

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 02 2011

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?
34-172 F	Yes ☐		Yes ☐		Yes ☐
34-313 A	Yes ☐		Yes ☐		Yes ☐
34-446 C	Yes ☐		Yes ☐		Yes ☐
34-503 D	Yes ☐		Yes ☐		Yes ☐
34-7226 C	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

JOHN E. McAFFEE

SUPPORT DATA

Name of current water right holder/claimant

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

BUTTE COUNTY

IN FILE # 34-172 F

Name of each new owner as listed on the conveyance document

New owner continued

Name connector

☐ and

☐ or

☐ and/or

Box 737

Mailing address

ARCO

ID

83213

City

State

ZIP

527 3021

butteclerk@ATC.NET.NET

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: _____

6. 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.

7. Signature: BUTTE COUNTY / [Signature] Denise Beal, Commissioner 1 Dec 2011

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

Km

Date

Dec 2, 2011

Receipt No.

E0371160

Receipt Amt.

125.00

Approved by

Km

Processed by

Km

Date

3-21-2012

RECEIVED

JAN 26 2012

Form 42-248/42-1409(6) 12/ 2006

Department of Water Resources
Eastern Region

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

APR 27 2007

Department of Water Resources
Eastern Region

RECEIVED

MAY 02 2007

DEPARTMENT OF
WATER RESOURCES*Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.*

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
34-503E	Wrong water rights				
34-7226D					
34-313B					
34-172G					
34-446D					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).

OR

- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former
Owner/Claimant(s)

Allan H. & Roberta Banta
PO Box 491; Arco, ID 83213

4. New Owner/Claimant(s)

Butte County

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

PO Box 737

City, State and ZIP Code

Arco, ID 83213

New Telephone Number

(208) 527-3021

5. Date you acquired the property

4-27-1998

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)

Steve L Stephen

Butte County Prosecuting Att

(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____

Date _____

Receipt Amt. _____

Received by KmDate 3-21-2012

Receipt No. _____

Processed by _____ AJ

Date _____

WR _____ Date _____

FILE No. _____

INSTRUMENT No. 28646**WARRANTY DEED**

FOR VALUABLE CONSIDERATION RECEIVED _____

CITY OF ARCO

the Grantor,

does hereby grant, bargain, sell and convey unto _____

KENDALL L. MC AFFEE AND CHARLENE MC AFFEE

the Grantee,

whose current address is 837 CALHOUN DRIVE IDAHO FALLS, ID 83402the following described real estate situated in BUTTE County,
State of Idaho, to-wit:SOUTHEAST 1/4, SECTION 32
TOWNSHIP 4 NORTH RANGE 27 EBM

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: 11/23/94

Charles A. Jones
Mayor, City of Arco

STATE OF IDAHO, County of BUTTE

On this _____ day of _____ 1994
before me, LARRY P. BARNES, a
Notary Public in and for the said State personally
appeared

CHARLES A. JONES, MAYOR CITY OF ARCO

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

Larry P. Barnes
Notary Public
Idaho
Residing at Arco
Comm. Expires: 6-20-97

THIS SPACE FOR COUNTY RECORD'S USE ONLY.

NO. 028646
FILED

NOV 23 1994

AM. 1:25 PM
BUTTE COUNTY RECORDER

IDAHO TITLE & TRUST COMPANY
Escrows • Title Insurance

P.O. Box 50387, Idaho Falls, ID 83405-0387 (208) 822-7695

WARRANTY DEED

FOR VALUABLE CONSIDERATION RECEIVED KENNETH L. MCAFFEE and
 CHARLENE MCAFFEE, husband and wife, the Grantor,
 does hereby grant, bargain, sell and convey unto DAVID H. BANTA and MARY BANTA,
 husband and wife, the Grantee,
 whose current address is 3370 Eighth Dr., Baker City, Oregon 97814
 the following described real estate situated in BUTTE County,
 State of Idaho, to-wit:

See attached EXHIBIT "A" & "B"

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.

Water and water rights on and appurtenant to the land, including
 but not limited to those water rights identified with the State of
 Idaho, Department of Water Resources, by the following permit
 numbers:

A34-07226A
 A34-00313
 A34-00172B
 A34-00446A
 A34-00503B

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: 12-13-94

Kenneth L. McAfee
Charlene McAfee

STATE OF IDAHO, County of BUTTE

On this 13th day of December 1994
 before me, Lyle B. Boyer, a
 Notary Public in and for the said State personally
 appeared

Kenneth L. McAfee
 Charlene McAfee

Known to me to be the person(s) whose name(s)
 subscribed to the within instrument, and acknowl-
 edges to me that they executed the same.

