

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
OCT 03 2013
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Notice of Change in Water Right Ownership

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
47-135	Yes ☐		Yes ☐		Yes ☐
47-155	Yes ☐		Yes ☐		Yes ☐
47-7428	Yes ☐		Yes ☐		Yes ☐
47-14259	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Mason Brothers LLC An Idaho Limited Liability Company
Name of each new owner as listed on the conveyance document

New owner continued Name connector ☐ and ☐ or ☐ and/or

3981 N. 3600 East

Mailing address

Kimberly

City

State

ZIP

83341

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:

6. 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):
 - \$25 per undivided water right.
 - \$100 per split water right.
 - No fee is required for pending adjudication claims.

7. Signature:

Brandon Mason
Signature of new owner/claimant

Title, if applicable

Date

- Signature:

Kim Mason
Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by

DM

Date

10-3-2013

Receipt No.

S033551

Receipt Amt.

\$100-

Approved by

Processed by

Date

SUPPORT DATA

Case No. 64963sm

TitleFact, Inc.

163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

TWIN FALLS COUNTY
RECORDED FOR:
TITLEFACT, INC.
01:48:16 PM 10-02-2013
2013020998
NO. PAGES 4 FEE: \$19.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: BH
Electronically Recorded by Simplifile

**** SPACE ABOVE FOR RECORDER ****

WARRANTY DEED

FOR VALUE RECEIVED **RAYMOND E. BUTLER and ESTHER F. BUTLER, husband and wife, AND DENNIS W. BUTLER, a married man dealing with his sole and separate property also shown of record as DENNIS BUTLER** hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **MASON BROTHERS, LLC, an Idaho Limited Liability Company**, hereinafter called Grantee, whose address is: 3981 N. 3600 E., Kimberly Idaho 83341, the following described premises in Twin Falls County, Idaho; to-wit:

PARCEL NO. 1

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 25: A parcel of land located in the NW¼ more particularly described as follows:

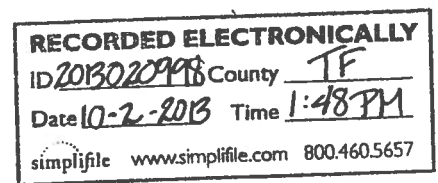
COMMENCING at the Northwest corner of said Section 25, from which the West one-quarter corner of said Section 25 bears South 00°53'01" West 2664.18 feet;
THENCE South 00°53'01" West along the West boundary of the NW¼ of said Section 25 for a distance of 130.00 feet to the TRUE POINT OF BEGINNING;
THENCE South 89°08'46" East for a distance of 1631.10 feet to the center of the Highline Canal;
THENCE South 00°15'23" West along the center of the Highline Canal for a distance of 334.02 feet;
THENCE leaving the center of the Highline Canal on a bearing of North 89°08'46" West for a distance of 400.64 feet;
THENCE South 87°40'58" West for a distance of 57.84 feet;
THENCE North 89°08'46" West for a distance of 45.65 feet;
THENCE South 00°53'01" West for a distance of 52.31 feet;
THENCE North 89°08'46" West for a distance of 45.79 feet;
THENCE South 00°34'39" West for a distance of 44.82 feet;
THENCE North 81°25'33" West for a distance of 156.40 feet;
THENCE North 09°08'22" East for a distance of 207.13 feet;
THENCE North 88°52'54" West for a distance of 959.93 feet to a point on the West boundary of the NW¼ of said Section 25;
THENCE North 00°53'01" East along the West boundary of the NW¼ of said Section 25 for a distance of 203.92 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH:

An access and utility easement created in Quitclaim Deed from Raymond E. Butler, Esther F. Butler, and Dennis W. Butler, to Esther F. Butler and Raymond E. Butler, wife and husband, Dennis W. Butler, recorded February 10, 2004, as Instrument No. 2004-002832, records of Twin Falls County, Idaho, for the purpose of ingress, egress and utilities, said easement being on, over, under and across a strip of land that is encompassed by the following-described boundary:

COMMENCING at the Northwest corner of said Section 25;
THENCE South 00°53'01" West along the West boundary of the NW¼ of said Section 25 for a distance of 333.92 feet;
THENCE South 88°52'54" East for a distance of 33.00 feet to a point on the easterly right-of-way boundary of the county road known as Rock Creek Road and being the TRUE POINT OF BEGINNING;
THENCE continuing South 88°52'54" East along the southerly boundary of the before-described parcel for a distance of 926.93 feet;
THENCE South 09°08'22" West along the southerly boundary of the before-described parcel for a distance of 207.13 feet;
THENCE North 81°25'33" West for a distance of 50.00 feet;
THENCE North 09°08'22" East for a distance of 175.33 feet;
THENCE North 88°52'54" West for a distance of 872.81 feet to a point on the easterly right-of-way boundary of the county road;
THENCE North 00°53'01" East along the easterly right-of-way boundary of the county road for a distance of 25.00 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO:



Case No. 64963sm

TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

**** SPACE ABOVE FOR RECORDER ****

WARRANTY DEED

FOR VALUE RECEIVED **RAYMOND E. BUTLER and ESTHER F. BUTLER, husband and wife, AND DENNIS W. BUTLER, a married man dealing with his sole and separate property also shown of record as DENNIS BUTLER** hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **MASON BROTHERS, LLC, an Idaho Limited Liability Company**, hereinafter called Grantee, whose address is: 3981 N. 3600 E., Kimberly Idaho 83341, the following described premises in Twin Falls County, Idaho; to-wit:

PARCEL NO. 1

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 25: A parcel of land located in the NW¼ more particularly described as follows:

COMMENCING at the Northwest corner of said Section 25, from which the West one-quarter corner of said Section 25 bears South 00°53'01" West 2664.18 feet;
THENCE South 00°53'01" West along the West boundary of the NW¼ of said Section 25 for a distance of 130.00 feet to the TRUE POINT OF BEGINNING;
THENCE South 89°08'46" East for a distance of 1631.10 feet to the center of the Highline Canal;
THENCE South 00°15'23" West along the center of the Highline Canal for a distance of 334.02 feet;
THENCE leaving the center of the Highline Canal on a bearing of North 89°08'46" West for a distance of 400.64 feet;
THENCE South 87°40'58" West for a distance of 57.84 feet;
THENCE North 89°08'46" West for a distance of 45.65 feet;
THENCE South 00°53'01" West for a distance of 52.31 feet;
THENCE North 89°08'46" West for a distance of 45.79 feet;
THENCE South 00°34'39" West for a distance of 44.82 feet;
THENCE North 81°25'33" West for a distance of 156.40 feet;
THENCE North 09°08'22" East for a distance of 207.13 feet;
THENCE North 88°52'54" West for a distance of 959.93 feet to a point on the West boundary of the NW¼ of said Section 25;
THENCE North 00°53'01" East along the West boundary of the NW¼ of said Section 25 for a distance of 203.92 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH:

An access and utility easement created in Quitclaim Deed from Raymond E. Butler, Esther F. Butler, and Dennis W. Butler, to Esther F. Butler and Raymond E. Butler, wife and husband, Dennis W. Butler, recorded February 10, 2004, as Instrument No. 2004-002832, records of Twin Falls County, Idaho, for the purpose of ingress, egress and utilities, said easement being on, over, under and across a strip of land that is encompassed by the following-described boundary:

COMMENCING at the Northwest corner of said Section 25;

THENCE South 00°53'01" West along the West boundary of the NW¼ of said Section 25 for a distance of 333.92 feet;

THENCE South 88°52'54" East for a distance of 33.00 feet to a point on the easterly right-of-way boundary of the county road known as Rock Creek Road and being the TRUE POINT OF BEGINNING;

THENCE continuing South 88°52'54" East along the southerly boundary of the before-described parcel for a distance of 926.93 feet;

THENCE South 09°08'22" West along the southerly boundary of the before-described parcel for a distance of 207.13 feet;

THENCE North 81°25'33" West for a distance of 50.00 feet;

THENCE North 09°08'22" East for a distance of 175.33 feet;

THENCE North 88°52'54" West for a distance of 872.81 feet to a point on the easterly right-of-way boundary of the county road;

THENCE North 00°53'01" East along the easterly right-of-way boundary of the county road for a distance of 25.00 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO:

A 33.0-foot-wide county road easement along the most westerly boundary of the before-described parcel.

