

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: A63-20880
Date Received: 2/12/1990
Receipt No: MO05244
Received By: J PC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RYLIE J. MOORE 208-459-8416
Address: P.O. BOX 281
CALDWELL, ID 83606

AND/OR

Name: CARLOYN N. MOORE 208-459-8416
Address: P.O. BOX 281
CALDWELL, ID 83606

2. Date of Priority: JAN 01, 1930

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	03W	21	NW	NE	NW		CANYON

5. Description of diverting works:
172' DEEP 4" CASING WITH A 1HP. MOTOR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
INDUSTRIAL	01/01	12/31	0.040		
DOMESTIC	01/01	12/31	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
I/ MEAT PACKING PLANT, D/ 2 TRAILERS.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	03W	21	NE	NW		DOMEST	
			NE	NW		INDUST	

11. Place of use in counties: FREMONT

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

13. Other Water Rights Used:
YES

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

MICROFILMED
SEP 03 1992

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): Rylin G Moore Date: 2-12-1990

Date: _____

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 12 day
of Feb 19 90

John D. Carlson
Notary Public

Seal

Residing at Boise Id
My Commission Expires 4/2/94

MICROFILMED
SEP 03 1992

4w 3w 21 NW NE NW



06/09/2006

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

RIGHT NUMBER: 63-20880

NAME AND ADDRESS: CARLOYN N MOORE
PO BOX 281
CALDWELL ID 83606

RYLIE J MOORE
PO BOX 281
CALDWELL ID 83606

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.030 CFS

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

PRIORITY DATE: 01/01/1930

POINT OF DIVERSION:

T04N R03W S21 NWNENW Lot 2 Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.030 CFS

Domestic use is for 2 trailers and does not include lawn, garden, landscape, or other types of irrigation.

PLACE OF USE: DOMESTIC Within FREMONT County

T04N R03W S21 Lot 2 NENW

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

The quantity of water decreed for this water right 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 - Beneficial Use

PARCEL NO: a portion of R3507400000.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-20880

WATER RIGHT NUMBER: 63-20880

Owner Type

Current Owner

Name and AddressCARLOYN N MOORE ✓
PO BOX 281
CALDWELL, ID 83606
(208)459-8416

Current Owner

RYLIE J MOORE ✓
PO BOX 281
CALDWELL, ID 83606
(208)459-8416

Priority Date: 01/01/1930 ✓

Basis: Beneficial Use ✓

Status: Active

Source

GROUND WATER ✓

TributaryBeneficial Use

DOMESTIC ✓

From To

1/01 to 12/31 ✓

Diversion Rate

0.030 CFS ✓

Annual Volume~~INDUSTRIAL~~ ✓

1/01 to 12/31 ✓

0.040 CFS ✓

REMOVE

Total Diversion:~~0.040 CFS~~ ✓

0.03 cfs

Location of Point(s) of Diversion

GROUND WATER

CANYON County ✓

NW1/4NE1/4NW1/4 ✓

Sec. 21, Twp 04N, Rge 03W, B.M. ✓

ADD: Govt. lot 2Place of Use

DOMESTIC ✓

Twp Rge Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
✓ 04N 03W 21					X												

L2

~~INDUSTRIAL~~ ✓

Twp Rge Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
✓ 04N 03W 21					X												

ADD WB5 - Domestic use is for 2 trailers and does not include irrigation of lawn and garden.

ADD N11 & N13

Parcel No: R3507400000. (31.4 - 31.9 AC)

(in-office review)

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION FIELD REPORT**

Prior to Field Exam

- ☒ Copy of Claim, claim has been signed, sealed, and dated by notary?
- ☒ Check fees paid \$54.⁰⁰
- ☐ Well logs (if needed)
- ☒ Copy of topo or NAPP
- ☒ Check of Govt. Lots, if needed, Govt. Plat/Tax lot information Govt. lot 2
- ☒ Check POD & POU overlap, see below – include overlapping right for exam
- ☐ Evidence of Priority – if none, talk with claimant

CLAIMANT INFORMATION – verify contact information is completeClaim No(s) A63-20880Owner: Carolyn & Rylie Moore Phone No. 459-8416Current Address: P.O. Box 281, Caldwell 83606

- ☒ No change NAME IS THE SAME
- ☐ NEW OWNER (+) W.F. Johnston
- ☒ No change Address
- ☐ NEW ADDRESS _____
- ☐ How long owned property? _____

Accompanied by: N/A**PRIORITY DATE**

- ☒ No change – Complete evidence submitted or not necessary
- ☐ Incomplete – Claimant should be asked when water was first used and submit proof of date.
- ☒ Priority date is acceptable/within mandatory filing dates?

Priority date, per claimant, is: 01/01/1930

(If priority date, based on your exam, seems questionable, explain below.)

