

After Split

63-32079

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 63-32079

9/19/2023

Dates and Other Information:

Licensed Date: 9/12/1994

Water District Number: TBD

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 4.5

Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

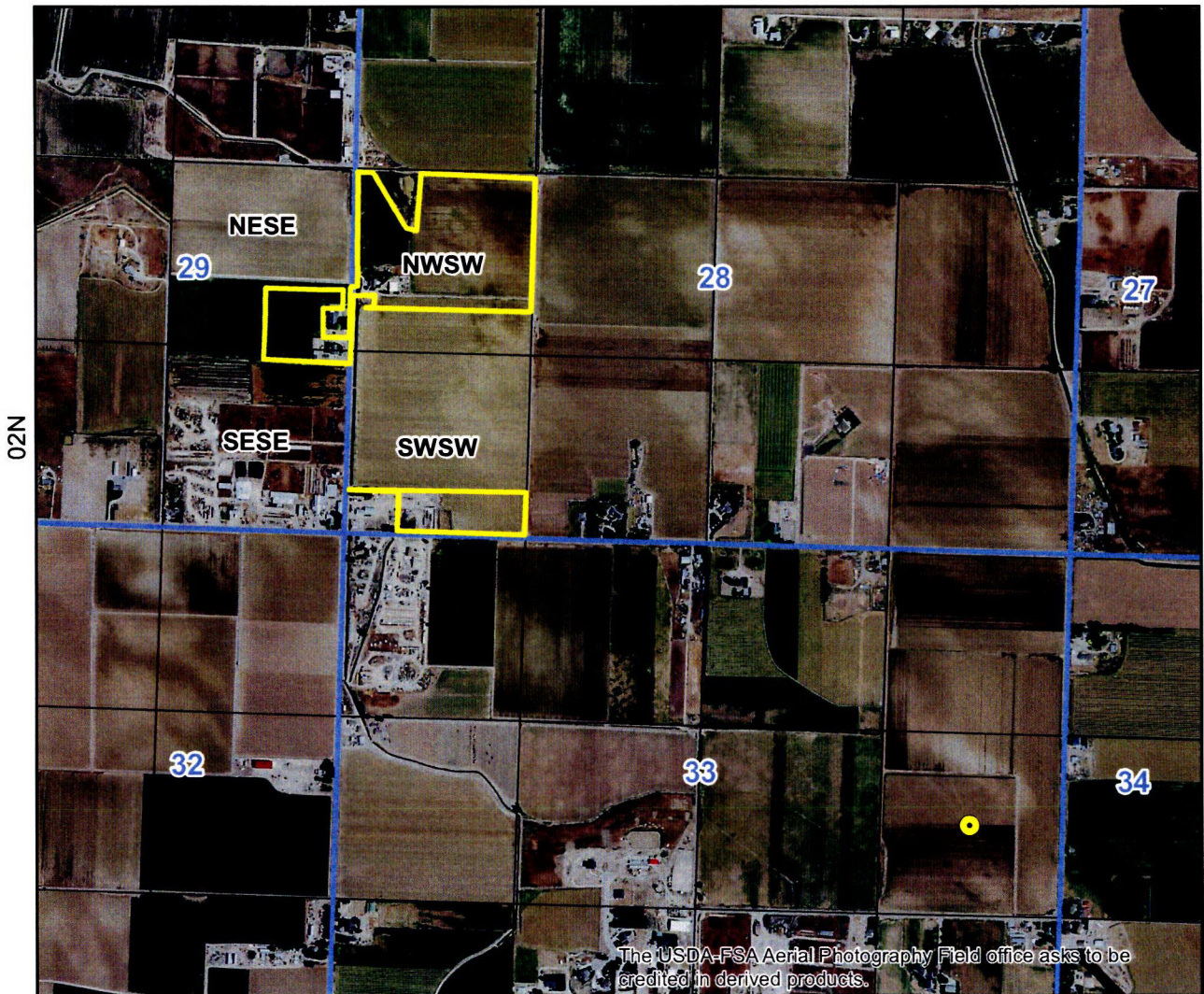
Water Supply Bank:

N/A

SCANNED
SEP 20 2023

State of Idaho
Department of Water Resources
Water Right
63-32079

01W



0 0.15 0.3 0.6 Miles

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

SCANNED
SEP 20 2021
N

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 63-32079

9/19/2023

Before Split

Owner Type **Name and Address**
Current Owner JOHN E NOBLE
RT 1
KUNA, ID 83634
(208) 922-5909

Priority Date: 7/21/1992

Basis: License

Status: Active

Source
GROUND WATER

Tributary

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	03/15	11/15	1.500 CFS	676.3 AF
	Total Diversion		1.500 CFS	676.3 AF

Source and Point(s) of Diversion:

GROUND WATER SENE Sec. 33, Twp 02N, Rge 01W, ADA County

Place Of Use:

IRRIGATION within ADA 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	
02N	01W	28										36.0	36.0						72.0
02N	01W	29													5.0			1.3	6.3
02N	01W	33	36.0			36.0													72.0

POU Total Acres: 150.3

Conditions of Approval:

1. T20 Approval of this transfer does not confirm the validity of this water right.
2. The right holder shall fully use all surface water rights appurtenant to the lands identified above prior to using water under this right.
3. R65 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

Comments:

1 pskaggs 8/5/2005 Transferred Right
This is now an approved transfer, transfer number = 71841

Dates and Other Information:

Licensed Date: 9/12/1994

SCANNED

SEP 20 2023

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 63-32079

9/19/2023

Water District Number: TBD
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 4.5
Mitigation Plan: False

