

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
FEB 27 2014
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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
36-10182	Yes ☐		Yes ☐		Yes ☐
36-02316	Yes ☐		Yes ☐		Yes ☐
36-7123	Yes ☐		Yes ☐		Yes ☐
36-8050	Yes ☐		Yes ☐		Yes ☐
36-7963	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: NOTCH BUTTE FARMS LLC

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): B-4 DAIRY, LLC

New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or

<u>3751 S. 2400 E.</u>	<u>JEROME</u>	<u>ID</u>	<u>83338</u>
Mailing address	City	State	ZIP
<u>208.280.5048</u>	<u>adrianboar@gmail.com</u>		
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.

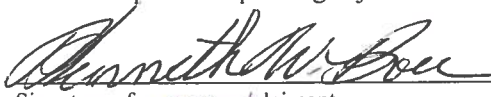
5. Date you acquired the water rights and/or claims listed above: _____

6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:

- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
- If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
- New lessor(s) of record will receive payment after the following rental season.

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.

8. Signature:  Member _____

Signature of new owner/claimant

Title, if applicable

Date

2/24/2014

Signature:  Member _____

Signature of new owner/claimant

Member _____
Title, if applicable

Date

2/24/2014

For IDWR Office Use Only:

Received by DM Date 2-28-2014 Receipt No. 5033841 Receipt Amt. \$125-
 Approved by _____ Processed by _____ Date _____

SUPPORT DATA

IN FILE # 36-2316

COPY

G-41981

WARRANTY DEED

Recorded Electronically	
ID	247575
County	Gooding
Date	2-25-2014 Time 3:18:34pm
Simplifile.com 800.460.5657	

FOR VALUE RECEIVED,

NOTCH BUTTE FARMS, LLC, also shown of record as NOTCH BUTTE FARMS, L.L.C., an Idaho limited liability company, the "Grantor", does hereby grant, bargain, sell and convey unto **B-4 DAIRY, LLC**, an Idaho limited liability company, whose address is 3751 S. 2400 E., Jerome, Idaho 83338, the "Grantee", the following described premises located in Gooding County, Idaho, to wit:

PARCEL NO. 1:

TOWNSHIP 9 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 12: All of Lots 1, 2, 3, 12, 13 and 14 and NE $\frac{1}{4}$ NE $\frac{1}{4}$ lying North of and above the Snake River Canyon Rim

TOWNSHIP 9 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 7: NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ being Lots 1 and 2 (sometimes shown as Lot 7); W $\frac{1}{2}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$;

also the parts of Lots 3, 4 AND 8 that lies North of and above the Snake River Canyon Rim EXCEPT any part of the following lands as may lie North of said rimrock:

- a. Tract conveyed to Frank A. Reid by deed dated July 16, 1928, recorded July 16, 1928, in Book 22, Deeds, Page 162 (tract now owned by Idaho Power Company).
- b. Tract conveyed to Rim View Trout Company, by deed dated September 16, 1952, recorded September 22, 1952, in Book 45, Deeds Page 412.

EXCEPTING THEREFROM that certain tract or parcel of land located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and Government Lot 1 of Section 7, being more particularly described by metes and bounds as follows:

Commencing at the Northeast corner of the aforementioned Section 7, from which the North $\frac{1}{4}$ corner of Section 7 bears South 89°31'23" West, 2605.30 feet;

Thence South 89°31'23" West, 3289.21 feet along and with the North line of Section 7, to the Northeast corner and POINT OF BEGINNING of the herein described tract;

Thence South 00°16'22" West, 180.17 feet to the most Northerly Southeast corner of the herein described tract;

Thence along a curve to the left having a radius of 1292.00 feet, an arc length of 600.77 feet, a chord bearing of South 46°59'15" West, and a chord distance of 595.37 feet to the most southerly Southeast corner of the herein described tract;

Thence South 89°31'23" West, 223.53 feet to the Southwest corner of the herein described tract;

Thence North 00°06'32" West, 582.66 feet to a point on the North line of Section 7, said point also being the Northwest corner of the herein described tract;

Thence North 89°31'23" East, 660.85 feet along and with the North line of Section 7, to THE POINT OF BEGINNING.

