

08/26/2004

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

RIGHT NUMBER: 79-7000
NAME AND ADDRESS: JO ANN CEREGRINO
PO BOX 387
LUCILE ID 83542-0387

DAVID CEREGRINO
PO BOX 387
LUCILE ID 83542-0387

SOURCE: JOHN DAY CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.340 CFS
72.000 AFY
PRIORITY DATE: 04/06/1970
POINT OF DIVERSION:

T26N R02E S20 NWSE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	06/01 09/15	0.340 CFS 72.00 AFY

PLACE OF USE: IRRIGATION Within IDAHO County

T26N R02E S18	SESE	0.5	T26N R02E S19	NENE	22.0
T26N R02E S19	NWNE	7.2	T26N R02E S19	SENE	0.3

30 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: License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

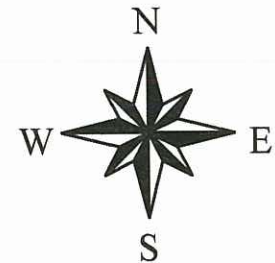
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

79-7000



T26N R02E
Section(s) 18 & 19

● Point of Diversion
□ Place of Use



Map prepared by: Greg Taylor
Date Prepared: August 26, 2004
Photography: 1992 DOQQ
Idaho Department of Water Resources

0 1000 2000 3000 4000 Feet

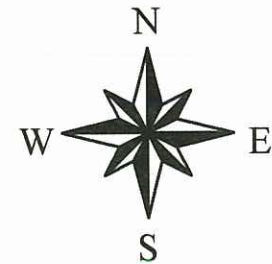
A horizontal scale bar with markings at 0, 1000, 2000, 3000, and 4000 feet. The bar is divided into segments corresponding to these distances.

79-7000



T26N R02E
Section(s) 18 & 19

● Point of Diversion
□ Place of Use



Map prepared by: Greg Taylor
Date Prepared: August 26, 2004
Photography: 1992 DOQQ
Idaho Department of Water Resources

0 1000 2000 3000 4000 Feet

A horizontal scale bar with four segments, each representing 1000 feet. The total length is 4000 feet. The segments are black and white, with the numbers 0, 1000, 2000, 3000, and 4000 Feet placed above the bar.

7/27/88
goc

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: A79-07000

Date Received: 7/01/1988

Receipt No: 1000600

Received By: JDC *ER*

Department of Water
Western Region

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAVID CERECHINO 208-628-3986
Address: P.O. BOX 387
LUCILE, ID 83542

Name: JOANN CERECHINO 208-628-3986
Address: P.O. BOX 387
LUCILE, ID 83542

2. Date of Priority: APR 06, 1970

3. Source: JOHN DAY CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
26N	02E	20	NW	SE			IDAHO

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	06/01	09/15	0.340		

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

A.F.A.

8. Total consumptive use is 90.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A79-07000

Page 1

Date: 07/01/88

MICROFILMED

AUG 8 8 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
26N	02E	19	NE	NE		IRR	22.0
			NW	NE		IRR	7.0
			SE	NE		IRR	1.0
						Section Acres	30.0
						Total Acres	30.0

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
A7907089,

14. Remarks:

THE POINT OF DIVERSION WAS CHANGED TO WHERE THE PENSTOCK TAKES
WATER OUT OF JOHN DAY CREEK SO THAT EITHER POWER OR IRRIGATION
COULD BE UTILIZED FROM THE SYSTEM.

15. Basis of Claim: LICENSE
Water Right Number:

3/15/83

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): *David Ferguson* Date: 7-27-88
_____ Date: _____

State of Idaho)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 27th day
of July 19 88

