

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED ✓

MAY 11 2020

## Notice of Change in Water Right Ownership

DEPT OF WATER RESOURCES  
SOUTHERN 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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
37-8865	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
37-19820	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
37-19821	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>

2. Previous Owner's Name: L & S Land Holdings, LLC  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Big Sky Dairy  
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 430 E. Yakima Jerome ID 83338  
Mailing address City State ZIP
- 208-934-9072  
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: September 18, 2019
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.

8. Signature: [Signature] Authorized Representative 9/18/19  
Signature of new owner/claimant Title, if applicable Date
- Signature: [Signature] 9/18/19  
Signature of new owner/claimant Title, if applicable Date

## For IDWR Office Use Only:

Received by DM Date 5-11-2020 Receipt No. 5037919 Receipt Amt. \$75-  
 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 KA Date 06/19/2020

SUPPORT DATA  
 IN FILE # 37-8865

**SPECIAL WARRANTY DEED**

19341962

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 **BIG SKY DAIRY**, an Idaho general partnership whose address is 430 E. Yakima Ave., Jerome, ID 83338, the "Grantee", the following described premises located in Gooding County, Idaho, to wit:

**PARCEL NO. 1:**

TOWNSHIP 6 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 26: NE1/4NW1/4;

**PARCEL NO. 2:**

TOWNSHIP 6 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 26: A parcel of land located in the South one-half of the Northwest Quarter, and more particularly described as follows:

Commencing at the Northwest corner of said Section 26, from which the West one-quarter corner bears South 00°00'00" East 2662.38 feet;  
Thence South 00°00'00" East along the West boundary of the Northwest quarter of Section 26 for a distance of 1,331.19 feet to the Northwest corner of the South one-half of the Northwest Quarter of Section 26 and being the TRUE POINT OF BEGINNING;  
Thence North 89°42'15" East along the North boundary of the South one-half of the Northwest Quarter of Section 26 for a distance of 2,639.80 feet to the Northeast corner of the South one-half of the Northwest Quarter of Section 26;  
Thence South 00°10'50" East along the East boundary of the South one-half of the Northwest Quarter of Section 26 for a distance of 1,324.06 feet;  
Thence South 89°33'00" West for a distance of 1,580.97 feet to a point on the arc of a curve right;  
Thence Northwesterly along the arc of the curve right for a distance of 1,561.82 feet to a point on the Easterly easement boundary of a county road, said arc having a radius of 1,326.00 feet and a long chord bearing and distance of North 44°48'04" West, for 1,473.10 feet;  
Thence North 90°00'00" West for a distance of 25.00 feet to a point on the West

boundary of the Northwest Quarter of Section 26;  
Thence North 00°00'00" East along the West boundary of the South one-half of  
the Northwest Quarter for a distance of 277.60 feet to the TRUE POINT  
OF BEGINNING.

**PARCEL NO. 3:**

**TOWNSHIP 6 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN, GOODING  
COUNTY, IDAHO**

Section 26: Part of the NE1/4 more particularly described as follows:

Beginning at the North Quarter corner of Section 26;  
Thence South 89°51' East, 340.75 feet along the Northerly boundary of Section  
26 to THE TRUE POINT OF BEGINNING;  
Thence South 31°47'55" West, 152.43 feet;  
Thence South 36°18'06" East, 59.97 feet;  
Thence South 89°51' East, 244.34 feet;  
Thence North 0°09' East, 178.00 feet to a point on the Northerly boundary of  
Section 26;  
Thence North 89°51' West, 200.00 feet along the Northerly boundary of Section 26 to THE  
TRUE POINT OF BEGINNING.

Together with all water rights appurtenant thereto, including but not limited to  
seventy-eight (78) shares of stock of the Big Wood Canal Co., Ltd/American Falls  
Reservoir District No. 2.

(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 Grantor has executed the within instrument as of the 18 day of September, 2019.

**"GRANTOR"**

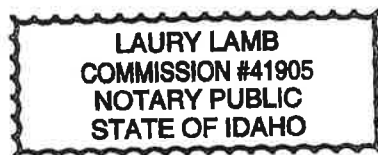
**L & S LAND HOLDINGS, LLC**  
An Idaho limited liability company

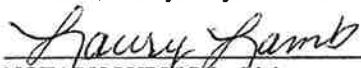
By:   
Luis M. Bettencourt  
Authorized Representative

STATE OF IDAHO       )  
                                  :SS.  
County of Jerome    )

