

WARRANTY DEED

FOR VALUE RECEIVED

Francis A. Visborg and Loretta P. Visborg, husband and wife

GRANTOR(s) do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

Daniel A. Baumgartner, an unmarried man

GRANTEE(s) whose address is: 3805 East 52nd South Street, Mountain Home, Idaho 83647

the following described real property in ELMORE County, Idaho to wit:

Parcel 1:

Township 4 South, Range 7 East, Boise Meridian, Elmore County, Idaho

Section 17: Part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, described as follows:

Beginning at a point on the South line of said Section 17, from which the South Quarter Corner bears South 89°50' East 884.86 feet; thence
 North 0°07' East 957.90 feet; thence
 North 89°50' West 220.47 feet; thence
 South 0°07' West 957.90 feet to a point; thence
 South 89°50' East 220.47 feet to the Point of beginning

Parcel 2:

Township 4 South, Range 7 East, Boise Meridian, Elmore County, Idaho

Section 17: Part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, described as follows:

Beginning at a point on the South line of said Section 17, from which the South Quarter Corner bears South 89°50' East 1105.33 feet; thence
 North 0°07' East 957.90 feet; thence
 North 89°50' West 220.47 feet to a point on the West line of SE $\frac{1}{4}$ SW $\frac{1}{4}$; thence
 South 0°07' West 957.90 feet along said West line of SE $\frac{1}{4}$ SW $\frac{1}{4}$; thence
 South 89°50' East along the South line of said Section 17, 220.47 feet to the Point of Beginning.

Subject to: Taxes, easements and restrictions of record.

TO HAVE AND TO HOLD said premises, with their 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 they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: February 6, 2004

Francis A. Visborg
 Francis A. Visborg

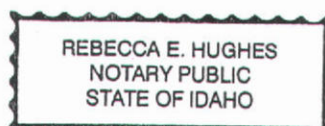
Loretta P. Visborg
 Loretta P. Visborg

State of IDAHO

County of ELMORE

On February 6, 2004, before me, a notary public in and for said State, personally appeared Francis A. Visborg and Loretta P. Visborg, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.



Rebecca E. Hughes
 Notary Public
 Residing at: Mountain Home, Idaho
 Commission Expires: 04/20/04

1/30/10

MAR 10 2004

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

RECEIVED
 FEB 18 2004

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

Department of Water Resources

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
61-07448					

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)

Visburg

4. New Owner/Claimant(s)

DANIEL BAUMGARTNER

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

New Mailing Address

3805 E 52nd St

City, State and ZIP Code

MTN. HOME IDAHO 83647

New Telephone Number

(208) 678 5173

5. Date you acquired the property

2-6-04

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MAR 10 2004

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)

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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) _____
(include title if applicable)

Daniel Baumgartner

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 <i>PMC</i>	Date <i>2-18-04</i>	Fee <i>\$25.00</i>
Received by <i>PMC</i>	Date <i>2-18-04</i>	Receipt No. <i>0022732</i>
Processed by _____	AJ Date _____	WR _____ Date _____

MAILING LABEL
MAR 10 2004

WARRANTY DEED

VALUE RECEIVED

Francis A. Visborg and Loretta P. Visborg, husband and wife

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Subject to: Taxes, easements and restrictions of record.

TO HAVE AND TO HOLD said premises, with their 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 they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: February 6, 2004

Francis A. Visborg
 Francis A. Visborg

Loretta P. Visborg
 Loretta P. Visborg

State of IDAHO

County of ELMORE

On February 6, 2004, before me, a notary public in and for said State, personally appeared Francis A. Visborg and Loretta P. Visborg, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

REBECCA E. HUGHES
 NOTARY PUBLIC
 STATE OF IDAHO

Rebecca E. Hughes
 Notary Public
 Residing at: Mountain Home, Idaho
 Commission Expires: 04/20/04 ~~REDA~~
 1/30/10

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 61-07448

REC JAN 20 AM 10:58

DISTRICT - 5-003A
TWIN FALLS, IDAHO

NAME & ADDRESS: LORETTA VISBORG
FRANK VISBORG
3805 E 52ND S
MOUNTAIN HOME ID 83647

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 05/27/1981

POINT OF DIVERSION: T04S R07E S17 SESW Within ELMORE County

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

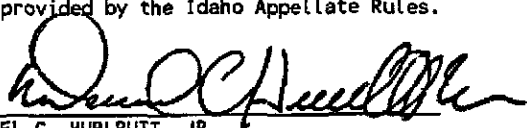
PLACE OF USE: DOMESTIC Within ELMORE County
T04S R07E S17 SESW

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.

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

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 61-07448

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PAGE 1
JAN-15-1998

JAN 20 1999

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MAR 10 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 18, 2004

DANIEL A BAUMGARTNER
3805 E 52ND SO
MOUNTAIN HOME ID 83647

RE: Change of Ownership for Water Right 61-7448

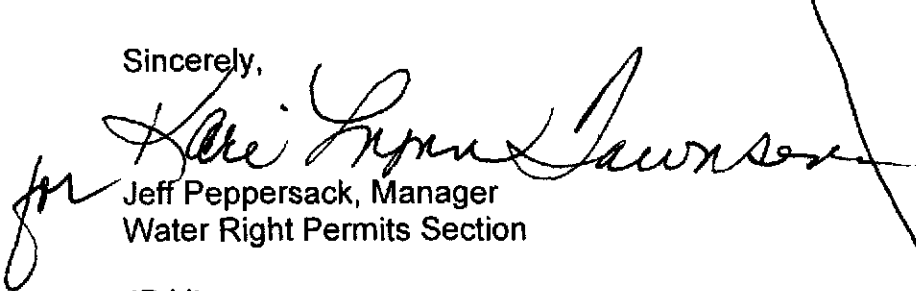
Dear Water Right Holder(s):

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. Also enclosed is a receipt for the \$25.00 filing fee.

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:klt

Enclosures

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