

AUG 14 2024

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 26 2024

DEPT OF WATER RESOURCES
SOUTHERN REGIONDEPT OF WATER RESOURCES
SOUTHERN 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?
47-7663B	Yes ☐	Yes ☐		Yes ☐	Yes ☐
47-8252D	Yes ☐	Yes ☐		Yes ☐	Yes ☐
47-12606	Yes ☐	Yes ☐		Yes ☐	Yes ☐
27-12607	Yes ☐	Yes ☐		Yes ☐	Yes ☐
47-12662	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Jacob A. (Jack) Petter; Tena Petter
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Red Rock Dairy, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 1130 East 3700 North Buhl ID 83316
Mailing address City State Zip
- 951-712-9639 (Marty Van Leeuwen)
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: August 8, 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.

SUPPORT DATA

IN FILE # 47-7663B

8. Signature: [Signature] Manager 8-9-24
Signature of new owner/claimant Title, if applicable Date
Marty Van Leeuwen
Print name
- Signature: [Signature] Manager 8-9-24
Signature of new owner/claimant Title, if applicable Date
Bennett Slegers
Print name

Received by SG Date 8/26/2024 For IDWR Office Use Only: Receipt No. 5040343 Receipt Amt. \$250
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 DM Date 10/2/2024

Case No. **79054 CM**

TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

**** SPACE ABOVE FOR RECORDER ****

TWIN FALLS COUNTY
RECORDED FOR:
TITLEFACT, INC.
03:17:19 PM 08-12-2024
2024009912
NO. PAGES 2 FEE: \$15.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: SB
Electronically Recorded by Simplifile

WARRANTY DEED

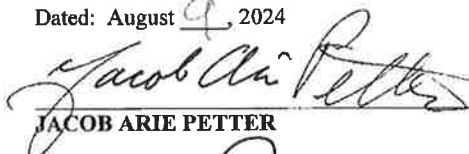
FOR VALUE RECEIVED **JACOB ARIE PETTER**, also shown of record as **JACK A. PETTER**, also shown of record as **JACK PETTER**, and **TENA PETTER**, husband and wife, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **RED ROCK DAIRY, LLC**, an Idaho Limited Liability Company, hereinafter called Grantee, whose address is: **1130 E 3700 N, Buhl, ID 83316**, the following described premises in Twin Falls County, Idaho; to-wit:

See attached Exhibit "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and 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 encumbrances except as described above; and that Grantor will warrant and defend the same from all lawful claims whatsoever.

The certain "Lease Agreement with Option to Purchase" shall not merge into the execution and delivery by Jacob Arie Petter and Tena Petter to Red Rock Dairy, LLC of this Warranty Deed, or any other instruments conveying the assets or property to Red Rock Dairy, LLC pursuant to said Lease Agreement with Option to Purchase. Said Lease Agreement with Option to Purchase, this Warranty Deed, and the other instruments conveying the assets and property to Red Rock Dairy, LLC are an integral part of the transaction and shall be construed together as if one single combined agreement; and said Lease Agreement with Option to Purchase and the representations made therein shall remain in full force and effect, after the date hereof until all obligations created thereunder have been fully performed.

Dated: August 9, 2024



JACOB ARIE PETTER



TENA PETTER

* * * * *

STATE OF IDAHO
County of Twin Falls

On this 9 day of August, 2024, before me, a Notary Public in and for said State, personally appeared **JACOB ARIE PETTER** and **TENA PETTER**, known or identified to me to be the persons whose names subscribed to the foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.



Notary Public for Idaho
Residing at Twin Falls
Commission expires: 11/23/2026

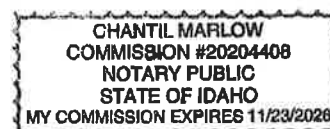


Exhibit "A"
LEGAL DESCRIPTION

PARCEL NO. 1

Township 10 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho
Section 28: NE $\frac{1}{4}$ SW $\frac{1}{4}$; S $\frac{1}{2}$ SW $\frac{1}{4}$

PARCEL NO. 2

Township 10 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho
Section 28: W $\frac{1}{2}$ NW $\frac{1}{4}$

EXCEPT:

Township 10 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho
Section 28: A parcel of land being described as the North 256.00 feet of the East 215.00 feet of the W $\frac{1}{2}$ NW $\frac{1}{4}$

AND SUBJECT TO a 25.00 foot wide county roadway easement parallel with and adjoining the North boundary of the above described parcel.

