

Claimant's Name:
South Cove Ventures L.L.C.

Attorney Name & Address:
James P. Speck, ISB#2067
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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	
	)	
Case No. 39576	)	AFFIDAVIT OF GEORGE L.
	)	MOODY, JR. FOR 37-4384
	)	
_____	)	

DESCRIPTIVE SUMMARY

This is an affidavit in support of the claim for Water Right 37-4384.

AFFIDAVIT

STATE OF IDAHO)
)ss.
County of Gooding)

GEORGE L. MOODY, JR., being first duly sworn upon oath deposes and states as follows:

1. I am 75 years old and a resident of Gooding, Idaho. From 1958 until 1988 my family owned and operated a ranch in Lincoln County, Idaho.
2. In 1983 I completed, signed under oath and filed with the Idaho Department of Water Resources Claim to a Water Right No. 37-4384, a copy of which is attached hereto as Exhibit A (the

"Claim"), describing the historic diversion of water from Preacher Creek to irrigate a portion of this ranch. From 1958 until 1988 the water was diverted in the amount and at the point of diversion described in the Claim and used to irrigate the 132 acres described as the place of use in the Claim.

g m

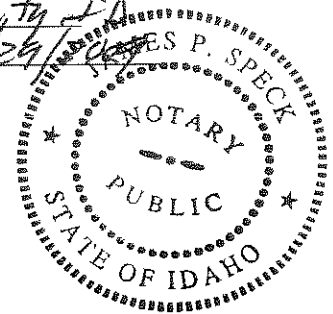
3. I moved onto the ranch in the early 1940's. My grandfather homesteaded a part of this land. Before water was delivered to this land from the Big Wood River, water was diverted out of Preacher Creek. I never met my grandfather, but my father told me this was how the water from Preacher Creek was used to irrigate the 132 acres and when it started.

Dated this 24 day of January, 2007.

George L. Moody Jr
GEORGE L. MOODY, JR.

SUBSCRIBED AND SWORN TO before me this 24 day of January, 2007.

J. P. Speck
NOTARY PUBLIC for IDAH
Residing in: Blaine County ID
My Commission Expires: 1/24/2008



CERTIFICATE OF SERVICE

I hereby certify that on the ____ day of January, 2007, I served a true and correct copy of the foregoing AFFIDAVIT OF GEORGE L. MOODY, JR. FOR 37-4384 on the following persons in the manner designated below:

Chief, Natural Resources Division
Office of the Attorney General, State of
Idaho
P. O. Box 44449
Boise, ID 83711-4449

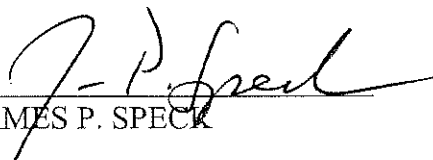
- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United
States Mail, Postage Prepaid

The United States Department of Justice
Environmental and Natural Resources
Division
550 West Fort Street
Box 33
Boise, ID 83724

- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United
States Mail, Postage Prepaid

Idaho Department of Water Resources
Document Depository
P.O. Box 83720
Boise, ID 83720-0098

- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United
States Mail, Postage Prepaid


JAMES P. SPECK

7/78

RECEIVEDSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JUL 22 1983

CLAIM TO A WATER RIGHTDepartment of Water Resources
Bureau of Water Rights Office

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 GEORGE L. MOODY JR. and DOROTHY E. MOODY
(Name of Claimant)

ROUTE #1 GOODING, IDAHO 83330 Telephone No. 886-7509
(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) April 1, 1910

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) Ditches which supply waste water & spring runoff from tributary to Preacher 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:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>4.0 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>April 1</u>	To <u>Nov. 1</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity	<u>4.0 cfs</u>	TOTAL QUANTITY USED.		

