

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED *DE*

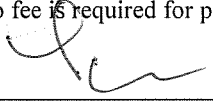
AUG 01 2013

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?
PD 63-3242	Yes ☐		Yes ☐		Yes ☐
<i>OK</i> 63-32040	Yes ☐		Yes ☐		Yes ☐
PD 63-15624	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: NW Bend Real Estate Holdings Ten Mile Creek, LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Tree Top Ranches LP
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- | | | | |
|-----------------------|------------------------------------|-----------|--------------|
| <u>P. O. Box 8126</u> | <u>Boise</u> | <u>ID</u> | <u>83707</u> |
| Mailing address | City | State | ZIP |
| <u>208-377-0998</u> | <u>wjmulder@treetopranches.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: 6/20/2013
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:  By LDW, Inc., its General Partner 7/30/13
Signature of new owner/claimant Title, if applicable Date

Signature: _____ Larry D. Williams, President _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by *HP* Date 8-1-13 Receipt No. C0975163 Receipt Amt. 75.00
Approved by _____ Processed by _____ Date _____

SUPPORT DATA

IN FILE # 63-3242

ADA COUNTY RECORDER Christopher D. Rich AMOUNT 25.00 6
BOISE IDAHO 06/20/2013 09:38 AM
DEPUTY Victoria Bailey
Simplifile Electronic Recording
RECORDED-REQUEST OF
FIDELITY NATIONAL TITLE - BOIS
113068555



Fidelity National Title
Insurance Company

SPECIAL WARRANTY DEED

Order No.: 1078362-ld

FOR VALUE RECEIVED

NW Bend Real Estate Holdings Ten Mile Creek, LLC, an Idaho limited liability company

the Grantor(s), do(es) hereby grant, bargain, sell and convey unto
Tree Top Ranches LP, an Idaho Limited Partnership

whose address is 101 S. Capitol Blvd., Suite 1801, Boise, ID 83702, the Grantee(s),
the following described premises, in Ada County, Idaho, TO WIT:

SEE ATTACHED EXHIBIT "A" which is incorporated herein by this reference
See attached Rider "A" which is incorporated herein by reference

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that no encumbrances were initiated during the ownership of the undersigned nor is the undersigned aware of any such.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Effective this 11th day of June, 2013.

NW Bend Real Estate Holdings Ten Mile
Creek, LLC

An Idaho limited liability company

By: Sabal Financial Group, L.P. in its
Capacity as manager of NW Bend Real
Estate Holdings Ten Mile Creek, LLC

By:

Name: Mark E. Foster
Vice President & General Counsel

Its: _____

STATE OF

~~COUNTY OF~~

On this 11th day of June, 2013, before me, a Notary Public in and for said State, personally appeared, [Signature] known or identified to me to be the [Signature] of the Limited Partnership that executed the within Instrument or the person(s) who executed the instrument on behalf of said Limited Partnership, and acknowledged to me that such Limited Partnership 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.

Notary Public for the State of :
Residing at:
My Commission Expires:

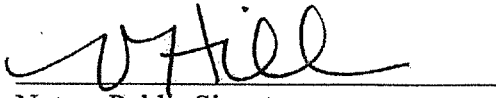
SEE ATTACHED

State of California)
County of Orange)

On June 11, 2013, before me, V. Hill, Notary Public, personally appeared Mark E. Foster, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.


Notary Public Signature

(SEAL)

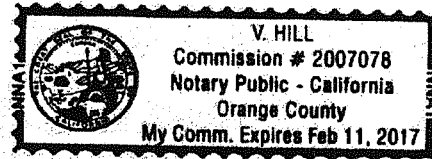


EXHIBIT "A"

PARCEL I:

A certain lot or parcel of land located in a portion of Sections 19, 29 and 30, Township 2 North, Range 2 East of the Boise Meridian, in the County of Ada, State of Idaho, being more particularly bounded and described as follows:

Commencing at a found brass cap monument marking the Section corner common to Sections 24 and 25, Township 2 North, Range 1 East, Boise Meridian and Sections 19 and 30, Township 2 North, Range 2 East, Boise Meridian;
Thence North $00^{\circ}44'30''$ East on the West line of said Section 19, also the centerline of S, Cole Road, a distance of 1817.12 feet to a set 5/8" rebar with plastic cap, on the South right of way line of Ten Mile Creek Road as described in Instrument No. 8145743, records of Ada County, Idaho, said rebar is located on the Section line between the said corner of said Section 19. The said rebar also marks the REAL POINT OF BEGINNING of this description;
Thence along the said South right of way line of Ten Mile Creek Road the following courses and distances:
Thence South $69^{\circ}39'42''$ East 329.15 feet to a point;
Thence South $55^{\circ}15'22''$ East 505.19 feet to a point;
Thence South $74^{\circ}38'22''$ East 591.82 feet to a point;
Thence South $59^{\circ}54'18''$ East 559.46 feet to a point;
Thence South $68^{\circ}12'48''$ East 693.18 feet to a point;
Thence South $59^{\circ}53'56''$ East 428.82 feet to a point;
Thence South $73^{\circ}31'33''$ East 335.80 feet to a point;
Thence South $60^{\circ}41'01''$ East 1050.16 feet to a point;
Thence South $63^{\circ}34'47''$ East 903.44 feet to a point;
Thence South $49^{\circ}31'54''$ East 231.74 feet to a point;
Thence South $61^{\circ}30'43''$ East 1286.48 feet to a point;
Thence South $78^{\circ}25'36''$ East 269.11 feet to a point;
Thence North $86^{\circ}08'08''$ East 235.75 feet to a point;
Thence North $73^{\circ}11'46''$ East 178.92 feet to a point;
Thence South $85^{\circ}09'19''$ East 387.25 feet to a point;
Thence North $77^{\circ}10'39''$ East 497.41 feet to a point;
Thence North $86^{\circ}22'24''$ East 532.84 feet to a point;
Thence North $68^{\circ}34'35''$ East 1015.41 feet to a point;
Thence North $61^{\circ}59'52''$ East 646.52 feet to a point;
Thence North $69^{\circ}29'25''$ East 414.59 feet to a point;
Thence North $66^{\circ}32'45''$ East 321.05 feet to a 5/8" rebar with plastic cap, marking a point on the said South right of way line of said road and the North line of said Section 29;
Thence departing from said South right of way line South $89^{\circ}39'49''$ East on the said North line of Section 29, a distance of 210.46 feet to a found brass cap monument marking the corner common to Sections 20, 21, 28 and 29, Township 2 North, Range 2 East, Boise Meridian;
Thence South $00^{\circ}22'09''$ West on the East line of said Section 29, a distance of 2630.58 feet to a found 5/8" rebar, marking the East quarter corner of said Section 29;

Thence North 89°52'06" West on the latitudinal center line of said Section 29, a distance of 5324.12 feet to a found brass cap monument, marking the West quarter corner of said Section 29;

Thence North 00°25'08" East on the section line common to Sections 29 and 30, Township 2

North, Range 2 East, Boise Meridian, a distance of 1327.73 feet to a set 5/8" rebar with plastic cap, marking the Northwest corner of the Southwest quarter Northwest quarter of said Section 29;

Thence North 88°21'09" West a distance of 3420.35 feet to a set 5/8" rebar with plastic cap;

Thence North 05°33'48" West a distance of 609.46 feet to a set 5/8" rebar with plastic cap;

Thence North 31°27'48" West a distance of 828.84 feet to a set 5/8" rebar with plastic cap;

Thence North 68°43'15" West a distance of 1507.28 feet to a set 5/8" rebar with plastic cap,

set on the West line of said Section 19;

Thence North 00°44'30" East a distance of 1347.93 feet to the POINT OF BEGINNING.

PARCEL II

A certain lot or parcel of land being a portion of the Southeast quarter of the Northeast quarter, Section 30, Township 2 North, Range 2 East of the Boise Meridian, County of Ada, State of Idaho, being more particularly bounded and described as follows:

Commencing at a brass cap monument marking the East quarter corner of said Section 30, Township 2 North, Range 2 East, Boise Meridian, marked by a brass cap monument;

Thence North 00°25'08" East (North 00°024'50" East) on the East line of said Section 30, a distance of 666.12 feet to a set 5/8" rebar with plastic cap on or near a fence line running Northwest/Southeast (formerly Southwest), said rebar also marks the REAL POINT OF BEGINNING of this description;

Thence on and/or near said fence line the following courses and distances:

North 57°14'18" West, 603.29 feet to a set 5/8" rebar with plastic cap;

North 70°50'56" West, 625.46 feet to a set 5/8" rebar with plastic cap;

South 78°21'37" West, 211.3 feet, more or less, to a point;

Thence North 00°31'58" East a distance of 210.2 feet, more or less to a point on the North line of the Southeast quarter of the Northeast quarter of said Section 30;

Thence South 88°21'09" East (South 88°21'00" East) on said North line a distance of 1308.5

feet, more or less, to a set 5/8" rebar with plastic cap marking the Northeast corner of the South half of the Northeast quarter of said Section 30;

Thence South 00°25'08" West (South 00°24'50" West) on the West line of the South half of

the Northeast quarter a distance of 666.61 feet to the POINT OF BEGINNING.

