

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 63-33041  
Date Received: 2/8/1990  
Receipt No: X777777  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

TROOST FAMILY LIVING TRUST Phone: (208) 722-7325  
GREG TROOST  
30540 SABIN RD  
PARMA ID USA 83660

2. Date of Priority: 04/18/1977

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot |    |    |   | County | Type |
|----------|-------|---------|-----------------------|----|----|---|--------|------|
| 05N      | 05W   | 1       | SE                    | NE | NW | 3 | CANYON |      |

5. Description of diverting works:

WELL, 320' DEPTH, 12" CAS., 119' TO WATER, PUMP PIPE, SPRINKLER & GRAV.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A |
|------------|-------|-------|--------|------|-------|
| IRRIGATION | 03/15 | 11/15 | 0.31   |      |       |

7. Total Quantity Appropriated is:  
0.31 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

63-33041

05/2



10. Place of use:

| Township      | Range | Section | 1/4 of 1/4 | Lot | Use        | Acres |
|---------------|-------|---------|------------|-----|------------|-------|
| 05N           | 05W   | 1       | NW NE      | 2   | IRRIGATION | 21    |
| Section Acres |       |         |            |     |            | 21    |
| Total Acres   |       |         |            |     |            | 21    |

11. Place of use in counties: CANYON

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

This right is a split from former right 63-8700 .

15. Basis of Claim: License

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

RECEIVED

MAY 20 2008

WATER RESOURCES  
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

| Water<br>Right No(s) | Adjudication<br>Claim No(s) | Split(s) | Water<br>Right No(s) | Adjudication<br>Claim No(s) | Split(s) |
|----------------------|-----------------------------|----------|----------------------|-----------------------------|----------|
|                      | A63-08700                   |          |                      |                             |          |
|                      |                             |          |                      |                             |          |
|                      |                             |          |                      |                             |          |
|                      |                             |          |                      |                             |          |
|                      |                             |          |                      |                             |          |
|                      |                             |          |                      |                             |          |

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):  
**PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

LARRY RAGAINS  
 29392 SABIN RD.  
 PARMA ID 83660

4. New Owner/Claimant(s)

GREG TROOST - TROOST FAMILY LIVING TRUST.

New Mailing Address

30540 SABIN RD.

City, State and ZIP Code

PARMA ID 83660

New Telephone Number

(208) 722 7325 Email: MILKHOG @ AOL.COM

Form 43-248/2-1409(4) 12/2006

5-6-08

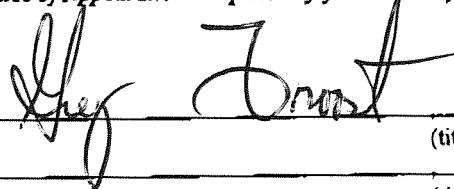
5. Date you acquired the property

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right will not be split, skip this area and proceed to line 7) |                                                                            |                                                              |
|----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Use                                                                                                            | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| <b>Totals</b>                                                                                                        |                                                                            |                                                              |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| <b>Totals</b>                                                                                                        |                                                                            |                                                              |
| <b>Water Right and/or Adjudication Claim Number</b>                                                                  |                                                                            |                                                              |
| Irrigation                                                                                                           |                                                                            |                                                              |
| Stock                                                                                                                |                                                                            |                                                              |
| Domestic                                                                                                             |                                                                            |                                                              |
| Other                                                                                                                |                                                                            |                                                              |
| <b>Totals</b>                                                                                                        |                                                                            |                                                              |

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)



(title if applicable)

(title if applicable)

