

After Split

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/29/2023

Water Right 79-14249

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DARWIN VANDER ESCH PO BOX 1403 RIGGINS, ID 83549
Current Owner	SANDY VANDER ESCH PO BOX 1403 RIGGINS, ID 83549
Original Owner	EDWARD SEYFRIED RIGGINS, ID 83549
Original Owner	IRIS SEYFRIED RIGGINS, ID 83549
Previous Owner	IRIS HELEN LUNDGREN 449 E RAMONA AVE SALT LAKE CITY, UT 84115 (801) 486-7919
Previous Owner	GEORGE E KAUFMAN C/O RICHARD & JUDY COOK ONE MILE RACE CREEK RD RIGGINS, ID 83549

Priority Date: 4/18/1905

Basis: Decreed

Status: Active

Source
RACE CREEK

Tributary
SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	02/15	11/30	0.130 CFS	
	<u>Total Diversion</u>		0.130 CFS	

Source and Point(s) of Diversion:

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/29/2023

RACE CREEK
RACE CREEK

SESE
NENW

Sec. 4, Twp 24N, Rge 01E, IDAHO County
Sec. 10, Twp 24N, Rge 01E, IDAHO County

Place Of Use:

IRRIGATION within IDAHO County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
24N	01E	3											0.8						0.8
24N	01E	10		0.4				5.8											6.2
POU Total Acres: 7.0																			

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.

Dates and Other Information:

Decreed Date: 2/6/2008
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: NWD
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

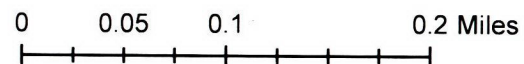
N/A

Water Supply Bank:

N/A

79-14249

01E



-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Point of Diversion
-  State Outline



Before Split
IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/29/2023

Water Right 79-14249

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Previous Owner	IRIS HELEN LUNDGREN 449 E RAMONA AVE SALT LAKE CITY, UT 84115 (801) 486-7919

Priority Date: 4/18/1905

Basis: Decreed

Status: Active

Source
RACE CREEK

Tributary
SALMON RIVER

Beneficial Use
IRRIGATION

<u>From</u>	<u>To</u>
02/15	11/30
<u>Total Diversion</u>	

<u>Diversion Rate</u>
0.150 CFS
0.150 CFS

Volume

Source and Point(s) of Diversion:

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/29/2023

RACE CREEK
RACE CREEK

SESE
NENW

Sec. 4, Twp 24N, Rge 01E, IDAHO County
Sec. 10, Twp 24N, Rge 01E, IDAHO County

Place Of Use:

IRRIGATION within IDAHO County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
24N	01E	3											1.7						1.7
24N	01E	10			0.4				5.8										6.2
POU Total Acres: 7.9																			

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.

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Decreed Date: 2/6/2008
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: NWD
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

