



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

August 6, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DON MOFFETT
ANN MOFFETT
498 S 450 E
BURLEY ID 83318

RE: OWNERSHIP CHANGE FOR DECREED WATER RIGHT 45-10504

Dear Mr. and Mrs. Moffett:

Thank you for returning the NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP form. Our records, however, cannot be updated without your signatures.

I am returning your original ownership change form. Please sign where highlighted (item 7) and return the entire packet to me in the enclosed self-addressed envelope. As soon as I receive this information, I will update our records and notify you by mail when the changes have been completed.

Thank you for your prompt attention to this matter and should you have any questions please feel free to contact me.

Sincerely,

Trish Fawcett
Technical Records Specialist

enc.

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
AUG 05 1998
Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: 45-10504
 Adjudication Claim No(s).: _____

2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant VERA WAITE MOFFETT
ROUTE 3 BOX 3555 BURLEY, IDAHO 83318

4. New Owner/Claimant(s) DON OR ANN MOFFETT
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 498 SOUTH 450 EAST
 City, State and ZIP Code BURLEY, IDAHO 83318
 New Telephone Number (208) 678-0205

5. Date you acquired the property _____

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate 38 Number and type of stock none
 Diversion rate in CFS 0.040 Number of homes 2 Other uses (we have 2 pumps 1 each home) 1-60 ft 1-78 1/2 ft
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) _____
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

201511

PERSONAL REPRESENTATIVES DEED

THIS INDENTURE, made this 8 day of Nov. 1989, 1989, at Burley, Idaho, by and between MAX WILLIAM MOFFETT, Personal Representative of the estate of VERA W. MOFFETT, the party of the first part, and DON CARLOS MOFFETT and ANN MOFFETT, husband and wife, of 5851 Ludlow, Garden Grove, California 92645, the party of the second part.

W I T N E S S E T H:

WHEREAS, under and by virtue of the law in such cases made and provided, the party of the first part has heretofore been appointed and has qualified as, and is the duly appointed, qualified and acting Personal Representative of the estate of VERA W. MOFFETT, deceased; and,

WHEREAS, Letters Testamentary and of Administration were issued by the Magistrate Court of the County of Cassia, State of Idaho, on the 28th day of June, 1989, the Honorable Roy C. Holloway presiding, appointing the party of the first part Personal Representative of the estate of VERA W. MOFFETT, deceased, and said Letters Testamentary and of Administration were thereafter on the 10th day of July, 1989, recorded as Instrument No. 202845 on Film No. 208 in the records of the County Recorder of Cassia County, State of Idaho, and,

WHEREAS, the party of the first part, by virtue of the governing law of the State of Idaho in such case is made and provided, has power over the title to the real property hereinafter described and the authority to transfer and convey the same,

NOW, THEREFORE, the said MAX WILLIAM MOFFETT, Personal Representative of the estate of VERA W. MOFFETT, deceased, party of the first part herein, pursuant to the authority conferred upon him hereinbefore specified, and pursuant to the order of the aforementioned court, has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell, and convey unto the said party of the second part, and to their heirs, and assigns, forever, all of the right, title, interest and estate of the said VERA W. MOFFETT, deceased, at the time of her death and also all the right, title, and interest that said estate may have acquired by operation of the law or otherwise other than or in addition to that of the decedent at the time of her death, and also all of the right, title, interest, and estate of the heirs and devisees of said decedent, in and to all that certain real property located and situated in the County of Cassia, State of Idaho, and more particularly described as follows, to-wit:

The SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER
(SE1SE1) of Section thirteen (13) Township
eleven (11) South, Range twenty three (23)
East Boise Meridian.
All in Cassia County, Idaho.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, and all improvements appurtenant thereto or reasonably necessary to the use thereof, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title, and interest in and to the said property as well in law as in equity of the said VERA W. MOFFETT, deceased, and of the party of the first part.

TO HAVE AND TO HOLD all and singular the above mentioned and described premises, together with appurtenances, unto the party of the second part, and to their heirs and assigns forever; and that said party of the first part and its successors hereby covenant to and with the party of the second part and with their heirs and assigns that said party of the first part is the duly appointed, qualified and acting Personal Representative of the estate of VERA W. MOFFETT, deceased, having full power and authority to convey all the right, title, interest and estates of said decedent and her heirs, devisees, and assigns in and to the above described real property; and that the party of the first part and its successors shall and will warrant and by these presents will forever defend such title to said premises and the quiet and peaceable possession of the party of the second part and their heirs and assigns thereto against the said VERA W. MOFFETT, deceased, and her heirs, devisees and assigns and against all and every person and persons whomsoever and against all lawful claims and demands whatsoever.

