

decreed

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

RECEIVED
AUG 17 1998

Department of Water Resources
Southern Region

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SEP 15 1998

DEPARTMENT OF WATER RESOURCES

1. Water Right No(s).: 45-11489
Adjudication Claim No(s).: AJ5855NP
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.
 - 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 RUBY GOCHNOUR
1819 CONANT, BURLEY, ID 83318
4. New Owner/Claimant(s) RAY AND KATHERINE MUIR
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 2034 ALMO AVE.
City, State and ZIP Code BURLEY, ID 83318
New Telephone Number (208) 678-3496
5. Date you acquired the property Dec 1992
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 2 Number and type of stock calves - 8 - 6
Diversion rate in CFS _____ Number of homes 1 Other uses garden
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) Ray W Muir
- (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.

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INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at **Item 1**. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at **Item 3**.
4. The name, mailing address, and telephone number of the new owner(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6**.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

IDWR Southern Region, 1341 Fillmore St. N., Twin Falls, ID 83301-3380 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

2
15.2

T9137

N10
T10
R22
S33

DEFILED

67.2

T210.

75.8

2
66.6

29 28 36.3

9.6

27 43.3

32

T207

7.0

34

SEE N12

T1840

2

29.3

3

54.5

36.5

WARRANTY DEED

RECEIVED
AUG 17 1998
Department of Water Resources
Southern Region

For Value Received

L. QUINN YARBROUGH and SHARON R. YARBROUGH, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

RAY W. MUIR and KATHERINE G. MUIR, husband and wife

Address: 2034 Almo Avenue
Burley, Idaho 83318

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

See attached Exhibit "A" for legal description

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.

SUBJECT TO:

All reservations in Patents or Deeds in the chain of title.

Accruing taxes, levies and assessments; easements and rights-of-way of record, if any.

Deed of Trust in favor of Ruby E. Gochnour, which the Grantee by acceptance of this deed assumes and agrees to pay the balance thereof.

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TOWNSHIP 10 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 33: Part of the NW¼NE¼ of Section 33, more particularly described as follows:

Beginning at the Northeast corner of the NW¼NE¼ of Section 33, said corner marked by a 1½ inch iron pipe; Thence North 90°00'00" West along section line for 22.50 feet to a P.K. Nail which shall be the Point of Beginning;
Thence South 0°05'30" West for 229.01 feet to a ½ inch rebar;
Thence North 90°00'00" West for 591.08 feet to a ½ inch rebar;
Thence North 90°00'00" West for 25.00 feet to a point on the centerline of the J 38 Irrigation Lateral;
Thence North 50°52'12" East along the centerline of said irrigation lateral for 362.89 feet to a P.K. Nail on section line;
Thence North 90°00'00" East along section line for 334.95 feet to the Point of Beginning.

SUBJECT TO a 25 foot wide county road right of way along the North side and a 15 foot wide irrigation lateral along the West side.

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AUG 22 2000

IDAHO DEPARTMENT OF WATER RESOURCES
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT
OF WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: February 27, 1998
PAGE: 1

RIGHT NUMBER: 45-11489

NAME AND ADDRESS: RUBY GOCHNOUR
1819 CONANT
BURLEY ID 83318

SOURCE: GROUNDWATER

QUANTITY: 0.08 CFS

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

PRIORITY-DATE: 04/15/1948

POINT OF DIVERSION T10S R22E S33 NENENE Within CASSIA County

PURPOSE AND

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

PLACE OF USE:	STOCKWATER	Within CASSIA County
	T10S R22E S33	NENE
	DOMESTIC	Within CASSIA County
	T10S R22E S33	NENE

OTHER MATTERS 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. 10S22E330050
STOCKWATER, 40 DAIRY CATTLE

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Department of Water Resources
Southern Region

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JUL 22 2000

NORTH CORNER
SECTION 28
no corner fnd. (road rebuilt 1990)
reset 5/2" rebar using previous ties
c.p. rec'd 6 Jul 1982
inst. no. 144687

28 N 90°00'00"W
973.95'

N 50°52'12"E
362.89'

J 38 Irrigation Lateral

PARC

2.50 a

L2

N 90°00'00"W
591.08'

LINE	BEARING	DIS.
L 1	N 90°00'00"W	2.50
L 2	N 90°00'00"W	2.50

NOTE

- - SET IRON PIN (1/2" x 24" rebar) or P.K. NAIL w/ L.S. no. attached.
- - NO CORNER SET.

