

Idaho Department of Water Resources

63-2546

T04N R01W S9



- Point of Diversion
- Place of Use
- Sections
- Quarter Quarter



700 0 700 1400 2100 Feet

IDWR

Prepared by: Sandy Egbert

Date: 10-21-05

1987 Photography

SCANNED

NOV 15 2005

Idaho Department of Water Resources

63-2546

T04N R01W S9



- Point of Diversion
- Place of Use
- Sections
- Quarter Quarter



IDWR

Prepared by: Sandy Egbert

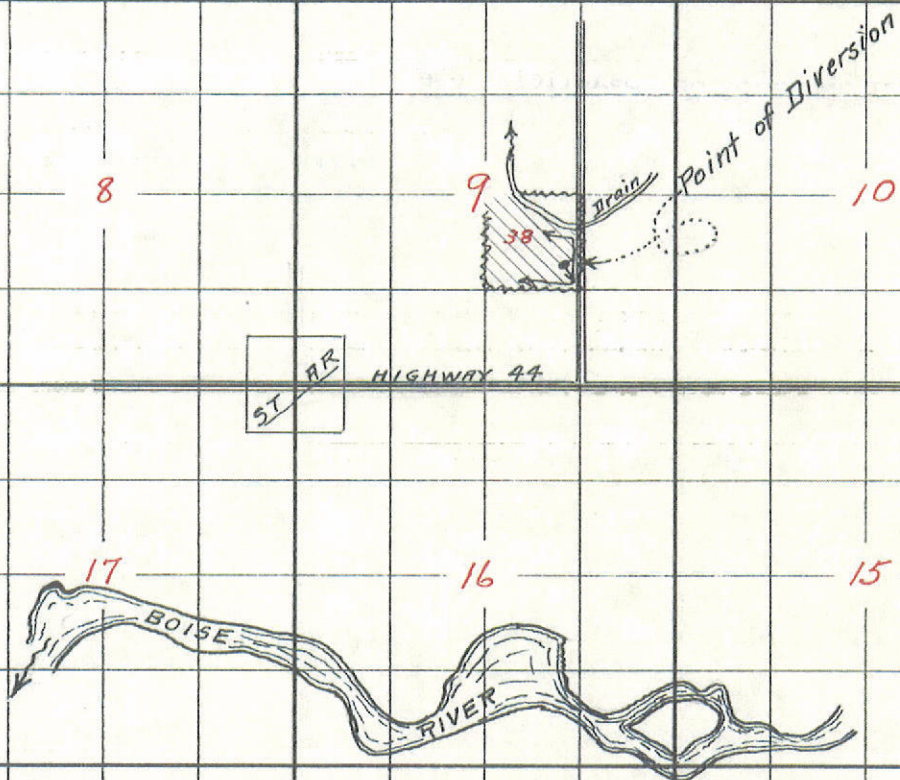
Date: 10-21-05

1987 Photography

700 0 700 1400 2100 Feet

DEPARTMENT OF RECLAMATION
This well in Highway R/W
6" well at rear of house yard
As replacement.

12-19-62



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 63-2546
Date Received: 08/23/05
Receipt No: W033321
Received By: Sandy

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MIKE MOYLE Phone: (208)286-7842
480 N PLUMMER
STAR ID USA 83669

2. Date of Priority: 12/12/1939

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	01W	9	NW SE	ADA	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	11/15	0.21	

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

8. Total consumptive use:

9. Non-irrigation uses:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
04N	01W	9	NW SE	IRRIGATION	19
Section Acres					19
Total Acres					19

11. Place of use in counties: ADA

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: License

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 X 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.

