

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
FEB 08 2017
WATER RESOURCES
WESTERN 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?
61-7575	Yes ☐	Yes ☐	Permit, unable to change include Assignment or Permit app.	Yes ☐	Yes ☐
61-293C	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Brian G Baalman and Sheri L Baalman

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Ark Properties, LLC

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

11204 N Bar 21 Drive

Glenns Ferry

ID

83623

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

2-6-17
Date

Signature: _____

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by [Signature] Date 2/8/17

Receipt No. W044941

Receipt Amt. \$50.00

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 X

Approved by [Signature]

Processed by [Signature]

Date 2/22/17

WARRANTY DEED

17028

For Value Received,

BRIAN G BAALMAN AND SHERI L BAALMAN, HUSBAND AND WIFE

the Grantors do hereby grant, bargain, sell, convey and warrant unto

ARK PROPERTIES, LLC

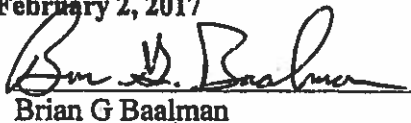
the Grantee whose current address is:
11204 N Bar 21 Drive, Glens Ferry, ID 83623

the following described real property in Elmore County, State of Idaho more particularly described as follows, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that they will warrant and defend the same from all lawful claims whatsoever, except those of record.

Date: February 2, 2017

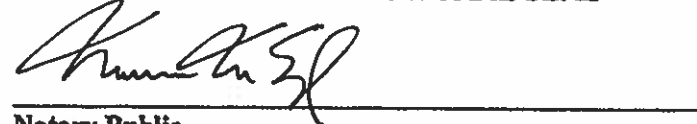

Brian G Baalman


Sheri L Baalman

State of Kansas
County of Logan

On this 2nd day of February, 2017, before me, the undersigned, a Notary Public, in and for said State, personally appeared **BRIAN G BAALMAN AND SHERI L BAALMAN**, known to me, and/or identified to me on the basis of satisfactory evidence, to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL



Notary Public
Residing at: 803 E 7th, Oakley Kansas
Commission Expires: 6-23-2018



EXHIBIT "A"

Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho

Section 19: U.S. Government Lots 1, 2, 3 and 4, E1/2SW1/4, W1/2W1/2SE1/4, W1/2E1/2SW1/4SE1/4, E1/2NW1/4

SAVE AND EXCEPT

A parcel of land being a portion of the NE1/4NW1/4, Section 19, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho, said parcel being more particularly described as follows:

Commencing at the iron pin marking the corner to Sections 18, 17, 20, and 19, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho; thence S89°33'00"W, 2680.52 feet to the Brass cap marking the 1/4 corner common to said Sections 18 and 19, said point being the Real Point of Beginning; thence S00°30'04" W, 135.55 feet more or less, along the Meridional Center Line of said Section 19 to a iron pin; thence N89°52'32"W, 270.13 feet to an iron pin; thence N00°09'52"W, 133.94 feet to said line common to Sections 18 and 19; thence S89°52'32"E, 271.69 feet to the Real Point of Beginning,

AND

Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho

Section 30: U.S. Government Lots 1 and 2 North of Bennett Road, E1/2NW1/4 North of Bennett Road, and The W1/2NE1/4 North of Bennett Road

TOGETHER with Water Right numbers 61-7575 and 61-293C

Recording Requested by, and
When Recorded, Return to:

North American Foods, LLC
529 North 3500 East
P.O. Box 130
Lewisville, ID 83431

Instrument # 389389
Elmore County, Idaho
03:05pm Jul 18, 2007
For: FIRST AMERICAN TITLE COMPAN
No. of Pages: 3 Fee: \$9.00
MARSA GRIMMETT, Recorder
Deputy: DLE

WARRANTY DEED

For Value Received, IDAHO FRESH-PAK, INC., an Idaho corporation, the Grantor, as of July 12, 2007 (the "Effective Date") grants, bargains, sells, conveys and warrants unto NORTH AMERICAN FOODS, LLC, a Delaware limited liability company, the Grantee, whose current address is 529 North 3500 East, P.O. Box 130, Lewisville, ID 83431, the following described premises located in Elmore County, Idaho, to-wit:

See Exhibit "A" attached hereto and by reference made a part hereof.

