

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

#40395

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
45-2398	45-2396		43-7340 B		
45-2394					
45-7258					
45-7276					
45-7340a					

The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

Name and Address of Former Owner/Claimant(s) Albert T. Wada and Christine Wada
326 South 1400 West Pingree, ID 83262

New Owner/Claimant(s) Big Sky Dairy, an Idaho general partnership
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address 2395 South 1500 East,

City, State and ZIP Code Gooding, ID 83330

New Telephone Number (208) 934-9072

Date you acquired the property September 2, 2005

SUPPORT DATA

IN FILE # 45-2394

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. -If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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(If the right(s) will not be split, skip this area and proceed to item 7)

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Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

Signature of New Owner(s) or Claimant(s) (include title if applicable) BY: Big Sky Dairy, an Idaho general partnership
BY: [Signature]
BY: [Signature]

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only			
Received by	Date	Fee	
Received by <u>[Signature]</u>	Date <u>9.26.05</u>	$25^00 \times 5 = \$125^00$	25^00
Processed by	Date	Receipt No.	
<u>AJ</u>	Date <u>9.30.05</u>	<u>C.079202</u>	<u>C.079252</u>
		WR	Date

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED**SEP 26 2005****Department of Water Resources**

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 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
45-7340b					

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3. Name and Address of Former Owner/Claimant(s) Albert T. Wada and Christine Wada
4. New Owner/Claimant(s) general partnership
 t/or _____
- New Mailing Address _____
- City, State and ZIP Code _____
- New Telephone Number _____
5. Date you acquired the property _____

100 ft
300 ft
U.S.A.
USDI Bureau of Land

SUPPORT DATA**FILE #** 45-2394

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

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Domestic	_____	_____
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Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) BY: Big Sky Derry, an Idaho general partnership
(include title if applicable) BY: [Signature]

BY: _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by AM
 Receipted by _____
 Processed by _____

Date 9-26-05
 Date 9-30-05

Fee \$125.00 or \$25.00
 Receipt No. C079202 and C.079252
 WR _____ Date _____

WARRANTY DEED

#40395

303899

For Value Received

WADA FAMILY, L.L.C., an Idaho limited liability company who acquired title as WADA FAMILY, L.L.C.,

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

**BIG SKY DAIRY, an Idaho general partnership
Address: 2395 South 1500 East Gooding, ID 83330**

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

See Attached Exhibit "A"

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 Resource Water Right No's 45-2396, 45-2394, 45-7258, 45-7276, 45-7340a, and 45-7340b.

SUBJECT TO:

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

Taxes for 2006 and subsequent years.

Assessments of the Southwest Irrigation District and the rights and powers of said District as by law provided.

Power Line Easement from Ore Ida Foods, Inc., to Idaho Power Company, dated March 10, 1964, and recorded October 2, 1964 as Instrument No. 20733 on Film No. 30, records of Cassia County, Idaho, over and across the NW¼NE¼ of Section 13, Township 12 South, Range 21 East of the Boise Meridian.

Power Line Easement from Gordon Schroeder and Audrey Schroeder, to Idaho Power Company, a corporation, dated December 7, 1972 and recorded March 30, 1973 as Instrument No. 69061, records of Cassia County, Idaho, over and across the SE¼SE¼SE¼SE¼ Section 12, Township 12 South, Range 21 East, of the Boise Meridian.

Power Line Easement from Gordon Schroeder and Audrey Schroeder, to Idaho Power Company, a corporation, dated August 20, 1976 and recorded November 8, 1976 as Instrument No. 94236, records of Cassia County, Idaho, over and across West 100 feet of the SE¼SE¼SE¼SW¼ of Section 12, Township 12 South, Range 21 East, of the Boise Meridian.

Exceptions and reservations contained in Warranty Deed executed by Gordon Schroeder and Audrey Schroeder, husband and wife, to Albert Wada and Christine Wada, husband and wife, dated November 27 1995 and recorded November 27, 1995 as Instrument No. 239786 on Film No. 271, records of Cassia County, Idaho and re-recorded November 30, 1995 as Instrument No. 239873 on Film No. 272, records of Cassia County, Idaho.

