

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
11-319	OK				
11-320	OK				

RECEIVED

DEC 16 2009

Department of Water Resources
Eastern Region

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. \$25.00 ea \$50.00
- 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 on file with the county Planning and Zoning or Recorder's Office).
OR
- D. 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 or equivalent **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)

Charles Bartschi

SUPPORT DATA

IN FILE # 11-319

4. New Owner/Claimant(s)

Bartschi Land LLP

+ Nelka Bartschi

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

4565 Noonan Rd

City, State and ZIP Code

Montpelier Idaho 83254

New Telephone Number

(208) 847-0318

Email: bartschiranch@yahoo.co

5. Date you acquired the property

June 2001

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature(s) of New Owner(s) or Claimant(s) Bartsche Land (trust) Melba Bartsche
 (title if applicable) owner

 (title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____ Date _____
 Received by DK Date 4-14-10
 Processed by _____ AJ Date _____

Receipt Amt. _____
 Receipt No. E035738
 WR _____ Date _____



Idaho Department of Water Resources

Water Right 11-319 and 11-320



Legend

-  POD
-  11-319
-  Township/Range
-  Sections
-  QQ

0 0.1 0.2 0.4 0.6 0.8 Miles

Prepared by Denise Kidman
On November 18, 2009
2004 Aerial Photography



DATE OF
PRIORITY

AMOUNT IN
SECOND FEET

POINT OF DIVERSION AND
PLACE OF USE

(b) 1876—May 1

0.3 c.f.s

To be diverted from Chugg Spring, which rises 30 rods South and 5 rods West of the Northeast corner of the Southwest quarter of the Southeast quarter of Section 17, said township and range.

The water decreed in the above paragraphs (a) and (b) is for the irrigation of 55 acres in the Southeast quarter of the Southeast quarter and the Northeast quarter of the Southeast quarter of said Section 17.

38. *Fred Bartschi:*
1889—May 1

0.2 c.f.s.

To be diverted through a ditch diverting on the land immediately hereinafter described for the irrigation of 10 acres in the Northwest quarter of the Northwest quarter of Section 22, said township and range.

39. *Charles Bartschi:*

1885—May 1 11-319

0.2 c.f.s.

1893—May 1 11-320

1.2 c.f.s.

To be diverted through a ditch diverting about 40 rods South of the Northeast corner of the Southwest quarter of the Northeast quarter of Section 20, Township 11 South, Range 43 East, B. M., for the irrigation of 70 acres in the Northeast quarter of the Northeast quarter of Section 20, the Northwest quarter of the Northwest quarter of Section 21, said township and range.

PEARL CREEK

40. *Budge Land & Live Stock Company:*
1883—May 1

6.0 c.f.s.

To be diverted by means of five (5) ditches diverting from said Pearl Creek, having their intakes as follows:

(a) At a point 1 degree 15 minutes East 630 feet from the quarter corner on the West boundary of Section 31, Township 10 South, Range 43 East, B. M.

(b) At a point North 63 degrees East 1572 feet from the quarter corner aforesaid.

(c) At a point South 1211 feet from the quarter corner on the North boundary of Section 31, Township 10 South, Range 43 East, B.M.

(d) At a point South 31 degrees 40 minutes East 1045 feet from the quarter corner on the North boundary of Section 31, Township 10 South, Range 43 East, B. M.

Warranty Deed

25-72

This instrument was the _____ day of March in the year of our Lord
between Charles Bartschi and Bertha Bartschi,
County of Bear Lake, State of Idaho, parties of the first
part and Charles W. Bartschi
County of Bear Lake
part y of the second part:

WITNESSETH, That the portion of the first part, for and in consideration of the sum of _____ DOLLARS,
lawful money of the United States of America to them in hand paid by the said part y of the second part, the receipt
whereof is hereby acknowledged, he ve granted, bargained, sold, aliened, remise, released, conveyed and confirmed, and by
these presents do GRANT, BARGAIN, SELL, ALIEN, REMISE, RELEASE, CONVEY and CONFIRM, unto the said
part y of the second part, and to his heirs and assigns forever, all that certain piece or parcel of land, situated in
the county of Bear Lake, State of Idaho, and known and described as follows, to-wit:

The northeast quarter (NE $\frac{1}{4}$) of the northeast quarter (NE $\frac{1}{4}$) Section
twenty (20) and the northwest quarter (NW $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of Section
twenty one (21) in Township eleven (11) south Range 43 east Boise Meridian, containing
eighty (80) acres of land.

