

FEB-13-1997
0010

1

RIGHT NUMBER: 72-10199
NAME AND ADDRESS: FALMA MOYE CULLINANE
RAY CULLINANE
PO BOX 969
CHALLIS ID 83226
SOURCE: GROUNDWATER
QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 04/01/1979
POINT OF DIVERSION: T14N R19E S09 NENE Within CUSTER County
PURPOSE AND PERIOD OF USE: PURPOSE OF USE 01-01 12-31
DOMESTIC 1 HOME QUANTITY 0.04 CFS
PLACE OF USE: DOMESTIC T14N R19E S09 Within CUSTER County
NENE

OTHER MATTERS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP000600000248A

KK-97
13-13-22
13-13-22

OWNER
CODE

NAME & ADDRESS

C FALMA MOYE CULLINANE
C RAY CULLINANE
PO BOX 969
CHALLIS ID 83226
(208) 879-4508

PRIORITY
DATE

04/01/1979 DOMESTIC

USE PERIOD
FROM TO

01-01 12-31

DIVERSION
RATE

0.04 CFS

DIVERSION
VOLUME

0.04 CFS

TOTAL DIVERSION:

0.04 CFS

Water Source: GROUNDWATER

Tributary to:

NENE

Point(s) of Diversion:

T14N R19E S09

Stage: BENEFICIAL USE

CUSTER County

Place of use Legal Description for: DOMESTIC

		NE		NW		SW		SE				
		NENE NENE SENE		NENW NWNW SENW		NESW NWSW SWSW		NESE NWSE SWSE				
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
14N	19E	9	D	:	:	:	:	:	:	:	:	:

POU County: CUSTER

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A

N13 - DETERMINATION OF HISTORICAL BENEFICIAL USE.

N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000

- GALLONS PER DAY.

Remarks: EXP PARCEL NO. RP000600000248A

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag: Presumption Flag:

Comments: Date: 06/29/1993 User-ID: SMITH Subject: COPIED FROM REMARKS OWNERSHIP CHANGE 2/21/92 BY JG.

Date: 08/13/1996 User-ID: ROBERTS Subject: NAME CHANGE FALMA MARRIED RAY CULLINANE AND ADDED HIS NAME TO CLAIM. jr

Date: 01/14/1997 User-ID: DS1-PROD Subject: D&S 1 HOME UPDATE

VERIFIED BY 2-10-97

AJ5809NP
No. R72-10199

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/17/97
PAGE: 15

Comments: Date: 01/14/1997 User-ID: DS1-PROD Subject: D&S 1 HOME UPDATE
USE-NOT-IRRIGATION FIELD TEXT REPLACED WITH "1 HOME".
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO AN EXP REMARK.

Audit: 06/29/93 SMITH 03/30/95 POST-STD 08/13/96 JROBERTS 01/14/97 DS1-PROD

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A72-10199**

Date Received: 12/ 6/1989

Receipt No: M005311

Received By: name change *JK*

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: FALMA MOYE CULLINANE 208-879-4508
Address: PO BOX 969
CHALLIS ID 83226

AND/OR

Name: RAY CULLINANE 208-879-4508
Address: PO BOX 969
CHALLIS ID 83226

2. Date of Priority: APR 1, 1979

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	9	NE	NE			CUSTER

5. Description of diverting works:
WELL, 6" CASING, 82' DEEP, 3/4 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
14N	19E	9	NE NE		DOMEST	

11. Place of use in counties: CUSTER

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
OWNERSHIP CHANGE 2/21/92 BY JG.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

JUL 25 1996

Department of Water Resources
Southern Region

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____

Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____

Lot _____, Block _____, Subdivision/Townsite _____

If you have additional legal descriptions, please attach separate sheet.

