

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

NOV 15 2024

**NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

DEPARTMENT OF  
WATER RESOURCES

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

| Water Right/Claim No. | Split?                       | Leased to Water Supply Bank? | Water Right/Claim No. | Split?                       | Leased to Water Supply Bank? |
|-----------------------|------------------------------|------------------------------|-----------------------|------------------------------|------------------------------|
| ✓ 36-11377            | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |

DE ✓

2. Previous Owner's Name: Bart Moultrie and Trisha Moultrie  
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Bart Moultrie  
New owner(s) as listed on the conveyance document
- 528 South 200 West Heyburn ID 83336  
Mailing address City State Zip  
208-312-2278 N/A  
Telephone Email
4. If the water rights and/or adjudication claims were split, how did the division occur?  
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.  
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: \_\_\_\_\_
6. Do you own the land identified as the water right place of use? Yes ☐ No ☐  
☐ If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
7. This form must be signed and submitted with the following **REQUIRED** items:  
☐ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.  
☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).  
☐ Filing fee (see instructions for further explanation):  
☐ \$25 per undivided water right.  
☐ \$100 per split water right.  
☐ No fee is required for pending adjudication claims.  
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.  
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

8. Signature: [Signature] Title, if applicable \_\_\_\_\_ Date Nov 5 2024  
 Signature of new owner/claimant  
 Bart Moultrie  
 Print name
- Signature: \_\_\_\_\_ Title, if applicable \_\_\_\_\_ Date \_\_\_\_\_  
 Signature of new owner/claimant  
 \_\_\_\_\_  
 Print name

Received by M. Jenkins Date 11/15/24 For IDWR Office Use Only: Receipt No. 0119415 Receipt Amt. 25.00  
 Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☒  
 Name on W-9 \_\_\_\_\_ Approved by \_\_\_\_\_ Processed by DM Date 12-13-24

**I Certify that this is a True  
and Correct Copy of the  
Original Document**

Scott B. Lindstrom  
**PARSONS, LOVELAND,  
SHIRLEY & LINDSTROM, LLP**  
137 West 13<sup>th</sup> Street  
P.O. Box 910  
Burley, Idaho 83318  
(208) 878-8382 - Phone  
(208) 878-0146 - Fax  
Idaho State Bar #9067  
slindstrom6@gmail.com  
Attorneys for Petitioner

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF MINIDOKA  
MAGISTRATE DIVISION

TRISHA MARIE MOULTRIE,

Petitioner,

vs.

**BART J. MOULTRIE,**

**Respondent.**

Case No. CV34-23-43

JUDGMENT & DECREE OF DIVORCE

JUDGMENT IS ENTERED AS FOLLOWS:

1. The marriage of Petitioner and Respondent is hereby dissolved and set aside on the ground of irreconcilable differences and Petitioner is awarded a divorce.
2. Petitioner and Respondent are the natural parents of C.J.M. (born 2006).
3. The parties are awarded joint legal and joint physical custody of the minor child, with Petitioner having primary residential custody. Visitation shall be at the child's discretion.
4. In addition to the foregoing, custody of the parties shall be subject to following provisions:
  - a. Neither party shall interfere with the child's receipt of and transmission of reasonable telephone communications to and from the party with whom the child is not primarily residing at the time. In the event either party leaves a

telephone message for a child at the other party's residence, the other party shall promptly relay the message to the child, who shall be affirmatively encouraged to promptly return the call. Communications shall be only at reasonable times.

- b. The parties shall also share and make accessible to each other the child's birth certificates, passports/visas, social security information, school and health-related records, reports and such other documentation of like kind and character that may come into their possession. Each shall permit and encourage communication by the other with the child's teachers, school personnel, and health care providers. Each party has an affirmative duty to promptly notify the other of significant illness or of such other matters having a significant affecting upon the child's health, welfare and/or safety;
- c. Each of the parties should keep the other continuously advised as to their current mailing address and telephone number;
- d. Neither parent shall make any disparaging or negative comments about the other parent or the other parent's family, present relationship or friends in the presence or hearing of the child, nor will either parent permit others to make such comments in the presence or hearing of the child.

5. In lieu of child support, Respondent shall pay for and provide all feed for the cattle maintained by the minor child for FFA for the next three (3) years. In addition, Respondent shall pay for and maintain automobile insurance for the minor child until he reaches the age of eighteen (18).

