Form 42-248/42-1409(6) Rev. 1/15

RECEIVED
SEP 26 2018
DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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.

split #'s:
36-17154
36-17153
36-17155

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
36-7408	Yes ☒	Yes ☐		Yes ☐	Yes ☐
36-7560	Yes ☒	Yes ☐		Yes ☐	Yes ☐
36-7603	Yes ☒	Yes ☐		Yes ☐	Yes ☐
36-11050	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-12074	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: B Bar K, LLC
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Sunrise Organic Dairy, LLC
New owner(s) as listed on the conveyance document — Name connector ☐ and ☐ or ☐ and/or

329 ~~298~~ S. 417 E. | Jerome | ID | 83338
Mailing address | City | State | ZIP

208.733.5235
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: September 21, 2018.

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.

SUPPORT DATA
IN FILE # 36-7408

8. Signature: [signature] | Member | 9-21-18
Signature of new owner/claimant | Title, if applicable | Date

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

For IDWR Office Use Only:

Receipted by AI Date 9.26.18 Receipt No. 5036977 Receipt Amt. $350

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 AI Date 4/3/2019

Instrument # 2183887
JEROME COUNTY, JEROME, IDAHO
09-21-2018 03:59:51 PM No. of Pages: 7
Recorded for: TITLEONE - BURLEY
MICHELLE EMERSON Fee: $15.00
Ex-Officio Recorder Deputy: jw
Electronically Recorded by Simplifile

ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT.

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged That **B BAR K, LLC**, an Idaho limited liability company, also shown of record as B bar K, LLC, the "Grantor", hereby grants, bargains, sells, and conveys unto **SUNRISE ORGANIC DAIRY, LLC**, an Idaho limited liability company, whose address is 329 S. 417 E, Jerome, Idaho 83338, the "Grantee", the following described premises located in Jerome County, Idaho, to wit:

PARCEL NO. 1

TOWNSHIP 9 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN, JEROME COUNTY, IDAHO

Section 2: Tract J and K;

EXCEPT a parcel located in Farm Tract J in Section 2, Township 9 South, Range 21 East Boise Meridian, Jerome County, Idaho, and more particularly described as follows:

Commencing at the Southwest corner of said Section 2;
Thence North 00°00'29" East along the West boundary of said Section 2 for a distance of 1250.00 feet to THE POINT OF BEGINNING;
Thence North 89°58'43" East for a distance of 299.70 feet;
Thence North 00°00'35" East for a distance of 399.55 feet;
Thence South 89°58'43" West for a distance of 299.71 feet to a point on the West boundary of said Section 2;
Thence South 00°00'29" West along the West boundary of said Section 2 for a distance of 399.55 feet to THE POINT OF BEGINNING.

PARCEL NO. 2

TOWNSHIP 9 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN, JEROME COUNTY, IDAHO

Section 2: Part of Tract L, described as follows:

Beginning at the South 1/4 corner of Section 2 in Township 9 South, Range 21 East Boise Meridian, said corner marked by a 5/8 inch rebar which shall be THE POINT OF BEGINNING;
Thence North 89°37'16" West along the South line of Section 2 for a distance of 659.93 feet to a 5/8 inch rebar at Corner No. 3 of Tract L;
Thence North 00°27'19" East along a line common to Tract L and Tract K for a distance of 1997.93 feet to Corner No. 2 of Tract L;

(3)

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged That **B BAR K, LLC**, an Idaho limited liability company, also shown of record as B bar K, LLC, the "Grantor", hereby grants, bargains, sells, and conveys unto **SUNRISE ORGANIC DAIRY, LLC**, an Idaho limited liability company, whose address is 329 S. 417 E, Jerome, Idaho 83338, the "Grantee", the following described premises located in Jerome County, Idaho, to wit:

PARCEL NO. 1

TOWNSHIP 9 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN, JEROME COUNTY, IDAHO

Section 2: Tract J and K;

EXCEPT a parcel located in Farm Tract J in Section 2, Township 9 South, Range 21 East Boise Meridian, Jerome County, Idaho, and more particularly described as follows:

