

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 13 2013

Notice of Change in Water Right Ownership Department of Water Resources
Eastern 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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
36-7333 <i>OK</i>	Yes ☐		Yes ☐		Yes ☐
36-8466 <i>OK</i>	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Driscoll Brothers Partnership
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Heritage Farms, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- P. O. Box 10 American Falls, ID 83211
Mailing address City State ZIP
- (208) 226-5235 _____
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: July 1, 2013
6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:
- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
 - If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
 - New lessor(s) of record will receive payment after the following rental season.
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):
 - \$25 per *undivided* water right.
 - \$100 per *split* water right.
 - No fee is required for pending adjudication claims.

SUPPORT DATA

IN FILE # 36-7333

8. Signature: *David Driscoll* *Manager* *Nov 11, 2013*
Signature of new owner/claimant Title, if applicable Date
- Signature: *Loraine Driscoll* *Manager* *Nov 11, 2013*
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by *JB* Date *11/13/2013* Receipt No. *E039292* Receipt Amt. *1,150.-*
 Approved by *JB* Processed by *JB* Date *8/4/2014* *\$50.- for this app.*

Instrument # 2133015

JEROME COUNTY, JEROME, IDAHO

7-1-2013 12:40:00 No. of Pages: 5

Recorded for : MERRILL & MERRILL

MICHELLE EMERSON Fee: 22.00

Ex-Officio Recorder Deputy *J. Wilson*

QUITCLAIM DEED

For Value Received,

Driscoll Brothers Partnership, an Idaho partnership ("Transferor"),

does hereby convey, release, remise and forever quit claim unto

Heritage Farms, LLC ("Transferee"),

all of the undersigned's rights, title and interest in those parcels of land located in Jerome County as described in the attached Exhibits A - C.

Transferee's current address is as follows:

Heritage Farms, LLC
P. O. Box 10
American Falls, ID 83211

Driscoll Brothers Partnership

Dated: _____

6-28-13

By: _____

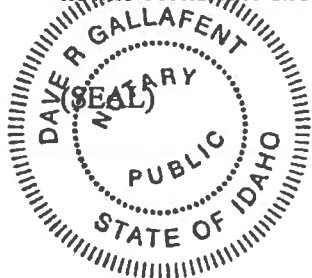
Loraine Driscoll

STATE OF IDAHO)

COUNTY OF *Bannock* :ss

On this *28* day of June, 2013, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Loraine Driscoll, known or identified to me to be one of the Partners in the partnership of **Driscoll Brothers Partnership**, and the partner who subscribed said partnership name to the foregoing instrument and acknowledged to me that such partnership executed the same in said partnership name.

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



Dave R. Gallafent

NOTARY PUBLIC STATE OF IDAHO

Residing at: *Pocatello*

Commission expires: *7/20/18*



PARCEL NO. 1:

TOWNSHIP 7 SOUTH, RANGE 17, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 26: That part of the $W\frac{1}{2}SE\frac{1}{4}$, described as follows:

Beginning at the South quarter section corner of Section 26 of Township 7 South, Range 17, East Boise Meridian, said corner marked by a 5/8" rebar; Thence South $89^{\circ}52'58''$ East along the section line for 198.95 feet to a 5/8" rebar on the East right of way of State Highway 93; Thence North $0^{\circ}01'55''$ West along said right of way for 50.85 feet to a right of way marker at Station 809+00; Thence North $16^{\circ}40'34''$ West along said right of way for 104.16 feet to Station 810+00; Thence North $0^{\circ}01'55''$ West along said right of way for 800.00 feet to a right of way marker at Station 818+00; Thence North $16^{\circ}41'09''$ West along said right of way for 96.42 feet to a 5/8" rebar which shall be THE POINT OF BEGINNING; Thence North $16^{\circ}41'09''$ West along said right of way for 7.91 feet to a right of way marker at Station 819+00; Thence North $0^{\circ}01'55''$ West along said right of way for 242.43 feet to a 1/2" rebar; Thence South $89^{\circ}47'08''$ East for 500.00 feet to a 5/8" rebar; Thence South $0^{\circ}01'55''$ East for 250.00 feet to a 5/8" rebar; Thence North $89^{\circ}47'08''$ West for 497.73 feet to THE POINT OF BEGINNING.