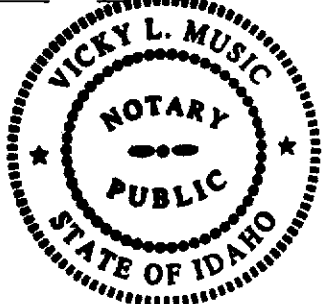
Signature of Claimant(s): *[Signature]* Date: 8-23-05

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this
of August 2005

23rd day
Wendy Music



Notary Public

Residing at Edith, ID

My commission Expires 1-27-06

Idaho Department of Water Resources Receipt

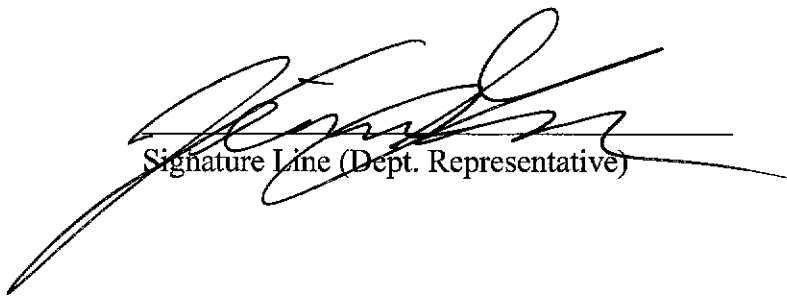
Receipt ID W033321

Payment Amount Date Received Region Status
Payment Type Check Number

Payer Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$69.00	WATER RIGHT FILING SUBSCRIPTION	0229	21	51100	1755
\$50.00	OWNERSHIP CHANGES/SECURITY INTERESTS	0229	21	62140	1155


Signature Line (Dept. Representative)

11/22/2005

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

RIGHT NUMBER: 63-2546

NAME AND ADDRESS: MIKE MOYLE
480 N PLUMMER
STAR ID 83669

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.210 CFS
85.500 AFY

The quantity of water under this right for domestic use shall not exceed
13,000 gallons per day.

PRIORITY DATE: 12/12/1939

POINT OF DIVERSION:

T04N R01W S9 NWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.210 CFS 85.50 AFY
DOMESTIC	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within ADA County

T04N R01W S09 NWSE 19.0

DOMESTIC same as IRRIGATION

19 ACRES TOTAL

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

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

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2546 V1

WATER RIGHT NUMBER: 63-2546 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	A C GOUGH
Current Owner	POCATELLO, ID MIKE MOYLE 480 N PLUMMER STAR, ID 83669 (208)286-7842

Priority Date: 12/12/1939

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.210 CFS	85.50 AF
DOMESTIC	01/01 to 12/31	0.020 CFS	
	<u>Total Diversion:</u>	0.210 CFS	85.50 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4SE1/4	Sec. 9, Twp 04N, Rge 01W, B.M.
ADA County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	01W	9															19.0		19.0

Total Acres: 19

DOMESTIC same as IRRIGATIONConditions of Approval:

1. N10 The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.
2. C18 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.
3. N12 The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 63-2546 V1

Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal:
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	10/21/2005 12:54:58 PM	segbert			Active
POD	10/21/2005 12:55:22 PM	segbert			Active
Source	10/21/2005 12:56:18 PM	segbert			Active
POU	10/21/2005 12:56:41 PM	segbert			Active
Use	10/21/2005 12:57:30 PM	segbert			Active
Season	10/21/2005 12:57:56 PM	segbert			Active
Quantity	10/21/2005 12:58:34 PM	segbert			Active
Summary			10/21/2005	segbert	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	11/21/2005 1:38:44 PM	segbert	Updated shape
POD	10/21/2005 12:55:22 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2546 V1

Source	10/21/2005 12:56:18 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	10/21/2005 12:56:41 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Use	10/21/2005 12:57:30 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
General	10/21/2005 12:54:59 PM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
Season	10/21/2005 12:57:56 PM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-2546 V1

Quantity	10/21/2005 12:58:34 PM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - 4.5 x 19 acres
Summary	10/21/2005 1:01:08 PM	segbert	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POD	10/21/2005 12:55:43 PM	segbert	Updated shape
POU	10/21/2005 12:57:06 PM	segbert	Updated shape for Active POU

Water Supply Bank:

11/02/2005

RECEIVED

NOV 15 2005

Department of Water Resources

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: November 18, 2005

Water right number: 63-2546

MIKE MOYLE

480 N PLUMMER

STAR ID 83669

Telephone Number: (208)286-7842

RECEIVED

NOV 16 2005

WATER RESOURCES
WESTERN REGION

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:

The point of diversion is a little further to the W. and there is also a domestic use (one home) that uses the well.

