

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

OCT 10 2023

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 #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
34-42A OK	Yes ☐	Yes ☐	34-14342 OK	Yes ☐	Yes ☐
34-452A OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
34-2300 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
34-7194 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
34-1376 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Darla Ann Hintz
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Jacob Tracy
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
1195 ranch loop Rd. preston Id 83263
Mailing address City State Zip
435-512-0529 admjared@gmail.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 their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: 9/15/23

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

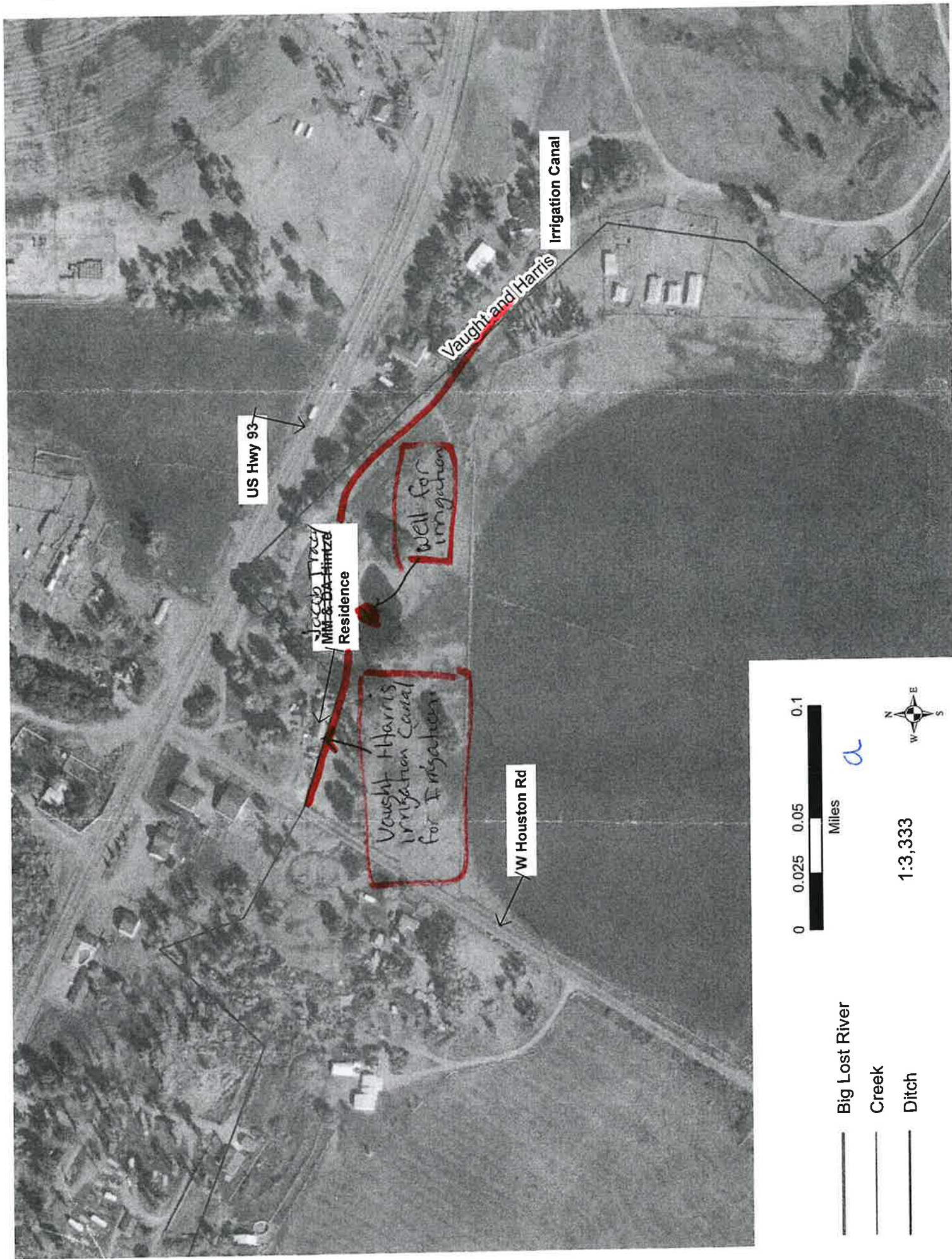
SUPPORT DATA

IN FILE # 34-42A

8. Signature: Jacob Tracy Owner 10-5-23
Signature of new owner/claimant Title, if applicable Date
Jacob Tracy
Print name

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

For IDWR Office Use Only:
 Received by JB Date 10/10/2023 Receipt No. E049541 Receipt Amt. \$150.-
 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 10/11/2023



