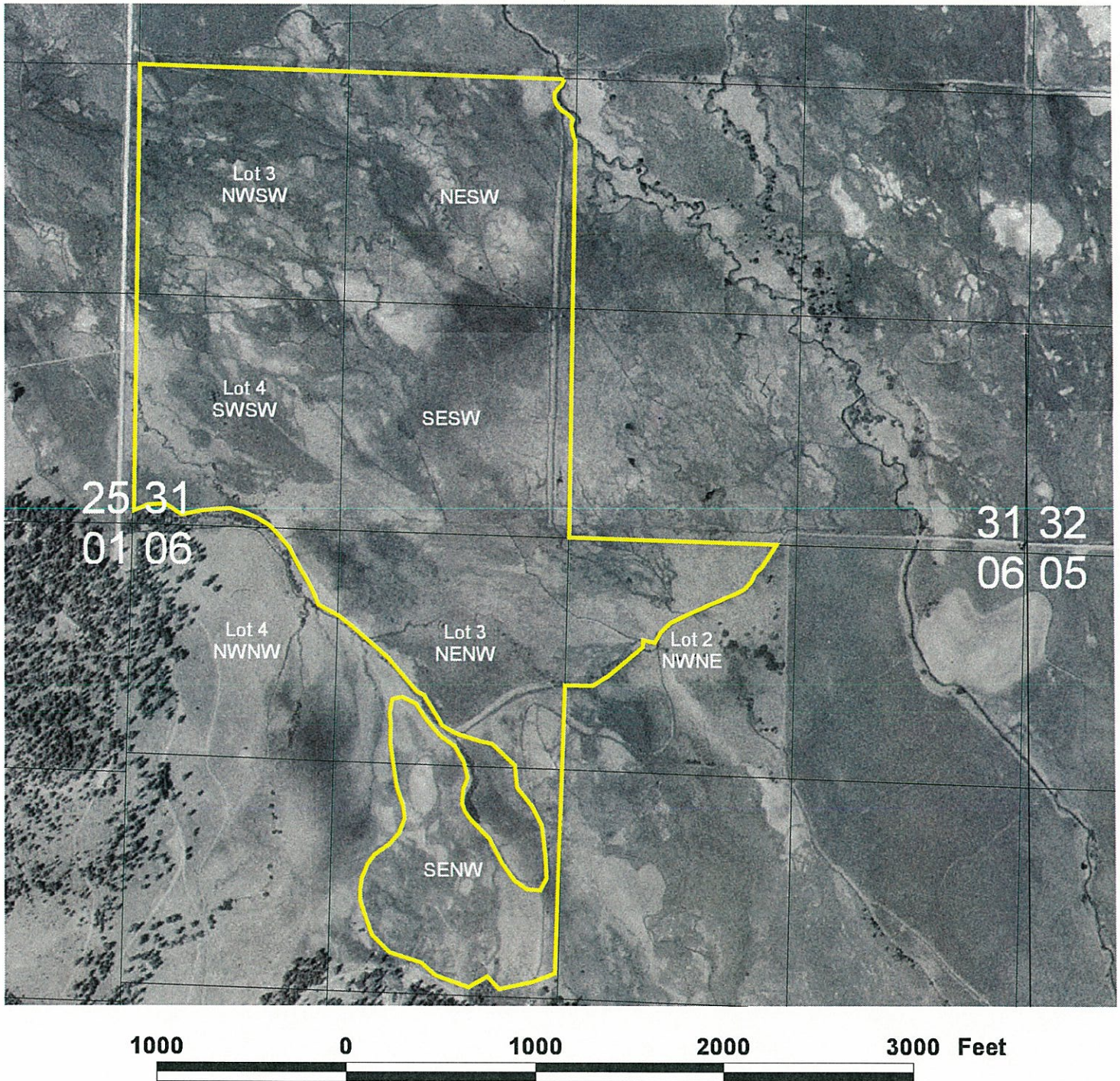


78-135 & 78-136



T18N R02E S06
T19N R02E S31

Map prepared by: Carter Fritschle
Date prepared: 04/21/05
Digital Orthophotoquad - 1992 Photography
Idaho Department of Water Resources



