

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

RECEIVED

JUN 03 2004

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 (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
36-16164	36-16220 - NASH				
	36-16221 - RUTKOWSKI				
* RENUMBERED FROM 36-04260B					

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) 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**.

3. Name and Address of Former Owner/Claimant(s) NASH FAMILY Limited Partnership
P.O. Box 797
4. New Owner/Claimant(s) KETCHUM, ID., 83340 208-725-0455
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address RICHARD S. RUTKOWSKI & CORINNE S. DAVIS-RUTKOWSKI
 City, State and ZIP Code P.O. Box 367, KETCHUM ID 83340
 New Telephone Number (208) 726-7386
5. Date you acquired the property JANUARY 6 1998

(6/1/2004)

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 <u>36-16164</u>		
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	<u>Approx 0.030 CFS</u>	<u>1.64 Acres</u>
Stock		
Domestic		
Other		
Total	<u>0.030 CFS</u>	

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)

[Signature]
Co S. Ruthkows I.

6/1/2004
6/1/2004

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>[Signature]</u>	Date <u>6-3-04</u>	Fee <u>\$100.00</u>	
Received by <u>[Signature]</u>	Date <u>6-3-04</u>	Receipt No. <u>C074065</u>	
Processed by _____	AJ Date _____	WR _____	Date _____

T950260

Order No. 21363

WARRANTY DEED

FOR VALUE RECEIVED and as replacement property in an I.R.C. 1031 tax deferred exchange

THE NASH FAMILY LIMITED PARTNERSHIP

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

RICHARD S. RUTKOWSKI and CORINNE SUSAN DAVIS-RUTKOWSKI, husband and wife

GRANTEE(s) whose address is: **P.O. Box 4259, Ketchum, ID 83340**

the following described real property in **Twin Falls** County, Idaho, to wit:

Lot 12 in Block 1 of OREGON TRAIL HOMESITES, Twin Falls County, Idaho, according to the plat thereof, recorded April 10, 1995 as Instrument No. 95005477 in Book 15 of Plats, Page 6, in the Office of the County Recorder of said County.

Per June @ Twin Falls County Assessor's office:

T8S R14E S6 SE 1/4

Twin Falls Title

TWIN FALLS COUNTY, IDAHO

1998 JAN 12 P 3: 37

19980005471

EX-101 CLERK OF COURT

FEE: 3.00

CLERK: JH

Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

TO HAVE AND TO HOLD 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 they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: **January 6, 1998**

THE NASH FAMILY LIMITED PARTNERSHIP

Wesley K. Nash
BY: WESLEY K. NASH, GENERAL PARTNER

State of *Idaho* }
County of *Blaine* } ss.

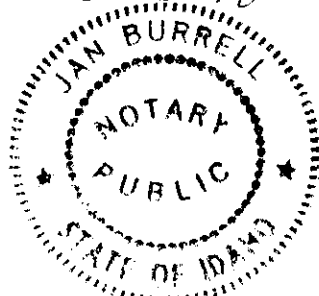
On this *7th* day of *January* in the year *1998*, before me, the undersigned, personally appeared **WESLEY K. NASH**, known or identified to me to be one of partners in the partnership of **THE NASH FAMILY LIMITED PARTNERSHIP**, and the partner or one of the partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

WITNESS my hand and official seal.

