

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 29 2016

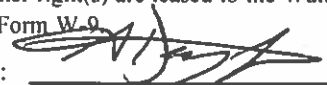
Notice of Change in Water Right Ownership

DEPT OF WATER RESOURCES
SOUTHERN REGION

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
36-4042	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: James LeRoy Wyatt and Brenda Wyatt
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Galen Dean Lusk and Candria Lusk
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
- 140 E 500 N Jerome ID 83338
Mailing address City State ZIP
- _____
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: April 21, 2016
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
7. This form must be signed and submitted with the following **REQUIRED** items:
☐ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☐ Filing fee (see instructions for further explanation):
 o \$25 per *undivided* water right.
 o \$100 per *split* water right.
 o No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature:  Title, if applicable: _____ Date: 04/20/2016
 Signature:  Title, if applicable: _____ Date: 04/20/2016
 Signature of new owner/claimant Signature of new owner/claimant

For IDWR Office Use Only:

Received by  Date 4-29-2016 Receipt No. 5035429 Receipt Amt. \$25-
 Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐
 Name on W-9 _____ Approved by _____ Processed by _____ Date _____



Instrument # 2161480
JEROME COUNTY, JEROME, IDAHO
04-22-2016 10:32:12 AM No. of Pages: 3
Recorded for: TITLEONE - JEROME
MICHELLE EMERSON Fee: \$16.00
Ex-Officio Recorder Deputy: jw
Electronically Recorded by Simplifile

Order Number: 16266632

Warranty Deed

For value received,

James LeRoy Wyatt and Brenda Wyatt, husband and wife

the grantor, does hereby grant, bargain, sell, and convey unto

Galen Dean Lusk and Candria Lusk, husband and wife, as community property with right of survivorship

whose current address is 140 E 500 N Jerome, ID 83338

the grantee, the following described premises, in Jerome County, Idaho, to wit:

PARCEL NO. 1:

TOWNSHIP 9 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN, JEROME COUNTY, IDAHO

Section 1: A parcel of land located in the W $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$, described as follows:

Commencing at the Northwest corner of said Section 1, from which the W $\frac{1}{4}$ of Section 1 bears South 00°21'53" East, 2630.60 feet, said Northwest corner of Section 1 being THE TRUE POINT OF BEGINNING;
Thence South 89°52'22" East along the North boundary of the NW $\frac{1}{4}$ of Section 1 for a distance of 1324.25 feet to the Northeast corner of the W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 1;
Thence South 00°12'30" East along the East boundary of the W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 1 for a distance of 2633.84 feet to the Northeast corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1;
Thence South 00°03'23" East along the East boundary of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1 for a distance of 931.00 feet;
Thence North 89°44'32" West parallel with the South boundary of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1 for a distance of 1317.03 feet to a point on the West boundary of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1;
Thence North 00°03'38" West along the West boundary of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 1 for a distance of 931.29 feet to the Southwest corner of the NW $\frac{1}{4}$ of Section 1;
Thence North 00°21'53" West along the West boundary of the NW $\frac{1}{4}$ of Section 1 for a distance of 2630.60 feet to THE TRUE POINT OF BEGINNING.

TOGETHER WITH:

1. A 20 foot wide easement for the use and maintenance of a buried irrigation pipeline and appurtenances, said easement being on, over, under and across a 20.0 foot wide strip of land that is centered on the following described line:

Commencing at the Northwest corner of the SW $\frac{1}{4}$ of Section 1;
Thence North 88°52'07" West for a distance of 25.00 feet to a point on the West right of way boundary of a county road easement and being THE TRUE POINT OF BEGINNING;

Thence North 88°52'07" West through the E½ of Section 2 for a distance of 1719.80 feet to the point of water delivery to the buried irrigation pipeline and being the terminus point of said easement.

AND

SUBJECT TO:

1. A prescriptive use county road easement for an existing county road as it is now located, said county road easement being encompassed by the following described boundary:

Commencing at the Northwest corner of Section 1, said point being THE TRUE POINT OF BEGINNING;
Thence South 89°52'22" East along the North boundary of the NW¼ of Section 1 for a distance of 25.00 feet;
Thence South 00°21'53" East parallel with the West boundary of the NW¼ of Section 1 for a distance of 2630.66 feet to a point on the North boundary of the SW¼ of Section 1;
Thence South 00°03'38" East parallel with the West boundary of the SW¼ of Section 1 for a distance of 560.13 feet;
Thence South 04°49'19" East along the Easterly boundary of said easement for a distance of 100.17 feet;
Thence South 01°17'40" East along the Easterly boundary of said easement for a distance of 271.47 feet;
Thence North 89°44'32" West parallel with the South boundary of the NW¼SW¼ of Section 1 for a distance of 39.15 feet to a point on the West boundary of the NW¼SW¼ of Section 1;
Thence North 00°03'38" West along the West boundary of the NW¼SW¼ of Section 1 for a distance of 931.29 feet to the Southwest corner of the NW¼ of Section 1;
Thence North 00°21'53" West along the West boundary of the NW¼ of Section 1 for a distance of 2630.60 feet to THE TRUE POINT OF BEGINNING.

