

47-12822A

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

 Springer

Case No. 39576

**Water Rights 47-12822, 47-12822A
and 47-12822B**

<u>1</u>	Change of Address
<u>X</u>	Substitution of Party
<u>1</u>	I.C. 42-222 Transfer

Does the change in "ownership" result in a splitting of the water right claimed? ☒ Yes ☐ No

If yes, does the split involve an I.C. 42-222 transfer? ☐ Yes ☒ No

Water Right(s): 47-12822, 47-12822A and 47-12822B

47-12822, 47-12822A and 47-12822B

PAGE 1

From (Claimant/Seller):

Water Right Number: 47-12822

Name of Claimant: JOE L RAND
ELLEN M RAND
Address: DIAMOND VALLEY 24
EUREKA NV 89316
Phone: (702) 237-5429

To (Claimant/Purchaser):

Water Right Number: 47-12822A

Name of Claimant: ELLEN M RAND
JOE L RAND
Address: DIAMOND VALLEY 24
EUREKA NV 89316
Phone: (702) 237-5429

Water Right Number: 47-12822B

Name of Claimant: CRAIG MOORE
SUSAN MOORE
Address: 2467 STADIUM BLVD
TWIN FALLS ID 83301
Phone: (208) 734-7283

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached Amended Director's Reports for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

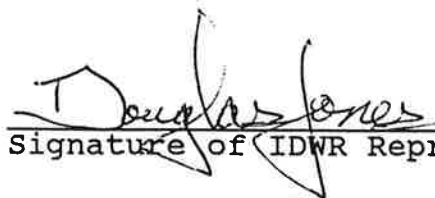
NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
4/16/1999

47-12822, 47-12822A and 47-12822B

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IDWR has served copies of the Notice of Completed Administrative Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 4/22/99



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 4/26/99 I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:

JOE L RAND
ELLEN M RAND
DIAMOND VALLEY 24
EUREKA NV 89316
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

ELLEN M RAND
JOE L RAND
DIAMOND VALLEY 24
EUREKA NV 89316

CRAIG MOORE
SUSAN MOORE
2467 STADIUM BLVD
TWIN FALLS ID 83301
4. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
4/16/1999

47-12822, 47-12822A and 47-12822B

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5. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person or attorney mailing the form

AJ5859NP

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

DATE: APR-20-1999
PAGE: A-1

RIGHT NUMBER: 47-12822

SPLIT RIGHT: SEE RIGHT NOS. 47-12822A AND 47-12822B.

AJ5856NP

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

DATE: APR-20-1999
PAGE: A-3

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 47-12822A

NAME & ADDRESS: ELLEN M RAND
JOE L RAND
DIAMOND VALLEY 24
EUREKA NV 89316

SOURCE: GROUNDWATER

QUANTITY: 0.03 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT COMBINED WITH RIGHT NO.
47-12822B SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 12/31/1908

POINT OF DIVERSION: T10S R15E S01 SWSNW Within TWIN FALLS County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.03 CFS

PLACE OF USE: DOMESTIC Within TWIN FALLS County
T10S R15E S01 SNNW

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
RP10S15E013600

AJ5856NP

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

DATE: APR-20-1999

PAGE: A-4

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 47-12822B

NAME & ADDRESS: CRAIG MOORE
SUSAN MOORE
2467 STADIUM BLVD
TWIN FALLS ID 83301

SOURCE: GROUNDWATER

QUANTITY: 0.03 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT COMBINED WITH RIGHT NO.
47-12822A SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 12/31/1908

POINT OF DIVERSION: T10S R15E S01 SWSNW Within TWIN FALLS County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.03 CFS

PLACE OF USE: DOMESTIC Within TWIN FALLS County
T10S R15E S01 SWNW

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
RP10S15E013600



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

SOUTHERN REGION

March 17, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CRAIG MOORE
SUSIE MOORE
2467 STADIUM BLVD
TWIN FALLS ID 83301

RE: SRBA Claim(s) 47-12822

Dear Claimant:

Please find the enclosed copy of the Notice of Administrative Proceeding which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

After IDWR completes the indicated administrative process, and has modified the SRBA claims, you will be forwarded a Notice of Completed Administrative Proceeding. Please contact this office if you have any questions about the notice or the administrative process.