G-41981

WARRANTY DEED

Instrument # 247575
GOODING COUNTY, GOODING, IDAHO
02-26-2014 16:18:34 No. of Pages: 6
Recorded for: LAND TITLE AND ESCROW - JEROME
DENISE GILL Fee: \$22.00
Ex-Officio Recorder Deputy: MJS
Electronically Recorded by Simplifile

FOR VALUE RECEIVED,

NOTCH BUTTE FARMS, LLC, also shown of record as **NOTCH BUTTE FARMS, L.L.C.**, an Idaho limited liability company, the "Grantor", does hereby grant, bargain, sell and convey unto **B-4 DAIRY, LLC**, an Idaho limited liability company, whose address is 3751 S. 2400 E., Jerome, Idaho 83338, the "Grantee", the following described premises located in Gooding County, Idaho, to wit:

PARCEL NO. 1:

TOWNSHIP 9 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 12: All of Lots 1, 2, 3, 12, 13 and 14 and NE $\frac{1}{4}$ NE $\frac{1}{4}$ lying North of and above the Snake River Canyon Rim

TOWNSHIP 9 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 7: NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ being Lots 1 and 2 (sometimes shown as Lot 7); W $\frac{1}{2}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$;

also the parts of Lots 3, 4 AND 8 that lies North of and above the Snake River Canyon Rim EXCEPT any part of the following lands as may lie North of said rimrock:

- a. Tract conveyed to Frank A. Reid by deed dated July 16, 1928, recorded July 16, 1928, in Book 22, Deeds, Page 162 (tract now owned by Idaho Power Company).
- b. Tract conveyed to Rim View Trout Company, by deed dated September 16, 1952, recorded September 22, 1952, in Book 45, Deeds Page 412.

EXCEPTING THEREFROM that certain tract or parcel of land located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and Government Lot 1 of Section 7, being more particularly described by metes and bounds as follows:

Commencing at the Northeast corner of the aforementioned Section 7, from which the North $\frac{1}{4}$ corner of Section 7 bears South 89°31'23" West, 2605.30 feet;

Thence South 89°31'23" West, 3289.21 feet along and with the North line of Section 7, to the Northeast corner and POINT OF BEGINNING of the herein described tract;

Thence South 00°16'22" West, 180.17 feet to the most Northerly Southeast corner of the herein described tract;

Thence along a curve to the left having a radius of 1292.00 feet, an arc length of 600.77 feet, a chord bearing of South 46°59'15" West, and a chord distance of 595.37 feet to the most southerly Southeast corner of the herein described tract;

Thence South 89°31'23" West, 223.53 feet to the Southwest corner of the herein described tract;

Thence North 00°06'32" West, 582.66 feet to a point on the North line of Section 7, said point also being the Northwest corner of the herein described tract;

Thence North 89°31'23" East, 660.85 feet along and with the North line of Section 7, to THE POINT OF BEGINNING.

AND EXCEPTING THEREFROM a certain tract or parcel of land located in the NE¼NW¼ of Section 7, being more particularly described by metes and bounds as follows:

Commencing at the Northeast corner of the aforementioned Section 7;
Thence South 89°31'23" West, 2605.30 feet along and with the North line of Section 7, to the Northeast corner of the NE¼NW¼, said point also being the Northeast corner and POINT OF BEGINNING of the herein described tract;
Thence South 00°16'55" East, 17.01 feet along and with the East line of the NE¼NW¼ of Section 7, to the Southeast corner of the herein described tract;
Thence along a curve to the left having a radius of 1292.00 feet, an arc length of 714.40 feet, a chord bearing of South 76°08'57" West, and a chord distance of 705.33 feet to the Southwest corner of the herein described tract;
Thence North 00°16'22" East, 180.17 feet to a point on the North line of Section 7, said point also being the Northwest corner of the herein described tract;
Thence North 89°31'23" East, 683.91 feet along with the North line of Section 7 to THE POINT OF BEGINNING.

AND ALSO EXCEPTING THEREFROM a certain tract or parcel of land located in Government Lot 1 of Section 7, being more particularly described by metes and bounds as follows:

Commencing at the Northeast corner of the aforementioned Section 7, from which the North ¼ corner of Section 7 bears South 89°31'23" West, 2605.30 feet;
Thence South 89°31'23" West, 3950.06 feet, along and with the North line of Section 7, to the Northeast corner and POINT OF BEGINNING of the herein described tract;
Thence South 00°06'32" East, 582.66 feet to the Southeast corner of the herein described tract;
Thence South 89°31'23" West, 125.00 feet to the Southwest corner of the herein described tract;
Thence along a curve to the left having a radius of 1159.99 feet, an arc length of 716.77 feet, a chord bearing of North 42°23'04" West, and a chord distance of 705.42 feet;
Thence North 00°07'06" East, 57.66 feet to a point on the North line of Section 7, said point also being the Northwest corner of the herein described tract;
Thence North 89°31'23" East, 599.31 feet along and with the North line of Section 7, to THE POINT OF BEGINNING.

