

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED

APR 23 2020

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?
See Exhibit A attached	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: 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: 4/2/2020
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 4/1/2020
Signature of new owner/claimant Title, if applicable Date
- Signature: _____ _____ _____
Signature of new owner/claimant Title, if applicable Date

SUPPORT DATA

IN FILE # 36-2148A**For IDWR Office Use Only:**

Received by DM Date 4-23-2020 Receipt No. S037892 Receipt Amt. \$750-total

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 DM Date 4-27-2020

Exhibit A

Water Right No. 36-2148A

Water Right No. 36-2148B

Water Right No. 36-2495A

Water Right No. 36-2495B

Water Right No. 36-7585

Water Right No. 36-7713A

Water Right No. 36-7713B

Water Right No. 36-8658 (Application for Permit)

Water Right No. 36-8671 (Application for Permit)

Water Right No. 36-8713

Water Right No. 36-10374

Water Right No. 36-10550

Water Right No. 36-10553

Water Right No. 36-10696

Water Right No. 36-10698

18305160

SPECIAL WARRANTY DEED

Instrument # 268159
GOODING COUNTY, GOODING, IDAHO
04-02-2020 11:51:52 No. of Pages: 8
Recorded for: TITLEONE - TWIN FALLS
DENISE GILL Fee: \$15.00
Ex-Officio Recorder Deputy: DAL
Electronically Recorded by Simplifile

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 ~~2030 S. 2300 E., Wendell, Idaho 83355~~, the "Grantee", the following described premises located in Gooding County, Idaho, to wit:

**** 2930 S. 2300 E., Wendell Idaho 83355**

Parcel No. 1:

TOWNSHIP 8 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 30: S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$;

Parcel No. 2:

TOWNSHIP 8 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 30: Lot 2; SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$;

Parcel No. 3:

TOWNSHIP 8 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 30: N $\frac{1}{2}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$;

Parcel No. 4:

TOWNSHIP 8 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 30: NE $\frac{1}{4}$ NW $\frac{1}{4}$; Lot 1

Parcel No. 5:

TOWNSHIP 8 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 30: S $\frac{1}{2}$ SE $\frac{1}{4}$

EXCEPTING THEREFROM that portion deeded to Wendell Highway District , a body

SPECIAL WARRANTY DEED - 1

C:\Users\Nlamb\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\YU2SRZOV\WD RP - special.doc

politic and corporate of the State of Idaho, by and through its Board of Commissioners by Warranty Deed recorded June 12, 2008 as Instrument Number 226792, Gooding County records, described as follows:

A parcel of land for county road right of way purposes being generally described as a strip of land adjacent to and along the South boundary of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 30, Township 8 South, Range 15 East, Boise Meridian in Gooding County, Idaho and being more specifically described as follows:

The South thirty (30) feet of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPT the South twenty-five (25) feet and the East Twenty-five (25) feet all in Section 30, Township 8 South, Range 15 East, Boise Meridian from Bob Barton Highway Project Station 141+46.29 to Bob Barton Highway Project Station 167+92.71.

(BASIS OF BEARINGS: The South section line from the South quarter corner of Section 30 to the Southwest section corner of Section 30 all in Township 8 South, Range 15 East, Boise Meridian, Gooding County, Idaho. Said North-South centerline being on a bearing of North 89°13'13" West.

Together with all water rights appurtenant thereto.

(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 April, 2020.

"GRANTOR"
BOX CANYON LAND HOLDINGS, LLC
An Idaho limited liability company


MARY JANE HEIDA, Member


TOM HEIDA, Member


JEREMY CRAIG, Member

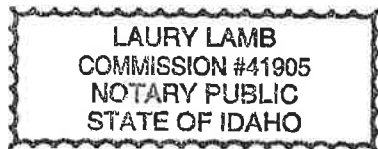

JEANNIE ONAINDIA, Member


DAWNA CIOCCA, Member

STATE OF IDAHO)
 :SS.
County of Jerome)

On this 1 day of April, 2020, 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.

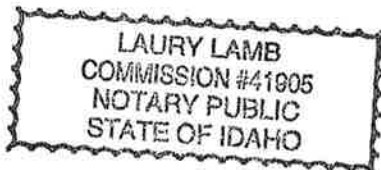


Laurie Lamb
NOTARY PUBLIC for Idaho
Residing at: Jerome
Commission Expires: 04/02/2022

STATE OF IDAHO)
 :SS.
County of Jerome)

On this 1 day of April, 2020, 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.

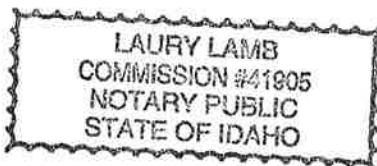


Laurie Lamb
NOTARY PUBLIC for Idaho
Residing at: Jerome, ID
Commission Expires: 04/02/2022

STATE OF IDAHO)
 :SS.
County of Jerome)

On this 1 day of April, 2020, 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.

