

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 06 2017

DEPT 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? |
|-----------------------|------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| 37-10333              | 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"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Oliver and Bertha Lowry  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): J & V Dairy, LLC  
New owner(s) as listed on the conveyance document
- 602 West 620 North Shoshone ID 83352  
Mailing address City State ZIP
- 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: \_\_\_\_\_
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]  
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 [Signature] Date 10-16-2017 Receipt No. 5036393 Receipt Amt. \$50-

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 [Signature] Date 10-19-17

17297420

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

LINCOLN COUNTY  
Recorded for:  
TITLEONE - TWIN FALLS  
01:04:42 PM 10-03-2017  
**0000199009**  
No. Pages 4 Fee: \$15.00  
BRENDA FARNWORTH  
County Clerk  
Deputy: CS  
Electronically Recorded by Simplifile

---

## GRANT DEED

*V.L.*  
*JL* RANDALL LEE LOWRY, a single person dealing with his sole and separate property, Grantor, for good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, to VERNA F. LOPES, same person as VERNA LOPES, VERNA FAY LOPES and JOE S. LOPES, same person as JOE LOPES, JOE SOUZA LOPES, SR., a married couple, Grantee, whose current mailing address is 602 West 620 North, Shoshone, Idaho 83352, the following described real property, to-wit:

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

SUBJECT TO taxes and assessments for the year 2017 and all subsequent years, together with any and all existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.

AND SUBJECT TO an existing buried irrigation pipeline easement;

AND SUBJECT TO an easement for ingress, egress and utilities recorded as Instrument No. 0000-198910, records of Lincoln County, Idaho;

AND FURTHER SUBJECT TO any exceptions found in the title policy issued by TitleOne Corporation in conjunction with this transfer.

TOGETHER WITH 277 shares of American Falls water; and

---

---

**GRANT DEED**

V.L.  
J.L. RANDALL LEE LOWRY, a single person dealing with his sole and separate property, Grantor, for good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, to VERNA F. LOPES, same person as VERNA LOPES, VERNA FAY LOPES and JOE S. LOPES, same person as JOE LOPES, JOE SOUZA LOPES, SR., a married couple, Grantee, whose current mailing address is 602 West 620 North, Shoshone, Idaho 83352, the following described real property, to-wit:

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

SUBJECT TO taxes and assessments for the year 2017 and all subsequent years, together with any and all existing easements or claims of easements, patent reservations, rights of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey or inspection of the premises.

AND SUBJECT TO an existing buried irrigation pipeline easement;

AND SUBJECT TO an easement for ingress, egress and utilities recorded as Instrument No. 0000-198910, records of Lincoln County, Idaho;

AND FURTHER SUBJECT TO any exceptions found in the title policy issued by TitleOne Corporation in conjunction with this transfer.

TOGETHER WITH 277 shares of American Falls water; and

TOGETHER WITH a non-exclusive easement for ingress and egress and egress and utilities recorded as Instrument No. 0000-198909, records of Lincoln County, Idaho.

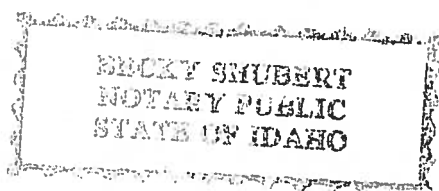
This conveyance shall include any and all appurtenances, tenements, hereditaments, reversions, remainders, easements, rights-of-way and water rights in anywise appertaining to the property herein described.

IN WITNESS WHEREOF, the Grantor hereunto subscribed his name to this instrument this 3rd day of October, 2017.

Randall Lee Lowry  
RANDALL LEE LOWRY

STATE OF IDAHO )  
COUNTY OF Gooding : ss.

On this 3rd day of October, 2017, before me, the undersigned, a notary public in and for the State of Idaho, personally appeared Randall Lee Lowry, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.



