

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: A72-04053
Date Received: 12/18/1989
Receipt No: SQ10703
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EUGENE DURELL MOON 208-436-3714
Address: BOX 107
RUPERT, ID 83350
2. Date of Priority: JAN 01, 1961
3. Source: JORDAN CREEK Trib. to: SALMON RIVER, YANKEE FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12N	15E	5	NW	NW			CUSTER
			SW	NW			CUSTER
			SE	NW			CUSTER
			NE	SW			CUSTER
			SE	SW			CUSTER
13N	15E	29	NW	NE			CUSTER
			SW	NE			CUSTER
			SE	SW			CUSTER
			NW	SE			CUSTER
		32	NE	NW			CUSTER
			SE	NW			CUSTER
			NE	SE			CUSTER
			SE	SE			CUSTER

5. Description of diverting works:
20HP PUMP, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MINING	04/15	11/15	2.000		

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

A.F.A.

A72-04053

Page 1

Date: 12/18/89

COPY

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MAR 18 1993

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
PLACER MINING

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	15E	5	NW	NW		MINING	
			SW	NW		MINING	
			SE	NW		MINING	
			NE	SW		MINING	
13N	15E	29	NW	NE		MINING	
			SW	NE		MINING	
			SE	SW		MINING	
			NW	SE		MINING	
		32	NE	NW		MINING	
			SE	NW		MINING	
			NE	SE		MINING	
			SE	SE		MINING	

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE

14. Remarks:

P/U & P/D LOCATED ON UNSURVEYED PROPERTY.
ORIGINALLY CLAIMED 10 CFS...REDUCED TO 2 CFS. SEE ATTACHED.

15. Basis of Claim: STATUTORY CLAIM

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): E.D. Meen Date: 12-18-89

Date: _____

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 18th day

of Dec 19 89

Tom White
Notary Public

Seal

Residing at TF
My Commission Expires 5/94



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

TRANSMITTAL COVER SHEET

OMNIFAX G66

Phone No.: (208) 736-3037

TO: Dana Hopstetter

FROM: Kelly K. Christensen
Dept Water Resources (Southern)
222 Shoshone; T. Falls

DOCUMENT DESCRIPTION: copies of the attachments for claims
A72-04053(3) and A72-07085(1)

TOTAL PAGES SENT: 4

CONTACT: _____

(NAME OF SENDER)

Please consider this document as a billing statement. The charge for your FAX copies is \$ _____. Please remit to the above address.

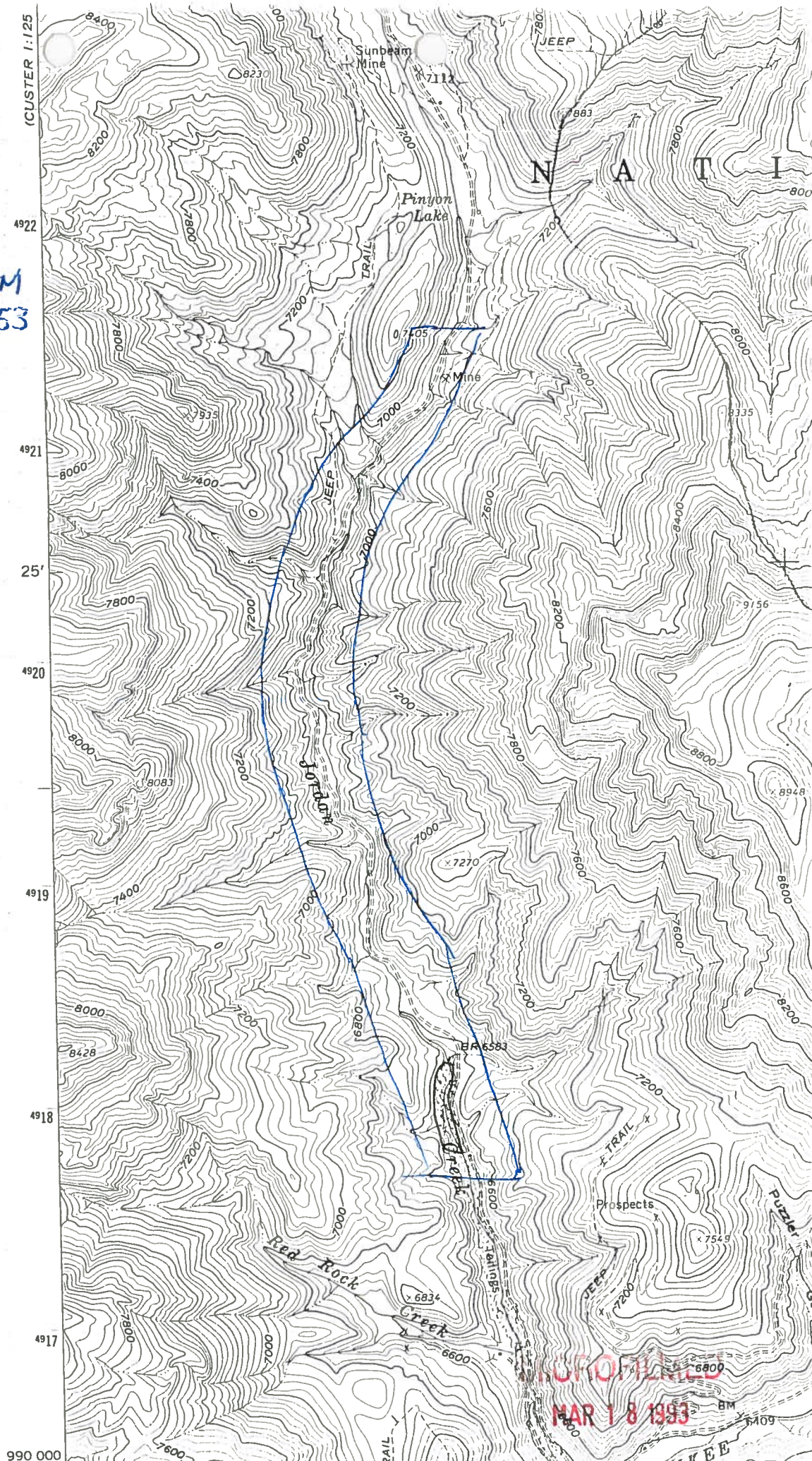
Charges: One (1) free copy per request, cover sheet not counted. Two (2) or more copies per request will cost \$.25 per page. (\$.50 minimum)

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MAR 18 1993

RE: CLAIM
A72-04053

2975.4
24.56 CR



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Aug 22 1919

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Eugene Darrell Nicolson (Name of Claimant)
315 Box 155 Hayburn Idaho 53336 Telephone No. 676-2123
 (Mailing Address) (Zip Code)

(1) Date of priority: (When was the water first applied to a beneficial use) 1961

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Tordan Creek tributary to Yonkee Fork of the Salmon River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

		(Both dates inclusive)			
	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)		(Mo., Day)
Quantity	<u>15 cfs</u>	Use <u>mining</u>	Period of Use From <u>Apr 15,</u>	To	<u>Nov. 15,</u>
Quantity	_____	Use _____	Period of Use From _____	To	_____
Quantity	_____	Use _____	Period of Use From _____	To	_____
Quantity	_____	Use _____	Period of Use From _____	To	_____
Quantity	_____	Use _____	Period of Use From _____	To	_____

(4) 10 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
 _____ ¼ _____ ¼, Sec. 29 Twp. 13 N Rge. 15 E B.M., County of Cass
 Additional points of diversion: Sec 32 T13N R15E & Sec 5, T13N
R15E & Sec 8 T12N R15E

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Ditch on stream, water source variable
as mining operation progresses

