

NAME: MOON

CLAIM: A 84-04294A
CORRESPONDENCE
EVIDENCE OF
PRIORITY

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 SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A84-04294

Date Received: 5/18/1988

Receipt No: N-593

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JUL 19 1988

Department of Water Resources
Northern District Office

1. Name: LEO C. MOON
Address: 7524 SHOREFRONT RD.
RT. 10 BOX 652M
FT. WORTH, TX 76135

2. Date of Priority: JAN 01, 1945

3. Source: SPRINGS Trib. to: CLEARWATER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
34N	03E	26	SW 1/4	NE 1/4	IDAHO
			W 1/2	SE 1/4	IDAHO

5. Description of diverting works: *Boxed in spring/pond - water pumped to house/grounds. One spring provides water for stock pond. Surplus water flows on down drainage and is available to adjoining lands below this property. (JLM)*

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
~~IRRIGATION~~	~~06/01~~	~~10/01~~	~~0.150~~	No irrigation	(JLM)
STOCKWATER	01/01	12/31	0.009		
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
0.199 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is *N/A** Acre Feet Per Annum.

9. Non-irrigation uses:

S/12 RANGE, 30 SWINE, 150 SHEEP
55 head cattle (JLM)

A84-04294

Page 1

Date: 05/18/88

* Not applicable - impossible to estimate this figure with the small amount of water available. (JLM)

APR 27 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
34N	03E	26	SW SE	NE NE	STOCK IRR	5.0
Section Acres						5.0
Total Acres						5.0

11. Place of use in counties: IDAHO

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used: *None*

14. Remarks: *The amount of water available is very seasonal and during summer months, particularly dry summer, may all be required. At present the land is leased and all water available is at disposal and use of renter(s).*

15. Basis of Claim: STATUTORY CLAIM

Water Right Number: *A84-04294*

(Sello)

MICROFILMED
APR 27 1993

16. 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 Snake 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: 5 + Check

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *[Signature]* Date: 7-14-88
Date: _____

State of ~~Idaho~~ TEXAS)
County of TARRANT) ss.

Subscribed and sworn (or affirmed) before me this 14 day
of July 1988 *Alice Anne Brown*
Notary Public

Seal

Residing at 6050 Jackson Hwy
Worth, TX 76139
My Commission Expires 8-13-88

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APR 27 1993

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 SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A84-04294
Date Received: 5/18/1988
Receipt No: N000593
Received By: _____

AMENDED
NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

#1026387
Jm

RECEIVED

DEC 24 1992

Department of Water Resources

1. Name: LEO C. MOON
Address: 7524 SHOREFRONT RD.
RT. 10 BOX 652M
FT. WORTH TX

76135

2. Date of Priority: JAN 1, 1945

3. Source: SPRINGS

Trib. to: CLEARWATER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
34N	03E	26	SW	NE			IDAHO
			SE	NE			IDAHO

5. Description of diverting works: See Attachment 1

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	06/01	10/01	0.150		
STOCKWATER	01/01	12/31	0.009		
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
0.199 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is See

Acre Feet Per Annum. See Attachment
2

9. Non-irrigation uses:

S/12 RANGE, 30 SWINE, 150 SHEEP.
See Attachment 3

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APR 27 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
34N	03E	26	SW SE	NE NE	STOCK IRR	5.0
Section Acres						5.0
Total Acres						5.0

11. Place of use in counties: IDAHO

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used: None

14. Remarks: See Attachment 4

15. Basis of Claim: STATUTORY CLAIM

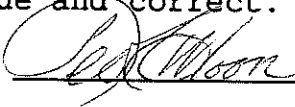
16. Signature(s)

(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 Snake 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: 4

For Individuals:

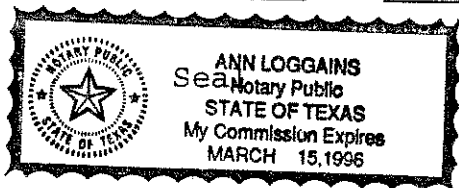
I/~~we~~ do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s):  Date: 12-22-92

Date: _____

State of ~~Idaho~~ TEXAS)
County of TARRANT) SS.

Subscribed and sworn (or affirmed) before me this 22 day
of DECEMBER 19 92



Ann Loggains
Notary Public

Residing at H. Worth, Jr.

My Commission Expires _____

17. Notice of Appearance:

Notice is hereby given that I, Josephine P. Beeman will be
acting as attorney at law on behalf of the claimant signing above, and that
all notices required by law to be mailed by the director to the claimant
signing above should be mailed to me at the address listed below.

Signature Josephine P. Beeman

Address 702 West Idaho St., Ste 700, Boise, ID 83702

Date December 24, 1992

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ATTACHMENTS TO AMENDED SRBA CLAIM A84-04294

ATTACHMENT 1: (Description of Diverting Works)

Boxed in spring/sump-water pumped to house/grounds. One spring provides water for stock pond. Surplus Water overflows on down drainage and is available to adjoining lands below this property.

ATTACHMENTS TO AMENDED SRBA CLAIM A84-04294

ATTACHMENT 2: (Total Consumptive Use)

Not applicable. Impossible to estimate this figure with the small amount of water available.

ATTACHMENTS TO AMENDED SRBA CLAIM A84-04294

ATTACHMENT 3: (Non-Irrigation Uses)

This should show 55 cattle (no swine or sheep).

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ATTACHMENTS TO AMENDED SRBA CLAIM A84-04294

ATTACHMENT 4: (Remarks)

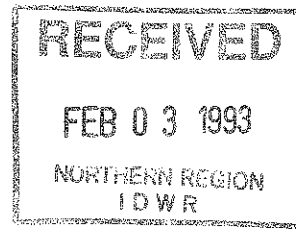
The amount of water used (available) is very seasonable, and during summer months, particularly a dry summer, may all be required. At present the land is leased and all water available is at disposal and use of the renter(s). Leo Moon was unable (while living in Texas) to do irrigation; it turns out his renters used water for irrigation (Bill Brewer, the Goff family, and Don Simler, affidavit enclosed). The affidavit of Karen Cloninger supports irrigation from 1980 to present and specifically mentions irrigation by the Goff family.

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APR 27 1993

1/29/93

To: Allen Beardslee
N. Region

From: Jodi Schultz
S.O.



AJ5811NP
SELECTION FILE: SCHULTZ-MOON-ATTY
TOTAL RECORDS IN SELECTION FILE: 6

A84-04294 A84-04295 A84-04296 R84-04294 R84-04294A R84-04294B

IDAHO DEPARTMENT OF WATER RESOURCES
SELECTION FILE CONTENTS

FYI: Per the attached notice
of appearance, these →
claim numbers were updated
to show attorney.

A84-04294

DATE: 01/29/93
TIME: 10:27:01
PAGE: 1

MICROFILMED
APR 27 1993

W. Hugh O'Riordan
Josephine P. Beeman
DAVIS WRIGHT TREMAINE
702 West Idaho Street, Suite 700
Boise, ID 83702
Telephone: (208) 338-8200

Attorneys for Leo C. Moon

RECEIVED
JAN 25 1993



Department of Water Resources

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 Snake River Basin Water
System

Case No. 39576

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as director
of the Idaho Department of
Water Resources,

NOTICE OF APPEARANCE

Petitioner,

vs.

The United States; the State
of Idaho; and all claimants
to the use of water from the
Snake River Basin Water System,

Defendants.

SUMMARY DESCRIPTION

Notice of Appearance of W. Hugh O'Riordan and Josephine P.
Beeman of the firm of Davis Wright Tremaine, as attorneys for Leo
C. Moon.

COME NOW W. Hugh O'Riordan and Josephine P. Beeman, members of
the firm of Davis Wright Tremaine, and enter appearances herein for

MICROFILMED
APR 27 1993

A84-04294

for and on behalf of the above-named LEO MOON, and henceforth will represent said LEO C. MOON in this action.

DATED this 22 day of January, 1993.

DAVIS WRIGHT TREMAINE

By: Josephine P. Beeman
Josephine P. Beeman

CERTIFICATE OF SERVICE

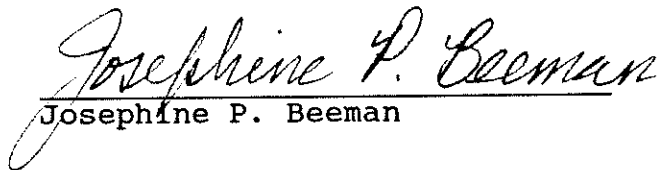
I hereby certify that on this 22 day of January, 1993, I served a copy of the foregoing NOTICE OF APPEARANCE upon the following persons depositing copies thereof in the United States mail, postage prepaid, in envelopes addressed to said persons at the following addresses:

The Honorable Larry Echohawk
Attorney General
Statehouse, Room 210
Boise, Idaho 83720

Mr. David Shaw (six copies)
Adjudications Bureau Chief
Department of Water Resources
Statehouse Mail
1301 North Orchard
Boise, Idaho 83720

Mr. Peter Monson
Trial Attorney
United States Department of Justice
Land and Natural Resources Division
Indian Resources Section
P.O. Box 44378
Washington, D.C. 20026-4378

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707


Josephine P. Beeman

AE4-04294

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APR 27 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 7, 1993

Josephine P. Beeman
Davis Wright Tremaine
702 W. Idaho St., #700
Boise, ID 83702

RE: Snake River Basin Adjudication (SRBA)
Idaho County - Amended Claim #A84-04294, Leo S. Moon
Woodland Adjudication

Dear Jo,

We acknowledge receipt of the claim referenced above with its four (4) attachments, the Affidavit of Don Simler and Mr. Moon's check in the amount of \$30.00 for the balance of the filing fee.

Sincerely,

Shelley Walter Keen
Sr. Water Resource Agent
Adjudication Bureau

SWK:sf:north

A84-04294

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APR 27 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

TRANSMITTAL COVER SHEET

OMNIFAX G66i

Phone No.: (208) 765-2088

TO: Joe Beeman

FROM: Allen Beardslee

Fax 338-8299

DOCUMENT DESCRIPTION:

Leo Moon A84-04294

TOTAL PAGES SENT: 5 + 1 COVER SHEET

CONTACT:

Allen Beardslee

(Name of sender)

Please consider this document as a billing statement. The charge for your

FAX copies is \$ 1.25. Please remit to the above address.

Charges: One (1) free copy per request, cover sheet not counted. Two (2) or

more copies per request are \$0.25 per page with a \$0.50 minimum.



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APR 27 1993

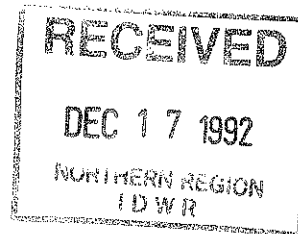
DAVIS WRIGHT TREMAINE

LAW OFFICES

702 WEST IDAHO STREET • SUITE 700 • BOISE, IDAHO 83702
(208) 338-8200

SCOTT L. CAMPBELL
(208) 338-8219

December 15, 1992



Mr. Allen Beardslee
Idaho Department of Water Resources
Northern Regional Office
1910 Northwest Boulevard, Suite 210
Couer d'Alene, Idaho 83814

Re: Leo Moon SRBA Claim A84-04294

Dear Allen:

I am enclosing an affidavit from Karen Cloninger in support of the irrigation of five acres of land for SRBA Claim A84-04294 filed by Leo Moon. The land is contained in a hairpin turn of the county road in the Woodland area near Kamiah, in the SENE, Section 26, Township 34 North, Range 3 East, B.M. Ms. Cloninger has driven past the Moon property six days a week for the past twelve years as part of her full time job as a carrier for the U.S. Postal Service. The Cloninger home is also located in the same vicinity as the Moon property.

I understand, from a phone message left for me by Bob Haynes, that the Idaho Department of Water Resources may file the Woodland adjudication with the District Court in Twin Falls by the end of December. Although I am not counsel of record for any of the Woodland SRBA claimants, I would appreciate very much being notified when the report is filed with the Court.

Please call me if you have any questions.

