

SRBA Claim Number 463-15398

Date of Photos 11/02/2001

Photographer PPINICUCCI

Legal Description 75NRSE S7 SESE

① Point of Diversion
and GPS measurement
location "15398"



② Point of Diversion

Photo taken from hillside between
POD and POV



SRBA Claim Number A63-15398

Date of Photos 11/02/2001

Photographer PPinivucci

Legal Description 75N R5E57 S5E5

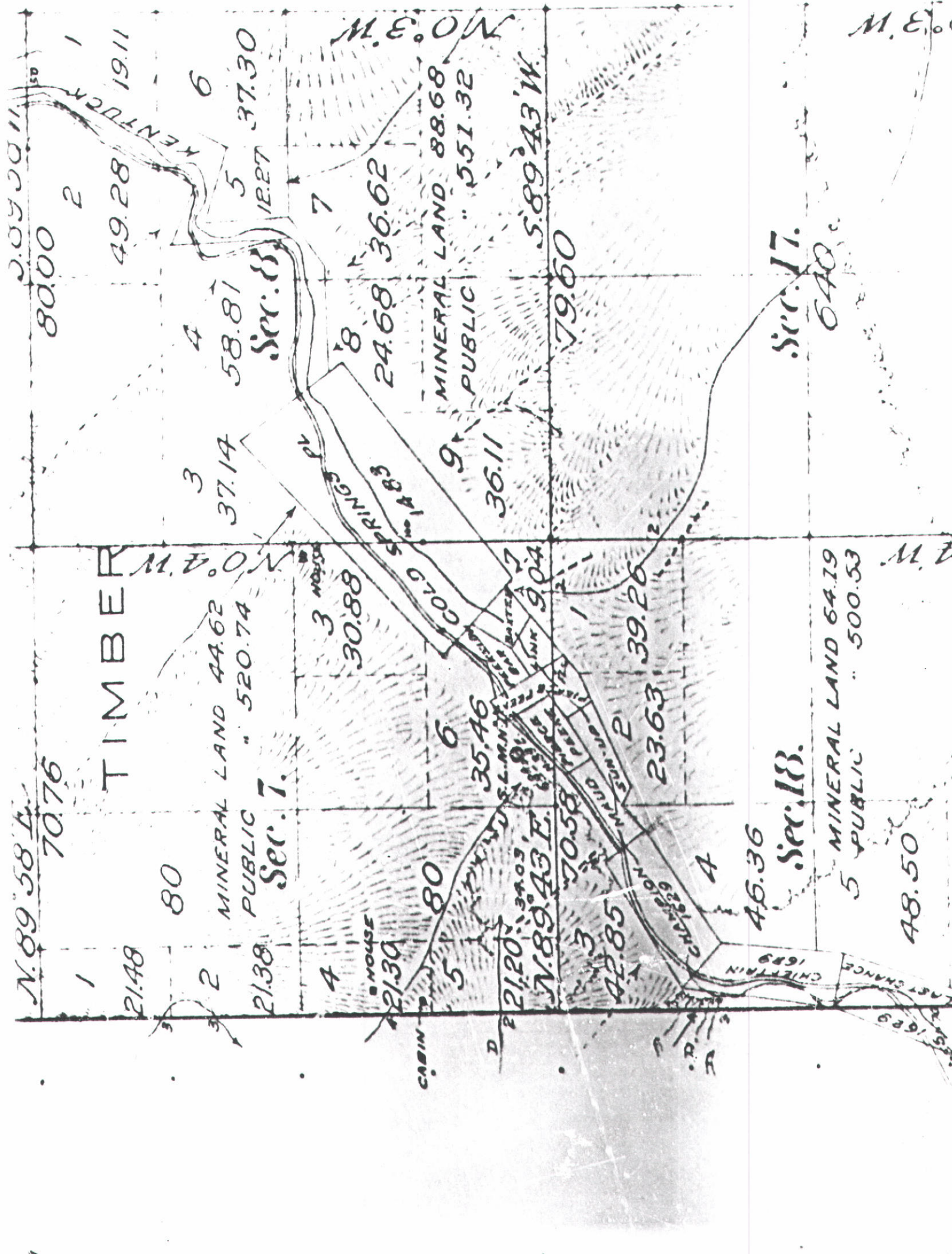
③ Place of use.

Photo is taken
from north side of
house, looking
south at
the back yard.



④ Place of use,
north side of
house. House sits
on hill side above
Pines Creek and
Johnny Woods Gulch.





TIMBER

Sec. 7.

Sec. 8.

Sec. 17.

MINERAL LAND 641.9
PUBLIC 500.53

MINERAL LAND 88.68
PUBLIC 551.32

MINERAL LAND 44.62
PUBLIC 520.74

640.

48.50

46.36

23.63

39.26

79.60

5.89 43' W.

35.46

80

30.88

24.68 36.62

58.81

37.14

49.28

80.00

70.76

N. 89° 58' E.

N. 3° 30' W.

N. 3° 30' W.

N. 7°

LAST SHANCE CREEK 1689

CABIN

HOUSE

3 WOODS

3 WOODS

7

5

6

3

4

5

1

D. E.

N. 89° 43' E.

34.03

35.46

36.11

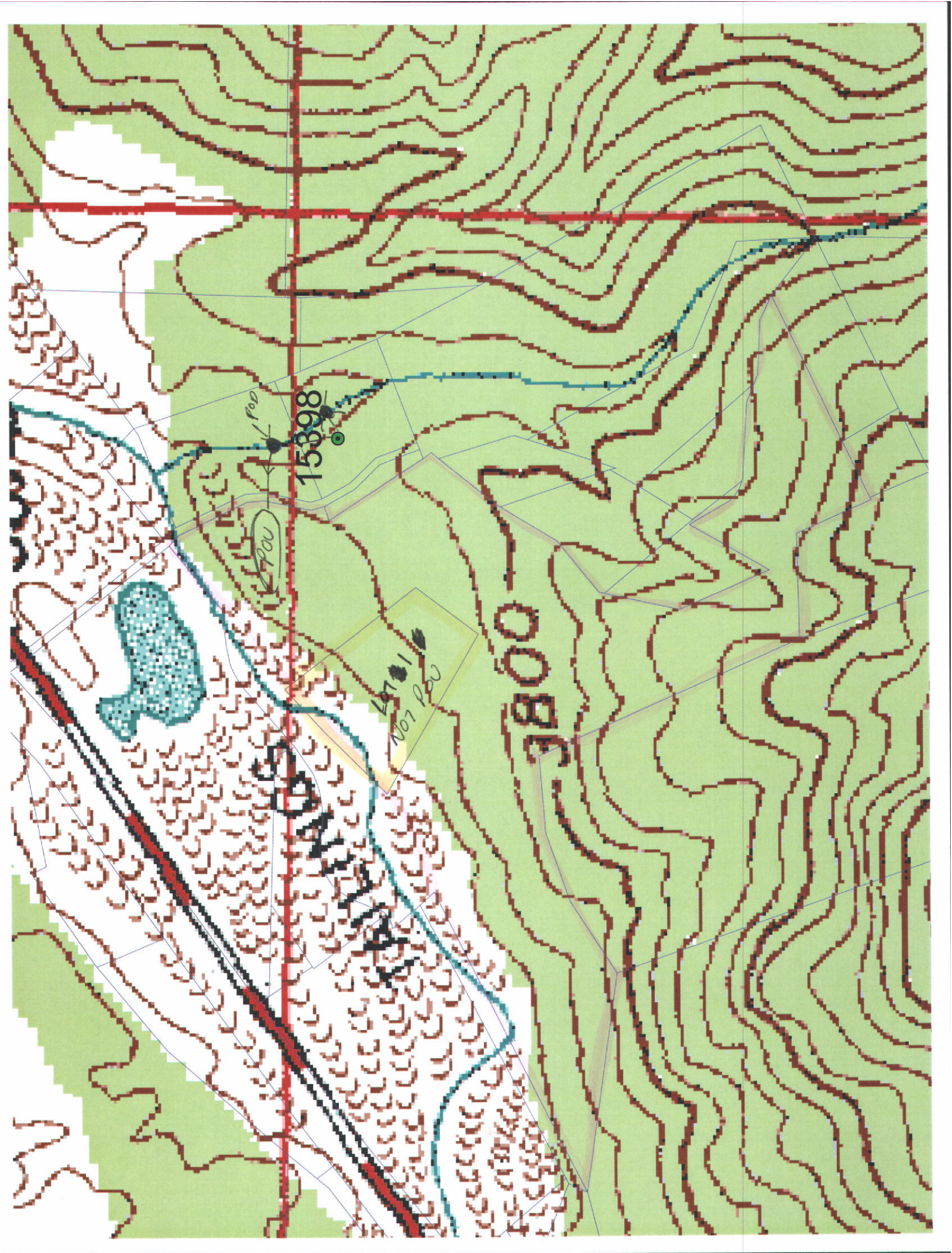
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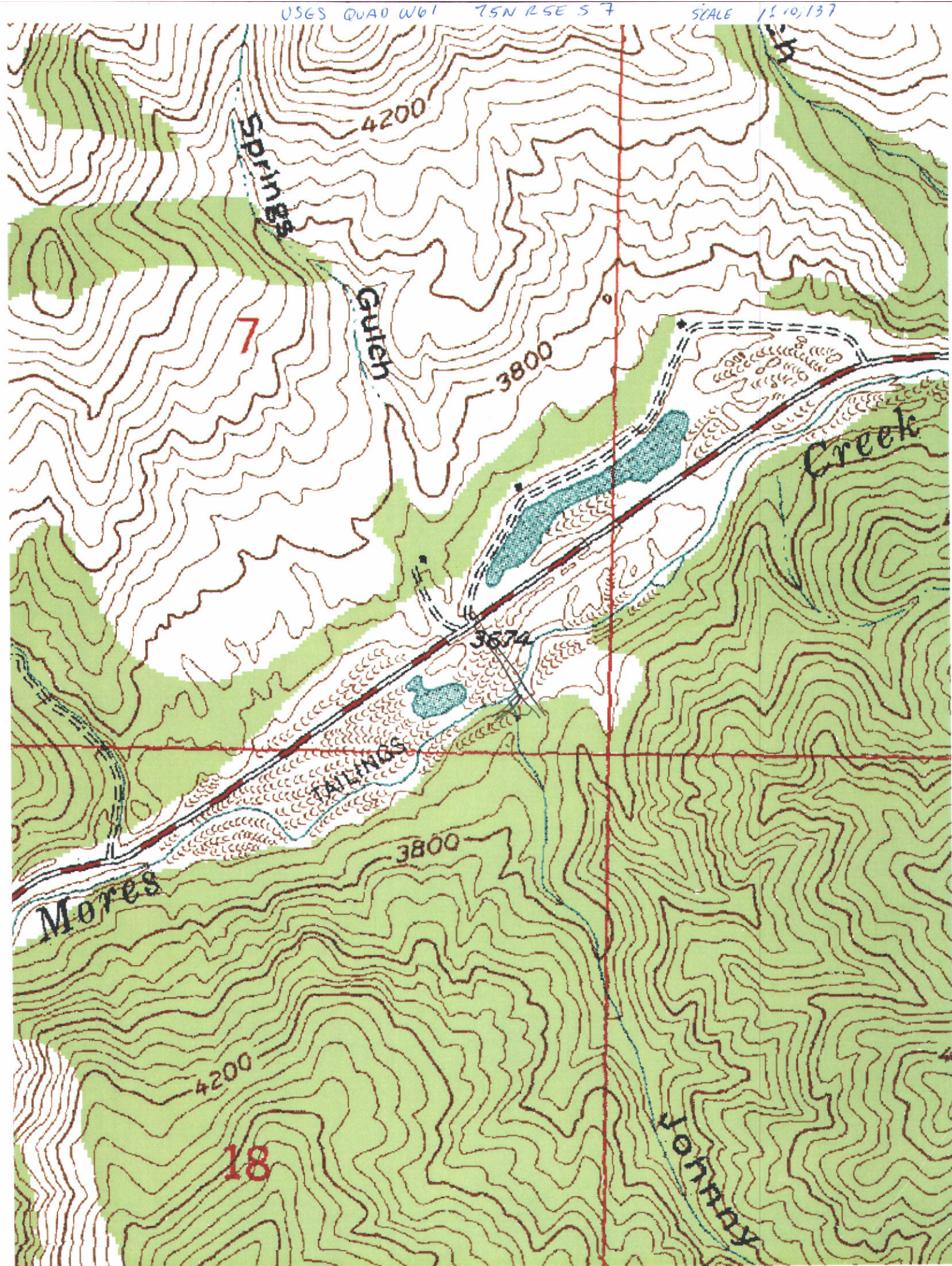
36.11

