

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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APR 01 2013

DEV

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?
PD 78-04268A	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Idaho Banking Company / DANIEL BALBACH
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): B & L Idaho 2, LLC
Name of each new owner as listed on the conveyance document

New owner continued Name connector ☐ and ☐ or ☐ and/or
P. O. Box 8126
Mailing address
Boise Idaho ~~83704~~ 83707
City State ZIP
208-377-0998 wjmulder@treetopranches.com
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: 1/24/2013
6. 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.

7. Signature: William J. Mulder Title, if applicable: ITS MANAGER Date: 3-29-13
Signature of new owner/claimant
Signature: B & L IDAHO 2, LLC Title, if applicable: _____ Date: _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by MS Date 4/1/13 Receipt No. W040980 Receipt Amt. 25-
Approved by _____ Processed by [Signature] Date 7-24-13

WHEN RECORDED RETURN

TO _____

RECORDED STAMP

Instrument # 124633

COUNCIL, ADAMS, IDAHO

1-24-2013 01:22:35 No. of Pages: 5

Recorded for : B & L IDAHO 2, LLC

SHERRY WARD

Fee: 22.00

Ex-Officio Recorder Deputy *Richard M. Young*

Index to: DEED

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WATER RESOURCES
WESTERN REGION

SHERIFF'S DEED

THIS SHERIFF'S DEED IS MADE THIS 17 DAY OF January, 2013. RYAN K ZOLLMAN, Sheriff of Adams County, State of Idaho, by virtue of his office, the Grantor, to B & L Idaho 2, LLC, whose mailing address is P.O. Box 959, Boise, Idaho 83701.

Witnesseth:

WHEREAS, pursuant to that certain Order for Entry of Default and for Entry of Default Judgment and Decree of Foreclosure and Order of Sale entered and filed on the 9 day of September, 2011, in and by the District Court of Third Judicial of the State of Idaho, in and for the County of Adams, in case number CV 2010 2716 which was then pending in said Court, wherein IDAHO BANKING COMPANY was the Plaintiff and Daniel Balbach, an individual; Paige Balbach, an individual; BALBACH LOGGING, INC., and Idaho corporation, were the defendants, it was, among other things, ordered, adjudged and decreed that the mortgaged real property described: in Writ of Execution, for Deficiency Judgment, and for Money Judgment Against Guarantors filed in Case No 2010 2716 be sold public auction by the Sheriff of Adams County, Idaho, in the manner prescribed by law and rule and practice of said Court; and

WHEREAS, in and by the Writ of Execution issued on the 29 day of September, 2011, in said action by the Clerk of said Court, the Sheriff of Adams County, State of Idaho, was commanded to sell said real property; and

WHEREAS, in obedience to said Writ of Execution and after due public notice given as required by law, said Sheriff of Adams County, Idaho did on the 14 day of December, 2011, at the hour of 2:00 P.M. at the Adams County Courthouse, 201 Industrial Avenue, Council, Idaho, 83612, duly sell at public auction the real property described herein, in said Writ of Execution; and

WHEREAS, at such sale, said real property was sold to IDAHO BANKING COMPANY, an Idaho banking company, for the sum of SEVEN-HUNDRED, and EIGHTY-TWO THOUSAND, FIVE HUNDRED DOLLARS AND 00/100, (\$782,500.00) lawful money of the United States, which was the whole price paid by credit bid in the amount of \$ 782,500.00 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:

EXHIBIT A

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WATER RESOURCES
WESTERN REGION

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, T19NR1E2M, 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, T19NR1E2M, 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 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, T19NR1E2M;

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 1/2" 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 1/2" 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 1/2" 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.

WHEREAS, the sum was duly credited by the Sheriff of Adams County, Idaho, in partial satisfaction of the amount County, Idaho, thereupon delivered his Certificate of Sale dated 27 day of December, 2011, instrument no. 122846, as required by law; and

WHEREAS, pursuant to the Writ of Execution, it was ordered that the Sheriff's sale of the real property be subject to any right of redemption the Defendants might have; and

WHEREAS, more than (6) months having expired since the date of said sale and no redemption having been made of the property so sold by any person or party; and

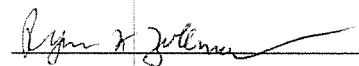
WHEREAS, pursuant to that certain Assignment and Conveyance of Certificate of Sale which was recorded on 12-27-1, as instrument No. 122846, records of Adams County, Idaho and

WHEREAS, pursuant to the Writ of Execution Idaho Banking Company, plaintiff, by SPECIAL WARRANTY DEED to B & L IDAHO 2, LLC, is entitled to a deed to the real property.

NOW, THEREFORE, I Ryan K. Zollman, Sheriff of Adams County, State of Idaho, by virtue of my office, and in consideration of the premises and the sum so credited and in compliance with the law and with above-mentioned Writ of Execution, DO HEREBY GRANT, BARGAIN, SELL AND CONVEY unto B & L IDAHO 2, LLC,, THE Grantor and to Grantor's successors and assigns forever, all that certain real property situate in the County of Adams, State of Idaho as described herein.

TO HAVE AND TO HOLD the above-described real property together with its appurtenances unto said Grantor and grantor's successors and assigns forever.

IN WITNESS WHEREOF, said Grantor, as Sheriff of Adams County, State of Idaho, aforesaid, does hereby set his hand the day and year first above written;



Ryan K. Zollman, Sheriff of Adams County, State of Idaho

STATE OF IDAHO)

SS.

COUNTY OF ADAMS)

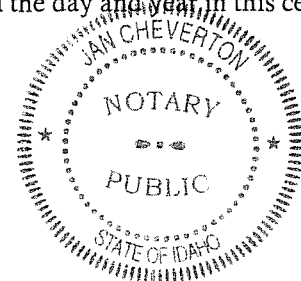
On this 17 day of January, 2013, before me, Jan Cheverton, a notary public in and for said State, personally appeared RYAN K. ZOLLMAN, known or identified to me to be the person whose name is subscribed to the foregoing instrument as the Sheriff of Adams County, Idaho, and acknowledged to me that he executed the same.

