

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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OCT 17 2017

DEPT OF WATER RESOURCES
SOUTHERN REGION

Notice of Security Interest in a Water Right

and a request to be notified of a change in ownership or any proposed
or final action to amend, transfer, or otherwise modify the water right(s)

RECEIVED

OCT 23 2017

Attach pages with additional information. Incomplete forms will be returned.

DEPARTMENT OF
WATER RESOURCES

1. Water Right/Claim No.	Water Right/Claim No.	Water Right/Claim No.	Water Right/Claim No.
37-484B <u>23083</u>	37-067N <u>23089</u>	37-12193	
37-482G <u>23084</u>	37-2625A <u>23090</u>	37-12194	
37-483B <u>23085</u>	37-2625B <u>23091</u>	37-21463 <u>23093</u>	
37-666K <u>23096</u>	37-2638 <u>23092</u>	37-22455 <u>23089</u>	
37-666J <u>23087</u>	37-2700 <u>23094</u>		

2. The following **REQUIRED** information must be submitted with this form:

A) Evidence of the security interest. This may be a copy of a **DEED of TRUST, MORTGAGE, CONTRACT OF SALE** or other legal document indicating your interest in the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

B) A FEE of \$25.00 per water right or adjudication claim.

3. Name and Mailing Address of Person or Company Holding Security Interest

Lovas Trust UAD 10/28/1999 Michael Lovas, Trustee

681 Norante Court

Pleasanton, CA 94566

Phone 925-577-0293

Email mjlovas@gmail.com

4. Name of Water Right Owner/Claimant(s) Blackburn Farms, III, L.P., a California Limited Partnership

5. Expiration Date of Notification Period October 1, 2021

6. Is this a Renewal of Request for Notification? ☐ YES ☒ NO

7. Signature(s) of Security Interest Holder(s)

Title, if applicable

Trustee

SUPPORT DATA

IN FILE # 37-2625B

For Office Use Only

Received by DM Date 10-17-2017 Receipt No. 5036416 Fee \$350-

Processed by AJ _____ Date _____ WR gmk Date 10-27-17

Instrument # 647075

HAILEY, BLAINE, IDAHO
10-04-2017 11:13:15 AM No. of Pages: 4
Recorded for: BLAINE COUNTY TITLE
JOLYNN DRAGE Fee: \$15.00
Ex-Officio Recorder Deputy: GWB
Electronically Recorded by Simplifile

Recording Requested By and
When Recorded Return to:

Blackburn Farms, III, L.P.
43940 North Ave.
Firebaugh, California 93622

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

SPECIAL WARRANTY DEED

Michael J. Lovas, Trustee of The Lovas Trust, Under Trust Agreement dated October 28, 1999, as amended, hereinafter referred to as "**Grantor**," for valuable consideration given by Blackburn Farms, III, L.P., a California limited partnership, hereinafter referred to as "**Grantee**," whose mailing address is 43940 North Ave., Firebaugh, California 93622, does hereby grant, sell, transfer and convey unto said Grantee, its successors and assigns, the following described premises situate in the County of Blaine, State of Idaho, to wit:

Described on Exhibit "A" attached hereto and incorporated herein by reference ("Premises").

To have and to hold the same, together with appurtenant water rights including but not limited to, State of Idaho Water Rights: 37-2625B, 37-12193, and 37-12194 and appurtenant portions of State of Idaho Water Right Numbers 37-481B, 37-482G, 37-483B, 37-665K, 37-666J, 37-667N, 37-22155, 37-2625A, 37-2638, 37-2700, and 37-21463, **excepting and reserving** unto Grantor the following portions of the listed State of Idaho Water Rights appurtenant to Parcel A, Block 1 of COVE SPRINGS SUBDIVISION PHASE 1, as shown on the official plat thereof, recorded as Instrument No. 582023, records of Blaine County, Idaho,

hereinafter referred to as "Parcel A":