04/22/2005

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

RIGHT NUMBER: 78-136
NAME AND ADDRESS: DE MOSS & SONS
RT 1 BOX 102
CAMBRIDGE ID 83610
SOURCE: BIG CREEK TRIBUTARY: LITTLE SALMON RIVER
QUANTITY: 1.280 CFS
Right Nos. 78-135, 78-136, 78-2060 and 78-10265 are limited to a total combined diversion rate of 4.45 cfs.
PRIORITY DATE: 09/03/1904

POINT OF DIVERSION:

T18N R02E S8 SENW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.280 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T18N R02E S06 Lot 2 NWNE	14.0	T18N R02E S06 Lot 3 NENW	33.0
T18N R02E S06 Lot 4 NWNW	2.4	T18N R02E S06 SENW	23.0
T19N R02E S31 NESW	39.0	T19N R02E S31 Lot 3 NWSW	36.0
T19N R02E S31 Lot 4 SWSW	35.0	T19N R02E S31 SESW	40.0

222.4 ACRES TOTAL

Right Nos. 78-135, 78-136, 78-2060 and 78-10265 are limited to the irrigation of a combined total of 222.4 acres in a single irrigation season

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: Decreed

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: A78-00136
Date Received: 6/09/1988
Receipt No: W000355*50
Received By: ELR

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DEMOSS & SONS 208-355-2367
Address: RT. 1 BOX 102
CAMBRIDGE, ID 83610

2. Date of Priority: SEP 03, 1904

3. Source: BIG CREEK Trib. to: LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
18N	02E	8		SE	NW		ADAMS

5. Description of diverting works:
CONCRETE HEADGATE, 2 MILES RIGGS-WYMAN DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/15	09/01	1.280		

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

8. Total consumptive use is 444.8 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	02E	6	NW	NE		IRR	15.0
			NE	NW		IRR	30.0
			NW	NW		IRR	7.0
			SE	NW		IRR	26.4

Section Acres 78.4

A78-00136

Page 1

Date: 07/08/88

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	02E	31	NE	SW		IRR	40.0
			NW	SW		IRR	35.0
			SW	SW		IRR	29.0
			SE	SW		IRR	40.0

Section Acres 144.0

Total Acres 222.4

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
78-0135; 78-0136; 78-2060

14. Remarks:
THIS WATER CARRIED IN THE RIGGS & RIGGS - WYMAN DITCHES.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

ROSE SCHIELER

Decree Plaintiff

vs

CHARLES A. WYMAN 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 Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: 39356

Ident. Number A78-00136

Date Received 6/9/88

Receipt Number W000355

**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW**

RECEIVED
JUN 9 1988

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) DeMoss & Sons Phone (208) 355-2367

Mailing Address: Rt. 1 Box 102 Cambridge Ida. Zip 83610

2. Date of Priority (Only one (1) per claim) Sept. 3, 1904

3. Source of water supply (a) Big Creek
which is tributary to (b) Little Salmon

4. a. Location of existing point of diversion is: Township 18 N Range 2 E Section 8,
 1/4 of SE 1/4 of NW 1/4, Govt. Lot, B.M., County of Adams

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Cement Headgate

2 miles Riggs - Wyman Ditch

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Copies: White-State, Yellow-Claimant

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 5/15 to 9/01 amount 1.28 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.28 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 2 444.8 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				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	
19N	2E	31									40	35	29	40					144
18N	2E	6		15			30	7	26.4										78.4

