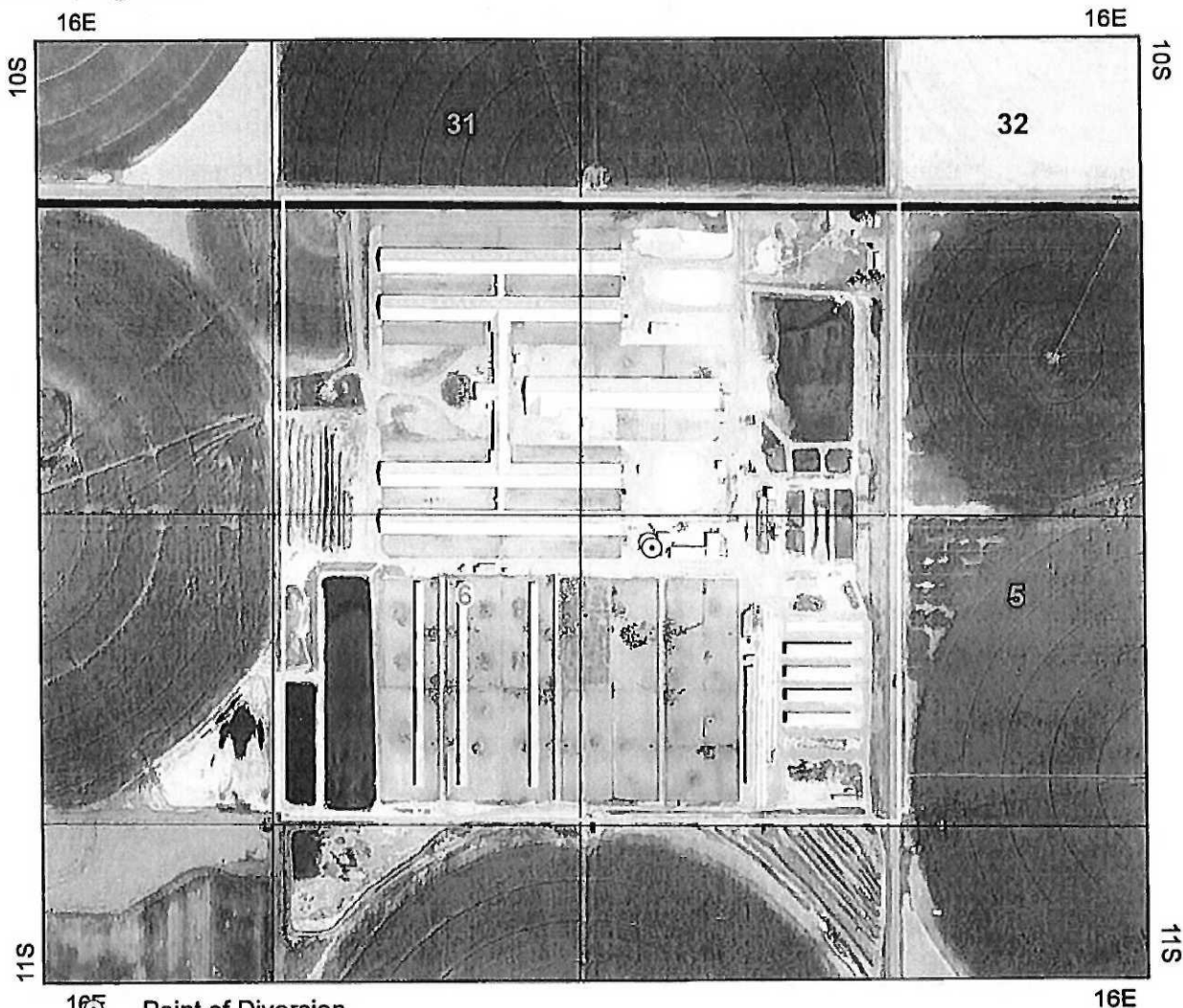
TRANSFER 79466

State of Idaho
Department of Water Resources

Water Right
47-2306B

STOCKWATER

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.



