Form 42-248/42-1409(6) Rev. 7/21

RECEIVED
OCT 03 2024
DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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?
78-12557	Yes ☑ NO	Yes ☐		Yes ☐	Yes ☐
78-4027	Yes ☑ NO	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Gracie H Barron
   Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Ernest Seaton and Terry Burgard
   New owner(s) as listed on the conveyance document — Name connector ■ and ☐ or

   818 Blaine St — Mailing address
   Caldwell — City
   ID — State
   83605 — Zip
   208-912-5606 — Telephone
   pippin2911@gmail.com — 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: 06/28/2024.

6. Do you own the land identified as the water right place of use? Yes ■ No ☐
   - 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):
     - $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.

SUPPORT DATA
78-4027
IN FILE #

8. Signature: _____ Signature of new owner/claimant — Title, if applicable — 8-29-24 Date
   Ernest Seaton — Ernie Seaton — Print name

   Signature: _____ Signature of new owner/claimant — Title, if applicable — 8-29-24 Date
   Terry Burgard — Terry Burgard — Print name

For IDWR Office Use Only:

Receipted by KM Date 10.3.24 Receipt No. C118006 Receipt Amt. $50.00

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 _____ Processed by DM Date 10-7-24

Instrument # 544822
IDAHO COUNTY, IDAHO,
6-28-2024 03:23:39 PM No. of Pages: 3
Recorded for : IDAHO COUNTY TITLE
KATHY M. ACKERMAN Fee: 15.00
Ex-Officio Recorder Deputy

(Space Above For Recorder's Use)

WARRANTY DEED

For value received, GRACIE H. BARRON, a single person, ("Grantor"), does hereby grant, bargain, sell and convey to ERNEST SEATON, an unmarried man and TERRY BURGARD, an unmarried man, ("Grantees"), whose mailing address is: 131 Hill Ln, Pollock, ID 83547, and Grantees' heirs, successors and assigns forever, the following described real property situate in Idaho County, State of Idaho, (hereafter the "subject premises"):

Township 23 North, Range 1 East, Boise Meridian, Idaho County, Idaho
Section 29: A parcel of land situate in the NE¼, more particularly described as follows:
Commencing at an aluminum cap marking the Northeast corner of Section 29, said Township and Range, Corner Record No. 284440;
thence S 53°40'54" W, (record S 53°36' W) a distance of 2,219.68 feet (of record as 2,224.50 feet);
thence S 55°53'42" E, (of record as S 55°57' E) a distance of 40.50 feet to a 1/2 inch diameter rebar with a plastic cap, the Real Point of Beginning;
thence N 43°59'52" E, a distance of 143.19 feet to a 1/2 inch diameter rebar with a plastic cap;
thence S 65°59'59" E, a distance of 101.44 feet to a 1/2 inch diameter rebar with a plastic cap;
thence S 60°13'27" E, a distance of 62.43 feet to a 1/2 inch diameter rebar with a plastic cap;
thence S 38°10'49" W, a distance of 13.18 feet to a 1/2 inch diameter rebar with a plastic cap;
thence S 38°22'51" W, a distance of 99.35 feet to a 1/2 inch diameter rebar with a plastic cap;
thence N 67°45'01" W, a distance of 14.09 feet to a 1/2 inch diameter rebar with a plastic cap;
thence S 32°20'20" W, a distance of 48.48 feet to a 1/2 inch diameter rebar with a plastic cap;
thence N 55°53'42" W, a distance of 166.09 feet to the Point of Beginning.
Sometimes known as Assessor's Tax No. 320.

TOGETHER WITH any and all estate, right, title, interest, appurtenances, tenements, hereditaments, reversions, remainders, easements, rights-of-way and water rights in anywise appertaining to the subject premises.

SUBJECT TO taxes and assessments for the current year, and all subsequent years, together with any and all existing easements, rights-of-way, reservations, covenants, restrictions and encumbrances of record, and the following matters:

1. Any right, title, or interest of the Public, County, or Highway District to roads or highways on the subject premises whether or not showing by the public records.

2. Easement, including the terms and provisions thereof, by and between B.C. WEINHEIMER and WILLIAM HOWARD and MARY SNYDER and THE MOUNTAIN STATES TELEPHONE and TELEGRAPH CO. recorded August 31, 1932, under Instrument No. 99258, Book 60 page 443, records of Idaho County, Idaho.

3. Power Line Easement, including the terms and provisions thereof, by and between DAN CORBETT and EDNA CORBETT, his wife, Grantors and IDAHO POWER COMPANY, a corporation, Grantee, recorded April 24, 1948, under Instrument No. 159356, Book 80 page 557, records of Idaho County, Idaho.

4. Power Line Easement, including the terms and provisions thereof, by and between FLOYD E. HANSON and ELLEN A. HANSON, his wife, Grantors and IDAHO POWER COMPANY, a corporation, Grantee, recorded August 7, 1961, under Instrument No. 205946, Book 95 page 409, records of Idaho County, Idaho.

5. Matters as shown on Survey No. S-102, recorded January 1, 1980, under Instrument No. 283513; and Survey No. S-3753, recorded September 16, 2020, under Instrument No. 525924, all records of Idaho County, Idaho.

6. Decision and Order Granting Application for Waiver of Subdivision Ordinance Requirements, including the terms and provisions thereof, by an between the IDAHO COUNTY COMMISSIONERS, Commisioners, and BILL R. OWENS, JEANNE I. VANDERPOOL and GRACIE H. BARRON, Applicants, recorded July 14, 2020, under Instrument No. 524676, records of Idaho County, Idaho.