Brock Shubert  
Notary Public for Idaho  
My Commission Expires on 02-23-2023  
Residing at Gooding ID

EXHIBIT "A"

PARCEL NO. 1:

TOWNSHIP 5 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 2: Lot 4 and the S½NW¼

PARCEL NO. 2:

TOWNSHIP 5 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 3: SE¼NW¼

PARCEL NO. 3:

TOWNSHIP 5 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 3: NE¼SW¼

PARCEL NO. 4:

TOWNSHIP 5 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 3: NW¼SE¼ and the S½SE¼

PARCEL NO. 5:

TOWNSHIP 5 SOUTH OF RANGE 16 EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 11: That part of the N½NW¼, described as follows:

Commencing at a ½ inch steel rod with a yellow plastic cap imprinted "H.L.E. PLS 4563" marking the Southwest corner of the NW¼ of said Section 11;  
Thence along the West line of said NW¼, North 00°13'12" West, a distance of 2663.06 feet to a 5/8 inch steel rod with an illegible yellow plastic cap marking the Northwest corner of the N½NW¼ of said Section 11, from which point a ½ inch rebar with a pink plastic cap imprinted "YERION PLS 9858" bears North 89°57'47" East at a distance of 25.0 feet;  
Thence along the North line of the N½NW¼ of said Section 11, North 89°57'47" East, a distance of 445.50 feet to a ½ inch rebar with a pink plastic cap imprinted "YERION PLS 9858" said ½ inch being THE POINT OF BEGINNING of this land description;  
Thence continuing along said North line, North 89°57'47" East, a distance of 2219.36 feet to a brass cap marking the Northeast corner of said N½NW¼;  
Thence along the East line of said N½NW¼, South 00°03'16" East, a distance of 1337.57 feet to a ½ inch rebar with a pink plastic cap imprinted "YERION PLS 9858" marking the Southeast corner of said N½NW¼;  
Thence along the South line of said N½NW¼, North 89°54'25" West, a distance of 2661.02 feet to a ½ inch rebar with an orange plastic cap imprinted "YERION PLS 9858" marking the Southwest corner of said N½NW¼, from which corner a ½ inch rebar with a pink plastic cap imprinted "YERION PLS 9858" bears South 89°54'25" East at a distance of 25.0 feet;  
Thence along the West line of said N½NW¼, North 00°13'12" West, a distance of 1020.53 feet to a point from which a ½ inch rebar with a pink plastic cap imprinted "YERION PLS 9858" bears North 89°57'47" East at a distance of 25.0 feet;  
Thence parallel to and 311.0 feet distant from the North line of said N½NW¼, North 89°57'47" East, a distance of 445.50 feet to a ½ inch rebar with a pink plastic cap imprinted "YERION PLS 9858";  
Thence parallel to and 445.50 feet distant from the West line of said N½NW¼, North 00°13'12" West, a distance of 311.00 feet to THE POINT OF BEGINNING.

PARCEL NO. 5A:

TOGETHER WITH a grant of easement for ingress and egress and utilities created in Grant of Easement for Ingress and Egress and Utilities recorded August 28, 2017 as Instrument No. 0000-198909, Lincoln County records, for the benefit of Parcel No. 5, described as follows:

TOWNSHIP 5 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN, LINCOLN COUNTY, IDAHO

Section 11: That part of the N½NW¼, described as follows:

Commencing at a ½ inch steel rod with a yellow plastic cap imprinted "H.L.E. PLS 4563" marking the Southwest corner of the NW¼ of said Section 11;

Thence along the West line of said NW¼, North 00°13'12" West, a distance of 2663.06 feet to a 5/8 inch steel rod with an illegible yellow plastic cap marking the Northwest corner of the N½NW¼ of said Section 11;

Thence along the North line of said N½NW¼, North 89°57'47" East, a distance of 25.0 feet to a ½ inch rebar with a pink plastic cap imprinted "Yerion PLS 9858" marking the point of intersection with the East right of way line of a County Road, being also THE POINT OF BEGINNING of this land description;

