

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 <input checked="" type="checkbox"/> | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 79-14249+             | Yes <input type="checkbox"/>            | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> | Yes <input type="checkbox"/> |
| 79-14317              | 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"/> |

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 documentName connector ☒ and ☐ or ☐ and/or508 W. Boone Ave.NampaID83651

Mailing address

City

State

ZIP

(208) 369-3219wkbmoore@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.  
     o 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.

SUPPORT DATA

IN FILE # 79-14249

8. Signature:

Kland Moore  
Signature of new owner/claimantWendy Moore  
Title, if applicable8/21/23  
Date

- Signature:

Larry Holmes  
Signature of new owner/claimantMargaret E. Holmes  
Title, if applicable8/21/23  
Date

## For IDWR Office Use Only:

Received by Km Date 9-11-23Receipt No. C117034Receipt 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 DMProcessed by DMDate 11-29-23



**Instrument # 540137**

IDAHO COUNTY, IDAHO  
05-05-2023 12:20:05 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

### **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.

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)

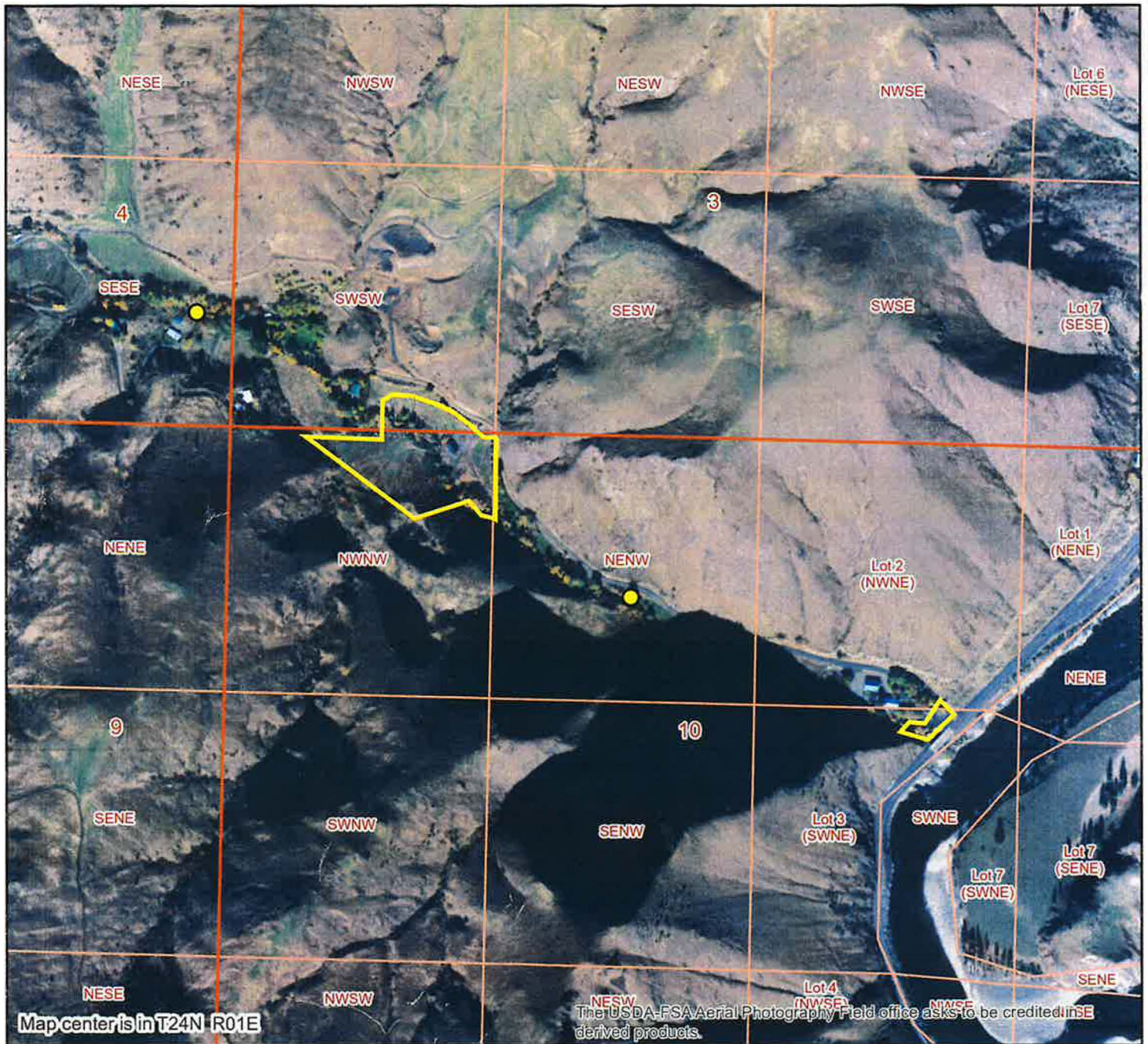
State of Idaho  
Department of Water Resources

# Water Right

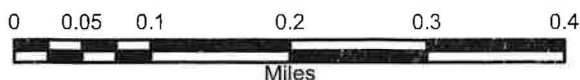
79-14249

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.



Date created: 8/9/2022



## Legend

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



## 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       |        |
| <b>TOTAL</b>   |       |       | 0.15 CFS       |        |

### Places of Use

[Printable View](#) [Payment View](#)

### 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'

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' |

Parcel 1  
1.059 Acres  
W.C. (17.91' 149.266'  
N07°53'32"W 330.26'  
S74°47'16"E 168.923'  
S07°53'32"E 261.279'

Race Creek Road

S68°03'43"E 522.367'

CP&F Inst. No.  
457091

1/4 cor 3  
10

S9°55'16"E 315.07'

L3

N58°08'19"W 219.40'

S40°45'04"W 218.86'

SURVEY FOR:

FRANK GUIDICE

Drawn By: GLS

Date: Aug. 28, 2017

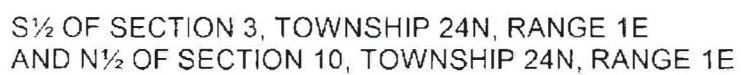
Surveyed By: GLS

Job No. AUG0617



**Skinner Land  
Survey Co. Inc.**

312 W. South Street  
Grangeville, Idaho 83530  
(208)-983-2517  
greg@skinnerlandsurvey.com



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



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

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



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

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](mailto: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)