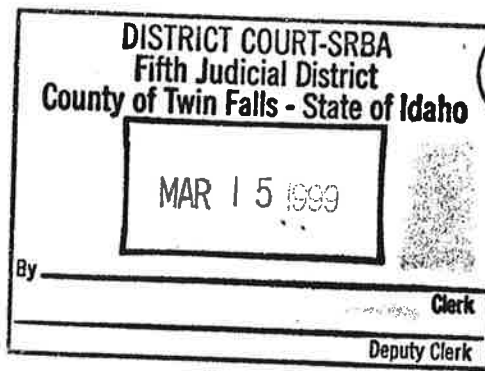
Sincerely,

Trish Fawcett
Technical Records Specialist

/tf

Enclosure

cc: Joe and Ellen Rand



COPY

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

Water Rights: 47-12822

Case No. 39576

NOTICE OF ADMINISTRATIVE
PROCEEDING

IDWR has received an application for an Administrative Proceeding for the above
water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated
below:

☐ Substitution of Party (waiting for documentation)

☒ Substitution of Party/Split Water Right

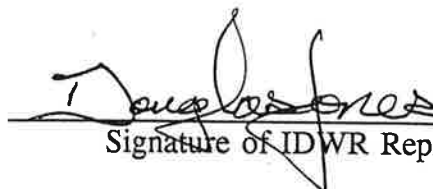
☐ I.C. § 42-222 transfer

☐ point of diversion ☐ place of use

☐ period of use ☐ nature of use

IDWR projects the Administrative Proceeding shall be completed no later than:
April 26, 1999.

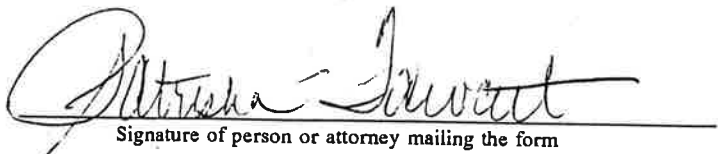
DATED: 3/15/99


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 3/15, 1999, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Joe L Rand
Ellen M Rand
HC 62 Box 140
Eureka NV 89316
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
Craig Moore
Susie Moore
2467 Stadium Blvd
Twin Falls ID 83301
4. One copy to:
Each party in the subcase, or attorney of record
5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

RECEIVED

JAN 15 1998

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Southern Region

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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).: 47-04286, 47-04288
Adjudication Claim No(s).: 47-04286, A47-04287, 47-04288, A47-12822
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 Joe & Ellen Randal
4. New Owner/Claimant(s) Craig & Susan Moore
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 2467 Stadium Blvd.
City, State and ZIP Code Twin Falls ID ~~83301~~ 83301
New Telephone Number (208) 734-7283
5. Date you acquired the property 1/7/98
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. Split A47-12822
Number of acres you irrigate _____ Number and type of stock _____
Diversion rate in CFS 03 Number of homes 1 Other uses _____
- 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) Craig Moore
(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..

10571ml

WARRANTY DEED

FOR VALUE RECEIVED, the JOSEPH L. RAND and ELLEN M. RAND REVOCABLE LIVING TRUST, created by Trust Instrument dated May 9, 1996, whose address is HC 62 Box 140 Eureka, Nevada 89316, by and through Joseph L. Rand and Ellen M. Rand, co-trustees of said trust, hereinafter referred to as "Grantor," do hereby grant, bargain, sell and convey, unto CRAIG A. MOORE and SUSAN L. MOORE, whose address is 2467 Stadium Blvd., Twin Falls, Idaho 83301, hereinafter referred to as "Grantees," the real property described in Exhibit "A" attached hereto and incorporated herein by this reference.

To have and to hold the said premises and their appurtenances unto the said Grantees, their successors and assigns, forever.

The said Grantor does hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that said premises are free from all encumbrances; and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED this 7th day of January, 1998.

Joseph L. Rand
JOSEPH L. RAND

Ellen M. Rand
ELLEN M. RAND

STATE OF IDAHO)
)ss.
County of Twin Falls)

On this 7th day of January, 1998, before me, a Notary Public, in and for said County and State, personally appeared JOSEPH L. RAND and ELLEN M. RAND, known or identified to me to be the Co-Trustees, of the Joseph L. Rand and Ellen M. Rand Revocable Living Trust, the trust that executed the foregoing instrument, and acknowledged to me that they executed the same in that trustee capacity.

