

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
MAR 24 2022
DEPARTMENT OF WATER RESOURCES
SANDY, IDAHO

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?
36-14182	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: L & S Land Holdings LLC

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Xavier Farm Services, LLC, an Idaho limited liability company

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or

204 N 100 E

Jerome

ID

83338

Mailing address

City

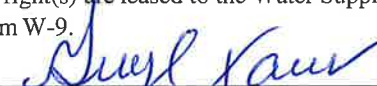
State

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: February 22, 2022
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.

8. Signature:  Memer 02/22/2022

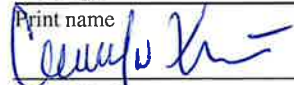
Signature of new owner/claimant

Title, if applicable

Date

George Xavier

Print name

- Signature:  Member 02/22/2022

Signature of new owner/claimant

Title, if applicable

Date

Carolyn Xavier

Print name

Received by: SG Date: 3/24/22 For IDWR Office Use Only: Receipt No. 5039140 Receipt Amt. \$2500

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: TW Date: 3/28/2022

ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT

Instrument # 2220900

JEROME COUNTY, JEROME, IDAHO
02-23-2022 04:02:38 PM No. of Pages: 2
Recorded for: TITLEONE - BURLEY
MICHELLE EMERSON Fee: \$15.00
Ex-Officio Recorder Deputy: jw
Electronically Recorded by Simplifile

31431266

QUITCLAIM DEED

FOR VALUE RECEIVED, **L & S LAND HOLDINGS, LLC**, an Idaho limited liability company, hereinafter called the "Grantor", hereby remises, releases, and forever quitclaims unto **L & S LAND HOLDINGS, LLC**, an Idaho limited liability company, whose address is 2930 S. 2300 E., Wendell, Idaho 83355, hereinafter called the "Grantee", all right, title and interest in the following described real property located in Jerome County, State of Idaho, to-wit:

Part of the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 16 in Township 8 South, Range 16 East of the Boise Meridian, Jerome County, State of Idaho.

Beginning at the Southeast Corner of Section 16 in T.8 S., R.16 E., B.M. said corner marked by a $\frac{1}{2}$ " rebar which shall be the Point of Beginning;

THENCE North 89 degrees 48 minutes 09 seconds West along the south line of Section 16 for a distance of 877.09 feet;

THENCE North 00 degrees 11 minutes 51 seconds East for a distance of 33.00 feet to a $\frac{1}{2}$ " rebar;

THENCE along a non-tangent curve to the left for a distance of 1212.43 feet to a $\frac{1}{2}$ " rebar, said curve having a radius of 1435.00 feet, a delta angle of 48 degrees 24 minutes 33 seconds, and a long chord bearing of North 46 degrees 13 minutes 21 seconds East for a distance of 1176.69 feet;

THENCE North 89 degrees 50 minutes 27 seconds East for a distance of 25.00 feet to the east line of Section 16;

THENCE South 00 degrees 09 minutes 33 seconds East along said line for a distance of 850.20 feet to the Point Of Beginning.

Said property containing 6.83 acres more or less.

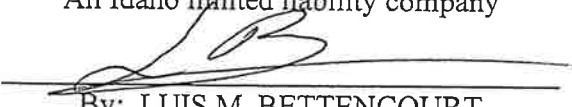
Together with all water rights appurtenant thereto EXCLUDING, however, all shares of the North Side Canal Co., Ltd. that may be appurtenant.

TO HAVE AND TO HOLD the premises, with their appurtenances unto said Grantee, and the Grantee's successors and assigns forever.

DATED this 15 day of February, 2022.

"GRANTOR"

L & S LAND HOLDINGS, LLC
An Idaho limited liability company


By: **LUIS M. BETTENCOURT**
Its: Authorized Representative

QUITCLAIM DEED

-1-

C:\USERS\VRICKO\APPDATAN\LOCAL\MICROSOFT\WINDOWS\NETCACHE\CONTENT\OUTLOOK\ZSTETD62\QUITCLAIM DEED - L S TO L S (6.83 ACRE PARCEL).DOCX

STATE OF IDAHO)
County of Cooking) :ss.