Aerial photo of New 3 Drainage System

Big Lost River

Creek

Ditch



a



1:3,333

W Houston Rd

Vaught and Harris

Irrigation Canal

Jacob Tracy
Mtn & Daughters
Residence

US Hwy 93

Vaught-Harris
Irrigation Canal
for Irrigation

Well for
Irrigation

RECORDING REQUESTED BY
Flying S Title and Escrow of Idaho, Inc.

AND WHEN RECORDED MAIL TO:
Flying S Title and Escrow of Idaho, Inc.
168 West Pacific Street/PO Box 868
Blackfoot, ID 83221

Instrument # 264531

CHALLIS, CUSTER, IDAHO No. of Pages: 4
89-15-2023 11:02:00
Recorded for: FLYING S TITLE AND ESCROW - BLACKFOOT
Lura H. Baker Fee: \$15.00
Ex-Officio Recorder Deputy: DM

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **1108540-B (jcm)**

Date: **September 13, 2023**

For Value Received, **Daria Ann Hintze, an unmarried woman and Daria A. Hintze, Personal Representative of the Estate of Melvin Marx Hintze, deceased, Case No. CV19-19-0105,** hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Jacob W. Tracy, an unmarried man,** hereinafter called the Grantee, whose current address is **PO Box 2956, Pocatello, ID 83206,** the following described premises, situated in **Custer County, Idaho,** to-wit:

A PORTION OF THE E $\frac{1}{2}$ SW $\frac{1}{4}$ OF SECTION 35, TOWNSHIP 7 NORTH, RANGE 24 E.B.M., CUSTER COUNTY, IDAHO, DESCRIBED AS:

BEGINNING AT CORNER NO. 1, WHICH IS THE POINT WHERE THE WEST PROPERTY LINE OF THE RIGHT-OF-WAY FOR HIGHWAY 93A INTERSECTS THE SOUTH PROPERTY LINE OF THE HOUSTON ROAD RIGHT-OF-WAY, THE PLACE OF BEGINNING; THENCE IN A SOUTHWESTERLY DIRECTION ALONG SAID SOUTH PROPERTY LINE OF THE HOUSTON ROAD RIGHT-OF-WAY A DISTANCE OF 600 FEET TO CORNER NO. 2; THENCE IN A SOUTHEASTERLY DIRECTION ON A LINE PARALLEL TO THE WEST PROPERTY LINE OF THE RIGHT-OF-WAY FOR HIGHWAY 93A, A DISTANCE OF 650 FEET TO CORNER NO. 3; THENCE IN A NORTHEASTERLY DIRECTION ON A LINE PARALLEL TO THE SOUTH PROPERTY LINE OF THE HOUSTON ROAD RIGHT-OF-WAY A DISTANCE OF 600 FEET, MORE OR LESS, TO THE WEST PROPERTY LINE OF THE SAID HIGHWAY RIGHT-OF-WAY LINE, CORNER NO. 4; THENCE ALONG SAID WEST PROPERTY LINE OF THE HIGHWAY RIGHT-OF-WAY LINE, A DISTANCE OF 650 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM: A TRACT OF LAND SITUATED SOUTHEASTERLY OF HOUSTON ROAD AND SOUTHWESTERLY OF U.S. HIGHWAY NO. 93A, BEING A PART OF THE SW $\frac{1}{4}$ OF SECTION 35, TOWNSHIP 7 NORTH, RANGE 24 E.B.M., CUSTER COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A 5/8" REBAR WITH ALUMINUM CAP (PLS #3577 - SEE RECORD OF SURVEY INST. #207793) MARKING THE S $\frac{1}{4}$ CORNER OF SECTION 35, FROM WHICH A 5/8" REBAR WITH ALUMINUM CAP MARKING THE SW CORNER OF SAID SECTION 35 BEARS S. 89°32'39" W. 2664.27 FEET; THENCE S. 89°32'39" W. 2159.23 FEET ON OR ALONG THE S. LINE OF THE SW $\frac{1}{4}$ OF SAID SECTION 35 TO A POINT LYING ON OR ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF HOUSTON ROAD (SAID RIGHT-OF-WAY LINE BEING 33 FEET MEASURED AT RIGHT ANGLES FROM THE EXISTING ROAD CENTERLINE); THENCE LEAVING SAID S. LINE N. 30°30'29" E. 1655.18 FEET ON OR ALONG SAID RIGHT-OF-WAY LINE TO A SET 5/8" X 30" REBAR WITH PLASTIC CAP LYING ON OR ALONG AN EXISTING FENCE; THENCE LEAVING SAID RIGHT-OF-WAY LINE S. 89°38'28" E. 1081.42 FEET ALONG SAID FENCE TO A FOUND $\frac{1}{2}$ STEEL ROD; THENCE S. 73°18'29" E. 153.35 FEET ALONG SAID FENCE TO A SET 5/8" X 30" REBAR WITH PLASTIC CAP; THENCE S.

