

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: SEP-9-1997
PAGE: A-17

RIGHT NUMBER: 45-10024

NAME & ADDRESS: DAVID W MOYES
COLLEEN MOYES
4413 E 3300 N
MURTAUGH ID 83344

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 01/01/1936

POINT OF DIVERSION: T11S R20E S19

SENESEW

Within TWIN FALLS County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
DOMESTIC 1 HOME

PERIOD OF USE
01-01 12-31

QUANTITY
0.04 CFS

PLACE OF USE:

DOMESTIC

Within TWIN FALLS County

T11S R20E S19 Lot 3 (NESW)

OTHER PROVISIONS 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. 11S20E191210

Claim proofread by: 

Date: SEP 22 1997

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: **A45-10024**

Date Received: 10/ 4/1988

Receipt No: S002721

Received By: address change JK

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAVID W MOYES 208-432-6613
Address: 4413 E 3300 N
MURTAUGH ID 83344

AND/OR

Name: COLLEEN MOYES 208-432-6613
Address: 4413 E 3300 N
MURTAUGH ID 83344

2. Date of Priority: JAN 1, 1936

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11S	20E	19	SE	NE	SW		TWIN FALLS

5. Description of diverting works:
WELL & 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 HOUSE

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IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

02/14/96 11:35:18

Page 1

Water Right Number - R45-10024

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

MOYES

DAVID W

1 - 4413 E 3300 N

2 -

3 -

City- MURTAUGH

State- ID Zip- 83344

Phone - 208-432-6613

MOYES

COLLEEN

1 - 4413 E 3300 N

2 -

3 -

City- MURTAUGH

State- ID Zip- 83344

Phone - 208-432-6613

*** O - ORIGINAL OWNER ***

BOLEY

MAX

1 - RT 1

2 -

3 -

City- MURTAUGH

State- ID Zip- 83344

Phone - 208-432-5541

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
01/01/1936 ERROR IN REGION J - BENEFICIAL USE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

11S 20E 19 SE NE SW (83) TWIN FALLS

+ - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

43 - DOMESTIC

01/01

12/31

0.040

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.040 0.0+ - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

11S 20E 19

NE SW

3

43 DOMESTIC

(83) TWIN FALLS

Total Acres:

+ - - Diversion Means - WELL & PUMP

+ - - Non-Irrigation Use - DOMESTIC, 1 HOME

+ - - Other Rights for Same Use - NONE

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IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water right number - R45-10024

Prefix Translation: RESEARCH

+ - - - - - Remarks - - - - - +

PARCEL NO. 11S20E191210
PROPERTY ALSO KNOWN AS 4548 3125 N

+ - - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers Found

+ - - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +

00/00/0000

+ - - - - - Comments - - - - - +

Date: 08/17/1993 User Id: ROBERTSO Subject: OWNERSHIP CHANGE

Change of ownership form received 8/11/93, original owner Max Boley - new owners David & Colleen Moyes (who bought from the Warr's who bought from the Estate of Max Boley), Copies of Correction Personal Representative's Deed and Warranty Deed received with form A45-10024 also changed this date. Contractor to continue review.

Date: 02/14/1996 User Id: JROBERTS Subject: ADDRESS CHANGE

Form received 2/13/96. A45-10024 also changed. jr

+ - - Audit Fields - - +

02/14/96 JROBERTS

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 10/04/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S002721	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

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IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE ST E
TWIN FALLS ID 83301
(208) 736-3033

RECEIVED

FEB 14 1996

PHILIP E BATT
GOVERNOR

KARL J DREHER
Department of Water Resources
Southern Region
DIRECTOR

CHANGE IN ADDRESS OF THE NOTICE OF CLAIM
IN THE SNAKE RIVER BASIN ADJUDICATION

☐ Water Right Number(s): A45-10024, A45-10025, A45-10045-

A45-02623

☐ Old Mailing Address:

David W. moyes

RT. 1

Murtough, ID 83374

☐ New Mailing Address:

David W. moyes

4413 E 3300 N.

Murtough, ID. 83374

☐ New Telephone Number: (208) 432 6613

☐ Signature of Claimant(s):

David W. Moyes

Date:

FOR IDWR USE ONLY

Initial Review and Data Entry

Date: 2/13/96 By: [Signature]

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data Entry

Date: By:

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6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent JEANIE M ROBERTSON

DATE February 13, 1996 2:00pm CUSTOMER DAVID MOYES

SUBJECT: OWNERSHIP CHANGE/ADDRESS CHANGE
phone call (.) walk-in (X)

A45-02287, A45-10020, A45-10022
He bought these rights from his parents so we did an Ownership Change on them. Copy of Warranty Deed submitted.

A45-02623, A45-10024, A45-10025, A45-10145
He did address changes on these.

A45-10021
He indicated that this one had been sold to someone else so I gave him a C/O form to give to the new owners.

A45-02623
Wondered what he might do to this right to better preserve the diversion amount, as he also has canal shares on the property now. The License on which this was based was for more acres than was claimed, however, the claim represented what was happening at the time of the commencement. Told him his options of filing a transfer to identify a PPP or amend the claim. He will ponder and maybe get back to us...

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State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

. David W. Mayer
. 4521 E. 3275 N.
. Murtaugh ID 83844

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

MAILING DATE: Aug. 3, 1993

RESPONSE DATE: Aug. 23, 1993

RE: NOTICE OF CLAIM NO[S]: A45-10024, A45-10025

Dear Claimant(s):

We are currently preparing the Notice(s) of Claim referenced above for the Director's Report in the Snake River Basin Adjudication. Our research indicates there may have been a change in either the ownership or address for the above claim(s). IDWR records currently show the following name and address for the owner of the claim(s) listed above:

. Mark Bailey
. Rt. 1
. Murtaugh ID 83844

If our current records, as listed above, are not correct please complete the enclosed Change in Ownership or Change of Address form, as appropriate, to correct our records.

Your response must be received in this office by the Response Date indicated above. If no response is received from you, all further legal notices concerning the claim(s) will be sent to the name and address shown above. If you have claims other than those referenced here, please contact the Department so we may assist you in updating the information for all your claims. Should you have any questions, or feel that you need assistance, please contact IDWR at 1-800-451-4129.

Sincerely,

Donald V. Shaff
Manager Adjudication Section

state:region

Enclosures:

Change of Ownership Form
Change of Address Form

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: **A45-10024**

Date Received: 10/ 4/1988

Receipt No: S002721

Received By: _____

ownership change JK

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

1. Name: DAVID W MOYES 208-432-6613
Address: 4521 E 3275 N
MURTAUGH ID 83344

AND/OR

Name: COLLEEN MOYES 208-432-6613
Address: 4521 E 3275 N
MURTAUGH ID 83344

2. Date of Priority: JAN 1, 1936

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	20E	19	SE	NE	SW		TWIN FALLS

5. Description of diverting works:
WELL & 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 HOUSE

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10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11S	20E	19	NE SW	3	DOMEST	

11. Place of use in counties: TWIN FALLS

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): _____ 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 _____

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NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 11S Range 20E
Section 19, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
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: A45-10024, A45-10025
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): MAX BOLEY - *
* Mr. Moyes bought from the Warrs' - they had bought
from the Estate of Max Boley
- ☐ New Owner/Claimant (Purchaser): David W. Moyes and/or Colleen Moyes
- ☐ New Mailing Address: 4521 E 3275 N.
Martingale Id. 83844
- ☐ New Telephone Number: (208) 432-6613
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X 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): [Signature] Date 8/11/93
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____

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

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FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: 8/17/93 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

CORRECTION PERSONAL REPRESENTATIVE'S DEED

CORRECTION DEED, made this 8th day of

October, 1992, between PHYLLIS JIMENEZ, Personal Representative of the ESTATE OF MAX M. BOLEY, deceased, herein designated as the "Grantor", and GLEN A. WARR, KENDALL DAVID WARR, KEITH WARR, VERNELL R. WARR, and WANDA GRAHAM, whose address is c/o Wanda Graham, 1917 Sherry Lane, Twin Falls, Idaho, 83301, herein designated as the "Grantees".

The Grantor recites and declares:

1. The decedent, Max M. Boley, died on the 16th day of August, 1990. The decedent died testate.

2. The Grantor was appointed Personal Representative of the Estate of Max M. Boley, deceased, on the 14th day of September, 1990, in the District Court of the Fifth Judicial District of the State of Idaho, in and for the County of Twin Falls.

