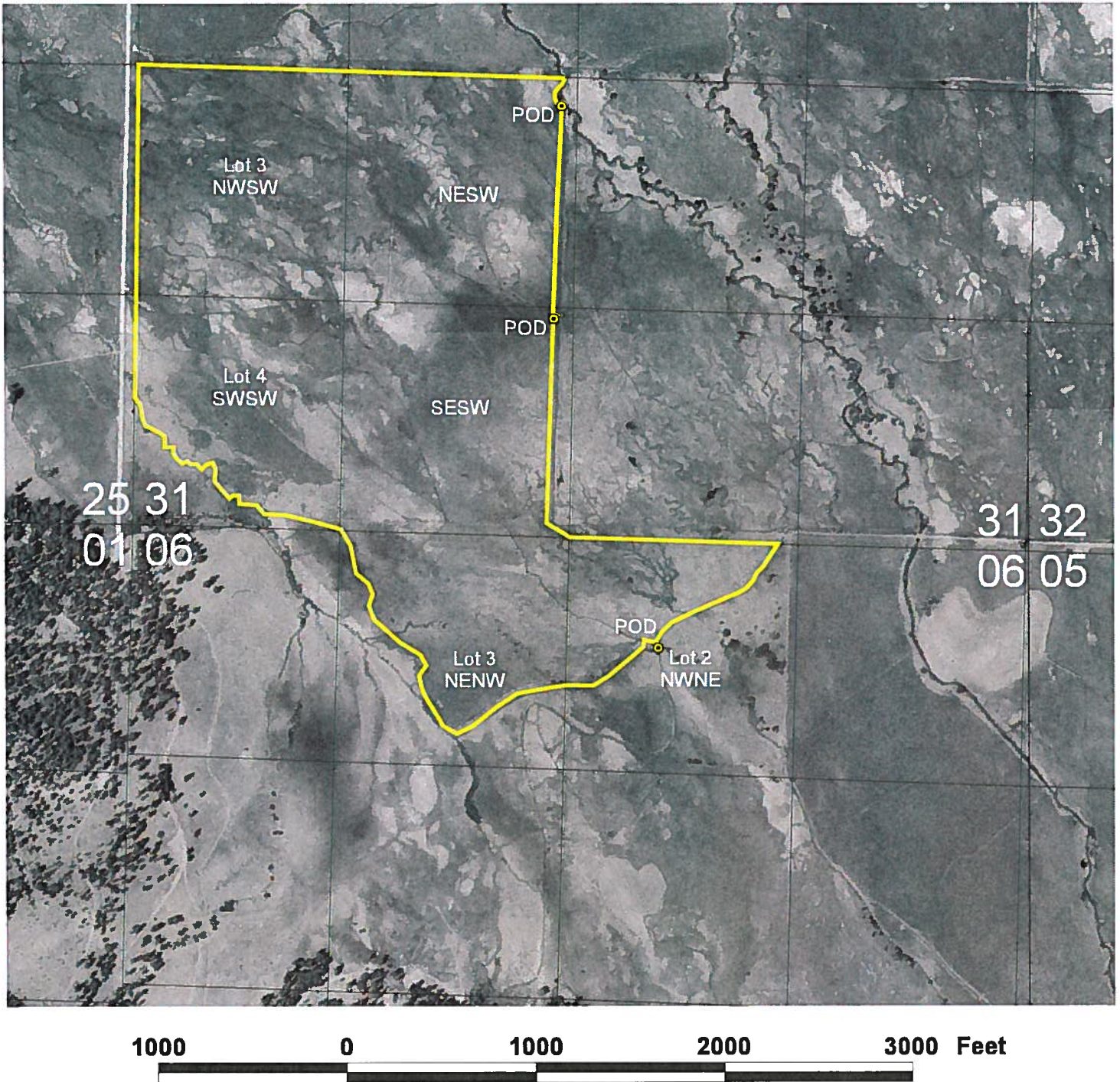


78-2060



T18N R02E S06
T19N R02E S31

Map prepared by: Carter Fritschle
Date prepared: 04/22/05
Digital Orthophotoquad - 1992 Photography
Idaho Department of Water Resources



04/28/2005

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

RIGHT NUMBER: 78-2060
NAME AND ADDRESS: DE MOSS & SONS
RT 1 BOX 102
CAMBRIDGE ID 83610
SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 3.000 CFS
525.000 AFY
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: 06/28/1956
POINT OF DIVERSION:

T18N R02E S6 NWNE Lot 2 Within ADAMS County
T19N R02E S31 NESW Within ADAMS County
T19N R02E S31 SESW 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	3.000 CFS 525.00 AFY

PLACE OF USE: IRRIGATION Within ADAMS County

T18N R02E S06 Lot 2 NWNE	14.0	T18N R02E S06 Lot 3 NENW	24.0
T19N R02E S31 NESW	37.0	T19N R02E S31 Lot 3 NWSW	36.0
T19N R02E S31 Lot 4 SWSW	28.0	T19N R02E S31 SESW	36.0

175 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: License

✓
6819
+

State of Idaho License and Certificate of Water Right

Water License No. G-26483 Amount 3.5 c.f.s.
Water District No. Priority June 28, 1956

THIS IS TO CERTIFY that MARSHALL and HOWARD DRYDEN
of Meadows, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated June 28, 1956; that Permit No. G-26483
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.5 second feet, was issued thereunder on November 13, 1959, showing that said works
were completed on the 16 day of December, 1958; and that on the 16
day of December, 1958, MARSHALL and HOWARD DRYDEN

of Meadows, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well (sub-drain)
a tributary of subterranean flow, for the purpose of irrigation
under Use Permit No. G-26483 of the Department 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 State Reclamation Engineer of Idaho and entered of record in Volume
11 of Licenses at page 6819, on the 13 day of November, 1959;
The right hereby confirmed dates from June 28, 1956;
The Point of Diversion is located NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 6, T. 18N, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31 T. 19N.,
in the $\frac{1}{4}$, Sec. 1, Tp. 11 S. R. 2 E., B. M. Adams 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 3.5 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
18 N.	2 E.	6	NW $\frac{1}{4}$ NE $\frac{1}{4}$	20	15
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	30	30
19 N.	2 E.	31	NE $\frac{1}{4}$ SW $\frac{1}{4}$	30	40
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	35	35
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	15	15
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
Total number of acres to be irrigated:					175

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 State Reclamation Engineer, affixed at Boise, Idaho, this

13 day of November, 1959.

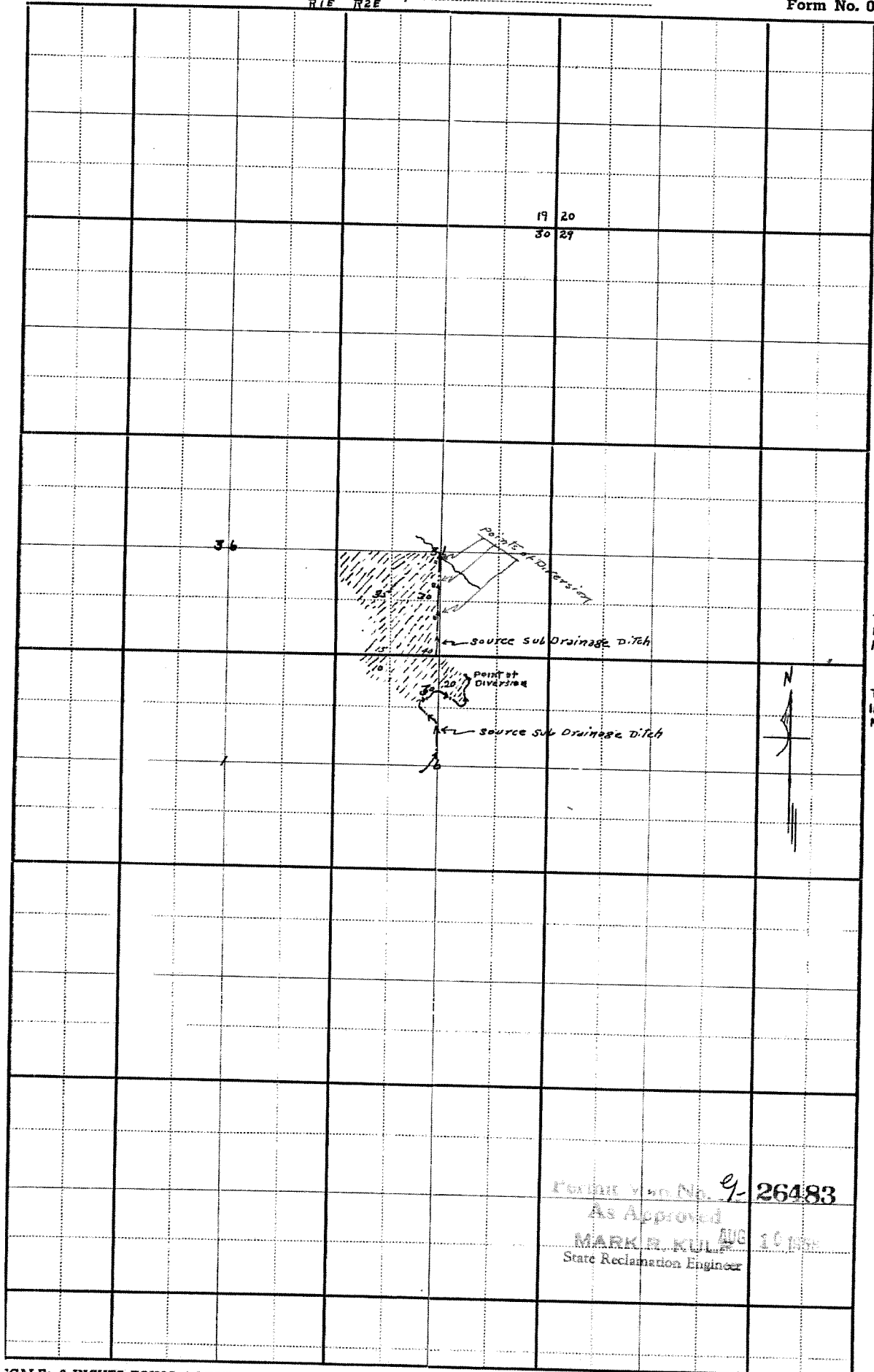
/s/ GEO. N. CARTER
State Reclamation Engineer.