Lyle B. Boyer
 Notary Public
 Idaho

Residence at Arco
 Comm. Expires 5/31/97

THIS SPACE FOR COUNTY RECORDS USE ONLY

033564
 RECORDED

DEC 04 1998

3:10 PM
 BUTTE COUNTY RECORDS
Stacy Moore

EXHIBIT "A"

TOWNSHIP 4 NORTH, RANGE 27 EAST, POISE MERIDIAN, BUTTE
COUNTY, IDAHO.

SECTION 32: SE1/4.

EXHIBIT "B"

TO INCLUDE ALL IRRIGATION EQUIPMENT AND/OR PUMPS:

1/4 MILE HANDLINE	1 ITEM
1/4 MILE WHEELLINE	10 ITEMS
ALUMINUM MAINLINE	2,640 FEET
PUMPS & MOTORS	3 ITEMS

WELL PUMP - DEMING TURBINE PUMP - T12745
WELL MOTOR - US 40 HORSEPOWER - R8885-00-D-837

PUMP - AURORA TURBINE PUMP - 376-71517
MOTOR - GE 75 HORSEPOWER - 5K6258XH1A

PUMP - AURORA TURBINE PUMP - 3X3-71093
MOTOR - GE 60 HORSEPOWER - DVJ428100

WARRANTY DEED

Warranty deed made this 1st ^{December 11:00 PM} Day of ~~November~~ 1998, between David H. Banta and Mary Banta, husband and wife, as GRANTORS, and Butte County, an Idaho municipal corporation, 248 W. Grand Ave., Arco, Butte County, Idaho, as GRANTEE.

Grantors, for valuable consideration, do grant, convey and confirm unto Grantee and its assigns forever all of the following described real estate situated in the County of Butte, State of Idaho:

SE 1/4, Section 32, Township 4 North, Range 27 East, Boise Meridian, Butte County, Idaho.

Including a wheel line irrigation system that is currently located on the property.

Including all and singular, the tenements, hereditaments, and appurtenances belonging or appertaining to the property, the reversions, remainders, rents, issues and profits, and all estate, rights, title and interest in the property, both in law and equity.

To have and to hold, all and singular the described premises, together with the appurtenances unto Grantee and its assigns forever.

Grantors and their heirs shall and will warrant and forever defend the premises in the quiet and peaceable possession of the Grantee, and its assigns, against Grantor and their heirs, and against all and every person whomsoever lawfully claims the same.

DATED and WITNESSED this 1st day of December 1998.

David H. Banta
David H. Banta

Mary Banta
Mary Banta

033865

DEC 04 1998

3:11 PM
BUTTE COUNTY REC'D
Stephane

Notarized Instrument

Oregon
STATE OF ~~HOVATRO~~
Butte
County of ~~Butte~~

On this *12th* day of *December* 1998 before me, *Dorothy A. Karp*,
the undersigned a Notary Public in and for the State of ~~Oreho~~ personally appeared David H.
Banta and Mary Banta, his husband and wife, known to me or shown to me to be the person whose
names are subscribed to the within instrument, and acknowledged to me that he executed the
same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the
day and year first above written.



Dorothy Karp
Notary Public for on ~~state~~ *Oregon*
Residing at *1111 1/2 1st St NE*
My Commission Expires *8/7/2002*

WARRANTY DEED RETAINING EASEMENT

For Value Received, Allan H. Banta and Roberta Banta, husband and wife, whose mailing address is P.O. Box 491, Arco, Idaho 83221, GRANTORS, do hereby grant, bargain, sell and convey unto The County of Butte, a political subdivision of the State of Idaho, whose mailing address is _____ in the City of Arco, State of Idaho _____ as GRANTEE, the following described premises, located in the County of Butte, State of Idaho, together with their appurtenances, more particularly described as follows:

SEE ATTACHED LEGAL DESCRIPTION EXHIBIT "A"

