

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
JAN 24 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?
36-7235	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>
36-14247	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"/>
	Yes <input type="checkbox"/>	Yes <input type="checkbox"/>		Yes <input type="checkbox"/>	Yes <input type="checkbox"/>

2. Previous Owner's Name: Terry G Martin Living Trust
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Roth Investments, L.L.C., an Idaho limited liability company
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 539 359 South 800 East Jerome ID 83338
Mailing address City State ZIP
- 208-954-3955 (208) 324-0488 evan@sawtoothlaw.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: January 10, 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.

SUPPORT DATA
IN FILE # 36-7235

8. Signature: [Signature] Managing Member January 22, 2020
Signature of new owner/claimant Title, if applicable Date
- Signature: [Signature] _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by SG Date 1/24/20 Receipt No. 5037721 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 MR Date 3/12/20

19340560

SPECIAL WARRANTY DEED

Justin G. Martin, Trustee
of The Terry G. Martin Living Trust, ("Grantor"), does hereby grant, bargain, sell and convey unto Roth Investments, LLC, whose current mailing address is 539 South 800 East Jerome, Idaho 83338, ("Grantee"), the following described real property, located in Jerome County, Idaho, to wit (the "Premises"):


See Exhibit A attached hereto and incorporated herein by this reference.

TOGETHER WITH all water and water rights and other entitlements to water appurtenant to or beneficially used upon the Premises including, but not limited to, those described on Exhibit B, and all others represented by any decree, license, permit, claim, permit application or storage entitlement, and all other ditch and canal company, water association, irrigation district, or other water delivery entity shares and entitlements to receive water from any such company, association, district or other entity, and all ditch rights, easements, and rights of way associated with any irrigation or other water well, pump, delivery ditch, canal, lateral, pipeline, or facilities used to divert, convey or deliver any water, water rights, or entitlements appurtenant to or beneficially used upon the Premises, and all minerals and mineral rights appurtenant thereto, and all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof and all estate, right, title and interest in and to the Premises, as well in law as in equity.

TO HAVE AND TO HOLD the Premises with its appurtenances unto Grantee, its successors and assigns, forever, and subject to the matters set forth on Exhibit C to this Special Warranty Deed attached hereto and incorporated herein (the "Permitted Exceptions"). Grantor covenants to Grantee that Grantor is the owner in fee simple of said premises; that the premises are free from encumbrances created or suffered by Grantor, excepting those as may be herein set forth, and excepting those of record, and that Grantor will warrant and defend the same from all lawful claims of or through Grantor, but none other.

DATED effective as of the 10 day of Jan, 2020.

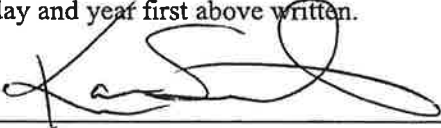
Justin G. Martin, Trustee of The Terry G. Martin Living Trust

By: 
Justin G. Martin

STATE OF IDAHO)
 : ss.
County of Ada)

On this 10 day of Jan, 2020, before me, a Notary Public in and for said state, personally appeared Justin G. Martin, who executed the instrument on behalf of The Terry G. Martin Living Trust, and acknowledged to me that such executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Notary Public for Idaho
Residing at: _____
My commission expires: _____

Residing in: Nampa, ID
Commission expires: 8/16/2024



Exhibit A to Special Warranty Deed

[Legal Description to be attached]

Exhibit A

PARCEL NO. 1

TOWNSHIP 8 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN, JEROME COUNTY, IDAHO

Section 32: A parcel of land being that part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, lying North and West of the County Road.

PARCEL NO. 2

TOWNSHIP 8 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN, JEROME COUNTY, IDAHO

Section 32: A parcel of land located in the SW $\frac{1}{4}$ of said Section 32 and more particularly described as follows:

Beginning at the Southwest (SW) corner of said Section 32 (which lies North 89°32'45" West a distance of 2670.29 feet from the South (S $\frac{1}{4}$) Quarter Corner);

Thence North 00°02'56" West for a distance of 343.00 feet to THE TRUE POINT OF BEGINNING;

Thence continuing North 00°02'56" West for a distance of 323.71 feet;

Thence North 82°36'56" East for a distance of 1444.10 feet;

Thence along a curve to the Right, said curve having a radius of 8743.47 feet with an arc length of 1236.68 feet and chord bearing of North 86°40'03" East, a chord length of 1235.65 feet;

Thence South 00°18'31" East for a distance of 945.32 feet;

Thence North 89°32'45" West for a distance of 2045.28 feet;

Thence North 00°02'56" West for a distance of 343.00 feet;

Thence North 89°32'45" West for a distance of 625.00 feet to THE TRUE POINT OF BEGINNING.