Commencing at the Southwest corner of said Section 2;
Thence North 00°00'29" East along the West boundary of said Section 2 for a distance of 1250.00 feet to THE POINT OF BEGINNING;
Thence North 89°58'43" East for a distance of 299.70 feet;
Thence North 00°00'35" East for a distance of 399.55 feet;
Thence South 89°58'43" West for a distance of 299.71 feet to a point on the West boundary of said Section 2;
Thence South 00°00'29" West along the West boundary of said Section 2 for a distance of 399.55 feet to THE POINT OF BEGINNING.

PARCEL NO. 2

TOWNSHIP 9 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN, JEROME COUNTY, IDAHO

Section 2: Part of Tract L, described as follows:

Beginning at the South 1/4 corner of Section 2 in Township 9 South, Range 21 East Boise Meridian, said corner marked by a 5/8 inch rebar which shall be THE POINT OF BEGINNING;
Thence North 89°37'16" West along the South line of Section 2 for a distance of 659.93 feet to a 5/8 inch rebar at Corner No. 3 of Tract L;
Thence North 00°27'19" East along a line common to Tract L and Tract K for a distance of 1997.93 feet to Corner No. 2 of Tract L;

Thence South 88°40'59" East along a line common to Tract L and Tract H for a distance of 350.12 feet to a 5/8 inch rebar;
Thence South 88°40'59" East along said tract line for a distance of 770.98 feet to a 5/8 inch rebar at Corner No. 1 of Tract L;
Thence South 00°24'34" West along a line common to Tract L and Tract M for a distance of 1844.26 feet;
Thence North 89°33'17" West for a distance of 153.60 feet to a 1/2 inch rebar;
Thence South 00°26'43" West for a distance of 105.78 feet to a 1/2 inch rebar;
Thence South 00°26'43" West for a distance of 30.00 feet to the South line of Section 2;
Thence North 89°34'04" West along said Section line for a distance of 308.95 feet to THE POINT OF BEGINNING.

PARCEL NO. 3

TOWNSHIP 9 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN, JEROME COUNTY, IDAHO

Section 2: Part of Tract M, described as follows:

Beginning at the South 1/4 corner of Section 2, Township 9 South, Range 21 East Boise Meridian, said corner marked by a 5/8 inch rebar;
Thence South 89°34'04" East along the South line of Section 2 for a distance of 886.70 feet to THE POINT OF BEGINNING;
Thence North 00°26'43" East for a distance of 30.00 feet to a 1/2 inch rebar;
Thence North 00°26'43" East for a distance of 105.78 feet to a 1/2 inch rebar;
Thence North 89°33'17" West for a distance of 424.16 feet to a line common to Tract M and Tract L;
Thence North 00°24'34" East along said tract line for a distance of 1332.76 feet to a 5/8 inch rebar at Corner No. 3 of Tract M;
Thence South 81°17'56" East along a line common to Tract M and Tract G for a distance of 1355.64 feet to a U.B.B.R. iron pipe with brass cap at Corner No. 2 of Tract M;
Thence South 59°54'03" East along a line common to Tract M and Tract G for a distance of 956.62 feet to a 5/8 inch rebar at Corner No. 1 of Tract M;
Thence South 00°01'41" West along the East line of Section 2 for a distance of 800.07 feet to a U.S.R.S. iron pipe with brass cap at the Southeast corner of Section 2;
Thence North 89°34'04" West along the South line of Section 2 for a distance of 1753.76 feet to THE POINT OF BEGINNING.

