

DEW

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)
35-8941	N/A	N/A. OK			

RECEIVED
OCT 24 2008

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

Department of Water Resources
Eastern Region

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- 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)

L. Burgemeister & Son's : L.Y.O.
720 Filmore
American Falls, Idaho 83211

4. New Owner/Claimant(s)

Kevin Lynn Burgemeister
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

2402 Quigley Rd

City, State and ZIP Code

American Falls, Idaho 83211

New Telephone Number

(208) 226-5478 Email:

5. Date you acquired the property

June 11-2008

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)

Kevin Lynn Bangerter

(title if applicable)

(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 BMK
 Received by BMK
 Processed by _____ AJ

 Date 10/24/08
 Date 10/24/08
 Date _____

 Receipt Amt. \$25.00
 Receipt No. E034542
 WR _____ Date _____

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
2240 E. Center
Pocatello, ID 83201

Instrument # 194117

POWER COUNTY, IDAHO

2008-06-13

10:09:42 No. of Pages: 3

Recorded for : FIRST AMERICAN TITLE

CHRISTINE STEINLICH

Ex-Officio Recorder Deputy

Fee: 9.00

Linda Ammer

31

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **260189-P (sg)**

Date: **June 11, 2008**

For Value Received, **L. Burgemeister and Sons, LTD., a limited partnership**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Kevin Lynn Burgemeister, an unmarried man**, hereinafter called the Grantee, whose current address is **2402 Quigley Road, American Falls, ID 83211**, the following described premises, situated in **Power County, Idaho**, to-wit:

KB

Legal Description attached hereto as Exhibit A, and by this referenced incorporated herein.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

L. Burgemeister and Sons, LTD., a limited partnership

Kenneth N. Burgemeister
By: Kenneth N. Burgemeister, General Partner

STATE OF Idaho

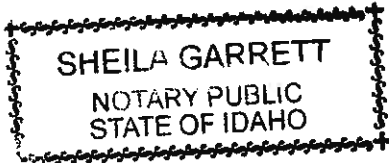
)
ss.

COUNTY OF Power

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On this 12th day of June, 2008, before me, a Notary Public in and for said State, personally appeared **Kenneth N. Burgemeister**, known or identified to me to be one of the partners in the partnership of **L. Burgemeister and Sons, LTD., a limited partnership**, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.





Notary Public of Idaho
Residing at: Inkom
Commission Expires: 9-17-2011

3-3

EXHIBIT A

PARCEL 1:

PARCEL OF LAND IN SECTIONS 33 AND 34, TOWNSHIP 6 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE W1/16 CORNER ON THE SOUTH LINE OF SAID SECTION 34, MONUMENTED WITH A 5/8" REBAR WITH ALUMINUM CAP STAMPED PLS 843; THENCE NORTH 89°57'49" WEST ALONG THE SOUTH LINE OF SAID SECTION 34 A DISTANCE OF 1287.09 FEET; THENCE FROM A TANGENT BEARING OF NORTH 76°29'54" WEST ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1047.92 FEET, THROUGH A CENTRAL 250°04'55", FOR AN ARC LENGTH OF 4573.91 FEET TO A POINT ON THE W1/16 LINE OF SAID SECTION 34; THENCE SOUTH 0°03'15" EAST ALONG SAID W1/16 LINE 1136.89 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM: A PARCEL OF LAND IN THE SW1/4SW1/4 OF SECTION 34, TOWNSHIP 6 SOUTH, RANGE 29 EAST OF THE BOISE MERIDIAN IN POWER COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 34 WHICH IS MARKED BY A 5/8" REBAR AND ALUMINUM CAP PLS 843; THENCE EAST ALONG THE SOUTH LINE OF SAID SECTION 740.44 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 00°05'26" WEST 30.00 FEET TO A 1/2" REBAR AND PLASTIC CAP PLS 843, SAID POINT BEING ON THE NORTHERLY RIGHT OF WAY LINE OF NORTH PLEASANT VALLEY ROAD; THENCE NORTH 00°05'26" WEST 201.39 FEET TO A 1/2" REBAR AND PLASTIC CAP PLS 843; THENCE EAST 504.24 FEET TO A 1/2" REBAR AND PLASTIC CAP PLS 843 ON THE WESTERLY RIGHT OF WAY OF QUIGLEY ROAD; THENCE SOUTH 05°09'59" WEST ALONG SAID RIGHT OF WAY A DISTANCE OF 155.46 FEET TO A 1/2" REBAR AND PLASTIC CAP PLS 843; THENCE WEST 66.18 FEET TO A 1/2" REBAR AND PLASTIC CAP PLS 843; THENCE SOUTH 00°05'26" EAST 46.56 FEET TO A 1/2" REBAR AND PLASTIC CAP PLS 843, SAID POINT BEING ON THE NORTHERLY RIGHT OF WAY LINE OF NORTH PLEASANT VALLEY ROAD; THENCE SOUTH 00°05'26" EAST 30.00 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 34; THENCE WEST ALONG SAID SOUTH LINE 423.82 FEET TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM: BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 6 SOUTH, RANGE 29 E.B.M., POWER COUNTY, IDAHO; THENCE NORTH ONE MILE; THENCE WEST 50 FEET; THENCE SOUTH ONE MILE; THENCE EAST 50 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

