

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED ✓

FEB 23 2026

DEPT. 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?
37-4188	Yes ☐	Yes ☐		Yes ☐	Yes ☐
37-5189	Yes ☐	Yes ☐		Yes ☐	Yes ☐
4	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Carl David Pendleton; Theresa Ann Pendleton; The Douglas and Virginia Pendleton Rev Trust

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): 4 Bros. Dairy, Inc.

New owner(s) as listed on the conveyance document

Name connector

☐ and ☐ or

425 N. 250 W.

Mailing address

Shoshone

City

ID

State

83352

Zip

4-208-886-7716, C-208-308-4716

Telephone

af@4brosdairy.com

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.

SUPPORT DATA

IN FILE # 37-4188

8. Signature: Clement Fitzgerald

Signature of new owner/claimant

Clement Fitzgerald

Print name

President

Title, if applicable

1-13-26

Date

Signature: Andrew Fitzgerald

Signature of new owner/claimant

Andrew Fitzgerald

Print name

Secretary

Title, if applicable

1-13-26

Date

Received by SG

Date

2/23/2026

For IDWR Office Use Only:

Receipt No.

5040956

Receipt Amt.

\$50-

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

TW

Date

5/22/2026

25578779 SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged **CARL DAVID PENDLETON** and **THERESA ANN PENDLETON**, husband and wife ("Carl and Theresa"), and **DOUGLAS C. PENDLETON** and **VIRGINIA M. PENDLETON**, as Trustees, or the successor trustees, of **THE DOUGLAS AND VIRGINIA PENDLETON REVOCABLE TRUST**, being a trust created under instrument dated September 25, 1996, collectively the "Grantors", do hereby grant, sell and convey unto **4 BROS. DAIRY, INC.**, an Idaho corporation, whose mailing address is 425 N. 250 W., Shoshone, Idaho 83352, the "Grantee", the following described real property located in Lincoln County, Idaho:

PARCEL NO. 1:

**TOWNSHIP 4 SOUTH, RANGE 17 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO**

Section 35: Part of the S $\frac{1}{2}$ SE $\frac{1}{4}$, more particularly described as follows:

Commencing at the Southeast Corner of Section 35, said corner marked by a 5/8 inch rebar with 3 inch aluminum cap; Thence South 89°53'55" West along the south line of Section 35 for a distance of 39.94 feet to the westerly right-of-way of State Highway 93 which shall be the POINT OF BEGINNING;

Thence South 89°53'55" West along said section line for a distance of 2615.86 feet to a 5/8 inch rebar at the South $\frac{1}{4}$ Corner;

Thence North 00°11'40" East along the west line of the S $\frac{1}{2}$ SE $\frac{1}{4}$ for a distance of 1319.97 feet to a 5/8 inch rebar at the Northwest Corner of the S $\frac{1}{2}$ SE $\frac{1}{4}$;

Thence North 89°51'59" East along the north line of the S $\frac{1}{2}$ SE $\frac{1}{4}$ for a distance of 2618.21 feet to a concrete right-of-way marker on the westerly right-of-way of State Highway 93;

Thence South 00°17'44" West along said highway right-of-way for a distance of 1242.06 feet to concrete right-of-way marker;

Thence South 00°17'44" West along said highway right-of-way for a distance of 79.40 feet to the POINT OF BEGINNING.

PARCEL NO. 2:

**TOWNSHIP 4 SOUTH, RANGE 17 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO**

Section 34: S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and the SE $\frac{1}{4}$

PARCEL NO. 3:

TOWNSHIP 4 SOUTH, RANGE 17 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

Section 35: SW $\frac{1}{4}$

PARCEL NO. 4:

TOWNSHIP 5 SOUTH, RANGE 17 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

Section 2: Lot 2, Lot 3, and Lot 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$

PARCEL NO. 5:

TOWNSHIP 5 SOUTH, RANGE 17 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

Section 3: Lot 1 and Lot 2; S $\frac{1}{2}$ NE $\frac{1}{4}$

EXCEPTING THEREFROM THAT PART OF SAID SECTIONS ABOVE DEEDED
TO THE IDAHO IRRIGATION COMPANY LIMITED, A CORPORATION, BY
DEED RECORDED APRIL 5, 1911, AS INSTRUMENT NO. 21398, LINCOLN
COUNTY RECORDS.

Together with all water rights appurtenant thereto, including, but not limited to, Six
Hundred Fourteen (614) shares of stock in the Big Wood Canal Company, Magic Dam
delivery, and ground water rights Nos. 37-4188 and 37-4189.