3. Certified copies of Letters Testamentary were recorded in the office of the County Recorder of the County of Twin Falls, State of Idaho, as Instrument Number 976000, on the 14th day of September, 1990.

4. This Correction Deed specifically reflects the legal description of Tax No. 381, as utilized in Personal Representative Deeds recorded July 30, 1991, as Instruments Numbered, 91005887, 91005888, 91005890, 91005891 and 91005892, office of Twin Falls County Recorder.

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1 FOR VALUABLE CONSIDERATION, paid to the Grantor by the
2 Grantee, the receipt of which is hereby acknowledged, the
3 Grantor hereby conveys to the Grantees, and to the heirs and
4 assigns of the Grantees, in equal shares, all of the estate's
5 interest in and to the following real estate:

6 Township 11 South, Range 20 E., B.M., Twin
7 Falls County, Idaho
8 Section 19: The E $\frac{1}{2}$ of Lot 3 and that portion
9 of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ described as
10 follows:
11 COMMENCING at the Southwest corner of the
12 SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section;
13 THENCE North 0°00' West 219 feet to a point;
14 THENCE North 69°41' East 905 feet to a point;
15 THENCE North 49°12' East 463.5 feet to a
16 point;
17 THENCE South 85°55' East 781 feet to a point;
18 THENCE South 0°00' East 755 feet to a point on
19 the South line of W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section;
20 THENCE South 90°00' West 1968.5 feet to the
21 Southwest corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said
22 Section, the PLACE OF BEGINNING.
23 AND the NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$.

24 TOGETHER with all appurtenances thereto, and the
25 reversion and reversions, remainder and remainders, rents,
26 issues and profits thereof, and all the estate, right, title,
interest, property possession, claim and demand whatsoever, both
in law and in equity which the decedent had during his lifetime,
and at the time of death, and which the Grantor has, in and to
the above-described real estate, and every part and parcel
thereof, with appurtenances.

TO HAVE AND TO HOLD the real estate, together with
appurtenances, and every part thereof, to the Grantees, and to
the heirs and assigns of the Grantees forever.

The real estate hereby conveyed is subject to the
following: Accruing taxes, levies and assessments, and

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1 easements of record, if any.

2 IN WITNESS WHEREOF, the Grantor has executed this Deed
3 the day and year first above written.

4 ESTATE OF MAX M. BOLEY, DECEASED

5 By Phyllis Jimenez P.R.
6 Phyllis Jimenez, Personal
7 Representative of the Estate
8 of Max M. Boley

9 STATE OF IDAHO)

10 County of Cassia) ss

11 On this 8th day of October, in the year
12 1992, before me, the undersigned, a Notary Public in and for
13 said State, personally appeared PHYLLIS JIMENEZ, known or
14 identified to me to be the person whose name is subscribed to
15 the within instrument as PERSONAL REPRESENTATIVE OF THE ESTATE
16 OF MAX M. BOLEY, deceased, and acknowledged to me that she
17 executed the same as such Personal Representative.

18 Sharon D. Janner
19 Notary Public for Idaho
20 Residing at Rupert
21 My commission expires on 12/1/94

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23 OCT 27 1994

TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

TWIN FALLS COUNTY, IDAHO
RECORDED FOR:

TITLEFACT, Inc.
1992 OCT 15 P 3: 20

19920149101

ROBERT S. FORT
EX-OFFICIO RECORDER

FEE: 300 DEPUTY: UP

***** SPACE ABOVE FOR RECORDER *****
32199ml

WARRANTY DEED

FOR VALUE RECEIVED KENDALL DAVID WARR, VERNELL R. WARR, and WANDA GRAHAM, dealing with their sole and separate property, hereinafter called the grantor, hereby grants, bargains, sells and conveys unto DAVID W. MOYES AND COLLEEN MOYES, husband and wife, hereinafter called grantee, whose address is: 4521 E 3275 N., Murtaugh, Idaho 83344 the following described premises, in Twin Falls County, Idaho, to-wit:

Township 11 South, Range 20 E., B.M., Twin Falls County, Idaho

Section 19: The E $\frac{1}{2}$ of Lot 3 and that portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ described as follows:

COMMENCING at the Southwest corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section;

THENCE North 0°00' West 219 feet to a point;

THENCE North 69°41' East 905 feet to a point;

THENCE North 49°12' East 463.5 feet to a point;

THENCE South 85°55' East 781 feet to a point;

THENCE South 0°00' East 755 feet to a point on the South line of W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section;

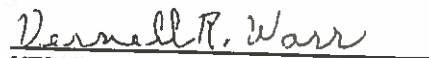
THENCE South 90°00' West 1968.5 feet to the Southwest corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section, the PLACE OF BEGINNING.

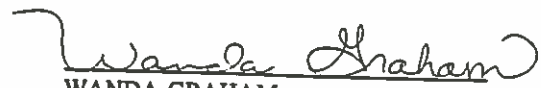
AND the NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and 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 are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: October 13, 1992


KENDALL DAVID WARR


VERNELL R. WARR


WANDA GRAHAM

* * * * *

STATE OF IDAHO
County of Twin Falls

On this 14th day of October, 1992, before me, a Notary Public in and for said State, personally appeared KENDALL DAVID WARR, VERNELL R. WARR, AND WANDA GRAHAM, dealing with their sole and separate property as grantors

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COPY

TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

***** SPACE ABOVE FOR RECORDER *****
32200ml

WARRANTY DEED

FOR VALUE RECEIVED WAYNE C. WARR and MEREDITH J. WARR, husband and wife; and CLINTON W. WARR, a single man, hereinafter called the grantor, hereby grants, bargains, sells and conveys unto DAVID W. MOYES and COLLEEN MOYES, husband and wife, hereinafter called grantee, whose address is: 4521 E. 3275 N., Murtaugh, Idaho 83344, the following described premises, in Twin Falls County, Idaho, to-wit:

Township 11 South, Range 20 E., B.M., Twin Falls County, Idaho

Section 19: Part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ described as;

BEGINNING at the SW corner of Lot 1 in Section 19, Township 11 South, Range 20 E., B.M. said corner marked by a 1/2" rebar;

THENCE North 89°49'17" East along the south line of Lot 1 for 2535.86 feet to the SW corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ which shall be the POINT OF BEGINNING;

THENCE North 00°10'37" West along the west line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ for a distance of 1317.71 feet to the NW corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$;

THENCE North 89°50'26" East along the north line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ for a distance of 721.97 feet to a point

THENCE South 00°10'37" East for a distance of 1112.86 feet to a 1/2" rebar;

THENCE South 00°10'37" East for a distance of 204.60 feet to a 1/2" rebar on the south line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$;

THENCE South 89°49'17" West along the south line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ for a distance of 721.97 feet to the POINT OF BEGINNING.

EXCEPT that portion in Murtaugh Lake

AND

Township 11 South, Range 20 E., B.M., Twin Falls County, Idaho

Section 19: Part of Lot 1, described as follows:

BEGINNING at the SW corner of Lot 1, in Section 19, Township 11 South, Range 20 E., B.M. said corner marked by a 1/2" rebar;

THENCE North 89°49'17" East along the south line of Lot 1 for 1328.78 feet to a 1/2" rebar which shall be the POINT OF BEGINNING;

THENCE North 00°06'49" West for a distance of 1114.68 feet to a 1/2" rebar;

THENCE North 00°06'49" West for a distance of 203.43 feet to a point on the north line of Lot 1;

THENCE North 89°50'26" East along the north line of Lot 1 for a distance of 1205.62 feet to the NE corner of Lot 1;

THENCE South 00°10'37" East along the east line of Lot 1 for a distance of 1317.71 feet to the SE corner of Lot 1;

THENCE South 89°49'17" West along the south line of Lot 1 for a distance of 1207.08 feet to the POINT OF BEGINNING.

EXCEPT that portion in Murtaugh Lake

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TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and 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 are free from all encumbrances except as described above and that Grantor will **warrant** and defend the same from all lawful claims whatsoever.

