

RECEIVED

JAN 29 2025

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

IDPT. OF WATER RESOURCES

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?
63-34746	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Rabo Agrifinance LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Fryslan Dairy LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 8222 Desert Rd Marsing ID 83639
Mailing address City State Zip
208-250-0478 dalevanes@aol.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: April 19, 2021
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] owner 1-26-25
Signature of new owner/claimant Title, if applicable Date
Dale Van Es
Print name

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

For IDWR Office Use Only:
Received by KM Date 1.29.25 Receipt No. C114981 Receipt Amt. \$ 25.00
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 [Signature] Date 1-30-25

When recorded return to:

Fryslan Dairy, LLC
c/o Dale Van Es
8222 Desert Dr.
Marsing, Idaho 83639

20356041

2021-029690

RECORDED

04/23/2021 02:07 PM

CHRIS YAMAMOTO
CANYON COUNTY RECORDER

Pgs=8 DLSTEPHENS \$15.00
TYPE: DEED
TITLEONE BOISE
ELECTRONICALLY RECORDED

Space above this line for Recorder's Use

SPECIAL WARRANTY DEED

(Thiel Dairy Property – Canyon County, Idaho)

FOR VALUE RECEIVED, RABO AGRIFINANCE LLC, a Delaware limited liability company ("Grantor"), does hereby bargain, sell, and convey unto FRYSLAN DAIRY, LLC, an Idaho limited liability company (hereinafter referred to as "Grantee"), whose address is Fryslan Dairy, LLC, c/o Dale Van Es, 8222 Desert Dr., Marsing, Idaho 83639, all of Grantor's right, title, and interest in and to the real property located in Canyon County, Idaho, more specifically described on Schedule I attached hereto and incorporated herein ("Property").

TOGETHER WITH all of Grantor's right, title and interest in and to all related fixtures and improvements, streets, alleys and rights of way adjacent thereto, all water rights appurtenant thereto, and all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the Property, as well in law as in equity.

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

AND Grantor for itself, its successors, heirs, and assigns does hereby covenant to and with Grantee that Grantor is the owner of the Property in fee simple and that the Property is free from all liens, claims, or encumbrances done, made, or suffered by Grantor, or any person claiming under Grantor, except (a) matters of record, (b) real property taxes and assessments for the current year that are not yet due and payable, (c) any matters arising from the acts or omissions of Grantee or Grantee's agents, (d) all tenancies and rights of persons in possession of the Property, and (e) all matters that would be disclosed by an accurate ALTA survey or otherwise appearing on the land. Grantor hereby covenants to and with Grantee and its successors, heirs, and assigns that Grantor shall warrant and defend the same against any other liens, claims, or encumbrances done, made, or suffered by Grantor, or any person claiming under Grantor, but none other.

[Remainder of page intentionally left blank; signature page follows.]

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed effective as of this 23rd day of April, 2021.

GRANTOR:

RABO AGRIFINANCE LLC, a Delaware limited liability company

By: *Aaron R. Bixby*
Name: Aaron Bixby
Its: Vice President and Senior Special Asset Manager

ACKNOWLEDGEMENT

STATE OF IOWA)
):ss
COUNTY OF BLACKHAWK)

On this 19th day of April, 2021, before me, a Notary Public in and for said State, personally appeared Aaron Bixby, known or identified to me to be the Vice President and Senior Special Asset Manager of Grantor Rabo AgriFinance LLC, a Delaware limited liability company, the person who executed the instrument on behalf of said Grantor, and acknowledged to me that such individual executed the same.

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

Kurt R. Leistikow
Notary Public

Printed Name: Kurt Leistikow

My Commission Expires:

7-3-2023



SCHEDULE I TO SPECIAL WARRANTY DEED

LEGAL DESCRIPTION OF PROPERTY

PARCEL I:

A parcel of land being the Southeast quarter of the Southwest quarter, and a portion of Government Lot 4, lying in Section 30, Township 2 North, Range 1 West, Boise-Meridian, Canyon County, Idaho, more particularly described as follows:

COMMENCING at the West Section corner common to Sections 30 and 31, Township 2 North, Range 1 West, Boise-Meridian, the REAL POINT OF BEGINNING of this description; thence

