

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
MAR 16 2015
DEPT OF WATER RESOURCES
SOUTHERN 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?
47-8251	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: _____

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Brian Lee Rutzloff and Diane Friesen Rutzloff
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or

3376 N. 1500 E.
Mailing address

Bule
City

ID
State

83316
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 _____

Date _____

Signature: [Signature]
Signature of new owner/claimant

Title, if applicable _____

Date _____

For IDWR Office Use Only:

Received by DM Date 3.16.2015 Receipt No. SO34613 Receipt Amt. \$75-

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 _____

SUPPORT DATA

IN FILE # 47-8251

JOHN S. RITCHIE
COLEMAN, RITCHIE & CLUFF
Attorneys at Law
156 2nd Avenue West
P. O. Box 525
Twin Falls, ID 83303-0525
Telephone: (208)734-1224
Fax: (208)734-3983
Idaho State Bar No. 1790

Attorney for Plaintiff

TWIN FALLS COUNTY
Recorded for:
COLEMAN, RITCHIE, ET A
3:53:40 PM 02-13-2013
2013-003330
No. Pages: 5 Fee: \$ 22.00
KRISTINA GLASCOCK
County Clerk
Deputy: BHUNTER

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

FARMERS NATIONAL BANK,

Plaintiff,

vs.

GREEN RIVER DAIRY, LLC;
HERCULANO J. ALVES and FRANCES M.
ALVES, husband and wife, dba GREEN
RIVER DAIRY; MLIC ASSET HOLDINGS
LLC; LAND O'LAKES PURINA FEED
LLC; MARIANNA VALADAO ALVES and
DAVE ALVES, wife and husband; IDAHO
STATE TAX COMMISSION, an agency of
the State of Idaho; IDAHO COMMERCE
AND LABOR, an agency of the State of
Idaho; HERCULANO JOSEPH ALVES and
FRANCES MARIE ALVES, Trustees of the
Herculano Joseph Alves and Frances Marie
Alves Revocable Living Trust; FRANCES E.
ALVES; LAND VIEW, INC.; and JOHN
ALVES,

Defendants.

Case No. CV-2011-5533

SHERIFF'S DEED

THIS DEED is made this 12th day of February, 2013, by and between TOM CARTER, Sheriff of the County of Twin Falls, State of Idaho, "Grantor", and FARMERS NATIONAL BANK, whose address is PO Box 312, Buhl, Idaho, 83316, "Grantee".

WHEREAS, by virtue of a Writ of Execution issued out of and under the seal of the District Court of the Fifth Judicial District of the State of Idaho, in and for the County of Twin Falls, on June 21, 2012, upon an Amended Judgment and Decree of Foreclosure recovered in the said Court on June 19, 2012, in favor of plaintiff FARMERS NATIONAL BANK, and against the defendants, which was directed and delivered to the said Sheriff commanding him to sell real property and appurtenances owned by the defendants, described in the Notice of Levy on Real Estate Under Execution accompanying the said Writ of Execution; and

WHEREAS, the said Sheriff, in obedience to said command to sell the real estate and appurtenances described therein and hereinafter particularly described, did on August 7, 2012, sell the said real estate and appurtenances at public auction at the Twin Falls County Courthouse, 425 Shoshone Street, Twin Falls, Twin Falls County, Idaho, at the hour of 2:00 o'clock p.m., after having first given due notice of the time and place of such sale according to law; at which sale the said real estate and appurtenances were sold to FARMERS NATIONAL BANK, for the total sum of ~~ONE HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$150,000.00)~~. The sum of ~~\$150,000.00~~ was paid by FARMERS NATIONAL BANK, by applying that amount toward the Amended Judgment and Decree of Foreclosure as a credit bid.

The said FARMERS NATIONAL BANK, being the highest bidder, and that being the highest sum bid for the real property and appurtenances, whereupon the said Sheriff gave to said purchaser a Sheriff's Certificate of Sale as is by law directed to be given, which said Sheriff's

Certificate of Sale dated August 7, 2012, was recorded on August 8, 2012, as Instrument No. 2012-014924, records of Twin Falls County, Idaho; and

WHEREAS, six months from the date of said sale and the recording of the Sheriff's Certificate of Sale has expired without any redemption of the said real property and appurtenances having been made by any of the defendants or anyone claiming under them.