(SEAL)

78 2060

NAME OF APPLICANT Marshall Howard Dryden
R1E R2E

Form No. 0



SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK.

26483

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. G-26483This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant: Howard & Marshall Dryden
2. Source of water supply: Subterranean flow from a well (Sub drain)
3. Location of point of diversion: Is in the NW¹NE¹ of Section 6,
18 N., 2 E. of Section 31,
T. 19 N., R. 2 E. County of Adams

4. Describe works as they exist, giving dimensions and capacities of same: *There are two independently constructed drains indicated by red line. One drains into regular ditch from Big Creek. The north or lower drain is entirely on the E. 1/2 SW 1/4 S. 31. and empties into Big Creek on Dryden's place. This drain is blocked by two headgates and water rises and flows into irrig. ditch to west thence to fields.*

5. Water is used for: Irrigation
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 other than irrigation):

SW¹ Section 31, Township 19 North, Range 2 East, B. M.

NW¹NE¹, NE¹NW¹, NW¹NW¹ Section 6, Township 18 North, Range 2 East, B. M.

There is a short stretch of Big Creek between this and the Little Salmon River that is not adjudicated and they are beginning to contest over the water.

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

8. What large stream would the water here appropriated finally reach? _____

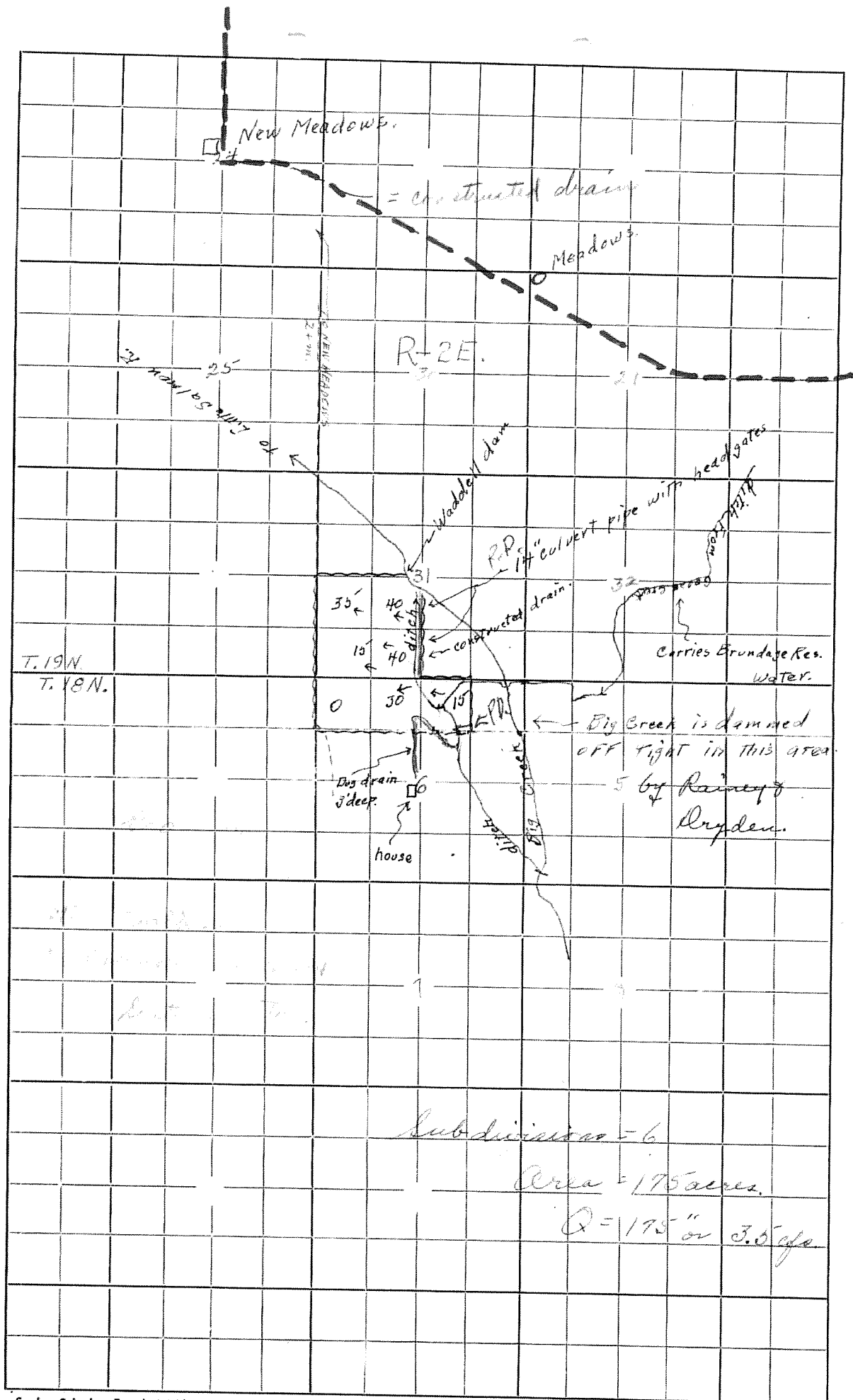
Remarks: _____

There is a small stream a day or two in the fall of the year. The water is applied to the fields.

Sec. 42-228 Idaho Code

This examination was made on the 26 day of October, 1959(Signed) E. N. Humphrey Examiner.

B26483



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

B26483

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: A78-02060
Date Received: 6/09/1988
Receipt No: W000355^{#50}
Received By: ERR

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: JUN 28, 1956

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
18N	02E	6	NW	NE			ADAMS
19N	02E	31	NE	SW			ADAMS
			SE	SW			ADAMS

5. Description of diverting works:
STEEL HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/15	09/01	3.000		

