

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

RECEIVED

OCT 24 2005
 DEPARTMENT OF
 WATER RESOURCES

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>36-10889</u>	_____	___	_____	_____	___
<u>36-15988</u>	_____	___	_____	_____	___
<u>36-15989</u>	_____	___	_____	_____	___
<u>36-15991</u>	_____	___	_____	_____	___
<u>36-15990</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) MERRIL DON and LINDA HILLIS FAMILY TRUST
4. New Owner/Claimant(s) DOUBLE B DAIRY, LLC
 Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address P.O. Box 587
- City, State and ZIP Code Jerome, Idaho 83338
- New Telephone Number () _____
5. Date you acquired the property October 13, 2005

SUPPORT DATA

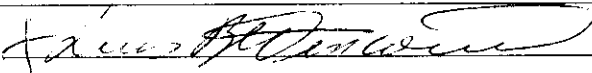
IN FILE # 36-15988

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)



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 <u>M</u>	Date <u>10-24-05</u>	Fee <u>\$125.00</u>
Received by <u>M</u>	Date <u>10-24-05</u>	Receipt No. <u>CO-79436</u>
Processed by _____	AJ Date _____	WR _____ Date _____

Instrument # 213439

GOODING, GOODING, IDAHO

2005-10-13

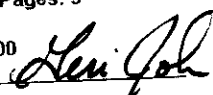
04:14:42 No. of Pages: 3

Recorded for : LAND TITLE JEROME

HELEN EDWARDS

Fee: 9.00

Ex-Officio Recorder Deputy



WARRANTY DEED

FOR VALUE RECEIVED, **CNOSSEN BROTHERS COMPANY, INC.**, an Idaho Corporation d/b/a Cnossen Dairy, the Grantor, does hereby grant, bargain, sell and convey unto **DOUBLE B DAIRY, LLC**, an Idaho Limited Liability Company the Grantee, whose address is P.O. Box 587, Jerome, Idaho, the following described premises, to-wit:

See Exhibit "A" attached hereto.

Together with (i) any and all appurtenances belonging or appertaining thereto; (ii) any and all improvements located thereon; (iii) any and all appurtenant easements or rights of way affecting such real property and any of Grantor rights to use the same; (iv) any and all rights of ingress and egress to and from such real property and any of Grantor rights to use same; (v) any and all mineral rights and interests of Grantor relating to such real property (present or revisionary); (vi) any and all rights to the present or future use of waste water, waste water capacity, drainage, water or other utility facilities to the extent such rights pertain to or benefit such real property or the improvements located thereon, including without limitation, all reservations of or commitments or letters covering any such use in the future, whether now owned or hereafter acquired; (vii) any and all rights and interests of Grantor, if any, to any leases covering all or any portion of such real property; and (viii) all right, title and interest of Grantor, if any, in and to (a) any and all roads, streets, alleys and ways (open or proposed) affecting, crossing, fronting or bounding such real property, including any awards made or to be made relating thereto including, without limitation, any unpaid awards or damages payable by reason of damages thereto or by reason of a widening of or changing of the grade with respect to same, (b) any and all strips, gores or pieces of property abutting, bounding or which are adjacent or contiguous to such real property (whether owned or claimed by deed, limitations or otherwise), (c) any and all air rights relating to such real property and (d) any and all reversionary interests in and to such real property (such real property together with any and all of the related improvements, appurtenances, rights and interests referenced in items (i) through (viii) above are herein collectively referred to as the "Property").

TO HAVE AND TO HOLD the said Property together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee, its successors and assigns forever, subject to the matters herein stated; and Grantor does hereby bind and its successors and assigns to WARRANT AND FOREVER DEFEND all and singular the Property unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, to the full extent such matters are valid and subsisting and affect the Property.

DATED this 5th day of October, 2005.

CNOSSEN BROTHERS COMPANY, INC.,

James B. Cnosse
JAMES B. CNOSSEN

Frank G. Cnosse
FRANK G. CNOSSEN

STATE OF Texas)
COUNTY OF Dallas : ss.