OTHER SURVEY CONTROL FOUND OR SET
AS NOTED.

CERTIFICATE OF SURVEY

I, Steven C. Pearson, a Registered Professional Land Surveyor, Idaho License No. 3623, do hereby certify that this Record of Survey has been prepared from a survey made on the ground under my supervision and that this map is an accurate representation of said survey.

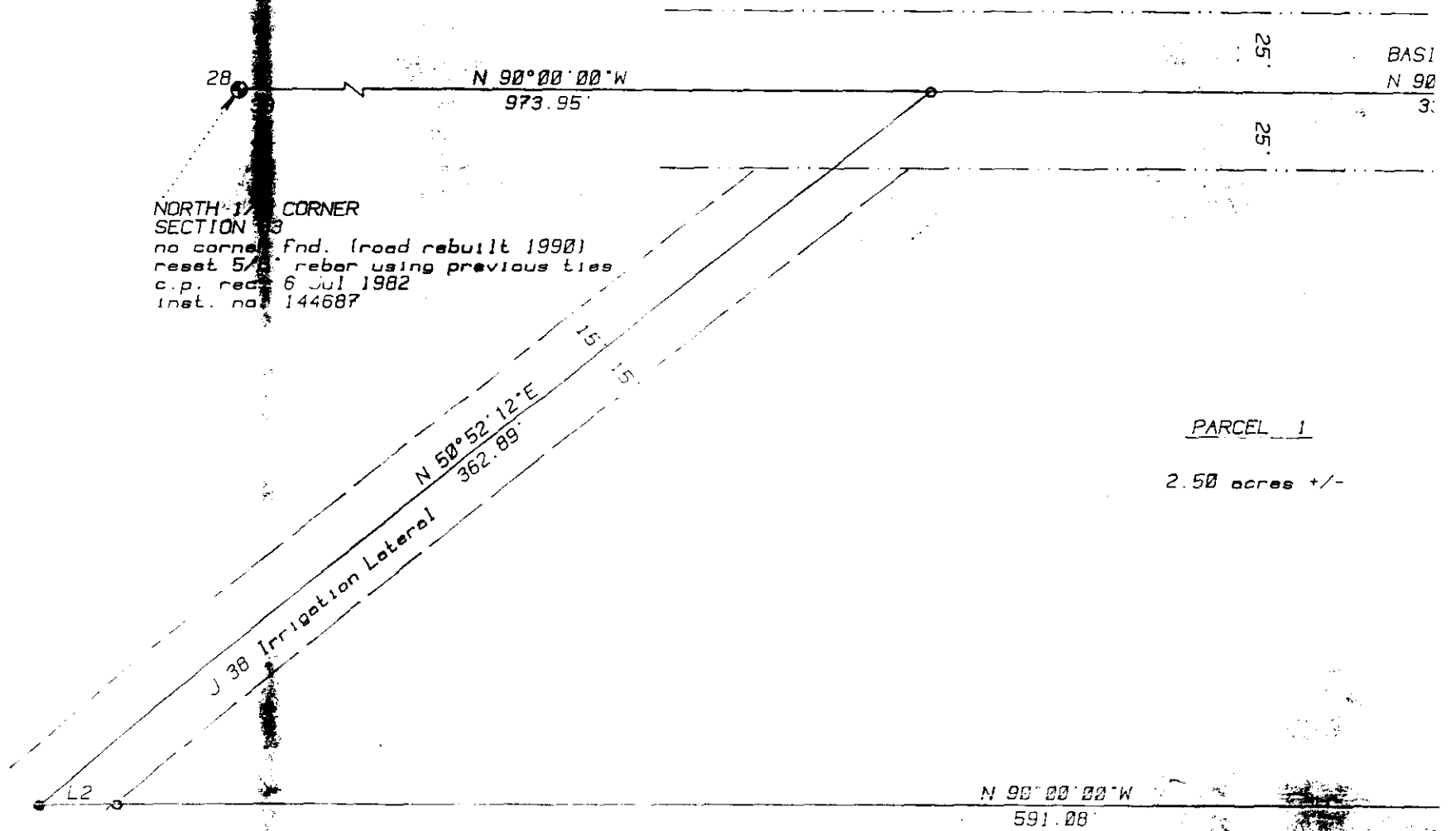
PREVIOUS RECORD OF SURVEY

PROPERTY SURVEY FOR TED GOCHNOUR
REC. 27 OCT. 1982. INST. NO. 147044

PROPERTY SURVEY FOR TED GOCHNOUR
REC. 18 JUN. 1979. INST. NO. 117758

PROPERTY SURVEY FOR CARMEN PEARSON
(SECTION 28)
REC. 7 APR. 1981. INST. NO. 133930

PROPERTY SURVEY FOR WILLIAM D. LARSEN
(SECTION 28)
REC. 27 OCT. 1986. INST. NO. 183028



LINE	BEARING	DISTANCE
L 1	N 90°00'00\"W	22.50'
L 2	N 90°00'00\"W	25.00'

