

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: **A43-02342**  
Date Received: 6/ 1/1989  
Receipt No: S007431  
Received By: \_\_\_\_\_

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

1. Name: DANIEL D MOSS 208-654-2848  
Address: RT 1 BOX 105  
DECLO ID 83323

Name: JANN MOSS 208-654-2848  
Address: RT 1 BOX 105  
DECLO ID 83323

2. Date of Priority: APR 24, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 11S      | 26E   | 10      | NW     | SE     |     |     | CASSIA |

5. Description of diverting works:  
356' WELL, SPRINKLERS

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 6.100 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 11S      | 26E   | 10      | NE     | NE  |     | IRR | 35.0  |

10. Place of Use: Continued

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|-----|----|-----|-----|-----|-------|
| 11S      | 26E   | 10      | NW  |    | NE  |     | IRR | 35.0  |
|          |       |         | SW  |    | NE  |     | IRR | 40.0  |
|          |       |         | SE  |    | NE  |     | IRR | 40.0  |
|          |       |         | NE  |    | SE  |     | IRR | 40.0  |
|          |       |         | NW  |    | SE  |     | IRR | 40.0  |
|          |       |         | SW  |    | SE  |     | IRR | 40.0  |
|          |       |         | SE  |    | SE  |     | IRR | 40.0  |

Section Acres 310.0

Total Acres 310.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:  
NONE

14. Remarks:

TRANS. 1892 DENIED, 9-8-1975.

\*\*\*\*\*

OWNERSHIP CHANGE 7/5/94 BY JG.

15. Basis of Claim: LICENSE

Water Right Number: 21470

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 \_\_\_\_\_

DATE: 05/09/97  
PAGE: 1

DIVERSION  
VOLUME

## 6.10 CFS

**Stage: LICENSE**

**CASSIA County**

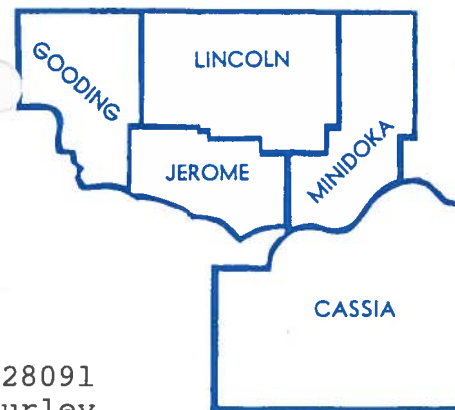
SE

|   |             |      |      |      |
|---|-------------|------|------|------|
| : | NESE        | NWSE | SWSE | SESE |
| : | Lt          | Ac   | Lt   | Ac   |
| : | ---         | ---  | ---  | ---  |
| : | 40          | 40   | 40   | 40   |
| : | TOTAL ACRES |      |      |      |

| Audit: | 06/01/89 | WHITE | 07/05/94 | GIVENS | 03/30/95 | POST-STD |
|--------|----------|-------|----------|--------|----------|----------|
|--------|----------|-------|----------|--------|----------|----------|

# Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: #28091  
OFFICE: Burley

May 8, 1997

RECEIVED

MAY 09 1997

Idaho Dept. of Water Resources  
Southern Region  
1341 Fillmore St., Suite 200  
Twin Falls, Idaho 83301-3308

Department of Water Resources  
Southern Region

Dear Clerk:

Enclosed please find a letter from Mr. Jack H. Robison concerning the Moss transaction and an original executed Notice of Change of Water Right Ownership.

Please make the necessary changes in your records to indicate the new owners for future water assessment notices and return a receipted copy to this office.

Should you have any questions concerning this letter, please do not hesitate to contact this office.

Very truly yours,  
LAND TITLE AND ESCROW, INC.

A handwritten signature in blue ink that reads "Nancy Garrett". The signature is written in a cursive style.

Nancy Garrett  
Reconveyance Department

/nrg  
enc.  
Certified Mail

BOX 177, BURLEY, IDAHO 83318  
PHONE 678-3524 - FAX 678-4435

BOX 349, JEROME, IDAHO 83338  
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330  
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350  
PHONE 436-0808 - FAX 436-1199

LAW OFFICES  
**JONES, CHARTERED**  
415 SOUTH ARTHUR  
P.O. BOX 967  
POCATELLO, IDAHO 83204-0967

LAMONT JONES  
JACK H. ROBISON  
THOMAS J. HOLMES  
JESSE C. ROBISON  
M. THOMAS JOLLEY

TELEPHONE: (208) 232-5911  
FAX: (208) 232-5962  
E-MAIL: joneslaw@poky.srv.net

May 5, 1997

RECEIVED  
MAY 09 1997  
Department of Water Resources  
Southern Region

IDAHO DEPARTMENT OF WATER RESOURCES  
Southern Region  
1341 Fillmore St., Suite 200  
Twin Falls, ID 83301-3380  
ATTN: Frank Hitchcock

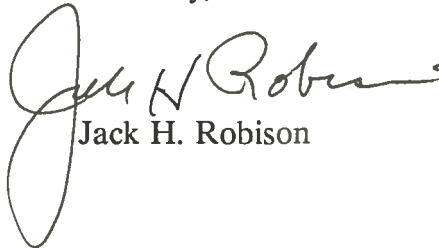
Re: Adjudication Claim # A43-02342

Dear Mr. Hitchcock:

Mr. Kelly Christensen suggested we direct the enclosed Notice of Change to you to determine if an aerial photo need also be submitted of the Endow property and water rights which have been acquired by Mr. and Mrs. Daniel D. Moss.

Mr. and Mrs. Moss also are owners of Adjudication License Numbers A43-02576C, A43-04014C, A43-04014E, A43-04012A and A43-04013A though your department records presently reflect the license owners to be Raft River Ranches, Inc. Mr. Christensen advised us that your department records will be changed to reflect the ownership of all the foregoing licenses (including A43-02342) once a district court decree confirms the pending adjudication claims in Mr. and Mrs. Moss.

Sincerely,

  
Jack H. Robison

JHR:em  
Enclosure

RECEIVED

MAY 09 1997

STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCES **Department of Water Resources**  
**Southern Region**

## NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.  
Incomplete forms will be returned.

1. Water Right No(s): \_\_\_\_\_  
Adjudication Claim No(s): A43-02342
2. The following REQUIRED information must be submitted with this form:
  - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.  
AND
  - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed on file with the county.)  
OR
  - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIA PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Seiji Endow and Masako M. Endow, aka Masako Endow  
Star Route, Box 12, Declo, ID 83323
4. New Owner/Claimant(s) Daniel D. and Jann Moss  
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or  
New Mailing Address Route 1, Box 105  
City, State and ZIP Code Declo, ID 83323  
New Telephone Number (208) 654-2848
5. Date you acquired the property March 21, 1991
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the space below. If necessary, attach additional pages.  
Number of acres you irrigate \_\_\_\_\_ Number and type of stock \_\_\_\_\_  
Diversion rate in CFS \_\_\_\_\_ Number of homes \_\_\_\_\_ Other uses \_\_\_\_\_  
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s)   
  
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign for)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

214742

## WARRANTY DEED

For Value Received

SEIJI ENDOW and MASAKO M. ENDOW, also known as Masako Endow, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

DANIEL D. MOSS and JANN MOSS, husband and wife

Address: Rt. 1 Box 105, Declo, Idaho 83323

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

TOWNSHIP 11 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 10: E4, EXCEPTING THEREFROM that portion deeded to the State of Idaho for highway purposes.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.

SUBJECT TO:

All reservations in Patents or Deeds in the chain of title.

Taxes for 1991 and subsequent years.

Agreement for Purchase of Power between Raft River Rural Electric Cooperative, Inc., the Seller, and Tim Matthews and Ruth Matthews, as Consumer, dated May 3, 1955 and recorded August 5, 1955 as Instrument No. 187063 in Book 9 of B.S.A. on Page 73, records of Cassia County, Idaho.

Right-of-Way Deed from John D. Matthews and Nelda Matthews, husband and wife, to Raft River Highway District, a quasi municipal corporation, dated November 15, 1959 and recorded June 19, 1964 as Instrument No. 19192 on Film No. 28 in the office of the County Recorder of the County of Cassia, State of Idaho.

Conditions and restrictions contained in Warranty Deed from Seiji Endow and Masako Endow, husband and wife, to the State of Idaho, dated January 8, 1965 and recorded March 30, 1965 as Instrument No. 23321 on Film No. 33, records of Cassia County, Idaho.

-CONTINUED-

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: March 12, 1991

*Seiji Endow*  
SEIJI ENDOW

*Masako Endow*  
MASAKO M. ENDOW, a/k/a MASAKO ENDOW

STATE OF IDAHO, COUNTY OF Cassia

On this 12<sup>th</sup> day of March, 1991,  
before me, a notary public in and for said State, personally appeared

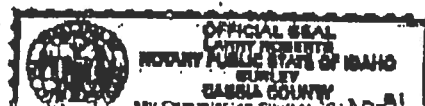
SEIJI ENDOW and MASAKO M. ENDOW,  
a/k/a MASAKO ENDOW

known to me to be the persons whose names are  
subscribed to the within instrument, and acknowledged  
to me that they executed the same.

RECEIVED

MAY 09 1997

Department of Water Resources  
Southern Region



5. Place of Use: Continued

| Township      | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|---------------|-------|---------|------------|-----|-----|-------|
| 11S           | 26E   | 10      | NE         | SE  | IRR | 40.0  |
|               |       |         | NW         | SE  | IRR | 40.0  |
|               |       |         | SW         | SE  | IRR | 40.0  |
|               |       |         | SW         | SE  | IRR | 40.0  |
| Section Acres |       |         |            |     |     | 310.0 |
| Total Acres   |       |         |            |     |     | 310.0 |

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:  
NONE

14. Remarks:  
TRANS. 1892 DENIED, 9-8-1975.

15. Basis of Claim: LICENSE  
Water Right Number: 21470

RECEIVED

MAR 08 1993

Department of Water Resources  
Southern Region Office

*apparently data entry error,  
chg of ownership involved,  
need to change to SESE 40 Acres,  
Kelly*

STATE

(Menu



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

# RECEIVED

Please print or type  
(see instructions on back of page)

MAR 08 1993

DATE OF CLOSING: 3/12/91

Department of Water Resources  
Southern Region Office

LEGAL DESCRIPTION OF PROPERTY: Township 11 S Range 26 E  
Section 10, E 1/2 1/4 of 1/4 of 1/4 Govt. Lot       , BM.  
Lot       , Block       , Subdivision/Townsite       .  
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)  
Assigned by IDWR:

A 43-02342

☐ Name and Address of Former  
Owner/Claimant(s)(Seller):

SEIJI ENDOW

Star Route Box 12

Declo Id 83323

☐ New Owner/Claimant  
(Purchaser):

Daniel D Moss and/or JANN Moss

☐ New Mailing Address:

Rt 1 Box 105

Declo Id 83323

☐ New Telephone Number:

208 1654-2848

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes Xno  
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of  
ownership, describe  
proof attached:

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New  
Owner/Claimant(s)

Daniel D Moss

Date 2/18/93

Jann Moss

Date 2/18/93

☒ Signature of Former  
Owner/Claimant(s):

Seiji Endow

Date 3/3/93

Date       

(Signature of former claimant(s) is not required if proof of ownership is attached.)

## FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 7/5/94 By: SG

Further Action Needed:

Further Action Taken

Date:        By:       

Final Review and Data-Entry

Date: 7/5/94 By: SG

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources  
Copies to Former Owner and New Owner

Water Right Number - R43-02342

Prefix Translation:

RESEARCH

Old (D) Number - 21470

+ - - - - Last Name - - - - + + - First Name - - - + + - - - - - Address - - - - - +

\*\*\* C - CURRENT OWNER \*\*\*  
MOSS

DANIEL D

1 - RT 1 BOX 105  
2 -  
3 -

State- ID Zip- 83323

MOSS

JANN

City- DECLO  
Phone - 208-654-2848  
1 - RT 1 BOX 105  
2 -  
3 -

State- ID Zip- 83323

\*\*\* O - ORIGINAL OWNER \*\*\*  
ENDOW

SEIJI

1 - STAR RT BOX 12  
2 -  
3 -  
City- DECLO  
Phone - 208-349-5779

State- ID Zip- 83323

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +  
D4/24/1950 17 SOUTHERN S - STATUTORY CLAIM+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +  
GROUNDWATER+ - - - - Point of Diversion - - - - - +  
TWN Rng Sec Tract Lot Rflg County  
11S 26E 10 NW SE (31) CASSIA+ - - - - Water Use - - - - - +  
Code Description Period From Period To Diversion Rate Diversion Volume  
01 - IRRIGATION 03/15 11/15 6.100+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +  
6.100 0.0+ - - - - Place of Use - - - - - +  
TWN Rng Sec Tract Lot Acres Code Description County  
11S 26E 10 NE NE 01 IRRIGATION (31) CASSIA  
11S 26E 10 NW NE 01 IRRIGATION (31) CASSIA  
11S 26E 10 SW NE 01 IRRIGATION (31) CASSIA  
11S 26E 10 SE NE 01 IRRIGATION (31) CASSIA  
11S 26E 10 NW SE 01 IRRIGATION (31) CASSIA  
11S 26E 10 SW SE 01 IRRIGATION (31) CASSIA  
11S 26E 10 SE SE 01 IRRIGATION (31) CASSIA

Water right number - R43-02342

Prefix Translation: RESEARCH

| Twn | Rng | Sec | Tract | Lot | Acres | Code | Place of Use | Description | County |
|-----|-----|-----|-------|-----|-------|------|--------------|-------------|--------|
|-----|-----|-----|-------|-----|-------|------|--------------|-------------|--------|

Total Acres: 310.0

+ - - Diversion Means - 356' WELL, SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

Remarks

TRANS. 1892 DENIED, 9-8-1975.

\*\*\*\*\*

OWNERSHIP CHANGE 7/5/94 BY JG.

|                                  |  |  |  |  |  |  |  |  |  |
|----------------------------------|--|--|--|--|--|--|--|--|--|
| No Old Water Right Numbers Found |  |  |  |  |  |  |  |  |  |
| Old Water Right Numbers          |  |  |  |  |  |  |  |  |  |

|                                  |  |  |  |  |  |  |  |  |  |
|----------------------------------|--|--|--|--|--|--|--|--|--|
| Conditions of Approval           |  |  |  |  |  |  |  |  |  |
| No Conditions of Approval found. |  |  |  |  |  |  |  |  |  |

|                  |  |  |  |  |  |  |  |  |  |
|------------------|--|--|--|--|--|--|--|--|--|
| Decree Plaintiff |  |  |  |  |  |  |  |  |  |
| Decree Defendant |  |  |  |  |  |  |  |  |  |
| Decree Date      |  |  |  |  |  |  |  |  |  |
| 00/00/0000       |  |  |  |  |  |  |  |  |  |

Date: 07/05/1994 User Id: GIVENS Subject: OWNERSHIP CHANGE

CHANGE OF OWNERSHIP RECEIVED 03/08/93 ORIGINAL OWNER SEJI ENDOW NEW OWNERS DANIEL D OR JANN MOSS. ORIGINAL OWNER SIGNED FORM.

+ - - Audit Fields - - +

07/05/94 GIVENS

| Adjudication Rights Dates and Flags Area |              |                       |              |                         |         |  |  |  |  |
|------------------------------------------|--------------|-----------------------|--------------|-------------------------|---------|--|--|--|--|
| Court Report Filing                      | - 00/00/0000 | Field Inspection Made | - 00/00/0000 | Civil Case Number       | - 39576 |  |  |  |  |
| Objection Filed Date                     | - 00/00/0000 | Field Inspection Flag | -            | Old Case Number         | -       |  |  |  |  |
| Response Filed Date                      | - 00/00/0000 | Verified Date         | - 00/00/0000 | Old Judicial District   | -       |  |  |  |  |
| Claim Received Date                      | - 06/01/1989 | Last Amended Date     | - 00/00/0000 | Temporary Right         | - T     |  |  |  |  |
|                                          |              | Receipt Number        | - X777777    | Water District          | -       |  |  |  |  |
|                                          |              | POU Ownership Flag    | - Y          | Federal/State Indicator | - S     |  |  |  |  |
|                                          |              | Name Connector        | -            | Presumption Flag        | -       |  |  |  |  |
|                                          |              |                       |              | Notice of Error Flag    | -       |  |  |  |  |

**Stage: STATUTORY CLAIM**

**CASSIA County**

SE

**Other Rights:** NONE

OWNERSHIP CHANGE 7/5/94 BY JG.

**Dates:**      **Exam Made Date:**      **Verified Date:**

|       |                        |                        |
|-------|------------------------|------------------------|
| Misc: | Water District Number: | Field Inspection Flag: |
|       |                        | Presumption Flag:      |



State of Idaho

## DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

05-Jul-1994 16:09

DANIEL D MOSS  
JANN MOSS  
RT 1 BOX 105  
DECLO ID 83323

RE: ADJUDICATION CLAIM(S) A43-02342 - SEIJI ENDOW

Dear Claimant(s):

Pursuant to the notification that you have purchased property with the above-referenced Adjudication Claim, we have changed the Department's record(s) as you have requested. Please review the record(s) for accuracy.

Should you have any questions, please feel free to contact me at this office.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Judy Givens'.

Judy Givens  
Adjudication Secretary

/jg  
Enclosure

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: A43-02342  
Date Received: 6/01/1989  
Receipt No: S007431  
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: SEIJI ENDOW  
Address: STAR RT BOX 12  
DECLO, ID

208-349-5779

83323

2. Date of Priority: APR 24, 1950

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 11S      | 26E   | 10      | NW     |        | SE  |     | CASSIA |

5. Description of diverting works:  
356' WELL, SPRINKLERS

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 6.100  |      |        |

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 11S      | 26E   | 10      | NE     | NE  |     | IRR | 35.0  |
|          |       |         | NW     | NE  |     | IRR | 35.0  |
|          |       |         | SW     | NE  |     | IRR | 40.0  |
|          |       |         | SE     | NE  |     | IRR | 40.0  |

A43-02342

Page 1

Date: 06/01/89

MICROFILMED

MAR 03 1993

10. Place of Use: Continued

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|----|-----|-----|---------------|-------|
| 11S      | 26E   | 10      | NE  |    | SE  |     | IRR           | 40.0  |
|          |       |         | NW  |    | SE  |     | IRR           | 40.0  |
|          |       |         | SW  |    | SE  |     | IRR           | 40.0  |
|          |       |         | SW  |    | SE  |     | IRR           | 40.0  |
|          |       |         |     |    |     |     | Section Acres | 310.0 |
|          |       |         |     |    |     |     | Total Acres   | 310.0 |

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:  
NONE

14. Remarks:  
TRANS. 1892 DENIED, 9-8-1975.

15. Basis of Claim: LICENSE  
Water Right Number: 21470

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): *Seiji Endow* Date: 6-1-89  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of sf ) SS.

Subscribed and sworn (or affirmed) before me this 1<sup>st</sup> day

of June 19 89

*Lon White*  
Notary Public

Seal

Residing at sf

My Commission Expires 5/94

VERIFIED BY 8/1/30/01  
01/30/2001

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

RIGHT NUMBER: 43-2342

NAME AND ADDRESS: DANIEL D MOSS  
2502 E 700 E  
DECLO, ID 83323  
JANN MOSS  
2502 E 700 S  
DECLO, ID 83323

SOURCE: GROUND WATER

QUANTITY: 6.1 CFS  
1240 AFY

PRIORITY DATE: 04/24/1950

POINT OF DIVERSION: T11S R26E S10 NWNWSE Within CASSIA County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u>          |
|-----------------------|----------------------|--------------------------|
| IRRIGATION            | 03-15 11-15          | 6.10 CFS<br>1,240.00 AFY |

PLACE OF USE:

| <u>IRRIGATION Within CASSIA County</u> |      |    |                       |
|----------------------------------------|------|----|-----------------------|
| T11S R26E S10                          | NENE | 36 | T11S R26E S10 NWNE 37 |
| T11S R26E S10                          | SWNE | 39 | T11S R26E S10 SENE 40 |
| T11S R26E S10                          | NESE | 40 | T11S R26E S10 NWSE 39 |
| T11S R26E S10                          | SWSE | 39 | T11S R26E S10 SESE 40 |

