

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Robert L. Harris
Holden, Kidwell, Hahn & Crane, P.L.L.C.
PO Box 50130
Idaho Falls, ID 83405

Instrument # 1511174
IDAHO FALLS, BONNEVILLE, IDAHO
2015-11-03 03:02:10 PM No. of Pages: 3
Recorded for: PIONEER TITLE CO OF BONNEVILLE
RONALD LONGMORE Fee: \$16.00
Ex-Officio Recorder Deputy C Summers
Index To: DEED WARRANTY
Electronically Recorded by Simplifile

PTC 2015097876

(Space Above for Recorder's Use)

SPECIAL WARRANTY DEED FOR WATER RIGHT

Sunnyside Estates Water Users, an Idaho non-profit cooperative association, whose address is c/o Mark Freeman (President), 3760 Washington Parkway, Idaho Falls, Idaho 83404, and the successor entity to said water users, Sunnyside Estates Water Association, Inc., an Idaho corporation, whose address is 3760 Washington Parkway, Idaho Falls, Idaho 83404, (collectively, Sunnyside Estates Water Association, Inc. and Sunnyside Estates Water Users are the "Grantor") does hereby grant, bargain, sell, assign, and convey unto Derbyhawk LLC, an Idaho limited liability company, whose address is c/o Layne McCord, 2174 Irene Lane, Idaho Falls, Idaho 83404 ("Grantee") and to Grantee's heirs and assigns forever, all of Grantor's right title and interest in Water Right No. 25-07553 which is described in Exhibit A hereto.

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 officers of Grantor, acting on behalf of Grantor, has caused his name to be hereunto subscribed.

DATED this 24 day of October, 2015.

**SUNNYSIDE ESTATES WATER USERS, an
Idaho non-profit cooperative association**

By: [Signature]
Mark Freeman, Member

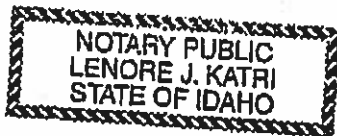
**SUNNYSIDE ESTATES WATER
ASSOCIATION, INC., an Idaho corporation and
successor entity to Sunnyside Estates Water Users**

By: [Signature]
Mark Freeman, President

STATE OF IDAHO)
) ss.
County of BONNEVILLE)

On this 24th day of Oct., 2015, before me, a Notary Public for said County and State, personally appeared MARK FREEMAN, known or identified to me, to be one of the members of the Idaho non-profit cooperative association of SUNNYSIDE ESTATES WATER USERS and the member or one of the members who subscribed said association's name to the foregoing instrument, and acknowledged to me that he executed the same in said association's name.

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

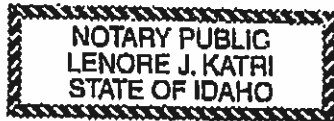


[Signature]
NOTARY PUBLIC FOR IDAHO
Residing at: _____ Residing at Idaho Falls, ID
My commission expires: 01-30-2021

STATE OF IDAHO)
) ss.
County of BONNEVILLE)

On this 24th day of Oct, 2015, before me, a Notary Public for said County and State, personally appeared MARK FREEMAN, known or identified to me, to be the President of the Idaho corporation of SUNNYSIDE ESTATES WATER ASSOCIATION, INC. and the person who subscribed said corporation's name to the foregoing instrument, and acknowledged to me that he executed the same in said corporation's name.

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




NOTARY PUBLIC FOR IDAHO
Residing at: _____ Residing at Idaho Falls, ID
My commission expires My Commission Expires 01-30-2021



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

July 27, 2017

C.L. "BUTCH" OTTER
Governor

Derbyhawk LLC
c/o Layne McCord
2174 Irene Ln
Idaho Falls ID 83404

GARY SPACKMAN
Director

RE: Change of Ownership for Water Right No(s). 25-7553

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s) to you. The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been deliberately abandoned or forfeited 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 Sections 42-222 and 42-223, Idaho Code.

Also, please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

Jonie Barg
Technical Records Specialist

Enclosure(s)

cc: Holden Kidwell Hahn & Crapo
Water District 120
Bonneville Jefferson Ground Water District



Holden Kidwell
Hahn & Crapo P.L.L.C.
LAW OFFICES

1000 Riverwalk Drive, Suite 200
PO Box 50130
Idaho Falls, Idaho 83405

RECEIVED
JUL 17 2017
Department of Water Resources
Eastern Region

Tel: (208) 523-0620
Fax: (208) 523-9518
www.holdenlegal.com

Email: rharris@holdenlegal.com

July 12, 2017

Idaho Department of Water Resources
Attn: Jonie Barg
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

RE: Notice of Change in Water Right Ownership for Water Right No. 25-7553 in the Name of Derbyhawk LLC.

Dear Jonie:

Enclosed for processing is a *Notice of Change in Water Right Ownership* for the above referenced right (the "Water Right"). Sunnyside Estates Water Association, Inc. (the "Company")—the successor entity to Sunnyside Estates Water Users (the "Co-op")—executed a special warranty deed for water right, deeding the Water Right to Derbyhawk LLC ("Derbyhawk") with Bonneville County Instrument No. 1511174, a copy of which is enclosed. In order to avoid any confusion regarding the status of the Company and the Co-op, the deed is executed by both entities as grantors, conveying any and all interest in the Water Right held by either the Company or the Co-op. As the water right is not being split, we have not included a map. If you need us to submit a map, please let us know, and we would be happy to do so.

We have included the required \$25.00 filing fee pursuant to the Department's instructions. With these documents, we believe you can update the ownership accordingly. If you have any questions or concerns, or need any other documentation, please do not hesitate to give us a call.

Best Regards,

Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosures

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Established in 1896