

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 29 2010

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?
638945	Yes ☒		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

Wright, Warren
Name of current water right holder/claimant

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

Charles & Denise Bardin
Name of each new owner as listed on the conveyance document

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

1885 Hwy 45

Mailing address

melba

City

ID

State

83641

ZIP

208-495-2100

Telephone

deebearyfun@aol.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: 2003 + 2004

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: Charles J. Bardin
Signature of new owner/claimant

Title, if applicable

11-29-2010
Date

Signature: Denise Bardin
Signature of new owner/claimant

Title, if applicable

11-29-2010
Date

For IDWR Office Use Only:

Received by Jmh Date 11-29-10

Receipt No. W038879

Receipt Amt. 100.00

Approved by Jmh Processed by Jmh

Date 12-17-10 SUPPORT DATA



IDAHO
SURVEY
GROUP

1450 East Watertower St.
Suite 150
Meridian, Idaho 83642

Phone (208) 846-8570
Fax (208) 884-5399

Project No. 08-183

May 24, 2010

**DESCRIPTION FOR
BARDIN PROPERTY**

A parcel of land located in the E1/2 of the NE1/4 of Section 28, T.1N., R.2W., B.M., Canyon County, Idaho more particularly described as follows:

Commencing at a an aluminum cap monument marking the NE corner of said Section 28 from which an aluminum cap monument marking the E1/4 corner of said Section 28 bears South 00°00'35" West, 2656.34 feet;

thence along the East boundary line of said Section 28 South 00°00'35" West, 621.62 feet to the **REAL POINT OF BEGINNING**;

thence continuing along said East boundary line South 00°00'35" West, 1726.15 feet;

thence leaving said East boundary line North 89°57'57" West, 1323.51 feet to a point on the West boundary line of the E1/2 of the NE1/4 of Section 28;

thence along said West boundary line North 00°01'35" West, 1725.26 feet;

thence leaving said West boundary line North 89°59'45" East, 1324.60 feet to the **REAL POINT OF BEGINNING** containing 52.45 acres, more or less.

Prepared by:
Idaho Survey Group, P.C.



Gregory G. Carter, P.L.S.

Canyon County Parcel Information



Matt Caba
Customer Service
5660 E Franklin Rd. Suite 101
Nampa, Idaho 83687
phone:208-475-1135
fax:866-376-3736
www.titleonecorp.com

Property Identification #: R2861501500

Alt. Parcel ID: 01N02W281948

Property Address: Hwy 45
Melba, ID 83641

Parcel City Code: Melba

Owner Information:

Name: Bardin Charles
Bardin Denise

Address: 1885 Hwy 45
Melba, ID 83641

Treasurer Information

Year: 2009	Tax: \$0.00
Year: 2008	Tax: \$0.00
Year: 2007	Tax: \$0.00

Assessor Land Categories

Use Code	Desc.	Value
01	Irrigated Agricultural	\$38,500

Assessor Information

Legal Description: 28-1N-2W NE TX 09154 IN NENE

Township/Range/Section: 01N02W28 Quarter:NE

Acres: 43.99

School District: 767 MELBA SCHOOL DIST #136

Instrument #: 2009025861

Subdivision:

Plat Instr. #:

Lot:

Block:

Assessed Values

Land Value: \$38,500

Improvement Value: \$0

Total Value: \$38,500

Residential Characteristics

① Pn 72952-E

INSTRUMENT NO.

200320281

WARRANTY DEED

FOR VALUE RECEIVED ROBERT K. DAVENPORT and DEBORAH K. DAVENPORT, husband and wife

the Grantors, do hereby grant, bargain, sell and convey unto CHARLES G. BARDIN, an unmarried man

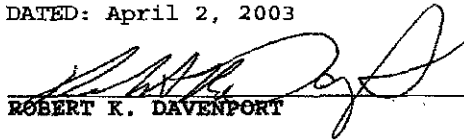
the Grantee, whose address is 1885C HIGHWAY 45, MELBA, ID 83641

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE:

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 2003 and subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same from all lawful claims whatsoever.

