

EXHIBIT A
AMENDMENT TO PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

RIGHT NO.	NAME AND ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAX AMT. MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65- 11404	MOSES CATTLE CO. RT. 1 SWEET, ID 83670 SOURCE: SPRINGS TRIBUTARY TO: MONGER CREEK REMARKS: SOURCES ARE 3 SPRINGS	06/01/1893	STOCKWATER	01/01 12/31	2.70 AFA .04 CFS	NWSW S28 T8N R1E	NWSW SWSE S28 T8N R1E	BENEFICIAL USE
			STOCKWATER STORAGE	01/01 12/31	.10 AFA	SWSE S28 T8N R1E	SAME AS OTHER USE	
			STOCKWATER FROM STORAGE	01/01 12/31	.10 AFA *2.70 AFA* *.04 CFS*		SAME AS OTHER USE	
65- 11405	MOSES CATTLE CO. RT. 1 SWEET, ID 83670 SOURCE: MONGER CREEK TRIBUTARY TO: COTTONWOOD CREEK REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-0395 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.	05/29/1927	IRRIGATION	04/01 11/01	--- AFA .12 CFS	SWNE S33 T8N R1E	NENE(2) SENE(4) S33 T8N R1E *6*	BENEFICIAL USE
			STOCKWATER	01/01 12/31	1.40 AFA .03 CFS *--- AFA* *.12 CFS*		SAME AS OTHER USE	
65- 11406	BLACK CANYON GRAZING ASSN. C/O ALVIN MOSES SWEET, ID 83670 SOURCE: SPRING TRIBUTARY TO: DRY BUCK CREEK	06/01/1967	STOCKWATER STORAGE	01/01 12/31	.50 AFA --- CFS	SWSW S6 T8N R3E	SWSW S6 T8N R3E SAME AS OTHER USE	BENEFICIAL USE
			STOCKWATER FROM STORAGE	01/01 12/31	.50 AFA *.50*AFA *---*CFS			
65- 11407	BLACK CANYON GRAZING ASSN. C/O ALVIN MOSES SWEET, ID 83670 SOURCE: SPRING TRIBUTARY TO: SOLDIER CREEK	06/01/1965	STOCKWATER	01/01 12/31	.67 AFA .02 CFS	SESE S3 T8N R2E	SESE S3 T8N R2E	BENEFICIAL USE

indicates total

IN THE DISTRICT COURT OF THE Third JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF Gem

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF Payette River
DRAINAGE BASIN.

NOTICE OF CLAIM
TO A
WATER RIGHT

65-11405	
I.D. No.	Map No.
\$	
Fee Paid	Receipt No.

Notice is hereby given that MOSES CATTLE CO. (Name of Claimant)
Sweet, ID 83670 (Mailing Address) Telephone No. 584-3311 (Zip Code)

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, or priority date of decreed, licensed or permit right) 5/29/1927
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Monger Creek tributary to Cottonwood Creek
- (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 <u>.12 cfs</u>
(CFS, GPD, AF) | Use <u>irrigation</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>4/1</u> To <u>11/1</u>
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity <u>.03 cfs</u>
(CFS, GPD, AF) | Use <u>stockwater</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>1/1</u> To <u>12/31</u>
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity _____
(CFS, GPD, AF) | Use _____
(Domestic, irrigation, stock, etc.) | Period of Use From _____ To _____
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
- (4) .12 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source NW $\frac{1}{4}$ NE $\frac{1}{4}$
Sec. 33, Twp. 8N, Rge. 1E, B.M., Gem County
Additional Points: _____
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. Dam and ditches.

- (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 $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>8N</u>	<u>1E</u>	<u>33</u>	<u>2</u>			<u>4</u>													<u>6</u>

Total no. of acres 6

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Stockwater, range/100 head

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 _____
- (9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case. _____
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho
Department of Water Resources. Give No. _____

DO NOT
MICROFILM

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to
the best of (his, her, their) knowledge.

September 17, 1981 (Date)
State of Idaho Organization _____
County of Ada ss. Seal _____
On this 17th day of September, in the year 1981 before me
a notary public, personally appeared _____
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation,
partnership or _____) executed the same.
My commission expires Life Notary Public residing at Donald V. Shaff, Boise

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM
REPORT OF EXAMINERS

Claim No. 65-11405

1. Name of Applicant MOSES CATTLE CO.

2. Priority _____

3. Source of Water MONGER CREEK

4. (Quantity) (Domestic, Irri., Stock Water, etc.) (Period of Use)
_____ cfs Use IRRIGATION From 4/1 to 11/1

_____ cfs Use STOCKWATER From 1/1 to 12/31

_____ cfs Use _____ From _____ to _____

5. Location of Point of Diversion: SWNE of Section 33

Twp. 8N, Rge. 1E, County of GEM

6. Describe Diversion Works: DIVERSION DAM & DITCH FROM MONGER CREEK
TO COTTONWOOD W/ IMMEDIATE SECOND DAM & DITCH TO P/U

7. Describe Location of Use:

TWP	RGE	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SE $\frac{1}{4}$				SW $\frac{1}{4}$				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>8N</u>	<u>1E</u>	<u>33</u>	<u>2</u>			<u>4</u>													<u>6</u>

TWP. 8N RGE. 1E COUNTY GEM SCALE: 1" = 1 MILE

8. Purpose other than irrigation: S/100 RANGE

9. Remarks: OTHER RTS: 65-0395

This examination was made on the 16 day of AUGUST, 19 82.

