

\$150

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

FEB 27 2024

DEPT. 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?
34-2309 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
34-2358 FOK	Yes ☐	Yes ☐	34-10826 OK	Yes ☐	Yes ☐
34-7059 BOK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
34-7059 DOK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
34-12381 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: James H Davis Estate
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): William Seth Stewart
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or

P.O. Box 94
Mailing address

Arco ID 83213
City State Zip

208-521-7384
Telephone

Seth.Stewart@net.net
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. 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

IN FILE # 34-2309

8. Signature: Seth Stewart _____
Signature of new owner/claimant Title, if applicable Date
Seth Stewart
Print name

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

Print name

For IDWR Office Use Only:

Received by Ce bh Date 2/27/24 Receipt No. E049833 Receipt Amt. \$150.00

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 JB Processed by JB Date 2/28/2024

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

BUTTE COUNTY
Recorded for:
Flying S Title and Escrow - BI
10:58:13 AM 07-25-2023
0000-061269
No. Pages: 4 Fee: \$15.00
SHELLY BLACKNER
County Clerk
Deputy: KG

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **1089334-B (tr)**

Date: **July 06, 2023**

For Value Received, **Kyle J. Bidwell, Personal Representative of the Estate of James Hodge Davis, deceased, Case No. CV12-23-0026**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **William Seth Stewart, a married man as his sole and separate property**, hereinafter called the Grantee, whose current address is **P.O. Box 94, Arco, ID 83213**, the following described premises, situated in **Butte County, Idaho**, to-wit:

TRACT I:

Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho.

Section 20: S $\frac{1}{2}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$ lying Southeast of the Stub Canal.

Section 28: S $\frac{1}{2}$ N $\frac{1}{2}$; N $\frac{1}{2}$ S $\frac{1}{2}$; N $\frac{1}{2}$ N $\frac{1}{2}$

Section 29: N $\frac{1}{2}$; N $\frac{1}{2}$ SE $\frac{1}{4}$ and a fraction of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ described as follows:

Beginning at the Northeast Corner of said 40 acres; thence South 400 feet to a point on the East line of said 40 acres; thence West 330 feet; thence North 400 feet to a point on the North line of said 40 acres, 330 feet West to the point of Beginning; thence 330 feet East along the North line of said 40 acres TO POINT OF BEGINNING.

**EXCEPTING THEREFROM a fraction of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ described as follows:
Beginning at the Southwest Corner of said 40 acres; thence North 247 feet; thence East 640 feet; thence Southeast to a point on the South line of said 40 acres, 990 feet East of the point of beginning; thence West 990 feet to the POINT OF BEGINNING.**

ALSO LESS AND EXCEPTING THEREFROM:

A parcel of land being generally described as a portion of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$) and that portion of the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$), lying North of the Field road in Section 30, Township 4 North, Range 26 E.B.M., Butte County, Idaho. Also, portions of the Northwest Quarter (NW $\frac{1}{4}$) of Section 29, Township 4 North, Range 26 E.B.M., lying South of the Lower Blaine Canal right-of-way, said parcel of land being more particularly described as follows:

Beginning at the Northeast Corner of said Section 30; thence N. 89°57'01" W., along the North boundary of said Section 30, a distance of 1335.28 feet to the Northwest Corner of the

Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$), Section 30; thence S. 0°21'24" W., along the West boundary of the East half of the Northeast Quarter (E $\frac{1}{2}$ NE $\frac{1}{4}$), Section 30, a distance of 2473.43 feet; thence S. 89°20'46" E., along the center-line of said field road, a distance of 1812.56 feet; thence N. 4°45'02" W., 35.91 feet to the point of curvature of a concave curve to the East, having a radius of 1350.31 feet, a central angle of 118°47'15", and a length of 2799.51 feet; thence N. 0°00'00" E., 14.77 feet to the Southerly boundary of the Lower Blaine Canal right-of-way; thence N. 89°52'28" W., along the Southerly boundary of said canal right-of-way, a distance of 680.90 feet to the East boundary of said Section 30, a distance of 126.97 feet to the Northeast Corner of Section 30 and the POINT OF BEGINNING.