A letter requesting evidence of priority was sent to the correct address on 3/29/06 and was not returned. Evidence was due on 4/19/06 and, as of this date, nothing has been received.

Source: Ground Water Tributary to _____

- ☒ No Change – SAME SOURCE
- ☐ Source found is different than claimed: _____

POINT OF DIVERSION

- ☐ No change
- ☒ POD found is different than claimed: ADD: Government lot 2
- ☐ If different, when did POD change? _____

DIVERSION AND DELIVERY SYSTEM

Points of Diversion:

ID #	Govt Lot #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks GPS ID
	2								

Description of diverting works

172' well, 4" casing, 1HP pump

OVERLAP REVIEW

Other water rights with the same point of diversion: 63-20885

Does overlap add acres or uses to existing system, increase rate of flow or volume, or other? Explain:

no overlap - different POD (pond)

WATER USES☐ No change☐ Different Uses

Use Domestic From _____ To _____ Amount 0.03 CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

Use _____ From _____ To _____ Amount _____ CFS _____ AFA

TOTAL VOLUME - Groundwater only

ADD N11 & N13 Conditions

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA☒ Changes found, the new total is, Amount 0.03 CFS _____ AFA☐ More than 1" per Acre? Yes _____ (claimant must complete excess flow sheet)**NON-IRRIGATION USES:**

REMOVE INDUSTRIAL USE

☐ No change☒ Changes Exam found: Domestic # of homes 2 trailers Stock # _____

ADD WR5 -

Types _____ Additional comments: Domestic use is for 2 trailers and does not include irrigation of lawn & garden (internal only)

PLACE OF USE:☐ No Change☒ Changes shown below:

ADD: Govt. lot 2

Place of Use			NE				NW				SW				SE				Totals
TWP	RGE	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4 N	3W	21																	

Overlap with other water rights: 63-20885

Does overlap increase rate of flow, volume, additional acres, different source for same acres? Explain:

no overlap - #63-20885 domestic use is for lawn and garden only

Delivery System Narrative: (unknown)

Well or Diversion Identification No GPS ID	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge size

FLOW MEASUREMENTS: N/A

Attach appropriate documents

NARRATIVE/REMARKS/COMMENTS

JUSTIFICATION FOR REMOVAL of INDUSTRIAL USE -

Evidence of priority was due on 4/10/06 and, as of this date, nothing has been received. The address: P.O. Box 281 is correct and nothing was returned, so I am assuming that the letter requesting evidence of priority was received. Therefore, I am recommending internal domestic use for 2 trailers only, due to lack of evidence.

AFTER EXAM THE FILE SHOULD CONTAIN:

- ☒ Completed claim checklist
- ☐ Photographs of POD's and POU
- ☐ GPS readings
- ☒ Completed map and or GIS layout showing POD's and POU

DATE EXAM CONDUCTED: 6.9.06 (in-office review)

FIELD EXAMINER: Kimberly Brown

REAL PROPERTY INQUIRY

+++++

01 6R35074-000- -0 126-00	G SCH132+	05	600	18.40
		10	24,800	1.00
JOHNSTON, W F		13	20,000	2.00
& MOORE, RYLIE J		19		10.01
& MOORE, CAROLYN A H/W @@		35	62,100	

PO BOX 281

CALDWELL ID 83606

Matches
name &
address
on claim

+++++

21-4N-3W NW	+ TOTAL	107,500	31.41
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LT 2 LESS TX 47,49,54 & 105

