



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

C.L. "Butch" Otter
Governor

Gary Spackman
Director

September 06, 2018

DON WEILMUNSTER
PO BOX 4
GARDEN VALLEY ID 83622

RE: Water Right Nos. 63-203C, 63-204C, and 63-209

Dear Mr. Weilmunster:

The Idaho Department of Water Resources (Department) received a Notice of Change in Water Right Ownership (Notice) from you on April 21, 2015 for the above referenced water rights. The Notice could not be processed because the \$75 fee to process the ownership change was not received.

If you'd like the ownership change processed, please resubmit with the \$75 fee along with a notice of change in water right ownership and the documentation. I also note that the name listed on the ownership change states Don Weilmunster but the Sheriff's Deed indicates the property was conveyed to Donald K. Weilmunster and W&L Land & Livestock Co. The name listed on the ownership change should match or additional conveyance documentation will be required.

Please feel free to call me if you have any questions.

Sincerely,

Emalee Rushing
Administrative Assistant II

Enclosure(s)

SCANNED

SEP 17 2018

4/23/2015

To: Emalee Rusting
Idaho Department of Water Resources
208-287-4952
208-287-6700 fax

From: Linda Weilmunster
208-462-3777
208-462-5029 fax
dkweil@earthlink.net

Re: Water Right
63-203C
63-204C
63-209

Enclosed: copy of conveyance document

pages: (15)

Form 42-248/42-1409(6) Rev. 1/15

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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?
63-203C	Yes ☐	Yes ☐		Yes ☐	Yes ☐
63-204C	Yes ☐	Yes ☐		Yes ☐	Yes ☐
63-209	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Donna Weston
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Donna Weilmunster
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- P.O. Box 14 Garden Valley Id. 83622
Mailing address City State ZIP
- 208-462-3777 daweil@earthlink.net
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] Owner 4/23/2015
Signature of new owner/claimant Title, if applicable Date

Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by _____ Date _____ Receipt No. _____ Receipt Amt. _____

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 _____ Date _____

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SEP 17 2018

Apr. 23. 2015 9:40AM

No. 0123

P. 2

2009003123

Chas. F. McDevitt (ISB No. 835)

Dean J. Miller (ISB #1968)

McDevitt & Miller LLP

420 West Barnock Street

P.O. Box 2564-83701

Boise, Idaho 83702

Tel: 208-343-7500

Fax: 208-336-6912

208-336-6912

cfmas@mcdevitt-miller.com

Attorneys for the Plaintiff

RECORDED

2009 JAN 23 PM 1 13

WILLIAM H. HURST
CANYON CNTY RECORDER

BY

COPY

FILED
AM 1:13 PM

JAN 21 2009

CANYON COUNTY CLERK
T. CHAWFORD, DEPUTYREQUEST
TYPE

FEE \$4.00

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF CANYON

DONALD K. WEILMUNSTER, a Married
Man, Dealing with His Sole and Separate
Property, and W&L LAND &
LIVESTOCK CO., an Idaho Corporation.

Plaintiff,

v.

PIONEER EXCHANGE
ACCOMMODATION TITLE HOLDER
#114, LLC., an Idaho Limited Liability
Company, and DONNA WESTON, and
DANIEL WESTON, Husband and Wife;
KNIPE LAND COMPANY OF BOISE, an
Idaho Corporation; CENTURY 21
GOLDEN WEST REALTY OF BOISE;
and ENERGY WEST CORPORATION, a
Corporation, and DOES I thru X.

Defendants.

Case No. CV08-1 5528

JUDGMENT AND FORECLOSURE
OF MORTGAGE

JUDGMENT AND FORECLOSURE OF MORTGAGE

1

SCANNED

SEP 17 2018

Apr. 23. 2015 9:41AM

No. 0123 P. 3

Based on the Memorandum Decision, Findings, Conclusions and Order contained therein entered by the Court in this matter on the 6th day of January 2009, and the Memorandum of Costs filed herein by the Plaintiff's.

