

07/08/2003

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

RIGHT NUMBER: 25-11540

NAME AND ADDRESS: NIKKI JEAN MOBLEY
674 N 3600 E
MENAN ID 83434

VERNONN L MOBLEY
674 N 3600 E
MENAN ID 83434

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.020 CFS

The quantity of water under this right shall not exceed 2,500 gallons per day.

PRIORITY DATE: 04/01/1944

POINT OF DIVERSION:

T05N R38E S33 SENENE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
COMMERCIAL

PERIOD OF USE
1/01 12/31

QUANTITY
0.020 CFS

PLACE OF USE: COMMERCIAL Within JEFFERSON County

T05N R38E S33 NENE

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.

EXPLANATORY MATERIAL: Beneficial Use

Water Right 25-11540

SCANNED

NOV 01 2004

PROFILE

OK JC
12-1-04
data entry done
12-1-04

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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 (under the "split" heading), 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
	25-11540				

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) is 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)

NIKKI JEAN + VERNON MOBLEY
674 N 3600 E, MENAN, ID 83434

4. New Owner/Claimant(s)

NIKKI JEAN MOBLEY

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

New Mailing Address

674 N 3600 E, PO BOX 113

City, State and ZIP Code

MENAN, ID 83434

New Telephone Number

(208) 754-0475

5. Date you acquired the property

PROFILED

SCANNED

JAN 03 2005

RECEIVED
DEC 01 2004
Department of Water Resources
Eastern Region

L-Vault

CERTIFICATE OF VITAL RECORD

STATE OF IDAHO
IDAHO DEPARTMENT OF HEALTH AND WELFARE
BUREAU OF HEALTH POLICY AND VITAL STATISTICS

Date Filed DECEMBER 02, 2002 **CERTIFICATE OF DEATH**

State File No. 2002-08548

DECEDENT - NAME VERNNON LUALLEN MOBLEY				AGE 63 YEARS	
DATE OF DEATH NOV. 26, 2002		SEX MALE	SOCIAL SECURITY NUMBER 518-52-2898	DATE OF BIRTH DEC. 12, 1938	
BIRTHPLACE IDAHO		WAS DECEDENT EVER IN U.S. ARMED FORCES? NO		MARITAL STATUS MARRIED	
SURVIVING SPOUSE (If wife, maiden name) NIKKI JEAN JACOBS		CITY, TOWN OR LOCATION OF DEATH MENAN, IDAHO			
RESIDENCE STATE IDAHO		CITY, TOWN OR LOCATION MENAN			
FATHER - NAME ROY ANDREW MOBLEY					BIRTHPLACE NEBRASKA
MOTHER - FULL MAIDEN NAME NELLIE ETHEL ORMOND					BIRTHPLACE IDAHO
NAME AND ADDRESS OF MORTUARY ECKERSELL MEMORIAL CHAPEL, RIGBY, IDAHO					
FUNERAL SERVICE LICENSEE BRADLEY YOUNGSTROM					
METHOD OF DISPOSITION BURIAL		TIME OF DEATH 7:00 A.M.		MANNER OF DEATH NATURAL	
CAUSE OF DEATH (underlying cause last) MYOCARDIAL INFARCTION					Approximate Interval Between Onset and Death MINUTES
DUE TO (or as a consequence of): a.					
b.					
DUE TO (or as a consequence of): c.					
DUE TO (or as a consequence of): d.					
OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH but not resulting in the underlying cause given above NONE LISTED					AUTOPSY PERFORMED? NO
NAME OF CERTIFIER BRUCE KARREN				TITLE OF CERTIFIER CORONER	
CORONER REVIEW AREA					
ACTION				NAME	
EXTERNAL CAUSES ONLY					
DATE OF INJURY		HOUR OF INJURY		INJURY AT WORK?	
DESCRIPTION OF HOW INJURY OCCURRED					
PLACE OF INJURY		LOCATION OF INJURY			

PROFILED

**SCANNED
JAN 03 2005**

This is a true and correct reproduction of the document officially registered and placed on file with the IDAHO BUREAU OF HEALTH POLICY AND VITAL STATISTICS.

