

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/27/2022

Water Right 65-22776

AFTER SPLIT

Owner Type **Name and Address**
Current Owner GEORGE W DOVEL
434 PIONEER RD
HORSESHOE BEND, ID 83629
(208) 793-2768

Priority Date: 1/1/1872

Basis: Decreed

Status: Active

Source
PORTER CREEK

Tributary
PAYETTE RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	11/01	0.020 CFS	3.4 AF
	Total Diversion		0.020 CFS	3.4 AF

Source and Point(s) of Diversion:

PORTER CREEK L2(SWNW) Sec. 7, Twp 07N, Rge 03E, BOISE County

Place Of Use:

IRRIGATION within BOISE County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N	02E	12											0.5						0.5
07N	02E	13						0.2											0.2

POU Total Acres: 0.7

Conditions of Approval:

1. 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.
2. C20 Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977. This water right shall be administered as being from a separate source pursuant to Basin 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.
3. S40 THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 , PROVIDED OTHER ELEMENTS OF THE RIGHT

SCANNED

65-22776

OCT 04 2022

Proof Report

- ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 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.
4. P21 THIS RIGHT IS A SPLIT FROM FORMER RIGHT 65-3103.
5. 01J Prior to diversion of water under this approval, the right holder shall install a bypass in the existing diversion works to provide an alternate means of measurement and control within reasonable proximity to the point of diversion. The bypass system shall be subject to the approval of the Department and shall provide the watermaster suitable control of the diversion works when water is not available to satisfy junior water rights diverted at the same point of diversion.
6. R43 The right holder shall maintain the existing diversion works with a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion within reasonable proximity to the point of diversion.
7. R05 Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65B, Porter Creek.
8. 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.
9. X36 Rights 65-24185, 65-10953, 65-22777, 65-22328, 65-22329 and 65-22330 are also diverted through the point of diversion described above.

Dates and Other Information:

Decreed Date: 8/3/2004

Civil Case Number: 39576

Judicial District: FIFTH

State or Federal: S

Water District Number: 65B

Generic Max Rate Per Acre: 0.020

Generic Max Volume Per Acre: 4.5

Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

SubCaseNumber: 65-22776

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date:

Attorney Assigned:

Adjudication Agent:

Basis of Claim: Decreed

Date Filed:

SCANNED

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/27/2022

Objection Status:

Water Supply Bank:

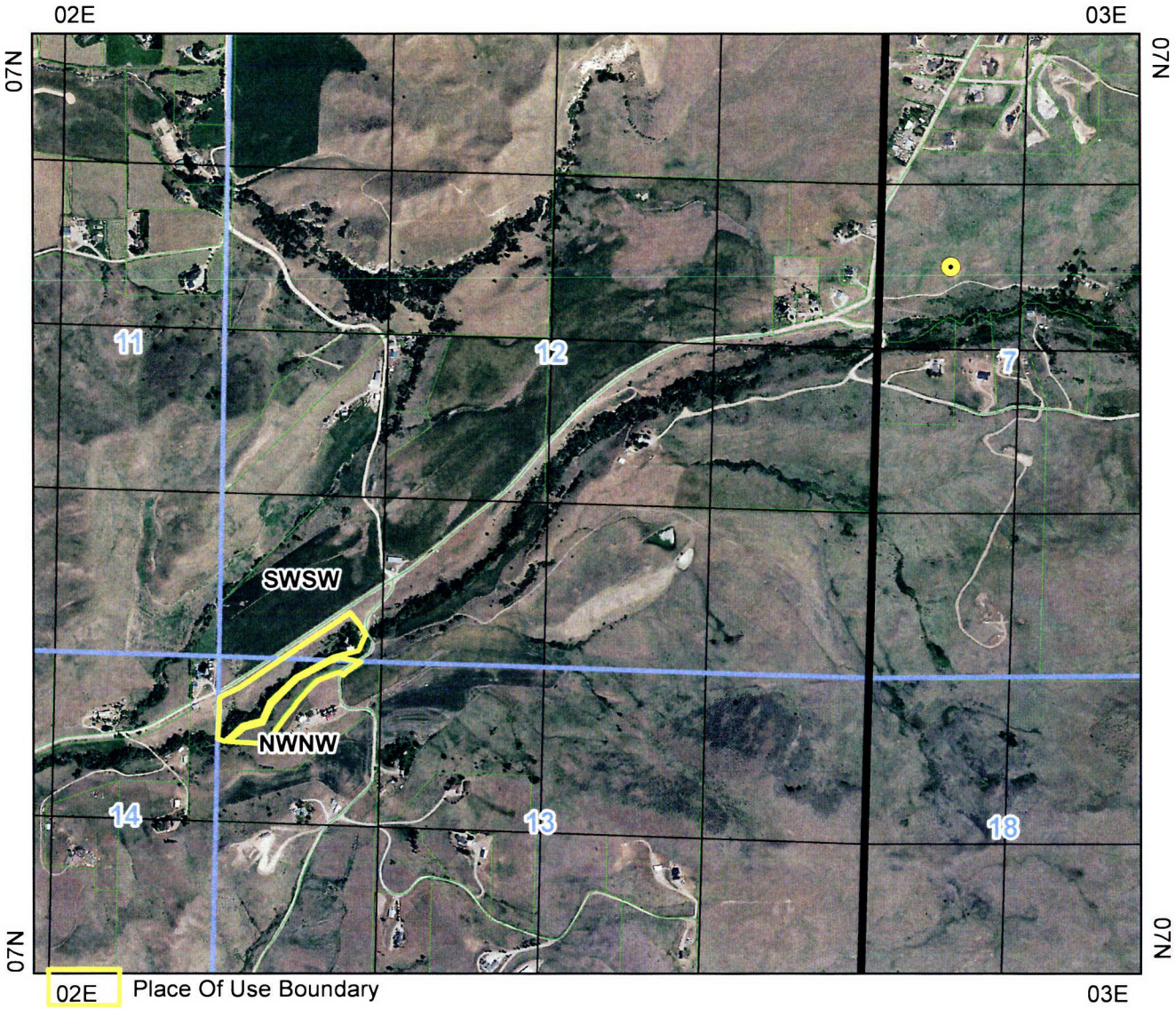
N/A

SCANNED

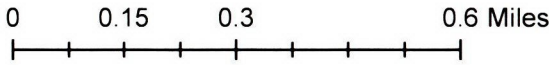
65-22776
OCT 04 2022

State of Idaho
Department of Water Resources
Attachment to Water Right License
65-22776
AFTER SPLIT

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



- 02E Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters
- Point of Diversion
- Taxlots



IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/27/2022

Water Right 65-22776

BEFORE SPLIT

Owner Type **Name and Address**
Current Owner GEORGE W DOVEL
434 PIONEER RD
HORSESHOE BEND, ID 83629
(208) 793-2768

Priority Date: 1/1/1872

Basis: Decreed

Status: Active

Source
PORTER CREEK

Tributary
PAYETTE RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	11/01	0.040 CFS	6.8 AF
	Total Diversion		0.040 CFS	6.8 AF

Source and Point(s) of Diversion:

PORTER CREEK L2(SWNW) Sec. 7, Twp 07N, Rge 03E, BOISE County

Place Of Use:

IRRIGATION within BOISE 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	
07N	02E	12											1.3						1.3
07N	02E	13						0.2											0.2

POU Total Acres: 1.5

Conditions of Approval:

1. S40 THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 , PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 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.
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 entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. C20 Basin 65 General Provisions No. 3, the Separate Streams General Provision, does not apply to appropriations of water after October 18, 1977. This water right shall be administered as being from a separate source pursuant to Basin