IT IS HEREBY ORDERED ADJUDGED AND DECREED that Judgment in favor of the Plaintiffs and against the Real Property more specifically identified on Exhibit A, appended hereto and made a part hereof as if set forth at length herein (the Property), and against Defendants Pioneer Exchange Accommodation Title Holder #114, LLC, Donna Weston; Knipe Land Company of Boise, an Idaho Corporation; Century 21 Golden West Realty of Boise; and Energy West Corporation, a Corporation, is hereby ENTERED:

1. Judgment against Donna K. Weston as follows:

- i. In the amount of Three Million Six Hundred and Sixteen Thousand Thirty Dollars (\$3,616,030.00) representing the principle amount of the debt owed by Weston to Plaintiff, together with interest thereon at the statutory rate from April 1, 2007, to August 1, 2008, for a gross amount of Four Million Twenty Thousand Five Thirty Six Dollars and Seventy Six Cents (4,020,536.76).
- ii. In the amount of taxes owing and unpaid by Weston of \$4,722.06 for the year of 2006; \$6,144.14 for the year of 2007; and \$6,228.06 for the year of 2008.

IT IS HEREBY FURTHER ORDERED, ADJUDGED AND DECREED:

1. That Plaintiff's lien against the property is valid and duly perfected according to Idaho Law, and prior to all other liens and encumbrances against the property;
2. The Plaintiff is entitled to foreclosure and sale of the property;
3. That Defendants' liens, and each and all of them, are subordinate and inferior to Plaintiff's Mortgage Lien;

JUDGMENT AND FORECLOSURE OF MORTGAGE

2

SCANNED
SEP 17 2018

Apr. 23. 2015 9:41AM

No. 0123 P. 4

4. That all of the Defendants and each of them, and any person claiming under them, and all persons having any lien, claim, judgment, or decree against said property or any part thereof, or any appurtenance thereto, either as purchaser, encumbrance, or otherwise, are barred and foreclosed of any right, title or interest, save and accept the statutory right of redemption existing pursuant to Idaho Code §11-402;
5. That the property be sold at auction, according to law and the practice of this Court, that Plaintiffs be allowed to credit bid at such sale;
6. That the proceeds of such sale should be applied in payment of amounts found due to Plaintiff as aforesaid, including the costs and expenses allowed by the Court, if any, any proceeds in excess of sums owed to Plaintiff herein by Defendant Weston shall be paid into this Court.
7. That this Court retains jurisdiction in order to correct any mathematical errors or to fully carry out the Decree granted by this Court, to determine the value of the property, to determine the amount of and enter a deficiency judgment; enter such an additional amended order, judgment or decree as necessary; and to enter and satisfy such a deficiency judgment;
8. That in the event the proceeds from the sale of the property shall be insufficient to satisfy the amounts due herein, together with the costs of sale and other proper charges, Plaintiff shall have Judgment for such deficiency against the Defendant Donna K. Weston;
9. That Plaintiff's counsel may file a Memorandum of Costs and Attorney's Fees incurred in collecting this judgment in accordance with Idaho Code § 12-120(5) at such time or times as Plaintiff's counsel may deem practicable (notwithstanding the time limitation provided by Idaho Rules of Civil Procedure 54(d)(5), which is hereby extended in accordance with Idaho Rules of Civil Procedure 6(b), and any costs and fees awarded if any, shall be added to the award in this case by means of any amended Judgment.

Apr. 23. 2015 9:41AM

No. 0123 P. 5

Dated this 21 day of January, 2009.

GORDON M. PETRIE

Gordon Petrie—District Judge

State of Idaho

County of Canyon

I hereby certify that the foregoing instrument is
a true and correct copy of the original as the
same appears in this office.

DATED

1-21-2009
WILLIAM H. HURST, Clerk of the District Court

By



JUDGMENT AND FORECLOSURE OF MORTGAGE

Apr. 23. 2015 9:41AM

No. 0123 P. 6

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21 day of January, 2009, I caused to be served a true and correct copy of the Judgment and Foreclosure of Mortgage by the method indicated below, and addressed to the following:

Jesse R. Hamilton, esq.
Pioneer Title Company
703 Americana Blvd., Suite 120
Boise, ID 83702

☒ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile
☐ E-Mail

William A. Morrow
Golden West Development/Century 21
Morrow Dinus
5680 E. Franklin Road, Suite 220
Nampa, ID 83687

☒ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile
☐ E-Mail

Bradley J. Dixon, Esq.
STOEL RIVES
101 S. Capital Boulevard, Ste 1900
Boise, ID 83702

☒ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile
☐ E-Mail

Elisa G. Massoth, Esq.
KETLINSKI MASSOTH & SOPER
910 E. Cleveland Blvd.
Caldwell, ID 83605

☒ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile
☐ E-Mail

Energy West
c/o CT Corporation System
1111 W. Jefferson, Suite 530
Boise, ID 83702

