

RECEIVED

APR 23 2026

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDEPT. OF WATER RESOURCES
EASTERN REGION

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. WD 34

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
34-14109 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
34-14112 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
34-14115 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
34-14118 OK	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: MOSS Farms INC

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Daniel + Malena Kelly

New owner(s) as listed on the conveyance document

Name connector ☐ and ☐ or ☐ and/or

3328W 3300N
Mailing address

Moore
City

ID
State

83255
ZIP

208-201-3675
Telephone

office.kellycreek@gmail.com
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: 7-15-2025

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):

- \$100.00
- \$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: Malena Kelly

Signature of new owner/claimant

Title, if applicable

Date

Signature: Daniel Kelly

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by M. Jett Date 4-23-26 Receipt No. E051586 Receipt Amt. 100.00

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 updated the shape to reflect the water right Approved by JB Processed by MP Date 4/27/2026

5. Indicate the date the water rights and/or adjudication claims were conveyed to you. This may be the date of closing in the case of a real estate transaction, the date a contract was signed, or the date of a court order.
6. If you are unsure about the status of your water right in the Water Supply Bank, go to:
www.idwr.idaho.gov/apps/ExtSearch/WSBSearch/WSBSearch.aspx, input your water right number and click "Search." If you find your water right is in the Water Supply Bank and you want to release it so you can use it, you can download the Request to Release form from the forms portion of our website: www.idwr.idaho.gov. Your water right may not be available for immediate release if rented by another water user.

7. **ATTACHMENTS:**

IDWR cannot process this change without **documentation of ownership**. The documentation may be in the form of a deed, court decree or other conveyance document. If you are submitting a quitclaim deed and the grantor's name does not match the water right holder of record, you will need to provide a chain of title that goes back to the water right holder/claimant of record. You may obtain this information from the assessor's office in the county where the property is located. Items that are **not** conveyance documents are deeds of trust, mortgages, purchase and sales agreements, and property tax notices.

Submit a **plat map, survey map, or aerial photograph** of the place of use for each water right or claim listed in item #1 (if necessary to clarify division of water rights or complex property descriptions). If your right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent aerial photograph with the irrigated acres outlined and point(s) of diversion clearly marked. You also have the option of printing a map using the map tool on IDWR's website at: www.idwr.idaho.gov. It is not necessary to obtain a new survey for purposes of this form before contacting IDWR.

The Idaho Legislature has waived the fee to file a Notice of Change in Water Right Ownership for any water right pending in a general water right adjudication such as the Snake River Basin Adjudication or the Northern Idaho Adjudication. This waiver ends when a partial decree is issued for the water right that has been claimed. For water rights not pending in a general adjudication, the **filing fee** is \$25 per water right, except for those water rights that will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right.

If the water right is leased to the Water Supply Bank and there is more than one owner, a Lessor Designation form must be completed to specify who the designated lessor will be. Each of the owners must sign the Lessor Designation form.

An IRS Form W-9 is required for all ownership changes pertaining to water rights leased to the Water Supply Bank. Refer to instructions in section 6 above to determine if the water right undergoing an ownership change is leased to the Water Supply Bank. An IRS W9 form can be downloaded from the Department's website: www.idwr.idaho.gov.

8. One of the new owner(s) must sign the form in the space(s) provided. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.

When you have completed the Notice of Change in Water Right Ownership, retain a copy and **file the original form, necessary attachments, and filing fee with the IDWR office nearest you. Ownership changes for water rights leased to the Water Supply Bank should be sent to the State Office.**

IDWR Northern Region
7600 N Mineral Dr, Ste 100
Coeur d'Alene, ID 83815-7763
(208) 762-2800

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

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

IDWR Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301-5858
(208) 736-3033

~ OR ~

IDWR State Office
322 East Front St, 6th Floor
P.O. Box 83720
Boise, ID 83720-0098
(208) 287-4800

100.00
and paper

RECORDING REQUESTED BY
Flying S Title and Escrow of Idaho, Inc.

AND WHEN RECORDED MAIL TO:
Flying S Title and Escrow of Idaho, Inc.
670 South Woodruff
Idaho Falls, ID 83401

E-RECORDED simplified

ID: 62874
County: Butte
Date: 7-16-25 Time: 8:48 Am

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **1194347-IF (dp)**

Date: **July 03, 2025**

For Value Received, **Moss Farms, Inc.**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Daniel D. Kelly and Malena Dee Kelly, husband and wife**, hereinafter called the Grantee, whose current address is **3328 West 3300 North, Moore, ID 83255**, the following described premises, situated in **Butte** County, **Idaho**, to-wit:

The land referred to herein is described in the Legal Description attached hereto as Exhibit A.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

RESERVING to the Grantor the covenant, that no structure of any kind will be placed or built directly west of the Grantor residence so long as Dennis K Moss owns the home located at 3286 N. 3350 W., Moore, ID 83255.

