

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
JUL 24 2014
DEPARTMENT OF
WATER RESOURCES

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?
LIC 22-13994	Yes ☐		Yes ☐		Yes ☐
LIC 22-13582	Yes ☐		Yes ☐		Yes ☐
LIC 22-13840	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: BC PROPERTIES LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Wells Fargo Bank, N.A.
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- | | | | |
|---|---|-----------|-------------------|
| <u>1700 Lincoln St, 7th Floor, MAC #C7300-079</u> | <u>Denver</u> | <u>CO</u> | <u>80203-4500</u> |
| Mailing address | City | State | ZIP |
| <u>(303) 863-5307</u> | <u>Delores.L.Pomerinke@wellsfargo.com</u> | | |
| 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: 1/5/12 & 1/30/14 (deed recording dates)
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.

SUPPORT DATA

IN FILE # 22-13582

8. Signature: Wells Fargo Bank NA Title, if applicable _____ Date _____
 Signature of new owner/claimant
- Signature: Delores L. Pomerinke Title, if applicable Officer Date 7/21/2014
 Signature of new owner/claimant

For IDWR Office Use Only:

Received by [Signature] Date 7/24/14 Receipt No. C099234 Receipt Amt. \$75⁰⁰
 Approved by _____ Processed by [Signature] Date 8-1-14

AUG 01 2014

Instrument # 220327
TETON COUNTY, IDAHO
1-6-2012 10:46:30 No. of Pages: 6
Recorded for : HOPKINS RODEN CROCKETT HANSEN
MARY LOU HANSEN Fee: 22.00
Ex-Officio Recorder Deputy *Mary Lou Hansen*
Index to: CERTIFICATE OF SALE

HOPKINS RODEN CROCKETT
HANSEN & HOOPES, PLLC
C. Timothy Hopkins, ISBN 1064
Sean J. Coletti, ISBN 7199
428 Park Avenue
P.O. Box 51219
Idaho Falls, ID 83405-1219
Telephone: 208-523-4445
Counsel for Plaintiff

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TETON

WELLS FARGO BANK, NA

Plaintiff,

v.

BC PROPERTIES, LLC, an Idaho
limited liability company; LUCRA
INVESTMENTS, INC., a Louisiana
corporation; JEFFREY R. BORER,
ANGELA BORER, KEN R.
CHAMBERS, and V. JAYNE
CHAMBERS,

Defendants.

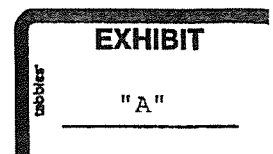
Case No. CV-2011-41

SHERIFF'S CERTIFICATE ON SALE
OF REAL ESTATE UNDER
EXECUTION

STATE OF IDAHO)
) ss.
County of Teton)

I, Cindy Hatch, Deputy Sheriff of Teton County, Idaho, do hereby certify:

{00037696;1}
SHERIFF'S CERTIFICATE ON SALE OF REAL ESTATE UNDER EXECUTION - 1



1. That by virtue of an execution in the above-entitled action, issued the 21st day of October, 2011, to me directed, setting forth a judgment recovered in the amount of \$930,103.16, lawful money of the United States, with interest thereon and costs of record, advances made by the Plaintiff to protect its security interest and costs of sale, to be satisfied out of the real property described herein and belonging to the said Defendants, BC PROPERTIES, LLC, an Idaho limited liability company; LUCRA INVESTMENTS, INC., a Louisiana corporation; JEFFREY R. BORER, ANGELA BORER, KEN R. CHAMBERS, and V. JAYNE CHAMBERS, on the day said execution was levied herein, according to said writ and the statutes provided in such cases, I have levied on and this day sold at public auction the following described real property to Wells Fargo Bank, NA, who was the highest bidder, for the sum of \$387,000⁰⁰, lawful money of the United States, which was the whole price paid by Wells Fargo Bank, NA (credit bid) for the right, claim and interest of the within named Defendants, as aforesaid, in and to the real estate particularly described as follows, to-wit:

See attached Exhibit "A".

2. That the real estate is subject to redemption within one (1) year after the sale on this date and pursuant to the provisions of Idaho Code §11-401 et seq.

Given under my hand this 5th day of January, 2012.

