

RECEIVED

NOV 10 2021

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. 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 #6 of the instructions.

| Water Right/Claim No. | Split?                       | Leased to Water Supply Bank? | Water Right/Claim No. | Split?                       | Leased to Water Supply Bank? |
|-----------------------|------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 36-7871               | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> | 36-10319              | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 36-10362              | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> | 36-10320              | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 36-10363              | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> | 36-10321              | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 36-7291C              | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> | 36-15095              | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 36-10264              | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> | 36-7291D              | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Box Canyon Land Holdings, LLC  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): L & S Land Holdings, LLC  
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 2930 S. 2300 E. Wendell ID 83355  
Mailing address City State ZIP  
208.536.6148 onaindiarick@bettencourtdairy.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: November 1, 2021
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
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 # 36-7291C

8. Signature: [Signature] Authorized Representative 11/1/2021  
Signature of new owner/claimant Title, if applicable Date

Signature: \_\_\_\_\_ Title, if applicable \_\_\_\_\_ Date \_\_\_\_\_  
Signature of new owner/claimant

## For IDWR Office Use Only:

Received by SG Date 11/10/21 Receipt No. 5038935 Receipt Amt. \$250.00

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 bm Date 12/3/2021

21431706

**SPECIAL WARRANTY DEED**

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

FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged **BOX CANYON LAND HOLDINGS, LLC**, an Idaho limited liability company, the "Grantor", hereby grants, bargains, sells, and conveys unto **L & S LAND HOLDINGS, LLC**, an Idaho limited liability company, whose address is 2930 S. 2300 E., Wendell, Idaho 83355, the "Grantee", the following described premises located in Gooding County, Idaho, to wit:

**PARCEL NO. 1:**

(Parcel No. 15 of LOP – Dairy 4)

**TOWNSHIP 8 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN,  
GOODING COUNTY, IDAHO**

Section 26: NW $\frac{1}{4}$ NE $\frac{1}{4}$ ;

**PARCEL NO. 2:**

(Parcel No. 16 of LOP – Dairy 4)

**TOWNSHIP 8 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN,  
GOODING COUNTY, IDAHO**

Section 26: That part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ , described as follows:

Commencing at the East quarter corner of Section 26, said point lies South 0°01'46" West, 2639.45 feet from the Northeast corner of Section 26;  
Thence North 00°01'46" East along the East boundary of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ , 1319.72 feet to the Northeast corner of SE $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 26;  
Thence North 89°57'54" West along the North boundary of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ , 1320.02 feet to the Northeast corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ , which is THE REAL POINT OF BEGINNING;  
Thence North 89°57'54" West along the North boundary of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ , 1320.02 feet to the Northwest corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Thence South 00°01'06" West along the West boundary of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ , 1060.69 feet;  
Thence South 89°28'21" East, 1319.96 feet to the East boundary of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Thence North 00°01'27" East along the East boundary of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ , 1072.04 feet to THE REAL POINT OF BEGINNING.

**PARCEL NO. 3:**

(Parcel No. 17 of LOP – Dairy 4)

**TOWNSHIP 8 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN,  
GOODING COUNTY, IDAHO**

Section 26: NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;

PARCEL NO. 4:

(Parcel No. 18 of LOP – Dairy 4)

TOWNSHIP 8 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN,  
GOODING COUNTY, IDAHO

Section 26: NE $\frac{1}{4}$ NE $\frac{1}{4}$

PARCEL NO. 5:

(Parcel No. 25 of LOP – Dairy 5)

TOWNSHIP 8 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN,  
GOODING COUNTY, IDAHO

Section 35: W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ ;

PARCEL NO. 6:

(Parcel No. 26 of LOP – Dairy 5)

TOWNSHIP 8 SOUTH, RANGE 14 EAST, OF THE BOISE MERIDIAN,  
GOODING COUNTY, IDAHO

Section 35: SE $\frac{1}{4}$ NE $\frac{1}{4}$ ; E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$  and N $\frac{1}{2}$ NE $\frac{1}{4}$  excepting NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$

PARCEL NO. 7:

(Parcel No. 27 of LOP – Dairy 5)

TOWNSHIP 8 SOUTH, RANGE 14 EAST, OF THE BOISE MERIDIAN,  
GOODING COUNTY, IDAHO

Section 35: NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$

Together with all water rights appurtenant thereto, including but not limited to 123 shares of  
North Side Canal Co., Ltd. stock, and Water Rights Nos.:

(Dairy 4)

36-7871

36-10362

36-10363

(Dairy 5)

36-7291C

36-7592  
36-10319  
36-10320  
36-10321  
36-15095  
36-7291D

(The foregoing real property and water rights are 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 1 day of November, 2021.