Jan L. Burrell
Notary Public

Commission Expires: *2-18-98*

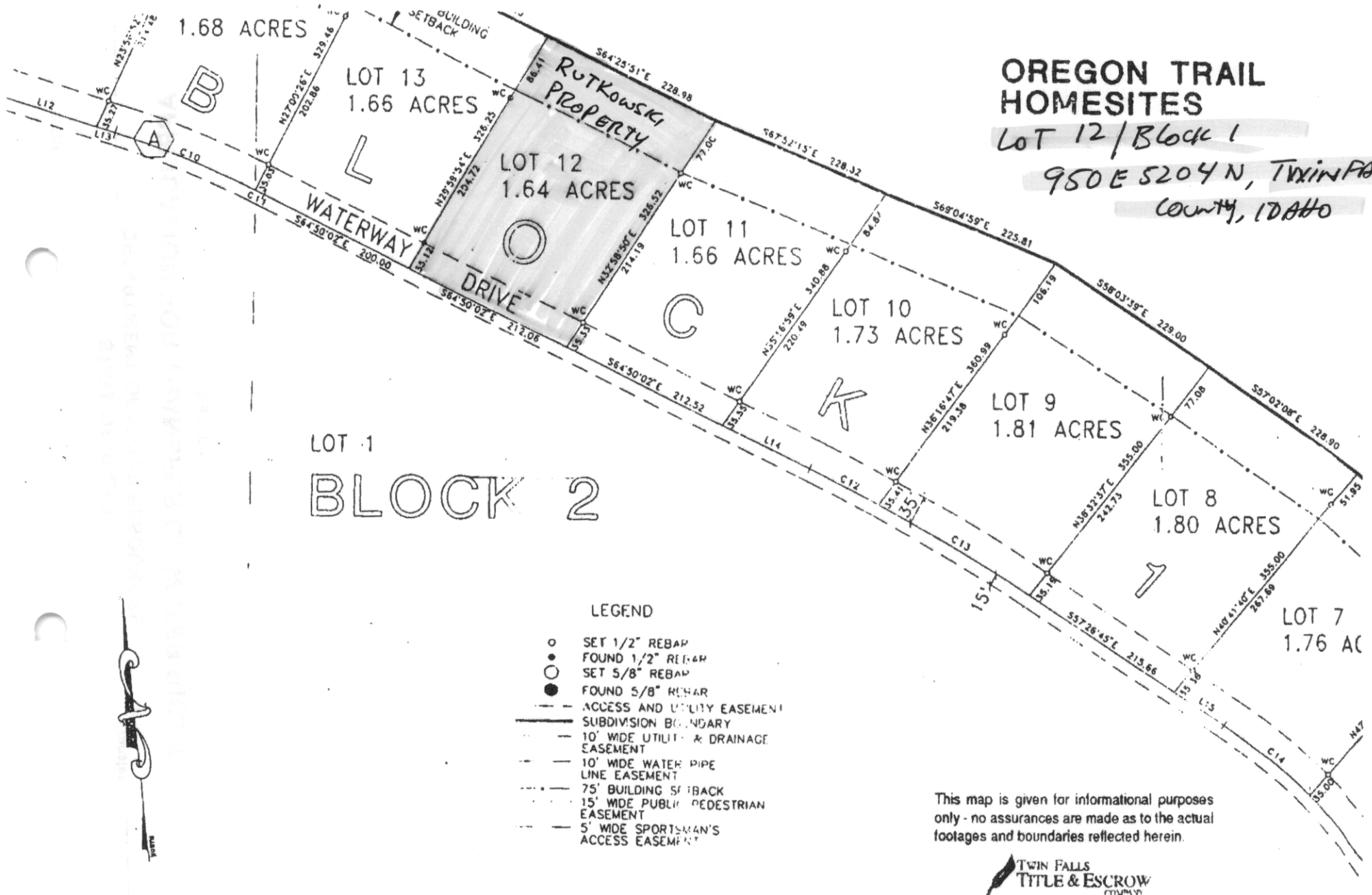
