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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 14 2012

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
36-2566	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Midnight Sun, Inc. VIII c/o UBS Agrivest, LLC
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Moss Land Company, L.L.P.
Name of each new owner as listed on the conveyance document

New owner continued Name connector ☐ and ☐ or ☐ and/or

925 East 390 North

Mailing address

Declo,

City

ID

State

83323

ZIP

208-434-2038

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: June 8, 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: See attached page for signatures
Signature of new owner/claimant Title, if applicable Date

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

For IDWR Office Use Only:

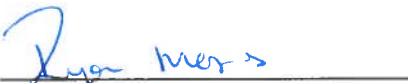
Received by Dm Date 6.14.2012 Receipt No. S032619 Receipt Amt. \$25-

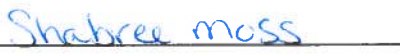
Approved by _____ Processed by _____ Date _____

MOSS LAND COMPANY, L.L.P.

By: 
Daniel D. Moss, Partner

By: 
Jann Moss, Partner

By: 
Ryan Moss, Partner

By: 
Shabree Moss, Partner

SPECIAL WARRANTY DEED

#49154MC

(Burley)

Instrument # 517514

MINIDOKA COUNTY, RUPERT, IDAHO

6-12-2012 02:15:15 No. of Pages: 3

Recorded for : BURLEY LAND TITLE

PATTY TEMPLE Fee: 16.00

Ex-Officio Recorder Deputy

For Value Received

Midnight Sun, Inc. VIII, a Delaware corporation

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Moss Land Company, L.L.P., an Idaho limited liability partnership

**Address: 925 East 390 North
Declo, Idaho 83323**

Hereinafter called the Grantee, the following described premises situated in **Minidoka** County, Idaho, to-wit:

TOWNSHIP 8 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 26: E½ and E½W½, **SAVE AND EXCEPT** the following described tracts:

Tract No. 1:

Commencing at the Southeast corner of said Section 26, marked by a brass cap; Thence along the south line thereof North 89°32'22" West for a distance of 1384.99 feet to the Point of Beginning;
Thence North 00°27'38" East for 35.00 feet to a ½ inch rebar on the North line of the county road easement;
Thence continuing North 00°27'38" East for 852.32 feet to a ½ inch rebar;
Thence North 89°32'22" West for 359.88 feet to a ½ inch rebar;
Thence South 12°53'58" West for 111.42 feet to a ½ inch rebar;
Thence along a non-tangent curve to the left having a radial bearing to the center of South 55°20'03" East, a length of 247.12 feet, a radius of 241.30 feet, a central angle of 58°40'41", a chord bearing of South 05°19'37" West and a chord length of 236.47 feet to a ½ inch rebar;
Thence South 26°29'12" East for 250.32 feet to a ½ inch rebar;
Thence along a tangent curve to the right having a length of 295.73 feet, a radius of 640.00 feet, a central angle of 26°28'32", a chord bearing of South 13°14'56" East and a chord length of 293.11 feet to a ½ inch rebar at the North line of the county road easement;
Thence along a tangent curve to the right having a length of 5.27 feet, a radius of 640.00 feet, a central angle of 00°28'18", a chord bearing of South 00°13'29" West and a chord length of 5.27 feet to a ½ inch rebar;
Thence South 00°27'38" West for 29.73 feet to the South line of Section 26;
Thence along said South line South 89°32'22" East for 221.02 feet to the True Point of Beginning.

Tract No. 2:

Commencing at the Southeast corner of Section 26, marked by a brass cap; Thence along the South line thereof North 89°32'22" West for 1606.01 feet to the True Point of Beginning;
Thence North 00°27'38" East for 29.73 feet to a ½ inch rebar;
Thence along a tangent curve to the left having a radius of 640 feet, a length of 5.27 feet, a central angle of 0°28'18", a chord bearing of North 00°13'29" East, and a chord length of 5.27 feet to a ½ inch rebar;
Thence continuing along a curve to the left having a radius of 640 feet, a length of 295.73 feet, a central angle of 26°28'32", a chord bearing of North 13°14'56" West, and a chord length of 293.11 feet to a ½ inch rebar;
Thence South 68°43'32" West for 115.27 feet to a ½ inch rebar;
Thence South 10°48'00" East for 282.51 feet to the South line of said Section 26, a ½ inch rebar bears South 10°48'00" East for 1.39 feet;
Thence along the South line of Section 26, South 89°32'22" East for 121.39 feet to the True Point of Beginning.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to State of Idaho, Department of Water Resources Adjudication No. 36-2566.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2012 and subsequent years.

