

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 08 2024

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

WATER RESOURCES
WESTERN REGION

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, of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
65-05293	Yes ☒	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Dorthy J Rogers
Name of current water right holder claimant
3. New Owner(s) Claimant(s): Don Dubie Aaron Dubie
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or
- 3745 W Pinehurst Dr Boise ID 83703
Mailing address City State Zip
208-861-7126 DonDubieHomes@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: 08/18/2023
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.

8. Signature: [Signature] Title, if applicable: _____ Date: 3-7-2024
 Signature of new owner claimant
 Print name: DON DUBIE

Signature: [Signature] Title, if applicable: _____ Date: 3/3/2024
 Signature of new owner claimant
 Print name: AARON DUBIE

Received by: CC Date: 3-7-24 For IDWR Office Use Only: Receipt No. W051801 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: [Signature] Processed by: [Signature] Date: 3/11/2024

QUITCLAIM DEED
WITH RELINQUISHMENT OF DOWER

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, MICHAEL E. ROGERS and DOROTHY J. ROGERS, husband and wife, for and in considerations of the sum of ONE DOLLAR, LOVE AND AFFECTION (\$1.00) in hand paid by RAYMOND ROGERS and ROCKEY L. ROGERS, as Joint Tenants with right of survivorship, *6411 Cascade Rd Emmett Idaho 83617*, the receipt of which is hereby acknowledged, do hereby grant, convey, sell and quitclaim unto the said GRANTEES, and unto their heirs, and assigns forever, all OUR right, title, interest and claim in and to the following lands lying in GEN COUNTY, IDAHO, to-wit:

A tract of land in the SE $\frac{1}{4}$ of Section 9, Township 6 North, Range 2 W.B.M., described as follows, to-wit: From the NE corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 9, Twp. 6 N. R. 2 W.B.M. run South on the section line 145 feet to the North line of the County Road, then S. 84 deg. 00 min. W along said North line of road 1627 feet to the Point of beginning. Thence S. 82 deg. 00 Min. W 361 feet, thence S. 81 deg. 00 min. W 238 feet, thence N. 45 deg. 00 min. W. 224 feet to the North line of the Reed Ditch Slough. Thence N. 39 deg. 30 min. W along said North line of slough 103 feet. Thence N. 83 deg. 00 min. W. 187 feet to the North and South center line of said section. Thence North 62 feet to the South bank of the Seven Mile Slough thence Easterly along said slough bank of slough on the following courses. North 85 deg. 00 min. E. 113 feet then N. 51 deg. 00 min. E. 267 feet. Then N. 70 deg. 00 min. E. 263 feet. Thence South 82 deg. 30 min. E. 200 feet. Thence S. 20 deg. 00 min. E. 155 feet; thence S. 61 deg. 00 min. E. 210 feet. thence South 216 feet to the point of beginning. Containing 8.23 acres. Less a strip of land 20 feet wide off the East side of road.

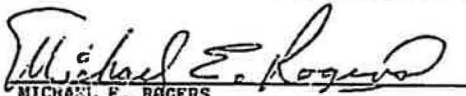
Conveyed herewith are 10 inches of water in the Bilbrey Ditch Company.

TO have and to hold the same unto the said GRANTEES, and unto their heirs and assigns forever, with all appurtenances thereunto belonging.

And I, DOROTHY J. ROGERS wife of the said MICHAEL E. ROGERS, for and in consideration of the said sum of money do hereby release and relinquish unto the said GRANTEES and unto their heirs and assigns, all my right and possibility of dower and homestead in and to the said lands.

WITNESS our hands and seals on this 13th day of October,

19 78

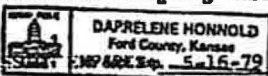

MICHAEL E. ROGERS

DOROTHY J. ROGERS

STATE OF KANSAS)
COUNTY OF FORD) :SS.

