

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 18 2019

Department of Water Resources
Eastern Region

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
34-14539 OK	Yes ☐		Yes ☐		Yes ☐
34-10411 OK *	Yes ☐		Yes ☐		Yes ☐
34-10413 OK *	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Edward Favart

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Michele T. Babneau

New owner(s) as listed on the conveyance document

Name connector

☐ and ☐ or ☐ and/or3413 W 2850 N

Mailing address

Moore

City

ID

State

83255

ZIP

(208) 527-7500

Telephone

mbabneau@atcnct.net

Email

4. If the water rights and/or adjudication claims were split, how did the division occur?

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: 10/24/18

6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:

- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
- If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
- New lessor(s) of record will receive payment after the following rental season.

7. This form must be signed and submitted with the following **REQUIRED** items:

- A copy of the conveyance document - warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- Filing fee (see instructions for further explanation):
 - \$25 per undivided water right. = 75.00
 - \$100 per split water right.
 - No fee is required for pending adjudication claims.

SUPPORT DATA

IN FILE # 34-10411

8. Signature: M. Babneau

Signature of new owner/claimant

Title, if applicable

2/19/19

Date

Signature: _____

Signature of new owner/claimant

Title, if applicable

Date

34-10411 & 34-10413-Not allot of information in the back file. Babneau purchased all Favart property per Warranty Deed 52651, which included water rights specifically.

For IDWR Office Use Only:

Received by JBDate 11/18/2019Receipt No. E045456Receipt Amt. 44.00Approved by JBProcessed by CRDate 11/21/2019



Order Number: 18320894
5023

BUTTE COUNTY
Recorded for:
TitleOne Boise
04:19:28 PM 10-24-2018
0000-056546
No. Pages: 2 Fee: \$15.00
SHELLY SHAFFER
County Clerk
Deputy: bw

Warranty Deed

For value received,

Edward Favart and Kimberly Favart, husband and wife

the grantor, does hereby grant, bargain, sell, and convey unto

Michele Teresa Babneau , a single woman

whose current address is 3413 West 2850 North Moore, ID 83255

the grantee, the following described premises, in Butte County, Idaho, to wit:

PARCEL 1

Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho

Section 8: Part of the NE1/4SE1/4 of Section 8, more particularly described as:

Commencing at the E1/4 Corner of Section 8, from which the W1/4 Corner of said Section bears N. 89°41'25" W., 5255.22 feet, the basis of bearings for this description;
thence N. 89°41'25" W., 392.63 feet, along the North line of the NE1/4SE1/4 of said Section, from said E1/4 Corner to the Northeast Corner of Parcel II as described in Warranty Deed, Instrument No. 30423, being the Point of Beginning;
thence S. 00°03'56" E., 1321.81 feet, along the East line of said Deed to its intersection with the South line of the NE1/4SE1/4;
thence N. 89°37'05" W., 330.00 feet, along said South line to its intersection with the West line of said Deed;
thence N. 00°03'56" W., 1321.40 feet, along said West line to the North line of said NE1/4SE1/4;
thence S. 89°41'25" E., 330.00 feet, along said North line to the Point of Beginning.

SUBJECT TO a an irrigation ditch easement along the East and North sides.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its 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 they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

9.7. KF

Dated: October 11, 2018

Edward Favart
Edward Favart

Kimberly Favart
Kimberly Favart

State of Massachusetts, County of Worcester, ss.

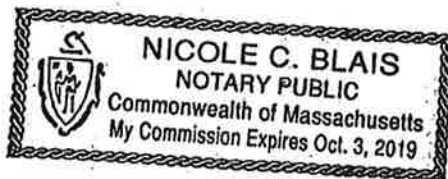
On this 12th day of October in the year of 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Edward Favart and Kimberly Favart, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Nicole C Blais

Notary Public

Residing In: MA

My Commission Expires: Oct 3, 2019
(seal)





Order Number: 5023

NO. 0052651
RECORDED
JUL 01 2015
A.M. 3:43 P.M.
BUTTE COUNTY RECORDER
Shelly Shaffer

