



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

May 2, 2006

KARL J. DREHER
Director

RIGBY THATCHER ANDRUS RIGBY
KAM AND MOELLER CHARTERED
25 N 2ND E
REXBURG ID 83440

RE: RETURNED CHECK AND COMPLETED OWNERSHIP CHANGE 22-7169

Dear Mr. Rigby:

I am returning the attached check because a fee is not required to change the ownership on this right. A copy of the changed water right report is also attached.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

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

RECEIVED
MAY 02 2006

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
 Eastern Region

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>22-07169</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) **Byron C. Ward**
P.O. Box 7, Teton, Idaho 83451
4. New Owner/Claimant(s) **3-B, LLC**
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address **6501 East 2000 North**
- City, State and ZIP Code **Sugar City, Idaho 83448**
- New Telephone Number () _____
5. Date you acquired the property **November 5, 2003**

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) *Ray H. Baker*
(include title if applicable) **3-B, LLC Member**

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 _____

3640 313497-2

WARRANTY DEED

FOR VALUE RECEIVED, **BYRON C. WARD** and **NORMA S. WARD**, Trustees of **THE BYRON C. WARD FAMILY LIVING TRUST**, of Box 7, Teton, Idaho 83451, hereinafter called "Grantor", hereby grant, convey, remise, release, and forever warrant unto **3-B LLC**, an Idaho limited liability company having its principal place of business located at 6501 East 2000 North, Sugar City, ID 83448, hereinafter called "Grantee", the following real property located in Madison County, state of Idaho, to-wit:

Southwest Quarter; the West One-Half of the Southeast Quarter of Section 29; and beginning at a point 53 1/3 rods West of the Southeast corner of Section 29 and running thence West 26 2/3 rods, thence North 80 rods, thence East 26 2/3 rods, thence South 80 rods to the place of beginning all in Section 29, Township 7 North, Range 42 East, Boise Meridian.

EXCEPTING THEREFROM the West 35 feet of the Southwest Quarter

AND EXCEPTING THEREFROM property sold to the U.S.A.:

The Northwest Quarter of the Northwest Quarter of the Southwest Quarter of Section 29, Township 7 North, Range 42 East, Boise Meridian, **EXCEPTING** the West 35 feet of said premises. Containing 9-1/2 acres more or less.

SUBJECT TO easement to Utah Power & Light Company recorded September 9, 1977, as Instrument No. 168774; said easement being for electric transmission and distribution circuits;

AND

SUBJECT TO easement to Utah Power & Light Company recorded October 16, 1979, as Instrument No. 181033, being for underground electric transmission and distribution circuits.

Also, the following fixtures and other personal property:

IDWR Water License 22-07169
Potato storage w/ 5,000 gallon water storage tank
3 granaries
 (2) 5,800 bushel, w/ sweep & auger
 (1) 10,000 w/o auger or sweep tube
4-3/8 mile Thunderbird wheel lines

Instrument # 311434

REXBURG, MADISON, IDAHO
2004-04-19 03:05:00 No. of Pages: 2
Recorded for : ALLIANCE TITLE AND ESCROW
MARILYN R. RASMUSSEN Fee: 6.00
Ex-Officio Recorder Deputy

400 hp pump motor, well, shaft, bowls, buried mainline

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in any wise appertaining, unto the said Grantee, its heirs and assigns forever. Grantor does hereby covenant to and with the said Grantee, that they are the owner in fee simple of said premises; that they are free from all encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever, except as noted.

DATED This 16th day of April, 2004.

"GRANTOR"

THE BYRON C. WARD FAMILY LIVING TRUST

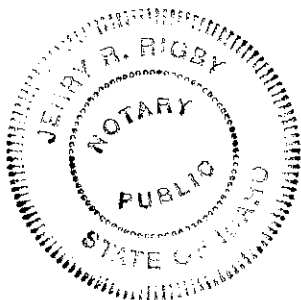
By: Byron C. Ward
Byron C. Ward, Trustee

By: Norma S. Ward
Norma S. Ward, Trustee

Acknowledgment by Trustee

STATE OF IDAHO)
 ss.
County of Madison.)

On this 16th day of April, 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared **Byron C. Ward** and **Norma S. Ward**, known to me to be the persons whose names are subscribed to the within instrument as the Trustees of **The Byron C. Ward Family Living Trust**, dated November 9, 1983, and acknowledged to me that they executed the same as such Trustees.



Jerry R. Rigby
Notary Public for Idaho
Residing at: Rexburg, Idaho
My Commission expires: 11-9-2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718

PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION
January 9, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

3B LLC
C/O PAUL BAKER
6501 E 2000 N
SUGAR CITY ID 83448

RE: CHANGE IN WATER RIGHT OWNERSHIP FOR 22-7169

Dear Mr. Baker:

It has come to our attention that you may have recently purchased a tract of land in Madison County. The property to which I am referring was most recently owned by Byron Ward. The legal description is as follows:

T07N, R42E, S29, SW1/4; SE1/4

This property was filed on in the Snake River Basin Adjudication (SRBA), and we recommend that if, in fact, you now own the property in question, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you have questions regarding this matter, please call 525-7161.

Respectfully submitted,

Jennifer Crabtree
Technical Records Specialist
Enclosure(s)