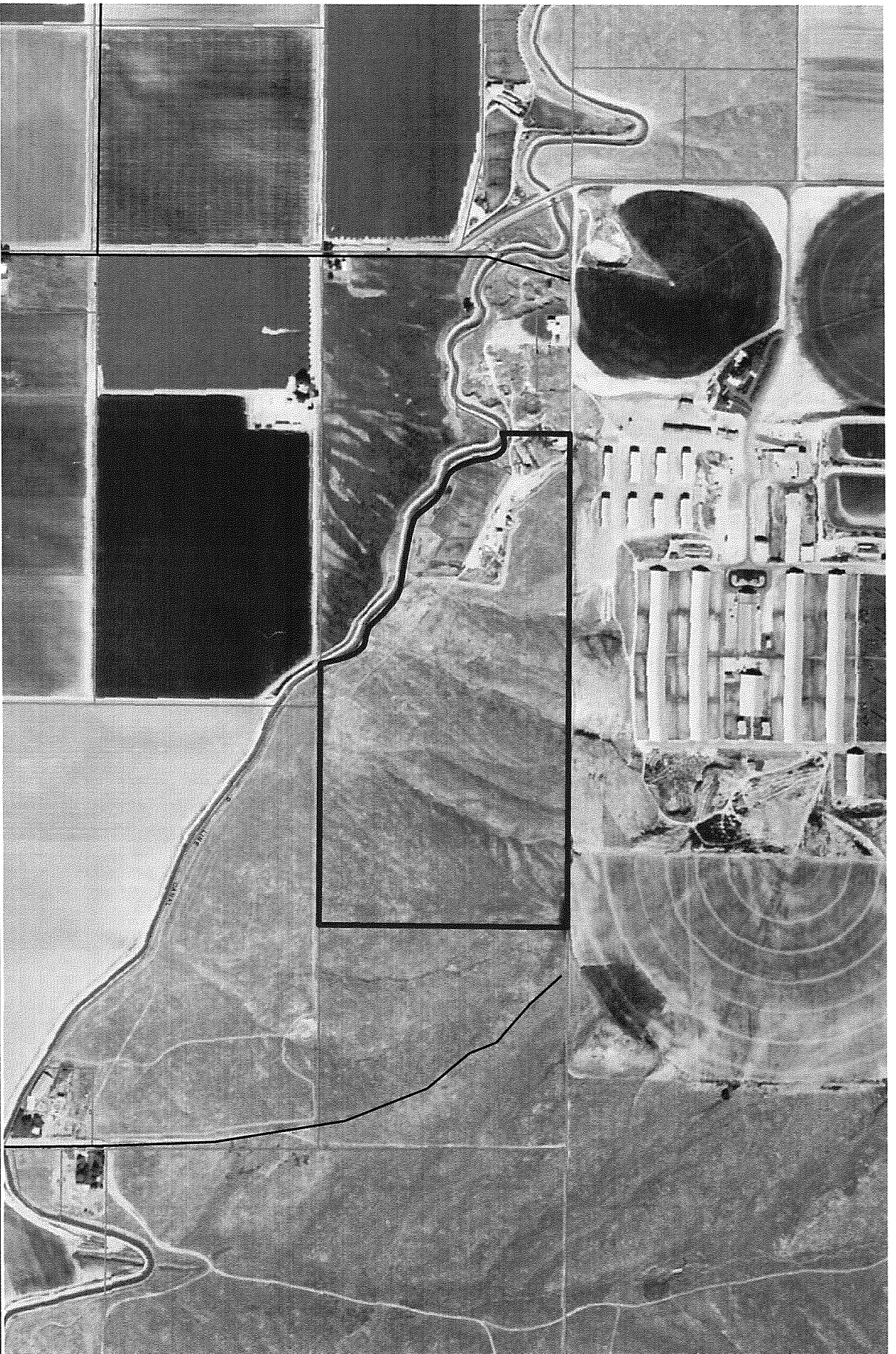
IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

**For IDWR Office Use Only:**Received by [Signature]Date 5-20-08Receipt Amt. N/AReceived by [Signature]Date 5-21-08

Receipt No. \_\_\_\_\_

Processed by [Signature] AJDate 5-21-08

WR \_\_\_\_\_ Date \_\_\_\_\_



Pioneer  
The Co.



