

JAN 20 2016

WATER RESOURCES
WESTERN 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. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, [see #6](#) of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
65-02468	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Charters Mountain Ranch, Inc (then transferred to Buchert/Schwerts then to Badger Pit)
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Badger Pit, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 5446 Hwy 16 Eagle ID 83616
Mailing address City State ZIP
(208) 286-0246 jbuchert@premierllc.net
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: 10/7/15
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed [IRS Form W-9](#) for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed [Lessor Designation](#) form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
7. 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.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: [Signature] [Signature] 1/18/16
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: [Signature] Date: 1/20/2016 Receipt No. W043817 Receipt Amt. 25.-
Active in the Water Supply Bank? Yes ☐ No ☒ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☒
Name on W-9: [Signature] Approved by: [Signature] Processed by: [Signature] Date: 2/2/16

MEMORANDUM OF LAND INSTALLMENT CONTRACT

DATE: October 7, 2015

PARTIES: Trae and Johnna Buchert
Husband and Wife
5446 Hwy 16
Eagle, ID 83616

ATFC 289648

hereinafter, "Vendor"

and.

Badger Pit, LLC
5446 N Hwy 16
Eagle, ID 83616

hereinafter, "Vendee"

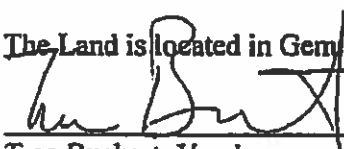
WITNESSETH:

WHEREAS, Vendor and Vendee have entered into a Land Installment Contract dated October 6, 2015;
and

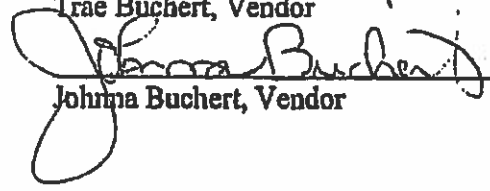
WHEREAS, the parties desire to enter into this Memorandum of Land Installment contract to give
record notice of the existence of said Land Installment Contract.

NOW, THEREFORE, in consideration of the premises, and other good and valuable consideration, the
Vendor acknowledges and agrees that the property described below was sold to the Vendee on the Land
Installment Contract dated October 6, 2015:

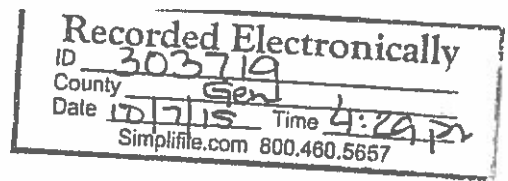
The Land is located in Gem County, State of Idaho and is described on attached Exhibit "A".



Trae Buchert, Vendor



Johnna Buchert, Vendor



MEMORANDUM OF LAND INSTALLMENT CONTRACT

DATE: October 7, 2015

PARTIES: Trae and Johnna Buchert
Husband and Wife
5446 Hwy 16
Eagle, ID 83616

ATFE 289648

hereinafter, "Vendor"

and

Badger Pit, LLC
5446 N Hwy 16
Eagle, ID 83616

hereinafter, "Vendee"

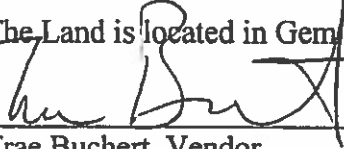
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and

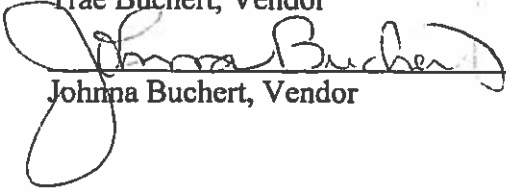
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record notice of the existence of said Land Installment Contract.

NOW, THEREFORE, in consideration of the premises, and other good and valuable consideration, the
Vendor acknowledges and agrees that the property described below was sold to the Vendee on the Land
Installment Contract dated October 6, 2015:

The Land is located in Gem County, State of Idaho and is described on attached Exhibit "A".



Trae Buchert, Vendor



Johnna Buchert, Vendor

Badger Pit, LLC

By

Trae Buchert, Vendee

STATE OF IDAHO)

COUNTY OF Ada)

) ss

On this 7 day of October, 2015, before me, a Notary Public in and for the State of Idaho personally appeared before me Trae Buchert and Johnna Buchert, known to or identified to me to be the within and foregoing persons who executed this instrument and acknowledged to me that they executed the same.

