

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 63-15746

9/20/2023

Owner Type
 Current Owner

Name and Address
 CAN ADA PROPERTIES LLC
 C/O KURT BARATS 391 W STATE ST
 STE G
 EAGLE, ID 83616
 (208) 939-8850

After Split

Directors Report
 Owner

JOHN K OLSEN
 5190 HUBLER LANE
 CALDWELL, ID 83605
 (208) 454-1070

Priority Date: 3/1/1950

Basis: Decreed

Status: Active

Source

WASTE WATER

Tributary

LAWRENCE KENNEDY CANAL

Beneficial Use

IRRIGATION

STOCKWATER

From

03/01

To

11/15

Diversion Rate

0.090 CFS

Volume

0.006 CFS

Total Diversion

0.100 CFS

Source and Point(s) of Diversion:

WASTE WATER

SESE

Sec. 12, Twp 04N, Rge 02W, CANYON County

Place Of Use:

STOCKWATER within CANYON County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	02W	12																X	

IRRIGATION within CANYON County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	02W	12																	4.4 4.4

POU Total Acres: 4.4

Conditions of Approval:

1. G16 This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.
2. 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

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 63-15746

9/20/2023

- entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. Use of this right is combined with water from Middleton Mill Irrigation District.
 4. Use of this right is combined with water from Flake Irrigation District.
 5. W50 Use of this right is combined with water from Middleton Irrigation Association.
 6. X02 Stockwater use is for 50 range cattle.
 7. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
 8. The actual overall diversion rate is 0.096 cfs.

Comments:

1 kbrown 8/3/2006 Parcel Number
PARCEL NO: R3401100000.

2 kbrown 8/3/2006 Amended Claim
An Amended Claim was sent to the Olsens on 4/07/06 in order to add stockwater use, correct the spelling of their last name in the database, and to change thier address and telephone number. Since I had not received a signed Amended Claim back, I called and spoke with Mr. Olsen on 6/08/06. He verified that he had received the Amended Claim, so I requested that he return it to me within one week. As of this date, I have not received anything from the Olsens and am recommending only the claimed irrigation use, as a result.

3 kbrown 10/10/2006 Amended Claim
In response to the Notice of Error/Preliminary Recommendation packet of information that Mr. Olsen just received in the mail, he came in to the office to make some changes. Based on his concerns and the resulting Notice of Error Reply, I amended the claim and added stockwater use for 50 range cattle (Mr. Olsen said that 75 head was inaccurate), a remark stating that use of this water is also combined with water from Middleton Irrigation District, and removed Jo Olsen as an owner since they have divorced.

4 jhersley 8/10/2023 POU
Updated Shape

5 jhersley 9/20/2023 POU
Updated Shape

6 jhersley 9/20/2023 Split Right
Split into 63-15746 and 63-35490 due to change in ownership to Idaho Power.

Dates and Other Information:

Decreed Date: 10/7/2008
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: TBD
Mitigation Plan: False

Combined Use Limits:

SCANNED

SEP 20 2023

63-15746

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 63-15746

9/20/2023

N/A

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary	2/28/2006	lharris	2/28/2006	lharris	Closed
Contacts	8/3/2006	kbrown			Closed
Priority Date	8/3/2006	kbrown			Closed
POD	8/3/2006	kbrown			Closed
Source	8/3/2006	kbrown			Closed
POU	8/3/2006	kbrown			Closed
Use	8/3/2006	kbrown			Closed
Season	8/3/2006	kbrown			Closed
Quantity	8/3/2006	kbrown			Closed
Summary	8/3/2006	kbrown	8/3/2006	kbrown	Closed

SubCase:

SubCaseNumber: 63-15746

Class: 1

SF5 Filed Date:

Special Master Recorn Signed Date:

Attorney Assigned:

Adjudication Agent:

Basis of Claim: Beneficial Use

Date Filed: 6/12/2007

Objection Status: Active

Water Supply Bank:

N/A

SCANNED

SEP 20 2023

State of Idaho
Department of Water Resources
Water Right
63-15746



-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Point of Diversion

Before Split

Owner Type
Current Owner

Name and Address
CAN ADA PROPERTIES LLC
C/O KURT BARATS 391 W STATE ST
STE G
EAGLE, ID 83616
(208) 939-8850

Directors Report
Owner

JOHN K OLSEN
5190 HUBLER LANE
CALDWELL, ID 83605
(208) 454-1070

Priority Date: 3/1/1950

Basis: Decreed

Status: Active

Source
WASTE WATER

Tributary
LAWRENCE KENNEDY CANAL

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/01	11/15	0.340 CFS	
STOCKWATER	01/01	12/31	0.020 CFS	
	Total Diversion		0.360 CFS	