NOTE

- - SET IRON PIN (1/2\" x 24\" rebar) or P.K. NAIL w/ L.S. no. attached.
- - NO CORNER SET.

OTHER SURVEY CONTROL FOUND OR SET
AS NOTED.

CERTIFICATE OF SURVEY

I, Steven C. Pearson, a Registered Professional Land Surveyor, Idaho License No. 3623, do hereby certify that this Record of Survey has been prepared from a survey made on the ground under my supervision and that this map is an accurate representation of said survey.

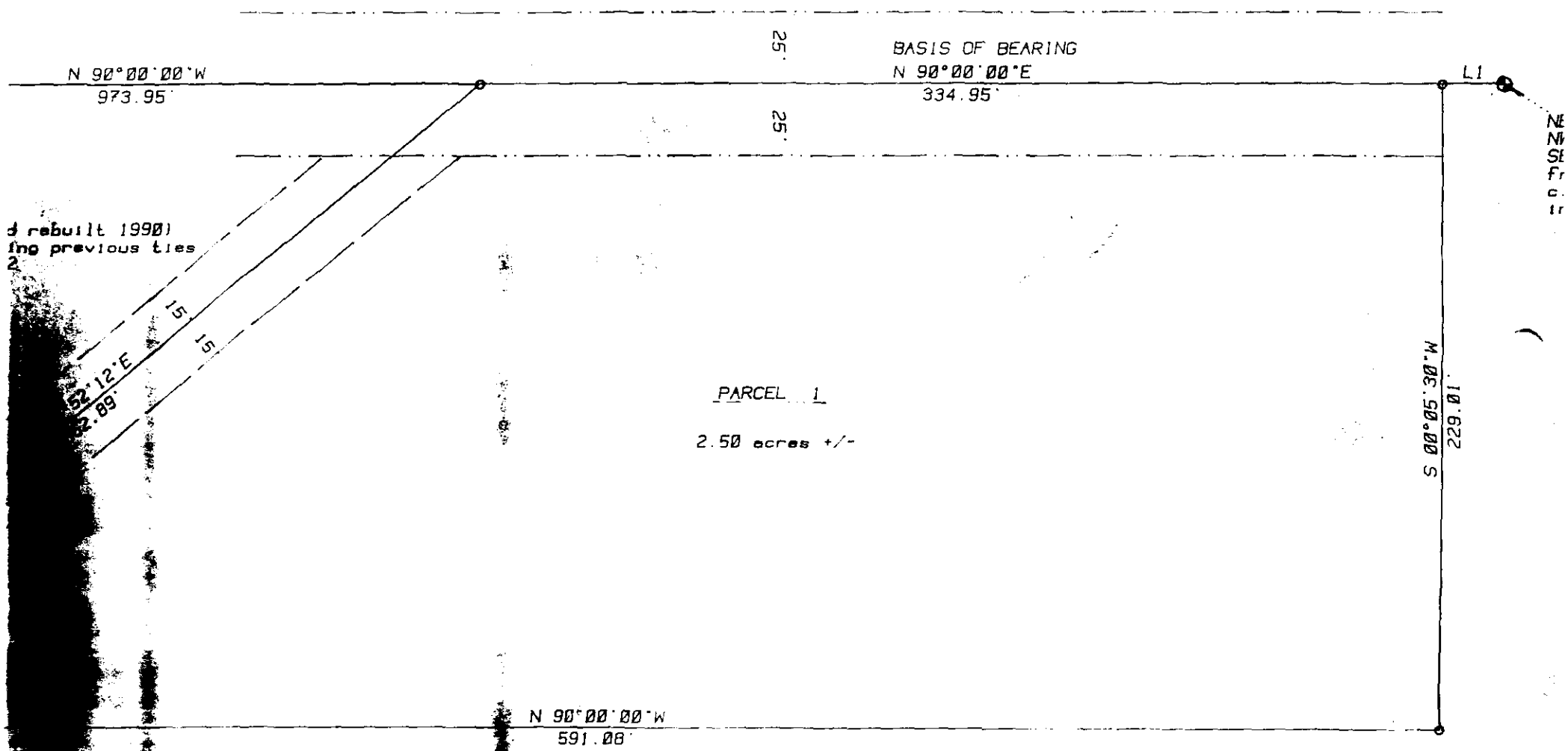
PREVIOUS RECORD OF SURVEY

PROPERTY SURVEY FOR TED GOCHNOUR
REC. 27 OCT. 1982. INST. NO. 147044

PROPERTY SURVEY FOR TED GOCHNOUR
REC. 10 JUN. 1979. INST. NO. 117758

PROPERTY SURVEY FOR CARMEN PEARSON
(SECTION 28)
REC. 7 APR. 1981. INST. NO. 133930

PROPERTY SURVEY FOR WILLIAM D. LARSEN
(SECTION 25)
REC. 27 OCT. 1986. INST. NO. 183028



LINE	BEARING	DISTANCE
L 1	N 90°00'00\"W	22.50'
L 2	N 90°00'00\"W	25.00'

NOTE

- - SET IRON PIN (1/2" x 24" rebar) or P.K. NAIL w/ L.S. no. attached.
- - NO CORNER SET.

OTHER SURVEY CONTROL FOUND OR SET AS NOTED.

CERTIFICATE OF SURVEY

I, Steven C. Pearson, a Registered Professional Land Surveyor, Idaho License No. 3623, do hereby certify that this Record of Survey has been prepared from a survey made on the ground under my supervision and that this map is an accurate representation of said survey.

