

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

DELOG AR 3-10-05
 OKJC 9-1-05

RECEIVED

MAR - 9 2005

Department of Water Resources
 Eastern 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 division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
22-634					

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 usually attached to your deed or on file with the county).

OR

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 **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) Norval Wayne Birch
236 East Main Street, St. Anthony
4. New Owner/Claimant(s) K&J Holdings L.L.C.
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 57
- City, State and ZIP Code Terreton, ID 83450
- New Telephone Number (208) 663-4830
5. Date you acquired the property February 28, 2005

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 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 (one water right per box, you may copy this page as 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(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable) _____

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.

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

WARRANTY DEED

For Value Received, Norval Wayne Birch and Karen Birch, the grantors, do hereby grant, bargain, sell and convey unto K & J Holdings LLC, of P.O. Box 57, Terreton, Idaho, 83450, grantee, and to Grantee's successors and assigns forever, all of the following described real estate located in Fremont County, Idaho:

PARCEL 1:

ALL THOSE PARTS OF LOT 4 AND THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 7 NORTH, RANGE 41 EAST, BOISE MERIDIAN, FREMONT COUNTY, IDAHO, LYING NORTH OF THE TETON RIVER.

EXCEPTING THEREFROM THAT CERTAIN RIGHT OF WAY DEED TO FREMONT COUNTY, IDAHO, RECORDED IN BOOK 39 OF MISC. PAGE 61.

PARCEL 2:

ALL THAT PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER LYING SOUTH OF THE NORTH FORK OF THE TETON RIVER IN SECTION 36, TOWNSHIP 7 NORTH, RANGE 40 EAST, BOISE MERIDIAN, FREMONT COUNTY, IDAHO.

EXCEPTING THEREFROM THAT CERTAIN RIGHT OF WAY DEED TO FREMONT COUNTY, IDAHO RECORDED IN BOOK 39 OF MISC. PAGE 65.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY:

AN IRREGULAR PARCEL OF LAND BEING A PORTION OF THE NE1/4 NE1/4 OF SECTION 36, TOWNSHIP 7 NORTH, RANGE 40 EAST, BOISE MERIDIAN, LYING SOUTHWESTERLY OF THE SOUTH FORK OF THE TETON RIVER, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 36, TOWNSHIP 7 NORTH, RANGE 40 EAST, BOISE MERIDIAN, FREMONT COUNTY, IDAHO AND RUNNING THENCE SOUTH ALONG THE EAST LINE OF SAID SECTION 36 FOR A DISTANCE OF 1318 FEET TO THE SOUTHEAST CORNER OF THE NE1/4 NE1/4 OF SAID SECTION 36; THENCE SOUTH 89°56' WEST ALONG THE SOUTH LINE OF THE NE1/4 NE1/4 OF SAID SECTION 36 FOR A DISTANCE OF 445.5 FEET TO THE REAL POINT OF BEGINNING; THENCE CONTINUING SOUTH 89°56' WEST ALONG THE SOUTH LINE OF THE NE1/4 NE1/4 OF SAID SECTION 36 FOR A DISTANCE OF 873.0 FEET TO THE SOUTHWEST CORNER OF THE SAID NE1/4 NE1/4; THENCE NORTH ALONG THE WEST LINE OF THE SAID NE1/4 NE1/4 FOR A DISTANCE OF 298.8 FEET TO A POINT ON THE SOUTHERLY BANK OF THE SOUTH FORK OF THE TETON RIVER; THENCE ALONG SAID RIVER BANK AS FOLLOWS: NORTH 51°02' EAST A DISTANCE OF 310.6 FEET; SOUTH 64°18' EAST A DISTANCE OF 146.2 FEET; SOUTH 18°09' EAST A DISTANCE OF 215.6 FEET; SOUTH 45°15' EAST A DISTANCE OF 109.9 FEET; SOUTH 72°34' EAST A DISTANCE OF 371.7 FEET, MORE OR LESS, TO A POINT; THENCE SOUTH A DISTANCE OF 36.3 FEET MORE OR LESS, TO THE POINT OF BEGINNING.