NOW THIS INDENTURE WITNESSETH, that the said Tom Carter, the Sheriff aforesaid, by virtue of the said Writ of Execution, and in consideration of the said sums of money to him in hand paid as aforesaid by the said purchaser, the receipt whereof is hereby acknowledged, has granted, bargained, sold, conveyed and confirmed, and by these presents, does GRANT, BARGAIN, SELL, CONVEY and CONFIRM, unto the Grantee, and to its assigns, forever, all the right, title, interest and claim which the said judgment debtors, and all other defendants, had on August 7, 2012, or any time afterwards, or now have, in and to all of that real property and appurtenances located in Twin Falls County, Idaho, specifically described as follows, to-wit:

- **3948 North 900 East, Buhl, Idaho**, legally described as follows:

Township 10 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho

Section 7: A portion of Lot 3 being more particularly described as follows:

COMMENCING at the Northwest corner of said Section 7;

THENCE South 0°01'41" East 2650.20 feet along the Westerly boundary of said Section 7 to the Northwest corner of Lot 3, said point being the REAL POINT OF BEGINNING;

THENCE South 89°46'07" East 1187.73 feet along the Northerly boundary of Lot 3 of said Section 7 to the Northeast corner thereof;

THENCE South 2°15'54" West 355.69 feet to the centerline of an irrigation lateral;

THENCE Westerly along the centerline of said irrigation lateral the following courses and distances:

North 37°31'17" West 101.87 feet;
212.00 feet along a curve to the left having a central angle of 52°48'43", a radius
of 230.00 feet, and a long chord bearing the distance of North 63°55'39"
West 204.57 feet;
South 89°40'00" West 246.01 feet;
South 80°43'35" West 324.22 feet;
North 80°23'10" West 366.98 feet to a point on the Westerly boundary of said
Section 7.
THENCE North 0°01'41" West 181.90 feet along the Westerly boundary of said
Section 7 to the REAL POINT OF BEGINNING.

SUBJECT TO: Deed of Trust from Frances E. Alves, to TitleFact, Inc., Trustee,
and National City Mortgage Co., dba Commonwealth United Mortgage Company,
Beneficiary, dated August 9, 2004, recorded August 18, 2004, as Instrument No.
2004-017939, records of Twin Falls County, Idaho; the beneficial interest under
said Deed of Trust was assigned to The Bank of New York Trustee under the
Pooling and Servicing Agreement Series 2005-J2 at 101 Barclay Street, NY, NY
10286 Corp. Trust-MBS by Assignment recorded March 10, 2006, as Instrument
No. 2006-005792, records of Twin Falls County, Idaho.

TO HAVE AND TO HOLD the said real property and appurtenances, unto the said
Grantee and its assigns, forever as fully and absolutely as the said Sheriff can, may or ought to, by
virtue of the said Writ of Execution and of the statute in such case made and provided, grant,
bargain, sell, convey and confirm the same.

IN WITNESS WHEREOF, the said Sheriff, the said Grantor, has hereunto set his
hand and seal the day and year first above written.

DATED this 12th day of February, 2013.

TOM CARTER
Sheriff of Twin Falls County, Idaho

By Tom Carter
SHERIFF

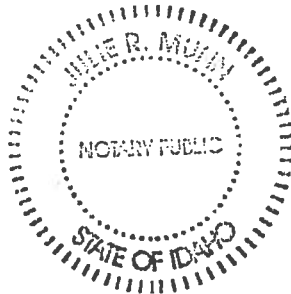
Tax notices to be sent to:

Farmers National Bank
PO Box 312
Buhl, ID 83316

STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 12th day of February, 2013, before me, the undersigned, a Notary Public in and for said County and State, personally appeared TOM CARTER, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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



Julie R Munn
NOTARY PUBLIC
Residing at: Twin Falls
My Commission Expires: 11/26/16

TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

**** SPACE ABOVE FOR RECORDER ****

TWIN FALLS COUNTY
RECORDED FOR:
TITLEFACT, INC.
12:34:19 PM 03-13-2015
2015003773
NO. PAGES 2 FEE: \$13.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: DJW
Electronically Recorded by Simplifile

CORPORATION WARRANTY DEED

FOR VALUE RECEIVED FARMERS BANK, an Idaho corporation, a corporation duly organized and existing under the laws of the state of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto BRIAN LEE RATZLAFF and DIANE FRIESEN RATZLAFF, husband and wife, Grantee, whose address is: 3376 N 1500 E, Buhl, Idaho 83316, the following described real estate, situated in Twin Falls County, Idaho, to-wit:

PARCEL NO. 1

Township 10 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho
Section 7: A portion of Lot 3 being more particularly described as follows:
COMMENCING at the Northwest corner of said Section 7;
THENCE South 0°01'41" East 2650.20 feet along the Westerly boundary of said Section 7 to the Northwest corner of Lot 3, said point being the REAL POINT OF BEGINNING;
THENCE South 89°46'07" East 1187.73 feet along the Northerly boundary of Lot 3 of said Section 7 to the Northeast corner thereof;
THENCE South 2°15'54" West 355.69 feet to the centerline of an irrigation lateral;
THENCE Westerly along the centerline of said irrigation lateral the following courses and distances:
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212.00 feet along a curve to the left having a central angle of 52°48'43", a radius of 230.00 feet, and a long chord bearing and distance of North 63°55'39" West 204.57 feet;
South 89°40'00" West 246.01 feet;
South 80°43'35" West 324.22 feet;
North 80°23'10" West 366.98 feet to a point on the Westerly boundary of said Section 7;
THENCE North 0°01'41" West 181.90 feet along the Westerly boundary of said Section 7 to the REAL POINT OF BEGINNING.

PARCEL NO. 2

Township 10 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho
Section 7: Government Lots 1 and 2, more particularly described as follows:
COMMENCING at the Northwest corner of said Section 7, from which the North one quarter corner of Section 7 bears South 89°48'14" East 2520.25 feet, said Northwest corner of Section 7 being the TRUE POINT OF BEGINNING;
THENCE South 89°48'14" East along the North boundary of the NW¼ of Section 7 for a distance of 1191.00 feet to the Northeast corner of Government Lot 1;
THENCE South 00°02'40" West along the East boundary of Government Lots 1 and 2 for a distance of 2650.56 feet to the Southeast corner of Government Lot 2;
THENCE North 89°47'08" West along the South boundary of the NW¼ of Section 7 for a distance of 1187.79 feet to the Southwest corner of the NW¼ of Section 7;
THENCE North 00°01'30" West along the West boundary of the NW¼ of Section 7 for a distance of 2650.19 feet to the TRUE POINT OF BEGINNING.

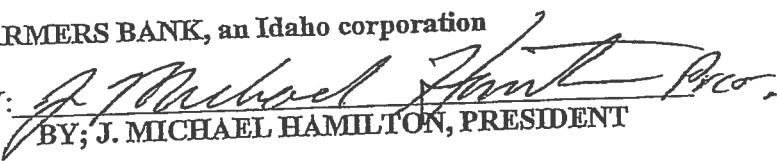
TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

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.

Dated: March 13, 2015

FARMERS BANK, an Idaho corporation

BY:


BY: J. MICHAEL HAMILTON, PRESIDENT

TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

RECORDED ELECTRONICALLY	
ID <u>2015003773</u>	County <u>TF</u>
Date <u>3/13/15</u>	Time <u>12:34 pm</u>
simplifile www.simplifile.com 800.460.5657	

**** SPACE ABOVE FOR RECORDER ****

CORPORATION WARRANTY DEED

FOR VALUE RECEIVED **FARMERS BANK, an Idaho corporation**, a corporation duly organized and existing under the laws of the state of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto **BRIAN LEE RATZLAFF and DIANE FRIESEN RATZLAFF, husband and wife**, Grantee, whose address is: 3376 N 1500 E, Buhl, Idaho 83316, the following described real estate, situated in Twin Falls County, Idaho, to-wit:

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THENCE North 00°01'30" West along the West boundary of the NW¼ of Section 7 for a distance of 2650.19 feet to the TRUE POINT OF BEGINNING.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

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.

Dated: March 13, 2015

FARMERS BANK, an Idaho corporation

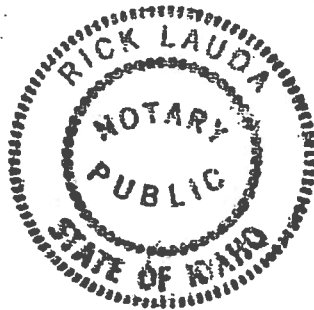
BY: J. Michael Hamilton Pres.
BY: J. MICHAEL HAMILTON, PRESIDENT

STATE OF IDAHO
County of Twin Falls

On this 12th day of March, 2015, before me, the undersigned, Notary Public in and for said State, personally appeared J. Michael Hamilton, known to me to be the President of the corporation that executed this instrument, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

Rick Lauda
Notary Public for Idaho
Residing at: ~~Twin Falls~~ *Buhl, Idaho*
My Commission expires: ~~11-28-2020~~ *10/19/2017*





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 17, 2015

BRIAN RATZLAFF
DIANE RATZLAFF
3376 N 1500 E
BUHL ID 83316

RE: Change of Ownership for Water Right Nos. 47-8251, 47-11771, 47-17590

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s). The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports 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.

Also, please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

A handwritten signature in cursive script, reading "Trish Fawcett".

Trish Fawcett
Technical Records Specialist

Enclosure(s)

Cc: TitleFact Inc. (Case 66586SM)