

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

RECEIVED

MAY 22 2009

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 division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
65-13249					

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 usually attached to your deed or on file with the county).

OR

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 **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) Ronald L. and Ida M. Kuenzli
PO Box 284, Star, ID 83669
4. New Owner/Claimant(s) Carol Lynn MacGregor
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 1109 Warm Springs
 City, State and ZIP Code Boise, ID 83712
- New Telephone Number (208) 386-9494
5. Date you acquired the property 12/21/1988

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 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 (one water right per box, you may copy this page as 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 (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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 of New Owner(s) or Claimant(s) _____
(include title if applicable)

Carol Lynn MacPhee

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 Office Use Only

Received by JW Date 5-22-09 Fee N/A
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR Jmh Date 6-2-09

no fee required - ownership was changed & shouldn't have been. put back in original owners name.
Jmh

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

5/10/2009

WATER RIGHT NO. 65-13249

Owner Type	Name and Address
Current Owner	IDA M KUENZLI
Current Owner	RONALD L KUENZLI PO BOX 284 STAR, ID 83669 (208)286-7481
Original Owner	CAROL LYNN MAC GREGOR 1109 WARM SPRINGS AVE BOISE, ID 83712 (208) 386-9494

Priority Date: 06/15/1990
Basis: License
Status: Active

Source	Tributary
SPRING	SPRING GULCH CREEK

Beneficial Use	From	To	Diversion Rate	Volume
STOCKWATER	1/01	12/31	0 12 CFS	6 7 AFA
Total Diversion			0 12 CFS	

Location of Point(s) of Diversion

SPRING|NWSESW|Sec 26|Township 07N|Range 01W|GEM County

Licensed Diversion Capacity: 0 12

Place(s) of use:

Place of Use Legal Description: STOCKWATER GEM County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
07N	01W	26		NESW			NWSW			SESW				

Conditions of Approval:

1. [R04] Use of water under this water right will be regulated by the watermaster of State Water District No. 65
2. [] This right includes instream watering of stock from Spring Gulch. Stockwater use is for 300 horses and range cattle

Dates:

Licensed Date: 10/19/1992
Decreed Date:
Permit Proof Due Date: 10/1/1991
Permit Proof Made Date: 4/11/1991
Permit Approved Date: 9/27/1990
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Water Supply Bank Enrollment Date Accepted:
Water Supply Bank Enrollment Date Removed:
Application Received Date: 06/15/1990
Protest Deadline Date:
Number of Protests: 0

Other Information

State or Federal:
Owner Name Connector:
Water District Number: 65
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

DEED

THIS INDENTURE, made this 21st day of December, 1988, by and between MacGREGOR LAND AND LIVESTOCK CO., an Idaho corporation, with principal offices in Boise, Ada County, Idaho, the "Grantor," and the Grantees hereinafter named, as tenants in common in the percentages of ownership hereinafter set forth, the "Grantees";

W I T N E S S E T H:

FOR VALUE RECEIVED, the Grantor has granted, conveyed, bargained and sold, and does hereby grant, bargain, sell, convey and confirm to the following named Grantees, as tenants in common in the following percentages, to wit:

1. Carol Lynn MacGregor, a single person dealing with her sole and separate property, a 74.67 interest;
2. Carol Lynn MacGregor, as custodian for Catherine Moore Bettis, a minor single person, a 6.24% interest;
3. Carol Lynn MacGregor, as custodian for Janelle Agnes Bettis, a minor single person, a 6.24% interest;
4. Carol Lynn MacGregor, as custodian for Laura MacGregor Bettis, a minor single person, a 6.24% interest; and
5. Joseph Gordon Schwarz (aka J.G. Bettis), a single person dealing with his sole and separate property, a 6.61% interest,

their respective successors and assigns, that certain real property situated in the COUNTY OF GEM, STATE OF IDAHO, described on Exhibit "A" attached hereto and by this reference made a part hereof (the "Subject Property").