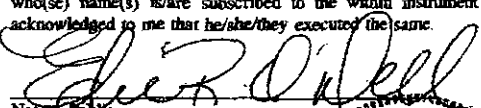
DATED: April 2, 2003


ROBERT K. DAVENPORT

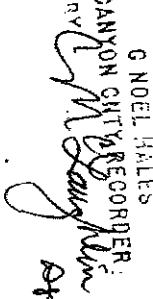

DEBORAH K. DAVENPORT

STATE OF IDAHO
COUNTY OF CANYON

On this 4 day of April, 2003, before me, a notary public, personally appeared ROBERT K. DAVENPORT and DEBORAH K. DAVENPORT, known or identified to me to be the person(s) who(s) name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.


Notary Public
Residing at Nampa, ID
My commission expires: 4/17/2003




G. NOEL HALES
CANYON CITY RECORDER

2003 APR 4 PM 4 31

RECORDED

200320281

PIONEER TITLE COMPANY
OF CANYON COUNTY

REQUEST PIONEER-NAMPA
TYPE Deed FEE 6.00

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

PN72952

EXHIBIT "A"

A parcel of land located in the Northeast Quarter of the Northeast Quarter of Section 28, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more being described as follows:

COMMENCING at the Northeast corner of said Section 28, marked by a brass cap monument in the center of State Highway No. 45; thence

South 00° 00'35" West 621.62 feet along the East line of said Section 28 (centerline of said State Highway No. 45) to a found 5/8 inch rebar in said centerline at the **POINT OF BEGINNING**; thence

South 00° 00'35" West 345.00 feet along said East section line (highway centerline) to a 1/2 inch rebar; thence

South 89° 59'45" West 403.50 feet to a 1/2 inch rebar; thence

North 00° 00'35" East 95.00 feet along a line parallel with said East section line to a 1/2 inch rebar; thence

South 89° 59'45" West 920.93 feet to a 1/2 inch rebar in the West line of said Northeast Quarter of the Northeast Quarter; thence

North 00° 01'35" West 250.00 feet along said West line of the Northeast Quarter of the Northeast Quarter to a 5/8 inch rebar; thence

North 89° 59'45" East 1324.59 feet to the **POINT OF BEGINNING**.



25253 9/17

Escrow No. 0700055869

WILLIAM H. FIRST
CANYON COUNTY RECORDER
William H. First

2007 SEP 17 PM 4 29

RECORDED

2007063299

QUITCLAIM DEED

FOR VALUE RECEIVED

Charles G. Bardin, a married man as his sole and separate property

do(es) hereby convey, release and forever quitclaim unto:

Charles G. Bardin and Denise Bardin, Husband and Wife

whose current address is: 1885 Hwy 45, Malba, ID 83641
the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED
(continued)

TRANSACTION TITLE
REQUEST
TYPE *Quit* FEE *9.00*

September
Date: ~~June~~ 12, 2007

Charles G. Bardin
Charles G. Bardin

Notary Acknowledgment - see page 2

(continued)

EXHIBIT "A"

A parcel of land located in the Northeast quarter of the Northeast quarter of Section 28, Township 1 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more being described as follows:

Commencing at the Northeast corner of said Section 28, marked by a brass cap monument in the center of State Highway No. 45; thence

South 00°00'35" West, 621.62 feet along the East line of said Section 28 (centerline of said State Highway No. 45) to a found 5/8 inch rebar in said centerline at the POINT OF BEGINNING; thence

South 00°00'35" West, 345.00 feet along said East section line (highway centerline) to a 1/2 inch rebar; thence

South 89°59'45" West, 403.50 feet to a 1/2 inch rebar; thence

North 00°00'35" East, 95.00 feet along a line parallel with said East section line to a 1/2 inch rebar; thence

South 89°59'45" West, 920.93 feet to a 1/2 inch rebar in the West line of said Northeast quarter of the Northeast quarter; thence

North 00°01'35" West, 250.00 feet along said West line of the Northeast quarter of the Northeast quarter to a 5/8 inch rebar; thence

North 89°59'45" East, 1,324.59 feet to the POINT OF BEGINNING.