ALONG WITH:

A 12 foot wide ingress/egress easement, said easement being 6 foot either side of the following described center line, located in the SW $\frac{1}{4}$ of said Section 32:

Beginning at the Southwest (SW) corner of said Section 32 (which lies North 89°32'45" West a distance of 2670.28 feet from the South (S $\frac{1}{4}$) Quarter corner;

Thence North 00°02'56" West for a distance of 132.66 feet to THE TRUE POINT OF BEGINNING;

Thence North 89°19'20" East for a distance of 63.00 feet;

Thence on a curve to the left, said curve having a radius of 18.75 feet, with an arc length of 51.01 feet, with a chord bearing of North 11°24'20" East and a chord distance of 36.67 feet;

Thence North 67°41'06" West for a distance of 24.62 feet;

Thence on a curve to the right, said curve having a radius of 34.14 feet, with an arc length of 41.10 feet, with a chord bearing of North 33°11'50" West and a chord distance of 38.66 feet;

Thence North 00°24'22" East for a distance of 131.71 feet to THE POINT OF TERMINUS.

PARCEL NO. 3

TOWNSHIP 9 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN, JEROME COUNTY, IDAHO

Section 5: Lots 3 and 4;

PARCEL NO. 4

TOWNSHIP 9 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN, JEROME COUNTY, IDAHO

Section 5: S $\frac{1}{2}$ NW $\frac{1}{4}$;

EXCEPTING THEREFROM that part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, described as follows:

Beginning at the West quarter corner of said Section 5;
Thence North along the West boundary of said Section 5, 660.00 feet;
Thence East parallel to the South boundary of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, 330.00 feet;
✓ Thence South parallel to the West boundary of said Section 5, 660.00 feet to the South boundary of the SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence West along the South boundary of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, 330.00 feet to THE TRUE POINT OF BEGINNING.

PARCEL NO. 5

TOWNSHIP 9 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN, JEROME COUNTY, IDAHO

Section 5: That part of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, described as follows:

Beginning at the West quarter corner of said Section 5;
✓ Thence North along the West boundary of said Section 5, 660.00 feet;
Thence East parallel to the South boundary of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, 330.00 feet;
Thence South parallel to the West boundary of said Section 5, 660.00 feet to the South boundary of the SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence West along the South boundary of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, 330.00 feet to THE TRUE POINT OF BEGINNING.

— PARCEL NO. 6

TOWNSHIP 9 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN, JEROME COUNTY, IDAHO

✓ Section 5: E $\frac{1}{2}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$

PARCEL NO. 7

TOWNSHIP 9 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN, JEROME COUNTY, IDAHO

✓ Section 5: NW $\frac{1}{4}$ SE $\frac{1}{4}$;

TOWNSHIP 9 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN, JEROME COUNTY, IDAHO

Section 5: A parcel of land located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, described as follows:

Beginning at the Southwest corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence running North along the West line thereof, 200 feet;
Thence running Southeasterly to a point on the South boundary thereof to a point 200 feet East of the Southwest corner thereof;
Thence running West along said South boundary, 200 feet to said Southwest corner, being THE TRUE POINT OF BEGINNING.

Exhibit C to Special Warranty Deed

[Permitted Exceptions to Come]

WATER RIGHTS

All water and water rights, and other entitlements to water, appurtenant to or beneficially used upon the Land, including but not limited to the following decreed water rights identified in the records of the Idaho Department of Water Resources and shares in Northside Canal Company:

- 1) 36-7235 & 36-14247;
- 2) 75.80 shares in Northside Canal Company.

The parties acknowledge and agree that water rights 36-7235 and 36-14247 are appurtenant to and beneficially used upon more than just the Land that is the subject of this transaction. Notwithstanding this fact Seller agrees that Buyer is purchasing the entirety of water rights 36-7235 and 36-14247 under this transaction and not just the portions of the water right that is appurtenant to the Land.