<u>Water Right No.</u>	<u>Diversion Rate/Volume</u>	<u>Irrigated Acres</u>
37-481B	1.37 cubic feet per second (cfs)	107.9
37-482G	1.09 cfs	107.9
37-483B	6.80 cfs	107.9
37-665K	0.21 cfs	26.3
37-666J	0.11 cfs	26.3
37-667N	0.23 cfs	26.3
37-22155	0.19 cfs	9.3
37-2625A	0.80 cfs / 139.7 acre-feet	39.9
37-2638	0.40 cfs / 149.8 acre-feet	42.8
37-2700	0.99 cfs / 148.2 acre-feet	49.4
37-21463	0.30 cfs / 67.9 acre-feet	19.4
Combined Field/ Wellhead Total	2.87 cfs/502.3 acre-feet	143.5

Subject, however, to all easements or other matters of record or that would appear from a survey or careful examination of the Premises.

AND FURTHER RESERVING AND EXCEPTING unto Grantor and Grantor's successors and assigns all easements and other rights in the Boundary Line Adjustment and Easement Agreement, recorded as Blaine County Instrument No. 573180, that benefit, relate to or in anyway pertain to Parcel A.

THE PREMISES ARE SOLD AND CONVEYED TO GRANTEE AS IS, WHERE IS, AND WITH ALL FAULTS, INCLUDING BOTH LATENT AND PATENT DEFECTS. OTHER THAN AS SET FORTH HEREIN, NO OTHER WARRANTIES, EXPRESS OR IMPLIED, ARE MADE BY GRANTOR CONCERNING THE PREMISES. GRANTEE, BY ACCEPTING THIS DEED, RELEASES GRANTOR FROM ANY AND ALL LIABILITY RELATING TO ANY ASPECT OR CONDITION OF THE PREMISES, KNOWN OR UNKNOWN, FORESEEABLE OR UNFORESEEABLE, ACTUAL OR CONTINGENT, ARISING BY STATUTE, COMMON LAW OR OTHERWISE, SAVE AND EXCEPT ONLY THE COVENANTS MADE HEREINABOVE.

TO HAVE AND TO HOLD all and singular the Premises, together with the appurtenances, unto Grantee, and to its, successors and assigns forever.

IN WITNESS WHEREOF, this Special Warranty Deed has been duly executed by and on behalf of Grantor this 28th day of September, 2017.

GRANTOR:

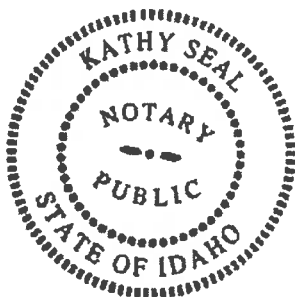
The Lovas Trust, Under Trust Agreement dated October 28, 1999, as amended

By: [Signature]
Michael J. Lovas, Trustee

STATE OF Idaho)
County of Blaine) ss.

On this 28th day of September, 2017, before me, the undersigned, a Notary Public in and for said State, personally appeared Michael J. Lovas, known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of The Lovas Trust, Under Trust Agreement dated October 28, 1999, as amended, and acknowledged to me that he executed the same as such Trustee.

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



[Signature]
Notary Public for Idaho. Kathy Seal
Residing at Petalum
My commission expires 7.26.2023

EXHIBIT "A"

DESCRIPTION OF THE PREMISES

Parcel I

Parcels B, C, D, E, F, G and O, Block 2 of COVE SPRINGS SUBDIVISION PHASE 1, as shown on the official plat thereof, recorded as Instrument No. 582023, records of Blaine County, Idaho.

SUBJECT TO THE FOLLOWING DEED RESTRICTION: Each Grantee taking this property, or any portion thereof, covenant and agree for the Grantee and Grantee's heirs, executors and assigns, to not challenge any existing or new agricultural uses or operations that are authorized by the Blaine County Zoning Ordinance and conducted within the County and that are or maybe lawfully occurring, or authorized by any government agency, as of the date of each deed conveying any right, title or interest in this property or any portion thereof.

Parcel II

Township 1 North, Range 19 East, Boise Meridian, Blaine County, Idaho

Section 21: Government Lot 10

Parcel III

Township 1 North, Range 20 East, Boise Meridian, Blaine County, Idaho

Section 19: Government Lot 1

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And as replacement property in a I.R.C. Tax Deferred Exchange.