

DE

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

RECEIVED
NOV 17 2009
 DEPT. OF WATER RESOURCES
 SOUTHERN 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)
36-90B					
36-94A					
36-90F					

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)

Ruth Ward / John Ward

4. New Owner/Claimant(s)

Osborne Investment / Hayne Osborne / Judy Osborne

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

18208 U.S. 4, 30

City, State and ZIP Code

Hagerman Id 83332

New Telephone Number

(208) 837-6332

Email:

SUPPORT DATA
 IN FILE # 36-90F

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		

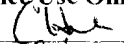
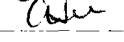
For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)  (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 <u></u>	Date <u>11/17/09</u>	Receipt Amt. <u>50⁰⁰ (75⁰⁰)</u>
Received by <u></u>	Date <u>11/17/09</u>	Receipt No. <u>5031176</u>
Processed by _____ AJ	Date _____	WR _____ Date _____

WARRANTY DEED

For Value Received

Ruth Rush-Ward or Power of Attorney

Hereinafter call the grantor, hereby grants, bargains, sells and conveys unto

Osborne Investments LLC

Hereinafter call the Grantee; the following described premises situated in Gooding County, Idaho, to-wit:

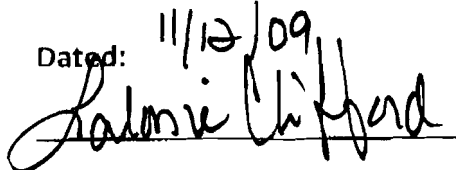
Township 7 South, Range 13 East of the Boise Meridian, Gooding County, Idaho

Parcel 2 attached, 5.577 Acres

SUBJECT TO: All reservations in patents or deeds in the chain of title.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The 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 above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: 11/12/09



Ruth Rush-Ward or Power of Attorney

STATE OF IDAHO)

)ss.

County of Gooding)

Instrument # 232533

GOODING, GOODING, IDAHO

11-16-2009

02:46:27

No. of Pages: 2

Recorded for : RUSH-WARD, RUTH

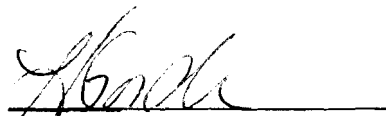
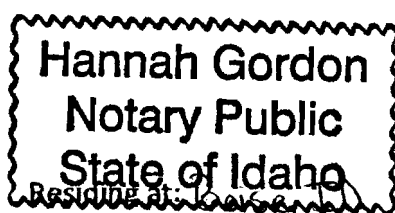
DENISE M. GILL

Fee: 6.00

Ex-Officio Recorder Deputy



On the 12 day of November 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared Ruth Ruth-Ward, known or identified to me be the person whose names are subscribed to the within instrument and acknowledged to me that they executed the same.



Notary Public H Gordon

My Commission expires: 10/22/2013

PARCEL 2**TOWNSHIP 7 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO**

Part of the Northeast 1/4 of the Southeast 1/4 of the Northeast 1/4 of Section 11, described as follows:

Commencing at a 2-inch brass cap stamped L.S.-1000 marking the northeast corner of said Section 11;

Thence along the east line of said Section 11, South 00 Degrees 31 Minutes 48 Seconds West, a distance of 1318.73 feet to the northeast corner of the northeast 1/4 of the southeast 1/4 of the northeast 1/4 of said Section 11, being the POINT OF BEGINNING, and from which a 1-inch iron pipe bears South 84 Degrees 38 Minutes at a distance of 0.5 feet;

Thence South 00 Degrees 31 Minutes 42 Seconds West, a distance of 659.37 feet to a 1/2-inch pin with cap stamped L.S.-1000 marking the southeast corner of the northeast 1/4 of the southeast 1/4 of the northeast 1/4 of said Section 11;

Thence along the south line of the northeast 1/4 of the southeast 1/4 of the northeast 1/4 of said Section 11, North 88 Degrees 55 Minutes 56 Seconds West, a distance of 362.43 feet to the center of Billingsly Creek, from which a 1/2-inch rebar with cap stamped L.S.-9858 bears South 88 Degrees 56 Minutes East at a distance of 96.9 feet;

Thence running more or less along the center of said Billingsly Creek the following courses and distances:

North 33 Degrees 57 Minutes 22 Seconds East, a distance of 92.30 feet;

Thence North 11 Degrees 46 Minutes 23 Seconds East, a distance of 121.30 feet;

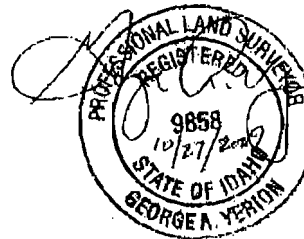
Thence North 42 Degrees 11 Minutes 03 Seconds West, a distance of 116.92 feet;