☒ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile
☐ E-Mail

Chas F. McDevitt
McDevitt & Miller LLP
420 W. Bannock Street
Boise, ID 83702

☒ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile
☐ E-Mail

By: 

JUDGMENT AND FORECLOSURE OF MORTGAGE

5

SCANNED

SEP 17 2018

Apr. 23, 2015 9:41AM

No. 0123—P. 7

EXHIBIT A**Parcel 1:**

The South half of the Southwest Quarter of Section 5;
The South half of the Southeast Quarter of Section 6;
The Northeast Quarter of the Northeast Quarter of Section 7;
The North half of the Northeast Quarter; the North half of the Northwest Quarter; and the
Southwest Quarter of the Northwest Quarter of the Section 8; all being in Township 5 North,
Range 5 West of the Boise Meridian, Canyon County, Idaho;

EXCEPTING the right of way of the Oregon Short Line Railroad Company;

ALSO EXCEPTING THEREFROM:

All that portion of the North one half of the Northeast Quarter of lying North of the Railroad in Section 8 Township 5N, Range 4 West Boise Meridian, Canyon County, Idaho

ALSO EXCEPTING THEREFROM:

All the Portion of the South one-half of the Southwest quarter lying North and East of the Railroad in Section 5 Township 5 North, Range 5 West Boise Meridian, Canyon County, Idaho.

ALSO EXCEPTING:

BEGINNING at the Northeast corner of said Section 8 and run thence
South 450 feet; thence
West 250 feet; thence
North 450 feet; thence
East 250 feet to the POINT OF BEGINNING;

ALSO EXCEPTING THEREFROM property conveyed to The Amalgamated Sugar Company, a corporation, by Deed dated December 16, 1946, recorded February 3, 1947, in Book 168 of Deeds, Page 209 and in Deed dated August 18, 1954, recorded August 25, 1954, in Book 231 of Deeds, Page 72, records of Canyon County, Idaho, said excepted portions further described as follows:

BEGINNING at the point of intersection of the Southerly boundary line of the right of way of the Oregon Short Line Railroad Company with the East boundary line of Section 8; thence Northwesterly along said Southwesterly boundary line to point of intersection with the North boundary line of said Section 8; thence West along said North boundary line 493.7 feet, more or less, to point of intersection with the North bank of the River Flat Irrigation District Ditch; thence Southeasterly along said North bank to point in the North bank of Sage Creek; thence Easterly Continued on next page, along the meandering North bank of Sage Creek to point of intersection with the East boundary line of said Section 8; thence North along said East line to POINT OF BEGINNING;

ALSO EXCEPTING THEREFROM:

This parcel is a portion of the Northeast Quarter Northeast Quarter Section 8, Township 5 North, Range 5 West, Boise Meridian, Canyon County, Idaho, and is more particularly described as follows:

MORTGAGE - Page 15 of 17
320006/d3/05Apr06/jnh

SCANNED

SEP 17 2018

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COMMENCING at the Northeast corner of said Northeast Quarter Northeast Quarter; thence South $0^{\circ} 05' 59''$ West along the East boundary of said Northeast Quarter Northeast Quarter a distance of 482.46 feet to the TRUE POINT OF BEGINNING; thence continuing South $0^{\circ} 05' 59''$ West along the East boundary a distance of 711.54 feet; thence North $18^{\circ} 17' 45''$ West a distance of 419.67 feet; thence North $42^{\circ} 53' 36''$ East a distance of 13.96 feet; thence North $18^{\circ} 12' 50''$ West a distance of 316.77 feet; thence North $81^{\circ} 15' 12''$ East a distance of 66.11 feet; thence South $87^{\circ} 03' 07''$ East a distance of 157.36 feet to the TRUE POINT OF BEGINNING.
Parcel II;

COMMENCING at the Northwest corner of the Northeast Quarter Southwest Quarter of Section 6, Township 5 North, Range 5 West of the Boise Meridian, Canyon County, Idaho; thence running due East 80 rods; thence due South 80 rods; thence Northwest diagonally on a straight line running from the Southeast corner of the Northeast Quarter Southwest Quarter of said Section 6, to the REAL POINT OF BEGINNING; Also, beginning at a point 20 rods South of the Northwest corner of the Northeast Quarter Southwest Quarter of said Section 6, Township 5 North, Range 5 West of the Boise Meridian, Canyon County, Idaho; thence running due North 20 rods; thence Southeast diagonally on a straight line running from the Northwest corner of the Northeast Quarter of said Section 6, and running thence due South 800 feet; thence due West 700 feet; thence running on a straight line in a Northwesterly direction 1,585 feet to the POINT OF BEGINNING, all in Section 6, Township 5 North, Range 5 West of the Boise Meridian, Canyon County, Idaho.

