

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 19 2013

DEPT. OF WATER RESOURCES
SOUTHERN 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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
45-13650	Yes ☐		Yes ☐		Yes ☐
45-13649	Yes ☐		Yes ☐		Yes ☐
45-13651	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Karen M. Bortz
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):
Name of each new owner as listed on the conveyance document
Dennis R. Bortz
New owner continued Name connector ☐ and ☒ or ☐ and/or
Sara J. Bortz
Mailing address
995 S. 1150 E. Albion ID 83311
City State ZIP
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: March 14, 2013

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: [Signature] Title, if applicable _____ Date 3-15-2013
Signature: [Signature] Title, if applicable _____ Date 3-15-2013
Signature of new owner/claimant

For IDWR Office Use Only:

Received by DM Date 3-19-2013 Receipt No. 5033/21 Receipt Amt. \$75-
Approved by _____ Processed by _____ Date _____

SUPPORT DATA
IN FILE # 45-13649

#49988

CASSIA COUNTY

Recorded for:

LAND TITLE AND ESCROW

2:30:07 pm 03-15-2013

2013-001080

No. Pages: 5

Fee: \$22.00

JOSEPH W. LARSEN

County Clerk

Deputy: HEVANS

WARRANTY DEED

1
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6
7 *KMB* THIS INDENTURE, made this 12th day of March, 2013,
8 *KMB* KAREN MARIE BORTZ, aka
9 between KAREN M. BORTZ and HENRY G. BORTZ, wife and husband, of 29 South
10 Hwy. 77, Declo, ID 83323 ("GRANTOR"), and DENNIS R. BORTZ and SARA J.
11 BORTZ, husband and wife, whose address is 995 S. 1150 East, Albion, ID 83311
12 ("GRANTEE").

WITNESSETH:

13
14 The Grantor for and in consideration of the sum of Ten Dollars (\$10.00), lawful money
15 of the United States of America, and other good and valuable consideration, to the Grantor in
16 hand paid by the Grantee, the receipt whereof is hereby acknowledged, has granted,
17 bargained, and sold and by these presents does grant, bargain and sell, convey and confirm
18 unto the Grantee, and to the heirs and assigns of Grantee forever, all of the following
19 described real estate situated in the County of Cassia, State of Idaho, described on Exhibit A
20 attached hereto and incorporated herein by reference.

21
22 **SUBJECT TO:** Accruing taxes, levies and assessments for 2013 and the standard
23 exceptions on Land Title and Escrow, Inc. Commitment No. ~~49988~~ *KMB KMB*

24 **TOGETHER** with all and singular the tenements, hereditaments and appurtenances
25 thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and
26 remainders, rents, issues and profits thereof, Water Right Nos. 45-13649, 45-13650 and 45-

WARRANTY DEED - 1

1 13651, and all estate, right, title and interest in and to said property as well in law as in
2 equity of the Grantor.

3 **TO HAVE AND TO HOLD**, all and singular the above-mentioned and described
4 premises, together with appurtenances unto the Grantee and to the heirs and assigns of
5 Grantee forever.
6

7 The Grantor shall and will warrant and by these presents will forever defend the said
8 premises in the quiet and peaceable possession of the Grantee, and the heirs and assigns of
9 Grantee against all and every person and persons whomsoever lawfully claiming the same,
10 except as aforesaid.

11 **IN WITNESS WHEREOF**, the Grantor has executed this Deed the day and year first
12 above written.
13

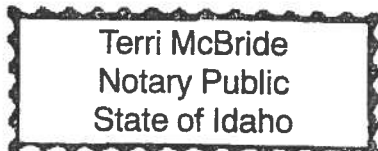
14 **GRANTOR**

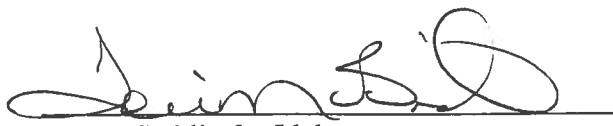
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16 
KAREN M. BORTZ

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19 HENRY G. BORTZ
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1 STATE OF IDAHO)
2) ss
3 County of Cassia)

4 On this 14th day of March, in the year 2013 before me, the
5 undersigned, a Notary Public in and for said State, personally appeared **KAREN M.**
6 **BORTZ** and **HENRY G. BORTZ**, wife and husband, known or identified to me to be the
7 persons whose names are subscribed to the within instrument, and acknowledged to me that
8 they executed the same.



