

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN 25 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. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
34-10826 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Don Aikele (stockwater)
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): JAMES DAVIS
New owner(s) as listed on the conveyance document
- Mailing address: 542 Frontage Rd. W City: Drummond State: MT ZIP: 59832
- 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: 4/15/2010
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
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). Unknown to me
 - ☒ 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.
 - ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
 - ☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: James H Davis Title, if applicable: Owner Date: 1/21/16
Signature of new owner/claimant
- Signature: _____ Title, if applicable: _____ Date: _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by JB Date 1/25/16 Receipt No. E041766 Receipt Amt. \$25-

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by JB Processed by JB Date 2/8/2016

NO. 0047557

RECORDED

MAR 05 2010

AM 2:43 PM
BUTTE COUNTY RECORDER
Jim Smith

WARRANTY DEED

Order No.: 5354LRT

For Valuable Consideration Received:

CHALLIS CREEK CATTLE COMPANY, LLC

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

JAMES H. DAVIS, AN UNMARRIED MAN,

the Grantee, whose current address is:

542 Frontage Rd. W., Drummond, MT 59832

the following described premises, to-wit:

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

TOGETHER WITH:

Water Right Nos.: 34-7059D, 34-2309, 34-12381, 34-2358F, 34-7059B

1970 Marlette Mobile Home, 12x57, VIN #90807

All Irrigation Equipment and Personal Property that is currently on the subject property.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, 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.

Challis Creek Cattle Company, LLC

Stephen G. Baughman

By Stephen G. Baughman

2/24/10
Date

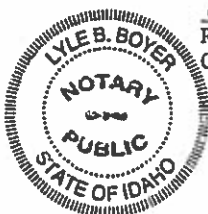
STATE OF IDAHO)

)ss.

COUNTY OF BUTTE)

On this 24 day of February, 2010, before me, the undersigned, a Notary Public, in and for said State, personally appeared STEPHAN G. BAUGHMAN, Trustee of the CHALLIS CREEK CATTLE COMPANY, LLC, 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 as Trustee. Managing Member

WITNESS MY HAND AND OFFICIAL SEAL



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

EXHIBIT "A"

TRACT I:

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

Section 20: S1/2SE1/4; SE1/4SW1/4 lying Southeast of the Stub Canal, EXCEPTING THEREFROM the following Parcel:

Beginning at the South 1/4 Corner of Section 20, Township 4 North, Range 26 East of the Boise Meridian; running S. 89°24'20" W. along the Section line 526.36 feet to the centerline of the Stub canal; thence along said centerline the following two (2) courses: N. 12°00'15" E., 54.46 feet; thence N. 01°00'22" W., 146.85 feet to the TRUE POINT OF BEGINNING; running thence along said centerline of the Stub canal the following six (6) courses: N. 00°07'45" W., 388.33 feet; thence N. 08°41'08" E., 84.74 feet; thence N. 25°33'41" E., 77.84 feet; thence N. 41°25'43" E., 78.58 feet; thence N. 46°30'35" E., 272.57 feet; thence N. 49°12'37" E., 293.40 feet to the North-South Center Section line of said Section 20; thence S. 27°49'10" W., 1108.63 feet to the TRUE POINT OF BEGINNING.

Section 28: S1/2N1/2; N1/2S1/2

Section 29: N1/2; N1/2SE1/4 and a fraction of the NW1/4SW1/4 described as follows:

Beginning at the Northeast Corner of said 40 acres; thence South 400 feet to a point on the East line of said 40 acres; thence West 330 feet; thence North 400 feet to a point on the North line of said 40 acres, 330 feet West to the point of Beginning; thence 330 feet East along the North line of said 40 acres to POINT OF BEGINNING.

EXCEPTING THEREFROM a fraction of the SW1/4NW1/4 described as follows:

Beginning at the Southwest Corner of said 40 acres; thence North 247 feet; thence East 640 feet; thence Southeast to a point on the South line of said 40 acres, 990 feet East of the point of beginning; thence West 990 feet to the POINT OF BEGINNING.

LESS AND EXCEPTING TRACT I-A, described as follows:

A parcel of land being generally described as a portion of the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) and that portion of the Southeast Quarter of the Northeast Quarter (SE1/4NE1/4), lying North of the Field road in Section 30, Township 4 North, Range 26 E.B.M., Butte County, Idaho. Also, portions of the Northwest Quarter (NW1/4) of Section 29, Township 4 North, Range 26 E.B.M., lying South of the Lower Blaine Canal right-of-way, said parcel of land being more particularly described as follows:

Beginning at the Northeast Corner of said Section 30; thence N. 89°57'01" W., along the North boundary of said Section 30, a distance of 1335.28 feet to the Northwest Corner of the Northeast Quarter of the Northeast Quarter (NE1/4NE1/4), Section 30; thence S. 0°21'24" W., along the West boundary of the East half of the Northeast Quarter (E1/2NE1/4), Section 30, a distance of 2473.43 feet; thence S. 89°20'46" E., along the center-line of said field road, a distance of 1812.56 feet; thence N. 4°45'02" W., 35.91 feet to the point of curvature of a concave curve to the East, having a radius of 1350.31 feet, a central angle of 118°47'15", and a length of 2799.51 feet; thence N. 0°00'00" E., 14.77 feet to the Southerly boundary of the Lower Blaine Canal right-of-way; thence N. 89°52'28" W., along the Southerly boundary of said canal right-of-way, a distance of 680.90 feet to the East boundary of said Section 30; thence N. 0°43'57" E., along said East boundary, Section 30, a distance of 126.97 feet to the Northeast Corner of Section 30 and the POINT OF BEGINNING.

Section 30: E1/2NE1/4, EXCEPT that portion of the SE1/4NE1/4 lying South of the field road, AND EXCEPTING TRACT I-A, as described above.

TRACT II:

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

Section 21: S1/2S1/2, EXCEPTING THEREFROM:

Beginning 100 feet South of the Northeast Corner of the SE1/4SE1/4 of said Section 21; thence South 600 feet; thence Northwesterly 750 feet to a point that is 100 feet South of the North line of said SE1/4SE1/4 and 440 feet West of the point of beginning; thence East 440 feet to the POINT OF BEGINNING.

**Section 28: N1/2N1/2 and Beginning at the corner common to Section 20, 21, 28 and 29, Township 4 North, Range 26 E.B.M., Butte County, Idaho (said corner being a 2 inch iron pipe with the brass cap missing, placed by G.L.O. Surveyors in 1944), and running thence S. 00°25'00" E., 374.84 feet along the Section line to the Westerly side of an existing road; thence along said road the following three courses:
N. 13°36'39" W., 442.21 feet;
thence N. 05°25'21" E., 263.07 feet;
thence N. 20°07'59" E., 218.42 feet to the East line of said Section 20;
thence S. 00°07'00" E., 520.95 feet along said Section line to the POINT OF BEGINNING.**



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

February 12, 2016

James Davis
542 Frontage Rd W
Drummond MT 59832

RE: Change of Ownership for Water Right No(s). 34-10826

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