RAINELLE WOLF
NOTARY PUBLIC
STATE OF IDAHO

Rainelle Wolf
Notary Public in and for the State of Idaho
Residing at Engle, ID
My Commission Expires: 10/31/20

STATE OF IDAHO)

COUNTY OF Ada)

) ss.

On this 7 day of October, 2015, before me, a Notary Public in and for the State of Idaho, personally appeared before me Trae Buchert, known or identified to me to be a Member/Owner of Badger Pit, LLC, that he executed the within instrument or the person who executed the instrument on behalf of said LLC, and acknowledged to me that said LLC executed the same.

RAINELLE WOLF
NOTARY PUBLIC
STATE OF IDAHO

Rainelle Wolf
Notary Public in and for the State of Idaho
Residing at Engle, ID
My Commission Expires: 10/31/20

EXHIBIT A

Parcel I:

A parcel of land being a portion of the Northeast quarter of Section 23, Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho, more particularly described as follows: Commencing at the Brass Cap marking the corner common to Sections 14, 13, 24, and 23, Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho; thence South 0°00'23" East 896.20 feet along the line common to said Sections 23 and 24 to an iron pin, said point being the Real Point of Beginning; thence continuing along said line South 0°00'23" East, 1718.57 feet to the Brass Cap marking the Quarter corner common to said Sections 23 and 24; thence North 89°47'43" West, 1282.75 feet along the South line of said Northeast quarter to an iron pin; thence North 0°07'57" West, 1717.38 feet; thence South 89°50'57" East a distance of 1286.52 feet, more or less, to the Real Point of Beginning.

Excepting therefrom the South 5 feet thereof for ditch purposes.

AND

A parcel of land being a portion of the Northeast quarter of Section 23, Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho, said parcel being particularly described as follows: Commencing at the Brass Cap marking the corner common to Sections 14, 13, 24 and 23, Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho; thence North 89°50'57" West, 894.18 feet along the line common to said Sections 14 and 23; thence South 0°09'03" West, 25.00 feet to the South right of way of Sales Yard Road; thence North 89°50'57" West, 334.19 feet, said point being the Real Point of Beginning; thence South 0°07'57" East, 871.21 feet; thence North 89°50'57" West, 60.00 feet to an iron pin; thence North 0°07'57" West, 871.21 feet to said South right of way; thence South 89°50'57" East, 60.00 feet to the Real Point of Beginning.

Parcel II:

**The East half of the Southeast quarter of Section 23, Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho.
Less a strip of land 40 foot wide being 20 feet on each side of the following described center strip:
Commencing 20 feet West of the East quarter corner of Section 23, Township 6 North, Range 2 West, Boise Meridian; thence South 2635 feet to a point 5 feet North of the South line of the East half of the Southeast quarter of Section 23.**

Parcel III:

**Easement for the benefit of Parcels I and II as created by instrument recorded June 1, 1999 as Instrument No. 206207, for ingress and egress, over, under and across the land described as follows:
A 40 foot wide ingress/egress easement described as follows:
Commencing at the Brass Cap marking the corner common to Section 14, 13, 24 & 23, Township 6 North, Range 2 West, Boise Meridian, Gem County, Idaho; thence**

North 89°50'57" West, 1,248.43 feet; thence
South 0°09'03" West, 25.00 feet to the Point of Beginning of easement; thence
South 0°00'23" East 871.21 feet; thence
West a distance of 40 feet; thence
North 0°07'57" West, 871.21 feet to the South right of way of Sales Yard Road; thence
East along said right of way a distance of 40.00 feet to the Point of Beginning of said
easement.

MEMORANDUM OF LAND INSTALLMENT CONTRACT

DATE: October 7, 2015

PARTIES: Jeff Schwerts and Valerie Schwerts
Husband and Wife
3104 Dorchester Drive
Eagle, ID 83616

ATFE 289648

hereinafter, "Vendor"

and

Badger Pit, LLC
5446 N Hwy 16
Eagle, ID 83616

hereinafter, "Vendee"

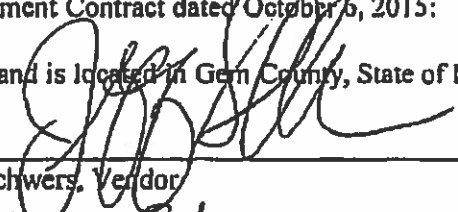
WITNESSETH:

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and

WHEREAS, the parties desire to enter into this Memorandum of Land Installment contract to give
record notice of the existence of said Land Installment Contract.

