

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

DE
 RECEIVED
 OCT 08 2008
 DEPT. OF WATER RESOURCES
 SOUTHERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
PD 45-2482C	45-14141 Blacker 45-14142 Oak Valley	X			
PD 45-7141					
PD 45-7339B					
Lic 45-7672	- Oak Valley 45-14343 (Mendoza)				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).

OR

- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)	Marvin L. Blacker and Lovel L. Blacker 459 South 400 West Burley, ID 83318
4. New Owner/Claimant(s)	Oak Valley Land Company, L.L.C. Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address	468 south 800 West
City, State and ZIP Code	Burley, ID 83318
New Telephone Number	(208) 678-1540

5. Date you acquired the property October, 2008

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number <u>45-2482C</u>		
Irrigation	<u>2.63 cfs</u>	<u>148.3 Acres</u>
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

Oak Valley Land Company, L.L.C.

7. Signature(s) of New Owner(s) or Claimant(s) BY: Michael D. Aardema
 Michael D. Aardema (title if applicable)

 (title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by [Signature]
 Received by [Signature]
 Processed by _____ AJ

Date 10/9/08
 Date 10/10/08
 Date _____

Receipt Amt. \$175
 Receipt No. 5030408
 WR _____ Date 5/27/11

WARRANTY DEED

#45107

For Value Received

Marvin Blacker, also known as Marvin L. Blacker, also known as Marvin LaDell Blacker and Lovel Blacker, also known as Lovell L. Blacker, also known as Lovel Louise Blacker, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

**Oak Valley Land Company, L.L.C., an Idaho limited liability company
Address: 468 South 800 West
Burley, ID 83318**

Hereinafter called the Grantee, the following described premises situated in **Cassia** County, Idaho, to-wit:

PARCEL NO. 1:

TOWNSHIP 11 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 15: W $\frac{1}{2}$ SW $\frac{1}{4}$, EXCEPTING the following described parcel:

Beginning at the West quarter section corner of Section 15, said corner marked by an iron pipe with brass cap,
which shall be the Point of Beginning;
Thence North 89°51'51" East along the north line of the SW $\frac{1}{4}$ for a distance of 292.37 feet to a $\frac{1}{2}$ inch rebar;
Thence South 00°35'08" West for a distance of 376.15 feet to a $\frac{1}{2}$ inch rebar;
Thence South 01°45'56" East for a distance of 354.77 feet to a $\frac{1}{2}$ inch rebar;
Thence South 89°26'33" West for a distance of 277.78 feet to a $\frac{1}{2}$ inch rebar;
Thence South 89°26'33" West for a distance of 22.65 feet to the west line of Section 15;
Thence North 00°04'31" East along the west line of Section 15 for a distance of 732.96 feet to the Point of Beginning.

PARCEL NO. 2:

TOWNSHIP 11 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 15: S $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$

PARCEL NO. 3:

TOWNSHIP 11 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 16: Part of the SE $\frac{1}{4}$, more particularly described as follows:

Beginning at the Southeast corner of said Section 16;
Thence North 89°59' West along the South section line of said Section 16 for 2554.80 feet;
Thence North 0°06'12" East for 2660.28 feet to a point on the $\frac{1}{4}$ section line;
Thence North 89°50'34" East (North 89°54' East rec.) along said $\frac{1}{4}$ section line for 2554.82 feet to the E $\frac{1}{4}$ corner of said Section 16;
Thence South 0°06'12" West along the East section line of said Section 16 for 2668.04 feet to the Point of Beginning.

CASSIA COUNTY
RECORDED FOR:
LAND TITLE AND ESCROW
2:22:32 pm 10-06-2008
2008-005575
NO. PAGES: 5 FEE: \$15.00
LARRY A. MICKELSEN
COUNTY CLERK
DEPUTY: ALHARR

PARCEL NO. 4:

**TOWNSHIP 11 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 15:

Part of the E $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 15, being a portion of Holm Country Estates Subdivision (vacated), more particularly described as follows:

Beginning at the Northeast corner of said Section 15; Thence South 89°56'00" West along the section line for 1321.18 feet to the Northwest corner of the E $\frac{1}{4}$ NE $\frac{1}{4}$; Thence South 00°00'29" West along West line of said E $\frac{1}{4}$ NE $\frac{1}{4}$ for 1286.12 feet to a point on the Southwest corner of the Clyde Sandlian property as shown on Desert West Land Surveys Job No. 3098-94B1, recorded March 21, 1994 as Instrument No. 229720, said point being the Point of Beginning;
Thence North 89°57'30" East (North 89°56' East, rec.) for 251.29 feet to a $\frac{1}{2}$ inch rebar;
Thence continuing North 89°57'30" East (North 89°56' East, rec.) for 132.06 feet to a $\frac{1}{2}$ inch rebar on the East boundary of Holm Country Estates Subdivision (vacated);
Thence South 38°39'10" East (South 38°29' East, rec.) along the Easterly boundary of Holm Country Estates Subdivision (vacated) for 703.72 feet to a $\frac{1}{2}$ inch rebar;
Thence continuing South 38°39'10" East (South 38°29' East, rec.) along the Easterly boundary of Holm Country Estates Subdivision (vacated) for 805.87 feet to a $\frac{1}{2}$ inch rebar on section line;
Thence South 00°07'44" East (North 0°08' West, rec.) along the section for 196.45 feet to the Southeast corner of the E $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence South 89°54'10" West (South 89°52' West, rec.) for 1325.69 feet (1323.7 feet, rec.) to the Southwest corner of the E $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence North 00°00'43" West (North 0°04' West, rec.) along the West boundary line of the E $\frac{1}{4}$ NE $\frac{1}{4}$ for 1331.77 feet to the Northwest corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence North 00°01'22" West along the West boundary of the E $\frac{1}{4}$ NE $\frac{1}{4}$ for 45.39 feet to the Point of Beginning.

EXCEPTING THEREFROM, the following described tracts:

Tract No. 1:

Beginning at the Northeast corner of said Section 15; Thence South 89°56'00" West along the section line for 1321.18 feet to the Northwest corner of the E $\frac{1}{4}$ NE $\frac{1}{4}$; Thence South 00°00'29" West along West line of said E $\frac{1}{4}$ NE $\frac{1}{4}$ for 1286.12 feet to a point on the Southwest corner of the Clyde Sandlian property as shown on Desert West Land Surveys Job No. 3098-94B1, recorded March 21, 1994 as Instrument No. 229720; Thence North 89°57'30" East (North 89°56' East, rec.) for 251.29 feet to a $\frac{1}{2}$ inch rebar; Thence South 00°06'21" East for 350.25 feet to a $\frac{1}{2}$ inch rebar at the Northwest corner of Lot 17 of Block 1 of Holm Country Estates Subdivision, which is the Point of Beginning;
Thence continuing South 00°06'21" East for 199.75 feet (200 feet, rec.) to a $\frac{1}{2}$ inch rebar at the Southwest corner of Lot 16 of Block 1 of Holm Country Estates Subdivision;
Thence North 89°56'50" East for 200.00 feet to a $\frac{1}{2}$ inch rebar at the Southeast corner of said Lot 16;
Thence continuing North 89°56'50" East for 25.00 feet to the centerline of Syringa Drive (vacated);
Thence North 00°06'21" West for 199.96 feet along the centerline of Syringa Drive (vacated) to a point;
Thence South 89°53'46" West for 25.00 feet to a $\frac{1}{2}$ inch rebar at the Northeast corner of said Lot 17;
Thence continuing South 89°53'46" West for 200.00 feet to a $\frac{1}{2}$ inch rebar and the Point of Beginning.

Said Tract No. 1 is also known as Lots 16 and 17 of Block 1 of Holm Country Estates Subdivision, Cassia County, Idaho, as the same is platted in the official plat thereof, now of record in the office of the Recorder of said County, together with that portion of vacated Syringa Drive that reverted to the owner of said Lots 16 and 17 in Block 1 of Holm Country Estates Subdivision.