(Signed)

[Signature]
Examiner

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: **A65-11405**
Date Received: 11/18/1988
Receipt No: X999999
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: MOSES CATTLE CO 208-584-3436
Address: C/O ROY MOSES
8777 OLA HWY
SWEET ID 83670

2. Date of Priority: MAY 29, 1927

3. Source: MONGER CREEK Trib. to: COTTONWOOD CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	01E	33		SW	NE		GEM

5. Description of diverting works:
DIVERSION DAM & DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.120		
STOCKWATER	01/01	12/31	0.030		1.40

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

8. Total consumptive use is 15.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/100 RANGE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	01E	33	NE	NE		IRR	2.0
			NE	NE		STOCK	

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	01E	33	SE	NE		IRR	4.0
			SE	NE		STOCK	
						Section Acres	6.0
						Total Acres	6.0

11. Place of use in counties: GEM

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

13. Other Water Rights Used:
65-0395

14. Remarks:

THIS RIGHT WHEN COMBINED WITH RIGHT 65-0395 SHALL PROVIDE NO MORE
THAN .02 CFS PER ACRE.

**ADDRESS CORRECTION 1/12/2000 SB

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

STATE OF IDAHO

Decree Plaintiff

S & C CORP., ET AL.

vs

Decree Defendant

RECEIVED

JAN 12 2000

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number(s):

65-00395

65-03447

65-11402, 04, 05

[] Claimant Name(s):

Moses Cattle Co

Clo Alva Moses

Roy Moses

[] Old Mailing Address:

Rt 1

Sweet, ID 83670

[] New Mailing Address:

8777

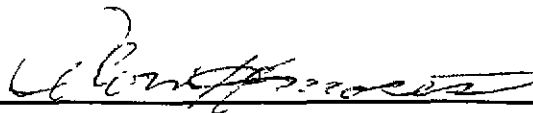
~~8975~~ Ola Hwy

Sweet, ID 83670

Telephone Number:

() 584-³⁴³⁶3311

[] Signature of Claimant(s):



Date:

Jan 10, 2000

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: A65-11405
Date Received: ~~9/23/1988~~ 11/18/88
Receipt No: X999999
Received By: _____

NOV 18 1988

Department of Water Resources
**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: MOSES CATTLE CO.
Address: RT. 1
SWEET, ID 83670

2. Date of Priority: MAY 29, 1927

3. Source: MONGER CREEK Trib. to: COTTONWOOD CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	01E	33	SW	NE			GEM

5. Description of diverting works:
DIVERSION DAM & DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.120		
STOCKWATER	01/01	12/31	0.030		1.40

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

8. Total consumptive use is 15.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/100 RANGE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	01E	33	NE	NE		IRR	2.0
			NE	NE		STOCK	

A65-11405

Page 1

Date: 09/23/88

MICROFILMED

SEP 24 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	01E	33	SE	NE		IRR	4.0
			SE	NE		STOCK	

Section Acres 6.0

Total Acres 6.0

11. Place of use in counties: GEM

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

13. Other Water Rights Used:
65-0395

14. Remarks:
THIS RIGHT WHEN COMBINED WITH RIGHT 65-0395 SHALL PROVIDE NO MORE
THAN .02 CFS PER ACRE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

STATE OD IDAHO

Decree Plaintiff

vs

S & C CORP., ET AL.

Decree Defendant

(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.

SEP 24 1992

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. No.

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

Please type or print clearly:

Name of Claimant(s) MOSES CATTLE CO.

Mailing Address R.T. I, SWEET, IDAHO 83670
(include Zip Code)

Phone Number (208) 584 - 3311

MICROFILMED
SEP 24 1992

AJ0749NP
No. R65-11405

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 01/12/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MOSES CATTLE CO C/O ROY MOSES 8777 OLA HWY SWEET ID 83670 (208) 584-3436	05/29/1927	IRRIGATION STOCKWATER	04-01 11-01 01-01 12-31	0.120 CFS 0.030 CFS	1.40 AFA
TOTAL DIVERSION:					0.120 CFS	

Water Source: MONGER CREEK

Tributary to: COTTONWOOD CREEK

Stage: DECREED

Point(s) of Diversion:

T08N R01E S33

NWNE

GEM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
08N	01E	33	:	02				04													6.0
TOTAL ACRES																				6.0	

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
08N	01E	33	:	S				S												:

POU County: GEM

Other Rights: 65-0395

Conditions of Approval:

- N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
- SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
- USE.

Remarks: QNT THIS RIGHT WHEN COMBINED WITH RIGHT 65-00395 SHALL PROVIDE NO
MORE THAN .02 CFS PER ACRE AT FIELD HEADGATE.

