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STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): 27-07144
Adjudication Claim No(s): _____
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant L. BURMAN and L. LAMONT HESS
4. New Owner/Claimant(s) L. LAMONT HESS *
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or ☒ PO Box 508
 New Mailing Address 235 ROCKY DUGWAY RD SODA SPRINGS ID
 City, State and ZIP Code MANTUA UT 84324 83276
 New Telephone Number (435) 750-7267
5. Date you acquired the property 3-5-98
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) See attached letter for signature Date _____
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

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INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at **Item 1**. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at **Item 3**.
4. The name, mailing address, and telephone number of the new owner(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6**.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

State of Idaho
District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

RECEIVED

JUN 08 1999

Department of Water Resources

Dear Sir,

This letter is to inform you that I became of owner of the property and water rights (27-07144) on the 5th day of March, 1998. I have included documentation verifying this action.

Please change ownership of the well from Lawrence Burham to James J. Ortowski Family Protection Trust.
Mr. Lamont Hess as noted on the document remains as a co-owner.

Please forward all future correspondence to:

James Ortowski
235 Rocky Dugway Rd.
Mantua UT 84324

Phone numbers are
(Day) 435-750-7267
(Eve) 435-734-2507
(Fax) 435-750-7243

If you have any questions concerning this, please give me a call.

Sincerely



Jim Ortowski

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JUL 12 2000

Caribou Title

1:30 p.m. this 6th day of Nov 98 in my office and

Order No. 14834

WARRANTY DEED

Eddie Izatt

Deputy

6th day of Nov 98

THIS INDENTURE, made this 5th day of March, 1998, between THE LAURENCE R. BURNHAM AND ROSAMOND E. BURNHAM REVOCABLE FAMILY TRUST AGREEMENT, of 1202 Citation Court, Soda Springs, Idaho, hereinafter called First Party, and THE JAMES JOSEPH ORTOWSKI FAMILY PROTECTION TRUST, of 235 East Rocky Dugway Road, Mantua, Utah 84324 hereinafter called Second Party:

WITNESSETH: that the said First Party, for and in consideration of the sum of THIRTY-SEVEN THOUSAND FIVE HUNDRED AND NO/100THS DOLLARS, lawful money of the United States of America, to said First Party in hand paid by the said Second Party, the receipt of which is hereby acknowledged, does by these presents, Grant, Bargain, Sell and Convey and Confirm unto said Second Party, and to said Second Party's successors and assigns forever: All that certain lot, piece or parcel of land situate, lying and being in the County of Caribou, State of Idaho, more particularly described as follows:

Lots 2 and 3, Block 3, Caribou Blue Landing Subdivision, according to the official plat thereof, as recorded in the office of the County Recorder of Caribou County, Idaho, under recorder's instrument No. 71394.

TOGETHER WITH an Easement for purposes of maintaining a well, pump, well house, and appurtenances thereto, dated by the acknowledgement date of June 9, 1987, recorded August 20, 1987, under recorder's instrument No. 132427.

TOGETHER WITH 2 shares of a well, pump, pump house, and appurtenances thereto.

SUBJECT TO the burdens and rights of that certain Joint Well Agreement, dated by the acknowledgement date of June 9, 1987, recorded August 28, 1987, under recorder's instrument No. 132426; and that certain Agreement dated November 10, 1988, recorded November 18, 1988, under recorder's instrument No. 135535; both in the microfilm records of Caribou County, Idaho.

TOGETHER with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

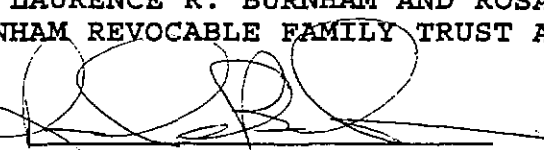
TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereunto incident unto the said Second Party, and to its successors and assigns forever, and the said First Party shall and will warrant and by these present forever defend.

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IN WITNESS WHEREOF, the said First Party has hereunto set its hand and seal, the day and year first above written.

THE LAURENCE R. BURNHAM AND ROSAMOND E.
BURNHAM REVOCABLE FAMILY TRUST AGREEMENT

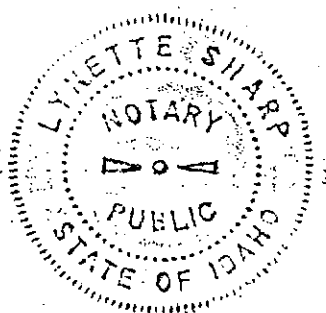
By: 

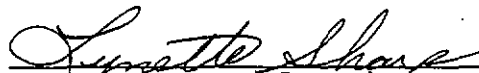
RICHARD BURNHAM, Trustee

STATE OF IDAHO)
 : ss.
County of Caribou-)

On this 5th day of March, 1998, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Richard Burnham, known to me to be the person whose name is subscribed to the within instrument as Trustee of The Laurence R. Burnham and Rosamond E. Burnham Revocable Family Trust Agreement, and acknowledged to me that he executed the same as such Trustee.

