

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 31 2013

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Notice of Change in Water Right Ownership

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?
47-4160	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: JED PETERSON

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): ORCHARD VIEW ENTERPRISES, LLC.

Name of each new owner as listed on the conveyance document

New owner continued Name connector ☐ and ☐ or ☐ and/or

2206 MAYBERRY LANE

Mailing address

FILER

ID

83328

City

State

ZIP

208-308-4155

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: 01-29-2013

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: 

Signature of new owner/claimant

Title, if applicable

Date

Signature:

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by 

Date

1-31-2013

Receipt No.

S033018

Receipt Amt.

\$25 -

Approved by

Processed by

Date

TWIN FALLS COUNTY

Recorded for:

COLEMAN, RITCHIE, ET A
10:05:22 AM 01-29-2013

2013-002141

No. Pages: 4 Fee: \$ 19.00

KRISTINA GLASCOCK

County Clerk

Deputy: BHUNTER

TRUSTEE'S DEED

DAVID A. COLEMAN, a member of the Idaho State Bar (herein called Trustee), Successor Trustee under the Deed of Trust hereinafter particularly described, does hereby Bargain, Sell and Convey, without warranty, to ORCHARD VIEW ENTERPRISES, LLC., (herein called Grantee) whose address is 2206 Mayberry Lane, Filer, Idaho 83328, all of the real property situated in the County of Twin Falls, State of Idaho, described as follows:

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 36: A parcel of land located in the NW¼ being more particularly described as follows:

COMMENCING at the Northwest corner of said Section 36;

THENCE South along the West boundary of Section 36 for a distance of 123.63 feet to the TRUE POINT OF BEGINNING;

THENCE South 89°44'12" East for a distance of 66.43 feet;

THENCE North 0°06'31" East for a distance of 14.24 feet;

THENCE North 89°55'26" East for a distance of 21.80 feet;

THENCE South 82°29'59" East for a distance of 10.42 feet;

THENCE South 1°39'58" East for a distance of 10.15 feet;

THENCE South 89°39'13" East for a distance of 55.41 feet;

THENCE South 8°31'30" East for a distance of 3.49 feet;

THENCE South 89°48'23" East for a distance of 24.86 feet;

THENCE South 85°09'47" East for a distance of 87.81 feet;

THENCE South 1°52'08" West for a distance of 36.76 feet;

THENCE North 89°05'52" West for a distance of 266.00 feet to a point on the West boundary of Section 36;

THENCE North along the West boundary of Section 36 for a distance of 41.37 feet (shown of record as 35.00 feet) to the TRUE POINT OF BEGINNING.

This conveyance is made pursuant to the powers conferred upon Trustee by the Deed of Trust between JED PETTERSON, an unmarried man, as Grantor to FIRST AMERICAN TITLE COMPANY, INC., as Trustee, and ORCHARD VIEW ENTERPRISES, LLC., as

Beneficiary, dated April 25, 2008 and recorded April 29, 2008, as Instrument No.2008-009552, records of Twin Falls County, Idaho, and after the fulfillment of the conditions specified in said Deed of Trust authorizing this conveyance as follows:

(a) Default occurred in the obligations for which such Deed of Trust was given as security and the beneficiary made demand upon the said Trustee to sell said property pursuant to the terms of said Deed of Trust. Notice of Default was recorded as Instrument No. 2012-017497, Twin Falls County, Idaho mortgage records and in the office of the Recorder of each other county in which the property described in said Deed of Trust, or any part thereof, is situated, the nature of such default being as set forth in said Notice of Default. Such default still existed at the time of sale.

(b) After recordation of said Notice of Default, Trustee gave notice of the time and place of the sale of said property by registered or certified mail, by personal service upon the occupants of said real property, and/or by posting in a conspicuous place on said premises and by publishing the Notice of Trustee's Sale in a newspaper of general circulation in each of the counties in which the property is situated as more fully appears in affidavits recorded at least 20 days prior to date of sale as Instrument Nos. 2012-019403, 2012-019404 and 2012-019405, Twin Falls County, Idaho mortgage records.

(c) The provisions, recitals and contents of the Notice of Default referred to in paragraph (a) supra and of the Affidavits referred to in paragraph (b) supra shall be and they are hereby incorporated herein and made an integral part hereof for all purposes as

though set forth herein at length.

(d) All requirements of law regarding the mailing, personal service, posting, publication and recording of notice of default, and notice of sale and of all other notices have been complied with.

(e) Not less than 120 days elapsed between the giving of notice of sale by registered or certified mail and the sale of said property.