AND

PARCEL NO. 2:

TOWNSHIP 7 SOUTH, RANGE 17, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 26: That part of the $W\frac{1}{2}SE\frac{1}{4}$, described as follows:

Beginning at the South quarter section corner of Section 26 of Township 7 South, Range 17, East Boise Meridian, said corner marked by a 5/8" rebar; Thence South $89^{\circ}52'58''$ East along the section line for 198.95 feet to a 5/8" rebar on the East right of way of State Highway 93; Thence North $0^{\circ}01'55''$ West along said right of way for 50.85 feet to a right of way marker at Station 809+00; Thence North $16^{\circ}40'34''$ West along said right of way for 104.16 feet to Station 810+00; Thence North $0^{\circ}01'55''$ West along said right of way for 800.00 feet to a right of way marker at Station 818+00; Thence North $16^{\circ}41'09''$ West along said right of way for 96.42 feet to a 5/8" rebar; Thence North $16^{\circ}41'09''$ West along said right of way for 7.91 feet to a right of way marker at Station 819+00; Thence North $0^{\circ}01'55''$ West along said right of way for 242.43 feet to a 1/2" rebar which shall be THE POINT OF BEGINNING; Thence North $0^{\circ}01'55''$ West along said right of way for 250.00 feet to a 5/8" rebar; Thence South $89^{\circ}47'08''$ East for 500.00 feet to a 5/8" rebar; Thence South $0^{\circ}01'55''$ East for 250.00 feet to a 5/8" rebar; Thence North $89^{\circ}47'08''$ West for 500.00 feet to THE POINT OF BEGINNING.

AND

PARCEL NO. 3:

TOWNSHIP 7 SOUTH, RANGE 17 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 26: That part $SE\frac{1}{4}$, more particularly described as follows:

Beginning at the South quarter section corner of Section 26 of Township 7 South, Range 17, East Boise Meridian, said corner marked by a 5/8 inch rebar; Thence South $89^{\circ}52'58''$ East along section line for a distance of 198.95 feet to a point on the East right of way of State Highway 94; Thence North $00^{\circ}01'55''$ West along said highway right of way for a distance of 50.85 feet to highway Station 809+00; Thence North $16^{\circ}40'34''$ West along said highway right of way for a distance of 104.16 feet to highway Station 810+00; Thence North $00^{\circ}01'55''$ West along said highway right of way for a distance of 800.00 feet to Station 818+00; Thence North $16^{\circ}41'09''$ West along said highway right of way for a distance of 104.33 feet to a highway right of way marker at Station 819+00; Thence North $00^{\circ}01'55''$ West along said highway right of way for a distance of 492.43 feet to a 5/8 inch rebar which shall be the POINT OF BEGINNING; Thence North $00^{\circ}01'55''$ West along said highway right of way for a distance of 130.68 feet to a 1/2 inch rebar; Thence South $89^{\circ}47'08''$ East for a distance of 500.00 feet to a 1/2 inch rebar; Thence South $00^{\circ}01'55''$ East for a distance of 130.68 feet to a 5/8 inch rebar; Thence North $89^{\circ}47'08''$ West for a distance of 500.00 feet to the POINT OF BEGINNING.

AND

PARCEL NO. 4:

TOWNSHIP 7 SOUTH, RANGE 17 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 26: That part SE¼, more particularly described as follows:

Beginning at the South quarter section corner of Section 26 of Township 7 South, Range 17, East Boise Meridian, said corner marked by a 5/8 inch rebar; Thence South 89°52'58" East along section line for a distance of 198.95 feet to a point on the East right of way of State Highway 94; Thence North 00°01'55" West along said highway right of way for a distance of 50.85 feet to highway Station 809+00; Thence North 16°40'34" West along said highway right of way for a distance of 104.16 feet to highway Station 810+00; Thence North 00°01'55" West along said highway right of way for a distance of 755.97 feet to a 1/2 inch rebar which shall be the POINT OF BEGINNING;

Thence North 00°01'55" West along said highway right of way for a distance of 44.03 feet to Station 818+00;

Thence North 16°41'09" West along said highway right of way for a distance of 96.42 feet to a point;

Thence South 89°47'08" East for a distance of 497.73 feet to a 5/8 inch rebar;

Thence South 00°01'55" East for a distance of 136.29 feet to a 1/2 inch rebar;

Thence North 89°47'08" West for a distance of 470.10 feet to the POINT OF BEGINNING.