The conveyance hereunder is subject to an EASEMENT to David H. Banta and Mary Banta, their heirs, representatives, successors and assigns for purposes of using the existing water lines on the subject real property and for ingress and egress along the southern boundary of the subject property for the on-going construction, repair, reconstruction, maintenance and operation of an existing irrigation well, pump, motor and associated electrical equipment and water lines as described in that Easement for Irrigation Water dated March 12, 1979, and recorded as Instrument Number M-7687 in the records of the Butte County Recorder for the State of Idaho. The real property served by this easement is located in the County of Butte, State of Idaho, more particularly described as follows:

SEE ATTACHED LEGAL DESCRIPTION EXHIBIT "B"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said GRANTEES, their heirs and assigns forever. And the said GRANTORS do hereby covenant to and with the said GRANTEE that they are the owners in fee simple of said premises; that said premises are free from all encumbrances, except for those of record, and that they will warrant and defend the same from all lawful claims whatsoever.

In Witness Whereof, the GRANTORS have executed this Warranty Deed this 27th day of March, 1998. April

NO. 33045
RECORDED

Allan H. Banta
ALLAN H. BANTA

MAY 8 1998

Roberta Banta
ROBERTA BANTA

9:33 A.M. P.M.
BUTTE COUNTY RECORDER

STATE OF IDAHO

COUNTY OF BUTTE)

On this 27th day of April, 1998, before me, a Notary Public in and for the said State, personally appeared ALLAN H. BANTA and ROBERTA BANTA, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Lyle B. Buge
NOTARY PUBLIC FOR IDAHO
Residing at Arco, ID
My Comm. Exp. 5-31-2003

EXHIBIT "A"

PARCEL I:

TOWNSHIP 4 NORTH, RANGE 27 EAST, BOISE MERIDIAN, BUTTE COUNTY, IDAHO.

SECTION 32: The East one-half of the Northwest Quarter (E1/2 NW1/4).

PARCEL II:

TOWNSHIP 4 NORTH, RANGE 27 EAST, BOISE MERIDIAN, BUTTE COUNTY, IDAHO.

SECTION 32: The East one-half of the Southwest Quarter (E1/2 SW1/4).

EXHIBIT "B"

TOWNSHIP 4 NORTH, RANGE 27 EAST, BOISE MERIDIAN, BUTTE
COUNTY, IDAHO.

SECTION 32: SE1/4.

DEC 04 1998

WARRANTY DEED

AM. 3:12 PM
BUTTE COUNTY RECORDER
Seth BealWarranty deed made this 9th Day of November, 1998, between Butte County, an

Idaho municipal corporation, as GRANTOR, and David H. Banta and Mary Banta, husband and wife, whose mailing address is 3370 8th Drive, Baker City, Oregon 97814, as GRANTEES.

Grantor, for valuable consideration, do grant, convey and confirm unto Grantees and their heir and assigns forever all of the following described real estate situated in the County of Butte, State of Idaho:

Parcel I:

The East one-half of the Northwest quarter (E1/2 NW1/4) of Section 32, Township 4 North, Range 27 East, Boise Meridian, Butte County, Idaho.

Parcel II:

The East one-half of the Southwest quarter (E1/2 SW1/4) of Section 32, Township 4 North, Range 27 East, Boise Meridian, Butte County, Idaho.

Including any and all irrigation and water rights and a wheel line irrigation system presently on the property.

Including all and singular, the tenements, hereditaments, and appurtenances belonging or appertaining to the property, the reversions, remainders, rents, issues and profits, and all estate, rights, title and interest in the property, both in law and equity.

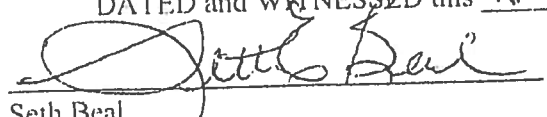
To have and to hold, all and singular the described premises, together with the appurtenances unto Grantee and its assigns forever.

Grantors and their heirs shall and will warrant and forever defend the premises in the quiet and peaceable possession of the Grantee, and its assigns, against Grantor and their heirs, and against all and every person whomsoever lawfully claims the same.