North 00° 02' 26" East 509.27 feet along the West line of Government Lot 4 to a point; thence

North 85° 00' 00" East 120.31 feet to a point; thence

North 00° 24' 00" East 167.43 feet to a point; thence

North 89° 57' 34" West 120.90 feet to a point on the West line of Government Lot 4; thence

North 00° 02' 26" East 643.06 feet along said West line to the Northwest corner of Government Lot 4; thence

North 89° 32' 47" East 2,609.33 feet along the North line of the South half of the Southwest quarter to the Northeast corner of the Southeast quarter of the Southwest quarter; thence

South 00° 02' 23" East 1,331.66 feet along the East line of the Southeast quarter of the Southwest quarter to the Southeast corner of the Southeast quarter (the South quarter corner) of Section 30; thence

South 89° 34' 33" West 2,611.19 feet along the South line of the Southwest quarter to the REAL POINT OF BEGINNING of this description.

PARCEL II:

A parcel of land lying in Government Lot 4, Section 30, Township 2 North, Range 1 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

COMMENCING at the West section corner common to Sections 30 and 31, Township 2 North, Range 1 West, Boise Meridian; thence

North 00° 02' 26" East 509.27 feet along the West line of Government Lot 4, of Section 30, to the REAL POINT OF BEGINNING of this description; thence continuing

North 00° 02' 26" East 178.00 feet along the West line of Government Lot 4 to a point; thence

South 89° 57' 34" East 120.90 feet to a point; thence

South 00° 24' 00" West 167.43 feet to a point; thence

South 85° 00' 00" West 120.31 feet to the REAL POINT OF BEGINNING.

PARCEL III:

A parcel of land located in the East Half of the Northwest Quarter of Section 31 Township 2 North, Range 1 West of the Boise Meridian, Canyon County, Idaho, more particularly described as follows

Commencing at the Northeast corner of the Northwest Quarter of said Section 31 (North Quarter Corner), said North Quarter is marked with a found 5/8 inch iron pin;

Thence South 89°37'58" West 573.17 feet along the North boundary of said Section 31 to THE REAL POINT OF BEGINNING of this description

Thence continuing South 89°37'58" West 267.42 feet along the North boundary of said Section 31 to a set 5/8 inch iron pin;

Thence South 00°10'25" West 471.74 feet;

Thence North 89°57'30" East 312.55 feet to a set 5/8 inch iron pin;

Thence continuing North 89°57'30" East 35.44 feet to the center of the Barth Canal;

Thence North 16°27'29" West 295.39 feet along the center of the Barth Canal to a point of curvature;

Thence along a circular curve to the right whose radius is 222.29 feet, length is 109.72 feet and whose long chord bears North 02°19'06" West 108.61 feet;

Thence North 11°49'18" East 40.66 feet along said center;

Thence North 00°50'52" East 41.60 feet along said center to a point of intersection of the Barth Canal and the North boundary of said East Half; and THE REAL POINT OF BEGINNING of this description.

PARCEL IV:

A parcel of land located in the East Half of the Northwest Quarter of Section 31, Township 2 North, Range 1 West of the Boise Meridian, Canyon County, Idaho, more particularly described as follows:

Commencing at the Southeast corner of the Northwest Quarter of said Section 31 (Center Quarter corner), said Center Quarter is marked with a found 5/8 inch iron pin, which is THE REAL POINT OF BEGINNING of this description;

Thence South 89°43'38" West 1334.35 feet along the South boundary of said Northwest Quarter to a set 5/8 inch iron pin marking the Southwest corner of said East Half;

Thence North 00°10'25" East 2210.56 (formerly 2194.44) feet along the West boundary of said East Half, being 16.12 feet north of a set 5/8 inch iron pin;

Thence North 89°57'30" East 480.44 feet to a point;

Thence South 00° 10' 25" West 16.12 feet;

Thence North 89°57'30" East 312.50 feet to a set 5/8 inch iron pin;

Thence continuing North 89°57'30" East 35.44 feet to the centerline of the Barth Canal;

Thence South 16°27'29" East 525.74 feet along the centerline of the Barth Canal to a point of curvature;

Thence along a curve to the left whose radius is 149.44 feet, whose length is 114.11 feet and whose long chord South 38°20'03" East 111.36 feet;

Thence South 60°12'37" East 320.80 feet to a point on the East boundary of said East Half of the Northwest Quarter;

Thence South 00°06'45" East 1437.76 feet along said East boundary to THE REAL POINT OF BEGINNING of this description.

