

WENDY J. OLSON, IDAHO STATE BAR NO. 7634
UNITED STATES ATTORNEY
ANTHONY G. HALL, IDAHO STATE BAR NO. 2951
ASSISTANT UNITED STATES ATTORNEY
DISTRICT OF IDAHO
WASHINGTON GROUP PLAZA IV
800 EAST PARK BOULEVARD, SUITE 600
BOISE, ID 83712-7788
TELEPHONE: (208) 334-1211
FACSIMILE: (208) 334-1413
Email: anthony.hall@usdoj.gov

RECEIVED

JUL 15 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF IDAHO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BERNARD SAUL,

Defendant.

Case No. CR-16-068-S-EJL

NOTICE OF FORFEITURE

TO: DEPARTMENT OF WATER RESOURCES, SOUTHERN REGION

DATE OF NOTICE: JULY 12, 2016

NOTICE IS HEREBY GIVEN that on May 18, 2016, in the above-captioned case, the United States District Court for the District of Idaho entered a Preliminary Order of Forfeiture as to Defendant BERNARD SAUL forfeiting the following property to the United States of America:

Subject Property:

A. Real Property:

Real property located at **4119 North 400 East, Buhl, Twin Falls County, Idaho**, APN Nos. RP09S13E310002 and RP09S13E319001, with all fixtures, improvements and easements thereon, and more particularly described as:

PARCEL NO.1:

TOWNSHIP 9 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN, TWIN FALLS COUNTY, IDAHO

Section 31: Lots 3 and 4, N1/2NE1/4, SW1/4NE1/4, E1/2SW1/4, SE1/4NE1/4, SE1/4

EXCEPTING THEREFROM a portion of the SE1/4SE1/4 described as follows:

Commencing at the Southeast corner of said Section 31, said corner lies South 00°04'00" East, 2644.59 feet from the East quarter corner of said Section 31; Thence North 00°04'00" West, 772.87 feet along the East boundary of the SE¼ said Section 31 and being THE REAL POINT OF BEGINNING; Thence North 00°04'00" West, 509.91 feet along said East boundary; Thence leaving said East boundary, South 89°56'00" West, 425.05 feet; Thence South 00°04'00" East, 514.82 feet to a point hereinafter referred to as point "A"; Thence North 89°16'20" East, 425.08 feet to THE REAL POINT OF BEGINNING.

PARCEL NO. 2:

TOWNSHIP 9 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN, TWIN FALLS COUNTY, IDAHO

Section 31: A portion of the SE1/4SE1/4, described as follows:

Commencing at the Southeast corner of said Section 31, said corner lies South 00°04'00" East, 2644.59 feet from the East quarter corner of said Section 31; Thence North 00°04'00" West, 772.87 feet along the East boundary of the SE1/4 said Section 31 and being THE REAL POINT OF BEGINNING; Thence North 00°04'00" West, 509.91 feet along said East boundary; Thence leaving said East boundary, South 89°56'00" West, 425.05 feet; Thence South 00°04'00" East, 514.82 feet to a point hereinafter referred to as point "A"; Thence North 89°16'20" East, 425.08 feet to THE REAL POINT OF BEGINNING.

SUBJECT TO a 25.00 foot wide county roadway easement being parallel with and adjoining said East boundary.

TOGETHER THEREWITH, an easement for water well, domestic water pipeline, maintenance and access over the following described parcel of land:

Being a strip of land, fifteen (15.00) feet wide, the centerline of which is described as follows:

Commencing at the hereinabove referred to as point "A"; Thence North 00°04'00" West, 47.55 feet along the West boundary of the above described parcel of land and being THE REAL POINT OF BEGINNING; Thence leaving said West boundary South 70°01'49" West, 890.00 feet to the ending point of the centerline of said fifteen (15.00) foot wide easement.

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 numbers 51-13015 and 47-14166.

B. Personal Property:

Pumps, pivots and irrigation systems located on the property at the time of the purchase of the real property by Saul Farms, including but not limited to the following:

1. 2002 Valley 8 Tower Center Pivot 10162032;
2. 2002 Valley 4 Tower Center Pivot 10162031;
3. 200 HP Turbine Pump/Motor /Panel for Deep Well;
4. 40 HP Pump/Motor/Panel for 8 Tower Pivot; and
5. 15 HP Turbine Pump/Motor/Panel for 4 Tower Pivot.

