

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 63-33145

2/24/2023

After Split

<u>Owner Type</u>	<u>Name and Address</u>
Attorney	DANA L HOFSTETTER HAWLEY TROXELL ENNIS & HAWLEY 877 MAIN ST STE 1000 PO BOX 1617 BOISE, ID 83701-1617 (208) 388-4867
Current Owner	BARBARA J RAGAINS 29392 SABIN PARMA, ID 83660 (208) 722-5515
Current Owner	L W RAGAINS 29392 SABIN PARMA, ID 83660

Priority Date: 4/18/1977

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	1.160 CFS	351.0 AF
	<u>Total Diversion</u>		1.160 CFS	351.0 AF

Source and Point(s) of Diversion:

GROUND WATER L3(NENW) Sec. 1, Twp 05N, Rge 05W, CANYON County

Place Of Use:

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	
05N	05W	1									40.0	38.0							78.0

POU Total Acres: 78.0

Conditions of Approval:

1. This right is a split from former right 63-33040 .
2. S39 The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
3. 01B The right holder shall either install a measuring device or provide a certified

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right 63-33145

2/24/2023

- measurement by a professional engineer or install an access port or other device as specified by the Department.
- | | | |
|----|-----|---|
| 4. | F05 | Right No. 63-33041 & 63-35377 are also diverted through point of diversion described above. |
| 5. | W14 | Use of this right is combined with water from Black Canyon Irrigation District. |
| 6. | 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 entry of a final unified decree. Section 42-1412(6), Idaho Code. |

Comments:

- | | | | |
|---|----------|-----------|-----|
| 1 | jhersley | 2/24/2023 | POU |
|---|----------|-----------|-----|
- Updated Shape
-
- | | | | |
|---|----------|-----------|-------------|
| 2 | jhersley | 2/24/2023 | Split Right |
|---|----------|-----------|-------------|
- Split into 63-33145 & 63-35377 due to ownership change to Gene & Susan Ness Living Trust.

Dates and Other Information:

Decreed Date: 3/1/2010
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: OR
Water District Number: TBD
Mitigation Plan: False

Combined Use Limits:

N/A

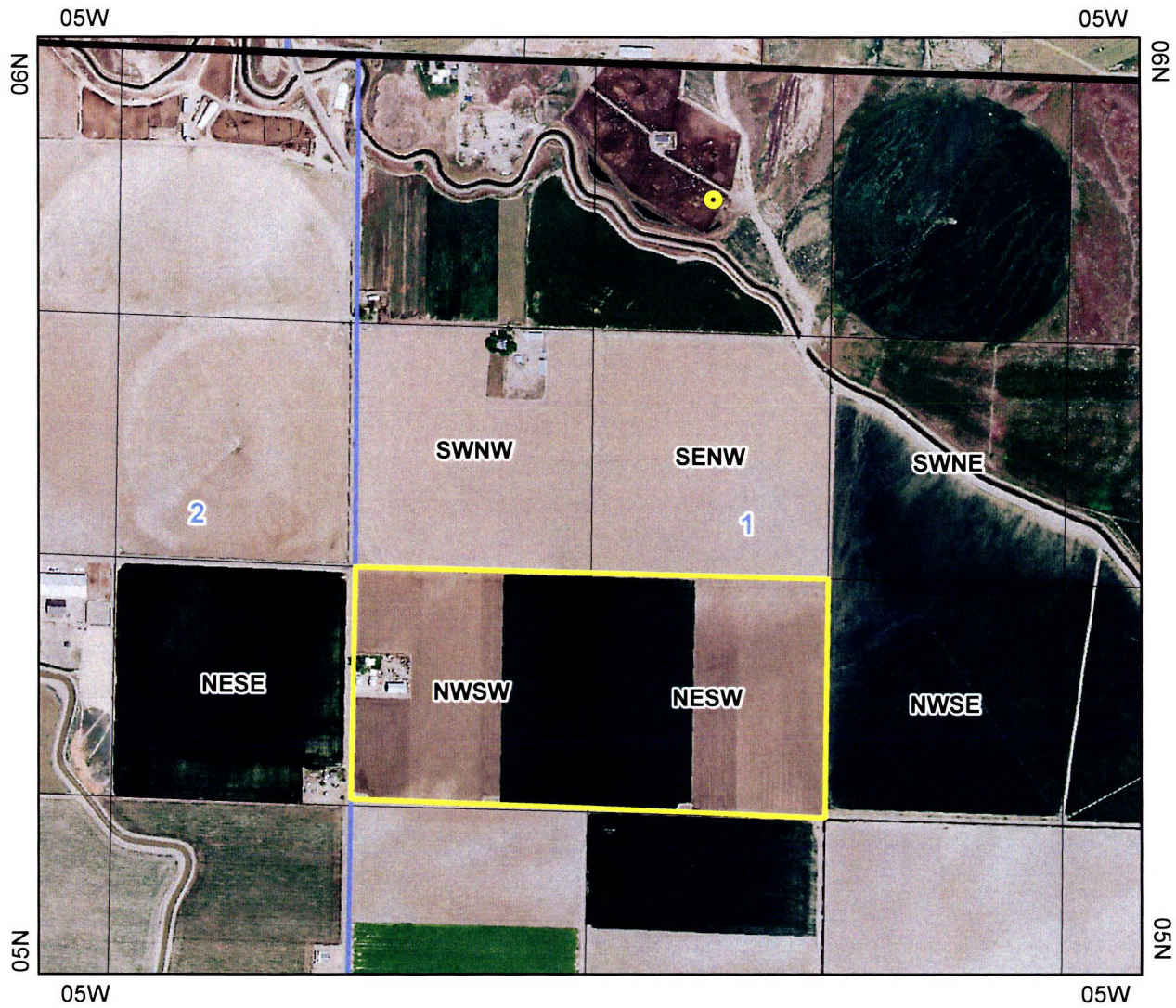
SubCase:

SubCaseNumber: 63-33145
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent:
Basis of Claim: License
Date Filed:
Objection Status:

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Water Right
63-33145



0 0.1 0.2 0.4 Miles

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



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Before Split

Owner Type **Name and Address**
Attorney DANA L HOFSTETTER
 HAWLEY TROXELL ENNIS & HAWLEY
 877 MAIN ST STE 1000 PO BOX 1617
 BOISE, ID 83701-1617
 (208) 388-4867

Current Owner BARBARA J RAGAINS
 29392 SABIN
 PARMA, ID 83660
 (208) 722-5515

Current Owner L W RAGAINS
 29392 SABIN
 PARMA, ID 83660

Priority Date: 4/18/1977

Basis: Decreed

Status: Active

Source
GROUND WATER

Tributary

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	11/15	1.660 CFS	499.5 AF
	<u>Total Diversion</u>		1.660 CFS	499.5 AF

Source and Point(s) of Diversion:

GROUND WATER L3(NENW) Sec. 1, Twp 05N, Rge 05W, CANYON County

Place Of Use:

IRRIGATION within CANYON County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
05N	05W	1					10.0 L3	23.0 L4			40.0	38.0							111.0

POU Total Acres: 111.0

Conditions of Approval:

1. This right is a split from former right 63-33040 .
2. S39 The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

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- | | | |
|----|-----|---|
| 3. | 01B | The right holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department. |
| 4. | F05 | Right No. 63-9110 is also diverted through point of diversion described above. |
| 5. | W14 | Use of this right is combined with water from Black Canyon Irrigation District. |
| 6. | 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 entry of a final unified decree. Section 42-1412(6), Idaho Code. |

Comments:

Dates and Other Information:

Decreed Date: 3/1/2010
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: OR
Water District Number: TBD
Mitigation Plan: False

Combined Use Limits:

N/A

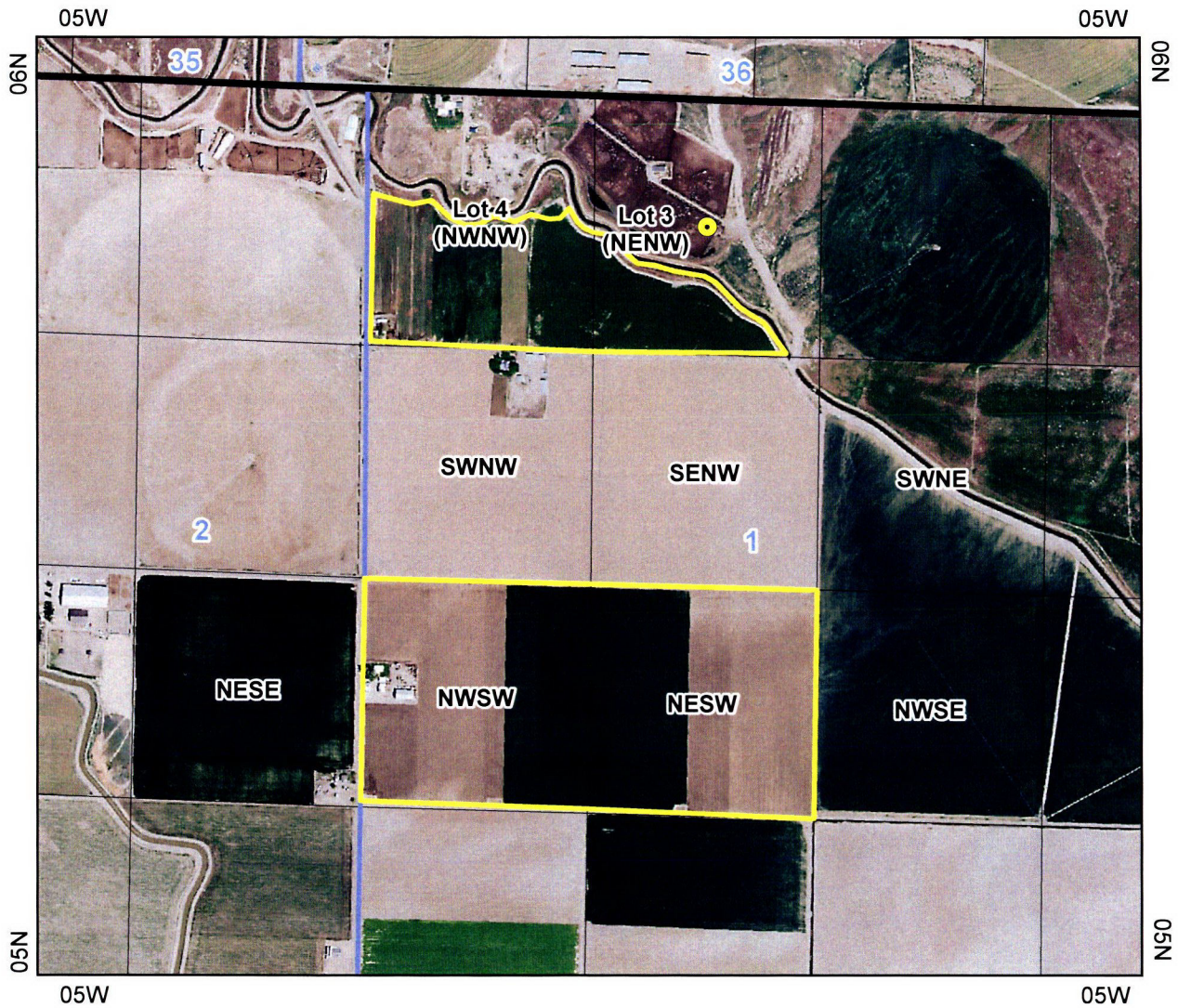
SubCase:

SubCaseNumber: 63-33145
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent:
Basis of Claim: License
Date Filed:
Objection Status:

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Water Right
63-33145



0 0.125 0.25 0.5 Miles

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



RECEIVED

DEC 21 2021

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

FEB 24 2023

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

WATER RESOURCES
WESTERN REGION

1. **DEPARTMENT OF WATER RESOURCES** 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?
63-20752	Yes ☐	Yes ☐		Yes ☐	Yes ☐
63-33145	Yes ☒	Yes ☐		Yes ☐	Yes ☐
<i>split into</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
<i>63-33145 +</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐
<i>63-35377</i>	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Fretwell Lands / Trust A of the Lawrence and Barbara Ragains Family Trust
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Gene & Susan Ness Living Trust
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
- 29986 Sabin Road Parma ID 83660
Mailing address City State Zip
- 208-989-9196 creative_concrete@hotmail.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: March 2, 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):
 10 ~~\$25~~ per undivided water right.
 10 ~~\$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.

SUPPORT DATA

IN FILE # 63-20752

8. Signature: [Signature] Title, if applicable: _____ Date: 12-12-2021
Signature of new owner/claimant
Gene Gale Ness
Print name
- Signature: [Signature] Title, if applicable: _____ Date: 12-12-2021
Signature of new owner/claimant
Susan Joy Ness
Print name

For IDWR Office Use Only:

Received by DL Date 12.21.2021 Receipt No. W050019 Receipt Amt. 125.00

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 [Signature] Date 2-24-23

FEB 24 2023

SCANNED