Exhibit B to Special Warranty Deed

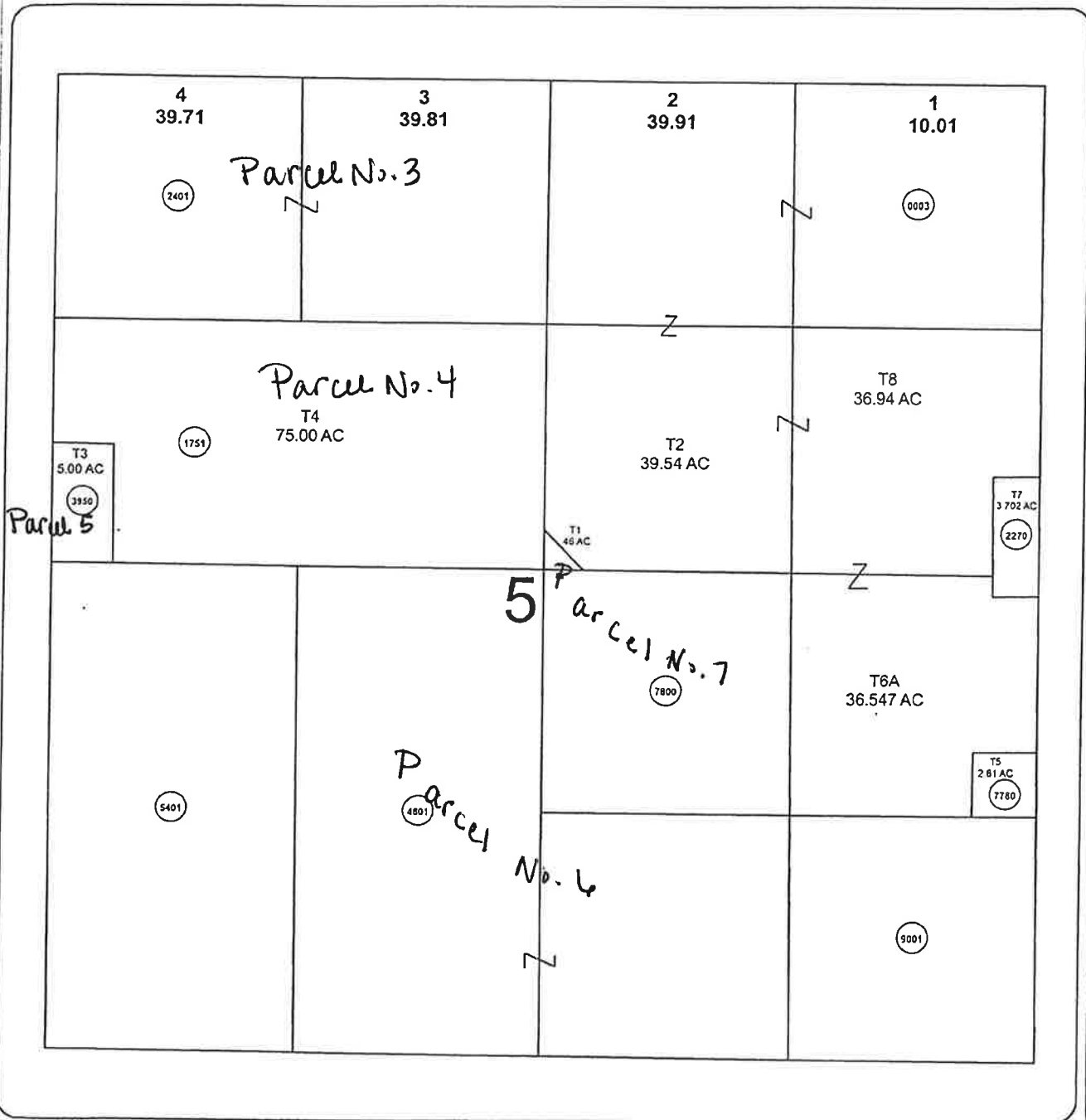
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SECTION 05
TOWNSHIP 09 SOUTH RANGE 18 EAST
JEROME COUNTY IDAHO



We have taken extreme care to insure accuracy.
However, we assume no responsibility for errors or omissions.
These maps are intended for assessment purposes only
and are not to be used as a legal document.
All canals and ditches are approximated from aerial maps.