310 ACRES TOTAL

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

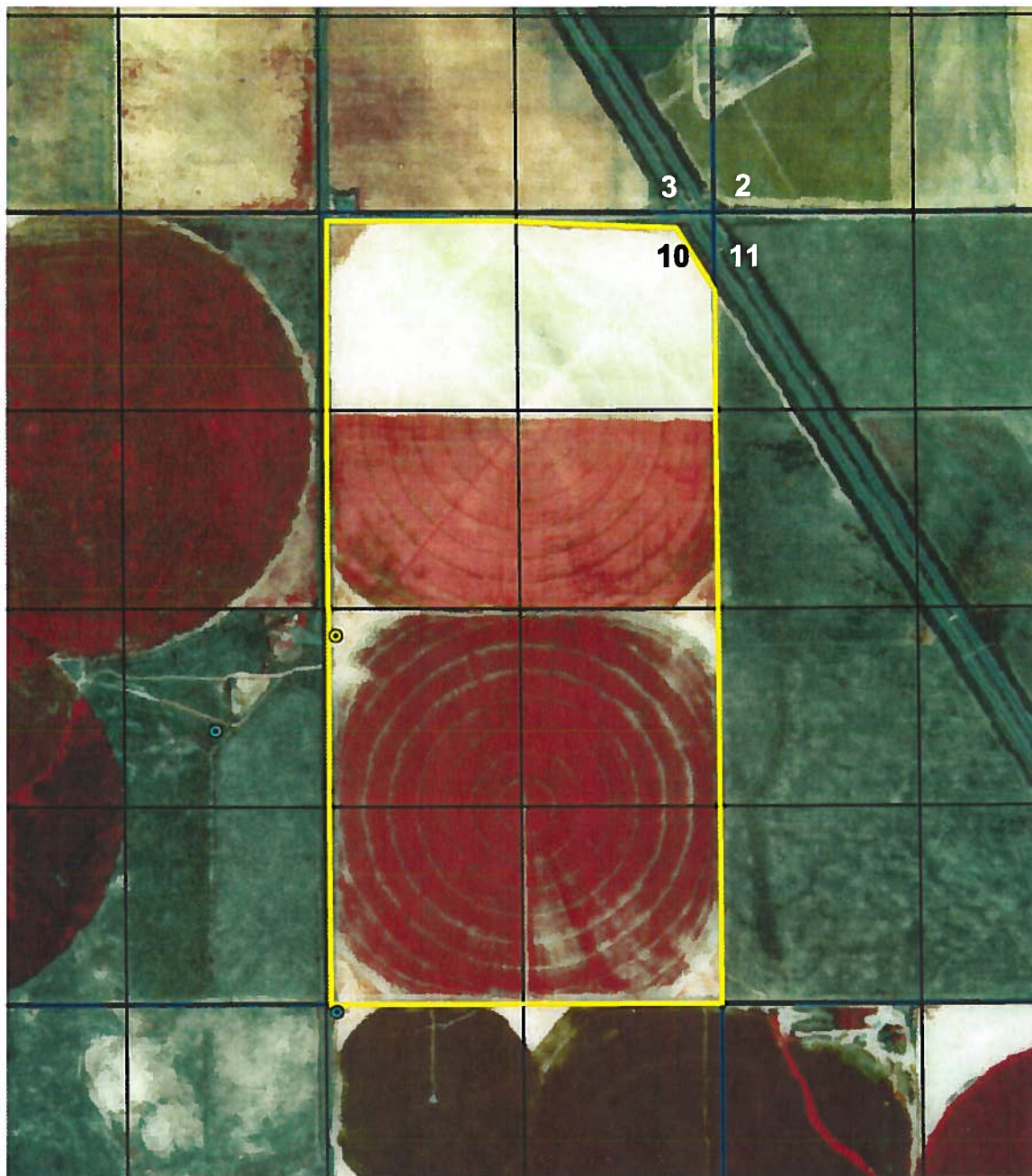
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS  
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT  
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY  
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE  
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO  
CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Water Right 43-2342

Idaho Department of Water Resources

43-02342



0 1320 2640 Feet

RECOMMENDED PLACE OF USE  
DATA ENTRY ON JAN. 30, 2001  
TWP 11S, RNG 26E, SEC. 10

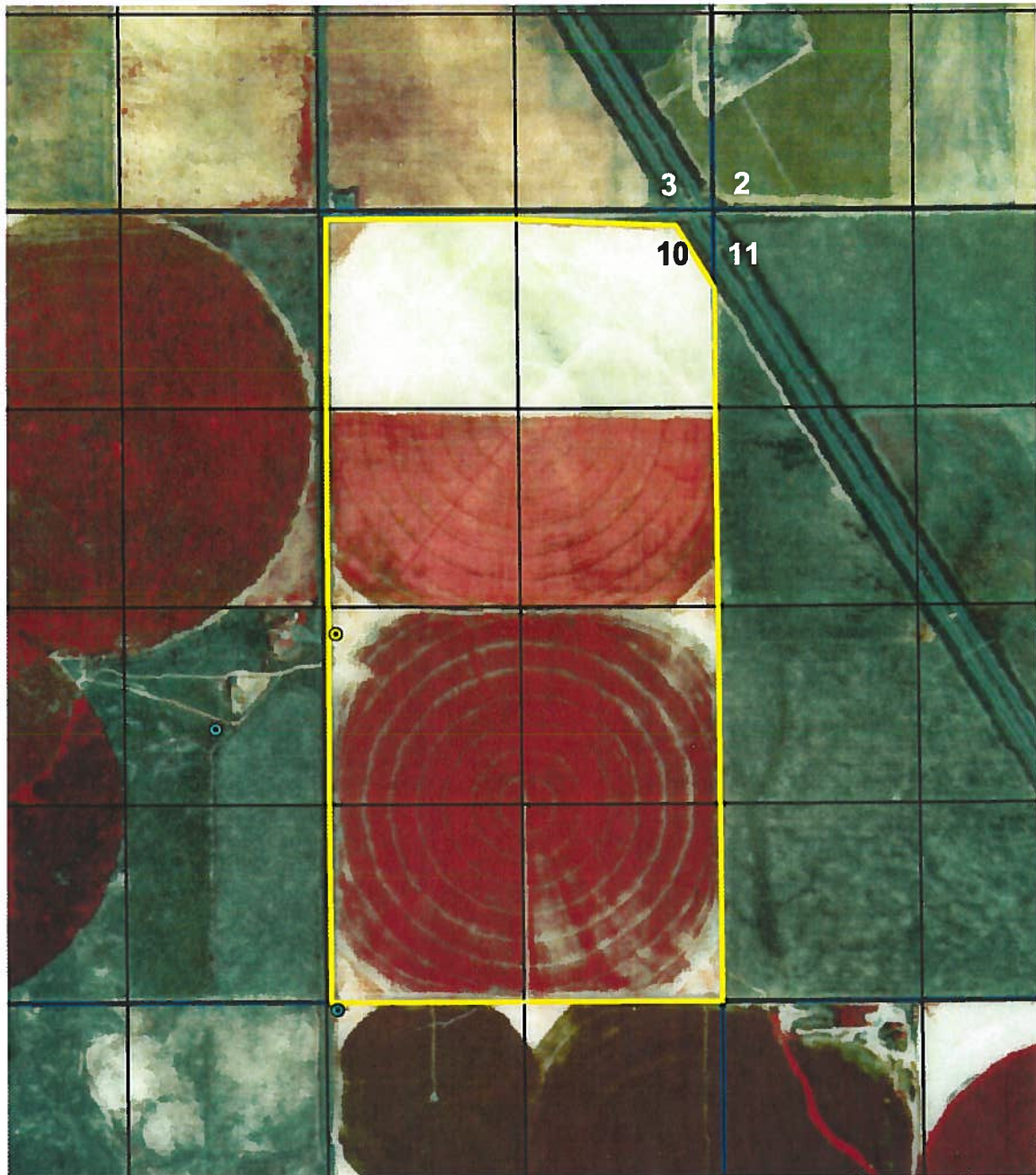


- Point of diversion
- Place of use
- Quarter-quarter lines
- Section lines

Gis Place of Use Presentation  
1987/1988 Napp Photography  
Prepared by Jeanie Robertson

Idaho Department of Water Resources

43-02342



0 1320 2640 Feet

RECOMMENDED PLACE OF USE  
DATA ENTRY ON JAN. 30, 2001  
TWP 11 S, RNG 26E, SEC. 10



- Point of diversion
- Place of use
- Quarter-quarter lines
- Section lines

Gis Place of Use Presentation  
1987/1988 Napp Photography  
Prepared by Jeanie Robertson

CLAIM NUMBER A43-02342 DATE \_\_\_\_\_  
AGENT \_\_\_\_\_

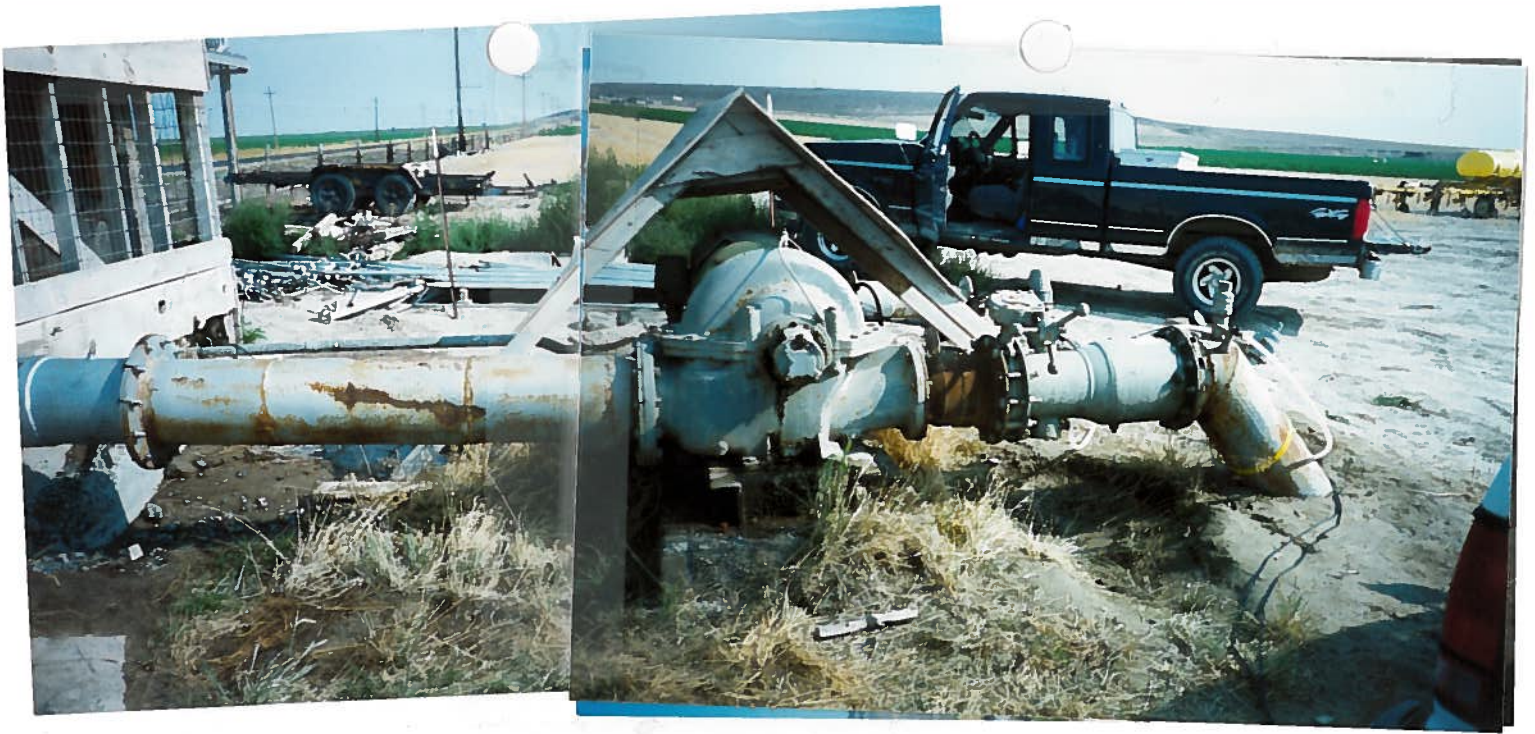
TRANSFER NUMBER \_\_\_\_\_  
CLAIMED ACRE TOTAL 31  
GIS ACRE TOTAL 31

|       | TWP | RNG | SEC | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |
|-------|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
|       |     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |
| CLAIM | 11S | 26E | 10  | 35 | 35 | 40 | 40 |    |    |    |    |    |    |    |    | 40 | 40 | 40 | 40 |
| GIS   |     |     |     | 36 | 37 | 39 | 40 |    |    |    |    |    |    |    |    | 40 | 39 | 39 | 40 |
| RECOM |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| CLAIM |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| GIS   |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| RECOM |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| CLAIM |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| GIS   |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
| RECOM |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |

343-POU.SHP \_\_\_\_\_  
SHAPE NOS. \_\_\_\_\_  
\_\_\_\_\_

343-POD.SHP \_\_\_\_\_  
NOS. DESCRIPTION \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

BF TABLES UPDATED \_\_\_\_\_  
43-DBPOU.DBF \_\_\_\_\_  
43-DBPOD.DBF \_\_\_\_\_  
EG LAYOUT \_\_\_\_\_



Dan Moss Well  
 T11S, R26E  
 Section 10  
 NWNWSE

0.360

MODE SELECT INPUT *Don Moss*  
OUTER DIAMETER 12.0957 IN  
PIPE MATERIAL ? CS,SS *no reading*

PIPE MATERIAL ? CS,SS  
WALL THICKNESS 0.1020 IN  
INNER LINING ? NO LING.