Dated: December 17, 1992

Wayne C. Warr
WAYNE C. WARR

Clinton W. Warr
CLINTON W. WARR

Meredith J. Warr
MEREDITH J. WARR

* * * * *

STATE OF IDAHO
County of Twin Falls

On this 17th day of ^{December} November, 1992, before me, a Notary Public in and for said State, personally appeared WAYNE C. WARR and MEREDITH J. WARR, husband and wife; and CLINTON W. WARR, a single man, known or identified to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.

Marta R. Milligan
Notary Public for Idaho
Residing in: Burn
Commission Expires: 9-8-93

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OCT 27 1994

SD-0601-2 Last Name: BOLEY

STATE

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
-	BOLEY	-	-	-	-	-	-
-	MAX	C	A45-02228	02/24/1947	GROUNDWATER	1.800	01 IRR
-	MAX	C	A45-10025	10/01/1973	GROUNDWATER	0.040	43 DOMEST
-	NAX	C	A45-00508B	05/01/1912	DRY CREEK	0.775	01 IRR
-	MAX	C	A45-00508D	05/01/1912	DRY CREEK	0.775	01 IRR
-	MAX	C	A45-02215A	12/28/1945	GROUNDWATER	0.800	01 IRR
-	MAX M.	C	A45-02227	11/18/1946	GROUNDWATER	0.910	01 IRR
-	MAX	C	A45-10023	01/01/1948	GROUNDWATER	0.040	43 DOMEST
-	MAX	C	A45-10024	01/01/1936	GROUNDWATER	0.040	43 DOMEST
-	BLAINE JR.	C	A45-04269	04/01/1962	GROUNDWATER	0.300	01 IRR
-	BLAINE JR.	C	A45-10059	01/01/1958	GROUNDWATER	0.040	43 DOMEST
-	BLAINE JR	C	R45-10059	01/01/1958	GROUNDWATER	0.040	43 DOMEST
-	MAX	C	R45-10023	01/01/1948	GROUNDWATER	0.040	43 DOMEST
-	MAX	C	R45-10024	01/01/1936	GROUNDWATER	0.040	43 DOMEST
-	MAX	C	R45-10025	10/01/1973	GROUNDWATER	0.040	43 DOMEST

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED
OCT 27 1994

SD-0604-2 Township: 11S Range: 20E Section: 19 Tract: Lot: 40

S	L	Water	Name	O	S	Max #	Records	40
E	O	Right	Last, First	W	T	Priority	Use	
L	Tract	T	No.	N	AC	G	Date	Code Desc
SENW		A45-10111	UPTON, KENNETH R.	C		J	12/31/1950	43 DOMEST
SENW		R45-10111	UPTON, KENNETH R.	C		J	12/31/1950	43 DOMEST
SENW		R45-10118	SYVERSON, EUGENE	C		J	03/15/1985	43 DOMEST
SENW		A01-00017	MILNER IRRIGATION DIST	C	32	D	04/30/1931	01 IRR
			SLETTE, GARY D.	A				
NESW		A01-00017	MILNER IRRIGATION DIST	C	40	D	04/30/1931	01 IRR
			SLETTE, GARY D.	A				
NESW		R45-10025	BOLEY, MAX	C		J	10/01/1973	43 DOMEST
NESW	1	A45-10025	BOLEY, MAX	C		J	10/01/1973	43 DOMEST
NESW	3	A45-10024	BOLEY, MAX	C		J	01/01/1936	43 DOMEST
NESW	3	R45-10024	BOLEY, MAX	C		J	01/01/1936	43 DOMEST
SWSW	4	A45-00482	WAGNER, BETTY W.	C	21	D	03/01/1880	01 IRR
SWSW	4	A45-00480	WAGNER, BETTY W.	C	21	D	03/01/1900	01 IRR
SWSW	4	A45-00481	WAGNER, BETTY W.	C	21	D	12/31/1877	01 IRR
SWSW	4	A45-04120	WAGNER, BETTY W.	C	21	S	06/01/1921	01 IRR
SWSW	4	A45-10091	WAGNER, BETTY W.	C		J	12/31/1944	43 DOMEST

