

Walker, Benny

From: Walker, Benny
Sent: Friday, July 10, 2009 2:10 PM
To: 'Greg Sullivan'
Subject: RE: Si Ellen Dairy

Greg,

Thanks, I appreciate the ownership documentation. I still need proof of ownership of the proposed place of use and some form of authorization from the proposed place of use owner that allows Si-Ellen to move their water right to the proposed POU and that Si-Ellen will retain ownership of the right or the applicant (Si-Ellen Dairy) acknowledges that Roth Investments will own the water right after the transfer. Since generally water rights are appurtenant to the land and owned by the land owner unless otherwise specified.

If you have any questions, please give me a call.

Benny Walker
Water Resource Agent

From: Greg Sullivan [mailto:greg.sullivan@brockwayeng.com]
Sent: Friday, July 10, 2009 10:28 AM
To: Walker, Benny
Subject: Si Ellen Dairy

Benny,

Here is the Certificate of Business Name for Si Ellen Dairy. This shows on paper that Roth Investments, LLC owns and operates Si Ellen Dairy. This should allow the stockwater transfer to move forward. I also included the Roth Special Power of Attorney that shows who can sign for Si Ellen Dairy or Roth Investments.

If you have any question, please give me a call.

Greg Sullivan
Brockway Engineering
greg.sullivan@brockwayeng.com
Office: 208-736-8543
Fax: 208-736-8506

TWIN FALLS COUNTY
 RECORDED FOR:
 TWIN FALLS TITLE
 10:45:41 am 08-29-2005
 2005-019115
 NO. PAGES: 5 FEE: \$18.00
 KRISTINA GLASCOCK
 COUNTY CLERK
 IDENTITY: C000000

SPECIAL POWER OF ATTORNEY

RECEIVED
 JUL 15 2009
 DEPT. OF WATER RESOURCES
 SOUTHERN REGION

KNOW ALL MEN BY THESE PRESENTS, that we, MARY ELLEN ROTH, JOHN MICHAEL ROTH, DONNA ROTH HABERSETZER, SUSAN ROTH FALTER, JAMES D. ROTH, JUDY ROTH MEZES, DENISE ROTH MANES, TODD ROTH and LISA ROTH WHITMIRE, as partners of ROTH INVESTMENTS LLC, do hereby and by these presents constitute and appoint DONNA ROTH HABERSETZER, as the true and lawful attorney-in-fact for ROTH INVESTMENTS LLC, to conduct all business and execute any and all documents on to behalf of said Limited Liability Company.

I hereby give and grant to said attorney-in-fact all other powers necessary or reasonably convenient to the carrying out of the powers above granted, and I hereby ratify all action or actions taken by my attorney-in-fact under this instrument.

This Special Power of Attorney shall continue in full force and effect until revoked by me, and all persons unto whom these presents shall come shall be entitled to rely on the powers herein granted until such persons may have received written notice that said Special Power of Attorney has been revoked or until written notice of said revocation may be recorded.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this ____ day of August 26, 2005.

Mary Ellen Roth
 MARY ELLEN ROTH

John Michael Roth
 JOHN MICHAEL ROTH

Donna Roth Habersetzer
 DONNA ROTH HABERSETZER

Susan Roth Falter
 SUSAN ROTH FALTER

James D. Roth
 JAMES D. ROTH

SPECIAL POWER OF ATTORNEY - Page 1

State of Idaho)
 County of Twin Falls)
 I hereby certify the foregoing to be a full, true
 and correct copy of the original.

KRISTINA GLASCOCK
 TWIN FALLS COUNTY CLERK

Connie S. Decker 7/30/07
 COUNTY CLERK DATE

Judy Ruth Mezes
JUDY ROTH MEZES

Denise Roth Manes
DENISE ROTH MANES

Todd R Roth
TODD ROTH

Lisa Roth Whitmire
LISA ROTH WHITMIRE

RECEIVED
JUL 1 2009
DEPT. OF WATER RESOURCES
SOUTHERN REGION

STATE OF ID _____

County of Adair Falls

) ss.
)

On this 21st day of August, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared MARY ELLEN ROTH, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she 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.

