

No Color

Documents

In File

RECEIVED

SEP - 4 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED Department of Water Resources

SEP 02 2003

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

WATER RESOURCES
WESTERN REGION

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 division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
<u>57 - 10231</u>					

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

- 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 usually attached to your deed or on file with the county).

OR

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 **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) John + Shirley ITANO
Box 838 Homedale ID. 83628
4. New Owner/Claimant(s) DOUG OR JANICE BURGESS
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 2725 mule sp Rd.
- City, State and ZIP Code Homedale ID 83628
- New Telephone Number (208) 337 84094
5. Date you acquired the property 3-1-01

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 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 (one water right per box, you may copy this page as 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(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Doug Burgess Jamie Burger
(include title if applicable)

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.

For Office Use Only

Received by <u>DH</u>	Date <u>9-2-03</u>	Fee <u>\$25 -</u>
Received by <u>DH</u>	Date <u>9-2-03</u>	Receipt No. <u>W030888</u>
Processed by _____	AJ Date _____	WR _____ Date _____

PC 1736

DAB
AB

WARRANTY DEED

FOR VALUE RECEIVED **BRUCE D. MALMBERG** and **MERLE L. MALMBERG**,
husband and wife

the Grantors, do hereby grant, bargain, sell and convey unto **DOUGLAS A. BURGESS** and **JANICE K. BURGESS**, husband and wife

the Grantees, whose address is **2050 OLD HIGHWAY 95, JORDAN VALLEY, OR 97910**

the following described premises, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE:

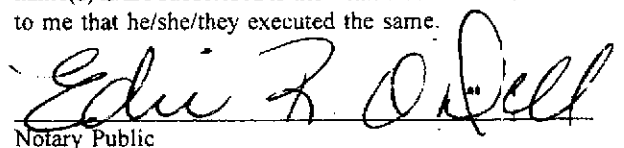
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 2001 and subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: March 1, 2001


BRUCE D. MALMBERG

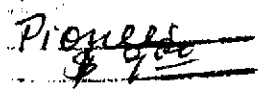

MERLE L. MALMBERG

STATE OF IDAHO
COUNTY OF CANYON
On this 5th day of MARCH, 2001, before me, a notary public,
personally appeared **BRUCE D. MALMBERG AND MERLE L. MALMBERG**, known or identified to me to be the person(s) who(se)
name(s) is/are subscribed to the within instrument and acknowledged
to me that he/she/they executed the same.


Notary Public
Residing at Nampa, Id
My commission expires: 4/17/2003



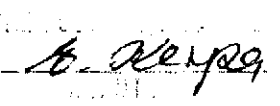
235247



PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

FILED - RECORDED
01 MAR -9 AM 10:03

BY 

423 SOUTH KIMBALL
CALDWELL, ID 83605

DAB
AKB

EXHIBIT "A"

Real estate located in the County of Owyhee and State of Idaho, to-wit:

PARCEL I:

In Township 2 North, Range 5 West, Boise Meridian, Owyhee County, Idaho.

Section 5: NW1/4 SE1/4, S1/2 SE1/4

Section 8: NW1/4 NE1/4, NE1/4 NW1/4

PARCEL II:

In Township 2 North, Range 5 West, Boise Meridian, Owyhee County, Idaho.

Section 8: E1/2 NE1/4

PARCEL III:

In Township 2 North, Range 5 West, Boise Meridian, Owyhee County, Idaho.

Section 8: N1/2 N1/2 SW1/4 SE1/4, N1/2 N1/2 SE1/4 SE1/4, N1/2 SE1/4, E1/2 SE1/4
NW1/4, SW1/4 NE1/4

EXCEPTING:

This parcel is a portion of the Northeast Quarter of the Northeast Quarter of Section 8, Township 2 North, Range 5 West, Boise Meridian, Owyhee County, Idaho, and is more particularly described as follows:

BEGINNING at the Northeast corner of said Northeast Quarter of the Northeast Quarter; thence

South 0° 10'13" West along said East boundary of said Northeast Quarter of the Northeast Quarter a distance of 1045.16 feet; thence

North 89° 49'47" West a distance of 427.17 feet; thence

North 10° 11'12" East a distance of 149.29 feet; thence

North 30° 22'36" East a distance of 241.91 feet; thence

North 19° 47'24" East a distance of 305.84 feet; thence

North 11° 26'51" East a distance of 408.60 feet to a point on the North boundary of said Northeast Quarter of the Northeast Quarter; thence

South 89° 59'47" East along said North boundary a distance of 96.90 feet to the TRUE POINT OF BEGINNING.

ALSO EXCEPTING:

This parcel is a portion of the Northeast Quarter of the Southeast Quarter of Section 8, Township 2 North, Range 5 West, Boise Meridian, Owyhee County, Idaho, and is more particularly described as follows:

COMMENCING at the Southeast corner of said Northeast Quarter of the Southeast Quarter; thence

North 0° 10'13" East along said East boundary of said Northeast Quarter of the Southeast Quarter a distance of 550.61 feet to the TRUE POINT OF BEGINNING; thence

North 89° 49'47" West at right angles a distance of 242.70 feet; thence

North 24° 53'24" East 62.28 feet; thence

North 65° 06'36" West a distance of 8.00 feet; thence

North 24° 53'24" East a distance of 20.00 feet; thence

South 65° 06'36" East a distance of 8.00 feet; thence

North 24° 53'24" East a distance of 175.00 feet; thence

North 86° 55'34" East a distance of 135.33 feet to a point on said East boundary; thence

South 0° 10'13" West along said East boundary a distance of 241.36 feet to the TRUE POINT OF BEGINNING.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-10231

1996 DEC -3 AM 10:43
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

NAME & ADDRESS: SHIRLEY J ITANO
JOHN H ITANO
BOX 838
HOMEDALE ID 83628

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 12/31/1940

POINT OF DIVERSION: T02N R05W S08 NENESE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE DOMESTIC 1 HOME	PERIOD OF USE 01-01 12-31	QUANTITY 0.04 CFS
-------------------------------	-----------------------------------	------------------------------	----------------------

PLACE OF USE: DOMESTIC Within Owyhee County
T02N R05W S08 NESE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

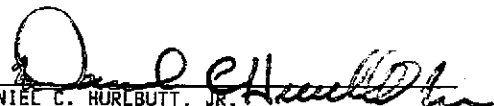
DATED: DEC - 3 1996


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

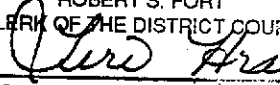
DATED: DEC - 3 1996

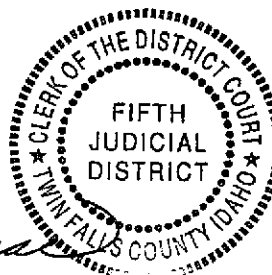

DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 57-10231

State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a
full, true and correct copy of the
original on file in the above entitled
action.

ROBERT S. FORT
CLERK OF THE DISTRICT COURT

By 
DEPUTY CLERK





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 10, 2005

DOUGLAS A BURGESS
JANICE K BURGESS
2725 MULE SP RD
HOMEDALE ID 83628

RE: Change of Ownership for Water Right 57-10231

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

for 
Jeff Peppersack, Manager
Water Right Permits Section

JP:klm
Enclosure