DATE ISSUED: DECEMBER 11, 2002

This copy is not valid unless prepared on engraved border displaying state seal and signature of the Registrar.

Jane S. Smith
JANE S. SMITH
STATE REGISTRAR



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 25-11540 V1

WATER RIGHT NUMBER: 25-11540 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NIKKI JEAN MOBLEY 674 N 3600 E P O BOX 113 MENAN, ID 83434-0113 (208)754-0475
Original Owner	VERNNON L MOBLEY 674 N 3600 E MENAN, ID 83434 (208)754-0475

Priority Date: 04/01/1944

Basis: Beneficial Use

Status: Active

Source Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
COMMERCIAL	1/01 to 12/31	0.020 CFS	
<u>Total Diversion:</u>		0.020 CFS	

Location of Point(s) of Diversion

GROUND WATER

SE1/4NE1/4NE1/4

Sec. 33, Twp 05N, Rge 38E, B.M.

JEFFERSON County

Place of Use

COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	38E	33	X																

Conditions of Approval:

1. C18 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.
2. n06 The quantity of water under this right shall not exceed 2,500 gallons per day.

Remarks:

SCANNED
JAN 03 2005

November 18, 2004

NIKKI JEAN MOBLEY
674 N 3600 E
P O BOX 113
MENAN, ID 83434-0113

Dear Mrs. Mobley,

We recently received your notice of error reply for adjudication claim no. 25-11540, stating that Vernnon passed away in 2002. I have filled out a change of ownership form for you, but I need your signature on line 7 along with a copy of Vernnon's certificate of death. Once we receive those items we will remove Vernnon's name from the claim.

Please contact me at 525-7161 if you have questions.

Sincerely,

Michael Holliday
Water Resource Agent
Adjudication Bureau

SCANNED
DEC 01 2004

PROFILED

Colo
Sent 11/05/04

MH

12/02/2003

**NOTICE OF ERROR
REPLY**

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: 25-11540

NIKKI JEAN MOBLEY
674 N 3600 E

MENAN ID 83434

Telephone Number: (208)754-0475

~~VERNON L MOBLEY~~

~~674 N 3600 E~~

~~MENAN ID 83434~~

~~Telephone Number: (208)754-0475~~

Deceased as of November 26, 2002

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:

Vernnon's name can be removed due to death on November 26, 2002

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

X I AGREE with this proposed recommendation: no changes need to be made. (except taking Vernnon's name off)

DATE: 10/21/04

SIGNATURE: Nikki Jean Mobley

Please print your name: Nikki Jean Mobley

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

SCANNED
NOV 01 2004

PROFILED

RECEIVED
NOV 01 2004
Department of Water Resources
Eastern Region

May 28, 1991

SCANNED

A25-11540

My father, Roy H. Mobley, had the warehouse built in 1944. the sandpoint pipe for the well was driven down before the cement floor of the warehouse was poured. the main uses of the water used at the warehouse is for the boiler to provide steam to extract honey and cleaning the sticky floors after extracting. Other uses of water at the warehouse is mixing water, sugar, & honey together to make a feed for feeding honey bees in the spring time.

I, Vernon L. Mobley, bought the Warehouse & business from my mother in 1973 and testify the above statements to be true.

I believe all the people who built the warehouse are all dead. my father died in 1970.

Vernon L. Mobley

Notary Public for Idaho Gary A. Walker

Residing at Meridian

My Commission expires June 16, 1992.

MICROFILMED

NOV 11 1992

May 1, 1991

Vernnon L. Mobley
P.O. Box 113
Menan, ID 83434

RE: Evidence of Priority

Dear Mr. Mobley:

The Notice of Claim identified with the number shown at the end of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates the water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date.

