

DEV ✓

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 17 2012

WATER RESOURCES
WESTERN 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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
PD 51-10323	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Danskin Cattle Co.
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Midnight Sun, Inc., VIII
Name of each new owner as listed on the conveyance document
c/o Charlie Bryan, VP
New owner continued ☐ Name connector ☐ and ☐ or ☐ and/or
PO Box 53
Mailing address
Nampa Idaho 83653
City State ZIP
(208) 466-0419 charles.bryan@ubs.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: July 27, 2012

6. 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.

7. Signature: [Signature] Vice President August 7, 2012
Signature of new owner/claimant Title, if applicable Date
- Signature: _____ Title, if applicable Date

For IDWR Office Use Only:

Received by JA Date 8/17/2012 Receipt No. W010492 Receipt Amt. \$25
Approved by _____ Processed by RS Date 10-15-12

QUITCLAIM DEED

THIS INDENTURE, made this 27th day of July, 2012, between Danskin Cattle Company (also known as Danskin Cattle Co.), an Idaho General Partnership, the Party of the First Part, of P. O. Box 488, Mountain Home, Idaho 83647, and Midnight Sun, Inc., VIII, % UBS AgriVest, LLC, of 242 Trumbull St., Hartford, Connecticut 06103, the Party of the Second Part.

WITNESSETH: That the said Party of the First Part, for and in consideration of the sum of One and No/100 Dollars, and other good and valuable consideration, lawful money of the United States of America, to it in hand paid by the Party of the Second Part, the receipt whereof is hereby acknowledged, does by these presents remise, release, convey and forever quitclaim, unto the said Party of the Second Part, and to its successors and assigns, Idaho Water Right No. 51-10323 as shown by the 2nd Amended Partial Decree that is attached hereto as "Exhibit A" and by this reference made a part hereof.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, said Water Right No. 51-10323 unto the Party of the Second Part, and to its successors and assigns forever.

IN WITNESS WHEREOF, the said Party of the First Part has hereunto executed this instrument the day and year first above written.

Instrument # 278554

MURPHY, OWYHEE, IDAHO

9-5-2012 01:43:29 No. of Pages: 3

Recorded for : GUARANTY TITLE INC

CHARLOTTE SHERBURN Fee: 16.00

Ex-Officio Recorder Deputy B. Evans

Index to: DEED, QUIT-CLAIM

Danskin Cattle Company,
an Idaho General Partnership,

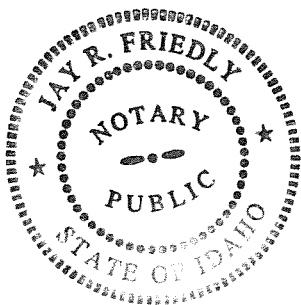
By Robert C. Baker

Robert C. Baker, Operating Partner

STATE OF IDAHO,)
) ss.
COUNTY OF ELMORE,)

On this 27th day of July, in the year 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared Robert C. Baker, known or identified to me, to be the Operating Partner in the partnership of Danskin Cattle Company (also known as Danskin Cattle Co.), and the partner who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership 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.



Jay R. Friedly
Notary Public for Idaho
Residing at: Mtn. Home, ID
My Commission Expires: 5-29-2015

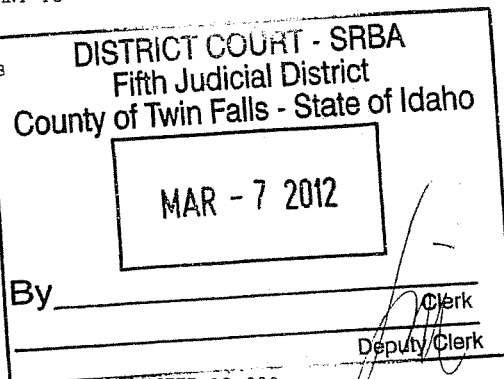
EXHIBIT A

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

2nd **AMENDED**
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

In Re SRBA)
)
Case No. 39576)
_____)

Water Right 51-10323



NAME AND ADDRESS: DANKIN CATTLE CO
C/O ROBERT C BAKER
PO BOX 488
MOUNTAIN HOME, ID 83647

SOURCE: GROUNDWATER

QUANTITY: 0.16 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 04/01/1988

POINT OF DIVERSION: T06S R08E S03 LOT 12 (SWSW) Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic	01-01 TO 12-31	0.04 CFS
	Stockwater	01-01 TO 12-31	0.12 CFS

DOMESTIC USE IS FOR 1 HOME AND POTATO SHED.

