

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 25 2012

Department of Water Resources
Eastern 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?
1-10400 OK	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: David R. Bayne
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Fred M Rusk Jr
Name of each new owner as listed on the conveyance document

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

358 South 1000 West

Mailing address

Blackfoot IDAHO 83221

City State ZIP

6261 833-3936 Fred M Rusk Jr Farmlink.net
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: 5/25/2012

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: Fred M Rusk Jr 5/25/2012
Signature of new owner/claimant Title, if applicable Date

Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 5/25/2012 Receipt No. E037645 Receipt Amt. \$25.-
Approved by [Signature] Processed by [Signature] Date 6/4/2012

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific/P.O. Box 868
Blackfoot, ID 83221

Instrument # 638639
BINGHAM COUNTY, IDAHO No. of Pages: 2
2012-05-25 11:31:04 AM
Recorded for: FIRST AMERICAN TITLE - BLACKFO
SARA J. STAUB Fee: \$13.00
Ex-Officio Recorder Deputy C Robinson
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

417258

Space Above This Line for Recorder's Use Only

WARRANTY DEED

For Value Received, **David Roberge Bayne and Robin Elizabeth Pattillo, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Fred M Rusk Jr, Separate Property Trust**, hereinafter called the Grantee, whose current address is **358 West 1000 West, Blackfoot, ID 83221**, the following described premises, situated in **Bingham County, Idaho**, to-wit:

PARCEL 1:

PART OF LOT 11, SECTION 20, TOWNSHIP 3 SOUTH, RANGE 34 E.B.M., BINGHAM COUNTY, IDAHO, DESCRIBED AS: BEGINNING AT A POINT THAT IS S. 89°35'00" E. 1443.02 FEET ALONG THE SECTION LINE AND S. 02°51'12" W. 3043.87 FEET FROM THE N1/4 CORNER OF SAID SECTION 20 AND RUNNING THENCE S. 89°35'00" E. 265.42 FEET TO A DIKE ON THE BANK OF THE SNAKE RIVER; THENCE ALONG SAID DIKE S. 17°00'40" E. 147.40 FEET; THENCE N. 89°54'23" W. 152.13 FEET; THENCE S. 48°09'22" W. 222.03 FEET; THENCE N. 89°35'00" W. 530.88 FEET TO THE E. BANK OF A SLOUGH; THENCE ALONG SAID SLOUGH THE FOLLOWING FOUR (4) COURSES (1) N. 33°25'09" W. 107.97 FEET; (2) THENCE N. 02°43'25" W. 98.06 FEET; (3) THENCE N. 66°08'06" E. 47.74 FEET; (4) THENCE N. 18°45'31" E. 88.04 FEET; THENCE S. 89°35'00" E. 532.04 FEET TO THE POINT OF BEGINNING. TOGETHER WITH THE FOLLOWING ACCESS EASEMENT: CENTERLINE OF A 50 FOOT ACCESS EASEMENT, 25 FEET EACH SIDE OF THE FOLLOWING DESCRIBED LINE: PART OF LOT 6 AND 10 OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 34 E.B.M., BINGHAM COUNTY, IDAHO, DESCRIBED AS: BEGINNING AT A POINT THAT IS S. 89°35'00" E. 2534.34 FEET ALONG THE SECTION LINE FROM THE N1/4 CORNER OF SAID SECTION 20 AND RUNNING THENCE ALONG SAID CENTERLINE THE FOLLOWING COURSES S. 13°58'19" W. 44.85 FEET TO A POINT OF CURVE; THENCE SOUTHEASTERLY 89.45 FEET ALONG A CURVE TO THE LEFT CURVE DATA: DELTA= 63°46'39", RADIUS= 80.36 FEET; CHORD BEARING S. 17°55'01" E. 84.90 FEET; THENCE S. 49°48'20" E. 39.09 FEET TO A POINT OF CURVE; THENCE SOUTHEASTERLY 37.22 FEET ALONG A CURVE TO THE RIGHT CURVE DATA: DELTA= 51°58'43", RADIUS= 41.03 FEET; CHORD BEARING S. 23°48'59" E. 35.96 FEET; THENCE S. 02°10'23" W. 534.67 FEET TO POINT OF CURVE; THENCE SOUTHWESTERLY 159.59 FEET ALONG SAID CURVE, CURVE DATA: DELTA= 66°03'35", RADIUS= 138.42 FEET, CHORD BEARING S. 35°12'30" W. 150.90 FEET; THENCE S. 68°14'18" W. 351.79 FEET; THENCE S. 67°03'30" W. 209.61 FEET; THENCE S. 52°14'15" W. 153.47 FEET; THENCE S. 57°43'16" W. 115.10 FEET; THENCE S. 50°40'31" W. 206.84 FEET; THENCE S. 44°53'34" W. 127.41 FEET; THENCE S. 33°31'53" W. 101.94 FEET; THENCE S. 26°17'55" W. 131.22 FEET; THENCE S. 16°45'02" W. 145.36 FEET; THENCE S. 13°03'11" W. 44.48 FEET; THENCE S. 13°31'13" W. 208.14 FEET; THENCE S. 10°33'55" W. 95.74 FEET; THENCE S. 02°56'19" W. 197.7 FEET; THENCE S. 06°25'06" E. 175.39 FEET; THENCE S. 12°18'29" E. 120.49 FEET; THENCE S. 22°42'36" E. 28.24 FEET; THENCE S. 17°11'52" E. 112.80 FEET; THENCE S. 26°51'57" E. 110.82 FEET; THENCE S. 30°48'20" E. 120.01 FEET; THENCE S. 49°38'39" E. 97.40 FEET; THENCE S. 36°26'42" E. 43.85 FEET; THENCE S. 17°00'40" E. 147.40 FEET; THENCE S. 19°07'29" E. 68.97 FEET; THENCE S. 30°36'22" E. 51.76 FEET; THENCE S. 00°24'51" W. 40.81 FEET TO THE END OF SAID EASEMENT. EXCEPTING THEREFROM: BEGINNING AT THE NORTHWEST CORNER OF THE PROPERTY AS DESCRIBED IN INSTRUMENT NO. 438906 THAT IS S. 89°35'00" E. 781.57 FEET ALONG THE SECTION LINE AND S. 00°25'00" W. 3041.12 FEET FROM THE N1/4 CORNER OF SAID SECTION 20 AND RUNNING THENCE S. 89°35'00" E. 522.25 FEET ALONG THE NORTH LINE OF SAID PROPERTY DESCRIBED IN INSTRUMENT NO. 438906 TO AN EXISTING FENCE LINE; THENCE S. 86°55'12" W. 526.33 FEET ALONG SAID EXISTING FENCE LINE TO THE EAST BANK OF AN EXISTING SLOUGH; THENCE N. 05°55'41" E. 32.25 FEET ALONG SAID EAST BANK TO THE POINT OF BEGINNING.