In Witness of this act, Grantor's Chairman of the Board of Commissioners for Butte County, Seth Beal, subscribes his name below, which is attested by Judith Bailey, Clerk of the Board of Commissioners for Butte County. Seth Beal, as Chairman of the Board of Commissioners for Butte County, is acting pursuant to a resolution adopted by the Board of Commissioners for Butte County on November 9, 1998. a copy of which is attached to this deed

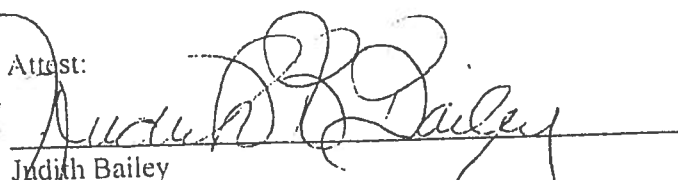
and made a part of it.

DATED and WITNESSED this 9th day of November 1998.



Seth Beal
Chairman of the Board of Commissioners for Butte County

Attest:



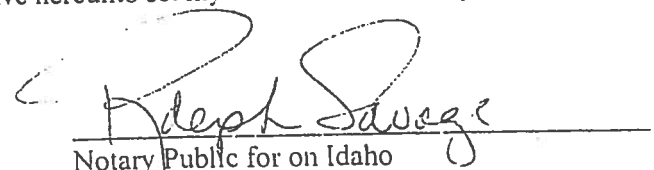
Judith Bailey
Clerk of the Board of Commissioners for Butte County

Acknowledgment

STATE OF IDAHO)
); ss.
County of Butte)

On this 9th day of November 1998, before me, Ralph L. Savage, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Seth Beal, Chairman of the Board of Commissioners for Butte County, known to me or shown to me to be the person whose name is subscribed to the within instrument as the Chairman of the Board of Commissioners of Butte County, and acknowledged to me that he executed the same in the capacity and with the authority of the Chairman of the Board of Commissioners of Butte County.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal, the day and year first above written.


Notary Public for on Idaho
Residing at: Arco, ID
My Commission Expires: 9/6/2000

WARRANTY DEED

FOR VALUABLE CONSIDERATION RECEIVED DAVID H. BANTA and
MARY BANTA, Husband and Wife, the Grantor,
 does hereby grant, bargain, sell and convey unto JOHN McAFFEE, a single man
 _____, the Grantee,
 whose current address is 570 Norvin Avenue, Idaho Falls, ID 83401,
 the following described real estate situated in BUTTE County,
 State of Idaho, to-wit:

See attached EXHIBIT A

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.

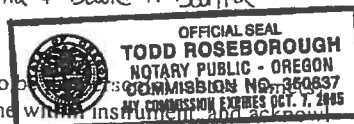
In construing this Deed and where the context so requires, the singular includes the plural and the
 masculine, the feminine and neuter.

DATED: 7/1/03
David H. Banta
 David H. Banta

Mary Banta
 Mary Banta

STATE OF ~~IDAHO~~ ^{OREGON} County of Baker
 On this 1st day of July 2003,
 before me, Todd Roseborough, a
 Notary Public in and for the said State personally
 appeared

Mary Banta & David H Banta



Known to me to be the persons who
 subscribed to the within instrument and whose
 edges to me that they executed the same.

Todd Roseborough
 Notary Public
 Residing at 1990 Washington Ave, Baker City, Idaho
 Comm. Expires: Oct 7, 2005 Oregon

THIS SPACE FOR COUNTY RECORDS USE ONLY.

NO. 0039622
 RECORDED

JUL 08 2003

1110 AM PM
 BUTTE COUNTY RECORDER
Dayla Moore

IDAHO TITLE & TRUST COMPANY
 Escrows • Title Insurance

P.O. Box 50367, Idaho Falls, ID 83405-0367 (208) 522-7895

EXHIBIT A

PARCEL I:

Township 4 North, Range 27 East, Boise Meridian, Butte County, Idaho.

Section 32: The East one-half of the Northwest Quarter (E1/2 NW 1/4)

PARCEL II:

Township 4 North, Range 27 East, Boise Meridian, Butte County, Idaho.

