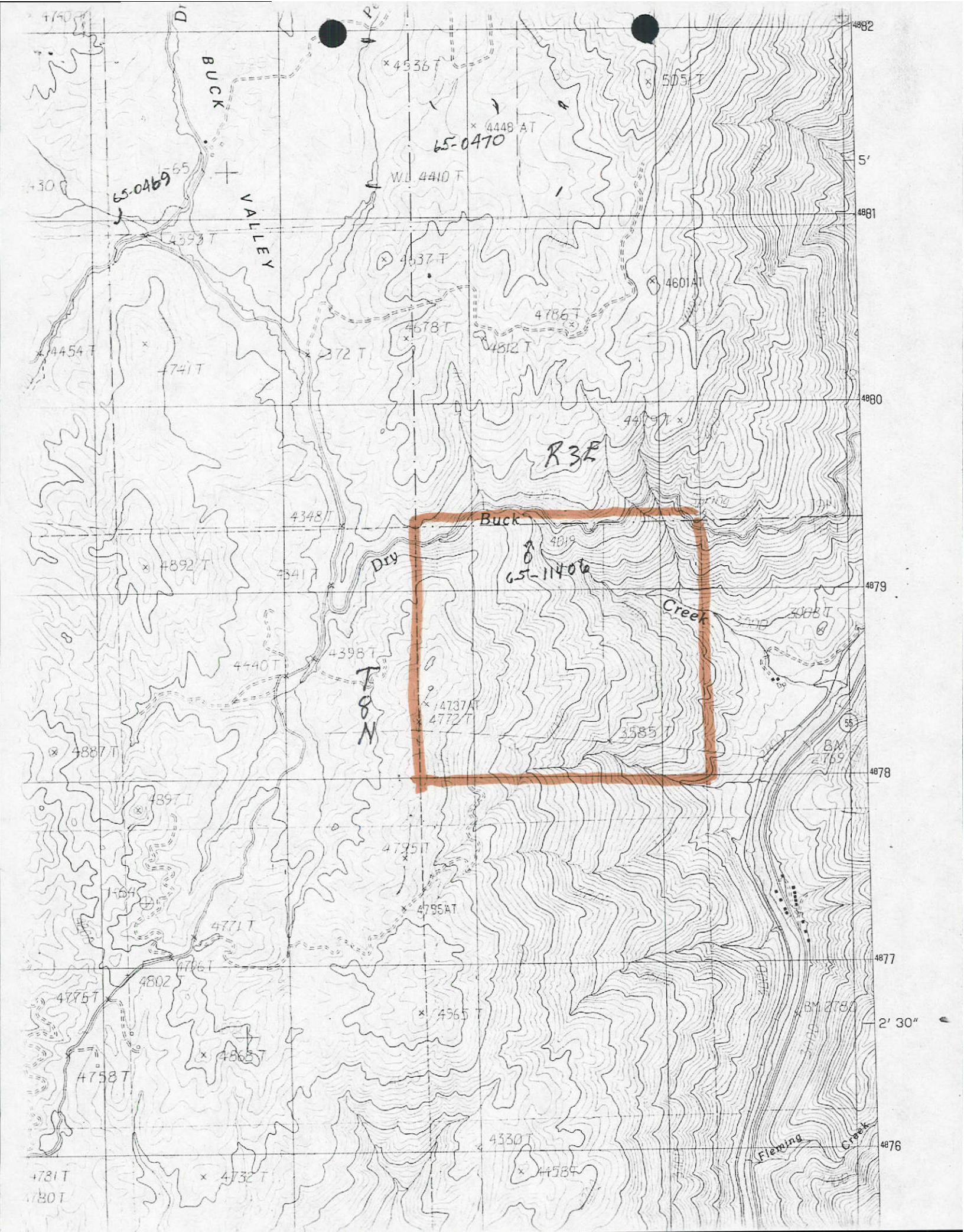




IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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: A65-11406
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: BLACK CANYON GRAZING ASSN.
Address: C/O ALVIN MOSES
SWEET, ID 83670

