

RECEIVED

JUL 06 2023

DEPT OF WATER RESOURCES
SOUTHERN REGION

Form 42-248/42-1409(6) Rev. 1/15

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
37-4263	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-8055	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-8891	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-10369	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Box Canyon Land Holdings, LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Crossbred Dairy
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 2930 S. 2300 E. Wendell ID 83355
Mailing address City State ZIP
208.536.6148 onaindiarick@bettencourtdairy.com
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: May 31, 2023
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
7. This form must be signed and submitted with the following **REQUIRED** items:
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☒ Filing fee (see instructions for further explanation):
o \$25 per *undivided* water right.
o \$100 per *split* water right.
o No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: Kirk B. Buehler, Co-Managing Partner Co-Managing Partner 6/7/2023
Signature of new owner/claimant Title, if applicable Date

Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by sq Date 6/8/2023 Receipt No. S039805 Receipt Amt. \$100-
Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐
Name on W-9 SUPPORT DATA Approved by _____ Processed by DM Date 7-6-2023

IN FILE # 37-4263

AMENDED

SCANNED
SEP 18 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
JUN 08 2023
DEPT OF WATER RESOURCES
SOUTHERN REGION

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
36-8478	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-10845	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-16196	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-16198	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Ted Baar Holdings LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Crossbred Dairy
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 2930 South 2300 East Wendell ID 83355
Mailing address City State Zip
208-536-6148 onaindarick@bettencourtdairy.com
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: _____
6. Do you own the land identified as the water right place of use? Yes ☐ No ☐
o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
7. This form must be signed and submitted with the following **REQUIRED** items:
☐ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☐ Filing fee (see instructions for further explanation):
o \$25 per undivided water right.
o \$100 per split water right.
o No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: [Signature] PARTNER 5/30/2023
Signature of new owner/claimant Title, if applicable Date
Rock Onaindia
Print name

Signature: _____
Signature of new owner/claimant Title, if applicable Date
Print name

Received by SG Date 6/8/2023 For IDWR Office Use Only: Receipt No. 5039805 Receipt Amt. \$100.00

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐
Name on W-9 _____ Approved by _____ Processed by _____ Date _____

SUPERCEDED BY UPDATED FORM RECEIVED July 6, 2023

SCANNED
SEP 18 2023

Instrument # 281092
GOODING COUNTY, GOODING, IDAHO
06-01-2023 14:16:48 No. of Pages: 6
Recorded for: TITLEONE - BURLEY
DENISE GILL Fee: \$15.00
Ex-Officio Recorder Deputy: DB
Electronically Recorded by Simplifile

21424363

WARRANTY DEED

FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged, **BOX CANYON LAND HOLDINGS, LLC**, an Idaho limited liability company, the "Grantor", does hereby grant, sell and convey unto **CROSSBRED DAIRY**, an Idaho general partnership, whose address is 2930 S. 2300 E., Wendell, Idaho the "Grantee", the following described premises located in Gooding County, Idaho, to wit:

PARCEL NO. 1:

TOWNSHIP 6 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 23: SE¼, SAVE AND EXCEPT the following described tracts:

Tract No. 1:

The South 45 feet thereof, conveyed to the Gooding Highway District by Deed recorded April 1, 1960 in Book 50 Page 84, Gooding County records.

Tract No. 2:

Beginning at the Southeast corner of said Section 23;
Thence West along the South boundary of said Section 23, 1117.0 feet;
Thence North 59.0 feet to the centerline of an irrigation ditch as now constructed;
Thence Northeasterly and Easterly along the centerline of said irrigation ditch, 1727.0 feet, more or less, to a point of intersection with the East boundary of said Section 23;
Thence South along the East boundary of said Section 23, 504.00 feet, more or less, to THE POINT OF BEGINNING.

Tract No. 3:

Beginning at the Southeast corner of Section 23 marked with a 5/8 inch Steel pin and survey cap;
Thence North 89°22'19" West - 2162.27 feet along the Southerly boundary of Section 23 to the TRUE POINT OF BEGINNING;
Thence North 89°22'19" West - 289.95 feet along said Section line;
Thence North 29°16'58" East - 275.83 feet along an existing fence line;

Thence South 88°48'50" East - 162.18 feet along said fence line;
Thence South 1°41'52" West - 240.51 feet along said fence to the TRUE POINT OF BEGINNING.