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

8. Total consumptive use is 350.0 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
Section Acres							45.0

A78-02060

Page 1

Date: 06/22/88

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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	15.0
			SE		SW		IRR	40.0

Section Acres 130.0

Total Acres 175.0

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:

15. Basis of Claim: LICENSE
Water Right Number: 26483

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 02060Date Received 6/9/88Receipt 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) 355-2367Mailing Address Rt. 1 Box 102 Cambridge, Ida Zip 836102. Date of Priority (Only one (1) per claim) June 28, 19563. Source of water supply (a) Ground water
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 18 N Range 2 E Section 6,
_____ 1/4 of NW 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of AdamsAdditional points of diversion if any: T19N, R2E, Sec. 31, NE 1/4, SW 1/4b. If instream flow, beginning point of claimed instream flow is: T19N, R2E, Sec 31, SE 1/4, SW 1/4

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,

_____ 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. Steel Headgates

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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 3.0 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 2 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	
18 N	2 E	6		15			30												45
19 N	2 E	31									40	35	15	40					130

Total number of acres irrigated 175

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 Resv. - 4 cfs flood water, Goose CK or None ()

1.28 cfs Big CK. - 1.5 cfs Big CK

14. Remarks:

78-0135 ; 78-0136 ; 78-2060

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OCT 05 1992

Last Name DeMoss

Ident No. 78-2060

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

[illegible]

OCT 05 1992

DeMoss

Ident No.

78-2060

Copies: White-State, Yellow-Claimant

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

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 _____

MICROFILMED

OCT 05 1992

Last Name Demoss Ident. Number 78-2060

Copies White-State, Yellow-Claimant