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/27/2022

- 65 General Provision No. 3. If the holder of this right seeks to change the right pursuant to Idaho Code § 42-222 or successor statute, nothing in this general provision shall preclude any other person or entity from demonstrating that such change in use would cause injury to its water right or from receiving any relief provided by law in the event of injury.
- | | | |
|-----|-----|---|
| 4. | P21 | THIS RIGHT IS A SPLIT FROM FORMER RIGHT 65-3103. |
| 5. | 01J | Prior to diversion of water under this approval, the right holder shall install a bypass in the existing diversion works to provide an alternate means of measurement and control within reasonable proximity to the point of diversion. The bypass system shall be subject to the approval of the Department and shall provide the watermaster suitable control of the diversion works when water is not available to satisfy junior water rights diverted at the same point of diversion. |
| 6. | R43 | The right holder shall maintain the existing diversion works with a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion within reasonable proximity to the point of diversion. |
| 7. | R05 | Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 65B, Porter Creek. |
| 8. | T08 | Failure of the right holder to comply with the conditions of Transfer 70464 is cause for the Director to rescind approval of the transfer. |
| 9. | 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. |
| 10. | X36 | Rights 65-10953, 65-22777, 65-22328, 65-22329 and 65-22330 are also diverted through the point of diversion described above. |

Dates and Other Information:

Decreed Date: 8/3/2004
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 65B
Generic Max Rate Per Acre: 0.020
Generic Max Volume Per Acre: 4.5
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

SubCaseNumber: 65-22776
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned:
Adjudication Agent:

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

9/27/2022

Basis of Claim: Decreed
Date Filed:
Objection Status:

Water Supply Bank:

N/A

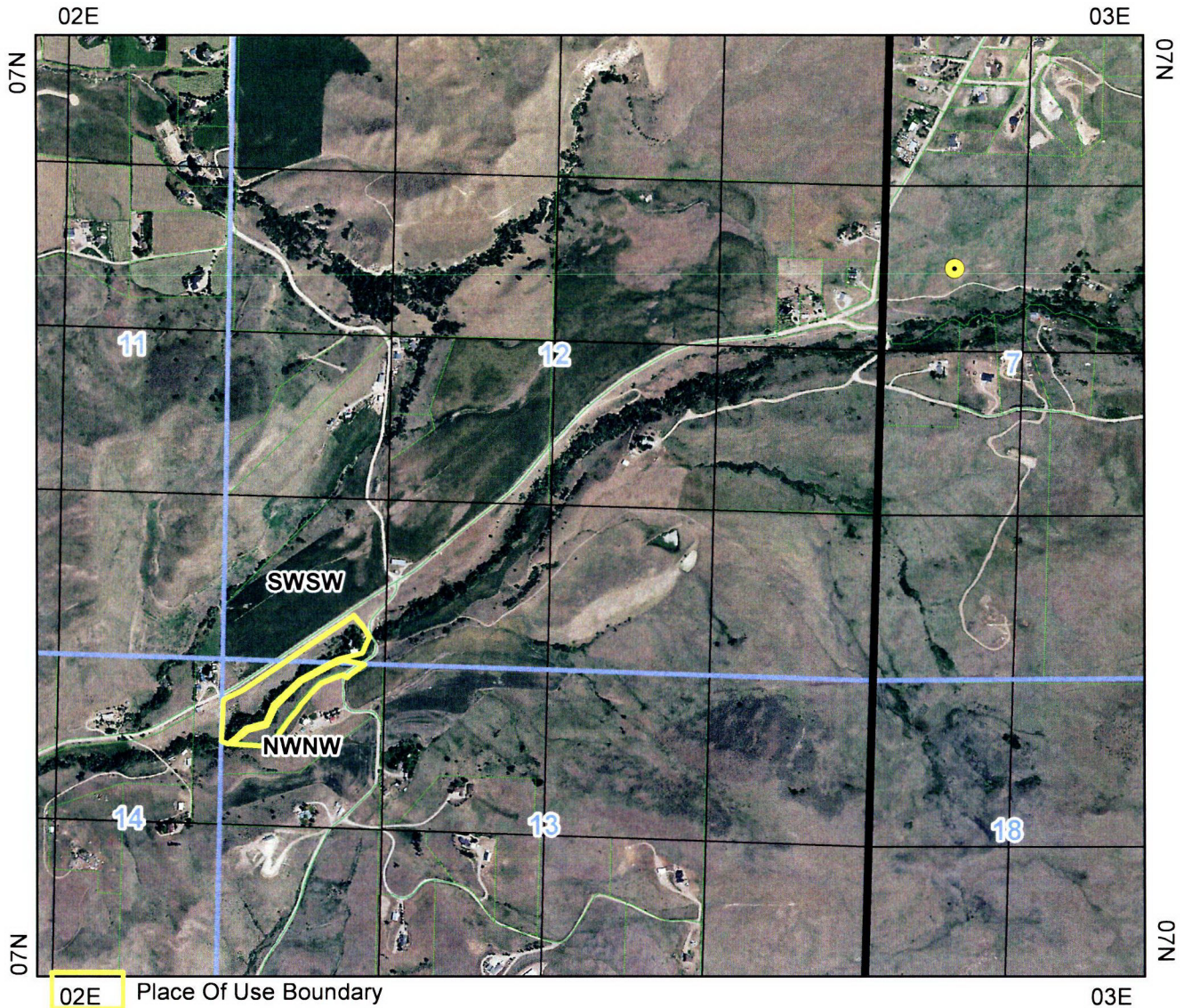
State of Idaho
Department of Water Resources