PLACE OF USE:	Stockwater		Within Owyhee County
	T06S R08E S04	SWSE	
	S05	SESW	
	S08	SWSE	
	S09	NESE	SESE
	S16	SENE	NESE
Domestic			Within Owyhee County
	T06S R08E S09	NENE	

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

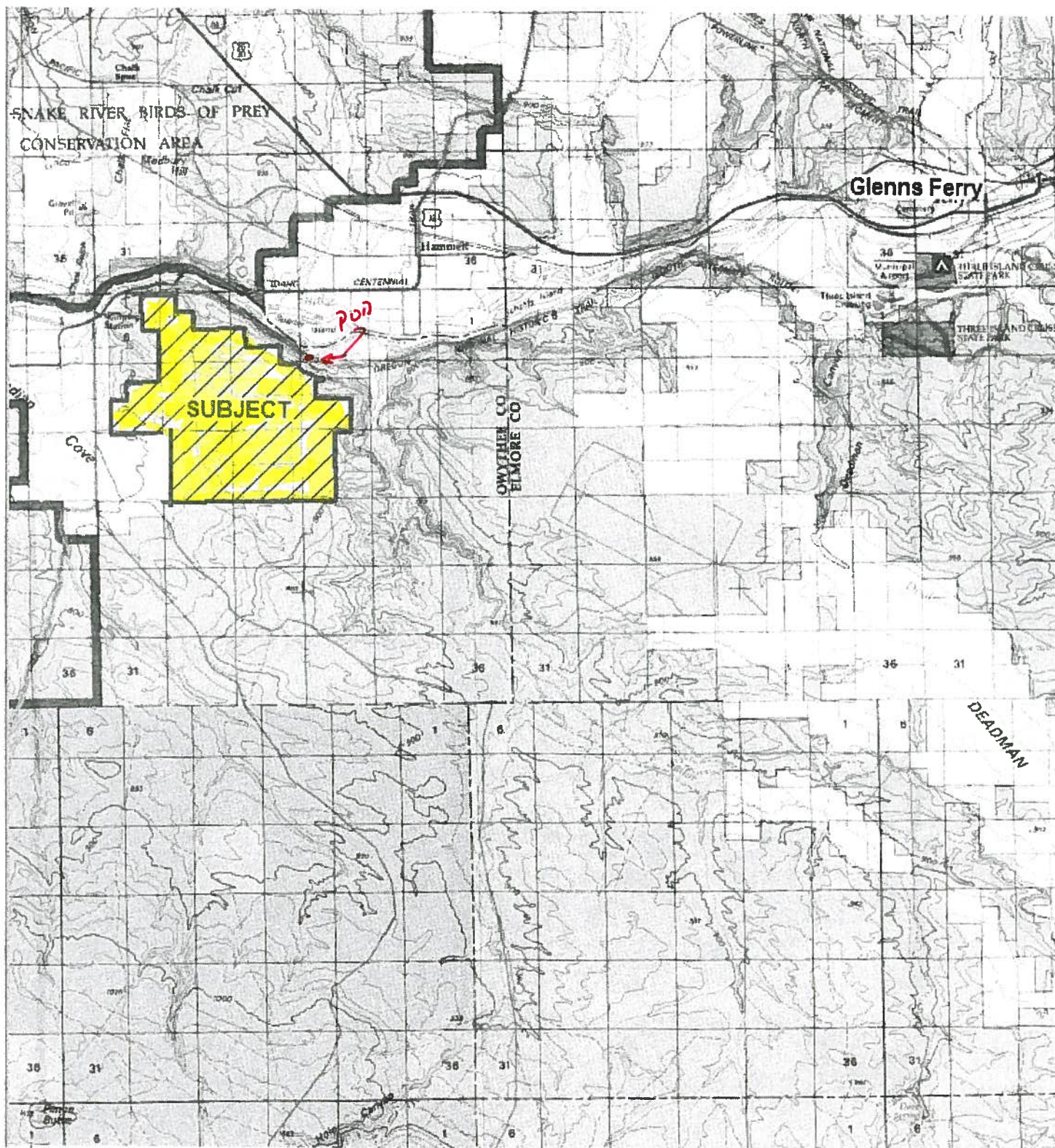
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