**"GRANTOR"**

BOX CANYON LAND HOLDINGS, LLC

An Idaho limited liability company

  
MARY JANE HEIDA, Member

  
TOM HEIDA, Member

  
JEREMY CRAIG, Member

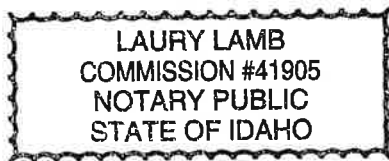
  
JEANNIE ONANDIA, Member

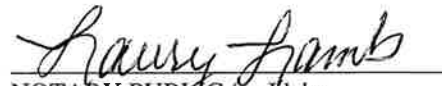
  
DAWNA CIOCCA, Member

STATE OF IDAHO       )  
                                  :SS.  
County of Jerome       )

On this 1 day of November, 2021, before me, the undersigned, a Notary Public in and for said County and State, personally appeared MARY JANE HEIDA, as a Member of BOX CANYON 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 on behalf of said company.

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

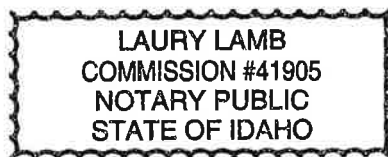


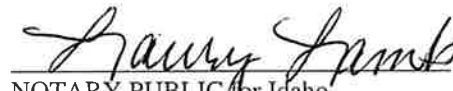
  
NOTARY PUBLIC for Idaho  
Residing at: Jerome, ID  
Commission Expires: 04/02/2022

STATE OF IDAHO       )  
                                  :SS.  
County of Jerome       )

On this 1 day of November, 2021, before me, the undersigned, a Notary Public in and for said County and State, personally appeared JEANNIE ONAINDIA, as a Member of BOX CANYON 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 she executed the same on behalf of said company.

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

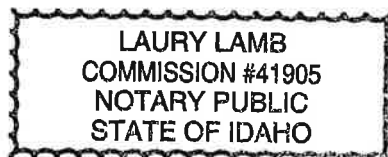


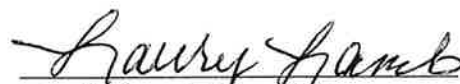
  
NOTARY PUBLIC for Idaho  
Residing at: Jerome, ID  
Expires: 04/02/2022

STATE OF IDAHO       )  
                                  :SS.  
County of Jerome       )

On this 1 day of November, 2021, before me, the undersigned, a Notary Public in and for said County and State, personally appeared TOM HEIDA, as a Member of BOX CANYON 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 she executed the same on behalf of said company.

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

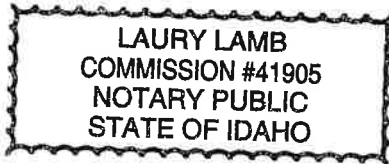


  
NOTARY PUBLIC for Idaho  
Residing at: Jerome, ID  
Commission Expires: 04/02/2022

STATE OF IDAHO       )  
                                  :SS.  
County of Jerome       )

On this 1 day of November, 2021, before me, the undersigned, a Notary Public in and for said County and State, personally appeared JERIMY CRAIG, as a Member of BOX CANYON 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 on behalf of said company.

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

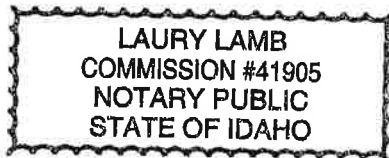


*Laury Lamb*  
NOTARY PUBLIC for Idaho  
Residing at: Jerome, ID  
Commission Expires: 04/02/2022

STATE OF IDAHO       )  
                                  :SS.  
County of Jerome       )

On this 1 day of November, 2021, before me, the undersigned, a Notary Public in and for said County and State, personally appeared DAWNA CIOCCA, as a Member of BOX CANYON 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 she executed the same on behalf of said company.