(collectively the "Property")

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

Grantors warrant that they are the owners in fee simple of the Property; that they have not
conveyed any interest in the Property to any person other than Grantee; that the Property is free
from all encumbrances created or suffered by Grantors; and that Grantors will warrant and defend
the same against all lawful claims of all persons claiming by, through or under Grantors, SUBJECT
TO the following:

1. Taxes and assessments for 2026 and subsequent years.

2. The Property described herein is located within the boundaries of the American Falls Reservoir District #2 and is subject to any assessments levied thereby.
3. The Property described herein is located within the district boundaries of the Big Wood Canal Company and is subject to any assessments levied thereby.
4. Right-of-way for roads, canals, laterals and waste ditches and the rights of access thereto for maintenance of said Big Wood Canal Company.
5. 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.
6. Title to, and easements in, any portion of the land lying within any highways, roads, streets, or other ways.
7. Terms and conditions contained in a/an Deed by and between Leonora G. Novinger, a single person and Idaho Irrigation Company, Limited.
Recorded: September 6, 1910
Instrument No.: 18211
8. Exceptions and Reservations as contained in a/an Deed.
Executed by: United States of America
Recorded: June 13, 1911
Instrument No.: 22360
9. Agreement, including the terms and provisions thereof, by and between Idaho Irrigation Company, Limited and Laura Patton.
Recorded: November 23, 1923
Instrument No.: 59659
10. Agreement, including the terms and provisions thereof, by and between Idaho Irrigation Company, Limited and Laura Patton.
Recorded: November 23, 1923
Instrument No.: 59660
11. An easement, including the terms and provisions thereof, as set forth in a/an Right-of-Way Deed.
Granted to: State of Idaho
Recorded: July 9, 1930
Instrument No.: 67016
12. An easement, including the terms and provisions thereof, as set forth in a/an Easement.
Granted to: The Mountain States Telephone and Telegraph Co.
Recorded: May 8, 1939
Instrument No.: 79939
13. An easement, including the terms and provisions thereof, as set forth in a/an Easement and Right-of-Way.
Granted to: Intermountain Gas Company
Recorded: October 5, 1965
Instrument No.: 117456
14. License Agreement, including the terms and provisions thereof, by and between Big Wood Canal Company, an Idaho corporation or American Falls Reservoir District No. 2 and Jim Scarrow.

Recorded: September 13, 2007

Instrument No.: 183749

15. License Agreement, including the terms and provisions thereof, by and between Big Wood Canal Company, an Idaho corporation or American Falls Reservoir District No. 2 and Carl Pendleton.

Recorded: August 11, 2011

Instrument No.: 190769

16. An easement, including the terms and provisions thereof, as set forth in a/an Permanent Easement.

Granted to: Intermountain Gas Company

Recorded: May 29, 2014

Instrument No.: 194986

DATED THIS 12 day of January, 2026.

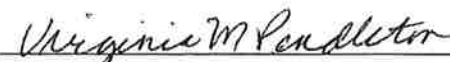
“GRANTORS”


CARL DAVID PENDLETON


THERESA ANN PENDLETON

THE DOUGLAS AND VIRGINIA PENDLETON REVOCABLE TRUST,
being a trust created under instrument dated September 25, 1996


DOUGLAS C. PENDLETON, Co-Trustee


VIRGINIA M. PENDLETON, Co-Trustee

STATE OF IDAHO)
 ss:
County of Jerome)

On this 12th day of January, 2026, before me, the undersigned, a Notary Public in and for said County and State, personally appeared CARL DAVID PENDLETON and THERESA ANN PENDLETON, husband and wife, known to me to be the persons whose names are subscribed to the within and foregoing instrument, and who acknowledged to me that they executed the same.

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



Laury Lamb
NOTARY PUBLIC for Idaho
Residing at: Jerome, ID
Commission Expires: 04/02/2028

STATE OF IDAHO)
 ss:
County of Jerome)

On this 12th day of January, 2026, before me, the undersigned, a Notary Public in and for said County and State, personally appeared DOUGLAS C. PENDLETON and VIRGINIA M. PENDLETON, Co-Trustees of THE DOUGLAS AND VIRGINIA PENDLETON REVOCABLE TRUST, being a trust created under instrument dated September 25th, 1996, known to me to be the persons whose names are subscribed to the within and foregoing instrument, and who acknowledged to me that they executed the same in such capacities.

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



Laury Lamb
NOTARY PUBLIC for Idaho
Residing at: Jerome, ID
Commission Expires: 04/02/2028



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

May 22, 2026

4 BROS DAIRY INC
425 N 250 W
SHOSHONE ID 83352-5141

Re: Change in Ownership for Water Right No(s): 37-4189

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 208-293-9912.

Sincerely,

Tyler Wallace
Engineer Associate

Enclosure(s)

C:
TITLEONE, GOODING FILE #25578779



RECEIVED

FEB 23 2026

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Ph.208-324-3357

www.titleonecorp.com

February 17, 2026

Idaho Dept of Water Resources
650 Addison Ave W., Ste 500
Twin Falls, ID 893301

RE: Water Rights Transfer
File # 25578779

Seller: The Douglas and Virginia Pendleton Revocable Trust being a trust created under instrument dated September 25, 1996 and Carl David Pendleton and Theresa Ann Pendleton and Investment Property Exchange Services, Inc. a California corporation, as Qualified Intermediary under Exchange No. EX-08-10252-KAG for Carl David Pendleton and Theresa Ann Pendleton

Buyer: 4 Bros. Dairy, Inc., an Idaho Corporation

Enclosed please find the following:

1. Notice of Change in Water Right Ownership
2. Copy of recorded Warranty Deed, Instrument # 211694
3. Plat Map
4. TitleOne Check No. 62592, in the amount of \$50.00

Please transfer 37-4188 & 37-5189) to 4 Bros. Dairy, Inc., an Idaho Corporation. **Return Notice of Completion TitleOne.**

Thank you.

Laury Lamb
llamb@titleonecorp.com
205-324-5613