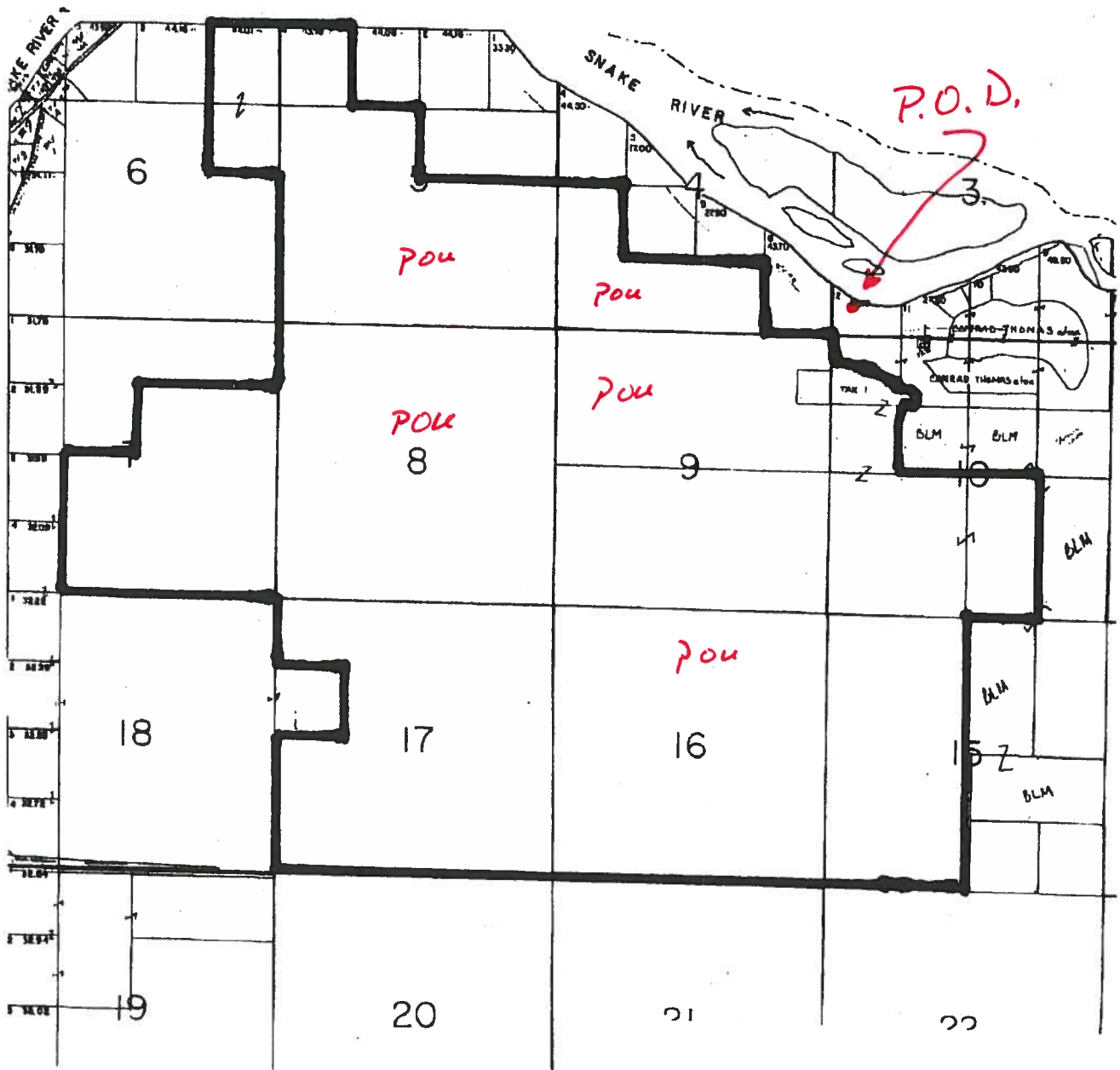
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