6. The Petitioner shall be able to claim the minor child as a dependent for Federal and State income tax purposes. Each party is required to furnish and provide any information necessary to effectuate this provision on an annual basis including, but not limited to, IRS Form 8332.

7. Petitioner will carry medical insurance for the minor child, when suitable coverage is available at reasonable cost as defined in Idaho Code 32-1214B. The parent that is providing medical insurance coverage will provide all necessary medical insurance information to the other parent.

8. The parties shall equally share and pay the costs of medical and dental insurance premiums, and health care expenses for the child not covered or paid in full by insurance,

Thence North 0°01'19" West 200 feet;  
Thence North 89°58' East 436 feet;  
Thence South 0°1'19" East along the State Highway right-of-way line to the POINT OF BEGINNING.

- v. 40 head of cattle (including 4 heifers)
- vi. Livestock brand (upside-down heart)
- vii. Any and all bank, investment and other accounts in Petitioner's name
- viii. All other personal property in Petitioner's possession, unless specifically awarded to Respondent herein

**b. Property awarded to Respondent:**

- i. Respondent's clothing and personal effects
- ii. The business entities Oakley & Company, LLC and Moultrie Livestock, and all assets of said entities (unless otherwise specified herein)
- iii. The following real property:

- 1. 1.623 acres located at 528 S 200 W, Heyburn, Idaho 83336  
(Parcel RP10S24E193195), more particularly described as follows:

TOWNSHIP 10 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,  
MINIDOKA COUNTY, IDAHO

Section 19: Part of Gov't Lot 1, more particularly described as follows:

Beginning at the Southwest Corner of Gov't Lot 1 of Section 19, said corner marked by a 5/8 inch rebar which shall be the Point of Beginning;

Thence North 00°03'08" West along the west line of Section 19 for a distance of 11.57 feet;

Thence South 89°22'03" East for a distance of 25.00 feet to a ½ inch rebar;

Thence South 89°22'03" East for a distance of 298.82 feet to a ½ inch rebar;

Thence South 01°27'24" East for a distance of 8.11 feet to a ½ inch rebar on the south line of Gov't Lot 1;

Thence North 89°58'53" West along said lot line for a distance of 323.99 feet to the Point of Beginning.

TOWNSHIP 10 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,  
MINIDOKA COUNTY, IDAHO

Section 19: Part of Gov't Lot 2, more particularly described as follows:

including, but not limited to orthodontic, optical, dental, psychological and prescription medication expenses accrued previous and subsequent to entry of this Judgment. These uncovered health care payments are in addition to the child support award and will be paid directly to the parent incurring the health care expenses for the child.

9. Any claimed health care expense for the child, whether or not covered by insurance, which would result in an actual out-of-pocket expense by the other parent of over \$500 for the course of treatment, must be approved in advance, in writing by both parents or by prior court order. Relief may be granted by the court for failure to comply under extraordinary circumstances, and the court in its discretion apportion the incurred expense and some percentage other than that in the existing support order, and in so doing, may consider whether consent was unreasonably requested or withheld.

10. Each party is awarded, as his or her respective sole and separate property, the following:

a. Property awarded to Petitioner:

- i. Petitioner's clothing and personal effects
- ii. 2005 Ford F350
- iii. 2022 VW Taos
- iv. The following real property:

1. 2 acres located at 165 S 200 E, Rupert, Idaho 83350 (Parcel RP09S24E347660), more particularly described as follows:

TOWNSHIP 9 SOUTH, RANGE 24 EAST, BOISE MERIDIAN, MINIDOKA COUNTY, IDAHO

SECTION 34: Part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ , more particularly described as follows:

Beginning at the Southeast corner of said Section 34, Thence North 0°02' West along the East Section line 1,732 feet to a point; Thence South 89°58' West 40.80 feet to the POINT OF BEGINNING;

Thence South 89°58' West 436.00 feet;

Beginning at the Northwest Corner of Gov't Lot 2 of Section 19, said corner marked by a 5/8 inch rebar which shall be the Point of Beginning;  
Thence South 89°58'53" East along the north line of Gov't Lot 2 for a distance of 323.99 feet to a ½ inch rebar;  
Thence South 01°27'24" East for a distance of 210.28 feet to a ½ inch rebar;  
Thence North 88°48'18" West for a distance of 304.23 feet to a ½ inch rebar;  
Thence North 88°48'18" West for a distance of 25.00 feet to the west line of Section 19;  
Thence North 00°03'08" West along said line for a distance of 203.45 feet to the Point of Beginning.