2. Date of Priority: JUN 01, 1967

3. Source: SPRING Trib. to: DRY BUCK CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	03E	6	SW	SW			BOISE

5. Description of diverting works:
POND

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER STORAGE	01/01	12/31			0.50
STOCKWATER FROM STORAGE	01/01	12/31			0.50

7. Total Quantity Appropriated is:
C.F.S. (and/or) 0.50 A.F.A.

8. Total consumptive use is 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	03E	6	SW	SW		STOC S	
			SW	SW		STO FS	

A65-11406

Page 1

Date: 09/23/88

MICROFILMED
SEP 24 1992

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

NONE

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

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: _____

For Organizations:

I do solemnly swear or affirm that I am SECRETARY of
Title
BLACK CANYON GRAZING ASSN., that I have signed the foregoing
Organization
document in the space below as Secretary of
Title
BLACK CANYON GRAZING ASSN. and that the statements contained in the
Organization
foregoing document are true and correct.

[Signature]
Signature of Authorized Agent

SECRETARY - BLACK CANYON
Title and Organization

GRAZING ASSN - 11-15-88
Date

State of Idaho)
County of Gem) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of NOVEMBER 19 88

[Signature]
Notary Public

Seal

Residing at Emmett, Idaho

My Commission Expires 20 July 1991

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) BLACK CANYON GRAZING ASSN.

Mailing Address (include Zip Code) RT. 1, SWEET, IDAHO 83670

Phone Number (208) 584-3311

MICROFILMED

SEP 24 1992

09/06/2000

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

RIGHT NUMBER: 65-11406

NAME AND ADDRESS: BLACK CANYON GRAZING ASSN
C/O ALVIN MOSES
8975 SWEET OLA HIGHWAY
SWEET, ID 83670

SOURCE: SPRING TRIBUTARY: DRY BUCK CREEK
0.5 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL
NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 06/01/1967

POINT OF DIVERSION: T08N R03E S6 SWSW Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER FROM STORAGE	01-01 12-31	0.5 AFY
STOCKWATER STORAGE	01-01 12-31	0.5 AFY

PLACE OF USE:

STOCKWATER FROM STORAGE
Within BOISE County
T08N R03E S6 SWSW
STOCKWATER STORAGE Within
BOISE County
T08N R03E S6 SWSW

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

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: BASIS OF CLAIM - Beneficial Use

STOCKWATER, 100 RANGE CATTLE
PARCEL NO. RP 08NO3E065450 A

WR5809NP
No. 65-11406

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/06/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BLACK CANYON GRAZING ASSN. C/O ALVIN MOSES SWEET ID 836700000	06/01/1967	STOCKWATER STORAGE STOCKWATER FROM STORAGE	01/01 12/31 01/01 12/31		0.50 AFA 0.50 AFA
TOTAL DIVERSION:						0.50 AFA

Water Source: SPRING

Tributary to: DRY BUCK CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T08N R03E S06 Lot 03(NENW)

BOISE County

Place of use Legal Description for: STOCKWATER STORAGE

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
08N	03E	6	:																	:
			:																	:

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

Pou County: BOISE

Dates:	App. Received:	Priority Date:	06/01/1967
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/24/87 04/30/88 CONVERT

AJ5809NP
No. R65-11406

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/05/98
PAGE: 17

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BLACK CANYON GRAZING ASSN C/O ALVIN MOSES SWEET ID 83670	06/01/1967	STOCKWATER STORAGE STOCKWATER FROM STORAGE	01-01 12-31 01-01 12-31		0.50 AFA 0.50 AFA
TOTAL DIVERSION:						0.50 AFA

Water Source: SPRING

Tributary to: DRY BUCK CREEK

Point(s) of Diversion:

T08N R03E S06

SWSW

Stage: DECREED

BOISE County

Place of use Legal Description for: STOCKWATER STORAGE

NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
08N	03E	6	:													:

Place of use Legal Description for: STOCKWATER FROM STORAGE

NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
08N	03E	6	:													:

POU County: BOISE

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP RP 08N03E065450 A
Stockwater100 RANGE STOCK

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:

Presumption Flag:

Comments: Date: 02/05/1998 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE

Claimed different POD & POU No! - See attached
Stipulation and Amendment to Proposed Findings.