For your reference I have provided a printout of your Notice and the pamphlet entitled **"Evidence of Priority"**. The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled **"What Kind of Evidence is Required"** and **"Some Examples of Documents Which May Be Evidence of the Priority Date"**.

It is our goal to recommend this historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel. But, the **Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.**

MICROFILMED

NOV 11 1992

Vernnon L. Mobley

Page 2

Please submit the required evidence supporting the priority date by **June 1, 1991**, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. every effort should be made to submit this information within 30 days of the date of this letter.

Respectfully submitted,

Ernest Carlsen
Water right Supervisor, Adjudication

EC:sc

Enclosure: Brochure on "Evidence of Priority"
Proof Report

A25-11540
VERNNON L. MORLEY
NIKKI JEAN MOBLEY
P.O. BOX 113
MENAN

JN 83434

MICROFILMED

NOV 11 1992

125 11540

WARRANTY DEED

THIS INDENTURE, Made this 23rd day of January, 1973,
by and between NELLIE ETHEL MOBLEY, a widow

of the County of Bonneville, State of Idaho, the party of the first
part, and VERNON L. MOBLEY and NIKKI JEAN MOBLEY, husband and wife

of the County of Jefferson, State of Idaho, the parties of the second
part.

WITNESSETH, That the said part y of the first part, for and in consideration of the sum of
SIX THOUSAND FIVE HUNDRED and No/100 DOLLARS
lawful money of the United States of America, and other good and valuable considerations, to her
in hand paid by part ies of the second part, the receipt whereof is hereby acknowledged, has
granted, bargained and sold, and by these presents do es grant, bargain, sell, convey and confirm
unto the said part ies of the second part and to their heirs and assigns forever, all the follow-
ing described real estate, situate in the County of Jefferson, State of Idaho, to wit:

Commencing at a point 52 rods South of the NE Corner of the NE 1/4
of Section 33, Township 5 North, Range 38 East of the Boise Meridian,
Jefferson County, Idaho, running thence South 10 rods; thence West
6 rods; thence North 10 rods; thence East 6 rods to the place of
beginning.

Subject to Easements and Rights of Ways for Highways, Roads, Ditches,
Canals, Pole, Power and Transmission lines as they exist.

PLATTED BY
WEARL C. CRYSTAL, Assessor
By WCC
Deputy



Microfilm No. 164867
24 Day Jan 1973
At 9:30 O'Clock, A.M.
Chris R. Hemmen
Jefferson Co. Recorder
Fee \$200 D.L. Deputy
Recorded At Request of
O. J. Jones

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto be-
longing or in anywise appertaining, and the reversion or 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 part y of the first part.

TO HAVE AND TO HOLD, All and singular, the above mentioned and described premises, to-
gether with the appurtenances, unto the part ies of the second part, and to their heirs and
assigns forever. And the said part y of the first part, and her heirs, the said premises
in the quiet and peaceable possession of the said part ies of the second part, and their heirs
and assigns against the said part y of the first part and her heirs and against all and
every person and persons, whomsoever lawfully claiming or to claim the same, shall and will WAR-
RANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said part y of the first part ha s hereunto set her
hand and seal the day and year first above written.

Signed, sealed and delivered in the
presence of

Sandra Heribel

Nellie Ethel Mobley (SEAL)
(SEAL)
(SEAL)
(SEAL)

Inst. # 74180 A25 11540
This Indenture, Made the 30th day of March in the year of our L

thousand nine hundred and forty-four, between
ALICE AMERIAM ANDREW and R. G. ANDREW, her husband
County of Jefferson and State of Idaho the parties of the first part,

ROY A. MORLEY
County of Jefferson and State of Idaho the party of the second part

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

Commencing at a point 52 rods South of the Northeast corner of the Northeast Quarter
of Section 33, Township 5 North, Range 36 East Boise Meridian; and running thence
South 10 rods; thence West 6 rods; thence North 10 rods; thence East 6 rods to
the place of beginning, being in Jefferson County, State of Idaho.