C. Vehicle/Conveyances:

1. 2015 Dodge Ram 2500 Laramie 4x4 pickup, VIN #3C6UR5NL2FG637684, registered to: Bliss Seeds LLC/Roza Saul;
2. 2014 Polar Kraft boat, Model KOV200PROWT, HIN #PLR57688L314, registered to Roza and Bernard Saul;
3. Yamaha Model F225XCA, Outboard Engine ID#6CLX-1001355;

4. 2014 Trailmaster tandem axle trailer, Model PKTR2050BR, VIN 45JB1CS28E1002748;
5. 2012 Coachmen Freelanders, VIN #1GB3G3CG8B1115370, registered to Roza and Bernard Saul;
6. 2009 Chevy HHR Sport Utility Vehicle, VIN#3GNCA23B39S547084;
7. 1996 Freightliner Truck, VIN#1FUY3MCB8TP650360;
8. 2013 Cadillac SRX, VIN#3GYFNJE39DS563786;
9. Parma Cultimulcher, Serial #38878; and
10. John Deere A400 Tractor, Serial #233051.

D. Bank Accounts/Cashier's Check Funds:

1. The sum of \$11,965.31 in U.S. currency seized on or about February 11, 2016 from BANNER BANK, Account Name: Bliss Seed LLC, Account Number: xxxxx1322;
2. The sum of \$27,297.53 in U.S. currency seized on or about February 11, 2016 from FARMERS BANK, Account Name: Roza R. Saul, Account Number: xxxxx5708;
3. The sum of \$47,865.81 in U.S. currency seized on or about February 11, 2016 from COLUMBIA BANK, Account Name: Bernard Saul, dba Saul Alfalfa Seed Farms, Account Number: xxxxx2563;
4. The sum of \$1,022.31 in U.S. currency seized on or about February 11, 2016 from COLUMBIA BANK, Account Name: Bernard Saul, dba Bliss Seeds LLC, Account Number: xxxxx0003; and
5. The sum of \$90,000.00 in U.S. currency seized on or about February 11, 2016, pursuant to an uncashed Cashier's Check issued by Columbia State Bank, Check No. xx6476 issued on 9/18/2015, payable to Bernard and Roza Saul.

6. YOU ARE HEREBY NOTIFIED that the United States intends to dispose of this property as provided by law.

Any persons or entities having or claiming a legal right, title or interest in any of the

aforementioned properties must, within sixty (60) days of the first date of publication of this notice or within thirty (30) days of actual receipt thereof, whichever is earlier, petition the United States District Court for the District of Idaho for a hearing to adjudicate the validity of his/her alleged interest in the property pursuant to 21 U.S.C. § 853(n). If a hearing is requested, it shall be held before the Court alone, without a jury. Claimants will bear the burden of proof in all such cases. Petitions that fail to allege an interest sufficient to maintain a claim under § 853(n) shall be subject to dismissal without a hearing.

Pursuant to 21 U.S.C. § 853(n)(2), NEITHER A DEFENDANT IN THE ABOVE-STYLED CASE NOR HIS/HER AGENT IS ENTITLED TO FILE A PETITION.

The petition shall be signed by the petitioner under penalty of perjury and shall identify the particular property or properties in which the petitioner claims a legal right, title or interest; the nature and extent of such right, title or interest in each property; the time and circumstances of the petitioner's acquisition of the right, title and interest in each property; and any additional facts and documents supporting the petitioners claim and the relief sought. See 21 U.S.C. § 853(n)(3).

Corporate persons may only file claims if represented by counsel.

A hearing on the petition shall, to the extent practicable and consistent with the interests of justice, be held within thirty (30) days of the filing of the petition. The Court may consolidate the hearing on the petition with a hearing on any other petition filed by a person other than the defendant named above. The petitioner may testify and present evidence and witnesses on his own behalf and cross-examine witnesses who appear at the hearing.