Thence North 48 Degrees 56 Minutes 59 Seconds West, a distance of 56.04 feet to a point from which a 1/2-inch rebar with cap stamped L.S.-9858 bears North 01 Degrees 08 Minutes East at a distance of 68.5 feet;

Thence leaving said Billingsly Creek and proceeding North 01 Degrees 07 Minutes 55 Seconds East, a distance of 340.85 feet to the intersection with the north line of the northeast 1/4 of the southeast 1/4 of the northeast 1/4 of said Section 11, and from which a 1/2-inch rebar with cap stamped L.S.-9858 bears South 01 Degrees 08 Minutes West at a distance of 20.0 feet;

Thence along the north line of the northeast 1/4 of the southeast 1/4 of the northeast 1/4 of said Section 11, South 89 Degrees 01 Minutes 12 Seconds East, a distance of 406.25 feet to the POINT OF BEGINNING;

According to a survey by GradeTek, P.L.C., Gooding, Idaho and containing 5.577 ACRES, more or less.



HC 11/12/09

Land Title and Escrow, Inc.

A Full Service Title Company Since 1957

Listing Resume'
Gooding

August 24, 2009

To: Silver Sage Realty, Inc.
Attn: Judy Osborne
P.O. Box 416
Hagerman, ID 83332

As requested, we have searched our records concerning the property you are interested in. As allowed by the *Idaho State Department of Insurance* Bulletin No. (78-2), we are pleased to provide you with the following information:

1. OWNER OF RECORD Ruth E. Rush-Ward *OK*
2. PROPERTY ADDRESS 985 Justice Grade, Hagerman, Idaho 83332
3. LEGAL DESCRIPTION 11-7-13 Tax 39 in N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Less Tax 44 (Long Legal Attached)
4/6 A

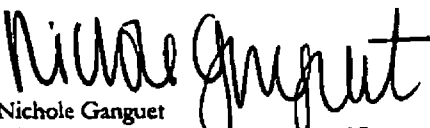
We are also pleased to provide the following documents for this property:

- XX The last Deed appearing of record **Deed of Distribution #215925**
- N/A Effective Deed of Trust or Mortgage
- XX A plat or map reproduction
- N/A Pertinent restrictive covenants

As always, it is a pleasure working with you. Should you have any questions, do not hesitate to call our office at (208) 934-8477 and we will be happy to assist you.

This listing resume' is **NOT** a complete title examination. However, when you are ready for title insurance, please contact us for prompt, 24 hour service.

Thank you,


Nichole Ganguet
LAND TITLE AND ESCROW, INC.

Serving: Cassia ~ Minidoka ~ Jerome ~ Lincoln ~ Gooding ~ Twin Falls Counties

Box 177 ~ Burley, Idaho 83318
Phone: 878-3524 ~ Fax: 878-4435
lteb@pmt.org

Box 349 ~ Jerome, Idaho 83338
Phone: 324-3357 ~ Fax: 324-8961
ltej@pmt.org

Box 473 ~ Gooding, Idaho 83330
Phone: 934-8477 ~ Fax: 934-5890
lteg@pmt.org

Box 111 ~ Rupert, Idaho 83350
Phone: 436-0606 ~ Fax: 436-1199
lter@pmt.org

Box 5375 ~ Twin Falls, Idaho 83301-5375
Phone: 933-2650 ~ Fax 933-2655
ltetf@pmt.org

Instrument # 215926

GOODING, G JING, IDAHO

2006-04-20 02:22:05 No. of Pages: 5

Recorded for : HOBDEY & HOBDEY

DENISE M. GILL

Fee: 15.00

Ex-Officio Recorder Deputy

Craig D. Hobdey
HOBDEY & HOBDEY
125 Fifth Avenue West
P.O. Box 176
Gooding, Idaho 83303-0176
Telephone (208) 934-4429
Facsimile (208) 934-4420
I.S.B. #3199

Attorney for Personal Representative

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF GOODING

IN THE MATTER OF THE ESTATE OF:)

JOHN P. WARD,)

Case No. CV-2006-0000253

Decedents.)

DEED OF DISTRIBUTION

THIS INDENTURE made this 19th day of April, 2006, by RUTH E. RUSH-WARD,
Personal Representative of the Estate of JOHN P. WARD, deceased, hereinafter referred to as
Grantor and RUTH E. RUSH-WARD, hereinafter referred to as Grantee:

WITNESSETH:

NOW, THEREFORE, pursuant to the law in such case made and provided, and particularly
pursuant to the provisions of §15-3-907 Idaho Code, Grantor does hereby convey, transfer, distribute
and set-over unto Grantee and to her successors in interest, heirs and assigns, all of the following
described real property:

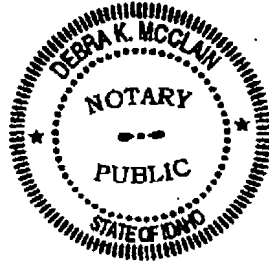
DEED OF DISTRIBUTION

Page 1 of 2

DATED THIS 19 day of April, 2006.