PARCEL NO. 3

Township 10 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho
Section 28: SE $\frac{1}{4}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$

EXCEPT:

Township 10 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho
Section 28: A parcel of land being described as the South 380.00 feet of the East 340.00 feet of the SW $\frac{1}{4}$ NE $\frac{1}{4}$

TOGETHER WITH easement created in Right of Way and Easement recorded December 15, 1917, as Instrument No. 90231 in Book 39 of Plats, page 605, records of Twin Falls County, Idaho.

AND TOGETHER WITH a non-exclusive vehicular access easement created in Warranty Deed from Raymond A. Ruffing and Vicky L. Ruffing, husband and wife, to Jack Petter and Tena Petter, husband and wife, dated July 7, 1999, recorded July 9, 1999, as Instrument No. 1999-012943, records of Twin Falls County, Idaho, being described as the South 25.00 feet of the East 340.00 feet of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 28, Township 10 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho.

PARCEL NO. 4

Township 10 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho
Section 28: A parcel of land being described as the North 256.00 feet of the East 215.00 feet of the W $\frac{1}{2}$ NW $\frac{1}{4}$.

SUBJECT TO a 50.00 foot wide non-exclusive vehicular access easement parallel with and adjoining the East boundary of the above described parcel.

AND SUBJECT TO a 25.00 foot wide county roadway easement parallel with and adjoining the North boundary of the above described parcel.

BILL OF SALE

JACOB ARIE PETTER, also known as JACK A. PETTER and JACK PETTER, and **TENA PETTER**, husband and wife, hereinafter referred to as the “Seller”, for and in consideration of the good and valuable consideration to it in hand paid by **RED ROCK DAIRY, LLC**, an Idaho limited liability company, hereinafter referred to as “Buyer”, the receipt and adequacy of which is hereby acknowledged, does hereby sell, transfer and assign unto the Buyer, all its interest in the following described personal property, to wit:

See **EXHIBIT A** attached hereto.

Seller warrants to Buyer that:

- (i) It is the lawful owner of the personal property described on Exhibit A;
- (ii) It will warrant and defend the sale thereof unto the Buyer, its successors and assigns, against all lawful claims; and
- (iii) The personal property described on Exhibit A is free from all liens and security interests.

Buyer purchases said described personal property upon its own knowledge and inspection of the same, “as is”, “where is” and “with all faults”, without any representation, warranty, or affirmation of fact made by Seller or any agent on behalf of Seller, except as provided herein.

DATED this 01 day of August, 2024.

“SELLER”



JACOB ARIE PETTER, also knowns as
JACK A. PETTER and JACK PETTER

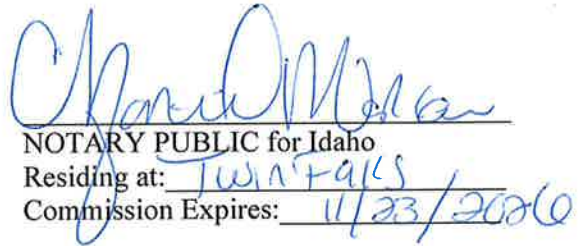


TENA PETTER

County of Twin Falls) SS:

On this 9 day of August, 2024, before me, a Notary Public in and for said State, personally appeared JACOB ARIE PETTER, also known as JACK A. PETTER and JACK PETTER, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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



STATE OF IDAHO)
County of Twin Falls) ss:

On this 9 day of August, 2024, before me, a Notary Public in and for said State, personally appeared TENA PETTER, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