On this 5th day of October, 2005, before me, the undersigned, a Notary Public for Texas, personally appeared JAMES B. CNOSSEN and FRANK G. CNOSSEN, known or identified to me to be the President and Vice President, respectively, of Cnosse Brothers Company, Inc., the corporation that executed the foregoing instrument, and acknowledged to me that they executed the same on behalf of said corporation.



Deann Martin
Notary Public for Texas
My Commission Expires on 1-27-09

**TOWNSHIP 8 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO**

Section 20: SW1/4, S1/2NW1/4

Section 29: PART OF NW1/4NW1/4 - Described as follows:

**Beginning at the Northwest corner for Section 29, the TRUE POINT
OF BEGINNING;**

**thence South 0° 01' 04" East 453.47 feet along the Westerly
boundary of said Section 29;**

thence South 89° 56' 28" East 654.58 feet along an existing fence;

**thence South 71° 25' 55" East 702.18 feet along said fence to the
Easterly boundary of NW1/4NW1/4;**

**thence North 0° 02' 43" East 673.50 feet along said Easterly
boundary to the Northeast corner of NW1/4NW1/4;**

**thence North 89° 48' 58" West 1320.89 feet along the Northerly
boundary of Section 29 to the TRUE POINT OF BEGINNING;**

Said Parcel of land containing 15.41 Acres more or less.

**Parcel is subject to County road Right-of-Way 25.00 feet in width
along the Westerly and Northerly boundaries.**

Same Property As:

**TOWNSHIP 8 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO**

Section 20: SW¼, S½NW¼

**Section 29: That Part of the NW¼ of the NW¼ which is North of the following described line:
Said line beginning at a point in the center of a drain ditch where the drain ditch crosses the East boundary of
the said NW¼NW¼, and then following said drain ditch West to the East and West center of said forty acres and
then leaving the drain ditch and running straight West to the West boundary of the said NW¼NW¼.**

EXHIBIT "A"

WARRANTY DEED

#G-34662

For Value Received

**MERRILL DON HILLIS and LINDA HILLIS, as Trustees of
MERRILL DON and LINDA HILLIS FAMILY TRUST,
created on January 20, 2000**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

**CNOSSEN BROTHERS COMPANY, INC. , an Idaho Corporation d/b/a Cnossen Dairy
Address: 104 Redwood Street Hereford, Texas 79045**

Hereinafter called the Grantee, the following described premises situated in Gooding County, Idaho, to-wit:

**TOWNSHIP 8 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO**

Section 20: SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$

**Section 29: That Part of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ which is North of the following described line:
Said line beginning at a point in the center of a drain ditch where the drain ditch crosses
the East boundary of the said NW $\frac{1}{4}$ NW $\frac{1}{4}$, and then following said drain ditch West to
the East and West center of said forty acres and then leaving the drain ditch and running
straight West to the West boundary of the said NW $\frac{1}{4}$ NW $\frac{1}{4}$.**

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Instrument # 213438

GOODING, GOODING, IDAHO

2005-10-13

04:12:45 No. of Pages: 1

Recorded for : LAND TITLE JEROME

HELEN EDWARDS

Fee: 3.00

Ex-Officio Recorder Deputy

**TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto
including but not limited to 35 shares of North Side Canal Company Water Stock and Water Right No.'s
36-10889, 36-15988, 36-15989, 36-15990 and 36-15991.**

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns
of the Grantee forever. The 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 above described and that Grantor will warrant and defend the same
from all lawful claims whatsoever.

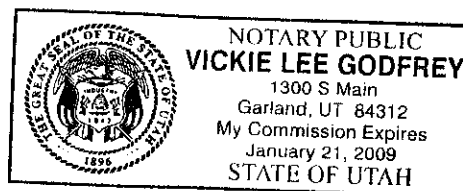
Dated: October 7, 2005

MERRILL DON and LINDA HILLIS FAMILY TRUST,
created on January 20, 2000

Merrill Don Hillis

MERRILL DON HILLIS, Trustee

Linda M. Hillis
LINDA HILLIS, Trustee



STATE OF UTAH)