Source and Point(s) of Diversion:

WASTE WATER SESE Sec. 12, Twp 04N, Rge 02W, CANYON County

Place Of Use:

STOCKWATER within CANYON County

[illegible]

IRRIGATION within CANYON County

[illegible]

POU Total Acres: 17.0

Conditions of Approval:

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State or Federal: S
Owner Name Connector: AND
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Mitigation Plan: False

Combined Use Limits:

N/A

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Contacts	8/3/2006	kbrown			Closed
Priority Date	8/3/2006	kbrown			Closed

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 63-15746

9/20/2023

POD	8/3/2006	kbrown			Closed
Source	8/3/2006	kbrown			Closed
POU	8/3/2006	kbrown			Closed
Use	8/3/2006	kbrown			Closed
Season	8/3/2006	kbrown			Closed
Quantity	8/3/2006	kbrown			Closed
Summary	8/3/2006	kbrown	8/3/2006	kbrown	Closed

SubCase:

SubCaseNumber: 63-15746

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date:

Attorney Assigned:

Adjudication Agent:

Basis of Claim: Beneficial Use

Date Filed: 6/12/2007

Objection Status: Active

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Water Right
63-15746



0 0.0375 0.075 0.15 Miles

- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Point of Diversion



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 21 2023

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?
63-15746	Yes ☐	Yes ☐		Yes ☐	Yes ☐
63-15747	Yes ☐	Yes ☐		Yes ☐	Yes ☐
		s ☐		Yes ☐	Yes ☐
63-15746 Split into 63-15746 & 63-35490		s ☐		Yes ☐	Yes ☐
63-15747 Split into 63-15747 & 63-35491		s ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Can Ada Properties LLC
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Idaho Power Company
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- PO Box 70 Boise ID 83707
Mailing address City State Zip
- (208) 388-2602 kdavis2@idahopower.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: 11/28/2007
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 # 63-15746

8. Signature: Kresta Davis Senior Manager 7/13/2023
Signature of new owner/claimant Title, if applicable Date

Kresta Davis
Print name

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

Print name

Received by: John Date: 7-21-23 For IDWR Office Use Only: C117029 Receipt No. C116777 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 _____ Processed by John Date 9-20-23



5680 East Franklin Road, Suite 150 / Nampa, Idaho
83687 / (208) 465-6655

2007 NOV 6 PM 4 29
RECORDED
WILLIAM H. HURST
CANYON COUNTY RECORDER
BY Julie Altem
PIONEER TITLE COMPANY
FEE \$18.00

2007073827

200615280

WARRANTY DEED

For Value Received Can-Ada Properties, LLC, a limited liability company
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

Idaho Power Company

hereinafter referred to as Grantee, whose current address is P O Box 70, Boise ID 83707
the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF

To HAVE AND TO HOLD the said premises, with their appurtenances, all water rights appurtenant to the property, 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, easements, restrictions and all other title matters recorded or unrecorded and rights of parties in possession except current years taxes, levies, and assessments, and except U.S. Patent reservations, and those matters shown on Exhibit B attached hereto and made a part hereof, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: October 25, 2007

Can-Ada Properties, LLC

Mark N. Guho, Member

Kurt Barats, Managing Member

SCANNED
SEP 20 2023

State of IDAHO

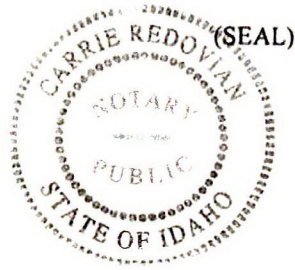
SS.

County of CANYON

On this 2nd day of ⁱⁿ~~October~~ ^{November}, 2007, before me, the undersigned, a Notary Public, in and for said State, personally appeared Mark Guho & Kurt Barats, known to me, and/or identified to me on the basis of satisfactory evidence, to be the Members/Managing Members of the Limited Liability Company that executed the foregoing instrument, and acknowledged to me that such Limited Liability Company executed the same.

WITNESS MY HAND AND OFFICIAL SEAL

Carrie Redovian
Notary Public
Residing at: Residing at: Melba, ID
Commission Expires: Commission Expires: 3/10/09



SCANNED
SEP 20 2023

EXHIBIT "A"



THE LAND GROUP, INC.

June 5, 2007
Project No. 06318
Can-Ada Properties, LLC
18.44 Acres

Parcel "B"

A tract of land situated in the Southeast One Quarter of the Southeast One Quarter of Section 12, Township 4 North, Range 2 West, Boise Meridian, Canyon County, Idaho, described as follows:

Commencing at a found brass cap monumenting the Southeast corner of said Section 12, which bears South 00°35'03" West a distance of 2,643.87 feet from a found brass cap monumenting the East One Quarter corner of said Section 12 and being the POINT OF BEGINNING.

