

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

#41980

RECEIVED**SEP 11 2006****DEPARTMENT OF
WATER RESOURCES**

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

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
45-7002					

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**.

Name and Address of Former Owner/Claimant(s) Dutchmen Manufacturing, Inc.
2164 Caragana Court
Goshen, IN 46526

New Owner/Claimant(s) City of Burley
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address P. O. Box 1090

City, State and ZIP Code Burley, ID 83318

New Telephone Number (208) _____

Date you acquired the property July 7, 2006

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 _____

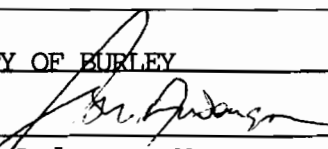
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	

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	_____	

Signature of New Owner(s) or Claimant(s) CITY OF BURLEY
(include title if applicable)

By: 
Jon Anderson, Mayor

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 _____	Date _____	Fee <u>25.00</u>
Received by <u>AMB</u>	Date <u>9.11.06</u>	Receipt No. <u>6082120</u>
Processed by _____	AJ Date _____	WR _____ Date _____

WARRANTY DEED

#41980

309481

For Value Received

Dutchmen Manufacturing, Inc., a Delaware corporation

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

City of Burley, a municipal corporation

**Address: P. O. Box 1090
Burley, Idaho 83318**

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

PARCEL NO. 1:

TOWNSHIP 10 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 22: A portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, more particularly described as follows:

Commencing at the Southeast corner of said Section 22, marked by an aluminum cap, Thence along the East line thereof North 00°11'40" West 142.08 feet to a P.K. nail set thereon; Thence leaving said East line North 87°13'55" West 542.17 feet to a ½ inch rebar and the True Point of Beginning.

Thence continuing North 87°13'55" West 65.04 feet to a ½ inch rebar;
Thence North 00°11'40" West 98.15 feet to a ½ inch rebar;
Thence North 89°48'20" East 93.50 feet to a ½ inch rebar;
Thence South 00°11'40" East 78.15 feet to a ½ inch rebar;
Thence North 88°10'10" West 13.63 feet to a ½ inch rebar;
Thence South 00°11'40" East 6.67 feet to a ½ inch rebar;
Thence North 88°10'10" West 14.12 feet to a ½ inch rebar;
Thence South 02°25'02" West 17.70 feet to the True Point of Beginning.

PARCEL NO. 2:

A perpetual, non-exclusive access easement for ingress and egress for the benefit of Parcel No. 1, more particularly described as follows:

TOWNSHIP 10 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 22: A portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, more particularly described as follows:

Commencing at the Southeast corner of said Section 22, marked by an aluminum cap, Thence along the East line thereof North 00°11'40" West 142.08 feet to a P.K. nail set thereon; Thence North 87°13'55" West 25.03 feet to a point on the West line of the county road easement and the True Point of Beginning;

Thence North 87°13'55" West 517.14 feet to a ½ inch rebar;
Thence continuing North 87°13'55" West 65.04 feet to a ½ inch rebar;

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

2003 JUL 7 AM 11 50

FILED
ORDER
DEPUTY
46

CASSIA COUNTY, IDAHO
LARRY A. MICKELSEN

309481

Thence South 00°11'40" East 25.03 feet;
Thence South 87°13'55" East 582.18 feet to a point on the West line of the county road easement,
from which a P.K. nail bears South 87°13'55" East 25.03 feet;
Thence along said West line North 00°11'40" West 25.03 feet to the Point of Beginning.

TOGETHER WITH State of Idaho, Department of Water Resources water right no. 45-7002.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2006 and subsequent years.

Assessments of the Burley Irrigation District and the rights and powers of said District as by law provided.

Powerline Easement from Thead J. Hanks and Mae T. Hanks, husband and wife, to the Idaho Power Company, a corporation, dated March 28, 1957 and recorded January 22, 1958 as Instrument No. 195948 in Book 15 of Miscellaneous in the office of the County Recorder of the County of Cassia, State of Idaho.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: July 6, 2006

DUTCHMEN MANUFACTURING, INC.

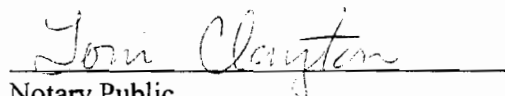
By: 

Richard W. Florea, President

STATE OF INDIANA)

COUNTY OF Kosciusko) ss.

On this 6th day of July, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Richard W. Florea**, known or identified to me to be the President of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.



Notary Public

Residing at:

My Commission expires:

