

**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 BEAR RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 79576

Ident. Number: 13-4350
Date Received: 7/26/2024
Receipt No: P001099
Claim Fee: \$25
Received By: MB

RECEIVED

JUL 26 2024

IDWR/Preston

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day**

1. Name of Claimant(s)

JAARON MOSER
2362 W 1500 N
PRESTON ID 83263

Phone: (208) 339-0494

2. Date of Priority: 9/29/1931

3. Source:

SPRING DEEP CREEK

Trib. to:

4. Point of Diversion:

Township	Range	Section	¼ of ¼ of ¼	Lot	County	Type
15S	39E	17	NW NW		FRANKLIN	

5. Description of diverting works:

3/4 HP pump and 3/4 inch pipe from catch basin to house

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A
DOMESTIC	01/01	12/31	0.04		

7. Total Quantity Appropriated is:

0.04 C.F.S. and/or A.F.A.

8. Non-irrigation uses:

1 home

9. Place of use:

DOMESTIC within FRANKLIN County

Township	Range	Section	¼	of	¼	Lot	Acres
15S	39E	17	NW		NW		
15S	39E	17	SW		NW		

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

If your answer is no, describe in remarks below the authority you have to claim this water right.

11. Other Water Rights Used:

12. Remarks:

Priority Date Explanation:

This is when the home was built and hooked up to the spring.

13. Basis of Claim: Statutory Claim

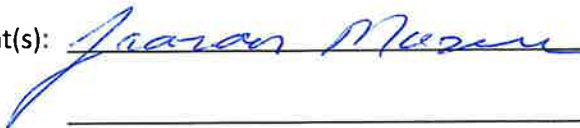
14. Signature(s)

(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 BEAR 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 under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s):  Date: 7-26-24

Date: _____

RECORDING REQUESTED BY AND WHEN
RECORDED RETURN TO:

264301 1-4

Recorded at the request of
Backstead Real Estate
Time 9:10A Amount \$ 19⁰⁰

MAY 01 2015

SHAUNA T. GEDDES, RECORDER
By [Signature] Deputy
Franklin County, Idaho

(Space Above For Recorder's Use)

ACCESS EASEMENT

This Access easement is made effective this 30th day of April, 2015, by and between Andrew B. Griffiths and Gina G. Griffiths ("Grantors"), and Darriel G. Seamons and Luann Seamons ("Grantees"). The Grantors and Grantees may be collectively referred to as the parties.

RECITALS:

WHEREAS, Grantors are the owners of the certain real property located in Franklin County, Idaho as more fully described in **Exhibit A**, which exhibit is attached hereto and incorporated herein ("Grantors' Property");

WHEREAS, Grantees are the owner(s) of that certain real property located immediately adjacent to Grantors' Property, as depicted in **Exhibit A** ("Grantee's Property");

WHEREAS, there exists on Grantors' property a natural spring, the water from which has been used by Grantees;

WHEREAS, Grantors desire to grant and Grantees desire to receive an easement for ingress and egress across the Grantors' property as depicted on **Exhibit A** under the terms and conditions outlined hereafter.

AGREEMENT:

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. **Grant.** Grantors hereby grant a non-exclusive perpetual access easement over, on, across, and through the Grantors' Property for ingress and egress in the location depicted on **Exhibit A** ("Easement"). The easement shall be approximately five (5) feet wide for normal use, but greater width shall be allowed (not to exceed nine (9) feet) on an "as needed" basis if Grantees have need to traverse the easement with a truck or other equipment in the course of maintaining the spring. Grantee shall have the right to maintain the spring in its current condition but shall not have the right to enlarge or develop the spring or the spring house. Grantee shall not build a fence or other permanent structure on or around the easement.

2. **Purpose of Easement.** The Easement shall be used by the Grantees, and their successors and assign, to access, use, and maintain the natural spring which is located on the Grantors' property and which historically has been used by Grantees.

3. **Binding on Successors.** This Easement shall be recorded in the official records of Franklin County, Idaho, and shall be binding on the heirs, successors, administrators, executors and assigns of parties hereto and shall run with the land.

4. **Counterparts.** This Easement may be executed in counterparts, each part being considered an original document, all parts being but one document.

IN WITNESS WHEREOF, the undersigned have caused this Easement to be executed the day and year first written above.

GRANTORS:


Andrew B. Griffiths


Gina G. Griffiths

GRANTEES:


Darrel G. Seamons


Luann Seamons

STATE OF Idaho
COUNTY OF Franklin ss.

264301 3-4

On this 30th day of April, 2015, before me, a Notary Public in and for said State, personally appeared Andrew B. Griffiths and Gina G. Griffiths, 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. In witness whereof I have set my hand and affixed my official seal the day and year in this certificate first above written.



Scott L. Beck
Notary Public State of Idaho
Residing at: Preston ID
Commission Expires: 12-12-18

STATE OF Idaho
COUNTY OF Franklin ss.

On this 30th day of April, 2015, before me, a Notary Public in and for said State, personally appeared Daniel G. Seamon and Luann Seamon, 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. In witness whereof I have set my hand and affixed my official seal the day and year in this certificate first above written.



Scott L. Beck
Notary Public State of Idaho
Residing at: Preston ID
Commission Expires: 12-12-18

A

Exhibit A

264301 4-4

183247

T-19

Affon S. W. Trust

179153

o/o Melburn Foster

Viv
4.6
Sm

7

8

#1686.00
#227162

1.6 Ac.

#1686.01
#13

Gerald S. W. Trust
Leann B. Searns

18

17

T-17

#1812.00

Spring Hollow
Ranch LLC

T.3

Gerald
Smith

209938

#1812.02

14 Ac.

Robert B. L. / J. S.
Lma L. Luffels 4/30/15

227162

135' North from
S.E. Corner
140' East of
Property Line

Gerald
Searns
#1811
209959

Road

#1812.00
#195742

James Ridge Trust

208996

#1806

T.6

4/18/17

1343'