

RECEIVED

NOV 15 2011

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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?
17-7063	Yes		Yes ☐		Yes ☐
17-2052	Yes ☐		Yes ☐		Yes ☐
~~17-7164~~ invalid water right	Yes ☒		Yes ☒		Yes ☐
~~17-7166~~ invalid water right	Yes ☒		Yes ☒		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

Blue Hills Land & Livestock

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

M & K Properties LLC

SUPPORT DATA

Name of each new owner as listed on the conveyance document

IN FILE # 17-2052

New owner continued

Name connector

☐ and☐ or☐ and/or

Po Box 3853

Mailing address

Idaho Falls

City

ID 83403

State

ZIP

206-1347

Telephone

cKarleen7@msn.com

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. 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. *'Recorded Deed' Full chain of Title \$175.-*
- 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: Clark A. Andrews

Signature of new owner/claimant

manager member

Title, if applicable

Nov 9, 2011

Date

Signature: _____

Signature of new owner/claimant

Title, if applicable_____
Date

For IDWR Office Use Only:

Received by JBDate 11/15/2011Receipt No. E037124Receipt Amt. \$175.-Approved by JB/JCProcessed by JBDate 11/16/2011\$125.- refund required

Jared M. Harris
BAKER & HARRIS
266 West Bridge Street
Blackfoot, Idaho 83221
Telephone: (208) 785-2310
Facsimile: (208) 785-6749
E-Mail: jharris@bakerharrislaw.com
Idaho State Bar No. 4488

146048
26 Day August 2010
At 11:00 O'clock A M
Debra Bott
Onida Co. Recorder
Fee \$ 116.00
Recorded at Request of
Baker & Harris

Attorneys for Plaintiff

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ONEIDA

BANK OF UTAH, a Utah bank institution,

Plaintiff,

v.

BLUE HILLS LAND & LIVESTOCK, LLC,
a Utah limited liability company; KEY
BANK NATIONAL ASSOCIATION, a
national banking association; and REED
STANLEY and LADEAN STANLEY,
husband and wife,

Defendants.

Case No. CV-2010 -48

**SHERIFF'S CERTIFICATE OF
SALE OF REAL ESTATE ON
EXECUTION**

I, Jeffery P. Semrad, Sheriff of the County of Oneida, do hereby certify, that, by virtue of an Writ of Execution in the above-entitled action, issued the 9th day of July, 2010, to me directed, setting forth a judgment recovered in the amount of \$3,321.516.36, lawful money of the United States, with interest thereon, and costs, to be satisfied out of the personal property of BLUE HILLS LAND & LIVESTOCK, LLC, the Defendant in said action; and if sufficient personal property could not be found, then out of the real property belonging to the said Defendant on the day said judgment became a lien thereon, or attachment or execution was levied herein, or thereafter, according to said writ and the statutes in such cases made and provided, I have levied on, and on the 26th day of

SHERIFF'S CERTIFICATE OF SALE OF REAL ESTATE ON EXECUTION - 1

August, 2010 at 10:30 a.m, sold at public auction, in one lot or parcel, to Bank of Utah, _____, who was the highest bidder, for the sum of \$ 1,000,000⁰⁰, lawful money of the United states, which was the whole price paid by credit bit for the right, claim and interest of the within named Defendant, as aforesaid, in and to the real estate particularly described as follows, to-wit:

Township 14 South, Range 32 East, Boise Meridian, Oneida County, Idaho

Section 25: The Southeast Quarter of the Northwest Quarter; the Southwest Quarter; the West Half of the Southeast Quarter; all that part of the Southwest Quarter of the Northeast Quarter of said section lying West of the State Highway.

Section 26: The East Half of the Southeast Quarter. Subject to existing easements and roadways.

Excepting therefrom:

Beginning at a point 1320 feet West and 180 feet South of the East Quarter Corner of Section 25, Township 14 South, Range 32 East, Boise Meridian, Oneida County, Idaho and running thence West 450 feet; thence South 250 feet; thence East 450 feet; thence North 250 feet to the point of beginning. Together with an easement for ingress and egress lying 60 feet West of the following: Beginning at a point 1320 feet West and 180 feet South of the East Quarter Corner of Section 25, Township 14 South, Range 32 East, Boise Meridian, and running in a line thence 240 feet North, more or less, to the South line of the State Highway.

Excepting therefrom:

All parcel of land lying West of Highway 37 in the East Half of the Southwest Quarter of the Northeast Quarter of Section 25, Township 14 South, Range 32 East, Boise Meridian, Oneida County, Idaho.

That the price of the lot and parcel was \$ 1,000,000⁰⁰.

And that the said real estate is subject to redemption within one (1) year after the sale if the real property sold consisted of a tract of land or more than twenty (20) acres, and within six (6)

months after the sale if the real property sold consisted of a tract of land of twenty (20) acres or less,
pursuant to the statute in such case made and provided, except: No exceptions.

Given under my hand, this 26th day of August, 2010.