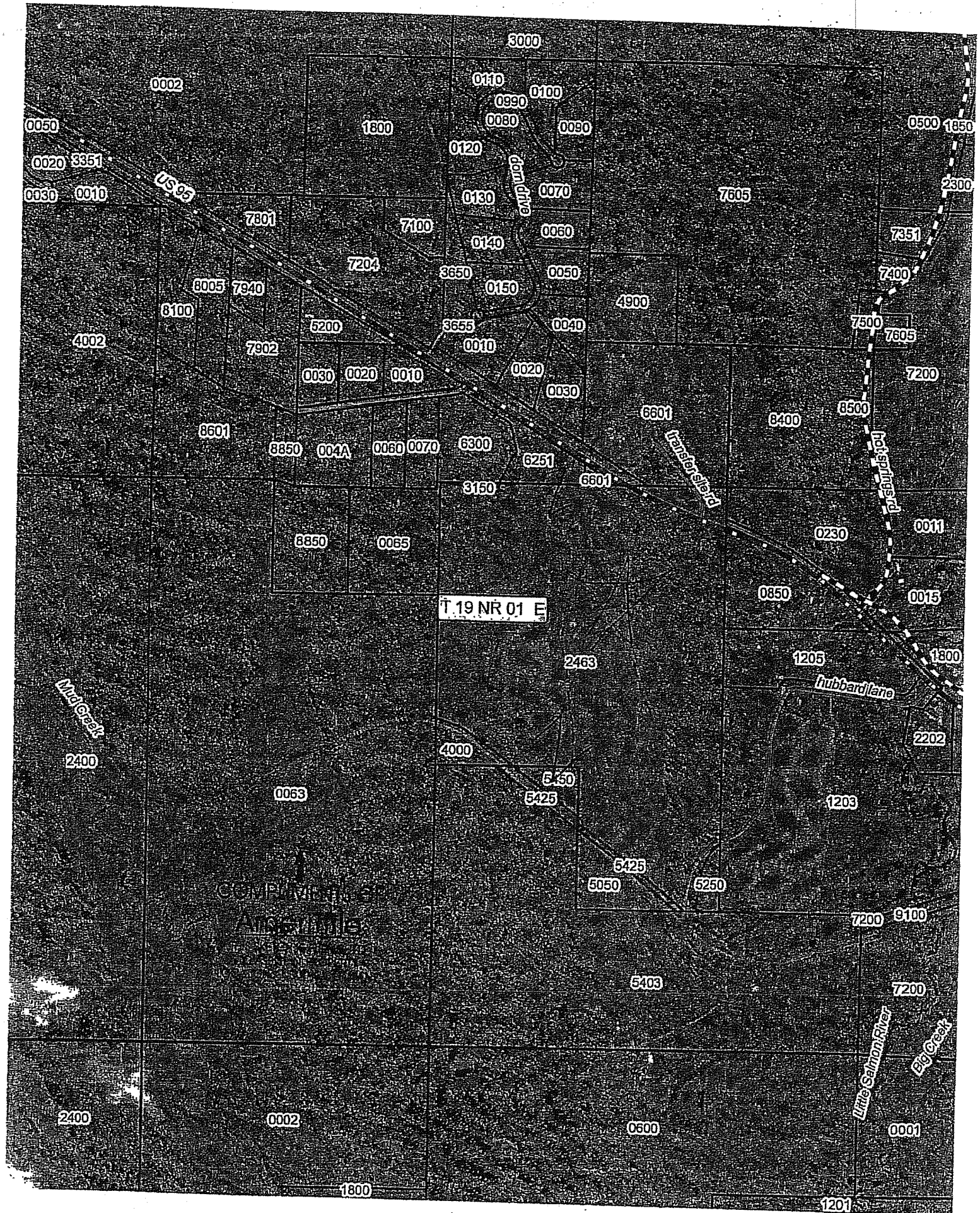
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.


Notary Public for Idaho

Resides at

Term Expires





ASSESSOR'S SUB-DIVISION OF

SW SEC. 29

TWP. 19

RANGE 1E S.M.

Survey 8941 Burnett

Aerial 0.11

N 88° 11' 10" E 2673.70'

Parcel 1

Balch Logging Inc.
7-21-93 54390

5462

29.50 AC

NE 1/4

Parcel 2

400

MR 155W

James B. Anderson
25.4 3-4 (5-6-83)
25.4 3-4 5403

5403

5403

K. F. 26 W. 1/4
25.4 3-4 (5-6-83)
25.4 3-4 5403

James B. Anderson
SE 1/4 25.4 3-4 (5-6-83)
25.4 3-4 5403

5403
5/20/94 - 20074
This is a correction
to the original plat
shown

↑
COMPLIMENTS OF
AmeriTitle

THIS SKETCH IS FURNISHED
TO ASSIST IN PROPERTY
LOCATION AND THE COMPANY
DOES NOT GUARANTEE
ITS ACCURACY.

ASSESSOR'S SUBDIVISION OF

NW

SEC. 23

TWP. 19

RANGE 1E

B.M.

Amort # 38795
178°15'34"E
N: 0.687.55

Barth's Loc. 44 Tr.
43249 844397

NW 1/4
40 ac.

SE 1/4
40 ac.