PARCEL NO. 2:

TOWNSHIP 6 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 23: Part of the SW¼SE¼, more particularly described as follows:

Beginning at the Southeast corner of Section 23 marked with a 5/8 inch Steel pin and survey cap;
Thence North 89°22'19" West - 2162.27 feet along the Southerly boundary of Section 23, to the TRUE POINT OF BEGINNING;
Thence North 89°22'19" West - 289.95 feet along said Section line;
Thence North 29°16'58" East - 275.83 feet along an existing fence line;
Thence South 88°48'50" East - 162.18 feet along said fence line;
Thence South 1°41'52" West - 240.51 feet along said fence to the TRUE POINT OF BEGINNING.

PARCEL NO. 3:

TOWNSHIP 6 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 24: SW¼SW¼

Together with all water rights appurtenant thereto, including but not limited to, Water Rights Nos. 37-4263, 37-8055, 37-8891, 37-10369, and 189 shares of stock in the Big Wood Canal Company.

TO HAVE AND TO HOLD the premises, with their appurtenances unto the Grantee, its successors and assigns forever.

Grantor warrants that it is the owner in fee simple of the premises; that it has not conveyed any interest in the premises to any person other than Grantee; that the premises are free from all encumbrances; and that Grantor will warrant and defend the same against all lawful claims of all persons, SUBJECT TO the following:

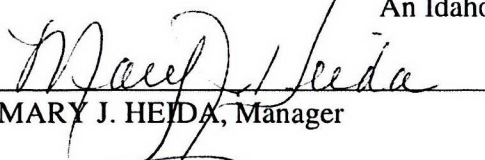
1. Taxes and assessments for 2023 and subsequent years.
2. Liens, levies, and assessments of any and all irrigation districts, including but not limited to the North Snake Ground Water District, and the rights, powers, and easements of said district as provided by law.
3. Liens, levies, and assessments of any and all irrigation districts, including but not limited to the American Falls Reservoir District No. 2, and the rights, powers, and easements of said district as provided by law.
4. Liens, levies, and assessments of any and all irrigation districts, including but not limited to the Big Wood Canal Company, and the rights, powers, and easements of said company as provided by law.
5. Right-of-way for canals, laterals and waste ditches and the rights of access thereto for maintenance of said Big Wood Canal Company.
6. Right of way for ditches, tunnels, telephone, and distribution lines constructed by authority of the United States, as granted to the United States under the provisions of Section 58-604 Idaho Code.
7. County Road Right-of-way and the rights of access thereto for maintenance.
8. An easement for the purpose shown below and rights incidental thereto as set forth in a/an Power Line Easement.
Granted to: Idaho Power Company
Recorded: November 8, 1960
Instrument No.: 142129
(Covers the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24, Township 6 South, Range 14 East of the Boise Meridian)
9. An easement for the purpose shown below and rights incidental thereto as set forth in a/an Power Line Easement.
Granted to: Idaho Power Company
Recorded: November 17, 1960
Instrument No.: 142203
(Covers the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 23, Township 6 South, Range 14 East of the Boise Meridian)
10. Terms and conditions contained in a/an License Agreement by and between Big Wood Canal Company, an Idaho corporation or American Falls Reservoir District No. 2 and Howard Morris.
Recorded: April 13, 2000
Instrument No.: 185340
(Covers the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24, Township 6 South, Range 14 East of the Boise Meridian)
11. All matters, and any rights, easements, interests or claims as disclosed by Survey recorded March 6, 2000 as Instrument No. 184703.
(Parcel No. 2)

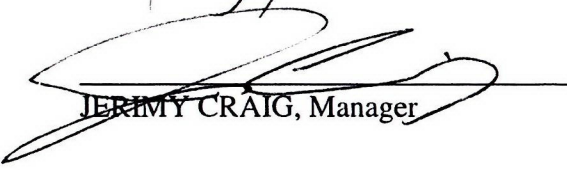
12. Easements as set forth in a/an Quitclaim Deed by and between Charles Hilt and Monica Hilt, husband and wife, grantors unto Daryl A. Hilt and Elaine N. Hilt, husband and wife,
Recorded: November 5, 2003
Instrument No.: 203423
(Parcel No. 2) (Which reads as follows: "Subject to a 25.00 feet in width county road right-of-way" and "Subject to a 20.00 feet in width access easement")
13. Terms and conditions contained in a/an Memorandum of Lease and Option to Purchase by and between Box Canyon Land Holdings, LLC, an Idaho limited liability company and Crossbred Dairy, an Idaho general partnership.
Recorded: August 20, 2021
Instrument No.: 274286
14. Terms and conditions, if any, contained in a/an Agreement to Waive CAFO Setback Requirements by and between Jason Runser & Amy Runser and Box Canyon Land Holdings, LLC.
Recorded: March 15, 2022
Instrument No.: 276830

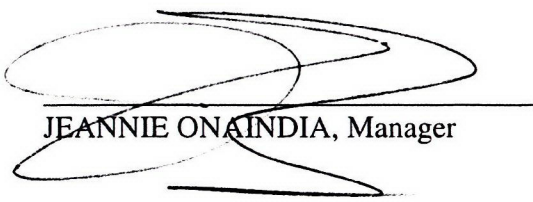
DATED THIS 31 day of May, 2023.