Terms and conditions contained in Grant of Easement executed by Mark Schroeder and Peggy Schroeder, husband and wife, to Albert Wada and Christine Wada, husband and wife, dated November 27, 1995 and recorded November 27, 1995 as Instrument No. 239789 on Film No. 271, records of Cassia County, Idaho.

Well Agreement between Gordon Schroeder and Audrey Schroeder, husband and wife, Mark Schroeder and Peggy Schroeder, husband and wife, and Albert Wada and Christine Wada, husband and wife, dated November 27, 1995 and recorded November 30, 1995 as Instrument No. 239872 on Film No. 272, records of Cassia County, Idaho.

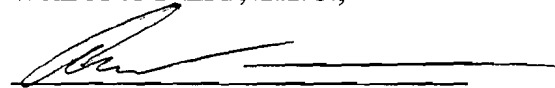
Grant of Easement And Joint Use Agreement between Albert Wada and Christine Wada, husband and wife, Grantor, and Percy Family Investments, L.L.C., Grantee, dated September 8, 1998 and recorded September 17, 1998 as Instrument No. 257918 on Film No. 303 and dated July 13, 2000 and recorded July 17, 2000 as Instrument No. 270187, records of Cassia County, Idaho.

Underground Power Line Easement executed by Wada Farms, Inc. to Idaho Power Company, a corporation, dated August 18, 1998 and recorded August 9, 1999 as Instrument No. 264395, records of Cassia County, Idaho. (Affects a portion of the SW $\frac{1}{4}$ /SW $\frac{1}{4}$ Section 12, Township 12 South, Range 21 East of the Boise Meridian)

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: September 21, 2005

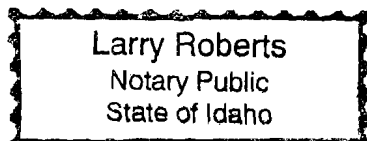
WADA FAMILY, L.L.C.,



ALBERT WADA, Manager

STATE OF IDAHO)
)ss.
COUNTY OF CASSIA)

On this 21 day of September, 2005, before me, the undersigned, a Notary Public, personally appeared Albert Wada known or identified to me to be the manager of Wada Family, L.L.C. the limited liability company that executed the foregoing instrument, and acknowledged to me that such limited liability company executed the same.




Notary Public
Residing at: Burley, ID
My Commission Expires: 6-30-09

303899

CASSIA COUNTY, IDAHO
LARRY A. MICKELSEN
RECORDER

FEE 900 DEPUTY Bm

EXHIBIT "A"

PARCEL NO. 1:

TOWNSHIP 12 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

2005 SEP 2 PM 3 17

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

Section 12: S½, SAVE AND EXCEPTING THEREFROM the following described tracts:

Tract No. 1:

Beginning at the Southeast corner of said Section, said corner marked by an Idaho Transportation Department iron pipe with brass cap which shall be the Point of Beginning.

Thence North 89°46'00" West along the South line of the Section for a distance of 425.06 feet to a ½" rebar;

Thence North 00°03'02" West for a distance of 152.36 feet to a ½" rebar;

Thence North 46°36'00" East for a distance of 142.74 feet to a ½" rebar;

Thence North 84°03'51" East for a distance of 136.09 feet to a ½" rebar;

Thence North 43°59'46" East for a distance of 268.36 feet to a ½" rebar on the East line of the Section;

Thence South 00°02'09" West along said Section line for a distance of 459.29 feet to the Point of Beginning.

Tract No. 2:

Beginning at the Southwest corner of said Section 12;

Thence North along the West Section line of said Section 12 for 441 feet;

Thence East parallel with the South Section line for 262 feet;

Thence South parallel with the West Section line for 441 feet to a point on the South Section line;

Thence West along the South Section line for 262 feet to the Point of Beginning.

