

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/5/2022

Water Right 65-23272

Before Split

Owner Type
Current Owner
Name and Address
WILLIAM A DUNN
12737 W ROSEGLEN CT
BOISE, ID 83713
(208) 938-5543

Current Owner
DIANE M DUNN
12737 W ROSEGLEN CT
BOISE, ID 83713
(208) 938-5543

Priority Date: 6/1/1887

Basis: Decreed

Status: Active

Source
LIGHTNING CREEK

Tributary
MIDDLE FORK PAYETTE RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	11/01	0.090 CFS	
	Total Diversion		0.090 CFS	

Source and Point(s) of Diversion:
LIGHTNING CREEK SWNW Sec. 24, Twp 10N, Rge 04E, 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	
10N	04E	23			1.6	2.0													3.6

POU Total Acres: 3.6

Conditions of Approval:

1. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Comments:

1 jhersley 3/10/2008 split right
This water right is the result of split from 65-23171 due to change in ownership

SCANNED

65-23272
JUN 16 2023

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/5/2022

2 segbert 3/18/2008
Updated Shape

3 nmiller 10/5/2020 POU
Updated Shape

Dates and Other Information:

Decreed Date: 3/19/2001
Civil Case Number: 39576
Judicial District: FIFTH
Owner Name Connector: AND/OR
Water District Number: 65
Mitigation Plan: False

Combined Use Limits:

N/A

Verification Log

SubCase:

N/A

Water Supply Bank:

N/A

Before Split

State of Idaho
Department of Water Resources

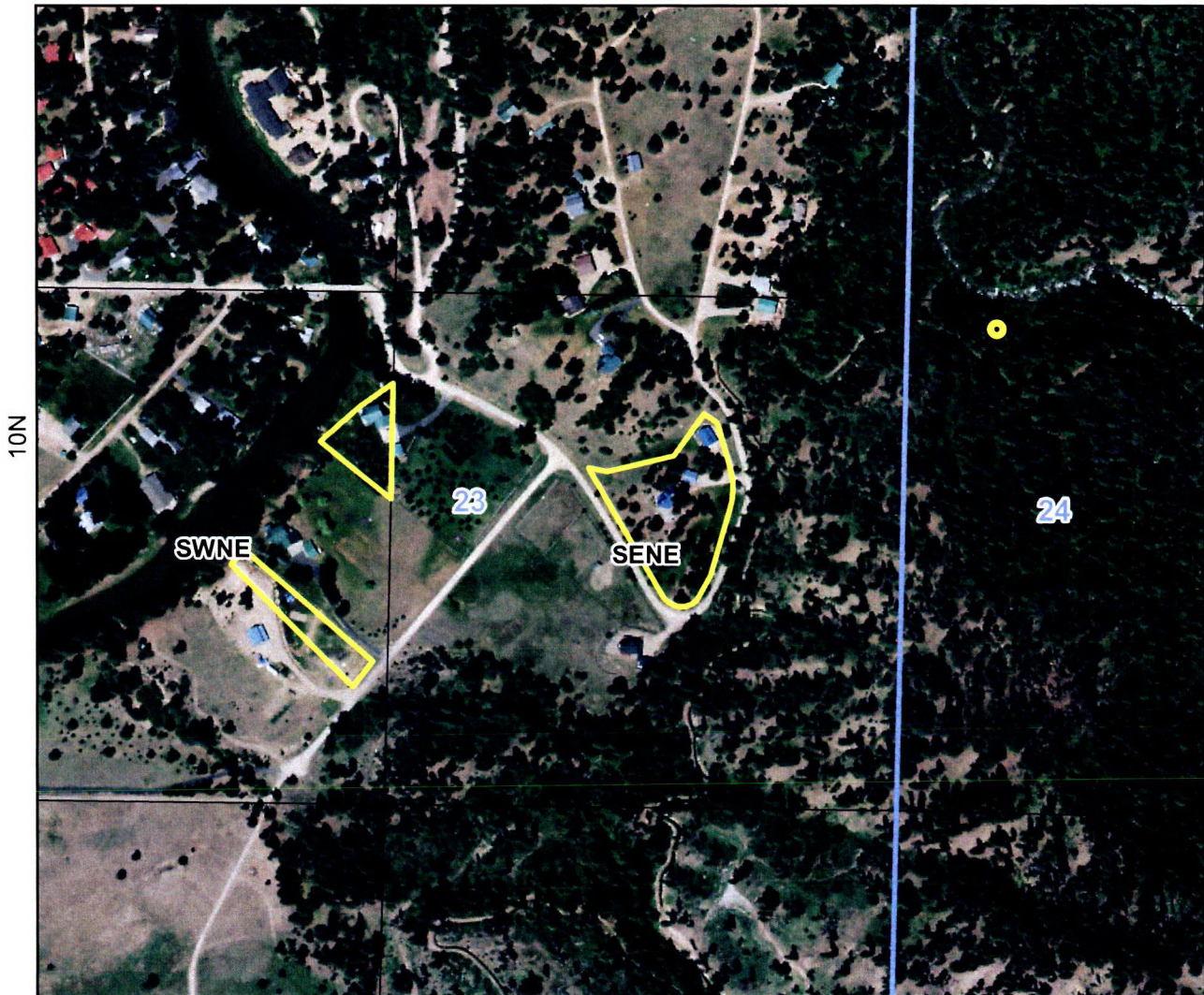
Attachment to Water Right License

65-23272

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.

04E



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

0 0.05 0.1 0.2 Miles



SCANNED

JUN 16 2023

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/5/2022

Water Right 65-23272

After Split

Owner Type **Name and Address**
Current Owner WILLIAM A DUNN
 12737 W ROSEGLEN CT
 BOISE, ID 83713
 (208) 938-5543

Current Owner DIANE M DUNN
 12737 W ROSEGLEN CT
 BOISE, ID 83713
 (208) 938-5543

Priority Date: 6/1/1887

Basis: Decreed

Status: Active

Source
LIGHTNING CREEK

Tributary
MIDDLE FORK PAYETTE RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	11/01	0.070 CFS	
	Total Diversion		0.070 CFS	

Source and Point(s) of Diversion:

LIGHTNING CREEK SWNW Sec. 24, Twp 10N, Rge 04E, 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	
10N	04E	23			0.7	2.2													2.9

POU Total Acres: 2.9

Conditions of Approval:

1. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Comments:

1 jhersley 3/10/2008 split right
This water right is the result of split from 65-23171 due to change in ownership

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/5/2022

2 segbert 3/18/2008
Updated Shape

3 nmiller 10/5/2020 POU
Updated Shape

4 Clint.Lindow 10/5/2022 POU
Updated Shape

5 Clint.Lindow 10/5/2022 Split Right
Split into 65-24186. The section located in David J. Rathbun's parcel 0.7 acres has been split into his name. A Warranty Deed has been provided by David J. Rathbun.

Dates and Other Information:

Decreed Date: 3/19/2001
Civil Case Number: 39576
Judicial District: FIFTH
Owner Name Connector: AND/OR
Water District Number: 65
Mitigation Plan: False

Combined Use Limits:

N/A

Verification Log

SubCase:

N/A

Water Supply Bank:

N/A

State of Idaho
Department of Water Resources

Attachment to Water Right License

65-23272

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.

04E



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

0 0.05 0.1 0.2 Miles

SCANNED
JUN 16 2023

RECEIVED

SEP 13 2022

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
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?
65-23272	Yes ☒	Yes ☐		Yes ☐	Yes ☐
split into - 65-24186	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: DIANE M DUNN AND WILLIAM DUNN
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): DAVID J. RATHBUN; ALANA W RATHBUN
New owner(s) as listed on the conveyance document Name connector ☐ and ☒ or

P.O. Box 129
Mailing address

LA CANADA FINTRIDGE CA 91012
City State Zip

818-216-4821
Telephone

RATHBUNS@EARTHLINK.NET
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: 11-22-2019

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 # 65-23272

8. Signature: [Signature]

Signature of new owner/claimant

DAVID J RATHBUN

Print name

Title, if applicable

Date

09/02/2022

Signature:

Signature of new owner/claimant

ALANA W RATHBUN

Print name

Title, if applicable

Date

09/02/2022

For IDWR Office Use Only:

Received by CE Date 09/13/2022

Receipt No. W050746

Receipt Amt. \$100.00

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 CE

Processed by CL

Date 10/6/2022

SCANNED

JUN 16 2023

ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT



TitleOne
a title & escrow co.