KIND OF FLUID ? WATER

SENSOR MOUNTING ? U

TYPE OF SENSOR ? SMALL *40psi valve 1/2 open*

DATA CHANGE ? NO  
SPACING 9.314 IN U  
09-20 09:4600 \*I  
+ E 36PM *loc. 1*

MODE SELECT INPUT

OUTER DIAMETER 12.0957 IN

PIPE MATERIAL ? CS,SS

WALL THICKNESS 0.0940 IN

INNER LINING ? NO LING.

KIND OF FLUID ? WATER

SENSOR MOUNTING ? U

TYPE OF SENSOR ? SMALL

DATA CHANGE ? NO

SPACING 9.302 IN U

09-20 09:5700 \*I  
+ 1.347E 36PM *loc. 2*

*Moss #1*  
MODE SELECT INPUT

OUTER DIAMETER 12.8913 IN

PIPE MATERIAL ? CS,SS

WALL THICKNESS 0.3600 IN

INNER LINING ? NO LING.

KIND OF FLUID ? WATER

SENSOR MOUNTING ? U

TYPE OF SENSOR ? SMALL

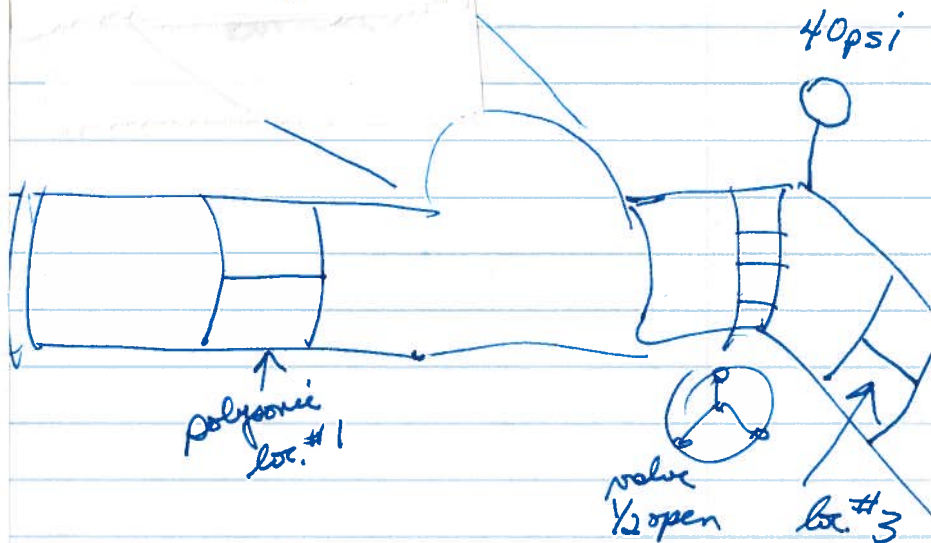
DATA CHANGE ? NO

SPACING 10.411 IN U

*no clear reading (sucking air?)*

*pole #8037*

*High Thrust Motor 200hp  
516-01-807 85-2003:*



*overflow splashing) 5,6,7,8,9,10,11,12,12A*

**T115, R26E, Section 10  
NWNWSE**

R 26

1.5 2294  
T8697

3.2

1971  
T8349

2  
68.3

2  
150.0

NHFL/W

3  
2.9

4  
2.7

3  
20.1

5 1.5  
156.0

NHFL/W

710 11  
158.7

8  
2.5  
NHFL

2115  
T1511 N

16.0



State of Idaho

# DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

Date: \_\_\_\_\_

To Whom It May Concern:

I grant permission to the Department of Water Resources to obtain copies of power records, copies of pump evaluation or energy audit reports from either Raft River Rural Electric Coop or from Robin Wells. I understand this information will be used by IDWR in evaluation of Notice of Claims filed in the Snake River Basin Adjudication.

Identification Information:

Power Pole No: \_\_\_\_\_

Farm or Account Name: Moss Farm.

(Signed by Owner or Authorized Agent)

IDAHO  
CASSIA  
Report ID: ASCS-156EZ

U.S. Dept. of Agriculture  
Agri. Stab. & Consv. Svc.  
Abbreviated 156 Farm Record

FARM 3196  
Prepared: 04/04/94  
Crop Year: 94  
Page: 1

| OPERATOR: Name, Address & I D No.                      | FARMLAND | CROPLAND | IRRIGATED<br>CROPLAND | EFFECTIVE<br>CROPLAND | FARM IDENTIFIER | STATUS |
|--------------------------------------------------------|----------|----------|-----------------------|-----------------------|-----------------|--------|
| 529-80-9462 S<br>DANIEL MOSS<br>RR 1 BOX 105D<br>DECLO | 2264.0   | 2001.7   | 2001.7                | 2001.7                | NONE            | ACTIVE |
| ID 83323                                               |          |          |                       |                       |                 |        |

CRP: .0  
IFM: N  
RECON. REF. NO.: A40074  
OFAY NORMAL PLANTED ACRES: 65.0

| CROP   | ROT. | BASE   | CRP<br>REDUCTION | ADJ. BASE | DATE | P&CP |        | YIELD |    |    |
|--------|------|--------|------------------|-----------|------|------|--------|-------|----|----|
|        |      |        |                  |           |      | YEAR |        | YEAR  | NI | IR |
| WHEAT  | 1    | 1068.0 | .0               |           |      | 93   | 1063.8 | 94    | 24 | 81 |
|        |      |        |                  |           |      | 92   | 1053.5 | 85    | 27 | 89 |
|        |      |        |                  |           |      | 91   | 1060.1 |       |    |    |
|        |      |        |                  |           |      | 90   | 1075.8 |       |    |    |
|        |      |        |                  |           |      | 89   | 1086.9 | 94    | 79 |    |
|        |      |        |                  |           |      | 88   | 1042.6 | 85    | 87 |    |
| BARLEY | 1    | 353.4  | .0               |           |      | 93   | 362.9  | 94    | 27 | 89 |
|        |      |        |                  |           |      | 92   | 382.4  | 85    | 27 | 92 |
|        |      |        |                  |           |      | 91   | 394.2  |       |    |    |
|        |      |        |                  |           |      | 90   | 338.9  |       |    |    |
|        |      |        |                  |           |      | 89   | 288.5  | 94    | 89 |    |
|        |      |        |                  |           |      | 88   | 410.8  | 85    | 92 |    |

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

08:50:43  
01/29/01  
3

PAGE: 3  
PROFILE REPORT

CLAIM NUMBER: A43-02342

| OWNER<br>CODE    | NAME & ADDRESS | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|----------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | JANN MOSS      | 04/24/1950       | IRRIGATION | 03-15 11-15           | 6.100 CFS         |                     |
| C                | DANIEL D MOSS  |                  |            |                       |                   |                     |
| TOTAL DIVERSION: |                |                  |            |                       | 6.100 CFS         |                     |

1240AF  
(310 x 4)

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T11S R26E S10 NW NWSE

CASSIA County

Place of use Legal Description for: IRRIGATION

| NE          |     |      |    | NW   |    |      |    | SW   |    |      |    | SE   |    |      |    |      |    |      |    |      |    |      |    |      |    |      |    |       |    |      |     |  |
|-------------|-----|------|----|------|----|------|----|------|----|------|----|------|----|------|----|------|----|------|----|------|----|------|----|------|----|------|----|-------|----|------|-----|--|
| NENE        |     | NWNE |    | SWNE |    | SENE |    | NENW |    | NWNW |    | SWNW |    | SENW |    | NESW |    | NWSW |    | SWSW |    | SESW |    | NESE |    | NWSE |    | SWSE  |    | SESE |     |  |
| T           | R   | S    | Lt | Ac   | Lt | Ac   | Lt | Ac   | Lt | Ac   | Lt | Ac   | Lt | Ac   | Lt | Ac   | Lt | Ac   | Lt | Ac   | Lt | Ac   | Lt | Ac   | Lt | Ac   | Lt | Ac    | Lt | Ac   | SUM |  |
| 11S         | 26E | 10   | 35 |      | 35 |      | 40 |      | 40 |      |    |      |    |      |    |      |    |      |    |      |    |      |    |      |    |      |    |       |    |      |     |  |
| TOTAL ACRES |     |      |    |      |    |      |    |      |    |      |    |      |    |      |    |      |    |      |    |      |    |      |    |      |    |      |    | 310.0 |    |      |     |  |

POU County: CASSIA

Other Rights: NONE

Remarks: GEN TRANS. 1892 DENIED, 9-8-1975.  
\*\*\*\*\*  
OWNERSHIP CHANGE 7/5/94 BY JG.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:  
Presumption Flag:

Cond. Cooke C18

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

D8:50:40  
01/29/01

PAGE: 2  
QUICKLOOK INFORMATION

2  
CLAIM NUMBER: A43-02342

| WR ELEMENT                | DATA<br>DISCREPANCY<br>Y/N | CORRESPONDENCE<br>SENT/RECEIVED<br>BY WHOM/DATE | FIELD EXAM<br>BY WHOM/DATE | CHANGE<br>CLAIM<br>Y/N | ELEMENT<br>DOCUMENTED<br>WHOM/DATE | COMPLETED<br>REVIEW<br>WHOM/DATE | COMPLETED<br>DATA ENTRY<br>WHOM/DATE | VERIFIED<br>DATE<br>WHOM/DATE |
|---------------------------|----------------------------|-------------------------------------------------|----------------------------|------------------------|------------------------------------|----------------------------------|--------------------------------------|-------------------------------|
| PRIORITY DATE             | - N                        |                                                 |                            |                        |                                    |                                  |                                      |                               |
| POINT OF DIV              | Y -                        |                                                 |                            |                        |                                    |                                  |                                      |                               |
| SOURCE                    | - N                        |                                                 |                            |                        |                                    |                                  |                                      |                               |
| PLACE OF USE              | Y -                        |                                                 |                            |                        |                                    |                                  |                                      |                               |
| DIV. AMOUNT<br>CFS/VOLUME | Y -                        |                                                 |                            |                        |                                    |                                  |                                      |                               |
| CONSUMPTIVE USE           | /                          |                                                 |                            |                        |                                    |                                  |                                      |                               |
| PURPOSES OF USE           | - N                        |                                                 |                            |                        |                                    |                                  |                                      |                               |
| PERIOD OF USE             | - N                        |                                                 |                            |                        |                                    |                                  |                                      |                               |
| BASIS OF CLAIM            | - N                        |                                                 |                            |                        |                                    |                                  |                                      |                               |
| REMARKS                   | Y -                        |                                                 |                            |                        |                                    |                                  |                                      |                               |