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

0 0.075 0.15 0.3 Miles



Map produced on July 01, 2014

TRANSFER 79466

A. DESCRIPTION OF RIGHT(S) AS RECORDED

B. IF ONLY A PORTION OF THE RIGHT IS PROPOSED TO BE CHANGED, DESCRIBE THE PORTION BEING CHANGED AS IT APPEARS BEFORE THE REQUESTED CHANGES

- Right Number: _____

- [illegible]

2. Lands irrigated or place of use: (If irrigation, identify with number of acres irrigated per $\frac{1}{4}$ $\frac{1}{4}$ tract.)

Page 5

A. PLAT MAP (See Part 3A of Instructions for application for transfer for complete requirements.)

- ### B. CHANGES IN NATURE OF USE (Water Balance)

- ### C. PLACE OF USE CHANGES TO SUPPLEMENTAL IRRIGATION RIGHTS

- Page 6

No. W 123873	Due no later than Apr 30, 2014 Annual Report Form		2. Registered Agent and Address (NO PO BOX)
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. FOUR SISTERS DAIRY, LLC HENRY CALVIN HAFLIGER 4288 N 2500 E FILER ID 83328		HENRY CALVIN HAFLIGER 4288 N 2500 E FILER ID 83328
			3. <u>New</u> Registered Agent Signature:*
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.			
Office Held MANAGER	Name HENRY CALVIN HAFLIGER	Street or PO Address P.O. BOX 1598	City State Country Postal Code TWIN FALLS ID USA 83308-1598
5. Organized Under the Laws of: ID W 123873	6. Annual Report must be signed.* Signature: Henry Calvin Hafliger Name (type or print): Henry Calvin Hafliger		
	Date: 05/10/2014 Title: Manager		
Processed 05/10/2014		* Electronically provided signatures are accepted as original signatures.	

EC-1940
TWIN FALLS COUNTY
RECORDED FOR:
LAND TITLE AND ESCROW - BURL
11:04:56 AM 06-26-2014
2014010487
NO. PAGES 5 FEE: \$22.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: DJW
Electronically Recorded by Simplifile

(Space above reserved for Recorder's Office)

QUITCLAIM DEED

For Value Received,

Henry Calvin Hafliger, Jr., also known as Hank Hafliger, a single man (the "Grantor")

does hereby convey, remise, release and forever quitclaim unto

Four Sisters Dairy, LLC, an Idaho limited liability company (the "Grantee")

whose current address is

P.O. Box 105, Twin Falls, ID 83303-0105

any and all of his interest in and to the following described real property, together with all improvements thereon, to-wit:

See Exhibit A attached hereto.

This deed is intended to convey to the Grantee all right, title and interest of the Grantor in and to said property, now owned or hereafter acquired.

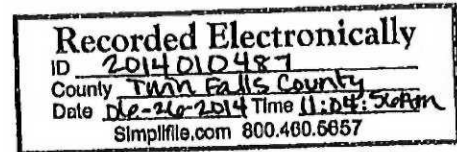
Dated this 25 day of June, 2014.

GRANTOR



Henry Calvin Hafliger, Jr., a/k/a Hank
Hafliger

60-1940



(Space above reserved for Recorder's Office)

QUITCLAIM DEED

For Value Received,

Henry Calvin Hafliger, Jr., also known as Hank Hafliger, a single man (the "Grantor")

does hereby convey, remise, release and forever quitclaim unto

Four Sisters Dairy, LLC, an Idaho limited liability company (the "Grantee")

whose current address is

P.O. Box 105, Twin Falls, ID 83303-0105

any and all of his interest in and to the following described real property, together with all improvements thereon, to-wit:

See Exhibit A attached hereto.

This deed is intended to convey to the Grantee all right, title and interest of the Grantor in and to said property, now owned or hereafter acquired.

Dated this 25 day of June, 2014.

GRANTOR



Henry Calvin Hafliger, Jr., a/k/a Hank Hafliger

STATE OF IDAHO)

: ss.

