

RECEIVED

DEPARTMENT OF WATER RESOURCES

JUL 06 2016

Notice of Change in Water Right Ownership

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
78-4268A	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: B & L Idaho 2, LLC

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): David S. & Carrie J. Westby

New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or

102 K. Street

Hogiam

WA

98550

Mailing address

360-533-3887

City

cwestby02@msn.com

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: June 29, 2016
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.

8. Signature: [Signature] Title, if applicable: _____ Date: 6/27/16

Signature of new owner/claimant

Title, if applicable

Date

Signature: [Signature] Title, if applicable: _____ Date: 6.27.16

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by: [Signature] Date: 7/6/16 Receipt No. W044387 Receipt Amt. \$25⁰⁰

Approved by: [Signature] Processed by: [Signature] Date: 7/21/16

WARRANTY DEED

For Value Received, B & L IDAHO 2, LLC, an Idaho limited liability company

the grantor does hereby grant, bargain, sell and convey unto
DAVID S. WESTBY and CARRIE J. WESTBY, husband and wife

the grantees, whose current address is 102 K Street, Hoquiam, WA 98550

the following described premises, in Adams County, Idaho, to-wit:

SEE ATTACHED EXHIBIT 'A' MADE A PART HERETO:

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title and that they will warrant and defend the same from all lawful claims whatsoever.

Date: June 23, 2016

B & L IDAHO 2, LLC, an Idaho
limited liability company

BY: William J. Mulder
WILLIAM J. MULDER, Manager

Instrument # 129660

COUNCIL, ADAMS, IDAHO

6-29-2016 01:59:40 PM No. of Pages: 3

Recorded for : TIMBERLINE TITLE & ESCROW

SHERRY WARD

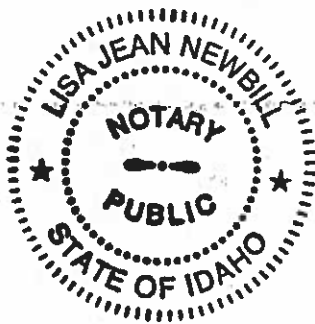
Ex-Officio Recorder Deputy

Index to: DEED

Fee: 16.00
Ante - d. H. J. J.

STATE OF IDAHO)
COUNTY OF ADA)

On this 27th day of June, in the year of 2016, before me, a Notary Public in and for said State, personally appeared WILLIAM J. MULDER known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument as one of the Managers of B & L IDAHO 2, an Idaho limited liability company, which is known or identified to me to be the entity whose name is subscribed to the within instrument and acknowledged to me he executed the same in said Limited Liability Company's name.



#16-1193

[Signature]
Notary Public

Residing at: MERIDIAN, ID

Commission expires: 01.08.2019

EXHIBIT 'A'

PARCEL 1 (RP19N01E235450A) ✓

Township 19 North, Range 1 East, Boise Meridian, Adams County, Idaho
Section 23: A parcel of land being that portion of the NW1/4SW1/4 lying North and East of the abandoned railroad right-of-way more particularly described as follows:

Commencing at a 5/8 inch rebar marking the 1/4 corner common to Sections 22 and 23, T19N1E23E, Adams county, Idaho;

Thence North 88° 11' 19" East 867.99 feet along the North boundary of said NW1/4SW1/4 to the intersection with the North East right-of-way of the abandoned railroad right-of-way, the Real Point of Beginning;

Thence continuing North 88° 11' 19" East 468.50 feet along said North boundary to a 5/8 inch rebar marking the center West 1/16 corner of said Section 23;

Thence South 00° 09' 34" East 394.36 feet along the East boundary of said NW1/4SW1/4 to a 5/8 inch rebar on the abandoned railroad right-of-way;

Thence North 51° 02' 24" West 603.63 feet along said right-of-way to the Real Point of Beginning.

EXCEPTING the abandoned railroad right-of-way.

PARCEL 2 (RP19N01E232463A) ✓

Township 19 North, Range 1 East, Boise Meridian, Adams County, Idaho
Section 23: NW1/4NW1/4, SE1/4NW1/4, and all that part of NE1/4NW1/4 lying South of U.S. Highway 95 and all that part of the NE1/4SW1/4 and SW1/4NW1/4 lying North of the most Northerly boundary of the abandoned main tract of the New Meadows branch of the Oregon Shortline Railroad Company.

