

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

RECEIVED**JUL 05 2005**

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.

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
34-13735?					
+ 34-13734					

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) DIANNA BAXTER BILL SCHMIDT
COTTONWOOD GROVE RANCHES
4. New Owner/Claimant(s) Karen Jacobsen / Matt Burke
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
- New Mailing Address PO Box 3403
- City, State and ZIP Code Ketchum ID. 83340
- New Telephone Number (208) 726-3702
5. Date you acquired the property AUG 25, 1997

SUPPORT DATA
IN FILE # 34-13734

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 <u>34-00712C</u>		
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	<u>.66 CFS</u>	<u>ALFALFA</u>
Stock		<u>Ø</u>
Domestic		<u>Ø</u>
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 <u>34-00712C</u>		
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	<u>.4 CFS</u>	<u>ALFALFA</u>
Stock		<u>Ø</u>
Domestic		
Other		
Total		

7.

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

Karen Johnson
Matthew Burke

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 _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

BIG LOST RIVER IRRIGATION DISTRICT

P.O. BOX 205
MACKAY, ID 83251
(208) 588-2231

Invoice**DATE****INVOICE #**

4/1/2003

03-165

BILL TO:

Karen Jacobsen #401B-1
Matt Burke
P.O. Box 3403
Ketchum, ID 83340

DESCRIPTION**AMOUNT**

Class 1
Assess. Exp.
No owner

Irrigable Acres
Assessment Expense per account
or user of decreed water will be permitted to store water
in reservoir until assessments are paid.
credits commence only when payment is received and are
not retroactive.
hours notice should be given to Ditchrider on request for
changes in water delivery, either turning on or off.
have an accurate measuring device to receive your water.
Due: May 1, 2003

10

6.95
25.00

69.50
25.00

Decree

FORTY EIGHT

YOU MUST
Payment

*Pd
ck#1049
FF
MB/KS
5/9/03*

TOTAL**\$94.50**

Big Lost River Irrigation District
P.O. Box 205
Mackay, Idaho 83251

Watermaster #34
P.O. Box 53
Mackay, ID 83251

CERTIFICATE OF SALE

Dear Member:

In order to change our records, whether it is for an approved transfer of water rights or for the recorded sale of property, we must have this form completed and returned to both Big Lost River Irrigation District (BLRID) and Watermaster #34. The BLRID will also require a copy of the recorded deed. Your assistance and cooperation is greatly appreciated. Please note we shall continue our records unchanged until these documents are received. Thank you!

SELLER Danna Bayler BUYER KAREN JACOBSEN / MATT BURKE
ADDRESS PO Box 263 ADDRESS PO Box 3403 PO Box 661
CITY/ST/ZIP Mackay ID 83251 CITY/ST/ZIP KETCHUM ID 83340

WATER RIGHTS

Water Right Number	Priority Date	Decree Inches	Storage Inches
-----------------------	------------------	------------------	-------------------

PROPERTY DESCRIPTION

Township	Range	Section	Quarters	Acres
<u>7</u>	<u>24</u>	<u>17/20</u>	<u>TOTAL ACRES</u>	<u>10.28</u>

Type of Measuring Device installed _____

Signature Danna Bayler Date 1-13-98
of
Seller Continued River Ranches LLC Date _____

Signature Karen Jacobsen Date 1-13-98
of
Buyer Matt Burke Date 1-13-98

BLRID USE ONLY: Class _____ Acreage _____ Asses3. Adj. _____ Amt. Paid _____

Orig. Owner _____ Account #- _____

COMMENTS: _____ date rec'd _____ by: _____

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 34-00712C

1997 DEC 30 PM 3: 58

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

NAME & ADDRESS: DIANNA BAXTER
PO BOX 263
MACKAY ID 83251

SOURCE: BIG LOST RIVER TRIBUTARY: SINKS

QUANTITY: 0.66 CFS

PRIORITY DATE: 06/01/1894

POINT OF DIVERSION: T07N R23E S12 NWNWSE Within CUSTER County

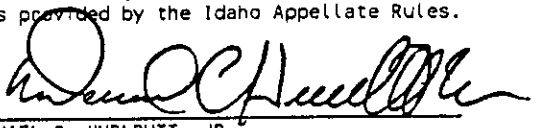
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.66 CFS

PLACE OF USE:	IRRIGATION	Within CUSTER County
	T07N R24E S17	SWSW 2 SESW 27
	29 ACRES TOTAL	

USE OF THIS RIGHT WITH RIGHT NO. 34-00711C IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 29 ACRES IN A SINGLE
IRRIGATION SEASON.