AND ALSO EXCEPTING THEREFROM a certain tract or parcel of land located in the NW¼NE¼ of Section 7, being more particularly described by metes and bounds as follows:

Commencing at the Northeast corner of the aforementioned Section 7, from which the North ¼ corner of Section 7 bears South 89°31'23" West, 2605.30 feet;
Thence South 89°31'23" West, 1302.65 feet along and with the North line of Section 7, to the Northeast corner of the NW¼NE¼, said point also being the Northeast corner and POINT OF BEGINNING of the herein described tract;
Thence South 00°10'28" East, 462.20 feet along and with the East line of the NW¼NE¼ of Section 7, to the Southeast corner of the herein described tract;
Thence South 89°31'23" West, 176.85 feet to the Southwest corner of the herein described tract;
Thence North 02°07'44" East, 462.67 feet to a point on the North line of Section 7, said point also being the Northwest corner of the herein described tract;
Thence North 89°31'23" East, 158.26 feet along and with the North line of Section 7, to THE POINT OF BEGINNING.

PARCEL NO. 2:

TOWNSHIP 9 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 7: Being all that certain tract or parcel of land located in Government Lot 1, being more particularly described by metes and bounds as follows

Commencing at the Northeast corner of the aforementioned Section 7, from which the North $\frac{1}{4}$ corner of Section 7 bears South 89°31'23" West, 2605.30 feet;
Thence South 89°31'23" West, 3950.06 feet, along and with the North line of Section 7, to the Northeast corner and POINT OF BEGINNING of the herein described tract;
Thence South 00°06'32" East, 582.66 feet to the Southeast corner of the herein described tract;
Thence South 89°31'23" West, 125.00 feet to the Southwest corner of the herein described tract;
Thence along a curve to the left having a radius of 1159.99 feet, an arc length of 716.77 feet, a chord bearing of North 42°23'04" West, and a chord distance of 705.42 feet;
Thence North 00°07'06" East, 57.66 feet to a point on the North line of Section 7, said point also being the Northwest corner of the herein described tract;
Thence North 89°31'23" East, 599.31 feet along and with the North line of Section 7, to THE POINT OF BEGINNING.

SUBJECT TO any applicable county road easement.

Together with all water rights appurtenant thereto, including but not limited to

70 shares of North Side Canal Co., Ltd.

Water Right No. 36-10182

Water Right No. 36-2316

Water Right No. 36-7123

Water Right No. 36-8050

Water Right No. 36-7963

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. The said Grantors do hereby covenant to and with the said Grantees, that they are the owners of said premises; that they will warrant and defend the same from all lawful claims whatsoever, except as hereinabove specifically provided, and the specific exceptions listed below:

1. Taxes for 2014 and subsequent years, a lien, but not yet due or payable.
2. Assessments of the North Side Canal Company and the rights and powers of said Company as by law provided.
3. Right of way for canals, laterals and waste ditches of the North Side Canal Company, Ltd.
4. Transmission Line Easement given by Federal Land Bank of Spokane, a corporation to Idaho Power Company, recorded August 19, 1937 Book 4 of Bonds & Agreements, Page

159 as Instrument No. 68366, records of Gooding County, Idaho, affecting a portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, Township 9 South, Range 16 East Boise Meridian.

5. Transmission Line Easement given by Ida Owen Mays to Idaho Power Company, a corporation, dated August 21, 1937, recorded August 26, 1937 Book 4 Misc., Page 192 as Instrument Number 68410, Gooding County records, affecting a portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Lots 5 and 6 of Section 2, Lot 8 of Section 11, Lots 11, 4, 3, 12, 13, 2 and 1 of Section 12, both in Township 9 South of Range 15 East Boise Meridian, and Lots 3 and 4 of Section 7 in Township 9 South, of Range 16 East Boise Meridian.

