

RECEIVED

MAR 05 2012

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DEV ✓

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?
OK 61-12270	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Idaho Water Company, L.L.C.
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Sunviw Dairy, L.L.C.
Name of each new owner as listed on the conveyance document

New owner continued Name connector ☐ and ☐ or ☐ and/or6600 S.W. Blanksma Road

Mailing address

Mountain Home

ID

83647

City

State

ZIP

208-941-3908sunviewdairy@gmail.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: 2-7-2012
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] owner 2-22-12
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 RS Date 3.5.12 Receipt No. W039962 Receipt Amt. 25.00
Approved by _____ Processed by RS Date 3.15.12

SPECIAL WARRANTY DEED FOR WATER RIGHT

Idaho Water Company, LLC, whose address is 1135 Valley Road South, Eden, Idaho, 83325 ("Grantor"), does hereby grant, bargain, sell, assign, and convey unto SunView Dairy, L.L.C., whose address is 6600 SW Blanksma Road, Mountain Home, Idaho 83647 ("Grantee") and to Grantee's heirs and assigns forever, all of Grantor's right, title, and interest in Water Right No. 61-12270 (formerly a portion of No. 61-12149) described in Exhibit A hereto (the "Water Right").

Grantor covenants and warrants to Grantee as follows:

- A. Grantor is the owner of the Water Right;
- B. Grantor has not conveyed the Water Right to any person other than Grantee;
- C. The Water Right is being conveyed 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, representations or warranties as to the Water Right.

No land is included in or conveyed by this grant.

IN WITNESS WHEREOF, the undersigned authorized officer of Grantor, acting on behalf of Grantor, has caused his name to be hereunto subscribed this 7th day of February 2012.

IDAHO WATER COMPANY, LLC

By: 
Delbert G. Kohtz, Member

STATE OF IDAHO)
) ss.
County of Cada)

On this 7th day of Feb 2012, before me, a Notary Public for said County and State, personally appeared DELBERT G. KOHTZ, known or identified to me, to be one of the members of the limited liability company of IDAHO WATER COMPANY, 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 executed the same in said limited liability company 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: Meredon, Id 83642
My commission expires: 4/20/2016

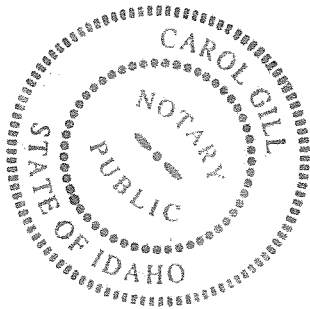


Exhibit A
(Description of Water Right)

WATER RIGHT NO. 61-12270
As Modified by Transfer No. 77199

In accordance with the approval of Transfer No. 77199, Water Right No. 61-12270 is now described as follows.

Right Holder: IDAHO WATER CO LLC
1135 VALLEY RD S
EDEN ID 83325

Priority Date: February 21, 1971

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01	to 12/31	0.26 CFS	64.0 AF
COMMERCIAL	01/01	to 12/31	0.26 CFS	64.0 AF
			0.26 CFS	64.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NESE	Sec. 6 Twp 05S Rge 06E	ELMORE County
GROUND WATER	NESE	Sec. 6 Twp 05S Rge 06E	ELMORE County
GROUND WATER	NESE	Sec. 6 Twp 05S Rge 06E	ELMORE County
GROUND WATER	NWSE	Sec. 6 Twp 05S Rge 06E	ELMORE County
GROUND WATER	NWSE	Sec. 6 Twp 05S Rge 06E	ELMORE County
GROUND WATER	NWSE	Sec. 6 Twp 05S Rge 06E	ELMORE County
GROUND WATER	SESE	Sec. 6 Twp 05S Rge 06E	ELMORE County

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
05S	06E	8	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
							X	X	X	X									

PLACE OF USE: COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
05S	06E	8	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
							X	X	X	X									

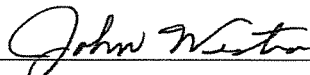
WATER RIGHT NO. 61-12270
As Modified by Transfer No. 77199