PARCEL NO. 4

TOWNSHIP 9 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN, JEROME COUNTY, IDAHO

Section 2: Part of Tract D, Tract G and Tract H, described as follows:

Beginning at the East 1/4 corner of Section 2, Township 9 South, Range 21 East Boise Meridian, said corner marked by a 5/8 inch rebar;
Thence South 00°01'41" West along the East line of Section 2 for a distance of 213.39 feet to THE POINT OF BEGINNING;
Thence South 00°01'41" West along said section line for a distance of 1625.71 feet to a 5/8 inch rebar at Corner No. 6 of Tract G;
Thence North 59°54'03" West along a line common to Tract G and Tract M for a distance of 956.62 feet to a U.S.R.S. iron pipe with brass cap at Corner No. 5 of Tract G;
Thence North 81°17'56" West along a line common to Tract G and Tract M for a distance of 1355.64 feet to a 5/8 inch rebar at Corner No. 4 of Tract G;
Thence North 00°24'34" East along a line common to Tract G and Tract L for a distance of 511.50 feet to a 5/8 inch rebar at Corner No. 3 of Tract G;
Thence North 88°40'59" West along a line common to Tract H and Tracts L, K & J for a distance of 2336.51 feet to a 5/8 inch rebar at Corner No. 10 of Tract H;
Thence North 01°22'57" West along a line common to Tract H and Tract F for a distance of 392.76 feet to a U.S.R.S. iron pipe with brass cap at Corner No. 9 of Tract H;
Thence North 10°39'37" West along a line common to Tract H and Tract F for a distance of 313.90 feet to a 5/8 inch rebar at Corner No. 8 of Tract H;
Thence North 00°00'45" West (North 00°02'10" West, Rec.) for a distance of 435.60 feet to a 1/2 inch rebar;
Thence South 89°59'15" West (South 89°57'50" West, Rec.) for a distance of 711.65 feet (711.67 feet, Rec.) to a 1/2 inch rebar on the West line of Section 2;
Thence North 00°00'46" West along said section line for a distance of 773.69 feet to a 5/8 inch rebar at Corner No. 6 of Tract H;
Thence South 79°43'37" East along a line common to Tract H and Tract E for a distance of 687.86 feet to a U.S.R.S. iron pipe with brass cap at Corner No. 5 of Tract H;
Thence North 81°48'13" East along a line common to Tract H and Tract E for a distance of 1050.69 feet to Corner No. 4 of Tract H;
Thence South 76°49'47" East along a line common to Tract H and Tract E for a distance of 705.52 feet to Corner No. 4 of Tract D;
Thence North 21°04'14" East along a line common to Tract D and Tract E for a distance of 142.09 feet;
Thence South 89°57'24" East for a distance of 268.96 feet to a 1/2 inch rebar;
Thence South 89°57'24" East for a distance of 2557.30 feet to a 5/8 inch rebar on the East line of Section 2;
Thence South 00°02'12" West along said section line for a distance of 1039.33 feet;
Thence North 85°26'39" West (North 85°39' West, Rec.) for a distance of 211.54 feet (212.17 feet, Rec.) to a 1/2 inch rebar;
Thence South 00°01'37" West (South 0°02' West, Rec.) for a distance of 516.84 feet to a 1/2 inch rebar;
Thence North 87°50'00" East for a distance of 180.97 feet to a 1/2 inch rebar;
Thence North 87°50'00" East for a distance of 30.02 feet to THE POINT OF BEGINNING.

EXCEPTING THEREFROM that part of Tract H and Tract D, described as follows:

Beginning at the West 1/4 corner of Section 2, Township 9 South, Range 21 East Boise Meridian, said corner marked by a 5/8 inch rebar;
Thence North 00°00'46" West along the West line of Section 2 for a distance of 509.37 feet to a 1/2 inch rebar which shall be THE POINT OF BEGINNING;
Thence North 00°00'46" West along said section line for a distance of 773.69 feet to a 5/8 inch rebar at Corner No. 6 of Tract H;
Thence South 79°43'35" East along a line common to Tract H and Tract E for a distance of 687.86 feet to a U.S.B.R. iron pipe with brass cap at Corner No. 5 of Tract H;
Thence North 81°48'13" East along a line common to Tract H and Tract E for a distance of 1050.69 feet to Corner No. 4 of Tract H;
Thence South 76°49'47" East along a line common to Tract H and Tract E for a distance of 705.52 feet to Corner No. 6 of Tract E;
Thence North 21°04'14" East along a line common to Tract D and Tract E for a distance of 142.09 feet;
Thence South 89°57'24" East (South 89°58'00" East, rec.) for a distance of 268.96 feet to a ½ inch rebar;
Thence South 00°38'26" West for a distance of 110.04 feet to a ½ inch rebar;
Thence South 52°33'55" West for a distance of 122.16 feet to a line common to Tract D and Tract H;
Thence South 52°33'55" West for a distance of 1684.73 feet to a 1/2 inch rebar;
Thence North 89°57'10" West for a distance of 575.90 feet to a 5/8 inch rebar at Corner No. 8 of Tract H;
Thence North 00°00'45" West for a distance of 435.60 feet to a 1/2 inch rebar;
Thence South 89°59'15" West for a distance of 711.65 feet to THE POINT OF BEGINNING.