Thence continuing along the North line of said N½NW¼, North 89°57'47" East, a distance of 420.50 feet to a ½ inch rebar with a pink plastic cap imprinted "Yerion PLS 9858";

Thence parallel with and 445.50 feet distant from the West line of said N½NW¼, South 00°13'12" East, a distance of 311.00 feet to a ½ inch rebar with a pink plastic cap imprinted "Yerion PLS 9858";

Thence parallel with and 311.00 feet distant from the North line of said N½NW¼, South 89°57'47" West, a distance of 420.50 feet to a ½ inch rebar with a pink plastic cap imprinted "Yerion PLS 9858" marking the point of intersection with side East right of way;

Thence along said right of way, being also parallel with and 25 feet distant from the West line of said N½NW¼, North 00°13'12" West, a distance of 5.00 feet to a point;

Thence parallel with and 306.00 feet distant from the North line of said N½NW¼, North 89°57'47" East, a distance of 410.50 feet to a point;

Thence parallel with and 435.50 feet distant from the West line of said N½NW¼, North 00°13'12" West, a distance of 281.00 feet to a point;

Thence parallel with and 25 feet distant from the North line of said N½NW¼, South 89°57'47" West, a distance of 360.50 feet to a point;

Thence parallel with and 75 feet distant from the West line of said N½NW¼, South 00°13'12" East, a distance of 25.00 feet to a point;

Thence parallel with and 50 feet distant from the North line of said N½NW¼, South 89°57'47" West, a distance of 50.00 feet;

Thence along said right of way, being also parallel with and 25 feet distant from the West line of said N½NW¼, North 00°13'12" West, a distance of 50.00 feet to THE POINT OF BEGINNING.

LINCOLN COUNTY  
Recorded for:  
STEPHAN, KVANIG, STONE & TRAINOR  
10:46:41 am 04-18-2016  
**0000-197282**  
No. Pages: 3 Fee: \$16.00  
BRENDA FARNWORTH  
County Clerk  
Deputy: CLUCERO

---

**CORRECTION PERSONAL REPRESENTATIVE'S DEED**

(This Deed corrects the deed recorded on March 8, 2016 as Instrument No. 0000-197161  
and the deed recorded on March 15, 2016 as Instrument No. 0000-197177)

THIS DEED is made and executed by RANDALL LEE LOWRY, as personal representative of THE ESTATE OF BERTHA V. LOWRY aka BERTHA LOWRY, DECEASED, and personal representative for THE ESTATE OF OLIVER H. LOWRY aka OLIVER LOWRY, DECEASED, hereinafter referred to as the "Grantor," to RANDALL LEE LOWRY, as his sole and separate property, hereinafter referred to as the "Grantee," whose mailing address is 510 North 650 West, Shoshone, ID 83352.

WHEREAS, Grantor is the qualified personal representative of said estate, filed as Case Number CV-2015-49, in Lincoln County, Idaho;

THEREFORE, in accordance with the provisions of Uniform Probate Code as set forth in Title 15 of the Idaho Code, Grantor estate hereby quitclaims, transfers and conveys without warranty to Grantee all of the estate's interest in the following described real property in Lincoln County, Idaho:

**PARCEL ONE:**

Lot 4, and the South Half of the Northwest Quarter of Section 2,  
Township 5 South, Range 16 East of the Boise Meridian, Lincoln  
County, Idaho

Commonly known as: 612 N. 650 W., Shoshone, ID 83352

**PARCEL TWO:**

Northeast Quarter of the Southwest Quarter of Section 3, Township 5 South, Range 16 East, Boise Meridian, County of Lincoln, State of Idaho

Commonly known as: RP#05S16E034800A

**PARCEL THREE:**

Northwest Quarter of the Southeast Quarter and the South Half of the Southeast Quarter of Section 3, Township 5 South, Range 16 East, Boise Meridian, County of Lincoln, State of Idaho