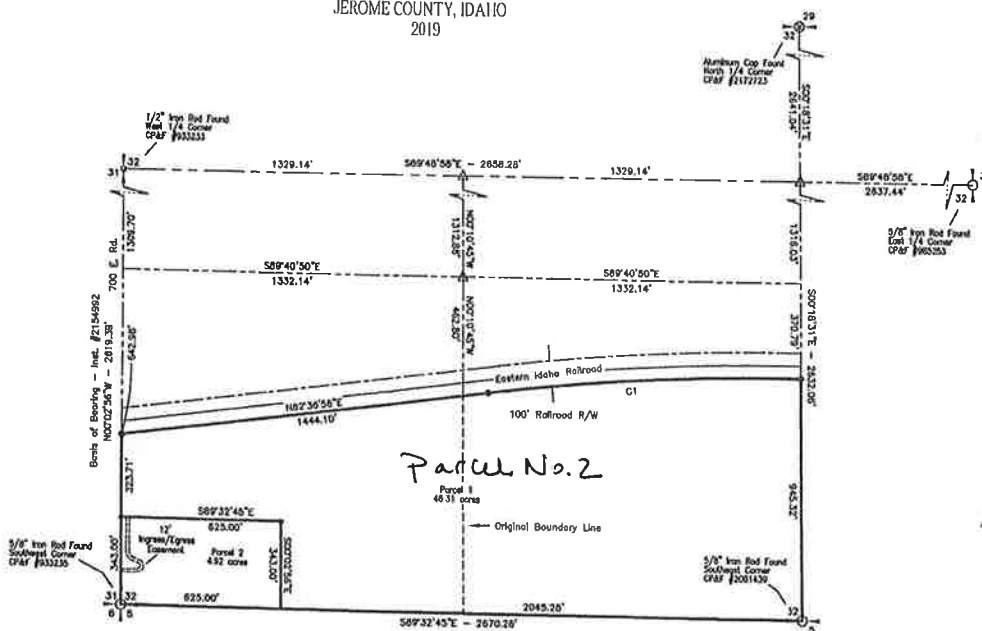


DATE PRINTED 02/22/2010
CREATED BY: TRACY L. PERKINS
JEROME COUNTY ASSESSORS OFFICE

Instrument # 2193102

JEROME COUNTY, JEROME, IDAHO
6-25-2019 09:21:43 AM No. of Pages: 1
Recorded for : GARCIA LAND SURVEYING
MICHELLE EMERSON Fee: 5.00
Ex-Officio Recorder Deputy Wilson

PART OF THE SW 1/4
TOWNSHIP 8 SOUTH, RANGE 18 EAST
SECTION 32, BOISE MERIDIAN
JEROME COUNTY, IDAHO
2019



I, Freddie L. Garcia, a Licensed Professional Land Surveyor in the State of Idaho do hereby certify that this plat is an accurate representation of the survey completed under my supervision.

LEGEND

PARCEL BOUNDARY	—
SECTION LINE	---
RAILROAD RIGHT OF WAY	- - - -
ORIGINAL BOUNDARY LINE	---
FOUND 1/2" IRON ROD	o
FOUND 5/8" IRON ROD	o
SET 1/2" IRON ROD	•
FOUND ALUMINUM CAP	⊗
CALCULATED POINT	Δ

REFERENCES

DEEDS:
INST. #2064040
INST. #982362

RECORDS OF SURVEYS

INST. #2172930 THE AGGREGATED SUGAR COMPANY
#933730 SOUTHERN IDAHO REGIONAL SOLID WASTE DISTRICT
#2154992 FEDERAL NATIONAL MORTGAGE ASSOC.

Curve	Radius	Tangent	Length	Long Chord	Bearing
C1	8743.47'	619.37'	1236.65'	1235.65'	N86°40'03"E

