

Form 43-248/42 (409)(R) July, 2000

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

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

RECEIVED
DEC 19 2006
 DEPT. OF WATER RESOURCES
 SOUTHERN REGION

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 division of the existing water right or adjudication claim record will be required

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
<u>See Attached</u>					

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 usually attached to your deed or on file with the county).
OR
 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 **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)

Cummins Farms Inc

4. New Owner/Claimant(s)

Big Sky Dairy
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

P.O. Box 407

City, State and ZIP Code

Jerome Idaho

New Telephone Number

298 934-9072

5. Date you acquired the property

12/11/06

SUPPORT DATA

IN FILE # 51-2185

Form 42-248(12-14) (Rev. July, 2000)

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 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 (one water right per box, you may copy this page as 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(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

[Signature]
[Signature]
 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.

For Office Use Only

Received by JD Date 12/20/06 Fee 325.00
 Received by [Signature] Date 12/20/06 Receipt No. SO 29135
 Processed by AJ Date _____ WR _____ Date _____

Case No. 56199SM

TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

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

WARRANTY DEED

FOR VALUE RECEIVED **BLUE RIDGE, LLC, an Idaho Limited Liability Company**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **BIG SKY DAIRY, an Idaho General Partnership**, hereinafter called Grantee, whose address is: P.O. Box 407
Jerome Idaho 83338, the following described premises in Owyhee County, Idaho; to-wit:

SEE ATTACHED EXHIBIT "A"

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 said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above; and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: December 11, 2006

BLUE RIDGE, LLC

BY: [Signature]
Mark Cummins member

STATE OF IDAHO
County of Twin Falls

On this 1st day of December, 2006, before me, a Notary Public in and for said State, personally appeared Mark Cummins and Daniel Cummins, known or identified to me to be member of the limited liability company of **BLUE RIDGE, LLC**, and the member who subscribed said limited liability company name to the foregoing instrument and acknowledged to me that they executed the same in said limited liability company name.

IN WITNESS HEREOF I have hereunto set my hand and official seal the day and year first above written.

[Signature]
Notary Public for Idaho
Residing in Twin Falls
Commission Expires 11-28-2008



INDEXED
SCANNED

QUITCLAIM DEED

FOR VALUE RECEIVED, **BLUE RIDGE, LLC**, an Idaho limited liability company, hereinafter called the AGrantor@, hereby remises, releases, and forever quitclaims unto **BIG SKY DAIRY**, an Idaho general partnership, TONY VISSER, RUSSELL VISSER and MIKE BOSMA, Partners, hereinafter called the AGrantee@, all its right, title and interest in the following described water rights, appurtenant to real property in Owyhee and Twin Falls Counties, Idaho, which are the subject of a Memorandum of Agreement of Sale, between the parties dated the 29th day of December, 2006, to-wit:

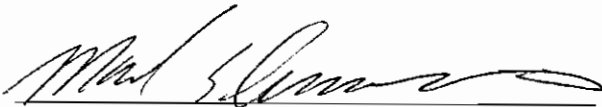
Water Rights Nos.

51-2185
51-2186
51-2189
51-2188
51-10046
51-7014
51-7018
51-7030
51-7038
51-10292
51-10291
51-10201
51-10137

TO HAVE AND TO HOLD the water rights unto said Grantee, and the Grantee=s successors and assigns forever.

DATED this 11th day of December, 2006.

AGRANTOR@


MARK S. CUMMINS, Member


ALLEN L. CUMMINS, Member


DANIEL E. CUMMINS, Member



EXHIBIT A

Parcel No. 1

Township 9 South, Range 12 East, Boise Meridian, Owyhee County, Idaho

Section 18: South half Southeast Quarter

Section 19: Northeast Quarter Northeast Quarter

Section 29: East half Northeast Quarter; Southeast Quarter Northwest Quarter; North half Southeast Quarter

Parcel No. 2

Township 9 South, Range 11 East, Boise Meridian, Owyhee County, Idaho

Section 24: North half Northeast Quarter

Township 9 South, Range 12 East, Boise Meridian, Owyhee County, Idaho

Section 18: Lots 3, 4; East half Southwest Quarter

Section 19: Lot 1; Northeast Quarter Northwest Quarter

Section 20: South half Northwest Quarter; Southwest Quarter

Section 29: North half Northwest Quarter

Parcel No. 3

Township 9 South, Range 12 East, Boise Meridian, Owyhee County, Idaho

Section 17: Southwest Quarter Southeast Quarter

Section 20: East half Northeast Quarter; Northeast Quarter Southeast Quarter

Section 21: Southeast Quarter Northwest Quarter; West half Southwest Quarter; Northeast Quarter Southwest Quarter

