

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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?
27-7526	Yes ☒	Section 19 OK	Yes ☐		Yes ☐
27-7474	Yes ☒	Section 19 OK	Yes ☐		Yes ☐
~~27-7432~~	Yes ☒	Section 25 ?	Yes ☐		Yes ☐
~~27-7404~~	Yes ☒	Section 25	Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

SUPPORT DATA

2. Previous Owner's Name: Tom Bartausky

Name of current water right holder/claimant

IN FILE # 27-7474

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

Name of each new owner as listed on the conveyance document

New owner continued

Name connector

☐ and

☐ or

☐ and/or

281 N Cottonwood LANE

Mailing address

Blackfoot

City

State

ZIP

208-785-2392

tomcher@bridgemail.com

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: Cheryl Bartausky

Signature of new owner/claimant

Title, if applicable

Date

1-18-02

Signature:

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by

Date

1/20/2012

Receipt No.

E037261

Receipt Amt.

\$50. -

Approved by

Processed by

Date

1/23/2012

JUSTIN B. OLESON

BLASER, SORENSEN & OLESON, Chartered
Attorneys at Law
285 N.W. Main
P.O. Box 1047
Blackfoot, Idaho 83221
(208) 785-4700
Fax No. 785-7080
ISB #6412

Attorneys for Personal Representative

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BINGHAM
MAGISTRATE DIVISION

IN THE MATTER OF THE ESTATE OF:)

THOMAS EDWARD BARTAUSKY)

Deceased.)

Case No. CV-2010- 1731

**INFORMAL APPOINTMENT OF
PERSONAL REPRESENTATIVE**

Upon consideration of the Application for Informal Appointment of Personal Representative filed by Cheryl Bartausky on the 30th day of July, 2010, the Registrar finds that:

1. That application is complete.
2. The applicant has made oath or affirmation that the statements contained in the application are true to the best of this knowledge and belief.
3. The applicant appears from the application to be an interested person as defined by the Idaho Uniform Probate Code.
4. On the basis of the statements in the application, venue is proper.
5. Any required notice has been given or waived.
6. On the basis of the statements in the application, no Personal Representative has been appointed in this state or elsewhere.
7. It appears from the application that the time limit for informal appointment has not expired.

STATE OF IDAHO
COUNTY OF BINGHAM } SS
I hereby certify that the foregoing instrument is a full,
true and correct copy of the original on file in the
office of the undersigned Clerk of the Magistrate's
Division, District Court of the Seventh Judicial District
of Idaho, for Bingham County.
Date 2010.30.10
By SARA J. STUBBINS
Deputy Clerk

8. On the basis of the statements in the application, the Decedent died intestate.

9. The application does not indicate the existence of a possible unrevoked testamentary instrument which may relate to property subject to the laws of this state, and which is not filed for probate in this Court.

10. Based on the statements in the application, the person whose appointment as personal representative is sought is qualified to act as Personal Representative and has a prior right to appointment.

11. Bond is not required.

12. The applicable time period within which no action can be taken on an application for informal appointment has elapsed.

THEREFORE:

1. Cheryl Bartausky is hereby appointed Personal Representative of the decedent, to act without bond.

2. Upon qualification and acceptance, Letters of Testamentary shall be issued.

DATED and signed this 30th day of July, 2010.

SCOTT H. HANSEN

MAGISTRATE ACTING AS REGISTRAR

BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO
FEE 9 DEP. C

540077

WARRANTY DEED

Order No.: 3020405524-Z

2004 APR 26 PM 4:34

FOR VALUE RECEIVED

RECORDED AT THE REQUEST OF

Wayne T. Clark, Leon D. Clark, Donna L. Johnson, Mary Lynne C. Jones and Jerry F. Clark to each a 1/5 interest

Alliance Title & Escrow Corp.

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Thomas E. Bartauský and Cheryl A. Bartauský, Husband and Wife

whose current address is

281 N Cottonwood Ln Blackfoot, ID 83221

the grantee(s), the following described premises, in Bingham County, Idaho, TO WIT:

Parcel 1:

Commencing at a point 1149 feet West of the NE corner of Section 19, Township 2 South, Range 36 East, Boise Meridian, Bingham County, Idaho, and South at a right angle 1118 feet to the Place of Beginning; thence running West 1558 feet; thence South 1496 feet; thence East 799 feet; thence North 49° East 299 feet; thence at a right angle in a Southeasterly direction 109 feet; thence North 49° East 705 feet; thence due North 908 feet, more or less, to the place of beginning, SUBJECT to a perpetual right to joint use of a roadway 20 feet wide along the Westerly side.