Tract No. 2:

Beginning at the Northwest corner of the E $\frac{1}{2}$ NE $\frac{1}{4}$ of said Section 15, said corner marked by a 5/8 inch rebar;
Thence South 00°01'22" East along the West line of the E $\frac{1}{2}$ NE $\frac{1}{4}$ for a distance of 1285.80 feet to the Northwest corner of the Holm Country Estates Subdivision (vacated); Thence North 89°57'30" East along the North line of the Holm Country Estates Subdivision (vacated) for a distance of 1.29 feet to a ½ inch rebar; Thence North 89°57'30" East continuing along said line for a distance of 250.00 feet to a ½ inch rebar which shall be the Point of Beginning;
Thence North 89°57'30" East continuing along said line for a distance of 132.06 feet to a ½ inch rebar at the Northeast corner of the Holm Country Estates Subdivision (vacated);
Thence South 38°39'10" East along the Easterly side of the Holm Country Estates Subdivision (vacated) for a distance of 703.72 feet to a ½ inch rebar;
Thence South 89°56'50" West for a distance of 345.59 feet to the centerline of the vacated Syringa Drive of the Holm Country Estates Subdivision (vacated);
Thence North 00°06'21" West along the centerline of the vacated Syringa Drive for a distance of 199.96 feet;
Thence South 89°53'46" West for a distance of 25.00 feet to the Northeast corner of Lot 17 of Block 1 of the Holm Country Estates Subdivision (vacated) marked by a ½ inch rebar;
Thence South 89°53'46" West along the North line of Lot 17 for a distance of 200.00 feet to the Northwest corner of Lot 17 of Block 1 of the Holm Country Estates Subdivision (vacated) marked by a ½ inch rebar;
Thence North 00°06'21" West for a distance of 350.25 feet to the Point of Beginning.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to the Idaho Department of Water Resources Water Right Nos. 2.63 cfs from 45-02482C, all of 45-7141, 45-7339B and 45-07672.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2008 and subsequent years.

Assessments of the Southwest Irrigation District and the rights and powers of said District as by law provided.

Mineral Deed from Mrs. Gennie Buttars, to Fred Foss, dated May 15, 1952, and recorded June 6, 1952 as Instrument No. 175771 in Book 54 of Deeds, Page 550, records of Cassia County, Idaho, conveying an undivided one-half interest in and to all oil, gas and other minerals produced on Parcel No. 1 and the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 15, Township 11 South, Range 22 East of the Boise Meridian.

STATEMENT OF CLAIM AND NOTICE OF INTENT TO PRESERVE executed by Ladd Petroleum Corporation, dated September 17, 1984 and recorded September 24, 1984 as Instrument No. 163826 on Film No. 167, records of Cassia County, Idaho, for the purpose of providing public notice of the mineral interest claimed and preserved by Ladd Petroleum Corporation in and to the oil, gas, coal, clay, gravel, uranium, and all other minerals of every kind and nature.

Power Line Easement from Alma Blacker and Edith Blacker, his wife, to Idaho Power Company, a corporation, dated February 24, 1956, and recorded July 11, 1957 as Instrument No. 194107 in Book 15 of Miscellaneous on Page 479, records of Cassia County, Idaho, over and across the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, Township 11 South, Range 22 East of the Boise Meridian.

Power Line Easement from Alma Blacker and Edith Blacker, his wife, to Idaho Power Company, a corporation, dated February 24, 1956, and recorded July 11, 1957 as Instrument No. 194107 in Book 15 of Miscellaneous on Page 479, records of Cassia County, Idaho, over and across the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, Township 11 South, Range 22 East of the Boise Meridian.

Agreement between Marvin Blacker and Lovel Blacker, husband and wife, as the party of the First Part, and Willes D. Blauer and Norene Blauer, husband and wife, as Party of the Second Party, and Alma Blacker and Edith Blacker, husband and wife, as party of the Third Part, dated September 7, 1963, and recorded October 31, 1963 as Instrument No. 15412 on Film No. 23, records of Cassia County, Idaho, concerning the joint use of a well, pump, and motor located in the NW¼SW¼ of Section 16, Township 11 South, Range 22 East of the Boise Meridian.