(f) Trustee, at the time and place of sale fixed by said notice, at public auction, in one parcel, struck off to Grantee, being the highest bidder therefore, the property herein described, for the sum of \$ 49,514.10 subject, however, to all prior liens and encumbrances. No person or corporation offered to take any part of said property less than the whole thereof for the amount of principal, interest, advances and costs.

IN WITNESS WHEREOF, the Successor Trustee as Grantor, has caused his name to be hereunto subscribed this 29th day of January, 2013.

David A. Coleman, Successor Trustee
DAVID A. COLEMAN, Successor Trustee

STATE OF IDAHO

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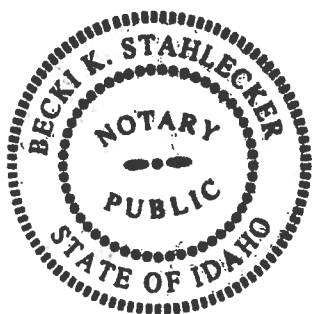
) SS.

County of Twin Falls

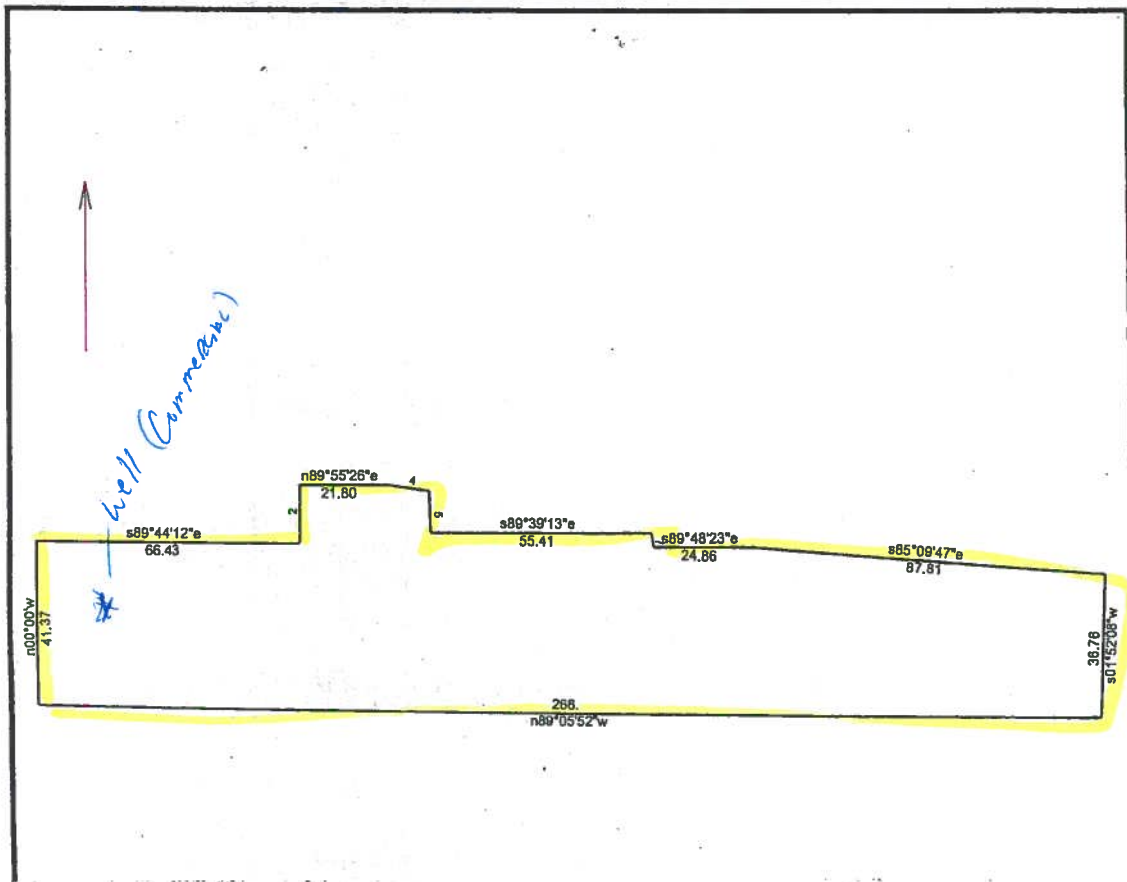
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On this 29th day of January, 2013, before me, the undersigned, a Notary Public, in and for said County and State, personally appeared **DAVID A. COLEMAN**, known or identified to me to be the person whose name is subscribed to the within instrument as Successor Trustee and acknowledged to me that he executed the same as such Successor Trustee.

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



Becki K. Stahlecker
NOTARY PUBLIC
Residing at Twin Falls
My Commission Expires 1-28-2014



3000 N 3800 E
123.63 feet
41

