

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 01 2015

Department of Water Resources
Eastern Region

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?
21-10004 <i>OK</i>	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: Caroline Jacobsen or Lee Jacobsen
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Lynn Burtenshaw, Kaylene Burtenshaw
New owner(s) as listed on the conveyance document
- 1758 N 1000 E Terreton Idaho 83450
Mailing address City State ZIP
208-663-4520 lynnwburt@yahoo.com
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: _____
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: _____ Date April 10, 2015
Signature of new owner/claimant Title, if applicable Date
- Signature: _____ Date _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by *JB* Date 5/1/15 Receipt No. E040965 Receipt Amt. \$25 - for this app.
 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 _____ Approved by *JB* Processed by *JB* Date 5/13/2015

FIRST AMERICAN TITLE

532554-RI

WHEN RECORDED RETURN TO:

DuPree Stewart Taylor & Morris

P.O. Box 723

Rexburg, Idaho 83440

NO. 220

Instrument No. 552822

06 Day Apr 2015

At 04 O'Clock 39 M

ABBIE MACE

FREMONT CO RECORDER

Fee \$19.00

JF Deputy

Recorded at Request of
First American Title - Rexburg

WARRANTY DEED

Don M. Burtenshaw and Beverly F. Burtenshaw, husband and wife (collectively, "Grantors"), for good and valuable consideration the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to Lynn W. Burtenshaw and Kaylene Y. Burtenshaw, husband and wife, whose address is 1758 North 1000 East, Terreton, Idaho 83450 (collectively, "Grantees"), and to Grantees' heirs, successors and assigns forever, all of the real property situated in Fremont County, Idaho and described on the attached Exhibit A (collectively the "Property"):

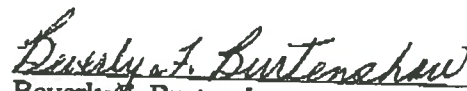
Together with all improvements, easements, hereditaments and appurtenances thereto.

Subject to all real property taxes and assessments not yet due and payable and all existing patent reservations, easements, rights of way, reservations of oil, gas, mineral, hydrocarbon, geothermal and carbon dioxide deposits and rights, protective and restrictive covenants, zoning ordinances, applicable building codes, laws and regulations, agreements and other matters apparent or of record, and exceptions set forth in the commitment for title insurance, but not mortgages, security interests or other financial encumbrances.

Grantors, for themselves and their heirs, successors and assigns, do hereby covenant, warrant and shall defend the quiet and peaceable possession of the Property by Grantees and Grantees' heirs, successors and assigns forever against the lawful claims of all persons subject to the provisions of this instrument.

IN WITNESS WHEREOF, Grantors have executed this instrument this 6 day of April, 2015.


Don M. Burtenshaw


Beverly F. Burtenshaw


552822

FIRST AMERICAN TITLE

532554-RI

WHEN RECORDED RETURN TO:

DuPree Stewart Taylor & Morris

P.O. Box 723

Rexburg, Idaho 83440

Recorded Electronically	
ID	552822
County	Fremont
Date	4.6.15 Time 4:39
Simplifile.com 800.460.5657	

WARRANTY DEED

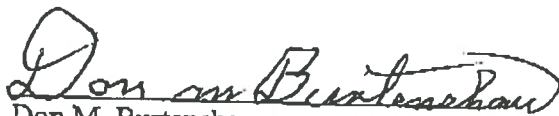
Don M. Burtenshaw and Beverly F. Burtenshaw, husband and wife (collectively, "Grantors"), for good and valuable consideration the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to Lynn W. Burtenshaw and Kaylene Y. Burtenshaw, husband and wife, whose address is 1758 North 1000 East, Terreton, Idaho 83450 (collectively, "Grantees"), and to Grantees' heirs, successors and assigns forever, all of the real property situated in Fremont County, Idaho and described on the attached Exhibit A (collectively the "Property"):

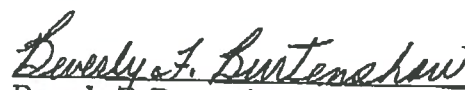
Together with all improvements, easements, hereditaments and appurtenances thereto.

Subject to all real property taxes and assessments not yet due and payable and all existing patent reservations, easements, rights of way, reservations of oil, gas, mineral, hydrocarbon, geothermal and carbon dioxide deposits and rights, protective and restrictive covenants, zoning ordinances, applicable building codes, laws and regulations, agreements and other matters apparent or of record, and exceptions set forth in the commitment for title insurance, but not mortgages, security interests or other financial encumbrances.

Grantors, for themselves and their heirs, successors and assigns, do hereby covenant, warrant and shall defend the quiet and peaceable possession of the Property by Grantees and Grantees' heirs, successors and assigns forever against the lawful claims of all persons subject to the provisions of this instrument.

IN WITNESS WHEREOF, Grantors have executed this instrument this 6 day of April, 2015.


Don M. Burtenshaw


Beverly F. Burtenshaw

SWB KCB

STATE OF IDAHO)

County of Jefferson)

: ss.