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

Placer Mining

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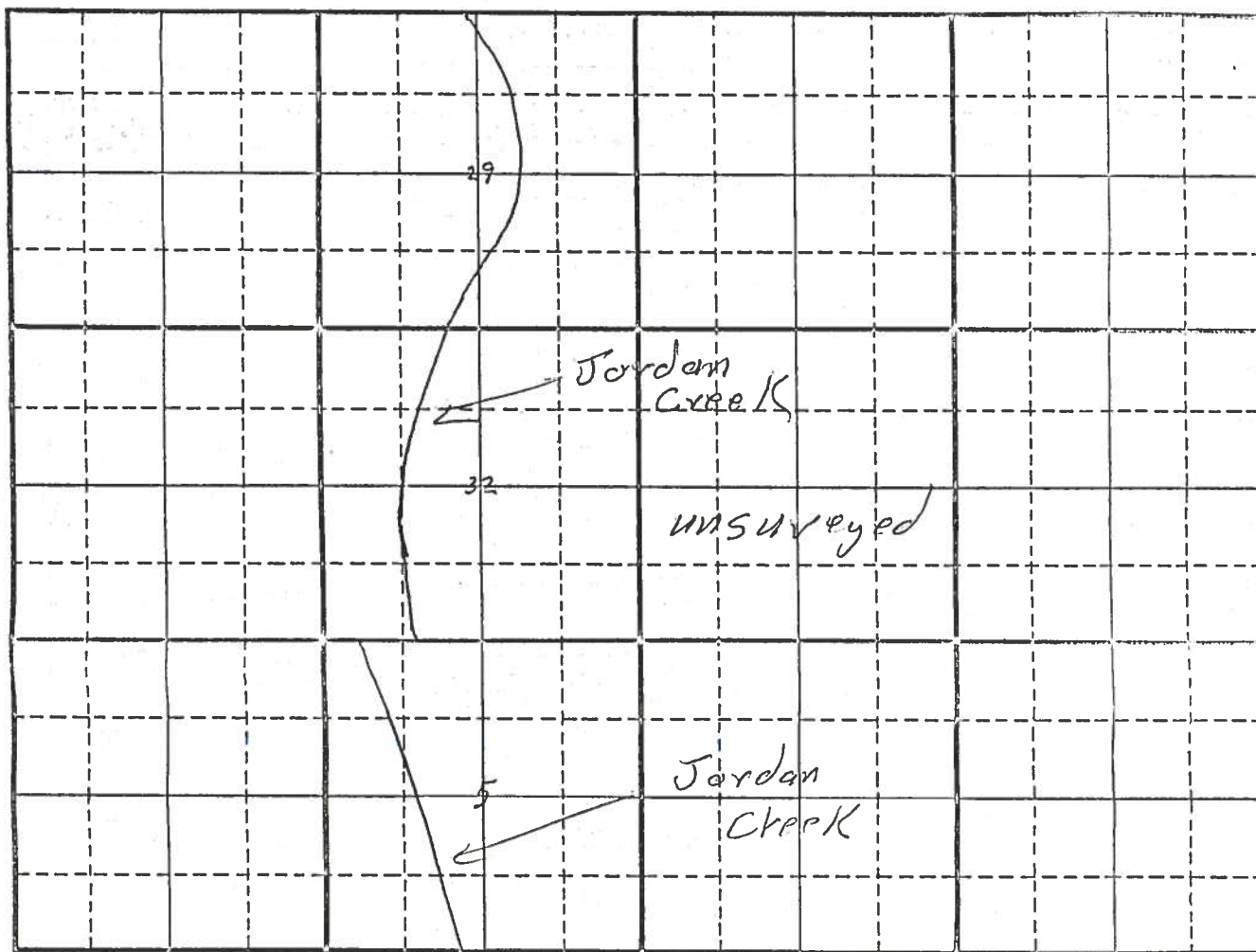
MAR 18 1993

NOTE: Include here the type and number of stock watered:

(8) Remarks

RE: CLAIM

A72-04053



Scale: 2 Inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of

Ada

ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

E.D. Moon
(Claimant)

Sworn to before me this 10 day of August, 1977.

Katherine L. Weaver
Notary Public
Residing at Boise

My commission expires 6-15-1981

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MAR 18 1993

FOR DEPARTMENT USE ONLY

Received by JS
Prelim. check by JS
\$20.00 fee received by JS

Date 8/10/79
Date 8-14-79
Date

Exception filed by:

Forwarded to
claimant by:



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

March 2, 1992

R. KEITH HIGGINSON
Director

A72-04053
EUGENE DURELL MOON
BOX 107

RUPERT

ID 83350

RE: Evidence of Priority

RESPONSE DEADLINE

MAY 1, 1992

Dear Claimant:

The Notice(s) of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) indicate your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. **The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit.** The Department will soon conduct reviews &/or field exams for the claims in your area. **Since the priority date of a beneficial use water right can not be confirmed by field examination, proof must be provided supporting the priority date you have claimed.**

The Department will not recommend the Notice(s) be decreed by the court as claimed if no evidence of a priority date is submitted.

Please find enclosed a computer printout of your Notice(s) and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

Please submit the required evidence supporting the priority date(s) by **May 1, 1992**, referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

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MAR 18 1993

March 9, 1992

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MAR 10 1992

Department of Water Resources
Southern Region Office

Mr. Allen Merritt
State of Idaho
Dept. of Water Resources
222 Shoshone St. East
Twin Falls, ID 83301

Dear Mr. Merritt:

Re: Evidence of Priority

We purchased our first placer gold claims on Jordan Creek in 1961. The earliest claims that we purchased were located prior to 1951. Proof of Labor has been filed on these placer claims since their filing date. We have religiously filed our Proof of Labor and completed our assessment work each year. Our assessment work required that we use the water we filed for under A72-04053 claim.

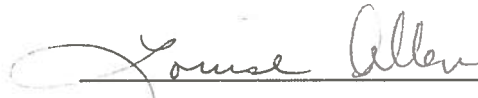
This letter is to confirm our use of this water for Evidence of Priority.


E. D. Moon

STATE OF IDAHO)
)SS
COUNTY OF MINIDOKA)

On this 9th day of March, 1992, before me, the undersigned Notary Public in and for said State, personally appeared E. D. MOON known to me to be the person whose name is subscribed to this instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.


Notary Public, Residing at Rupert,
Idaho
My Commission Expires: 3-31-93

(SEAL)

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MAR 18 1993

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SEP 11 2000

Steve,

Department of Water Resource
Southern Region

I talked with Candice about this

Thursday. If it looks ok to you,

please sign the first page and

initial the second page and return

ICT OF THE
J FALLS

In Re SRBA them to me immediately in the

53

Case No. 395

FeeEx provided. If there are
any problem's lets work them out
monday because we have a quick
turn around on this one with
the court.

This fe
under state law
automatically
Master will cc
and law suppo

Then I'll send the SF 5 and
a separate stipulation to Annest

ht acquired
s form will not
ge or Special
pert opinions

The pa
parties and sut
been served w:
prosecuted, an

for signatures.

Thankyou - If you have any
questions please call me at
331-5944 Steve Spencer

idiction of the
they have
e appeared,
pute.

The parties and IDWR agree and stipulate that the elements of this water right
should be described per the attached. The parties and IDWR have further indicated their
concurrence by initializing each of the attached pages.

CLAIMANT:

Eugene Durell Moon

OBJECTOR:

United States on behalf of the
USDA Forest Service

James Annest
Attorney

Date

David L. Negri

Date

United States Department of Justice

IDWR CONCURRENCE:

Steve Spencer

Date

ATTORNEY FOR IDWR:

Candice McElroy 9/7/00

Date

COPY

DRAFT

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SEP 11 2000

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

Right Number: 72-04053

Name and Address: EUGENE DURELL MOON
677 GREENBRIER DR
HEYBURN, ID 83336

Source: JORDAN CREEK Tributary: YANKEE FORK

Quantity: 2.00 CFS

Priority Date: 01-01-1961

Diversion Point: T12N R15E S05 NENW Within Custer County

T13N R15E S29

S32

SENW
NWSE
SWSE
SESW
NWSE
SWSE
NENW
SNNW
SENW
NESW
NWSW
SESW

SM^c
Sec



Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Mining	04-15 TO 11-15	2.00 CFS

Place of Use:	Mining	Within Custer County
	T12N R15E S05	SENW
		NWSE
	T13N R15E S29	SESW
		NWSE
		SWSE
	S32	NENW
		SNNW
		SENW
		NESW
		NWSW
		SESW

Unsurveyed section situated in approximate Section 29. Patented private land recorded the Square Deal Placer and New Deal Placer, part of Mineral Survey 3644.