RECORDING REQUESTED BY
Flying S Title and Escrow of Idaho, Inc.

AND WHEN RECORDED MAIL TO:
Flying S Title and Escrow of Idaho, Inc.
168 West Pacific Street/PO Box 868
Blackfoot, ID 83221

E-RECORDED

smpljfile

ID: 264531
County: CLUSTER
Date: 9-15-23 Time: 11:03 am

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **1108540-B (jcm)**

Date: **September 13, 2023**

For Value Received, **Darla Ann Hintze, an unmarried woman and Darla A. Hintze, Personal Representative of the Estate of Melvin Marx Hintze, deceased, Case No. CV19-19-0105,** hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Jacob W. Tracy, an unmarried man,** hereinafter called the Grantee, whose current address is **PO Box 2956, Pocatello, ID 83206,** the following described premises, situated in **Custer County, Idaho,** to-wit:

A PORTION OF THE E $\frac{1}{2}$ SW $\frac{1}{4}$ OF SECTION 35, TOWNSHIP 7 NORTH, RANGE 24 E.B.M., CUSTER COUNTY, IDAHO, DESCRIBED AS:

BEGINNING AT CORNER NO. 1, WHICH IS THE POINT WHERE THE WEST PROPERTY LINE OF THE RIGHT-OF-WAY FOR HIGHWAY 93A INTERSECTS THE SOUTH PROPERTY LINE OF THE HOUSTON ROAD RIGHT-OF-WAY, THE PLACE OF BEGINNING; THENCE IN A SOUTHWESTERLY DIRECTION ALONG SAID SOUTH PROPERTY LINE OF THE HOUSTON ROAD RIGHT-OF-WAY A DISTANCE OF 600 FEET TO CORNER NO. 2; THENCE IN A SOUTHEASTERLY DIRECTION ON A LINE PARALLEL TO THE WEST PROPERTY LINE OF THE RIGHT-OF-WAY FOR HIGHWAY 93A, A DISTANCE OF 650 FEET TO CORNER NO. 3; THENCE IN A NORTHEASTERLY DIRECTION ON A LINE PARALLEL TO THE SOUTH PROPERTY LINE OF THE HOUSTON ROAD RIGHT-OF-WAY A DISTANCE OF 600 FEET, MORE OR LESS, TO THE WEST PROPERTY LINE OF THE SAID HIGHWAY RIGHT-OF-WAY LINE, CORNER NO. 4; THENCE ALONG SAID WEST PROPERTY LINE OF THE HIGHWAY RIGHT-OF-WAY LINE, A DISTANCE OF 650 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM: A TRACT OF LAND SITUATED SOUTHEASTERLY OF HOUSTON ROAD AND SOUTHWESTERLY OF U.S. HIGHWAY NO. 93A, BEING A PART OF THE SW $\frac{1}{4}$ OF SECTION 35, TOWNSHIP 7 NORTH, RANGE 24 E.B.M., CUSTER COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A 5/8" REBAR WITH ALUMINUM CAP (PLS #3577 - SEE RECORD OF SURVEY INST. #207793) MARKING THE S $\frac{1}{4}$ CORNER OF SECTION 35, FROM WHICH A 5/8" REBAR WITH ALUMINUM CAP MARKING THE SW CORNER OF SAID SECTION 35 BEARS S. 89°32'39" W. 2664.27 FEET; THENCE S. 89°32'39" W. 2159.23 FEET ON OR ALONG THE S. LINE OF THE SW $\frac{1}{4}$ OF SAID SECTION 35 TO A POINT LYING ON OR ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF HOUSTON ROAD (SAID RIGHT-OF-WAY LINE BEING 33 FEET MEASURED AT RIGHT ANGLES FROM THE EXISTING ROAD CENTERLINE); THENCE LEAVING SAID S. LINE N. 30°30'29" E. 1655.18 FEET ON OR ALONG SAID RIGHT-OF-WAY LINE TO A SET 5/8" X 30" REBAR WITH PLASTIC CAP LYING ON OR ALONG AN EXISTING FENCE; THENCE LEAVING SAID RIGHT-OF-WAY LINE S. 89°38'28" E. 1081.42 FEET ALONG SAID FENCE TO A FOUND $\frac{1}{2}$ STEEL ROD; THENCE S. 73°18'29" E. 153.35 FEET ALONG SAID FENCE TO A SET 5/8" X 30" REBAR WITH PLASTIC CAP; THENCE S.