Commonly known as: RP05S16E037800A

**PARCEL FOUR:**

North Half of the Northwest Quarter of Section 11, Township 5 South, Range 16 East, Boise Meridian, County of Lincoln, State of Idaho

Commonly known as: RP#05S16E112400A

**PARCEL FIVE:**

Southeast Quarter of the Northwest Quarter of Section 3, Township 5 South, Range 16 East, Boise Meridian, County of Lincoln, State of Idaho

Commonly known as: RP#05S16E034200A

SUBJECT TO taxes and assessments for the year 2015 and all subsequent years, and SUBJECT TO any and all existing easements, rights-of-way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

This property is being conveyed "AS IS, WHERE IS with all faults".

This transfer is exempt from the Idaho Property Condition Disclosure Act by virtue of Idaho Code § 55-2505(7).

This conveyance shall include any and all appurtenances, reversions, remainders, easements, rights-of-way and water rights in anywise appertaining to the property herein described.

The above described real property shall be the separate property of each Grantee, together with all subsequent income, rents, issues, profits, gains and appreciation thereon.

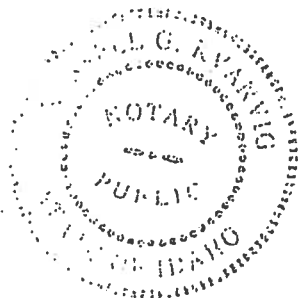
EXECUTED this 13 day of April, 2016.

THE ESTATE OF BERTHA V. LOWRY aka  
BERTHA LOWRY, DECEASED and  
THE ESTATE OF OLIVER H. LOWRY aka  
OLIVER LOWRY, DECEASED

By Randall Lee Lowry  
Randall Lee Lowry  
Personal Representative

STATE OF IDAHO                     )  
                                              : ss.  
COUNTY OF TWIN FALLS        )

On this 13 day of April, 2016, before me the undersigned, a notary public for the State of Idaho, personally appeared Randall Lee Lowry, personally known or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, as personal representative of THE ESTATE OF BERTHA V. LOWRY aka BERTHA LOWRY, DECEASED, and personal representative for THE ESTATE OF OLIVER H. LOWRY aka OLIVER LOWRY, DECEASED, and acknowledged to me that he executed the same as such personal representative.



Randall Ryan  
Notary Public for Idaho  
My Commission Expires on 8-12-17

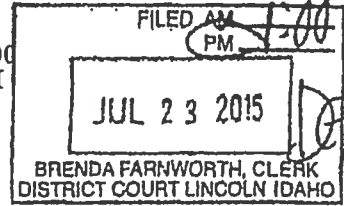
LINCOLN COUNTY

Recorded for:

STEPHEN, KVANVIG, STONE & TR  
3:31:49 pm 03-08-2016

0000-197160

No. Pages: 1 Fee: \$10.00  
BRENDA FARNWORTH  
County Clerk  
Deputy: JHUDSON



STEPHAN, KVANVIG, STONE & TRAINOR  
Russell G. Kvanvig  
P. O. Box 83  
Twin Falls, Idaho 83303-0083  
Telephone: 208-733-2721  
Facsimile: 208-733-3619  
E-Mail: sks&t@idaho-law.com  
ISB #1847  
21630.02/E-LT/sk  
Of Counsel for Personal Representative

ORIGINAL

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF LINCOLN  
MAGISTRATE DIVISION

|                             |   |                      |
|-----------------------------|---|----------------------|
| In the Matter of the Estate | ) |                      |
|                             | ) | Case No. CV-2013-226 |
|                             | ) |                      |
| of BERTHA V. LOWRY,         | ) | LETTERS TESTAMENTARY |
|                             | ) |                      |
|                             | ) |                      |
| Deceased.                   | ) | I.C. § 15-3-103      |

1. RANDALL LEE LOWRY was duly appointed and qualified as Successor General Personal Representative of the estate of the above-named decedent by the Court with all authority pertaining thereto.

