

06/14/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-13385

NAME AND ADDRESS: LORENE MOFFAT
PO BOX 531
DRIGGS ID 83422

SOURCE: TETON CREEK

TRIBUTARY: TETON RIVER

QUANTITY: 0.610 CFS

The quantity of water diverted under this water right shall be from the portion awarded to Wyoming and deducted there from as set forth in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941).

PRIORITY DATE: 09/01/1891

POINT OF DIVERSION:

T05N R46E S20 SESWNE Lot 2 Within TETON County

The point of diversion for this water right is in Wyoming, T44N, R118W, Sec. 20 SESESE, 6PM.

The point of diversion shown above is where the conveyance system enters Idaho.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.610 CFS

PLACE OF USE: IRRIGATION Within TETON County

T05N R46E S29	NENW	15.00	T05N R46E S29	NWNW	40.00
T05N R46E S29	SWNW	8.40	T05N R46E S29	SENW	3.30

66.7 ACRES TOTAL

66.7

The rights listed below are limited to the irrigation of a combined total of acres in a single irrigation season. Combined Right Nos.: 22-13385, 22-13387

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

This water right is also recorded as Wyoming Certificated Water Right No. _____.

This water right is subject to the delivery provisions contained in Roxana Canal Co. v. Daniels, Equity No. 2447 (D. Wy. Feb. 4, 1941) ("Roxana decree"). Nothing in this Partial Decree is intended to relieve or alter the state of Idaho nor the state of Wyoming from their obligations contained in the Roxana decree.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This claim is based on a portion of decreed right 22-567

Water is delivered through Waddell Ditch.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

February 2, 2007

LORENE MOFFAT
1445 TRINNAMAN LN
LEHI UT 84043-9738

RE: CHANGE OF ADDRESS FOR 22-13385, 22-13387

Dear Ms. Moffat:

Please fill out the enclosed change of address form and mail back to me. We need signed permission to update your address in our database.

Sincerely,

Jennifer Crabtree
Technical Records Specialist

Enclosure

SCANNED
JUN 06 2007

★ ★  TM
U.S. POSTAGE
1311 PB3523907
8942 \$00.630 JAN 05, 2007
8478 MAILED FROM ZIP CODE 83402

WATER RESOURCES
FIELD OFFICE
C. LINE DR.
IDAHO 83402

ADDRESS SERVICE
REQUESTED

RECEIVED
JAN 29 2007

Department of Water Resources
Eastern Region

- ☒ Delivered as Addressed
- ☐ Invalid Address
- ☐ Moved - No Address
- ☐ Undelivered - Refused
- ☐ Attention Not Known
- ☐ No Street/Street Number
- ☐ Vacant/Inhabitable
- ☐ No Mail Receptacle
- ☐ Box Closed No Order
- ☐ Returned For Better Address
- ☐ Postage Due _____

SCANNED
JUN 06 2007

MOFF531 T834222026 1B06 12 01/08/07

MOFFAT, LORENE
1445 TRINNAMAN LN
LEHI UT 84043-9738



DR

22-13385

22-13387

MOFF445 840431015 1N 19 01/13/07
UNABLE TO FORWARD

NO FORWARD ORDER ON FILE

RETURN TO POSTMASTER
OF ADDRESSEE FOR REVIEW

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

RECEIVED
FEB 07 2007
Department of Water Resources
Eastern Region

[] Water Right Number(s): 22-13385, 22-13387

[] Name(s):

Lorene Moffat

[] Old Mailing Address:

P.O. Box 531

Driggs Idaho 83422

[] New Mailing Address:

There is no new
address. Mail is being
forwarded to Lehi, UT
for the winter while

Telephone Number:

() - Lorene is staying thru
She will return to home
in April

For questions call 801-766-9138

[] Signature(s) of Owner(s)

SCANNED

APR 26 2007

(Include your title if on behalf of company or organization)

Date: 2-5-07

PROFILE

*No change
needed
jc
3/23/07*

05/17/2005

**NOTICE OF ERROR
REPLY**

1559.25

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-13385

Lorene Moffat

BOX 531

DRIGGS ID 83422

Telephone Number: (208) 354-2282

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 06-07-05

SIGNATURE:

Lorene Moffat

Please print your name:

Lorene moffat

IDWR Regional Office,

RECEIVED

JUN 14 2005

Department of Water Resources
Eastern Region

SCANNED

JUN 16 2005

PROFILED

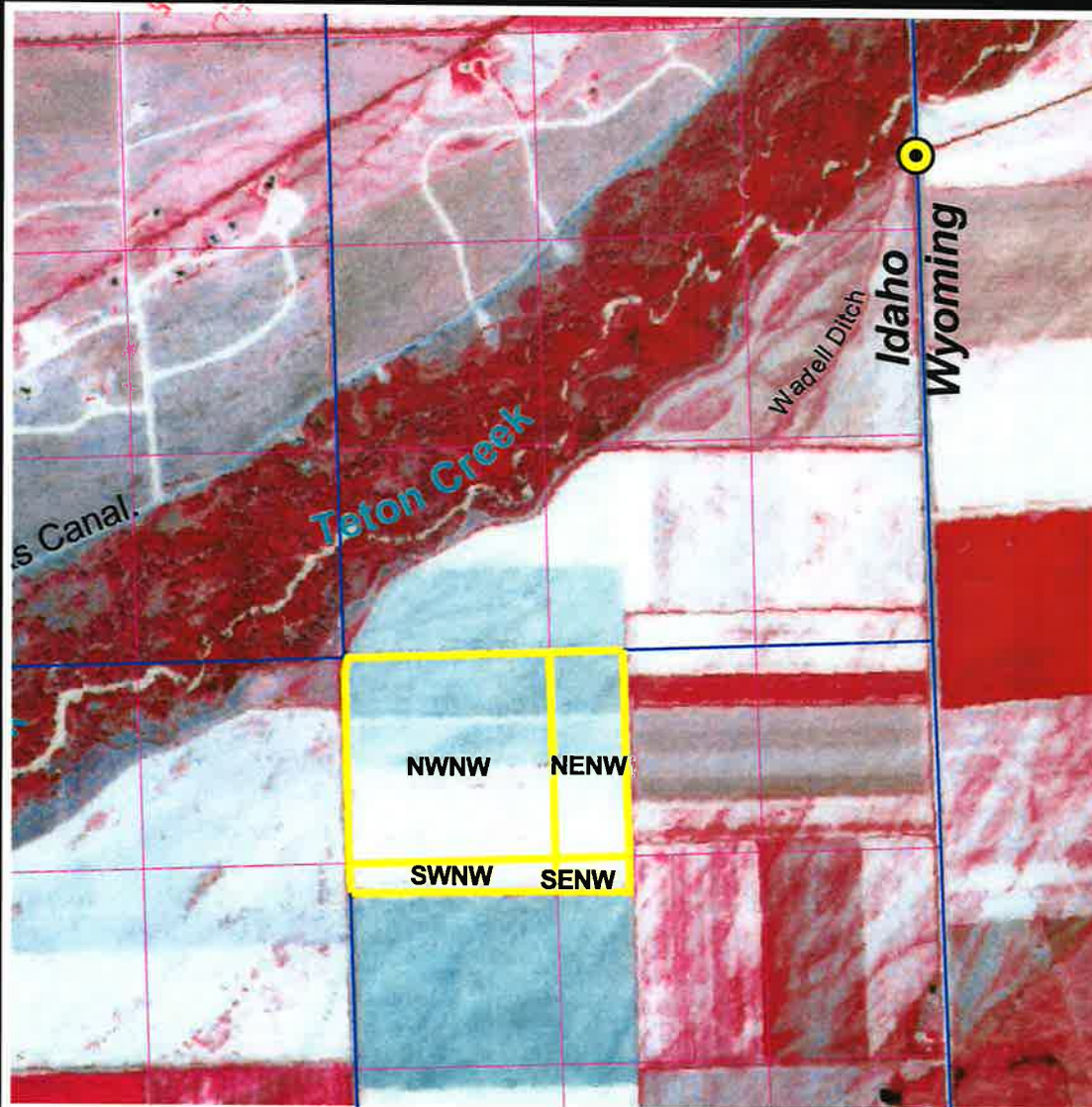
KMJ
6/16



State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):
22-13385
22-13387

Point(s) of Diversion:
T05N R46E
Sec. 20 SWSWSE

Place of Use (parts of):
T05N R46E
Sec. 29 NENW, NWNW, SWNW
SENW

Delivered through the Wadell Ditch.

LEGEND

- ⊙ Point of Diversion
- Place of Use
- Section
- Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: S. Porter
Date: April 2005

Contacts Data Entry Form

Claim Number: _____

Owner Type	Full Name	Address	City	State	Zip
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Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Name connector: and _____, or _____, and/or _____.

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No.: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.

See 22-13213 for field exam & notes

Split of 22-13213

1.88 cb

22-13384 B. Bowles 1.27 cb 144 acres

214 acres

22-13385 B. Bowles .41 cb 70 acres

1.88 cb 214 acres

Q limits to $62.2 \text{ ac} \times 1.02 = 1.24 \text{ cfr}$
Combine 13385 & 13387.

Reviewer: _____ Date: _____

PROFILED

SCANNED

JUN 21 2005

Teton Creek

19 20
30 29

BOWLES, BOYD

MOFFAT, WILLIS F FAMILY TRUST

T5N, R46E

BOWLES, BOYD

IDAHO
WYOMING

JUN 2 1 2005

SCANNED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

DELOG
AR 3/21/05

RECEIVED
MAR 21 2005

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
A22-13213	—	—	—	—	—
A22-13214	—	—	—	—	—
—	—	—	—	—	—
—	—	—	—	—	—
—	—	—	—	—	—

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Boyd Bowles
26/E. 2005, Driggs, ID 83422

4. New Owner/Claimant(s)

Lorene Moffat

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

Box 531

City, State and ZIP Code

Driggs, ID 83422

New Telephone Number

(208) 354-2282

5. Date you acquired the property

March 18, 2005

State Of Idaho
Department Of Water Resources
Eastern District Office
900 N. Skyline Dr., Suite A
Idaho Falls, Id83402-1718

RECEIVED

MAR 21 2005

Department of Water Resources
Eastern Region

RE: Ownership of Property

Attn: Al

Dear Sirs:

Pursuant to our phone conversation this past week, please find enclosed the notice of change in water right ownership form which was requested. The property in question has for the past several years been leased to Mr. Boyd Bowles. He has now chosen to discontinue the lease. The property has belonged to Willis F. and Lorene L. Moffat since 1959. The enclosed warranty deed will indicate this fact.