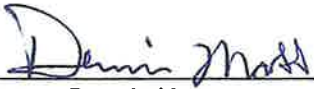
TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: **07/03/2025**

Warranty Deed
- continued

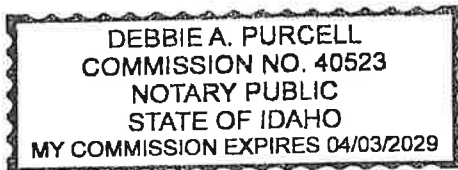
File No.: **1194347-IF (dp)**

Moss Farms, Inc., an Idaho corporation

By: 
Name: Dennis Moss
Title: President

STATE OF Idaho)
SS.
COUNTY OF Bonneville)

On this 15th **July, 2025**, before me, a Notary Public in and for said State, personally appeared **Dennis K. Moss**, known or identified to me, to be the **President** of **Moss Farms, Inc.** a corporation that executed the instrument or the person who executed the instrument on behalf of said Corporation, and acknowledged to me that such Corporation executed the same.




Notary Public of Idaho
Residing at: Idaho Falls, ID
Commission Expires:

Exhibit "A"

Real property in the County of Butte, State of Idaho, described as follows:

**TOWNSHIP 5 NORTH, RANGE 26 E.B.M., BUTTE COUNTY, IDAHO
SECTION 21: N $\frac{1}{2}$ NW $\frac{1}{4}$ LYING SOUTH OF THE MOORE CANAL,**

EXCEPT: PART OF THE N $\frac{1}{2}$ NW $\frac{1}{4}$ OF SECTION 21, TOWNSHIP 5 NORTH, RANGE 26 E.B.M., BUTTE COUNTY, IDAHO, DESCRIBED AS: COMMENCING AT THE NORTH $\frac{1}{4}$ CORNER OF SAID SECTION 21, SAID POINT BEARING N 89°43'57" E 2638.57 FEET FROM THE NORTHWEST CORNER OF SAID SECTION; THENCE S 00°32'52" E 1291.11 FEET ALONG THE EAST LINE OF THE NORTHWEST $\frac{1}{4}$ OF SAID SECTION TO A POINT THAT IS THE EXTENSION OF AN EXISTING FENCE LINE AND SAID EAST LINE, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE ALONG SAID FENCE LINE THE FOLLOWING SIX (6) COURSES: (1) S 89°43'31" W 53.30 FEET; THENCE (2) S 89°17'45" W 208.66 FEET; THENCE (3) S 89°21'04" W 208.39 FEET; THENCE (4) S 89°30'13" W 994.35 FEET; THENCE (5) S 89°46'02" W 202.30 FEET; THENCE (6) N 05°39'27" W 954.59 FEET TO THE SOUTHERLY BANK OF THE MOORE CANAL; THENCE ALONG SAID SOUTHERLY BANK THE FOLLOWING SIX (6) COURSES: (1) S 63°31'29" W 327.30 FEET; THENCE (2) S 44°10'14" W 128.93 FEET; THENCE (3) S 33°32'47" W 128.06 FEET; THENCE (4) S 38°25'38" W 135.32 FEET; THENCE (5) S 50°06'27" W 27.16 FEET; THENCE (6) S 60°39'45" W 65.20 FEET TO THE INTERSECTION OF SAID SOUTHERLY BANK AND THE EASTERLY RIGHT OF WAY TO THE MACKAY BRANCH OF THE UNION PACIFIC RAILROAD; THENCE S 23°24'29" E 533.39 FEET ALONG SAID RAILROAD RIGHT OF WAY TO THE NORTHWEST CORNER OF DEED INSTRUMENT NUMBER 32712; THENCE N 89°27'54" E 2164.68 FEET ALONG THE NORTH LINES OF SAID DEED INSTRUMENT NUMBERS 32712 AND DEED INSTRUMENT NUMBER 32711 TO THE CENTER-NORTH 1/16 CORNER, SAID POINT BEARING S 00°32'52" E 1326.11 FEET FROM SAID NORTH $\frac{1}{4}$ CORNER; THENCE N 00°32'52" W 35.00 FEET ALONG THE EAST LINE OF THE NORTHWEST $\frac{1}{4}$ TO THE POINT OF BEGINNING.

TOGETHER WITH

Water Right 34-14109, Decreed, Surface Water from the Big Lost River, Priority Sate 8/31/1884 for 0.58 CFS