Total number of acres irrigated 222.4

11. In which county (ies) are lands listed above as place of use located? Adams

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

300 Shares Brundage - 4 cfs flood water, Goose CK or None ()
1.5 cfs, Big CK - 3 cfs ground water

14. Remarks:

78-0135; 78-0136; 78-2060

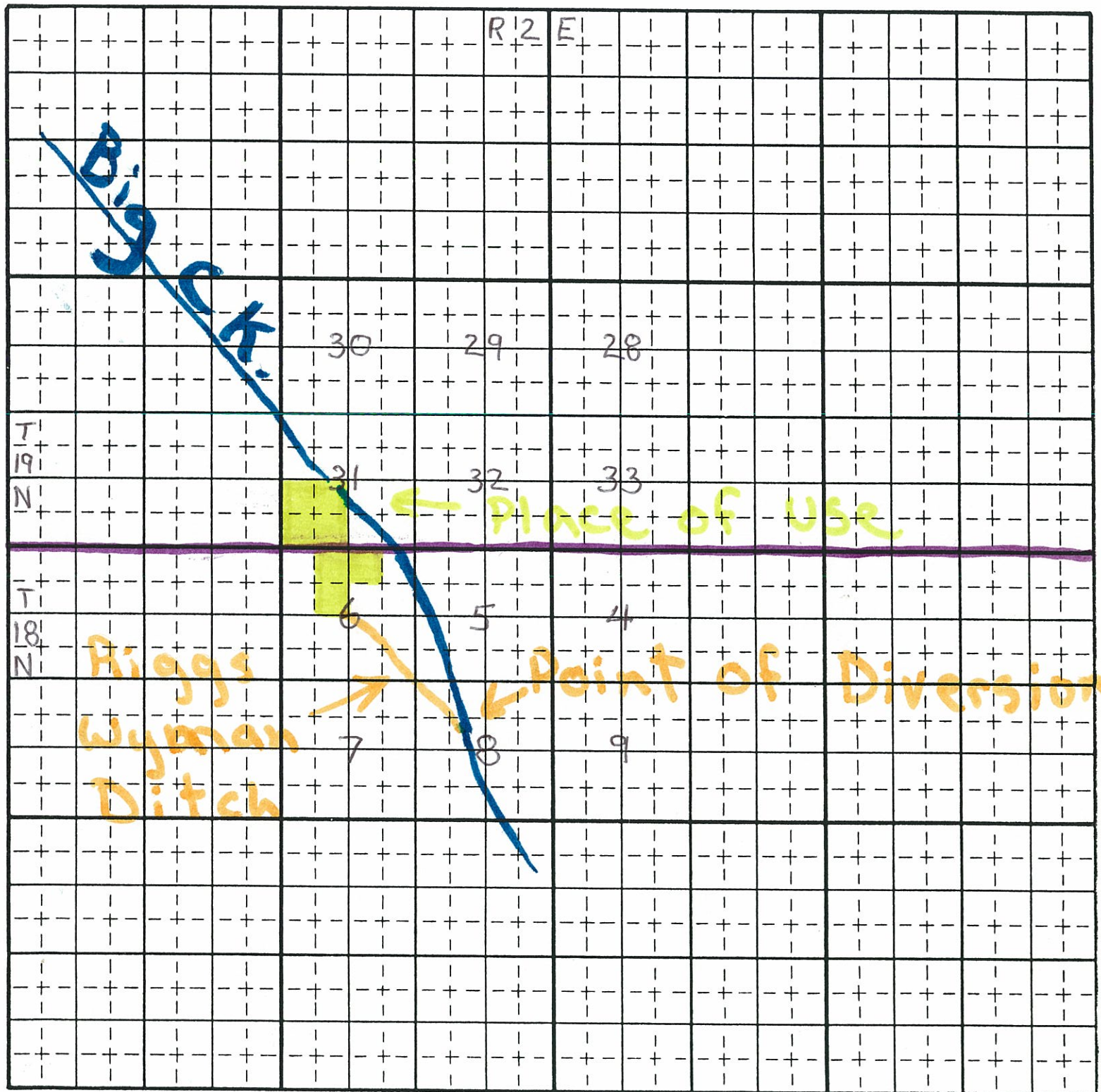
Last Name DeMoss Ident No. 78-0136

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Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name DeMoss

Ident No. 78-0136

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Copies: White-State, Yellow-Claimant
OCT 05 1992

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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 X do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am a partner _____
Title

of Demoss & Sons _____, that I have signed the foregoing
Organization

document in the space below as a partner _____ of Demoss & Sons _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Craig A. Demoss _____

Title and Organization a partner of Demoss & Sons Date June 8, 1988

State of Idaho/or Idaho)
County of Washington) SS.

Subscribed and sworn (or affirmed) before me this 8th day of June 19 88

SEAL

Notary Public John Chenevay _____

Residing at Cambridge _____

My Commission Expires 11-8-93 _____

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Demoss Ident. Number 78-0136

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