Section 21: S $\frac{1}{2}$ S $\frac{1}{2}$, EXCEPTING THEREFROM:

A parcel of land located in the Southeast Quarter of the Southeast Quarter of Section 21, Township 4 North, Range 26 East, Boise Meridian, Butte County, Idaho, more particularly described as follows:

Commencing at the Northeast Corner of the Southeast Quarter of the Southeast Quarter of said Section 21, being marked by a 5/8 inch rebar with a cap stamped PLS 8252; thence along the East line of said Section 21, South 00°52'39" West 40.00 feet to the Point of Beginning; thence continuing along said East line, South 00°52'39" West 59.93 feet to a 5/8 inch rebar with a cap stamped French 9561 as shown on Record of Survey, Instrument No. 42211; thence along the North line of Deed Instrument No. 030684, North 89°13'35" West 440.07 feet to a 5/8 inch rebar with a cap stamped French 9561 as shown on said Record of Survey; thence along the Westerly line of Deed Instrument No. 030684, South 35°25'10" East 701.19 feet to an existing fence line; thence along said existing fence line for the following eleven (11) courses; (1) thence South 00°33'40" West 200.17 feet; (2) thence North 28°26'35" West 36.28 feet; (3) thence North 25°24'09" West 181.01 feet; (4) thence North 29°19'42" West 117.03 feet; (5) thence North 34°34'21" West 119.94 feet; (6) thence North 39°33'55" West 113.96 feet; (7) thence North 42°12'51" West 51.87 feet; (8) thence North 46°31'22" West 70.09 feet; (9) thence North 49°23'04" West 137.08 feet; (10) thence North 54°52'26" West 165.40 feet; (11) thence North 58°08'32" West 153.72 feet; thence parallel with the North line of the Southeast Quarter of the Southeast Quarter of Section 21, South 89°13'13" East 785.11 feet to the Point of Beginning.

TRACT II:

Commencing at the West $\frac{1}{4}$ corner of Section 29, Township 4 North, Range 26 East of the Boise Meridian, Butte County, Idaho;
Thence S 89°40'46" E 767.71 feet along the south line of the NW $\frac{1}{4}$ of said section to the POINT OF BEGINNING;
Thence N 50°53'47" W 394.33 feet;
Thence S 89°40'46" E 179.42 feet;
Thence S 54°32'25" E 429.15 feet to said south line;
Thence N 89°40'46" W 222.96 feet along said south line to the POINT OF BEGINNING.

-Water Right #34-7059D, Decreed, 01/1974 Priority Date, groundwater, 3.5 CFS, over 174.4 acres

- Water Right #34-12381, Decreed, 05/1983 Priority Date, 1.19 CFS over 264 acres

Date: 07/06/2023

Warranty Deed
- continued

File No.: 1089334-B (tr)

- Water Right #34-2309, Decreed, 10/1953 Priority Date, groundwater, 2.0 CFS, 560 AF over 160 acres
- Water Right #34-2358F, Decreed, 04/1961 Priority Date, groundwater, 1.26 CFS, 392 AF over 112 acres
- Water Right #34-7059B, Decreed, 01/1974 Priority Date, groundwater, 10.44 CFS, 2219 AF over 634 acres
- Water Right #34-10826, Decreed, 06/1960 Priority Date, 0.04 CFS for stockwater up to 500 range cattle

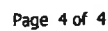
SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