County of TWIN FALLS)

On this 25 day of June, in the year 2014, before me, a notary public for the State of Idaho, personally appeared **Henry Calvin Hafliger, Jr., a/k/a Hank Hafliger**, known to me to be the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me on this day under oath, that, being informed of the contents of this deed, he executed the same as his free and voluntary act and deed.

Larry Roberts
Notary Public
State of Idaho



Notary Public for the State of Idaho

Residing at: TWIN FALLS, ID

My Commission Expires: 6-30, 2015

Exhibit A

REAL PROPERTY LEGAL DESCRIPTION

[to be attached].

CONTINUATION

SCHEDULE A

Order Number: 4852

PARCEL NO. 1:

TOWNSHIP 11 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN
TWIN FALLS COUNTY, IDAHO

Section 5: Lot 4 and a parcel of land in the Northwest corner of Lot 3, more particularly described as follows:

Beginning at the Northwest corner of Lot 3;
Thence South on the West boundary line of Lot 3 for a distance of 347 feet;
Thence East for 60 feet;
Thence North along a line parallel with the West boundary line of Lot 3 for a distance of 347 feet to the
North boundary line of Lot 3;
Thence West along the North boundary line of Lot 3 to the Point of Beginning.

AND

Section 5: SW $\frac{1}{4}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$

SAVE AND EXCEPT the following described parcel of land located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$;

Beginning on the South line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ at a point 362 feet West from the Southeast corner of
said NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Thence North 56°36' West for 202.5 feet;
Thence South 37°44' West for 139.5 feet to the South line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Thence East for 254 feet on the South line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ to the Point of Beginning.

PARCEL NO. 2:

TOWNSHIP 11 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN
TWIN FALLS COUNTY, IDAHO

Section 6: Lots 3, 4 and 5; SE $\frac{1}{4}$ NW $\frac{1}{4}$

SAVE AND EXCEPT the following described:

A parcel of land located in Lots 3 and 4, more particularly described as follows:

Commencing at the Northeast section corner of said Section 6; Thence West for 3746.13 feet along the
North boundary line of said Section 6; Thence South 2°04'34" West for 25.02 feet to the Point
of Beginning;
Thence continuing South 2°04'34" West for 272.25 feet;
Thence West for 320.00 feet along a line parallel to the North boundary line of said Section 6;
Thence North 2°04'34" East for 272.25 feet;
Thence East for 320.00 feet along a line parallel to and 25.00 feet South of the North boundary line of
said Section 6 to the Point of Beginning.

PARCEL NO. 3:

TOWNSHIP 11 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN
TWIN FALLS COUNTY, IDAHO

Section 5: S $\frac{1}{4}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$

-continued-

CONTINUATION

SCHEDULE A

Order Number: 4852

PARCEL NO. 4:

TOWNSHIP 11 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN
TWIN FALLS COUNTY, IDAHO

Section 6: Lot 1; SE $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{4}$ SE $\frac{1}{4}$
 Lot 2; SW $\frac{1}{4}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$

SAVE AND EXCEPT the following described:

Commencing at the Northeast corner of Section 6; Thence South 00°05'00" West for 1704.91 feet
along the East boundary to the Point of Beginning;
Thence continuing South 00°05'00" West for 360.97 feet along the East boundary of Section 6;
Thence North 89°55'00" West for 603.38 feet;
Thence North 00°05'00" East for 360.97 feet;
Thence South 89°55'00" East for 603.38 feet to the Point of Beginning.

PARCEL NO. 5:

TOWNSHIP 11 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN
TWIN FALLS COUNTY, IDAHO

Section 7: N $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{4}$ SE $\frac{1}{4}$

PARCEL NO. 6:

TOWNSHIP 11 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN
TWIN FALLS COUNTY, IDAHO

Section 8: W $\frac{1}{4}$; W $\frac{1}{4}$ E $\frac{1}{2}$

EC-1940

TWIN FALLS COUNTY
RECORDED FOR:
LAND TITLE AND ESCROW - BURL
11:04:47 AM 06-26-2014
2014010485
NO. PAGES 6 FEE: \$25.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: DJW
Electronically Recorded by Simplifile