ALSO, commencing at the point of intersection of the West line of the right-of-way of the Oregon Short Line Railroad Company with the South line of the SW¼NE¼ of Section 19, Township 2 South, Range 36 East, Boise Meridian, Bingham County, Idaho, and running thence due West on said ½ section line 246 feet; thence in a Southeasterly direction on a straight line 212 feet to the right-of-way of the Oregon Short Line Railroad Company; thence in a Northeasterly direction along said railroad right-of-way 228 feet to the Point of Beginning.

Parcel 2:

Commencing at a point 1149 feet West of the NE corner of Section 19, Township 2 South, Range 36 East, Boise Meridian, Bingham County, Idaho, and running thence West 1558 feet; thence South 1118 feet; thence East 1558 feet; thence North 1118 feet to the Place of Beginning.

Parcel 3:

A perpetual right to joint use of a roadway 20 feet along the Westerly side of the following described property:

Commencing at a point 1149 feet West of the NE corner of Section 19, Township 2 South, Range 36, East, Boise Meridian, Bingham County, Idaho, and South at a right angle 1118 feet to the Place of Beginning; thence running West 1558 feet; thence South 1496 feet; thence East 799 feet; thence North 49° East 299 feet; thence at a right angle in a Southeasterly direction 109 feet; thence North 49° East 705 feet; thence due North 908 feet; more or less, to the place of Beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 4/20/2004

Wayne T. Clark by Leon D. Clark Leon D. Clark
Wayne T. Clark his Attorney in fact
Donna L. Johnson by Mary Lynne C. Jones Mary Lynne C. Jones
Donna L. Johnson her Attorney in fact
Jerry F. Clark by Leon D. Clark Leon D. Clark
Jerry F. Clark his Attorney in fact

Terry L. Clark by Leon D. Clark her Attorney in fact
TERRY L. CLARK BY LEON D. CLARK, ATTORNEY-IN-FACT

Annette H. Clark by Leon D. Clark her Attorney in fact
ANNETTE H. CLARK BY LEON D. CLARK, ATTORNEY IN FACT

Mark Johnson by Leon D. Clark his Attorney in fact
MARK JOHNSON BY LEON D. CLARK, ATTORNEY-IN-FACT

Wilfred Jones by Leon D. Clark his Attorney in fact
WILFORD JONES BY LEON D. CLARK, ATTORNEY-IN-FACT

Gaylanne B. Clark by Leon D. Clark her Attorney in fact
GAYLANNE B. CLARK BY LEON D. CLARK, ATTORNEY-IN-FACT

State of Idaho }
 }ss.
County of Bingham }

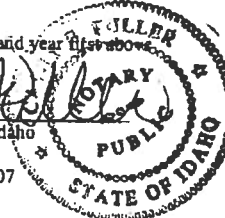
On this 21st day of April, 2004, before me, a Notary Public in and for said state, personally appeared Leon D Clark known or identified to me to be the person(s) whose name(s) subscribed to the within instrument as Attorney-in-fact of Wayne T. Clark, Donna L. Johnson, Mary Lynne C. Jones, Jerry F. Clark, Terry L. Clark, Annette H. Clark, Mark Johnson and Gaylanne B. Clark, and acknowledged to me that he subscribed the name of Wayne T. Clark, Donna L. Johnson, Mary Lynne C. Jones, Jerry F. Clark, Terry L. Clark, Annette H. Clark, Mark Johnson and Gaylanne B. Clark as principal and his own name as Attorney-in-fact.

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

G.

* Wilford Jones

Walter J. Stiller
Notary Public for the State of Idaho
Residing at: Blackfoot
Commission Expires: 03-19-2007



State of Idaho }
 }ss.
County of Bingham }

On this 21st day of April, in the year 2004, before me, a Notary Public in and for said state, personally appeared Leon D. Clark known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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

Walter J. Stiller
Notary Public for the State of Idaho
Residing at: Blackfoot
Commission Expires: 03-19-2007



540077

STATE OF IDAHO

CERTIFICATION OF VITAL RECORD

STATE OF IDAHO

DEPARTMENT OF HEALTH AND WELFARE

BUREAU OF VITAL RECORDS AND HEALTH STATISTICS

State of Idaho CERTIFICATE OF DEATH

ONLY A COPY OF THIS DOCUMENT, CERTIFIED BY THE STATE REGISTRAR WITH THE DEPARTMENT OF HEALTH AND WELFARE, SHALL BE USED AS PROOF OF FACTS OF THIS DEATH UNDER § 36-74(1) AND § 36-74, IDAHO CODE.