Parcel III:

The Northeast Quarter of the Southeast quarter of Section 8, Township 5 North, Range 5 West, Boise Meridian, Canyon County, Idaho;

EXCEPTING THEREFROM

BEGINNING at the Southeast corner of said Northeast Quarter of Southeast Quarter, Section 8; thence West a distance of 75 feet to the REAL POINT OF BEGINNING; thence West a distance of 110 feet; thence North a distance of 170 feet; thence East a distance of 110 feet; thence South a distance of 170 feet to the REAL POINT OF BEGINNING.

Parcel IV:

The Southwest Quarter of the Northeast Quarter;
The Southeast Quarter of the Northwest Quarter;
The Northeast Quarter of the Southwest Quarter; and,
The Northwest Quarter of the Southeast Quarter all being in Section 8, Township 5 North, Range 5 West of the Boise Meridian, Canyon County, Idaho.

MORTGAGE - Page 16 of 17
3/20/06/d3/06Apr06/jab

SCANNED

SEP 17 2018

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No. 0123—P. 9

EXCEPT THEREFROM:

This parcel is situated in the Southwest Quarter Northeast Quarter and the Southeast Quarter Northwest Quarter of Section 8, Township 5 North, Range 5 West, Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

COMMENCING at the Northeast corner of said Southwest Quarter Northeast Quarter; thence South $0^{\circ} 03' 53''$ West along the East boundary of said Southwest Quarter Northeast Quarter, a distance of 23.00 feet to the TRUE POINT OF BEGINNING; thence South $0^{\circ} 03' 53''$ West along the East boundary of said Southwest Quarter Northeast Quarter, a distance of 750.85 feet to a point on the centerline of a drain ditch; thence traversing said centerline North $37^{\circ} 52' 12''$ West a distance of 235.66 feet; North $87^{\circ} 14' 12''$ West a distance of 98.18 feet; South $51^{\circ} 15' 01''$ West a distance of 198.19 feet; North $83^{\circ} 24' 59''$ West a distance of 189.77 feet; South $77^{\circ} 11' 01''$ West a distance of 225.07 feet; North $87^{\circ} 36' 09''$ West a distance of 861.19 feet; North $74^{\circ} 22' 51''$ West a distance of 244.37 feet; North $50^{\circ} 59' 26''$ West a distance of 321.15 feet; North $05^{\circ} 55' 46''$ West a distance of 87.44 feet; North $42^{\circ} 32' 41''$ West a distance of 151.85 feet; North $22^{\circ} 03' 05''$ East a distance of 143.94 feet; North $18^{\circ} 44' 45''$ West a distance of 44.45 feet; North $61^{\circ} 49' 01''$ West a distance of 62.19 feet; North $45^{\circ} 11' 01''$ West a distance of 69.82 feet; thence South $88^{\circ} 39' 31''$ East a distance of 1,006.66 feet; thence South $88^{\circ} 47' 02''$ East a distance of 1,329.96 feet to the TRUE POINT OF BEGINNING.

EXHIBIT A

Parcel 1:

The South half of the Southwest Quarter of Section 5;
The South half of the Southeast Quarter of Section 6;
The Northeast Quarter of the Northeast Quarter of Section 7;
The North half of the Northeast Quarter, the North half of the Northwest Quarter; and the
Southwest Quarter of the Northwest Quarter of the Section 8; all being in Township 5 North,
Range 5 West of the Boise Meridian, Canyon County, Idaho;

EXCEPTING the right of way of the Oregon Short Line Railroad Company;

ALSO EXCEPTING THEREFROM:

All that portion of the North one half of the Northeast Quarter of lying North of the Railroad in Section
8 Township 5N, Range 4 West Boise Meridian, Canyon County, Idaho

ALSO EXCEPTING THEREFROM:

All the Portion of the South one-half of the Southwest quarter lying North and East of the Railroad in
Section 5 Township 5 North, Range 5 West Boise Meridian, Canyon County, Idaho.