Sincerely yours,

DAVIS WRIGHT TREMAINE

Jo Beeman
Josephine P. Beeman

JPB:ma
cc: Mr. Leo Moon
Enclosure
Mr. David B. Shaw

32199\00001.LTR
Boise

FAX: (208) 338-8299

ANCHORAGE, ALASKA • BELLEVUE, WASHINGTON • HONOLULU, HAWAII • LOS ANGELES, CALIFORNIA
PORTLAND, OREGON • RICHLAND, WASHINGTON • SAN FRANCISCO, CALIFORNIA • SEATTLE, WASHINGTON • WASHINGTON, D.C.

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APR 27 1993

DAVIS WRIGHT TREMAINE

LAW OFFICES

702 WEST IDAHO STREET • SUITE 700 • BOISE, IDAHO 83702
(208) 338-8200DATE: January 5, 1993TIME: 11:35 (AM) - PMTO: Danni SmithOF: Idaho Dept. of Water ResourcesFAX NUMBER: 327-7866FROM: Josephine P. Beeman

PAGES INCLUDING COVER: _____

COMMENTS/SPECIAL INSTRUCTIONS: _____

Sender Anderson

You are receiving this transmission from a Xerox Plain Paper Telecopier Model 7033 Machine. Our telefax numbers are: (208)336-8833 and (208) 338-8299. If the first number is busy, it will automatically shift to the other machine. If you do not receive some of the pages noted above, please call our firm at (208) 338-8200 and we will resend. Thank you.

ANCHORAGE, ALASKA • BELLEVUE, WASHINGTON • LOS ANGELES, CALIFORNIA • PORTLAND, OREGON
RICHLAND, WASHINGTON • SEATTLE, WASHINGTON • WASHINGTON, D.C.

CLIENT NUMBER: 32199.1

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A84-04294

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Department of Water Resources

DAVIS WRIGHT TREMAINE

LAW OFFICES

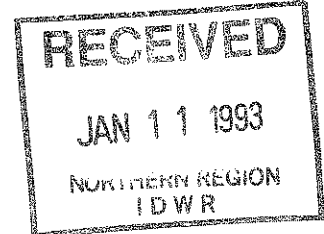
702 WEST IDAHO STREET • SUITE 700 • BOISE, IDAHO 83702
(208) 338-8200

JOSEPHINE BEEMAN
(208) 338-8233

December 24, 1992

VIA FACSIMILE
327-7866

David B. Shaw
Department of Water Resources
1301 North Orchard
Boise, Idaho 83706



Re: Amended SRBA Claim A84-04294 for Leo S. Moon
Woodland Adjudication

Dear David,

We are filing the enclosed Amended SRBA claim 84-04294 on behalf of Leo S. Moon to confirm his claim for 5 acres of irrigation on property in the Woodland area near Kamiah, Idaho. The property has been in Mr. Moon's family for three generations, but has been rented to and irrigated by various individuals during the years Mr. Moon has lived out of state.

The amended claim should clarify confusion arising at the time Mr. Moon filed the original claim and deleted irrigation as a use because he did not personally irrigate the property. The original filing fee was \$25.00. The attached check for \$30.00 from Mr. Moon makes a total of \$55.00 in fees to cover the 5 acre irrigation right.

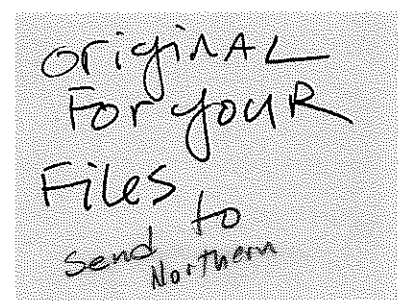
We are filing the amended claim with you and sending a copy to the Coeur d'Alene office because you and your staff are reviewing the draft water right report for the Woodland Adjudication.

Sincerely,

DAVIS WRIGHT TREMAINE

A handwritten signature in cursive script that reads "Jo Beeman".

Josephine P. Beeman



cc: Leo S. Moon
Allen Beardslee (IDWR Coeur d'Alene)
Hugh O'Riordan

321991\00002.L
Boise

FAX: (208) 338-8299

ANCHORAGE, ALASKA • BELLEVUE, WASHINGTON • LOS ANGELES, CALIFORNIA • PORTLAND, OREGON
RICHLAND, WASHINGTON • SEATTLE, WASHINGTON • WASHINGTON, D.C.

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APR 27 1993

A84-04294

A84-04294
SOURCES & DIVERSION WORKS
12/30/1991

There are three springs on the moon property.

One spring is southeast of Moon's home and supplies water for Bill Brewer's domestic and irrigation uses. During the Claim Verification examination it was noticed that there was no evidence of stock use from this spring. Also the area around the spring was not fenced for stock.

The spring located Northwest of Moon's home supplies domestic and stockwater water. Water from the spring is piped via gravity flow to a pump located north of the home in a field. From the pump, water is piped to house.

The spring located Northeast of Moon's home fills a stock pond and used for stockwater purposes only.

Mr. Glen Simler (Property Caretaker) stated that the two unnamed streams supply water for stockwater purposes.

Allen Beardslee

A84-04294

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APR 27 1993

Kiff M. Massy
HCR #11 Box 13
Ramaiah Idaho
83536

A84-04294
Permanent file

State of Idaho Lewis C.

Department of Water Res

1301 North Orchard St

Boise, Idaho

83706-2237

Please file this protest
with water rights No 84-
4001 and No 84-4294

Sincerely

Kiff M Massy

Original to
Allocations 5-17-90.

RECEIVED
MAY 16 1990

Department of Water Resources

A84-04294

RECEIVED
FEB 25 1991
NORTHERN REGION
IDWR

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APR 27 1993

RECEIVED
MAY 16 1990

Department of Water Resources

K. ff M Massey
H-R #11 Box 13
Kamiah, Idaho
83536

May - 7 - 90



William H Brewer
Star Route Box 15
Kamiah, Idaho 83536

Secretary / Records Manager
Idaho Dept. of Water Resources

Please keep this letter on file at your
Department of Water Resources in the matter
of protest against No. 84-7180 water right
in name of Bill Brewer

Dear Mr Brewer

1. Because of your interference with the
water right No 84-4001
2. Because of your interferences with the
water right No. 84-~~4001~~ 4294.
3. Brewer you are in violation of the
facts #2 #6 #7 #8 from the conference
held on February 14, 1984 in Lewiston
Idaho
4. Based upon the information presented
at the conference the official files and
records of the Department of Water
Resources and his understanding of
the Law the hearing officer ~~will~~ ^{will} ~~for~~ ^{for} the
Director of the Department

APR 27 1991
A84-04294

Water Resources propose the following
Findings of fact, conclusions of law
and order.

Findings of fact:

Mr Brewer you are in violation of
Facts # 2 # 6 # 7 # 8 from pages # 1 & # 2

Mr Brewer your violations will no
more be put up with. If you
continue to violate the facts
2 # 6 # 7 # 8 of the Idaho Department
of Water Resources, this matter will
be resolved in the court.

Kiff M Massey
Kiff M Massey



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APR 27 1993

A84-04294

STATE OF Idaho)
COUNTY OF Lewis)^{ss}

On the 7th day of May, 19 90, personally appeared before
me Kiff M. Massey, the
signer of the attached instrument who duly acknowledged to me that he
executed the same.

Mona Kidd
NOTARY PUBLIC, residing at
Kamiah, Idaho

My Commission Expires:

1-15-91



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APR 27 1993

A84-04294

RT. 10, Box 652M
FORT WORTH, TX 76135
15 JULY, 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION
Suite No. 9
4055 GOVERNMENT WAY
COEUR D'ALENE, IDAHO 83814

RECEIVED

JUL 19 1988

Department of Water Resources
Northern District Office

ATTN: MR. KENNETH KNOBLOCK

DEAR MR. KNOBLOCK:

Submitted herewith are the application forms to renew permits on water claims Nos. A84-04294, A84-04295 and A84-04296, as per the instructions. I have included such information as I know including sketches, map plots and tax assessment information. This latter gives the most concise legal description of each land area.

I had made myself notes on each plot of land for my own use as I tend to forget from time to time what I did or knew at some other time. I take the liberty to enclose a copy for each part of land, (the water available and other such information) which may add to information.

Although I doubt that I need to claim some water due to its meager amount, sometimes none, I feel that it is necessary to prevent future claims by other land owners to include water on my holding, to the extent that there could be complete denial of any for my use. My aeration work involves flying oil leasing personnel, and I foresee that water will one day take on the same values, and result in the same kinds of gamesmanship. I hope maintenance of these claims, and continued usage of the water as it has been over most of this century, will help insure the same availability from now on.

Thank you for your consideration

Leo C. Moon

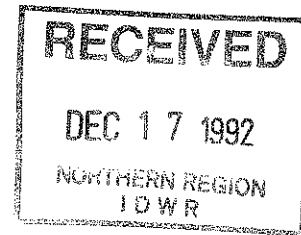
LEO C. MOON

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APR 27 1993

A84-04294

Josephine P. Beeman
DAVIS WRIGHT TREMAINE
702 West Idaho St., Suite 700
Boise, Idaho 83702
(208) 338-8200

Attorneys for Leo Moon



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 Snake River Basin
Water System

Case No. 39576

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as director
of the Idaho Department of
Water Resources,

**AFFIDAVIT OF
KAREN CLONINGER**

Petitioner,

vs.

The United States; the State
of Idaho; and all claimants to
the use of water from the Snake
River Basin Water System,

Defendants.

STATE OF IDAHO)
) ss.
COUNTY OF IDAHO)

I, KAREN CLONINGER, being duly sworn on oath, state that the following information is within my personal knowledge:

1. I reside next door to Bill and ^{SHIRLEY}~~Kathy~~ Brewer near Kamiah, Idaho. My mailing address is HC 11, P. O. Box 14, Kamiah, Idaho 83536.

2. My property is located on the southeast side of the Brewer property. My property is marked on the map attached to this affidavit as Exhibit A.

3. I purchased my property in August, 1988.

4. I have been employed as a carrier for the United States Postal Service in the Kamiah, Idaho area for over twelve (12) years.

5. As part of my postal route, I drive by the Moon property every day except Sundays and holidays.

6. I have observed the Moon property over the past 12 years from the road and the field within the hairpin turn just before the county road goes through Kiff Massey's property shows signs of irrigation practices upon it because the field is very green. The field is green even in the hottest summer periods when non-irrigated parcels are brown.

7. On one occasion, when the Goffs were renting Mr. Moon's property, I gave Mrs. Helen Goff a ride from the mailbox to her home.

AFFIDAVIT OF KAREN CLONINGER - 2

AS4-04294

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8. During our drive up the lane to Mrs. Goff's home, we passed through the Moon property which is within the hairpin turn.

9. When passing through the Moon property with Mrs. Goff, I observed Rainbird sprinklers on the property which were applying water at the time.

DATED this 24 day of November, 1992.

Karen Cloninger
KAREN CLONINGER

SUBSCRIBED AND SWORN to before me this 24 day of
Nov., 1992.