Combined Use Limits:
N/A

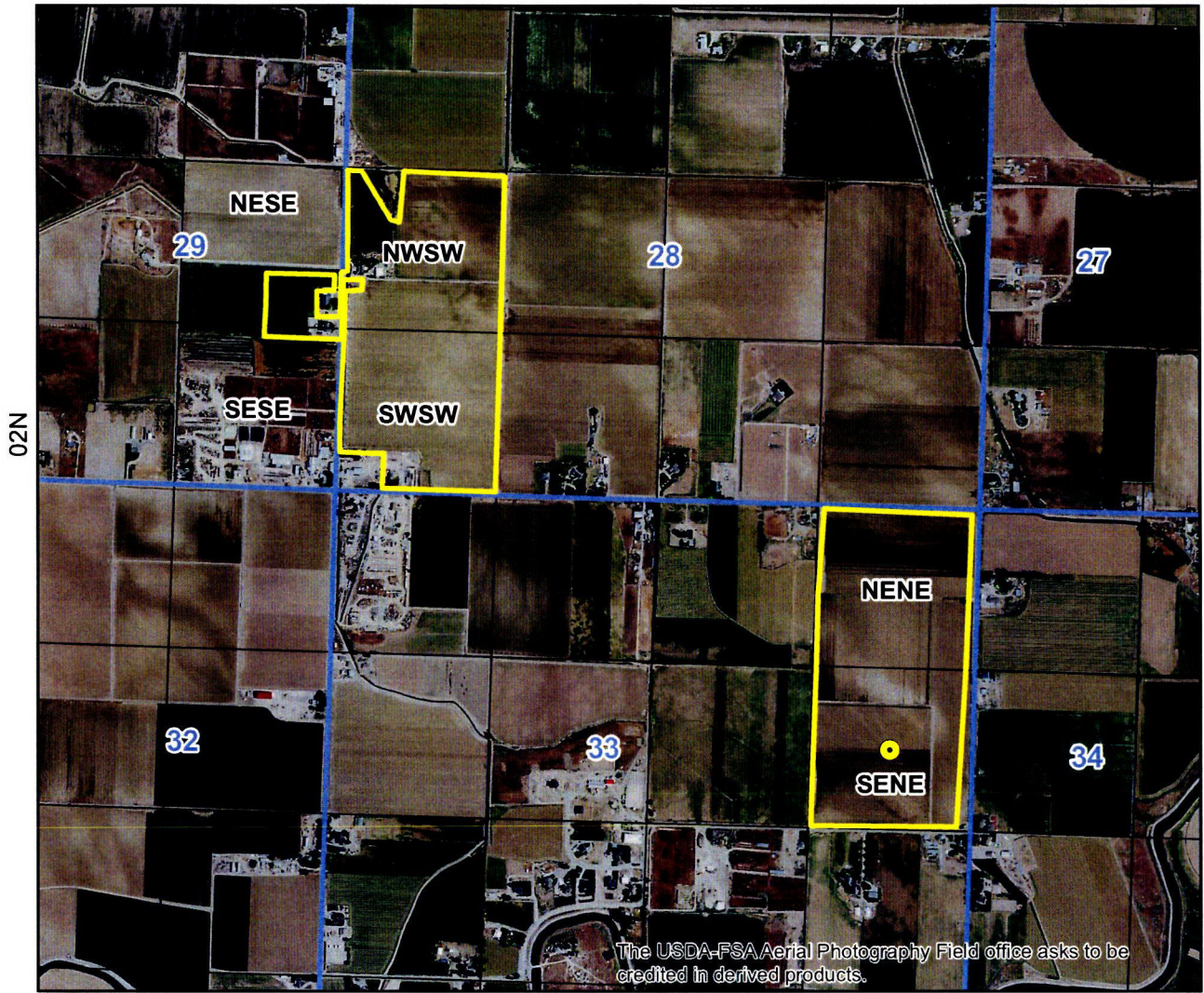
SubCase:
N/A

Water Supply Bank:
N/A

SCANNED
SEP 20 2023

State of Idaho
Department of Water Resources
Water Right
63-32079

01W



0 0.175 0.35 0.7 Miles

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

SCANNED
SEP 20 2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 04 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?
63-32079	Yes ☒	Yes ☐		Yes ☐	Yes ☐
Split into	Yes ☐	Yes ☐		Yes ☐	Yes ☐
63-32079 &	Yes ☐	Yes ☐		Yes ☐	Yes ☐
63-35489	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name:

John ENoble

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Whitaker Farms Properties, LLC

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or

18095 Lottick Road

Caldwell

Id

83607

Mailing address

City

State

Zip

(208) 573-3205

Whitaker_470@msn.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: October 27, 2021

6. Do you own the land identified as the water right place of use? Yes ☒ No ☐

- o 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):
o \$25 per undivided water right.
o \$100 per split water right.
o 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.

8. Signature:

Steven M. Whitaker
Signature of new owner/claimant

Title, if applicable

Date

8/1/2023

Steven M. Whitaker
Print name

- Signature:

Cindy Whitaker
Signature of new owner/claimant

Title, if applicable

Date

8/1/2023

Cindy Whitaker
Print name

Received by

KU

Date

8-14-23
8.4.23

For IDWR Office Use Only:

Receipt No.

C116884
C116844

Receipt Amt.

75.00
\$ 25.00

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

Date

9-19-23

Contact Info

Cindy Whitaker

208-573-3205

whitaker_470@msn.com

Copy 40 Acres

ADA COUNTY RECORDER Phil McGrane
BOISE IDAHO Pgs=3 CHE FOWLER
FIRST AMERICAN TITLE AND ESCROW COMPANY

2022-037038
04/15/2022 08:36 AM
\$15.00

Recording Requested By and When
Recorded Return to:

Whitaker Farms Properties, LLC
18095 Ustick Road
Caldwell, Idaho 83607

ELECTRONICALLY RECORDED - DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT.

3748044-RR

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

WARRANTY DEED

Warranty Deed made this 15 day of April, 2022, between **DAN T. NOBLE, as Successor Trustee of the JOHN E. & PEARL NOBLE TRUST UTA dated February 27, 1990 ("Grantor")**, and **WHITAKER FARMS PROPERTIES, LLC**, an Idaho limited liability company, whose address is 18095 Ustick Road, Caldwell, Idaho 83607 ("Grantee"), witnesseth:

That Grantor, for good and valuable consideration, the receipt whereof is hereby acknowledged, Grantor does, by these presents, convey unto Grantee and its successors and assigns forever, all the following described real estate situated in the Ada County, Idaho, to wit:

[SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN]

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the rents, issues and profits thereof; all surface and ground water rights and ditch rights (including stock in utilities with ditch or irrigation rights); and all estate, right, title and interest in and to the property, as well in law as in equity, except as expressly provided otherwise herein.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns, in fee simple, subject to the following: all reservations in patents or state grants or in the laws authorizing the issuance thereof; the bonded debt of all taxing units; all zoning requirements and restrictions provided by any fire, building, plumbing, electrical and other similar codes imposed by any governmental unit; all repayment contracts between any irrigation district and the United States; all easements and rights of way under, over and across the premises regardless of how evidenced or acquired and whether the same appears of record or not; terms of any Agreement pursuant to which this deed was executed; and exceptions that would appear on any title insurance policy applying the real property provided by Grantor to Grantee.