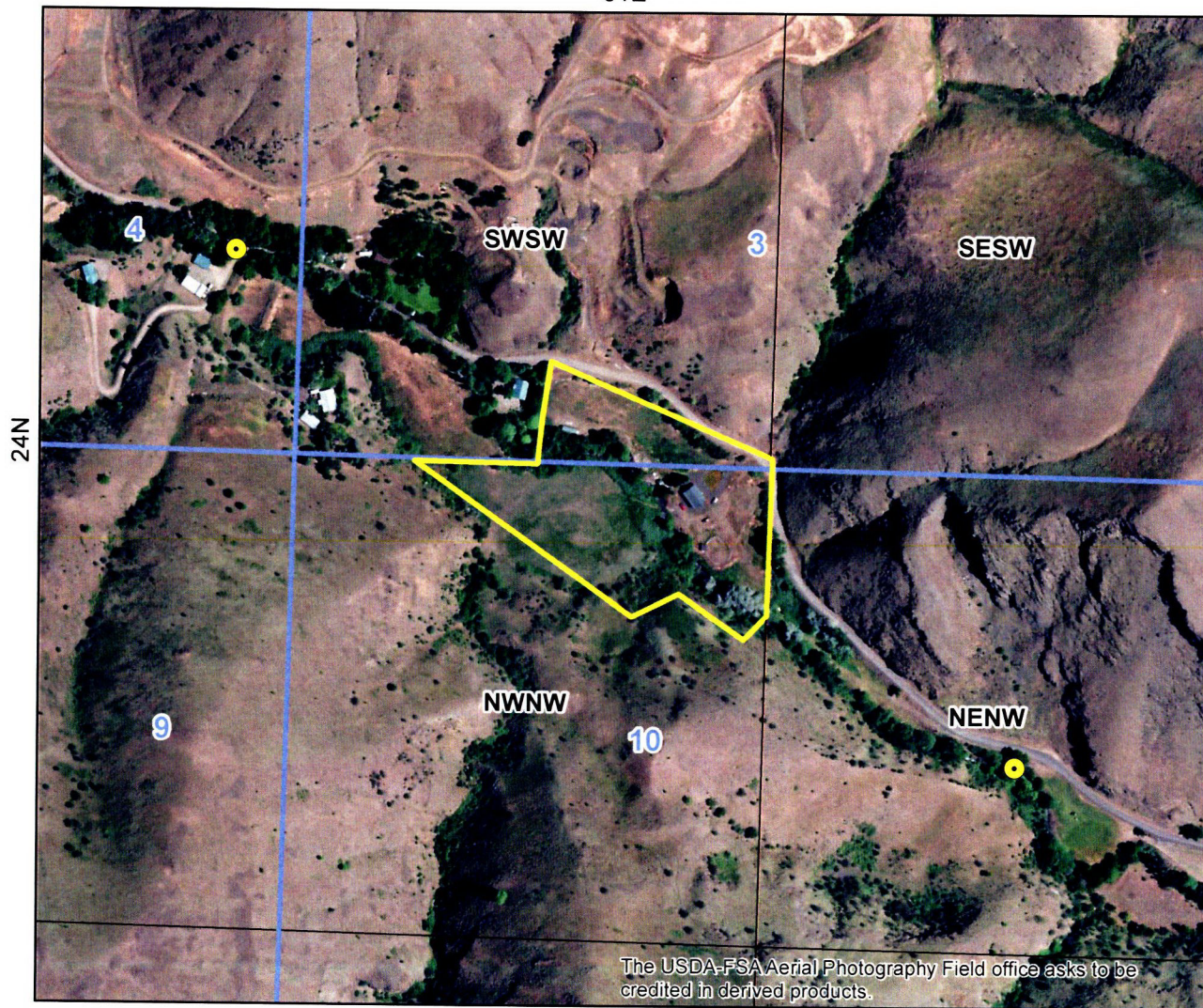
N/A

State of Idaho
Department of Water Resources

Water Right

79-14249

01E



0 0.05 0.1 0.2 Miles

-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Point of Diversion
-  State Outline



RECEIVED

SEP 11 2023

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

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 #6 of the instructions. DE ✓

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
79-14249	Yes ☒	Yes ☐		Yes ☐	Yes ☐
79-14249+	Yes ☐	Yes ☐		Yes ☐	Yes ☐
79-14317	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Darwin and Sandy Vander Esch
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Kland Moore + Wendy Moore + Larry Holmes + Margaret Holmes
New owner(s) as listed on the conveyance document Name connector ☒ and ☐ or ☐ and/or
- 508 W. Boone Ave. Nampa ID 83651
Mailing address City State ZIP
- (208) 369-3219 wkbmoore@yahoo.com
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: May 4, 2023
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).

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):
- o \$25 per undivided water right.
 - o \$100 per split water right. SUPPORT DATA
 - o No fee is required for pending adjudication claims.
- IN FILE # 79-14249
- ☒ 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: Wendy Moore 8/21/23
Signature of new owner/claimant Title, if applicable Date
- Signature: Margaret E. Holmes 8/21/23
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by KM Date 9-11-23 Receipt No. C117034 Receipt Amt. 100-

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 DM Processed by DM Date 11-29-23



Instrument # 540137

IDAHO COUNTY, IDAHO
06-06-2023 12:20:06 PM No. of Pages: 3
Recorded for: TITLEONE BOISE
Kathy M Ackerman Fee: \$16.00
Ex-Officio Recorder Deputy: Js

Order Number: 23474492

Warranty Deed

For value received,

Frank John Giudice II and Linda Giudice, Husband and Wife

the grantor, does hereby grant, bargain, sell, and convey unto

**Kland M. Moore and Wendy P. Moore, Husband and Wife and Larry N. Holmes and Margaret E. Holmes,
Husband and Wife**

whose current address is 508 Boone Ave. Nampa, ID 83651

the grantee, the following described premises, in Idaho County, Idaho, to wit:

See Exhibit A, attached hereto and incorporated herein.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Remainder of page intentionally left blank.