Order Number: 19347505

Warranty Deed

For value received,

David R. Eames and Cecilia Chafin, husband and wife

the grantor, does hereby grant, bargain, sell, and convey unto

David John Rathbun and Alana Wilson Rathbun, husband and wife

whose current address is PO Box 129 La Canada Flintridge, CA 91012

the grantee, the following described premises, in Boise County, Idaho, to wit:

Lot 3A in Block 1 of Rusty River Subdivision, according to the official plat thereof, filed as Instrument No. 183698, official records of Boise County, Idaho.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its 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 they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Remainder of page intentionally left blank.

Order Number: 19347505

Warranty Deed - Page 1 of 2

SCANNED

JUN 16 2023

ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT

Instrument # 265812
IDAHO CITY, BOISE COUNTY, IDAHO
11-22-2019 08:29:56 AM No. of Pages: 4
Recorded for: TITLEONE BOISE
MARY T. PRISCO Fee: \$15.00
Ex-Officio Recorder Deputy Kristi Coffelt
Index to: DEEDS
Electronically Recorded by Simplifile



Order Number: 19347505

Warranty Deed

For value received,

David R. Eames and Cecilia Chafin, husband and wife

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Lot 3A in Block 1 of Rusty River Subdivision, according to the official plat thereof, filed as Instrument No. 183698, official records of Boise County, Idaho.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its 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 they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Remainder of page intentionally left blank.

Order Number: 19347505

Warranty Deed - Page 1 of 2

SCANNED

JUN 16 2023

Dated: November 5, 2019

David R. Eames
David R. Eames

Signed in Counterpart

Cecilia Chafin
Cecilia Chafin

State of _____, County of _____, ss.

On this _____ day of November in the year of 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared David R. Eames, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he executed the same.

Notary Public
Residing In:
My Commission Expires:
(seal)

PLEASE SEE ATTACHED
ACKNOWLEDGMENT

Dated
11.08.19

State of _____, County of _____, ss.

On this _____ day of November in the year of 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared Cecilia Chafin, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that she executed the same.

Notary Public
Residing In:
My Commission Expires:
(seal)

Dated: November 5, 2019

Signed in Counterpart

David R. Eames

Cecilia Chafin

State of _____, County of _____, ss.

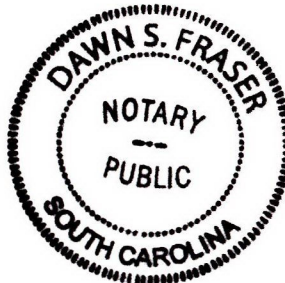
On this 7th day of November in the year of 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared David R. Eames, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he executed the same.

Notary Public
Residing In: _____
My Commission Expires: _____
(seal)

State of ~~South Carolina~~ County of Colleton, ss.

On this 7th day of November in the year of 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared Cecilia Chafin, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that she executed the same.

Dawn S. Fraser
Notary Public
Residing In: South Carolina
My Commission Expires: 8/29/2024
(seal)



**CALIFORNIA ALL-PURPOSE
CERTIFICATE OF ACKNOWLEDGMENT
(CALIFORNIA CIVIL CODE § 1189)**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF San Diego)

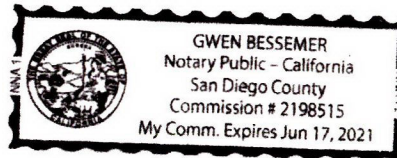
On 11.08.2019 before me, Gwen Bessemer Notary Public
(Date) (Here Insert Name and Title of the Officer)

personally appeared David R. Eames
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Signature]
Signature of Notary Public



(Notary Seal)

ADDITIONAL OPTIONAL INFORMATION

Description of Attached Document

Title or Type of Document: Warranty Deed Document Date: 11.08.2019

Number of Pages: 25 Signer(s) Other Than Named Above: _____

Additional Information: _____



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

October 18, 2022

DAVID J RATHBUN
ALANA W RATHBUN
PO BOX 129
LA CANADA FLT CA 91012-0129

Re: Change in Water Right Ownership: 65-23272 (Split into 65-23272 and **65-24186**)

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 .

Sincerely,

Clint Lindow
Water Resource Agent

Enclosure(s)
c: WILLIAM A DUNN, DIANE M DUNN

SCANNED

JUN 16 2023