Locator Map



County Plat

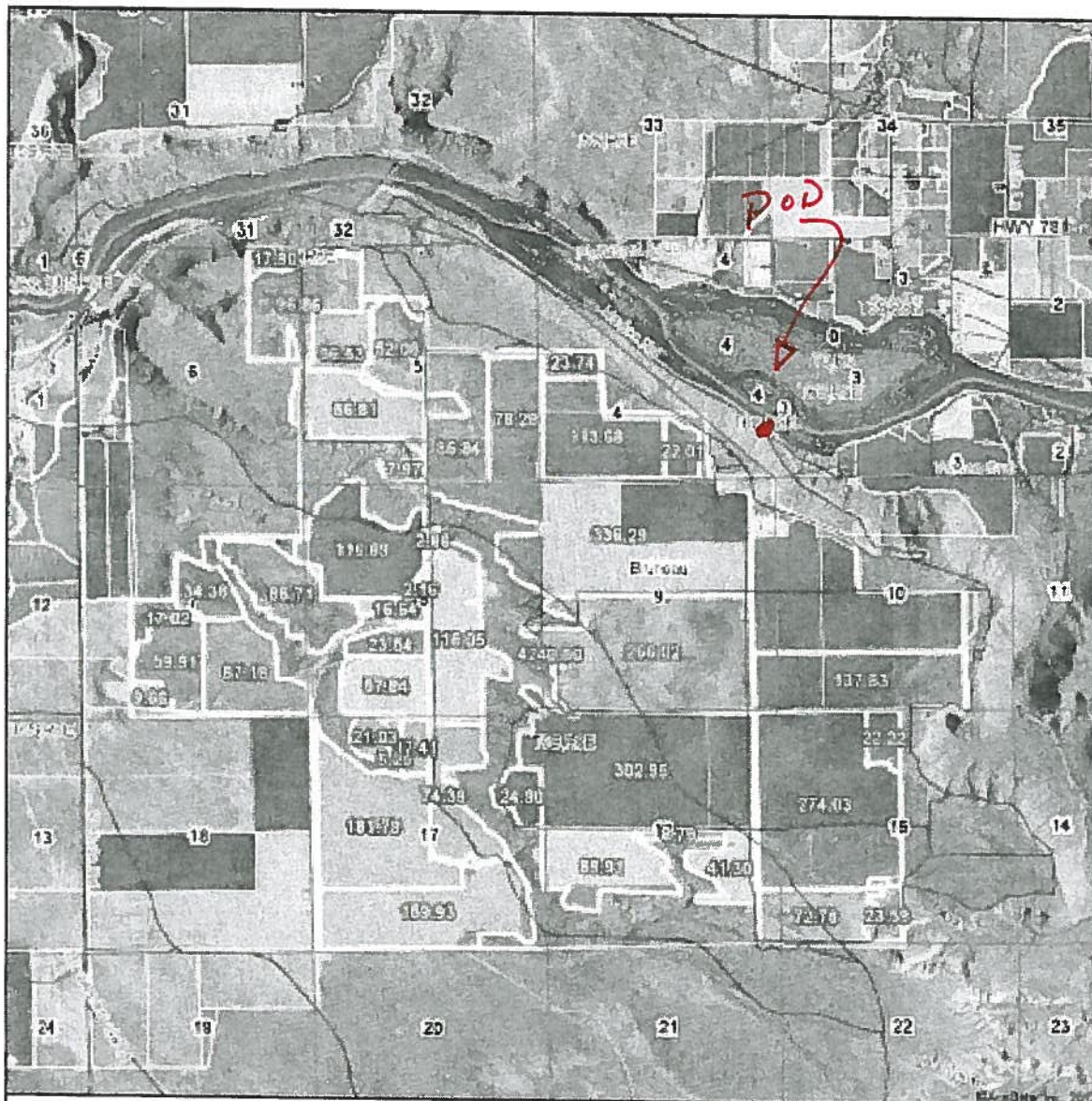


6S 8E

THIS SKETCH IS MADE SOLELY TO ASSIST IN
LOCATING THE PROPERTY. THE COMPANY
ASSUMES NO LIABILITY FOR VARIATION IF
ANY WITH ACTUAL SURVEY.