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged L & S LAND HOLDINGS, LLC, an Idaho limited liability company, the "Grantor", hereby grants, bargains, sells, and conveys unto FOUR SISTERS DAIRY, LLC, an Idaho limited liability company, whose address is P.O. Box 105, Twin Falls, ID 83303-0105, the "Grantee", all of the Grantor's undivided one-half interest in and to the following described premises located in Twin Falls County, Idaho, to wit:

PARCEL NO. 1:

TOWNSHIP 11 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN
TWIN FALLS COUNTY, IDAHO

Section 5: Lot 4 and a parcel of land in the Northwest corner of Lot 3, more particularly described as follows:

Beginning at the Northwest corner of Lot 3;
Thence South on the West boundary line of Lot 3 for a distance of 347 feet;
Thence East for 60 feet;
Thence North along a line parallel with the West boundary line of Lot 3 for a distance of 347 feet to the North boundary line of Lot 3;
Thence West along the North boundary line of Lot 3 to the Point of Beginning.

AND

Section 5: SW $\frac{1}{4}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$

SAVE AND EXCEPT the following described parcel of land located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$;

Beginning on the South line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ at a point 362 feet West from the Southeast corner of said NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Thence North 56°36' West for 202.5 feet;
Thence South 37°44' West for 139.5 feet to the South line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Thence East for 254 feet on the South line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ to the Point of Beginning.

PARCEL NO. 2:

TOWNSHIP 11 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN
TWIN FALLS COUNTY, IDAHO

Section 6: Lots 3, 4 and 5; SE $\frac{1}{4}$ NW $\frac{1}{4}$

SAVE AND EXCEPT the following described:

EC-1940



SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged **L & S LAND HOLDINGS, LLC**, an Idaho limited liability company, the "Grantor", hereby grants, bargains, sells, and conveys unto **FOUR SISTERS DAIRY, LLC**, an Idaho limited liability company, whose address is P.O. Box 105, Twin Falls, ID 83303-0105, the "Grantee", all of the Grantor's undivided one-half interest in and to the following described premises located in Twin Falls County, Idaho, to wit:

PARCEL NO. 1:

TOWNSHIP 11 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN
TWIN FALLS COUNTY, IDAHO

Section 5: Lot 4 and a parcel of land in the Northwest corner of Lot 3, more particularly described as follows:

Beginning at the Northwest corner of Lot 3;
Thence South on the West boundary line of Lot 3 for a distance of 347 feet;
Thence East for 60 feet;
Thence North along a line parallel with the West boundary line of Lot 3 for a distance of 347 feet to the North boundary line of Lot 3;
Thence West along the North boundary line of Lot 3 to the Point of Beginning.

AND

Section 5: SW $\frac{1}{4}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$

SAVE AND EXCEPT the following described parcel of land located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$;

Beginning on the South line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ at a point 362 feet West from the Southeast corner of said NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Thence North 56°36' West for 202.5 feet;
Thence South 37°44' West for 139.5 feet to the South line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Thence East for 254 feet on the South line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ to the Point of Beginning.

PARCEL NO. 2:

TOWNSHIP 11 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN
TWIN FALLS COUNTY, IDAHO

Section 6: Lots 3, 4 and 5; SE $\frac{1}{4}$ NW $\frac{1}{4}$

SAVE AND EXCEPT the following described:

WARRANTY DEED - 1

Z:\HAFL\HAFL-008 (Rock Creek 3 P&S)\Special Warranty Deed (6-13-14).doc

A parcel of land located in Lots 3 and 4, more particularly described as follows:

Commencing at the Northeast section corner of said Section 6; Thence West for 3746.13 feet along the North boundary line of said Section 6; Thence South 2°04'34" West for 25.02 feet to the Point of Beginning; Thence continuing South 2°04'34" West for 272.25 feet; Thence West for 320.00 feet along a line parallel to the North boundary line of said Section 6; Thence North 2°04'34" East for 272.25 feet; Thence East for 320.00 feet along a line parallel to and 25.00 feet South of the North boundary line of said Section 6 to the Point of Beginning.