EXP STOCKWATER, 100 RANGE CATTLE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

AJ0749NP
No. R65-11405

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 01/12/00
PAGE: 2

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Comments: Date: 01/12/2000 User-ID: SBOCK Subject: ADDRESS CORRECTION
PER CLAIMANT

Audit: 01/12/00 SBOCK

WR5809NP
No. 65-11405

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/08/99
PAGE: 22

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MOSES CATTLE CO. RT. 1 SWEET ID 836700000	05/29/1927	IRRIGATION STOCKWATER	04/01 11/01 01/01 12/31	0.120 CFS 0.030 CFS	1.40 AFA
TOTAL DIVERSION:					0.120 CFS	

Water Source: MONGER CREEK

Tributary to: COTTONWOOD CREEK

Stage: ~~BENEFICIAL USE~~

Point(s) of Diversion Capacity: 0.427 CFS

Point(s) of Diversion: T08N R01E S33

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
08N	01E	33	:	02			04													6.0
TOTAL ACRES																				6.0

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

Pou County: GEM

Dates: App. Received:
Proof Due Date:
Exam Made Date: 08/16/1982
Licensed Date:

Priority Date: 05/29/1927
Proof Made Date:
Exam Sent to S.O.:

Misc: Water District Number: 65

Field Exam Fee:

NO 5, NO 8
QNT 395

10/11/11

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:08:48
12/10/99
111

PAGE: 16
PROFILE REPORT

CLAIM NUMBER: A65-11405

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MOSES CATTLE CO	05/29/1927	IRRIGATION STOCKWATER	04-01 11-01 01-01 12-31	0.120 CFS 0.030 CFS	1.40 AFA
TOTAL DIVERSION: CONSUMPTIVE USE:					0.120 CFS	15.00 AFA

Water Source: MONGER CREEK

Tributary to: COTTONWOOD CREEK

Stage: DECREED

Point(s) of Diversion:

T08N R01E S33

SWNE

GEM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE							
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
08N	01E	33	:	02						04												:	6.0
																						TOTAL ACRES	6.0

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE							
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
08N	01E	33	:	S						S												:	

POU County: GEM

Non-Irrigation Uses: S/100 RANGE.

Other Rights: 65-0395

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHT 65-0395 SHALL PROVIDE NO MORE
THAN .02 CFS PER ACRE.

Dates: Exam Made Date: Verified Date: 04/10/1986 Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:06
12/10/99

PAGE: 1
GENERAL INFORMATION

96
CLAIM NUMBER: A65-11405

LAST: MOSES CATTLE CO FIRST:
ADDRESS: RT 1
CITY: SWEET STATE: ID ZIP: 83670
PHONE NUMBER: 208-000-0000

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER
Y() N()

CLAIM REMARKS: GEN THIS RIGHT WHEN COMBINED WITH RIGHT 65-0395 SHALL PROVIDE NO MORE
THAN .02 CFS PER ACRE.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

PHONE NUMBER: () -

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y() N()

TIME: __:__ A() P()

ACCOMPANIED BY: _____

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A65-11405 PRIORITY DATE: 05-29-1927 STAGE: D

B. WR RECORD: # 65-11405 PRIORITY DATE: 05-29-1927 STAGE: J

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y(☒) N()

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y() N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW) Y() N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

N/A(☒) Y() N()

FIELD EXAM COMPLETED

N/A(☒) Y() N()

FIELD EXAM SENT TO STATE OFFICE

N/A(☒) Y() N()

LICENSE ISSUED

N/A() Y() N()

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED? N/A(☒) Y() N()

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y(☒) N()

NOTES: as decided by stipulation

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RECOMMENDED PRIORITY DATE:

05-29-1927

REVIEWED BY SB

DATE 1.5.00

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-11405	08N 01E	33		SW	NE			GEM		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: MONGER CREEK

TRIB: COTTONWOOD CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-11405	08N 01E	33		SW	NE			GEM		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: MONGER CREEK

TRIB: COTTONWOOD CREEK

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y(☒) N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N(☒)

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y(☒) N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N(☒)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM _____ NAME OF EXAMINER _____) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: POD is a boundary in ALLWE, very close to
the 1/4 1/4 line in the SWNE.

=====

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (X)

TWP. 08N	RGE. 01E	SEC. 33	1/4	1/4 SW	1/4 NE	LOT	POD FLAG	COUNTY GEM	DIVERSION NAME	DIVERSION NBR
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: MONGER CREEK

TRIB: COTTONWOOD CREEK

REVIEWED BY: SB DATE: 1-5-00

=====

SYSTEM DESCRIPTION: DESCRIBED BELOW (___), SEE LICENSE FILE (___), OR SEE ATTACHMENT (___)

A. ROOT WATER RIGHT NUMBERS: A65-11405

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08N	01E	33	NE	NE		MOSES CATTLE CO	A65-11405 /	2.0	65-11405 /	2.0	27.0
			NE	NE		MOSES CATTLE CO	A65-00395 /	2.0	65-00395 /	2.0	
			NE	NE		MOSES CATTLE CO	A65-03447 /	6.0	65-03447 /	6.0	2
08N	01E	33	NE	NE		MOSES CATTLE CO	A65-11405 /	2.0	65-11405 /	2.0	27.0
			NE	NE		MOSES CATTLE CO	A65-00395 /	2.0	65-00395 /	2.0	
			NE	NE		MOSES CATTLE CO	A65-03447 /	6.0	65-03447 /	6.0	
08N	01E	33	SE	NE		MOSES CATTLE CO	A65-11405 /	4.0	65-11405 /	4.0	25.0
			SE	NE		MOSES CATTLE CO	A65-00395 /	4.0	65-00395 /	4.0	
			SE	NE		MOSES CATTLE CO	A65-03447 /	6.0	65-03447 /	6.0	4
08N	01E	33	SE	NE		MOSES CATTLE CO	A65-11405 /	4.0	65-11405 /	4.0	25.0
			SE	NE		MOSES CATTLE CO	A65-00395 /	4.0	65-00395 /	4.0	
			SE	NE		MOSES CATTLE CO	A65-03447 /	6.0	65-03447 /	6.0	