Aerial Map

Aerial Map



map center: 42° 55' 7.85", 115° 31' 10.28"
scale: 42878

9-65-8E
Owyhee County
Idaho

Map provided by:
surety

©AgriData, Inc. 2012
www.Agridata.com

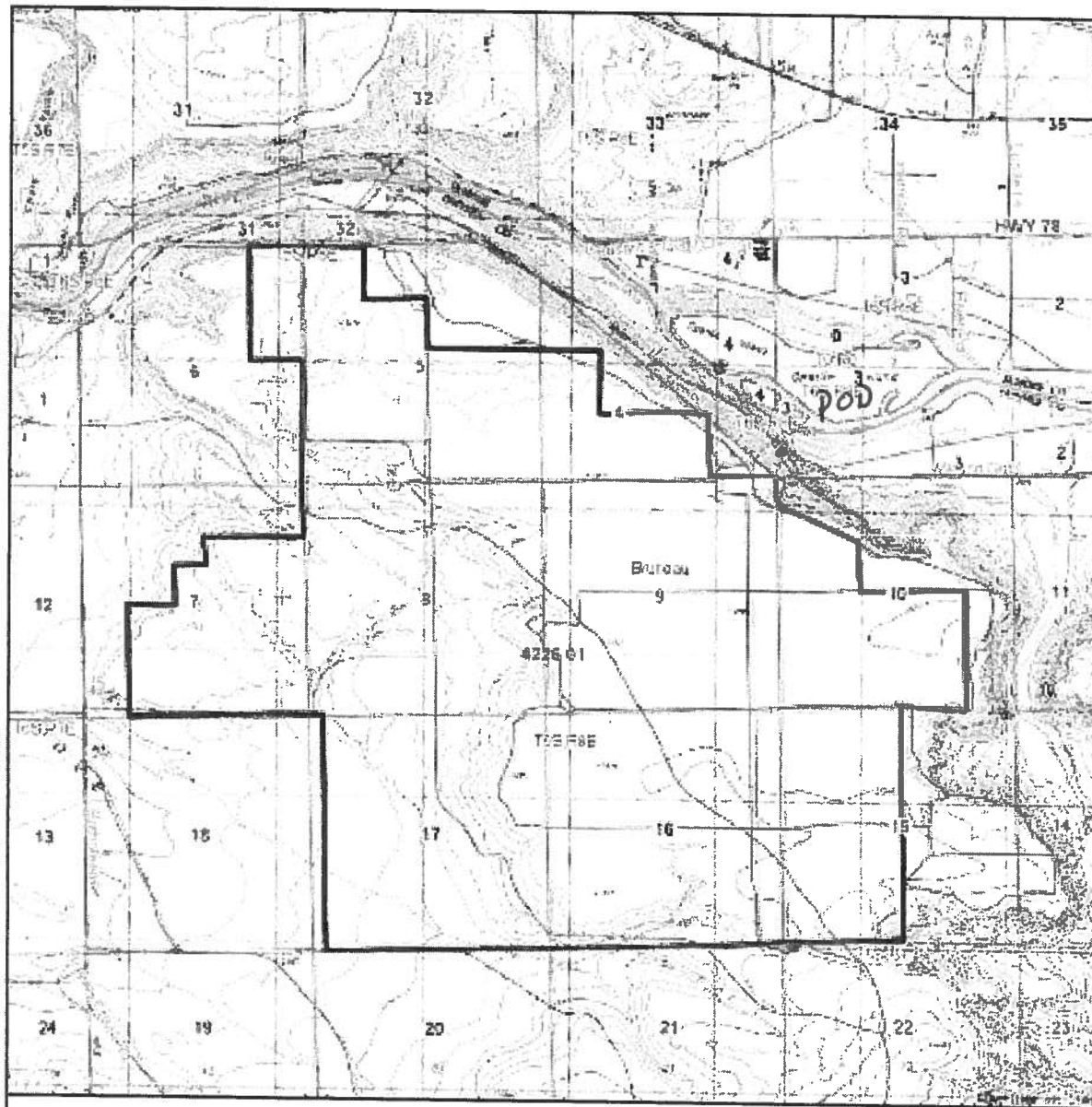


6/5/2012

Field borders provided by Farm Service Agency as of 5/21/2008. Aerial