Local Reg. No. 114-2

TYPE OR PRINT IN PERMANENT BLACK INK. DO NOT USE FELTY TIP PEN. FOR INSTRUCTIONS SEE HANDBOOKS.	DECEDENT	1. DECEDENT'S LEGAL NAME (Include AKA's if any) (First, Middle, Last, Suffix) THOMAS EDWARD BARTAUSKY		2. SEX MALE	3. SOCIAL SECURITY NUMBER [REDACTED]
	4a. AGE-Last Birthday 60 (Years)	4b. UNDER 1 YEAR Months Days Hours Minutes	4c. UNDER 1 DAY Hours Minutes	5. DATE OF BIRTH (Mo/Day/Yr) 06/25/1949	6. BIRTHPLACE (City and State, Territory, or Foreign Country) BLACKFOOT, IDAHO
	7a. RESIDENCE - STATE OR FOREIGN COUNTRY IDAHO	7b. COUNTY BINGHAM	7c. CITY OR TOWN BLACKFOOT	7d. STREET AND NUMBER 281 COTTONWOOD LANE	7e. APT. NO. 7f. ZIP CODE 83221
	8. MARITAL STATUS AT TIME OF DEATH ☒ Married ☐ Married, but separated ☐ Widowed ☐ Divorced ☐ Never married ☐ Unknown		9. SURVIVING SPOUSE'S NAME (If wife, give maiden name) CHERYL JENSEN		
	10. EVER IN U.S. ARMED FORCES? ☒ Yes ☐ No	11a. FATHER'S NAME (First, Middle, Last, Suffix) EDWARD A. BARTAUSKY	11b. BIRTHPLACE (State, Territory, or Foreign Country) IDAHO		
	12a. MOTHER'S MAIDEN NAME (First, Middle, Last, Suffix) RITA W. BEHREND	12b. BIRTHPLACE (State, Territory, or Foreign Country) SOUTH DAKOTA			
	13a. INFORMANT'S NAME (Type or print) CHERYL BARTAUSKY	13b. RELATIONSHIP TO DECEDENT SPOUSE	13c. MAILING ADDRESS (Street and Number, City, State, Zip Code) 281 COTTONWOOD LANE BLACKFOOT, ID 83221		
	14. METHOD OF DISPOSITION ☐ Burial ☒ Cremation ☐ Donation ☐ Entombment ☐ Removal from Idaho ☐ Other (Specify)	15. PLACE OF DISPOSITION (Name and address of cemetery, crematory, other place) BLACKFOOT CREMATORY 132 S. SHILLING AVE. BLACKFOOT, IDAHO 83221		16. NAME AND COMPLETE ADDRESS OF FUNERAL FACILITY HAWKER FUNERAL HOME 132 SOUTH SHILLING AVENUE BLACKFOOT, IDAHO 83221	
	17a. SIGNATURE OF FUNERAL SERVICE LICENSEE OR PERSON ACTING AS SUCH ELECTRONICALLY FILED: KEVIN T. DIETRICH		17b. LICENSE NUMBER (Of licensee) M0748	18. WAS CORONER CONTACTED DUE TO CAUSE OF DEATH? ☒ Yes ☐ No	
	19a. IF DEATH OCCURRED IN A HOSPITAL: ☒ 19b. IF DEATH OCCURRED SOMEWHERE OTHER THAN A HOSPITAL:				
	20. FACILITY NAME (If not facility, give street and number) 281 COTTONWOOD LANE				
	21. CITY, TOWN, OR LOCATION OF DEATH, AND ZIP CODE BLACKFOOT, ID 83221				
	22. COUNTY OF DEATH BINGHAM				
	23. DATE OF DEATH (Mo/Day/Yr) (Spell month) June 15, 2010		24. TIME OF DEATH (24hr) Estimated 22:30 - 23:59	25. DATE PRONOUNCED DEAD (Mo/Day/Yr) (Spell month) June 17, 2010	26. TIME PRONOUNCED DEAD (24hr) 07:15
	PART I. Enter the chain of events - diseases, injuries, or complications - that directly caused the death. DO NOT enter terminal events such as cardiac arrest, respiratory arrest, or ventricular fibrillation without showing the etiology. DO NOT ABBREVIATE. Enter only one cause on a line.				
	IMMEDIATE CAUSE (Final disease or condition resulting in death) MYOCARDIAL INFARCTION				
	DUE TO (or as a consequence of)				
	DUE TO (or as a consequence of)				
	DUE TO (or as a consequence of)				
	DUE TO (or as a consequence of)				
	PART II. Enter other significant conditions contributing to death but not resulting in the underlying cause given in Part I				
	29. DID TOBACCO USE CONTRIBUTE TO DEATH? ☐ Yes ☐ Probably ☒ No ☐ Unknown		30. IF FEMALE (Aged 10-54): ☐ Not pregnant within past year ☐ Pregnant at time of death ☐ Not pregnant, but pregnant within 42 days of death ☐ Unknown if pregnant within the past year		
	31. MANNER OF DEATH ☒ Natural ☐ Accident ☐ Suicide ☐ Homicide ☐ Pending investigation ☐ Could not be determined		32. DATE OF INJURY (Mo/Day/Yr) (Spell month)		
	33. TIME OF INJURY (24hr)		34. PLACE OF INJURY (Decedent's home, farm, street, construction site, nursing home, restaurant, forest, etc.)		35. INJURY AT WORK? ☐ Yes ☐ No
	36. LOCATION OF INJURY: State _____ City/Town or County _____ Zip Code _____ Street and Number or Location _____ Apartment Number _____				
	37. DESCRIBE HOW INJURY OCCURRED. IF TRANSPORTATION INJURY, STATE THE TYPE(S) OF VEHICLE(S) INVOLVED (Automobile, pickup, motorcycle, ATV, bicycle, etc.) SPECIFY WHICH VEHICLE DECEDENT OCCUPIED, if applicable.				
	TRANSPORTATION INJURY ONLY ☐ Pedestrian ☐ Other (Specify)		38a. WAS DECEDENT: ☐ Driver/Operator ☐ Passenger ☐ What safety devices(s) did decedent use/employ? ☐ Seat belt ☐ Child safety seat ☐ Helmet ☐ Air bag ☐ None ☐ Unknown		
	39a. CERTIFIER (Check only one, based on official capacity for this certificate) ☐ PHYSICIAN ☐ PHYSICIAN ASSISTANT ☐ ADVANCED PRACTICE PROFESSIONAL NURSE - To the best of my knowledge, death occurred at the time, date, and place, and due to the natural cause(s)/manner stated.		39b. LICENSE NUMBER		
	☒ CORONER - On the basis of examination and/or investigation, in my opinion, death occurred at the time, date, and place, and due to the cause(s) and manner stated.		39c. DATE SIGNED 7 / 2 / 2010 MM DD YYYY		
	Signature and Title of Certifier ELECTRONICALLY SIGNED: KYLE B. LINDSAY				
	39d. NAME, ADDRESS, AND ZIP CODE OF CERTIFIER (Type or print) KYLE B. LINDSAY, 1247 DANIELLE WAY BLACKFOOT, ID 83221				
	40a. REGISTRAR'S SIGNATURE		40b. DATE SIGNED 7 / 2 / 2010 MM DD YYYY		



