

RECEIVED

FEB 25 2015

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

DEPT OF WATER RESOURCES
SOUTHERN REGION

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?
36-8735	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-16381	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-8215	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Andresen Dairy LLC
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
- PO Box 554 Meridian ID 83680
Mailing address City State ZIP
208-288-2445 rmchugh@eversourcegroup.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: January 5, 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.

8. Signature: Ryan M. Hugh Manager Feb. 23 2015
Signature of new owner/claimant Title, if applicable Date

Signature: _____ Title, if applicable _____ Date _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by Dm Date 2/25/2015 Receipt No. 5034575 Receipt Amt. \$75-

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 SUPPORT DATA

36-8215

Conrad J. Aiken (ISB # 2051)
RACINE, OLSON, NYE,
BUDGE & BAILEY, CHARTERED
101 S. Capitol Blvd., Suite 300
Boise, Idaho 83702
Telephone: (208) 395-0011
Fax: (208) 433-0167

Instrument # 2150054

JEROME COUNTY, JEROME, IDAHO
1-8-2015 10:42:53 AM No. of Pages: 7
Recorded for : RACINE, OLSON, NYE, BUDGE & BAILEY
MICHELLE EMERSON Fee: 28.00
Ex-Officio Recorder Deputy J. Wilson

Attorneys for Idaho Dairy Solutions, LLC

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

AGSTAR FINANCIAL SERVICES, ACA,

Plaintiff,

v.

TIMOTHY ANDRESEN, an individual and
ANDRESEN DAIRY, L.L.C., an Idaho
Limited Liability Company,

Defendants.

Case No. CV-2012-0161

SHERIFF'S DEED

THIS INDENTURE is made this 5th day of January, 2015, between **the Sheriff of Jerome County, Idaho and Idaho Dairy Solutions, LLC, an Idaho limited liability company.**

WHEREAS, in and by that certain "JUDGMENT" entered by the District Court of the Fifth Judicial District of the State of Idaho, in and for the County of Jerome on November 19, 2012, and recorded on November 20, 2012 as Jerome County Recorder's Instrument No. 2125016 (the "Judgment") in a certain action then pending in said Court, in which AGSTAR FINANCIAL SERVICES, ACA, ("ACA") was Plaintiff against the Defendants TIMOTHY ANDRESEN, an individual, and ANDRESEN DAIRY, L.L.C., an Idaho limited liability company (collectively the "Defendants"), as stated in the caption above and a copy of which Judgment was delivered to the Jerome 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 November 22, 2013, 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 Jerome, Idaho, pursuant to said Judgment and under applicable provisions of law, to ACA for the sum of ~~500,000~~, 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 Certificate of Sale in due form and caused it to be recorded in the Jerome County Recorder's Office in Jerome, Idaho, as Instrument No. 2135508 on December 4, 2013; and

WHEREAS, ACA assigned the Property to AGSTAR FINANCIAL SERVICES, FLCA ("FLCA") by an Assignment recorded May 14, 2014 as Instrument No. 2141832 and quitclaimed the same interest to FLCA by a quitclaim deed recorded May 14, 2014 as Instrument No. 2141833, records of Jerome County, Idaho; and

WHEREAS, FLCA assigned the Property to The Crumb Group, LLC by Instrument No. 2135882, recorded December 31, 2013, records of Jerome County, Idaho; and

WHEREAS, the Defendants assigned their rights of redemption in the Property to Idaho Dairy Solutions, LLC by Instrument No. 2144236, recorded November 17, 2014, records of Jerome 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 the Sheriff of Jerome County and filing and recording a Notice of Redemption dated November 20, 2014, recorded as Instrument No. 2144273 on November 20, 2014, records of Jerome County, Idaho; and

WHEREAS, the Sheriff of Jerome County issued a Certificate of Redemption on November 20, 2014 to Idaho Dairy Solutions, LLC which was recorded November 20, 2014 as Instrument No. 2144274, records of Jerome 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 Jerome 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 Jerome 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 Jerome, State of Idaho, to wit:

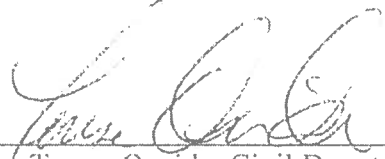
SEE EXHIBIT A ATTACHED HERETO AND MADE PART HEREOF BY INCORPORATION BY REFERENCE,
--

TOGETHER WITH all tenements, hereditaments, fixtures 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 Jerome County as Grantor, has hereunto set his hand the day and year first above written.