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[] Water Right Number(s) Assigned by IDWR: A72000125 ÷ A72000124, A72-10199

[] Name and Address of Former Owner/Claimant(s)(Seller): FALMA J. MOYE

Box 1145

Challis, ID 83826

[] New Owner/Claimant (Purchaser): FALMA AND RAY CULLIVANE

[] New Mailing Address: Box 969

Challis, ID 83226

[] New Telephone Number: () _____ - _____

[] Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

[] Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[] Signature of New Owner/Claimant(s) Falma Moye Cullivane Date 7/25/96

R J Cullivane

Date 7/25/96

[] Signature of Former Owner/Claimant(s): Falma J Moye Date 7/25/96

Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 8/13/96 By: [Signature]

Further Action Needed: _____

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any: _____

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

DEC 03 1996



State  Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

August 13, 1996

FALMA MOYE CULLINANE
RAY CULLINANE
PO BOX 969
CHALLIS ID 83226

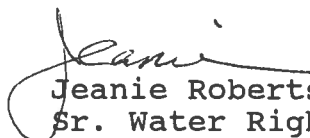
Re: Name Change for Adjudication Claims #A72-00012H, A72-00012J,
A72-10199
MOYE/CULLINANE

Dear Mr. and Mrs. Cullinane:

I have changed the name on the above mentioned adjudication claims into both of your names, as you requested. Please find enclosed a copy of the computer records of the claims noting the name changes. Please review them and if you have any corrections or questions, feel free to call this office.

I checked our records and found only the one domestic claim (A72-10199) and no claim was found on the artesian well you mentioned. There is part of an old licensed right (72-02104A) which appears to be appurtenant to your property and remains unclaimed at this time. I have enclosed a proof report of it and if you feel it is a right you still use and wish to make a claim, the first step is filing the enclosed REQUEST FOR EXTENSION OF TIME TO FILE ADJUDICATION CLAIMS with the State Office in Boise. Upon approval and the decision of whether or not to charge late fees, I can forward claim forms to you along with instructions.

Sincerely,


Jeanie Robertson
Sr. Water Right Agent

/jrr
Enclosures

+ - Total Consumptive Use - + - KW Usage - +

[illegible]

DEC 03 1996

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A72-10199**
Date Received: 12/ 6/1989
Receipt No: M005311
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: FALMA J. MOYE
Address: P.O. BOX 1145
CHALLIS ID 83226

2. Date of Priority: APR 1, 1979

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	9	NE	NE			CUSTER

5. Description of diverting works:
WELL, 6" CASING, 82' DEEP, 3/4 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	9	NE	NE		DOMEST	

11. Place of use in counties: CUSTER

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
OWNERSHIP CHANGE 2/21/92 BY JG.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

TRACT I:

A portion of Lot 24, Rocky Mountain Meadows, Custer County, Idaho, as shown by the Official Plat thereof, recorded as instrument No. 158530, records of Custer County, Idaho, more particularly described as follows; to-wit:

Commencing at the corner common to Sections 3, 4, 9, and 10, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho; thence South $0^{\circ}18'44''$ East, 770.00 feet on and along the Section line common to said Section 9 and 10 to the Northeast corner of Lot 24, Rocky Mountain Meadows Subdivision; thence South $89^{\circ}21'53''$ West, 409.00 feet on and along the North line of said Lot 24 to the Point of Beginning of this description; thence continuing South $89^{\circ}21'53''$ West, 501.00 feet on and along the North line of said Lot 24 to the Northwest corner thereof; thence South $0^{\circ}18'44''$ East, 1044.35 feet on and along the West line of said Lot 24 to the Southwest corner thereof, being also the Northwestern right-of-way line of a County Road; thence North $72^{\circ}49'08''$ East, 377.08 feet on and along said curve 225.06 feet, said curve having a delta angle of $6^{\circ}07'04''$ and a radius of 2120.00 feet; thence North $5^{\circ}22'49''$ West 887.38 feet to the North line of said Lot 24 and the Point of Beginning.

EXCEPTING THEREFROM

A parcel of land located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 9, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more specifically described as follows:
Commencing at the Northeast Section Corner of said Section 9, a distance of 770.00 feet on a bearing of South $0^{\circ}18'44''$ East along the East boundary of Section 9, thence South $89^{\circ}21'53''$ West, 820.00 feet to a point on the Easterly bank of Challis Creek and being the REAL POINT OF BEGINNING; thence South $46^{\circ}09'13''$ West, 124.14 feet along said Easterly bank; thence North $0^{\circ}18'44''$ West, 85.00 feet; thence North $89^{\circ}21'53''$ East, 90.00 feet to the Real Point of Beginning.

