

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
FEB 12 2024
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?
57-10216	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: Kelly & Sheila Leavitt
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Gary & Tynagh Rupp
New owner(s) as listed on the conveyance document Name connector ☐ and ☒ or
- 1200 Succor Creek Road Homedale ID 83628
Mailing address City State Zip
- 208-941-9417 tynaghr@yahoo.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: _____
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. IDWR
- 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: Gary Rupp New owner 4-10-2023
Signature of new owner/claimant Title, if applicable Date
- GARY RUPP
Print name
- Signature: Tynagh Rupp New owner 4-10-2023
Signature of new owner/claimant Title, if applicable Date
- Tynagh Rupp
Print name

Received by KM Date 2.12.24 For IDWR Office Use Only: Receipt No. C117758 Receipt Amt. \$ 25-

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 SM Date 2-23-24



610 S. Kimball Avenue
Caldwell, ID 83605

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

File No. 826042 TK/TG

WARRANTY DEED

For Value Received **Kelly G. Leavitt and Sheila M. Leavitt, husband and wife**
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto


 **Gary Rupp and Tynagh Rupp, husband and wife**

hereinafter referred to as Grantee, whose current address is 1200 Succor Creek Road Homedale, ID 83628

The following described premises, to-wit:

See Exhibit A attached hereto and made a part hereof.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantees(s) heirs and assigns forever. And the said Grantor(s) does (do) hereby covenant to and with the said Grantee(s), that the Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to U.S. Patent reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and current years taxes, levies, and assessments, includes irrigation and utility assessments, (if any) which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

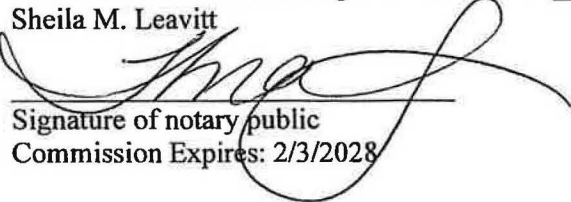
Dated: February 22, 2023


Kelly G. Leavitt


Sheila M. Leavitt

State of Idaho, County of Canyon

This record was acknowledged before me on 2/23/23 by Kelly G. Leavitt and Sheila M. Leavitt


Signature of notary public
Commission Expires: 2/3/2028

TAMMY KRATZBERG
COMMISSION #18555
NOTARY PUBLIC
STATE OF IDAHO

EXHIBIT A

This parcel is a portion of Government Lots 6 and 7 of Section 24, Township 3 North, Range 6 West of the Boise Meridian, Owyhee County, Idaho and is more particularly described as follows:

COMMENCING at the Southeast corner of Government Lot 7, (SE Section Corner, Section 24), a found aluminum cap monument; thence

North 00°19'44" East along the East boundary of Government Lot 7 a distance of 492.00 feet to the TRUE POINT OF BEGINNING, a found 5/8 inch diameter rebar; thence

North 89°05'10" West, parallel with the South boundary of Government Lot 7, a distance of 781.00 feet to a 5/8 x 24 inch rebar set with a plastic cap stamped P.L.S. 15352; thence

South 00°53'14" West, parallel with the West boundary of Government Lot 7, a distance of 491.97 feet to a point on the South boundary of Government Lot 7, a magnail set with an aluminum washer stamped P.L.S. 15352 witnessed by a 5/8 x 24 inch rebar set with a plastic cap stamped P.L.S. 15352 bearing North 00°53'14" East a distance of 25.00 feet; thence

North 89°05'10" West along said South boundary a distance of 483.03 feet to the Southwest corner of Government Lot 7, a found aluminum cap monument; thence

North 00°53'14" East along the West boundary of Government Lot 7 a distance of 1320.93 feet to the Northwest corner of Government Lot 7, a found aluminum cap monument; thence

North 00°53'14" East along the West boundary of Government Lot 6 a distance of 1320.95 feet to the Northwest corner of Government Lot 6, a found aluminum cap monument; thence

South 89°07'35" East along the North boundary of Government Lot 6 a distance of 1243.08 feet to the Northeast corner of Government Lot 6, a found aluminum cap monument; thence

South 00°19'44" West along the East boundary of Government Lot 6 a distance of 1321.46 feet to the Southeast corner of Government Lot 6, a found aluminum cap monument; thence

South 00°19'44" West along the East boundary of Government Lot 7 a distance of 829.43 feet to the TRUE POINT OF BEGINNING.

RL
SL



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 Mathew Weaver

February 26, 2024

GARY RUPP
TYNAGH RUPP
1200 SUCCOR CREEK RD
HOMEDALE ID 83628-3561

Re: Change in Ownership for Water Right No(s): **57-10216**

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

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)287-4921.

Sincerely,

Debra Mansfield
Technical Records Specialist 1

Enclosure(s)

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/23/2024

Water Right 57-10216

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GARY RUPP 1200 SUCCOR CREEK RD HOMEDALE, ID 83628-3561 (208) 941-9417
Current Owner	TYNAGH RUPP 1200 SUCCOR CREEK RD HOMEDALE, ID 83628-3561 (208) 941-9417
Original Owner	LEGRAND LEAVITT 1856 GRAVEYARD PT RD HOMEDALE, ID 83628-3616 (208) 337-4107
Previous Owner	KELLY G LEAVITT 1824 GRAVEYARD PT RD HOMEDALE, ID 83628-3616 (208) 921-7677
Previous Owner	SHEILA M LEAVITT 1824 GRAVEYARD PT RD HOMEDALE, ID 83628-3616 (208) 921-7677

Priority Date: 7/15/1946

Basis: Decreed

Status: Active

Source
SAGE CREEK

Tributary
SUCCOR CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/01	11/15	0.820 CFS	
STOCKWATER	1/01	12/31	0.120 CFS	
	<u>Total Diversion</u>		0.820 CFS	

Source and Point(s) of Diversion:

SAGE CREEK SESE

Sec. 24, Twp 03N, Rge 06W, OWYHEE County

Place Of Use:

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

2/23/2024

IRRIGATION within OWYHEE 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	
03N	06W	24														34.2			7.0	41.2
																				POU Total Acres: 41.2

STOCKWATER within OWYHEE 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	
03N	06W	24														X				

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. N05 THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. N08 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4. W01 USE OF THIS RIGHT IS COMBINED WITH WATER FROM GEM IRRIGATION DISTRICT.
5. STOCKWATER, 500 RANGE CATTLE

Dates and Other Information:

Decreed Date: 12/15/1997
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Owner Name Connector: AND
Water District Number: NWD
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A