Together with 143.2 acres of irrigation water in the A & B Irrigation District appurtenant thereto, and the following groundwater rights in the quantities described:

36-7408 (.81 cfs, .162.8 AFA, and 40.7 irrigable acres of water)

36-7560 (2.41 cfs, 585.6 AFA, and 146.4 irrigable acres of water)

36-7603 (.78 cfs, 155.7 AFA, and 38.9 irrigable acres of water)

36-11050 (all)

36-12074 (all)

(The foregoing real property and water rights are referred to below as "the Property".)

TO HAVE AND TO HOLD, unto Grantee, its successors and assigns forever.

SUBJECT TO the following: (a) general taxes and assessments, which are not yet due and payable; and (b) the encumbrances, easements, restrictions and matters set forth on **EXHIBIT A** attached hereto and incorporated herein (collectively the "Permitted Exceptions").

Grantor warrants that she is the owner in fee simple of the Property; that she has 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 Grantor, except for the Permitted Exceptions; and that Grantor will warrant and defend the same against all lawful claims of all persons claiming by, through or under Grantor.

IN WITNESS WHEREOF, the parties have executed the within instrument as of the 21 day of September, 2018.

"GRANTOR"
B BAR K, LLC
an Idaho limited liability company

Gary Carney
GARY CARNEY, Member

Barbara Carney
BARBARA CARNEY, Member

STATE OF IDAHO)
ss:
County of Cassia)

On this 21 day of September, 2018, before me, the undersigned, a Notary Public in and for said County and State, personally appeared GARY CARNEY, as a Member of B BAR K, LLC, an Idaho limited liability company, known to me to be the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that he executed the same in such capacity.

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

Annette Roth
NOTARY PUBLIC for Idaho
Residing at: Rupert Id
Commission Expires: 8-4-2023

ANNETTE ROTH
NOTARY PUBLIC
STATE OF IDAHO

STATE OF IDAHO)
ss:
County of Cassia)

On this 21 day of September, 2018, before me, the undersigned, a Notary Public in and for said County and State, personally appeared BARBARA CARNEY, as a Member of B BAR K, LLC, an Idaho limited liability company, known to me to be the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that he executed the same in such capacity.

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

Annette Roth
NOTARY PUBLIC for Idaho
Residing at: Rupert Id
Commission Expires: 8-4-2023

ANNETTE ROTH
NOTARY PUBLIC
STATE OF IDAHO

EXHIBIT A

1. Taxes and assessments for 2018 and subsequent years.

2. The land described herein is located within the boundaries of A & B Irrigation District and is subject to any assessments levied thereby.

3. 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.

4. Right-of-way for roads, canals, laterals and waste ditches and the rights of access thereto for maintenance of said ditches, dated August 21, 1907, recorded in Book 15 Page 589, Jerome County records.

5. All matters, and any rights, easements, interests or claims as disclosed by Survey recorded December 22, 2005 as Instrument No. 2057143.