36.11

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DEROUIN SEGREGATION SUBDIVISION

A PORTION OF THE BONAPARTE PLACER
MINERAL SURVEY NUMBER 2108 RECORDS OF BUREAU OF LAND MANAGEMENT
SITUATED IN SECTIONS 7 17 AND 18 T8N R5E BN BOISE COUNTY IDAHO
1983

This sketch is for location
only. The Company ass-
liability for variations.

BOISE COUNTY IDAHO SS
REQUEST OF

E. J. Ray
DATE 11-11-83

147262

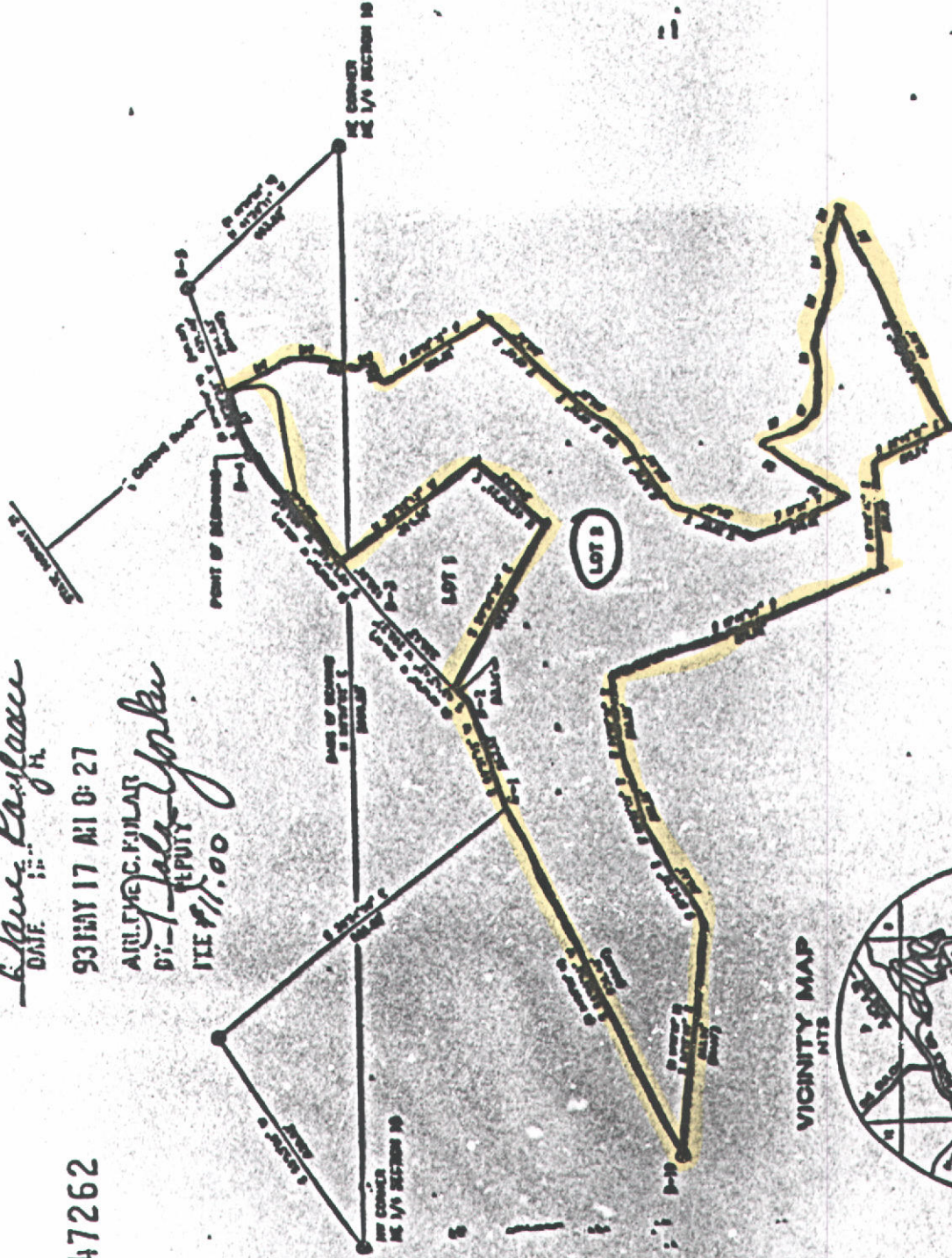
93 MAY 17 AM 0:27

AIRTEL C. KILMER

DEPUTY

FILE #11.00

PIONEER TITLE COMP.
of Ada County



CURVE TABLE

CURVE	DELTA	ARC	TANGENT	CH.
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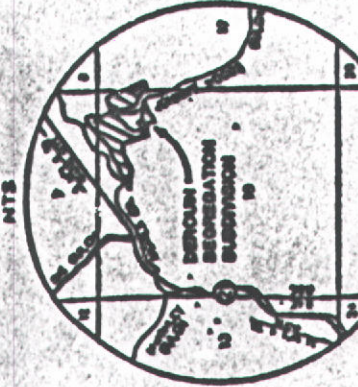
LINE TABLE

