



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

June 29, 2017

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

Johnathan Bragg
Candy Bragg
3449 W 2700 N
Moore ID 83255

The "Notice of Change in Water Right Ownership" for 34-10420, 34-10421 & 34-10427 has been returned for the following item(s):

**** Water rights not appurtenant to your property. According to the information received by the department and our phone conversation on June 28, 2017 the water rights listed above are not appurtenant to your property. Because the department can complete your request you are entitled to full refund. The department has initiated the refund and it should arrive from the state office in couple of weeks.

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 within 120 days of the change. Failure to do so could result in a \$100 late filing fee. 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.

If you have any questions please contact Jonie Barg at (208)525-7161.

Respectfully submitted,

Jonie Barg
Technical Records Specialist

cc: Water District 34

SUPPORT DATA
IN FILE # 34-10420

Barg, Jonie

From: Barg, Jonie
Sent: Thursday, June 29, 2017 1:38 PM
To: Carlos, Rhea
Subject: Refund Request
Attachments: E042946.pdf

Rhea,

Good afternoon!!

I have a refund request as follows:

Receipt number: E042946
Amount: \$ 75.00
Payable to: Bragg Ranches
3449 W 2700 N
Moore ID 83255

Reason: Total filing fee received \$75.00 for an ownership change application. The water rights are not appurtenant to the property purchased. Because the ownership change could not be complete a full refund is required.

Let me know if you need additional information.

Thank you so much for your time. Let me know if you have any questions.

Have a great day!!!

Jonie Barg

Jonie Barg
Technical Records Specialist
Idaho Department of Water Resources
900 N Skyline Ste A
Idaho Falls ID 83402
phone: (208) 525-7161
fax: (208) 525-7177
email: jonie.barg@idwr.idaho.gov

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
APR 21 2017
Department of Water Resources
Eastern Region

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?
34-10420	Yes ☐		Yes ☐		Yes ☐
34-10421	Yes ☐		Yes ☐		Yes ☐
34-10427	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

Gerald Stewart

Name of current water right holder claimant

3. New Owner(s)/Claimant(s):

Johnathan & Candy Bragg

New owner(s) as listed on the conveyance document

Name connector ☒ and ☐ or ☐ and/or3449 W 2700N

Mailing address

More

City

ID

State

83255

ZIP

208-313-3059

Telephone

CandyBragg@aol.com

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: 3-5-2012

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.

8. Signature:

Candy Bragg

Signature of new owner/claimant

Title, if applicable

4-17-17

Date

Signature:

John Bragg

Signature of new owner/claimant

Title, if applicable

4-17-17

Date

For IDWR Office Use Only:

Received by

JB

Date

4/21/2017

Receipt No.

E042946

Receipt Amt.

\$75.-

Approved by

Processed by

Date

Refund Request Sent 6/29/2017

Order No. 5697LRT

WARRANTY DEED

NO. 49356
RECORDED

MAR 05 2012

A.M. 4:27 P.M.
BUTTE COUNTY RECORDER
[Signature]

For Valuable Consideration Received:

RELLA STEWART, An Unmarried Woman,

the Grantor, does hereby grant, bargain, sell, convey and warrant unto

CANDY LEE BRAGG and JOHNATHAN KENNETH BRAGG, Wife and Husband, as community property with right of survivorship,

the Grantees, whose current address is:

3449 W. 2700 N., Moore, ID 83255

the following described premises, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

[Signature: Rella Stewart]
Rella Stewart

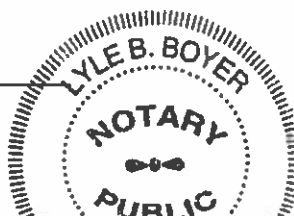
3/5/12
Date

STATE OF IDAHO)
)ss.
COUNTY OF BUTTE)

On this **5th day of March, 2012**, before me, the undersigned, a Notary Public, in and for said State, personally appeared **RELLA STEWART**, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

WITNESS MY HAND AND OFFICIAL SEAL

[Signature: Lyle B. Boyer]
Residing at: **Arco, Idaho**
Commission Expires: **06/05/2015**



*** Water Right decree 34-13969, Priority Date 09/01/1901 for 0.12 cfs from the Big Lost River. The right is for irrigation purposes on 6.1 acres within 39.5 acres of permissible place of use. Listed under the ownership of Gerald J. Stewart and Rella O. Stewart on IDWR records.**

*** Water Right decree 34-13973, Priority Date 12/07/1908 for 0.17 cfs from the Big Lost River. The right is for irrigation purposes on 39.5 acres of permissible place of use. Listed under the ownership of Gerald J. Stewart and Rella O. Stewart on IDWR records.**

*** Water Right decree 34-13975, Priority Date 06/22/1961 for 0.65 cfs from ground water sources. The right is for irrigation purposes on 39.5 acres of permissible place of use. Listed under the ownership of Gerald J. Stewart and Rella O. Stewart on IDWR records.**

*** 1,201 inches of Storage Water in Mackay Reservoir (when the reservoir is full).**

IRRIGATION EQUIPMENT AND GRAIN BINS

(1) Westeel-Rosco grain bin: 3,200 bushel capacity

(2) Butler grain bins: 1,800 bushel capacity each

13% ownership interest in a 60 HP 1465 rpm A.O. Smith electric motor (S/N 2F61) with a Johnston turbine pump located at:

Parcel(s) of land, situate in county of Butte, State of Idaho, containing .06 acres, more or less, and more particularly described as follows: From the NE corner of the NW1/4NW1/4, Sec 20, Twp 4N, R26 EBM, W 425', then South 250', to point of beginning, thence 50'S, thence 50'W, thence 50'N, thence 50' E to point of beginning.