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

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

DATE: 10-10-05

SIGNATURE: *Mike Moyle*

Please print your name: Mike Moyle

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

*Moved POD 11-21-05
added domestic*

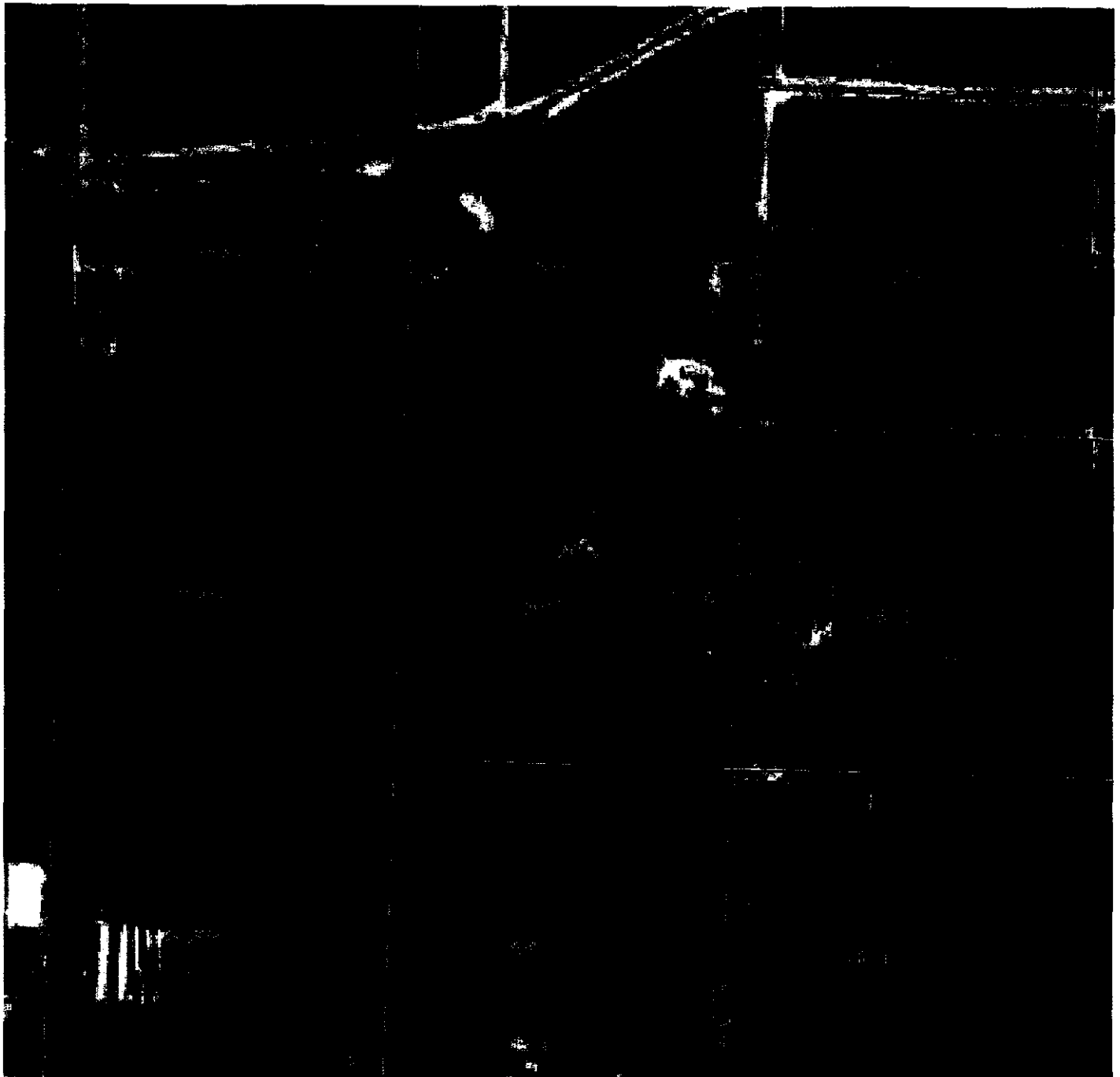
SCANNED

NOV 15 2005

Idaho Department of Water Resources

63-2546

T04N R01W S9



- Point of Diversion
- Place of Use
- Sections
- Quarter Quarter



700 0 700 1400 2100 Feet

A horizontal scale bar with markings at 700, 0, 700, 1400, and 2100 feet. The bar is divided into segments corresponding to these distances.

IDWR

Prepared by: Sandy Egbert