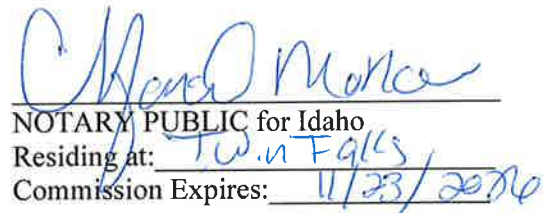


EXHIBIT A

MILKING EQUIPMENT:

New Barn – 2000

Pro Chiller System with 2 compressors

Quincy Northwest Air Compressor reciprocating Model QNW QT-10-D 6506447

Complete with 2 Lincoln 460 Volt electric motors 10 HP each #1 QT166179722 Cannot read second #

#1 Vacuum Pump Kaeser – Omega model 42 with Baldor Electric Motor 20HP
090101x531H1

Sn 1056 p/n 881002.01100

#2 Vacuum Pump DeLaval 20 HP elec. #1408 4249W S159647

Back Flush Vacuum Pump S087266 5 HP electric motor

Model GACMDPA Sutorbilt Controlled with Varispeed P7 drive – Yaskawa

20 HP Electric Water Pump for Deck Flush Holding Pen complete with PLC controller to operate 5 valves

Double 24 Herringbone Stalls with Indexing and Rapid Exit 48 milk Germania claws

Push Gate air operated

Pipe Line Milking equipment operated with Germania PLC

Wash pump to wash milk silos with 10 HP electric pump with PLC controller also to use for pumping milk to tanker. It also dispenses chemicals automatically.

Old Milk Barn/Hospital Barn

Double 12 Rapid Exit Vanden Berg Herring bone stalls

3" double loop pipeline

24 milk claws

20 HP electric Vacuum Pump SCA-70 70-1041

Baldor 39D101W235 ser 12930

Pasteurizer Good Nature Model CM-A144 Ser 1143

IRRIGATION EQUIPMENT:

Pierce P-93 7 Tower Center Pivot s/n P93-039-087

Paco 25 HP 4012-9 1750RPM Pump 720 GPM

100 AMP meter base 100 am disconnect

Thunderbird Wheel line 5HP at the heifer ranch

Lagoon Manure Pump 10 HP 4095-7 1750 RPM 720 GPM

Assorted gated pipe

125 KW Gen Set generator 240/480 3-phase, 60-HZ 70-4268 – Powered by Perkins Diesel Engine

F3543U702606D

Office equipment

Conference Table with 6 chairs

Frigidaire Elite model FPEM18P

1 scale computer

1 cow record computer

Screens and printers

Swann 8 camera surveillance system

AFFIDAVIT

STATE OF IDAHO
COUNTY OF TWIN FALLS

JACOB ARIE PETTER, also shown of record as JACK A. PETTER, also shown of record as JACK PETTER, and TENA PETTER, husband and wife, being duly sworn deposes and says:

That they are the owners of the following described real estate situated in Twin Falls County, to-wit:

See attached Exhibit "A"

together with a water right appurtenant thereto represented by **certificate number 40108 for 75.55** shares of the capital stock of the Twin Falls Canal Company, a corporation, organized and existing under and by virtue of the laws of the State of Idaho.

That affiants are the owners in fee of all of the above-described real property and water right appurtenant thereto; that the certificate of stock above described is lost and cannot be found.

Affiants further state that they have not disposed of said shares of stock or said certificate thereof to any person or persons nor given any person or persons any transfer, power of attorney, order or other authority of any kind of nature whatsoever to transfer the said stock evidenced by said certificate number **40108** nor any part or portion thereof.

Affiants further state that they make this affidavit in order to induce the Twin Falls Canal Company to issue a new certificate of stock for **75.55** shares in place of the said certificate heretofore described; that affiants therein for themselves, their heirs, executors and their assigns do hereby agree to save and keep harmless the said Twin Falls Canal Company against any and all parties claiming or to claim, damages or claims for any nature whatsoever by reason of issuance of said duplicate stock certificate and they do hereby fully and completely indemnify the Twin Falls Canal Company against any and all damages or claims of every nature and character whatsoever growing out of this transaction.