Dwight J. Wimer - Kern
NOTARY PUBLIC
Residing at: Kern Co.
My Commission expires 9-19-96

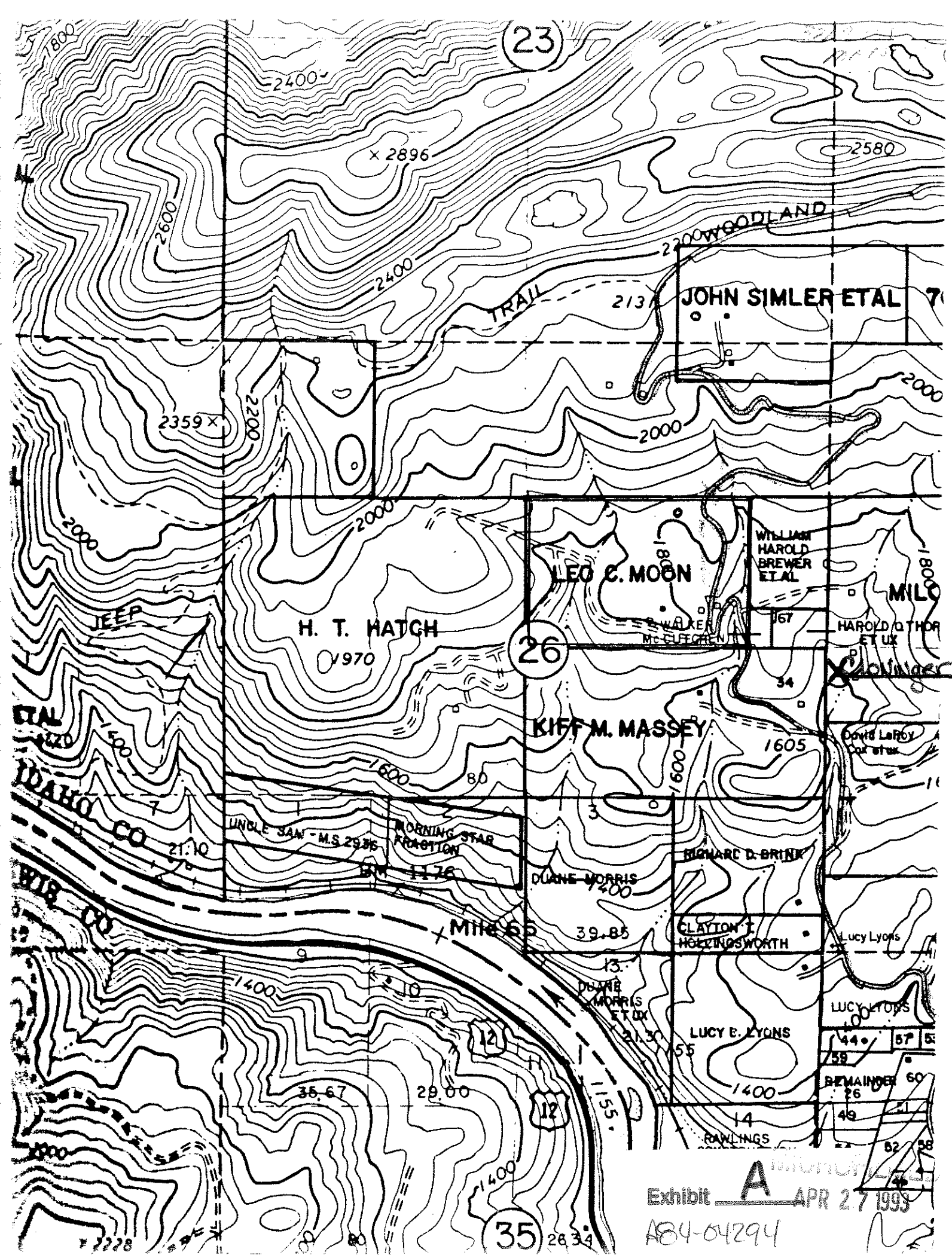


Exhibit **A** APR 27 1993

AB4-04294

AFFIDAVIT

County of IDAHO

GLEW SIMILAR

deposes and says: I AM THE CARETAKER OF LEO MOON'S
PROPERTY NEAR RAMIAH ON THE WOODLAND ROAD.
I HAVE BEEN THE CARETAKER OF THIS PROPERTY
SINCE APPROXIMATELY 1965. IN REGARD TO THE HISTORY OF
IRRIGATION OF HAY & PASTURE ON LEO MOON'S PROPERTY,
THE ONLY IRRIGATION THAT OCCURED WAS DONE BY
BILL BREWER. MR. BREWER RENTED THE MOON PROPERTY.
BILL BREWER IRRIGATED THE MOON PROPERTY APPROXIMATELY
FROM 1975 TO 1980. NO IRRIGATION OCCURED ON THE
MOON PROPERTY FROM 1980 TO 1991. DON SIMLER
STARTED IRRIGATING THE HAY & PASTURE FIELDS IN
THE FALL (APPROX. SEPT. 1, 1991).

Glenn Simler
(signature)

Subscribed and sworn to before me this 5 day of DECEMBER 19 91.

Allen Bransford
(notary public)

Residing at *CD'A*

My commission expires 7/20/94

~~UNCLASSIFIED~~
APR 27 1993

Josephine P. Beeman
DAVIS WRIGHT TREMAINE
702 West Idaho St., Suite 700
Boise, Idaho 83702
(208) 338-8200

Attorneys for Leo Moon

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 Snake River Basin
Water System

Case No. 39576

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as director
of the Idaho Department of
Water Resources,

**AFFIDAVIT OF
DON SIMLER**

Petitioner,

vs.

The United States; the State
of Idaho; and all claimants to
the use of water from the Snake
River Basin Water System,

Defendants.

STATE OF IDAHO)
COUNTY OF IDAHO) ss.

I, DON SIMLER, being duly sworn on oath, state that the
following information is within my personal knowledge:

AFFIDAVIT OF DON SIMLER - 1

APR 27 1993

A84-04294

1. I rent property from Leo Moon near Kamiah, Idaho. This property is located west of the county road in Township 34 North, Range 3 East, Section 26, SENE.

2. I began renting this property in 1985 and have irrigated the property with a five horsepower pump, two to three hours a day, since 1990. The pump is placed in an unnamed stream which flows through the property. Generally, the irrigation is necessary from April through October.

3. The water from the five horsepower pump is applied to approximately 5 acres which provide hay and pasture. The acres are marked on the map attached to this affidavit.

DATED this 24 day of July, 1992.

Don Simler
Don Simler

SUBSCRIBED AND SWORN to before me this 24th day of July, 1992.

Marsha Kisser
NOTARY PUBLIC
Residing Kamiah, ID

(SEAL)

My Commission expires 1-15-97

09/29/2004 RECEIVED

NOTICE OF ERROR
REPLY

NOV 30 2004
DEPARTMENT OF
WATER RESOURCES

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: November 27, 2004

Water right number: 84-4294A

LEO C MOON
7524 SHOREFRONT RD
RT 10 BOX 652M
FORT WORTH TX 76135

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
(1) Denial of five acres of irrigation listed on SRBA claim 84-4294
(2) Priority date of 1/1/1945
2. Describe the changes you wish to make in the proposed recommendation:
(1) Recommend irrigation as claimed (.15 cfs for 5 acres)
(2) Priority date should be the date Mr. Moon's father bought the property. We are obtaining that information and know it is between 1935 and 1945.
3. Give a brief explanation as to why you disagree with these portions:
(1) Leo Moon has personal knowledge of the irrigation use prior to 1971. His affidavit will be provided.
(2) Leo Moon has personal knowledge of the water use and its unchanged nature since his family bought the property in
 I AGREE with this proposed recommendation; no changes need to be made.

DATE: Nov. 24, 2004

SIGNATURE: Josephine P. Beeman

Please print your name: Josephine P. Beeman
Attorney for Leo Moon

IDWR Regional Office, 1910 Northwest Blvd, Suite 210, Coeur D' Alene, ID 83814, 2087691450

Beeman & Associates, P.C.
409 West Jefferson Street
Boise, ID 83702
(208) 331-0950

SCANNED

NOV 30 2004

11/08/2004

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 84-4294A
NAME AND ADDRESS: LEO C MOON
7524 SHOREFRONT RD
RT 10 BOX 652M
FORT WORTH TX 76135
SOURCE: SPRING TRIBUTARY: CLEARWATER RIVER
QUANTITY: 0.040 CFS
The quantity of water under this right and 84-4294B shall not exceed 13,000
gallons per day.
PRIORITY DATE: 01/01/1945
POINT OF DIVERSION:

T34N R03E S26 NESWNE Within IDAHO County
T34N R03E S26 NWSENE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.020 CFS
DOMESTIC	1/01 12/31	0.040 CFS

PLACE OF USE: STOCKWATER Within IDAHO County

T34N R03E S26 SWNE T34N R03E S26 SENE

DOMESTIC Within IDAHO County

T34N R03E S26 SWNE T34N R03E S26 SENE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

USE OF THIS RIGHT WITH RIGHT NO. 84-04294B IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.02 CFS FOR STOCKWATER
PURPOSES.

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.

The quantity of water decreed for this water right is not a determination
of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

84-4294A



0 400 800 Feet

Section 26
T34N R3E



⊙ Point of Diversion

Place of Use

Map prepared on November 8, 2004
By Kenneth Knoblock
Idaho Department of Water Resources



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 8, 2004

Beeman & Associates
409 W. Jefferson
Boise, ID 83702

RE: 84-4294 A & B

We have reviewed our preliminary recommendations for the above referenced claims and the questions that were raised. Our responses are as follows:

1. The source is listed as spring instead of springs because the limitations of the computer program. We consider the source as one spring in each of two tracts.
2. It appears that the claim was split into A and B to reflect the use of spring water and instream watering of stock. In a field exam of 1991 it was discovered in field exam in 1991 that stock were drinking directly from the stream so that use was added. A westerly segment and easterly segment were described. I neglected to list the westerly segment when I reviewed the file. The new recommendations now list the use from the springs as version A and the stream uses as version B.
3. The file contains no proof that water was used for irrigation prior to May 20, 1971, so we could not recommend that use.

This should make the claims less confusing and explain our positions.

If you have any questions please contact me.

Sincerely,

Kenneth Knoblock
Water Resources Agent

Cc: Leo Moon

~~to~~ Karen Clouinger 24 Nov 1992
has been green for 17 years = 1980

✓ Glen Simler irrigation started
with the renting by Bill Bauer
~~and~~ from 1975-1980
no irrigation from 1980 to 1991
irrigation starting in 1991 by Don Simler

Don Simler - rented property from
1985. Started irrigation in 1998

There is no evidence that
the irrigation took place before
1971.

can not recommend irrigator
in the report

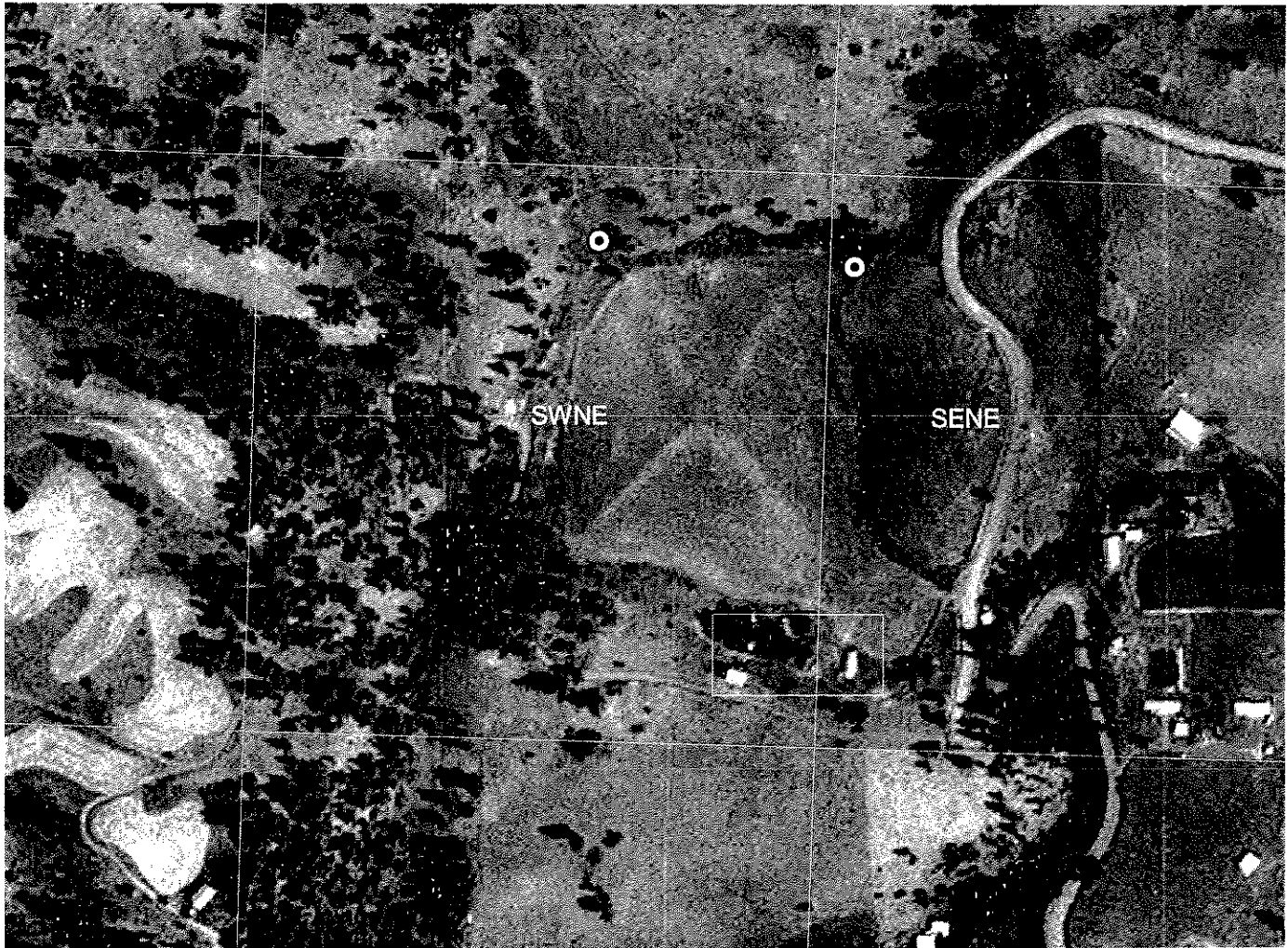
March 10, 2004

Ken Knoblock

al - 2 springs used by Moon Glen Simler -
2 streams supply stockwater
no mention of irrigation
12/30/91