9 
10 Notary Public for Idaho
11 Residing at: Rupert
12 Comm. Exp.: My Commission Expires 2/5/14

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22 (BortzGene\DennisWD.doc)

EXHIBIT A

The following real estate in Cassia County, Idaho:

TOWNSHIP 12 SOUTH, RANGE 25 EAST BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 26: W $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and W $\frac{1}{2}$ of SE $\frac{1}{4}$

AND TOGETHER with the following perpetual non-exclusive easements:

Part of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34 and Part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27 in Township 12 South, Range 25 East of the Boise Meridian, Cassia County, State of Idaho.

Beginning at the Northeast Corner of Section 34 in T.12 S., R.25 E., B.M. said corner marked by a U.S. GLO iron pipe with brass cap on top which shall be the Point of Beginning;

THENCE South 00 degrees 22 minutes 34 seconds East along the east line of Section 34 for a distance of 12.50 feet;

THENCE South 42 degrees 09 minutes 30 seconds West for a distance of 33.66 feet;

THENCE South 34 degrees 59 minutes 16 seconds West for a distance of 220.71 feet;

THENCE South 50 degrees 04 minutes 37 seconds West for a distance of 42.79 feet;

THENCE South 71 degrees 32 minutes 48 seconds West for a distance of 44.35 feet to the Northeasterly right of way of State Highway 77;

THENCE North 26 degrees 47 minutes 21 seconds West along said right of way for a distance of 25.27 feet;

THENCE North 71 degrees 32 minutes 48 seconds East for a distance of 43.28 feet;

THENCE North 50 degrees 04 minutes 34 seconds East for a distance of 34.74 feet;

THENCE North 34 degrees 59 minutes 16 seconds East for a distance of 223.11 feet;

THENCE North 52 degrees 02 minutes 32 seconds East crossing into Section 27 for a distance of 50.29 feet to the East line of Section 27;

THENCE South 00 degrees 17 minutes 06 seconds East along said line for a distance of 12.50 feet to the Point Of Beginning, thence continuing East 12.50 feet on each side of the section line between Sections 26 and 35, Township 12 South, Range 25 East Boise Meridian to the southeast corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 26 being the terminus point of the easement.

Part of the $W\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}$ of Section 26 of Township 12 South, Range 25 East of the Boise Meridian, Cassia County, State of Idaho.

Beginning at the Southwest Corner of the $E\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}$ of Section 26 in T.12 S., R.25 E., B.M. said corner marked by a 5/8" rebar;

Thence North 89 degrees 34 minutes 07 seconds East along the south line of Section 26 for a distance of 644.79 feet to the Southwest Corner of the $W\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}$ which shall be the Point of Beginning;

THENCE North 00 degrees 01 minutes 54 seconds West for a distance of 12.50 feet;

THENCE North 72 degrees 49 minutes 24 seconds East for a distance of 71.36 feet;

THENCE North 52 degrees 23 minutes 52 seconds East for a distance of 78.95 feet;

THENCE North 34 degrees 04 minutes 17 seconds East for a distance of 73.01 feet;

THENCE North 17 degrees 32 minutes 47 seconds East for a distance of 355.99 feet;

THENCE North 22 degrees 18 minutes 29 seconds East for a distance of 126.27 feet;

THENCE North 11 degrees 09 minutes 41 seconds East for a distance of 204.01 feet;

THENCE North 25 degrees 47 minutes 31 seconds East for a distance of 79.27 feet;

THENCE North 30 degrees 43 minutes 00 seconds East for a distance of 353.16 feet;

THENCE North 21 degrees 19 minutes 25 seconds East for a distance of 47.27 feet;

THENCE North 02 degrees 35 minutes 04 seconds East for a distance of 98.48 feet to the north line of the $W\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}$;

THENCE North 89 degrees 57 minutes 36 seconds East along said line for a distance of 26.03 feet;

THENCE South 02 degrees 35 minutes 04 seconds West for a distance of 103.96 feet;

THENCE South 21 degrees 19 minutes 25 seconds West for a distance of 53.69 feet;

THENCE South 30 degrees 43 minutes 00 seconds West for a distance of 354.18 feet;

THENCE South 25 degrees 47 minutes 31 seconds West for a distance of 74.81 feet;

THENCE South 11 degrees 09 minutes 41 seconds West for a distance of 203.21 feet;

THENCE South 22 degrees 18 minutes 29 seconds West for a distance of 127.73 feet;

THENCE South 17 degrees 32 minutes 47 seconds West for a distance of 358.68 feet;

THENCE South 34 degrees 04 minutes 17 seconds West for a distance of 80.98 feet;

THENCE South 52 degrees 23 minutes 52 seconds West for a distance of 87.83 feet;

THENCE South 72 degrees 49 minutes 24 seconds West for a distance of 33.01 feet to the south line of Section 26;

THENCE South 89 degrees 34 minutes 07 seconds West along said line for a distance of 48.78 feet to the Point of Beginning.