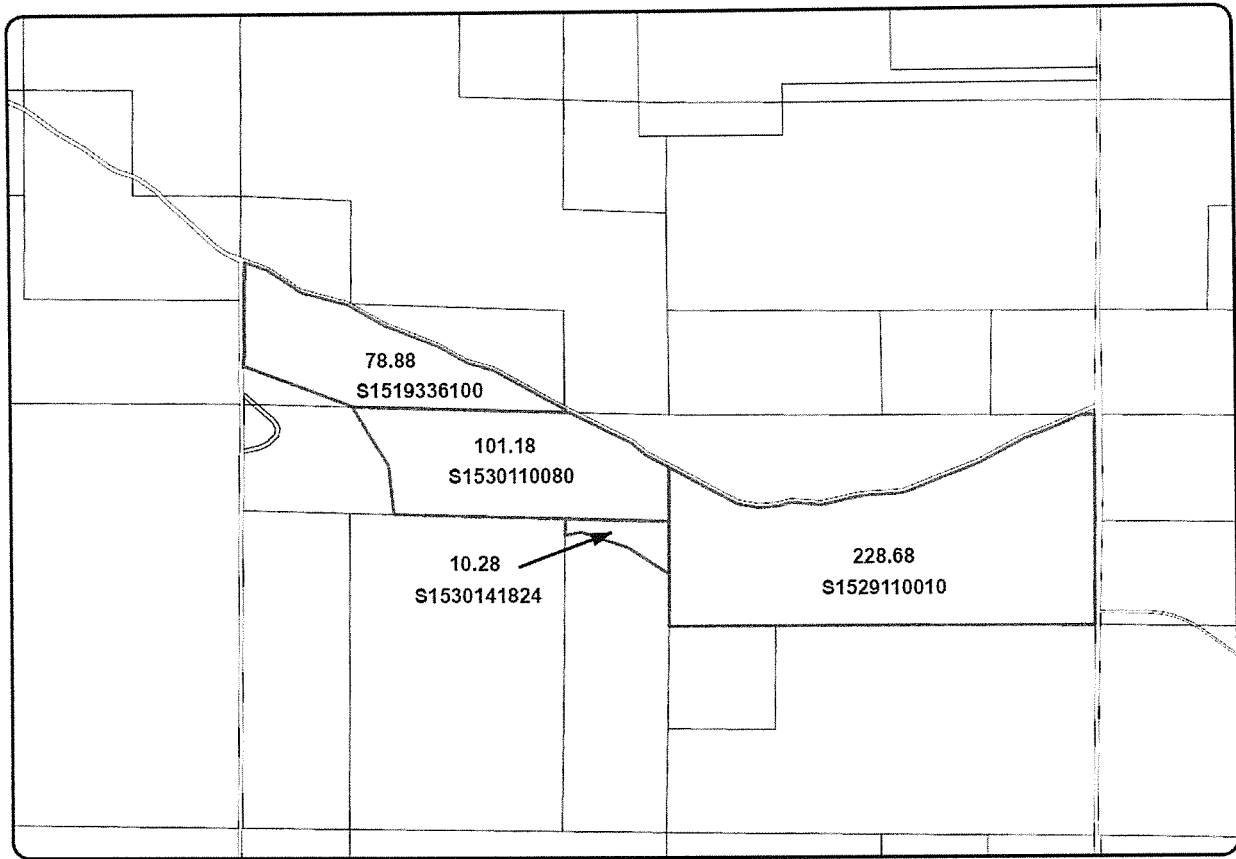
RIDER "A"