Order Number: 23474492

Warranty Deed - Page 1 of 3



Order Number: 23474492

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Remainder of page intentionally left blank.

Dated: May 4, 2023

Frank John Giudice II
Frank John Giudice II

Linda Giudice
Linda Giudice

State of Idaho, County of Ada, ss.

On this 4th day of May in the year of 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared Frank John Giudice II and Linda Giudice, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Melissa Johnson
Notary Public

Residing In: Star. ID

My Commission Expires: 01.20.2027
(seal)



File No.: 34540

SCHEDULE C

Township 24 North, Range 1 East, Boise Meridian, Idaho County, Idaho

Section 3: This parcel is a portion of the S½SW¼, and is more particularly described as follows:

Commencing at the Southwest corner of said Section 3, a found 5/8 x 30 inch diameter rebar with aluminum cap attached;

thence N 89°52'10" E, along the South boundary of said Section 3 a distance of 330.00 feet to the Northwest corner of the parcel described in Quit Claim Deed, recorded under Instrument No. 406148, records of Idaho County, Idaho;

thence N 89°52'10" E, continuing along said section line and said deed boundary a distance of 329.00 feet to the True Point of Beginning, a 5/8 x 30 inch rebar with a plastic cap stamped L.S. 3627;

thence N 02°51'14" E, a distance of 150.35 feet to a 5/8 inch diameter rebar;

thence N 07°47'16" E, a distance of 168.82 feet to a point on the North boundary of said deed description, witnessed by a 5/8 inch diameter rebar with a plastic cap which bears S 07°47'16" W, a distance of 17.91 feet;

thence S 68°03'43" E, along said North boundary a distance of 149.27 feet to a 5/8 x 30 inch rebar set with a plastic cap stamped L.S. 3627;

thence S 00°15'32" E, a distance of 261.28 feet to a point on the South boundary of said Section 3, a 5/8 x 30 inch rebar set with a plastic cap stamped L.S. 3627;

thence S 89°52'10" W, along said South boundary a distance of 170.00 feet to the True Point of Beginning.

LESS

Any portion of Race Creek Road which may lie in the above described parcel.

(end schedule c)