(\$2.00 cancelled I. Revenue stamps attached to original Deed.)

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereto belonging, or in any wise apper-
taining, and the rents, issues and profits thereof, and also, all the estate, right, title, interest, property, possessions, claim and
demand whatsoever, as well in law as in equity, of the said parties of the first part, of, in or to said premises, and every part
and parcel thereof, with the appurtenances.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the said part y
of the second part, and to his heirs and assigns forever, and the said parties of the first part, and their heirs and
said premises, in the quiet and peaceable possession of the said part y of the second part, his heirs and assigns,
against the said parties of the first part, and their heirs, and against any and all persons who may lawfully claim
therein, the same, both and with warrant and by their heirs and assigns forever.

(48.00 cancelled I. Revenue stamps attached to original Deed.)

TO HAVE AND TO HOLD, with all and singular the tenements, hereditaments and appurtenances thereto belonging, or in any wise appertaining, and the rents, issues and profits thereof, and also, all the estate, right, title, interest, property, possessions, claim and demand whatsoever, as well in law as in equity, of the said part.ies. of the first part, of, in or to said premises, and every part and parcel thereof, with the appurtenances.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the said part.y. of the second part, and to his. heirs and assigns forever, and the said part.ies. of the first part, and their. heirs, the said premises, in the quiet and peaceable possession of the said part.y. of the second part, his..... heirs and assigns, against the said part.ies. of the first part, and their heirs, and against any and all persons whosoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said part.ies. of the first part have hereunto set their. hand and seal. s the day and year first above written.

Signed, Sealed and Delivered in the Presence of

D. C. Kunz.

Charles Bartschi. (SEAL)

Bertha Bartschi. (SEAL)

United States of America.

STATE OF IDAHO,

County of Bear Lake

On this 21st day of March in the year of our Lord one thousand nine hundred and nineteen, before D. C. Kunz, a Notary Public

Charles Bartschi and Bertha Bartschi, his wife, within and for said County and State, personally appeared personally known to me to be the person s whose name s are subscribed to the within instrument, and duly acknowledged to me that they executed the same.

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

D. C. Kunz.

(seal)

Notary Public.

Recorded at request of Charles Bartschi at 2:05 o'clock P.M., this 17th day of May A. D. 1919

S. H. Rich.

County Recorder.

Fee, \$ 1.00

Deputy.

29/222

THIS INDENTURE made the third day of October in the year of our Lord one thousand nine hundred and twenty five, between Charles W. Bartschi and his wife, Sybil Bartschi of Nounan County of Bear Lake, State of Idaho, part 18 of the first part, Heber S. Crane of Nounan County of Bear Lake State of Idaho part V of the second part:

WITNESSETH, That the parties of the first part, for and in consideration of the sum of Two Thousand and No/100 DOLLARS lawful money of the United States of America to them in hand paid by the said part Y of the second part, the receipt whereof is hereby acknowledged, ha ve granted, bargained, sold, aliened, remised, released, conveyed and confirmed, and by these presents do GRANT, BARGAIN, SELL, ALIEN, REMISE, RELEASE, CONVEY and CONFIRM unto the said part Y of the second part, and to his heirs and assigns forever, all that certain piece or parcel of land, situated in the County of Bear Lake, State of Idaho, and known and described as follows, to-wit:

The North east quarter of the north east quarter of Section twenty (20) and the West half of the North west quarter of the northwest quarter of Section twenty one (21) in Township eleven (11) South of Range Forty three (43) East of the Boise Meridian, containing 60 acres more or less.

Together with all water and water right thereunto belonging or in anywise appertaining

\$2.00 Cancelled I. R. Stamps attached.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereto belonging, or in any wise appertaining, and the rents, issues and profits thereof, and also all the estate, right, title, interest, property, possessions, claim and demand whatsoever, as well in law as in equity, of the said parties of the first part, of, in or to said premises, and every part and parcel thereof, with the appurtenances.

[illegible]

\$2.00 Cancelled I. R. Stamps attached

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereto belonging, or in any wise apper-
ing, and the rents, issues and profits thereof, and also all the estate, right, title, interest, property, possessions, claim and demand
tsoever, as well in law as in equity, of the said part...ies of the first part, of, in or to said premises, and every part and parcel
eof, with the appurtenances.

