

DEV

RECEIVED

JUL 29 2008

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
PD 36-2335					
PD 36-7325A					
PD 36-7325B					
PD 36-10092					
PD 36-10093					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).

OR

- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)	Glenn R. Van Der Giessen P.O. Box 222 Twin Falls, ID 83303-0222
4. New Owner/Claimant(s)	Southfield Dairy Name Connector (Check one) ☐ and, ☐ or, ☐ and/or
New Mailing Address	3308 South 1600 East
City, State and ZIP Code	Wendel, ID 83355
New Telephone Number	(208) 536 5414 Email:

SUPPORT DATA

IN FILE # 36-2335

5. Date you acquired the property _____
6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s) _____

Ch. Rusk DBA Southfield Dairy
(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by *[Signature]*
Received by *C. Weber*
Processed by _____ AJ

Date *7/29/08*
Date *7/30/08*
Date _____

Receipt Amt. *4125*
Receipt No. *5030331*
WR _____ Date _____

Instrument # 227249

GOODING, GOODING, IDAHO

7-24-2008

04:56:35

No. of Pages: 5

Recorded for : GOODING TITLE AND ESCROW, INC

DENISE M. GILL Fee: 15.00

Ex-Officio Recorder Deputy

WARRANTY DEED

G080124

FOR VALUE RECEIVED,

TRIPLE M RANCH, an Idaho general partnership comprised of the **VAN DERGIESSEN FAMILY LIMITED PARTNERSHIP**, Vivian Van DerGiessen Boerema, General Partner, and the **GLENN VAN DER GIESSEN FAMILY TRUST NO. 2691-A**, **U.S. Bank N.A.**, successor trustee to **MB Financial Bank, N.A.**, and **Glenn R. Van Der Giessen**, Co-Trustees, collectively hereinafter the "Grantor", do hereby grant, bargain, sell and convey unto **SOUTHFIELD DAIRY**, an Idaho general partnership, **ED SOUTHFIELD**, **CAROL SOUTHFIELD**, **EDWIN SOUTHFIELD**, **PATRICIA SOUTHFIELD**, **ARIE ROELOFFS** and **CORA LEE ROELOFFS**, Partners, whose address is 3308 South 1600 East, Wendell, Idaho 83355, hereinafter the "Grantee", the following described premises located in Gooding County, Idaho, to wit:

TOWNSHIP 8 SOUTH, RANGE 14 EAST, BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 16: All of Section 16, except for that portion lying south of the existing county road, as it is now located and described in Book 2 of Agreements, Page 380, records in Gooding County, Idaho.

ALSO EXCEPT THE FOLLOWING:

A tract described in contract dated May 3, 1919, with trustees of School District #6, Gooding County, Idaho, recorded June 7, 1919 in Book 2 of Agreements, page 37, to be used for school purposes;

Commencing at a point 2903.6 feet south of the Northwest corner of said Section 16;

Thence East 300 feet;

Thence South 105 feet;

Thence Southwesterly 315 feet to the west line of Section 16;

Thence North 200 feet to THE POINT OF BEGINNING.

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

Water Right No. 36-2335

Water Right No. 36-7325A

Water Right No. 36-7325B

Water Right No. 36-10092

Water Right No. 36-10093

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its successors, heirs and assigns forever. The said Grantor does hereby covenant to and with the said Grantee, that they are the owner 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 2008 and subsequent years which are an accruing lien not yet due or payable.
2. Rights of way for underground pipe lines.
3. These premises are within the boundaries of American Falls Reservoir District No. 2 and are subject to the levies and assessments thereof and restrictions and limitations thereof as specifically set forth in contract dated October 14, 1954, by the United States of America with American Falls Reservoir District No. 2, recorded November 13, 1954 in Book 6 Agreements Page 66, records of Gooding County, Idaho.
4. Liens, levies and assessments of the North Side Canal Company and the rights, powers and easements of said Company, a by law provided.
5. Levies and assessments due Gooding County for Solid Waste. Said assessments are included in the taxes.
6. Reservations in United States Patent.
7. Subject to any existing roads of the West Point Highway District.
8. Power Line Easement and the terms and conditions thereof in favor of Idaho Power Company, recorded April 15, 1927 in Book 2 of Agreements at Page 568.
9. Right of Way Easement and the terms and conditions thereof in favor of North Side Canal Company, recorded December 30, 1971 as Instrument No. 43381.
10. Right-of-Way Easement and the terms and conditions thereof in favor of Joseph Hults, recorded January 2, 1973 as Instrument No. 43382.

