

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 20 2026

DEPT. 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?
21-13347 <i>OK</i>	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: Phillips Brothers Farm & Livestock
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): MMLH LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 101 E Main St Ste 202 Rexburg ID 83440
Mailing address City State Zip
208-221-4484 dan@moldenhauerinc.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: JUSTIN TAYLOR Member 01/29/26
Signature of new owner/claimant Title, if applicable Date
Justin Taylor
Print name
- Signature: _____
Signature of new owner/claimant Title, if applicable Date

Print name

For IDWR Office Use Only:

Received by CeH Date 3/23/26 Receipt No. 6051503 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 JB Processed by MP Date 3/24/2026

Instrument No. 612070
18 Day Mar 2026
At 02 O'Clock 49 PM
MEREDITH MATTINGLY
FREMONT CO RECORDER
Fee \$15.00
KF Deputy
Recorded at Request of
Pioneer Title Co of Bonneville C

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Kristin Moore
Rocky Mountain Environmental Associates, Inc.
482 Constitution Way, Suite 303
Idaho Falls, ID 83402

PTC 881380

(Space Above for Recorder's Use)

SPECIAL WARRANTY DEED FOR WATER RIGHTS

Phillips Brothers Farm & Livestock, LLC, an Idaho limited liability company, whose address is 1851 W 600 N, Blackfoot, ID 83221 (hereinafter "Grantor") does hereby grant, bargain, sell, assign, and convey unto MMLH, LLC, an Idaho limited liability company, whose address is 101 E Main St, Suite 202, Rexburg, ID 83440 (hereinafter "Grantee") and to Grantee's heirs and assigns forever, all of Grantor's right, title, and interest in water right described on Exhibit A attached hereto (hereinafter the "Water Right").

Grantor hereby covenants and warrants to Grantee as follows:

- (A) Grantor is the owner of the Water Right;
- (B) Grantor has not conveyed any of the Water Right to anyone other than Grantee;
- (C) The Water Right is free from all liens, claims, or encumbrances; and
- (D) Grantor has the authority to convey the Water Right to Grantee.

Grantor makes no other covenants or warranties as to the Water Right.

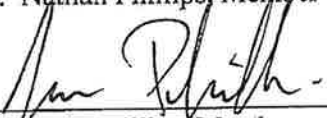
IN WITNESS WHEREOF, the undersigned authorized officer of Grantor, acting on behalf of Grantor, has caused his name to be hereunto subscribed.

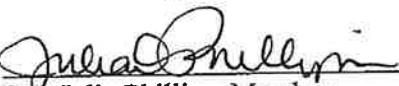
DATED this 17 day of MARCH, 2026.

"GRANTOR"

PHILLIPS BROTHERS FARM & LIVESTOCK LLC


By: Nathan Phillips, Member

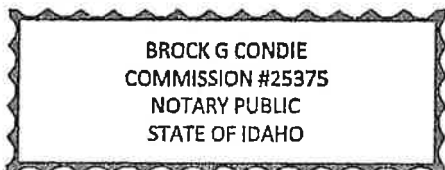

By: Jesse Phillips, Member


By: Julia Phillips, Member


By: Lori Phillips, Member

STATE OF IDAHO)
County of Bingham)ss.
Bonneville)

This record was acknowledged before me on the 17 day of MARCH, 2026,
by **Nathan Phillips**.

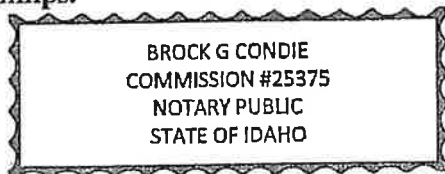



Notary Public for Idaho
My Commission Expires: _____

BROCK G CONDIE
Residing in: Pocatello, ID
Commission Expires: 02/02/2032

STATE OF IDAHO)
County of Bingham)ss.
Bonneville)

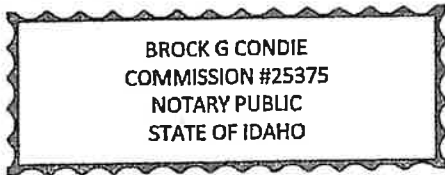
This record was acknowledged before me on the 17 day of MARCH, 2026,
by **Jesse Phillips**.




Notary Public for Idaho
My Commission Expires: _____
BROCK G CONDIE
Residing in: Pocatello, ID
Commission Expires: 02/02/2032

STATE OF IDAHO)
Bingham)ss.
County of Bonneville)

This record was acknowledged before me on the 17 day of MARCH, 2026,
by **Julia Phillips**.

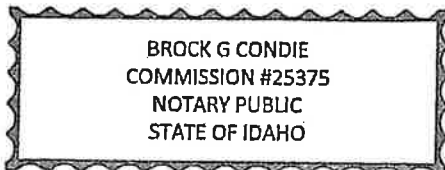



Notary Public for Idaho
My Commission Expires: _____

BROCK G CONDIE
Residing in: Pocatello, ID
Commission Expires: 02/02/2032

STATE OF IDAHO)
Bingham)ss.
County of Bonneville)

This record was acknowledged before me on the 17 day of MARCH, 2026,
by **Lori Phillips**.




Notary Public for Idaho
My Commission Expires: _____

BROCK G CONDIE
Residing in: Pocatello, ID
Commission Expires: 02/02/2032

EXHIBIT A **WATER RIGHT DESCRIPTION**

Page 3 of 4

WATER RIGHT NO. 21-13347 **As Modified by Transfer No. 90002**

In accordance with the approval of Transfer No. 90002, Water Right No. 21-13347 is now described as follows:

Right Holder: PHILLIPS BROTHERS FARM & LIVESTOCK
1851 W 600 N
BLACKFOOT, ID 83221-5056

Priority Date: 10/15/1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
COMMERCIAL	1/1	to 12/31	0.020 cfs 0,020 cfs	3.1 af 3.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER LB (SESW) Sec 17 Twp 12N Rge 43E FREMONT County

PLACE OF USE: COMMERCIAL

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N	43E	17												X					0.0
														1.8					

CONDITIONS OF APPROVAL

1. Rights 21-13346 and 21-13347 when combined shall not exceed a total diversion rate of 0.3 cfs and a total annual maximum diversion volume of 3.1 af.
2. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
3. Commercial use is for a gas station and convenience/hardware store.
4. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
5. 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.
6. Place of use and point of diversion are located within Lots 1-4, Blk. 4; Island Park Last Chance Ranch Div#1.

Transfer No. 90002

WATER RIGHT NO. 21-13347
As Modified by Transfer No. 90002

CONDITIONS OF APPROVAL

7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Transfer No. 90002



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

March 24, 2026

MMLH LLC
101 E MAIN ST STE 202
REXBURG ID 83440-2017

Re: Change in Ownership for Water Right No(s): 21-13347

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 208-525-7161.

Sincerely,

Misty Pettis
Office Specialist 2

Enclosure(s)

cc: THE BANK OF COMMERCE
AXA EQUITABLE LIFE INSURANCE CO