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RECEIVED

JAN 23 2012

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPT. 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?
47-17569	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Thomas Leno
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Triple J Dairy, Inc.
Name of each new owner as listed on the conveyance document
- New owner continued Name connector ☐ and ☐ or ☐ and/or
1291 East 3900 North
Mailing address
Buhl Idaho 83316
City State ZIP
- 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: December 2, 2011
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 1-23-12
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 DB Date 1-23-2012 Receipt No. S032319 Receipt Amt. \$25 -
Approved by _____ Processed by _____ Date _____

When recorded return to:

Givens Pursley LLP
Attention: Michael C. Creamer
601 West Bannock Street
Boise, Idaho 83702

SPECIAL WARRANTY DEED FOR WATER RIGHT

Thomas Leno, an individual whose address is 4236 N. 1900 E., Buhl, Idaho 83316 ("Grantor"), does hereby grant, bargain, sell, assign, and convey unto Idaho Water Company, LLC, an Idaho limited liability company whose address is 1135 Valley Road South, Eden, Idaho 83325 ("Grantee") and to Grantee's heirs, successors and assigns forever, all of Grantor's right, title, and interest in 53.7 acre feet of Water Right No. 47-17568 heretofore appurtenant to 17.9 acres of land situated within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 29, T16S, R16E, Twin Falls County, Idaho, and formerly designated as a portion of Water Right No. 47-7106, described in Exhibit A hereto; and all of Grantor's right, title, and interest in Water Right No. 47-17569, formerly designated as a portion of Water Right No. 47-7106, described in Exhibit B hereto (collectively, the "Water Rights").

Grantor expressly reserves and retains unto Grantor and Grantor's heirs, successors and assigns all portions of Water Right No. 47-17568 not expressly conveyed hereby. Water Right No. 47-17568 is fully described in Exhibit C hereto.

Grantor covenants and warrants to Grantee as follows:

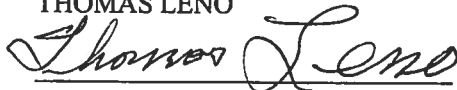
- A. Grantor is the owner of the Water Rights;
- B. Grantor has not conveyed the Water Rights to anyone other than Grantee;
- C. The Water Rights are being conveyed free from all liens, claims or encumbrances; and
- D. Grantor has the authority to convey the Water Rights to Grantee.

Grantor makes no other covenants, representations or warranties as to the Water Rights.

No land is included in or conveyed by this grant.

IN WITNESS WHEREOF, the undersigned Grantor has caused his or her name to be hereunto subscribed this 23 day of November, 2011.

THOMAS LENO



STATE OF IDAHO)
County of Twin Falls) ss.

On this 23 day of November 2011, before me, a Notary Public for said County and State, personally appeared THOMAS LENO, known or identified to me to be the person whose name is subscribed to the within instrument, acknowledged to me that he executed the same.

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



M. Ann Pool
NOTARY PUBLIC FOR IDAHO
Residing at: Twin Falls, Idaho
My commission expires: April 5, 2016

Exhibit A

(Description of the portion of Water Right No. 47-17568 conveyed by this deed)

53.7 acre feet of Water Right No. 47-17568 heretofore appurtenant to 17.9 acres of land situated within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 29, T16S, R16E, Twin Falls County, Idaho, graphically depicted as follows:

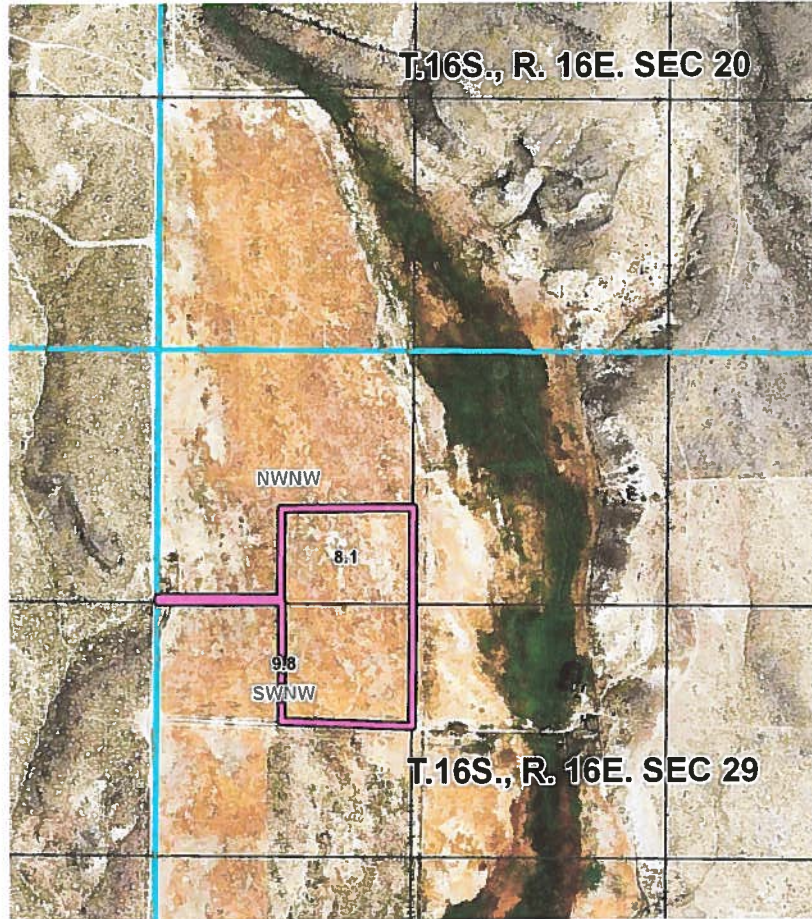


Exhibit B

(Description of Water Right No. 47-17569, all of which is conveyed by this deed)

WATER RIGHT NO. 47-17569 As Modified by Transfer No. 77406

In accordance with the approval of Transfer No. 77406, Water Right No. 47-17569 is now described as follows.