- (4) 4.0 cfs (cfs, gpd, AFA)
- (5) A) Point of diversion: (Location of point where water is diverted from its source)
NW 1/4 SE 1/4, Sec. 30 Twp. 4S Rge. 16E B.M., County of Gooding
Additional points of diversion:

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. Low rock and concrete diversion dam in Preacher Creek

- (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.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4S	16E	30									20	30	20						70
4S	16E	31		12			30		20										62

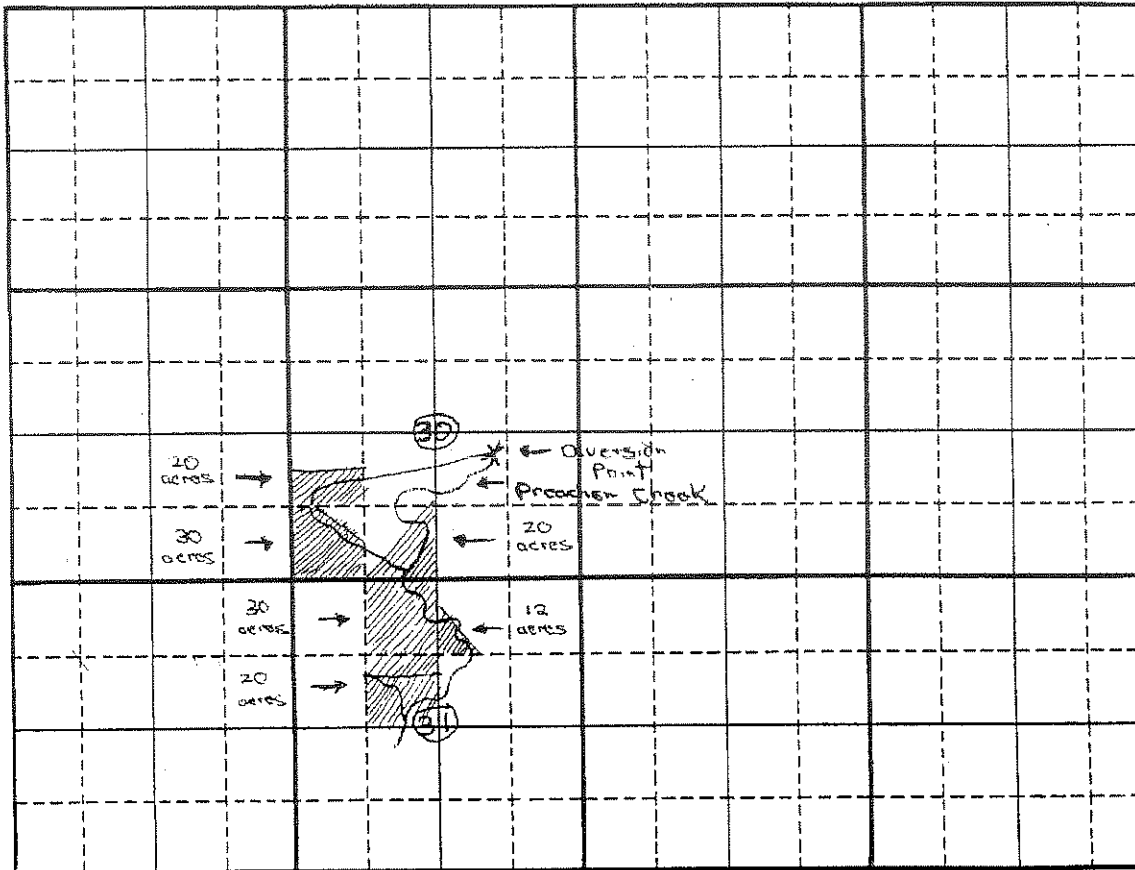
No. of acres 132

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

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 _____



Scale: 2 inches equal 1 mile.

TOWNSHIP 4 SOUTH, RANGE 16 EAST, BOISE MERIDIAN

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 Gooding) 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.

George L. Moody (Claimant) Dorothy E. Moody (Claimant)
Sworn to before me this 26th day of June, 1983.

James L. Spaw
Notary Public
Residing at Gooding, Idaho

My commission expires Life Appointment

Received by man Date 7-11-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by AS Date 7-12-83 claimant by: _____
\$20.00 fee received by man Date 7-12-83 # 3918
Published in Gooding Co. Leader
Dates 12/1/82 - 12/31/83