Apart from the warranty of title expressed herein, the real property is sold in its present AS IS condition in all respects, including but not limited to, its title, boundaries, water rights, environmental condition, zoning, appurtenances, and improvements located thereon.

This Deed shall be binding upon and inure to the benefit of the parties hereto, and their respective heirs, administrators, personal representatives, successors, and permissible assigns.

**DAN T. NOBLE, as Successor Trustee of the JOHN E.
& PEARL NOBLE TRUST**

Exhibit A
Legal Description of Property

A parcel of land located in the W1/2 of the SW1/4 of Section 28, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho and being further described as follows:

BASIS OF BEARING:

The West line of the SW1/4 of said Section 28, derived from found monuments and taken as N00°53'54"E with the distance between monuments found to be 2650.04 feet.

COMMENCING at an aluminum cap monument marking the Southwest corner of said Section 28, from which an aluminum cap monument marking the Northwest corner of said SW1/4 (W1/4 Corner) bears N00°53'54"E a distance of 2650.04 feet; thence along the West line of said SW1/4, N00°53'54"E a distance of 329.35 feet to a point, from which a 5/8 inch rebar witness corner bears S89°30'10"E a distance of 30.00 feet, marking the **POINT OF BEGINNING**;

Thence, continuing along said West line, N00°53'54"E a distance of 1,315.54 feet to a point, from which a 5/8-inch rebar witness corner bears S89°50'02"E a distance of 25.00 feet;

Thence, S89°50'02"E a distance of 1,319.32 feet to a 5/8-inch rebar on the line common to the East line of said W1/2 of the SW1/4 and the West line of Honeybee Landing Subdivision as recorded in the official records of Ada County, Idaho in Plat Book 109 at Page 15510;

Thence, along said common line, S00°45'53"W a distance of 1,323.15 feet to a 5/8-inch rebar;

Thence, leaving said common line, N89°30'10"W a distance of 1322.33 feet to the **POINT OF BEGINNING**.

Said Parcel containing 1,742,548 square feet or 40.00 acres, more or less and is subject to all existing easements and/or rights-of-ways of record or implied.

Legal Description source:

"Record of Survey Boundary Line Adjustment John Noble"

Ada County Record of Survey No. 13274

Instrument No. 2022-012163

Recording Date: February 3, 2022

SCANNED

SEP 20 2023

ELECTRONICALLY RECORDED - DO NOT
REMOVE THE COUNTY STAMPED FIRST
PAGE AS IT IS NOW INCORPORATED AS
PART OF THE ORIGINAL DOCUMENT.

80 A Co

ADA COUNTY RECORDER Phil McGrane	2021-155666
BOISE IDAHO Pgs=3 BONNIE OBERBILLIG	10/28/2021 09:02 AM
FIRST AMERICAN TITLE AND ESCROW COMPANY	\$15.00

Recording Requested By and When
Recorded Return to:

Whitaker Farms Properties, LLC
18095 Ustick Road
Caldwell, Idaho 83607

3748392RR

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

WARRANTY DEED

Warranty Deed made this 27 day of October, 2021, between **DAN T. NOBLE, as Successor Trustee of the JOHN E. & PEARL NOBLE TRUST ("Grantor")**, and **WHITAKER FARMS PROPERTIES, LLC**, an Idaho limited liability company, whose address is 18095 Ustick Road, Caldwell, Idaho 83607 ("Grantee"), witnesseth:

That Grantor, for and in consideration of the sum of Ten Dollars and No Cents (\$10.00), and other good and valuable consideration, the receipt whereof is hereby acknowledged, does, by these presents, convey unto Grantee and its successors and assigns forever, all the following described real estate situated in the County of Ada, Idaho, to wit:

[SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN]