2. 18.47 acres in Minidoka County, Idaho (Parcel

RP10S24E194570), more particularly described as follows:

TOWNSHIP 10 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN, MINIDOKA COUNTY, IDAHO SECTION 19: Part of Lot 2 and part of the SE¼NW¼, more particularly described as follows:

Beginning at the Southwest corner of Lot 2 of said Section 19, and which point is also the West quarter corner of said Section 19; thence South 89°54'42" East for 284.33 feet along the quarter section line to a point, which point shall be known as the TRUE POINT OF BEGINNING;  
Thence North 0°00'00" East for 537.05 feet to the centerline of the D-16 Drain Ditch of the Minidoka Irrigation District;  
Thence North 86°14'14" East along said drain centerline for 85.81 feet;  
Thence South 76°31' East along said drain centerline for 648.59 feet;  
Thence North 77°37'33" East along said drain centerline for 492.09 feet;  
Thence South 89°32'58" East along said drain centerline for 614.62 feet to a point on the quarter section line of said Section 19;  
Thence South 0°00'20" West along said quarter section line of said Section 19 for 494.87 feet to the center quarter section corner of said Section 19;  
Thence North 89°

Beginning at the Southwest corner of said Lot 2 of said Section 19, which point shall be known as the TRUE POINT OF BEGINNING, and which point is marked by a 5/8 inch x 24 inch iron pin;

Thence North 0°00'00" East along the section line of said Section 19 for 451.76 feet to a point marked by a P.K. nail on the centerline of the D-16 Drain;  
Thence North 73°23' East along the centerline of the D-16 Drain for 296.72 feet to a point;  
Thence South 0°00'00" West for 40.00 feet to a point marked by an iron pin;  
Thence South 0°00'00" West for 472.01 feet to a point marked by an iron pin;  
Thence South 0°00'00" West for 25.04 feet to a point on the quarter section line of said Section 19;  
Thence North 89°54'42" West along said quarter section line of said Section 19 for 284.33 feet to the TRUE POINT OF BEGINNING.

3. 38.17 acres in Minidoka County, Idaho (Parcel

RP10S24E194206), more particularly described as follows:

TOWNSHIP 10 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN, MINIDOKA  
COUNTY, IDAHO

Section 19: All that part of Lot 2 and the SE¼NW¼ lying North of the "D-16" Drain Ditch  
EXCEPTING THEREFROM the following described tract:

Beginning at the Northwest Corner of Gov't Lot 2 of Section 19, said corner marked by a 5/8  
inch rebar which shall be the Point of Beginning;

Thence South 89°58'53" East along the north line of Gov't Lot 2 for a distance of 323.99 feet to a  
½ inch rebar;

Thence South 01°27'24" East for a distance of 210.28 feet to a ½ inch rebar;

Thence North 88°48'18" West for a distance of 304.23 feet to a ½ inch rebar;

Thence North 88°48'18" West for a distance of 25.00 feet to the west line of Section 19;

Thence North 00°03'08" West along said line for a distance of 203.45 feet to the Point of  
Beginning.

- iv. 1978 Flatbed Chevy
- v. 1999 Flatbed GMC
- vi. 2005 Peterbilt
- vii. Western Star
- viii. Trailers
- ix. Any other vehicles in Respondent's possession
- x. Loader
- xi. Swather
- xii. Any and all bank, investment and other accounts in Respondent's name
- xiii. All other personal property in Respondent's possession, unless  
specifically awarded to Petitioner herein

11. With respect to all equipment related to the livestock owned by the parties or  
entities of the parties, including but not limited to cattle shoots, panels, etc., Respondent shall be  
awarded possession of such equipment, but shall permit Petitioner to free and unencumbered use  
of such property.

