

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

RECEIVED
SEP 12 2005
 Department 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 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>47-8278</u>	_____	___	_____	_____	___
<u>47-8353</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) Phoenix, A Partnership
2574 E 3800 N Twin Fall, ID 83301
4. New Owner/Claimant(s) Phoenix-Dairy LLC
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 2574 E 3800 N
- City, State and ZIP Code Twin Falls, ID 83301
- New Telephone Number (208) 733-4047
5. Date you acquired the property July 14, 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) Greg Uirsha OWNER
(include title if applicable)

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 _____	Date <u>9/12/2003</u>	Fee <u>\$ 25.00</u>	
Received by <u>[Signature]</u>	Date <u>9/13/2003</u>	Receipt No. <u>5027983</u>	
Processed by _____	AJ Date _____	WR _____	Date _____

RECEIVED

SEP 12 2005

Department of Water Resources
Southern Region

WARRANTY DEED

Twin Falls County, Idaho

Recorded for:
HEPWORTH, ET AL

03:02pm Jul. 27, 2000
2000-011441

No. of Pages: 3 Fee: \$9.00
ROBERT S. FORT
Ex-Officio Recorder
Deputy: CN

For value received PHOENIX, a partnership, hereinafter called the grantor, hereby grants, bargains, sells and conveys unto PHOENIX-DAIRY, LLC, 3624 N 3200 E, Kimberly, ID 83341, hereinafter called the grantee, the following described premises, in Twin Falls County, Idaho, to-wit:

West half of the Southeast quarter, Section 14, Township 10 South, Range 16 East, Boise Meridian, EXCEPT a parcel of land in the Southeast corner of said property with dimensions of 279 feet East to West (North to South boundaries) and 471 feet North to South (East and West boundaries).

Together with all water rights, buildings, outbuildings, improvements and 77 shares of the capital stock in Twin Falls Canal Company.

Subject to Grantee assuming and paying all mortgages of record against said property and the indebtedness they secure.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to 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 incumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever. This Warranty Deed is subject to Grantee paying any indebtedness against said above-described real property.

Dated this 14 day of July, 2000.

PHOENIX, a partnership

By Richard P. Vierstra
Richard P. Vierstra, Partner

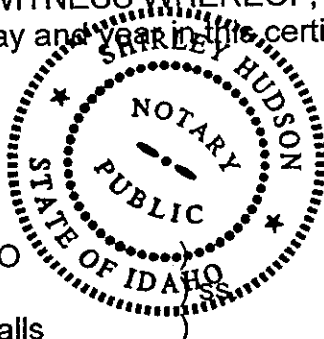
By *Norma R. Vierstra*
Norma R. Vierstra, Partner

By *Gregory S. Vierstra*
Gregory S. Vierstra, Partner

STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 14th day of July, 2000, before me, the undersigned, a notary public in and for said county and state, personally appeared RICHARD P. VIERSTRA, known to me to be one of three partners of Phoenix, a partnership, who subscribed said foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

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



Shirley Hudson
NOTARY PUBLIC FOR IDAHO
Residing at: Buhl IDAHO
My Commission Expires: 8-26-2005

STATE OF IDAHO)
County of Twin Falls)

On this 16 day of June, 2000, before me, the undersigned, a notary public in and for said county and state, personally appeared NORMA R. VIERSTRA, known to me to be one of three partners of Phoenix, a partnership, who subscribed said foregoing instrument, and acknowledged to me that she executed the same in said partnership name.

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

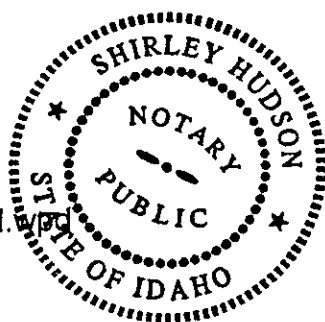
Susanne Patrick
NOTARY PUBLIC FOR ~~IDAHO~~ FLORIDA
Residing at: Ft. Myers
My Commission Expires: April 8, 2003



STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 8th day of June, 2000, before me, the undersigned, a notary public in and for said county and state, personally appeared GREGORY S. VIERSTRA, known to me to be one of three partners of Phoenix, a partnership, who subscribed said foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

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



Shirley Hudson
NOTARY PUBLIC FOR IDAHO
Residing at: Buhl IDAHO
My Commission Expires: 8-26-2005

WLN\11030wd.wpd