CONDITIONS OF APPROVAL

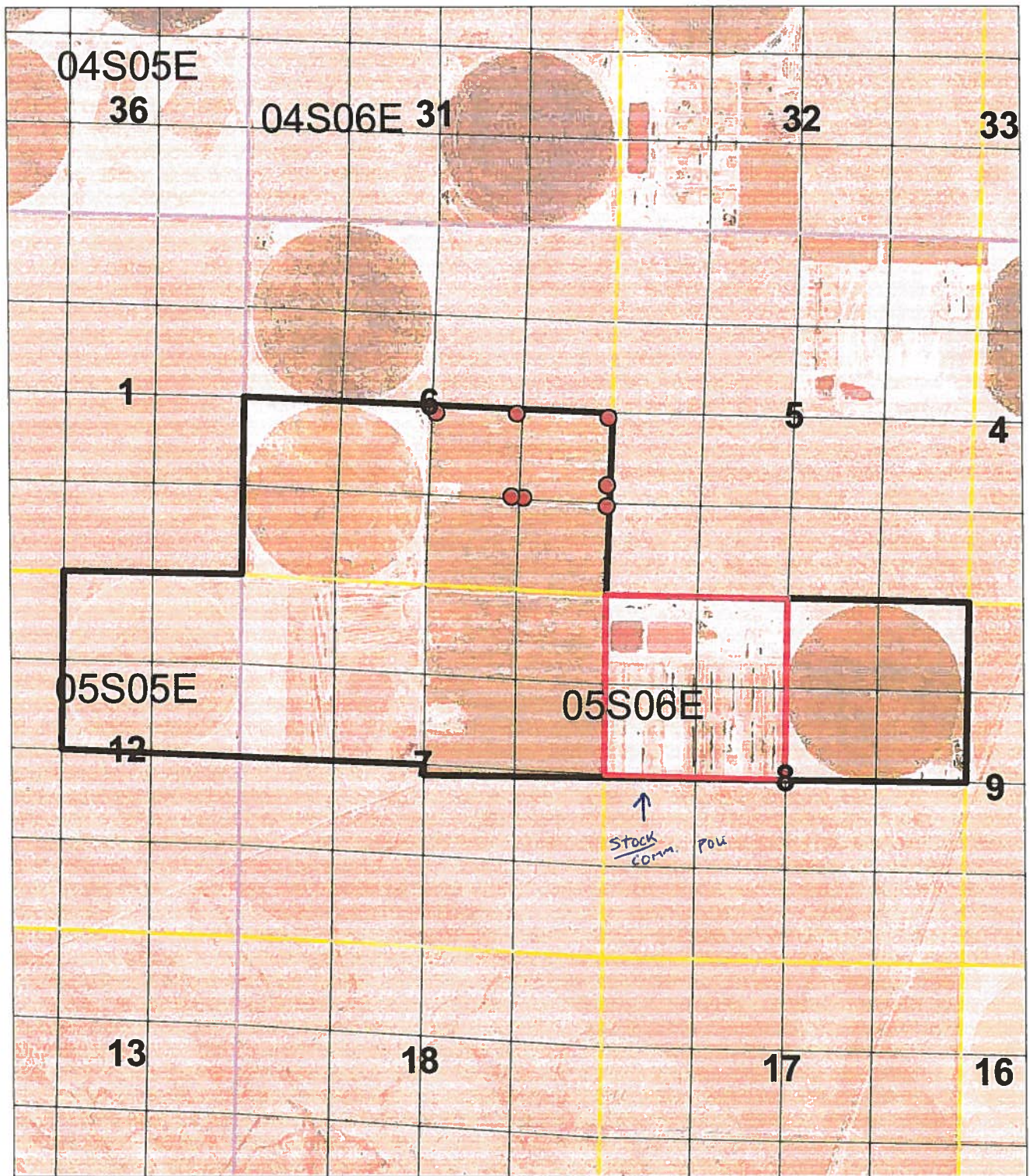
1. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
6. This right does not grant any right-of-way or easement across the land of another.
7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
8. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.
9. Rights 61-2186, 61-2220, 61-7060, 61-7222, and 61-12270 are diverted through points of diversion described above.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 20th day of January, 2012



Manager, Western Regional Office



Elmore County, Idaho
Image Source: NAIP 2009

0 1,000 2,000
Feet

Legend

 Property

 Existing Wells

 Stock/Comm POU



Figure 1
Change in Ownership
61-12270 to Sun View Dairy

Prepared for: IDWR
Date: Mar 2012

ERO
ERO Resources Corp.

02/27/2012
13:42:43

ELMORE COUNTY
INDEX & RECORD A DOCUMENT

Receipt No: 9473923

Received From: ED DEGROOT

Received on 02/27/2012 In the form of Cash

Received For	Cost Each	Quantity	Cost
Deed Warranty	19.00	1	19.00
		Receipt Amount:	19.00

Related Instrument/Case No. 0000425955

Received by: DEBBIE
Authorized by:

for: BARBARA STEELE
County Clerk, Auditor