ADDITIONAL POU FOUND

TOTAL ACRES A65-11405 6.00 12.00 104.00

POU COUNTY: GEM

6

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N(☒)

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-11405	MONGER CREEK	MOSES CATTLE CO	0.120	0.020		
A65-00395	COTTONWOOD CREEK	MOSES CATTLE CO	0.120	0.020		
A65-03447	SQUAW CREEK	MOSES CATTLE CO	0.440	0.020		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-11405	STOCKWATER	MOSES CATTLE CO	FROM 01-01 TO 12-31	0.030 CFS	
A65-00395	STOCKWATER	MOSES CATTLE CO	FROM 01-01 TO 12-31	0.030 CFS	1.40 AF/A

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y(☒) N()

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM: 65-0395

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y(☒) N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y() N(☒)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y() N(☒)

NOTES:

DATE: 1-5-00

A. AJ CLAIMED USES:

	PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-11405	IRRIGATION	FROM 04-01 TO 11-01	0.120 CFS	
A65-11405	STOCKWATER	FROM 01-01 TO 12-31	0.030 CFS	1.40 AF/A
	TOTAL DIVERSION RATE/VOLUME		0.120 CFS	

B. WR RECORDED USES:

	PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-11405	IRRIGATION	FROM 04-01 TO 11-01	0.120 CFS	
65-11405	STOCKWATER	FROM 01-01 TO 12-31	0.030 CFS	1.40 AF/A
	TOTAL DIVERSION RATE/VOLUME		0.120 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☒) N(☐)

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

Y(☐) N(☒)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

Y(☒) N(☐)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

Y(☐) N(☐)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☒) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A(☐) Y(☐) N(☒)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☒) Y(☐) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A(☒) Y(☐) N(☐)

PAGE: 9

PURPOSE OF USE, PERIOD OF USE, DIVERSION RATE AND DIVERSION VOLUME REVIEW SHEET CONTINUED

104

CLAIM NUMBER: A65-11405

NOTES:

AJ CLAIM TOTAL DIVERSION RATE: 0.120 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.120 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y(☒) N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N(☒)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N(☒)

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 6 x 0.02 CFS/ACRE = 12 CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

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

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 15.0 AF/A

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

TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES: _____

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE CFS		VOL. AF/A		USE	
			DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
IRRIGATION	04-01	11-01	0.120	_____			15.0	_____
STOCKWATER	01-01	12-31	0.030	_____	1.40	_____	15.0	_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			0.120	_____		_____	15.0	_____

NON-IRRIGATION USES CLAIMED: S/100 RANGE.

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

QNT EQ1
NOS NO8

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-11405

TOTAL DIVERSION RATE OF WR SPLITS

N/A
DATABASE
0.120

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-11405	0.120	-		65-11405	0.120
TOTAL CFS		0.120				0.120

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 DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE
Y

FIELD
EXAMINER
Y() N()

NOTES:

=====

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____
=====

See 65-00395

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
() NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
() OTHER _____	DATE _____	_____	_____
() OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

00:00:06
12/10/99

PAGE: 15
QUICKLOOK INFORMATION

110
CLAIM NUMBER: A65-11405

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE					~~done~~	1-5-00		
POINT OF DIV				2				
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

22

RECEIVED

APR 10 1987

APR 17 1987

Department of Water Resources

Idaho River Record Case
hori Rambow 65117

PHILLIP J. RASSIER
JOSEPHINE P. BEEMAN
Deputy Attorneys General
Department of Water Resources
Statehouse
Boise, Idaho 83720
Telephone: (208) 334-4448

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR GEM COUNTY

IN THE MATTER OF THE GENERAL	)	Civil Case No. 3667
DETERMINATION OF THE RIGHTS TO	)	
THE USE OF SURFACE AND GROUND	)	STIPULATION RESOLVING
WATER OF THE PAYETTE RIVER	)	LATE OBJECTIONS OF
DRAINAGE.	)	MOSES CATTLE CO.
	)	

COMES NOW A. Kenneth Dunn, Director of the Idaho Department of Water Resources (director herein), and Alvin H. Moses (doing business as Moses Cattle Co. and Black Canyon Grazing Association), and stipulate as follows:

1. That late-filed claims designated water right nos. 65-11402, 65-11404, 65-11405, 65-11406, 65-11407, and 65-11408 be accepted and included in the Proposed Finding of Water Rights in the Payette River Drainage (report herein) as set forth in Exhibit A, attached hereto and incorporated herein by this reference.
2. That water right no. 65-0395 as set forth in the report be amended as follows:

- a. To show Moses Cattle Co. as the current owner of the right,
- b. To show Cottonwood Creek as the name of the water source (replacing Dougler Draw as the name of the water source), and to show that the source is known locally as Dougler Draw, and
- c. To show that use of the water right in combination with other rights is limited to a total use of .02 cubic feet per second (cfs) per acre.

3. That water right no. 65-0464 as set forth in the report be amended as follows:

- a. To show the current address of the owner,
- b. To change the section number of the place of use from eleven (11) to ten (10), and
- c. To show the North Fork Brownlee Creek as the stream to which the water source (unnamed springs) is tributary.

4. That water right nos. 65-0469 and 65-0470 as set forth in the report be amended as follows:

- a. To show the current address of the owner, and
- b. To change the township number of the point of diversion and place of use from eight (8) to nine (9).