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.


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

Doug Jones

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
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 34-00711C

1997 DEC 30 PM 3:48
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME & ADDRESS: DIANNA BAXTER
PO BOX 263
MACKAY ID 83251

SOURCE: BIG LOST RIVER TRIBUTARY: SINKS

QUANTITY: 0.4 CFS

PRIORITY DATE: 04/22/1884

POINT OF DIVERSION: T07N R23E S12 NWNWSE Within CUSTER County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION Irrigation Season 0.4 CFS

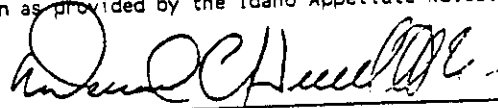
PLACE OF USE: IRRIGATION Within CUSTER County
T07N R24E S17 SWSW 2 SESW 27
29 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 34-00712C IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 29 ACRES IN A SINGLE
IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 20 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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.



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

34712 Bill Schmidt

34712 A Schmidt
B Spangler
~~VOIR C Baxter~~

↓
SEC 17 / 9 AC RIGHTS

SEC 20 / 24 AC.

712C SPLIT no longer valid

US? 34-13735

Baxter

SE/SW/22H20

³⁴⁻13736

Gwen

McCallister

7 AC H2O

CUSTER COUNTY TITLE, INC.
P.O. Box 370
720 MAIN ST.
Challis, ID 83226
(208) 879-4424
(208) 879-5249 FAX

February 3, 2003

RE: Our Order No. 9593 Baxter - Burke/Jacobsen

Matt Burke/Karen Jacobsen
P.O. Box 3403
Ketchum, ID 83340

Dear Matt and Karen:

Please find enclosed the original recorded Corrected Warranty Deed from Dianna Baxter, correcting the vesting and releasing the restrictions.

If there is to be a new easement, Dianna will need to grant that with a separate legal and by separate instrument.

Please call if you have any questions.

Respectfully,

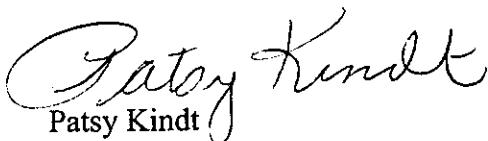

Patsy Kindt

EXHIBIT "A"

COPY

A parcel of land located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, and in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 20, Township 7 North, Range 24 East of the Boise Meridian described as follows:

Commencing at the South quarter corner of said Section 17 ($\frac{1}{2}$ " rebar w/aluminum cap found - P.L.S. Erickson) which is THE TRUE POINT OF BEGINNING;

Thence South 0° 42' 25" East, 129.94 feet along the approximate East boundary of the NW $\frac{1}{4}$ of Section 20 to a point on the existing fence line ($\frac{1}{2}$ " rebar w/cap set); thence North 77° 33' 12" West, 149.70 feet along an existing fence line to a point at an existing fence corner ($\frac{1}{2}$ rebar w/cap set); thence North 56° 26' 14" West, 175.44 feet along an existing fence line to a point on said fence line and on the boundary between said Sections 17 & 20 (said point lying South 89° 50' 00" West, 290.77 feet from the quarter corner common to Sections 17 & 20); thence continuing North 56° 26' 14" West, 195.91 feet along an existing fence line to a point at an existing fence corner ($\frac{1}{2}$ " rebar w/cap set); thence North 28° 23' 52" West, 324.88 feet along an existing fence line to a point at an existing fence corner ($\frac{1}{2}$ " rebar w/cap set); thence North 61° 18' 11" East, 19.07 feet along an existing fence line to a point at an existing fence corner ($\frac{1}{2}$ " rebar w/cap set); thence North 05° 57' 36" East, 392.96 feet along an existing fence line to a point at an existing fence corner ($\frac{1}{2}$ " rebar w/cap set); thence South 89° 41' 04" East, 561.31 feet to a point on an existing fence line ($\frac{1}{2}$ " rebar w/cap set); thence South 0° 44' 50 " West, 790.38 feet along an existing fence line to THE TRUE POINT OF BEGINNING.

