

RECEIVED

JUL 01 2024

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPT. OF WATER RESOURCES
EASTERN REGION

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 #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
35-13614 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-13616 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
35-7569 <i>OK</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: WHITNAH RANCHES INC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): FARMLAND RESERVE INC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 60 E SOUTH TEMPLE, STE 1600 SALT LAKE CITY UT 84111-1008
Mailing address City State Zip
- (801) 715-9100 sbaird@farmlandreserve.org
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: 5/30/2024
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: *Sam Baird* Vice President - Land 6/18/24
 Signature of new owner/claimant Title, if applicable Date

Print name

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

Print name

Received by *JB* Date 7/1/2024 For IDWR Office Use Only: Receipt No. E050197 Receipt Amt. \$75.-
 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 *JB* Processed by *JB* Date 7/3/2024

FSTE-1125414

AFTER RECORDING RETURN TO:

Kirton McConkie P.C.
Attn: Peter Christofferson
50 E. South Temple, Suite 400
Salt Lake City, UT 84111

SEND TAX STATEMENTS TO:
Farmland Reserve, Inc.
c/o Tax Division
PO Box 511196
Salt Lake City, UT 84151-1196

Instrument # 223289

POWER COUNTY, IDAHO
05-30-2024 03:29:45 PM No. of Pages: 4
Recorded for: FLYING 5 TITLE AND ESCROW - PO
SHARIE SPRAGUE Fee: \$15.00
Ex-Officio Recorder Deputy: Cathy Miles
Electronically Recorded by Simplifile

(Space Above for Recorder's Use Only)

SPECIAL WARRANTY DEED

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, WHITNAH RANCHES, INC., an Idaho corporation ("Grantor"), does hereby grant, bargain, sell and convey to FARMLAND RESERVE, INC., a Utah nonprofit corporation ("Grantee"), whose address is 60 E. South Temple Street, Suite 1600, Salt Lake City, Utah 84111, the following described real property located in Power County, Idaho, to wit:

See Exhibit A attached hereto and incorporated herein by this reference.

TOGETHER WITH all water and water rights and other entitlements to water appurtenant to or beneficially used upon said real property including, without limitation, Water Right No. 35-7569, Water Right No. 35-13614, and Water Right No. 35-13616, as well as all ditches and ditch rights appurtenant to the land, and minerals and mineral rights appurtenant thereto, and improvements thereon, if any, and all the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining thereto (the "Property").

SUBJECT TO those matters expressly set forth on Exhibit B attached hereto and incorporated herein by this reference.

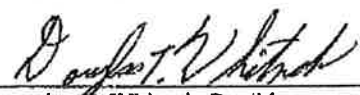
TO HAVE AND TO HOLD the Property unto Grantee and Grantee's successors and assigns, forever, and Grantor does hereby covenant to Grantee and its successors and assigns forever, that: (a) Grantor is owner in fee simple of the Property; (b) Grantor has a good right to convey the fee simple of the Property; (c) previous to the execution of this conveyance, Grantor has not conveyed the same estate to any other person; (d) the Property is free from any and all liens, claims and encumbrances done, made or suffered by Grantor, or any person claiming by through or under Grantor, except (i) matters set forth on Exhibit B or that a survey of the real property would reveal, and (ii) real property taxes and assessments, for the current year, which are not yet due and payable; and (e) that Grantor will warrant and defend the same forever against any other liens, claims or encumbrances done, made or suffered by Grantor, or any person claiming by, through or under Grantor, but none other.

[signature, acknowledgment, and exhibits follows]

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed as of the date set forth below to be effective as of May 30, 2024.

GRANTOR

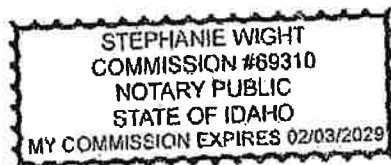
WHITNAH RANCHES, INC.,
an Idaho corporation

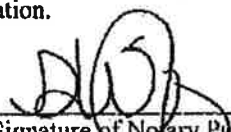


Douglas T. Whitnah, President

STATE OF IDAHO)
COUNTY OF Bannock) ss.

This record was acknowledged before me on May 29, 2024, by Douglas T. Whitnah, the President of WHITNAH RANCHES, INC., an Idaho corporation.





(Signature of Notary Public)
My Commission Expires: 2/3/2029

Exhibit A – Legal Description

A parcel of land located in Section 31, Township 7 South, Range 30 East, Boise Meridian, Power County, Idaho, shown as Parcel "A" on survey recorded April 26, 2024 as Instrument No. 223119, described as follows:

Beginning at the South $\frac{1}{4}$ corner of said Section 31, marked by a 3 inch aluminum cap stamped PLS 17017, see Corner Perpetuation Instrument No. 223043; thence North $89^{\circ}19'44''$ West, along the South boundary line of Section 31, (Basis of Bearing per Central Meridian of East Zone of Idaho State Plane Coordinate System), a distance of 2651.75 feet to the Southwest corner of Section 31; thence North $00^{\circ}24'27''$ East, along the West boundary line of Section 31, a distance of 2639.56 feet to the West $\frac{1}{4}$ corner of Section 31; thence continuing North $00^{\circ}24'27''$ East, along the West boundary line of Section 31, a distance of 1319.78 feet to the North $\frac{1}{16}$ corner on the West boundary line of Section 31; thence South $89^{\circ}31'40''$ East, along the North $\frac{1}{16}$ line of Section 31, a distance of 2647.95 feet to the Center-North $\frac{1}{16}$ corner of Section 31; thence South $89^{\circ}31'41''$ East, along the North $\frac{1}{16}$ line of Section 31, a distance of 378.00 feet; thence following along an existing fence line for the next eight(8) courses: 1) South $22^{\circ}59'19''$ East a distance of 1363.05 feet; 2) North $78^{\circ}45'49''$ East a distance of 395.00 feet; 3) South $09^{\circ}56'40''$ East a distance of 640.46 feet; 4) South $08^{\circ}09'02''$ West a distance of 342.00 feet; 5) South $18^{\circ}19'34''$ West a distance of 508.49 feet; 6) South $31^{\circ}11'21''$ West a distance of 527.00 feet; 7) South $21^{\circ}51'29''$ West a distance of 513.00 feet; 8) South $64^{\circ}58'08''$ West a distance of 839.00 feet to a fence corner; thence South $00^{\circ}21'11''$ West, along the Meridional Center line of Section 31, a distance of 53.50 feet, to the point of beginning.

Exhibit B – Permitted Exceptions

1. Right-of-way or easement of Russett Road.
2. Easement for power lines granted to Idaho Power Company, recorded June 15, 1950, in Book 94 of Misc., Page 317. This and additional property.
3. Easement for power lines granted to Idaho Power Company, recorded June 15, 1950, in Book 94 of Misc., Page 319. This and additional property.
4. Provisions in Warranty Deed to Whitnah Ranches, Inc., an Idaho corporation, recorded February 1, 1972, as Instrument No. 98534, substantially as follows: Together with 240 shares of stock, represented by certificates 3934 and 3935 in the Aberdeen-Springfield Canal Company and all ditches and ditch rights appurtenant to the above described real property. Subject to all taxes levied and assessed for the year 1972 and subsequent years. Subject to all easements, rights of way, reservations and restrictions against the above described premises. This and additional property.
5. Easement for power lines granted to Idaho Power Company, recorded November 18, 1975, as Instrument No. 106992. This and additional property.
6. Easement for power lines granted to Idaho Power Company, recorded September 9, 1977, as Instrument No. 111904. This and additional property.
7. Unrecorded leaseholds; rights of parties in possession, rights of secured parties, vendors and vendees under conditional sales contracts of personal property installed on the premises herein, and rights of tenants to remove trade fixtures.
8. All matters, covenants, conditions, restrictions, easements and any rights, interests or claims which may exist by reason thereof, disclosed by Record of Survey dated April 22, 2024, Project Number 10258, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).

Change of Ownership



This map was created to identify the change of ownership for water rights 35-7569, 35-13614, and 35-13616. This change is accomplished by the purchase and conveyance of property from Whitnah Ranches Inc to Farmland Reserve Inc.



