

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 07 2018

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?
34-330L OK	Yes ☒		Yes ☐		Yes ☐
34-330K OK	Yes ☒		Yes ☐		Yes ☐
	Yes ☐	34-330K (Split into 34-330K & 34-14682)			Yes ☐
	Yes ☐	34-330L (Split into 34-330L & 34-14683)			Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Ernest Tate
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): DONALD SWINDEE ROXIE SWINDEE
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☒ and/or
Mailing address P.O. BOX 805 City ARCO State ID ZIP 83213
Telephone 360-870-8916 Email SWINDEE-2@MSN.COM

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: August 2017

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.
 - \$100 per split water right.
 - No fee is required for pending adjudication claims.

SUPPORT DATA

IN FILE #

34-330K

8. Signature: Donald E Swindee
Signature of new owner/claimant

Title, if applicable

Date

5-04-18

Signature: Roxie Swindee
Signature of new owner/claimant

Title, if applicable

Date

5/4/18

For IDWR Office Use Only:

Received by

Date

5/7/2018

Receipt No.

E044197

Receipt Amt.

#175. -

Approved by

Processed by

JB

Date

E043975

11/20/2018

\$25. -



Title One

a title & escrow co.

Order Number: 5724

BUTTE COUNTY

Recorded for:

TITLEONE

2:36:46 PM 09-26-2017

0000-054960

No. Pages: 2 Fee: \$ 15.00

SHELLY SHAFFER

County Clerk

Deputy: KIM

Warranty Deed

For value received, Ernest Dean Tate aka Ernest D. Tate and Deborah Ann Tate aka Deborah A. Tate, husband and wife,

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

Donald E. Swindle and Roxie Swindle, husband and wife,

whose current address is 2902 W. 2350 N., Arco, ID 83213

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

See attached EXHIBIT A

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: September 21st, 2017

Ernest Dean Tate

Deborah Ann Tate

State of Idaho

County of Bonneville

ss.

On this 21st day of September in the year of 2017, before me, the undersigned, a Notary Public in and for said State, personally appeared Ernest Dean Tate and Deborah Ann Tate, 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.

Notary Public

Residing in: Idaho FallsMy Commission Expires: 11/7/23

(seal)



EXHIBIT A

Parcel I:

Township 3 North, Range 27 East of the Boise Meridian, Butte County, Idaho

Section 6: A parcel of land generally described as being a portion of Lot 1, and of the SE1/4NE1/4 of Section 6, being more particularly described as follows:

Beginning at the E1/4 corner of Section 6, thence N. 00°02'01" E., along the East boundary of the NE1/4 of said Section 6, a distance of 1124.17 feet, to the Westerly right-of-way of Highway 20 and 26;
thence N. 46°42'39" W., along the Westerly right-of-way of U.S. Highway 20 and 26, a distance of 525.30 feet;
thence leaving said Highway right-of-way S. 00°13'11" W., a distance of 1484.20 feet, to the South boundary of the NE1/4 of said Section 6;
thence S. 89°58'30" E., along the South boundary of the NE1/4 of said Section 6, a distance of 387.40 feet, to the E1/4 corner of said Section 6, and the Point of Beginning of this described parcel of land.

Parcel II:

Township 3 North, Range 27 East of the Boise Meridian, Butte County, Idaho

Section 5: A parcel of land generally described as being a portion of the SW1/4NW1/4 of Section 5, and being more particularly described as follows:

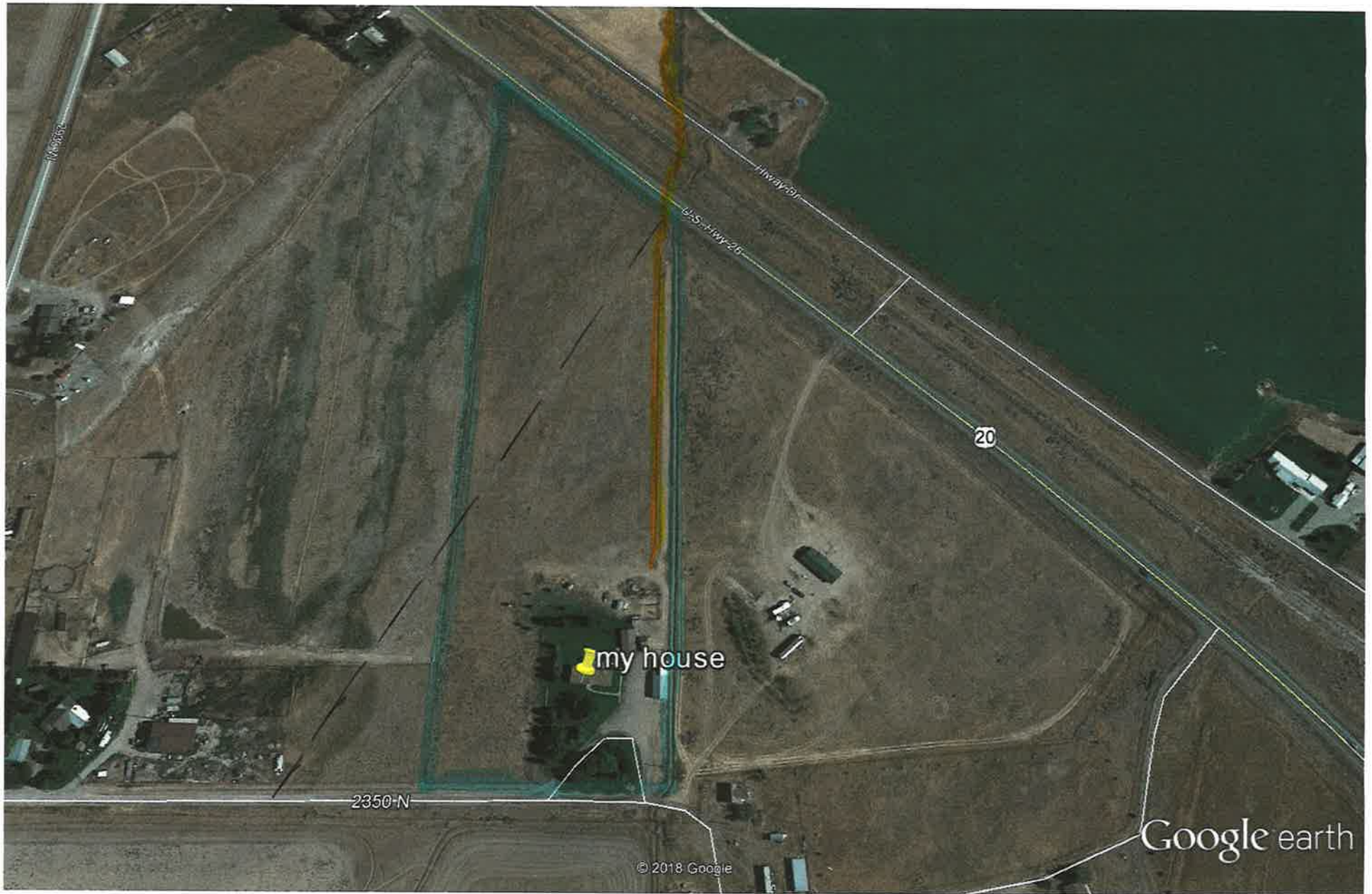
Commencing at the W1/4 corner of said Section 5, (said corner being monumented by a 5/8 inch diameter steel rod), from which the Northwest corner of said Section 5 (G.L.O. pipe and brass cap monument) bears N. 00°02'09" E., a distance of 2582.05 feet;

thence from the W1/4 corner of said Section 5, N. 00°02'09" E., along the West boundary of the NW1/4 of said Section 5, a distance of 546.82 feet, to a half-inch diameter steel rod and the Point of Beginning.

Thence continuing along the West boundary of the NW1/4 of said Section 5, N. 00°02'09" E., a distance of 577.33 feet, to a half-inch diameter steel rod on the Westerly boundary of the U.S. Highway 20-26 right-of-way;

thence S. 46°43'57" E., along the Westerly boundary of said highway right-of-way, a distance of 416.26 feet, to a half-inch diameter steel rod;

thence leaving the Westerly boundary of said highway right-of-way, S. 46°06'03" W., a distance of 421.15 feet, to the West boundary of the NW1/4 of said Section 5, and the Point of Beginning.



Google earth

feet
meters





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N Skyline Dr., Ste A, Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 FAX: (208) 525-7177 www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 21, 2018

Donald Swindle
Roxie Swindle
Po Box 805
Arco ID 83213

RE: Change of Ownership for Water Rights 34-330 K (Split into 34-330K & 34-14682) and 34-330L (Split into 34-330L & 34-14683)

Dear Water Right Holder:

The department acknowledges receipt of correspondence changing ownership and splitting the above referenced water right. The department has modified its records to reflect the changes and has enclosed computer-generated reports for your records.

Your portion of the water right has a specified point of diversion, nature of use and place of use. If you plan on changing any of these, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. If you do not plan on changing any items on your water right, then no further action is required at this time.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been deliberately abandoned or forfeited 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 Sections 42-222 and 42-223, Idaho Code.

Please note that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.idaho.gov.

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

Sincerely,

Jonie Barg
Technical Records Specialist

Enclosures

cc: Donnie Kruse
Patty Kruse
Ernest Tate
Deborah Tate
Water District 34