

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

**RECEIVED**

**JAN 10 2013**

**Notice of Change in Water Right Ownership**

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.

| Water Right/Claim No. | Split?                       | Water Right/Claim No. | Split?                       | Water Right/Claim No. | Split?                       |
|-----------------------|------------------------------|-----------------------|------------------------------|-----------------------|------------------------------|
| 37-08472              | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Goodman Family Trust  
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): PBFF LLC  
Name of each new owner as listed on the conveyance document

New owner continued Name connector ☐ and ☐ or ☐ and/or  
8854 W. Emerald St., Ste. 260  
Mailing address  
Boise ID 83704  
City State ZIP  
(541) 335-4583  
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: September 27, 2012

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):
  - o \$25 per *undivided* water right.
  - o \$100 per *split* water right.
  - o No fee is required for pending adjudication claims.

By: Kendall Development Group L.L.C., Manager

7. Signature: By: [Signature] David E. Blewett Manager 12-28-12  
Signature of new owner/claimant Title, if applicable Date

Signature: \_\_\_\_\_  
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

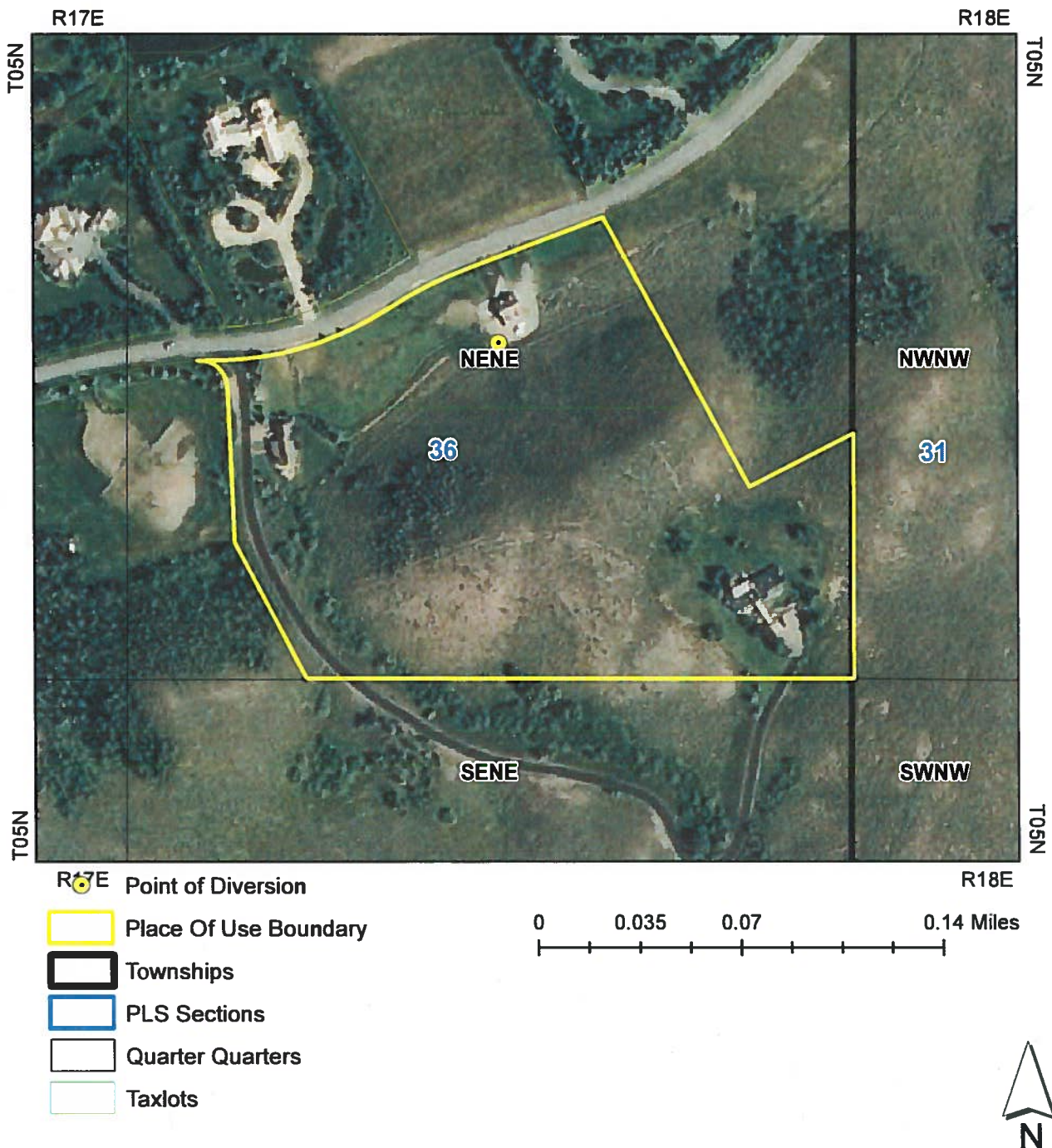
Received by DM Date 1-10-2013 Receipt No. 5032985 Receipt Amt. \$25-  
Approved by \_\_\_\_\_ Processed by \_\_\_\_\_ Date \_\_\_\_\_