On this day of 10-13, 19 78, before me a Notary Public in and for said State and county, personally appeared Michael E. Rogers and Dorothy J. Rogers, husband and wife, known to me to be the persons whose names are subscribed to the within and foregoing instrument, and acknowledged to me that they executed the same.

MY COMM:




NOTARY PUBLIC

125244

Rogers, Michael E. et ux
(Dorothy J.)

To

Rogers, Raymand
Rogers, Rockey L.

STATE OF IDAHO
COUNTY OF GEM

I hereby certify that this Instrument
was filed for record at request of
Raymand Rogers
at 45 minutes past 12
o'clock P. M. this 30th
day of Oct., 1978 in my
office and duly recorded as a
Deed under
Instrument No. 125244

THELMA R. KOLODZIEJ
Ex-officio Recorder
By Roberta Schuch
Deputy
Fees \$ 1.00

Raymond Rogers
5641 Cascade Road

QUITCLAIM DEED

INSTRUMENT NO. 319466
PAGES 1 OF 2

KNOW ALL MEN BY THESE PRESENTS:

That I, Raymand Jay Rogers, aka Ramon Jay Rogers, for and in considerations of the sum of ONE DOLLAR (\$1.00), Love and Affection in hand paid by Nicholas Rey Rogers-Szulc, son of Raymand Rogers, with right of survivorship, Grantee, the receipt of which is hereby acknowledged do hereby grant, convey, sell and quitclaim unto the said Grantee, and unto his heirs, and assigns forever, all my rights, title, interest and claim in and to the following lands lying currently in Gem County, at 5611 Cascade Road, Emmett, Idaho 83617, to wit:

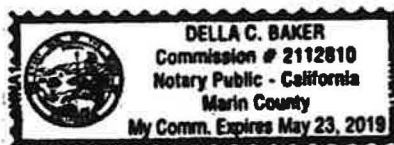
A tract of land in the SE $\frac{1}{4}$ of Section 9, Township 6 North, Range 2 W.B.M., described as follows, to-wit: From the NE corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 9, Twp. 6 N. R. 2 W.B.M. run South on the section line 145 feet to the North line of the County Road, then S. 84 deg. 00 min. W along said North line of road 1627 feet to the Point of beginning. Thence S. 82 deg. 00 min. W 361 feet, thence S. 81 deg. 00 min. W 238 feet, thence N. 45 deg. 00 min. W. 224 feet to the North line of the Reed Ditch Slough. Thence N. 39 deg. 30 min. W along said North line of slough 103 feet. Thence N. 88 deg. 00 min. W 187 feet to the North and South center line of said section. Thence North 62 feet to the South bank of the Seven Mile Slough thence Easterly along said slough bank of slough on the following courses. North 85 deg. 00 min. E. 113 feet then N. 51 deg. 00 min. E. 267 feet. Then N. 70 deg. 00 min. E. 263 feet. Thence South 82 deg. 30 min. E. 200 feet. Thence S. 20 deg. 00 min. E. 155 feet; thence S. 61 deg. 00 min. E. 210 feet, thence South 216 feet to the point of beginning. Containing 8.23 acres, less a strip of land 20 feet wide off the East side of road.

Conveyed herewith are 10 inches of water in the Bilbrey Ditch Company.

To have and to hold the same unto the said Grantee, and unto his heirs and assigns forever, with all appurtenances thereunto belonging.

Signed on this 6th day of November, 2018, in the State of California, the County of Marin.


Raymand J. Rogers



Instrument # 319466

EMMETT, GEM, IDAHO
12-27-2018 08:52:28 AM No. of Pages: 2
Recorded for: RAMON ROGERS
SHELLY TILTON Fee: \$5.00
Ex-Officio Recorder Deputy *Shelly Tilton*
Index to: QUIT CLAIM DEED

ACKNOWLEDGMENT

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 MARIN

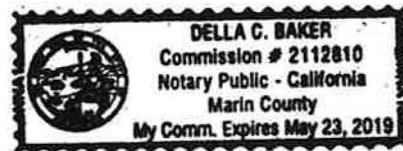
On November 6, 2018 before me, DELLA C. BAKER, NOTARY PUBLIC
(insert name and title of the officer)

personally appeared Ramon Rogers
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 DCB (Seal)



I declare under penalty of perjury that the foregoing is true and correct.

