

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
JAN 22 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?
36-7736	Yes ☐	Yes ☐	36-10432	Yes ☐	Yes ☐
36-08803	Yes ☐	Yes ☐	36-10433	Yes ☐	Yes ☐
36-2545	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-7939A	Yes ☐	Yes ☐		Yes ☐	Yes ☐
36-7939B	Yes ☐	Yes ☐		Yes ☐	Yes ☐

- | | | | |
|---|---|----------------|--|
| 2. Previous Owner's Name: | <u>John C. Soares and Maria M. Nunes</u> | | |
| | Name of current water right holder/claimant | | |
| 3. New Owner(s)/Claimant(s): | <u>L & S Land Holdings, LLC</u> | | |
| | New owner(s) as listed on the conveyance document | Name connector | ☐ and ☐ or ☐ and/or |
| <u>2930 S. 2300 E.</u> | <u>Wendell</u> | ID | <u>83355</u> |
| Mailing address | City | State | ZIP |
| <u> </u> | <u> </u> | | |
| 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: 01/14/2020
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 # 36-2545

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).
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 - o \$25 per *undivided* water right.
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- SUPPORT DATA**
IN FILE # 36-2545

SUPPORT DATA

IN FILE # 36-2545

- | | | | |
|----|--|---|---------------|
| 8. | Signature: <u></u>
Signature of new owner/claimant | Authorized Representative _____
Title, if applicable | _____
Date |
| | Signature: _____
Signature of new owner/claimant | _____
Title, if applicable | _____
Date |

For IDWR Office Use Only:

Received by SG Date 7/22/20 Receipt No. 5037713 Receipt Amt. \$175.00
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 JB Date 1-24-2020

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

Instrument # 267349
GOODING COUNTY, GOODING, IDAHO
01-14-2020 13:04:16 No. of Pages: 3
Recorded for: TITLEONE - TWIN FALLS
DENISE GILL Fee: \$15.00
Ex-Officio Recorder Deputy: DAL
Electronically Recorded by Simplifile

19348851

SPECIAL WARRANTY DEED

FOR VALUE RECEIVED, the receipt and sufficiency of which is hereby acknowledged, **JOHN CARLOS SOARES**, also shown of record as **JOHN C. SOARES** and **MARIA M. NUNES**, husband and wife, the "Grantors", hereby grant, bargain, sell, and convey 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

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

Section 24: S½SE¼;

PARCEL NO. 2:

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

Section 19: That part of Lot 4 lying North of the "S-22 Canal" of the North Side Canal Company, Limited.

TOGETHER WITH:

An Easement created by a Grant of Easement, recorded January 11, 2010 as Instrument Number 233100, records of Gooding County, Idaho for access purposes over the following described land:

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

Section 19: The West 16 feet of Lot 4 lying South of the "S-22 Canal" of the North Side Canal Company, Limited.

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.

SPECIAL WARRANTY DEED - 1

C:\Users\lamb\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\YU2SRZOV\WD RP (special).doc

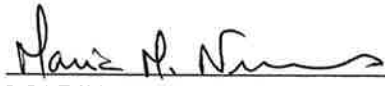
SUBJECT TO the following: (a) general taxes and assessments, which are not yet due and payable; and (b) the encumbrances, easements, restrictions and matters set forth on EXHIBIT A attached hereto and incorporated herein (collectively the "Permitted Exceptions").

Grantors warrant that they are the owners in fee simple of the Property; that they have 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 Grantors, except for the Permitted Exceptions; and that Grantors will warrant and defend the same against all lawful claims of all persons claiming by, through or under Grantors.

IN WITNESS WHEREOF, the Grantor has executed the within instrument as of the 13 day of January, 2020.

"GRANTORS"

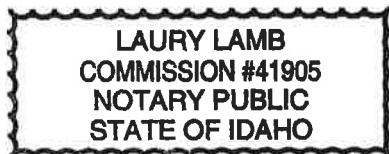

JOHN CARLOS SOARES,
aka JOHN C. SOARES


MARIA M. NUNES

STATE OF IDAHO)
 :SS.
County of Jerome)

On this 13 day of January, 2020, before me, the undersigned, a Notary Public in and for said County and State, personally appeared JOHN CARLOS SOARES, aka JOHN C. SOARES and MARIA M. NUNES, husband and wife, known to me to be the persons whose names are subscribed to the within and foregoing instrument, and who acknowledged to me that they executed the same.

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



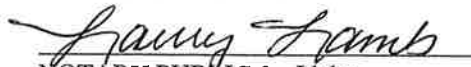

NOTARY PUBLIC for Idaho
Residing at: Jerome
Commission Expires: 4/2/2022

EXHIBIT A

PARCEL NO. 1

1. Taxes and Assessments for 2019 and subsequent years.
2. Right-of-way for canals, laterals and waste ditches of the North Side Canal Company, Ltd and the rights of access thereto for maintenance of said ditches.
3. 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
Book 5 at Page(s) 13, as Instrument Number 81970
4. 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, 1981
Instrument No.: 88854

PARCEL NO. 2

5. Taxes and Assessments for 2019 and subsequent years.
6. Liens, levies, and assessments of any and all irrigation districts, including but not limited to the North Side Canal Company, and the rights, powers, and easements of said district as provided by law.
7. Right-of-way for canals, laterals and waste ditches and the rights of access thereto for maintenance of said North Side Canal Company.
8. Reservations and exceptions in a United States Patent, and in the act authorizing the issuance thereof, recorded July 12, 1955 in Book 1 of Patents, at Page 379 as Instrument No. 127705.
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: November 4, 1977
Instrument No.: 67250
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: November 4, 1977
Instrument No.: 67251

Exhibit A

Water Right No. 36-7713A
Water Right No. 36-7713B
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. 36-10374
Water Right No. 36-10550
Water Right No. 36-10553
Water Right No. 36-10696
Water Right No. 36-10698
Water Right No. 36-8713
Water Right No. 36-8658
Water Right No. 36-8671



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

January 28, 2020

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

Re: Change in Ownership for Water Right No(s): 36-7939B, 36-7736, 36-8803, 36-2545, 36-7939A,
36-10432, and 36-10433

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.

The Department also maintains the security interest on rights (in this case, rights 36-7736 and 36-8803) involved in ownership changes, until we receive written authorization to remove them.

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) 293-9909.

Sincerely,

Jim Bitzenburg
Senior Water Resource Agent

Enclosure(s)

CC: TitleOne, Jerome- File #19348851; WD-130; USDA Farm Service Agency, Jerome



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

RECEIVED

JAN 22 2020

DEPT OF WATER RESOURCES
SOUTHERN REGION

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

Date: January 21, 2020

Re: Escrow No. 19348851 L & S Land Holdings, LLC, an Idaho limited liability company

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

- Check Number #25112 for \$175.00
- Notice of Change in Water Right Ownership
- Copy of Recorded Special Warranty Deed: Instrument # 267349: Recorded in Gooding County

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