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the rents, issues and profits thereof; all surface and ground water rights and ditch rights (including stock in utilities with ditch or irrigation rights); and all estate, right, title and interest in and to the property, as well in law as in equity, except as expressly provided otherwise herein.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns, in fee simple, subject to the following: all reservations in patents or state grants or in the laws authorizing the issuance thereof; the bonded debt of all taxing units; all zoning requirements and restrictions provided by any fire, building, plumbing, electrical and other similar codes imposed by any governmental unit; all repayment contracts between any irrigation district and the United States; all easements and rights of way under, over and across the premises regardless of how evidenced or acquired and whether the same appears of record or not; terms of any Agreement pursuant to which this deed was executed; and exceptions that would appear on any title insurance policy applying the real property provided by Grantor to Grantee.

Apart from the warranty of title expressed herein, the real property is sold in its present AS IS condition in all respects, including but not limited to, its title, boundaries, water rights, environmental condition, zoning, appurtenances, and improvements located thereon.

This Deed shall be binding upon and inure to the benefit of the parties hereto, and their respective heirs, administrators, personal representatives, successors, and permissible assigns.

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Recorded Return to:

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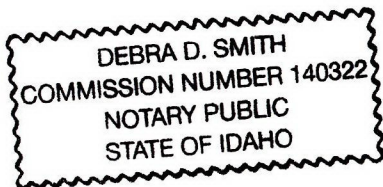
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DAN T. NOBLE, as Successor Trustee of the JOHN E.
& PEARL NOBLE TRUST

By: Dan T. Noble
Dan T. Noble, Successor Trustee

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

This record was acknowledged before me on October 27, 2021 by Dan T. Noble as Successor Trustee of the John E. & Pearl Noble Trust.



Debra D. Smith
Notary Public for Idaho
Residing at: Greenleaf, ID
My Commission Expires: 05-14-2026

Exhibit A
Legal Description of Property

The land referred to herein below is situated in the County of Ada, State of Idaho, and is described as follows:

The East Half of the Northeast Quarter of Section 33, Township 2 North, Range 1 West of the Boise Meridian, in Ada County, Idaho.

DW

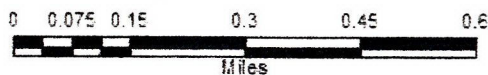
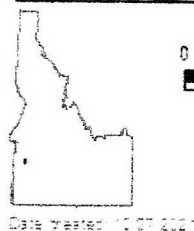
State of Idaho
Department of Water Resources

Water Right

63-32079

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.



Legend

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



Date created: 10/01/2001



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 19, 2023

WHITAKER FARMS PROPERTIES, LLC
18095 USTICK RD
CALDWELL ID 83607-9406

Re: Change in Water Right Ownership: 63-32079 (Split into 63-32079 and **63-35489**)

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.

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

Sincerely,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

c: JOHN E NOBLE

SCANNED

SEP 20 2023

RECEIVED

AUG 14 2023

DEPARTMENT OF
WATER RESOURCES

DE

From: Hersley, Jean Jean.Hersley@idwr.idaho.gov
Subject: Change in Ownership Water Right No(s): 63-32079
Date: August 10, 2023 at 7:16 AM
To: whitaker_470@msn.com

Dear Interested Parties:

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:

- No
- The conveyance documents you provided do not include the entire place of use for water right 63-32079. The deeds include land in Township 02N, Range 01W, Section 28, NWSW, SWSW and Township 02N, Range 01W, Section 33, NENE & SENE. There is a portion of the water right located in Township 02N, Range 01W, Section 29. If you have additional deeds that include this land, please provide them to the Department. If not, a
 - Filing Fee of \$100 per water right for changes resulting from division of a water right. Water right 63-32079 will need to be split.
 - I have enclosed a map showing the water right outlined in blue and your property in yellow and a water right report for your benefit.

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 \$75.

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

Also, please note that water right holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Forms to update 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.

Jean Hersley



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

Additional fee

Split water right

SCANNED

SEP 20 2023



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 Gary Spackman

August 10, 2023

WHITAKER FARMS PROPERTIES, LLC
18095 USTICK RD
CALDWELL ID 83607-9406

RE: Change in Ownership Water Right No(s): 63-32079

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

Sincerely,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

SCANNED

SEP 20 2023