+++++

& LESS ST

+ SURVEY INST 9313303

+ DRAIN DR VALUE APPR JRC

+ CLASS CM REAP 00 MAN 99 UNIT 0

JOHNSON LN, CA

+ PARCEL 6R04N03W212500 H/O N C/B N

+ PRIOR ACCOUNT 5R35074-000- -0

+ 02 MH on Property YES

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+++++
+
+ MANUFACTURED HOUSING INQUIRY +
+
+++++
+ 01 6T71129-000- -0 126-00 FIRE- FLOOD-G APPR TAM CLASS R2 REAP 00 DECL N +
+
+++++
+ NAMES AND MAILING ADDRESS + DESCRIPTION +
+ MOORE, RYLIE J + R35074-000- -0 SECTION 21-4N-3W NW +
+
+ SPACE LOT BLOCK +
+ COLUMBIA (14 X 52) ( X )+
+ GBU1456359294 +
+ PO BOX 281 + COLUM-69-14-M2O TITLE +
+ CALDWELL ID 83606 +
+
+++++ VALUES +
+ SITE JOHNSON LN CA +
+ 46 2,000 +
+ STATUS- COMB N TRAN N DEL N PPD N +
+ PRIOR ACCOUNT 5T71129-000- -0 +
+ PARCEL 6T4N3W21R71129 +
+ H/O N C/B N SCH 132 +
+ 02 TRAITS INQUIRY + TOTAL 2,000 +

```

4N 3W

9.35

30.70

26.80

N. 89° 41' E

79.64

S. 89° 30' W

80.00

80.00

80.40

Sec. 21

Sec. 22

Sec. 23

Sec. 24

NORTH

NORTH

NORTH

NORTH

CANE

Caldwell

N. 89° 45' E

80.50

S. 89° 44' W

79.90

S. 89° 46' W

80.16

S. 89° 29' W

79.82

Sec. 28

Sec. 27

Sec. 26

Sec. 25

NORTH

NORTH

NORTH

NORTH

S. 89° 49' W

80.00

S. 89° 33' W

80.00

S. 89° 37' W

80.16

S. 89° 26' W

80.12

Sec. 33

Sec. 34

Sec. 35

Sec. 36

NORTH

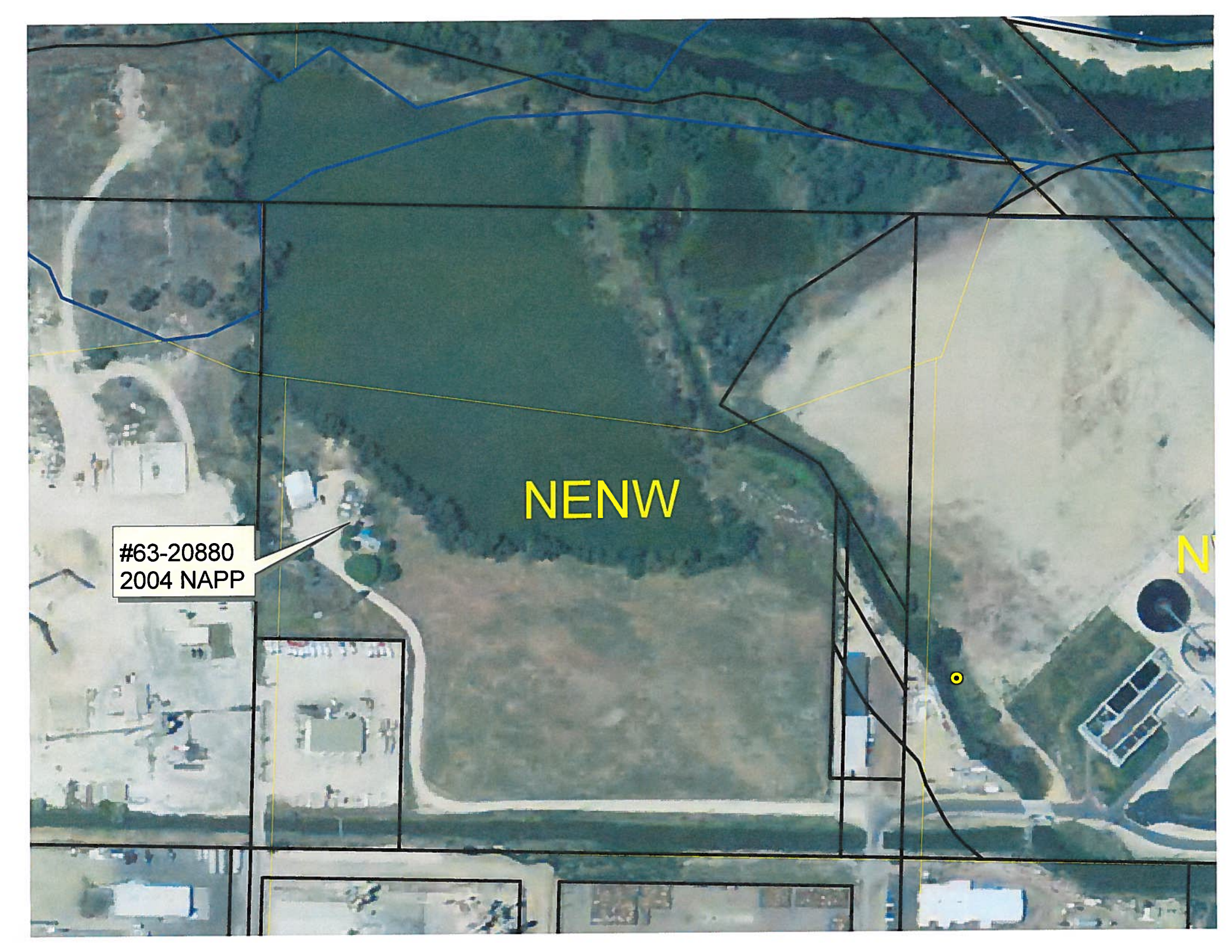
NORTH

NORTH

NORTH

S. 89° 37' W

$$\begin{array}{l} L \\ L \end{array}$$

An aerial photograph of a rural or semi-rural area. The image is overlaid with black lines representing property boundaries. A large, irregularly shaped green field is the central focus. To the left of this field, there is a smaller, more developed area with buildings and parking lots. A yellow line runs diagonally across the upper part of the image. A blue line runs horizontally across the top. A yellow circle is located on the right side of the image, near a road. The text 'NENW' is written in large yellow letters in the center of the green field. A callout box on the left contains the text '#63-20880' and '2004 NAPP'.

NENW

#63-20880
2004 NAPP

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-20880

03/23/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
~~20880~~	~~Claim~~	~~04N~~	~~03W~~	~~21~~	~~NE~~	~~NW~~		~~INDUSTRIAL~~		~~CARLOYN N MOORE~~
~~20880~~	~~Claim~~	~~04N~~	~~03W~~	~~21~~	~~NE~~	~~NW~~		~~DOMESTIC~~		~~CARLOYN N MOORE~~
20885	Water Right	04N	03W	21	NE	NW		DOMESTIC		CARLOYN N MOORE

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-20885

WATER RIGHT NUMBER: 63-20885

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CARLOYN N MOORE PO BOX 281 CALDWELL, ID 83606 (208)459-8416
Current Owner	RYLIE J MOORE PO BOX 281 CALDWELL, ID 83606 (208)459-8416

*no overlap - from pond
for lawn & garden
only*

Priority Date: 01/01/1945

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
POND	BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	3/15 to 10/15	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

POND	SW1/4NE1/4NW1/4	Sec. 21, Twp 04N, Rge 03W, B.M.
CANYON County		

Place of Use

DOMESTIC

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	03W	21					X												

Conditions of Approval:

1. 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.
2. DOMESTIC USE FOR LAWN & GARDEN.
3. PARCEL NO. R 04N03W212500
4. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Page 2

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-20885

5. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

Comments:

Water Supply Bank:

Receipt Details for ID M005844

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
2/12/1990 3:01:21 PM	2/12/1990	Mobile	\$79.00	Check