PARCEL NO. 3:

TOWNSHIP 11 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN
TWIN FALLS COUNTY, IDAHO

Section 5: S½SW¼; SW¼SE¼

PARCEL NO. 4:

TOWNSHIP 11 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN
TWIN FALLS COUNTY, IDAHO

Section 6: Lot 1; SE¼NE¼; E¼SE¼
Lot 2; SW¼NE¼; NW¼SE¼; SW¼SE¼

SAVE AND EXCEPT the following described:

Commencing at the Northeast corner of Section 6; Thence South 00°05'00" West for 1704.91 feet along the East boundary to the Point of Beginning; Thence continuing South 00°05'00" West for 360.97 feet along the East boundary of Section 6; Thence North 89°55'00" West for 603.38 feet; Thence North 00°05'00" East for 360.97 feet; Thence South 89°55'00" East for 603.38 feet to the Point of Beginning.

PARCEL NO. 5:

TOWNSHIP 11 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN
TWIN FALLS COUNTY, IDAHO

Section 7: N½NE¼; SE¼NE¼; E¼SE¼

PARCEL NO. 6:

TOWNSHIP 11 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN
TWIN FALLS COUNTY, IDAHO

Section 8: W½; W½E½

Together with all water rights appurtenant thereto.

TO HAVE AND TO HOLD, unto Grantee, its successors and assigns forever.

SUBJECT TO the following: (a) general taxes and assessments, which are not yet due and payable; and (b) the encumbrances, easements, restrictions and matters set forth on EXHIBIT A attached hereto and incorporated herein (collectively the "Permitted Exceptions").

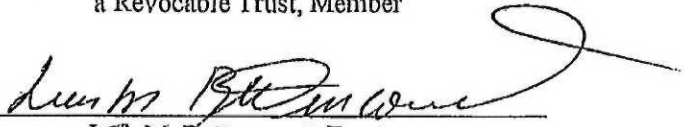
Grantor warrants that it is the owner in fee simple of such undivided one-half interest in the Property, that the Grantor has not conveyed any interest in the Property to any person other than Grantee, and that the Property is free from all encumbrances created or suffered by Grantor, except the Permitted Exceptions, and that Grantor will warrant and defend the same against all lawful claims of all persons claiming by, through or under Grantor.

IN WITNESS WHEREOF, the parties have executed the within instrument as of the 25 day of June, 2014.

"GRANTOR"

L & S LAND HOLDINGS, LLC, an Idaho limited liability company

By: LUIS M. AND SHARON BETTENCOURT 2008 TRUST U/A/D 3/5/2008,
a Revocable Trust, Member

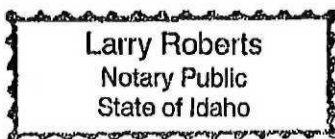
By: 
Luis M. Bettencourt, Trustee

By: 
Sharon Bettencourt, Trustee

STATE OF IDAHO)
)ss.
County of TWIN FALLS

On this 25 day of JUNE, 2014, before me, the undersigned, a Notary Public in and for said County and State, personally appeared LUIS M. BETTENCOURT and SHARON BETTENCOURT, Trustees of the Luis M. and Sharon Bettencourt 2008 Trust u/a/d March 5, 2008, Member of L & S LAND HOLDINGS, LLC., known to me to be the persons whose names are subscribed to the within and foregoing instrument, and who acknowledged to me that they executed the same on behalf of said trust as member of the company.

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 TWIN FALLS, ID
Commission Expires 6-30-15