was care taken since 1965

84-4294A



0 700 1400 Feet

Section 26
T34N R3E



⊙ Point of Diversion
Place of Use

Map prepared on March 10, 2004
By Kenneth Knoblock
Idaho Department of Water Resources



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

APR 15 1999

WATER RESOURCES
WESTERN REGION

March 29, 1999

DIRK KEMPTHORNE
GOVERNORKARL J. DREHER
DIRECTORJOSEPHINE P. BEEMAN
BEEMAN & HOFSTETTER PC
PO BOX 1427
BOISE ID 83701-1427*Records modified.
NCRP [NOT] needed.**4-6-99*RE: Snake River Basin Adjudication (SRBA)
Water Rights #84-04295 & 84-04296
Your Client Leo C. Moon

RECEIVED

APR 21 1999

Dear Ms. Beeman:

Department of Water Resources

Mail recently sent to you was returned to us by the Postal Service. They also advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by April 5, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water right referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication BureauSS:region
Enclosure:

Returned Mail

#####

The address is correct as shown above or as otherwise changed.

208-388-8900

Claimant Signature

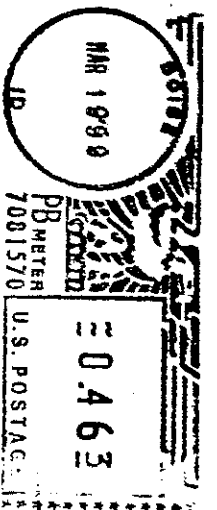
Telephone No.

84-04294, 84-04296
A84-04295, A84-04295A, A84-04295B

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

ADDRESS SERVICE
REQUESTED

RESUB
FIRST



IMPORTANT WATER RIGHT INFORMATION

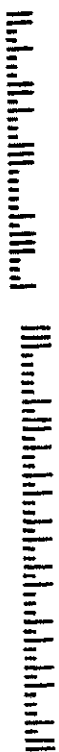
RECEIVED

MAR 23 1999

Department of Water Resources

84-04296
W HUGH O'RIORDAN
JOSEPHINE P BEEMAN
DAVIS WRIGHT TREMAINE
BOISE ID 83702

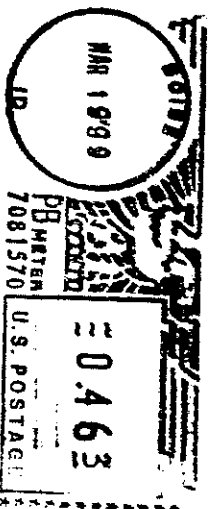
83702/9829



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

ADDRESS SERVICE
REQUESTED

RESUB
FIRST



IMPORTANT WATER RIGHT INFORMATION

84-04295
W HUGH O'RIORDAN
JOSEPHINE P BEEMAN
DAVIS WRIGHT TREMAINE
BOISE ID 83702



RECEIVED

MAR 23 1999

Department of Water Resources

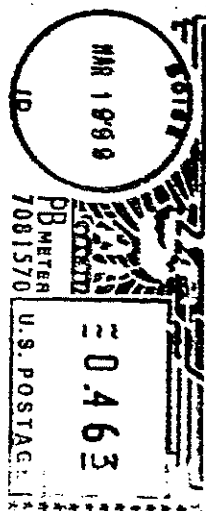
83702/9829



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

ADDRESS SERVICE
REQUESTED

5 C
FIRST



IMPORTANT WATER RIGHT INFORMATION



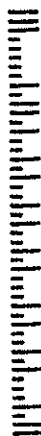
RECEIVED

MAR 23 1999

Department of Water Resources

84-04296
W HUGH O'RIORDAN
JOSEPHINE P BEEMAN
DAVIS WRIGHT TREMAINE
BOISE ID 83702

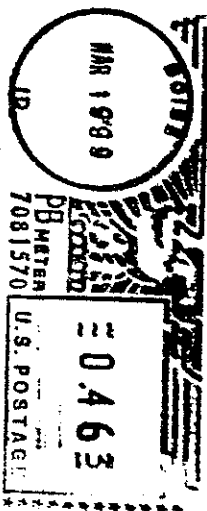
8375249823



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

ADDRESS SERVICE
REQUESTED

5 C
FIRST



IMPORTANT WATER RIGHT INFORMATION



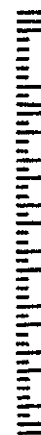
RECEIVED

MAR 23 1999

Department of Water Resources

84-04295
W HUGH O'RIORDAN
JOSEPHINE P BEEMAN
DAVIS WRIGHT TREMAINE
BOISE ID 83702

8375249823



Close

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

11/05/2003

WATER RIGHT NO. 84-4294A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LEO C MOON 7524 SHOREFRONT RD RT 10 BOX 652M FORT WORTH, TX 76135
Attorney	JOSEPHINE P BEEMAN BEEMAN & ASSOCIATES PC 409 W JEFFERSON ST BOISE, ID 83702 (208)331-0950

Priority Date: 01/01/1945
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	WEST FORK WOODLAND GRADE CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01	12/31	0.02 CFS	
DOMESTIC	1/01	12/31	0.04 CFS	
Total Diversion			0.04 CFS	

Location of Point(s) of Diversion:

SPRING|NESWNE|Sec. 26|Township 34N|Range 03E|IDAHO County

Place(s) of use:

Place of Use Legal Description: STOCKWATER IDAHO County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
34N	03E	26		SWNE										

Place of Use Legal Description: DOMESTIC IDAHO County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
34N	03E	26		SWNE										

Remarks:

1.
- General
- USE OF THIS RIGHT WITH RIGHT NO. 84-04294B IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.02 CFS FOR STOCKWATER PURPOSES.

Dates:

Other Information:

State or Federal: S

Owner Name Connector: AND

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Water Right Number - R84-04294A

Prefix Translation: RESEARCH

Old (D) Number -

*** A - ATTORNEY ***
O'RIOJRDAN

W HUGH

1 - JOSEPHINE P BEEMAN
2 - DAVIS WRIGHT TREMAINE
3 - 702 W IDAHO ST STE 700
City- BOISE
Phone - 208-338-8200

State- ID Zip- 83702

*** C - CURRENT OWNER ***
MOON

LEO C

1 - 7524 SHOREFRONT ROAD
2 - RT 10 BOX 652M
3 -
City- FORT WORTH
Phone - 208-000-0000

State- TX Zip- 76135

Priority Date - +
01/01/1945

Region - +
18 NORTHERN

Stage - +
J - BENEFICIAL USE

Status - +

Source - +
SPRING

Tributary - +
WOODLAND GRADE CREEK, WEST FK.

Tw n Rng Sec Tract Lot RFlg County Point of Diversion Diversion Name
34N 03E 26 NE SW NE (49) IDAHO

Code	Description	Period from	Period To	Water Use	Diversion Rate	Diversion Volume
04 - STOCKWATER		01/01	12/31		0.020	
43 - DOMESTIC		01/01	12/31		0.040	

Total Div. Rate - + Total Div. Volume - + Total Div. Capacity - + Total Consumptive Use - + KW Usage - +
0.040 0.0

Tw n	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
34N	03E	26	SW NE			04 STOCKWATER		(49) IDAHO
34N	03E	26	SW NE			43 DOMESTIC		(49) IDAHO

- - - Diversion Means - SPRING, PUMP AND PIPELINE TO HOME.

- - - Non-Irrigation Use - DOMESTIC USE IS FOR 1 HOME, STOCKWATER IS FOR 12 RANGE STOCK.

- - - Other Rights for Same Use - 84-04294B

REMARKS
USE OF THIS RIGHT WITH RIGHT NO. 84-04294B IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.02 CFS FOR STOCKWATER PURPOSES.

DO NOT FILM

Water right number - R84-04294A

Prefix Translation: RESEARCH

+ - - - - Old Water Right Numbers - - - - - +
+ - - - - Old Water Right Numbers - - - - - +
+ - - - - No Old Water Right Numbers found. - - - - - +
+ - - - - Conditions of Approval - - - - - +
+ - - - - No Conditions of Approval found. - - - - - +

+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields - 03/19/92 BEARDSLE 03/20/92 BEARDSLE 05/05/92 BEARDSLE 05/11/92 BEARDSLE 01/27/93 SCHULTZ

+ - - - - Date: 01/27/1993 User Id: SCHULTZ Subject: ADDED ATTORNEY - Comments - - - - - +
RECEIVED NOTICE OF APPEARANCE 1/25/93. ADDED DAVIS WRIGHT TREMAINE AS ATTORNEYS.
CLAIM VERIFIED 5/11/92. DID NOT REVERIFY ANY PART OF CLAIM.