On this 18 day of September, 2019, 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 2019 and subsequent years.
2. Liens, levies and assessment of any and all irrigation districts, including but not limited to the American Falls Reservoir District No. 2 and the rights, powers, and easements of said district as provided by law.
3. Liens, levies and assessment of any and all irrigation districts, including but not limited to the Big Wood Canal Company and the rights, powers, and easements of said company as provided by law.
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 canals, laterals and waste ditches and the rights of access thereto for maintenance of said Big Wood Canal Company.
7. An irrigation ditch and pipeline easement contained in Warranty Deed given by Ferman O. Nielson and Georgina May Nielson, husband and wife, to C. L. Clarke and Betty J. Clarke, husband and wife, dated November 5, 1977, recorded November 15, 1978 as Instrument Number 73251, Gooding County records. (Parcels 1 & 2)
8. Terms, conditions, easements and, obligations, if any, contained in document by and between Clisson L. Clarke and Betty J. Clarke, husband and wife and Randall L. Quigley and Lorene G. Quigley, husband and wife.  
Purpose: Ingress and egress for irrigation and irrigation maintenance  
Recorded: July 28, 1980  
Instrument No: 84450  
  
Amended Easement dated August 12, 1980, recorded August 15, 1980 as Instrument No. 84775.  
(Parcel No. 1)
9. A 25.0 foot wide country road easement along the West boundary as disclosed in Warranty Deed dated August 20, 2003, recorded August 21, 2003 as Instrument No. 202279, records of Gooding County, Idaho. (Parcel 2)



0003697702

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***AMENDMENT TO STATEMENT OF PARTNERSHIP  
AUTHORITY**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$30.00 - Make Checks Payable to Secretary of State

*For Office Use Only***-FILED-**

File #: 0003697702

Date Filed: 12/3/2019 2:52:21 PM

## Amendment to Statement of Partnership Authority

Select one: Standard, Expedited or Same Day Service (see descriptions below)

Standard (filing fee \$30)

The current name of the general partnership is:

BIG SKY DAIRY

Change General Partnership Name?

I do not want to change the name of the general partnership

The file number of this entity on the records of the Idaho Secretary of State is:

0000000108

The date the statement of partnership authority was originally filed:

2001-08-23 10:19:04.000

The complete street address of the principal office is:

Principal Office Address

430 E YAKIMA AVE  
JEROME, ID 83338

Names and street addresses of each partner:

Name	Business Address
MICHAEL BOSMA	2395 S 1500 E GOODING, ID 83330
RUSSELL VISSER	2395 S 1500 E GOODING, ID 83330
The Visser Trust 1	430 E YAKIMA AVE JEROME, ID 83338

The names of the partners authorized to execute an instrument transferring real property held in the name of the partnership:

☐ I want to update the list of partners authorized to execute an instrument transferring real property held in the name of the partnership.

Signature of individual authorized by partners to sign:

*Russell Visser*

Sign Here

*12/03/2019*

Date

Signer's Title: Partner

B0422-6461 12/03/2019 2:52 PM Received by ID Secretary of State Lawrence Denney



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 ADDISON AVE W STE 500 • TWIN FALLS, ID 83301-5858

Phone: (208)736-3033 • Fax: (208)736-3037 • Website: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

Brad Little  
Governor

Gary Spackman  
Director

June 19, 2020

BIG SKY DAIRY  
430 E YAKIMA  
JEROME ID 83338-4928

Re: Change in Ownership for Water Right No(s): 37-8865, 37-19820, 37-19821

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.

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) 293-9916.

Sincerely,

Kent Aasa  
Water Resource Agent, Senior

Enclosure(s)

Cc: WD 130

TitleOne Jerome File# 19341962



237 N. Lincoln  
Jerome, ID 83338  
Ph. (208) 324-5613  
Fx. (866) 310-3443  
www.titleonecorp.com

Idaho Dept of Water Resources  
650 Addison Avenue West, Suite 500  
Twin Falls, ID 83301

RECEIVED

MAY 11 2020

DEPT OF WATER RESOURCES  
SOUTHERN REGION

Date: May 8, 2020

Re: Escrow No. 19341962 ~ Big Sky Dairy, an Idaho general partnership

In connection with the above referenced transaction, I am enclosing the following:

- Check No. 27140 in the amount of \$75.00
- Notice of Change in Water Right Ownership for water rights 37-8865, 37-19820, 37-19821
- Copy of the recorded Warranty Deed, Instrument No. 266183, Gooding County, Idaho

Once transfer is complete, please forward confirmation to my attention. If you have any questions, please do not hesitate to contact me.

Sincerely,

Laury Jo Lamb  
(208) 324-5613  
llamb@titleonecorp.com