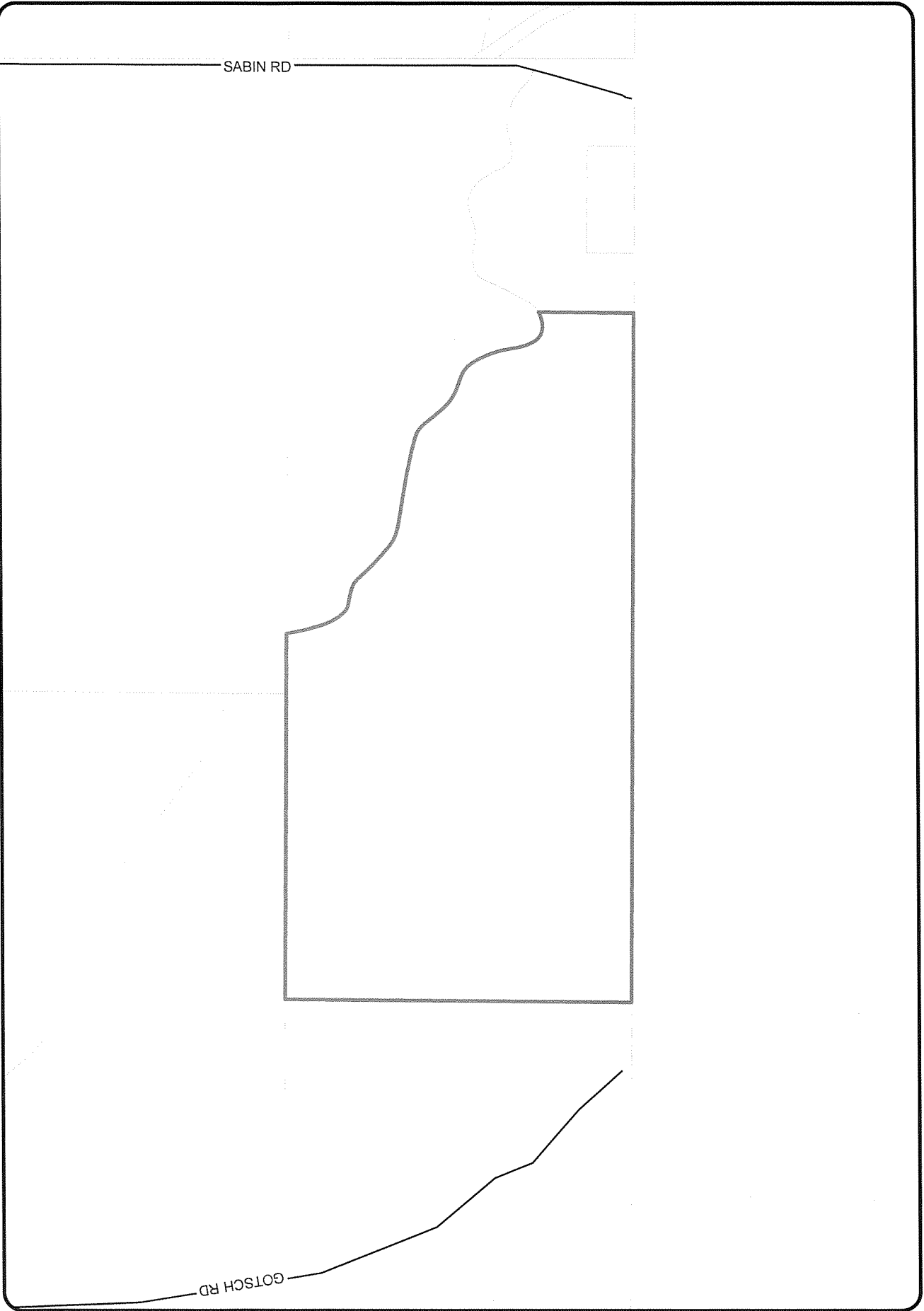
Map Created: May-09-2008

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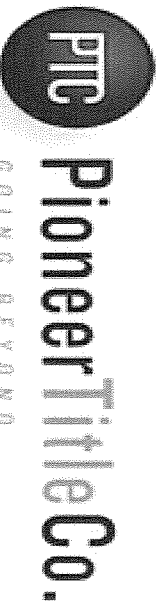


www.sps.com

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File No.: 200804245

## **EXHIBIT A**

The East 300 feet of that portion of Government Lot 4 lying Northeasterly of the Black Canyon Canal; That portion of Government Lot 3 lying Northeasterly of the Black Canyon Canal and All of Government Lot 2, all in Section 1, Township 5 North, Range 5 West of the Boise Meridian, Canyon County, Idaho

**Pioneer Title Co.**

GOING BEYOND

610 South Kimball Avenue / Caldwell, Idaho  
83605 / (208) 459-1651

200804245

**WARRANTY DEED**For Value Received **Lawrence Ragains and Barbara Ragains, husband and wife**

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

**Troost Family Living Trust**hereinafter referred to as Grantee, whose current address  
is 30540 Sabin Rd., Parma, 10 83660

the following described premises, to-wit:

The East 300 feet of that portion of Government Lot 4 lying Northeasterly of the Black Canyon Canal; That portion of Government Lot 3 lying Northeasterly of the Black Canyon Canal and All of Government Lot 2, all in Section 1, Township 5 North, Range 5 West of the Boise Meridian, Canyon County, Idaho

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that 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.

Dated: May 7, 2008

Lawrence Ragains  
Lawrence Ragains

Barbara Ragains  
Barbara Ragains

State of Idaho

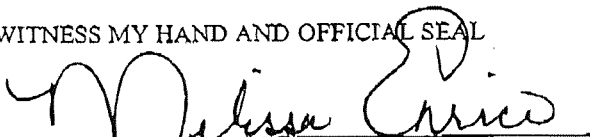
ss.