TOGETHER with all and singular the buildings, structures, improvements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof;

TOGETHER with all water, water rights, water storage rights, ditches, easements and rights-of-way for ditches appurtenant thereto and used in connection therewith; and all grazing permits, grazing leases and grazing rights appurtenant thereto and used in connection therewith;

SUBJECT TO the liens and encumbrances described on Exhibit "B" and all covenants, restrictions, reservations, rights of way and easements that are of record and/or that are open and obvious from any inspection of the Subject Property.

TO HAVE AND TO HOLD the Subject Property, with its appurtenances, unto the Grantees, as tenants in common in the above percentages, and their respective successors and assigns, forever.

The current address of the Grantees is: Carol MacGregor, 1109 Warm Springs Avenue, Boise, Idaho 83712.

IN WITNESS WHEREOF, this Deed has been duly executed by and on behalf of the Grantor the day and year herein first above written.

MacGREGOR LAND AND LIVESTOCK CO.

By

Jock D. MacGregor
Jock D. MacGregor, President

ATTEST:

Carol L. MacGregor
Carol L. MacGregor, Secretary

STATE OF IDAHO)
) ss.
County of Ada)

On this 23 day of December, 1988, before me,
M NEAL NEWHOUSE, a Notary Public in and for
said State, personally appeared JOCK D. MacGREGOR and CAROL L.
MacGREGOR, known or identified to me to be the President and
Secretary, respectively, of MacGREGOR LAND AND LIVESTOCK CO., the
corporation that executed the within instrument or the person who
executed the instrument on behalf of said corporation, and
acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal the day and year in this certificate
first above written.

M Neal Newhouse
Notary Public for Idaho

Residing at Boise

My commission expires on Aug 12, 1991

981223
713

EXHIBIT "A" TO DEED

Legal Description

Parcel 1:

Lot 4, excepting a piece of land for reservoir right of way purposes above Black Canyon Diversion Dam, Boise Project, Idaho, described as follows:

Beginning at a point on the South Line of Section 19, Township 7 North, Range 1 East of the Boise Meridian, Idaho, which point is 606.3 feet North 89°55' West of the South Quarter (S1/4) corner of said Section 19; thence North 20°12' West 389.9 feet; thence North 46°32' East 42.5 feet; thence North 44°09' West 50.0 feet, to a point on the centerline of the Idaho Northern Branch of the Oregon Short Line Railroad, which point is on 5°05' curve of said railroad, and is approached from the convex side, and normal to said curve; thence North 44°09' West 52.9 feet; thence North 17°51' West 83.1 feet; thence North 40°50' West 142.9 feet; thence North 75°29' West 96.0 feet; thence South 70°23' West 80.4 feet; thence South 47°58' West 73.1 feet; thence South 50°10' East 130.6 feet; thence South 14°26' East 184.0 feet; thence South 65°09' West 42.2 feet; thence North 66°30' West 151.7 feet; thence South 89°38' West 159.6 feet to a point on the West Lot line of said Lot 4; thence along the West lot line of said Lot 4, North 00°02' East 868.4 feet; thence along a meander line North 62°30' East 105.3 feet to a point on the North Lot line of said Lot 4; thence along the North Lot Line of said Lot 4, North 89°00' East 649.6 feet; thence South 26°50' West 136.1 feet; thence South 2°06' West 161.0 feet; thence South 65°24' East 166.0 feet; thence South 14°57' West 97.5 feet; thence South 21°32' West 86.6 feet; thence South 28°58' West 67.0 feet; thence South 61°41' East 51.1 feet to a point on above mentioned 5°05' curve and center line of the said Idaho Northern Railroad, approached from the concave side of said 5°05' curve and normal to said curve which point is 345.2 feet from above mentioned intersection, measured on 50 foot chords along said 5°05' curve; thence South 61°01' East 50.0 feet; thence South 42°46' East 233.7 feet; thence South 8°09' East 336.8 feet; thence South 25°49' East 192.9 feet to a point on the South section line of said Section 19, which point is 202.0 feet North 89°55' West of the South Quarter (S1/4) corner of said Section 19, thence along the South section line of said Section 19, North 89°55' West 404.3 feet, to the point of beginning;

And the Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4), all in Section 19; and