Other Provisions Necessary for Definition / 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 - Beneficial Use

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NOV 24 1999

Department of Water Resources
Southern Region

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Case No. 39576)

A Subcase 72-04053

(Insert water right number
From the Objection Form)

STANDARD FORM 2
RESPONSE TO OBJECTION

Please print or type the following information:

B NAME AND ADDRESS OF PERSON RESPONDING

Name: Eugene Durrell Moon

Address: 677 Green Brier Drive

Heyburn, ID 83336

Daytime Phone: (208) 679-0637

Name & Address of Attorney, if any:

James Annest

P.O. box 686

Burley, ID 83318

C NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO
WHICH YOU ARE RESPONDING

Name: USA acting through USDA Forest Service

Address: 550 West Fort Street MSC 033

Boise, ID 83724

COPY

D. I am responding to the objections to the following elements. (Please check the appropriate box(es)).

1. ☐ Name and Address
2. ☐ Source
3. ☐ Quantity
4. ☐ Priority Date
5. ☒ Point(s) of Diversion
6. ☐ Instream Flow Description
7. ☐ Purpose(s) of Use
8. ☐ Period of Year
9. ☒ Place of Use
11. Recommendation

☒ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E.

VERIFICATION (Must be Completed)

State of IDAHO)
)ss.
County of Cassia)

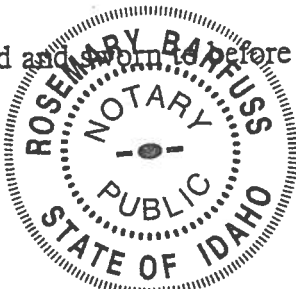
Eugene Durrell Moon, duly sworn, upon oath, deposes and says:
(Name of person filing response)

That I am the party/claimant filing this response as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

E.D. Moon
(Signature of person filing response)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: November 24, 1999
Rosemary Barajas
Notary Public for Idaho
Residing at: Lupert
My Commission Expires: 12-4-02



INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

F: CERTIFICATE OF MAILING

I certify that on 11-24, 1999, I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Eugene Durrell Moon
Address: 677 Green Brian Drive
Idaho 83336

3. One copy to the party who filed the objection at the following address:

Name: U.S.A. acting through USOA Forest Service
Address: 550 West Fort Street MSC 033
Boise Idaho, 83724

4. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449


Your signature or signature of attorney
mailing on your behalf

lands.

— Does not seem logical to split ; Rather just re-define the pon on patent lands only. See

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DEC 30 1999

Department of Water Resources
Southam Baglin

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Case No. 39576)

A1 Subcase 72-04053

(Insert water right number
From the Objection Form)

STANDARD FORM 2
RESPONSE TO OBJECTION

Please print or type the following information:

B NAME AND ADDRESS OF PERSON RESPONDING

Name: Eugene Durrell Moon

Address: 677 Green Brier Drive

Heyburn, ID 83336

Daytime Phone: (208) 679-0637

MAIL



32732

Name & Address of Attorney, if any:

James Annest

P.O. box 686

Burley, ID 83318

C NAME AND ADDRESS OF PERSON WHO FILED THE OBJECTION TO
WHICH YOU ARE RESPONDING

Name: USA acting through USDA Forest Service

Address: 550 West Fort Street MSC 033

Boise, ID 83724

D: I am responding to the objections to the following elements. (Please check the appropriate box(es)).

1. ☐ Name and Address
2. ☐ Source
3. ☐ Quantity
4. ☐ Priority Date
5. ☒ Point(s) of Diversion
6. ☐ Instream Flow Description
7. ☐ Purpose(s) of Use
8. ☐ Period of Year
9. ☒ Place of Use
11. Recommendation

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E: **VERIFICATION (Must be Completed)**

State of IDAHO)
)ss.
County of Cassia)

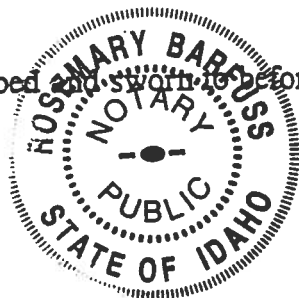
Eugene Durrell Moon, duly sworn, upon oath, deposes and says:
(Name of person filing response)

That I am the party/claimant filing this response as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant responding and that I have read this response, know its contents and believe that the statements are true to the best of my knowledge.

E.D. Moon
(Signature of person filing response)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:



November 24, 1999
Rosemary Balfuss
Notary Public for Idaho
Residing at: Lupart
My Commission Expires: 12-4-02

INSTRUCTIONS FOR MAILING

You must mail the response, including all attachments, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

F:

CERTIFICATE OF MAILING

I certify that on November 24, 1997 I mailed the original and copies of this response, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Eugene Durrell Moon
Address: 1077 Green Brier Drive
Heyburn, ID 83336

3. One copy to the party who filed the objection at the following address:

Name: US Acting through USDA Forest Service
Address: 550 W. Fort Street MSC 033
Boise, ID 83724

4. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724


Your signature or signature of attorney
mailing on your behalf

Jones, Doug

Subject: 72-04053
Entry Type: Meeting
Contact: Moon, Eugene Durrell

Start: Tue 11/16/99 2:45 PM
End: Tue 11/16/99 3:00 PM
Duration: 15 minutes

Moon came in to talk about file. He handed me his file folder to look over. It had various papers dating from original statutory claim through claim filing and so forth. It did not have the USFS objection nor any placer claim filing information that I could see in a very quick look.

Moon said his attorney said he should have a license for the mining. I asked for attorney name and I think he said Jim Annest. His papers and our claim file does not indicate any other right(s). I explained the statutory claim process and previous lack of measurement or other documentation. I also indicated that Steve apparently based his recommendation on 1994 observation and other file work.

USFS asserts that use has not been made since 1992. They believe the right should not exist. Moon says that the USFS constructed or reconstructed a road to service the ill-fated Hecla Mining Co Grouse Creek operation over his claims and prevents him from using the claims. Apparently there is (or was) a lawsuit between Feds and Moon.

Moon says that his attorney will be with him at the Challis hearing. I described the hearing process briefly. Moon believes it will go to trial. He was talking up the interest the Attorney General's office has in the matter, as well as IDWR and DEQ. He spoke like he thought IDWR or the AG's office would be defending him, or something. I tried to clarify that IDWR would not be his legal counsel and he reaffirmed that he would have Annest there.

He walked in thinking that the USFS was going to come to "take his water" as part of the Wilderness issue. I pointed out that the wilderness dates are junior to his mining priority. I think he understood that finally. The conversation ended with him talking about the period of nonuse as the issue of interest to him.

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JUN - 3 1999

Department of Water Resources

RECEIVED

JUN 29 1999

Department of Water Resources
Southern Region

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

A. Subcase: _72-04053_
STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America, Acting through the USDA Forest Service
Address: 550 West Fort Street
MSC 033
Boise, Idaho 83724
Daytime Phone: (208) 387-0835

Name and Address of Attorney, if any:

Randall J. Bramer
550 West Fort Street
MSC 033
Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN THE DIRECTOR'S REPORT

Name: Eugene Durell Moon
Address: P.O. Box 107
Rupert, ID 83350

D. I object to the following elements as recommended in the Director's Report.
(Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be:

2. ☐ **Source**

Should be:

3. ☐ **Quantity**

Should be:

4. ☐ **Priority Date**

Should be:

5. ☒ **Point(s) of Diversion**

Should be: See E below.