ASSIGNED TO: Blauer Farms, a partnership consisting of Willes D. Blauer and Norene Blauer, husband and wife; Danny LaMar Blauer and Cheryl Blauer, husband and wife; and Donald Craig Blauer and Lori Lynn Blauer, husband and wife, by an Assignment of Contract from Willes D. Blauer and Norene Blauer, husband and wife, recorded April 29, 1980 as Instrument No. 125678 on Film No. 134, records of Cassia County, Idaho.

Easement from Alma Blacker and Edith Blacker, husband and wife, and Marvin Blacker and Lovel Blacker, husband and wife, to Willis Blauer and Norene Blauer, husband and wife, dated December 1962, and recorded October 31, 1963 as Instrument No. 15413 on Film No. 23, records of Cassia County, Idaho, for ditch purposes over and across Parcel No. 3.

Easement from Alma Blacker and Edith Blacker, husband and wife, and Marvin Blacker and Lovel Blacker, husband and wife, to Willis Blauer and Norene Blauer, husband and wife, dated March 20, 1963 and recorded October 31, 1963 as Instrument No. 15414 on Film No. 23, records of Cassia County, Idaho, for ditch purposes over and across Parcel No. 1.

Right of way contained in Warranty Deed executed by Alma Blacker and Edith Blacker, husband and wife, to Marvin Blacker and Lovel Blacker, husband and wife, dated May 16, 1978 and recorded May 17, 1978 as Instrument No. 107629 on Film No. 117, records of Cassia County, Idaho, which reads as follows: "LESS a 25 foot County road right-of-way bordering on the West." (Parcel No. 1)

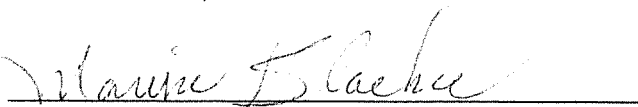
Easement from Marvin Blacker and Lovel Blacker, husband and wife, to Blauer Farms, a Partnership, consisting of Willes D. Blauer, Norene Blauer, husband and wife, Danny L. Blauer, Cheryl Blauer, Donald C. Blauer, and Lori Lynn Blauer, dated February 26, 1981 and recorded March 2, 1981 as Instrument No. 132836 on Film No. 140, records of Cassia County, Idaho, over and across Parcel No. 3.

Terms and conditions contained in Second Amended Agreement Between Adjoining And Adjacent Property Owners Creating Easement For Roadway by and between Michael Chesley and Christine Chesley, husband and wife, etal, dated March 30, 1998 and recorded April 3, 1998 as Instrument No. 254737 on Film No. 298, records of Cassia County, Idaho. (Affects Parcel No. 4 and additional property not included herein.)

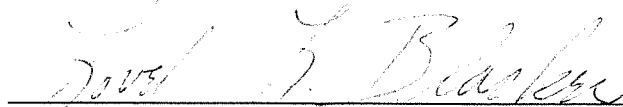
Easement For Ingress And Egress executed by Marvin Blacker and Lovel L. Blacker, husband and wife, Grantor to Forestall Investment, Inc., an Idaho corporation, Grantee, dated April 1, 1998 and recorded April 3, 1998 as Instrument No. 254739 on Film No. 298, records of Cassia County, Idaho

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumberances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: **October 6, 2008**



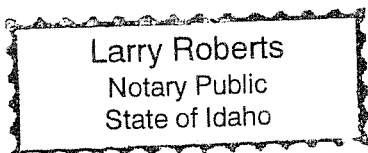
Marvin Blacker, also known as Marvin L. Blacker, also known as Marvin LaDell Blacker

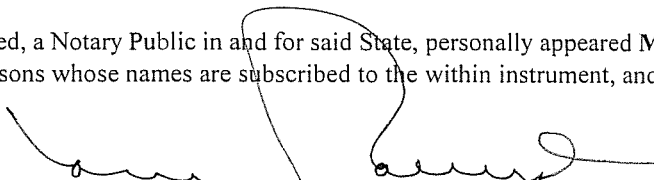


Lovel Blacker, also known as Lovell L. Blacker, also known as Lovel Louise Blacker

STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

On this 6th day of **October, 2008**, before me, the undersigned, a Notary Public in and for said State, personally appeared **Marvin Blacker and Lovel Blacker**, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.





Notary Public
Residing at: Bulley, ID
My Commission expires: 06-30-09