On this 15 day of February, 2022, before me, the undersigned, a Notary Public in and for said County and State, personally appeared LUIS M. BETTENCOURT, as Authorized Representative of L & S LAND HOLDINGS, LLC, an Idaho limited liability company, known to me to be the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that he executed the same in such capacity.

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



Karrie Rose James
NOTARY PUBLIC for Idaho
Residing at Cooking, ID 83370
Commission Expires Oct. 17, 2023

ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT.

Instrument # 2220902

JEROME COUNTY, JEROME, IDAHO
02-23-2022 04:02:38 PM No. of Pages: 3
Recorded for: TITLEONE - BURLEY
MICHELLE EMERSON Fee: \$15.00
Ex-Officio Recorder Deputy: jw
Electronically Recorded by Simplifile

21431266

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged **L & S LAND HOLDINGS, LLC**, an Idaho limited liability company, the "Grantor", hereby grants, bargains, sells, and conveys unto **XAVIER FARM SERVICES, LLC**, an Idaho limited liability company, whose address is 204 N. 100 E., Jerome, Idaho 83338, the "Grantee", the following described premises located in Jerome County, Idaho, to wit:

Part of the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 16 in Township 8 South, Range 16 East of the Boise Meridian, Jerome County, State of Idaho.

Beginning at the Southeast Corner of Section 16 in T.8 S., R.16 E., B.M. said corner marked by a $\frac{1}{2}$ " rebar which shall be the Point of Beginning;

THENCE North 89 degrees 48 minutes 09 seconds West along the south line of Section 16 for a distance of 877.09 feet;

THENCE North 00 degrees 11 minutes 51 seconds East for a distance of 33.00 feet to a $\frac{1}{2}$ " rebar;

THENCE along a non-tangent curve to the left for a distance of 1212.43 feet to a $\frac{1}{2}$ " rebar, said curve having a radius of 1435.00 feet, a delta angle of 48 degrees 24 minutes 33 seconds, and a long chord bearing of North 46 degrees 13 minutes 21 seconds East for a distance of 1176.69 feet;

THENCE North 89 degrees 50 minutes 27 seconds East for a distance of 25.00 feet to the east line of Section 16;

THENCE South 00 degrees 09 minutes 33 seconds East along said line for a distance of 850.20 feet to the Point Of Beginning.

Said property contains 6.83 acres more or less.

The foregoing real property is being conveyed without any shares of the North Side Canal Co., Ltd., appurtenant thereto.

(The foregoing real property is referred to below as the "Property".)

TO HAVE AND TO HOLD, unto Grantee, its successors and assigns forever.

SUBJECT TO the following: (a) general taxes and assessments, which are not yet due and payable; and (b) the encumbrances, easements, restrictions and matters set forth on EXHIBIT A attached hereto and incorporated herein (collectively the "Permitted Exceptions").

Grantor warrants that it is the owner in fee simple of the Property; that it has not conveyed any interest in the Property to any person other than Grantee; that the Property is free from all

encumbrances created or suffered by Grantor, except for the Permitted Exceptions; and that Grantor will warrant and defend the same against all lawful claims of all persons claiming by, through or under Grantor.

IN WITNESS WHEREOF, the parties have executed the within instrument as of the 22 day of February, 2022.

"GRANTOR"
L & S LAND HOLDINGS, LLC
An Idaho limited liability company

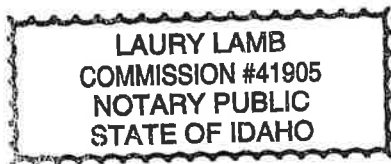


By: LUIS M. BETTENCOURT
Its: Authorized Representative

STATE OF IDAHO)
 :SS.
County of Jerome)

On this 22 day of February, 2022, before me, the undersigned, a Notary Public in and for said County and State, personally appeared LUIS M. BETTENCOURT, as Authorized Representative of L & S LAND HOLDINGS, LLC, an Idaho limited liability company, known to me to be the person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that he executed the same in such capacity.

