

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/25/2023

Water Right 34-14126 *After Split*

Owner Type **Name and Address**
Current Owner R DANIEL WADDOUPS
 2775 N 3520 W
 MOORE, ID 83255-8720
 (208) 589-6453

Current Owner KARA WADDOUPS
 2775 N 3520 W
 MOORE, ID 83255-8720
 (208) 589-6453

Priority Date: 5/20/1884

Basis: Decreed

Status: Active

Source
BIG LOST RIVER

Tributary
SINKS

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	05/01	10/15	1.110 CFS	
	Total Diversion		1.110 CFS	

Source and Point(s) of Diversion:

BIG LOST RIVER NWSESE Sec. 4, Twp 05N, Rge 26E, BUTTE County

Place Of Use:

IRRIGATION within BUTTE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	26E	19													40.0			37.0	77.0

POU Total Acres: 77.0

Conditions of Approval:

- USE OF THIS RIGHT WITH RIGHT NO. 34-14128 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 77 ACRES IN A SINGLE IRRIGATION SEASON.
- C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
- THIS RIGHT IS A COMBINATION OF PORTIONS OF OLD RIGHT NOS. 34-00307B, 34-00309 AND 34-00310. WATER DELIVERED THROUGH THE

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

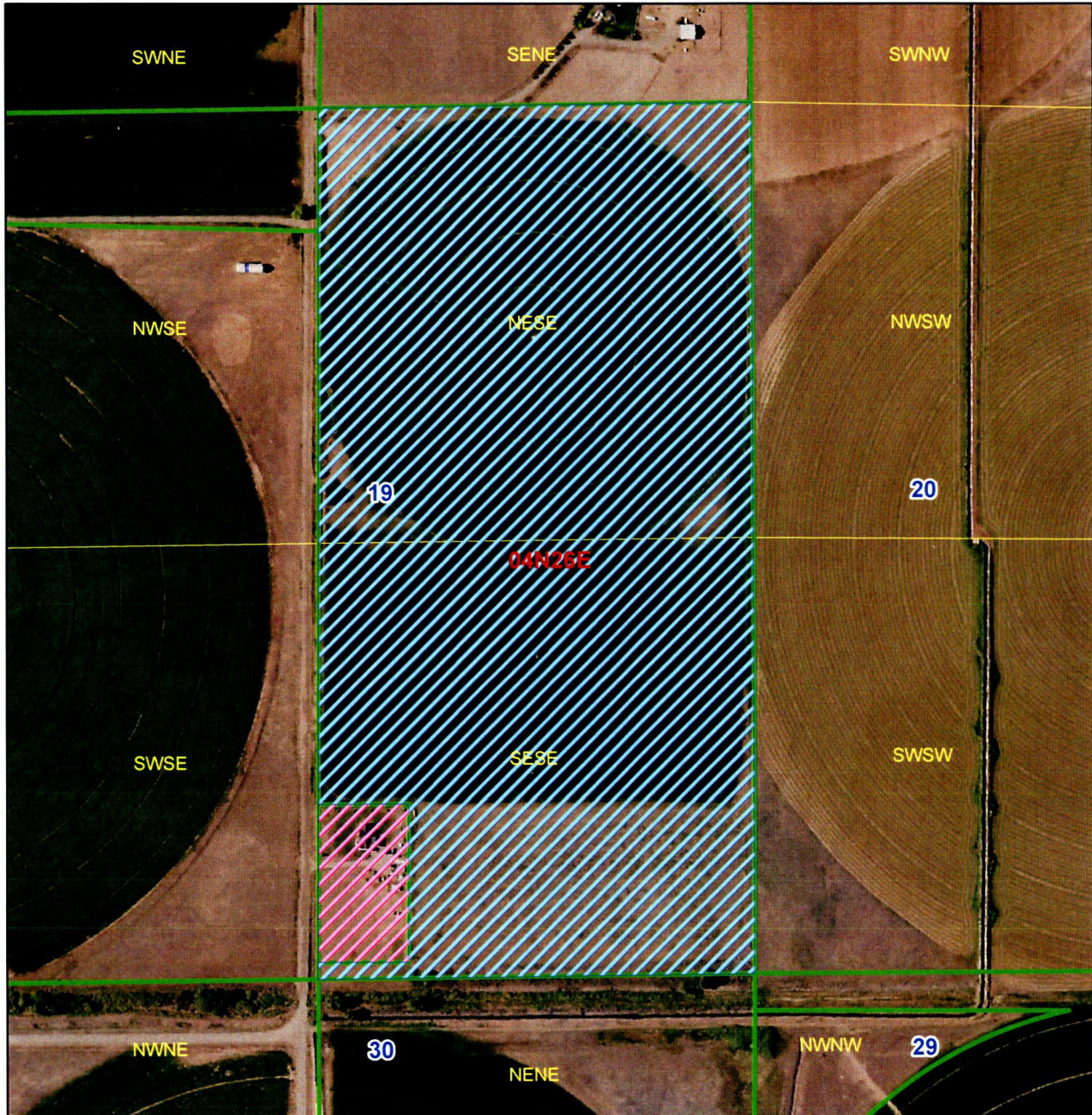
4/25/2023

4. C05 MOORE DIVERSION, MOORE CANAL.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE
PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE
EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A
BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE
DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF
WATER RESOURCES.

Comments:

4 jbailey 4/25/2023 Ownership Change
Water right 34-14126 was split into 34-14126 and 34-14907.

Idaho Department of Water Resources



Legend

-  34-14907, 34-14908 POU
-  34-14126, 34-14128 After Split
-  Parcels
-  Township/Range
-  Sections
- QQ

SCANNED

APR 26 2023

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/25/2023

Water Right 34-14126 *Before Split*

Owner Type **Name and Address**
Current Owner DANIEL WADDOUPS
2775 N 3520 W
MOORE, ID 83255-8720
(208) 589-6453

Current Owner KARA WADDOUPS
2775 N 3520 W
MOORE, ID 83255-8720
(208) 589-6453

Priority Date: 5/20/1884

Basis: Decreed

Status: Active

Source
BIG LOST RIVER

Tributary
SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	05/01	10/15	1.150 CFS	
	<u>Total Diversion</u>		1.150 CFS	

Source and Point(s) of Diversion:

BIG LOST RIVER NWSESE Sec. 4, Twp 05N, Rge 26E, BUTTE County

Place Of Use:

IRRIGATION within BUTTE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	26E	19													40.0			40.0	80.0

POU Total Acres: 80.0

Conditions of Approval:

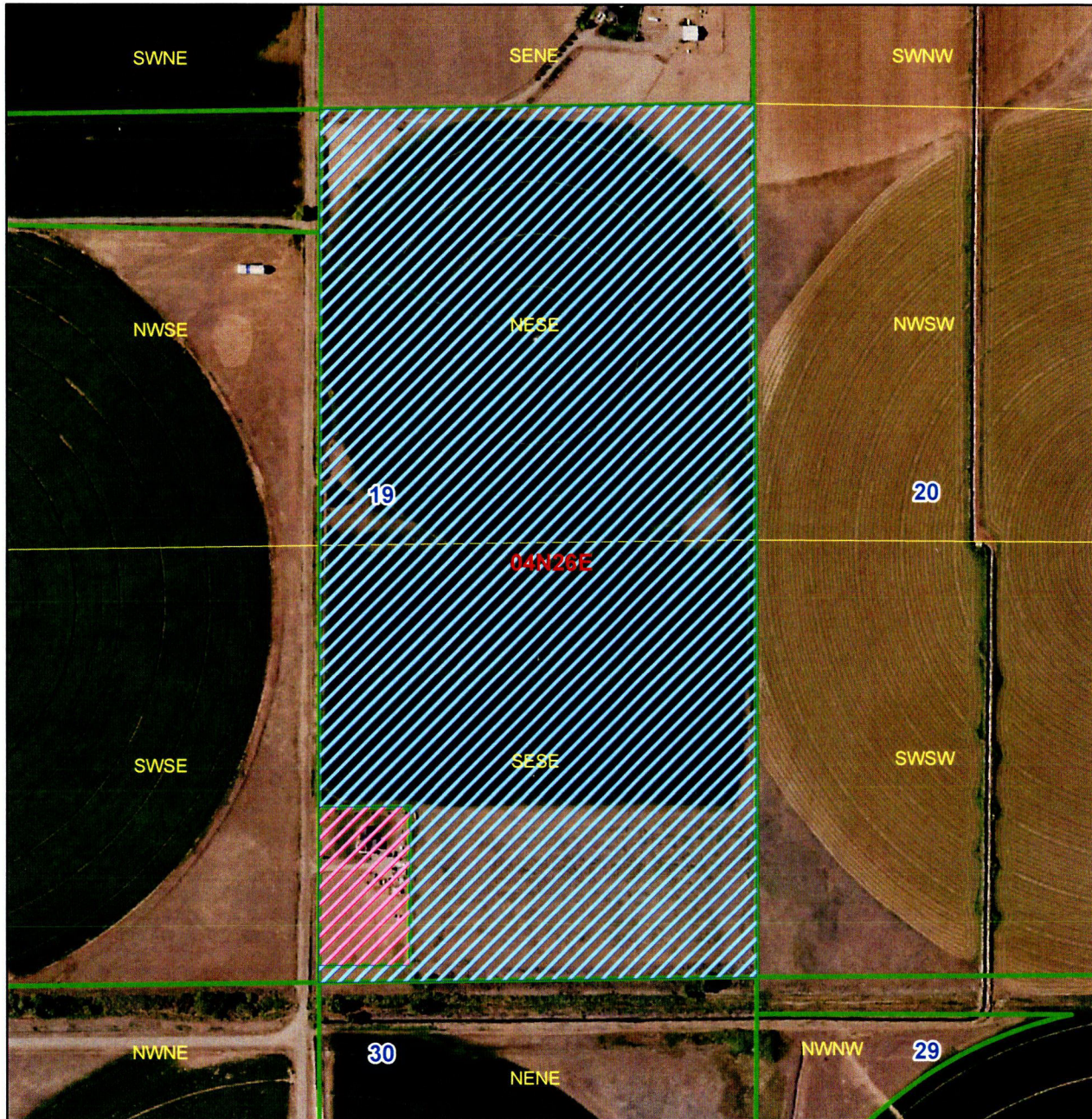
1. USE OF THIS RIGHT WITH RIGHT NO. 34-14128 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 80 ACRES IN A SINGLE IRRIGATION SEASON.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3. THIS RIGHT IS A COMBINATION OF PORTIONS OF OLD RIGHT NOS. 34-00307B, 34-00309 AND 34-00310. WATER DELIVERED THROUGH THE

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

4/25/2023

4. C05 MOORE DIVERSION, MOORE CANAL.
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE
PURSUANT TO SECTION 42-1425, IDAHO CODE.
5. S34 THE PERIOD OF USE FOR IRRIGATION DESCRIBED ABOVE MAY BE
EXTENDED IN SEASONS OF UNUSUAL CHARACTERISTICS TO A
BEGINNING DATE OF 04-20 AND AN ENDING DATE OF 10-31 AT THE
DISCRETION OF THE DIRECTOR OF THE IDAHO DEPARTMENT OF
WATER RESOURCES.