State of Idaho  
Department of Water Resources

**Water Right**  
**37-8472**

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

WATER RIGHT NO. 37-08472

Priority: November 23, 1988

Maximum Diversion Rate:

0.07 CFS

Maximum Diversion Volume:

11.1 AF

This is to certify, that GOODMAN FAMILY TRUST  
PO BOX 3144

KETCHUM ID 83340 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 23, 1988; and has submitted Proof of Beneficial Use on January 25, 1990. An examination indicates that the works have a diversion capacity of 0.130 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| IRRIGATION            | 04/15 to 10/15       | 0.05 CFS                 | 10.5 AF              |
| DOMESTIC              | 01/01 to 12/31       | 0.02 CFS                 | 0.6 AF               |
| Totals                |                      | 0.07 CFS                 | 11.1 AF              |

LOCATION OF POINT(S) OF DIVERSION:

NENE , Sec. 36, Township 05N, Range 17E  
BLAINE County

PLACE OF USE: IRRIGATION

TWN RGE SEC

05N 17E 36

ACRES

NENE 3

ACRES

ACRES

TOTAL

3

Total number of acres irrigated:

3

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

## CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.

OCT 30 1985

State of Idaho  
Department of Water Resources

# WATER RIGHT LICENSE

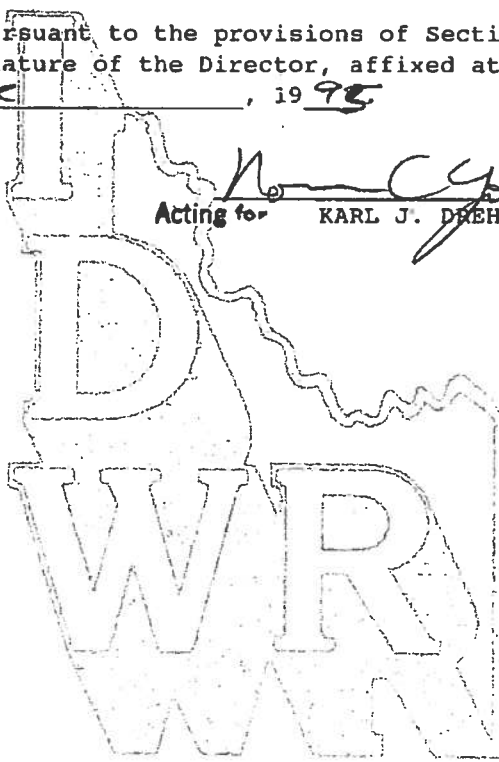
WATER RIGHT NO. 37-08472

## CONDITIONS OF APPROVAL AND REMARKS

6. Irrigation use under this right is authorized only in connection with a domestic use.
7. Place of use is located within Lot 8A, Block 1, Lake Creek Meadows Subdivision No. 1.
8. Domestic use is for 1 home.
9. Domestic use does not include lawn, garden, landscape, or other types of irrigation.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 4<sup>TH</sup> day of OCTOBER, 1995

  
Acting for KARL J. DREHER, Director



OCT 30 1995

This document is being re-recorded to correct the legal description.

**Instrument # 604315**

HAILEY, BLAINE, IDAHO  
12-19-2012 1:28:00 PM No. of Pages: 6  
Recorded for: FIRST AMERICAN TITLE - KETCHUM  
JOLYNN DRAGE Fee: \$25.00  
Ex-Officio Recorder Deputy: mpp  
Electronically Recorded by Simplifile

**Instrument # 601486**

HAILEY, BLAINE, IDAHO  
09-27-2012 12:50:00 PM No. of Pages: 3  
Recorded for: FIRST AMERICAN TITLE - KETCHUM  
JOLYNN DRAGE Fee: \$16.00  
Ex-Officio Recorder Deputy: mpp  
Electronically Recorded by Simplifile

When recorded return to:

Morris J. Galen  
Tonkon Torp LLP  
1600 Pioneer Tower  
888 SW Fifth Avenue  
Portland, OR 97204-2099