///

RE-RECORDED

Instrument # 389938
Elmore County, Idaho
03:21pm Aug 03, 2007
For: FIRST AMERICAN TITLE COMPAN
No. of Pages: 3 Fee: \$9.00
MARSA GRIMMETT, Recorder
Deputy: DLE

Parcel 1:

Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho

Section 19:

U.S. Government Lots 1, 2, 3 and 4,
East $\frac{1}{2}$ Southwest $\frac{1}{4}$,
West $\frac{1}{2}$ West $\frac{1}{2}$ Southeast $\frac{1}{4}$,
West $\frac{1}{2}$ East $\frac{1}{2}$ Southwest $\frac{1}{4}$ Southeast $\frac{1}{4}$

East $\frac{1}{2}$ Northwest $\frac{1}{4}$

SAVE AND EXCEPT:

A parcel of land being a portion of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 19, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho, said parcel being more particularly described as follows:

Commencing at the iron pin marking the corner common to Sections 18, 17, 20 and 19, Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho; thence South 89°33'00" West 2680.52 feet to the Brass Cap marking the $\frac{1}{4}$ corner common to said Sections 18 and 19, said point being the Real Point of Beginning; thence South 00°30'04" West 135.55 feet more or less, along the Meridional Center Line of said Section 19 to an iron pin; thence North 89°52'32" West 270.13 feet to an iron pin; thence North 00°09'52" West 133.94 feet to said line common to Sections 18 and 19; thence South 89°52'32" East 271.69 feet to the Real Point of Beginning.

Parcel 2:

Township 5 South, Range 10 East, Boise Meridian, Elmore County, Idaho

Section 30:

U.S. Government Lots 1 and 2 North of Bennett Road
East $\frac{1}{2}$ Northwest $\frac{1}{4}$ North of Bennett Road
West $\frac{1}{2}$ Northeast $\frac{1}{4}$ North of Bennett Road

When Recorded Return To:

Idaho Fresh-Pak, Inc.
529 North 3500 East
Post Office Box 130
Lewisville, Idaho 83431
Attn: Rodney K. Roberts

Instrument # 338004
Elmore County, Idaho
01:38pm Jul 12, 2002
For: GUARANTY TITLE INC
No. of Pages: 2 Fee: \$6.00
GAIL L. BEST, Recorder
Deputy: DAC

GRANT DEED

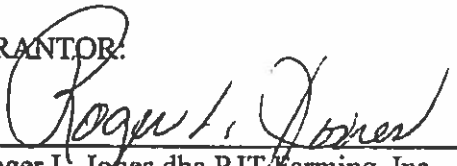
For Value Received, ROGER L. JONES dba RJT FARMING, INC., the Grantor, hereby grants, bargains, sells, and conveys unto IDAHO FRESH-PAK, INC., an Idaho corporation, the Grantee, whose current address is 529 North 3500 East, Post Office Box 130, Lewisville, Idaho 83431, all of Grantors' right, title, and interest to the following described water right located in Elmore, County, Idaho:

0.395 CFS, evidenced by Decreed Water Right No. 61-293C, which place of use is located in the NE1/4 NW1/4 of Section 19, Township 5 South, Range 10 East, Boise Base and Meridian

TO HAVE AND TO HOLD the said water right, with its appurtenances unto Grantee, its successors and assigns forever. Grantor covenants that Grantor has fully and continuously used Water Right No. 61-293C pursuant to applicable Idaho water law each year of its ownership thereof.

IN WITNESS WHEREOF, the Grantor has executed this Grant Deed this 10th day of July, 2002.

GRANTOR:



Roger L. Jones dba RJT Farming, Inc.

State of Idaho

ss.