6. ☐ **Instream Flow Description**

Should be:

7. ☐ **Purpose(s) of Use**

Should be:

8. ☐ **Period of Year**

Should be:

9. ☒ **Places of Use**

Should be: See E below.

11. I object because:

☒ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):**

All points of diversion and places of use shown in the Directors Report involve placer mining claims on National Forest System land. The claimant has not conducted active placer operations on the National Forest since late 1992.

[illegible]

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Michael Collette
(Signature of person filing objections)

(Attorney signing in representative capacity)

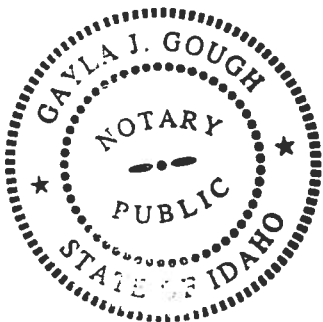
Subscribed and sworn before me on:

June 2, 1999

June 2, 1991



Gayla J. Gough



Notary Public for: Idaho /
Residing at: Kuna, Idaho
Commission Expires: 11/17/2004

INSTRUCTIONS FOR MAILING

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G. CERTIFICATE OF MAILING

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Twin Falls, ID 83303-2707

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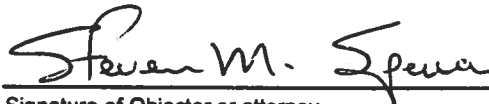
Name: Eugene Durell Moon
Address: P.O. Box 107
Rupert, ID 83350

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resource
Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf

COPY

1999 APR 26 PM 3: 24

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

)
)
)
)
)
**NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDINGS**

SUBCASE NO. 72-04053

IDWR has completed the following Administrative proceeding: **CHANGE OF ADDRESS**

Name and New Address of Claimant:

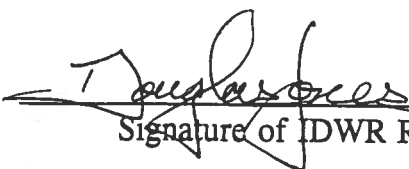
Eugene Durell Moon
677 Greenbrier Dr
Heyburn ID 83336
Phone: 679-0637

The Claimant has filed Objections or Responses to the following water rights: None

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

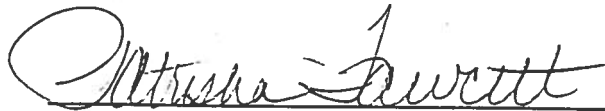
DATED: 4/22/99


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 4/26, 1999, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant or attorney of record:
Eugene Durell Moon
677 Greenbrier Dr
Heyburn ID 83336
3. One Copy to:
Each party in the subcase or attorney of record:
4. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
5. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: APR-20-1999
PAGE: A-5-----
RIGHTS FROM: SOURCE: JORDAN CREEK TRIBUTARY: YANKEE FORK

RIGHT NUMBER: 72-04053

NAME & ADDRESS: EUGENE DURELL MOON
677 GREENBRIER DR
HEYBURN ID 83336

SOURCE: JORDAN CREEK TRIBUTARY: YANKEE FORK

QUANTITY: 2.00 CFS

PRIORITY DATE: 01/01/1961

POINT OF DIVERSION:	T12N R15E S05	NENW	Within CUSTER County
		SENW	
		NWSE	
		SWSE	
	T13N R15E S29	SESW	
		NWSE	
		SWSE	
	S32	NENW	
		SWNW	
		SENW	
		NESW	
		NWSW	
		SESW	

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	MINING	04-15 11-15	2.00 CFS

PLACE OF USE:	MINING	Within CUSTER County			
	T12N R15E S05	NENW	SENW	NWSE	SWSE
	T13N R15E S29	SESW	NWSE	SWSE	
	S32	NENW	SWNW	SENW	NESW
		NWSW	SESW		

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

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: APR-20-1999
PAGE: A-6

RIGHTS FROM: SOURCE: JORDAN CREEK TRIBUTARY: YANKEE FORK

RIGHT NUMBER: 72-04053 (CONT)

OTHER PROVISIONS: (CONT)

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 72:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

April 26, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

EUGENE DURRELL MOON
677 GREENBRIER DR
HEYBURN ID 83336

RE: SRBA Claim(s) 72-04053

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

AJ0749NP
No. 72-04053

OWNER CODE: C
NAME & ADDRESS: EUGENE DURELL MOON
677 GREENBRIER DR
HEYBURN ID 83336
(208) 679-0637
PRIORITY DATE: 01/01/1961
WATER USE: MINING
USE PERIOD FROM TO: 04-15 11-15
DIVERSION RATE: 2.00 CFS
DIVERSION VOLUME: 2.00 CFS
TOTAL DIVERSION: 2.00 CFS

Water Source: JORDAN CREEK
Tributary to: YANKEE FORK
Stage: BENEFICIAL USE
Point(s) of Diversion: T12N R15E S05
T13N R15E S29
S32
S32
SWSE CUSTER County
NESW CUSTER County
NESW CUSTER County

Place of use Legal Description for: MINING

		NE		NW		SW		SE	
T	R S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SESW
12N	15E 5 :	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
13N	15E 29 :								
13N	15E 32 :								

POU County: CUSTER
Other Rights: NONE

- Conditions of Approval:
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
 - IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
 - RIGHTS IN BASIN 72:
 - WATER RIGHT NO. SOURCE
 - NONE
 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
 - IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
 - RIGHTS IN THE SNAKE RIVER BASIN:
 - WATER RIGHT NO. SOURCE
 - NONE
 - ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
 - OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
 - CONJUNCTIVELY.

Dates: Exam Made Date: 08/25/1995
Verified Date: Objection Filed Date:
Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

AJ0749NP
No. 72-04053

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 04/14/99
PAGE: 2

Comments: Date: 11/13/1998 User-ID: SCLELLAN Subject: COPIED FROM REMARKS
P/U & P/D LOCATED ON UNSURVEYED PROPERTY.
ORIGINALLY CLAIMED 10 CFS...REDUCED TO 2 CFS. SEE ATTACHED.

Date: 11/21/1998 User-ID: AJU10-DS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C16 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Date: 04/14/1999 User-ID: CTIMM Subject: ADDRESS CHANGE
CHANGED ADDRESS AS PER CLAIMANT'S REQUEST RECEIVED 01/09/99. CT

Audit: 04/14/99 CTIMM



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

72-04053.
RECEIVED

FEB 09 1999

Idaho Department of Water Resources
Southern Region

December 31, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

EUGENE DURELL MOON
C/O MOON & ASSOC MINING
525 F ST
RUPERT ID 83350-1635

01-21-99
slapase

RE: Snake River Basin Adjudication (SRBA)
Water Right #72-04053

Dear Water Right Holder:

Mail recently sent to you was returned to us by the Postal Service. They also advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by January 18, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water right referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally Shezeman

Sally Shezeman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:
Returned Mail

#####

The address is correct as shown above or as otherwise changed.

Claimant Signature

Telephone No.

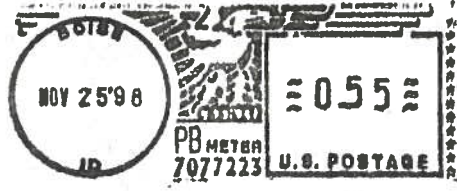
4/14/99 CT ✓

✓ ID

NCAP. Reg

ER RESOURCES

RECEIVED
DEC 22 1998
Department of Water Resources



72-04053

EURENE DURELL MOON
MOON107 833502004 1897 02 12/18/98
FORWARD TIME EXP RTN TO SEND
:MOON & ASSOC MINING & LUCKY CUSTER G
525 F ST
RUPERT ID 83350-1635
RETURN TO SENDER

November 20, 1998

**NOTICE OF ERROR
REPLY**

RECEIVED

JAN 11 1999

Department of Water Resources
Southern Region

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 18, 1998

I am temporarily in California

Water right number: 72-04053

EUGENE DURELL MOON

~~PO BOX 107~~

677 Greenbrier Dr.

~~RUPERT ID 83350~~

Hayburn, Id 83336

Daytime Telephone Number: *208-679-0637*

Evening Telephone Number: *650-726-5856 Half Moon Bay, Calif.*

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation; no changes need to be made.