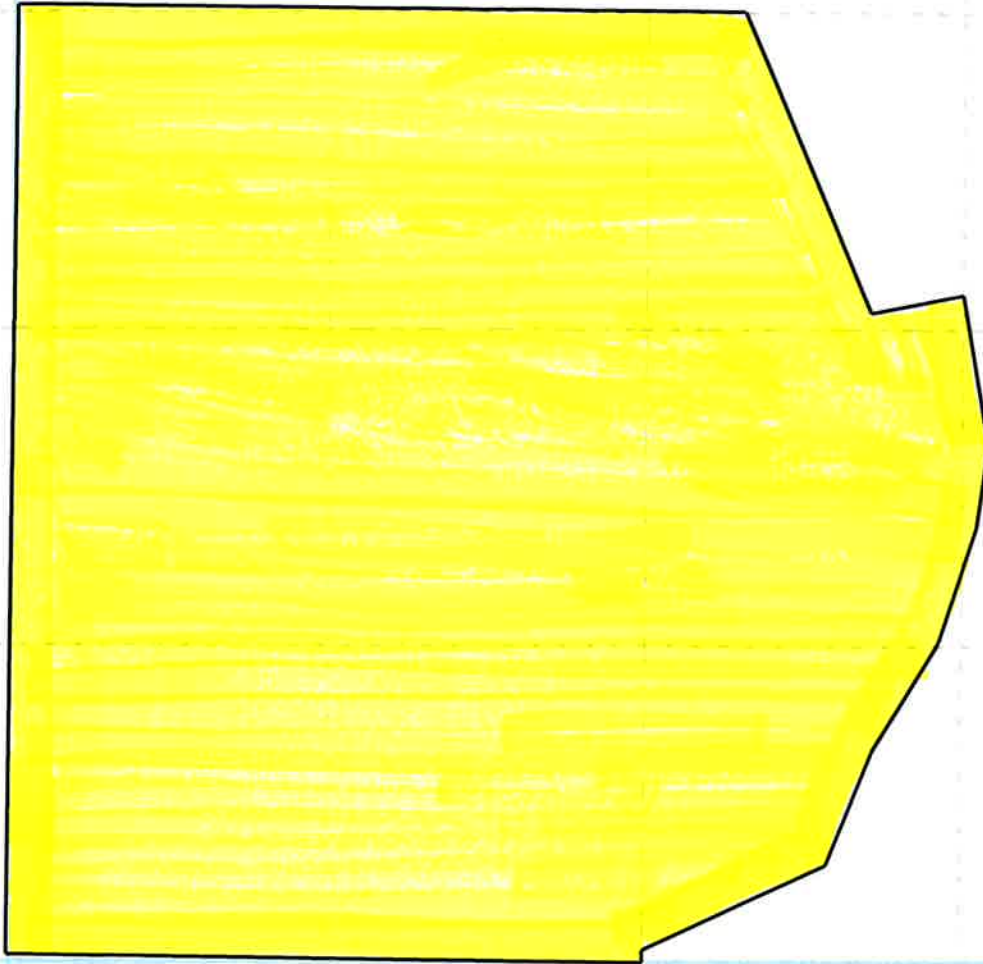
Farmland Reserve



- Water Right POD
- Water Right POU
- QQ
- PlsTownshipAndRange
- PlsSections



Adamson FRI 6/14/2024



223289 Whitnah Ranches Inc. to Farmland Reserve Inc.

7/2/2024

Scale: 1 inch= 800 feet

File: 35-7569, 35-13614, 35-13616

Tract 1: 326.3688 Acres, Closure: s03.3713e 0.01 ft. (1/999999), Perimeter=14819 ft.

01 /se,sw,31,7s,30e
02 n89.1944w 2651.75
03 n00.2427e 2639.56
04 n00.2427e 1319.78
05 s89.3140e 2647.95
06 s89.3141e 378.00
07 s22.5919e 1363.05
08 n78.4549e 395.00
09 s09.5640e 640.46
10 s08.0902w 342.00

11 s18.1934w 508.49
12 s31.1121w 527.00
13 s21.5129w 513.00
14 s64.5808w 839.00
15 s00.2111w 53.50



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

July 03, 2024

FARMLAND RESERVE INC
60 E SOUTH TEMPLE STE 1700
SALT LAKE CTY UT 84111-1008

Re: Change in Ownership for Water Right No(s): 35-7569, 35-13614, 35-13616

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) 497-3787.

Sincerely,

Jonie Baily
Technical Records Specialist 1

Enclosure(s)

cc: WATER DISTRICT 120
ABERDEEN AMERICAN FALLS GROUND WATER DISTRICT