PREVIOUS RECORD OF SURVEY

PROPERTY SURVEY FOR TED GOCHNOUR
REL. 27 JUN. 1980, INST. NO. 147044

PROPERTY SURVEY FOR TED GOCHNOUR
REL. 18 JUN. 1979, INST. NO. 117758

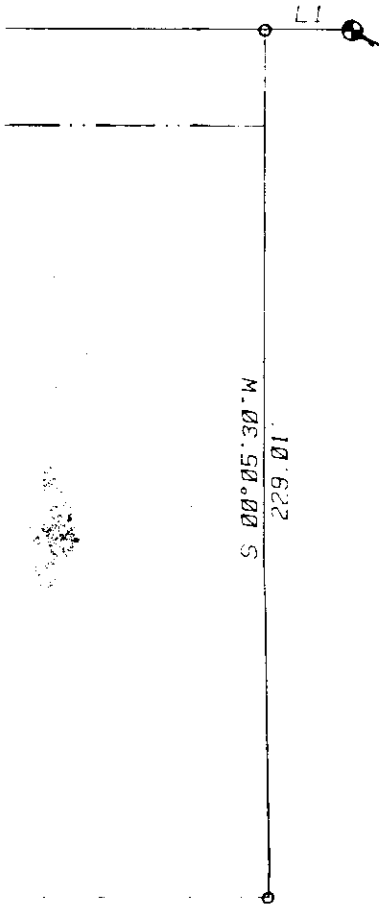
PROPERTY SURVEY FOR CARMEN PEARSON
(SECTION 33)
REL. 2 APR. 1961, INST. NO. 133930

PROPERTY SURVEY FOR WILLIAM D. LARSEN
(SECTION 33)
REL. 27 OCT. 1946, INST. NO. 183028

SECTION 33

T.10 S.. R.22 E..B.1

CASSIA COUNTY, IDAHO



NE CORNER
NW4 NE4
SECTION 33
fnd 1-1/2" iron pipe
c.p. rec. 18 June 1979
inst. no. 117735

PROPERTY DESCRIPTION - PARCEL 1

Part of the NW1/4 NE1/4 of Section 33 of Township 10 South,
Range 22 E., of the Boise Meridian, Cassia County,
State of Idaho.

Beginning at the NE corner of the NW1/4 NE1/4 of Section 33
of Township 10 S., R.22 E., B.M. said corner marked by a 1 1/2"
iron pipe. Thence N 90°00'00" W along section line for
229.01 feet to a P.K. Nail which shall be the Point of

Beginning
Thence S 0°05'30" W for 229.01 feet to a 1/2" rebar;
Thence N 90°00'00" W for 591.08 feet to a 1/2" rebar;
Thence N 90°00'00" W for 25.00 feet to a point on
the centerline of the J 38 Irrigation Lateral;
Thence N 50°52'12" E along the centerline of said
irrigation lateral for 362.89 feet to a P.K.
on section line;
Thence N 90°00'00" E along section line for 334.95
feet to the Point of Beginning.