5. That water right no. 65-0504 as set forth in the report be amended as follows:

- a. To show the current address of the owner, and

- b. To show Boulder Creek as the stream to which the water source (unnamed spring) is tributary.
6. That water right no. 65-0507 as set forth in the report be amended as follows:
- a. To show the current address of the owner, and
- b. To show the North Fork Brownlee Creek as the stream to which the water source (unnamed spring) is tributary.

7. That the document dated April 17, 1980, filed by Alvin Moses for permission to file late objections for the purpose of submitting late claims be hereby withdrawn.

The amendments to the report described in items 2 through 6 above are also set forth in Exhibit A, attached hereto and incorporated herein by this reference.

DATED this 31st day of March, 1987.

JIM JONES
Attorney General

Josephine P. Beeman
JOSEPHINE P. BEEMAN
Deputy Attorney General
Idaho Department of
Water Resources

DATED this 6th day of March, 1987.

Louie Gorrono
LOUIE GORRONO
Attorney for Alvin Moses

The above stipulation having come before the court, it is hereby approved this 2nd day of April, 1987.

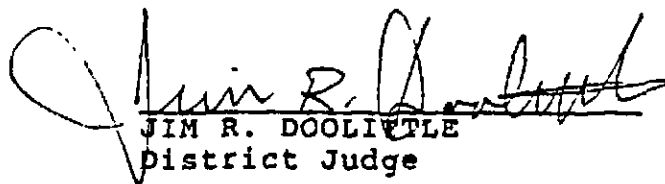

JIM R. DOOLITTLE
District Judge

EXHIBIT A

PAGE 3

AMENDMENT TO PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

RIGHT NO.	NAME AND ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAX AMT. MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65- 11404	MOSES CATTLE CO. RT. 1 SWEET, ID. 83670 SOURCE: SPRINGS TRIBUTARY TO: MONGER CREEK REMARKS: SOURCES ARE 3 SPRINGS	06/01/1893	STOCKWATER	01/01 12/31	2.70 AFA .04 CFS	NWSW S28 T8N R1E	NWSW SWSE S28 T8N R1E	BENEFICIAL USE
			STOCKWATER STORAGE	01/01 12/31	.10 AFA	SWSE S28 T8N R1E	SAME AS OTHER USE	
			STOCKWATER FROM STORAGE	01/01 12/31	.10 AFA *2.70 AFA* *.04 CFS*		SAME AS OTHER USE	
65- 11405	MOSES CATTLE CO. RT. 1 SWEET, ID 83670 SOURCE: MONGER CREEK TRIBUTARY TO: COTTONWOOD CREEK REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-0395 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.	05/29/1927	IRRIGATION	04/01 11/01	--- AFA .12 CFS	SWNE S33 T8N R1E	NENE(2) SENE(4) S33 T8N R1E *6*	BENEFICIAL USE
			STOCKWATER	01/01 12/31	1.40 AFA .03 CFS *--- AFA* *.12 CFS*		SAME AS OTHER USE	
65- 11406	BLACK CANYON GRAZING ASSN. C/O ALVIN MOSES SWEET, ID 83670 SOURCE: SPRING TRIBUTARY TO: DRY BUCK CREEK	06/01/1967	STOCKWATER STORAGE	01/01 12/31	.50 AFA --- CFS	SWSW S6 T8N R3E	SWSW S6 T8N R3E	BENEFICIAL USE
			STOCKWATER FROM STORAGE	01/01 12/31	.50 AFA *.50*AFA *---*CFS		SAME AS OTHER USE	
65- 11407	BLACK CANYON GRAZING ASSN. C/O ALVIN MOSES SWEET, ID. 83670 SOURCE: SPRING	06/01/1965	STOCKWATER	01/01 12/31	.67 AFA .02 CFS	SESE S3 T8N R2E	SESE S3 T8N R2E	BENEFICIAL USE
			TRIBUTARY TO: SOLDIER CREEK					

indicates total

IN THE DISTRICT COURT OF THE JUDICIAL DISTRICT

OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF _____
San Jose River
DRAINAGE BASIN.

NOTICE OF CLAIM TO A WATER RIGHT

<u> </u> I.D. No.		<u> </u> Map No.	
\$	<u> </u> Fee Paid	<u> </u> Receipt No.	

Notice is hereby given that _____
(Name of Claimant)

NAME, DOB 1307 Telephone No. 5 44 11
(Mailing Address) (Zip Code)

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, or priority date of decreed, licensed or permit right) 5/15/17

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

(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 0.25 CFS Use Domestic Period of Use From 1/1 To 1/1
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity 100 CFS Use FLORIDA Period of Use From 7/1 To 12/1
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) _____ TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source _____ ¼ _____ ¼ _____
Sec. _____, Twp. _____, Rge. _____, B.M., _____ County _____
Additional Points: _____

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. _____

(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.

[illegible]

Total no. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Stockwater for cattle and horses

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 _____

(9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case.

☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

(Date) _____

State of _____ Organization _____
County of _____ ss. _____ Seal _____

On this 17 day of June, in the year 2011 before me
a notary public, personally appeared

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or) executed the same.

My commission expires _____ Notary Public residing at _____

IN THE DISTRICT COURT OF THE Third JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF Gem

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF Payette River
DRAINAGE BASIN.