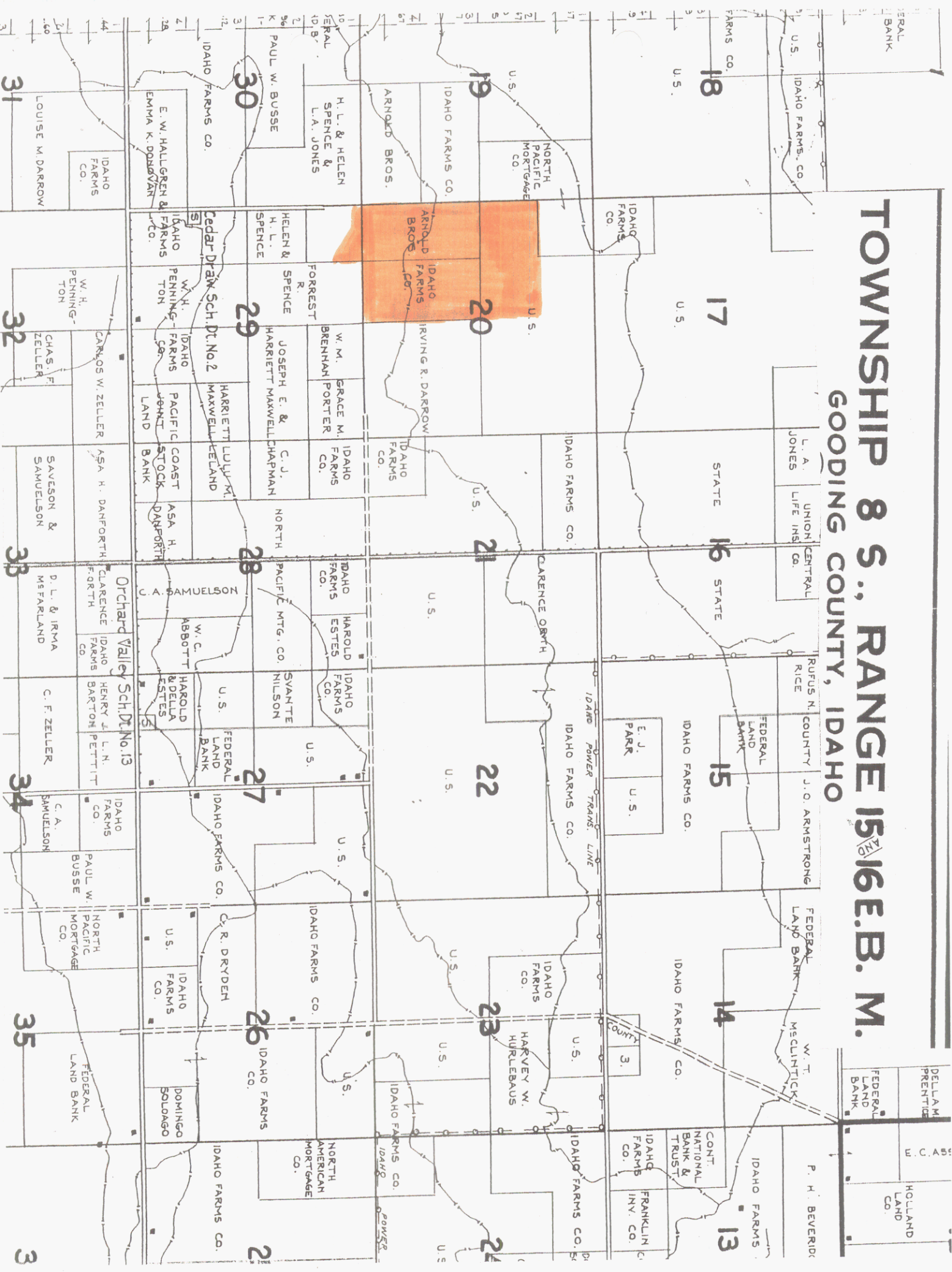
COUNTY OF Box Elder) ss.

On this 11th day of October, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared **MERRILL
DON HILLIS and LINDA HILLIS**, known or identified to me to be the Trustees of the MERRILL DON and LINDA HILLIS
FAMILY TRUST and the Trustees whose names are subscribed to the within instrument, and acknowledged to me that they executed
the same on behalf of said Trust.

Vickie Lee Godfrey
Notary Public
Residing at: Garland
My Commission expires: 01/21/2009

TOWNSHIP 8 S., RANGE 15 AND 16 E.B. M.