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +
Court Report Filing - 00/00/0000 Field Inspection Made - 12/05/1991 Civil Case Number - 39576
Objection Filed Date - 00/00/0000 Field Inspection Flag - 00/00/0000 Old Case Number -
Response Filed Date - 00/00/0000 Verified Date - 00/00/0000 Old Judicial District -
Claim Received Date - 05/18/1988 Last Amended Date - 00/00/0000 Temporary Right - P
Proof Due Date - 00/00/0000 Proof Made Date - 00/00/0000 Water District -
Licensed Date - 00/00/0000 Receipt Number - N000593 Federal/State Indicator - S
Claims Tape Error Flag - POU Ownership Flag - Y Presumption Flag -
Fee Exempt Flag - Name Connector - AND/OR Notice of Error Flag -

DO NOT FILM

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A84-04294	34N	03E	26		SW	NE		IDAHO
A84-04294	34N	03E	26		SE	NE		IDAHO

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX NONE

A84-02011A
A84-07111
A84-07180

WR RECORDS IN SAME 40 ACRE TRACT

84-02011
84-07111
84-07180
84-07260
84-07263

SOURCE: SPRINGS

TRIB: CLEARWATER RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
84-04294	34N	03E	26		SW	NE		IDAHO
84-04294	34N	03E	26		SE	NE		IDAHO

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX

84-02011
84-07111
84-07180
84-07260
84-07263

A84-02011A
A84-07111
A84-07180

NONE

SOURCE: SPRINGS

TRIB: CLEARWATER RIVER

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY?	(Y/N)	DATABASE	FIELD EXAMINER
DUE TO SOURCE DISCREPANCY?	(Y/N)	N	

MICROFILMED
APR 27 1993

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:
TWP. RGE. SEC. 1/4 1/4 LOT COUNTY

34N 03E 21 NE SE NE 30ND
34N 03E 21 NE SW NE

SOURCE: SPRINGS

TRIB: CLEARWATER RIVER

REVIEWED BY: AS DATE: 12/12/91

UNNAMED
STREAMS

BEGINNING P.O.D. NE 1/4 SW 1/4 NE 1/4 } WESTERLY STREAM
ENDING P.O.D. SW 1/4 SW 1/4 NE 1/4 }

BEGINNING P.O.D. NW 1/4 SE 1/4 NE 1/4 } EASTERLY STREAM
ENDING P.O.D. SW 1/4 SE 1/4 NE 1/4 }

MICROFILMED
APR 27 1993

A. ROOT WATER RIGHT NUMBERS: A84-04294

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	MR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
34N	03E	26	SW	NE		MOON, LEO C.	A84-04294 /	84-04294 /			
			SW	NE		FLORY, GARY R.	A85-11018 /	- /			
			SW	NE		MORRIS, DUANE A.		84-07173 / 5.0			
34N	03E	26	SE	NE		MOON, LEO C.	A84-04294 / 5.0	84-04294 / 5.0			
			SE	NE		MASSEY, KIFF M.	A84-04001 / 8.0	84-04001 / 8.0			
			SE	NE		THORNTON, HAROLD O.	A84-07111 /	84-07111 /			
			SE	NE		BREWER, WILLIAM H.	A84-07180 / 1.0	84-07180 / 0.5			
			SE	NE		BREWER, SHIRLEY		84-07263 / 1.0			
			SE	NE		BREWER, WILLIAM H.		84-07260 / 1.0			
TOTAL ACRES							A84-04294	5.00		5.00	

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, (Y) (N)
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE FIELD
Y EXAMINER

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: 1/2 OR LESS

REVIEWED BY: AR DATE: 12/12/91

MICROFILMED
APR 27 1993

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A84-04294 IRRIGATION	FROM 06-01 TO 10-01	.150 CFS
A84-04294 STOCKWATER	FROM 01-01 TO 12-31	.009 CFS
A84-04294 DOMESTIC	FROM 01-01 TO 12-31	.040 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

.199 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
84-04294 IRRIGATION	FROM 06-01 TO 10-01	.150 CFS
84-04294 STOCKWATER	FROM 01-01 TO 12-31	.009 CFS
84-04294 DOMESTIC	FROM 01-01 TO 12-31	.040 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

.199 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DUE TO WATER-USE DISCREPANCY?	(Y/N)	DUE TO DIVERSION RATE DISCREPANCY?	(Y/N)	DUE TO PERIOD FROM/TO DISCREPANCY?	(Y/N)	DATABASE	FIELD EXAMINER
		N		N		N		
		N		N		N		
		N		N		N		

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N() Explain in remarks, below.

REMARKS:

MICROFILMED
APR 27 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 0.199 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.199 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

FIELD DATABASE EXAMINER
DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM:

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A84-04294	SPRINGS	MOON, LEO C.	0.199	0.039		
A84-04001	UNNAMED STREAM	MASSEY, KIFF M.	0.200	0.020		
A84-07180	UNNAMED STREAM	BREWER, WILLIAM H.	0.040	0.040		

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A85-11018	STOCKWATER	FLORY, GARY R.	FROM 01-01 TO 12-31	.040 CFS	

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APR 27 1993

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on consumptive use for combined rights.)

MICROFILMED
APR 27 1993

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
~~TRANSFERRON~~	~~06-01~~	~~10-01~~		
STOCKWATER	01-01	12-31		
DOMESTIC	01-01	12-31		
TOTAL FOR THIS RIGHT				
		~~0.150~~		0.0
		0.040		
		0.05		

REVIEWED BY: AD DATE: 12/12/91

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APR 27 1993

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED AS CLAIMED (X)
NEEDS REVIEW ()
() ()
() ()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 84-04294
TOTAL DIVERSION RATE OF WR SPLITS

DATABASE 0.199

EXAMINER _____

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A84-04294	0.199	-		84-04294	0.199
TOTAL CFS		0.199				0.199

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
If NO, is the written review sheet attached? (Y/N)

DATABASE Y
FIELD EXAMINER _____

REMARKS:

DURING THE FIELD EXAM. THE ONLY EVIDENCE OF STOCK WAS TRACKS IN FIELD.

2004E

AUTHENTICATION:

SIGNATURE: *Allen Berardine* DATE: 12/12/91
NAME OF FIELD EXAMINER: *ALLEN BERARDINE* TITLE: *F.I.R. AGENT SR.*

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APR 27 1993

MR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y							
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS								

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

NOT RECORDED
APR 27 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:52:33
11/26/91

CLAIM NUMBER: A84-04294

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LEO C. MOON 7524 SHOREFRONT RD. RT. 10 BOX 652M FT. WORTH TX 76135	01/01/1945	IRRIGATION STOCKWATER DOMESTIC	06-01 10-01 01-01 12-31 01-01 12-31	0.15 CFS CFS 0.04 CFS	
TOTAL DIVERSION:					0.19 CFS	

Water Source: SPRINGS
Points(s) of Diversion: T34N R03E S26
Tributary to: CLEARWATER RIVER
Stage: STATUTORY CLAIM
IDAHO County

Place of use Legal Description for: IRRIGATION

NE	NW	SW	SE	SUM
T R S : Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac
34N 03E 26 :	05 :	:	:	:
TOTAL ACRES				5.0

Place of use Legal Description for: STOCKWATER

NE	NW	SW	SE	SUM
T R S : Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac
34N 03E 26 :	S :	:	:	:
TOTAL ACRES				5.0

Place of use location for DOMESTIC is the same location as described for: STOCKWATER

Other Water Rights Listing Overlapping Place(s) of use:

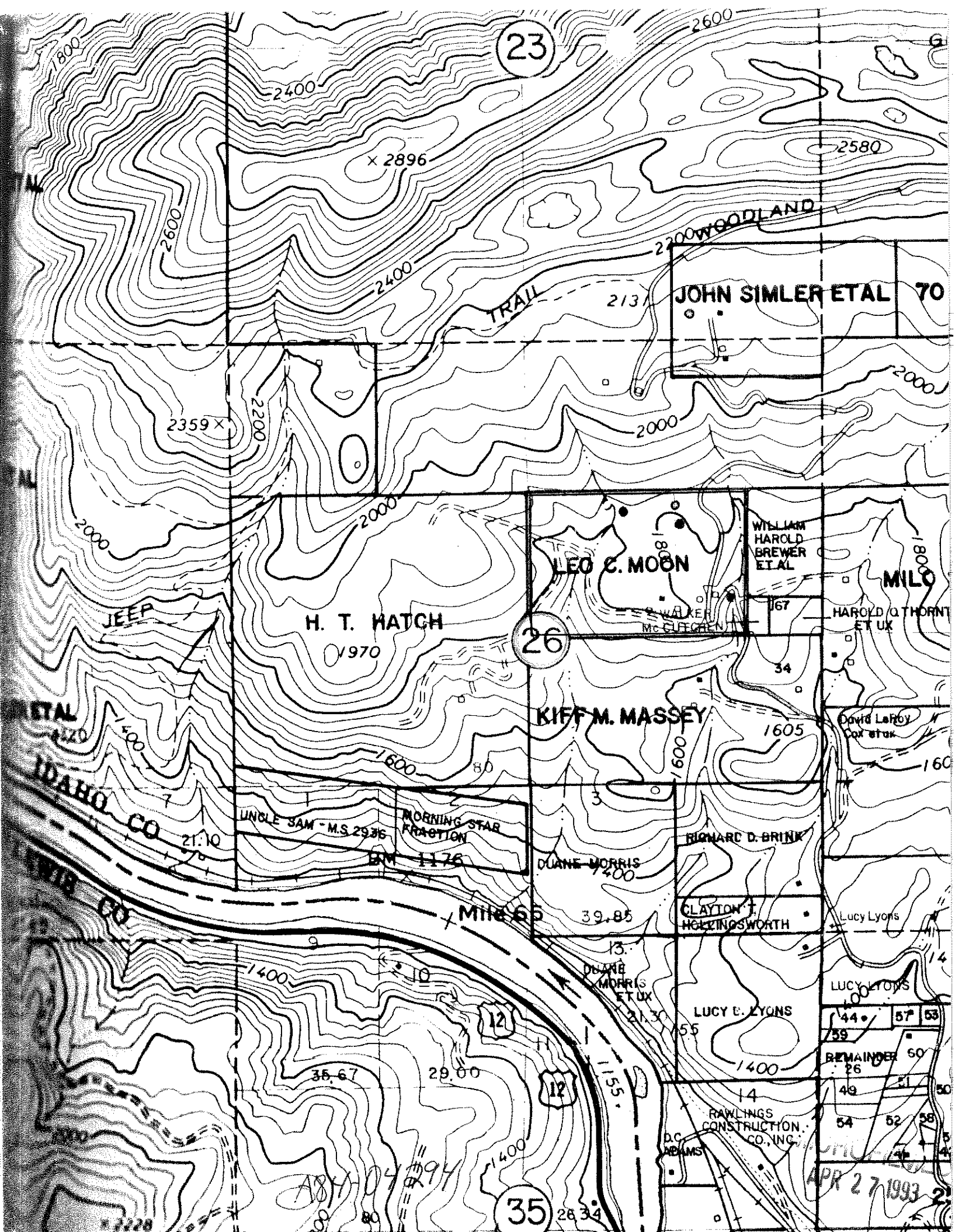
A84-04001 A84-07180

Non-Irrigation Use: S/12 RANGE, 30 SWINE, 150 SHEEP.

Dates: Exam Made Date: Verified Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

MICROFILMED
APR 27 1993



23

X 2896

JOHN SIMLER ETAL 70

2359 X

H. T. HATCH

26

LEO C. MOON

WILLIAM HAROLD BREWER ETAL

MILLO

HAROLD Q. THORNTON ET UX

KIFF M. MASSEY

ETAL

IDAHO CO

21.10

UNCLE SAM - M.S. 2936

MORNING STAR FRACTION

BM 1176

DUANE MORRIS

RICHARD D. BRINK

CLAYTON F. HOLZINGSWORTH

Lucy Lyons

LUCY E. LYONS

LUCY LYONS

REMAINDER 60

RAWLINGS CONSTRUCTION CO., INC.