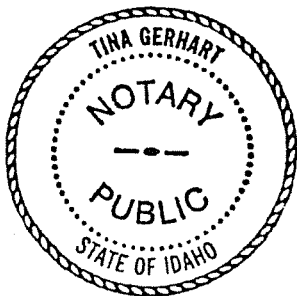
[Signature]
ONEIDA COUNTY SHERIFF

By: _____
Deputy

STATE OF IDAHO)
) ss:
County of Oneida)

On this 26 day of August, 2010, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Jeffery P. Semrad, Oneida County Sheriff, known to me to be the person whose name is subscribed to the within instrument as the Sheriff of Oneida County, Idaho, and acknowledged to me that he executed the same as such Sheriff of Oneida County, Idaho.

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



[Signature]
Notary Public for Idaho
Residing at: Malad, ID.
My Commission Expires: 3-29-13

RECORDED AT THE REQUEST OF: Baker & Harris 266 W Bridge Street Blackfoot, ID 83221 Telephone: (208) 785-2310	147304
	20 September 2011 11:00 Natalie Murphy 10:00 space above this line for recording information only

SHERIFF'S DEED

THIS INDENTURE, made this 20th day of September, 2011, between Jeffery P. Semrad, Sheriff of Oneida County, State of Idaho, and BANK OF UTAH, of 136 S Main St, Ste 1000, Salt Lake City, UT 84101, the Purchaser.

WHEREAS, in and by that certain Partial Judgment, Decree of Foreclosure and Order of Sale rendered by the District Court of the Sixth Judicial District of the State of Idaho, in and for the County of Oneida, entered on June 25, 2010, in a certain action then pending in said Court, wherein the Partial Judgment, Decree of Foreclosure and Order of Sale and Writ of Execution, was delivered to said Sheriff for execution, it was, among other things, ordered, adjudged and decreed, that all and singular the mortgaged premises described in the Complaint in said action, and specifically described in the course and practice of said Court; that any of the parties to said action might become the Purchaser at such sale; and that said Sheriff execute the usual certificates and deeds to the Purchaser, as required by law;

AND WHEREAS, said Sheriff did, at the hour of 10:30 a.m., on August 26, 2010, after due public notice had been given, as required by the laws of this state, and the course and practice of said Court, duly sell at public auction, in the front, main entrance of the Courthouse in the County of Oneida, Idaho, pursuant to said decree, and the provisions of law, the premises in said decree mentioned; at which sale the premises in said decree, and hereinafter described, were fairly struck

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off to BANK OF UTAH, for the sum of \$1,000,000.00, lawful money of the United States, in the form of a credit bid against the Judgment pursuant to which the sale was conducted, it being the highest bidder, and that being the highest sum bidden for the same;

AND WHEREAS, said Sheriff thereupon made and issued the usual certificate, in duplicate, of said sale, in due form of law, and delivered one thereof to said Purchaser, and caused the other to be filed and recorded in the Recorder's office of the County of Oneida, Idaho, as Instrument No. 146048;

AND WHEREAS, more than one (1) year has elapsed since the date of said sale, and no redemption has been made of the premises so sold, as aforesaid, by or on behalf of said Defendants, or by or on behalf of any other person;

NOW, said Jeffery P. Semrad, the Oneida County Sheriff, in order to carry into effect the sale so made by him as aforesaid, in pursuance of said decree, and in conformity to the statute in such case made and provided, and also, in consideration of the premises and of said sum of \$1,000,000.00, lawful money of the United States so bidden in the form of a credit bid against the Judgment pursuant to which the sale was conducted, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto said Purchaser, and to its successors and assigns forever, the following described real property:

Township 14 South, Range 32 East, Boise Meridian, Oneida County,
Idaho

Section 25: The Southeast Quarter of the Northwest Quarter; the Southwest Quarter; the West Half of the Southeast Quarter; all that part of the Southwest Quarter of the Northeast Quarter of said section lying West of the State Highway.

Section 26: The East Half of the Southeast Quarter. Subject to

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existing easements and roadways.

Excepting therefrom:

Beginning at a point 1320 feet West and 180 feet South of the East Quarter Corner of Section 25, Township 14 South, Range 32 East, Boise Meridian, Oneida County, Idaho and running thence West 450 feet; thence South 250 feet; thence East 450 feet; thence North 250 feet to the point of beginning. Together with an easement for ingress and egress lying 60 feet West of the following: Beginning at a point 1320 feet West and 180 feet South of the East Quarter Corner of Section 25, Township 14 South, Range 32 East, Boise Meridian, and running in a line thence 240 feet North, more or less, to the South line of the State Highway.

Excepting therefrom:

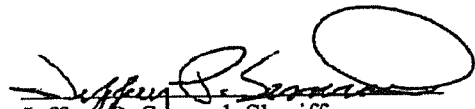
All parcel of land lying West of Highway 37 in the East Half of the Southwest Quarter of the Northeast Quarter of Section 25, Township 14 South, Range 32 East, Boise Meridian, Oneida County, Idaho.

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or in anywise appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the premises above mentioned and described, and hereby conveyed, or intended so to be, together with the appurtenances, to BANK OF UTAH, its successors and assigns forever.