RECORDER SCAN

2009025861

RECORDED

2009 MAY 26 PM 4 45

WILLIAM H. HURST
CANYON CITY RECORDER
BY *Wm. Hurst*

TITLEONE

REQUEST
TYPE *2009* FEE *6.00*

1602
PREPARED BY:
MATTHEW T. CHRISTENSEN, ESQ.
ANGELMAN, JOHNSON & ASSOC., PLLC
3649 N. LAKEHARBOR LANE
BOISE, IDAHO 83703
TEL (208) 384-8588
FAX (208) 853-0117

(SPACE ABOVE LINE FOR RECORDER'S USE)

QUITCLAIM DEED

FOR VALUABLE CONSIDERATION, the adequacy and receipt of which is hereby acknowledged, BWB Ranches, LLC, an Idaho limited liability company, hereinafter "Grantor," does release and forever quitclaim unto Charles and Denise Bardin, whose address is 1885 Hwy. 45, Melba, Idaho 83641, hereinafter "Grantees," and to their heirs and assigns, all right, title and interest which Grantor now has or may hereafter acquire in the following described real property in Canyon County, State of Idaho, to wit:

A parcel of land located in the E1/2 of the NE1/4 of Section 28, T.1N., R.2W., B.M., Canyon County, Idaho, more particularly described as follows:

Commencing at an aluminum cap monument marking the NE corner of said Section 28 from which an aluminum cap monument marking the E1/4 corner of said Section bears South 00°00'35" West, 2656.34 feet;

Thence along the East boundary line of said Section 28 South 00°00'35" West, 966.62 feet to the REAL POINT OF BEGINNING;

Thence continuing along said East boundary line South 00°00'35" West, 1381.15 feet;

Thence leaving said East boundary line North 89°57'57" West, 1323.51 feet to a point on the West boundary line of the E1/2 of the NE1/4 of Section 28;

Thence along said West boundary line North 00°01'25" West, 1475.26 feet;

Thence leaving said West boundary line North 89°59'45" East, 920.93 feet;

Thence south 00°00'35" West, 95.00 feet;

Thence North 89°59'45" East, 403.51 feet (formerly described as 403.50 feet) to the REAL POINT OF BEGINNING.

Containing 43.97 acres, more or less.

TO HAVE AND TO HOLD, all and singular the said premises, together with all appurtenances, unto Grantees, and to their heirs and assigns forever.

WITNESS the hand of said Grantor this 3-2-09 day of ^{March}~~February~~, 2009.

BWB RANCHES, LLC

By: Mond Warren

Its: Managing Member

STATE OF IDAHO)
) ss
COUNTY OF ADA)

On this 2nd day of March, 2009, before me, the undersigned, a notary public in and for said state, personally appeared Mond Warren, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he is the Managing Member of BWB Ranches, LLC, that he has authority to execute the Quitclaim Deed herein and that he executed the same.

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



Julie Harrison
NOTARY PUBLIC
Residing at: Bowie
My Commission Expires: 03/08/2012

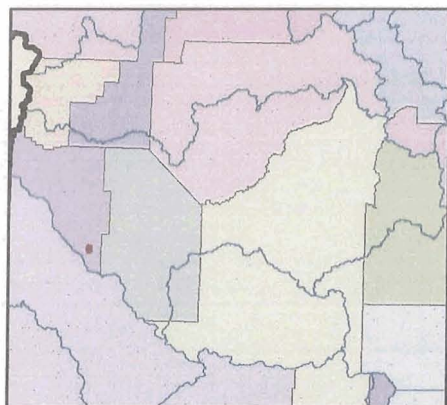


Idaho Department of Water Resources

Water Right
63-8945
(IRRIGATION)