Until Change is Requested, Send all Tax Statements to:

PBFF LLC  
8854 W Emerald Street  
Suite 260  
Boise, ID 83704

**Warranty Deed**

File No.: 428857A(ci)

Date: September 27, 2012

For Value Received, receipt and sufficiency of which are hereby acknowledged, David P. Goodman, Trustee of the Goodman Survivor's Trust u/t/a November 4, 1997, hereinafter called Grantor, hereby grants, bargains, sells and conveys unto PBFF LLC, an Idaho limited liability company, hereinafter called Grantee, whose current address is 8854 W. Emerald Street, Suite 260, Boise, Idaho 83704, the following described real property situated in Blaine County, Idaho: ms

See Exhibit B

~~Lot 8B, Block 1, Lake Creek Meadows Subdivision No. 1, according to the official plat thereof, recorded as Instrument No. 393666, records of Blaine County, Idaho~~

~~(hereinafter referred to as the Property), together with all water rights appurtenant to the Property, including, without limitation, (i) that water right identified in the records of the Idaho Department of Water Resources as licensed Water Right No. 37-08472, authorizing the appropriation of ground water for domestic and irrigation uses on the Property, which was then described as Lot 8A, Block 1, Lake Creek Meadows Subdivision No. 1, as shown in Instrument No. 287078 and which is now described as Lot 8B, Block 1, Lake Creek Meadows Subdivision No. 1, pursuant to a replat of the Property, as shown in Instrument No. 393666, all as recorded in the records of Blaine County, Idaho; (ii) all water permit exempt water rights as provided for under Idaho Code Section 42-227; and (iii) all (a) pumps, pipes, wells, irrigation equipment, measuring devices and other facilities used in relation to the appropriation of water under the foregoing water rights and (b) easements, right of ways and/or other rights of access appurtenant to or related to the appropriation of water for beneficial uses on the Property.~~

This document is being re-recorded to correct the legal description.

**Instrument # 601486**

HAILEY, BLAINE, IDAHO  
09-27-2012 12:50:00 PM No. of Pages: 3  
Recorded for: FIRST AMERICAN TITLE - KETCHUM  
JOLYNN DRAGE Fee: \$16.00  
Ex-Officio Recorder Deputy: mpp  
Electronically Recorded by Simplifile

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File No.: 428857A(ci)

Date: September 27, 2012

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See Exhibit B

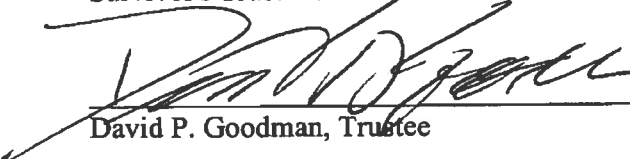
~~Lot 8B, Block 1, Lake Creek Meadows Subdivision No. 1, according to the official plat thereof, recorded as Instrument No. 393666, records of Blaine County, Idaho~~

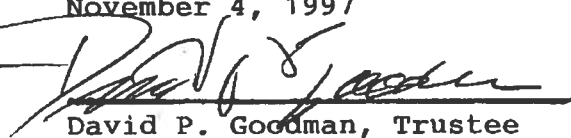
~~(hereinafter referred to as the Property), together with all water rights appurtenant to the Property, including, without limitation, (i) that water right identified in the records of the Idaho Department of Water Resources as licensed Water Right No. 37-08472, authorizing the appropriation of ground water for domestic and irrigation uses on the Property, which was then described as Lot 8A, Block 1, Lake Creek Meadows Subdivision No. 1, as shown in Instrument No. 287078 and which is now described as Lot 8B, Block 1, Lake Creek Meadows Subdivision No. 1, pursuant to a replat of the Property, as shown in Instrument No. 393666, all as recorded in the records of Blaine County, Idaho; (ii) all water permit exempt water rights as provided for under Idaho Code Section 42-227; and (iii) all (a) pumps, pipes, wells, irrigation equipment, measuring devices and other facilities used in relation to the appropriation of water under the foregoing water rights and (b) easements, right of ways and/or other rights of access appurtenant to or related to the appropriation of water for beneficial uses on the Property.~~

TO HAVE AND TO HOLD the Property, with its appurtenances, unto Grantee, and to Grantee's heirs and assigns forever. Grantor does hereby covenant that Grantor is the owner in fee simple of the Property, that the Property is free from all reservations, restrictions, covenants, easements and encumbrances except only current year taxes and the Exceptions described in Exhibit A attached hereto, and that Grantor will warrant and defend the same from all claims whatsoever.

