

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

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

JUN 16 2006

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 division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
43-12966					
43-13207					
43-2444					

RECEIVED

JUN 16 2006

DEPARTMENT OF WATER RESOURCES

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 usually attached to your deed or on file with the county).
OR
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 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.

Name and Address of Former Owner/Claimant(s) RALPH WALLIN JR. FAMILY INTER VIVOS TRUST AGREEMENT

P.O. BOX 243 Grace, ID 83241

New Owner/Claimant(s) PETER J. GRUSH and SYLVIA T. GRUSH
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address 2025 South Highway 81

City, State and ZIP Code Malta, ID 83342

New Telephone Number () _____

Date you acquired the property June 12, 2006

SUPPORT DATA

IN FILE # 43-2444

6.

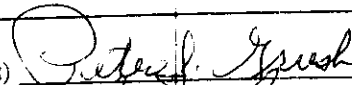
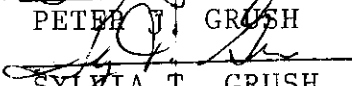
If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as 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(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7.

Signature of New Owner(s) or Claimant(s)
(include title if applicable)


PETER J. GRUSH

SYLVIA T. GRUSH

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.

For Office Use Only		
Received by _____	Date _____	Fee <u>75.00</u>
Received by <u>KRW</u>	Date <u>6/16/06</u>	Receipt No. <u>0081496</u>
Processed by _____	Date _____	WR _____ Date _____

WARRANTY DEED

#41736

309102

For Value Received

**RALPH WALLIN JR. and DIANE WALLIN, Trustees of the RALPH WALLIN JR. FAMILY
INTER VIVOS TRUST AGREEMENT, Dated March 21, 1980**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

**PETER J. GRUSH and SYLVIA T. GRUSH, Husband and Wife
Address: 2025 S. HIGHWAY 81, MALTA, ID 83342**

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

See attached Exhibit "A"

**TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto
including but not limited to Water right No.s 43-12966, 43-13207, 43-2444.**

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2006 and subsequent years, a lien, but not yet due or payable.

Agreement For Purchase Of Power between Raft River Rural Electric Cooperative, Inc., Seller and Lloyd and Darrington, Consumer, dated September 27, 1967 and recorded October 4, 1967 as Instrument No. 37041 on Film No. 52, records of Cassia County, Idaho.

Oil, Gas and Mineral Lease between Arlo Lloyd and Bonita T. Lloyd, husband and wife, and Standard American Co., dated September 8, 1973, and recorded September 18, 1973 as Instrument No. 72439 on Film No. 84, records of Cassia County, Idaho. (Parcel No. 2)

Reservations contained in U. S. Patent to Wells Hepworth, dated June 23, 1972 and recorded May 21, 1976 as Instrument No. 90819 on Film No. 101, records of Cassia County, Idaho.

Reservation contained in Warranty Deed from Arlo P. Lloyd and Bonita T. Lloyd, husband and wife, to Lamond Keller, Carroll James, James H. Bell, Jr. and Jack H. Hill, dated December 30, 1976 and recorded September 9, 1981 as Instrument No. 137872 on Film No. 144, records of Cassia County, Idaho.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta and Harris Ag, dated May 15, 1997 and recorded June 16, 1997 as Instrument No. 249563 on Film No. 288, records of Cassia County, Idaho.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller and F. Stanley Lloyd and Jeanette Lloyd/Living Trust, Consumer, dated January 27, 2000 and recorded February 11, 2000 as Instrument No. 267344, records of Cassia County, Idaho.

Reservation contained in Warranty Deed executed by F. Stanley Lloyd and Jeanette Lloyd, or their successors in trust, under the Stan and Jeanette Lloyd Living Trust DTD Agust 28, 1995 to Ralph Wallin, Jr. and Diane Wallin, Trustees of the Ralph Wallin, Jr. Inter Vivos Trust Agreement dated March 21, 1980, dated April 28, 2000 and recorded May 1, 2000 as Instrument No. 268948, records of Cassia County, Idaho, which reads as follows: "RESERVING unto the Grantors, their successors and assigns, a 30 foot wide access and mainline irrigation water easement adjacent and parallel to the East right-of-way line of Highway 81, more particularly described as follows: Beginning at the Northwest corner of that portion of said Lot 4 lying East of the East right-of-way of Highway 81, formerly U. S. Highway 30, and running Southwesterly 939 feet, more or less, to a point on the East right-of-way line of said Highway 81 where the underground culvert crosses the right-of-way for Highway 81." (Affects Parcel No. 4)

Effect of Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller, and Kurt Harris, etal., Consumer, dated May 3, 2000 and recorded May 11, 2000 as Instrument No. 269171, records of Cassia County, Idaho.

(Affects the SW¼SW¼ of Section 7 Township 14 South Range 27 East of the Boise Meridian.)