Date: 10-21-05

1987 Photography

SCANNED

NOV 15 2005

10/21/2005

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

RIGHT NUMBER: 63-2546

NAME AND ADDRESS: MIKE MOYLE
480 N PLUMMER
STAR ID 83669

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.210 CFS
85.500 AFY

PRIORITY DATE: 12/12/1939

POINT OF DIVERSION:

T04N R01W S9 NWSE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.210 CFS 85.50 AFY

PLACE OF USE: IRRIGATION Within ADA County

T04N R01W S09 NWSE 19.0

19 ACRES TOTAL

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

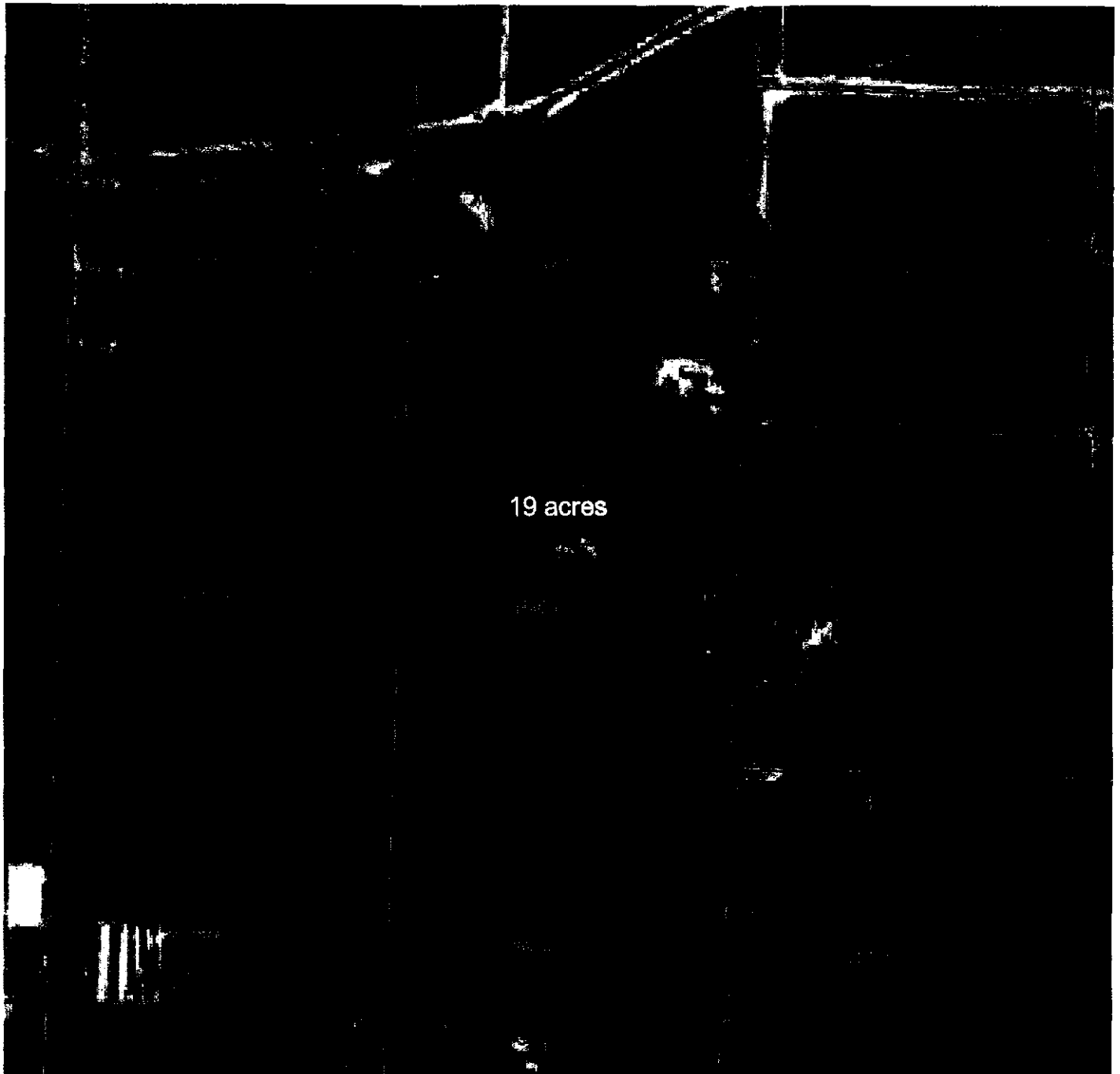
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Idaho Department of Water Resources