Warranty Deed

For value received,

Dathan J. Froerer and Rebecca W. Froerer, husband and wife, the grantor, does hereby grant, bargain, sell, and convey unto Edward Favart and Kimberly Favart, husband and wife, whose current address is 263 Robbins Road, Rindge, NH 03461, the grantee, the following described premises, in Butte County, Idaho, to wit:

See attached Exhibit A

Also Including the following Water Rights:

Water Right No. 34-10411, Priority Date 6/12/1884

Water Right No. 34-10413, Priority Date 6/1/1973

5 inches of Water Right No. 34-10410, Priority Date 5/20/1884

To have and to hold the said premises, with their appurtenances unto the said Grantee, its 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 they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Dated: June 29 2015

Dathan J. Froerer
Dathan J. Froerer

Rebecca W. Froerer
Rebecca W. Froerer

State of WYOMING

County of Goshute

SS.

On this 29th day of June in the year of 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Dathan J. Froerer and Rebecca W. Froerer, 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.

Donna Alvarado
Notary Public
My Commission Expires: Jan 13, 2019
(seal)



Exhibit A

PARCEL 1

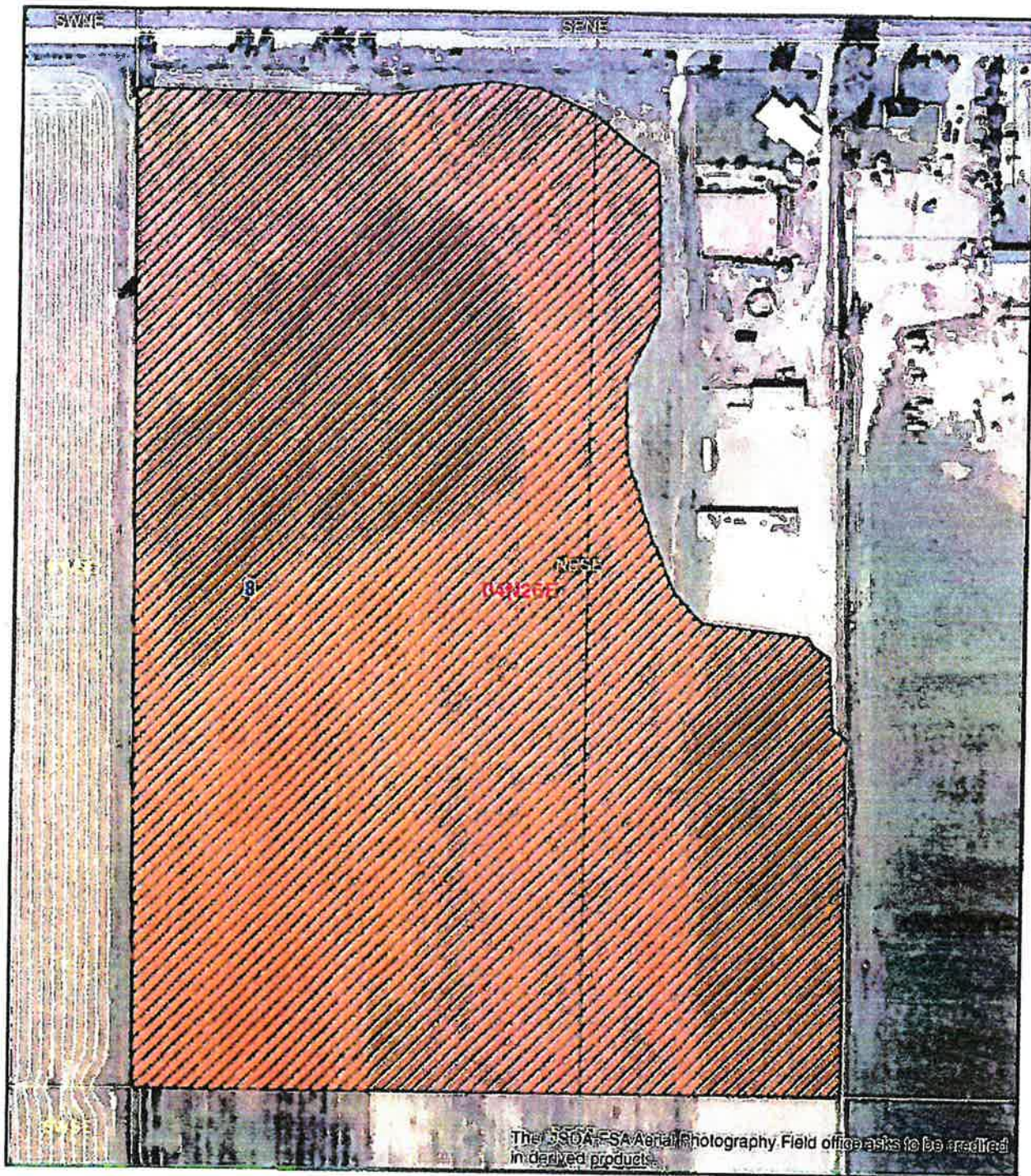
Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho

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thence N. 89°37'05" W., 330.00 feet, along said South line to its intersection with the West line of said Deed;
thence N. 00°03'56" W., 1321.40 feet, along said West line to the North line of said NE1/4SE1/4;
thence S. 89°41'25" E., 330.00 feet, along said North line to the Point of Beginning.

SUBJECT TO a county road right-of-way along the North side as well as an irrigation ditch easement along the East and North sides.

Idaho Department of Water Resources



Legend

-  34-10410 Before Split
-  Township/Range
-  Sections
-  Taxlots

State of Idaho
Department of Water Resources
Water Right License
34-10410



0 0.0425 0.085 0.17 Miles

-  Place Of Use Boundary
-  Townships
-  PLS Sections



IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/3/2016

Water Right 34-14539

Owner Type **Name and Address**
Current Owner EDWARD FAVART
263 ROBBINS RD
RINDGE, NH 03461
(603)899-6496

Current Owner KIMBERLY FAVART
263 ROBBINS RD
RINDGE, NH 03461
(603)899-6496

Priority Date: 5/20/1884

Basis: Decreed

Status: Active

Source
BIG LOST RIVER

Tributary
SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	10/15	0.100 CFS	
	<u>Total Diversion</u>		0.100 CFS	

Source and Point(s) of Diversion

BIG LOST RIVER NWSESE Sec. 4, Twp 05N, Rge 26E, BUTTE County

Place Of Use

IRRIGATION within BUTTE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	26E	8													5.0				5.0

POU Total Acres: 5.0

Conditions of Approval:

1. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF WATER RESOURCES.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3. THIS RIGHT IS A COMBINATION OF PORTIONS OF OLD RIGHT NOS. 34-00309 AND 34-00310.
4. C05 WATER DELIVERED THROUGH THE MOORE DIVERSION, MOORE CANAL. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

5/3/2016

SECTION 42-1425, IDAHO CODE.

Comments:

1. j barg 9/4/2015 Ownership Change
Jason Anderson was deeded 2 inches of water right no 34-10410 priority Date 5/20/1884 with a
Warranty Deed dated July 21, 2015 recorded as instrument number 52707. Jason Anderson
plans to file a transfer at a later date to move his 2 inches to his property.
2. j barg 5/3/2016 Change of Ownership
water right 34-10410 was split into 34-10410 and 34-14539
3. j barg 5/3/2016 POD
Updated Shape

State of Idaho
Department of Water Resources
Water Right License
34-14539



0 0.0425 0.085 0.17 Miles

-  Place Of Use Boundary
-  Townships
-  PLS Sections





State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region • 900 N SKYLINE DR STE A • IDAHO FALLS, ID 83402-1718

Phone: (208)525-7161 • Fax: (208)525-7177 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

November 21, 2019

MICHELE TERESA BABNEAU
3413 W 2850 N
MOORE ID 83255-8717

Re: Change in Ownership for Water Right No(s): 34-10411, 34-10413, 34-14539

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 497-3779.

Sincerely,

Cher Ramos
Technical Records Specialist 1

Enclosure(s)

cc: Big Lost River Ground Water District
Water District 34