**NOTICE OF CLAIM
TO A
WATER RIGHT**

65-11405	
ID No.	Map No.
\$	
Fee Paid	Receipt No.

Notice is hereby given that MOSES CATTLE CO. (Name of Claimant)

Sweet, ID 83670

(Mailing Address)

(Zip Code)

Telephone No. 584-3311

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, or priority date of decreed, licensed or permit right) 5/29/1927

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Monger Creek tributary to Cottonwood Creek

(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 .12 cfs Use irrigation Period of Use From 4/1 To 11/1
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

1.4 AFA Quantity .03 cfs Use stockwater Period of Use From 1/1 To 12/31
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) .12 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source NW 34 ¼ NE ¼
Sec. 33, Twp. 8N, Rge. 1E, B.M., Gem County

Additional Points:

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. Dam and ditches.

(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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
<u>8N</u>	<u>1E</u>	<u>33</u>	<u>2</u>			<u>4</u>													<u>6</u>

OTHER RTs: 65-0395

Total no. of acres 6

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Stockwater, range/100 head

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

(9) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
DVS ☐ B) Right decreed by court, cite title of case.
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No.

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

September 17, 1981
(Date)

State of Idaho

Organization

County of Ada

Seal

(Signature of Claimant)

(Signature of Spouse)

Organization

(Signature of Authorized Agent)

On this 17th day of September, in the year 1981 before me a notary public, personally appeared

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or) executed the same.

My commission expires Life

Notary Public residing at Donald V. Shaff, Boise

RECEIVED

APR 10 1987

APR 7 1987

Department of Water Resources

haci Rambow DEM

PHILLIP J. RASSIER
JOSEPHINE P. BEEMAN
Deputy Attorneys General
Department of Water Resources
Statehouse
Boise, Idaho 83720
Telephone: (208) 334-4448

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR GEM COUNTY

IN THE MATTER OF THE GENERAL	)	Civil Case No. 3667
DETERMINATION OF THE RIGHTS TO	)	
THE USE OF SURFACE AND GROUND	)	STIPULATION RESOLVING
WATER OF THE PAYETTE RIVER	)	LATE OBJECTIONS OF
DRAINAGE.	)	MOSES CATTLE CO.
	)	

COMES NOW A. Kenneth Dunn, Director of the Idaho Department of Water Resources (director herein), and Alvin H. Moses (doing business as Moses Cattle Co. and Black Canyon Grazing Association), and stipulate as follows:

1. That late-filed claims designated water right nos. 65-11402, 65-11404, 65-11405, 65-11406, 65-11407, and 65-11408 be accepted and included in the Proposed Finding of Water Rights in the Payette River Drainage (report herein) as set forth in Exhibit A, attached hereto and incorporated herein by this reference.

2. That water right no. 65-0395 as set forth in the report be amended as follows:

EXHIBIT A
AMENDMENT TO PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 3

RIGHT NO.	NAME AND ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAX AMT. MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65- <u>11404</u>	MOSES CATTLE CO. RT. 1 SWEET, ID 83670 SOURCE: SPRINGS TRIBUTARY TO: MONGER CREEK REMARKS: SOURCES ARE 3 SPRINGS	06/01/1893	STOCKWATER	01/01 12/31	2.70 AFA .04 CFS	NWSW S28 T8N R1E	NWSW SWSE S28 T8N R1E	BENEFICIAL USE
			STOCKWATER STORAGE	01/01 12/31	.10 AFA	SWSE S28 T8N R1E	SAME AS OTHER USE	
			STOCKWATER FROM STORAGE	01/01 12/31	.10 AFA *2.70 AFA* *.04 CFS*		SAME AS OTHER USE	
65- <u>11405</u>	MOSES CATTLE CO. RT. 1 SWEET, ID 83670 SOURCE: MONGER CREEK TRIBUTARY TO: COTTONWOOD CREEK REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-0395 SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.	05/29/1927	IRRIGATION	04/01 11/01	--- AFA .12 CFS	SWNE S33 T8N R1E	NENE(2) SENE(4) S33 T8N R1E *6*	BENEFICIAL USE
			STOCKWATER	01/01 12/31	1.40 AFA .03 CFS *--- AFA* *.12 CFS*		SAME AS OTHER USE	
65- <u>11406</u>	BLACK CANYON GRAZING ASSN. C/O ALVIN MOSES SWEET, ID 83670 SOURCE: SPRING TRIBUTARY TO: DRY BUCK CREEK	06/01/1967	STOCKWATER STORAGE	01/01 12/31	.50 AFA --- CFS	SWSW S6 T8N R3E	SWSW S6 T8N R3E	BENEFICIAL USE
			STOCKWATER FROM STORAGE	01/01 12/31	.50 AFA *.50 AFA* *--- CFS*		SAME AS OTHER USE	
65- <u>11407</u>	BLACK CANYON GRAZING ASSN. C/O ALVIN MOSES SWEET, ID 83670 SOURCE: SPRING	06/01/1965	STOCKWATER	01/01 12/31	.67 AFA .02 CFS	SESE S3 T8N R2E	SESE S3 T8N R2E	BENEFICIAL USE
	TRIBUTARY TO: SOLDIER CREEK							

indicates total

01 WATER RIGHT NUMBER - 65-11405 02 CLO (C) NUMBER -

03001 - MOSES CATTLE CO. LAST NAME

04001 - FIRST NAME

05001 - C ORIG. OWNER

06 ADD LINE 1 - RT. 1

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - SWEET

10 STATE - ID

11 ZIP - 836700000

12 STAGE - J ADJUDICATION CLAIM

13 STATUS -

14001 - MONGER CREEK SOURCE

15001 - COTTONWOOD CREEK TRIBUTARY OF

16 DIVERSION MEANS - DIVERSION DAM & DITCHES.

17 COUNTY - 45 GEM

18 DIVERSION CAPACITY - .427

19 TOTAL DIVERSION RATE - .120

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT - 65

TRACT	SEC	TWN	RNG	LOT	FLG	STREAM	INDEX	FIELDS
22001 - SWNE	23001 - 33	24001 - 08N	25001 - 01E	26001 - 27001 -				
			28001 - 0	0.0	0.0	0.0	0.0	0.0