David P. Goodman, Trustee of the Goodman  
Survivor's Trust u/t/a November 4, 1997

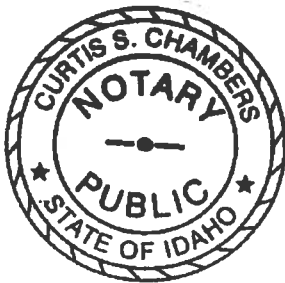
David P. Goodman, Trustee of the  
Goodman Survivor's Trust u/t/a  
November 4, 1997

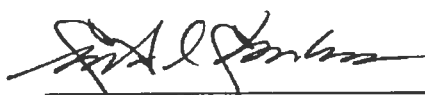
  
David P. Goodman, Trustee

  
David P. Goodman, Trustee

STATE OF IDAHO           )  
                                  ) ss.  
County of Blaine         )

On this 27 day of September, 2012, before me, a Notary Public in and for said State, personally appeared David P. Goodman, known or identified to me to be the person whose name is subscribed to the within instrument as the Trustee of the Goodman Survivor's Trust, and acknowledged to me that he executed the same as such Trustee.



  
Notary Public for the State of Idaho

Residing at: HAILEY, ID

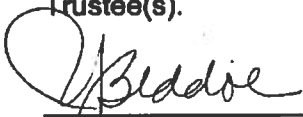
My Commission Expires: 5.15.16

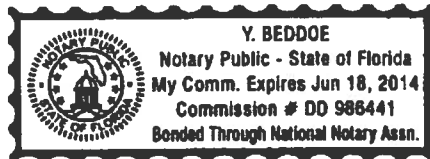
STATE OF Florida

COUNTY OF Miami-Dade

} ss:

On this 11 day of December, in the year of 2012, before me, the undersigned Notary Public in and for said state, personally appeared David P. Goodman, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument as Trustee(s) of the Goodman Survivor's Trust and acknowledged to me that he/she/they executed the same as such Trustee(s).

  
\_\_\_\_\_  
Notary Public for  
Residing at:  
My Commission:



## **EXHIBIT A**

### **Exceptions**

1. Easements, Notes and Restrictions as shown on the official plats of CASTLE-SCOTT SUBDIVISION and LAKE CREEK MEADOWS SUBDIVISION NO. 1, and A REPLAT SHOWING LOT 4, REPLAT OF LAKE CREEK HIGHLANDS SUBDIVISION; LOTS 7 & 8 BLOCK 1, LAKE CREEK MEADOWS SUBDIVISION NO. 1; LOT 9 BLOCK 1 LAKE CREEK MEADOWS SUBDIVISION NO. 2; and LOT 8B, BLOCK 1, LAKE CREEK MEADOWS SUBDIVISION NO. 1.
2. Declaration for LAKE CREEK MEADOWS NO. 1 SUBDIVISION recorded August 15, 1986, as Instrument No. 275719, and Declaration of Covenants, Conditions and Restrictions of LAKE CREEK MEADOWS SUBDIVISIONS NO. 1 & 2, recorded July 15, 1988, as Instrument No. 296419, 1st amendment recorded September 17, 2001, as Instrument No. 455468, records of Blaine County, Idaho, but deleting any covenant, condition or restriction indicating a preference, limitation, or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
3. Power Line Easement in favor of IDAHO POWER COMPANY, recorded January 29, 1987, as Instrument No. 281467, records of Blaine County, Idaho.
4. Power Line Easement in favor of IDAHO POWER COMPANY, recorded January 29, 1987, as Instrument No. 281468, records of Blaine County, Idaho.
5. Levies and Assessments of the LAKE CREEK MEADOWS HOMEOWNERS' ASSOCIATION INC., as disclosed in the Declaration of Covenants, Conditions and Restrictions and Articles of Incorporation, recorded as Instrument 296419, records of Blaine County, Idaho.
6. Grant of Easement and Restrictive Covenant, by and between Lake Creek Meadows Homeowners association and Deveal Brown, recorded October 24, 2000, as Instrument No. 444439, records of Blaine County, Idaho.
7. Terms and Conditions in that certain Easement Agreement by and between Paul C. Touw, an unmarried man and Kiaora Asset Limited Partnership, a Nevada limited partnership, recorded June 30, 2005, as Instrument No. 522349, record of Blaine County, Idaho.

## EXHIBIT B

Lot 8B, Block 1, Lake Creek Meadows Subdivision No. 1, according to the official plat thereof, recorded as Instrument No. 393666, and corrected under that Surveyor's Correction Affidavit recorded as Instrument No. 004314, records of Blaine County, State of Idaho.