Date: 09/13/2023

Warranty Deed
- continued

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57°41'27" E. 34.02 FEET ALONG SAID FENCE TO A SET 5/8" X 30" REBAR WITH PLASTIC CAP; THENCE S. 21°00'08" E. 151.53 FEET ALONG SAID FENCE TO A POINT LYING ON OR ALONG THE E. LINE OF THE SW¼ OF SAID SECTION 35; THENCE LEAVING SAID FENCE S. 0°21'40" E. 1198.42 FEET ON OR ALONG SAID E. LINE TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM ANY PORTION OF FOLLOWING LEGAL THAT FALLS IN THE FIRST DESCRIBED LEGAL: A TRACT OF LAND SITUATED SOUTHEASTERLY OF HOUSTON ROAD AND SOUTHWESTERLY OF U.S. HIGHWAY NO. 93A, BEING A PART OF THE SW¼ OF SECTION 35, TOWNSHIP 7 NORTH, RANGE 24 E.B.M., CUSTER COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A 5/8" REBAR WITH ALUMINUM CAP (PLS #3577 - SEE RECORD OF SURVEY INST. #207793) MARKING THE S¼ CORNER OF SECTION 35, FROM WHICH A 5/8" REBAR WITH ALUMINUM CAP MARKING THE SW CORNER OF SAID SECTION 35 BEARS S. 89°32'39" W. 2664.27 FEET; THENCE S. 89°32'39" W. 2159.23 FEET ON OR ALONG THE S. LINE OF THE SW¼ OF SAID SECTION 35 TO A POINT LYING ON OR ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF HOUSTON ROAD (SAID RIGHT-OF-WAY LINE BEING 33 FEET MEASURED AT RIGHT ANGLES FROM THE EXISTING ROAD CENTERLINE); THENCE LEAVING SAID S. LINE N. 30°30'29" E. 2431.09 FEET ON OR ALONG SAID RIGHT-OF-WAY LINE TO A SET 5/8" X 30" REBAR WITH PLASTIC CAP (P.L.S. #3577) LYING ON OR ALONG THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 93A; THENCE S. 65°06'52" E. 621.56 FEET ALONG SAID RIGHT OF WAY LINE TO A SET 5/8" X 30" REBAR WITH PLASTIC CAP (P.L.S. #3577), TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE S. 65°06'52" E. 313.67 FEET TO A FOUND 1/2" IRON ROD; THENCE, LEAVING SAID RIGHT-OF-WAY LINE S. 29°43'58" W. 324.42 FEET TO A FOUND 1/2" IRON ROD LYING ON OR ALONG AN EXISTING FENCE; THENCE N. 89°38'28" W. 347.91 FEET ON OR ALONG SAID FENCE TO A SET 5/8" X 30" REBAR WITH PLASTIC CAP (P.L.S. #3577); THENCE, N. 28°35'14" E. 468.66 FEET ALONG SAID FENCE TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:
PART OF THE SW¼ SECTION 35, TOWNSHIP 7 NORTH, RANGE 24 EAST B.M., CUSTER COUNTY, IDAHO DESCRIBED AS:
COMMENCING AT THE WEST ¼ CORNER OF SAID SECTION 35; THENCE S 72°18'07" E 1815.80 FEET TO THE RIGHT OF WAY OF HOUSTON ROAD & TO A FOUND IRON ROD LS 3577; THENCE, S 30°30'36" W 653.03 FEET ALONG SAID RIGHT OF WAY TO THE POINT OF BEGINNING; THENCE N 84°03'09" E 779.48 FEET TO THE WEST LINE OF THE PARCEL DESCRIBED IN DEED INSTRUMENT NO. 247096; THENCE, S 28°34'09" W 217.95 FEET ALONG SAID WEST LINE TO THE NORTH LINE OF A PARCEL DESCRIBED IN DEED INSTRUMENT NO. 239550; THENCE N 89°38'17" W 733.54 FEET ALONG SAID NORTH LINE TO SAID RIGHT OF WAY; THENCE, N 30°30'36" E 123.05 FEET ALONG SAID RIGHT OF WAY & THE POINT OF BEGINNING.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations,

