

RECEIVED

SEP 30 2004

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

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
<u>31-00238</u>	_____	___	<u>31-00126</u>	_____	___
<u>31-00239</u>	_____	___	<u>31-00167</u>	_____	___
<u>31-00125</u>	_____	___	<u>31-00323</u>	_____	___
<u>31-00127</u>	_____	___	<u>31-00128</u>	_____	___
<u>31-00124</u>	_____	___	<u>31-11600</u>	_____	___
			<u>31-7313</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) Don M. Burtenshaw & Beverly T. Burtenshaw
1603 North 1000 E., Terreton ID 83450
4. New Owner/Claimant(s) Brian F. VanderSloot
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
3526 Spring Creek Drive
 New Mailing Address _____
 City, State and ZIP Code Idaho Falls, ID 83404
 New Telephone Number () _____
5. Date you acquired the property September 20, 2003

SUPPORT DATA

IN FILE # 31-124

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) Brian F. VanderSloot
(include title if applicable) Brian F. VanderSloot

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 JC Date 9-22-04 Fee \$275-
 Receipted by JC Date 9-22-04 Receipt No. E030277
 Processed by _____ AJ Date _____ WR _____ Date _____

Microfilm No. **050553**
7 Day March 20 04
At 9:20 O'Clock A M
CONNIE S. OWEN
Clark Co. Recorder
Fee \$ 18-
Becky Nordstrom Deputy
Recorded at Request of
Rigby, Thatcher

WARRANTY DEED

FOR VALUE RECEIVED, DON M. BURTENSHAW and BEVERLY T.

BURTENSHAW, husband and wife, of 1603 North 1000 East, Terreton, Idaho 83450, hereinafter called "Grantors," do hereby grant, bargain, sell, warrant and convey unto **BRIAN F.**

VANDERSLOOT, of 3526 Spring Creek Drive, Idaho Falls, Idaho 83404, hereinafter called "Grantee," the following described real property located in Clark County, State of Idaho, to-wit:

Township 9 North, Range 36 East of the Boise Meridian, Clark County, Idaho:

- Section 1: All
- Section 2: Government Lots 1, 2, 3 and 4
S $\frac{1}{2}$ NE $\frac{1}{4}$
SE $\frac{1}{4}$
E $\frac{1}{2}$ SW $\frac{1}{4}$
- Section 3: S $\frac{1}{2}$
- Section 4: SE $\frac{1}{4}$ lying East of the centerline of the Railroad Tracks.
S $\frac{1}{2}$ NE $\frac{1}{4}$ lying East of the centerline of the Railroad Tracks.
- Section 9: All that part lying East of the centerline of the Railroad Tracks.
- Section 10: W $\frac{1}{2}$ NW $\frac{1}{4}$
SE $\frac{1}{4}$ NW $\frac{1}{4}$
NE $\frac{1}{4}$
- Section 11: All
- Section 12: All
- Section 13: N $\frac{1}{2}$
SE $\frac{1}{4}$
E $\frac{1}{2}$ SW $\frac{1}{4}$
SW $\frac{1}{4}$ SW $\frac{1}{4}$ excepting therefrom that portion lying West of the Easterly poles of the existing power line.
NW $\frac{1}{4}$ SW $\frac{1}{4}$ excepting therefrom the Southerly 495 feet lying West of the Easterly poles of the existing power line.
- Section 14: N $\frac{1}{2}$
E $\frac{1}{2}$ SW $\frac{1}{4}$

N $\frac{1}{2}$ SE $\frac{1}{4}$ excepting therefrom the Southerly 495 feet.

Section 15: SE $\frac{1}{4}$ SW $\frac{1}{4}$

Excepting therefrom the Westerly 251 feet thereof.