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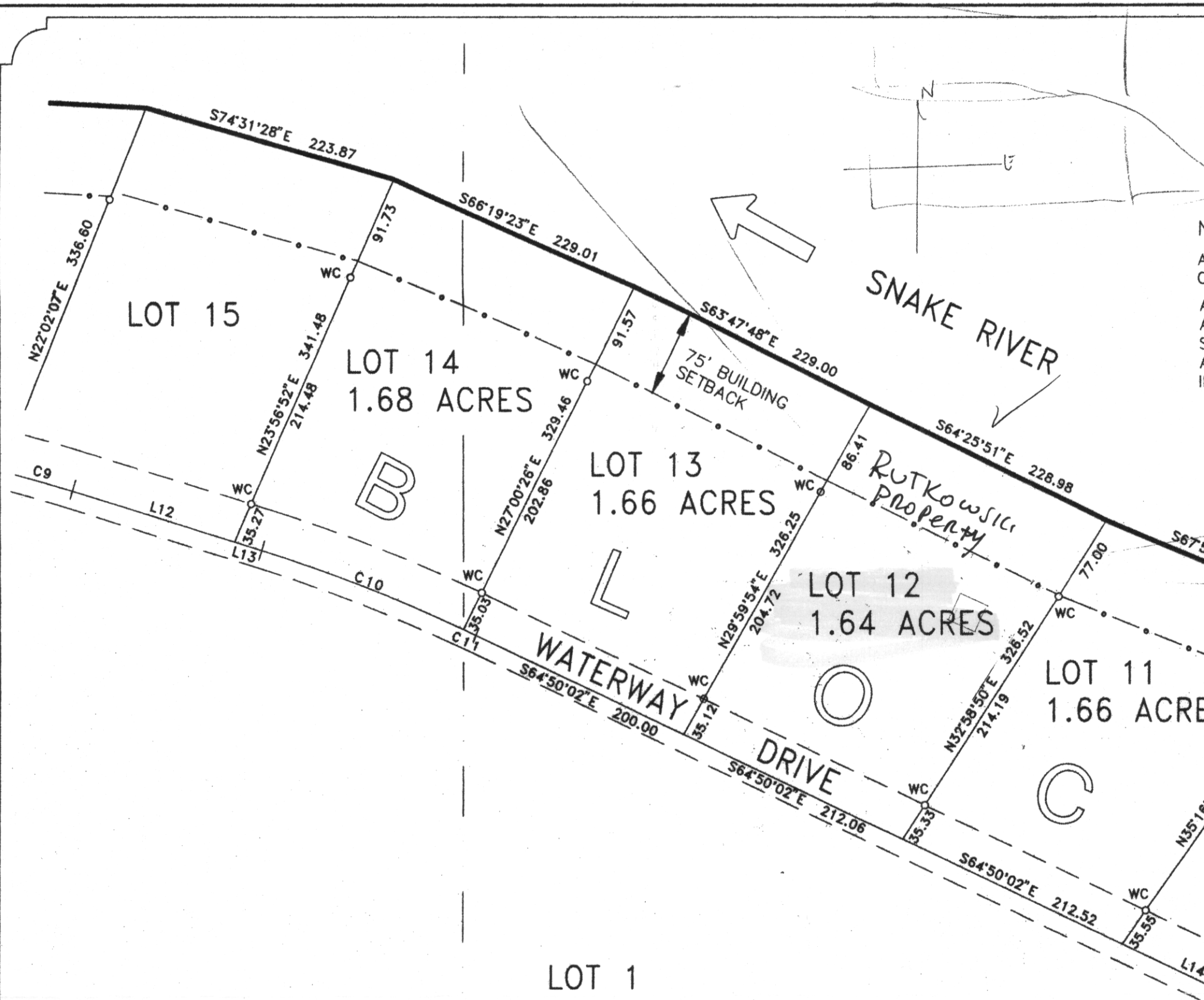