TRACT II:

A parcel of land located in the E $\frac{1}{2}$ NE $\frac{1}{4}$, Section 9, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more specifically described as follows:

Commencing at the Northeast Section Corner of said Section 9, a distance of 770.00 feet on a bearing of South $0^{\circ}18'44''$ East along the East boundary of Section 9; thence South $89^{\circ}21'53''$ West, 910.00 feet; thence South $0^{\circ}18'44''$ East, 298.66 feet to the REAL POINT OF BEGINNING; thence South $22^{\circ}05'11''$ West, 112.92 feet; thence South $8^{\circ}01'09''$ East, 320.86 feet; thence North $0^{\circ}18'44''$ West, 422.36 feet to the Real Point of Beginning.

RECEIVED

FEB 04 1992

Department of Water Resources
Southern Region Office

MICROFILMED

MAR 19 1993

RECEIVED

FEB 04 1992

Department of Water Resources
Southern Region Office

Box 1145

Challis, ID 83226

Mr Stanton

Enclosed is a copy of my sale agreement,
2) the warranty Deed and 3) the legal description
of my property. I would like to have all
water rights transferred to my name. I have
rights from an irrigation and overflow ditch
as well as a domestic and irrigation well.
Please contact me, if there is a fee or if
you need any additional information.

Thank you

Felma May

MICROFILMED

MAR 19 1993

WARRANTY DEED

0200369

For Value Received

ROBERT E. SURGEON and SIMONNE B. SURGEON, husband and wife,

the grantor S, do hereby grant, bargain, sell and convey unto

FALMA J. MOYE, an unmarried person,

the grantee, whose current address is PO Box 1145, Challis, ID 83226,

the following described premises, in Custer County, Idaho, 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, her heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they and their heirs and assigns in fee simple of said premises, that they are free from all incumbrances except that certain Deed of Trust dated November 3, 1983, executed by Robert C. Cunningham and Elaine I. Cunningham, husband and wife, to Custer County Title, Inc., as Successor Trustee for Danny M. Cafferty and Billie Lou Cafferty, husband and wife, Beneficiary, recorded November 7, 1983, as instrument No. 169558, and as assigned, and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: July 15, 1991.

Robert E. Surgeon
Robert E. Surgeon

Simonne B. Surgeon
Simonne B. Surgeon

STATE OF IDAHO
COUNTY OF Custer

} ss
July 15, 1991, in the

STATE OF IDAHO, COUNTY OF CUSTER

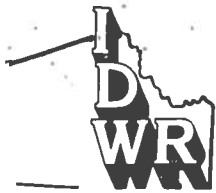
I hereby certify that this instrument was filed for record at the request of Custer County Title

30 minutes past 4 o'clock P.M.,

MICROFILMED

MAR 19 1993

INSTRUMENT



State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Falma Moye
P. O. Box 1145
Challis, ID
83226

February 4, 1992

RE: SRBA Claims A72-10198 & A72-10199, Robert & Simonne Surgeon

Dear Ms. Moye;

Our records show that two Snake River Basin Adjudication claims have been filed on your property by the Surgeons. Copies of the claims are enclosed. With the deed you sent, these claims can be put in your name. This change will be done by our adjudication section, but I am not sure just when this will happen due to their work backlog. When the changes are made, you will receive copies of the claims showing you as the claimant. Our records show no irrigation wells on this property.

If you have further questions, please feel free to contact this office.

Sincerely,

James E. Stanton

James E. Stanton
Sr. Water Resource Agent

MICROFILMED

MAR 19 1993

REAL ESTATE PURCHASE & SALE AGREEMENT & RECEIPT FOR EARNEST MONEY

Rev 3/89



THIS IS A LEGALLY BINDING CONTRACT. READ THE ENTIRE DOCUMENT, INCLUDING THE GENERAL PRINTED PROVISIONS ON THE REVERSE SIDE AND ANY ATTACHMENTS, CAREFULLY, BEFORE SIGNING. IF YOU HAVE ANY QUESTIONS, CONSULT YOUR ATTORNEY BEFORE SIGNING.

is printed and distributed by the Idaho Association of REALTORS®. This form has been designed for and is provided only for use by real estate professionals licensed by the Idaho Real Commission who are also members of the National Association of REALTORS®. Use by any other person is prohibited.