TO HAVE AND TO HOLD, All and singular, the said premises, together with the appurtenances, unto the said part...y...
he second part, and to his..... heirs and assigns, forever, and the said part...ies of the first part, and their.....
s, the said premises in the quiet and peaceable possession of the said part...y.... of the second part, ...his.....
s and assigns, against the said part...ies.. of the first part, and their..... heirs, and against any and all persons whosoever,
fully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said part...ies. of the first part have..... hereunto set their..... hand s and
....., the day and year first above written.

Signed, Sealed and Delivered in the Presence of

E. L. McClave

Charles W. Bartschi (SEAL)

Sybil Bartschi (SEAL)

STATE OF IDAHO, }
County of Bear Lake. } ss.

UNITED STATES OF AMERICA

On this.....third..... day of.....October..... in the year of our Lord one thousand nine hundred and
Twenty Five..... before.....Edwin L. McClave a Notary Public
in and for said County and State, personally appeared.....Charles W. Bartschi and his wife, Sybil Bartschi,
.....personally known to me to be the person...swhose name...sare
scribed to the within instrument, and duly acknowledged to me that.....they..... executed the same,
IN WITNESS WHEREOF, I have hereunto set my hand and.....Notarial..... seal, the day and year in this
ificate above written.

Edwin L. McClave

My Commission expires March 8th, 1928.

Notary Public Residence, Montpelier,
Idaho.

Recorded at request of E. L. McClave

9:55 o'clock A. M. this 9th

day of October A. D. 1925.

J. S. Peterson

County Recorder.

Deputy

QUITCLAIM DEED

For Value Received

HEBER J. SMITH, a single man

do hereby convey, release, remise and forever quit claim unto

DON FRED BARTSCHI and MELBA C. BARTSCHI
Husband and Wife

the following described premises, to-wit:

Undivided $\frac{1}{2}$ interest in the following described property

TOWNSHIP 11 SOUTH, RANGE 43 EAST OF THE BOISE MERIDIAN

Parcel A: Sec. 9: E1/2 NE1/4 and NE1/4 SE1/4
Parcel B: Sec. 10: SW1/4 NW1/4 and W1/2 SW1/4
Parcel C: Sec. 15: W1/2 NW1/4
Parcel D: Sec. 16: E1/2 NE1/4 and S1/2, except 5 acres
evenly distributed along East line of
said Section
Parcel E: Sec. 19: SW 1/4 SE1/4
Parcel F: Sec. 20: E1/2 E1/2, SW1/4 NE1/4 and SE1/4 NW1/4
Parcel G: Sec. 21: N1/2, SE1/4, N1/2 SW1/4, SW1/4 SW1/4
Parcel I: Sec. 30: NE1/4
Parcel J: Sec. 32: E1/2 NE1/4, NW1/4 NE1/4
Parcel K: Sec. 33: W1/2 W1/2 NE1/4, E1/2 NW1/4, NW1/4 NW1/4
Parcel H: Sec. 22, E1/2 SE1/4, and SW1/4 SE1/4.
SUBJECT TO ALL PUBLIC ROAD RIGHT-OF-WAYS and
MORTGAGE TO FEDERAL LAND BANK, REAL ESTATE TAXES,
EASEMENTS and RESTRICTIONS OF RECORD

together with their appurtenances.

Dated: December 10, 1975

Heber J. Smith

HEBER J. SMITH

STATE OF IDAHO, COUNTY OF Bear Lake
On this 10th day of December, 1975,
before me, a notary public in and for said State, personally
appeared

HEBER J. SMITH

known to me to be the person whose name
subscribed to the within instrument, and acknowledged to
me that he executed the same.

Notary Public
Idaho
Commission Expires

STATE OF IDAHO, COUNTY OF Bear Lake.

I hereby certify that this instrument was filed for record at
the request of Bear Lake Title Co.

at 10 o'clock of the 4th day of March
1976, in my office, and duly recorded in ~~XXXXX~~
~~XXXXX~~ Microfilm Records.

Betty Wallentine

By
Fees 1.00
Mail to

INSTRUMENT NO.

107604

Instrument # 208178

BEAR LAKE COUNTY

8-23-2010 02:17:52 No. of Pages: 3

Recorded for : RACINE OLSON NYE BUDGE & BAILEY

KERRY HADDOCK

Ex-Officio Recorder Deputy

Index to: WARRANTY DEED

Fee: 16.00

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 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 20 2010

Department of
County Clerk

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 27

Department of
Law

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 $\frac{1}{2}$ NE $\frac{1}{4}$.

Section 33: NW $\frac{1}{2}$ 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 8: 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 $\frac{1}{4}$.

RECEIVED

AUG 26 2010

Department of Lands
Lands Division