63-2546

T04N R01W S9



19 acres

- Point of Diversion
- Place of Use
- Sections
- Quarter Quarter



IDWR
Prepared by: Sandy Egbert
Date: 10-21-05
1987 Photography

700 0 700 1400 2100 Feet

A scale bar with markings for 700, 0, 700, 1400, and 2100 feet. The bar is divided into segments corresponding to these distances.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-2546

WATER RIGHT NUMBER: 63-2546

Owner Type Name and Address

Original Owner

A C GOUGH ✓

Current Owner

POCATELLO, ID
MIKE MOYLE
480 N PLUMMER
STAR, ID 83669
(208)286-7842

Priority Date: 12/12/1939 ✓

Basis: License ✓

Status: Active ✓

SourceTributary

GROUND WATER ✓

.011 CFS
per acre
as licensed

Beneficial Use

From To

Diversion RateAnnual Volume

IRRIGATION ✓

03/01 to 11/15

0.210 CFS ✓

85.5 4.5 x 19

Total Diversion: 0.210 CFS ✓Location of Point(s) of Diversion

GROUND WATER

NW1/4SE1/4 ✓

Sec. 9, Twp 04N, Rge 01W, B.M.

ADA County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	01W	9	NE	NW	SW	SE	19.0
			NE	NW	SW	SE	19.0

Total Acres: 19

Conditions of Approval:Remarks:Comments:Dates and Other Information:

State of Idaho License and Certificate of Water Right

Water License No. 18916

Amount 0.42 second foot

Water District No.