BARCODE UPDATED  
WHOM/DATE

**R PROOF**

**CVR**

**MAPS**

**PHOTOS**

**MISC**

—

—

—

—

—

11/27/95

Allen asked me to ~~do~~<sup>see</sup> if I had any well measurements for Jan Moss's well for A43-02342 who ~~is~~ is trying to transfer some of the "excess" water to another farm in basin 45. I looked in the old WR files and in the file I found where they did a pump test back in 1956, but there <sup>was</sup> no plate on the pump when I was there and my records indicated a 300 h.p. motor and the old records said 150 h.p. motor. There was also a "denied" transfer back in 1975 where the owner was trying to enlarge the use in a CGWA, saying he was switching to a much more efficient sprinkler system 6.1 cfs  $\rightarrow$  4.18 cfs. Since they have switched to sprinkles, we need a measurement to det. how much he's pumping and since when

## IMPORTANT MESSAGE

FOR Jennie  
DATE 1/28 TIME 9:35 A.M.  
M. Robin Wells P.M.  
OF \_\_\_\_\_  
PHONE \_\_\_\_\_

| AREA CODE          | NUMBER                              | EXTENSION         |
|--------------------|-------------------------------------|-------------------|
| TELEPHONED         | <input checked="" type="checkbox"/> | PLEASE CALL       |
| CAME TO SEE YOU    | <input type="checkbox"/>            | WILL CALL AGAIN   |
| WANTS TO SEE YOU   | <input type="checkbox"/>            | RUSH              |
| RETURNED YOUR CALL | <input type="checkbox"/>            | SPECIAL ATTENTION |

MESSAGE it's tapped for Collins meter  
in  
1987 - Rapt River Elect.  
Jerry Udy 645-2211  
FAX: 2300

SIGNED \_\_\_\_\_  
LITHO IN U.S.A.

LET  
USE  
BACK  
TO  
**BASICS**<sup>TM</sup>

71100

Talked to Robin on 11/28 and he said he had no info. on that well, but Raft River Rural Electric probably would. I could contact Jerry Udy there @ 645-2211 but he probably wouldn't give me any information unless Dan Moss went in to their office and gave him the okay and signed a release. Allen decided to write to Dan and tell him the transfer would be on hold until we received some information on the well or until next spring when we could try to get a measurement.

FROM: Allen Merritt *Am*

DATE: December 20, 1995

TO: Transfer File No. 4672

SUBJECT: Review and Recommendation

This transfer proposes to move the excess diversion rate from one well to another without increasing or decreasing the number of acres at either site. This proposal would increase the rate per acre on the target land to make it more attractive to facilitate a sale and would decrease the rate per acre at the original site. The original site well is in Basin 43 in the Raft River Critical Groundwater area and the target well is in Basin 45 in an area not designated as a critical groundwater area.

Initially this move seems innocent enough and even beneficial in that diversion rate is reduced from a critical area. However, full review of the file finds that this water right has been attempted to have been split before and in combination with the statement found in Part 2, #10 I believe the question of whether the old licensed diversion rate even exists anymore needs to be answered. Since the basin has been partially reviewed by SRBA I asked Jeanie Robertson if she had measured the well. She indicated that she had attempted to measure the well with the polysonic but did not get a good reading. She has contacted Robin Wells in his capacity as energy efficiency engineer contracting with Raft River Rural Electric Coop to see if he had measured it but he had not. Further review of the land proposed to be irrigated with the split finds that the license is for 135 acres @ 2.70 cfs or 1"/acre. Additionally review of the SRBA claim for the license finds that 162 acres is claimed.

#### Recommendation

Based on this review I must recommend that the application be denied since it appears that it may expand the use.

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE  
STATE OF IDAHO

RECEIVED

JAN 19 1996

IN THE MATTER OF APPLICATION FOR )  
TRANSFER NO. 4672 OF A PORTION OF )  
WATER RIGHT NO. 43-02342 IN THE )  
NAME OF DANIEL D. MOSS )

Department of Water Resources  
Southern Region

PRELIMINARY ORDER

This matter having come before the Idaho Department of Water Resources (department), as a result of review of application for Transfer No. 4672, the department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On January 19, 1965, the department issued License No. 43-02342 authorizing the diversion of 6.1 cubic feet per second (cfs) of ground water to be diverted for the irrigation of 310 acres of land in part of Section 10, T11S, R26E, B.M. The original gravity system was replaced by a sprinkler system in the early 1970's reducing the rate of diversion. The well is located within the Raft River Critical Groundwater Area.

2. On March 20, 1995, Daniel D. Moss (applicant) filed Application for Transfer No. 4672 with the department proposing to transfer 1.32 cfs of the 6.1 cfs represented by License No. 43-02342 to a well in Section 14, T11S, R24E, B.M. for use on 135 acres in Section 14, T11S, R24E, B.M. The 135 acres will be licensed under permit 45-07120B with a rate of 1.43 cfs and is within hydrologic Basin 45 outside the Raft river Critical Groundwater Area.

3. The applicant does not intend to reduce the number of acres under License No. 43-02342 and intends only to transfer part of the diversion rate to the well in Basin 45 to increase the rate of diversion to the 135 acres.

CONCLUSIONS OF LAW

1. Section 42-222, Idaho Code provides in pertinent part as follows:

The director of the department of water resources shall examine all the evidence and available information and shall approve the change in whole, or in part, or upon conditions, provided no other water rights are injured thereby, [and] the change does not constitute an enlargement in use of the original right ... .

43-02342 L # 4672

2. Approval of the application will enlarge the original water right, since the applicant does not intend to reduce the irrigated acres under the original place of use.

3. The department should deny the application for transfer.

**ORDER**

IT IS THEREFORE, HEREBY ORDERED that Application for Transfer No. 4672 proposing to transfer a portion of the rate of flow under License No. 43-02342 is **DENIED** pursuant to section 42-222, Idaho Code.

Dated this 12<sup>TH</sup> day of JANUARY, 1996.

  
\_\_\_\_\_  
NORMAN C. YOUNG  
Administrator

DEC 20 1995

Date Sent to S.O.

FROM: Allen Merritt *Am*

DATE: December 20, 1995

TO: Transfer File No. 4672

SUBJECT: Review and Recommendation

This transfer proposes to move the excess diversion rate from one well to another without increasing or decreasing the number of acres at either site. This proposal would increase the rate per acre on the target land to make it more attractive to facilitate a sale and would decrease the rate per acre at the original site. The original site well is in Basin 43 in the Raft River Critical Groundwater area and the target well is in Basin 45 in an area not designated as a critical groundwater area.

Initially this move seems innocent enough and even beneficial in that diversion rate is reduced from a critical area. However, full review of the file finds that this water right has been attempted to have been split before and in combination with the statement found in Part 2, #10 I believe the question of whether the old licensed diversion rate even exists anymore needs to be answered. Since the basin has been partially reviewed by SRBA I asked Jeanie Robertson if she had measured the well. She indicated that she had attempted to measure the well with the polysonic but did not get a good reading. She has contacted Robin Wells in his capacity as energy efficiency engineer contracting with Raft River Rural Electric Coop to see if he had measured it but he had not. Further review of the land proposed to be irrigated with the split finds that the license is for 135 acres @ 2.70 cfs or 1"/acre. Additionally review of the SRBA claim for the license finds that 162 acres is claimed.

#### Recommendation

Based on this review I must recommend that the application be denied since it appears that it may expand the use.

43-02342 B, T # 4672

Page 1 of 6STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESTransfer No. 467

## APPLICATION FOR TRANSFER OF WATER RIGHT

## PART 1

Name of applicant Daniel D. Moss Phone 654-2848  
Post Office address Rt. 1 Box 105, Declo, ID 83323

## A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use  
☐ Change nature of use ☐ Change period of use ☒ Other Move some flow rate to another
2. Describe the reason for the proposed changes I own another farm that has only about 1 inch per acre pumping capacity. The potential purchaser wants a 1"/acre rate. So I want to transfer some excess capacity from a well in Basin 4 to a well in Basin 45. I own both wells.

## B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 43-023428 Priority 4-24-1950 Amount (cfs/ac-ft) 1.32 cfs Nature of Use Irrig. Period of Use 4-1 to 10-31
2. Total amount of water being transferred 1.32 <sup>1.32</sup> cubic feet per second and/or 540 \* acre-feet per annum
3. Source of water Groundwater tributary to \_\_\_\_\_
4. Point(s) of Diversion: \* When combined with 45-01

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     | SW  | NW  | SW  | 14   | 11S  | 24E  | Cassia |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

## 5. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 11S  | 24E  | 14   |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        | 40     | 32     | 34.5   | 20     |        |        | 8.5    |        | 135    |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres 135

## PART 1

## 6. General Information:

- a. Description of diversion system Well & pump, sprinklers
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? ~~Yes~~ Yes ✓ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:  
No change. Land will continue to be irrigated with 2 pivots & some corn  
headlines as it is now.
- d. Remarks:

## ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. \_\_\_\_\_  
And said application is hereby \_\_\_\_\_, subject to the following limitations and conditions:

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**

**PART 2**

(Attach one copy for each right)

**A. DESCRIPTION OF RIGHT AS RECORDED**

**1. Right evidenced by:**

- a. Decree No. \_\_\_\_\_ Decreed to \_\_\_\_\_  
in case of \_\_\_\_\_ vs. \_\_\_\_\_  
dated \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_
- b. License No. 43-02342 issued by the Idaho Department of Water Resources.
- c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources.
- d. Transfer No. \_\_\_\_\_ which produced this right.

**2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:**

☐ Tax Notice

☐ Warranty Deed

☐ Other \_\_\_\_\_

**3. Source of water** Groundwater tributary to \_\_\_\_\_

**4. Date or priority** 4-24-1950

**5. Water is used for the following purpose:**

amount 6.1 cfs for Irrig. purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)

**6. Total amount of water under right** 6.1 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.

**7. Point(s) of Diversion:**

| Lot | ¼ | ¼  | ¼  | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|---|----|----|------|------|------|--------|--------------------------|
|     |   | NW | SE | 10   | 11S  | 26E  | Cassia |                          |
|     |   |    |    |      |      |      |        |                          |
|     |   |    |    |      |      |      |        |                          |

**8. Lands irrigated or place of use:**

| Twp. | Rge. | Sec. | NE ¼ |      |      |      | NW ¼ |      |      |      | SW ¼ |      |      |      | SE ¼ |      |      |      | Totals |
|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|      |      |      | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ |        |
| 11S  | 26E  | 10   | 35   | 35   | 40   | 40   |      |      |      |      |      |      |      |      | 40   | 40   | 40   |      | 270    |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |

Total acres 270

**9. Describe any other water rights used for the same purpose as described above** \_\_\_\_\_

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use  
Yes If yes, describe Gravity system was replaced by sprinklers in early 1970s, requiring a lower flow rate.