"GRANTOR"

BOX CANYON LAND HOLDINGS, LLC
An Idaho limited liability company


MARY J. HEIDA, Manager

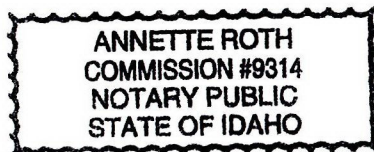

JEREMY CRAIG, Manager


JEANNIE ONAINDIA, Manager

STATE OF IDAHO)
County of Twin Falls :ss.

On this 30th day of May, 2023, before me, the undersigned, a Notary Public in and for said County and State, personally appeared MARY J. HEIDA, as a Manager of BOX CANYON LAND HOLDINGS, 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 she 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.

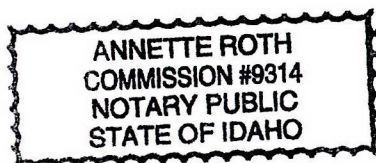


Annette Roth
NOTARY PUBLIC for Idaho
Residing at: Rupert, ID
Commission Expires: 8-4-2023

STATE OF IDAHO)
County of Twin Falls :ss.

On this 31st day of May, 2023, before me, the undersigned, a Notary Public in and for said County and State, personally appeared JEANNIE LYN ONAINDIA, as a Manager of BOX CANYON LAND HOLDINGS, 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 she 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.

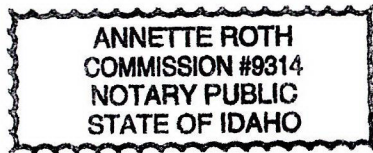


Annette Roth
NOTARY PUBLIC for Idaho
Residing at: Rupert, ID
Commission Expires: 8-4-2023

County of Twin Falls :ss.

On this 31st day of May, 2023, before me, the undersigned, a Notary Public in and for said County and State, personally appeared JERIMY CRAIG, as a Manager of BOX CANYON LAND HOLDINGS, 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.



Annette Roth
NOTARY PUBLIC for Idaho
Residing at: Rupert, ID
Commission Expires: 8-4-2023



211 West 13th Street
Burley, ID 83318
Ph. (208) 881-0087
Fx. (866) 582-7546
www.titleonecorp.com

ID Dept. of Water Resources
650 Addison Ave. West, Suite 500
Twin Falls, ID 83301

RECEIVED
JUN 08 2023
DEPT OF WATER RESOURCES
SOUTHERN REGION

Date: 06/07/2023

Escrow No. 21424363
Crossbred Dairy/Box Canyon Land Holdings, LLC

Dear Clerk:

Enclosed with this letter please find the following documents in connection with the above referred to transaction:

- The original executed Notice of Change in Water Right Ownership
- A copy of the recorded Warranty Deed
- TitleOne check no. 47290 made payable to Idaho Department of Water Resources in the amount of \$100.00

Please make the necessary changes in the records to indicate the new Owner. Please sent a receipted copy to this office.

Should you have any questions, please do not hesitate to contact Ashley Martinkus at 208-878-3524

Very truly yours,
TITLEONE

Nancy Garrett
Ag Escrow Assistant

AR/nrg
Enc.
FedEx

SCANNED
SEP 18 2023



Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

July 7, 2023

CROSSBRED DAIRY
2930 S 2300 E
WENDELL ID 83355-3150

Re: Change in Ownership for Water Right No(s): 37-4263, 37-8055, 37-8891, 37-10369

Re: Notice of Security Interest for Water Right No(s): 36-8478, 36-10845, 36-16196, 36-16198, 37-4263, 37-8055, 37-8891, 37-10369

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership on water right no(s) 37-4263, 37-8055, 37-8891 and 37-10369 to you. The ownership on water right no(s) 36-8478, 36-10845, 36-16196 and 36-16198 was previously updated on June 8, 2023 and acknowledgement of those changes was sent to you at that time.

The Department also acknowledges receipt of correspondence adding security interest on all of the above referenced water right(s) to Rabo AgriFinance LLC. The Department has modified its records to reflect the above referenced changes and has enclosed computer-generated reports for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 293-9908.

Sincerely,


Denise Maline
Administrative Assistant 1

Enclosure(s)

c: TitleOne, Burley, Idaho (File #21424363)
TitleOne, Jerome, Idaho (File #23473040)
Rabo AgriFinance LLC, Twin Falls, Idaho (Loan #90959)
Water District 130