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



Marta S. Limone
NOTARY PUBLIC FOR IDAHO
Residing at: Buhl
My commission expires: 9-8-99

12309702.JER/by

TITLEFACT, Inc.

WARRANTY DEED - 1

1998 JAN - 7 P 4:49
ROBERT S. FORT
EX-OFFICIO RECORDER
FEE \$1200
DEPUTY: CF

19980002691

EXHIBIT "A"

A parcel of land being portions of the S1/2NW1/4 and SW1/4 of Section 1, Township 10 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho and more particularly described as follows:

COMMENCING at the Northwest Corner of said Section 1, from which the west one quarter (W1/4) corner of Section 1 bears S00°10'55"E-2872.83 feet. THENCE S00°10'55"E along the west boundary of the NW1/4 of Section 1 for a distance of 1548.95 feet to the northwest corner of the S1/2NW1/4 of Section 1, thence N89°57'13"E along the north boundary of the S1/2NW1/4 of Section 1 for a distance of 660.82 feet to the true point of beginning:

THENCE continuing N89°57'13"E along the north boundary of the S1/2NW1/4 of Section 1 for a distance of 1985.32 feet to the northeast corner of the S1/2NW1/4 of Section 1;

THENCE S00°03'35"E along the east boundary of the W1/2 of Section 1 for a distance of 3044.23 feet to a point on the northerly right-of-way boundary of the Union Pacific Railroad;

THENCE N63°41'55"W along the northerly right-of-way boundary of the Union Pacific Railroad for a distance of 329.33 feet to the point of curve of a curve left;

THENCE northwesterly along the northerly right-of-way boundary of the Union Pacific Railroad on the arc of the curve left for a distance of 650.28 feet to the point of tangent, said arc having a radius of 5729.58 feet and a long chord bearing and distance of N66°57'00"W--655.60 feet;

THENCE N70°12'05"W along the northerly right-of-way boundary of the Union Pacific Railroad for a distance of 1570.26 feet;

THENCE leaving the railroad right-of-way on a bearing of N00°24'46"E for a distance 458.21 feet;

THENCE N28°48'00"E for a distance of 344.55 feet;

THENCE N18°57'21"E for a distance of 35.03 feet;

THENCE N03°08'45"E for a distance of 327.80 feet;

THENCE N01°05'25"E for a distance of 763.74 feet;

THENCE N37°53'00"E for a distance of 283.77 feet to the true point of beginning.

TOGETHER WITH: all water rights appurtenant thereto, including, but not necessarily limited to, the following: Idaho Water Rights No. 47-04286, No. 47-

04287; and No. 47-04288 and 137.21 shares of the Twin Falls Canal Company.

SUBJECT TO: An easement for the use and maintenance of any and all ditches located within the boundaries of the before described parcel.

AND

A parcel of land located in the SW1/4NW1/4 and NW1/4SW1/4 of Section 1, Township 10 South, Range 15 East, Boise Meridian, Twin Falls County, Idaho and more particularly described as follows:

COMMENCING at the Northwest Corner of said Section 1, from which the west one quarter (W1/4) corner of Section 1 bears S00°10'55"E-2872.83 feet, THENCE S00°10'55"E along the west boundary of the NW1/4 of Section 1 for a distance of 1973.70 feet to a point on the approximate center of an irrigation ditch and being the true point of beginning:

THENCE along the center of the irrigation ditch on the following courses:

N65°01'30"E--135.38 feet;

N63°14'13"E--107.41 feet;

N63°27'50"E--135.66 feet;

N63°41'00"E--106.48 feet;

THENCE leaving the center of the irrigation ditch on bearing of S01°05'25"W for a distance of 773.52 feet;

THENCE N87°24'46"W for a distance of 136.55 feet;

THENCE S01°45'05"W for a distance of 112.95 feet;

THENCE N89°08'55"W for a distance of 278.78 feet to a point on the west boundary of the NW1/4 of Section 1;

THENCE N00°10'55"W along the west boundary of the NW1/4 of Section 1 for a distance of 662.63 feet to the true point of beginning.

TOGETHER WITH: all water rights appurtenant thereto.

SUBJECT TO:

1. A 25.0 foot wide county road easement along the most westerly boundary of the before described parcel.
2. An easement for the use and maintenance of any and all ditches located within the boundaries of the before described parcel.

AND