If there is other documentation needed please don't hesitate to contact us. Thank you in advance for your help in this matter.

Sincerely,



Greg Moffat

MAR 21 2005

WARRANTY DEED

Department of Water Resources
Eastern Region

THIS INDENTURE, Made the 4th day of November, in the year of our Lord, One Thousand Nine Hundred and fifty-nine, between B. Fred Weston and Hilda D. Weston, his wife, of the County of Teton, and State of Idaho, the parties of the first part, and Willis F. Moffat and Lorene L. Moffat, his wife, of the County of Teton, and State of Idaho, the parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of - - - - Ten and no/100 - - - and other valuable consideration - - - - - DOLLARS lawful money of the United States of America to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, do by these presents, Grant, Bargain, Sell and Convey and Confirm unto the said parties of the second part and to their heirs and assigns forever all that certain lot, piece or parcel of land situate, lying and being in the County of Teton, and the State of Idaho, and bounded and described as follows, to-wit:

Beginning at the Northwest corner of Section twenty-nine, Township five North, Range forty-six, E.B.M., and running thence East 110.5 rods; south 94.5 rods; West 110.5 rods; and north 94.5 rods to the place of beginning, Xtogether with all water rights;

(REVENUE STAMPS ATTACHED AND CANCELLED IN THE AMOUNT OF \$9.35)

together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or in any wise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said premises together with all appurtenances and privileges thereunto incident, unto the said parties of the second part, to their heirs and assigns forever. And the said parties of the first part and their heirs the said premises in the quiet and peaceful possession of the said parties of the second part their heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person or persons whosoever, lawfully claiming or to claim the same, shall and will warrant any, or by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in the presence of /s/ B. Fred Weston (SEAL)

/s/ Hilda D. Weston (SEAL)

STATE OF IDAHO)
) ss.
County of Teton)

On the 21st day of December, in the year 1959, before me, H. S. Forbush, a notary public in and for said County and State, personally appeared B. Fred Weston and Hilda D. Weston, his wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

(SEAL)

/s/ H. S. Forbush
Notary Public, residing at
Driggs, Idaho

My Commission Expires Dec. 21, 1961.

Inst. No. 57904

CERTIFICATE OF TRUE COPY

I, Dwight C. Stone, Auditor and Recorder, in and for Teton County, State of Idaho, do hereby certify that the attached is a full, true and correct copy of that certain Warranty Deed from B. Fred Weston et ux to Willis F. Moffat et ux, and recorded in Book 81 of Mortgages, at Page 577, Records of Teton County, filed for record January 4th, A. D. 1960, at 2:30 o'clock P. M., and now on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 30th day of August, A. D. 1960.

Dwight C. Stone

Auditor and Recorder.

By

Carla N. Bagley

Deputy.

TO WHOM IT MAY CONCERN:

Be it known that the Northwest Quarter of Section 29, Township 5 North, Range 46 E.B.M., part of which is now owned by Willis Moffat, of Driggs, Idaho, is entitled to use of irrigation water out of Teton Creek under Decree dated Sept. 1st, 1891, to Mrs. L. E. Waddell, which is on record in Book 11 of Judgments Pages 27 and 106, of the records of our office.



Dwight C. Stone

Dwight C. Stone,
Auditor and Recorder.

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 22-13385
Date Received: 5/17/2005
Receipt No:
Received By:

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

1. Name of Claimant(s)

Lorene Moffat Phone: (208) 354-2282
BOX 531
DRIGGS ID USA 83422

2. Date of Priority: 09/01/1891

3. Source: TETON CREEK Trib. to: TETON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	46E	20	SW NE 2	TETON	

5. Description of diverting works:

Wadell Ditch enters Idaho at the Point of Diversion described above. The actual heading is at T44N R118W Section 20 SESE in Wyoming.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	0.61	

7. Total Quantity Appropriated is:
0.61 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
05N	45E	29	NW NW	IRRIGATION	40
Section Acres					40

05N	46E	29	NE	NW	IRRIGATION	15
			SW	NW	IRRIGATION	10
			SE	NW	IRRIGATION	5
					Section Acres	30
					Total Acres	70

11. Place of use in counties: TETON

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

13. Other Water Rights Used:

14. Remarks:

This claim is based on a portion of decreed right 22-567.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

This right is a split from former right 22-13213.

See file 22-13213 for field exam and notes.

15. Basis of Claim: Decreed

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)
) SS.
 County of _____)

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

PROFILE

SCANNED
JUN 21 2005