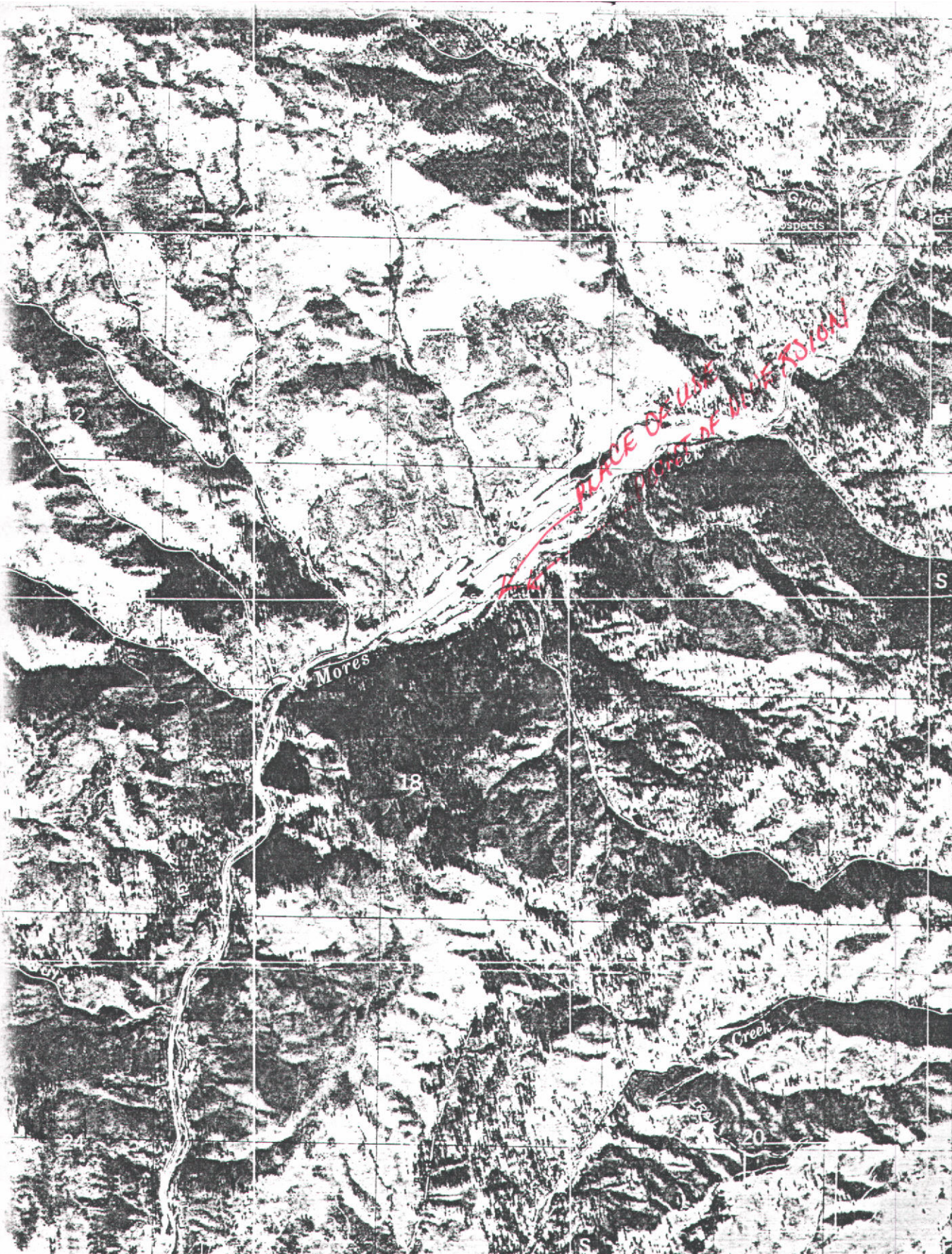
LINE	BEARING	DISTANCE
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98	S 89°29'30" W	10.00'
99	S 89°29'30" W	10.00'
100	S 89°29'30" W	10.00'

LEGEND

- FOUND BRASS CAP
- SET 1/2" STEEL PIN
- 1 BONAPARTE PLACER CLAIM CORNER
- PROPERTY

VICINITY MAP





47° 30"
4849
4848
T.5 N.
4847
4846
4845000 N
43° 45'
115° 52' 30"

1 MILE
6000 7000 FEET
1 KILOMETRE

R. 5 E.

MICROFILMED

AUG 24 1992

WARM SPRINGS POINT, IDAHO

(ARROWROCK RES. NE)

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 63-15398
Date Received: 5/18/1989
Receipt No: W002854
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

FRANK D MOORE Phone: (208)392-4349
32 MOORES LN
BOISE ID USA 83706

JACQUELINE MOORE Phone: (208)392-4349
32 MOORES LN
BOISE ID USA 83706

2. Date of Priority: 06/01/1962

3. Source: JOHNNY WOODS GULCH CREEK Trib. to: MORES CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	05E	7	SE SE	BOISE	

5. Description of diverting works:

GRAVITY FLOW FROM STREAM FOR GRAVITY IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	3/15	11/15	0.02	

7. Total Quantity Appropriated is:
0.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	05E	7	SE	SE	DOMESTIC	

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:

14. Remarks:

OWNERSHIP CHANGED PER EVIDENCE FOUND IN 63-4907.

15. Basis of Claim: Beneficial Use

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: A63-15398
Date Received: 5/18/1989
Receipt No: W002854
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DONALD W. COOK 208-392-4449
Address: JOHNNY WOODS GULCH
P.O. BOX 13
IDAHO CITY, ID 83631

AND/OR

Name: TAMARA COOK 208-392-4449
Address: JOHNNY WOODS GULCH
P.O. BOX 13
IDAHO CITY, ID 83631

2. Date of Priority: JUN 01, 1962

3. Source: JOHNNY WOODS GULCH Trib. to: MORES CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	05E	7	SE	SE	SE		BOISE

5. Description of diverting works:
GRAVITY FLOW FROM STREAM FOR GRAVITY IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	03/15	11/15	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/FOR LAWN IRRIGATION ONLY - UP TO 1/2 ACRE.

A63-15398

Page 1

Date: 05/18/89

RECORDED

AUG 24 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05N	05E	7	SE SE		DOMEST	

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:

CLAIM NO. A63-04907 FOR A SPRING FOR DOMESTIC USE.

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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 Individuals:

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

Signature of Claimant(s): Alan W. Cook Date: 5/15/89
Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of May 19 89
Seal

Jan O. Spente
Notary Public

Residing at Meridian ID
My Commission Expires 9-14-94

MICROFILMED
 AUG 24 1992

02/28/2002

NOTICE OF ERROR
REPLY

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: April 5, 2002

Water right number: 63-15398

FRANK D MOORE

32 MOORES LN

BOISE ID 83706

Telephone Number: (208)392-4349

JACQUELINE MOORE

32 MOORES LN

BOISE ID 83706

Telephone Number: (208)392-4349

RECEIVED

MAR 11 2002

Department of Water Resources

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

RECEIVED

MAR 12 2002

WATER RESOURCES
WESTERN REGION

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 3/9/02

SIGNATURE: Frank D. Moore

Please print your name: Frank D. Moore

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

02/28/2002

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

RIGHT NUMBER: 63-15398

NAME AND ADDRESS: FRANK D MOORE
32 MOORES LN
BOISE ID 83706

JACQUELINE MOORE
32 MOORES LN
BOISE ID 83706

SOURCE: JOHNNY WOODS GULCH

TRIBUTARY: MORES CREEK

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 06/01/1962

POINT OF DIVERSION:

T05N R05E S7 SESE Lot 7 Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	04/01 10/31	0.020 CFS

PLACE OF USE: DOMESTIC Within BOISE County

T05N R05E S07 Lot 7 SESE

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

DOMESTIC IS FOR EXTERNAL USE ONLY.
PROPERTY IS ALSO KNOWN AS LOT 2, DEROUIN SEGREGATION SUBDIVISION

02/22/2002

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

RIGHT NUMBER: 63-15398

NAME AND ADDRESS: FRANK D MOORE
32 MOORES LN
BOISE ID 83706

JACQUELINE MOORE
32 MOORES LN
BOISE ID 83706

SOURCE: JOHNNY WOODS GULCH

TRIBUTARY: MORES CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 06/01/1962

POINT OF DIVERSION:

T05N R05E S7 SESE Lot 7 Within BOISE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

04/01 10/31

0.020 CFS

PLACE OF USE: DOMESTIC Within BOISE County

T05N R05E S07 Lot 7 SESE

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: Beneficial Use

DOMESTIC IS FOR EXTERNAL USE ONLY.
PROPERTY IS ALSO KNOWN AS LOT 2, DEROUIN SEGREGATION
SUBDIVISION.

IDAHO DEPARTMENT OF WATER RESOURCES 01/01/2002
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

NAME AND ADDRESS: DONALD W COOK
JOHNNY WOODS GULCH
PO BOX 13
IDAHO CITY ID 83631

TAMARA COOK
JOHNNY WOODS GULCH
PO BOX 13
IDAHO CITY ID 83631

*Change to
Noone*

SOURCE: JOHNNY WOODS GULCH CREEK TRIBUTARY: MORES CREEK

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 06/01/1962

POINT OF DIVERSION:

T05N R05E S7 SESE Within BOISE County

OK Lot 7?

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
DOMESTIC

PERIOD OF USE

3/15 11/15

QUANTITY

0.020 CFS

PLACE OF USE: DOMESTIC Within BOISE County

T05N R05E S07 SESE

4/6 10/31

OK Lot 7?

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: Beneficial Use

*Move POD on Arc View to
streets*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). A63-15398

1. No Change NAME IS SAME See attached memo for ownership issues/analysis.
NEW OWNER: Jacqueline and/or Frank Moore
No Change ADDRESS
NEW ADDRESS: 32 Moores Lane Boise 83706

2. No Change - DATE OF PRIORITY: Completed evidence submitted
Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: 06/01/1962
(If the priority date, based on your exam, seems questionable, explain below.)

No evidence submitted; no letter requesting evidence found in file.
No evidence required - de minimus domestic

3. No Change — SAME SOURCE
Source is different than that claimed:

Source found: Johnny Woods Gulch

4. No Change — POINT OF DIVERSION
Point of diversion is different than the claim and/or new P/D's:

Township 5N Range 5E Section 7 1/4 1/4 SE 1/4 SE
Township _____ Range _____ Section _____ 1/4 1/4 _____ 1/4 _____

Gout Lot 7?

5. No Change - DESCRIPTION OF DIVERTING WORKS
Incomplete description, list below:

Pump in stream to buried plastic pipe to lawn hydrants.
External use only.

6. No Change - WATER USES

Different uses, (list uses found):

Use Dom From 4/1 To 10/31 Amount .02 CFS AFA
 Use From To Amount CFS AFA
 Use From To Amount CFS AFA

7. No Change - TOTAL VOLUME ✓

Incomplete on claim, the total is, Amount CFS AFA

Changes found, the new total is, Amount CFS AFA

8. No Change - NON-IRRIGATION USES: ✓

Changes Exam found:

Domestic # of homes: 1 Stock # List types:

Additional comments: External use only

9. No Change — PLACE OF USE: (If changed, list below.)

Use: Dom Township SN Range SE Section 7 1/4 SE 1/4 SE Govt Lot 7?
 Use: Township Range Section 1/4 1/4
 Use: Township Range Section 1/4 1/4
 Use: Township Range Section 1/4 1/4

Remarks: (Comments pertinent to field examination) See additional attachment

Ownership/address taken from (A) 63-4907, which is for the same
property. Assume documents for address change in file A63-4907, now
in storage. Microfilm does not include new address documents.

