

RECEIVED
OCT 28 2011
DEPT. OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
47-10288	Yes ☐		Yes ☐		Yes ☐
47-10328	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Lyle Abel
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Phoenix-Dairy, LLC
Name of each new owner as listed on the conveyance document
- New owner continued Name connector ☐ and ☐ or ☐ and/or
- 2574 East 3800 North
- Mailing address
- Twin Falls ID 83301
- City State ZIP
- 208-734-2446
- 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: 7/31/2008
6. 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.

7. Signature: Gregory S. Kierstra Title, if applicable Date 01/20/11
Signature of new owner/claimant
- Signature: Darla D. Kierstra Title, if applicable Date 01/20/11
Signature of new owner/claimant

For IDWR Office Use Only:

Received by C. Wee Date 10/28/11 Receipt No. 5032202 Receipt Amt. 50⁰⁰

Approved by _____ Processed by _____ Date _____

TWIN FALLS COUNTY
RECORDED FOR:
TITLEFACT
1:28:23 pm 07-31-2008
2008-017273
NO. PAGES: 1 FEE: \$3.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: CHICE

Case No. 58281DI

TitleFact, Inc.
P.O. Box 486
Twin Falls, Idaho 83303

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

CORPORATION WARRANTY DEED

FOR VALUE RECEIVED **WATSON CONSTRUCTION CO., INC.**, an Idaho corporation, a corporation duly organized and existing under the laws of the state of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto **PHOENIX-DAIRY, LLC**, an Idaho Limited Liability Company, Grantee, whose address is: 3624 North 3200 East, Kimberly, Idaho 83341, the following described real estate, situated in Twin Falls County, Idaho, to-wit:

Township 10 South, Range 16 East, Boise Meridian, Twin Falls County, Idaho
Section 16: S½SW¼

SUBJECT TO Highway District right of way

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its Secretary.

Dated: July 30, 2008

WATSON CONSTRUCTION CO., INC.

BY: _____

LLOYD WATSON, President

* * * * *

STATE OF IDAHO
County of Twin Falls

On this 30th day of July, 2008, before me, the undersigned, Notary Public in and for said State, personally appeared **LLOYD WATSON**, known to me to be the President of the corporation that executed this instrument, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

Notary Public for Idaho
Residing at: Twin Falls
My Commission expires: 1-18-2011

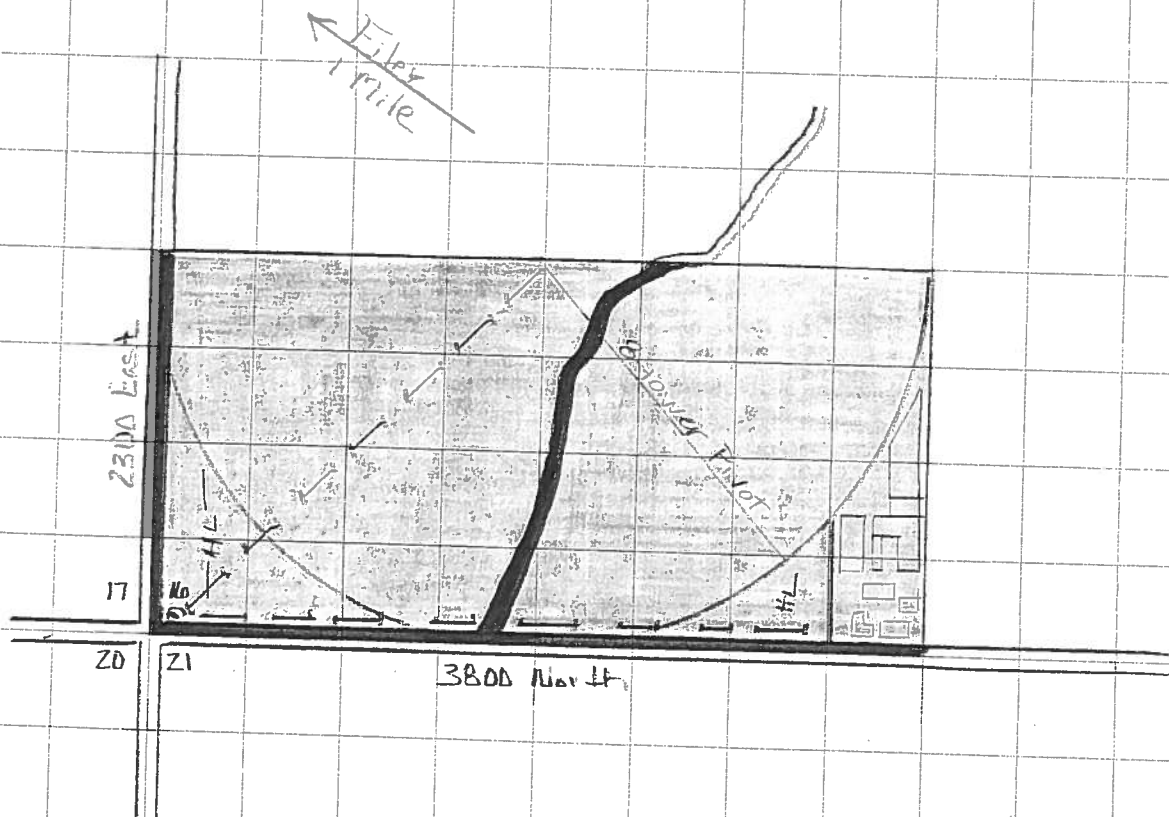


Initials _____

PLAT OF FARM

No. _____

Use Standard Legend. Indicate roads and show direction and distance to nearest town. Indicate points of compass-show scale of map.
Designate section numbers at section centers. If more than one source of irrigation supply, indicate area served by each.



TP.	105 RGE.	16E
↑	TWIN FALLS COUNTY	
N	Idaho	STATE
SCALE	1" = 1/4 MI	
PLATTED BY	PK	
TITLE REPORT DESCRIPTION		
VERIFIED BY		

October 31, 2011

PHOENIX DAIRY LLC
2574 E 3800 N
TWIN FALLS ID 83301

RE: Change of Ownership for Water Right 47-10328, 47-10288

Dear Water Right Holder:

The department acknowledges receipt of correspondence changing ownership of the above referenced water rights to you. 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.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Carrie Hahn
Clerk

Enclosure