Parcel 2

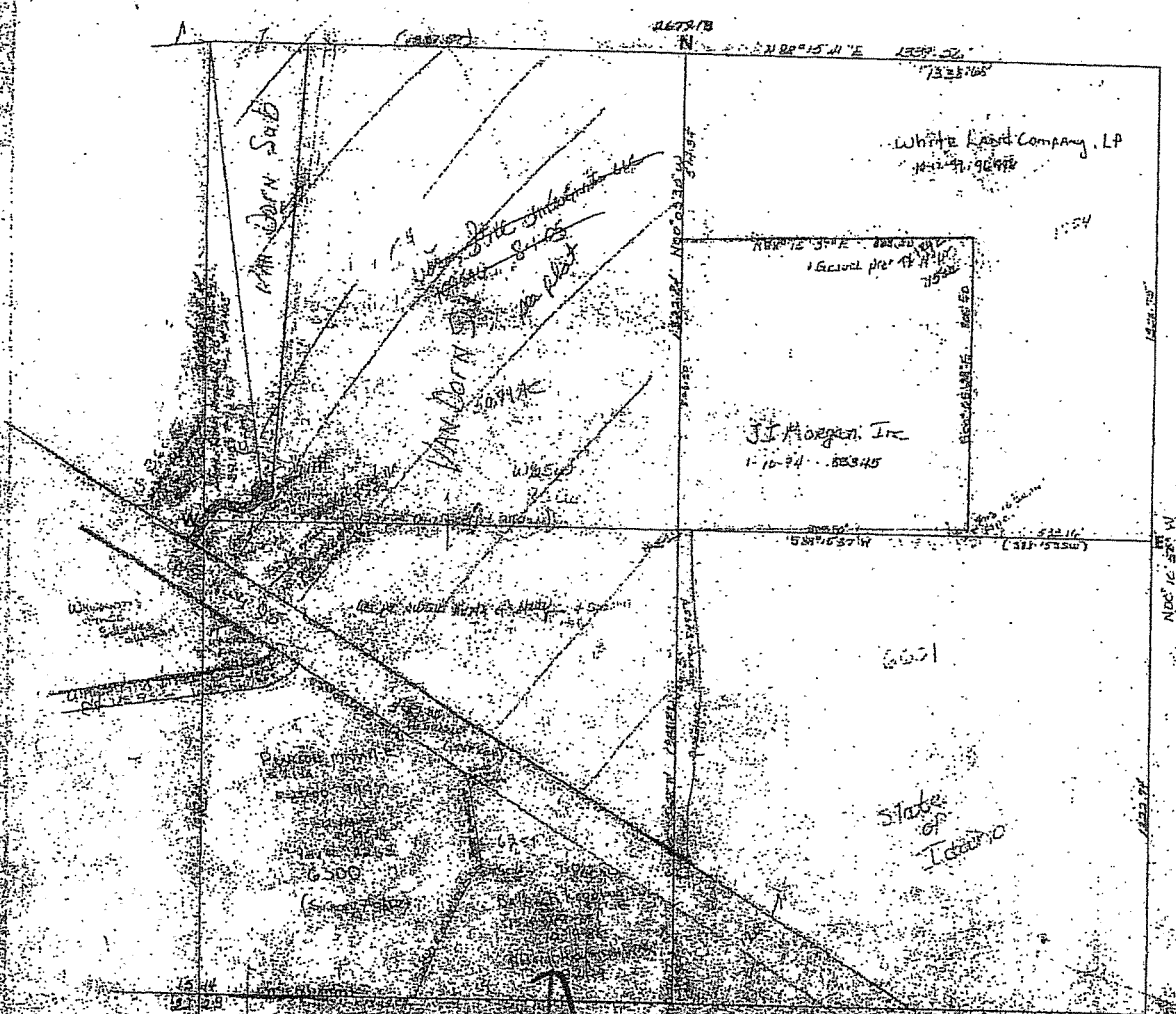
SE 1/4
40 ac.

COMPLIMENTS OF

AmeriTitle

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ASSESSOR'S SUB-DIVISION OF ... SEC. ... TWP. ... N. ... E. ... S. ... M.