SYSTEM DIAGRAM INCLUDED

Shown on GIS Layout

(NA)

CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 11/02/2001

FIELD EXAMINER:

MARIA MINICUCCI

Print Name

[Signature]
 Signature

Memo to File: SRBA Claim No. A63-15398

IDWR Agent: M. Minicucci TTN

Date: January 9, 2002

It is unclear that this water right claim is appurtenant to the property now owned by Jacqueline and Frank Moore. The Moores have provided information that they own Lot 2 of the Derouin Segregation Subdivision. Lot 2 is located in the SESE of section 7 and the N2NE of section 18, both in T5N R5E.

Facts supporting Moores' ownership of the claim:

1. A63-4907 referenced in A63-15398 as another right used on the property – ownership of A63-4907 previously changed to Moore.
2. SRBA claim indicates POD/POU in SESE section 7, the same as A63-4907.
3. No other party has stepped forward to claim ownership of A63-15398 (or A63-4907.)

Facts not in support of Moores' ownership:

1. GPS measurement found POD in NENE of section 18. POU is to the west of the POD, also apparently in the NENE of section 18. SRBA claim indicates POD/POU in SESE section 7.
2. SRBA claim indicates gravity irrigation – the Moores' property is located on hill above stream. The field exam found a pump in the stream that pumped water uphill via a pipeline.
3. Statutory claim 63-4907 shows the place of use for the Cook property in the N2NE of section 18. The location is consistent with Lot 1 of Derouin Segregation Subdivision, which is at the bottom of the hill to the west, and not owned by the Moores.
4. Sandra O'Meira, who once owned another property in the area previously owned by the Cooks, said that Don Cook's home was located at the bottom of the hill. The Moores' property is located on the side of the hill. .
5. The Cooks (original owner) filed statutory claims in the 1980s for 63-4907 (domestic spring) and 63-4908 (Johnny Woods Gulch for mining). No statutory claim was filed on Johnny Woods Gulch for lawn irrigation.
6. The Cooks owned a lot of property in the area – the Moores' home may or may not be the one they filed the claim on.

CONCLUSION

SRBA claim A63-15398 will be recommended to the Moores at the claimed POU/POD. This will match the previously issued recommendation of SRBA claim A63-4907. The objection process should uncover any other water users who want to assert ownership.

SRBA Claim Number A63-15398

Date of Photos 11/02/2001

Photographer PPINICUCCI

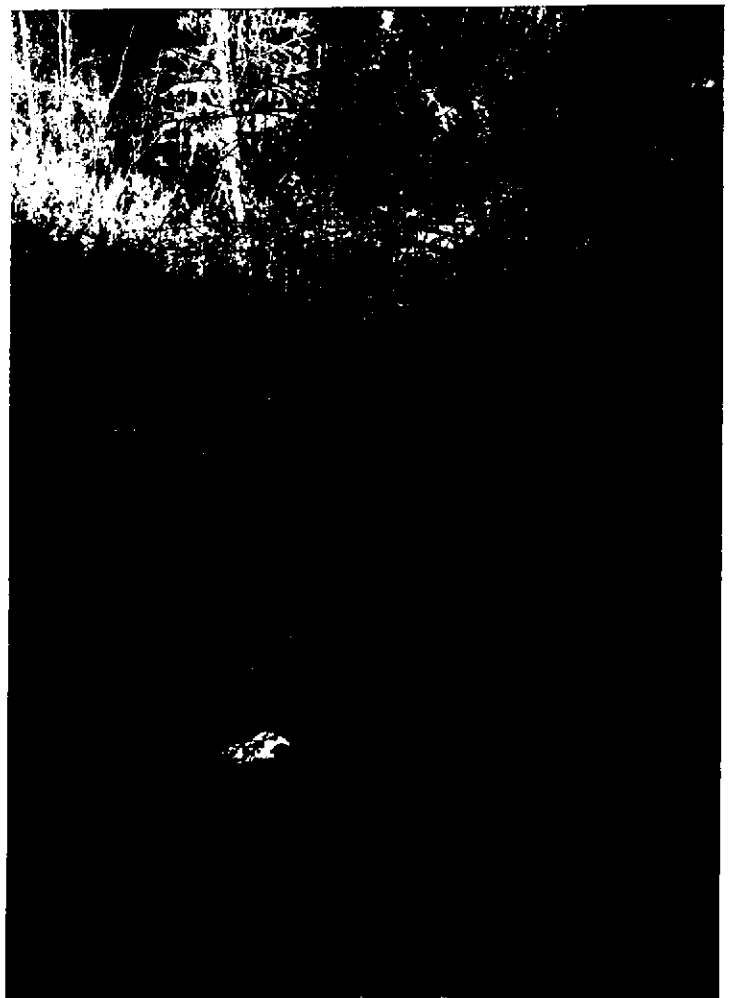
Legal Description TSNRSE S7 SESE

① Point of Diversion
and GPS measurement
location "15398"



② Point of Diversion

Photo taken from hillside between
POD and POV



SRBA Claim Number A63-15398

Date of Photos 11/02/2001

Photographer P. Minicucci

Legal Description 75N R5E57 S5E5

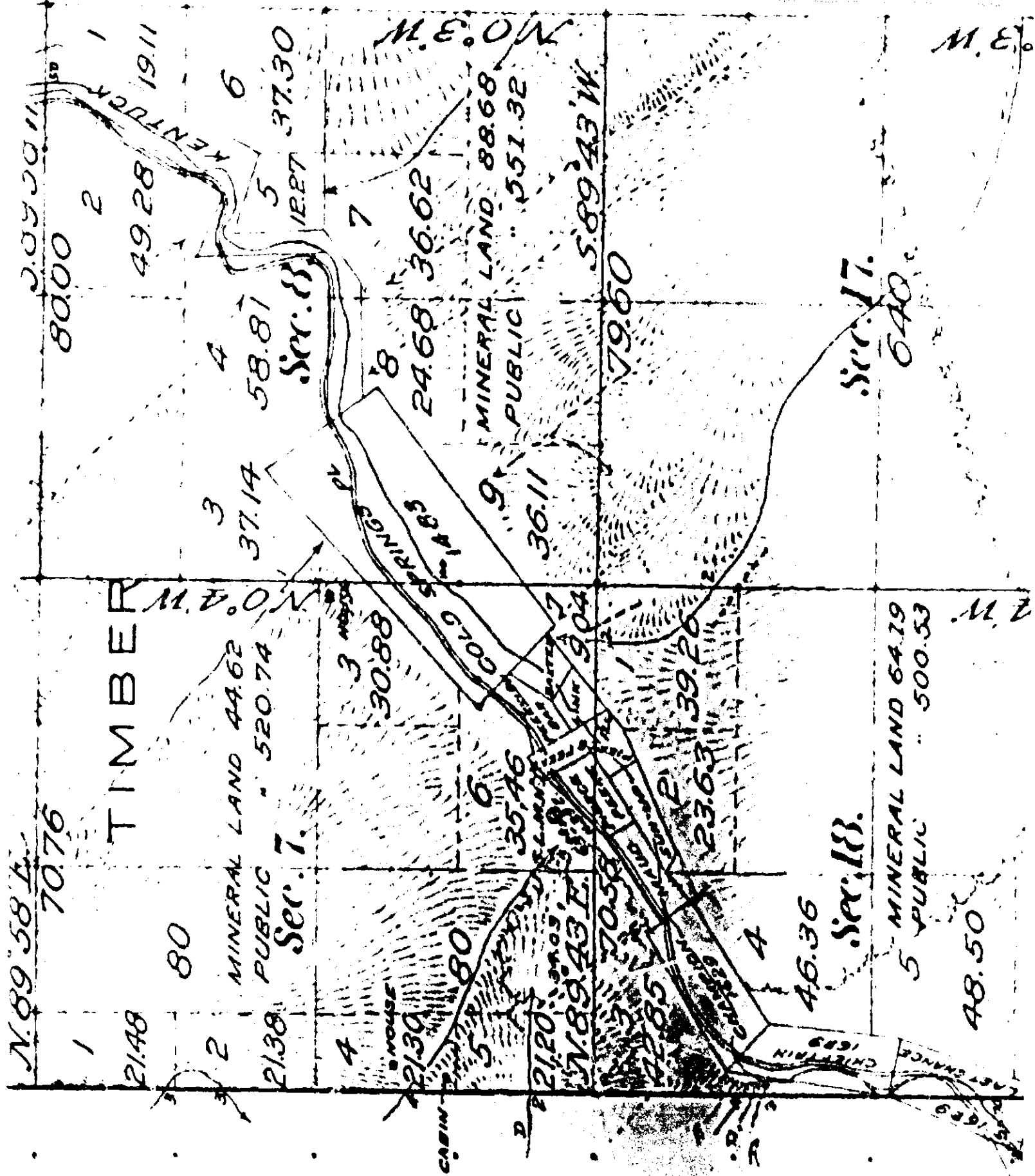
③ Place of use.

Photo is taken
from north side of
house, looking
south at
the back yard.



④ Place of use,
north side of
house. House sits
on hill side above
Pines Creek and
Johnny Woods Gulch.





STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 Donald W. &/or Patricia A. Cook
(Name of Claimant)

Johnny Woods Gulch P. O. Box 13 Idaho City, ID. 83631 Telephone No. 392-4449
(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) June 1, 1963

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 tributary to Johnny Woods Gulch

- (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, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
Quantity		Use	Period of Use From	(Mo., Day)	To (Mo., Day)
0.01		Domestic	01-01		12-31
0.01		Irrigation	04-15		10-15

- (4) 0.01 TOTAL QUANTITY USED.
(cfs, af)

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

NW 1/4 SW 1/4, Sec. 17 Twp. 5 N., Rge. 5 E., B.M., County of Boise
Additional points of diversion: NE SE S. 18, T. 5 N., R. 5 E.