EXHIBIT A

1. The second one-half of the 2013 taxes.
2. Taxes for 2014 and subsequent years, a lien, but not yet due or payable.
3. Levies and assessments of the Salmon River Canal Company, LTD and the rights, powers and easements of said District as by law provided.
4. Liens, levies, and assessments of the Twin Falls Canal Company, and the rights, powers, and easements of said Company as by law provided.
5. Rights of way for ditches, tunnels and telephone and transmission lines constructed by authority of the United States, as granted to the United States under provisions of Section 58-604, Idaho Code.
6. Conveyance of Easement between The Oregon Mortgage Company, Limited, a corporation, and Peoples-Pittsburgh Trust Company, a corporation, dated April 12, 1938 and recorded October 20, 1939 as Instrument No. 303738, records of Twin Falls County. (Affecting only the SE1/4SE1/4 of Section 7, Township 11 South, Range 16 East of the Boise Meridian).
7. Right of Way and reservation in Details of Grant dated February 10, 1961 and recorded February 16, 1961 as Instrument No. 500690, records of Twin Falls County, Idaho.
8. Power Line Easement from Toni Hafliger and Hank Hafliger, to Idaho Power Company, a corporation, dated February 18, 2000 and recorded July 28, 2000 as Instrument No. 2000-011494, records of Twin Falls County, Idaho. (Affecting only the E1/2NE1/4 of Section 6, Township 11 South, Range 16 East of the Boise Meridian).
9. Liquid Effluent and Fiber off-take Agreement as disclosed by Memorandum of Liquid Effluent and Fiber Off-Take Agreement by and between Bettencourt Dairies, LLC, an Idaho limited liability company, L & S Land Holdings, LLC, a limited liability company and New Energy One, LLC, an Idaho limited liability company, dated May 9, 2011 and recorded September 9, 2011 as Instrument No. 2011-016959, records of Twin Falls County, Idaho.

Subordination of Liquid Effluent and Fiber off-take Agreement recorded June 3, 2013, as Instrument No. 2013-012003, records of Twin Falls County, Idaho.
10. Manure Supply Agreement as disclosed by Memorandum of Manure Supply Agreement by and between Bettencourt Dairies, LLC, an Idaho limited liability company, L & S Land Holdings, LLC, a limited liability company and New Energy One, LLC, an Idaho limited liability company, dated May 9, 2011 and recorded September 9, 2011 as Instrument No. 2011-016961, records of Twin Falls County, Idaho.

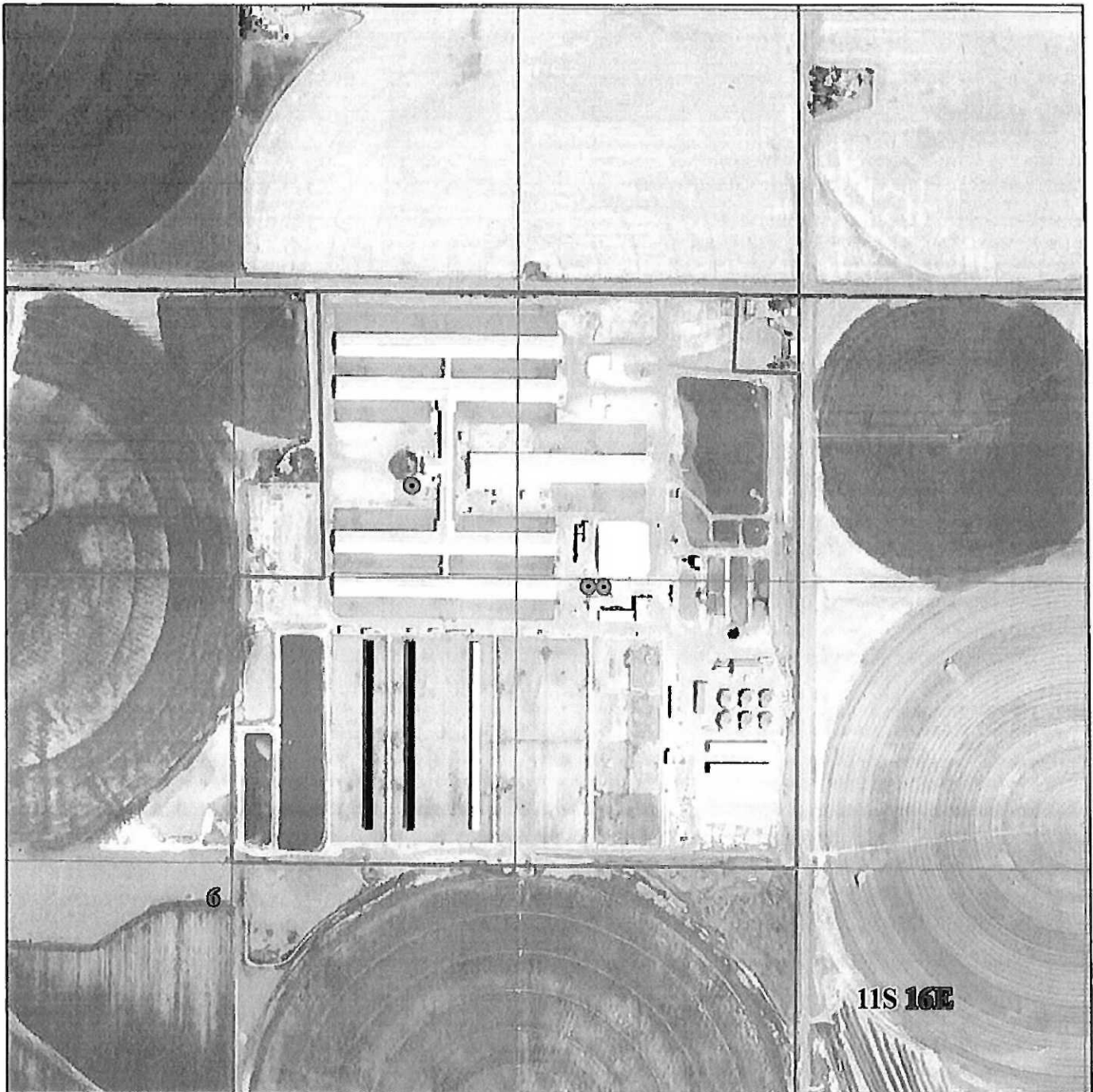
Subordination of Liquid Effluent and Fiber off-take Agreement recorded June 3, 2013, as Instrument No. 2013-012003, records of Twin Falls County, Idaho.

