

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 04 2016

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?
34-10411 OK	Yes ☐		Yes ☐		Yes ☐
34-10413 OK	Yes ☐		Yes ☐		Yes ☐
34-10410 OK	Yes ☒		Yes ☐		Yes ☐
5 INCHES	Yes ☐		Yes ☐		Yes ☐
34-10410 34-14539	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

Dathan & Rebecca Froerer

Name of current water right holder/claimant

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

Edward & Kimberly Favart

New owner(s) as listed on the conveyance document

Name connector ☐ and ☒ or ☐ and/or

263 Robbins Road

Bingde

NH

03461

Mailing address

City

State

ZIP

(603) 899-6496

Telephone

edsquareone@yahoo.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:

June 29, 2015

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 # 34-10410

8. Signature:

Edward Favart

Signature of new owner/claimant

Title, if applicable

11/20/15

Date

Signature:

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by

JB

Date

1/4/2016

Receipt No.

E041723

Receipt Amt.

\$150. -

Approved by

JB

Processed by

JB

Date

5/6/2016



TitleOne

a title & escrow co.

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 Alwood
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

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



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

May 6, 2016

Edward Favart
Kimberly Favart
263 Robbins Rd
Rindge NH 03461

RE: Change of Ownership for Water Rights 34-10411, 34-10413 and 34-10410 (Split into 34-10410 & 34-14539)

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: Water District 34
Michelle Babneau
Dathan Froerer
Rebecca Froerer
Jason Anderson