DATED THIS 23rd day of July, 2008.

TRIPLE M RANCH,
an Idaho general partnership
By: Van DerGiessen Family Limited Partnership, Partner

Vivian VanDerGiessen Boerema, General Partner
Vivian Van DerGiessen Boerema, General Partner

STATE OF Virginia
County of Fairfax ss:

On this 23rd day of July, 2008, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Vivian Van DerGiessen Boerema, General Partner of Van DerGiessen Family Limited Partnership, partner of Triple M Ranch, an Idaho general partnership, known to me to be such partner and the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that she executed the same on behalf of said partnership.

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

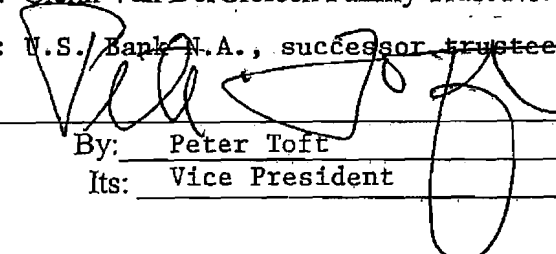
Ellen C. Schlosser # 103833
NOTARY PUBLIC for Idaho Virginia
Residing at: Arlington, Virginia
Commission Expires 6/30/2012



TRIPLE M RANCH,
an Idaho general partnership

By: Glenn Van DerGiessen Family Trust No. 2691-A, Partner

BY: ~~U.S. Bank N.A., successor trustee to MB Financial Bank, N.A.,~~

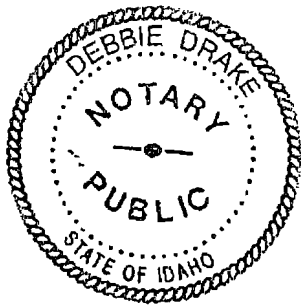

By: Peter Toft
Its: Vice President

STATE OF IDAHO

County of Twins Falls

On this 23rd day of July, 2008, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Peter Toft, the Vice President U.S. Bank N.A., successor trustee to MB Financial Bank, N.A. Co-Trustee of the Glenn Van DerGiessen Family Trust No. 2691-A, known to me to be such officer and 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 MB Financial, in its capacity as Co-Trustee of the Trust, as partner of the partnership.

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



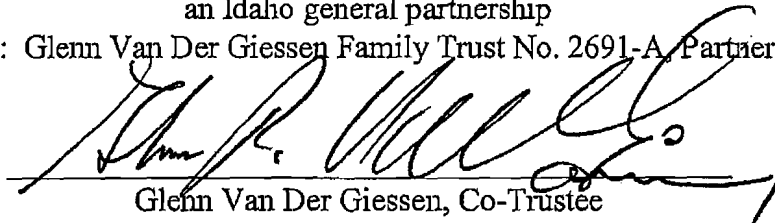

NOTARY PUBLIC for Idaho

Residing at:

Commission Expires:

Residing at: Twin Falls, Idaho
Commission Expires: 04-13-2012

TRIPLE M RANCH,
an Idaho general partnership
By: Glenn Van Der Giessen Family Trust No. 2691-A, Partner

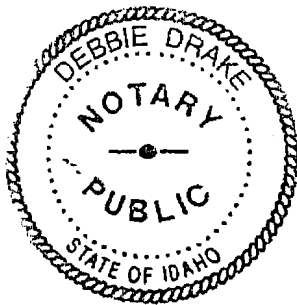

Glenn Van Der Giessen, Co-Trustee

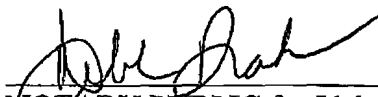
STATE OF IDAHO

County of Twin Falls SS:

On this 23rd day of July, 2008, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Glenn Van DerGiessen, Co-Trustee of the Glenn Van Der Giessen Family Trust No. 2691-A, partner of Triple M Ranch, an Idaho general partnership, known to me to be such Co-Trustee and the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that he executed the same in his capacity as Co-Trustee of the Trust, as partner of the partnership.

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: _____
Commission Expires: _____

Residing at: Twin Falls, Idaho
Commission Expires: 04-13-2012