Section 32: The East one-half of the Southwest Quarter (E1/2 SW 1/4)

Including all irrigation equipment and/or pumps:

1/4 mile wheeline	5 items
aluminum mainline	2,640 feet
pumps and motors	2 items

An undivided 1/3 interest in well pump - Deming Turbine pump, T12745

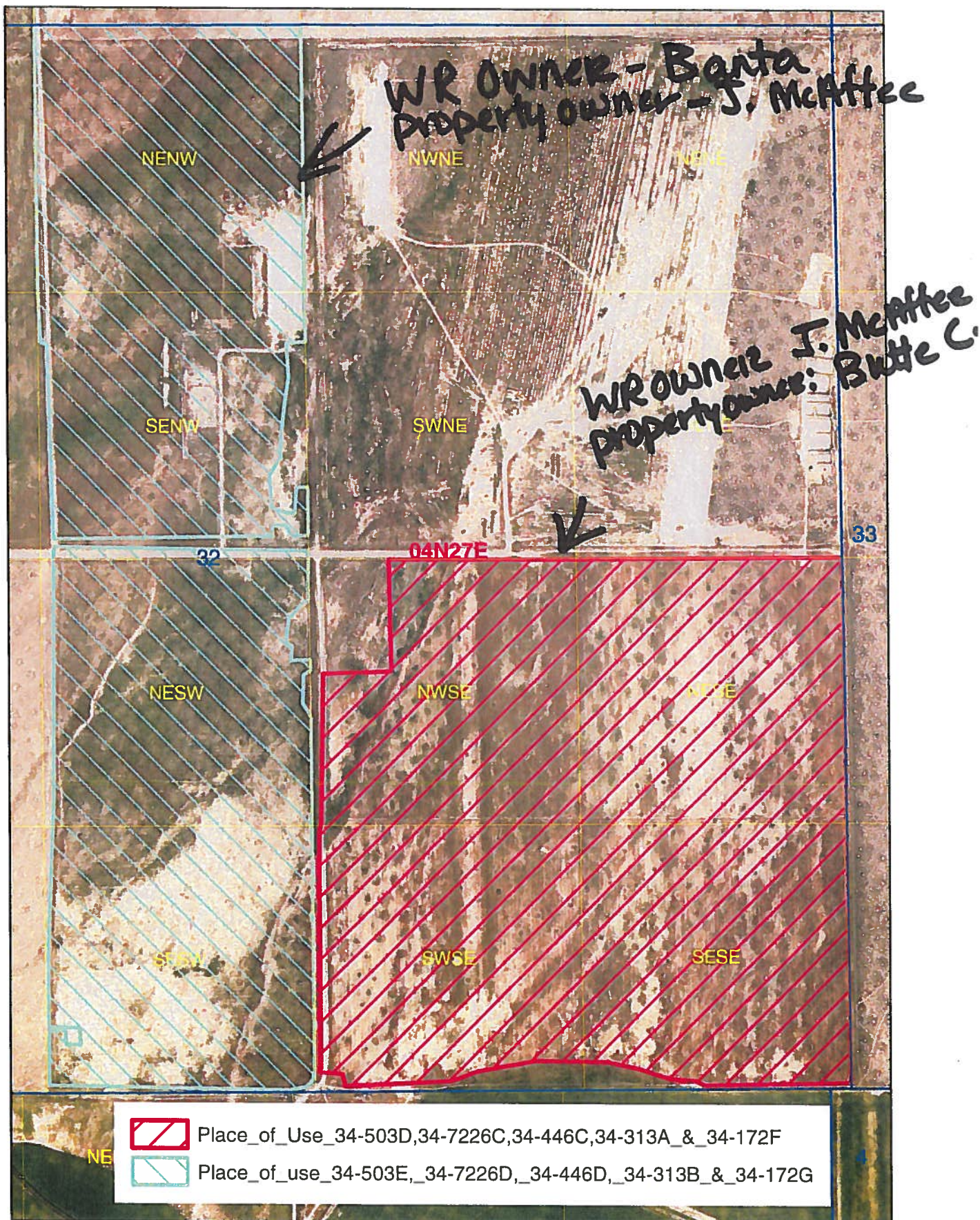
An undivided 1/3 interest in well motor - US 40 horsepower - R8885-00-D-837

Pump - Aurora Turbine Pump - 3X3-71093

* Motor GE 60 Horsepower - DVI428300

INCLUDING, but not limited to the following Water Rights:

<u>Priority Date</u>	<u>Right Number</u>	<u>Inches</u>
08-01-1898	34-00172F	9.85
05-01-1899	34-00313A	68.3
09-01-1899	34-00446C	16.7
06-01-1898	34-00503D	25.3
Ground Water:		
02-24-1980	34-07226C	75.9



Butte County - Ownership Change