County of Canyon

On this 12<sup>th</sup> day of May, 2008, before me, the undersigned, a Notary Public, in and for said State, personally appeared Lawrence Ragains and Barbara Ragains, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL

(SEAL)

  
Notary Public \*Melissa Enrico  
Residing at: Caldwell  
Commission Expires: ~~5-27-11~~ 01-04-12



CHANGE OF OWNERSHIP, SPLIT  
FOR Troost Family Living Trust

eg Troost

722-7325

|             |           |          |  |
|-------------|-----------|----------|--|
| #           | 63-8100   |          |  |
| Name        | RABAINS   |          |  |
| Irrigation: |           |          |  |
| 156 acres   | 2.33 cfs  | 102 AF   |  |
| Stockwater  | _____ cfs | _____ AF |  |
| Domestic    | _____ cfs | _____ AF |  |
| TOTAL       | 2.33 cfs  | 102 AF   |  |

.015 cfs/ac

|             |           |          |  |
|-------------|-----------|----------|--|
| #           | 63-33040  |          |  |
| Name        | RABAINS   |          |  |
| Irrigation: |           |          |  |
| 135 acres   | 2.03 cfs  | 607.5 AF |  |
| Stockwater  | _____ cfs | _____ AF |  |
| Domestic    | _____ cfs | _____ AF |  |
| TOTAL       | _____ cfs | _____ AF |  |

|             |                          |          |  |
|-------------|--------------------------|----------|--|
| #           | 63-33041                 |          |  |
| Name        | Troost Family Liv. Trust |          |  |
| Irrigation: |                          |          |  |
| 21 acres    | .31 cfs                  | 94.5 AF  |  |
| Stockwater  | _____ cfs                | _____ AF |  |
| Domestic    | _____ cfs                | _____ AF |  |
| TOTAL       | _____ cfs                | _____ AF |  |

remain in

Sec 1 NWNE 21

\* The NWNE, the portion of the SWNE & SENE north of the canal has not been irrigated since the 1990s per all aeriels. Lic exam 1990. The NENW was not licensed & though the claimant Rabains wanted to include this per an ACCOM trx, I could not see that it had ever been irrigated. the LIC. process & SRBA has tolled any finding of forfeiture

ULM

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,  
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-08700  
Date Received: 2/08/1990  
Receipt No: MDU 5796  
Received By: SEA

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: L. W. RAGAINS 208-722-5515  
Address: 29392 SABIN  
PARMA, ID 83660

OR

Name: BARBARA RAGAINS 208-722-5515  
Address: 29392 SABIN  
PARMA, ID 83660

2. Date of Priority: APR 18, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 05N      | 05W   | 1       | SE     | NE     | NW     | 3   | CANYON |

5. Description of diverting works:

WELL, 320' DEPTH, 12" CAS., 119' TO WATER, PUMP PIPE, SPRINKLER & GRAV.

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 2.330  |      |        |

7. Total Quantity Appropriated is:  
2.330 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 546.0 Acre Feet Per Annum.

9. Non-irrigation uses:

STOCKWATER INCIDENTAL TO IRRIGATION.

A63-08700

Page 1

Date: 02/08/90

MICROFILMED

AUG 24 1992

10. Place of Use:

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|----|-----|-----|---------------|-------|
| 05N      | 05W   | 1       | NW  |    | NE  | 2   | IRR           | 21.0  |
|          |       |         | SW  |    | NE  |     | IRR           | 18.0  |
|          |       |         | SE  |    | NE  |     | IRR           | 6.0   |
|          |       |         | NE  |    | NW  | 3   | IRR           | 10.0  |
|          |       |         | NW  |    | NW  | 4   | IRR           | 23.0  |
|          |       |         | NE  |    | SW  |     | IRR           | 40.0  |
|          |       |         | NW  |    | SW  |     | IRR           | 38.0  |
|          |       |         |     |    |     |     | Section Acres | 156.0 |
|          |       |         |     |    |     |     | Total Acres   | 156.0 |

11. Place of use in counties: CANYON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:  
D-LINE CANAL & BLACK CANYON IRR. DIST.

