

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

RECEIVED
OCT 11 2016
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?
34-13915 <i>OK</i>	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: PHILLIP JAMES DAVIES
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Kim Davies, True Stone, LLC
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- | | | | |
|---------------------|----------------------------|-----------|--------------|
| <u>3355W 3135N</u> | <u>Moore</u> | <u>ID</u> | <u>83255</u> |
| Mailing address | City | State | ZIP |
| <u>208-419-7389</u> | <u>kcdavies1@gmail.com</u> | | |
| Telephone | 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: 02/29/2012

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: *Kim Davies* *manager True Stone LLC* *10-6-2016*
Signature of new owner/claimant Title, if applicable Date

Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by *JB* Date *10/11/2016* Receipt No. *E042518* Receipt Amt. *\$25.-*
Approved by *JB* Processed by *JB* Date *10/28/2016*

WARRANTY DEED

FOR VALUABLE CONSIDERATION RECEIVED

Phillip James Davies, the Grantor,
does hereby grant, bargain, sell and convey unto True Stone LLC, the Grantee,
whose current address is 3355W 3135N Moore, ID,
the following described real estate situated in Butte Co. County,
State of Idaho, to-wit:

see attached property descriptions
subject to: all easements, rights of way, covenants, restrictions,
patent reservations, applicable building and zoning ordinances
and use regulations and restrictions and accruing taxes,
of record.

TO HAVE AND TO HOLD the said premises, together with all tenements, hereditaments and appurtenances thereunto belonging, unto the said Grantee, his successors and assigns forever, Grantor does hereby covenant to and with the said Grantee that IT is the owner in fee simple of said premises and that IT will warrant and defend the same from all lawful claims whatsoever.

In construing this Deed and where the context so requires, the singular includes the plural and the masculine, the feminine and neuter.

DATED: 2-29-12
Phillip James Davies

STATE OF IDAHO, County of Butte
On this 29th day of Feb 20 12
before me, Tribby S. McAffee, a
Notary Public in and for the said State personally
appeared
Phillip James Davies

Known to me to be the person(s) whose name(s)
subscribed to the within instrument, and ac-
knowledges to me that he executed the same.

Tribby S. McAffee

THIS SPACE FOR COUNTY RECORDS USE ONLY

NO. 1045346
RECORDED

FEB 29 2012

AM 4:28 PM.
BUTTE COUNTY RECORDER

Tribby S. McAffee

State of Idaho, to-wit:

see attached property descriptions

subject to: all easements, rights of way, covenants, restrictions, patent reservations, applicable building and zoning ordinances and use regulations and restrictions and accruing taxes, of record.

TO HAVE AND TO HOLD the said premises, together with all tenements, hereditaments and appurtenances thereunto belonging, unto the said Grantee, his successors and assigns forever, Grantor does hereby covenant to and with the said Grantee that IT is the owner in fee simple of said premises and that IT will warrant and defend the same from all lawful claims whatsoever.

In construing this Deed and where the context so requires, the singular includes the plural and the masculine, the feminine and neuter.

DATED: 2-29-12

Phillip James Davies

STATE OF IDAHO, County of Butte

On this 29th day of Feb 2012
before me, Trilby S. McAfee, a
Notary Public in and for the said State personally
appeared

Phillip James Davies

Known to me to be the person(s) whose name(s)
subscribed to the within instrument, and ac-
knowledges to me that he executed the same.