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. Porcelain pan to bathtub, 6280 ft. 3/4" PVC pipe to 500 gal. storage tank, thence to house and garden.

- (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	
5N	5E	18	D.1	D.1															2

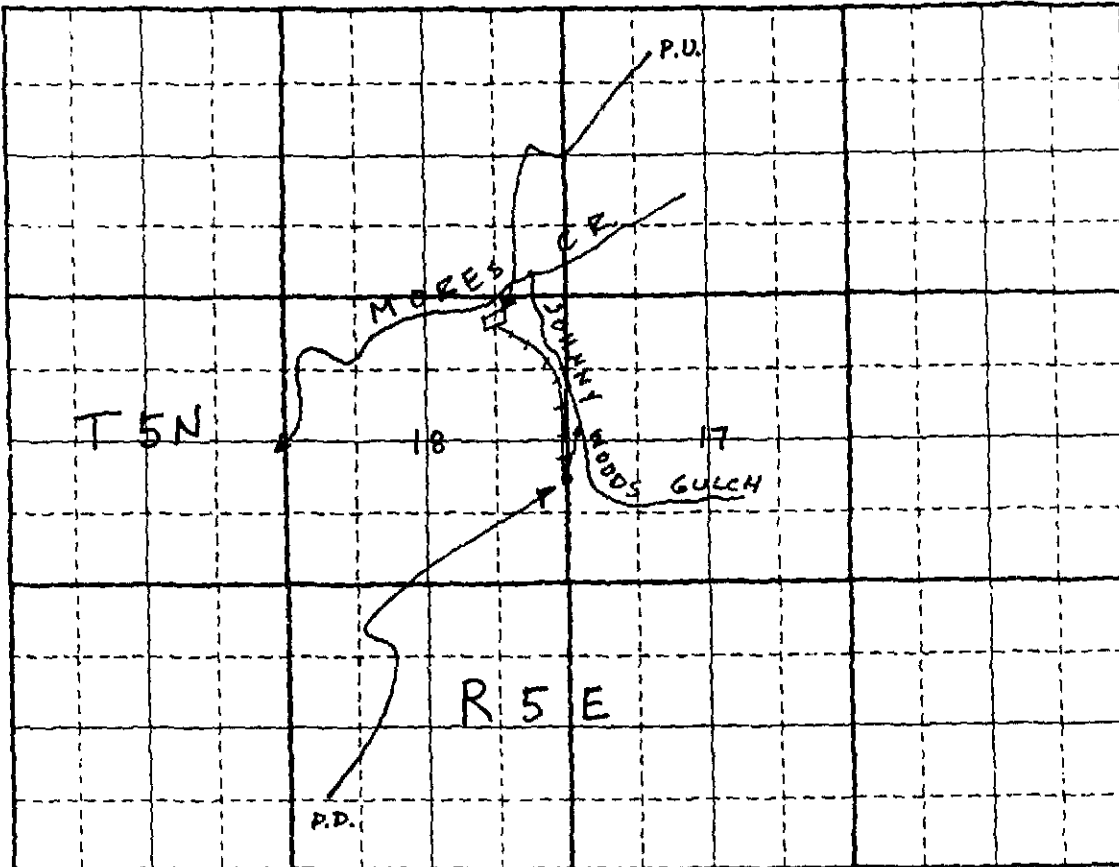
No. of acres 2

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: 1 household domestic purposes.

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:

5: Remarks Maximum flow of spring is 50 gallons per hour.



Scale: 2 inches equal 1 mile.

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

Ada

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 2 day of August, 1982

Notary Public
Residing at

My commission expires Sept 10, 1984

FOR DEPARTMENT USE ONLY

Received by Dor Date 8-2-88 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by 645 Date 8/9/88 claimant by _____
\$30.00 fee received by Dor Date 8-2-88 #24541
Published in the States Herald
Dates 8-13-88 to 8-26-88

New owner
 M.M. says to use documents
 from 03-04907 for Sandra Omeira
 E.O.P.

DATE: 12/24/01
 PAGE: 11

IDAHO DEPARTMENT OF WATER RESOURCES
 ADJUDICATION CLAIM PROFILE REPORT

AJ580WP
 No. A63-15398

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	TAMARA COOK DONALD W COOK JOHNNY WOODS GULCH PO BOX 13 IDAHO CITY ID 83631 (208) 392-4449	06/01/1962	DOMESTIC	03-15 11-15	0.020 CFS	
				TOTAL DIVERSION:		0.020 CFS

Change
 to Moore

Water Source: JOHNNY WOODS GULCH ✓
 Point(s) of Diversion: T05N R05E S07 SESE
 Tributary to: MOSES CREEK ✓
 Stage: BENEFICIAL USE
 BOISE County

Place of use Legal Description for: DOMESTIC

NE		NW		SW		SE	
NEW	NAME	SWNE	SENE	NEW	NAME	SWNW	SENW
T	R	S	Lt	Ac	Lt	Ac	Lt
05N	05E	7	:	:	:	:	:

POU County: BOISE
 Non-Irrigation Uses: D/FOR LAWN IRRIGATION ONLY - UP TO 1/2 ACRE.
 Other Rights: CLAIM NO. A63-04907 FOR A SPRING FOR DOMESTIC USE.
 Dates: Exam Made Date: Verified Date: Objection Filed Date:
 Misc: Water District Number: Field Inspection Flag: Presumption Flag:

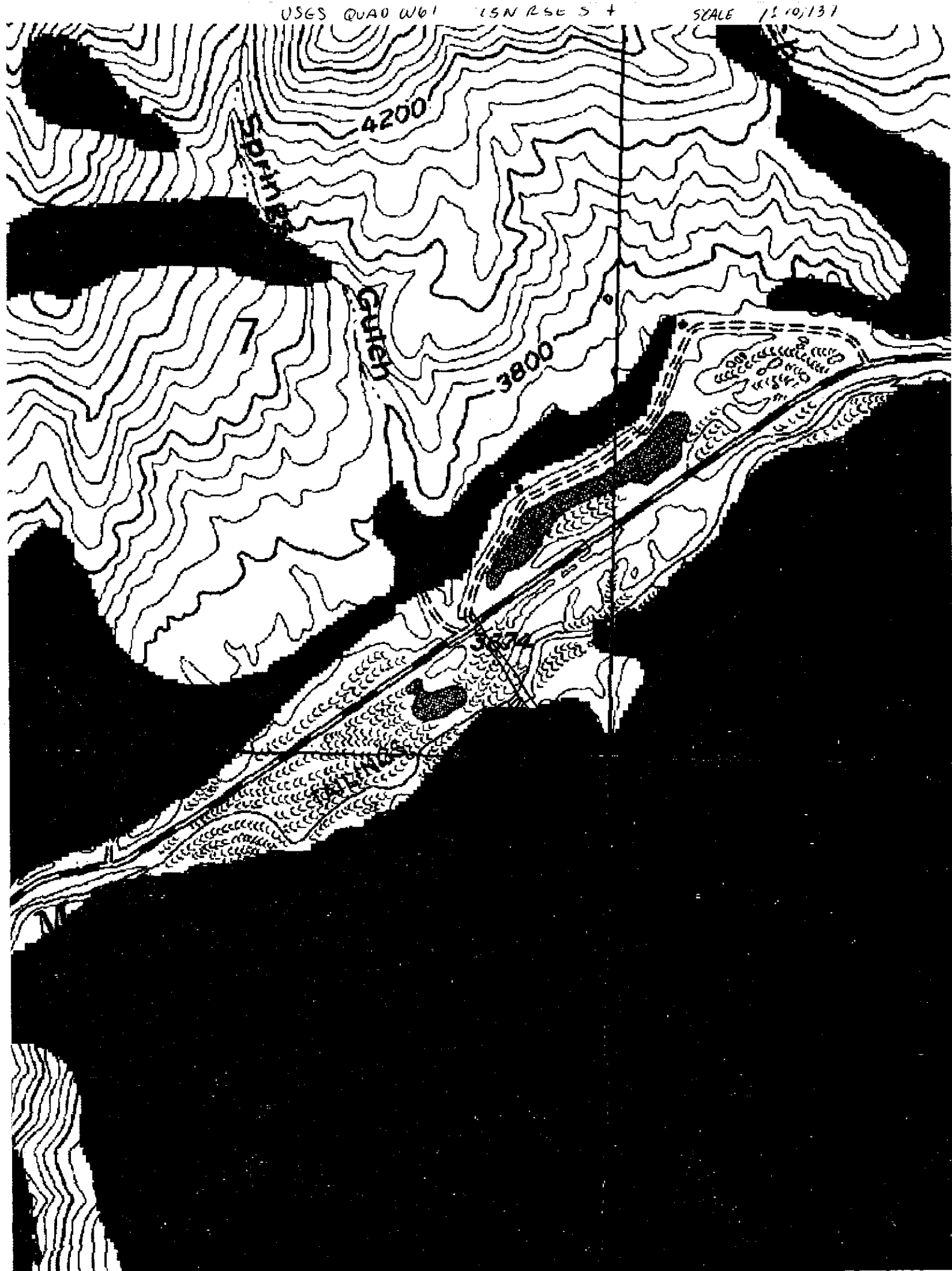
make post links #15398
 211
 213
 018
 pool link made



USGS QUAD W61

15N 12E 5 +

SCALE 1:10,131



5N5E S7

11/01/2001

A63-15398

Sandra OMeira

(918)494 9774 per internet

Tulsa OK

1:23 pm left msg on machine asking for return call.

11/02/2001

OMeira bought property in 1981-1982,

possibly from Don Cook. He now lives in AZ?

Over bridge then uphill to her property.

Don Cook used to live @ bottom of hill (near

NOT PROPERTY ON CLAIM bridge).

392-4449

Ron Yonster - name on machine. left msg that if Don/Tamara Cook are associated with this no, please ask them to call back.