Parcel No. 4

Township 9 South, Range 12 East, Boise Meridian, Owyhee County, Idaho

Section 19: Northwest Quarter Northeast Quarter; South half Northeast Quarter; Southeast Quarter Northwest Quarter; Northeast Quarter Southwest Quarter; North half Southeast Quarter; Southeast Quarter Southeast Quarter

Parcel No. 5

Township 9 South, Range 12 East, Boise Meridian, Owyhee County, Idaho

Section 19: Lot 2; Southwest Quarter Southeast Quarter

Section 20: West half East half

Section 29: West half Northeast Quarter

Parcel No. 6

Township 9 South, Range 12 East, Boise Meridian, Owyhee County, Idaho

Section 28: West half

Parcel No. 7

Township 9 South, Range 12 East, Boise Meridian, Owyhee County, Idaho

Section 29: Southwest Quarter Southwest Quarter

Section 30: Southeast Quarter Southeast Quarter

Section 31: East half Northeast Quarter

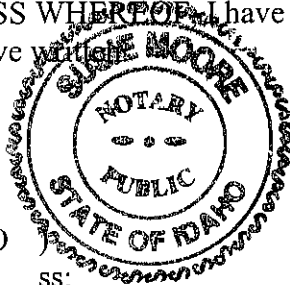
Section 32: Northwest Quarter

STATE OF IDAHO)

Twin Falls SS:
County of ~~Jerome~~)

On this 11th day of December, 2006, before me, the undersigned, a Notary Public in and for said County and State, personally appeared MARK S. CUMMINS, Member of Blue Ridge, LLC, 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 said company.

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



Susie Moore

NOTARY PUBLIC for Idaho

Residing at: Twin Falls

Commission Expires: 11-28-2008

STATE OF IDAHO)

SS:
County of Jerome)

On this _____ day of _____, 2006, before me, the undersigned, a Notary Public in and for said County and State, personally appeared ALLEN L. CUMMINS, Member of Blue Ridge, LLC, 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 said company.

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:

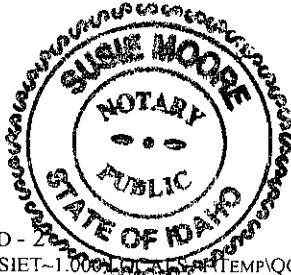
Commission Expires:

STATE OF IDAHO)

Twin Falls SS:
County of ~~Jerome~~)

On this 11th day of December, 2006, before me, the undersigned, a Notary Public in and for said County and State, personally appeared DANIEL E. CUMMINS, Member of Blue Ridge, LLC, 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 said company.

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



Susie Moore

NOTARY PUBLIC for Idaho

Residing at: Twin Falls

Commission Expires: 11-28-2008

56199SM

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

TW FALLS COUNTY
RECORDED FOR:
TITLEFACT
8:47:44 am 12-12-2006
2006-031426
NO. PAGES: 2 FEE: \$6.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: CNICE

CORPORATION WARRANTY DEED

FOR VALUE RECEIVED **CUMMINS FARMS, 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 **BIG SKY DAIRY, an Idaho General Partnership**, Grantee, whose address is: P.O. Box 487
Jerome Idaho 83338, the following described real estate, situated in Twin Falls County, Idaho, to-wit:

Township 11 South, Range 19 East, Boise Meridian, Twin Falls County, Idaho

Section 12: That part of the SW $\frac{1}{4}$ more particularly described as follows:

COMMENCING at the Southwest corner of Section 12;

THENCE 466 feet East along the South boundary of the SW $\frac{1}{4}$ of Section 12 to the TRUE POINT OF BEGINNING;

THENCE 466 feet East along the South boundary of the SW $\frac{1}{4}$ of Section 12;

THENCE North parallel to the West boundary of the SW $\frac{1}{4}$ of Section 12, 466 feet;

THENCE West 466 feet, more or less, parallel to the South boundary of the SW $\frac{1}{4}$ of Section 12;

THENCE South parallel to the West boundary 466 feet to the POINT OF BEGINNING.