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED
OCT 27 1994



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

18-Aug-1993

DAVID W MOYES
COLLEEN MOYES
4521 E 3275 N
MURTAUGH ID 83344

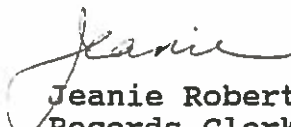
Re: Ownership Change for Adjudication Claim #A45-10024, A45-10025 -
BOLEY/MOYES

Dear Claimant(s):

Pursuant to notification that you presently own the property in which the above referenced Adjudication Claim is appurtenant, the Department has changed the record of the current owner as you requested. Please find enclosed a copy of the computer record of the claim 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,


Jeanie Robertson
Records Clerk

/jr
Enclosures

MICROFILMED
OCT 27 1994

Water Right Number - R45-10024 Prefix Translation: RESEARCH Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***

MOYES DAVID W 1 - 4521 E 3275 N
2 -
3 -
City- MURTAUGH State- ID Zip- 83344
Phone - 208-432-6613

MOYES COLLEEN 1 - 4521 E 3275 N
2 -
3 -
City- MURTAUGH State- ID Zip- 83344
Phone - 208-432-6613

*** O - ORIGINAL OWNER ***

BOLEY MAX 1 - RT 1
2 -
3 -
City- MURTAUGH State- ID Zip- 83344
Phone - 208-432-5541

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +

01/01/1936 ERROR IN REGION J - BENEFICIAL USE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +

GROUNDWATER

+ - - - - Point of Diversion - - - - - +

Twn	Rng	Sec	Tract	Lot	RFlg	County
11S	20E	19	SE NE SW		(83)	TWIN FALLS

+ - - - - Water Use - - - - - +

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
43 - DOMESTIC		01/01	12/31	0.040	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +

0.040 0.0

+ - - - - Place of Use - - - - - +

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
11S	20E	19	NE SW	3		43	DOMESTIC	(83) TWIN FALLS

Total Acres:

+ - - Diversion Means - WELL & PUMP

+ - - Non-Irrigation Use - DOMESTIC, 1 HOME

+ - - Other Rights for Same Use - NONE

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OCT 27 1994

Water right number - R45-10024

Prefix Translation: RESEARCH

+ - - - - - Remarks - - - - - +
PARCEL NO. 11S20E191210
PROPERTY ALSO KNOWN AS 4548 3125 N

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - - Comments - - - - - +
Date: 08/17/1993 User Id: ROBERTSO Subject: OWNERSHIP CHANGE
Change of ownership form received 8/11/93, original owner Max Boley - new owners David & Colleen Moyes (who bought from the Warr's who bought from the Estate of Max Boley), Copies of Correction Personal Representative's Deed and Warranty Deed received with form A45-10024 also changed this date. Contractor to continue review.

+ - - Audit Fields - - +
08/17/93 ROBERTSO

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 10/04/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S002721	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
OCT 27 1994

WATER RIGHT NUMBER - A45-10024

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - - COMMENTS - - - - - +
NO COMMENTS FOUND

+ - - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - +

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 10/04/1988	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- S002721	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	-	NOTICE OF ERROR FLAG	-

11520E 191218
4548 3125N

Moyes, David W
4521 E ~~375~~ 3275 N
Murtaugh 83344

CHANGE OF OWNERSHIP
LETTER SENT 8-3-93 JJ

DATA ENTRY

ENTERED

CHECKED

8-10-93 [Signature]

10/17/93 [Signature]

"Verified By"
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
FEB 14 1993

CERTIFIED
FEB 25 1993
WATER EXAMINER

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: A45-10024
Date Received: 10/04/1988
Receipt No: S002721
Received By: W

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MAX BOLEY 208-432-5541
Address: RT 1
MURTAUGH, ID 83344

2. Date of Priority: JAN 01, 1936

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	20E	19	SE	NE	SW		TWIN FALLS

5. Description of diverting works:
WELL & 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 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	20E	19	NE	SW	3	DOMEST	

11. Place of use in counties: TWIN FALLS

A45-10024

Page 1

Date: 10/04/88

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DEC 03 1996
MAR 08 1993

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): Max M. Bokey Date: 10-4-88

Date: _____

State of Idaho)
County of TE) SS.

Subscribed and sworn (or affirmed) before me this 4th day
of Oct 19 88 Lori White
Notary Public

Seal

Residing at TE
My Commission Expires 5/95