

RECEIVED

AUG 20 2024

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPT. 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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
47-7696	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: Herman Sievers
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): KWS Seeds LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 5705 N. Old Shakopee Rd Ste 110 Bloomington IN 55437
Mailing address City State ZIP
- 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 15, 2024

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):
- ☐ \$25 per *undivided* water right.
 - ☐ \$100 per *split* water right.
 - ☐ 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: John Jossart 8/15/2024
Signature of new owner/claimant Title, if applicable Date
- Signature: [Signature] 8/15/2024
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by SG Date 8/20/2024 Receipt No. 5040334 Receipt Amt. \$25

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 10/28/2024

Order Number: 24508626

Warranty Deed



For value received,

Sievers Family Farming, LLC, an Idaho limited liability company

the grantor, does hereby grant, bargain, sell, and convey unto

KWS Seeds, LLC, a Minnesota limited liability company

whose current address is 5705 W Old Shakopee Rd Ste 110 Bloomington, MN 55437

the grantee, the following described premises, in Twin Falls County, Idaho, to wit:

See Exhibit A, attached hereto and incorporated herein.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to: (i) taxes, and assessments collected therewith, for the year 2025 and thereafter; (ii) right-of-way for roads, canals, laterals and waste ditches and the rights of access thereto for maintenance thereof; (iii) 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; (iv) County Road Right-of-way and the rights of access thereto for maintenance of said 3500 North Road; (v) Right-of-Way Deed by and between Harmon H. McMaster and Opal R. McMaster and Samuel P. Atherton, recorded on June 29, 1914, as Instrument No. 52428; and (vi) all matters that would be disclosed by an accurate survey of the property including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated: June 25, 2024

Sievers Family Farming, LLC

Tom M. Sievers

By: Tom M. Sievers, manager

State of Idaho, County of Twin Falls, ss.

On this 14 day of August, 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared Tom M. Sievers, known or identified to me to be a manager of the limited liability company that executed the within instrument and acknowledged to me that he executed the same for and on behalf of said limited liability company and that such limited liability company executed it.

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

Kelly H. Andersen
Notary Public
Residing In: Twin Falls
My Commission Expires: 5/15/26



EXHIBIT A
LEGAL DESCRIPTION OF THE PREMISES

TOWNSHIP 10 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN,
TWIN FALLS COUNTY, IDAHO

Section 32: Part of the W½SE¼, more particularly described as follows:

Beginning at the South ¼ corner of said Section 32, said corner bears North 89°41'38" West 2643.42 feet from the Southeast corner of said Section 32 and being the REAL POINT OF BEGINNING;
Thence, along the West Boundary of said W½SE¼ of Section 32, North 00°11'07" West, 2642.49 feet to the Northwest corner thereof;
Thence, along the North Boundary said W½SE¼ of Section 32, South 89°41'59" East, 1321.05 feet to the Northeast corner thereof;
Thence, along the East Boundary of said W½SE¼ of Section 32, South 00°11'58" East, 2234.63 feet;
Thence, leaving said East Boundary, North 89°41'38" West, 388.99 feet along a line parallel with the South Boundary of said W½SE¼ of Section 32;
Thence, South 00°11'58" East, 155.26 feet along a line parallel with said East Boundary;
Thence, North 89°41'38" West, 891.84 feet along a line parallel with the South Boundary of said W½SE¼ of Section 32;
Thence, South 00°11'07" East, 252.74 feet along a line parallel with the West Boundary of said W½SE¼ of Section 32 to a point on said South Boundary;
Thence, along said South Boundary, North 89°41'38" West 40.81, feet to said REAL POINT OF BEGINNING.

PERSONAL REPRESENTATIVE DEED

For value received, **Thomas Michael Sievers**, Personal Representative of **The Estate of Herman F. Sievers**, deceased, pursuant to Letter Testamentary & Oath, Case No. CV42-22-2307 District Court of the Fifth Judicial District of the State of Idaho, in and for the County of Twin Falls, does hereby convey, release, remise and forever quitclaim unto **Sievers Family Farming, LLC**, an Idaho limited liability company whose address is 3470 East 3500 North, Kimberly, Idaho 83341 the following described Premises:

See **Exhibit A**, attached hereto and incorporated herein.

To have and to hold the said premises, unto the said grantee, its heirs and assigns forever.

Date: 12-4-2023

The Estate of Herman F. Sievers

Thomas M Sievers
Thomas Michael Sievers,
Personal Representative

STATE OF IDAHO)
ss.
County of Twin Falls)

On this 4 day of December in the year of 2023, before me, the undersigned, a notary public in and for said state, personally appeared Thomas Michael Sievers known or identified to me to be the person whose name is subscribed to the within instrument, as the personal representative of the Estate of Herman F. Sievers, deceased and acknowledged to me that he executed the same as such personal representative of the Estate of Herman F. Sievers, deceased.