ALSO EXCEPTING:

A TRIANGULAR PARCEL OF LAND BEING A PORTION OF THE NE1/4 NE1/4 OF SECTION 36, TOWNSHIP 7 NORTH, RANGE 40 EAST, BOISE MERIDIAN, LYING SOUTHERLY OF THE SOUTH FORK OF THE TETON RIVER, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 36, TOWNSHIP 7 NORTH RANGE 40 EAST, BOISE MERIDIAN, FREMONT COUNTY, IDAHO AND RUNNING THENCE SOUTH ALONG THE EAST LINE OF SAID SECTION 36 FOR A DISTANCE OF 1318.0 FEET TO THE SOUTHEAST CORNER OF THE NE1/4 NE1/4 OF SAID SECTION 36; THENCE SOUTH 89°56' WEST ALONG THE SOUTH LINE OF THE NE1/4 NE1/4 OF SAID SECTION 36 FOR A DISTANCE OF 330.5 FEET TO THE REAL POINT OF BEGINNING; THENCE CONTINUING SOUTH 89°56' WEST ALONG THE SOUTH LINE OF SAID SECTION 36 FOR A DISTANCE OF 115.0 FEET TO A POINT; THENCE NORTH A DISTANCE OF 36.3 FEET, MORE OR LESS, TO A POINT ON THE SOUTHERLY BANK OF THE SOUTH FORK OF THE TETON RIVER; THENCE SOUTH 72°34' EAST ALONG SAID BANK FOR A DISTANCE OF 120.6 FEET; MORE OR LESS, TO THE POINT OF BEGINNING.

TOGETHER with all improvements, water, water rights, ditches, ditch rights, easements hereditaments and appurtenances thereto. And the said Grantor does hereby covenant for itself its successors and assigns to and with the said Grantees, that she is the owner in fee simple of said premises; that said premises are free from all encumbrances and that she will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, Grantor has hereunto subscribed her name to this instrument this 28th day of February, 2005.

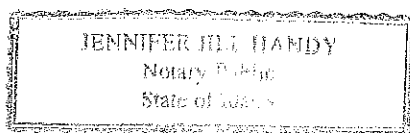
Norval Wayne Birch
Norval Wayne Birch

Karen Birch
Karen Birch

STATE OF IDAHO)
)ss.
County of Madison)

On this 28 day of February, 2005, before me, the undersigned notary public, personally appeared Norval Wayne Birch and Karen Birch, known or identified to me to be the persons that executed the foregoing instrument and acknowledged to me that they executed the same.

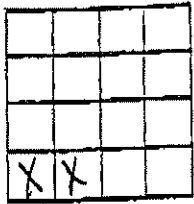
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Jennifer Jill Handy
Notary Public for Idaho