OREGON TRAIL HOMESITES

LOT 12 / Block 1

950 E 5204 N, TWIN FALLS
COUNTY, IDAHO





LINE TABLE

No.	Direction	Length
12	S73°12'01"E	147.42
13	S73°12'01"E	24.48
14	S64°50'02"E	119.56
15	S57°26'45"E	74.57

MATCH LINE SHEET 4
MATCH LINE SHEET 3

LEGEND

- SET 1/2" REBAR
- FOUND 1/2" REBAR
- SET 5/8" REBAR
- FOUND 5/8" REBAR
- WC WITNESS CORNER
- ACCESS AND UTILITY EASEMENT
- .-.- 75' BUILDING SETBACK
- SUBDIVISION BOUNDARY

CURVE TABLE

No.	Delta	Radius	Arc Length	Tangent	Chord
9	2°44'05"	1354.42	64.64	32.33	64.64 S74°34'03"E
10	7°51'39"	1367.24	187.58	93.94	187.44 S69°16'11"E
11	00°30'19"	1367.24	12.06	6.03	12.06 S65°05'12"E
12	2°16'29"	2416.81	95.95	47.98	95.94 S63°41'47"E
13	5°06'48"	2416.81	215.69	107.91	215.61 S60°00'09"E
14	10°22'38"	779.22	141.13	70.76	140.94 S52°15'26"E
15	18°11'39"	779.22	247.44	124.77	246.40 S37°58'18"E

NOTES:

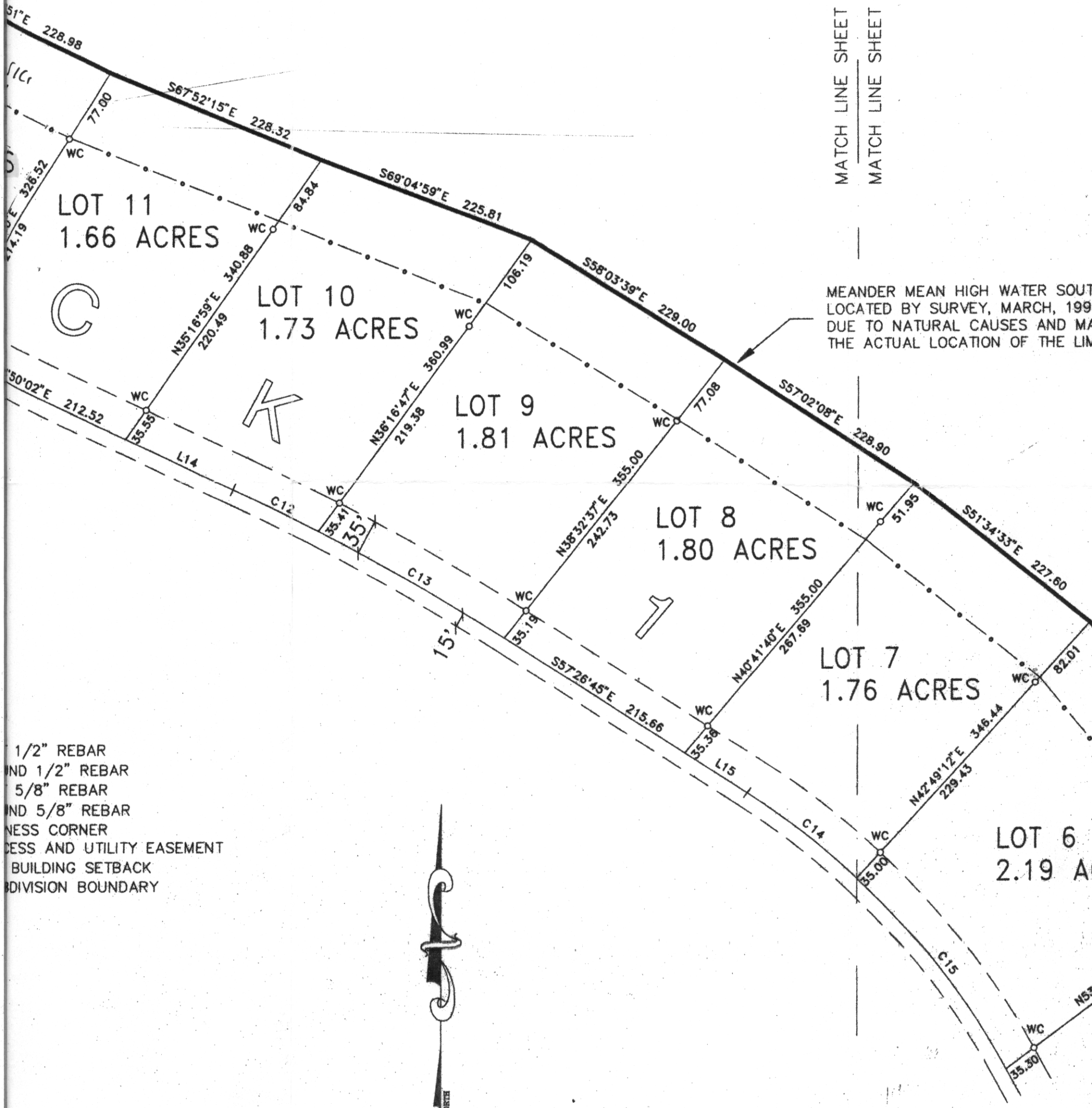
A 10' WIDE UNDERGROUND UTILITY EASEMENT IS HEREBY DEDICATED, CENTERING ON ALL INTERIOR LOT LINES.