The Northwest Quarter (NW1/4) of the Northeast Quarter (NE1/4) and South Half (S1/2) of the Northeast Quarter (NE1/4) and East Half (E1/2) of the Northwest Quarter (NW1/4) and Lot 1, Lot 2, Lot 3 and Lot 4, and the East Half (E1/2) of the Southwest Quarter (SW1/4) and Southeast Quarter (SE1/4), all in Section 30; and

The Northeast Quarter (NE1/4) and Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4), and Lot 1, Lot 2, Lot 3 and Lot 4 and the East Half (E1/2) of the Southwest Quarter (SW1/4) and the Southeast Quarter (SE1/4), all in Section 31; and

The Northwest Quarter (NW1/4) and North Half (N1/2) of the Southwest Quarter (SW1/4) of Section 32;

All of the above and foregoing property being in Township 7 North, Range 1 East of the Boise Meridian, Gem County, Idaho.

Parcel 2:

SE 1/4 SW 1/4, S 1/2 SE 1/4, of Section 26;
NW 1/4 NE 1/4, of Section 35;
SE 1/4 NW 1/4, of Section 35;
NE 1/4 SE 1/4, of Section 35;
SW 1/4 NW 1/4 of Section 36;
S 1/2 of SW 1/4 of Section 25;

All being in Township 7 North, Range 1 West, B.M. Gem County, Idaho.

Parcel 3:

SE 1/4 NE 1/4, N 1/2 SE 1/4, SE 1/4 SE 1/4, of Section 19; and Lot 4, SW 1/4 NW 1/4, W 1/2 SW 1/4, SE 1/4 SW 1/4, of Section 20; and NW 1/4, SW 1/4 NE 1/4, NE 1/4 SW 1/4, S 1/2 SW 1/4, S 1/2 SE 1/4, of Section 29; and NE 1/4 NE 1/4, of Section 30; All being in Township 7 North, Range 1 East of the Boise Meridian, Gem County, Idaho.

Parcel 4:

SW 1/4 SW 1/4, Section 23, W 165 ft. of SW 1/4 NE 1/4, N 1/2 SW 1/4, W 165 ft. of NW 1/4 SE 1/4, SW 1/4 SE 1/4 excepting the following described tract: Beginning at a point 1,493.4 ft. W. of the 1/16 corner in the E side of SE 1/4 of Sec. 25, thence S 47° 30' W 338.45 ft., thence N 70° 30' W 345.3 ft., thence N 3° 14' E 112.30 ft., thence E to point of beginning, SE 1/4 SE 1/4, Section 25, SW 1/4 NE 1/4, E 1/2 NW 1/4, N 1/2 SW 1/4, that part lying E of Black Canyon Canal in SW 1/4 SW 1/4, N 1/2 SE 1/4, Section 26, all in Township 7 North, Range 1 West of the Boise Meridian, in Gem County, State of Idaho.

Parcel 5:

Township 7 N., R. 1 W.B.M., Gem County, Idaho:

Section 25:

The S 1/2 of NE 1/4, less the West 165 feet thereof.

The N 1/2 of the SE 1/4, less the West 165 feet thereof.

and

Beginning at a point 1493.4 feet West of the 1/16 corner in the East side of the SE 1/4 of Section 25,

Twp. 7 N., R. 1 W.B.M., run thence

S. 47° 30' W. 338.45 feet; thence

N. 70° 30' W. 345.3 feet; thence

N. 3° 14' E. 112.30 feet; thence

East to said point of beginning.

Parcel 6:

Lots 4, 5, 6 and 7, in Section 24;

NE 1/4 of NE 1/4, and Lot 1, in Section 25; all in Twp. 7 North, Range 1 W.B.M., Gem County, Idaho.

Parcel 7:

The Southwest Quarter of the Northeast Quarter (SW 1/4 NE 1/4), the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4), subject to State of Idaho Easement No. 717 to Idaho Power Company for poleline R/W., Section 35, Township 7 North, Range 1 West, B.M., Gem County, Idaho.