2. Administration of the estate is unsupervised.

These letters are issued to evidence the appointment, qualification, and authority of the personal representative.

WITNESS, my signature and the Seal of this Court, this

23 day of July, 2015.

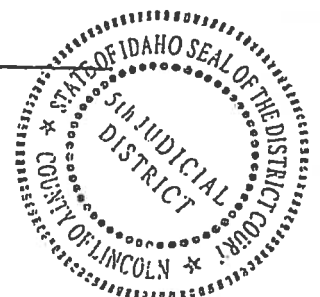
STATE OF IDAHO } ss.  
COUNTY OF LINCOLN }

I Hereby certify that the foregoing is a true copy of the original instrument on file in my office.

Dated February 23rd 2016  
Clerk, Auditor and Recorder

By [Signature]  
Deputy Clerk

[Signature]  
MAGISTRATE JUDGE



LETTERS TESTAMENTARY - 1

**COPY** Fee: \$10.00  
LINDA ARNORTH  
County Clerk  
Deputy: CSCOP

STEPHAN, KVANVIG, STONE & TRAINOR  
Russell G. Kvanvig - ISB #1847  
P. O. Box 83  
Twin Falls, Idaho 83303-0083  
Telephone: 208-733-2721  
Facsimile: 208-733-3619  
E-Mail: sks&t@idaho-law.com  
21630.03/E-LT/sk  
Of Counsel for Personal Representative

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF LINCOLN  
MAGISTRATE DIVISION

In the Matter of the Estate )  
 ) Case No. CV-2015- 49  
 )  
of OLIVER H. LOWRY, )  
 ) LETTERS TESTAMENTARY  
 )  
 )  
Deceased. ) I.C. § 15-3-103

1. RANDALL LEE LOWRY was duly appointed and qualified as General Personal Representative of the estate of the above-named decedent by the Court with all authority pertaining thereto.

2. Administration of the estate is unsupervised

These letters are issued to evidence the appointment, qualification, and authority of the personal representative.

WITNESS, my signature and the Seal of this Court  
9 day of April, 2015.

15 MARK TIGRAM  
MAGISTRATE JUDGE

STATE OF IDAHO  
COUNTY OF LINCOLN } ss.

I hereby certify that the foregoing is a true copy of the original instrument on file in my office.

Dated 4/15/15  
Clerk, Auditor and Recorder

By [Signature]  
Deputy Clerk



State of Idaho

## DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

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

C.L. "BUTCH" OTTER  
Governor

GARY SPACKMAN  
Director

October 27, 2017

Joe S. & Verna F. Lopes  
602 W 620 N  
SHOSHONE ID 83352

RE: Change of Ownership for Water Right Nos. 37-10333

Dear Water Right Holders:

The department acknowledges receipt of correspondence changing ownership of the above referenced water right. The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited 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 Sections 42-222 and 42-223, Idaho Code.

Also, please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: [www.idwr.idaho.gov](http://www.idwr.idaho.gov).

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bill Mills'.

Bill Mills  
Senior Water Right Agent

Enclosure

cc: TitleOne



706 Main St., PO Box 473  
Gooding, ID 83330  
Ph. (208) 934-8477  
Fx. (866)244-0878  
www.titleonecorp.com

RECEIVED

OCT 06 2017

DEPT OF WATER RESOURCES  
SOUTHERN REGION

Date: 10/03/2017

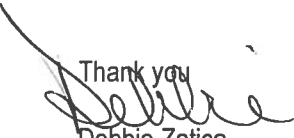
Escrow No. 17297420

IDWR  
650 Addison Ave W #500  
Twin Falls, ID 83301

Dear Sirs:

Enclosed, please find our check in the amount of \$50.00, representing water transfer fees, along with Grant Deed, Letters and PR Deed. Also enclosed, please find Notice of Change in Water Right Ownership.

Thank you

  
Debbie Zatica  
Escrow Assistant