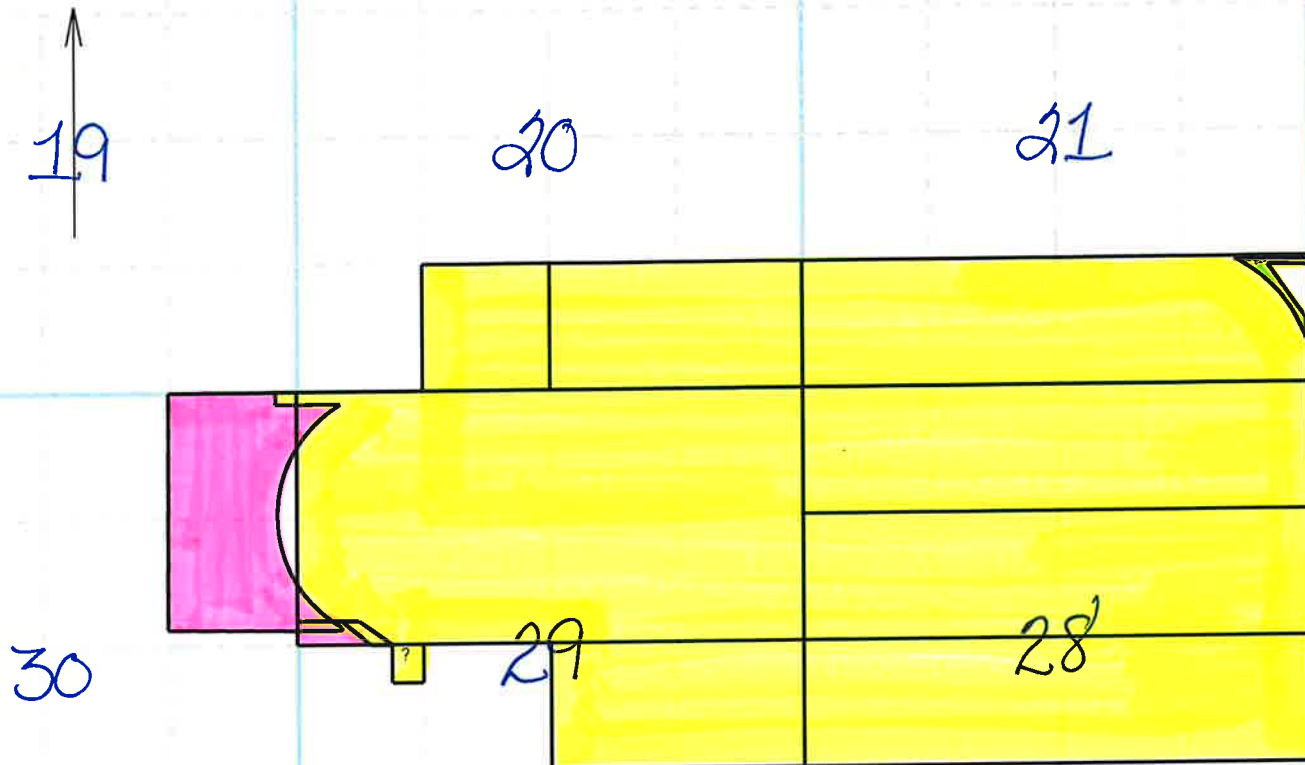
TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from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

File No.: 1089334-B (tr)

 pa
Kyle J. Bidwell, Personal Representative

Notary Public of Washington
Residing at: Kitsap
Commission Expires: 07/02/2025





31 32 33
 61269 William Seth Stewart Property
 Exception
 Exception?

2/28/2024

Scale: 1 inch= 2000 feet | File: Steward William.ndp

Tract 1: 80.0000 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=7920 ft.
 Tract 2: 40.0000 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=5280 ft.
 Tract 3: 160.0000 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=13200 ft.
 Tract 4: 160.0000 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=13200 ft.
 Tract 5: 160.0000 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=13200 ft.
 Tract 6: 3.0303 Acres (132000 Sq. Feet), Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=1460 ft.
 Tract 7: 320.0000 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=15840 ft.
 Tract 8: 4.6213 Acres (201305 Sq. Feet), Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=2305 ft.
 Tract 9: 81.7572 Acres, Closure: n89.0126e 220.51 ft. (1/42), Perimeter=9265 ft.
 Tract 10: 160.0000 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=13200 ft.
 Tract 11: 3.1044 Acres (135229 Sq. Feet), Closure: n04.0136w 36.52 ft. (1/92), Perimeter=3373 ft.
 Tract 12: 1.1408 Acres (49694 Sq. Feet), Closure: n61.5548w 0.01 ft. (1/100579), Perimeter=1226 ft.
 Tract 13: 80.0000 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=7920 ft.



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

February 28, 2024

WILLIAM SETH STEWART
PO BOX 94
ARCO ID 83213-0094

Re: Change in Ownership for Water Right No(s): 34-2309, 34-2358F, 34-7059B, 34-7059D, 34-10826, 34-12381

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: WATER DISTRICT 34
BIG LOST RIVER GROUND WATER DISTRICT