PARCEL NO. 2:

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 25: N½NW¼

SUBJECT TO Highway District right of way.

EXCEPT:

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 25: A parcel of land located in the NW¼ more particularly described as follows:

COMMENCING at the Northwest corner of said Section 25, from which the West one-quarter corner

of said Section 25 bears South 00°53'01" West 2664.18 feet;

THENCE South 00°53'01" West along the West boundary of the NW¼ of said Section 25 for a distance of 130.00 feet to the TRUE POINT OF BEGINNING;

THENCE South 89°08'46" East for a distance of 1631.10 feet to the center of the Highline Canal;

THENCE South 00°15'23" West along the center of the Highline Canal for a distance of 334.02 feet;

THENCE leaving the center of the Highline Canal on a bearing of North 89°08'46" West for a distance of 400.64 feet;

THENCE South 87°40'58" West for a distance of 57.84 feet;

THENCE North 89°08'46" West for a distance of 45.65 feet;

THENCE South 00°53'01" West for a distance of 52.31 feet;

THENCE North 89°08'46" West for a distance of 45.79 feet;

THENCE South 00°34'39" West for a distance of 44.82 feet;

THENCE North 81°25'33" West for a distance of 156.40 feet;

THENCE North 09°08'22" East for a distance of 207.13 feet;

THENCE North 88°52'54" West for a distance of 959.93 feet to a point on the West boundary of the NW¼ of said Section 25;

THENCE North 00°53'01" East along the West boundary of the NW¼ of said Section 25 for a distance of 203.92 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH:

An access and utility easement created in Quitclaim Deed from Raymond E. Butler, Esther F. Butler, and Dennis W. Butler, to Esther F. Butler and Raymond E. Butler, wife and husband, Dennis W.

Butler, recorded February 10, 2004, as Instrument No. 2004-002832, records of Twin Falls County, Idaho, for the purpose of ingress, egress and utilities, said easement being on, over, under and across a strip of land that is encompassed by the following-described boundary:

COMMENCING at the Northwest corner of said Section 25;

THENCE South 00°53'01" West along the West boundary of the NW¼ of said Section 25 for a distance of 333.92 feet;

THENCE South 88°52'54" East for a distance of 33.00 feet to a point on the easterly right-of-way boundary of the county road known as Rock Creek Road and being the TRUE POINT OF BEGINNING;

THENCE continuing South 88°52'54" East along the southerly boundary of the before-described parcel for a distance of 926.93 feet;

THENCE South 09°08'22" West along the southerly boundary of the before-described parcel for a distance of 207.13 feet;

THENCE North 81°25'33" West for a distance of 50.00 feet;

THENCE North 09°08'22" East for a distance of 175.33 feet;

THENCE North 88°52'54" West for a distance of 872.81 feet to a point on the easterly right-of-way boundary of the county road;

THENCE North 00°53'01" East along the easterly right-of-way boundary of the county road for a distance of 25.00 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO a 33.0-foot-wide county road easement along the most westerly boundary of the before-described parcel.

PARCEL NO. 3:

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho

Section 27: A parcel more particularly described as follows:

COMMENCING at the West quarter corner of said Section 27 and being the TRUE POINT OF BEGINNING;

