

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 30 2010

Department of Water Resources
Eastern Region

AMENDED

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person claiming a water right established by diversion and application of water to beneficial use must file a claim with the Department of Water Resources. **The filing of this claim does not confirm the water right claimed.** Water rights represented by a valid permit, license, decree, or previous claim are exempt from this requirement, as are uses of water for domestic purposes as defined in Section 42-111, Idaho Code. A filing fee must be submitted with this claim. See the instruction sheet to determine the appropriate fee.

Notice is hereby given that

Melba Bartschi Bartschi Land LLC

(Name of Claimant)

Mailing Address: 4565 Nounan Rd Montpelier, Id 83254Telephone No: 208-847-0318Email: bartschiranch@yahoo.com

claims a right to the diversion and beneficial use of surface or ground water. The extent and nature of said claim is as follows:

1. Date of Priority: (When the water was first applied to beneficial use)

April 15, 1942

A claim is not acceptable for the use of surface water with a priority later than May 20, 1971. A claim is not acceptable for the use of ground water with a priority date later than March 25, 1963, unless the water is used for domestic purposes as defined in Section 42-111, Idaho Code.

2. Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Spring

tributary to _____

3. Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs or af)

(Irrigation, Domestic, Stock, Etc.)

(Both dates inclusive)

(MM/DD)

(MM/DD)

Quantity 8.4 AF

Use

Recreation

Period of Use From

4/15

to

10/31Quantity 8.4 AF

Use

Aesthetic

Period of Use From

4/15

to

10/31Quantity 8.4 AF

Use

Stock

Period of Use From

4/15

to

6/31Quantity 8.4 AF

Use

Irrigation

Period of Use From

4/15

to

10/31

- 4.
- 8.4 AF
- TOTAL QUANTITY USED.

(cfs or af)

5. A) Location of point of diversion is
- NE
- $\frac{1}{4}$
- of
- NE
- $\frac{1}{4}$
- of
- NW
- $\frac{1}{4}$
- , Govt. Lot _____
-
- Sec.
- 21
- Township
- 11S
- Range
- 43E
- B.M.,
- Bear Lake
- County; additional points of diversion, if any: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch etc.). Give sizes and capacities. Be specific. Describe any changes in the system and give the date of the change.

~~It is a small spring that we tap into and cross out of and we dam it off in June to fill the surrounding meadow - the channel is quite small maybe 1-2 feet. The dam is also small depending on the amount of water - anywhere from 2-10 feet - we periodically have to clean the ditch and repair the dam.~~

RECEIVED

DEC 09 2010

Department of Water Resources
Eastern Region

11- 7668

AMENDED

6. A) Describe the place of use within each 40-acre tract in the appropriate box using the symbols listed below. If the use is for irrigation, describe the location by listing the number of irrigated acres within each 40-acre tract.
D - domestic, S - stockwater, M - municipal, C - Commercial, I - Industrial, X - other

Twp	Rge	Sec	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	43E	16												X					
11S	43E	21					X												

TOTAL ACRES _____

- B) If water is used for purposes other than irrigation, fully describe the use. Be specific. be use it to
water cows and irrigate the small meadow around it.
Recreation

NOTE: Include here the type and number of stock watered: _____

7. Remarks: GPS POD N 42° 27.513' W 111° 26.294'

8. Map -- Attach an 8½"x11" map clearly identifying the point of diversion and the place of use by 40-acre subdivisions, section, township and range of the public land survey system. (A photocopy of a USGS 7½ minute topographic quadrangle map is preferred.) Attach an aerial photograph of the place of use if available.

State of Idaho)
County of Bear Lake) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the forgoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.



Bartsch Land LLP
Claimant's Signature (and title if claim is for an organization)

Melba Bartsch Owner

Subscribed and sworn to before me this 29 day of April, 2010.

Martha S. Nadeau
Notary Public

Residing at: Georgetown, Idaho

My commission expires: 7/24/2015

RECEIVED

FOR DEPARTMENT USE ONLY

DEC 09 2010

Department of Water Resources
Eastern Region

Received by _____ Date _____
Prelim. check by _____ Date _____
Fee \$100 Receipt # 6035738
Receipt prepared by DK Date 4-14-10

Published in _____
Publication dates _____
Publication checked by _____ Date _____
Exceptions filed by _____

11 - 7668

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 30 2010

Department of Water Resources
Eastern Region

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person claiming a water right established by diversion and application of water to beneficial use must file a claim with the Department of Water Resources. **The filing of this claim does not confirm the water right claimed.** Water rights represented by a valid permit, license, decree, or previous claim are exempt from this requirement, as are uses of water for domestic purposes as defined in Section 42-111, Idaho Code. A filing fee must be submitted with this claim. See the instruction sheet to determine the appropriate fee.