**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount 1.28 cfs for Irrig. purposes from 4-1 to 10-31  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion: Same as 2, A, 7.

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

3. Lands irrigated or place of use: Same as 2, A, 8.

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres \_\_\_\_\_

**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 4.88 cfs for Irrig. purposes from 4-1 to 10-31  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion: Same as 2, A, 7.

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

3. Lands irrigated or place of use: Same as 2, A, 8.

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

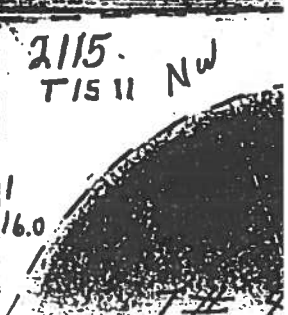
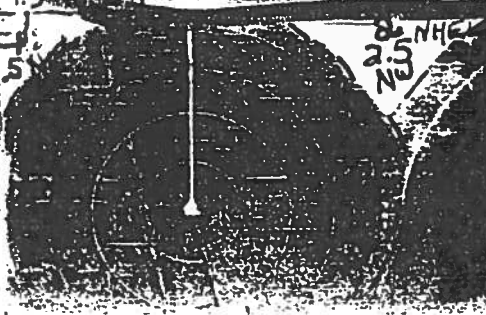
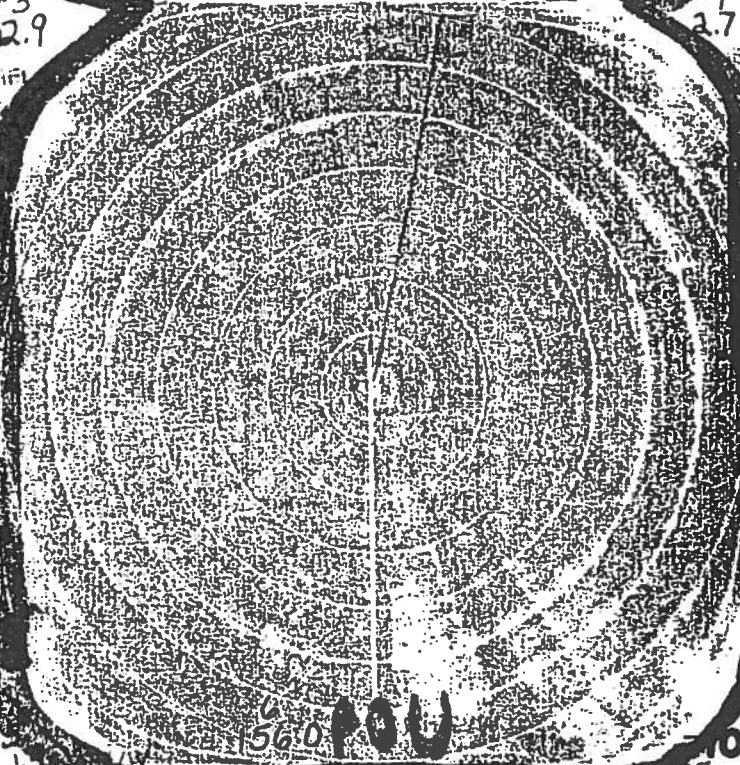
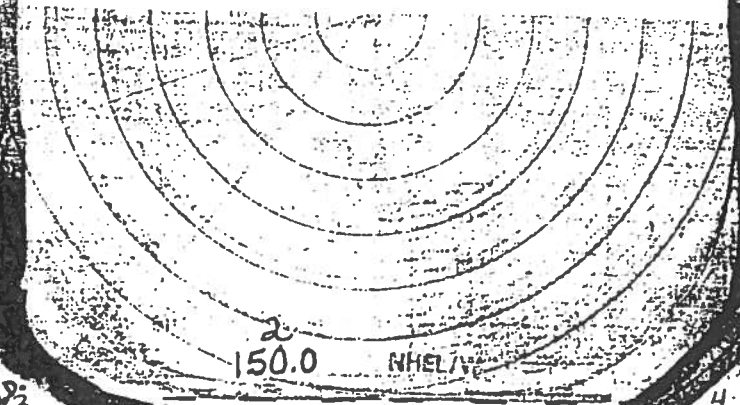
Total acres \_\_\_\_\_

R 26

2294  
T8697

POU

1171  
T8399

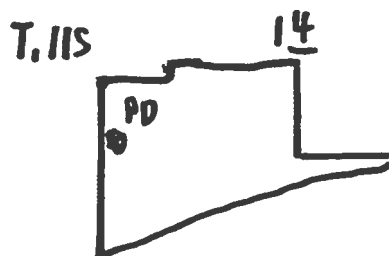


2115  
T1511 NW

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights describe in part 1. Clearly depict the land by section, township and range number.

R. 24E



## PART 3

## B. CHANGES IN NATURE OF USE

| 1 | New Nature of Use | Amount<br>(cfs/ac-ft) | Hours/days/year | Period of Use  |
|---|-------------------|-----------------------|-----------------|----------------|
|   |                   |                       |                 | _____ to _____ |
|   |                   |                       |                 | _____ to _____ |

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



(Signature of Applicant)

Subscribed and sworn to before me this 20<sup>th</sup> day of March, 1995

(Notary Public)

My commission expires 10-25-2000

## FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachmentsReceived by J.F. Stanton Date 3-20-95Prelim. check by CS Fee \$100, 50/7887Receipted by CS Date 3-20-95Published in Ed. PressPub. dates 8/7 & 8/14/95Watermaster recommendation requested on 7/26/95

Protest filed by \_\_\_\_\_

Copies of protest forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for ☐ approval ☐ denial

\_\_\_\_\_ rec'd. \_\_\_\_\_ by \_\_\_\_\_

Copy of transfer sent to lien holder \_\_\_\_\_

RECEIVED

MAR 20 1995

Department of Water Resources  
Southern Region

## MEMORANDUM

**TO:** Moss, Daniel D. Transfer #43-02342B file

**FROM:** Corey Skinner *CS*

**DATE:** July 17, 1995

**SUBJECT:** Field Verification

On July 17, 1995 I talked with Jeanie Robertson, adjudication agent, about transfer #43-02342B, in particular the validity of water right 43-02342. She was familiar with the area in question due to her adjudication work. She verified the location of the point of diversion and the location and extent of place of use for water right 43-02342. With Jeanie's help I was able to verify the validity of water right 43-02342 in the regional office. I therefore found it unnecessary to conduct a field investigation. A map, provided by Jeanie, showing the point of diversion and place of use for water right 43-02342 is attached.

INTER-DEPARTMENT MEMO — 1

FROM Bob Haynes *PHK*

DATE 8-30-74

TO Bob Fleenor

SUBJECT 43-2342 - Seiji Endow

I recommend that this application be denied. The facts and figures concerning pumpage listed in Exhibit A are misleading. No one with a groundwater right which may run from the 15th of March to the 15th of November pumps the entire right for the length of the irrigation season. This is how the figures concerning amount available for percolation have been determined. The only pertinent information in the application is that the amount of water consumed increases with more acres irrigated. If there is additional water which can be developed in this critical groundwater area, then the critical groundwater area should be removed. Expansion of an existing right is not the proper vehicle to accomplish this.

BH:lt

SIGNATURE

RECEIVED

SEP 12 1975

Department of Water Resources  
Southern District Office

September 10, 1975

Re: Application for Transfer of Water  
Right No. 43-2342

Mr. Selji Endow  
Star Route, Box 12  
Declo, Idaho 83323

Dear Mr. Endow:

Enclosed is a copy of your DENIED application for transfer along with a copy of the Memorandum Decision and Order.

If you should have questions regarding this matter, please feel free to contact us.

Sincerely,

BOBBY D. FLEENOR  
Chief, Water Rights

BDF:DR  
Enclosures

cc: Mr. Sherl L. Chapman  
201 Idaho Bldg.  
Boise, ID 83702

bc: Southern District Office ✓

201 SEP 10 1972

Southern District Office  
Department of Water Resources

SEP 15 1972

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR TRANSFER )  
OF LICENSE NO. 43-2342 in the name of ) MEMORANDUM DECISION  
SEIJI ENDOW. ) AND ORDER

On January 19, 1965, Water License No. 43-2342 (21470) was issued to G.T. Matthews for the diversion of 6.10 cubic feet per second of water from a well in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 10, Township 11 South, Range 26 East, B.M., for the irrigation of 310 acres of land within the E $\frac{1}{2}$ , Section 10, Township 11 South, Range 26 East, B.M.

On July 22, 1974, an application for transfer of water right was filed by Seiji Endow which requests the place and area of land irrigated be enlarged by the addition of land within the NW $\frac{1}{4}$ SE $\frac{1}{4}$  (10), SW $\frac{1}{4}$ SE $\frac{1}{4}$  (35), SE $\frac{1}{4}$ SE $\frac{1}{4}$  (10), Section 3, Township 11 South, Range 26 East, B.M., to that shown on the license to make a total of 365 acres of land to be irrigated.

This application was not protested but the well is located within the boundaries of the area declared on July 23, 1963 as a critical groundwater area under the provisions of §42-233a, Idaho Code. The applicant may not withdraw and use any more water than he was using beneficially at the time of the critical groundwater area designation.

The applicant proposes in the application to reduce the rate of diversion to 4.18 cubic feet of water per second by replacing his gravity corrugate method of irrigation with a sprinkler system for irrigation. The change in method of diversion, it is argued by the applicant, would make additional water available for use on the additional lands.

The question that must be answered is, can the number of irrigated acres be increased without enlarging the use of the right and without causing injury to other existing water rights.

43-2342

\_\_\_\_\_, 374-222 provides in part with respect to transfers that:

"The Director of the Department of Water Resources shall examine all the evidence and available information and shall approve the change in whole, or in part, or upon conditions, provided no other water rights are injured thereby and the change does not constitute an enlargement in use of the original right . . ." (emphasis added)

Thus, the question will be answered by determining if the requested change will constitute an enlargement in use. The real measure of an irrigation water right is not the rate of diversion but the total number of acres of land that the water right owner is entitled to irrigate in any given year. Under the applicant's license he is entitled to divert at the rate of 6.10 cubic feet per second, but at that rate he may only divert sufficient water to raise a crop on 310 acres of land.

Three hundred ten acres of crops will consume a given quantity of water while 365 acres of cropland will consume a proportionately larger volume of the water diverted. The effect of such additional consumption is a depletion of the aquifer due to loss of return flow when compared to the present diversion practice. I conclude that the proposed transfer would injure other rights and would be an enlargement in use of the original right.

Therefore, transfer application no. 43-2342 is hereby ordered DENIED.