Palma J. Moye Charles, Idaho 9-8, 1990
 (hereinafter called "Buyer") agrees to purchase, and
Robert J. Simove Surgeon (hereinafter called "Seller") agrees to sell the following property located in Charlottesville
 County of Custer, State of Idaho, commonly known as Bob Surgeon Ranch Property
 and legally described as: See Attached

(A FULL AND COMPLETE LEGAL DESCRIPTION MUST BE INSERTED, OR ATTACHED HERETO PRIOR TO EXECUTION BY SELLER. Buyer hereby authorizes Broker to insert over Buyer's signature the correct legal description of the property if it is unavailable at the time of signing, or to correct the legal description previously entered if erroneous or incomplete.)

1. **EARNEST MONEY**
 (a) Buyer hereby deposits and receipt is hereby acknowledged of Two Hundred Dollars (\$ 200.00)
 in the form of ☐ Cash, ☐ Personal Check, ☐ Cashier's Check, ☐ Note Due _____, or ☐ _____
 (b) Said Earnest Money to be deposited in trust account, ☒ upon acceptance by all parties, or ☐ _____, 19____, and held by ☐ Listing Broker,
☐ Selling Broker, ☒ other Custer Co. Title for the benefit of the parties hereto, and the Selling
 Broker shall hold the fully executed broker's copy of this agreement.

2. **TOTAL PURCHASE PRICE IS** thirty thousand Dollars (\$ 30,000.00) payable as follows:
 (a) \$ 8,000.00 Cash down, including the above deposited Earnest Money.
 (b) \$ _____ Balance of the purchase price which does not include Mortgage Insurance Premium where applicable, which will be paid as follows:

Buyer asks that Seller carry \$8,000.00 at 9% over 3 yrs.
No Prepayment penalty. Approx 170/mo.

3. This agreement ☐ is, ☒ is not contingent upon Buyer qualifying for: ☐ FHA, ☐ VA, ☐ Conventional, ☐ FmHA, ☐ IHA, ☐ Assumption of existing loan(s)
 (a) ☐ **NEW FINANCING** Purchase loan of not less than \$ _____ at _____ % interest per annum with a _____ year term. (If FHA or VA loan is sought, read the applicable provisions on the reverse side hereof.) Buyer to pay no more than _____ points plus origination fee, if any. Seller to pay the discount points necessary in order to obtain above described interest rate but points not to exceed _____
 (b) ☒ **ASSUMPTION** of existing loan of approximately \$ 14,000. at no more than 9 % interest or existing rate.

4. This agreement ☐ is, ☒ is not contingent upon the sale and closing on property owned by Buyer described as _____
 before _____ listed with _____

5. If there are contingencies stated herein, Seller ☐ shall, ☒ shall not have the right to continue to offer the property for sale. If the property is to remain on the market, the provisions of Paragraph J on page 2 hereof will apply and the number of days applicable to Paragraph J shall be _____ banking days.

6. The following items are specifically EXCLUDED FROM THE SALE: The 76' Champion Trailer

The following items are specifically INCLUDED IN THE SALE: Any irrigation equipment, pump, etc. not under 5' x 10'

7. **COSTS PAID BY:** Costs in addition to those listed below may be incurred by Buyer and/or Seller. Any costs or fees necessary to the closing of this transaction are not included in the purchase price and shall be borne 50% by the Seller and 50% by the Buyer, unless otherwise agreed herein, or provided by law or required by lender. Buyer shall purchase Seller's reserve account (loan assumption).

B = Buyer S = Seller N/A = Not Applicable

Costs Paid By:	Appraisal	Loan Assumption Fee	Well Inspection	Pump/Inspect Septic	City/County Code Inspection	Document Preparation Fee	Lenders Extended Policy (add prem.)	Purchasers Extended Policy (add prem.)	Survey	Title Policy
	N/A	S	N/A	N/A	N/A	B+S	N/A	N/A	N/A	S

Buyer shall pay for fuel in tank, amount to be determined by the supplier at Seller's expense.

