

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

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MAR 19 2024

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

WATER RESOURCES
WESTERN REGION

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. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
63-3339A	Yes ☐	Yes ☐		Yes ☐	Yes ☐
63-20487	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Borah Peak Farms, LLC, a Delaware limited liability company
Name of current water right holder/claimant
Powers Butte Energy Center, LLC, a Delaware limited liability company
3. New Owner(s)/Claimant(s):
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
422 Admiral Boulevard Kansas City MO 64106
Mailing address City State Zip
888-609-7166 alipscomb@savionenergy.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: December 15, 2023
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
7. 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):
o \$25 per *undivided* water right.
o \$100 per *split* water right.
o No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

SUPPORT DATA
IN FILE # 63-3339A

8. Signature: [Signature] Authorized Person 02/21/2024
Signature of new owner/claimant Title, if applicable Date
Aaron Lipscomb
Print name
- Signature: [Signature] Authorized Person 02/21/2024
Signature of new owner/claimant Title, if applicable Date
Travis Narum
Print name

For IDWR Office Use Only:
Received by CC Date 3-19-24 Receipt No. W051828 Receipt Amt. \$50.00
Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐
Name on W-9 _____ Approved by _____ Processed by _____ Date _____

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Powers Butte Energy Center, LLC
Attn: Aaron Lipscomb
422 Admiral Blvd
Kansas City, MO 64160

(Space Above For Recorder's Use)

SPECIAL WARRANTY DEED
(Canyon County, State of Idaho)

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, BORAH PEAK FARMS, LLC, a Delaware limited liability company, having a mailing address of 8789 Penrose Lane, Suite 400, Lenexa, Kansas 66219 ("**Grantor**"), hereby grants to Powers Butte Energy Center, LLC, a Delaware limited liability company, having a mailing address of 422 Admiral Boulevard, Kansas City, Missouri 64106 ("**Grantee**"), against all claiming by, through, or under Grantor, but not otherwise, those certain tracts of land, together with any and all interests, rights and appurtenances thereto, as well as any and all improvements thereon, situated in Canyon County, State of Idaho, as more particularly described in attached Exhibit A (the "**Subject Property**"), TO HAVE AND TO HOLD the Subject Property, together with all tenements, hereditaments, and appurtenances thereunto belonging unto the Grantor, and its successors and assigns, forever, subject to those matters set forth in attached Exhibit B.

[Signature and acknowledgement on following page.]

DATED this 15th day of December, 2023.

GRANTOR:

BORAH PEAK FARMS, LLC,
a Delaware limited liability company

By:

Name: Jeff Janosky

Title: President

STATE OF WASHINGTON)

) SS.

COUNTY OF KING

)

This record was acknowledged before me on December 13, 2023, by Jeff Janosky as President of Borah Peak Farms, LLC

Notary Public in and for the State of Washington

My Commission Expires: 01/27/24

Printed Name: CRYSTAL LONG WILSON

(Stamp)



EXHIBIT A

LEGAL DESCRIPTION OF THE SUBJECT PROPERTY

Parcel 1

The South Half of the Northwest Quarter, the Northeast Quarter of the Northwest Quarter and the Northeast Quarter of Section 12, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

Parcel 2

[Intentionally omitted]

Parcel 2A

[Intentionally omitted]

EXHIBIT B

PERMITTED EXCEPTIONS

1. All matters of record as of the time of recordation of this deed in the official records of Canyon County, Idaho affecting the Subject Property.
2. Rights of tenants in possession, as tenants only, pursuant to that certain Farm Lease dated November 11, 2021, without rights or options to purchase the Subject Property.
3. All matters disclosed by a record of survey recorded March 17, 2023 under recording no. 2023-008597.

Affects Parcel 1

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Powers Butte Energy Center, LLC
Attn: Aaron Lipscomb
422 Admiral Blvd
Kansas City, MO 64160

(Space Above For Recorder's Use)

SPECIAL WARRANTY DEED
(Ada County, State of Idaho)

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, BORAH PEAK FARMS, LLC, a Delaware limited liability company, having a mailing address of 8789 Penrose Lane, Suite 400, Lenexa, Kansas 66219 ("**Grantor**"), hereby grants to Powers Butte Energy Center, LLC, a Delaware limited liability company, having a mailing address of 422 Admiral Boulevard, Kansas City, Missouri 64106 ("**Grantee**"), against all claiming by, through, or under Grantor, but not otherwise, those certain tracts of land, together with any and all interests, rights and appurtenances thereto, as well as any and all improvements thereon, situated in Ada County, State of Idaho, as more particularly described in attached Exhibit A (the "**Subject Property**"), TO HAVE AND TO HOLD the Subject Property, together with all tenements, hereditaments, and appurtenances thereunto belonging unto the Grantor, and its successors and assigns, forever, subject to those matters set forth in attached Exhibit B.