Parcel 8:

All that portion of the SW 1/4 NW 1/4 NE 1/4 Section 35, T. 7N., R. 1W., B.M. Gem County, Idaho, located east of the existing county road; and,

All that portion of the N 1/2 NW 1/4 SW 1/4 NE 1/4 Section 35, T. 7N., R. 1W., B.M. Gem County, Idaho located east of the existing county road.

EXCEPTING FROM a portion of Parcels 1 through 8, the following described parcels:

Parcel A:

A parcel of land in the NW 1/4 of the SW 1/4 of Section 25, T 7 N, R 1 W, BM, Gem County, Idaho more particularly described as follows:

Beginning at the southwest corner of said Section 25, which is marked by a brass cap attached to an iron pipe, said corner being South, 2628.6 feet of the west one-quarter corner of said Section 25, which is marked by a stone as described in the original government notes; thence N.31°01'40"E., 1763.85 feet to the REAL POINT OF BEGINNING; thence N.40°15'W., 500.00 feet to a point; thence N.49°45'E., 400.00 feet to a point; thence S.40°15'E., 500.00 feet to a point; thence S.49°45'W., 400.00 feet to the Real Point of Beginning, said parcel comprising 4.59 acres.

Also, a strip of land 40 feet in width for ingress and egress to the above described parcel, said strip extending from a county road to the southeasterly side of the above described parcel and being in the West half of the SW 1/4 of Section 25, T 7 N, R 1 W, BM, Gem County, Idaho, more particularly described as follows:

Beginning at the southwest corner of said Section 25; thence N. 39°22'32"E., 1594.23 feet to the REAL POINT OF BEGINNING, on the northerly right-of-way line of a county road; thence on the easement centerline, said easement being 20 feet on each side of the centerline, as follows: Northeasterly on a circular curve to the right, having a radius of 50 feet, a central angle of 47°33'30", the chord bearing N. 33°27'15"E., 40.32 feet to a point of tangency; thence N.57°14'E., 26.91 feet to a point of curvature; thence northeasterly on a circular curve to the left, having a radius of 200 feet, a central angle of 26°06', the chord bearing N.44°11'E., 90.32 feet to a point of tangency; thence N.31°08'E.,

169.77 feet to a point of curvature; thence northwesterly on arc of a circular curve to the left, having a radius of 200 feet, a central angle of $71^{\circ}23'$, the chord bearing $N.4^{\circ}33'30''W.$, 233.37 feet to a point of tangency; thence $N.40^{\circ}15'E.$, 18.76 feet to a point on the southeasterly line of the above described parcel, said point being $S.49^{\circ}45'W.$, 50.0 feet from the southeasterly corner of said parcel, said easement comprising 0.54 acres.

Parcel E:

All of the E $1/2$ SW $1/4$ SE $1/4$ SW $1/4$ SW $1/4$ SE $1/4$ and the W $1/2$ SE $1/4$ SE $1/4$ SW $1/4$ SW $1/4$ SE $1/4$ of Section 26, T7N, R1W, B.M., Gem County, Idaho, commonly known as Well Lot No. 2 and encompassing approximately 0.625 acres; and

All the SW $1/4$ NW $1/4$ NE $1/4$ SW $1/4$ NE $1/4$ of Section 35, T7N, R1W, B.M., Gem County, Idaho, commonly known as the Water Reservoir Storage Lot and encompassing approximately 0.625 acres.

EXHIBIT "B" TO DEED

Permitted Encumbrances

1. That certain Mortgage between MacGregor Land & Livestock Co., as Mortgagor, and The Equitable Life Assurance Society of the United States, as Mortgagee, dated May 7, 1973, recorded in Gem County, Idaho as Instrument No. 107925.

2. That certain State of Idaho Land Sale Certificate No. 24339-A dated July 29, 1966 given by the State of Idaho to MacGregor Land & Livestock Co. Said Land Sale Certificate required MacGregor Land & Livestock Co. to pay annual payments each year until January 1, 2000, the final payment date.

102550

Gem County, IDAHO) ss.

Recorded at request of

Jock MacGregor

Time 3:00 PM

Date December 23, 1988

Instrument No. 162330

Recorded as a Deed

Notary Public

My Comm. Expires

Judy E. B. B. B. Deputy

Fee \$ 27.00