Thence following the southerly line of the said Southeast One Quarter of the Southeast One Quarter of Section 12, North 89°58'51" West a distance of 1,347.77 feet to a found 5/8-inch steel pin monumenting the East One Sixteenth corner of said Section 12 and Section 13;

Thence leaving said southerly line and following the westerly line of said Southeast One Quarter of the Southeast One Quarter of Section 12, North 00°42'56" East a distance of 648.54 feet to a set 5/8-inch steel pin;

Thence leaving said westerly line, South 71°36'26" East a distance of 596.74 feet to a set 5/8-inch steel pin;

Thence North 18°23'34" East a distance of 298.75 feet to a set 5/8-inch steel pin on the southerly right-of-way of Idaho State Highway 44;

Thence following said southerly right-of-way, South 71°36'26" East a distance of 721.26 feet to a set 5/8-inch steel pin on the easterly line of said Section 12;

Thence following said easterly line, South 00°35'03" West a distance of 516.59 feet to the POINT OF BEGINNING.

The above-described tract of land contains 18.44 acres, more or less, subject to all existing easements and rights-of-way.

Prepared By: THE LAND GROUP, INC.
462 E. SHORE DRIVE, SUITE 100
EAGLE, IDAHO 83616
208-939-4041
208-939-4445 (FAX)



9-11-07

Landscape Architecture • Site Planning • Civil Engineering • Golf Course Irrigation & Engineering • Graphic Communication
462 E. Shore Drive, Ste. 100, Eagle, Idaho 83616 • P 208.939.4041 F 208.939.4445 • www.thelandgroupinc.com
G:\2006\06318\Admin\Legals\D_070605_06318_ParB.doc

SCANNED

SEP 20 2007

EXHIBIT A



December 5, 2022

Idaho Department of Water Resources
322 E Front Street, Ste 648
Boise, Idaho 83720-0098

Subject: Idaho Power Company Representation

Kresta Davis, as representative of Idaho Power in matters associated with the company's water rights and water rentals and leases, has authorization to sign forms, applications and requests on behalf of the company. Please let me know if you have any questions or concerns

Sincerely,

Ryan Adelman

Vice President of Power Supply

SCANNED

SEP 20 2023

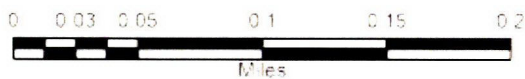
1221 W. Idaho St. (83702)
P.O. Box 70
Boise, ID 83707

State of Idaho
Department of Water Resources
Water Right
63-15746
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: 7/12/2023



Legend

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



State of Idaho
Department of Water Resources

Water Right

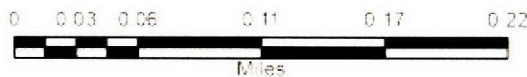
63-15746

STOCKWATER

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: 7/12/2008



Legend

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



State of Idaho
Department of Water Resources

Water Right

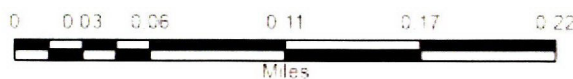
63-15747

DOMESTIC

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: 7/12/2003



Legend

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



State of Idaho
Department of Water Resources

Water Right

63-15747

STOCKWATER

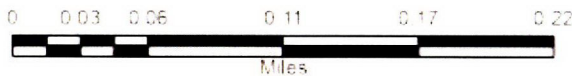
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The USDA-FSA Aerial Photography Field office asks to be credited in derived products.



Date created: 7/10/2009



Legend

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





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

September 20, 2023

IDAHO POWER CO
PO BOX 70
BOISE ID 83707-0070

Re: Change in Water Right Ownership: 63-15746 (Split into 63-15746 and **63-35490**), 63-15747 (Split into 63-15747 and **63-35491**)

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.

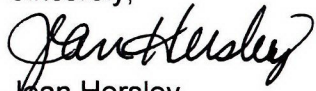
Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

SCANNED

SEP 20 2023

If you have any questions concerning the enclosed information, please contact me at (208) 287-4942.

Sincerely,

A handwritten signature in black ink, appearing to read "Jean Hersley", written in a cursive style.

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

c: Can Ada Properties LLC
Water District No. 63

SCANNED
SEP 20 2023

Hersley, Jean

From: Hersley, Jean
Sent: Thursday, August 10, 2023 11:24 AM
To: Davis, Kresta
Cc: Margheim, Kris
Subject: Change in ownership for 63-15746 & 63-15447
Attachments: 20230810112522.pdf

Dear Kresta,

The Department of Water Resources (Department) acknowledges receipt of your Notice of Change in Water Right Ownership (Notice).