SUBJECT TO:

- Right of way for roads, canals, laterals and waste ditches as contained in an Agreement by and between the State of Idaho, and the Twin Falls North Side Land and Water Company, dated August 21, 1907, recorded in Book 15 Page 589, Jerome County records.
- Right of Way Deed given by B. & G. Land Company to the State of Idaho, dated March 10, 1934, recorded March 27, 1934 in Book 102 Page 556 as Instrument Number 55912, Jerome County records, granting to the State of Idaho a right of way for a public highway a strip of land 100 feet wide lying over and across the W¼SE¼ of Section 26, Township 7 South, Range 17, East Boise Meridian. There is also granted an easement adjacent to the highway right of way for relocation of all irrigation and/or drainage ditches and structures now located on such right of way and such surface drain ditches as may be necessary to the proper construction of the highway.
- Power Line Easement given by Clyde R. Bacon and Helen M. Bacon, husband and wife, to Idaho Power Company, a corporation, dated March 22, 1965, recorded August 16, in Book 168 Page 507 as Instrument Number 164936, Jerome County records, affecting a portion of the N¼SE¼ of Section 26, N¼SW¼; S¼NE¼; E¼SE¼; NW¼SE¼ of Section 25, NE¼NE¼ of Section 36, all in Township 7 South, Range 17, East Boise Meridian.
- Power Line Easement given by Bacon Livestock, Inc., to Idaho Power Company, a corporation, dated March 30, 1970, recorded May 20, 1970 in Book 184 Page 355 as Instrument Number 184931, Jerome County records, affecting a portion of the SE¼ of Section 26 and the SW¼ of Section 25, all Township 7 South, Range 17, East Boise Meridian.
- Easement and Underground Facilities Agreement for Occupying Private Property given by Reservoir Land Co., Grantors, to The Mountain States Telephone and Telegraph Company, Grantees, recorded January 5, 1983 as Instrument Number 269911, Jerome County records.
- Conditions and Restrictions contained in Warranty Deed given by Reservoir Land Company, Inc., an Idaho Corporation, Grantor, and the State of Idaho, by and through the Idaho Transportation Board for the Division of Highways, Grantee, dated April 24, 1984, recorded June 12, 1984 as Instrument Number 282462, Jerome County records.
- Non-exclusive rights of way for the purpose of ingress and egress over a strip of land 13 feet wide along the North side of Parcel No. 1 and over a strip of land 13 feet wide along the South side of Parcel No. 2 as contained in Corporation Warranty Deed given by Reservoir Land Company, Inc., an Idaho Corporation, to the Corporation of The Presiding Bishop of The Church Of Jesus Christ Of Latter-Day Saints, a Utah corporation sole, dated January 10, 1991, recorded January 11, 1991 as Instrument Number 910118, Jerome County records.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to State of Idaho Department of Water right number 36-8466.



TOWNSHIP 8 SOUTH, RANGE 17, EAST OF THE BOISE MERIDIAN, JEROME COUTNY, IDAHO

Section 23: That part of the NW¼, described as follows:

Commencing at the Northwest corner of the SW¼NW¼ of Section 23 of Township 8 South, Range 17, East Boise Meridian, said corner being Station 580+96.4 and 25 feet left (Westerly) of the centerline of U.S. Highway 93, Project No. F-2391(1);

Thence South 89°49'34" East (South 89°53' East recorded) for 225.00 feet to a ½" rebar;

Thence South 89°52'04" East (South 89°53' East recorded) for 599.75 feet (600.00 feet recorded) to a ½" rebar which shall be THE POINT OF BEGINNING;

Thence South 89°52'04" East for 300.00 feet to a ½" rebar;

Thence South 0°17'29" West for 676.01 feet to a ½" rebar;

Thence South 82°16'53" West for 908.49 feet to a ½" rebar;

Thence North 76°19'53" East (North 76°19'30" East recorded) for 617.88 feet (618.02 feet recorded) to a ½" rebar;

Thence North 0°17'29" East (North 0°17'00" East recorded) for 652.71 feet (653.00 feet recorded) to THE POINT OF BEGINNING.



The following parcel of land located at 5846 U.S. Highway 93, Jerome, Idaho within Jerome County, State of Idaho more particularly described as follows:

A parcel of land located in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 23, Township 8 South, Range 17 East, Boise Meridian, Jerome County, Idaho, more particularly described as follows:

Commencing at the Northwest corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, being Station 580+96.4, 25 feet left (Westerly) of centerline of Highway U.S. 93, Project No. F-2391(1).

Thence South 89°53' East 225.00 feet, to a point on the Easterly right-of-way of Highway U.S. 93, being the TRUE POINT OF BEGINNING.

Thence South 89°53' East 600.00 feet;

Thence South 0°17' West 653.00 feet;

Thence South 76°19'30" West 618.02 feet;

Thence North 0°17' East 800.58 feet along the Easterly right-of-way U.S. 93, to the TRUE POINT OF BEGINNING.