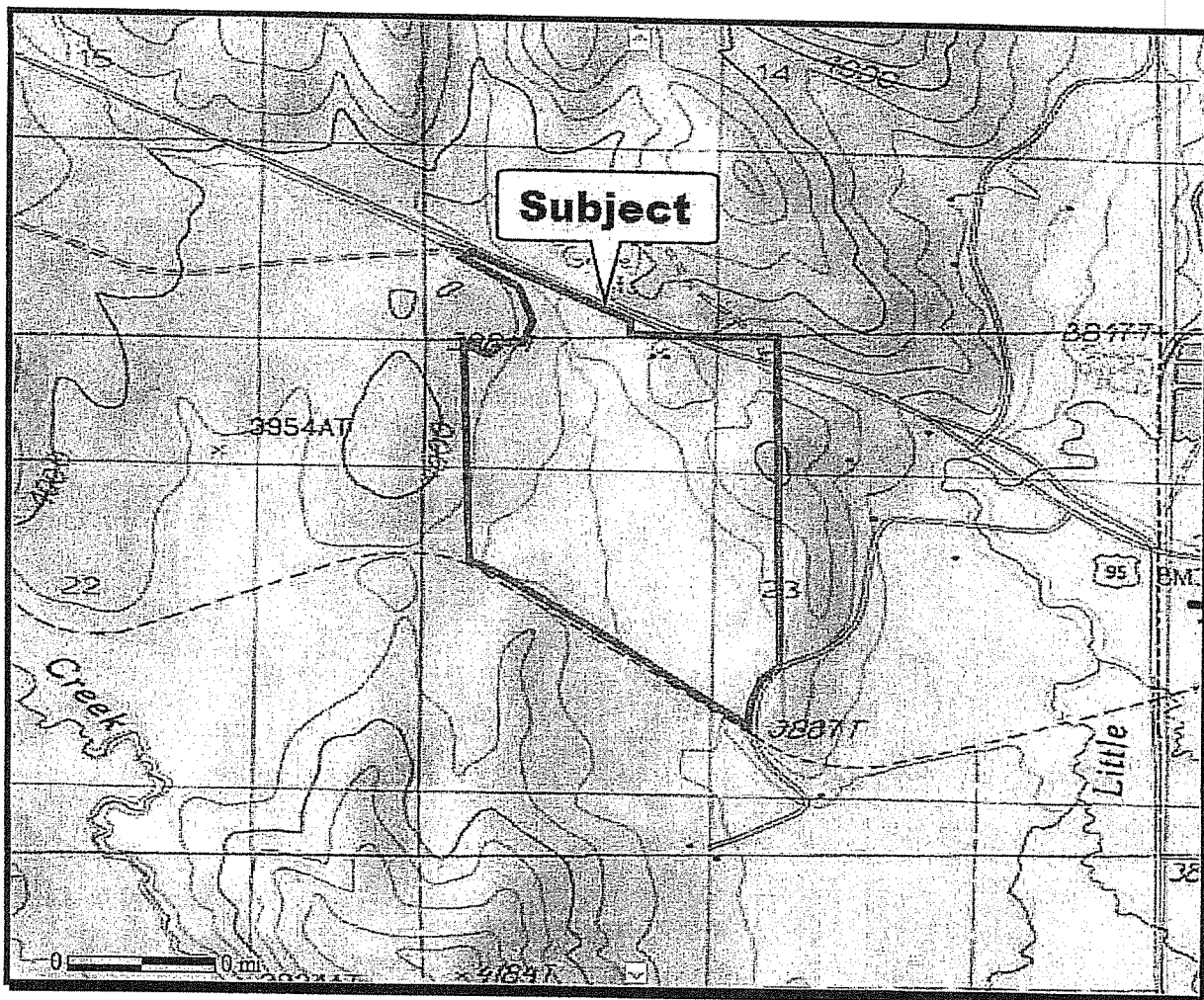


Parcel
3

COMPLIMENTS OF
AmeriTitle

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TOPOGRAPHY MAP



(BOUNDARIES ARE APPROXIMATE)

AERIAL CLOSE-UP (GOOGLE EARTH)



(BOUNDARIES ARE APPROXIMATE)

ASSESSOR'S AERIAL