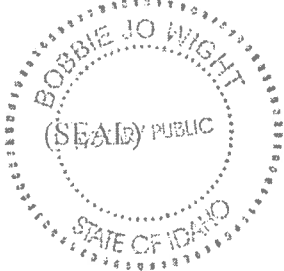
SHERIFF DOUGLAS McFALL
SHERIFF OF JEROME COUNTY, IDAHO

By: 
Teresa Oneida, Civil Deputy

STATE OF IDAHO)
 : ss
County of Jerome)

I, Bobbie Jo Wight, a Notary Public in and for state and country, do hereby certify that on this 5 day of January, 2015, personally appeared before me, **TERESA ONEIDA**, whose name is subscribed to the foregoing document who, being first duly sworn on oath, declared that she is the Civil Deputy Sheriff of Jerome 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.



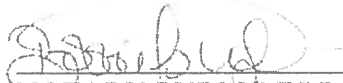

NOTARY PUBLIC FOR IDAHO
Residing at: Jerome
Commission expires: 2-21-2016

EXHIBIT A

LEGAL DESCRIPTION

PARCEL NO. 1

A parcel of real property located in Section 3, Township 9 South, Range 17 East and Section 34, Township 8 South Range 17 East of the Boise Meridian, located in Jerome County, Idaho:
COMMENCING at the Northwest corner of said Section 3;
THENCE along the North section line of said Section 3 and the South section line of said Section 34,
North 89°21'53" East a distance of 512.34 feet to the REAL POINT OF BEGINNING;
THENCE continuing on said section lines, North 89°21'53" East a distance of 362.98 feet to the approximate West side of a natural waste ditch;
THENCE along the West side of said natural waste ditch North 19°30'02" East a distance of 231.19 feet;
THENCE further along the West side of said natural waste ditch North 30°11'29" East a distance of 89.54 feet to the South line of a Union Pacific Railroad right of way;
THENCE along the South side of said railroad right of way South 71°35'54" East a distance of 330.89 feet to the East boundary of the SW¼SW¼ of said Section 34, Township 8 South, Range 17 East;
THENCE along the East boundary of the SW¼SW¼ of said Section 34 South 00°43'39" East a distance of 186.02 feet to the South section line of said Section 34 and North section line of Section 3, also being the Northeast corner of the NW¼NW¼ of said Section 3;
THENCE along the North section line of said Section 3 and the South section line of said Section 34, North 89°21'53" East a distance of 1313.90 feet to the North ¼ corner of said Section 3;
THENCE along the East boundary of the NW¼ of said Section 3 South 00°00'07" West a distance of 1352.03 feet to the Southeast corner of the NE¼NW¼ of said Section 3;
THENCE along the South boundary of the NW¼NE¼ of said Section 3 South 89°55'58" East a distance of 520.00 feet to the approximate center of a drain ditch;
THENCE along the approximate centerline of said drain ditch South 18°20'36" West a distance of 317.92 feet to the approximate center of the North Side Canal Company's L-4 ditch;
THENCE along the approximate centerline of said L-4 ditch South 64°52'46" West a distance of 463.72 feet to the East boundary line of the NW¼ of said Section 3;
THENCE along the East boundary of the NW¼ of said Section 3 North 00°00'35" West a distance of 499.24 feet to the Southeast corner of the NE¼NW¼ of said Section 3;
THENCE along the South boundary of the NE¼NW¼ of said Section 3 (Government Los 3 and 4) South 89°56'24" West a distance of 2621.99 feet to the Southwest corner of the NW¼NW¼ of said Section 3;
THENCE along the West boundary of said Section 3, North 00°14'44" West a distance of 523.43 feet;
THENCE North 86°53'21" East a distance of 85.90 feet;
THENCE North 40°45'35" East a distance of 653.29 feet;
THENCE North 00°38'07" West a distance of 308.40 feet to the North section line of said Section 3 and the REAL POINT OF BEGINNING.