Claim says gravity flow

*

A63-04907

Same property!

FRANK MOORE

32 Moores Lane

392 4349

Pump in stream. Pipe & board w/ fenders for lawn & garden.

Property

Post w/ 11/32

JW Gulch road. X bridge. Turn RT (Moore Lane) Rd Forks 25 yds stay left to house. Over hill from where shop.

Evidence of gravity?

X bridge. straight? 25 yards. Little road X JW on right? 25 yards down road to pump (probably walking)

* Change of Ownership - use docs from A63-04907

11/05/2001

Claims- B63?

NEW
database

De Rouin

NO

NO

Givens

- 1756-6W

NO

Krawl

NO

Charles / Janet

NO

Rainey

NO

NO

McCony

NO

NO

RIGHT NUMBER: 63-15398

NAME & ADDRESS: TAMARA COOK
DONALD W COOK
JOHNNY WOODS GULCH
PO BOX 13
IDAHO CITY ID 83631*Derwin, Arlyn & Marge
Melvin E & Vada R Givens
Charles F & Janet C Krawl
Robert Rainey
Darryl & Maureen McCrory*
TRIBUTARY: MORES CREEK

SOURCE: JOHNNY WOODS GULCH

QUANTITY: 0.02 CFS

PRIORITY DATE: 06/01/1962

POINT OF DIVERSION: T05N R05E S07 SESE Within BOISE County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC D/FOR LAWN IRRIGATION ONL	03-15 11-15	0.02 CFS

PLACE OF USE: DOMESTIC Within BOISE County
T05N R05E S07 SESE

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

*Can't track ownership**New Owner
Sandra O'Meara? No*Verified by *Shirley* Date: *10-8-9*
Verification Source: *Computer, map*

February 1, 2002

Maria Minicucci
Sr. Water Agent
State of Idaho
Department of Water Resources
2735 Airport Way
Boise, ID 83705

RE: Snake River Basin Adjudication
Notice of Claim to a Water Right No. A63-15398

Dear Ms. Minicucci

To the best of my knowledge, the water system from Johnny Woods Gulch Creek has been in use since the 1960's. Seven years ago I changed from the existing gravity flow setup to a pump. The gravity flow setup consisted of buried water lines coming across a neighbor's property which seemed to always get dug up or broken. To avoid this ongoing situation, I installed the pump system.

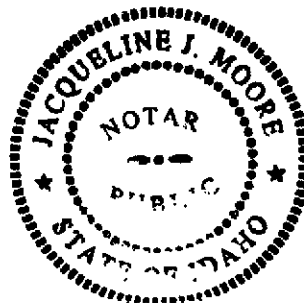
Sincerely,

Frank D. Moore

Frank D Moore
32 Moore Lane
Boise, ID 83716

392-4349

State of Idaho
County of Boise



Jacqueline J. Moore
Notary Public
Commission Expires 8-23-04

ADJUDICATION MEMORANDUM

CLAIM NO.: A63-15398

SUBJECT: Evidence of Priority

EMPLOYEE: M. M. WICUCCI

DATE: 01/30/2002

Ms. Moore

9:00 am

Home built u 10 years ago. Don Cook's house
is below.

Mr. Moore

Original house is below - Lot 1

Originally big hole dug in creek up above on USFS land.
Separate from spring diversion. Pipe is still on ground. Diversion
replaced by Mr. Moore

392-6038 : FAX Requirements (evidence) and
mailing address. Mr. Moore will do research and write
a statement for evidence of priority.

Fax sent 01/30/2002 9:30 am (Copy in file) w/ Proof report



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 30, 2002

Frank D Moore
Jacqueline Moore
32 Moores Lane
Boise Idaho 83706

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right No. **A63-15398**

Dear Mr. and Ms. Moore,

This office is reviewing the above-referenced claim for recommendation to the court for decree. As we discussed in our telephone conversation this morning, in order to complete our review, we must have documentation of the claimed priority date. Evidence may be in the form of a written statement that supports the claimed priority date of June 1, 1962.

Please submit the required evidence by **February 28, 2002**. Since our Preliminary Report is slated to be released in early March, 2002, it would be helpful if the evidence is submitted by the first week in February. However, if no evidence of priority is submitted by February 28, 2002, the water right may not be recommended to the court for decree. This could jeopardize your water use under this right.

Thank you very much for your assistance in this matter. Please do not hesitate to contact this office if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Maria Minicucci'.

Maria Minicucci
Sr. Water Agent



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

Parcel no.

RPSNOSE1800065

DATE OF CLOSING: 1-15

LEGAL DESCRIPTION OF PROPERTY: Township 5N Range 5E
Section 7 1/4 of SE 1/4 of SE 1/4 Gov. Lot BM.
Lot Block Subdivision/Townsite

If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintain water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s) A63-04907
Assigned by IDWR:

☐ Name and Address of Former Owner/Claimant(s) (Seller): Donald W. & Tamara Coot
P.O. Box 13
Idaho City, ID 83631

☐ New Owner/Claimant (Purchaser): Ernest D. and/or Jacqueline Moore

☐ New Mailing Address: HC 42 Box 1706
Boise, ID 83706

☐ New Telephone Number: 609-392-4349

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner.

Note: Ownership transferred from Coots to
Darwin to Moore's

☐ Attach proof of ownership, describe proof attached: Deeds & Title Ins. Commitment

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s): [Signature] Date 4-16-96

☐ Signature of Former Owner/Claimant(s): [Signature] Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY

Initial Review and Data Entry

By Date

Final Review and Data Entry

By Date

Final Review and Data Entry

By Date 4-16-96Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

BOISE CASCADE TRANSPORTATION DEPT.
ONE JEFFERSON SQUARE
ATTN: JACQUE MOORE

TITLE INQUIRIES SHOULD BE DIRECTED TO:
HAROLD E. HUSTON
VICE PRESIDENT (PHONE 373-3679)
8151 W. RIFLEMAN
BOISE, ID 83704

2. Policy or Policies to be issued:

A. ☒ ALTA Owner's Policy, (4-6-90) ☒ Standard Coverage ☐ Extended coverage Amount \$ TO BE AGREED UPON
Premium:

HANDLING FEE \$25.00

Proposed Insured:

B. ☐ ALTA Loan Policy, (4-6-90) ☐ Standard Coverage ☐ Extended coverage Amount
Premium:

Proposed Insured:

3. The estate or interest in the land described or referred to in this Commitment and covered herein is:

FEE SIMPLE

4. Title to the fee simple estate or interest in said land is at the effective date hereof vested in:

FRANK D. MOORE AND JACQUELINE J. MOORE, HUSBAND AND WIFE

5. The land referred to in this Commitment is described as follows:

LOT 2 DEROUIN SEGREGATION SUBDIVISION ACCORDING TO THE PLAT THEREOF,
RECORDED MAY 17, 1993, AS INSTRUMENT NO. 147262, RECORDS OF BOISE COUNTY,
IDAHO.

Department of the Treasury - Internal Revenue Service
DEED OF DISTRICT DIRECTOR OF INTERNAL REVENUE
(Section 6335(a) of the Internal Revenue Code)

This indenture is made by and between Jerald H. Heschel, District Director of Internal Revenue Service at Boise, Idaho, party of the first part, and Frank D. and Jacqueline J. Moore, party of the second part.

WITNESSETH

WHEREAS, the hereinafter described real property was seized from Arlyn Derouin for non-payment of United States Internal revenue taxes which were duly assessed against the aforesaid Arlyn Derouin and described as follows:

<u>Taxable Period</u>	<u>Type of Tax</u>	<u>Amount of Tax</u>
1040	12-31-1980	\$133,475.51
1040	12-31-1981	\$195,561.89
1040	12-31-1982	\$112,990.89
1040	12-31-1983	\$ 13,952.64

AND WHEREAS, the right, title and interest of Arlyn Derouin in and to said property as of the date of the Federal Tax Lien attached thereto, was sold as provided by Sections 6331-6335, Internal Revenue Code, at a public auction held at the Boise County Courthouse, Idaho City, Idaho, on the 23rd day of May, 1994, to Frank D. and Jacqueline J. Moore, for the sum of Ninety Two Thousand Seven Hundred Fifty and no/100 Dollars (\$92,750.00), which amount was the highest bid received. Said sale was conducted in accordance with the provisions of Sub-Chapter 64 of the Internal Revenue Code and the regulations promulgated thereunder. At the conclusion of said sale, Internal Revenue Service Revenue Officer, L. Branson, issued a Certificate of Sale of Seized Property to Frank D. and Jacqueline J. Moore.

WHEREAS, more than one hundred eighty (180) days have expired from the date of sale and the date of issuance of the said Certificate of Sale as set forth above, and the owner of the said real property, his heirs, executors, administrators, or any person having an interest therein, or any person in his behalf, having failed to redeem the aforesaid real property in the manner and within the time provided by law.

NOW, THEREFORE, this indenture witnesseth that the said party of the first part, Jerald H. Heschel, District Director of the Internal Revenue Service at Boise, Idaho, in order to carry into effect the said sale as described above and in conformity with the statutes in such cases made and provided, and in consideration of the surrender of the Certificate of Sale above-described, and also in consideration of the sum of Ninety Two Thousand Seven Hundred Fifty and no/100 Dollars (\$92,750.00)

to him in hand paid by said Frank D. and Jacqueline J. Moore, party of the second part, receipt of which is hereby acknowledged, does hereby remise, release, and forever quitclaim unto the said Frank D. and Jacqueline J. Moore, party of the second part, and to their heirs and assigns forever, all right, title and interest of the said Arlyn Derouin, for whose taxes said real property was seized, in and to that real property located in Boise County, Idaho State and described as follows:

Lot 2 Derouin Segregation Subdivision according to the Plat thereof, recorded May 17, 1993, as Instrument 147262, records of Boise County, Idaho.

together with the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof to have and to hold the said premises, together with appurtenances, unto the said party of the second part and to their heirs and assigns forever.