NOW, THEREFORE, in consideration of the premises, and other good and valuable consideration, the
Vendor acknowledges and agrees that the property described below was sold to the Vendee on the Land
Installment Contract dated October 6, 2015:

The Land is located in Gem County, State of Idaho and is described on attached Exhibit "A".



Jeff Schwerts, Vendor



Valerie Schwerts, Vendor

Recorded Electronically	
ID	303720
County	Gem
Date	10/15/15
Time	4:29 pm
Simplifile.com 800.460.5657	

MEMORANDUM OF LAND INSTALLMENT CONTRACT

DATE: October 7, 2015

PARTIES: Jeff Schwerts and Valerie Schwerts
Husband and Wife
3104 Dorchester Drive
Eagle, ID 83616

ATEE 289648

hereinafter, "Vendor"

and

Badger Pit, LLC
5446 N Hwy 16
Eagle, ID 83616

hereinafter, "Vendee"

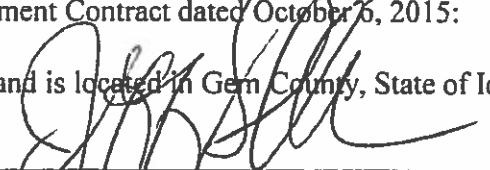
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Jeff Schwerts, Vendor



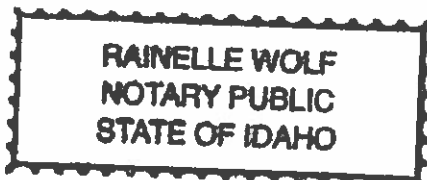
Valerie Schwerts, Vendor

Badger Pit, LLC

By Trae Buchert
Trae Buchert, Vendee

STATE OF IDAHO)
COUNTY OF Ada) ss

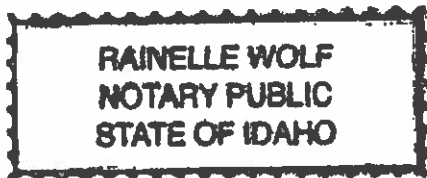
On this 7 day of October 12, 2015, before me, a Notary Public in and for the State of Idaho personally appeared before me Jeff Schwerts and Valerie Schwerts, known to or identified to me to be the within and foregoing persons who executed this instrument and acknowledged to me that they executed the same.



Rainelle Wolf
Notary Public in and for the State of Idaho
Residing at Boyle, Idaho
My Commission Expires: 10/31/20

STATE OF IDAHO)
COUNTY OF Ada) ss.

On this 7 day of October, 2015, before me, a Notary Public in and for the State of Idaho, personally appeared before me Trae Buchert, known or identified to me to be a Member/Owner of Badger Pit, LLC, that he executed the within instrument or the person who executed the instrument on behalf of said LLC, and acknowledged to me that said LLC executed the same.



Rainelle Wolf
Notary Public in and for the State of Idaho
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South 0°00'23" East 871.21 feet; thence
West a distance of 40 feet; thence
North 0°07'57" West, 871.21 feet to the South right of way of Sales Yard Road; thence
East along said right of way a distance of 40.00 feet to the Point of Beginning of said
easement.

MEMORANDUM OF LAND INSTALLMENT CONTRACT - 4



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 2, 2016

BADGER PIT LLC
5446 HWY 16
EAGLE ID 83616

RE: Notice of Ownership Change in Water Right No. 65-2468

Dear Applicants,

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right to you. The Department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Sections 42-222 and 42-223, Idaho Code.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right, to the Department. Notice of the change must be provided to the Department within 120 days of the change. Change reporting forms are available from any office of the Department, or at www.idwr.idaho.gov.

If you have any questions concerning the enclosed information, please feel free to contact this office at 208-334-2190.

Sincerely,

Chad Jones
Office Specialist II
Western Regional Office
208-334-2190

Enclosures