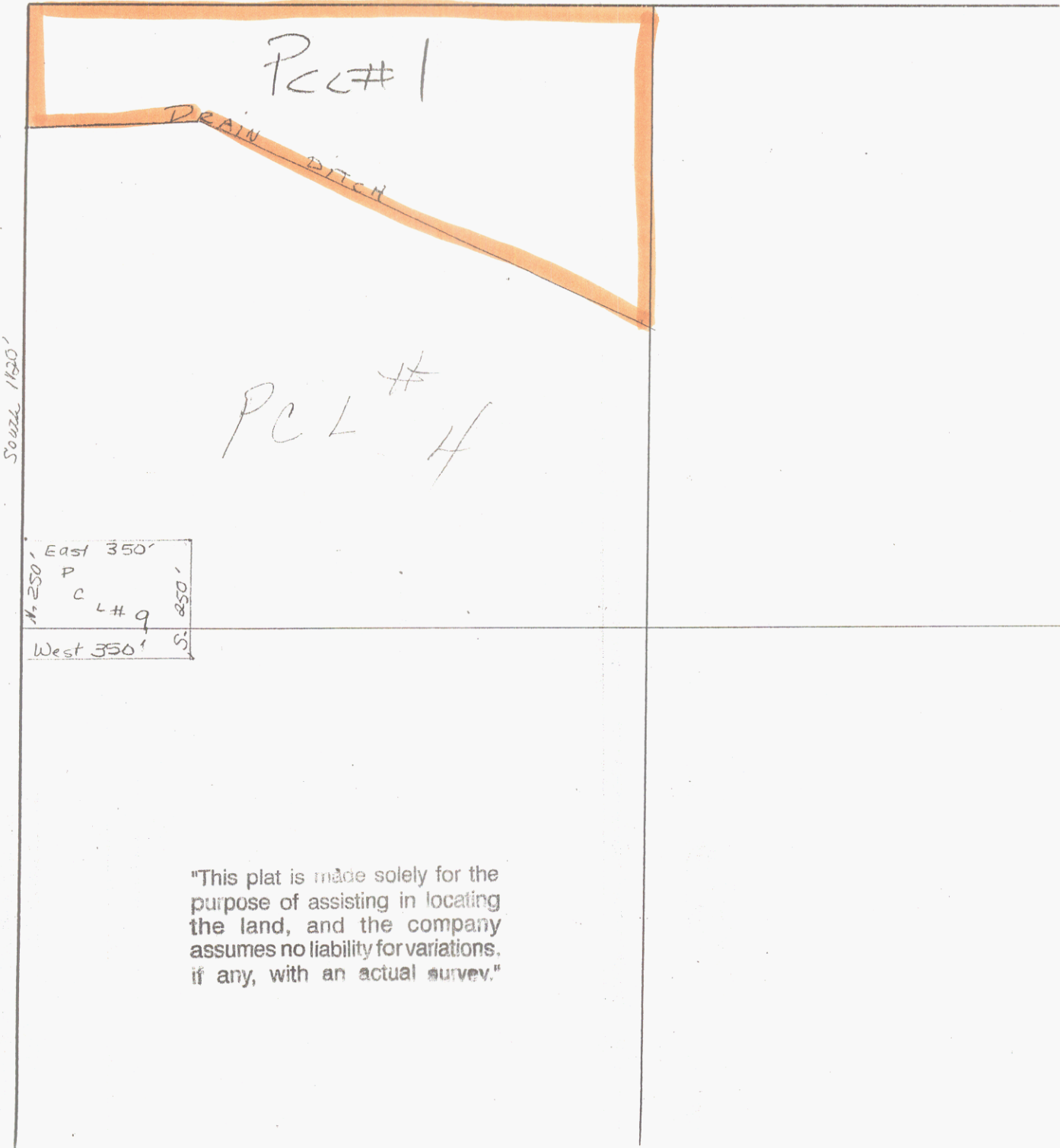
GOODING COUNTY, IDAHO



29-8-15

North Half

NW⁴NW⁴
↓



"This plat is made solely for the purpose of assisting in locating the land, and the company assumes no liability for variations, if any, with an actual survey."