IN WITNESS WHEREOF, said grantor, as Sheriff aforesaid, hereunto sets his hand the day and year first above written.

ONEIDA COUNTY SHERIFF

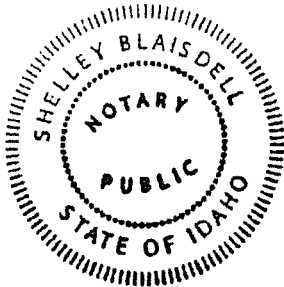

Jeffery P. Semrad, Sheriff

147304

STATE OF IDAHO)
) ss:
County of Oneida)

On this 20th day of September, 2011, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Jeffery P. Semrad, known to me to be the person whose name is subscribed to the within instrument as the Sheriff of Oneida County, Idaho, and acknowledged to me that he executed the same as such Sheriff of Oneida County, Idaho.

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



Shelley Blaisdell
Notary Public for Idaho
Residing at: Arvida
My Commission Expires: 2-2-2015

NTO-57572
 When Recorded Mail To:
 M & K Properties LLC, an Idaho Limited Liability Company
 % Mark R. Andrews
 6605 Rimrock
 Idaho Falls, ID 83401

Microfilm No. 147443
24 Day October 2011
 At 1:30 Delock P
Nathan Murphy
 Oneida Co. Recorder
 Fee \$ 13.00 Deputy
 Recorded at Request of Nathan Title Co.

WARRANTY DEED

Bank of Utah

Grantor(s) of Ogden, County of Weber, State of Utah

hereby **CONVEY AND WARRANT** to

M & K Properties, an Idaho Limited Liability Company

Grantee(s) of Idaho Falls, County of Bonneville, State of Idaho for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in Oneida County, State of Idaho:

See attached Exhibit "A"

Together with all Grantor(s) interest in Water Rights associated with Real Property

Subject to easements, declarations of covenants and restrictions, rights of way of record, and taxes for the current year and thereafter.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the grantor has caused its corporate name and/or seal to be hereunto affixed by its duly authorized officers this October 19, 2011.

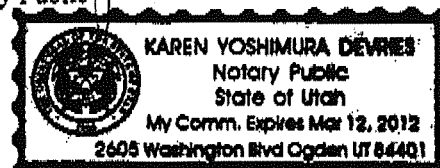
R.G. Shumway
 Bank of Utah

By: Roger G. Shumway
 Title: EVP

State of Utah)
 County of Weber) ss:

On October 21st, 2011, personally appeared before me Roger G. Shumway who being duly sworn did say that he is the EVP of Bank of Utah, and that the within foregoing instrument was signed on behalf of said corporation by authority of a resolution of its board of directors or its by-laws and who duly acknowledged to me that said corporation executed the same.

Karen Yoshimura DeVries
 Notary Public



147443

Exhibit "A"

Township 14 South, Range 32 East, Boise Meridian, Oneida County, Idaho

Section 25: The Southeast Quarter of the Northwest Quarter; the Southwest Quarter; the West Half of the Southeast Quarter; all that part of the Southwest Quarter of the Northeast Quarter of said section lying West of the State Highway.

Section 26: The East Half of the Southeast Quarter. Subject to existing easements and roadways.

Excepting therefrom:

All parcel of land lying West of Highway 37 in the East Half of the Southwest Quarter of the Northeast Quarter of Section 25, Township 14 South, Range 32 East, Boise Meridian, Oneida County, Idaho.

Excepting therefrom:

A parcel of land located in Section 25, Township 14 South, Range 32 East, Boise Meridian, Oneida County, Idaho and further described as follows:

Beginning at the East quarter corner of said Section 25, from which the Northeast corner of Section 25 bears North 00° 11' 04" East 2635.96 feet;

Thence South 89° 47' 14" West 1316.17 feet along the latitudinal centerline of said Section 25 to a 5/8" rebar with cap set on the southwest corner of the Southeast quarter of the Northeast quarter of said Section 25, the True Point of Beginning;

Thence South 00° 22' 34" West 230.85 feet along the west line of the Northeast quarter of the Southeast quarter of said Section 25 to a 5/8" rebar with cap labeled, "A.A. Hudson, PLS 13173;

Thence South 89° 47' 14" West 438.78 feet to the beginning of a 1387.65 foot radius curve concave to the southwest;

Thence northwesterly along said curve through a central angle of 03° 05' 03" a distance of 74.69 feet (chord = North 50° 29' 57" West 74.68 feet);

Thence North 00° 22' 34" East 183.13 feet to a 5/8" rebar with cap set on the latitudinal centerline of said Section 25;

Thence North 89° 47' 14" East 496.72 feet along said centerline to the True Point of Beginning.

Together with and subject to an Easement for ingress and egress lying 60 feet West of the following:

Beginning at a point 1320 feet West and 180 feet South of the East Quarter Corner of Section 25, Township 14 South, Range 32 East, Boise Meridian, Oneida County, Idaho, and running in a line thence 240 feet North, more or less, to the South line of the State Highway.