STACEY L. KRIEGH
Notary Public
State of Idaho

Stacey L. Krieger
NOTARY PUBLIC
Residing at: Bureau ID
Comm. Expires: 08/10/2006

RECEIVED

JUL 16 2009

DEPT. OF WATER RESOURCES
SOUTHERN REGION

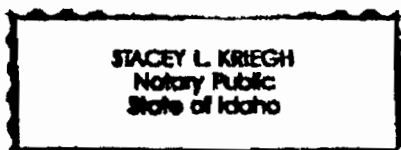
STATE OF ID _____)

County of Lincoln)

) ss.

On this 26th day of August, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared JOHN MICHAEL ROTH, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he 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.



Stacey L. Krieger
NOTARY PUBLIC
Residing at: Burley ID
Comm. Expires: 08/01/2006

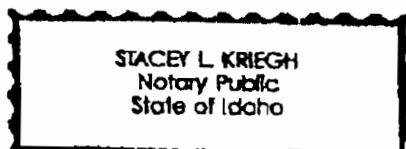
STATE OF ID _____)

County of Lincoln)

) ss.

On this 26th day of August, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared DONNA ROTH HABERSETZER, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she 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.



Stacey L. Krieger
NOTARY PUBLIC
Residing at: Burley ID
Comm. Expires: 08/01/2006

RECEIVED
JUL 19 2009DEPT. OF WATER RESOURCES
SOUTHERN REGION

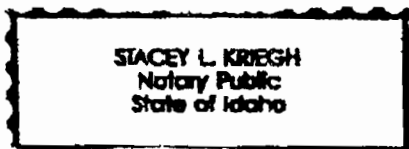
STATE OF ID _____)

County of Twin Falls)

) ss.

On this 26th day of August, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared SUSAN ROTH FALTER, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she 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.



Stacey L. Krieger
NOTARY PUBLIC
Residing at: Burley ID
Comm. Expires: 06/01/2006

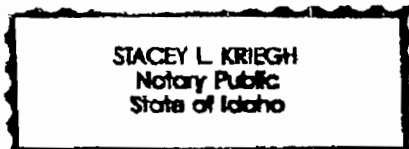
STATE OF ID _____)

County of Twin Falls)

) ss.

On this 26th day of August, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared JAMES D. ROTH, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he 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.



Stacey L. Krieger
NOTARY PUBLIC
Residing at: Burley ID
Comm. Expires: 06/01/2006

RECEIVED

JUL 1 2009

DEPT. OF WATER RESOURCES
SOUTHERN REGION

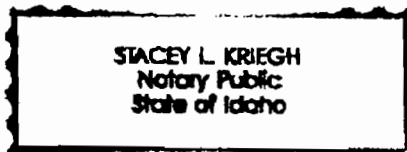
STATE OF ID _____)

County of Twin Falls)

) ss.

On this 21st day of August, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared JUDY ROTH MEZES, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she 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.



Stacey L. Krieger
NOTARY PUBLIC
Residing at: Burley ID
Comm. Expires: 06/01/2010

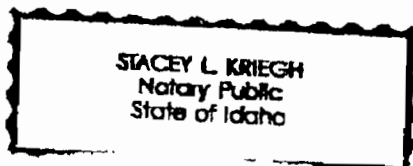
STATE OF ID _____)

County of Twin Falls)

) ss.

On this 21st day of August, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared DENISE ROTH MANES, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he 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.



Stacey L. Krieger
NOTARY PUBLIC
Residing at: Burley ID
Comm. Expires: 06/01/2010

RECEIVED

JUL 10 2009

DEPT. OF WATER RESOURCES
SOUTHERN REGION

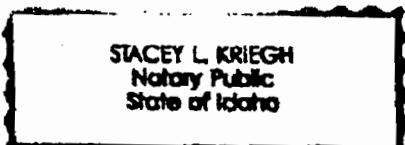
STATE OF ID _____)

) ss.

County of Twin Falls)

On this 26th day of August, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared TODD ROTH, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he 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.

Stacey L. Krieger
NOTARY PUBLICResiding at: Burley, IDComm. Expires: 08/01/2006

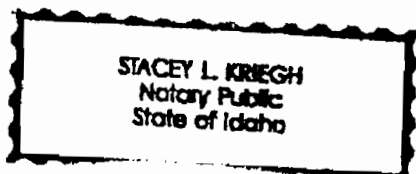
STATE OF ID _____)

) ss.

