

RECEIVED

MAR 01 2010

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

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
PD 78-7120	11-6-67				
PD 78-7121	8-18-00				

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 on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. 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 or equivalent **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)

VIRGINIA A. BEARDSLEY
 465 RAPID RIVER ROAD
 RIGGINS, ID 83549

- *4. New Owner/Claimant(s)

TOM BAXTER
 Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

13577 WALKER LAKE RD.

City, State and ZIP Code

CALDWELL, ID 83607

New Telephone Number

(208) 459-7098 Email: SUPPORT DATA

* 5. Date you acquired the property _____

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

* 7. Signature(s) of New Owner(s) or Claimant(s) Tom Carter
 _____ (title if applicable)
 _____ (title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by [Signature] Date 3-1-10
 Received by [Signature] Date 3-1-10
 Processed by AJ Date _____

Receipt Amt. 50
 Receipt No. W038161
 WR [Signature] Date 3-3-10

467827

PERSONAL REPRESENTATIVE'S WARRANTY DEED

THIS INDENTURE, made on this 21st day of July, 2009, by and between THE ESTATE OF VIRGINIA A. BEARDSLEY, Deceased, by ROBERT HOWARD, Personal Representative acting under authority in Idaho County probate Case No. CV-09-39580, of 3950 Salt Spring, Ferndale, WA 98248, hereinafter referred to as the Grantor, and THOMAS D. BAXTER and JANE A. BAXTER, husband and wife, of 13577 Walker ^{Lake} ~~Lane~~, Caldwell, ID 83607, hereinafter referred to as the Grantees.

WITNESSETH:

That the said Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America, and other good and valuable considerations to it in hand paid by the said Grantees, the receipt whereof is hereby acknowledged, having granted, bargained, sold, and by these presents does grant, bargain, sell, convey, and confirm unto the said Grantees, their heirs and assigns, forever all the following described real property situate in the County of Idaho, State of Idaho, to wit:

Township 23 North, Range 1 East, Boise Meridian, Idaho County, Idaho Section 6: Part of Government Lot 7, more particularly described as follows: Beginning at the Southwest corner of said Section 6; thence N00°15'E along the West line of the section, 195.93 feet to a point on the center line of a road; thence along said center line N73°19'E, 133.77 feet; thence N76°53'E, 163.55 feet to the True Point of Beginning; thence N72°53'E, 163.52 feet to a point in a fence line; thence S35°42'E, 88.50 feet; thence S53°15'W, 127.88 feet; thence N46°27'W, 145.49 feet to the True Point of Beginning. Sometimes known as Assessor's Tax No. 44.

TOGETHER WITH, all and singular, the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, the remainder and remainders, rents, issues and profits thereof, and all estate,

PERSONAL REPRESENTATIVE'S WARRANTY DEED - 1

Instrument # 467827

IDAHO COUNTY, IDAHO,
7-22-2009 02:53:54 No. of Pages: 4
Recorded for: IDAHO COUNTY TITLE
ROSE E. GEHRING Fee: 12.00
Ex-Officio Recorder, Deputy

right, title, and interest in and to the said property as well in law as in equity of the said Grantor.

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurtenances unto the said Grantees, their heirs and assigns, forever.

And the said Grantor, for itself, its heirs, executors, and administrators, does covenant, grant, bargain, and agree to and with the said Grantees, their heirs and assigns, that at the time of the sealing and delivery of these presents it was well seized of the premises above conveyed as of good, sure, perfect, absolute, and indefeasible estate of inheritance, in fee simple, and have good right, full power and lawful authority to grant, bargain, sell, and convey the same in the manner and form aforesaid, and that the same are free and clear from all and former grants, bargains, liens, taxes, assessments, and encumbrances of whatever kind or nature whatsoever, *EXCEPT*:

- 1) General taxes for the year 2009, which are a lien, not yet due and payable.
- 2) Subject to reservation as contained in Warranty Deed, including the terms and conditions thereof, by and between Circle C Ranch, Inc., a corporation, and John H. Carrey and Pearl E. Carrey, husband and wife, recorded January 21, 1964 under Instrument No. 214485, Book 100 page 263, records of Idaho County, Idaho.
- 3) Power Line Easement, including the terms and conditions thereof, by and between R.L. Campbell, President, and Loyal E. Campbell, Secretary, of Circle C Ranch, Inc., and Idaho Power Company, a corporation, recorded June 19, 1964 under Instrument No. 215704, Book 101 page 131, records of Idaho County, Idaho.
- 4) Power Line Easement, including the terms and conditions thereof, by and between R.L. Campbell, President, and Loyal E. Campbell, Secretary, of Circle C Ranch, Inc., and Idaho Power Company, a corporation, recorded January 8, 1965 under Instrument No. 218184, Book 102 page 312, records of Idaho County, Idaho.
- 5) Subject to the terms and conditions as contained in Water Pipeline Easement, by and between Firmin Gotzinger and LaVon Gotzinger, husband and wife, Ronald Gotzinger and Carolyn Gotzinger, husband and wife, Aaron Wilson and Sherie Wilson, husband and wife, and David Wilson, a single man, and C.D.

Beardsley, a married man, recorded February 23, 1981 under Instrument No. 289663; and, re-recorded June 5, 1981 under Instrument No. 291505, all records of Idaho County, Idaho.

6) Rapid River Road as the same now exists.

7) Matters as shown on Survey No. S-1844, recorded February 20, 2001 under Instrument No. 415529; Survey No. S-1852, recorded May 3, 2001 under Instrument No. 416672; Survey No. S-2593, recorded May 22, 2007 under Instrument No. 455143; and, Survey No. S-2760, recorded September 29, 2008 under Instrument No. 463413, all records of Idaho County, Idaho.

And that the above bargained premises, in the quiet and peaceable possession of the said Grantees, their heirs and assigns, against all and every person or persons lawfully claiming or to claim whole or any part thereof, the said Grantor will and shall WARRANT AND FOREVER DEFEND.

That this Deed is given by Grantor to Grantees not on account of any default in any security agreements or arrangements which pertain to the real property hereinabove written and described, but is given for full consideration paid by Grantees to Grantor.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand and seal the day and year first above written.

THE ESTATE OF VIRGINIA A. BEARDSLEY,
Deceased

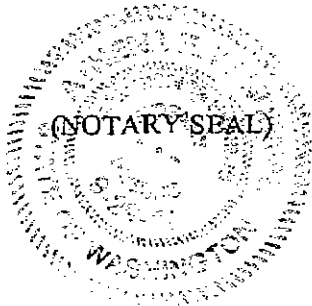
By

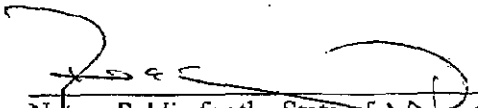

ROBERT HOWARD,
Personal Representative


STATE OF Washington)
Whatcom ss
County of Whatcom)

On this 21st day of July, 2009, before me, a Notary Public in and for said County and State, personally appeared ROBERT HOWARD, Personal Representative of THE ESTATE OF VIRGINIA A. BEARDSLEY, Deceased, known or identified to me to be the person whose name is subscribed to the within instrument and he acknowledged to me that he freely executed the same for and on behalf of said Estate.

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




Notary Public for the State of Washington
Residing at Whatcom Co., therein.
My commission expires 9-29-2011.