12. The community debts of the parties are divided as follows:

- a. Debts assigned to Petitioner:

- i. Debt associated with 2005 Ford 110
  - ii. Debt associated with 2022 VW Taus
  - iii. Any and all credit cards in Petitioner's name
  - iv. All debts associated with property awarded to Petitioner herein, unless otherwise assigned to Respondent
  - v. All other debts in Petitioner's individual name or otherwise incurred by her that are not otherwise assigned to Respondent herein
- b. Debts assigned to Respondent:
- i. Any and all credit cards in Respondent's name
  - ii. Any and all debts and liabilities in the name of or otherwise incurred by Oakley & Company, LLC and Moultrie Livestock.
  - iii. Any and all debts associated with the cattle awarded to Petitioner
  - iv. FSA loan (#41-01)
  - v. DL Evans Acct            4435
  - vi. DL Evans Acct            9006
  - vii. DL Evans Acct           5635
  - viii. DL Evans Acct          0902
  - ix. DL Evans Acct            9680
  - x. All debts associated with property awarded to Respondent herein, unless otherwise assigned to Petitioner
  - xi. All other debts in Respondent's individual name or otherwise incurred by him that are not otherwise assigned to Petitioner herein

13. Each party is required to timely pay and to indemnify, save, release and hold harmless the other from debts assigned to that party. In addition, each party shall refinance any

jointly owned debts assigned to a party individually herein into the assigned party's sole name, which shall occur within ninety (90) days of entry of this Judgment.

14. With respect to the 2022 tax year, the parties shall file jointly. Any tax liability or refund shall be equally divided between the parties.

15. Each party is ordered to execute any and all documentation necessary to effectuate the terms set forth herein.

DATED 2/21/2023 12:59:58 PM

  
Magistrate Judge

**NOTICE OF FILING AND CERTIFICATE OF SERVICE**

NOTICE IS HEREBY GIVEN by the Clerk of the above-entitled Court that the foregoing was filed and served on 2/21/2023 3:29:56 PM to the follow parties in manner noted below:

**Attorney for Petitioner:**

Scott B. Lindstrom  
Parsons, Loveland, Shirley & Lindstrom, LLP  
137 West 13th Street  
P.O. Box 910  
Burley, Idaho 83318  
Email: slindstrom6@gmail.com

- ☐ Hand Delivery
- ☐ Court Folder
- ☐ U.S. Mail
- ☐ Facsimile
- ☒ E-Service

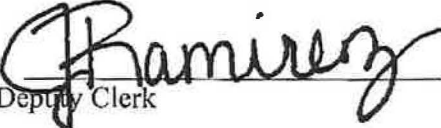
**Respondent, pro se:**

Bart J. Moultrie  
528 S 200 W  
Heyburn, Idaho 83336

- ☐ Hand Delivery
- ☐ Court Folder
- ☐ U.S. Mail
- ☐ Facsimile
- ☒ E-Service

Tonya Page

CLERK OF THE DISTRICT COURT

  
Deputy Clerk

Date:

Subject: 528 S 200 W Heyburn, ID 83336

Bed: 2

Bath: 1.00

SQFT: 1506

Built: 1950

Garage: 2.00

Lot: 1.623

PropType: Single Family

Order ID: 68236974-3

Retail Market: 100%

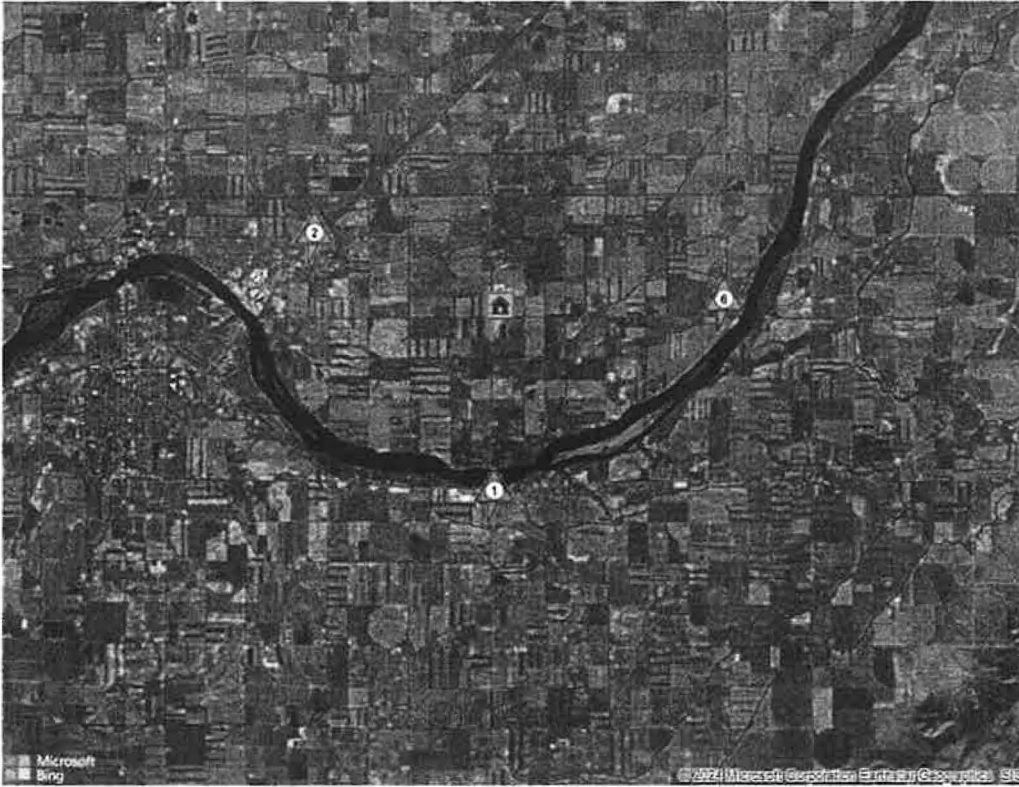
Distressed Market: 0%

Quick Sale Price: 80

Calculated Price: \$369,890

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AERIAL VIEW MAP



**Subject  
Sold**

Notice: Based on information from the Intermountain Multiple Listing Service, Inc. for the period 8/10/2023 through 6/14/2024. Disclaimer: This valuation estimate is not intended to be an appraisal of the market value of the Subject Property. If an appraisal is desired, the services of a licensed or certified appraiser should be obtained.

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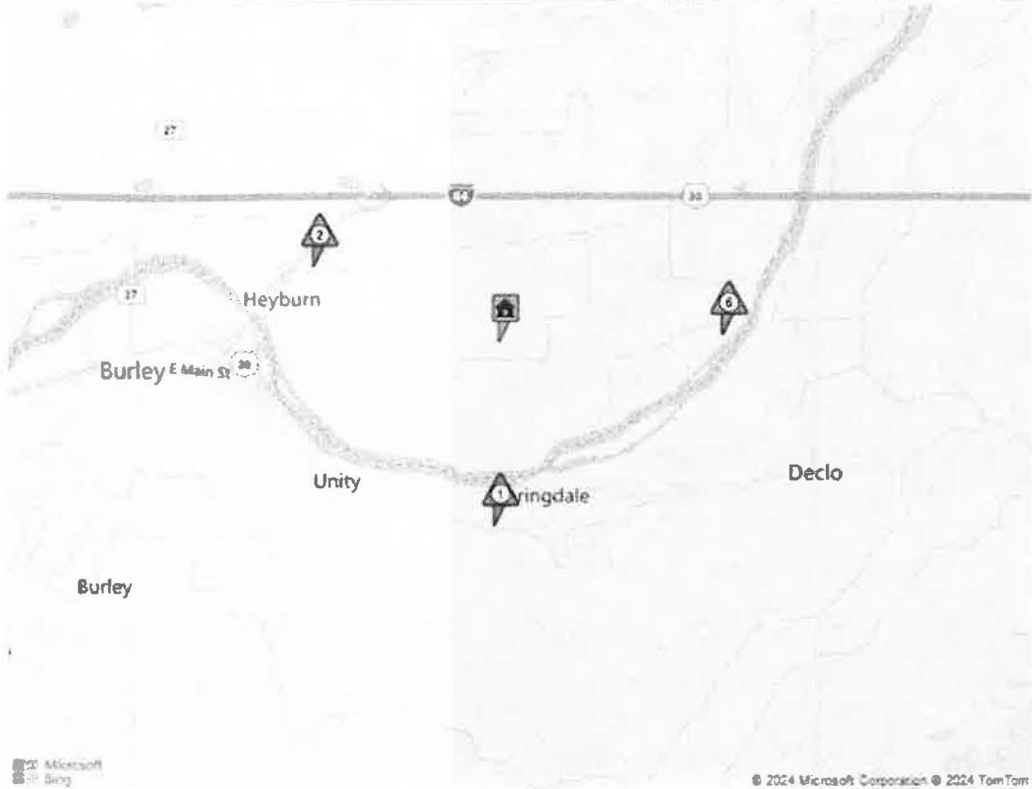
Date: Subject: 528 S 200 W Heyburn, ID 83336 Bed: 2 Bath: 1.00 SQFT: 1506 Built: 1950 Garage: 2.00 Lot: 1.623 PropType: Single Family

