

No Color
Documents
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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.

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Department of Water Resources
Eastern Region

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> A21-10033 </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
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Department of Water Resources

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) Joseph P. Ruschetti
TWIN FALLS, Idaho
4. New Owner/Claimant(s) BRENT D. BARBER
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 100 N. 6000 W.
- City, State and ZIP Code Rexburg Idaho 83440
- New Telephone Number 208 656-0084
5. Date you acquired the property OCT 15, 2001

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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)

Brent D. Barker

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 <u>QC</u>	Date <u>5-6-02</u>	Fee <u>\$25</u>
Received by <u>QC</u>	Date <u>5-6-02</u>	Receipt No. <u>E027726</u>
Processed by _____ AJ	Date _____	WR _____ Date _____

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WARRANTY DEED

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Department of Water Resources
Eastern Region

For Value Received **Joseph P. Ruschetti and Patricia A. Ruschetti, husband and wife**

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

Brent D. Barber, a single man

whose address is: **100 North 6000 West, Rexburg, ID 83440**

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

Commencing at a point on the East right-of-way line of the Plano Road, which point is also 609.3 feet North and 628.1 feet East of the S $\frac{1}{4}$ corner of Section 19, Township 6 North, Range 39 E.B.M., Madison County, Idaho, and running thence N. 1°18' E. 100 feet; thence S. 89°40' E. 245.7 feet; thence South 100 feet; thence N. 89°40' W. 248 feet to the point of beginning.

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 their 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: October 15, 2001

Joseph P. Ruschetti
Joseph P. Ruschetti

Patricia A. Ruschetti
Patricia A. Ruschetti

STATE OF IDAHO)
 : ss
COUNTY OF MADISON)

On this 16th day of October, in the year 2001, before me, the undersigned, personally appeared JOSEPH P. RUSCHETTI and PATRICIA A. RUSCHETTI, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Lorna Leigh
Notary Public of Idaho
Residing at: Madison County, Idaho
Commission Expires: February 16, 2007

LORNA - LEIGH
STATE OF IDAHO
NOTARY -- * -- PUBLIC

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Instrument # 291914
REXBURG, MADISON, IDAHO
2001-10-16 10:38:00 No. of Pages: 1
Recorded for: FIRST AMERICAN
MARILYN R. RASMUSSEN Fee: 3.00
Ex-Officio Recorder Deputy MR

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

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 21-10033

NAME AND ADDRESS: JOSEPH P RUSCHETTI
PATRICIA A RUSCHETTI
100 N 6000W
REXBURG, ID 83440

SOURCE: GROUNDWATER
QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 12/01/1971

POINT OF DIVERSION: T06N R39E S19 LOT 05 (SWSE) Within Madison County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS
	Stockwater	01-01 TO 12-31	0.02 CFS

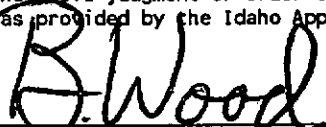
PLACE OF USE:	Stockwater	Within Madison County
	T06N R39E S19 LOT 05 (SWSE)	
	Domestic	Within Madison County
	T06N R39E S19 LOT 05 (SWSE)	

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 19, 2002

BRENT A BARBER
100 N 6000 W
REXBURG ID 83440

RE: Change of Ownership for Water Right 21-10033

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

A handwritten signature in cursive script that reads "Jeff Peppersack, dg". The signature is written in dark ink and is positioned above the printed name and title.

Jeff Peppersack, Manager
Water Right Permits Section

JP:dg

Enclosure

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