Idaho Department of Water Resources



Legend

-  34-14907, 34-14908 POU
-  34-14126, 34-14128 After Split
-  Parcels
-  Township/Range
-  Sections
- QQ

SCANNED

APR 26 2023

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APR 21 2023

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP 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. 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 #7](#) of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
34-14126	Yes ☒	Yes ☐		Yes ☐	Yes ☐
34-14128	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name:

Kara and Daniel Maddoups

Name of current water right holder/claimant

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

Zachary and Brianna Bowhay

New owner(s) as listed on the conveyance document

Name connector

☒ and ☐ or2610 N 3520 WMoore

ID

Mailing address

City

State

Zip

208-390-2347zachbow@yahoo.com

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 the place(s) use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: _____

6. Do you own the land identified as the water right place of use? Yes ☐ No ☐

- o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.

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):
 o \$25 per *undivided* water right.
 o \$100 per *split* water right.
 o 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:

Zach Bow

Signature of new owner/claimant

Title, if applicable

Date

Print name

Signature:

Signature of new owner/claimant

Title, if applicable

Date

Print name

For IDWR Office Use Only:

Received by M. PeltierDate 4-21-23Receipt No. E049120Receipt Amt. 200.00Active 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 JBProcessed by JBDate 4/25/2023

APR 23 2023

June 21, 2009

I, R. Daniel and/or Kara L. Waddoups agree to sell 3.07 acres to Zachary M. and/or Brianna Bowhay for \$15,000.00 with 3 inches of decreed water rights, including storage water.

Property is at the corner of 3520 W. and 2600 N. See attached legal description.

Zachary M. and/or Brianna Bowhay agree to pay all closing costs.

R. Daniel and/or Kara L. Waddoups agree to build an approach to property on the west side.

R. Daniel Waddoups
Kara L. Waddoups
Zachary M. Bowhay
Brianna Bowhay

SCANNED

APR 26 2023

HARPER - LEAVITT ENGINEERING, INC.
CIVIL ENGINEERING, MATERIALS TESTING & LAND SURVEYING

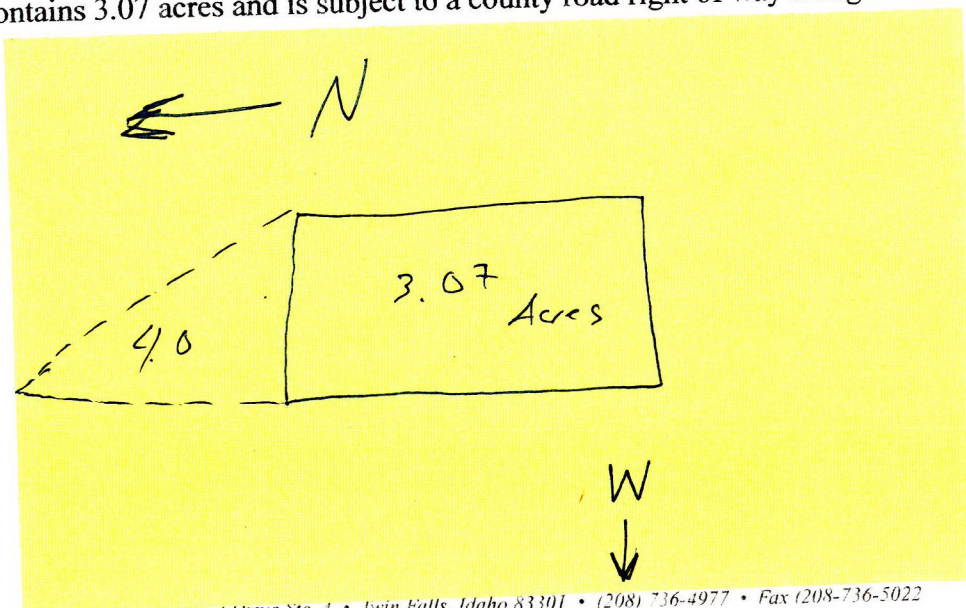
Date: 01/06/2008
For: Danny Waddoups
Job No.: 2007-371
By: SCR

3.07 Acre Parcel

Part of the Southeast 1/4 of the Southeast 1/4 of Section 19, Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho, described as:

Commencing at the Southeast corner of Section 19, said point being a 1944 General Land Office brass cap; thence S 89°34'07" W 1335.43 feet along the South line of said Section 19 to the Southwest corner of the Southeast 1/4 of the Southeast 1/4; thence N 00°11'44" E 50.00 feet along the West line of said Southeast 1/4 of the Southeast 1/4 to the point of beginning, said point being the *Point of Beginning* and marked by a 1/2" iron rod-PLS 12222; thence continuing along said West line N 00°11'44" E 482.85 feet; thence N 89°34'07" E 277.05 feet parallel with the South line of said Southeast 1/4 of the Southeast 1/4 to a 1/2" iron rod-PLS 12222; thence S 00°11'44" W 482.85 feet parallel with said West line of the Southeast 1/4 of the Southeast 1/4 to a 1/2" iron rod-PLS 12222; thence S 89°34'07" W 277.05 feet parallel with the South line of said Southeast 1/4 of the Southeast 1/4 to a 1/2" iron rod-PLS 12222 and the *Point of Beginning*.

Parcel contains 3.07 acres and is subject to a county road right of way along the West side.



For Valuable Consideration Received:

R. DANIEL WADDOUPS AND KARA L. WADDOUPS, HUSBAND AND WIFE,

the Grantors, do hereby grant, bargain, sell, convey and warrant unto

ZACHARY M. BOWHAY AND BRIANNA BOWHAY, HUSBAND AND WIFE,
as Community Property with Right of Survivorship,
the Grantees whose current address is:

2470 Cannon Road, Arco, ID 83213

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 Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

R. Daniel Waddoups
R. Daniel Waddoups

6/29/09
Date

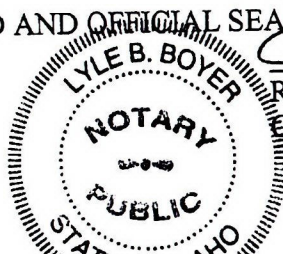
Kara L. Waddoups
Kara L. Waddoups

6/29/09
Date

STATE OF IDAHO)
)ss.
COUNTY OF BUTTE)

On this **29th day of June, 2009**, before me, the undersigned, a Notary Public, in and for said State, personally appeared **R. DANIEL WADDOUPS AND KARA L. WADDOUPS**, known to me, and/or identified to me on the basis of satisfactory evidence, to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL



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

SCANNED

APR 26 2023

Part of the SE1/4SE1/4 of Section 19, Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho, described as:

Commencing at the Southeast corner of Section 19, said point being a 1944 General Land Office brass cap;
thence S. 89°34'07" W., 1335.43 feet along the South line of said Section 19 to the Southwest corner of the SE1/4SE1/4;
thence N. 00°11'44" E., 50.00 feet along the West line of said SE1/4SE1/4 to the Point of Beginning, said point being the POINT OF BEGINNING and marked by a 1/2" iron rod-PLS 12222;
thence continuing along said West line N. 00°11'44" E., 482.85 feet;
thence N. 89°34'07" E., 277.05 feet parallel with the South line of said SE1/4SE1/4 to a 1/2" iron rod-PLS 12222;
thence S. 00°11'44" W., 482.85 feet parallel with said West line of the SE1/4SE1/4 to a 1/2" iron rod-PLS 12222;
thence S. 89°34'07" W., 277.05 feet parallel with the South line of said SE1/4SE1/4 to a 1/2" iron rod-PLS 12222 and the POINT OF BEGINNING.

Parcel is subject to a county road right-of-way along the West side.



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

April 25, 2023

ZACHARY BOWHAY
BRIANNA BOWHAY
2610 N 3520 W
MOORE ID 83255-8720

Re: Change in Water Right Ownership: 34-14126 (Split into 34-14126 and 34-14907), 34-14128 (Split into 34-14128 and 34-14908),

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned 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 Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 497-3787.

Sincerely,

Jonie Baily
Technical Records Specialist 1

Enclosure(s)

cc: R DANIEL WADDOUPS
KARA WADDOUPS
WATER DISTRICT 34

SCANNED

APR 26 2023