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



*Laury Lamb*  
NOTARY PUBLIC for Idaho  
Residing at: Jerome, ID  
Commission Expires: 04/02/2022

## EXHIBIT A

1. Taxes and assessments for 2021 and subsequent years.
2. Liens, levies, and assessments of any and all irrigation districts, including but not limited to the American Falls Reservoir District, and the rights, powers, and easements of said district as provided by law.
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. Liens, levies, and assessments of any and all irrigation districts, including but not limited to the Lower Snake River Aquifer Recharge District, and the rights, powers, and easements of said district as provided by law.
5. Liens, levies, and assessments of any and all irrigation districts, including but not limited to the North Snake Ground Water District, and the rights, powers, and easements of said district as provided by law.
6. Right-of-way for canals, laterals and waste ditches and the rights of access thereto for maintenance of said North Side Canal Company.
7. 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.

8. An easement for the purpose shown below and rights incidental thereto as set forth in a document.

Granted to: Idaho Power Company, a corporation

Purpose: Public Utilities

Recorded: March 6, 1940

Book 4 at Page 389

Instrument No.: 76325

9. An easement for the purpose shown below and rights incidental thereto as set forth in a document.

Granted to: Idaho Power Company, a corporation

Purpose: Public Utilities

Recorded: March 19, 1955

Book 7 at Page 390

Instrument No.: 126750

10. An easement for the purpose shown below and rights incidental thereto as set forth in a document.

Granted to: Idaho Power Company, a corporation

Purpose: Public Utilities

Recorded: December 14, 1979

Instrument No.: 80275

11. An easement for the purpose shown below and rights incidental thereto as set forth in a document.

Granted to: Idaho Power Company, a corporation

Purpose: Public Utilities

Recorded: June 27, 1980

Instrument No.: 83912

12. A 25.00 foot wide county roadway easement parallel and adjoining the East boundary of said parcel in Section 26 contained in Deed given by Box Canyon Livestock, Inc., an Idaho Corporation, to Aardema & Heida Dairy, a partnership composed of Frans Aardema and Cornelia Aardema, husband and wife, and Thomas H. Heida and Mary Jane Heida, husband and wife, recorded April 28, 1988 as Instrument Number 131989, Gooding County records.
13. An easement for the purpose shown below and rights incidental thereto as set forth in a document.  
Granted to: Idaho Power Company, a corporation  
Purpose: Public Utilities  
Recorded: April 13, 1992  
Instrument No.: 148310
14. 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 Number 196111, Gooding County records. (Box Canyon Dairy - 25-8-14 SWSW, SESW, SWSE, NENE)
15. Terms and conditions contained in Water Rights Lease and Conversion Agreement between North Snake Ground Water District and Magic Valley Ground Water District dated May 1, 2009, recorded July 22, 2009 as Instrument Number 231288, Gooding County records.



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](mailto:southerninfo@idwr.idaho.gov) • Web: [idwr.idaho.gov](http://idwr.idaho.gov)

**Governor Brad Little**

**Director Gary Spackman**

December 3, 2021

L & S LAND HOLDINGS LLC  
2930 S 2300 E  
WENDELL ID 83355-3150

Re: Change in Ownership for Water Right No(s): 36-7291C, 36-7291D, 36-7871, 36-10264,  
36-10319, 36-10320, 36-10321, 36-10362, 36-10363 & 36-15095

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.

While processing this Notice, it was noted that water right no. 36-7592 is already in the name of L & S Land Holdings LLC; therefore no changes were necessary. It was also noted that water right no. 36-10264 is appurtenant to the property listed on the deed. This water right was added to the Notice and processed as well.

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) 293-9908.

Sincerely,

*Denise Maline*

Denise Maline  
Administrative Assistant 1

Enclosure(s)

c: Metropolitan Life Insurance Company  
TitleOne, Burley (File #21431706)  
Kimberly L Williams, attorney  
Water District 130



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

ID Dept. of Water Resources  
650 Addison Ave. West, Suite 500  
Twin Falls, ID 83301

RECEIVED

NOV 10 2021

DEPT OF WATER RESOURCES  
SOUTHERN REGION

Date: 11/09/2021

Escrow No. 21431706  
L & S Land Holdings, LLC/Box Canyon Land Holdings, LLC

Dear Clerk:

Enclosed with this letter please find the following in connection with the above referred to transaction:

- The original executed Notice of Change in Water Right Ownership
- A copy of the original recorded Special Warranty Deed
- TitleOne check no. 38445 made payable to Idaho Department of Water Resources in the amount of \$250.00 for the transfer fees

Please make the necessary changes in the records to indicate the new Owner. Please send a receipted copy to this office at the address listed above.

Should you have questions, please contact Ashley Martinkus at the number listed above.

Very truly yours,  
TITLE ONE

Nancy Garrett  
Ag Escrow Assistant

AR/nrg  
Enc.  
FedEx