County of Twin Falls)

On this 26th day of August, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared LISA ROTH WHITMIRE, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she 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.

Stacey L. Krieger
NOTARY PUBLICResiding at: Burley, IDComm. Expires: 08/01/2006

Walker, Benny

From: Greg Sullivan [greg.sullivan@brockwayeng.com]
Sent: Friday, July 10, 2009 10:28 AM
To: Walker, Benny
Subject: Si Ellen Dairy
Attachments: Certificate of Business Name.pdf; Roth Special Power of Attorney.pdf

RECEIVED
JUL 16 2009
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Benny,

Here is the Certificate of Business Name for Si Ellen Dairy. This shows on paper that Roth Investments, LLC owns and operates Si Ellen Dairy. This should allow the stockwater transfer to move forward. I also included the Roth Special Power of Attorney that shows who can sign for Si Ellen Dairy or Roth Investments.

If you have any question, please give me a call.

Greg Sullivan
Brockway Engineering
greg.sullivan@brockwayeng.com
Office: 208-736-8543
Fax: 208-736-8506

7/10/2009



CERTIFICATE OF ASSUMED BUSINESS NAME

Pursuant to Section 53-504, Idaho Code, the undersigned submits for filing a certificate of Assumed Business Name.

Please type or print legibly.

NOTE: See instructions on reverse before filing.

FILED EFFECTIVE

09 JUL -9 AM 8:39

SECRETARY OF STATE
STATE OF IDAHO

1. The assumed business name which the undersigned use(s) in the transaction of business is:

SI-ELLEN DAIRY

2. The true name(s) and business address(es) of the entity or individual(s) doing business under the assumed business name:

Name

ROTH INVESTMENTS, LLC

(W9832)

Complete Address

539 S 800 E, JEROME, ID 83338

3. The general type of business transacted under the assumed business name is:

- | | |
|--|--|
| ☐ Retail Trade | ☐ Transportation and Public Utilities |
| ☐ Wholesale Trade | ☐ Construction |
| ☐ Services | ☒ Agriculture |
| ☐ Manufacturing | ☐ Mining |
| ☐ Finance, Insurance, and Real Estate | |

4. The name and address to which future correspondence should be addressed:

SI-ELLEN DAIRY

539 S 800 E

JEROME, ID 83338

Submit Certificate of
Assumed Business
Name and \$25.00 fee to:

Idaho Secretary of State
450 N 4th Street
PO Box 83720
Boise ID 83720-0080

(208) 334-2301

5. Name and address for this acknowledgment copy is (if other than # 4 above):

PETERSON LAW OFFICE, PLLC

PO BOX 5827

TWIN FALLS, ID 83303

Signature:

Donna Roth Habersetzer
(signature required)

Printed Name:

DONNA ROTH HABERSETZER

Capacity/Title:

MANAGING MEMBER

(see instruction # 8 on back of form)

Secretary of State use only

g:\comp\format\form\assum.p65
Revised 04/2003

IDAHO SECRETARY OF STATE
07/09/2009 05:00
CK: 1300 CT: 233798 IN: 1178165
1 @ 25.00 = 25.00 ASSUM NAME # 2

D132071

No. W 9832	Due no later than Sep 30, 2008 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. ROTH INVESTMENTS, L.L.C. DONNA ROTH HABERSETZER PO BOX 634 JEROME ID 83338		DONNA ROTH HABERSETZER 840 SIMONS WAY JEROME ID 83338			
			3. New Registered Agent Signature:*			
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
MANAGER	DONNA ROTH HABERSETZER	840 SIMONS WAY	JEROME	ID	USA	83338
MANAGER	JOHN MICHAEL ROTH	4110 HIDDEN LAKES DR	KIMBERLY	ID	USA	83341
MANAGER	JIM ROTH	3869 NORTH 3400 EAST	KIMBERLY	ID	USA	83341
5. Organized Under the Laws of:		6. Annual Report must be signed.*				
ID W 9832		Signature: Donna Roth Habersetzer			Date: 07/16/2008	
		Name (type or print): Donna Roth Habersetzer			Title: Manager	
Processed 07/16/2008		* Electronically provided signatures are accepted as original signatures.				