Date: **09/13/2023**

Warranty Deed
- continued

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restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 09/13/2023

Warranty Deed
- continued

File No.: 1108540-B (jcm)

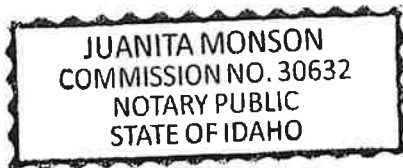
Darla Ann Hintze
Darla Ann Hintze

Darla A. Hintze, Personal Representative of the
Estate of Melvin Marx Hintze, deceased, Case
No. CV19-19-0105

Darla A. Hintze
Darla A. Hintze, Personal Representative
Personal Rep-
resentative

STATE OF Idaho)
COUNTY OF Bingham)
ss.

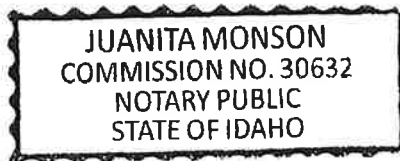
On this **14th day of September, 2023**, before me, a Notary Public in and for said State, personally appeared **Darla Ann Hintze**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Juanita Monson
Notary Public for the State of Idaho
Residing at: Blackfoot, ID
My Commission Expires: 01/14/2025

STATE OF Idaho)
COUNTY OF Bingham)
ss.

On this **14th day of September, 2023**, before me, a Notary Public in and for said State, personally appeared **Darla A. Hintze**, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Personal Representative of the Estate of **Melvin Marx Hintze**, and acknowledged to me that she executed the same as such Personal Representative.



Juanita Monson
Notary Public of Idaho
Residing at: Blackfoot, ID
Commission Expires: 01/14/2025



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 Mathew Weaver

October 11, 2023

JACOB TRACY
1195 RANCH LOOP RD
PRESTON ID 83263-5173

Re: Change in Ownership for Water Right No(s): 34-42A, 34-452A, 34-2300, 34-7194, 34-13761, 34-14342

Dear Water Right Holder(s):

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

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: BIG LOST RIVER GROUND WATER DISTRICT
WATER DISTRICT 34