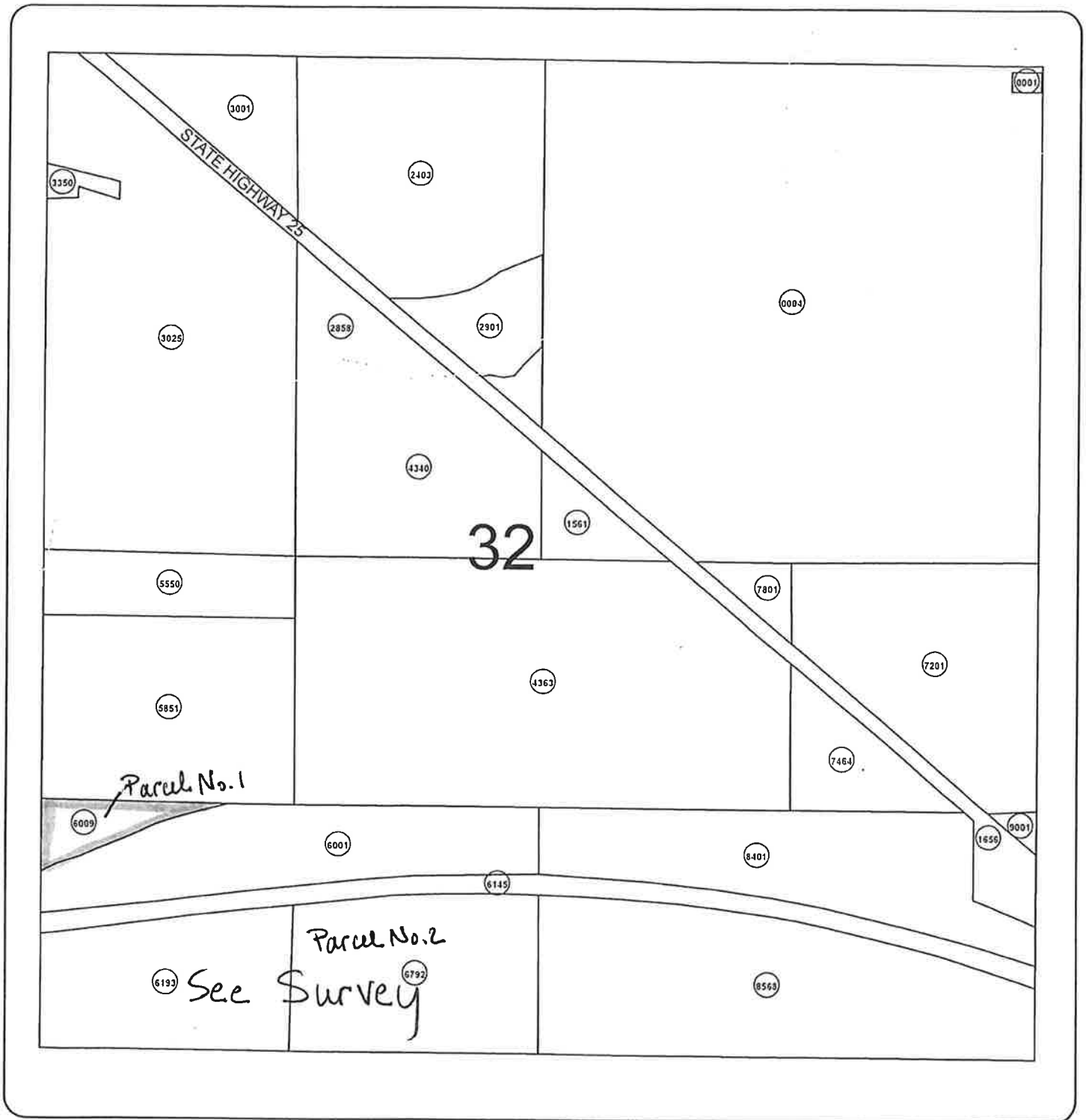
NOTE:

This survey has been prepared without benefit of a preliminary title inspection report. Easements or other encumbrances may exist in the public record but not shown.

Not all objects, improvements, structures or occupational lines either within or near the boundary lines may be shown.

GARCIA LAND SURVEYING, LLC	
BOUNDARY LINE ADJUSTMENT Jay H. Martin & Thelma Martin Trust	
DATE OF THE SURVEY: 6-25-2019	SECTION 32, TOWNSHIP 8 SOUTH, RANGE 18 EAST, B.M. JEROME, IDAHO
DATE: 6-24-2019	
FILE NO: 1218	PAGE NO: 1 OF 1

SECTION 32
TOWNSHIP 08 SOUTH RANGE 18 EAST
JEROME COUNTY IDAHO



We have taken extreme care to insure accuracy.
However, we assume no responsibility for errors or omissions.
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and are not to be used as a legal document.
All canals and ditches are approximated from aerial maps.