14. Remarks:  
NOT TO EXCEED .02 CFS/AC. OR 4.5 AF/AC.

15. Basis of Claim: PERMIT

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

**For Individuals:**

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): L W Ragains Date: 2-8-90  
\_\_\_\_\_  
Date: \_\_\_\_\_

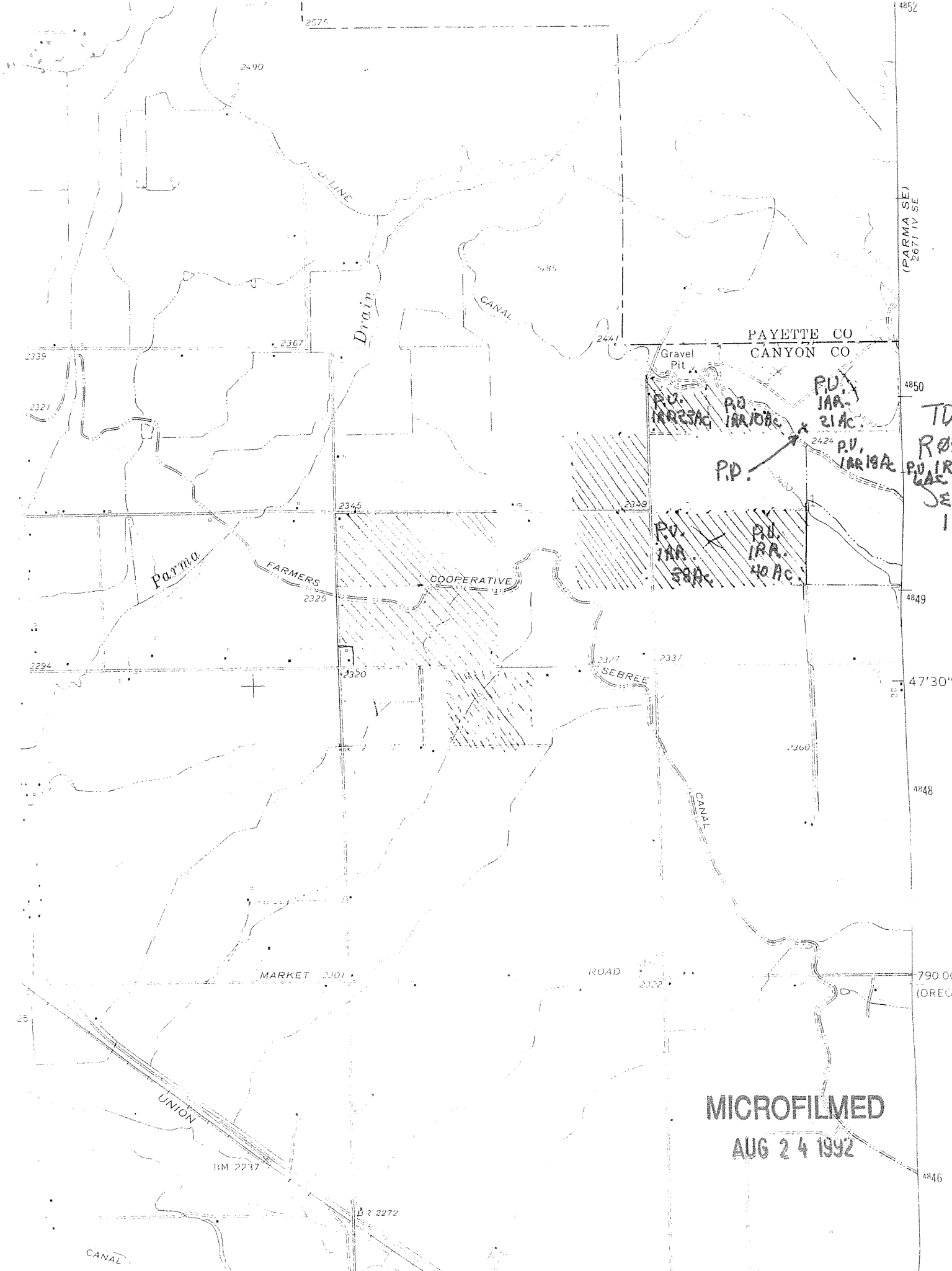
State of Idaho )  
County of CANYON ) SS.

Subscribed and sworn (or affirmed) before me this 8th day  
of FEB. 19 90

Donet C. Smith  
Notary Public

Seal

Residing at Boise, ID  
My Commission Expires 11/08/1994



4852  
2671 IV SE  
(PARMA SE)  
4850  
4849  
47'30"  
4848  
790 00  
(OREG.)  
4846

TD  
R 03  
P.V. 1A.A.  
21 AC.  
SEC 1

MICROFILMED  
AUG 24 1992