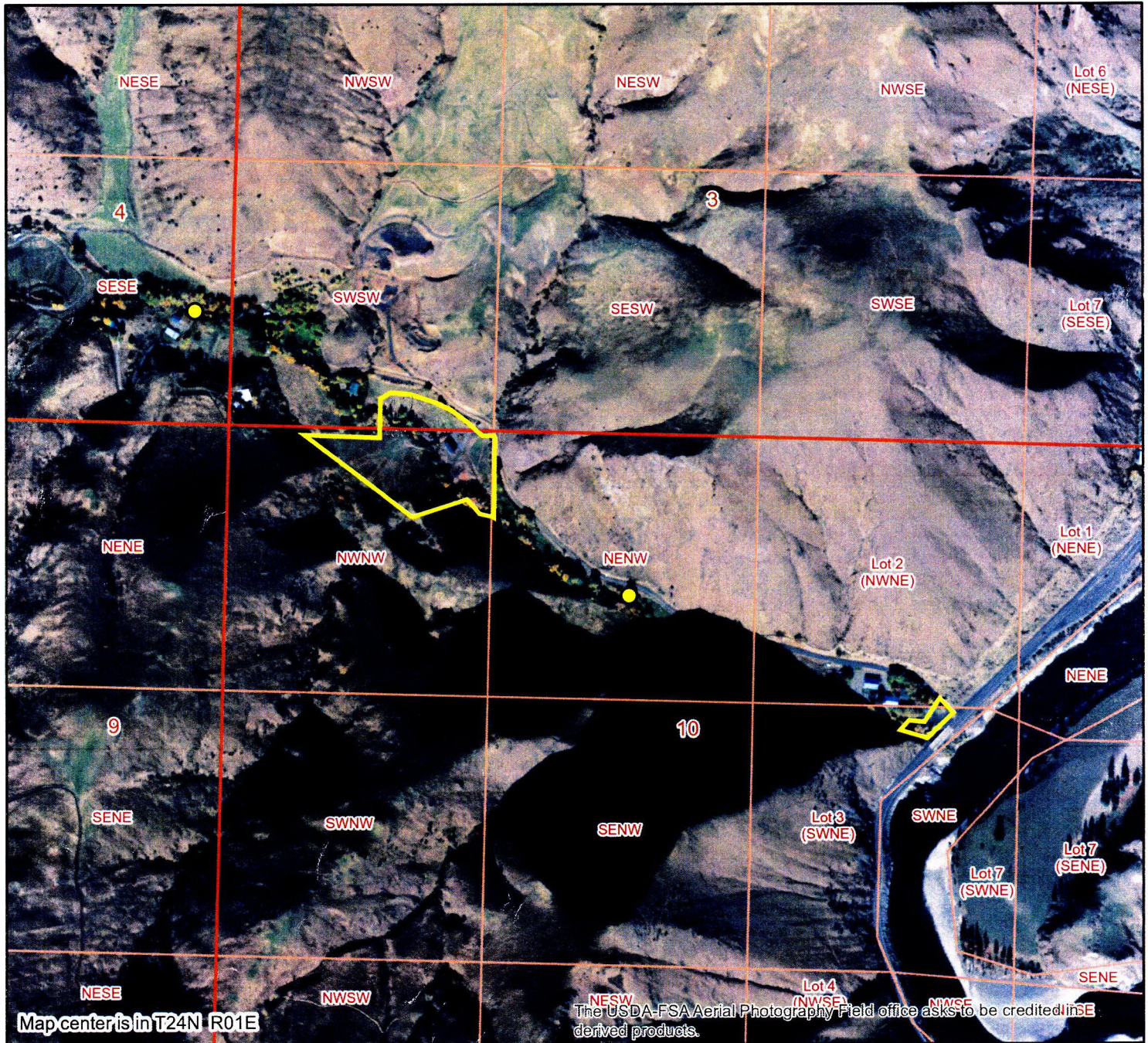
State of Idaho
Department of Water Resources

Water Right

79-14249

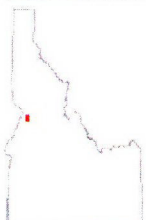
IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



Legend

- Point of Diversion
- Place of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters



Date created: 8/9/2022

Water Right Report : 79-14249(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	VANDER ESCH, DARWIN	PO BOX 1403	RIGGINS	ID	83549
Current Owner	VANDER ESCH, SANDY	PO BOX 1403	RIGGINS	ID	83549
Original Owner	SEYFRIED, EDWARD		RIGGINS	ID	83549
Original Owner	SEYFRIED, IRIS		RIGGINS	ID	83549
Previous Owner	KAUFMAN, GEORGE E	C/O RICHARD& JUDY COOK ONE MILE RACE CREEK RD	RIGGINS	ID	83549
Previous Owner	LUNDGREN, IRIS HELEN	449 E RAMONA AVE	SALT LAKE CITY	UT	84115

Water Right Status

Priority Date : 4/18/1905

Basis : Decreed

Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
RACE CREEK		SALMON RIVER	

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
RACE CREEK	24N	01E	4	0		SE	SE	IDAHO	
RACE CREEK	24N	01E	10	0		NE	NW	IDAHO	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	02/15	11/30	0.15 CFS	
TOTAL			0.15 CFS	

Places of Use

Print this Report

Print this Report

Place of Use Legal Description : IRRIGATION (IDAHO county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
24N	01E	3			SW	SW	1.7
24N	01E	10			NW	NE	0.4
24N	01E	10			NW	NW	5.8

Irrigation Totals

Skinner Land Survey Co. Inc.