AND TOGETHER WITH:

1. A prescriptive use county road easement for an existing county road as it is now located, said county road easement being encompassed by the following described boundary:

Commencing at the Southwest corner of Section 1;
Thence North 00°03'38" West along the West boundary of the SW¼ of Section 1 for a distance of 1322.73 feet to THE TRUE POINT OF BEGINNING;
Thence continuing North 00°03'38" West along the West boundary of the SW¼ of Section 1 for a distance of 17.50 feet to a point on the Westerly boundary of said easement, said point being on the arc of a curve right;
Thence Northeasterly along the Westerly boundary of said easement and along the arc of the curve right for a distance of 40.46 feet to the point of a reverse curve left, said arc having a radius of 171.66 feet and a chord bearing and distance of North 34°30'45" East, 40.37 feet;
Thence Northeasterly along the Westerly boundary of said easement and along the arc of the curve left for a distance of 120.60 feet to the point of tangency, said arc having a radius of 112.00 feet and a chord bearing and distance of North 10°24'59" East, 114.86 feet;
Thence North 20°25'56" West along the Westerly boundary of said easement for a distance of 125.81 feet to a point on the West boundary of the SW¼ of Section 1;
Thence North 00°03'38" West along the West boundary of the SW¼ of Section 1 for a distance of 109.81 feet;
Thence South 89°44'32" East parallel with the South boundary of the NW¼SW¼ of Section 1 for a distance of 39.15 feet to a point on the Easterly boundary of said easement;
Thence South 01°17'40" East along the Easterly boundary of said easement for a distance of 75.84 feet;
Thence South 20°25'56" East along the Easterly boundary of said easement for a distance of 143.27 feet to the point of curvature of a curve right;
Thence Southwesterly along the Easterly boundary of said easement and along the arc of the curve right for a distance of 174.45 feet to the point of curvature of a reverse curve left, said arc having a radius of 162.00 feet and a chord bearing and distance of South 10°24'59" West, 166.14 feet;

Thence Southwesterly along the Easterly boundary of said easement and along the arc of the curve left for a distance of 22.29 feet to a point on the South boundary of the NW¼SW¼ of Section 1, said arc having a radius of 121.66 feet and a chord bearing and distance of South 36°01'04" West, 22.25 feet;
Thence North 89°44'32" West along the South boundary of the NW¼SW¼ of Section 1 for a distance of 47.35 feet to THE TRUE POINT OF BEGINNING.

PARCEL NO. 2:

TOWNSHIP 9 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN, JEROME COUNTY, IDAHO

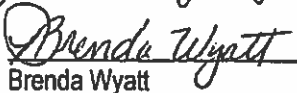
Section 2: Lots 1 and 2; S½NE¼;

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto, including but not limited to 126.00 shares of capital stock in North Side Canal Company, Ltd. and water right no. 36-4042.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

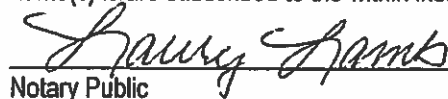
Dated: April 19, 2016

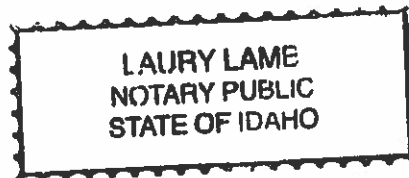

James LeRoy Wyatt


Brenda Wyatt

State of Idaho, County of Jerome, ss.

On this 30 day of April in the year of 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared James LeRoy Wyatt and Brenda Wyatt, 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.


Notary Public
Residing In: Jerome, ID
My Commission Expires: 4/2/2022
(seal)





State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 12, 2016

GALEN DEAN LUSK
CANDRIA LUSK
140 E 500 N
JEROME ID 83338

RE: Change of Ownership for Water Right Nos. 36-4042

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right(s). The department has modified its records to reflect the change in ownership and has enclosed computer-generated reports for your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Sections 42-222 and 42-223, Idaho Code.

Also, please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

A handwritten signature in cursive script, reading 'Trish Fawcett'.

Trish Fawcett
Technical Records Specialist

Enclosure(s)

Cc: TitleOne (1626632)



RECEIVED

APR 29 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

16266632

Jerome

April 26, 2016

Idaho Dept of Water Resources
Attn: Trish
650 Addison Ave W, Ste 500
Twin Falls, ID 83301

RE: Notice of Change in Water Right/Notice of Security Interest
James Wyatt/G. Dean Lusk

Dear Trish:

Enclosed, please find the following in connection with the above referenced transaction:

- Check No. 3008 in the amount of \$25.00
- Check No. 3011 in the amount of \$50.00
- Notice of Change in Water Right Ownership to transfer 36-4042
- Notice of Abandonment of Water Right 36-11467
- Notice of Security Interest in a Water Right (NWFCs)
- Notice of Security Interest in a Water Right (USDA-FSA)
- Copy of Warranty Deed, Inst No. 2161480, Jerome Co, Idaho
- Copy of Mortgage, Inst No. 2161481, Jerome Co, Idaho
- Copy of Mortgage, Inst. No. 2161482, Jerome County, Idaho

Once transfer has been completed, please forward a copy of the Notification to my attention.

If you have any questions regarding this matter, please do not hesitate to contact this office at 208-324-3357.

Sincerely,

Laury Lamb
llamb@titleonecorp.com