6. Power Line Easement given by B.C. Mecham, a widower, to Idaho Power Company, a corporation, recorded May 29, 1953, Book 7 Misc., Page 224 as Instrument Number 121464, Gooding County records, affecting a portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, Township 9 South, Range 16 East, Boise Meridian.

KB
KB
7. Power Line Easement given by James R. Stringham and Joy Stringham, husband and wife, to Idaho Power Company, a corporation, dated May 12, 1953, recorded May 29, 1953, Book 7 Misc., page 226 as Instrument Number 121466, Gooding County records, affecting a portion of the S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 2, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, Township 9 South, Range 15 East, Boise Meridian; Lot 6, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, Township 9 South, Range 16 East, Boise Meridian.

8. Power Line Easement given by Lloyd H. Miller and Donnie Miller, husband and wife, to Idaho Power Company, a corporation, dated October 22, 1970, recorded December 4, 1970 as Instrument Number 33789, Gooding County records, affecting S $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 6 Township 9 South, Range 16 East, Boise Meridian.

9. Power Line Easement given by Ross E. Miller, Lloyd H. Miller, Lois E. Miller, and Donnie Miller, to Idaho Power Company, a corporation, dated September 13, 1972, recorded January 29, 1973 as Instrument Number 43784, Gooding County records, affecting S $\frac{1}{2}$ SE $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 6 Township 9 South, Range 16 East, Boise Meridian.

10. Power Line Easement given by Lierman Brothers Inc. to Idaho Power Company, a corporation, recorded June 21, 1973 as Instrument Number 45938, Gooding County records, affecting 50 feet along the East edge of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, Township 9 South, Range 16 East, Boise Meridian.

11. Power Line Easement given by Lloyd H. Miller and Donnie Miller, husband and wife to Idaho Power Company, a corporation, dated May 31, 1974, recorded December 18, 1974 as Instrument Number 52754, Gooding county records, affecting North 50 feet of the W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, Township 9 South, Range 16 East, Boise Meridian.

12. Power Line Easement given by Standing Hat Ranch Inc., Lloyd H. Miller and David L. Hamilton to Idaho Power Company, a corporation, dated January 8, 1981, recorded April

7, 1981 as Instrument Number 88742, Gooding County records, affecting a portion of W½NE¼, SE¼NW¼ and NE¼SW¼ of Section 7, Township 9 South Range 16 East, Boise Meridian.

DATED THIS 25th day of February, 2014

"GRANTOR"

NOTCH BUTTE FARMS, LLC
also shown of record as NOTCH BUTTE FARMS, L.L.C.
an Idaho limited liability company

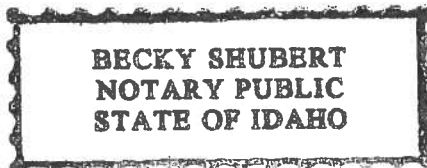
[Signature]
ROBERT SHILLINGTON, Member

[Signature]
JOHN LEZAMIZ, Member

STATE OF IDAHO)
 :SS.
County of Jerome)

On this 25th day of February, 2014, before me, the undersigned, a Notary Public in and for said County and State, personally appeared ROBERT SHILLINGTON, Member of Notch Butte Farms, L.L.C., an Idaho limited liability company, 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 on behalf of the company.

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

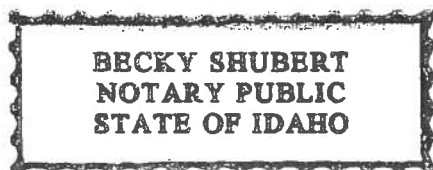


[Signature]
NOTARY PUBLIC for Idaho
Residing at: Jerome ID
Commission Expires: 02-23-2017

STATE OF IDAHO)
 :SS.
County of Jerome)

On this 25th day of February, 2014, before me, the undersigned, a Notary Public in and for said County and State, personally appeared JOHN LEZAMIZ, Member of Notch Butte Farms, L.L.C., an Idaho limited liability company, 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 on behalf of the company.