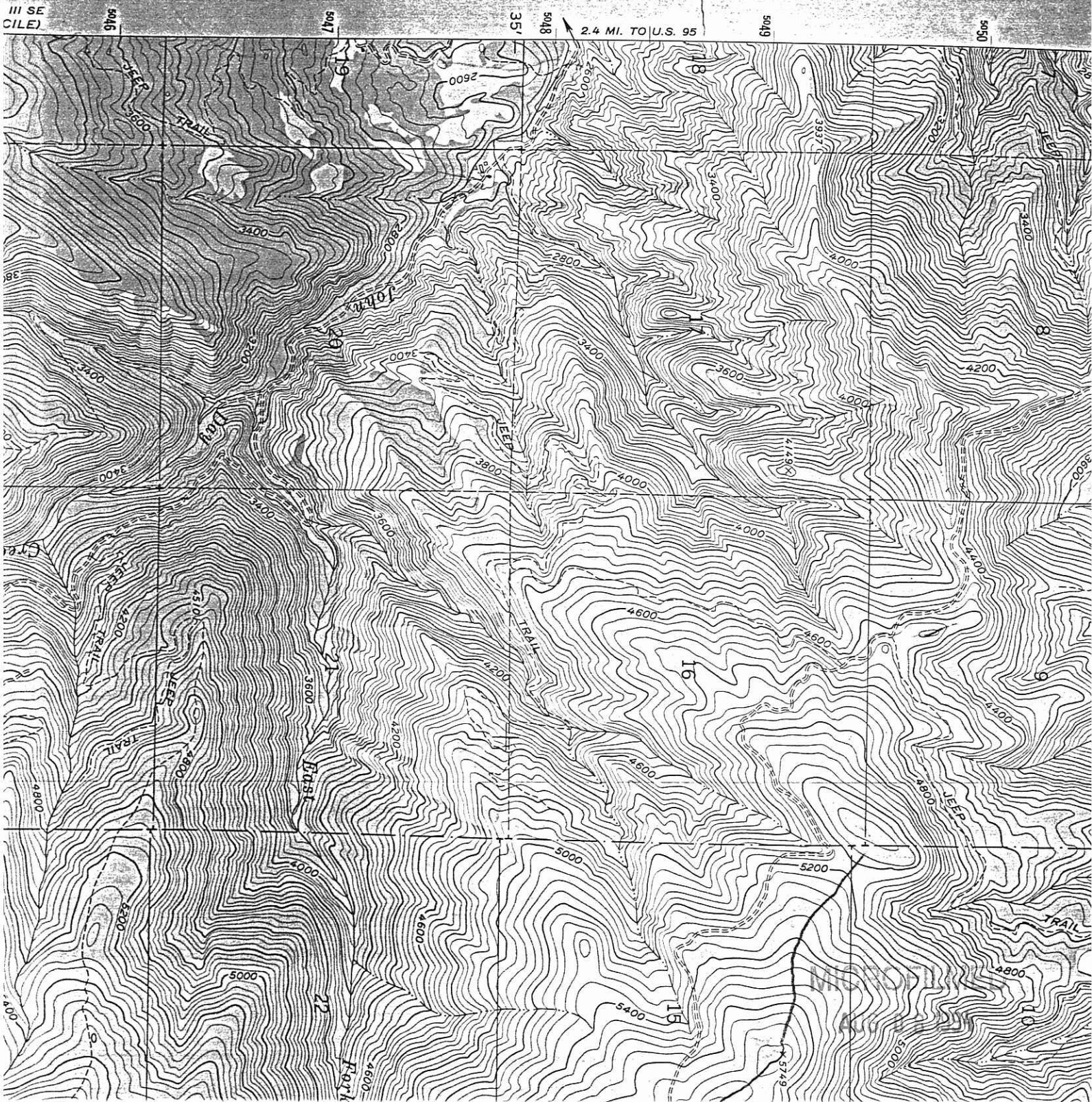
Neil Sales
Notary Public

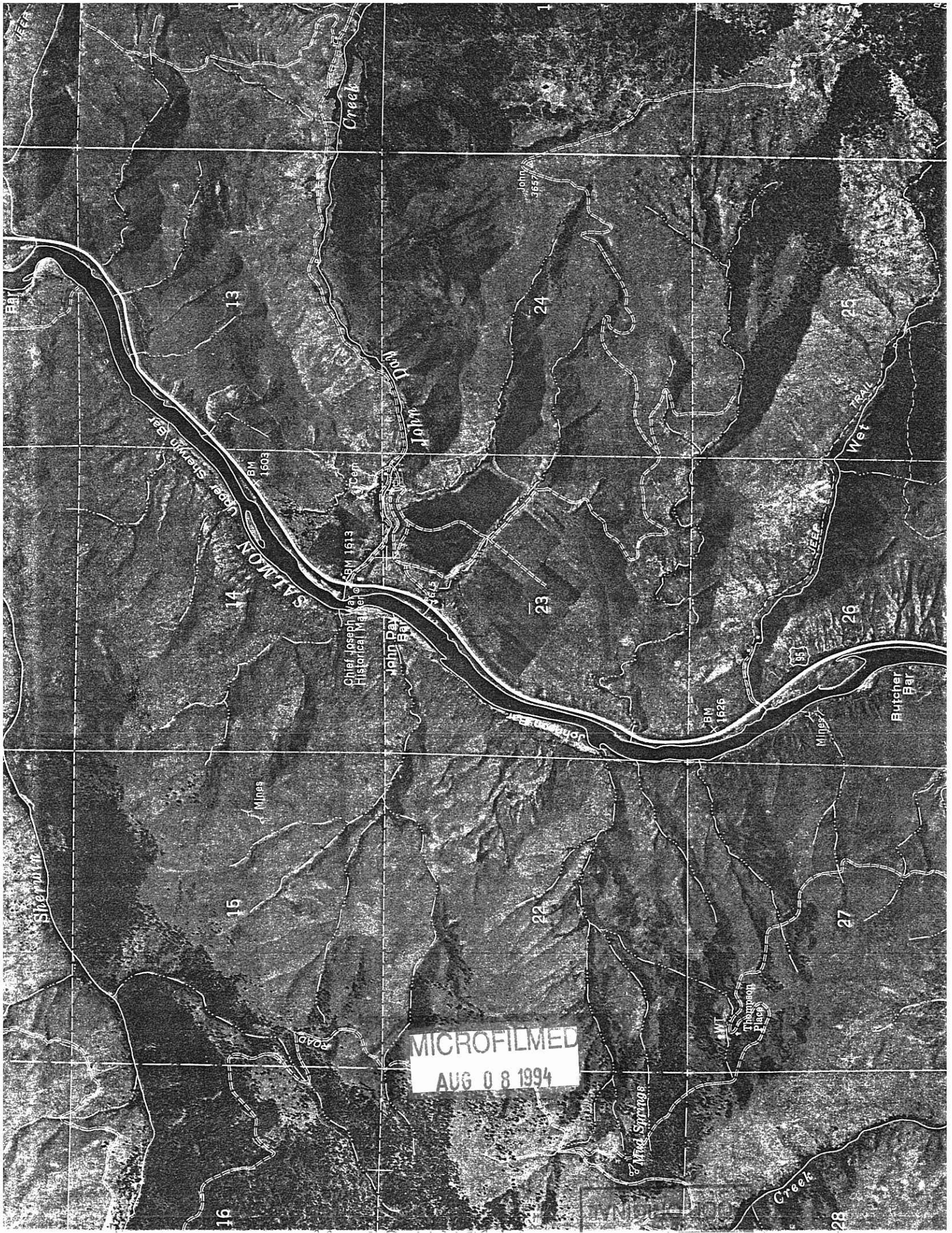
Seal

Residing at Grangeville
My Commission Expires 10-21-91

POOR ORIGINAL

T26N R2E Sec 19&20





✓ A79-07089 - Power. 1010 KW $\$50 + 3535 = \$3585$ 192

✓ A79-02066 Irr. $\$50 + 213Ac. = \$263^{00}$

✓ A79-04132 Irr. $\$50 + 35Ac. = \$85^{00}$ $\$18^{00}$ $\$67^{00}$

overlap with A79-02066

✓ A79-04109 Irr. $\$50 + 40Ac. = \$190^{00}$

No overlap.

✓ A79-07000 Irr. $\$50 + 30Ac. = \$80^{00}$

No overlap.

RECEIVED

AUG 13 1988

✓ A79-07121 Irr. $\$50 + 10Ac. = \$60^{00}$

Department of Water Resources
Western Regional Office

overlap with A79-07000

✓ A79-10022 Don Stock $\$25^{00}$

A79-10029 Don Stock $\$25^{00}$

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AUG 08 1994

I helped Mr. David Cereghino on 7/1/88. There were no maps available for his area, so I reproduced claim from water rights. He did not wish to pay for them at the time as he felt there should have been more of an overlap on some of the acreages. He indicated he would be out of state for a couple of weeks and would come back in with the money to fill the claims.

I gave him some figure? (dollar amount) and requested he secure maps of the area for a more accurate acreage determination.

On July 27, 1988 Mr. David Cereghino came back in with a check for the amount of \$4195.00 and indicated that was the amount I gave him. There had been a death in his family and he did not obtain the necessary maps.

As there was the deadline to file without a \$600.00 late fee and we were extremely busy, the claims were taken.

Later when receipting the claims I was unable to come up with the same dollar amount I gave him the first time. It was \$18.00 short. In order to receipt all of the claims (I have no record of the initial figure I gave him) and that may very well have been the figure I gave him, I made an adjustment of \$18.00 on A79-04132 reducing it to \$67.00 from \$85.00.

Mr. Cereghino was a pleasure to work with and I feel we should request maps for the irrigated claims, or make maps for him to be sure the acreage figures are correct.

A 79-02066 did not get the notary seal.