AJ5809NP
No. R65-11406

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/05/98
PAGE: 18

=====

Comments: Date: 02/05/1998 User-ID: AJU5-JSH Subject: AJU5 STOCK ONLY UPDATE
USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK.
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO EXP REMARK. IF BLM/USFS, DELETED L12.

Audit: 03/11/97 CORR3 02/05/98 AJU5-JSH

WR5809NP
No. 65-11406

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/05/98
PAGE: 13

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BLACK CANYON GRAZING ASSN. C/O ALVIN MOSES SWEET ID 836700000	06/01/1967	STOCKWATER STORAGE STOCKWATER FROM STORAGE	01/01 12/31 01/01 12/31		0.50 AFA 0.50 AFA
TOTAL DIVERSION:						0.50 AFA

Water Source: SPRING

Tributary to: DRY BUCK CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T08N R03E S06 Lot 03(NENW)

BOISE County

Place of use Legal Description for: STOCKWATER STORAGE

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac		
08N	03E	6	:																
			:																

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

Pou County: BOISE

Dates:	App. Received:	Priority Date:	06/01/1967
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/24/87 04/30/88 CONVERT

WATER RIGHT NUMBER - A65-11406

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - LAST NAME - - - - + + - FIRST NAME - - + + - - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
BLACK CANYON GRAZING ASSN.1 - C/O ALVIN MOSES
2 -
3 -
CITY- SWEET
PHONE - 208-000-0000

STATE- ID ZIP- 83670

+ - - PRIORITY DATE - - + + - - - REGION - - - + + - - - STAGE - - - + + - - - STATUS - - - - +
06/01/1967 14 WESTERN D - DECREED+ - - - - - SOURCE - - - - - + + - - - - - TRIBUTARY - - - - - +
SPRING DRY BUCK CREEK+ - - - - - POINT OF DIVERSION - - - - - +
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

08N 03E 6 SW SW (15) BOISE

+ - - - - - WATER USE - - - - - +
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME05 - STOCKWATER STORAGE 01/01 12/31 0.50
06 - STOCKWATER FROM STORAGE 01/01 12/31 0.50+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.50 0.0+ - - - - - PLACE OF USE - - - - - +
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY08N 03E 6 SW SW 05 STOCKWATER STORAGE (15) BOISE
08N 03E 6 SW SW 06 STOCKWATER FROM STORAGE (15) BOISE

+ - - DIVERSION MEANS - POND

+ - - NON-IRRIGATION USE - S/100 RANGE.

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - - REMARKS - - - - - +
NO REMARKS FOUND.+ - - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.+ - - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.+ - - - - DECREE PLAINTIFF - - - +
STATE OF IDAHO+ - - - - DECREE DEFENDANT - - - +
A & C CORP., ET AL.+ - DECREE DATE - +
00/00/0000

WATER RIGHT NUMBER - A65-11406

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - AUDIT FIELDS - 09/23/88 KROUGH_H

+ - - - - - COMMENTS - - - - -
NO COMMENTS FOUND

+ - - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -

COURT REPORT FILING	- 00/00/0000	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 04/24/1987	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 11/18/1988	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	- 65
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- X999999	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	-	NOTICE OF ERROR FLAG	-

RP 08 NO 3 E 0 65-450 A

DATA ENTRY

ENTERED

CHECKED

Verified By
Topo Map/Ortho-PQ
ASCC Map
Watermaster Records
M-12 Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED

JUL 22 1992

CERTIFIED

JAN 28 1993

WATER EXAMINER

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 _____

**NOTICE OF CLAIM
TO A
WATER RIGHT**

Payette River DRAINAGE BASIN.