Assessments levied, or to be levied, by Magic Valley Ground Water District.

A Transmission Line Easement, dated December 13, 1926, executed by John Peter Mai and Anna E. Mai, husband and wife, to Idaho Power Company, a corporation, recorded December 20, 1926 as Instrument No. 53072 in Book 5 of Miscellaneous, Page 468, Minidoka County records.

A Power Line Easement, dated January 20, 1960, executed by Seth S. Corless, Howard S. Corless and Cheryl S. Corless, to Idaho Power Company, recorded March 9, 1962 as Instrument No. 155895, Minidoka County records.

A Power Line Easement, dated August 25, 1965, executed by Howard S. Corless and Cheryl Stoddard Corless and Seth S. Corless and Dorothy S. Corless, to Idaho Power Company, a corporation, recorded March 3, 1966 as Instrument No. 182718, Minidoka County records.

Power Line Easement, executed by Ball Brothers, as Grantors, to Idaho Power Company, a corporation, as Grantee, dated October 7, 2005, recorded February 16, 2006 as Instrument No. 482800, records of Minidoka County, Idaho.

Reservation for power line easement contained in Warranty Deed executed by Danny Ball, also known as Danny Ray Ball, and Susan Jo Ball, husband and wife; Randy Ball and Julie Ball, husband and wife; Terry Ball and Gina Ball, husband and wife; Gary Ball and Laura L. Ball, husband and wife; Buddy J. Ball and Emma Lou Ball, husband and wife; Ball Brothers, a Partnership consisting of Larry Ball, Buddy Ball, Danny Ball, Gary Ball, Randy Ball and Terry Ball, partners; Larry D. Ball and Gary Lynn Ball, Co-Personal Representatives of the Estate of Ferrel Dean Ball, also known as Ferrel D. Ball, and also known as Ferrel Dean Ball, deceased; and Agnes Berniece Ball, also known as Berniece A. Ball, also known as Berniece Ball, by and through Terry Alan Ball, her Attorney-in-Fact, to Midnight Sun, Inc. VIII, a Delaware Corporation, dated May 13, 2010 and recorded May 14, 2010 as Instrument No. 507657, records of Minidoka County, Idaho.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: June 7, 2012

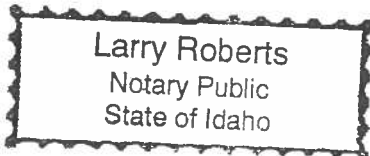
MIDNIGHT SUN, INC. VIII

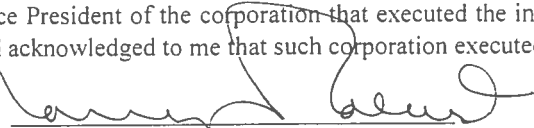
By: 

Charles W. Bryan, Jr.
Vice President

STATE OF IDAHO)
COUNTY OF Cassia) ss.

On this 4th day of June, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared **Charles W. Bryan, Jr.**, known or identified to me to be the Vice President of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.




Notary Public
Residing at: Burley, ID
My Commission expires: 6-30-15



Land Title and Escrow, Inc.

Focused on Service, Positioned for the Future

June 13, 2012

RECEIVED

JUN 14 2012

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Trish Fawcett
ID Dept. of Water Resources
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380

RE: File No. 49154MC

Dear Trish:

Enclosed with this letter please find the following:

1. The original executed Notice of Change in Water Right Ownership showing Moss Land Company, L.L.P. as the new owner.
2. A copy of the recorded Special Warranty Deed.
3. Land Title and Escrow's trust account check no. 26982 in the amount of \$25.00 for the water transfer fee.

Please make the necessary changes in the records to indicate Moss Land Company, L.L.P. as the new owner for future water assessments and notices. Please send a receipted copy to this office.

Should you have any questions concerning this letter, please do not hesitate to contact me.

Very truly yours,
Land Title and Escrow, Inc.

Nancy Garrett
Administrative Assistant

/nrg
enc.

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