7. Partition Agreement, including the terms and provisions thereof, by and between BILL R. OWENS, a married man and CYNTHIA M. VINCENT, joining to the extent of her interest and GRACIE H. BARRON, a single person and JEANNE I. VANDERPOOL, a single person, recorded August 14, 2020, under Instrument No. 525268, records of Idaho County, Idaho.

8. Easements as set forth in Partition Agreement, including the terms and provisions thereof, by and between BILL R. OWENS, a married man and CYNTHIA M. VINCENT, joining to the extent of her interest and GRACIE H. BARRON, a single person and JEANNE I. VANDERPOOL, a single person, recorded August 14, 2020, under Instrument No. 525268, records of Idaho County, Idaho.

The Grantor covenants to the Grantee that Grantor is the owner of the subject premises in fee simple; that the subject premises is free from all encumbrances, excepting those as may be herein set forth, and excepting those of record, and that Grantor will warrant and defend the same from all lawful claims.

Except as otherwise expressly provided in this instrument, Grantor hereby declares pursuant to Title 5, Chapter 2 of the Idaho Code, that in the event Grantor shall have permitted or suffered at any time prior to the making of this instrument, any person or entity to possess, use or occupy the subject premises, or any portion thereof, for any purpose, with or without the knowledge of Grantor, it was not the intent of Grantor, by permitting or suffering such possession, use or occupation, to thereby define property boundaries or ownership thereof.

DATED this 27 day of June, 2024.

Gracie H Barron
GRACIE H. BARRON

State of Idaho)
: ss.
County of Idaho)

This record was acknowledged before me on June 27, 2024, by GRACIE H. BARRON.

TRACI A. FREI
COMMISSION NO. 43668
NOTARY PUBLIC
STATE OF IDAHO

Traci A. Frei
Signature of notary public
My commission expires: 2/1/2029

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

October 08, 2024

ERNEST SEATON
TERRY BURGARD
818 BLAINE ST
CALDWELL ID 83605-3732

Re: Change in Ownership for Water Right No(s): **78-4027, 78-12557**

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)287-4800.

Sincerely,

Debra Mansfield

Debra Mansfield
Technical Records Specialist 1

Enclosure(s)

Proof Report

Water Right 78-4027

Owner Type	Name and Address
Current Owner	ERNEST SEATON 818 BLAINE ST CALDWELL, ID 83605-3732 (208) 912-5606
Current Owner	TERRY BURGARD 818 BLAINE ST CALDWELL, ID 83605-3732 (208) 912-5606
Original Owner	IRENE OWENS PO BOX 195 POLLOCK, ID 83547 (208) 628-3396
Original Owner	WILLIAM J OWENS 883 SW 2ND ST ONTARIO, OR 97914-3521 (541) 889-2741
Previous Owner	GRACIE H BARRON PO BOX 284 POLLOCK, ID 83547-0284 (208) 628-3396

Priority Date: 6/1/1961
Basis: Statutory Claim
Status: Active

Source	Tributary
SPRING	DENNY CREEK

Beneficial Use	From	To	Diversion Rate	Volume
DOMESTIC	1/01	12/31	0.010 CFS	
		Total Diversion	0.010 CFS	

Source and Point(s) of Diversion:

SPRING	SWNE	Sec. 29, Twp 23N, Rge 01E, IDAHO County

Place Of Use:
DOMESTIC within IDAHO County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
23N	01E	29			X														

Conditions of Approval:

1. P/U NOT LISTED.

Dates and Other Information:
Water District Number: NWD
Mitigation Plan: False

Combined Use Limits:
N/A

SubCase:
N/A

Water Supply Bank:

N/A

Proof Report

Water Right 78-12557

Owner Type	Name and Address
Current Owner	ERNEST SEATON 818 BLAINE ST CALDWELL, ID 83605-3732 (208) 912-5606
Current Owner	TERRY BURGARD 818 BLAINE ST CALDWELL, ID 83605-3732 (208) 912-5606
Original Owner	WILLIAM J OWENS 883 SW 2ND ST ONTARIO, OR 97914-3521 (541) 889-2741
Original Owner	IRENE OWENS PO BOX 195 POLLOCK, ID 83547 (208) 628-3396
Previous Owner	GRACIE H BARRON PO BOX 284 POLLOCK, ID 83547-0284 (208) 628-3396

Priority Date: 11/20/1961
Basis: Decreed
Status: Active

Source	Tributary
DENNY CREEK	LITTLE SALMON RIVER

Beneficial Use	From	To	Diversion Rate	Volume
DOMESTIC	03/15	09/30	0.040 CFS	
	Total Diversion		0.040 CFS	

Source and Point(s) of Diversion:

DENNY CREEK	SWNE	Sec. 29, Twp 23N, Rge 01E, IDAHO County

Place Of Use:
DOMESTIC within IDAHO County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
23N	01E	29			X														

Conditions of Approval:

1. 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.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT AND WATER RIGHT NO. 78-10093 SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. A04 THIS RIGHT INCLUDES A CHANGE IN USE APPROVED BY ADMINISTRATIVE ORDER OF IDWR. THE CHANGE IN USE SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THE ADMINISTRATIVE ORDER APPROVING THE CHANGE.
4. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Dates and Other Information:
Decreed Date: 8/18/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: OR
Water District Number: NWD
Mitigation Plan: False

Combined Use Limits:
N/A

SubCase:
N/A

Water Supply Bank:

N/A