Containing 2.50 acres more or less and is subject to a
25 foot wide county road right of way along the north
side and a 15 foot wide irrigation lateral along the
west side.

PROPERTY SURVEY
for
RUBY GOCHNOUR



DESERT WEST LAND SURVEYS

1751 OVERLAND AVE. BURLEY, IDAHO 83318

JOB NO: 2440-91B

DRAWN BY: T

DATE: 26 DEC. 1991

CHECKED BY:

© Desert West Land Surveys PHONE: 208-678-7112



10222-33-1-4-0

SECTION 33

S. . R.22 E. . B.M.

CASSIA COUNTY, IDAHO

NE CORNER
NW4 NE4
SECTION 33
Find 1-1/2" iron pipe
exp. rec. 18 Jun 1979
inst. no. 117735

PROPERTY DESCRIPTION - PARCEL 1

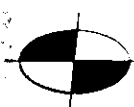
Part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33 of Township 10 South,
Range 22 East of the Boise Meridian, Cassia County,
State of Idaho.

Beginning at the NE corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33
of T. 10 S., R. 22 E., B.M. said corner marked by a 1 $\frac{1}{2}$ "
iron pipe; Thence N 90°00'00" W along section line for
22.50 feet to a P.K. Nail which shall be the Point of
Beginning;

Thence S 0°05'30" W for 229.01 feet to a $\frac{1}{2}$ " rebar;
Thence N 90°00'00" W for 591.08 feet to a $\frac{1}{2}$ " rebar;
Thence N 90°00'00" W for 25.00 feet to a point on
the centerline of the 1938 Irrigation Lateral;
Thence N 50°52'12" E along the centerline of said
irrigation lateral for 321.59 feet to a P.K.
Nail on section line;
Thence N 90°00'00" E along section line for 334.95
feet to the Point of Beginning.

Contains 2.50 acres more or less and is subject to a
25 foot wide county road right of way along the north
side and a 15 foot wide irrigation lateral along the
west side.

PROPERTY SURVEY
for
RUBY GOCHNOUR



DESERT WEST LAND SURVEYS

1751 OVERLAND AVE. BURLEY, IDAHO 83318

JOB NO: 2442-9181

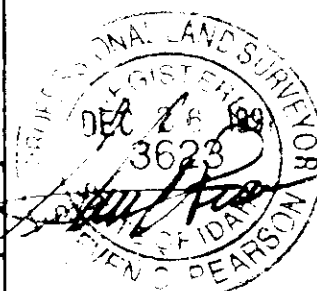
DRAWN BY: *[Signature]*

DATE: 28 DEC 1981

CHECKED BY:

© Desert West Land Surveys

PHONE: 228-678-7112

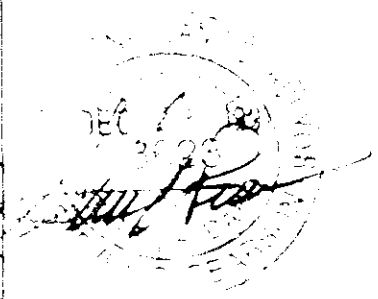


12222-33-1-4-2

SECTION 33

S.. R.22 E..B.M.

CASSIA COUNTY, IDAHO



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 45-11489

NAME AND ADDRESS: RUBY GOCHNOUR
1819 CONANT
BURLEY, ID 83318

SOURCE: GROUNDWATER
QUANTITY: 0.08 CFS

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

PRIORITY DATE: 04/15/1948

POINT OF DIVERSION: T10S R22E S33 NENENE 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
	Stockwater	01-01 TO 12-31	0.04 CFS

PLACE OF USE:	Stockwater		Within Cassia County
	T10S R22E S33	NENE	
	Domestic		Within Cassia County
	T10S R22E S33	NENE	

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

MICROFILMED

AUG 22 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

July 9, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RAY MUIR
KATHERINE MUIR
2034 ALMO AVE
BURLEY ID 83318

RE: Water Right 45-11489

Dear Mr. & Mrs. Muir:

The department acknowledges receipt of correspondence changing ownership of the above referenced decreed water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

for L. GLEN SAXTON, Chief
Water Allocations Bureau

LGS:klt

Enclosure

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AUG 22 2000