Right Holder: THOMAS LENO Or DOROTHY LENO
4236 N 1900 E
BUHL ID 83316

Priority Date: December 25, 1970

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	0.12 CFS	17.0 AF
COMMERCIAL	01/01	to 12/31	0.12 CFS	17.0 AF
			0.12 CFS	17.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENWNE Sec. 15 Twp 10S Rge 14E TWIN FALLS
County

GROUND WATER SENWNE Sec. 15 Twp 10S Rge 14E TWIN FALLS
County

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
10S	14E	15	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
				X															

PLACE OF USE: COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
10S	14E	15	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
				X															

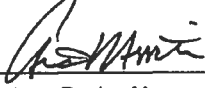
WATER RIGHT NO. 47-17569
As Modified by Transfer No. 77406

CONDITIONS OF APPROVAL

1. Rights 47-13694 and 47-17569 when combined shall not exceed a total diversion rate of 0.38 cfs, a total annual maximum diversion volume of 34.2 af.
2. 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.
3. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
4. 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.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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.

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 15th day of November, 2011



Southern Region Manager

Exhibit C

(Description of Water Right No. 47-17568, a portion of which is conveyed by this deed as described in Exhibit A)

WATER RIGHT NO. 47-17568 As Modified by Transfer No. 77406

In accordance with the approval of Transfer No. 77406, Water Right No. 47-17568 is now described as follows.

Right Holder: THOMAS LENO Or DOROTHY LENO
4236 N 1900 E
BUHL ID 83316

Priority Date: December 25, 1970

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	1.73 CFS	437.7 AF
			1.73 CFS	437.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSWSW Sec. 20 Twp 16S Rge 16E TWIN FALLS
County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16S	16E	20											40.0	12.0					52.0
16S	16E	29					28.0	40.0	10.9	15.0									93.9

Total Acres: 145.9

CONDITIONS OF APPROVAL

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.0 afa per acre at the field headgate for irrigation of the lands below.
2. 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.

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 1st day of November, 20 11


Southern Region Manager

SPECIAL WARRANTY DEED FOR WATER RIGHT

Idaho Water Company, LLC, an Idaho limited liability company whose address is 1135 Valley Road South, Eden, Idaho 83325 ("Grantor"), does hereby grant, bargain, sell, assign, and convey unto Triple J Dairy, Inc., an Idaho corporation whose address is 1291 E. 3900 N., Buhl, Idaho 83316 ("Grantee") and to Grantee's heirs and assigns forever, all of Grantor's right, title, and interest in Water Right No. 47-17569 (formerly No. 47-7106) described in Exhibit A hereto (the "Water Right").

Grantor covenants and warrants to Grantee as follows:

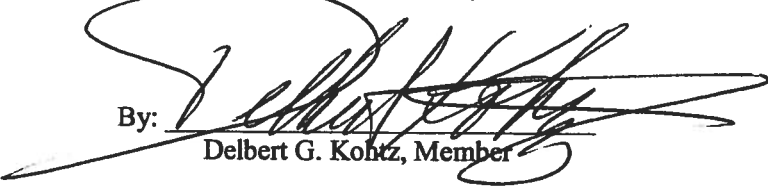
- A. Grantor is the owner of the Water Right;
- B. Grantor has not conveyed the Water Right to anyone other than Grantee;
- C. The Water Right is being conveyed free from all liens, claims or encumbrances; and
- D. Grantor has the authority to convey the Water Right to Grantee.

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 2nd day of December, 2011.

IDAHO WATER COMPANY, LLC

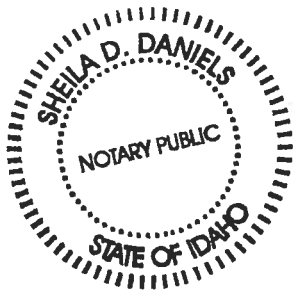
By: 

Delbert G. Koltz, Member

STATE OF IDAHO)
County of Twin Falls) ss.

On this 2nd day of Dec. 2011, 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.



Sheila D. Daniels
NOTARY PUBLIC FOR IDAHO
Residing at: Kimberly, Idaho
My commission expires: Aug. 6, 2013

Exhibit A
(Description of Water Rights)

WATER RIGHT NO. 47-17569
As Modified by Transfer No. 77406

In accordance with the approval of Transfer No. 77406, Water Right No. 47-17569 is now described as follows.

Right Holder: THOMAS LENO Or DOROTHY LENO
4236 N 1900 E
BUHL ID 83316

Priority Date: December 25, 1970

Source: GROUND WATER

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County

GROUND WATER SENWNE Sec. 15 Twp 10S Rge 14E TWIN FALLS
County

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
10S	14E	15	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
				X															

PLACE OF USE: COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
10S	14E	15	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
				X															

WATER RIGHT NO. 47-17569
As Modified by Transfer No. 77406

CONDITIONS OF APPROVAL

1. Rights 47-13694 and 47-17569 when combined shall not exceed a total diversion rate of 0.38 cfs, a total annual maximum diversion volume of 34.2 af.
2. 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.
3. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
4. 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.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. 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.

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 15th day of November, 20 11



Southern Region Manager



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

January 24, 2012

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

TRIPLE J DAIRY INC
1291 E 3900 N
BUHL ID 83316

RE: Change of Ownership for Water Right No. 47-~~14569~~
17569

Dear Water Right Holder:

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report 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 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,

Carrie Hahn
Clerk

Enclosure

SCANNED
JAN 24 2012