THENCE North 00°00'00" West along the West boundary of the NW¼ of said Section 27 for a distance of 1318.30 feet to the Northwest corner of the SW¼NW¼ of Section 27;
THENCE South 89°11'32" East along the North boundary of the SW¼NW¼ for a distance of 1319.12 feet to the Northeast corner of SW¼NW¼;
THENCE South 00°03'57" East along the East boundary of the SW¼NW¼ for a distance of 1319.69 feet to the Southeast corner of the SW¼NW¼;
THENCE South 89°09'17" East along the North boundary of the S½ of Section 27 for a distance of 2730.01 feet;
THENCE South 00°01'12" West for a distance of 580.43 feet;
THENCE North 89°05'23" West for a distance of 278.04;
THENCE South 00°08'29" East for a distance of 686.98 feet;
THENCE South 89°42'08" West for a distance of 297.55 feet;
THENCE North 76°29'37" West for a distance of 41.44 feet;
THENCE South 1°26'49" West for a distance of 21.34 feet to a point on the Northerly side of the Northerly bank of the Highline Canal bank road;
THENCE North 89°41'20" West along the Northerly side of the Canal bank road for a distance of 582.47 feet;
THENCE South 82°06'10" West along the Northerly side of the Canal bank road for a distance of 210.87 feet to the Southeast corner of the NE¼SW¼ of Section 27;
THENCE North 89°10'36" West along the South boundary of the NE¼SW¼ for a distance of 1320.78 feet to the Southwest corner of the NE¼SW¼;
THENCE North 00°07'25" West along the West boundary of the NE¼SW¼ for a distance of 1307.30 feet to a point that is South 00°07'25" East 16.0 feet from the Northwest corner of the NE¼SW¼;
THENCE North 89°09'17" West parallel with and 16.0 feet Southerly of the Northerly boundary of the NW¼SW¼ of Section 27 for a distance of 1320.65 feet to a point on the Westerly boundary of the NW¼SW¼;
THENCE North 00°07'20" West along the Westerly boundary of the NW¼SW¼ for a distance of 16.0 feet to the West quarter corner of Section 27 and the TRUE POINT OF BEGINNING.
SUBJECT TO a 25.00-foot-wide county road easement along the Westerly boundary of the SW¼NW¼.
AND SUBJECT TO a Twin Falls Canal Company easement for the Highline Canal.

EXCEPT:

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho
Section 27: E½SW¼NW¼
SUBJECT TO Highway District right of way.

PARCEL NO. 4

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho
Section 27: E½SW¼NW¼

PARCEL NO. 5

Township 11 South, Range 18 East, Boise Meridian, Twin Falls County, Idaho
Section 24:

S½SW¼ **AND**

That part of the NE¼SW¼ lying West of Canal of the Twin Falls Canal Company.

SUBJECT TO Highway District right of way.

AND SUBJECT TO Canal Company right of way.

AND

SUBJECT TO:

- a) Deed of Trust from Dennis Butler, a single man, to First American Title Company, Trustee, and Citifinancial, Inc., Beneficiary, dated April 19, 2002, recorded April 22, 2002, as Instrument No. 2002-007583, records of Twin Falls County, Idaho. Said Deed of Trust states that it secures a debt in the principal amount of \$29,451.05, and any other obligations secured thereby.
- b) Mortgage given by Raymond E. Butler and Esther F. Butler, husband and wife, and Dennis W. Butler, a single person, to Herbert Rueth and Kathleen Rueth, husband and wife, dated October 20, 2005, recorded October 21, 2005, as Instrument No. 2005-023943 and re-recorded October 27, 2005, as Instrument No. 2005-024461, records of Twin Falls County, Idaho.
(affects Parcels No. 2 and 3)

- c) Deed of Trust from Esther F. Butler, a married woman dealing with her sole and separate property, to TitleFact, Inc., Trustee, and National City Mortgage, a division of National City Bank of Indiana, Beneficiary, dated November 23, 2005, recorded November 29, 2005, as Instrument No. 2005-027153; Pioneer Title Company of Ada County DBA Pioneer Lender Trustee Services is appointed Successor Trustee by Appointment recorded March 13, 2013, as Instrument No. 2013-005685, records of Twin Falls County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above; and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: October 1, 2013

X. *Raymond E. Butler*
RAYMOND E. BUTLER

Esther F. Butler
ESTHER F. BUTLER

Dennis W. Butler
DENNIS W. BUTLER

STATE OF IDAHO
County of Twin Falls

On this 1st day of October, 2013, before me, a Notary Public in and for said State, personally appeared Raymond E. Butler and Esther F. Butler and Dennis W. Butler, known or identified to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

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

Susan Moore
Notary Public for Idaho
Residing at Twin Falls
Commission expires 11-28-2014