Together with a right-of-way easement appurtenant granted by the parcel of the north (designated parcel #1). Said easement consists of a 15 foot wide right-of-way described as follows:

Commencing at the NE corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17 ($\frac{1}{2}$ " rebar w/cap found PLS #3577):

Thence South 0°44'50" West, 131.76 feet along the east boundary of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ to a point at the intersection of said boundary and the approximate centerline of an existing county roadway ("Old Loop Rd.") which is THE POINT OF BEGINNING ($\frac{1}{2}$ " rebar w/cap set):

Thence continuing South 0°44'50' West, 407.71 feet along an existing fenceline to a point on said fenceline ($\frac{1}{2}$ " rebar w/cap set): Thence North 89°41'04" West, 15.00 feet to a point: Thence North 0°44'50" West, 423.83 feet to a point on the approximate centerline of an existing county roadway ("Old Loop Rd."): Thence South 42°17'46" East, 21.98 feet along the approximate centerline of an existing county roadway ("Old Loop Rd.") to THE POINT OF BEGINNING.

Together with a utility easement appurtenant granted by the parcel to the north (designated parcel #1). Said easement consists of a 10 foot wide strip described as follows:

BEGINNING at the NW corner of parcel #1 ($\frac{1}{2}$ " rebar w/cap set): Thence South 89°43'25" East, 10.00 feet along an existing fenceline to a point: Thence South 09°57'27" East, 22.57 feet parallel to an existing fenceline to a point:

CORRECTED WARRANTY DEED

For Value Received, DIANNA BAXTER, President, COTTONWOOD GROVE RANCHES, L.L. C., (Dianna Baxter is a Licensed Idaho Real Estate Agent, dealing with her own property) Grantors, do hereby grant, bargain, sell and convey unto MATT BURKE AND KAREN JACOBSEN, husband and wife, whose current address is: P.O. BOX 3403, Ketchum, Idaho 83340

the following described premises in Custer County, Idaho, to-wit:

SEE ATTACHED EXHIBIT "A" attached hereto and incorporated by reference herein as though set forth at large. Said property is in Custer County, Idaho and contains about TEN acres, more or less.

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 of said premises; that they are free from all encumbrances excepting therefrom all covenants, conditions and restrictions of record and all easements of sight and of record as recorded in the records of Custer County, Idaho, and the they will warrant and defend the same from all lawful claims whatsoever.

There is an encumbrance owing to William Lee Schmidt & Jill Schmidt. Instrument No. 212478. COTTONWOOD GROVE RANCHES, LLC. shall clear this property from said encumbrance pursuant to the terms and conditions of a Sale Agreement between these parties dated August 25, 1997.

DB

**This Deed corrects and releases all restrictions contained in said Deed recorded September 2, 1997, as instrument No. 214140, records of Custer County, Idaho.

Dated: 1-30-03

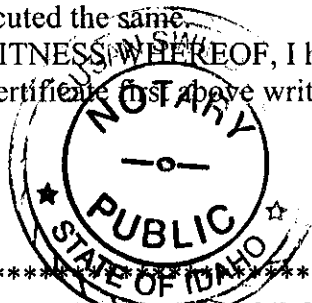
Dianna Baxter

DIANNA BAXTER, President, COTTONWOOD GROVE RANCHES, L.C.

STATE OF Idaho) ss.
COUNTY OF Custer)

On this 30th day of January In the year 2003, before me, a Notary Public in and for said State, personally appeared Dianna Baxter known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that she executed the same.

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



Susan Swindell
Notary Public for the State of Idaho
Residing at: Challis
Commission Expires: 7-21-2004

STATE OF IDAHO, COUNTY OF CUSTER

I hereby Certify that this instrument was filed for record at the request of Custer County Title, at 45 minutes past 4 o'clock P M, this 30th day of January, 2002, in my office, and duly recorded in Book _____ of Satisfactions, at Page _____

Ethel M. Peak
Ex-Officio Recorder

Fees: \$ 6.00
Mail to: CC T

BY: Lura Laughlin
Deputy