Special Warranty Deed

NW Bend Real Estate Holdings Ten Mile Creek, LLC to Tree Top Ranches LP

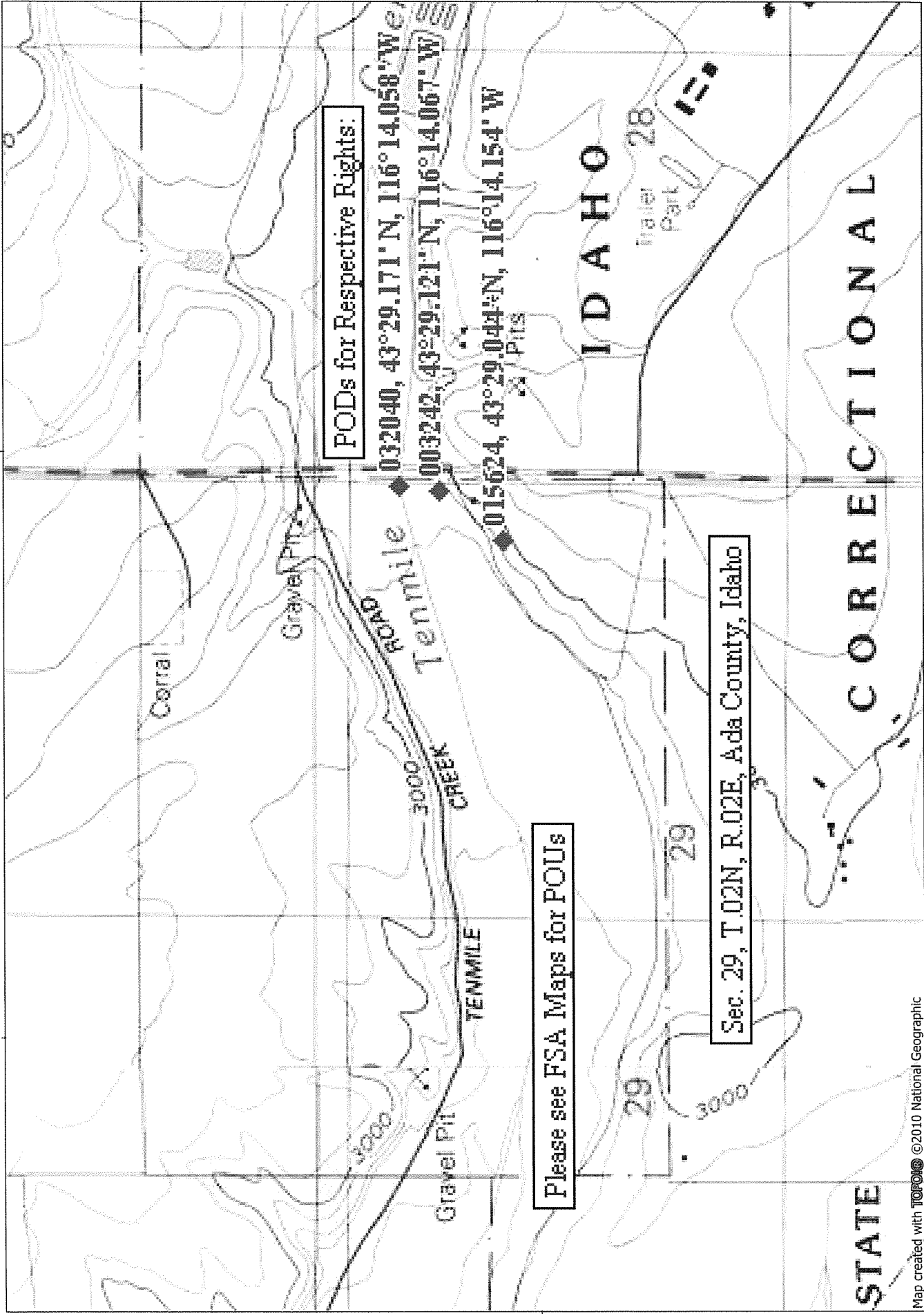
Together with all water rights and other entitlements to receive water for beneficial use on the described real property, including without limitation, all rights represented by any contract decree, license, permit, permit application, claim or storage entitlement, water shares and canal shares, and those water rights identified in the records of the Idaho Department of Water Resources for beneficial use on the described real property, and all ditches, ditch rights, easements and rights-of-way associated with the delivery of such water rights.

EXHIBIT "A"
Legal description of the property



116°15.000' W

WGS84 116°14.000' W



PODs for Respective Rights:

032040, 43°29.171'N, 116°14.058'W

003242, 43°29.121'N, 116°14.067'W

015624, 43°29.044'N, 116°14.154'W

Please see FSA Maps for POU's

Sec. 29, T.02N, R.02E, Ada County, Idaho

STATE

ID A H O

C O R R E C T I O N A L

Map created with TOPO! ©2010 National Geographic

116°15.000' W

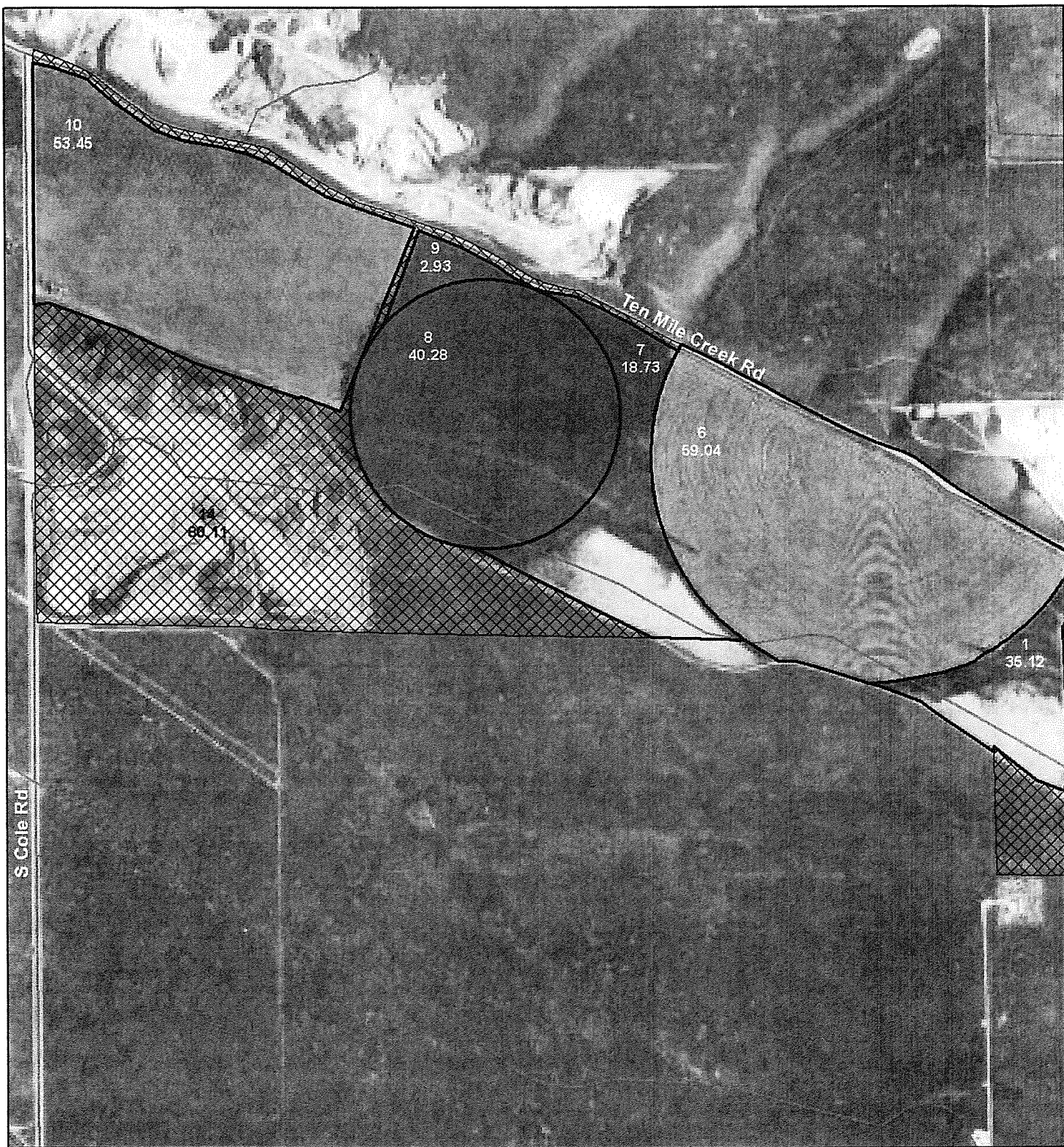
WGS84 116°14.000' W



TN* MN

14°

07/31/13



United States Department of Agriculture