photography provided by Aerial Photography Field Office.

Topography Map

Topography Map



map center: 42° 55' 7.05", 115° 31' 10.26"
scale: 42878

9-6S-8E
Owyhee County
Idaho

Map provided by:
surety

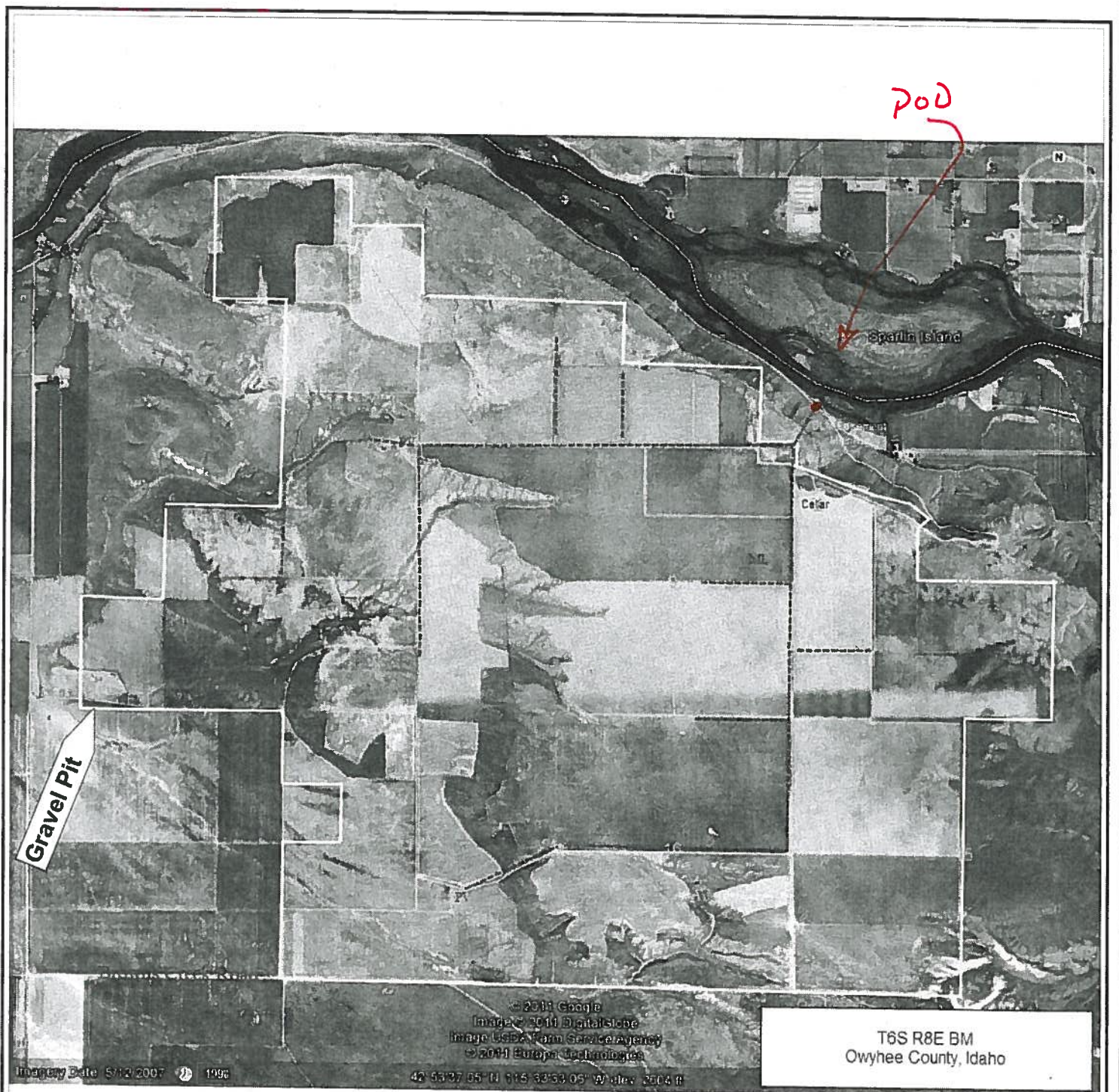
©AgriData, Inc. 2012
www.AgridataInc.com