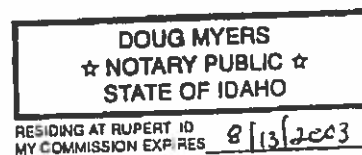
County of Cassia

On this 10th day of July, 2002, before me, the undersigned, a Notary Public, in and for said State, personally appeared Roger L. Jones, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s), whose name is/~~are~~ subscribed to the within instrument and acknowledged to me that he executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

(SEAL)

Doug Myers
Notary Public
Residing at: Rupert, ID
Commission Expires: 8/13/2003



When Recorded Return To:

Idaho Fresh-Pak, Inc.
529 North 3500 East
Post Office Box 130
Lewisville, Idaho 83431
Attn: Rodney K. Roberts

Instrument # 338003
Elmore County, Idaho
01:38pm Jul. 12, 2002
For: GUARANTY TITLE INC
No. of Pages: 2 Fee: \$6.00
GAIL L. BEST, Recorder
Deputy: DAC

CORPORATION GRANT DEED
(Water Right No. 61-7575)

FOR VALUE RECEIVED, RJT FARMING, INC., a corporation duly organized and existing under the laws of the State of Idaho, GRANTOR, does hereby grant, bargain, sell and convey unto IDAHO FRESH-PAK, INC., a corporation duly organized and existing under the laws of the State of Idaho, whose address is 529 North 3500 East, Post Office Box 130, Lewisville, Idaho 83431, GRANTEE, all of Grantors' right, title, and interest to the following described water right located in Elmore, County, Idaho:

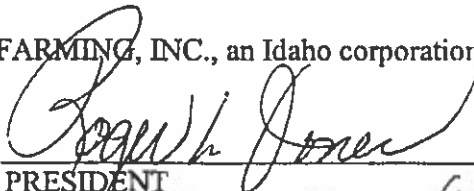
0.8 CFS, evidenced by Water Right No. 61-7575, which place of use is located in the NE1/4 NW1/4 of Section 19, Township 5 South, Range 10 East, Boise Base and Meridian

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and the successors and assigns of the Grantee forever. Grantor covenants that Grantor has fully and continuously used Water Right No. 61-7575 pursuant to applicable Idaho water law each year of its ownership thereof.

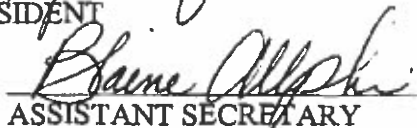
IN WITNESS WHEREOF, the Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Assistant Secretary this 10th day of July, 2002.

GRANTOR:

RJT FARMING, INC., an Idaho corporation

BY: 

ITS: PRESIDENT

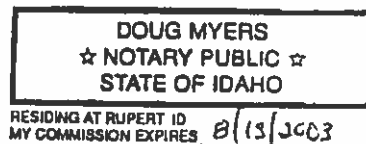
ATTEST: 

ASSISTANT SECRETARY

STATE OF IDAHO)

COUNTY OF Cassia) ss.

On this 10th day of July, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared Roger L. Jones and Blaine Allphin known or identified to me to be the President and Assistant Secretary of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.



Doug Myers
Notary Public
Residing at: Rupert, ID
My Commission expires: 8/13/2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 22, 2017

ARK PROPERTIES LLC
11204 N BAR 21 DR
GLENNS FERRY ID 83623

RE: Notice of Ownership Change in Water Right No's: 61-293C & 61-7575

Dear Applicants,

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

Water right 61-7575 is still in the permit stage; therefore, the enclosed Assignment of Permit must be completed, signed by the current owner of the permit, notarized, and submitted to our office before we can complete your request. The fee you submitted with the ownership change request will be transferred over to the assignment of permit.

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.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right, to the Department. Notice of the change must be provided to the Department within 120 days of the change. Change reporting forms are available from any office of the Department, or at www.idwr.idaho.gov.

If you have any questions concerning the enclosed information, please feel free to contact this office at 208-334-2190.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chad Jones'.

Chad Jones
Office Specialist II
Western Regional Office

Enclosures