TONY LIFORD
Sheriff of Teton County, State of Idaho

Cindy Hatch - Civil Deputy
By: Cindy Hatch, Deputy

{00037696;1}

SHERIFF'S CERTIFICATE ON SALE OF REAL ESTATE UNDER EXECUTION - 3

EXHIBIT A

Real property in the County of Teton, State of Idaho, described as follows:

TRACT I:

Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho

Section 5: W1/2SW1/4

NOW KNOWN AS:

ALL OF SILVER DOLLAR RANCH DIVISION NO. 1, AS SHOWN ON THE OFFICIAL PLAT THEREOF; RECORDED APRIL 15, 2008, AS INSTRUMENT NO. 196953, RECORDS OF TETON COUNTY, IDAHO.

LESS AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED LOTS:

LOT 5 BLOCK 2, LOTS 2, 3 AND 4, BLOCK 3 AND LOTS 2, 3 AND 5 BLOCK 4, SILVER DOLLAR RANCH DIVISION NO. 1, AS SHOWN ON THE OFFICIAL PLAT THEREOF, RECORDED APRIL 15, 2008, AS INSTRUMENT NO. 196953, RECORDS OF TETON COUNTY, IDAHO.

TRACT II:

Parcel 8: A part of the N1/2 of Section 5, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho, being further described as: From the C ¼ corner of said Section 5, thence North 89°33'31" West 1323.96 feet along the South line of the SE1/4NW1/4 to the SW corner of said SE1/4NW1/4 and thence North 00°01'02" West 667.60 feet further along the West line of the SE1/4NW1/4 to the true point of beginning; thence North 00°01'02" West 667.60 feet further along the West line of the SE1/4NW1/4 to the NW corner of the SE1/4NW1/4 of said Section 5; thence South 89°17'00" East 1331.19 feet to a point; thence South 00°09'41" West 662.55 feet to a point; thence North 89°30'00" West 1329.07 feet to the point of beginning.

Parcel 9: A part of the N1/2 of Section 5, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho, being further described as: Commencing at the C ¼ corner of said Section 5, the point of beginning, thence North 89°33'31" West 1323.96 feet along the South line of the SE1/4NW1/4 to the SW corner of the SE1/4NW1/4 of said Section 5; thence North 00°01'02" West 667.60 feet along the West line of the SE1/4NW1/4 of said Section 5 to a point; thence South 89°30'00" East 1329.07 feet to a point; thence South 00°09'41" West 67.13 feet to an iron pin; thence South 00°27'01" West 599.09 feet to the point of beginning.

Together with and subject to an easement for ingress, egress and utilities across the following described easement, said easement being 60 feet wide and lying Westerly and Southerly of the following described line: Beginning at the Center $\frac{1}{4}$ corner of Section 5, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho, the point of beginning; thence North $00^{\circ}27'01''$ West 599.09 feet; thence North $00^{\circ}09'41''$ West 729.68 feet; thence North $00^{\circ}46'00''$ West 662.20 feet; thence North $01^{\circ}01'26''$ West 861.16 feet; thence South $89^{\circ}52'09''$ East 2644.94 feet more or less to the point of ending.

Instrument # 231311

TETON COUNTY, IDAHO

1-30-2014 10:05:00 No. of Pages: 3

Recorded for : TETON COUNTY SHERIFF

MARY LOU HANSEN

Fee: 18.00

Ex-Officio Recorder Deputy

Index to: SHERIFFS DEED

SEND TAX NOTICE TO:

**WELLS FARGO BANK, N.A.
Attn: DeDe L. Pomerinke
MAC# C7300-079
1700 Lincoln St. 7th Floor
Denver Colorado, 80203-4500**

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

SHERIFF'S DEED

Under and by virtue of a Writ of Execution issued and directed to me, Tony Liford, Sheriff of Teton County, Idaho, out of the District Court of the Seventh Judicial District of the State of Idaho, County of Teton, Case No. CV-2011-41, on October 9, 2012 upon an Amended Judgment for Deficiency and Partial Satisfaction of Judgment rendered in favor of Plaintiff and against Defendants BC Properties, LLC; Lucra Investments, Inc.; Jeffrey R. Borer; Angela Borer; Ken R. Chambers; and V. Jayne Chambers (collectively, "Defendants"), and the Judgment in this action having been recorded in the real property records of Teton County, Idaho on August 19, 2011, as instrument number 218304, constituting a lien on the real property of Defendants, and each of them, commanding me to sell, at public auction, to the highest bidder, with such sale to be conducted and notice to be given as required for the sale of real property upon execution, all of the interest Defendants have in the real property situated in Teton County, Idaho, described as Assessor Parcel Numbers RP05N45E054901 and RP0555N45E054902, hereinafter referred to as the "Property," and described with particularity as follows:

PARCEL I:

A portion of the SW 1/4 of Section 5, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho being further described as follows: Beginning at the Center Quarter corner of the Section 5, the point of beginning; thence North 89°33'31" West 1323.96 feet, South 00°01'09" East 664.16 feet; South 89°35'36" East

SHERIFF'S DEED - 1

Sheriff's Deed - Teton County (Borer Parcel)

1324.29 feet' thence North 00°02'53" West 663.25 feet to the point of beginning.

PARCEL II:

A portion of the SW 1/4 of Section 5, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho being further described as follows: Beginning at the Center Quarter corner of the Section 5, the point of beginning; thence North 89°33'31" West 1323.96 feet, South 00°01'09" East 1328.31 feet, South 89°28'20" East 1324.62; thence North 00°02'53" West 1326.46 Feet to the point of beginning.

LESS AND EXCEPTING THEREFROM

A portion of the SW 1/4 of Section 5, Township 5 North, Range 45 East, Boise Meridian, Teton County, Idaho being further described as follows: Beginning at the Center Quarter corner of the Section 5, the point of beginning; thence North 89°33'31" West 1323.96 feet, South 00°01'09" East 664.16 feet; South 89°35'36" East 1324.29 feet' thence North 00°02'53" West 663.25 feet to the point of beginning.

On December 13, 2012, I sold at public auction in one separate lot or parcel, in the lobby of the Teton County Courthouse, in the County of Teton, Idaho after having first given notice of the time and place of the sale by publishing and posting such sale as prescribed by law, the Property to Wells Fargo Bank, N.A., for a total credit bid of \$180,000.00, such sum being the highest amount bid for the Property and which was the whole price paid by Wells Fargo Bank, N.A. for the right, claim, and interest in and to the Property, and having issued a Certificate of Sale, recorded on December 20, 2012, in the real property records of Teton County, Idaho, as instrument number 225567.

THEREFORE, in consideration of the receipt of payment by the Wells Fargo Bank, N.A. of the sum of \$180,000.00, as prescribed by the orders of the above titled Court, I, Tony Liford, Sheriff of the County of Teton, Idaho, have granted, bargained, sold and conveyed, and by these present, grant, bargain, sell and convey unto Wells Fargo Bank, N.A., and to its successors and assigns forever, all the estate, right, title and interest of Defendants to the Property.

TOGETHER WITH all appurtenances, including without limitation: all water and water rights and all other entitlements to receive water for any beneficial use upon the premises, including without limitation all rights and entitlements represented by any decree, license, permit, claim, permit application or storage entitlement, including water rights currently numbered 22-13994, or any portion thereof; all ditch and canal company and irrigation district shares and entitlements to receive water from any such company, association, district or other water delivery entity, including without limitation Fremont-Madison Irrigation District and Leigh Creek Canal Company; and all ditch rights, easements and rights of way associated with any irrigation or other water well, pump, delivery ditch, canal, lateral, pipeline, or facilities used to divert, convey or deliver any water, water rights or entitlements appurtenant to or associated with such real property (collectively, the "Water Rights"). To the extent the Water Rights include any water right permit, claim or application, this Sheriff's Deed includes the Water Rights and appurtenances herein enumerated, and includes assignment of such permit, claim or application.

TO HAVE AND TO HOLD, all and singular, the premises above-mentioned and described and hereby convey, or intended so to be, together with the appurtenances, to Wells Fargo Bank., N.A., its successors and assigns forever.

IN WITNESS WHEREOF, Tony Liford, as Sheriff of Teton County, Idaho, hereunto sets his hand this 29 day of January, 2014.

Tony Liford, Teton County Sheriff

By [Signature]
Sheriff

SUBSCRIBED AND SWORN TO before me this 29 day of January, 2014.



[Signature]
NOTARY PUBLIC for Idaho
Residing at Teton
My commission expires: 12-20-2016