DATED this 8 day of September, 1975.

  
R. KEITH HIGGINSON  
Director

Transfer No. 43-2342

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

**DENIED**

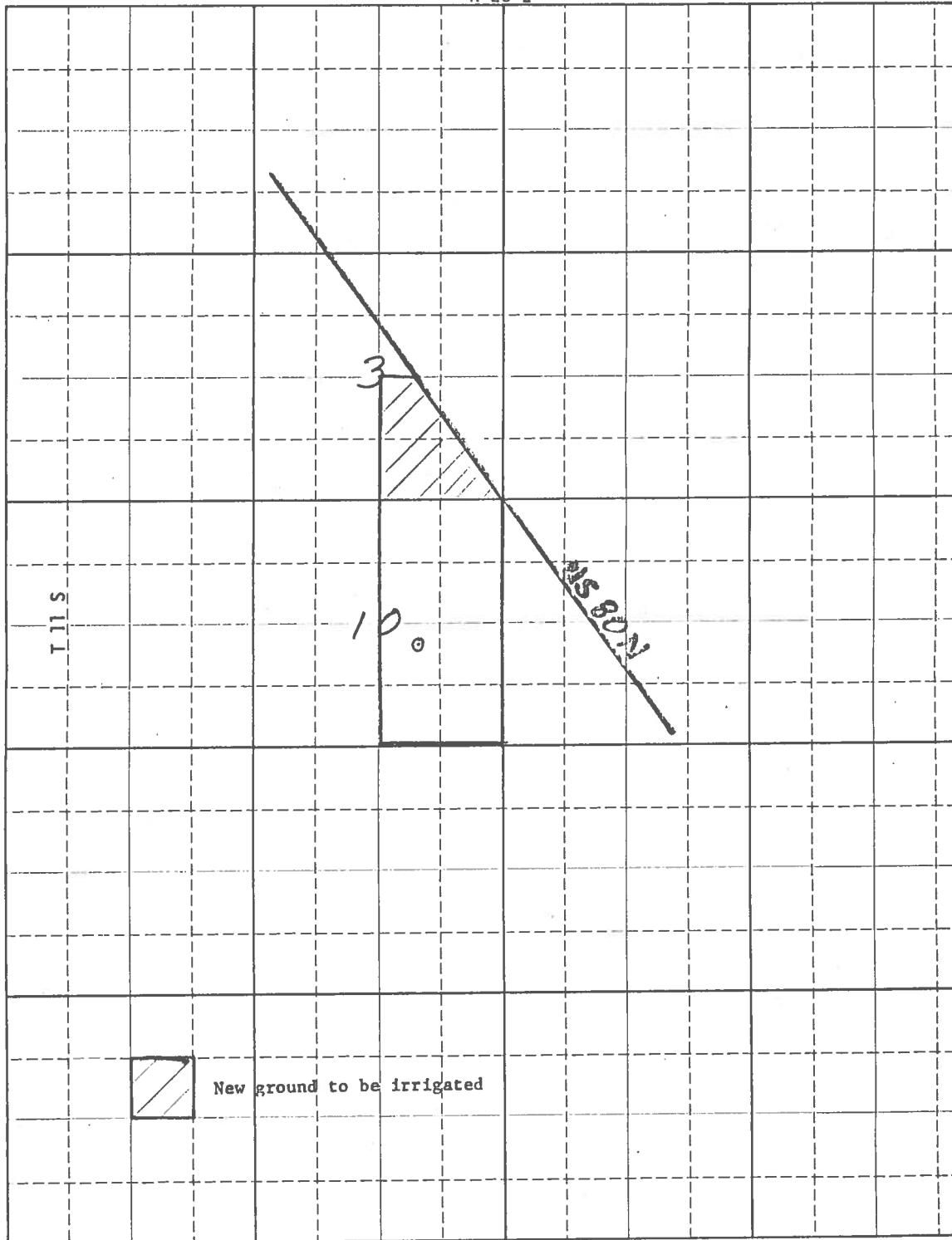
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**To Change the Point of Diversion and/or the Place of Use**

1. Name of Right Holder Seiji Endow  
Post office address Star Route Box 12 Declo, Idaho 83323
2. Right obtained by:
  - a. Decree to \_\_\_\_\_ in Case of \_\_\_\_\_  
(Name)  
vs. \_\_\_\_\_, Dated \_\_\_\_\_ in \_\_\_\_\_  
(Name of Court)  
Court. County of \_\_\_\_\_.
  - b. License No. 43-2342 issued by the State of Idaho, Department of Reclamation.
3. Source of water Groundwater tributary to \_\_\_\_\_  
(Name of stream or source)
4. Date of Priority 4-25-50
5. Amount of water a. 6.10 c.f.s. and/or  
b. \_\_\_\_\_ acre feet/annum
6. Water is used for irrigation from 3-15 to 11-15  
(Month, Day) (Month, Day)
7. Original location of point of diversion is NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  of Section 10,  
Township 11S, Range 26E, B.M., in Cassia County;  
Additional points of diversion, if any \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
8. Lands presently irrigated or place of use:

| TWP.       | RANGE      | SEC.      | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | TOTALS     |
|------------|------------|-----------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------|
|            |            |           | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |            |
| <u>11S</u> | <u>26E</u> | <u>10</u> | <u>35</u>        | <u>35</u>        | <u>40</u>        | <u>40</u>        |                  |                  |                  |                  |                  |                  |                  |                  | <u>40</u>        | <u>40</u>        | <u>40</u>        | <u>40</u>        | <u>310</u> |
|            |            |           |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |            |
|            |            |           |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |            |
|            |            |           |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |            |
|            |            |           |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |            |
|            |            |           |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |            |
|            |            |           |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |            |
|            |            |           |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |            |
|            |            |           |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |            |
|            |            |           |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |            |

Total number of acres presently irrigated 310

R 26 E



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

... as appurtenant from G. T. Matthews

10. CHANGE IN POINT OF DIVERSION

- a. Quantity to be diverted at new point: 4.18 c.f.s. and/or 2,042 acre feet
- b. New point of diversion: Same Point of Diversion  
1/4 1/4, Section           , Township             
          , Range           , B.M.
- c. Description of method of diversion and conveyance from new points of diversion:
- d. Is water to be conveyed to the lands previously irrigated? Yes X No             
If not, the place of use should be changed below.
- e. Describe the reasons for applying for a change in the point of diversion:  
N/A
- f. Do you intend to make the transfer permanent? N/A
- g. Do you intend to abandon completely the old point of diversion? N/A
- h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

- a. Describe the new lands on which you wish to use your right.

| TWP. | RANGE | SEC. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTAL |
|------|-------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-------|
|      |       |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |       |
| 11 S | 26E   | 3    |        |        |        |        |        |        |        |        |        |        |        |        |        | 10*    | 35*    | 10*    | 55    |
| 11S  | 26E   | 10   | 35     | 35     | 40     | 40     |        |        |        |        |        |        |        |        | 40     | 40     | 40     | 40     | 310   |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |

\* Acreages approximate because of freeway right of way

Total number of acres to be irrigated 365

Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

No - See attached sheet, "Exhibit A"

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: None

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Subscribed and sworn to before me this 18 day of July, 19 74

My commission expires 7/18/74

ACTION OF STATE RECLAMATION ENGINEER  
AND CERTIFICATE OF TRANSFER

This is to certify that I have examined Application for Transfer of Water Rights No. 43-2342,  
and said application is hereby DENIED.

1. Approval of said application is subject to the following limitations and conditions:

2. Denial of said application is for the following reasons:

Pursuant to Memorandum Decision and Order of this date.

Witness my hand this 8th day of September, 19 75.

**DENIED**

R. Keith Higginson, Director  
Idaho Department of Water Resources

FOR DEPARTMENT USE ONLY

Received by mls Date 7-22-74

Protest filed by: \_\_\_\_\_ Date \_\_\_\_\_

Prelim. check by \_\_\_\_\_ Date 7-22-74

Fee received by LT Date 7-22-74 Fee \$30.00 (1,2954)

Approved for publication by LT & 4.74

Published in S.I. Press Dates 7-30 & 8-6-74

Hearing held \_\_\_\_\_

Watermaster Recommendation sent \_\_\_\_\_

EXHIBIT "A"

The applicant is requesting a change in the place of use only. The point of diversion will remain the same but an additional 55 acres will be irrigated. The existing method of irrigation is through gravity feed into a corrugate system. The new lands would be irrigated through an infinitely more efficient sprinkler system which would divert less water initially and waste almost none.

The applicant realizes that the policy of the Department of Water Administration has previously been negative toward approval of such transfers, based on the premise that increased consumptive use by crops reduces the amount of water available for percolation back to the ground-water system. He proposes to show that by approval of this transfer, more water will be available to the aquifer for use by other appropriators.

In any hydrological system the volume of water contained, is the natural and artificial recharge less the natural outflow and pumped withdrawals. Under the existing system in this area, the applicant has a licensed right for a withdrawal of 6.21 c.f.s. or 2,977 acre feet per irrigation season. Under present and proposed cropping patterns 517 acre feet per season is the consumptive irrigation requirement on this farm (Sutter and Corey, 1970). This leaves 2,460 acre feet available for runoff, evaporation, and percolation to the ground-water system. Evaporation from the free water surface is estimated at 200 acre feet per season based on pan data from American Falls Reservoir. Runoff is estimated at 25% of the remaining water or 565 acre feet per season leaving 1695 acre feet available for possible percolation to the ground-water system.

By allowing this transfer and the subsequent change in irrigation practice, only 4.18 c.f.s. or 2,042 acre feet per season will be withdrawn from the aquifer. This will be 935 acre feet per season less than is now pumped. This water would be available to others in the area. Additionally, no surface runoff will occur from water applied in excess of the consumptive irrigation requirement. This means, all water applied over and above the consumptive irrigation requirement and evaporation will be available for percolation to the ground-water system. The consumptive irrigation requirement for the 365 acres is 600 acre feet. Evaporation from sprinkler irrigation is considerably less than that from a free standing water surface and can be estimated at 100 acre feet per season. The water available for percolation to the aquifer is therefore estimated at 1,342 acre feet per season. This volume, in addition to the 935 acre feet not pumped, means a total water savings over existing practices of 582 acre feet per season.