Order ID: 68236974-3

|                   |      |                    |           |
|-------------------|------|--------------------|-----------|
| Retail Market:    | 100% | Distressed Market: | 0%        |
| Quick Sale Price: | \$0  | Calculated Price:  | \$160,890 |

homegenius

MAP



**Subject  
Sold**



IDAHO DEPARTMENT OF  
**WATER RESOURCES**

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098  
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: [idwrinfo@idwr.idaho.gov](mailto:idwrinfo@idwr.idaho.gov) • Website: [idwr.idaho.gov](http://idwr.idaho.gov)

**Governor Brad Little**

**Director Mathew Weaver**

December 16, 2024

BART J MOULTRIE  
528 S 200 W  
HEYBURN ID 83336-8679

D L EVANS BANK  
PO BOX 87  
TWIN FALLS ID 83303-0087

Re: Change in Ownership for Water Right No(s): 36-11377

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208)287-4921.

Sincerely,

Debra Mansfield  
Technical Records Specialist 1

Enclosure(s)

c: D L EVANS BANK

IDAHO DEPARTMENT OF WATER RESOURCES  
Proof Report

1/2/2025

Water Right 36-11377

| <u>Owner Type</u> | <u>Name and Address</u>                                                    |
|-------------------|----------------------------------------------------------------------------|
| Current Owner     | BART J MOULTRIE<br>528 S 200 W<br>HEYBURN, ID 83336-8679<br>(208) 436-4913 |
| Original Owner    | MURRAY GOOLD<br>RT 2<br>HEYBURN, ID 83336<br>(208) 436-6462                |
| Original Owner    | BETHENE GOOLD<br>RT 2<br>HEYBURN, ID 83336<br>(208) 436-6462               |
| Previous Owner    | TRISHA M MOULTRIE<br>528 S 200 W<br>HEYBURN, ID 83336<br>(208) 436-4913    |
| Security Interest | D L EVANS BANK<br>PO BOX 87<br>TWIN FALLS, ID 83303-0087<br>(208) 736-9300 |

**Priority Date:** 12/31/1977

**Basis:** Decreed

**Status:** Active

**Source**  
GROUND WATER

**Tributary**

| <u>Beneficial Use</u> | <u>From</u>                   | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> |
|-----------------------|-------------------------------|-----------|-----------------------|---------------|
| DOMESTIC              | 1/01                          | 12/31     | 0.040 CFS             |               |
|                       | <b><u>Total Diversion</u></b> |           | 0.040 CFS             |               |

**Source and Point(s) of Diversion:**

GROUND WATER SWSWNW

Sec. 19, Twp 10S, Rge 24E, MINIDOKA County

**Place Of Use:**

DOMESTIC within MINIDOKA County

**IDAHO DEPARTMENT OF WATER RESOURCES**  
**Proof Report**

1/2/2025

| Twp | Rng | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 10S | 24E | 19  |    |    |    |    |    |    | X  |    |    |    |    |    |    |    |    |    |        |

**Conditions of Approval:**

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PROPERTY ALSO KNOWN AS 528 S 200 W ALSO KNOWN AS PARCEL RP 10S24E193195

**Dates and Other Information:**

Decreed Date: 11/22/1996  
Civil Case Number: 39576  
Judicial District: FIFTH  
State or Federal: S  
Owner Name Connector: And  
Water District Number: EXC  
Mitigation Plan: False

**Combined Use Limits:**

N/A

**SubCase:**

N/A

**Water Supply Bank:**

N/A