Joint Well Use Agreement And Easements between C. McGee Harris and Janet G. Harris, husband and wife; Wade G. Harris and Renee Harris, husband and wife; Todd D. Harris and Cindy Harris, husband and wife; Kurt Harris and Jackie Harris, husband and wife; and Ralph William Wallin, Jr. and Diane Wallin, trustees of the Ralph Wallin, Jr. Family, Intervivos Trust Agreement dated March 21, 1980, dated June 1, 2000 and recorded June 5, 2000 as Instrument No. 269558, records of Cassia County, Idaho. (Affects Parcel Nos. 1, 2 and 3)

-continued-

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller, and Ralph William Wallin Jr., Diane Wallin, Consumer, dated June 1, 2000 and recorded June 7, 2000 as Instrument No. 269590, records of Cassia County, Idaho.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller, and Ralph William Wallin Jr. Diane Wallin, Consumer, dated June 1, 2000 and recorded August 3, 2000 as Instrument No. 270480, records of Cassia County, Idaho. (Affects the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 7 Township 14 South Range 27 East of the Boise Meridian)

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller, and Ralph William Wallin Jr., Diane Wallin, Consumer, dated June 1, 2000 and recorded August 3, 2000 as Instrument No. 270481, records of Cassia County, Idaho. (Affects the NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6 Township 14 South Range 27 East of the Boise Meridian)

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller, and Ralph William Wallin Jr., Diane Wallin, Consumer, dated June 1, 2000 and recorded August 3, 2000 as Instrument No. 270482, records of Cassia County, Idaho. (Affects the NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6 Township 14 South Range 27 East of the Boise Meridian)

Agreement For Electric Service and Easement between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller, and P Bar S Farms, Inc., Consumer, and Ralph Wallin Family Trust, Landowner, dated March 10, 2005 and recorded March 29, 2005 as Instrument No. 301208, records of Cassia County, Idaho. (Affects the SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7 Township 14 South Range 27 east of the Boise Meridian. Government Lot #6)

Agreement For Electric Service and Easement between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller, and P Bar S Farms, Inc., Consumer, and Ralph Wallin Family Trust, Landowner, dated March 10, 2005 and recorded March 29, 2005 as Instrument No. 301209, records of Cassia County, Idaho. (Affects the SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7 Township 14 South Range 27 east of the Boise Meridian)

Effects of Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, Seller, and Harris Feedlot, Consumer and Landowner, dated November 1, 2005 and recorded November 7, 2005 as Instrument No. 305021, records of Cassia County, Idaho. (Affects Parcels 1, 2, and covers additional property not included herein.)

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 incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: June 13, 2006

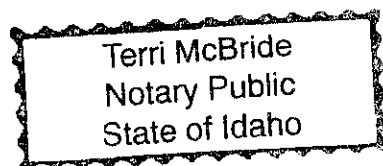
RALPH WALLIN JR. FAMILY INTER
VIVOS TRUST

BY: Ralph Wallin Jr. Trustee
Ralph Wallin Jr., Trustee

BY: Diane Wallin Trustee
Diane Wallin, Trustee

STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

On this 13th day of June, 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared Ralph Wallin Jr. and Diane Wallin, known or identified to me to be the persons whose names are subscribed to the within instrument as Trustees of the RALPH WALLIN JR FAMILY INTER VIVOS TRUST AGREEMENT, and acknowledged to me that they executed the same as such Trustees.



Terri McBride
Notary Public
Residing at: Reupert
My Commission expires: 2-5-08

309102

CASSIA COUNTY, IDAHO
LARRY A. MICKELSEN
RECORDER
FEE 900 DEPUTY 46

2006 JUN 14 PM 4 35

RECORDED AT THE REQUEST OF
LAND TITLE & ESROW

Exhibit "A"

PARCEL NO. 1:

TOWNSHIP 14 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 7: Lots 2, 3 and 4, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$

PARCEL NO. 2:

TOWNSHIP 14 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 6: Lots 4, 5, 6 and 7, EXCEPT the South 690 feet of said Lot 7

PARCEL NO. 3:

A 50 foot access and mainline easement for the benefit of Parcel Nos. 1 & 2, as created by Joint Well Use Agreement And Easements between C. McGee Harris and Janet G. Harris, husband and wife; Wade G. Harris and Renee Harris, husband and wife; Todd D. Harris and Cindy Harris, husband and wife; Kurt Harris and Jackie Harris, husband and wife, to Ralph William Wallin, Jr. and Diane Wallin, trustees of the Ralph Wallin, Jr. Family, Intervivos Trust Agreement dated March 21, 1980, dated June 1, 2000 and recorded June 5, 2000 as Instrument No. 269558, records of Cassia County, Idaho, over and across the following:

TOWNSHIP 14 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 6: The West 50 feet of the South 690 feet of Lot 7

Section 7: The West 50 feet of Lot 1

PARCEL NO. 4:

TOWNSHIP 14 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 18: That portion of Lot 4 lying East of the East right-of-way of Highway 81, formerly U. S. Highway 30.