Notice is hereby given that Melba Bartschi Bartschi Land LLC
(Name of Claimant)Mailing Address: 4565 Nounan Rd Montpelier, Id 83254Telephone No: 208-847-0318 Email: bartschiranch@yahoo.com

claims a right to the diversion and beneficial use of surface or ground water. The extent and nature of said claim is as follows:

1. Date of Priority: (When the water was first applied to beneficial use) April 15, 1942
A claim is not acceptable for the use of surface water with a priority later than May 20, 1971. A claim is not acceptable for the use of ground water with a priority date later than March 25, 1963, unless the water is used for domestic purposes as defined in Section 42-111, Idaho Code.

2. Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Spring tributary to _____

3. Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs or af)	(Irrigation, Domestic, Stock, Etc.)	(Both dates inclusive) (MM/DD) (MM/DD)
Quantity <u>8.4 AF</u>	Use <u>Recreation</u>	Period of Use From <u>4/15</u> to <u>10/31</u>
Quantity <u>8.4 AF</u>	Use <u>Aesthetic</u>	Period of Use From <u>4/15</u> to <u>10/31</u>
Quantity <u>8.4 AF</u>	Use <u>Stock</u>	Period of Use From <u>4/15</u> to <u>10/31</u>
Quantity <u>8.4 AF</u>	Use <u>Irrigation</u>	Period of Use From <u>4/15</u> to <u>10/31</u>

4. 8.4 AF TOTAL QUANTITY USED.
(cfs or af)

5. A) Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____
Sec. 21 Township 11S Range 43E B.M., Bear Lake County; additional points of diversion, if any: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch etc.). Give sizes and capacities. Be specific. Describe any changes in the system and give the date of the change.

It is a small spring that we water cows out of and we dam it off in June to flood the surrounding meadow - the channel is quite small maybe 1-2 feet. The dam is also small depending on the amount of water anywhere from 2-10 feet - we periodically have to clean the ditch and repair the small dam because cows baffle on it and change its shape.

6. A) Describe the place of use within each 40-acre tract in the appropriate box using the symbols listed below. If the use is for irrigation, describe the location by listing the number of irrigated acres within each 40-acre tract.

D - domestic, S - stockwater, M - municipal, C - Commercial, I - Industrial, X - other

Twp	Rge	Sec	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	43E	16												X					
11S	43E	21					X												

TOTAL ACRES _____

- B) If water is used for purposes other than irrigation, fully describe the use. Be specific. we use it to water cows and irrigate the small meadow around it.

NOTE: Include here the type and number of stock watered.

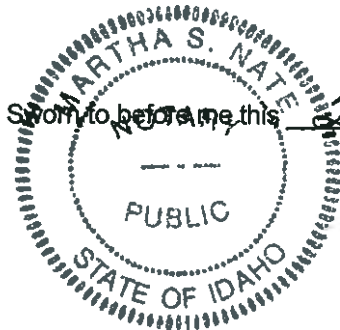
7. Remarks: GPS POD N 42° 27.513' W 111° 54.411'

8. **Map** -- Attach an 8½"x11" map clearly identifying the point of diversion and the place of use by 40-acre subdivisions, section, township and range of the public land survey system. (A photocopy of a USGS 7½ minute topographic quadrangle map is preferred.) Attach an **aerial photograph** of the place of use if available.

State of Idaho)
County of Bear Lake) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the forgoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Claimant's Signature (and title if claim is for an organization)
Bartels Law LLP
Melba Bartels Owner
Subscribed before me this 29 day of April, 2010.
Notary Public Christa S. Tate
Residing at: Georgetown, Idaho
My commission expires: 7/24/2015



FOR DEPARTMENT USE ONLY

Received by _____ Date _____
Prelim. check by _____ Date _____
Fee \$100 Receipt # 5035738
Receipt prepared by DK Date 4-14-10

Published in _____
Publication dates _____
Publication checked by _____ Date _____
Exceptions filed by _____



Claim 11-7656 Bartschi Land LLLP



0 0.05 0.1 0.2 0.3 0.4 Miles

Prepared by Denise Kidman
On December 14, 2010
2009 Aerial Photography

11- 7668



Instrum # 208178
BEAR LAKE COUNTY
8-23-2010 02:17:52 No. of Pages: 3
Recorded for: RACINE OLSON NYE BUDGE & BAILEY
KERRY HADDOCK Fee: 16.00
Ex-Officio Recorder Deputy
Index to: WARRANTY DEED
Cindy Garner

DEED

THIS DEED is made and executed by MELBA C. BARTSCHI, as personal representative of THE ESTATE OF DON F. BARTSCHI, DECEASED, and MELBA C. BARTSCHI as an individual (collectively "Grantor"), to BARTSCHI LAND, LLLP, an Idaho limited liability limited partnership, hereinafter referred to as the ("Grantee"), whose address is 4565 Nounan Road, Montpelier, Idaho 83254.