PARCEL NO. 2:

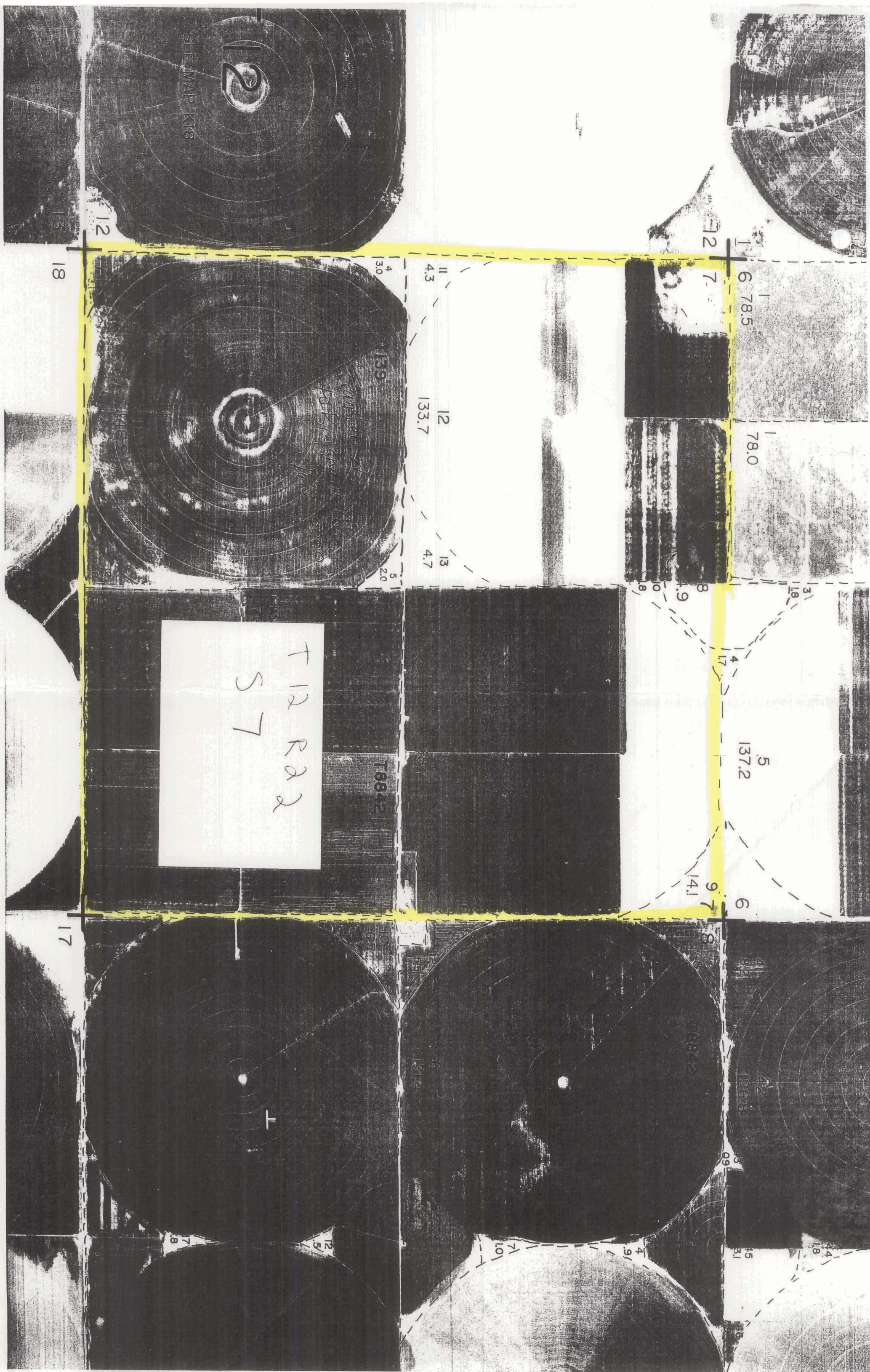
TOWNSHIP 12 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 13: NE¼, S½NW¼, SW¼ and W½SE¼

PARCEL NO. 3:

TOWNSHIP 12 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 7: Lots 3 and 4, E½SW¼ and SW¼SE¼



SEE MAP K16

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12

18

4

11

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133

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18842

T12 R22
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T139

Transferred
to Bingham
April 2000

T12 R21
S13

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156.6

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T141
BLM

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