Kelly H. Andersen
Notary Public
Residing in Twin Falls
My Commission Expires: 5/15/26

Exhibit A

Twin Falls County, Idaho

Being a portion of the W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 32, Township 10 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho, more particularly described as follows:

Beginning at the South Quarter corner of said Section 32, said corner bears North 89°41'38" West 2643.42 feet from the Southeast corner of said Section 32 and being the REAL POINT OF BEGINNING;
Thence, along the West Boundary of said W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 32, North 00°11'07" West 2642.49 feet to the Northwest corner thereof;
Thence, along the North Boundary said W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 32, South 89°41'59" East 1321.05 feet to the Northeast corner thereof;
Thence, along the East Boundary of said W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 32, South 00°11'58" East 2234.63 feet;
Thence, leaving said East Boundary, North 89°41'38" West 388.99 feet along a line parallel with the South Boundary of said W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 32;
Thence, South 00°11'58" East 155.26 feet along a line parallel with said East Boundary;
Thence, North 89°41'38" West 891.84 feet along a line parallel with the South Boundary of said W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 32;
Thence, South 00°11'07" East 252.74 feet along a line parallel with the West Boundary of said W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 32 to a point on said South Boundary;
Thence, along said South Boundary, North 89°41'38" West 40.81 feet to said REAL POINT OF BEGINNING.

Containing approximately 71.34 acres.

End of Description

05/19/2010

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 47-7696

NAME AND ADDRESS: HERMAN SIEVERS
3466 E 3500 N
KIMBERLY ID 83341

SOURCE: WASTE WATER

TRIBUTARY: SINKS

The source of water diverted under this right is waste water and is subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place of use or manner of wasting it, or to recapture it.

QUANTITY: 0.720 CFS
144.00 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 02/06/1981

POINT OF
DIVERSION:

T10S R18E S32 SWSENE Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.720 CFS 144.00 AFY

PLACE OF USE: IRRIGATION in TWIN FALLS County

T10S R18E S32	NWSE	38.90	T10S R18E S32	SWSE	39.00
77.9 ACRES TOTAL					

This right is limited to the irrigation of 36.0 acres within the place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License



0005794112



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 #: 0005794112

Date Filed: 7/2/2024 1:13:09 PM

Entity Name and Mailing Address:

Entity Name: KWS Seeds, LLC
Foreign Name (name in home jurisdiction): KWS Seeds, LLC
The file number of this entity on the records of the Idaho Secretary of State is: 0000155463
Address: 5705 W OLD SHAKOPEE RD
STE 110
BLOOMINGTON, MN 55437-3103

Entity Details:

Entity Status: Active-Existing
This entity is organized under the laws of: MINNESOTA
If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: C47893

The registered agent on record is:

Registered Agent: CORPORATION SERVICE COMPANY
Commercial Registered Agent
Physical Address: 1305 12TH AVE RD
NAMPA, ID 83686
Mailing Address: 1305 12TH AVE RD
NAMPA, ID 83686

Agent or Address Change

☐ Select if you are appointing a new agent.

Limited Liability Company Managers and Members

Name	Title	Business Address
John Enright	Manager	5705 W. OLD SHAKOPEE ROAD SUITE 110 BLOOMINGTON, MN 55437
John Jossart	Manager	5705 W. OLD SHAKOPEE ROAD SUITE 110 BLOOMINGTON, MN 55437

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

Job Title: Corporate Secretary

John Jossart

Sign Here

07/02/2024

Date

B0922-4629 07/02/2024 1:13 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 28, 2024

KWS SEEDS LLC
5705 W OLD SHAKOPEE RD STE 110
BLOOMINGTON MN 55437-3103

Re: Change in Ownership for Water Right No(s): 47-7696

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) 293-9908.

Sincerely,

Denise Maline
Administrative Assistant 1

Enclosure(s)

c: TitleOne, Twin Falls, ID (File #24508626)



RECEIVED

AUG 20 2024

DEPT. OF WATER RESOURCES
SOUTHERN REGION

August 20, 2024

Idaho Department of Water Resources
-Hand Delivered-

TitleOne File No. 24508626
To whom it may concern;

Please find enclosed the following original documents necessary for transferring water right number #47-7696.

- Notice of Change in Water right Ownership
- Copy of Recorded Warranty Deed's
- TitleOne's Check No. 148058 made payable to Twin Falls Canal Company in the amount of \$25.00.

Please transfer water right for and between Sievers Family Farming LLC and KWS Seeds, LLC (upon completion) send to the address provided below. Should you have any questions, or if TitleOne may be of further Assistance, please do not hesitate to contact our office.

Return Address:

TitleOne Corporation
Attn: Susie Moore
1411 Falls Ave. East, Suite 1131
Twin Falls, ID. 83303
(208) 933-2650

Thank you,
TITLEONE

Susie Moore
Escrow Officer