SUBJECT TO all existing road, canal and railroad right of ways as recorded with the Jerome County Recorder and the Union Pacific Railroad.

PARCEL NO. 2

Township 9 South, Range 17, East of the Boise Meridian, Jerome County, Idaho
Section 3: A part of the S¼NW¼, described as follows:
COMMENCING at the Northwest corner of said Section 3;
THENCE South 00°02'00" West 1,325.61 feet to the REAL POINT OF BEGINNING;
THENCE South 89°46'52" East 1,130.26 feet along the North boundary of said S¼NW¼ of Section 3;
THENCE South 26°30'51" West 455.03 feet;
THENCE South 19°02'53" East 296.61 feet;

THENCE North 89°41'26" West 514.56 feet;
THENCE North 65°10'44" West 185.80 feet;
THENCE North 89°44'09" West 341.08 feet to the West boundary of said Section 3;
THENCE North 00°02'00" East 609.51 feet along the West boundary of said Section 3 to the REAL
POINT OF BEGINNING.

EXCEPTING THEREFROM that part of the SW¼NW¼, described as follows:
COMMENCING at the Northwest section corner of said Section 3;
THENCE South 0°02'00" West along the West boundary of said Section 3, 1325.61 feet to the Northwest
corner of the SW¼NW¼;
THENCE South 89°46'52" East 870.26 feet along the North boundary of said SW¼NW¼ of Section 3, to
the TRUE POINT OF BEGINNING;
THENCE South 89°46'52" East 260.00 feet;
THENCE South 26°30'51" West 455.03 feet;
THENCE South 19°02'53" East 296.61 feet;
THENCE North 89°41'26" West 154.07 feet;
THENCE North 0°02'00" East 687.70 feet to THE TRUE POINT OF BEGINNING.

PARCEL NO. 3

Township 9 South, Range 17, East of the Boise Meridian, Jerome County, Idaho
Section 3: SE¼NW¼ and that part of the SW¼NW¼, described as follows:
COMMENCING at the Northwest corner of said Section 3;
THENCE South 0°02'00" West along the West boundary of said Section 3, 1325.61 feet to the Northwest
corner of SW¼NW¼;
THENCE South 89°46'52" East along the North boundary of the SW¼NW¼, 870.26 feet to the TRUE
POINT OF BEGINNING;
THENCE South 0°02'00" West 904.17 feet;
THENCE South 89°41'26" East 437.96 feet to the East boundary of the SW¼NW¼, said point lies
North 0°02'00" East 416.22 feet from the Southeast corner of the SW¼NW¼;
THENCE North along the East boundary of the SW¼NW¼ to the Northeast corner of the SW¼NW¼;
THENCE West along the North boundary of the SW¼NW¼ to the TRUE POINT OF BEGINNING.

PARCEL NO. 4

Together with an easement for road and utilities 25.00 feet on each side of the following described
centerline located in part of the SW¼NW¼ of Section 3, Township 9 South, Range 17, East Boise
Meridian, as created by Warranty Deed dated October 11, 1983, recorded October 28, 1983, as Instrument
No. 277140, Jerome County records; and Warranty Deed dated June 28, 1984, recorded September 5,
1986, as Instrument No. 300961, Jerome County records, described as follows:
COMMENCING at the Northwest corner of said Section 3;
THENCE South 0°02'00" West along the West boundary of said Section 3, 2228.41 feet to the TRUE
POINT OF BEGINNING;
THENCE South 89°41'26" East 1308.22 feet.

PARCEL NO. 5

Township 9 South, Range 17, East of the Boise Meridian, Jerome County, Idaho
Section 3: That part of the SW¼NW¼, described as follows:
COMMENCING at the Northwest section corner of said Section 3;

THENCE South 0°02'00" West along the West boundary of said Section 3, 1935.12 feet to the TRUE POINT OF BEGINNING;

THENCE South 89°44'09" East 341.08 feet;

THENCE South 65°0'44" East 185.80 feet;

THENCE South 89°41'26" East 360.49 feet;

THENCE South 0°02'00" West 69.96 feet;

THENCE North 89°46'52" West 870.26 feet to a point on the West boundary of said Section 3;

THENCE North 0°02'00" East along the West boundary of said Section 3, 148.15 feet to the TRUE POINT OF BEGINNING.