EXCEPTING from all of the above described land the right of way of U.S. Highway 95 as now established, and the railroad right of way.

ALSO EXCEPTING THEREFROM a parcel of land situate in the NW1/4NW1/4 of Section 23, T19N1E23E, more particularly described as follows:

Commencing at a 5/8 inch rebar marking the corner common to Sections 14, 13, 22 and 23, T. 19 N., R. 1 E., B.M., Adams County, Idaho, the REAL POINT OF BEGINNING:

Thence N 88° 15' 34" E., 578.85 feet to a point;

Thence S 25° 47' 19" W., 84.5 feet to a point;

Thence N 82° 00' 33" W., 547.38 feet to the POINT OF BEGINNING.

AND ALSO EXCEPTING THEREFROM Township 19 North, Range 1 East, Boise Meridian, Adams County, Idaho

Section 23: A parcel of land situated in the NE1/4SW1/4 more particularly described as follows:

Commencing at a 5/8" rebar marking the 1/4 corner common to Sections 23 and 26, T19N1E23E;

Thence North 00° 42' 33" East 1322.83 feet to a 5/8" rebar marking the CS 1/16 corner of said Section 23, the REAL POINT OF BEGINNING;

Thence South 88° 51' 06" West 189.52 feet along the South boundary of said NE1/4SW1/4 to a 1/4" rebar on the Northerly right-of-way of the abandoned railroad;

Thence North 50° 26' 19" West 52.53 feet along said abandoned right-of-way to a 1/4" rebar on the Easterly line of Hubbard Drive;

Thence North 09° 51' 00" East 307.25 feet along said Hubbard Drive to a 5/8" rebar;

Thence 361.62 feet along a curve to the right whose radius is 475.00 feet and delta angle is 43° 37' 09" along said Hubbard Drive to a 1/4" rebar on the East boundary of said NE1/4SW1/4;

Thence South 00° 42' 33" West 632.85 feet to the REAL POINT OF BEGINNING.

Continued

PARCEL 3 (RP19N01E146251A) ✓

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

Section 14: All that part of the SW1/4SW1/4 lying South of U.S. Highway 95 and South of Whispering Pines Road as shown on the official plat of Whispering Pines Estates Subdivision on file and of record in the office of the Adams County Recorder Book 2 page 10.

EXCEPTING THEREFROM A parcel of land situate in the SW1/4 of Section 14, T19NR1EBM, Adams County, Idaho, more particularly described as follows:

Commencing at a 5/8 inch rebar marking the corner common to Sections 14, 15, 22 and 23, T. 19 N., R. 1 E., B.M., Adams County, Idaho, the REAL POINT OF BEGINNING:

Thence, N. 00° 00' 01" E., 846.41 feet along the east boundary of Whispering Pines Estates as shown on the official plat thereof on file in the office of the Recorder of Adams County, Idaho, being the same as the line common to said Sections 14 and 15 to a 1/2 inch rebar,

Thence, N. 81° 01' 30" E., 171.50 feet along the south boundary of Whispering Pines Road to a 5/8 inch rebar,

Thence, 57.97 feet along a curve to the left, whose radius is 143.42 feet, and delta angle is 23° 09' 39" along said road boundary to a 1/2 inch rebar,

Thence, S. 59° 09' 24" E., 511.83 feet to a 1/2 inch rebar,

Thence, 79.74 feet along a curve to the right, whose radius is 100.00 feet, and delta angle is 45° 41' 16" to a 1/2 inch rebar,

Thence, S. 13° 28' 07" E., 225.50 feet to a 1/2 inch rebar,

Thence, S. 41° 25' 05" W., 45.98 feet to a 1/2 inch rebar,

Thence, S. 25° 47' 19" W., 349.44 feet to a 1/2 inch rebar,

Thence, S. 88° 15' 34" W., 578.85 feet to the Point of Beginning.





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

July 21, 2016

DAVID S & CARRIE J WESTBY
102 K ST
HOQUIAM WA 98550

RE: Notice of Ownership Change in Water Right No. 78-4268A

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.

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', is written over a horizontal line.

Chad Jones
Office Specialist II
Western Regional Office

Enclosures