(hereinafter referred to as the Property), together with all water rights appurtenant to the Property, including, without limitation, (i) that water right identified in the records of the Idaho Department of Water Resources as licensed Water Right No. 37-08472, authorizing the appropriation of ground water for domestic and irrigation uses on the Property, which was then described as Lot 8A, Block 1, Lake Creek Meadows Subdivision No. 1, as shown in Instrument No. 287078, and which is now described as Lot 8B, Block 1, Lake Creek Meadows Subdivision No. 1 pursuant to a replat of the Property, as shown in Instrument No. 393666 and as corrected under that Surveyor's Correction Affidavit recorded as Instrument No. 004314, all as recorded in the records of Blaine County, Idaho; (ii) all water permit exempt water rights as provided for under Idaho Code Section 42-227; and (iii) all (a) pumps, pipes, wells, irrigation equipment, measuring devices and other facilities used in relation to the appropriation of water under the foregoing water rights and (b) easements, right-of-ways and/or other rights of access appurtenant to or related to the appropriation of water for beneficial uses on the Property.

036522/00002/4078148v1

**Instrument # 604314**

HAILEY, BLAINE, IDAHO  
12-19-2012 1:14:00 PM No. of Pages: 2  
Recorded for: FIRST AMERICAN TITLE - KETCHUM  
JOLYNN DRAGE Fee: \$13.00  
Ex-Officio Recorder Deputy: mpp  
Electronically Recorded by Simplifile

**AFFIDAVIT  
SURVEYOR'S CORRECTION TO AMENDED PLAT**

State of Idaho

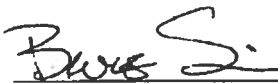
County of Blaine

**RE: CORRECTION TO AN AMENDED PLAT SHOWING LOT 8B, BLOCK 1,  
LAKE CREEK MEADOWS SUBDIVISION NO.1, recorded August 26, 1996 as  
Instrument No. 393666, records of Blaine County, Idaho.**

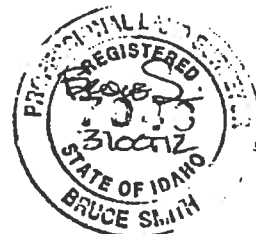
I, Bruce Smith, being first duly sworn on oath, depose and state that the following statements are true and correct:

1. I am a Professional Surveyor registered in the State of Idaho and hold registration number 7048.
2. Lot 8B, Block 1, Lake Creek Meadows Subdivision No. 1 (the "Subject Property") is located in the N1/2, NE1/4, Section 36, T.5 N., R.17E.
3. I am the surveyor who prepared and certified, as accurate, that plat entitled "Amended Plat Showing Lot 8B, Block 1, Lake Creek Meadows Subdivision No. 1," and recorded on August 26, 1996 as Instrument No. 393666 in the records of Blaine County, State of Idaho (the "1996 Amended Plat").
4. The 1996 Amended Plat, as prepared and recorded, on Sheet 1 in the title block and on Sheet 3 in the certificate of ownership, erroneously identifies the Subject Property as a parcel of land located in the "N1/2, NE1/4, Section 36, T.5 N, R.18E" instead of its correct location in the N1/2, NE1/4, Section 36, T.5 N, R.17E.
5. The 1996 Amended Plat should have located the Subject Property in Range 17 East. I make and submit this affidavit in my capacity as a Professional Surveyor duly licensed and of good standing with the State of Idaho, to correct the 1996 Amended Plat so as to show that the Subject Property is a parcel located in the N1/2, NE1/4, Section 36, T.5N, R.17E and to assure that all legal descriptions of the Subject Property correctly describe the Subject Property as follows:

Lot 8B, Block 1, Lake Creek Meadows Subdivision No. 1,  
according to the official plat thereof, recorded as  
Instrument No. 393666, and corrected under that Surveyor's  
Correction Affidavit recorded as Instrument No.  
\_\_\_\_\_, records of Blaine County, State of Idaho.