(FIFTY-FIVE CENTS IN U. S. I. R. STAMPS ATTACHED AND CANCELLED.)

Doc 5-422
Filed April 26 '71
Case # 422
Nellie Ethel Mobley

with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the rents
and profits thereof.

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

Signed, Sealed and Delivered in the Presence of
ELSTIE M. LARSEN
GEORGE M. LARSEN
ALICE AMERIAM ANDREW SEA
R. G. ANDREW SEA
SEA

STATE OF IDAHO,
County of Jefferson, ss. On this 30th day of March, in the year 1944, before me
George M. Larsen a Notary Public in and for said County and State
personally appeared Alice Ameriam Andrew and R. G. Andrew, her husband
known to me to be the parties to the within instrument, and acknowledged to me that they executed the same.

RELEASE OF REAL ESTATE
MORTGAGE

In consideration of the sum of One Dollar to it paid, receipt whereof is confessed, Beneficial Life Insurance Company, hereby releases the following described tract, to-wit:

Commencing at a point 52 rods South of the Northeast corner of the Northeast Quarter of Section 33, Township 5 North, Range 38 East Boise Meridian; and running thence South 10 rods; thence West 6 rods; thence North 10 rods; thence East 6 rods to the place of beginning, being in Jefferson County, State of Idaho,

from the lien and operation of that certain mortgage which was executed by Alice Ameriam Andrew and R. G. Andrew, her husband, under date of July 5th, 1938 and recorded August 31st, 1938 in Book 123 of Mortgages, at page 157 records of Jefferson County, State of Idaho, and from the lien and operation of that certain mortgage which was executed by Alice Ameriam Andrew and R. G. Andrew, her husband, under date of January 9th, 1942 and recorded January 13th, 1942 in Book 135 of Mortgages at page 107 records of Jefferson County, State of Idaho.

This partial release is given with the understanding and upon the condition that it shall not discharge from the lien of said mortgage any lands now covered thereby save and excepting the parcel herein above specifically described.

IN WITNESS WHEREOF, said Insurance Company has caused these presents to be executed by its proper officers the 15th day of November, 1943.

Beneficial Life Insurance Company

By:

Geo. J. Cannon
Vice-President.

Attest:

W. J. Williams
Assistant Secretary

STATE OF UTAH)

(ss.

COUNTY OF SALT LAKE)

On this 15th day of November, in the year 1943, before me, Max E. Jenson, a Notary Public, personally appeared Geo. J. Cannon, known to me to be the Vice-President of the Corporation that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.

Max E. Jenson
Notary Public.

My Commission Expires: 8-10-44
Residing at: Salt Lake City, Utah

MS

AUG 11 2001

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: A25-11540
Date Received: 11/28/1988
Receipt No: E004511
Received By: TO

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VERNNON L. MOBLEY 208-754-0475
Address: ~~P.O. BOX 113~~ 674 N 3600 E
MENAN, ID 83434

OR

Name: NIKKI JEAN MOBLEY 208-754-0475
Address: P.O. BOX 113
MENAN, ID 83434

2. Date of Priority: JUL 01, 1940

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	38E	33	SE	NE	NE		JEFFERSON

5. Description of diverting works:
WELL/PUMP FOR HONEY BEES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
C/WAREHOUSE FOR HONEY PRODUCTION

A25-11540

Page 1

Date: 11/28/88

MICROFILMED
NOV 11 1992

A2511540



10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	38E	33	NE NE		COMMER	

11. Place of use in counties: JEFFERSON

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): A Vernon L. Mobley Date: 11/28/88

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 28 day

of November 19 88

Anthony L. Oberhel
Notary Public

Seal

Residing at Idaho Falls

My Commission Expires 7/12/1994