Priority December 12, 1939

THIS IS TO CERTIFY that A. C. COUGH
of Pocatello, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated December 12, 1939; that Permit No. 18916
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.42 second feet, was issued thereunder on June 21, 1940, showing that said works
were completed on the 19th day of June, 1940; and that on the 5th
day of August, 1940

A. C. COUGH
of Pocatello, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho of the right to use the waters of an artesian
well, tributary of, for the purpose of domestic and
irrigation use, under Use Permit No. 18916 of the Commissioner of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is
hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7
of Licenses, at page 4034, on the 16th day of December, 1940;

The right hereby confirmed dates from December 12, 1939;

The Point of Diversion is located approximately 506.5 ft. North of SE corner NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 9,
in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 9, Tp. 4 N., R. 1 W., B. M. Ada County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid,
is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.42
cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N.	1 W.	9	NW $\frac{1}{4}$ SE $\frac{1}{4}$	38	38
Total Number of Acres Irrigated				-	38

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use
herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
this 16th day of December, 1940

JAMES SPORFORD

Commissioner of Reclamation

(SEAL)

63 2540

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 18916

This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant A. C. Gough, 245 S. 8th Ave., Pocatello, Idaho

2. Source of water supply: Artesian well

3. Location of point of diversion: Is in the NW 1/4 of Section 9

T. 4 N. R. 1 W. County of Ada

4. Describe works as they exist, giving dimensions and capacities of same: A drilled well 175 ft deep x 3" diameter. Cased its full depth. Water discharges into farm lateral 3 ft wide x 1 ft deep. Well has valve control and house connection.

5. Water is used for: Irrigation and domestic purposes

6. State whether or not water has been turned into works of diversion: yes.

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): Approximately 38 acres in Section 9, Twp. 4 N., Range 1 W., B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? none

Remarks: This water is mingled with water from another source and is supplemental thereto

This examination was made on the 25th

day of October

19 40

(Signed)

John Holman
Engineer.

18916

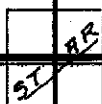
6" well at rear of house yard
as replacement.

12-19-62

8

9

10



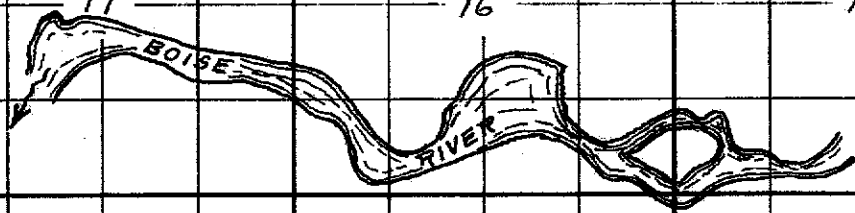
HIGHWAY 44

Point of Diversion

17

16

15



August 9, 2005

MIKE MOYLE
480 PLUMMER
STAR ID 83669

RE: Claim No. 63-2546
Change of Ownership for Water Rights 63-15903, 63-15901
Water Right 63-2609

Enclosed is a Notice of Claim to a Water Right for the 19 acres you recently purchased which are under water right number 63-2546. Please look over the claim form and if it is correct, sign the second page and have it notarized. If you prefer, you may bring the claim form to this office to sign and have notarized since we have several Notaries on staff. There is a fee for filing the claim of \$50.00 plus \$1.00 per acre making the total due \$69.00 for the claim.

I have also returned the Change in Water Right Ownership form, which you filled out in our office. Since Joseph and Lynn Moyle are listed as the new owners and they are listed on the Special Warranty Deed it is necessary for them to sign the Change of Ownership Form. Please have them sign the form and return it with the supporting paperwork to this office. Water rights 63-15903 and 63-15901 are decreed rights so they are subject to a \$25.00 fee for each Change of Ownership making a total of \$50.00 due for the Change of Ownerships.

Lastly, I have enclosed a copy of the Preliminary Recommendation for 63-2609, which was recombined from 63-2609A and B. Please look it over carefully and make sure it is correct. An aerial photo of 63-2609 is also included. Please make sure the Place of Use and Points of Diversion are correct also.

As soon as we receive the fees (totaling \$119.00) and signed paperwork, we will complete the two Change of Ownerships and process the Notice of Claim. If you have any questions please call me at the above phone number.

Sincerely,

Sandy Egbert
GIS Specialist