APR 27 1993

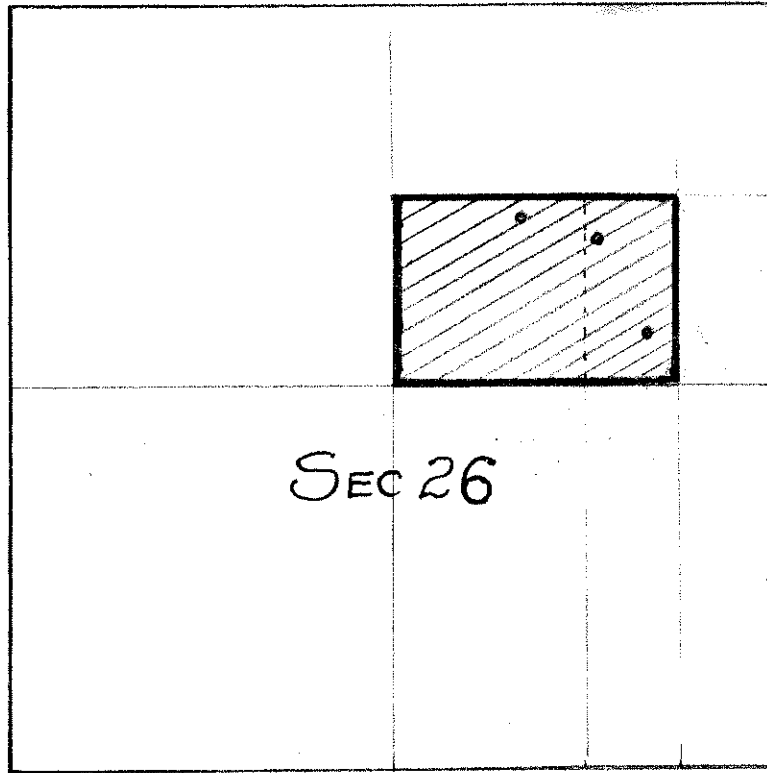
35

28.34



STATE OF IDAHO
IDAHO COUNTY

TOWNSHIP 34 NORTH - SECTION 26
RANGE 03 E



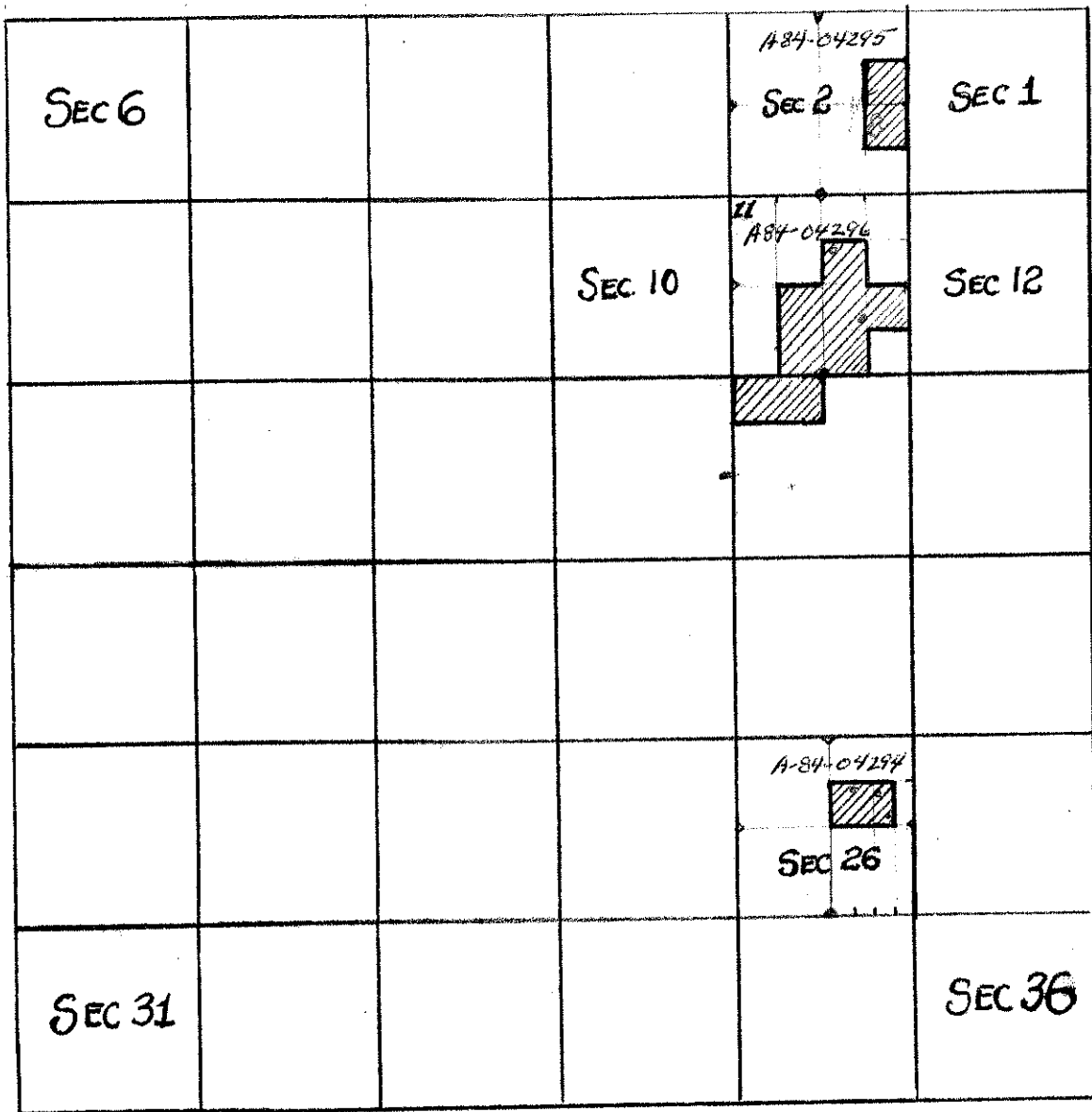
Approximate location of known springs •

REFERENCE: IDENT. NUMBER A84-04294

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APR 27 1993

[Signature]

STATE OF IDAHO
IDAHO COUNTY
TOWNSHIP 34 NORTH, RANGE 3E
RANGE 03E



Property of LEO C. MOON  in Township 34N, R03E

Approximate location of springs on property •

possible future water development
(spring) E

WATER RIGHT IDENT. NOS. A84-4294 *
A84-4295
A84-4296

MICROFILMED
APR 27 1983
Red Moon

23

- A DOM. / STOCK SPRING
- B STOCK SPRING / POND
- C PUMA
- D HOME

X 2896

A84-04294

JOHN SIMLER ETAL

H. T. HATCH

KIFF M. MASSEY

WILLIAM HAROLD BREWER ETAL

HAROLD O THOR ET UX

UNCLE SAM - M.S. 2936

MORNING STAR FRACTION

RICHARD D. BRINK

CLAYTON J. HOLDINGSWORTH

LUCY E. LYONS

RAWLINGS CONSTRUCTION CO. INC.

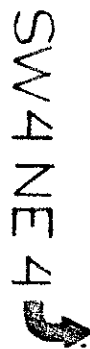
LUCY LYONS

REMAINDER

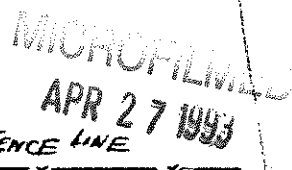
APR 27 1943

35

SEC 26 OF T34N, R3E



~~W2 SE 4 NE 4~~



784-04294

Redrawn by MacMillan

LAST: MOON FIRST: LEO C.
ADDRESS: 7524 SHOREFRONT RD.
RT. 10 BOX 652M
CITY: FT. WORTH STATE: TX ZIP: 76135
PHONE NUMBER:

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE FIELD EXAMINER
N

NO REMARKS IN CLAIM

FIELD EXAMINATION INFORMATION

CONTACT PERSON: GLENN SIMLER PHONE NUMBER: () - -
DATE OF FIELD EXAM: 12/5/91 APPOINTMENT MADE: Y () N (X) TIME: 10:30 A (X) P ()
ACCOMPANIED BY: SAME PHONE NUMBER: () - -
RELATIONSHIP TO CLAIMANT: CARETAKER
DIRECTIONS TO PROPERTY / REMARKS:

THE ELECTRONIC RECORDS FOR THIS FILE ARE RECOMMENDED
AS A84-04294A AND A84-04294B.

A84-04294-1
66710-4294
MICROFILMED
APR 27 1993

A. AJ CLAIM: # A84-04294 PRIORITY DATE: 01-01-1945 STAGE: S

B. WR RECORD: # 84-04294 PRIORITY DATE: 01-01-1945 STAGE: S

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE N FIELD EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(X)

REMARKS:

RECOMMENDED PRIORITY DATE:
01-01-1945

REVIEWED BY AS DATE 12/12/91

MICROFILMED
APR 27 1993

TAXPAYER'S VALUATION ASSESSMENT NOTICE

Property situated in Idaho County, Idaho
THIS IS NOT A NOTICE OF TAXES DUE.

NAME AND ADDRESS OF OWNER:

RP 34N03E261210

133-00

MOON, LEO C

*

7524 SHOREFRONT DRIVE
BOX 652M RM # 10
FORTWORTH TX 76135

T34N R3E SEC 26 40.00 ACRES
SW4NE4

CATEGORY NO.	ACRES/LOTS	MARKET VALUATION
3 - Non-irrigated Agric	3.000 AC FARM	577
5 - Dry Grazing	37.000 AC	1,183

TOTAL MARKET

1,760

Category
No.

1988
REAL PROPERTY — LAND

- Investment Irrigated Agricultural
- Deleted 1979
- Investment Non-irrigated Agricultural
- Investment Meadow
- Investment Dry Grazing
- Forest Land — Productivity Option
- Forest Land — Bare land 3% Yield
- Reforestation
- Mineral
- Homesite Value on Rural Investment Land
- Recreational Sites
- Rural Residential Tracts
- Rural Commercial Tracts
- Rural Industrial Tracts
- Rural Subdivisions Residential Lots and/or Acreages
- Rural Subdivisions Commercial Lots and/or Acreages
- Rural Subdivisions Industrial Lots and/or Acreages
- Other Rural Land
- Waste [acreage only (public rights of way)]
- Residential Lots and/or Acreages (inside city limits)
- Commercial Lots and/or Acreages (inside city limits)
- Industrial Lots and/or Acreages (inside city limits)

IMPROVEMENTS

- Improvements on Category 10
- Improvements on Categories 1 through 9
- Improvements on Category 11
- Improvements on Category 12
- Improvements on Category 13
- Improvements on Category 14
- Improvements on Category 15
- Improvements on Category 16
- Improvements on Category 17
- Improvements on Category 18
- Improvements on Category 20
- Improvements on Category 21
- Improvements on Category 22
- Improvements on Exempt Land
- Utility Systems (locally assessed)
- Mobile Homes
- Improvements to Mobile Homes

PERSONAL PROPERTY

- Boats
- Construction Machinery, Tools and Equipment
- Equities in State Land (pyt in 2 inst. Sec 63-1302)
- Farm Machinery, Tools and Equipment
- Furniture and Fixtures
- Improvements on Railroad Rights of Way
- Improvements by Lessee other than Category 62
- Leasehold improvements located on Fed. Gov't., State or Indian Land (pyt in 2 inst. Sec. 63-1302)
- Logging Machinery, Tools and Equipment
- Mining Machinery, Tools and Equipment
- Mobile Homes
- Net Profit of Mines
- Operating Property (assessed by STC assessor identification only)
- Other Miscellaneous Machinery, Tools and Equipment
- Recreational Vehicles
- Reservations and Easements
- Signs and Signboards
- Tanks, Cylinders, Vessels (kegs, vats, etc.)

EXEMPT PROPERTY

- Real and/or Personal

EXAMINE THIS ASSESSMENT.

In Case of Error — Notify the Assessor's Office
BEFORE the Fourth Monday in June.

Property is listed by class number, please check your Assessment against number description listed at top right.

Pursuant to Sec. 63-401, Idaho Code, the board of county commissioners of Idaho County meets as a Board of Equalization on the Wednesday following the 2nd Monday of each month of the year from January up to the fourth Monday of June, for the purpose of hearing complaints upon valuations of property, and for the purpose of equalizing assessments of property on the real and personal property assessment rolls; and shall meet on the fourth Monday of June to complete the equalization of assessment of all real and personal property which has not yet been equalized. Upon meeting to complete the equalization of assessment, the board shall continue in session from day to day until assessment of such property has been completed and shall also hear and determine complaints upon allowing or disallowing hardship exemptions under Sec. 63-105BB, Idaho Code. The board may "recess" but not officially adjourn as a board of equalization until the second Monday of July, at which time it must have completed its business.

Pursuant to Sec. 63-1904, Idaho Code, the board of county commissioners of each county shall meet as a board of equalization on the fourth Monday of November of each year for the purpose of hearing complaints concerning the valuation of property placed on the subsequent assessment roll, for the purpose of equalizing the subsequent property assessment roll and for allowing or disallowing exemptions and rebates complained of under the provisions of this act affecting the Assessment of property entered on the subsequent rolls and for the purpose of having settlement with the assessor and tax collector. The board may "recess" but not officially adjourn as a board of equalization until the first Monday of December, at which time its business must have been completed.

The county commissioners shall convene as a board of equalization on Wednesday following the second Monday and on April 15, upon which date it must complete its business and adjourn, to consider claims for tax reduction under the provisions of Sections 63-117 through 63-125, Idaho Code. Should April 15 fall on a Saturday, Sunday, or legal holiday, the board shall meet on the next business day.