In the Preliminary Order of Forfeiture, referenced above, the Court authorized the United States to conduct discovery pursuant to Rule 32.2(c)(1)(B), Federal Rules of Criminal Procedure,

as to the factual basis for any claims made, including request for admissions, interrogatories and depositions, as may be reasonably necessary in this proceeding.

Your petition must be filed with the United States District Court for the District of Idaho at the following address: 550 W. Fort St., Room 400, Boise, ID 83724, and must set out which specific case the petition pertains to.

Furthermore, you must serve the United States Department of Justice with your petition at the following address: ANTHONY G. HALL, AUSA, 800 Park Blvd., Suite 600, Boise, ID 83712.

IF YOU FAIL TO FILE A PETITION TO ASSERT YOUR RIGHT, TITLE OR INTEREST IN THE ABOVE-DESCRIBED PROPERTY, WITHIN THIRTY (30) DAYS OF THIS NOTICE, OR WITHIN THIRTY(30) DAYS OF THE LAST PUBLICATION OF THIS NOTICE, WHICHEVER IS EARLIER, YOUR RIGHT, TITLE AND INTEREST IN THIS PROPERTY SHALL BE LOST AND FORFEITED TO THE UNITED STATES. THE UNITED STATES THEN SHALL HAVE CLEAR TITLE TO THE PROPERTY HEREIN DESCRIBED AND MAY WARRANT GOOD TITLE TO ANY SUBSEQUENT PURCHASER OR TRANSFEREE.

WENDY J. OLSON
UNITED STATES ATTORNEY
By:



ANTHONY G. HALL
ASSISTANT UNITED STATES ATTORNEY



U.S. Department of Justice

*United States Attorney
District of Idaho*

Mailing Address:

800 E. Park Blvd. Suite 600
Boise, ID 83712-7788

Comm: 208/334-1211

FLU Fax: 208/334-9375
Civ Div Fax: 208/334-1414
Crim Div Fax: 208/334-1413
DTF Div Fax: 208/334-1413

Via Certified Mail, Receipt No. 7005 1820 0003 0506 2175

July 12, 2016

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JUL 15 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

State of Idaho
Department of Water Resources
Southern Region
650 Addison Ave. W., Suite 500
Twin Falls, ID 83302-5858

Re: Notice of Third Party Claimant Procedure for Property Forfeited in
United States vs. Bernard Saul
Court No. CR-16-068-S-EJL; U.S. Attorney No. 2015R00155
Water Right Nos. 47-14166 and 51-13015

To Whom It May Concern:

The United States District Court for the District of Idaho has ordered that certain properties belonging to the defendants in the above-styled case be forfeited to the United States. The enclosed Notice of Forfeiture describes the properties subject to forfeiture and the procedure for filing a claim to any of those properties in which you may have a legal right, title or interest.

By receipt of this letter, you are given actual notice of the forfeiture of the properties referred to in the Notice of Forfeiture and of your right to assert a claim to them. This Notice is intended only to apprise you of your rights; service of this Notice is in no way intended to imply that the United States believes that you would have a valid claim to any of the forfeited properties.

The procedure for filing a petition is set forth more fully in Title 21, United States Code, Section 853(n). Under Section (n)(2), a person intending to file a petition must do so in the above-styled case within thirty (30) days of receipt of this notice by mail or within sixty (60) days of the first publication of the notice on www.forfeiture.gov, whichever is earlier. You will likely have thirty days from receipt of this letter in which to file a petition.

Your petition must be filed under the above case name and number in the United States District Court for the District of Idaho with a copy to the undersigned attorney for the

government. The appropriate addresses appear in the enclosed Notice of Forfeiture. Pursuant to 21 U.S.C. § 853(n)(3), the petition must be signed by the petitioner under penalty of perjury and must identify the particular property or properties in which the petitioner claims a legal right, title or interest; the nature and extent of such right, title or interest in each property; the time and circumstances of the petitioner's acquisition of the right, title and interest in each property; and any additional facts and documents supporting the petitioner's claim and the relief sought that you may wish to submit.

Sincerely,

WENDY J. OLSON
United States Attorney
by

A handwritten signature in dark ink, appearing to read 'AGH', is written over a horizontal line.

ANTHONY G. HALL
Assistant United States Attorney

AGH:cg
Enclosure