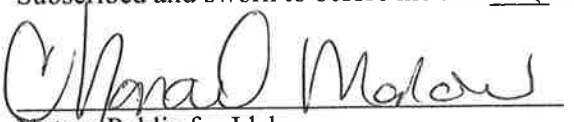


JACOB ARIE PETTER



TENA PETTER

Subscribed and sworn to before me this 9 day of August, 2024.



Notary Public for Idaho
Residing at: Twin Falls
Commission Expires: 11/23/2026

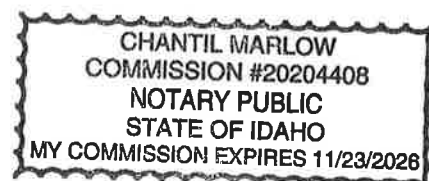


Exhibit "A"
LEGAL DESCRIPTION

PARCEL NO. 1

Township 10 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho
Section 28: NE $\frac{1}{4}$ SW $\frac{1}{4}$; S $\frac{1}{2}$ SW $\frac{1}{4}$

PARCEL NO. 2

Township 10 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho
Section 28: W $\frac{1}{2}$ NW $\frac{1}{4}$

EXCEPT:

Township 10 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho
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PARCEL NO. 3

Township 10 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho
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PARCEL NO. 4

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AFFIDAVIT

STATE OF IDAHO
COUNTY OF TWIN FALLS

JACOB ARIE PETTER, also shown of record as JACK A. PETTER, also shown of record as JACK PETTER, and TENA PETTER, husband and wife, being duly sworn deposes and says:

That they are the owners of the following described real estate situated in Twin Falls County, to-wit:

See attached Exhibit "A"

together with a water right appurtenant thereto represented by **certificate number 38511 for 120.00 shares** of the capital stock of the Twin Falls Canal Company, a corporation, organized and existing under and by virtue of the laws of the State of Idaho.

That affiants are the owners in fee of all of the above-described real property and water right appurtenant thereto; that the certificate of stock above described is lost and cannot be found.

Affiants further state that they have not disposed of said shares of stock or said certificate thereof to any person or persons nor given any person or persons any transfer, power of attorney, order or other authority of any kind of nature whatsoever to transfer the said stock evidenced by said certificate number **38511** nor any part or portion thereof.

Affiants further state that they make this affidavit in order to induce the Twin Falls Canal Company to issue a new certificate of stock for **120.00** shares in place of the said certificate heretofore described; that affiants therein for themselves, their heirs, executors and their assigns do hereby agree to save and keep harmless the said Twin Falls Canal Company against any and all parties claiming or to claim, damages or claims for any nature whatsoever by reason of issuance of said duplicate stock certificate and they do hereby fully and completely indemnify the Twin Falls Canal Company against any and all damages or claims of every nature and character whatsoever growing out of this transaction.



JACOB ARIE PETTER



TENA PETTER

Subscribed and sworn to before me this 9 day of August, 2024.



Notary Public for Idaho
Residing at: Twin Falls

11/23/2026

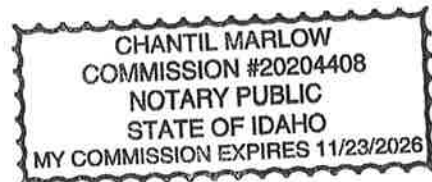


Exhibit "A"
LEGAL DESCRIPTION

PARCEL NO. 1

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STATE OF IDAHO
COUNTY OF TWIN FALLS

JACOB ARIE PETTER, also shown of record as JACK A. PETTER, also shown of record as JACK PETTER, and TENA PETTER, husband and wife, being duly sworn deposes and says:

That they are the owners of the following described real estate situated in Twin Falls County, to-wit:

See attached Exhibit "A"

together with a water right appurtenant thereto represented by **certificate number 40106 for 80.00 shares** of the capital stock of the Twin Falls Canal Company, a corporation, organized and existing under and by virtue of the laws of the State of Idaho.