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



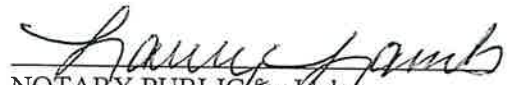

NOTARY PUBLIC for Idaho
Residing at: Jerome, ID
Commission Expires: 4/2/2022

EXHIBIT A

1. Taxes and assessments for 2022 and subsequent years.
2. The land described herein is located within the boundaries of the American Falls Reservoir District and is subject to any assessments levied thereby.
3. The land described herein is located within the boundaries of North Side Canal Company Irrigation District and is subject to any assessments levied thereby.
4. The land described herein is located within the boundaries of North Snake Ground Water Irrigation District and is subject to any assessments levied thereby.
5. Right of way for ditches, tunnels, telephone, and distribution lines constructed by authority of the United States, as granted to the United States under the provisions of Section 58-604 Idaho Code.
6. Right-of-way for roads, canals, laterals and waste ditches and the rights of access thereto for maintenance of said ditches, dated August 21, 1907, recorded in Book 15 Page 589, records of Jerome County, Idaho.
7. An easement for the purpose shown below and rights incidental thereto as set forth in a/an document.
Granted to: State of Idaho
Purpose: right of way for state highway
Recorded: August 16, 1930
Book 102 at Page(s) 23
Instrument No.: 45002, records of Jerome County, Idaho.
8. Order of the Board of Directors of The North Snake Ground Water District on The Petitions for Annexation of Land and Facilities into The North Snake Ground Water District dated June 18, 2002, recorded July 18, 2002 as Instrument No. 2023779, records of Jerome County, Idaho. (Prince Dairy)
9. All matters, and any rights, easements, interests or claims as disclosed by Survey recorded August 18, 2021 as Instrument No. 2214857, records of Jerome County, Idaho



IDAHO DEPARTMENT OF
WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, ID 83301-5858

Phone: 208-736-3033 • Fax: 208-736-3037 • Email: southerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

March 28, 2022

XAVIER FARM SERVICES LLC
204 N 100 E
JEROME ID 83338-5428

Re: Change in Ownership for Water Right No(s): 36-14182

Dear Water Right Holder(s):

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

Please note that one additional water right also appeared to be partially appurtenant to this property. The water right number is: 36-8505. I have enclosed a computer-generated report for this water right. In order to change the ownership of this right into your name, please submit a Notice of Change in Water Right Ownership form along with an additional \$25 filing fee (\$25/right) to our office. Additional conveyance documents will also be required to show ownership of the entirety of the land 36-8505 is pertinent to.

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) 293-9912.

Sincerely,

Tyler Wallace
Engineer Intern

Enclosure(s)

Cc:
TITLE ONE, JEROME FILE #21431266



211 West 13th Street
Burley, ID 83318
Ph. (208) 881-0087
Fx. (866) 582-7546
www.titleonecorp.com

Idaho Department of Water Resources
650 Addison Ave. W., STE 500
Twin Falls, ID 83301

RECEIVED
MAR 24 2022
DEPT OF WATER RESOURCES
SOUTHERN REGION

Date: 03/14/2022

Escrow No. 21431266
Buyer: Xavier Farm Services, LLC
Property Address: 300 W. Road, Jerome, ID 83338

Greetings,

Enclosed please find the following documents in connection to the above referred to transaction.

- TitleOne Check no. 40481 in the amount of \$25.00
- Notice of Change in Water Right Ownership
- Copy of Quitclaim Deed 2220900
- Copy of Warranty Deed 2220902

Please make the necessary changes and return receipted copy to TitleOne Jerome.

Should you have any questions or concerns please do not hesitate to call the number listed above.

Best Regards,

Alyssa Olsen
Ag Escrow Assistant