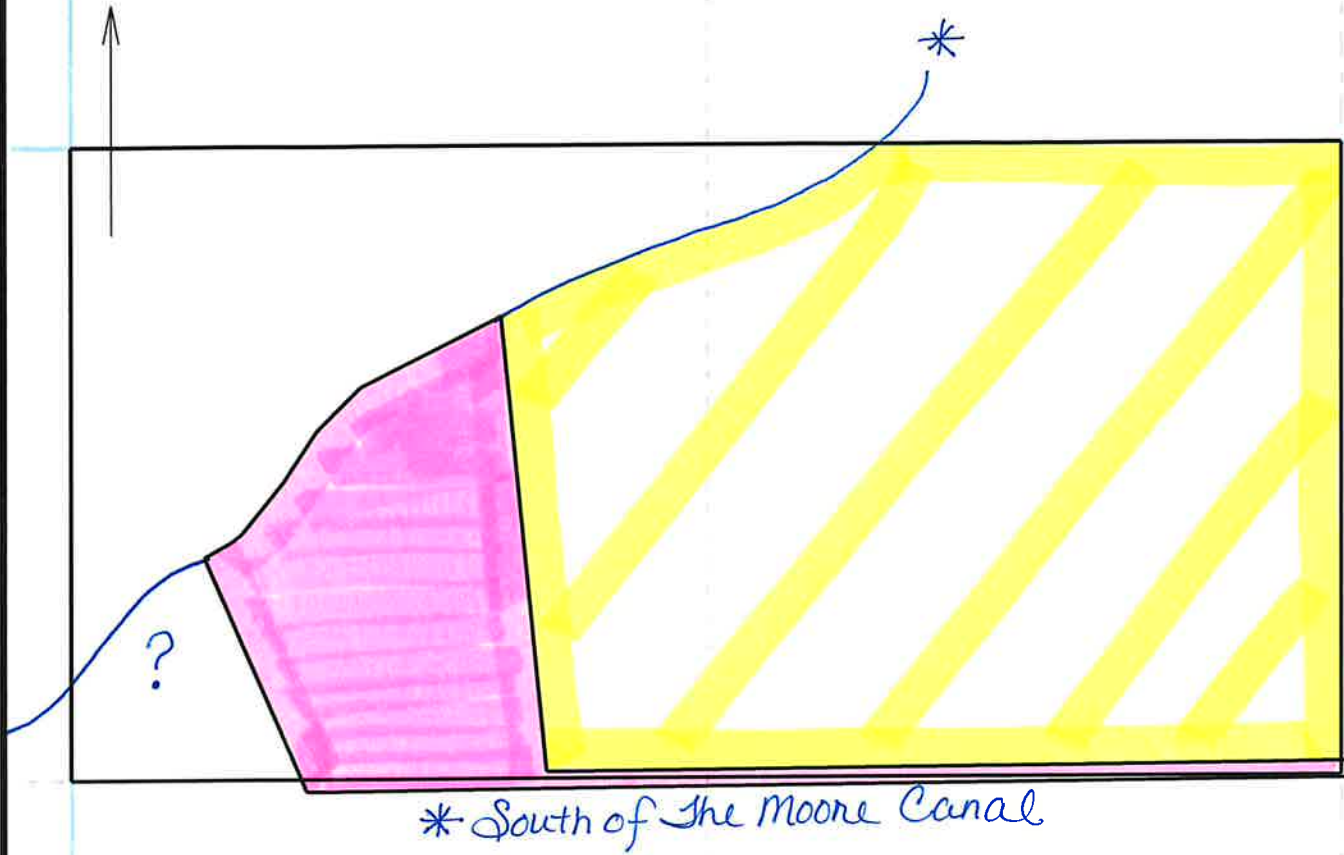
Water Right 34-14112, Decreed, Surface Water from the Big Lost River, Priority Sate 6/1/1896 for 0.44 CFS

Water Right 34-14115, Decreed, Surface Water from the Big Lost River, Priority Sate 6/1/1897 for 0.16 CFS

Water Right 34-14118, Decreed, Surface Water from the Big Lost River, Priority Sate 6/15/1897 for 0.16 CFS

Water Right 34-6200 - Priority Date 06/30/1891, 4401 Storage Inches, which is included in the 5,000 total storage inches , supplied from the Mackay Reservoir and administered through the Big Lost River Irrigation District.

Included
exception



62874 Moss Farms Inc TO Daniel & Melena Kelly

4/23/2026

Scale: 1 inch= 400 feet

File:

Tract 1: 12.2218 Acres, Closure: s23.5353e 0.60 ft. (1/10288), Perimeter=6167 ft.
Tract 2: 80.0000 Acres, Closure: n00.0000e 0.00 ft. (1/999999), Perimeter=7920 ft.

01 /ne,nw,21,5n,26e
02 /s00.3252e 1291.11
03 s89.4331w 53.30
04 s89.1745w 208.66
05 s89.2104w 208.39
06 s89.3013w 994.35
07 s89.4602w 202.30
08 n05.3927w 954.59
09 s63.3129w 327.30
10 s44.1014w 128.93
11 s33.3247w 128.06
12 s38.2538w 135.32
13 s50.0627w 27.16
14 s60.3945w 65.20
15 s23.2429e 533.39

16 n89.2754e 2164.68
17 n00.3252w 35.00
18 @0
19 /ne,n,nw,21,5n,26e
20 s0w 1320.00
21 s90w 2640.00
22 n0e 1320.00
23 n90e 2640.00



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

April 27, 2026

DANIEL D KELLY
MALENA DEE KELLY
3328 W 3300 N
MOORE ID 83255-8724

Re: Change in Ownership for Water Right No(s): 34-14118, 34-14115, 34-14112, 34-14109

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 208-525-7161.

Sincerely,

Misty Pettis
Office Specialist 2

Enclosure(s)
CC: WATER DISTRICT 34