Discount points to be paid as agreed herein. As a result of any city or county inspections SELLER MAY BE REQUIRED TO MAKE REPAIRS to the property in order to comply with the housing code and Seller agrees to hold the Buyer, the Listing Broker, the Selling Broker, and/or their representatives harmless for any such required repairs or upgrade WHETHER A SALE IS COMPLETED UNDER THIS AGREEMENT OR NOT. Cost of agreed repairs, if any, not to exceed \$ AS IS

Liens, encumbrances or defects in title to the property which are to be discharged by Seller, assumed or waived by the Buyer or which title will be taken subject to by the Buyer (not otherwise set forth herein) are: NONE

8. Custer County Title Company shall provide the title policy and preliminary report of commitment required herein.

9. If a long term escrow/collection is involved, the escrow holder shall be Custer County Title

10. **CLOSING.** The "closing agent" shall be Patsy Kindt. The Broker responsible for closing is Erin Robie. On or before the closing date, Buyer and Seller shall deposit with the closing agent all funds and instruments necessary to complete the sale. The closing date shall be on or before October 5, 1990

11. **POSSESSION.** Seller shall deliver possession to Buyer on or before Dec 3, 1990, and taxes and water assessments (using the last available assessment as a basis), rents, insurance premiums, interest and reserves on loans, liens, or obligations assumed or taken subject to, and utilities shall be prorated as of closing except Electrical to be read when the meter vacates

12. The following additional terms and conditions apply to this agreement: Buyer would like to rent Trailer until June 30, 1990. Trailer removal & rental to be negotiated but defined by 5-3-90.

13. **AGENCY DISCLOSURE.** At the time of the signing of this agreement the agent working with the Buyer represented the Seller and the agent working with the Seller represented the Seller. Each party signing this document confirms that prior written disclosure of agency was provided to him/her in this transaction. Each party to this transaction has read and understands the contents of the agency disclosure brochure previously received.

14. **ACCEPTANCE.** Seller shall have until the 19 day of Sept, 1990, at _____ o'clock ☐ AM, ☒ PM, local time at the location of the subject property to accept this offer. Unless accepted, this offer shall lapse and the Broker shall return the Earnest Money to the Buyer.

15. **BUYER'S SIGNATURE**
 Buyer Palma J. Moye Address 9280 W. Charlotte

 _____ Phone: (H) _____ (W) _____

16. **ACCEPTANCE BY SELLER.** The undersigned Seller accepts Buyer's offer the _____ day of _____, 19____, at _____ o'clock ☐ AM, ☐ PM, and further agrees to pay a total

MICROFILMED

MAR 19 1993

SD-33

Last Name: SURGEON

STATE

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
—	SURGEON						
—	ROBERT E.	C	A72-10198	05/01/1879	CHALLIS CRE	0.500	01 IRR
—	SIMONNE	C	A72-10198	05/01/1879	CHALLIS CRE	0.500	01 IRR
—	ROBERT E.	C	A72-10199	04/01/1979	GROUNDWATER	0.040	43 DOMEST
—	SIMONNE	C	A72-10199	04/01/1979	GROUNDWATER	0.040	43 DOMEST
—	ROBERT E.	C	A72-10200	10/01/1980	GROUNDWATER	0.040	43 DOMEST
—	SIMONNE	C	A72-10200	10/01/1980	GROUNDWATER	0.040	43 DOMEST

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED

MAR 19 1993

SD-0604-2 Township: 14N			Range: 19E		Section: 9		Tract:		Lot:	
S	L		STATE		O	S	Max # Records	80		
E	O	Water	Name		W	T	Priority	Use		
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc
—	NENE		A72-02104A	BRADBURY, MILLIE	O	12		10/17/1955	01	IRR
—				SPLIT RIGHT	C					
—	NENE		A72-10198	SURGEON, ROBERT E.	C	5	D	05/01/1879	01	IRR
—				SURGEON, SIMONNE	C					
—	NENE		A72-10199	SURGEON, ROBERT E.	C		J	04/01/1979	43	DOMEST
—				SURGEON, SIMONNE	C					
—	NENE		A72-00012D	GAMMACHE, ANTHONY D.	C	22	D	05/01/1879	01	IRR
—				MILLICK, WILLIAM	O					
—				GAMMACHE, WILLIAM T.	C					
—	NENE		A72-00025B	GAMMACHE, WILLIAM T.	C	22	D	08/25/1910	01	IRR
—				WETHERINGTON, HUGH	O					
—				GAMMACHE, ANTHONY D.	C					
—	NENE		A72-04162	GAMMACHE, WILLIAM T.	C	22	S	03/01/1911	01	IRR
—				GAMMACHE, ANTHONY D.	C					
—	NENE		A72-00012E	MILLICK, WILLIAM	O			05/01/1879	01	IRR
—				SPLIT RIGHT	C					