ALSO EXCEPTING:

- BEGINNING at the Northeast corner of said Section 8 and run thence
 - South 450 feet; thence
 - West 250 feet; thence
 - North 450 feet; thence
 - East 250 feet to the POINT OF BEGINNING;

ALSO EXCEPTING THEREFROM property conveyed to The Amalgamated Sugar Company, a
corporation, by Deed dated December 16, 1946, recorded February 3, 1947, in Book 168 of Deeds,
Page 209 and in Deed dated August 18, 1954, recorded August 25, 1954, in Book 231 of Deeds,
Page 72, records of Canyon County, Idaho, said excepted portions further described as follows:

BEGINNING at the point of Intersection of the Southerly boundary line of the right of way of the Oregon
Short Line Railroad Company with the East boundary line of Section 8; thence Northwesterly along said
Southwesterly boundary line to point of Intersection with the North boundary line of said Section 8;
thence West along said North boundary line 493.7 feet, more or less, to point of Intersection with the
North bank of the River Flat Irrigation District Ditch; thence Southeasterly along said North bank to
point in the North bank of Sage Creek; thence Easterly Continued on next page along the meandering
North bank of Sage Creek to point of Intersection with the East boundary line of said Section 8; thence
North along said East line to POINT OF BEGINNING;

ALSO EXCEPTING THEREFROM:

This parcel is a portion of the Northeast Quarter Northeast Quarter Section 8, Township 5 North, Range
5 West, Boise Meridian, Canyon County, Idaho, and is more particularly described as follows:

MORTGAGE - Page 15 of 17
321006/03/05Apr05.jab

Apr. 23. 2015 9:43AM

No. 0123—P. 12

COMMENCING at the Northeast corner of said Northeast Quarter Northeast Quarter; thence South $0^{\circ} 05' 59''$ West along the East boundary of said Northeast Quarter Northeast Quarter a distance of 482.48 feet to the TRUE POINT OF BEGINNING; thence continuing South $0^{\circ} 05' 59''$ West along the East boundary a distance of 711.54 feet; thence North $18^{\circ} 17' 45''$ East a distance of 419.67 feet; thence North $42^{\circ} 53' 36''$ East a distance of 13.96 feet; thence North $18^{\circ} 12' 50''$ West a distance of 316.77 feet; thence North $81^{\circ} 15' 12''$ East a distance of 66.11 feet; thence South $87^{\circ} 03' 07''$ East a distance of 157.36 feet to the TRUE POINT OF BEGINNING.

Parcel II:

COMMENCING at the Northwest corner of the Northeast Quarter Southwest Quarter of Section 6, Township 5 North, Range 5 West of the Boise Meridian, Canyon County, Idaho; thence running due East 80 rods; thence due South 80 rods; thence Northwest diagonally on a straight line running from the Southeast corner of the Northeast Quarter Southwest Quarter of said Section 6, to the REAL POINT OF BEGINNING; Also, beginning at a point 20 rods South of the Northwest corner of the Northeast Quarter Southwest Quarter of said Section 6, Township 5 North, Range 5 West of the Boise Meridian, Canyon County, Idaho; thence running due North 20 rods; thence Southeast diagonally on a straight line running from the Northwest corner of the Northeast Quarter of said Section 6, and running thence due South 800 feet; thence due West 700 feet; thence running on a straight line in a Northwesterly direction 1,585 feet to the POINT OF BEGINNING, all in Section 6, Township 5 North, Range 5 West of the Boise Meridian, Canyon County, Idaho.

Parcel III:

The Northeast Quarter of the Southeast quarter of Section 8, Township 5 North, Range 5 West, Boise Meridian, Canyon County, Idaho;

EXCEPTING THEREFROM

BEGINNING at the Southeast corner of said Northeast Quarter of Southeast Quarter, Section 8; thence West a distance of 75 feet to the REAL POINT OF BEGINNING; thence West a distance of 110 feet; thence North a distance of 170 feet; thence East a distance of 110 feet; thence South a distance of 170 feet to the REAL POINT OF BEGINNING.

Parcel IV:

The Southwest Quarter of the Northeast Quarter;
The Southeast Quarter of the Northwest Quarter;
The Northeast Quarter of the Southwest Quarter; and,
The Northwest Quarter of the Southeast Quarter all being in Section 8, Township 5 North, Range 5 West of the Boise Meridian, Canyon County, Idaho.