Residing at: Fremont, ID

My Commission Expires: 09-09-09



SW 1/4

307-41

40 Scale

N
↑

Row 100
21/61

Lot 4

SWSW

Parcel 1

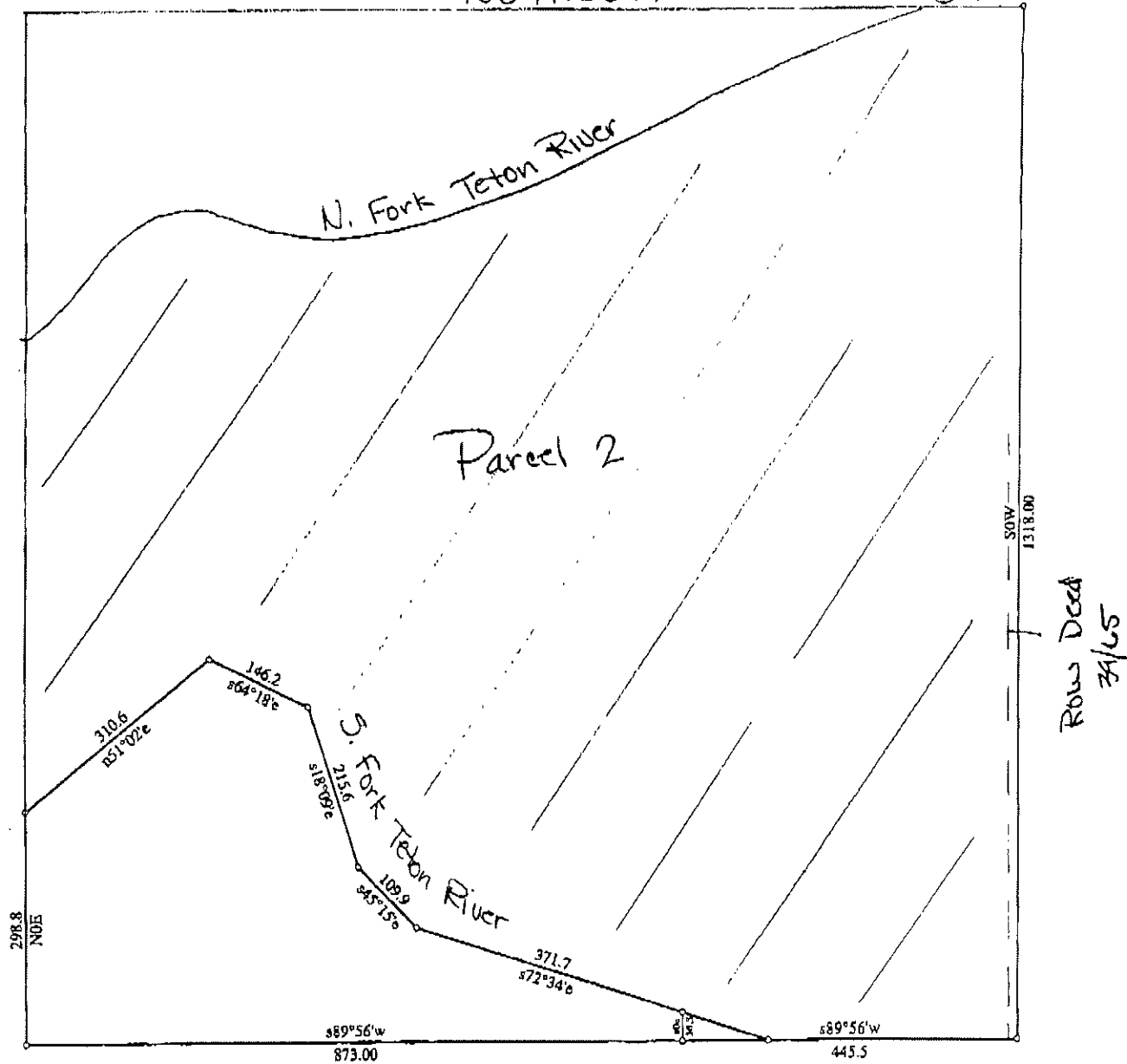
N Fork Teton River

THIS SKETCH IS MADE SOLELY FOR THE PURPOSE OF
ASSISTING IN LOCATING THE PREMISES AND THE
COMPANY ASSUMES NO LIABILITY FOR VARIATIONS
IF ANY, WITH AN ACTUAL SURVEY.
FIRST AMERICAN TITLE COMPANY

36-7-40

NE 1/4 NE 1/4

20 Scale



Title:		Date: 02-23-2005
Scale: 1 inch = 200 feet	File:	
Tract 1: 18.505 Acres: 806094 Sq Feet: Closure = n18.3950e 1391.91 Feet: Precision = 1/3: Perimeter = 4126 Feet		
Tract 2: 1.047 Acres: 45593 Sq Feet: Closure = n14.0416e 1359.13 Feet: Precision = 1/1: Perimeter = 1920 Feet		
001=S0W 1318.00	007=s18.09e 215.6	013=s89.56w 330.5
002=s89.56w 445.5	008=s45.15e 109.9	014=s89.56w 115.0
003=s89.56w 873.00	009=s72.34e 371.7	015=n0e 36.3
004=N0E 298.8	010=s0e 36.3	016=s72.34e 120.6
005=n51.02e 310.6	011=@0	
006=s64.18e 146.2	012=s0e 1318.0	



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 10, 2005

LAW FIRM OF FORSBERG & DUMMAR
49 PROFESSIONAL PLAZA
REXBURG ID 83440

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP 22-634 & CHECK
NO. 3326 FOR \$25.00

Dear Mr. Forsberg:

I am returning the above referenced check because a fee is not required to change the ownership of this right.

Respectfully,

Jennifer Crabtree

Technical Records Specialist

Enclosure