 PLS 7048

Bruce Smith, Affiant



**AFFIDAVIT  
SURVEYOR'S CORRECTION TO AMENDED PLAT**

State of Idaho

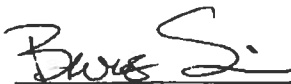
County of Blaine

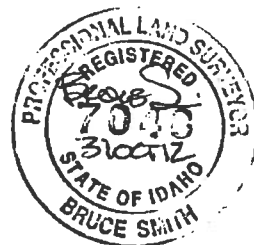
**RE: CORRECTION TO AN AMENDED PLAT SHOWING LOT 8B, BLOCK 1, LAKE CREEK MEADOWS SUBDIVISION NO.1, recorded August 26, 1996 as Instrument No. 393666, records of Blaine County, Idaho.**

I, Bruce Smith, being first duly sworn on oath, depose and state that the following statements are true and correct:

1. I am a Professional Surveyor registered in the State of Idaho and hold registration number 7048.
2. Lot 8B, Block 1, Lake Creek Meadows Subdivision No. 1 (the "Subject Property") is located in the N1/2, NE1/4, Section 36, T.5 N., R.17E.
3. I am the surveyor who prepared and certified, as accurate, that plat entitled "Amended Plat Showing Lot 8B, Block 1, Lake Creek Meadows Subdivision No. 1," and recorded on August 26, 1996 as Instrument No. 393666 in the records of Blaine County, State of Idaho (the "1996 Amended Plat").
4. The 1996 Amended Plat, as prepared and recorded, on Sheet 1 in the title block and on Sheet 3 in the certificate of ownership, erroneously identifies the Subject Property as a parcel of land located in the "N1/2, NE1/4, Section 36, T.5 N, R.18E" instead of its correct location in the N1/2, NE1/4, Section 36, T.5 N, R.17E.
5. The 1996 Amended Plat should have located the Subject Property in Range 17 East. I make and submit this affidavit in my capacity as a Professional Surveyor duly licensed and of good standing with the State of Idaho, to correct the 1996 Amended Plat so as to show that the Subject Property is a parcel located in the N1/2, NE1/4, Section 36, T.5N, R.17E and to assure that all legal descriptions of the Subject Property correctly describe the Subject Property as follows:

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according to the official plat thereof, recorded as  
Instrument No. 393666, and corrected under that Surveyor's  
Correction Affidavit recorded as Instrument No.  
\_\_\_\_\_, records of Blaine County, State of Idaho.

  
Bruce Smith, Affiant  
Affidavit - Page 1



STATE OF IDAHO

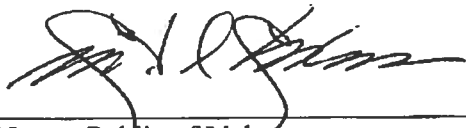
)

)ss.

COUNTY OF BLAINE

)

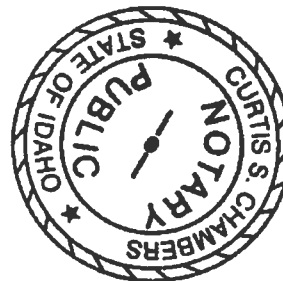
On this 31 day of October, in the year of 2012 before me, the undersigned,  
personally appeared BRUCE SMITH, known or identified to  
me (or proved to me), to be the person whose name is subscribed to the within  
instrument, and acknowledged to me that he executed the same.



Notary Public of Idaho

Residing at: HAILEY, ID

Commission Expires: 5.15.16



036522/00002/3992444v2

WHEREIN A SECOND BUILDING ENVELOPE IS CREATED WITHIN LOT 8A THUS CREATING LOT 8B

AUGUST, 1996



- T.P.O. SET BRASS CAP IN CONCRETE
- FOUND 1/2" BAR
- ③ FOUND BRASS CAP
- 11. --- BUILDING ENVELOPE

- |    |                                                               |
|----|---------------------------------------------------------------|
| 04 | PLATTED RED AVALANCHE LINES<br>PER AFT MEAS 1987              |
| 04 | PLATTED BLUE AVALANCHE LINES<br>PER AFT MEAS 1987             |
| 04 | ADDITIONAL RED AVALANCHE LINES<br>PER ALPHI ENTERPRISES 1990  |
| 04 | ADDITIONAL BLUE AVALANCHE LINES<br>PER ALPHI ENTERPRISES 1990 |

SET PAGE 2 OF 3 FOR NOTES



AN AMENDED PLAT OF LOT 69, BLOCK 1,  
LAKE CREEK MEADOWS SUBDIVISION NO. 1  
DALENA ENGINEERING, INC  
KETCHIKAN, ALASKA

Job No. 1870

# CERTIFICATE OF OWNERSHIP

This is to certify that I, the undersigned, am the owner in fee simple of the following described parcel of land: A parcel of land located within Section 36, T.5N., R.1E., B.M., Blaine County, Idaho, more particularly described as follows:

Lot 9A, Block 1, Lake Creek Meadows Sub. No. 1, Blaine County, Idaho

The easements indicated hereon are not dedicated to the public, but the right to use said easements is hereby reserved for the public, utilities and for any other uses indicated hereon and no permanent structures are to be erected within the lines of said easements. Protective covenants governing this Subdivision are recorded under County Recorder Instrument No. 268315, 275719, and 295419

It is the intent of the owner to hereby include said land in this plat.