29 NON-IRRIGATION USE - S/100 RANGE.

USE CODE / USE	TWN	RNG	SEC	TRACT	ACRES	LOT
30001 - 01 IRRIGATION	31001 - 08N	32001 - 01E	33001 - 33	34001 - NENE	35001 - 02	36001 -
30002 - 01 IRRIGATION	31002 - 08N	32002 - 01E	33002 - 33	34002 - SENE	35002 - 04	36002 -

TOTAL ACRES: 6

PERIOD FROM	PERIOD TO	USE CODE / USE	WATER USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0401	38001 - 1101	39001 - 01 IRRIGATION	40001 -	0.120	41001 - 0.00
37002 - 0101	38002 - 1231	39002 - 04 STOCKWATER	40002 -	0.030	41002 - 1.40

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

REMARKS

44001 -

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE - 65-0395

DATES	DATES	FLAGS
47 PRIORITY - 29-MAY-1927	55 LICENSE -	63 TRANSFER/AMENDED -
48 PROOF DUE -	56 APPL RECEIVED -	64 DLE/CAREY ACT -
49 PROOF MADE -	57 FIELD EXAM MADE - 16-AUG-1982	65 FLAG_1 -
50 APPROVE/DENIED -	58 DECREE -	66 FLAG_2 -
51 PROTESTED -	59 START WORK -	67 FLAG_3 -
52 HEARING -	60 ORDER SHOW CAUSE -	

WRR100
65-11405

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 2
1-JAN-1966 19:25:33

----- D A T E S ----- D A T E S ----- F L A G S -----

53 VERIFIED -
54 LAST UPDATE - 31-DEC-1985

61 DATE_1 -
62 DATE_2 -

**WATER RIGHT CODING FORM
VAX SYSTEM**

Coder's Name SHAFF

WATER RIGHT NO. 65-11405

See Coder's Handbook for instructions on filling out this form.

Record

	<u>Last Name or Company (40)</u>	<u>First Name (20)</u>	<u>Owner Indicator</u>
1. Owner	<u>Moses Cattle Co.</u>		<u>C</u>

1A. Address

Rt. 1

1B.

City Sweet

State ID Zip 83670

2. Source(s) Monger Creek

Tributary Cottonwood Creek

3. Point(s) of Diversion Description

<u>Tract</u>	<u>Sec.</u>	<u>Twp</u>	<u>Rng</u>	<u>Lot</u>	<u>Rediv.</u>
<u>SWNE</u>	<u>33</u>	<u>8N</u>	<u>1E</u>		

4. Period of Use, Use, Diversion Rate/Volume

<u>FROM</u>	<u>TO</u>	<u>USE CODE</u>	<u>CFS</u>	<u>ACRE FEET</u>
<u>4-1</u>	<u>11-1</u>	<u>Ø1</u>	<u>.12</u>	
<u>1-1</u>	<u>12-31</u>	<u>Ø4</u>	<u>.03</u>	<u>1.4</u>

5. A. Stage J B. Status _____

C. Priority Date 5/29/1927 D. County Code 45

E. Total Cfs .12 F. Total Acre Feet _____

G. Transfer/Amendment Flag _____ H. Water District 65

I. DLE/Carey Act _____

Record

6. Diversion Means: Diversion dam & ditches

8A. Non-Irrigation Use Remarks: 5/100 Range

8B. Place of Use:

Use Code: 01

			NE				NW				SW				SE			
TWP	RANGE	SEC.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$
<u>8N</u>	<u>1E</u>	<u>33</u>	<u>2</u>			<u>4</u>												

8C. Other Rights: 65-0395

10. Remarks: _____

11. Decree Plaintiff _____

12. Decree Defendant _____

Decree Date / /

13. Protested Date / / Hearing Date / /

Old Number

14. Stage Status Water District

Proof due date / / Permit or Denied Date / /

Proof made date / / Start work date / /

Order to Show Cause / / Licensed date / /

15. Conditions of Approval

16. Diversion Capacity: .427

Application Received / / Field Exam Date 8/16/1982

Verified Code

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by SHAFF

Date 8/17/82

Right No. 65-11405

Claimant MOSES CATTLE CO.

Recommendation differs from claim: ☒ Yes ☐ No ☐ Disallow
(Document any differences)

Claim Details Verified Against:

Check (X or ✓) those searched. Circle records used for recommendation.
Include copies or memos where applicable to explain findings.

☐ License

☐ Previous Statutory Claim.

☐ Permits, valid or lapsed. Number(s) if different than above _____

☐ Decree. Name & date _____

☐ Conveyance Loss Calculations. See printout included.