NW $\frac{1}{4}$

Excepting therefrom that part of W $\frac{1}{2}$ NW $\frac{1}{4}$ lying South and West of the following described existing fence: Beginning at the Northwest Section Corner of Section 15, Township 9 North, Range 36 East of the Boise Meridian, Clark County, Idaho; running thence South along the common Section line between Sections 15 and 16 (assumed bearing = S0°E) an approximate distance of 884 feet to a point in an existing corral fence separating animal corrals from an adjacent potato field with a circular, rotary sprinkling system, which point is the TRUE POINT OF BEGINNING; thence approximately S63°E along the existing fence line an approximate distance of 737 feet; thence S53°E along the existing fence line approximate distance of 416 feet; thence approximately S32°E an approximate distance of 525 feet to the quarter quarter section line between the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and the SE $\frac{1}{4}$ NW $\frac{1}{4}$; thence South along the quarter quarter section line (between the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 15), approximately 673 feet to the Southeast corner of SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 15.

Section 16: The North 884 feet of that portion of the N $\frac{1}{2}$ NE $\frac{1}{4}$ lying between the centerline of the Union Pacific Railroad Tracks and the common (North-South) Section line between Sections 16 and 15.

Section 24: Government Lot 1 and 2

W $\frac{1}{2}$ NE $\frac{1}{4}$

NW $\frac{1}{4}$ lying East of the Easterly poles of the existing power line.

Township 9 North, Range 37 East of the Boise Meridian, Clark County, Idaho:

Section 5: N $\frac{1}{2}$
N $\frac{1}{2}$ SW $\frac{1}{4}$

Section 6: All

Section 7: All

Section 8: NW $\frac{1}{4}$
W $\frac{1}{2}$ NE $\frac{1}{4}$

Section 17: SE $\frac{1}{4}$ SE $\frac{1}{4}$
SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 18: All

Section 19: Government Lots 1 and 2

E $\frac{1}{2}$ SW $\frac{1}{4}$
W $\frac{1}{2}$ SE $\frac{1}{4}$
NE $\frac{1}{4}$ SE $\frac{1}{4}$
E $\frac{1}{2}$ NW $\frac{1}{4}$
NE $\frac{1}{4}$

Section 20: E $\frac{1}{2}$ NE $\frac{1}{4}$
W $\frac{1}{2}$ NW $\frac{1}{4}$
NW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 21: W $\frac{1}{2}$ NW $\frac{1}{4}$

Township 10 North, Range 36 East of the Boise Meridian, Clark County, Idaho:

Section 25: SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 26: SW $\frac{1}{4}$
SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 34: E $\frac{1}{2}$
E $\frac{1}{2}$ W $\frac{1}{2}$
NW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 35: N $\frac{1}{2}$, S $\frac{1}{2}$ S $\frac{1}{2}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$

Township 10 North, Range 37 East of the Boise Meridian, Clark County, Idaho:

Section 19: Government Lot 4
E $\frac{1}{2}$ NE $\frac{1}{4}$
SW $\frac{1}{4}$ NE $\frac{1}{4}$
W $\frac{1}{2}$ SE $\frac{1}{4}$
E $\frac{1}{2}$ SW $\frac{1}{4}$

Section 20: All

Section 21: S $\frac{1}{2}$

Section 28: N $\frac{1}{2}$ NW $\frac{1}{4}$

Section 29: NE $\frac{1}{4}$ NE $\frac{1}{4}$
S $\frac{1}{2}$ N $\frac{1}{2}$
NE $\frac{1}{4}$ SW $\frac{1}{4}$
N $\frac{1}{2}$ SE $\frac{1}{4}$

Section 30: S $\frac{1}{2}$

Section 31: Government Lots 1, 2 and 4

E $\frac{1}{2}$ NW $\frac{1}{4}$
 SE $\frac{1}{4}$ SW $\frac{1}{4}$
 S $\frac{1}{2}$ SE $\frac{1}{4}$
 NE $\frac{1}{4}$

Section 32: S $\frac{1}{2}$ SW $\frac{1}{4}$
 SE $\frac{1}{4}$

TOGETHER WITH the United States Bureau of Land Management Grazing Leases and State of Idaho Grazing Leases which shall be assigned by Sellers to Buyers, described as follows:

1. Bureau of Land Management Grazing Leases:
 - A. No. 06033 - Camas Butte - 324 Sheep AUMs
 - B. No. 06035 - Needle Butte - 211 Sheep AUMs
 - C. No. 15005 - Airport - 1031 Cow and Horse AUMs
2. State of Idaho Grazing Leases to the following property:
 - A. Twp. 10 N., Rge. 36, East, Boise Mer.
 -Section 36: All
 - B. Twp. 9 N., Rge. 37 East, Boise Mer.,
 -Section 17: SE $\frac{1}{4}$ SW $\frac{1}{4}$ & W $\frac{1}{2}$ SE $\frac{1}{4}$
 -Section 19: SE $\frac{1}{4}$ SE $\frac{1}{4}$
 -Section 20: SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
 E $\frac{1}{2}$ NW $\frac{1}{4}$ & W $\frac{1}{2}$ NE $\frac{1}{4}$
 -Section 29: N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$

TOGETHER WITH any and all water and water rights, licenses and permits and all other water rights, described as follows:

Water Right No.	Priority Date	Water Amount (c.f.s.)	Water Source
31-00238	May 15, 1888	2.46	Camas Creek
31-00239	June 1, 1897	1.92	Camas Creek
31-00125	June 4, 1906	1.40	Camas Creek
31-00127	October 8, 1910	3.00	Camas Creek
31-00124	September 21, 1911	6.40	Camas Creek
31-00126	January 2, 1912	6.20	Camas Creek
31-00167	February 26, 1912	2.38	Camas Creek

Water Right No.	Priority Date	Water Amount (c.f.s.)	Water Source
31-00323	August 30, 1913	10.00	Camas Creek
31-00128	June 6, 1914	1.60	Camas Creek
31-11600	May 5, 1951	13.15	Camas Creek
Total Camas Creek		48.51	
31-7313	2/26/1979	.05	Underground [Domestic & Livestock] at Lambing Sheds

ALSO TOGETHER WITH all fences, corrals, loading chutes, grain bins, and lambing sheds on the premises, and all other appurtenances and improvements thereto, now existing or hereafter acquired.

SUBJECT TO all existing easements, claims of easements, and rights-of-way, of record or in existence, for highways, roads, stock driveways, trails, ditches, power lines, transmission lines, natural gas pipelines, railroad lines and sidings; patent reservations; mining claims; protective covenants, zoning ordinances, and applicable building codes, laws and regulations; encroachments, overlaps, boundary line disputes, discrepancies between fence lines and boundaries, and other matters which would be disclosed by an accurate survey or inspection of the premises; and accruing 2003 property taxes and assessments.

ALSO SUBJECT TO United States Department of Agriculture, Conservation Reserve Program Contracts described as follows:

A.S.C.S. Field Nos.	Acreage	Approx. Sec. Location
718-43	44.40	Sec. 6, Twp. 9 N., Rge. 37 E.
718-44	222.70	Sec. 5, Twp. 9 N., Rge. 37 E.
718-45	22.70	Sec. 6, Twp. 9 N., Rge. 37 E.
722- 2	66.90	Secs. 19 & 20, Twp. 10 N., Rge. 37 E.
722- 3	125.00	Secs. 19 & 20, Twp. 10 N., Rge. 37 E.

Subject to a purchase money Real Estate Mortgage with Grantee as Mortgagor and Grantors as Mortgagees, securing payment of \$2,000,000.00 plus interest.

The total acreage of the deeded property (not excluding roads and easements) is approximately 12,000 acres, more or less.

Grantors covenant and warrant that fee simple title to the above described property is conveyed to Grantees by this Deed free from all other encumbrances, except those listed above.

DATED This 20th day of September, 2003.

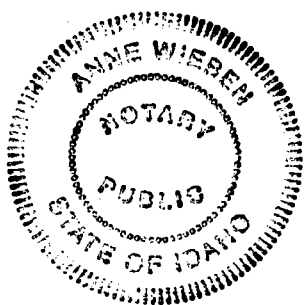
003. 
Don M. Burtenshaw

Beverly T. Burtenshaw
Beverly T. Burtenshaw

Acknowledgment

[illegible]

On this 24th day of March, 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared **Don M. Burtenshaw** and **Beverly T. Burtenshaw**, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.



Anne Wilson
Notary Public for Idaho
Residing at: Rexburg
My Commission Expires: 7/27/07