Our review of your Notice indicates that additional information is required before the Department can process the change. The information required is indicated below:

- Filing Fee of \$100 per water right for changes resulting from division of a water right. There is a parcel approximately 4.4 acres that were not conveyed to Idaho Power. I have attached a map for your convenience. Idaho Power property is in white, the water right POU is outlined in blue.

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed. We have determined that the additional filing fee for your notice will be **\$150**.

Because the Department cannot process the Notice without proper fees, we will hold any action on your notice pending receipt of the necessary fees. If we do not receive the necessary fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Also, please note that permit holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions regarding this matter, please contact me at (208) 287-4942.

Sincerely,

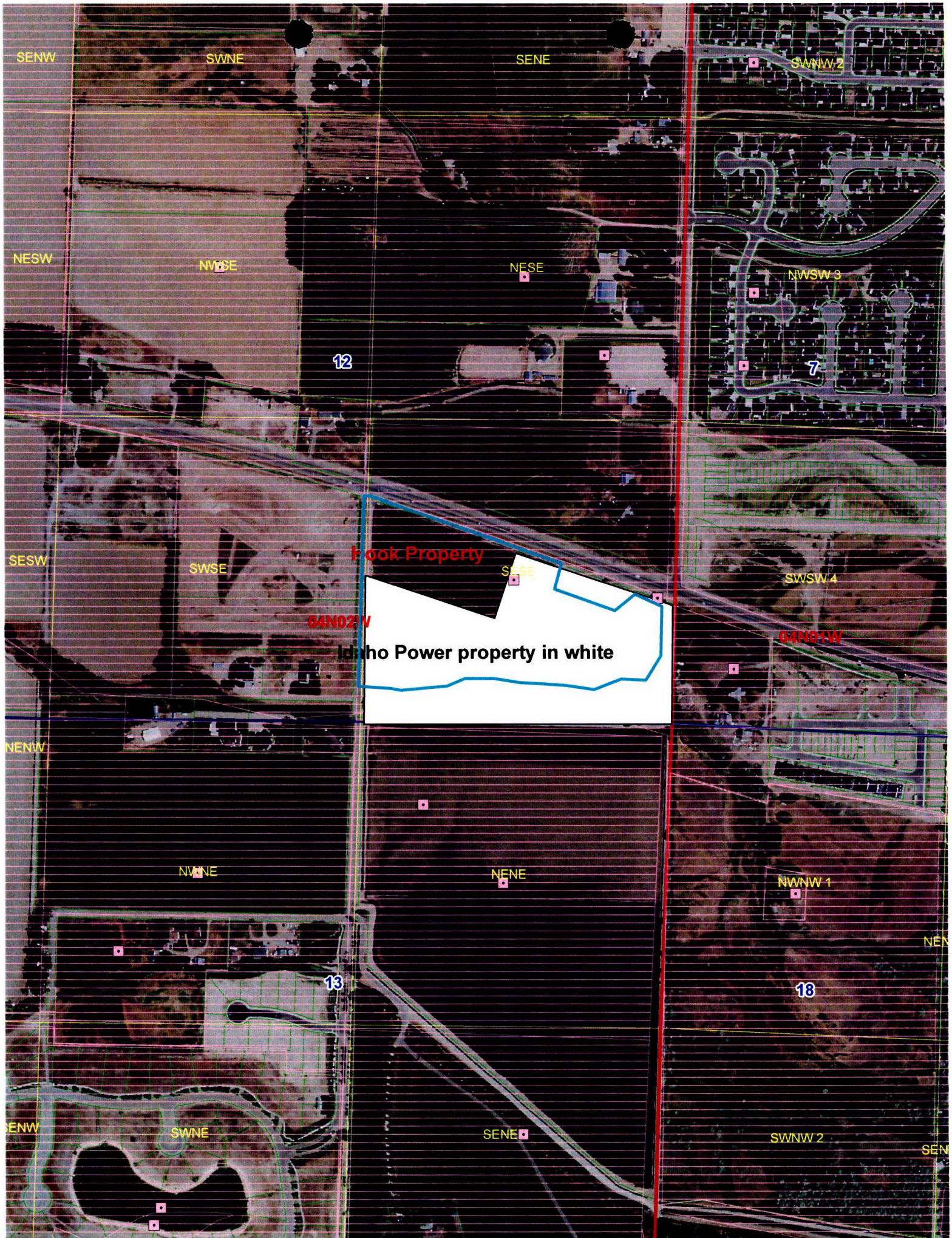
Jean Hersley
Technical Records Specialist 2

Enclosure(s)

 *Jean Hersley*
Technical Records Specialist II
Idaho Dept Water Resources
(208) 287-4942

SCANNED

SEP 20 2023



Hook Property

04N021W

Idaho Power property in white

04N01W