Apr. 23, 2015 9:43AM

No. 0123 P. 13

EXCEPT THEREFROM:

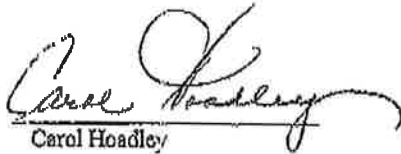
This parcel is situated in the Southwest Quarter Northeast Quarter and the Southeast Quarter Northwest Quarter of Section 8, Township 5 North, Range 5 West, Boise Meridian, Oahyon County, Idaho and is more particularly described as follows:

COMMENCING at the Northeast corner of said Southwest Quarter Northeast Quarter; thence South $0^{\circ} 03' 53''$ West along the East boundary of said Southwest Quarter Northeast Quarter, a distance of 23.00 feet to the TRUE POINT OF BEGINNING; thence South $0^{\circ} 08' 58''$ West along the East boundary of said Southwest Quarter Northeast Quarter, a distance of 750.85 feet to a point on the centerline of a drain ditch; thence traversing said centerline North $37^{\circ} 52' 12''$ West a distance of 235.66 feet; North $87^{\circ} 14' 12''$ West a distance of 98.18 feet; South $81^{\circ} 15' 01''$ West a distance of 198.19 feet; North $83^{\circ} 24' 59''$ West a distance of 189.77 feet; South $77^{\circ} 11' 01''$ West a distance of 228.07 feet; North $87^{\circ} 36' 09''$ West a distance of 861.19 feet; North $74^{\circ} 22' 51''$ West a distance of 244.37 feet; North $50^{\circ} 59' 26''$ West a distance of 321.15 feet; North $06^{\circ} 55' 46''$ West a distance of 87.44 feet; North $42^{\circ} 32' 41''$ West a distance of 161.85 feet; North $22^{\circ} 03' 05''$ East a distance of 143.94 feet; North $18^{\circ} 44' 45''$ West a distance of 44.45 feet; North $81^{\circ} 49' 01''$ West a distance of 62.19 feet; North $45^{\circ} 11' 01''$ West a distance of 69.82 feet; thence South $88^{\circ} 39' 31''$ East a distance of 1,006.66 feet; thence South $88^{\circ} 47' 02''$ East a distance of 1,329.96 feet to the TRUE POINT OF BEGINNING.

Apr. 23. 2015 9:43AM

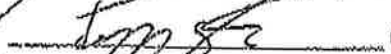
No. 0123 P. 14

I, Carol Hoadley, Canyon County Sheriff's Office, certify that this is a true and accurate copy of the Sheriff's Certificate of Sale as it was upon issue on March 25, 2009 in CV-08-5528.


Carol Hoadley

State of Idaho)
County of Canyon) ss

Subscribed and sworn (or affirmed) before me this 25 day of March, 2010

 (official signature and seal)

Expiration Date 8-6-2013



SCANNED

SEP 17 2018

ORIGINAL

Chas. F. McDevitt (ISB No. 835)
Dean J. Miller (ISB #1968)
McDevitt & Miller LLP
420 West Bannock Street
P.O. Box 2564-83701
Boise, Idaho 83702
Tel: 208-343-7500
Fax: 208-336-6912
208-336-6912
chas@mcdevitt-miller.com

Attorneys for the Plaintiff

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF CANYON

DONALD K. WEILMUNSTER., a Married
Man, Dealing with His Sole and Separate
Property, and W&L LAND &
LIVESTOCK CO., an Idaho Corporation.

Plaintiff,

v.

PIONEER EXCHANGE
ACCOMMODATION TITLE HOLDER
#114, LLC., an Idaho Limited Liability
Company, and DONNA WESTON, and
DANIEL WESTON, Husband and Wife;
KNIPE LAND COMPANY OF BOISE, an
Idaho Corporation; CENTURY 21
GOLDEN WEST REALTY OF BOISE;
and ENERGY WEST CORPORATION, a
Corporation, and DOES I thru X.

Defendants.

REQUEST CANYON COUNTY Sheriff
TYPE Fee FEE

2010 APR 22 PM 2 10
WILLIAM H. HURST
CANYON CNTY RECORDER
BY Jma Brown

RECORDED

2010018520

Case No. CV08-P5528

SHERIFF'S DEED

The undersigned, Chris Smith, Sheriff of Canyon County of the State of Idaho,
having offered at the Public Sale that certain real property described on Exhibit A

SHERIFF'S DEED

1

SCANNED
SEP 17 2018

appended hereto and made a part hereof as if set forth at length herein, pursuant to an Amended Writ of Execution issued out of Canyon County, Case No. CV08-P5528. That at said Sale, Donald K. Weilmunster and W&L Land & Livestock Co., having entered a credit bid and were the only bidders at the Sale, became the purchasers according to law of said property as more particularly described on Exhibit A, a Certificate of Sale having been issued and filed, and the time for redemption thereof as provided by law in the State of Idaho, having passed and no redemption having been requested or made, I hereby grant and convey title to the Real property described in Exhibit A unto Donald K. Weilmunster and W&L Land & Livestock Co., as provided by law.