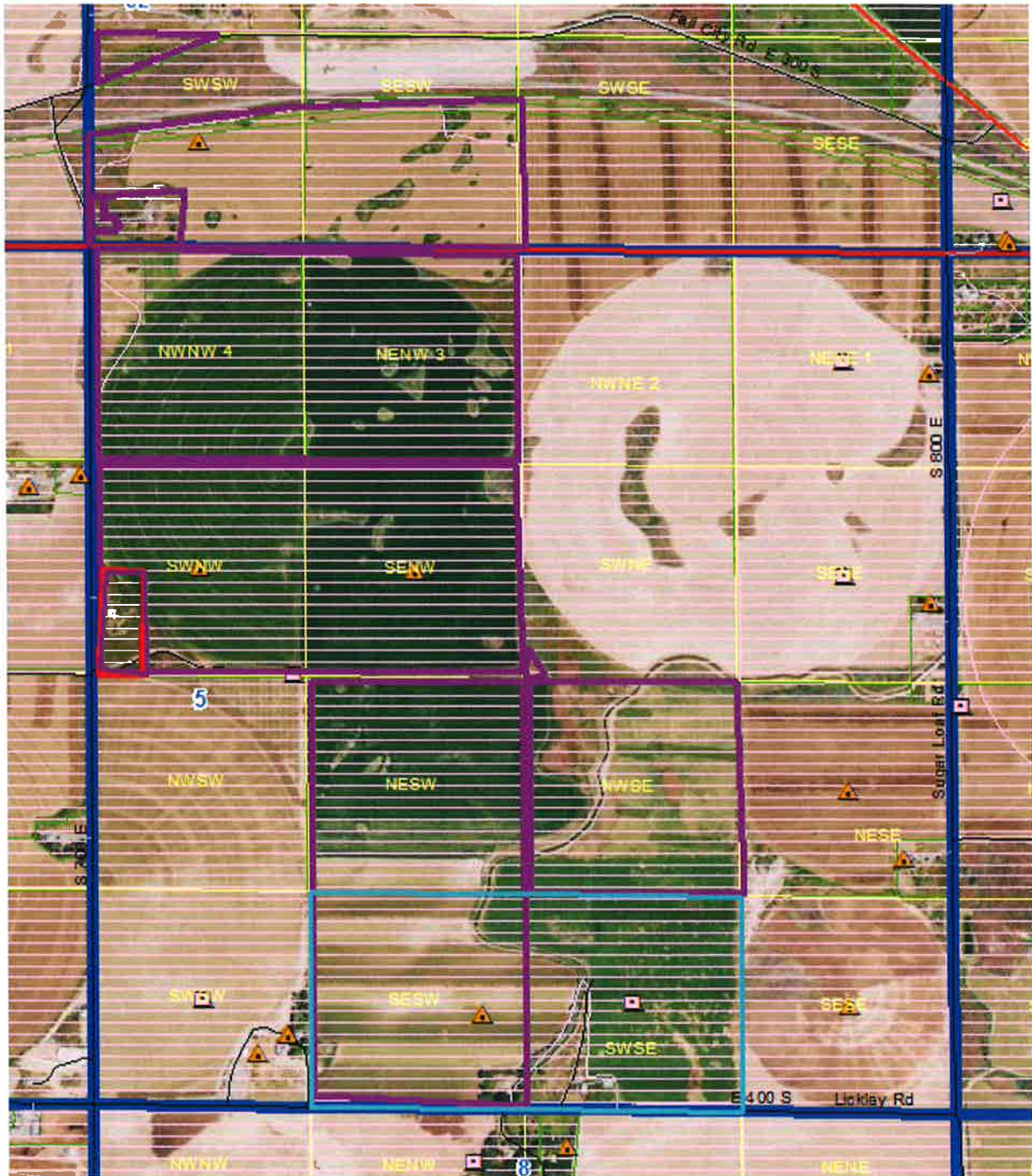
500 0 500
Feet

DATE UPDATED: 01/22/2016
JEROME COUNTY ASSESSORS OFFICE

36-7235



36-14247





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

March 12, 2020

ROTH INVESTMENTS LLC
539 S 800 E
JEROME ID 83338-6847

Re: Change in Ownership for Water Right No(s): 36-7235, 36-14247

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 our office at (208) 736-3033.

Sincerely,

Michelle Richman
Engineer

Enclosure(s)

cc:
Title One (re: file #19340560)
Water District 130



237 N. Lincoln
Jerome, ID 83338
Ph. (208)324-3357
Fx. (866) 310-3443
www.titleonecorp.com

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

RECEIVED
JAN 24 2020
DEPT OF WATER RESOURCES
SOUTHERN REGION

Date: January 23, 2020

Re: Escrow No. 19340560 - Roth Investments, L.L.C., an Idaho limited liability company

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

- Check #25132 for \$50.00
- Notice of Change in Water Right Ownership
- Copy of the Recorded Special Warranty Deed
- Plat Map

Your business is greatly appreciated. If you have any questions, please do not hesitate to contact me.

Sincerely,

David Rasmussen
(208) 324-3357
drasmussen@titleonecorp.com