11. Easement from L & S Land Holdings, LLC, an Idaho company, to Idaho Power Company, a Corporation, dated December 19, 2011 and recorded January 19, 2012 as Instrument No. 2012-001024, records of Twin Falls County, Idaho. (Affecting only the NE1/4 of Section 6, Township 11 South, Range 16 East of the Boise Meridian).
12. Easement from L & S Land Holdings, LLC, an Idaho company, to Idaho Power Company, a Corporation, dated January 31, 2012 and recorded February 13, 2012 as Instrument No. 2012-002668, records of Twin Falls County, Idaho. (Covers the SE1/4NE1/4 of Section 6, Township 11 South, Range 16 East of the Boise Meridian.)
13. Mortgage to secure an original indebtedness of \$2,000,000.00, and any other amounts and/or obligations secured thereby.

Dated: May 31, 2013
Recorded: May 31, 2013, as Instrument No. 2013-011946, records of Twin Falls County, Idaho
Mortgagor: Henry Calvin Hafliger, Jr., aka Hank Hafliger
Mortgagee: John Beukers and Ruth Beukers, husband and wife
Modification Agreement recorded June 20, 2013, Instrument No. 2013-013601, records of Twin Falls County, Idaho

14. Mortgage to secure an original indebtedness of \$1,800,000.00, and any other amounts and/or obligations secured thereby.

Dated: May 31, 2013
Recorded: May 31, 2013, as Instrument No. 2013-011947, records of Twin Falls County, Idaho
Mortgagor: Henry Calvin Hafliger, Jr., aka Hank Hafliger
Mortgagee: L & S Land Holdings, LLC, an Idaho limited liability company
Modification Agreement recorded June 20, 2013, Instrument No. 2013-013602, records of Twin Falls County, Idaho.



0 255 510 1,020 Feet

**CEDAR RIDGE DAIRY, LLC
TRANSFER #4, DAIRY #3 - STOCKWATER/COMMERCIAL
NAIP 2013 AERIAL**

Legend

-  Dairy #3 PODs
-  Sections
-  Dairy #3 POU
-  twnshp
-  QQ Lines