DATE: *1-6-98*

SIGNATURE: *E.D. Moon*

Please print your name:

Eugene Durell Moon



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

December 31, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

EUGENE DURELL MOON
~~G/O MOON & ASSOC MINING~~
~~525 F ST~~
~~RUPERT ID 83350-1635~~

Eugene Durell Moon
677 Greenbrier Dr.
Heyburn, Idaho 83336

RE: Snake River Basin Adjudication (SRBA)
Water Right #72-04053

Dear Water Right Holder:

Mail recently sent to you was returned to us by the Postal Service. They also advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter. **list any other water rights you have**, and return this letter by January 18, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water right referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosure:

Returned Mail

#####

The address is correct as shown above or as otherwise changed.

E.D. Moon
Claimant Signature

208 - 679 - 0637
Telephone No.

650 - 726 - 5856

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

8

Water Source: JORDAN CREEK

Tributary to: YANKEE FORK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T12N	R15E	S05	NENW	SENW	N4SE	S4SE	CUSTER County
T13N	R15E	S29	SESW	N4SE	S4SE		CUSTER County
		S32	NENW	S4NW	SENW	N4SW	CUSTER County
		S32	N4SW	SESW			CUSTER County

Place of use Legal Description for: MINING

[illegible]

POU County: CUSTER

Other Rights: NONE

Dates: **Exam Made Date:** 08/25/1995

Verified Date:

11/13/1998

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

COMMUNICATION DOCUMENTATION

CLAIM: A72-04053

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

August 21, 1995 1:21pm

I CALLED TO CONFIRM THE VISIST TO HIS MINING SITE ON JORDAN CREEK. HE SAID I COULD EXAMINE THE CLAIM AREA AND TOLD ME WHERE HE COULD BE REACHED IF HE MAKES IT TO THE SITE/AREA. ALSO SUGGESTED I CHECK WITH HIS BROTHER, UDY MOON, AT MTN. VILLAGE LOUNGE.

HE SAID THEY HAVE NOT BEEN USING THE PUMPS AND SLUICES THIS SUMMER DUE TO LITIGATION WITH OTHER PARTIES.

Spoke w/ UDY moon in Stanley this day, referred me to his Brother, Eugene, at the mine sites. Confirmed pou & evidence of past Mining activities. No current Mining or use of water occurring at this time. Jordan Creek is certainly able to provide the requested flow rate.

N A T I O N A L

Pinyon Lake

Mine

Mt Greylock
Lookout 9857

Bald Mtn

CLAIM INIT
T. R. S. Q/Q
P/D
PHOTO CUSTER QUAD. U21 (SW)
DT. & ID. 1963

PA FIELD EXAM
8-1-99
SC

Custer

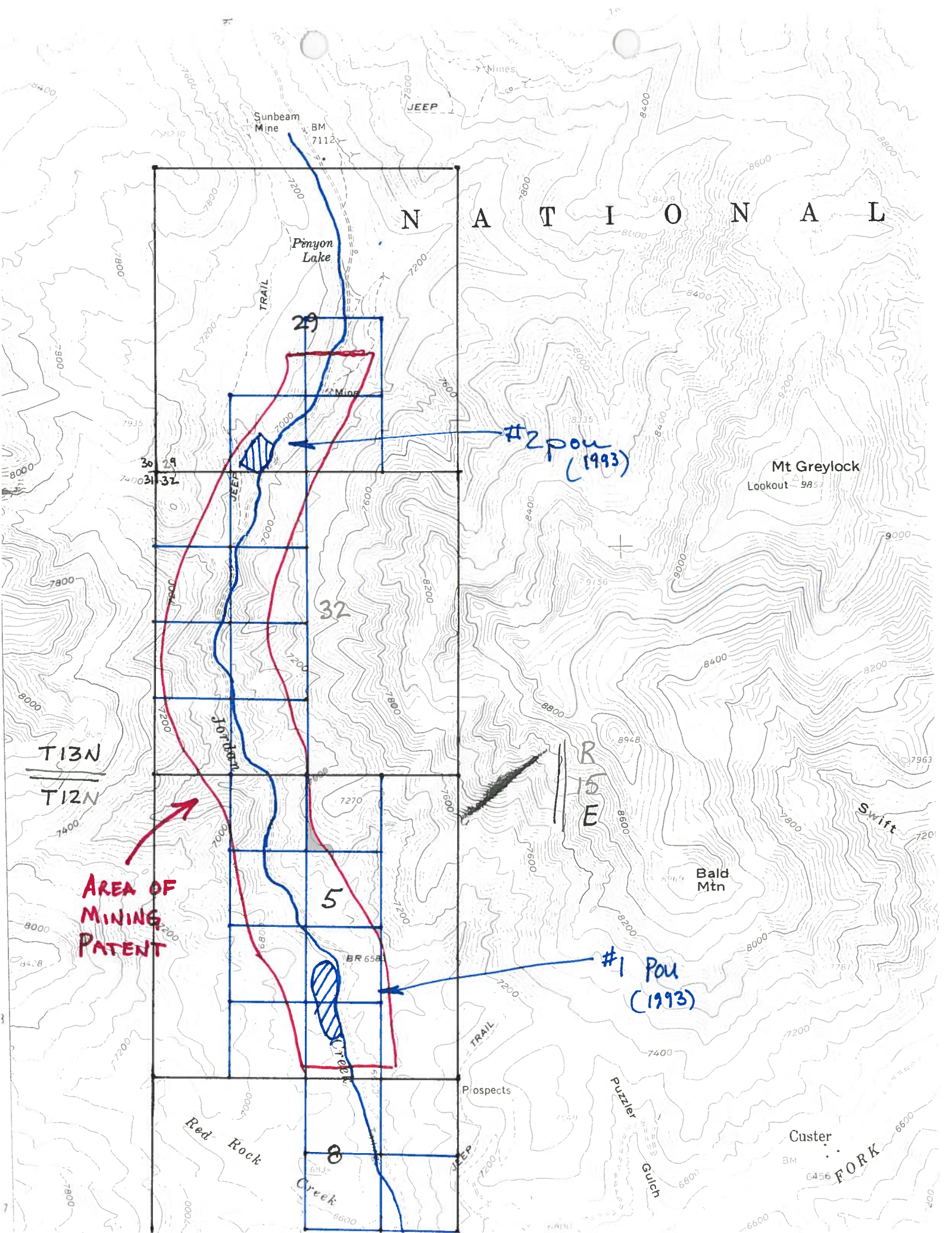
Rookie Point

YANKEE

#2 POW 1993

#1 POW 1993

990 000
FEET



A72-04053

11/13/98 see

Pod's & Pou's

(same legals)
based on claim & Exam of area.
lists only Q-Q's w/ Jordan Cr.
(see also Topo map
with legals sketched.)

12 N 15E S05
NENW
SE NW
NW SE
SW SE

13 N 15E S 29
NWSE
SWSE
SESW

S.32
NENW
SW NW
SE NW
NWSW
NESW
SESW

COMMUNICATION DOCUMENTATION

Claim No. A72-4053

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent STEVE CLELLAND Date 8-1-94Contact Person(s) UDY MOON
(Eugene Durell's Brother)

Nature of Contact _____

met @ Lucky Boy Mine & Discussed
Jordan Creek Claim to a Water Right.