Witness my hand at Caldwell, Idaho, this 22 day of April 2010.

By [Signature]
Sheriff of Canyon County

STATE OF IDAHO)

County of Ada)

: ss

On this day, before me, the undersigned Notary Public, personally appeared Chris Smith as Sheriff of Canyon County, to me known to be the individual described in and who executed the within and foregoing instrument as said Sheriff, and acknowledged that he/she signed the same as his free and voluntary act and deed in the capacity as Sheriff, for the uses and purposes therein mentioned.

Given under my hand and official seal this 22 day of April, 2010.



Marcella K. Ward
NOTARY PUBLIC for Idaho
Residing at 1115 Albany St - Caldwell 83605
My commission expires: March 8, 2016

SHERIFF'S DEED

EXHIBIT A

Parcel 1:

The South half of the Southwest Quarter of Section 5;
The South half of the Southeast Quarter of Section 6;
The Northeast Quarter of the Northeast Quarter of Section 7;
The North half of the Northeast Quarter, the North half of the Northwest Quarter; and the
Southwest Quarter of the Northwest Quarter of the Section 8; all being in Township 5 North,
Range 5 West of the Boise Meridian, Canyon County, Idaho;

EXCEPTING the right of way of the Oregon Short Line Railroad Company;

ALSO EXCEPTING THEREFROM:

All that portion of the North one half of the Northeast Quarter of lying North of the Railroad in Section
8 Township 5N, Range 4 West Boise Meridian, Canyon County, Idaho

ALSO EXCEPTING THEREFROM:

All the Portion of the South one-half of the Southwest quarter lying North and East of the Railroad in
Section 5 Township 5 North, Range 5 West Boise Meridian, Canyon County, Idaho.

ALSO EXCEPTING:

BEGINNING at the Northeast corner of said Section 8 and run thence
South 450 feet; thence
West 250 feet; thence
North 450 feet; thence
East 250 feet to the **POINT OF BEGINNING**;

ALSO EXCEPTING THEREFROM property conveyed to The Amalgamated Sugar Company, a
corporation, by Deed dated December 16, 1946, recorded February 3, 1947, in Book 168 of Deeds,
Page 209 and in Deed dated August 18, 1954, recorded August 25, 1954, in Book 231 of Deeds,
Page 72, records of Canyon County, Idaho, said excepted portions further described as follows:

BEGINNING at the point of Intersection of the Southerly boundary line of the right of way of the Oregon
Short Line Railroad Company with the East boundary line of Section 8; thence Northwesterly along said
Southwesterly boundary line to point of Intersection with the North boundary line of said Section 8;
thence West along said North boundary line 493.7 feet, more or less, to point of Intersection with the
North bank of the River Flat Irrigation District Ditch; thence Southeasterly along said North bank to
point in the North bank of Sage Creek; thence Easterly Continued on next page, along the meandering
North bank of Sage Creek to point of Intersection with the East boundary line of said Section 8; thence
North along said East line to **POINT OF BEGINNING**;

ALSO EXCEPTING THEREFROM:

This parcel is a portion of the Northeast Quarter Northeast Quarter Section 8, Township 5 North, Range
5 West, Boise Meridian, Canyon County, Idaho, and is more particularly described as follows:

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COMMENCING at the Northeast corner of said Northeast Quarter Northeast Quarter; thence South 0° 05' 59" West along the East boundary of said Northeast Quarter Northeast Quarter a distance of 482.46 feet to the TRUE POINT OF BEGINNING; thence continuing South 0° 05' 59" West along the East boundary a distance of 711.54 feet; thence North 18° 17' 45" West a distance of 419.67 feet; thence North 42° 53' 36" East a distance of 13.96 feet; thence North 18° 12' 50" West a distance of 316.77 feet; thence North 81° 15' 12" East a distance of 66.11 feet; thence South 87° 03' 07" East a distance of 157.36 feet to the TRUE POINT OF BEGINNING.