IN WITNESS WHEREOF, the said party of the first part, the District Director of the Internal Revenue Service, as aforesaid, has hereunto set his hand and seal this 9th day of January, 1995.

JERALD H. HESCHEL
District Director

BOISE COUNTY IDAHO SS
REQUEST OF

Frank D. Moore
DATE TIME M.

BY: Keith Farrar
Keith Farrar, Chief
Special Procedures

154660

95 JAN 10 PM 2:51

Rosa A. Canady
ARLENE C. KOLAR

BY: Shirley Henge
DEPUTY
FEE \$ 6.00

On the 9th day of January, 1995, before me, the Undersigned Officer, personally appeared Keith Farrar, of the County of Ada, of the State of Idaho, known to me to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity therein stated and for the purposes therein contained. In witness whereof I hereto set my hand and official seal.

Sonya A. Kinchloe
Sonya A. Kinchloe, Notary Public
My Commission Expires 12-16-2000

WARRANTY DEED

FOR VALUE RECEIVED, DONALD COOK, aka DON W. COOK, and DARARA SADLER, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto ARLYN W. DEROUTIN and MARJORIE S. DEROUTIN, husband and wife, the Grantees, the following described premises, located in Boise County, Idaho, more particularly described as follows:

See attached legal description, Exhibit "T", which is incorporated herein by reference.

The Grantees present mailing address is P.O. Box 321
Idaho City, Idaho, 83431.

To have and to hold the said premises, together with their appurtenances, unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with said Grantees that they are the owners and fee simple of said premises; that said premises are free from all encumbrances except general taxes as extended on the regular tax role and which may be a little but not yet due or payable, right-of-way easements of record, covenants, conditions and restrictions as set forth in Instrument No. 86449, records of Boise County, Idaho, powerline easements and various easements for ingress and egress of record, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED This 24 day of July, 1991.

Boise County Idaho ss
Request of

DON COOK

Time 14:00 M.T.

Date 7/24/91

1:00-12:00

Ronald Cook
DONALD COOK, aka DON W. COOK

Darara Sadler
DARARA SADLER

Ariona C. Kolar

By [Signature]

County

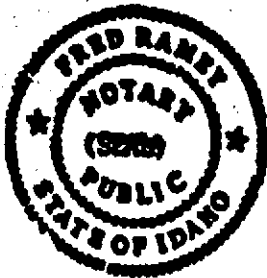
Fee \$ 2.100

STATE OF IDAHO)

County of Ada)

On this 3rd day of July, 1991, before me, a Notary Public in and for said County and State, personally appeared DONALD COOK aka DON W. COOK and TAMARA SADLER, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this day and year first above written.




NOTARY PUBLIC FOR IDAHO
Residing at Boise, Idaho
My Commission Expires: 7/2/93

file No. 123013

EXHIBIT I

The BONAPARTE PLACER CLAIM NO. 2106 lying within Section 18 of Township 5 North, Range 5 East, Boise Meridian, Boise County, Idaho.

EXCEPT all minerals in or under said land including but not limited to metals, oil, gas, coal, stone and mineral rights, mining rights and easements or other matters relating thereto whether expressed or implied.

ALSO EXCEPT the following Parcels I thru XII.

PARCEL I

Beginning at Cor. No. 6 of said BONAPARTE MINING CLAIM: thence
North 21°46' West 1037.43 feet, thence
South 68°46' West 338.31 feet, thence
South 43°43' West 219.04 feet to the TRUE POINT OF BEGINNING; thence
South 40°30' West 185.37 feet, thence
South 07°14' East 289.14 feet, thence
North 56°26' East 153.11 feet, thence
North 07°14' West 345.82 feet to the POINT OF BEGINNING.

PARCEL II

Beginning at Cor. No. 6 of said BONAPARTE MINING CLAIM: thence
South 63°14' West 790.34 feet to the TRUE POINT OF BEGINNING; thence
North 22°43'17" West 210.00 feet; thence
South 63°14' West 210.00 feet; thence
South 22°43'17" East 210.00 feet; thence
North 63°14' East 210.00 feet to the POINT OF BEGINNING.

PARCEL III

Commencing at a brass cap marking the corner of Section 7, 8, 17 and 18, Township 5 North, Range 5 East, Boise Meridian; thence
South 13°58'49" East a distance of 1226.80 feet to a brass cap marking the corner No. 6 of BONAPARTE PLACER; thence
along the line of BONAPARTE PLACER between corners No. 6 and No. 7 South 63°14'00" West a distance of 1271.92 feet to a 5/8" iron pin and the REAL POINT OF BEGINNING; thence
North 19°40'00" West a distance of 512.36 feet to a 5/8" iron pin; thence
North 86°32'46" East a distance of 257.00 feet to a 5/8" iron pin; thence
South 22°43'17" East a distance of 407.74 feet to a 5/8" iron pin on line 6 - 7 of BONAPARTE PLACER; thence
South 63°14'00" West a distance of 270.58 feet to the POINT OF BEGINNING.

CONTINUED

EXHIBIT I

PARCEL IV

Beginning at Cor. No. 6 of said BONAPARTE MINING CLAIM; thence
South 63°14' West 322.58 feet to a brass cap on the second line between
sections 17 - 18 in said Township and the line between corners 6 - 7 of
said BONAPARTE MINING CLAIM. The TRUE POINT OF BEGINNING; thence
North 63°14' East 58.00 feet, thence
North 16°03' West 185.04 feet, thence
North 57°58' West 201.90 feet, thence
North 66°30' West 141.80 feet, thence
North 36°05' West 73.00 feet, thence
North 10°23' West 257.62 feet, thence
North 5°01' East 88.13 feet, thence
South 26°12' West 307.63 feet, thence
South 26°32' East 349.40 feet, thence
South 88°57' East 136.36 feet, thence
South 66°42' East 62.44 feet, thence
South 48°10' East 226.71 feet to THE POINT OF BEGINNING.

PARCEL V

Beginning at the Northeast corner of Section 18, Township 5 North, Range
3 East, Boise Meridian, Boise County, Idaho; thence
South 13°58'49" East 1226.80 feet to point No. 6 of the BONAPARTE PLACER
MINING CLAIM NO. 2106; thence
South 63°14' West 322.58 feet along the South side of said BONAPARTE
CLAIM to a point; thence
North 48°10' West 226.71 feet along the McCrory Property to a point on
the centerline of a private road; thence
North 66°42' West 62.44 feet along McCrory's line and said centerline to
a point; thence
North 88°57' West 136.36 feet along McCrory's line and said centerline
to a point, the REAL POINT OF BEGINNING; thence continuing
along the centerline of said private road the following four courses,
North 69°27' West 72.94 feet to a point; thence
North 89°06'50" West 176.83 feet to a point; thence
89.35 feet along a curve to the right that has a delta angle of 64°
a radius of 79.88 feet, a tangent of 50.00 feet and a chord of 84.76
feet that bears North 37°04'15" West to a point; thence
North 15°01'40" West 45.21 feet to a point; thence continuing
North 25°01'40" West 61.37 feet to a point; thence
North 56°24' East 248.78 feet to a point on the West side of the McCrory
property; thence
South 26°32' East 345.00 feet along the West side of the McCrory property
to a point, the REAL POINT OF BEGINNING.

CONTINUED

File No. 123015

EXHIBIT I

PARCEL VI

Beginning at Corner No. 6 of said BONAPARTE MINING CLAIM; thence
South 63°14' West 322.58 feet to the TRUE POINT OF BEGINNING a Brass Cap
on Section line marking the Private, State and U.S.P.S. lands; thence
North 48°10' West 226.71 feet; thence
South 62°39' West 160.23 feet; thence
South 63°14' West 210.00 feet; thence
South 22°43'17" East 210.00 feet; thence
North 63°14' East 467.76 feet to the TRUE POINT OF BEGINNING.

PARCEL VII

Commencing at a brass cap marking the corners of Section 7, 8, 17 and
18, Township 5 North, Range 5 East, Boise Meridian; thence
South 13°58'49" East a distance of 1226.80 feet to a brass cap marking
the corner No. 6 of BONAPARTE PLACER; thence
along the line of BONAPARTE PLACER between Corners No. 6 and 7, South
63°14'00" West a distance of 1271.92 feet to a point and the REAL POINT
OF BEGINNING; thence continuing
along said placer line South 63°14'00" West a distance of 630.68 feet to
a point; thence
North 19°40'00" West a distance of 1264.93 feet to a 5/8" pin; thence
North 57°52'23" East a distance of 219.63 feet to a 5/8" pin; thence
North 69°58'03" East a distance of 207.33 feet to a 5/8" pin; thence
North 82°57'21" East a distance of 208.90 feet to a point; thence
South 19°40'00" East a distance of 1190.06 feet to the POINT OF BEGINNING.

PARCEL VIII

Beginning at Corner No. 6 of said BONAPARTE MINING CLAIM; thence
North 21°46' West 1037.43 feet; thence
South 63°46' West 338.31 feet; thence
South 43°45' West 219.04 feet; thence
South 40°30' West 185.37 feet to the TRUE POINT OF BEGINNING; thence
South 40°30' West 34.63 feet; thence
South 54°18' West 185.00 feet; thence
South 20°57' West 211.87 feet; thence
South 21°36' East 243.81 feet; thence
North 30°04' East 137.25 feet; thence
North 30°53' East 115.20 feet; thence
North 56°24' West 68.71 feet; thence
North 7°14' East 289.14 feet to the POINT OF BEGINNING.