Attachment to Water Right License

65-22776

BEFORE SPLIT

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



02E Place Of Use Boundary



Townships



PLS Sections



Quarter Quarters



Point of Diversion

Taxlots

0 0.15 0.3 0.6 Miles

SCANNED
OCT 04 2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 02 2022

WATER RESOURCES
WESTERN REGION

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?
65-10952	Yes ☐	Yes ☐		Yes ☐	Yes ☐
65-10953	Yes ☐	Yes ☐		Yes ☐	Yes ☐
65-22329	Yes ☐	Yes ☐		Yes ☐	Yes ☐
65-22776	Yes ☒	Yes ☐		Yes ☐	Yes ☐
65-22777	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: DOVEL, GEORGE W
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): SARA JANE BELLOCCHI, THEODORE C BELLOCCHI III
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or
- 30 COYOTE POINT RD HORSESHOE BEND ID 83629
Mailing address City State Zip
- 208.576.2428 sarajanebellocchi@gmail.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: 7-21-2022
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.

SUPPORT DATA

IN FILE # 65-10952

MAY 19 2023

8. Signature: [Signature] 7/29/2022
Signature of new owner/claimant Title, if applicable Date
Sara Jane Bellocchi
Print name
- Signature: [Signature] 7/29/2022
Signature of new owner/claimant Title, if applicable Date
Theodore C Bellocchi III
Print name

For IDWR Office Use Only:

Received by LE Date 05/02/2022 Receipt No. W050651 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 DM Processed by DM Date 5-18-2023

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 20 2022

WATER RESOURCES
WESTERN REGION

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?
65-22776	Yes ☒	Yes ☐		Yes ☐	Yes ☐
-split into 65-24185	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: George Douel
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): MARTY BROOM
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or

29 LOOK GULCH ROAD Horseshoe Bend TO 83629
Mailing address City State Zip
208-781-0444 broombamboo @ AOL . 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: JULY 13 2022
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: Marty Broom 7-20-2022
Signature of new owner/claimant Title, if applicable Date
 Print name

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

For IDWR Office Use Only:

Received by U Date 07/20/2022 Receipt No. W050613 Receipt Amt. \$100.00
 Active in the Water Supply Bank? Yes ☐ No ☒ If yes, forward to the State Office for processing OCT 04 W-9 received? Yes ☐ No ☒
 Name on W-9 _____ Approved by U Processed by U Date 9.27.2022

SUPPORT DATA
IN FILE # 65-22776

IDAHO QUIT CLAIM DEED

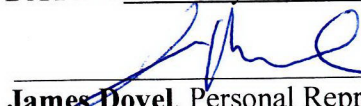
FOR VALUE RECEIVED, James Dovel and Mathew Dovel for the estate of George Dovel
(Grantor) does hereby convey, release, remise and forever quit claim unto Marty Broom
(Grantee) whose current address is: 29 Cook Gulch Rd Horseshoe Bend, Id 83629 (Grantee
Address) the following described property:

One half of Idaho decreed water right # 65-22776 at 0.02 CFS on 0.75 acres from Boise
County Township 07N Range 02E Section 12 QQ SW Q SW

TO HAVE AND TO HOLD the said property, unto the said grantees, heirs and assigns forever.