On this ____ day of April, in the year of 2015, before me Shaney Swanson, a Notary Public in and for the State of Utah, personally appeared Don M. Burtenshaw and Beverly F. Burtenshaw, known or identified to me (or proved to me on the oath of _____) to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

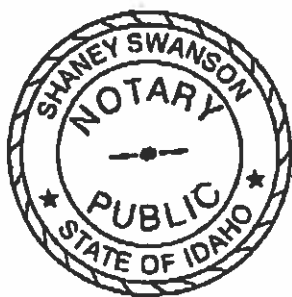
Shaney Swanson
NOTARY PUBLICResiding at: 2222 S. 1st St.My commission expires: 1-3-21

EXHIBIT A TO WARRANTY DEED

TOWNSHIP 9 NORTH, RANGE 38 E.B.M., FREMONT COUNTY, IDAHO

SECTION 5: LOT 4

SECTION 6: LOTS 1, 2, 3, 4, 5 AND 6; SE1/4NW1/4; NE1/4SW1/4; S1/2NE1/4; N1/2SE1/4

TOWNSHIP 14 NORTH, RANGE 43 E.B.M., FREMONT COUNTY, IDAHO

SECTION 13: BEGINNING AT THE NW CORNER OF SECTION 13, TOWNSHIP 14 NORTH, RANGE 43 E.B.M., FREMONT COUNTY, IDAHO, AND RUNNING THENCE N. 89°58'07" E. FOR A DISTANCE OF 328.76 FEET; THENCE S. 00°04'23" E. FOR A DISTANCE OF 1324.94 FEET; THENCE S. 89°56'44" W. FOR A DISTANCE OF 328.76 FEET; THENCE N. 00°04'23" W. FOR A DISTANCE OF 1325.11 FEET TO THE POINT OF BEGINNING.

ALSO: BEGINNING AT THE NW CORNER OF SECTION 13, TOWNSHIP 14 NORTH, RANGE 43 E.B.M., FREMONT COUNTY, IDAHO; THENCE N. 89°59'07" E. ALONG THE NORTH LINE OF SAID SECTION, 932.56 FEET TO THE WESTERLY RIGHT OF WAY LINE OF U.S. 20-191 AS NOW LOCATED; THENCE S. 8°41'15" E. ALONG SAID RIGHT OF WAY LINE 1339.79 FEET TO THE SOUTH LINE OF THE NW1/4NW1/4 OF SECTION 13; THENCE S. 89°57'11" WEST ALONG SAID LINE 1133.24 FEET TO THE WEST LINE OF SAID SECTION; THENCE N. 00°04'23" W. FOR A DISTANCE OF 1325.11 FEET TO THE POINT OF BEGINNING.

EXCEPT:

BEGINNING AT THE NW CORNER OF SECTION 13, TOWNSHIP 14 NORTH, RANGE 43 E.B.M., FREMONT COUNTY, IDAHO, AND RUNNING THENCE N. 89°58'07" E. FOR A DISTANCE OF 328.76 FEET; THENCE S. 00°04'23" E. FOR A DISTANCE OF 1324.94 FEET; THENCE S. 89°56'44" W. FOR A DISTANCE OF 328.76 FEET; THENCE N. 00°04'23" W. FOR A DISTANCE OF 1325.11 FEET TO THE POINT OF BEGINNING.

SECTION 13: SE1/4SE1/4; W1/2SE1/4 AND THAT PORTION OF THE E1/2SW1/4 LYING EAST OF THE NEW HIGHWAY.

SECTION 13: W1/2SW1/4 AND THAT PORTION OF THE E1/2SW1/4 LYING WEST OF THE NEW HIGHWAY.

SECTION 13: NE1/4; NE1/4SE1/4; NW1/4 LYING EAST OF HIGHWAY 191-20.

EXCEPT: COMMENCING AT A POINT THAT IS N. 89°55'14" E. 1536.25 FEET FROM THE W1/4 CORNER OF SECTION 13, TOWNSHIP 13 NORTH, RANGE 43 E.B.M., FREMONT COUNTY, IDAHO, AND RUNNING THENCE N. 89°55'14" E. 1097.70 FEET; THENCE N. 00°00'00" E. 789.92 FEET; THENCE S. 89°55'14" W. 1218.37 FEET; THENCE S. 08°41'15" E. 798.92 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPT: BEGINNING AT THE W1/4 CORNER OF SECTION 13, TOWNSHIP 14 NORTH, RANGE 43 E.B.M., FREMONT COUNTY, IDAHO; THENCE N. 89°55'14" E. FOR A DISTANCE OF 1536.25 FEET; THENCE N. 08°41'15" W. FOR A DISTANCE OF 798.02 FEET TO THE TRUE POINT OF BEGINNING; THENCE N. 08°41'15" W. FOR A DISTANCE OF 182.71 FEET; THENCE N. 89°55'14" E. FOR A DISTANCE OF 377.64 FEET; THENCE S. 54°11'22" E. FOR A DISTANCE OF 308.16 FEET; THENCE S. 89°55'14" W. FOR A DISTANCE OF 599.95 FEET TO THE TRUE POINT OF BEGINNING.