THE W1/2W1/2 OF SECTION 3, TOWNSHIP 7 SOUTH, RANGE 29 EAST, BOISE MERIDIAN, POWER COUNTY, IDAHO, EXCEPTING THE FOLLOWING DESCRIBED REAL PROPERTY:

BEGINNING AT THE NORTHWEST CORNER OF LOT 4 IN SAID SECTION 3; THENCE EAST 150 FEET; THENCE SOUTH 90 FEET; THENCE WEST 150 FEET; THENCE NORTH 90 FEET, MORE OR LESS TO THE POINT OF BEGINNING.

KNB. KB

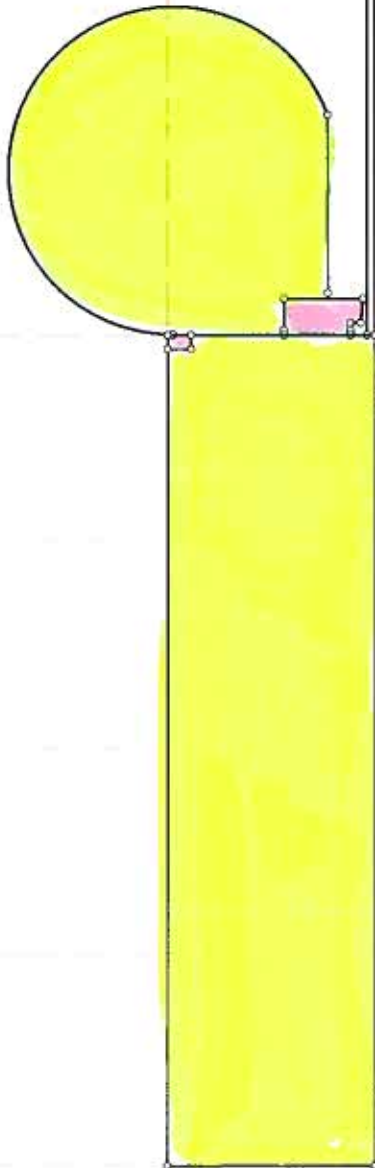


S33,34 T6S R29E, S3 T7S 29E
Tract# 2640

0.08 0 0.08 0.16 0.24 0.32 Miles



Map Printed: Sep 27, 2005



Included
Exceptional

Title:

Date: 10-28-2008

Scale: 1 inch = 1223 feet

File:

Data and Deed Call Listing of File:

Tract 1: 83.536 Acres: 3638824 Sq Feet: Closure = s48.1125e 402.34 Feet: Precision =1/17: Perimeter = 6998 Feet
Tract 2: 1.156 Acres: 50342 Sq Feet: Closure = n89.5959w 740.48 Feet: Precision =1/ 3: Perimeter = 2198 Feet
Tract 3: 6.061 Acres: 264000 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 10660 Feet
Tract 4: 160.000 Acres: 6969600 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 13200 Feet
Tract 5: 0.310 Acres: 13500 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/999999: Perimeter = 480 Feet

001=/se,sw,sw,34,6s,29e

002=n89.5749w 1287.09

003: Rt, R=1047.92, Arc=4573.91, Delta=250.0455

004=s0.0315e 1136.89

005=@0

006=/sw,34,6s,29e

007=n90e 740.44

008=n00.0526w 30.00

009=n00.0526w 201.39

010=n90e 504.24

011=s05.09w 155.46

012=n90w 66.18

013=s00.0526e 46.56

014=s00.0526e 30.00

015=n90w 423.82

016=@0

017=/se,sw,sw,34,6s,29e

018=n00e 5280

019=n90w 50

020=s00e 5280

021=n90e 50

022=@0 w,w,3,7s,29e

023=/SE,SE,SE,3,7S,29E

024=/N00E 5280.00

025=/N90W 3960.00

026=S00W 5280.00

027=N90W 1320.00

028=N00E 5280.00

029=N90E 1320.00

030=@0

031=/nw,3,7s,29e

032=n90e 150

033=s00e 90

034=s90w 150

035=n00e 90