Substance of Communication _____

We reviewed the map and he described
the two sites that were mined last year and
have since been reclaimed back to natural
landscaping. No Canyons uses in place this summer.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

03:33:18
06/04/92

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A72-04053

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y	offered: amount \$1000 3-10-92	8-1-94 sc	N	sc	sc 11/13/98		
POINT OF DIV	Y		8/25/95 sc	Y				
SOURCE				Y				
PLACE OF USE	Y			Y				
DIV. AMOUNT CFS/VOLUME	Y			2				
CONSUMPTIVE USE	-			2				
PURPOSES				2				
PERIOD OF USE				2				
BASIS OF CLAIM	Y			2				
REMARKS	Y			2				

VERIFIED BY CODES

- TOPO MAP/ORTHO-PQ = 1
- ASCS MAP = 2
- WATERMASTER RECORDS = 3
- NAPP PHOTOS = 4
- FIELD EXAM = 5
- OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

sc
4-26-93

CLAIM NUMBER: A77-040513

Stage: STATUTORY CLAIM

NESW	CUSTER	County
NWSE	CUSTER	County
SESE	CUSTER	County

55

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

```
Field Inspection Flag:
Presumption Flag:
```

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

03:33:18
06/04/92

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A72-04053

LAST: MOON FIRST: EUGENE DURELL
ADDRESS: BOX 107
CITY: RUPERT STATE: ID ZIP: 83350
PHONE NUMBER: 208-436-3714

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE Y FIELD EXAMINER

REMARKS: P/U & P/D LOCATED ON UNSURVEYED PROPERTY. SEE ATTACHED.
ORIGINALLY CLAIMED 10 CFS...REDUCED TO 2 CFS.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: MOY MOON PHONE NUMBER: () - - -
DATE OF FIELD EXAM: 8/1/94 APPOINTMENT MADE: Y () N (X) TIME: : A () P ()
ACCOMPANIED BY: 8/25/95 PHONE NUMBER: () - - -
RELATIONSHIP TO CLAIMANT: - - -
DIRECTIONS TO PROPERTY / REMARKS: - - -

A. A1 CLAIM: # A72-04053 PRIORITY DATE: 01-01-1961 STAGE: 8
B. WR RECORD: # 72-04053 PRIORITY DATE: 01-01-1961 STAGE: 5

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE N FIELD EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y (X) N ()
IF YES EXPLAIN.

REMARKS:

Claimant submitted his own affidavit. Not very supportive of the claimed use. Maintenance of the mining claims has supported other mining water rights in this area. 4-26-93 sec

RECOMMENDED PRIORITY DATE:
01-01-1961

REVIEWED BY

01-01-1961

DATE

11/23/93 sec

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A72-04053	12N	15E	5		NW	NW		CUSTER
A72-04053	12N	15E	5		SW	NW		CUSTER
A72-04053	12N	15E	5		SE	NW		CUSTER
A72-04053	12N	15E	5		NE	SW		CUSTER
A72-04053	12N	15E	5		SE	SW		CUSTER
A72-04053	13N	15E	29		NW	NE		CUSTER
A72-04053	13N	15E	29		SW	NE		CUSTER
A72-04053	13N	15E	29		SE	SE		CUSTER
A72-04053	13N	15E	32		NE	NW		CUSTER
A72-04053	13N	15E	32		SE	SE		CUSTER
A72-04053	13N	15E	32		SE	SE		CUSTER

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX
NONE

WR RECORDS IN SAME 40 ACRE TRACT

72-07165

SOURCE: JORDAN CREEK

TRIB: SALMON RIVER, YANKEE FORK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
72-04053	12N	15E	5					CUSTER
72-04053	12N	15E	8					CUSTER
72-04053	13N	15E	29					CUSTER
72-04053	13N	15E	32					CUSTER

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: JORDAN CREEK

TRIB: SALMON RIVER, YANKEE FORK

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

Y
N
DATABASE
EXAMINER

REMARKS:

Point of diversion was not in use at span time. Diversion as used will vary from year to year depending on where the mining is in process. See 8-1-99

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:
TWP. RGE. SEC. 1/4 1/4 LOT COUNTY

SOURCE: JORDAN CREEK TRIB: ~~SANBORN RIVER~~, YANKEE FORK

REVIEWED BY: DATE:

See attached list of 11/13/98

A. ROOT WATER RIGHT NUMBERS: A72-04053

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #ACRES	WR #ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
12N	15E	5	NW	NW		MOON, EUGENE DORELL	A72-04053 /	- /			
12N	15E	5	SW	NW		MOON, EUGENE DORELL	A72-04053 /	- /			
12N	15E	5	SE	NW		MOON, EUGENE DORELL	A72-04053 /	- /			
12N	15E	5	NE	SW		MOON, EUGENE DORELL	A72-04053 /	- /			
13N	15E	29	NW	NE		MOON, EUGENE DORELL GROUSE CREEK MINING INC.	A72-04053 /	72-07407 /			
13N	15E	29	SW	NE		MOON, EUGENE DORELL GROUSE CREEK MINING INC.	A72-04053 /	72-07407 /			
13N	15E	29	SE	SW		MOON, EUGENE DORELL HECLA MINING CO	A72-04053 /	72-07115 /			
13N	15E	29	SE	SW		HECLA MINING CO		72-07116 /			
13N	15E	29	SE	SW		GROUSE CREEK MINING INC.		72-07407 /			
13N	15E	29	NW	SE		MOON, EUGENE DORELL	A72-04053 /	- /			
13N	15E	32	NE	NW		MOON, EUGENE DORELL	A72-04053 /	- /			
13N	15E	32	SE	NW		MOON, EUGENE DORELL	A72-04053 /	- /			
13N	15E	32	NE	SE		MOON, EUGENE DORELL	A72-04053 /	- /			
13N	15E	32	SE	SE		MOON, EUGENE DORELL	A72-04053 /	- /			
TOTAL ACRES							A72-04053				

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y () N ()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED? DATABASE FIELD EXAMINER POU COUNTY: CUSTER
DUE TO POU DISCREPANCY? (Y/N) Y

See Attached 11/11/98 POU list

**Same*

PRESUMPTION FLAG:

REMARKS:

Place of Use is usually from users to users within the range of the Mining Claim.
Units depending on the location of actual mining work. See 8-11-99

RECOMMENDATIONS:

TOTAL ACRES:

REVIEWED BY:

DATE:

A. AJ CLAIMED USES:

PURPOSES
A72-04053 MINING

MONTH/DAY
FROM 04-15 TO 11-15

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
2.000 CFS
2.000 CFS

B. WR RECORDED USES:

PURPOSES
72-04053 MINING

MONTH/DAY
FROM 04-15 TO 11-15

TOTAL DIVERSION RATE/VOLUME CLAIMED

DIVERSION QUANTITY
10.000 CFS
10.000 CFS

RESUMPTION ELAB:

C. FIELD EXAM REQUIRED?

	FIELD	EXAMINER
DUE TO WATER-USE DISCREPANCY?	(Y/N)	N
DUE TO DIVERSION RATE DISCREPANCY?	(Y/N)	Y
DUE TO PERIOD FROM/TO DISCREPANCY?	(Y/N)	N

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?
RECOMMEND TO WR STANDARDS OR OTHER?

Y() N()
Y() N()

Explain in remarks, below.

REMARKS:

11/13/98 CAV

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 2.000 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 10.000 CFS

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***
** If an amount smaller than the original diversion rate is claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

FIELD DATABASE EXAMINER
Y ~~Y~~

no diversion:
unable to measure @ span of 8-1-94.