PARCEL V:

The Southeast Quarter of the Southeast Quarter of Section 25, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

PARCEL VI:

A portion of land within the NE 1/4 of the NE 1/4 of Section 36, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows:

Commencing at the Northeast corner of Section 36, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho at a brass cap at the center line intersection of Happy Valley Road and Bennett Road to the West at the TRUE POINT OF BEGINNING;

Thence running South 0°22'04" West 1,322.45 feet along the center line of said Happy Valley and the East line of said Section 36 to the North 1/16 corner of said Section 36;

Thence North 89°58'46" West 1,325.32 feet along the South line of the NE 1/4 of the NE 1/4 of said Section 36 to the Northeast 1/16 corner of said Section 36;

Thence North 0°20'21" East 286.32 feet along the West line of the NE 1/4 of the NE 1/4 of said Section 36 to its intersection with the Baker Ditch;

Thence along the centerline of said Baker Ditch the following courses

North 15°51'25" East 348.95 feet;
North 16°28'24" East 205.42 feet;
North 15°30'27" East 72.15 feet;
North 17°09'45" West 82.62 feet;
North 21°22'07" West 337.75 feet; thence
North 36°59'02" West 19.93 feet;

Thence North 4°50'08" West 24.11 feet to the North line of the NE 1/4 of the NE 1/4 of said Section 36 from which the East 1/16 corner of said Section 36 bears South 89°59'57" West 5.29 feet;

Thence North 89°59'57" East 1,320.70 feet to the TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM:

A portion of land within the NE 1/4 NE 1/4, Section 36, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho more particularly described as follows:

Commencing at the Northeast corner of Section 36, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho at a brass cap at the center line in intersection of Happy Valley Road and Bennett Road to the West:

Thence running South 0°22'04" West 1,200.45 feet along the centerline of said Happy Valley Road and the East boundary of said Section 36 to the TRUE POINT OF BEGINNING;

Thence North 89°58'46" West 271.00 feet along a line parallel with and 122.00 feet Northerly from the South boundary of the NE 1/4 NE 1/4, said Section 36 to a point;

Thence South 0°22'04" West 122.00 feet along a line parallel with and 271.00 feet Westerly from the said East boundary of Section 36 to a point on the said South boundary of the NE 1/4 NE 1/4, Section 36:

Thence South 89°58'46" East 271.00 feet along the said South boundary of the NE 1/4 NE 1/4 of Section 36 to a point being the North 1/16 corner of said Sections 36 and 31:

Thence North 00°22'04" East 122.00 feet along the said East boundary of Section 36 to the Point of Beginning.

PARCEL VII:

A portion of the NE 1/4 of the NE 1/4 Section 36, Township 2 North, Range 2 West, Boise Meridian, Canyon County, Idaho more particularly described as follows:

Commencing at the Northeast corner of Section 36 and the Southeast corner of Section 25 of Township 2 North, Range 2 West, Boise Meridian at a brass cap at the center line intersection of Happy Valley Road and Bennett Road to the West;

Thence South $89^{\circ}59'57''$ West 1,320.70 feet along the centerline of said Bennett Road and the North line of the NE 1/4 of the NE 1/4 of said Section 36 to its intersection with the center line of the Baker Ditch and the TRUE POINT OF BEGINNING.

Thence Southerly along the centerline of the Baker Ditch the following courses;

South $04^{\circ}50'08''$ East 24.11 feet;

South $36^{\circ}59'02''$ East 19.93 feet;

South $21^{\circ}22'07''$ East 337.75 feet;

South $17^{\circ}09'46''$ East 82.62 feet;

South $15^{\circ}30'27''$ West 72.15 feet;

South $16^{\circ}28'24''$ West 205.42 feet;

South $15^{\circ}51'25''$ West 348.95 feet to its intersection with the West Line of the NE 1/4 of the NE 1/4 of said Section 36

Thence North $0^{\circ}20'21''$ East 1,035.62 feet along the West line of the NE 1/4 of the NE 1/4 of said Section 36 to the East 1/16 corner of Section 25 and 36 at the center line of said Bennett Road

Thence North $89^{\circ}59'57''$ East 5.29 feet along the centerline of Bennett Road and the North line of said Section 36 to the TRUE POINT OF BEGINNING.