Signed this 6th day of November, 2018, in the State of California, in
the County of Marin.

Ramond J. Rogers
Raymond J. Rogers, aka
Ramon J. Rogers

Filed: 03/05/2020 10:07:36
Third Judicial District, Gem County
Shelly Tilton, Clerk of the Court
By: Deputy Clerk - Quenzer, Rachel

Instrument # 325887

EMMETT, GEM, IDAHO
3-13-2020 08:16:24 AM No. of Pages: 3
Recorded for : DINIUS & ASSOCIATES
SHELLY TILTON Fee: 16.00
Ex-Officio Recorder Deputy *[Signature]*
Index to: JUDGMENT

Kevin E. Dinius
Sarah Hallock-Jayne
DINIUS LAW
5680 E. Franklin Rd., Suite 130
Nampa, Idaho 83687
Telephone: (208) 475-0100
Facsimile: (208) 475-0101
ISB Nos. 5974, 5745
kdinius@diniuslaw.com
shallockjayne@diniuslaw.com
iCourt: *efile@diniuslaw.com*
Attorneys for Plaintiff

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

NICHOLAS REY ROGERS SZULC,

Plaintiff,

-vs-

THE ESTATE OF ROCKEY LEE ROGERS
AND/OR THE HEIRS AND DEVISEES OF
ROCKEY LEE ROGERS; and all Parties in
possession of, or claiming an interest in, the
lands described herein,

Defendants.

CASE NO. CV23-19-0922

DEFAULT JUDGMENT

JUDGMENT IS ENTERED AS FOLLOWS:

Plaintiff NICHOLAS REY ROGERS SZULC is declared and adjudged owner of the

real property listed below, to-wit:

5611 Cascade Rd., Emmett, Idaho 83617, more fully described as follows:

A tract of land in the SE1/4 of Section 9, Township 6 North, Range 2 West, Boise-Meridian, Gem County, Idaho and more particularly described as follows:

From the NE corner of the SE1/4 of the SE1/4 of Section 9, Township 6 North, Range 2 West, Boise-Meridian, thence South on the Section line 145 feet to the North line of the County Road, then S. 84 deg. 00 min. W. along said North line of Road 1627 feet to the Point of Beginning; thence S. 82 deg. 00 min. W. 361 feet, thence S. 81 deg. 00 min. W. 238 feet, thence N. 45 deg. 00 min. W. 224 feet to the North line of the Reed Ditch Slough; thence N. 39 deg. 30 min. W. along said North line of Slough 103 feet; thence N. 88 deg. 00 min. W. 187 feet to the North and South center line of said section.

Thence North 62 feet to the South bank of the Seven Mile Slough thence Easterly along said Slough bank of Slough on the following courses:

thence N. 85 deg. 00 min. E. 113 feet;

thence N. 51 deg. 00 min. E. 267 feet;

thence N. 70 deg. 00 min. E. 263 feet;

thence S. 82 deg. 30 min. E. 200 feet;

thence S. 20 deg. 00 min. E. 155 feet;

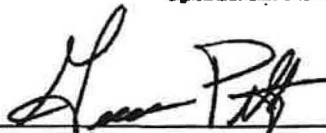
thence S. 61 deg. 00 min. E. 210 feet,

thence South 216 feet to the Point of Beginning.

Less a strip of land 20 feet wide off the East side of Road.

MADE AND ENTERED.