Payer	JOHNSTON BROTHERS, MOORE			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
2064			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$79.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	20885		\$25.00	Claim
63	20880		\$54.00	Claim

Print Report



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

March 29, 2006

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

CAROLYN & RYLIE MOORE
PO BOX 281
CALDWELL ID 83606

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-20880

Dear Claimants,

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a computer generated print-out of the claim(s) for your reference only, it is not necessary to return this print-out. You indicated, when this claim was filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled. **"What Kind of Evidence is Required"** and **"Some Examples of Documents Which May Be Evidence of the Priority Date."**

It is important that each element of the Notice of Claim be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future.

The required evidence supporting the priority date(s) requested needs to be submitted by April 19, 2006. Please let me know if you may not be able to submit proof of priority or have any questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

In addition, since it is our goal to decree the historical water right within the Snake River Basin as accurately as possible, field exams are now being conducted by Department water resource agents to verify claims in this area. In the near future, you will be receiving a call from us in order to set-up an appointment for a field exam.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

Respectfully Submitted,

Kimberly Brown

Kimberly Brown
Water Resource Agent
Adjudication Bureau

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Enclosure: "Evidence of Priority" pamphlet
Notice of Claim A63-20880

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.



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

March 29, 2006

CAROLYN & RYLIE MOORE
PO BOX 281
CALDWELL ID 83606

RE: Industrial use for Snake River Basin Adjudication claims 63-20880

To Whom It May Concern,

The Idaho Department of Water Resources is currently reviewing the claim to a water right you filed during claims taking in the Snake River Basin Adjudication (SRBA). During the initial review of this claim, we found that you claimed a commercial use that requires a volume amount be included in our recommendation to the SRBA Court (please refer to the enclosed copy of your adjudication claim report: under Annual Volume). In order for us to calculate your annual volume, it is necessary that we ask for additional information not gathered when you, or the original claimant, filed this water right.

Please refer to the Industrial Use Volume sheet (enclosed), answer the appropriate questions as specifically as possible, and return it to this office by April 19, 2006 so that we are able to calculate the annual volume associated with your water right; as required by the SRBA Court.

This review of your claim, in addition to the submittal of our recommendation to the SRBA Court, will result in a decreed right for your property. This water right then remains with the land as long as it is being used. We will give you the opportunity to review our recommendation and provide feedback, if necessary, prior to its submittal to the SRBA Court.

Please feel free to contact me at 334-2190 if you have any questions.

Respectfully submitted,

A handwritten signature in cursive script that reads 'Kimberly Brown'.

Kimberly Brown
Water Resource Agent

Enclosures