That affiants are the owners in fee of all of the above-described real property and water right appurtenant thereto; that the certificate of stock above described is lost and cannot be found.

Affiants further state that they have not disposed of said shares of stock or said certificate thereof to any person or persons nor given any person or persons any transfer, power of attorney, order or other authority of any kind of nature whatsoever to transfer the said stock evidenced by said certificate number **40106** nor any part or portion thereof.

Affiants further state that they make this affidavit in order to induce the Twin Falls Canal Company to issue a new certificate of stock for **80.00** shares in place of the said certificate heretofore described; that affiants therein for themselves, their heirs, executors and their assigns do hereby agree to save and keep harmless the said Twin Falls Canal Company against any and all parties claiming or to claim, damages or claims for any nature whatsoever by reason of issuance of said duplicate stock certificate and they do hereby fully and completely indemnify the Twin Falls Canal Company against any and all damages or claims of every nature and character whatsoever growing out of this transaction.


JACOB ARIE PETTER


TENA PETTER

Subscribed and sworn to before me this 9 day of August, 2024.


Notary Public for Idaho
Residing at Twin Falls
11/23/2026

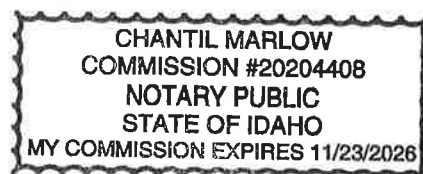


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LEGAL DESCRIPTION

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0005789559



STATE OF IDAHO
Office of the secretary of state, Phil McGrane
ANNUAL REPORT
Idaho Secretary of State
PO Box 83720
Boise, ID 83720-0080
(208) 334-2301
Filing Fee: \$0.00

For Office Use Only

-FILED-

File #: 0005789559

Date Filed: 6/26/2024 1:41:27 PM

Entity Name and Mailing Address:

Entity Name: RED ROCK DAIRY, LLC
The file number of this entity on the records of the Idaho Secretary of State is: 0000564506
Address: 1130 E 3700 N
BUHL, ID 83316-6040

Entity Details:

Entity Status: Active-Existing
This entity is organized under the laws of: IDAHO
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: W186833

The registered agent on record is:

Registered Agent: MARTIN VAN LEEUWEN
Registered Agent
Physical Address
1130 E 3700 N
BUHL, ID 83316
Mailing Address

Limited Liability Company Managers and Members

Name	Title	Business Address
Marty Van Leeuwen	Manager	1130 E 3700 N BUHL, ID 83316
Bennett Slegers	Manager	15914 LEGACY CT BAKERSFIELD, CA 93314

The annual report must be signed by an authorized signer of the entity.

Job Title: Partner

Marty Van Leeuwen

Sign Here

06/26/2024

Date

B0921-1861 06/26/2024 1:41 PM Received by Office of the Idaho Secretary of State



IDAHO DEPARTMENT OF
WATER RESOURCES

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 Mathew Weaver

October 2, 2024

RED ROCK DAIRY LLC
1130 E 3700 N
BUHL ID 83316-6040

Re: Change in Ownership & Notice of Security Interest for Water Right No(s): 47-7663B, 47-8252D,
47-12606, 47-12607 & 47-12662

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 also acknowledges receipt of correspondence adding security interest of the above referenced water right(s) to Idaho AgCredit FLCA. The Department has modified its records and has enclosed a computer-generated report for you. *You will notice that Metropolitan Life Insurance Company, Agricultural Investments is copied on the letter because they hold a security interest on the water right(s) referenced above. This security interest was filed in 2015 on behalf of the previous water right holders (Petter). The Department can remove that security interest from these water right records with written authorization from Metropolitan Life Insurance Company.*

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: Idaho AgCredit FLCA, Twin Falls, ID (Loan #0006584578-5581133101)
Metropolitan Life Insurance Company, Agricultural Investments, Overland Park KS
(Loan #196768)