David P. Goodman, Trustee  
Trust U.I.D. June 23, 1988  
Owner, Lots 7A & 8A

## ACKNOWLEDGEMENT

STATE OF Idaho } ss  
COUNTY OF Blaine  
On this 22 day of August, 1996, before me, a Notary Public in and for said State, personally appeared David P. Goodman, Trustee of the Goodman Family Trust dated June 23, 1988, known or identified to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same on behalf of said trust.

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

Colleen M. Wilbur  
Notary Public in and for said State  
Residing at Staley  
My Commission Expires 3/31/97



This is to certify that we, the undersigned, as owners in fee simple of Lot 9A, Lake Creek Meadows No. 2, do hereby approve of the contents of this plat.

Robert M. Smetick  
Robert M. Smetick

Gail S. Smetick  
Gail S. Smetick

## ACKNOWLEDGEMENT

STATE OF Idaho } ss  
COUNTY OF Blaine  
On this 22 day of August, 1996, before me, a Notary Public in and for said State, personally appeared Robert M. Smetick and Gail S. Smetick, known or identified to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they 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.

William H. Wilbur  
Notary Public in and for said State  
Residing at Staley  
My Commission Expires 3/31/97



# SURVEYOR'S CERTIFICATION

I, Bruce Smith, a duly licensed land surveyor in the State of Idaho, do hereby certify that this Plat of Lot 9A, Block 1, Lake Creek Meadows Sub. No. 1, Blaine County, Idaho, is a true and correct map of the land surveyed under my direct supervision and that it is in accordance with the Idaho State Code relating to plats and surveys.

## ACKNOWLEDGEMENT

STATE OF IDAHO } ss  
COUNTY OF BLAINE  
On this 22 day of August, 1996, before me, a Notary Public in and for said State, personally appeared Bruce Smith, known to me to be the person whose name is subscribed to the above 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.

Colleen M. Wilbur  
Notary Public in and for the State of Idaho  
Residing in Staley  
My Commission expires 3/31/97

## COUNTY ENGINEER'S APPROVAL

I, Jim W. Keorce, County Engineer for Blaine County, Idaho, have checked the foregoing Plat and computations for making the same, and have determined that they comply with the laws of the State of Idaho relating thereto.



## APPROVAL OF BLAINE COUNTY PLANNING AND ZONING

The foregoing Plat was approved by the Blaine County Planning and Zoning Commission on this 22 day of August, 1996.

Paula Schmitt  
Administrator

## APPROVAL OF BLAINE COUNTY COMMISSIONERS

The foregoing Plat was approved by the Blaine County Board of Commissioners on this 22 day of August, 1996.

David Hargis  
Chairman

## COUNTY TREASURER'S APPROVAL

The taxes on the foregoing parcel of land have been paid to this date and this plat is hereby approved this 22 day of August, 1996.

Robert M. Smetick  
Blaine County Treasurer

## COUNTY RECORDER'S CERTIFICATE

STATE OF IDAHO } ss  
COUNTY OF BLAINE  
This is to certify that the foregoing plat was filed in the office of the Recorder of Blaine County, Idaho on this 26 day of August, 1996, at 10:55 AM, and duly recorded in Plat Book 393666

393666

Sharon Broadley  
Recorder  
m. Byrne

AM AMENDED PLAT OF LOT 9A, BLOCK 1,  
LAKE CREEK MEADOWS SUBDIVISION NO. 1,  
BLAINE COUNTY, IDAHO  
SHEET 3 OF 3

AN AMENDED PLAT SHOWING  
**LOT 8B, BLOCK 1, LAKE CREEK MEADOWS SUBDIVISION NO. 1**  
 WHEREIN A SECOND BUILDING ENVELOPE IS CREATED WITHIN LOT 8A THUS CREATING LOT 8B

