

RECEIVED

MAR 27 2003

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

Department of Water Resources

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, 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
<u>29-12887</u>	<u>✓ Done 3/20/03</u>				
<u>29-10323</u>	<u>PD issued 1998</u>	<u>-\$2500</u>		<u>E028583</u>	

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

OR

If your water right(s) and/or adjudication claim(s) are 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**.

3. Name and Address of Former Owner/Claimant(s)

See attached deeds -

4. New Owner/Claimant(s)

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

New Mailing Address

City, State and ZIP Code

New Telephone Number

Everlee F Hill Rush
P.O. Box 129, Lava Hot Springs, ID
208 776-5800 83246

5. Date you acquired the property

see deeds -

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)

Evelyn Sue Rush

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 \$ 25
Received by _____	Date _____	Receipt No. E028583
Processed by _____ AJ	Date _____	WR _____ Date 3-20-03

P39127

20302527

WARRANTY DEED

For Value Received **WALTER C. ROGERS AND WALTER C. ROGERS AS PERSONAL REPRESENTATIVE OF THE ESTATE OF THEDA S. ROGERS, DECEASED**

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

ROBERT E. RUSH and EVELEE HILL-RUSH, HUSBAND AND WIFE

whose address is: **P.O. BOX 129, LAVA HOT SPRING, ID. 83246**

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

THE NORTH 50 FEET OF LOTS 17, 18, 19 AND 20, BLOCK 1, HALL CITY, BANNOCK COUNTY, IDAHO, AS THE SAME APPEARS ON THE OFFICIAL PLAT THEREOF.

INCLUDED WITH SALE IS IDAHO DEPT OF WATER RESOURCES WATER RIGHT #29-10323

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.

Dated: January 29, 2003

Walter C. Rogers
WALTER C. ROGERS

Walter C. Rogers
WALTER C. ROGERS, PERSONAL
REPRESENTATIVE OF THE ESTATE OF THEDA S. ROGERS

STATE OF Idaho
COUNTY OF BANNOCK

On this 29th, before me TERRI J SMALL, personally appeared WALTER C. ROGERS, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) is subscribed to the within instrument as PERSONAL REPRESENTATIVE OF THE ESTATE OF THEDA S. ROGERS and acknowledged to me that HE executed the same as such PERSONAL REPRESENTATIVE.

Terri J. Small
Notary Public of Idaho
Residing at: Pocatello, Idaho
Commission Expires: 04/28/05

STATE OF IDAHO
COUNTY OF BANNOCK

On this 1/29/2003, before me, Terri J. Small, personally appeared Walter C. Rogers 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.

Terri J. Small
Notary Public of Idaho
Residing at: Pocatello, Id.
Commission Expires: 4/28/2005

20302527
RECORDED AT REQUEST OF
FEE 300 DEPUTY mw
FIRST AMERICAN TITLE
2003 JAN 31 AM 9 47
OFFICIAL RECORD BK# 824
LARRY W SHAN RECORDER
BANNOCK COUNTY IDAHO

Per Jerry @
Bannock cnty Assessors:
9538E 21 SE 1/4
Eli Justin Adridge
12.21-04

File # 57483AKE 14



20118411

A Pioneer Company
PIONEER TITLE COMPANY
OF BANNOCK COUNTY

135 North Arthur Avenue / P.O. Box 1057 / Pocatello, Idaho 83204 / Telephone (208) 233-9595

WARRANTY DEED

29-12887

For Value Received

JOHN CLARK MEHLHAFF and MARILYN B. MEHLHAFF, husband and wife

hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto

ROBERT E. RUSH and EVELEE H. RUSH, husband and wife

hereinafter referred to as Grantee, whose current address is

P.O. BOX 129, LAVA HOT SPRINGS, IDAHO 83246

the following described premises, to-wit:

Lots 1 through 6 in Block 1 of HALL CITY TOWNSITE, Bannock County, Idaho, as the same appears on the official plat thereof, filed in the office of the County Recorder of Bannock County, Idaho.

Also the hot water well rights filed for adjudication 3/22/96, Identification # A29-12887, which are non-guaranteeable by Seller.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that 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.

Dated: September 17, 2001.

John Clark Mehlhaff
JOHN CLARK MEHLHAFF

Marilyn B. Mehlhaff
MARILYN B. MEHLHAFF

20118411

NO
RECORDED AT PIONEER TITLE
2001 SEP 21 PM 4 44
BANNOCK COUNTY IDAHO
LARRY W CHAN RECORDER
FEE 3 DEPUTY

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-12887
Date Received: 3/22/1996
Receipt No: E021990
Received By: _____

COPY

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

916-823-7553

1. Name: JOHN MEHLHAFF
Address: 1424 HIGH ST
AUBURN CA

95603

2. Date of Priority: MAR 10, 1960

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	38E	21	SE	SE			BANNOCK

5. Description of diverting works:
6" CASING, 60' DEEP, 1 HP SUB PUMP, PIPE TO HOUSE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	38E	21	SE	SE		DOMEST	

-- of use in counties: BANNOCK