CONTINUED

EXHIBIT I

PARCEL IX

Commencing at a brass cap marking the section corner common to Sections 7, 8, 17 and 18, Township 5 North, Range 5 East, Boise Meridian; thence North 41°26'06" West a distance of 493.82 feet to a brass cap marking Corner No. 5 of BONAPARTE PLACER, and the REAL POINT OF BEGINNING; thence along the line between Corner Nos. 5 and 6 of BONAPARTE PLACER South 21°46' East a distance of 357.33 feet to a 5/8" pin; thence South 68°42'00" West a distance of 330.79 feet to a 5/8" pin at the East edge of a private road; thence along the road North 19°30'29" West a distance of 32.00 feet to a point; thence North 12°47'03" East a distance of 111.00 feet to a point; thence North 03°19'31" West a distance of 53.15 feet to a point; thence North 26°28'50" West a distance of 183.59 feet to a nail in the North edge of a wooden deck of private bridge over Moore's Creek and which point falls on the line between Corner No. 4 and Corner No. 5 of the BONAPARTE PLACER; thence North 68°42'00" East a distance of 264.85 feet to Corner No. 5 and the POINT OF BEGINNING.

PARCEL X

Commencing at a brass cap marking the corners common to Sections 7, 8, 17 and 18, Township 5 North, Range 5 East, Boise Meridian; thence North 41°26'06" West a distance of 493.82 feet to a brass cap marking corner No. 5 of BONAPARTE PLACER; thence along the line between Corner Nos. 5 and 6 of BONAPARTE PLACER South 21°46'00" East a distance of 357.33 feet to a 5/8" pin and the REAL POINT OF BEGINNING; thence South 21°46'00" East along the placer line a distance of 285.75 feet to a 5/8" pin; thence South 68°42'00" West a distance of 338.11 feet to a 5/8" pin; thence North 30°14'45" West a distance of 289.23 feet to a 5/8" pin at the Northwesternly corner of this property; thence North 68°42'00" East a distance of 380.79 feet to a 5/8" pin and the POINT OF BEGINNING.

CONTINUED

File No. 123015

EXHIBIT I

PARCEL XI

Beginning at Corner No. 6 of said BONAPARTE MINING CLAIM; thence
North 21°46' West 1037.43 feet, thence
South 68°46' West 338.31 feet to TRUE POINT OF BEGINNING; thence
South 43°43' West 2'9.04 feet, thence
South 07°14' East 343.82 feet, thence
North 26°12' East 307.63 feet, thence
North 07°03' West 226.98 feet to PLACE OF BEGINNING.

PARCEL XII

A parcel of land being a portion of the BONAPARTE PLACER, Mineral Survey
No. 2106 in Section 12, Township 5 North, Range 5 East, Boise Meridian,
Boise County, Idaho, described as follows:

Commencing at a brass cap marking the quarter-corner common to Sections
7 and 18, Township 5 North, Range 5 East, Boise Meridian; thence
South 16°48'52" East a distance of 785.38 feet to a brass cap marking
Corner No. 10 of Bonaparte Placer, and the REAL PLACE OF BEGINNING;
thence
South 84°08'58" East 554.02 feet to a point; thence
South 19°40'00" East 1264.95 feet to a point on the line between Corner
No. 6 and 7 of Bonaparte Placer; thence
South 63°14'00" West 1865.08 feet to a brass cap marking Corner No. 7 of
Bonaparte Placer; thence
North 27°34'00" West 1399.30 feet to a brass cap marking Corner No. 8 of
Bonaparte Placer; thence
North 50°55'00" East 1157.60 feet to a brass cap marking Corner No. 9 of
Bonaparte Placer; thence
North 75°00'25" East 452.89 feet to Corner No. 10 of Bonaparte Placer
and the POINT OF BEGINNING.

END OF EXHIBIT I

Department of the Treasury - Internal Revenue Service
DEED OF DISTRICT DIRECTOR OF INTERNAL REVENUE
(Section 6338(b) of the Internal Revenue Code)

This Indenture is made by and between Jerald H. Heschel, District Director of Internal Revenue Service at Boise, Idaho, party of the first part, and Frank D. and Jacqueline J. Moore, party of the second part.

WITNESSETH

WHEREAS, the hereinafter described real property was seized from Arlyn Derouin for non-payment of United States Internal revenue taxes which were duly assessed against the aforesaid Arlyn Derouin and described as follows:

<u>Taxable Period</u>	<u>Type of Tax</u>	<u>Amount of Tax</u>
1040	12-31-1980	\$124,104.29
1040	12-31-1981	\$196,539.35
1040	12-31-1982	\$113,555.46

AND WHEREAS, the right, title and interest of Arlyn Derouin in and to said property as of the date of the Federal Tax Lien attached thereto, was sold as provided by Sections 6331-6335, Internal Revenue Code, at a public auction held at the Boise County Courthouse, Idaho City, Idaho, on the 8th day of July, 1994, to Frank D. and Jacqueline J. Moore, for the sum of Eighteen Thousand Eight Hundred and no/100 Dollars (\$18,800.00), which amount was the highest bid received. Said sale was conducted in accordance with the provisions of Sub-Chapter 64 of the Internal Revenue Code and the regulations promulgated thereunder. At the conclusion of said sale, Internal revenue Service Revenue Officer, L. Branson, issued a Certificate of Sale of Seized Property to Frank D. and Jacqueline J. Moore.

WHEREAS, more than one hundred eighty (180) days have expired from the date of sale and the date of issuance of the said Certificate of Sale as set forth above, and the owner of the said real property, his heirs, executors, administrators, or any person having an interest therein, or any person in his behalf, having failed to redeem the aforesaid real property in the manner and within the time provided by law.

NOW, THEREFORE, this indenture witnesseth that the said party of the first part, Jerald H. Heschel, District Director of the Internal Revenue Service at Boise, Idaho, in order to carry into effect the said sale as described above and in conformity with the statutes in such cases made and provided, and in consideration of the surrender of the Certificate of Sale above-described, and also in consideration of the sum of Eighteen Thousand Eight Hundred no/100 Dollars (\$18,800.00) to him in hand

paid by said Frank D. and Jacqueline J. Moore, party of the second part, receipt of which is hereby acknowledged, does hereby remise, release, and forever quitclaim unto the said Frank D. and Jacqueline J. Moore, party of the second part, and to their heirs and assigns forever, all right, title and interest of the said Arlyn Derouin, for whose taxes said real property was seized, in and to that real property located in Boise County, Idaho State and described as follows:

SEE ATTACHED EXHIBIT A

together with the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof to have and to hold the said premises, together with appurtenances, unto the said party of the second part and to their heirs and assigns forever.

IN WITNESS WHEREOF, the said party of the first part, the District Director of the Internal Revenue Service, as aforesaid, has hereunto set his hand and seal this 17 day of January, 1995.

JERALD H. HESCHEL
District Director

BY: Keith Farrar
Keith Farrar, Chief
Special Procedures

154794

BOISE COUNTY IDAHO SE
REQUEST OF

Jacqueline J. Moore
DATE TIME H.

95 JAN 20 AM 8:11

ROBA M. CANNON
BY Shirley Dean
DEPUTY
FEE \$ 9.00

On the 17th day of January, 1995, before me, the Undersigned Officer, personally appeared Keith Farrar, of the County of Ada, of the State of Idaho, known to me to be the person described in the foregoing instrument, and acknowledged that he executed the same in the capacity therein stated and for the purposes therein contained. In witness whereof I hereto set my hand and official seal.

Sonya A. Kincheloe
Sonya A. Kincheloe, Notary Public
My Commission Expires 12-16-2000

**ATTACHMENT TO DEED OF DISTRICT DIRECTOR
RE: Arlyn D. Derouin and Frank/Jacqueline Moore**

**EXHIBIT A
page 1 of 1**

VACANT UNIMPROVED LAND.

A TRACT OF LAND BEING A PORTION OF THE BONAPARTE PLACE (RECORDED AS SURVEY NO. 2106, RECORDS OF BUREAU OF LAND MANAGEMENT), SITUATED IN SECTIONS 17 AND 18, TOWNSHIP 5 NORTH, RANGE 5 EAST, BOISE MERIDIAN, BOISE COUNTY, IDAHO, DESCRIBED AS FOLLOWS: BEGINNING AT CORNER NO. 6 OF SAID BONAPARTE PLACE; THENCE SOUTH 63 DEGREES 14' WEST 322.58 FEET TO A BRASS CAP ON THE SECTION LINE BETWEEN SECTIONS 17 AND 18 IN SAID TOWNSHIP AND THE LINE BETWEEN CORNERS 6 AND 7 OF SAID BONAPARTE PLACE; THENCE NORTH 63 DEGREES 14' EAST A DISTANCE OF 58.00 FEET TO THE REAL POINT OF BEGINNING; THENCE NORTH 16 DEGREES 03' WEST A DISTANCE OF 185.04 FEET; THENCE NORTH 57 DEGREES 58' WEST A DISTANCE OF 201.90 FEET; THENCE NORTH 66 DEGREES 50' WEST A DISTANCE OF 141.80 FEET; THENCE NORTH 36 DEGREES 05' WEST A DISTANCE OF 73.00 FEET; THENCE NORTH 10 DEGREES 23' WEST A DISTANCE OF 257.62 FEET; THENCE NORTH 05 DEGREES 01' EAST A DISTANCE OF 88.13 FEET; THENCE NORTH 07 DEGREES 03' WEST A DISTANCE OF 226.98 FEET; THENCE NORTH 68 DEGREES 42' EAST A DISTANCE OF 338.31 FEET; THENCE SOUTH 21 DEGREES 46' EAST A DISTANCE OF 1,037.43 FEET; THENCE SOUTH 63 DEGREES 14' WEST TO THE REAL POINT OF BEGINNING.



4849
4848
4847
4846
4845000 N
43° 45' 30"

55' 58' 59' 60' E 115° 52' 30"

1 MILE
6000 7000 FEET
1 KILOMETRE

R. 5 E.

MICROFILMED

AUG 24 1992

WARM SPRINGS POINT, IDAHO

(ARROWROCK RES. NE)