65-11406

I.D. No.

Map No.

\$

Fee Paid

Receipt No.

Notice is hereby given that BLACK CANYON GRAZING ASSOC.
(Name of Claimant)

c/o Alvin Moses, Sweet, ID 83670
(Mailing Address)

(Zip Code)

Telephone No. 584-3381

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) 6/01/1967
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) spring tributary to Dry Buck 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 .5 AF Use Stockwater from Storage Period of Use From 1/1 To 12/31
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
Quantity .5 AF Use Storage for 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) .5 AF TOTAL QUANTITY CLAIMED 473 NE 477 SW NW
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source SE $\frac{1}{4}$ NE $\frac{1}{4}$
Sec. 6, Twp. 8N, Rge. 2E, B.M., Boise County
Additional Points: SE
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.
pond Spring Fed pond
- (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>2E</u>	<u>6</u>				<u>X</u>	<u>43</u>						<u>X</u>						
<u>8N</u>	<u>3E</u>	<u>6</u>					<u>X</u>						<u>X</u>						

Total no. of acres _____

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.

Individual

September 22, 1981

(Date)

(Signature of Claimant)

State of Idaho

Organization

County of Ada

ss.

Seal

Organization

(Signature of Spouse)

(Signature of Authorized Agent)

On this 22nd day of September, in the year 1981 before me
a notary public, personally appeared Alvin Moses

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

2/21/86 2/21/87

Notary Public residing at Boise, Donald V. Shaff

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 DETERMINATION OF RIGHTS TO THE USE OF

Payette River DRAINAGE BASIN.

NOTICE OF CLAIM
TO A
WATER RIGHT

65-11406
I.D. No. Map No.
\$ Fee Paid Receipt No.

Notice is hereby given that BLACK CANYON GRAZING ASSOC.
(Name of Claimant)
c/o Alvin Moses, Sweet, ID 83670 Telephone No. 584-3331
(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)
6/01/1967
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
spring tributary to Dry Buck 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 .5 AF
(CFS, GPD, AF) | Use Stockwater from Storage
(Domestic, irrigation, stock, etc.) | Period of Use From 1/1 To 12/31
(Mo., Day) (Mo., Day)
(Both dates inclusive) |
| Quantity .5 AF
(CFS, GPD, AF) | Use Storage for Stockwater
(Domestic, irrigation, stock, etc.) | Period of Use From 1/1 To 12/31
(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) .5 AF TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source SE ¼ NE ¼
Sec. 6, Twp. 8N, Rge. 2E, B.M., Boise 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.
pond
- (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	
8N	2E	6				X													

- Total no. of acres
- 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 22, 1981
(Date)

State of Idaho Organization
County of Ada ss. Seal

On this 22nd day of September, 1981, in the year 1981 before me
a notary public, personally appeared Alvin Moses
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 Boise, Donald V. Shaff

(Signature of Claimant)
(Signature of Spouse)
(Signature of Authorized Agent)

22

RECEIVED

APR 10 1987

Department of Water Resources

APR 10 1987

haci Ramboe GEM

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:

- 6
- 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 Gorrano
LOUIE GORRANO
Attorney for Alvin Moses

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

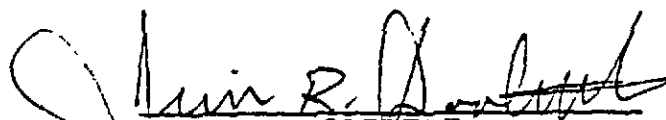

JIM R. DOOLITTLE
District Judge

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- <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 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