Greg L. Skinner, PLS
skinnerlandsurvey.com

(208) 983-2517
Cell (208) 983-7358
greg@skinnerlandsurvey.com

312 W. South St.
Grangeville, ID 83530

RECORD OF SURVEY

N1/2NW1/4 SECTION 10, S1/2SW1/4 SECTION 3
TOWNSHIP 24 NORTH, RANGE 1 EAST, BOISE MERIDIAN
IDAHO COUNTY, IDAHO

Reference Surveys
Inst. No. 310017 (S-278)
Inst. No. 379896 (S-1011)
1903 G.L.O. Survey
Inst. No. 457856 (S-2650)
Inst. No. 463788 (S-2271)

0' 100' 200'
Scale: 1" = 100'

LEGEND

- ⊙ BRASS CAP MONUMENT - FOUND
- ⊕ 5/8" REBAR W/ALUM CAP - FOUND
- ⊙ 5/8" REBAR - FOUND
- ⊙ 5/8" x 30" REBAR - SET
- CALCULATED POINT
- PROPERTY BOUNDARY LINE
- - - SECTION/ALIQUOT PART LINE
- W.C. WITNESS CORNER
- (xxx.xx) DATA OF RECORD

CERTIFICATION

I, Greg L. Skinner, do hereby certify that I am a Professional Land Surveyor, licensed by the State of Idaho, and that this map has been prepared from an actual survey made on the ground under my direct supervision, that this map is an accurate representation of said survey, and that it is in conformity with the Corner Perpetuation Act, Idaho Code 55-1601 through 55-1612.



CP&F Inst. No.
457090

4 3 N89°52'10"E 330.00'
9 10

S89°52'10"W 329.00'

S89°52'10"W 170.000'

Parcel 2
8.097 Acres

N89°52'10"E 2633.53'
Basis of Bearing

N57°23'27"W 723.53'

L3

N58°08'19"W 219.40'

S40°45'04"W 218.86'

CP&F Inst. No.
457091

1/4 cor 3
10

LINE TABLE

NO	BEARING	LENGTH
L1	S68°03'43"E	34.34'
L2	S45°59'47"E	39.65'
L3	S61°17'18"W	144.21'

SURVEY FOR:

FRANK GUIDICE

Drawn By: GLS

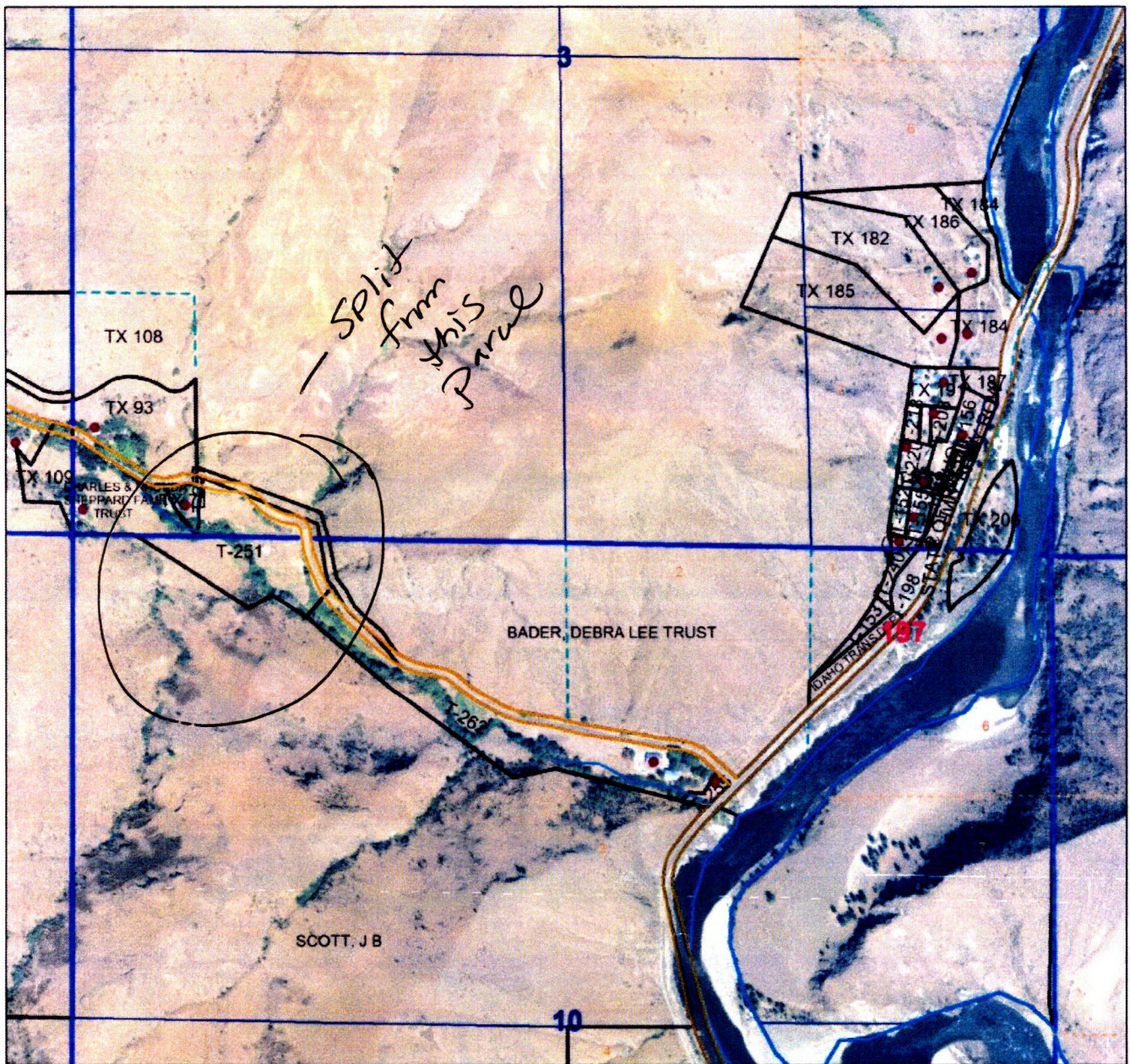
Date: Aug. 28, 2017

Surveyed By: GLS

Job No. AUG0617



**Skinner Land
Survey Co. Inc.**
312 W. South Street
Grangeville, Idaho 83530
(208)-983-2517
greg@skinnerlandsurvey.com



S½ OF SECTION 3, TOWNSHIP 24N, RANGE 1E
AND N½ OF SECTION 10, TOWNSHIP 24N, RANGE 1E

0 300 600 900 1200
Feet

This map is only a representation of tax numbers and parcel boundaries, it should not be used for legal or surveying purposes.



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 • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

November 30, 2023

KLAND M MOORE
WENDY MOORE
LARRY N HOLMES
MARGARET E HOLMES
508 W BOONE AVE
NAMPA ID 83651-1935

Re: Change in Water Right Ownership: 79-14249 (Split into 79-14249 and **79-14317**)

Dear Water Right Holder(s):

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

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

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) 287-4942.

Sincerely,

Debra Mansfield
Technical Records Specialist 1

Enclosure(s)

c: Darwin Vander Esch
Sandy Vander Esch

Hersley, Jean

From: Wendy Moore <wendym@norco-inc.com>
Sent: Wednesday, November 1, 2023 11:01 AM
To: IDWR File
Cc: Wendy Moore
Subject: Warranty Deed for Water Right Claim No 79-14249
Attachments: ID County Title - Warranty Deed PPWK.pdf

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Hello Ms. Jean Hersley,

Please find the attached Warranty Deed for the Water Right No 79-14249 in the new name of Kland M. Moore, Wendy P. Moore, Larry N. Holmes & Margaret E. Holmes. I am so embarrassed that I left this out of the original submission, I'm not quite sure how I managed that.

Please let me know if there is anything else that you need from us. We appreciate all of your assistance.

Wendy & Kland Moore
Tel: (208)369-3219
Email: wkbmoore@yahoo.com



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 • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

October 11, 2023

KLAND MOORE
508 W BOONE AVE
NAMPA ID 83651-1935

RE: Change in Ownership Water Right No(s): 79-14249

Dear Interested Parties:

The Department of Water Resources (Department) acknowledges receipt of your Notice of Change in Water Right Ownership (Notice).

Our review of your Notice indicates that additional information is required before the Department can process the change. The information required is indicated below:

- Evidence of Water Right Ownership: copy of the conveyance document- warranty deed, quitclaim deed, court decree, etc. The conveyance document must include a legal description of the property or description of the water right if no land was conveyed.

Because the Department cannot process the Notice without proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days, we will return your notice and all attachments and your notice will not be processed. You can provide the information by sending to IDWR, PO Box 83720, Boise, ID, 8370-0098 or email to file@idwr.idaho.gov, Attn: Jean

Also, please note that permit holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

If you have any questions regarding this matter, please contact me at (208) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)