PARCEL 2:

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
168 West Pacific/P.O. Box 868
Blackfoot, ID 83221

638639
BINGHAM
5-25-12 11:31 AM

417258

Space Above This Line for Recorder's Use Only

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PARCEL 2:

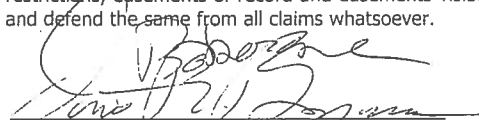
PART OF THE LOT 11, SECTION 20, TOWNSHIP 3 SOUTH, RANGE 34 E.B.M., BINGHAM COUNTY, IDAHO, DESCRIBED AS FOLLOWS: BEGINNING AT THE SW CORNER OF THE PROPERTY AS DESCRIBED IN INSTRUMENT NO. 438906 THAT IS S. 89°35'00" E. 775.84 FEET ALONG THE SECTION LINE AND S. 00°25'00" W. 3331.92 FEET FROM THE N¼ CORNER OF SAID SECTION 20; AND RUNNING THENCE S. 89°36'15" E. 530.32 FEET ALONG THE SOUTH LINE OF SAID PROPERTY DESCRIBED IN INSTRUMENT NO. 438906 TO AN EXISTING FENCE LINE; THENCE S. 86°52'05" W. 516.94 FEET ALONG SAID EXISTING FENCE LINE TO THE EAST BANK OF AN EXISTING SLOUGH; THENCE N. 23°54'45" W. 34.90 FEET ALONG SAID EAST BANK TO THE POINT OF BEGINNING.

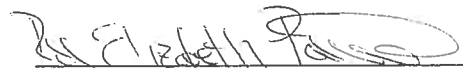
PARCEL 3:

PART OF THE LOT 11, SECTION 20, TOWNSHIP 3 SOUTH, RANGE 34 EAST OF THE BOISE MERIDIAN, BINGHAM COUNTY, IDAHO DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE PROPERTY AS DESCRIBED IN INSTRUMENT NO 438906 THAT IS S.89°35'00"E. 1579.02 FEET ALONG THE SECTION LINE AND S.00°25'00"W. 3041.12 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 20 AND RUNNING THENCE N.89°35'00"W. 275.20 FEET ALONG THE NORTH LINE OF SAID PROPERTY DESCRIBED IN INSTRUMENT NO. 438906 TO AN EXISTING FENCE LINE; THENCE N.86°55'12"E. 265.32 FEET ALONG SAID EXISTING FENCE LINE TO AN EXISTING DIKE ON THE WEST BANK OF THE SNAKE RIVER; THENCE S.32°14'50"E. 19.22 FEET ALONG SAID EXISTING DIKE TO THE POINT OF BEGINNING.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to 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 said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.


David Roberge Bayne


Robin Elizabeth Pattillo

STATE OF Idaho)
SS.
COUNTY OF Bingham)

On this **10th day of May, 2012**, before me, a Notary Public in and for said State, personally appeared **David Roberge Bayne and Robin Elizabeth Pattillo**, 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 for the State of Idaho
Residing at: Blackfoot, ID
My Commission Expires: 3/29/14