Farm Service Agency

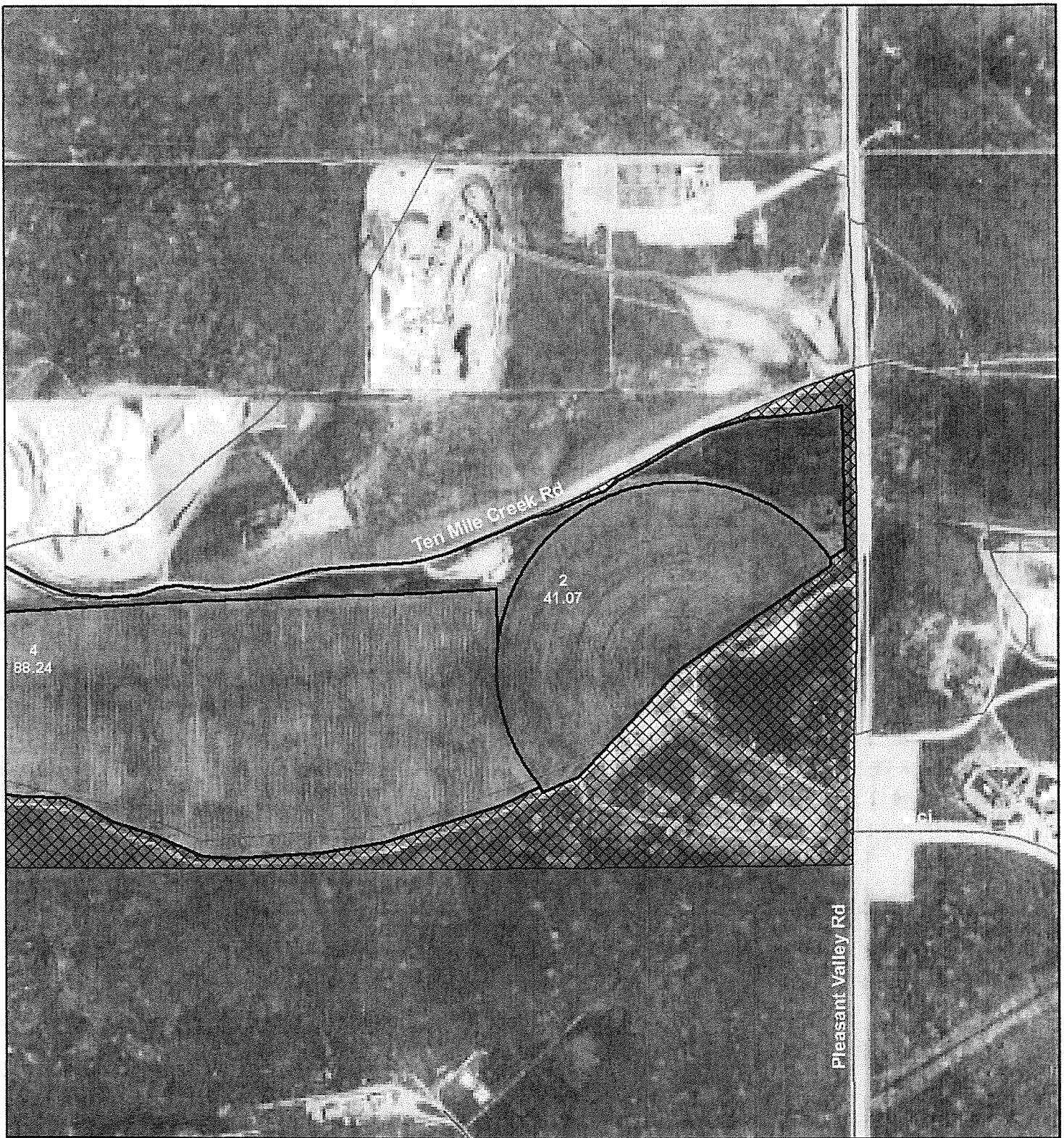
September 19, 2012

Farm: 533
Tract: 1691

Ada County, ID
1:9,048



Disclaimer: Wetland identifiers do not represent the size, shape or specific determination of the area.
Refer to your original determination (CPA-026 and attached maps) for exact wetland
boundaries and determinations, or contact NRCS.



United States Department of Agriculture
Farm Service Agency

September 19, 2012

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