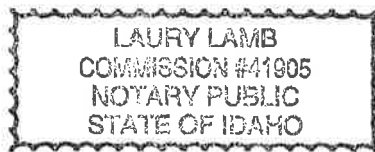


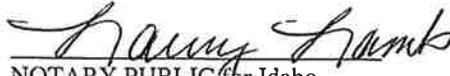
Laurie Lamb
NOTARY PUBLIC for Idaho
Residing at: Jerome, ID
Commission Expires: 04/02/2022

STATE OF IDAHO)
 :SS.
County of Jerome)

On this 1 day of April, 2020, 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.

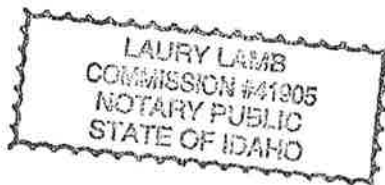



NOTARY PUBLIC for Idaho
Residing at: Jerome, ID
Commission Expires: 04/02/2022

STATE OF IDAHO)
 :SS.
County of Jerome)

On this 1 day of April, 2020, 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.



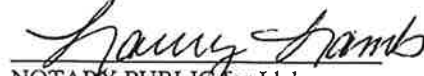

NOTARY PUBLIC for Idaho
Residing at: Jerome, ID
Commission Expires: 04/02/2022

EXHIBIT A

1. Taxes and assessments for the year 2020 and subsequent years.
2. Liens, levies and assessment 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. Liens, levies and assessment of any and all irrigation districts, including but not limited to the North Side Canal Company and the rights, powers, and easements of said company as provided by law.
4. Liens, levies and assessment 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. 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 North Side Canal Company.
7. 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 10, 1940
Instrument No.: 76855
(Parcel No. 1 and 3)
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: November 12, 1941
Instrument No.: 81983
(Parcel 4)
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: April 4, 1954
Book 7 at Page 304
Instrument No.: 123380
(Parcel 2)
10. Maintenance and operation of irrigation ditches in a good and farmer-like manner as contained in Easement for Irrigation Ditches by and between Herb Hunter and Inez M. Hunter, husband and wife, parties of the first part, and P. W. Kearley, second party, dated March 31, 1959, recorded August 6, 1959 in Book 8 Page 111 as Instrument Number 138291, Gooding County records, affecting properties in Section 29 and Section 30, Township 8 South, Range 15, East Boise Meridian. (Parcel No. 1)

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: July 29, 1966
Instrument No.: 19051
(Parcel 2)
12. 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 25, 1969
Instrument No.: 28198
(Parcel 3)
13. Grant of Easement given by Asael D. John and Blanche A. John, husband and wife, to the North Side Canal Company, Ltd., recorded July 3, 1969 as Instrument Number 29239, Gooding County records, granting a perpetual easement for the construction of a canal and waste way and appurtenant structures therewith, across a portion of Section 30, Township 8 South, Range 15, East Boise Meridian.
(Parcel 2)
14. 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 16, 1976
Instrument No.: 62366
(Parcel 1, 2 and 3)
15. 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: August 30, 1990
Instrument No.: 142108
(Parcel 1)
16. 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 30, 1991
Instrument No.: 144648
(Parcel 2)
17. 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 28, 1995

Instrument No.: 160702

(Parcel 1 and 3)

18. 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 December 7, 2004, recorded December 13, 2004 as Instrument No. 09083, records of Jerome County, Idaho.
(Cnossen Dairy)(affecting Parcel 2 and 3)



0003605077

**STATE OF IDAHO***Office of the secretary of state, Lawrence Denney***ANNUAL REPORT**

Idaho Secretary of State

PO Box 83720

Boise, ID 83720-0080

(208) 334-2301

Filing Fee: \$0.00

For Office Use Only

-FILED-

File #: 0003605077

Date Filed: 8/26/2019 10:41:54 AM

Entity Name and Mailing Address:

L & S LAND HOLDINGS, LLC

The file number of this entity on the records of the Idaho Secretary of State is: 0000243192

Address

2930 S 2300 E
WENDELL, ID 83355-3150

Entity Details:

Entity Status

Active-Existing

This entity is organized under the laws of:

IDAHO

If applicable, the old file number of this entity on the records of the Idaho Secretary of State was: W77679

The registered agent on record is:

Registered Agent

ROBERT E WILLIAMS
Registered Agent

Physical Address

153 E MAIN ST
JEROME, ID 83338

Mailing Address

Limited Liability Company Managers and Members

Name	Title	Address
THE LUIS M AND SHARON BETTENCOURT 2008 T	Member	2930 S 2300 E WENDELL, ID 83355
LUIS M BETTENCOURT	Member	2930 S 2300 E WENDELL, ID 83355

The annual report must be signed by an authorized signer of the entity.