1561905.01/dmm/rqn

Water Permit Report: 63-34746(Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	RABO AGRIFINANCE LLC	C/O JOE DEIBNER 5680 E FRANKLIN RD	NAMPA	ID	83687-9054
Original Owner	ADVANCED CFO	13601 W MCMILLAN RD STE 102 PMB 320	BOISE	ID	83713-2071

Water Permit Status

Priority Date : 6/13/2019
Status : Active

Water Source

Source	Tributary	Tributary Qualifier
GROUND WATER		

Points Of Diversion (Location)

Source	Township	Range	Section	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	02N	01W	30		SW	SW	CANYON	
GROUND WATER	02N	01W	30		SW	SW	CANYON	
GROUND WATER	02N	01W	30		SW	SW	CANYON	
GROUND WATER	02N	01W	30		SW	SW	CANYON	
GROUND WATER	02N	02W	25		SE	SE	CANYON	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
STOCKWATER	01/01	12/31	0.10 CFS	
TOTAL			0.10 CFS	

Places of Use

[Printable View](#)
[Paged View](#)

Place of Use Legal Description : STOCKWATER (CANYON county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
02N	01W	30	4		SW	SW	
02N	01W	30			SE	SW	
02N	02W	25			SE	SE	

Conditions

Code Conditions

- X02 Stockwater use is for 5400 mixed beef cattle.
- 106 Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
- 121 The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
- 26A Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which the permit holder had no control.
- 046 Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.

Dates

Licensed Date :
Decreed Date :
Permit Proof Due Date : 2/1/2025
Permit Proof Made Date :
Permit Approved Date : 2/14/2020
Permit Moratorium Expiration Date :
Enlargement Use Priority Date :
Enlargement Statute Priority Date :
Water Supply Bank Enrollment Date Accepted :
Water Supply Bank Enrollment Date Removed :
Application Received Date: 6/13/2019
Protest Deadline Date: 9/3/2019

Other Information

State or Federal : S
Water District Number : TBD
Generic Max Rate Per Acre : 0.02
Generic Max Volume Per Acre : 0
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

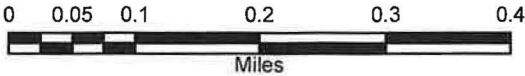
1/25/2025

State of Idaho
Department of Water Resources
Permit to Appropriate Water
63-34746
STOCKWATER

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 1/25/2025



Legend

- Quarter Quarters
- PLS Sections
- Townships
- Place of Use Boundary
- Point of Diversion





IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

January 30, 2025

FRYSLAN DAIRY LLC
8222 DESERT DR
MARSING ID 83639-8264

Re: Change in Ownership for Water Right No(s): 63-34746

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report 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) 287-4942.

Sincerely,


Jean Hersley
Technical Records Specialist 2

Enclosure(s)



RECEIVED

JAN 29 2025

DEPT. OF WATER RESOURCES

January 29, 2025

Jean Hersley
IDWR State Office
PO Box 83720
Boise, ID 83720-0098

Subject: Statements of Completion – 63-34746, 63-34924
Ownership Change Notice – 63-34746

Dear Mary,

Enclosed on behalf Frysian Dairy LLC (Dale Van Es), are (1) Statements of Completion for permits 63-34746 and 63-34924, and (2) Ownership Change Notice for permit 63-34746 currently in the name of Rabo Agrifinance LLC. Check No. 3696 for \$175 is enclosed for the required filing fees as follows:

\$50 for permit 63-34746 Statement
\$100 for permit 63-34924 Statement
\$25 for permit 63-34746 Ownership Change Notice

Please let me know if there are any questions. Thanks Jean.

Sincerely,

HDR Engineering, Inc.

Lori Graves

Lori Graves
Water Rights Specialist

Cc: Dale Van Es

Enclosed: 2 Statements of Completion, 1 Ownership Change Notice, Check #3696

Project: 10423701

hdrinc.com

HDR, 412 E Parkcenter Blvd, Suite 100, Boise, ID 83706
(208) 387-7000