01 WATER RIGHT NUMBER - 65-11406 02 OLD (D) NUMBER - ADJ. FLAG TRANSLATION: STANDARD WATER RIGHT NUMBER

03001 - BLACK CANYON GRAZING ASSN. 04001 - FIRST NAME ORIG. OWNER
05001 - C

06 ADD LINE 1 - C/O ALVIN MOSES 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 - SOURCE 15001 - TRIBUTARY OF
14001 - SPRING 15001 - DRY BUCK CREEK

16 DIVERSION MEANS - POND 17 COUNTY - 15 BOISE

18 DIVERSION CAPACITY - .000 19 TOTAL DIVERSION RATE - .000 20 TOTAL DIVERSION VOLUME - .50

21 WATER DISTRICT - 65

----- DIVERSION POINTS -----
TRACT SEC TWN RNG LOT RFLG STREAM INDEX FIELDS
22001 - NENW 23001 - 06 24001 - 08N 25001 - 03E 26001 - 03 27001 -
28001 - 0 0.0 0.0 0.0 0.0 0.0 0.0 0 0 0 0.0

29 NON-IRRIGATION USE - S/100 RANGE.

----- PLACE OF USE -----
USE CODE / USE TWN RNG SEC TRACT ACRES LOT
30001 - 05 STOCKWATER STORAGE 31001 - 08N 32001 - 03E 33001 - 06 34001 - NENW 35001 - 36001 - 03
TOTAL ACRES: 0

----- WATER USE -----
PERIOD FROM PERIOD TO USE CODE / USE DIVERSION RATE DIVERSION VOLUME
37001 - 0101 38001 - 1231 39001 - 05 STOCKWATER STORAGE 40001 - 0.000 41001 - 0.50
37002 - 0101 38002 - 1231 39002 - 06 STOCKWATER FROM STORAGE 40002 - 0.000 41002 - 0.50

42 DECREE PLAINTIFF NAME - 43 DECREE DEFENDANT NAME -

REMARKS
44001 -

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

----- D A T E S ----- D A T E S ----- F L A G S -----
47 PRIORITY - 1-JUN-1967 55 LICENSE - 63 TRANSFER/AMENDED -
48 PROOF DUE - 56 APPL RECEIVED - 64 BLE/CAREY ACT -
49 PROOF MADE - 57 FIELD EXAM MADE - 65 FLAG_1 -
50 APPROVE/DENIED - 58 DECREE - 66 FLAG_2 -
51 PROTESTED - 59 START WORK - 67 FLAG_3 -