Rick Onaindia

Sign Here

08/26/2019

Date

Signer's Title: CFO

B0333-9602 08/26/2019 10:41 AM Received by ID Secretary of State Lawrence Denney

Maline, Denise

From: Maline, Denise
Sent: Wednesday, April 29, 2020 8:46 AM
To: Marston, Sascha
Subject: Refund Request - TitleOne in Jerome
Attachments: Refund Request - TitleOne Jerome.pdf

Good morning,

Attached please find a refund request being submitted for processing. Please let me know if there are any questions.

Hope all is well with you,

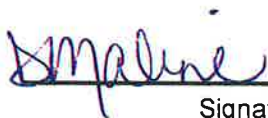
Denise

Idaho Department of Water Resources Receipt
Receipt ID: S037892

Payment Amount	\$750.00	Date Received	4/23/2020	Region	SOUTHERN
Payment Type	Check	Check Number	26548		
Payer	TITLEONE				
Comments	CHANGE OF OWNERSHIP FROM BOX CANYON LAND HOLDINGS LLC TO L & S LAND HOLDINGS LLC: 36-2148A, ETC. (15 WATER RIGHTS IN BASIN 36) NOTICE OF SECURITY INTEREST FOR METROPOLITAN LIFE INSURANCE CO. (15 WATER RIGHTS IN BASIN 36) IN THE NAME OF L & S LAND HOLDINGS LLC				

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$375.00	OWNERSHIP CHANGES/SECURITY INTERESTS	64140	0229	21		1155
\$375.00	OWNERSHIP CHANGES/SECURITY INTERESTS	64140	0229	21		1155



Signature Line (Department Representative)

(2) of the water rights listed on the Change in Ownership (36-8658 & 36-8671) are Applications for Permit. There is no fee to change ownership on applications.

Please issue a \$50 refund to:

TitleOne

237 N Lincoln Ave

Jerome ID 83338-2324

(208) 324-3357

DM 4-29-2020



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

Brad Little
Governor

Gary Spackman
Director

April 28, 2020

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

Re: Change in Ownership & Security Interest for Water Right No(s): 36-2148A, 36-2148B, 36-2495A, 36-2495B, 36-7585, 36-7713A, 36-7713B, 36-8713, 36-10374, 36-10550, 36-10553, 36-10696, 36-10698

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 also acknowledges receipt of correspondence adding security interest of the above referenced water right(s) to Metropolitan Life Insurance Company. The Department has modified its records and has enclosed a computer-generated report for you. You will notice that Kimberly Williams, attorney, is listed as a contact for the water rights. She can be removed when the Department receives written authorization from either you or Ms. Williams.

While processing these Notices, it was noted that Water Right No(s). 36-8658 and 36-8671 are currently in the Application stage and are considered personal property. Furthermore, these applications are not in the name of Box Canyon Land Holdings LLC. In order to update ownership on these applications, Assignment(s) of Application for Permit will need to be filed with the department. The Assignments need to be signed by the current owner of record. If this is not possible, the Assignment forms would need to be submitted with sufficient documentation releasing their interest in the Applications. This can be a Quitclaim Deed, Personal Representative's Deed, etc. I have enclosed an Assignment form for each application.

In addition, there is no fee for an Assignment of Application, a refund request in the amount of \$50 has been submitted for processing. The refund will be sent to TitleOne in Jerome upon approval.

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,

A handwritten signature in blue ink that reads "Denise Maline". The signature is written in a cursive style with a horizontal line underlining the name.

Denise Maline
Administrative Assistant 1

Enclosure(s)

c: Metropolitan Life Insurance Company
TitleOne, Jerome (File #18305160)
Kimberly L Williams, attorney for Box Canyon Land Holdings LLC
Water District 130



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

Via UPS Overnight Delivery

Idaho Dept of Water Resources
650 Addison Ave W, Ste 500
Twin Falls, ID 83301

RECEIVED
APR 23 2020
DEPT OF WATER RESOURCES
SOUTHERN REGION

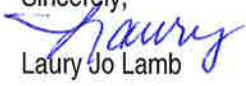
Date: April 6, 2020

Re: Escrow No. 18305160 ~ Bettencourt Dairies, LLC, an Idaho limited liability company

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

- Notice of Change in Water Right Ownership
- Notice of Security Interest in Water Rights
- Copy of recorded Special Warranty Deed, Instrument No. 268159, Gooding County, Idaho
- Copy of Supplement and Amendment to Mortgage, Security Agreement, Assignment of Leases and Rents and Fixture Filing, Instrument No. 268160, Gooding County, Idaho, Instrument No. 2201560, Jerome County, Idaho, Instrument No. 2020006082, Twin Falls County, Idaho
- TitleOne Check No. 26548 in the amount of \$750.00

Once completed, please provide confirmation to the Lender and to my attention at TitleOne 237 N. Lincoln, Jerome, ID 83338. If you have any questions, please do not hesitate to contact me.

Sincerely,

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