INTERPRETATION: The date this deed is dated immediately below is the date on
which it will take effect.

DATED: July 13, 2022


James Dovel, Personal Representative and Grantor.


Matthew Dovel, Personal Representative and Grantor.



SCANNED

OCT 04 2022

STATE OF WEST VIRGINIA

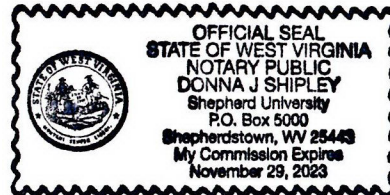
County of Jefferson

This record was acknowledged before me on July 13, 2022 (Date) by **James Dovel**, as the personal representative of the **Estate of George Dovel**.

Donna J Shipley
Signature of notarial officer

(Stamp)

Shepherd University
Title of office
My commission expires: 11/29/2023



STATE OF IDAHO

County of Canyon

This record was acknowledged before me on July 15, 2022 by **Matthew Dovel**, as the personal representative of the **Estate of George Dovel**.

Kristina Anderson
Signature of notary public

(Stamp)

My commission expires: 7-21-2027



SCANNED

OCT 04 2022

FOURTH JUDICIAL DISTRICT
STATE OF IDAHO }
COUNTY OF BOISE } ss.

I hereby certify that the foregoing instrument is a
full, true and correct copy of the original on file in
the office of the undersigned Clerk.
Dated: _____

CLERK, MAGISTRATE'S DIVISION
DEPUTY CLERK

Debra L. Eismann – ISB #4209
Eismann Law Offices
3016 Caldwell Boulevard
Nampa, ID 83651-6416
Telephone: (208) 467-3100
Facsimile: (208) 466-4498
Email: deb@cismannlaw.com

Attorney for the estate

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BOISE

In the Matter of the Estate of,

GEORGE DOVEL,

Decedent.

Case No. CV08-22-00077

LETTERS TESTAMENTARY
(INFORMAL PROBATE)

STATE OF IDAHO, County of Boise) ss

The last will of **George Dovel**, decedent, having been proved and admitted to probate in the above
named court in informal proceedings, **James Dovel** and **Matthew Dovel**, named as the joint
personal representatives therein, are hereby appointed to serve as joint personal representatives.

WITNESS, the undersigned, Magistrate of the above named Court, with the seal of the Court
affixed, on this date of 6/3/2022 12:08 PM.

LETTERS OF TESTAMENTARY (INFORMAL PROBATE) - 1

REC'd

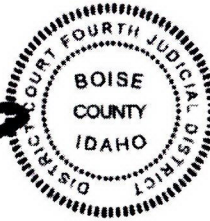
SCANNED

OCT 04 2022

SIGNED:

Magistrate

REC'd



VERIFICATION
PURSUANT TO I.C. § 9-1406 AND IRCP 2.7

We hereby accept the duties of personal representative of the estate of **George Dovel** and do solemnly swear under penalty of perjury pursuant to the law of the state of Idaho that we will perform, according to the law, the duties of personal representative.

4/21/22

Dated

James Dovel

James Dovel

5/2/22

Dated

Matthew Dovel
Matthew Dovel (May 4, 2022 09:26 MDT)

Matthew Dovel



Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

September 27, 2022

MARTY BROOM
29 COOK GULCH RD
HORSESHOE BND ID 83629-5026

Re: Change in Water Right Ownership: 65-22776 (Split into 65-22776 and **65-24185**),

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) 605-4633.

Sincerely,

Laura McSherry
Water Resource Agent

Enclosure(s): Proof Report, Map

SCANNED
OCT 04 2022



Western Region • 2735 W Airport Way • Boise, ID 83705-5082

Phone: 208-334-2190 • Fax: 208-334-2348 • Email: westerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

September 27, 2022

GEORGE DOVEL
434 PIONEER RD
HORSESHOE BND ID 83629-5026

Re: Change in Water Right Ownership: 65-22776 (Split into 65-22776 and **65-24185**),

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) 605-4633.

Sincerely,

Laura McSherry
Water Resource Agent

Enclosure(s): Proof Report, Map

SCANNED

OCT 04 2022