WHEREAS, Melba C. Bartschi is the qualified personal representative of said estate, filed as Probate Case Number SP-01-00058 in Bear Lake County, Idaho;

THEREFORE, in accordance with the provisions of Uniform Probate Code as set forth in Title 15 of the Idaho Code, Grantor hereby grants, sells, transfers and conveys to Grantee all of the Grantor's interest in the following described real property in Bear Lake County, Idaho:

SEE ATTACHED EXHIBIT A

This conveyance shall include any and all appurtenances, estate, right, title, interest, tenements, hereditaments, reversions, remainders, easements, rents, issues, profits, rights-of-way and water rights in anywise appertaining to the property herein described, as well in law as in equity.

It is anticipated that, in the future, a portion of the property including the residence on such property will be transferred to Melba C Bartschi as an individual.

[Signature on next page]

RECEIVED

AUG 26 2010

208178

DATED this 12th day of August, 2010.

Melba C. Bartschi

MELBA C. BARTSCHI

As Personal Representative of the Estate of
Don F. Bartschi, Deceased, and as an
individual

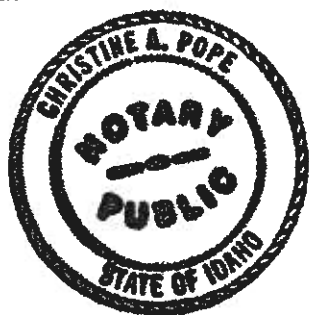
STATE OF IDAHO)

: ss.

County of Bear Lake

On this 12th day of August, 2010, before me, a notary public, personally appeared MELBA C. BARTSCHI, known to me to be the person whose name is subscribed to the within instrument as personal representative of THE ESTATE OF DON F. BARTSCHI, DECEASED and as an individual, and acknowledged to me that she executed the same as such personal representative and as an individual.

(SEAL)



Christine A. Pope
NOTARY PUBLIC FOR IDAHO
Residing at: Bear Lake County
My Commission Expires: 01-26-2016

RECEIVED

AUG 21 10

11- 7668

Department of
Notary Public

PARCEL 1:
TOWNSHIP 11 SOUTH, RANGE 43 EAST OF THE BOISE MERIDIAN, BEAR LAKE COUNTY,
IDAHO:

Section 10: All that portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ lying Southerly of the North Nounan County Road as said road now exists.

Section 15: N $\frac{1}{2}$ NE $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ NW $\frac{1}{4}$; W $\frac{1}{2}$ NW $\frac{1}{4}$.

Section 16: E $\frac{1}{2}$ NE $\frac{1}{4}$; S $\frac{1}{2}$.

EXCEPT: 5 acres evenly distributed along East line of said Section 16.

ALSO: All that portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ lying South of the Nounan Oil Road.

Section 17: E $\frac{1}{2}$ SE $\frac{1}{4}$.

ALSO: All that portion of the W $\frac{1}{2}$ SE $\frac{1}{4}$ lying Easterly of the Co-op Road as said road now exists.

ALSO: All that portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ lying Southerly of the Nounan Oil Road as said road now exists.

Section 19: SW $\frac{1}{4}$ SE $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$.

Section 20: SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$; E $\frac{1}{2}$ E $\frac{1}{2}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$.

Section 21: All.

Section 28: W $\frac{1}{2}$ W $\frac{1}{2}$.

Section 29: All.

Section 30: NE $\frac{1}{4}$.

Section 32: E $\frac{1}{2}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$ NE $\frac{1}{4}$.

Section 33: NW $\frac{1}{4}$ NW $\frac{1}{4}$.

PARCEL 2:
TOWNSHIP 11 SOUTH, RANGE 43 EAST OF THE BOISE MERIDIAN, BEAR LAKE COUNTY,
IDAHO:

Section 30: Lot 4

Section 31: Lots 1; 2; 3; 4; E $\frac{1}{2}$ SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$; and SE $\frac{1}{4}$ SE $\frac{1}{4}$.

ALSO: TOWNSHIP 12 SOUTH, RANGE 43 EAST OF THE BOISE MERIDIAN:

Section 6: Lot 1.

PARCEL 3:
TOWNSHIP 11 SOUTH, RANGE 43 EAST OF THE BOISE MERIDIAN, BEAR LAKE COUNTY,
IDAHO:

SECTION 22: E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$.

SECTION 23: S $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$.

EXCEPT: That portion lying East of the Union Pacific Railroad right of way.

ALSO EXCEPT: That portion lying Northerly of the Georgetown-Nounan County Road.

SECTION 25: W $\frac{1}{2}$ NW $\frac{1}{4}$; S $\frac{1}{2}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$.

EXCEPT: All that portion of the W $\frac{1}{2}$ NW $\frac{1}{4}$ lying East of the Bear River, and that portion comprising the right of way of the Oregon Short Line Railroad through said land.

SECTION 26: N $\frac{1}{2}$ N $\frac{1}{2}$; SE $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$.

SECTION 27: SE $\frac{1}{4}$ SE $\frac{1}{4}$.

SECTION 35: N $\frac{1}{2}$ N $\frac{1}{2}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$.