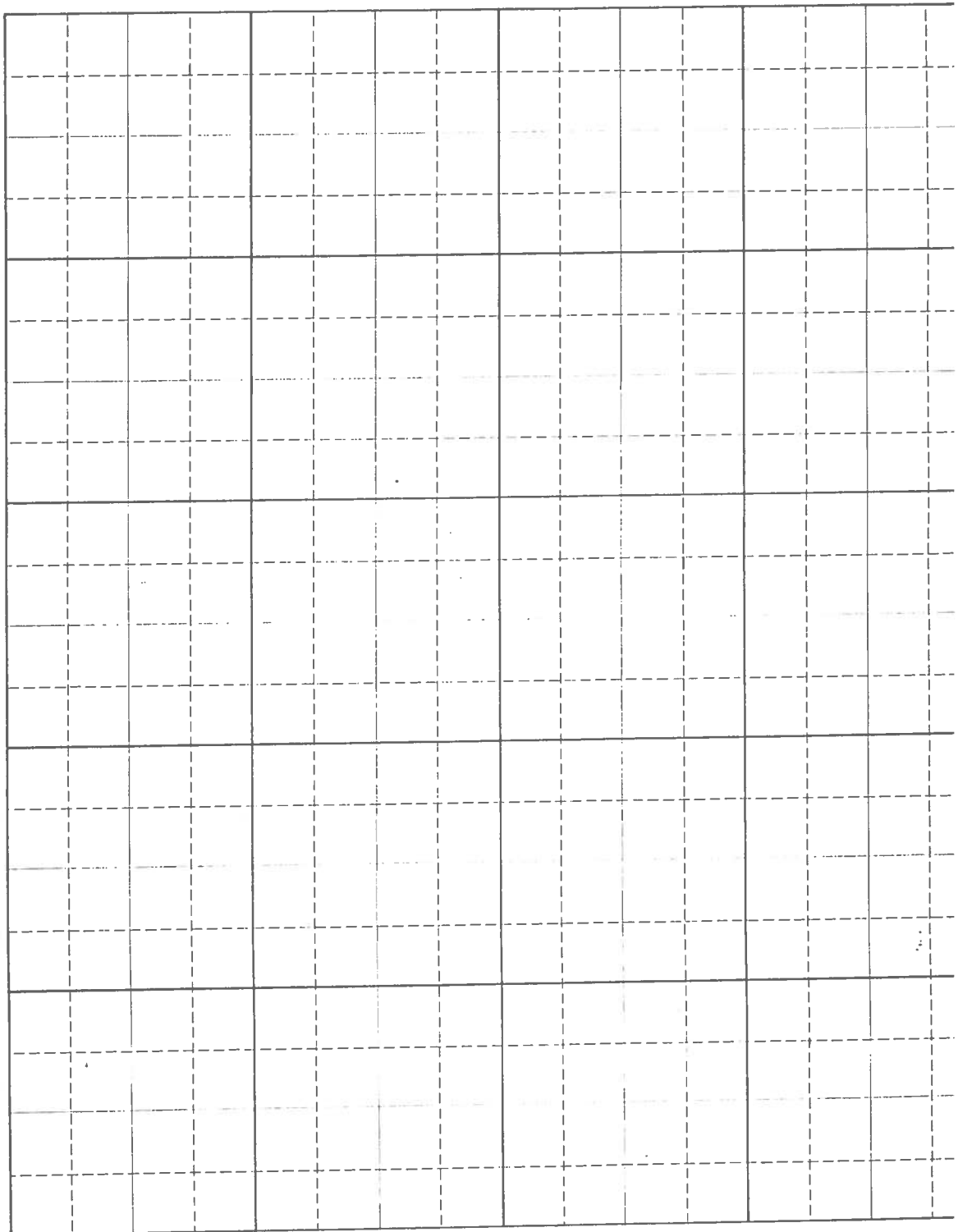
The data used and calculations made are purposely conservative and it is entirely probable that the water savings will be greater. The data were obtained from the Soil Conservation Service in Burley, personnel of the Idaho Water Resources Board, and the publication "Consumptive Irrigation Requirement for Crops in Idaho", Sutter and Corey, July-1970. The applicant is willing to install a totalizing flow meter in the system and maintain whatever records the Department feels necessary. He further feels that the approval of this transfer and subsequent water savings to the aquifer are parallel to the policy of the Department of Water Administration with regard to the conservation of water and the statutes of the state of Idaho.

Transfer No. 43-2342, 43-2343**RECEIVED**Department of Water Administration  
Southern District Office**STATE OF IDAHO****DEPARTMENT OF RECLAMATION****PAID**Department of Water Administration  
Southern District Office**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**To Change the Point of Diversion and/or the Place of Use**

1. Name of Right Holder Seiji Endow  
Post office address Star Route, Box 12, Declo, Idaho 83323
2. Right obtained by:  
a. Decree to \_\_\_\_\_ in Case of \_\_\_\_\_  
(Name)  
vs. \_\_\_\_\_, Dated \_\_\_\_\_ in \_\_\_\_\_  
(Name of Court)  
Court, County of \_\_\_\_\_  
(1) 43-2342  
b. License No. (2) 43-2513 issued by the State of Idaho, Department of Reclamation.
3. Source of water ground water tributary to \_\_\_\_\_  
(Name of stream or source)
4. Date of Priority (1) April 24, 1950 (2) Feb. 7, 1962
5. Amount of water a. (1) 6.1 (2) 3.65 c.f.s. and/or  
b. \_\_\_\_\_ acre feet/annum
6. Water is used for Irrigation from March 15 to Nov. 15  
(Month, Day) (Month, Day)
7. Original location of point of diversion is (1) NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  of Section 10,  
Township 11 S, Range 26 E, B.M., in Cassia County;  
Additional points of diversion, if any (2) NW  $\frac{1}{4}$  NE  $\frac{1}{4}$ , Sec. 15, Twp. 11 S, Rge. 26 E, B.M.
8. Lands presently irrigated or place of use:

|     | TWP. | RANGE | SEC. | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | TOTAL |
|-----|------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|-------|
|     |      |       |      | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |       |
| (1) | 11 S | 26 E  | 10   | 35               | 35               | 40               | 40               |                  |                  |                  |                  |                  |                  |                  |                  | 40               | 40               | 40               | 40               | 310   |
| (2) | 11 S | 26 E  | 14   |                  |                  |                  |                  | 23               | 35               |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 58    |
|     |      |       | 15   | 40               | 40               | 23               | 36               |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 139   |
|     |      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |       |
|     |      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |       |
|     |      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |       |
|     |      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |       |
|     |      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |       |

Total number of acres presently irrigated 507



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

# 10. CHANGE IN POINT OF DIVERSION

- a. Quantity to be diverted at new point: \_\_\_\_\_ c.f.s. and/or \_\_\_\_\_ acre feet
- b. New point of diversion: \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4, Section \_\_\_\_\_, Township \_\_\_\_\_, Range \_\_\_\_\_, B.M. \_\_\_\_\_
- c. Description of method of diversion and conveyance from new points of diversion: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- d. Is water to be conveyed to the lands previously irrigated? Yes \_\_\_\_\_ No \_\_\_\_\_  
 If not, the place of use should be changed below.
- e. Describe the reasons for applying for a change in the point of diversion:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- f. Do you intend to make the transfer permanent? \_\_\_\_\_
- g. Do you intend to abandon completely the old point of diversion? \_\_\_\_\_
- h. Indicate on the above plat the new point of diversion and lands to be irrigated.

# 11. CHANGE IN PLACE OF USE

- a. Describe the new lands on which you wish to use your right.

| TWP. | RANGE | SEC. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTALS |
|------|-------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |       |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 11 S | 26 E  | 3    |        |        |        |        |        |        |        |        |        |        |        |        |        | 30     | 40     | 10     | 80     |
|      |       | 10   | 35     | 35     | 40     | 40     |        |        |        |        |        |        |        |        | 40     | 40     | 40     | 40     | 310    |
|      |       | 14   |        |        |        |        |        | 23     | 35     |        |        |        |        |        |        |        |        |        | 58     |
|      |       | 15   | 40     | 40     | 23     | 36     |        |        |        |        |        |        |        |        |        |        |        |        | 139    |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total number of acres to be irrigated \_\_\_\_\_ 587

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right:

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Subscribed and sworn to before me this 26 day of March, 19 74  
(signature of applicant)  
(notary public)  
My commission expires 03-28-77

**ACTION OF STATE RECLAMATION ENGINEER  
AND CERTIFICATE OF TRANSFER**

This is to certify that I have examined Application for Transfer of Water Rights No. \_\_\_\_\_,  
and said application is hereby DENIED.

1. Approval of said application is subject to the following limitations and conditions:

2. Denial of said application is for the following reasons: This transfer constitutes an enlargement of the use of the original right.

Witness my hand this 26 day of March, 19 74.

**DENIED**

R. Keith Hugginson  
R. KEITH HUGGINSON, Director  
Idaho Department of Water Administration

**FOR DEPARTMENT USE ONLY**

Received by ADF Date 2-20-74

Prelim. check by ADF Date 2-20-74

Fee received by ADF Date 2-20-74 Fee \$ 50.00

Approved for publication by ADF

Published in S.I. Press Dates 3-5 & 3-12-74

Hearing held \_\_\_\_\_

Watermaster Recommendation sent \_\_\_\_\_

Protest filed by: \_\_\_\_\_ Date \_\_\_\_\_

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

Permit No. 72470

This proof is for Beneficial Use

In Water District No.

1. Name of applicant T. T. Matthews

2. Source of water supply: Subterranean flow from a well.

3. Location of point of diversion: Is in the N $\frac{1}{2}$  NE $\frac{1}{4}$  of Section 10  
T. 11 S. R. 26 E. B.M. County of Cassia

4. Describe works as they exist, giving dimensions and capacities of same: 150 hp U.S. Motor  
#1016271 Sayre Bowler Turbine 21675 Delivery thru  
a 12" x 3' pipe into a concrete headbox to fields by  
gravity. Pump sets on a high spot.

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, of acres under cultivation in each forty-acre tract. (Describe manner and place than irrigation):

East half of Sec. 10., Twp. 11 S., Rge. 26 E., P.M. 320 Acres

See map.

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

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

Remarks:

Matthews along  
large stream and grain.

This examination was made on the

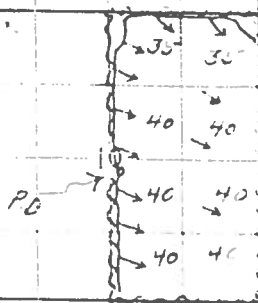
1st day of June 1942  
(Signed) E. W. Humphrey  
Examiner

21470

My notes show  
200 h.p. U.S. Motor  
& booster

R-26E.

T.  
H.  
S.



Sub-division - 3  
by a 100 ft. line  
to the north

containing the road

March 20, 1957

Re: Permit Nos. 21315 and 21470

Utah Mortgage Loan Corporation  
Logan, Utah

Attention: Mr. George A. Judah, Asst. Vice President

Dear Mr. Judah:

This is in answer to your letter of March 11, 1957:

South Half of Section 12, Twp. 11 S., Rge. 26 E.S.M.

License No. 21315 was issued for 6 cubic feet per second or 300 inches in December of 1956 for a well located in the NW $\frac{1}{4}$  of Section 12.

The delivery from the well was measured at 320 inches on June 1, 1956. Water temperature was 53°F.

East Half of Section 10, Twp. 11 S., Rge. 26 E.S.M.

Permit No. 21470. Inspection has been made and license can be issued for 305 inches upon payment of fees. The well located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$  delivered at the rate of 305 inches on June 1, 1956. Temperature was 57 $\frac{1}{2}$ °F.

Yours truly,

MARK E. HULP  
State Reclamation Engineer  
By

E. H. Humphrey  
Deputy State Reclamation Engineer

ENH:ab

21470