Applications for tax relief by reason of the existence of undue hardship must be made each year by personal appearance of the applicant before the county board of equalization between January 1, and June 20th. Sections 63-105BB and 63-107, Idaho Code.

All meetings of the Idaho board of equalization are held at Commissioners Room, Courthouse, Grangeville, at the hour of 10:00 A.M. to 5:00 P.M.

JIM BECKMAN, Assessor

983-2742

Melanch West early South North Kansas

Total 73946

*MICROFILMED
APR 27 1993*

A84-04294

TAXPAYER'S VALUATION ASSESSMENT NOTICE

Property situated in Idaho County, Idaho
THIS IS NOT A NOTICE OF TAXES DUE.

NAME AND ADDRESS OF OWNER:

RP 34N03E261960

132-00

MOON, LEO C

7524 SHOREFRONT DRIVE
BOX 652M RM # 10
FORTWORTH TX 76135

T34N R3E SEC 26 20.00 ACRES
W2SE4NE4

CATEGORY NO.	ACRES/LOTS	MARKET VALUATION
3 Non-irrigated Agricultural	8.000 AC	1,539
5 Dry Grazing	11.000 AC	351
10 Homestead	1.000 AC	5,546
31		10,793
32		3,586
TOTAL MARKET		21,815

Category
No.

1988
REAL PROPERTY — LAND

- Investment Irrigated Agricultural
- Deleted 1979
- Investment Non-irrigated Agricultural
- Investment Meadow
- Investment Dry Grazing
- Forest Land — Productivity Option
- Forest Land — Bare land 3% Yield
- Reforestation
- Mineral
- Homestead Value on Rural Investment Land
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- Other Miscellaneous Machinery, Tools and Equipment
- Recreational Vehicles
- Reservations and Easements
- Signs and Signboards
- Tanks, Cylinders, Vessels (kegs, vats, etc.)

EXEMPT PROPERTY

- Real and/or Personal

EXAMINE THIS ASSESSMENT.

In Case of Error — Notify the Assessor's Office
BEFORE the Fourth Monday in June.

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Pursuant to Sec. 63-1904, Idaho Code, the board of county commissioners of each county shall meet as a board of equalization on the fourth Monday of November of each year for the purpose of hearing complaints concerning the valuation of property placed on the subsequent assessment roll, for the purpose of equalizing the subsequent property assessment roll and for allowing or disallowing exemptions and rebates complained of under the provisions of this act affecting the Assessment of property entered on the subsequent rolls and for the purpose of having settlement with the assessor and tax collector. The board may "recess" but not officially adjourn as a board of equalization until the first Monday of December, at which time its business must have been completed.

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JIM BECKMAN, Assessor

983-2742

APR 27 1993

A84-09294

IDAHO COUNTY

TOWNSHIP 34N, RANGE 03E SEC 26 SW 4 NE 4
W 2 SE 4 NE 4

40 ACRES
20 ACRES

Notes ON PROPERTY:

1. THERE are 3 known springs on this land (tracts)
2. ONE spring furnishes household water
3. One spring keeps a stock pond supplied
4. One spring has been appropriated by a neighbor, MR W.H. BREWER, who has requested and obtained a water right to water originating on my property, and is now trespassing (illegally and against protest) across a short reach of the property to reach with a pump system the water. THIS I agreed to allow without legal action for two years to allow time for him to develop his own property. Since it has now been four years, legal action is contemplated to end the trespass and possession by Mr. Brewer to prevent further damage to the integrity of the property title/deed.
5. Other persons have attempted to obtain by purchase, right of way, or by permission various parts of the land, water, roads, lines for utilities, etc. over the years most having no real basis of need over and beyond my own, so were successfully denied.
6. A very small creek passes thru this property, fed by springs above, and by those on this land, varying in volume by season - very small in Summer. This creek would be very suspect of pollution since it comes thru farm yards, crosses the county highway at least 3 times, etc. above. The springs seem to be reasonably pure to date.
7. THE house is habitable and leased - small, single bedroom, suitable for the couple residing there. THE water supply is by pipe/pump, requires frequent maintenance, has some cold winter problems occasionally - I consider it relatively marginal in reliability.
8. A drilled well must be, and will be considered ultimately for a reliable water supply, and is presently a matter of both necessity and economics.
9. On appearance, this tract has a wealth of water. Actually, on a year around basis, it must be managed carefully, and carefully maintained. I consider it a fragile environment from the water supply standpoint, and that it must provide household (good) water for one renter, then stock water for another who works the land. The surplus is supposed to go to the landowner (rightfully, and there is plenty) (also who has a previous water right (MR K. Massey)

MICROFILMED

APR 27 1993

Robert Moore
1988

A84-04294

Water Right Number - R84-04294

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
MOON

LEO C.

1 - 7524 SHOREFRONT ROAD
2 - RT 10 BOX 652M
3 -
City- FORT MORTH
Phone - 208-000-0000

State- TX Zip- 76135

Priority Date - 01/01/1945

Region - 18 NORTHERN

Stage -

Status -
2 - SEE REMARKS

Source -
SPRINGS
UNNAMED STREAMS

Tributary -
CLEARWATER RIVER
CLEARWATER RIVER

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Stream Index (Blank if no Index Code)
34N	03E	26	NE SW NE NW SE NE NE SW NE NW SE NE SW SW NE SW SE NE			(49) (49) (49) (49) (49) (49)	IDAHO IDAHO IDAHO IDAHO IDAHO IDAHO	

04 - STOCKWATER
43 - DOMESTIC

Period From 01/01
Period To 12/31

Diversion Rate 0.020
0.040

Total Div. Rate - 0.040
Total Div. Volume -
Total Div. Capacity -
Total Consumptive Use -
KW Usage -

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
34N	03E	26	SW NE			04 STOCKWATER		(49) IDAHO
34N	03E	26	SE NE			04 STOCKWATER		(49) IDAHO
34N	03E	26	SW NE			43 DOMESTIC		(49) IDAHO

- - - Diversion Means - 2 SPRINGS, INSTREAM STOCKWATERING, STOCK POND, PUMP & PIPELINE

- - - Non-Irrigation Use - STOCKWATER USE IS FOR 12 HEAD OF RANGE STOCK.

- - - Other Rights for Same Use - NONE

RECOMMENDED AS RIGHT NO. 84-04294A AND 84-04294B.

MICROFILMED
APR 27 1993

Water right number - R84-04294

Prefix Translation: RESEARCH

+ - - - - Old Water Right Numbers - - - - -

+ - - - - No Old Water Right Numbers found. - - - - -

+ - - - - Conditions of Approval - - - - -

+ - - - - No Conditions of Approval found. - - - - -

+ - - - - Decree Plaintiff - - - + - - - - Decree Defendant - - - + - - - - Decree Date - - +
00/00/0000

+ - - - - Audit Fields - 12/05/91 FLEGAL 12/30/91 BEARDSLE 01/03/92 BEARDSLE 01/06/92 BEARDSLE 01/16/92 BEARDSLE
03/19/92 BEARDSLE

+ - - - - Comments - - - - -

+ - - - - No Comments Found - - - - -

Court Report Filing		Field Inspection Made		Civil Case Number
Objection Filed Date	- 00/00/0000	Field Inspection Flag	- 12/05/1991	Old Case Number
Response Filed Date	- 00/00/0000	Verified Date	- 03/19/1992	Old Judicial District
Claim Received Date	- 05/18/1988	Last Amended Date	- 00/00/0000	Temporary Right
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District
Licensed Date	- 00/00/0000	Receipt Number	- X777777	Federal/State Indicator
Claims Tape Error Flag	-	POU Ownership Flag	- Y	Presumption Flag
Fee Exempt Flag	-	Name Connector	-	Notice of Error Flag

MICROFILMED
APR 27 1993

Water Right Number - R84-04294

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
Last Name - + First Name - + Address - +
MOON LEO C.
1 - 7524 SHOREFRONT ROAD
2 - RT 10 BOX 652M
3 -
City- FORT WORTH
Phone - 208-000-0000
State- TX Zip- 76135

Priority Date - + 18 NORTHERN + - - - - Stage - + - - - Status - +
01/01/1945 J - BENEFICIAL USE

Source - +
SPRINGS
UNNAMED STREAMS
Tributary -
CLEARWATER RIVER
CLEARWATER RIVER

+	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
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Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
04 - STOCKWATER		01/01	12/31		0.020	
43 - DOMESTIC		01/01	12/31		0.040	

+ - Total Div. Rate - + - Total Div. Volume - + - Total Div. Capacity - + - Total Consumptive Use - + - KW Usage - +
0.040 0.0

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
34N	03E	26	SM NE				04 STOCKWATER	(49) IDAHO
34N	03E	26	SE NE				04 STOCKWATER	(49) IDAHO
34N	03E	26	SW NE				43 DOMESTIC	(49) IDAHO

+ - - Diversion Means - 2 SPRINGS, INSTREAM STOCKWATERING, STOCK POND, PUMP & PIPELINE

+ - - Non-Irrigation Use - STOCKWATER USE IS FOR 12 HEAD OF RANGE STOCK.

+ - - Other Rights for Same Use - NONE

Remarks -
THE SOURCE OF THIS RIGHT IS 2 UNNAMED STREAMS AND 2 SPRINGS.

MICROFILMED
APR 27 1993

Prefix Translation: RESEARCH

No Old Water Right Numbers found.

- - Conditions of Approval - -
No Conditions of Approval found.

+ - Decree Date - +
00/00/0000

-Comments-

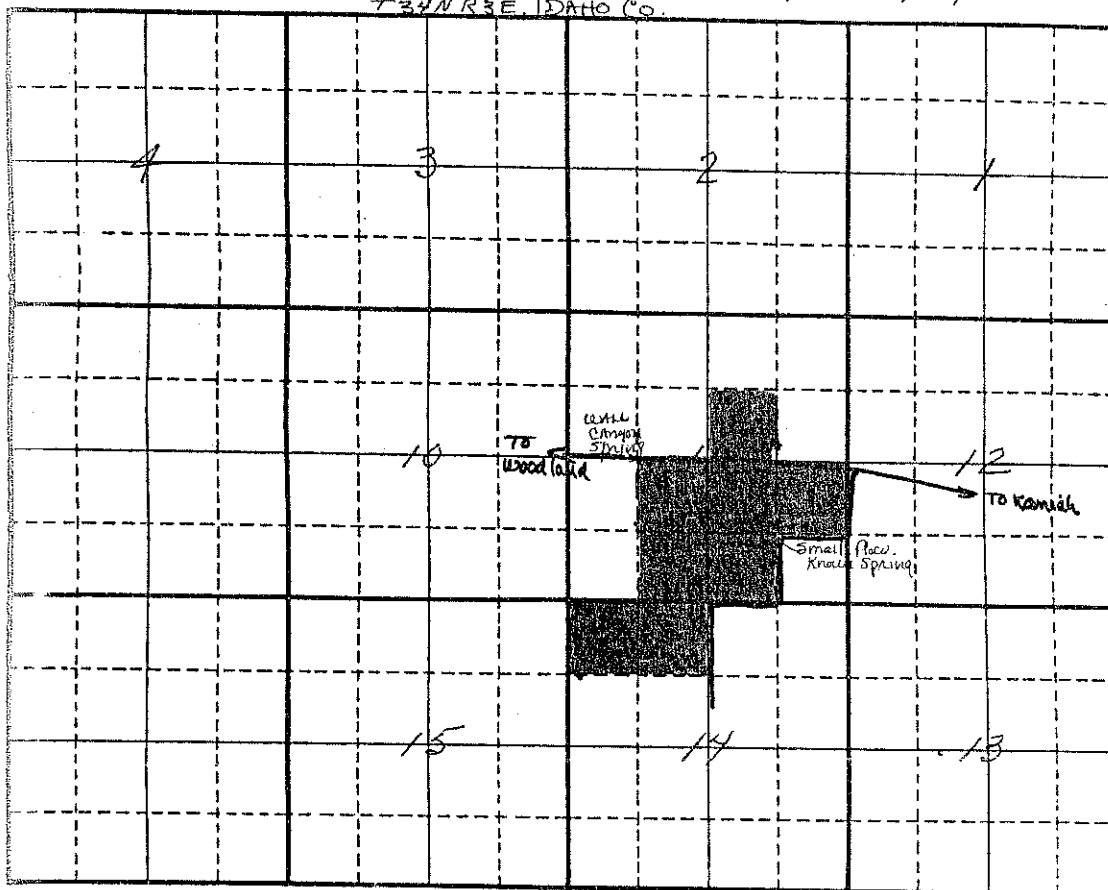
No Comments Found

Adjudication Rights Dates and Flags Area

Court Report Filing	-	00/00/0000	Field Inspection Made	-	12/05/1991	Civil Case Number	-	35976
Objection Filed Date	-	00/00/0000	Field Inspection Flag	-		Old Case Number	-	
Response Filed Date	-	00/00/0000	Verified Date	-	01/16/1992	Old Judicial District	-	
Claim Received Date	-	05/18/1988	Last Amended Date	-	00/00/0000	Temporary Right	-	P
Proof Due Date	-	00/00/0000	Proof Made Date	-	00/00/0000	Water District	-	
Licensed Date	-	00/00/0000	Receipt Number	-	N000593	Federal/State Indicator	-	S
Claims Tape Error Flag	-		POU Ownership Flag	-	Y	Presumption Flag	-	
Fee Exempt Flag	-		Name Connector	-		Notice of Error Flag	-	