WRR100
65-11406

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 2
6-MAR-1987 19:43:34

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

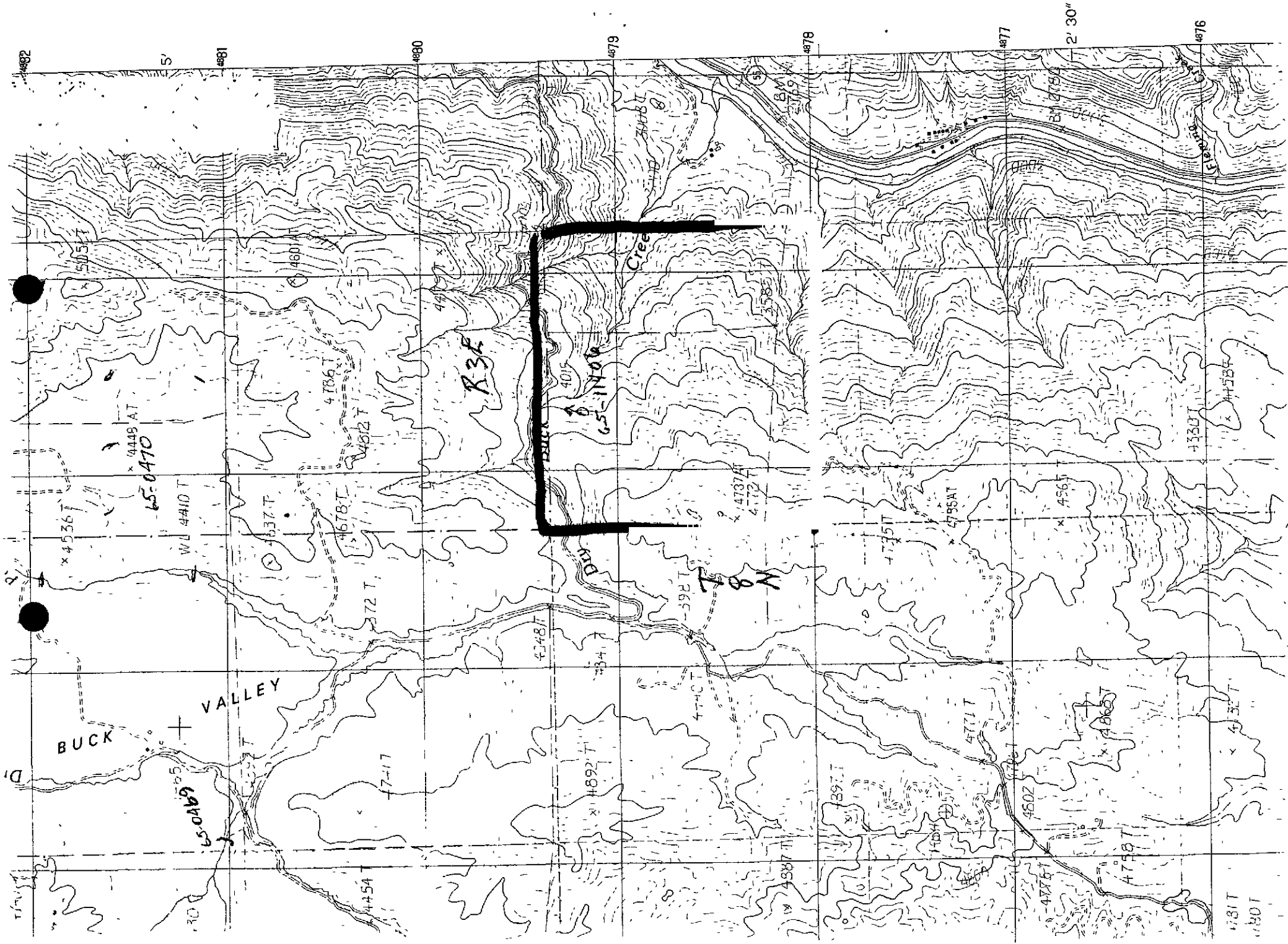
52	HEARING	-	50	ORDER SHOW CAUSE	-
53	VERIFIED	-	51	DATE_1	-
54	LAST UPDATE	-	52	DATE_2	-

~~10 APR 1986~~ 3/09/87

CONVERSATION MEMORANDUM

DATE 3/5/87FILE 65-11406NAME OF PARTY Black Canyon Grazing Assoc. C/O Alvin MossEMPLOYEE John K. Noyes

RE: Telephone conversation with Alvin Moss
in regards to the location of a spring
in Sec 6 T8N R3W was discussed. Alvin
said the spring was improperly described
on claim 65-11406. The correct legal
description is ^{4T3} NENW Sec 6 T8N R3E according
to Mr. Moss. This spring flows into Dry
Buck creek.



CONVERSATION MEMORANDUM

DATE 10/2/86FILE 65-11406NAME OF PARTY Black Canyon Grazing assoc. & o a lvin mooseEMPLOYEE John K Noyes

RE: Met with a lvin moose at his home in Sweet
to identify the location of his spring on the
above named claim. Mr. moose claimed the
same range and forty acre tract were
wrong. The claim should read T8N R3E
Sec 6⁴⁰¹⁷ SW SW for both point of diversion &
place of use. The source is a spring
fed pond tributary to Dry Buck creek.
R. 1100 Ld.