B. MEASUREMENT METHOD theoretical case, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

assumed:
50%
24' and 40' lights

$$\frac{(8.8)(20)(50)}{40 + (8 * 2.31)} = 2.2 \text{ cfs}$$

ok to deliver claimed rate!

see
11/13/98

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES _____ $\times$ 0.02 CFS/ACRE = _____ CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y(____) N(____)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y(____) N(____) ***

2. IRRIGATION CONSUMPTIVE USE
CLAIMED CONSUMPTIVE USE = _____ AF/A

ACRES _____ $\times$ CONSUMPTIVE VOL. AF/A FOR AREA _____ =
TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ $\times$ DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(____) N(____)

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

OK - Mining Rate of 2.0 cfs

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
MINING	04-15 11-15	DATABASE EXAMINER 2.000	DATABASE EXAMINER -----	DATABASE EXAMINER 0.0
TOTAL FOR THIS RIGHT		2.000		0.0

REVIEWED BY:

See

DATE:

4/13/98

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FOREFEIT/ABANDON
ADDITIONAL DIV. AMOUNT

ACCEPTED
AS CLAIMED
()
()
()
NEEDS
REVIEW
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 72-04053

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
10.000

EXAMINER

CFS

SPLITS:

OLD RIGHT
NUMBERS

CURRENT
CLAIM NUMBERS

DIVERSION
RATE

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

WR RIGHT
NUMBERS

DIVERSION
RATE

-

A72-04053

2.000

-

72-04053

10.000

TOTAL CFS

2.000

10.000

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
N

FIELD
EXAMINER

REMARKS:

N/A

AUTHENTICATION
SIGNATURE:

Steve Clelland

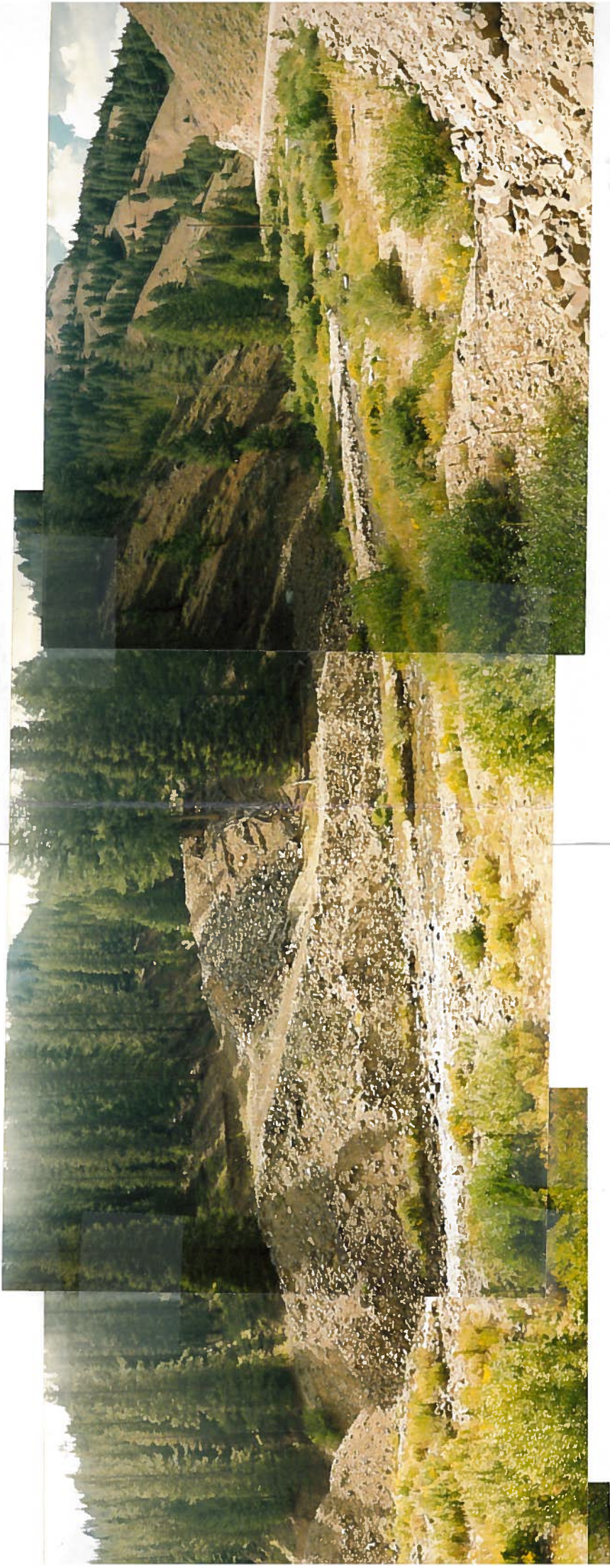
DATE:

11/13/98

NAME OF FIELD EXAMINER:

Steve Clelland

TITLE:



reek

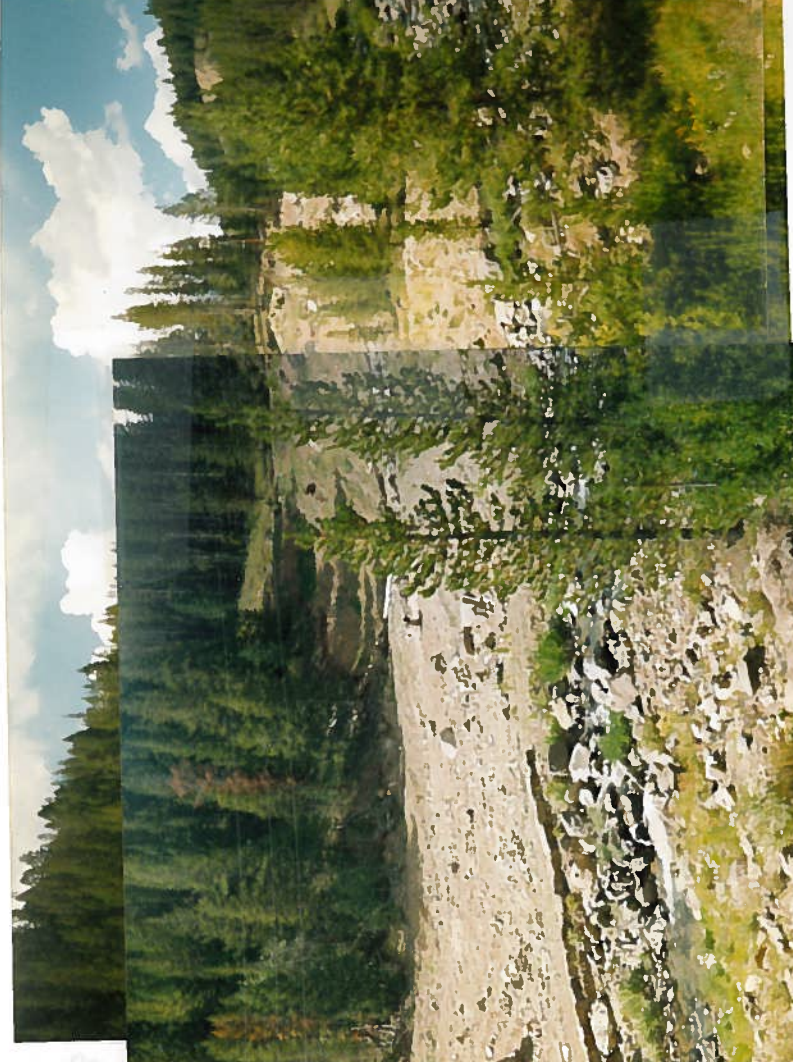
2020-21A

8-52-42

8-52-42

MOON MINE @ JORDAN CREEK

15-09-023



A72-04053

MOON MINING on JORDAN CREEK

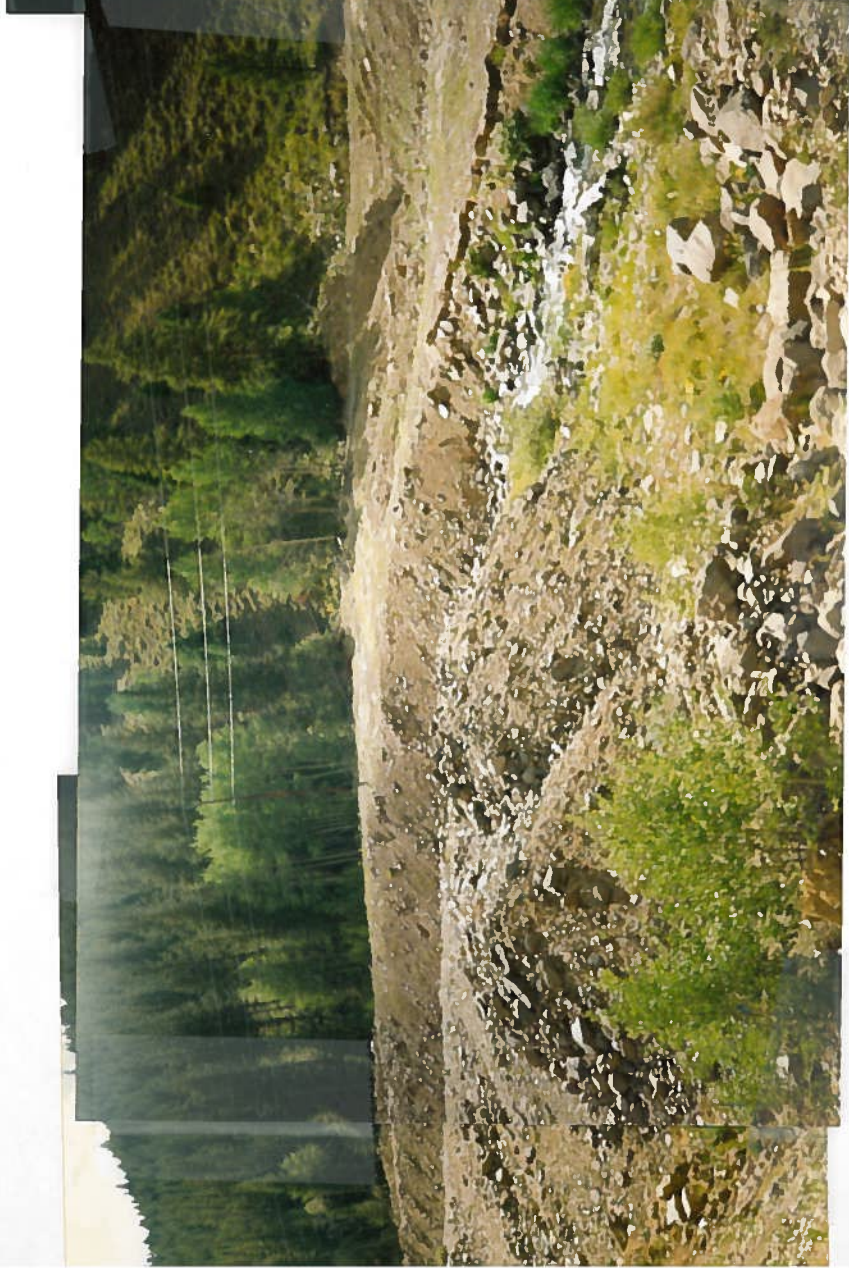
8-25-95
sa

MINING on JORDAN CREEK

8-25-95
see

A72-04053

MOON MINING @ JORD





Reclaimed MINING SITE -

MINED 1993.

@ JORDAN CREEK

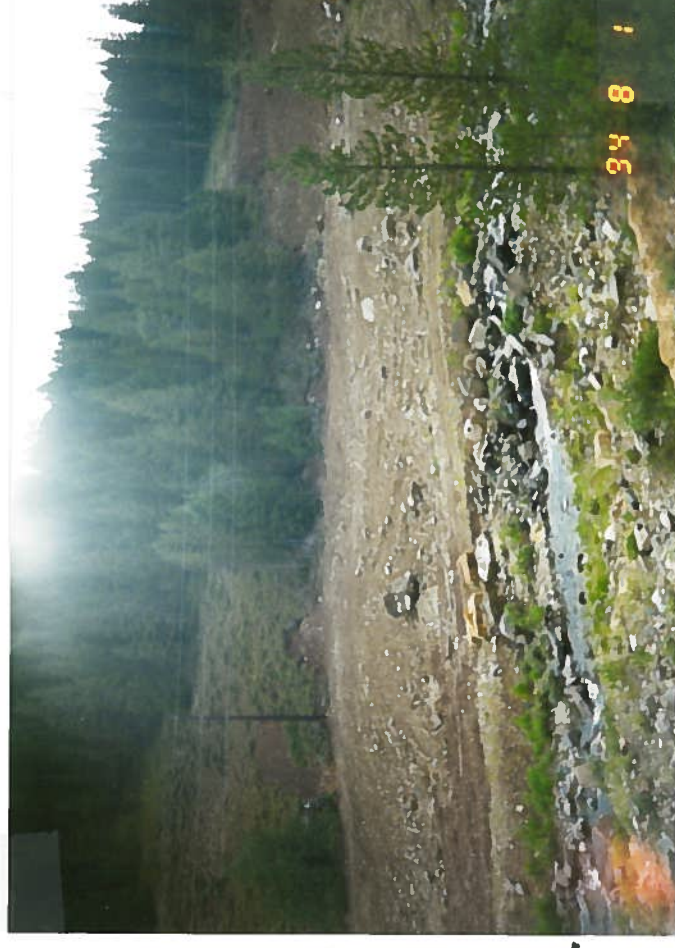
A72-A053

moon

Pou #1

Photo:
R72-43
by SCL
8-1-94

JORDAN
CREEK →



Pou within MINING CLAIM.

A72-4053

moon



POU MINING SITE

Photo:

by SCC

R72-43

8-1-94

RECLAIMED SITE - MINED IN 1993

JORDAN CREEK ROAD.

POU #2

Water Right Number - 72-04053

Prefix Translation:

WATER RIGHT

Old (D) Number -

Last Name -

First Name -

Address -

*** C - CURRENT OWNER ***
MOON

EUGENE DURELL

1 - ROUTE 2 _ BOX 185
2 -
3 -

City- HEYBURN
Phone -

State- ID Zip- 83336

Priority Date - 01/01/1961

Region - 17 SOUTHERN

Stage - S - STATUTORY CLAIM

Status -

Source - JORDAN CREEK

Tributary - SALMON RIVER, YANKEE FORK

TwN	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Stream Index (Blank if no Index Code)
-----	-----	-----	-------	-----	------	--------	--------------------	---------------------------------------

12N	15E	5				(37)	CUSTER	
		8				(37)	CUSTER	
13N	15E	29				(37)	CUSTER	
		32				(37)	CUSTER	

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
------	-------------	-------------	-----------	-----------	----------------	------------------

13 - MINING		04/15	11/15		10.000	
- Total Div. Rate -	+	- Total Div. Volume -	+	- Total Div. Capacity -	+	

TwN	Rng	Sec	Tract	Lot	Acres	Code	Place of Use	Description	County
12N	15E	5				13	MINING		(37) CUSTER
12N	15E	8				13	MINING		(37) CUSTER
13N	15E	29				13	MINING		(37) CUSTER
13N	15E	32				13	MINING		(37) CUSTER

- - - Diversion Means - DITCH

- - - Non-Irrigation Use -

- - - Other Rights for Same Use -

- - - Remarks -
No Remarks found.

- - - Old Water Right Numbers -
No Old Water Right Numbers found.

WATER RIGHT

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

+ - - - Decree Defendant - - +

- - -Comments- -
No Comments Found

CONVERT

Water Rights Dates and Flags Area

Proof Due Date	-	00/00/0000	Field Exam Made	-	00/00/0000	Field Exam Fee	-
Approved/Denied	-	00/00/0000	Protested Date	-	00/00/0000	Swan Falls	-
Proof Made Date	-	00/00/0000	Hearing Date	-	00/00/0000	Temporary Right	-
Exam to S.O. Date-	-	00/00/0000	Verified Date	-	01/28/1986	DLE/Carrey Act	-
Order Show Cause	-	00/00/0000	Receipt Number	-		Water District	-
Licensed Date	-	00/00/0000	Appl Received	-	00/00/0000	Transfer/Amended	-
Decree Date	-	00/00/0000	Presumption Flag	-			-