SUBJECT TO a 25.00-foot-wide country roadway easement parallel with and adjoining the South boundary of the above described parcel.

EXCEPT:

Township 11 South, Range 19 East, Boise Meridian, Twin Falls County, Idaho

Section 12: A part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ more particularly described as follows:

COMMENCING at the Southwest corner of said Section; said point lies North 89°26'17" West 2,633.17 feet from the South quarter corner of Section 12;

THENCE South 89°26'17" East 336.38 feet along the South boundary of Section 12 to the REAL POINT OF BEGINNING;

THENCE North 00°33'43" East 466.00 feet;

THENCE South 89°26'17" East 200.00 feet;

THENCE South 00°33'43" West 466.00 feet to the South boundary of Section 12;

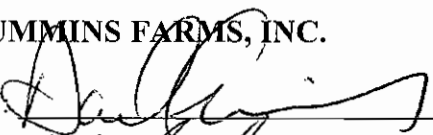
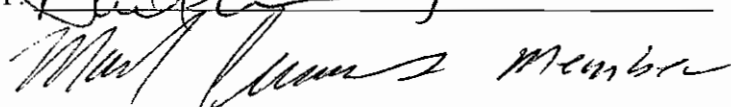
THENCE North 89°26'17" West 200.00 feet to the REAL POINT OF BEGINNING.

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: December 11, 2006

CUMMINS FARMS, INC.

BY: 


* * * * *

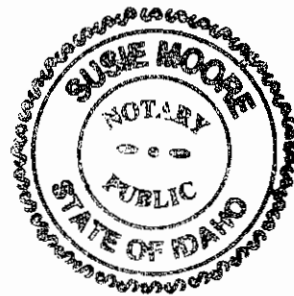
STATE OF IDAHO
County of Twin Falls

On this 11th day of December, 2006, before me, the undersigned, Notary Public in and for said State, personally appeared Daniel Curren and Mark Curren, known to me to be the Secretary and 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

Susie Moore

Notary Public for Idaho
Residing at: Twin Falls
My Commission expires: 11-28-2008



TWIN FALLS COUNTY

RECORDED FOR:
TITLEFACT

Case No. 56199SM

8:47:43 am 12-12-2006

2006-031425

TitleFact, Inc.

163 Fourth Avenue North

P.O. Box 486

Twin Falls, Idaho 83303

NO. PAGES: 1

FEE: \$3.00

KRISTINA GLASCOCK
COUNTY CLERK

DEPUTY: CNICE

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

WARRANTY DEED

FOR VALUE RECEIVED **DANIEL CUMMINS and CARLA CUMMINS, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **BIG SKY DAIRY, an Idaho General Partnership**, hereinafter called Grantee, whose address is: P.O. Box 407

Tierce Idaho 83338, the following described premises in Twin Falls County, Idaho; to-wit:

Township 11 South, Range 19 East, Boise Meridian, Twin Falls County, Idaho

Section 12: A part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ more particularly described as follows:

COMMENCING at the Southwest corner of said Section; said point lies North 89°26'17" West 2,633.17 feet from the South quarter corner of Section 12;

THENCE South 89°26'17" East 336.38 feet along the South boundary of Section 12 to the REAL POINT OF BEGINNING;

THENCE North 00°33'43" East 466.00 feet;

THENCE South 89°26'17" East 200.00 feet;

THENCE South 00°33'43" West 466.00 feet to the South boundary of Section 12;

THENCE North 89°26'17" West 200.00 feet to the REAL POINT OF BEGINNING.

SUBJECT TO a 25.00-foot-wide county roadway easement parallel with and adjoining the South boundary of the above described parcel.

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 said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above; and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: December 11, 2006

Daniel Cummins
DANIEL CUMMINS

Carla Cummins
CARLA CUMMINS

* * * * *

STATE OF IDAHO
County of Twin Falls

On this 11th day of December, 2006, before me, a Notary Public in and for said State, personally appeared **DANIEL CUMMINS and CARLA CUMMINS, husband and wife**, known or identified to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.

Susan Moore
Notary Public for Idaho

Residing at Twin Falls

Commission expires 11-28-2008