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




NOTARY PUBLIC for the State of Idaho
Residing at : Soda Springs, Idaho
Commission expires: 11/8/99

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CLOSING INSTRUCTIONS

TO: CHICAGO TITLE INSURANCE COMPANY OF IDAHO
and CARIBOU LAND TITLE, INC.

RE: Order No. 14834

Sales Price: \$37,500.00

The Laurence R. Burnham and Rosamond E. Burnham Revocable Family Trust Agreement, hereinafter called Seller, agrees to sell and James Joseph Ortowski Family Protection Trust, hereinafter called Buyer, agrees to buy the following described property:

Caribou County, Idaho:

Lots 2 and 3, Block 3, Caribou Blue Landing Subdivision, according to the official plat thereof, as recorded in the office of the County Recorder of Caribou County, Idaho, under recorder's instrument No. 71394.

1. Title of Seller shall be conveyed by Warranty Deed.
2. Seller agrees to furnish Buyer with an Owner's Policy of Title Insurance at a cost of \$314.00. The parties agree that Caribou Land Title Inc., d/b/a Caribou Title, shall furnish said Policy. Seller hereby certifies that all recorded obligations are as stated in the Commitment for Title Insurance, and that there are no outstanding obligations other than the ones shown therein; further, Seller affirms that Caribou Land Title, Inc., d/b/a Caribou Title, is closing this transaction relying upon such certification. Said Policy shall be subject to the following exceptions:
 - a. Taxes for 1998 accruing
 - b. Patent reservations of the United States of America
 - c. Flooding Easement (18327)
 - d. Access Road Easement per plat
 - e. Restrictions (79076)
 - f. Restrictions (81424)

g. Easement 132427
h. Well Agreement 132426
i. Agreement 135535
3. It is agreed that the "Closing Agency" for this agreement shall be Caribou Land Title, Inc., d/b/a Caribou Title.
4. Seller agrees to pay the following costs:
 - a. One-half of the closing fee (\$75.50)
 - b. Document preparation fee for the Warranty Deed (\$40.00)
 - c. Owner's Policy of Title Insurance premium (\$314.00)
 - d. Estimated pro-ration of the 1998 property taxes (\$59.63)
 - e. 2nd 1/2 of the 1997 property taxes (\$190.04)
5. Buyer agrees to pay the following costs:
 - a. One-half of the closing fee (\$75.50)
 - b. Recording fee for the Warranty Deed (\$6.00)
6. Taxes shall be pro-rated to and including March 5, 1998, and the pro-ration, based on the 1997 levy amount of \$340.08 (Parcel No. 1419), shall be \$59.63, and Seller and Buyer agree to hold Caribou Land Title, Inc., d/b/a Caribou Title, harmless for any differences based on this figure and also for not collecting the same as of date of closing. The signatories herein hereby acknowledge that there may be a difference between the amount of taxes pro-rated and the

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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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 27-07144

NAME AND ADDRESS: LAWRENCE BURHAM
285 W 4TH S
SODA SPRINGS, ID 83276

L LA MONT HESS
PO BOX 508
SODA SPRINGS, ID 83276

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS
1.20 AFY

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

PRIORITY DATE: 12/14/1979

POINT OF DIVERSION: T07S R42E S06 LOT 06 (SWSW) Within Caribou County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 2 HOMES	01-01 TO 12-31	0.04 CFS 1.20 AFY

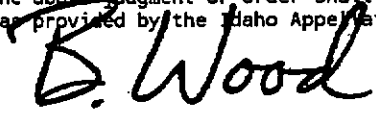
PLACE OF USE: Domestic Within Caribou County
T07S R42E S06 LOT 06 (SWSW)

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.


Barry Wood
Administrative District Judge
Interim Presiding Judge of the
Snake River Basin Adjudication

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

June 24, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JAMES J ORTOWSKI FAMILY PROTECTION TRUST
C/O JAMES ORTOWSKI
235 ROCKY DUGWAY RD
MANTUA UT 84324

RE: Decreed Water Right 27-07144

Dear Mr. Ortowski:

The department acknowledges receipt of correspondence changing ownership of the above referenced decreed water right to you and L. LaMont Hess. 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 the department if you have questions.

Sincerely,

for L. GLEN SAXTON, Chief
Water Allocations Bureau

LGS:klt

Enclosure

cc: IDWR-Eastern Region

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JUL 12 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

June 24, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

L LA MONT HESS
PO BOX 508
SODA SPRINGS ID 83276

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Please feel free to contact the department if you have questions.

Sincerely,

for L. GLEN SAXTON, Chief
Water Allocations Bureau

LGS:klt

Enclosure

cc: IDWR-Eastern Region

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