☐ Title abstract. ☐ In file. Or, Name & location _____

☐ County records. ☐ In file. Or, Name & location _____

☐ Affidavits. ☐ In file.

☐ Posted Notices, Water Locations Notices. ☐ In file.

☐ Deed Records. ☐ In file. Or, Name & location _____

☐ Patent Records. ☐ In file. Or, Name & location _____

☐ Metzker Maps. Identify _____

☐ A.S.C.S. Records. Year & Photograph No. _____

☐ Irrigation Company/District Records. ☐ In file. Or Name & location _____

☐ Historical Books. Name(s) & location _____

☐ Interview(s). Attach conversation memorandum.

☒ Other 65-0395

☐ _____

Field Exam Made: ☒ Yes ☐ No Date 8/16/82

☒ Adj. Report in file ☐ Beneficial Use Report in License (S.O.) File

Measurement .427 cfs. Amount recommended .12 cfs.

Type of measuring device: PYGMY Meter No. 090176

Condition EXCELLENT Date 8/16/82 Time ABOUT NOON

Adjudication Photo(s) Used: Name or No. 7/24/61 1325660 8/6/75 09 8/19/77 09 9/17/80 09
CYM-2BB-190 6/77-75-131 2917-77-138 3498-80-152

Field Photographs Taken ☐ Yes ☒ No

ACCOMPANIED BY A. MOSES

Memorandum in file ☐ Yes ☒ No

Remarks CHANGE IN PD BASED ON EXAM. PRIORITY DATE IS
CONSISTENT WITH 65-0395.

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM
REPORT OF EXAMINERS

Claim No. 65-11405

1. Name of Applicant MOSES CATTLE CO.

2. Priority _____

3. Source of Water MONGER CREEK

4. (Quantity) (Domestic, Irri., Stock Water, etc.) (Period of Use)
_____ cfs Use IRRIGATION From 4/1 to 11/1

_____ cfs Use STOCKWATER From 1/1 to 12/31

_____ cfs Use _____ From _____ to _____

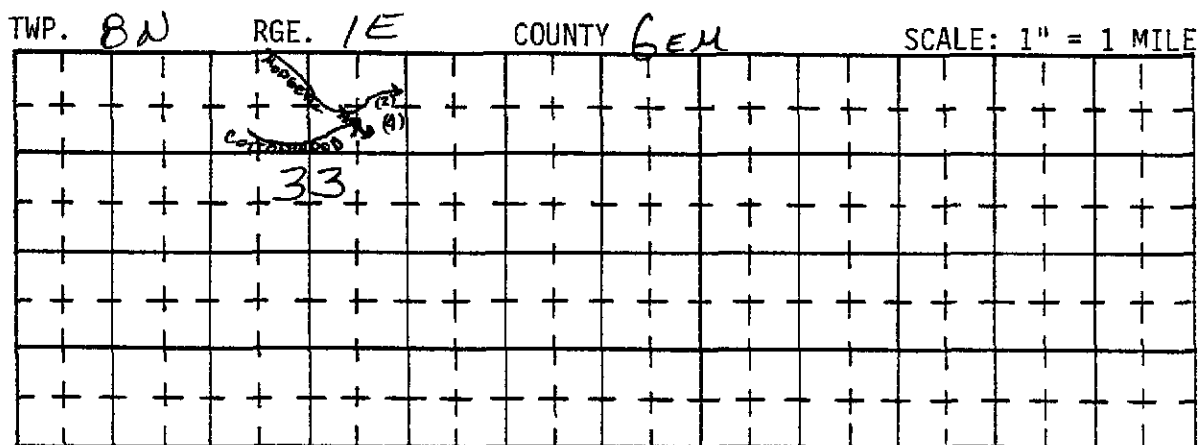
5. Location of Point of Diversion: SWNE of Section 33

Twp. 8N, Rge. 1E, County of GEM

6. Describe Diversion Works: DIVERSION DAM & DITCH FROM MONGER CREEK
TO COTTONWOOD W/ IMMEDIATE SECOND DAM & DITCH TO P/U

7. Describe Location of Use:

TWP	RGE	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SE $\frac{1}{4}$				SW $\frac{1}{4}$				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<u>8N</u>	<u>1E</u>	<u>33</u>	<u>2</u>			<u>4</u>													<u>6</u>



8. Purpose other than irrigation: S/100 RABGE

9. Remarks: OTHER RTS: 65-0395

This examination was made on the 16 day of AUGUST, 19 82.

(Signed) [Signature]
Examiner

MEASUREMENT FOR COTTONWOOD CREEK

PAGE 1

MEASUREMENT LOCATION MOSES DITCH
MEASURED BY DVE

ON 8/16/82

LEGAL DESCRIPTION ~~WIDE~~ SEC 33 TRP 80 RND 16
V = .956N + .046

DISTANCE FROM INITIAL POINT	DEPTH	AREA	REVOLUTIONS	TIME	VELOCITY	DISCHARGE
FEET	FEET	SQ. FT.		SEC.	FT./SEC.	CFS.
1.200	.000	.000	0	.000	.000	.000
1.500	.150	.060	30	46.000	.659	.070
1.700	.300	.060	5	45.000	.152	.009
1.900	.500	.060	25	41.000	.629	.079
2.100	.500	.060	11	5.000	2.149	.129
2.300	.500	.090	32	5.000	2.370	.211
2.500	.000	.000	0	.000	.000	.000

TOTALS

.320

Q = .427