PARCEL NO. 6

Township 9 South, Range 17, East of the Boise Meridian, Jerome County, Idaho

Section 3: That part of the SW¼NW¼, described as follows:

COMMENCING at the Northwest Section corner of said Section 3;

THENCE South 0°02'00" West along the West boundary of Section 3, 2083.27 feet to the TRUE POINT OF BEGINNING;

THENCE South 89°46'52" East 870.26 feet;

THENCE South 0°02'00" West 146.51 feet;

THENCE North 89°41'26" West 870.26 feet to a point on the West boundary of said Section 3;

THENCE North 0°02'00" East along the West boundary of said Section 3, 145.14 feet to the TRUE POINT OF BEGINNING.

FOR INFORMATION ONLY: According to Jerome County Assessor/Treasurer records, address of subject property is purported to be: 328 South 300 East, Jerome, Idaho 83338

State of Idaho
Department of Water Resources
Water Right License
36-16381

February 23, 2015

17E



● Point of Diversion

□ Place Of Use Boundary

□ Townships

□ PLS Sections

□ Quarter Quarters

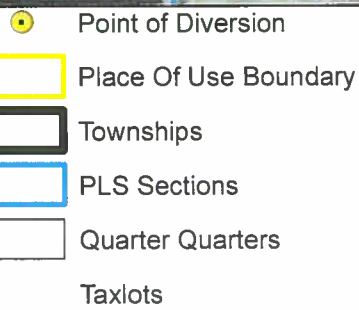
Taxlots

0 0.05 0.1 0.2 Miles



February 23, 2015

095



State of Idaho
Department of Water Resources
Water Right License
36-8735

February 23, 2015

17E



● Point of Diversion

□ Place Of Use Boundary

