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MAR 18 2004

Department of Water Resources
Eastern Region

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

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, 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
22-151	X				
22-4018	X				
22-178A	X				

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) are 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)

Blake Dustin
PO Box 434-Driggs, ID 83422

4. New Owner/Claimant(s)

Cushman Family Trust, John C. Cushman, Trustee

check one: [] and, [] or, [] and/or

New Mailing Address

601 S. Figueroa ST., Suite 4700

City, State and ZIP Code

Los Angeles, CA 90017

New Telephone Number

(213) 629-6575

5. Date you acquired the property

May 24, 2002

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>22-151</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>3.1 CFS</u>	<u>45 Acres NW 1/4 Sec. 5, 4N, 4SE</u> <u>10 Acres SW 1/4 Sec 32, 5N 4SE</u>
Stock		(We Also believe That There Was Historical use from this Source on 45 30 Acres - SW 1/4 SW 1/4 Sec. 32, 5N, 4SE. I request That original adjudication claim be Amended To include This 30 Acres.)
Domestic		
Other		
Total	<u>3.1 CFS</u>	

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>22-4018</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>1.8 CFS</u>	<u>45 Acres NW 1/4 Sec. 5, 4N, 4SE</u> <u>10 Acres SW 1/4 Sec 32, 5N, 4SE</u>
Stock		(We Also believe That There Was Historical use from This Source on 30 Acres - SW 1/4 SW 1/4 Sec 32, 5N, 4SE. I request That The original adjudication claim be Amended To include This 30 Acres.)
Domestic		
Other		
Total	<u>1.8 CFS</u>	

7. Signature of New Owner(s) or Claimant(s) X John A. [Signature]
(include title if applicable)

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 _____

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 22-178 A

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>0.3 CFS</u>	<u>30 Acres - SW 1/4 SW 1/4</u>
Stock		<u>Sec. 32, 5N, 45E</u>
Domestic		
Other		
Total	<u>0.3 CFS</u>	

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) _____
(include title if applicable)

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

148323

T9020
RECEIVED

MAY 28 2002

TETON CO. ID
CLERK RECORDER

DEEDS, TETON, IDAHO
2002-05-28 09:12:12 No. of Pages: 2
Recorded for : FIRST AMERICAN TITLE
NOLAN G. BOYLE Fee: 6.00
Ex-Officio Recorder Deputy *R. Boyle*
Index to: DEED, WARRANTY

11,029

CO-PERSONAL REPRESENTATIVES' WARRANTY DEED

FOR VALUE RECEIVED, NORMAN C. DUSTIN and ALICE ELISON, as co-personal representatives of the estate of BLAKE N. DUSTIN, deceased, Grantors, do hereby grant, bargain, sell and convey unto CUSHMAN FAMILY TRUST, JOHN C. CUSHMAN, TRUSTEE, whose current address is 601 S. Figueroa St. Ste 4700 the following described premises in Teton County, Idaho. Los Angeles CA 90017

A tract of land lying in Teton County, State of Idaho, in Section 32, Township 5 North, Range 45 East and in Section 5, Township 4 North, Range 45 East of the Boise Meridian, and being more particularly described as follows:

Beginning at the Southwest corner of Section 32, point being the POINT OF BEGINNING; thence N 01°28'58" W along the West line of said Section 32 a distance of 2625.79 feet to the West one quarter section corner; thence N 89°52'10" E along the Latitudinal centerline of section 32 a distance of 1310.83 feet to the CenterWest one sixteenth corner; thence S 01°34'52" E a distance of 1309.58 feet to the South West one sixteenth corner; thence S 89°38'38" W 168.37 feet to the approximate centerline of the Teton River; thence following the approximate centerline of said river the following courses, S 14°30'44" E 121.27 feet; thence S 29°36'23" W 297.16 feet; thence S 39°33'43" W 65.51 feet; thence S 21°47'04" W 143.98 feet; thence S 8°18'43" W 109.66 feet; thence S 40°28'49" E 106.10 feet; thence S 83°45'13" E 230.69 feet; thence N 83°59'15" E 64.32 feet; thence S 89°49'24" E 153.81 feet; thence S 71°19'00" E 45.84 feet; thence S 55°59'53" E 184.79 feet; thence S 32°58'08" E 105.17 feet; thence S 23°17'31" E 87.64 feet; thence S 29°29'21" E 133.47 feet; thence S 30°50'44" E 88.47 feet; thence S 33°23'53" E 69.13 feet to the south line of Section 32; thence N 89°35'22" E along said south line of section a distance of 795.48 feet to the South one quarter section corner; thence S 1°15'30" E along the Meridional centerline of Section 5, Township 4 North, Range 45 East of the Boise Meridian a distance of 1329.49 feet to the Center North one sixteenth corner; thence S 89°37'05" W a distance of 2629.13 feet to the North one sixteenth corner; thence N 1°23'53" W along the West line of Section 5 a distance of 1328.23 feet to the POINT OF BEGINNING.

Subject to the rights of any roads or easements which border the property and that portion of the Teton River which lies below the ordinary high water mark.

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 the Estate of Blake N. Dustin is the owner in fee simple of said premises; that they are free from all encumbrances and that the Estate of Blake N. Dustin will warrant and defend the same from all lawful claims whatsoever.

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Grantors are the qualified co-personal representatives of said estate, filed as Case No.CV-01-078, in Teton County, Idaho;

EXECUTED this 24 day of May, 2002.

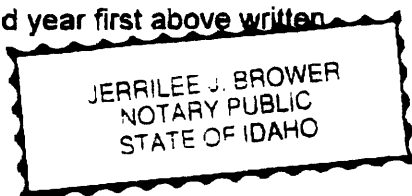
N+Norman C. Dustin
NORMAN C. DUSTIN

Alice Elison
ALICE ELISON

STATE OF IDAHO)
: ss.
County of Teton)

On this 24 day of May, 2002, before me, the undersigned, a notary public in and for said state, personally appeared NORMAN C. DUSTIN, known or identified to me to be the person whose name is subscribed to the within instrument, as Co-Personal Representative of the Estate of Blake N. Dustin, deceased, and acknowledged to me that he executed the same as such Co-Personal Representative.

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

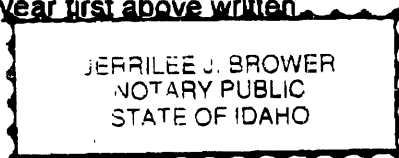


Jerrilee J. Brower
Notary Public for Idaho
My comn exprs: 2.27.04

STATE OF IDAHO)
: ss.
County of ~~Bingham~~ Teton

On this 24th day of May, 2002, before me, the undersigned, a notary public in and for said state, personally appeared ALICE ELISON, known or identified to me to be the person whose name is subscribed to the within instrument, as Co-Personal Representative of the Estate of Blake N. Dustin, deceased, and acknowledged to me that she executed the same as such Co-Personal Representative.

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



Jerrilee J. Brower
Notary Public for Idaho
My comn exprs: 2.27.04

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