WARRANTY DEED

FOR VALUE RECEIVED, *LEE JACOBSEN* and *CAROLINE H. JACOBSEN*, husband and wife, the **Grantors**, do hereby grant, bargain, sell and convey unto *DON BURTENSHAW* and *BEVERLY BURTENSHAW*, the **Grantees**, whose current address is Terreton, Idaho, the following described premises, to-wit:

TRACT I

Township 14 North, Range 43 East, Boise Meridian, Fremont County, Idaho.

Section 13:

NE1/4; NE1/4SE1/4; NW1/4 lying East of the highway 191-20 LESS the following two parcels:

Parcel 1: Commencing at a point that is North 89°55'14" East 1536.25 feet from the West 1/4 corner of Section 13, Township 13 North, Range 43 East, Boise Meridian, Fremont County, Idaho, and running thence North 89°55'14" East 1097.70 feet; thence North 00°00'00" East 789.92 feet; thence South 89°55'14" West 1218.37 feet; thence South 08°41'15" East 798.92 feet to the point of beginning.

Parcel 2: Beginning at the West 1/4 corner of Section 13, Township 14 North, Range 43 East, Boise Meridian, Fremont County, Idaho, thence North 89°55'14" East for a distance of 1536.25 feet; thence North 08°41'15" West for a distance of 798.02 feet to the TRUE POINT OF BEGINNING; thence North 08°41'15" West for a distance of 182.71 feet; thence North 89°55'14" East for a distance of 377.64 feet; thence South 54°11'22" East for a distance of 308.16 feet; thence South 89°55'14" West for a distance of 599.95 feet to the TRUE POINT OF BEGINNING.

TRACT II

Beginning at the Northwest corner of Section 13, Township 14 North, Range 43 East, Boise Meridian, Fremont County, Idaho, and running thence North 89°58'07" East for a distance of 328.76 feet, thence South 00°04'23" East for a distance of 1324.94 feet; thence South 89°56'44" West for a distance of 328.76 feet; thence North 00°04'23" West for a distance of 1325.11 feet to the POINT OF BEGINNING

WARRANTY DEED

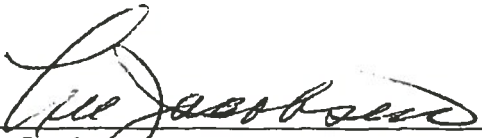
1

Microfilm No. 491713
Day Dec 20 04
At 15:00 O'Clock P
ASSISTANT
FREMONT CO RECORDER
Received at Request of Don Burtenshaw

491713

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said grantees, *DON BURTENSHAW* and *BEVERLY BURTENSHAW*, heirs and assigns forever. The said grantors do hereby covenant to and with the said grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrance and they will warrant and defend the same from all lawful claims whatsoever.

DATED this 10th day of November, 1994.


Lee Jacobsen


Caroline H. Jacobsen

STATE OF IDAHO)
 :SS
County of Madison)

On this 10th day of November, 1994, before me, the undersigned Notary Public in and for said state, personally appeared *LEE JACOBSEN*, and *CAROLINE H. JACOBSEN*, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me they executed the same.




Notary Public
Residing at Rexburg, Idaho
My Commission Expires 11/25/98

WARRANTY DEED

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

4/6/2015

WATER RIGHT NO. 21-10004

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CAROLINE JACOBSEN 4595 N HWY 20 ISLAND PARK, ID 83429-5114 (208)558-7543
Current Owner	LEE JACOBSEN HC 66 BOX 290 ISLAND PARK, ID 83429 (208)558-7543

Priority Date: 06/06/1979

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	1/01	12/31	0.04 CFS	
Total Diversion			0.04 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NWNW|Sec. 13|Township 14N|Range 43E|FREMONT County

Place(s) of use:

Place of Use Legal Description: DOMESTIC FREMONT County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
14N	43E	13		NWNW										

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. RP5591A

Dates:

Licensed Date:

Decreed Date: 08/27/1999

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: OR

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

No. W 22704	Due no later than Feb 28, 2015 Annual Report Form		2. Registered Agent and Address (NO PO BOX)						
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing Address: Correct in this box if needed. 3B RANCH LLC LYNN W BURTENSHAW 1758 N 1000 E TERRETON ID 83450		LYNN W BURTENSHAW 1758 N 1000 E TERRETON 83450						
4. Limited Liability Companies: Enter Names and Addresses of at least one Member or Manager.				3. <u>New</u> Registered Agent Signature:*					
5. Organized Under the Laws of: ID W 22704	6. Annual Report must be signed.* Signature: Lynn Burtenshaw Name (type or print): Lynn Burtenshaw Date: 12/19/2014 Title: Member								
Processed 12/19/2014		* Electronically provided signatures are accepted as original signatures.							