□ Townships

□ PLS Sections

□ Quarter Quarters

Taxlots

0 0.045 0.09 0.18 Miles



State of Idaho
Department of Water Resources
Water Right License
36-8735

February 23, 2015

17E



● Point of Diversion

□ Place Of Use Boundary

□ Townships

□ PLS Sections

□ Quarter Quarters

Taxlots

0 0.045 0.09 0.18 Miles



State of Idaho
Department of Water Resources
Water Right License
36-8215

February 23, 2015

17E



● Point of Diversion

Place Of Use Boundary

Townships

PLS Sections

Quarter Quarters

Taxlots

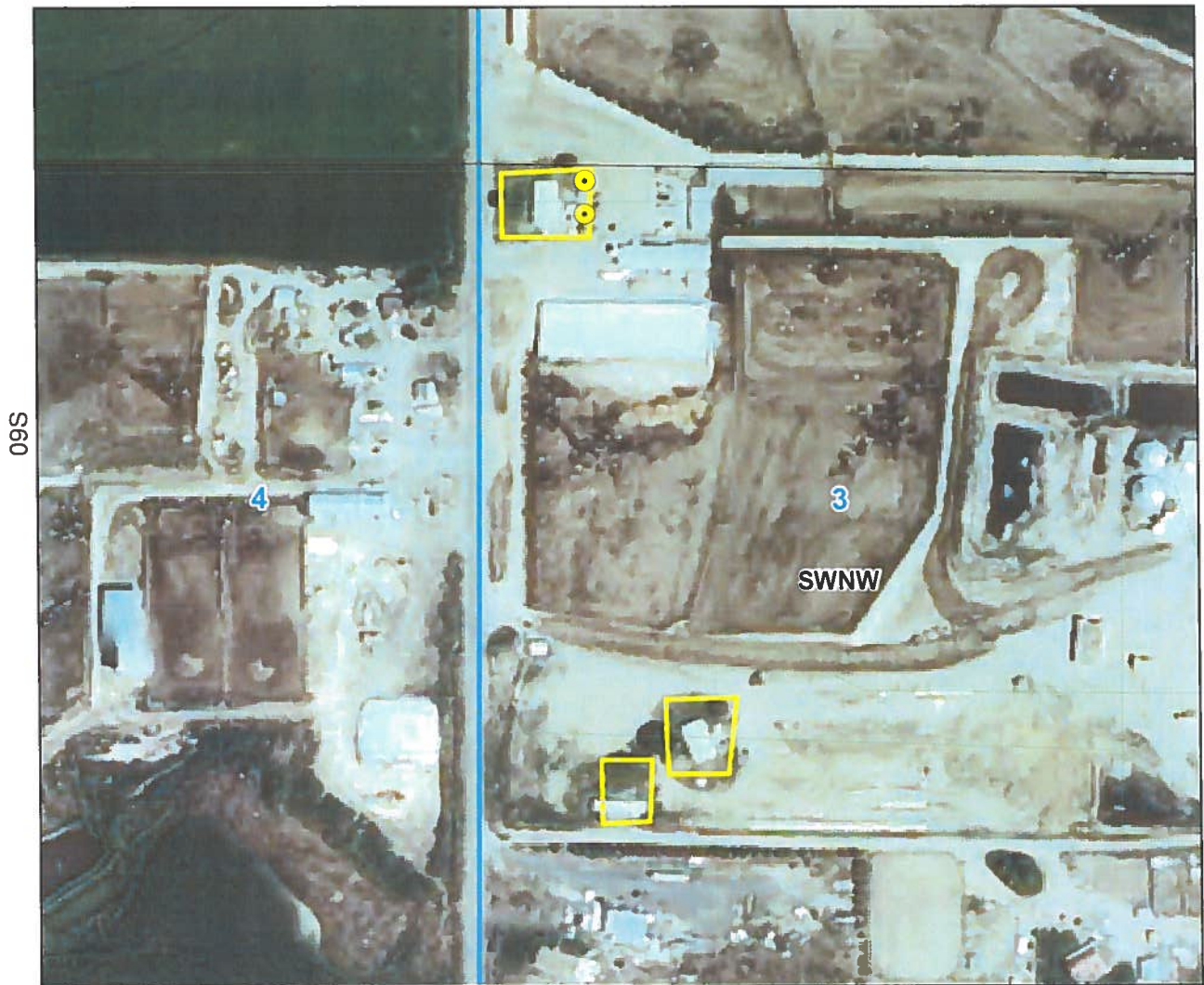
0 0.05 0.1 0.2 Miles



State of Idaho
Department of Water Resources
Water Right License
36-8215

February 23, 2015

17E



● Point of Diversion

Place Of Use Boundary

Townships

PLS Sections

Quarter Quarters

Taxlots

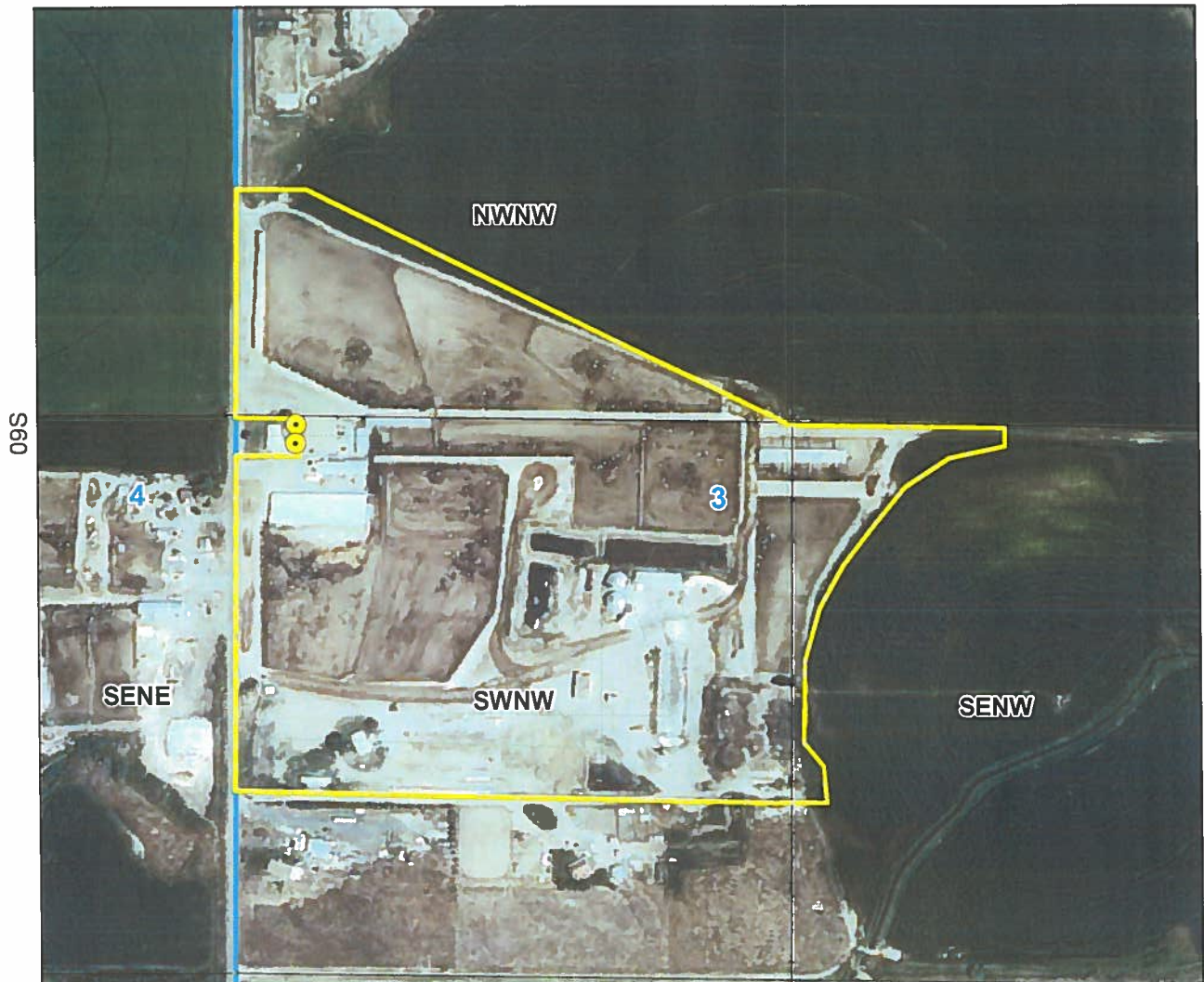
0 0.03 0.06 0.12 Miles



State of Idaho
Department of Water Resources
Water Right License
36-8215

February 23, 2015

17E



● Point of Diversion

□ Place Of Use Boundary

□ Townships

□ PLS Sections

□ Quarter Quarters

Taxlots

0 0.05 0.1 0.2 Miles





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

February 27, 2015

IDAHO DAIRY SOLUTIONS LLC
PO BOX 554
MERIDIAN ID 83680

RE: Change of Ownership for Water Right Nos. 36-8215, 36-8735, 36-16381

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)

Cc: McHugh Bromley PLLC

McHUGH BROMLEY
ATTORNEYS AT LAW, PLLC

cmchugh@mchughbromley.com
208-287-0991

380 S. 4th St., Ste. 103
Boise, ID 83702

RECEIVED

FEB 25 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

February 23, 2015

Idaho Department of Water Resources
Southern Region Office
650 Addison Ave. W. Ste. 500
Twin Falls, ID 83301-5858

Re: Change of Ownership

To Whom It May Concern:

Please find enclosed a change of ownership form for the following water rights:

36-8215
36-8735
36-16381.

The current owner of these water rights is Idaho Dairy Solution, LLC which is reflected in the enclosed change of ownership form. There is also a copy of the Sheriff's Deed conveying the property from the previous owner to Idaho Dairy Solution, maps for each water right and a check for \$75 for the filing fee.

Please add Candice McHugh, of the firm McHugh Bromley as counsel of record for Idaho Dairy Solutions, LLC. The address and contact information for McHugh Bromley is listed above.

If you have any questions regarding this matter, please let me know.

Sincerely,

Candice McHugh

Enclosures