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

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MAR 19 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

21-Feb-1992 11:47

FALMA J. MOYE
PO BOX 1145
CHALLIS ID 83226

Re: Ownership Change for Adjudication Claim NO.(S): A72-10198 -
A72-10199 - SURGEON, ROBERT & SIMONNE

Dear Claimant(s):

Pursuant to the notification that you presently own the property in which the above-referenced Adjudication Claim(s) is appurtenant, the Department has changed the record of the current owners as you requested. Please find enclosed a copy of the computer record of the claim(s) noting the change in claimant.

Please review the record and if you have any corrections or questions, please feel free to call this office.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures

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MAR 19 1993

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A72-10199
Date Received: 12/06/1989
Receipt No: MO05311
Received By: TO

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT E. SURGEON 208-879-4226
Address: BOX 59
CHALLIS, ID 83226

AND/OR

Name: SIMONNE SURGEON 208-879-4226
Address: BOX 59
CHALLIS, ID 83226

2. Date of Priority: APR 01, 1979

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	9	NE	NE			CUSTER

5. Description of diverting works:
WELL, 6" CASING, 82' DEEP, 3/4 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSEHOLD

A72-10199

Page 1

Date: 12/06/89

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10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
14N	19E	9	NE NE		DOMEST	

11. Place of use in counties: CUSTER

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *Shirley Rogers* Date: 12-6-89

Date: _____

State of Idaho)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 6th day

of December 19 89

Anthony S. O'Connell
Notary Public

Seal

Residing at *Idaho Falls*

My Commission Expires 9/12/1994

WATER RIGHT NUMBER - A72-10199

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - LAST NAME - - - - +

+ - FIRST NAME - - - +

+ - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
MOYE

FALMA J.

1 - P.O. BOX 1145

2 -

3 -

CITY- CHALLIS

PHONE - 208-000-0000

STATE- ID ZIP- 83226

*** ORIGINAL OWNER ***

SURGEON

ROBERT E.

1 - BOX 59

2 -

3 -

CITY- CHALLIS

PHONE - 208-879-4226

STATE- ID ZIP- 83226

SURGEON

SIMONNE

1 - BOX 59

2 -

3 -

CITY- CHALLIS

PHONE - 208-879-4226

STATE- ID ZIP- 83226

+ - - PRIORITY DATE - - +
04/01/1979

+ - - REGION - - - +
17 SOUTHERN

+ - - STAGE - - - +
J - BENEFICIAL USE

+ - - - STATUS - - - - +

+ - - - SOURCE - - - - +
GROUNDWATER

+ - - - - - +

+ - - - - - +

+ - - - - - +

+ - - - - - +
TWN RNG SEC TRACT LDT RFLG COUNTY POINT OF DIVERSION - - - - -
STREAM INDEX (BLANK IF NO INDEX CODE)

14N 19E 9 NE NE (37) CUSTER

+ - - - - - +
CODE DESCRIPTION PERIOD FROM PERIOD TO WATER USE - - - - -
DIVERSION RATE DIVERSION VOLUME

43 - DOMESTIC

01/01

12/31

0.040

+ - - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - + +
0.040

+ - - - - - +
TWN RNG SEC TRACT LDT ACRES PLACE OF USE - - - - -
DESCRIPTION COUNTY

14N 19E 9 NE NE

43 DOMESTIC

(37) CUSTER

+ - - DIVERSION MEANS - WELL, 6" CASING, 82' DEEP, 3/4 HP PUMP

+ - - NON-IRRIGATION USE - D/I HOUSEHOLD

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - - +
OWNERSHIP CHANGE 2/21/92 BY JG. REMARKS - - - - -

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NOV 01 1994