6. Terms, conditions, easements and, obligations, if any, contained in Joint Well and Easement by and between Gary Carney and Barbara Carney, husband and wife and Paul Carney and Polly Carney, husband and wife.
Recorded: July 6, 2007
Instrument No: 2074057

7. Terms, conditions, easements and, obligations, if any, contained in Shared Well and Irrigation Easement and Agreement by and between Gary Carney and Barbara Carney, husband and wife and Paul Carney and Polly Carney, husband and wife.
Recorded: April 21, 2011
Instrument No: 2111952

8. Any trust, right, interest or claim that may exist, arise, or be asserted against the Title under or pursuant to the Packers and Stockyard
Act of 1921, as amended, 7 U.S.C. 181, et seq., or any similar state or federal law.

9. Restriction for Non-Buildable Parcel for Residential in Quitclaim Deed
Recorded: August 30, 2018
Instrument No.: 2183575
(Parcel No. 3)

State of Idaho
DEPARTMENT OF WATER RESOURCES
Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858
Phone: (208)736-3033 • Fax: (208)736-3037 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

April 03, 2019

SUNRISE ORGANIC DAIRY LLC
329 S 417 E
JEROME ID 83338-6206

Re: Change in Water Right Ownership: 36-11050, 36-12074,
36-7560 (*Split into 36-7560 and 36-17153*),
36-7408 (*Split into 36-7408 and 36-17154*),
36-7603 (*Split into 36-7603 and 36-17155*)

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of rights 36-12074, 36-11050, and a portion of rights 36-7560, 36-7408, and 36-7603 to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each split water right has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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) 736-3033.

Sincerely,

Allison Inouye
Water Resource Agent, Senior

Enclosure(s)

cc: B BAR K LLC
TITLEONE (File No. 18316053)

Water Right Split Calculations - 36-7408, 36-7560, 36-7603

Split amounts specified in warranty deed

		BEFORE SPLIT				Combined Limits					
WR	Priority	cfs	AF	ac lim	tot ac	cfs	AF	ac lim	cfs	AF	ac lim
36-7408	11/21/1973	1.84	368	92	779	2.06	720	180	7.51	2044	511
36-7603	1/29/1976	1.76	352	88	779						
36-7560	3/3/1976	5.45	1324	331	779						

		CHILD RIGHT				Combined Limits					
WR	Priority	cfs	AF	ac lim	tot ac	cfs	AF	ac lim	cfs	AF	ac lim
36-17154	11/21/1973	0.81	162.8	40.7	345	0.91	318.5	79.6	3.32	904.1	226
36-17155	1/29/1976	0.78	155.7	38.9	345						
36-17153	3/3/1976	2.41	585.6	146.4	345						

		PARENT AFTER SPLIT				Combined Limits					
WR	Priority	cfs	AF	ac lim	tot ac	cfs	AF	ac lim	cfs	AF	ac lim
36-7408	11/21/1973	1.03	205.2	51.3	434	1.15	401.5	100.4	4.19	1139.9	285
36-7603	1/29/1976	0.98	196.3	49.1	434						
36-7560	3/3/1976	3.04	738.4	184.6	434						

RECEIVED
SEP 26 2018
DEPT OF WATER RESOURCES
SOUTHERN REGION

TitleOne
a title & escrow co.

September 25, 2018

Trish Fawcett
ID Dept. of Water Resources
650 Addison Ave. West, Ste. 500
Twin Falls, ID 83301

RE: TitleOne file No. 18316053
Sunrise Organic Dairy, LLC/B bar K, LLC

Dear Trish:

Enclosed with this letter please find the following:

1. The original executed Notice of Change in Water Right Ownership.
2. A copy of the recorded Special Warranty Deed.
3. TitleOne Corporation's check no. 16952 payable to Idaho Department of Water Resources in the amount o $350.00 for water transfer fees.

Please make the necessary changes in the records to indicate the new owner as Sunrise Organic Dairy, LLC. Please send a receipted copy to this office.

Should you have any questions, or if TitleOne Corporation may be of further assistance, please do not hesitate to contact this office.

Very truly yours,
TITLEONE CORPORATION

Nancy Garrett

Nancy Garrett
Administrative Assistant

AR/nrg
Enc.
FedEx