ALL ROADS WITHIN OREGON TRAIL HOMESITES ARE PRIVATE. THE PURCHASER AND/OR OWNER OF ANY LOT OR PARCEL WITHIN THE OREGON TRAIL HOMESITES SUBDIVISION UNDERSTANDS AND AGREES THAT PRIVATE ROAD CONSTRUCTION AND MAINTENANCE SHALL BE THE OBLIGATION OF THE OWNER, HIS SUCCESSORS IN INTEREST, OR THE HOMEOWNER'S ASSOCIATION.

RIVER

MATCH LINE SHEET 3

MATCH LINE SHEET 2



MEANDER MEAN HIGH WATER SOUTH
LOCATED BY SURVEY, MARCH, 199
DUE TO NATURAL CAUSES AND MA
THE ACTUAL LOCATION OF THE LIM

1/2" REBAR
AND 1/2" REBAR
5/8" REBAR
AND 5/8" REBAR
NESS CORNER
CESS AND UTILITY EASEMENT
BUILDING SETBACK
DIVISION BOUNDARY

100 0 100 200 300

Scale: 1"=100'

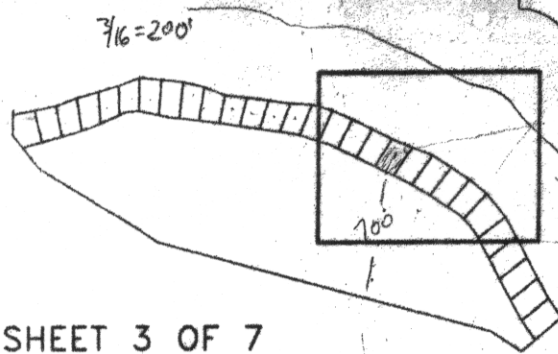
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10/13/94



OR
HO

SEC. 1
SEC. 6



MENT IS HEREBY DEDICATED,

SITES ARE PRIVATE. THE PURCHASER
WITHIN THE OREGON TRAIL HOMESITES
THAT PRIVATE ROAD CONSTRUCTION
ATION OF THE OWNER, HIS SUCCESSORS
OCIATION.

MATCH LINE SHEET 3
MATCH LINE SHEET 2

MEANDER MEAN HIGH WATER SOUTH BANK OF SNAKE RIVER
LOCATED BY SURVEY, MARCH, 1994... SUBJECT TO CHANGE
DUE TO NATURAL CAUSES AND MAY OR MAY NOT REPRESENT
THE ACTUAL LOCATION OF THE LIMIT OF TITLE.

9
1 ACRES

LOT 8
1.80 ACRES

LOT 7
1.76 ACRES

LOT 6
2.19 ACRES

200 300

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OREGON TRAIL HOMESITES

SEC. 1 & 12, T8S, R13E, B.M. AND
SEC. 6 & 7, T8S, R14E, B.M.