(8) Remarks *This land has one good known spring and one other sufficient for an Austere (1920) house hold usage most years if developed further for partial frugal storage. The general outlook is that there is very little water on this land except for the main well Canyon Spring which flows all year - No pumps or lines.*

T34N R3E, IDAHO CO.



Scale: 2 inches equal 1 mile.

SPRING HOUSE ROAD
BORN

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Tarrant) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 27th day of June, 1983.

[Signature]
(Claimant)

Earlene Walsleben
Notary Public
Residing at Tarrant County, Idaho

My commission expires 4-8-85

FOR DEPARTMENT USE ONLY

Received by RAH Date 7/5/83 Exception filed by: _____ Date _____
Prelim. check by RAH Date 7/5/83 Forwarded to claimant by: _____
\$30.00 fee received by RAH Date 7/6/83 # 28701
Published in Idaho Co. Free Press
Dates 8/24, 31/83

RECEIVED

84-4294

JUL 5 1983

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Northern District Office

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that

LEO C. (CLAIRE) MOON7524 SHOREFRONT RD

(Name of Claimant)

RT 10, Box 652M, FORT WORTH, TEXAS

(Mailing Address)

76135

(Zip Code)

Telephone No. (817) 237-1964

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) Prior to 1945

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

SPRING(S)tributary to CLEARWATER RIVER

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>0.087</u>		Use <u>STOCK WATER</u>		Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity <u>04</u>		Use <u>DOMESTIC</u>		Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity <u>15</u>		Use <u>IRRIGATION</u>		Period of Use From <u>6-1</u>	To <u>10-1</u>
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____

- (4) 0.1987 TOTAL QUANTITY USED.

(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

SW 1/4 NE 1/4, Sec. 26 Twp. 34N Rge. 3E B.M., County of IDAHOAdditional points of diversion: W2 SE4 NE4, T34N R. 3E, IDAHO County

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.

Pump and pipeline to house - ONE PUMP, Pipeline approx 300' long from spring - pond is fed by a 2nd spring outcrop in same rock-iron formation approximately 350' away. Small storage dam Creek at time drain access.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
34N	3E	26			X														
34N	3E	26				5													5

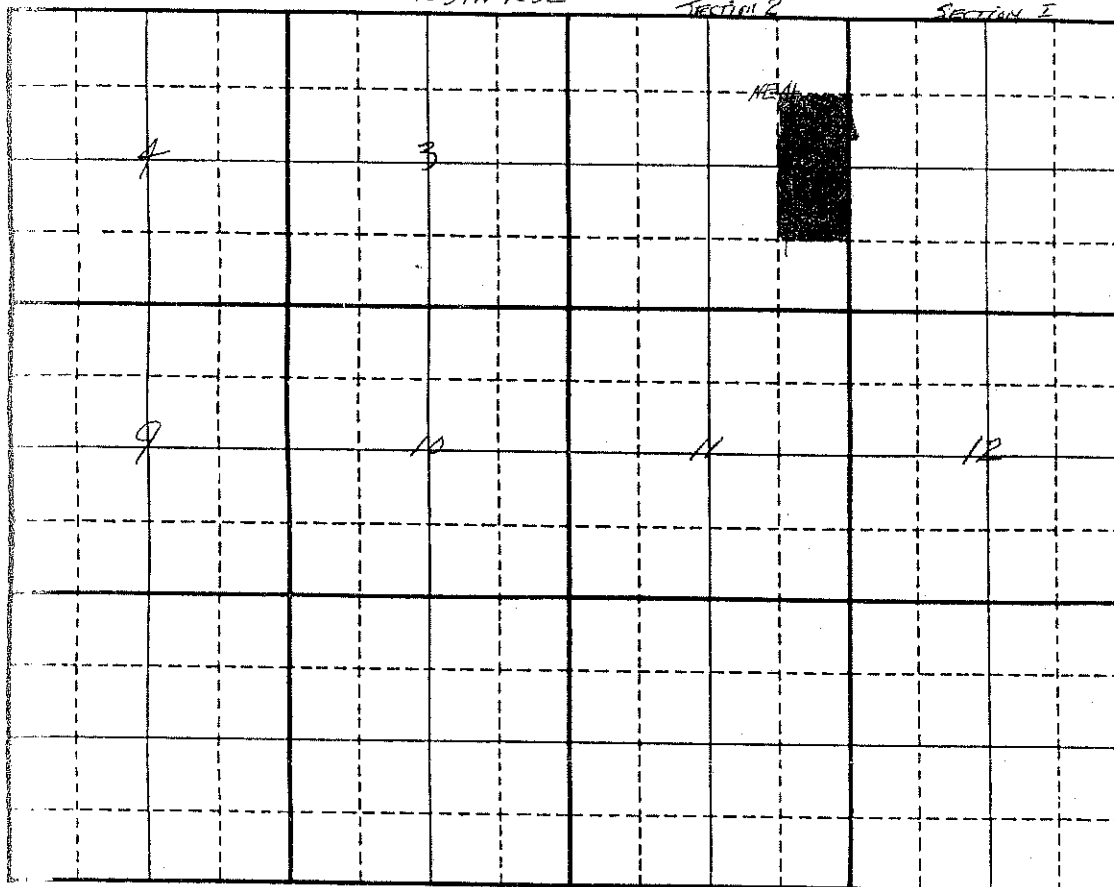
No. of acres 5 (of 60)

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Average Stock water for 6 cows, 6 horses plus up to 30 head swine. Presently a renter living at the house maintains 100-150 head SHEEP. ONE HOUSE (living quarters - household) entirely depend on this water source.

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks This Land has never been used extensively for grazing due to lack of water. It is 3/4 brush and fairly heavy timber, and during the time of my knowledge (and it has been in the family since the early 1900's) there has never been a house on the 80 Acres involved.
T-34N R3E



Scale: 2 inches equal 1 mile.

● SPRING and approximate location
 --- Canyon or divide.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Texas)
 State of Idaho)
 County of Tarrant) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 27th day of June, 1983.
[Signature]
 (Claimant)

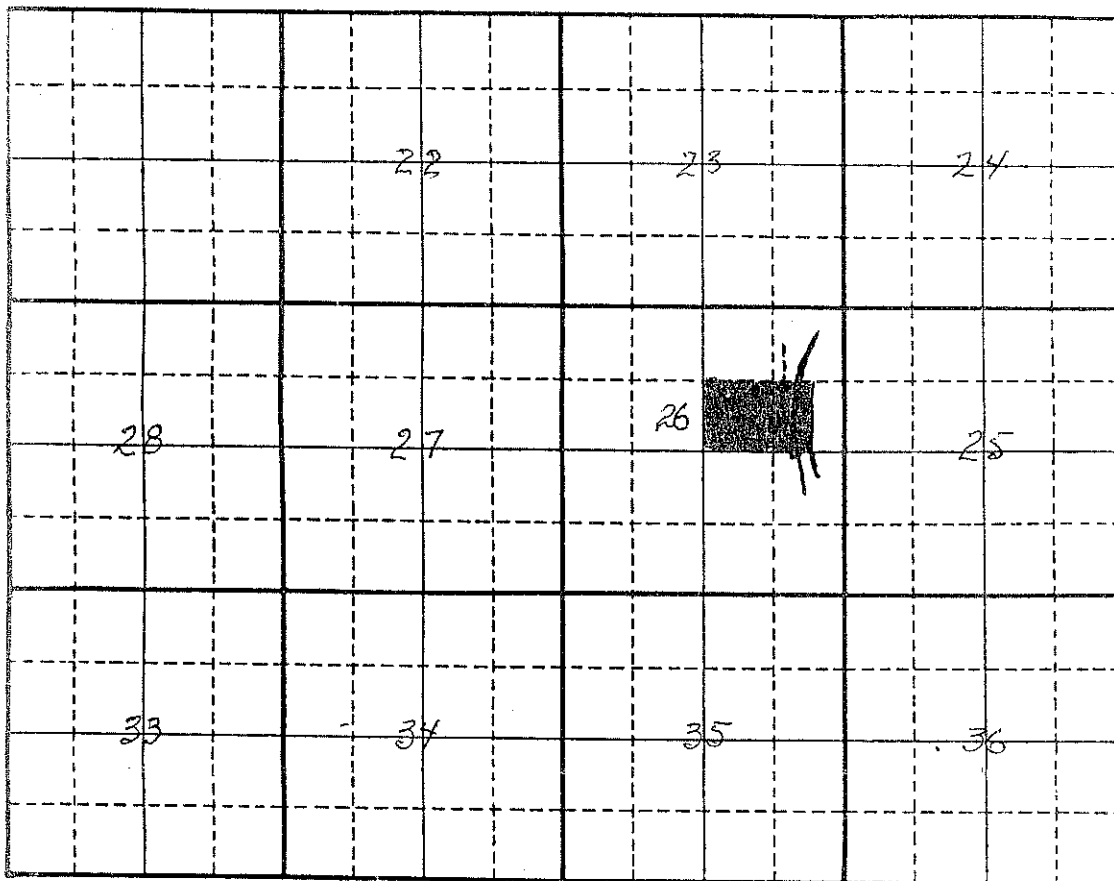
Earlene Waldehen
 Notary Public
 Residing at Tarrant County, Texas

My commission expires 4-8-85

FOR DEPARTMENT USE ONLY

Received by PSA Date 7/9/83 Exception filed by: _____ Date _____
 Prelim. check by PSA Date 7-6-83 (844294) Forwarded to claimant by: _____ Date _____
 \$30.00 fee received by PSA Date 7/6/83
 Published in Delaware Co. Free Press
 Dates 8/24, 31/83

(8) Remarks 11 ACRES tillable land, rest PASTURE/woods THESE SPRINGS ARE ONLY WATER SOURCE ON PROPERTY. THE VERY SMALL year-around-flowing creek going thru is fed by these springs and also possibly springs above the property. This place needs all the water that its springs can provide.



Scale: 2 inches equal 1 mile.

HOUSE

SPRING

Creek-Drawway

Road

Pond

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Tarrant) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 27th day of June, 1983.

Red Wilson
(Claimant)

Earline Walsleben
Notary Public
Residing at Tarrant County, Texas

My commission expires 4-8-85

FOR DEPARTMENT USE ONLY

Received by PSA Date 7/5/83
Prelim. check by PSA Date 7/5/83
\$30.00 fee received by PSA Date 7/6/83
Published in Idaho Co. Press
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Exception filed by:

Forwarded to

Date

claimant by:

28701