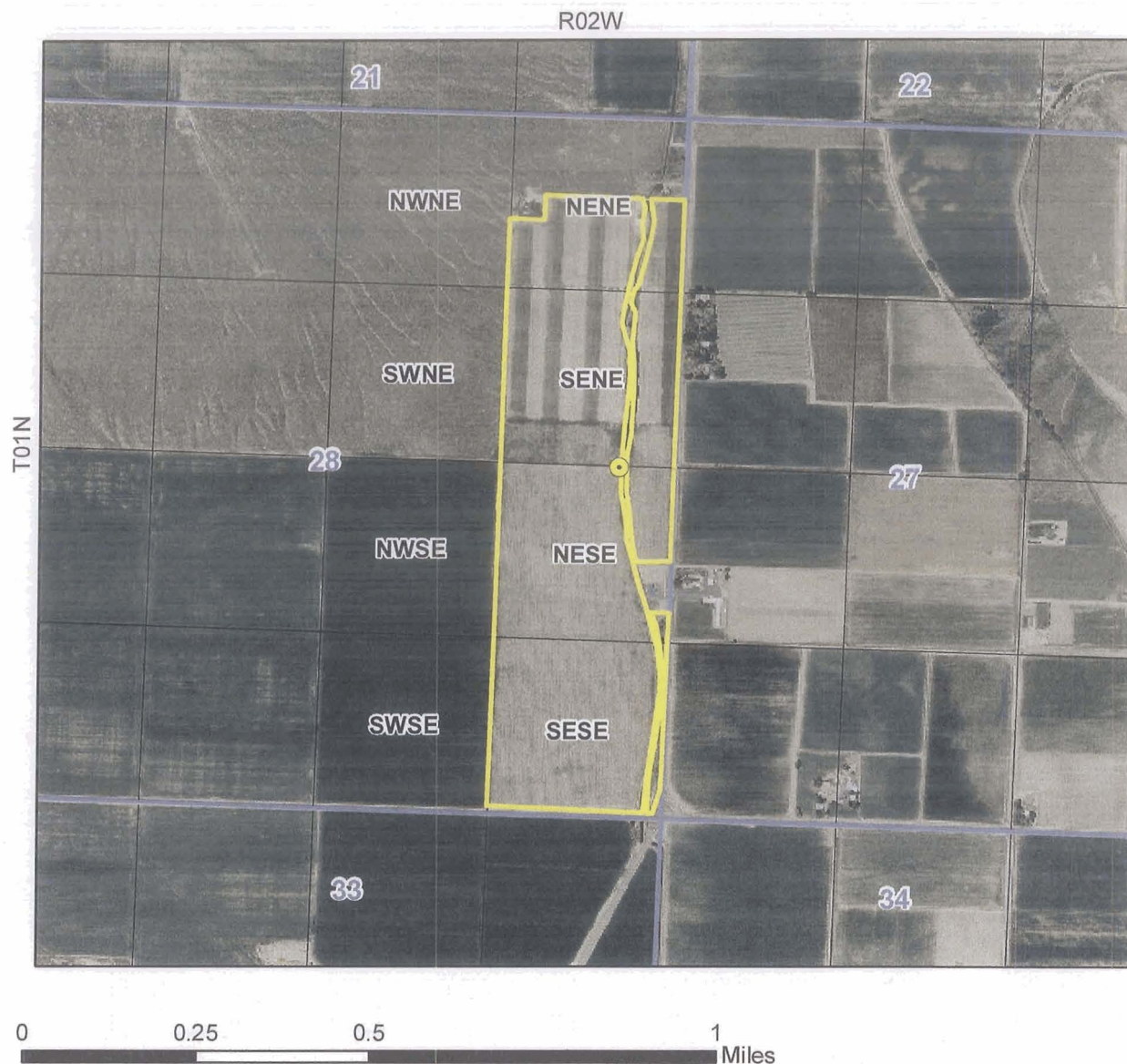
Legend

- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters



Canyon County
IDWR Basin 63

Prepared by Shurte, Jan
On November 16, 2010
2009 Aerial Photography



SEP 25 2008

CANYON COUNTY CLERK
M. DEPUTY

Jed W. Manwaring, ISB# 3040
Judy L. Geier, ISB# 6559
EVANS KEANE LLP
1405 W. Main Street
P. O. Box 959
Boise, Idaho 83701-0959
Telephone: (208) 384-1800
Facsimile: (208) 345-3514
Jmanwaring@evanskeane.com (e-mail)

Attorneys for Defendants

**IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF CANYON**

**CHARLES BARDIN and DENISE
BARDIN, Husband and Wife; and
CHARLES BARDIN as a Managing
Member of BWB RANCHES, LLC, an
Idaho limited liability company,**

Plaintiffs - Counterdefendants,

vs.

**MOND WARREN and DAVID BARDIN,
individually and as Managing Members of
BWB Ranches, LLC, an Idaho limited
liability company,**

Defendants - Counterplaintiffs.

Case No. CV 06-12265

**STIPULATED DECREE
OF DISSOLUTION**

This case involves disputes among members of the BWB Ranches LLC and its ownership of a 132-acre parcel of farm ground near Melba, Idaho (the "Property"). The Plaintiffs' complaint alleges causes of action for fraud, fraud in the inducement, and breach of contract. Defendants answered and counterclaimed, alleging causes of action for dissolution of BWB Ranches, LLC, breach of the Operating Agreement, quiet title, breach of fiduciary duties, and correction of deed.

On February 19, 2008, this court entered an Order Correcting Quitclaim Deed;

STIPULATED DECREE OF DISSOLUTION - 1

COPY

correcting the legal description on the Property. On February 19, 2008, this Court also entered an Order of Partial Summary Judgment; holding that Plaintiff Charles Bardin, is now a "disassociated" member from BWB Ranches, LLC. The Order left the dissolution claim and other issues for trial. The trial in this case was set for September 22 -- 24, 2008 and is hereby vacated to be reset by order of the Court to determine the issues remaining.

Pursuant to the stipulation of the parties as set forth below, Section 14.1 of the Operating Agreement, Idaho Code § 53-642(3), and for good cause appearing, it is hereby ORDER, ADJUDGED AND DECREED that BWB Ranches LLC shall be dissolved and wound up as follows:

1. The Property shall be divided and distributed in-kind with 1/3 of the Property or 44 acres quitclaimed to Charles Bardin or his assigns and the remaining 2/3 or 88 acres quitclaimed to David Bardin and Mond Warren or their assigns. The 44 acres to Charles Bardin shall be those 44 acres immediately adjacent to his present home property. Said distributions shall include the same allocation of 1/3 and 2/3 of water/well rights to the existing well on the Property.

2. To accomplish the division, a surveyor shall be retained at the cost shared equally between Chuck Bardin, David Bardin and Mond Warren, to survey legal descriptions for the required division of the Property.

3. The parties shall within a reasonable time, and before the balloon payment due on February 17, 2009, pay off and/or refinance the existing Mortgage balance plus accrued interest to Charlene Hailey. Chuck Bardin shall pay and/or refinance 1/3 of the remaining balance and accrued interest of the Mortgage. David Bardin and Mond Warren shall pay and/or refinance the 2/3 of the remaining Mortgage balance and accrued interest.

documents through discover and otherwise, to prepare an accounting of the respective capital contributions for Chuck Bardin, David Bardin and Mond Warren in preparation for required equalization payments, adjustments and/or offsets to said accounts to be determined.

5. Items necessary to the winding up and remaining to be determined by further stipulation, settlement, order and/or determination by the Court are as follows;

- a. The ownership, allocation, valuation and/or distribution of irrigation equipment associated with the Property.
- b. The determination, allocation and/or off-set, if any, for Charles and Denise Bardins' use of the Property from 2005 through 2008; and
- c. The award, if any, and allocation, and/or off-sets, if any, of the parties' legal cost and fees.

This is not a final judgment and the Court retains jurisdiction over the winding up process. To the extent that a claim or issue has not been disposed of by prior order or this order, the parties reserve their respective claims and counterclaims contained in the complaint and the counterclaim.

DATED this 24 day of September, 2008.

THOMAS J RYAN

HONORABLE THOMAS J. RYAN
DISTRICT JUDGE

STIPULATED AS TO FORM AND SUBSTANCE:



Jed W. Manwaring, Attorney for
Defendants Mond Warren and David
Bardin



F. Matthew Stoppelle, Attorney for
Plaintiffs Charles Bardin and Denise
Bardin

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25 day of Sept, 2008, a true and correct copy of the foregoing document was served by first-class mail, postage prepaid, and addressed to; by fax transmission to; by overnight delivery to; or by personally delivering to or leaving with a person in charge of the office as indicated below:

F. Matthew Stoppello
STOPPELLO & KISER
620 West Hays Street
Boise, ID 83702

☒ U.S. Mail
☐ FAX 336-1027
☐ Overnight Delivery
☐ Hand Delivery

Jed W. Manwaring
David M. Swartley
EVANS KEANE LLP
P. O. Box 959
Boise, Idaho 83701-0959

☒ U.S. Mail
☐ FAX 336-1027
☐ Overnight Delivery
☐ Hand Delivery



Deputy Clerk