[Signature and acknowledgement on following page.]

DATED this 15th day of December, 2023.

GRANTOR:

BORAH PEAK FARMS, LLC,
a Delaware limited liability company

By: Jeff Janesky
Name: Jeff Janesky
Title: President

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

This record was acknowledged before me on December 13TH, 2023, by Jeff Janosky as President of Borah Peak Farms, LLC

Notary Public in and for the State of Washington
My Commission Expires: 01-27-24
Printed Name: CRYSTAL LONG WILSON

(Stamp)



EXHIBIT A

LEGAL DESCRIPTION OF THE SUBJECT PROPERTY

Parcel 1

[Intentionally omitted]

Parcel 2

Lot 7 and the Southeast Quarter of the Southwest Quarter of Section 6, Township 1 North, Range 1 West, Boise Meridian, Ada County, Idaho;

Excepting therefrom, a parcel of land more particularly described as follows: Beginning at an Iron pin marking the Northwest corner of said Government Lot 7, said point being the true point of beginning; Thence South 89°51'29" East along the Northerly boundary of said Government Lot 7 for a distance of 695.32 feet to its intersection with the centerline of and existing canal; Thence South 28°39'42" West for a distance of 167.27 feet; Thence South 36°07'09" West for a distance of 33.10 feet; Thence South 70°54'28" West for a distance of 22.57 feet; Thence North 43°48'09" West for a distance of 23.75 feet; Thence North 19°49'36" West for a distance of 45.42 feet; Thence North 30°31'17" West for a distance of 28.34 feet; Thence North 53°14'35" West for a distance of 41.76 feet; Thence North 67°03'01" West for a distance of 91.98 feet; Thence North 81°07'17" West for a distance of 92.00 feet; Thence South 87°12'51" West for a distance of 53.67 feet; Thence South 80°16'22" West for a distance of 43.43 feet; Thence South 63°56'16" West for a distance of 84.39 feet; Thence South 53°14'41" West for a distance of 76.80 feet; Thence South 31°12'26" West for a distance of 94.98 feet; Thence South 34°51'56" West for a distance of 67.91 feet to a point on the Westerly Boundary of said Government Lot 7; Thence leaving the centerline of the existing canal Thence N00°38'26" East along the said Westerly boundary of Government Lot 7 for a distance of 253.23 feet to the true point of beginning, comprising 1.32 acres, more or less.

Lots 1 and 2 and the East Half of the Northwest Quarter of Section 7, Township 1 North, Range 1 West of the Boise Meridian, Ada County, Idaho.

Exception therefrom the Southerly 990 feet of the Westerly 1100 feet of Government Lot 2 of Section 7.

Parcel 2A

Non-exclusive easement rights as contained in that certain Bridge Access Easement Agreement, dated March 18, 2013, and recorded on March 21, 2013 as Document No. 113030571 in the Ada County Registry of Deeds.

EXHIBIT B

PERMITTED EXCEPTIONS

1. All matters of record as of the time of recordation of this deed in the official records of Ada County, Idaho affecting the Subject Property.
2. Rights of tenants in possession, as tenants only, pursuant to that certain Farm Lease dated November 11, 2021, without rights or options to purchase the Subject Property.
3. All matters disclosed by a record of survey recorded March 24, 2023 under recording no. 2023-016957.

Affects Parcel 2



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

June 03, 2024

POWERS BUTTE ENERGY CENTER, LLC
422 ADMIRAL BLVD
KANSAS CITY MO 64106-1560

Re: Change in Water Right Ownership: 63-20487, 63-3339 A

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned 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 Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208)287-4920.

Sincerely,

Catalina Beck

Catalina Beck
Technical Records Specialist 1
Enclosure(s)
c: POWERS BUTTE ENERGY CENTER, LLC