Signed: 2/27/2020 08:54 PM



Honorable Gene A. Petty

Defendant's last known address:

Defendant the Estate of Rockey Lee Rogers
unknown

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I filed the foregoing electronically through the iCourt Idaho eFiling System, which caused the following parties or counsel to be served by electronic means, as more fully reflected on the notice of electronic filing:

Kevin E. Dinius
Sarah Hallock-Jayne
DINIUS LAW
5680 E. Franklin Rd., Suite 130
Nampa, Idaho 83687

☐
☐
☐
☐
☒

US Mail
Overnight Mail
Hand Delivery
Facsimile - No. (208) 475-0101
E-file - efile@diniuslaw.com

Signed: 3/5/2020 10:07 AM

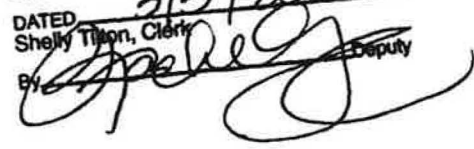

Deputy Clerk

STATE OF IDAHO } ss.
County of Gem

I certify that the foregoing is a true and correct copy of the original on file in this office.

DATED

3/5/2020
Shelly Tilton, Clerk

By 





AFTER RECORDING MAIL TO:

Don Dubie

**Rerecord to correct house number

WARRANTY DEED

File No.: 4106-4088507 (SS)

Date: August 04, 2023

For Value Received, **Nicholas Rey Rogers-Szulc, an unmarried man**, hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey unto **Don Dubie, an unmarried man and Aaron Dubie, an unmarried man**, hereinafter referred to as Grantee, whose current address is ^{*}, the following described premises, situated in **Gem County, Idaho**, to wit:

*3745

~~XXXX~~ **W. Pinehurst Dr., Boise, ID 83703**

LEGAL DESCRIPTION: Real property in the County of Gem, State of Idaho, described as follows:

A tract of land in the Southeast Quarter of Section 9, Township 6 North, Range 2 West Boise Meridian described as

follows, to-wit: From the Northeast corner of the Southeast Quarter of the Southeast Quarter of Section 9, Township 6 North Range 2 West Boise Meridian run South on the section line 145 feet to the North line of the County Road, then

South 84°00 West along said North line of road 1627 feet to the Point of beginning.

Thence South 82°00 West 361 feet,

Thence South 81°00 West 238 feet,

Thence North 45°00 West 224 feet to the North line of the Reed Ditch Slough.

Thence North 39°30 West along said North line of slough 103 feet.

Thence North 88°00 West 187 feet to the North and South center line of said section. Thence North 62 feet to the South bank of the Seven Mile Slough, thence easterly along said slough bank of slough on

the following courses.

North 85°00 East 113 feet then North 51°00 East 267 feet. Then

North 70°00 East 263 feet. Thence South 82°30 East 200 feet. Thence South 20°00 East 155 feet; Thence South 61°00 East 210 feet, Thence South 216 feet to the point of beginning.

Less a strip of land 20 feet wide off the East side of road

EXCEPT: Any house trailer or mobile home located thereon.

APN: RP06N02W098550

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all

Instrument # 346757

EMMETT, GEM, IDAHO
 2023-08-18 01:41:42 PM No. of Pages: 3
 Recorded for: FIRST AMERICAN TITLE INSURANCE
 SHELLY TILTON Fee: \$15.00
 Ex-Officio Recorder Deputy SWright
 Index To: WARRANTY DEED
 Electronically Recorded by Simplifile

Instrument # 346762

EMMETT, GEM, IDAHO
 2023-08-18 03:51:19 PM No. of Pages: 4
 Recorded for: FIRST AMERICAN TITLE INSURANCE
 SHELLY TILTON Fee: \$15.00
 Ex-Officio Recorder Deputy SWright
 Index To: WARRANTY DEED
 Electronically Recorded by Simplifile



AFTER RECORDING MAIL TO:

Don Duble

****Rerecord to correct house number****

WARRANTY DEED

File No.: 4106-4088507 (SS)