Trilby S. McAfee Notary Public
Residing at Arco, Idaho
Comm. Expires: 10-28-2015

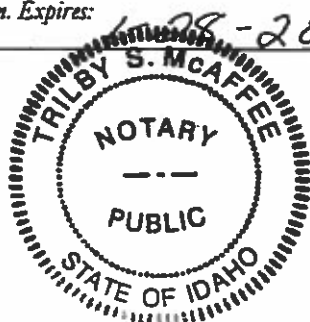
THIS SPACE FOR COUNTY RECORDS USE ONLY

NO. 1045346
RECORDED

FEB 29 2012

AM 4:28 PM

Trilby S. McAfee



PROPERTY DESCRIPTION

A parcel of land generally described as being a portion of the southeast quarter of the northeast quarter of Section 28, Township 5 North, Range 26 East, B.M., Butte County, Idaho, (said parcel being referred to as Tract 1, on Record Of Survey, Instrument No. 0042636, Butte Co. records, and a portion of the northeast quarter of the southeast quarter of said Section 28, (said parcel of land being referred to as Tract 2 on Record Of Survey, Instrument No. 0042636, Butte Co. records), and a portion of the northeast quarter of the southeast quarter of said Section 28 lying westerly of the westerly bank of the BIG LOST RIVER channel as it exists in Oct., 2005. The following land description describes the above three parcels in its entirety:

Commencing at the southeast corner of said Section 28, T. 5 N., R. 26 E., B.M., (Recorded- Instrument No. 17590, Butte Co. records), from which the east one-quarter corner of said Section 28 bears North 00° 38' 29" West, a distance of 2633.04 feet; thence from the southeast corner of said Section 28, North 00° 38' 29" West along the east boundary of the southeast quarter of said Section 28, a distance of 1316.52 feet to the southeast corner of the northeast quarter of the southeast quarter of said Section 28; thence South 89° 38' 46" West, along the south boundary of the northeast quarter of the southeast quarter of said Section 28, a distance of 905.29 feet to the POINT OF BEGINNING of this land description.

Thence continuing along the south boundary of the northeast quarter of the southeast quarter of said Section 28, South 89° 38' 46" West, a distance of 260.07 feet to a capped (P.L.S. 8252) one-half inch diameter steel rod at the southeast corner of Tract 3, as shown on Record Of Survey – Instrument No. 0042636, Butte Co. records); thence North 00° 36' 03" West along the east boundary of said Tract 3, a distance of 670.00 feet to a capped (P.L.S. 8252) one-half inch diameter steel rod at the northeast corner of said Tract 3; thence South 89° 38' 46" West along the north boundary of said Tract 3, a distance of 151.75 feet to a capped (P.L.S. 8252) one-half inch diameter steel rod on the west boundary of the northeast quarter of the southeast quarter of said Section 28, and the northwest corner of said Tract 3; thence North 00° 36' 03" West along the west boundary of the northeast quarter of the southeast quarter of said Section 28, a distance of 580.00 feet to a capped (P.L.S. 8252) one-half inch diameter steel rod at the southwest corner of said Tract 2, (Instrument No. 0042636); thence continuing along the west boundary of the northeast quarter of the southeast quarter of said Section 28, North 00° 36' 03" West, a distance of 65.57 feet to a capped (P.L.S. 8252) one-half inch steel rod at the northwest corner of the northeast quarter of the southeast quarter of said Section 28 and the northwest corner of said Tract 2; thence North 00° 36' 19" West along the west boundary of the southeast quarter of the northeast quarter of said Section 28, a distance of 269.12 feet to a capped (P.L.S. 8252) one-half inch diameter steel rod; thence North 89° 23' 41" East along the boundary line between said Tract 1, (Instrument No. 0042636) and the land owned by the MOORE WATER AND SEWER ASSOCIATION, a distance of 570.00 feet to a capped (P.L.S. 8252) one-half inch diameter steel rod; thence North 00° 36' 19" West along the boundary line between said Tract 1 and the land owned by the MOORE WATER AND SEWER ASSOCIATION, a distance of 650.00 feet to a capped (P.L.S. 8252) one-half inch diameter steel rod at the northwest corner of said Tract 1; thence North 89° 23' 41" East along the northerly boundary of said Tract 1, a distance of 219.06 feet to a capped (P.L.S. 8252) one-half inch diameter steel rod on the westerly bank of the BIG LOST RIVER; thence along the westerly bank of said river the following twelve courses and distances:

South 12° 14' 21" West, 48.95 feet;
South 14° 06' 14" West, 123.32 feet;
South 30° 03' 39" West, 71.95 feet;
South 06° 27' 24" East, 143.35 feet;
South 15° 38' 03" West, 128.72 feet;
South 06° 14' 13" West, 92.42 feet;
South 16° 37' 20" East, 120.46 feet;
South 24° 46' 56" East, 57.35 feet;
South 27° 53' 38" East, 54.19 feet;

South 04° 52' 39" West, 30.11 feet;
South 37° 24' 27" West, 78.24 feet;
South 52° 34' 20" West, 44.84 feet to the south boundary of the southeast
quarter of the northeast quarter of said Section 28; thence continuing along the westerly bank of said river
the following nineteen courses and distances:

South 52° 34' 19" West, 21.48 feet;
South 35° 38' 48" West, 62.34 feet;
South 35° 38' 48" West, 39.03 feet;
South 34° 32' 15" West, 90.57 feet;
South 53° 13' 44" West, 74.30 feet;
South 48° 19' 17" West, 62.13 feet;
South 28° 07' 21" West, 54.46 feet;
South 27° 38' 10" West, 56.70 feet;
South 11° 39' 21" West, 83.80 feet;
South 01° 55' 02" West, 49.62 feet;
South 04° 49' 05" West, 92.63 feet;
South 05° 50' 52" East, 161.36 feet;
South 06° 10' 14" East, 99.27 feet;
South 03° 18' 08" West, 146.87 feet;
South 03° 30' 18" East, 102.07 feet;
South 05° 15' 20" East, 70.42 feet;
South 19° 52' 06" East, 89.51 feet;
South 03° 01' 54" East, 60.89 feet;
South 00° 02' 02" West, 16.70 feet to the south boundary of the northeast
quarter of the southeast quarter of said Section 28, and the POINT OF BEGINNING.

The above described parcel of land contains 16.94 acres, more or less.

Property Description – Tract 3

A parcel of land generally described as being a portion of the west half of the northeast quarter of the southeast quarter of Section 28, Township 5 North, Range 26 East of the Boise Meridian, Butte County, Idaho, and being more particularly described as follows:

Commencing at the east one-quarter corner of said Section 28, from which the northeast corner of said Section 28 bears North 00°39'01" West, a distance of 2633.03 feet; thence from the east one-quarter corner of said Section 28, South 00°38'30" East along the east boundary of the northeast quarter of the southeast quarter of said Section 28, a distance of 1316.52 feet to the southeast corner of the northeast quarter of the southeast quarter of said Section 28; thence South 89°38'46" West along the south boundary of the northeast quarter of the southeast quarter of said Section 28, a distance of 1317.11 feet to the southwest corner of the northeast quarter of the southeast quarter of said Section 28, and the POINT OF BEGINNING.

Thence North 00°36'03" West along the west boundary of the northeast quarter of the southeast quarter of said Section 28, a distance of 670.00 feet; thence North 89°38'46" East, and being parallel to the south line of the northeast quarter of the southeast quarter of said Section 28, a distance of 151.75 feet; thence South 00°36'03" East, and being parallel to the west line of the northeast quarter of the southeast quarter of said Section 28, a distance of 670.00 feet to a point on the south line of the northeast quarter of the southeast quarter of said Section 28; thence South 89°38'46" West along said south line of the northeast quarter of the southeast quarter of said Section 28, a distance of 151.75 feet to the POINT OF BEGINNING.

The above-described parcel of land contains 2.33 acres more or less.



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

October 31, 2016

C.L. "BUTCH" OTTER
Governor

True Stone LLC
3355 W 3135 N
Moore ID 83255

GARY SPACKMAN
Director

RE: Change of Ownership for Water Right No(s). 34-13915

Dear Water Right Holder(s):

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

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.

Also, 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

Enclosure(s)

cc: Water District 34