This is a true and correct reproduction of the document officially registered and placed on file with the IDAHO BUREAU OF VITAL RECORDS AND HEALTH STATISTICS.

DATE ISSUED: July 2, 2010

[Signature]



189
JAN
RECEIVED

JAN 20 2012

Department of Water Resources
Eastern Region

FURNISHED BY FIRST AMERICAN TITLE COMPANY
FORMERLY THE BINGHAM TITLE & TRUST CO.

WARRANTY DEED

328627

For Value Received, MARY M. TANNER and MARTHA L. TANNER, of
Box 26, Stanton Park Road, Canyonville, Oregon 97417

the grantor s do hereby grant, bargain, sell, and convey unto THOMAS E. BARTAUSKY and
CHERYL ANN BARTAUSKY, husband and wife,

the grantees, whose current address is 8 West 100 North, Blackfoot, Idaho 83221

the following described premises, to-wit:

R P O 315400

Beginning at the Northeast corner of the South half of the Southeast quarter of Section 25, in Township 2 South, Range 35, East of the Boise Meridian, in Bingham County, Idaho, and running thence North 89°57'45" West 2,134.9 feet; thence South 1°04'30" West 815 feet; thence South 89°54'30" East 2,132.82 feet, more or less to the East line of said Section 25; thence North 0°01'30" West 823.7 feet more or less to the point of beginning.

Also, Beginning at a point 25 feet North and 728.25 feet West of the Southeast corner of said Section 25; thence West 1,119.25 feet; thence North 478.86 feet; thence East 1,119.25 feet; thence South 477.37 feet to the place of beginning.

Also, a road right of way along the entire Westerly side of the tract last above-described 50.02 feet in width extending from the County Road Northerly 478.86 feet for use in common with other adjoining property owners.

Together with the tenements, hereditaments, and appurtenances thereunto appertaining and belonging, and the ditches and water rights used for the irrigation thereof.

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

Dated: December 10, 1984

Mary M. Tanner
MARY M. TANNER

Martha L. Tanner
MARTHA L. TANNER

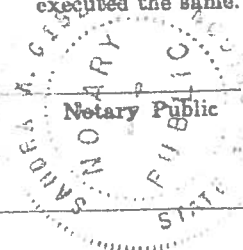
OREGON

STATE OF ~~MAHON~~ COUNTY OF

On this 10th day of Dec., 1984,
before me, a notary public in and for said State, personally
appeared
MARY M. TANNER and MARTHA L.
TANNER,

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Sandra K. Tiblin



Residing at Canyonville, Or.
Comm. Expires 7-27-88

RECORDED
INDEXED
48 DEC 22 1984

DEC 12 AM 10 22

328627

RECORDED AT THE REQUEST OF
FIRST AMERICAN TITLE COMPANY