Parcel II:

COMMENCING at the Northwest corner of the Northeast Quarter Southwest Quarter of Section 6, Township 5 North, Range 5 West of the Boise Meridian, Canyon County, Idaho; thence running East 80 rods; thence due South 80 rods; thence Northwest diagonally on a straight line running from the Southeast corner of the Northeast Quarter Southwest Quarter of said Section 6, to the REAL POINT OF BEGINNING; Also, beginning at a point 20 rods South of the Northwest corner of the Northeast Quarter Southwest Quarter of said Section 6, Township 5 North, Range 5 West of the Boise Meridian, Canyon County, Idaho; thence running due North 20 rods; thence Southeast diagonally on a straight line running from the Northwest corner of the Northeast Quarter of said Section 6, and running thence due South 800 feet; thence due West 700 feet; thence running on a straight line in a Northwesterly direction 1,585 feet to the POINT OF BEGINNING, all in Section 6, Township 5 North, Range 5 West of the Boise Meridian, Canyon County, Idaho.

Parcel III:

The Northeast Quarter of the Southeast quarter of Section 8, Township 5 North, Range 5 West, Boise Meridian, Canyon County, Idaho;

EXCEPTING THEREFROM

BEGINNING at the Southeast corner of said Northeast Quarter of Southeast Quarter, Section 8; thence West a distance of 75 feet to the REAL POINT OF BEGINNING; thence West a distance of 110 feet; thence North a distance of 170 feet; thence East a distance of 110 feet; thence South a distance of 170 feet to the REAL POINT OF BEGINNING.

Parcel IV:

The Southwest Quarter of the Northeast Quarter;
The Southeast Quarter of the Northwest Quarter;
The Northeast Quarter of the Southwest Quarter; and,
The Northwest Quarter of the Southeast Quarter all being in Section 8, Township 5 North, Range 5 West of the Boise Meridian, Canyon County, Idaho.

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320006/43/05Apr06/lab

COANNED

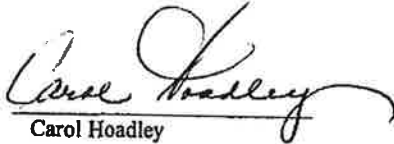
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EXCEPT THEREFROM:

This parcel is situated in the Southwest Quarter Northeast Quarter and the Southeast Quarter Northwest Quarter of Section 8, Township 5 North, Range 5 West, Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

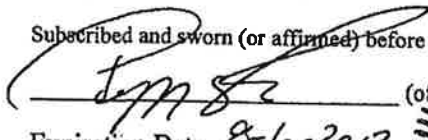
COMMENCING at the Northeast corner of said Southwest Quarter Northeast Quarter, thence South 0° 03' 53" West along the East boundary of said Southwest Quarter Northeast Quarter, a distance of 23.00 feet to the TRUE POINT OF BEGINNING; thence South 0° 03' 53" West along the East boundary of said Southwest Quarter Northeast Quarter, a distance of 750.85 feet to a point on the centerline of a drain ditch; thence traversing said centerline
North 37° 52' 12" West a distance of 235.66 feet;
North 87° 14' 12" West a distance of 98.18 feet;
South 81° 15' 01" West a distance of 198.19 feet;
North 83° 24' 59" West a distance of 189.77 feet;
South 77° 11' 01" West a distance of 225.07 feet;
North 87° 36' 09" West a distance of 861.19 feet;
North 74° 22' 51" West a distance of 244.37 feet;
North 50° 59' 26" West a distance of 321.15 feet;
North 06° 55' 46" West a distance of 87.44 feet;
North 42° 32' 41" West a distance of 161.85 feet;
North 22° 03' 05" East a distance of 143.94 feet;
North 18° 44' 45" West a distance of 44.45 feet;
North 51° 49' 01" West a distance of 62.19 feet;
North 45° 11' 01" West a distance of 69.82 feet; thence
South 88° 39' 31" East a distance of 1,006.66 feet; thence
South 88° 47' 02" East a distance of 1,329.96 feet to the TRUE POINT OF BEGINNING.

I, Carol Hoadley, Canyon County Sheriff's Office, certify that this is a true and accurate copy of the Sheriff's Certificate of Sale as it was upon issue on March 25, 2009 in CV-08-5528.


Carol Hoadley

State of Idaho)
) ss
County of Canyon)

Subscribed and sworn (or affirmed) before me this 10th day of March, 20 10.


(official signature and seal)
Expiration Date 8-6-2013