6/5/2012

Field borders provided by Farm Service Agency as of 5/21/2008. Aerial photography provided by Aerial Photography Field Office.

Subject Plat



QUITCLAIM DEED

THIS INDENTURE, made this 27th day of July, 2012, between Danskin Cattle Company (also known as Danskin Cattle Co.), an Idaho General Partnership, the Party of the First Part, of P. O. Box 488, Mountain Home, Idaho 83647, and Midnight Sun, Inc., VIII, % UBS AgriVest, LLC, of 242 Trumbull St., Hartford, Connecticut 06103, the Party of the Second Part.

WITNESSETH: That the said Party of the First Part, for and in consideration of the sum of One and No/100 Dollars, and other good and valuable consideration, lawful money of the United States of America, to it in hand paid by the Party of the Second Part, the receipt whereof is hereby acknowledged, does by these presents remise, release, convey and forever quitclaim, unto the said Party of the Second Part, and to its successors and assigns, Idaho Water Right No. 51-10323 as shown by the 2nd Amended Partial Decree that is attached hereto as "Exhibit A" and by this reference made a part hereof.

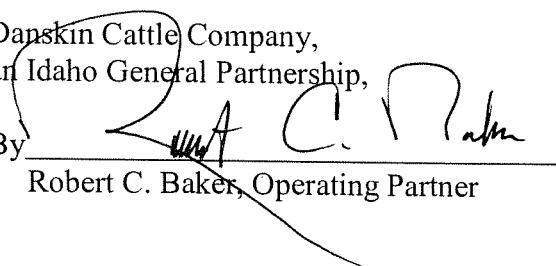
TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, said Water Right No. 51-10323 unto the Party of the Second Part, and to its successors and assigns forever.

IN WITNESS WHEREOF, the said Party of the First Part has hereunto executed this instrument the day and year first above written.

Danskin Cattle Company,
an Idaho General Partnership,

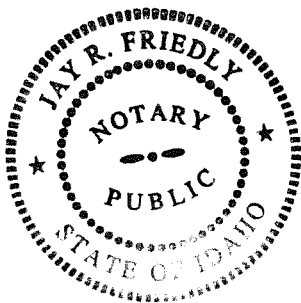
By


Robert C. Baker, Operating Partner

STATE OF IDAHO,)
) ss.
COUNTY OF ELMORE,

On this 27th day of July, in the year 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared Robert C. Baker, known or identified to me, to be the Operating Partner in the partnership of Danskin Cattle Company (also known as Danskin Cattle Co.), and the partner who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership 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.



Jay R. Friedly
Notary Public for Idaho
Residing at: Mtn. Home, ID
My Commission Expires: 5-29-2015

EXHIBIT A

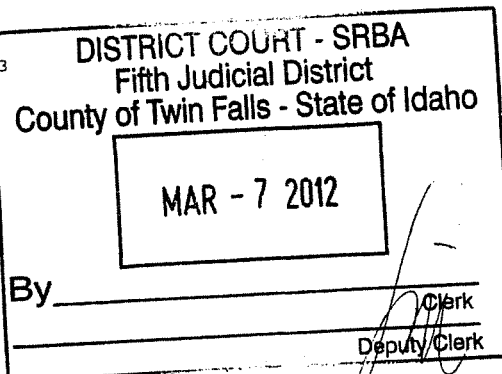
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

and **AMENDED**

In Re SRBA)
)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 51-10323



NAME AND ADDRESS: DANKIN CATTLE CO
C/O ROBERT C BAKER
PO BOX 488
MOUNTAIN HOME, ID 83647

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PLACE OF USE:

Stockwater		Within Owyhee County
T06S R08E S04	SWSE	
S05	SESW	
S08	SWSE	
S09	NESE	SESE
S16	SENE	NESE
Domestic		Within Owyhee County
T06S R08E S09	NENE	

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

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RULE 54(b) CERTIFICATE

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Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

20110874

WARRANTY DEED

11422

For Value Received,

DANSKIN CATTLE, LLC

the Grantor does hereby grant, bargain, sell, convey and warrant unto

MIDNIGHT SUN, INC, VIII

the Grantee whose current address is:
c/o UBS AgriVest, LLC
242 Trumbull St, Hartford, CT 05103

the following described real property in Owyhee County, State of Idaho more particularly described as follows, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that he will warrant and defend the same from all lawful claims whatsoever, except those of record.

Date: November 7, 2011

DANSKIN CATTLE, LLC
Dansk in Cattle, LLC
by Robert C. Baker, member

ELECTRONICALLY RECORDED

By: Pioneer Title Company Fee: \$450

Instrument # 275985
Date: 11-10-11 Time: 3:19:24 PM
County: Owyhee, Idaho

STATE OF IDAHO)

COUNTY OF ELMORE)

On this 9th day of November in the year 2011, before me a Notary Public, personally appeared Robert C. Baker known or identified to me to be one of the members in the limited liability company of Dansk in Cattle, LLC and the member or one of the members who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that he/she/they executed the same in said limited liability company name.



Signature: Sheryl A. Reymond
Residing at: Mountain Home

EXHIBIT "A"

Tract I:

In Township 6 South, Range 8 East, Boise Meridian, Owyhee County, Idaho

Section 4: West Half of the Southwest Quarter, Southeast Quarter of the Southwest Quarter, Southwest Quarter of the Southeast Quarter

Section 5: Government Lot 4, South Half of the Northwest Quarter, South Half

Section 6: Government Lot 1, Southeast Quarter of the Northeast Quarter

Section 7: South Half of the Northeast Quarter, Southeast Quarter, East Half of the Southwest Quarter

Section 8: All

Section 9: South Half, Northwest Quarter, South Half of the Northeast Quarter, Northwest Quarter of the Northeast Quarter, West Half of the Northeast Quarter of the Northeast Quarter, Northeast Quarter of the Northeast Quarter of the Northeast Quarter

Section 10: Southwest Quarter of the Northwest Quarter, Southwest Quarter, West Half of the Southeast Quarter

Section 15: West Half

Section 16: All

Section 17: East Half, North Half of the Northwest Quarter, Southeast Quarter of the Northwest Quarter, Southwest Quarter

Tract II:

In Township 6 South, Range 8 East, Boise Meridian, Owyhee County, Idaho

Section 9: Southeast Quarter of the Northeast Quarter of the Northeast Quarter

Tract III:

A parcel of land in the North Half of the Northwest Quarter of Section 10, Township 6 South, Range 8 East, Boise Meridian, Owyhee County, Idaho, more particularly described as follows:

Commencing at the quarter corner common to Sections 9 and 10, Township 6 South, Range 8 East, Boise Meridian;

thence North 0°03' West a distance of 1320 feet to the REAL POINT OF BEGINNING;

thence North 0°03' West a distance of 731.8 feet to a point;

thence South 77°55'30" East a distance of 731.7 feet to a point;

thence South 61°48'30" East a distance of 681.9 feet to a point;

thence South 81°42' East a distance of 331.9 feet to a point;

thence South 48°51' East a distance of 67.5 feet to a point;

thence South 0°21' East a distance of 162.2 feet to a point;

thence South 89°54' West a distance of 1694.9 feet to the REAL POINT OF BEGINNING.

TOGETHER WITH WATER RIGHT NUMBERS: 2-2260, 2-7019B, 2-7019D, 2-7022B, 2-7023B, 2-7102B and 2-10053