STATE OF IDAHO)
) SS.
County of Gooding)

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



Ruth E. Rush-Ward
985 Justice Grade
Hagerman ID 83332

EXHIBIT A

Part of the Northeast Quarter of the Southeast Quarter of the Northeast Quarter of Section 11, Township 7 South, Range 13 East of the Boise Meridian, Gooding County, Idaho, described as follows:

BEGINNING at the Northeast corner of said North Half of the Southeast Quarter of the Northeast Quarter;
Thence South 89° 40' West along the North line of said North Half of the Southeast Quarter of the Northeast Quarter, 406.25 feet;
Thence South 0° 11' East, 177.50 feet;
Thence South 18° 26' West, 108.45 feet to the North Bank of Billingsley Creek;
Thence running more or less along the bank of the creek the following courses and distances:
Thence South 50° 37' East, 119.11 feet;
Thence South 60° 45' East, 132.85 feet;
Thence South 17° 08' East, 89.90 feet;
Thence South 39° 56' West, 94.72 feet;
Thence South 8° 52' West, 77.84 feet to the South line of said Northeast Quarter of the Southeast Quarter of the Northeast Quarter;
Thence leaving Billingsley Creek, South 89° 43' East along the South line of said Northeast Quarter of the Southeast Quarter of the Northeast Quarter, 278.30 feet to the Southeast corner of said Northeast Quarter of the Southeast Quarter of the Northeast Quarter;
Thence North along the East line of said Northeast Quarter of the Southeast Quarter of the Northeast Quarter, 660 feet to THE POINT OF BEGINNING.

PLUS all land lying on the Southerly side of the above described courses that parallel the banks of Billingsley Creek, and extending to the center line of Billingsley Creek.

EXHIBIT B

the following described real property in
Gooding County, Idaho, to wit:

TOWNSHIP 7 SOUTH, RANGE 13, EAST OF THE BOISE MERIDIAN
GOODING COUNTY, IDAHO

Section 11: A parcel of land in the N $\frac{1}{2}$ SE $\frac{1}{2}$ NE $\frac{1}{2}$, described as
follows:

Beginning at the Northeast corner of said
N $\frac{1}{2}$ SE $\frac{1}{2}$ NE $\frac{1}{2}$;
thence South 89°40' West, 406.25 feet along the
North line of said N $\frac{1}{2}$ SE $\frac{1}{2}$ NE $\frac{1}{2}$ to the TRUE POINT OF
BEGINNING;
thence South 0°11' East, 177.50 feet;
thence South 18°26' West, 108.45 feet;
thence North 78°54' West, 120.41 feet;
thence South 67°37' West, 12.31 feet;
thence North 3°47' West, 161.50 feet;
thence North 29°48' West, 114.45 feet;
thence North 89°40' East, 230.95 feet to the TRUE
POINT OF BEGINNING.

EXCEPTING THEREFROM, the following described tract:

Beginning at the Northeast corner of Section 11;
thence South 1,310.52 feet along the Easterly
boundary of Section 11 to a point marked with a
 $\frac{1}{2}$ inch rebar pin;
thence South 89°40' West, 406.25 feet to a point
marked with a $\frac{1}{2}$ inch rebar pin, the TRUE POINT OF
BEGINNING;
thence South 89°40' West, 25.26 feet;
thence South 1°17'38" East, 43.42 feet;
thence South 27°26'12" West, 87.33 feet;
thence South 11°10'56" West, 41.86 feet;
thence North 76°42'28" East, 19.98 feet;
thence South 60°14'05" East, 36.06 feet;
thence South 84°27'45" East, 22.56 feet;
thence North 0°11' West, 177.61 feet to the TRUE
POINT OF BEGINNING.

PLUS all land lying on the Southerly side of the above
described courses that parallel the banks of Billingsley
Creek to the center line of Billingsley Creek.

TOGETHER WITH 2 inches of water in Billingsley Creek, in the
John Bell Ditch with a priority date of June 26, 1981, and 2
inches of water from an unnamed spring located on the canyon
wall East of the above described property, being part of

each 1

twenty inches of water described in Deed dated September 19, 1945, from Pope to Sorrousua; less all the water reserved by John D. Pember and Betty D. Pember, husband and wife, as Grantor, to Fred V. Halloran, a single man, as Grantee, by that certain Deed dated June 27, 1985, recorded June 28, 1985, as instrument number 115586, records of Gooding County, Idaho.

SUBJECT TO rights-of-way and easements established of record, and rights-of-way and easements visible from an inspection of the premises.

