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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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DE MAY 20 2024

DEPARTMENT OF
WATER RESOURCES

Notice of Change in Water Right Ownership

WATER RESOURCES
WESTERN 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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
63-34289	Yes ☒		Yes ☐		Yes ☐
63-34289 & 63-35614	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Davison, Michael
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Peachery Stuart Architects, a Professl Corp 401(K) Profit Sharing Plan FBO Wayne Stuart
Name of each new owner as listed on the conveyance document

New owner continued Name connector ☐ and ☐ or ☐ and/or

Mailing address

3081 N Astaire Ave, Meridian

ID

83642

City

State

ZIP

805-286-7020

wrstua@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: 5-16-24

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.

SUPPORT DATA

IN FILE # 63-34289

7. Signature: [Signature] Title, if applicable Date 5/17/2024
Signature of new owner/claimant

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

For IDWR Office Use Only:

Received by CC Date 5-20-24 Receipt No. W051973 Receipt Amt. \$100.00

Approved by _____ Processed by [Signature] Date 8-22-24

WARRANTY DEED
24140

Instrument # 510306 # Pages: 1
ELMORE COUNTY, Idaho
May 16, 2024 1:26:06 pm Fee: \$ 15.00
For: GUARANTY TITLE INC
SHELLEY ESSL Recorder
KREYES, Deputy

For Value Received,

MICHAEL DAVISON AND NICOLE MARIE DAVISON, HUSBAND AND WIFE

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

**PEACHEY STUART ARCHITECTS, A PROFESSIONAL CORPORATION 401(K)
PROFIT SHARING PLAN FBO WAYNE STUART**

the Grantee whose current address is:
3081 N Astaire Ave, Meridian, ID 83642

the following described real property in Elmore County, State of Idaho more particularly described as follows, to-wit:

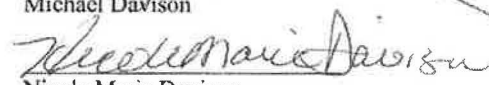
Township 2 North, Range 7 East, Boise Meridian, Elmore County, Idaho

Section 26: NE1/4SW1/4

TOGETHER WITH a split of Water Right No 63-34289

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his 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 those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that they will warrant and defend the same from all lawful claims whatsoever, except those of record.

Date: May 9, 2024

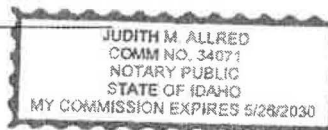

Michael Davison

Nicole Marie Davison

State of Idaho
County of Elmore

On this ^{16th} day of May, 2024, before me, the undersigned, a Notary Public, in and for said State, personally appeared **MICHAEL DAVISON AND NICOLE MARIE DAVISON**, 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


Notary Public
Residing at: Mountain Home
Commission Expires: 5-26-30



Water Right Report : 63-34289(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
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Current Owner	DAVISON, MICHAEL	160 N WYLIE LN	PRAIRIE	ID	83647
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Water Right Status

Priority Date : 4/23/1963

Basis : Decreed

Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
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SMITH CREEK		BOISE RIVER	SOUTH FORK
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Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
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SMITH CREEK	02N	07E	15	0		SE	SE	ELMORE	
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SMITH CREEK	02N	08E	7	0		NE	NW	ELMORE	
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SMITH CREEK	02N	08E	7	3		NW	SW	ELMORE	
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Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
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IRRIGATION	04/01	11/01	7.74 CFS	1246.50 AFA
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TOTAL			7.74 CFS	1246.50 CFS
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Places of Use

Print Report Log Out

Place of Use Legal Description : IRRIGATION (ELMORE county)

Show 10 entries

Search:

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
02N	07E	14			NW	SW	2
02N	07E	15			NE	SE	24
02N	07E	21			NE	SE	16
02N	07E	21			SE	SE	40
02N	07E	22			SW	NW	1
02N	07E	22			NE	SW	27
02N	07E	22			NW	SW	33
02N	07E	22			SW	SW	38
02N	07E	22			SE	SW	31
02N	07E	26			NE	SW	34

Showing 1 to 10 of 11 entries

Previous

1

2

Next

Irrigation Totals

Total Acres Acre Limit

277.00

Conditions

Code Conditions

- R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
- R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
- R05 Use of water under this right may be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 63B.
- F01 Water is delivered through the Trinity Canal and Pierce Ditch.
- T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T19 Pursuant to Idaho Code § 42-1412(6), this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Dates

Licensed Date :
Decreed Date : 4/24/2003
Permit Proof Due Date :
Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargement Use Priority Date :
Enlargement Statute Priority Date :
Application Received Date:
Protest Deadline Date:

Other Information

State or Federal : S
Water District Number : 63B
Generic Max Rate Per Acre : 0.028
Generic Max Volume Per Acre : 4.5
Civil Case Number :
Decree Plaintiff :
Decree Defendant :
Swan Falls Trust or Nontrust :
Swan Falls Dismissed :
DLE Act Number :
Cary Act Number :
Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

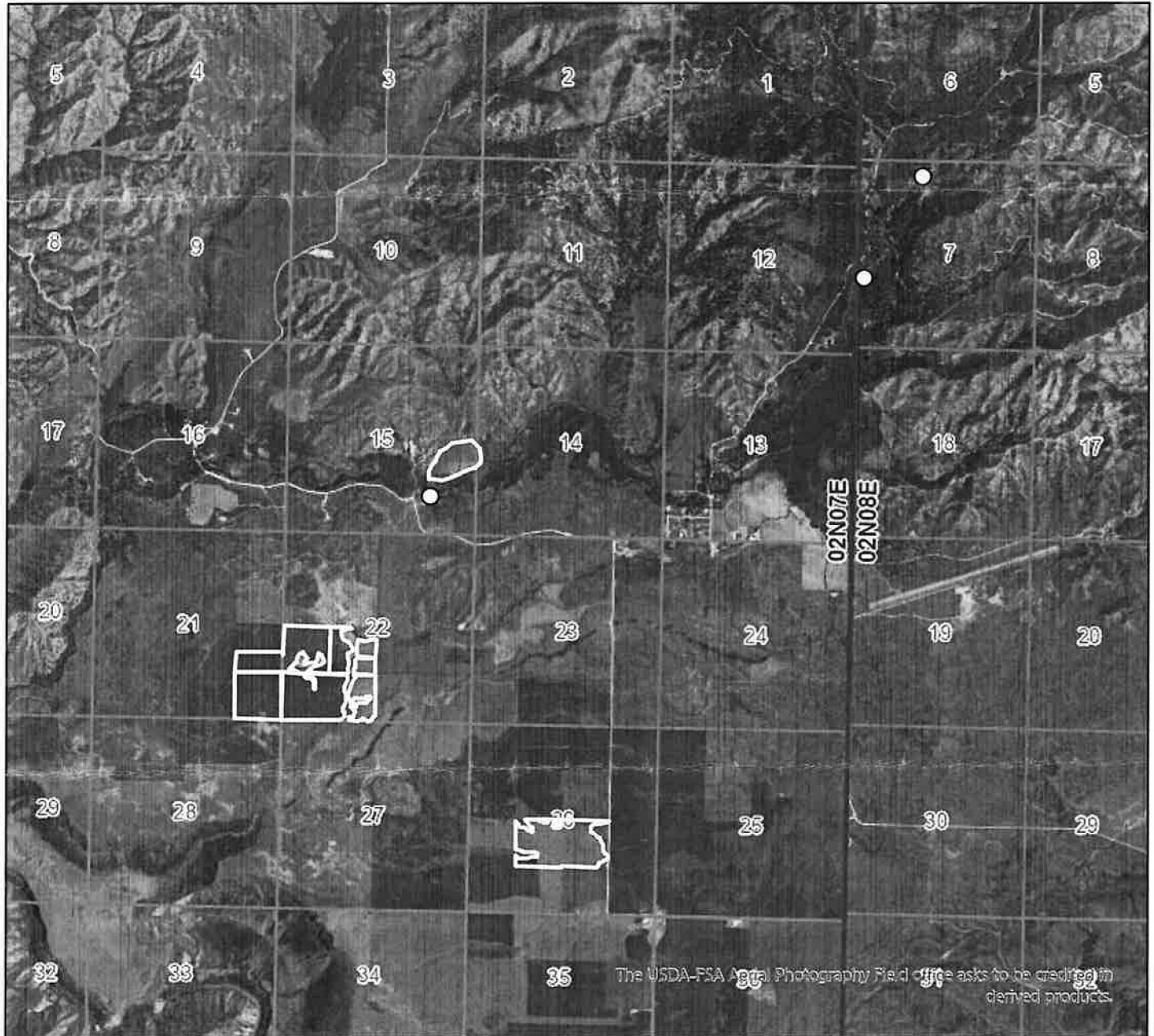
5/9/2024

State of Idaho
Department of Water Resources
Water Right

63-34289

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Date created: 5/9/2024

0 0.28 0.55 1.1 1.65 2.2
Miles

Legend

- PLS Sections
- Townships
- Place of Use Boundary
- Point of Diversion





IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

August 22, 2024

PEACHEY STUART ARCHITECTS
3081 N ASTAIRE AVE
MERIDIAN ID 83646-8239

Re: Change in Water Right Ownership: 63-34289 (Split into 63-34289 and **63-35614**)

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) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

c: MICHAEL DAVISON
Water District No. 63B