**NOTES**

1. Lake Creek Meadows Road is a private road with public access and shall be constructed to Blaine County Standards. The purchaser and/or owner of this parcel understands and agrees that private road maintenance, its construction and any repairs shall be the obligation of Blaine County. The purchaser and/or owner shall be responsible for the maintenance of the road. It is no way obligated to accept, maintain or improve these roads, and that each owner shall satisfy in writing any agreement in interest of these facts.
2. The Homeowners Association shall be responsible for reserve maintenance and for landscaping of common areas as stated in the Covenants, Conditions and Restrictions.
3. Owners are responsible for surface weed control per applicable state regulations.
4. No further subdivision of Lots 1-8B will be allowed for any reason.
5. The location of all septic tanks, drain fields and wells shall be approved by the Blaine County Health District and may be located outside the building envelope.
6. A 10-foot Public Utility easement is contained on interior lot lines and adjacent to exterior lot lines.
7. All structures shall be entirely within the building envelope designated on the plat.
8. Natural drainage shall not be blocked and may be rerouted around building envelope.
9. **WARNING OF AVIATION DANGER:**  
 Portions of Lot 8B are situated within the Aviation Zone District as defined and described by Act 1000, P.L. and exist on the subdivision plat. Developer shall place signs marking the aviation hazard area. Aviation Subdivision has added some aviation warning in 1980.
10. The driveway road to Lot 8B shall be landscaped and the road grade shall not exceed 10%. The residence and outbuilding located within the primary building envelope shall be set of eight feet from public or another residence (present or future).
11. Public access for pedestrian and equestrian use on the Lot 8B driveway to access public.
12. Declaration of Restrictive Covenants, Conditions, and Restrictions of Lake Creek Meadows Subdivision are recorded under Instrument No. 284516, 875719, and 284419, records of Blaine County, Idaho.
13. Blaine County is hereby notified of any responsibility for providing emergency services to Lot 8B due to driveway gradient.
14. All dogs of residents shall be leashed at all times to prevent their disturbing or killing ground nesting birds and other wildlife species.
15. The owner of property shall be responsible for any damage to private property shall be the responsibility of the property owner. Actions taken to eliminate wildlife depredations shall be those prescribed or approved by the Idaho Department of Fish and Game.
16. In order to allow big game species (such as deer, elk and wildcats) which presently travel through the property to continue to do so, no fence shall be constructed to be of a maximum of 4' in height with a bottom wire to ground clearance of 16". (See Bureau of Land Management Technical Note 6243)
17. Lake Creek drainage contains a 100-year floodplain which has not been defined. However, residential uses are subject to the Blaine County Floodplain Management District (Ordinance 77-4, Section 17.02). L.R. has shall be determined by flood measurements by a certified professional engineer in accordance with Federal Emergency Management Agency guidelines.
18. A Power Line Easement, under in favor of Idaho Power Company, recorded under Instrument No. 281607, records of Blaine County, Idaho.
19. An Underground Power Line Easement, under in favor of Idaho Power Company, recorded under Instrument No. 281468, records of Blaine County, Idaho.
20. An Easement for Irrigation and Pipeline for the benefit of Lot 7 & 8B exists, recorded under Instrument No. 287031, records of Blaine County, Idaho.

**CORRECTED ASSIGNMENT AND BILL OF SALE**

FOR VALUABLE CONSIDERATION, receipt and sufficiency of which are hereby acknowledged, David P. Goodman, Trustee of the Goodman Survivor's Trust u/t/a November 4, 1997 (Seller) transfers, grants, conveys and assigns to PBFF LLC, an Idaho limited liability company, effective as of the date hereof, all of Seller's rights, title and interest in and to the personal property described as follows:

Water Right License issued on Water Right No. 37-08472, as identified and maintained in the records of the Idaho Department of Water Resources and all other documents authorizing the appropriation of water for beneficial use on that real property currently described as Lot 8B, Block 1, Lake Creek Meadows Subdivision No. 1, according to the official plat thereof, recorded as Instrument No. 393666, and corrected under that Surveyor's Correction Affidavit recorded as Instrument No. 604314, records of Blaine County, State of Idaho, together with all equipment and other personal property related to and/or used in the withdrawal of water for application to beneficial use under the foregoing water rights including, without limitation, associated wells, pumps, meters, and water lines.

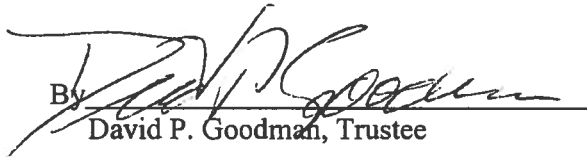
Seller represents that the foregoing personal property is free of security interests.

This Corrected Assignment and Bill of Sale is executed to correct the legal description of the real property described in that Assignment and Bill of Sale dated September 27, 2012 and executed by Seller for the benefit of PBFF LLC.

IN WITNESS WHEREOF, Seller has caused this Assignment and Bill of Sale to be duly executed by its Trustee thereunto duly authorized as of the date first written above.

*Deanna*  
November 11, 2012.

GOODMAN SURVIVOR'S TRUST U/T/A  
NOVEMBER 4, 1997

By   
David P. Goodman, Trustee