IN WITNESS WHEREOF, the party of the first part, Personal Representative of the estate of VERA W. MOFFETT, deceased, as aforesaid, has hereunto set his hand the day and year first above written.

Max William Moffett
Max William Moffett

STATE OF UTAH)
 ss.
County of Salt Lake)

On this 9th day of November, 1989, before me the undersigned, a Notary Public in and for said State, personally appeared Max William Moffett, known to me to be the Personal Representative of the estate of VERA W. MOFFETT, and known to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that he executed the same on behalf of said estate.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Thomas R. Hodge
Notary Public for Utah
Residing at: S.L.C. UTAH
8/21/91

204811

Barrios, Bywater
Rm - 211

Nov 13 4 41 PM '83

CASSIA COUNTY, IDAHO
FRANK PERKINS
REC'D

REC'D KD

P.O. Box 487

Shirley

presented to and paid by
the day clerk
Hartell C. Hallend
Assessor Cassia County
By Shirley
Date

9/89

Water Right Permit No. 45-90-5-025

Injection Permit No. _____

RECEIVED

MAY 10 1990

State of Idaho
Department of Water Resources

Department of Water Resources
Southern Region Office

DRILLING PERMIT

1. Applicant (Please Print) Don C. Moffett
2. Mailing Address Route # 3 Box 3557
Bearley Telephone 654 2779
☒ Well Owner ☐ Well Operator ☐ Other, specify _____
3. Proposed well location SE 1/4 SE 1/4, or Gov't lot No. _____,
Sec. 13, Twp. 11, Rge. 23, County Cassia,
Street Address of Well Site 500 S. 450 E.,
Lot, block and subdivision _____
4. Proposed use of well:
☒ Single family or stockwater use (less than 13,000 gallons per day)
☐ Irrigation (more than 1/2 acre)
☐ Monitoring - A well bore schematic and map is required for each well.
No. of proposed wells: 2
☐ Other (describe fully) _____
5. Well construction information:
A. ☒ New well ☐ Deepen ☐ Replace - See Condition 9.
B. Proposed surface diameter _____ Maximum depth _____
C. Anticipated bottom hole temperature:
☒ 85°F or less (Cold water well)
☐ 85°F to 212°F (Low temp. geothermal well)
☐ 212°F or more (Geothermal well)
6. Construction Start Date 5/11/90
7. Anticipated Well Driller Eaton Drilling
NOTE: The actual well driller must be identified prior to drilling.
8. Applicant's signature [Signature] Date 5/10/90
Title owner
(Owner, Firm Representative, Other)

ACTION OF DEPARTMENT OF WATER RESOURCES

This Permit is Approved

Date 5/10/90

If approved, this permit authorizes the construction of a well subject to the following conditions. READ CAREFULLY!

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from the above approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Approval of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
8. If a bottom hole temperature of 85°F or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
9. If this permit is for a replacement well, the well being replaced must be abandoned in accordance with Department Rules and Regulations.

SPECIFIC CONDITIONS:

Loren D. Halpin
Signature of Authorized Department Representative

Southern Region MGR
Title

Receipt No. 5012288 Received by mb Fee 10.00 Date 5-10-90

EXTENSION OF DRILLING PERMIT

Extension approved by _____ Approval Date _____
This extension is good for 60 days beyond the above extension approval date.

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

In Re SRBA)

Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 45-10504

NAME AND ADDRESS: VERA W MOFFETT
RT 3 BOX 3555
BURLEY, ID 83318

JUNIA GIBBY
677 S 550 E
BURLEY, ID 83318

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 04/11/1937

POINT OF DIVERSION: T11S R23E S13 SESE Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS

PLACE OF USE: Domestic T11S R23E S13 SESE Within Cassia County

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.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Daniel C. Hurlbutt, JR.
Presiding Judge
Snake River Basin Adjudication

AJ5856NP

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

DATE: SEP-9-1997
PAGE: A-318

RIGHT NUMBER: 45-10504

NAME & ADDRESS: JUNIA GIBBY
RT 3 BOX 3354
BURLEY ID 83318

VERA W MOFFETT
RT 3 BOX 3555
BURLEY ID 83318

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 04/11/1937

POINT OF DIVERSION: T11S R23E S13 SESE Within CASSIA County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within CASSIA County
T11S R23E S13 SESE

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. 11S23E139000

KKC
Claim proofread by: CL
Date: 9-24