Date: **August 04, 2023**

For Value Received, **Nicholas Rey Rogers-Szulc, an unmarried man**, hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey unto **Don Duble, an unmarried man and Aaron Duble, an unmarried man**, hereinafter referred to as Grantee, whose current address is *, the following described premises, situated in **Gem County, Idaho**, to wit:

*3751 W. Pinehurst Dr., Boise, ID 83703

LEGAL DESCRIPTION: Real property in the County of Gem, State of Idaho, described as follows:

A tract of land in the Southeast Quarter of Section 9, Township 6 North, Range 2 West Boise Meridian described as

follows, to-wit: From the Northeast corner of the Southeast Quarter of the Southeast Quarter of Section 9, Township 6 North Range 2 West Boise Meridian run South on the section line 145 feet to the North line of the County Road; then

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Less a strip of land 20 feet wide off the East side of road

EXCEPT: Any house trailer or mobile home located thereon.

APN: RP06N02W098550

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all

APN: **RP06N02W098550**

Warranty Dead
- continued

File No.: **4106-4088507 (SS)**
Date: **08/04/2023**

encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

APN: RP06N02W098550

Warranty Deed
- continued

File No.: 4106-4088507 (SS)
Date: 08/04/2023

X Nicholas Rey Rogers-Szulc
Nicholas Rey Rogers-Szulc

STATE OF

COUNTY OF

) Kingdom of the Netherlands
SS. Province of North Holland (Noord Holland)
) City of Amsterdam
) Consulate General of the United States of America } SS

This record was acknowledged before me on 11 AUG 2023 by Nicholas Rey Rogers-Szulc.



Barbara J. de Vries
Signature of Notary Public Notarizing Officer
My Commission Expires: U.S. Consulate General Amsterdam
at the pleasure of the President

Idaho Department of Water Resources Receipt

Receipt ID: W051801

Payment Amount	\$100.00	Date Received	3/7/2024	Region	WESTERN
Payment Type	Check	Check Number	1361		
Payer	1000 HATS LLC				
Comments	CHANGE IN WATER RIGHT OWNERSHIP FOR DON AND AARON DUBIE WR NO: 65-5293				

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$100.00	OWNERSHIP CHANGES/SECURITY INTERESTS	62140	0229	21		1155



Signature Line (Department Representative)

DEAR STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

- I AM ASKING FOR YOU TO PLEASE UPDATE THE SHAPE FILE FOR THE POINT OF DIVERSION FOR THE SPLIT PORTION OF WATER RIGHT 65-5293 TO BE OWNED BY DON DUBIE AND AARON DURSIE.

THE PROPOSED LOCATION IS IN THE SAME LEGAL DESCRIPTION / QQ OF THE EXISTING POD SHAPE AND AS LISTED ON THE WATER RIGHT.

PLEASE SEE ATTACHED MAP

RECEIVED

MAR 08 2024

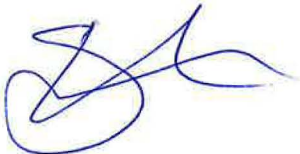
WATER RESOURCES
WESTERN REGION

THANK YOU FOR YOUR HELP + CONSIDERATION

DON DUBIE

208-861-7126

DONDUBIEHOMES@GMAIL.COM



3/7/2024



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


Water Right POD


Updated POD for Split Portion


Split Portion


Water Right Place of Use



IDAHO DEPARTMENT OF
WATER RESOURCES

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 Matthew Weaver

March 11, 2024

DON DUBIE AND
AARON DUBIE
3745 W PINEHURST DR
BOISE, ID 83703-4628

Re: Change in Ownership for Water Right No: 65-5293 (split into 65-5293 and 65-24296)

Dear Water Right Holders:

The Idaho 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 43-223.

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) 605-4627.

Sincerely,

Jared Adamson
Water Resource Agent, Sr.

Enclosure(s): Water Right Proof Report