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



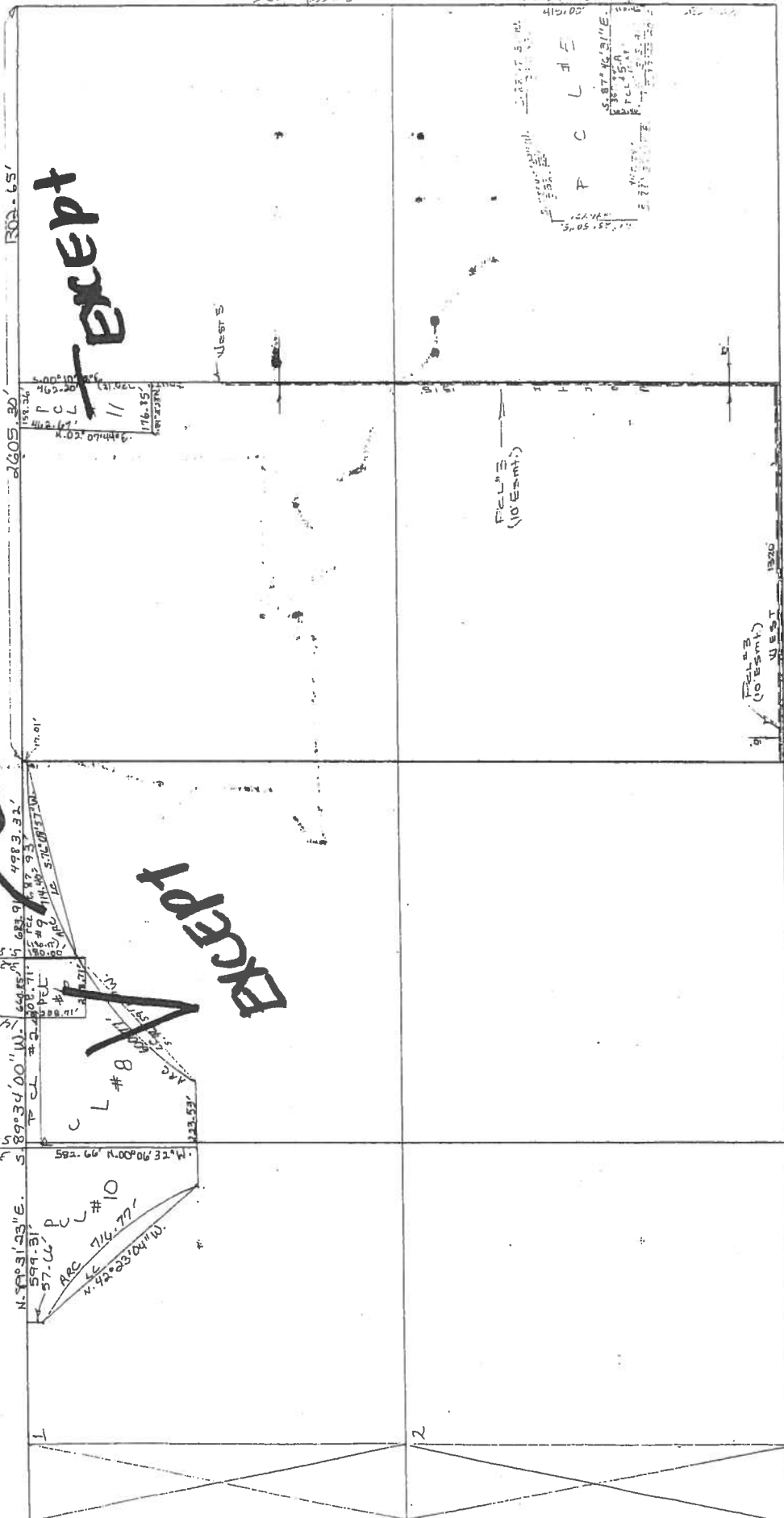
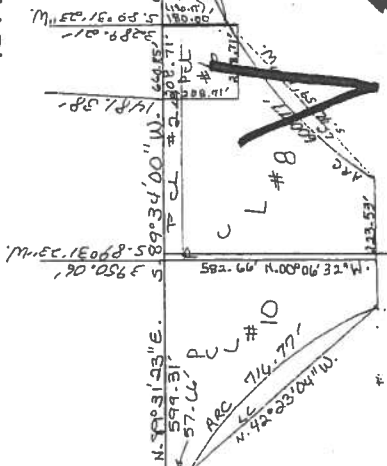
[Signature]
NOTARY PUBLIC for Idaho
Residing at: Jerome ID
Commission Expires: 02-23-2017

NORTH HALF

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EXCEPT



POLES (10 Esmt.)

POLES (10 Esmt.)

SEE SOUTH HALF

[illegible]

South HALF

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