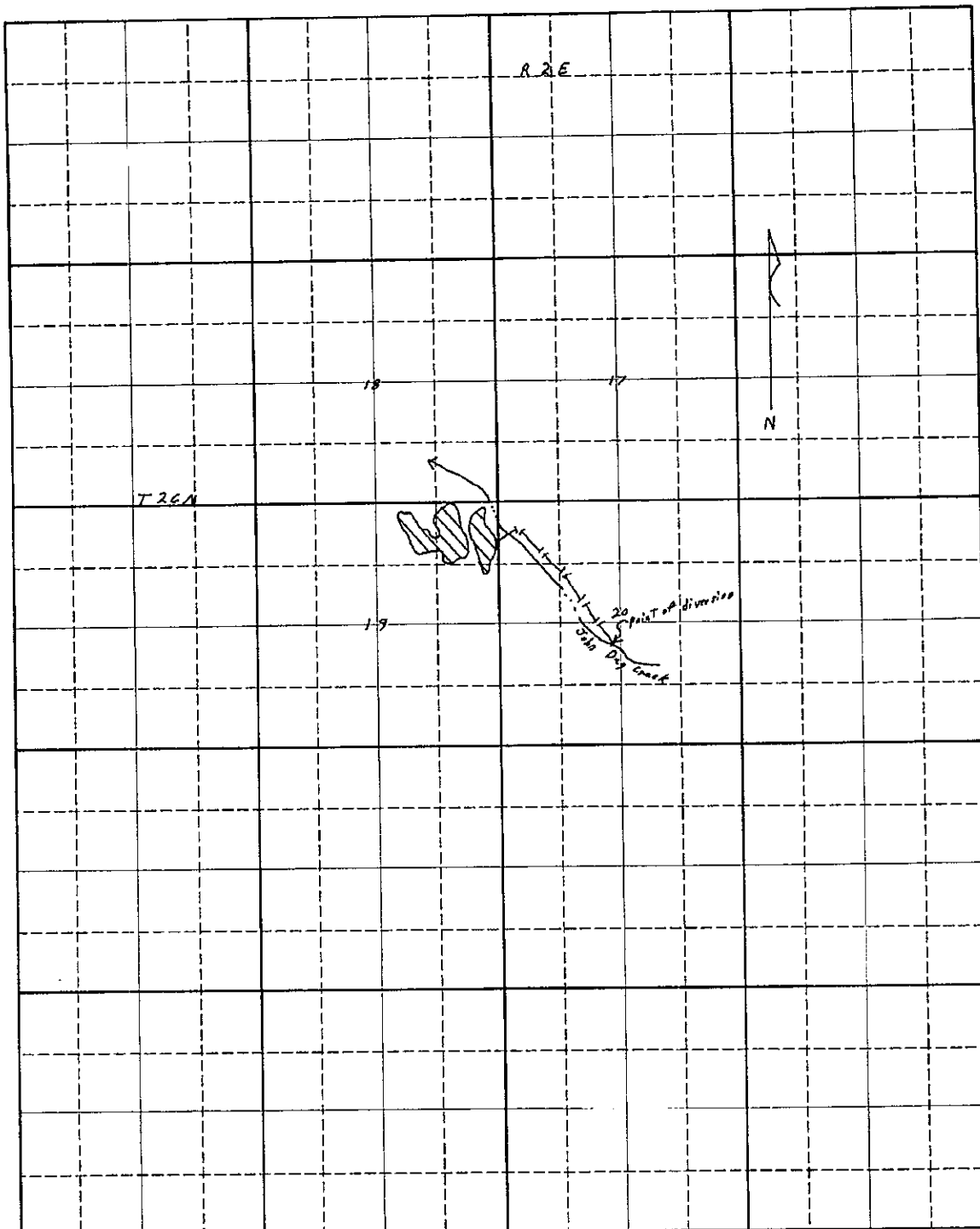
And as it was in a hurry I did not advise him of the docket sheet, when the App. was submitted. I don't recall at first time.

JDC

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AUG 08 1994

11. Map of proposed project:



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Moose Creek Ranch Co
 by David W. Chuskey
 (Applicant)

79-7000

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 79-7000 Priority April 6, 1970 Amount 0.34 cfs

THIS IS TO CERTIFY, that MOOSE CREEK RANCH CO.
of Lucile, Idaho, has complied with the terms and conditions of Permit
No. 79-7000 issued pursuant to Application for Permit dated April 6, 1970,
and has submitted proof to the Department of Water Resources on April 22, 1975,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.34 cfs of water from John Day Creek
tributary to the Salmon River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>June 1</u> to <u>Sept. 15</u>	at <u>0.34</u> cfs and	<u>72 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>4.0 af per acre</u>
	from _____ to _____	at _____ cfs and	
	(both dates inclusive)		

Subject, however, to the condition that no more than 0.34 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
72 acre feet per year, said waters to be diverted within the NE1SW1 of Sec. 20,
Twp. 26 N, Rge. 2 E, B. M. in the County of Idaho

Description and location of place of use:

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			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	
26 N	2 E	19	22			1													30

Total number of acres irrigated 30

A measuring device of a type approved by the Department shall be permanently
maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 12 day of
May, 19 76.

Director